UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS
FIRST SESSION

VOLUME 111—PART 10

JUNE 9, 1965, TO JUNE 21, 1965
(PAGES 12895 TO 14306)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1965

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PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 9, 1965

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of the Scriptures: Mark 10: 9: *What therefore God hath joined together, let not man put asunder.*

Eternal God, in whom we live and move and have our being, give us a greater appreciation of Thy universal and elemental presence and power in our human life.

Help us to realize that our humanity pulsates with the same great needs, the same desires and longings and hopes and that they are the ultimate basis for human friendship and fraternity.

We penitently confess that we frequently recognize how superficial our distinctions and divisions are and fail to understand that our oneness of humanity is similar to the unity of a flower garden, in which there is one rich soil and one soft air but a great variety of color and fragrance.

This is something that we cannot comprehend, but we cannot deny or disregard our oneness with Thee and our mutual responsibility to one another.

Grant that we may see that we are the tree of life, which Thou hast created, and with our gifts, talents, and capacities as leaves, we are to be a shade and shelter for the healing of all the nations of mankind and must develop their culture in the economy of progress to which Thou dost hold us responsible.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7060. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Robertson, Mr. McClellan, Mr. Monroney, Mr. Bartlett, Mr. Yarborough, Mr. Hayden, Mr. Randolph, Mr. Case, and Mr. Allott to be the conferees on the part of the Senate.

PERSONAL EXPLANATION

Mr. RHODES of Pennsylvania. Mr. Speaker, on rollcall No. 123 I was unavoidably absent. Had I been present, I would have voted "yea."

PUBLIC DEBT LIMIT

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 413 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 413

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8464) to provide, for a period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

CALL OF THE HOUSE

Mr. MacGREGOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 128]

Addabbo
Andrews, George W.
Ashbrook
Ayres
Bonner
Bow
Brock
Brown, Ohio
Cabell
Callaway
Cameron
Clawson, Del
Collier
Conyers
Craley
Edwards, Calif.
Evins, Tenn.
Fogarty
Giaimo
Halleck
Hansen, Idaho
Harvey, Ind.
Hébert
Helstoski
Holifield
Holland
Hull
Jacobs
Landrum
Langen
Lindsay
McVicker
Mackie
Matsunaga
Michel
Mink
Morrison
Powell
Purcell
Resnick
Ronan
St Germain
Steed
Stephens
Teague, Tex.
Toll
Tupper
Wilson, Bob
Wright

The SPEAKER. On this rollcall 387 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUBCOMMITTEE ON POSTAL FACILITIES AND MODERNIZATION, COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Postal Facilities and Modernization of the Committee on Post Office and Civil Service may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation and Aeronautics and the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PUBLIC DEBT LIMIT

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith]. Pending that I yield myself such time as I may consume.

Mr. Speaker, as far as I know, there is no substantial controversy over this rule. At least, there was none before the Committee on Rules. Of course, there is always controversy over the bill which it makes in order under a closed rule which waives points of order and provides for 4 hours of general debate.

For that reason, Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, we are about once again to have the opportunity of viewing that very important drama entitled "Let us increase the temporary public debt just once more." This has had a very long and successful run in the Chambers, in the Halls of Congress. So far as I can see, the rules of the game are about the same.

Time for debate is limited to 4 hours. It will be on a closed circuit. No amendments may be offered except those offered from the committee and all points of order are waived. It is all relatively the same, except that the resolution presented today has a different number and the bill has a different number. The amount of the increase is $4 billion, from $324 billion to $328 billion, which will be the highest debt in our history. The participants will be the same distinguished Members who have offered this to us before and presented it to us in the past.

At the conclusion of the time for general debate we will be asked either to approve or disapprove the request for the increase of $4 billion as a permanent-temporary increase of the debt. No doubt this will be approved by an outstanding majority. But there will be some of us who will again disapprove and will vote against this particular measure. Some of us have not voted for the bills which caused the increased cost and therefore this request for an increase in the debt. Accordingly we do not feel we should vote to increase the debt.

Also, some of us are concerned about the future economy of the United States of America and will oppose this particular measure. Some of us feel we should not add this additional burden to our children and our grandchildren to pay. Indications of the past 3 weeks show a 6-percent decline in the stock market, which would tend to indicate that some of our constituents are also concerned with these matters.

Mr. Speaker, I should think that after the rule is adopted we really could just vote on this measure and the result would be about the same as it would be if we waited for the conclusion of the debate. But I know that is not the procedure that is to be followed.

So, Mr. Speaker, let us raise the curtain and start the show, for here we go again.

Mr. BOLLING. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FEDERAL RESERVE BANK OF NEW YORK HOLDS $38.5 BILLION IN U.S. GOVERNMENT BONDS THAT HAVE BEEN PAID FOR ONCE UPON WHICH IT IS STILL GETTING $1.5 BILLION A YEAR IN INTEREST FROM THE U.S. TREASURY

Mr. PATMAN. Mr. Speaker, I am going to talk about a subject that is really rather dry and considered sacrosanct by many people. They feel that when you talk about monetary matters, about the issuance and distribution of money, and things like that, you are on hallowed ground; that you should not be talking about such sacred subjects. But I have a different opinion, particularly when we have before us a bill to raise the debt limit to, I believe, $328 billion.

There is nothing for us to do except to vote for it, so far as I see it. We must pay our bills. We must pay our debts. Of course, we have got to pass the bill in order to do that. I cannot see any justification in my own mind for opposing it and I shall not oppose it. I shall vote for it. But I want to call your attention to something that has grown up in this country over a long period of time that would be shocking to those who have not studied it and who have not given it consideration.

The reason that I have been an advocate of two administrative assistants for each Member of the House of Representatives was that we would have two professional people working for each Member, such as an economist or a lawyer, to protect the people. Members of Congress have so much to do to take care of their constituents that they are not in a position to give the time and attention and careful study to these questions that are really required, properly to represent the people they have the honor to represent.

Now, Mr. Speaker, I want to make this statement which will seem shocking right off, I know, to some who have not studied it.

Mr. Speaker, the Federal Reserve Bank of New York has in its safe $38.5 billion of Government bonds that have been paid for once. Yet the people are being required to pay interest on those bonds in the amount of about $1.5 billion a year.

Mr. Speaker, if any Member of this House wants to contradict any statement I make at any time, saying, "I do not agree with you and I do not think that is according to the facts," he has my permission to get up and say so any time during which I am talking here. If I am not right, I want to know why I am not right. However, this statement cannot be contradicted.

Mr. Speaker, the Federal Reserve Bank of New York which is operated by the private banks in the New York region and under Mr. Alfred Hayes, the president of the bank, and nine directors, six of whom are selected by the private banks—six out of nine—have in their vault $38.5 billion of U.S. Government bonds that were sold into circulation. They were there day before yesterday I know. I am sure that they are there today. Those bonds have not been canceled and interest is being paid on them just the same as if they were never paid.

Mr. Speaker, I know that is a shocking statement, that we would let things like this go. It is really the responsibility of Congress. It is no compliment to Congress that we have permitted it to go on. It is no compliment to us. Yet I am not condemning individual Members of Congress, because they have their own reasons for things. I am not criticizing any Member of Congress. But every Member of Congress knows that Congress is to blame for a situation that has developed here over a period of years which enables the Federal Reserve Bank of New York to hold these bonds that have been paid for once and continue to collect interest on them.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Ohio.

Mr. ASHLEY. Does the gentleman from Texas say that there are $38.5 billion worth of bonds, U.S. bonds, in the Federal Reserve Bank in New York that have been paid for by the taxpayers of this country, paid off, but on which interest continues to be paid?

Mr. PATMAN. I make that statement that the bonds have been paid for once. Of course, over the years, I have interrogated the Chairman of the Federal Reserve Board. Mr. Eccles was Chairman for 13 years and since that time Mr. Martin has been Chairman for 14 years. That is 27 years, and that is during the most important, the meaningful time of the Federal Reserve System, and the statements made in answer to my questions propounded to Mr. Eccles and to Mr. Martin over the years corroborate the statement that I have made. I shall put the statements in the CONGRESSIONAL RECORD today.

Let me explain how it happens.

Any currency, Federal Reserve notes, printed over here at the Bureau of Engraving and Printing, are obligations of the U.S. Government and say so on their face. The only difference between them and a bond is that a bond provides for an interest payment each year. The paper money does not provide for an interest payment. So they take our paper money and trade it for U.S. bonds, thereby paying the bonds, and keeping the bonds and continuing to charge the Treasury interest on those bonds, just like if the gentleman went to his broker and said, "I owe $1,000 on my home. Here is my check. You take it to the holder of that $1,000 mortgage and you give my check to the holder so that he can release my mortgage."

Then your broker takes it. He occupies the position of trust with you just like the Federal Reserve does with the Federal Government. He pays it to the man who holds the mortgage and, instead of canceling the mortgage, the broker takes it himself and wants you to pay interest on it. Then when it is due wants you to pay the principal again, when your check for $1,000 had been cashed by the man to whom it was payable, and it is taken out of your funds by your bank. You have paid for it once.

In that same fashion these $38.5 billion have been paid once. Mr. Eccles says so, Mr. Martin says so, and everyone else connected with the Federal Reserve System will have to say so because it is the truth. So if you take the $38.5 billion from the $328 billion you would have a much smaller national debt. In fact, we would not need this debt limit bill here today.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New York.

Mr. MULTER. The gentleman's statement of fact is correct, but I think his analogy is incorrect. He fails to call to the attention of the House at this time, inadvertently, I am sure, that all of the Federal Reserve banks of the country are owned, lock, stock, and barrel, by the U.S. Government, and these bonds that he refers to that are lying in the Federal Reserve bank which have been paid for once are no different from a bond that is issued by a corporation, that buys it back on the open market, and holds it in its treasury and reissues it at a later date. That is what the Federal Reserve banks are doing. Those bonds are lying there now, awaiting reissue. The only other way for a central bank to operate would be to cancel the bonds upon purchase and then print and issue new bonds at a later date. The Federal Reserve bank is the fiscal agent of the Federal Government who in effect owns these bonds, which it will resell at a later date.

Mr. PATMAN. They should not be resold. They should be canceled. We have paid for them once. Under the act the Open Market Committee has a right to engage in open market operations. That is all right up to a point, any amount of bonds they need to go into an open market operation is all right. I would not argue about that. However, I think we should have some guidelines. But certainly we do not need any $38.5 billion for that purpose. Maybe you could use $8.5 billion, then $30 billion should be canceled. You have enough bonds in the Federal Reserve bank in New York City to cause 10 depressions in this country. You have a backlog of 10 depressions, $38.5 billion of bonds, and the Federal Reserve can cause one after another of these depressions as long as they have those bonds and they are not canceled.

Mr. MULTER. I believe the gentleman would make out a better case for possibly different management of the Federal Reserve banks or the possibility of somewhat different operations of the Open Market Committee. These bonds are owned by the U.S. Government through its fiscal agent, and are repurchased for resale at a later date.

Mr. PATMAN. It is more simple than that. The Open Market Committee members are trustees for the U.S. Government because they are handling the Government's business; therefore they should in good faith do what is in the best interest of the Government of the United States. When they take our money, a Government obligation, and transfer it to a Government bond, they should cancel that Government bond because it has been paid, and we should not have to pay the debt twice or three times. In fact, we are lucky if we can pay them once.

Now these bonds can be paid for a half dozen times if they do what the gentleman from New York just suggested they might do—sell them back into the market. You take a bond that they have now—they can sell it back into the market and then buy it back. Then it has been paid for twice. Then they can sell it back into the market and buy it back and then it has been paid for three times.

Mr. MULTER. Is that not exactly what they are doing? They are issuing these bonds and buying them back and then issuing them again? The fact is that these bonds are Government obligations.

Mr. PATMAN. They do not need any $38½ billion. I can give you an illustration. Back in 1959 they had up here what was known as the vault cash bill. It was in a little unknown provision—and the gentleman is on the committee and will remember it and I call his attention to it. The Open Market Committee held $24 billion worth of bonds then. They had a little provision in there, I guess you would call it the real fine print—something that was unknown at the time. But it was detected by some of us who did not like it and we discovered that they had in mind transferring $15 billion of these bonds to the private commercial banks and they openly said so and to let the commercial banks draw interest on the bonds and then when they were due, again collect 100 percent.

Mr. BATTIN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. BATTIN. I am a little bit confused about which committee of the Congress has jurisdiction over the problem that the gentleman in the well is talking about.

Mr. PATMAN. The Committee on Banking and Currency of the House will hold hearings on this I hope within the next 30 or 60 days. It is a subject that you must call to the attention of the Members of the House otherwise if we were to report the bill out, we would not have a very good chance of passing it. That is the object and the purpose of my coming before you here today through the courtesy first of the gentleman from Arkansas [Mr. Mills] who promised to give me 15 minutes of time during general debate in the Committee of the Whole, but I have made arrangements that during the consideration of the rule the gentleman from Missouri [Mr. Bolling] will give me 15 minutes of time, and it is for the purpose of acquainting you with this matter that I am speaking to you today because this campaign is not going to stop. Now when this bill came up in 1959, we made such a case of how terrible it would be just to pay for these bonds once and then transfer them over to the private commercial banks and let them create money on the books of the banks on the credit of the Nation and it cost them nothing while they continue to collect interest on the $15 billion—we made such a terrific case against it that they said, "Oh, well, we are not going to do that, we will just not do it."

We made legislative history in the report of the conference committee that I myself wrote incidentally and I am proud of it. We made such a case against that so that they could not do it but they were caught in the act just like a chicken thief at 12 o'clock at night coming out of the chickenhouse with two chickens—one under each arm. They were caught redhanded. And they had to capitulate and stop. The records will show what I am saying.

Now then they want to do the same thing in a different way. These bonds are piled up. Over $38½ billion worth of them and we are paying $1,500 million a year interest. The taxpayers are paying that interest. That is coming out of your pocket and is being paid with your money. Why should we pay that $1,500 million interest? It has been paid for once. Should we pay our debts twice or three times? That does not make any kind of sense—common, book, or horse. It makes no kind of sense and it ought to be stopped. That is the reason I am bringing it to your attention. I want you to study this thing. If we ever get these two administrative assistants and I understand—now listen to me and I will tell you something—I do not know whether this has come out yet or not and maybe all of you know it and knew it before I did—but I understand the committee is favorable to one administrative assistant and that is a step in the right direction. I think we ought to have two assistants. But certainly we ought to have that one administrative assistant without any delay.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BOLLING. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. PATMAN. The people could not spend their money for a better purpose. This money would be spent by the people to help the people—to help all the people. It is not for the purpose of helping Members of the Congress. This is to help the people because the Members of Congress can then give better representation to the people and the Members can better perform their duties by being properly and adequately equipped and helped with the right kind of professional help.

I hope that will be done. Then, when that help is provided, or before, we can give consideration to these subjects which they call sacrosanct.

Many people say, "Well, all I know about money is that I do not have enough of it," or something like that. They pass it off in a facetious way, or in a spirit of levity. Nearly all Members of Congress do that, because they do not want to get involved. I will not say they do not want to go to the trouble, but they are not willing to take on the opposition they would have by taking the right position.

I know that the bankers know something about making loans and about collecting them back. They know something about security. But the bankers know nothing about the science of money. We have never seen one who did. They are not supposed to know about the science of money. They know about the mechanics of making loans, about collecting loans, about protecting depositors, and making money for banks and themselves. That is their principal interest.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

There are a couple of questions I need to have clarified in my own mind.

When the Federal Reserve makes a demand on the Mint for currency, for paper money, Federal Reserve notes, do they give anything for it?

Mr. PATMAN. They give the credit of the Nation for it, which is the best thing on earth. For that credit of the Nation they say, "We want actual bills." They give them the new, crisp bills.

Mr. FASCELL. They make a demand on the Mint, and the Mint delivers the paper money to them?

Mr. PATMAN. The Federal Reserve gets the money. They have plenty of ways to get the money.

Mr. FASCELL. It is on demand, is it not?

Mr. PATMAN. The gentleman should read the testimony I put in the RECORD. Mr. Eccles says that is the way they do it. Mr. Martin says that is the way they do it.

There is no objection from any informed person in the United States of America, yet here we are, 435 Members of Congress, letting them get by with it every day, while they still collect $1.5 billion a year from the taxpayers for bonds which have already been paid.

Mr. FASCELL. Mr. Speaker, will the gentleman yield further?

Mr. PATMAN. Yes. The gentleman does not say that they have not been paid for; does he?

Mr. FASCELL. I did not say that. I merely wish to be sure that I understand how they get that paper money.

Mr. PATMAN. Regardless of how they did it, they traded one form of Government obligation for another. They did not cancel it. They did not cancel the one they received.

Mr. FASCELL. How and when is the interest on the $38.5 billion worth of bonds paid, and to whom?

Mr. PATMAN. It is paid by the Treasurer of the United States. First it is paid by the taxpayers into the Treasury.

I will tell you two gentlemen who know about the portfolio in the New York Federal Reserve Bank. They are Mr. MINISH, of New Jersey, and Mr. WELTNER, of Georgia. They were over there Monday, representing our House Committee on Banking and Currency. They went through the portfolio. They held up a bond of $500 million, with one coupon of $10 million. They have them in large denominations. They keep them that way.

When those bonds are paid, they should be marked "Paid." Then if the Federal Reserve wants money for open market operations, there should be guidelines for that. They should have that, all right, and I do not object to it, but they should have a reasonable amount and not use it as they are using it now, which is an abuse of trust and not a proper use of trust.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Who actually gets the $1.5 billion of interest? Who are the people? What institution or what agency gets the $1.5 billion? I do not understand that.

Mr. PATMAN. The $1.5 billion is paid into the Treasury through the Internal Revenue Service organization.

This is the Federal Reserve, the bank in New York. Incidentally, that bank is run not by the Federal Reserve Board here, but it is run by the directors of that bank, and six of the nine are selected by private bankers in New York State and in that region. It is run by a fellow by the name of Alfred Hayes, who is the president of that bank who was elected by those nine directors, six of whom were selected by the banks themselves.

They collect this $1.5 billion. Then the Federal Reserve spends all the money it wants to spend.

There is no accounting. There has never been an audit. Imagine that. How can we explain it? There has never been an independent audit of the Federal Reserve System, which is using our credit and our money, hundreds of billions of dollars a year. There has not been one independent audit, but only self-audits.

Mr. Speaker, Government securities held by the Federal Reserve System have been paid for once. These securities have been paid for with Government funds. In fact what has happened is that non-interest-bearing obligations of the Federal Government—paper money—have been exchanged for interest-bearing securities which also are obligations of the public which the Federal Reserve now holds.

Lest there be any doubt that this is so, we have no greater authority than Mr. William McChesney Martin, Chairman of the Federal Reserve Board, and who has been chairman longer than any other person, over 14 years, since April 2, 1951, who stated in reply to a question I asked him before the Subcommittee on Economic Stabilization of the Joint Economic Committee on Monetary Policy in 1956 as follows:

> Mr. PATMAN. You have $24 billion worth of bonds. Now, those bonds were bought by giving Federal Reserve notes in exchange for the bonds were they not?
>
> Mr. MARTIN. Well, Federal Reserve credit.
>
> Mr. PATMAN. What is that?
>
> Mr. MARTIN. Federal Reserve credit. They were not specific—
>
> Mr. PATMAN. That is what I mean. But every one of them is an obligation of the U.S. Government; it it not?
>
> Mr. MARTIN. That is correct.
>
> Mr. PATMAN. That is what makes it good.
>
> Mr. MARTIN. That is right.

Mr. Marriner Eccles, was a member and Chairman of the Federal Reserve Board from November 15, 1934 until July 14, 1951. He was Chairman from November 15, 1934 to January 31, 1948 or over 13 years.

He has stated for the record in several instances the fact that when the Federal Reserve purchases U.S. Government obligations it in fact trades one Government obligation that is non-interest-bearing for another Government obligation that is interest bearing. Several short quotes from Mr. Eccles' testimony before the House Banking and Currency Committee in prior years bears this out in unequivocal terms.

Federal Reserve creates money, says Chairman of the Board Mr. Eccles. Whenever the Federal Reserve System buys Government securities in the open market or buys them direct from the Treasury, either one, that is what it does.

> Mr. DEWEY. What are you going to use to buy them with?
>
> Mr. ECCLES. What is who going to use?
>
> Mr. DEWEY. The Federal Reserve bank to make these purchases.
>
> Mr. ECCLES. What do they always use?
>
> Mr. DEWEY. You are going to create credit?
>
> Mr. ECCLES. That is all we have ever done. That is the way the Federal Reserve System operates. The Federal Reserve System creates money. It is a bank of issue. (Hearings before the Banking and Currency Committee of the House of Representatives, June 17 and 19, 1942, on bill H.R. 7158, p. 21.)

FEDERAL RESERVE NOTES PAID FOR GOVERNMENT BONDS PURCHASED BY FEDERAL RESERVE

> Mr. ECCLES. The Open Market Committee can buy either those bonds or any other bonds either from the bank that you indicate or from a dealer or from any other bank.
>
> Mr. PATMAN. I am just giving that as illustration, not as a specific case.
>
> Mr. ECCLES. But the System does not operate that way. No Reserve bank buys Government bonds from any bank. The Open Market Committee does the purchasing, and they do the purchasing in the open market because the law requires that they do the purchasing in the open market, and requires that they cannot buy directly.
>
> Mr. PATMAN. Of course I am not taking that into consideration, but the effect of it is the same. If the bank sold a million dollars in bonds, although it was through the open market, the effect is the same. You have transferred——
>
> Mr. ECCLES. Credit. As a practical matter, the bank that sold the bonds would sell those bonds in the market.
>
> Mr. PATMAN. In the open market; that is right.
>
> Mr. ECCLES. And would get credit either at the Reserve bank or at a correspondent bank, for which they could get Federal Reserve notes if they wanted them.
>
> Mr. PATMAN. So if the statement that you are transferring one Government obligation that is noninterest bearing for another Government obligation that is interest bearing is correct, then you continue to draw interest until those bonds are due and payable?
>
> Mr. ECCLES. That is correct; yes, sir. (Hearings before the Banking and Currency Committee of the House of Representatives, June 21, 23, 24, and 25, 1941, on S. 1471, p. 78.)

FEDERAL RESERVE NOTES A GOVERNMENT OBLIGATION THE SAME AS INTEREST-BEARING GOVERNMENT SECURITIES

> Mr. PATMAN. Now, I want to ask you about these Federal Reserve notes. You consider them obligations of the U.S. Government, do you not, Governor Eccles?
>
> Mr. ECCLES. I do.
>
> Mr. PATMAN. They are just as much an obligation of the Government as a Treasury bond or any security that is issued by the Government?
>
> Mr. ECCLES. They are just as much an obligation as, say, the silver certificates or what we speak of as the greenbacks, of which some are still out.
>
> Mr. PATMAN. Or the bonds that have coupons on them that you clip?
>
> Mr. ECCLES. That is right. They are just a little different form of obligation.

Mr. Patman. I understand they are a different form of obligation, but at the same time they are Government obligations and a Government responsibility?

Mr. Eccles. That is right. (Hearings before the Banking and Currency Committee of the House of Representatives, June 21, 23, 24, and 25, 1941, on S. 1471, p. 74).

CHAIRMAN OF BOARD SAYS FOR ALL PRACTICAL PURPOSES GOVERNMENT OWNS FEDERAL RESERVE, ALSO HOW GOVERNMENT SECURITIES PURCHASED

Mr. Patman. Those Federal Reserve notes, as we have often discussed, are obligations of the U.S. Government?

Mr. Eccles. That is right.

Mr. Patman. Then you use those Government obligations to buy interest-bearing obligations and you place them with the Federal Reserve banks, 12 of them?

Mr. Eccles. That is right.

Mr. Patman. And they would continue to receive interest on those Government obligations as long as they were outstanding?

Mr. Eccles. That is right.

GOVERNMENT OWNS FEDERAL RESERVE

Mr. Patman. So the result is the Government's credit has been used and the Government has gotten nothing for the use of that credit; the Federal Reserve banks are using it free, are they not?

Mr. Eccles. Well, the Government in effect, for all practical purposes, owns the Federal Reserve banks. (Hearings before the Banking and Currency Committee of the House of Representatives, June 17, 19, 1942, on bill H.R. 7158, pp. 25–26.)

FEDERAL OFFICIAL SAYS GOVERNMENT MONEY PAID FOR GOVERNMENT BONDS HELD BY FEDERAL RESERVE

July 15, 1957, Mr. Martin, Chairman of the Federal Reserve Board, testified before the Banking and Currency Committee of the House on S. 1451 as follows:

Mr. Patman. Now then, Mr. Martin, isn't it a fact that these Federal Reserve notes that you issue and exchange for these bonds are obligations of the U.S. Government, just as are the bonds?

Mr. Martin. That is right.

Mr. Patman. In other words, each note says on its face: "The United States promises to pay to bearer on demand so many dollars." That is just as much a Government obligation as a U.S. bond maturing 10 years from now, isn't it?

Mr. Martin. It is money.

Mr. Patman. It is an obligation of the Government.

July 15, 1957, Mr. Martin testified, as disclosed at page 55 of the hearings, as follows·

Mr. Patman. Now, these statements of the Federal Reserve Board, covering the 12 Federal Reserve banks, shows that 96 or 97 percent of all the earnings of all the Federal Reserve banks comes from interest on Government bonds. Now, Mr. Martin, in acquiring those bonds for the 12 Federal Reserve banks, isn't it a fact that you don't use as backing for the money which you exchange for those bonds, for instance $23 million worth for the Dallas bank, you didn't use the reserve of the member banks; did you?

Mr. Martin. That is correct.

Mr. Patman. You did not use the capital stock of the member banks; did you?

Mr. Martin. That is correct.

Mr. Patman. You did not use the reserves or the surplus funds of the member banks?

Mr. Martin. That is correct.

Mr. Patman. Isn't it a fact that the only thing you used was money that you created which, of course, you have a right to do under the law? You created $23 million in Federal Reserve notes. Whether you actually transferred them physically or not, the result was that you created that much in Federal Reserve notes and traded them for U.S. Government bonds. That is correct; is it not?

Mr. Martin. That is one way of stating it.

HOW FREE RESERVES ARE FURNISHED COMMERCIAL BANKS TO BUY U.S. BONDS

Mr. Patman. Governor, in regard to the excess reserves, it is not contemplated that you expect to change these reserves so that the larger banks can buy more Government bonds? You do not have that in mind now?

Mr. Eccles. Well, it is not done, I would say, for that purpose, primarily or specifically. If we wanted to enable the banks to buy a lot of bonds we could.

Mr. Patman. By lowering the reserve requirements?

Mr. Eccles. By lowering the reserve requirements, yes; or we could step up and buy a lot of bonds directly by Fed itself, and put more reserves in by open-market purchases.

Mr. Patman. * * * Anyway, the commercial banks, when they buy bonds or anything else, create the money, so to speak, to buy them with?

Mr. Eccles. That is right. (Hearing before the Banking and Currency Committee of the House of Representatives, June 21, 1941, on S. 1471, p. 68.)

SENATOR OWEN ADVISES FEDERAL RESERVE BUY U.S. SECURITIES AND CANCEL THEM

In 1938 when Senator Owen was testifying on H.R. 7230, he advocated putting more money into circulation for the convenience of the people, full employment and to get our country out of a depression. The following colloquy appears at page 207 of the hearing:

Mr. Luce. How would the Federal Reserve banks exercise the power of creating money?

Mr. Owen. By buying the bonds of the United States and canceling the bonds.

EXCERPTS FROM THE FLOOR DEBATE ON THE $15 BILLION GIVEAWAY BILL—THE "VAULT CASH" BILL OF 1959 (S. 1102)

Mr. Patman. Mr. Chairman, now I made the statement which is being attacked, that the Government has paid for the $15 billion of Government bonds, and those Government bonds should be canceled. I can back up that statement, I can document it and prove it to you without a question. The matter is so simple it is difficult for Members to realize that it can be done.

Let me illustrate. A person who has a mortgage on his home, we will say for $1,000, an interest-bearing mortgage, takes $1,000 out of his bank and delivers it to the mortgagee and says, "I want my mortgage," and the mortgagee gives it to him, then that mortgage has been paid off and should be canceled.

It is exactly the same with the Federal Reserve. The Federal Reserve, owned by the U.S. Government, lock, stock and barrel, and acting for Uncle Sam, has taken Uncle Sam's money and bought interest-bearing mortgages of Uncle Sam—U.S. Government securities, and it is holding these interest-bearing mortgages of Uncle Sam, in the New York Federal Reserve Bank. There is no question about this. The securities have been paid for.

Here is the way they have been paid for. Here is a Federal Reserve note which I hold in my hand. What is a Federal Reserve note? It is a non-interest-bearing obligation of the United States. It says on its face that it is an obligation of the U.S. Government. It is signed by the Secretary of the Treasury and the Treasurer of the United States, just as interest-bearing bonds are. This note is one form of Government obligation. The Federal Reserve has traded one form of Government obligation for another. That should cancel the interest-bearing obligation, just as when you take your money and pay off your mortgage.

Now, what does the Federal Reserve Act say about Government obligations? It says:

"The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, D.C., or at any Federal Reserve bank (U.S.C. title 12, sec. 411)."

In other words, for all debts, public and private. So Federal Reserve notes are obligations of the United States. They are not an obligation of any bank. They are obligations of the Government, just as a Government bond is a Government obligation.

All I want to do is cancel $15 billion worth of the $25.9 billion of Government bonds and other interest-bearing obligations of the United States which the Federal Reserve has bought with Government money, instead of transferring these obligations to the private banks as a free gift to the banks.

I have these enlargements of this U.S. paper currency on display in the well of the House here for the purpose of showing you that a Federal Reserve note is a Government obligation, just the same as a bond of the United States is a Government obligation. The Federal Reserve note says on its face as you can see, "The United States of America promises to pay upon demand"—a certain number of dollars. That is just as much of an obligation of the Government although it is not interest bearing as a long-term Treasury bond that provides for the payment of interest, although the Federal Reserve note is not an interest-paying obligation. Each obligation is signed by the Secretary of the Treasury and the Treasurer of the United States.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Speaker, the issue before us right now is whether or not we are going to adopt the rule on this most important matter. I must comment, though, with regard to Congressman Patman's statement. He said that what he has to say will be shocking to people who have not studied this matter. I would add that it is equally shocking to many people who have studied the matter.

There is some controversy over the rule, I would say to the gentleman from Missouri [Mr. Bolling], on the question of should this be a closed rule. It has been my judgment—and I so testified before the Committee on Rules—that it should not be and that the Congress ought to be able to work its will in this matter.

Now, let me make it very clear when I say this that I am speaking as an individual and there are those on my side of the aisle on the Committee on Ways and Means who are supporting a closed rule. However, I think it is very important to realize why the rule on this matter should be open.

Before going into that, however, let me say something else. Although I am opposing the bill and I have written minority views which are part of the report, I do feel it is proper to have this matter before the House, and I will support the closed rule even though my preference for an open rule would not prevail. That is because this matter, I am happy to say, I think has received the proper study by the Committee on Ways and Means. I want to stress this because so often some of my colleagues do not understand why someone can support a rule and yet be opposed to the legislation. I have always felt one of the primary functions of the Committee on Rules was to be certain that the legislative committee had done adequate study so that the matter was able to be presented to the House with intelligence. Part of the function of the Committee on Rules is to be sure that this study is an informed one so that the rest of the House had an opportunity to look at the working papers of the committee, the servant of the House, that had done the work. I am happy to state that there are hearings available for the House to consider on this matter of the debt ceiling. Again, though, I want to point out that these hearings were held in executive session. I see no justification for closed hearings on subject matter of this importance. Nonetheless, those executive session hearings are available for the House to consider when this debate comes forward.

I would also observe the importance of the hearings by the Ways and Means Committee on the excise tax cut. These were not published, but parts of them were. I want to remark on the importance of the hearings on the excise tax cut which came out of the Committee on Ways and Means, because one of the important aspects to evaluate in the consideration of cutting excises was its impact in the area of debt management and the impact that it would have on the revenue aspects of this coming fiscal year in relation to the expenditures. As I have tried to point out, apparently unsuccessfully, I would have opposed the excise tax cuts, strongly as I have been urging that we get rid of them for years, if it had not been in the context of expenditure restraint on the part of the Executive. The Executive forwarded a special letter to the Committee on Ways and Means that he was going to adhere to the expenditure levels given to us in the budget in January. He said that he did wish to continue expenditure restraint.

Again discussing this matter from the standpoint of whether or not we adopt a rule and relating it to whether this should be an open rule, I would think that some Members of the Congress and some Members of the House would be curious about why the administration's request for a $329 billion debt ceiling was rejected by your Committee on Ways and Means and why instead we recommend in this bill a $328 billion debt ceiling. What is the justification for a $1 billion cut? Does it mean anything, or is it just symbolic, or does it really get to the heart of some important aspect of this problem? I suggest that it gets to the heart of it. It gets to the heart of the expenditure level of $99.7 billion which the President set up in his budget message of January.

This is the only time this House of Representatives and the Congress will have the opportunity of expressing its judgment on whether the expenditure level of $99.7 billion for fiscal year 1966 is proper or whether it should be less—$98.7 or $97.7 billion. And perhaps those Members who support the administration would like to be able to exercise their judgment that the ceiling should be $329 billion.

Under a closed rule there is no opportunity for the House to exercise its judgment on what, I feel, is probably the most important question that will face the Congress this year: What are we going to say should be the expenditure levels for fiscal 1966 in light of our revenue anticipation of $94.5 billion? By cutting this bill back $1 billion we in effect have told the administration that we think its premise of $99.7 billion expenditure for fiscal year 1966 is too high. The President himself has said, "I hope to keep it below that." He said, "I shall exercise expenditure restraint; I still want to do this."

In our judgment we thought he probably could and his past record indicates that he did cut our expenditure level for this fiscal year to $97 billion. I did not think he could do it, but he did it.

So our judgment was this—although my judgment, for which I will not be able to get confirmation or even have it considered in the House—was that this expenditure level is still too high, that actually we ought to get our expenditure level down a couple more billion dollars. But under this closed rule we cannot exercise that judgment.

Mr. Speaker, one final point. There is another matter of judgment. We have a permanent debt ceiling of $285 billion which is, of course, completely out of reason. It forces us each time to come in and at least do something. This is another area that the Committee on Ways and Means went into, as to whether or not we could get a permanent debt ceiling that is more reasonable and under an open rule the House would have been able to exercise its judgment and engage in a dialog on that subject.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I was very much interested in the gentleman's discussion of the closed rule. The gentleman will recall that when he was before the Committee on Rules I asked some questions about the closed rule. I did not think we should have a closed rule and never did think we should have one. But I understood the gentleman to say—and if I am incorrect I am sure he will correct me—I understood the gentleman to join with the chairman of the committee in asking for a closed rule.

Mr. CURTIS. I am sorry, but the gentleman is in error. I think those who were present will recall that the gentleman from Arkansas [Mr. Mills], himself, said, "I know Congressman Curtis is here and will be asking for an open rule." And I pointed that out myself. But I have to say that the majority of the minority were supporting the chairman.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the chairman, the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, as I understand the situation, the gentleman correctly stated what happened. The gentleman served notice in the committee that he was opposed to a closed rule and would appear before the Committee on Rules and make his statement. But as he indicated just a moment ago not all of his colleagues on his side of the committee joined in that request.

Mr. CURTIS. I am a minority of the minority.

Mr. COLMER. Mr. Speaker, if the gentleman will yield further, I was going to apologize to the gentleman and accept his word before he was backed up by the distinguished chairman. But I got that impression. I did not intend to embarrass the gentleman at all. I did not want to do that. But I did want to emphasize again my position in opposition to closed rules in the consideration of this legislation.

Mr. CURTIS. I thank the gentleman from Mississippi for his statement and I know the position of the gentleman on this matter.

Mr. COLMER. I commend the gentleman from Missouri [Mr. Curtis].

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. Jones].

Mr. JONES of Missouri. Mr. Speaker, I want to join my colleague from Missouri [Mr. Curtis] in expressing my opposition to the open rule, but probably for a different reason. I have taken a little different position and I have talked with a number of Members and I feel that right now is the time when we should have the opportunity at least of determining whether or not we want to maintain the unrealistic figure of a permanent debt ceiling of $285 billion and then each year, and sometimes as many as three times in a year, ask for a temporary ceiling.

Now, Mr. Speaker, during the debate last year I had a discussion with the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. Mills], and at that time I was given some encouragement to the effect that the Committee on Ways and Means might seek to raise the permanent debt ceiling to a realistic figure.

Mr. Speaker, the reason I feel that we need to have a realistic figure in the permanent debt ceiling is so that there will be some inclination, both on the part of the administration and on the part of Congress, to try to hold to some figure, or to have something to which to tie.

Mr. Speaker, when we have a ceiling of $285 billion, and if we adopt the temporary debt ceiling of $328 billion, as I feel sure we will here today, there will be be a difference of $43 billion. Of course, it is very unrealistic to think that we will ever get back down to that figure. The only way that we are going to have an opportunity to express ourselves on this is to oppose the vote on the previous question when it comes. I am going to ask for a division on that question alone so that we can amend this rule in order to have an opportunity to do this, and you might have an opportunity to vote for a permanent debt ceiling, or you would have an opportunity of voting for a temporary debt ceiling.

However, Mr. Speaker, it is interesting to note here that in the report it states:

> In the deliberations before your committee, questions were raised as to whether it would be appropriate to increase the permanent debt ceiling from the present $285 billion to some higher level.

Mr. Speaker, that indicates that there were some people who thought that we should consider that.

Then it says:

> No action was taken. However—

And get this—

> your committee has requested the Treasury Department and the Bureau of the Budget to report back to the committee on this subject.

Mr. Speaker, it is elementary and it is basic to me that if you do not have a realistic permanent debt ceiling, you might as well not have any. There are some people who say that the debt ceiling serves no purpose whatsoever. My contention is that the debt ceiling serves no purpose whatsoever unless you have a realistic permanent debt ceiling. Then you have some inclination and direction in which you are telling the administration that this is what Congress wants, a permanent debt ceiling, and, therefore restrict your expenditures, and provide the revenue to come within this ceiling.

Mr. Speaker, that is the only way we are going to accomplish a balanced budget.

Mr. Speaker, I hope that I will have some support in order to get a vote on the previous question. The only reason I am doing this is so we will have an opportunity to express ourselves on a matter on which even the most uninformed person would know, that $285 billion is not a realistic ceiling.

Mr. Speaker, I will ask for a division when it comes to a vote on the previous question on adopting this rule. I hope the previous question will be voted down and that we will have an opportunity to amend this rule to provide for amendments to this bill in which all of us are interested. If there is no opportunity to amend the bill, I expect to vote against it, not because I do not realize the necessity of increasing the debt ceiling, but merely to emphasize my opposition to maintaining the unrealistic permanent ceiling.

Mr. BOLLING. Mr. Speaker, when the previous question is ordered by a very substantial majority, when the rule is adopted by an overwhelming vote, I would like to point out the House will have made a decision as to the manner in which it wishes to consider this bill, and it wishes by an overwhelming majority to consider this bill under a closed rule so there can be no amendments to it.

Mr. Speaker, I move the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. JONES of Missouri) there were—ayes 21, noes 19.

Mr. JONES of Missouri. Mr. Speaker, I object to the vote on the ground a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 273, nays 109, not voting 51, as follows:

[Roll No. 129]

YEAS—273

Adams
Albert
Anderson, Tenn.
Annunzio
Arends
Ashley
Bandstra
Barrett
Bates
Battin
Beckworth
Bell
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brooks
Brown, Calif.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clark
Clevenger
Cohelan
Conte
Cooley
Corbett
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Huot
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Kornegay
Krebs
Laird
Leggett
Lipscomb
Long, La.
Love
McDowell
McFall
McGrath
McMillan
Macdonald
MacGregor
Machen
Mackay
Madden
Mahon
Marsh
Martin, Nebr.
Mathias
Matthews
Meeds
Miller
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Pool
Price
Pucinski
Quie
Quillen
Race
Randall
Redlin
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
Satterfield
St. Onge
Scheuer
Schisler
Schneebeli
Schweiker
Selden
Senner
Shipley
Shriver
Sickles
Sikes
Sisk
Smith, Calif.
Smith, Va.
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watts
Weltner
White, Idaho
Whitten
Widnall
Wilson, Charles H.
Wolff
Wyatt
Yates
Young
Zablocki

NAYS—109

Abbitt
Abernethy
Adair
Andrews, Glenn
Andrews, N. Dak.
Ashmore
Baldwin
Baring
Belcher
Bennett
Berry
Bray
Broomfield
Broyhill, N.C.
Buchanan
Burton, Utah
Clancy
Clausen, Don H.
Cleveland
Colmer
Conable
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dowdy
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Fino
Fisher
Fulton, Pa.
Gathings
Gettys
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Harsha
Horton
Hosmer
Hutchinson
Ichord
Johnson, Pa.
Jonas
Jones, Mo.
King, N.Y.
King, Utah
Kunkel
Latta
Lennon
McClory
McCulloch
McDade
McEwen
Mailliard
Martin, Ala.
Martin, Mass.
May
Michel
Minshall
Mize
Moore
Morse
Morton
Mosher
Nelsen
O'Konski
O'Neal, Ga.
Pelly
Poff
Reid, Ill.
Reifel
Robison
Rogers, Fla.
Roncalio
Roudebush
Rumsfeld
Saylor
Schmidhauser
Scott
Secrest
Skubitz
Smith, Iowa
Smith, N.Y.
Springer
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Walker, Miss.
Watkins
Whalley
White, Tex.
Whitener
Williams
Wydler
Younger

NOT VOTING—51

Addabbo
Anderson, Ill.
Andrews, George W.
Ashbrook
Aspinall
Ayres
Bonner
Bow
Brock
Brown, Ohio
Cabell
Callaway
Cameron
Celler
Clawson, Del
Collier
Conyers
Craley
Evins, Tenn.
Fogarty
Friedel
Giaimo
Halleck
Hansen, Idaho
Harvey, Ind.
Hébert
Helstoski
Holland
Jacobs
Landrum
Langen
Lindsay
Long, Md.
McCarthy
McVicker
Mackie
Matsunaga
Moeller
Powell
Purcell
Resnick
Rogers, Tex.
St Germain
Slack
Stephens
Teague, Tex.
Toll
Tupper
Willis
Wilson, Bob
Wright

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Addabbo against.

Mr. Evins of Tennessee for, with Mr. Moeller against.

Mr. McVicker for, with Mr. Ashbrook against.

Mr. Toll for, with Mr. Bob Wilson against.

Mr. Tupper for, with Mr. Callaway against.

Mr. Fogarty for, with Mr. Brock against.

Mr. Aspinall for, with Mr. Del Clawson against.

Mr. Celler for, with Mr. Bow against.

Mr. Giaimo for, with Mr. Teague of Texas against.

Until further notice:

Mr. Bonner with Mr. Halleck.

Mr. Jacobs with Mr. Collier.

Mr. Rogers of Texas with Mr. Langen.

Mr. Friedel with Mr. Brown of Ohio.

Mr. Wright with Mr. Anderson of Illinois.

Mr. Helstoski with Mr. Lindsay.

Mr. Stalbaum with Mr. Ayres.

Mr. St Germain with Mr. Harvey of Indiana.

Mr. Slack with Mr. Cooley.

Mr. Cameron with Mr. Conyers.

Mr. Stephens with Mr. George W. Andrews.

Mr. Willis with Mr. McCarthy.

Mr. Powell with Mr. Resnick.

Mr. Purcell with Mr. Matsunaga.

Mr. Landrum with Mr. Holland.
Mr. Long of Maryland with Mr. Cabell.
Mr. Mackie with Mr. Hansen of Iowa.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8464) to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The SPEAKER. The question is on the motion offered by the gentleman from Arkansas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8464 with Mr. Gilbert in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arkansas [Mr. Mills] will be recognized for 2 hours and the gentleman from Missouri [Mr. Curtis] will be recognized for 2 hours.

The Chair recognizes the gentleman from Arkansas [Mr. Mills].

Mr. MILLS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this bill, H.R. 8464, imposes a temporary limitation on the statutory debt of $328 billion for the fiscal year 1966, beginning July 1, 1965, and ending June 30, 1966. The present temporary limitation is $324 billion. This expires as of the end of this month. At that time, in the absence of this bill, the public debt limit reverts to the permanent level of $285 billion.

The administration recommended to the committee a temporary debt limitation of $329 billion for the fiscal year 1966. The limitation provided in the bill reported by your committee is $1 billion below the recommended level.

DEFICIT ANTICIPATED IN FISCAL 1966

I believe it is appropriate that I first review with you the fiscal conditions anticipated for the fiscal year 1966 and then show the application of this to our debt position for the coming year.

This last January the administration estimated that expenditures for the fiscal year 1966 would amount to $99.7 billion. At that time it also estimated receipts of $94.4 billion. This took into account an excise tax reduction of $1.75 billion on a full year basis. However, it was expected that this would affect receipts in the fiscal year 1966 only to the extent of $1.5 billion because of the lag in collections.

These January expenditure and receipt figures indicate a deficit for the fiscal year 1966 of $5.3 billion—which would have to be provided for in any statutory debt limit established for the coming year.

RECENT EXPENDITURE POLICY

Since January nothing has happened to cause the administration to change its estimates of expenditures for the fiscal year 1966. As I indicated previously, expenditures therefore are expected to amount to $99.7 billion for the coming fiscal year. Despite our stepped-up actions in South Vietnam and despite the $700 million special appropriation approved by Congress with respect to our military efforts in South Vietnam, expenditures are not expected to rise above the level previously forecast. The Director of the Budget informed your committee that the administration believes that any increased military spending made necessary by our increased military efforts in South Vietnam can be absorbed by savings elsewhere in the budget.

We all know the great effort the President has made in keeping expenditures under control and we know that his efforts will be continued in the future. As an assurance of this I recently received a letter from the President—which is reproduced in full on pages 10 and 11 of the excise tax reduction report which we recently considered—expressing the determination on the part of the President to continue his efforts to control expenditures. In this letter he states:

> I would like to make clear once again my strong determination to hold Federal expenditures to the lowest reasonable levels.

Elsewhere in the letter he states:

> Congressional approval of the excise tax reduction and the debt limitation will reinforce my determination to hold Federal spending to a necessary minimum. The Federal budget should continue to be one which will allow to save where we can in order to spend where we must.

RECENT RECEIPT CHANGES

The two changes which have occurred, and which will affect the deficit for the coming year, are both on the receipts side of the budget. First, the President in his tax message on May 17 recommended a larger excise tax reduction than he planned last January. This was so overwhelmingly approved by the House that I believe it is unnecessary to repeat again the reasons for this larger reduction. Let me only say in this regard that instead of an excise tax reduction of $1.75 billion the President in his May 17 statement recommended a reduction of $3.8 billion, but scheduled over a period of years. As a result he anticipated that this would affect the fiscal year 1966 by only about $2.1 billion—some $600 million more than was taken into account in the January budget. This $600 million would, of course, increase the size of the deficit for the fiscal year 1966 if all other factors remained the same. However, other factors have not remained the same, I am glad to report, because it now appears probable that the revenues will be higher than anticipated last January.

Your committee and this House approved a larger excise tax reduction than that recommended by the administration. Your committee and the House approved a reduction of about $4.8 billion instead of $3.8 billion. However, the additional reductions affect years after 1966. The effect on the fiscal year 1966 budget is still about the same $2.1 billion, or $600 million over the January estimate.

Without taking into account the larger excise tax reduction proposed on May 17, the Treasury expected that receipts will be up by $1.6 billion. However, the $600 million I have previously referred to reduces this improvement in receipts to a net figure of $1 billion.

This means that even with the larger excise tax reduction proposed by the President the deficit now expected for the fiscal year 1966 is $4.3 billion rather than $5.3 billion expected last January.

TREASURY PROJECTION OF DEBT REQUIREMENTS

The administration's request for a debt limit of $329 billion was predicated upon this deficit of $4.3 billion, taking into account the variation in the timing of the incurring of expenditures and the receiving of revenues during the year.

In the Treasury analysis a constant operating cash balance of $4 billion is assumed as well as an allowance of $3 billion for contingencies and flexibility. These allowances are the same as the Treasury Department has made for many years now in its presentation of debt forecasts to your committee. On this basis the Treasury made a semimonthly projection of public debt limitation required for the fiscal year 1966. This is shown as table 3 on page 5 of your committee's report. For convenience, I will insert this table in my statement at this point:

TABLE 3.—*Estimated public debt subject to limitation (based on constant minimum operating cash balance of $4,000,000), fiscal year 1966*

[In billions]

	Operating cash balance (excluding free gold)	Public debt subject to limitation	Allowance to provide flexibility in financing and for contingencies	Total public debt limitation required
1965—June 30	$4.0	$310.2	$3.0	$313.2
July 15	4.0	313.1	3.0	316.1
July 31	4.0	314.3	3.0	317.3
Aug. 15	4.0	314.7	3.0	317.7
Aug. 31	4.0	315.7	3.0	318.7
Sept. 15	4.0	318.8	3.0	321.8
Sept. 30	4.0	313.1	3.0	316.1
Oct. 15	4.0	316.2	3.0	319.2
Oct. 31	4.0	318.7	3.0	321.7
Nov. 15	4.0	319.7	3.0	322.7
Nov. 30	4.0	319.6	3.0	322.6
Dec. 15	4.0	321.3	3.0	324.3
Dec. 31	4.0	319.6	3.0	322.6

TABLE 3.—*Estimated public debt subject to limitation (based on constant minimum operating cash balance of $4,000,000), fiscal year 1966*—Continued

[In billions]

	Operating cash balance (excluding free gold)	Public debt subject to limitation	Allowance to provide flexibility in financing and for contingencies	Total public debt limitation required
1966—Jan. 15	$4.0	$322.8	$3.0	$325.8
Jan. 31	4.0	321.5	3.0	324.5
Feb. 15	4.0	321.6	3.0	324.6
Feb. 28	4.0	321.9	3.0	324.9
Mar. 15	4.0	325.9	3.0	328.9
Mar. 31	4.0	319.5	3.0	322.5
Apr. 15	4.0	323.0	3.0	326.0
Apr. 30	4.0	319.0	3.0	322.0
May 15	4.0	318.3	3.0	321.3
May 31	4.0	320.1	3.0	323.1
June 15	4.0	322.8	3.0	325.8
June 30	4.0	315.2	3.0	318.2

Source: Office of the Secretary of the Treasury.

If you study the last column in this table—total public debt limitation required—you will see that according to the Treasury projection the debt limitation required gradually rises to a peak level of $328.9 billion on March 15, 1966. Thereafter it tapers off gradually, decreasing to a level of $318.2 billion by the end of the year. This increase in debt limitation requirements until March 15 and then the dropoff by about $10 billion is due to the fact that while expenditures are spread evenly over the year the great bulk of receipts come in in March, April, and June when corporations and individuals file their returns or make declaration payments. This is why it is necessary to have a debt limitation substantially above the debt anticipated as of the end of the fiscal year.

Even though the debt requirement at the end of the year is expected to be down to $318 billion in this Treasury projection, allowance must be made for the maximum requirement which, according to the Treasury figure, is $329 billion on March 15, 1966.

ALTERNATIVE PROJECTION OF DEBT REQUIREMENTS

Another way of looking at the statutory debt requirement is to begin with the debt anticipated at the beginning of the fiscal year 1965. The actual debt on that date is expected to be slightly over $317 billion. The deficit from that time until March 15 is expected to approximate $15.5 billion.

However, the actual cash balance on March 15 probably will be about $4 billion rather than something like $11 billion anticipated for the beginning of the fiscal year. As a result, the net additional amount required, over and above the beginning balance for the year is slightly less than $9 billion. This suggests a debt requirement of approximately $326 billion for the year before any allowance for flexibility and contingencies. With a $3 billion allowance for flexibility and contingencies, the debt limitation required for the high point of the year—namely, March 15, 1966—will be just slightly under $329 billion.

This type of analysis is shown on page 7 of your committee's report.

COMMITTEE'S ACTION ON DEBT REQUIREMENTS

As I have indicated to you, the administration's analysis suggests a temporary debt limitation requirement of $329 billion. Your committee's bill, however, provides for a debt limitation of $328 billion.

However, according to the Treasury's analysis, an amount in excess of $328 billion is required on only one date; namely, March 15, 1966. Even on that date the debt requirement as estimated by the Treasury is only nine-tenths of a billion over the $328 billion level. This means that even on that date, the committee's action cuts back the $3 billion allowance for flexibility and contingencies by less than $1 billion, to a level of $2.1 billion.

As a result, it seems to me that the $328 billion level will be adequate for Treasury financing and refinancing purposes.

NEED FOR ADEQUATE ALLOWANCE

To serve a useful purpose, the public debt limit imposed by Congress must be a realistic one. That is, it must reflect the fact that Congress, through the appropriations process, largely determines the level of expenditures which the Government undertakes during a given period. Furthermore, the limit must allow the Treasury Department a certain flexibility for the purposes of efficient debt management. Such flexibility enables the Treasury Department to time its financial operations to avoid large borrowings at times when interest costs are temporarily high and it permits the Department to promote an orderly market in Government securities.

The debt limitation also must be high enough, as I have already suggested to you, to accommodate the normal intra-annual fluctuations in the size of the public debt. As I stated, the cumulative debt up to March 15 is likely to be more than $10 billion in excess of the debt at the end of the fiscal year. This concentration of the debt in the forepart of the year is suggested by table 4 in the committee report on page 6 which shows the percentage of the Federal revenues collected in the first 6 months of the year.

The public debt also must provide an allowance for contingencies. Such contingencies might arise, for example, in connection with unexpected expenditure requirements. This could occur in connection with U.S. operations in such trouble spots as South Vietnam and the Dominican Republic. They would also arise if receipts are less than anticipated.

RIGID CONSTRAINTS INTERFERE WITH PROPER DEBT MANAGEMENT

Experience suggests that if the debt limit is unrealistically low, undesirable constraints are placed on debt management, constraints which interfere with responsible debt management. For example, it is important that the necessity of interfering, even temporarily, with payroll deductions for savings bonds be avoided. Such interruptions might lead to adverse public reactions which might reduce the volume of bond sales in the long run. Moreover, other devices which would have to be used if the debt ceiling were unrealistically low would have results that were equally undesirable. If the volume of Treasury bills outstanding were reduced, the market for short-term obligations would lose important support. The interest rate would tend to fall and this, in turn, would encourage the flow of short-term funds out of the country to foreign financial centers where higher interest rates could be obtained. Such an outflow would seriously weaken our balance-of-payments position.

If Government cash balances were reduced to an abnormally low level after June 30, 1965—such balances have averaged nearly $6 billion—there would be important repercussions on the supply of credit in the Nation. Such balances presently are deposited in over 11,000 commercial banks located in various parts of the country. A sudden substantial reduction in cash balances would mean a reduction in deposits for many of these banks. Such a reduction would force the banks in some cases to curtail their lending operations.

Finally, if an unrealistically low debt limit led the Government to delay payment on contracts, Government salaries, grants to the States, and so forth, this would represent a hardship to the individuals and businesses who have a right to expect the timely payment of these amounts and it would destroy confidence in the credit of the Government.

Clearly then, we must avoid establishing a debt limit for the next fiscal year which is so low as to bring about undesirable interference with responsible debt management.

With these considerations in mind, your committee has reported out a bill providing for a temporary debt ceiling of $328 billion for the fiscal year 1966. This will not interfere with responsible debt management given the receipt and expenditure levels now anticipated.

DECREASING DEFICITS

I am glad to be able to point out that in the last few years we have been able to shrink the size of our deficits. Thus, in 1964, the actual deficit was $8.2 billion. The estimate of the deficit for the fiscal year 1965 this last January was $6.3 billion. Current administration estimates have shrunk this estimate to $4.4 billion and the estimate of the administration for the fiscal year 1966 is for a deficit of $4.3 billion. I hope that it will be possible to do even better.

The former Secretary of the Treasury, Mr. Dillon, indicated that in his view it is perfectly feasible to balance the budget in the fiscal year 1968. Secretary Fowler, in his appearance before your committee, indicated that he hoped that it would be possible to maintain the projection indicated by former Secretary Dillon. As a result, it seems to me that there is a good prospect of our moving out of a deficit position in the near future.

Until we do move out of a deficit position, we will be faced with the necessity of making allowances for these deficits in the statutory debt limitations. Basically, it is the deficits which cause the rise in the debt limitation requirements. In this regard you might note that the debt limitation for the fiscal year 1965 is $324 billion. The debt limitation requirement provided by this bill for the fiscal year 1966 is $4 billion above this, or approximately the size of the deficit forecast for the fiscal year 1966.

CONCLUSION

I consider it desirable to have this annual review of our fiscal situation. In doing so however, we must be realistic and provide for a statutory debt limitation which takes into account receipt and expenditure levels, together with the level of the debt at the beginning of the year. These expenditure levels already have been largely set by the actions by this House on appropriations—both this year and in prior years. It has also been taken on receipts by our action on the excise bill. These actions commit us to a statutory debt limitation requirement of $328 billion. For that reason, I believe the only responsible thing we can do now is to approve this statutory debt limitation of $328 billion. I urge your support for the bill.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. What is the gentleman's understanding of the debt as of the present?

Mr. MILLS. On page 8 of the committee report, if the gentleman will look at table 6, he will see that as of May 15, the debt subject to limitation, with an $8.9 billion cash operating balance, was around $316.1 billion. It is anticipated, with $4 billion cash on hand on June 30, the debt will be approximately $313.9 billion.

I must say to the gentleman, in supplementing my answer, that, with respect to June 30, the Treasury normally does not have on hand $4 billion, but the figure comes nearer to $10 billion, $11 billion, or $12 billion on hand. I suggest to the gentleman that a safer estimate of the total amount of obligations outstanding on June 30 would be $318 billion-plus, or $319 billion, or something like that.

We needed the $324 billion ceiling for the present fiscal year, not because of what would be outstanding June 30 of the fiscal year 1965, but because of the fact that during the course of the fiscal year revenues do not come in at the same rate at which expenditures occur.

So that during the early part of the fiscal year you may be spending 50 percent of the total for the year, and you may be taking in something like 42, 43, 44 percent of your revenues within that same period. Thus, at some point during the fiscal year you may owe as much as $10 billion more than you end up owing on June 30 of the fiscal year. That is why we always have to have a higher level during the course of the 12-month period than we actually need on June 30, at the end of the fiscal year.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. MILLS. Yes.

Mr. GROSS. Has that been the case in the past?

Mr. MILLS. Oh, yes.

Mr. GROSS. And is that noted in any of your tables?

Mr. MILLS. I am sure the gentleman remembers that I made such a presentation last year. It has certainly been true ever since I can recall having anything to do with the matter. It used to be worse than it is today. Prior to the time you had withholding of taxes and prior to the time you had estimates on the basis of which many people pay their taxes during the course of the year, when the earnings occurred you would have practically all of your income coming into the Treasury as individuals and corporations filed their returns on March 15, I think the date was at that time. We have succeeded in leveling it out some but still have not leveled it out altogether so that revenues come in at the same pace as our rate of spending occurs.

Mr. Chairman, I thank you.

Mr. CURTIS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I first want to say that in his usual competent fashion the chairman of our Committee on Ways and Means has correctly posed the problem to the House. I am also pleased to say, as I said in my minority views, that the difference of opinion that I express and will express here is one of judgment bottomed upon an agreed economic and fiscal theory that balanced Federal budgets are an important fiscal goal and that deficit financing is a regrettable and not to be sought after goal.

Now, this is important to emphasize, because just as I tried to point out in the debate on the floor last week on the cutting of the Federal excise taxes, that here, too, was an agreed upon political and economic philosophy on the part of the majority on the Committee on Ways and Means and the minority. Yet there is a substantial school of thought, and in fact I would say the predominant school of thought, in our schools of economics, in our universities and in our colleges, and certainly among this administration and particularly the President's Council of Economic Advisors, and probably the majority of the majority Members who disagree with this philosophy. Yet, just as I said last week, I doubted if anybody would take the well of the House to expound that contrary economic political philosophy or even to insert a defense of it in the CONGRESSIONAL RECORD during the debate. Of course, as I anticipated, this was not done. I also commented that it is going to be quite interesting to note that the reporting of the news media would fail to point these facts out and would, just as they have in the past, continue to fail to report a very fundamental and important difference of opinion between two large segments in our society.

The tragedy is—and every Member of the House of Representatives should be able to see the tragedy as they look around here with me to see the few Members who are present—as I often say to my constituents, the people I want to talk to are not those who are here; the people I want to talk to are those who are not here, because everyone who is here, unless he is here by accident, is here because he feels that this is important and does think that the well of the House is the place to iron out differences of opinion, listen to the give-and-take, to the amendments, pro and con. But those who are not here do not feel that way. The decision has been made. The decision has been made somewhere else in our society. Maybe it is a good decision. I question it. I certainly question the procedures that make the well of the House today a meaningless place to express an opinion, to try to engage in a meaningful debate, even though it may involve the most serious matters that face our Nation.

And I suggest to you here today that this debate, with scarcely 50 Members present, involves the future of this country more than anything I could possibly name.

Many Congressmen have testified before the Select Joint Committee on the reform of the Congress, of which committee I have the honor to be a member. There are many of those who are not here today even to listen to this debate, and who probably have not even taken the trouble to read the majority report, to say nothing of the minority report, who have said that one of the great reforms that we need is to develop some machinery so that Congress can exercise its judgment on a legislative budget, a budget that relates our expenditure level to the revenue levels in a given fiscal year, because we do not have that mechanism today. The appropriation process, as I have tried to point out so often, is not a process that relates to the expenditure levels of a given fiscal year. It relates to new obligational authority, some of which will be spent in this oncoming fiscal year, but a great deal of which will be spent in ensuing fiscal years.

Actually there is a carryover balance for this coming fiscal year of over $95 billion of previous authority that the Congress has granted. If this Congress grants the President's requests for new authority to spend for this coming fiscal year and ensuing years of $106 billion, he will have a total pool of authority to spend of over $200 billion. Congress will have given this power.

And even those Members who justify their position of voting against a debt ceiling, because they have opposed certain appropriation bills, still have not grappled with the basic problem of what should the expenditure level be for fiscal year 1966, the coming fiscal year, in light of the fact that our revenues are going to be $94.5 billion.

Only the Executive has said, "But of this $200 billion authority that Congress has given me to spend for fiscal 1966 I will spend only $99.7 billion." He alone says this. Congress has no place to exercise its judgment except—and this is the big exception—except here today on the debt ceiling.

As I said in discussing the rule, I did think some Members of the House would be curious, if nothing else, as to why the Committee on Ways and Means cut the President's request from $329 billion to $328 billion. If they will read the hearings, which are printed, I think they will see the reason in the dialogs. My criticism, I might say to the Chairman, of not having these hearings public is that maybe some of the news media may have been curious—they were not curious enough even to object to the hearings being executive—but if they had been public they may have been curious as to what were the reasons, what were the arguments, the discussions in the Ways and Means Committee on the question whether it should be $329 billion or $328 billion or $327 billion.

To answer the curiosity of those who might have it, let me say that the $329 billion is predicated on an expenditure level of $99.7 billion for fiscal 1966. And the Chairman very rightly points out that one of the things we wanted to know, in light of the $700 million additional new obligational authority for Vietnam, and in light of the international situation, is did the administration really believe that they could hold to the $99.7 billion expenditure figure that they gave to us in the President's budget message early in January?

The answers of the Secretary of the Treasury and of the Director of the Bureau of the Budget—and this is in the hearings—were that they thought they could.

Mr. Chairman, in my opinion this was admirable and, then, I made a confession and I make it here. I said, "Well, I do not think you could hold your expenditure levels that in this instance which we Republicans advocated in the Revenue Act of 1964, the tax cut act, to what we thought you should hold them, $97 billion for fiscal 1964 and $98 billion for fiscal 1965." In fact, I said in the well of the House that I did not think he could do it. Well, the President resisted Congress telling him that in a motion to recommit, but to his credit, he did do that. Not only did he do that, he did a little better. He kept this figure down to about a $97 billion expenditure level for the fiscal year ending this June 30.

Now, Mr. Chairman, the time bomb. All I have said to date is to the good. What is the time bomb to which I refer? It is the fact that if Congress continues to give increasing amounts of obligational authority to spend, in accordance with the President's budget request, $106 billion for instance this year, with only an expenditure of $99.7 billion, the carryover balances begin to go up and up, from $87 billion to $93 billion. Incidentally, I shall correct these figures to reflect the actual figures, but these are approximately correct. Then, it went up to $95 billion. At the end of fiscal 1966 there will be $101 billion of carryover authority.

Now, Mr. Chairman, in the meantime the Congress—this House, this Congress, this session—has been actually going the President's request of $106 billion in new obligational authority one better. If you analyze the programs that are being financed by this new obligational authority, we see this is just the beginning of the programs. In fact, the President has said so.

In other words, Mr. Chairman, which President Johnson is going to stand up as the real President Johnson? The one who says we are going to continue expenditure restraint, or the President Johnson who has promised the new and costly expenditure programs for the future?

Mr. Chairman, how about those of us who are concerned about these further expenditures and those in the administration who actually believe that it is a mistake to exercise expenditure restraint and that actually we should be increasing expenditure levels—there are people who believe that. What about their theories? They have been voting for these programs. How will President Johnson, if the real President Johnson is the one who says he will exercise expenditure restraint, and I raise the question, how can he or any man having set loose these forces, these anticipations for these programs, hold these expenditure levels?

Mr. Chairman, this is something over which the House of Representatives should be exercising its judgment in one way or the other.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. Yes, I yield to the gentleman from New Jersey.

Mr. JOELSON. Since the gentleman and most of his colleagues on the Republican side of the aisle are so concerned about the need for balancing the budget and ending deficit financing, I would like to know why so many of them in overwhelming numbers voted last week to cut $5 billion from our revenue receipts in exicse taxes. When you ask which is the real President Johnson, I would like to know which is the real Republican Party?

Mr. CURTIS. I think the gentleman is asking a perfectly legitimate question. If the gentleman will read my supplemental views in regard to the excise taxes he will find out what it is. Thus we could carry the dialog further, because he could still disagree with the points I make.

Mr. JOELSON. I would like to say the gentleman voted for the cut in the excise taxes. I did not. I might be more swayed by the Republican arguments on fiscal responsibility than most of the Members of the Republican Party.

Mr. CURTIS. Did the gentleman read my supplemental views on the cut in excise taxes?

Mr. JOELSON. No, I did not.

Mr. CURTIS. It is hard for me to explain, then, briefly.

Mr. JOELSON. The gentleman voted for it.

Mr. CURTIS. Yes, I did, and if the gentleman had read my views and had read the part of the hearings I put in the Congressional Record he would have found I was the one who said I was going to vote against it unless President Johnson sent a letter, or iterated somewhere, his intention of exercising expenditure restraint. We can move the dialog forward if the gentleman wants to. I have been trying to get this matter debated with gentlemen like the gentleman from New Jersey, and I will debate it with anyone. If the President would say, or the Secretary of the Treasury, that they were holding to the $99.7 billion expenditure level, I could vote for the excise tax bill. But note in the President's message the Congress asked him for the excise tax cut—he said nothing about expenditures. In the prepared statement of the Secretary of the Treasury before the Committee on Ways and Means he nowhere said anything about the expenditure side. So in my interrogation of the Secretary of the Treasury I brought out these points: Yes, if they were continuing to adhere to the $99.7 billion level in spite of the international situation, I could then vote for the excise tax cut. If the President will reiterate, state in a letter or make a statement that he is going to exercise expenditure restraint in this international and domestic economic climate, I can vote for it, and I will explain the reasons why. If he does not I will have to oppose the excise tax reforms even though for years I have been urging their removal as an impediment to economic growth. When I debated this matter on the floor of the House I said "here we are caught in a situation where I felt these taxes are probably causing more economic damage to our society than any group of taxes I can name. Many of these taxes were imposed for the deliberate purpose of cutting down use, telephones, automobiles and other kinds of equipment, and facilities that we needed for the war effort. In other words, revenue was only an aspect of the wartime excises. It was also to create an impediment in the use of these items. So, clearly, if this theory is correct, and I thought it was, and we were talking about economic growth, one of the first places we should reform our taxes is remove the impediment to growth. With the removal of this impediment we will gain additional revenues through the Federal income tax. There is no question about that.

I made this same argument on the same economic theory of the income tax—if these tax cuts, these revenue losses, are not in context of expenditure restraint, we impose more serious problems in the area of debt management, not the least of which is the way it is tied in with our monetary system. We lose the gains through the inflationary forces that are set at play. I did not adhere to the theory even of holding to the $97 billion level. That was a proposal of the Republicans on the Committee on Ways and Means. The Republicans on the Joint Economic Committee said, We thought expenditure levels to make room for our income tax cuts had to be at a

$95 billion level for both fiscal years otherwise the inflationary forces would be too great. I still think and I am even more convinced in the light of present circumstances that that was more true.

Now relating it back to the excises, if the President could hold expenditures to $99.7 billion level for fiscal 1966 and he said he would, I felt even though we were creating some damage in the area of debt management, the gains that would be derived economically from the removal of these deleterious taxes was to our net benefit. But if they were going to go beyond that expenditure level, I just could not argue that the benefit would exceed the detriments.

Incidentally, so far as this fiscal year is concerned, it is not $4 billion or $5 billion cutback on excise revenues—it is less than $2 billion for fiscal year 1966. It is about $1.9 billion.

Mr. MILLS. That probably is the figure if you take into consideration the so-called "feedback." But if you figure it without the "feedback," it is about $2.1 billion.

Mr. CURTIS. All right, we should use the figure without the feed back. It is $2.1 billion. Of course, the rest of the cut does not have the full impact of $5 billion until 1969.

Mr. MILLS. There is always some lag anyway.

Mr. CURTIS. There is some lag there. So we are talking, at least so far as our discussion here today is concerned, of revenue cut of about $2 billion. There is the syllogism in the proper contest and this is an area where there are a lot of disagreements and we can move this dialog forward.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. MILLS. I do not believe the gentleman is saying, and I hope he is not saying, that had we not passed the excise tax bill, the deficit for the coming fiscal year might well have been $2.2 billion in place of $4.3 billion? I doubt that we could be safe in making a prediction of that kind.

Mr. CURTIS. No, but let me say this to the gentleman. The Secretary of the Treasury did say that the debt ceiling request the administration had made had the revenue estimates on the assumption of the excise tax cuts. Now did we actually raise the amount of their assumption for the year 1966 somewhat by $600 million?

Mr. MILLS. No, what the gentleman is referring to is the amount of revenue lost in fiscal year 1966 from the second step, the January 1 step, of the excise tax cuts—the figure is actually $517 million because the reduction will be in effect only half the year and because of anticipated lags in collections.

Mr. CURTIS. Yes, but I am trying to relate the President's request of $2 billion revenue cut in fiscal year 1966 to the actual action. We did not make any changes at all.

Mr. MILLS. No, we enacted the program as requested as it affected the President's fiscal year 1966 proposal. We did, I think, increase it in 1967 and we affected it by $100 million or something like that.

Mr. CURTIS. The total $5 billion cut, I may say to the gentleman, for instance, in going on the full cut on autos really goes on into fiscal year 1968 and fiscal 1969.

Mr. MILLS. Here is the point. The President had recommended a reduction of the rate on automobiles from 6 percent to 5 percent effective January 1, 1967. We made it 4 percent in our bill which produced $100 million additional drain on revenues in fiscal year 1967.

Mr. CURTIS. I am trying to give the gentleman from New Jersey the context in which these discussions went on in the Committee on Ways and Means and note, I will say to the gentleman, it is not a question of Republican or Democratic views: these are differences in economic and political philosophy. Some Republicans do not share my views on this either.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. MILLS. I certainly share the gentleman's concern about reducing the taxes without holding the line on spending. I was as interested as the gentleman was in having assurances from the President that, if this action took place, he certainly would make every effort to hold the line.

Mr. CURTIS. That is right.

Mr. MILLS. That is what the gentleman wanted. That is what I wanted, and I am sure that is what the members of the committee wanted.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. I just thought I might be able to clarify this matter of the excise tax reduction and its effect on the fiscal year 1966. What happened was that the committee made no changes affecting the fiscal effect on 1966 as I recall, but I think the President in the tax bill that he sent up had a bigger impact above the $1,700 million than he had anticipated in January.

The real change in the impact in the fiscal year 1966 is as the result of the President's recommendations rather than anything the Ways and Means Committee did.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. I certainly would affirm everything the gentleman from Wisconsin has said in that respect.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from New Jersey.

Mr. JOELSON. As the gentleman knows, most of the excise taxes, if not all, were put on to finance past military expenditures.

Mr. CURTIS. No. I believe the gentleman is in error. Some were put on as a deterrent to use.

Mr. JOELSON. Let us say that many of them were.

Mr. CURTIS. That is a fair statement.

Mr. JOELSON. I should like to ask the gentleman, in view of our ever-growing involvement in Vietnam, whether he really believes it is reasonable to assume we will not have a tremendous commitment for military expenses in the future.

Mr. CURTIS. I believe, as the gentleman does, that is true, and that is why I asked the Secretary of the Treasury and the Director of the Bureau of the Budget exactly that question. Their answer was, "No." If the gentleman will read the record, he will find the Secretary of the Treasury said they had actually shifted the $700 million additional request for Vietnam in the military budget and had absorbed it, so that they would not have to increase the expenditures. I said, "Well, it was not as tight a budget as we were told it was, if you could shift that."

I was of that opinion, but the administration's answer was as I have given it—no, it would not.

This is what I am trying to warn the House about. Not with respect to only military programs but also with respect to domestic programs. Is it realistic to believe that the President can hold to these expenditure levels? Certainly with respect to future years, such as fiscal year 1967, can he do it? In my judgment, he cannot.

In fairness, I must say I did not believe the President could do what he did last year, but he did.

This is the place where Congress can exercise its judgment if it wishes to. It can, if it wishes, listen to these arguments.

Those of you who believe the President should be given some leeway to increase the figure of $99.7 billion would have had an opportunity to accede to his request for $329 billion for the debt ceiling instead of the committee recommendation of $328 billion. These people on the Democrat side who talk about being liberal were the ones who voted down the efforts of some of us to have an open rule. This would have enabled you to have offered the amendment. Frankly, I believe it would have carried. I would have been very regretful. It also would have enabled those of us on our side to offer an amendment to cut another billion or whatever figure we considered more realistic.

It also would have enabled Congress to get into a consideration of the very difficult problem of the permanent debt ceiling.

Today will be the one vote which will enable the House of Representatives to express its views on fiscal policy for fiscal year 1966. The expenditures in relation to our revenues are before you now. This is the only way we have of expressing ourselves.

Let me tell you that to the best of my ability this is going to be one of the major issues, as it must be, in the election campaign before the people. The people have a right not to be fooled as to who are those who believe in a balanced budget and those who believe deficit financing is in error, and those who are in disagreement and have been trying to bring about increased not decreased expenditures. There are many on the Democratic side of the aisle who have been trying to do this. I want to make that clear. There are a few, not so many, on the Republican side of the aisle who have been trying to do this.

I believe this is a major issue which must go to the people for results. It ought to go to the people after an intelligent debate. We do not have such a thing going on here. It is impossible to do it. We have not developed, apparently, enough general knowledge on this subject in the House or in the Senate so that it could be meaningful.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. Yes. I will yield to the gentleman from Iowa.

Mr. GROSS. In view of the statement of the gentleman from Arkansas, the chairman of the committee, that there must be restraint in spending, does the gentleman from Missouri think that there will be the proper restraint in spending projected into 1966 in view of all the expensive programs that are being initiated?

Mr. CURTIS. Well, I have expressed my view that I think it would be very difficult, but I do want to pay tribute to President Johnson again. He evidently meant business on holding expenditure levels in fiscal 1965 and 1964, and he said that he is going to try to do this in fiscal 1966. I think he is taking on an impossible task. There is no question but that he has been talking the other way when he talks to those who want these new programs and these expenditures made. That is why I say, which is the real President Johnson? Is it the President who is holding these expenditure levels, or is it the President asking for these continually increasing authorities to spend and then builds up the time bomb of an additional carryover of obligational authority? The judgment we have to exercise here, which we will not and which we have not to date and which we cannot now, is what do we think. Do we think we have given our President an impossible job on holding expenditure levels, those of us who believe it is so necessary to do this?

Mr. MILLS. Mr. Chairman, will the gentleman yield on that point raised by the gentleman from Iowa?

Mr. CURTIS. Yes. Certainly.

Mr. MILLS. Would not the gentleman from Missouri point out to the gentleman from Iowa what he has said further, that this ceiling of $328 billion will provide for debt management and to pay those bills that are presented to the Treasury within the spending level of $99.7 billion but that the figure cannot be raised above that appreciably and provide, within the limitation, the flexibility required for the payment of bills and the management of the debt.

Mr. CURTIS. That is correct.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. CURTIS. I yield myself 5 additional minutes.

There is a margin or a leeway of about $7 billion in cash and contingency that the Committee on Ways and Means has felt is justified in order to have proper debt management. Again the House should look over our shoulders. Maybe our estimates on this are not accurate. I would be glad if they would, and I would hope that others would look at our working papers to see if they think this is right. The President agreed that a $7 billion contingency is needed. There is a dialog between the Secretary of the Treasury and myself where he was saying, "Do not cut us back to $328 billion, because then I might have to cut in on the flexibility I need for good debt management." Then I said, "Well, look, Mr. Secretary. That is what you must present back to your spending groups in the executive department and say, 'Look. If you do not cut back this $1 billion in expenditures, then you cut back on the needed flexibility we must have.'" So this factor of flexibility in the debt ceiling must be preserved, but it must not give us such leeway where we cannot be strict in our expenditure policies. We hope that the President will do better and be below the $99.7 billion level he has estimated.

I am going to ask unanimous consent, when I get back to the House, to put into the CONGRESSIONAL RECORD my newsletter of February 1965 in which I discuss the various aspects of this fiscal problem that I am trying to present here. The reason for that is a number of my colleagues have seen it and asked for copies of it. It does pertain to the debate here, and it will probably clarify some of the points I have been trying to make.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. YOUNGER. I have just one question. I thank the gentleman for yielding.

Why do we go through this fiasco every year? Why not just remove any controls whatsoever on the debt limit? What is the purpose of it?

Mr. CURTIS. I think the gentleman is asking a pertinent question. Believe me, I have been trying to give the answer. This is the one way that the Congress has of exercising its judgment over the balanced budget or the lack thereof in a given fiscal year.

Secretary Fowler, I am happy to say, said that he, too, thought that this was a good discipline, that it was a method to direct our attention to this important matter of what our expenditures are in relation to our revenues for a given fiscal year. If there is a deficit we create further problems in the field of debt management. If someone would get into the problems involved in the field of debt management, he would begin to realize why we have this economic problem internationally, why we have these inflationary pressures now that are cropping up, which are weakening the United States in this period when it should be the strongest.

That is why I say that this is the most crucial issue that faces the Congress today. And what a tragedy for representative government it is when only a handful of Members of Congress are concerned enough even to want to listen to the debate.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. GROSS. What has been the experience with the tax cut of last year? I am beginning to read here and there that the expected revenues are not coming to the Government as a result of accelerated activity on the part of consumers.

Mr. CURTIS. The tax cut is proving its worth, but it was done in the light of expenditure restraint. This is what the news media have failed to point out to the American people, and this is what too few Congressmen realize was the issue, just as it is the issue here today, of expenditure control. Let us get to it. Let us get on to our job of exercising our judgment in this area of expenditure control.

The newsletter to which I referred follows:

DEAR CONSTITUENT: The most important document in the session of a Congress is the budget of the U.S. Government for the oncoming fiscal year. This Congress received the budget for fiscal year ending June 30, 1966, on January 25, a 500-page document in one of its abbreviated forms.

The budget is the true test of what the Government's policies and programs are, although it is necessary sometimes to wade through the document in detail to get the truth.

It is ironic to have political pundits talk about "do-nothing" Congresses. The activity of a Congress is measured in the new authority it grants to the President to spend money. By this test the past Congresses have been do-entirely-too-much Congresses, clearly without adequate study and deliberation.

NOA (NEW OBLIGATIONAL AUTHORITY)

The 1963 session of Congress—widely hailed as do-nothing—voted $101.1 billion new authority to spend, the first Congress ever to exceed the $100 billion mark. The 1964 session voted $107.3 NOA—new obligational authority—however, $6 billion of this is being asked of the 1965 Congress as "supplemental authority," because of previous budget underestimates. This 1965 session is being asked for $106.4 billion NOA, but if the past is any basis for judgment, and it is, there will again be a deficiency request for supplemental authority of about $6 or $7 billion next year. So the true figure for the fiscal year 1966 budget probably is closer to $113 billion NOA.

Underestimating, in the budget, expenditures of items that must be spent in accordance with law, is a method to make the specific budget seem less. The deficiency does not show up until the next budget and then it helps to make the new requests seem more modest. The request for $101.3 NOA fiscal year 1965 becomes $107.3 billion in the 1966 budget with its deficiency. This makes the request for $106.4 NOA seem less when in truth it is more.

EXPENDITURES ARE NOT NOA

A point not understood even by many Congressmen is that the budget requests and the Congress actions in voting NOA have only an indirect bearing on the actual expenditure of funds in the given fiscal year.

According to the 1966 budget only $72 billion of the NOA will be used in fiscal year 1966; $34.4 billion of the NOA will be carried over for expenditures in future years.

There is a $96.7 billion unspent authorization in prior years carried over to July 1965, making a total of $203.1 billion available to the President to spend in fiscal year 1966 (if Congress grants the full request of $106.4 NOA).

However, President Johnson has said in his budget measure he will spend only $99.7 billion in fiscal year 1966 out of this total of $203.1 billion and carry over the difference, $101.5 billion, for expenditure in future years. (To the good mathematicians reading this letter, there is an item of $1.9 billion expiring authority and interfund payments which makes up the difference.)

Congress has little control over the expenditure rate of $99.7 billion. Every President has had to accelerate certain programs, and decelerate others. There is and must be considerable discretion in the hands of the President in this matter. Therefore, President Johnson can spend at a $110 billion rate instead of $99.7 billion, or at $95 billion. Congress has never developed the techniques for expressing its judgment on what the expenditure rate for a fiscal year should be. The appropriation bills considered by the Congress each session are for NOA and do not relate to when the money is to be spent. Congress does not even consider the total NOA it might grant in a session inasmuch as it breaks up the appropriation bills into some dozen or more separate bills.

The main thrust of what once was the economy bloc, to which I still adhere, was to try to get Congress to develop a real legislative budget so that Congress could pass judgment on expenditure levels in relation to the anticipated receipts. Only in this fashion will we ever balance the Federal budget and be able to cope intelligently with the problems of debt management which are now becoming so difficult that both foreign and domestic policies are being deleteriously altered by them.

FEDERAL DEBT

The only tool Congress has to exercise judgment on expenditure levels is the so-called debt ceiling legislation. This sets the amount of Government bonds that can be outstanding at any given time. If the tax revenues are to be only $94.4 billion in fiscal year 1966, according to the budget, and the expenditures are to be $99.7 billion, the Government will have to sell $5.3 billion more bonds to make up the deficit. But the debt will rise to $316.9 billion on June 30, 1965, and the debt ceiling is only $325 billion. The new debt would put us at $322.2 billion. But the Government needs at least $4 to $5 billion working cash so we are over the top. Therefore, the President cannot spend $99.7 billion in fiscal year 1966 unless the Congress increases the debt ceiling, as the President states in his budget message he will ask Congress to do. In my judgment it has been the discipline the Congresses in the past have exercised in not granting to the President all he asked for in increasing the debt ceiling that has kept the expenditure figures below $100 billion, even though NOA continued to soar above the $100 billion mark and the accumulated carryover of unspent authority to spend continued to increase * * * e.g., $96.7 billion, fiscal year 1965 to $101.5 billion, fiscal year 1966.

So the real test of whether the Congress is going to go along with the President's expenditure theories will be seen when it acts upon the President's message to increase the debt ceiling. If the debt ceiling is completely removed as many of those who believe in increasing Federal expenditures have advocated, or the increase in the ceiling is substantial, then we can say the lid is off and the President will begin spending instead of accumulating the authority to spend. Expenditures will move to over the $100 billion mark and inflationary forces will be strengthened.

THE RECENT TAX CUT

I think it is important for the people to realize that the recent tax cut which the administration economists have boasted proves their economic theories of the value of deficit financing was not made in the context of their economic theories but rather in context of the economic theories of the economy bloc * * * who had been advocating a tax cut long before the administration had. The economy bloc had insisted upon holding down Federal expenditures to make room for the tax cut. The motion to recommit the tax bill in the House of Representatives which the administration fought bitterly, and won a newspaper victory in defeating, was not a motion to kill the tax bill. The motion referred the bill back to the committee with instructions that it report the bill back immediately with an amendment that the expenditure rate for fiscal year 1964 be not more than $97 billion and for fiscal year 1965 not more than $98 billion. Dr. Heller, the Chairman of the President's Council of Economic Advisers, had been saying that if Federal expenditures were cut to accommodate the tax cut the purpose of the cut to stimulate the economy through increasing total purchasing power would be defeated. Dr. Heller argued that if you cut Government expenditures by the amount you were increasing private expenditures (through the tax cut) the economic impetus was washed out. The economy bloc argued that expenditures in the private sector were the expenditures which brought about sustainable economic growth and more jobs, not governmental expenditures. That governmental expenditures competed with and thwarted private expenditures. That keeping governmental expenditures up meant increasing the Federal debt to the point where inflation would wipe out any net increased purchasing power which would result from the tax cut.

In my judgment even a $97 and $98 billion expenditure level was too high. I felt the inflationary forces that even these lower amounts would set loose would in the long-run create damage. I still am afraid events will prove me to be right. However, there is no question what the Administration did. After fighting the amendment to force it to hold expenditures to a $97 and $98 billion level, it repudiated Dr. Heller's theory and followed the theory of the economy bloc. It held its expenditures to these recommended levels. The net result was that the tax cut did produce economic stimulus without, at least, the immediate deleterious effect of the inflationary forces which it created. What these forces would have been if Dr. Heller's theory had been followed is a matter for speculation.

USER FEES

There is one bitter sweet part of the budget message. The President has asked the Congress to finance more Federal services through a heavier reliance on the user fee principle. Postage stamps, for example, are a user fee. Highway tolls are user fees. The highway trust fund with its revenues derived from excise taxes on gasoline, tires, trucks, and autos is a hybrid example. I have long felt that the Federal Government, indeed, all tiers of Government, State, and local as well, would be wise to extend the user fees principle to whatever governmental services lent themselves to it. This produces a better accounting system and also permits the people to better register their judgment on whether they want their money spent for these services. There are counter arguments and like most things the principle can be carried too far.

It is something a bit different when the Government earmarks certain taxes for certain purposes. The highway trust fund took the user fee principle but it is so closely related to earmarked taxes that I raised serious doubts, not as to its immediate efficacy but as to its wisdom. Earmarked taxes by the Federal Government have been held to be unconstitutional by the Supreme Court. I think this is sound constitutional law but equally important, I think, it is sound fiscal policy. The Federal Government has one clear responsibility to the people, even if there is argument about some of the other areas of its activity. That is to provide for the national defense and this takes the major portion of the Federal revenues. If we start earmarking taxes for special purposes other than defense, in the process we cut back on the ability of the Federal Government to raise funds for the national defense. Some States in the past have earmarked so much of their taxes that they have had too little in general revenue to meet their fundamental obligations.

I make a point of this because the President in his budget message has called for a further and a dangerous increase in the payroll tax which has been earmarked for welfare measures. Already the payroll tax, one of the most regressive taxes we have, is at such a high level that it is hurting our economy in coping with automation in pricing our goods and services out of the international markets. Already many of our people are paying more social security tax (one of the payroll taxes) than they pay in Federal income tax.

I call the President's move to rely more on user fees to finance Government services, bittersweet. It is sweet because we should move as much as we can to the user fee principle. It is bitter because the President seems to be merely looking at this as another source of revenue, not as a basis for cutting back on general taxation. In other words, he seems to be setting the ground for increasing governmental expenditures, not holding them level, certainly not reducing them.

The administration economists finally agreed that the Federal income tax was impeding our economic growth. How long will it take them to realize that any income tax, payroll tax, excise tax or user fee can be abused by loading too much on it. The President has urged cutting some Federal excise taxes. I agree. He has urged increasing the payroll tax to where it will be over 10 percent of payroll. I disagree.

TOTAL FEDERAL SPENDING

I have been talking about what is called the administrative budget of the Federal Government. This does not include the expenditures and revenues from the government trust funds and the programs associated with them, i.e., social security, unemployment insurance, the highway program, etc. Trust fund receipts for fiscal year 1966 are estimated to be $33.6 billion, expenditures $32.9 billion. Nor does the administrative budget reveal all the expenditures of the Federal Government which might be covered by user fees or other direct dealings with the public. The gross expenditures of Government-administered funds are estimated to be $154.958 billion in fiscal year 1966; the actual 1964 fiscal year figure is $144.686 billion. This indicates the extent of the role of the Federal Government in our $650 billion gross national product 1965 economy.

The President's request for $106.4 billion NOA plus the unstated $7 billion which will be needed for deficiencies, confirms the increased spending philosophy inherent in his state of the Union message which sets out all his new programs. It does not conform to the expenditure level of $99.7 billion he projects for fiscal year 1966. The very nature of the new proposals President Johnson has made for what he terms "the Great Society" in his request for $106.4 billion NOA of 1966 reveal that they are only the beginning of increased

NOA's and future spending if these programs are going to move to maturity. The trust fund programs are likewise to be increased—social security, unemployment insurance, the proposed hospital insurance program, the highway program, and others. These laws create automatic authority to spend on into the future and do not require yearly congressional action.

Now which part of the budget does the President really intend to abide by * * * the promises which are exemplified by the $113 billion NOA and the increased user fees and increased taxes for the trust fund programs or by the expenditure level of $99.7 billion? The real President Johnson has not yet stood up.

There is little question in my mind about the Congress as it is presently constituted. It is concerned with NOA and the increased benefits * * * the promises, not the expenditure level, not the taxes and the debt or the gold flow. Only in one bill * * * the bill to increase the debt ceiling * * * will Congress have to face up to present realities and temporarily stop dealing in promises. But debt ceiling bills are not understood by Congressmen themselves let alone by the general public so there will be no real deterrent. The lowering of the gold reserve behind our paper money will apparently bring no more pause than the repeal of the Silver Act did 2 years ago. Will we really reach the point where we openly devalue the dollar before we come to our senses about following the will-o'-the-wisp of deficit financing?

I feel the future of our country is at stake in these issues. I think the neo-Keynesian economists are wrong in their basic economic theory that Government spending, deficit spending, must be used to keep our economy healthy. I think the neofederalists are as wrong in their basic political theory that in the complex society of the 20th century only a larger and more active Federal Government can sustain the society. I am in the anomalous position of hoping that I am wrong * * * that we can move the society forward from the top * * * that we do not have to continue along the arduous path our forefathers trod of continuing to free up our people so that they may move forward by developing their own characters and talents. Political government is only a mechanism to be used by the people. It is the servant of the people, not its copartner, not its benefactor, and it must be kept in the position of a servant, lest it come to believe it is the master.

When President Johnson says " 'We' must do this," and " 'We' must do that," * * * whom does he mean by "we"? We the people or we who have been entrusted by the people to act as their servants, for a short time, to run the Federal Government? I think "we" must always mean the people. Any attempt on the part of government to do for the people that which they have it within their power to do for themselves is bound to undermine their moral fiber and it is our moral fiber which is our true national strength.

Sincerely,

TOM CURTIS,
Your Congressman.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so have the privilege of extending their remarks at this point in the RECORD on the bill before the Committee.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mrs. REID of Illinois. Mr. Chairman, today is an anniversary for me. It was exactly 2 years and 5 months ago that I was first sworn in as a Member of Congress representing the great 15th District of Illinois. This is also the fifth time in such a short span of time that we have been asked to extend and increase the temporary national debt limit—and the fifth time that I am forced to vote against such request as an indication of my continued demand for a return to a policy of fiscal sanity and for the elimination of all wasteful and unnecessary expenditures and programs.

On April 1, 1963, the debt limit was set at $305 billion. With four tries, this limit was increased $19 billion during the remainder of 1963 and 1964 to the grand total of $324 billion. The bill which we are considering today seeks to increase this debt limit by still another $4 billion—which means an increase of $23 billion in the debt limit in a period of approximately 26 months. If you break this down further, this means that the debt limit has been increased by $885 million per month during this period. At the same time, I would remind you that the interest on the present national debt is now averaging $960 million per month. I would further remind you that all of this contributes to the problems which we are having with inflation, balance of payments, and the gold shortage.

Each time that the Congress has raised the debt limit, the administration has assured us that serious effort would be made to hold down expenditures in the future. We also read in the papers that the administration is trying to economize and that they are saving on this or that program. All you have to do, however, is to look at the appropriation bills to realize that expenditures are somehow still climbing; and when you look at all the demands for still more new and huge spending programs, you can predict that before too long the Congress will once again be faced with still another request for a further increase in the national debt limit.

I was a Member of Congress for only a short 4½ months when I first spoke in opposition to the proposal to increase the debt limit to $307 billion through June 30 and $309 billion for July and August of 1963. In that statement, I said as follows:

> Of course, we all know that this is just a start and when July arrives we will be asked to extend and increase the temporary debt limit again * * *. At this rate perhaps the 88th Congress can have the dubious distinction of granting a record four extensions and increases before it ends at the close of 1964.

That prediction proved true, and I now predict that if we give in to the present demands of the administration we will be faced with still another request for an increase in a very short period of time.

Once again, I urge my colleagues to serve notice and demand a sound fiscal policy by defeating H.R. 8464. Perhaps then the administration might be a little more cautious before demanding approval of huge new spending programs and expansion of old programs.

Mr. BRAY. Mr. Chairman, we again are considering an increase in the ceiling on the national debt.

This so-called limit has been raised periodically for the past 10 years—so much so that it seems ridiculous to call it a limit. Every time the limit is reached Congress is asked to increase it and so far it has dutifully responded each time.

In fact, during 1963 the limit was increased on three separate occasions. As of the increase in November 1963 the debt limit stood at $315 billion for fiscal year 1964.

In the following year it was increased to $324 billion for fiscal year 1965. This was a whopping $9 billion increase in the space of 1 year.

This year the administration has asked that it be raised by $5 to $329 billion. The Ways and Means Committee recommended that it be increased only to $328 billion, thus cutting back the administration's request by $1 billion.

We have a so-called permanent debt limit of $285 billion and all of the ceilings approved since then have been "temporary" increases. In 1963 a determined effort was made in the House of Representatives to stop this constant upward spiral of the national debt. Every Republican who voted on that measure voted against the increase but the higher limit was approved by a vote of 197 to 172.

There are many of us who believe that limiting the national debt is one effective way to force the Government to cut back on spending. In any event, continued increasing debt will likely lead to inflation with the many evils that come in its wake.

History is filled with stories of nations which allowed their currencies to become cheapened and the subsequent inflation led to their ruin. France in 1790, Germany after World War I, and Italy after World War II are among the more spectacular examples of what "printing press money" can do.

No one believes that the increase in the national debt limit approved this year will have such a disastrous result, but it is unfortunately true that the debt limit is growing by leaps and bounds and that the general trend is definitely away from a balanced budget.

Meanwhile the burden of the debt continues to mount. Interest payments alone will cost taxpayers more than $11.5 billion in the coming fiscal year.

I oppose the increase as I have opposed those in the past. Surely someday we will return to a balanced budget while we can do so or the ability to do so may forever escape us.

Mr. Chairman, we must return to sane fiscal control before inflation engulfs us all and drowns those living on retirement income. Working men and women contribute billions of dollars to the social security fund and we break faith with them if we do not safeguard the value of the dollar so that it will be worth as much to them when they receive it in retirement as it is when they contribute it during their working years.

Mr. JOHNSON of Pennsylvania. Mr. Chairman, the chairman of the Banking and Currency Committee this morning addressed the House and commented on the fact that as a part of the assets of the Federal Reserve banks of the Nation there is one item, as shown in the balance sheet of April 28, 1965—see FRB Bulletin for May 1965, page 698—of $37.360 billion, which asset represents the ownership of U.S. Government securities.

It was stated that inasmuch as these securities have been bought by the Government, namely the Federal Reserve banks, that they ought to be canceled and thereby reduce the national debt.

It was further stated that if this was done it would not be necessary today to increase the debt ceiling by $4 billion.

I wanted, on the floor at the time, to point out to the House what I considered the unsoundness of this plan.

To make my point clear, first, it is necessary to point out to you some of the facts concerning the organization and status of the Federal Reserve banks.

It was suggested that all of the capital of the Federal Reserve banks was owned by the Federal Government. This, of course, is not true.

The facts are that the Federal Government has no stock at all in the Federal Reserve banks. I will briefly present below the balance sheet of the Federal Reserve banks as of April 28, 1965:

ASSETS

	Billions
Gold certificate reserves	$14.144
Cash	.132
Loans and discounts	.439
U.S. Government securities	37.360
Cash items in process	6.232
Other assets	.958
Total	59.265

LIABILITIES AND CAPITAL

FRB notes (currency outstanding)	34.005
Member bank deposits	17.416
Other deposits	1.299
Deferred liabilities	5.375
Capital stock issued	.538
Surplus	.524
Other capital accounts	.108
Total	59.265

You will note in the above balance sheet the capital stock outstanding of the banks is $538 million. This has all been subscribed for and is held by member banks. Member banks are required by law to subscribe for capital stock in the Federal Reserve System in the amount of 3 percent of their own capital and surplus. The Federal Government can subscribe for stock in the Federal Reserve banks but has not done so because the stock held by member banks is sufficient capital.

The Federal Reserve pays to each member bank an annual dividend of 6 percent interest on capital stock paid in and when a member bank ceases to be a member of the Federal Reserve System they must surrender their stock and receive exactly what they previously paid for it.

There is no obligation on the part of the Federal Reserve System to pay member banks any interest on the deposits of member banks in the Federal Reserve System.

Under the present law all profits of the Federal Reserve System over and above their expenses and the 6-percent dividend that is paid each year to the member banks is paid into the Treasury of the United States. This means that while the Federal Government pays to the Federal Reserve banks interest on the $37 billion worth of securities they hold, most of the money is returned to the Treasury each year.

The Chairman's plan would be for the Federal Reserve System to surrender their Government bonds and receive in their stead a non-interest-bearing obligation of the United States in the same amount of money.

This seems to me a reckless venture and destruction of the financial soundness and integrity of our Federal Reserve System.

It will be noted on the balance sheet that member banks have $17 billion on deposit in the Federal Reserve System. Obviously this $17 billion has been invested in Government bonds. To now surrender these bonds for non-interest-bearing Federal obligations would further destroy the security of member banks deposits in the Federal Reserve System along with the destruction of the 25-percent gold coverage and backing which these deposits previously enjoyed.

To all of a sudden take away from the Federal Reserve banks the investment power in Federal securities would in effect destroy the open market ability of the System. We all know that the market value of Federal securities has been maintained by the wise open market operations of Federal Reserve banks.

If the Federal Reserve banks were to cease purchasing Government securities as they are offered for sale in excess of amounts that the open market can absorb, it could well lead to a crash in our Federal bond market with disastrous results to our economy.

I might further observe that while Federal Reserve banks have issued $34 billion worth of currency, which is a liability on the balance sheet, they never issued any currency unless they received a quid pro quo for it, such as a check from a member bank, or a nonmember bank, or the purchase of a security to be held by the bank, or a loan, or a discount to a member bank.

As intimated on the floor, currency is not issued in a reckless inflationary manner without the Federal Reserve banks receiving a corresponding asset.

I might say in closing that when this session of Congress is over after member banks have been deprived of the 25 percent gold coverage on their deposits and then their deposits, according to the suggestion made, backed up by non-interest-bearing Federal notes, and after the silver is taken out of our coins, after our taxes are cut by over $4 billion, and then the national debt increased by $4 billion plus many other plans that are in process, the monetary system of this Nation will have received the greatest setback since the establishment of the Federal Reserve System.

To carry out the idea of the chairman to its fullest extent it would be necessary for all Federal agencies, such as the social security fund, the highway trust fund, and so forth, that possess Federal securities to divest themselves of the same and accept non-interest-bearing notes.

Mr. LANGEN. Mr. Chairman, today's House action to increase the so-called temporary national debt limit to a new high of $328 billion is a bold admission that the Federal Government has absolutely no intention of balancing the budget in the foreseeable future. It means that since 1960 we have increased the permissible debt limit by $35 billion, and we're still faced with a continuation of expensive old and unworkable programs, a host of new schemes, more salary increases, and an endless parade of needless expenditures, making sure that we never arrive at a balanced budget. This is particularly alarming during a period of our history when we enjoy tremendous prosperity. If we cannot balance the budget now, when will we?

Instead of meeting to consider raising the national debt limit, we should be considering lowering it to a realistic figure that would insure a balanced budget, making that figure permanent, and then announcing to all concerned that it is not going any higher, even on a temporary basis.

It is inconceivable that this body should meet to consider increasing the national debt limit just 1 week after approving a vast and sweeping revision of our excise taxes. Of course, these changes in excise taxes were sorely needed, a fact I have personally pointed out for a number of years. They were temporary, wartime measures designed more to curtail purchases of specific commodities and services rather than as revenue raisers. Elimination of many of these unfair temporary taxes was long overdue, as was making a select number of them permanent instead of being subject to yearly review.

However, spending reductions are sorely needed to accommodate the loss of revenue from excise tax cuts. We now must show our good faith with the public by showing fiscal responsibility. Raising the debt limit is not the way.

Think of what this Nation could do with the $12 billion worth of interest we are going to pay each year on the national debt. Think of what we could do with the billions we indiscriminately spread around the world in shotgun blasts of foreign aid that scatter ineffectively around an ill-defined target. Think of what we could do with the billions of dollars wasted by agency after agency of this Federal bureaucracy, each bent on perpetuating its own existence at the expense of the taxpayers of this Nation.

We in the Congress, who have fathered the bureaucracy that we behold also have the responsibility of saying "no" and we have a great opportunity to do so in the days ahead when appropriations are requested of us.

I sometimes wonder just how seriously the rest of the world takes us when we continually exhibit a complete disregard for fiscal responsibility. On occasion, other nations chide us for our misplaced emphasis and our inability to make ends meet. But the proof of the pudding is when we watch our balance-of-payments deficit continue at a dangerous level and our gold reserve dwindle to new record lows. It is no secret that we just lost another $60 million in gold to other nations of the world. I respectfully submit that this condition is not going to be reversed until the United States of America at last calls a halt to needless deficit spending and displays to the world an ability to balance its budgets and live within its means. The reaction around the world could be startling.

Mr. Speaker, perhaps it is only coincidence, but I note that there seems to be a smokescreen of space wizardry in the national headlines almost every time this body gathers to consider another temporary increase in the national debt limit.

Over 3 years ago, on February 20, 1962, we debated a measure to increase the debt limit on the very day that saw astronaut John Glenn land his space capsule safely. A little over a year later, on May 16, 1963, we met here to raise the temporary debt limit on a day when Gordon Cooper was circling the earth in a spacecraft. And here we are today, debating the same tired question as a moment when the headlines are still full of project Gemini.

The term "Gemini" is used, of course, because it depicts the twins Castor and Pollux, sitting together and located on the opposite side of the Milky Way from Taurus the Bull. When you stop to think about it, there is more coincidence here than one might wish to admit.

While the national attention is diverted with news of our twin astronauts, our own earthbound Gemini twins, the House and Senate, are busy putting the national debt into even higher orbit, a feat the Russians never even hope to match. And just where Taurus fits into this earthly constellation can only be speculated, except that it might not be a bad idea to trim his horns a bit.

Mr. CLEVELAND. Mr. Chairman, of course I shall vote against H.R. 8464, which would raise the so-called temporary national debt limit from $324 billion to $328 billion. This year there is not even the excuse of an emergency. There is, in fact, sufficient leeway if we merely extend the current limit to provide for financing the predicted deficit of $4.4 billion in the current budget.

In times past, we were told that we had to raise the limit because Federal spending—and Federal borrowing to pay for it—was perilously close to the existing limit and if we did not lift the ceiling, all kinds of disaster would descend upon the country.

Perhaps this concern was valid but who is to blame for the situation? If disasters had descended, the primary cause of them would not have been the failure to raise the debt limit. The fault would have been, as it is now, in the unrestrained, unpoliced, careless disregard of fiscal responsibility on the part of Democratic administrations. The fault would lie, if disaster comes, in their incredible assumption that the Government, by a wave of its hand, can create wealth out of thin air. Mr. Chairman, the wealth that is created in this manner is nothing more than the wealth we assume will be created by future generations from whom we are borrowing now. They will have to pay this debt. Wealth, in fact, is created not by the Government, which is a consumer of wealth, but by the enterprise of the people. When we borrow from the future, we increase the burdens on future generations. Are we, who inherited the resources of the greatest nation on earth from our forefathers, to pass on to our descendants nothing but a mountainous debt? What kind of legacy is that? Are we to admit to them that we have gone through our seemingly limitless inheritance and that, while we have had a wonderful time with it, there is nothing left for them but bills?

BOTH PUBLIC AND PRIVATE DEBT SOARS

Yet, Democratic administrations think nothing of loading the country with debt, which now costs us more than $11 billion a year in interest. Our gold reserves are at their lowest ebb in modern times. Our creditors overseas do not see the American dollar as the financial rock the administration's propaganda insists that it is. They are cashing in their dollar credits for gold. Investors do not seem to agree with the administration's soothing assurances that all is well, judging by the recent performances of the Nation's stock exchanges.

In addition, higher prices and the general euphoria, which I believe is fostered by the Government's easy ways with money, have created the highest private debt in history. Figures published by the Federal Reserve Board show the total of private debt in the country at the end of last year to be $811 billion, which is 130 percent of the gross national product of $623 billion. Thus, the private debt rate is fast approaching the predepression level of 154 percent of the gross national product in 1929.

This is a complex subject. No two economists agree exactly on how to interpret it. But the wage earner understands it and the housewife feels it when the prices of groceries soar as they are doing now.

GOVERNMENT SHOULD SET EXAMPLE

Through my statements and my votes, I have urged reductions in Federal spending because I believe Government should set the example and establish careful priorities. We must defer those things we do not immediately need. We must put aside altogether those programs better handled by the States and communities in the Nation, or better dropped entirely. Our thrust should be to live with prudence. If we do not do so in these times of prosperity, how can we deal with times of trouble should they come?

Mr. Chairman, our country is also the bulwark and chief foundation of the free world. We are at war, though undeclared, with communism in South Vietnam. We do not know what demands will be made upon us to see this battle through. But we do know certainly that not only the battle but the entire war against communism would be lost if America collapses.

Let us have the courage to discipline ourselves now before it is too late. Let us begin by defeating this legislation.

Mr. HARSHA. Mr. Chairman, this administration is shoveling out Federal money so fast it has run out of debt limit again. Since no one is raising the roof about it, the President wants to raise the ceiling, but it should not be called a ceiling, it is a fiscal hole he is digging and he wants to excavate more to put the Nation deeper in debt.

We have again reached the time of year when the piper must be paid. The 1965 cost of financing the dream world conceived by the administration is now estimated at $4 billion more than the Government's income, and we are again asked to approve an increase in our public debt for that amount.

The entire situation is fictitious. First of all, the statutory debt limitation is $285 billion. Periodically a request for a temporary additional debt allowance comes to the Congress. By 1964 the total of these temporary additional amounts was $22 billion, which brought the total allowed debt limitation to $307 billion. The first request made in 1964 was for $2 billion. That was followed by a second request for another $6 billion and the last such request in that year was for an additional $9 billion, bringing the increase for 1964 to $17 billion and the approved total debt to $324 billion. Now the administration wants authorization to increase the debt by another $4 billion, which will make a total of $328 billion. What it all boils down to is that the administration's apparent benefactions—with its so-called war on poverty and the cradle-to-grave protectionist policy at home, plus a completely unrealistic foreign aid program abroad—if pursued, can only bankrupt the country and the recipients of this great largesse. The ultimate benefit to the taxpayer is pure fiction.

Democratic administrations have racked up some $300 billion of the public debt. Republicans have been responsible for less than $15 billion. In 1901 the national debt stood at $1.2 billion. Since that time, the Democratic Party has been in power about 32 years, the budget has been in annual balance only three times under Democratic leadership. The Republican Party has also been in power 32 years since 1901, however, during that time, it balanced the budget 22 times. In the last 34 years the budget has been balanced only six times, five of which were under Republican leadership. The last year for a balanced budget was in 1960, last year of President Eisenhower's administration.

The public debt is going up and up, our gold and silver reserves are going down and down, but this administration and its cohorts continue to tell us that all is well within the fiscal world.

Although the United States owes more than all the rest of the world combined, the Great Society economists claim this is a realistic asset, discarding the fact that it costs over $11 billion a year just to pay the interest on this debt. Unless a halt is brought to this fiscal irresponsibility, this Nation will soon be seeking foreign aid from the rest of the world.

Mr. Chairman, about the only effective way Congress has left to stop this exorbitant spending is to place a limit on the borrowing authority of this country. I realize it is a vain thing to ask the

Members of the House to defeat this bill, but I would hope that in the near future, a lid is placed on the cup as it cannot continue to runneth over.

Mr. RHODES of Arizona. Mr. Chairman, I rise as chairman of the Republican policy committee to report that at its June 2 meeting, the Republican policy committee adopted this statement on H.R. 8464.

The proposed increase in the national debt from $324 billion to $328 billion once again illustrates the pressing need for prudence, restraint, and sound management in Federal spending.

While we are heartened by the action of the Ways and Means Committee in reducing the administration request by $1 billion we cannot derive any pleasure from the prospect of authorizing the Federal Government to go $4 billion deeper into debt.

This $1 billion reduction is a result of Republican efforts to maintain a tight rein on Federal spending.

These increases in the Federal debt limit are becoming annual exercises in which the Congress regularly removes the restraints on Federal debt which it imposed the year before.

It seems completely illogical to continue this practice year-in and year-out. Full responsibility for the continuation of this practice must be borne by the Democratic administration which has failed to consider the establishment of a realistic and permanent debt ceiling.

The blame for this entire situation must be laid at the door of the administration and its Democratic majority in the Congress that authorizes the ever increasing Federal rate of spending and appropriates the funds which make it possible.

If the Congress, therefore, is ever to halt this ever-upward spiral in the Federal debt it must apply the brake in the authorization and appropriation process.

Mr. MILLS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Chairman, as one of only six Members of the House who last week voted against the excise tax cuts, I would like to address a few words to those of my colleagues who are quick to vote for spending and tax-cutting measures, but shed crocodile tears about the staggering national debt.

We are now faced with the necessity of increasing our national debt limit an additional $4 billion to a sum of $328 billion. Yet last week, 401 of my colleagues voted to decrease national revenues by almost $5 billion in excise taxes. Where were the advocates of fiscal responsibility last week when they had the opportunity to practice what they preach?

The interest alone on the national debt is $10 billion annually which represents about 10 percent of the entire Government expenditures each year and which must be paid out of income taxes.

When we reduced excise taxes last week, we voted to put money in the taxpayer's pocket only to take it out of the other pocket this week by the unfortunate necessity of adding to our debt expenses.

Mr. CURTIS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I would like to address a question or two to my friend from Arkansas [Mr. Mills], the distinguished chairman of the Committee on Ways and Means.

When the independent offices appropriation bill was before the House I addressed a question to the chairman of the subcommittee, the gentleman from Texas [Mr. Thomas], as to whether there was any money in that bill for the funding of the Federal employees retirement fund; to meet the huge Federal obligation to that fund. He said the Federal obligation to the fund, the existing deficit, was $40 billion, and that again this year there was no money in the bill to meet the Government obligation.

I wonder if the gentleman from Arkansas agrees with me that this $40 billion is as much a part of the Federal debt as any money owed by the Federal Government?

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes.

Mr. MILLS. I am not aware of the exact amount, whether it is $40 billion or some other figure. I am perfectly willing to take the statement of the gentleman that it is $40 billion.

Mr. GROSS. The record will so show.

Mr. MILLS. For this purpose I am willing to take the gentleman's statement. It is a future liability. It is not at the present time a part of the public debt because the appropriations and expenditures from those appropriations have not occurred. But certainly I would agree with the gentleman that it is a future liability, and in all probability one that the Congress will have to meet.

Mr. GROSS. And the $40 billion certainly plays an important part in the debt and deficit structure of the Federal Government for the future.

Mr. MILLS. Of course, if it were appropriated it would have to be paid either out of borrowed money or tax money.

Mr. GROSS. I understand perfectly. But the Federal employees retirement fund is not even receiving interest on the money that ought to have been appropriated to that fund through the years.

Mr. MILLS. The Congress discontinued making these annual appropriations some years ago. I have forgotten just when. That is why I do not know of my own personal knowledge just what the total amount is. But I remember that some years ago we used to include in the Independent Offices appropriation bill about $1 billion, or more, each year, for this purpose, according to my recollection. I have forgotten the precise amount, but we have not done that for the last several years.

Mr. GROSS. I do not know that it ever reached the figure of $1 billion.

Mr. MILLS. I believe it did at one time, on an annual basis.

Mr. GROSS. I seem to recall the appropriation of $200 million or $300 million to the fund on one or two occasions but I do not recall the appropriation of $1 billion.

Mr. MILLS. I believe there have been appropriations of about $1 billion at some point.

Mr. GROSS. But there have not been such appropriations in recent years.

Mr. MILLS. Perhaps it was less than that figure.

Mr. GROSS. The gentleman spoke hopefully of a balanced budget.

Mr. MILLS. Yes, and I still have that hope.

Mr. GROSS. In 1968?

Mr. MILLS. I still have that hope; yes.

Mr. GROSS. But there are those who say the Federal Government is going to have to begin to make heavy contributions to the Federal employees retirement fund at about that time and thereafter.

Mr. MILLS. Well, here is the point, if the gentleman will yield further.

Mr. GROSS. Yes, I would be glad to yield further to the gentleman from Arkansas.

Mr. MILLS. It is the overall amount that is important for this purpose. It is not one particular item to which we have to look to determine whether or not we can have a balanced budget. It is the total of our revenues and the total of our rate of spending. It is true that all of these individual items add up to a total, but it is possible that in connection with the total to make downward adjustments somewhere to accommodate some such expenditures about which the gentleman is talking. I believe all of us must admit that that is the only possibility of having a balanced budget.

Mr. GROSS. What I am trying to say is that here is a mandatory obligation, unlike many other expenditures and requests for expenditures that can be denied or curtailed. Programs can be stopped, they can be slowed down, and they can be halted. But this program cannot be stopped if we carry out the obligation of the Federal Government to the Federal employees and, incidentally to ourselves, this contribution must be made. In the not-distant future, this Government is going to have to appropriate a minimum of $1 billion a year and up to probably $2 billion a year to keep the fund solvent.

Mr. MILLS. If the gentleman will yield further——

Mr. GROSS. Yes, certainly.

Mr. MILLS. The gentleman knows much more about this than I do because the gentleman has been on the Committee on the Post Office and Civil Service, I understand, for a number of years and the gentleman is still on that committee, I believe. It is within the jurisdiction of the authorizing committee, which would be the jurisdiction of the gentleman's committee, and I know the gentleman knows more about it than I do. But I must admit, with you, that when actuarial estimates are made with respect to these funds and when the Federal Government has a commitment to pay, a part of that actuarial difference is a contingent liability on the general fund of the Treasury and I would assume that certainly some part of that contingent liability would have to be appropriated at some time in the future.

Now, if it had been appropriated from time to time as was initially anticipated, it is true that there would have been a smaller such liability at this time.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CURTIS. I yield to the gentleman 5 additional minutes.

Mr. MILLS. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes.

Mr. MILLS. There would have been interest collected which would have gone into the fund and thus would have reduced perhaps what the Federal Government today would have to put in it. The Federal Government of course would have been paying the interest.

Mr. GROSS. What I am trying to say is that we have here accumulated another tremendous obligation which makes this business of temporary debt ceilings almost meaningless. It is only a gesture unless the brakes are applied hard and fast on spending now to take care of some of these contingencies in the future. Deficit spending is a breeder of inflation and a continuation of fiscal irresponsibility means the lid will eventually be blown off.

Mr. MILLS. I certainly want to agree with the gentleman's point, if I understand it, that the mere elimination of such an appropriation now may not reflect a savings to the Government. It may be necessary at some future time for the Government to make an appropriation to cover that amount, or some greater amount. So we cannot say because we do not do it that we have accomplished a savings in that exact amount. Is that the gentleman's point?

Mr. GROSS. There is no question about what the Federal Government is going to have to do. The Chairman of the Civil Service Commission, Mr. Macy, testified before the Independent Offices Appropriations Subcommittee with reference to this fund.

Mr. MILLS. And, those are not the kinds of reductions or savings that my friend, the gentleman from Missouri [Mr. CURTIS], and I are talking about when we refer to holding down the level of spending. That is not that kind of expenditure.

Mr. GROSS. All I am saying is we had better begin to cut spending if we are to provide for the time when we are going to get hit right over the head, and Lord help the taxpayers when this happens.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. CURTIS. The gentleman is making a good point. The Chairman of the committee and I have been discussing provisions relating to the budget. It does not get into our trust fund and contingency liability, and any realistic approach must have regard for that. I think the gentleman is making a good point. We do not have the flexibility or the resiliency to meet these kinds of things when we are at a very close level.

Mr. GROSS. The gentleman will agree with me this is part and parcel of the financial structure of this Government, if I can call it a financial structure; it is something that has to be financed in the future.

Mr. CURTIS. The gentleman is right. As has been pointed out, the social security fund, if we put it on an actuarial basis, would be in the same situation. The civil service retirement fund has about $14 billion in it, and it covers perhaps 5 million people. The social security has 18 million in it, and if we were to fund the social security on the same basis as private pension plans are funded, and the civil service retirement fund should be, we would have $330 billion. They are going to have to face this in the next decade or the next two decades. Some of them are beginning to come home, and will in the next couple of years.

Mr. GROSS. Right now we are passing it on to those who succeed us.

Mr. CURTIS. We are doing it in ignorance, I would suggest.

Mr. GROSS. I am not going to shortchange anyone in the matter of intelligence. I say it is a lack of courage to face up to the problems that we ought to be facing up to—now—today.

Mr. CURTIS. I meant to call to the attention of the gentleman from New Jersey, when we had a colloquy a while ago, the very fine hearings the Committee on Ways and Means held a year ago around July when we had the top scholars throughout the country testifying. As a result of those hearings I concluded that the economic damages were as great as I expressed them to be. There are those who disagree with this theory. Here is one instance I am happy to mention, and I commend that committee for doing a very thorough, workmanlike job on behalf of the Congress.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. ICHORD. I would like to ask the distinguished chairman if this $328 billion debt limit is predicated on having at all times a $4 billion cash balance?

Mr. MILLS. That is true, and a balance of $3 billion in the contingency fund, which actually cannot be greater than $2.1 billion when the need for borrowing is greatest on March 15.

Mr. ICHORD. Does the gentleman ever expect the cash balance to get below $4 billion?

Mr. MILLS. The important point is that $4 billion of cash on hand, I am sorry to say, is almost exactly the amount of money the Government has to have to pay bills for 2 weeks at a time. I would think it would not be advisable for the Secretary of the Treasury to find himself with less than sufficient money to pay at least 2 weeks' bills at any one time.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I agree with the gentleman the Congress is going to have to face up to its responsibility in providing for the stability of the Government employees retirement system, but I do not see that there is any responsibility on this Committee on Ways and Means to bring that legislation to the floor. That is the proper function of the Committee on the Post Office and Civil Service.

Mr. GROSS. I do not want to be misunderstood. I discussed the matter on the basis that it does play a vital part, and will play an increasing part in the necessity for increasing the debt ceiling unless Congress puts the Nation's financial house in order, unless we start cutting back on other programs, balancing the budget, and paying on the existing debt.

Mr. WAGGONNER. I share the gentleman's concern and I hope that the Committee on Post Office and Civil Service will soon bring a recommendation to the floor of the House to stabilize this retirement fund.

Mr. GROSS. Will the gentleman speak to the Democrat majority on that committee? I am perfectly willing to go into it any day.

Mr. WAGGONNER. The gentleman has already spoken to several members of the committee.

Mr. GROSS. I do not happen to be in the majority on that committee, I will say to the gentleman from Louisiana.

Mr. MILLS. We have no further requests for time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment. No amendment is in order except amendments offered by direction of the Committee on Ways and Means.

The bill is as follows:

H.R. 8464

A bill to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the period beginning on July 1, 1965, and ending on June 30, 1966, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act, as amended (31 U.S.C. 757b), shall be temporarily increased to $328,000,000,000.

The CHAIRMAN. Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. GILBERT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8464) to provide, for the period beginning July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act, pursuant to House Resolution 413, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. CURTIS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. CURTIS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CURTIS. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. CURTIS moves that the bill, H.R. 8464, be recommitted to the Committee on Ways and Means.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CURTIS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Missouri objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 229, nays 165, not voting 39, as follows:

[Roll No. 130]

YEAS—229

Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Broyhill, Va.
Burke
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Callan
Carey
Celler
Clark
Clevenger
Cohelan
Conyers
Cooley
Corman
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Flynt
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Hathaway
Hawkins
Hays
Hechler
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Kornegay
Krebs
Leggett
Long, Md.
McCarthy
McFall
McGrath
McMillan
Machen
Mackay
Madden
Mahon
Matthews
Meeds
Miller
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Price
Pucinski
Race
Randall
Redlin
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Selden
Senner
Shipley
Sickles
Sikes
Sisk
Smith, Iowa
Staggers
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Thompson, Tex.
Todd
Trimble
Tunney
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Weltner
White, Idaho
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—165

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baldwin
Baring
Battin
Belcher
Bell
Berry
Betts
Bolton
Bray
Broomfield
Broyhill, N.C.
Buchanan
Burleson
Burton, Utah
Cahill
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Cleveland
Colmer
Conable
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan, Tenn.
Dwyer
Edwards, Ala.
Erlenborn
Findley
Fino
Fisher
Ford, Gerald R.
Fountain
Fulton, Pa.
Gathings
Gettys
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halpern
Hansen, Idaho
Harsha
Harvey, Mich.
Horton
Hosmer
Hutchinson
Johnson, Pa.
Jonas
Jones, Mo.
Keith
King, N.Y.
King, Utah
Kunkel
Latta
Laird
Lennon
Lipscomb
Love
McClory
McCulloch
McDade
McEwen
Macdonald
MacGregor
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
May
Michel
Minshall
Mize
Moore
Morse
Morton
Mosher
Natcher
Nelsen
O'Konski
O'Neal, Ga.
Passman
Pelly
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Roudebush
Rumsfeld
Satterfield
Saylor
Schisler
Schmidhauser
Schneebeli
Schweiker
Scott
Secrest
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Talcott
Taylor
Thompson, La.
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Watkins
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NOT VOTING—39

Addabbo
Andrews, George W.
Ayres
Bates
Bonner
Bow
Brock
Brown, Ohio
Cabell
Callaway
Cameron
Clawson, Del
Collier
Evins, Tenn.
Fogarty
Halleck
Hanna
Harvey, Ind.
Hébert
Helstoski
Holland
Jacobs
Landrum
Langen
Lindsay
Long, La.
McDowell
McVicker
Mackie
Matsunaga
Moeller
Pool
Powell
Purcell
Resnick
Slack
Thompson, N.J.
Toll
Willis

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Addabbo against.

Mr. Evins of Tennessee for, with Mr. Halleck against.

Mr. Fogarty for, with Mr. Brown of Ohio against.

Mr. Toll for, with Mr. Bow against.

Mr. Slack for, with Mr. Moeller against.

Mr. Jacobs for, with Mr. Long of Louisiana against.

Mr. Helstoski for, with Mr. George W. Andrews against.

Mr. Cameron for, with Mr. Langen against.

Mr. Holland for, with Mr. Del Clawson against.

Mr. Powell for, with Mr. Bates against.

Mr. Thompson of New Jersey for, with Mr. Collier against.

Mr. Matsunaga for, with Mr. Brock against.

Mr. Bonner for, with Mr. Callaway against.

Mr. Hanna for, with Mr. Ayres against.

Mr. Willis for, with Mr. Harvey of Indiana against.

For this day:

Mr. Landrum with Mr. Purcell.

Mr. Resnick with Mr. Mackie.

Mr. Cabell with Mr. Adams.

Mrs. DWYER changed her vote from "yea" to "nay."

Mr. STUBBLEFIELD changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

TEMPORARY SUSPENSION OF DUTIES ON METAL SCRAP

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 4493) to continue until the close of June 30, 1966, the existing suspension of duties for metal scrap, which bill was unanimously reported by the Committee on Ways and Means, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4493

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the matter appearing in the effective period column for items 911.10, 911.11, and 911.12 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 433, Aug. 17, 1963) is amended by striking out "On or before 6/30/65" and inserting in lieu thereof "On or before 6/30/66".
>
> (b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after June 30, 1965.

With the following committee amendment:

On page 1, line 8, strike out "66" and insert "67".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap."

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, H.R. 4493 would continue for 2 years the existing suspension of duties on certain metal scrap. The temporary suspension of duties was first enacted in 1942 and has been reviewed by the Congress almost every year since then. The scrap, which is principally iron and steel scrap, is needed primarily for use in the domestic production of steel by producers in certain sections of the country.

Most of our trade in iron and steel scrap is with Canada and our exports exceed our imports. Thus, this is a trade back and forth across the border and the suspension of duties benefits certain domestic producers in particular geographical areas of the United States. Interested agencies have commented favorably on the legislation and your committee has received no information that would indicate any opposition thereto. Your committee was unanimous in recommending the enactment of H.R. 4493.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN SILK YARN

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 5768) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn or silk, which bill was unanimously reported by the Committee on Ways and Means and ask for its immediate consideration.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5768

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart B of part 1 of the appendix to title I of the Tariff Act of 1930 (Tariff Schedules of the United States; 28 F.R., part II, page 432, Aug. 17, 1963; 19 U.S.C., 1202) is amended (1) by striking out the termination date applicable to items 905.30 and 905.31, namely, 11/7/65, and (2) by inserting in lieu thereof, the termination date "11/7/68".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 5768 is to continue for 3 years the suspension of duties on certain classifications of fine silk yarns which has been in effect since 1959.

The suspension in the duties on the silk yarns in question was for the purpose of assisting domestic industry to manufacture fine yarn fabrics to be sold in the U.S. market in competition with imported fine yarn fabrics. There has been no complaint with respect to import free of duty of the yarns in question since the suspension of duties was originally enacted. The interested executive branch agencies all favor the legislation and your committee was unanimous in recommending the enactment of the legislation.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. SIKES] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SIKES. Mr. Speaker, for several years past the tariff laws of the United States have provided duty-free entry to imports of 100 percent spun silk yarn. The bill H.R. 5768 which is before the House today, introduced by my colleague, the gentleman from Florida [Mr. HERLONG], and my identical bill H.R. 5779 would extend this privilege for 3 years. The spinning of silk yarn, once active in the United States, is practically nonexistent today. This bill, therefore, is not a threat to any significant American production.

Some effort has been made recently to broaden this duty-free exemption so as to include not only 100 percent silk yarn, but also spun yarn which includes some silk but which consists predominantly by weight of manmade fiber. Whereas there is no production of silk in the United States and little or no production of silk yarn, this country is one of the leading producers in the world of manmade fibers.

In my district, the Chemstrand Co. and American Cyanamid Co. have established major productive facilities for manmade fiber. The employment in these plants makes the manmade fiber industry one of the largest industrial employers in the State of Florida. It is important to the welfare of the people of my district and of the State of Florida, therefore, that the tariff treatment now provided in the Tariff Schedules of the United States for manmade fiber yarn not be subverted or evaded by action designed to create a loophole for the duty-free importation of manmade fiber yarn.

Because of this threat, both to the manmade fiber industry and the textile mills which spin blends of manmade fiber and other fibers into yarn, the gentleman from Florida [Mr. HERLONG] and I took the initiative of introducing a clean bill which in a straightforward manner would extend the existing duty-free treatment for 100 percent silk yarn.

The enactment of H.R. 5768 will benefit the silk weaving industry in the United States without harming other segments of the American textile industry. By this action we want the silk weavers to know that we have no intention of handicapping their operations. At the same time, we feel it entirely fair that the duty-free privilege which Congress has granted them in the past not be enlarged so as to create difficulties for other sections of the textile industry, including the manmade fiber producers who are so important to my district and State.

DEFINITION OF BUTTON BLANKS FOR TARIFF PURPOSES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 7621) to amend title I of the Tariff Act of 1930 to limit button blanks to crude forms suitable for manufacture into buttons, which bill was unanimously reported by the Committee on Ways and Means, and ask for its immediate consideration.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 7621

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That headnote 2 of subpart A of part 7 of schedule 7 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States, 28 F.R., part II, page 379, August 17, 1963) is amended to read as follows:

"2. For the purposes of this subpart—

"(a) the term 'line' in the rates of duty columns (items 745.20, 745.22, and 745.32) means the line button measure of one-fortieth of one inch.

"(b) the term 'button blanks' (item 745.40) is limited to disks or other flat shapes with plane surfaces, smooth or rough, whether stamped, cut, or molded, or other raw or crude forms with smooth or rough plane surfaces, suitable for manufacture into buttons."

SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, on or after the thirtieth day after the date of the enactment of this Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That headnote 2 of subpart A of part 7 of schedule 7 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States, 28 F.R., part II, page 379, August 17, 1963) is amended to read as follows:

"'2. For the purposes of this subpart—

"'(a) the term "line" in the rates of duty columns (items 745.20, 745.22, and 745.32) means the line button measure of one-fortieth of one inch.

"'(b) the term "button blanks" (item 745.40) is limited to raw or crude blanks suitable for manufacture into buttons.'

"SEC. 2. The amendment made by the first section of this Act shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after the ninetieth day after the date of the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The title was amended so as to read: "A bill to amend title I of the Tariff Act of 1930 to limit button blanks to raw or crude blanks suitable for manufacture into buttons."

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 7621 is to close a tariff loophole that has developed through the importation of virtually finished buttons which are assessed for duty purposes as button blanks at a substantially lower rate of duty than the one applicable to finished buttons. I want to make it clear, Mr. Speaker, that this legislation is not for the purpose of an ordinary tariff increase on a commodity but for the purpose of preventing the avoidance of a duty, the protective incidence of which is nullified by the ingenuity of the foreign manufacturer.

The practice that the bill is particularly designed to frustrate relates to certain disks of polyester resin having a circumference and finish of buttons and to which finishing operations have been applied to make them into finished buttons except that the drilling of holes is not accomplished until after importation. These articles have been classified under a tariff provision for button blanks at the rate of 36 percent ad valorem, whereas the rate that would apply if the holes had been made in the disks before importation would be equivalent to about 140 percent ad valorem. The Tariff Commission has advised your committee that as a result of this practice the tariff provision for button blanks is now used primarily as a rate-avoidance device. I believe it can be said to be the policy of the Congress that when and as tariff loopholes are discovered, and they will be discovered from time to time, prompt action is to be taken to close them. There is not involved in these situations any question of increasing the tariff protection for any domestic industry. We are merely seeing to it that the tariff protection intended an industry is not nullified by ingenious foreign manufacturers.

GENERAL LEAVE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may be permitted to extend their remarks at this point in the RECORD on H.R. 7621.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I am glad to support this bill which redefines the term "button blank" for tariff purposes. In my opinion, the interpretation of the existing Tariff Schedules has created an obvious loophole. Corrective action is justified.

There is a differential in the rate of duty applicable to buttons and the rate of duty applicable to button blanks. In order to take advantage of the lower rate of duty, a practice has grown up whereby finished or polished buttons, complete in all respects except for the drilling of the holes, have been imported under the classification of "button blanks." This clearly was not the intention of the Congress when separate rates were provided for buttons and button blanks dating back to the original Tariff Schedules of the Tariff Act of 1930. It also was not the intention of our negotiators when these rates were reduced under the Trade Agreements program.

The Ways and Means Committee fully agrees with the position of the domestic industry, that the practice of importing finished buttons without holes under the classification of "button blanks" is an avoidance device and that corrective legislation should be enacted. We did not include such legislation in the Tariff Schedules Technical Amendments Act of 1965—H.R. 7969—because the situation was not within the limited scope of the items which were considered for corrective action at that time. In other words, this was not an error or inadvertent result of the new Tariff Classification Schedules. It was a loophole, both under prior law and under existing law.

The bill adds a new provision limiting the term "button blank" to "raw or crude blanks suitable for manufacture into buttons." This means that the true button blank, which must be subjected to finishing, polishing, beveling, or other operations, will be admitted as a "button blank." However, the finished piece which requires only the drilling of holes, would no longer be admitted under the category of a "button blank."

The question may be raised, whether by reason of this change, the United States would have to grant compensation under GATT because this act increases the duty on items formerly entering as "button blanks." While that is a matter to be handled by our negotiators, I would hate to think that we must grant compensation every time that we close a loophole in our Tariff Schedules. I would suggest to our negotiators that irrespective of the situation with respect to button blanks, any future trade agreement reserve to the United States the right to take action such as is proposed in this bill without incurring any obligation to anyone. There should be no vested right to a loophole from which compensation could be demanded of the United States.

Mr. DOW. Mr. Speaker, the bill H.R. 7621 before this House today is a measure to close what is known as the "buttons-without-holes loophole."

For a long time one of the most notorious of these loopholes in U.S. tariffs has been the absence of effective protection for U.S. fabricators of polyester buttons. Almost-finished-and-polished button blanks are forms of buttons only one degree short of being truly buttons, by virtue of having no holes.

These blanks have been imported at a low tariff rate on a scale that has reduced employment in the button industry from roughly 10,000 just after World War II to half that today. On such blanks the tariff is 36 percent ad valorem. On finished buttons, which differ from the blanks only by the punching of holes, the tariff is 140 percent ad valorem equivalent.

This bill H.R. 7621, would, in effect, place the almost-finished blanks in the same tariff category as buttons. This would be accomplished by allowing only the raw or crude blanks to be included under the rate of 36 percent ad valorem. This action does not give rise to a new tariff rate, but merely clarifies the definitions of button blanks. Hopefully, it will go a long way toward protecting the industry from further decimation.

Mr. Speaker, while I am one who would on occasion temper our tariffs in the interest of reciprocity, I submit that an industry which has suffered a 50 percent decline has made sufficient sacrifice for whatever policy kept it shorn of protection. It is time now to correct this injustice. I ask your approval of H.R. 7021.

THE U.S. INFORMATION AGENCY MOTION PICTURE, "JOHN F. KENNEDY—YEARS OF LIGHTNING, DAY OF DRUMS"

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 415 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 415

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 285) to allow the showing in the United States of the United States Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums." After general debate, which shall be confined to the concurrent resolution and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the concurrent resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, House Resolution 415 will, upon adoption, permit 1 hour debate for the consideration of House Concurrent Resolution 285—the U.S. Information Agency motion picture, entitled John F. Kennedy—Years of Lightning, Day of Drums." It is an open rule. There is a minority report signed by 10 members of the 36 member Foreign Affairs Committee.

The resolution states that it is the "sense of Congress" that the people of the United States "should not be denied an opportunity" to see this film. It provides that the U.S. Information Agency, which prepared the film, is to "make appropriate arrangements," to make the film available for distribution "through educational and commercial media" for viewing in the United States.

The purpose of this documentary motion picture is to depict the dreams and the achievements of the late President. It is a 90-minute color motion picture.

It has been distributed in 117 countries overseas in the English language, and plans are to present it in several other languages and countries.

I have not personally seen this film. Some of the members of the minority have informed me that it is nicely done, with tremendous emotional impact, and entirely appropriate for showing abroad. But they object to its being shown in the United States.

One objection is that there is a basic principle involved. The U.S. Information Agency was established to promote a better understanding abroad of the United States, its people, and its policies. In other words, its basic purpose is one of persuasion—to create a more favorable attitude toward the United States in other countries. It is a propaganda agency. Thus, to use this film in this country, which film was designed for propaganda purposes overseas, would set an undesirable precedent. Actually there is not any prohibition against the Agency showing this film in the United States. It has simply been more or less of a gentlemen's agreement over the years not to show any of these films in the United States.

Another objection is that although there are 36 members of the Foreign Affairs Committee, only 8 actually saw the film before this resolution was reported; that no hearings were held; that little if any discussion was permitted in the committee; and that in fact it was scheduled for several days, at which times there was not a quorum, but then one day when a quorum was present, it was hurriedly reported out of the committee.

Another objection has to do with the wording relative to the showing through "commercial media." Would it be used as a lead item to get people to attend when the main attraction was a very poor picture? Is it right for the taxpayer to subsidize an event such as this? Some Members have suggested to me that this should not be permitted. They do not object to its being shown free of charge. They do not object to its being used to obtain donations for the Kennedy Cultural Art Center, or such other projects. But they feel that it is wrong to commercialize this film, which was not prepared for such a purpose. As I understand it, most of them have no objection, and would like to have those see it who would like to do so, but they do not feel that it should be done in this way.

Mr. Speaker, some of those who will speak in opposition during the general debate, were close personal friends of President Kennedy. They had great respect for him. It will no doubt be difficult under the circumstances for them to oppose this resolution, but as I have tried to indicate, there is a principle involved.

Mr. Speaker, I reserve the balance of my time.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. ZABLOCKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 285) to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums."

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution House Concurrent Resolution 285, with Mr. BOLAND in the chair.

The Clerk read the title of the concurrent resolution.

By unanimous consent, the first reading of the concurrent resolution was dispensed with.

Mr. ZABLOCKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I should like to take a few minutes to explain briefly the provisions of House Concurrent Resolution 285.

This resolution expresses the sense of the Congress that the U.S. Information Agency, which made the motion picture, "John F. Kennedy—Years of Lightning, Day of Drums," for its overseas program, should make appropriate arrangements to make this film available for distribution through educational and commercial media in the United States.

The resolution was reported favorably by the Committee on Foreign Affairs on February 25. The report accompanying it—House Report 139, 89th Congress—was filed on March 5.

There is little that I can add to the information already available to the membership of this body about the substance of this motion picture. "Years of Lightning, Day of Drums" was shown on Capitol Hill, pursuant to congressional requests, on four separate occasions. I would presume that quite a few Members have seen it, and are acquainted with its contents.

In addition, of course, this film was shown at the State Department, at the USIA, and at the National Press Club to representatives of our mass media of communications. The law establishing the USIA authorizes and directs such showings. As a result, reviews of this film have appeared in many newspapers throughout the country.

As to its substance, this film is a documentary; it is a motion picture made up of strips of film which were taken to record actual events.

Further, it is a documentary which deals with the assassination and the funeral of the late President John F. Kennedy, and his brief tenure in the office of the President of the United States.

Some people have written that, in a larger sense, this film depicts the hopes and the aspirations, the trials and the greatness, of the whole American people, and of our form of government, as reflected in the life of one of our Presidents.

Now why should this film be shown in the United States?

First, there is considerable interest throughout the country in this film. This interest is reflected in the 40-some bills and resolutions introduced in the House of Representatives, directing that the film be shown domestically. It is also reflected in the hundreds of inquiries about the film received by Members of Congress and by the executive branch. This is, after all, the only full-length documentary currently available that deals with the Presidency and the tragic death of the late President Kennedy. It is no wonder, therefore, that there is considerable interest in it.

However, as we all know, it has been a policy of longstanding that the U.S. Information Agency materials should not be generally available for distribution in the United States. These materials, after all, are prepared for overseas distribution. Consequently, the Congress, in passing on USIA appropriations has wisely cautioned the Agency not to get into the business of showing its productions in the United States.

This, I believe, is a wise policy and a sound policy. Nevertheless, it does not prevent the Congress from making an exception in a special case.

Such an exception was made 3 years ago for a 30-minute documentary of Mrs. Kennedy's trip to India and Pakistan. That film was shown for 2 years in the United States.

The resolution before the Committee of the Whole House would, in effect, make an exception for the domestic showing of the John F. Kennedy film, "Years of Lightning, Day of Drums." It would express the sense of the Congress that the USIA should make appropriate arrangements to make this film available for domestic showing.

This exception would not damage the policy that USIA materials should not be generally available to American audiences.

It would not set a precedent for the domestic distribution of other USIA materials.

This is a one-shot proposition—and it applies only to the Kennedy film. The resolution before the Committee, and the report of the Committee on Foreign Affairs, are very specific on this point. This would not open the gates to any propagandizing of the American people by the USIA or by any other Government agency.

The report on the resolution also makes it clear that no appropriated funds may be used to carry out the intent of the resolution. Further, the report specifically provides that all proceeds from the domestic distribution of the Kennedy film—after the payment of ordinary distribution expenses—must be paid into the Treasury of the United States.

Finally, the report specifies that the Kennedy film should be shown in the United States on a nonpartisan basis, and under circumstances which would be in harmony with the respect due its subject matter.

Mr. Chairman, there is one more thing I would like to say:

The question has been raised whether it is good policy to show the American people a documentary film which was admittedly prepared for overseas consumption and which may contain some element of propaganda.

This, in truth, is the crux of the issue before us.

Implied in the opposition to the showing of the Kennedy film is the proposition that the American people may be damaged, influenced, or swayed in some manner, by a single film which may contain some propaganda matter.

I, personally, do not share such fears—and neither does the majority of the membership of the Committee on Foreign Affairs which reported this resolution—I may add, with some element of bipartisanship.

We live in a country whose people are daily exposed to a tremendous amount of advertising—on the radio, on television, and in other media.

We also live in a country whose population is very widely and well read. The American people read more newspapers, magazines, books, and other publications than any other people on earth.

I believe, therefore, that the American people are sufficiently knowledgeable, sufficiently intelligent, and—if I may add—sufficiently sophisticated and even skeptical—not to be unduly influenced or swayed by any single film, no matter what its content.

I have enough faith in the American people to believe that if there is any element of propaganda in the Kennedy film—even if there are some interpretations of facts in it on which men of good will may disagree—I am confident that the American people will be able to pass sound judgment on those elements.

At the same time, I believe that the American people—if they so desire—should have the opportunity to view the Kennedy film.

That is why I urge the adoption of the resolution before the Committee at this time. I do hope it will receive strong bipartisan support. It is perhaps too much to wish for unanimous support which the House on two occasions in the past has granted to similar requests.

Mr. BATTIN. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I am delighted to yield to the gentleman.

Mr. BATTIN. I do not quite understand this commercial aspect of it. Did you not say earlier the film had already been distributed to over 100 countries?

Mr. ZABLOCKI. There are 117 countries where the Kennedy film is being shown. The cost of that distribution is being borne by the U.S. Information Agency.

Mr. BATTIN. That would suggest that the film is available; does it not?

Mr. ZABLOCKI. The film already has been made available in 117 countries. It is not available in the United States.

Mr. BATTIN. How many copies of the film were made? Certainly, not just one copy was made. Evidently, a number of copies were made. Does the gentleman know how many?

Mr. ZABLOCKI. Some 400 copies. It is my understanding, however, that when a film is made available in a particular country, it remains in the USIA film library there. It is not available for domestic distribution in the United States. It could not be used here even if we pass this resolution.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman.

Mr. MAILLIARD. I do not quite understand the last point that the gentleman just made. It is my understanding there are 372 English language prints of this film in existence. If we authorize it, these could be released to television or anywhere else that you want. There would be no cost involved in releasing it and whoever was going to show the film would pay the projection cost and expenses and so forth. But I cannot agree with the gentleman that it would be impossible to make this available without commercial exploitation. I think it would be quite possible to make it available without commercial exploitations. There are all sorts of foreign language commentary prints available too which might be useful in certain areas in this country where there are foreign language speaking people. But all of these are available and I cannot see anything, if this authority is granted, which would prevent those films from being made available through the medium of the Agency.

Mr. ZABLOCKI. It is my understanding that films such as the Kennedy film, are made part of the USIA film library in countries abroad. They are not available for distribution in the United States.

I would like to point out that there are approximately 6,000 distribution points in the United States for showing motion pictures. A minimum of 2,000 would probably have to be covered to give the American people a fair chance to see this film. Even if we took the entire number of copies made by the USIA for overseas showing in English, this would be insufficient for distribution in U.S. theaters alone. But I do not think we want the U.S. Information Agency to enter directly into the distribution and showing of the film in the United States. This should be handled through normal channels. We have an example and a precedent with Mrs. Kennedy's film of her trip to India and Pakistan. That was handled through the domestic movie industry which distributed the film on a cost-only basis. After recovering the cost of the reproduction of the film, the industry received only the cost of the distribution, approximately 35 percent of the proceeds, with the remaining 65 percent going to the Treasury of the United States. That yielded approximately $20,000 to the United States.

Mr. MAILLIARD. This is all tremendously interesting because there is nothing in the resolution and there is nothing in the report that sets out any of these rules that you are talking about. There is nothing here that says who is going to make money out of what and how much is going to come back to the Treasury or anything else. I would also like to call to the attention of the gentleman a letter from the Comptroller General to the USIA written some 6 or 8 months ago regarding the Jacqueline Kennedy film. I will read just a portion of it. This is from Joseph Campbell, Comptroller General of the United States:

> Accordingly, we are of the opinion that the contract entered into with the United Artists is outside of the statutory authority of the U.S. Information Agency.

Then they go on and say:

> Any future contracts exclusively or primarily for domestic distribution of USIA information will not be regarded as valid by this office unless your Agency shall first have obtained express statutory authority for entering into such contracts.

In my opinion—and perhaps I am wrong—the concurrent resolution, which expresses the sense of the Congress as to what the USIA ought to do, does not provide statutory authority. I do not believe, even if it were passed, it would be possible to have distribution through a commercial agency under a contract such as the gentleman suggests. I believe it would be illegal.

Mr. ZABLOCKI. I believe the reason that opinion was given was because only one body of the Congress acted on the Mrs. Kennedy film. It was unanimously passed in the Senate and not acted upon in the House. The USIA presumed, on the basis that the Senate had passed it unanimously, that they could distribute the film. In my opinion, if both Houses of Congress pass the resolution now before the committee, fully adequate authority will be thereby provided to the USIA to enter into the necessary negotiations.

Mr. MAILLIARD. If the gentleman will yield further, honest men can disagree. I have read one section of this, but I also read the previous correspondence between Mr. Murrow and Mr. Campbell. I do not follow the gentleman's line of reasoning at all. A sense of Congress resolution is not statutory authority, in my opinion.

Mr. ZABLOCKI. I should like to further answer the gentleman with regard to whether our report deals with the arrangements for the distribution of the film.

In the guidelines set out in the report, it is provided:

> Third, both the Agency and the media should avoid overcommercialization of this motion picture. It is our conviction that private enrichment must not become the goal of the arrangements made for the domestic distribution of "Years of Lightning, Day of Drums." It is the committee's further hope that considerations of propriety and dignity will be kept in mind.

It is further spelled out in the report—as a matter of fact, it is already a matter of law—that any revenue which the USIA would obtain from the distribution of this production in the United States, would have to be paid into the Treasury of the United States.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am glad to yield to the gentleman from Illinois.

Mr. DERWINSKI. I appreciate the fact that the gentleman must go beyond the report on the resolution in explaining this. I refer to page 8 of the report, which contains the letter from the General Counsel of the USIA, in which it is stated:

> We would endeavor to make arrangements for wide distribution in the United States.

Considering the fact that the committee, as the gentleman has pointed out, hopes that consideration will be given to various arrangements and the committee recommends certain things, there is not any prohibition in the resolution against mass reproduction by the USIA and mass distribution in the States.

May I remind the gentleman that in the letter from the General Counsel and also in the letter from the Secretary of State, there is contained the following language:

> The Bureau of the Budget advises that from the standpoint of the administration's program, there is no objection to the submission of this report.

The Bureau of the Budget does not say there are any guidelines or proper restrictions, or that there will not be any cost. We have here language which is so broad and so flexible that the door will be wide open for massive and costly reproduction.

Mr. ZABLOCKI. I can assure the gentleman from Illinois that if the Bureau of the Budget saw any reason to object, it would certainly have objected.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I am glad to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. The gentleman from Wisconsin has underlined the fact that there is a possibility of danger of overcommercialization if this authority should be granted. The gentleman points to language in the majority report which says that there should be no overcommercialization. I would think that the simplest way we could avoid overcommercialization would be to make the film available, if it is to be made available for domestic distribution, only if it is not used for commercial purposes.

I am not quite sure why there is such an insistence that it be used for commercial purposes. If it is so used, it seems to me to be subject quite easily to serious abuse. This is one of the major reservations I have about approval of a resolution of this kind.

Mr. ZABLOCKI. The gentleman certainly knows that unless the USIA has the authority to enter into negotiations for the reproduction of this film and its distribution in the United States through commercial channels, an appropriation would be necessary to cover such costs. The USIA under current policy could not use any of its appropriated funds for this purpose.

Mrs. BOLTON. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, we are discussing here a film. It seems to me that what we should be discussing is the principle involved. It was agreed that the USIA should not become a propaganda agency in this country. We were all in sympathy with having the materials used abroad. We were told when the Jacqueline Kennedy film was brought before us that it would not be a precedent and it would not be used in that manner. I hope this second film will not be so considered today, for I think it would be most unfortunate if we permitted the emotional aspects of this film on President Kennedy to overbalance the rational attitude of the Members of this body.

In the first place, I want you to remember what was said to you before, that the committee was given no estimate of the cost to the taxpayer of producing the film or any adequate explanation of the possible profits. There was no opportunity given for amendment. Those of us who opposed it were really ridiculed. Consideration of the resolution was cut off by moving the previous question. It seems particularly unfortunate that it should have been handled in this manner, because it is an emotional film and it is too bad to subject the Members of the House of Representatives, the greatest deliberative body in the world, to that kind of pressure.

In reporting out this measure in 1947 the Committee on Foreign Affairs used this statement:

> This bill contains very broad authority for information activities, and the Congress would certainly wish this particular authorization to be directed solely toward the people of other countries.

Then later on it says:

> An information service to disseminate abroad information about the United States, its people, and policies promulgated by the Congress, the President, the Secretary of State and other responsible officials of Government having to do with matters affecting foreign affairs.

I am not going to dwell on this, because others wish to speak and we have very few minutes for discussion. To me this is one of the most unfortunate suggestions that has been brought to this body. It is unfortunate because it is based upon emotion. It is based upon things which to me are not worthy of this body. I deeply hope that we shall not pass this resolution, much as I regret disagreeing with my very good friend, the gentleman from Wisconsin [Mr. ZABLOCKI], the distinguished chairman of the subcommittee. I cannot agree with him this time, however.

Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Chairman, the fact that some of us rise in opposition to this resolution should certainly not be taken as an indication that we lack respect for our deceased President, or that we do not have an appreciation of the things that he did for our country. Certainly such is not the case and on my part I would not have it thought so.

On matters of principle, however, there are reasons why some people, including myself, believe that this resolution should not be adopted. I shall state my own views upon this matter very briefly. There are, in the main, three reasons why this is so.

First, as has been pointed out by the gentlewoman from Ohio [Mrs. BOLTON] and in the minority views accompanying the report, little time was available for discussion given to this matter in the Committee on Foreign Affairs. No hearings were held; no witnesses were called in and interrogated; no individuals had the opportunity, apart from members of the committee, to give their views. This is, I think, a very poor way to legislate on a matter containing such broad implications as the one before us.

Because we did not have witnesses, because we did not have hearings, because actual debate within the committee itself was foreshortened to a very great degree, I believe that this resolution should not be favorably considered at this time.

A second principal matter to be thought of here is the wisdom of violating a longstanding policy against using matter prepared for showing and use abroad, admittedly propaganda, if you like to use that term, propaganda material to advance the American cause abroad and designed for that purpose, in this country. The question is whether we ought to use that in this country.

It has been the policy, if not the law, of the USIA not to do so. To give the broad authority sought here would set a very bad precedent.

Third, Mr. Chairman, this House has shown a disposition when a case has been made, to be perfectly willing to grant authority for the showing of this film in specific instances. This has been done. I am very sure that we would continue to do so with virtual unanimity in any future case. It is not necessary to give this broad, sweeping authority contained in this resolution in order to show this film under proper circumstances.

Mr. Chairman, for these three reasons, I urge that the concurrent resolution should be defeated.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. ZABLOCKI. The gentleman has stated that there would be no problem obtaining unanimous consent to authorize the showing of this film in specific cases. Can the gentleman assure us that in the case of the 40 Members of Congress who have indicated that they want this film shown, there will be no objection, that unanimous consent will be granted to show that film in those cases? As the gentleman knows, over 40 Members of Congress have introduced resolutions to have this film distributed in the United States.

Mr. ADAIR. Based upon the record and upon the history of these requests when a case has been made, when it has been demonstrated that there was a real reason, such as the one in Boston or at Harvard University, there was a complete disposition on the part of Congress to go along.

Mr. ZABLOCKI. Mr. Chairman, if the gentleman will yield further, would the gentleman deny me the opportunity to show this film to my constituents if I felt there was a good reason for it?

Mr. ADAIR. If the gentleman makes out a case and secures the consent of Congress, then, of course, he should have the right to show the film in his district.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ADAIR. I yield to the gentleman.

Mr. BYRNES of Wisconsin. I note in the committee report a reference to the U.S. Advisory Commission on Information.

I think it would be helpful to the Members if the gentleman could tell us what the functions and duties of that Commission are and why the advice of that Commission might not well have been sought with respect to the method of handling the distribution of this film.

Mr. ADAIR. The U.S. Advisory Commission on Information was established by act of Congress in 1948. It consists of five private citizens appointed by the President and confirmed by the Senate for 3-year overlapping terms. Its members represent the public interest. The Commission recommends policies and programs for carrying out our information program; it conducts appraisals of the effectiveness of the information, education, and cultural programs administered by the U.S. Information Agency. Further, it submits reports to Congress covering these policies and programs. The Commission meets regularly with the Director of the U.S. Information Agency and with members of the staff as well as with representatives of the public agencies and private organizations engaged in various aspects of international communications and exchange.

In response to the second part of the gentleman's question, requests were made in the committee that at least some members of this Advisory Commission be asked to appear before the Committee on Foreign Affairs and give us the benefit of their thinking. This also was not done.

Mrs. BOLTON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Chairman, I think my point of view on this piece of legislation is perhaps a little different from some of the people on my own side of the aisle and a little different from the point of view of many Members on the other side of the aisle.

Mr. Chairman, I have serious doubts that this resolution accomplishes the purpose that its author intended, which simply points up what has been mentioned here before—if you have got a good, solid proposal you ought to subject it to committee hearings so that you can be sure that legislation as drafted accomplishes its desired purpose.

Mr. Chairman, this is a concurrent resolution expressing the sense of Congress. We have a decision by the Comptroller General regarding a film previously released which says that this agency has no authority to enter into a contract with a domestic commercial firm in the motion picture field. Yet our distinguished friend, the gentleman from Wisconsin [Mr. ZABLOCKI] indicates that that would probably be the method for distribution here.

I just want to say that while I could not claim to be an intimate of the late President, we had known each other quite well since we were children. I have seen this film twice. I think it is terrific. There is some propaganda in it. It was intended somewhat for propaganda purposes. But I personally have no objection to having this splendid film seen by the American people.

I share the concern about the precedent but, after all, we have already broken that in the case of the showing of Mrs. Kennedy's visit to Asia.

However, Mr. Chairman, I am concerned about what I consider to be the complete lack of congressional intent in any detail as to how this is to be handled.

Mr. Chairman, I look with horror upon the prospect of seeing this film on the marquee of some movie house being the lead-in for a class C picture, "The Monster from Outer Space," for instance. I feel if we put it in commercial hands, this is precisely what will happen.

Mr. Chairman, when the proper time comes I am going to offer an amendment which will alter the resolution only in one respect. It will say it is the view of the Congress that this film should be released for viewing without charge in the United States. I would interpret this to mean that any Member of Congress, any group—and there are several hundred copies of this film available that could be released to those who requested them—and if one wanted to show them to civic audiences they could obtain them.

Mr. Chairman, I would even envisage if you wished to have a fund-raising performance for one of the Kennedy Library purposes or, let us say, the Kennedy Center for the Performing Arts downtown, you could have charitable contributions made by those who are invited to come and see it, and use it in that way.

But it would prevent the taxpayers from having to pay twice, since they have already bought the picture and paid handsomely for it. It would permit those who want to, to see it as their own property, which it is. I cannot see why such an amendment should not be adopted. I disagree with what my friend has said, that this cannot be done. I think it can be done. Without my amendment there are serious legal doubts as to whether the Agency can enter into the necessary contracts. This could be met by permitting the television networks to show it or the public to see it in a dignified manner, and allow the American people to view it.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I am sure the gentleman is sincere in his proposal. I know the gentleman is aware of the fact that the USIA has made available abroad some 400 copies of the English version of this film at a cost of approximately $100,000. If the gentleman's proposal would prevail, there would have to be funds appropriated for making additional copies of the film for domestic distribution.

Mr. MAILLIARD. There is no reason to keep 372 copies of that film permanently in every USIA library all over the country and, furthermore, nothing in my amendment would prevent, say, the television networks from paying for the prints, charge them any price that you want, but the public would see them for nothing, and certainly the prints could be made available to any particular group.

Mrs. BOLTON. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, the discussion so far has shown that some of us have serious reservations about the advisability of this resolution. At the outset, let me say that I also knew the late President Kennedy well. We were, I think it is fair to say, close personal friends before either of us could vote. I have a high admiration for his leadership.

I, too, consider this film is a very dramatic presentation. However, as a matter of principle I think it would be most unfortunate if we should allow general commercial distribution of this type of effort to influence our friends overseas.

The gentleman from Indiana and the gentleman from Wisconsin have both stressed the fact that we would not establish a precedent by making this film available for domestic use. Yet they both used as a precedent, and as a justification for the action which we may take, the fact Congress has allowed two individual showings of this very film, one in Boston and one in Cambridge at the 25th reunion of the late President Kennedy. For that reason, whether we say or do not say it is a precedent, unquestionably this authorization will be used at some future date to justify some other action.

Let me envisage another possibility. Why is it not possible for the USIA to put together a film involving the career, the philosophy, the public activities of a living American, for example, the Attorney General of the United States, or a U.S. Senator? The activities of such a man might be equally appropriate as a way of showing the American way of life, and the way in which we handle our responsibilities. What would prevent the majority party in Congress, if it should come down to a question of majority and minority, from saying that such a film should be available for domestic distribution? This possibility shows the general type of problem that we are inviting.

The question of the vagueness of the resolution is also very serious.

The gentleman from Wisconsin has pointed out that the majority report indicates that overcommercialization should be avoided. Well, just what does that mean? How would we prevent it? We should provide, according to the committee report, that the film be shown only under the best possible circumstances. Whatever does that mean? How could this be done? We should try to observe considerations of propriety and dignity in connection with the showing of this film. We should have nonpartisanship the rule for the showing of this film. All these, however, are suggestions only. The resolution itself imposes none of these limitations.

It would be perhaps unlikely for a Republican organization to desire to show the film domestically, but I would expect and indeed hope that Democrats would make use of it for, frankly, partisan reasons. I recognize there is a political flavor to this resolution, and perhaps for that reason our reservations may not be viewed with undue concern.

My final point is that there is a serious question about the content of the film. I do not know how many Members have seen it, but unquestionably there is a propaganda slanting of what is presented. It is not simply fact, or a documentary, as the gentleman from Wisconsin has suggested. As an example of what I mean—and those of you who have seen the film may agree with me regardless of your political affiliation—the implication is quite clear that no President before John F. Kennedy did anything significant in the field of civil rights. Also in the area of exploration of outer space, the film has a demonstration of the fizzling of a rocket on a launching pad before the Kennedy administration took over—at which the audience laughs. But as soon as the President takes over, you get the impression of youth and vigor and a new way of accomplishing things.

As I say, this is all right for our friends overseas, to have a slight distortion of facts. However, it is most unfortunate even with the sophisticated audiences that the gentleman from Wisconsin expects will view this film, if we should delude them by this kind of distortion of fact. This, then, is a matter of principle. It is a matter of sound judgment, and a matter of precedent. We should think carefully before voting for a resolution of this kind. If we do act, I think the film should be made available without charge. We should not obligate the people who have already paid for this film to pay for the privilege of seeing it.

Mrs. BOLTON. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. Derwinski].

Mr. DERWINSKI. Mr. Chairman, I basically associate myself with the remarks just made by the gentleman from New Jersey but wish to expand a bit, beyond his remarks.

First, regardless of any statement to the contrary, a precedent is being set here this afternoon that will be followed again and again and again. We all recognize this. The argument against setting a precedent just does not stand up. The resolution itself carries no practical prohibition against the use or abuse of the distribution of this film. The fact that the committee report very religiously suggests certain proper procedures, means nothing. We are all familiar with the fact that you do not write law in a committee report, and this committee report does not contain any proper controls or prohibitions against misuse or abuse in the distribution of this film.

It was stated by the gentleman from Wisconsin that there have been innuendoes that this film presents fictions. Obviously, the film presents fiction. It is a propaganda film and a propaganda film is expected to be somewhat fictional. The gentleman from New Jersey just pointed out there are certain implications that border on fantasy or that border on a denial of exact history—the gentleman from New Jersey said he hoped this film might be shown by Democrat Party groups—I would change that word and would say I know this will be used extensively by Democrat Party groups. This is a natural political vehicle. Why? Because in discussing President Kennedy, you are not discussing a man who is totally consigned to the pages of history. You are discussing a man who is still a partisan political figure. If you were to produce a film on the life of Woodrow Wilson, I would say it would be a fine historic feature, but President Kennedy is a present political force and there is no doubt in my mind but that the majority party and its echelons throughout the country will make deliberate and maximum political use of this film.

I say this precedent is not only dangerous to the future operations of the USIA, but is also dangerous with respect to the proper conduct of political affairs in this country. I would certainly hope that when the American public reappraises its most recent political decision and very properly restores the Republican Party to control of the Congress and control of the executive, that the Republicans will show far more self-restraint and respect for proper procedure than is being demonstrated by the Democrats this afternoon.

Mr. ZABLOCKI. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. Macdonald].

Mr. MACDONALD. Mr. Chairman, I am happy to follow two of the last gentlemen who just spoke on the floor.

I thought this was a discussion about whether we, the Congress, would authorize the showing of a picture involving the career of the late assassinated President of the United States. The last two speakers have indicated that this is merely a political exercise. I had hoped that this would not be so, because I point out to the last two gentlemen who spoke to us that the late President Kennedy at the time of his inaugural and after his swearing in became the leader of all the people of the United States—not just Democrats or Republicans, but all the people of the United States.

I hope that this will not degenerate into a political exercise in which we on this side of the aisle vote politically and you on that side of the aisle vote politically.

Despite the fact that many issues have been raised, I believe the real issue is whether it is permissible for the people of the United States to be able to see this picture, which was indeed produced by the USIA for consumption abroad.

Frankly, the more I see of other pictures which are distributed here in the United States, the more I know that I cannot think of another motion picture, whether it be called a documentary or something else, I would rather have my children go to see than this picture which is about President Kennedy. But it is not about Jack Kennedy; it is about President Kennedy, and how the Presidency of the United States operates.

So far as any illustrations which were alluded to, that there were failures in our space program, are concerned, perhaps there were, but I do not believe anybody in the United States is unaware of the fact that under a Democratic administration there has been failure in some respects in our space program as well.

What I do believe we are confronted with today is a vote on permission that something which is so well done, something which shows the United States itself—and not merely a man, but the U.S. Government—in such a way that it has been applauded literally in many countries abroad, can be shown.

In this day and age when the mass media of the United States present rock-and-roll singers and baseball players, and, if you will pardon the expression, so-called professional fighters as manufactured heroes, I believe that anything which does go to improving the image of the Government of the United States should be shown internally. I am not so certain that every day, in every edition of the papers or the magazines or the TV shows of the United States, this Government—and I include this body as well as the other body and the executive branch—are shown in the light that this picture shows our Government.

I think that the people who have paid for this, the taxpayers of the United States, are entitled to pay their way in, if they so desire, to see this wonderful picture.

Mrs. BOLTON. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. Frelinghuysen].

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Iowa for yielding to me.

I simply want to say that I regret the gentleman from Massachusetts [Mr. Macdonald] should have misconstrued what I had to say as being designed to make a political exercise out of this discussion. It is because I recognized the delicacy of the discussion and because I am a Republican that I tried to avoid talking politically.

We have a matter of principle involved here, and the matter of principle is a very important one. The matter of the content of the film is also important, and it should be of equal concern to Democrats and Republicans. I am not taking this position in order to gain any support for a Republican point of view. Of course, that would be inappropriate at a time like this.

Mr. GROSS. Mr. Chairman, in my opinion, what we are confronted with here today, among other things but most importantly, is whether all agencies and departments of the Government are going to be able henceforth to produce propaganda films at taxpayer expense and then farm them out to commercial media to be shown throughout the country for an admission charge. This seems to me to be the prime question. How far is the Government going to go in the production of films for showing domestically?

The gentleman from Wisconsin [Mr. Byrnes] raised a pointed question a few moments ago when he asked for the opinion of the Advisory Commission to the USIA on this resolution. Strangely enough, the resolution was ramrodded through the Committee on Foreign Affairs without any request for the views of the Advisory Commission to the USIA. I happen to know that that Commission held a meeting only a few days before the resolution was called up in the Committee on Foreign Affairs and the members discussed this situation. I am not going to stand here today and say that the Commission unanimously opposed the showing of this film, but I will say that at least two members are opposed to the release of this film in this fashion. I was one of the members of the Foreign Affairs Committee who tried hard to get the chairman and the committee to hold up consideration of the resolution until we could hear from the Advisory Commission, but to no avail. Again I raise the question of why did the resolution have to be brought out under forced draft and in the high-handed manner that it was?

Mr. Chairman, Congress is treading on dangerous ground when it authorizes agencies and departments of government to use public funds for the production of propaganda films to be shown commercially in this country and for which a charge to the public is made. Up to this time it has wisely been provided that such films should be shown only in foreign countries. This should continue to be the rule.

Mr. ZABLOCKI. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in support of this resolution. I believe that the American people are entitled to see this excellent film which does indeed capture the spirit of the Presidency, as the gentleman from Massachusetts [Mr. MACDONALD] pointed out, the Presidency of a great American. It also captures the essential nature of our Government. It brings out the best in America. It points toward our potential. This resolution offers an opportunity, it seems to me, for all of the American people to enjoy the fruits of the work which is done by the USIA.

I should like to refer for the benefit of the Members to two quotations by film critics about the film, "John F. Kennedy: Years of Lightning, Day of Drums." One is from Bosley Crowther of the New York Times in which he said:

> I have never seen an audience in a theater react so intensely to a film. There was scarcely a murmur or a rustle as its factual footage unreeled. At the end, there was a stillness and silence, then but a scattering of applause. The experience had been too deep and touching for the conventional appreciative response. Strong men and equally stalwart women left the theater so visibly moved and so evidently stirred in their inner beings that they could not or did not wish to speak.

In the words of Richard Coe, movie critic for the Washington Post, the major contribution of this production "is its foresight to end our year of mourning with the affirmation that those who say yes to life are its heroes. The naysayers drift away with the wind."

President Kennedy was one who said yes to life and now for us to say nay today to the distribution of this film would be a refutation of what he stood for and what the years of his Presidency meant to all of the American people.

Before this session began, I was privileged to see this remarkable motion picture. I was so impressed with it that on the very first day of the session I introduced House Concurrent Resolution 47 which is similar to the resolution before us today. Rarely does the public get the chance to witness something at one and the same time educational and dramatic, constructive and exciting, artistic, and patriotic, skillfully constructed and inspirational in nature.

The moving picture, "John F. Kennedy: Years of Lightning, Day of Drums," a product of the U.S. Information Agency, has been acclaimed in many lands a cinematic triumph.

As a product of the work of the U.S. Information Agency, "Years of Lightning, Day of Drums" was issued for distribution overseas. This was in keeping with the policy that USIA materials are intended for overseas distribution. However, there are valid considerations which warrant making the film available in the United States.

On February 4, 1964, I inserted in the CONGRESSIONAL RECORD a letter I received from Jerry Graham, news director for radio station WNEW, and Rudy Ruderman, the station's assistant director for public affairs. The letter concerned public response to WNEW's excellent documentary radio program entitled "The Film You Cannot See," dealing in detail with "John F. Kennedy: Years of Lightning, Day of Drums." According to the letter, "The audience response to the program was massive, and there was not one single nay-sayer" among some 900 persons who saw fit to contact the station. All who wrote did so in favor of the showing in the United States of this film.

WNEW Radio in New York is to be commended for its leadership in the effort to make the film available.

Nor is there anything unusual about the response of these particular American citizens, for, to the best of my knowledge, the vast majority of Americans seem to hold the same view.

From all who have seen this film, not one word has been heard to the effect that it is even remotely partisan. On the contrary, all who have seen it are inclined to talk in terms of artistic accomplishment—not as those returning from a political rally, but as those returning from a superb symphonic performance.

Mr. Chairman, precedent exists for excepting certain productions of the USIA from the usual policy restricting the domestic distribution of that Agency's productions. The precedent is worthy of mention. In 1962 the USIA sent a battery of cameramen along with Mrs. Jacqueline Kennedy to photograph certain aspects of her visit to India. The result was an excellent film, and the U.S. Senate voted to permit distribution of the film in this country. The House adjourned without taking any action on this motion.

Congress has also passed two resolutions concerning the Kennedy film. One permitted the film to be shown in Boston, the other permitted its showing at the reunion of President Kennedy's Harvard class.

Mr. Chairman, all who have seen the movie, "John F. Kennedy: Years of Lightning, Day of Drums," testify to its artistic qualities. It would seem, then, that the evidence is in, with everything pointing to the same conclusion: that the movie should be released for public viewing in the United States, and that in this instance an exception to the general policy should be made.

I believe that every American should have the opportunity to see this film which has meant so much to people around the world.

I urge the passage of this resolution.

Mr. KREBS. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from New Jersey.

Mr. KREBS. Mr. Chairman, I should like to commend the author of the resolution and the Foreign Affairs Committee for bringing this important matter to the floor of the House. I would like to be associated with the purposes of the resolution.

Mrs. BOLTON. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, I regret very much that it is necessary to rise in opposition to this resolution. I recognize all of the emotions that are involved here today. I serve as a member of the Subcommittee on Appropriations handling the funds for the U.S. Information Agency. Time and time again under the able chairmanship of the gentleman from New York [Mr. ROONEY] we have warned against this very procedure because we recognize that it opens up possibilities that are not in the best interests of the people of the United States. This is why we have been very careful and cautious in our reports and in our hearings about this very matter.

I have seen the film. It is a wonderful film. There is not any question about that. As a matter of fact, the contents of this film, except for the editing of it and the narration, are in the libraries of the National Broadcasting Co., the Columbia Broadcasting Co., and others. These are film clips brought together with a commentary that was designed for use outside of the United States, not in the United States. That is why I think we would be making a serious mistake to distribute it in this country.

This is not an expensive film. If a moving picture company or a television broadcasting company wanted to put this together as it was produced by the U.S. Information Agency for use abroad, it can be done for a relatively small amount of money.

Any Members who have seen the film will recognize that in the makeup of it are things that have been seen piecemeal by almost all of the citizens of the United States already. But the script was designed for foreign use and not for domestic use. That is why I think it is a very, very serious precedent that we are being asked to set here. I regret deeply that it is necessary for me as a member of the Appropriations Subcommittee to oppose it, and I do so only because of the precedent involved.

I opposed the same request for the Mrs. Kennedy film because I thought it was bad policy at that time. I can appreciate that unusual circumstances may arise under which this film could be shown. The gentleman from Massachusetts had a resolution in to show this film at an anniversary of the late President, at Harvard University. But that was an unusual situation.

We are all sensible people. If it were used for the Kennedy Cultural Center, something of that kind, that would be another situation specific in nature. We can handle those and do the kind of job that is necessary. But if we take this film and spread it throughout the entire United States, as a matter of fact, if we use this film produced by a Government agency here in the United States, I think it would do a disservice to the memory of the late President Kennedy. I think that this film, magnificent as it is, can be shown in good taste to discriminating audiences for special reasons, and in such cases I would not oppose it at all.

But let us be careful about the precedent that we are setting here today.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from California.

Mr. LIPSCOMB. Mr. Chairman, I believe that the gentleman from Michigan is hitting the point when he speaks of the precedent which will be set if this resolution is adopted.

Mr. Chairman, the U.S. Information Agency was set up to disseminate information to foreign countries. It is not bad in itself to distribute this particular film, but it is bad to set the precedent of making the U.S. Information Agency a domestic propaganda arm of our Government, propagandizing the American people.

Mr. Chairman, we may think that we are just setting one specific example with this particular film. But if we look closely, as some have, you will find that there are efforts being made not only with reference to this film but with reference to books and other materials, to circulate them within the United States.

If this precedent that we set here today is followed through, we may well find the U.S. Information Agency going even further in one way or the other in efforts to get their material exhibited and distributed in the United States of America.

It is true that the American taxpayer pays the bill for USIA, but that does not make it necessary for the American taxpayer to be propagandized with his own tax money.

Mr. Chairman, we must be extremely careful about what we do here today in setting this policy and this precedent.

Mr. Chairman, there are some very far reaching and significant policy questions involved in this proposed measure which must be gone into thoroughly and clearly understood if the House is not to make a decision which would be regretted in the future.

I wish to make absolutely clear at the outset that my comments should not be taken as a reflection of any kind on the late President Kennedy or on the artistic or other merits of the film. I speak only about the method and procedures under which the film is proposed to be shown in the United States and the principle involved.

The duties of the U.S. Information Agency are to provide information about the United States to other countries. That is its reason for existing. Congress provided the agency with no authority to disseminate its information and materials within the United States.

Any act which could make the USIA a propaganda instrument within the United States at the taxpayers' own expense would be a serious mistake. Passage of this resolution would set a very wrong precedent in that direction.

It is an attempt to sidestep a ban on showing USIA films in the United States that was widely known to exist, and which exists for a very sound reason.

The USIA has been characterized as an innocent bystander in this controversy, proud the film is a success but maintaining a hands off policy on the question of domestic viewing. This is the impression it appears the Agency is attempting to create but as far as I am concerned this is a completely inaccurate and erroneous picture.

The USIA less than 2 years ago tried its very best to attempt to justify a contract it had entered into for the showing of one of its films in the United States, advancing a farfetched claim that the domestic showing of its film was in furtherance of the overseas information program. It took an opinion of the U.S. Comptroller General to convince that Agency it had no authority to do so.

This occurred just a few weeks before the film being discussed today was planned. In that case the Comptroller General handed down a ruling advising the USIA that a contract it had entered into for the showing in the United States of a film of the trip to Asia by the former First Lady was outside of the statutory authority to prepare, disseminate, or arrange for the preparation and distribution of information within the United States.

I ask unanimous consent to place in the RECORD at this point a copy of the letter from the Comptroller General, Joseph Campbell, dated November 8, 1963, to the U.S. Information Agency containing that ruling.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, November 8, 1963.

The Honorable EDWARD R. MURROW,
Director, U.S. Information Agency.

DEAR MR. MURROW: Reference is made to letter dated October 15, 1963, from your General Counsel, concerning the validity of a contract between the U.S. Information Agency and the United Artists for the production and distribution of a film entitled "Jacqueline Kennedy's Asian Journey."

The validity of such contract was not questioned in our decision of August 6, 1963, B–89294, to you, because we had concluded from discussions with representatives of your Agency, prior to our decision, that the new (additional) film which was received under the contractual arrangement with United Artists would be of primary importance to your Agency in its overseas information program. Your representatives pointed out that this new (additional) film could be shown effectively in areas in which neither of the two original films, from which it was produced, appropriately could be shown, and it was our understanding that the distribution of the film was expected to have a substantially greater value than distribution of either or both of the original films from which it was produced. On the basis of this understanding we concluded that the new (additional) film would constitute a real and substantial benefit to your overseas information program. Our view was at that time, and it is today, that there is no statutory authority for the production of films by USIA exclusively or primarily for domestic distribution.

Since the date of that decision, we again have met with representatives of your Agency who indicated that we had overemphasized the value of the new (additional) film to your overseas information program. In fact, we were advised that the film had not been shown in any overseas area. Your representatives pointed out, however, and your General Counsel's letter of October 15, 1963, reiterates, that your Agency considers that the United Artists' contract was designed to accomplish certain objectives in furtherance of your Agency's overseas information program in addition to the new (additional) film.

Careful consideration has been given to the representations made by USIA officials and the information contained in your General Counsel's letter of October 15, 1963, and we are of the opinion that benefits derived—or which are expected to be derived—from the contract, insofar as they relate to the foreign information program, are remote and conjectural and, therefore, do not support the view that the primary purpose of the United Artists' contract was in furtherance of the overseas information program. Accordingly, we are of the opinion that the contract entered into with United Artists is outside of the statutory authority of the U.S. Information Agency. While in this particular case it does not appear to be in the Government's interest to question further the United Artists' contract (no appropriated funds being involved), any future contracts exclusively or primarily for domestic distribution of USIA information will not be regarded as valid by this Office unless your Agency first shall have obtained express statutory authority for entering into such contracts.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

The effort to get around that prohibition has been underway for a number of months as a campaign came into being to attempt to build up congressional and public support and clear the film, "John F. Kennedy—Years of Lightning, Day of Drums" for showing in the United States. Showings of the film were arranged for Members of Congress and others such as Government officials, newsmen, diplomats, and the Congressional Secretaries Club. A number of news items suddenly appeared about the film.

The approach generally is the same. An appeal is made that this is such a high quality film that it would be unfortunate if the American people do not have an opportunity to see it.

But that completely ignores the vitally important principle involved. Once a precedent such as this is set, it could become relatively easy to repeat it and extend it until before we know it we could have a Government propaganda agency in our midst which can be used for purposes far different from its original intent.

The USIA is a Government Agency and should not be placed in the business of propagandizing the American people.

I urge that the resolution be rejected by the House.

Mr. ZABLOCKI. Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Chairman, the finest and most effective information policy, abroad or at home, is the strategy of truth. I believe that this outstanding film is a masterful example of the strategy of truth.

Mr. Chairman, I enthusiastically support this resolution. On January 4, 1965, I introduced House Concurrent Resolution 19, a companion to the resolution currently under consideration. All America can share in recapturing one of this Nation's most shining hours. "Years of Lightning, Day of Drums" dramatizes the strength of our Nation, and makes each of us even prouder to be an American.

Is this propaganda? Is it propaganda to depict the strength of the American Presidency in its fullest flower? Is it propaganda to set forth in factual detail some of the qualities of national leadership, as objectively revealed by the news camera? We are paying tribute not to a man, but to the highest office in the land, for President John Fitzgerald Kennedy was the President of the United States—and not merely the President of the Democrats or the Republicans.

I must confess, Mr. Chairman, that there is only one phase of this legislation which troubles me. I know that the committee report indicates a clear congressional intent to avoid commercialism in the showing of this film. Yet in view of the fact that the U.S. Information Agency produced this film with taxpayers' funds, I believe it should be shown free of charge. If this necessitates additional appropriations, it is the responsibility of the Congress to appropriate the necessary funds. I shall vote for this resolution in any case, but I will also support any effort to require the showing of the film free of charge.

Mr. ZABLOCKI. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, I want to commend the gentleman from Wisconsin [Mr. ZABLOCKI] for his efforts and skill in bringing this matter to the floor of the House. He has rendered a real service.

Mr. Chairman, there appears on page 2 of the committee report the comments of two film critics which I would like to bring to the attention of the members of the committee.

The first one says:

> This film makes one want to be an American.

The second one says:

> We hope that everybody who believes in freedom and the promises of the United States of America as voiced by its late President, will not fail to see this film.

Mr. Chairman, I regret that those who have opposed this resolution today indicate that they believe that only a discriminating, elite audience here in America should see this film. I believe, on the other hand, that all Americans should have an opportunity to view this inspiring film.

Mr. Chairman, I hope that politics will not prevent those Members of the House who believe in freedom, from voting for this resolution.

Frankly, I am hopeful that this shall not be a completely political decision and I have that hope in the fact that two Republican Members of the House have introduced similar resolutions. I hope that they shall be followed by a majority of their colleagues.

Mr. ZABLOCKI. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Chairman, I rise in support of this resolution as a cosponsor of it.

Mr. Chairman, I do not look upon this as propaganda. I think it represents a magnificent documentary about one of America's great martyred Presidents.

There has been a lot of talk here today about precedents. Those who talk about precedent apparently have little confidence in this Congress. This resolution had to go to a subcommittee, then to a full committee, and then it comes before the Congress and must be acted upon here.

Mr. Chairman, I do not see that we are opening the door or establishing any great danger in the release of this material. In saying this I do not treat lightly the fears of the gentleman from Michigan [Mr. CEDERBERG] and others, but I believe there are sufficient built-in safeguards in the legislative process here in Congress to make sure that we shall oversee and properly control any further dissemination of USIA material. This is an exception, a carefully considered exception.

This film is one of America's historic gems, and I think it would be cruel to prevent the American people from seeing the film. I have enough confidence in the Congress to know that whatever subsequent proposals may be made, they will receive the same careful scrutiny of the Congress by Members on both sides of the aisle that this resolution has received today.

Mrs. BOLTON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like very much to read from a WTOP editorial dated March 15 and 16, 1965, as follows:

> The real issue is whether any USIA material, no matter how eloquent or effective, should be shown in the United States. The committee minority doesn't think so. Their report emphasizes the intent of Congress over a period of years to restrict the Information Agency to speaking to foreign audiences only. This restriction has been carefully observed, in most cases, because of the fears that USIA might someday become an instrument of domestic propaganda—an agency, controlled by the Government, which would attempt to propagandize the American people. The minority report says that "To use in this country a film designed for propaganda overseas would set a most undesirable pattern. To allow this would mean that the taxpayers would be subsidizing programs designed to shape their judgment.

Mr. Chairman, I agree with all that has been said about the very fine quality of the film, but I do not agree that we can afford to set a precedent here today, and that is the implication that this resolution carries.

Mr. ZABLOCKI. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL of Massachusetts. Mr. Chairman, the gentlewoman from Ohio has said this is fraught with emotions. I hope they are not bitter emotions. I am sorry that the issue of partisanship has been injected into this debate. I have always looked upon the President of the United States—living or dead, Democrat or Republican—as belonging to all the people of our country, regardless of party affiliation.

I think that this documentary film about President Kennedy belongs to all of our people, and I believe that there are many Americans who adhere to one or another political party who would like to see it.

I would like to add, however, that there is written into the committee report specific instructions that the film has to be shown on a nonpartisan basis.

I can remember some time ago, as a Member of this Congress, Members of both political parties made an exception a few years ago by giving permission for the Taft Memorial to be erected on Capitol grounds. This is a permanent memorial, and the only one of its type. This was a precedent, and even though I was here when that matter was being considered, I do not remember the Members of our party raising any strenuous objections to it. I do not recall any bitterness, I do not recall any invectiveness, I do not recall it becoming a partisan issue, and I do not recall it became political at all.

I recall that all of us went along with this matter and I hope that you on the Republican side of the aisle will give us the same courtesy as we gave the late Senator Taft.

Mr. TUNNEY. Mr. Chairman, I would like to say a few words in support of House Concurrent Resolution 285 to allow the U.S. Information Agency film on the late President John F. Kennedy to be shown in the United States. This film, "Years of Lightning, Day of Drums," is a beautiful testament to the vision and leadership of our late, beloved President. It outlines in a totally nonpartisan way, the dreams, aspirations, and hopes of a 20th century America.

During his years as a public servant, John F. Kennedy was a statesman first and a politician second; but now his memory belongs to all the people be they Republicans or Democrats.

One of the most outstanding qualities of President Kennedy's 2 years and 10 months in office, was that he, as a leader, enabled the American people to observe things not only as they were, but as they ought to be. He uplifted men's minds and enabled them to see with shining clarity the aims of the American dream and the reasons for our Nation's success. In this regard, I am reminded of the words of the poet, O'Shaughnessy, when he wrote:

> One man with a dream, at pleasure,
> Shall go forth and conquer a crown;
> And three with a new song's measure
> Can trample an empire down.

President Kennedy demonstrated to us that one man with a dream at pleasure could certainly go forward and become a permanent inspiration to the citizens of America.

Mr. BOLAND. Mr. Speaker, I rise in favor of House Concurrent Resolution 285, to allow the showing in the United States of the U.S. Information Agency film, "John F. Kennedy—Years of Lightning, Day of Drums." I am one of the sponsors of a similar resolution, House Concurrent Resolution 70, considered by the House Foreign Affairs Committee. These resolutions express the sense of Congress that the people of the United States should not be denied an opportunity to view the film, and further expresses the sense of Congress that the U.S. Information Agency should make appropriate arrangements to make the film available for distribution through educational and commercial media for viewing within the United States.

Mr. Speaker, everyone overseas who has seen this film has been overwhelmed enthusiastic and spellbound, for they saw the greatness of the American people symbolized in the message of one man, our late beloved President John Fitzgerald Kennedy. The USIA reports that the overseas reaction to the film has been tremendously encouraging. The Agency estimates that this motion picture will be seen by the largest overseas audience ever reached by any USIA film. I was one of the Members of Congress who arranged to have this film shown three times on March 2 in the caucus room of the Cannon Office Building on Capitol Hill. Each showing attracted an overflow crowd of the Members of Congress, their staff assistants, and representatives of news media. I believe that "Years of Lightning, Day of Drums" should be shown to the American people because the subject matter is a part of our national heritage, and its showing can help broaden general understanding of our history and appreciation of our form of government. The film deals with the Presidency of the United States, with the trials, functions, and responsibilities of an office which belongs to all the people of our Nation. And it also documents an hour of national tragedy, as well as the hopes and the aspirations of the American people as reflected in the brief period of the great Presidency of our late beloved John Fitzgerald Kennedy. I urge the adoption of the resolution.

Mr. GIAIMO. Mr. Chairman, I rise in support of this legislation. Those who may let our memories dim with time should have the opportunity to rekindle them. Those who will come later should have the opportunity to know of the greatness, warmth, and brilliance of John Kennedy.

Those of us who view this film with the pain of separation and loss cherish the opportunity as we cherished the few but unforgettable Kennedy years.

There are no words that can express the magnitude of our loss and the many ways in which he is missed, but this picture conveys the essence of the man and will help to perpetuate the spirit which he brought to this world.

Mr. Chairman, Congress has a unique opportunity to make available a living tribute to a memory which should never die. I urge the passage of this bill.

Mr. RUMSFELD. Mr. Chairman, I have great admiration for the late President, John F. Kennedy. I have viewed the film, "John F. Kennedy—Years of Lightning, Day of Drums," which is under debate today and can attest to its excellence. I agree that the showing of this film in the United States would not "brainwash" or necessarily propagandize the American people, as has been stated here today.

Regrettably, the issue with respect to this resolution is not as simple or clear cut as the debate might lead one to believe.

First, let me say that there is no question but that this is not and should not be considered a partisan issue.

Next, I believe that the confusion which has characterized much of the discussion this afternoon is a clear indication that there was insufficient committee consideration of this matter. The vague language of the resolution, coupled with its failure to resolve the question as to admission charges which may or may not be proper in connection with the showing of this film, lead me to the conclusion that the resolution should be recommitted to the Committee on Foreign Affairs for further consideration. For this reason, it is my intention to support the motion to recommit, and in the event this fails, oppose the resolution.

Finally, I think it should be pointed out that the film under discussion was put together at very little cost to the U.S. Information Agency by collecting and editing a series of film clips of the late President and attaching a commentary. My point is that any private organization or individual in this country could, with little trouble and at little cost, develop a fine film on the late President. I am confident that this has already been done, and as a matter of fact understand that some film stories of President Kennedy's time as President have already been shown on television. The materials used in this film are, for the most part, matters of public record and undoubtedly available for such use. So the issue is not whether or not a film of the late President should be shown in this country. The real issue is whether the propaganda arm of the U.S. Government, namely the U.S. Information Agency, should be permitted to utilize American tax dollars to disseminate its materials, whether films or otherwise, within the United States or whether, as has been the policy since the creation of USIA, its materials should be restricted to use abroad.

Admittedly, as I have said, this film is not propaganda as such. However, the precedent which will be set if the door is opened by passing this resolution could be, I believe, a dangerous one. The long-standing policy of the U.S. Information Agency is that its information services are to be disseminated abroad, and that they are not to be distributed domestically. This policy was established and has been obeyed and enforced for good reason. Certainly, freemen must take alarm at the possibility that their Government might use the tax dollars to propagandize the American people for the purpose of perpetuating a particular party in power or otherwise attempting to control the conduct of government.

Let me reiterate that this is an excellent film about a dedicated American, and admittedly this is not an easy vote to cast. However, I am convinced that the best long-term interest of our system of government will be served by keeping USIA policy as it has been in the past and by directing their fine efforts abroad. I have confidence in the private sector of our society and believe that the free press, free television industry, and the free film industry in this Nation will continue to do an adequate job of assisting in communicating to the American people the significant events and personalities relating to our Federal Government, without the assistance of the USIA.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that this resolution, to allow the showing in the United States of the U.S. Information Agency film, "John F. Kennedy—Years of Lightning, Day of Drums," will be unanimously approved here this afternoon.

I doubt if anyone will question that this Congress exists to express and project the will and the wishes of the majority of the American people. I further doubt that there are very many, if any, who will question the fact, so overwhelmingly demonstrated in the testimony revealed throughout this debate, that the great majority of the American people intensely desire that this historical film be made available for their viewing.

While it is true that the primary function of the U.S. Information Agency is to enhance the image and further the interest of this country through various informational vehicles conducted abroad, I think it has been made quite clear here that the Congress is well within its right and its power to permit the Agency, in rare and exceptional cases, to make the same informational and instructional vehicles available to American audiences.

It is of moment to observe that the martyred John F. Kennedy was the President of the American people, and it is the taxes of the American people that paid for the making of this film.

Further and equally pertinent, in my conviction, is the fact that the subject matter of this great motion picture is of basic and traditional concern to the citizens of this country. It is a documentary film that vividly portrays the awesome trials, functions, responsibilities, and dangers associated with the position of President of the United States, an office which in truth belongs to all the people of this Nation.

This masterfully prepared film unfolds and projects the ideals and the ideas of the American people as reflected in the comparatively short period of the administration of John F. Kennedy as President, and it immortalizes one of the most tragic events in national and world history.

Since the subject matter of this film, "Years of Lightning, Day of Drums," is truly a vital part of our national heritage, the showing of it throughout this country can help to broaden general understanding of our history and inspire a deep appreciation, especially in our younger people, of our form of government and the type of men who heroically serve in it.

Quite obviously every possible effort and restriction should be exerted and imposed to insure that there shall be no undesirable and disreputable commercialization on this motion picture for private gain, and that the fullest exercise of propriety and dignity will accompany every arrangement that is made in showing this film to the American people.

Mr. Chairman, I urge, again, that this resolution be unanimously approved by this body without further delay.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in opposition to the concurrent resolution. I think it was quite clear when the basic authority was given to the U.S. Information Agency that all of its efforts should be directed, without exception for dissemination abroad.

It would be dangerous to make even a single exception. Indeed, I am not in favor of making such a single exception that may serve to water down even further the precaution spelled out in the statute against the use of USIA's propagandizing techniques on American citizens. In arriving at our decision on this vital issue before us, we should be guided by reason rather than emotion.

I must caution my colleagues against giving even a single instance of approval or encouragement toward the establishment of another Pravda-like, government-sponsored, propagandizing bureau that would have such great potential for misusing its authority in order to perpetuate in office an administration—an administration which may be responsible for appointing these officials to their positions of prominence.

We should not lightly ignore the fact that Congress, in recognizing that the technique of propagandizing has become so thoroughly developed and so far advanced that it can be used to serve an evil purpose just as easily as a good purpose, went so far as to provide—

First, a limitation that its efforts should be directed, without exception, to dissemination abroad, and

Second, safeguards for review of what this agency was doing by including a provision in the basic statute that USIA's output should be readily and easily accessible for review by U.S. press associations, newspapers, magazines, radio systems and stations, and on request, to be made available to Members of Congress.

These are indeed fitting and proper safeguards when you consider the implications and ramifications of propagandizing techniques.

Even the report filed by the House Committee on Foreign Affairs in the 80th Congress, 1st Session, in House Report No. 416, on page 8, stated that it was possible for the proposed program by the U.S. Information Agency to become a powerful instrument in connection with the purpose for which it was being devised and which we must quite frankly admit is to propagandize.

To disregard the cautionary attitude of an earlier Congress could be a terrible mistake. And I must remind my colleagues that this resolution was not the subject of hearings as it should have been by the Foreign Affairs Committee. To chip away, as this resolution does, at a fundamental safeguard that was included in the earlier statute certainly does place a foot in the door for further exceptions. Contrary to the committee report, I submit that this bill does indeed set a dangerous precedent that will become the basis for additional and similar exceptions. Hence, I suggest that the bill should not be passed.

Mr. MORSE. Mr. Chairman, I regret that I was not present when the vote was taken on legislation to permit the showing of the film "Years of Lightning, Day of Drums" here in the United States. Although I am recorded in favor of the bill, at the time the vote was taken I was attending a reception given jointly by Senator EDWARD M. KENNEDY of Massachusetts and myself in honor of the Antioquia, Colombia Partners of the Alliance Committee.

Had I been on the floor, I would have cast my vote in favor of making this excellent film available to the American people. No one gave greater expression to the ideals of partnership, understanding, and cooperation in the Western Hemisphere than President Kennedy. His name invokes in Latin America the best of the United States today. His good works, his dedication to a development of Latin America in partnership will long survive his tragic death.

It was his spirit that led to the creation of the Partners of the Alliance program. Through this program States in the United States and States or political subdivisions in Latin America join together in relationships of partnership and cooperation.

Last winter the people of Medellin, Colombia, greeted a group from Massachusetts with warmth and hospitality. Today we sought to return this expression of friendship.

Mrs. GREEN of Oregon. Mr. Chairman, the crux of the opposition argument is that it is unsound policy to permit a Government agency to prepare films of a persuasive nature for distribution at home. I agree that if this were general policy it would be unsound, for the incumbent party might then be tempted to use USIA films as a vehicle for selling its own merits to the American voter rather than of conveying America to the foreign audience. However, the point is, Mr. Chairman, that this film was prepared for foreign—not domestic—viewing and therefore its intent cannot be a partisan one—nor is it. Rather it is a documentary about John F. Kennedy, President of the United States, whose assassination brought grief to millions around the globe and to his fellow Americans, Democrats and Republicans alike. Just as his political affiliation was irrelevant at that tragic moment, so it is now in discussing this resolution. There is no more reason to believe that the profound interest in this film about him is inspired by the fact that he was a Democrat than that the sorrow felt was Democratic sorrow.

The second point I would like to make, Mr. Chairman, is that there are precedents for showing USIA films of special merit and interest to the home audience. In fact, this particular film has been made available for public showing on special occasions, and I cannot see the justice of limiting its viewing to special groups on special occasions when there is widespread public demand for its availability. Many—perhaps most—of us have received requests from groups in our districts asking for the film's use for appropriate occasions, and no doubt we could engage in introducing an endless list of special resolutions to permit this, but this is both wasteful and discriminatory. If it is right to show it to members of special groups, then it is right to show it to those who do not belong to those special groups.

Mr. Chairman, I urge that we approve this resolution for it is before us because of a most natural and understandable public interest in a widely acclaimed film about a former President whose death caused deep sorrow in us all.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

> Whereas the life of John Fitzgerald Kennedy is a continuing inspiration to American citizens all across our Nation; and
>
> Whereas the film "John F. Kennedy—Years of Lightning, Day of Drums" is a part of the country's history which every American citizen is entitled to share: Now, therefore, be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of Congress that—
>
> (1) the people of the United States should not be denied an opportunity to view the film prepared by the United States Information Agency entitled "John F. Kennedy—Years of Lightning, Day of Drums", and
>
> (2) the United States Information Agency should make appropriate arrangements to make such film available for distribution through educational and commercial media for viewing within the United States.

AMENDMENT OFFERED BY MR. MAILLIARD

Mr. MAILLIARD. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

> Amendment offered by Mr. MAILLIARD: Page 2, line 2, immediately after "viewing" insert the following: ", without charge,".

Mr. MAILLIARD. Mr. Chairman, may I say to my distinguished friend, the gentleman from Massachusetts, that I concur with him that this should not be a matter of politics or a partisanship. I think he knows what I am saying in absolute good faith. I am offering this amendment in complete good faith. As

I said earlier in general debate, I considered our late President a personal friend and have great admiration for many of the things he tried to accomplish. I do not share the extreme concern that has been expressed by some as to the people of the United States seeing this film. I have seen it twice. I would like to see it again. It is a tremendously fine job. But it does seem to me that with the very loose language in the resolution and the very vague language in the report, it gives us almost no guidance as to how these films shall be released. I have grave doubts about the legal effect of the resolution as it is drawn in view of some of the Comptroller General's decisions regarding the previous film of Mrs. Kennedy's trip to Asia. It seems to me, if we could adopt this amendment and I may say to prove my good faith, if this amendment is adopted I would vote for the resolution, it seems to me that this film belongs to the American people. They have already paid for it. There are several hundred prints available. If we allow them to see it without charge, there is no risk of having this dignified and impressive and serious film linked in a double bill with some sensational C-grade commercial picture. We do not have the possibility of private enrichment through something that belongs to the people of the United States. These films could be made available with or without charge and if it were necessary to recover some costs from the national TV networks, I am sure they would pay a handsome price for it if it were offered to them. But the public would see it free of charge. It seems to me still that this film could be used for worthwhile purposes such as, perhaps, a showing to support the John F. Kennedy Center for the Performing Arts here in the Capitol where it could be shown and people would contribute to the Center or to the Kennedy Library or some other worthwhile purpose. It could be shown freely at Democratic or Republican or nonpartisan public meetings, but it could not be exploited by commercial agencies. I urge that this amendment be adopted and, for my part, I would be perfectly happy to vote for the resolution with the amendment. Without the amendment, I have very serious misgivings and would feel obliged to vote against it.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment.

Mr. MACDONALD. Mr. Chairman, will the gentleman yield so that I may ask the gentleman from California a question?

Mr. ZABLOCKI. I yield to the distinguished gentleman from Massachusetts.

Mr. MACDONALD. I would like to ask the gentleman from California a question about his amendment. Obviously, most people I am sure in the House on both sides of the aisle are in agreement that this film should not be commercialized in the sense that the gentleman has suggested that it might be. Would your amendment, as written and as I understand it from the hasty notes that I have been able to scribble down, prevent the charging of admission for some group, civic, Democrat or Republican, or nonpartisan?

Mr. MAILLIARD. If the gentleman from Wisconsin would be good enough to yield. The answer to the gentleman's question is "Yes." I must say I did not think that the authors or the proponents of the resolution had in mind that this would be used for any fundraising arrangement.

This is just the point. I am trying to keep it out of politics so that it would be shown to interested groups without charge, and the agency would make available, certainly to civic groups, the copies of the film without charge.

Mr. MACDONALD. I want to point out that I am in agreement with the gentleman about this, but I am not clear as to the meaning of the amendment.

Mr. MAILLIARD. As I interpret the amendment, and as I intend it, one could not charge admission. I believe this would not prevent, in a situation such as one for the John F. Kennedy Center for the Performing Arts, having contributions made at a preview showing, but one could not charge admission.

Mr. MACDONALD. What if there were a performance in another area arranged at a dinner or something like that, and the film were to be shown along with it? Would the amendment prohibit the showing at anything which was not a perfectly free arrangement?

Mr. MAILLIARD. In my opinion, it would depend on the circumstances. If the charge were for the showing of the film, the film could not be shown. But if the charge were for the dinner and the film were made available, I would say there would be no prohibition.

Mr. ZABLOCKI. Mr. Chairman, the amendment of the gentleman from California is a back-door approach to kill the resolution. There is no question about it. I am somewhat disturbed that the gentleman would take this avenue of approach.

If any charge is forbidden, then the film cannot be shown commercially. The gentleman knows that. No appropriated funds can be used to reproduce the film. The only funds available to the U.S. Information Agency are funds appropriated for its oversea activities. Even the 383 copies which are now circulating overseas could not be called back and shown domestically unless the law were amended, unless there were clear direction given by Congress to the U.S. Information Agency to do that.

If the emotional opposition to this resolution on the part of my colleagues on the other side of the aisle is to prevail, I would prefer to see them vote against the resolution rather than to try to kill its intent by indirection.

The gentleman knows that the total cost of reproducing this film for domestic showing may possibly reach $100,000 or more, or even a half million dollars if we include the cost of distribution and of showing the film. It is estimated that the reproduction of the film alone in sufficient quantity of copies may cost as much as $100,000, and perhaps more. The distribution may involve additional costs.

The actual showing of the film also will entail some costs. If this amendment were to prevail, I doubt that there would be sufficient number of copies available for showing to charitable organizations, civic organizations, clubs, or educational institutions.

The reason for the language of the resolution is that it follows somewhat the pattern the USIA followed in distributing the Mrs. Kennedy film. That is why the existing language is included in the resolution. We have this language so that additional copies can be made, so that interested Members of Congress and interested citizens, whether in organizations or educational institutions, who desire to see the film, may have a copy of it made available to them.

Mr. Chairman, I hope the gentleman's amendment will not prevail. I would prefer to see the resolution defeated by a straight vote rather than to have its intent killed by indirection.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am going to vote for the resolution whether the amendment is agreed to or not, but I do not believe it is fair for the gentleman to say that the amendment is an effort to kill the resolution.

I support this amendment because I have so much respect for the late President that I do not want this film commercialized. It certainly will be commercialized unless this amendment is passed. I should think that the gentleman would not want this film commercialized in any way, shape, or form. I should think he would want the American people to see it without a price tag attached. If admission is charged this will deny millions of men, women, and children from seeing the film.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. How would copies of the Kennedy film be made available, if the gentleman's amendment prevailed? Who would pay for the reproduction of the film? From where would the funds—$100,000 or more—be obtained?

Mr. CUNNINGHAM. Would not a nonprofit or civic organization be able to purchase a copy?

Mr. ZABLOCKI. The organization could not purchase a copy if the U.S. Information Agency did not have a copy and have authority to make it available for purchase.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield to me?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. CEDERBERG. This could be handled very easily. We do it with NASA films. I recall taking a film on John Glenn back to a group of science students in my district interested in space activities. It is no problem at all.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from California.

Mr. GUBSER. It is my understanding that there are 383 prints of this film already available, but even granting the point of the gentleman from Wisconsin that it would cost considerable money to reproduce prints for private showing, I would like to point out to the gentleman that we are making an exception to the law with the passage of this resolution. What is to stop this Congress from again making an exception and appropriating funds for the making of prints for distribution in the country?

Mr. CUNNINGHAM. Mr. Chairman, I want to say again that I am going to vote for this whether the amendment passes or not, but I do not want to see this film—and I know it is a wonderful one—on a double bill, as the gentleman from California mentioned, on some commercial screen. That would downgrade the whole impression of the good work of the President.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. CAHILL. I would like to ask two questions of the gentleman from Wisconsin. First, would it be possible for a school district, either a public or a private school district, to purchase a copy of this film from the agency so that they could show it? Secondly, if that is not possible and the amendment does not succeed, would all organizations have to pay or could any organization obtain this film so that it could be shown free? For example, if a hospital wanted to show it, would they have to pay, or could they get it free? I want to see if those two questions could be answered.

Mr. ZABLOCKI. If the gentleman will yield, first of all let me reply to the gentleman from New Jersey by pointing out that the USIA does not have copies of the film available for distribution in the United States. The 400 or more copies mentioned previously are all abroad. These copies will remain available overseas as long as they are usable and needed.

I might say that under my resolution, the Treasury stands to gain a substantial amount of revenue—revenue that might accrue as a result of the domestic showing of this film.

I do want to point out, if the gentleman will yield further, that the gentleman from Michigan [Mr. CEDERBERG], made the strongest point in opposition to this amendment in pointing out that NASA films are available domestically. The NASA films were produced for domestic use. I want to make it very clear that USIA films are produced only for overseas use except when the Congress, as I hope it will do today, authorizes them to do otherwise.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield to me?

Mr. CUNNINGHAM. I yield to the gentleman.

Mr. MAILLIARD. I think the gentleman from New Jersey brought up a very interesting point, because if the precedent is followed which was established with the Jacqueline Kennedy film, where a contract was made with United Artists, I believe, for the exclusive distribution rights—if that kind of a contract was undertaken here as it was in that case—and I gather it is the intent in this case—then I would say the answer is no. Your schools and hospitals and other civic groups would have to contact and make a contract with United Artists and it would have to be bought and paid for by themselves.

Mr. CAHILL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, like the gentleman from Nebraska, I am going to vote for this bill whether this amendment is or is not adopted. I do not think that anybody in this House has a greater reverence for the memory of the late President than I do. I have always been and I always will be an admirer of the man and what the man accomplished. However, if the gentleman from Wisconsin is sincere and if the sponsors of this resolution are sincere—and I believe they are—and they really want to get this film to the people on whom it can make the greatest impression and the ones whom it can inspire the most, then they would get it to the children of America.

We who are the adults know what the man has done. But my 8-year-old child does not know, and if in the course of the next year or two this film can be shown, and the accomplishments of the man and the personality of the man and the leadership of the man can be demonstrated dramatically, as they are in this film, then it seems to me the way to do it is to do it as the gentleman from California suggests, without charge. If you are going to put a price tag on this, you are going to do what I am sure nobody who has ever been associated with the late President would want.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield.

Mr. ZABLOCKI. Mr. Chairman, I am positive the gentleman is sincere in his convictions. But I want to point out again that unless the USIA will somehow be enabled to recoup the cost of reproducing this film, then copies of the film will not be made available to hospitals or schools.

Mr. CAHILL. Why cannot the copies that are now overseas, under the terms of this resolution, be brought back and distributed? And secondly, what is to prevent the USIA from making additional copies?

Mr. ZABLOCKI. Money.

Mr. CAHILL. Why can we not appropriate some money and give it to them?

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. MORGAN. The crux of the problem here is that if we are going to adopt the amendment offered by the gentleman from California we had better get definite assurances from Members of the Appropriations Committee—Mr. CEDERBERG and Mr. ROONEY—that there is going to be an extra $500,000 to $1 million appropriated for the purpose of making copies of the Kennedy film and its distribution and everything that is involved.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield.

Mr. MAILLIARD. Mr. Chairman, I am sorry to disagree with my distinguished chairman, the ranking majority member of the committee. I do not believe this is true at all. There are 372 copies of this film. They are not all overseas. The ones that are overseas can be brought back. There is no reason in the world why they could not. Not only that, there is nothing in my amendment that would prevent the sale of this production to a television network and from that they can get enough money to pay for copies, as many as they could possibly use, with no difficulty whatsoever.

Mr. CAHILL. If I understood the gentleman's amendment correctly, if a television network in this country wanted to purchase a copy from the USIA, the USIA could sell it to them and they could charge what the USIA thought was a fair price, is that right?

Mr. MAILLIARD. That is correct.

Mr. CAHILL. Mr. Chairman, I want to conclude by saying, as I said before, that I am going to support the resolution, with or without the amendment. But I certainly would hope that the majority of the Members of this House would support the amendment of the gentleman from California.

Mr. ZABLOCKI. Mr. Chairman, if the gentleman will yield further, I have a question for the gentleman from California. When he referred to calling back copies of the film from overseas, did the gentleman intend that we should disrupt the showing of this film overseas in order to have it available here for domestic purposes? It is still being shown overseas.

Mr. MAILLIARD. Yes, it is being shown overseas. But 372 of them are not in the distribution system. They do not show a film forever. The demand becomes less and less. I pointed out that there are substantial numbers of copies presently available, already bought and paid for and it would be very easy to get the funds to buy as many more as are necessary. If I am wrong, and you could not get it from the networks and other people who are willing to pay for it and show it free, I would support the necessary appropriation. But I do not think this should be commercialized.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. CAHILL], has expired.

Mr. ADAIR. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. CAHILL] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I am happy to yield to the gentleman.

Mr. ADAIR. Mr. Chairman, I should like to give the latest figures of the number of films which are available. The number 372 has been used. I am informed that there are now in existence 383 English-language copies of this film. In addition to that, Mr. Chairman, there are 488 foreign-language copies of this film. So, you see, a few of the English-language copies could be taken away from them without seriously impairing the program.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the gentleman from Indiana [Mr. ADAIR] for correcting my figures. However, this further substantiates the fact that the need overseas is great and that many copies of the Kennedy film are being shown currently. The reason for the additional prints is because of the demand overseas.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am one of those who has introduced a similar resolution to the one now being debated here today. I certainly would hate to think that after this action is taken, there is a possibility that this great and magnificent documentary of one of the greatest Americans this country ever produced would find itself in a joint billing on some marquee at some theater, along with some second- or third-rate movie.

Mr. Chairman, I sincerely hope this film will be shown with proper dignity.

Because I feel so strongly on the subject, Mr. Chairman, I would like to ask the sponsor of this concurrent resolution a few questions about this proposal, if I could have the attention of the gentleman from Wisconsin [Mr. ZABLOCKI].

In the committee report, on page 6 there appears the following:

> Second, every effort should be exerted to assure that as many Americans as possible, including those in educational and other nonprofit institutions, may have the opportunity to view this motion picture under the best possible circumstances.

If the arguments that we have heard here today, that there are no funds available for production of copies of this magnificent film, other than the revenue that may come from commercial display of this film, if this is true, how are we going to make copies available to educational and other nonprofit institutions?

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. It is my understanding—and, of course, I must stress that it is rather tentative because there have been no negotiations thus far, that when the USIA will negotiate with representatives of the domestic media, it will endeavor to obtain additional copies of the film to have them available for civic organizations, clubs, private organizations, and educational as well as other nonprofit institutions.

Mr. PUCINSKI. If the gentleman will permit another question, is it not a fact that under the language contemplated in this resolution it is true that, for instance, United Artists or some other movie-producing industry may get the basic contract and they may give this film to some private institution with the stipulation that no charge will be made by that private institution or no advance publicly will be made about a private showing, but the movie may charge a fee?

How can such discrimination be justified?

Suppose there is an organization which wants to run a charity affair and wants to show this film as a part of the affair and wants to charge either a dinner admission or another admission and the profits are to go strictly to a nonprofit charitable cause. Under the agreement, as I understand it, the movie company could insist that no admission charge be made by the nonprofit group, but the movie house could charge a fee. Is this correct?

Mr. ZABLOCKI. That is not my understanding, I must say to the gentleman from Illinois.

Mr. PUCINSKI. Would the gentleman then tell me this: Is the gentleman saying here as part of the legislative history on this proposed resolution that if this resolution is adopted in its present form and a contract is awarded to, say, United Artists or some other movie producer to produce the film, and a private institution wants to use this film for a private showing where there is a charge to be made for a nonprofit institution, that that charge may be made?

Mr. ZABLOCKI. This would depend I imagine, on the arrangements under which the film will be distributed.

Mr. PUCINSKI. Now let me ask the gentleman further: What do we mean in the third paragraph where there is stated the following:

> Both the agency and the media should avoid overcommercialization of this motion picture.

Mr. ZABLOCKI. It means that the film should not be used as a leader for a second- or third-class movie, and that the making of profit must not become the goal for the distribution of the Kennedy film.

Mr. PUCINSKI. Is that what it means?

Mr. ZABLOCKI. Exactly.

Mr. PUCINSKI. I would be satisfied with the gentleman's reply that the third paragraph means that distributors of this film cannot use this film as a leader for some other film.

Mr. ZABLOCKI. That would be my understanding, if we are still talking about second- and third-rate movies.

Mr. PUCINSKI. And that is the intent we are writing here on the floor of the House today?

Mr. ZABLOCKI. It is already written into the committee report and we are elaborating upon it.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Is it the gentleman's intention that the colloquy between himself and the gentleman from Wisconsin [Mr. ZABLOCKI] should substitute for the complete lack of detail in the resolution or, in other words, the legislative history rather than the resolution itself?

Mr. PUCINSKI. I think it is the highest tradition of this legislative body that when we debate a resolution we do write legislative history on the floor of the House.

I am satisfied with the explanation given to me by the gentleman from Wisconsin, sponsor of this bill, that this magnificent film about a truly great American cannot be used by any commercial institution as a leader or come-on for some other film. That means that when this film is produced it is going to be shown alone.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Indiana.

Mr. BRADEMAS. The gentleman has stated precisely the point I would like to have the chairman of the subcommittee say a word about in clarification. Is it my understanding no other major film—I do not refer to short subjects—may be shown with this film?

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I want to point out that this is a 90-minute color motion picture. I do not believe there would be another major film shown with it.

Mr. BRADEMAS. I want to correct the gentleman on that point. I did not ask him what he believed. I want to ask him if it is his understanding it will be a violation of the intent of Congress if any other major film is shown in a commercial film house with this film. Is the answer yes or no?

Mr. ZABLOCKI. My answer, taking into account what we have said previously, is yes.

Mr. PUCINSKI. Earlier in our colloquy the gentleman referred to a private institution, be it a private organization or a church group, or a school or any other nonprofit organization, or a Member of Congress—suppose I want to show it to the students in my district? As I understand the gentleman, this cannot be done until the movie distributor has recovered his investment. Do I understand my colleague to say I cannot do this even though USIS were to give me a print of this film? I could not do that until the commercial developer of the film has recouped his investment?

Mr. ZABLOCKI. You could not obtain the film currently from the USIS.

Mr. PUCINSKI. Even though I want to pay for it?

Mr. ZABLOCKI. Even if you want to pay for it. You cannot get it until the Congress passes this resolution or some similar legislation.

Mr. PUCINSKI. United Artists is going to get exclusive production rights, and I as a Member of Congress cannot buy a copy of this film to show in my district?

Mr. ZABLOCKI. If the resolution is adopted, I imagine that all Members of Congress desiring it, will be able to obtain a copy of the film for showing in their districts. The conditions under which such showings will take place will, of course, have to take into account the entire distribution arrangements—and this may take a while to work out.

Mr. PUCINSKI. How soon can that be done?

Mrs. BOLTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, where, may I ask, do any of these details appear in the resolution? You seem to have found it necessary to spend a great deal of time on the omitted details. I would think this has been done because there was not a sufficient amount of rather important matter to make the resolution clear and secure at all points. Will you be good enough to show me where they are?

Mr. ZABLOCKI. On page 1, line 8, the resolution reads:

> The U.S. Information Agency should make appropriate arrangements to make such film available for distribution through educational and commercial media for viewing within the United States.

The term "appropriate arrangements" is spelled out on page 6 of the committee report.

Mrs. BOLTON. The gentleman knows the reports do not go that far, and they do not make it part of the law. They just express what the Congress accepts. All of this discussion we have had is not definitely set out in the resolution.

Mr. ZABLOCKI. I believe that this dialog is most helpful as legislative history.

Mrs. BOLTON. May I say that had we had adequate hearings all this discussion would not have been necessary. But we had no hearings so we could not bring you a proper bill.

Mr. LAIRD. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield to the gentleman.

Mr. LAIRD. I would just like to say I think the colloquy that has taken place between the gentleman from Illinois and the gentleman from Wisconsin made a very good case for the support of the Mailliard amendment. The free distribution of this film is important, I think, so that the people in this country who want to see it will have an opportunity, in our schools throughout the United States.

As one member of the Committee on Appropriations, I would be very happy to give my support to a proper appropriation for this kind of free distribution. It seems to me that this colloquy has proved beyond a question of a doubt that we should make this film available so that all of the people in the United States can see it free of charge and not commercialize it through United Artists or any one of the great commercial movie distributors.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield to the gentleman.

Mr. FRELINGHUYSEN. I do think, Mr. Chairman, the discussion has indicated the importance of adequate hearings. I think also the discussion demonstrates the value of the Mailliard amendment because if the majority is serious in its suggestions that as many Americans as possible have the opportunity to view this motion picture under the best possible circumstances, we surely need to provide for the free distribution of the film. If we are serious as the majority suggests that we should avoid overcommercialization and if we are serious that it should be done with propriety and dignity and if we are serious that it should not be shown with other major films, again it should be done on the basis of free distribution of this film. We have had—or the gentleman from Wisconsin provided us with certain assurances, if they can be assurances, that there will be no coupling of this film with others of any consequence. But there is no assurance unless we provide for a free distribution of this film that we will abide by the suggestions in the majority report. I do hope the Mailliard amendment is adopted before we vote on the advisability of accepting this resolution.

Mr. DERWINSKI. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I gladly yield to the gentleman.

Mr. DERWINSKI. Mr. Chairman, I think at this time it might be practical that we might suggest to the gentleman from Wisconsin that he withdraw consideration of this resolution and take it back to the Committee on Foreign Affairs to give us a chance to help bring forth a proper resolution.

Mr. TENZER. Mr. Chairman, I rise in support of House Concurrent Resolution 285 which expresses the sense of Congress with respect to the public viewing of the film, "Years of Lightning, Day of Drums," prepared by the U.S. Information Agency on the late President Kennedy. I am pleased to be a cosponsor of this legislation, having introduced House Concurrent Resolution 145, a similar resolution to make it possible for the American people to view this documentary.

Those who oppose the passage of this resolution have quoted the minority report of the House Committee on Foreign Affairs which states in part:

> USIA was established to promote a better understanding abroad of the United States, its people, and its policies. In other words, its basic purpose is one of persuasion—to create a more favorable attitude toward the United States in other countries. It is, quite frankly, a propaganda agency.

I respectfully suggest to my colleagues, that perhaps the American people should also have the opportunity to view this documentary, especially if it will promote a better understanding of the United States, its people, and its policies.

I have received numerous inquiries, and no doubt other Members of Congress have received inquiries, concerning the availability of the film for public showings by educational institutions, clubs, civic associations, fraternal societies, and other organizations. The motion picture has been described as the finest documentary ever produced by the USIA; and the American people, whose taxes paid for the film, should if they so desire, have the opportunity to view it.

With respect to the proposed amendment to House Concurrent Resolution 285 which would authorize viewing of the film "without charge," I urge my colleagues to vote "nay" for the following reasons. To accept the amendment would require Congress to pass an additional appropriation for USIA to cover the cost involved in producing and distributing the film. In addition to this, such an amendment would prohibit educational or commercial medium or any organization from charging a nominal fee for the viewing of the film in order to meet the cost involved in arranging for such public viewing.

For the foregoing reasons, I urge my colleagues to support House Concurrent Resolution 285 as reported by the House Committee on Foreign Affairs.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MAILLIARD].

The question was taken; and on a division (demanded by Mr. MAILLIARD) there were—ayes 75, noes 61.

Mr. ZABLOCKI. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. ZABLOCKI and Mr. MAILLIARD as tellers.

The Committee again divided, and the tellers reported that there were—ayes 96, noes 87.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. Con. Res. 285) to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums," pursuant to House Resolution 415, he reported the resolution back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 174, nays 216, not voting 43, as follows:

[Roll No. 131]

YEAS—174

Abbitt
Abernethy
Adair
Adams
Anderson Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ayres
Baldwin
Bates
Battin
Belcher
Bell
Bennett
Berry
Bolton
Brademas
Bray
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Calif.
Burton, Utah
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clausen, Don H.
Cleveland
Colmer
Conable
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Dickinson
Dole
Dorn
Dow
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Findley
Fino
Fisher
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Gettys
Gilligan
Goodell
Grider
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halpern
Hansen, Idaho
Hardy
Harsha
Harvey, Mich.
Hechler
Henderson
Herlong
Hicks
Horton
Hosmer
Hutchinson
Jennings

Johnson, Pa.
Jonas
Jones, Mo.
Kastenmeier
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Latta
Lennon
Lipscomb
Love
McCarthy
McClory
McDade
McEwen
MacGregor
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
May
Meeds
Michel
Minshall
Mize
Moore
Morris
Morse
Morton
Mosher
Nelsen
O'Konski
O'Neal, Ga.
Pelly
Pirnie
Poff
Pucinski
Quie
Quillen
Race
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Robison
Roudebush
Roush
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Scott
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stalbaum
Stanton
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Todd
Tuck
Tupper
Utt
Walker, Miss.
Watkins
Whalley
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—216

Albert
Anderson, Tenn.
Annunzio
Ashmore
Aspinall
Bandstra
Barrett
Beckworth
Bingham
Blatnik
Boggs
Boland
Bolling
Brooks
Brown, Calif.
Burke
Burleson
Byrne, Pa.
Callan
Carey
Casey
Chelf
Clark
Clevenger
Cohelan
Conyers
Corman
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Flynt
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hathaway
Hawkins
Hays
Holifield
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Leggett
Long, La.
Long, Md.
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Matthews
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price
Randall
Redlin
Reuss
Rhodes, Pa.
Rivers, S.C.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Secrest
Selden
Senner
Shipley
Sickles
Sikes
Sisk
Smith, Iowa
Staggers
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thomas
Thompson, La.
Thompson, Tex.
Trimble
Tunney
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—43

Addabbo
Andrews, George W.
Baring
Betts
Bonner
Bow
Brock
Brown, Ohio
Cabell
Callaway
Cameron
Celler
Clancy
Clawson, Del
Collier
Cooley
Devine
Evins, Tenn.
Fogarty
Greigg
Halleck
Harvey, Ind.
Hébert
Helstoski
Holland
Jacobs
Landrum
Langen
Lindsay
McCulloch
McMillan
McVicker
Martin, Mass.
Matsunaga
Powell
Purcell
Resnick
Slack
Stephens
Thompson, N.J.
Toll
Vivian
Willis

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Clancy for, with Mr. Hébert against.

Mr. Devine for, with Mr. Fogarty against.

Mr. Vivian for, with Mr. Thompson of New Jersey against.

Mr. Brock for, with Mr. Evins of Tennessee against.

Mr. Callaway for, with Mr. Addabbo against.

Mr. Collier for, with Mr. Celler against.

Mr. Slack for, with Mr. Cooley against.

Mr. George W. Andrews for, with Mr. Toll against.

Until further notice:

Mr. Jacobs with Mr. Harvey of Indiana.

Mr. McVicker with Mr. Betts.

Mr. Powell with Mr. Lindsay.

Mr. Matsunaga with Mr. Del Clawson.

Mr. Holland with Mr. Langen.

Mr. Helstoski with Mr. Martin of Massachusetts.

Mr. Cameron with Mr. McCulloch.

Mr. Landrum with Mr. Halleck.

Mr. Willis with Mr. Bow.

Mr. Bonner with Mr. Baring.

Mr. Purcell with Mr. McMillan.

Mr. Stephens with Mr. Cabell.

Mr. Resnick with Mr. Greigg.

Mr. JARMAN changed his vote from "yea" to "nay".

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

Mrs. BOLTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentlewoman opposed to the bill?

Mrs. BOLTON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> **Mrs. BOLTON moves to recommit the resolution (H. Con. Res. 285) to the Committee on Foreign Affairs.**

The SPEAKER. Without objection, the previous question will be considered as ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. ADAIR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the concurrent resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 311, nays 75, not voting 47, as follows:

[Roll No. 132]

YEAS—311

Abbitt
Abernethy
Adams
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cahill
Callan
Carey
Carter
Casey
Chelf
Clark
Clausen, Don H.
Cleveland
Clevenger
Cohelan
Colmer
Conte
Conyers
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Daddario
Dague
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flood
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Hagan, Ga.
Hagen, Calif.
Haley
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Huot
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Latta
Leggett
Lennon
Long, La.
Long, Md.
Love
McCarthy
McDade
McDowell
McEwen
McFall
McGrath
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Matthews
May
Meeds
Miller
Mills
Minish
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Pucinski
Purcell
Race
Randall
Redlin
Reid, N.Y.
Reifel
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Scott
Secrest
Selden
Senner
Shipley
Sickles
Sikes
Sisk
Smith, Iowa
Smith, N.Y.
Smith, Va.
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thomas
Thompson, La.
Thompson, Tex.
Todd
Trimble
Tuck
Tunney

Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Zablocki

NAYS—75

Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Battin
Belcher
Berry
Bolton
Bray
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Byrnes, Wis.
Cederberg
Chamberlain
Conable
Curtis
Davis, Wis.
Derwinski
Dickinson
Dole
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Flynt
Foley
Ford, Gerald R.
Frelinghuysen
Grider
Gross
Gubser
Gurney
Hall
Hansen, Idaho
Harsha
Hutchinson
Laird
Lipscomb
McClory
MacGregor
Mailliard
Marsh
Martin, Nebr.
Mathias
Michel
Minshall
Mize
Morton
Nelsen
O'Neal, Ga.
Quie
Quillen
Reid, Ill.
Reinecke
Rhodes, Ariz.
Roudebush
Rumsfeld
Satterfield
Schneebeli
Shriver
Skubitz
Smith, Calif.
Springer
Talcott
Teague, Calif.
Thomson, Wis.
Utt
Walker, Miss.
Williams
Wilson, Bob
Younger

NOT VOTING—47

Addabbo
Andrews, George W.
Ashmore
Baring
Betts
Bonner
Bow
Brock
Brown, Ohio
Cabell
Callaway
Cameron
Celler
Clancy
Clawson, Del
Collier
Cooley
Davis, Ga.
Devine
Evins, Tenn.
Fogarty
Greigg
Halleck
Harvey, Ind.
Hébert
Helstoski
Holland
Jacobs
Landrum
Langen
Lindsay
McCulloch
McMillan
McVicker
Martin, Ala.
Martin, Mass.
Matsunaga
Mink
Morse
Powell
Resnick
Slack
Stephens
Thompson, N.J.
Toll
Vivian
Willis

So the concurrent resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Martin of Massachusetts for, with Mr. Devine against.

Mr. Morse for, with Mr. Clancy against.

Until further notice:

Mr. Hébert with Mr. Bow.
Mr. Thompson of New Jersey with Mr. Harvey of Indiana.
Mr. Landrum with Mr. Callaway.
Mr. Fogarty with Mr. Halleck.
Mr. Addabbo with Mr. Brown of Ohio.
Mr. Holland with Mr. McCulloch.
Mr. Ashmore with Mr. Brock.
Mr. Helstoski with Mr. Martin of Alabama.
Mr. McVicker with Mr. Langen.
Mr. Evins of Tennessee with Mr. Betts.
Mr. Slack with Mr. Del Clawson.
Mr. Jacobs with Mr. Collier.
Mr. Vivian with Mr. Lindsay.
Mr. George W. Andrews with Mr. Cooley.
Mr. Celler with Mr. Cameron.
Mr. Matsunaga with Mr. Toll.
Mrs. Mink with Mr. Davis of Georgia.
Mr. Bonner with Mr. Baring.
Mr. Stephens with Mr. Cabell.
Mr. Powell with Mr. Resnick.
Mr. Willis with Mr. McMillan.

Mr. GLENN ANDREWS changed his vote from "yea" to "nay".

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the concurrent resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

A TRIBUTE TO JUSTICE CARROLL HAYES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I wish to pay tribute to Justice Carroll Hayes who died last month. Justice Hayes retired at the end of 1959 from the municipal court in New York where he served with unusual distinction for some 33 years. A prominent Catholic layman, he was a Knight of Malta and a Knight of the Holy Sepulchre. A World War I veteran, Carroll Hayes was chairman in 1919 of the Harlem Tenants Association which worked to aid homeless Harlem families. In that year he was first elected to the municipal court.

Mr. Speaker, New York has lost an outstanding public servant and learned jurist. As part of this tribute, I wish to bring to the attention of my colleagues the following obituary from the New York Times of May 17, 1965. The obituary follows:

[From the New York Times, May 17, 1965]

Carroll Hayes, Retired Justice, Municipal Official, 76, Dead—Active Catholic Layman

Carroll Hayes, a retired municipal court justice and a leading Roman Catholic layman, died yesterday at his home at 26 East 81st Street. He was 76 years old.

With the exception of the years from 1929 to 1936, Justice Hayes had served on the bench from 1919 until his retirement at the end of 1959. He was a Republican but frequently received the support of all three political parties—Republican, Democratic, and Liberal.

He was born in New York on March 7, 1889, and attended All Saints Academy and the Fordham Preparatory School before entering Fordham University. He received a law degree from Fordham in 1911.

In 1917 he became a lieutenant in the field artillery, serving until the end of World War I.

AIDED HARLEM FAMILIES

In 1919 Justice Hayes was chairman of the Harlem Tenants Association, working to aid homeless Harlem families.

In November of that year he was elected to the municipal court, Eighth District, and served through 1929, when he was defeated for reelection. Returning to private life, he became a member of the law firm of Adams, Ryan & Hayes and engaged in general law practice until 1936, when he was appointed to the municipal court by Mayor La Guardia. Later in the year he was elected from the Ninth District.

In 1931, during the period of his private law practice, he was an assistant to Samuel Seabury in the latter's investigation of municipal affairs. Justice Hayes investigated sand and gravel contracts with the city.

In 1933 he was appointed a member of the New York City Beer Control Board by Mayor O'Brien. That board became the New York City Alcoholic Beverage Control Board, on which he continued as a member until he was appointed to the bench in 1936.

ACTIVE IN SEVERAL GROUPS

He was a member of the Association of the Bar of the City of New York, the New York County Lawyers Association, the New York State Bar Association, the American Bar Association, the Friendly Sons of St. Patrick, the Military Order of the World War, and the American Legion.

Justice Hayes was a Knight of Malta and a Knight of the Holy Sepulchre, both military orders of the Roman Catholic Church.

Survivors are his widow, the former Mary Gallagher, of Jersey City; a son, Carroll W. Hayes, and three daughters, Mrs. Eugenia Weisner, Mrs. Mary Johansen, and Miss Elizabeth Hayes.

PROPOSED LEGISLATION ON NARCOTICS AND DRUG ABUSE

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am today introducing—along with my distinguished colleagues Mr. McCulloch of Ohio, ranking minority member of the Judiciary Committee; Mr. Springer of Illinois, ranking minority member of the Interstate and Foreign Commerce Committee; Mr. Lindsay, Mr. Bell, and Mr. Mathias—a series of four bills designed to combat narcotic addiction and drug abuse.

Identical legislation is being introduced in the other body by Senators Jacob K. Javits and Robert F. Kennedy of New York. In addition, a number of colleagues in both Houses have expressed interest in joining this bipartisan effort.

Mr. Speaker, the purpose of this legislation is to modernize and humanize our Federal laws to distinguish between the criminal "pusher" and the victimized addict—who is in need of medical treatment, assistance, and rehabilitation. The States of New York and California have pioneered in programs based on this approach.

We are facing in our urban areas a serious and growing problem of narcotic addiction which results not only in increased homicides and robberies—but in the breakdown of the family, including the addicted daughter and the addicted son.

The youth of our Nation are becoming increasingly attracted to the use of narcotics and dangerous drugs. According to a report issued by the Westchester County medical examiner, deaths from narcotic addiction in Westchester in 1964 rose to 12—a figure equal to the total number of similar deaths in the preceding 5 years. Of these 12 victims, 10 were persons under 21 years of age. Moreover, since January 1965 some 22 teenagers have been arrested in Westchester County for the possession or sale of narcotics.

Mr. Speaker, the stiff criminal penalties for the vicious narcotics peddler must be retained, but we should come up with creative programs to assist the victim who needs medical care—not prison.

The first bill would authorize the pretrial civil commitment of those charged with narcotics offenses. Instead of criminal prosecution, the person could elect to undergo medical treatment and probationary aftercare. Those who sell drugs for resale; those who have another charge pending or who have not fully served a sentence; those who have been convicted of two or more felonies; or those who have been involved in civil commitment on two or more prior occasions are not given the option of civil commitment.

In the words of the Senate Permanent Subcommittee on Investigations in a report issued in March 1965:

> The majority of witnesses before the subcommittee expressed strong views that civil commitment for addicts provides the most satisfactory results and offers the best avenues for the eventual return of addicts to useful living.

The second bill would modify the now mandatory prison sentences imposed on addicts to allow Federal courts more latitude in the use of parole, probation, and sentence suspension. These revisions would be of particular benefit in rehabilitating young, first-time offenders. Stiff, mandatory sentences for narcotics sellers are not changed.

The third bill we are sponsoring would establish a Federal-State two-thirds, one-third matching grant program to provide a wide range of services, job training, family counseling, and psychiatric treatment to drug abusers to enable them to reenter the community. It authorizes a $7,500,000 appropriation annually for 3 fiscal years. Up to 20 percent of the Federal funds can be distributed directly to private, nonprofit organizations which offer treatment services.

Finally, we are introducing a bill which would create a Federal-State two-thirds, one-third matching grant plan for the construction or acquisition of needed facilities for medical treatment and rehabilitation programs for drug users—including narcotic addicts and those who take barbiturates, amphetamines, and other dangerous drugs on a periodic or continuous basis.

Mr. Speaker, I ask unanimous consent to include a section-by-section analysis of the bills at this point in the RECORD.

SECTION-BY-SECTION ANALYSIS OF PROPOSED LEGISLATION ON NARCOTICS AND DRUG ABUSE

I

A bill to authorize civil commitment in lieu of criminal imprisonment in certain cases involving narcotic addicts

Section 1 defined "narcotic drug" and "narcotic addict."

Section 2(a) provides that any person charged with violation of Federal narcotics law is to be informed by the committing magistrate of an option to elect civil commitment in lieu of prosecution. The accused is given 10 days within which to make his election.

Section 2(b) provides that any person who elects to be considered for civil commitment is to be turned over to the Surgeon General for examination to determine if he is an addict.

Section 2(c) provides the list of persons who may not be given the option of civil commitment:

1. If the violation involved the sale of narcotics for resale;
2. If the person has another charge pending against him or has not fully served the sentence, including time on parole, for another crime;
3. If the person has been convicted of two or more felonies;
4. If the person has been involved in civil commitment by the United States or any State on two or more prior occasions.

Section 3(a) provides that the examination is to be made by the Surgeon General within 10 days, and that the accused is to have a hearing if he wishes to contest the findings.

Section 3(b) directs the court to receive all relevant evidence.

Section 3(c) directs that if the court finds that the person is not a narcotic addict, he shall be tried for the criminal charges, and if the court finds that he is a narcotic addict, he is to be committed to the custody of the Surgeon General for proper treatment.

Section 3(d) provides that criminal charges for those civilly committed are to be continued without final disposition while the commitment process is going on.

Section 4(a) provides that commitment is to be for an indeterminate period up to 36 months. The person committed is to be returned to the court if:

1. He is unresponsive to treatment.
2. He is effectively removed from the habitual use of narcotic drugs, or
3. Thirty-six months have passed.

Section 4(b) provides that those returned to the court under paragraphs 2 or 3 of section 4(a) may be placed in an aftercare program for up to 2 years.

Section 4(c) provides that those returned under paragraph 1 in section 4(a) may be prosecuted under the original criminal charges.

Section 5(a) provides that those who fail to cooperate during the aftercare period may be tried on the original criminal charges. Section 5(a) specifically requires that resumption of use of narcotics is not to be the basis of prosecution on the original charges unless the Surgeon General has given the person a warning and a chance to stop once he finds the person to be using the drugs.

Section 5(b) directs the Surgeon General to tell the court when a person has successfully completed the aftercare program, and directs the court at that time to dismiss the criminal charges.

Section 6 provides that a person tried on a resumed basis will receive credit for all time spent in custody under this act.

Section 7 provides that a determination by the court that a person is a narcotic addict shall not be considered a criminal conviction.

Section 8 authorizes the Surgeon General to contract with States and subdivisions for use of appropriate facilities.

Section 9 provides that "State" includes the District of Columbia.

Section 10 limits the act to arrests made after December 31, 1965.

II

A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General

Section 1 eliminates the mandatory minimum sentence for marihuana violators now provided in 21 U.S.C. 176. Eliminates the prohibition on probation, suspension of sentence, and parole for marihuana violators.

Section 2(a) eliminates the mandatory minimum penalties for certain aspects of the narcotics law which are contained in the regulatory tax provisions of the Internal Revenue Code. (26 U.S.C. 4704, 4705, etc.)

Section 2(b) eliminates the mandatory minimum sentence for the offense of sale of narcotics in violation of the Internal Revenue Code (26 U.S.C. 7237(b)), as opposed to the mandatory minimums for sale of narcotics in violation of the Narcotic Drugs Import and Export Act (21 U.S.C. 171 et seq.), which are retained. Section 2(b) further provides that a 5-year mandatory minimum for the offense of selling or conspiring to sell narcotics to persons under 18 in violation of the Internal Revenue Code is retained.

Section 3 amends 7237(d) of the Internal Revenue Code to allow parole for all narcotics violations and to allow suspension of sentence and probation for those offenses as to which the mandatory minimums are eliminated in sections 1 and 2. Parole is made available to offenders who receive mandatory minimum sentences only after they serve the mandatory minimum. The prohibition on suspension of sentence and probation is retained for those offenses as to which the mandatory minimum is retained.

Section 4 adds a new section 5027 to title 18, thereby extending the Federal Youth Corrections Act to narcotics violations involving mandatory penalties.

Section 5 extends the extension of the Federal Youth Corrections Act contained in 18 U.S.C. 4209 to narcotics offenses involving a mandatory minimum penalty.

Sections 6, 7, and 8 taken together provide for a postconviction sentencing procedure whereby narcotic addicts and others with similar underlying mental and physical symptoms, upon conviction of any Federal crime can be placed in a program of treatment and rehabilitation separate and apart from the ordinary prison environment.

Section 6 adds a new section 4002A to title 18. This gives the Director of the Bureau of Prisons authority, in addition to other authority available to him, to contract with States and political subdivisions for the use of facilities for care, treatment, and rehabilitation (including vocational rehabilitation) or appropriate persons being held in his custody.

Section 7 adds a new section 4082A to title 18. This gives the Attorney General power to place any narcotic addict or any other person suffering from a mental or physical condition which might be helped by proper care, treatment, or rehabilitation (including vocational rehabilitation), in a facility appropriate for that purpose. Section 7 also adds a new section 4082B to title 18, which gives to the sentencing judge the same power as the proposed 4082A gives to the Attorney General.

Section 8 adds a new section 4203A to title 18 to provide that when persons, who have been pursuant to the proposed sections 4082A and 4082B, are released on parole, they may be released into special aftercare programs. The new section 4203A also authorized the Board of Parole to utilize the services of any State or any other organization in providing such aftercare, and authorized the Board of Parole to contract for such services.

III

A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers

Section 101, short title—Drug Abusers Treatment Services Act.

Section 102(a) authorized $7,500,000 annually for 3 fiscal years to aid the States in providing treatment and rehabilitation services for drug abusers.

Section 102(b) provides that at least 80 percent of the funds each year will be distributed to the States in accordance with a State plan as provided in section 104. The grants to the States are to include grants for the training of personnel who will administer treatment services and grants for the obtaining of accurate statistics regarding the extent of the drug abuse problem. Up to 20 percent of the funds can be distributed directly to private nonprofit organizations which offer treatment services.

Section 102(c) sums appropriated under section 102(a) are to remain available until expended, except that applications must be filed before July 1, 1968 and approved before July 1, 1969.

Section 103(a) directs the Secretary of HEW to issue regulations. Specifically directs that the regulations are to include provisions for the kind of services for which grants can be made—including, but not limited to, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational training, help in finding employment, and probation-type supervision.

Section 103(b) provides that the regulations may require that applicants for grants promise to make a reasonable amount of their services available to people unable to pay.

Section 104(a) provides for the State plan. Requires that the State plan, among other things:

1. Set forth its program, and
2. Designate a single State agency to supervise the plan.

Section 104(b) provides that the State plan is to be submitted as a separate and distinct part of the State mental health plan which it submits to the Public Health Service annually under title III of the Public Health Service Act.

Section 104(c) provides that the Secretary may approve any State plan which conforms substantially with section 104(a), and may not disapprove any plan without reasonable notice and opportunity for a hearing.

Section 105(a) provides for the form and content of specific applications for grants pursuant to approved State plans, and allows joint applications by States, subdivisions, and nonprofit organizations working on joint projects.

Section 105(b) provides that the Secretary may approve any specific application filed under section 105(a) if it conforms to the regulations and State plan.

Section 106(a) provides for the form and content of applications for grants by nonprofit organizations apart from the State plan, as provided for in section 102(b), which allows up to 20 percent of the funds to be granted directly to nonprofit organizations.

Section 106(b) provides that the Secretary may approve an application under section 106(a) if he finds that it conforms to the law and regulations, and that, after consultation with the agency, the application is not inconsistent with the State plan.

Section 106(c) provides that the Secretary may require reports by grant recipients.

Section 107 allows grants to be in advance or by way of reimbursement and in such installments and on such conditions as the Secretary finds necessary. Grants under the State plan are limited to two-thirds of the project cost. Grants directly to private organizations may cover 100 percent of the project cost.

Section 108(a) creates a nine-member advisory committee on drug abuse, and provides for the time sequence of appointments. Provides, also, that members of the advisory committee are to be drawn from all fields concerned with drug abuse.

Section 108(b) sets out the duties of the advisory committee to advise the Secretary and to assist the States in the preparation of their State plans and to assist in encouraging the development of research projects and treatment programs at the local level.

Section 108(c) provides $75 per diem compensation for members of the advisory committee.

Section 108(d) directs the committee to elect a chairman and directs the Secretary to provide needed technical and clerical assistance to the committee.

Section 109(a) provides for cutoff of funds by the Secretary when he finds that a State agency is not carrying out its plan.

Section 109(b) provides for cutoff of funds by the Secretary when he finds that a nonprofit organization is not living up to the terms of the grant.

Section 110(a) describes the technical assistance which the Secretary may render under the act, including the training of personnel and the making of studies relating to treatment and rehabilitation of drug abusers.

Section 110(b) authorizes the Secretary to gather and disseminate information and materials relating to the treatment and rehabilitation of drug abusers.

Section 111 provides judicial review in the courts of appeals for dissatisfied States and nonprofit organizations.

Section 112 defines terms. Drug abuser is defined broadly, to insure inclusion of those who use barbiturates, amphetamines, and other dangerous drugs, as well as the opiates.

Sections 201, 202, and 203 amend the Public Health Service Act to extend its application to the so-called dangerous drugs as well as the opiates and other drugs previously included. The major effect of this is to broaden the mission of the Public Health Service hospitals at Lexington, Ky., and Fort Worth, Tex., to allow them to treat all types of drug abusers instead of just those who use narcotics as previously defined. Section 201 also specifically broadens the mission of the Lexington and Fort Worth hospitals to include research, training, and demonstration in the care and treatment of all types of drug abusers.

IV

A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers

Section 1: Short title of the act—Drug Abusers Treatment Facilities Act.

Section 2(a) authorizes appropriation of $15 million a year for 3 years.

Section 2(b) provides that such funds are to be available to assist the States in constructing facilities for the treatment and rehabilitation of drug abusers and to provide relevant technical assistance to the States.

Section 2(c): Sums appropriated under section 2(a) are to remain available until expended, except that applications must be filed before July 1, 1968, and approved before July 1, 1969.

Section 3(a) provides that the regulations may require that applicants for grants promise to make a reasonable amount of their services available to people unable to pay.

Section 3(b) provides that the regulations may require that applicants for grants promise to make a reasonable amount of their services available to people unable to pay.

Section 4(a) provides for the State plan. Requires that the State plan, among other things:

1. Set forth its program, and
2. Designate a single State agency to supervise the plan.

Section 4(b) provides that the State plan is to be submitted as a separate and distinct part of the State mental health plan which it submits to the Public Health Service annually under title III of the Public Health Service Act.

Section 4(c) provides that the Secretary may approve any State plan which conforms substantially with section 4(a), and may not disapprove any plan without reasonable notice and opportunity for a hearing.

Section 5(a) provides for the form and content of specific applications for grants pursuant to approved State plans, and allows joint applications by States, subdivisions, and private nonprofit organizations working on joint projects. Requires that the application shall describe the site, the project plan, and shall contain various assurances.

Section 5(b) provides that the Secretary may approve any specific application filed under section 105(a) if it conforms to the regulations and State plan.

Section 6 allows grants to be in advance or by way of reimbursement and in such installments and on such conditions as the Secretary finds necessary. Provides further that amounts paid are limited to two-thirds of the construction cost.

Section 7 provides for cutoff of funds by the Secretary when he finds that a State agency is not living up to the terms of the grant.

Section 8 provides for appropriate recovery by the United States if, within 20 years, the facility is sold to any nonprofit organization or ceases to be used for the purpose for which it was constructed.

Section 9 provides judicial review in the courts of appeals for dissatisfied States.

Section 10 authorizes the Secretary to appoint committees as he deems it necessary.

Section 11 defines terms. Drug abuser is defined broadly, to insure inclusion of those who use barbiturates, amphetamines, and other dangerous drugs, as well as the opiates. "Facilities" are defined as "buildings or other facilities which are operated for the primary purpose of assisting in the treatment and rehabilitation of drug abusers by providing, under competent professional supervision, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational services, help in finding employment, or other services." "Facilities" include facilities for medical care, laboratories, community clinics, halfway houses, sheltered workshops. "Construction" includes not only any new building but also acquisition, expansion, remodeling, and alteration of existing buildings, and payment of architect's fees. "Construction" specifically does not include the cost of offsite improvements and acquisitions of land.

PROMOTING THE TWO-PARTY SYSTEM

Mr. WALKER of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, it is most gratifying to me to see the election of two Republican mayors and several aldermen and councilmen in Mississippi. I am grateful to every candidate who gave his time and his energies to promote better local government in our State through the two-party system. These candidates have made a great contribution for the benefit of the people of Mississippi by offering them a distinct choice in solving the problems of local government.

As a latecomer to the Republican Party, I can speak from experience. It is hard to make a complete change in your political party after a hundred years of family tradition. But, as time goes on, and as more and more Republican candidates are elected to office, we will certainly see a greater number of citizens openly favoring the Republican Party and the principle of two-party government.

The entire principle of the two-party system is that the party of the minority assumes the responsibility of keeping elected officials in check. This, to me, is the only way we can be assured of having an honest and upright government. The results of yesterday's elections in Mississippi represent further proof that the two-party system in my State, as well as the entire South, is here to stay. I am most happy to extend my heartiest congratulations to these successful Republican candidates, and to offer assistance in any way that I can.

Since 1963, the Republican Party and the two-party system have been making strong gains. The first Republican State representative since Reconstruction was elected in Meridian, Miss., in 1963 and the Republican candidate for Governor polled nearly 40 percent of the vote.

Since that time, our State has elected a Republican Congressman, several Republican State legislators, and a Republican coroner in the State's largest city. Now, with the 1965 municipal elections the two-party system made a historic strike at the grassroots level. Elected for mayor in Hattiesburg, Miss., was Paul E. Grady, a young conservative attorney, and in Columbus, Mr. R. D. Harmond, a former city councilman and Democrat turned Republican was elected as mayor.

Other local officials who won election on the Republican ticket were: Mr. H. F. McCarty, Jr., of Magee, Mr. M. L. Brown and Mr. Pat Millis of D'Lo, Mr. Dorsey Hill and Mr. H. T. Miller, Jr., of Drew, and Mr. Lloyd Kilpatrick of Hollandale.

We are particularly pleased with the mayors vote in Hattiesburg and Columbus, two of Mississippi's largest cities. It is predicted that these victories will have a tremendous impact on our State and pave the way for further victory increases in county as well as statewide elections.

We feel that this is a stepping stone toward electing conservative Republicans in all future municipal elections. It has been claimed by many liberals over the Nation that the conservative Republican movement in the South has made its gains strictly on the race issue. This is not at all the case. I am pleased to report that these campaigns in Mississippi were strictly decided on the issue of conservative Republicans versus Democrats, and in no incident was the race issue used in the campaign.

COMMUNIST CUBA TRIES TO EXPAND U.N. INFLUENCE

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, Communist Cuba has applied for membership in Intergovernmental Maritime Consultative Organization. This group is a technical consulting section of the United Nations, and is composed of the major shipping nations of the world.

U.N. Secretary General U Thant has asked the State Department to consider Cuba's application before the IMCO meeting to be held in London beginning June 15–18. The State Department is now considering Cuba's request, and will send representatives to London shortly.

Communist Cuba has no business whatsoever in this organization. Cuba is a dictatorship. Cuba has said it will abide by IMCO recommendations only when it suits her purposes. In short, Castro says he will not give IMCO much cooperation.

We know that Castro is not very cooperative when it comes to shipping. Recall that on February 22, 1963, Cuban Migs fired rockets on an unarmed shrimp boat out of Fort Myers, Fla., when she was drifting in the international waters of the Caribbean. Recall also that an American-owned Liberian ship was fired upon in the international waters of the Caribbean on October 22, 1963, by Cuban craft.

Castro's record is hardly one of cooperation. It is a record of harassment and outright aggression.

I urge that the State Department vigorously protest the admission of Communist Cuba to the IMCO group.

BILL TO AMEND TITLE II OF THE WATER RESOURCES RESEARCH ACT

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, last year the Congress passed the Water Resources Research Act of 1964 to meet the need for widespread research on a variety of urgent problems connected with the supply, conservation, and use of water, ever increasing quantities of which are required by our exploding population to meet new industrial, domestic, and recreational demands, as well as for the age-old production of food and fibers.

The Water Resources Research Act of 1964 established three grant programs. The first was to help finance the cost of water resources research centers at land-grant colleges in each State. The second program provided matching funds to assist States in carrying out specific water research projects approved by the Department of the Interior. The third program authorized grants or contracts by the Secretary of the Interior for research problems connected with the Department's responsibilities.

While an impressive start has already been made under the 1964 act, there is considerable evidence that the water research program should not be confined to institutes which are a part of the land-grant educational institution system, excellent as these organizations are. For this reason, Mr. Speaker, I am joining three of my House colleagues in sponsoring amendments to the 1964 act which authorize the Secretary of the Interior to make grants, contracts, or other arrangements with educational institutions, private foundations, or with private firms and individuals whose training, experience, and qualifications are adequate for the conduct of water research projects, as well as with local, State, or Federal agencies. The legislation which I am introducing also increases the authorization for water research to $5 million in fiscal 1966, increasing $1 million annually for 5 years and continuing at $10 million annually thereafter. The amounts provided in the act of 1964 were limited to $1 million annually for 10 years and required that arrangements under this program be submitted to the Senate and House Interior Committees, which would have 60 days to disapprove them. Under the bill introduced today, this veto power would also be eliminated.

Under the limited appropriations made available for fiscal 1965, some 43 States submitted detailed applications for funds for water research projects in their land-grant institutions. Fourteen centers were selected out of the 43 applicants. A summary of the nine major categories of projects that have been submitted for consideration makes dramatically clear the need for the legislation which I have introduced and for continued support of a broad program of research of our water resources.

CATEGORIES OF WATER RESOURCES RESEARCH

First. Nature of water.

Second. Water cycle—including precipitation; snow, ice, and permafrost; evaporation and transpiration; streams and lakes, ground water and hydrogeology; oceanic influences; and forecasting.

Third. Water and land management—including water movement in soils; water and plants; watershed protection; water-yield improvement; erosion and sedimentation; upstream flood abatement; irrigation; and drainage.

Fourth. Development and control—including water supply; flood control—downstream; hydropower; navigation; urban and industrial water-use problems; recreation; fish and wildlife; estuarine oceanography; coastal engineering.

Fifth. Qualitative aspects—including characterization of wastes; effects of pollution on water uses; interactions of wastes; disposal of waste effluents; surface interactions; effects of development on quality; quality characteristics; and aqueous solutions.

Sixth. Reuse and separation—including saline-water conversion advanced waste treatment; improved treatment of wastes; treatment of water; and use of water of impaired quality.

Seventh. Economic and institutional aspects—including role of water in growth, economics of development and management; economic analysis of institutions; area appraisals.

Eighth. Engineering systems—including design; materials; and construction, operation, and maintenance.

Ninth. Manpower and research facilities—including education and training; and research facilities.

TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, the President has signed into law one of the first legislative accomplishments in the administration campaign to advance the interests of the American consumer.

I refer to the final enactment of an amendment to the Textile Fiber Products Identification Act which will permit identification of fibers present in textile products in quantities of 5 percent or less.

This amendment will serve to benefit not only those people whose livelihoods depend on the strength and growth of the textile industry, but the national economy as a whole.

Its primary beneficiary will be the American consumer and purchaser of modern textile products. As formerly framed, the Textile Fiber Products Identification Act prohibited mention of fibers when they were not present in textile products in quantities of more than 5 percent. Advancing textile technology made this section of the law an anachronism which impeded the consumer's right to know regarding the quality of textile products purchased.

It was clear that this anachronism of the law was harmful to the general economy and to the growth of our modern textile industry. Action to remedy this defect and to update the law was needed. This was recognized by interested administration spokesmen and agencies—including the President's adviser on consumer affairs, Mrs. Esther Peterson—all of whom endorsed passage of this legislation after it was introduced.

Along with my distinguished colleague from North Carolina, Senator B. EVERETT JORDAN, who sponsored the amendment in the Senate, I am glad to have been instrumental in initiating and advancing passage into law of this legislation, so vital to the people of my home area.

But of equal, if not greater importance, I am especially pleased that this amendment does indeed represent one of the first legislative acts implementing the President's consumer interest campaign. It will serve to encourage and strengthen the growth of one of our Nation's most important economic segments, the textile industry—and thus, our economy as a whole.

UNDER SECRETARY OF HEALTH, EDUCATION, AND WELFARE WILBUR J. COHEN DELIVERS COMMENCEMENT ADDRESS AT STATE UNIVERSITY COLLEGE AT CORTLAND

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point the RECORD and include a speech.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, last Sunday the distinguished new Under Secretary of Health, Education, and Welfare, Wilbur J. Cohen, delivered the commencement address at our State University College at Cortland, N.Y., in my congressional district. It was a most impressive occasion and a very splendid address.

Cortland is one of the outstanding, rapidly growing parts of New York's State University, with a magnificent campus and a fine, able faculty. It has had a great history, and under the leadership of its new president, Dr. Kenneth E. Young, it will make even more brilliant strides in the future. Surely Cortland College is making this area of upstate New York a great educational center, as well as a great industrial, agricultural, and tourist center.

In these circumstances, Secretary Cohen's address was most appropriate and most favorably received, as it outlined the increasingly important emphasis being placed on educational achievement by our Government.

In order to bring Secretary Cohen's address to the attention of my colleagues, I include it at this point as a portion of my remarks:

EDUCATION IN THE GREAT SOCIETY

(By Wilbur J. Cohen, Under Secretary of Health, Education, and Welfare)

A long time ago, long before the class of 1965 was even born, I had the good fortune to go to college. I was aware that it was good fortune, because those were the days, in 1930, when most fortunes in this country had crashed precipitously with the stock market, and parents and young people like myself were shaken by the great wave of apprehension that swept over the country.

I knew that I was lucky. I was the first in my immediate family to go to college. Many of my high school friends were financially unable to go. But I must say that I didn't have as much trouble getting into and out of college as most young people have today. There were no college boards, no SATS, no really formidable competition. A high school graduate just presented himself, finances permitting. If his high school record was less than impressive, some colleges were willing to offer a second chance. Often there were more spaces than qualified applicants anyway, and many colleges were frankly happy to have enough students to teach.

My first 2 years were spent in an institution which no longer exists—the Experimental College of the University of Wisconsin. Some of the students of education have probably read about it. The college was the brainchild of Alexander Meiklejohn—the president of Amherst College and one of the great teachers of this Nation.

A philosopher and an ardent advocate of freedom, Dr. Meiklejohn believed that education itself should be free—literally free. It should be freely sought and freely given. He had the idea that young people were so hungry and thirsty for knowledge that if you set out the feast they would come and devour it of their own free will. He believed that learning provided its own reward, and failure to learn was its own adequate punishment. His ideal was the Greek ideal of excellence.

The college was established to test this idea in a 2-year undergraduate curriculum. I happened to be there at that time, and for that I also count myself fortunate.

From my point of view, the experiment succeeded. Within 5 years, Dr. Meiklejohn proved his contention that students did, in fact, learn as well in a free environment as in the traditional atmosphere of discipline and authority.

He encountered enormous administrative difficulties.

But the greatest difficulties were not administrative. They stemmed from the fact that this approach to learning—familiar as it was (since it was based on the ancient Socratic tradition), and effective as it was proved—was nevertheless completely alien to the contemporary idea of college. Its insistence on freedom—complete academic freedom—vastly expanded the realm of individual responsibility, for teachers as well as students. It required a difficult kind of self-discipline. The idea was so different from the established order that its widespread adoption would have required a radical change in both the public and professional attitude toward higher education. And there was then, as now, interest in experimentation but great resistance to change.

I mention this episode from my personal experience because of its pertinence to some of the larger questions that we, as a society, are facing today: the issue of freedom and responsibility; the implications of social change.

We have entered a new age in the annals of human history. We don't know what to call it yet, but we know it has arrived and we know it is new. I realize that this is standard language for commencement speakers. But it is not exaggeration.

It is, in fact, the truth. It is a whole truth, an awesome, world-shattering truth.

Back in my day, when I sat where you are sitting and heard the same pronouncement, it was only a partial truth. Thirty years ago we were not in the new age. We were still in the throes of transition. Many people were aware that a new age was in the making, but it hadn't jelled yet. We could see only the dim outlines of its shape and could only guess—and dream about—its substance.

I cannot tell you precisely when the new age was ushered in. All I know is that we have crossed the watershed of history in the relatively short period of time that separates your generation from mine.

What makes this a new age? What are the elements that changed so radically in a single generation? By what distinctive characteristics do we identify this age as different from the past? What are the components of the new age—the revolutionary changes which have brought us to this singular, momentous point in time?

One component, easy to see, is the changed institution of war.

Twenty years ago, in 1945, your fathers were fighting a great World War—fighting to preserve human freedom, not just here but around the globe. Yet there was nothing particularly new about that. We had done it before—a generation earlier. We hoped we would not have to do it again. But we were prepared to fight again, if necessary.

Few liked war. The free nations tried to avoid it. But the Nation's defenses were built against the possibility of war. War was an instrument of national policy, an international reality, the court of last resort for national self-preservation.

Today, the abolition of war is the object of concerted international effort. The revolution in armaments since 1945—the threat of a nuclear holocaust—has made the conduct of all-out war unthinkable, suicidal, for any nation. The achievement of a world without large-scale war is now not only desirable; today it is possible. That itself is a revolution.

This does not mean that differences among nations will vanish. They probably will not. But it means that a new responsibility has been placed on every nation to find other means of settling its differences than in a test of arms. With the advent of nuclear power, mankind's responsibilities for working together for peace and prosperity are vastly increased.

A second component of our new age is the near culmination of a much more lengthy, worldwide revolution in political philosophy—the notion that political authority stems not from kings or a divine power but from the people who are governed. This radical concept which lighted the fires of the French Revolution and spurred the creation of our own Nation has now infected every continent, just as Jefferson predicted it would.

The political turbulence occasioned by this momentous change is still evident all around us. Jefferson predicted that too. "The qualifications of self-government in society," he said, "are not innate. They are the result of habit and long training, and for these they will require time and probably much suffering."

The new order, in many cases, has not yet acquired the stability of the old. Self-determination calls for self-discipline, for the exercise of responsibility, for the capacity to choose well.

Nevertheless, the idea of political freedom has been planted everywhere. This is a major component of the new age that we now belong to.

A third component is the rapid expansion of technical knowledge—the increasing power and skills of machines. Since the beginning of history men have sought to make their work easier—their time on earth more pleasant. Their natural curiosity into the nature of things has always been combined with an equally powerful desire to improve their own well-being. To rid themselves of the drudgery of work, they have created machines to serve them. This has been a lengthy process, extending over centuries. But its pace today is almost unbelievably swift.

Machines see for us—into the outer reaches of space. They hear for us. They carry our voice and image across oceans, into space, around the world. Machines transport us—faster than the speed of sound. They do the work of our hands—pushing, pulling, digging, lifting. They sow our fields and harvest our crops. Machines now help us teach and even think for us.

We have had computers of a sort for hundreds of years—witness the Chinese abacus. Stonehenge is now thought by some to have been used as a computer for astronomical calculations. But between my generation and yours we have developed machines which not only perform intricate calculations in split seconds, they store knowledge and sort and rearrange it more quickly and more accurately than the human brain. Most of the tedious work of recordkeeping is now taken over by machines—in business, government, and education. The use of computers in libraries is one of the most exciting recent developments which may revolutionize the dissemination of information. The sheer quantity of information we now have to handle has made its storage and retrieval a highly refined science of its own.

But this is not all that machines can do. They can even perform for us in the realm of the arts. Machines now compose original music and write original poetry—badly perhaps, but their skills inevitably will be refined.

The impact of automation and cybernetics on our society has been profound—not only in a material sense, but in other fundamental ways as well.

It has raised troubling questions about the place of man, about our traditional concepts of work, about individual, human prerogatives and individual, human needs versus economy and efficiency in the conduct of business or government or even education.

We are at a stage in the technological revolution when we are asking "Who is master? Man or machine?" As we have enlarged the scope and power of machines, we have increased our own responsibility to control them—to confine their uses to meeting truly human needs.

A fourth major component of our new still nameless age is the promise—now very real—of the elimination of poverty. Technology has given us the means to produce all that we need. At the same time, we are beginning to solve the age-old problems of distribution. We have shown, for example, in the last 4 years, that economic recessions are not inevitable. By careful planning and the proper use of economic controls—in both the public and private sector—we are able to keep the economy not only stable but growing. This month is the 52d consecutive month of sustained peacetime prosperity. This sustained unprecedented growth is not accidental. It is the result of a very close partnership between Government and private enterprise that has developed in the past few years—an aggressive, vigorous, deliberate, policy of economic expansion.

Sustained economic prosperity is the floor upon which we can now build other efforts to prevent and eliminate poverty. This year we are closing some of the most serious gaps in our social security program—which is our first line of defense against poverty among the aged. We have launched an all-out effort to reach everyone in our country now suffering from poverty and deprivation and to provide them the education, jobs, training, health care, social services—whatever they need, to bring them as full participants into our prosperous and promising society. President Johnson's war on poverty is a very real war, with very realistic goals. We can eliminate poverty. And that is a revolution.

A fifth unique component of our age is our newly acquired power over life and death. Death is still inevitable, still the great equalizer, but we know how to postpone it for many additional years. The average life expectancy is about 70 years now—twice what it was in 1800.

We will doubtless push it back still further. I believe we are going to solve some of the mysteries of cancer, and heart disease, and stroke. We have already developed artificial spare parts for many of our vital organs. We are promised an artificial heart in a matter of a few years.

We know we can reduce infant and maternal mortality. It is a disturbing fact that the poor health and early death of many American children stem more from their poverty and deprivation than from our lack of medical knowledge. We are going to correct that.

And more and more persons are giving consideration to family planning. We no longer have to live under the threat of Malthus' dire prediction of mass starvation in an overcrowded world. With our new knowledge have come new problems, new social, ethical, and moral dilemmas, and vast new responsibilities.

A sixth major component in our new age is the fact of urbanization. This is an age of cities. A generation ago it was not. A generation ago almost half the population lived in the country. Today only a third remain there, and the countryside itself is rapidly yielding to urban sprawl at the rate of more than 1 million acres per year. Over 135 million people now live in urban areas. In 50 years this number will increase almost two and one half times. In the next 15 years—by 1980—30 million people will be added to our cities. This is equivalent to the combined population of New York, Chicago, Los Angeles, Philadelphia, Detroit, and Baltimore.

These people are going to need homes, schools, transportation, libraries, parks, recreation, medical care. President Johnson was not exaggerating when he said that "in the next 40 years we must rebuild the entire urban United States." This is a new challenge, a new responsibility, and a great opportunity for every graduate.

And one other factor that I would mention is the tremendous uplifting of human aspirations both here and around the world. In no other time has there been such a universal, yet individual sense of hope and wanting and great expectation.

The President's great vision of what our society can become is a composite of all these hopes. Others before have dreamed of these things, but only for a vague and far-distant future. That elusive tomorrow is upon us today. Our dreams are not idle dreams. They can become actualities.

The efforts of Negroes today to achieve full justice and equality is a dramatic manifestation of this new surge of hope. The time has come, not only to secure political freedom, but to win the other basic freedoms: freedom from want, from injustice, indignity, and despair.

The time has come for freedom. And now we must ask ourselves, "Are we prepared to use it? Are we prepared to exercise the responsibilities that freedom requires?"

I began by describing an experiment in the freedom of learning—an experiment which failed, not because the basic idea was faulty but because at that time and in that situation, our society was not prepared for such freedom.

Dr. Meiklejohn's idea of education required immense self-discipline. His new academic freedoms assumed the ability to accept an equal amount of responsibility. And that ability was simply not there at that time.

One of the books that he had us read—and read very critically—was "The Education of Henry Adams."

Adams, writing at the close of the 19th century, was acutely aware of the stresses placed upon the human mind by the accelerating accumulation of knowledge. His education, he felt, had not prepared him or his generation to deal adequately with either the changes that had taken place in the world or those that he saw were imminent. For Americans who would live into the year 2000, he saw the need to acquire what he called a "new social mind."

It was a profound and prophetic observation.

Looking back over the major components of this new age of ours, does not each one require, in effect, the shaping of a "new social mind?"

A world which can no longer resort to war as a means of settling differences among nations;

A world of nations struggling to achieve full political freedom;

A world where the unprecedented power of machines must be turned to human uses, where technology must remain the servant, not the master of man;

A world which has the capacity to eliminate poverty;

A world that is privy to awesome secrets of human life;

A world which must remake its cities to serve the needs of people;

A world that is striving to meet the rising hopes and expectations of 3 billion people today—6 billion in the years ahead.

It becomes a strain on the human mind simply to contemplate these realities much less imagine other possibilities of the future.

What magnificent freedoms are now open to mankind, and what tremendous responsibilities are upon us.

How do we create the "new social mind" that will be required to meet these responsibilities?

This is the task of education.

Those of you who will be going from here into the classrooms of America have both responsibilities and opportunities unmatched in all time. To be a teacher today is to shape the history of tomorrow.

Those of you who will take up other tasks of society will also, inevitably, share the same responsibilities and opportunities. For in our democracy we are all participants in the process of education—as citizens responsible for our schools and colleges, and as pupils, ever learning, ever searching, until the day that we die.

If there is anything we have learned, President Johnson has said, we have learned that it is time for us to go to work, "and the first work of these times and the first work of our society is education."

It is the task of education, first, to transmit to the new generations the accumulated wisdom of the past—to plant our roots in history and to show us where we are.

But it is also the task of education to prepare us for tomorrow—a tomorrow in which we shall need to face and solve great problems for which the past provides no parallels.

This is education's real test—and we are facing it today. You will be facing it personally, each of you, in the months and years to come.

How do we create a "new social mind?"

We create it in the classrooms of America. We create it with teachers who understand both the achievements of the past and the challenge and responsibilities of the future.

We create it with parents and citizens who understand that there is nothing static about freedom, and that education, which is the source and safeguard of freedom must move ahead of the crowd.

More than a century ago, in another age of change and crisis, President Lincoln said:

"The dogmas of the quiet past are inadequate to the story present. * * * As our case is new, we must think anew and act anew. We must disenthrall ourselves."

Today we must disenthrall ourselves of many of the ancient myths and dogmas that once ruled our past.

We must clear away the cobwebs of an age that is now gone and try to meet the obligations and responsibilities of the new age that is upon us.

Our central obligation is to preserve and expand human freedom—and we can do that only through education.

In the largest sense, education is freedom. And it is indeed the first work of any society that is striving to be great. You commence today your new responsibilities as adults in the first work of the Great Society. I wish you good luck and happiness in this great venture.

NARCOTICS ADDICTION—DRUG ABUSE

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SPRINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I have joined with a number of my colleagues in both the House and the Senate in introducing today four bills having to do with the use of, and addiction to, narcotics.

The problems of narcotic and drug abuse have plagued our society for many years. The legislative branch of our Government has groped for solutions and has from time to time enacted legislation to deal with one aspect or another. The executive branch has tried to use that legislation to the best of its ability to combat the increasing evils of drug addiction and drug abuse. For both branches of Government it has been a frustrating and less than fully productive exercise.

We have tried very hard to control the distribution of narcotics such as heroin and cocaine through stringent requirements as to recordkeeping and sale. The illegal sale of such substances coming from regular sources has become minimal. The same cannot be said for large quantities of the stuff which gets into the blackest of black markets from smuggling operations and from the underground manufacture of degraded and dangerous substitutes.

Earlier this year the House passed a bill to control the distribution of prescription drugs of the stimulant and depressant variety. This market has grown and the sources of supply were far too numerous and the means of acquisition far too easy. Hopefully this trend will be dramatically reversed with the enforcement of this legislation when finally approved.

No one, I trust, will argue about the desirability of choking off the supply of dangerous drugs. No one, I hope, expects that our best efforts to supply the tools in the form of legislation or the most dedicated and efficient methods of detection and enforcement will sweep away the prospect of having dope addicts or drug abuses in our society. That is too much to expect.

Our duty does not stop with the attack on the substances and their channels of distribution. We have also a duty, perhaps a greater one, to treat with those who find themselves addicted to these substances. We owe to them as individuals in need of assistance and we owe it to society as a whole because of the crime, the degradation and the suffering which addiction forces upon others. Our attempts to cope with this phase of the problem up to this point have been hesitant and partial. Not understanding too well just what was right and necessary, we have proceeded perhaps too slowly. But now, at this stage, there are sensible things which can be done and the legislation which I am today introducing in conjunction with several other Members would do them.

First of all, there has always been an all-or-nothing aspect of our treatment of addicts. If the addict committed a crime he was treated for his addiction as a part of his punishment for his action. He had no say-so about it. And probably he should not have. But if his only aberration was his addiction the choice of receiving or refusing treatment was entirely his. In a wave of resentment at his predicament and high resolve to kick the habit he might turn himself in for treatment at a Government hospital. Experience has well demonstrated that most of these sooner or later walked out and the game was lost. The proposed legislation would make it possible in many instances to give the addict a choice of treatment or prosecution. If he takes the option of treatment he is stuck with it and must follow through or answer thereafter to the criminal court. Here again, no prediction of 100 percent cures can be expected, but with the added leverage to bolster the good intentions of the patient a greatly increased incidence of cure and rehabilitation should result. This is the purpose of the first of the four bills included in this series.

Because too little was known about addiction and the proper ways to handle it, there has been a tendency through the years to write laws which left little, if any, leeway for the courts and the correctional institutions to mold the treatment and punishment to the situation in any case where narcotics were involved. I do not say that this was wrong but I do say that it is now outmoded. The second bill in this group would make a series of changes in criminal laws of the United States and the statutes having to do with correctional institutions and youth correction. Without detailing these changes, let me characterize them as giving to proper judicial, enforcement, and correctional authorities the power to use treatment and rehabilitation techniques on addicts where the circumstances make it proper to do so.

Another unusual and somewhat unfortunate development has been the general approach to addiction as a Federal problem. This is not to say that the States have not recognized and attacked the problem, but the very nature of the laws we have created tended to keep it in the Federal orbit. Treating drug control as a tax problem and the early creation of Federal treatment facilities tended to create a general feeling that drug control and drug addiction were to be handled at this level. Certainly no medical authorities would concur in this view. If proper treatment for mental health can best be administered at the local level the same can also be said of treatment for the problems caused by the use of drugs and narcotics.

It has been the practice of the Federal Government to supply some funds and other assistance to help create and operate public health organizations at State and local levels. As time went on, the kinds of public health problems included in the purview of such organizations has expanded to include, for example, mental health. The third bill in the group now being introduced would provide a modest amount of money to allow the States and communities to make plans for the handling of drug addiction problems in their own areas and then to help them set up proper and effective organizations to tackle the problem at the roots. This has proved to be a completely sound and satisfactory device in other areas and I am somewhat surprised that we have not recognized before now that the problem of drug addiction lends itself to similar methods.

The fourth bill is also very similar to an existing scheme which has proved outstandingly successful in the struggle for improved national health. The Hill-Burton Act has been used by every State and most communities to increase the hospital bed capacity to within 10 percent of the anticipated requirements. Now we are in the process of also creating facilities for the maintenance of mental health on a community basis. In addition, the large metropolitan hospitals which supply doctors, research and medical techniques are being modernized with the help of Hill-Burton funds. By the use of matching funds and the machinery at State levels already in existence we would assist the States in the creation of facilities for the treatment of drug addiction and the rehabilitation of drug users. On the basis of practical experience in every other aspect of health, we can expect to exert greater influence upon the problem by the use of these funds than by any direct action which might be taken by the Federal Government.

There may be still other ideas which should come forth on this subject and other changes and additions to the law of the land which will give still greater impetus to the battle against drug addiction and its terrible social consequences, but I feel strongly that the four bills now being introduced on this subject will be a long stride in the right direction. They provide sensible approaches through tested systems and administrative techniques. They provide for increased activity based on better understanding at all levels. As a member of the committee of the House responsible for health matters and from my own experience and convictions, I recommend these bills to my colleagues. I feel confident that the elements of the medical profession and the various professional groups working in this field will find much to agree with and support.

NATIONAL DEBT INCREASE

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. Walker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, H.R. 8464, if passed, will be another step down the road to financial destruction to our country.

How long can this great land of ours live in a world of financial make-believe? Eventually we are going to be called upon to face up to the reality that this country of ours must realine its thinking to conform to sound, everyday commonsense.

It just stands to reason that we will eventually be called upon to pay our debts.

Already we have a great shortage of gold and silver reserves. There is currently a bill before Congress to devaluate our coinage. The current value of the American dollar is now worth less than 50 cents. We are giving away billions and billions of dollars on foreign aid. We are spending billions on domestice welfare in the war on poverty—and now Congress is being asked to extend the national debt so we can borrow more money to enable us to finance this giveaway program.

This Government of ours must realize what it means to be financially sound. How long must we continue this policy of deficit spending? Will it be our children or our grandchildren who will be called upon to get us out of debt?

I refuse to be a party to this enormous financial farce and I urge my colleagues to join with me in defeating this measure.

CONGRESSIONAL REFORM NO. 3—DARTMOUTH EXPERTS BACK MINORITY STAFFING PLAN

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, last Tuesday, three distinguished professors of political science from Dartmouth, in my district, Messrs. Roger H. Davidson, David M. Kovenock, and Michael K. O'Leary, presented a joint statement to the Joint Committee on the Organization of Congress.

This fact alone should qualify the statement for public recognition and reprinting in the Congressional Record for it is a rare thing to find three political scientists in such accord, especially when their comments are to be presented to the Congress itself.

This statement makes good reading and, in keeping with my practice of reprinting in the Record pertinent material on the subject of congressional reform, I am submitting this one.

As chairman of the Republican House conference task force on congressional reform and minority staffing, I am particularly gratified by the solid endorsement given by these three gentlemen to proposals for insuring the minority party, by law, of adequate committee-staff resources. I am also pleased to note their opposition, which tallies with mine, to proposals to set up a congressional complaint office or ombudsman.

I also welcome the opportunity to present to the House a summary, contained in this statement, of an intensive series of interviews taken during the 88th Congress by these same gentlemen with 115 Members of the House. Members interviewed were asked to identify problem areas affecting both themselves and the whole Congress and further were sounded out for their reactions to various proposals for congressional reform.

Thus, these three gentlemen, in common with other outside critics and commentators have given us the gift of seeing ourselves as others see us. More than that, through their interviews, have bestowed on us that exceedingly rare additional gift of showing us as we see ourselves.

I congratulate them for their thorough and helpful work and recommend it to all Members as a fascinating study.

The statement follows:

Statement of Roger H. Davidson, David M. Kovenock and Michael K. O'Leary, of Dartmouth College, Presented to the Joint Committee on Congressional Organization, June 8, 1965

Distinguished cochairmen and members of the joint committee, we deeply appreciate the opportunity to appear before this committee to discuss a matter of vital concern for both practitioners and students of politics—the present status and future course of Congress. Your decision to invite scholars to participate in these investigations is particularly gratifying to those of us who have long considered Capitol Hill as a most instructive vantage point from which to learn about our political system.

At the outset we should concede that, in general, we are favorably disposed to existing congressional institutions and practices. In this respect we may depart from many (though certainly not all) of our professional colleagues. The political science fraternity has often revealed a distinct preference for executive institutions. The historical reasons for this are in themselves revealing. First, since the New Deal, the executive branch has been the repository of liberal policy values shared by many academic political scientists. Second, the executive embodies to a greater degree the expertise, functional specialization, and tidy organization so highly prized by academicians, many of whom have been schooled in the traditional techniques of administrative management. And third, to the extent that political scientists have had governmental experience, they have been predominantly associated with executive agencies.

Seen from the Executive's perspective, congressional initiatives are often interpreted as meddlesome or reactionary interference. Much of the impetus for congressional reform, we suspect, has arisen from the attempt to reshape Congress in the image of the Executive. We take strong exception to the implications of many of these proposals; and we wish to express our preference for a vital, autonomous legislature. We believe that history has validated the judgment of the framers of the Constitution, who concluded that no institution, no matter how efficient, could generate internal checks sufficient to control its operations.

PUBLIC ATTITUDES TOWARD CONGRESS

Every citizen should share a lively concern for the objectives of Senate Concurrent Resolution 2. Unfortunately, however, few citizens indeed will ever hear of this committee or its work. Public understanding of congressional organization is narrowly circumscribed, a fact which greatly complicates the problem of the congressional image. We feel it would be useful to open our presentation by discussing the environment of public attitudes toward Congress as an institution.

First, Congress lacks the unique visibility and respect accorded in our political system to the Presidency. A sizable segment of the public, especially at the upper educational levels, seems to share the cartoonists' image of the Congressman as a loquacious and not-too-trustworthy individual. According to one opinion survey, nearly two-thirds of the college-educated respondents considered Representatives as mediocre; almost half of the same group made a similar judgment of Senators. This finding is especially significant in light of the fact that better-educated citizens tend to be the most informed and active participants in American politics.

Secondly, public assessments of Congress are highly volatile. Surveys of public opinion over the past 25 years reveal great variations in the way people have viewed congressional performance. Public approval is usually high in times of national emergency; in normal times approval is moderate, with a sizable minority critical of Congress. When partisan controversy is especially acrimonious, or when Congress is slow in resolving legislation before it, public disaffection increases. Such a crisis of public confidence occurred during 1963, when much of the Kennedy administration's legislative program was stalemated on Capitol Hill. Almost half of the people interviewed in the fall of 1963 by one survey organization felt that Congress was doing a poor job. This situation was somewhat alleviated by late 1964, when only 35 percent of the respondents gave Congress a negative assessment.

A third and related finding is that Congress is evaluated in large part on the basis of specific legislation which it does, or does not, pass. Surveys indicate that a major reason for dissatisfaction with Congress is that it is slow, or that it is unable to pass bills desired by certain segments of the population. Conversely, Congress is applauded when it approves specific legislation, or simply because it passed a lot of bills. Apparently the ongoing and unglamorous work of Congress in such areas as legislative oversight goes largely unnoticed by the general public.

Finally, the public tends to view Congress through the prism of the Presidency. Our analysis of public opinion data indicates that members of the President's party tend to view Congress more favorably than do members of the out party, whether or not their party also controls one or both houses of Congress. There is no precise explanation for this, but we assume that persons of the President's party merely suppose that their party is the Government in power, and that they evaluate other Federal institutions accordingly. It should be noted, however, that there is wide public acceptance for the notion of having the President and the majority in Congress represent opposing political parties.

These findings imply, regrettably, that specific congressional reforms will receive little, if any, public attention. Those rare occasions of public excitement over congressional organization and procedures arise when these issues are linked directly in the public mind with policy conflicts. The identification of Speaker Joseph Cannon with obstruction of progressive legislation in the first decade of this century; the House Rules Committee's blockage of a whole series of social welfare bills in the late 1950s; and the inevitable association of the Senate filibuster with southern opposition to civil rights legislation—these examples come readily to mind. Congressional reform as an issue is most salient in times of political stalemate; yet it is precisely at such times that broad reforms are most difficult to effect, because attitudes are intense, large legislative majorities are simply not available, and energies are consumed in more immediate policy conflicts.

When the flow of legislation becomes relatively smooth, impetus for reform quickly subsides. To debate congressional reorganization during such times is to work in a political vacuum so far as the general public is concerned. This is unquestionably the situation we find ourselves in at this moment. Nonetheless, the problem of adapting Congress to its complex tasks is still with us; and it is in this atmosphere of relative public apathy that this committee must pick its way, carefully considering the strategies and tactics of congressional change.

WHAT DO CONGRESSMEN THINK?

It is no surprise that Congressmen, like members of the public at large, are concerned with changes in congressional organization and procedure primarily when such changes are instrumental to some other goals. And the goals of Congressmen are diffuse and often conflicting.

Because changes in the structure or rules of Congress may redistribute resources available to the institution or its Members, such changes are likely to alter the outcomes of political conflicts. As one political scientist has so aptly put it, members of all parliamentary bodies are continually preoccupied with inventing plausible reasons for changing rules in a way that is likely to work to their advantage. Sometimes the advantage sought is not over other participants in the political process. Reforms are occasionally advocated so that legislators can better perform their complex and demanding jobs. But in most cases, suggestions for reform of Congress seek to alter, frequently marginally and occasionally fundamentally, the existing distribution of power—between some Members and others, between incumbents and challengers, between one policy viewpoint and its opposition, between one party and the other, between the House and the Senate, and between Congress and the Executive. Reform of Congress is an intensely political undertaking. But this fact does not preclude the possibility of change.

Whatever the nature and intensity of outside professional or popular comment, the fate of congressional reorganization is ultimately a matter for Congress itself. This has been the underlying premise of our own studies on the politics of congressional reform, studies undertaken under the auspices of the Public Affairs Center at Dartmouth College.

During the 88th Congress we conducted interviews with a sample of 115 Members of the House of Representatives with two general purposes in mind. First, we sought to identify the attitudes of Congressmen toward their own problems and the problems of Congress as an institution. Second, in an attempt to understand the congressional "market" for reform, we also probed the attitudes of Members toward many of the typical proposals for change. Our purpose was neither to advance nor hinder reform, but rather to obtain an accurate picture of the congressional point of view. Our preliminary findings have been made available to the joint committee, and we would like merely to summarize them at this time.

On the general question of reform of the House of Representatives, the "noes" have it. By combining the responses of our entire sample of Members to each of 32 typical reform measures, we can say that only slightly over one-third of the House supports reform as a general proposition, while nearly two-thirds oppose it. Moreover, the intensity of opposition is clearly stronger than the intensity of support.

The characteristics of Representatives who support and those who oppose this generalized notion of change differ in a number of respects which are crucial to an understanding of the politics of congressional reorganization. Surprisingly, we found little difference between Democrats and Republicans in the level of their support for change. However, Democrats tend to vary more widely in their views than Republicans: a higher proportion of Democrats are found among both those who strongly oppose change and those who strongly support it.

Opponents and supporters of reform are divided about equally in all geographical regions except the South, where only 11 percent of those interviewed indicated a balance of support for the reorganization items. Members from urban and suburban districts are considerably more disposed to support change than are Representatives from rural constituencies.

While some have assumed that positive attitudes toward institutional change are part and parcel of a more generalized "liberal" outlook on public policy, our analysis did not produce such a clear-cut relationship. The division of proponents and opponents of congressional reform remained constant (about 30 percent in support and 70 percent in opposition) with varying levels of support for the legislative policies of the Democratic administration, except among the very stanchest advocates of the administration viewpoint, where a slight proreform majority was evident.

The most important correlates of antipathy toward the idea of reform are high seniority and formal leadership position within the House. Though support for change tends to decrease with increasing seniority, "freshman" Members are not the only group backing change. Approximately 60 percent of those who have spent less than 10 years in the House favor, on balance, the list of reform proposals. Among Representatives who have served 10 or more years, however, the average level of support drops sharply to 12 percent. Separating the views of formal leaders (elected party leaders and the chairmen and ranking members of committees and subcommittees) from those of nonleaders uncovers a predictable pattern—since formal leadership position is a corollary of seniority in the Congress. Nonleaders are about equally split between those favoring and those opposing change, while only about one out of five formal leaders interviewed is, on the average, an advocate of structural and procedural reform in the House.

Opposition by these party and seniority leaders is a major factor to be considered in any assessment of the likelihood of reorganization. The typical Congressman's assumption that the senior members of both parties are generally opposed to most suggestions for reform perhaps helps account for the fact that although 14 of the 32 proposals received the support of a majority of our respondents, only 4 of these 14 were judged by a majority as having at least an even chance of being adopted by the House in the next decade.

The opposition of most Congressmen to the general notion of reform and the apparent absence of strong Member disaffection with the performance of Congress should not be permitted to obscure the fact that Congressmen do perceive themselves—and the House—as being confronted with a number of problems, many of them far from trivial. To critics attempting to rationalize the operation of the House by engineering consent for change, these problems might seem to provide the basis from which reorganization proposals might be drawn. But to observe that all Members perceive individual and institutional problems is not to prove that treating congressional reform as a classical exercise in rational problem-solving is the most realistic and efficient route to change.

In the first place, the problems mentioned by the Congressmen we interviewed fall into a large number of diverse categories. This is in part the result of the divergent perspectives from which Members see their own jobs and that of the institution as a whole. It also reflects an absence of consensus on public policy objectives. Moreover, most of the problems identified by Congressmen relate to conditions which are only marginally, if at all, susceptible to reform. About one-third of the problems mentioned might be labeled "endemic." These are problems inherent in a legislative system where men and women of finite capacity grapple with issues and problems of near infinite dimensions. Nearly one-half of the problems enumerated by the Representatives relate to the capabilities of House leaders, the quality of individual Members, and the overall American electoral system. This second group of problems in theory may be open to solution, but they are of a scope which is far broader than that usually considered as "congressional reform." This means that perhaps one-fifth of the problems mentioned can conceivably be dealt with through internal House reorganization. This figure, though small, is far from insignificant. There are few people who would be unhappy in a world where one-fifth of all their problems were removed. It is these problems—such as the operation of the committee system, scheduling, and staffing—that provide a realistic starting point for considering congressional reorganization.

But again we must question any orderly assumptions about how change may be expected to take place. Even universal recognition of a given problem does not insure acceptance of a specific remedy. Intervening factors greatly complicate any pattern of agreement both on problems and on possible solutions. Congressmen who agree on the existence of problems of procedure and scheduling may heatedly disagree on the question of whether changes should be made to expedite the legislative program of the President, or to promote alternatives to executive branch proposals. As Members move from abstract and general agreement on problems toward actual implementation of specific proposals, differences in goals could well become more obvious and serve to inhibit innovation. Furthermore, even when Members agree on desired goals, they may differ strongly as to whether a given change will in fact lead to the expected result.

There is considerable appeal for viewing the strategy of congressional reform as one of moving logically and rationally from problems to solutions. The difficulty of the engineering approach is that although its procedures can be described, they can seldom be utilized. For this approach assumes a high potential for consensus on what are now widely disputed goals. It calls for comprehensive means-ends analysis involving information and foresight beyond the grasp of even the highly talented. And it presumes that Members of the House and their staffs are now, or can be, motivated to readjust radically their busy schedules and devote considerable time to a self-conscious evaluation of congressional reform, a matter which at best is of marginal interest to them.

Nevertheless, support for specific reorganization proposals may occur even in the absence of agreement on goals, problems, and means-ends relationships. Three recent congressional innovations appeared on the list of 32 specific reform proposals which we submitted to our sample of Members of the 88th Congress. All three of these changes—the establishment of this committee, the provision for a highly paid staff assistant to each Representative, and the reinstatement of the 21-day rule—were among the 14 reform proposals which received a favorable balance of support over opposition. And two of these three recent changes ranked first and second in terms of the Members' estimates of the likelihood of House acceptance of specific reorganization proposals. (Of the 11 remaining reform proposals which were backed by a majority of Members of the 88th Congress, only 2 were judged by the Members to have at least a 50-50 chance of adoption by the House in the next decade: a change in House rules to permit the broadcasting or telecasting of committee hearings, and the scheduling of year-long congressional sessions with specified periodic recesses.)

Changes in the composition of the House brought about by the 1964 elections have most certainly increased the likelihood of adoption of at least a small number of modest changes in House organization and procedure. Our analysis would suggest that such an increase in support for reform has been brought about not so much by the increase in the number of so-called liberal or proadministration Democrats, but rather by the increase in the proportion of Congressmen at the lowest seniority levels and by the growing number of Members who represent urban and suburban districts.

Congressional reform, we have noted, becomes more salient to the public in times of political stalemate. But in the 89th Congress the flow of legislation has so far been relatively smooth, a condition which reduces the outside impetus for reform. The temporary reduction in the level of policy conflict on Capitol Hill may free some of the time, energy, and political credit of a sufficient number of Congressmen to study—and perhaps support—changes in congressional organization and procedure.

GUIDELINES FOR CHANGE

While political scientists and legislators share an uneasiness concerning congressional operations, they are hardly agreed as to the objectives of congressional reorganization, much less the specific forms which these changes ought to assume. Often, proposals seem to be predicated upon no consistent conception of what Congress should be expected to do. We urge this committee to give priority to the task of articulating the objectives of Congress, and the criteria by which its performance is to be judged. Only in this context wil' specific proposals be meaningful. As a fragmentary example of the kind of intellectual operation which should be undertaken, we have set down a few of the criteria which we have used in sifting and evaluating the proposals we wish to recommend to the committee.

1. Congress should be organized so that no political group making demands upon it will be permanently or severely deprived of the opportunity to achieve its goals. (This is not to imply that all groups, no matter how small or extreme, have an equal right to success. But it does mean that barriers to such groups should not be embodied in congressional rules or procedures, but rather in the good sense of the American people and their representatives.) That is to say, congressional rules should not consistently predetermine the outcome of the numerous conflicts which infuse vitality into American politics. This is true for conflict arising from economic and geographic interests, and no less for competition between institutionally based groups—incumbent versus challenger, senior versus junior Members, majority party versus minority, Senate versus House, and Executive versus Congress. Reform proposals should be rejected if they give inordinate advantage to one or more of these sets of actors, or if they serve merely to facilitate some partisan or policy expedient.

2. Congressmen should be equipped to participate successfully in what has been termed the "game against nature"—the race to apply at least a modicum of organized information to decisionmaking in a world of increasing complexity. Perfect rationality in decisionmaking is perhaps unattainable; nor should legislators duplicate executive branch specialization in their effort to make informed judgments on technical matters. Indeed, the legislator's unique contribution to decisionmaking is not so much technical expertise as a sense of the strains and tolerances of the political system. Yet Congress has a serious problem in obtaining adequate technical information. Four out of every five Congressmen told us that "lack of information" and "complex decisionmaking" were major problems preventing them from doing their job as they would like. Satisfying this criterion, therefore, is a major task of congressional organization.

3. Any proposed change must be examined closely for its probable effects, and not simply for its conformity to abstract models of neat or orderly structure. If we adopt reform A, we ought to be reasonably certain it will lead to desired result X, rather than undesired result Y or Z. (An illustration of this problem is the suggestion for the use of electronic voting devices for floor rollcalls. Some efficiency-minded reformers see electronic voting as a method of saving at least an hour of the Congressmen's time each day of the session; but many Members, equally concerned with demands on their time, predicted a "horror show" of unanticipated consequences of this allegedly efficient innovation.)

4. Some assurance that the proposed change will meet with the acceptance of Members should direct attention toward some proposals and away from others. Our own findings provide some relatively precise measures of sentiment on a number of proposals. This requirement is of greater salience for Congressional proponents of change than for outside observers such as ourselves. It is the Congressional sponsors who must weight the desirability of various changes against the task of obtaining a favorable vote.

Not all of these criteria can be satisfied in every case; and some of the criteria are perhaps more fundamental than others. (We have listed them in order of importance.) The following proposals are, we think, consistent with the "philosophy of change" outlined above.

Staffing: It is our conclusion that staff assistance to Congressmen is deficient in three major areas: personal staffs, committee staffs, and staffing for the minority party. Day-to-day problems in the Congressman's office create a hectic and erratic schedule. The demands on a Member's time prevent him from becoming conversant with more than a tiny fraction of the substantive issues on which he must take a position and vote. We support increased staff allowances for Members and committees. Some assistance is needed to help the Congressman carry on the details of operating his office. Additional help is needed in research and factfinding on legislative issues. We strongly urge that additional staff be made responsible to individual Members or legislative committees. We oppose the relegation of constituent services to a nonelective office (an "Ombudsman"). Such a scheme would interrupt the vital communications between the Congressman and his constituency, and would probably impair his effectiveness in overseeing administrative agencies.

We also want to record our agreement with the minority party's protest over staffing. One may argue over how much power a minority should have to amend or delay legislation, but certainly it cannot be denied that the minority should have the resources to develop meaningful alternatives to majority proposals. The congressional arm of the minority party is increasingly its most active and visible segment and is closest to the actual process of national policymaking. Minority staff representation should be assured for all legislative committees. And party policy committees should be established, with staff provided from legislative appropriations.

The difficulty of persuading the majority to make concessions to the minority in such matters is well known. Although our survey showed that a majority of the entire House (57 percent) favored increased minority staffing on committees, more than 60 percent of the majority party, including most of its leaders, opposed it.

Scheduling: A second set of proposals relates to the problems of scheduling legislative sessions. Our survey included two questions relating to scheduling: holding yearlong sessions with specified periodic recesses, and formally designating specific days for floor or committee business, increasing the days for floor business as the session proceeds. Better than 60 percent of our respondents endorsed these two proposals. More importantly, this desire for a more orderly allocation of time arises from countless personal and family hardships undergone by Congressmen under the present system. Both the Member and his constituents would be better served if the legislator could anticipate when he would have substantial blocks of time available for trips to his political home base. And in Washington, time could be better allocated under a system in which time formally allotted to floor and committee business coincided more closely with the normal cycle of legislative business.

District of Columbia: Congress should divest itself of its current governing power over the District of Columbia. Under present arrangements our National Legislature is forced to be both a colonial power and a part-time city council—tasks for which it is ill-fitted. We are aware that full account must be taken of the inevitable preeminence of the Federal Government as the District's number one "industry." (Many of the bare majority—53 percent—who opposed this provision in our questionnaire did so because we left the details of self-government unspecified; but few were able to offer what we considered valid arguments in favor of the present practice.) Any discussion of admittedly difficult details must, we believe, be predicated on the recognition that congressional talents should not be dissipated in the minutiae of District affairs.

Seniority: It would be futile to repeat the countless arguments for and against the seniority system. We generally concur with the great majority of Congressmen who feel (to paraphrase Sir Winston Churchill) that seniority is the worst method of selecting chairmen—except for all the others. We nevertheless suggest two modifications of the present application of the seniority system, one to limit the system and one to extend it.

We advocate a modest change in rules which will increase the chances for the majority party to exert at least a small amount of influence over committee chairmen. (The following discussion applies also to the minority party and ranking minority Members.) We propose the following: At the beginning of every Congress, there shall be an automatic secret ballot in the party caucus to determine the chairman of each committee. The rules would provide that the most senior member of each committee shall become its chairman unless another member of the committees receives two-thirds of all votes cast. The provision for an automatic secret ballot eases the way for those who are dissatisfied with the status quo. The requirement of a two-thirds vote means that the seniority leader would be bypassed only in the most extreme cases of dissatisfaction. The task of calling chairmen to account for their actions would remain difficult, but the mere requirement of this repeated vote of confidence would tend to make seniority leaders more responsive to their legislative colleagues.

We recommend additionally that the principle of seniority be extended to include rights on subcommittees as well as full committees. We suggest that the choice of subcommittee membership be decided according to seniority on the full committee; and that rank on the subcommittee be determined by seniority on that subcommittee. This may help counteract a source of dissatisfaction which is widely observed in Congress: The situation of the middle-seniority Congressman who has relatively long service but is still dependent on a committee chairman for such perquisites as subcommittee chairmanships. (This system need not preclude voluntary arrangements made on grounds other than seniority.)

Ethics: We have earlier stated that most steps Congress might take to improve itself, however desirable per se, are unlikely to have much impact upon public thinking. We will conclude with one probable exception to this statement—the subject of ethics. Perhaps we cannot establish comprehensive standards of proper behavior for public officials. But we can move toward prohibiting the more blatant forms of misconduct; and we can make available information from which citizens may form their own judgments about their representatives. Our recommendations closely follow two items in the report of the 26th American Assembly (Nov. 1, 1964):

First, each Congressman should be required to report annually his financial interests, sources of income, and the way in which he has utilized office and staff allowances.

Secondly, the holding of reserve military commissions by Congressmen is a clear case of political conflict of interest, and is of doubtful constitutionality. We recommend that this practice be forbidden.

CONCLUDING REMARKS

In presenting our findings to this committee, we acknowledge the inherently limited viewpoint of the scholar, who most typically views legislative institutions as an observer rather than a participant. And as observers, we as a profession need to undertake much more study of Congress than we have so far done. Our own research has been limited to the House of Representatives; and we have omitted from our discussion such specialized subjects as political campaigning and the appropriations process. We hope, however, that what we have had to say about the politics of Congressional organization will be of some use to this Committee. Finally, we would be remiss if we did not take this opportunity to express our gratitude to the approximately 120 Members of Congress, and their staffs, who participated in our study, contributing their valuable time and sharing with us insight into the legislative process. We hope that this presentation will in some small measure repay their generosity.

ECONOMIC OPPORTUNITY—FOR DEMOCRATS ONLY?

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the Keene Evening Sentinel, one of the outstanding newspapers in my New Hampshire district, has exposed a local situation involving the administration of the antipoverty program or rather the Economic Opportunity Act, in my district. It discovered a strictly political situation and in an editorial appearing on Wednesday, June 2, ripped off the false "nonpartisan" and "nonpolitical" tags that have been pasted on the program. I offer the editorial for the RECORD at this point. It speaks for itself and I will not attempt to summarize this shocking situation.

I also place in the RECORD another editorial from the Sentinel, from the May 25 issue, endorsing Operation Head Start, which is part of the antipoverty program. My purpose is twofold: first, to show that the Sentinel is not a rock-ribbed, reflexive opponent of Federal programs, and, second, to bear out my own opposition to what I call "legislation by lump and by label."

The community action section of the antipoverty program appears subject to all sorts of political chicanery as the first editorial shows. Masses of evidence of this same sort of thing happening all over the country are coming in. It has just barely started and it appears already to be something of newfangled, super pork barrel.

Yet, Operation Head Start appears to be starting well and its objectives meeting with general approval. These programs should have been considered separately instead of piled into one, huge bill—legislation by "lump and by label."

How can a Congressman vote intelligently on such broad and varied lumps of bills? And, just as important, how can the citizen rate his Congressman's performance fairly when all he has to go on is a "yea" or "nay" vote on a many-faceted bill? The answer is that he cannot and the result for both the Congressman and for the citizen he represents is poor government, a hodgepodge government of bad compromises.

As I stated last week in testimony before the Joint Committee on the Organization of Congress, this practice of loading up a bill with so many sections that a vote either way can always be defended on some ground is indefensible. I suggested to the committee that it consider adopting rule 10 of the New Hampshire State Senate, which permits a question under debate to be divided into its salient sections.

The editorials follow:

[From the Keene Evening Sentinel, June 2, 1965]

WHOSE "OPPORTUNITY"?

A Sullivan and Cheshire County Community Action Association got off on the right foot under the initial leadership of former County Commissioner Sheldon L. Barker of Keene, and Director Charles F. Whittemore of the State's Office of Economic Opportunity, in Manchester.

But there was a pall of political smoke in the air outside the Hubbard Farms office in Walpole last Wednesday night, although Wittemore insisted there was no room for politics in the opportunity program. He said the organization could not be partisan or bipartisan; that it could only be nonpartisan.

Whittemore himself was unquestionably sincere, but what transpired suggests that the meeting was of the nonpartisan Democratic variety.

After obviously seeing the way the political wind was blowing Wednesday night, Barker, who had been nominated as Cheshire County's cochairman of the association, withdrew his name. Mrs. Lorraine R. Page was nominated and elected.

Last week's meeting was the first one attended by Mrs. Page, though there had been three previous ones, attended by area citizens who sought information not only on the Economic Opportunity program, but also on the possibilities of establishing a social welfare council to coordinate the activities of all social and welfare agencies.

Mrs. Page happens to be vice chairman of the Cheshire County Democratic Party. By an odd coincidence, last week's opportunity meeting was also attended by Gerard F. Russel, chairman of the county committee; Mrs. Margaret A. Russell, a Democratic representative to the general court; Donald H. MacFarlane of Swanzey, another Democratic representative; Lawrence Seney, vice chairman of Walpole's Democratic Committee; Edward F. Reardon, former chairman; Harry S. Publicover, Westmoreland chairman; Frederick Cunliffe, former Democratic candidate to the U.S. House of Representatives; and John D. Shea, another Keene Democrat.

It is no secret in Democratic circles that Russell and Shea are intraparty opponents of Mayor Robert L. Mallat, Jr.

Cunliffe was the official greeter, and the gathering was in many ways a rather strange one for a nonpolitical meeting. It was strange, because Cunliffe introduced several arrivals as "Town Chairman So-and-So," which is what may have led Whittemore to emphasize that politics could ruin the entire economic opportunity program.

Except for this, however, there was no outright political discussion; just a lot of huddling.

The huddlers, for the most part, were Democrats who lost out in a city power play a few months ago. Curiously, they were on hand, but their Democratic opponents were not.

Amusingly enough, the morning after this nonpolitical meeting, Russell called the Sentinel reporter who had covered it, to make it clear that, despite Mrs. Page's position in the Democratic Party, there were no political overtones to her election and that nothing printed should reflect partisan politics, because that could damage the economic opportunity program in the two counties.

The fact is, however, the economic opportunity program in Cheshire and Sullivan Counties, as in other sections of the country, has a couple of plums hidden away in it. And while we would not for a moment suggest that it was anything except civic-mindedness which attracted that faction of the Democratic Party which showed up at last week's meeting, there are two and probably three paid jobs involved, to the tune of $12,000 to $13,000.

The project will require a director, an assistant director and possibly a secretary, to establish programs under the Economic Opportunity Act of 1964.

Since those concerned have subsequently insisted that the whole thing is nonpolitical, it is unfortunate that the first person to arrive at Wednesday's meeting was a reporter, and the second person to arrive drove in, stopped his car, and asked the reporter:

"Is this where the Democratic committee is meeting tonight?"

[From the Keene Evening Sentinel, May 25, 1965]

OPERATION HEAD START

On a number of occasions we have called attention to the plight of a significant number of families in this area who live in genuine poverty. They are ill fed, ill housed, and ill clothed.

The easy answer to the pricks of conscience which this situation produces is to pretend that it does not exist—or that if it does, it will go away if ignored—or that those who are poverty stricken must be of inherently weak character.

But anyone with half an eye to the life around him, whether in the city or the smaller towns, knows perfectly well this sort of answer ignores reality and evades responsibility.

Fortunately, an increasing number of people who themselves live in relative comfort are facing the facts and accepting some responsibility for those less fortunate, if only by acknowledging the existence of poverty in our midst.

Officials of public and private social agencies, along with school officials, know that in most cases there is what is called a cycle of poverty.

The children born and raised in poverty-stricken homes often start their education with two strikes against them; they become socially isolated and maladjusted; frequently their health is below par.

They grew to adulthood with a feeling the world is against them; at best they are ill-equipped to make a decent living for themselves. They and their families often are on the welfare rolls; the police blotters and the admissions records of hospitals, including State hospitals.

Their children, in turn, are reared in the same sort of atmosphere, and the process repeats itself.

The cost in hard dollars to the community of this vicious cycle is incalculable. Repeated studies have shown that a very small percentage of families are responsible for a very high percentage of public expenditures for relief, welfare services, health services and all kinds of public assistance.

On top of the dollar cost, of course, there is the vast cost in terms of human suffering—and a vast waste of human resources.

While the poverty problem must be attacked on many fronts, none is more likely to provide lasting benefits than the proposed "Operation Head Start."

With 90 percent of the money coming from Federal funds, this summer a nationwide program will be launched to give half a million preschool children from "disadvantaged" homes intensive preparation for school. Here in Cheshire County about $20,000 will be spent to help about 120 youngsters get a proper start.

The theory is that if they can be helped to get off on the right foot (without feeling inadequate from their very first day in school), their chances of becoming well educated, and therefore better equipped to earn a living, will be greatly enhanced.

The program deserves all the support from the public it can get. If, nationwide, it is really effective in only half the cases, that would mean a quarter of a million boys and girls who will emerge from high school with a much better chance of breaking the poverty cycle. Actually, the results may prove to be better than 50-50.

The program represents a significant step toward attacking poverty at its roots, rather than dealing with its later symptoms, often at enormous expense.

ANTIPOVERTY IN REVERSE

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I told the story of Wilford Metcalf, a disabled war veteran who owns a small farm near Del Rio, Tenn., in Cocke County, which is in my district, in the CONGRESSIONAL RECORD on Wednesday, May 26, 1965.

Mr. Metcalf's story is antipoverty in reverse and the administration here in Washington is waging a "war" on Mr. Metcalf instead of a "war" on poverty.

Mr. Metcalf lives in the heart of the poverty area, deep in the Appalachian region. He describes himself as being "poorer than poverty." In a moving letter to me, which divulges his plight, he cried out to the President, "If you have any poverty left over, please send some down to me."

The Government is trying to collect from Mr. Metcalf the sum of $1,717.52 for timber he cut on his own land, but the Government is contending that it is part of the Cherokee National Forest, even though Mr. Metcalf has a deed for the land himself.

I refer you to my speech on the floor of the House, which was recorded in the May 26 issue of the CONGRESSIONAL RECORD, giving all the facts in the case. In two letters to the Secretary of Agriculture, who administers the Forest Service, I appealed for help. I wrote Secretary Orville Freeman personally, but, to date, I have not had the courtesy of a personal reply.

I received a reply to my second letter from an Agriculture Department assistant who said the case had been turned over to the Department of Justice and that the Forest Service was lending Justice a timber surveyor to work with the U.S. attorney on the case.

This is "Big Brother" at its worst. Here is a man who went out and fought for his country, and now has the full weight of the Justice Department and the Department of Agriculture bearing down on him to collect a doubtful claim. The Government will probably pay thousands of dollars in salaries prosecuting Mr. Metcalf, a poor mountaineer who wants to do the right thing about the whole matter.

It is strange that, at the same time, the Federal Government is spending $760 a month each putting girls up in plush hotels in St. Petersburg, Fla., and Los Angeles in the name of fighting poverty. They are prosecuting a disabled veteran with a wife, who also served her country, and four children, who is guilty only of attempting to wrest a living from the soil.

Secretary Freeman's failure to try to effect an amicable, just settlement of the situation, characterizes the steamroller approach of the Great Society—rack the individual, but spend billions on grandiose schemes decorated with the trappings of "war" on poverty.

Mr. Metcalf bought his farm in December 1950 and his deed gave him land to the top of the mountain. The Government claims that 55 acres of Mr. Metcalf's 86-acre farm is part of the Cherokee National Forest and demands $1,717.52 restitution for timber cut on what he believes is his own land.

After making this story public, I have received hundreds and hundreds of letters from all over the United States in defense of Mr. Metcalf and in opposition to the Government "steamrolling" over him.

Newspapers all over the country are criticizing the Government's action in this case and defending Mr. Metcalf. I call special attention to the editorial which appeared in the Knoxville News-Sentinel on Sunday, May 20, 1965.

This newspaper serves the area in which Mr. Metcalf lives, and I would like for all to know its contents, as follows:

POVERTY BEGINS AT HOME

A Cocke County farmer's private war on poverty is turning out to be just what Sherman said war was in general.

Wilford Metcalf, of Del Rio, has been billed for $1,717.52 by the Government for timber it says he cut on Federal land. Mr. Metcalf thought his boundary ran to the top of the mountain and that the trees he cut were not in Cherokee National Forest.

Representative JAMES QUILLEN has written the Forest Service in behalf of Mr. Metcalf, but has received no satisfaction.

President Johnson is spending millions in his war on poverty, but a chopped tree is as irrevocably gone as lost time and a nationwide effect to help the poor can't be financed by a pittance from this man who describes himself as "poorer than poverty."

It would seem that the best course for a government of, by, and for the people would be one brief phrase: Forget it.

OFFICE OF URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mrs. DWYER. Mr. Speaker, I am delighted to inform the House that the Rules Committee today granted a rule for the bill, H.R. 6927, to establish a Department of Housing and Urban Development, which expressly provides for the consideration of my bill, H.R. 8822, to establish in the Executive Office of the President an Office of Urban Affairs and Community Development, as a substitute amendment.

This means, of course, that the House will be able to choose between two alternative ways of doing what everyone agrees must be done—that is, provide consistent policy direction and program coordination for the 50 or 60 different programs having a major impact on the Nation's urban areas, programs which are being administered in an often confused and contradictory fashion by a large number of individual departments and agencies.

It is my contention, Mr. Speaker, and that of our many colleagues who have introduced similar bills, that the proposed new department cannot do the overall coordinating job we all agree is essential. We believe that this objective can be achieved only at the White House level, through a mechanism similar to the existing Office of Science and Technology which Congress approved following the recommendation of the late President Kennedy.

In an effort to acquaint our colleagues with the purpose and content of our alternative bill, I include the text of my testimony this morning before the Committee on Rules and the text of H.R. 8822 as a part of my remarks.

Mr. Chairman, I greatly appreciate this opportunity to appear before your committee in connection with your consideration of the bill to establish a Department of Housing and Urban Development.

Both the proponents and opponents of the proposed new Cabinet-level Department agree on at least one point—that the primary need today in the area of urban affairs is to find the means of coordinating the dozens of separate programs, administered by several different departments and agencies, which have a major impact on the Nation's urban communities, where 70 percent of our people live.

The problem is to assure that the right hand of the Federal Government knows what the left hand is doing, and that both are working together. We need to make certain that the 50 or 60 urban area programs are administered as efficiently and effectively as possible; that overall policies are consistent and program goals are compatible; that waste and duplication can be eliminated; and that the conflicting interests and views of the several departments and agencies can be satisfactorily resolved.

In a word, Mr. Chairman, we need a way to prevent a Federal highway and an urban renewal project from being located by two independent agencies in the same place.

Under the pending bill, H.R. 6927, this kind of Government-wide coordination cannot be achieved.

For that reason, therefore, I would urge the committee, if, in its wisdom, it should grant a rule to H.R. 6927, to make it in order to consider without the intervention of any point of order the text of the bill, H.R. 8822, as an amendment in the nature of a substitute to H.R. 6927.

H.R. 8822, the substance of which I have sponsored during the past three Congresses, would do what H.R. 6927 cannot do. It would provide an effective mechanism for coordinating all urban area policies and programs at the only level where coordination can really work, the Executive Office of the President.

There are several good reasons why the bill to create a Department of Housing and Urban Development cannot provide for the needed coordination. The proposed new Department, first of all, would have jurisdiction over less than 20 percent of existing urban programs. With the exception of the Federal National Mortgage Association, the new Department would simply be the present Housing and Home Finance Agency under a new name. No other programs or functions woulld be assigned the Department or the Secretary. There is nothing in the bill which would give the new Secretary any power to coordinate urban area programs outside the Department which the present Administrator of HHFA does not already possess.

Just 3 years ago, Mr. Chairman, in a situation remarkably similar to the present one, Congress and the President solved the problem along the identical lines I am suggesting today. At that time, 1962, the National Science Foundation was responsible for coordinating the scientific policies and programs of the Federal Government. Since it was only one of several Federal agencies having statutory authority in the field of science, it soon became apparent that the Foundation could not do the job. Recognizing this, President Kennedy proposed to Congress that an Office of Science and Technology be established within the Executive Office of the President to provide the staff assistance required for doing the job properly.

In his message to Congress, the President stated the case for the new coordinating office in terms which are directly applicable to the proposed Department and to my suggested alternative.

The President said:

"Science policies transcending agency lines, need to be coordinated and shaped at the level of the Executive Office of the President, drawing upon many resources both within and outside the Government."

He added that while the National Science Foundation had proved "an effective instrument for administering sizable programs in support of basic research and education in the sciences," the Foundation, "being at the same organizational level as other agencies, cannot satisfactorily coordinate Federal science policies or evaluate programs of other agencies."

As this committee will recall, Congress agreed with the President and approved his request without opposition either in committee or on the floor of the House. The good judgment of this body has since been confirmed in the admirable way in which the Office of Science and Technology has functioned.

I suggest, Mr. Chairman, that the urban affairs problem today is analogous to the science problem in 1962, and that Congress solution then is a precedent we should follow now. In fact, since the number and cost and variety of urban area programs exceed those in the field of science, it is less likely that HHFA or the new Department could succeed where NSF failed, and it is thus more important that we adopt a coordinating device which has been proven successful.

Two additional factors also make the idea of a coordinating office preferable to that of an operating department. It is no secret that many supporters of the proposed new Department see the day when the Department will embrace within itself virtually all the urban area programs and functions now administered by other departments and agencies. Such a development, in my judgment, would be extremely harmful.

The second factor is closely related. One of the principal objectives of better coordination of urban area programs should be the elimination of unnecessary functions and the transfer or integration of functions which can be administered more efficiently elsewhere. Experience suggests, I believe, that the head of an operating agency is rather unlikely to propose surrendering any of his agency's programs. This responsibility can best be discharged at the Presidential level, where objectivity may be somewhat easier to come by.

My bill, Mr. Chairman, originated in the first study produced by the Advisory Commission on Intergovernmental Relations in 1961. As the committee knows, the members of the commission include Cabinet officers, Senators, Representatives, Governors, mayors, State legislators, county officials, and private citizens, and I have been privileged to represent this House on the commission since its inception.

The commission's first study concerned the organization of Federal, State and local governments for dealing with urban affairs. I think it is significant that this broadly based group remained neutral on the question of a department but strongly recommended the establishment of a coordinating office at the White House level.

In subsequent reports, the commission has continued to stress the urgency of adopting such a means of bringing order, direction and consistency into the administration of programs designed to help our States and cities. They have been joined in this regard by the leading scholars in the field of urban studies, and by those officials at all levels of government who have experienced the confusion which now prevails.

My bill, Mr. Chairman, is a simple one. There is nothing new or different or experimental about it. It follows precedents which Congress has successfully established in the past. It can do what everyone agrees must be done—that is, provide a way of assuring that the programs we now have work effectively and efficiently, with a minimum of bureaucratic personnel and controls and with a maximum of service to State and local governments within the program limits determined by Congress.

I hope the committee will make it possible for the House to consider what many of us believe is a distinctly superior alternative to the proposed Department of Housing and Urban Development—our own proposed Office of Urban Affairs and Community Development.

H.R. 8822

A bill to establish in the Executive Office of the President an Office of Urban Affairs and Community Development

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF OFFICE OF URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

SECTION 1. There is hereby established in the Executive Office of the President an office to be known as the Office of Urban Affairs and Community Development (hereinafter referred to as the "Office"). There shall be in the Office a Director and a Deputy Director to be appointed by the President. The Deputy Director shall perform such duties as the Director may designate, and during the absence or incapacity of the Director or during a vacancy in the office of the Director he shall act as Director. The Director shall receive compensation at the rate of $30,000 per annum, and the Deputy Director shall receive compensation at the rate of $27,000 per annum.

PERSONNEL AND POWERS OF THE OFFICE

SEC. 2. (a) The Director, with the approval of the President, may appoint in accordance with the civil service laws and the Classification Act of 1949 such additional personnel as he determines to be necessary to carry out the functions of the Office.

(b) In the performance of the functions of the Office, the Director is authorized—

(1) to procure by contract services as provided by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), at rates of compensation not exceeding $100 per diem for the personal services of individuals;

(2) to appoint such advisory committees as he may determine to be necessary for the effective performance of the functions of the Office;

(3) to designate such representatives as he may determine to be necessary or desirable to maintain effective liaison with executive departments and agencies, and departments, agencies, and instrumentalities of the States, which are engaged in activities related to the functions of the Office; and

(4) to use the services, personnel, and facilities of executive departments and agencies and those of State departments, agencies, and instrumentalities, with the consent of such departments, agencies, and instrumentalities, with or without reimbursement therefor.

(c) Upon the request of the Director, each executive department and agency shall furnish to the Office such information, suggestions, estimates, and statistics as the Director may determine to be necessary or desirable for the performance of the functions of the Office.

(d) Subject to the approval of the President, the Director may—

(1) promulgate such rules and regulations as may be required to carry out the functions of the Office; and

(2) delegate to any other officer or employee of the Office authority for the performance of any duty imposed, or the exercise of any power conferred, upon the Director by this Act.

COORDINATION OF FUNCTIONS

SEC. 3. (a) Subject to the direction of the President, the Director shall take such action as may be appropriate to coordinate the programs of the various departments and agencies of the executive branch which have a major impact upon the Nation's urban areas. Such programs shall include Federal activities relating to housing, urban development and redevelopment, community facilities, highways and transportation facilities, civil defense, water and air pollution, and such other activities as the Director, with the approval of the President, determines relate primarily to urban needs and problems.

(b) In carrying out his functions under this Act, the Director shall (1) establish and maintain close liaison with the departments and agencies referred to in subsection (a) and (2) consult with State and local officials, and with interested business, labor, and other groups, concerning urban problems and needs.

INFORMATION ON URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

SEC. 4. The Director shall establish within the Office a Division of Information on Urban Affairs and Community Development. Through this Division the Director shall compile and make available to State and local officials, and other interested persons, through such means as he determines to be appropriate, information concerning the Federal programs referred to in section 3. The service provided by such Division shall include assistance to State and local officials in relating such programs to specific urban problems or needs.

RESEARCH AND STUDIES

SEC. 5. The Director shall undertake research and studies with a view of determining what changes should be made (1) in the programs referred to in section 3 in order to achieve a more effective coordination of such programs with State and local programs designed to meet urban needs, (2) in the allocation of such programs among the various departments and agencies of the executive branch, and (3) in the administration of such programs in order to achieve increased economy and efficiency, to avoid duplication, and to coordinate more effectively the activities of such departments and agencies in the administration of such programs. The results of such research and studies shall be reported from time to time to the President for such action as he determines to be appropriate.

FEDERAL URBAN AFFAIRS AND COMMUNITY DEVELOPMENT COUNCIL

SEC. 6. There shall be in the Office an advisory council, known as the Urban Affairs and Community Development Council. Members of the Council shall be appointed by the President upon nomination by the Director from among persons with broad experience and interest in urban and related problems, and may include persons outside the Federal service. The following Federal officials are hereby designated as members ex officio of the Council: the Secretary of Labor, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of the Treasury, the Housing and Home Finance Administrator, and the Administrator of Veterans' Affairs. The President may designate other Federal officials as ex officio members of the Council. Members of the Council shall receive no compensation for their services, but shall be reimbursed for necessary travel and subsistence expenses as provided in the Travel Expense Act of 1949, as amended. The Council shall meet at the call of the Director, but not less than twice a year. The Council shall be concerned with all the urban problems mentioned in this Act, including air and water pollution, transportation, sewage, water supply, and urban renewal.

COMMISSION TO STUDY TRANSFERS OF FUNCTION AND INTEGRATION OF ACTIVITIES

SEC. 7. (a) (1) There is hereby established a special commission (referred to in this section as the "Commission") to study the feasibility of making transfers to and from the several departments and agencies mentioned in section 6 of this Act. The Commission shall consist of twelve members appointed by the President from among individuals in private life having substantial knowledge of and experience in housing, urban affairs, mortgage financing, and related fields.

(2) The Commission may employ and pay the compensation of such staff as may be necessary to the performance of its functions.

(3) Members of the Commission shall be compensated at the rate of $50 a day while actually engaged in the business of the Commission, and shall be paid travel expenses and per diem in lieu of subsistence in accordance with the provisions of section 5 of the Administrative Expenses Act of 1946 relating to persons serving without compensation.

(b) The Commission shall conduct a thorough study and investigation of all functions relating to housing and urban affairs which on the date of the enactment of this Act are being performed by departments, agencies, and instrumentalities of the Federal Government, giving particular attention to (1) the distribution of such functions throughout the Government and the effectiveness with which they are being carried out by the departments, agencies, and instrumentalities in which they are respectively vested, and (2) the extent to which further coordination in the performance of such functions, with respect to each other, would serve to increase the overall efficiency and effectiveness of the programs of the United States in the field of housing and urban affairs. Upon the completion of its study and investigation, and in no event later than June 30, 1966, the Commission shall submit a full report thereon to the President together with its findings and recomendations.

(c) The President, after receiving and considering the report of the Commission under subsection (b), shall prepare and submit to the Congress a reorganization plan (or plans) providing for the transfer to or from the Housing and Home Finance Agency, and other departments, agencies, and instrumentalities of the Government, of such additional functions relating to housing and urban affairs as he may deem necessary or appropriate to promote efficiency.

REPORT TO CONGRESS

SEC. 8. Not later than January 31 of each year, the Director shall submit to the President for transmittal to the Congress a report concerning the activities of the Office during the preceding calendar year.

OPPOSITION TO THE TERMINATION OF THE DELAWARE VALLEY MILK MARKETING ORDER NO. 4

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MORTON. Mr. Speaker, my constituency consists of nine counties on the Delmarva Peninsula. The backbone of our economy is agriculture and our dairy industry is a vital part of that economy.

Our dairy producers operate for the most part on family farms with relatively small dairy herds. In the best of times, these individual farmers can expect only narrow profit margins for their efforts, but for the last 2 consecutive years they have been hit by severe drought conditions. As a result, several counties have been declared disaster areas by the Department of Agriculture and have been permitted land use diversion.

This assistance has been helpful, but it has not made up for the losses and unusually high operating costs that continue to plague our dairy farmers. Virtually all segments of our agricultural community have suffered from these reverses, and fully one-third of the First District has been designated an area of chronic and persistent unemployment. Throughout this region, there is a high ratio of low-income families and every possible effort is being made, at the local, State, and Federal level, so that these communities will not become an increasing burden to themselves and to their Government.

Most milk producers in this area are barely able to survive the present cost-price squeeze for dairy products. Under the establishment of the Delaware Valley milk marketing order No. 4, there is at least a semblance of stability in the price of milk, but, I am convinced that any cut or disruption in the price or market for milk would amount to irreparable disaster.

It is my understanding that milk prices in the New York area, also suffering from continuing drought conditions, are maintained at a very low level. Under these circumstances, if a common pool type of order were to be set up in Philadelphia, this could result in a decreased payments to milk producers by as much as 65 cents per hundredweight. This market is absolutely vital to the producers in my district, and if the bottom should fall out of the price level now in existence, many of our farmers would find their backs against the wall.

I am unalterably opposed to the announced plan to terminate an order that has been in effect for more than 20 years. The statement that the Department of Agriculture is unable to enforce the provisions of their own order is to me a completely unsatisfactory excuse for its termination. Other areas covered by similar Federal orders enjoy enforcement, and it is a fact that Congress has given the Secretary of Agriculture extensive authority to insure that the Department's orders are complied with.

I am confident that the order enforcement branch of the Agriculture Department can carry out their responsibilities, as they have so ably in the past. If violations of milk orders are so frequent, why have not the vast investigative and legal facilities of the Department been put into action to curb such lawlessness? Must the many decent and law-abiding dairy farmers of the Delmarva area suffer for the benefit of a few lawbreakers? Cannot one of the largest and most powerful of our Federal agencies prosecute these "fast buck artists" just as any other member of our society who maliciously breaks the law?

I urge that the Delaware Valley milk marketing order No. 4 be retained and that the Secretary of Agriculture carry out the intent of Congress and enforce said order.

If I may, I will submit for the record, a copy of the letter signed by all members of the Maryland delegation in Congress and sent to Secretary Orville Freeman expressing concern over the possibility of any change in order No. 4.

I have been informed today that a similar letter has been sent from Governor Tawes on behalf of the State of Maryland objecting to the termination of Delaware Valley marketing order No. 4.

In the face of such reasoned and virtually unanimous objection from a large and varied group of people, I trust the only change which will be forthcoming in the Delaware Valley marketing order No. 4 will be increased enforcement of its provisions.

TAX CREDIT FOR HIGHER EDUCATION COSTS

The SPEAKER pro tempore (Mr. KLUCZYNSKI). Under a previous order of the House, the gentleman from New York [Mr. WYDLER] is recognized for 30 minutes.

Mr. WYDLER. Mr. Speaker, the presentation that I make to this House today concludes a series of statements that have been made to this body by Members of the House Republican Task Force on Education, as relating to tax credits as an aid in coping with the high costs of higher education.

As others before me have introduced excerpts from the task force tax credit hearing in New York City on May 24, so is it my intention to include some testimony from this hearing into the RECORD.

Before I do, however, Mr. Speaker, I would like to make it resoundingly clear that I am a hearty advocate of a tax-credit-for-higher-education-costs measure, and it is my considered feeling that a tax credit system would bring highly desired relief to students and their parents who are finding themselves hard pressed by the constantly increasing costs of higher education.

Only a few months ago I circulated a questionnaire to every registered voter in my fabulous Fourth Congressional District on Long Island. The thousands of replies indicate that 70.2 percent favor the concept of tuition tax credits. In addition, I recently received a report from the Meadowbrook National Bank on a survey conducted among its customers which shows that 80 percent favor the idea of tuition tax credits.

These surveys clearly indicate that the public wants this type of legislation and wants it now. It is only a matter of time before this administration will accept the urging of the Republican Members of Congress who have called for the passage of a tuition tax credit bill. I wish that the administration would act now, since the need of American students and parents is one that requires immediate attention.

I firmly believe that some form of Federal assistance very definitely is in order, for higher education is no longer a luxury but a necessity. Such assistance is in the national interest for in this complex technical age in which we live, America can march in the front of the parade of nations only so long as she has the support and contributions of a well-trained and highly skilled citizenry.

And as I feel that some type of Federal assistance is merited, so do I think that a tax credits approach is eminently superior to other forms of governmental aid—it has the greatest impact and the furthest reach.

There are those, of course, who stand out strongly against the concept of tax credits as an assist to higher educational costs, some of whom contend that a system of tax credits would bring the greatest benefit to those paying the highest tuition.

If there were any validity to this contention—and if it were to be considered bad—the condition easily could be attended by adjusting the sliding scale of tax credits so that the greatest impact falls in the lowest areas of tuition.

But, personally, it is difficult for me to understand why those deriving a superb benefit from State and otherwise supported institutions, through low or no tuition programs, feel justified in condemning a benefit that might come to those paying higher tuition fees at nonpublic supported educational institutions. Paradoxically, these individuals are indicating what they, themselves, are enjoying; that is, tuition reductions.

And there are a number of educational institutions in the United States that are providing either a very low tuition fee schedule or a tuition fee program.

For instance, in public colleges in Connecticut and in New York City, there now is no tuition fee whatsoever. Too, in all of California, fees are charged only for the portion of instruction which is due to student personnel and guidance services. Most State educational institutions in the remaining areas of the country have fixed their tuition rates for in-State residents at figures that are essentially less than half of the real cost of instruction.

There are others who oppose the tax credit program on the basis that it would only contribute to increased tuition costs and that educational institutions would raise their tuition rates to coincide with the tax benefit.

The answer to this is that whether or not a tax credit program is instituted, tuition rates will continue to rise—they have risen about 25 percent over the last 5 years, and experts of college finance advise us that they will increase about 50 percent more over the next 10 years.

It might be said, too, that if colleges and universities were to receive increased endowments and gifts, as a result of tax credits in these areas, these educational institutions might not find it necessary to escalate their tuition rates, or if so only at a moderate rate.

Others, too, oppose the tax credit proposition by establishing that it would provide exactly no benefits to students who come from families who do not pay any income tax.

This is not at all a valid contention, for if tax credits were provided to persons and corporations paying into college scholarship funds or for any other person—whether or not he were a dependent—the base of scholarships would be considerably broadened. And inasmuch as individuals from low-income families are in the preponderance with respect to scholarship benefits, this would mean that an increased number of students from families in low brackets of income would benefit from such scholarship programs.

At this point I would like to comment that the witnesses who appeared to testify at the May 24 hearing in New York City, as conducted by the GOP task force on education, these witnesses were extremely competent and offered varying views on tax credits.

Although, in summary, more witnesses supported the concept of tax credits as an aid to the costs of higher education, there were some witnesses who opposed the tax credit system and offered in its place another approach.

One such witness was Dr. Buell G. Gallagher, president of the City College of the City University of New York, and he offered something new in the form of Federal assistance.

Dr. Gallagher offered a proposal providing for the matching of Federal funds with State and private finances to cover the costs of instruction at higher institutions of learning—in effect, such a plan is constituted to function in such a manner as to reduce tuition charges to zero.

Under the Gallagher plan, the Federal Government would match, dollar for dollar, the money that the university or college was able to get from other sources to cover the costs of instruction; that is, private gifts and State and local government endowments.

The student's tuition fee would be the balance, and where an educational institution met half the total cost of instruction and the Federal Government matched it, the tuition for the student would resolve itself to a zero factor.

Dr. Gallagher feels that the program should have application to all collegiate institutions, private or public. To meet the constitutional doctrine of "separation of church and state" the educator thinks that the cost of anything approximating religious instruction should be isolated and kept out of the program.

It is estimated that such a program would cost about $3 billion per year, for right now there are approximately 5 million students attending college and paying tuition fees averaging out to an annual figure of $1,200. And Dr. Gallagher believes that in due course this cost would be covered by the extra tax revenues generated by the increased earnings of college and university students. He indicated that the increased earning power of veterans educated under the GI bill has resulted in an increase in tax revenues of about $5 billion a year.

To get this kind of program off the ground, Dr. Gallagher would have the Federal Government pay all of the difference between tuition charges and cost of instruction; that is, for the first year. From there on the Federal Government would pay half of this tuition cost of instruction difference, with the college each year increasing its contribution to instruction costs and with the tuition fee for the student heading down to the point of zero.

Mr. Speaker, although I want to make it clear that I stand, unequivocably, in support of a tax credit program to help in meeting higher educational costs, and although I do not by any manner or means endorse Dr. Gallagher's Federal-matching proposal, I do feel it is deserving of consideration and study by other Members of the Congress; and should be presented as an alternative solution; hence, at this point I submit Dr. Gallagher's statement offered to the May 24 hearing to the Record:

Statement by Buell G. Gallagher, President, the City College of the City University of New York, Before the Task Force on Education, Republican Conference, House of Representatives, at New York City, May 24, 1965

Mr. Quie and gentlemen, I am Buell Gallagher, president of the City College of the City University of New York, an institution now in its 118th year of providing high-quality higher education to the qualified undergraduate without charge for instruction. I speak solely as an individual, without official or unofficial approval by any agency, organization or institution.

This task force, as I understand it, is today endeavoring to explore "the financial burden that college and university education now places upon millions of families, and to determine if the Federal Government can assist parents and students alike in reducing the frequently overwhelming cost of this vital investment." I shall address myself to that single issue, leaving to some other time all the pressing questions of the quality education, the purposes and functions of college and university, the construction of the necessary facilities and the training and recruiting of the necessary faculty as higher education expands from 5 million to 8 million enrollees by 1975—and a host of other matters which doubtless will also concern this task force before its inquiries are completed. For today, my comments are related only to the issue of whether the student and his family should pay for higher education, and if so, when, to what extent, and by what methods.

1. AS TO BASIC PRINCIPLES

It is my conviction that the student should pay for his college education, if for no other reason than the fact that he greatly profits from it. Some years ago, the U.S. Department of Labor estimated that a college graduate will, on the average, earn at least $100,000 more than a high school graduate during his earning career. A more recent estimate given by the Bureau of the Census puts the figure at $170,000. Simple equity suggests that the individual who actually profits from a college or university education should pay something for it. My own proposal is that he pay back the whole of it, perhaps more. And the more he profits from his education, the more he should pay back.

For the purposes of today's analysis, let us distinguish between the cost of instruction and all other items connected with college and university attendance. Dormitory living and dining, clothing, amusement and recreation, fraternity and sorority life (and their equivalents), weekend parties, student activities, parking (and the car to go with the parking space)—indeed, all items other than the actual net cost of instruction—these are variables, many of them optional with the student, and of differing relative importance and cost in different institutions. The one item which is common to all institutions, and the only one which is essential to a college or university as such, is the cost of instruction. Included in this cost are all operating budget items for salaries, supplies, equipment and other expenses connected with the classroom, the laboratory, the library, student personnel work, and other features which are of service to the learning process. Curricular and personal guidance are included but job placement for graduates is not. Physical education is included, but intramural and intercollegiate athletics are another matter altogether. Palatial dormitories which tend to give the undergraduate a new set of living standards can be made to serve educational purposes, but more modest, yet adequate, accommodations have never been proved to be a handicap to the serious student. The variety of colleges and universities, together with the variety of possibilities even within a given institution, would suggest that if the cost of instruction is taken care of, the remaining items of food, clothing, shelter, and recreation can well be cared for out of the differentials of family income, student earnings, and institutional aid to students. I would not penalize the college which operates like a country club. Some parents prefer to put their sons and daughters into custodial care of this kind, and to pay for it. We should not deny them this indulgence. But when it comes to the salaries to hire excellent teachers and keep them intellectually alert through half a century of service, no penny-pinching is in order. Libraries should be well stocked and serviced, and laboratories well equipped. Every inducement which leads the student to find himself, to explore, to inquire, to debate, to learn, and to grow in intellectual stature and in human understanding becomes a legitimate and defensible part of the basic "cost of instruction." Included also are the necessary educational administrative services for mounting and maintaining the learning process, but not the administrative costs for other aspects of the total operation.

This basic cost of instruction varies a great deal between institutions. Some have a low ratio of students to teachers, others have large numbers of students for each faculty member. Some have amazingly good libraries and laboratories, while the less said about some others, the better. Some have excellent counseling and student personnel services, while others have not yet come out of the 19th century. The cost of instruction may therefore be anywhere between, say, $500 and $2,000, per full-time undergraduate depending upon the institution and the particular course of study.

Traditionally, both private and public colleges have (with notable exceptions) placed a charge on students called a tuition fee. Occasionally, the tuition fee is closely related to the actual cost of instruction. More generally, the charge for tuition is a shrewd estimate of what the traffic will bear, and represents a pragmatic compromise between two factors: (1) what it is believed the student and his family can be expected to pay at a particular college instead of turning elsewhere and (2) the other resources which can be scraped together by the college to meet faculty payrolls and buy books, chalk erasers, and laboratory specimens. Generally speaking, the tuition charge is only a fraction of the actual costs of instruction, the difference being made up from endowment income, current giving, and tax support. But as the costs of instruction increase each year, through long-overdue increases in salaries for professors, and through the mounting costs of educational supplies and equipment (occasioned in part by the burgeoning of knowledge and the early obsolescence of much scientific and bibliographic material), educational institutions are forced to use every legitimate source of income to balance the budget. This squeeze will get worse, not better, in the years ahead. The pressure on every institution to raise the tuition charge is almost unbearable, as the escalation of such charges clearly demonstrates. Unless immediate remedial steps are taken, higher education will price itself out of the market for the middle income and lower income families. This threat has for some time been recognized, but the possibility of a comprehensive scholarship program geared to the needs of the financially disadvantaged appears to be quite remote. To my knowledge, proposals for a Federal scholarship program have been gathering dust in congressional pigeonholes for at least 18 years. Moreover, no Federal scholarship program thus far proposed would adequately meet the problem before us.

What is needed is a program which insures that no student capable of profiting from education beyond the high school is prevented from obtaining that education because of the fact that the charges levied on him to defray the cost of instruction are beyond the ability of himself and his family to meet. This program must also make sure that every student who profits financially from an education which has become assuredly open to all, will later pay back at least what it cost to give him this college or university opportunity.

We stand today, with reference to higher education, where the Nation stood a little over a century ago with reference to elementary schooling. We must do for higher education in this century what Horace Mann led the Nation to do for the public school in his century. Probably the most revolutionary invention is human history—certainly the most widely copied of all the features of American democracy, is the compulsory, universal, free elementary school. It has been the secret weapon of our strength as a democracy and the ladder of social mobility.

I would not make college compulsory, nor should it be universal; but for those who have the desire to pursue post-high school studies, and who demonstrate the abilities to profit from such study, the opportunity should be free, at least insofar as the cost of instruction is concerned.

Horace Mann was confronted with the accusation that he wanted to tax the rich to pay for the education of the children of the poor. He believed it would be a wise social investment to do so. Eventually, the American people accepted his plan and experience has fully vindicated it. Today, we propose that taxation be the leverage whereby the door of collegiate opportunity is swung open on its creaking hinges and we propose that because those who earn college degrees will personally profit from this open opportunity, they should pay back through the tax structure something more than a token contribution to the alumni fund. I believe that experience will fully vindicate this proposal.

2. AS TO WRONG METHODS AND PROCEDURES

I begin by rejecting the proposal that loans to students should be the means of making up the gap between the cost of instruction and the the individual's ability to pay. The student who chooses a college with expensive dormitories and traditions of high expenditures for weekend binges may be expected to pay for these extras if he chooses them. For him, I would not object to the loan, if he puts his neck into the noose with his eyes open. But when it comes to the costs of instruction, reflected in part in the tuition charge, we are talking about the essence of quality education. First-class college opportunities should be open to the qualified student without reference to his ability to pay—and the issuing of student loans is not the answer.

Student loans work an inequity. For the individual, they mean that the bride and groom bring a dowry of debt to the marriage altar and face the unconscionable burden of repaying onerous obligations precisely when the disparity between earnings and obligations is greatest. They are just getting started with a home, a family and a profession. Income will never be as low again, until retirement. The least equitable method of paying for college expenses is the student loan. Another way of stating this truth is to say that it puts the burden on the wrong generation. When the former student has become a member of the older generation, then—and only then, in accordance with his increasing earnings—he should pay back his full share, through the graduated income tax. Still another way of stating it is to point out that the children of the more prosperous homes escape the burden of student indebtedness, while the children of middle and lower income families must unfairly start their adult careers with such a burden. Yet, despite these burdens, neither the repayer of the student loan nor his fellow student who made no such loan actually repays anything like the real cost of his education. The student loan may be a necessary device to supplement a comprehensive scheme of relief to students and aid to institutions, but as a basic and comprehensive solution of these problems it puts the burden on the wrong people at the wrong time for the wrong purposes and in the wrong way.

Equally objectionable is a proposal which is currently fashionable in some quarters, the tax credit for parents who pay college expenses. Despite the purity of motive which has led some Senators and college presidents to support this proposal, it is a faulty idea and must be rejected. As at least one Senator has pointed out, the tax-credit program would be used as a means of evading the Civil Rights Act of 1964 and of circumventing constitutional guarantees of the separation of church and state. Moreover, while it is proposed as a means of tax relief for overburdened middle-class parents, those who have rallied to its support make it quite clear that its real use will be not to relieve parents but to increase college revenues. The literature supporting the proposal is replete with statements showing how institutions can practically double their tuition income without increasing the actual burden of parents. I am aware of only one statement before a Federal body in Washington in support of the tax-credit plan, that of Dr. Roger Freeman. He frankly admits that the tax credit is intended to support the escalation of tuition charges, enabling the colleges to capture and recoup about 75 percent of the tax-credit savings ostensibly intended to benefit parents. Indeed, it might be pointed out that unless the tax-credit plan were to benefit the colleges, it would be an inferior proposal—yet to the extent that it benefits the colleges, it cannot benefit parents, and vice versa.

We have experience with governmental aid to institutions which is geared to the tuition payment. That experience is not reassuring. In the State of New York, the so-called scholar incentive program, geared to the tuition charge, has had the direct result of escalating tuition charges in both public and private higher education. There are no safeguards which can be built into such a program to prevent this escalation; and insofar as the purpose of the program is to help the institution, increased tuition charges become an essential sequel to the enactment.

Finally on this point, the tax-credit proposal would not be of help to that vast group (nearly 10 million families in 1962) whose adjusted gross incomes are so low that they pay no income tax. Families in greatest need would get no help from the tax-credit plan, while escalation of charges would put college even farther beyond their grasp.

Any measure which is worthy of our support must meet certain criteria: (1) It must be of real help to the student and his family in meeting college costs; (2) it must be of real help to the institutions of higher education; (3) it must discourage rather than encourage escalation of the cost of going to college; (4) it must be in conformity with constitutional and statutory guarantees of religious and civil liberties and rights; and (5) it must be workable. There is such a plan, one which can save higher education and millions of families from financial strangulation.

3. A PROPOSAL

Instead of asking the individual family to undertake, for a sudden and intensive 4-year period of each child's life, to pay exorbitant costs, let that family's payments be spread over the entire lifetime of earnings; and let it be graduated in accordance with actual earnings. And let the basic soundness of the free elementary and secondary school, resting on a broad tax base, be the foundation idea of the support of the costs of instruction in higher education.

Our goal is to achieve a nationwide system of higher education in which every encouragement is given to the reduction of charges to students as they relate to the cost of instruction, looking toward progressive reduction and final elimination of tuition charges. Part of this objective—an integral part of it—is to make sure that the institutions of higher education are strengthened, not weakened, by this Federal program.

The goal, in short, is a nationwide program of support of higher education, restricted to the baccalaureate level, and so constructed as to encourage each institution to reduce its tuition charges to zero, the Federal part of this program to be supported by the graduated income tax, which spreads each family's payments over the entire productive years of its earnings, and which directly relates to the increased earning power flowing from the benefits of higher education both for each family and for the national economy as a whole.

To accomplish this purpose, we must start where we are. Let the actual per-student cost of instruction be computed for each institution; and for every dollar that the tuition charge falls short of the full cost of instruction, let the Federal payment be one dollar. Let half of the reduction of tuition charge each ensuing year be offset by Federal payment, until the point is reached at which the institution and the Government each pay one-half of the annual per-student cost of instruction, and there is no charge to the student for tuition. Let the per-student cost of instruction on which the payment is based be computed as a running average covering the 5 years just preceeding the year of payment, so as to prevent runaway inflation in expenditure; and let the Federal share never exceed more than one-half of that portion of instructional cost which is free from tuition charge—thereby keeping a prudential brake on expenditures by requiring the institution to match Federal moneys dollar for dollar.

For every institution which now sets tuition at less than 100 percent of the cost of instruction—and that is almost every institution in the land—this program would bring immediate relief of financial burdens in the amount of half of the difference between tuition fees and the full cost of instruction. As Federal payments begin, the program should require the institution to plow its savings back into the educational process, by enhancing the quality (and therefore the cost) of instruction, or by increasing the number of students admitted (and thus helping to meet the population bulge), or by removing the hidden subsidy of graduate work now resting on many an unsuspecting undergraduate, or by reducing the tuition charge for undergraduates. Appropriate standards and regulations could readily accomplish these results. And year by year, as the institution sought to reduce its tuition charges toward zero, the Federal program would encourage that effort by matching such reduction, dollar for dollar. If it seemed wise, there might be included an upset limit beyond which the Federal program would not support increasing costs of instruction, in order to prevent uncontrolled expenditure; but it is believed that the necessity of producing one local or State dollar for each Federal dollar is a generally satisfactory prudential device.

This program should not be compulsory. Any institution which wishes to continue to charge for tuition should be permitted to do so. By the same token, institutions which, for any reason, are reluctant to participate, should not stand in the way of those who are ready.

For all publicly supported institutions of higher education, this method of financing the cost of instruction is clearly superior to any other. It puts half the tax burden where it belongs—on the broadest national base; and it puts it there strictly in accordance with ability to pay. The other half of the tax burden is wisely levied at the State and local level, to insure prudential control and economy by State and local authorities. In public colleges in Connecticut and in New York City, there is now no tuition fee whatever; and in the whole of the State of California, fees are charged only for that part of instruction which is due to student personnel and guidance services; while most State universities and colleges in the remaining areas of the Nation have fixed their tuition charges for in-State residents at figures which are less than half of the cost of instruction. The program here proposed would be of enormous benefit to the students served by this galaxy of public institutions, enabling speedy and effective action to meet burgeoning population demands, and erasing many interstate inequities now prevailing. To preserve the possibility of free choice and to take care of student mobility from State to State, institutions in one State should be permitted to collect a chargeback against the State of origin for all out-of-State students accepted—thereby immediately equalizing the tax burdens which some laggard States are now unwilling to assume.

Leaving to one side, for the moment, the vexing question of church and state, everything we have said about the publicly supported institutions of higher education applies likewise to the privately controlled institutions. To be sure, most of them will be forced, by competition with public institutions which become tuition free, to reduce and eventually to eliminate all charges for tuition. But most, if not all, of the private institutions would welcome the opportunity to admit their students without reference to the family's ability to pay. The very sizable sums now expended annually for scholarships and grants-in-aid could immediately be used to help make up that portion of the reduced tuition charge which the college must forgo in order to claim the Federal support. And the general goal of tuition free higher education for an entire nation should spur philanthropy and stimulate alumni donations so that, with half the burden of tuition reduction being shared by Government, even the most financially perplexed private institution should find its future brighter and its educational services improved. For all of American higher education—public and private alike—this program promises a brighter future. And for all of America's children who can profit from education beyond the high school and who have the desire to pursue that education, the future becomes open. Families will still be faced with the necessity of the noninstructional costs. These will be minimal in the great metropolitan complexes like the City University of New York, Wayne State University in Detroit, and Temple University in Philadelphia—to cite but three of many. On the other hand, the noninstructional costs will continue to be considerable at many of the residential institutions, particularly those which are characterized by standards of living reflecting upper income levels. I see no harm in this. The objective is to provide high-quality education for all, regardless of family income. Differentials in the frills and extras will continue to be a normal part of American life, in college as everywhere else.

And as far as the question raised by this task force is concerned, the answer would appear to be quite clear. This is the way to remove "the financial burden that college and university education now places upon millions of families," by Federal aid which assists "parents and students alike in reducing the frequently overwhelming cost of this vital investment." And this program has a feature no other proposal now contains—namely, built-in safeguards against spiraling costs otherwise resulting from Federal action.

There remain two vexing questions to be considered.

The first of these is the question of Government support for the church-related institution. The Constitution of the United States requires the separation of church and state. Any program such as the one here under discussion must conform to this requirement. If we are clearly convinced of the soundness of the program itself, we will not fail to find a method achieving the general purpose while at the same time conforming to constitutional requirements. For example, some would urge that the cost of instruction for church-related colleges should be computed so as to exclude instruction in religious matters. If this were found to be satisfactory, it is believed that church-related colleges would gladly pay the entire cost of religious instruction on their own campuses. An alternative might be to rest the entire program on the precedent of the GI Bill of Rights, letting the Federal payment follow the student, regardless of where he studies. Still another possibility worth careful study is the practice now developing in Canada and in a few instances in the United States; where increasingly, the nonsectarian publicly supported university is surrounded by a cluster of affiliated sectarian colleges which offer as broad or as narrow a program as they wish out of nonpublic funds, and where students can use the resources of the university for their other studies. Additional alternative methods will doubtless be suggested which may be superior to any of these. I am content to let the debate which precedes adoption of the program settle this particular question.

The second vexing question is easily disposed of. There are those who would object to providing tuition-free higher education for the children of the rich. They argue that if a man can pay for his sons' education, he ought to do so. The first answer is that if this is true, then it applies to elementary and secondary schools just as much as to colleges. Until we are ready to slap a tuition charge on the children of the rich who attend public and elementary and secondary schools, there is no reason in logic or equity for demanding it at the college level. The second answer is a bit more sophisticated, but equally compelling. If the entire cost of instruction is based on taxation—as in our proposal—then, to slap a tuition charge on the family of higher income is to impose a double tax. The income tax is already graduated to take care of differential abilities to pay. A tuition charge which is additionally based on such ability would be gross inequity. In our desire to lift the burdens of the poor we ought not to discriminate against the rich. Having paid his proportionate taxes, the rich man has just as much right as the poor man to send his son to the free institution of higher education.

4. THE CHOICES BEFORE US

During World War II, the American people made a momentous decision. Spurred in part by patriotism and gratitude, and in part of prudential anxiety over the returning veteran as he was about to be demobilized, we instituted the GI bill of rights. The educational soundness of that program has never been disputed. Its financial soundness needs only to be referred to here. Through the Federal income tax, the "alumni" of that program have already paid back into the National Treasury the entire cost of their Government support in higher education; and, because of their increased earning power which derives from that education, they will continue for many years to come, to pay back, over and over again, much more than the Nation invested in their education. Indeed, if my information is correct, the added Federal tax income derived directly from the earnings of veterans who benefited from the "GI bill of rights" is now estimated at 5 billions annually—an amount which is double the yearly cost of the free tuition program we are here discussing. The financial enrichment of the Nation and its people from such a program is clear. The cultural, intellectual and scientific enrichment and strengthening of the Nation are equally real even though incalculable.

In 1574, the people of the city of Leyden, Holland, succeeded in resisting with great courage the siege of the Spanish invaders. As a reward, William, Prince of Orange, offered the citizens of Leyden their choice between perpetual freedom from taxation and the construction of a great university. The people made their choice. They accepted taxation in order to have a great university.

This is the choice now before the American people.

Present, too, Mr. Speaker, was Mr. Kenneth Patrick, vice president of the Council for Financial Aid to Education.

While Mr. Patrick did not offer any strikingly enthusiastic support of the tax credit concept, he did indicate that a tax credit program for both corporations and individuals could very well provide "an incentive for increased contributions over and above the present provisions for deductibility as a charitable gift or a business expense."

Mr. Speaker, because Mr. Patrick's remarks contain some very interesting observations, I insert them into the RECORD at this point.

TESTIMONY OF KENNETH PATRICK

Mr. PATRICK. My name is Kenneth Patrick, and I am vice president of the Council for Financial Aid to Education.

As I said, this will be very brief, and maybe almost off your subject.

For the information of your committee, my personal background, which may have some bearing on this statement from a slightly different direction than you have been hearing, consists mostly of the fact that for about 30 years, until retirement, I was associated with the General Electric Co., for the last 7 years of that time I was manager of educational relations of all areas of corporate contributions, and educational administrator of the General Electric Foundation. I have also been on the Committee on Education of the U.S. Chamber of Commerce, and another angle, chairman of the Council on Executives on Company Contributions of the National Industrial Conference Board, and a trustee of the New York City Institution.

As an officer of the council, my particular responsibility is with corporate relations. The Council for Financial Aid is a nonprofit New York membership corporation founded in 1952 by Alfred P. Sloan, Jr., honorary chairman of General Motors, Frank Abrams, who was then the chairman of the board of the Standard Oil Co., N.J., and the late Irving Olds, then chairman of United States Steel Corp., for the principal purpose of encouraging the financial support of all higher education, public and private, by the business community. This continues to be the main objective of the council. Its main functions are statistical research, communication to our market, and consultation with individual companies.

For the first decade, the expenses of the council were underwritten by four foundations, Sloan, Ford, Rockefeller, and the Carnegie Corp., but subsequently this has been undertaken by about 150 corporations.

Since the council is essentially a business-oriented agency at the wholesale level, if you please, it doesn't raise funds nor does it distribute them to colleges and universities. Relying on the last biennial survey, the total voluntary support for higher education from all sources appears to be something in excess of 1.3 billion. This includes foundations, church groups, alumni, other individuals and the business community. This represents about 21 percent of the total income for higher education in the community. Of this amount, the business community is currently contributing about $250 million annually.

For some time it has been estimated that by 1970 the needed income for higher education might be at least twice the present figure, and there are all sorts of versions of that; that is, that in relation to the other sources of voluntary support, the support from the business community should double to about $500 million annually if it is to maintain its present position in the support structure. These few figures—plus perhaps the additional estimated at about 37 percent of corporate contributions—are now earmarked for educational support. This fairly outlines, I believe, the scope of the council's interest in its present objective.

We look upon business support of colleges and universities as a necessary and prudent investment, one that would have to be made in fact if there were no tax incentives at all, and not as philanthropy in the general sense of giving money away.

To attempt to relate these statements now to the question of possible income tax credits, which I understand is under exploration by your group, well so far as tax credits might be applied against tuitions and fees for higher educational institutions, fees and tuitions paid by the taxpayer, the council really has no position one way or the other, since such credits would presumably benefit individual citizens but would not add a single dollar to direct support of colleges and institutions directly.

In the narrow scope of our work, of course, we are concerned with business organizations, not with individuals as such, and with the increase of voluntary support from such business organizations.

There is another aspect of income tax credits, however, which might have some bearing on the council's task. We are currently engaged in trying to broaden the base of business support by persuading many more companies across the country to institute planned programs of educational support. Naturally we would welcome any development, statutory or otherwise, which might accelerate our progress in this direction, because progress is a little rough.

If the Congress should establish income tax credits for corporations or for individuals which would be measured against some portion of voluntary contributions, this might well provide an incentive for increased contributions over and above the present provisions of deductibility as a charitable gift or a business expense.

To what has been said here I should just like to add an observation, which is purely personal and should be not taken as an official view of the council, of course. It has seemed to me that tax credits for education in any form I guess were not likely to be enacted for these reasons:

It doesn't seem to be practicable to enact a special tax credit class and limit it to education—at least, it has always seemed so to me—because once the door was opened the Government would seem to be overwhelmed when by pressures from all types of agencies, cultural, church, welfare, health, and so on. I have felt that there might, however, be some special opportunities for such a device as a tax credit within the State taxing structure. Two years ago, at the invitation of the then majority leader of the New York State Legislature, I suggested he might explore the possibilities of a State tax credit to business which would match a company's contribution to any institution of higher education within the State, public or private, and a tax credit up to a certain point to match any contribution by an individual to a State college or university. This might have a channeling effect, I felt, upon contributions with a special benefit to the State. Of course, it is only in that light and not as a Federal device.

That is all I could think of, gentlemen, that might have a bearing on your subject.

Mr. Speaker, all those attending the May 24 hearing were not educators, as was evidenced by the presence of Mr. Peter E. Guernsey of Old Westbury, Long Island.

Mr. Guernsey is the father of three children and, as he indicated in his testimony, will soon be confronted with the high costs of providing his children with a higher education.

I am proud to say, Mr. Speaker, that Mr. Guernsey lives in Nassau County, N.Y., and I am also pleased to say that he appeared at the May 24 hearing at my invitation.

It was the desire of the House GOP task force on education to obtain the views of a parent confronted with the cost of providing higher education for children and, in this respect, Mr. Guernsey proved an ideal choice.

We of the task force on education are deeply appreciative of Mr. Guernsey's highly cooperative attitude and his excellent testimony and, at this point, Mr. Speaker, I would like to introduce Mr. Guernsey's comments to the RECORD.

TESTIMONY OF MR. PETER E. GUERNSEY

Mr. PETER E. GUERNSEY. I am a vice president of Marsh & McLennan, and I appear before you today as the father of three children, as one who has already felt the impact of the cost of the tuition at independent schools which would be what we refer to as a private boarding school. I will shortly be faced with further impact, which is higher education for these children.

I am completely in favor of the proposed legislation, with one exception, that being the size of the credits proposed. I admit that my motive can be considered selfish, and yet I feel it is justified, because I am convinced that the moneys which I am spending today and will continue to spend make finer citizens of my children, and therefore, in a small way, improve the country in which we live.

I have read as much as time permitted of the arguments presented by others who oppose this bill. I would like to touch on one of them briefly.

There appeared to be a great deal of concern about the disposition of the savings that parents would make on the tax return, and I would like to assure all of you gentlemen that this is no problem, because these savings by the parent will be spent for the necessities of life, such as food, clothing, et cetera.

When a parent is paying for higher education today, there is no room in the family budget for luxury.

Dr. Bowker brought up one point, which is the question of men or women going from New York to western universities. Every college today is trying to broaden their base. They are interested in students from all of the 50 States plus foreign countries. This means that there will be a great exchange of students from the East to the West and from the West to the East.

The parents of these children are going to find that if they are educated in the East and they are going to a State university in the West that they are going to be faced with paying tuitions, which is something that they have never known before. As a consequence, I think that action on this bill is of a very immediate nature, because with this tremendous influx of students going into college today, this is becoming an interesting factor.

I began this statement with the comment that the amounts of credits being offered were meager. It may be interesting to you gentlemen to know that the cost to a parent of one child in a university will approach today $250 a month, and this doesn't allow for clothing, it doesn't allow for razor blades, it doesn't allow for the movies, or for any kind of recreational activity. If you have two children, you can multiply that by two and you now have $500 a month.

In conclusion, I would like to refer to a cartoon which appeared several years ago and which I think expresses the problem as well as anything I have ever seen. This was a picture of two couples sitting on four orange crates in an otherwise empty room except for a single light bulb that came down from the ceiling on a long cord, and the caption under the cartoon said, "How does junior like college?"

I think that sums it up, gentlemen. I think it is a fantastic cost to the parents today. I think that any type of legislation which can relieve them of this burden would be a great thing, not only for the country, but for the children involved, because it is going to enable more of them to go to college.

Mr. WYDLER. Mr. Speaker, members of the GOP task force on education who appeared prior to my presentation to the House have submitted letters to the RECORD, these representing replies to inquiries addressed by Chairman ALBERT H. QUIE to numerous persons throughout the land interested in education and tax credits.

The content of these letters is very interesting, Mr. Speaker, and at this point I would like to introduce to the RECORD seven such letters offering an endorsement of a tax credit program to help in meeting the costs of higher education.

HAUSSERMANN, DAVISON & SHATTUCK,
Boston, May 20, 1965.

Hon. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, Washington, D.C.

DEAR MR. QUIE: In response to your letter of May 17, I am glad to report that I feel very strongly that tax credits should be provided as a means of relieving to some extent the mounting costs of higher education.

Many parents in the middle-income group have two or more children in college and the costs become almost prohibitive for the family. It is impossible to qualify for scholarship aid in most instances if the parents have any property or assets whatever. In my own case I have had two boys in college and professional school for several years. No scholarship assistance was available unless I had first mortgaged my house for the maximum possible loan, borrowed on life insurance policies to the full extent of the loan value, and exhausted any small savings account maintained as a fund to meet unforeseen emergencies.

Unless legislation of this type is enacted, many worthy boys and girls may well be deprived of the opportunity for a college education.

I am chairman of the board of trustees of State Colleges in Massachusetts and I know that our State universities and other public institutions of higher education are already overcrowded and we are able to accept only a small percentage of the qualified applicants. We try to select those students whose parents are unable to meet the higher tuition and other costs at private institutions. Some incentive should be provided those parents of limited financial means to send their children to private colleges by allowing a liberal tax credit to ease the burden they are required to assume. This would help to some extent in relieving the pressure under which most of our public institutions are operating. We just cannot expand our facilities rapidly enough to cope with the growing demands.

Respectfully yours,

STUART MACMILLAN.

THE FIRST NATIONAL
BANK OF CHICAGO,
Chicago, Ill., May 20, 1965.

Hon. ALBERT H. QUIE,
Chairman, House Republican Task Force on Education, U.S. House of Representatives, Washington, D.C.

DEAR MR. QUIE: In response to your letter of May 17, I wish to confirm that I am very much in favor of the proposed legislation to authorize tax credits as a means of helping to offset the increasing costs of higher education.

Having had four children in college at one time, I am fully aware of the burden of providing higher education under present tax laws. It has always seemed quite unfair to me that today one can get a deduction for contributing to the education of others, but can get no relief in educating one's own family.

As a trustee of a small private college (Blackburn College, Carlinville, Ill.), and as one who believes strongly that we should resist the growing tendencies today toward further socialization of our entire economy I feel also that the proposed legislation for tax credits would also be an important step in preserving our private colleges, which in many cases are being overwhelmed by tax-supported public institutions.

With best wishes to you and the other members of your task force, I am,

Sincerely yours,

C. W. WILSON.

GASPORT, N.Y.,
May 20, 1965.

Hon. ALBERT H. QUIE,
House of Representatives,
Washington, D.C.

DEAR SIR: Thank you for your letter of May 14 concerning enactment of legislation authorizing tax credits to help offset increasing costs of higher education. I am very sorry that I shall not be able to attend the hearing in New York on May 24; I have other commitments. However, I am in favor of this legislation.

Since sitting on the board of trustees of Keuka College, I have come to realize the necessity for increasing higher education costs. A large part of these costs are due to faculty salaries and the need for keeping a competent faculty in a large number of fields. Many college faculty members, who have advanced degrees, have been receiving considerably less salary than high school teachers with only baccalaureate degrees and some without any degree. Also, the need to provide more facilities to keep up with increasing enrollments is another factor in this increasing cost.

On the parents' side, however, I would like to make a few points:

1. We have put one daughter through a 4-year liberal arts college and one daughter through business school.

2. Our son, who is several years younger, is a freshman at the College of Wooster in Ohio. Since his acceptance in January 1964, we have received notice of three separate increases: board and room and laundry; student fees; and tuition for 1965–66. I realize these are not prohibitive, but they keep creeping up.

3. My husband, who holds a B.A. degree from Union College plus 3 years of technical training at GMIT, is on a very limited salary in a research lab. I am a teacher with a B.A. degree. (We do not receive salaries comparable to the New York City area.) Because of our present income, and this is only within the last few years that I have been teaching since my family is grown, my son could get only the minimum New York State scholarship aid; so he went out of the State where tuition was less expensive for the type of liberal arts college he wanted to attend.

4. My husband will have to retire the year our son is graduated.

5. There was some money saved for our son's college expenses, but after this year, it will really mean a definite squeeze to finance his expenses without too extensive borrowing. John doesn't object to working to earn part of his expenses and we feel that he should, but availability of jobs at school again many times depends on present income of parents.

I feel that any tax relief, the more the better, that can be given to parents and to students is much to be desired.

The age of a parent is not taken into consideration in the college scholarship service nor in the income tax before 65, and I do feel there should be an opportunity for parents to provide for retirement years without having a sizable debt hanging over their heads to pay for education. I realize this is a personal problem, but I happen to know of several within our acquaintance who are in similar circumstances.

Very truly yours,

MRS. CARROLL H. SEABURY.

CAMBRIDGE, MASS.,
May 19.

DEAR MR. QUIE: In response to your inquiry, I very much favor a tax deduction for students in college. I have seen Senator RIBICOFF's bill which seemed to me on the right track. My only criticism of it is that the allowance for students in private colleges needs to be increased to take account of the rapid rise in their tuitions (now $1,760 at Harvard.) For the State universities it seemed to come closer.

I am a trustee of the University of Massachusetts, served 25 years on the staff of Harvard University, have five children complete college and three graduate work. So I can no longer benefit from such deductions. But at present costs, we could not have financed first rate college for all our children. One happily had GI benefits. These ought to be restored—the 2 or 3 years after 1945 saw the greatest educational results in our history—because of the veterans who otherwise would not have been in college.

Sincerely,

LOUIS M. LYONS,
Retired, Curator Nieman Fellowships, Harvard University.

EAST MOLINE, ILL., *May 18, 1965.*

Hon. ALBERT H. QUIE, Chairman,
House Republican Task Force on Education
U.S. House of Representatives
Washington, D.C.

DEAR MR. QUIE: Thank you so very much for your invitation of May 17, 1965, to express my opinions regarding tax credits as an assist in meeting the heavy burden of higher education costs. My interest in this matter is most profound. Tax credit seems to be the best suggestion yet offered to minimize this unjust educational burden. The following are only a few of the reasons why this matter should have the highest priority of our legislators.

The middle-income family is getting caught in this vicious fiscal vise which undermines the solid, thrifty citizen with college-age children. The children of low-income families (the Povertys), the broken families, the nonthrifty—these children, if academically qualified, are usually able to obtain scholarships and other assistance not available to the middle-income family. That is basically the way it should be—but not to the exclusion of middle-income families that are really being burdened far more than most people realize. Unfortunately, doing something for other than the very low-income family seems to be unpopular—politically.

The middle-income-family student may attend the State University where tuition is low due to its taxes support. This student can't obtain a monetary scholarship, and probably doesn't need one, because he has, in effect, a built-in "citizen's tax scholarship." But the University of Illinois, for instance, can't accept all the qualified students that desire admittance. Last year at the Champaign campus, about 3,500 qualified students were not accepted due to lack of space and teachers. This year, at least 7,000 are being turned away. The University of Illinois reportedly will admit only those students in the top 25 percent of their high school class. Where will the remaining 75 percent have an opportunity to attend college? At the private college—where tuition, however, is very high. (Above "private college" designation is not necessarily meant to apply to the prestige Eastern colleges, but to such low-endowment schools as Upper Iowa, Augustana, University of Dubuque, St. Ambrose College, etc.)

The private school is the salvation of our country. The State governments didn't provide space for enough students, so private colleges must make up for the educational fiasco.

Some students are not psychologically fitted to go to the huge State university—or for other reasons desire or must attend a private college.

The middle-income family gets it "in the neck" again. He pays his taxes which entitles his son to a "citizen's tax scholarship" at the State university, but he can't use it because of deficient Government planning and therefore has to pay double in sending his son to the private college. This is most unjust.

The Government is apparently so afraid that a few wealthy families will get some advantage that one of the plans suggested last year had a very complicated formula which was lunacy. Even a wealthy father should not be expected to support his son's school expense from age 21 to 25.

The middle-income class needs this tax credit relief badly. Those close to this problem know this clearly. Their sons are not eligible for scholarships because they cannot claim "poverty." And how about the poor middle-income father who has two or three "kids" in college at the same time? "Woe is unto him."

There is a great grassroots clamor for the Government to do something about this. Congratulations to your committee for being alert to this urgent, growing problem. The writer certainly wishes you every success.

Very truly yours,

B. Alvin Buss.

Beachley Furniture Co., Inc.,
Hagerstown, Md., May 21, 1965.

Hon. Albert H. Quie,
Chairman, House of Representatives, Washington, D.C.

My Dear Mr. Quie: I received your letter regarding the legislation for tax credits concerning higher education.

I have educated my own, and I always felt that a person was certainly entitled to a tax credit for the money expended on college education.

I, likewise, am chairman of the finance committee of Juniata College of Huntingdon, Pa., where Dr. Calvert N. Ellis is the president. I think he has been on one of your House Committees on Education for many years representing the church-related colleges.

In connection with the college work, I certainly see many, many instances as to when a tax credit to a parent would be of great help.

In these days of constantly rising costs and with the many demands that are put upon a person in every way, shape, or form, it makes it very, very difficult for a parent to lay back money, or to plan to have sufficient money to pay for a son's or daughter's education. Many people mortgage their homes or borrow for this purpose, but it does seem like with all of the money we throw around all over the world, that we certainly should help our own people in educating their children. The boys and girls of today are the future citizens of tomorrow, and we certainly should give them the finest and best education that we can in every way, shape, or form.

Wishing you continued success on your work helping higher education, I remain,

Very truly yours,

Donovan R. Beachley, Sr.

The Baptist Institute For
Christian Workers,
A Junior College,
Bryn Mawr, Pa., May 20, 1956.

Representative Albert H. Quie,
House Republican Task Force on Education,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Quie: This matter of tax credits to parents who are sending youngsters to college has long been a matter of grave concern to me. Perhaps, because I have spent most of my adult life on college campuses, I have been in a better position to observe the struggle of many students and their parents to meet this ever-rising cost of college education.

In fact, 6 years ago I sat down with my Representative to Congress, and together we prepared a bill on this topic allowing tax credits up to $1,000 a year for tuition.

The bill, of course, never got out of the committee. I am just the president of a small college, but it does not seem right that a parent should have to pay tax on the full amount spent in sending his children to college, especially to private school.

Sincerely,

Charles L. Major.

TEXAS IS BIG—AND BEAUTIFUL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. Patman] is recognized for 40 minutes.

Mr. PATMAN. Mr. Speaker, on May 27, Mr. Ted Lewis made the following comment in his column, "Capitol Stuff," in the New York Daily News about the administration's program to beautify America:

> It will be entertaining to watch the impact, if a beauty law is passed, on the Johnsons' home State of Texas. The Lone Star State is big but its landscape is drab and without one scenic beauty worth touting. And Texas has more roadside auto graveyards than any other State.

Yes, Texas is big, and there may be in all its tremendous expanse one drab acre, but I doubt it. Texas contains within its borders a landscape as rich and varied as the American continent itself, from the lush forests and sweet water rivers of east Texas to the high plains and Big Bend Mountain country of the west.

Beauty, it has been said, lies in the eye of the beholder, and undoubtedly some motorists, interested solely in getting across Texas, have felt oppressed by its sheer size. Nor will every eye appreciate the grandeur of the great vistas of the Texas countryside. The eagle and the mole are both God's creatures, but they do not see alike.

Be that as it may, to the objective eye there is not one jot of the American scene that does not have its natural beauty and its extollers. Ugliness has come upon some localities mostly through our thoughtlessness in not providing for the wastes of industrial civilization. Texas shares this problem with her sister States. Indeed, it would not surprise me to find in Texas the biggest junkyard of them all, and with the help of President Johnson's program we hope to do something about this very soon. As Ralph Waldo Emerson said, "Beauty will not come at the call of a legislature, nor will it repeat in England and America its history in Greece." Yet legislatures can do much to preserve and encourage the full development of each region's natural beauty. For I feel that nothing in nature is truly drab, certainly not Texas, certainly not east Texas, and very certainly not the First Congressional District, which I know best.

I wish that Mr. Lewis could have the good fortune to enter Texas along Highway 59, which penetrates into the heart of the gulf southwest and the First Congressional District. Its piney woods and shaded parks, its numerous lakes and recreation areas, are indeed a sanctuary for any American whose sense of beauty has been outraged by the procession of drive-ins, billboards, and junkyards, which mar too much of America. Many of the growing number of tourists visiting Texas—14 percent more in 1964 than in 1963—can testify to the rich, natural advantages of east Texas, where lakes and woodlands offer unsurpassed opportunities for forest recreation and forest industry. A week of repose spent fishing along the shores of any lake in my district such as Lake Texarkana, Lake O' the Pines, or Caddo Lake, to name but three, or hunting amid the forests of the gulf southwest should convince Mr. Lewis that he is ill informed about the natural beauty of rural Texas. Or if he is interested in such things, there is also the feel of history in this east Texas land, where the artifacts of Indian tribes and the furnishings of pioneer homes are carefully preserved and where there is still the memory of cavalry patrols, covered wagons, and steamboats on the river.

But if Mr. Lewis is an inveterate city dweller, let him fly to San Antonio, Houston, Dallas, or any Texas metropolis, and as his plane approaches these glistening cities, he will see that manmade things need not be ugly, and that here is a great promise for all American cities, with room to grow and the energy and drive to use that room.

Yes, Texas is big, and its cities are big. Throughout Texas there is nothing drab, neither in its rural landscape nor in its burgeoning and exuberant cities.

POLLUTION OF THE ATMOSPHERE

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Gilligan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, on February 8, I introduced House Joint Resolution 289, to designate the last full week of October 1965 as Cleaner Air Week. President Johnson, on May 31, endorsed the efforts being made at all levels of government and by private groups to clear our atmosphere of pollution in a letter to Mr. Charles N. Howison, national chairman, Cleaner Air Week Committee, Air Pollution Control Association, 2400 Reading Road, Cincinnati, Ohio.

Mr. Speaker, I hope the resolution, which was referred to the Committee on the Judiciary, will act favorably on it and in time to allow the widest possible dissemination of the resolution itself and other appropriate materials that will aid considerably in creating and maintaining a clean and healthy atmosphere.

The letter follows:

> The White House,
> *Washington, May 31, 1965.*
>
> Pollution of the air threatens the health and welfare of our citizens, diminishes the economic vitality of our Nation, and mars and obscures the beauty of our cities, parks, and open spaces.
>
> It is, therefore, important that we give high priority to efforts to achieve and maintain control of the many sources of air contamination. Neglect of this need today will only mean a more serious problem tomorrow.
>
> Under the Clean Air Act of 1963, the Federal Government is helping our cities and States meet their responsibility for developing air pollution control programs capable of dealing with this problem. In order to make full use of the Clean Air Act, however, cities and States need public understanding and support.

Cleaner Air Week focuses attention on the national air pollution problems and means for combating it, and I commend the Air Pollution Control Association for its continuing sponsorship of this worthwhile event.

LYNDON B. JOHNSON.

PROPOSED CONGRESSIONAL COMMISSION ON THE ROLE OF CONGRESS IN FOREIGN POLICY AND INTELLIGENCE ACTIVITIES

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SCHEUER. Mr. Speaker, it is clearly evident that Congress constitutional warmaking prerogative exists today only on paper. In any major nuclear holocaust all of the buttons will have been pushed before Congress would have a chance to meet.

We can hardly expect any President seriously to attempt to go before Congress when nuclear missiles are on their way toward us.

It is also fairly evident that today's cold war brings with it hot actions in the form of half wars, undeclared wars, police actions, and limited hostilities. There was never a declaration of war in Korea, and we have turned from advice to battle missions in South Vietnam, launched unofficial attacks in the Bay of Pigs, and progressively became more heavily involved in the Dominican Republic publicly as we were secretly in Guatemala, some years ago—all without prior congressional action, or consideration.

Perhaps all of these military and paramilitary actions were proper, could not have been avoided, and, indeed, had to be commenced promptly, to protect our national interest. But it is certain that the Congress had little knowledge and little to say before or after these military actions were taken. Careful study is needed to determine whether and when Congress is entitled to prior knowledge, and the degree and manner of its participation in the decisionmaking process on military involvement abroad.

The conduct of foreign policy is and must be in the hands of the President of the United States and his Secretary of State. But the basic philosophy of our system is one of checks and balances. In the most important area of that policy—the questions of war and peace—the basic system had been dangerous vitiated.

The Central Intelligence Agency has vast powers that, in and of themselves, may create a fait accompli involving us in hostilities abroad. Yet there is little, if any, congressional check or even knowledge of the activities of this Agency.

I have therefore introduced this resolution which would provide for 16 leading Americans and an expert staff to study this whole question for an extended period of time, to hold hearings, and report to the Congress and the President on their findings.

I would hope this Commission would include former Members of Congress, former official of the State Department, and leading experts in the field of constitutional and foreign affairs without regard to partisan background.

It may be that the study will prove that the national security would demand that the present system stay in force. I believe, however, that we in Congress would benefit from the proposed study.

H. CON. RES. 434

Concurrent resolution establishing a congressional Commission on the role of Congress in foreign policy and intelligence activities

Resolved by the House of Representatives (the Senate concurring),

CREATION OF COMMISSION

SECTION 1. There is hereby created a Congressional Commission on the Role of Congress in Foreign Policy and Intelligence Activities (hereinafter referred to as the "Commission").

DUTIES OF COMMISSION

SEC. 2. The Commission shall make a full and complete investigation and study of the role of Congress in the formulation and implementation of foreign policy and in all aspects of the intelligence activities of this Nation. In making its investigation and study the Commission shall give special attention (1) to the extent and methods by which Congress should influence foreign policy and intelligence activities and (2) to an examination of the erosion of the power of Congress to declare war.

MEMBERSHIP AND ORGANIZATION OF COMMISSION

SEC. 3. (a) The Commission shall be composed of sixteen members. Eight members shall be appointed by the President pro tempore of the Senate and eight members by the Speaker of the House of Representatives. Members shall be appointed from among those persons who formerly served in Congress, or in positions in the executive branch of the Government directly relating to foreign policy or intelligence activities, and from among scholars in the field of government organization.

(b) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(c) The Commission shall elect a chairman and a vice chairman from among its members and shall determine the number of members necessary to constitute a quorum for the transaction of business.

COMPENSATION OF MEMBERS AND EMPLOYEES OF THE COMMISSION

SEC. 4. (a) Members of the Commission shall receive $— per diem while engaged in the actual performance of duties vested in the Commission plus reimbursement for travel, subsistence, and other expenses incurred by them in the performance of their duties.

(b) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949. The Commission may procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946, but at rates not to exceed $— per diem for individuals.

REPORT OF COMMISSION

SEC. 5. On or before the last day of the Eighty-ninth Congress, the Commission shall make a report of its findings and recommendations to the Congress.

POWERS OF THE COMMISSION

SEC. 6. The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this concurrent resolution, hold such hearings and sit and act at such times and places within and outside the United States, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes of the United States (U.S.C., title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

COOPERATION OF OTHER AGENCIES

SEC. 7. The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of studies conducted under this concurrent resolution; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is requested to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman or vice chairman thereof.

EXPENSES OF THE COMMISSION

SEC. 8. The expenses of the Commission shall be paid from the contingent fund of the House of Representatives, on vouchers signed by the chairman thereof and approved by the Committee on House Administration.

THE LIVING MEMORIAL TO FREEDOM AT EASTON, PA., AREA HIGH SCHOOL

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, last September 30 I called the attention of my distinguished colleagues to the record established by one of the many excellent schools in my district. I said then that the Nation's future lies in the hands of the young men and women now enrolled in our public and private schools.

At that time, I stated that the new Easton Area High School in Easton, Pa., was one of the most talked about and written about American high schools in the last 10 years, and the most famous of the large new senior high schools built in the past 5 years.

At this time I am proud to say that this school is again distinguishing itself, and the Commonwealth of Pennsylvania, by providing national educational leadership. This leadership is in an area crucial to the continued maintenance and strength of America as a citadel of freedom in a world situation in which increasing pressures are being brought to bear against the very principles of liberty, justice, and human dignity for which America has long stood as a shining hope for all mankind.

The Easton Area High School freedom project, initiated by Carl H. Peterson, principal, and the high school's student council, is designed to show what educators, schools, and their students can do to reaffirm the basic principles underlying our democratic heritage, and to prepare our young people for future responsible citizenship activity by involving them in the making of history today.

In phase 1 of the project, the high school has made its grounds a living memorial to the heritage of the past by creating Freedom Drive, lined with 36 splendid Norway maple trees, each one representing a president of the United States. In front of each of the trees is a 400-pound granite bench, inscribed with the name of the president the tree represents, and the date he held office.

Along Freedom Drive is located United Nations Grove, planted with trees symbolizing the search on the part of all nations for world peace, with the flag of the United Nations flying in the center.

Further along Freedom Drive, Constitution Lane branches off and further encircles the school. Constitution Lane is lined with 10 dogwood trees which formerly grew in the soil at Valley Forge and which represent the 10 Bills of Rights. These trees were donated to the school by the Freedoms Foundation at Valley Forge. A granite stone beneath each of these trees identifies the particular amendment which each Bill of Rights tree represents.

Thirteen white birches also line Constitution Lane, representing the Thirteen Original Colonies. Each of the 13 Colony trees is also identified by a granite bench.

In this phase of the project the school has provided its students, and those to come, with a living reminder of the grandeur of the past and of the basic principles upon which our present freedoms rest.

Phase 2 of the Easton Area High School freedom project is equally, if not more, significant. Tremendously impressed by President Lyndon B. Johnson's historically significant and courageous speech of March 15, in which he states:

> There is a time when history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom.

The student council met on the following day. They voted not only to honor the past, but also to involve themselves, along with the President of the United States, in the present crucial moment in American history, and in speeding the cause of true freedom for all mankind.

Again, all the students responded, and in the most significant way possible. It was decided to erect on the front lawn of the high school, adjoining Freedom Drive, the Eastern Area High School freedom shrine.

The freedom shrine is comprised of three trees, the Liberty Tree, the Justice Tree, and the Equality Tree, partially encircling a 4,000-pound, 6-foot granite stone. Inscribed forever on this stone is the Emancipation Proclamation of 1863, and above it, the Easton Area High School Freedom Proclamation of 1965.

My distinguished colleagues, I urge you to listen to the following words with care, because they were spoken with courage, firmness, and conviction by 2,000 young Americans on May 24 of this year. I know, because the Honorable CHARLES LONGSTREET WELTNER, our colleague from Georgia's Fifth District, and I were there and were proud to participate, along with hundreds of citizens from the entire Easton, Pa., area community, in the profound and moving dedication ceremonies signaling the start of a nationwide movement for all schools to stand, as has the Easton Area High School, to reaffirm the grandness of the past and to involve themselves actively in the quest for true freedom and lasting justice for all Americans, and for all mankind in the present.

EASTON AREA HIGH SCHOOL FREEDOM PROCLAMATION, EASTON, PA., MAY 24, 1965

> Let it be known to all future generations of Americans who read this, that, in the year 1965, 102 years after the Emancipation Proclamation, "* * * when history and fate met at a single time in a single place to shape a turning point in man's unending search for freedom * * *." The Easton Area High School, and those students attending, stood firmly for liberty, justice, and equality for all Americans in their own time.

Congressman WELTNER, the main speaker at the dedication ceremonies, and I were proud to raise together, at the conclusion of the ceremonies, the Capitol flag which now flies over the growing liberty, justice, and equality trees, and over the significantly immovable granite stone on which are inscribed for future generations of students the courageous and moving words spoken by 2,000 young Americans on that day.

I ask you to consider the national impact if every school and its students were to stand behind the President of the United States today and speak out strongly for equal liberty, equal justice, and equal opportunity for All Americans, now, as has the Easton Area High School and its students.

Man's ceaseless search for true freedom would be hastened immeasurably, and historians a hundred years hence would mark the initiation of this movement as a glorious and epic moment in American history; when, 102 years after the Emancipation Proclamation, the youth of America, the citizens of tomorrow, rose as a group to declare the time long past for all Americans to be considered truly free and equal in the eyes of God and their fellow citizens.

This is the final aim and intent of the principal of the Easton Area High School and his students. In order to encourage all schools to make, in some way, their own grounds a living memorial to the past, and to issue their own freedom proclamations, this high school is printing, in its own technical shop, 4,000 brochures describing the Easton Area High School freedom project, and is sending these booklets free of charge to schools, leading educators, and service, social, and civic organizations nationwide.

The Easton Area High School freedom project has already received strong National, State, and local endorsement. These written endorsements will be included in the booklet describing the project.

The endorsements received to date, in addition to my own, are as follows:

Treasurer of the United States, Kathryn O'Hay Granahan.

Congressman CHARLES LONGSTREET WELTNER, Fifth District, Georgia.

Senator HUGH SCOTT, Commonwealth of Pennsylvania.

Senator JOSEPH S. CLARK, Commonwealth of Pennsylvania.

Assistant to the U.S. Attorney General, Arthur B. Caldwell.

President of the Freedoms Foundation at Valley Forge, Dr. Kenneth D. Wells.

Associate secretary, National Association of Secondary School Principals, Dr. J. Lloyd Trump.

Director of the National Association of Student Councils, Gerald M. VanPool.

Gov. William W. Scranton, Commonwealth of Pennsylvania.

Attorney General Walter E. Allessandroni, Commonwealth of Pennsylvania.

Deputy Superintendent Dr. Neal V. Musmanno, Pennsylvania Department of Public Instruction.

State Senator Justin D. Jirolanio, 17th Senatorial District of Pennsylvania.

State Representative James F. Prendergast, of Pennsylvania.

State Representative Jeanette Reibman, of Pennsylvania.

County Commissioners of Northampton County, Pa.

Council of the City of Easton, Pa.

Forks Township Board of Supervisors, Pennsylvania.

Council of Glendon Borough, Pa.

Lower Mount Bethel Independent Board of Supervisors, Pennsylvania.

Palmer Township Board of Supervisors, Pennsylvania.

Council of Reigelsville Borough, Pa.

Council of West Easton Borough, Pa.

Finally, I would be remiss if I did not mention the important part the entire Easton, Pa., area community has played in the project. Of the 73 trees planted on the 45-acre high school campus, all but several the school reserved for its own and individual class sponsorship were spoken for and presented by various social, service, ethnic, and governmental groups within the space of 2½ weeks.

The Easton Area Council of Churches is sponsoring as an areawide church project the 11 United Nations Security Council Trees and United Nations flag and flagpole.

The Easton Lieutenant E. C. Baker VFW Post 1290 contributed the two granite memorial stones, one a part of the freedom shrine and one marking the entrance to freedom drive.

The freedom shrine liberty, justice, and equality trees were presented to the high school by Representative Gilbert Gude, member of the Maryland State Legislature.

National and State leaders have joined the school and the community to provide assistance in this most stimulating and worthwhile enterprise. The Lyndon B. Johnson tree and bench were presented to the school by Treasurer of the United States Kathryn O'Hay Granahan. The Honorable William W. Scranton, Governor of the Commonwealth of Pennsylvania, presented the James Buchanan tree and bench.

The Honorable Charles Longstreet Weltner, Fifth District, Georgia, has sponsored the Georgia Original Colony tree and bench, and I am pleased to say that the school accepted my offer of the freedom shrine flagpole and the Capitol flag, which shall forever fly over the liberty, justice, and equality trees and the granite stone bearing the Easton Area High School freedom proclamation.

In my remarks last September, I stated that good schools can benefit surrounding communities by a sharing of prestige and a good name. I now add that educators of courage such as the principal of the Easton Area High School, his social studies department head and project assistant, Raymond Troxell, and students of conviction such as those at Easton, can lead their communities, and indeed, the entire Nation, to new insights and understandings as to the true meaning of human rights and dignity.

I commend the Easton Area High School and the entire Easton area community for their splendid efforts on behalf of freedom for all mankind, and suggest that you urge each school in your own area to consider the national impact if all schools were to issue a statement similar to the final paragraph inscribed in granite in the memorial stone which stands proudly at the entrance to the Easton Area High School Freedom Drive.

> Let it be known that all Americans who enter these grounds are considered free citizens of a great republic, and as such, are entitled to equal liberty, equal justice, and equal opportunity, now and evermore.

In further regard to the freedom project at Easton Area High School, I would like to call the attention of my distinguished colleagues to the following editorial which appeared in the April 22 edition of the Easton, Pa., Daily Express:

[From the Easton Daily Express, Apr. 22, 1965]

THE FREEDOM SHRINE

In Easton Area Senior High School we already have one of the most attractive secondary education campuses in the Nation—and this is not merely a judgment influenced by parochial pride. Visiting schoolmen, architects and builders from many areas have sung envious praise to its esthetic and academic qualities.

But if Principal Carl H. Peterson's "Freedom Project" at EAHS is executed, the beauty of the campus will be enhanced immeasurably and a deep sense of meaningful historical values will be created. Mr. Peterson's project, which has been approved by the system's education committee, would be a pilot venture in a program hopefully national in scope. Brochures outlining its purpose and dimensions are being sent to 4,000 public and private school systems and U.S. education and Government leaders.

The triphased project would establish initially a "Freedom Drive," lined with trees, each bearing a plaque representing a President of the Union. A "United Nations grove" would be planted to symbolize, according to Mr. Peterson in the student council-produced brochure, "the search on the part of all nations for world peace." An area U.N. committee instituted by Mrs. Jon Rogers last year planted the first tree in this grove.

"Constitution Lane" will branch off Freedom Drive, girdling the school's auditorium with trees representing the Bill of Rights. These trees now are growing in the hallowed soil of Valley Forge, under the Freedoms Foundation's auspices. Twenty-eight historical documents contributed by the Easton Exchange Club will be displayed permanently in the school. Two plaques would be set in a massive stone on the campus, in a tree-bowered EAHS freedom shrine. One marker would be inscribed with the Emancipation Proclamation; the other with the EAHS freedom proclamation:

"Let it be known to all future generations of Americans who read this that, in the year 1965, 102 years after the Emancipation Proclamation, when history and fate met at a single time in a single place to shape a turning point in man's unending search for freedom, the Easton Area High School, and those students attending, stood firmly for liberty, justice, and equality for all Americans in their own time."

This is an exciting venture, with much to commend it. It can serve as a stimulus for enrichment of the community's physical environment, as a model for tasteful improvement of our esthetic standards. Its liberal use of trees will emphasize the economic and visual values of sound conservation practices. It will constitute a living memorial to the laws and principles underlying the foundation and growth of the American Republic. And it will serve to inculcate successive generations of youngsters fortunate enough to attend EAHS with a sense of understanding of and respect for the meanings of history.

THE SPECTER OF INFLATION

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. O'Neal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, a number of responsible economists warn us that inflationary fires are smouldering as our Government continues to spend above and beyond its fiscal means. In my humble opinion we are being asked to fan the coals by extending the national debt ceiling beyond its present staggering proportions.

Not only am I concerned that our Nation already faces the biggest debt in the history of the world, but I am also disturbed by the catastrophic effect that such action might have on related areas such as cost of living, outflow of gold, and fiscal and monetary policies in general.

The June 5 issue of the Albany Herald carried a most timely editorial which gets to the heart of the matter. I would like to submit this editorial which represents the opinion of a vast majority of the citizens of the Second District of Georgia:

REVIVING INFLATION'S SPECTER

As every housewife who enters a food market has by now learned, the cost of living has reached a new high. By the measurement of the U.S. Labor Department, it advanced by three-tenths of 1 percent in April to a reading of 109.3 on the Consumer Price Index, meaning that it now costs $10.93 to buy what could have been purchased for $10 in the 1957–59 base period.

While this is hardly a sensational climb, it is nevertheless an expensive one. It is indicative, too, of an alteration, however slight, in the period of price stability which the Nation has enjoyed since the Kennedy years and which has contributed in large measure to the greatest period of prosperity this Nation, and the world has ever known. Generally speaking, the consensus of economists is one of gush and glow for the months immediately ahead, but the more conservative of their number are beginning to reach for danger signals. They fear that business will not slacken, but that the breaking of the wage-price barrier of recent history will establish a new inflationary trend that could, if not checked, become swiftly ravaging.

Why are prices rising? One viewpoint is that of the Federal Government which, predictably, finds businessmen to blame. Gordon Ackley, Chairman of the Council of Economic Advisers, warns that unless the practice is halted, a recession could be touched off, or the Government might be compelled to adopt restrictive fiscal measures. The business community, however, responds that prices are but a reflection of rising costs of manufacture, particularly the cost of labor. This contention, in turn, is denied by Chairman Ackley who cites a wide assortment of products on which prices have been raised even though unit production costs have remained steady or declined.

Yet what is evident to most Americans is that the Government itself, far more than either business or labor or both, must bear a large share of the responsibility for the incipient inflation in the economy. Deficit financing, spending above and beyond its fiscal means, enlarging the national debt and the already horrendous cost of servicing that gargantuan figure now standing at $324 billion and soon to be raised to $329 billion as a new $5 to $6 billion loss is registered at the end of this last month of the fiscal year—these are imprudent methods which contribute far more to the inflationary process than do the price demands of business and wage demands of labor. Quite evidently, there must be a flaw in the Keynesian theory that the more a government spends in a managed economy, the greater the general welfare will be. The Johnsonian Great Society is spending $100 billion a year, the while reducing taxes to increase purchasing power and the rate of investment, but all of this effort will fail in the end if inflation wipes out our hard-won advances by cheapening the value of the dollar.

In sum, while ours unquestionably is the affluent society, it cannot forever remain that by ignoring or flouting those traditional economic precepts which decree eventual collapse for the individual, or the government, who spends more than he earns and borrows against the future to fend off the inevitability of utter bankruptcy.

WHAT SO PROUDLY WE HAIL

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Ichord] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ICHORD. Mr. Speaker, next Monday, June 14, has been set aside as the day on which public-spirited citizens pay their special tributes to our national ensign and to all for which it stands.

The significance of this date goes back to the beginning of our Nation. On

June 14, 1777, the Continental Congress adopted a resolution which created a 13-star, 13-stripe, red, white, and blue banner as our national flag. In 1917 President Woodrow Wilson designated June 14 as Flag Day. Though not a national holiday the day has been marked with traditional observations of the significance of the flag.

The Stars and Stripes are in reality a symbol of all America has been, all America is, and all it will be. The flag is America. It represents the most honorable and just idea ever to be put into practice by any nation. It is freedom. Freedom to speak your mind. Freedom to choose your vocation. Freedom to report events as they happen. Freedom to practice a religion, or not to. Freedom from fear. Freedom to think for yourself. The flag is dignity. The flag is honor. The flag is justice, and the flag is beauty. The flag represents all the things it took to build this Nation, courage, stamina, determination, hope, strength, morality, conviction, and love. The flag is Thomas Jefferson writing the Declaration of Independence, and the flag is the corner drugstore. The flag is George Washington refusing to be made king, and the flag is a garage mechanic. The flag is an American soldier beating back the tide of tyranny, at Concord, at Iwo Jima, in Vietnam, and the flag is a daily newspaper. The flag is 190 million people working together to build a nation, always governed never ruled. The flag is all these things and infinitely more.

It has come to pass that patriotism might be considered an undesirable quality. There have been many people who for private gain, have used the flag. They have distorted its meaning. They have violated it to the point where genuine patriots are often reluctant to show great pride in our heritage. On the other hand we have the psuedointellectual who out of ignorance veneered with confused sophistication, considers it immature or old fashioned to display great respect for the flag. Of similar philosophy are the misguided idealists such as the young students in one of our Eastern States who refused to pledge allegiance to the flag not because of religious scruples but on the grounds that they owed higher allegiance to a nonexistent world government. May these people discover the true meaning of our flag.

For as long as there is an America, the world can find hope for a better life. On this Flag Day let each of us take time out to ponder its meaning. Really though, every day is Flag Day, or should be.

SIXTH ANNUAL ARKANSAS POULTRY FESTIVAL

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. Gathings] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GATHINGS. Mr. Speaker, on June 25 and 26 the Arkansas Poultry Federation will celebrate in Little Rock their sixth annual Arkansas Poultry Festival. It will be a gala occasion and poultrymen from all over the State will be in attendance. In addition to the festivities, there will be the serious business of promoting the greater sales of poultry and poultry products, and as a part of this endeavor, the federation has prepared a comparison of Arkansas gross income for 1964 showing that truly "poultry is big business in Arkansas." Because of the graphic manner in which the importance of poultry and the poultry industry is depicted, under leave to extend my remarks at this point, it is pleasing to place this comparison in the Record:

Poultry is big business in Arkansas—Arkansas gross income comparison (1964)

Cotton	$273,333,000
All poultry	214,946,000
Broilers	126,396,000
Eggs	69,689,000
Turkeys	14,481,000
Farm chickens	4,380,000
Soybeans	161,942,000
Rice	90,601,000
Cattle and calves	66,801,000
Dairy products	37,688,000
Hay	19,700,000
Wheat	18,512,000
Hogs	12,138,000
Corn	4,518,000

Arkansas poultry gross income and numbers (1964)

Category	Production	Farm value	Value added by processing
Broilers	285,835,000	$126,396,000	$43,995,000
Eggs (187,000,000 dozen)	2,242,000,000	69,689,000	6,551,000
Turkeys	4,045,000	14,481,000	4,369,000
Farm chickens (including commercial fowl)	7,836,000	4,380,000	1,664,000
Total		214,946,000	56,579,000

Arkansas poultry production capital investment and feed purchases (1964)

Category	Farm investment	Feed purchases
Broilers	$44,304,000	$91,467,000
Layers	36,908,000	44,665,000
Turkeys	5,627,000	12,003,000
Total	86,839,000	148,135,000

Arkansas poultry payroll, employment, and facility investment (1964)

[These figures do not nclude any related industries or groups]

	Estimated employees	Annual payroll	Facility investment
Poultry production	24,551	$56,893,000	$86,839,000
28 poultry processors	5,068	12,477,000	9,857,000
34 egg processors	720	2,195,000	1,427,000
197 feed mills	4,137	16,362,000	30,106,000
84 hatcheries	1,176	3,648,000	16,525,000
Total	35,652	91,575,000	144,754,000

WHAT THIS MEANS TO ARKANSAS

With the average of 4 people to the family and 35,652 people employed in the poultry industry, indications are that 142,608 people in Arkansas depend upon the poultry industry for their livelihood.

The value of the poultry industry in Arkansas is:

Gross value of poultry and eggs	$214,946,000
Farm and facility investment	144,754,000
Annual payroll	91,575,000
Added processing value	56,579,000
Total value	507,854,000

Taking the money that is actually in circulation from the poultry industry, the annual payroll and the gross income from the product and feed purchases is:

Annual payroll	$91,575,000
Gross income from product	214,946,000
Feed purchases	148,135,000
Added processing value	56,579,000
Total value	511,235,000

According to the U.S. Chamber of Commerce, money exchanges hands five times in a year. $511,235,000×5=$2,555,175,000 generated by the poultry industry annually.

Poultry is creating approximately 2,000 new jobs annually in Arkansas. According to the U.S. Chamber of Commerce this means: 11,800 more new jobs in the State; 4,480 new homes; $23,600,000 more personal income; $6,800,000 more in bank deposits; 2,280 cars registered; 2,960 more service personnel; 160 new retail establishments; $14,400,000 in additional retail sales.

TARIFF COMMISSION REPORT POINTS UP NEED FOR FLEXIBLE IMPORT QUOTAS ON LEAD AND ZINC

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the Tariff Commission's report submitted to the President yesterday relative to lead and zinc provides additional authoritative evidence of the need for a flexible quota system to control the import of these products as contemplated by the bill that I sponsored, H.R. 3183, which is cosponsored by 34 other Members of the House.

The Tariff Commission's report was in response to the President's request of March 2, 1964, for the Commission's views relative to the effect that the termination of existing quotas on unmanufactured lead and zinc would have on domestic lead and zinc producers. As we all know, the present rigid restrictions were imposed effective October 1, 1958, and established absolute quarterly quotas based on 80 percent of the average commercial imports during 1953-57. It had been widely recognized that these quotas have become obsolete; but, those of us who have responsibility for the domestic mining industry and who are concerned with assuring continuing supplies of lead and zinc for both peacetime expansion and possible defense uses were also cognizant of the erratic trends in the lead and zinc industry leading us to the conclusion that if the existing quotas were to be removed they must be replaced by another formula.

During the Tariff Commission hearings we discussed our proposed substitute, in the form of a flexible quota system, as embodied in the legislation to which I referred a moment ago. The Tariff Commission, however, confined its conclusions only to the question put by the President by stating:

> Termination of the quotas would not likely have a detrimental effect on domestic lead and zinc producers unless world demand for these metals should subside substantially in relation to world supplies.

In this way the Commission's conclusion underlines the fact that if supplies of lead and zinc once again arrive at the point where they exceed demand, which means use and consumption, domestic lead and zinc producers will once again have problems. Significantly, the report does say further:

> By about 1968, free-world supplies may exceed consumption, in view of the planned expansion of production of lead and zinc and an anticipated slowing in the growth of consumption.

H.R. 3183 has as its objective a system of quotas based on use so that when U.S. domestic consumption rises to the point where additional imports are required, they may come in, but at the same time there will be a mechanism whereby imports will be reduced proportionately when the foreign matter is not needed because of the ability of the domestic producers to meet its requirements for a fair share of the domestic markets.

We have had many estimates of when the balance between supply and demand would swing to the point where demand was greater than supply. We now have the authoritative word of the Tariff Commission, supported by an in-depth report and detailed statistical data, that this may occur by 1968.

The only way we can be prepared for a possible crisis in 1968 is by acting now, in the 89th Congress; and the method, I submit, Mr. Speaker, is through enactment of the flexible quota bill now pending before the Ways and Means Committee. I trust that the administration, with the aid of the Tariff Commission report to support conclusions that we have made relative to the future of the lead and zinc industry, will now promptly endorse the principle of the flexible quota in submitting its views on H.R. 3183 to the chairman of the Ways and Means Committee.

Some other points in the Tariff Commission's report are worthy of mention at this time, Mr. Speaker, and I bring them out for the attention of the Members of the House, all of whom, in recent months, have been concerned about the availability of adequate supplies of lead and zinc.

First, the Commission's report states categorically that the existing quotas have not been the cause of our lead and zinc shortages. The report says:

> Under present conditions, with overall free-world consumption exceeding output, it is the limited availability of foreign supplies, rather than quota restrictions, that discourages increased U.S. imports.

Second, the Commission took cognizance of the importance of the stockpile releases of lead and zinc but in the main body of its report cautioned:

> If the United States adopts a program for the disposal of all, or a substantial portion, of these large stocks, such action would tend to discourage undertakings for the development of new free-world sources of lead and zinc and retard the completion of developments underway in response to the stimulation of recent strong markets.

These two points in the report serve to reemphasize the fact that we need a long-range program if we are going to be concerned with assuring the maintenance of domestic sources of lead and zinc, base metals that are essential for our development and survival. The long-range program offered by 35 Members of the House is the flexible quota system and we urge its adoption.

HIGHWAY BEAUTIFICATION PROGRAM

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CLARK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CLARK. Mr. Speaker, Americans who have long felt that something ought to be done to make the view from our highways more attractive will be cheered by the beautification program President Johnson has sent to Congress.

The President is proposing, and I am supporting, four new bills which could do much to remove eyesores along our roads and make driving a more pleasant experience.

One bill would put tight controls on outdoor advertising on the Interstate and most primary highways in all States. The only signs that would be permitted within 1,000 feet of the interstate freeways would be official signs and on-premises signs advertising the sale or lease of property. This bill would replace the present voluntary controls, which only eight States have put into effect.

Another bill would require screening or removal of junkyards within 1,000 feet of the interstate and primary highways by July 1, 1972.

The third bill would require States to use 3 percent of their Federal-aid funds, without matching State funds, to acquire either by purchase of easements strips of land adjacent to rights-of-way to restore, preserve, and enhance scenic beauty.

Finally, the fourth bill would provide that, one-third of the Federal-aid secondary road funds be used to finance necessary scenic or recreational roads and beautification.

Mr. Speaker, editorial comment around the Nation in support of such legislation has been quick and forthright. I include at this point in the RECORD editorials from the Philadelphia Evening Bulletin of May 26, 1965 and the Pittsburgh Post-Gazette of May 31, 1965:

[From the Philadelphia Evening Bulletin, May 26, 1965]

NATURE'S HINT

The White House Conference on Natural Beauty, a grand conclave of conservationists, urban planners, and others who worry about our much-abused environment, may be the boldest national attempt yet made to look at man and nature as a whole. "Natural beauty" was chosen as a theme for simplicity; the real concern is not with nature's works but with man's, and with their impact on man himself.

In this conference, all the worries about auto junkyards, slashing freeways, urban sprawl, slums, air and water pollution, bad design, disappearing open space, and a hundred other familiar complaints are welded into one blockbusting headache, with the hope, perhaps, that the elusive cures will thus seem more imperative. Two circumstances lend both urgency and opportunity: Our big old cities seem to be wearing out pretty much all at once, and a gigantic new population and construction boom are in the offing. How to cope with this massive construction and reconstruction, akin to the postwar rebuilding of Europe?

This country is obviously too vast for the central State planning by which Britain and the low countries have coped inventively, and in large part successfully, with their problems, although there are lessons for us in the "new town" and London Greenbelt programs, as in the rebuilding of Rotterdam and other cities. But uniquely American answers are also needed, compatible with our many-tiered government, vast size, and private enterprise.

Perhaps the toughest problem is how to reconcile stronger, more comprehensive authority over land use and design with our deep traditions of private property rights, home rule, and democratic decisionmaking. Such challenges have been surmounted in other areas where strong authority was nedeed, as in public health, law enforcement, and defense.

To some, this may always seem objectionable. But it is worth noting that nature is beautiful because it represents the working of inexorable natural laws that tend to produce harmonious results. Yet for all its integrity, nature offers us limitless variety and pleasure. If man takes the hint—as he already has in lesser matters (having long since admitted, for example, that too many cooks spoil the soup)—he may yet achieve beauty in a man-dominated world.

[From the Pittsburgh Post-Gazette, May 31, 1965]

BEAUTY IN THE FUTURE

With the recent White House Conference on Natural Beauty, another phase of the Johnson administration's Great Society program was given a verbal launching. The participants channeled many useful ideas to Government officials and went on record in favor of efforts to insure a more beautiful environment for Americans in town and country.

The Conference, among other things, recommended highway and urban beautification programs, the establishment of a national clearinghouse on conservation practices, and the authorization of ecological surveys to promote the best use of land. But, except for a Presidential message to Congress on highway beautification, it did not hear any comprehensive proposals for dealing with the really tough aspects of promoting and protecting beauty. There was, for example, little exploration of the complex legislative problems of controlling ugly urban sprawl and aiding better urban design, of stopping air and water pollution at the source, and of bringing about a national coordination of efforts to conserve beauty. All of these laudable objectives were mentioned in February in the President's general message to Congress on natural beauty.

On highway beautification—the one subject on which concrete legislative recommendations were made to the Conference and the Congress at the same time—the President offered some good proposals: bills that would require the States to ban billboards and junkyards from within 1,000 feet of interstate and primary highways or lose their Federal aid, and another bill that would require States to use 3 percent of their Federal highway aid for landscaping and beautifying roadsides. Before the billboard bill becomes law, however, it should be amended to limit the authority of States to allow billboards in any areas which they have zoned as commercial or industrial.

As a beginning, the White House Conference was worthwhile. But the prospect for any real dividends of beauty will only be improved by future legislative messages from the administration and subsequent action on them by Congress.

NEW YORK CITY IN CRISIS—PART XCII

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article is from the April 19, 1965, edition of the New York Herald Tribune and concerns New York City's acquisition of a real estate tract on Staten Island.

The article is part of a series on "New York City in Crisis," and follows:

NEW YORK CITY IN CRISIS—BUNGLING AT BREEZY POINT TO MAKE MILLIONAIRES

(By Martin J. Steadman)

It will be many years before history judges whether the acquisition of Breezy Point Park by the Wagner administration in 1963 was a blessing or a blunder.

But as of now the evidence indicates that the proposed super oceanfront park in Queens has been bungled from the start.

Condemnation costs for the 22 million square feet of property seized by the city threaten to be staggering. The case is in supreme court, and, while the corporation counsel is trying to convince the court that the property is not really so valuable, the real property assessment department is raising its rates rapidly.

The "dream beach" looks more like an obstacle course. City-owned property is chopped up into three widely separated areas, and hovering over one lovely section of beach are eight unfinished apartment buildings, two of them 15 stories high. They stand like monuments to the mayor's ability to avoid decisions.

A small group of real estate speculators who paid 30 cents a square foot for Breezy Point property are confidently looking forward to a windfall which will make them millionaires. The money will come from the city treasury. Apparently no one in city government thought of condemning Breezy Point before the speculators moved in.

Plans for middle-income housing for 6,600 families have been scrapped. Upward of $3 million a year in real estate taxes was lost by the city when it finally decided on a park at Breezy Point.

The parks department has asked the mayor to make $100,000 available to hire an engineering firm to come up with a comprehensive plan for the development of Breezy Point Park. This, after everyone thought the city knew what it was doing when it took the property.

Two beach clubs now owned by the city have been leased back to private operators. The public is kept out of the "dream park" by fences erected by the city. Breezy Point will be only for the well-to-do this year, as it was last year.

The Breezy Point story began in 1960 when the Atlantic Improvement Corp. bought the entire western end of the Rockaway peninsula—800 acres—for $17.5 million from the Austin family, owners of the land.

On the property were 2,700 summer bungalows. They were owned by families who leased the land underneath for 10-year periods. The bungalows were modest structures, most of them in the $6,000 or $7,000 class. The owners were middle-income, working people.

When the sale was closed, Atlantic announced plans to build a "City Within the City," a middle-income apartment complex that would eventually house 220,000 people. The bungalow owners were told they would have to move when their leases ran out.

The owners banded together and within a month raised $11.5 million to buy the land under their homes from Atlantic. It was no small task. Many families were able to draw on savings, but most had to go into debt. For some families it was impossible to carry the extra financing, and they moved out.

The land sold off by Atlantic amounted to 416 acres, so that the developers were left with 384 acres in two large parcels—one adjacent to Fort Tilden, the other at the western tip of the peninsula. Atlantic now had $6 million invested and its land had cost about 30 cents a square foot. Present indications are that the city may have to pay 10 times as much for the property.

Atlantic Improvement was incorporated in 1959. Its organizers, led by real estate operator John E. Marqusee, his partner L. William Kay, and David Finkle, an investment executive, owned 26.3 percent of the 966,000 shares of common stock. They paid $89,625, or an average of approximately 30 cents a share.

Later the stock was offered to the general public at $13.50 a share. It hasn't been a bad deal for the latecomers, either. The 800 shareholders of Atlantic can look in the over-the-counter list in financial columns today and find it at around $21.

According to its annual report, released last week, Atlantic Improvement is practically a paper company today. Its offices have been closed and moved in with another firm headed by Mr. Marqusee. Atlantic has just one employee.

But only a few years ago, Atlantic appeared to be one of the titans of the real estate industry. A bold, imaginative middle-income housing development was progressing rapidly on the sands of Breezy Point.

Atlantic had hired hundreds of architects and engineers. It took two rented trucks to carry all the blueprints for its proposed development to the company's plush new offices on Fifth Avenue.

SUDDENLY, A PROPOSAL

Atlantic engineers and attorneys had been before several city departments with plans and specifications, and had received one green light after another from the city.

Through all the dickering for the land, the plight of the bungalow owners and their struggle to save their homes, the planning and groundbreaking of the apartment house development, the city administration simply watched and did nothing.

Suddenly, on August 13, 1962, the Regional Plan Association, a private, nonprofit group dedicated to offering park, highway, and transportation plans to local governments in this area, appeared before the city planning commission and outlined a proposal to take the entire Breezy Point peninsula and turn it into a magnificent oceanfront park, comparable to Long Island's Jones Beach. It would be an oceanfront resort for all the people, Plan said, but particularly for the poor who could not afford transportation to Long Island's beaches.

Mayor Wagner allowed that he liked the idea.

Six weeks later the mayor flew over Breezy Point in a helicopter with Secretary of the Interior Stewart Udall, and afterward the two announced that the city and Federal Government would try to work together toward the creation of a waterfront park there.

On November 24, 1962, the mayor announced the formation of a six-man committee to study the feasibility of acquiring Breezy Point. He gave the committee a crash deadline of December 15. They hurried up all right, only to wait. Mr. Wagner did not act until June 1, 1963, when he announced a compromise plan. The committee's report was never made public. Only Mayor Wagner and his closest advisers know what it said.

Through the months of indecision and controversy, Atlantic went right on with its construction of 8 apartment houses, 90 garden apartment units, a shopping center and a beach club. Construction payrolls and building materials cost the company an average of $30,000 a working day. When the compromise plan was announced, construction stopped abruptly. Atlantic claims to have sunk over $7 million in construction costs alone into its unfinished buildings.

SUIT FOR DAMAGES

The mayor's plan was to leave the bungalow owners alone, but to take all of Atlantic's property except the 20 acres where the first buildings were rising. But Mr. Marqusee, president of Atlantic Improvement, said yesterday that the company considers its total investment—which it estimates at $27 million—irreparably damaged because the apartment houses will be situated on an island in the middle of a vast public park, without the churches, stores, schools, transportation, and other services that had been planned for the area.

The company is seeking full consequential damages to the 20 acres and the buildings.

"The city stalled for months while our investment mounted," Mr. Marqusee said last week. "Then, in an effort to escape granting compensation, they took 95 percent of our property and left only the small area where we had been building.

"The city apparently could not solve the problem of what to do with the buildings. Well, neither can we."

Thus do the unfinished apartment buildings on the sands at Breezy Point present the oldest, permanent, half-finished construction sight in town.

It is entirely possible that the court will sympathize with Atlantic in its bid for full consequential damages to its buildings. Then, of course, the city would be in the position of paying for the buildings, and still not owning them.

While Corporation Counsel Leo Larkin is preparing the court case, presumably getting ready to plead for the lowest possible condemnation award on the park acres, the Real Property Assessment Department is happily reappraising the privately owned land at Breezy Point, and the figures are going up fast.

The bungalow owners, who have become a cooperative corporation, saw their land appraisals raised from $5,942,000 in 1963–64 to $7,059,000 in 1964–65.

Atlantic's remaining 20 acres have been hit hard by the tax men. In 1962–63 the lots were appraised at a total of $349,500. In 1963–64, the land appraisal went to $1,162,000, and in 1964–65 to $1,268,000, four times the value placed on the land by the city 2 years ago. The land appraisals are exclusive of the improvements thereon.

Now, the Real Property Assessment Department usually appraises at well under fair market value. Atlantic's 20 acres are only one-twentieth of the acreage the city condemned. The company's original $6 million land investment looks as if it may have been the best real estate investment since a wiser city administration bought Manhattan from the Indians.

Condemnation cases in Supreme Court are generally decided not by how much an owner paid for his property, or how much the city assessors feel it is worth. The owners receive awards reflecting fair market value, and possibly future value destroyed by the condemnation action.

Atlantic's officers insist that although they fully expect to make a profit on their investment when the award is handed down, they would have preferred to have been allowed to finish their housing project.

"We would have made far more money," Mr. Marqusee said. "Breezy Point was the finest oceanfront housing site I've ever seen.

Atlantic has every intention of using Mayor Wagner's own words in its court suit for heavy damages. When the mayor announced that the city would go ahead with the park proposal, he said:

"Breezy Point, commanding one of the most magnificent vistas available anywhere within the limits of New York City and containing the only undeveloped beachfront expense within the limits of New York, is a precious asset incapable of duplication."

What the reevaluation of the private property values on Breezy Point will do to Mr. Larkin's court plea that the condemned property should come cheap is up to Supreme Court Justice A. David Benjamin, sitting in the condemnation part of court. The case will probably come to trial in the early fall. Neither the city nor Atlanta has submitted its money claims to the court as yet.

If it appears that one city department doesn't seem to know, or care, what another department is doing, well, that's only consistent with the Breezy Point story from the beginning.

Actually, the parks department didn't want Breezy Point. Parks Commissioner Newbold Morris was publicly cool to the proposal. He estimated it would cost a minimum of $60 million to develop an oceanfront park there, and he seemed to feel the money could be better used for the acquisition of park lands in Staten Island before the Verrazano Bridge opened and sent land prices spiraling.

Mr. Morris' mentor, Robert Moses, who was chairman of the State council of parks when the Breezy Point controversy arose in 1962, wrote that the idea was impractical because it would cost too much.

Another opposed to Breezy Point Park was Queens Borough President John Clancy, now a surrogate.

Mr. Clancy said the money, if the city had it to spare, should go for streets and sewers in his borough, and if there was a little left over, for small neighborhood parks and perhaps baseball diamonds.

Mr. Clancy noted that if some time in the future the city intended to extend the subway line on the Rockaways out to the end of the peninsula, he could think of a few other subway lines that had been waiting longer, notably the Flushing line that ends at Main Street. A good percentage of Queens commuters are forced to take bus and subway to work, and Mr. Clancy had little enthusiasm for expensive capital construction on a line that might be used on only a few weekends in the summer.

INFLUENTIAL VOICES

Another powerful dissenter was the city AFL–CIO. There was a possible $100 million construction payroll on the drawing boards at Breezy Point, and labor chiefs wanted it for their own men.

But in the end, it was perhaps two influential voices that swung the park. Mrs. Marshall Field, chairman of the citizens committee for a park at Breezy Point, had pressed long and hard for her idea. Mrs. Field is an important contributor to Mayor Wagner's campaigns, and she proved time and again that she had access to him at city hall and Gracie Mansion.

At the end, it was Simon Rifkind, former law partner of the mayor's late father, who supplied the arguments that finally persuaded Mr. Wagner to take Breezy Point. Judge Rifkind had been hired by Mrs. Field's committee to present the case for the park, and he finally convinced the mayor to take the land.

From the beginning, there has been some dispute over the actual need for a mammoth oceanfront park at Breezy Point.

Riis Park, at the foot of the Marine Parkway Bridge, is 1 mile long, about one-fifth the size of the entire peninsula. The maximum comfortable capacity for Riis Park, according to the park department, is 75,000. Absolute maximum is 90,000.

Riis Park is almost never filled, even to the lower comfortable maximum figure.

Last summer, average attendance for 10 summer Sundays was only 32,500. Highest attendance for the year was 70,000 on Sunday, July 19, when the temperature hit 91°.

On July 4, 1964, some 60,000 people went to Riis Park, but on Labor Day, only 30,000 attended.

Admittedly, bad weather kept attendance at all the city beaches down in 1964. But in 1961, one of the best beach summers in years, according to the parks department, Riis Park was filled to the 75,000 maximum comfortable capacity only once, on July 4, when the temperature soared to 94.

The average attendance for 9 summer Sundays in 1961 was 50,000. Highest figure for a Sunday was 70,000, and the lowest 25,000. Average for the 9 summer Saturdays was 18,600 people, with a high figure of 30,000 and a low of 5,000.

One of the reasons Riis Park rarely fills up is poor transportation. The subway to Rockaway is a real "Toonerville Trolley," the only line in New York City charging two fares. It ends at Beach 116th Street, and travelers to Riis Park have to take a bus from there. Round trip fare is 90 cents, three times the price of a subway ride to Coney Island and home.

Automobile travel to Riis Park is also difficult on a hot summer weekend. Cars sometimes are backed up for a mile down Flatbush Avenue, waiting to get across the Marine Parkway Bridge to the Rockaways.

SECOND BRIDGE NEEDED

An oceanfront park four or five times as large as Riis Park is, therefore, a frightful thing for beach-goers to contemplate unless a second bridge is built from Brooklyn to the tip of the Rockaway Peninsula, and subway facilities and schedules are somehow improved. Traffic experts have calculated that buses running from the subway terminus at 116th Street could carry no more than 55,000 people to the park on a given day, running at 3-minute headway.

Opponents of the park plan tried to point out that the construction of a bridge and improvement of transportation facilities at the other end could cost the city upward of $100 million. And a long delay would most likely raise the price.

Opponents of the park plan also asserted that the future acquisition of Fort Tilden, adjacent to Riis Park, would more than double the size of the present beach facility, and would be sufficient to accomplish the dream of a super oceanfront park in the city limits.

But Mrs. Field and her committee wanted it all. They blithely predicted that the city would be able to acquire the fort, and Mayor Wagner went along. On June 2, 1963, the mayor said there was a "very, very good chance" of getting the fort.

Last year, Defense Secretary Robert McNamara released a long list of military installations marked for closing. Fort Tilden wasn't on the list. It is a vital link in the Nation's Air Defense Command missile shield, with a Hercules-Nike battery stationed there, and it is difficult to understand how Mayor Wagner could have believed that it soon would be parkland.

Furthermore, if the Federal Government had any plans to close Fort Tilden, the taxpayers would have a right to ask why it has just completed the construction of an $811,000 armory there.

But the mayor's influence with the Defense Department never did amount to much. He wanted Fort Tilden closed and the Brooklyn Navy Yard kept open. Mr. McNamara disagreed on both propositions.

Now that the city has its three separate beaches on Breezy Point, the parks department has asked the mayor to make available $100,000 to hire the engineering firm of Shumavon, Buckley, & Goul, to prepare a comprehensive study for the complete development of the park.

The mayor has not yet acted on the request, and when the engineers finally do get started, it probably will take another year before the report is ready.

This means that in 1966, as it did last summer and as it has done for this summer, the city will lease the two beach clubs on Breezy Point to private operators.

The Silver Gull Club rental brought the city $142,500 last year, and in 1965 will yield another $126,500. The Surf Club is being leased for $139,000. The real estate department has fenced off the beach around the two clubs, to keep intruders out.

There is little chance that the city's masses, particularly the poor people for whom the park was intended, will see Breezy Point this year, next year, or perhaps for many years to come. A cabana at the Silver Gull Club, for instance, rents for between $800 and $1,000 for the season.

Breezy Point may well be a dream park some day. The mistakes and the hesitancy by a city administration that led to greater costs will probably be forgotten then. It is even possible that some future city council will pass a measure renaming it Wagner Park.

NEW YORK CITY IN CRISIS—PART XCIII

Mr. KREBS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns a redevelopment plan for an area in lower Manhattan.

The article is part of a series on "New York City in Crisis" and appeared in the New York Herald Tribune on April 20, 1965.

The article follows:

New York City in Crisis—Cost of 7 Years of Indecision: $25 Million

(By Barry Gottehrer and Alfonso Narvaez)

In glowing press agent terms, the housing and redevelopment board yesterday unveiled a new and trailblazing plan to revitalize a blighted 14-block section of Manhattan's Lower East Side.

Almost the only thing new about the plan is its price tag.

And the facts behind the press agent language tell the story, in concentrated form, of many of the troubles that beset this giant city in crisis—indecisive leadership, uncoordinated and self-centered public pressures, bungled planning, snarled traffic, financial headaches, crowded streets, spreading blight, and economically threatened citizens.

In 1958, a slum clearance plan for the area north of Seward Park Houses was announced by the city administration at an estimated cost of $25 million. Though public funds were spent on this plan, nothing ever came of it.

In 1961, another plan for the identical area was put forth—this time at an estimated cost of $34.4 million. Though additional public funds were spent on this plan, nothing came of it, either.

Yesterday, without bothering to mention the two previous plans or the 7-year delay, housing and redevelopment decided to try again.

This time, for virtually the same plan, the cost of the project—called Seward Park Extension—was estimated at $50 million.

This past history of indecision was not housing and redevelopment's only omission, however.

Nowhere in its four-page release, its photos or its schematic drawing of the project was there a single mention of the controversial Lower Manhattan Expressway—the principal reason why Seward Park Extension remains still in the talking stage today.

The key to this 14-block area—bounded by Delancey, Grand, Essex, and Willett Streets, the Lower Manhattan Expressway has been on the city's arterial highway map since 1941, yet today, 24 years later, it remains unbuilt.

Since December 22, after a public hearing on the proposed road, which would run crosstown and connect the West Side Highway and Holland Tunnel with the Manhattan and Williamsburg Bridges, the city's phantom road has been in the lap of the mayor.

INDECISION

In 1960 the board of estimate, under pressure from Master Builder Robert Moses, big business, and the construction unions, approved plans for the expressway.

Two years later, however—this time pressured by local politicians and area residents—the board of estimate, with the mayor presiding, reversed itself and rejected plans for the road.

But as traffic worsened in the area, as homes and businesses continued to decline, the city administration called for a new round of public hearings on the durable old expressway argument.

At an explosive public hearing last December, the mayor remained silent, but his top commissioners all spoke out for immediate construction of the road.

The next day the mayor said, "A decision will be forthcoming shortly."

A month later, he said, "This decision will not be stalled long."

In February, an aid said, "A decision should be announced by the end of the month."

Yesterday—as area residents waited and the area itself continued to decline—an aid to the mayor said he didn't know when a decision would be reached.

CLOSE TIEUP

Though it is impossible to tell it from reading yesterday's HRB release, the Seward Park extension project and the proposed road are closely tied together.

On October 13, 1963, the Herald Tribune reported that the controversy over the expressway was the reason behind the delay of the Seward Park extension project.

"The ghost of the not-quite-dead Lower Manhattan Expressway is haunting the city's plans for the Seward Park extension project," the article said.

According to yesterday's housing and redevelopment board release, "This plan is another proof of New York City's continued progress, under Mayor Robert F. Wagner's vigorous leadership, in developing new and trailblazing concepts and programs for community improvements."

According to those who know the history of Seward Park extension, the latest plan shows more proof of the high cost of city hall indecision than anything else.

In 1960, the committee on slum clearance planned to build 1,700 dwelling units in the area at a cost of $34.4 million.

In 1961, the housing and redevelopment board, which replaced the committee on slum clearance, announced that it would build 1,812 units for the same $34.4 million.

In 1963, the proposed price had jumped to $37.4 million while revisions in the plans dropped the number of dwelling units to 1,390.

In yesterday's plan, which was virtually the same plan as the 1963 plan (with the notable exception that the proposed Lower Manhattan Expressway was mentioned in the earlier diagram), the number of units was 1,440 and the cost had risen to $50 million.

COST GOES UP

In the 7 years since it was first proposed, while the city administration delayed and then delayed some more, the cost of rebuilding this 14-block area had risen 100 percent.

Asked why the cost for virtually the same should rise so sharply in only 2 years, a spokesman for the housing and redevelopment board said, "There are 50 more apartment units, and that was 1963 and this is 1965."

Under the current plan, which the housing and redevelopment board describes as a "challenging concept for the renewal of a seriously deteriorated and blighted section" (in 1961, the plan was described in a release as "a challenging concept in design"), the Essex Street market would be retained.

This statement should come as a surprise to the mayor—and most everyone else.

According to the plan for the Lower Manhattan Expressway, which he is now considering, the road would run straight through the Essex Street market.

It would also cut through an area listed in the housing and redevelopment board plans for Seward Park extension as tree-covered parking area, and it would be adjacent to a 30-story, high-rise apartment house.

Herbert B. Evans, chairman of the housing and redevelopment board, said yesterday that the plans drawn up for the project were the most flexible that could be made, to provide for the possibility of the Lower Manhattan Expressway. "Whoever does the expressway will just have to take into consideration the buildings already there," he said.

HEARING

Under the plan, which is expected to come before the planning commission for a hearing May 12, a half-dozen community institutions would be retained (the Henry Street Settlement and the Sages of Israel Homes for the Aged would expand).

Of the estimated public and private investment of $50 million, the public cost is estimated at $22.7 million ($7.3 million by the city and $15.4 million by the Federal Government).

If and when the development is ever completed, the city says it will offer 186 low-income apartments (at $18 a room a month), with the rest (85 percent) available at an estimated $24 to $33 a room a month.

The release said the city planned to acquire 151 residential buildings now housing some 2,099 families, plus 41 commercial and 7 industrial buildings. Of these 151 residential buildings, 139 are listed as deteriorating or dilapidated. Of the 48 nonresidential buildings, 41 are listed as deteriorating or dilapidated.

Yesterday's glowing account however, moved the project only one small step closer to reality. Even if it should be approved quickly by the planning commission, the board of estimate and the Federal Housing and Home Finance Agency, a housing and redevelopment board spokesman said he doubted whether the city could take title to the land until the fall.

Hopefully, he said, by 1970 some of the buildings should be finished, but the entire project is not expected to be completed until late 1972 at the earliest.

This delay—partially the fault of the governmental machinery but increasingly the fault of the men who run it—has become the painful price of progress in this city.

And while city officials hand out press releases and city hall delays, it is the citizen who continues to pay—and pay dearly.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Helstoski (at the request of Mr. Albert), for June 9 and 10, on account of official business.

Mr. Addabbo, for June 9, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Fino.

Mr. Brademas.

Mr. Mills asked and was given permission to revise and extend his remarks made in Committee of the Whole on H.R. 8464 and include therein extraneous material in the form of charts and tables and other matter.

Mr. Curtis (at the request of Mr. Mills) was given permission to revise and extend his remarks made in Committee of the Whole on H.R. 8464 and include therein extraneous material in the form of charts and tables.

Mr. Tenzer (at the request of Mr. Zablocki) to extend his remarks prior to the vote in the Committee of the Whole on the Mailliard amendment.

Mr. Lipscomb to revise and extend remarks made by him in Committee of the Whole on House Concurrent Resolution 285 and include a letter from the Comptroller General.

(The following Members (at the request of Mr. Burton of Utah) and to include extraneous matter:)

Mr. Duncan of Tennessee.

Mr. PELLY.

Mrs. DWYER.

(The following Members (at the request of Mr. KREBS) and to include extraneous matter:)

Mr. PATTEN.

Mr. POAGE.

ADJOURNMENT

Mr. KREBS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 33 minutes p.m.) the House adjourned until tomorrow, Thursday, June 10, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1210. A letter from the Librarian of Congress, transmitting a report of the affairs of the Library of Congress, including the copyright business, for the fiscal year ending June 30, 1964; to the Committee on House Administration.

1211. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to clarify the responsibility for marking of obstructions in navigable waters; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of Alabama: Committee on Public Works. S. 2089. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters; without amendment (Rept. No. 482). Referred to the Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. H.R. 8030. A bill to provide for the discontinuance of the Postal Savings System, and for other purposes; without amendment (Rept. No. 483). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Colorado: Committee on the Judiciary. H.R. 6097. A bill to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes; with amendments (Rept. No. 488). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHELF: Committee on the Judiciary. H.R. 1402. A bill for the relief of Dr. Jorge Rosendo Barahona; with amendment (Rept. No. 484). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 3128. A bill for the relief of Angelo Iannuzzi; with amendment (Rept. No. 485). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 3292. A bill for the relief of Consuelo Alvarado de Corpus; without amendment (Rept. No. 436). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 6719. A bill for the relief of Mrs. Kazuyo Watanabe Ridgely; without amendment (Rept. No. 487). Referred to the Committee of the Whole House.

Mr. MACGREGOR: Committee on the Judiciary. H.R. 1415. A bill for the relief of Mrs. Guisippina Russo Luciforo; with amendments (Rept. No. 489). Referred to the Committee of the Whole House.

Mr. GILBERT: Committee on the Judiciary. H.R. 1820. A bill for the relief of Winsome Elaine Gordon; with amendment (Rept. No. 490). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 2695. A bill for the relief of Norman McLeod Riach; with amendment (Rept. No. 491). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS:

H.R. 8877. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8878. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLS:

H.R. 8879. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 8880. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8881. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8882. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8883. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 8884. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8885. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8886. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8887. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY:

H.R. 8888. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotics addicts; to the Committee on the Judiciary.

H.R. 8889. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8890. A bill to provide financial assistance to the States to assist them in establishment of treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8891. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. McCULLOCH:

H.R. 8892. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8893. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8894. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8895. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.R. 8896. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8897. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8898. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8899. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. SPRINGER:

H.R. 8900. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8901. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8902. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8903. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. DELANEY:

H.R. 8904. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8905. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8906. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8907. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 8908. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8909. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8910. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8911. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. OTTINGER:

H.R. 8912. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

H.R. 8913. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 8914. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 8915. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHLEY:

H.R. 8916. A bill to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

By Mr. CALLAN:

H.R. 8917. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CLARK:

H.R. 8918. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 8919. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 8920. A bill to amend title 38 of the United States Code to provide an increase of $75 per month in the rate of compensation payable to totally disabled veterans and proportionate increases in the compensation payable to other disabled veterans; to the Committee on Veterans' Affairs.

By Mr. HAGEN of California:

H.R. 8921. A bill to amend section 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, to authorize provision for marketing promotion and paid advertising under marketing orders for plums or nectarines; to the Committee on Agriculture.

By Mr. KING of California:

H.R. 8922. A bill to provide credit facilities for the use of fishermen's cooperative associations through establishment of a bank for Fishermen's Cooperative Associations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 8923. A bill to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals to achieve rehabilitation and restoration to a normal, full, and fruitful life; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 8924. A bill to amend the International Claims Settlement Act of 1949 with regard to definition of the term "nationals of the United States;" to the Committee on Foreign Affairs.

By Mr. McFALL:

H.R. 8925. A bill to establish a new program of grants for public works projects undertaken by local governments in the United States; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 8926. A bill to provide for the coinage of the United States; to the Committee on Banking and Currency.

By Mr. RIVERS of Alaska:

H.R. 8927. A bill to amend section 2634 of title 10, United States Code, so as to authorize the military departments, in certain cases, to ship automobiles to and from the State of Alaska by various modes of transportation; to the Committee on Armed Services.

By Mr. CLEVELAND:

H.R. 8928. A bill to amend title 38 of the United States Code to provide that certain veterans receiving compensation at wartime rates shall be entitled to the same benefits as veterans of periods of war; to the Committee on Veterans' Affairs.

By Mr. DENT:

H.R. 8929. A bill to amend the Davis-Bacon Act to provide for establishing prevailing wages on the basis of wage rates arrived at through collective bargaining; to the Committee on Education and Labor.

By Mr. STRATTON:

H.R. 8930. A bill to amend title I of the Tariff Act of 1930 to limit button blanks to raw or crude blanks suitable for manufacture into buttons; to the Committee on Ways and Means.

By Mr. MIZE:

H.J. Res. 505. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HERLONG:

H. Con. Res. 433. Concurrent resolution requesting the President to seek consideration by the United Nations of the occupation by the Soviet Union of Lithuania, Latvia, and Estonia with a view to obtaining the withdrawal of Soviet troops, the return of exiles, and the conduct of free elections; to the Committee on Foreign Affairs.

By Mr. SCHEUER:

H. Con. Res. 434. Concurrent resolution establishing a congressional commission on the role of Congress in foreign policy and intelligence activities; to the Committee on Rules.

By Mr. BRADEMAS:

H. Res. 416. Resolution to authorize each Member of the House of Representatives to employ annually, on a temporary basis, a student congressional intern; to the Committee on House Administration.

By Mr. BATES:

H. Res. 417. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 8931. A bill for the relief of Abraham P. Razon; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 8932. A bill for the relief of Angela Canepa; to the Committee on the Judiciary.

H.R. 8933. A bill for the relief of Albert C. Griffith, his wife, Joyce Leanor Peters Griffith, and their minor children, Phyllis Ann, June Eldra, and Everton Franklin Griffith; to the Committee on the Judiciary.

H.R. 8934. A bill for the relief of Vincenzo Mannino; to the Committee on the Judiciary.

By Mr. CLEVENGER:

H.R. 8935. A bill for the relief of Robert W. Wing; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 8936. A bill for the relief of Mrs. Annemarie Sauer; to the Committee on the Judiciary.

H.R. 8937. A bill for the relief of Charles A. Turner; to the Committee on the Judiciary.

H.R. 8938. A bill for the relief of Mrs. Tsou Woo Fook Yang; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 8939. A bill for the relief of Mrs. Maria Enedina Reyes de Gurrola; to the Committee on the Judiciary.

By Mr. DEVINE:

H.R. 8940. A bill for the relief of Nobuhisa Baba; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 8941. A bill for the relief of Jeremias Rebelo Carreiro; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 8942. A bill for the relief of Gioacchino, Giovanna, and Antonio Giuseppe Gancitano; to the Committee on the Judiciary.

H.R. 8943. A bill for the relief of Maria Anna Pantuso; to the Committee on the Judiciary.

H.R. 8944. A bill for the relief of Elaine Williams; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 8945. A bill for the relief of Dr. Alonso Gomez-Uribe; to the Committee on the Judiciary.

By Mr. VIVIAN:

H.R. 8946. A bill for the relief of Mrs. Lilly Nagy; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 8947. A bill for the relief of Alexandra T. Tsomlektsoglou; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

225. By Mr. COHELAN: Petition of Mr. Charles H. Knapper and several others of Berkeley and Oakland, Calif., in support of the challenge brought by the Mississippi Freedom Democratic Party; to the Committee on House Administration.

226. By Mr. RYAN: Resolution of the Council of the City of New York urging that all Congressmen from the State of New York, and particularly the Congressmen from the city of New York, vote to unseat the five Congressmen from the State of Mississippi until such time as a congressional delegation is elected from that State through the operation of an electoral system open to all people without regard to race or color and conducted in a manner in accord with the Constitution of the United States and further urging that the Congressmen from the State and city of New York support the calling and holding of special elections following a period of open voter registration to be carried out under Federal supervision; to the Committee on House Administration.

SENATE

WEDNESDAY, JUNE 9, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou compassionate Father of us all, without whom life has no destiny but dust: Strengthen, we pray, with Thy wisdom and might those who here speak for the Nation, that the strain of these fateful days may not break their spirits, and that no denials of human freedom now loose in the world may intimidate their souls.

Enrich our attitudes and actions, we beseech Thee, with the love for our fellows, without whose golden gleam all we say, though we speak with the tongues of men and angels, is but as tinkling cymbals.

When the problems which confront these servants of Thine and of the Republic under Thee seem insoluble; when the very principles for which brave men have died, and are now dying, are basely betrayed, as fair dreams seem to sink into the sands of futility, still may they labor on, serene and confident, knowing that while the weeping for hopes deferred may endure for a night, the joy of Thy sure victory cometh in the morning.

In the dear Redeemer's name, we pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 8, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 396. An act to provide that until June 30, 1969, Congress shall be notified of certain proposed public land actions;

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes; and

H.R. 8775. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 396. An act to provide that until June 30, 1969, Congress shall be notified of certain proposed public land actions; to the Committee on Interior and Insular Affairs.

H.R. 7105. An act to provide for continuation of authority for regulation of exports, and for other purposes; to the Committee on Banking and Currency.

H.R. 8775. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes; to the Committee on Appropriations.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of Tuesday, June 8, 1965, the following report of a committee was submitted on June 8, 1965:

By Mr. ROBERTSON, from the Committee on Banking and Currency, with amendments:

S. 1698. A bill to amend the Bank Merger Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes (Rept. No. 299).

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on the Judiciary of the Committee on the District of Columbia, the Subcommittee on Constitutional Rights of the Committee on the Judiciary, the Committee on Banking and Currency, and the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare were authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of Fred J. Nichol, of South Dakota, to be U.S. district judge for South Dakota.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Irving Hill, of California, to be U.S. district judge for the southern district of California.

Mr. KUCHEL. Mr. President, the Senate is about to confirm the nomination of a distinguished California judge and lawyer to be U.S. district judge for the southern district of the State that I have the honor, in part, to represent. I now rise for a moment to say that my fellow Californian whose nomination is about to be confirmed, Irving Hill, of Los Angeles, will be an excellent member of the judiciary. The bench, the bar, and the people of my State are honored that the President of the United States should have seen fit to nominate him for Federal judicial service.

This Nebraska-born lawyer, whose college and law school days reflected an outstanding record of education, during which he became a member of Phi Beta Kappa, served his country in World War II, with combat service in the Atlantic. He served his country in peacetime as an attorney for the Antitrust Division of the U.S. Department of Justice, as assistant to the General Counsel of the Bonneville Power Administration, as special assistant to two U.S. Attorneys General, Clark and Biddle, and as legal adviser to the U.S. delegation to the United Nations Economic and Social Council. He served the people of California as a member of the highest trial court in our State. He brings with him to Federal judicial service a relatively long career as lawyer and judge in a relatively young life.

What is it that constitutes a good judge? Honor, integrity, education, sound judgment, and devotion to the high public trust which the judicial establishment, State or Federal, requires, always tempered by compassion. In my judgment, that would describe the happy qualifications which Irving Hill has. I am glad to spread my views on this record as the Senate proceeds to confirm the nomination.

Mr. McGOVERN. Mr. President, I am pleased to recommend that the Senate confirm the President's nomination of Fred J. Nichol, of Mitchell, S. Dak., to be judge for the Federal district of South Dakota. I was proud to have called the President's attention to his outstanding abilities.

Judge Nichol has for the last 7 years been an outstanding circuit court judge for the fourth judicial circuit in South Dakota. He is the first nominee in the history of the Federal district to be nominated and confirmed from the ranks of the State judiciary. In his years on the State bench he has distinguished himself by thoughtful and deliberate opinions and he carries the unqualified support of the South Dakota Bar Association. He also has been recommended by the American Bar Association Committee on Judicial Selection for this high office of public trust. As an attorney with 22 years' experience he holds the highest possible rating in Martindale and Hubbell.

In my opinion, no one has ever brought higher qualifications to the Federal judiciary in South Dakota. Yesterday, at a hearing before the Judiciary Committee, Judge Nichol's nomination was ably supported by my distinguished colleague, the senior Senator from South Dakota [Mr. MUNDT], and I appreciate his fine endorsement of Judge Nichol's record.

Judge Nichol is 54 years old. His relative youth among the Federal judiciary and his vigorous devotion to the highest ideals of the judicial system assure him a long and distinguished career on the Federal bench.

A graduate of Yankton College, Judge Nichol holds a law degree from the University of South Dakota. He has also been a member of the faculty of both Yankton College and Dakota Wesleyan University.

He has served as State's attorney, as a member of the South Dakota State Legislature, and as assistant U.S. district attorney. He was an administrative assistant to the late Senator Herbert Hitchcock and a law partner of Mr. Hitchcock. My wife, the former Eleanor Stegeberg, of Woonsocket, served as a legal secretary to Judge Nichol and Mr. Hitchcock prior to our marriage.

For 25 years, Judge Nichol has been a close personal friend, a fellow townsman at Mitchell, S. Dak., and a treasured adviser of mine. He and his lovely wife, Evelyn, and their two outstanding children, Allan and Janice, will make their home in Sioux Falls.

I know that the Senate will unanimously confirm this splendid judge. I congratulate him on his new career.

The PRESIDENT pro tempore. The question is: Will the Senate advise and consent to the nomination?

The nomination was confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE BIG SKY COUNTRY

Mr. MANSFIELD. Mr. President, now that graduations and commencements are nearly over this country of ours is becoming a land of Americans on the move. The United States is a magnificent vacationland and as President Johnson has said see America first and spend more time at home. Every State and section of the Nation has its major tourist attractions. I am naturally prejudiced, but Montana has some of the finest and most beautiful of all tourist and resort areas. From the plains of the east to the mountains of the west, the Treasure State has a vast variety of scenic, historic and recreation potential.

A recent issue of the Montana Standard published in Butte, Mont., contained an excellent article extolling the virtues of the magic circle tour. This tour takes in Dillon, Helena, Butte, and the headwaters of the Missouri River. The attractions are unlimited and appeal to the sportsmen, the historian and those who just want to get away and have a good time with friendly people.

Mr. President, this article is only one sample of what we have to offer.

I ask unanimous consent that the story be printed at the conclusion of my remarks in the CONGRESSIONAL RECORD. In conclusion might I suggest that when we see America first make sure that it includes a visit to the "land of the big sky."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Butte (Mont.) Standard, June 4, 1965]

GOING SOMEWHERE? WE'D LIKE TO SUGGEST MONTANA

President Johnson started it all when he suggested Americans spend more time at home this vacation year, and less abroad.

We'd like to go him one further and suggest you consider your vacation in one of the greatest sightseeing areas in the world—your own part of Montana.

Young & Rubicam, New York public relations firm, labels Montana, "land of the big sky, as an informed country, its citizens unaffectedly friendly."

We know our State pretty well, but here's a tour as suggested by the New York firm which merits some consideration:

Start your magic circle tour at the busy little city of Dillon. Its Beaverhead County Museum contains a graphic account of the area's pioneer history through branding irons, Indian artifacts, mining relics, ore specimens, photos, and antique guns, including the .44 Colt of the bandit-sheriff Henry Plummer, who could fire all six shots in 4 seconds—before the vigilantes ended his dual career.

The route south from Twin Bridges, Montana 287, runs through the newly restored ghost town of Nevada City. Quoting from a sign, it was a hellhole where "men were men and women were scarce."

Two miles on up Alder Gulch is the prize, Virginia City, which has been restored to the colorful glory that it knew as the pioneer capital of Montana Territory in the roaring gold days.

Visitors can partake of the hospitality of the Fairweather Inn, 1860 style. The tasteful white clapboard hostelry is distinguished by antique wallpaper, elaborate lamps of glass and brass, lace curtains, crimson velvet drapes, furniture covered in stylish velvet, and ornate desks.

The Bale of Hay Saloon also dispenses hospitality and resounds to authentic player pianos and nickelodeons that give out ragtime. Machines that once amused the menfolk and "hussies" are still operable—and steel-disk victrola, organs of the player type, and the popular peep shows that used to curl many a mustache.

At night some of the old shops are lighted by lamp, revealing costumed and startingly real mannikins; inside the barbershop a customer is being shaved on a red velvet chair; in the Fashion Shop a seamstress sits at the sewing machine, while an elegantly dressed customer in furs stands by the piano; hightop, laced and button shoes in the store of Boots and Shoes were custom made, some by the notorious "Clubfoot" George, before he found stage robbing more profitable.

Limestone formations rise like castles along the route (Montana 287A) north to Lewis and Clark Caverns State Park. A hillside jeep railroad and tram take you to the entrance of the big cave noted for its colorful stalagmites and stalactites.

Three Forks, site of the Missouri River's headwaters for which explorers Lewis and Clark searched in 1805, is another favorite, with trout fishermen. The route on north follows Canyon Ferry Reservoir, which provides irrigation and a large recreational area for boating, camping, and fishing.

Landmarks of historic Helena are the granite, copper-domed State capitol and the civic center building, of startling but handsome Moorish-type architecture. Its cultural pride, however, is the Charles M. Russell Gallery and Museum, a tribute to Montana's famed western painter. His work portrays the simple routine of actual cowboy life (pure heresy to today's TV horsey heroes), and paintings of Indians show the proud red man, as he was before the white man came.

From Helena the magic circle curves south (U.S. Interstate 15) through scenic canyon country to Butte, the copper mining metropolis. In the eastern end of town there's a covered stand where you can peer down into the great open-pit Berkeley copper mine—gargantuan electric shovels look no larger than ants from your vantage point.

Below the city streets is a maze of mine tunnels with shafts that pierce the earth's core for a mile. Visitors to the Kelley Mine are garbed in typical miner's outfits with lighted helmets. And rockhounds have a field day at the Montana School of Mine's excellent Mineralogical Museum, where case after case displays rock specimens of rare beauty and color.

Now, this hardly begins to touch on the beautiful sights, excellent recreational opportunities, and the things to do in western Montana. Great national forests and parks, roadside campsites, the world's finest trout fishing in the Madison River—well, you name it, and we've got it.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON TRANSFER OF RESEARCH AND DEVELOPMENT FUNDS TO THE CONSTRUCTION OF FACILITIES APPROPRIATION

A letter from the Administrator, National Aeronautics and Space Administration, reporting, pursuant to law, on the transfer of $1,196,000 of fiscal year 1965 research and development funds to the construction of facilities appropriation to be used for the construction of ground support facilities required for the application technology satellite (ATS) program; to the Committee on Aeronautical and Space Sciences.

Plans for Works of Improvement in Various States

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Crooked Creek, Ala., Haney Creek, Ark., Upper Crooked Creek, Ark., Muddy Fork of Silver Creek, Ind., Cub Creek, Nebr., Assunpink Creek, N.J., St. Thomas Lodema, N. Dak., and Buffalo Creek, Ohio (with accompanying papers); to the Committee on Agriculture and Forestry.

Amendment of Consolidated Farmers Home Administration Act of 1961

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for more effective security servicing, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on the lack of effective action by the military services to obtain NATO cost sharing of military construction projects in Europe, Department of Defense (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on loss of time discounts on payments made by the Los Angeles Contract Management District, Department of the Air Force, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on substantial savings available through change in method of obtaining space and utilities for small post offices, Post Office Department, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on duplicate payments to Westclox Division of General Time Corp. for artillery fuzes destroyed in testing, Department of the Army, dated May 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on failure to make timely repairs on acquired single-family properties in Wichita, Kans., adversely affected sales potential and resulted in additional repair costs, Federal Housing Administration, Housing and Home Finance Agency, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

Amendment of Section 7 of Administrative Expenses Act of 1946

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel cost for applicants invited by a department to visit it for purposes connected with employment (with accompanying papers); to the Committee on Government Operations.

Report of Governor of the Virgin Islands

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report of the Governor of the Virgin Islands, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report of Proceedings of the Judicial Conference of the United States

A letter from the Chief Justice, Supreme Court of the United States, Washington, D.C., transmitting, pursuant to law, a report of the proceedings of the Judicial Conference of the United States, held at Washington, D.C., March 18–19, 1965 (with an accompanying report); to the Committee on the Judiciary.

Report on Kaskaskia River, Ill., Navigation Project

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the Kaskaskia River, Ill., navigation project dated March 1965 (with an accompanying report); to the Committee on Public Works.

Plans for Works of Improvement in Various States

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Lower Little Tallapoosa River, Ga., Uncle John Creek, Okla., Wilson Spring Creek, Tenn., Attoyac Bayou, Tex., Castleman Creek, Tex., and Donahue Creek, Tex., (with accompanying papers); to the Committee on Public Works.

Report of Librarian of Congress

A letter from the Librarian of Congress, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1964, together with a supplement thereto entitled "Quarterly Journal of the Library of Congress" (with accompanying documents); to the Committee on Rules and Administration.

CONCURRENT RESOLUTION OF THE LEGISLATURE OF AMERICAN SAMOA

The PRESIDENT pro tempore laid before the Senate a letter from the Under Secretary of the Interior, transmitting a translation of a concurrent resolution of the Legislature of American Samoa, which concurrent resolution was referred to the Committee on the Judiciary, as follows:

House Concurrent Resolution 10

Whereas there are residents in American Samoa many persons now classed as aliens; and

Whereas many of these people have resided in American Samoa for many years, have married U.S. nationals of American Samoa, and have had children who are U.S. nationals; and

Whereas many of these people have made American Samoa their true and permanent home, have no intention of leaving or returning to their original homelands, and regard themselves as American Samoans in all but the strictly legal sense; and

Whereas these people have in fact given their true loyalty and allegiance to the United States of America; and

Whereas these people have contributed significantly to the social welfare and the economic development of American Samoa; and

Whereas there is at present no way that these people can change their nationality status (except the impracticable one of traveling to the United States and becoming naturalized citizens); and

Whereas most of these people would make good and valuable citizens of American Samoa and U.S. nationals: Now, therefore, be it

Resolved, That the House of Representatives of the Legislature of American Samoa (the senate concurring) requests the Congress of the United States to provide by law a means whereby properly qualified resident aliens in American Samoa can apply for U.S. nationality, be allowed to swear their allegiance to the United States of America, and be admitted to the benefits of being a U.S. national; and be it further

Resolved, That the legislature believes this to be the best possible solution to a legal anomaly which has divided our people into two categories, until the day when Congress sees fit to make all the U.S. nationals of American Samoa citizens of the United States; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of the Interior, and the Speaker of the House of Representatives, and the President of the Senate of the Congress of the United States.

Rapi Sotoa,
President of the Senate.
T. Ma'o,
Speaker, House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1666. A bill to provide for the appointment of additional circuit and district judges, and for other purposes (Rept. No. 303).

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 1620. A bill to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto (Rept. No. 304); and

H.R. 5283. An act to provide for the inclusion of years of service as judge of the District Court for the Territory of Alaska in the computation of years of Federal judicial service for judges of the U.S. District Court for the District of Alaska (Rept. No. 305).

By Mr. RANDOLPH, from the Committee on Post Office and Civil Service, without amendment:

S. 1496. A bill to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes (Rept. No. 309); and

H.R. 1732. An act to extend the act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes (Rept. No. 308).

By Mr. RANDOLPH, from the Committee on Post Office and Civil Service, with an amendment:

S. 1495. A bill to permit variation of the 40-hour workweek of Federal employees for educational purposes (Rept. No. 310).

By Mr. BREWSTER, from the Committee on Post Office and Civil Service, without amendment:

H.R. 1782. An act to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act (Rept. No. 307).

SCHOOL FACILITIES FOR CERTAIN CHILDREN FOR WHOM LOCAL EDUCATIONAL AGENCIES ARE UNABLE TO PROVIDE EDUCATION—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 311)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (H.R. 5874) to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands, for whom local educational agencies are unable to provide education, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the supplemental views of Senators Javits, Prouty, Dominick, Murphy, and Fannin.

The PRESIDING OFFICER (Mr. Tydings in the chair). The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

REPORT ENTITLED "DISPOSAL OF ELLIS ISLAND" (S. REPT. NO. 306)

Mr. MUSKIE, from the Committee on Government Operations, submitted a report entitled "Disposal of Ellis Island," which was ordered to be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGEE (for himself and Mr. Simpson):

S. 2104. A bill for the relief of Harriet C. Chambers; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 2105. A bill for the relief of Sgt. Jack E. Redding, U.S. Army (retired);

S. 2106. A bill for the relief of Dr. Jose Joaquin Diaz Franquiz;

S. 2107. A bill for the relief of Andrew Loriz;

S. 2108. A bill for the relief of Dr. Enio Fontanelli; and

S. 2109. A bill for the relief of Dr. Olibio S. Rodriguez-Eiras; to the Committee on the Judiciary.

By Mr. ELLENDER:

S. 2110. A bill to bring supplies of feed grains and cotton in line with demand; and

S. 2111. A bill to provide a domestic parity marketing certificate program for rice; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Ellender when he introduced the above bills, which appear under separate headings.)

By Mr. MORSE:

S. 2112. A bill for the relief of Marian Edith Kid-Stanton Simons; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Kennedy of New York, Mr. Case, Mr. Ervin, Mr. Hart, Mr. Kuchel, Mr. Saltonstall, Mr. Scott, Mr. Tydings, and Mr. Williams of New Jersey):

S. 2113. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary.

By Mr. KENNEDY of New York (for himself, Mr. Javits, Mr. Case, Mr. Ervin, Mr. Hart, Mr. Kuchel, Mr. Saltonstall, Mr. Tydings, and Mr. Williams of New Jersey):

S. 2114. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on the Judiciary.

By Mr. KENNEDY of New York (for himself, Mr. Javits, Mr. Case, Mr. Ervin, Mr. Hart, Mr. Kuchel, Mr. Long of Missouri, Mr. Tydings, and Mr. Williams of New Jersey):

S. 2115. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Labor and Public Welfare.

By Mr. JAVITS (for himself, Mr. Kennedy of New York, Mr. Case, Mr. Ervin, Mr. Hart, Mr. Kuchel, Mr. Long of Missouri, Mr. Tydings, and Mr. Williams of New Jersey):

S. 2116. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Labor and Public Welfare.

(See the remarks of Senators Javits and Kennedy of New York when they introduced the above bills, which appear under a separate heading.)

RESOLUTION

TO CURTAIL BEEF IMPORTS WHEN THERE IS DANGER OF FOOT-AND-MOUTH DISEASE INFESTATION

Mr. TOWER (for himself and Mr. Morse) submitted a resolution (S. Res. 111) to curtail beef imports when there is danger of foot-and-mouth disease infestation, which was referred to the Committee on Agriculture and Forestry.

(See the above resolution printed in full when submitted by Mr. Tower, which appears under a separate heading.)

AGRICULTURAL ACT OF 1965

Mr. ELLENDER. Mr. President, I introduce, for appropriate reference, a bill to bring supplies of feed grains and cotton in line with demand. I ask unanimous consent that an explanation of the bill be printed in the Record.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 2110) to bring supplies of feed grains and cotton in line with demand, introduced by Mr. Ellender, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The explanation presented by Mr. Ellender is as follows:

Explanation of Draft Bill To Bring Supplies of Feed Grains and Cotton in Line With Demand

This bill (1) provides for marketing quotas for corn, grain sorghums, and barley with higher minimum mandatory price support levels for those commodities (and no mandatory support for oats and rye); and (2) extends the cotton domestic allotment program until supplies have been reduced to reasonable levels.

TITLE I—FEED GRAINS

Title I of the bill, which provides for marketing quotas and price support for feed grains, is identical to provisions approved by the Senate on May 24, 1962, in the consideration of S. 3225, except for minor corrections and changes required by the passage of time.

It provides for the proclamation of marketing quotas for 1, 2, or 3 years, whenever the supply would otherwise be excessive. The quota would be such as would provide for a gradual reduction in CCC stocks but assure an adequate carryover and would in no event be less than 110 million tons.

The quota would be converted to an acreage allotment and apportioned to States, counties, and farms on the basis of past acreage (1959 and 1960 acreage in the case of the 1966, 1967, and 1968 allotments, the acreage for the most recent quota years in the case of subsequent allotments). Up to 1 percent of the national allotment could be reserved for reclamation and other new production areas, and up to 3 percent of each State allotment could be reserved for new farms, and to correct errors and make equitable increases in farm allotments.

Any farm with an allotment of less than 25 acres would be exempt from quotas if its feed grain acreage did not exceed either its base acreage or 25 acres, unless the operator elected to be subject to quotas. Such an exempt farm would also be exempt from the mandatory diversion provisions of the bill and would not be entitled to price support. If the operator did not elect to be subject to quotas, but lost his exemption by exceeding either (A) the base acreage or (B) 25 acres, the smaller of (A) or (B) would be considered as the farm acreage allotment for the purpose of computing marketing penalties.

To become effective, marketing quotas would have to be approved by two-thirds of the farmers voting in a referendum.

The marketing penalty for exceeding acreage allotments would be 65 percent of the parity price of the particular feed grain involved as of May 1, multiplied by the farm marketing excess. In the case of farms producing more than one feed grain, the penalty would be assessed on the theory that the feed grains constituting the marketing excess are those which result in the highest penalty.

The Secretary could permit substitution of wheat and feed grain acreage.

Any farm producing feed grains, other than one with a new farm allotment, would be required to divert from production an acreage equal to that by which its base acreage exceeded its allotment. The penalty for producing any crop, other than one permitted by the Secretary as being nonsurplus or not impairing the program, on such acreage would be 65 percent of the May 1 parity price of the principal feed grain produced in the county, multiplied by the normal yield for such feed grain for each acre in violation of this provision.

The Secretary may exempt farms in deficit areas from quotas if (1) quotas would reduce the gross income of producers in the area by 25 percent, (2) exemption would not impair the program, and (3) the feed grain acreage on the farm does not exceed its base acreage. Such an exempt farm would be liable for marketing penalties on any excess over its base acreage, would not be subject to the mandatory diversion provisions of the bill, and would not be entitled to price support.

A limited exemption is provided for malting barley where necessary to provide a sufficient supply.

A limited exemption is also provided for feed grains for silage.

The support level for corn would be not less than 65, nor more than 90 percent of parity if marketing quotas were not disapproved (instead of such level from 50 to 90 percent of parity as will not result in increasing CCC stocks, as at present in the absence of a diversion program). If marketing quotas were disapproved, price support could not exceed 50 percent of parity. Price support for barley and grain sorghums would, as at present, be fixed at fair levels in relation to corn. Price support for oats and rye would no longer be mandatory, but could be fixed at any level from zero to 90 percent of parity.

TITLE II—COTTON

Title II extends the cotton domestic allotment program until such time as the Secretary of Agriculture determines that supplies are at reasonable levels. This program was provided for by the Agricultural Act of 1964 for the 1964 and 1965 crops. Under it, each farm is given a domestic allotment representing its share of the cotton required for domestic consumption (about two-thirds of the farm acreage allotment). No farm domestic allotment is less than the smaller of 15 acres or the farm acreage allotment. Farms complying with their domestic allotment are entitled to price support at up to 15 percent above the basic level of support.

PROVISION OF A DOMESTIC PARITY MARKETING CERTIFICATE PROGRAM FOR RICE

Mr. ELLENDER. Mr. President, I introduce, for appropriate reference, a bill to provide a domestic parity marketing certificate program for rice. I ask unanimous consent that an explanation of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the RECORD.

The bill (S. 2111) to provide a domestic parity marketing certificate program for rice, introduced by Mr. ELLENDER, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The explanation presented by Mr. ELLENDER is as follows:

EXPLANATION OF DRAFT BILL TO PROVIDE A DOMESTIC PARITY MARKETING CERTIFICATE PROGRAM FOR RICE

This bill provides for a marketing certificate program for rice generally similar in framework to that contained in S. 1702, but differing from S. 1702 in the following respects:

1. It would be permanent.
2. It provides price support at full parity for the domestic portion of the crop (including seed).
3. It provides price support at not less than the higher of 50 percent of parity or the world price for the balance of the crop.
4. It retains the present method of determining and apportioning marketing quotas and allotments, including National, State, and county minimum allotments.
5. It provides a separate rice marketing allocation for each producer for each State, based on his projected yield.
6. It permits any rice producer to receive certificates if he does not participate in an acreage allotment violation.
7. It requires processors to obtain certificates on rough rice purchased or imported by them (instead of the rough rice equivalent of processed rice sold by them), subject to refunds for sales or exportations.
8. Exemption of rice to be donated, processed for use on the farm, produced and processed by and for a State agency, or processed for noncommercial uses would not be permitted.
9. Refunds on rice sold or exported would be in cash only (not in-kind).
10. It makes it clear that the Secretary could mitigate any prohibition against issuance of certificates to a program violator.
11. CCC could not charge administrative costs in addition to the certificate costs.
12. It provides for a 4-year transition to the new program insofar as processors are concerned.
13. It contains a clearer definition of "processing."
14. It modifies the landlord-tenant provisions of S. 1702 to remove retroactive effect prior to 1965, provide a maximum penalty, provide for reapportionment of allotment reduction, and provide for appeals to review committee and court.

Under this bill a marketing certificate program would be in effect for rice every year that marketing quotas were in effect, beginning with the 1966 crop. The existing law governing marketing quotas would continue in effect.

A producer would receive a rice marketing allocation on which marketing certificates would be issued equal to the number of hundredweights obtained by multiplying the estimated production on his share of the allotted acres by the percentage estimated by the Secretary to be the percentage of the rice crop which will be used in the United States during the marketing year. Provision is made for issuing additional certificates to be financed by Commodity Credit Corporation on the first 1,500 hundredweight of each farmer's production.

The marketing certificates would have a value per hundredweight equal to the difference between the price support on certificate rice and noncertificate rice.

Marketing certificates would be required to cover all rice purchased by processors and all processed rice imported into the United States, but the value of the certificates would be refunded on all rough rice sold and all processed rice exported from the United States.

Commodity Credit Corporation would be authorized to buy and sell marketing certificates.

During the first year the program was effective processors and importers would be required to purchase certificates for only one-quarter of the rice purchased or imported by them. During the next year they would purchase certificates for one-half; and during the third year for three-fourths. This would prevent too precipitous an increase in the price of processed rice. The Secretary would be authorized to take such additional action as he determines would be necessary to facilitate the transition from the program currently in effect to the marketing certificate program.

Price support (i) for rice with marketing certificates would be 100 percent of parity; (ii) for noncertificate rice would be at such level, not in excess of parity, and not less than the higher of 50 percent of parity or the world price, as the Secretary determines will provide orderly marketing of rice and retain an adequate share of the world market, taking into consideration the price of rice in world markets and other factors.

The minimum price for sales of rice from Commodity Credit Corporation stocks would be 105 percent of the noncertificate rate, plus reasonable carrying charges.

The bill would also provide authority to reduce the rice acreage allotment for any farm if the farmowner or landlord evicts or otherwise mistreats a rice tenant or sharecropper on the farm.

HEARINGS SCHEDULED ON PROPOSED FARM LEGISLATION

Mr. ELLENDER. Mr. President, the Senate Committee on Agriculture and Forestry has scheduled hearings on farm legislation to begin on Wednesday, June 16. The hearings are to cover all of the major agriculture commodities; that is, feed grains, wheat, cotton, rice, wool, and dairy products, as well as the recommendations of the Department of Agriculture regarding the extension of the conservation reserve program and the lease and sale of allotments. All bills before the committee dealing with these commodities will be considered. It is the intent of the committee to study completely the full implications and all facets of the present programs as well as the recommended changes. It is my intention to place the emphasis on program costs, stock accumulations, and effect on farm income. Everyone will agree, I am sure, that farm income must be protected. However, it does agriculture no good to achieve high income at Government expense. Somehow or other programs must be devised which will permit farmers to remain prosperous, but at a minimum of Government costs. Few of the present programs meet this criteria.

At the present time feed grain producers enjoy a program which provides for guaranteed Government price supports if they voluntarily agree to reduce their planting from an established feed grain base. Of course, these producers are paid handsomely by the Government for voluntarily agreeing to reduce their acreage. In addition, for the 1965 crop, producers who participate in the program will also receive a price support payment amounting to 20 cents per bushel on the normal production of the planted acreage. Producers who do not wish to participate in the program can plant all of the feed grains they wish and benefit from the high prices which prevail in the marketplace because of the shortage of feed grains caused by the program participators. In other words, Mr. President, feed grain producers have it coming and going. They benefit whether they participate in the program or not, and the Government stands ready to pay the huge costs to buy voluntary participation.

It is estimated by the Department that the program this year will cost approximately $1.3 billion. The so-called voluntary, temporary feed grain program has been in effect since 1961. The cost for the first 4 years now amounts to $5.4 billion, and will be higher when all fiscal 1964 charges are recorded.

In 1961 when the first so-called temporary, voluntary program was enacted, I reluctantly gave it my support because at that time excess stocks of grain were unmanageable. Storage, handling, and other allied costs were increasing by leaps and bounds. The carryover at that time amounted to 84.7 million tons and all evidence pointed to continued increases unless emergency action were taken. I later supported an extension of the program in the hope that stocks of grain would be reduced to manageable proportions and that Congress would enact a realistic program.

Now, had the feed grain program been successful in reducing stocks, if costs had been at a minimum, and if Congress had enacted a realistic program, I would have little to complain about, but none of these goals have been attained. As a matter of fact, just the opposite has occurred. As I indicated, costs have been excessive. Congress has not enacted realistic legislation. And while there has been a slight reduction in stocks of about 27 million tons, this has been achieved at a tremendous cost. Actually, figuring roughly, it has cost the Government about $6 per bushel to achieve this reduction. Obviously, this program needs a complete review, not only by the Committee on Agriculture, but by all Members of the Senate.

The present cotton program is another example of almost a complete failure. Last year when this bill was being debated, the proponents claimed that it would be less costly, that it would reduce Government stocks, that textile prices would be reduced, and that domestic consumption would increase. I opposed the bill and attempted, but to no avail, to amend it on the floor of the Senate, because I did not feel that the claims of those who supported the bill were justified. My views have been substantiated.

The proponents claimed that the cost of the program would amount to $438 million, but the latest estimates now indicate that the program will cost approximately $900 million.

The proponents also claimed that it would reduce stocks, but a report issued by the Department of Agriculture this week indicates that the carryover on August 1 of this year will amount to 13.5 million bales, an increase of about 1.4 million above last year. As I recall the figures, the proponents of the cotton bill stated last year that they expected a reduction in our surpluses by at least 1,750,000 bales. Instead, as I have indicated, the amount has increased to 1,400,000 above last year.

The claim that textile prices would be reduced has also been unfulfilled, for the April report on cotton price statistics issued by the Department of Agriculture, shows that the average price of 20 unfinished cloth constructions, reported on regularly, has actually increased by slightly over 2 cents since April of 1964 and that mill margins have increased by slightly over 10 cents per pound of cotton used. On the other hand, this same report shows that raw cotton prices to mills are down by slightly over 8 cents per pound.

Last year the proponents claimed that domestic consumption of cotton would increase by about 1 million bales. Well there has been an increase in domestic consumption of cotton, but the expectations have not been realized for the cotton situation report of May 1965 indicates that mill consumption will increase by only 800,000 bales.

The present law also had the unfortunate result of decreasing export activity. Last year this country exported 5.7 million bales of cotton. This year we do not expect to export in excess of 4.5 million bales. Actually, some knowledgeable trade people feel that we will be doing well to export 4.2 million bales. This has come about because the pricing provisions of the present law require that domestic mills pay no more for cotton than foreign mills; therefore, any increase in the export subsidy in order to make cotton more competitive on the foreign market, must also result in an increase in the subsidy to domestic mills. On a 15 million bale crop, a 1-cent increase in subsidy results in a direct cost to the Government of $75 million.

I also indicated last year that payments to mills would lead to payments to producers followed shortly thereafter by a limitation on producer payments. Now a bill proposed in the other body provides for producer payments and recognizes the possibility of payment limitation to producers. There is actually a provision in that bill, the so-called snapback provision, which would permit the Secretary to revert to straight price supports if money is not made available by the Congress to carry out the payment program.

Surely Congress should look long and hard at any new cotton proposals in light of the failure of the present program.

The rice program has also come under attack by the administration because they claim it to be excessively costly. As a matter of fact, they go through all types of exercises in arithmetic in order to prove that this is so. They even charge the total cost of Public Law 480 sales and donations of rice to the farm program. This is obviously wrong because Public Law 480 is not a commodity program but a program designed to alleviate some of the hunger in the world and to bolster the sagging economies of the less developed nations in the world. Using the administration's kind of logic, I am surprised that they do not include, for example, all of the food used by the Armed Forces as a farm program cost, because surely the soldiers do eat and the food does come from American farms, and the Government does pay the cost.

The rice program that has been in effect since 1958 has been quite effective. At the present time the carryover of rice amounts to about 9 million hundredweight, which is actually less than a satisfactory carryover. In spite of this, the administration has sent to the Congress a certificate program which I find contains a number of loopholes. In the first place, I am not quite sure that a certificate program is more desirable than the present program. If it is the intention of the administration to cut off the rice program, I can point to a number of ways in which this can be achieved.

But it escapes me, Mr. President, why the administration should pick on the rice program, which, including Public Law 480 expenditures, cost a total of only $180 million, when they are going to spend $1.3 billion or more for a feed grain program. I do not know why feed grain producers have always been singled out for special treatment, but this has always been the case. Never have feed grain producers been subject to marketing quotas or compulsory allotments. Allotments, of course, have been in effect but these can be ignored without penalty, whereas all of the other basic agricultural commodities had to accept compulsory controls if they wished price supports.

Actually rice program costs will be lower this year, for price supports were reduced from $4.71 per hundredweight to $4.50. Wheat costs will also be lower because export certificates have been reduced from 45 percent to 35 percent of the allotment. But, as I said, Mr. President, feed grain producers will not suffer. As a matter of fact, each feed grain producer will receive more from the Government this year than last, for doing the same thing.

Mr. President, it is my intention today to introduce two bills. First, a feed grain and cotton bill. The feed grain title provides for mandatory controls if producers wish price supports. A two-thirds vote would be necessary. This is the same bill that the Senate approved in 1962. I have always felt that price supports without controls would lead to expanded production and increased Government costs. The present feed grain program is a perfect example of this. As I indicated earlier, the estimates are that by the end of the 1965 crop marketing year, the so-called temporary, voluntary feed grain program will cost almost $7 billion. This is in excess of a billion dollars per year. Under the provisions of the bill I introduce, costs would be drastically curtailed.

Second. I am introducing a cotton bill which does not change the 1958 law, except that the small farm provisions of the present law are incorporated.

Another bill I am introducing is a certificate program for rice, differing from the administration's proposal in that I have closed some of the loopholes in their bill. For example, in my bill the domestic consumption portion of the allotment upon which certificates would be based is supported at a full 100 percent of parity. In addition, the minimum price support is established at not less than 50 percent of parity or the world price, whichever is higher. It also provides for a transition period of 4 years before mills would have to bear the full costs of certificates. This is necessary in order to minimize any adverse effect of market price rise on the consumption of rice. I also retain the present 1.6 million acre national allotment and the present method of apportioning to States and counties. There are several other changes which I feel are desirable.

I am introducing these bills in order to stimulate discussion; in order to broaden the basis for review.

I am not wedded to these bills. I would expect to have a full discussion of the bills from all interested Senators. It is my hope that witnesses who appear before the committee will address themselves to all these proposals and point out the good as well as the shortcomings they see in any of the programs before the Congress, and indicate what they feel is best for agriculture in the future.

Mr. President, it seems to me that agriculture is at the crossroads. I only hope that after thorough study and consideration by the committee and the Congress that we will choose the road that leads to success and prosperity.

Mr. WILLIAMS of Delaware. Mr. President, I concur with the statement of the Senator from Louisiana that the present cotton program has been a failure. I congratulate the Senator on his remarks in outlining what a dismal failure our present cotton program has been.

Our existing program has failed to accomplish the purpose for which it was intended. Its results have been disastrous both to our farmers and to the consumers. I note that when the hearings were held before the Senate Committee on Agriculture, between the dates of January 28, and February 1, 1964, Secretary of Commerce Hodges sent the chairman of the committee a letter. In this letter, the Secretary in support of the cotton program, which was under consideration at that time claimed, that the reduction of 8.5 cents per pound in the price of raw cotton at the mills would result in an annual saving to consumers of more than $700 million.

The results show that instead of saving the consumers money the prices of cotton goods have advanced about 5 percent while profits for the mills have jumped nearly 50 percent.

This is a typical example of some of the results of the programs of this Great Society.

I ask unanimous consent that the letter from Secretary of Commerce Hodges, under date of January 31, 1964, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., January 21, 1964.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: It is my understanding that during the course of your current hearings on the need for emergency cotton legislation, the question continues to arise as to whether or not a reduction of 8½ cents per pound in the cost of cotton to domestic mills would be reflected in savings to American consumers of cotton textile products. When similar legislation was being considered by the House Committee on Agriculture, Hickman Price, Jr., then Assistant Secretary of Commerce, testified in behalf of this Department that savings to consumers would amount to about $90 million for each cent of reduction. A reduction of 8½ cents per pound would thus result in a saving to consumers or more than $700 million.

This saving, Mr. Price said, would come with a lag of from 3 to 8 months, the time from first consumption at the mill to ultimate consumer, and would be reflected in either lower prices or higher quality of the merchandise.

Speaking with personal knowledge from many years in the manufacturing and marketing of cotton textiles, I agree that such a raw material cost reduction in the highly competitive textile and apparel manufacturing industries would generate a chain reaction of savings to consumers. It is the best estimate of our Department that these savings would be of the general order of magnitude indicated by Mr. Price.

Sincerely yours,

LUTHER H. HODGES,
Secretary of Commerce.

Mr. WILLIAMS of Delaware. Mr. President, I also have a report from the Department of Agriculture with regard to the cotton price statistics of the cotton division of the Department of Agriculture. In this report it shows that the unfinished prices for cotton goods, rather than decreasing and giving consumers a lower price as had been claimed by the Secretary of Commerce, have actually increased about 5 percent, or from 60.95 cents in July 1964 to 63 cents in March 1965. This is an increase of about 5 pecent.

During the same period the price of the raw cotton used by the mills dropped from 35 cents to 27 cents, or a drop on the price of raw cotton of approximately 8 cents a pound.

Lower prices for cotton, higher prices for the finished goods, and spectacular increases in the profits of the mills—all of this happening under a program supposed to be for the benefit of farmers and consumers.

During the time that the price of cotton was dropping 8 cents per pound and the price of finished cloth goods was rising by 5 percent, the margin to the mills, based on this report, rose from 25 cents per pound to 36 cents per pound. In other words, the consumer has received no benefit under the present cotton program. Furthermore, the results have been disastrous for the farmers, and the program has cost the taxpayers a large amount of money. The continuation of the present cotton program cannot be justified by any line of reasoning based upon the results.

It is estimated that during the first 15 months of this program the Department will have paid out over $450 million in subsidies to the cotton mills, for which neither the consumer nor the farmer received any benefit.

I again congratulate the Senator from Louisiana for calling the attention of the Senate to the fact that this program has been such a dismal failure.

I ask unanimous consent that the report entitled "Cloth and Raw Cotton Prices and Mill Margins by Months Beginning with 1962" be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Cloth and raw cotton prices and mill margins by months beginning with 1962

[In cents per pound]

	Average for 20 constructions		
	Unfinished cloth prices	Raw cotton prices	Mill margins
1962			
January	60.63	35.78	24.85
February	60.76	35.82	24.94
March	61.07	35.98	25.09
April	61.23	35.85	25.38
May	61.19	36.13	25.06
June	61.24	36.34	24.90
July	61.29	36.19	25.10
August	61.12	35.89	25.23
September	60.93	35.23	25.70
October	60.71	35.08	25.63
November	60.68	35.10	25.58
December	60.67	35.30	25.37
1963			
January	60.55	35.45	25.10
February	60.47	35.66	24.81
March	60.49	35.95	24.54
April	60.26	36.08	24.18
May	60.00	36.16	23.84
June	60.11	35.86	24.25
July	60.28	35.57	24.71
August	60.60	35.33	25.27
September	60.99	35.19	25.80
October	61.34	35.11	26.23
November	62.00	35.27	26.73
December	62.29	35.37	26.92
1964			
January	62.32	35.47	26.85
February	62.37	35.55	26.82
March	62.37	35.58	26.79
April	62.00	35.63	[1] 26.37
May	61.62	35.67	[1] 25.95
June	60.87	35.76	[1] 25.11
July	60.95	35.60	[1] 25.35
August	61.00	27.64	33.36
September	61.02	26.82	34.20
October	61.25	26.80	34.45
November	61.48	26.98	34.50
December	62.58	27.30	35.28
1965			
January	63.24	27.30	35.94
February	63.28	27.26	36.02
March	63.42	27.26	36.16

[1] Does not include the 6.5 cents per pound cotton equalization payment made to domestic cotton users on all bales opened beginning 12:01 a.m., Apr. 11, 1964. USDA made no adjustment for these payments prior to August 1964.

Source: "Cotton Price Statistics," Cotton Division, Consumer and Marketing Service, U.S. Department of Agriculture.

PRINTING OF REVIEW OF REPORT ON CHAGRIN RIVER, OHIO (S. DOC. NO. 35)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of the Army, transmitting a favorable report dated April 30, 1965, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on Chagrin River, Ohio, requested by a resolution of the Committee on Public Works, U.S. Senate.

I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENT

AMENDMENT NO. 257

NURSING HOMES—FIRE HAZARDS—AMENDMENT PROPOSED TO MEDICARE BILL

Mr. YOUNG of Ohio. Mr. President, in the past, the Nation has experienced periodic shock over one tragic fire after another in nursing homes providing care to elderly men and women.

Six patients die in nursing home fires for every one killed in a hospital fire, according to the National Fire Protection Association. This is a shocking and shameful statistic and one for which the Federal Government must assume some of the responsibility because of its failure to require proper safeguards in nursing homes providing care to public assistance recipients. The majority of elderly persons in nursing homes are public assistance recipients. The Federal Government pays over half of the more than $300 million spent annually for their care.

In November 1963, a fire occurred in a nursing home in Fitchville, Ohio, which resulted in the deaths of 63 elderly people trapped within this alleged nursing home. Federal money helped pay the cost of maintaining them in what turned out to be their death trap.

Earlier this year, I participated, as a member of the Special Committee on Aging, in hearings held in Cleveland, Ohio, on the subject of nursing home care. I was appalled and shocked at the testimony I heard. The State fire marshal told us that "nursing and convalescent homes pose fire safety problems unequaled in any other occupancy today in Ohio."

At another hearing held by the committee in Indiana, the State fire marshal was asked the following question:

> You indicate the vast majority of nursing homes are type 5 (frame) construction in Indiana, and you describe those as always posing a serious fire hazard. Would that not indicate the possibility of another Fountaintown tragedy as a constant threat?
>
> Reply: It is, sir, a constant threat and constant worry to our department.

The situation in Ohio and Indiana is fairly typical of the national nursing home picture. In some States, which have fairly high fire and safety standards for nursing homes, such standards are often applied sporadically, indifferently, or waived. Responsibility for enforcement is often fragmented and diffuse.

A recent article published in the magazine Nursing Home Administrator provides an indication of the national dimensions of the problem as well as a tragic chronological history of nursing home fires in recent years. I ask unanimous consent that the article entitled "Why Nursing Homes Are the Nation's No. 1 Fire Hazard" be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YOUNG of Ohio. Mr. President, I introduced legislation to establish Federal standards of nursing home safety early in this session as well as in the 88th Congress. Congress now has an immediate opportunity to act to meet the Federal responsibility in seeing to it that public assistance recipients are cared for in safe institutions.

Therefore, I offer an amendment to H.R. 6675, the bill to amend the Social Security Act, which is now under consideration by the Committee on Finance. I ask unanimous consent that the amendment be printed and appropriately referred.

Title 19 of H.R. 6675 includes some very beneficient and constructive changes in the establishment of standards and the financing of public assistance health care.

The amendment which I propose provides that after June 30, 1967, the requirements established by State authorities relating to protection against fire and other hazards in private or public institutions caring for assistance recipients shall include any requirements which may be contained in standards established by the Secretary of Health, Education, and Welfare. We would thereby meet the Federal responsibility by establishing minimum Federal standards of safety.

Apart from meeting this overriding Federal obligation, I believe that my amendment is both feasible and reasonable in light of the intent and content of H.R. 6675. The amendment is feasible for several reasons.

First. Because of the provision in title 19 of H.R. 6675 which removes the present $15 monthly limit on vendor payments for each old age assistance recipient for purposes of Federal matching funds. The Federal Government would, under H.R. 6675, match vendor payments regardless of the amount paid for a recipient.

Second. The bill provides for an increase in the Federal matching formula.

Third. The bill would increase the Federal share of old age assistance cash payments under which a number of States finance their nursing home care.

These changes would substantially increase the amount of money available to the States with which to pay for nursing home care. It would permit the States to raise their rates of payment above the present low levels. Such increases would be justified particularly in the case of those nursing homes and other institutions which provide meaningful care in safe settings.

Mr. President, increased payments for nursing home care will not, by themselves, result in improved safety standards. A witness representing the Committee on Ways and Means of the California Assembly told the Special Committee on Aging:

> I don't think that just raising the rates will automatically solve any of the problems unless we tie those rates to a specific set of standards, and unless you do that you can triple the rate and nothing will change.

Increased allowances for nursing home care could also be used to finance a portion of the cost of upgrading marginal and substandard institutions during the 2 years preceding the effective date of my amendment. The administrative costs of inspection and enforcement by the States would be 50 percent reimbursable by the Federal Government under title 19 of H.R. 6675.

The amendment I propose is reasonable because it is consistent with the safeguards on institutional care which are included under the medicare segment of H.R. 6675.

Under the medicare program as approved by the House of Representatives, the Secretary of Health, Education, and Welfare is authorized to prescribe such further requirements for hospitals and nursing homes as he finds necessary in the interest of the health and safety of beneficiaries. The Ways and Means Committee of the House of Representatives in its report on H.R. 6675 stated with reference to these safeguards:

> This authority is proposed because it would be inappropriate and unnecessary to include in the legislation all the precautions against fire hazards, contagion, etc., which should be required of institutions to make them safe.

My amendment would simply apply the same standards to institutions providing care to public assistance recipients. I want to see applied to these homes "all the precautions against fire hazards, contagion, etc., which should be required of institutions to make them safe."

It would be totally illogical for us to say to the elderly that we will see to it that they will be in safe nursing homes under the medicare program, but that they can be confined in potential firetraps if they happen to be receiving nursing home care under public assistance.

Mr. President, we have a responsibility to see to it that the unfortunate people receiving public assistance can go to sleep at night without the terrifying fear of awakening in a burning firetrap termed a nursing home. We also have a responsibility to their families and must assure them that their parents and grandparents and other elderly loved ones are safe.

The adoption of the amendment I have submitted today would meet that responsibility.

Mr. President, this morning I received a resolution passed by the Fire Marshals' Association of North America deploring the general safety standards in nursing homes throughout the Nation and urging effective legislation to correct this unconscionable situation. I ask unanimous consent that this resolution be printed in the RECORD as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Care for the Aged

Whereas the number of aged in our country is constantly increasing, and institutions for the care of these persons are likewise increasing; and

Whereas over 85 percent of persons lost in institutional fires are lost in places for the care of the aged, this figure currently averaging about 50 fire deaths a year; and

Whereas, these people die in fire-resistive buildings as well as combustible buildings; and

Whereas these deaths occur fundamentally because movement of old people is a slow process and fire is often a fast process; and

Whereas we have come to realize that we must protect these old persons in bed, and the only way to do this is to promptly stop the fire; and

Whereas the only automatic and economically practical way to stop fire growth is through the use of the sprinkler system: Therefore be it

Resolved, That the Fire Marshals Association of North America in convention assembled this 17th day of May 1965, records its endorsement of the principle of complete automatic sprinkler protection for all institutions and homes caring for the aged regardless of construction, detection systems, or other protection; be it further

Resolved, That the Fire Marshals Association calls upon its members; the fire protection profession; the public, old and young; and all media of public communication for cooperation and active support of effective legislation to accomplish this end.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 257) was referred to the Committee on Finance.

Exhibit 1

[From Nursing Home Administrator, March–April 1965]

Why Nursing Homes Are No. 1 Fire Hazard—Inadequate Fire Protection, Unsafe Buildings and Equipment, and Lack of Planning Combine With Inadequate Legislation To Make Nursing Homes the Nation's Leading Fire Hazard, This Study of NFPA Records Reveals

(By Isador W. Mendelsohn)

(NOTE.—Mr. Mendelsohn is sanitation consultant, nursing home improvement project, District of Columbia Department of Public Health, Washington, D.C.)

Nursing homes were the No. 1 fire hazard in the United States in May 1957,[1] according to authoritative fire records of the National Fire Protection Association, and they have maintained that unenviable status right down to the present as table 1 makes clear.

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[1] Babcock, Chester I., "A Place for Old Folks To Live," NFPA Quarterly, July 1957.

In the 19-year period, December 1945 to December 1964, 62 fires caused 507 deaths and 83 injured among patients and personnel in nursing homes in 25 States and Canada. Massachusetts had 12 fires with 15 dead and 11 injured; Canada, 6 fires with 95 dead, and Texas, 4 fires with 23 dead and 4 injured. According to NFPA,[2] the number of fires in U.S. nursing homes is estimated at 700 in 1963; 600 in 1962; 500 in 1961; 400 in 1960, and 500 in 1959.

CAUSATIVE FACTORS

Incomplete records of the NFPA in February 1963 disclose the causes of fire in nursing homes as shown in table 2.[3] Careless smoking (generally of cigarettes) contributed one-fourth of the known causes; defective heating equipment and electrical faults, combined, started another one-fourth of the fires from known causes. Most of the fires have been in buildings which have been converted to nursing homes.

Nursing homes have increased in number in the United States at an extraordinary rate. In Massachusetts[4] the number of nursing homes has grown from 350 in 1949 to 730 in 1961 and in the calendar year 1962 there was an increase of 2,000 beds in newly constructed nursing homes. The connotation "skilled nursing home"[5] indicates one providing "technical nursing beyond what the ordinary untrained person can adequately administer," with care including "full bed baths, enemas, irrigations, catheterizations, applications of dressings or bandages, and ministration of medications and other treatments prescribed by the physician which involve a like level of complexity and skill in administration."

FIRE PROTECTION IS POOR

Fire protection of nursing homes in the United States today is deplorable, largely because of inadequate legislation.

In Massachusetts the 1962 Special Committee To Study Convalescent or Nursing Homes reported its findings as follows: (1) "fire extinguishers in one home unchecked over a 4-year period; (2) others contained extinguishers not recharged for 2 years; (3) in other cases the degree of fire protection was marginal; (4) one home, harboring 64 patients, most of them discharged from mental hospitals, all very old, infirm and well-advanced in senility, had no direct line to a fire station, no sprinkler system, and no fireproof escape from the second floor where many patients were bedfast; (5) in another home, a fire door, supposedy installed for checking the spread of any conflagration into patients' rooms, was so badly stuck that a maintenance man had to force it open for further inspection; (6) narrow, winding stairs without nonslip surfaces and the absence of fire doors are fairly commonplace, particularly in the older, converted homes."

In certain parts of Idaho,[6] there is no adequate supervision of fire safety of nursing homes. There is no State fire marshal. Where there is no municipal fire prevention bureau, fire safety regulations in nursing homes are enforced by untrained inspectors.

In Ohio[7] preliminary inspections of electrical equipment, wiring and wiring methods in 1,200 nursing homes in the State early in 1964 showed 386 homes passing and 767 violating the emergency limited electrical regulation adopted on January 25, 1964, by the Ohio State Department of Health, Public Health Council, following the Fitchville nursing home fire.

CHARACTERISTICS OF PATIENTS

The average age of nursing home patients is 80 years; two-thirds are more than 75. Two-thirds of the patients are women. Most patients suffer from two or more disabilities. Two out of three have some type of circulatory disorder, and more than 50 percent have periods of disorientation. More than 50 percent require assistance in walking.

The records of the NFPA regarding the reactions of patients in nursing home fires state definitely that elderly people are usually unable to leave the building quickly enough.

Writing of his personal experience with nursing home fires and particularly of the 1963 Golden Age Nursing Home fire in Fitchville, Ohio, State Fire Marshal Fred Rice states:[8] "In case of fire in a nursing home, you would be lucky if you could evacuate one patent per minute. * * * You must realize that within 5 to 7 minutes the average fire in this type of structure is raging out of control.

"Aged occupants of nursing homes too often cannot escape. Their senses are dulled; many have received some form of medication [sedation] before retiring; their instincts [are] too slow to be cognizant of danger (especially after rude awakening).

"In the case of the Fitchville fire even when the evacuation was attempted, a portion of the patients would not leave because they did not have their clothes on; one group would not leave because they had not had their breakfast, and still another group felt that they were being moved to another home and did not want to leave because they liked it at Fitchville."

FIRE PROTECTION MEASURES

The NFPA[9] has found from endless case histories that the most reliable and effective safeguard against fires in nursing homes is a well-supervised automatic sprinkler system. It has promulgated this requirement in the NFPA Standard No. 101, Building Exits Code, which is the nationally accepted standard for protection of human life from fire. This standard has been incorporated into law in the States of Connecticut, Louisiana, Georgia and Wisconsin. Massachusetts in 1962[10] passed a law requiring nursing homes to install automatic sprinkler systems or approved alternate devices beginning January 1, 1965.

In a report published in the NFPA's Fire News (June 1964)[11] it was pointed out: "Ten years ago, Toledo, Ohio, had a nursing home fire hazard problem comparable to that of many cities. Many of the homes, old mansions converted to institutional care of the elderly, were not of fire-resistive construction. Although basic fire safety regulations, such as those requiring adequate exits, enclosed stairs, and fire doors were enforced, fire officials were not satisfied.

"As a result of conferences held between fire officials and representatives of the Nursing Homeowners' Association, it was decided that automatic sprinklers should be required in all nursing homes. However, because the home operators were reluctant to assume the cost of sprinkler installation, an ordinance was passed in 1956 requiring full coverage by automatic sprinklers in both existing and future non-fire-resistive nursing homes within 3 years. The time limit was extended to 5 years upon request of the operators. By 1961 every nursing home in the city was fully sprinklered. No operator had found the installation cost prohibitive."

The example of Toledo can be duplicated readily in other cities and in all States. To safeguard patients in nursing homes against fire hazards, early enactment is necessary of legislation embodying:

1. Principles similar or equal to those of NFPA Building Exits Code Standard No. 101.
2. Built-in protection in homes of fire-resistive building construction; ample, properly installed fire and smoke separations; removal of combustibles, and automatic sprinkler systems where unsafe conditions necessitate installation.
3. Thorough periodic inspections by the fire department, insuring agency, and home staff.
4. Constant, adequate training of home staff and ambulatory patients with proper equipment.
5. Posted emergency evacuation plan, with regularly scheduled and recorded routine evacuation drills.

Enactment of such legislation should be followed by active enforcement in cooperation with the local nursing home associations and their members in a manner least burdensome to them.

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[2] Juillerat, Ernest E., manager, Fire Record Department, NFPA, letter of Sept. 17, 1964.

[3] "Homes for the Aged," Fire Record FR63-1, NFPA, February 1963.

[4] Interim Report No. 760, Senate Special Commission To Study Convalescent or Nursing Homes, Massachusetts, Mar. 1, 1963.

[5] "Condition of American Nursing Homes," report, Senate Committee on Labor and Public Welfare, 1960.

[6] "Fire in Nursing Home at Riggins, Idaho," Fire News No. 535 NFPA, December 1963.

[7] Compson, George, chief, Division of Legal Services, Ohio State Department of Health, letter of Aug. 6, 1964.

[8] Rice, Fred, State fire marshal, Ohio, letter of Apr. 29, 1964.

[9] Reilly, Edward J., director of information, NFPA, letter of June 23, 1963.

[10] Interim Report No. 970, Senate Special Commission To Study Convalescent or Nursing Homes, Massachusetts, July 31, 1963.

[11] "Toledo's 35 Nursing Homes Sprinklered," Fire News, NFPA, June 1964.

TABLE 1.—*Fire records in nursing homes in the United States and Canada, 1945–64* (*compiled from NFPA case histories*)

Date	Home	Location	Number of people in home [1]	Killed	Injured	Time	Cause	Sprinklered	Evacuation plan	Number of stories	Building construction [2]
1964											
Dec. 18	McGraw Nursing	Fountaintown, Ind.	34-P, 3-O	20-P	(?)	2:30 a.m.	Basement furnace			2	Wood.
July 23	114 6th Ave. NE	Ardmore, Okla.	11-P	4-P	0		Laundry room	No		1	Do.
June 18	Smith Rest	Worcester, Mass.	17-P	0	4-P, 1-O	5:32 p.m.	Smoking			2½	Do.
May 28	Lenox Hill	Lynn, Mass.	73-P	0	0	9:33 a.m.	Closet	Yes	Yes	2	Brick.
Mar. 31	Migeon Manor Rest	Torrington, Conn.	9-P	0	1-P	P.m.	Smoking	Yes	Yes	2½	Wood.
Jan. 2	Columbia Convalescent	Columbia, Miss.	17-P	3-P	0		New furnace	No	No	1	Do.

See footnotes at end of table.

TABLE 1.—*Fire records in nursing homes in the United States and Canada, 1945–64 (compiled from NFPA case histories)*—Continued

Date	Home	Location	Number of people in home[1]	Killed	Injured	Time	Cause	Sprinklered	Evacuation plan	Number of stories	Building construction[2]
1963 Nov. 23	Golden Age Nursing	Fitchville, Ohio	84-P, 3-O	63-P	0	4:45 a.m.	Electric wiring	No	No	1	Cement block.
Sept. 17	—— Nursing	Near Riggins, Idaho.	35-P			3 a.m.	Furnace(?)	No		1	Wood.
Aug. 4	do.	Chicopee, Mass.	29-P	0	0		Incinerator	No	Yes	2	Do.
1962 Dec. 20	St. Jude Nursing	Hudson, Mass.	35-P, 3-O.	9-P	3-P, 2-O.	4:15 a.m.	Short circuit	No	No	[1]3	Do.
Aug. 24	Hillcrest Haven	Electra, Tex.	42-P, 7-O.	5-P	3-P, 1-O.		Rammed by burning L-P gas truck.	No	Yes	1	Do.
June 27	City-owned infirmary	Fitchburg, Mass.	13-P, 4-O.	1-P, 1-O.	0	9:30 p.m.	Cigarette	No		2	Brick.
June 13	Maple Rest	Middleton, Mass.	6-P, 4-O.	0	0	2:52 a.m.	Short circuit			2½	Wood.
Apr. 2	Vart-Hahn Nursing	Yeadon, Pa.	81-P, 5-O.	9-P	0	1:23 a.m.	Basement	No		3	Stucco.
Mar. 28	Clearview	Framingham, Mass.		1-P	0		Cigarette				
Feb. 12	Serenity Hill	Wrentham, Mass.	19-P	0	0	8:50 a.m.		No	Yes	3	Wood.
1961 Dec. 16	Benegalia Nursing	Sheridan, Wyo.	14-P, 1-O	4-P	0	11:17 p.m.	Electric room heater	No		2	Do.
Mar. 4		Tulsa, Okla.		0	0	6:30 a.m.	Clothes near furnace	Yes		1	Brick.
Feb. 4	Supple Rest	Athol, Mass.		1-P	0	6:38 p.m.	Lighted match				
Feb. 2	Morris View	Morris Township, N.J.		1-P	0		Cigarette				
Feb. 1	Mount Vernon Nursing	Washington, D.C.	24-P	7-P	33-O	1:43 p.m.	Supply closet	No		4	Do.
Jan. 7		Yonkers, N.Y.	24-P	0				No	Yes	3	
1960 Dec. 13	Beverly Farms	Beverly, Mass.	15-P	0	0	7:06 a.m.	Electric wiring	No	Yes	2½	Wood.
July 7	Mid-Columbia	The Dalles, Oreg.					Closet; caused by senile patient.	Yes			
Jan. 4		Des Moines, Iowa.	35-P	0	0		Sewing materials	Yes		3	
1959 Sept. 12		Falmouth, Nova Scotia.	4-P, 6-O	2-P, 1-O	0	2 a.m.	Basement furnace	No	No	3	Do.
July 23		Pendleton, Oreg.		2-P	0		Woman smoker	No		2	Do.
Mar. 13	Jennings Terrace	Aurora, Ill.	80-P, 8-O	4-P	0			[3]		5	Stone.
Mar. 5		Forks Township, Pa.	16-P	0	0		Cigarette				
Feb. 14		Los Angeles		0	0		Electric hotplate	Yes		3	
Feb. 12		do.		0	0		Gas utensil sterilizer	Yes			
Jan. 30	Glen Ellyn Acres Nursing	Glen Ellyn, Ill.	21-P	8-P	0	10:44 a.m.	Electric wiring	No		2	Combustible material.
1958 May 29	Rose Finkle	Boston	21-P	1-P	1-P	do.	Smoking in bed	Yes		3	
May 26	Craig	Toronto, Ontario	65-P, 4-O	6-P	0	4:54 a.m.	Smoking			3	Brick.
Jan. 11	Hodgdon	Boston	55-P	1-P	0	4:46 p.m.	do.	Yes		3	Wood.
1957 Dec. 12		Near Bardstown, Ky.	8-P	5-P	0	5 a.m.	Basement furnace	No		2	Brick.
Apr. 13	Mme. Henri's Nursing	Pointe aux Trembles, Quebec.	27-P	17-P	0	5 p.m. (?)	Short circuit	No		1½	200 years.
Mar. 6		Leavenworth, Kans.		0	0		Careless welding				
Feb. 17	Katie Jane Nursing	Warrenton, Mo.	149-B 59-O	72-P	0	2:30 p.m.	Closet	No	No	2	Masonry.
Feb. 13	Council Bluffs Convalescent.	Council Bluffs, Iowa.	30-P 14-O	15-P	0	12 noon	Concealed floor space	No	No	2½	Wood.
Jan. 13		Alliance, Ohio	21-P	0	0	10:30 a.m.		No	Yes	2	Do.
1956 July 30	Reagan Nursing	Puxico, Mo.		10-P, 2-0	0	10:20 p.m.	Upholstered couch	No		2½	Do.
June 22	Tenacre Foundation	Princeton, N.J.		3-P	0		Patient's room curtains	No		1	Do.
1955 Dec. 17		Beaumont, Tex.		4-P	0			No		1	Do.
July 6		Topeka, Kans.	286-P	0	0	10:23 a.m.			Yes		
Mar. 5	Mrs. Adelaide Strait	Near Edmeston, N.Y.	8-P	1-P, 2-O	0	3 a.m.	Furnace flue pipe	No	No	2	Do.
Feb. 11	Allgood Convalescent	Brownwood, Tex.	18-P	4-P		2:05 a.m.	Smoking in bed		No	1	Combustible material.
1954 Dec. 19		New Orleans	21-P	6-P	0	10:01 p.m.	Garment near heater	No		1	Wood.
Sept. 22		Near Truro, Nova Scotia.		1-P	0		Coat near furnace			3	Do.
Sept. 17	Kincaid Nursing	Kincaid, Kans.	10-P, 3-O	7-P	0		Recreation room		No	3	Do.
Feb. 19	Shimer Convalescent	Near Watervliet, Mich.	10-P	8-P	0		Window curtains near heater.	No	No	2	Do.
1953 Mar. 29	Littlefield's Nursing	Largo, Fla.	45-P, 3-O	33-P, 2-O	0	3:15 a.m.	Electric motor in deep freeze?	No	No	1	Combustible material.
Jan. 25	Gallagher Nursing	Billings, Mont.		6-P	0		Window curtain	No			
1952 Oct. 31	Cedar Grove Nursing	Hillsboro, Mo.	70-P	20-P	37-P	5 p.m.	Electric fixture	No		[3]2	Wood and concrete block.
Apr. 15	Little Sisters of the Poor	San Francisco		0	0	12 midnight.	Oil burner	Yes		5	
1951 June 15	Hospice St. Cunegonde	Montreal, Quebec.	108-P,[4] 182-P,[5] 51-O	28-P, 7-O	0	11:49 a.m.	Sparks from cutting torch ignited tarpaulin	No	Yes	[3]5	Stone.
Jan. 30	McClary Convalescent	Hoquiam, Wash.		21-P	0		Laundry			2	

See footnotes at end of table.

TABLE 1.—*Fire records in nursing homes in the United States and Canada, 1945–64 (compiled from NFPA case histories)*—Continued

Date	Home	Location	Number of people in home [1]	Killed	Injured	Time	Cause	Sprinklered	Evacuation plan	Number of stories	Building construction [2]
1950											
Dec. 22	Walker Convalescent	Amarillo, Tex.		10-P	0		Heater—escaping gas	No		1	Wood.
Feb. 26	Wood County Infirmary	Nicolette, W. Va.	30-P, 2-O	5-P	0	2:20 a.m.	Furnace	No			Combustible material.
1948											
Feb. 10	St. John's Hill	St. John's, Newfoundland		33-P	0		Oil range in kitchen				
1946											
Feb. 2	Catholic Home for Aged	Garfield Heights, Ohio.		14-P	0			No		1	Do.
1945											
Dec. 24	Niles Street Convalescent	Hartford, Conn.		17-P, 2-O.	30-P	9 p.m.	Christmas tree wiring	No	No	3	Brick.

[1] Plus basement.
[2] Incomplete.
[3] Plus attic.
[4] Adults.
[5] Children.

NOTE.—"P" stands for patient and "O" for any other person.

TABLE 2.—*Data relating to fires in 182 homes for the aged*

Cause of fire:	Percent
Smoking	24.9
Heating equipment	13.3
Electrical fault or misuse	11.6
Combustibles near heater	8.2
Arson or other incendiary	6.1
Welding or blowtorch	1.7
Miscellaneous known causes	7.7
Undetermined	26.5
Total	100.0
Location of fire origin:	
Upper story	36.5
First story	31.0
Basement	22.1
Roof	4.4
Exposure	3.3
Porch	.5
Undetermined	2.2
Total	100.0
Room or area of fire origin:	
Residents' rooms	23.8
Heating room or area	11.6
Supply room or closet	8.2
Attic	6.1
Clothes closet	5.5
Roof	4.4
Employees' quarters	4.4
Kitchen	3.9
Bathroom	3.3
Recreation or living room	2.8
Laundry, other service area	4.4
Wall or concealed space	4.4
Outside wall	1.7
Stair well	1.7
Miscellaneous known	6.1
Undetermined	7.7
Total	100.0
Time of day:	
6 a.m. to 5 p.m.	54.2
5 p.m. to midnight	18.2
Midnight to 6 a.m.	23.2
Not reported	4.4
Total	100.0
Detection and alarm:	
Prompt detection and alarm	32.9
Detection delayed only	43.9
Alarm delayed only	1.2
Detection and alarm both delayed	22.0
Total	100.0

TABLE 2.—*Data relating to fires in 182 homes for the aged*—Continued

Reasons for delayed alarm:	Percent
Fought fire before calling fire department	6.2
Phone or alarm box not usable	4.8
Fire department not called	4.8
Performing rescue	3.7
Confused information	3.7
Total	23.2
Building construction:	
Wood frame	50.3
Brick, wood joist	40.3
Fire-resistive	1.7
Not reported	7.7
Total	100.0

	Number
Private protection system operation	49
Sprinkler systems:	
Not a factor	7
Extinguished fire	30
Controlled fire	8
Failed	4
Inadequate water supply	2
Partial system overpowered; fire originated in unsprinklered area	1
Not reported	1
Automatic detection systems	14
Not a factor	2
Satisfactory operation	6
Unsatisfactory operation	6
Inadequate coverage	2
Failed to operate	1
Batteries dead	1
Not reported	2

Factors contributing to fatalities: 41 fires:	Fires	Killed
Trapped by fast spread of fire	15	138
Asleep, delayed discovery	14	65
Clothing ignited	12	13
Panic or ignorance	2	8
Entered, reentered burning building	2	2
Injured jumping from upper window	1	1
Shock	1	1
Total	[1] 47	228

[1] Different factors sometimes applied to various victims of the same fire, thus giving a larger total number of fires.

STRENGTHENING THE EDUCATIONAL RESOURCES, AND FINANCIAL ASSISTANCE FOR STUDENTS IN POSTSECONDARY AND HIGHER EDUCATION—AMENDMENT

AMENDMENT NO. 258

Mr. McGOVERN. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (S. 600) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education. I ask that the amendment be printed and appropriately referred, and I ask unanimous consent that the amendment be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 258) was referred to the Committee on Labor and Public Welfare, as follows:

Page 72, line 8, section 501(a)(5) is amended to read as follows:

"(5) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time. If the Commissioner determines that there is no nationally recognized accrediting agency qualified to accredit any particular category of institution, he shall refer to existing accrediting agencies as yet unrecognized, but having established standards, procedures, and records of constructive activity in the field of accreditation, to determine whether particular schools meet standards of content, scope, and quality which must be met in order to qualify such schools to participate under this title and to determine whether particular schools meet those standards. If the Commissioner determines that no such an accrediting agency exists, he shall appoint an advisory committee composed of persons specially qualified to evaluate training provided by schools in that category, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such schools to participate under that title and shall also determine whether particular schools meet those standards, or (B) is an institution whose credits are accepted on transfer by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited."

On page 21, line 19: Strike out section 206 (providing a special accreditation requirement for purpose of grants for college library resources under part A of title II) and redesignate section 207 as section 206.

On page 27, line 16: (c) Strike out section 302(d) (providing a special accreditation requirement for developing institutions under title III) and substitute "(d) meets the accreditation requirements set forth in section 501(a)(5):".

On page 27, lines 11 and 15: title III, section 302, paragraphs (b) and (c)—after the word "bachelors" add "or first professional."

On page 72, line 5: title V, section 501, paragraph (3) after the word "bachelors" add "or first professional."

ELIGIBILITY OF INSTITUTIONS UNDER STUDENT ASSISTANCE AND OTHER NDEA PROGRAM

On page 70, line 20: On pages 70 and 71 renumber sections 461 and 462 as sections 462 and 463, respectively, and between lines 9 and 10 on page 70 insert the following new section:

"DEFINITION OF INSTITUTION OF HIGHER EDUCATION

"Section 461, subsection (b) of section 103 of the National Defense Education Act of 1958 is amended to read as follows:

" '(b) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's or first professional degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other non-profit institution, and (5) is accredited by a nationally recognized accrediting agency or association approved by the Commissioner for this purpose or, if not so accredited, (A) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is taking to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such a nationally recognized accrediting agency or association within a reasonable time, or (B) is an institution whose credits are accepted on transfer by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of title II, such term includes any school of nursing as defined in subsection (e) of this section, and also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (1), (2), (4), and (5). If the Commissioner determines that there is no nationally recognized accrediting agency qualified to accredit any particular category of institution, he shall refer to existing accrediting agencies as yet unrecognized, but having established standards, procedures, and records of constructive activity in the field of accreditation, to determine whether particular schools meet standards of content, scope, and quality which must be met in order to qualify such schools to participate under this title and to determine whether particular schools meet those standards. If the Commissioner determines that no such accrediting agency exists, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools in that category, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such schools to participate under that title and shall also determine whether particular schools meet those standards.

" 'For purpose of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies which he determines to be reliable to authority as to the quality of training offered.' "

On page 66, line 18: On page 66 insert the following before the semicolon on line 8: "as defined by section 103(b) of the National Defense Education Act of 1958 for purposes of title II of that Act."

On page 68, line 12: On page 69, change the period in line 2 to a semicolon and between lines 2 and 3 insert the following:

"(5) By striking out '(as defined by section 401(f) of the Higher Education Facilities Act of 1963 (Public Law 88–204))' in section 123 and inserting in lieu thereof '(as defined by section 103(b) of the National Defense Education Act of 1958 for purposes of title II of that Act)'."

AMENDMENT NO. 259

Mr. CASE submitted an amendment, intended to be proposed by him, to Senate bill 600, supra, which was referred to the Committee on Labor and Public Welfare, and ordered to be printed.

FOREIGN ASSISTANCE ACT OF 1965—AMENDMENT

AMENDMENT NO. 260

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (S. 1837) to amend the Foreign Assistance Act of 1961, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

EXCISE TAX REDUCTION ACT OF 1965—AMENDMENT

AMENDMENT NO. 261

Mr. DIRKSEN. Mr. President, on May 20 I introduced S. 2002, a measure designed to allow to a taxpayer a deduction from gross income of up to $300 a year for expenses of transportation incurred in going to and from his place of abode and his place of employment. I said then that I would offer it as an amendment to the first available House-passed revenue measure. We now have H.R. 8371, an act to reduce excise taxes, and for other purposes, before the Finance Committee. I send to the desk an amendment modified somewhat from a timing standpoint from the original S. 2002 and ask that it lie on the desk for 3 days for additional sponsors. As modified the amendment would limit the deduction to $100 for taxable year 1965, $200 for taxable year 1966, and $300 for taxable year 1967 and years thereafter. This modification is designed to lessen the revenue effect of the amendment.

There will be many who will benefit but little from this reduction in excise taxes just as there were many who did not benefit from the tax reductions of last year.

Many taxpayers will not be able to buy new cars, new air-conditioning units, or the many other items on which we are repealing excise taxes. But they will all have the expense of getting to work. Day in day out they ride the bus, the train, in a car pool or drive a secondhand car to work. Their expenses in getting to and from work may not be large but it is a deduction, in a sense from their earnings. It is an absolutely essential expense if they are to earn an income which the Government will tax yet they are not allowed to deduct this necessary expense—necessary that is if they are to remain an employed taxpayer. We give them no consideration for this expense when they file their tax return.

We treat others differently in this respect. We allow a deduction for travel to a host of other taxpayers and they are, I might add, for the most part in the higher-income brackets. It seems only fair that we afford across-the-board treatment for all taxpayers and particularly the low-income group who have expenses in getting to work. Yet there must be a ceiling to avoid abuses. I have placed a limit of $100 in 1965, $200 in 1966, and $300 in 1967 and thereafter per taxpayer on the deductions. I know that there are many who have expenses greater than this, but I believe that this is as high as we can safely go. On the other hand, the waitresses, the cleaning ladies, the retail clerks, the elevator operators, and others who ride the bus and spend 50 cents per day will not utilize the full $300 deduction.

So you see I have tried to reach a fair balance.

I bring this to the attention of my colleagues in the belief that some of you might want to cosponsor this amendment with me. It is designed to assist the low-income earner as well as to provide some relief for the higher-income earners.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will lie on the desk, as requested by the Senator from Illinois.

The amendment (No. 261) was referred to the Committee on Finance.

NOTICE OF HEARINGS BY SUBCOMMITTEE OF COMMITTEE ON THE JUDICIARY ON SENATE BILL 1808

Mr. LONG of Missouri. Mr. President, I wish to announce that an ad hoc subcommittee of the Senate Judiciary Committee has rescheduled its hearings on S. 1808, to amend section 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States, for Thursday, June 24, 1965. The hearing will be at 10 a.m. The location of the hearing has not been set, but this will be announced later. The subcommittee consists of Senator BURDICK, Senator HRUSKA, Senator SCOTT, and myself as chairman.

ANNOUNCEMENT OF HEARINGS OF A SUBCOMMITTEE OF COMMITTEE ON FOREIGN RELATIONS TO CONSIDER INTERNATIONAL ORGANIZATION MATTERS

Mr. CHURCH. Mr. President, as chairman of a subcommittee appointed to consider various international organization matters, I wish to announce an open hearing on Friday, June 11, 1965, at 10 o'clock a.m., in room 4221, New Senate Office Building, on S. 1903, to amend the United Nations Participation Act, as amended, and Senate Joint Resolution 71, to amend the joint resolution of January 28, 1949, providing for membership and participation by the United States in the South Pacific Commission.

The other members of the subcommittee are the senior Senator from Pennsylvania [Mr. Clark] and the senior Senator from Kansas [Mr. Carlson].

Persons interested in presenting testimony are requested to make arrangements with the chief clerk of the Committee on Foreign Relations.

NOTICE OF HEARINGS ON S. 973 AND S. 1886

Mr. YARBOROUGH. Mr. President, I wish to announce that public hearings have been scheduled by the Subcommittee on Postal Affairs of the Committee on Post Office an Civil Service on S. 973 and S. 1886, to begin at 10 a.m., Thursday, June 17, 1965, and to continue on June 22, 1965, in room 6202 of the New Senate Office Building.

S. 973, introduced by the distinguished Senator from Missouri [Mr. Long], would prohibit the use of mail covers by the Post Office Department.

S. 1886, also sponsored by Senator Long and many other of my colleagues, would generally prohibit the Internal Revenue Service from opening any mail.

Persons wishing to testify may arrange to do so by calling 225-5451.

NOTICE OF HEARINGS ON H.R. 6622

Mr. YARBOROUGH. Mr. President, I wish to announce that public hearings have been scheduled by the Subcommittee on Postal Affairs of the Committee on Post Office and Civil Service on H.R. 6622, to begin at 10 a.m., Wednesday, June 23, 1965, in room 6202 of the New Senate Office Building.

This bill would amend the law to remove the Post Office Department from the numerical restrictions on permanent employee positions enacted by the Whitten amendment of 1951.

Persons wishing to testify may arrange to do so by calling 225-5451.

ANNOUNCEMENT OF COMMITTEE HEARINGS ON PROPOSED AMENDMENTS TO THE FEDERAL COAL MINE SAFETY ACT

Mr. MORSE. Mr. President, if I may have the attention of the Senator from Kentucky [Mr. Cooper], on Monday, June 14, hearings will be held by the Labor Subcommittee on amendments to the Federal Coal Mine Safety Act, H.R. 3584 and S. 1032. That day the hearings will be devoted to the proponents. If it should develop that the proponents cannot finish their testimony on June 14, the subcommittee will hear any proponent witness who cannot be heard on June 14 on the morning of June 15.

There will be scheduled a week thereafter, or as near to a week thereafter as the schedule will permit, a 1-day hearing for the opponents with the understanding that if the opponents cannot finish their testimony on that date, additional time will be allowed on the following date.

I have been requested by the subcommittee chairman, the Senator from Michigan [Mr. McNamara], to preside at those hearings, which will consider amendments to the act making safety provisions applicable to all coal mines and remove the present 14-man mine exemption.

I should like to say to the Senator from Kentucky and others who have been so vitally interested in the proposed legislation in the past that I urge the parties to try to present their case in chief on a day apiece, June 14 for the proponents, and 1 day, about a week thereafter, for the opponents.

The reason why I believe that is ample time is that I shall incorporate by reference our past hearings on the subject. This is a case in which we already have a voluminous bit of information, as the Senator from Kentucky well knows. It is a waste of the taxpayers' money for us to have long hearings and then merely fill the record again with a duplication of material. There may be new material since the previous hearing. Of course, I want that. But it is only fair to the parties to tell them that although I shall comply with their right to a public hearing, it is for the chairman to determine what a reasonable hearing is under the law. My present intention is to limit that hearing to 1 day to a side, retaining for myself the discretionary right to extend the time I think the representations that are made to me at the time of the hearing warrant an extension. But I do not want the parties to take advantage of the condition I have just announced, because they may find themselves confronted with a request on the part of this chairman, if I think that what they are going to offer is pretty much duplication, anyway, to file written statements.

The law is perfectly clear, as ruled by the courts, that a public hearing is not denied if parties are allowed to file statements in connection with a public hearing that has been held by a committee that is conducting a hearing a sufficient length of time to permit the proponents and the opponents to present reasonable cases in chief. But at the same time, I have never been known to be arbitrary in the matter, and I do not intend to deny them an adequate hearing, if they feel that 1 day is not sufficient.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Kentucky.

Mr. COOPER. I thank the Senator from Oregon for his statement and also for this very reasonable consideration of the request I have made to him that ample opportunity be given to the opponents of the bill to be heard. The chief witnesses for the proponents are in Washington. It is simpler for them to be here and to finish their testimony in 1 day. The witnesses in opposition will probably be gathered from several States, including my own State of Kentucky. I shall cooperate in every way I can with the Senator to do the best we can to complete our case in 1 day. I understand the Senator's statement, its reasonableness and its fairness. I know his great concern about proper procedure. In the event that we do not meet the conditions which the Senator has laid out, I know that he will be considerate.

Mr. MORSE. I would give him more time. I might enjoy the Senator's company in an evening session.

Mr. COOPER. At the time similar bills were considered in 1954, 1958, and 1959, I served on the Committee on Labor and Public Welfare. We found, after the hearings started, that the issue needed much more development than we thought it needed at the time we began our hearings. I well remember the great interest that the Senator from Oregon took in the matter. The committee at that time made changes in the proposals made by the Mine Safety Board, after hearing all the evidence. That is the chief reason why I was so concerned that full consideration be given to the matter.

I thank the Senator from Oregon.

JOINT SUBCOMMITTEE HEARINGS ON OMNIBUS BAIL REFORM MEASURE, S. 1357

Mr. ERVIN. Mr. President, on June 15, 16, and 17, the Subcommittee on Constitutional Rights and the Subcommittee on Improvements in Judicial Machinery, under the able chairmanship of the Senator from Maryland [Mr. Tydings], will hold joint hearings in room 2228, New Senate Office Building, on Senate bill 1357 and related bills designed to modify Federal bail procedures.

Numerous recent studies have vividly demonstrated that serious constitutional problems are raised by present Federal bail practices, which impose pretrial confinement on persons presumed innocent, and consequently hamper their efforts to prove their innocence, merely because they are persons of limited financial means. These practices are in direct conflict with two of our most cherished principles of constitutional justice: equality before the law, and the presumption of innocence.

In addition, Federal bail practices do not afford our courts a rational, effective system of pretrial release. Under Federal law, anyone accused of a noncapital offense who can meet the financial requirements of a commercial bail bondsman must be released, regardless of whether he is dangerous or is likely to flee the jurisdiction. In short, these bail practices rely primarily on financial inducements—rather than the character or the community ties of the accused—to insure the appearance of the accused at trial.

To remove the inequity of denying pretrial freedom to an accused solely because he lacks sufficient funds to be able to post bond, Senate bill 1357 would provide the courts with a far more rational and effective system of releasing persons accused of criminal offenses.

CONDITIONS OF RELEASE

So that the conditions of pretrial release could be tailored to meet the needs of individual cases, Senate bill 1357 provides the court, or other officer empowered to set bail, with authority to release accused persons under one or more of the following conditions:

First. Personal recognizance.

Second. Refundable deposit.

Third. Supervision by probation officer.

Fourth. Daytime release.

Fifth. Custody of third party.

Sixth. Reasonable restrictions on association or movement.

Seventh. Other reasonable conditions.

By using these methods of release, singly or in combination, judges will be able to control the movements and activities of released persons who might be dangerous or might be inclined to flee, far more effectively than is possible under the present commercial bonding system, which entails merely the collection of a premium by the professional bondsman, to insure that the accused will show up for trial.

APPEAL FROM CONDITIONS OF RELEASE

So that the release of the accused will be carried out in accordance with the law, any person aggrieved by an order of a judge—except a judge of the U.S. district court, Court of Appeals, or Supreme Court—has the right, under the bill, to appeal the order to a U.S. district court. The appeal would be heard within 10 days after it is filed.

CREDIT FOR PRE-TRIAL CONFINEMENT

Another provision of the bill would assure persons convicted of offenses against the United States credit toward their sentence for time spent in custody prior to the imposition of sentence by the court. This provision would also provide persons credit for pretrial custody, against any fine imposed by the court.

Under existing law, credit for pretrial confinement is limited to cases in which the law requires a mandatory minimum sentence. When the minimum sentence is discretionary, therefore, there is no assurance that credit for pretrial confinement will be provided the accused.

We have an impressive list of witnesses scheduled to testify, Mr. President, including representatives of the Department of Justice and of the Office of Economic Opportunity, police and prison officials, bail project officials, law professors, and commercial bondsmen. These hearings should be extremely meaningful and constructive.

A number of recent newspaper articles and editorials dealing with the subject of bail reform are worthy of our attention. Accordingly, I ask unanimous consent that the following articles and editorials be inserted in the RECORD at the conclusion of my remarks: "Bail or Jail?—Vera Proposes Some New Choices," from the National Observer of May 31, 1965; an editorial on bail from the National Observer of May 31, 1965; "Bail Reform," from the New York Times of April 2, 1965; "Release Without Bail," from the Washington Post of August 9, 1964; "For the Man Who Can't Put Up Bail," from the Virginian-Pilot of August 2, 1964; and "Release Without Bail," from the Washington Post of October 6, 1963.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the National Observer, May 31, 1965]

BAIL OR JAIL?—VERA PROPOSES SOME NEW CHOICES

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted" (eighth amendment to the Constitution of the United States).

NEW YORK CITY.—The only problem, of course, is in defining "excessive bail." Consider Mrs. Gloria Sideratos, who was booked here April 22 on charges of possessing narcotics. When she was unable to put up $25 cash bail in the Brooklyn criminal court the next day, she was sent to the women's house of detention. Mrs. Sideratos was held in jail for 2 weeks. Finally, May 12, a 15-day-old police laboratory report came to light showing her "narcotics" to be vitamin pills and thyroid medicine, and she was released.

Had Mrs. Sideratos come under an experimental project used here and in police departments throughout the country, she might have qualified for release on her own recognizance—that is, be paroled until her trial without posting bail or collateral. Because her charge was a narcotics violation, which is a low-priority case for the experiment when the arraignment court has a full docket, Mrs. Sideratos wasn't interviewed for possible parole.

A LOSS OF 20 DAYS

But the main point is that had she only been able to pay $25 bail, Mrs. Sideratos would have added 20 days of freedom to her life. This kind of injustice, in a court procedure that keeps a poor man in jail while a rich man in the same circumstance would go free, has nagged men of conscience in law enforcement for years. In the words of James V. Bennett, former Director of the U.S. Bureau of Prisons:

"When a poor man is arrested, he goes willy-nilly to the same institution, eats the same food, and suffers the same hardships as he who has been convicted. The well-to-do, the rich, and the influential, on the other hand, find it requires only money to stay out of jail, at least until the accused has had his day in court."

Only recently has there been a widespread effort to find workable alternatives to the posting of collateral or of a bail bond sold by a commercial bondsman to insure the defendant's presence at his trial. Now, studies are proving that selected defendants arrested on minor charges—and some not-so-minor ones, too—can be released with assurance that they will appear for trial. The basic criterion is verified roots in the community—job and family.

THE VERA FOUNDATION

One man has done a lot to encourage those experiments. He is Louis Schweitzer, a retired chemical engineer and industrialist and a cousin of Albert Schweitzer. In October 1961 he set up the nonprofit Vera Foundation, Inc., (named for his wife) to "further the equal protection of the laws for the indigent."

On the thesis that to set bail or parole on prisoners a judge must have reliable information about the defendant's family, employment, residence, finances, character, and other background, the Vera Foundation in late 1961 began a 3-year factfinding experiment called the Manhattan bail project. New York University provided administrative assistance and the Ford Foundation granted $110,000 for salaries and research expenses.

That was one part of the beginning of a national movement toward experimental study of bail reform. The other part was formation of the National Conference on Bail and Criminal Justice on June 1, 1963, under a grant from the President's Committee on Juvenile Delinquency and Youth Crime. With the cosponsorship of the U.S. Department of Justice and the Vera Foundation, 400 judges, prosecutors, defense lawyers, police, bondsmen, and prison officials met in Washington, D.C., a year ago to discuss alternatives to monetary bail. The Attorney General and Mr. Schweitzer appointed an executive board last fall to continue the work of the conference.

IMPRESSIVE STRIDES

A report issued by the organization last weeks tells of impressive strides, many of them initiated in the past year. Pretrial release projects, sponsored by local and national foundations as well as bar associations and junior chambers of commerce, are operating in 44 cities and counties (in 40 States) and are planned in 34 others; 21 regional or State bail-reform conferences have been held since the national conference; an Office of Criminal Justice was created in the Department of Justice to oversee pretrial reforms in Federal courts (where the national rate of detained persons released on recognizance has increased to 40 percent from 18 percent of the total arrests).

Further, a bill introduced by U.S. Senator SAM J. ERVIN, JR., North Carolina Democrat, would provide for Federal court reform in three ways: (1) Persons charged with an offense would be released without bail unless there were a good cause not to release them; (2) persons who are convicted would receive credit toward fulfillment of their terms for time in jail before conviction; and (3) accused persons, if otherwise eligible for bail, could deposit with the court a cash deposit equal to 10 percent of the amount of bail set by the court. Hearings on the bill are scheduled for mid-June by the Senate Judiciary Subcommittee on Constitutional Rights.

A BONDSMAN'S LAMENT

Not everyone is pleased by these prospects for change. Bail bondsmen, predictably, are upset. Says George L. Will, executive director of the American Society of Professional Bail Bondsmen: "These reforms are socialistic in that they're driving private businessmen out of business."

Mr. Will reports that a 2-year experiment by the State of Illinois, now nearly complete, has cut the bail-bond business in half there. And success of a Tulsa, Okla., experiment, where defendants are released in the custody of their lawyers, resulted in the loss of two of five bondsmen. In several places, bondsmen have fought changes in the bail procedures: They went on "strike" one weekend in Santa Clara County, Calif., and threatened strikes in several other cities; they have backed a bill in the New York State Assembly—expected to be killed in committee—that would deny anyone except the defendant's attorney the right to interview him before formal charging. That would halt any release-on-personal-recognizance program.

Specifically, it would have put out of commission pioneer efforts by the Vera Foundation and the New York City Office of Probation in pretrial releasing of selected prisoners. Results of their programs show why the bondsmen are worried.

When Vera's Manhattan bill project finished the "action" part of its 3-year study last August, 3,505 persons had been released on recognizance in New York City's criminal court. Of these, 98.5 percent returned to court when required, and only 1.5 percent wilfully failed to appear. That compares with a 3-percent forfeiture rate on bail bonds. Similar results are being reported from experiments throughout the country. In Washington, D.C., for example, a project backed by the Ford Foundation has led to the release of 793 defendants without bail. Only 23 (2.9 percent) failed to appear—and 13 of those have already been returned to court custody.

A MORE RELIABLE CRITERION

"What we've found suggests that verified information about a defendant is a more reliable criterion upon which to base release than ability to buy a bail bond," declares Herbert J. Sturz, executive director of the Vera Foundation.

In New York City, young attorneys or law students working under Vera direction interviewed prisoners in the criminal court building's detention pens. They used a point system to determine a good risk on the basis of residential stability, employment history, family contacts in New York City, and prior criminal record. At first they excluded consideration of serious offenses, but later only defendants in homicide and some narcotics and sex charges were prohibited from screening.

With the defendant's consent, the interviewer verified his background by phone calls or from family and friends in the courtroom. He usually checked out the report within an hour. A summary was sent to the arraignment court, and copies given the magistrate, the assistant district attorney, and defense counsel. The judge could choose to reject Vera's recommendaton, but, by the end of the project, 70 percent of the prisoners given positive reports were released by judges until trial.

NOTIFYING DEFENDANTS

Vera sent a letter to each released defendant telling him when and where to appear in court. Illiterates were telephoned, and persons who didn't speak English received calls or letters in their native languages. If a defendant failed to show in court, Vera tried to find him and determine whether his absence was for good cause.

At first—because of experiments with new methods and a deliberate step-by-step advance—Vera recommended only 20 percent of the defendants interviewed for release; later interviews suggested release of 65 percent of the defendants with roots in the community.

When the Vera project ended, the office of probation took over and expanded the release-on-recognizance program to the Bronx, Queens, Brooklyn, and Richmond.

"The theory has been proved," says Henry H. Smith, supervisor of the probation office's program, "and that's why we were able to get a $186,000 budget last year. Of course, with an increased staff we'd get to even more people."

Mr. Smith notes that last year 58,000 persons spent an average of 30 days in New York jails, costing the city $7 per prisoner; during that period 15,598 prisoners were interviewed for possible release without bail, and 5,083 were released. "If we were able to get 5,000 released, that's something," remarks Mr. Smith, "but this year I expect at least a 25-percent increase in releases."

SUBSTITUTING A SUMMONS

With the city carrying on the program, the Vera Foundation has turned its attention to a related situation in which a defendant could be jailed—during the time between his arrest and the time he goes before a judge to be formally charged. With the police department's cooperation, Vera is experimenting with the advisability of summoning, rather that arresting, certain minor offenders. This procedure, similar to giving a traffic summons, has been substituted in 432 petit larceny, simple assault, disorderly conduct, and malicious mischief cases.

Summoning's advantage to the defendant is that it keeps him out of jail—probably overnight—and gives him a chance to prove his dependability before formal charging, thus cutting the likelihood of his detention if he is indigent and can't afford to make bail.

The five law students and Vera supervisor working in the summons project started operations a year ago at the stone-fortress 14th Precinct Station House, in the mid-Manhattan district that includes the Empire State Building and such stores as Macy's and Gimbles. Since then, interviews have been added at two other Manhattan precinct headquarters.

Explains Lester Scall, the 26-year-old attorney who supervises the summons project for Vera: "We're trying to give people a greater advantage—walking into court a freeman, not from a paddy wagon. On the other hand, it's not a giveaway program here. We like to think our program is based on sensible standards." He said he approached his work as a lawyer, not necessarily as a social worker.

The procedure is patterned after the bail project. At the 14th precinct station, Mr. Scall or one of the other Vera workers waits at a little desk in one corner of the policemen's sitting room, where patrolmen wait for assignments. After questioning suspects at a 20-foot-long table in the opposite end of the room, policemen bring eligible defendants over for an interview with the Vera representative. Then Vera checks out the defendant and reports his findings to the precinct desk officer, who must decide whether to accept the Vera recommendation. He usually does.

Police are in favor of the project, though at first they were skeptical, says Leonard E. Reisman, deputy commissioner of New York City police. "In the beginning, it was a traumatic experience for them to see a civilian sitting in on the process." Now detectives and patrolmen often check with another precinct headquarters for Vera assistance when the Vera worker from their precinct is out for dinner and a prisoner who might be summoned is brought in.

A QUESTION OF RISK

"The point," Mr. Reisman adds, "is that in this way we may be able to salvage some good people who never will be back to see us. There's only one question: Are we exposing the community to risk by using leniency? The answer is so far we are not." Herb Sturz of Vera concurs. "I don't know of any serious crimes committed by people released in the bail or summons projects," he says. "There were only 30 persons rearrested of the 3,500 released on recognizance in the Manhattan bail project."

Mr. Reisman also is pleased in the saving of police manpower that the summons program allows. In formal charging, the arresting officer loses an average of 8 or 9 hours accompanying the defendant in appearances before magistrates. Under the summons program, the officer need appear only at the time of trial, which occurs in a minority of cases. Mr. Reisman estimates that with only 500 cases in a year under this program, the police department would save 4,000 work hours.

"I hold out a hope for a great many expansions in the summons project. Using it for fingerprintable misdemeanors [more serious charges] is a big step we're contemplating," Mr. Reisman says. He told the Connecticut Conference on Bail and Criminal Justice, meeting at Yale University in March, that use of Vera techniques will be tried by precinct police officers, and that the idea of an on-the-street summons—instead of in the precinct headquarters—is being explored. A request for verification on a person's prior criminal record, as well as his residence, family, and employment, might be initiated from a patrol-car radio to the future centralized New York State computer-equipment system of information on criminals.

THE IDEA SPREADS

The success of the Manhattan summons project has sparked similar studies in Chicago, Peoria, Toledo, Denver, Des Moines, and Salt Lake City. Court rules expanding the use of the summons have been adopted in Minnesota and Pennsylvania. The Vera Foundation is already thinking about a national conference, perhaps in September, for summons and bail-project leaders. With growing sentiment like this one from Mr. Reisman, the conference will be significant.

"Consideration shown the accused with respect to his rights, his comfort, his welfare, and his dignity is a practical manifestation of the presumption that a man is innocent until proven guilty. They [summoned and paroled defendants] are spared the ignominy of what may be an unnecessary incarceration. When permitted their freedom while awaiting trial, they can maintain their resources, continue their employment, and avail themselves of the opportunity to retain counsel."

CARL D. HOWARD.

[From the National Observer, May 31, 1965]

BAIL OR JAIL

Bail is set on persons accused of crimes as one means of assuring their appearance in court when their case comes to trial. If a defendant cannot raise the bail or pay a premium to a bondsman to put up the bail, he must remain in jail pending trial. The only constitutional requirement is that the bail required shall not be "excessive."

For years, the legal profession has recognized that the practical application of the bail system penalizes the poor. Bail of $50 to a wealthy defendant, whether innocent or guilty, is merely a nuisance; to a poor man, whether innocent or guilty, it could be a substantial sum. One man goes free; the other must remain in jail, often in some cities for as long as a month or more.

Today, commendable efforts are underway in many cities to devise a more equitable system than monetary bail. Essentially, the alternative method is to consider the defendant's background, his family, his residence, his employment, and his character. If the information indicates he is not likely to flee, the defendant is released without bail.

The results of experimentation along these lines are interesting. Of 3,505 persons released on recognizance in New York City during a recent 3-year period, for example, only 53 wilfully failed to appear for trial. That's 1.5 percent, compared with a 3-percent forfeiture on bail bonds.

Apart from the fact that it reduces the public expense of keeping defendants in jail merely because they can't raise bail, the nonmonetary system prevents the severe economic loss to an individual compelled to remain in prison. It does more, particularly important in this age when the whole mechanism of dispensing justice is under critical scrutiny. It takes a necessary step toward the ideal that all men are equal before the law, and they are innocent until proven guilty.

[From the New York Times, Apr. 2, 1965]

BAIL REFORM

The bail system has long operated in both Federal and State courts as a machine to penalize the poor.

Equality before the law disappears when a wealthy defendant is allowed to go free on bail while an impoverished defendant, charged with a comparable crime, has to stay in jail until his trial because he cannot produce enough collateral to satisfy the bondsman.

Another basic principle of justice—that the accused is innocent until proved guilty—is also frequently compromised. Of the 34,000 persons who were accused of Federal violations in 1963, more than 5,000 were dismissed or acquitted and half of the others were placed on probation or only fined. Yet a sizable number of these individuals spent varying lengths of time in prison awaiting their trials.

Studies by the Vera Foundation and by various legislative inquiries have amply demonstrated that society can place more reliance upon the ordinary defendant's ties to his job, his family or his community to get him to appear for trial than upon his financial capacity to ransom himself. High bail does not deter racketeers and professional criminals, since they are usually able to raise the necessary bond. As we have noted here before, the victims of the present system are the innocent, the indigent and the hapless first offender.

Senator Sam J. Ervin, of North Carolina, has introduced an omnibus bail reform bill. It would authorize judges to free persons charged with a Federal offense by any one of a half-dozen different methods, used singly or in combination. If a defendant does spend time in jail before his trial, this time would be deducted from any subsequent sentence he might receive.

As the bail system now works, it too often makes American justice, in Senator Ervin's words, "a marketplace commodity available only to the highest bidder."

[From the Washington Post, Aug. 9, 1964]

Release Without Bail

Our sympathies run strongly in support of the efforts now under way to lessen reliance on bail bonds to guarantee the appearance of accused persons in court. The bail system is notoriously subject to abuses. In some communities it amounts to a racket, and the underlying idea of allowing a private bondsman to determine whether a suspect may be released (at a price) or must await trial in jail is repulsive to an alert sense of justice.

The experience of the District bail project illustrates what could be done on a national scale. Of the 105 suspects released here without bond only two have failed to keep their promises to appear in court. This is an excellent record. It suggests that, with careful screening of the persons so released, the necessity for bail bonds can be greatly reduced.

In our opinion, the release of accused persons without bond should not depend upon whether they are indigent. Such a system would amount to discrimination in favor of the poor. Release on recognizance, as Lawrence Speiser, of the American Civil Liberties Union, said at the hearing on this subject before the Senate Constitutional Rights Subcommittee, should be the norm for all persons accused of crime—at least for minor offenses. The test should be whether each can reasonably be trusted to appear in court on his own responsibility. If so, why should he be required to pay a fee to a bondsman for his liberty?

Senator Ervin, of North Carolina, has rendered a national service by introducing bills designed to reform the bail system in the Federal courts. His bills have widespread support. They are properly being subjected to scrutiny by the Constitutional Rights Subcommittee, and there is room for disagreement on some of the details. But the general aim of extending and systematizing the release of trustworthy suspects is sound, and its application to the Federal courts can make an enormous improvement in our system of justice.

[From the Virginian-Pilot, Aug. 2, 1964]

For the Man Who Can't Put Up Bail—Rights Subcommittee Takes Up Ervin Bills

(By Luther J. Carter, Virginian-Pilot Washington writer)

Washington.—Senator Sam J. Ervin, Jr.'s Constitutional Rights Subcommittee will begin hearings Tuesday on his three proposals on behalf of the man who goes to jail before trial simply because he lacks the money to obtain bail.

The professional bondsman is going to be unhappy indeed if this North Carolina Senator's bills ever become law. Their immediate effect would be to deprive the bondsman of much of his business arising from arrests for Federal offenses. Their long-term effect might be to encourage many States to reform the practices regarding bail in cases before their own courts.

First, Ervin would allow an accused person to be admitted to bail on his personal recognizance or formal pledge. He would not go to jail for lack of a bondsman's premium. The Senator does not believe this would lead to an increase in "bailjumping"; his bill would make bailjumping a felony carrying a fine up to $5,000 and up to 5 years' imprisonment.

Also, the Senator emphasizes that if good cause were shown why an accused should not be released on his own recognizance, then bail on those terms could be denied.

Another Ervin bill would assure that persons convicted of offenses get credit in sentencing for any pretrial detention resulting from lack of bail; his third bill would allow persons admitted to bail to make a cash deposit (of 10 percent of the bail) with the court rather than have to use a professional bondsman.

BYPASSING THE BONDSMAN

The three measures are intended to remove the keys to the jail from the bondsman's pocket, to paraphrase one Federal judge's remarks. A 1958 study of bail in New York City showed that more than one-fourth of the defendants could not raise even $500 bail; when bail was set at $2,000, almost half the defendants found it too much and had to stay in jail.

Without suggesting that all bondsmen, everywhere, are to be looked at askance, it is fair to say that the people most concerned with reforming bail practices regard many of them with disfavor. Senator Ervin has called attention to the recent address by Justice Bernard Botein, of the New York Supreme Court, before the National Conference on Bail and Criminal Justice, held here in May with the Justice Department as a sponsor. Justice Botein said that the usual lofty pronouncements about an accused's right to bail are ringing hollow.

"Pronouncements do not furnish defendants with the cash premiums and substantial, often full collateral demanded by bondsmen," he said. Later, Botein observed that "racketeers and members of the crime syndicates seem to encounter no such difficulties, despite the fact that their incidence of bail jumping is very high."

A PROFITABLE BUSINESS

As described in an informative article in the April issue of Kiwanis magazine, bailbonding is big business, and quite profitable. The usual bonding rate, the country over, is 10 percent—hence, the bondsman who furnishes a $1,000 bond gets a fee of $100 from the bailee. The bondsman who represents a bonding insurance company keeps $60 of each $100 he received and sends $40 to the company, half of which is placed in a reserve against forfeitures.

The Ervin bill would have the question of whether a defendant stays in jail during the pretrial period based on something more relevant to the administration of justice than a bondsman's perhaps legitimate desire for a good profit. Considerable experience indicates that many offenders can be released on personal recognizance without fear that they will jump bail.

In England, those who are released on bail (and, admittedly, many aren't) are freed after agreeing to forfeit a stated sum if they fail to appear in court. Forfeitures are rare. For the past 2½ years, a bail project sponsored by a private foundation has been underway in Manhattan. Justice Botein reported in May that 2,600 defendants had been released without bail bond after a quick but adequate inquiry into their background. He said that only 24 had willfully failed to appear, or, in other words, jumped parole.

"This represents less than 1 percent—much lower than the ratio of bailjumping in New York County," Botein said. "Controlled experimentation revealed that judges armed with project reports released four times as many defendants on parole than when they made the bail or jail decisions in the blind."

The jailing of an accused for no better reason than that he lacks the money to make bail imposes upon him multiple hardships. Besides the discomfort, humiliation, and general inconvenience of being in jail, the defendant may lose his job and his family may go on public relief; and he is likely to be handicapped in the preparation of his trial defense.

"Two and one-half times as many parolees were found not guilty than defendants who were in detention from the time of arraignment to adjudication," said Justice Botein. "This experience suggests some interesting speculation on the greater effectiveness a defendant at library possessess in cooperating toward the preparation of his defense than a defendant confined in prison."

And it raises at least a suspicion that if the defendant comes as a jailbird before his judge and jury they may be affected by a subtle prejudice against him.

[From the Washington Post, Oct. 6, 1963]

Release Without Bail

The bail-waiver project for which the Ford Foundation has granted $195,000 holds out hope for a great improvement in the machinery of justice here. The requirement of bail bonds of all accused persons who cannot put up funds of their own to guarantee their appearance in court on the day fixed for their trial has traditionally imposed an acute hardship upon the poor. About two-thirds of those indicted on criminal charges in the District are unable to provide bail.

The simple meaning of these facts is that the poor are jailed to await trial while those with means buy their freedom. It is an especially rankling injustice because the accused may be exonerated after having been incarcerated for a few weeks or a few months. And the fact that he is locked up makes it extremely difficult for him to prepare for an adequate defense.

Experience has shown, moreover, that a large percentage of accused persons can be released on their own recognizance, after careful investigation of their employment, criminal records, family and community ties, without any appreciable danger of their disappearance. In the local pilot project most of the funds will be used to hire a staff of investigators who will select the defendants qualified for release without bail. Obviously freedom could not be granted to all accused persons indiscriminately without regard to their background, the nature of the crime, and so forth.

Great care will be needed to establish the project on a sound professional basis. Fortunately it will function under the watchful eye of the Judicial Conference and with the full sympathy and support of that body. If an honor system here can be shown to be almost as effective as bail bonds in assuring the appearance of carefully selected defendants in court, one of the most troublesome defects in our judicial system will be well on the way to correction.

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Elmer W. Disspayne, of Tennessee, to be U.S. marshal, for the middle district of Tennessee, for a term of 4 years (now serving under an appointment which expired May 24, 1965).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Wednesday, June 16, 1965, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF WILLIAM L. TAYLOR TO BE STAFF DIRECTOR OF THE U.S. COMMISSION ON CIVIL RIGHTS

Mr. ERVIN. Mr. President, as chairman of the Subcommittee on Constitutional Rights, I wish to announce that hearings will be held by the subcommittee on the nomination of William L. Taylor to be staff director of the U.S. Commission on Civil Rights.

The hearings are scheduled for June 18 at 10:30 a.m. in room 2300 of the New Senate Office Building. Any person who wishes to testify or submit statements pertaining to this nomination should send the request or prepared statement to the subcommittee.

Mr. MILLER and Mr. YOUNG of Ohio addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa [Mr. Miller].

TAX REFORM

Mr. MILLER. Mr. President, the University of Southern California Law Center sponsored the 17th Tax Institute earlier this year. In the proceedings of the institute is an excellent article entitled "Progress in Substantive Tax Reform; Work of the American Bar Association; Treasury Studies; What Tax Practitioners Can Do," by Charles O. Galvin, dean, School of Law, Southern Methodist University.

I ask unanimous consent that designated portions of the article appearing on page 1, pages 3, 4, 5, and 6, and pages 9, 10, 11, and 12 be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Progress in Substantive Tax Reform—Work of the American Bar Association—Treasury Studies—What Tax Practitioners Can Do

(By Charles O. Galvin)[1]

What Could Be Done

A flat rate of 10 percent across the board on national personal income, which is now ranging upwards toward $500 billion,[2] would yield more revenue than the present individual income tax.[3] It is true, of course, that published national income figures include certain items such as imputed income, which have never been part of the tax base; on the other hand, the figures do not include gains and losses from the sale of property, which are part of the present tax base. In any event, whatever these differences, national personal income is a beginning point from which to consider the appropriateness of a tax base. It should concern us, therefore, that statistics show an ever-widening gap from year to year between national personal income and reported taxable income.[4] The tax base is becoming narrower as national personal income increases. A reconciliation between national personal income and taxable income appears in appendix A of this article.

The imagination is staggered by the prospect of what a simple, broad-based, low-rate system could effect in allocation of resources. The spur to investment, risk taking, and new enterprise, the incentives to modernize plants, to create new jobs and new opportunities for endeavor could provide a prosperity yet undreamed of. The same revenue could be extracted from the citizenry in a way that would be intelligible and that would have an impact on the economy that could be easily measured. In this last regard, it is now almost impossible for statisticians and economists to extrapolate as to the consequences of proposed changes in the tax law because no one can ascertain what the present impact really is.

It will be contended that a proportional or gently graduated tax would favor only the wealthy. This is not the case. In the first place, the wealthy have under the present system an abundance of "foxholes" to which they can retreat. Moreover, these shelters work unevenly among high-bracket taxpayers, so that some with substantial real income pay little or no tax.[5] In the second place, the arguments advanced in the thirties to support sharp progressivity are not cogent today. In contemporary America a sophisticated consumer group, strong unions, healthy competition among businesses, and other legal and economic institutions (antitrust laws, wage and hour legislation, fair trade practice requirements, trade and business association standards, etc.) are all forces that counterbalance any tendency toward predatory monopoly or wealth concentration.[6]

A simple, broad-based, low-rate system would release intellectual resources of our Nation of incalculable value. Our best minds are consumed by the expenditures of inordinate amounts of time in what is to society a nonproductive activity. Various excerpts, analyses, and digests of materials in the tax field pour across the desks of harried practitioners to keep them advised of new devices and techniques for accomplishing particular kinds of tax results; however, any practitioner who has been at the business for any length of time knows that it is impossible to keep abreast of developments. Pick up any one of the weekly bulletins and scan the cases and rulings. One may see problems involving the distinction between capital gain and ordinary income, the complicated rules with respect to reorganizations and collapsible corporations, the timing of income, the proper parties to whom income should be attributed, and so on. Of course, these sources of controversy would not wholly disappear even in an ideal tax world; there would always be problems to be resolved. However, there does not need to be the bewildering array of rules, regulations, and practical requirements which the present system foists upon the millions of people who are expected to comply with it. The freeing of talents of lawyers, accountants, business executives, and others to achieve more productive long-range benefits for the society would provide a stimulus to fruitful activity of enormous proportions.

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THE COMMITTEE ON SUBSTANTIVE TAX REFORM

It was in this climate that the Committee on Substantive Tax Reform of the Section of Taxation undertook its assignment in February 1962. It began immediately to develop technical analyses and presentations leading to the development of a preliminary statement. By April of 1963, the committee had determined in general on an overall approach to the study of basic tax reform which it set forth in a lengthy report, accompanied by a resolution which was transmitted by the committee to the officers and council of the section of taxation, and was, in turn, transmitted by that body through its chairman to the Board of Governors of the American Bar Association. This latter group adopted the resolution on May 21, 1963.[7] The report

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[1] Dean, School of Law, Southern Methodist University, Dallas, Tex. Member: State Bar of Texas, American Bar Association, Southwestern Legal Foundation; chairman, Committee on Substantive Tax Reform of the Section of Taxation of the American Bar Association.

[2] See Economic Report of the President, 224 (1964).

[3] The individual income tax is expected to produce $45.8 billion for the fiscal year 1964, Budget of the U.S. Government, 13 (1964).

If taxable income under present rules, instead of national personal income, is used as a base, a flat rate of 23 percent would produce the amount of the present yield from the individual income tax. Taxable income for 1963 is estimated to be $202 billion; therefore, a flat rate of 23 percent would produce $46.46 billion. See hearings on the President's 1963 tax message before the House Committee on Ways and Means, 88th Cong., 1st sess., pt. 1, at 708 (1963).

[4] Personal income, taxable income, and the difference for selected years are as follows:

	Personal income	Taxable income	Difference
1945	171	52	119
1950	228	84	144
1955	310	128	182
1960	401	171	230
1962	417	183	234
1963	442	196	246

Staff of the Joint Economic Committee, "The Federal Tax System: Facts and Problems," 1964, 88th Congress, 2d session, at 216 (committee print, 1964).

[5] See exhibits prepared by the Treasury Department's Office of Tax Analysis concerning various tax shelters. Hearings on President's 1963 tax message before the House Committee on Ways and Means, 88th Cong., 1st sess., pt. 1, at 5 (1963).

[6] The classic critical analysis of progressive income taxation is Blum & Kalven, "The Uneasy Case for Progressive Taxation," 19 U. Chi. L. Rev. 418 (1952).

[7] 88 A.B.A. Rep. 468–470 (1963).

and the accompanying resolution were thereafter widely distributed to the bar and to others.[8] The resolution stated in part as follows:

"Whereas the Council of the Section of Taxation believes that the present Federal income tax structure does not provide for an equitable distribution of the tax burden and for a sufficiently broad tax base; and

"Whereas the Council of the Section of Taxation believes that the present Federal income tax structure stifles incentives for work and investment and is not conducive to economic growth and stability; and

"Whereas various published data indicate that national personal income in the United States is in excess of $450 billion, but because of an accumulation of exceptions and special provisions caused by the impact of excessively high income tax rates, something less than one-half of this amount is subject to income tax under present rules; and

"Whereas the Council of the Section of Taxation believes that the Federal income tax structure is unnecessarily complex and should undergo substantial revision in order to—

"1. Broaden the tax base,
"2. Reduce the income tax rates,
"3. Simplify the technical provisions,
"4. Simplify administration, and
"5. Ease the burden of compliance: Now, therefore, be it

"*Resolved*, That the Council of the Section of Taxation recommends that the Board of Governors of the American Bar Association approve—

1. the continuance of inquiry and research by appropriate committees of the Section of Taxation leading to the objectives of establishing a fair and equitable tax system, broadening the tax base, and providing incentives for work and investment, and

"2. the consideration of specific measures designed to achieve the objectives in paragraph 1, which will have the effect of—

"(a) insuring that every person able to do so pay in taxes his fair share of the cost of government;

"(b) including in gross income items not now included and curtailing special benefits and personal nonbusiness deductions;

"(c) establishing with respect to individual incomes a graduated rate structure with a maximum rate of approximately 40 percent;

"(d) establishing with respect to corporate incomes a rate structure which would tax corporate incomes not in excess of the maximum rate on individual incomes;

"(e) ameliorating or eliminating the double taxation of corporate income; and

"(f) modifying the estate and gift tax structure in the interest of simplification, greater fairness and equity, and consistency with the income tax."

Immediately after the adoption of the foregoing resolution by the board of governors in May 1963, the committee, through a number of task forces, began the accumulation and preparation of analytical data dealing with the major areas of inquiry in substantive tax reform. Many lawyers with considerable expertise in tax matters participated in this work and rendered valuable assistance as the project went forward.

The foregoing review demonstrates in historical perspective both the elaborate parliamentary process attendant upon this effort and the painstaking care with which the committee sought counsel, advice, and assistance from all groups as it proceeded with its very sensitive business. This is an important point, for there were allegations that the committee had moved too quickly and had acted ill advisedly.

Mr. MILLER. Mr. President, considerable work has been done by the Congress in the past 2 years on tax cutting, but very little has been done on tax reform. I believe that the article, particularly the extracts which have been printed in the RECORD, merits the attention of Members of the Congress because the materials presented represent the best thinking on the part of distinguished tax lawyers throughout the United States.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Will the Senator withhold his request?

Mr. MILLER. Mr. President, I withhold that request.

ATTEMPTED DESPOLIATION OF CITY OF WOODSIDE, CALIF., BY ATOMIC ENERGY COMMISSION

Mr. KUCHEL. Mr. President, with keenly felt regret, I apprehend that the Joint Committee on Atomic Energy will shortly send to the Senate a bill to mock constitutional procedures and to defy the American judicial system in an attempt, which I hope may prove vain, to defile a part of the landscape of the State from which I come.

Years ago Woodside, a municipality in the northern part of California, passed an ordinance requiring that powerlines be placed underground. The city council of that community passed that local law in an attempt to maintain the beauty with which the Supreme Being had surrounded the area of that community.

The Atomic Energy Commission—and we are grateful for this—decided to use the unique scientific talents and the area of Stanford University to construct a great nuclear accelerator. It needed electric power. It needed to have powerlines, in one fashion or other, go through the city of Woodside. The local ordinance required that they be placed underground. The Atomic Energy Commission determined that it would not comply with the local ordinance. It filed a lawsuit against the city of Woodside. The U.S. court of appeals held in favor of the city and against this agency of the Government of the United States.

Four days later, the Atomic Energy Commission came to Congress and asked my colleagues in the Senate and House, who are members of the Joint Committee on Atomic Energy, to introduce legislation to shunt aside the decree of the court and to permit it to build lines above the ground, despite the city ordinance and the court decision as well. I observed when I first heard of this suddenly appearing proposal that it was ludicrous for the Atomic Energy Commission, representing the administration of the President of the United States, to sponsor legislation to despoliate the beauties of nature at Woodside, Calif., at the same moment that the President was asking Congress to enact legislation involving millions of dollars of Federal funds, to maintain and to enhance the beauties of nature along the highways and byways of our land.

I am not alone in my thinking. All across the country, great newspapers, dedicated to the public trust and discharging that public trust, have commented editorially and bitterly against this attempt by the Atomic Energy Commission, armed with all the might of the Federal Government to overrule the law and do that which it wants to do. Having suffered defeat in a court of law, now to push that law aside and do what it wants to do, regardless of what the U.S. court of appeals has said, caring nought for a city's desire to maintain its natural beauty, is a wicked thing.

Mr. President, I ask unanimous consent to have printed in the RECORD the comments I made recently before the Joint Committee on Atomic Energy, when I opposed the proposed legislation. Also, I ask unanimous consent that sundry editorials published in the San Francisco Chronicle, the San Francisco Examiner, the Los Angeles Times, the Palo Alto Times, the Washington Post, the New York Times, and the Santa Barbara News-Press, be printed at this point in the RECORD.

There being no objection, the statement and editorials were ordered to be printed in the RECORD, as follows:

PARTIAL TEXT OF STATEMENT OF U.S. SENATOR THOMAS H. KUCHEL BEFORE JOINT COMMITTEE ON ATOMIC ENERGY, JUNE 2, 1965, ON PROPOSED AMENDMENT OF ATOMIC ENERGY ACT RELATING TO POWER SUPPLY FOR STANFORD LINEAR ACCELERATOR CENTER

Mr. Chairman and members of the committee, I am honored to appear before this committee which is heavily burdened with great public questions and whose members I know and respect. My respect, Mr. Chairman, for you and for my California colleague, CHET HOLIFIELD, is completely unbounded. I appear here in opposition to the legislation which you sponsor.

I think stripped of all the verbiage surrounding this argument the simple facts are that the city of Woodside did adopt an ordinance and that ordinance required that new powerlines be placed underground.

I think it is true that the Atomic Energy Commission intended and continues to intend to purchase electricity for the nuclear accelerator to be located at Stanford from the Pacific Gas & Electric Co. Indeed, as has been said here today, the P.G. & E. entered into negotiations with the city of Woodside relative to running certain types of powerlines through that community. Because it was subject to the laws of California and the full impact of the municipal ordinances of Woodside and because Woodside wanted these new installations to be underground, the Atomic Energy Commission entered the picture and began to litigate the problem.

In my judgment that decision of the Atomic Energy Commission was wrong as a matter of policy and wrong as a matter of law. At any rate, the circuit court of appeals has ruled against the Government of the United States.

I want to read two short paragraphs from the opinion of the circuit court of appeals.

"Had the construction of this transmission line been left with P.G. & E., that company would have been obliged to comply with the ordinance in question, notwithstanding the fact that the line is to serve AEC. The Government concedes this much. Had P.G. & E. built underground lines in conformity with the local authority and regulation, it could have recovered the cost thereof from the AEC. The Federal agency proposes to avoid this cost by constructing the line, itself. Since the easements being acquired are assignable, that agency will be able to turn the operation of the line over to the P.G. & E. At the oral argument counsel for the Government stated that it was hoped that such an arrangement could be made.

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[8] XVI Bull, Section of Taxation, American Bar Association 4 (1963).

"In the process and solely for that purpose there will have been accomplished a complete disregard of local ordinance pertaining to the character and operation of the electric power transmission lines. We hold that section 271 precludes the Atomic Energy Commission from in this manner proceeding in defiance of the ordinance of Woodside and the county, ordinances not challenged as to validity, and operative as to any other public utilities operating in the area."

I think simply as part of my testimony I will read section 271 as it exists today:

"Nothing in this Act shall be construed to affect the authority or regulations of any Federal, State, or local agency to the generation, sale, or transmission of electric power."

Mr. Chairman, I am proud of California. I was born there. My father was born there. I am grateful that the Atomic Energy Commission saw fit to place this wonderful installation in my State. But I do not want my State to overlook its beauty and I think its duty is to preserve that beauty to the highest extent.

My State increases in population, Mr. Chairman, each year by some 600,000 new people. We are now on our way to 19 million. We have highways and superhighways running all over the State. I think it is to the credit of the cities of California that one by one they have adopted this kind of ordinance in order more to sustain, to maintain, and to enhance the beauty of their own municipalities where people live.

I would like to raise this question, Mr. Chairman. On the 20th of May this circuit court of appeals decision was handed down. A small municipality was pitted against the might and power of the Government of the United States and the Government lost. And within 4 days the Government has requested some of my colleagues to introduce a piece of legislation to overrule the decision of the second highest court in this land. I do not believe that legislation is in the interest of fairness or fairplay.

What, Mr. Chairman, would you say is the policy of the United States respecting the maintenance of the natural beauty of this country? Is it not to protect it, to enhance it? That at least is the policy of the interstate highway legislation. The court quotes in its opinion part of the interstate highway legislation. I recall that I happened to be the coauthor of that language with the late Senator Richard Neuberger, of Oregon.

We introduced an amendment in the U.S. Senate to provide that States in the American Union might be given an incentive to protect the natural beauty through which the interhighway would thereafter travel. One by one States have acceded to the policy of the Federal Government as enunciated in that legislation and I think it has been in the interest of this country. At any rate, just last week the President of the United States, referring to that legislation, asked this Congress to appropriate moneys not in millions, not in tens of millions, but in hundreds of millions of dollars in an attempt to further a program of beautification in this Nation. I support that kind of legislation and I think the members of this committee likewise do.

I must say, and I have said it earlier this week, in my mind I think it is ludicrous at the same time the administration with one hand recommends a greatly enlarged policy by the Congress of beautifying this country and preventing its despoliation, another agency comes here and attempts to have the Congress shear away a decision which was rendered just a few days earlier by the circuit court of appeals.

I recognize the supremacy of the Federal Government but I suggest that if we are about ready to come of age in this land, if we are to think of something more than building great buildings and great super highways, if we are about to embark on a program of keeping what nature has given to us, if we are in the interest of mankind and science undertaking the expenditure of $114 million to construct a wonderful, great, scientific, 2-mile-long nuclear accelerator, I suggest that the people of the United States will not begrudge the appropriation of that small percentage of additional dollars by which we will respect the local ordinance of a local city which is following and which has been following, and which tries now to follow the same policy which the President laid down just a few days ago.

I was interested in the question, Mr. Chairman, which was raised here earlier by the distinguished Senator from Utah when he asked the counsel appearing here for the city whether or not as a matter of fact it was contemplated in this legislation that a private utility would furnish the electricity to a Government agency. Of course, it did. This legislation which we passed did not place the Government of the United States, so far as the Stanford nuclear reactor is concerned, in the power business or in the transmission business. It was contemplated in my judgment that this great undertaking would purchase its power from the Pacific Gas & Electric Co.

I hope that this committee will consider not simply the problem of Woodside, not simply the problem which the people of the cities in my State have faced and have tried to solve, but will recognize that the passage of this legislation, gentlemen, could and in my judgment would be a serious mistake. To that extent I would urge you, Mr. Chairman, and my very able friend from California who likewise has been chairman of this committee, to put aside their proposals urged by the AEC which would do considerable violence to my idea of the theory of American Government. You don't come along, Mr. Chairman, a few days after a court has rendered an opinion and say, we will go around you. It shocks my sense of fairplay.

[From the San Francisco (Calif.) Chronicle, May 24, 1965]

WOODSIDE'S VICTORY

The town of Woodside, its counsel and its persistent citizenry are to be congratulated on the court decision in the Atomic Energy Commission powerline case. David's victory over the Federal Goliath brings cheer to all of those disturbed over man's relentless blighting of areas of beauty.

The Ninth Circuit Court of Appeals has unanimously ruled, most wisely, that the AEC's plans to erect steel power transmission lines through an area of hillside charm are subject to local regulation. This, of course, will prevent a proposed act of engineering vandalism. The court has also reminded the powerful AEC that conservation of rustic beauty is a longstanding Federal policy.

The additional amount of money required to place the powerlines underground, an estimated $1.6 million, is mere pocket change in the AEC scheme of things, a bit more than 1 percent of the cost of the Stanford linear accelerator which the lines serve. This is a pittance for a Federal Government which shrugs off missile misfires that can consume millions of dollars in a few flaming instants.

We trust that the AEC will now abide by the court's decision and get on with its work. Undergrounding the lines is a wise expenditure of the tax dollar.

[From the San Francisco (Calif.) Chronicle, May 27, 1965]

L.B.J. FOR BEAUTY; AEC FOR BLIGHT

The White House Conference on Natural Beauty has been followed by a Presidential request for legislation of great importance.

The proposals of President Johnson to Congress would change the face of the Nation by eliminating two disfiguring eyesores from major highways: billboards which block the view and junkyards which outrage it.

In dedicating his administration to the role of a model and a pacesetter in beautification, the President outlined some stick and some carrot remedies to prod and assist States toward effective roadside programs.

He proposes that States be required to ban billboards within 1,000 feet of interstate and primary roads or lose Federal subsidies. He wants junkyards removed or effectively screened from those roads and offers handsome subsidies if condemnation is required. He urges mandatory allocations of Federal funds for landscaping and wants recreational and scenic roadway development away from the major roadway network.

The present bonus payment system to encourage State regulation of billboards has failed. Only eight States have cooperated and the prohibitions apply on only 183 miles of the 20,000 miles of interstate highway constructed.

Protection of natural beauty should not, however, be limited to areas bordering on highways. It is a matter for just concern that as the President delivered his road message to Congress, one of his major agencies was acting in direct contradiction to the Presidential objectives.

The Atomic Energy Commission, bent on high-tension vandalism in the Woodside-Palo Alto area, is attempting to sidestep a court decision which would require it to place its powerlines underground. The AEC seeks a change in legislation that would give it exemption from local regulation in such matters.

The Presidential program for beautification will be better understood when the Atomic Energy Commission abandons its attempt to plant ugliness across the peninsula hillsides.

[From the San Francisco (Calif.) Examiner, May 27, 1965]

HIGHHANDED

An amazing combination of bureaucratic arrogance and highhanded procedure has developed in the wake of the U.S. appellate court ruling that certain Atomic Energy Commission powers are subject to the priority of local ordinances.

This was the decision that would prevent construction of AEC overhead powerlines contrary to the objections of the city of Woodside and San Mateo County.

A joint Senate-House subcommittee hearing today is the instrument of AEC retaliation. The measure before the subcommittee would give the AEC powers superior to those of the States and local communities in such matters. Only the alertness of Congressman J. ARTHUR YOUNGER kept the hearing from being closed to opponents. No time for preparation of objections was allowed.

The overriding AEC powers proposed would extend far beyond Woodside's esthetic concerns. President Johnson's call for a concerted national campaign to protect scenic values would be ignored, with the executive right hand seemingly not knowing what the left hand is doing.

These are the rawest sort of railroading tactics, contemptuous of orderly procedures. Amendment of the Atomic Energy Act for the purpose of elevating the AEC to virtually dictatorial position is full of danger. If undertaken at all, it should be in the full light of day, not as a deliberate short circuiting of a court decision that properly upheld the sovereignty of laws at the community level.

[From the Los Angeles (Calif.) Times, June 4, 1965]

POWER PLAY: WOODSIDE VERSUS THE AEC

Woodside, Calif., has a very small population but a very large sense of principle.

Residents of Woodside, for instance, believe that even the Atomic Energy Commission should obey the Federal statutes requiring compliance with local ordinances. Specifically, they insist that the Commission should not violate Woodside city laws by installing overhead powerlines to the AEC's linear accelerator project at Stanford University.

The second highest Federal court in the land agreed with Woodside. In a unanimous decision, the U.S. circuit court of appeals ruled that under the Atomic Energy Act of 1954 the Commission does not have the power to override local ordinances "with respect to the generation, sale or transmission of power."

AEC officials had protested that underground installation of the powerlines as required by Woodside (and other surrounding communities) would substantially increase the cost of the service. This is true, although the estimates vary. Pacific Gas & Electric said it would help make up some of the difference and the town of Woodside voted to contribute $150,000 by quadrupling its municipal tax rate.

The Atomic Energy Commission, however, decided that instead of complying with the law, it would change it.

Bills were quickly introduced to amend the current statute to allow the AEC to ignore local regulations. This week the ex post facto legislation was heard by a Joint Atomic Energy subcommittee, where it received predictably strong support.

The arguments, however, smacked more of expediency than equity. In effect, the bills would set the pattern for any Federal agency to demand overhead powerlines whatever the local regulations. President Johnson's plea to preserve natural beauty had apparently fallen on deaf ears—or on ears more sensitive to demands for an unnecessary expansion of AEC power.

Woodside may lose its fight, if the AEC bills can be pushed through Congress. But a lot of other cities, big and small, also will have lost.

[From the Palo Alto (Calif.) Times, May 21, 1965]

SAY "UNCLE" TO WOODSIDE, UNCLE

Cheers for the U.S. district court of appeals decision that the U.S. Atomic Energy Commission cannot ram its overhead powerlines down the throat of unwilling Woodside.

This victory of a rustic little community over the awesome Federal Government should hearten all those who believe right, not might, must prevail in our Republic.

But more than a David beating a Goliath is involved. The narrow issues of the case seem to rest on the facts that Woodside had an ordinance requiring powerlines to be placed underground, and that the AEC's chartering legislation forbids it to transmit electricity in violation of Federal, State, or local regulations.

More broadly, though, the issue is whether Woodside as a municipal corporation has the right to protect its scenery, and whether Uncle Sam, if he would come through Woodside with his tapline to supply power to the Stanford Linear Accelerator Center, must respect that right.

A view has measurable value in Woodside—ask any real estate salesman. It is up to the AEC like any good neighbor to obey local regulations and not to mar the landscape.

As we asserted more than a year ago, the contention that the AEC cannot afford to pay more to bury the lies is abusive nonsense. So is the idea that action must be stampeded because the $114 million research tool is almost ready to operate. Delay would be no issue if the AEC had agreed to undergrounding 14 months ago.

In short, there is no basic problem here that money cannot solve. May the U.S. Supreme Court keep these points in mind if the AEC appeals—and may "remember Woodside" become a watchword reminding Washington to remain respectful of local interests.

[From the Washington (D.C.) Post, June 8, 1965]

BEAUTY AND THE AEC

The threats to the American landscape include, unfortunately, the Federal Government itself. While President Johnson is very emphatically a defender of the continent's natural beauty, the Government over which he presides is notoriously a house of many mansions. Its great regulatory powers, and its massive construction budgets, are most commonly controlled by agencies of specific and narrow interests that offer no very profound consideration to the esthetics of the countryside.

When a New York power company decided to build a massive generating complex at Storm King Mountain on the Hudson River, protesting citizens discovered that their only appeal lay with the Federal Power Commission. But that Commission is primarily responsible for guaranteeing sufficient generating capacity. Now the Atomic Energy Commission wants to string a high-voltage line, in violation of local laws, across a strikingly beautiful mountainside not far from San Francisco. The opponents, who are numerous, have discovered that their last appeal lies with the Joint Congressional Committee on Atomic Energy, which is preparing legislation to permit the Atomic Energy Commission to override the local ordinances. The Joint Committee appears, not unnaturally, a great deal more concerned with hooking up the new high-energy accelerator at Stanford than with protecting the Pacific skyline.

The President cannot be expected personally to take up every intricate dispute between beauty and the builders. But he can devise an appeals procedure so that single-minded Federal agencies and congressional committees would no longer sit as the final judges of their own construction projects.

[From the New York (N.Y.) Times, June 8, 1965]

HIGH POWER

Apparently word of President Johnson's concern for conserving the natural landscape has not reached the Atomic Energy Commission.

The AEC is determined to win its fight to string high-power transmission lines anywhere it pleases. For more than a year, the Commission has been engaged in a struggle over this issue with the residents of Woodside, Calif., a town 30 miles south of San Francisco. The agency wants to take possession of a strip of land 100 feet wide and 5.3 miles long, running through picturesque hills and heavy woods, and erect an overhead line on poles and towers ranging from 70 to 120 feet high. The line would carry electricity to a linear accelerator being built at Stanford University.

The residents of Woodside, pointing out that county zoning forbids overhead powerlines, urged the AEC to place the lines underground, rather than scar the countryside. Instead, the AEC went to court—and lost. On May 20, the Federal Court of Appeals upheld Woodside, basing its decision on a section of the 1954 Atomic Energy Act. Undaunted, the AEC turned to its friends in Congress. On May 25—the same day that the White House Conference on Natural Beauty opened—Senators PASTORE and HICKENLOOPER and Representative HOLIFIELD, the ranking members of the Joint Committee on Atomic Energy, introduced a bill to exempt the AEC from such local and State zoning regulations. Hearings were scheduled immediately with no advance notice.

Estimates of the cost of putting the lines underground range from $2 to $4 million, but either figure is small compared to the total cost of the linear accelerator. Moreover, Woodside, a wealthy town, has offered to quadruple its taxes for the next year to help pay part of the added costs for the underground line.

These local considerations, however, are less important than the principles involved. Even in the absence of a Presidential push for protecting the natural environment, Federal agencies should respect local conservation requirements. No committee of Congress should attempt to rush through a law with the imperiousness the Joint Committee on Atomic Energy is showing. The public looks to Congress to curb rather than to abet high-powered bureaucratic arrogance.

[From the Santa Barbara (Calif.) News-Press, June 3, 1965]

ATOMIC POWER PLAY AT WOODSIDE

There is a deplorable measure of Federal agency arrogance being displayed by the Atomic Energy Commission in its dispute with the tiny bay area community of Woodside.

Source of the controversy is the AEC's determination to send a grotesque army of powerline structures marching across Woodside's foothills, through town, and on to the Stanford linear accelerator.

The community has battled this project for years. It incorporated in 1956 to preserve its hill and forest beauties; passed zoning laws to prohibit overhead powerlines of the size proposed; voted to quadruple its tax rate for a specified period to raise $150,000 toward putting the lines underground—and it won an important court decision. On May 20, the U.S. circuit court of appeals ruled that the AEC cannot build its line overhead in disregard of local ordinances.

The AEC promptly ran to Congress, asking last week for legislation stating flatly that such a matter is not subject to local regulation. It got an immediate bill introduced and a rush hearing before the legislative subcommittee of the Joint Congressional Committee on Atomic Energy. The subcommittee heard opening statements last Thursday.

Talk about nuclear power.

Central arguments of the AEC relate to expense. It would cost $668,000 to string the powerlines overhead, it said—$2,640,000 to bury them. It emphasized that if the lines are not installed soon the staff at the accelerator will be standing around and doing little but collecting salaries and running up total costs of $1,500,000 a month.

We submit that while all of this is deplorable, it is not the fault of a tiny but doughty community fighting to preserve itself and the very natural beauties so loudly heralded as desirable by the President of the United States. The fault might rather lie with a Federal agency's hard-nosed attempt to have its way if it has to run roughshod over the courts and have its own laws tailormade.

The wishes and ordinances of local communities in which the AEC operates certainly deserve a lot more consideration than Woodside is getting.

Hearings resumed this week in this attempt to aim a Federal law directly at a community and its ordinances.

On the basis of information to date, the legislation should be scrapped.

Mr. KUCHEL. Mr. President, a few years ago, the late Senator Richard Neuberger, of Oregon, and I jointly sponsored an amendment to the interstate highway legislation, providing an incentive to the States to regulate outdoor advertising on portions of the new Interstate Highway System which the Federal Government was underwriting at a cost of 90 percent. In a debate in the Senate, against vigorous bipartisan opposition, the views of the late Senator Neuberger and myself, prevailed on a rollcall vote. It will be a sad day for anybody who enjoys what the great God above us gave us all across the country if the Senate were to approve this backward legislation, which, as I say, may be before us in the next few days or weeks.

I hope Senators may take occasion to read the newspaper comments that I have placed in the Record and will study the situation, for I earnestly hope the Senate may in its wisdom repudiate this attempt by a great Government agency to override local concern and our judicial system. I hope the Senate will reject the proposed legislation.

ESCALATION OF THE VIETNAM STRUGGLE

Mr. JAVITS. Mr. President, the State Department announced yesterday that Gen. William C. Westmoreland, who heads the U.S. military assistance command in South Vietnam, has been given authority to commit U.S. troops to combat in South Vietnam on request by South Vietnamese commanders, provided only that U.S. troops are not to engage in combat strictly on their own, but are to fight alongside South Vietnamese forces.

To the American people this announcement is very reminiscent of Korea.

It is another escalation of U.S. participation in the struggle, yet it comes as no surprise. Not only has this decision been rumored for several days, but it has been apparent for weeks now that the United States was moving slowly toward a greatly increased ground combat role for U.S. forces in South Vietnam. This movement has not been imperceptible, but it has been gradual and undramatic enough to forestall any significant public reaction. Yet the stark facts are that there are more than 50,000 U.S. troops now in South Vietnam as against about 14,000 when President Johnson took office only 18 months ago. We now hear rumors that 100,000 or more troops will be in South Vietnam soon. Under present orders, our troops will still be on extended action within a country which wants us within its borders—South Vietnam. But will U.S. troops tomorrow be called on to follow on the ground the air bombardment of North Vietnam?

We have been moving in the direction of a massive, bogdown land struggle in Asia without any specific consent by Congress or the people for that kind of war. Although the President has the power, for all practical purposes, to commit the United States to such a struggle, I have said on many occasions over the last 2 months that it would be disastrous for this country if the President were to use that power without first asking Congress for a resolution—similar to the joint resolution of August 10, 1964—to authorize specifically an expansion of the U.S. military role in the Vietnamese struggle onto such a new and qualitatively different level. Without a mandate from the Congress and the people, a U.S. land struggle in Asia could engender criticism and division in the country that will make recent protests over our Vietnam policy look like a high school picnic.

News reports describe this new combat role for U.S. troops in Vietnam as a future one. It is still not too late. Once again, I request the President not to permit this new level of U.S. participation in the ground struggle to occur without obtaining the kind of mandate from Congress and from the people which, alone, can make such a policy feasible without grave divisions in the country. Once again I say the Congress will undoubtedly support the President. But just as he could not forgo the salutary announcement of U.S. willingness to negotiate—although he felt he had said it many times before—so he cannot forgo the salutary effect of a congressional debate and action on this new and crucial U.S. policy in Vietnam.

Mr. President, I ask unanimous consent that an editorial entitled "Congress and Vietnam," which appeared in the New York Times of June 7, 1965, together with an article by John W. Finney entitled "Johnson Permits U.S. Units To Fight If Saigon Asks Aid." And an editorial entitled "Ground War In Asia," both published in the New York Times today, be printed at this point in the Record.

There being no objection, the article and editorials ordered to be printed in the Record, as follows:

[From New York (N.Y.) Times, June 7, 1965]

Congress and Vietnam

Signs are growing of congressional interest in ending the "leave it to Lyndon" era in American foreign policy.

There is Senator Fubright's new proposal to give the OAS a major voice in channeling American military assistance to Latin America. There is the provision in the new foreign aid bill for a thorough-going congressional investigation and for terminating the aid program in its present form in 1967.

There is the trip to Europe, at their own expense, of four House Republicans to investigate the crisis in NATO. And there are the recent criticism of administration policy in Vietnam and the Dominican Republic by Senator Robert F. Kennedy, plus his current charge that the United States is neither meeting its aid responsibilities to the underdeveloped countries nor identifying itself with the world revolution underway in those areas.

Factors that go beyond the President's limited experience in foreign affairs and the extraordinary vacillations in Dominican policy have set off the present questioning at home and abroad. The reluctance of Secretary of State Rusk to employ the full resources of his department and give independent advice, the meager use made by the President of non-official task forces in the foreign policy field, the overdependence on military and intelligence agencies and the divorce between the Administration and the Nation's intellectuals—all point to a need for more vigorous congressional interest.

Nowhere is this more vital than on Vietnam, where grave constitutional questions are raised by the official acknowledgment of an increasing combat role for American troops. During the 18 months of the Johnson administration, the number of American troops in Vietnam has been tripled to about 46,500; a further build-up to more than 60,000 appears imminent. American planes have entered into combat both in South and North Vietnam—in the latter case openly attacking a foreign country with no declaration of war. American warships have bombarded the North Vietnamese coast. And there are indications that American ground troops—first employed as advisers in South Vietnam, then deployed to defend American installations and now directly engaged in patrolling action—will soon take on a full combat role as a tactical reserve aiding South Vietnamese units in trouble.

Yet, at no point has there been significant congressional discussion, much less direct authorization of what amounts to a decision to wage war. That is why 28 Democratic Congressmen, on the initiative of Representative Rosenthal of Queens, now have wisely asked the chairman of the House Foreign Affairs Committee to hold public hearings on the administration's Vietnam policy.

American casualties in Vietnam, while still relatively minor, already exceed those of the Spanish-American War. The choices open to the President are exceedingly difficult ones; they should not be his alone, either as a matter of sound policy or of constitutional obligation. If he takes it upon himself to make an American war out of the Vietnamese tragedy—without seeking congressional and national consent—he may open the country to divisions even more dangerous than those that developed out of the Korean conflict.

[From the New York (N.Y.) Times, June 9, 1956]

Johnson Permits U.S. Units To Fight if Saigon Asks Aid—President Gives American Commander Authority To Commit GI's to Battle—Request Is Likely Soon—Policy Decision Prompted by Increasing Concern Over Big Vietcong Offensive

(By John W. Finney)

Washington, June 8.—President Johnson has authorized his commanders in Vietnam to commit U.S. ground forces to combat if their assistance is requested by the South Vietnamese Army.

The State Department said today that the authority to order American ground forces into combat, under the policy decision made by President Johnson in recent weeks, had been delegated to Gen. William C. Westmoreland, who heads the U.S. military assistance command in South Vietnam.

Whether the United States implements this decision—and thus takes another major step in its deepening involvement in the Vietnamese war—depends largely upon South Vietnam's Government and upon the military circumstances.

SHIFT FROM PASSIVE ROLE

A request for U.S. combat troops is expected in the near future from the South Vietnamese if the Vietcong step up their current offensive.

In the last 3 months, U.S. ground troops in South Vietnam have been gradually moving from a passive to an active combat role.

Marines and army paratroops, originally sent in to provide "perimeter defense" for key installations, have undertaken active patrolling miles from the bases they are defending. In the course of this patrolling, they have frequently engaged in combat with Vietcong guerrillas.

Thus far, they have acted largely on their own, without the support of Vietnam forces.

CONFIRMATION BY M'CLOSKEY

What is contemplated now is a significant step beyond the defense of American bases, with American troops participating in offensive or defensive actions by the South Vietnamese Army.

Official confirmation of the Johnson administration's decision came when Robert J. McCloskey, the State Department spokesman, was asked by reporters what the likely response would be to a South Vietnamese request for combat assistance.

He replied that U.S. military commanders in Saigon had made it clear to the South Vietnamese Government that "American forces would be available for combat support together with Vietnamese forces when and if necessary."

Thus far, according to the State Department, no request for American combat assistance has been received from the South Vietnamese Army. Such a request, however, is viewed as inevitable, particularly since the United States has now virtually invited it by openly offering combat assistance.

At least for the present, the administration is not contemplating a general offensive by U.S. forces operating on their own. Instead, American troops are to serve as a reserve force, coming to the assistance of Vietnamese forces if they are overwhelmed or pinned down by the Communist guerrillas.

Mr. McCloskey said the "coordination" arrangements between American and Vietnamese commanders were "still being worked out." While fighting "shoulder to shoulder" with Vietnamese troops, the American forces would fight as a unit under an American officer.

"BEST MILITARY JUDGMENT"

Mr. McCloskey said the decision to embark upon the expanded combat role was the "result of the best military judgment as to what is required in the situation ahead." From its timing, it was apparent that the decision was prompted by a mounting concern over the current Communist offensive.

The offensive had been expected during the current monsoon season, when the mobility of the South Vietnamese Army and American airpower would be restricted by rainy weather. What has surprised and disturbed officials, however, is the force, sometimes in reinforced battalion strength, that the Vietcong have been able to throw into the offensive.

It has become increasingly evident to officials, as they analyze the strength of the Vietcong forces, that the American bombing raids in North Vietnam and Laos have failed in their principal military objective of curtailing the strength of the guerrilla forces by interdicting the flow of supplies and men from the north.

MORE U.S. TROOPS HELD NEEDED

In view of the possibility that the Vietcong may force a military showdown this summer, administration officials were driven to the conclusion that American combat support was required to stiffen the South Vietnamese Army and to prevent its possible psychological collapse in the face of the Communist offensive.

These officials recognize that the decision carries with it some risk of a corresponding stepup on the Communist side. But their appraisal is that the expansion of an already existing combat role would not provoke a Communist escalation of the war.

Officials indicated that the expanded combat role would necessitate the assignment of additional American troops to South Vietnam. There now are about 52,000 American troops there, but the combat forces are limited to 12,000 marines and 3,600 paratroops of the 173d Airborne Brigade.

Officials are now talking of a buildup to about 70,000 men in the immediate months ahead. Many of the reinforcements, however, will be logistical rather than combat troops.

Mr. McCloskey said the authority to commit the American forces to combat rested upon the President's constitutional powers as Commander in Chief of the Armed Forces.

Additional authority, he said, was provided by the congressional resolution, approved last August, which authorized the President to take all necessary steps, including the use of armed force to assist South Vietnam in defense of its freedom.

[From the New York (N.Y.) Times, June 9, 1965]

GROUND WAR IN ASIA

The American people were told by a minor State Department official yesterday that, in effect, they were in a land war on the continent of Asia. This is only one of the extraordinary aspects of the first formal announcement that a decision has been made to commit American ground forces to open combat in South Vietnam: The Nation is informed about it not by the President, not by a Cabinet member, not even by a sub-Cabinet official, but by a public relations officer.

There is still no official explanation offered for a move that fundamentally alters the character of the American involvement in Vietnam. A program of weapons supply, training, and combat advice to South Vietnamese, initiated by Presidents Eisenhower and Kennedy, has now been transformed by President Johnson into an American war against Asians.

It was the bombing of North Vietnam that led, in turn, to the use of American jet aircraft in South Vietnam and the emplacement of American marines and paratroops to defend American airbases. Now, with American air support hampered by the monsoon rains, American ground troops are to be made available as a tactical reserve to help South Vietnamese units in trouble.

It can all be made to sound like a gradual and inevitable outgrowth of earlier commitments. Yet the whole development has occurred in a 4-month span, just after an election in which the administration campaigned on the issue of its responsibility and restraint in foreign military involvements.

Since March, American forces in Vietnam have been more than doubled to 52,000, as compared with 14,000 when President Johnson took office. Additional troops are moving in and a buildup to 70,000 is indicated. There has been neither confirmation nor denial for reports that a force exceeding 100,000 is planned including three full Army and Marine divisions. Nor is there any clarification on whether the so-called "combat support" role now authorized—combat in support of South Vietnamese units—is to be transformed later into offensive "clear and hold" operations of a kind hitherto carried out only by South Vietnamese forces. Apart from the obvious difficulty American troops would have in distinguishing guerrillas from the surrounding population, such a war ultimately might absorb as many American troops as were employed in Korea.

A major factor in the original escalation decision—the decision to bomb North Vietnam—was the political crisis in Saigon after eight changes of government in little more than a year. The bombing was urged upon President Johnson as the only way to shore up morale, halt the factional feuding, and prevent a complete political collapse in South Vietnam.

Is it only a coincidence that the decision to enter the ground war has come during another political crisis in Saigon? There may be a need to prop up the government of Premier Phan Huy Quat against the Catholic and southern factions which made a constitutional issue out of his recent Cabinet reshuffle and still seek to bring him down. But is it not more likely that political irresponsibility in Saigon will grow, rather than decline, as the main military responsibility for defending South Vietnam is transferred increasingly to American hands?

The country deserves answers to this and many other questions. It has been taken into a ground war by Presidential decision when there is no emergency that would seem to rule out congressional debate. The duty now is for reassurance from the White House that the Nation will be informed on where it is being led and that Congress will be consulted before another furious upward whirl is taken on the escalation spiral.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. AIKEN. Does the Senator think that Congress should declare war?

Mr. JAVITS. I do not.

Mr. AIKEN. Does the Senator think the Congress should declare war to relieve the President of all responsibility for what has been done and what it is planned to do? Congress would do so if it were asked to declare war.

Mr. JAVITS. I believe that is true. However, I hope that Congress will not do it.

Mr. AIKEN. Congress would do it if it were asked to do so by the President. If that were to happen, the President would be relieved of responsibility. It would take him off the hook. It would be exactly what he wants. I am sure of that and I cannot say that I blame him.

Mr. JAVITS. I agree with the Senator from Vermont that if the President were to ask Congress to declare war, it would probably do so. But I think that would be most unwise.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I be permitted to continue for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, the Senator from New York is recognized for an additional 3 minutes.

Mr. JAVITS. Mr. President, I hope that will not be done. I believe that modern techniques are so subtle that we are better off not having a formal declaration of war. I do believe, however, that what is tantamount to that—in terms of tying the Congress and the people in with the President—is for the President to come to us for an expression of opinion now, when it seems rather clear that the situation is about to escalate into a major ground struggle.

I have served in the military. I understand what is meant by offensive patrol. I also understand what is meant by offensive action to protect the peace—which is what we are about to engage in. It seems that we are headed in the direction of the broad scale use of ground forces which would be tantamount to war.

I believe that under the present situation, the President ought to come to us so that we may have a voice in the decision, along with him, without a declaration of war, which is unnecessary, and which, in my judgment, is too primitive for the times.

I hold to the line of thought between the two schools—on the one hand, those who are ready to "go get them wherever they are," and, on the other hand, those who want us to pull out.

I believe that the best thing to do would be to have Congress join with the President in a solemn, national determination and debate to decide on the proper course of action. I believe that, just as the President erred for a long time, until he made his speech at Johns Hopkins, in not being willing to express fully our policy in Vietnam—at which point, the country backed him to the hilt—I think he is erring now in not giving Congress a chance to debate this issue—as I am trying to encourage my colleagues to do—with a view to coming to a vote on the question of whether we approve the line of policy that is being pursued. We followed that course in respect to Lebanon. We followed that course last August in respect to what we had been doing in Vietnam. We must follow that course now if we are to move to a new plateau in the struggle in Vietnam.

That is what I urge the President to do. I have little doubt that if the President were to do so, we would back him. However, if the President does not follow such a course, the country will, of necessity, in the course of time, face a situation which could be damaging to our whole effort.

If Congress were to back the President, it would temper the policy and make it a policy of both the President and the people.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. McGEE. Mr. President, a parliamentary inquiry.

Mr. GRUENING. The Senator from New York has yielded to me for a question.

I should like to ask the distinguished Senator from New York if he does not think that the President received the consent of Congress when he got the resolution last August, with only two Senators voting against it, which resolution gave the President the unlimited authority to use the Armed Forces of the United States anywhere he saw fit in southeast Asia. I voted against that resolution, but it was enacted.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be permitted to continue for 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 additional minute.

Mr. JAVITS. Mr. President, the President did not need authority last August. He does not need authority now. He has authority as Commander in Chief. He sought the advice of Congress last August, and, in my judgment, in the interest of our national policy, he should again seek the advice of Congress. That is what I ask him to do.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. GRUENING. Mr. President, I ask unanimous consent that I may be permitted to speak for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, the senior Senator from New York has expressed his view that the President had the authority, without the resolution, to wage the kind of war that we have been waging, including the bombing of another country from the air without any specific authorization from Congress. I disagree most emphatically with that statement. Without that resolution he could not have sent our planes to bomb North Vietnam.

We are now waging an undeclared war in southeast Asia. However, the President takes the position, and understandably so, that when Congress approved the resolution, it gave him the power to wage war anywhere in southeast Asia with the use of armed forces as he saw fit. He did get that authorization. Therefore, it would seem to me that the suggestion of the senior Senator from New York that we now need a further declaration of war or a further declaration of some kind by Congress is superfluous. He voted to give the President all the authority the President needs.

The PRESIDING OFFICER. The time of the Senator from Alaska has expired.

Mr. GRUENING. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, I was one of the two in the Congress who voted against that resolution. I feared precisely what is happening now in southeast Asia. I feared that the war would escalate, as it is steadily doing. We are actually engaged in an undeclared war with steady mounting casualties. While the President has a perfect right to feel quite justified in assuming that he has the consent of Congress because of the overwhelming vote on that resolution, I still share the view that the action was unconstitutional and that we are waging war without a specific declaration of war.

I am not prepared to urge that Congress declare war. However, I think that the situation is getting to be very much more dangerous than my colleagues who voted for the resolution expected. If my colleagues had read the resolution, they would have seen that the authorization for the President to use the Armed Forces as he saw fit was clearly spelled out, and they might have anticipated what is happening and what will happen in the future. That is one of the reasons that I voted against the resolution. I have had no reason to regret it.

I deeply feel that what we are getting into is tragic. We are going to lose thousands of American lives in a war that we are not going to win ultimately, that is going to have to be settled at the conference table, as was the Korean war. I think we ought to get to it before we lose far more lives and get into a greater tragedy.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. McGEE. I do not think the times afford us the luxury of a semantic debate over the meaning of "war" and "waging of war." Because of the nature of modern warfare and the changing times of which we are a part, a rigid constitutional definition of whether we are in war or not seems to me to be, from the practical viewpoint, irrelevant.

I think we must remember that we are living in times when it is possible to conduct warfare without an old-fashioned declaration of war. As the senior Senator from New York said, there are certain ramifications involved in having a formal declaration of war. I think the Senator from Alaska will agree that we do not want a formal declaration of war at the present time. This is an entirely different area of political contest, and if it can be resolved without the formality of a declaration of war, I think we agree this would be the better course.

Likewise, what has been transpired in Vietnam has been in accordance with the resolution of last August, and there was the support of Congress for new appropriations needed for this struggle. In view of the President's repeated declaration of these matters, I would think that no other declaration in particular from Congress is in order at this time, though I appreciate the question the Senator from New York raises because of what changing demands in Vietnam may require.

Mr. JAVITS. To me there is no juridical issue. The President, as Commander in Chief, has the right to dispatch troops to protect the interests of the United States anywhere in the world. That fact is acknowledged completely. Under the doctrine of protecting that interest, the President definitely has the right to reach out wherever it is necessary. When our ships were attacked in Tonkin Bay, we responded by attacking back. The President has that right because he is Commander in Chief. But we understand that present events can lead to major international war, and the President should have the advice and consent of Congress, joining its will and that of the American people to his, in order to keep pace——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. In order to keep pace with such problems as may arise. The resolution process is new, but it is a good one, because it enables Congress and the people to express themselves as being in agreement, and then the President can proceed together with the whole country. I urge that it be done on the highest policy level. This will make the President's position stronger and that of Congress stronger, and the whole country will be stronger and in a better position in South Vietnam.

Mr. McGEE. Mr. President, before the time runs out, I ask unanimous consent that I may have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. It seems to me, if I may say so to the Senator from New York, the issues have been so clearly drawn in the Vietnamese struggle, the reasons, in the President's judgment, and the judgment of many of us, have been defined time and time again that for us to request a kind of succession of congressional reaffirmations of faith in itself would not have the salutary effect that the Senator from New York has envisioned.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGEE. I ask unanimous consent to have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. If we were to go the route which has been suggested, perhaps we would still try to define the dimensions of it. I think the dimensions have been clearly drawn, and we know it is going to take time, and a long time, before we have run the course of testing the President's solemn declarations short of what we all hope to avoid—namely, a major war. For that reason, I think the Senator from New York's suggestion would not necessarily have the impact he suggests.

Mr. JAVITS. The Senator and I are not arguing the issue on the basis of time or cost. I am suggesting that are we getting onto a new plateau of activity, in which we could possibly move troops on the ground outside of South Vietnam in the proximate future, which would be a new situation vis-a-vis all of Asia, including Communist China. I think such an event includes a decision of such profundity that the Congress and the people ought to have an opportunity to consider it and have an opportunity to follow the traditional course which we have acted on in a number of cases, and which I regard as necessary when we contemplate a different kind of danger. Let us not make such a decision except in the most considered way in which it is possible for us to do it.

Mr. McGEE. Where I fail to see the need of the Senator's proposal in view of the incident at Tonkin Bay——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGEE. Mr. President, I ask unanimous consent to have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. In view of the incident at Tonkin Bay and the bombardments of North Vietnam, where we have already crossed the 17th parallel, I ask whether any dispatch of whatever limited movement may be needed along the 17th parallel, or beyond that parallel, would change the dimensions of the conflict.

Mr. JAVITS. We must remember the Yalu incident. There was a point when Communist China felt it had to come into the Korean conflict. I do not know whether they will or not come into this situation, but the national purpose in this regard will be have to be considered. When we look at the matter and consider the danger we may face, I say that the people and the Congress should be joined with the President in whatever implementation of the national will may be necessary. That is the complete theme of my argument.

Mr. McGEE. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. With all due respect, again we are talking about the Hanoi government, and not about China. The Yalu decision was a decision of the Chinese. I would agree with the Senator that if we were to reach the point of crossing Chinese borders, it would be quite another matter; but I believe the distinction here is that what the Senator suggests will not increase the pressure on China to change its posture, nor will the movement of whatever group of men we may need to be headed toward the 17th parallel. It has not happened. It may not happen. But even if it did, it would still be no more of a threat than our air raids, and I think the Chinese would be far more concerned with air raids, so far as their national purpose is concerned, than with any movement of ground troops that might be made, because we know that on the ground China has an overwhelming and understandable advantage, whereas in airpower she faces a direct threat to her security and is in a vulnerable position.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Without objection, it is so ordered.

Mr. JAVITS. First, the Yalu situation arose when we moved into North Korea and there was a danger of our crossing the Yalu into China. The Chinese Communists reacted when we moved into North Korea.

Second. What I am talking about is our willingness to undertake a Korean type of struggle in Asia.

Big nations cannot bluff. Therefore, when we move so many ground combat troops into South Vietnam we should be prepared to carry through. It is at the moment when we first commit ourselves in this way—which is now—that I feel Congress should be asked to join the President in making this national decision.

Mr. McGEE. If I am in error, I should like to be corrected, but it is my understanding that geographically the decision to bomb across the Yalu involved the decision to bomb Chinese territory in order to get to their bases of supply, and at places they were hoping to use as bases for aircraft which they were hoping to use in assistance of the North Koreans, that this was a specific, immediate, and dangerous pressure on China proper, and that this is, therefore, in a slightly different context. I believe that the parallel is well taken. However, there is nothing new in the commitment of any extra manpower in South Vietnam, or in speculating on the prospect that some of those men may go across the 17th parallel.

Mr. JAVITS. Let me give the Senator from Wyoming my best understanding of the situation with respect to the reaction of the Communist Chinese when we moved our ground troops north of the 38th parallel. The talk of bombing across the Yalu was the result of a feeling on the part of General MacArthur that we should take on the Communist Chinese——

Mr. McGEE. In China.

Mr. JAVITS. And beat them, this time.

Mr. McGEE. In China.

Mr. JAVITS. But the Chinese reaction came as a result of our moving ground troops across the 38th parallel. I do not say that the Vietnam situation is so close as to be like a template upon the Korean. We may engage in ground action without Communist Chinese reaction. But history dictates that we must be prepared for any eventuality once we take on a ground war in Asia. As I have just said, a big nation cannot bluff. Congress and the President should be joined at this crucial moment in this kind of decision, in order to avoid to the maximum extent any division in our country.

Mr. GRUENING. Mr. President, I repeat my view that the resolution which was approved by the Congress in response to the presidential request of last August gives him ample authority to do what he is doing, that he needs no further authority. That is one reason why I voted against the resolution.

I rather suspect that the efforts of the Senator from New York [Mr. JAVITS]—and I should like to have his attention if I could—may be an expression of the embarassment that he and some of his colleagues feel, that they have got themselves into this mess and would therefore like to have further reassurance by an additional testing of the sentiment of Congress.

I have no doubt that the Senator from New York is receiving a great deal of mail critical of his support of the position which the administration is taking and that, therefore, he would like a further reassurance from Congress. I can understand his desire for such comfort.

However, I repeat my view, that when the President sent down his resolution last August it gave him the power to use American troops wherever he saw fit, and that gave him ample authority to do what he is now doing. The resolution was approved by Congress, and the Senator from New York voted for it. I voted against it, for reasons that I have amply set forth on the floor of the Senate. I can understand, however, why those who voted against it want to bring up the matter again.

Mr. McGEE. Mr. President, on my own time, I ask unanimous consent for time to mention two factors in this situation, which has been brought up by my friend, the Senator from Alaska. The two comments he made—in regard to which I believe that I should share an observation—dealt with the suggestion of the Senator from Alaska that, after all, those of us who have supported administration policy in Vietnam have now discovered what a mess we have got ourselves into, and that we do not know why we are in this kind of dilemma at the present time.

I believe it should be stated for the RECORD that no one person got us into this mess. If we had not moved, the kind of mess we would have would be the very same kind of mess that the Senator from Alaska and other great Americans like him would have been protesting with even greater vigor.

This kind of mess stems from the kind of war which our opponents on the other side of the line in southeast Asia have invented as a means of continuing the terrible, steady, pressure for penetration and erosion of those nations which would like to stay outside the orbit of influence of mainland China.

How else are we going to combat guerrilla warfare? How else are we going to combat terrorism, if we do not take a stand now?

Therefore, I challenge the use of the phrase that we are in some kind of mess that somehow we got ourselves into.

We did not wish to become involved, in the first place. History thrust it upon us. We accepted it as one of the commandments that went with victory in World War II, that we could take the lead in helping to rebuild the world, that we could help to reconstruct it ourselves with the kind of profile that we believed offered a better opportunity for peace in the future.

It is this principle, it seems to me, which is really behind the so-called mess in South Vietnam which my friend the Senator from Alaska says we are in, namely, a war which we cannot win.

Mr. President, we do not win wars any more. We are all sophisticated enough to know that in the nuclear age we do not accumulate points as in a basketball game. What we are trying to do, if not to win a war, is to win the opportunity to make a lasting peace. That is what we have in mind even when we cannot win a war.

We can lose the world. We can lose Vietnam. We can lose the opportunity for which World War II was waged, to try to reconstitute a balanced world, with a more peaceful image than heretofore has been the case.

That is really the context in which we should view the way in which the conflict is going, to and fro, in Vietnam.

I beseech my colleague not to use simple cliches about "the mess we are already in," and that "we cannot win the war in Vietnam." It seems to me to be an oversimplification of the complexities of a problem which the President and the Nation have to face in deciding the policy that must govern the United States in any part of the world.

Mr. GRUENING. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. Mr. President, I ask unanimous consent that my time may be extended for 3 minutes, in order that I may yield to the Senator from Alaska.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. I congratulate my distinguished colleague from Wyoming for creating a new villain in the world. Coming from him, as a professor of history, it has considerable significance. He has made the statement that history thrust us into this situation. This is the first time I ever knew that history had that kind of motive power. But as my colleague has been a teacher of history, a university professor in this field, he may be presumed to speak with substantial authority on the role of history. He has declared that history thrust us into the war in southeast Asia. But I do not think the responsibility for our being there can thus be assigned. Human beings in high places got us into that war.

Mr. McGEE. History probably has thrust more than one man into the front ranks of decisionmaking in the world. History creates events that even Republicans and Democrats, or the Senator from Alaska, sometimes cannot control.

ESSAYS BY WYOMING STUDENTS

Mr. McGEE. Mr. President, I ask unanimous consent that I may return to morning business and take my 3 minutes in order to bring a matter to the attention of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, In Washington with me this week are two outstanding young students from Wyoming.

Each year I conduct a competition in the State of Wyoming for every graduating high school senior. They submit studied essays on one proposition: How to make democracy work better.

The winners of that statewide contest were one young man and one young woman who have now come to Washington and are spending the week in my office and around the Capitol studying democracy in the living laboratory of our day-to-day procedure.

These two outstanding students are Miss Joan Magagna, of Rock Springs High School, Rock Springs, Wyo., and Craig Fansler, of Fremont County Vocational High School at Lander, Wyo.

Their accomplishments are many. They are both outstanding students, keenly interested in the policies of the world. One of them is an outstanding Democrat and the other comes from an outstanding Republican family. This contest has nothing to do with partisanship. It has everything to do with public responsibility to try to raise the political conduct of our country to ever higher levels.

The essays which they have submitted in this contest are of such quality that I should like to share them with all Senators. Therefore, Mr. President, I ask unanimous consent to have them printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

MAKING DEMOCRACY WORK

(By Joan Magagna, Rock Springs, Wyo.)

Nineteen hundred and sixty-five is a troubled, anxious time. Every citizen of 1965's world pursues his daily tasks ever aware of the threatening "facts of life" of this, our 20th century. Frightening shadows of aggressive communism, racial crises, and nuclear weapons menace every waking moment. Each of these heavy problems rests especially heavily upon our shoulders as Americans. We have taken up a mammoth task in this year of strife. We Americans since the birth of our Nation have acclaimed to the world that our country is that promised land of milk and honey and freedom and justice for all. The duty falls to us to make America's promises of life and hope more than just empty words to the downtrodden peoples of earth. For the freedom-loving and freedom-seeking peoples of the world, for ourselves, and for generations to come after 1965, we must find a way to make democracy work.

The American democracy was best defined by Abraham Lincoln in his Gettysburg Address as "a government of the people, by the people, and for the people." His pointed reference to "the people" indicates the prominent role every citizen plays on the stage of democracy. Since our large population and enormous landmass prohibits pure or absolute democracy, the U.S. Government is a function of representative democracy. But Lincoln's words "of the people" imply that the masses must still be the government. Making our democracy work necessitates every individual's making his own influence felt through his representatives. If one citizen's voice is hushed or fails to be heard, then democracy fails to work. If a government voices the opinions of only some of the people, it cannot be a genuine democracy.

By constitutional provision, the opinions of the people of our Nation are expressed through the polls. It is tragic to realize that nearly 40 percent of our voting population did not vote in the last general election, when peoples in other parts of the world are still fighting to obtain such rights. In one Latin American country a few years ago, the population was warned under pain of death to stay away from the polls on election day. Ninety-nine percent of the population cast their votes that day. In America, where we have no fears of punishment, only 60 percent of the population turn out at the polls.

Obviously, we Americans cannot be genuinely aware that the right to vote is the lifeblood of democracy. However, the trite accusation of voter apathy in the United States cannot really be sound. We are aware of our freedoms and the great blessings of democracy, but we are not cognizant of the fact that freedom and democracy need to be cared for. Daniel Webster once wrote, "God grants freedom only to those who love it and are always ready to guard and defend it." And God just as surely takes freedom from those who are not willing and ready to guard and defend it. We love our freedoms dearly, but we feel that defending and guarding them are the responsibilities of elected leaders who have dedicated their lives to the public service.

To these public servants falls the great burden of representing the citizens of democracy, but to the citizens fall the greater responsibilities. They are the ultimate decisionmakers in a democratic nation. Thomas Jefferson, who served as a public servant, said this about the responsibility of the individual citizen: "The people are the only censors of their governors. If once they become inattentive to the public affairs, the President, and the Congress, and assemblies, and judges, and Governors shall become wolves." Only through the voice of the people can democracy work for the people.

The problems of making democracy work must be solved by the people. Since the days of the American Revolution, democracy has influenced every facet of life in the United States. Even the youngest child in our country is aware of democracy, at least the concept if not the word. In his family his parents often allow him and the other children to make their own decisions. Perhaps his decisions are unimportant; nevertheless, he is allowed as an individual to begin to shape his own life and make his own mistakes. Parents in our affluent society too often become overeager to provide their offspring with the opportunities they themselves never had. Yet, in providing the opportunities, parents are also inclined to give a gentle push in the right direction. The right to make one's own mistakes even at the youngest age, as strange as it sounds, is one of the greatest fundamental principles of democracy.

Our Federal Constitution testifies to this fact in that its articles set forth only a framework of government. The Constitution does not specify that the Congress pass laws only if they are good for the people, the Constitution does not decree that every ruling of the Supreme Court be just, that the President make only right decisions. The Constitution of the United States, the foundation of democracy, only delegates power and authority. It tells us how to elect a man to office, not what kind of man must be elected. Since the ratification of the Constitution in 1789, the Congress in an effort to make good laws, the Supreme Court in an effort to be just, the President in an effort to be right, and the people in an effort to elect good men have all made mistakes in these efforts. And mistakes are still being made in our governmental systems.

But, to recognize our infallibility is a great strength of democracy. If we do not become too quick to praise or condemn our leaders and their decisions, we may obtain clearer evaluations of true value and worth in men and decisions. I think the greatest fault in the American democracy is that we pass judgment too readily. Our belief seems to be that only one side can be right and one side wrong in any given situation. One man's opinion is good, another's bad. This philosophy is not necessarily true as past history has well proven. I believe that many of the internal problem of this country could be eliminated if citizens—all citizens—rationally studied the pros and cons of policies and positions rather than relying on personal or party prejudices to form opinions and judgments.

Today in our Nation, nearly every social or business committee or organization utilizes the fundamental procedures of our democratic form of government. These groups use the concepts of elected leadership, membership voting, presidential veto, and majority rule. In families, schools, business, and society, we find the influences of our democratic heritage. More importantly, we also find the building blocks of an effective present-day democracy. If dignity, pride, and respect are accorded these lesser democratic institutions, and if citizens fulfill responsibilities and obligations to them, then greater dignity, pride, and respect, and fulfillment of duty shall be accorded the Greatest Democracy.

Aggressive communism, the racial crises, and nuclear weapons are not the greatest enemies of democracy. The American citizen who says "I don't care," is democracy's greatest enemy. The American citizen who doesn't vote is democracy's greatest enemy. The American citizens who constantly condemn or constantly praise, those who fail in business obligations or committee duties, the parents who pamper and coddle future American citizens—these are democracy's greatest enemies. These enemies and their ideas must be reformed or eliminated from the American way of life if democracy is to work. To make democracy work means to make our Nation a proud monument to the dignity of man and man's noblest ideals in this turbulent world of 1965.

Making Democracy Work

(By Craig Fansler)

There are many different forms of democracy. We must understand that the democracy we seek to advance need not be exactly like our own democratic ideology in the United States. There are variations within all three major ideologies: democracy is no exception.

Afro-Asia and Latin America are nations in which the rising economic and social standards permit an increasingly democratic way of life. We may support national leaders who govern in such a manner that the personal and legal freedoms of their peoples will be guaranteed. We may welcome different points of view through contending political parties and variations in national life. But we may also promote e pluribus unum, the democratic idea that—although diversity and opposing points of view may well exist—there is still agreement on the unity of the whole society and state.

Democracy is possible without many of the conveniences we enjoy in the United States. India is a democracy, and yet life in that nation is not the abundant one we have in the United States. Democracy is possible in Kenya where the tribes may continue to have their magic fetishes. Democracy can have many political, economic, and social variations. But a democratic governing system must strive toward equal justice for all and guarantee the rights of all. These are the aspects of democracy toward which we must work in world affairs. These can flourish in any nation.

Dr. Rafael Caldera of Venezuela has said that "America has an inescapable obligation to offer man the guarantee of his rights. And these rights must be removed from the level of abstract claims and be translated into tangible realities. * * * But the liberty, the democracy, and the hope of the American people must lead to something. And this something means the recognition of the right to live, the right to work, the right to the free expression of ideas, but it also means the right to food, the right to housing, the right to education, and the right to health."[1]

Timing is important in advancing democracy. National freedom is the first step, one which most nations have already taken. National unity of the state must be furthered next. Then comes the third step—the building of a democratic way of life by reducing the obstacles to democracy and constructing the foundations for democratic living. The fourth step is the adoption of a democratic way of governing. This timetable may vary from state to state, and these steps may come in a different order. But this timetable will apply to most new states. But democratic governing within a state can come about only when people want to govern themselves. If the first three steps go well, however, democratic governing may also evolve.

The great South American liberator, Simon Bolivar, noted that "it is a terrible truth that it costs more strength to maintain freedom than to endure the weight of tyranny."[2] It is much simpler to let someone else run your life than to do it yourself—providing, of course, that you care little about human freedom. Democracy is a demanding ideology, exceedingly tough to get across to the world in which we live. Some say that to try to advance democracy in the Afro-Asian world is sheer idealism. But we have seen the power of idealism in our own Nation. If those who declared, fought for, and won American independence many years ago had not been inspired by the idealism of human freedom, where would the reality of democracy in the United States be today?

Before exploring ways of advancing democracy in the world, we should focus our sights on some basic understandings about means to democratic goals.

We should understand our limitations. The democracies cannot do everything. Even if we had endless resources, we could not make nations embrace the democratic ideology. We could not impose our ideology on the world because such an act would be contrary to the very nature of democracy. But by example, and then through advice, guidance, and wise national policies, we can encourage others to strive toward democracy.

We should understand the many differences that exist within the nations, as well as the differences among these nations.

We should understand the religious, social, economic, and political aspects of each nation. A knowledge of Islam is basic to any relationship we may have to President Ayub Khan's nation. The traditional social structure in Iran has much to do with the Shah's difficulties in introducing democracy. The varieties of socialism must be understood with the clear recognition that many nations will probably have strong governmental control for years to come.

We should understand why most of Afro-Asia is neutral in the cold war between the Western and Soviet blocs. These nations are new. They view the cold war as the old power struggle among great powers. They want aid from these powers but do not want to make military commitments. They feel that an alliance with a major power on either side of the cold war would impair their own security and well-being.

We should understand the relation of ideology to policy. To sever the two is to get nowhere at all in giving democracy a forward thrust in world affairs. Democracy by the example you and I and our fellow Americans set in our everyday behavior is of tremendous importance in furthering the democratic ideology in world affairs. Nevertheless, our domestic and foreign policies must be infused with the principles of democracy as well, so that our Nation may take an official stand in supporting the growth and strength of democracy in the varied nations.

Nationalism, the force that bought independence to Afro-Asia, is a strong unifying factor in the Latin American states as well. Support of nationalism is the greatest weapon the West has, especially since communism seeks to bring all states into one international mold. National freedom must be won and preserved before human freedom within the state can be expanded.

The idea of the nation-state is Western. Important strides in education, economic development, and experience in dealing with economic and social problems were Western offerings to Afro-Asia. The structure of democratic government, responsible civil service, respect for the law, and world organization are Western contributions to many of these nations.

Western policy, therefore, must do everything possible to preserve the newly found national freedom in Afro-Asia and must also strengthen independence in Latin America. American counterguerrilla warfare in southeast Asia is only one example of our seeking to sustain independence against armed Communist subversion which seeks to destroy it.

American official policy must deal with governments; the authoritarian rulers cannot be circumvented in an attempt to reach the people directly. Nor can they be subverted and toppled, unless extremely fortuitous circumstances permit such action. The United States did lend very limited support to Guatemalan exiles in 1954 when they attacked Guatemala in order to overthrow the pro-Communist President, Jacobo Arbenz Guzman. But on the whole, there is no alternative in most instances but to work with official governments. Either we do business with these governments and their leaders or else we retire completely to the sidelines. If we choose the latter, we may lose all chances of directing the authoritarian regime toward democracy, and we may also let the forces of Communist subversion surge ahead.

We can be a powerful backdrop to the process which guides a nation toward democracy as a way of life. We can emphasize to authoritarian rulers our strong belief in e pluribus unum—out of diversity, unity. We can back up their unifying policies with various kinds of assistance and guidance, given in such a way as to favor those who are doing a solid job. We can impress upon these governments the necessity of recognizing the rights of all in the move toward national unity.

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[1] Rafael Caldera, "Today's Revolution," Americas, October 1961, pp. 21–22.

[2] Northcote Parkinson, "Evolution of Political Thought," Boston, Houghton Mifflin Co., 1958, p. 253.

Furthermore, our economic assistance can do much to influence the process of social change. The launching of social programs, such as mass inoculation against cholera in Egypt, new methods of agriculture and irrigation in Tanganyika, improvements in sanitation in Pakistan, modernization of business practices in Guinea, or educational innovations in Nigeria, may at first offend the existing style of life in these nations. Many people may prefer the traditional patterns of life which they and their ancestors have followed. Not everyone in the Afro-Asian world seeks to participate in the so-called "revolution of rising expectations." But change is coming—and coming fast. Aid programs which help to usher the 20th century into these nations can subtly bring about cultural change. This will help benevolent rulers to make long strikes toward unifying their nations in a way which will promote democracy in the long run. We must make the benefits of civilization available to others if we are to advance the democratic doctrine.

Our aid is a partnership between the giver and the receiver in a mutual dedication to use this support to advance the democratic way of life. This way of life involves the construction of economic and social foundations which will permit people to live in and breathe in the air of freedom. Advances in health and living standards, adequate diets, enlightenment through education, and a positive outlook toward the good life on this earth will open up societies, bring vigor and initiative to people, and vastly increase their human expectations.

If progress toward national freedom, national unity, and patterns of democratic living is steady, then democratic process of governing hopefully, may follow. Such processes must come from within the state. The democracies can exert strong influence on the leaders of these states to build democratic governments in the long run, but such governments cannot be imposed upon any state.

Ideally, a democratic government would emerge from a nation's experience with democracy as a way of life and from the expansion of human freedoms. Furthermore, a democratic government at the national level might be helped to evolve if patterns of democratic governing were first launched at the local and regional levels. This is President Ayub's approach in Pakistan, and it was also the manner in which the Allies reconstructed democracy in West Germany after World War II. It would be out of order, as history has shown, to insist on a democratic structure of government if there is no solid foundations on which such a structure might rest.

If the way is prepared for national freedom, national unity, and the democratic way of life, then this new-found freedom—freedom from the old and freedom for the new—will register itself in increasing patterns of democratic governing.

Finally, democratic governing must be genuine. As we have seen, a mere constitution or democratic structure of government is not enough. The Soviet Union has both. Elections are important, but they must have genuine meaning and must be open to all adult citizens. Obviously, all facets of a democracy's governing process must have real meaning if the hard-won national freedom, national unity, and democratic patterns of life are to be guaranteed.

The democracies must be much more positive about what they stand for and be much more effective in revealing the intentions of international communism. It is rather remarkable that Americans, who are such good salesmen within their society, have often been outsold abroad by the Communists, who do not believe in commercial advertising and private profit. If we live in the midst of a war for the minds of men, the minds of men must be persuaded. It is impossible to believe that we can do so much in world affairs and still lose the crucial war of ideas.

We have seen how Communist propaganda simultaneously blows its own horn and undermines the West. We, too, should take a simultaneous propaganda and counterpropaganda approach. It is up to us to prove to the Afro-Asian and Latin American States that democracy and not communism will advance their goals of national freedom, national unity, and rapid economic and social progress.

Consolidation of national freedom, the fostering of national unity, the building of foundations for the democratic way of life, and the introduction of democratic patterns of governing require time, patience, and partnership. Chances are that democracy in Africa, Asia, and Latin America will take many decades to grow and flourish. But it is far better to have this democratic goal before us than not to have any goal at all. As we advance toward democratic ways of life and ways of governing across the face of the earth, we also reduce those areas where totalitarianism, especially communism, can make its appeal.

We may make every effort to advance democracy in world affairs. But what kind of progress will this be if we neglect democracy at home? I do not honestly believe that we can preach what we do not always practice.

We tell the Africans that democracy means full citizenship, yet there are some American citizens who are denied the vote. We tell our South American neighbors that we believe in equality of opportunity, but we have slums and underprivileged children. We tell the Asians that democracy abolishes religious discrimination, and in certain places we have "exclusive" resorts. We undermine the official work of the U.S. Information Agency throughout the world when we neglect to practice democracy as a way of life in our hometown. It is not enough to blame these lapses from democracy on the other fellow—on the South, on suburbia, on cities, on the rich or on the poor, on business or on labor, on the administration, on Congress, or on the schools. As citizens, we are all involved in these national problems.

No society is perfect. History does not record any nation in which the ideal has ever been attained. But we can heal the scars found in America through our dedication to democracy. It isn't very difficult to catalog the advantages of democracy. Many, however, are reluctant to talk openly and frankly about the obstacles within a democracy which impair equality of opportunity. Patterns of racial and religious prejudice and discrimination, the inclination to place a far greater value on the conspicuous, material, affluent way of life rather than upon the more meaningful aspects of democratic living, and an unwillingness to share with others, set back the whole scheme of the democratic way of life.

Although publicity has focused on the American South as far as racial discrimination is concerned, the American North is hardly blameless. This national problem has disgraced democracy and has gravely impaired its appeal to people in the Afro-Asian world. If the patterns of racial discrimination found in the United States represent democracy, the Afro-Asians point out, then this is not the ideology for those of us who also do not have white skins. When a citizen of the Congo sees a Negro in Selma, Ala., being attacked by a heavily armed policeman, he is certainly not moved to admire democracy. An Indonesian, reading in his papers about race riots in Chicago, is not apt to be favorably inclined toward the democratic ideology also.

But the benefits of democratic living come at a price. If that price is not paid, the benefits themselves will not long endure. It involves a sincere belief in, and full practice of, the brotherhood of man, the placing of no barriers to equality of opportunity for all, and effective participation in the processes of democratic government. The practice of democracy in our everyday life helps to spread democracy throughout the world. The great appeal of our way of life lies in the power which it hands to each individual.

Men have struggled and worked and died for this dream throughout the pages of history. But this dream will fade unless we match the privileges of democracy with hard work and dedication to the principles of the democratic ideology. This compromise or balance may at times be difficult, but we must never think of democracy as a one-way street.

Democracy, at present, is more widely practiced than at any other time in history and is making encouraging progress. But this progress is dependent on our daily stressing of the positive side of democracy. Democracy will thrive at home and abroad, provided the peoples in the democracies make the promise of the democratic ideal come true, rather than leaning on the accomplishments of democracy in the past and the present.

Some people say that the inevitable triumph of the democratic idea is far too idealistic and impossible of achievement in the complex world in which we live. But it is far better to have ideals and targets toward which all of us work, rather than to have no idealism at all. We must mix idealism with realism. Many minds must be brought to bear on establishing the goals toward which we work and a program through which to attain them.

An ideology combines a way of life with a way of governing. By truly practicing democracy as a way of life at home, we can insure that our example will advance democracy abroad. By dedicated application of democracy as a way of government, we can further democracy in world affairs through official policy. If democracy by example and policy guides our behavior within America and on the global stage, the promise of liberty and the dignity of man will be within the reach of us all.

WITH WITHDRAWAL OF U.S. MARINES FROM THE DOMINICAN REPUBLIC

Mr. LONG of Louisiana. Mr. President, last Thursday President Johnson announced that he was ordering withdrawal of the remainder of our marines from the Dominican Republic. This Nation and the world owe an everlasting debt of gratitude to those courageous men of the U.S. Marines who moved to evacuate innocent foreign nationals, including citizens of the United States, from the civil warfare that raged in Santo Domingo at the time of President Johnson's decision to send in the marines.

The marines protected many persons who were not citizens of the Dominican Republic, and fears that the United States was aiming a long-range occupation of the island were wholly unjustified.

In no way do I mean to diminish the fine work done by the 82d Airborne Division. These courageous soldiers still are on duty to prevent unnecessary bloodshed and to assure the people of the

Dominican Republic that the revolt does not result in another Communist regime like that in Cuba. We are merely there to see that the people of the Dominican Republic are guaranteed free elections and other democratic processes.

Mr. President, at that time there was a great hue and cry from some sources about a return to the earlier days when the United States did, upon some occasions, use the Marines for long-term occupation of certain places in Latin America. It is understandable that the peoples of Latin America might fear such a thing. They were, of course, encouraged in that fear by the Communist propagandists—as they are always encouraged to criticize and malign the United States.

In our own country, however, there was no such excuse, and yet we heard then, and we hear now, voices within our own councils which say much the same thing. I hope that President Johnson's action in withdrawing the marines at the earliest possible moment will tend to still these voices, which are essentially the voices of dissension and division, at a time when the President is facing so many critical and delicate situations throughout the world.

President Johnson is a man of reason and restraint, dealing one after the other with crises which are thrust upon him, and dealing with them with tolerance, patience, and the judicious use of the great military power and tremendous resources of this mighty Nation.

President Johnson found that this action was necessary to save the lives of the foreign civilians who were there—citizens of this country, and citizens of other countries—who were caught in this sudden and brutal outburst of violence, which was growing rapidly more savage and uncontrolled.

Armed gangs were running through public rooms and corridors of the principal hotel which housed our representatives and those of other countries, firing rifles and submachineguns through the walls and windows. Our Ambassador, and I think he showed great good sense in his action under the circumstances, took the telephone and went underground. He got down under the desk in order to continue reporting to the President and the Secretary of State.

It is indeed surprising that, despite all that was going on then, and all that has gone on since, not one national of another country lost his life. The marines went ashore instantly, established the necessary sanctuaries, protected them, and arranged for the orderly evacuation of those who wished to leave. There was not a single life of a foreign national or visitor lost.

One of those who criticized our actions in sending in the marines was President de Gaulle of France. It is worth noting, however, that this did not prevent the French Ambassador to the Dominican Republic from taking advantage of our protection for French citizens, and, in fact, the protection zone was enlarged to include the French Embassy after the marines had already taken up their positions.

I wish it were possible to say that there were no lives lost, and no injured and wounded, as a result of this necessary action, Mr. President, but unhappily this cannot be said. Eight fine marines have died and 29 have paid in lesser measure for the success of this operation. We should all pay our homage today to these young men, and express our sympathies with their families and friends who now will miss them in the intimate ways that always accompany such tragedies.

While our purpose in entering Santo Domingo was to protect our own citizens and the citizens of other countries, we were certainly very much concerned about the circumstances and conditions prevailing for the people of this island.

At the time the marines landed, the people of the island were caught between the two forces. They were bombed and strafed in the streets of Santo Domingo; they were starving. Many of them were being put up against the wall and shot. The sanitary conditions were the cause of serious concern for the health of the people, and widespread epidemics were feared.

Much of this has now changed. We have brought in food and have assisted in bringing about arrangements which give hope of stabilizing the situation, at least for the helpless noncombatants. We are providing funds for the necessary governmental services and operation of other vital institutions.

We still have troops in the Dominican Republic, but they are there now in association and cooperation with the majority of the members of the Organization of American States. We are joining fully in the efforts to reach some political solution of the difficult problems which still exist. Our objective will continue to be to find this solution, and to withdraw the remainder of our forces from the island.

President Johnson has given concrete evidence of the peaceful course he will pursue by withdrawing the marines. There is no doubt whatsoever that President Johnson's future actions will be fully in keeping with his order of last Thursday.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GRUENING. I am happy to say that I heartily approve of the President's policy in the Dominican Republic to date. I feel he had to act as he did. He said so from the very start. He moved first to save American lives and, second, to prevent what he feared might be a Communist takeover—both wholly worthy and commendable objectives.

Third, he moved as rapidly as possible to make the problem a multilateral affair, with the assistance and cooperation of our sister American Republics, by calling on the Organization of American States to come in and help work out the Dominican problem.

If out of this tragic situation in the Dominican Republic we can get a permanent peacekeeping force in the Americas, in which the United States will be merely one of a number of nations cooperating, I feel definitely that we shall have brought about an event of lasting significance and a great turning point in the history of the Americas.

For that reason I believe the President's policy, both on the immediate range and on the long range, are highly commendable. He deserves unqualified praise. I am happy to say this because of the fact that I do not agree with our policy in southeast Asia.

I thank the Senator for yielding to me.

Mr. President, I now should like to speak on my own time for a little more than 3 minutes.

The PRESIDING OFFICER (Mr. COOPER in the chair). How much time does the Senator desire?

Mr. GRUENING. About 10 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

THE MESS IN VIETNAM XVII: THE STEADILY WIDENING WAR

Mr. GRUENING. Mr. President, in its leading editorial this morning entitled "Ground War in Asia," the New York Times states:

> The American people were told by a minor State Department official yesterday that, in effect, they were in a land war on the continent of Asia. This is only one of the extraordinary aspects of the first formal announcement that a decision has been made to commit American ground forces to open combat in South Vietnam: The Nation is informed about it not by the President, not by a Cabinet member, not even by a sub-Cabinet official, but by a public relations officer.
>
> There is still no explanation offered for a move that fundamentally alters the character of the American involvement in Vietnam. A program of weapons supply, training and combat advice to South Vietnamese, initiated by Presidents Eisenhower and Kennedy, has now been transformed by President Johnson into an American war against Asians.

The editorial continues with the question:

> Is it not more likely that political irresponsibility in Saigon will grow, rather than decline, as the main military responsibility for defending South Vietnam is transferred increasingly to American hands?

And concludes:

> The country deserves answers to this and many other questions. It has been taken into a ground war by Presidential decision, when there is no emergency that would seem to rule out congressional debate. The duty now is for reassurance from the White House that the Nation will be informed on where it is being led and that Congress will be consulted before another furious upward whirl is taken on the escalation spiral.

The American people deserve and should get straight answers from the administration as to just where we are going in Vietnam. It deserves more than mislabeling as "advisers" American Armed Forces personnel who have for quite some time now been in the frontline of the fighting in South Vietnam. It deserves more than statements that our marines are in South Vietnam only as defensive troops to protect our bases.

I ask unanimous consent that the editorial from today's New York Times entitled "Ground War in Asia" be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. This changing character of the war in Vietnam has been noted in recent days by other knowledgeable writers.

Writing from Saigon on June 4, 1965, Malcolm Browne, Associated Press reporter, notes that the Vietnam war is changing in character and is "being transformed into an enormous meat grinder, in which both sides are now making an all-out drive to bleed each other to death. It is a meat grinder in which America for the first time has an active part—on both the giving and receiving end."

These are disturbing words coming from a wholly reliable correspondent who won a Pulitzer Prize for his reporting of events from Vietnam under the most difficult circumstances and who, in an excellent book entitled "The New Face of War" has set forth his trying experiences in attempting to get the truth to the American people.

He is still trying and his words should be heeded, even though they are not entirely unexpected to those of us who have been following the events in Vietnam closely.

Mr. Browne, in his news dispatch, goes on to say:

> U.S. officials predict that American casualty tolls will increase from now on as American Marine Corps and Army paratrooper units move deeper into the battle.
>
> U.S. air strikes on North and South Vietnam have increased in recent months to the point that they are now round-the-clock operations.
>
> In the north, strikes have been limited to military installations, roads and waterways well south of Hanoi. There seems no immediate prospect of bombing North Vietnam's cities or civilian industries.
>
> But in the south, huge sectors of the nation have been declared "free bombing zones," in which anything that moves is a legitimate target. Tens of thousands of tons of bombs, rockets, napalm and cannon fire are poured into these vast areas each week. If only by the laws of chance, bloodshed is believed to be heavy in these raids.
>
> In exchange, the Vietcong is exacting its pound of flesh.
>
> In the past week, big Vietcong units prowling through the jungle-covered mountains of central Vietnam have chewed up three government battalions so badly that these units will not be able to fight again for a long time. Government casualties in these ambushes probably have exceeded 1,000 men.
>
> The Vietcong have clearly shifted gears from what they call "guerrilla warfare" to "mobile warfare."
>
> The Communist concept of mobile warfare is essentially guerrilla operation on a vastly expanded scale, in which whole battalions and regiments are used in mounting ambushes. Ambushes remain the key feature of the war.
>
> The Saigon government and its American ally control the air above South Vietnam and some of its roads and waterways. The Vietcong controls much of the rest of the nation.
>
> Government units move mostly by truck, plane, and helicopter. Vietcong units move on foot through the trackless jungle. This means the Communists generally have the advantage in setting up their ambushes.
>
> Roads, particularly those that wind through the mountain passes of central Vietnam, are ideal places for ambushes. Even helicopters must land in clearings, which in the jungle are often only tiny patches of ground.
>
> The Vietcong can and often does set up traps around these clearings, with .50-caliber machineguns trained on the places helicopters will be forced to land.
>
> As the fighting grows hotter it becomes more brutal. Neither side is taking many prisoners any more. Soldiers caught off side now are generally shot on the spot or tortured to death.

Mr. Richard Starnes in the Washington Daily News for June 4, 1965, also comments on the steady escalation of the undeclared war in Vietnam.

Mr. Starnes begins his article, entitled "The Escalating War" with the statement:

> The American people are not alone in their blissful ignorance of the coming demands for men to feed the insatiable jungle war in Vietnam. A completely reliable source who was present at a White House briefing tells me this:
>
> "I saw U.S. Senators blanch when Robert McNamara told them that they had to prepare to see 300,000 American men sent to Vietnam.
>
> "I never thought I'd live to see such a thing in the United States, but McNamara told the briefing quite cheerfully that things were looking up in Vietnam because we were now killing four times as many men as we were losing."
>
> The briefing which was one of dozens that the White House has conducted in an effort to sell its Vietnam policy, concluded with talks by Secretary of State Dean Rusk and "big daddy" himself.

From news stories of troop movements to Vietnam, it is evident that it will not take long to build up to the 300,000 fighting men in Vietnam predicted by Secretary McNamara.

Those of us who have heard the discussions in the cloakrooms of the Senate are quite aware that many of our colleagues are having second thoughts about the southeast Asia resolution passed overwhelmingly on August 7. I voted against that resolution as did the Senator from Oregon [Mr. Morse] and nothing in the events of the past 10 months since that date has caused me to doubt the wisdom of voting against the resolution placing a blank check in the hands of the President to commit our Armed Forces to fighting anywhere in southeast Asia against undeclared enemies.

Mr. Starnes continued in his column:

> "Rusk had nothing new to say, but he kept saying it at such great length that finally the President, who was sitting in the front row, started looking ostentatiously at his watch," my informant reports. "But Rusk missed the cue, until at last the President just got up and nudged Rusk away from the lectern."
>
> What the Senators heard then is a thing that has caused something very near to cloakroom consternation. Mr. Johnson sailed into a defense of his escalation of the war in Vietnam, and bluntly told his audience that they had authorized it and, by implication, must share the responsibility for it.
>
> The President said he was frequently asked what his policy in Vietnam was. Then, with the subtlety of a sledgehammer, he told the Senators that the Congress had laid down the policy in a resolution passed last August 7 by a vote of 504 to 2. And, said the President, he was doing his best to carry out that resolution.
>
> The source of this account, who knows the Senate intimately, reported that, in spite of the near unanimity of congressional support for administration Vietnam policy, Senators are still "rankled" over Mr. Johnson's bland assumption that the August 7 resolution authorized escalation of the war in southeast Asia.
>
> The resolution, passed in the fever of indignation that followed reported attacks by North Vietnamese torpedo boats against U.S. fleet units in Tonkin Gulf, comes very close to saying what President Johnson says it says—whether the Senators who voted for it like to admit it or not.
>
> The resolution authorized the President "as Commander in Chief, to take all necessary measures to repeal any armed attack against the forces of the United States and to prevent further aggression."
>
> Note well that the resolution was not limited to Vietnam but specifically asserted that the U.S. goal was "assisting the people of southeast Asia" to fight off alleged aggression. That means just what it says—Congress "approves and supports" anything Mr. Johnson deems necessary to prevent further aggression in the area, and it is now somewhat late for whatever second thoughts are occurring in Capitol cloakrooms.
>
> Whatever doubt may have existed as to the intent of the August 7 resolution was dispelled last month, however, when Congress dutifully voted a blank check $700 million appropriation to finance the expanding war. This time the division was 596 to 10, still a sufficiently lopsided vote to assure history that the 89th Congress had supported escalation in the Pacific whether it knew what it was doing or not.

This same growing unrest in the Congress and its questioning of the wisdom of its abdication of a voice in the conduct of our foreign policy is noted by the New York Times in its leading editorial on June 7, 1965, entitled "Congress and Vietnam" which begins:

> Signs are growing of congressional interest in ending the leave-it-to-Lyndon era in American foreign policy.

The Founding Fathers intended the framing of our foreign policy to be a partnership between the executive and the legislative branches of the Federal Government with each acting as coequals.

We are now seeing the harmful effects of treating the formulation of foreign policy as the exclusive prerogative of the executive branch of the Government.

The editorial in the New York Times contains the following observations:

> Factors that go beyond the President's limited experience in foreign affairs and the extraordinary vacillations in Dominican policy have set off the present questioning at home and abroad. The reluctance of Secretary of State Rusk to employ the full resources of his Department and give independent advice, the meager use made by the President of nonofficial task forces in the foreign policy field, the overdependence on military and intelligence agencies and the divorce between the administration and the Nation's intellectuals—all point to a need for more vigorous congressional interest.
>
> Nowhere is this more vital than on Vietnam, where grave constitutional questions are raised by the official acknowledgment of an increasing combat role for American troops. During the 18 months of the Johnson administration, the number of American troops in Vietnam has been tripled to about

> 46,500; a further buildup to more than 60,000 appears imminent. American planes have entered into combat both in South and North Vietnam—in the latter case openly attacking a foreign country with no declaration of war. American warships have bombarded the North Vietnamese coast. And there are indications that American ground troops—first employed as advisers in South Vietnam, then deployed to defend American installations and now directly engaged in patrolling action—will soon take on a full combat role as a tactical reserve aiding South Vietnamese units in trouble.
>
> Yet at no point has there been significant congressional discussion, much less direct authorization of what amounts to a decision to wage war. That is why 28 Democratic Congressmen, on the initiative of Representative ROSENTHAL, of Queens, now have wisely asked the chairman of the House Foreign Affairs Committee to hold public hearings on the administration's Vietnam policy.
>
> American casualties in Vietnam, while still relatively minor, already exceed those of the Spanish-American War. The choices open to the President are exceedingly difficult ones; they should not be his alone, either as a matter of sound policy or of constitutional obligation. If he takes it upon himself to make an American war out of the Vietnamese tragedy, without seeking congressional and national consent, he may open the country to divisions even more dangerous than those that developed out of the Korean conflict.

I ask unanimous consent that the entire editorial from the New York Times for June 7, 1965, entitled "Congress and Vietnam" be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRUENING. How singularly individualistic the war in Vietnam has become was commented on by columnist Drew Pearson in his column in the Washington Post on June 4, 1965, under the heading "President Johnson's Personal War." Mr. Pearson states:

> The war in Vietnam has also become a lonely war and to some extent a personal war for one man. * * * It's become personal today, because the President feels it so keenly and directs it so carefully. Every morning at 3 he wakes up and calls the White House security room. Three in the morning is about the time the news is in from Vietnam on the casualties and the hits after each bombing raid.

Mr. Pearson concludes this portion of his article as follows:

> The North Vietnamese have been winning. Our bombing raids have not stopped the supply of troops and supplies from going south or the guerrilla raids by the Vietcong.
>
> The Russians, who normally might have acted as intermediaries, were put on the spot by our bombing of the north. The Chinese have chided them with being too friendly to the United States in the past, and with forsaking their alleged former role as the champion of small nations. So it's difficult for them to side with the United States now.
>
> The Chinese are delighted at the predicament of both Moscow and Washington. They don't want the Vietnamese war to end. The longer it lasts, the more the United States and Russia become at swords' points, and the more the smaller nations of southeast Asia pull away from the United States into the Red Chinese camp.
>
> In brief, the military advisers who sold the President on the strategy of bombing North Vietnam failed to understand oriental politics. Though he inherited the Vietnamese problem, they sold him on enlarging it into a mess that could either lead to world war or is almost insoluble without serious loss of face.

I ask unanimous consent that the entire column written by Drew Pearson in the Washington Post for June 7, 1965, entitled "President Johnson's Personal War" be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. GRUENING. An excellent series of articles on Vietnam recently appeared in the New York Herald Tribune. They were written for the New York Herald Tribune by its special correspondent Beverly Deepe from Saigon.

I ask unanimous consent that Beverly Deepe's articles appearing in the New York Herald Tribune on May 30, May 31, June 1, June 2, June 3, and June 4, 1965, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. GRUENING. Communism cannot be fought with nothing.

A strong, capable, noncorrupt government in Saigon has been needed for years to bring about the social and economic reforms so necessary to show the people of South Vietnam that they can have liberty and economic and social justice.

But Beverly Deepe's articles show why needed reforms were thwarted.

In her fifth article she discusses the long delay in land reform and how the government at Saigon was playing the landlord's game:

> "The most important question in the Vietnamese countryside besides security is land reform," an American technician said, "yet virtually nothing has been done about it.
>
> "The Vietcong are gaining a lot of points with the peasants by simply issuing land titles—and it costs them nothing. They take the land from the landowner and give it away. Nothing we give to the peasants—like pigs, insecticides, or fertilizer—is as important as land."
>
> American technicians and provincial officials for the past several years have urged the implementation of an effective land reform program. Two land distribution schemes currently have been written, but neither has been accepted. Higher officials of the American Embassy and in the Agency for International Development believe land reform is not the panacea for Vietnam's problems.
>
> A program for the training of land-reform cadre is under consideration. But the program will not be instituted until the other day—when the Vietcong Communists have been defeated.
>
> WARNING
>
> However, one Vietnamese general recently warned American generals and officials that American-backed efforts to pacify the provinces would fail unless they were linked with land reform.
>
> "When the Vietnamese National Army goes back to pacify areas from the Vietcong, the local landowner goes back with them, offering to serve as intelligence agent," the general explained. "Obviously he wants to collect his back rent. So when the army pacifies the area it pacifies it for the landowner and not for the peasant.
>
> "Of course, 35 percent of the peasants are landless. They become fanatics and will fight for the land given them by the Vietcong because it's as important to them as life."

One U.S. official described as "horror stories" the actions of some landowners to collect back rent, once Government forces had pacified Vietcong areas.

According to reliable sources, in other cases, when the Vietnamese Government Army attempts to pacify the area, the commanders simply ignore the problems of land reform, refusing to collect back rents—but also refusing to confirm the landownership rights.

In Vietcong-controlled areas, if landowners or their agents return to collect back rent the matter is simple. The peasant complains to the Vietcong, and the agent is shot.

> "The question of land reform is quite simple," one low-ranking Vietnamese provincial official explained. "The government represents the landowners; the ministers and generals are either landowners or friends of landowners. The Catholic Church owns land. The Buddhist Church owns land. Nobody is interested in fighting for the poor peasant. And the top Americans—well, they talk to only the ministers and rich people so they don't push it either."

Beverly Deepe in her fourth article describes "How the United States Built on the Quicksand of Asian Politics." She says:

> Since November 1963, the country has been in a state of political crisis. Sources in Saigon now argue that it would be a mistake to rebuild a counterideology—even if it could be done. They say instead that the Saigon government must reform itself and "out-revolutionize the Communists—but do it 10 times better and 50 times faster than the Communists themselves."
>
> The dilemma of American policymakers is the schizophrenic nature of the Vietnamese society itself. The governing class is generally urban-based, French-educated with an aristocratic position based on either family background, money or landownership. This elite minority attempts to govern the masses although it knows little about them and is concerned less.
>
> After 10 years of administering the largest U.S. medical aid program in the world, American officials here still have little influence on Vietnamese medical affairs. One American-trained Vietnamese doctor said that a medical degree from an American medical school still is not readily recognized in Vietnam, on the other hand, a "parachute degree"—a degree virtually bought with money from a second-rate medical school in France—is easily acceptable by "the Mafia."
>
> The two best hospitals in Saigon are French operated. They are also the most expensive. There is no good American hospital in Saigon for the Vietnamese population (although there are two American-operated hospitals in France). Requests by the American-operated Seventh-day Adventist Missionary Hospital to expand their 30-bed clinic have repeatedly been refused.
>
> American officials in Saigon have not effectively pressured the Saigon government to correct "this rot within," in the words of a Vietnamese anti-Communist. Instead, they have superimposed upon the rot a spectacular medical program in the provinces.
>
> "The Americans think we should fight for democracy," one young Vietnamese intellectual explained. "But, in fact, the Vietcong fight because of the lack of democracy."

But her most devastating article is entitled: "Corruption—Hottest Saigon

Issue" and shows how corruption on high in Saigon—winked at and ignored by U.S. officials—was and is one of the causes for effective support of the Government at the grassroots—support which is essential.

The article states, in part:

> The hottest issue in Saigon is not bombing Hanoi, nor Vietcong terrorism, nor possible negotiations for peace. It is corruption.
>
> Vietnamese sources—generals, majors, captains, ex-ministers, economists—say that corruption has now reached scandalous, unprecedented proportions.
>
> Highly placed sources in Saigon—American, Vietnamese, and Western—urged tighter controls on Vietnamese Government funds and on American aid and goods.
>
> The issue is considered a gift for the Vietcong Communists, who promise the workers and peasants justice and equality. It also has caused friction within the Vietnamese Government and armed forces.
>
> One high-ranking American official in the U.S. Agency for International Development (AID) reportedly estimated that 30 percent of American economic aid was unreceipted or unaccounted for last year. A low-echelon American provincial official says some of the 45 Vietnamese provinces had not submitted vouchers for expenditures during the past 3 years.
>
> The original purpose of American advisers was to train Vietnamese to use the equipment—"and to keep track of the equipment, which sometimes took some doing," one American captain who worked on the program for 2 years said.
>
> "We brought in air conditioners for hospitals—they ended up in the general's house. We brought in hospital refrigerators to store vaccines in. The vaccines spoiled and the refrigerators wound up in the general's house."
>
> These are the comments and criticisms which the highly placed sources in Saigon made about the commercial import program and sales of farm surplus commodities.
>
> First, according to one Vietnamese economist and ex-minister, economic aid doesn't aim at an economic target, but is only in support of a military machine. About four-fifths of the U.S.-generated piasters in 1964 were allocated to support the Vietnamese military budget.
>
> CONSPICUOUS WEALTH
>
> Second, the commercial import program has enriched and enlarged the upper middle class elements in Saigon and other cities, but it has also accentuated the extremes between the urban and rural classes. Often you bring in a whole lot of things for the richer middle class with conspicuous consumption, and the Vietcong can play on this, saying it enriches the middle class and bourgeois, one Western ambassador said.
>
> Third, the rural communities, especially earlier in the program, received a relatively small proportion of the commercial import aid. Between 1955 and 1960, when the Vietcong began organizing and recruiting in the countryside, only 4 percent of the direct and indirect American aid was funneled into the rural population, which is an estimated 85 percent of the total population.
>
> Fourth, the commercial import program has not been geared to assist the building of industries which funnel Vietnamese agricultural products into the light industrial sector. During the critical period of Vietcong formation in the countryside, from 1955 to 1960, American economic aid assisted in the establishment of 58 companies. But about 70 percent of these depended on imported raw materials: even the papermills needed to import woodpulp.
>
> The Vietnamese officials have therefore devised an effective system of padding their vouchers and receipts.
>
> "Suppose a wooden bridge costs 1,600 piasters to build," an American district adviser complained, "the contractor adds another 200 piasters and the district chief adds another 200 piasters. I can practically see the money flow into their pockets, but they give me a receipt for 2,000 piasters. What can I do to disprove them?"
>
> One Vietnamese province chief under the Ngo Dinh Diem regime admitted he ordered a few of his loyal troops to blow up his own bridge that was half constructed so that they could let another construction contract.
>
> Some Vietnamese regional and regular units are known to possess phantom troops—troops that never existed, or were killed or deserted but never reported as lost. Their paychecks slip into the hands of privileged commanders.
>
> "What it boils down to is whether to have a social revolution or not and clean up this government," a Vietnamese economist explained. If America is too scared to do it—the Communists will, and will win the people. The people want justice. They don't care if they have a democracy or a dictatorship—if the government comes in with bullets or ballots. But they want justice—even if it is harsh. The Vietcong are harsh, but they are just.

The basic conclusion arrived at in this excellent series is summed up at the beginning of the second article:

> U.S. policy in South Vietnam is frozen in a negative posture that concentrates on military victory while failing to produce the sort of dramatic political strategy that would make such victory possible.
>
> This, at least, is the opinion of highly placed sources in Saigon who have watched the American involvement here grow steadily for more than a decade.
>
> In their view, the U.S. attitude is essentially anti-Communist rather than pro-something. The overwhelming impression is that the American policymakers are attempting to stem the tide of Communist aggression or to teach Hanoi a lesson. But this implies a political status quo in a country that is changing in its post-colonial development, and is, indeed, fighting for change.
>
> "Nothing negative has ever prevailed over something positive," the Western military expert commented. One of the most frequently asked questions by Vietnamese captains and majors on the battlefront is "What are we fighting for?" as they look at the political turmoil in their rear area at Saigon.

I ask unanimous consent that the article by Mr. Richard Starnes and Malcolm W. Browne be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 5 and 6.)

EXHIBIT 1

[From the New York Times, June 9, 1965]

GROUND WAR IN ASIA

The American people were told by a minor State Department official yesterday that, in effect, they were in a land war on the continent of Asia. This is only one of the extraordinary aspects of the first formal announcement that a decision has been made to commit American ground forces to open combat in South Vietnam. The Nation is informed about it not by the President, not by a Cabinet member, not even by a sub-Cabinet official, but by a public relations officer.

There is still no explanation offered for a move that fundamentally alters the character of the American involvement in Vietnam. A program of weapons supply, training and combat advice to South Vietnamese, initiated by Presidents Eisenhower and Kennedy, has now been transformed by President Johnson into an American war against Asians.

It was the bombing of North Vietnam that led, in turn, to the use of American jet aircraft in South Vietnam and the emplacement of American marines and paratroopers to defend American airbases. Now, with American air support hampered by the monsoon rains, American ground troops are to be made available as a tactical reserve to help South Vietnamese units in trouble.

It can all be made to sound like a gradual and inevitable outgrowth of earlier commitments. Yet the whole development has occurred in a 4-month span, just after an election in which the administration campaigned on the issue of its responsibility and restraint in foreign military involvements.

Since March, American forces in Vietnam have been more than doubled to 52,000, as compared to 14,000 when President Johnson took office. Additional troops are moving in and a buildup to 70,000 is indicated. There has been neither confirmation nor denial for reports that a force exceeding 100,000 is planned, including three full Army and Marine divisions. Nor is there any clarification on whether the so-called combat support role now authorized—combat in support of South Vietnamese units—is to be transformed later into offensive clear and hold operations of a kind hitherto carried out only by South Vietnamese forces. Apart from the obvious difficulty American troops would have in distinguishing guerrillas from the surrounding population, such a war ultimately might absorb as many American troops as were employed in Korea.

A major factor in the original escalation decision—the decision to bomb North Vietnam—was the political crisis in Saigon after eight changes of government in little more than a year. The bombing was urged upon President Johnson as the only way to shore up morale, halt the factional feuding, and prevent a complete political collapse in South Vietnam.

Is it only a coincidence that the decision to enter the ground war has come during another political crisis in Saigon? There may be a need to prop up the government of Premier Phan Huy Quat against the Catholic and southern factions which made a constitutional issue out of his recent Cabinet reshuffle and still seek to bring him down. But is it not more likely that political irresponsibility in Saigon will grow, rather than decline, as the main military responsibility for defending South Vietnam is transferred increasingly to American hands?

The country deserves answers to this and many other questions. It has been taken into a ground war by Presidential decision, when there is no emergency that would seem to rule out congressional debate. The duty now is for reassurance from the White House that the Nation will be informed on where it is being led and that Congress will be consulted before another furious upward whirl is taken on the escalation spiral.

EXHIBIT 2

[From the New York Times, June 7, 1965]

CONGRESS AND VIETNAM

Signs are growing of congressional interest in ending the "leave it to Lyndon" era in American foreign policy.

There is Senator FULBRIGHT's new proposal to give the OAS a major voice in channeling American military assistance to Latin America. There is the provision in the new foreign aid bill for a thoroughgoing congressional investigation and for terminating the aid program in its present form in 1967.

There is the trip to Europe, at their own expense, of four House Republicans to investigate the crisis in NATO. And there are the recent criticisms of administration policy in Vietnam and the Dominican Republic by

Senator Robert F. Kennedy, plus his current charge that the United States is neither meeting its aid responsibilities to the underdeveloped countries nor identifying itself with the world revolution underway in those areas.

Factors that go beyond the President's limited experience in foreign affairs and the extraordinary vacillations in Dominican policy have set off the present questioning at home and abroad. The reluctance of Secretary of State Rusk to employ the full resources of his department and give independent advice, the meager use made by the President of nonofficial task forces in the foreign policy field, the overdependence on military and intelligence agencies and the divorce between the administration and the Nation's intellectuals—all point to a need for more vigorous congressional interest.

Nowhere is this more vital than on Vietnam, where grave constitutional questions are raised by the official acknowledgment of an increasing combat role for American troops. During the 18 months of the Johnson administration, the number of American troops in Vietnam has been tripled to about 46,500; a further buildup to more than 60,000 appears imminent. American planes have entered into combat both in South and North Vietnam—in the latter case openly attacking a foreign country with no declaration of war. American warships have bombarded the North Vietnamese coast. And there are indications that American ground troops—first employed as advisers in South Vietnam, then deployed to defend American installations and now directly engaged in patrolling action—will soon take on a full combat role as a tactical reserve aiding South Vietnamese units in trouble.

Yet, at no point has there been significant congressional discussion, much less direct authorization of what amounts to a decision to wage war. That is why 28 Democratic Congressmen, on the initiative of Representative Rosenthal, of Queens, now have wisely asked the chairman of the House Foreign Affairs Committee to hold public hearings on the administration's Vietnam policy.

American casualties in Vietnam, while still relatively minor, already exceed those of the Spanish-American War. The choices open to the President are exceedingly difficult ones; they should not be his alone, either as a matter of sound policy or of constitutional obligation. If he takes it upon himself to make an American war out of the Vietnamese tragedy—without seeking congressional and national consent—he may open the country to divisions even more dangerous than those that developed out of the Korean conflict.

Exhibit 3

[From the Washington (D.C.) Post, June 4, 1965]

President Johnson's Personal War

(By Drew Pearson)

War, no matter what the circumstances, is tragic business. However, the war in Vietnam has also become a lonely war and to some extent a personal war for one man.

This is not because the President began it. It began 18 years ago under the French, was picked up 10 years ago by President Eisenhower, and increased 4 years ago by President Kennedy.

It's become personal today because the President feels it so keenly and directs it so carefully. Every morning at 3 he wakes up and calls the White House Security Room. Three in the morning is about the time the news is in from Vietnam on the casualties and the hits after each bombing raid.

The President worries over these, broods over them, wants to know, no matter what the hour of the night, just what has happened.

One reason for this personal direction is that the President is worried over the possibility of enlarging the war. He knows how easy it is for bomber pilots to make a mistake, or how dangerous it can be to jettison their bombs on their way home.

On the usual wartime bombing raid, a mission will fly over a target, attempt to knock it out; but if the clouds are low or an enemy plane gives trouble, the bombers may drop their payload indiscriminately on the way back, regardless of military targets.

TARGETS OF CONCRETE

Not, however, with the war in Vietnam. Mr. Johnson has given strict orders that only the targets he picks out are to be hit—and these are bridges, ammunition dumps, railroad centers and military installations.

"We're knocking out concrete, we're not hitting women and children," he has frequently told his aides.

In addition to his care to avoid civilian casualties he is concerned over any bombing mission that might stray over the line into China, or give the Communist Chinese the slightest provocation to enlarge the war.

This is why the war in and over Vietnam has been a lonely war, a personal war directed by a man who goes to bed well after midnight, but wakes up automatically at 3 a.m. to check on the military targets he has personally pinpointed.

Under the Constitution, he tells friends, he is charged with the conduct of war. But regardless of the Constitution, he knows that if there are failures, or if the war spreads, he will get the blame. So he is taking the responsibility.

INSOLUBLE MESS

When the President outlined his Baltimore peace proposals they were also personal, especially his plan for a giant series of dams on the Mekong River to benefit all the Indochinese countries, including North Vietnam.

Mr. Johnson had hoped that this, coupled with his offer of unconditional peace talks, plus joint United States-U.S.S.R. aid, might induce the other side to sit down at the conference table. It didn't, for three reasons:

The North Vietnamese have been winning. Our bombing raids have not stopped the supply of troops and supplies from going south or the guerrilla raids by the Vietcong.

The Russians, who normally might have acted as intermediaries, were put on the spot by our bombing of the north. The Chinese have chided them with being too friendly to the United States in the past, and with forsaking their alleged former role as the champion of small nations. So it's difficult for them to side with the United States now.

The Chinese are delighted at the predicament of both Moscow and Washington. They don't want the Vietnamese war to end. The longer it lasts, the more the United States and Russia become at swords' points, and the more the smaller nations of southeast Asia pull away from the United States into the Red Chinese camp.

In brief, the military advisers who sold the President on the strategy of bombing North Vietnam failed to understand oriental politics. Though he inherited the Vietnamese problem, they sold him on enlarging it into a mess that could either lead to world war or is almost insoluble without serious loss of face.

BEHIND THE SCENES

The Central Intelligence Agency is using a mysterious airline that calls itself Air America to drop weapons and supplies to our guerrilla fighters in Communist-held areas of Laos and Vietnam. The CIA is trying to give the Reds a taste of their own guerrilla medicine * * * Senate investigators have discovered that the CIA not only watches suspicious mail, but actually opens the letters as part of its secret intelligence work. However, Senators will protect the CIA, will not reveal this in their probe of Government eavesdropping.

Exhibit 4

[From the New York (N.Y.) Herald Tribune, May 30, 1965]

(By Beverly Deepe)

Saigon.—One of the biggest puzzles of the Vietnam war is what makes the Communist Vietcong guerrillas fight so hard.

"It's fantastic the way the Vietcong lay it on," a Vietnamese-speaking American provincial representative commented.

"Young kids who fought with them explain it by saying the Vietcong create a 'new order and a new reality.' "

According to reliable persons who have talked with Vietcong prisoners and defectors, the Vietcong manpower—composed of 38,000 to 46,000 hard-core fighters and 60,000 to 80,000 part-time guerrillas—falls into two main categories: The older generation troops who fought against the French 15 to 20 years ago and a younger generation recruited in South Vietnam.

Of the first category, more than 70,000 Vietminh—as they were called during the French Indochina War—left their homes in South Vietnam when the country was partitioned in 1954 and went to North Vietnam, where they continued their training and indoctrination.

INFILTRATION

From 1956 onward, they gradually infiltrated back to their native villages. The most significant aspect of their return was a transfusion of political leadership into the south to organize and recruit younger southerners. Simultaneously, the Communists began a massive campaign of assassination of village government officials, virtually obliterating the Government's local leadership.

The older troops had fought the French for one reason: Independence, with its anti-French, anticolonial, antiwhite overtones. They fought and won with guns, but their most effective weapon was hate.

One member of a Vietminh suicide squad wrapped himself in gasoline-soaked cotton, ran into a French ammunition depot in Saigon and burned himself alive to destroy the installation. The story of the cotton boy swept through the countryside.

"My father even wanted me to volunteer to be a cotton boy," a Saigon businessman recently recalled.

Young Vietnamese students read French history books referring to "our ancestors, the Gauls." This example of French acculturation was countered by the Vietminh argument: "Please remember, your ancestors were not the French. You know your ancestors were the dragon and the fairy," a legend commonly accepted by the population.

According to prisoners in the older group, once they returned to South Vietnam in the late 1950's, they were surprised at what they found. They had been told the south must be liberated from its own poverty. One said he was astonished to see the Government troopers wearing boots. (Communist troops often wear rubber-tire sandals.)

Another said he had been told that two-thirds of South Vietnam had been liberated. But when he attacked Government villages the peasants fought his men. They had been told they must liberate the south from the American imperialists, but soon discovered they were fighting Vietnamese.

But few of these veterans defected to the government side. One oldtime propaganda agent captured in the south explained that he listened to the Voice of America and British Broadcasting Corp. to discover the truth. But he listened to the Hanoi radio to find out the correct party line.

He reasoned that if the party lied, there must be a good reason for it. The party knew best.

The younger generation Vietcong troops join the liberation army for different reasons. Some of them are virtually kidnaped. Others have personal grievances or are simply bored with life in the villages. The Vietcong promise them adventure, and a chance to see life and be educated.

There is no sharp overriding national cause which the Vietcong are pushing throughout the country, such as the anti-French campaign. But there are grievances.

Some unmarried males join to get away from their landowners. Some are fired from their jobs and join. Many prefer serving with the Vietcong rather than government forces because they believe they can stay closer to their families.

Some young married men join to get away from the in-laws; the Communists in the village promise to take care of the wife and children. (One Vietcong trooper returned to his village, found his wife and children destitute, picked up a rifle and shot up the Vietcong village committee.) One was talked into joining when a pretty girl promised to marry him if he did; he became disillusioned when he found she had promised to marry six other recruits also.

Some are simply kidnaped at gunpoint. One was led away with a rope around his neck. One was kidnaped only hours after his wedding.

One reliable source estimated that about 10 to 15 percent of the southern-born Vietcong troops were orphans. About 30 percent are farm laborers. About 80 percent came from the rural areas.

In the West, the war in Vietnam is an ideological confrontation with communism. In Vietnam, this is not the way it is regarded by many of the Vietcong.

The Communists operate behind the mask of the National Liberation Front, which exploits nationalism and xenophobism. It disguises its Communist core philosophy by sloganeering about freedom and democracy.

One Western diplomat explained the Communist appeal in these words: "The Communists have swiped the American ideals. The Communists are promising the peasants a New, Fair, Square Deal—land, reform, democratic elections, land courts for justice."

Hence, the appeal of the Communist guerrilla movement is not communism at all. One American official explained that of more than 200 Vietcong prisoners and returnees he interviewed, not one mentioned anything about Marxism-Leninism, atheism, collective farms.

But the Vietcong also have a strong appeal for youth. "The Vietcong promise them fun—that life will be gay," one source said. "Many of those who join believe they get this."

Even if a youth has been forced to join the Vietcong, a highly effective indoctrination session immediately begins to mold him into an enthusiastic, well-disciplined fighter.

Perhaps, this can be seen in their songs.

Neil Jamieson, 29, a Vietnamese-speaking provincial representative from Gloucester City, N.J., translated a number of Vietcong songs and talked with incoming Vietcong defectors.

One of the songs goes:

"We are peasants in soldier's clothing, waging the struggle for a class oppressed for thousands of years; our suffering is the suffering of the people.

"Many of their songs are centered on victory," Mr. Jamieson said. "They associate the soldiers with the peasants—fighting oppression, not only against the foreigners, but also the upper classes within society.

"The troops accept—in fact, glorify—hardship because it identifies them with the people. It's almost like old Christianity. It's like little kids' Sunday School hymns—the idea of picking up the Cross for Jesus but instead of a cross it's a pack."

He said most of the Vietcong songs were "upbeat, emphasizing the positive in a Norman Vincent Peale manner." Government songs were often sad.

A SPARTAN LIFE

"The young troops lived a very spartan life," Mr. Jamieson continued. They were short of medicine, and all suffered attacks of malaria. Many suffered real hardships. It was cold in the jungle, yet they didn't dare light a big fire.

"I talked with many of the Vietcong about their songs," he said. "After their evening meal, they would break into teams of three and have their self-criticism sessions. Each one would go through his experiences of the day, his life in society, and in his three-man combat team. If one of them was wounded in combat, the two buddies would take care of him.

"After supper they would go through this ritual. They are taught to do this immediately after joining the Vietcong by the older cadre, who told them that sins can be forgiven but to conceal anything is a blow against the group.

"If for example, the young trooper had lost his ammunition or weapon, he'd criticize himself. This psychological aspect is a great Vietcong strength.

"After the self-criticism session, there would be announcements by the cadre and then would sit around and sing to pass their time in the evening. They would sit around a small campfire, if security permitted—just like the Boy Scouts used to do. These youths were uneducated, but the Communists taught them about the sputnik and Castro and Cuba. They didn't understand it well, but they knew Cuba was a tiny country near America and America was a paper tiger when Cuba stood up to us and we were powerless to do anything to them.

"The troops were short of rice, yet each day they put a few grains from each meal in a bamboo tube. When there was enough they'd take it to a tribal village and have a party for the children.

"One youthful trooper was with the Vietcong for 3 years, and was a member of their youth organization, which is the halfway point to becoming a party member. He was recruited at gunpoint, but he didn't hate the Vietcong."

He told me: "If I told you what I thought about out there in the jungle you'd think I was crazy. The Vietcong create a new reality; you feel you are in the world and not out of it."

[From the New York Herald Tribune, Mar. 31, 1965]

OUR GIRL IN VIET—II: AMERICA'S FROZEN POLICY—VITAL POLITICAL POWER UNUSED

(By Beverly Deepe)

SAIGON.—U.S. policy in South Vietnam is frozen in a negative posture that concentrates on military victory while failing to produce the sort of dramatic political strategy that would make such victory possible.

This, at least, is the opinion of highly placed sources in Saigon who have watched the American involvement here grow steadily for more than a decade.

In their view, the U.S. attitude is essentially anti-Communist rather than prosomething. The overwhelming impression is that the American policymakers are attempting to stem the tide of Communist aggression or to teach Hanoi a lesson. But this implies a political status quo in a country that is changing in its postcolonial development and is, indeed, fighting for change.

"Nothing negative has ever prevailed over something positive," the western military expert commented. "One of the most frequently asked questions by Vietnamese captains and majors on the battlefront is, 'What are we fighting for?' as they look at the political turmoil in their rear area at Saigon."

HOLLOW WORDS

While some Americans in Saigon pay lipservice to the principles of freedom and democracy, these are, as one American Government employee noted, "hollow words that mean little in Asia."

A Western diplomat argues that the Western concepts of democracy and freedom have never been simplified and codified as have the Communist ideology. There are no American primers for democracy as there are Communist primers for revolution.

"One cannot understand these American principles unless he has reaped the benefits of them or seen them firsthand," the diplomat explained. Hence, he said, the principles in which Americans believe must be translated, demonstrated, and visualized for the Vietnamese by the Vietnamese Government, and this has yet to be done.

The main political problem during the past decade seems to have been to realize there is a political problem and to act positively.

The American policymakers, however, view the battle in Vietnam as principally, if not solely, a military operation against armed Communist guerrillas. They are operating dramatically on one front while the Communists are operating on six fronts—political, economic, social, cultural, psychological, and military, all integrated into one powerful stream of warfare.

"Suppose you lose your billfold in a dark place," one Vietnamese provincial official explained. "But you insist on looking for it where there is light because it is easier. Well, you are now looking for the Communists in the light place—the military field—but you never, never find them all—they are also where you refuse to look."

ECONOMIC AID

During the past decade, $1.1 billion was spent on the U.S. military assistance program for weapons, tanks, and ammunition for the Vietnamese armed forces. In addition, $2.1 billion was spent in Vietnam from American economic aid funds. But 75 percent of the economic aid was for the purpose of paying expenses of the national army through the commercial import program.

These figures exclude the salaries of American servicemen and Government officials, and all their operating costs, as well as gasoline, parts, and ammunition for American units.

There is also the fact that the Vietnamese national army was built to counter a conventional invasion instead of a guerrilla war. Once the slow-motion invasion began a year ago, the army was slow in reacting.

There is no grand, dramatic political strategy for winning the political war in South Vietnam comparable to the dramatic military actions.

The bombing raids on North Vietnam have not and cannot win the political war within the South. But without them the war could never have been won—or contained —because of the sustained influx of North Vietnamese troops, weapons, and the much more significant political leadership cadre. If the raids have not won the war, however, they have in effect won time—they have provided the time to act politically.

Sources in Saigon now hope for a dynamic political maneuver to reverse the adverse political tide. They feel the military operations then would not be considered an end in themselves, as is now the case, but the means to an end—an honest, efficient government, a land reform program for the peasants, a smashing medical-educational program that would lift the nation economically and politically into the 20th century.

These sources argue that the elaborate and effective military battle plans have in effect given the nation time to formulate and implement a massive blueprint for the political-economic-social development of Vietnam. Instead of Vietnam being simply a military battleground, it could also become a political showplace, they maintain.

"But we lack any political imagination," one young American Government employee said. "We are fighting against revolution. How can we expect to win? It's like advocating the murder of mother."

One Western ambassador says as an example that it was "politically inadmissible" that 200,000 refugees in the central part of the country—victims of an autumn flood, Communist terror and friendly bombing raids—were not made a symbol of non-Communist revolution by the Vietnamese government. "They are given charity rice and propaganda lectures," he said. "They should be put in factories and apartment houses to show the world the benefits of fleeing the Communist side. Some anti-Communist refugees are not given help by the government, and return to Vietcong areas."

Another source criticized the American officials for not forcing the Diem regime years ago to establish "centers of prosperity" in which the Vietnamese people and the outside world could see the results of the American presence.

WOULD INTRODUCE TV

A high-ranking Western official suggests that television should have been widely introduced in Vietnam to relay government propaganda to the villages, to educate the children and to show adult films on better farming methods.

More than 3 years ago, private Japanese companies made such proposals for this, and the Japanese Government has tentatively offered technical assistance and funds. A television station would cost $500,000.

But successive Vietnamese governments have postponed a decision on this project and American authorities appear cool to the idea. Economic planners are more interested in Japan's contribution to a $9 million bridge for the Mekong River.

The United States has political power in Vietnam, but chooses not to use it. Yet at this time the Saigon regime is too weak to act with political dynamism and effectiveness.

"We have the power to take names and to punish," one American explained. "But we don't do it. We are still timorous about interfering in a nation's internal affairs."

A Western ambassador agreed. "The first basic fault in the system," he said, "is you are too respectful of Vietnamese independence, so you do not interfere in making decisions on great issues—and in my opinion you should—while instead you are very particular, you pester them on small things of almost no importance. This creates the wrong impression and does not get the results. Your instructions should be more articulate but fewer."

American generals, colonels and captains admit they do not talk politics with their Vietnamese military counterparts; and no other American agency has been given the responsibility of cementing all the fighting Vietnamese political factions together.

This is in contrast to the Vietcong and the Communist apparatus—a guerrilla is first and foremost a political cadre, and after that a soldier. The Communist political cadre—perhaps with only the rank of sergeant—decides what villages will be attacked and the military commander, with a rank of major, follows his orders.

COMMUNISM FIRST

The Vietcong military apparatus is of a secondary, supporting nature to the Communist political machine. Hence American efforts to defeat the guerrillas still have not defeated the political subversive. American advisers in the provinces admit that even when the Communist guerrillas are defeated militarily, the Communist political cell system in the village is rarely destroyed.

The appearance of new French faces on the main street of Saigon, the arrival of increasing number of proneutralist Vietnamese from Paris, and the release of thousands of proneutralist and pro-Communist Vietnamese from prison within the last 18 months is more important in the subversive field than the introduction of American combat marines and paratroopers is in the counterguerrilla military field.

"With the amount of money you are spending in the military field," one Vietnamese major said, "you could buy all the land from the landowners and give it to the peasants. You could pave Vietnam with gold."

A 155-mm. howitzer shell costs $70; a 500-pound general purpose bomb costs $180—and tons of them are expended daily and nightly in Vietnam.

[From the New York Herald Tribune, June 1, 1965]

OUR GIRL IN VIET—III: CORRUPTION—HOTTEST SAIGON ISSUE

(By Beverly Deepe)

SAIGON.—The hottest issue in Saigon is not bombing Hanoi, nor Vietcong terrorism, nor possible negotiations for peace. It is corruption.

Vietnamese sources—generals, majors, captains, ex-ministers, economists—say that corruption has now reached scandalous, unprecedented proportions.

Highly placed sources in Saigon—American, Vietnamese, and Western—urged tighter controls on Vietnamese Government funds and on American aid and goods.

The issue is considered a gift for the Vietcong Communists, who promise the workers and peasants justice and equality. It also has caused friction within the Vietnamese Government and armed forces.

Several weeks ago a low-ranking Vietnamese civil servant was fired after he spat on the Minister of Economics because of differing views on the issue. A Vietnamese general and an admiral have been suspended on charges of corruption.

One high-ranking American official in the U.S. Agency for International Development (AID) reportedly estimated that 30 percent of American economic aid was unreceipted or unaccounted for last year. A low-echelon American provincial official says some of the 45 Vietnamese provinces had not submitted vouchers for expenditures during the past 3 years.

Another official said that outright corruption—American funds ending up in the pockets of the rich—was probably limited to 10 percent. Last year, this would have been $233,000.

One high-ranking Western official angrily commented: "This is a major American scandal. The way American-generated funds flow out of this country to Paris—or back to America itself—well, it makes your hair curl.

"There are millions and millions of piasters that go to France or go to Hong Kong—and these piasters are generated by American aid funds. The French have a saying in Saigon that every time America increases its aid funds there's a new hotel on the Champs Elysee."

FRENCH GIGGLE

The ambassador of another Western embassy lamented, "The French stand by, look at what you're doing, and giggle."

American aid falls into two broad categories—military and economic. During the past decade $1.1 billion was given to Vietnam through the U.S. military assistance program. This program gives guns, ammunition, bombs, and other equipment to the Vietnamese armed forces.

The original purpose of American advisers was to train Vietnamese to use the equipment—"and to keep track of the equipment, which sometimes took some doing," one American captain who worked on the program for 2 years said.

"We brought in air conditioners for hospitals—they ended up in the general's house. We brought in hospital refrigerators to store vaccines in. The vaccines spoiled and the refrigerators wound up in the general's house."

The second broad category totaling $2.1 billion during the past decade is the economic aid program administered through the AID.

However, of the 10-year economic aid program, 75 percent has been channeled into the commercial import program and sales under the food-for-peace program. It is this program, copied from the Marshall plan for Europe after World War II, that highly placed sources in Saigon believe should be reappraised.

SPECIAL KITTY

The commercial import program, plus selling of American farm surplus goods, calls for the importing of goods from America or U.S.-authorized countries. The American Government pays the exporter in dollars for the goods. The Vietnamese importer in Saigon pays the Vietnamese in piasters.

These American-generated piasters are then put in a special kitty belonging to the Vietnamese Government. This counterpart fund primarily is used to pay the operating expenses of the Vietnamese national armed forces and to supplement Vietnam's other revenues.

The total amount of piasters budgeted by the Vietnamese Government in 1964 was 37.1 billion, but only 31.5 was actually spent which created the impression in Saigon, even among Vietnamese economists, that "there's too much money in Saigon. We cannot absorb it all."

More than 19 of the 37 billion budgeted was spent in the military budget. U.S.-generated piasters through the counterpart fund accounted for 10.4 billion—or about one-third—of Vietnam's expenditures.

The 1965 Vietnamese budget, still under discussion, is expected to total more than 45 billion piasters. At the free market rate $1 is worth 73 piasters.

These are the comments and criticisms which the highly placed sources in Saigon made about the commercial import program and sales of farm surplus commodities.

First, according to one Vietnamese economist and ex-minister, "economic aid doesn't aim at an economic target, but is only in support of a military machine." About four-fifths of the U.S.-generated piasters in 1964 were allocated to support the Vietnamese military budget.

CONSPICUOUS WEALTH

Second, the commercial import program has enriched and enlarged the upper-middle-class elements in Saigon and other cities, but it has also accentuated the extremes between the urban and rural classes. "Often you bring in a whole lot of things for the richer middle class with conspicuous consumption, and the Vietcong can play on this, saying it enriches the middle class and bourgeois," one Western ambassador said.

Third, the rural communities, especially earlier in the program, received a relatively small proportion of the commercial import aid. Between 1955 and 1960, when the Vietcong began organizing and recruiting in the countryside, only 4 percent of the direct and indirect American aid was funneled into the rural population, which is an estimated 85 percent of the total population.

Fourth, the commercial import program has not been geared to assist the building of industries which funnel Vietnamese agricultural products into the light industrial sector. During the critical period of Vietcong formation in the countryside, from 1955 to 1960, American economic aid assisted in the establishment of 58 companies. But about 70 percent of these depended on imported raw materials; even the paper mills needed to import wood pulp.

After 10 years in Vietnam, Americans still allow rubber as one of the most important exports in the country—most of it going to France—but no substantial rubber production factories have been established in Vietnam.

Fifth, the Vietnamese officials recognize two kinds of corruption; there's "dirty dishonest corruption"—i.e., taking Vietnamese Government funds—but also "clean honest corruption"—getting access to American-generated funds or soaking Vietnamese citizens for money for rendering government services, from the issuance of birth certificates to fixing of taxi meters to meet government specifications.

The Vietnamese officials have therefore devised an effective system of padding their vouchers and receipts.

"Suppose a wooden bridge costs 1,600 piasters to build," an American district adviser complained. "The contractor adds another 200 piasters and the district chief adds another 200 piasters. I can practically see the money flow into their pockets, but they give me a receipt for 2,000 piasters. What can I do to disprove them?"

One Vietnamese province chief under the Ngo Dinh Diem regime admitted he ordered a few of his loyal troops to blow up his own bridge that was half-constructed so that they could let another construction contract.

Some Vietnamese regional and regular units are known to possess "phantom troops"—troops that never existed, or were killed or deserted but never reported as lost. Their paychecks slip into the hands of privileged commanders.

Last week, leaflets were printed to encourage Vietcong troops to return to the government side. Printing cost 79,000 piasters, but 250,000 piasters had been allocated for the job. The government official explained the remaining two-thirds had to be divided with messenger boys up to high-ranking civil servants.

Sixth, the Vietnamese administrative section of the commercial import program has at times been corrupted. One former Vietnamese minister who worked with American foreign aid said that Vietnamese importers pay 4 to 5 piasters per American dollar for the import license.

Every time there's a coup or government shakeup, Vietnamese businessmen complain they will have to pay off a new minister to get their import licenses.

Vietnamese importers are legally allowed 5 percent of the import license to be deposited abroad in a foreign account. However, as an inducement to sell his products, the foreign exporter regularly offers an additional illegal 4–5 percent listed as promotion fees or discount to be deposited in hard currency outside of Vietnam.

Hence, the program has allowed the Vietnamese to build up foreign accounts of hard currency. In addition, Vietnamese and Western sources complain that many profits are being sent abroad, either physically or in paper transfers, instead of being invested in local industries in Vietnam.

PIASTERS IN SUITCASE

Some sources believe that high-ranking officials simply carry piasters to Hong Kong in a suitcase (four American enlisted men were once arrested for doing this for a Chinese). In other cases a paper transfer is made in which piasters are paid in Saigon and American or Hong Kong dollars or French francs are deposited in a foreign account.

Seventh, instead of selling goods to the Vietnamese consumer at the lowest possible cost to keep the products moving, some businessmen—principally Chinese—corner the market, establish a monopoly, and sell at inflated prices, causing a rise in the cost of living. During a 10-day shortage period, the price of sugar or cement, for example, would double.

Eighth, the commercial import program has prevented large-scale deficit spending, runaway inflation, paid the national army, and assisted in the establishment of more than 700 local industries. But it has also allowed the Vietnamese Government to use their own foreign exchange for other consumer demands—and too much of this has been channeled into the luxury class.

The shops along the main street of Saigon are filled with imported cheeses, French perfume, Japanese radios, French costume jewelry, and foreign-made cars. None of these items can be bought by the rural peasants.

IN SCHOOLS, TOO

These problems have been accentuated by day-to-day corruption in the Vietnamese system of life. A child in a French school in Saigon—where sons of ministers and generals go if they are not in France—easily can pass an exam with a 10,000 piasters deposit under the table, "and if you don't think so, just look at how many French teachers leave Vietnam and invest in hotels on the French Riviera," an anti-Communist source remarked.

Transfers for Vietnamese battalion commanders from the remote provinces to Saigon cost 50,000 piasters.

For 50,000 piasters, a young man can obtain a certificate that he's involved in undercover work for the Ministry of Interior—and is thus exempt from the army draft. The Ministry has signed 1,300 of these certificates in recent weeks.

Up to 5,000 piasters is siphoned off the allotments for war widows, "and to survive she has to become a prostitute before the first payment arrives—which takes up to 10 months," one Vietnamese observer said. "Why should her husband want to die unknown in the jungles—so his wife can be a prostitute?"

"What it boils down to is whether to have a social revolution or not and clean up this government," a Vietnamese economist explained. "If America is too scared to do it—the Communists will, and will win the people. The people want justice. They don't care if they have a democracy or a dictatorship—if the government comes in with bullets or ballots. But they want justice—even if it is harsh. The Vietcong are harsh, but they are just."

[From the New York Herald Tribune, June 2, 1965]

OUR GIRL IN VIET—IV: HOW THE U.S. BUILT ON THE QUICKSAND OF ASIAN POLITICS

(By Beverly Deepe)

SAIGON.—In 1962, when American advisers and helicopters began arriving in large numbers in Vietnam, President Ngo Dinh Diem was told by a close American friend that unless he radically reformed his government, he undoubtedly would be overthrown in a coup d'etat. The American had taken a poll of Diem's former supporters and found that only 30 out of 150 were sticking with the chubby little mandarin.

"But Diem wouldn't listen and the Americans weren't interested in hearing it," the friend lamented. "More American troops and helicopters came, but reform did not. The Americans built a beautiful war machine and placed it on political quicksand."

Despite the American military buildup, the failure of President Diem to institute reforms provided the political fuel on which Vietcong strength grew.

A year later, President Diem was overthrown and killed.

President Diem had built a political maginot line for political warfare with the Communists. On one side was the Communist ideology, the National Liberation Front and behind it, the Communist Party, calling itself the People's Revolutionary Party.

President Diem had built his own counterideology, a vague concept called personalism. His National Revolutionary Movement corresponded to the National Liberation Front; his brothers' secret party, the Can Lao, corresponded to the Communist Party.

When President Diem was ousted, his counterideology and countermachines were washed away. Since then, no single person has been in total command of the anti-Communist forces long enough to build a similar machine or ideology.

Since November 1963, the country has been in a state of political crisis. Sources in Saigon now argue that it would be a mistake to rebuild a counterideology—even if it could be done. They say instead that the Saigon government must reform itself and "outrevolutionize the Communists—but do it 10 times better and 50 times faster than the Communists themselves."

The last time the American-backed Saigon government seized the political initiative involved the strategic hamlet program. The concept of fortified hamlets, with dramatic economic and social advantages, was officially launched by President Diem in April 1962.

ECONOMIC DISASTER

But it was doomed. One American, fluent in Vietnamese, visited a pilot project in Cuchi, 20 miles from Saigon, and was told by peasants that the hamlet program was an economic disaster.

The peasants said the Government forced them to construct hamlets instead of farm their cash crop of tobacco. As a result, they could produce only 10 percent of what normally was raised.

The dilemma of American policymakers is the schizophrenic nature of the Vietnamese society itself. The governing class is generally urban based, French educated with an aristocratic position based on either family background, money, or land ownership. This elite minority attempts to govern the masses although it knows little about them and is concerned less.

The elite's lack of concern and compassion was illustrated in an incident related by the wife of a Western embassy official. The wives of embassy officials had voluntarily presented furniture, clothing, and toys to a local orphanage.

"Several days after we handed over the goods, one of the embassy wives returned to the orphanage," the lady explained. "We were astonished to find the officials had even taken the toys out of the hands of little orphans. The toys were nowhere to be found."

In contrast, cadre wanting to join the Communist Party are sent to live with the rural masses and practice "three togetherness"; eating, living, and working with the peasants. Cadre are invited to join the Communist Party—which has an exclusive, and not mass membership—when they are prepared to govern.

"The Americans had to play with the cards that were dealt out and they weren't very good cards," one Western diplomat explained. "In Vietnam, nationalism went the Communist way. We saw a lot of Vietnamese in the South who are the political forces in the country * * * they are the bourgeois, the landowners, the Catholics. They believe in the same ideas as we do; we support these people and they support us. But these people in an Asian country in the throes of political-social upheaval—they are not in the mainstream."

The diplomat continued:

"They're on the edges—we're supporting them and the mainstream is elsewhere—in the nationalist movement of the Communists. The mainstream elements got into the hands of Ho Chi Minh in North Vietnam and Mao Tse-tung in China. Chiang Kai-shek didn't have the nationalist issue; he was helped by the United States—and this in turn made it more likely he'd lose."

MANDARIN SYSTEM

The lack of justice and equal opportunity is perhaps best reflected in the medical profession in Vietnam, which one American-educated Vietnamese doctor called "the medical mafia." Two elite groups of doctors—the faculty of medicine at University of Saigon and a private organization called the Medical Syndicate—decide which doctors will be licensed for private practice. Virtually all the members of these groups come from Hanoi and favor licensing only northerners.

"These seven older-generation men in the faculty of medicine are capable and dedicated," one American official working in the medical field said, "They just happen to be partisan. They represent the old mandarin system; they choose, select—and limit the leaders of the future. It's the tradition in the East for more than 1,000 years that leaders of the next generation are always chosen by those in power. This gives rise to the mandarin system and an undue amount of nepotism."

After 10 years of administering the largest U.S. medical aid program in the world—American officials here still have little influence on Vietnamese medical affairs. One American-trained Vietnamese doctor said that a medical degree from an American medical school still is not readily recognized in Vietnam, on the other hand, a parachute degree—a degree virtually bought with money from a second-rate medical school in France—is easily acceptable by the "mafia."

The two best hospitals in Saigon are French-operated. They are also the most expensive. There is no good American hospital in Saigon for the Vietnamese population (although there are two American-operated hospitals in France). Requests by the American-operated Seventh-day Adventist Missionary Hospital to expand their 30-bed clinic have repeatedly been refused.

American officials in Saigon have not effectively pressured the Saigon government to correct "this rot within," in the words of a Vietnamese anti-Communist. Instead they have superimposed upon "the rot" a spectacular medical program in the provinces.

"The Americans think we should fight for democracy," one young Vietnamese intellectual explained. "But in fact, the Vietcong fight because of the lack of democracy."

[From the New York Herald-Tribune, June 3, 1965]

OUR GIRL IN VIET—V: LAND REFORM—THE LONG DELAY

(By Beverly Deepe)

SAIGON.—"The most important question in the Vietnamese countryside besides security is land reform," an American technician said. "Yet virtually nothing has been done about it.

"The Vietcong are gaining a lot of points with the peasants by simply issuing land titles—and it costs them nothing. They take the land from the landowner and give it away. Nothing we give to the peasants—like pigs, insecticides, or fertilizer—is as important as land."

American technicians and provincial officials for the past several years have urged the implementation of an effective land reform program. Two land distribution schemes currently have been written, but neither has been accepted. Higher officials in the American Embassy and in the Agency for International Development believe "land reform is not the panacea for Vietnam's problems."

A program for the training of land-reform cadre is under consideration. But the program will not be instituted until "the other day"—when the Vietcong Communists have been defeated.

WARNING

However, one Vietnamese general recently warned American generals and officials that American-backed efforts to pacify the provinces would fail unless they were linked with land reform.

"When the Vietnamese National Army goes back to pacify areas from the Vietcong, the local landowner goes back with them, offering to serve as intelligence agent," the general explained. "Obviously he wants to collect his back rent. So when the army pacifies the area it pacifies it for the landowner and not for the peasant.

"Of course, 35 percent of the peasants are landless. They become fanatics and will fight for the land given them by the Vietcong because it's as important to them as life."

One U.S. official described as "horror stories" the actions of some landowners to collect back rent, once government forces had pacified Vietcong areas.

According to reliable sources, in other cases, when the Vietnamese Government Army attempts to pacify the area, the commanders simply ignore the problems of land reform, refusing to collect back rents—but also refusing to confirm the land ownership rights.

In Vietcong-controlled areas, if landowners or their agents return to collect back rent the matter is simple. The peasant complains to the Vietcong, and the agent is shot.

RECRUITING

American officials who have talked with large numbers of Vietcong prisoners and returnees believe the Vietcong recruits within South Vietnam are almost entirely from the rural population, probably indicating not the strength of the Vietcong appeal so much as the accessibility to rural masses for Communist recruiting.

Furthermore, an estimated 30 percent of the Vietcong strength recruited in the South are considered to belong to the "farm labor class," the lowest in the semi-Confucianistic rigidly stratified rural society.

The five rural classes in Vietnamese countryside area are: The landowners (who lease out all the land they own); the rich peasants (who own more land than they till, and lease out some of it); the middle-class peasants (who own all they till); the tenant farmers (who rent all their lands), and the farm laborers (who cannot rent land, but are seasonally hired for planting and harvesting).

"The question of land reform is quite simple," one low-ranking Vietnamese provincial official explained. "The government represents the landowners; the ministers and generals are either landowners or friends of landowners. The Catholic Church owns land. The Buddhist Church owns land. Nobody is interested in fighting for the poor peasant. And the top Americans—well, they talk to only the ministers and rich people so they don't push it either."

LANDOWNERS

One Vietnamese general recalled that during the war with the Communists against the French in the early fifties, he was ordered by imperial decree to have landowners in his security district in North Vietnam divide up the land with the peasants. There were two large landowners in the area, he recalled, one of them a Roman Catholic bishop and the second a relative of the then Finance Minister.

"The Catholic bishop refused to divide the land because he said he had to support 2,500 seminary students with the rent money, and the big landowner also refused," the general explained. "I warned them both if they didn't give the land to the peasants the Communists would take over not only the land, but also the seminary and the landowner's house. But they wouldn't listen. The big landowner told the Finance Minister what I was doing. I was quickly transfered to another place—and 3 years later the Communists took over."

The land-reform issue in Vietnam—involving not only issuing of land titles, but also law enforcement on land rents, land security for tenants and fixed rates on the interest of borrowing of money—is not considered as acute as in other parts of Asia. The Japanese say, for example, that a peasant without land is like a man without a soul. The victory of Chinese Communists in taking over mainland China was achieved not so much by armed guerrillas as by the promise of land to the poverty-stricken, landless peasantry.

"The land for the landless" campaign in the Philippines virtually broke the back of the Hukbalahap insurrection in the fifties.

According to reliable sources, the Vietcong guerrillas in Vietnam have a haphazard, inconsistent land-reform program which varies from area to area in sections of the country they control. However, the current government has virtually no program at all. One American provincial official estimated that the Vietcong had issued land titles to 50 percent of the peasant families in his province; the government had issued none.

In some areas, the Vietcong take some of the land from the rich peasants and give it to the landless tenant—who still pays rent, to the Vietcong.

So far, the Vietcong have not killed or harassed the rich peasants as they did before their seizure of power in North Vietnam.

In some cases, the Vietcong program in the rural areas is considered self-defeating. They have made a definite push for higher rents as they move toward the mobile warfare phase.

In some areas, Vietcong taxes and indirect taxes in rice have doubled over that of last year. In other areas, the Vietcong are known to have redistributed the land, increased the land tax from 100 to 900 piastres and increased the rice tax from 50 to 300 piastres.

In the countryside outside Hue, which has lately fallen under their control, the Vietcong are attempting to collect 10–15 percent of what the peasants had raised during the past decade, when they lived in peace. The peasants are said to be discontented about that. In isolated cases, peasants have burned their own crops rather than pay Vietcong taxes.

In the fifties, President Ngo Dinh Diem attempted to correct the injustices in the countryside. But his effectiveness was limited. A U.S. Government bulletin published in January this year explained:

"Under the ordinances approved in 1955, a program was being carried out to regularize tenancy agreements through written contracts. The contracts established minimum and maximum rents of 15 and 25 percent, respectively, chargeable by the landlord against the tenant's main crop. While a start has been made in land reform, real progress has been negligible and a review of the entire program needs to be undertaken."

[From the New York Herald Tribune, June 4, 1965]

OUR GIRL IN VIET—CONCLUSION: THE PROGRAM THE REDS CAN'T FIGHT

(By Beverly Deepe)

SAIGON.—This is the story of the three little pigs of Vietnam.

It is one of the most visibly effective American-sponsored programs in rural Vietnam against which the Communist Vietcong guerrillas have many arguments but no real answer.

In early 1962, American provincial representatives of the Agency for International Development (AID) began distributing improved white pigs from the Mekong Delta throughout the entire countryside.

The program called for a package deal in which eight bags of cement would be given to build a combination pig sty-compost pit, while three improved pigs and American surplus corn would be lent to the farmer.

One of the pigs would later be marketed, which would repay the entire $50 cost of the venture; the others would be kept for breeding.

"The pigs had a fantastic impact," one American agricultural technican explained. "The farmers followed the old Chinese custom and washed their pigs daily. Some of them put red ribbons around the ears of the pigs. Almost all the pigs became pets for the children."

BUT WHY CEMENT?

"Of course, we had a few problems. Some of the Vietnamese farmers had never even seen cement before and they didn't understand why they should have a cement-floored pig sty and compost pit when for centuries they had moved the pig waste out on the ground.

"Some of the farmers moved their cots into the compost pit. Some of them put the pigs in their houses and moved their families into the pig sty. After all, it was better than their dirt-floored houses.

"Some of the farmers put tiled roofs on the pig sty with curlicues like ancient Chinese temples. They became the new status symbols in the villages. We never could understand why they made them so elaborate.

"Then, of course, the most profitable time to sell the pig is when he's about 1 year old," he continued. "But the Vietnamese let the pigs get fatter and fatter and sell them only when they need the money. They use the piggy as a living bank."

He explained that at first the richer village families got the pigs, or the friends of the local Vietnamese Government agricultural technicians. Now—3 years and 40,000 pigs later—"the pigs have seeped into all levels of the villages," he said.

"The neighbors buy little pigs from the first family to have them. In one northern city, 2 years ago you wouldn't see one improved pig a day come through the slaughterhouse. Now about one-third of a day's production is the improved breed."

REPAYMENTS

He explained that the Vietcong political cadre attempted to sabotage the program by telling the farmers that it was a "giveaway program" rather than a loan, so that the farmers would not make repayment to the Government. So far, the rate of repayment has been low, but in most cases the 18-month deadline for repayment has not been reached.

"The pig program doesn't make the farmer pro-Government or pro-Vietcong," the technician explained. "But it does expose him to the Government cadre, to the Government administration and to an American veterinarian. Maybe this is the first time in the farmer's life that the Government has done something to help him. So gradually, it creates a better feeling for the Government.

"The Vietcong do not steal the pigs, and we have lost very few of our pig hamlets to the Vietcong."

In addition to the pig program, Vietnamese agricultural technicians, assisted by Americans, have also started programs to improve ducks, chickens, and cattle and to promote a wider distribution of water buffaloes, which are used to pull the farmers' plows.

Other technicians have established experimental stations for improving rice seed (which some Vietnamese prefer to eat rather than use for seeding).

Recently, Vietnamese agricultural agents conducted 3-day courses on improved farming techniques for farmers during the slack season. Twenty piasters (30 cents) was given the farmers for lunches "and that really had an impact," one American agricultural expert explained. "It was part of our pacification program. But the Vietcong even welcomed the agents into their areas to help their farmers."

FERTILIZER ON CREDIT

In another instance, Vietnamese Government administrators have implemented a credit-loan system whereby farmers can buy fertilizer before the rice planting and repay the loan after harvest. Production has more than doubled in some areas. In other areas small irrigation pumps have been bought on loan, making possible two or three crops of rice a year instead of only one.

The Vietcong retort that the fertilizer will destroy the soil; that in the first year of using fertilizer, production will increase but in future years it will drop; that the government will double the prices when it comes to paying the loan, or that the government will make the farmers dependent on the fertilizer year after year and then skyrocket the prices.

"The poor Vietnamese farmer, who has a lot of superstition and no knowledge of chemicals, is in the dark," an American technician said. "The Vietcong play on the farmer's past lack of faith in the government."

American-supported rural economic aid is scattered in the secure "oil spots" in each of Vietnam's 45 provinces, which at times undercuts the impact that it has had nationwide.

The Communist-initiated war has produced an economic deterioration and social upheaval in the countryside. Young farmers are drafted instead of planting rice. Large tracts of land are abandoned because of Vietcong pressure, and other large tracts, now uncultivated, could be developed into excellent farming land.

Despite this, the standard of living has improved during the last 10 years. Ten years ago, a bicycle was a status symbol; now motor scooters, bicycles, and buses are regularly seen in the countryside.

The nationwide statistics on education are also impressive. In 1955, 329,000 pupils attended elementary public schools. In 1964, the number had increased to 1.5 million.

In 1964 alone, 900 new rural schools were built and 1,000 elementary education teachers were trained. A total of 4,000 rural schools was built in the decade.

In 1955, there were 2,900 university students in Vietnam. By 1964, the number had increased to 20,000, with a new university established in the northern provinces. More than 2,500 Vietnamese students and technicians have been sent to America through AID programs for advanced degrees.

However, the population growth is 2.8 percent yearly.

In the rural health field, Vietnamese villagers often find it difficult to understand what has been prevented—such as cholera epidemics or malaria. During the last 6 years, however, the American-backed $12 million malaria-eradication program, part of a worldwide effort, has dropped known malaria cases from 7.22 percent to less than 1 percent.

SPRAYING OF HOMES

More than 1 million Vietnamese farm homes are being sprayed twice a year. More than 6 million persons have been directly affected by the spraying. The Vietcong propagandists told the villagers the spray would cause their thatched roofs to crumble or would kill their cats and chickens.

"The Vietcong say the farmers don't have enough cats to eat all the rats," one American medical expert explained, "and the rats eat rice. They use this argument when there's a poor crop of rice and a good crop of rats—and it's very effective with the peasants."

The malaria rate has dropped to the extent that medical experts simply keep tabs on it by collecting blood samples.

"The Vietcong spread the word that the Americans were collecting Vietnamese blood to give to the wounded Americans," the medical expert continued. "This even happened on the outskirts of Saigon. One American educational lecturer started to give a lecture on the taking of these blood samples for malaria control; suddenly all the mamas and little kids started throwing rocks at him.

"The police had to escort him out—all because of that outlandish Vietcong propaganda. But Vietnamese people don't like to give blood; they are superstitious about that and it's very strange to them."

More than 8,000 rural health workers are currently operating in the Vietnamese countryside. Nine gleaming white surgical suites, costing $500,000 each, have been established throughout the country and are staffed by Americans, Filipinos, New Zealanders, Australians, and Italians.

EXHIBIT 5

[From the Washington (D.C.) News, June 4, 1965]

THE ESCALATING WAR

(By Richard Starnes)

The American people are not alone in their blissful ignorance of the coming demands for men to feed the insatiable jungle war in Vietnam. A completely reliable source who was present at a White House briefing tells me this:

"I saw U.S. Senators blanch when Robert McNamara told them that they had to prepare to see 300,000 American men sent to Vietnam.

"I never thought I would live to see such a thing in the United States, but McNamara told the briefing quite cheerfully that things were looking up in Vietnam because we were now killing four times as many men as we were losing."

The briefing, which was one of dozens that the White House has conducted in an effort to sell its Vietnam policy, concluded with talks by Secretary of State Dean Rusk and "Big Daddy" himself.

"Rusk had nothing new to say, but he kept saying it at such great length that finally the President, who was sitting in the front row, started looking ostentatiously at his watch," my informant reports. "But Rusk missed the cue, until at last the President just got up and nudged Rusk away from the lectern."

What the Senators heard then is a thing that has caused something very near to cloakroom consternation. Mr. Johnson sailed into a defense of his escalation of the war in Vietnam, and bluntly told his audience that they had authorized it and, by implication, must share the responsibility for it.

The President said he was frequently asked what his policy in Vietnam was. Then, with the subtlety of a sledgehammer, he told the Senators that the Congress had laid down the policy in a resolution passed last August 7 by a vote of 504 to 2. And, said the President, he was doing his best to carry out that resolution.

The source of this account, who knows the Senate intimately, reported that, in spite of the near unanimity of congressional support for administration Vietnam policy, Senators are still "rankled" over Mr. Johnson's bland assumption that the August 7 resolution authorized escalation of the war in southeast Asia.

The resolution, passed in the fever of indignation that followed reported attacks by North Vietnamese torpedo boats against U.S. Fleet units in Tonkin Gulf, comes very close to saying what President Johnson says it says—whether the Senators who voted for it like to admit it or not.

The resolution authorized the President "as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

Note well that the resolution was not limited to Vietnam but specifically asserted that the U.S. goal was "assisting the people of southeast Asia" to fight off alleged aggression. That means just what it says—Congress "approves and supports" anything Mr. Johnson deems necessary "to prevent further aggression" in the area, and it is now somewhat late for whatever second thoughts are occurring in Capitol cloakrooms.

Whatever doubt may have existed as to the intent of the August 7 resolution was dispelled last month, however, when Congress dutifully voted a blank check $700 million appropriation to finance the expanding war. This time the division was 596 to 10, still a sufficiently lopsided vote to assure history that the 89th Congress had supported escalation in the Pacific whether it knew what it was doing or not.

EXHIBIT 6

[From the New York Herald Tribune, June 6, 1965]

VIETNAM WAR ALTERS CHARACTER

(By Malcolm W. Browne)

SAIGON, VIETNAM, June 4.—The war in Vietnam has been transformed into an enormous meat grinder, in which both sides are now making an all-out drive to bleed each other to death.

It is a meat grinder in which America for the first time has an active part—on both the giving and receiving end.

U.S. officials predict that American casualty tolls will increase from now on as American Marine Corps and Army paratrooper units move deeper into the battle.

U.S. air strikes on North and South Vietnam have increased in recent months to the point that they are now round-the-clock operations.

In the north, strikes have been limited to military installations, roads, and waterways well south of Hanoi. There seems no immediate prospect of bombing North Vietnam's cities or civilian industries.

But in the south, huge sectors of the nation have been declared "free bombing zones," in which anything that moves is a legitimate target. Tens of thousands of tons of bombs, rockets, napalm, and cannon fire are poured into these vast areas each week. If only by the laws of chance, bloodshed is believed to be heavy in these raids.

In exchange, the Vietcong is exacting its pound of flesh.

In the past week, big Vietcong units prowling through the jungle-covered mountains of central Vietnam have chewed up three Government battalions so badly that these units will not be able to fight again for a long time. Government casualties in these ambushes probably have exceeded 1,000 men.

The Vietcong have clearly shifted gears from what they call guerrilla warfare to mobile warfare.

The Communist concept of mobile warfare is essentially guerrilla operation on a vastly expanded scale, in which whole battalions and regiments are used in mounting ambushes. Ambushes remain the key feature of the war.

The Saigon Government and its American ally control the air above South Vietnam and some of its roads and waterways. The Vietcong controls much of the rest of the nation.

Government units move mostly by truck, plane, and helicopter. Vietcong units move on foot through the trackless jungle. This means the Communists generally have the advantage in setting up their ambushes.

Roads, particularly those that wind through the mountain passes of central Vietnam, are ideal places for ambushes. Even helicopters must land in clearings, which in the jungle are often only tiny patches of ground.

The Vietcong can and often does set up traps around these clearings, with 50-caliber machineguns trained on the places helicopters will be forced to land.

As the fighting grows hotter it becomes more brutal. Neither side is taking many prisoners any more. Soldiers caught off side now are generally shot on the spot or tortured to death.

CHILEAN DEMOCRACY WORKING WELL

Mr. PROXMIRE. Mr. President, in the news—in newspapers, on television, and radio—we hear a great deal more about Vietnam and the Dominican Republic, about coups and revolutions, and about the setbacks in the world. Unfortunately, the quiet progress that is being made in many countries has been neglected because it does not make news.

For example, the current Atlantic Monthly carries an excellent, concise report on the impressively favorable developments in Chile under the leadership of Eduardo Frei. The excellent article points out that under Mr. Frei there has been great improvement in education. I read briefly from the article:

> It is a shocking fact that in this country of 8.5 million people of largely European extraction there were approximately 200,000 children with no school to go to. In a crash program initiated immediately on taking office in November, at the beginning of the Chilean summer, Frei organized an intensive course to train new teachers, asked existing ones voluntarily to accept longer hours, and undertook the construction of thousands of schoolrooms, as well as lodgings for teachers in remote areas.

President Frei has also been busily engaged in an excellent land reform program which in the next few years will provide for an additional 100,000 independent farmers in Chile.

Everyone who has studied the Communist movement knows that the greatest bulwark against communism is the individual farmer who has his own plot of ground and his own farm to defend.

In addition, under Mr. Frei tax reforms in Chile have made progress. There have been jail sentences for tax evaders and that is almost unheard of in South America. Most significant of all is the excellent cooperation between the Chilean Government and American corporations—Anaconda Copper and Kennecott Copper—both of which have huge holdings in Chile. Chile has worked out a system of ownership and participation in the profits of those corporations that have been agreed to by the corporations. Chile has avoided the expropriation which the Marxists have called for. Confiscatory taxes have been avoided. Both Anaconda and Kennecott are proceeding profitably from their standpoint, and also sharing their gains with the Chileans and with the Chilean Government.

There is a very serious problem, as there is in most of those countries, with inflation. But even in that field Mr. Frei is making progress.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. The remarkable thing to me is that Mr. Frei has been able to put into effect a system of slowing down inflation which has at the same time permitted wage earners to earn significantly more money. It has permitted farmers to obtain better prices for their crops, while simultaneously keeping inflation from preventing the kind of firm and solid economic progress which is most essential.

Mr. President, I ask unanimous consent that this fine, short article on Chile, published in the Atlantic Monthly, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ATLANTIC REPORT—CHILE

Chileans are accustomed to earthquakes, but the recent upheaval in their politics is so unusual that historians peer back to 1841 to find a parallel. Christian Democrat Eduardo Frei is the first President since then, under Chile's multiparty system, to be elected by an absolute majority and to have a congress to do his bidding.

His victory by 56 percent in the presidential elections of September 1964 was startling enough, but it might have been considered the wages of fear: the Marxist left was running so strong—and did, indeed, chalk up a hefty 39 percent—that the right and center voted for him as a lesser evil, in spite of his revolutionary program. In the congressional elections 6 months later, however, the old alinements were back in force; the right and center, Chile's traditional governing parties, fully expected to return a congress able to block untoward presidential initiative. Instead, Frei's party all but swept them away, while the far left slightly improved its position.

The result is not only a green light for Frei's Revolution With Liberty, which aims at transforming Chile's social structure, but also an unexpected revolution in its politics. The era of compromise, mutual back scratching—or sheer deadlock—is over, at least for the time being. Indeed, it is likely that disgust with political infighting played its part, as it does in Gaullist France, in this sudden emergence of a majority party. Like De Gaulle, Frei, before the landslide, had asked for a constitutional amendment permitting him to go to the people should congress become too obstructionist.

PEACEFUL REVOLUTION

The program which is now the approved blueprint for Chile's future follows closely the outlines for peaceful revolution drawn up at the Punta del Este conference as the basis for the Alliance for Progress. Emphasis is placed on achieving a social impact where it will be most immediately and dramatically evident in Chile: among the landless farm laborers and among the unorganized proletariat that swarms in city slums.

Chilean agriculture has been for some years a major reason for the imbalance of the economy. Once a net exporter of agricultural products, Chile now imports more than $140 million worth, two-thirds of which could be produced locally. In Chile's inflationary rat race, agricultural prices have lagged behind industrial ones because of Government attempts to control the cost of the urban "market basket"; worse still, these controls have been erratic, thus discouraging rational development.

While these economic considerations are important, it is the social aspects which most concern the Christian Democrats. They point out that one-third of the population lives on the land, 60 percent is illiterate, and the death rate of infants in rural areas is 129 per thousand, shocking figures for one of the most advanced countries in Latin America. The Government goal is not, thus, just an increase in production—which they will encourage by allowing food prices to rise faster this year than those of industry—but a profound agrarian reform.

Frei has promised to distribute land to 100,000 new farmers during his 6-year term, and to provide, through cooperatives, the necessary technical and financial assistance to make the venture efficient. In this respect, his government has a valuable heritage from his predecessor, conservative president Jorge Alessandri, who got a well-articulated if somewhat mild agrarian reform law through congress in 1962. Under this law 6,000 plots have already been distributed. The present government plans to amend the law, to speed up the process of expropriation, and to allow for deferred payment of indemnities instead of cash on the line.

THE URBAN SLUMS

The program for the urban slums, which have been rebaptized "marginal neighborhoods," goes under the name Popular Promotion, a hodgepodge package aimed at bringing them into the mainstream of national life. Here, too, the Alessandri heritage gives Frei a headstart, since Alessandri built more low-cost housing than any previous President. Frei hopes to build still more, and in the existing slums to install water systems. pave the streets, put in electricity, with labor furnished largely by the inhabitants themselves.

He is most enthusiastic about the creation of neighborhood organizations: sewing circles, teams for various sports, parent-teacher associations, and local self-government councils, which are to have the right to federate with similar councils throughout the country in order to form effective pressure groups. Frei promises that none of these activities will be linked with politics, but some of his critics wonder how it is humanly possible to keep them separate.

In neighboring Peru, President Belaúnde's similar and successful Popular Cooperation has been accused of being primarily a device for building grassroots support for his party. In any case, only 10 percent of Chile's working class is organized, in unions largely Communist-controlled, at least at the top. Organizing people "where they live as well as where they work" is thus an interesting new approach to the problem of giving civic representation to the submerged proletariat.

A third area where Frei has already achieved dramatic social impact is education. It is a shocking fact that in this country of 8½ million people of largely European extraction there were approximately 200,000 children with no school to go to. In a crash program initiated immediately on taking office in November, at the beginning of the Chilean summer, Frei organized an intensive course to train new teachers, asked existing ones voluntarily to accept longer hours, and undertook the construction of thousands of schoolrooms, as well as lodgings for teachers in remote areas.

He mobilized the good will and enthusiasm of various groups: villagers gave land and their labor and sometimes local materials; the armed forces sent their troops and equipment; 1,500 university students spent their holidays mixing mortar and laying bricks. This year, for the first time, no Chilean child will be denied the pleasures of the three R's.

Agrarian reform, public housing, and education cost money, and Chile is already overextended in the matter of foreign credit; it has received more dollars per capita in Alliance for Progress aid than any other Latin-American country. However, Frei also inherited from Alessandri an economy which, while certainly not brilliant, is still in relatively good shape. The balance of payments in 1964 showed a slight credit, thanks largely to the high price of copper and restricted imports. The growth rate was 4 percent, not too far below the Alliance goal of 5 percent.

The budget is approximately in balance, owing to a tax reform that is just beginning to show its benefits—among which Chileans count not only increased collections but a jail sentence actually enforced for a tax evader, an unheard-of phenomenon in Latin America.

THE COST OF LIVING

However, on Chile's main problem, endemic inflation, the Alessandri government, after an encouraging start, made no headway. The cost of living rose 38 percent in 1964; since 1960 it has nearly tripled. Previous attempts to stop the runaway in its tracks having failed, Frei is proposing to apply the brakes slowly. He aims for a rise of only 25 percent in 1965, with lesser rises in succeeding years until stability is reached, hopefully by 1968. However, this year he is proposing that the rise be fully compensated by wage increases, with agricultural prices and wages to be overcompensated to redress previous injustices.

In order to maintain the overall increase within the 25-percent limit, he is, therefore, insisting that industrial prices rise no more than 19 percent. In this framework, only a sharp rise in production can maintain previous profit levels. Stringent controls, more effective than any yet devised, will be necessary to hold the line.

Financing social programs in so tight an economy thus requires some maneuvering and a high level of competence, but Frei has attracted a team of young economists from the various universities—particularly the Institute of Economics, organized some years ago by Prof. Joseph Grunwald, of Columbia—and from the United Nations Economic Commission for Latin America (ECLA), whose headquarters are in Santiago. Chileans like to call them the Brain Trust.

Service on the foreign debt, which would have absorbed more than half the export returns of the next few years, has been successfully renegotiated to provide a breathing spell. The United States has extended loans of various types for $120 million. And Chileans themselves have been asked to make a sacrifice: a capital levy on personal property of 1.5 to 3 percent annually for a period of 5 years.

This proposal has naturally aroused the ire of the propertied classes—and not only because of the money involved. Frei was careful to cite such precedents as France's similar levy just after the war and to point to its present glowing prosperity as the result. What really upsets many Chileans is the declaration of their possessions which is implied in the levy. Income tax evasion would thereby become much more difficult. (At present, in spite of tax reform, the salaried class bears most of the burden; only 11,000 people have declared a taxable income of over $5,000 a year.)

NEW DEAL IN COPPER

Redressing social injustice, however admirable, is nevertheless no sure cure for inflation and economic stagnation. To get the country moving, Frei has tackled the problem at its very center—copper. This metal dominates the Chilean economy; it provides more than 50 percent of foreign exchange and $85 million annually in taxes. But five-sixths of the copper is extracted by two American companies, Anaconda and Kennecott. Although these companies pay the highest wages in the country, and the highest mining taxes in the world, the presence of two foreign colossi at the heart of the economy is a constant irritant to national pride, particularly since a good deal of the copper is refined abroad and its marketing is beyond the control of Chile.

The Marxist left has been campaigning for some time in favor of outright expropriation. The American companies have hesitated to invest in the face of this threat and the concomitant one of confiscatory taxes. Kennecott even announced a few years ago that it was not planning any further expansion in Chile and would spend its money in developing its American properties.

Frei, for his part, proposed an intermediary solution which he called the Chileanization of copper. Immediately after the election, he sent a commission to the United States to see how the new word could be defined.

The definition has turned out to be not only dramatic but eminently satisfactory to everyone concerned—except, of course, Chile's diehard Marxists. What it amounts to is a business association between the Chilean Government and the mining companies, a new departure, on a scale like this, in the whole concept of "how to do business abroad."

In two cases, that of Anaconda and the Cerro Corp.—new to Chile but already operating in Peru—Chile has acquired a 25-percent equity in new companies formed to exploit new ore beds. In the most startling agreement, that with Kennecott, Chile has bought outright 51 percent of a new company to exploit the rich El Teniente mine, whose production, with the aid of Kennecott, will be vastly expanded. The companies will benefit by tax reductions and guarantees, while Chile feels much more master of its fate.

Similar tax benefits and other stimuli have also been offered to the smaller companies to encourage them to expand too. All this implies a tremendous increase in production. Frei announced that by the end of his term in 1970 tonnage will have doubled—to 1,200,000 tons a year—and that Chile will then be the biggest copper producer in the world. More of this copper will be refined in Chile, and Chile, with seats on the boards of directors, will have some say on how the metal is to be marketed.

Chile will doubtless continue its flirtation with the Communist bloc—it has even shipped to Red China as a gesture of defiance. At the same time, Frei has said, it will "respect with all due dignity and independence the interests of our principal consumer and biggest investor."

Chile has not been able to lay much cash on the line for these tremendous acquisitions. Its chief contribution will be in housing for miners, access roads and other construction, and the supply of power, all elements in its development plan anyway. The emphasis on mining may withdraw resources from other areas, but new foreign investment will amount to $400 million, some of which will, of course, be disbursed within Chile itself. However, the program will not bear its full fruit until Frei's term is nearly over. "I am governing for Chile," he says, "which was not born nor does it die in one presidential term."

The long-term prospects for a significant increase in government revenues and foreign exchange are thus excellent. The problem is to survive until this ship comes in, and meanwhile to encourage other exports: iron ore, of which Chile has rich deposits, cellulose products from the Andean forests, and fish meal, where a budding enterprise hopes to emulate the Peruvian bonanza. Further industrialization within so small a market is hardly viable except with the prospect of an effective Latin American Common Market. Frei is pushing hard for a summit meeting to cut away the petty nationalist haggling which has hampered negotiations for years.

Chileans, the most civic minded of all Latin Americans, are conscious of these problems, conscious too that with the new political alinement within their country the price of failure in this experiment of revolution with liberty may be revolution without liberty. "We must show Latin America," they constantly say, "that there is an alternative to Castro."

EXCELLENT STATEMENT BY SENATOR CASE FAVORING ONE-MAN, ONE-VOTE PRINCIPLE

Mr. PROXMIRE. Mr. President, on May 17 the distinguished senior Senator from New Jersey [Mr. CASE] submitted a concise but remarkably complete statement before the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary in opposition to the Dirksen reapportionment amendment.

I would like to draw the Senate's attention to two points made by Senator CASE which I believe are generally overlooked in discussions of this rotten-borough amendment.

First, far too few of the people clamoring so loudly for the adoption of the Dirksen amendment realize the damage it could do to the Negro's drive toward equal voting rights. As Senator CASE says:

> If the amendment were adopted, States could and some might apportion themselves on the basis of such factors as income level, religious belief, or—most probable—color. I am sure this is not the intent of the distinguished minority leader in proposing this amendment, but recent history suggests that it could very well be the outcome.

I hope that Senators who actively supported the voting rights legislation recently passed by the Senate will take Senator CASE's comments to heart.

Second, the passage of the "rotten borough" amendment would undoubtedly mean a continuing and increasing reliance on the Federal Government to do those jobs that can and should be done at the State level. Urban interests often are the first to suffer from malapportionment. When they are blocked by a malapportioned State legislature from receiving funds for sanitation facilities, transportation lines, urban redevelopment, and countless other needs, they are forced to turn to the Federal Government. Senator CASE puts it this way:

> If we had set out to hobble the already stumbling institution of State government, we could not have found a better way.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the statement by Senator CASE before the Subcommittee on Constitutional Amendments of the Committee on the Judiciary.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR CLIFFORD P. CASE ON REAPPORTIONMENT RESOLUTION (S.J. RES. 2) SUBMITTED TO THE SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS OF THE SENATE COMMITTEE ON THE JUDICIARY

I appreciate this opportunity to present my views on Senate Joint Resolution 2, the proposed constitutional amendment on apportionment of State legislatures.

Despite the great attention given to distracting tangential issues, the intent of the amendment is clear: it is designed to reverse the Supreme Court's historic one-man, one-vote decisions of 1964.

I am opposed to this amendment. Apart from its basic philosophy, it contains two specific and fatal flaws.

The first might be called the deep freeze. In this connection, I call attention to the provision that "the right and power to determine the composition of the legislature of a State and apportionment of the membership thereof shall remain in the people of that State."

That sentence has been interpreted by eminent constitutional authorities to mean that the courts would be frozen completely out of the picture. They could not review any apportionment. They could not correct imbalances which exist or which could be expected to arise in the future.

If a State legislature were to apportion one house on the basis of race, for instance, where could the deprived Negro citizens of that State turn for help? Certainly not to the legislature responsible for the deprivation. To the courts? Not if this amendment is adopted.

Proponents of the amendment reply, "But we have provided that the people have the right and power to determine the reapportionment plan. Doesn't this protect the public interest?"

Unfortunately, it does not. The amendment's provision for a one-shot referendum on each State's reapportionment plan would actually freeze out even the people. Once the original apportionment plan were approved, even the voters themselves could not correct it. The New York Times called this the most serious defect of the amendment, and continued:

"It permits apportionment on a nonpopulation basis in perpetuity if such a course has once been approved by referendum. But what if the majority in the future changes its mind on this issue? Any amendment on this subject should require the States to reapportion every 10 years and require a referendum each time, to make certain that a majority still favors apportioning one house on a basis other than population. Otherwise, the outrageous malapportionments that the Supreme Court finally intervened to correct could grow up all over again."

The amendment's second defect is the blank check given to the States to use any criteria in determining their reapportionment. The phrase, "upon the basis of factors other than population," gives States a completely free hand.

Recently I attended a dinner of legislative correspondents in New Jersey. They proposed a plan, drawn up to fit within the protection of this amendment, which suggests the range which the amendment would allow the New Jersey Legislature:

"Under the plan, counties would be credited with 200,000 residents for each boardwalk, 250,000 for each ferry mooring, 1.3 for each chicken, and 5.34 for each hundredweight of milk produced. The plan gives Somerset an extra 150,000 residents for its population of foxhounds, as determined under the last census by local hunt clubs * * * The U.S. Supreme Court has said legislators represent people, not acres, trees, cows, or pastures. The Court was eloquently silent on the specific questions of boardwalks, ferries, chicken, butter, and foxhounds."

The plan was proposed in jest, but it illustrates an important point. If the amendment were adopted, States could and some might apportion themselves on the basis of such factors as income level, religious belief, or—most probable—color. I am sure this is not the intent of the distinguished minority leader in proposing this amendment, but recent history suggests that it could very well be the outcome. The lengths to which some Southern States have gone to prevent the Negro from voting indicate that they would not be reluctant to use this amendment as an additional weapon.

The proponents of Senate Joint Resolution 2 claim it is needed in order to "protect minority rights." The rights of minorities as well as majorities must be protected, but how this should be done is another question. The supporters of this amendment seem to think that the only way to provide adequate protection of the rights of any minority is to give that particular minority a hammerlock on the legislative process. They are usually thinking of citizens in rural or less populous areas. But if the premise is true, is not every minority entitled to the same kind of consideration? That is to say, why not give every minority a hammerlock on the legislative process? Why should one minority be more equal than any or all other minorities?

The fact is that the only reliable safeguards for any minority are to be found in the Constitution and the Bill of Rights and, even more basically, in the self-restraint and respect for others on the part of the public in general.

I find it surprising that many individuals and groups which traditionally have opposed extensions in the power of the Federal Government are working for adoption of this amendment. If we had set out to hobble the already stumbling institution of State government, we could not have found a better way. The story of many of our State legislatures is one of stall and stalemate, indecision and inaction in the face of urgent issues.

If this amendment should pass, many of the States, already stymied in their efforts to find modern solutions to problems of growth and urbanization, will inevitably look increasingly to the Federal Government.

My colleague from Wisconsin, Senator PROXMIRE, has stated the issue clearly:

"This amendment is calculated to assure the country that State government—which has been too timid, too backward, too reluctant, and as a result has seen its power and initiative go to Washington—will be slowed down to a molasses pace indefinitely. It would do so by striking down the greatest opportunity in many years which the States have had for swift progress."

If this amendment should pass, we will have set the wheels of progress turning backward for State governments. In an age of increasing urbanization and urban problems, in a period when many citizens are lamenting the growth of the Federal Government, we cannot afford to take such shortsighted action.

CARDINAL MINDSZENTY: A HERO OF OUR TIME

Mr. PROXMIRE. Mr. President, on June 12 of this year Cardinal Mindszenty of Hungary celebrates the 50th anniversary of his ordination into the priesthood of the Roman Catholic Church. For a man of God, whatever religion he professes, an anniversary of this longevity deserves the honor and tribute of all men of good will.

Cardinal Mindszenty is by every meaning of the term a hero of our time. In this era of oversophistication in which we live, the noble virtues of heroism are often regarded with detached indifference and cynical disregard of their real worth. It is well, therefore, Mr. President, that on this occasion we should call the attention of our American people to those values of heroism that have elevated Cardinal Mindszenty in the esteem of all freemen; for it is in the life and works of such a man that our youth and even those not so young can find the example of a great and noble life well lived.

What are the attributes of Cardinal Mindszenty for which he deserves to be called a hero of our time?

Mr. President, first of all, I would single out the cardinal's unfailing fidelity to his God and to his church. This great Hungarian, this extraordinary man of God, absolutely refused to deny his interior religious commitments. And this he did under the most soul-shattering conditions of Communist imprisonment which are familiar to us all. Cardinal Mindszenty could not be broken. He was a rock that could not be shattered. Where other men may have surrendered to the temptations wrought by a sense of tragic futility, this great European held firm.

Mr. President, in this volatile era of shifting loyalties and of altering principles, in this time where practicality, expediency, and the pernicious adaptability of one's deepest values is a guiding norm for far too many people, it is a glorious experience to behold a man, who surrounded by his enemies would say, I will not submit, I will not break.

Such a man, Mr. President, is, indeed, a hero.

Such a man, Mr. President, is Cardinal Mindszenty.

There is still another quality that I would point to as indicating the virtue that is this man, and it is the cardinal's unfailing fidelity to his country and to the cause of freedom.

In every way Cardinal Mindszenty was a Hungarian patriot. Yes, Mr. President, he was a fighter against all oppression of his country, a fighter against the oppression of the spirit of man. He was a freedom fighter who has never lost faith in his country, in his people, and in man's inner desire to seek the good life in freedom.

What assures Cardinal Mindszenty a place in the hall of fame of all freemen, Mr. President, is not so much his fidelity to his God and church and his fidelity to his country and people—it is not so much this reality which is a quality commonly held by many men, as it is the fact that this man's values, his honor, his spirit, his whole being as a man had been tested by the enemy, and he did not falter. He did not take the easy way out. He held firmly to his most sacred values, values embodied in his love of God and country.

Mr. President, we do honor to ourselves when we pay tribute to this great Hungarian; for in honoring him we reassert those values that we Americans have always cherished as part of our own tradition.

And, Mr. President, when we honor this Hungarian patriot, we honor, too, the great and fearless people of Hungary; for to them Cardinal Mindszenty has come to symoblize the Hungarian spirit of freedom.

On this 50th anniversary of Cardinal Mindszenty's ordination to the priesthood, let us, therefore, extend our best wishes to this truly great and holy man, for his life has been and shall always be an inspiration to all men who seek freedom for the spirit of all men.

IMPROVEMENT OF OPERATION AND ADMINISTRATION OF ANTIDUMPING ACT OF 1921

Mr. HARTKE. Mr. President, on May 26, I introduced S. 2045, on behalf of myself, the distinguished Senator from Pennsylvania [Mr. SCOTT], and 21 other Senators, a bill aimed at improving the operation and administration of the Antidumping Act of 1921. An editorial in the Washington Post of June 1 displays an apparent misunderstanding about the intent and significance of this legislation.

The bill now has 29 Senate cosponsors, as well as 93 in the House of Representatives making a total of 122, and I am confident that they are just as disturbed as I am to be characterized, as the title of the editorial states, as "protectionists at work." I should like to add that the Senator from Pennsylvania [Mr. SCOTT] joins me in placing this statement before the Senate.

The editorial is devoted to criticism of both the Orderly Marketing Act of 1965 and the newly revised Antidumping Act amendment. Without attempting at this time to go into the merits of the editorial's remarks about the former, of which Senator MUSKIE is the principal sponsor and I am a cosponsor, I would like—on behalf of myself, Senator SCOTT, and other cosponsors of the antidumping legislation, including the initial sponsor of the bill in the House of Representatives, A. SYDNEY HERLONG, JR.—to object to recurring Post editorial attempts to cloud the issues surrounding the unfair trade practice of dumping by raising the old and convenient cry of "protectionist" whenever a piece of legislation is introduced which would attempt to curb international price discrimination.

Anyone who takes the time to examine the 1921 Antidumping Act, and the amendment which I and a number of my colleagues are proposing, will readily discern that imports would not be denied entry or prevented from being sold in our markets; they merely would be placed on a fair, competitive price basis if their importation at a dumping price injures American producers. The amendment certainly is not protectionist in going along with the Treasury practice of allowing foreign producers to lower their home market prices in order to eliminate the margin of dumping on sales to the United States, and thereby terminate dumping cases at the Treasury level through an appropriate price adjustment. Where no such adjustment is made, and then only if the Tariff Commission finds the dumped imports to be injurious, a special dumping duty is calculated by Treasury to bring the price back up to the price level at which the product was sold in the country of export.

This is a far cry from the editorial's charge that proponents of this legislation "cling stubbornly to the belief that this country can continue to be the world's largest exporter while closing its gates to the products of other countries." Responsible journalism, it would seem, might not have resorted so readily to the old cliches, nor to misleading assumptions. I shall briefly explain what I have in mind.

Editorials in the Post along similar lines followed the introduction in 1963 of a predecessor bill proposed as an amendment to the U.S. Antidumping Act and prompted then Senator, now Vice President, HUBERT HUMPHREY, its principal sponsor, to speak up as I am doing today to set the record straight. I might add that I was a cosponsor of the 1963 bill, and I feel that his remarks, which appeared in the CONGRESSIONAL RECORD of May 27, 1963, are as pertinent today as they were 2 years ago.

> I am, however, disturbed by the apparent lack of understanding displayed in these editorials toward the objectives of the Antidumping Act itself. In the editorial of May 13, the Post asserts that "any attempt to eliminate international competition by means of the inflexible Antidumping Act procedures will invite retaliations that can only work to the disadvantage of the free world." The April 23 editorial refers to the operation of the Antidumping Act as an example of the "discredited, protectionist policies which have inhibited international trade in the past."
>
> Certainly my vigorous advocacy of expansionist trade policies is a matter of public record. I was a strong and outspoken supporter of President Kennedy's Trade Expansion Act of 1962 and I view a mutual reduction of tariffs among the Western nations as absolutely essential to the long-run economic prosperity and political solidarity of the free world. But I also believe it is essential that every nation be willing to abide by basic ground rules of international trade. One of these rules is not to sell large quantities of surplus merchandise in a country at prices below those charged in home markets if such sales will injure domestic producers.

Senator HUMPHREY summarized his views in words that I feel are equally appropriate with respect to the June 1, 1965, editorial:

> It appears to me that the editorials were primarily theoretical rather than being based upon an actual observation of the laws and the facts that relate to these laws * * *. In short, whether by official statute or decree or by unofficial agreement, other nations of the free world sanction procedures to protect their domestic industries and markets from dumping of surplus products. To the extent that the Post editorials conveyed the impression that the U.S. Antidumping Act represented a unique trade practice unknown to

> our Western partners, they were grossly misleading. In fact, dumping is an internationally recognized unfair trade practice and action taken against dumping should be and is taken without regard to attempts to encourage and expand fair international trade.

Furthermore, the June 1 editorial misses the point that it is the apparent lack of consensus among the Commissioners since mid-1963 as to what constitutes injury, which underscores the fallacy of referring to the Commission's collective "judgment," when in fact, differing judgments exist among the Commissioners as to some of the basic concepts to be applied. In the absence of standards established by the Congress, there will continue to be confusion and uncertainty in both the domestic and importing communities as to the interpretation of basic concepts in the act.

Once the applicable standards are made known, there is a reasonable expectation that cases will not be brought by domestic industry in which no injury is likely to be found, but which previously might have been worth a try. Also, where injury is likely to be found because of the clearer standards, there will be less reluctance to bring a valid case. Both of these situations would result in a higher percentage of findings of injury, and for solid reasons. I believe it therefore inappropriate that the Post editorial remarks that:

> The Hartke-Scott bill would foist upon the Commission rules that would make findings of injury far more likely.

Next, I should like to say a word about the continuing reference in Post editorials to retaliation against U.S. exports. In the June 1 editorial a series of retaliations from European countries is prophesied. I will not deny that some European countries have the capability of reassessing their own antidumping laws, but I do object to the use of the retaliation argument, just as then-Senator Humphrey did in his response to earlier Post editorials, as an attempt to stifle any discussion of needed changes in our foreign trade laws.

It is clear that the most effective way to influence antidumping developments in the countries of our trading partners would be to provide a model in the U.S. experience. In a sense this has been accomplished inasmuch as the U.S. law and the GATT provision on dumping are very similar. However, it is equally evident that our U.S. Antidumping Act requires improvement. A model law must be clear in its terms, and it must be effective and efficient in its application. Once such a law is in being, we can hold it out to our trading partners as a measure by which their laws can be tested, and we can be more certain that our export trade will not be unfairly treated.

We need not be ashamed of the U.S. Antidumping Act of 1921, as amended, with its two stage investigation, which does not make dumping alone actionable, but only when injury is also shown. U.S. exports which may be dumped but do not cause injury abroad are not likely to be complained of by foreign governments. Furthermore, since the U.S. antidumping law, and the proposed amendment as well, would apply to products of all countries equally (with certain special provisions for dealing effectively with Communist products), it does not discriminate against European countries, and retaliatory measures aimed at only U.S. exports would be in violation of the General Agreement on Tariffs and Trade—GATT—which provides the framework for the Kennedy round of tariff-cutting negotiations now in progress, and from which the European countries, as well as all others, hope to benefit. Thus, it should be kept in perspective that the foreign countries have been asking for many changes in U.S. law in addition to the Antidumping Act, and that recent Treasury changes in its regulations, many of which would be ratified by the 1965 amendment, have already acceded in substantial part to the major foreign requests.

The third point which needs clarification is the editorial's misleading implication that only the steel and cement industries would benefit from this bill. This is put in the form of a statement that the bill would strengthen the market position of steel and cement, when in fact many of the principal beneficiaries will be small domestic industries and their labor force which have the most difficulty in withstanding dumping. In a survey made last year covering the previous 10-year period it was found that 141 different product types were involved in 319 dumping cases, broken down into the following categories:

	Product types	Cases
Agricultural products	17	22
Aluminum products	3	26
Automobiles	1	8
Baking products	3	7
Chemical products	24	50
Fish products	6	7
Glass products	2	3
Metal products	28	64
Portland cement products	2	18
Rayon staple fiber products	2	33
Textile products	12	16
Wood products	13	23
Miscellaneous products	28	42
Total	141	319

Thus, it is understandable that the predecessor antidumping amendment was endorsed by a number of organizations representing substantial segments of their industries including, in alphabetical order: Automotive parts, supplies, and equipment, braided rug, cast iron soil pipe, cement, cheese, copper and brass, electrical and electronics, fine and specialty wire, fish, glove, hardwood plywood, hat, musical instrument, scientific apparatus, shoe and leather, tool and stainless steel, vegetable and melon, and wire and cable. Backing has been provided also by such national organizations as the American Mining Congress and several labor unions.

I believe that the foregoing should make it clear that this is not special interest legislation. Moreover, it now appears that the newly revised 1965 amendment is likely to receive even stronger and more widespread industry, labor, and congressional support than did the 1964 bill.

There is no doubt that injurious dumping will be easier to curtail if our bill is passed. This is an important objective of S. 2045. It is clear, also, that the market positions of steel, cement, and many other industries—as well as the well-being of employees who work in these industries—will be strengthened insofar as American companies, which are already in tough competition with each other and nondumped imports, will have a better chance to combat unfair competition from dumped imports.

Market disruption by hit-and-run tactics, leaving to U.S. producers the slow task of rebuilding to earlier price levels, is clearly an irresponsible international trade practice. The broad generalization of the editorial that import competition makes an important contribution to price stability and the welfare of the consumer, is misused when overextended to a dumping situation. In this "highly interdependent world," as the editorial calls it, I believe it becomes increasingly essential that imports compete fairly.

On this point I should like to quote once again from then, Senator Humphrey's remarks of May 27, 1963, and from those of Senator Hugh Scott, the principal cosponsor in the Senate of the 1965 bill, as he was of the 1963 bill. Both men stressed a significant facet of this problem, one which I heartily endorse. The Humphrey observation was:

> I have always maintained that American manufacturers were fully capable of meeting legitimate foreign competition, but no domestic producer should be expected to withstand the long-term effects of irresponsible dumping actions by foreign competitors.

Senator Scott stated in his introductory remarks on May 26, 1965:

> Manufacturers in this country have never feared legitimate competition. Drawing upon principles evolved by the courts under U.S. antitrust laws, my amendment would ask foreign suppliers selling in the United States to comply with the same type of ground rules that guide U.S. domestic industries. The unfair double standard where our companies are bound to obey certain laws that do not apply to foreign suppliers would be eliminated. The great majority of our industries ask only the opportunity to compete fairly. They cannot do this when confronted with the artificially low pricing which characterizes dumping.

Finally, it is time to bring some perspective on the last-ditch argument which the editorial evokes, that lower prices are for the welfare of the consumer. Now everybody knows that the ultimate consumer, or any buyer, will have a benefit if he pays less for something. We are all for this—who could be against it? But in a dumping situation, when a short-term benefit to the consumer is at the cost of injury to U.S. industry and labor, we are forced to look at the consumer benefit argument not in a vacuum, but as part of our whole economic theory—that the reasonable expectation of a profit is the stimulus to business venture in the first place. It is competition in our private enterprise system which brings lower prices to the consumer—not the destruction of competition by dumping.

Mr. President, in responding to the recent Post editorial and clarifying some of the inaccurate assessments it made, I also should like to take this opportunity to remind those of my colleagues who have not yet signed up as cosponsors of the 1965 Antidumping Act Amendment that S. 2045 remains at the desk today. I urge all Senators who feel as we do, on both sides of the aisle, to add their support by signing as cosponsors of the bill now.

UNSEEN ALLIES OF THE VIETCONG

Mr. LONG of Louisiana. Mr. President, there appeared in yesterday's Washington Post an article written by the syndicated columnists Rowland Evans and Robert Novak. In this article the authors discuss the "unseen allies" of the Vietcong in the war in Vietnam. As one of these "allies" they name the critics of President Johnson's firm policy of resisting aggression in southeast Asia.

I am sure that these critics do not wish to advance the Moscow line, as they are described in this article as doing, by giving assistance to the active enemy of the United States in the Vietnam war. The authors make it plain that the assistance is unwitting. The fact that it is unintentional, however, does not make it less damaging, and I urge the critics to give serious consideration to the effect which their statements are having.

All of us, and especially President Johnson, are hoping for and looking forward to the day when we can end the fighting in Vietnam and sit down at the negotiating table to find the basis for a stable and peaceful South Vietnam. In order for this hope to be realized, however, the Vietcong must come to accept the fact, and it is a fact, that we are not going to be driven out of South Vietnam—we are not going to abandon the Vietnamese people. It is clear that the criticisms of the President's policy and actions are delaying the time when the Vietcong will come to accept this fact.

The authors acknowledge that the damaging effect of the statements of these critics is in part due to the exaggerated attention given to them by the Vietcong and their allies, Moscow and Peiping. To acknowledge this does not alter the situation. It only makes it more clear that those who are making the statements should take this factor into account. I urge them to do so. It seems to me that their criticisms could at least be tempered even if they are unwilling to give the President the support I think he deserves for his courageous and forthright policy of resisting the open and violent aggression against the people of South Vietnam.

Mr. President, I ask unanimous consent that this very well conceived and written article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUMMER IN VIETNAM

(By Rowland Evans and Robert Novak)

In the dangerous rainy season offensive, the Communist Vietcong guerrillas have two unseen allies—one an intentional ally, the other an unwitting ally.

The intentional ally is Moscow. By its statements of new support and weapons, the Soviet Union shows how far it has allowed itself to be pushed into North Vietnam's corner. And this in turn provides a crucial boost in Hanoi's will to win. Hanoi is the Vietcong's sponsor and supplier.

The unwilling ally in this dangerous summer are the U.S. critics of President Johnson's firm policy in southeast Asia. Every critical statement is puffed up far out of proportion as proof that in the end the United States really won't stick it out in the jungles of southeast Asia.

These factors assume special importance in the critical new phase of the war. With arrival of the summer monsoons the less mobile United States-South Vietnam forces are slowed, their air operations are impeded, and the light-traveling Red guerrillas gain a new advantage. Each year the Vietcong conduct intensive probing operations in June, then move into a major offensive in July.

Nobody believes the success or failure of the Vietcong summer offensive will settle the war once and for all. But if the Communists score anything like their summer successes of 1963 and 1964, the entire gain in morale in South Vietnam generated by the U.S. bombing in the north (a gain already being dissipated) could be erased altogether.

A repeat of Vietcong successes of 1963 and 1964 might even lead to a coalition government in Saigon, a disastrous mixture of Vietcong leaders and non-Communists.

But if the Vietcong are stopped for the first time, it could be a turning point of the war. Among other things, it would much enchance the new amnesty campaign aimed at the Vietcong (duplicating the campaign used so well in combating Communist guerrillas in Malaya a decade ago).

In guerriilla war, morale is nearly as important as military tactics. That's why the strong statements now coming from Moscow backing the Vietcong are so important. Moreover, the expected early arrival in North Vietnam of sophisticated Soviet antiaircraft weaponry is considered significant more for psychological than military reasons.

Soon after Khrushchev's fall, the new Soviet leaders laid plans to give Hanoi more help—mainly to counteract Red Chinese influence. This help was accelerated by the U.S. bombings in the north. One negative feature of the bombings is that it has pushed Moscow into taking a stronger stand in Vietnam in order to maintain its position in the Communist world.

But as we have reported previously, the unwitting aid from the United States can be just as dangerous as the intentional aid from Moscow. This explains why Assistant Secretary of State William Bundy often leaves his desk in Washington to debate critics of President Johnson's Vietnam policy.

The reason these critics have an influence out of proportion to their numbers is the dangerous tendency of the Communist intelligence community (a tendency not peculiar to Communist nations) to believe what it wants to believe.

For instance, there is good reason to believe that Communist China really thought India would fall apart when invaded 3 years ago.

By the same token, both Peiping and Hanoi are known to overemphasize the importance of domestic criticism here.

Of course, more is involved than psychological warfare. The continuing growth of U.S. ground forces has freed Vietnamese troops for field duty. Moreover, U.S. officials hope that new battle techniques will enable the Vietnamese to do better against the Vietcong's hit-and-run guerrilla tactics than the last two summers.

A guerrilla war is beyond prediction. One thing certain, however, is that Hanoi is adamant against negotiations. This, together with the growing moral and physical aid from Moscow, has reinforced Hanoi's determination to go all out on another summer offensive. If peace is to come to Vietnam, that offensive must be stopped cold.

SENATE SHOULD REJECT NOMINATION OF GEN. WILLIAM F. McKEE

Mr. YOUNG of Ohio. Mr. President, I am opposed to S. 1900, now on the Senate Calendar, to appoint Gen. William F. McKee as the Administrator of the Federal Aviation Agency.

The Founding Fathers provided that in the United States, civilian authority must always be supreme over military authority. They specifically included in the Constitution the provision that the President of the United States shall be Commander in Chief of the Armed Forces. This has been a basic principle of our democracy.

They were mindful of the inevitable conflict between civilian and military leaders. Apparently, from what has taken place in the executive branch of our Government during recent months, they were justified in being fearful of military domination in our Republic. These 18th century fears on the part of those patriots who won the Revolutionary War and later wrote the Constitution and Bill of Rights are equally valid in the 20th century. It is suggested that top officials in the executive branch of our Government would do well to reread some of the debates in the Federal Convention and refresh their minds that James Madison and other architects of our Constitution were determined that "the military shall always be subordinate to civilian power."

The Congress has specifically provided that numerous high Federal offices shall always be filled by civilians, including the posts of Secretary of Defense, Secretary of the Air Force, and many others. Among them is the position of Administrator of the Federal Aviation Agency.

At this time, Mr. President, 94 retired and active officers of our Armed Forces, many of them generals, enjoy executive assignments in the Federal Aviation Agency alone. Major General Grant is Deputy Administrator. The Federal Air Surgeon is Major General White. The Associate General Counsel is Brigadier General Menter. In addition, there are 15 colonels, 31 lieutenant colonels, and 20 majors enjoying their retirement pay and, in addition, high salaries for the positions they occupy in this Agency.

Turning to the Navy and Marine Corps, we find there are three U.S. Navy captains, nine Navy commanders, one

Marine colonel, and two Marine lieutenant colonels in the same category. This, Mr. President, is a civilian agency in whose very creation Congress wrote exceptional safeguards seeking to prevent domination by active or retired military officers.

Mr. President, there has been a continuing trend over the past 20 years of placing retired generals and admirals in important posts in the executive branch of our Government, President Dwight D. Eisenhower warned in a farewell address to the Nation:

> In the councils of Government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or the democratic process.

In my opinion this was the most important advice he gave to the Nation during his presidency. We would do well to heed it.

President Johnson has made an admirable record in appointing only the most highly qualified persons to posts of great trust in the Federal Government. I have supported every nomination that he has sent to the Senate. His record of appointments to positions that do not require Senate confirmation has also been outstanding.

However, I cannot in good conscience vote for the nomination of Gen. William F. McKee to be Administrator of the Federal Aviation Agency. My opposition is not on personal grounds. From what I have heard and read, it is my understanding that General McKee is an able military officer and a competent administrator.

My objection is based on a principle that has prevailed from the time of our Founding Fathers, the principle that civilian power shall always be supreme over the military. This principle was laid down to safeguard the citizenry against the indiscriminate use of military power in our democracy, to assure the people that their peers, and not the men commanding a powerful military force, would be their governing agents.

By continually excepting positions which the Congress has specifically required by statute to be filled by civilians, we are gradually eroding that great principle. The time has come to put a halt to the intrusion of so many generals and admirals, both on active duty and retired, into the civilian affairs of the Nation. It is estimated that 30,000 former officers in our Armed Forces are now enjoying positions in various Government departments and agencies at excellent salaries in addition to their retirement payments. This is a bad situation.

Today the Defense Establishment accounts for more than half of the Federal budget. Since World War II the members of this establishment have wielded a power in this Nation which is completely new and unique in our way of life. The cold war and the struggle against Communist tyranny in this period of international anarchy has made it necessary that we maintain our Nation as the most powerful that ever existed under the bending sky of God. All Americans are proud of and indebted to the men who have devoted their lives to the defense of our country. However, we must insist that civilian authority in our Nation remain in control of the Defense Establishment and we must constantly guard against encroachment by the military, whether casually or by design, into the civilian affairs of the Nation.

Let us keep the generals and former generals where they belong. The time is here for us in the Senate to demonstrate by our votes that we regard it as a potential danger to our American way of life and to the maintenance of honorable peace that we have these continual appointments of retired officers of our Armed Forces to important civilian positions in our Government. Specifically, this nomination should be withdrawn or rejected by the Senate.

Mr. President, when the 85th Congress enacted the Federal Aviation Act in 1958, it took great pains to assure that the Administrator of the Federal Aviation Agency would be a civilian. The conference report on the act specifically spells out that the Administrator shall "not be on the active or retired list of any regular component of the armed services." In addition, the act's provisions which forbid two military officers from holding the two top positions in the Federal Aviation Agency further reinforce the belief that civilian rule shall be dominant.

In S. 1900 the Senate is asked to waive this basic principle for the benefit of one man. The bill would permit General McKee to stay on the rolls of the Air Force as a retired officer and assume the office and duties of Administrator of the Federal Aviation Agency. There is no need to revoke or set aside an important section of this act so that an Air Force general should become Administrator.

No Senator, I am certain, will take the position that our President is unable to find and nominate as Administrator of the Federal Aviation Agency a civilian of unquestioned ability, fine experience and achievements in civil life and as loyal and as equally able, or more so, than this general or any other retired Army officer.

What is there about Gen. William F. McKee that causes him to be so exceptional and so outstanding that the law passed by Congress should be ignored or revoked so that he may be given this administrative position at a high salary plus his military retirement pay? This would make General McKee the recipient of $38,404 per annum compensation, exceeded in our Government by only the salaries of the President and Vice President of the United States.

Passage of this bill will set a very bad precedent. It is a bad bill. It should be defeated. If the President does not recede from his intention to nominate Gen. William F. McKee to the office of Administrator of the Federal Aviation Agency, such nomination should be rejected in the Senate.

With the wealth of well-qualified civilian personnel in the Nation, there are certainly a number of individuals in whom we all could rest our complete faith and confidence, and at the same time preserve our tradition of the subordination of the military to civilian authority.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. HARTKE. I commend the Senator from Ohio for the forthright statement he has made. I thank the Senator for his opposition to S. 1900. I shall have more to say on this subject later today.

PROPOSED REPEAL OF SECTION 14(b) OF THE TAFT-HARTLEY ACT

Mr. DIRKSEN. Mr. President, the administration's proposal calling for repeal of section 14(b) of the Taft-Hartley Act, will soon be coming to the Senate for disposal. Speaking for myself, I am quite opposed to the proposed deletion of this provision from the Taft-Hartley Act.

I believe that this involves the fundamental matter of the rights of States to legislate not only in the labor field, but in other fields as well. If this were to become a precedent, along with the experience which we had in the State of Pennsylvania, in which the State law dealing with subversion was stricken down by the Supreme Court of the United States on the ground that the Smith-Mundt Act had preempted that field, then, of course we would be dealing a blow to the whole Federal-State system.

If this interdiction were lifted and the Federal Government could preempt this entire field, it could do likewise in other fields of activity involving transportation, communications, and many other activities, and would go to the very heart of the Federal-State system. I believe that the issue is becoming generally recognized.

The June issue of Fortune magazine contains an editorial entitled "Fourteen B or Fight." I believe this article merits wider currency. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOURTEEN B OR FIGHT

With a stubbornness worthy of a better cause, American labor leaders seem bent on constricting, if not eliminating entirely, a right that we should suppose was fundamental in any good, let alone great society—the right, namely, of workers to join or not to join, to support or not to support, unions of their own choosing without fear of losing their jobs. That right is broadly protected by the Taft-Hartley Act of 1947, which bans the old "closed shop" as a matter of national policy, and under section 14(b) permits the individual States to outlaw many other forms of coercion and compulsory unionism. At present 19 States have right-to-work laws on their books. While they have not always been effective, they do constitute an important reinforcement to free employee choice.

But big labor has never seen the matter that way, and having fought State right-to-work laws in detail, it now wants to snuff them out entirely by amending Federal law. What's more, this effort seems to have a fair chance of succeeding. Repeal of section 14(b) of Taft-Hartley was pledged in the Democratic platform and in the President's state of the Union message. Labor regards this as a binding contract, and for weeks has been lining up support in Congress. The rash promise to rip open the labor law of the land has already harmed the consensus that President Johnson has been so painfully building with the business community, and set rumbling a bitter debate. Here is an issue on which all citizens who are interested in preserving a free society should take a stand.

The basic issue involved concerns the principle of voluntarism to which the late, great Samuel Gompers paid explicit and eloquent tribute in his final address to the American Federation of Labor nearly a half century ago. "No lasting gain has ever come from compulsion," Gompers warned. "If we seek to force, we but tear apart that which, united, is invincible."

Today American labor is not quite invincible but its powers have increased a thousandfold since Mr. Gompers spoke, partly as the result of vast changes in Federal laws protecting the right to organize and bargain collectively. Unhappily the more power unions have acquired the less they seem willing to sell their services on a voluntary basis. In the national elections of 1964 labor spent millions to defeat candidates who stood up for State right-to-work laws, and early this year it successfully revoked such a law in Indiana.

The arguments used against the principle of voluntarism are various, and often conflicting. Union leaders contend that State right-to-work laws impede their organizational drives, but there is little trustworthy evidence on this point. Union membership has gone up in Arizona, which has such a law, but has stagnated in Michigan, which has never adopted one. Again it is contended that wages are lower in right-to-work States than in non-right-to-work States, but this would seem to be due to regional differences in wage levels, which have little to do with union organization. Wages are, after all, a function of productivity and capital investment, and naturally they tend to be highest where such investment has been most intense.

WHOSE FREE RIDE?

The most popular and frequently used argument against State right-to-work laws and against section 14(b) of Taft-Hartley concerns the so-called free rider. If unions gain substantial benefits for workers, surely all the workers in a shop should be made to pay union dues and join in union activities. But this argument overlooks the fact that it is organized labor which took the first free ride by insisting that if only 51 percent of the members of a bargaining unit vote for a union, then the union must represent all the workers involved whether they wish it or not. This provision of both the Wagner Act and the Taft-Hartley Act is the real key to union power in industrial affairs, and it is a tremendous power. Take away this power and there would be no free riders by definition, since unions would bargain only for members who willingly chose to sign up. In short, it is the law as unions wanted it that creates the free-rider problem, and it is pretty cool to get one big privilege and then argue that this must entail a second big privilege.

The truth is that unions already have enough, and more than enough, special privileges, and that our whole effort should be to cut these privileges down rather than to enlarge them. We also believe that unions themselves would be better off to the degree that they become voluntary organizations and that they are big enough and mature enough to work in this direction. In this context the proposal to repeal section 14(b) of Taft-Hartley is a step in precisely the wrong direction. It is a bad proposal, an imprudent proposal, and in the end a foolish proposal—bound to stir up great domestic controversy when the President needs support for his foreign policy and other measures.

SENATOR HRUSKA MAKES THE CASE FOR LETTING THE PEOPLE DECIDE

Mr. DIRKSEN. Mr. President, the Constitutional Amendments Subcommittee of the Senate Judiciary Committee has completed its hearings on Senate Joint Resolution 2, which would give the voters of each State the right to decide how they want their legislatures apportioned.

It is my hope and my expectation that the resolution will be favorably considered by the full Judiciary Committee and reported to the Senate for its action.

Last week, our colleague, Senator HRUSKA, a member of the subcommittee, discussed the problems raised by the Supreme Court's so-called one-man, one-vote decision in a well-reasoned speech before the St. Louis Bar Association.

The occasion was a dinner which was the third and final event of the association's bicentennial program.

The first was a banquet on October 6, 1964, at which lawyer members of the executive branch of government were honored. The address was delivered by the Honorable Adlai Stevenson, U.S. Ambassador to the United Nations.

The second event, on February 9, 1965, honored members of the judicial branch of government. Associate Justice Tom C. Clark, of the U.S. Supreme Court, delivered that address.

The third and final banquet honored lawyer members of the legislative branch of government. It was at this banquet held on June 1 where Senator HRUSKA spoke.

Each of the banquets was presided over by the Honorable Rexford H. Caruthers, president of the Bar Association of St. Louis.

In his address, Senator HRUSKA, in characteristic fashion, skillfully and succinctly made the case for letting the people decide the issue presented by the Supreme Court decision in the case of Reynolds against Sims.

His remarks were applauded editorially by the St. Louis Globe-Democrat.

I ask unanimous consent, Mr. President, to have printed in the RECORD the text of Senator HRUSKA's remarks and the editoral from the Globe-Democrat.

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

EXCERPTS OF REMARKS BY SENATOR ROMAN L. HRUSKA, ST. LOUIS BAR ASSOCIATION, JUNE 1, 1965

In June 1964, the Supreme Court entered the political thicket of apportionment, structure and composition of State legislatures as being within the purview of the equal protection clause of the 14th amendment. In part the opinion in *Reynolds* v. *Sims* reads:

"We hold that as a basic constitutional standard, the equal protection clause requires the seats in both houses of a bicameral State legislature must be apportioned on a population basis."

This was new law. It was a direct and complete reversal of decisions rendered for almost a century.

The resulting impact and reaction were severe and widespread. Proof of deep concern, misgivings and even dismay is contained in two occurrences:

Approval of resolutions calling for a constitutional convention by legislatures of 26 States, pursuant to the alternate amendment process provided in article V of the Constitution.

Great interest in and support for congressional resolutions to submit to State legislatures for ratification, an amendment which would enable each State to modify the Supreme Court ruling by following prescribed procedures.

Although there are several such resolutions pending, perhaps the essence of all is expressed in Senate Joint Resolution 2, pertinent part of which reads:

"Nothing in this Constitution shall prohibit the people from apportioning one house of a bicameral legislature upon the basis of factors other than population, or from giving reasonable weight to factors other than population in apportioning a unicameral legislature, if, in either case, such apportionment has been submitted to a vote of the people in accordance with law and with the provisions of this Constitution and has been approved by a majority of those voting on that issue."

Hearings before the Senate committee were extensive. They have been completed and shortly the task of drawing final draft for report to the Senate will begin.

The hearings produced a well-balanced record. Opposing views on the proposition were thoroughly developed.

They were constructive hearings.

The proponents could have dwelt upon arguments attacking the Supreme Court's decision as erroneously interpreting and applying the 14th amendment:

1. The understanding and intent of those in the Congress who proposed the 14th amendment and those legislatures which ratified it, were that the right to regulate the elective franchise was left to the States as it had existed thereofore, and that the amendment did not meddle with that right, or affect it.

2. It was plain that had the understanding or intent been declared to the contrary, the amendment would not have been ratified.

3. Section 1 of the amendment must give due regard to section 2 because the amendment is a single text. Section 2 expressly recognizes the States' power to deny "or in any way abridge" the right of their inhabitants to vote for members of the State legislature, but goes on to provide a remedy or penalty for any such denial or abridgement.

But this approach of attacking the Supreme Court was avoided.

Rather it was taken that the Constitution means now what the Supreme Court declared in *Reynolds* v. *Sims*.

The wisdom of its remaining so, however, was vigorously challenged.

It was contended that the recent interpretations by the Court are new law and that a substantial number of citizens disagree with their soundness, to a point that leads them to advocate a correction thereof.

How substantial is the percentage of citizens who hold this view?

While it would be difficult to say how large such a percentage is, it can be said that it is substantial enough not to be ignored.

The question is of such grave importance that the answer can best be found by enabling each State to submit the issue to its people in fashion prescribed.

That is what the proposed congressional resolutions are designed to do.

I

Reynolds v. *Sims* joined together and treated equally two vastly different situations which should have been distinguished one from the other:

1. States guilty of flagrant disregard of their own State constitutional provisions as to apportionment on a population basis.

2. States in which there was compliance with and adherence to State constitutional provisions for legislative apportionment based in part on factors other than solely population.

One of the most persuasive showings on this point was presented by the Honorable Thomas D. Graham, speaker of your Missouri House of Representatives, when he appeared before our Senate committee.

He described the process of evolution by which the present apportionment method and basis were reached. The formula for the house, the appointment of a commission by the Governor, the refixing of boundaries by the commission every 10 years, etc. He recounted the several popular votes relating to this subject in recent years, and the sustaining by the voters of the system thus worked out.

It was not difficult to see in the light of Mr. Graham's entire account that Missouri deservedly enjoys the reputation among scholars of government and others of having a model legislative apportionment system.

Now, ladies and gentlemen, that system may not be what the Supreme Court approves but it is submitted that by all the criteria of democratic self-government, it is what the people of Missouri want.

Which of these two should be the ultimate political authority on this subject?

Other States have similarly to Missouri provided for apportionment based on factors other than population alone—some with a commission as in Missouri, but all as a result of approval of a vote by the people.

Such situations simply are not comparable to the Tennessee case decided by the Supreme Court in *Baker* v. *Carr*, which held that such cases are within the jurisdiction of the Supreme Court. Situations like that in Missouri are not comparable to other cases in which State constitutional provisions for apportionment of both houses on population basis alone, are deliberately, flagrantly, and persistently violated or disregarded by either the State legislature or the State courts, or both.

This speaker would hold no brief for a State with the latter kind of case.

Such a State should have two alternatives: (1) to comply with its constitution if it calls for apportionment by population only for both houses of the legislature; or (2) to amend its organic law to provide another system which will conform to the Federal Constitution.

It is the purpose of Senate Joint Resolution 2 to make available the second alternative. In brief, it provides that the rule in *Reynolds* v. *Sims* would continue as the law of each State, unless the people of any State approve, by popular vote, a plan which would provide for apportionment of one house on factors other than population alone.

II

To deprive a State of the right to apportion at least one branch of its legislature on other bases than population alone, is a serious and untenable invasion of that State's sovereign power.

Regardless of whether it is good law, it is not sound political science.

It would be hard to conjure up any more basic concern of a State than the structure and composition of its legislature. That branch is the fountainhead of State governmental policy. The right to establish its apportionment goes to the roots of sound concepts of representative government.

To strike down the Missouri system or one similarly conceived and sustained, by plebiscite, is a blatant repudiation of the very principle relied upon to reach the result; namely, one man, one vote.

The expression of a free people in unequivocal terms that they desire a certain composition of their legislature should be respected and held inviolate, unless the tenets of democratic government are to be ignored; unless the popular will is held for naught; unless it is to be said that representative government does not touchstone in the consent of the governed; unless "We, the people" which are the first three words of our National Constitution are to be changed to "We, the Supreme Court."

III

Notwithstanding the decision in *Reynolds* v. *Sims*, the fact is that apportionment of State legislatures will not be based on population alone. Other factors will necessarily and admittedly enter into any plans of apportionment.

But unless our Federal Constitution is amended to prevent it, it will be the Supreme Court, instead of a State's legislature and people, which will determine which other factors will be permissible and under what circumstances and in which States they can be employed in apportionment plans.

In its opinion in Reynolds, the Court expressly recognized the practical impossibility to arrange legislative districts so that each one has an identical number of residents, or citizens, or voters. It said: "Mathematical exactness or precision is hardly a workable constitutional requirement."

It is also noted that many States have deviated in greater or lesser degree, from the equal-population principle in apportionment, and then went on to say:

"So long as the divergences from a strict population standard are based on legitimate considerations incident to the effectuation of a rational State policy, some deviations from the equal-principle are constitutionally permissible with respect to the apportionment of seats in either or both of the two houses of a bicameral State legislature."

At this point, the opinion engaged in a discussion of a variety of nonpopulation standards, commented on virtues and vices of several, and then stated:

"For the present, we deem it expedient not to attempt to spell out any precise constitutional tests. What is marginally permissible in one State may be unsatisfactory in another, depending on the particular circumstances of the case. Developing a body of doctrine on a case-by-case basis appears to us to provide the most satisfactory means of arriving at detailed constitutional requirements in the area of State legislative apportionment."

In short, the doctrine of one man, one vote is unattainable. It must be diluted more or less by other factors.

The Supreme Court proposes that it will decide which factors are desirable and which are undesirable; it will decide when they are to be applied and how heavily, as well as the circumstances when this will occur. Note also that they reserve to themselves application of some nonpopulation standards in some States but a prohibition of those same standards in other States, "depending on circumstances."

In short, the Court would perform in the role of an overlord, with roving but continuing jurisdiction over the law and policymaking branch of State governments—over its structure and composition.

Proponents of a constitutional amendment to make possible a limited modification of *Reynolds* v. *Sims* submit that the factors and activities which the Supreme Court seeks to undertake are legislative and policymaking in character, and hence the Federal Judiciary is neither the place nor a body possessed of the competence required for the task.

It is a task better left to the judgment of the elected representatives of the people and to the people themselves.

To a voter, it is not as important to be in a legislative district which has as much population as any other district, as it is to be in a district within acceptable limitations in which his vote will have some meaning in choosing the kind of representation he wants.

To the State it is more important to have a balanced and fair representation than to have thrust upon it attempt after attempt to achieve mechanically contrived mathematical exactness, which admittedly will require divergences.

The Congress should submit to State legislatures the opportunity to ratify an amendment which will enable the popular vote in each State to decide whether the Supreme Court decision should be modified within the limitations specified.

[From the St. Louis Globe-Democrat, June 3, 1965]

HRUSKA ON THE JUDICIAL RADICALS

Speaking before assembled lawyers of the Bar Association of St. Louis, Senator ROMAN HRUSKA indicted the U.S. Supreme Court for trampling upon a constitutional right of the States and shoddy political science to boot. We concur on both points.

The Nebraska Republican, a member of the Senate Judiciary Committee, was specifically challenging the Supreme Court's one man, one vote decision, requiring every house of every State legislature to be apportioned upon the basis of population alone.

Through this decision the Court declared unconstitutional the legislatures of most of the 50 States. Even the most rabid partisan of the Court will admit, in sober moments, that the signatories of the 14th amendment—basis for the one man, one vote decision—intended no such thing when they signed it.

What the Justices did here was simply use our Constitution to erect their questionable personal, political prejudices into legal principles binding upon every State in the Union.

Those who endorsed the Supreme Court decision did so because they approved of the political results, notwithstanding the patent unconstitutionality of the action.

But the States have at last begun a counteroffensive against the decade-long aggressions of the radicals on the Warren bench. Senator HRUSKA called for support for the counterrevolution against the Court usurpations, as do we.

Twenty-six States have applied to Congress to call a constitutional convention, which would open the Constitution for amendment, and only 11 more are needed to make that convention an unprecedented reality.

The rising specter of such a convention is placing mounting pressure upon a lackadaisical Congress to pass favorably upon some version of the Dirksen amendment which would allow one house of every State legislature to be apportioned upon a basis other than a count of noses among its citizenry.

If Missouri wants to give each county a seat in the house in Jefferson City, that is our business not the business of Hugo Black or Earl Warren. Court intrusions into the rights of this and other States have become intolerable.

We couldn't care less if Chief Justice Warren and a majority of his colleagues hold silly notions about what is the good political society. But we do care when Mr. Warren and his collaborators take the Constitution and twist it so they can try out their political schemes on all 50 States at once.

REAPPORTIONMENT

Mr. DIRKSEN. Mr. President, on the question of reapportionment of branches of the State legislatures, I noticed that Raymond Moley, the very popular columnist of Newsweek magazine, published an article entitled "Back to Bossism," which appeared in the Newsweek issue of June 14, 1965.

It is an excellent and well reasoned article on the subject, and shows what the ultimate implications will be if the population factor is the only factor to be taken into account for the purpose of apportioning at least one branch of the State legislature. This article merits wider currency, and I ask unanimous consent to have it printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BACK TO BOSSISM

(By Raymond Moley)

The powerful dissenting argument of Justice Frankfurter in the first of the reapportionment cases, his last and best opinion, seems to have left a majority of his colleagues unimpressed. For since then, the Court has moved far beyond its original position, holding that both houses of State legislatures must be apportioned on the basis of what is somewhat loosely called one man, one vote. Wide criticism and the opposition in Congress to this judicial intervention in a political question have not deterred the Court, liberal Democrats, and union labor from pressing on for a full application of this representational revolution throughout the Nation.

Perhaps the effort to stem the tide relies too heavily upon tradition. For it is impossible to escape the conclusion that in the torrent of reform which has been sweeping the country since the election in 1964, tradition has been rejected as reactionary and benighted. I shall therefore refrain from an appeal to history. The Supreme Court is determined not only to interpret the law, but to create an institutional revolution.

BALANCE IS NEEDED

The effect of the sort of representation now decreed by the Court and apparently supported by the proadministration majority in Congress will, if successful, subject the legislatures of every big industrial state to control by the major cities. This will be most marked in such States as Illinois, Michigan, Indiana, Ohio, Pennsylvania, New Jersey, New York, and Massachusetts.

Because of the drift of population, great urban masses have a preponderance of the voting strength in their States. If we are to believe that pure democracy is the way to enlightenment, justice and progress, it follows that we shall want these great masses of voters to dominate the legislative bodies of the States, to work their will and promote their interests without check or restraint. The suggestion of the necessity of countervailing forces to assure deliberation of debate and legislative calm these days may be excoriated by the gentle knights of change. But sober reflections on the motives and habits of people in the mass must tell us of the need for balance.

When power is given without limitation to people in the mass, they do not make their decisions by individual and rational choice. They move as a unit, dominated by their social and economic environment—and their leaders. The rule is, as the late Prof. V. O. Key pointed out after a monumental study of polling, that mass opinion represents an "interaction" between what he called influentials and the bulk of the people. The people, he said, are moved by their leaders' "cues" and "proposals." Those leaders are the "activists." Thus, what we call the "democratic order" depends upon the beliefs, standards, and interests of its leaders.

DOMINATE STATE CAPITALS

In the industrial centers the leaders are the political bosses and the labor leaders. The masses are told how to vote, not directly and arbitrarily in all cases, but by clever devices, deluding the minds and emotions of the voters. In short, a great majority in every urban area is controlled.

For more than a century these urban areas were boss controlled. Some still are. But as Federal welfare grew after the middle 1930's, the bosses became mere proconsuls under the Federal establishment which had unlimited funds to supplant the machine's beneficial treasury. This, it seemed, meant the twilight of the boss and the machine. Like Othello, they found their "occupation gone."

Reapportionment, which will throw control of the legislatures to these city machines and unions, will mark a revival of the old order. For in many States the urban organizations, mostly Democratic, will dominate the State capitals. Through control of the legislatures, the urban legislative stooges will next redraw the congressional districts and thus assure in the House of Representatives a majority capable of perpetuating what we have now.

That is the prospect before us. And unless some constitutional means is devised and enacted to assure some semblance of geographical representation in at least one house of the State legislatures, there may well be indeterminate domination of national affairs by the political and labor leaders in the great cities.

THE COMMUNIST CHALLENGE—ADDRESS BY VICE PRESIDENT HUMPHREY

Mr. RUSSELL of Georgia. Mr. President, on June 1, a significant address was made to the National War College at Fort McNair by the Vice President of the United States, who graces this body as its Presiding Officer.

The main thrust of the Vice President's speech was directed toward the changing challenge that America and the free world face from our Communist adversaries and what he believes we must do to meet it. First and foremost, he believes, as do I, that we must maintain a strong and balanced military force capable of meeting any threat to our security.

As the Vice President makes exceedingly clear, the danger from Communist aggression is as great, perhaps greater, today than ever before. The form of the danger may change from time to time, but the danger itself remains clear and constant.

Today, the Communist threat manifests itself not so much in terms of nuclear blackmail as in more subtle ways—notably through internal subversion, guerrilla tactics and so-called "wars of liberation." I agree with the Vice President that this "new sophisticated form of warfare is becoming the major challenge to our security and the security of all free nations." I also agree with him when he states:

> The supreme challenge today is to prove to our Communist foes and our freedom-loving friends that the new face of war is no less pernicious than the old—and that it can be defeated by those of strong mind, stout heart and a steel will.

Mr. President, I think the Vice President's observations on the changing nature of the Communist challenge deserve thoughtful consideration of all concerned Americans. I, therefore, ask unanimous consent that his remarks be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF VICE PRESIDENT HUBERT HUMPHREY AT NATIONAL WAR COLLEGE, FORT MCNAIR, JUNE 1, 1965

It is a pleasure and an honor to address the elite of the armed forces of the United States and of the civilian agencies which guide our national security.

With all branches of the armed services represented here, I want to avoid partiality to anyone. In this regard, I am reminded of the remark of General Malin Craig, Army Chief of Staff in the 1930's, to President Franklin D. Roosevelt:

"Sir, I don't mind when you speak of the Army as 'them,' but I find it disturbing that you always refer to the Navy as 'us.'"

In this group today are both the architects and the implementors of American national security in the future. It is on this subject of national security that I would like to focus my remarks today.

Most of you here today have lived most of your professional lives in a world in which national security was equated with the relationship between the United States and the Soviet Union. As recently as 2½ years ago, the attention of the world focused on the direct nuclear confrontation between Washington and Moscow over Cuba. Only a few months earlier, American and Russian tanks had stood face to face on the border of Berlin.

Today that bipolar world has dissolved. The nuclear confrontation of the superpowers has given way to less obvious but no less important confrontations stretching from Vietnam to Santo Domingo, from Laos to the Congo.

We have moved from a period of dangerously abnormal simplicity into a period of more normal diversity.

The conflicts we face, the challenges we confront, are no less important for our national security though they may entail less immediate physical danger.

We face the present array of wars of national liberation, border conflicts, and internal rebellions without the unifying cement of fear which bound the wartime allies into an effective cohesive alliance—from the days of the Greek-Turkish crisis of 1947 to the missile crisis of October 1962.

With the decomposition of the bipolar world and the emergence of other independent centers of power, such as Europe and Communist China, the pattern of confrontation between Communist imperialism and the defenders of free society has radically changed.

It is no longer a question of holding back Soviet-directed imperialism across national boundaries.

The leaders of the Soviet Union may still desire to remake the world according to a model shaped in Moscow. But today they attempt to use their nuclear weapons for purposes of political intimidation rather than overt attack.

Tomorrow a militant Red China may do the same.

So long as we match our strategic nuclear advantage with a demonstrated willingness to resist aggression, we can limit the ability of both Communist giants to extend their sway through nuclear intimidation.

But if deliberate nuclear war is less likely today than 2½ years ago, if subversion of weak nations through nuclear intimidation is unlikely, it does not follow that international violence has diminished or is likely to diminish.

In fact, as nuclear violence has receded, other forms have increased.

Since October of 1962 we have witnessed conventional warfare in the Himalayan Mountains between China and India.

We have seen a surge of subversion in Latin America through guerrilla training and launching, sabotage, and infiltration.

We have painfully observed the systematic campaign of terror and military aggression launched by Communist guerrillas against the Government of Vietnam.

These situations are a peril to both the peace of the world and the security of unstable nations. They may provoke great power intervention and the possibility of rapid escalation.

Our experience in southeast Asia shows the increasing militancy of Communist forces intent on deliberate subversion of a country from within.

Vietnam is an excellent example.

There we have seen a Communist state refuse to leave its neighbors in peace.

We have seen the infiltration of Communist cadres to strengthen and direct guerrilla warfare in violation of international accords.

We have seen the Communists who control and direct the war from Hanoi insist that the war in South Vietnam is internal because many of the Vietcong are South Vietnamese.

We have seen them portray the struggle as a civil war—in which the popular forces are arrayed against American imperialism.

It is this new sophisticated form of warfare that is becoming the major challenge to our security and to the security of all free nations.

This new warfare is often more dangerous than the old—a war in which the leaders cannot be located, in which the sources of supply cannot be easily cut off, in which the enemy forces are not outsiders but indigenous troops, in which signed truces do not halt the struggle.

The supreme challenge today is to prove to our Communist foes and our freedom-loving friends that the new face of war is no less pernicious than the old—and that it can be defeated by those of strong mind, stout heart, and a steel will.

We know now that most Communist regimes do not desire to blow the world to pieces.

They prefer to pick it up piece by piece.

How do we successfully meet the challenge posed by wars of national liberation, by Communist-infiltrated revolutions?

It is obvious that nuclear power is not enough.

We need a balanced military force of air, sea, and land power.

We need maximum flexibility in our forces—making it possible to respond rapidly to any situation.

We need men experienced in guerrilla and psychological warfare—in all the paramilitary arts that are practiced in wars of national liberation.

We must adapt our aircraft and ships to the conditions we find.

We must relearn the tactics of ground warfare in a guerrilla setting and adapt our equipment and our weapons accordingly.

Overwhelming military power alone is not an adequate response to wars of national liberation.

Since these wars feed on seething social discontent, they must be met with a subtle blending of economic aid, political expertise, educational efforts, information and propaganda programs—combined with military power.

Where wars of national liberation flourish, the military struggle is but one part of a larger social and political struggle.

And these struggles will continue and revolutionary ferment will increase until governments come to power capable of implementing systematic social and economic programs which can abolish shocking social and economic inequality—inequality between the privileged few and the impoverished masses, between glittering capitals and festering slums, between favored urban conclaves and primitive rural areas.

For the masses of the people in our own hemisphere and in the developing countries of Asia and Africa who have never known the benefits of modern civilization, the status quo is no longer a burden to be patiently borne. It is an oppressor to be cast off.

It is this type of situation found in many parts of the non-Communist world that presents the Communists with targets of opportunity.

The primary responsibility for preserving the independence and security of a country remains with the people and the government of that country.

If the people and their leaders have no will to preserve their independence, no outside force can save them.

If the government can provide the people with a cause for which to fight, with a program inspiring sacrifice and effort, that government can be capable of defending itself against Communist infiltration and subversion from within.

Where subversion from within is supported from outside, as is the case in Vietnam, outside assistance is needed if such a government is to achieve this capability. In many areas of the world, the United States has inherited the role of protector and defender of non-Communist nations which are under Communist assault.

It is a role we have not sought.

It is often a painful and expensive one.

But it is an essential one—both to the security of the non-Communist world and to our own.

And President Johnson has made it unmistakably clear that we intend to fulfill our responsibilities. In his Johns Hopkins speech of April 7, President Johnson explained why we are involved in the revolutionary struggle in southeast Asia: "We fight because we must fight if we are to live in a world where every country can shape its own destiny, and only in such a world will our own freedom be finally secure."

In those situations where American power must be committed to defend the independence of struggling nations, we must, the President continued, "be prepared for a long continued conflict. It will require patience as well as bravery—the will to endure as well as the will to resist."

We have that patience and that endurance.

Our perseverance in this struggle is required in all areas, not just the military.

We must persist in the social and economic struggle by encouraging a full mobilization of resources and accomplishment of reforms by local governments, by continuing and in some cases accelerating our development lending programs, by sustaining our Peace Corps, by perfecting our technical assistance and food for peace programs.

These are as indispensable to the preservation of peace and security as is military strength.

We must learn that Communist terrorism cannot be defeated by good works alone, or by good intentions, or by slogans, or by propaganda alone.

There is a tendency among commentators to divide the critics of American foreign policy into the convenient, if not fully accurate, categories of liberals and conservatives.

Liberals must learn that there are times when American power must be used, and that there is no substitute for power in the fact of a determined terrorist attack.

Conservatives must learn that in defeating a Communist insurgency the use of military power can be counterproductive without accompanying political effort and the credible promise to the people of a better life.

We must learn to be patient. The Communists are very patient.

We must learn to persist. They are persistent.

We must learn to use political techniques as well as counterterrorist military force.

We must learn to adapt our military planning and tactics to the new conditions of Communist warfare, and we must learn to coordinate military efforts, propaganda, effective political organizational efforts, and economic investment far better than we have done so far.

Our willingness to meet our obligation to assist free nations should not be confused with a desire to extend American power or impose American ways.

We do not aspire to any Pax Americana.

We have no desire to play the role of global gendarme.

Where multilateral organizations are ready and capable of assuming the burden of defending independent nations from Communist assault—of preventing internal rebellions from leading to chaos and anarchy—we welcome their intervention. As we know from recent history, international organizations like the U.N. and the regional organizations like the OAS are not always capable of stepping in quickly—whether in distant Asia or in our own hemisphere.

But the present inadequacy of regional and international peacekeeping machinery in no way diminishes the urgency of building multinational peacekeeping forces which can truly maintain peace and order.

This should be a top priority for all nations, large and small.

Eventually we would hope that U.N. machinery would be in a position to seek the peaceful resolution of disputes and incipient conflicts.

This would be done ideally by quiet conciliation—if need be, by verbal confrontation before the bar of world opinion—and in extremis by placing whatever kind of peacekeeping force is needed in a position between antagonists.

In this way no sovereignty would be without potential international protection and no nation would have to call on other nations for help against predatory neighbors.

Given the scope and scale of major power interests and commitments around the world, we are required to assume that any armed conflict may bear within it the seeds of a nuclear disaster.

So a workable peace system must be able to resolve by nonviolent means the kinds of disputes which in the past have led to wars—and to keep disruptive change in nonviolent channels.

As the U.N. Charter recognizes, the responsibility for preserving peace and security rests with regional organizations as well as international.

If recent events in our own hemisphere have dramatized the incompleteness of our inter-American system, they have also presented a great opportunity to use this tragic occasion to build an effective peacekeeping system through the Organization of American States.

This occasion should stimulate all members of the OAS to seek to equip the organization for political action.

At a minimum, an effective regional organization must be capable of taking prompt action to meet crisis situations—situations in which delay can mean the difference between life and death, between order and anarchy.

Out of the painful and tragic days in the Caribbean must come some forward movement in the development of the inter-American system.

Out of it should come an awareness that—in a world where violence is contagious and can endanger the peace of a whole area—there may be cases where the only alternative is prompt multilateral action or unilateral action.

If unilateral action is to become unnecessary, effective regional action must be made possible.

In an interdependent world, where revolution can ignite world conflagration, effective tools of regional action must be found.

The United States has always shown its willingness to participate in international peacekeeping missions.

Today we are happy to participate in the developing OAS military force in the Dominican Republic.

In concentrating my brief remarks today on the threat posed to our security by new revolutionary situations, I have omitted completely any discussion of many other important aspects of the struggle in which we are now engaged.

This includes the potential nuclear conflict between Communist China and the United States.

It includes the potential conflict between Communist China and her potentially powerful Asian neighbors—India, Japan, and Indonesia.

It includes the profound implications for American national security of the rift between China and the Soviet Union.

It includes the consequences of growth of greater freedom and autonomy in the Communist world as a whole.

All these, and many more, are problems which I have not covered which have profound implications for American national security.

I have no doubt that the men here in this room will play a major role in shaping the response of this country to each of these challenges.

As a citizen and a public official, I am deeply pleased to know that the security of our Nation and of the world is in the hands of men of such demonstrated intelligence, courage, dedication, and judgment.

The fact that men of your caliber would choose to devote your lives to public service, whether military or civilian, is an indication that President Kennedy and President Johnson have brought back to American life the spirit described by John Adams as one of public happiness.

It was this spirit, said Adams, that possessed the American colonists and won the Revolution even before it was fought—a spirit which is reflected in delight in participation in public discussion and public action, a joy in citizenship, in self-government, in self-control, in self-discipline, and in dedication.

To you who are military officers, it is a privilege to say that no nation has ever been as well served by its professional military leaders as ours is today. Since the end of World War II, we have maintained the largest peacetime Military Establishment ever raised by a democracy.

The importance of military policy in our national existence has never been so great for so long.

Our military leadership has been dedicated, imaginative and always responsive, in our American tradition, to the ideal of civilian supremacy.

Although I have dwelt on the subject of security today, I would emphasize that security should always be considered together with our desire for peace.

Our commitment to strengthening the peace has not weakened. We seek a peace that is more than a pause between wars. But our knowledge of ourselves tells us that we can expect no sudden epidemic of peace, that we have far to go before, as President Johnson said, "the greatness of our institutions" matches the "grandeur of our intentions." The pursuit of peace is a gradual process.

All of us must continue this slow pursuit—knowing that our objective is progress toward that peaceful, if distant, day when no man rattles a saber and no one drags a chain.

BIG BROTHER—INVASIONS OF PRIVACY

Mr. LONG of Missouri. Mr. President, the Big Brother item for today is contained in a recent letter received from a concerned citizen in Pennsylvania. Attached to the letter was a page from a magazine published by a veterans organization. The page contained advertisements for the snooper which picks up and amplifies sound up to 1 million times its original volume and a gadget for monitoring telephone conversations.

This letter is representative of the large amount of mail received as a direct result of current hearings on invasions of privacy by the Subcommittee on Administrative Practice and Procedure.

The views contained in this correspondence reflect the thoughts of many, many Americans, and I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

KURTZ PLACE,
New Castle, Pa., May 12, 1965.

The Honorable EDWARD V. LONG,
Senate Building,
Washington, D.C.

HONORABLE SIR: In the past few months I have with great concern been reading articles concerning the invasion of privacy and constitutional rights through mechanical devices known as snoopers.

Just recently I noticed the enclosed advertisement in the national organ of the Veterans of Foreign Wars organization. The tone of the advertisement ("Just think of the ways you can use this," and "the best part—a regular tape recorder can be plugged into the back to take everything down.") appeals to the most vicious natures of our most irresponsible citizenry. Regardless of the present legality of offering these devices to the public, it seems frighteningly paradoxical that such a sales appeal appears in the publication of the U.S. veterans' magazine, a monthly periodical representing our country's sacrifices for democracy as defined in the U.S. Constitution. Undoubtedly the inclusion of such an advertisement in such a publication seems a result of naivete rather than irresponsibility, but nevertheless reflects an insidious apathy toward the rights of the individual.

I would greatly appreciate if it you, being the chairman of the Senate Judiciary Subcommittee on Administrative Practices, could supply me with any specific information regarding the legality of the sale and usage of such devices by the public.

Assuring you of the support you have from those of us yet maintaining the right of privacy to the individual, I am,

Respectfully yours,
Miss LINDA M. HAERING.

THE SUPREME COURT VOIDS "AN UNCOMMONLY SILLY LAW"

Mr. GRUENING. Mr. President, on Monday, the Supreme Court of the United States ruled, 7 to 2, that the 1879 Connecticut birth-control law should be invalidated. The law, said a majority of the Supreme Court, in an opinion delivered by Mr. Justice Douglas, was an invasion of the "right to privacy." The Connecticut law referred to had for 86 years forbidden the use of contraceptives by anyone, including married couples.

The Supreme Court's decision has voided what Mr. Justice Stewart, with Mr. Justice Black concurring in a dissenting opinion, describes as "an uncommonly silly law." But the majority decision is a modest step forward, and is deserving of our praise, because individuals should have the right to information about contraception. As the New York Times stated so well in its editorial "Right of Marital Privacy," published in its issue this morning:

> The effect of its [the Supreme Court] present decision is to make clear a married couple's right freely to choose whatever method of family planning it desires—or none at all. The Court rejects compulsion, for or against, any method on the ground of what one denomination holds morally right. It opens the door of the birth control clinic; it does not close the door of the fertility clinic. The essence of its finding is that if the world is better off with population control, with relief of poverty, the married couple should have the freedom, within the "right of privacy," to choose the way in which a beneficial end shall be accomplished.

Freedom for the individual has triumphed in this particular decision; but in this instance there are so many dissenting and concurring opinions, that perhaps it is well not to fill the RECORD at this time.

I find myself agreeing with Mr. Justice Stewart's opinion that the Connecticut law forbidding the use of contraceptives by anyone is "an uncommonly silly law." Even as he dissented, and disagreed that the "silly" law violated the U.S. Constitution, Justice Stewart came to the crux of the problem when he wrote:

> As a matter of social policy, I think professional counsel about methods of birth control should be available to all, so that each individual's choice can be meaningfully made.

Mr. President, I ask unanimous consent to have printed in the RECORD the full text of the New York Times editorial "Right of Marital Privacy," and a humorous article by James Reston, entitled "Washington: Brother Douglas, Brother Black, Oh Brother", which was published on the editorial page of the newspaper on the same day.

There being no objection, the editorial and the article were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 9, 1965]

RIGHT OF MARITAL PRIVACY

The Supreme Court's 7-to-2 decision invalidating Connecticut's birth-control law is a milestone in the judiciary's march toward enlarged guardianship of the Nation's freedoms. It establishes a new "right of privacy."

The Court was divided on its authority to declare the Connecticut statute unconstitutional, but it was unanimous in finding the law a bad one. It was the dissenters in fact, who condemned this 1879 vestige of Protestant prudery in the strongest language. Justice Stewart declared it "an uncommonly silly law"; Justice Black found it "every bit as offensive to me as it is to my brethren of the majority." The law forbids use, and abettance of use, of contraceptive device or material; it establishes fine or imprisonment as the penalty.

Writing the majority opinion Justice Douglas made this memorable comment: "We deal with a right of privacy older than the Bill of Rights—older than our political parties, older than our school system. Marriage is a coming together for better or for worse, hopefully enduring, and intimate to the degree of being sacred."

Twice earlier the Court had declined to act on the Connecticut law. The effect of its present decision is to make clear a married couple's right freely to choose whatever method of family planning it desires—or none at all. The Court rejects compulsion, for or against any method on the ground of what one denomination holds morally right. It opens the door of the birth control clinic; it does not close the door of the fertility clinic. The essence of its finding is that if the world is better off with population control, with relief of poverty, the married couple should have the freedom within the "right of privacy" to choose the way in which a beneficial end shall be accomplished.

A reasonable and convincing argument can be made—and was made by the dissenters—that this infringement on personal freedom represented in the laws of Connecticut and many other States should have been corrected by the legislatures. But the fact is that it was not corrected. To what forum but the Supreme Court could the people then repair, after years of frustration, for relief from bigotry and enslavement? Once again, as in the school desegregation cases and in State reapportionment, the failure of the States to protect individual liberties has impelled the Court to move onto untrod ground and to raise anew the controversy over "usurpation" of power.

[From the New York Times, June 9, 1965]

WASHINGTON: BROTHER DOUGLAS, BROTHER BLACK, O BROTHER!

(By James Reston)

WASHINGTON, June 8.—It has always been a dubious practice for middle-aged or elderly gentlemen to make public pronouncements on sex, and the Supreme Court's latest adventure in this field only confirms the rule.

In ruling unconstitutional an 1879 Connecticut law forbidding the use of contraceptives by anyone, the Court at least agreed unanimously on one thing: that this was, in the words of Associate Justice Stewart, "an uncommonly silly law." But in deciding that State legislatures had no right to be silly, which would put most of them out of business, the majority inadvertently provided some substance to the main charge that is often leveled against the Court.

SUPERLEGISLATURE

This is that it wanders occasionally beyond its proper judicial function and acts as a superlegislature in striking down laws that violate the sensitivities of the members of the Court rather than any specific provision of the Constitution.

Writing the majority opinion in the Connecticut case, Associate Justice Douglas says: "We do not sit as a superlegislature to determine the wisdom, need, and propriety of laws that touch economic problems, business affairs, or social conditions. This law, however, operates directly on an intimate relation of husband and wife and their physician's role in one aspect of that relation."

There is, in this, the clear implication that the Court does feel that it has the right to act as kind of a superlegislature.

It is ironic that the two men who dissented in the case on the grounds that the Court was going beyond its proper functions and failing to show judicial restraint were Associate Justice Black, who has often been attacked for not showing judicial restraint himself, and Associate Justice Stewart, who is known here as a sympathizer with planned parenthood, but nevertheless could not go along with the majority.

STEWART'S DISSENT

"As a philosophical matter," Mr. Justice Stewart wrote in his dissent, "I believe the use of contraceptives in the relationship of marriage should be left to personal and private choice, based upon each individual's moral, ethical and religious beliefs.

"As a matter of social policy," he added, "I think professional counsel about methods of birth control should be available to all. * * * But we are not asked in this case to say whether we think this law is unwise or even asinine. We are asked to hold that it violates the U.S. Constitution. And that I cannot do."

Mr. Justice Goldberg, concurring with the majority of the Court, remarked that "in determining which rights are fundamental, judges are not left at large to decide cases in light of their personal and private notions." Yet in the opinion of Justices Stewart and Black this is what the majority was in danger of doing.

The majority referred to six different amendments to the Constitution, without saying which of these was infringed by the Connecticut law. Rather it relied on its interpretation of the spirit of the 1st, 3d, 4th, 5th, 9th, and 14th amendments in order to reach its decision, and this is what obviously troubled Justice Black.

"If," he wrote, "any broad unlimited power to hold laws unconstitutional because they offend what this Court conceives to be 'the collective conscience of our people' is vested in this Court by the 9th amendment, the 14th amendment, or any other provision of the Constitution, it was not given by the framers of the Constitution but rather has been bestowed on the Court by the Court."

HARLAN'S SUPPORT

Oddly, Mr. Justice Harlan, who has the reputation of being the strictest constitutionalist on the Court, concurred in the majority opinion and did not feel that it violated the Court's obligation of self-restraint. Yet there seems to be powerful support in the legal profession here for the opposite view expressed by Justice Black.

He denied that the Founding Fathers had intended the Court to have "such awesome powers." He condemned it as a "shocking doctrine" that would "make of this Court's members a day-to-day constitutional convention," and criticized the view that the Court should sit as "a supervisory agency."

The lawyers will be arguing about this one for a long time. Not since Justice Holmes upheld the right of sterilization, on the ground that two generations of idiots are enough, has there been such a combination of legal controversy and sex.

FORMER SENATOR HARRY P. CAIN IS ENLISTED IN THE EFFORT TO RESOLVE THE POPULATION DILEMMA

Mr. GRUENING. Mr. President, new voices give new vigor to worthwhile causes. Thus, in the population-dilemma dialog, I welcome the entry of Harry P. Cain, formerly a U.S. Senator from the State of Washington. His concern, his perceptive comments, and his assistance are most helpful.

Last month, in Miami, Fla., former Senator Cain expressed his belief that the American way of life, the freedoms we enjoy, the protection we have "will be in jeopardy or destroyed if our present growth rate continues through the 35 remaining years in the 20th century and into the next."

He called for a White House Conference on Population, to alert the Nation to the population crisis.

I ask unanimous consent that the full text of his statement be printed at this point in my remarks in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MAY 3, 1965.

STATEMENT CONCERNING THE POPULATION CRISIS BY FORMER SENATOR HARRY P. CAIN

A major and spreading, if unpublicized, apprehension in our Nation's Capital is the pyramiding growth in population within the United States and throughout the world.

The future effectiveness or adequacy of every conceivable program, and everyone's pet project in our country (education, housing sufficiency of food and water, foreign aid, slum clearance, traffic control, mental health, juvenile delinquency, crime control, employment, medical care, pollution, fire prevention, conservation of nature's resources, democratic institutions and procedures, currency depreciation, recreation, freedom, and adequate privacy for the individual) will be in jeopardy or destroyed if our present growth rate continues through the 35 remaining years in the 20th century and into the next.

The current U.S. growth rate, which is far lower than in many nations, will produce a population approximating 400 million by the year 2000, and 800 million by the year 2040. Children are being born today who can expect to be alive in 2040.

Public hearings on population bills which have been introduced in both Houses of the Congress will be held shortly. All of these bills call for a White House Conference on Population, to be preceded by a counterpart conference in every State, in early 1967. The purpose of the Conference would be to inform and attract attention from every citizen.

The basic cause of the population dilemma, both at home and abroad, is the unwanted and unplanned-for child who is most often born to parents who are utterly incapable of providing these children with the minimum necessities of life. A rapidly growing number among them will remain illiterate and be unemployable for as long as they live.

The population crisis can be solved, but not until many additional millions among our

Nation's citizens recognize that the crisis exists. Gallup Poll figures of April 29, 1965, reveal that only 3 Americans in every 10 who have heard or read about the population increase say they are badly worried about it.

A White House Conference is the most intelligent means through which the whole of our Nation will be alerted. It can't be convened too soon.

HARRY P. CAIN.

Mr. GRUENING. Mr. President, the efforts of former Senator Cain to help solve the population problem were discussed and praised earlier this year in the Miami, Fla., Review and Daily Record, published by Lee Ruwitch, in Mr. Ruwitch's column "From the Publisher's Desk." I ask unanimous consent that the full text of the March 25, 1965, column be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FROM THE PUBLISHER'S DESK

(By Lee Ruwitch)

Former U.S. Senator Harry P. Cain has spent a lifetime grappling with the larger order of problems most of us only read about, then dismiss with a perplexed shake of the head.

"What concerns me," said Senator Cain in a recent conversation, "is that people are reproducing themselves faster than economic resources can be expanded to support them. We are in danger of literally eating ourselves out of house and home," he said, "and more welfare programs to feed more hungry mouths—while necessary for simple reasons of humanity—attack the problem from the wrong end."

The former lawmaker's business, political and civil commitments offer more reasons than most of us could summon for passing off the population problem with a troubled shrug. But when Senator Cain is worried, he acts. He has generously accepted the 1965–66 chairmanship of the board of directors of the Planned Parenthood Association of Dade County.

The Planned Parenthood Association is a worldwide organization founded in England nearly 160 years ago to promote birth control. Its 237 clinics throughout the United States dispense information and medical assistance to those who want and need to limit the size of their families. Last year the Dade County branch of the association established such a clinic in this area, and the need for more such facilities everywhere is manifest in statistics.

One of every 25 children in the United States today receives financial help from government.

Last year the Florida Welfare Department spent $358,000 to help support 18,000 dependent children in Dade, Broward, and Palm Beach Counties alone.

Realizing that the problem has already grown beyond the State's ability to write relief checks, the Florida Welfare Board recently started a voluntary birth control program among women receiving aid to dependent children funds.

Meanwhile, the planned parenthood clinic here in Miami is educating parents and prospective parents to plan their progeny and avoid the relief rolls in the first place. Each success saves thousands of tax dollars now and adds hope that the future will not be consumed in the universal misery of an overcrowded planet that haunts the conscience of good people like Senator Cain.

INTERSTATE COOPERATION IN COMMUTER TRANSPORTATION

Mr. WILLIAMS of New Jersey. Mr. President, I call the attention of the Senate to a notable example of interstate cooperation in the field of commuter transportation. At a time when the commuter railroads of the Nation are facing severe financial and operational difficulties, with concomitant abandonment of many of these services, it is most heartening to note that the Port of New York Authority, a joint agency of my own State and the State of New York, is going forward with a long-range, multimillion dollar program to rehabilitate one of the principal rail links between the two States.

In April, the first 6 of 162 air-conditioned rail rapid-transit cars for the Port Authority Trans-Hudson—PATH—were placed in interstate passenger service. The availability of this modern equipment, together with the extensive rehabilitation and modernization program being carried out by the port authority, will directly benefit the 100,000 passengers who daily use PATH service between northern New Jersey and terminals in lower and mid-Manhattan. The inauguration of this new equipment was hailed by a number of important daily newspapers in the State of New Jersey; and permission to extend my remarks by the insertion of these newspaper articles in the CONGRESSIONAL RECORD is respectfully requested.

It should be noted further, Mr. President, that the rehabilitation and modernization of this interstate rail facility is part of a joint project which includes the development in downtown Manhattan of a great new World Trade Center.

The World Trade Center will bring together the services of Government agencies and businesses involved in the processing and marketing of international trade. It will facilitate the expansion of trade between the United States and our friends abroad. Although located in New York, the center will be of inestimable value to New Jersey, because the routing, financing, and administrative processing of New Jersey's export-import trade are heavily dependent on the Government, management, and transportation activities centered in Manhattan.

Permit me to add, Mr. President, that the center has received unqualified support and endorsement from Federal and local government officials, and from leaders of labor and industry, as well as from leading civic and trade associations of the New York-New Jersey metropolitan area, including the Bergen County Chamber of Commerce, the Passaic Area Chamber of Commerce, the Regional Plan Association, the New York Chamber of Commerce, the West Side Association of Commerce in the city of New York, the Commerce and Industry Association of New York, and the Brooklyn Chamber of Commerce. I ask unanimous consent to extend my remarks by inserting in the RECORD the statements from these organizations which typify this support.

There being no objection, the article and statements were ordered to be printed in the RECORD, as follows:

[From the Newark Evening News, Apr. 10, 1965]

PORT AUTHORITY TRANS-HUDSON'S SIGNIFICANCE

The clasping of hands by Governors Hughes and Rockefeller as new air-conditioned cars were coupled at Journal Square was more than a neighborly ceremonial. It symbolized the cooperation that is achieving results in the metropolitan area's first interstate effort to preserve rail commuter service.

Their acquisition by the Port of New York Authority is making possible the rehabilitation of the old Hudson Tubes, complete with new trains, power and signal systems, and renovated stations, tunnel drainage, and maintenance shops.

Moreover, the Port Authority Trans-Hudson (PATH) project is related to the Aldene plan, under which riders on the New Jersey Central will be brought, over Lehigh Valley tracks, directly into Pennsylvania Station in Newark. There they will change to Pennsylvania trains for midtown or to PATH trains for downtown Manhattan, eliminating the need to transfer at Jersey City to ferries across the Hudson. This is expected to bring a substantial addition to the 100,000 passengers who now use PATH every weekday.

At the Manhattan end, replacement of the present Hudson Terminal by the World Trade Center will make possible the relocation of tracks of the New York City subway system, making them more accessible to PATH passengers.

The rehabilitation of PATH can be regarded as evidence that both States recognize that mass transit in the metropolitan area cannot be permited to disintegrate and that, one way or another, commuter lines must be continued. It suggests, as well, that it may be feasible to assign to the efficient—and affluent—port authority a still wider role in the rescue operation.

[From the Hudson Dispatch, Apr. 13, 1965]

PATH POINTS AHEAD TO PROGRESS

In a symbolic setting between subway cars, the Governors of New Jersey and New York met the other day to mark the first step in providing a fleet of 162 new air-conditioned cars for the PATH system. By the end of summer it is hoped to have all the cars operative, ending the service of the old, so-called black cars of the Hudson and Manhattan Railroad, some of which were put in operation in 1909.

Significantly, after Gov. Richard J. Hughes shook hands in the Journal Square Station with Gov. Nelson A. Rockefeller, of the Empire State, Mayor Thomas J. Whelan, of Jersey City, took the occasion to say he hoped the next celebration on the tube platform would be the groundbreaking for the proposed $25 million bus-rail transportation terminal planned by the port authority.

Never known as an organization that drags its feet when something has to be accomplished, the port authority took over operation of the old Hudson and Manhattan—sometimes referred to by beleaguered commuters from New Jersey as the "old hot and miserable"—in September 1962. The port authority changed its name to Port Authority Trans-Hudson Corp. and started out to modernize the system between Hoboken, Jersey City, and Manhattan.

With its narrow tunnels and rather tortuous curves, particularly on the uptown line, the tubes presented quite a problem for modernization, but it apparently is coming along. A program has been outlined, which includes the new cars and also numerous improvements to stations, to the signal systems and the electrical operation. The new cars of aluminum and modern design mark a significant point in this progress.

Port authority has been characterized as an agency interested only in the "rubber-tired ways," the bridges and tunnels into New York City, and not the steel on tie type of rail operation. But, in PATH, the bistate unit has demonstrated it can also work with railroads and produce. Now it's up to the public to support the tubes since their existence is certainly vital to the northern New Jersey area.

WEST SIDE ASSOCIATION OF COMMERCE IN THE CITY OF NEW YORK, INC.,
New York, N.Y., February 6, 1965.

To Hon. Nelson A. Rockefeller, Governor; Hon. Robert F. Wagner, mayor; Hon. Edward R. Dudley, borough president of Manhattan; and New York Senators, Congressmen, State senators, assemblymen, the board of estimate, the city council.

GENTLEMEN: The West Side Association of Commerce, which for 40 years has functioned, on the west side of Manhattan, desires that all persons should be aware of this association's enthusiastic support of the World Trade Center to be built by the Port of New York Authority. It will provide a long overdue and greatly needed reconstruction of a deteriorated, substandard area of lower Manhattan as well as a much-needed facility of world trade in the port of New York.

The full impact of the World Trade Center, with all of its implications of community improvement and increase in international commerce, will help assure the economic future of the port area.

This letter may seem to you to represent what should be obvious to all. Let us explain, therefore, that it is written to prevent any misconception that the opinion of the business community is represented by the small vocal minority which, after its defeat in the courts of law, is now attempting to bring unwarranted pressures on many of our elected officials.

It is, we believe, the public duty of all of us to prevent any further delay in the development of the World Trade Center.

Sincerely,

JAMES W. DANAHY,
Executive Vice President.

RESOLUTION OF BERGEN COUNTY, N.J., CHAMBER OF COMMERCE

Whereas a world trade center would stimulate foreign trade and more efficient functioning of trade offices involving both Government and industry; and

Whereas world trade is the most important single economic factor in the prosperity of the port area and is basic to the economy of the New Jersey-New York metropolitan area; and

Whereas 430,000 jobs are provided by the movement of oceanborne cargo through the port of New York, thus creating an economic condition equivalent to a total of 1.3 million jobs with an annual income exceeding $6.3 billion; and

Whereas 3,120,000 residents of the New Jersey-New York port are directly or indirectly dependent for their livelihood upon waterborne commerce; and

Whereas the New Jersey-New York port area industries have an important stake in foreign trade; and

Whereas the competitive position of this great port has been declining, thus demanding every effort in maintaining the preeminence of the port and its competitive status: Now, therefore, be it

Resolved, That the Bergen County Chamber of Commerce does hereby favor the establishment of a world trade center in the port of New York, and does further urge that the Port of New York Authority be authorized to undertake such efforts in accordance with the report entitled, "A World Trade Center in the Port of New York," which was issued by that agency earlier this year.

MARCUS A. FAIR, *President.*

Attest:

BRICE A. ELDRIDGE,
Executive Vice President.

BROOKLYN CHAMBER OF COMMERCE,
Brooklyn, N.Y., January 21, 1964.

To the EDITOR OF THE NEW YORK TIMES:

Your paper has presented to its readers in considerable detail the bold plans of the port of New Jersey and New York authority for a foreign trade center on the lower West Side of Manhattan. This is no visionary project but a solid commitment by an agency without whose accomplishments New York City's shadow would be smaller.

I think it should be observed that Brooklyn which has benefited by the port authority's $100 million redevelopment of the Brooklyn waterfront and which is the area in which most of the port's foreign shipments are handled, has long hoped that the authority's plans for a foreign trade center could be realized soon to protect our city's very considerable stake in this commerce. My agency supported the earlier plan for a center on the lower East Side and we again favor the present plan. The difference in distance is misleading since Brooklyn and Manhattan are linked at points equally convenient to either site. Short of having the center in lower Brooklyn the present location is satisfactory to us.

Has it occurred to you that the site now settled upon is at present occupied mostly by ancient eyesores, dirty temporary parking fields, noisome gin mills, all of which one day have to be removed as public nuisances at public expense?

Now, if your distinguished newspaper and the port authority would only get behind the Brooklyn chamber's recommendation that some way be devised to take the Brooklyn Army Base off the Defense Department's hands, rehabilitating it to render what no other site on the eastern seaboard can afford, the incalculable asset of a deepwater, big city installation within sight of the Atlantic Ocean.

HOWARD A. SWAIN,
Executive Vice President.

PRESIDENTIAL SCHOLARS, 1965

Mr. FULBRIGHT. Mr. President, yesterday, in a ceremony at the White House, President Johnson congratulated 120 Presidential scholars on the excellence of their achievements in high schools throughout the Nation.

This is the second occasion on which the President has invited such exceptional young people to Washington, to be honored for their superior attainments, not only in their formal academic work, but also for their related creative accomplishments in the arts, sciences, and other fields.

The purpose of this program, as stated by the President on its establishment last year, is "to recognize the most precious resource of the United States—the brain power of its young people—and to encourage the pursuit of intellectual attainment among all our youth."

I know that all Senators join me in commending these outstanding young people; and I ask unanimous consent that the list, by State, of the Presidential scholars of 1965 be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

PRESIDENTIAL SCHOLARS, 1965

ALABAMA

Jack Rodney Pace; Mr. and Mrs. R. N. Pace, Jr., 27 Brantwood Drive, Montgomery, Ala.; Robert E. Lee High School.

Nantelle Elaine Smith; Lt. Col. and Mrs. William H. Smith, Route 2, Box 375, Enterprise, Ala.; Enterprise High School.

ALASKA

Bruce Leonard Heflinger; Mr. and Mrs. Carl F. Heflinger, 409 Clara Street, Fairbanks, Alaska; Lathrop High School.

Lynn Kirkpatrick; Mr. and Mrs. Byron M. Kirkpatrick, 6-410-B I. Street, Elmendorf Air Force Base, Alaska; West Anchorage High School.

ARIZONA

Janice Merrill; Mr. and Mrs. John A. Merrill, 656 North Robson, Mesa, Ariz.; Westwood High School.

Harding Eugene Smith, Jr.; Maj. and Mrs. Harding E. Smith, Sr., 6946 East Kenyon Drive, Tucson, Ariz.; Palo Verde High School.

ARKANSAS

Diana Lynn Connelly; Mr. and Mrs. John L. Connelly, 929 Linwood, Hot Springs, Ark.; Hot Springs High School.

Tom Robert Reveley; Mr. and Mrs. E. T. Reveley, 1221 Summit, Little Rock, Ark.; Little Rock Central High School.

CALIFORNIA

Trina Grillo; Mr. and Mrs. Evelio Grillo, 6029 Hillegass Avenue, Oakland, Calif.; Oakland Technical High School.

Jeffrey Priestley Horton; Mr. and Mrs. Priestley A. Horton, 781 East Sycamore Avenue, La Habra, Calif.; Le Habra High School.

Jean Ann Raders; Mr. and Mrs. Harry A. Raders, 403 44th Circle, Long Beach, Calif.; St. Anthony Girls High School.

COLORADO

Harlon Leigh Dalton; Mr. and Mrs. John W. Dalton, 3000 Adams Street, Denver, Colo.; East High School.

Frederick Thomas Griffiths; Rev. and Mrs. Harry Griffiths, 2029 Grand Avenue, Pueblo, Colo.; Centennial High School.

Kathryn Lee Phelps; Mr. and Mrs. Orva L. Phelps, 1604 Claremont, Pueblo, Colo.; South High School.

CONNECTICUT

Deborah Ellen Bliss; Mr. and Mrs. Philip Bliss, 68 Theodore Street, Newington, Conn.; Newington High School.

Peter Henry Wirth; Mr. and Mrs. David J. Wirth, 23 Brookdale Drive, Stamford, Conn.; Rippowan High School.

DELAWARE

Erick Emil Jacobson; Mr. and Mrs. Carlton S. Jacobson, 240 Cheltenham Road, Newark, Del.; Newark Senior High School.

Kathleen Anne Smith; Mr. and Mrs. Royal E. Smith, Jr., 5 Wayne Drive (Woodside Manor), Wilmington, Del.; Mount Pleasant High School.

DISTRICT OF COLUMBIA

Beatrice Oline Diebold; Mrs. Janet Hart Sylvester, 3273 Worthington Street NW., Washington, D.C.; Sidwell Friends School.

Peter Barrett Van Wagenen; Mr. and Mrs. Richard W. Van Wagenen, 4224 Reno Road NW., Washington, D.C.; St. Albans School.

FLORIDA

Jane Grayson; Dr. and Mrs. Robert Grayson, 9045 Hawthorne Avenue, Surfside, Fla.; Miami Beach Senior High.

Daniel Dexter Villani; Mr. and Mrs. Leonard Villani, 1016 Potomac Drive, Pensacola, Fla.; Escambia County High School.

GEORGIA

Donn Alan Chambers; Mr. and Mrs. James E. Chambers, 1413 Council Bluff Drive NE., Atlanta, Ga.; Briarcliff High School.

Barbara Frost Pendleton; Mr. and Mrs. E. Banks Pendleton, Jr., 3248 Argonne Drive NW., Atlanta, Ga.; Westminster Girls School.

HAWAII

Marcia Yuri Ito; Mr. and Mrs. Sumio Ito, 324–D Kalama Street, Kailua, Hawaii; Kailua High School.

Jon Philip Okada; Mrs. Sumiya K. Okada, 75 Aiai Street, Kahului, Hawaii; Baldwin High School.

IDAHO

Glen Frank Allen; Mr. and Mrs. Glenn O. Allen, Box 364, Johnny Creek Road, Pocatello, Idaho; Pocatello High School.

Martha Jean McMurry; Mr. and Mrs. Henry L. McMurry, 428 Fifth, Idaho Falls, Idaho; Idaho Falls High School.

ILLINOIS

Laura Lein; Mr. and Mrs. Allen Lein, 2412 Brown Avenue, Evanston, Ill.; Evanston Township High School.

Scott Carson Moriearty; Mr. and Mrs. James D. Moriearty, Jr., 304 Lincoln Avenue, Lincoln, Ill.; Lincoln Community High School.

James Kenton Witschy; Mr. and Mrs. Ward Witschy, 517 North Mill Street, Olney, Ill.; East Richland High School.

INDIANA

Lili Ching Byers; Mr. and Mrs. George Byers, 3104 Corby Boulevard, South Bend, Ind.; John Adams High School.

Thomas Rudolph Keucher; Mrs. Martha L. Keucher, 1035 Park Avenue, Franklin, Ind.; Franklin Community High School.

IOWA

Karl Thomas Haglund; Mr. and Mrs. Richard F. Haglund, 376 Park Terrace, Southeast, Cedar Rapids, Iowa; Washington Senior High School.

Susan Lee Kehm; Mr. and Mrs. Lyle W. Kehm, 7102 Airline, Urbandale, Iowa; Urbandale Senior High School.

KANSAS

Gilbert Allan Hawkins; Mr. and Mrs. Ted W. Hawkins, 250 Patton, Wichita, Kans.; Wichita High School Southeast.

Barbara Helen Hughes; Mr. and Mrs. George R. Hughes, 1444 South Elm, Ottawa, Kans.; Ottawa High School.

KENTUCKY

Dan Ellis Connor; Mr. and Mrs. Herman L. Connor, 2123 Ohio Street, Paducah, Ky.; Paducah Tilghman High School.

Sue Glenn Powers; Mr. and Mrs. Cecillo C. Powers; 2840 Tanglewood Drive, Owensboro, Ky.; Owensboro High School.

LOUISIANA

Marsha Marie Mason; Mr. and Mrs. Clyde E. Mason, 9944 Tanglewood Drive, Baton Rouge, La.; Central High School.

Ray Louis Russo; Mr. and Mrs. Floyd H. Russo, Sr., 930 South Telemachus, New Orleans, La.; Benjamin Franklin Senior High.

MAINE

Chester Irving Palmer; Mr. and Mrs. Chester I. Palmer, 432 Allen Avenue, Portland, Maine; Deering High School.

Nancy Jeanne Ross; Dr. and Mrs. Maurice Ross, 372 Main Street, Saco, Maine; Thornton Academy.

MARYLAND

Virginia Lee Morton; Mr. and Mrs. Copeland Morton, Jr., 4007 Keswick Road, Baltimore, Md.; Roland Park Country School.

Frederick Graf Whelan III; Mr. and Mrs. Frederick G. Whelan, 4 Boulder Lane, Baltimore, Md.; Gilman School.

MASSACHUSETTS

Barbara Ellen Johnson; Mr. and Mrs. Gilbert H. Johnson, 54 Pond Plain Road, Westwood, Mass.; Westwood High School.

Harrison Graham Pope, Jr.; Dr. and Mrs. H. Graham Pope, Little's Point, Swampscott, Mass.; Phillips Exeter Academy.

Larry Joseph Siever; Mr. and Mrs. Raymond Siever, 4 Madison Street, Belmont, Mass.; Belmont High School.

MICHIGAN

Marie Kathleen Carr; Mr. and Mrs. Bernard A. Carr, 1901 Wolcott Street, Flint, Mich.; Central Community High School.

Roland Wagner Sherman; Mr. and Mrs. Arthur G. Sherman, 79 Hawthorne, Grosse Pointe Shores, Mich.; Grosse Pointe High School.

MINNESOTA

Kathryn Maria Nelson; Mr. and Mrs. John W. Nelson, 6411 Humboldt Avenue, South, Minneapolis, Minn.; Richfield High School.

Douglas Harold Yock; Dr. and Mrs. Douglas H. Yock, 2300 Parkwoods Road, St. Louis Park, Minn.; St. Louis Park Senior High School.

MISSISSIPPI

John Richard Guyton; Dr. and Mrs. Arthur C. Guyton, 234 Meadow Road, Jackson, Miss.; Murrah High School.

Patricia Elaine Sheppard; Maj. and Mrs. Ralph O. Sheppard, 200 Orville Wright Court, Biloxi, Miss.; Biloxi High School.

MISSOURI

Guy Taylor Armstrong; Mr. and Mrs. Fred W. Armstrong, 131 S. Gore, Webster Groves, Mo.; Webster Groves High School.

Sally Jean Morrow; Mr. and Mrs. Thomas M. Morrow, 12230 Sunset Terrace, St. Louis, Mo.; Lindberg High School.

MONTANA

Susan Gay Marcy; Mr. and Mrs. Marvin M. Marcy, 513 Crestline Drive, Missoula, Mont.; Sentinel High School.

Rudy Steve Spraycar; Mr. and Mrs. Rudy J. Spraycar, Post Office Box 463, Anaconda, Mont.; Anaconda Senior High School.

NEBRASKA

Amy Susan Bouska; Maj. and Mrs. Thomas E. Bouska, 508 West 15th Avenue, Bellevue, Nebr.; Bellevue Senior High School.

Robert Nipher Dawson; Mr. and Mrs. Robert N. Dawson, Sr., 5901 Charles Street, Omaha, Nebr.; Benson High School.

NEVADA

Linda Joan Dredge; Mr. and Mrs. Jay R. Dredge, 813 Bonita Avenue, Las Vegas, Nev.; Las Vegas High School.

Douglas Alan Samuelson; Mr. and Mrs. Norman H. Samuelson, 825 Colorado River Avenue, Reno, Nev.; Earl Wooster Senior High School.

NEW HAMPSHIRE

Dwight Emmanuel Golann; Mr. and Mrs. Herbert Goldberg-Golann, West Hill Road, Keene, N.H.; Keene High School.

Susan Charlotte Smith; Mrs. Charlotte L. Smith, 21 Maple Street, Derry, N.H.; Pinkerton Academy.

NEW JERSEY

Jane Faith Koretz; Mr. and Mrs. Norman J. Koretz, 231 Lindbergh Boulevard, Teaneck, N.J.; Teaneck High School.

George Rennell Merriam, III; Dr. and Mrs. George R. Merriam, 14 Brook Road, Tenafly, N.J.; Englewood School for Boys.

NEW MEXICO

Margaret Ann Massengill; Mr. and Mrs. Earl B. Massengill, 5823 Aspen AvenueNE., Albuquerque, N. Mex.; Manzano High School.

George Wesley Waller; Mrs. May J. Waller, 3908 Delamar NE., Albuquerque, N. Mex.; Sandia High School.

NEW YORK

Charles Eustis Bohlen, Jr.; Mr. and Mrs. Charles E. Bohlen, U.S. Embassy, APO 777, care of PM, New York, N.Y.; St. Paul's School.

Stanley Howard Eleff, 1680 Bedford Avenue, Brooklyn, N.Y.; Erasmus Hall High School.

Martha June Sherwood; Mr. and Mrs. Joseph Sherwood, 659 47th Street, Brooklyn, N.Y.; Hunter College High School.

Simeon Israel Taylor; Mr. and Mrs. Mortimer L. Taylor, 6 Highridge Road, Larchmont, N.Y.; Mamaroneck High School.

NORTH CAROLINA

Lewis Bryant Dozier; Mr. and Mrs. Needham B. Dozier, Jr., 407 Piedmont Avenue, Rocky Mount, N.C.; Rocky Mount Senior High School.

Sarah Adams Vernon; Dr. and Mrs. James T. Vernon, 120 Woodland Drive, Morganton, N.C.; Morganton High School.

Deborah Charleen Wilkerson; Mr. Thomas Amos Wilkerson, 211 Wilmington Road, Fayetteville, N.C.; E. E. Smith Senior High School.

NORTH DAKOTA

Mary Ruth Idso; Mr. and Mrs. Percy T. Idso, 57 North Terrace, Fargo, N. Dak.; Oak Grove Lutheran High School.

Richard Alvin Senechal; Mr. and Mrs. Alvin H. Senechal, 321 15th Avenue, South Fargo, N. Dak.; Fargo Central High School.

OHIO

Dale Onward Fogle; Rev. and Mrs. Maurice W. Fogle, 215 Yale Avenue, Elyria, Ohio; Elyria High School.

Marilyn Ann Mount; Mr. and Mrs. John T. Mount, 484 East Weisheimer Road, Columbus, Ohio; Whetstone High School.

Richard Theodore Schenke; Mrs. Evelyn H. Schenke, 7711 Essen Avenue, Parma, Ohio; Valley Forge High School.

OKLAHOMA

Robert Clinton Barton, Jr.; Mr. and Mrs. Robert C. Barton, 2621 Keats, Oklahoma City, Okla.; John Marshall High School.

Sarah Antoinette Clarke; Mr. and Mrs. S. Harvey Clarke, 1810 East Elm Street, Enid, Okla.; Enid Senior High School.

Erania Arelene Tecumseh; Mr. and Mrs. William H. Tecumseh, 2520 North Cincinnati Avenue, Tulsa, Okla.; Central High School.

OREGON

Don Howard Bialostosky; Mr. and Mrs. Julius Bialostosky, 22620 Southeast Main Court, Gresham, Oreg.; Gresham Union High School.

Jeanne Gayle Knepper; Mr. and Mrs. Arthur D. Knepper, 2615 Southeast 141st Avenue, Portland, Oreg.; David Douglas High School.

Susan Maltby; Dr. and Mrs. Marens Maltby, 1825 Fairmount Avenue, South, Salem, Oreg.; South Salem High School.

PENNSYLVANIA

Frederick William Coleman; Mrs. Ruth E. Coleman, 619 North Lime Street, Lancaster, Pa.; St. Andrew's School.

Susan Elisabeth Hochschild; Mr. and Mrs. R. George Hochschild, 827 Field Club Road, Pittsburgh, Pa.; Fox Chapel Area High School.

Charles Allison MacArthur; Mr. and Mrs. Charles A. MacArthur, 245 South Whitehall Avenue, Allentown, Pa.; Parkland Union High School.

Daniel Paul Wright; Mr. and Mrs. Paul Erb Wright, Rural Delivery 1, Box 307, McClure, Pa.; Chief Logan High School.

PUERTO RICO

Jose Antonio Diaz; Mr. and Mrs. Jose Angel Diaz, Calle Andres A. Rivera No. 1, Box 713, Gurabo, P.R.; Notre Dame High School.

Maria Margarita Irizarry; Mr. and Mrs. Renato Irizarry, Box 269, Hormigueros, P.R.; Colegio San Jose.

RHODE ISLAND

Michael Albert DiLorenzo; Mr. and Mrs. Michael G. DiLorenzo, 34 Byron Street, Cranston, R.I.; LaSalle Academy.

Judith Ann Morrish; Mr. Roy A. Morrish, 2416 Cranston Street, Cranston, R.I.; Cranston High School West.

SOUTH CAROLINA

Martine Watson Brownley; Mr. and Mrs. F. I. Brownley, Jr., 100 Bradley Street, Clemson, S.C.; D. W. Daniel High School.

Charles Garrison Shirley; Rev. and Mrs. Charles G. Shirley, Route 1, Box 1, Piedmont, S.C.; Wren School.

SOUTH DAKOTA

Edwin John Buckingham, III; Mr. and Mrs. E. J. Buckingham, Jr., 308 East Beebe Street, Chamberlain, S. Dak.; Chamberlain High School.

Carol Mary Dixon; Mr. and Mrs. Ned Warner Dixon, Rural Route 1, Aberdeen, S. Dak.; Central High School.

TENNESSEE

Frank Wilson Adams, Jr.; Mr. and Mrs. Frank W. Adams, 769 Reddoch Street, Memphis, Tenn.; White Station High School.

Janet Keith Musick; Mr. and Mrs. Jesse Musick, Jr., 303 Sevier Heights, Greeneville, Tenn.; Greeneville High School.

TEXAS

Ruth Linn Alexander; Mr. and Mrs. Steve Alexander, 1712 Windchime, Dallas, Tex.; South Oak Cliff High School.

Lois Yvonne Barrett; Rev. and Mrs. Hugh P. Barrett, 600 Silas Street, Sweetwater, Tex.; Newman High School.

John David Reiff; Mrs. Velma Bennett Reiff, 1351 Glenhaven, Abilene, Tex.; Abilene High School.

UTAH

Susan Buhler; Mr. and Mrs. Robert E. Buhler, 1076 South Fifth East, Salt Lake City, Utah; South High School.

George Alfred Trosper; Mr. and Mrs. Alfred B. Trosper, 1364 Harrison Avenue, Salt Lake City, Utah; Judge Memorial Catholic High.

VERMONT

Max Abram Kahn; Mr. and Mrs. Harry H. Kahn, 165 East Avenue, Burlington, Vt.; Burlington High School.

Mary Elizabeth Wilson; Mrs. Jennie C. Wilson, Star Route, West Woodstock, Vt.; Woodstock Union High School.

VIRGINIA

Claudius Barrett Claiborne; Mrs. Beatrice Claiborne, 144 Cedar Place, Apartment 1, Danville, Va.; John M. Langston High School.

William Frederick Graves, Jr.; Lt. Col. and Mrs. William F. Graves, 9710 Barlow Road, Fairfax, Va.; Fairfax High School.

Carol Elizabeth Skalnik; Mr. and Mrs. Yaro J. Skalnik, 1607 South West Street, Falls Church, Va.; George C. Marshall High School.

George Clinton Slusher; Mr. and Mrs. Clinton E. Slusher, 420 Shanks Street, Salem, Va.; Andrew Lewis High School.

WASHINGTON

Stephen Wendell Anshutz; Mr. and Mrs. Herbert L. Anshutz, 904 East Second Street, Ellensburg, Wash.; Ellensburg High School.

Janet Louise Miller; Mr. and Mrs. James A. Miller, 2304 Sunrise Court, Kelso, Wash.; Kelso High School.

WEST VIRGINIA

Neil Kay Cohen; Mr. and Mrs. Milton Cohen, 1060 Ross Street, Morgantown, W. Va.; Morgantown High School.

Catherine Jean Jenkins; Mrs. Pearl N. Jenkins, 819 Walters Road, Charleston, W. Va., Charleston High School.

WISCONSIN

John Nicholas Schweitzer; Mr. and Mrs. John D. Schweitzer, 306 East Fifth Street, Superior, Wis.; Superior Central High School.

Camille Ann Smith; Mr. and Mrs. Cameron Smith, 718 Willmor Street, Racine, Wis.; William Horlick High School.

WYOMING

Karen Mary Johnson; Col. and Mrs. Merle Johnson, Quarters 46-B, F.E. Warren Air Force Base, Cheyenne, Wyo.; Central High School.

James Michael Murphy; Mr. and Mrs. George W. Murphy, 516 East 24th Street, Cheyenne, Wyo., Central High School.

ABROAD

Marna Gail Carver; Capt. and Mrs. William E. Carver, Lynton Cottage Deanway, Chalfont St. Giles, Bucks, England; Central High School.

Carl Emery Dettman; Mr. and Mrs. Paul R. Dettman, Clavarack, Kodaikanal, South India; Kodaikanal School.

THE SLASH OF VETERANS FACILITIES IS GRATIFYINGLY REVERSED, AT LEAST IN PART

Mr. GRUENING. Mr. President, the President's Special Committee on Veterans' Facilities has reported its findings. The Committee recommended that the Veterans' Administration regional office in Juneau should be kept open, and that the President concurred with this recommendation.

Residents of my State do not want the facility closed; and the Alaska congressional delegation has made quite clear the fact that the closure would work an undue hardship on the veterans of the 49th State. Veterans care, at best, is limited in Alaska; and to suggest, however sincerely, that a veteran's claim could be handled better by mail, rather than in person, is mystifying.

When—on April 3—President Johnson appointed the Special Committee on Veterans, Facilities, Alaska was heartened. The 10 members of the Committee had vast knowledge of medicine, people, and—particularly—veterans.

Four are Members of Congress: The junior Senator from Louisiana, our majority whip [Mr. LONG]; the senior Senator from North Dakota [Mr. YOUNG]; the chairman of the House of Pepresentatives Armed Services Committee, Representative TEAGUE; and Representative ADAIR, of Indiana.

Three are experienced in the medical field: Dr. Dana W. Atchley, professor of clinical medicine, Columbia Presbyterian Medical Center, New York City; Secretary J. William Harwick, board of governors, Mayo Clinic, Rochester, Minn.; and Dr. Russell A. Nelson, president of the Johns Hopkins Hospital, Baltimore, Md.

Rounding out the membership of the Committee are John S. Gleason, Jr., former Administrator of Veterans' Affairs; Gen. Alfred M. Gruenther, former president of the American Red Cross; and E. Barrett Prettyman, senior circuit judge, U.S. Court of Appeals.

While the Committee and its staff were investigating, Members of the Congress amassed and shared information. Immediately following the announcement of the proposed closings, the Senate Labor and Public Welfare Committee's Subcommittee on Veterans' Affairs held hearings. The printed hearings contain 679 pages of testimony. My able colleague from Alaska [Mr. BARTLETT] and I testified before the Veterans' Affairs Subcommittee headed by the senior Senator from Texas [Mr. YARBOROUGH]. We pointed out that the Alaska veteran wishing personal attention would have to go to Seattle to receive it, were the regional office to be closed. Seattle is not "just around the corner"; it is 1,800 miles from Anchorage, 915 miles from Juneau, 2,300 miles from Nome, and many miles more from Barrow. Obviously the proposed closure would be a big step backward.

We are thankful that that step was not taken in this fiscal year; and I hope it will not be considered again.

I have read the report, which was sent to the President, of the Special Committee on Veterans' Facilities. It is a thoughtful report, and notes, in part:

> Not every hospital can be associated with a medical school, since only about 85 accredited such schools exist; also, not all medical ailments needing hospital care require the most modern equipment or the highest degree of professional acumen; many diseases are familiar and uncomplicated; still further, hospitalization in the patient's home area frequently has definite therapeutic value. Some hospitals, which are not in themselves the best, nevertheless if of high caliber raise the level of medical care in the community. Frequently the presence and operation of a veterans hospital is a major factor in the economy of the community.

I sincerely hope that the decision to close six hospitals, two domiciliaries, and nine regional offices will not work undue hardship on veterans in the areas affected. Rudyard Kipling once commented on the inequities which veterans endure, because nothing is too good for our veterans when we are at war, but when peace returns, that patriotic fervor dissipates quickly, and the veterans are forgotten.

We would do well, from time to time, to think about Kipling's poem "Tommy," with its last verse reading—

"For it's Tommy this, an' Tommy that, an'
'Chuck 'im out, the brute.'
But it's 'Saviour of 'is country' when the
guns begin to shoot.

"An' it's Tommy this, an' Tommy that, an'
anything you please;
An' Tommy ain't a bloomin' fool.
You bet that Tommy sees."

Our voices have, in part, been heard this time; and, in some areas, personal services will not be replaced by a letter. Now the Veterans' Administration must demonstrate that the closures which are to be made will not cause undue hardship. This is a challenge which the agency must meet successfully.

NATIONAL COUNCIL OF CHURCHES OF CHRIST IN THE U.S.A. OPPOSES ROTTEN-BOROUGH AMENDMENTS

Mr. DOUGLAS. Mr. President, the General Board of the National Council of the Churches of Christ in the U.S.A. adopted, on June 3, 1965, a strong statement of policy in opposition to the proposed constitutional amendments which would prevent enforcement of the constitutional guarantees of equal representation in the State legislatures.

The board's policy statement is based on the Christian belief in the fundamental worth of man: "that 'all men are created equal'—not in their abilities, but in their rights among the rest of humankind." The board argues therefrom that the right of equality of citizenship should not be taken from an individual, even partially, by those who presently possess extraordinary political power, in order to perpetuate their possession of that power.

It is heartening to have that statement made in defense of the unalienable right of citizens to have an equal vote. As public understanding of this issue increases, I expect the overwhelming majority of Americans to reconfirm their belief in the equality of citizenship and to call for the defeat of the rotten-borough amendments.

I ask unanimous consent that this policy statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

National Council of the Churches of Christ in the U.S.A. Policy Statement on Equal Representation Is a Right of Citizenship

(Adopted by the general board on June 3, 1965)

The general board of the National Council of Churches of Christ in the U.S.A. has repeatedly expressed its Christian concern for the maintenance and enhancement of human rights and liberties, most recently for "the right to full participation of the person in political and civic life."[1] The general board has an equal concern for the ever full attainment of a just and open society. Both of these concerns have come to focus in the right to vote.

As our understanding of the God-given dignity of man has developed and matured, most of our fellow citizens have now realized the urgency of giving all adult members of our society equal access to the ballot. What has not been as widely realized is the necessity of protecting the quality of the ballot. We welcome the action of our commission on religion and race within its special mandate witnessing to the conviction that "every American citizen has, as his inalienable right, not only an equal right to vote, but also a right to an equal vote."[2]

The condition has arisen in our country that many legislatures have refused to reapportion themselves according to the shifting of population, thus permitting the representatives of less populous areas to continue to outnumber the representatives of the growing cities and suburbs, and so to maintain their dominance over the affairs of the several States.

In recent years, the courts have sought to rectify this condition by insisting that the legislatures be reapportioned in proportion to the current distribution of population, so that the votes of all citizens for their legislators would be substantially equal in effect. The Supreme Court's interpretation of the equal protection clause of the Constitution guarantees this personal right of representation for individual voters. This right must not be abrogated by any constitutional revision. But the Supreme Court's decisions have been met by moves to amend the U.S. Constitution to withdraw this issue from the jurisdiction of the courts and to permit the States by referendum of their present voters or by other means to apportion the membership of one house of a bicameral legislature on factors other than population.

In the light of these circumstances, the general board concludes that many of the causes of civil rights and liberties we have long supported are at stake in the question of equal representation, and now affirms our Christian conviction that one of the fundamental rights of citizenship is the right of every citizen to representation substantially equal to that of other citizens, regardless of where he lives or what may be his wealth or learning.

We do not find in the nature of men as children of God any distinction of kind such that one man should cast a vote worth more than another's. Neither race nor religious adherence, neither property nor education, neither rural residence nor urban, nor appeal to States rights, entitles one man or group of men to a disproportionate share in the basic franchise by which their civic affairs are governed. The structure of government erected upon this base may vary in design and operation according to the development of the techniques of political science, but the right of every person to say his full "yea" or "nay" in periodic elections is more than a technical question.

If the right to vote is denied, or if the vote itself is diluted, then to that extent the membership of the voter in civil society is diminished and his political personhood is impaired. He becomes less of a "man" than his fellows, and loses to them some portion of his right to help determine his civic destiny. This is a moral question and ultimately a theological one, concerning which the National Council of the Churches of Christ may not remain silent.

When the founders of our Nation declared, "All men are created equal and are endowed by their Creator with certain inalienable rights," they perceived and expressed a profound truth about the nature of man, which earlier generations had not had the social experience or political opportunity to discover. In the Christian view man is a child of God who is lived by his Heavenly Father, and who is called to love his brother as a member of God's family. As such he is also a son of God who is of infinite value in God's sight and who, in obedient response to His will, values all other human beings as sons of God with the dignity and the freedom of action of such sonship.

Believing, then, that "all men are created equal"—not in their abilities but in their rights among the rest of humankind—we do not know of any proper basis on which that equality can be reduced or the rights which God has given alienated, not even by majority vote of the electorate. Individuals may refrain from exercising their franchise, but it ought not to be kept or taken from them—in whole or in part—by those who presently possess political power in order to perpetuate their possession. Rights guaranteed to persons by the Constitution are not "rights" if they depend on the outcome of elections.

The story of this Nation is in part the story of the extension of the franchise to all adult citizens. The founders of our Nation failed to apply fully their daring insight that all men are created equal. They failed to given women the right to vote, and for the purpose of allocating representatives to the States counted Negro slaves as three-fifths persons and even then denied them the right to cast these votes themselves.

Ever since that time, we have been striving as a nation toward a goal which could not then be, and has not yet been, fully attained. For over a century we have suffered as a nation the continuing consequences of undervaluing the personhood of some of our fellow men. Recently we have begun to perform a national penance for this injustice. But having striven thus far toward achieving a genuine and effective political equality, we should not now change our Constitution in any way that would take our Nation back toward fractional citizenship. Rather we should move in the opposite direction: toward the integrity and equality of every citizen's full belonging to the civic commonwealth of God's children. If our democracy is to function properly those who are eligible to vote should be encouraged to exercise their franchise and to prepare themselves to vote intelligently on candidates and issues.

We believe that equal representation is every person's fundamental right and a necessary adjunct to full political personhood. Therefore, the National Council of Churches records its opposition to the proposals for an amendment to the Constitution or any other moves which would restrict the right of every person to substantially equal representation.

"SENATOR MURPHY SERVES HIS PEOPLE"

Mr. TOWER. Mr. President, I was most pleased to see a May 28 editorial of the Santa Monica, Calif., Evening Outlook recognizing the strong and continuing work of our colleague, the Senator from California [Mr. Murphy].

The talented Evening Outlook writer has captured the spirit and dedication with which the junior Senator from California has tackled the problem of obtaining farm labor for his State's agricultural needs.

My State also is concerned with the need to provide sufficient bracero workers so that crops will not rot in the field and so that prices to housewives will not continue to skyrocket. All of us concerned with this situation have benefited from the inspiration, guidance, and determination Senator Murphy is exhibiting in this fight. California is fortunate to have such an accomplished advocate in the U.S. Senate.

Mr. President, I ask that the editorial be printed at this point in the Record so that other Senators may review it.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Santa Monica (Calif.) Evening Outlook, May 28, 1965]

Senator Murphy's One-Man Fight

California's junior Senator, George Murphy, appears to be almost the only public servant of this State who has fought hard and successfully for the growers and food consumers, in calling attention to the disastrous results of ending the bracero program.

We say Senator Murphy has been almost the only champion of the growers and housewives, because Governor Brown has done very little, since he had to admit this spring that his original position, dictated by State labor leaders had been wrong—that domestic labor recruited from the ranks of the unemployed could not come anywhere near to supplying the harvest needs of California growers of fruits and vegetables. The Governor has made several appeals to U.S. Labor Secretary W. Willard Wirtz to do what Senator Murphy has advocated from the first—extend the bracero program and admit whatever foreign labor is needed to keep crops from rotting on the ground. But these appeals have not been loud enough to impress the Washington administration.

Senator Murphy has at least forced Secretary Wirtz to make some concessions—too little and too late—in allowing a limited number of Japanese and Mexican workers to be hired in the Salinas Valley. And we may say that Senator Murphy has fought successfully to make the people of California aware of this situation—to judge by a May poll conducted by Public Opinion Research of California, the Long Beach Independent and Press Telegram.

This poll shows that a large majority of the people of California understand that the

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[1] Policy statement on human rights, unanimously adopted by the general assembly, Dec. 6, 1963.

[2] Resolution on reapportionment, by the Commission on Religion and Race, Apr. 14, 1965.

State is faced with a major labor crisis in agriculture, and that Democrats as well as Republicans favor legislation similar to the bracero program, to supply supplemental labor at harvest time. Among Democrats, 63.6 percent favor such legislation, while the Republican percentage is 76.2. To the question: "Do you believe that Secretary of Labor Wirtz is doing an adequate job in supplying labor to harvest California crops?"—56.5 percent of Democrats, and 75.7 percent of Republicans answered "No."

Governor Brown came off badly in this poll, and not only among Republicans. Only 36.8 percent of Democrats thought that he had "done enough" in this situation, while 42.5 percent of Democrats said "No."

It took real courage for GEORGE MURPHY, serving his first term in the U.S. Senate (whose huge Democratic majority is almost a rubberstamp for the administration) to speak out strongly for California growers during his first weeks in office. Everyone in the ruling party including Governor Brown had declared against any continuation of the bracero program and accepted the union thesis that California growers could get plenty of domestic labor if only they would pay decent wages.

Senator MURPHY predicted that events would prove otherwise, and so it has turned out—with the loss of a large part of California's 1965 crops of fruit and vegetables, and with the prices of these going up and up.

As for the claim that California growers will not pay decent wages, Senator MURPHY has gone into this matter very thoroughly, in personal visits to agricultural areas, and in a recent Senate speech he testified that the pay for harvesters in Orange County ranges from $1.70 to $2.30 an hour, and that strawberry pickers, even those without experience, have averaged better than $25 a day for this work during the season.

The battle to get enough agricultural labor in California is not yet won, but Senator GEORGE MURPHY is on his way to winning it with the support of millions of Californians.

THE NEED TO RETAIN SECTION 14(b) OF THE TAFT-HARTLEY ACT—RESOLUTION OF SOUTHWESTERN MOTOR FREIGHT BUREAU

Mr. TOWER. Mr. President, a most important resolution was adopted on May 27, at the annual membership meeting of Southwestern Motor Freight Bureau, Inc., of Dallas.

I am in full accord with the sense of the resolution, which points out the need to retain section 14(b) of the Taft-Hartley law; and I ask that the resolution be printed in the RECORD, in order that other Senators may be advised of the depth of Texas opinion on this vital matter.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE MEMBERSHIP OF SOUTHWESTERN MOTOR FREIGHT BUREAU, INC.

Whereas the motor common carrier industry of the Southwest, members of the Southwestern Motor Freight Bureau, Inc., having a vital interest in the proposed repeal of section 14(b) commonly referred to as the States right-to-work law, and

Whereas the industry's employees generally are represented by one or more unions but not all of the industry have unions neither are all of the employees completely unionized, and

Whereas it is their belief that a man should have the right to work without being forced to join a union: Therefore be it

Resolved, That the manager of the Southwestern Motor Freight Bureau, Inc., be instructed to advise the appropriate Members of Congress of our opposition to the repeal of section 14(b) of the Taft-Hartley Act.

This action taken in regular annual membership meeting of members of the organization.

J. D. HUGHETT,
General Manager.

BANK MERGERS AND THE ANTITRUST LAWS

Mr. JAVITS. Mr. President, the Subcommittee on Financial Institutions, of the Senate Banking and Currency Committee, has been holding public hearings on Senate bill 1698, introduced by the distinguished Senator from Virginia [Mr. ROBERTSON], which seeks to establish a definite and unambiguous procedure for the consideration by Federal governmental authority of bank mergers and consolidations. This bill is presently on the Senate Calendar.

In the wake of the Supreme Court's decisions in the Philadelphia and Lexington cases, it is claimed to be extremely difficult for banks and their legal counsel to determine with certainty the legal standards which will be applied to a particular bank merger. Therefore, it is highly important for Congress to consider this question and to decide whether there is need for legislation establishing precise standards and procedures for the review of proposed bank mergers.

Testimony was presented to the Financial Institutions Subcommittee by Mr. G. Russell Clark, of New York City, chairman of the board of the Bank of North America. Mr. Clark has had a long and distinguished career in the banking field. He served as Governor Rockefeller's first superintendent of banks for the State of New York. During his superintendency, he reviewed and approved the merger of the Manufacturers Trust Co. and the Hanover Bank, a merger which was consummated on September 8, 1961, and on March 10, 1965, was adjudged by the Federal district court for the southern district of New York to be violative of section 1 of the Sherman Act and section 7 of the Clayton Act. The Manufacturers case is a classic example of the situation presently prevailing with respect to bank mergers; and Mr. Clark's testimony provides a valuable insight into the problems involved in the dissolution of a merger which has been in effect for nearly 4 years. I ask unanimous consent that Mr. Clark's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS OF G. RUSSELL CLARK, CHAIRMAN OF THE BOARD, BANK OF NORTH AMERICA, FORMER SUPERINTENDENT OF BANKS, STATE OF NEW YORK, BEFORE THE SUBCOMMITTEE OF THE SENATE BANKING AND CURRENCY COMMITTEE IN WASHINGTON, D.C., MAY 20, 1965

I appreciate very much the opportunity to testify in favor of the Robertson bill, S. 1698, relating to amendments of the Bank Merger Act of 1960.

Over the years prior to 1960, bank supervisors, as well as bankers generally, became increasingly perplexed as the result of deadening effects of Government restrictions on the activities of banks which were trying to play their part as service institutions in the economic development of our country.

Banking, generally speaking, had lagged seriously behind other forms of corporate activity in the great economic advances that had taken place, particularly since World War II. The work done in connection with the Financial Institutions Act of 1957, and other similar bills, furnished the background for the avenue of approach to a clarification of matters affecting our financial areas of activity which were so helpful in framing the Bank Merger Act of 1960.

It appears proper to me, in order to be logical in the approach to the proposal presently at hand, to review in retrospect some of the actions taken under the provisions of the Bank Merger Act.

In 1960, we in the banking field felt that it was increasingly difficult to keep abreast of the rapidly changing, and at times contrary, winds of supervisory opinion on a multitude of banking matters. We were concerned with supervisory regulations and opinions in many areas, including chartering, branching, interest rates, examinations, et cetera, but one of the areas most befogged was that of bank mergers. It was the opinion of practicing bankers that the Bank Merger Act would be the cornerstone on which at long last positive direction would be given to bank mergers. With its seven tests for applicability it was felt that at least we had more anchor and less sail.

As we understood the act, authority over mergers was vested in one of three Federal agencies; i.e., the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Comptroller of the Currency. We were aware of the fact that in merger proposals State member banks as well as insured State nonmember banks would be required to pass over two hurdles; i.e., either the banking department of the State and the Federal Reserve Board in one case, and the banking department of the State and the Federal Deposit Insurance Corporation in the case of nonmember banks, while national banks were required to clear only one hurdle; i.e., the Comptroller of the Currency.

There were differences of opinion at that time regarding the posture of the Justice Department in bank mergers and it was finally resolved by requiring the Justice Department to submit an advisory opinion on the competitive factors of each merger, as distinguished from the banking factors, to the bank regulatory agency having primary approval jurisdiction. Advisory opinions were also required from each of the other two bank regulatory agencies not charged with final approval.

In certain quarters it was felt that the Justice Department should be placed in a commanding position in bank merger considerations, but it is noteworthy that the then Chairman of the Federal Deposit Insurance Corporation, in his testimony in the preceding legislative session, said, "No examination or review by the Department of Justice, or other agency or commission, outside the bank supervisory field, of the facts of a merger transaction, can be an adequate substitute for the background, knowledge, and current information which presently reposes in the supervisors."

The thoroughness of the action of Congress in its consideration of S. 1062 in the spring of 1960 indicated a crystallized opinion on the question of which agencies of Government should be charged with the responsibility for final approval of bank mergers.

Senator ROBERTSON, who with Senators FULBRIGHT and Capehart sponsored the bill, said in presenting the bill:

"As it passed the Senate, S. 1062 expressed the view of the Senate, for the third time, that bank mergers should be regulated by the Federal banking agencies on the basis of banking factors and competitive factors and with no single factor being in itself controlling. S. 1062 was a clear statement, for the third time, of the Senate's view that the provisions of section 7 of the Clayton Act should not apply to bank mergers. The amendments to S. 1062 made by the House do not change this aspect of the bill. The House has agreed with the Senate that bank mergers should be controlled by the Federal banking agencies on the basis of both banking factors and competitive factors, and that section 7 of the Clayton Act should continue to be inapplicable to bank mergers."

Further, on the day that it passed the Senate, the then Senator Lyndon B. Johnson, of Texas, speaking on the same bill, said:

"This bill establishes uniform and clear standards, including both banking and competitive factors, for the consideration of proposed bank mergers. It eliminates a number of gaps in the statutory framework, which now permit many bank mergers to occur with no review by any Federal agency. It provides for a thorough review by the appropriate Federal bank supervisory agency, under these comprehensive standards, and with the benefit of any information which may be supplied by the Department of Justice in the report required from them, of the bank mergers by asset acquisitions and other means which are now and will continue to be exempt from the antimerger provisions of section 7 of the Clayton Antitrust Act."

It was at that point, generally speaking, that bankers, perhaps overoptimistically secure in the belief that further controls were unwarranted and unnecessary, had confidence that banking would continue to be closely regulated under reasonable controls and subject to the primary supervision of the applicable Government bank supervisory agencies, both State and Federal.

Not too many months after the passage of the Bank Merger Act, however, clouds appeared on the horizon in connection with the Philadelphia National Bank case. Without attempting here to go into the merits of that case, a very significant attitude was expressed in the U.S. district court by a representative of the Justice Department which indicated a viewpoint on the posture of banking in the financial community that was most disconcerting and alarming to the average banker. The judge in that case was compelled to record in his opinion the following words:

"The court was not impressed with the attempts of the Government to show that banking is of minor importance in the life of a community generally and of almost absolute unimportance in the business life of the community. The Government, in its attempt to establish this contention by testimony that no single particular individual industrial organization has ever entered a particular territory, because of the presence or absence of banking facilities, has ignored the industrial history of the United States. Should one ever speculate as to whether any industry would enter a community without banking facilities, the answer would be completely obvious. Historically, banking facilities have preceded industry in every community."

As one who has been trained in the belief that banks are and have been by practice and tradition cast in the role of service institutions, it came as somewhat of a shock to learn that such high officers of Government evaluate our services at such a minimal level. It gave rise to the thought that, if such Federal authority ever reaches a point, where it supersedes, ignores, or submerges the authority of State supervisors, this will mark the point of no return and will signal the demise of the dual banking system.

The second step taken by the courts would seem to contra the view of the Congress as expressed in the Bank Merger Act. This was reached on June 17, 1963, when a decision was rendered by the U.S. Supreme Court in the same Philadelphia National bank case. This had the apparent practical effect of removing conclusive judgments on bank mergers from the duly authorized supervisory agencies to the realm of legal decision. This decision, by five members of the Court, with two dissenters and one agreeing in part with the dissent, was classified by the distinguished Senator from Virginia, Senator ROBERTSON, as "one of the most incredible cases of judiciary legislation which the Court has handed down." He was also "shocked both at the results and at the gross casual disregard for congressional intent and purpose." Justice Harlan, saying that section 7 of the Clayton Act did not apply to a bank merger, did observe with respect to the Bank Merger Act of 1960, "This enactment turns out to be an exorbitant waste of congressional time and energy."

To the mind of the average banker it meant that regardless of previous action by appropriate supervisory agencies, merger proposals involving banks would be subject to Federal antitrust laws and henceforth that mergers approved by appropriate bank supervisory agencies would not be immune from challenge under such laws.

At this point the Justice Department had taken antitrust action in only one other case—a case which was subsequently settled in the course of litigation.

Not long thereafter the Justice Department Antitrust Division announced a clearance procedure under which, as we understood it, a bank could consult with that Department on a contemplated merger prior to submission to the applicable supervisory authority. It appeared that one would need a keen sense of perception to determine the exact moment when the advisory nature of the consultation turned into a warning that if the decision reached by the supervisory agency did not agree with that of the Antitrust Division, then the bones of a lawsuit would rattle in the closet.

It is hardly necessary to state here that the element of time involved in consideration of a merger is of utmost importance to the participating banks, their depositors and their stockholders, as well as to the public generally. In the hands of delaying tactics and inexperience in the banking field, this type of delay could conceivably cause results that someday in some merger would be fraught with danger. In effect, this places the three bank supervisory agencies in a posture where they have only the initial veto power and any final approval so extended can under present practices be vitiated by a nonbank governmental agency. It has led to a new banking technique which could be labeled "bank unscrambling."

It was generally believed that Congress delegated to the attention of the Justice Department only the competitive factor involved in mergers—which has now developed into the primary and dominating factor, as opposed to the banking factors now judicially relegated to a place of secondary importance.

It is against this background that I would now express a few remarks on the Hanover-Manufacturers merger in New York City which took place during my superintendency of banks for the State of New York and which I approved on May 23, 1961.

I became superintendent of banks upon the invitation of Governor Rockefeller with one of the main objectives of our efforts to be a revision of the banking law of the State of New York where the supervisor has control over not only commercial banks, savings banks, savings and loan associations, but a host of other institutions conducting activities in the financial field. Outmoded laws had contributed to many misunderstandings and it was essential that an orderly process should be developed to benefit the economic interests of the State as well as to safeguard the public interest. It was under this charge of duty that chapter 237 of the laws of 1960, reenacted by chapter 146 of the laws of 1961, set forth the criteria to be considered by the superintendent in determining whether to approve a proposed merger of corporate banking organizations.

(i) (a) "to insure the safe and sound conduct of such business"; (b) "to conserve their assets"; (c) "to prevent hoarding of money"; (d) "to eliminate unsound and destructive competition among such banking organizations"; (e) "to maintain public confidence in such business"; and (f) "to protect the public interest and the interests of depositers, creditors, shareholders, and stockholders."

(ii) Whether the effect of the merger for which approval is sought shall be either (a) to expand the size or extent of the resulting institution "beyond limits consistent with adequate and sound banking and the preservation thereof," or (b) to result in a concentration of assets "beyond limits consistent with effective competition."

(iii) Whether such merger may result in such a lessening of competition (a) "as to be injurious to the interest of the public," or (b) "tend toward monopoly."

(iv) "Primarily, the public interest and the needs and convenience thereof."

The Banking Department of New York State has had unique supervisory experience in banking dating from 1851. In the opinion of competent bank supervisors, the standards of the department are as high as those of any other agency exercising bank supervisory powers. Truly in the banking hub of the world, its familiarity with trade and competitive practices and patterns in the banking industry are not limited to a local market exclusively, but by very nature of its geographical locale it is in the center of the whirling waters of international trade. It is well known that the competition in the New York money market among the great variety of financial corporations, both domestic and foreign, is as keen as in any other center. It is for this reason, among others, that the supervisor must exercise a judgment that is as fair as humanly possible, balanced between banking factors and competitive factors, encouraging the degree of competition that will inure to the public interest, needs, and convenience.

In the matter of branching, for instance, the department must have a definite address at which the branch will be located, evidence of a satisfactory lease, a minimum distance from competing institutions, and other like regulations to insure the orderly and progressive development of our banking community. It is through strict interpretations of our State laws and banking regulations that we maintain a sound and conservative banking system. It is in the field of mergers, however, that I believe the record of the New York State Banking Department exhibits that degree of professional competence which comes through the long experience of its staff members.

The department considers and evaluates against the backdrop of its experience the extent of competitive activity a proposed merger would eliminate, the resulting relative size and the potential market area of the resulting institution; and more importantly, the effects upon the public interest of any substantial reduction in the amount and quality of the remaining competition. In the consideration of the Manufacturers-Hanover merger which involved an exhaustive analysis by highly competent banking supervisory people in many areas of banking activity that led to the final approval of this merger, the standards previously referred to relating to safe and sound conduct of such business and maintenance of public confidence offered no obstacle. Indeed, the two banks involved had long and honorable tenures, in the case of the Hanover running back to 1873, and in the case of Manufacturers to 1905. Their assets had shown steady growth and both enjoyed a high degree of public confidence. There was no reason to believe that these factors would change upon the completion of the merger.

In view of the recent legislation passed by the Congress designed to protect the interest of stockholders, it is interesting to note that the owners of the banks involved, namely, the stockholders, voted overwhelmingly in favor of the merger, 86.7 percent in the case of the Manufacturers, and 90.4 percent in the case of Hanover. The Hanover bank was a $2 billion institution holding 4.6 percent of all commercial bank assets in the city. After the merger, the combined banks resulted in an institution which was New York City's third largest bank, holding only 13.5 percent of the commercial bank resources in the city.

Parenthetically it may be noted here that as of the close of business on December 31, 1964, the relative position of the merged bank in the top 10 banks in New York City is unchanged. It still remains in third place and is only 60 percent the size of the second bank in the city in total resources. At the same date the two largest banks in the city had combined resources that equaled those of the next four largest banks of the city combined, including the merged bank. Further, the two largest banks increased resources by 47 percent as against an increase of 42 percent for the group of the next four banks in the 4½ years from June 1960 to December 1964.

Total assets and total number of branches while most impressive are not under all circumstances the most meaningful measures of the competitive power of a bank or the competitive impact of a bank merger. In a metropolitan center recognition must be given to the branch locations of all competing institutions including savings banks and savings and loan associations. At the time of the merger there were 3 to 13 offices of competing commercial banks (excluding Manufacturers) within two blocks of each of seven branches of Hanover Bank. The other four branches had like competition. In Manhattan alone, more than 250 offices of about 30 competing commercial banks offered competition. There was no indication of concentration or domination in this area, and certainly no lessening of competition so as to be injurious to the interests of the public.

Neither bank involved in this merger was suffering any injury or impairment of its sound financial condition by the competitive practices of other financial institutions. Their business had been safely and soundly conducted for years. The Hanover Bank was known throughout the trade to be a wholesale bank while Manufacturers was known to be primarily a retail bank with some wholesale business. It was evident that the combined institution would offer the benefits of the specialized field in which each institution had previously engaged and would complement each other and accordingly service the field of banking and trust operations on a much broader scale than each could service acting individually. With the growth of U.S. industry it was natural to assume that larger lines of credit would be needed from the banks, and inasmuch as the resources of the combined institutions would enable the merged banks to service large national corporations, in competition with larger banks, that seemed most desirable. In this area the loan ratio of Manufacturers Trust was lower than the average for other large New York City banks.

In this merger there was no question of protection of the interests of depositors as services would continue to be offered on substantially similar terms. It was to be noted that Hanover did not, except for employees, offer special checking accounts to the public and did not provide for savings accounts or certain types of consumer loans. To this extent the merger represented expansion of facilities offered to the public.

Considerable additional data could be offered here, but in the interests of brevity I shall lodge with the counsel for the committee a copy of my decision in this merger. For the record, however, it might be well to record the following summary and decision on the application submited by the banks:

"Data submitted by the applicants, and this department's independent study, as reviewed in the foregoing sections of this statement, lead to these conclusions:

"1. The considerations set forth in section 10 of the banking law (and incorporated by reference in sec. 601-b), including the technical banking factors of capitalization, liquidity, asset classifications, the premium proposed to be paid to the stockholders of Hanover, management classification and succession, and financial history, are either favorable, not adverse, or not precisely applicable.

"2. The proposed merger would not expand the size or extent of the resulting institution beyond limits consistent with adequate or sound banking and the preservation thereof.

"3. The proposed merger would not result in a concentration of assets beyond limits consistent with effective competition.

"4. The proposed merger would not result in such a lessening of competition as to be injurious to the interests of the public, nor in such a lessening of competition as to tend toward monopoly.

"5. The public interest would not be injured by the merger, and the needs and convenience of the public would be served to some extent thereby.

"Accordingly, I approve the proposed merger of the Hanover Bank into Manufacturers Trust Co., and recommend to the banking board that it approve the operation and maintenance by Manufacturers Hanover Trust Co. of the presently authorized domestic and foreign offices of the Hanover Bank.

"New York, N.Y., *May 23, 1965.*"

In the latest judicial opinion in this case, the U.S. District Court for the Southern District of New York concludes in part that there is a "reasonable probability" that this merger may substantially lessen competition or tend to create a monopoly in commercial banking in the New York metropolitan area, etc. I understand that plans must be drawn under this decision so as to reconstitute the two banks as they were before the date of the merger. As said previously, this would appear to call for "bank unscrambling."

The substantial difficulties which must be overcome in effecting this divestiture cannot, in my opinion, be underestimated. The effect of this step on depositors, borrowers, stockholders, and the general public cannot be projected with any degree of certainty. Among the questions which are bound to arise in this connection are:

1. Which bank receives the deposit accounts opened since merger date.
2. How to divide the loans made to borrowers since that date.
3. The handling of excess loan lines where the borrower's needs exceed the statutory limit of one of the original banks.
4. Personal trust services: (a) Voluntary and court trusts, (b) agency and custody accounts, (c) pension fund trusteeships, (d) profit-sharing funds, (e) investment advisory accounts.
5. Corporate trust services: (a) Trustee for security issues, (b) stock transfer agencies, (c) registrar accounts, (d) dividend disbursing agency accounts, (e) bond and coupon paying agencies.
6. Accounts with correspondent banks.
7. Accounts with foreign banks and agencies.
8. Activities in municipal and government securities.
9. Employees pension funds—profit-sharing plans (handling of retirements, insurance, etc.).
10. Automation equipment and expense involved in returning to previous posture.
11. Leases, contracts, new branch applications and those under construction.
12. Officers and employees acquired since merger dates.
13. Inasmuch as the demolition of the former home office of Hanover Bank is completed the unscrambling is further complicated by main office relocation problems.

This legislation in my opinion will have the beneficial effect of returning to the proper banking supervisory agencies the jurisdiction which is sorely needed to clarify the existing confusion not only in the minds of bankers but also in the minds of an alert and inquiring public. Avoidance of controversy has long been a hallmark of the banking industry. We have a need for better understanding between bankers and their supervisory agencies, as well as between the agencies themselves. Acting in concert we can jointly make further contributions to clear away the uncertainty that impedes our services to the economic growth of our country.

OIL AND GAS INDUSTRY JOURNAL FAVORS REAPPOINTMENT OF JOSEPH C. SWIDLER AS CHAIRMAN OF FEDERAL POWER COMMISSION

Mr. DOUGLAS. Mr. President, the journal of the oil and gas industry, Gas, has just published an editorial, by J. Fred Ebdon, supporting the reappointment of Joseph C. Swidler as the Chairman of the Federal Power Commission. The editorial is as unique as the proverbial "man bites dog" story. It is certainly unusual that the journal of the industry would support Mr. Swidler. However, as the editorial properly points out, Mr. Swidler is an honest, fairminded, knowledgeable man, who has listened to the industry, and then has voted according to what he believed was in the public interest. I think it is a great tribute to Chairman Swidler that, while the industry does not always agree with him, it nonetheless respects his integrity and his accomplishments. It is also a tribute to the industry that it would prefer to have a man who wears no man's collar, but is fairminded and knowledgeable, to an unknown person who would have to spend a year or more before his understanding of the industry and the problems of regulation would be sufficient to enable him to do a good job.

I join the editor of the journal of the oil and gas industry in hoping that the President will reappoint this dedicated public servant, and that Mr. Swidler, in turn, will agree to serve.

I ask unanimous consent that the editorial be printed at this point in my remarks, in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Surveying Swidler

(By Editor J. Fred Ebdon)

It is an opportune moment to direct scrutiny toward recent years in the life of one Joseph C. Swidler. This amiable, scholarly, and, I think, dedicated man has chairmanned Federal Power Commission for the past 5 years—a statement which carries no news to gas company people.

With dawning of the fourth Wednesday in approaching June, Mr. Swidler's chair will theoretically become vacant due to an expiration of term. Let me say right now that I do not know whether this regulator will be selected for reappointment or not; nor do I know if he even seeks or would accept reappointment. The selection is at the convenience of President Johnson with advice and consent of the Senate. The desire or willingness of the chairman to serve again, if asked to do so, rests with his personal convenience and perhaps with the advice and consent of Mrs. Swidler.

Plausibility may not be compromised if we relate Mr. Swidler's bureaucratic experience at FPC with that of the long-gone Moorish ruler, Abd-el-Raham, who summed up his "government service" like this: "I have now reigned about 50 years in victory and peace, beloved by my subjects, dreaded by my enemies, and respected by my allies. Riches and honors, power and pleasure, have waited on my call, nor does any earthly blessing appear to be wanting for my felicity. In this situation, I have diligently numbered the days of pure and genuine happiness which have fallen to my lot: they amount to 14. O man, place not thy confidence in this present world."

We must leave it to Mr. Swidler to count his happy days at FPC; assess his standing with friend and foe; and evaluate his riches and honors. I suspect, however, that Mr. Swidler feels not too far apart from Mr. Abd-el-Raham.

Let us look at Joseph Swidler the man and the regulator. As a man, I personally appraise him as one of the best. He has great wisdom; for, he will not hesitate to inform one "I do not know." In my book, in these times, the people who become aware of how really little they know have entered the restricted circle of brilliant ones. Further, he is honest, courageous, and not too busy, or afraid, to talk to people from the industry or the press.

Now, as a regulator, I will say that he has tried awfully hard. Dedication again turns up in my mind. And, after all, it is difficult indeed to find men who will take on the thankless, complex task of providing leadership for Federal Power Commission and put everything they have into it. A person should ask himself: "Would I take the job if tapped?" If your answer is "no," then you have to admire Joe Swidler. And, I do so even though we are not often close together on our concepts as to what is good for the gas industry and consumers of this Nation.

Now, Mr. Swidler can be faulted. Show me the man who can't be. However, his faults are, I think, modest when scaled against his rather monumental effort and his goodly number of accomplishments as FPC Chairman. Just offhand, I recall he instituted regular meetings with various segments of the gas industry—opening a route for jaw-to-jaw exchange. He has cut the pipeline rate and expansion case backlog effectively; he has speeded uncontested expansion cases vastly; he has generally looked at specific conditions of individual cases for decisions rather than following precedent alone; he has tried to put the Commission in high gear; he has streamlined many procedures; and just recently he seems to be reaching for more commonsense positions on rate-of-return, more encouraging and incentive-creating concepts for regulating gas companies, and approaches that will stimulate and reward efficient and economic operations.

Well, of course, Mr. Swidler has not made many friends among producers. He has hit a bird every now and again. But, I will say he has learned a lot about the gas industry. He started from near zero; he is currently very well informed on many, but not all, gas industry matters.

In view of this record, I feel President Johnson could do far worse than reappoint Joseph C. Swidler to head FPC for another term. Unless the President selects someone with vast gas industry experience, I feel the gas industry will suffer less under Mr. Swidler in the 5 years ahead than it will if another man with no gas industry understanding is again brought in as chairman of FPC.

"LAKE POWELL—JEWEL OF THE COLORADO"

Mr. MOSS. Mr. President, some of America's nature lovers have greatly feared that we would destroy or irreparably alter spectacular scenic areas by allowing water from reclamation and powerdam reservoirs to back up into them. I can understand the concern of these naturalists; I revere our natural beauties as much as they do. I agree that it would be tragic to blot out the towering shafts of a river chasm or to cover other unduplicatable formations or areas.

The story of what has happened as Lake Powell has filled behind Glen Canyon Reservoir, on the Utah-Arizona border, is, therefore, most heartening. The creation of the lake has not damaged, but has greatly enhanced, the beauty of this area. The massive formations are reflected in the clear waters, and their beauty is thus multiplied. The lake has made it possible to see by boat what many would never have seen, otherwise, since most of the area was practically inaccessible before. Lake Powell is now the most attractive of our Western playgrounds; and millions are now expected to see it and enjoy it each year. The lake is called the most spectacular in the world.

The Bureau of Reclamation has recently issued a color booklet showing some of the spectacular vistas and sights the lake now affords. For those who may wish to obtain a copy, this breathtaking collection of colored photographs may be obtained from the Superintendent of Documents, here in Washington, for 75 cents.

Frank Hewlett, Washington correspondent for the Salt Lake Tribune, has written an article on the booklet, and has included in the article an interview with Commissioner Floyd Dominy, who turned photographer, to take some of the photographs. The Salt Lake Tribune then commented editorially on the booklet. Because I am sure that many Senators will be interested in both the article and the editorial, I ask unanimous consent that they be printed in the CONGRESSIONAL RECORD.

There being no objection, the article and the editorial were ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune, May 30, 1965]

STORY OF LAKE POWELL—A COLORFUL BEST SELLER

(By Frank Hewlett)

WASHINGTON.—The Bureau of Reclamation appears to have come up with a best seller in a color booklet just off the presses on newly created Lake Powell in Utah and Arizona.

And the amateur photographer who took most of the spectacular pictures was none other than Floyd E. Dominy, versatile Commissioner of Reclamation.

Commissioner Dominy describes Lake Powell as a photographer's paradise and says it gave him "the most exciting camera experience of a lifetime."

"The place is alive with color," he said.

FIVE THOUSAND COPIES

Already the Upper Colorado River Commission with headquarters in Salt Lake City has placed an order for 5,000 copies of the booklet, "Lake Powell—Jewel of the Colorado." It can be purchased through the Superintendent of Documents, Government Printing Office in Washington.

In the words of Commissioner Dominy, "Lake Powell holds working water—water for many purposes.

"RECREATION CENTERS

"At intervals along shores of astonishing beauty will be 10 recreation centers developed by the National Park Service. Their names have a tang of the Old West: Wahweap, Lee's Ferry, Warm Creek, Rainbow Bridge, Hole-in-the-Rock, Oil Seep Bar, Hall's Crossing, Bullfrog Basin, Castle Butte and Hite Crossing.

"Five of these will have marinas, four will have airstrips, seven will have complete lodging accommodations, all will have boat docks, supplies, camping sites and picnic grounds. Work is underway on more than half of these sites. Wahweap—nearest to Glen Canyon Dam—is virtually complete."

The bureau publication also puts in a strong plug for further development of the Colorado River with the construction of Bridge and Marble Canyon Dams between the Glen Canyon and Hoover Dams.

Concerning charges of conservation groups that the new dams would flood out portions of Grand Canyon National Park, the Bureau says:

"NO TRUTH

"Any such charge has no basis in truth. First, only one of these structures—Bridge Canyon Dam—will impinge in any way on Grand Canyon National Park. The other structure—Marble Canyon Dam—would be many miles beyond the upstream boundary of the park. Second, the lake formed by Bridge Canyon Dam would back only 13 miles along the Colorado where the river is the park boundary.

"BRIDGE CANYON

"A blue lake above Bridge Canyon Dam, deep within the inner gorge, would make this spectacular canyon easy of access by boat for millions. Easy of access for the millions of Americans who love to boat, fish and swim and water ski—or just lie in the sun—in God's country. For the millions of Americans who would see—for the first time—a new part of their heritage of natural beauty."

[From the Salt Lake Tribune, May 31, 1965]

JEWEL OF THE COLORADO

A magnificent 36-page booklet featuring the beauty and expanse of Lake Powell is a dramatic answer to some naturalists who complain that the Glen Canyon reclamation dam developments have altered the scenic and recreational values of the once nearly inaccessible area.

"Lake Powell—Jewel of the Colorado" is made up of full color plates, taken by Reclamation Commissioner Floyd E. Dominy and Joseph Muench, noted western nature photographer. The photographs of the water against the colored cliffs and canyon walls are accompanied by text telling the purpose and history of the key Upper Colorado River project and the tremendous recreational and spiritual advantages of the 186-mile reservoir.

Lake Powell already is attracting visitors at the rate of 700,000 annually and these likely will increase to several millions in the next few years. The reservoir and its 1,860 miles of rugged shoreline are administered by the National Park Service as a national recreation area.

The booklet is an indirect reply to the Sierra Club's ambitious 1963 color-plate book, "The Place No One Knew: Glen Canyon on the Colorado" by Eliot Porter, the central theme of which is that man has spoiled a superb natural wilderness. The poetic captions of the Reclamation Bureau's work match those of "The Place No One Knew"—some being by the same authors.

"Lake Powell—Jewel of the Colorado" (available from the Superintendent of Documents, Washington, D.C.) also is a reminder that access roads to the reservoir in Utah are inadequate. A group of officials, meeting at Blanding last weekend, traveled the rough, sandy and rocky trails that provide access. Only four roads lead to the shore in Utah.

A temporary access road to Bull Frog Basin, now being developed for boat ramps and other facilities, can be built for $250,000 but an all-weather highway would require several million dollars. The Federal Government should help build the access roads as well as recreational facilities on the lake.

ALASKANS CONCERNED OVER JAPANESE FISHING

Mr. BARTLETT. Mr. President, it has been with regret that I have been forced to speak out strongly in recent weeks against the actions of Japanese fishing vessels in the North Pacific.

For some time Japanese fishing interests have been violating the spirit of the International North Pacific Fisheries Convention of 1952, and this past week the Coast Guard reported that Japanese vessels violated the letter of the treaty.

Last month the Senate passed by unanimous consent S. 1734 which would give the President authority to raise duties on fishery imports from nations violating our conservation policies. At the time I said I hoped that the provisions of the bill would never have to be invoked. I said I hoped our Japanese friends would at last recognize the seriousness with which we viewed the violations and would sit down and talk about the problem. Quite frankly, I do not like economic sanctions, but this may be a time when we may have to resort to them.

A telegram I received yesterday indicates that many of my constituents share my unhappiness at the recent turn of events.

The Alaska Sportsmen's Council notified me that it advocated a nationwide boycott of all Japanese manufactured sporting goods. The council, taking note of a previous statement in which it expressed the hope that the Japanese would cooperate in conservation policies, said it advocated the boycott with deep regret.

The council asked me to make its position known to the Congress, which I do now, and to other Government officials. I will transmit copies of the message to the President and to the Secretary of State and ask unanimous consent that the telegram be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JUNEAU, ALASKA,
June 8, 1965.

Hon. E. L. (BOB) BARTLETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BARTLETT: As you are well aware, the Alaska Sportsmen's Council on May 17, 1965, submitted to the Senate Committee on Commerce a statement in support of S. 1734, a bill designed to conserve and protect the Pacific salmon of North American origin. Our statement is a matter of record, however, as you will recall, we did emphasize that we were hopeful that the Japanese would cooperate with us in every way in helping to reserve and protect the salmon of the North Pacific. We also expressed at that time our sincere desire to continue friendly relationships with the Japanese people and the Government. Recent actions on the part of Japanese fishermen in the areas of the North Pacific indicate that they are not willing to accept our philosophy in regards to fisheries management and that they intend to continue their wasteful operations to the detriment of all. It is with deep regret that we must advocate at this time a complete boycott upon all Japanese manufactured sporting goods, including fishing tackle, wearing apparel, cameras, binoculars, tape recorders and other items normally used by sportsmen and the outdoor enthusiast in Alaska and the other States. We are at this time appealing to all sportsmen and conservationists and others who are desirous of assisting us in helping to maintain the salmon fisheries of the North Pacific. We sincerely request that you make this transmission known to the appropriate committee or committees and to the general membership of the Congress.

A. W. "BUD" BODDY,
Executive Director, Alaska Sportsmen's Council.

VA FACILITIES CLOSINGS

Mr. JAVITS. Mr. President, the White House has now ratified the reservations expressed by myself and others in the Congress with respect to the planned closings announced last January of 11 Veterans' Administration hospitals, 4 VA domiciliaries, and 17 VA regional offices. The fact that in answer to congressional opposition the President reconsidered the January closing order and has now modified considerably his original plan is a heartening assurance that even in those matters over which a protective cloak of "administrative decision" is thrown, the people through the Congress can make its will felt.

Like many of my colleagues, I view the President's order of yesterday with mixed emotion. I am happy that the hospitals at Bath and Castle Point and the domiciliary at Bath, all in New York, will remain open. And I am very much disappointed that the excellent hospital at Tupper Lake in New York will be closed. This is a worthwhile facility and, I believe, the facts argue strongly for its retention.

I hope also that the Veterans' Affairs Subcommittee of the Senate Committee on Labor and Public Welfare will after a reasonable time examine the entire matter of adequate medical care for veterans to make certain that the closing of VA facilities has resulted in no detriment to veterans or their families. If such is the case, consideration should be given to restoring facilities that have been closed down.

However, the fact that many of the facilities originally doomed to closings will now remain alive and functioning should not be considered an end to the congressional effort to closely oversee and review all such decisions in the future. I am a cosponsor of the Boggs bill, S. 969, which provides for such advance notice of closings of VA facilities and an opportunity for public hearings on such plans. I hope that the Veterans' Affairs Subcommittee, before which this measure is pending, will give it early and favorable consideration.

THE $20 MILLION FOOTNOTE

Mr. BAYH. Mr. President, I wish to bring to the attention of the Senate an article which was published in the April issue of the American Forests magazine. The article is entitled "The $20 Million Footnote." The author is Marion S. Monk, Jr., president of the National Association of Soil and Water Conservation Districts.

In the article, Mr. Monk lists five basic reasons why the proposed cut of $20 million in the appropriation for the Soil Conservation Service is bad:

1. It would undermine confidence in the Government's conservation purpose.
2. It would weaken local leadership.
3. It would break faith with State and local governments.
4. It would treat landowners unfairly, by penalizing those least capable financially to move ahead.
5. It would blunt and seriously slow down existing programs in which individual landowners are already paying the lion's share of the cost.

I ask unanimous consent that Mr. Monk's full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE $20 MILLION FOOTNOTE

(By Marion S. Monk, Jr., president, National Association of Soil and Water Conservation Districts)

President Johnson's budget message to Congress dropped a bombshell into the Nation's conservation movement. Stuck away in the columns of figures and words that compose the Federal budget recommendations for the 1966 fiscal year is a footnote—a footnote that could lead to a cut of $20 million in technical assistance to America's 3,000 soil and water conservation districts.

The proposal is to slash funds for USDA's Soil Conservation Service, the agency upon which conservation districts rely most for planning and application services. The proposed cut represents 20 percent of funds allocated by SCS to these essential technical services—and would jeopardize the work of fully one-third of all SCS field employees assisting districts throughout the Nation.

Budget Bureau Director Kermit Gordon is recommending that the $20 million reduction in Federal assistance be offset by imposing a charge on private landowners who want the help of technicians in conserving their land, water, and forest resources. To accomplish this, the budget proposes that a public enterprise revolving fund be established into which landowners (and/or soil and water conservation districts) receiving SCS technical aid would make payments. Such a revolving fund—an administrative nightmare—would require legislation to become operative, and such legislation is now being prepared in Washington.

This proposal comes at a time when Federal support of local conservation programs on the privately owned lands of the Nation needs to be stepped up, not retarded. It is a shocking and dangerous reversal of national policy on resource development.

Such a cut would destroy the momentum built up during the past 25 years by the Federal-State-local partnership that has given our country unprecedented conservation know-how and progress. Along with a proposed $100 million slash in funds for conservation cost-sharing under the Federal agricultural conservation program, the revolving fund proposal would result in a decrease of at least 50 percent in the application of conservation practices on privately owned lands in America, and would probably reduce the quality of the practices applied.

The response in the conservation community to these proposals—which reflect the growing influence of economists in the Budget Bureau on natural resource decisions of this country—has been prompt and vigorous. The Council of the National Association of Soil and Water Conservation Districts has attacked the proposals and is calling on the Nation's 15,000 district supervisors and 2 million district operators to oppose them. An increasing number of the major conservation and agricultural organizations of the Nation have expressed indignation and concern about the misguided proposals, undertaken at a time when the Johnson administration is trying to win friends as conservative minded.

CHALLENGE TO THE MOVEMENT

Why is the proposed revolving fund such a challenge to Conservation Districts and the entire conservation movement in this country?

First, it undermines confidence in the Federal Government's conservation purpose and desire for an effective conservation partnership with landowners. This is where the greatest conservation job exists—because 70 percent of the Nation's land is privately owned.

Second, it would weaken the exercise of local leadership and the functioning of self-government in conservation and resource development programs. In fact, the budget proposal creates the prospect that soil and water conservation district governing bodies might be asked to function as collection agents for the Federal Government.

Third, this proposal would break faith with State and local governments. Over a quarter of a century, State legislatures and county governments have steadily built up their financial contributions to the total land, water, forest, and wildlife conservation effort on the Nation's private lands. Last year, these contributions from non-Federal sources amounted to over $41 million. These contributions are predicated on the maintenance of the conservation program as a team effort, in which all levels of government participate actively and progressively.

Fourth, a revolving fund would treat landowners unfairly. It would penalize those that are least capable financially of moving ahead with conservation programs, and would single out for an additional burden those landowners who are most eager and ready to meet their conservation responsibilities.

Most serious of all would be the effect on the land management, forest development, and water improvement programs now being carried out by and in cooperation with the Nation's conservation districts. Reduced Federal support would blunt and seriously slow down these programs. Individual landowners are already paying the lion's share of the cost of applying necessary conservation measures. Requiring them to shoulder an additional share of the cost of conservation programs could only have the effect of diminishing the total effort to reduce soil erosion, fight water pollution, improve forests, develop fish and wildlife resources, and reduce flood damages.

A TIME TO ADVANCE

The National Association of Soil and Water Conservation Districts resists the prospect that the leadership of the Nation in the sixties should be marked as the one which turned its back on the conservation program so constructively undertaken in the thirties. This is no time to slow down and dissipate the land and water conservation effort of the Nation by adopting restrictive measures which would not only discourage landowners and conservationists, but add to the net cost of conservation.

This is a time for advancing conservation in America, not retarding it. Natural resource problems beset our citizens on every side. Our sprawling growth, expanding population, urbanizing society, and rising standard of living are creating new requirements for natural resources and putting new pressures on them. Indeed, our unmet needs for clean water, wisely managed forests, abundant recreational facilities, and a more beautiful countryside were set before the American people in a dramatic and forceful manner in special messages by President Johnson early this year.

Conservation districts are a major force working to achieve these and even broader goals. Their programs result in increased employment and higher income on the farm and in America's towns and cities. Their water development projects are undergirding business and industrial expansion in hundreds of communities. Long-range plans and programs developed by districts are serving as guides to orderly community growth on the basis of imaginative use of available resources.

Conservation districts are modernizing their programs to meet the changing needs of our times. For example, the control of erosion to prevent damage to streams, lakes, reservoirs, and water supplies is receiving new emphasis. And districts are keying efforts in watershed development and land-use adjustment to new requirements for open space, park and recreational development, and municipal and industrial water supply.

In areas undergoing urban expansion conservation districts are providing new services to planning commissions, highway, and recreation agencies, builders, contractors, and smaller landowners with conservation problems. Wise land utilization and treatment are needed in the outward-pushing suburbs as well as on the farms.

These are the kinds of programs that help to build the Great Society of which the President is speaking. These are programs that help to strengthen America in fundamental ways—democratic programs which combine local leadership and government participation in a constructive arrangement that has excited the admiration of observers in this country and throughout the world.

Now is the time to move ahead. Staffing studies show that conservation districts need 1,518 more man-years of SCS technical assistance just to keep up with the backlog of requests already on the books. This means that $10 million more in Federal funds is needed for technicians, not $20 million less—just to keep up with the job now on hand. And an additional $750,000 is needed to staff new districts which will be organized during the 1966 fiscal year.

Watershed programs—which are proving so successful in achieving comprehensive resource development in hundreds of areas throughout the country—need greatly increased support. Nearly 1,200 applications from communities for watershed programs now are awaiting Federal planning and construction assistance. The proposed 1966 budget would provide funds for only 100 new watershed plans and 70 new starts on construction. At least 150 new plans should be completed and 100 new starts made during the next fiscal year. Even this rate of progress would not keep pace with the Nation's growing requirements.

STRONGER PROGRAM NEEDED

With these considerations in mind, America's conservation district leaders are doubly concerned about the apparent desire of the Budget Bureau to emasculate one of the most effective conservation programs in America's history. They are puzzled, too, by the contradictions and conflict which mark the statements about conservation by various administration spokesmen.

From one side, we hear exhortations to America to wake up to its responsibilities and correct the spreading damage to resources resulting from uncontrolled growth and expansion. Americans are urged to preserve, expand, and improve the Nation's timber, recreational, open space, wildlife, land, and water resources.

From the other side, we hear—and witness—a proposal that would severely affect the ability of millions of landowners, as well as the Nation's conservation districts, to help achieve the very conservation objectives which are so vitally needed.

This conflict must be resolved—and in favor of a stronger, expanded, and more effective conservation program involving all the people, for the benefit of all the people. NACD and America's conservation districts are dedicated to such a program, and intend to fight for it.

THE ROTTEN-BOROUGH AMENDMENTS ASSUME INEQUALITY OF CITIZENS WHO LIVE IN CITIES AND SUBURBS

Mr. DOUGLAS. Mr. President, in the current issue of the Saturday Evening Post there is an editorial which cuts to the core of the effort to block the Supreme Court's decisions that both Houses of State legislatures must be based substantially on population.

When all the pulp is cut away from the proposed Constitutional amendments which would permit one house of a State legislature to be based on so-called "other factors" than people, the heart of these proposals is exposed to be a deep reluctance to admit that city people are as good citizens as country people are. As the Post editorial puts it, many of the sponsors of these proposed constitutional amendments say they are for voting rights and the underlying thesis that every American is entitled to an equal voice in how his government is run—except when this principle means giving the city voter the same power that the country voter has.

The Post editorial correctly concludes that the notion that the city resident is, somehow, less deserving of full citizenship is a myth which the Nation cannot afford to sustain.

I think the editorial deserves the attention of Congress, and I shall ask that it be printed in the Record. I regret, however, any animadversions which the editorial might be taken to imply with respect to my colleague's motivations. I make no personal observations in this regard. I recommend the editorial for its substantive argument.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Saturday Evening Post, June 19, 1965]

Are Farmers Better Than City People?

Senator Everett Dirksen has been giving a splendid show of political prestidigitation lately. While he is supporting the administration's bill to guarantee equal voting rights, he is simultaneously promoting a plan to guarantee unequal voting rights.

The administration's bill is specifically designed to secure Negro rights—and the Senate Republican leader has endorsed that objective. But its underlying thesis is that every American is entitled to an equal voice in how his Government is run—and Senator Dirksen apparently opposes this thesis when it means giving the city voter the same power as the country voter.

Because of the way many States have drawn their voting districts, the vote of an American who lives in a populous urban or suburban area often is worth only a fraction of that of the farmer or small-town dweller. One State senator from Los Angeles, for instance, represents 6,038,771 voters, while another from sparsely settled northeastern California represents a mere 15,300. The rural minority in many States consequently has enjoyed excessive power, and the result of that is that the desperate needs of the underrepresented urban areas have been slighted. It was to correct this inequity that the Supreme Court ruled last year that all State voting districts must conform roughly to the ideal of one man, one vote.

Senator Dirksen and his allies, however, have proposed a constitutional guarantee that one house of a State legislature may, if the people approve, be apportioned without regard to the one-man, one-vote principle. They are meeting with success. More than 20 of the required 34 State legislatures have petitioned for a constitutional convention to draft the amendment, and the movement is still gaining momentum. For example, teams of California legislators are traveling around at State expense to lobby for the petition in other legislatures. "Our views are catching fire," said one advocate.

Despite the justifications offered by Dirksen and his followers, let no one be deceived. The proposed amendment actually is based upon the wrongheaded premise that some Americans are more worthy than others—in short, that men who live in the open country, near the soil, possess a natural nobility and earthy wisdom that entitles them to dominate the corrupted city dwellers.

This notion is a perversion of the traditional American regard for the honest pioneer. And it is a myth the Nation cannot afford to sustain—not in these days when so great a proportion of Americans live in urban areas, and when the health of the entire Nation depends upon the health of its cities.

CHICAGO AREA MAYORS PRAYER BREAKFAST

Mr. DOUGLAS. Mr. President, on Friday morning, February 26, the first mayors prayer breakfast was held in Chicago, Ill. The breakfast was attended by Hon. Richard J. Daley, mayor of Chicago, and 25 mayors of the Chicago area. There were also in attendance over 900 people, who responded to the invitation of a citizens committee of 100 civic leaders. The meeting convened in the grand ballroom of the Conrad Hilton Hotel, with Herbert V. Prochnow, president of the First National Bank of Chicago, presiding.

These events, as they spread to cities across the Nation, are found to be meaningful, not only to those who attend them, but also to millions of citizens, in every walk of life, who feel a need for spiritual values in American life.

The Chicago area breakfast was a local version of the presidential prayer breakfast held annually in Washington, D.C., under the sponsorship of the U.S. Senate and House of Representatives breakfast groups.

New prayer groups which meet weekly are being organized among businessmen, civic officials, secretaries, clerks, housewives, and college and university students. This can do much to strengthen the spiritual climate of the country.

I ask unanimous consent that there be printed in the body of the Record the transcript of the Chicago mayors prayer breakfast program.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Mayors Prayer Breakfast Program, Chicago, Ill., February 26, 1965

The first mayors prayer breakfast of Chicago area leadership convened at 7:40 o'clock in the Grand Ballroom of the Conrad Hilton Hotel, Chicago, Ill., with Mr. Herbert V. Prochnow, president of the First National Bank of Chicago, presiding.

Chairman Herbert V. Prochnow. Gentlemen, the meeting will please come to order.

We are delighted to have with us the Wheaton College Men's Glee Club under the direction of Mr. Clayton Halversen.

(The Wheaton College Men's Glee Club sang "A Mighty Fortress.")

Chairman Prochnow. The Honorable James B. Parsons, judge of the U.S. District Court, will offer the opening prayer. You may remain seated.

The Honorable James B. Parsons. Father in heaven, Father of all the universe, Father of this great and glorious, but ever turbulent earth, and of all mankind upon it, encourage in our unordainment by Thy welcome, may we, as laymen, approach Thee to whisper worshipfully toward Thee our awe and wonderment at Thy handiwork. May we be worthy of this moment with Thee, finding in this hour of reverence together that somehow Thou are with us.

That we may be worthy, may those of us who be Catholic find easily within ourselves, and depend heavily upon, those arteries from Thy universality through which flow the blood of Thy immortality equally to those of us who be Jew or Protestant, as it does to us.

That we may be worthy, may those of us who be Jew find readily in our great heritage the touchstone of Thy eternal light that illumines as brightly with compassion and forgiveness the path to be followed by those of us who be Protestant or Catholic, as it does the path to be followed by us.

That we may be worthy, may those of us who be Protestant find within our dedication to the life of Christ that humility and magnanimity and total brotherliness which knows no superiority within us, which assuredly reaches closest toward Thee for those of us who be Catholic or Jew, as it does for us.

And that we may be worthy, may those of us who be without institutionalization, yet who acknowledge Thee and Thy great order, find in our uncertainty that real certainty which gives intellectual strength to those of us who may be establishmentized, as indeed it does to us.

Bless all of us, our Father, with that capacity comprehensively and completely to understand, to the end that we, each of us, can find no other man less in Thy image than we, nor less worthy of his daily bread than we.

Bless this Nation of ours, these United States of America, this Canaan built here from a wilderness and consecrated to that great Judeo-Christian concept of democracy. May we somehow, without bloodshed or even great pain, right soon and full well, learn completely that great lesson which eventually every nation must learn; that it must be guided by the spirit of real and functional democracy, and that democracy and brotherhood thus are one and the same. May we, through our making a living reality of that concept, lead all the world to understand that to find the fatherhood of God we must experience the brotherhood of man.

We ask Thy blessings this day upon the Government of this great land. Give to him, our President, foresight and courage. Give to the civil forces he commands the power to convince in rightness, and to the military forces he commands the power to protect in righteousness. Give to those who make our laws that knowledge without which laws become our enslavement rather than our liberation. And give to those of us who judge the affairs of men that wisdom to say and do what is best and just and good.

Today we are here assembled and united especially to ask Thy blessings upon our great city of Chicago, its people, its institutions, its government. Give to us, the people, the gift to make our dreams come true. Give to our institutions, our churches and charities, our schools and colleges, our industries and businesses, our professions and laborious occupations, the character and dignity and destiny of true greatness. And give to those of us who govern our city and its institutions and its people, great wisdom and courage and rightness.

And now, our Father, a very special moment for each of us here assembled, and for each of us here only in the spirit of great concern, bless our religious leaders, all of them, and if one or another of them be ill, as is our beloved cardinal, place in his Thy hand, and give him health and well-being.

Bless this food with which we break the holy fast of the night just passed. May it be in our bodies symbolic of Thy presence within us.

For these and all other unexpressable entreatments within our hearts, our Father, we beseech Thee, and we shall serve Thy will forever and forever. Amen.

(Breakfast was served.)

Chairman Prochnow. Mayor Daley, honored guests and ladies and gentlemen, while you are finishing breakfast, perhaps we may proceed.

It is a distinct honor on behalf of the sponsoring committee to welcome you to the first mayors prayer breakfast in the history of this city.

May I introduce some of our guests? These men are mayors or presidents of their respective communities. As I introduce them. will they please stand briefly:

John H. D. Blanke, Barrington.
Richard E. Bobbitt, Oak Forest.
Merritt E. Braga, Broadview.
Elmer W. Conti, Elmwood Park.
B. G. Cunningham, Park Forest.
Carl W. Gester, Merrionette Park.
Frederick D. Harper, Phoenix.
Lewis Y. L. Hayley, Berkeley.
Edward L. Kipley, Riverdale.
Kenneth A. Kuistad, Franklin Park.

Fred W. Kramer, South Barrington.
Ernest Maxey, Robbins.
Patrick M. O'Block, Hazelcrest.
John H. Overbeck, Jr., Park Ridge.
Ralph E. Parkes, East Hazelcrest.
C. O. Schlaver, Mount Prospect.
Robert L. Schreiber, Morton Grove.
Joseph Sieb, Norridge.
John Swalec, Calumet Park.
Elmer C. Turngren, Harvey.
Harry W. Whittaker, Burr Ridge.
John J. Woods, Rolling Meadows.
Austin L. Wyman, Glencoe.
Joseph D. Zizzo, Harwood Heights.

Now if you wish, you may applaud. [Applause.]

Seldom, if ever, have so many leaders from industry and the professions met so early in the morning. [Laughter.]

The emphasis is on the word "early."

I suggest that at 10:30 this morning you will be entitled to join your employees for their morning coffee break. [Laughter.]

With this event we follow in the footsteps of many others who have gathered in similar functions in this Nation and around the world. These events are patterned after the annual Presidential prayer breakfast in Washington, D.C., inaugurated in 1952 by the weekly prayer breakfast groups in the U.S. Senate and in the House of Representatives.

We confirm here our belief that to achieve greatness a city needs not only a strong social, economic, and political foundation, but also a strong spiritual foundation.

This Nation was founded as an experiment in human liberty. The founders believed that men were endowed by their Creator with certain unalienable rights.

In a sense, the great struggle over the world today is to determine whether mankind will—within the framework of freedom—achieve progress for the masses, exalt and enrich man in contrast to the state, and place above all those priceless values of the spirit that lie far beyond goods and guns.

The ultimate objective of the ebb and flow of our business and industrial life, and in fact, its disciplines and hardships, must finally be to bring man a little nearer to the image in which he was created. [Applause.]

Mr. Arthur Rubloff, chairman of Arthur Rubloff & Co., will read the Old Testament Scriptures. Mr. Rubloff.

Mr. ARTHUR RUBLOFF. I preface my reading this with a quote taken from Mr. David Lawrence, editor of U.S. News, who said: "The destiny of the world is in the hands of those statesmen who can interpret faithfully the commands of the Almighty."

Psalm 39, verse 4: "Lord, let me know my end, and what is the measure of my days; let me know how fleeting my life is."

Psalm 40, verses 1 through 17:

"I waited patiently for the Lord; he inclined to me and heard my cry.

"He drew me up from the desolate pit, out of the miry bog, and set my feet upon a rock, making my steps secure.

"He put a new song in my mouth, a song of praise to our God. Many will see and fear, and put their trust in the Lord.

"Blessed is the man who makes the Lord his trust, who does not turn to the proud, to those who go astray after false gods.

"Thou hast multiplied, O Lord my God, Thy wondrous deeds and Thy thoughts to ward us; none can compare with Thee. Were I to proclaim and tell of them, they would be more than can be numbered.

"Sacrifice and offering Thou dost not desire; but Thou hast given me an open ear. Burnt offering and sin offering Thou has not required.

"Then I said, 'Lo, I come; in the roll of the book it is written of me;

" 'I delight to do Thy will, O my God; Thy law is within my heart.'

"I have told the glad news of deliverance in the great congregation; lo, I have not restrained my lips, as Thou knowest, O Lord.

"I have not hid Thy saving help within my heart, I have spoken of Thy faithfulness and Thy salvation; I have not concealed Thy steadfast love and Thy faithfulness from the congregation.

"Do not Thou, O Lord, withhold Thy mercy from me, let Thy steadfast love and Thy faithfulness ever preserve me.

"For evils have encompassed me without number; my iniquities have overtaken me, till I cannot see; they are more than the hairs of my head; my heart fails me.

"Be pleased, O Lord, to deliver me. O Lord, make haste to help me.

"Let them be put to shame and confusion all together who seek to snatch away my life; let them be turned back and brought to dishonor who desire my hurt.

"Let them be appalled because of their shame who say to me, 'Aha, aha.'

"But may all who see Thee rejoice and be glad in Thee; may those who love Thy salvation say continually, 'Great is the Lord.'

"As for me, I am poor and needy; but the Lord takes thought for me. Thou art my help and my deliverer; do not tarry, O my God."

Chronicles II, chapter 7, verse 14:

"If My people who are called by My name humble themselves, and pray and seek My face, and turn from their wicked ways, then I will hear from heaven, and will forgive their sin and heal their land.

"Go with God, pray with God, remain with God."

Chairman PROCHNOW. The New Testament Scriptures will be read by Mr. John F. Smith, Jr., president of Inland Steel Co.

Mr. JOHN F. SMITH, JR. This is taken from St. Mark, the 8th chapter, verses 34 to 38:

"In calling the crowd together with His disciples, He said to them, 'If anyone wishes to come after Me, let him deny himself and take up his cross and follow Me.

"For he who would save his life will lose it; but he who loses his life for My sake and for the Gospel's sake, will save it.

"For what does it profit a man, if he gains the whole world. But suffers the loss of his own soul?

"For what will a man give in exchange for his soul?

"For whoever is ashamed of Me and of My words in this adulterous and sinful generation, of him will the Son of Man also be ashamed, when he cometh with the holy angels in the glory of his Father.' "

Thank you.

Chairman PROCHNOW. Mr. Glenn Jorian, accompanied by Mr. Bud Knoedler will render a solo.

Mr. GLENN JORIAN. It might be of interest to note a little of the background of this hymn.

Originally it was an old Swedish folk hymn that had got lost in the archives and was resurrected probably across the borders of Finland over into Russia and came back to us this way. We heard about it, and it grew to widespread acceptance here in this country and around the world probably especially through the ministry of Billy Graham's associates' team.

I recently learned that the Vatican Council in Rome has adopted this hymn as one that it will be using in the revival of hymn singing within the Catholic Church as well.

The hymn is "How Great Thou Art."

(Mr. Glenn Jorian sang, "How Great Thou Art.")

Chairman PROCHNOW. May I present now a man who is dedicated to his responsibilities as a citizen and public servant, devoted to the abiding values of his religious faith; and distinguished as the mayor of a great city—the Honorable Richard J. Daley. [The assembly arose and applauded.]

The Honorable RICHARD J. DALEY. Thank you very much, Chairman Prochnow. Fellow mayors, Judge Parsons, Messrs. John Smith, James Downs, Arthur Rubloff, John deButts, and friends; may I congratulate all who brought this breakfast to its conclusion today.

Some people feel that public manifestation of one's religion and prayer is not in keeping with what he should do or she should do, and I think all of us recognize that when we were youngsters and we looked into the history books, we saw men who prayed before battlements. We saw the picture of Washington at Valley Forge. We saw the pictures of Lincoln in the momentous decisions of the Civil War, and all throughout our history we saw both the President and the leaders of our military. I think it is very fitting that we, the life of Chicago, the business leaders and leaders of government, should set aside one breakfast as we have today.

We all know that we are not perfect. None of us are trying to say that we are, but it is only when we pray among religious that we are able to try to do some of the things. We make mistakes every day. Religious leaders tell us just men sin many times a day, so I think this is a great thing for our city.

We hear a lot of bad things about our city, and these are always accentuated, but when we see 1,500 men and women assembled, as they have this morning, as leaders of business, I think it is a wonderful thing, and I congratulate all who played a part in bringing it about. [Applause].

Chairman PROCHNOW. Our speaker this morning is well known to all Chicagoans as chairman of the board of the Real Estate Research Corp. He has attained distinction in business as one of the foremost authorities in his field in the United States.

His counsel and advice are widely sought. He has given generously of his time to many community and civic enterprises.

I am pleased to present a man who is energetic in the pursuit of what is best, earnest in his convictions and eloquent in expressing them. Mr. James C. Downs, Jr. [Applause].

Mr. JAMES C. DOWNS, JR. Mr. Mayor, visiting participating mayors, my colleagues, fellow Chicagoans, in the Roman Catholic Mass on Tuesday of this week, the epistle was that of St. Paul writing to Timothy, the apostle, a sort of instruction and guide for Timothy, and Paul wrote: "I charge thee in the sight of God: Preach the word, be urgent in season, out of season; reprove, entreat, rebuke with all patience and teaching. For there will come a time when they will not endure the sound doctrine; but having itching ears will heap up to themselves teachers according to their own lusts; and they will turn away their hearing from the truth and turn aside rather to fables."

What St. Paul was saying, it seems to me, in the vernacular of our times was that if there ever is an occasion for men to really level with one another, that occasion ought to be when they gather in God's name to petition His Grace.

In that mood we are fittingly assembled here this morning in one of the world's great cities, and I say "fittingly assembled" advisedly because in today's life, it is in these urban complexes that man will either find his salvation or be doomed to perdition, and the trends of metropolis at this moment hardly favor the former.

As a preamble to whatever prayer may rise from your hearts, at this meeting this morning, it would seem appropos for us to ask ourselves a few soul-searching questions:

I suggest four.

First: Why are we here? Why has this first prayer breakfast been convened 132 years after the founding of this great city? Why do we meet in prayer in the flower of an unprecedented affluence—when our people as a whole (and especially this group here) are freer from material want than any men anywhere in the history of the globe?

What message can go forth from here to God which couldn't be sent from the masses or services of this community which are even now being offered as we meet here?

Perhaps the answer is that it isn't only the Negroes of Selma or the students at Berkeley who employ the techniques of demonstration, for behind the invitation of a fine political leader and the sponsorship of our lay, civic, and professional and labor leaders is really a great desire to make a demonstration, a demonstration that we can overcome the fear that in the midst of our opulence we fear the ravages of a spiritual poverty which is racking the world cities.

Second: Who are we? We are the inheritors of ancient faiths, primarily Judeo-Christian. But the faiths of our fathers are being badly eroded. Man's very accomplishments are undermining his capacities for belief. Man—not God—they say, is master of the earth, and scientific discovery is in full collision with supernatural intercession.

Father Houtart, the famed Belgian priest who studied, incidentally, here at our University of Chicago, has written a provocative book about the confrontation of the church in this changed world. In it he includes an interesting anecdote which I think epitomizes this problem that we face.

He tells of a Colombian peasant in South America who met his priest on the street one day and the priest said to him: "How is it that you weren't in this spring to have me come bless your land?" And the peasant said, "Father, I bought some fertilizer."

For a long time, as a matter of fact, in all the previous history of the world, the prayer, "Give us this day, our daily bread," was a deep petition from mankind to satisfy hunger, physical hunger, but in today's world with our material gains, and even though we still have a great fight to fight in the war on poverty, few people need to pray, "Give us our daily bread," with any sense of urgency.

Who are we?

We in this room are the blessed. We have the best of both worlds. We enjoy the fruits of change, and we understand them; we nuture the traditions of our religions—some the cultural traditions only, some the theological traditions.

Third: Where are we heading?

Pope John may well be adjudged, even in secular terms, the man of the century. In businessmen's terms, he had the genius to identify and act on two threats to man's spiritual well-being. He saw two of them. First, he saw a flaw in his product, and secondly, he accurately appraised the competition of Mammon. Actually, more than that, he did two other things. He talked merger, and he liberated men's minds to think about product improvement.

However remote the merger may be, the loosed creative energies (in all faiths) for Pope John not only stimulated Roman Catholics everywhere, but he stimulated all men who think about God.

These creative energies are already beginning to bear fruit.

For example, there is a new concept abroad in religion. It is the concept of the servanthood of the laity.

This is a layman's breakfast this morning. Not that we would take away one iota of the efficacy and the inspiration and the leadership of the professional religious. But, as Gibson Winter, a divinity professor at the University of Chicago, says in a very provocative new book, which he has written on the title of the church in metropolis, we need, and we are finding a servanthood of the laity whereunder laymen are called upon to preach the gospels of the various faiths, and above all, to proselyte their fellow man.

We are beginning to see a universal agreement among thinkers in all faiths that relates to the obsolescence of the separatist parish. Too many of us worship God in small enclaves, separated from anything unpleasant, separated from anyone unpleasant, segregated on the basis of criteria unknown to God.

This is an obsolete kind of operation.

In France, for example, there are 7,000 priests that serve 25 million people in cities, and there are 49,000 priests that serve the people in the country. We are beginning to observe the inescapable interdependence of men in God's world.

We are coming to the end of so-called pietism. The individual, isolated piety of the individual. For Christ said: Above all is charity, and charity means the recognition of the interdependence of men, and the willingness to do something about it.

We are beginning to see this laity make demonstations that are meaningful.

When President Kennedy first proposed the Peace Corps, there were skeptics, lots of them. They said: "What are these people going to do? Go without money, without material wealth?"

These were being judged in the light of Mammon, but what have they done? Well, the skeptics are in full retreat, for nowhere in the history of our country is there as glorious a chapter as there is that is written about our young men and women deep in the hills of Teheran, out in the wilds of Asia, helping people with nothing—the hand and the heart, a Godlike heart.

Finally, what do we pray?

The great need in the law is its evolution to serve the people, but continually in justice. Above all other concepts, God is just and God is love.

We need to do with our theology, what we have done in our law. Law that is good law today would have frightened my grandfather, and theology which is good theology, today has not yet been evolved.

Now there is a danger of this wave of the ecumenical movement, and that is that we will all enter some kind of a gray area of nihilism.

We are encouraged to be less dedicated, less devoted, less faithful. Worldly intelligence and worldly sophistication and worldly ambition make it seem unwise to be "stanch"—a stanch Democrat, a stanch Republican, a stanch Methodist.

After generations of my people abstaining from meat on Friday, out of respect to the crucifixion of Christ, I don't appreciate too much getting on an airplane and having the stewardness hand me a card which says: "You are dispensed from eating meat today," for the convenience, I think, of the airline, and perhaps for the more efficient operation of their kitchens.

I don't think a Mormon who follows the word of wisdom, when he goes to a cocktail party, ought to have to say that he is an AA, because people today understand weakness, but they think a fellow with strength is some kind of a nut or something. This isn't the kind of life we want to lead.

Let us pray for the strength to sustain us in this new interdependence of man; let us pray that we needn't run from our cities and the problems of people who cry for courage and faith. Let us pray that we can rephrase the beautiful statement of Christ which Jack Smith read this morning, and let's rephrase it this way: "What shall it profit a man to save his soul if his brother loses his?" [Applause.]

Chairman Prochnow. Thank you, Mr. Downs, for those thoughtful and inspiring comments.

Mr. John D. deButts, president of the Illinois Bell Telephone Co., will give the closing prayer, which will be followed by a song by the glee club. Mr. deButts.

Mr. John D. deButts. Heavenly Father, our voices are but a few among many calling out to you for divine guidance in daily life. Hear us, we pray, as we humbly seek your support for all men who hold offices of trust and responsibility, both public and private. Grant such men who have been chosen to lead their communities, the wisdom and strength of purpose that vast responsibility requires. Share with them the weight of burdens borne for the benefit of the majority, and help them to perform their duties in ways that will best serve other men and be pleasing to you.

Give them courage in adversity, humility in success, and a clear view of the righteous path in all they undertake to do.

Bestow your grace on efforts to improve the lot of all men, and bless those good works built upon the foundation of your Commandments, including this very significant congregation of civil leadership. To seek your strength and guidance in the everyday trials of body, mind, and spirit.

All of this we humbly ask in Thy name. Amen.

(The Wheaton College Men's Glee Club sang the closing song, "America.") [Applause.]

Chairman Prochnow. We thank the Wheaton College Men's Glee Club for their splendid contribution.

The first mayors prayer breakfast in Chicago is now adjourned.

(The meeting adjourned at 8:40 o'clock.)

BETHANY (W. VA.) COLLEGE 124TH COMMENCEMENT IS ADDRESSED BY DISTINGUISHED COMMUNICATIONS EXECUTIVE ROBERT WILLIAM SARNOFF—GOV. HULETT C. SMITH DELIVERS SIGNIFICANT LUNCHEON SPEECH

Mr. RANDOLPH. Mr. President, Bethany College had the historic 124th commencement of that splendid institution of higher learning at storied Bethany, W. Va., on June 6.

Honorary degrees were conferred on the Honorable Hulett C. Smith, Governor of West Virginia, DPA; on communications executive Robert William Sarnoff, chairman of the board of the National Broadcasting Co., Inc., DPS; on Christian Minister Clarence Schnars, D.D.; on Educator Randolph Cutlip, LL.D; and on Thomas Bloch, corporate executive of Wheeling, W. Va., DBA.

Mine was the privilege of being at the graduating exercises and also of attending the president's commencement luncheon at which I presented Governor Smith as the speaker. Our distinguished chief executive's cogent remarks were valid and timely.

Subsequent to having had conferred on him the honorary doctor of political science degree, the eminent communications executive, Robert Sarnoff, delivered a characteristically eloquent, meaningful, and challening commencement address. I underscore his comment:

> Ours is a world and an era marked by accelerating change and growing complexity—characteristics which become more apparent when viewed in the perspective of history; as we have approached the brink of destruction, our technology has given us not only the means to avert disaster but to enrich our lives as well. As we have accumulated problems, we have accumulated knowledge, and our modern techniques of communication sired by the science of electronics, have emerged as potentially the greatest single influence upon man's development.

One hundred and twenty-five years ago, the founder of this Bethany college wrote of the liberal arts and sciences that "they open to us an extensive acquaintance with literature, science, and art; and thus furnish us with the means of extending our acquaintance with nature, society, and the Bible, to an extent commensurate with the wants of our nature and the limits of our existence." He could not have forseen how far the limits of our existence would be extended, but our acquaintance with the world in which we live will always be found by the wants of our nature. This is a truth and a challenge that stalks us all.

On this occasion, I had the real pleasure of an enjoyable reunion with my esteemed friend, the distinguished educator and president of the college, Dr. Perry E. Gresham, his helpful wife and their associates in the Bethany administration: Vice President Warner G. Peterson; Dean of the Faculty Bernal R. Weimer; the distinguished professor of mathematics, Dr. Wilbur H. Cramblet; Dr. B. Chandler Shaw, the George T. Oliver professor of history; and Professor of Economics Barrie Richardson. It was pleasant also renewing friendship with Faculty Marshal John J. Knight and Assistant Marshal John G. Peterson.

Academic honors in the graduating class were achieved summa cum laude by John Thomas Curran of North Merrick, N.Y.; magna cum laude by Louise Annette Bates of Lyons, Ohio, Roy Phillip Croston of Wellsburg, W. Va., David Thomas Eberiel, of West Orange, N.J., Michael Frank, of Cuyahoga Falls, Ohio, Carol Louise McCoy, of Weirton, W. Va., and Mary Frances McKenzie, of Bethany, W. Va.; and cum laude by Jocelyn T. Daugherty of Weirton, W. Va., Jay Conrad Franklin, of Brooklyn, N.Y., Richard Earl Stuck, of Oakland, Md., and Diana Lynne Wagner, of Wheeling, W. Va.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD excerpts from remarks by Governor Smith, of West Virginia, at the Bethany College president's commencement luncheon and the text of the commencement address by Robert William Sarnoff.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM REMARKS BY GOVERNOR HULETT C. SMITH, OF WEST VIRGINIA, AT THE PRESIDENT'S COMMENCEMENT LUNCHEON, BETHANY COLLEGE, BETHANY, W. VA., JUNE 6, 1965

Certainly, this year, this 125th anniversary of the founding of Bethany, marks another of many milestones in Bethany's long and impressive history.

Bethany College is older than West Virginia. Throughout the entire span of this State's existence, the alumni of Bethany have been making contributions to the betterment of West Virginia as a State.

Today, many of your sons and daughters, as a result of their Bethany education, are assuming leading roles in guiding the future of the West Virginia of the 1960's.

This is true in many fields, but above all, Bethany has been a leader in education. And in an age when education is receiving priority attention in West Virginia, Bethany's role becomes all the more important.

The spirit of Bethany, the spirit carried by Bethanians wherever they go, is one strong in the worth of tradition, yet exciting in the realization of man's future.

This is seen in the very makeup of the Bethany campus itself, as faculty and students travel from your oldest structure—the old main building—to the Robert Richardson Hall of Science, your newest, and truly most unique structure.

For 125 years, Bethany has made its contribution.

But never before in the history of our Nation has so much been demanded of our institutions of higher learning, nor so much expected of their end product, the graduating students, as is demanded today.

If members of the faculty have taught the students of Bethany nothing more than the fact that education is a continuing process for growth of a reasonable and productive life, then these students have learned a great deal, indeed.

The case for education in today's world has been stated by many of our Nation's leaders.

President Kennedy has said: "Our twin goals must be: a new standard of excellence in education—and the availability of such excellence to all who are willing and able to pursue it."

President Johnson has called not the soldier's trench, but education, "the frontier of freedom," and has pointed out that "education is mankind's only hope for a world of peace and opportunity."

We in West Virginia today have undertaken to eliminate barriers to education on all levels, from the preschool youngster to the college undergraduate.

Education is more than the mere obtaining of knowledge.

It is more than learning the skills and arts prerequisite to a professional life.

It is more than assembling the necessary credits for a college degree.

Education today is a commitment and involvement in the life of a community and the life of a State. And this it must be, if our decisions on the future are to be based on a sound rational foundation that can come only with a knowledge of what is going on about us.

It has long been the custom to exhort graduating seniors to "go forth into the real world of business and life."

I don't believe this analogy has ever been entirely accurate. And certainly nothing could be more at odds with the facts than to suggest that today's student has been isolated from the realities of life.

Higher education today is not removed from society; it is a catalyst for society.

The remote figure of the traveling scholar of medieval times has been replaced by the harried, jet-propelled scholar, rushing across the country and the world to attend a variety of seminars and conventions, and to provide counsel to all manners of business and government enterprises.

The ivory tower isolation of the scholar has long been breached, and today he is sought for his wisdom, is needed to chart the progress of the Nation.

As for the students, they may find their biggest challenge is to maintain the intellectual excitement of college once they leave the college campus. Here, it is a daily affair; a scheduled event.

But I believe such intellectual excitement can be maintained once one has left the college campus.

These are revolutionary times—in many fields—in government, in science, in medicine, in education—and the person who remains a student all of his life can find that excitement, if he but seeks it.

Earlier this week, I left my car in Huntington to make a speech. When I entered the building where I was to speak, astronauts McDivitt and White were on their first orbit of the globe. When I left the conference, returned to the car and switched on the radio, they were on their third orbit of the earth.

This surely can be a prime example of the swift moving times in which we are living, and of the advances we are making.

I believe our Nation's colleges should be a part of such advances, and that they should constantly reevaluate how they can best perform their roles in this rapidly moving society.

Today, we speak of a war on poverty.

Are our institutions of higher learning to remove themselves from that war, or are they to help fight it?

I think they must help fight it because inadequate education is at the root of the poverty problem and who can best help us solve that problem but educators, themselves?

Bethany College, as a producer of educational leaders in this State, could find a real role in the West Virginia of the 1960's by lending you resources to the development of new educational programs for the children of West Virginia.

Many times we have stated the most important citizen in our State today is the 6-year-old about to enter school for the first time.

Will he have a desire to learn 3 years after he enters school? Five years after? Ten years after? Will he want to attend Bethany, or WVU, or Harvard, or Oxford? Or, will he be added to the Nation's list of dropouts?

The challenge to instill a desire to learn into these children is ours. They can't do it themselves.

And we can do this with new and realistic programs to help these children recognize the importance and the need for an adequate education in the space-age world of dual astronauts.

Bethany holds a high national reputation for educational excellence. Your college could make a meaningful contribution to the future of West Virginia, and to the future West Virginian, by undertaking to develop and help implement such programs.

This, I hope you will consider.

These students of today must recognize early the value of an education, an appreciation of the arts, the excitement of the sciences.

And we have the opportunity to help.

Over the past 125 years of this institution, each generation has had new challenges to face.

The intellectual discussion has covered a span from the day Alexander Campbell was a delegate to the Virginia Constitutional Convention to today, when West Virginia is seeking a constitutional convention of its own.

And with each new challenge, our educational institutions have stepped forward to meet them.

Bethany has been no exception.

Nor, I am confident, will it be an exception in the future.

As men of today, we mold men of tomorrow.

In Alexander Campbell's words, "the formation of moral character, the culture of the heart, is the supreme end of education."

No more fitting goal could be West Virginia's today.

No more fitting goal could be Bethany's.

ADDRESS BY ROBERT W. SARNOFF, CHAIRMAN OF THE BOARD, NATIONAL BROADCASTING CO., INC., AT THE BETHANY COLLEGE COMMENCEMENT, BETHANY, W. VA., JUNE 6, 1965

It is a pleasure and privilege to share this happy day with you. I am grateful for the honor that has been bestowed upon me, both in becoming, along with you graduates, an alumnus of this distinguished college and in the opportunity to deliver its parting words to you.

The commencement speaker who hopes to dispense something of value inevitably confronts a practical handicap and a theoretical advantage. The handicap is that he has a tough act to follow—the faculty of this institution, which has guided and influenced your thoughts over the last 4 years. The advantage is that, whatever the character of his remarks, he has the last word and perhaps the final impression.

A college commencement can be perceived in a variety of ways, depending on the role one plays in it. For the graduate it is at once an ending and a beginning. This aspect of such a day has been illustrated in a cartoon I recall seeing in the New Yorker magazine. It pictured a graduate, cap and gown somewhat askew, clutching his diploma, striding happily to greet his equally happy parents after the ceremony, and exclaiming: "Well, here we go. Dog eat dog." As one who is beginning to measure the time since his own commencement in decades, rather than years, I can assure you the phase of your lives you are entering today is not so hazardous as all that. But to be wholly realistic, it is one that will continue to demand the very best you can give it. Ours is a world and an era marked by accelerating change and growing complexity—characteristics which become more apparent when viewed in the perspective of history.

In bygone days, some philosophers were given to debating such esoteric matters as how many angels could dance on the head of a pin. Their modern counterparts struggle with the question of how many people can stand on the face of the earth. In the era when Bethany was founded, learned men preoccupied themselves in seeking the origin of our species. That search still goes on, in far greater depth, but it has given ground to the more pressing concern for our survival.

Scarcely a generation ago, engineers began struggling with the task of linking city to city with adequate highways, and now we are beating a path to the moon. When most of you seniors were born we were fighting in a world war that mankind hoped would end all wars. Now we are striving to prevent a war that we fear would end all mankind.

This spring, a group of five intellectuals gathered in a New York hotel to debate whether man could survive the kind of world he himself is creating. They concluded that he probably could, but to quote the New York Times' report of the discussion, "they left open such details as the quality and the circumstances of that survival."

One can be as pessimistic or as optimistic as he chooses in pondering those details. But the opinion of the noted anthropologist, Dr. Margaret Mead, who participated in the debate, commends itself to the optimist: that is, a new element of stability has been introduced into our turbulent world through the enormous recent advances in communications that make possible the universal sharing of knowledge and the unification of the worldwide scope of modern civilization.

Indeed, as we have approached the brink of destruction, our technology has given us not only the means to avert disaster but to enrich our lives as well. As we have accumulated problems, we have accumulated knowledge, and our modern techniques of communication, sired by the science of electronics, have emerged as potentially the greatest single influence upon man's development.

Computers have extended the capabilities of the human mind to a degree that staggers the mind itself. With their capacity to handle masses of data at speeds measured in millionths of a second, they provide the means of gaining, assimilating, relating, storing and imparting knowledge and information for rapid use in an infinite variety of ways, ranging from the pragmatic demands of business and government to the abstract needs of researchers and scholars.

They have already had a profound effect on industry in speeding up processing of paper work, performing intricate calculations, assisting and implementing executive decisions. And their uses by government extend from the pursuit of tax dodgers to the guidance of space flights. But impressive as their present applications are, they have barely scratched the surface of their potential.

The blending of computers and communications offers the promise of solving some of our most vexing social problems—in education, urban planning, efficient utilization of natural resources, air and water pollution, rising population, famine, poverty and disease—not merely on a regional basis, but on a worldwide scale.

Taking health as an example, it will, in the foreseeable future, be possible to maintain a complete medical history of every person in the nation, which would be kept up-to-date in a regional computer for instant consultation by any physician or hospital. With such a record, diagnosis will be easier and more complete than by present methods. These records, in the aggregate, would constitute a national health profile, constantly under analysis by systems of computers, promptly noting trends in public health, including the warning signs of an epidemic or an emerging viral strain.

In time, the correlation of vast quantities of medical data and such other factors as air pollution, or work and nutritional habits could add significantly to the search for new treatments and cures.

In business and industry, computer systems will permit centralized control over vast enterprises. The computers will assimilate information on market trends, production schedules, availability of raw materials and means of distribution and other relevant data and present it to manegement with alternatives for a decision. The decision made, it will be transmitted by computer to automated production facilities and fully implemented. Or, the business executive will be able to command his operation through participation in essential discussions on a closed-circuit television system, while computers provide necessary information on the screen or provide it in print through desk instruments.

Researchers and scholars will call upon knowledge centers—computer systems that with the push of a button in the laboratory or library will allow them to tap all the accumulated knowledge in their fields of interest.

In all of their applications, computers will be linked on a global basis by satellites, cables, microwave systems, as well as standard telephone and telegraph connections, so that knowledge developed in one place can be made available immediately in any spot on the globe. They will respond to pushbutton operation, handwriting, images, or voice. Ultimately, huge quantities of information may be transmitted regionally or globally by laser, a single beam of intense light inherently capable of delivering all the information transmitted by all the television stations, radio stations, teletypewriters, and telephones in the world, operating at the same time.

At present, there are computer centers in operation, whose services are supplied to subscribers in much the same fashion as lawyers and accountants supply legal and financial capability. The next step will be a nationwide network of such centers, accumulating and storing information to become readily available for a wide range of different requirements. This information can encompass varied data, from all social security records to insurance records, income tax records, patent records, the immediate status of all freight cars on all railways, the record of all jet planes and seats available on them at any given time. The stored information could also include programs for the specific use of these records in innumerable ways. Such a system could serve all these diverse uses, no one of which might justify a national computer network for itself.

But these and others are professional, specialized, and highly sophisticated applications of our modern communications. They will have deep and far-reaching impact on the society in which you will live and work, but their influence, for most individuals, will be indirect. The more personal and vivid influence of communications on the individual will continue to derive from the mass media that are available to serve his own needs and interests, when he chooses to call on them. Among them none is more powerful or pervasive than television.

As the only medium capable of combining sight, sound, color, and immediacy, it is an information and educative force without equal. Its acceptance by the public is illustrated again and again by the size of audience drawn to the live coverage of major events and by surveys documenting the public's overwhelming reliance on television for information on the happenings and issues of the day. It has carried an entire population to a depth and breadth of experience that only a relatively few could have attained a generation ago. It has exposed even the most parochial minds to the broad vistas of history, science, the humanities, and the popular and fine arts. It has introduced the farmer to the subway motorman and involved the man on the street in the problems and crises of his world, at home and abroad.

Television is, moreover, a mass medium truly in the public domain—shaped by the tastes, preferences, and choices of its audiences, who day by day elect precisely how they will be served by it. And it is this essential aspect of the medium that has drawn the charge that it too often encourages conformity, superficiality, and passivity.

The unrest comes largely from the intellectual community with demands that television purvey more social criticism and less situation comedy, more learned debate and fewer light dramas, more culture for children and fewer cartoons.

The demand is not wholly unreasonable, nor is the criticism entirely undeserved. But by its very nature a mass medium such as television must reflect the wishes of the society it serves. If it regularly reaches too far beyond the limits of interest of most of its audience, it is not serving them effectively. On the other hand, if it fails to lead and does not rise above a common denominator, it is abdicating its own true potential. The problem is one of balance, which is, of course, a matter of degree. However, in a constantly changing society it is unlikely that we will ever succeed in defining the precise and proper balance for a medium that strives to meet all the conflicting requirements of the total public it serves.

In the last analysis, the public itself will determine the degree to which it accepts television as a cultural and educational force. Hopefully, it will strike an appropriate balance between what it wants and what it needs. While massive force feeding has been used successfully in producing pate de foie gras, it is a useless technique for raising the taste and cultural or educational sights of a society.

The experience of educational television—noncommercial stations that provide both formal instruction and informal, or cultural, information—offers an interesting case in point. The Federal Government shares in the cost of constructing and equipping such facilities on a matching basis, providing up to $1 million in a single State. After that the station management must find its own financial backing.

While few, if any, educational stations are without financial worries, a station's solvency seems to depend on its role in the community. An educational television station, primarily serving a teaching function and deriving the bulk of its support from municipal or State government, appears to stay out of financial difficulty. An educational station broadcasting to the community at large is on its own to a far greater extent. The degree to which the community needs and wants what it offers determines its ability to raise funds from the community.

Among the nearly 100 educational television stations in the country there are notable examples of community acceptance. The station in Chicago, for example, raises 25 percent of its budget from the general public, including corporations. It has 175,000 to 200,000 contributors, with the number rising 15 to 20 percent each year. The San Francisco station reports great success with an annual option of donated merchandise in raising its $400,000 budget. Among the largest educational stations is Boston, operating on a $1 million annual budget, nearly half of which comes from public subscriptions. When the station burned 3 years ago, more than 50,000 Bostonians contributed well over $1 million to the rebuilding fund.

Regrettably, this pattern has not applied universally. For example, the principal New York educational station has had a serious problem in seeking to match its aspirations with the funds available to it. Since its establishment 3 years ago, the station's advocates have hailed it as an opportunity to close what they regard as a cultural gap in the community by offering programing that is not available from the city's six commercial stations. Yet, despite energetic and continued backing from two FCC Chairmen and from the city's television columnists and editorial writers, more than $5 million in Ford Foundation funds, and generous contributions and promotional support from commercial broadcasting organizations, it is in severe economic difficulties. It has not yet been able to develop a sufficient base of financial support among residents of the largest metropolitan area in the world, whose special interests it is designed to meet. Unquestionably, it faces a greater challenge than most, because of the richness and variety of the intellectual and cultural opportunities directly available in New York.

Across the country there is ample evidence that when a community itself decides it has a cultural gap, it can be successful in filling it. In St. Paul, Minn., $900,000 in private subscriptions was raised to supplement proceeds from a bond issue for the construction of an arts and science center. In Houston, the Alley Theater raised $900,000 toward the construction of two new theaters. There are many more examples, but without doubt the most stunning is the $18.5 million raised by private subscription toward the construction of the spectacular Los Angeles Music Center.

The lesson, it seems, is that the threshold requirement of educational television—as of any enterprise—is to locate its market and identify the need it intends to fill. Whatever may be said of commercial television, critical or commendatory, it has acknowledged that demand. Its successes and failures are a handy book of reference for the educational broadcaster who would aline the goals of the academies with the tumult of the marketplace. In any community the educational broadcaster and the advocates of educational television must face a basic question: Does a sufficient segment of the public believe there is a need that is not being satisfied by the total information and cultural resources of the community, including its commercial television stations, its colleges and universities, art galleries, museums, theaters, concert halls and adult educational facilities? For educational television—like any other service to the public—can be sustained only to the extent that it meets a real need and want in its area; if not, no amount of artificial respiration will sustain it permanently.

This applies not only to educational or commercial television, but as well to the intellectual and cultural development of a national or world society. It is not to ignore the distinction between immediate satisfaction and ultimate fulfillment. But it emphasizes that the quest for knowledge and cultural experience must begin with the individual and its fulfillment is a personal discipline. No matter how skillfully you have been taught or how high your academic attainment, you will take away from your experience on this campus only what you have put into it. At best you will take more than a coherent aggregate of facts and figures or the rudiments on which to build a career. Those of you who will profit most from your years of formal schooling are the men and women who have comprehended that education is a lifetime process, and a wholly voluntary one. You will have recognized that it is within your power to determine the quality and circumstances of man's survival by the manner in which you put to use the great new tools technology has placed at man's disposal.

They will deliver what you ask of them, and it is left to you to exploit their advantages, support what they offer that is of value, discourage what is not.

One hundred and twenty-five years ago, the founder of this college wrote of the liberal arts and sciences that "they open to us an extensive acquaintance with literature, science, and art; and thus furnish us with the means of extending our acquaintance with nature, society, and the Bible, to any extent commensurate with the wants of our nature and the limits of our existence."

He could not have foreseen how far the limits of our existence would be extended, but our acquaintance with the world in which we live will always be bound by the wants of our nature. That is a truth and a challenge that stalks us all.

Congratulations and good luck.

Mr. CHURCH. Mr. President, I ask that the unfinished business be laid before the Senate, if morning business is concluded.

The PRESIDING OFFICER (Mr. GORE in the chair). Is there further morning business? If not, morning business is closed.

FOREIGN ASSISTANCE ACT OF 1965

Mr. CHURCH. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

AMENDMENT NO. 228

Mr. MILLER. Mr. President, I call up my amendment No. 228, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment (No. 228) as follows:

> On page 18, line 22, insert the following: "Add to such section 620 a new subsection as follows:
>
> "'(n) In order to encourage preservation of the financial solvency of the United Nations which is being threatened by the failure of some member nations to pay currently their assessments and/or contributions to the United Nations, no assistance shall be furnished under the provisions of this Act, to the government of any nation which is more than one year in arrears in its payment of any assessment by the United Nations for its regular budget or for peace and security operations, unless a report is first furnished by the President to the Committee on Foreign Relations of the Senate and to the Speaker of the House of Representatives setting forth his determination that such assistance should nevertheless be furnished, accompanied by the reasons for such determination, including the assurance, if any, given by the government concerned of paying (independently of such assistance) all such arrearages and placing its payments of such assessments on a current basis or an explanation of the unusual and exceptional circumstances which make it economically incapable of giving such assurance.'"

Mr. DIRKSEN. Mr. President, if the distinguished Senator from Iowa will yield without losing the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the Senator yields for that purpose, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

[No. 111 Leg.]

Allott
Bass
Bible
Burdick
Church
Clark
Cooper
Dirksen
Ervin
Gore
Gruening
Harris
Hill
Hruska
Javits
Jordan, Idaho
Kuchel
Mansfield
McCarthy
Miller
Montoya
Murphy
Pastore
Ribicoff
Russell, S.C.
Saltonstall
Simpson
Thurmond
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Michigan [Mr. HART], the Senator from Arizona [Mr. HAYDEN], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

I also announce that the Senator from West Virginia [Mr. BYRD], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The Senator from Kansas [Mr. PEARSON] is absent on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. McCARTHY. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. Aiken, Mr. Anderson, Mr. Bartlett, Mr. Bayh, Mr. Bennett, Mr. Boggs, Mr. Brewster, Mr. Cannon, Mr. Case, Mr. Cotton, Mr. Curtis, Mr. Dodd, Mr. Dominick, Mr. Douglas, Mr. Eastland, Mr. Ellender, Mr. Fannin, Mr. Fong, Mr. Fulbright, Mr. Hartke, Mr. Hickenlooper, Mr. Holland, Mr. Inouye, Mr. Jackson, Mr. Jordan of North Carolina, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Lausche, Mr. Long of Missouri, Mr. Long of Louisiana, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. McNamara, Mr. Metcalf, Mr. Mondale, Mr. Monroney, Mr. Morse, Mr. Morton, Mr. Moss, Mr. Mundt, Mr. Muskie, Mr. Nelson, Mrs. Neuberger, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Robertson, Mr. Russell of Georgia, Mr. Scott, Mrs. Smith, Mr. Sparkman, Mr. Stennis, Mr. Symington, Mr. Talmadge, Mr. Tower, Mr. Tydings, Mr. Williams of New Jersey, Mr. Williams of Delaware, and Mr. Yarborough entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). A quorum is present.

Mr. MILLER. Mr. President, I invite the attention of my colleagues in the Senate to some mimeographed material on their desks, which may help them follow what I have to say.

The United Nations Charter is a document to which our country subscribed with, I am sure, the full intention that the principles contained therein be adhered to.

I do not believe that it was our intention that these principles be violated or winked at, that the United Nations would exist merely as a debating society. Rather, it was our intention that it exist as a moral force for world peace at the very least.

Unfortunately, many members have, by their selfish actions, prevented the United Nations from realizing—except in a very modest way—the noble purposes intended for it.

In fact, as a result of the failure of a majority of the members to pay their just dues and assessments, the United Nations is virtually bankrupt.

There were, as of March 31 of this year, 71 members of the 114-nation world organization which had failed to pay just dues and assessments totaling $132 million.

These assessments were apportioned on a basis of relative ability to pay by a committee representing a true cross-section of the membership so that the concept of equal sharing of burdens in financing the United Nations would be followed.

I think we should reexamine these apportioned burdens:

The United States: 31.91 percent.

I might add that due to the additional, voluntary contributions, the U.S. portion comes to well above this figure. This is the official amount apportioned to the United States.

Sixteen West European nations: 22.77 percent.

Canada, Australia, and New Zealand: 5.13 percent.

Parenthetically, I might point out that these 20 nations shoulder nearly 60 percent of total.

Thirty-five members of the Organization of African Unity: 1.70 percent.

South Africa: 0.52 percent.

This translates into 2.22 percent for the African nations.

Twenty-two Latin American countries: 4.61 percent.

Twenty-three Asian countries: 11.36 percent.

The Soviet Union and Eastern European countries: 21.56 percent.

I would suggest that if any nation had a right to object, it would or should be the United States.

Yet the nations with the least to pay are the most numerous among the delinquents.

Last November, while a member of the U.S. delegation to the Commonwealth Parliamentary Association Conference in Jamaica, the delegate from Malaysia put great stress upon the need for adherence to the principles of the Charter of the United Nations. I have no doubt that he was thinking of the determination recited:

> To save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
>
> To establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained.

But whether it is these principles, or the moral principle that membership in the United Nations shall be open only to peace-loving nations, or the principle that those nations more than 2 years delinquent in the payment of their dues and assessments lose their vote, or that each nation should be prompt in payment of these dues and assessments—each comprises a part of the charter. Let one of them be stamped on with impunity by any member, large or small, and the honor, the dignity, and the self-respect of every other member will have been wounded; and the integrity of the United Nations will have been damaged.

The hopes and aspirations of millions of innocent people will be ignored if expediency rules over principle in the United Nations.

The success of the United Nations cannot be taken for granted any more than freedom can be taken for granted. The price to be paid is eternal vigilance and steadfast adherence to principle. It will be an empty speech to talk about rights of individuals and rights of nations unless there is an accompanying determination by individuals and nations to carry out the responsibilities which are correlated to those rights.

The United States must take a position of firmness in dealing with those who would flout the principles of the United Nations.

I know of no better place to exert firm leadership than in the case of those nations to which we provide aid.

This is the thrust of my amendment which would withhold aid from delinquent nations until they see fit to practice fiscal integrity before the United Nations.

My amendment provides for this withholding of aid from nations which are more than 1 year in arrears in their assessments. It contains what I believe to be a reasonable "escape clause," enabling the President of the United States to use discretion to waive this prohibition if he finds that a delinquent nation is either unable to pay its assessments due to exceptional economic circumstances or has given reasonable assurance that it will get its payments on a current basis.

I recognize that the Soviet Union and some of its satellites account for half of the total delinquencies. I recognize that we do not furnish the Soviet Union and most of its satellites foreign aid.

But in encouraging the nations to which we furnish aid to pay up in their assessments, we would be placing the Soviet Union in a position to answer to world opinion.

By emphasizing to these nations that we are serious in wanting to save the United Nations, we would be doing much to shore up the financial foundations of this world organization.

Need I remind my colleagues that the United Nations is currently burdened with nearly a $300 million debt—$106,300,000 deficit on regular budget and peacekeeping operations, some $40 million owed on a headquarters loan, an estimated $1.3 million owed on the Old League of Nations building in Geneva, and an estimated $147 million owed on bonds.

Of the 114-member world body, the United States during fiscal year 1964 furnished aid to 94. Fifty of these nations are delinquent in one or more of their assessments to the United Nations.

And of these 50, 46 would be affected by my amendment which provides that assistance will be withheld from any nation over 1 year delinquent in United Nations dues.

Mr. President, I have prepared a table of these 46 nations. I ask unanimous consent that it be printed in the Record at this point in my remarks.

There being no objection, the table was ordered to be printed in the Record, as follows:

Fifty-one nations to which the United States has furnished aid since 1946 are delinquent in one or more of their assessments to the United Nations.

Excluding Cuba, 50 of these countries received some type of assistance from the United States in fiscal year 1964. Forty-six would be affected by the Miller amendment which provides that assistance will be withheld from any nation over 1 year delinquent in United Nations dues.

Countries which would be affected by Miller amendment

Country	Total U.S. aid, fiscal year 1964	U.N. arrearages, calendar year 1963 and prior	U.N. arrearages for all years
Afghanistan	$43, 600, 000	$66, 228. 00	$74, 750. 31
Argentina	14, 800, 000	670, 822. 15	1, 750, 573. 15
Belgium	[1] 41, 400, 000	3, 092, 143. 00	3, 253, 651. 00
Bolivia	80, 700, 000	56, 070. 00	94, 097. 00
Brazil	401, 500, 000	930, 749. 50	1, 954, 266. 00
Central African Republic	1, 100, 000	3, 240. 00	8, 845. 00
Chile	142, 900, 000	342, 116. 00	593, 496. 00
China	183, 800, 000	6, 218, 493. 00	10, 733, 165. 00
Congo (Brazzaville)	2, 900, 000	8, 845. 00	48, 594. 00
Costa Rica	16, 400, 000	18, 950. 59	41, 965. 71
Dahomey	1, 200, 000	3, 644. 81	34, 225. 57
Dominican Republic	16, 600, 000	67, 724. 02	116, 684. 01
Ecuador	30, 800, 000	6, 855. 84	55, 638. 72
El Salvador	15, 900, 000	15, 203. 00	22, 018. 00
Ethiopia	19, 200, 000	11, 059. 00	19, 578. 00
France	32, 300, 000	16, 143, 083. 00	17, 752, 565. 00
Guatemala	15, 500, 000	12, 090. 00	49, 627. 00
Guinea	19, 800, 000	17, 064. 00	23, 879. 00
Haiti	3, 700, 000	49, 400. 50	87, 985. 50
Iraq	24, 600, 000	96, 502. 00	184, 179. 00
Jordan	58, 800, 000	76, 617. 00	83, 432. 00
Lebanon	200, 000	23, 434. 00	31, 953. 00
Mali	3, 300, 000	20, 910. 00	24, 259. 00
Mauritania	800, 000	17, 318. 00	40, 262. 55
Mexico	108, 700, 000	1, 228, 888. 00	1, 354, 965. 00
Nepal	6, 400, 000	8, 845. 00	48, 593. 77
Nicaragua	8, 100, 000	44, 539. 00	84, 133. 00
Niger	2, 400, 000	29, 214. 50	38, 470. 50
Panama	18, 200, 000	37, 279. 50	37, 279. 50
Paraguay	9, 500, 000	55, 410. 00	95, 159. 00
Peru	120, 100, 000	158, 577. 78	175, 614. 78
Poland	15, 000, 000	3, 665, 051. 00	4, 322, 387. 50
Portugal	17, 200, 000	188, 277. 00	221, 105. 00
Saudi Arabia (military data classified)		122, 855. 00	134, 811. 00
Senegal	6, 200, 000	30, 014. 00	79, 699. 00
Somalia	4, 100, 000	28, 583. 32	68, 332. 32
Spain	81, 600, 000	1, 818, 833. 00	1, 975, 356. 00
Sudan	7, 500, 000	75, 067. 00	144, 625. 00
Syria	3, 400, 000	51, 681. 00	101, 366. 00
Thailand	81, 600, 000	12, 962. 00	35, 384. 00
Togo	1, 700, 000	29, 214. 50	41, 625. 50
United Arab Republic	144, 500, 000	326, 300. 00	374, 322. 52
Upper Volta	900, 000	21, 797. 00	54, 365. 14
Uruguay	9, 000, 000	136, 052. 44	240, 446. 44
Yemen	5, 700, 000	87, 380. 50	127, 129. 50
Yugoslavia	75, 600, 000	301, 453. 00	333, 269. 00

[1] Includes Luxembourg.

Sources: U.N. Secretariat, "Statement on the Collection of Contributions as at Mar. 31, 1965, U.S. Overseas Loans and Grants, Fiscal Year 1964, AID, Sept. 4, 1964."

Mr. MILLER. Of the 46 nations which would come under the provisions of my amendment, 14 in the past year or so have been the scenes of anti-American demonstrations. These included: Argentina, Belgium, Bolivia, Brazil, Congo—Brazzaville, the Dominican Republic, Guatemala, Nicaragua, Panama, Peru, Somalia, Sudan, the United Arab Republic, and Uruguay.

Of the 46, 15 voted more often with the Soviet Union than the United States during the 18th General Assembly (1963) of the United Nations, the last year in which votes are recorded. These included: Afghanistan, Ethiopia, Guinea, Iraq, Jordan, Mali, Nepal, Poland, Saudi Arabia, Somalia, Sudan, Syria, United Arab Republic, Yemen, and Yugoslavia.

Action on my amendment would have an indirect effect on resolution of the problem relating to peacekeeping and assessment controversies which is tearing the United Nations apart today.

On February 27 of this year, this 33-nation Special Committee on Peacekeeping Operations was created to seek a solution to the question of those nations subject to article 19 of the Charter. This article dictates that countries more than 2 years in arrears on their assessments shall be deprived of their right to vote in the Assembly.

Yet this committee, to put it mildly, was stacked against any real possibility of the article being enforced.

Why? Because 19 members of that committee are delinquent in assessments: France, the Soviet Union, Ethiopia, Mauritania, United Arab Republic, Afghanistan, Iraq, Thailand, Argentina, Brazil, El Salvador, Mexico, Italy, Spain, Czechoslovakia, Hungary, Poland, Rumania, and Yugoslavia.

That is well over half of the committee's membership.

And who is the committee chairman? None other than Assembly President Alex Quaison-Sackey of Ghana, a country with a record of hostility to the United States notwithstanding our record of an immense amount of aid to her.

Of the 46 which would be affected by the Miller amendment, four—France, Spain, Yugoslavia and Brazil—were listed as late as last year as among the major free world traders with Cuba.

These are all factors which should be weighed in the consideration of my amendment. I am hopeful that the Senate will recognize that had it acted favorably on this amendment in previous years—and, Mr. President, this is the fifth time that this amendment in substance has been presented to the Senate—had the Senate acted, the financial crisis of the U.N. might well have been prevented.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Iowa.

The **PRESIDING OFFICER.** The yeas and nays are ordered.

The yeas and nays were ordered.

Mr. McCARTHY. Mr. President, this proposed action was rejected by the Senate in 1963 by a vote of roughly 3 to 1. It was again rejected in 1964 by a vote of 52 to 25. There are no more compelling arguments for the adoption of the amendment this year than there were last year or the year before.

Essentially, the amendment proposes to have the United States unilaterally apply sanctions to countries for nonpayments of United Nations assessments, even though the countries are not subject to any sanction by the United Nations. This amendment would apply a 1-year standard, rather than the 2-year standard of the United Nations Charter.

I am informed that, of all aid recipients under the 1965 program, only Yemen would be subject to the provisions of article 19 of the United Nations Charter. The other aid-recipient countries which are listed as an argument on behalf of the amendment offered by the Senator from Iowa, are not now subject to sanction under article 19 of the United Nations Charter.

If we were to apply this standard to countries which could not make up the 1-year deficit to the U.N., the country that would probably be most seriously affected would be Nationalist China, which is in arrearages in the amount of approximately $6 million. If Nationalist China did not pay this amount, under the terms of the proposed amendment, we would be compelled, unless the President invoked the escape clause, to deny them millions in military assistance in the next few months.

In my judgment, it is a mistake to attempt to move in this direction on the problem of deficits and United Nations financing.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. DOMINICK. Mr. President, I inform the Senator from Minnesota that it is my understanding that Nationalist China this year has brought its entire assessment up to date. It is not in arrears. The record should show that fact. This is the information that I have received from the Ambassador from the Republic of China.

Mr. McCARTHY. I am using the figures which the Senator from Iowa listed in support of his amendment. I prefer to use his own data in challenging his amendment.

Mr. DOMINICK. Mr. President, I was anxious to state that information.

Mr. MILLER. Mr. President, I point out in my statement that the figures shown are as of March 31 of this year. Those are the most recent figures we were able to obtain from the Comptroller of the United Nations. If there has been some action which is more recent than that, which shows the payment of arrearages by Nationalist China, the record should show that.

I am delighted to receive that information. However, I do not believe that there will be any material change with respect to the others set forth on the list.

Mr. McCARTHY. Mr. President, I cited that as an example of what might happen. If the amendment were agreed to, a country such as China, which might be in arrears, would be denied aid unless the President were to evoke the escape clause.

I feel that the amendment is quite unnecessary. If it should prove necessary to have a country pay a deficit to the United Nations, it might have the effect of forcing us to give them additional aid, which aid they could use to pay their obligations to the United Nations. In that way, instead of reducing the aid program, it would have the effect of increasing it.

There is little or no merit in the amendment. I hope that the Senate will sustain the position of the committee.

Mr. MILLER. Mr. President, I believe that the Senator from Minnesota has probably set forth the views of the State Department on my amendment very well. I regret that those views seem to me to be unacceptable and unresponsive to the points raised. For example, it was suggested that my amendment might, if Nationalist China had not recently paid its delinquency, cause Nationalist China to be deprived of $183 million in foreign aid. What is wrong with depriving a country of $183 million in foreign aid if it refuses to pay $6 million to the United Nations?

The logic of the argument completely escapes me. I point out some of the other situations. Last year Afghanistan received $43.6 million in foreign aid from the taxpayers of this country, and yet, somehow or other, that country cannot bring itself to pay $66,000 in back dues and assessments to the United Nations.

Argentina received $14,800,000 from us in foreign aid and is $66,228 in arrears in back assessments and dues.

Bolivia received over $80 million, and yet is $56,000 in arrears in dues and assessments.

Brazil received $401,500,000 in foreign aid from us, and yet it cannot pay a little less than $1 million in back dues and assessments to the United Nations.

Chile received $142 million from us in foreign aid, and yet it is $342,000 in arrears in assessments and dues to the United Nations.

Ecuador received over $30 million in foreign aid from us, and still she cannot pay $6,000 in back dues and assessments to the United Nations.

El Salvador received almost $16 million from us in foreign aid, and still owes $15,000 in back dues and assessments to the United Nations.

Iraq received $24,600,000 from us in foreign aid, and yet will not pay $96,000 in back dues and assessments to the United Nations.

Jordan received $58,800,000 from us in foreign aid—for which the taxpayers of this country paid—and will not pay $76,000 in back dues and assessments to the United Nations.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. McCARTHY. The Senator is saying they will not pay. On what basis does he make that statement?

Mr. MILLER. By reason of the fact that they have not paid.

Mr. McCARTHY. That does not mean they will not. Under the United Nations Charter they have 2 years to pay, and there is only one country which is in arrears for that period of time and which is receiving aid from the United States.

Mr. MILLER. If the Senator does not like my expression, let us say that they will not pay on time.

Mr. McCARTHY. What is "on time"? They have 2 years.

Mr. MILLER. No. The time for them to pay is during the calendar year. January 1 is the due date; but I have not listed the countries as being in arrears except for years prior to 1964.

Who is going to pay the bill while they are dragging their feet? The United States is paying for it. The taxpayers of the United States are paying for it. That is why I say they will not pay or will not pay on time. I do not see why we should let things run until they are 2 years in arrears and then lose the right to vote. This is a matter of playing fair with the United Nations.

To continue, our good neighbor to the south of us, Mexico, received $108,700,000 from us in foreign aid, and is still $1,228,000 in arrears in dues and assessments to the United Nations.

When I say in arrears, I mean more than 1 year. I am taking the arrearages prior to 1964. I am not counting 1964.

Peru received $120 million from us in foreign aid, and is still $158,000 in arrears in dues and assesments to the United Nations.

Poland received $15 million in foreign aid last year from us, and is $3,600,000 in arrears in dues and assessments to the United Nations.

Somalia received $4,100,000 from us in foreign aid last year and is $28,000 in arrears in dues and assessments to the United Nations .

Spain received $81,600,000 in foreign aid from us last year, and she is $1,800,000 in arrears.

Sudan received $7,500,000 in foreign aid from us, and is $75,000 in arrears in dues and assessments to the United Nations—1/100 of our foreign aid, and still she will not pay.

The United Arab Republic, which has not overly distinguished itself by being friendly to the United States, received $144,500,000 in foreign aid from us, from the taxpayers of this country, and still is $326,300 in arrears to the United Nations.

Yugoslavia received $75,600,000 in foreign aid from us, and is $301,453 in arrears to the United Nations.

I find it impossible to believe, with all this foreign aid going to those countries, that they cannot pay. The total amount of U.S. foreign aid to these 46 nations amounts to $1,807,800,000. Their delinquencies to the United Nations amounted to $36,536,866. They received foreign aid 50 times in excess of their delinquencies. Still they do not seem willing to pay. They will not pay. I suggest it is a case in which they will not pay on time.

The suggestion has been advanced that the escape hatch could be used in the case of meritorious countries. My amendment provides that our foreign aid will not be cut off from countries if the President furnishes the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a determination that such assistance should nevertheless be furnished, notwithstanding that they are more than 1 year in arrears accompanied by the reasons for such determination, including the assurance, if any, given by the government concerned of paying—independently of such assistance—all such arrearages and placing its payments of such assessments on a current basis, or an explanation of the unusual and exceptional circumstances which make it economically incapable of giving such assurance.

What is wrong with that? I think I know what is wrong in the minds of some people in the State Department, because they do not want to go to the bother of going through 46 nations and coming up with the information that the President would have to furnish Congress. They do not want to have to determine and set forth the reasons for the refusal of those countries to keep current on their assessments, but which, nevertheless, call upon the taxpayers of this country to do so.

They do not want to go there and get the assurance that those countries are going to pay their dues and assessments to the United Nations. That is too bad, but let them go back home and face the taxpayers, tell the people this, and then let them try to get themselves elected to office. They will find that they could not be elected.

I find this attitude on the part of persons in the State Department completely contemptuous of the taxpayers of the country.

I suggest that my amendment is not a harsh amendment. There has not been a nation that has been assessed except upon the basis of its relative ability to pay, which question is passed upon by underdeveloped nations. The argument that countries may have difficulty paying assessments and dues amounting to one-fiftieth or one-hundredth of the foreign aid they receive does not make sense.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. DOMINICK. I have listened with interest to the Senator's statement. When the Senator talks about foreign aid that we gave in fiscal 1964, is the Senator referring to both military assistance and other aid? Is he referring to MAAG and other assistance?

Mr. MILLER. Yes, it includes all foreign aid.

Mr. DOMINICK. It is not merely economic grants and loans, then?

Mr. MILLER. No.

Mr. DOMINICK. I thank the Senator.

Mr. MILLER. I wish to make another point. I have in my hand a Thermo-Fax copy of a position paper by the Department of State on this question. This is what some of these people who are in their ivory towers say: "One objection is that the amendment could cut off U.S. assistance to a nation which is not subject to the United Nations own sanctions, unlike article 19, which penalizes members whose total arrearages exceed its U.N. assessments over the last 2 years, the amendment would penalize any nation which is in arrears more than 1 year."

Where do they get the idea about penalizing? My amendment would provide that countries will not receive bounty from the American taxpayers for foreign aid if they do not "get right" with the United Nations on fiscal matters. The State Department came along and said that was a terrible thing, that if we are going to withhold foreign aid we shall be penalizing. That is a strange concept of penalty. So far as I am concerned, I do not believe that it is a concept which the average American taxpayer would like very much to hear. I, for one, believe that it is not a penalty. Call it pressure, if we wish, but it is pressure in behalf of a perfectly noble objective.

The nations to which we are extending foreign aid should have enough fiscal responsibility and integrity to support the United Nations. We come along with our national policy, which has been agreed to by administrations of both parties for years, saying that we support the United Nations, that we support the charter and the objectives of the United Nations. That is fine. With the right hand we do that, and then with the left hand we extend foreign aid to nations which undercut the United Nations because they do not pay their dues and assessments. I believe that it is about time for us to be consistent in our national policy with respect to the United Nations and our policy on foreign aid.

Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, so far as I am concerned, Senators who wish to vote will have an opportunity to vote very quickly.

I voted against this amendment last year. While I am sympathetic to some of the basic purposes the Senator from Iowa wishes to accomplish, I shall vote against his amendment again.

Let me make two or three points, relative to the amendment, which I believe are valid. The first is that the 1-year criterion placed in the amendment has no reasonable relationship to what is sought to be accomplished by the amendment. I would not vote for it for other reasons, even if it contained a 2-year criterion, but since we are talking about the assessments due the United Nations—and under article 19 the right to vote cannot be revoked until such time as they are 2 years delinquent—there is no reasonable relationship between what is sought to be accomplished here and the 1-year criterion placed in the amendment.

Even article 19 has in it certain escape hatches for countries who find themselves in unusual difficulty. This does not apply, at least in my mind, to the situation in which we find ourselves with respect to Russia, France, Belgium, and other countries which have refused to pay, particularly for peacekeeping operations.

Mr. President, I have coming into the Chamber shortly, which may or may not reach me before I complete my statement, two up-to-date tables on the arrearages in the United Nations based not only upon the regular assessments, but also upon the peacekeeping operations. I am sure that when the tables are studied, it will change the picture substantially, or at least will give those who read them a different concept of what the difficulty is.

Mr. President, I ask unanimous consent to have the tables printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Countries in arrears on regular U.N. budget as of Mar. 31, 1965

Afghanistan	$3
Argentina	614, 476
Bolivia	22, 711
Brazil	1, 281, 105
Bulgaria	62, 753
Burundi	84, 006
Chad	3, 980
Chile	239, 651
Colombia	130, 302
Congo (Brazzaville)	32, 934
Costa Rica	16, 200
Dahomey	24, 639
Dominican Republic	44, 752
Ecuador	38, 561
Haiti	39, 878
Iraq	72, 344
Israel	80, 000
Italy	782, 328
Laos	5, 996
Liberia	32, 934
Mauritania	16, 130
Mongolia	23, 501
Nepal	32, 934
Nicaragua	44, 000
Niger	2, 441
Pakistan	140, 000
Paraguay	37, 819
Portugal	19, 432
Rwanda	51, 100
Senegal	51, 156
Somali	45, 165
Sudan	57, 632
Syria	41, 166
Togo	5, 596
United Arab Republic	5, 429
Upper Volta	25, 753
Uruguay	102, 064

Country	Article 19	UNEF	UNOC
Albania	$12, 520	$39, 830	$43, 602
Bylorussia U.S.S.R	164, 205	585, 080	1, 357, 881
Czechoslovakia	193, 198	1, 117, 077	2, 759, 408
France	721, 413	----------	17, 031, 152
Hungary	715, 779	546, 271	995, 024
Poland	239, 515	1, 616, 863	2, 466, 010
Rumania	93, 225	462, 194	641, 015
Ukraine	625, 240	2, 238, 198	5, 185, 697
U.S.S.R	4, 727, 196	18, 286, 601	39, 223, 085
Cuba	207, 900	222, 474	260, 259
Yemen	43, 698	39, 830	43, 602
South Africa	----------	----------	1, 503, 337

Mr. ALLOTT. Mr. President, the second reason I cannot go along with the amendment is that we have a list of total U.S. aid. As the distinguished Senator from Iowa has pointed out—and rightfully so—in many instances the aid is as much as 50 times the amount of the United Nations assessment. The very ones who believe as the Senator from Iowa, have repeatedly objected to the State Department putting any kind of string upon its aid to those countries, whether the aid was economic or military, because, it is said, if we are to give them aid we are going to say, "But you must pay so much out of the aid toward full United Nations assessment, so that, in reality, the United States will be paying the United Nations assessment for that country."

This argument has been used over and over again. The same people who talk seriously and correctly about the incredible delinquencies in the United Nations have, at the same time, objected to this sort of limitation upon aid because, they say, it amounts to repaying the aid for that particular country.

Mr. MILLER. Mr. President, will the Senator from Colorado yield at that point?

Mr. ALLOTT. I am happy to yield to the Senator from Iowa.

Mr. MILLER. I hope the Senator does not infer that my amendment proposes to sanction the payment of dues and assessments by one of these nations out of our foreign aid to them. In my amendment, I try to make very clear, on page 2, that if these nations do not pay up, the President can still determine that such assistance should, nevertheless, be furnished, provided he gives Congress the determination, and accompanies it with reasons, including the assurance, if any, that the government of that country will pay up, independent of our foreign aid to that government.

I have no idea that my amendment would sanction payment of dues out of our foreign aid money.

Realistically, we could recognize that if one of our foreign aid projects is vital to the country, and by means of my amendment the country is relieved from going ahead on its own with respect to that project, then it would certainly be expected to have funds made available to pay some of its dues and assessments; but the direct and indirect approach of using our foreign aid to pay dues and assessments is not envisioned by my amendment.

(At this point Mr. BASS took the chair as Presiding Officer.)

Mr. ALLOTT. I thank the Senator from Iowa for his remarks, but let me assure him that I am not the least confused about what his amendment intends to do, or what it will do. Having read it, I feel very much satisfied that I understand what it provides. I am only trying to point out a few of the difficulties involved in this problem, some of which I do not believe the Senator from Iowa has considered.

The second point: There is, of course, great difficulty on the part of some nations to pay their United Nations dues, because the United Nations requires its payments to be made in dollars. This difficulty has risen over and over again.

The problem exists in Brazil, for example. I cannot give the Senate the latest figures on inflation in Brazil, but I am sure that it was at least 140 percent last year. Brazil has taken active steps to cut down the rate of inflation and hopes to hold it down to approximately 40 percent this year. This may sound fantastic to us, but for Brazil it is really an achievement.

Under those circumstances it is almost impossible for a country to develop any practical dollar credits. This is one of the difficulties which is involved, not alone with Brazil, but also with respect to each of the countries on the list, even Russia. I say that because Russia has complained bitterly in the United Nations, as have all the Communist bloc countries, about the difficulty of generating dollar credits to pay U.N. assessments.

I am not beguiled by the statements of the Russians or by the Communist bloc in general, that they cannot generate enough dollar credits for their U.N. assessments. I do not believe it. Nevertheless, we face this argument, which has been used over and over again.

(At this point the lights in the Senate Chamber went out.)

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ALLOTT. No.

Mr. MILLER. Can he shed some light on the subject? [Laughter.]

The PRESIDING OFFICER. The Senator has adequate light with which to perform his function. The Senate will continue with its business.

Mr. ALLOTT. In view of the circumstances, with the lights in the Chamber going out, I hesitated to yield, for fear of what the Senator from Iowa might say about the lights going out while I was speaking.

I call attention to the fact that what the amendment does, in effect, is to put a crimp on our ability to help our friends, either militarily or economically, throughout the world. Adoption of this amendment would not hurt Russia. It would not hurt the Communist bloc. It would not hurt Czechoslovakia or Albania or Poland or Hungary or Bulgaria or Rumania, or any of the rest of the Communist bloc, with the possible exception of Yugoslavia.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. ALLOTT. May I complete my statement? What the amendment would do, in effect, would be to make it impossible for us to help those countries that we believe need our help, both militarily and economically.

I yield, now, to the Senator from West Virginia.

Mr. RANDOLPH. I appreciate the fact that the Senator is willing to yield to me under these darkened circumstances. I do not wish to be facetious, and I hope that what I am about to say will not be misunderstood.

Mr. ALLOTT. May I interrupt the Senator? If he is about to refer to the lights going out, I decline to yield.

Mr. RANDOLPH. I wish to make an observation. In fact I share the viewpoint of the able senior Senator from Colorado in opposition to the pending amendment.

Mr. ALLOTT. The Senator may make his observation. I am being facetious, too.

Mr. RANDOLPH. Mr. President, during my first campaign for a seat in the House of Representatives, I campaigned in Morgan County. I was attempting to make a point at a political meeting at Paw Paw, a fine community in a then strong Republican county, when the lights went out as they have in our Chamber today. I wondered what I might say under the distressing circumstances.

The PRESIDING OFFICER. The Senate will be in order.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RANDOLPH. The audience, perhaps, had not been too responsive. I tried to relieve the unusual situation by paraphrasing and old hymn, "Let the Lower Lights Be Burning." I said:

> Let the lower lights be burning;
> Send a gleam across the wave;
> Some poor fainting, struggling Republican
> I must rescue, I must save.

Just then the lights came on again. [Laughter.]

Mr. ALLOTT. I can only say that I am happy to have that little story. Obviously the Senator's affinity with the Lord must have been much closer then than it is now, because I do not see the lights going on this time.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. AIKEN. If the Senator was contemplating discussing our relationship with the rest of the world, particularly with southeast Asia and other areas, Congress has been working in the dark for so long that I do not think we should mind this interruption of the lights going out at this time. If we were permitted to have some light on what is going on, we would be able to legislate to better effect.

Mr. ALLOTT. I thank the distinguished Senator from Vermont.

I have been trying to avoid yielding to my colleagues in the Senate because I know that inevitably some of them would refer to the lights going out and to the Senate's convening in the dark. I have been trying to avoid it.

Mr. CLARK. Mr. President, will the Senator yield once more?

Mr. ALLOTT. I yield.

Mr. CLARK. I heard the comment of the Senator from West Virginia with respect to how he had the Lord put the lights on again. Our difficulty is that we must go to the Architect of the Capitol, and that will probably take a good deal longer. [Laughter.]

Mr. ALLOTT. I shall resume by making the second point that I wish to make, which is that the effect of this amendment, without any relation to any standard or criteria which can be accepted from the U.N., which would be 2 years, would keep us from giving effective economic and military aid to our friends.

I have been critical of our aid program many times. Yet I do not believe that this is the way to accomplish what is sought to be accomplished.

The third point I wish to make—and this is my last point—is that the question that is bothering my friend from Iowa and that bothers all of us is the financial situation of the U.N. But the question is, "Would this help the U.N.'s financial situation?"

I doubt it very much, because if the President feels that it is necessary to give aid to a country, he is sure to use the escape hatch, which I believe my friend from Iowa rightfully put in his amendment. We cannot bind the hands of the President behind his back with a steel band, and expect him to provide military leadership and the leadership that this country should have in its world relationships.

The real problem, of course, is what do we do with Russia, particularly with respect to its peacekeeping assessments, which the International Court of Justice in June 1962, decided Russia owed the United Nations upon the same basis as regular assessments.

I do not have the answer to that question. However, I am sorry for one thing, and I must say it frankly. I have seen the degeneration of the will to fight in the United Nations and to support and enforce the principle that Russia and other delinquent countries must pay their assessments or lose their votes.

Everything we hear now, from the present Secretary General of the U.N. from all the people who are in the U.N., and from the recent committee, whose report I read in the newspapers this morning, seems to be, in effect, "We must give in. We must compromise." I cannot agree with this point of view.

I believe that the U.N. is as important to Russia as it is to us. They have us "buffaloed" into believing it is not.

I believe also that if the chips were down, and if Russia were forced to it, Russia would be as reluctant to dissolve the United Nations as this country would be.

However, I am concerned about the constant deterioration of the will and the courage, if I may say so, to fight this question out and fight it down to the final battle.

If we suffer defeat in the U.N. upon that principle, we would have to take such steps as we would be compelled to take. But, if we were to convince the rest of the world, particularly Russia, that we would fight this battle out to the bitter end—and this will be hard to do, in view of the recent vacillation—Russia would be as unwilling to do anything to wreck the U.N. as we would be.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. ALLOTT. I shall yield in a moment. If the purpose of the amendment is to force payments into the U.N., it will be an abortive attempt. What we should do is to pass a concurrent resolution, or even adopt a Senate resolution, expressing the overwhelming will of Congress or the Senate that our representatives in the U.N. fight this issue down to the last ditch and invoke article 19.

If we provide our State Department and our representatives in the U.N. with a Senate resolution or with a concurrent resolution adopted by an overwhelming majority, I am convinced that there will be a radical change of opinion on the part of some of the U.N. members who are talking freely about giving in to the Russians.

I yield to the Senator from Iowa.

(At this point the lights came on in the Senate Chamber.)

Mr. MILLER. I share the Senator's determination that the United States should stand firm with respect to article XIX. I have already spoken out in criticism of what appears to be some vacillation on that point. There has been a backsliding from a very firm position which was taken by our Ambassador, Mr. Stevenson, last year.

I do not believe we are apart on this point, but the Senator from Colorado might recognize that fact of political life in the United Nations which is reported by various knowledgeable people to be as follows: What good does it do for the Ambassador, Mr. Stevenson, to stand firm and demand a showdown on the question if we do not have the votes? I wonder how many of the 71 nations which are delinquent in the payment of their dues and assessments—71 out of 114 members—we could count on to vote with us to invoke article XIX to deprive those nations which are more than 2 years in arrears? My point is that the amendment that I have offered is calculated to encourage those 46 nations to whom our taxpayers are extending foreign aid to practice fiscal integrity and to become current in their payment of the dues and assessments. If they do so, I do not believe we shall have to worry about how the rollcall vote would go in the United Nations with respect to the invocation of article XIX as far as the Soviet Union is concerned. But now the report is that we do not have the votes. And small wonder when 71 of the 114 members of the United Nations are delinquent, of which 46 are recipients of our foreign aid.

Mr. ALLOTT. I thank the distinguished Senator for his remarks. But the answer to his question is this: The Senator asked, "What would happen to how many votes?" If they were convinced that it was the consensus of the Congress, the President and the State Department, that we meant business on rule XIX, I do not believe that those delinquent nations throughout the world would vote to dissolve the U.N., because that is what their vote would amount to. At some time we must stand firm. We must show that we have as stiff a backbone and as much courage and good old Yankee horse-trading ability as they have. This is the time to do it. At the worst, there would be on every one of the countries which voted against us the responsibility for tearing the United Nations apart. But it would not be torn apart because when the chips were down they would join us.

I yield the floor.

Mr. MILLER subsequently said: Mr. President, the Senator from Colorado [Mr. DOMINICK] raised a question regarding the status of China with respect to arrearages to the United Nations, and, I believe, stated his best information was that China was not in arrears. I point out that we have checked this afternoon with the State Department, which in turn contacted the United Nations. The report we have received is that the figures contained in my tabular sheets which are part of the record are completely accurate. I believe there is a misunderstanding because China is current in her dues, but is delinquent in assessments. I point out that the escape clause was inserted, having China primarily in mind, because this is one country with respect to which we expect the President to exercise his discretion in providing exemptions.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. MILLER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Virginia [Mr. BYRD], the Senator from Michigan [Mr. HART], the Senator from Arizona [Mr. HAYDEN], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

I also announce that the Senator from Tennessee [Mr. GORE], and the Senator from Louisiana [Mr. LONG] are absent because of an electrical failure in the vote notification system.

I further announce that the Senator from Florida [Mr. SMATHERS] and the Senator from West Virginia [Mr. BYRD] are necessarily absent.

I further announce that, if present and voting, the Senator from Washington [Mr. MAGNUSON] would vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Louisiana [Mr. LONG]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Louisiana would vote "nay."

On this vote, the Senator from West Virginia [Mr. BYRD] is paired with the Senator from Tennessee [Mr. GORE]. If present and voting, the Senator from West Virginia would vote "yea" and the Senator from Tennessee would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. MORTON], the Senator from Vermont [Mr. PROUTY], and the Senator from California [Mr. MURPHY], are necessarily absent.

The Senator from Kansas [Mr. PEARSON] is absent on official business.

If present and voting, the Senator from California [Mr. MURPHY] would vote "yea."

On this vote, the Senator from Kansas [Mr. PEARSON] is paired with the Senator from Kentucky [Mr. MORTON]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Kentucky would vote "nay."

The result was announced—yeas 27, nays 59, as follows:

[No. 112 Leg.]

YEAS—27

Bennett
Bible
Cannon
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Gruening
Hill
Holland
Hruska
Jordan, Idaho
McClellan
Miller
Morse
Robertson
Russell, S.C.
Russell, Ga.
Scott
Simpson
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.

NAYS—59

Aiken
Allott
Anderson
Bass
Bayh
Boggs
Brewster
Burdick
Case
Church
Clark
Cooper
Cotton
Dodd
Dominick
Douglas
Fong
Fulbright
Harris
Hartke
Hickenlooper
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Saltonstall
Smith
Sparkman
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—14

Bartlett
Byrd, Va.
Byrd, W. Va.
Carlson
Gore
Hart
Hayden
Long, La.
Magnuson
Morton
Murphy
Pearson
Prouty
Smathers

So Mr. MILLER's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRUENING obtained the floor.

Mr. FULBRIGHT. Mr. President, the Senator from New York wishes to introduce a bill and make a brief statement. I hope the Senator from Alaska will permit him to do so.

Mr. GRUENING. I yield for that purpose.

Mr. JAVITS. Mr. President, my colleague from New York and I have jointly sponsored a series of bills dealing with narcotics addiction which we propose to introduce. May I ask the Senator from Alaska to indulge us? I know he has a substantial speech to make. Senator KENNEDY is not quite ready. Will the Senator from Alaska, at some time convenient to him in the course of his speech, yield us 5 minutes?

Mr. GRUENING. Certainly.

AMENDMENT NO. 220

Mr. President, I call up my amendment No. 220. I ask that the reading of the amendment be dispensed with, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the RECORD.

The amendment is as follows:

On page 3, strike out lines 3 to 12, inclusive.

On page 3, line 13, strike out "(b) Amend section 205" and insert in lieu thereof the following: "SEC. 102. Section 205 of the Foreign Assistance Act of 1961, as amended".

On page 3, line 14, after the comma insert "is amended".

On page 4, strike out lines 12 to 17, inclusive, and insert in lieu thereof the following: "by striking out '1965' and '$215,000,000' and substituting '1966' and '$210,000,000', respectively."

On page 4, strike out lines 22 to 25, inclusive, and insert in lieu thereof the following:

"(2) Amend subsection (c) by striking out '1965, $18,000,000' and substituting '1966, $7,000,000'."

On page 5, line 19, strike out "1968" and insert in lieu thereof "1967".

On page 8, line 19, strike out "1968" and insert in lieu thereof "1967".

On page 8, beginning with line 20, strike out through line 2 on page 9.

On page 9, line 4, strike out "Sec. 106" and insert in lieu thereof "Sec. 105".

On page 9, strike out lines 6 to 13, inclusive, and insert in lieu thereof the following: "is amended by striking out 'and $85,000,000 in fiscal year 1965' and substituting ', $85,000,000 in fiscal year 1965, and $70,000,000 in fiscal year 1966'."

On page 9, line 16, strike out "Sec. 107" and insert in lieu thereof "Sec. 106".

On page 10, lines 6 and 7, strike out "each of the fiscal years 1966 and 1967" and insert in lieu thereof "the fiscal year 1966."

On page 10, line 11, strike out "Sec. 108" and insert in lieu thereof "Sec. 107".

On page 10, strike out lines 13 to 19, inclusive, and insert in lieu thereof the following: "amended by striking out '1965' and '$405,000,000' and substituting '1966' and '$350,000,000', respectively."

On page 10, line 21, strike out "Sec. 109" and insert in lieu thereof "Sec. 108".

On page 10, line 24, beginning with the word "each" strike out through line 2 on page 11 and insert in lieu thereof the following: "the fiscal year 1966, not to exceed $50,000,000."

On page 11, line 12, strike out "each of the fiscal years 1966 and 1967" and insert in lieu thereof "fiscal year 1966".

On page 11, line 13, strike out, "which".

On page 11, line 14, strike out "in each such fiscal year, which sums".

On page 14, line 10, strike out "years 1966 and 1967" and insert in lieu thereof "year 1966".

On page 14, lines 12 and 13, strike out "each of the fiscal years 1966 and 1967" and insert in lieu thereof "the fiscal year 1966".

On page 14, line 19, strike out "years 1966 and 1967" and insert in lieu thereof "year 1966".

On page 14, strike out lines 20 and 21.

On page 18, line 22, strike out "June 30, 1967" and insert in lieu thereof "December 31, 1966".

On page 21, line 1, beginning with the word "inserting" strike out through "1967" in line 2 and insert in lieu thereof the following: "substituting 'for the fiscal year 1966 not to exceed $55,240,000' ".

Mr. GRUENING. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. TOWER. Mr. President, I ask unanimous consent that the Senator from Alaska may yield to me without losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator from Texas is recognized.

CURTAILMENT OF BEEF IMPORTS WHEN THERE IS DANGER OF FOOT-AND-MOUTH DISEASE INFESTATION

Mr. TOWER. Mr. President, on January 12, Canada announced a proposal to import breeding livestock from some European countries where foot-and-mouth disease exists. Certain safeguards and quarantine measures are planned for these livestock, but the serious danger exists that this plan will transmit foot-and-mouth disease to the U.S. cattle population.

The Department of Agriculture is working with the Canadians to assure the best possible supervision of these quarantine regulations, but the plans thus far made are not sufficient to ameliorate the great risk being taken.

Under existing agreements between the United States and Canada, the cattle coming into Canada from nations where foot-and-mouth disease exists could enter the United States after 60 days in Canada.

Many cattlemen have expressed to me their deep concern about this possibility and I fully share their views. The introduction of foot-and-mouth disease to the United States via this route would be nothing short of a disaster for cattleman and consumer alike.

Accordingly, I submit a resolution providing that, if Canada does, indeed, go through with this unwise plan to import livestock from countries where foot-and-mouth disease is prevalent, no importation of breeding cattle from Canada to the United States shall be permitted.

This is a drastic safeguard, Mr. President, and one which I hope it will never be necessary to implement. But, I do believe this Senate should take this method of impressing upon Canada the gravity with which we view this situation.

I ask that the resolution be printed at this point in the Record:

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the Record.

The resolution (S. Res. 111) was referred to the Committee on Agriculture and Forestry, as follows:

S. Res. 111

Whereas the United States Department of Agriculture has under consideration its agreement to a Canadian proposal to allow importation into Canada of cattle from nations where foot-and-mouth disease is not controlled; and

Whereas foot-and-mouth disease is controlled in the United States; and

Whereas subsequent importation into the United States via Canada of cattle and breeding stock from nations where foot-and-mouth disease prevails would seriously endanger and damage American cattle: Now, therefore, be it

Resolved by the Senate of the United States of America, That no importation of breeding stock cattle from Canada into the United States shall be permitted during any part of any year in which Canada permits entry into its country of any cattle or breeding stock from nations in which foot-and-mouth disease is prevalent and is not controlled.

Mr. MORSE. Mr. President, will the Senator from Alaska permit the Senator from Texas to yield to me?

Mr. GRUENING. Mr. President, I do.

Mr. MORSE. Mr. President, I state to the Senator from Texas that I am delighted he has made the statement he has with regard to the serious problem that is pending in connection with the Canadian policy of importation of livestock.

The senior Senator from Oregon has been at work for some time past on a major speech, if it becomes necessary to deliver it, dealing with this particular problem. As the Senator knows, I believe in careful research in a matter such as this, and I believe also in giving our Department of Agriculture an ample opportunity to take an official position in regard to a matter. I shall not indicate, as of now, my feelings in regard to the responses I have obtained to date from the U.S. Department of Agriculture.

I believe it is proper for me to say at this time—and I shall develop the subject at some length when I deliver my speech, unless rectifying action is taken in the meantime—that, in my judgment, Canada has yet to provide the safeguards that cattlemen in both Canada and the United States are entitled to receive by way of protection from the danger of importing not only livestock, but also some of the most ravaging livestock diseases that can plague a country, including the hoof-and-mouth disease and other diseases that would cost millions of dollars if an epidemic were to start. Such a disaster would involve both the United States and Canada.

I have been withholding comment on this matter. I shall withhold any further comment for the time being, except to say that I join the Senator from Texas in raising today a flag of warning to the Canadian Government and to the U.S. Department of Agriculture.

We had the experience not so many years ago of an outbreak of the hoof-and-mouth disease in Mexico. That outbreak jeopardized the livestock industry along our southern border, and of course, it could have spread to every State of the Union. The record will show that we spent huge sums of money in Mexico in order to help Mexico eradicate the danger of that epidemic. At great cost, the outbreak of that disease was at least kept within Mexico.

I say most respectfully from the floor of the Senate this afternoon to the Canadian Government that the Canadian Government must assume responsibility for following a course of action which has this potential danger in it and that the Canadian Government would not be acting as a good neighbor if it were to proceed with the policy of importation which has thus far been announced by the Canadian Government without safeguards in the program. Neither the Canadian cattlemen nor the cattlemen of the United States have thus far been given assurance of any proposed safeguards.

The Canadian cattlemen are as concerned as are the cattlemen of the United States in regard to the potential danger.

Mr. TOWER. Mr. President, I express my thanks to the distinguished Senator from Oregon, who is himself a successful cattle breeder. I believe that he understands this problem very well.

I believe that the Senator is absolutely correct when he states that our principal purpose is to raise a flag of warning to the Canadian Government. I hope that what we do in introducing the measure will serve as a stimulus to the Canadian Government and have them pay more attention to the problem and thus come up with appropriate decisions that would safeguard the cattle industry of both Canada and the United States.

I hasten to say that the importation of cattle for breeding purposes has been a great boon to this country. Indeed, our own great domestic cattle industry has been a result of the importation of good breeding stock from countries abroad. We have no desire to inhibit the importation of good breeding stock for the purpose of improving our breeds in this country. However, we do not want to introduce what the Senator from Oregon calls ravaging diseases which could decimate our cattle population in this country.

Mr. MORSE. Mr. President, if the Senator from Texas would permit it, I should like to associate myself with his resolution.

Mr. TOWER. Mr. President, I am delighted to have the senior Senator from Oregon as a cosponsor to my resolution.

FAILURE OF ELECTRICAL SYSTEM CAUSES LACK OF NOTICE TO SENATORS OF YEA-AND-NAY VOTE

Mr. MANSFIELD. Mr. President, will the Senator yield to me without losing his right to the floor?

Mr. GRUENING. Mr. President, I shall yield first to the Senator from Montana and then to the Senator from New York.

Mr. MANSFIELD. Mr. President, as the Senate well knows—at least Senators who were in the vicinity of the Chamber—just prior to the vote on the last amendment the lights in the Chamber went out for a period of 10 or 15 minutes.

I believe that it was as a result of this electrical failure that a number of Senators were not notified of the yea-and-nay vote. The bells were not ringing on the electrical circuit. Therefore, Senators were unaware, because of the failure of the warning system which has been set up to be of service to them, that a vote was in progress.

I refer specifically to the distinguished senior Senator from Tennessee [Mr. GORE] and the distinguished junior Senator from Louisiana [Mr. LONG], and probably other Senators, who, because of the malfunctioning in the electrical system, were not given the adequate warning which is their due.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. The majority leader has correctly stated the situation. No bell rang in my office, where I was conferring with a constituent. I was notified by telephone that a rollcall was underway, but although I hastened to the floor, the rollcall had been completed. The Senator from Louisiana [Mr. LONG] told me he had a similar experience.

Due to an electrical failure beyond the control of Senators, I ask unanimous consent that the junior Senator from Louisiana [Mr. LONG] and the senior Senator from Tennessee [Mr. GORE] be recorded on the rollcall as having voted in the negative, and that other Senators who may have missed the rollcall because of the electrical failure be so permitted to be recorded.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Under the rules, the Chair is prohibited from entertaining a unanimous-consent request that a Senator be permitted to vote after the vote has been announced. That is rule XII. The Senator's request is out of order.

Mr. MANSFIELD. Mr. President, if the Senator will still yield, I would also like to suggest to the Senate at this time that during the course of a rollcall vote the well of the Chamber be cleared of all persons not involved in the conduct of that vote, because it is impossible on occasion for the clerk to hear the responses of Senators when their names are called. I hope this procedure will be followed. Of course, if there are extenuating circumstances, they will be given consideration, and a Senator will be given every possible courtesy, but I think it would be a good rule for the Senate to follow.

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO MEET TOMORROW MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may meet during the morning tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, does that include the morning hour?

Mr. MANSFIELD. I understand a Senator has a speech to make which will take up most of the 2 hours.

LEGISLATION TO COMBAT NARCOTICS ADDICTION

Mr. GRUENING. Mr. President, I yield to the Senator from New York, without losing the floor.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may introduce two bills, and then yield to my colleague from New York [Mr. KENNEDY], and to the Senator from New Jersey [Mr. CASE].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, pursuant to prior agreement with the Senator from New York [Mr. KENNEDY], we are introducing a series of bills to deal with the narcotics addiction problem.

I send to the desk out of order and ask unanimous consent that there be referred two of the four bills.

These measures are part of a four-bill series of legislative proposals on this subject of vital importance to our urban areas, which I am most pleased to introduce jointly with my colleague from New York [Mr. ROBERT F. KENNEDY], along with a bipartisan group of cosponsors, including Senators CASE, ERVIN, HART, KUCHEL, TYDINGS, and WILLIAMS of New Jersey, who are cosponsoring all four bills; Senator SALTONSTALL, who is cosponsoring the two involving civil commitment and sentencing of narcotics addicts; Senator SCOTT, who is cosponsoring the civil commitment bill, and Senator LONG of Missouri, who is cosponsoring the two medical treatment bills.

Also introducing the measures in the House of Representatives are Congressmen REID AND LINDSAY, of New York, who have long championed such an enlightened approach to this subject in the other body, along with Congressmen BELL, DELANEY, MATHIAS, MCCULLOCH, OTTINGER, SPRINGER, CELLER, FARBSTEIN, and RYAN.

In addition, Congressmen HARRIS and MILLS are introducing some but not all of the measures.

The bills introduced today would:

First. In lieu of criminal prosecution, authorize the pretrial civil commitment, for medical treatment and probationary aftercare, of those charged with narcotics offenses, except for sale with intent to resell, along the lines of the pioneering New York State law. I am the principal sponsor of this bill.

Second. Modify the harsh present postconviction sentencing restriction, so that the Federal courts can use parole, probation, and suspension of sentence as tools to rehabilitate convicted defendants, particularly youthful offenders who are addicts, along the lines of techniques first used in California. Senator KENNEDY is the principal sponsor of this bill.

Third. Establish a Federal-State two-thirds, one-third matching grant program to provide a wide range of services, job training, family counseling, and psychiatric treatment to ex-addicts to enable them to reenter the community. Senator KENNEDY is the principal sponsor of this bill.

Fourth. Create a Federal-State two-thirds, one-third matching grant plan for the construction or acquisition of needed facilities for medical treatment, especially outpatient clinics for the crucial period of aftercare and adjustment of those who have been taken off narcotics. I am the principal sponsor of this bill.

These measures are the outgrowth of my concern with this problem as attorney general of the State of New York and of a series of bills which I introduced for a number of years along with my former colleague, Senator Kenneth B. Keating. The purpose of this legislation, like that of the measures we introduced in the past, is at last to bring the Federal Government in a position to deal effectively and in modern terms with the grave national problem of narcotic and drug abuse. It is my earnest hope that after years consumed in studies and restudies, conferences and panel discussions, the Congress will recognize that the time for action is now.

For many years it has been painfully apparent that the growing extent of addiction has directly boosted the national crime rate and that its corrosive effect upon the lives of its victims and their families has been increasing drastically and intolerably. It has also become painfully apparent that the Federal law and the Federal approach to the increasingly grave problem are wholly inadequate. As the law now stands, the Federal approach is primarily through a rigid set of criminal laws, which do not differentiate sufficiently between the underworld wholesaler of narcotics and the victim of that system who is found in possession of a small amount of illegal narcotics because he is an addict and in need of medical treatment, both mental and physical. More than 5 years ago the States of California and New York recognized the growing acceptance of the premise that narcotics addiction—apart from organized selling or "pushing"—is a disease rather than a crime. The two States enacted pioneering legislation which placed the primary emphasis upon affording the addict an opportunity to become rehabilitated mentally and physically instead of being punished as a common criminal.

I ask unanimous consent that there be printed in the RECORD at this point in my remarks a summary of the California and New York narcotic programs from the final report of the President's Advisory Commission on Narcotic and Drug Abuse, along with a summary of the New York State budget on this subject for the coming year.

There being no objection, the summaries were ordered to be printed in the RECORD, as follows:

CIVIL COMMITMENT

Probably the most far-reaching new development has been the enactment by California and New York of laws for the civil commitment of narcotic addicts. The California law was enacted and became effective in 1961 and was amended in July 1963; the New York law was enacted in 1962 and became fully effective in January 1963.

Civil commitment is a legal mechanism utilized in lieu of a criminal commitment to insure control over addicts and potential addicts during rehabilitation, first in an institution, later perhaps in a halfway house, still later in the community under the close supervision of a probation or parole officer.

* * * * * *

THE CALIFORNIA PROGRAM

The present California law provides for the civil commitment of persons who are addicted to narcotics or who are in imminent danger of becoming addicted. The law distinguishes three categories of persons who may be civilly committed:

(1) persons convicted of misdemeanors,

(2) persons convicted of felonies other than crimes of violence, and

(3) persons not charged with crimes who report to the district attorney their belief that they are, or are about to become, addicted; or who are reported to the district attorney by relatives, friends, or others.

In the case of those convicted of a misdemeanor or felony, where the judge has reason to believe that the defendant may come under the civil commitment law, further criminal proceedings are suspended after a conviction or plea of guilty, a petition is filed, and a judicial hearing is held. If it is found that the defendant is addicted or in imminent danger of becoming addicted, the court having jurisdiction over the commitment proceedings may commit him to the director of the State department of corrections for a maximum period of 7 years; on a finding that he is not, the court will return him to the court having jurisdiction over the criminal proceedings for sentencing. If at any time after 60 days the director of corrections concludes that a committed defendant is not a fit subject for treatment, he is returned to the court having jurisdiction over the criminal proceedings for further disposition.

In the case of those who are not charged with the commission of a crime, the court having jurisdiction over the commitment proceedings may, after a medical examination and a judicial hearing, deny the petition and discharge the person, or it may order him committed to the director of corrections. If the person voluntarily sought commitment, the maximum period of commitment is 2½ years. If the commitment is involuntary, the maximum period is 7 years. The director of corrections may discharge him if he concludes at any time after 60 days that he is not a fit subject for the program.

All those who are committed under this law are sent as patients to the California Rehabilitation Center in Corona, Calif., administered by the department of corrections. At the rehabilitation center, the patient enters upon a group psychotherapy program, and participates in a remedial educational program, vocational training, and other rehabilitative activities. He must remain at the rehabilitation center at least 6 months before he is eligible for release as an outpatient. After release, he is kept under close supervision by specially trained parole officers. Nalline tests are periodically administered to detect any relapse. If it becomes necessary, he may be returned to the rehabilitation center for further treatment and again released under supervision. If a person who has been committed abstains from the use of narcotics for 3 consecutive years as an outpatient, he may be discharged from the rehabilitation program. If his commitment followed a criminal conviction, the criminal proceedings may be dismissed after his discharge. If a convicted person is not discharged prior to the expiration of his term of commitment, he is returned for further disposition to the court having jurisdiction over the commitment proceedings. The court may extend his commitment for a period not to exceed 3 years or it may return him to the court having jurisdiction over the original criminal proceedings for resumption of those proceedings.

The California program is reaching a significant number of narcotic abusers. On September 30, 1963, there were 1,121 persons at the rehabilitation center and 601 outpatients. The facilities of the program will be broadened. Additional halfway houses for persons under civil commitment are planned for the northern and southern sections of the State. Finally, it should be noted that research on narcotic abuse and on the efficacy of the civil commitment program is gradually being built into the program as an integral part of it.

THE NEW YORK PROGRAM

The New York civil commitment law, popularly known as the Metcalf-Volker Act, provides, like the California law, for both inpatient and outpatient treatment. But where the California law lodges the responsibility for the establishment and operation of the treatment program with the director of corrections, the New York law lodges it with the commissioner of the State department of mental hygiene.

Under the New York law there are three categories of addicts eligible for admission to the program. The process of commitment, the length of time for which an addict can be held, and the procedures of the program, differ with respect to each category.

The largest category covers narcotic addicts who have been arrested for narcotic law violations or other criminal offenses, except certain serious crimes, but have not yet been convicted. There must be no extensive history of prior felonies or of failures under prior commitments, and there must be no objection from the district attorney.

The addict offender must request commitment within 10 days of his arrest. If he does, he may be committed for treatment. The commissioner of mental hygiene must be willing to accept him, and there must be adequate treatment facilities, although treatment need not be wholly institutional. The total period of commitment, however, may not exceed 3 years, whether spent in a treatment facility or in the community under supervision. If the addict offender is committed, prosecution of the original criminal charge is held in abeyance. If in the course of treatment it is found that the addict offender is unresponsive or uncooperative, he is returned to the court. If he completes the treatment program successfully, he is discharged and the criminal charge is dismissed.

Another category includes narcotic addicts who voluntarily commit themselves to a treatment facility or, if under the age of 21, are committed on application by their next of kin. They may be held without a judicial hearing and given treatment for a period of at least 45 days, and longer if they consent. Where there has been a judicial hearing, they may be held and given treatment for a period of not more than a year. The addict may be discharged before the expiration of a year if he has recovered or if he is not amenable to treatment.

The third category covers addicts convicted of a crime, usually offenders placed on probation by the court on condition that they submit to treatment. Again, the commissioner of mental hygiene must be willing to accept the addict for treatment, and adequate facilities must be available. The treatment program need not be wholly institutional and may include outpatient care in the community under supervision. The entire course of treatment cannot exceed the period of probation imposed by the court. The addict may be returned to the court before expiration of the probationary period if he has recovered or if, on the other hand, he is unresponsive or uncooperative.

The department of mental hygiene has established special treatment units for committed addicts in six State hospitals: one in New York City, three within 70 miles of New York City, and two in upstate New York. These units have a total capacity of 455 beds. Local authorities, especially in the large cities, are expected to provide supplementary facilities for detoxification, and, in some cases, facilities for short-term treatment.

When an addict is released from inpatient care and treatment in a State hospital unit and returned to the community on an outpatient basis, he is required to report periodically to a facility designated by the commissioner of mental hygiene as suitable to supervise a treatment program for former addicts. Such facilities may be under public or private auspices. In the New York City area, the State department of mental hygiene operates aftercare clinics on Wards Island and on 17th Street. Throughout the outpatient period, addicts are subject to home visits and to reasonable regulation of their conduct by the aftercare facility. They must submit to medical treatment and nalline tests to detect any relapse. The New York civil commitment law came into effect on January 1, 1963. On October 23, 1963, the program had 370 inpatients in the various State hospital treatment units and 285 outpatients.

Budget of the New York State Department of Mental Hygiene for Narcotic Administration, Treatment, and Research for fiscal year 1965–66

	Amount	Remarks
1. Administration	$151,485	Includes 15 additional positions principally in professional and technical areas.
2. Treatment services:		
For the operation of 6 treatment units in State hospitals, a total of 500 beds—Buffalo, Utica, Middletown, Manhattan, Pilgrim, and Central Islip.	2,426,096	These have been under operation for 2 years. Includes 60 new positions.
2 additional treatment units, 75 beds each, Bronx and Brooklyn	754,730	Includes 156 new positions.
New York City After Care Clinic	180,954	This has been in operation for 2 years.
Bronx After Care Clinic	216,735	Includes 23 new positions.
Brooklyn After Care Clinic	205,000	New—Rental of facilities and an estimated 60 positions.
Queens After Care Clinic	205,000	Do.
3. Shared cost of New York City outpatient clinic	100,000	New—50 percent cost.
To New York City Mental Health Board for housing of patients	450,000	New—100 percent cost.
For assistance of neighborhood groups	300,000	New.
For operation of halfway houses	210,000	Do.
For a sheltered workshop	50,000	Do.
4. Research: Research study, including 55-bed inpatient unit	539,584	This has been in operation for 2 years.
Total	5,789,584	

Mr. JAVITS. Mr. President, meanwhile the Federal Government has continued to ignore the advice of virtually every expert group in the country as well as the New York and California experiences. It has continued to rely solely upon a 50-year-old, wholly punitive approach to narcotics addiction without any significant regard to identifying, isolating, and treating its social, psychological causes. The Federal experience consists of approximately 800 convictions each year: Only two Federal hospitals—at Fort Worth, Tex., and Lexington, Ky.—deal with the subject, and they register a staggering rate of recidivism.

A long series of expert studies and reports make it abundantly clear that there is a concensus among the medical and law enforcement communities about at least four major, glaring defects in the existing Federal approach:

First. There must be legislation to provide Federal aid to State and local governments and nonprofit private groups for the construction and operation of facilities to provide treatment and rehabilitation programs in the home community of those afflicted. Everyone who has studied the matter agrees that the two existing Federal hospital facilities in their present locations—whatever their intrinsic merit—cannot begin to meet the tremendous need for rehabilitative aftercare, involving a wide range of services—medical, psychiatric, psychological, family counseling, job training—which appear at this point to be the only approach which has a chance of meeting the narcotics challenge.

Second. There must be legislation authorizing Federal civil commitment for the treatment of narcotics users as an alternative to criminal prosecution and imprisonment and there must be some amelioration of the rigid restrictions on the postconviction sentencing in the Federal courts of defendants who are narcotics addicts.

Third. There is a great lack of reliable information about the extent of narcotics addiction and about the proper techniques for achieving permanent cures. Everyone seems to agree that a much greater effort in research must be made by the Federal Government.

Fourth. Finally, there is also general agreement that since narcotics are the product of nations overseas, there must also be a massive effort to achieve effective international control over the illegal distribution and entry of narcotic drugs.

These basic conclusions have been supported generally by such groups as the American Medical Association and American Bar Association in a joint report in 1959, the AMA and the National Research Council in a 1962 statement, the New York Academy of Medicine and the National Advisory Council of Judges of the National Council on Crime and Delinquency.

A White House Conference on Narcotics and Drug Abuse, which Senator Keating and I had long advocated, was called in September 1962 and formed the basis for the President's Advisory Commission on Narcotic and Drug Abuse, which issued its final report along these lines in November 1963. The Medical Society of the County of New York has added its conclusions of January 1965. And the Senate Permanent Subcommittee on Investigations in a report issued in March 1965, following 1964 hearings on the illicit traffic in narcotics, also endorsed these basic conclusions. These distinguished bodies have set the stage for Federal action. The bills Senator KENNEDY and I are offering now are designed to achieve that action.

It is noteworthy in this connection that one of the few signs of progress in the Federal Establishment was a report in April 1962, to the Senate Judiciary Committee from the Justice Department—which was then headed, as Attorney General, by Senator KENNEDY of New York—favoring the civil commitment bill which Senator Keating and I had introduced in the 87th Congress and which is the forerunner of one of the measures which I am introducing with my colleagues today. Writing for the Department, Byron R. White, then Deputy Attorney General and now Associate Justice of the Supreme Court, stated:

> In summary, the bill treats the narcotics problem from an approach which recognizes that the drug addict is a sick person and that in some instances he and society as well would be benefited if he were dealt with initially as such. Since the violation of penal laws is often attributable to narcotic addiction, the Department of Justice favors this new, yet limited, approach to the subject. Accordingly, enactment is recommended.

This approach received a great boost when President Johnson, in his crime message to Congress this year, endorsed a civil commitment measure. I very much hope that the administration will follow through on this by either endorsing the legislation we are today introducing or by introducing legislation of its own. I also very much hope that the Congress will at last act.

The only action which Congress has taken at this point has been in connection with the Mental Health Centers Construction Act of 1963, Public Law 88–164. At my insistence, the conferees on that measure made it clear that the act would permit States to include facilities for some treatment of narcotics addiction within such federally assisted mental health centers. The program authorized by that act is now just beginning to get underway, and it is unclear as to the extent to which the States will be able to make use of it for the purpose of narcotics addiction treatment. Senator KENNEDY and I have inquired of the National Institute of Mental Health and have been advised that New York State is preparing to participate in the program.

One area which has received widespread attention by the expert groups should be discussed in greater detail. That is the matter of research. The Public Health Service Act, section 303, presently authorizes the National Institute of Mental Health to make up to 100-percent grants to governmental and private, nonprofit agencies for research and demonstrations in the treatment of mental illness. In 1962, the Department of Health, Education, and Welfare advised me that there was little use of this section for research into narcotic addiction in part because the Department was doubtful as to the legal scope of section 303 in regard to narcotics addiction. Accordingly, the legislation which Senator Keating and I introduced in the 87th and 88th Congresses included a measure specificially extending section 303 to cover research into addiction. I have now been advised by the Department that their legal doubts have been resolved so that such legislation is unnecessary.

I ask unanimous consent that there be printed in the RECORD at this point in my remarks my exchange of correspondence with HEW.

There being no objection, the exchange of correspondence was ordered to be printed in the RECORD, as follows:

FEBRUARY 9, 1965.

Hon. ANTHONY J. CELEBREZZE,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As you know, I have long been deeply concerned about the need for a medically oriented Federal program against narcotics addiction and have repeatedly introduced a series of measures in the Senate to establish such a program.

One of the key factors, in my judgment, is the present lack of definitive information on how addiction can be effectively treated and resisted after treatment. For some time I have been convinced that the Federal Government could make a significant contribution to scientific knowledge in this area through section 303 of the Public Health Service Act, which authorizes up to 100-percent grants to State and local, public or nonprofit agencies for research in the field of mental health.

The Public Health Service advised me in 1962 that section 303 funds were very little used for narcotics research, in part because there was uncertainty in the Service as to whether narcotics addiction was legally includible within that program. I then introduced legislation, which was S. 3098 in the 87th Congress and S. 862 in the 88th Congress, which would have made this authority clear and specific.

I am now in the process of reintroducing this legislation and would very much appreciate your giving me at your earliest opportunity up-to-date data on the following points: (1) The extent of the entire section 303 research program; (2) the extent to which it has or is being used for narcotics research including specific data as to the locations and types of projects; (3) the extent to which legal problems have prevented full utilization of section 303 for narcotics research; (4) and the extent to which a lack of funds or a lack of public information about the program or other factors have prevented full use of this section for narcotics research.

Particularly as the ranking Republican member of the Senate Labor and Public Welfare Committee and its Subcommittee on Health, I would very much hope that we may soon be able to take a significant step forward in at last meeting the growing menace of narcotics addiction.

With warm regards.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, March 23, 1965.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Thank you for your recent letter concerning narcotics addiction, and inquiring about projects supported through section 303 of the Public Health Service Act. The Public Health Service through the National Institute of Mental Health does support research projects in the field of narcotics addiction under section 303, and a statement from the Service is enclosed.

With kind regards.

Sincerely,

ANTHONY CELEBREZZE,
Secretary.

Enclosure.

STATEMENT FROM THE PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, WASHINGTON, D.C.

Section 303 relates to mental health project grants (title V of the Health Amendments Act of 1956). It is extremely broad in scope and authorizes the Surgeon General to make grants for investigations, experiments, demonstration, studies, and research projects, with respect to the development of improved methods of diagnosing mental illness and for care, treatment, and rehabilitation of the mentally ill, including grants to State agencies responsible for administration of State institutions * * * for developing and establishing improved methods of operation and administration of such institutions.

The major focus of the program of mental health project grants has been the support of projects designed to enable experimentation and demonstration of new program ideas, techniques, and evaluation within the mental health field. Projects have been accepted for review on the basis of their relevance to mental health. One of the major strengths of the mental health project grants program has been its flexibility which has enabled it to encompass a broad range of important projects, including addiction, which are related to the overall program of the National Institute of Mental Health. As the program of mental health project grants went through its developmental phase, applications were accepted, approved, and funded that encompassed activities focused on the promotion of mental health and interventions to prevent mental illness; it also became the mechanism through which projects in school mental health, alcoholism, narcotic addiction, mental retardation, delinquency, aging, child mental health, and other program areas received consideration.

Under section 303, grant applications have been received by the National Institute of Mental Health and 11 mental health project grants relative to narcotic addiction will have been completed or will be active at the end of fiscal year 1965. The projects listed below are those supported under section 303. They do not include related studies supported by the NIMH's intramural or regular research programs. As can be seen by the titles the projects include: The analyses of cultural, social, and psychological factors related to the use of narcotics; the determination of critical incidents which lead to a return to the use of narcotics; the effectiveness of community based treatment centers is being investigated in several of the projects; and others provide for surveys of existing treatment programs prior to initiating new ones:

1. MH-00728. "From Gang Violence to Heroin Among Adolescents": The principal investigator is Mr. Edward Preble, assistant professor of anthropology, New York School of Psychiatry, New York, N.Y., and the grant is to that agency.

2. MH-0080. "A Halfway House for Narcotic Offenders": The principal investigator is Gilbert Geis, Ph. D., program director, Institute for the Study of Crime and Delinquency, Sacramento, Calif., and the grant is to that agency.

3. MH-00869. "Recreation in Rehabilitation of Narcotic Addicts": The principal investigator is Mr. Elliot G. Young, program director, Comeback, Inc., New York, N.Y., and the grant is to that agency.

4. MH-00918. "Narcotics Addiction Service Center": The principal investigator is Robert M. Slawson, M.S.W., executive director, Narcotics Addiction Service Center, and the grant is to the Stamford Community Council, Inc., Stamford, Conn.

5. MH-01005. "Field Visits To Observe Programs in Narcotic Addiction": The principal investigator is Albert Kurland, M.D., director of research, Maryland State Department of Mental Hygiene, Baltimore, Md., and the grant is to that agency.

6. MH-01012. "Narcotics": The principal investigator is Thomas H. Sternberg, M.D., professor of medicine, University of California, Los Angeles, Calif. The grant to that agency supported a 2-day symposium on narcotics.

7. MH-01157. "NYU-Greenwich House Community-Based Addiction Program": The principal investigator is Robert Osnos, M.D., project director, Greenwich House Counseling Center, New York, N.Y., and the grant is to New York University.

8. and 9. MH-01292. "Halfway House and Testing Program for Drug Addicts": The principal investigater is Joseph A. Shelly, M.A., chief probation officer, Supreme Court of the State of New York, Brooklyn, N.Y., and the grant is to that agency. It was preceded by MH-00955, "Drug Addicts Treated by Nalline, Group Therapy, Probation Supervision."

10. MH-01393, "A Day-Night Center for Addicted Persons": The principal investigator is Richard Brotman, Ph. D., associate professor, department of psychiatry, New York Medical College, New York, N.Y., and the grant is to that agency.

11. MH-01982. "Development of Narcotics Addiction Therapy Programs": The principal investigator is Reuben S. Horlick, Ph. D., chief psychological services, District of Columbia Department of Corrections, Washington, D.C., and the grant is to that agency.

There are no legal problems which prevent full utilization of section 303 to support research and demonstrations in the field of narcotic addiction.

The NIMH estimates that it will support 11 projects totaling $500,000 in the field of drug addiction in fiscal year 1966, under section 303; in 1962 it supported 6 projects totaling $191,000. Support under this section has been increasing. Total support under all programs of the NIMH in 1966 is estimated to be $3,293,000. There has been no lack of funds to support such projects. Because not all projects are judged to be scientifically sound by the National Advisory Mental Health Council, some are not supported.

The National Institute of Mental Health has recently established a section on alcoholism and drug abuse. Among its functions are the stimulation of applications in this field and consultation when necessary to aid in preparation of the applications. In addition, the mental health consultants in the regional offices also aid potential applicants and disseminate information concerning the nature of projects supportable under section 303.

Mr. JAVITS. Mr. President, the record of research activity, however, is clearly inadequate to the gaps in our knowledge of this subject. One of the problems is training sufficient personnel to conduct research projects and demonstrations. A provision of one of the bills being introduced today is designed to assist in the training of such personnel. There is also a lack of widespread knowledge even among professional researchers, that such research assistance is currently available from the Federal Government under section 303. Another provision of our bills is intended to direct the Department of Health, Education, and Welfare to encourage the use of section 303 as well as other presently existing sources of research assistance under the Public Health Service Act.

Many experts believe that a serious deficiency in the Federal approach has inhibited research into cures for narcotics addiction. These critics have said that physicians and medical researchers are deterred from participating in narcotics research because they fear that the Bureau of Narcotics, acting under its regulations, will proceed against them for criminal violation of the Federal narcotics laws. The Senate Permanent Investigations Subcommittee in its report early this year very commendably recommended that the Bureau of Narcotics give further close study to the language used in section 151.392 of regulation No. 5, its regulation concerning physicians. Such a reevaluation, made together with representatives of the medical profession, would go a long way toward eliminating misunderstandings of the Bureau's policy.

I ask unanimous consent that there be printed in the RECORD at this point in my remarks the exchange of correspondence which Senator KENNEDY and I have had with the Director of the Bureau of Narcotics on this subject.

There being no objection, the exchange of correspondence was ordered to be printed in the RECORD, as follows:

APRIL 24, 1965.

Hon. HENRY L. GIORDANO,
Commissioner of Narcotics, Bureau of Narcotics, Department of the Treasury, Washington, D.C.

DEAR MR. COMMISSIONER: As you know, in the course of our long interest in and concern about narcotics addiction, we have taken the view that the Bureau of Narcotics should reevaluate the language used in section 151.392 of regulation No. 5, your regulation concerning physicians.

Testimony given last year before the Investigations Subcommittee of the Senate Government Operations Committee revealed the consternation which exists in the medical profession about that regulation language and raised the question as to whether the language inhibits the development of more effective medical techniques of combating addiction.

As a result of a recent inquiry which was made of the Bureau, at our request, as to the possibility of arranging a meeting on this subject with representatives of the medical profession, it is our understanding that the Bureau has now determined to undertake a revision of the regulation language in question and proposes thereafter to take into consideration the views of the Justice Department, the national medical associations, and the various New York groups which have been active in this field. We would very much appreciate having your confirmation of our understanding, particularly with reference to the following points:

1. Precisely what provisions in section 151.392 does the Bureau now propose to revise?
2. With what objective is the Bureau undertaking revision of these provisions?
3. At what point in the process of developing new provisions will the various medical groups be given an opportunity to participate? Will this opportunity be afforded before the revised regulations become a matter of public record or are otherwise formalized?
4. Would it be possible at this point to select a date for a meeting at which the Bureau could explain to the medical groups how it proposes to proceed with the revision and to receive suggestions from the interested groups?

We would very much appreciate your earliest attention to this matter, which, as you know, is of increasingly great concern to the entire community in New York City.

With best wishes.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.
ROBERT F. KENNEDY,
U.S. Senator.

TREASURY DEPARTMENT,
BUREAU OF NARCOTICS,
Washington, D.C., May 10, 1965.

DEAR SENATORS JAVITS and KENNEDY: This will acknowledge receipt of your letter of April 24, 1965, which concerned the language used in section 151.392, title 26, code of Federal regulations.

Upon receipt of Report No. 72 of the Senate Permanent Subcommittee on Investigations, I noted the recommendation on page 127 that the Bureau of Narcotics give further close study to the language used in section 151.392 to determine whether it could be revised for purposes of clear interpretation. Accordingly, this matter is currently under study, although final determination has not been made.

I can assure you, however, that we are giving this matter full attention and at the appropriate time, we will be in contact with other interested agencies and organizations.

Before any proposed changes in the regulation could take effect, a notice would first have to be published in the Federal Register. Thirty days would then have to elapse before the regulation would become final upon second publication.

Sincerely yours,

HENRY L. GIORDANO,
Commissioner of Narcotics.

TREASURY DEPARTMENT,
BUREAU OF NARCOTICS,
Washington, D.C., June 2, 1965.

DEAR SENATORS JAVITS and KENNEDY: In response to your further inquiry relative to the joint letter I received from you, I wish to make the following observations on the four questions raised therein:

(1) The part of section 151.392 which appears to be at issue is as follows:

"An order purporting to be a prescription issued to an addict or habitual user of narcotics, not in the course of professional treatment but for the purpose of providing the user with narcotics sufficient to keep him comfortable by maintaining his customary use, is not a prescription within the meaning and intent of section 4705(c)(2)."

(2) The Bureau is carefully studying section 151.392 to see what changes in language or additional phraseology may be necessary to clarify any misunderstanding that this section was intended to restrict bona fide medical treatment. Initially, section 151.392 was carefully phrased to insure compliance with the provision of 26 U.S.C. 4705(c)(2) which requires that narcotic drugs be dispensed or distributed by a practitioner "* * * in the course of his professional practice only * * *". Both 4705(c)(2) and 151.392 are intended to discourage those few practitioners who are inclined to do so, from abusing their narcotic privileges by dispensing narcotic drugs for other than for bona fide medical need. In considering any revision of 151.392 our purpose is to insure compliance with 4705(c)(2), and at the same time to make it clear that prescriptions may be issued for the treatment of a habitual user of narcotics in accordance with accepted medical practice.

(3) If section 151.392 is revised, it would be submitted to Treasury and Justice Department officials for review and comment. Subsequently, any revision would be discussed with the American Medical Association, the National Research Council and other interested medical groups.

(4) In view of the careful and extensive review which is intended to be afforded any revision of section 151.392, it would not be possible at this time to select a date when this matter would be resolved.

Sincerely yours,

HENRY L. GIORDANO,
Commissioner of Narcotics.

Mr. JAVITS. Mr. President, finally, a word should be said about one feature of the narcotics picture which has perhaps caused more trouble and more excuse for delay in this field than any other. Nothing tends to divert attention from the principles outlined above and incorporated in the bills now being introduced than reference to the so-called British system of allegedly maintaining addicts on free narcotics supplied by the Government. The controversy immediately boils up over what the British system really is, whether addicts can in fact be maintained on stable dosages, whether chemical substitutes such as Methadone can be utilized, or whether conditions exist in the United States which would make any such system workable.

I do not believe controversy over these issues should becloud the pressing urgency for action on the series of proposals which are here being introduced. Personally, I favor a limited research effort toward determining what the answers are to the arguments for maintenance of the addicts on drugs from medical treatment sources, and a few such experiments are presently under way, notably by the State of New York department of mental hygiene. But it should be clear that the bills now introduced do not call for or advocate adoption of such a system and the debate over that system and its testing should accelerate not frustrate prompt action by the Congress on these measures, so critical is the problem now.

I yield now to my colleague from New York [Mr. KENNEDY].

Mr. KENNEDY of New York. Mr. President, I introduce for appropriate reference, on behalf of myself, Senator JAVITS, Senator ERVIN, Senator HART, Senator WILLIAMS of New Jersey, Senator TYDINGS, Senator KUCHEL, and Senator CASE, two bills concerning the problems of narcotics and drug abuse—a bill providing certain reforms in the Federal criminal law as it relates to narcotics, and providing a post-conviction sentencing program by which convicted persons may be sentenced to a treatment program instead of to prison, and a bill to assist States, political subdivisions and private nonprofit organizations in providing treatment and rehabilitation services for drug abusers. Senator SALTONSTALL is also a cosponsor of the former bill, and Senator LONG of Missouri is a cosponsor of the latter bill.

Preceding my introduction of these bills, Senator JAVITS has introduced two other bills; one which provides for pretrial civil commitment for Federal narcotics violators, and the other providing aid to the States for construction and acquisition of treatment facilities.

The package of four bills will, in my judgment, go a long way to updating the Federal approach to narcotics problems and, perhaps even more important, to stimulating more extensive State, local, and private efforts to help narcotic addicts and other drug abusers.

We have somewhere between 50,000 and 100,000 narcotic addicts in this country. Their affliction affects not only their own lives, but the lives of their families as well. As a result of the crimes they commit to get money to support their addiction, they cost society hundreds of millions of dollars annually. We need to do much more to get at the roots of this problem than we have done up to now, and that is why we introduce this legislation today.

These bills are the product of months of effort and study. Many of their provisions are based upon the findings and recommendations of the President's Advisory Commission on Narcotic and Drug Abuse in 1963. In addition, in preparing the bills, we have consulted extensively with knowledgeable officials at the Department of Justice, the Department of Health, Education, and Welfare, the National Institute of Mental Health, and the Bureau of Narcotics.

I cannot say that each and every provision of each bill has the full agreement of every relevant official in these executive departments, but I can say that I think these bills represent a resolution of the sometimes conflicting views that can be found among the experts in the field. With the extensive support which we have among our colleagues in the Senate, and the wide interest on the House side in introducing the bills, these bills have the best chance of passage of any narcotics reform legislation to be offered in recent years.

I have listed our cosponsors in the Senate, and in the House. Some or all of the bills will be offered by Congressmen CELLER, HARRIS, MILLS, DELANEY, FARBSTEIN, RYAN, and OTTINGER, among the Democrats, and Congressmen MCCULLOCH, SPRINGER, REID, LINDSAY, BELL, and MATHIAS among the Republicans. I am particularly grateful for the support of the Senator from North Carolina, Mr. ERVIN. His long interest in law reform and in the narcotics field and his wide knowledge of these matters make his support particularly helpful.

President Johnson in his message on crime earlier this year called for legislation to establish civil commitment and to make the Federal narcotics law more flexible. I look forward to supporting these bills when they come up and to working for their passage in conjunction with the program we are offering today.

Let me turn to discussion of the bills we introduce today. One of the most important efforts which the Federal Government can make to help in connection with narcotics and drug abuse problems is to stimulate increased efforts by States, cities, and private individuals and organizations to treat and rehabilitate addicts and to engage in research into the problems of drug abuse.

That is the basic purpose of the services bill which I am introducing. It authorizes $7,500,000 a year for grants for treatment and rehabilitative services, not only for narcotic addicts, but for users of depressant and stimulant drugs—like the barbiturates and the amphetamines—as well. New York, California, and other States have made a start in this area, at least so far as narcotic addicts are concerned, but more—much more—is needed.

One basic reason why more has not been done is that scientists and psychiatrists and medical experts have been reluctant to enter upon research and treatment efforts regarding addicts. This is understandable, because 75 percent of the addict population comes from the 20 percent of society whose incomes are the lowest. It is hard to convince an addict that there really is hope, that he should seriously commit himself to a program which seeks to make him a member of a society that never before did anything good for him. The difficulty of dealing with addicts has, unfortunately, discouraged too many competent scientists and researchers from involving themselves in the addiction problem. It is an essential purpose of this bill to reverse that pattern of reluctance.

The aid which the bill provides is for treatment and rehabilitation services of all types—including medical treatment, family counseling, psychotherapy, vocational training, help in finding employment, and probation-type supervision. Most of the aid would go to the States, cities, and private, nonprofit organizations under a State plan and would be on a two-thirds to one-third matching basis, but up to 20 percent could be given directly to nonprofit organizations. These groups often find it hard to obtain other financing, and therefore are in need of 100-percent grants.

Underscoring the emphasis on bringing new programs into existence the bill specifically provides that aid is to be available for the training of personnel in all relevant fields, and for the undertaking by the States of specific statistical studies to determine the full extent of the drug abuse problem and to follow particular groups of young people to see why some become addicts and others do not.

The purpose of the bill to encourage new efforts and the entry of new personnel into the narcotics and research fields is reflected also in the duties given the advisory committee which is created by the bill. That committee is charged with advising the Surgeon General in his administration of the research grants now available under section 303 of the Public Health Service Act, for the purpose of encouraging new research efforts, particularly on a long-term contract and collaborative study basis.

This purpose is borne out in title II of the services bill as well. This title broadens the mission of the Public Health Service hospitals in Lexington, Ky., and Fort Worth, Tex., to include research, training, and demonstration in the care and treatment of drug abusers. Equally important, the mission of these hospitals is considered with the overall purpose of the bill, broadened to include the problems of all types of drug abusers, including those who use barbiturates, amphetamines, and other stimulant and depressant drugs. We know all too little about the problems associated with these dangerous drugs, but we do know there are increasingly serious problems stemming from their widening use. Research and treatment in the dangerous drug area at Lexington and Fort Worth would be most helpful.

These aspects of the bill complement the regulatory provisions of H.R. 2, which has been passed by the House and was reported yesterday by the Senate Labor and Public Welfare Committee. That bill provides badly needed regulation of the traffic in dangerous drugs; my services bill, together with Senator JAVITS' construction bill will, among other things, provide treatment facilities for those who have been the victims of the traffic.

We cannot ever lose sight of the fact that many of the problems underlying addiction are the same ones that underlie much of the problem of crime in the streets and delinquency. We will never erase addiction until we erase poverty and discrimination—until we can give the addict adequate educational and employment opportunities as an alternative way to turn.

Nevertheless, since the addict's personal problems are psychological and should be susceptible of treatment as is any mental illness, there is much that can be accomplished through better and more extensive treatment programs and better and more extensive research. Monetarily, the bill is oriented primarily toward the former category, since research money is available under section 303 of the Public Health Service Act, but in overall purpose, the bill's point is to encourage greater efforts in both the research and treatment areas.

I hope that the aid provided by this bill will be used for all types of treatment programs, since we do not yet have any one sure-fire way to bring addicts permanently into organized society. In general, I think it is safe to say that it would be extremely useful to devote a substantial portion of the aid which the bill offers to the critical period of aftercare—making sure that the former addict has close attention, over an extended period of time, both psychiatric and vocational, to make sure that he always has someone and something that can offer tangible reason for not slipping back.

Beyond this, however, there are many questions. Should the addict be removed from his original environment and placed in drug-free surroundings for a long period of time while he is getting psychiatric help and vocational training? Or should an attempt be made to place him in some kind of halfway house or other facility in his home environment once he is no longer physically addicted, where he will live and participate while he gradually attains membership in organized society? Or is the addict such an inherently weak personality that he can never successfully return to his original environment, so that the only possible program is one which removes him permanently from his original surroundings and gradually makes him a part of an entirely new and permanent social arrangement, of what might be called a reservation village? To what extent should all of this involve only the addict, and to what extent should the rest of his family be brought into it as well?

All of these approaches deserve a full look. To some extent such a look can be provided by the research grants available under section 303 of the Public Health Service Act, but if we are to have a comprehensive set of treatment programs on a continuing basis, the services bill which I am introducing today is an absolute must. The research moneys under section 303 are by definition not available for continuing projects. I think it is imperative that we act now to create the kind of Federal encouragement to the States and others which this bill contemplates.

Turning to the other bill of which I am the principal sponsor, its design is twofold:

First. To enhance prosecutorial discretion in the enforcement of the Federal narcotics laws, and

Second. To provide incentive for addicts convicted of Federal crimes to involve themselves successfully in a treatment program in the prison system.

The person who violates the Federal narcotics laws is ordinarily guilty of two violations: violation of the Narcotic Drug Import and Export Act, the provisions of which are in title 21 of the United States Code, and violation of the regulatory tax provisions of the Internal Revenue Code. At present there are mandatory minimum sentences for violation of both of these sets of provisions, with some minor exceptions.

What the bill would do would be to eliminate most of the mandatory minimum sentences in the Internal Revenue Code, while retaining the mandatory minimum provisions in the Narcotic Drugs Import and Export Act. Since the latter is the more stringent act, this reform would give prosecutors a discretion to decide whether an accused is a major peddler of narcotics and should be tried under the stringent provisions of the Narcotic Drugs Import and Export Act, or is an addict who has been arrested for what amounts to be a possessory offense and deserves more lenient treatment. The overall point of this reform, and of the other reforms which the bill accomplishes, is to give the addict-violator some incentive to rehabilitate himself successfully while he is in custody. As long as he faces a long mandatory minimum sentence, that incentive is practically destroyed.

Along these same lines, the bill extends the flexible sentencing provisions of the Federal Youth Corrections Act to all violators up to the age of 26, regardless of whether a mandatory sentence is involved for the violation. In addition, the bill extends the possibility of parole, on a limited basis, to those convicted of offenses for which there is a mandatory minimum. It makes them eligible for parole once they have completed their minimum sentence, assuming they are otherwise eligible at that time. These changes all provide a useful and important flexibility without jeopardizing the effectiveness of the strong penalties of the Narcotic Drugs Import and Export Act.

Part of the needed flexibility has been accomplished by an administrative directive, put out while I was Attorney General, that required first offenders to be tried under the more lenient provisions of the Internal Revenue Code, but far more flexibility is needed if the requisite level of reform and incentive for rehabilitation is to be attained. That additional flexibility can be obtained only by amending the law.

For all the offenses as to which the bill eliminates the mandatory minimum sentence, that elimination carries with it elimination of the ban on parole, suspension of sentence, and probation. The incentive which these reforms will create for rehabilitative efforts must be given concrete application through the creation of an addict treatment program. To that end, the bill provides that the sentencing judge or the Attorney General may send a narcotic addict convicted of any Federal crime, or really anyone who has the same kind of underlying mental or physical problem, which would include the user of dangerous drugs, to a postconviction treatment program in an appropriate Federal facility or in a State or local facility operated on contract with the Bureau of Prisons. The bill also provides that anyone released on parole following such a treatment program can be released into a special aftercare program instead of the usual parole-type supervision.

Hopefully, the provisions of this bill will result in far greater flexibility in the administration of the Federal criminal law and in far more effective treatment and rehabilitation of addicts who are convicted of a Federal crime. We all agree that we must continue to spare no effort in trying to stop the illegal traffic in narcotics and to apprehend those involved. I was certainly deeply involved in that effort while I was Attorney General. Nevertheless, better protection and incentive for the addict-violator is needed, and I think the bill which I introduce today can provide that without in the least jeopardizing the law enforcement effort against major traffickers in narcotics.

Mr. JAVITS. Mr. President, I ask unanimous consent that a summary of our bills, a section-by-section analysis of our bills, and the text of the bills may be made a part of our remarks, and that the bills lie on the desk for additional cosponsors for 1 week.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF LEGISLATION ON NARCOTICS AND DRUG ABUSE

I

The civil commitment bill is similar to the New York State law in this area, and to proposals which have been advanced at the Federal level for some time. It provides that certain persons accused of a violation of the Federal narcotics laws can be given the option of undertaking a mandatory civil commitment program of medical treatment and rehabilitation instead of standing trial. This program would not be available to persons charged with selling narcotics for resale, to persons convicted of two or more felonies, to persons against whom a prior felony charge is already pending, and to persons previously participating in civil commitment programs at the State or Federal level on two or more occasions.

The period of civil commitment would be up to 36 months, followed by a period of probationary aftercare for up to 2 years. The bill provides for resumption of criminal prosecution against those who refuse to cooperate or are otherwise nonresponsive to the program.

II

The bill relating to reform of the existing criminal law is designed to enhance prosecutorial discretion in enforcing the narcotics laws and to provide incentive for narcotic addicts convicted of Federal crime, not necessarily only narcotics violations, to involve themselves successfully in a treatment program in the prison system.

The bill eliminates mandatory minimum sentences for marihuana violators and for violators and for violators of the regulatory tax provisions of the Internal Revenue Code. The bill would retain the stringent provisions which now exist in the Narcotic Drugs Import and Export Act and are necessary to deal with major peddlers of narcotics.

In addition, the bill makes the parole provisions of title 18 and the Federal Youth Corrections Act applicable to those offenses for which mandatory minimum sentences are retained. These changes provide a useful flexibility without jeopardizing the hard core of stringent penalties available under the Narcotic Drugs Import and Export Act for persons as to whom these penalties are appropriate.

Finally, the bill provides that either the Attorney General or the sentencing judge may send any narcotic addict or any person with a similar underlying mental or physical condition (which would include those who use dangerous drugs) into a treatment program instead of into the usual prison atmosphere. The bill further provides for extensive aftercare treatment for such persons when they are paroled, in lieu of the usual, less intensive parole supervision. These provisions, together with the parole reforms mentioned above, will provide a realistic incentive for the narcotic addict or dangerous drug abuser to make a genuine attempt to rehabilitate himself and obtain the vocational training necessary to help him become a useful member of organized society.

III

The services bill provides $7,500,000 a year for 3 years to aid in the establishment, development, and maintenance of treatment and rehabilitation services for drug abusers. The services include the full range of medical and psychiatric services, vocational training of personnel in the various relevant fields, and for the undertaking by the States of statistical studies to determine the full extent of the drug abuse problem.

The bill contemplates that at least 80 percent of the grants will go to the States on a two-thirds—one-third matching basis, pursuant to State plans filed with the Secretary of Health, Education, and Welfare. The States will use the funds themselves and also distribute them to the political subdivisions and to private nonprofit organizations in accordance with their plan. Up to 20 percent of the funds can be given by way of direct 100-percent grants to private nonprofit organizations after consultation with the State.

The bill specifically provides that the State plan is to be filed along with and as a separate part of the mental health plan which the State files under title III of the Public Health Services Act.

Thus, the bill is keyed directly into the existing procedures under the Public Health Services Act, and is directly related to existing Federal programs on mental health.

A major aim of the bill, which is reflected both in the type of aid which can be given and in the duties with which the advisory committee created by the bill is charged, is to encourage new people to enter the narcotics treatment field. Perhaps the most significant problem in the narcotics area today is the lack of sufficient professional people engaged in treatment. One of the most important reasons for having a program such as the one contemplated by the bill is to put the full force of the Federal Government behind the process of encouraging new people to enter this field.

The bill also has a title II, the purpose of which is to broaden the definition of narcotics and narcotic drugs in the Public Health Service Act, so that the efforts of the Public Health Service in this area will extend to the barbiturates, amphetamines, and other dangerous drugs, instead of merely to the opiates and other narcotics. Specifically, these amendments would result in broadening the mission of the Public Health Service hospitals at Lexington, Ky. and Fort Worth, Tex., to include research into and treatment of the problems of dangerous drug users.

IV

The bill to provide aid for construction and acquisition of treatment facilities is structured in much the same way as the bill to provide aid for services, except that the aid is to be distributed entirely in accordance with the State plan. The bill provides an authorization of $15 million a year for 3 years.

The bill is, again, designed as a supplement to the mental health aid which the States have already received. Grants under this bill are limited to two-thirds of the project cost.

The facilities contemplated by the bill include the entire possible range of treatment facilities for narcotic addicts and other drug abusers. Thus, the facility might be a halfway house, or a camp, or a sheltered workshop. The facility might be one which offers vocational training and help in finding employment, as well as psychiatric aid and counseling.

A major aim of the bill is to aid the States and their subdivisions in providing needed facilities for the crucial period of aftercare and adjustment of those who have been taken off narcotics.

SECTION-BY-SECTION ANALYSIS OF LEGISLATION ON NARCOTICS AND DRUG ABUSE

I

A bill to authorize civil commitment in lieu of criminal imprisonment in certain cases involving narcotic addicts (Senator JAVITS)

Section 1: Defines "narcotic drug" and "narcotic addict."

Section 2(a): Provides that any person charged with violation of Federal narcotics law is to be informed by the committing magistrate of an option to elect civil commitment in lieu of prosecution. The accused is given 10 days within which to make his election.

Section 2(b): Provides that any person who elects to be considered for civil commitment is to be turned over to the Surgeon General for examination to determine if he is an addict.

Section 2(c): Provides the list of persons who may not be given the option of civil commitment:

1. If the violation involved the sale of narcotics for resale;
2. If the person has another charge pending against him or has not fully served the sentence, including time on parole, for another crime;
3. If the person has been convicted of two or more felonies;
4. If the person has been involved in civil commitment by the United States or any State on two or more prior occasions.

Section 3(a): Provides that the examination is to be made by the Surgeon General within 10 days, and that the accused is to have a hearing if he wishes to contest the findings.

Section 3(b): Directs the court to receive all relevant evidence.

Section 3(c): Directs that if the court finds that the person is not a narcotic addict, he shall be tried for the criminal charges, and if the court finds that he is a narcotic addict, he is to be committed to the custody of the Surgeon General for proper treatment.

Section 3(d): Provides that criminal charges for those civilly committed are to be continued without final dispositon while the commitment process is going on.

Section 4(a): Provides that commitment is to be for an indeterminate period up to 36 months. The person committed is to be returned to the court if:

1. He is unresponsive to treatment.
2. He is effectively removed from the habitual use of narcotic drugs, or
3. 36 months have passed.

Section 4(b): Provides that those returned to the court under paragraphs 2 or 3 of section 4(a) may be placed in an aftercare program for up to 2 years.

Section 4(c): Provides that those returned under paragraph 1 in section 4(a) may be prosecuted under the original criminal charges.

Section 5(a): Provides that those who fail to cooperate during the aftercare period may be tried on the original criminal charges. Section 5(a) specifically requires that resumption of use of narcotics is not to be the basis of prosecution on the original charges unless the Surgeon General has given the person a warning and a chance to stop once he finds the person to be using the drugs.

Section 5(b): Directs the Surgeon General to tell the court when a person has successfully completed the aftercare program, and directs the court at that time to dismiss the criminal charges.

Section 6: Provides that a person tried on a resumed basis will receive credit for all time spent in custody under this act.

Section 7: Provides that a determination by the court that a person is a narcotic addict shall not be considered a criminal conviction.

Section 8: Authorizes the Surgeon General to contract with States and subdivisions for use of appropriate facilities.

Section 9: Provides that "State" includes the District of Columbia.

Section 10: Limits the act to arrests made after December 31, 1965.

II

A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General (Senator KENNEDY of New York)

Section 1: Eliminates the mandatory minimum sentence for marihuana violators now provided in 21 U.S.C. 176. Eliminates the prohibition on probation, suspension of sentence, and parole for marihuana violators.

Section 2(a): Eliminates the mandatory minimum penalties for certain aspects of the narcotics law which are contained in the regulatory tax provisions of the Internal Revenue Code. (26 U.S.C. sections 4704, 4705, etc.)

Section 2(b): Eliminates the mandatory minimum sentence for the offense of sale of narcotics in violation of the Internal Revenue Code (26 U.S.C. section 7237(b)), as opposed to the mandatory minimums for sale of narcotics in violation of the Narcotic Drugs Import and Export Act (21 U.S.C. section 171 et seq.), which are retained. Section 2(b) further provides that a 5-year mandatory minimum for the offense of selling or conspiring to sell narcotics to persons under 18 in violation of the Internal Revenue Code is retained.

Section 3: Amends 7237(d) of the Internal Revenue Code to allow parole for all narcotics violations and to allow suspension of sentence and probation for those offenses as to which the mandatory minimums are eliminated in sections 1 and 2. Parole is made available to offenders who receive mandatory minimum sentences only after they serve the mandatory minimum. The prohibition on suspension of sentence and probation is retained for those offenses as to which the mandatory minimum is retained.

Section 4: Adds a new section 5027 to title 18, thereby extending the Federal Youth Corrections Act to narcotics violations involving mandatory penalties.

Section 5: Extends the extension of the Federal Youth Corrections Act contained in 18 U.S.C. section 4209 to narcotics offenses involving a mandatory minimum penalty.

Sections 6, 7, and 8 taken together provide for a postconviction sentencing procedure whereby narcotic addicts and others with similar underlying mental and physical symptoms, upon conviction of any Federal crime can be placed in a program of treatment and rehabilitation separate and apart from the ordinary prison environment.

Section 6: Adds a new section 4002A to title 18. This gives the Director of the Bureau of Prisons authority, in addition to other authority available to him, to contract with States and political subdivisions for the use of facilities for care, treatment, and rehabilitation (including vocational rehabilitation) of appropriate persons being held in his custody.

Section 7: Adds a new section 4082A to title 18. This gives the Attorney General power to place any narcotic addict or any other person suffering from a mental or physical condition which might be helped by proper care, treatment, or rehabilitation (including vocational rehabilitation), in a facility appropriate for that purpose. Section 7 also adds a new section 4082B to title 18, which gives to the sentencing judge the same power as the proposed 4082A gives to the Attorney General.

Section 8: Adds a new section 4203A to title 18 to provide that when persons who have been confined pursuant to the proposed sections 4082A and 4082B are released on parole, they may be released into special aftercare programs. The new section 4203A also authorized the Board of Parole to utilize the services of any State or any other organization in providing such aftercare, and authorized the Board of Parole to contract for such services. The "supervision" of a State or local agency, organization, or group under the new section 4203A is not intended to derogate from the overall control by the Attorney General of the parolee, as provided in 18 U.S.C. 4203.

III

A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers (Senator KENNEDY of New York.)

Section 101: Short title, Drug Abusers Treatment Services Act.

Section 102(a): Authorizes $7,500,000 annually for 3 fiscal years to aid the States in providing treatment and rehabilitation services for drug abusers.

Section 102(b): Provides that at least 80 percent of the funds each year will be distributed to the States in accordance with a State plan as provided in section 104. The grants to the States are to include grants for the training of personnel who will administer treatment services and grants for the obtaining of accurate statistics regarding the extent of the drug abuse problem. Up to 20 percent of the funds can be distributed directly to private nonprofit organizations which offer treatment services.

Section 102(c): Sums appropriated under section 102(a) are to remain available until expended, except that applications must be filed before July 1, 1968, and approved before July 1, 1969.

Section 103(a): Directs the Secretary of HEW to issue regulations. Specifically directs that the regulations are to include provisions for the kind of services for which grants can be made—including, but not limited to, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational training, help in finding employment, and probation-type supervision.

Section 103(b): Provides that the regulations may require that applicants for grants promise to make a reasonable amount of their services available to people unable to pay.

Section 104(a): Provides for the State plan. Requires that the State plan, among other things:

1. Set forth its program, and
2. Designate a single State agency to supervise the plan.

Section 104(b): Provides that the State plan is to be submitted as a separate and distinct part of the State mental health plan which it submits to the Public Health Service annually under title III of the Public Health Service Act.

Section 104(c): Provides that the Secretary may approve any State plan which conforms substantially with section 104(a), and may not disapprove any plan without reasonable notice and opportunity for a hearing.

Section 105(a): Provides for the form and content of specific applications for grants pursuant to approved State plans, and allows joint applications by States, subdivisions and nonprofit organizations working on joint projects.

Section 105(b): Provides that the Secretary may approve any specific application filed under section 105(a) if it conforms to the regulations and State plan.

Section 106(a): Provides for the form and content of applications for grants by nonprofit organization apart from the State plan, as provided for in section 102(b), which allows up to 20 percent of the funds to be gained directly to nonprofit organizations.

Section 106(b): Provides that the Secretary may approve an application under section 106(a) if he finds that it conforms to the law and regulations, and that, after consultation with the agency, the application is not inconsistent with the State plan.

Section 106(c): Provides that the Secretary may require reports by grant recipients.

Section 107: Allows grants to be in advance or by way of reimbursement and in such installments and on such conditions as the Secretary finds necessary. Grants under the State plan are limited to two-thirds of the project cost. Grants directly to private organizations may cover 100 percent of the project cost.

Section 108(a): Creates a nine-member advisory committee on drug abuse, and provides for the time sequence of appointments. Provides, also, that members of the advisory committee are to be drawn from all fields concerned with drug abuse.

Section 108(b): Sets out the duties of the advisory committee to advise the Secretary and to assist the States in the preparation of their State plans and to assist in encouraging the development of research projects and treatment programs at the local level.

Section 108(c): Provides $75 per diem compensation for members of the advisory committee.

Section 108(d): Directs the committee to elect a chairman and directs the Secretary to provide needed technical and clerical assistance to the committee.

Section 109(a): Provides for cutoff of funds by the Secretary when he finds that a State agency is not carrying out its plan.

Section 109(b): Provides for cutoff of funds by the Secretary when he finds that a nonprofit organization is not living up to the terms of the grant.

Section 110(a): Describes the technical assistance which the Secretary may render under the act, including the training of personnel and the making of studies relating to treatment and rehabilitation of drug abusers.

Section 110(b): Authorizes the Secretary to gather and disseminate information and materials relating to the treatment and rehabilitation of drug abusers.

Section 111: Provides judicial review in the courts of appeals for dissatisfied States and nonprofit organizations.

Section 112: Defines terms. Drug abuser is defined broadly, to insure inclusion of those who use barbiturates, amphetamines, and other dangerous drugs, as well as the opiates.

Sections 201, 202, and 203 amend the Public Health Service Act to extend its application to the so-called dangerous drugs as well as the opiates and other drugs previously included. The major effect of this is to broaden the mission of the Public Health Service hospitals at Lexington, Ky., and Fort Worth, Tex., to allow them to treat all types of drug abusers instead of just those who use narcotics as previously defined. Section 201 also specifically broadens the mission of the Lexington and Fort Worth hospitals to include research, training, and demonstration in the care and treatment of all types of drug abusers. Section 201 is intended to encourage the Surgeon General to select for research and demonstration programs those patients who are most suitable therefor, and who are most amenable to the particular program involved.

A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment of rehabilitation of drug abusers (Senator JAVITS)

Section 1: Short title of the act—Drug Abusers Treatment Facilities Act.

Section 2(a): Authorizes appropriation of $15 million a year for 3 years.

Section 2(b): Provides that such funds are to be available to assist the States in constructing facilities for the treatment and rehabilitation of drug abusers and to provide relevant technical assistance to the States.

Section 2(c): Sums appropriated under section 2(a) are to remain available until expended, except that applications must be filed before July 1, 1968, and approved before July 1, 1969.

Section 3(a): Provides that the regulations may require that applicants for grants promise to make a reasonable amount of their services available to people unable to pay.

Section 3(b): Provides that the regulations may require that applicants for grants promise to make a reasonable amount of their services available to people unable to pay.

Section 4(a): Provides for the State plan. Requires that the State plan, among other things:

1. Set forth its program, and
2. Designate a single State agency to supervise the plan.

Section 4(b): Provides that the State plan is to be submitted as a separate and distinct part of the State mental health plan which it submits to the Public Health Service annually under title III of the Public Health Service Act.

Section 4(c): Provides that the Secretary may approve any State plan which conforms substantially with section 4(a), and may not disapprove any plan without reasonable notice and opportunity for a hearing.

Section 5(a): Provides for the form and content of specific applications for grants pursuant to approved State plans, and allows joint applications by States, subdivisions and nonprofit organizations working on joint projects. Requires that the application shall describe the site, the project plan, and shall contain various assurances.

Section 5(b): Provides that the Secretary may approve any specific application filed under section 105(a) if it conforms to the regulations and State plan.

Section 6: Allows grants to be in advance or by way of reimbursement and in such installments and on such conditions as the Secretary finds necessary. Provides further that amounts paid are limited to two-thirds of the construction cost.

Section 7: Provides for cutoff of funds by the Secretary when he finds that a State agency is not living up to the terms of the grant.

Section 8: Provides for appropriate recovery by the United States if, within 20 years, the facility is sold to any nonprofit organization or ceases to be used for the purpose for which it was constructed.

Section 9: Provides judicial review in the courts of appeals for dissatisfied States.

Section 10: Authorizes the Secretary to appoint committees as he deems it necessary.

Section 11: Defines terms, drug abuser is defined broadly, to insure inclusion of those who use barbiturates, amphetamines, and other dangerous drugs, as well as the opiates. "Facilities" are defined as "buildings or other facilities which are operated for the primary purpose of assisting in the treatment and rehabilitation of drug abusers by providing, under competent professional supervision, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational services, help in finding employment, or other services." "Facilities" include facilities for medical care, laboratories, community clinics, halfway houses, sheltered workshops. "Construction" includes not only any new building but also acquisition, expansion, remodeling, and alteration of existing buildings, and payment of architect's fees. "Construction" specifically does not include the cost of off-site improvements and acquisitions of land.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD, and held at the desk for additional cosponsors, as requested.

The bills were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

S. 2113. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committee on the Judiciary, introduced by Mr. JAVITS (for himself, Mr. KENNEDY of New York, Mr. CASE, Mr. ERVIN, Mr. HART, Mr. KUCHEL, Mr. SALTONSTALL, Mr. SCOTT, Mr. TYDINGS, and Mr. WILLIAMS of New Jersey).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(1) the term "narcotic drug" or "narcotics" shall include the substances defined as "narcotic drugs", "isonipecaine", and "opiate" in section 4731 of the Internal Revenue Code of 1954, as amended; and

(2) the term "narcotic addict" means any person who habitually uses any habit-forming narcotic drugs so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such habit-forming narcotic drugs as to have lost the power of self-control with reference to his addiction.

SEC. 2. (a) Subject to the provisions of subsection (c) of this section, any person charged with a violation of a Federal penal law relating to narcotics shall, upon his appearance before a committing magistrate, be informed that (1) the prosecution of the criminal charges against such person (unless he is a person within the purview of subsection (c) of this section) shall be held in abeyance in the manner hereinafter provided, if he elects to submit to an examination to determine if he is a narcotic addict; (2) he shall have ten days following his appearance before the committing magistrate within which to make such an election; and (3) if he makes such an election within the prescribed ten days and it is determined on the basis of an examination that he is a narcotic addict, the court shall have jurisdiction to order him to submit to a mandatory civil commitment in accordance with the provisions of this Act.

(b) Any person who elects consideration for civil commitment in accordance with the provisions of subsection (a) of this section shall be placed under the custody of the Surgeon General for the purpose of an appropriate examination to determine whether such person is a narcotic addict. In no case shall any person who elects consideration for civil commitment under this Act be admitted to bail (or released on his own recognizance) during the period beginning at the time of his election and ending at the time a determination is made by the court as to whether such person should be civilly committed thereunder.

(c) The provisions of tihs Act shall not be applicable in the case of any person charged with a violation of a Federal law relating to narcotics if it appears that—

(1) the violation involved the sale of narcotics by such person so charged to another, with knowledge that the person to whom the sale was made intended to dispose of such narcotics by resale;

(2) there is pending against the person in a court of the United States or of any State a prior charge of a felony and such charge has not been finally determined, or the person has been convicted of a felony and the sentence following such conviction, including any time on parole, has not been fully served;

(3) the person has been convicted in a court of the United States or of any State on a total of two or more prior occasions of a felony; or

(4) the person has been civilly committed by the United States or any State on a total of two or more prior occasions because of his narcotics use.

Sec. 3. (a) Within ten days following the date on which any person is placed in the custody of the Surgeon General pursuant to subsection (b) of section 2, the Surgeon General shall cause such person to be examined for the purpose of determining whether he is a narcotic addict and shall transmit to the court a certified report of the results of the examination. Upon the transmission of such report, the Surgeon General shall return such person to the court for such further proceedings under this Act as may be necessary. A copy of the report shall be made available to the person examined and to the United States attorney. If the person with respect to whom such report was made wishes to contest the findings contained therein, the court shall promptly set the matter for hearing. The court shall cause a written notice of the time and place of such hearing to be served personally upon such person.

(b) In conducting such hearing, the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of the report referred to in subsection (a).

(c) If the court determines, on the basis of the report or, if a hearing is requested, on the basis of such hearing, that such person is not a narcotic addict, the court shall order such person to be held to answer the criminal charges which were previously held in abeyance. If, however, the court determines that such person is a narcotic addict, the court may order him committed to the custody of the Surgeon General for confinement, care, treatment, and rehabilitation in any appropriate institution or facility which is specially equipped to provide the aforementioned. The Surgeon General may transfer such person from any one such institution of facility to any other such institution or facility.

(d) Whenever a drug user has been civilly committed pursuant to this Act, the criminal charges which led to his arrest shall be continued without final disposition until dismissed in accordance with the provisions of this Act.

Sec. 4. (a) Any person committed to the custody of the Surgeon General pursuant to subsection (c) of section 3 of this Act shall be committed for an indeterminate period of not to exceed thirty-six months. Any person so committed shall be released by the Surgeon General and returned to the committing court whenever any one of the following events first occurs:

(1) a determination by the Surgeon General that such person cannot be treated as a medical problem because of his incorrigibility or nonresponsiveness to medical treatment;

(2) a determination by the Surgeon General that such person has been effectively removed from the habitual use of narcotic drugs; or

(3) the expiration of thirty-six months following the date on which such person is so committed.

(b) With respect to any person returned to the court pursuant to the provisions of paragraphs (2) or (3) of subsection (a), the court, in order to insure that such person does not return to the use of narcotic drugs following his release from confinement, may again place such person under the custody of the Surgeon General for a period of not more than two years for such probationary aftercare treatment program as the Surgeon General may direct.

(c) Upon the return of any person to the committing court pursuant to paragraph (1) of subsection (a), the court may order an immediate resumption of the prosecution of the criminal charges against such person which were held in abeyance by reason of his commitment.

Sec. 5. (a) If, while under any aftercare treatment program pursuant to section 4, any person—

(1) fails or refuses to comply with any order of the Surgeon General which (A) commands such person to refrain from further use of any narcotic drug, and (B) was issued after such person had been found by the Surgeon General, while under such program, to have been using such drugs; or

(2) fails or refuses to comply with any other order or directive of the Surgeon General issued in connection with such program;

the Surgeon General shall immediately notify the committing court of that fact. Upon receiving such notification, the court may order the United States Marshal to take such person into custody and may order the immediate resumption of the prosecution of the criminal charges against him.

(b) Whenever the Surgeon General determines that any person placed under the Surgeon General's custody pursuant to subsection (b) of section 4 of this Act has successfully completed his probationary aftercare treatment program, the Surgeon General shall certify that fact to the committing court and the court shall immediately dismiss the criminal charges against such person which were held in abeyance by reason of his commitment.

Sec. 6. In any case in which the prosecution of criminal charges against any person under this Act is resumed after having been held in abeyance, such person shall receive full credit, against any sentence which may be imposed, for the time spent by such person in the custody of the United States Marshal and the Surgeon General pursuant to this Act.

Sec. 7. Any determination by a court under this Act that a person is a narcotic addict shall not be considered a criminal conviction, nor shall such person be considered a criminal by reason of such determination. The results of any hearing, examination, test, or procedure, conducted to determine whether a person is a narcotic addict for purposes of this Act, may be used in a further proceeding under this Act, but may not be used against such person in connection with any criminal charge held in abeyance under this Act, or in any other criminal proceeding.

Sec. 8. The Surgeon General is authorized to enter into contracts with the several States (including political subdivisions thereof) under which appropriate institutions and other facilities of such States or subdivisions will be made available, on a reimbursable basis, for the confinement, care, treatment, rehabilitation, and aftercare of persons civilly committed pursuant to this Act.

Sec. 9. As used in this Act, the term "State" shall include the District of Columbia.

Sec. 10. The provisions of this Act shall not be applicable to any case pending in any court of the United States arising out of an arrest made prior to December 31, 1965.

S. 2114. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on the Judiciary, introduced by Mr. Kennedy of New York (for himself, Mr. Javits, Mr. Case, Mr. Ervin, Mr. Hart, Mr. Kuchel, Mr. Saltonstall, Mr. Tydings, and Mr. Williams of New Jersey).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(h) of the Narcotic Drugs Import and Export Act, as amended (21 U.S.C. 176a), is amended (1) by striking out "not less than five or" and inserting in lieu thereof "for not"; (2) by striking out "less than ten or"; and (3) by striking out "For provision relating to sentencing, probation, etc., see section 7237(d) of the Internal Revenue Code of 1954.".

Sec. 2. (a) Subsection (a) of section 7237 of the Internal Revenue Code of 1954, as amended, is amended (1) by striking out "not less than 2 or" and inserting in lieu thereof "for not"; (2) by striking out "not less than 5 or" and by inserting in lieu thereof "for not"; and (3) by striking out "not less than 10 or" and inserting in lieu thereof "for not".

(b) Subsection (b) of section 7237 of the Internal Revenue Code of 1954, as amended, is amended to read as follows:

"(b) Sale or other transfer without written order.

"(1) Whoever commits an offense, or conspires to commit an offense, described in section 4705(a) or section 4742(a) shall be imprisoned for not more than 20 years and, in addition, may be fined not more than $20,000. For a second or subsequent offense, the offender shall be imprisoned for not more than 40 years and, in addition, may be fined not more than $20,000.

"(2) If any offender under paragraph (1) attained the age of 18 before the offense and—

"(A) the offense consisted of the sale, barter, exchange, giving away, or transfer of any narcotic drug to a person who had not attained the age of 18 at the time of such offense, or

"(B) the offense consisted of a conspiracy to commit an offense described in paragraph (A),

the offender shall be imprisoned not less than 5 or more than 40 years and, in addition, may be fined not more than $20,000."

Sec. 3. Subsection (d) of section 7237 of the Internal Revenue Code of 1954, as amended, is amended to read as follows:

"(d) No suspension of sentence; no probation.

"Upon conviction of any offense the penalty for which is provided in subsection (b) (2) of this section or in subsection (c) or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended, the imposition or execution of sentence shall not be suspended and probation shall not be granted. Any person convicted of any such offense (including convictions in the District of Columbia) and sentenced to a definite term of years other than life shall be eligible for parole in accordance with the provisions of section 4202 of title 18 of the United States Code after such person has served for a period of not less than the mandatory minimum penalty prescribed by any such subsection for such offense. Any such person so convicted and sentenced to a term of life shall be eligible for parole in accordance with such section 4202 after such person has served for a period of at least 15 years of such life sentence."

Sec. 4. (a) Chapter 402 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 5027. Applicability to certain narcotic violators."

"Subject to the provisions of subsection (d) of section 7237 of the Internal Revenue Code of 1954, as amended, the provisions of this chapter shall be applicable to all persons otherwise eligible, who are convicted of violations of any Federal penal law relating to narcotics notwithstanding the fact that a mandatory penalty is prescribed for any such violation."

(b) The analysis of chapter 402 of title 18, United States Code, is amended by adding at the end thereof the following:

"5027. Applicability to certain narcotic violators."

SEC. 5. Section 4209 of title 18, United States Code, is amended by adding at the end thereof the following new sentence: "Subject to the provisions of subsection (d) of section 7237 of the Internal Revenue Code of 1954, as amended, the provisions of this section shall be applicable to all persons otherwise eligible, who are convicted of violations of any Federal penal law relating to narcotics notwithstanding the fact that a mandatory penalty is prescribed for any such violations."

SEC. 6. (a) Chapter 301 of title 18 of the United States Code is amended by inserting immediately after section 4002, the following new section:

"§ 4002A. Use of State facilities for narcotic addicts.

"(a) For the purpose of providing for the confinement, care, treatment, and rehabilitation (including vocational rehabilitation) of persons held under the authority of any enactment of Congress who are narcotic addicts, or who are suffering from a mental or physical condition which might be helped by proper care, treatment, or rehabilitation (including vocational rehabilitation), the Director of the Bureau of Prisons is hereby given authority, in addition to other authority available to him, to enter into contracts with the several States (including political subdivisions thereof) under which appropriate institutions and other facilities of such States and subdivisions, specially equipped to provide such care, treatment, or rehabilitation, will be made available, on a reimbursable basis, for the aforementioned purposes.

"(b) As used in this section, and sections 4082A and 4082B of chapter 305 of this title, the term 'narcotic addict' means any person who habitually uses any habit-forming narcotic drugs so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction. As used in this subsection, the term 'narcotic drugs' shall include the substances defined as 'narcotic drugs,' 'isonipecaine,' and 'opiate' in section 4731 of the Internal Revenue Code of 1954, as amended."

(b) The analysis of chapter 301 of title 18, United States Code, is amended by inserting immediately after "4002. Federal prisoners in State institutions; employment." the following:

"4002A. Use of State facilities for narcotic addicts."

SEC. 7. (a) Chapter 305 of title 18 of the United States Code is amended by inserting immediately after section 4082, the following new sections:

"4082A. Treatment authorized for certain persons committed to the custody of the Attorney General.

"(a) If the Attorney General determines that any person committed to his custody pursuant to section 4082 of this chapter is a narcotic addict, or is suffering from a mental or physical condition, and might be helped by proper care, treatment, or rehabilitation (including vocational rehabilitation), the Attorney General is hereby authorized, in addition to other authority available to him, to designate as the place of confinement for such person, any appropriate institution or other facility of the United States, or any appropriate institution or other facility made available pursuant to section 4002A of this title, which is specially equipped to provide such care, treatment, or rehabilitation. The Attorney General may order any such person transferred from any one such institution or facility to any other such institution or facility.

"(b) Whenever the Attorney General determines that any person confined in an institution or facility pursuant to a designation by the Attorney General under subsection (a) of this section, or pursuant to an order of a United States court under section 4082B of this chapter, is no longer in need of such care, treatment, or rehabilitation, or that his continued confinement therein is no longer necessary or desirable, the Attorney General may transfer such person to any penal or correctional institution designated by the Attorney General to complete his original sentence. The time spent by such person in confinement in such institution or facility shall be considered as part of the term of his imprisonment.

"§ 4082B. Treatment authorized by the court for certain persons committed to the custody of the Attorney General.

"§ 4082B. In any case in which the court believes that a person convicted therein of violating a Federal penal law is a narcotic addict, or is suffering from a mental or physical condition, and might be helped by proper care, treatment, and rehabilitation (including vocational rehabilitation), the court may, after pronouncing sentence against such person, order the Attorney General to confine such person in an appropriate institution or facility in accordance with the provisions of section 4082A of this chapter."

(b) The analysis of chapter 305 of title 18, United States Code, is amended by inserting immediately after "4082. Commitment to Attorney General; transfer." the following:

"4082A. Treatment authorized for certain persons committed to the custody of the Attorney General.

"4082B. Treatment authorized by the court for certain persons committed to the custody of the Attorney General."

SEC. 8. (a) Chapter 311 of title 18 of the United States Code is amended by inserting immediately after section 4203, the following new section:

"§ 4203A. Use of certain public and private agencies for purposes of supervising certain parolees.

"(a) In any case in which a person confined in any institution or other facility in accordance with the provisions of section 4082A or 4082B of this title is thereafter authorized by the Board of Parole to be released on parole under section 4203 of this chapter, the Board may, in its discretion, impose as a condition to such release a requirement that the person be placed, during the period of his parole, under the supervision of an appropriate State, public or private agency, organization, or group, which, in the opinion of the Board is (1) qualified to supervise such person during the period of this parole; and (2) specially equipped to provide such care, treatment, rehabilitation, or aftercare as he might require during such period. The Board shall receive and consider any recommendation of the Attorney General which in his opinion would be helpful to the Board with respect to the parole disposition of any case pursuant to this section.

"(b) For the purposes of subsection (a) of this section, the Board of Parole is authorized to utilize the services and facilities of any State, agency, organization, or group referred to in subsection (a) in accordance with a written agreement entered into between such State, agency, organization, or group and the Board of Parole. Payment for such services and facilities shall be made in such amount as may be provided in such agreement."

(b) The analysis of chapter 311 of title 18, United States Code, is amended by inserting immediately after "4203. Application and release; terms and conditions." the following:

"4203A. Use of certain public and private agencies for purposes of supervising certain parolees."

S. 2115. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Labor and Public Welfare, introduced by Mr. KENNEDY of New York (for himself, Mr. JAVITS, Mr. CASE, Mr. ERVIN, Mr. HART, Mr. KUCHEL, Mr. LONG of Missouri, Mr. TYDINGS, and Mr. WILLIAMS of New Jersey).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—TREATMENT AND REHABILITATION SERVICES FOR DRUG ABUSERS

SECTION 101. This title may be cited as the "Drug Abusers Treatment Services Act".

SEC. 102. (a) For the purpose of financially assisting the several States in establishing, developing, and maintaining treatment and rehabilitation services for drug abusers, there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1965, and for each of the two succeeding fiscal years, the sum of $7,500,000.

(b) Of the amount appropriated pursuant to subsection (a) for each such fiscal year (1) not less than 80 per centum thereof shall be available for use by the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") in (A) making grants under this title to assist any State (which has submitted and had approved a State plan as hereinafter provided in this title), in defraying expenses and other costs incurred by it in establishing, developing, and maintaining treatment and rehabilitation services for drug abusers (including the training of personnel necessary to operate such services and the conducting of statistical and biometric programs necessary for carrying out epidemiologic and longitudinal studies of drug addiction and abuse); and (B) providing technical assistance to such State in carrying out such services; and (2) not more than 20 per centum thereof shall be available for use by the Secretary in (A) making grants under this title to assist any nonprofit organization (which has submitted and had approved an application as hereinafter provided in this title) in defraying expenses and other costs incurred by it in establishing, developing, and maintaining such treatment and rehabilitation services as are referred to in clause (1) of this subsection; and (B) providing technical assistance to such organization in carrying out such services.

(c) Any sums appropriated pursuant to subsection (a) of this section shall remain available until expended for payments with respect to projects on which applications have been filed under section 105 or 106 of this title before July 1, 1968, and approved by the Secretary before July 1, 1969. The full amount (as determined by the Secretary) of any grant under this title shall be reserved from any appropriations available therefor; and payments on account of such grant may be made only from the amount so reserved.

SEC. 103. (a) Within six months after the enactment of this title, the Secretary shall issue such regulations, applicable uniformly to all the States, as he may determine necessary to enable him to carry out the provisions of this title. Such regulations shall include, among others, provisions prescribing the kinds of treatment and rehabilitation services for drug abusers for which grants may be made under this title, such as, but not limited to, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational training, help in finding employment, or probation-type supervision.

(b) The regulations referred to in subsection (a) may include provisions requiring that (1) before approval of any application for a project pursuant to a State plan is recommended by any agency, an assurance shall be received, by the State filing such plan, from the applicant that a reasonable volume of treatment and rehabilitation services for drug abusers shall be made available to such drug abusers who are unable to pay for such services; and (2) each application filed by a nonprofit organization for financial assistance under clause (2) of subsection (b) of section 102 of this title contain an assurance that a reasonable volume of such services shall be made available to such drug abusers who are unable to pay for such services.

SEC. 104. (a) After the regulations referred to in section 103 have been issued, any State desiring to secure financial assistance under clause (1) of subsection (b) of section 102 of this title shall submit a State plan for carrying out the purposes of such clause. Such State plan must—

(1) set forth a program for providing for treatment and rehabilitation services for drug abusers which conforms with the regulations prescribed under section 103;

(2) designate a single State agency (referred to in this title as the "Agency") as the sole agency for supervising the administration of the plan;

(3) contain satisfactory evidence that the Agency will have authority sufficient to carry out such plan in conformity with this title;

(4) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

(5) provide that the Agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports;

(6) provide for affording to every applicant for a grant for a project pursuant to a State plan an opportunity for hearing before the Agency;

(7) provide that the State will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

(b) Any State desiring to submit a State plan as provided under subsection (a) shall submit such plan as a separate and distinct part of its State mental health plan submitted to the Public Health Service by the State's mental health authority in accordance with title III of the Public Health Service Act.

(c) The Secretary may approve any State plan (and any modification thereof) which is in substantial conformity with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

SEC. 105. (a) Any State, political subdivision of a State, or nonprofit organization desiring to secure financial assistance for any project for the treatment and rehabilitation of drug abusers pursuant to an approved State plan shall submit, through the Agency, an application for a grant under this title to assist it in carrying out such project. If any State, subdivision, or organization jointly participate in any such project, the application may be filed by one or more of the participants. The application shall set forth—

(1) the kinds of treatment and rehabilitation services which will be provided under the project with respect to which such application is filed;

(2) reasonable assurances that the applicant is legally qualified and is competent to provide such services;

(3) reasonable assurances that the applicant will meet the requirements, if any, for furnishing treatment and rehabilitation services to drug abusers who are unable to pay for such services; and

(4) such other information and assurances as the Secretary may, by regulation, require.

(b) The Secretary may approve any application filed under this section, if he finds that the application (1) is in substantial conformity with subsection (a) of this section and all applicable regulations issued pursuant to this title, (2) is in substantial conformity with the State plan approved under section 104 of this title, and (3) has been approved and recommended by the Agency. No application filed pursuant to this section shall be disapproved by the Secretary until he has afforded the applicant an opportunity for a hearing.

SEC. 106. (a) Any nonprofit organization desiring to secure financial assistance for any project for the treatment and rehabilitation of drug abusers as provided under clause (2) of subsection (b) of section 102 of this title shall submit to the Secretary an application for a grant under such clause to assist it in carrying out such project. If two or more such organizations jointly participate in such project, the application may be filed by one or more of the participants. The application shall set forth—

(1) the kinds of treatment and rehabilitation services which will be provided under the project with respect to which such application is filed;

(2) an assurance that the applicant is legally qualified and is competent to provide such services;

(3) reasonable assurances that the applicant will meet the requirements, if any, for furnishing treatment and rehabilitation services to drug abusers who are unable to pay for such services; and

(4) such other information and assurances as the Secretary may, by regulation, require.

(b) The Secretary may approve any application filed under this section, if he finds (1) that the application is in substantial conformity with the provisions of subsection (a) of this section and all applicable regulations issued pursuant to this title; and (2) after consultation with the Agency, that the application is not inconsistent with the State plan. No application filed pursuant to this section shall be disapproved by the Secretary until he has afforded the applicant an opportunity for a hearing.

(c) The Secretary may, by regulation, provide for regular reports to him by any recipient of a grant under this section.

SEC. 107. The payment of any grant to a State, political subdivision of a State, or nonprofit organization under this title may follow the approval by the Secretary of the application of such State, subdivision, or organization. Such payment may be made by the Secretary in advance or by way of reimbursement, and in such installments as he may determine, and shall be made on such conditions as he finds necessary to carry out the purposes of this title. Amounts paid under this title with respect to any project covered by an application made under section 105 shall not exceed two-thirds of the cost of such project as determined by the Secretary.

SEC. 108. (a) There is hereby created an Advisory Committee on Drug Abuse (hereinafter referred to as the "Committee"), which shall consist of nine members appointed by the Secretary. Such members shall be appointed from among individuals concerned with the medical and social aspects of drug abuse and who are eminent in fields relating to the treatment and rehabilitation of drug abusers (including the field of research), such as psychiatry, psychology, general medical practice, pharmacology, internal medicine, vocational training, correctional rehabilitation, and law enforcement. Each member of the Committe shall hold office for a term of 4 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members of the first Committee appointed shall expire, as designated by the Secretary at the time of appointment, as follows: three at the end of 16 months after their appointment, three at the end of 32 months after their appointment, and three at the end of 4 years after their appointment.

(b) It shall be the duty of the Committee to—

(1) advise, consult with, and make recommendations to the Secretary on matters relating to the administration of this title;

(2) assist States desiring financial assistance under this title in the preparation and filing of their State plans; and

(3) assist the Secretary in his carrying out of the purposes of section 301 of the Public Health Service Act with respect to narcotics by encouraging States, local agencies, laboratories, public and nonprofit agencies, and other qualified individuals to engage in research projects and collaborative studies, on a long-term contract basis, into all aspects of drug abuse with a view to obtaining information, facts and other data necessary to enable the various governmental entities and private agencies to meet and combat the many problems resulting from drug abuse.

(c) Members of the Committee, not otherwise in the employ of the United States, while attending meetings of the Committee or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time; and while away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

(d) The Committee shall elect a chairman from among its members, and shall be provided, by the Secretary, with such technical, consultative, clerical, and other assistance as he determines necessary to enable it to carry out its duties under this section.

SEC. 109. (a) Whenever the Secretary, after reasonable notice and opportunity for hearing to the Agency, finds—

(1) that the Agency is not complying substantially with the provisions required by subsection (a) of section 104 to be included in its State plan, or with regulations under this title;

(2) that any assurance required to be given in an application filed under subsection (a) of section 105 is not being or cannot be carried out; or

(3) that there is a substantial failure to carry out the treatment and rehabilitation services approved by the Secretary under section 105;

the Secretary may forthwith notify such Agency that no further payments will be made under this title for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph 1, 2, or 3 of this subsection; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments in connection with such State plan may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurances or services, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

(b) Whenever the Secretary, after reasonable notice and opportunity for hearing to any nonprofit organization, which is the recipient of a grant under clause (2) of subsection (b) of section 102 of this title, finds—

(1) that such recipient is not complying substantially with the provisions required by section 106 of this title to be included in its application for such grant, or with regulations under this title;

(2) that any assurance required to be given in such application filed under section 106 is not being or cannot be carried out; or

(3) that there is a substantial failure to carry out the treatment and rehabilitation services approved by the Secretary under section 106;

the Secretary may forthwith notify the recipient that no further payments will be made under this title for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (1), (2), or (3) of this subsection; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments under this title to such recipient may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurances or services, as the case may be) or, if such compliance (or other action) is impossible, until the recipient repays the moneys to which it was not entitled.

SEC. 110. (a) In providing technical assistance pursuant to this title, the Secretary is authorized to make studies with respect to matters relating to the treatment and rehabilitation of drug abusers, including the effectiveness of projects financed in whole or in part by grants made pursuant to this title, to cooperate with and render technical assistance to States, political subdivisions of States, and nonprofit organizations with respect to such matters, and to provide short-term training and instruction in technical matters relating to the treatment and rehabilitation of drug abusers.

(b) The Secretary is authorized to collect, evaluate, publish, and disseminate information and materials relating to studies conducted pursuant to this title, and to such other matters involving the treatment and rehabilitation of drug abusers as the Secretary may determine feasible. The Secretary may, to the extent he determines appropriate, make such information and materials available to the general public or to any agency or other organization concerned with, or engaged in, the treatment and rehabilitation of drug abusers.

SEC. 111. In any case in which a State is dissatisfied with the actions of the Secretary under section 104(c), 105(b), or 109(a), or in which a nonprofit organization is dissatisfied with his actions under section 106(b) or 109(b), such State or organization, as the case may be, may appeal to the United States court of appeals for the circuit in which such State or organization is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

SEC. 112. As used in this title, the term—

(1) "State" shall include the District of Columbia; and

(2) "drug abuser" means any person who repeatedly uses, on a periodic or continuous basis, for their psychotoxic effects alone and not as therapeutic media prescribed in the course of legitimate medical treatment, any drug or drugs capable of altering or affecting, to a substantive degree, the consciousness, mood, motivation, or critical judgment of an individual, or the psychomotor coordination or the perception of the auditory or visual sense of an individual. Such drugs shall include, without limitation thereto, the opiates, cocaine, marihuana, barbiturates, and amphetamines, but shall not include alcohol.

TITLE II—AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT

SEC. 201. Section 341 of the Public Health Service Act (58 Stat. 682) is amended (1) by inserting immediately after "discipline of persons" the following: "who are physically or psychologically"; and (2) by inserting at the end of the first paragraph thereof the following: "Such hospitals shall, in addition to providing such care and treatment, engage in research, training, and demonstration in the techniques of treatment and social rehabilitation of addicts."

SEC. 202. Paragraph (j) of section 2 of the Public Health Service Act is amended by adding at the end thereof the following: "any drug which contains any quantity of (A) barbituric acid or any of the salts of barbituric acid, or (B) any derivatives of barbituric acid which has been designated by the Secretary under section 502(d) of the Federal Food, Drug, and Cosmetic Act as habit forming; any drug which contains any quantity of (A) amphetamine or any of its optical isomers; (B) any salt of amphetamine or any salt of an optical isomer of amphetamine, or (C) any substance which the Secretary, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system; any drug which contains any quantity of a substance which the Secretary, after investigation, finds, and by regulation designates as a substance which (A) affects or alters to a substantive extent, consciousness, the ability to think, critical judgment, motivation, mood, psychomotor coordination, sensory perception, and (B)(i) is substantially involved in drug abuse ("drug abuse" being deemed to exist when drugs are used for their psychotoxic effects alone and not as therapeutic media prescribed in the course of medical treatment or when they are obtained through illicit channels), or (ii) has a substantial potential for such abuse by reason of the similarity of its effect to that of a drug already subject to this paragraph;".

SEC. 203. Paragraph (k) of section 2 of the Public Health Service Act is amended by adding at the end thereof the following: "or any person who repeatedly uses, on a periodic or continuous basis, for their psychotoxic effects alone and not as therapeutic media prescribed in the course of legitimate medical treatment, any drug or drugs capable of altering or affecting, to a substantive degree, the consciousness, mood, motivation, or critical judgment of an individual, or the psychomotor coordination or the perception of the auditory or visual sense of an individual;".

S. 2116. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Labor and Public Welfare, introduced by Mr. JAVITS (for himself, Mr. KENNEDY of New York, Mr. CASE, Mr. ERVIN, Mr. HART, Mr. KUCHEL, Mr. LONG of Missouri, Mr. TYDINGS, and Mr. WILLIAMS of New Jersey):

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Abusers Treatment Facilities Act".

SEC. 2. (a) For the purpose of financially assisting the several States in the construction of facilities for the treatment and rehabilitation of drug abusers, there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1965, and for each of the two succeeding fiscal years, the sum of $15,000,000.

(b) Sums appropriated pursuant to subsection (a) shall be available for use by the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") in (1) making grants under this Act to assist financially any State (which has submitted and has approved a State plan as hereinafter provided in this Act) in the construction of facilities for the treatment and rehabilitation of drug abusers; and (2) furnishing technical assistance to such State in designing, locating, and constructing such facilities.

(c) Sums appropriated pursuant to subsection (a) of this section shall remain available until expended for payments with respect to projects on which applications have been filed under section 5 of this Act before July 1, 1968, and approved by the Secretary before July 1, 1969. The full amount (as determined by the Secretary) of any grant for a project under this Act shall be reserved from any appropriations available therefor; and payments on account of such grant may be made only from the amount so reserved.

SEC. 3. (a) Within six months after the enactment of this Act, the Secretary shall issue such regulations, applicable uniformly to all the States, as he may determine necessary to enable him to carry out the provisions of this Act. Such regulations shall include, among others, provisions prescribing—

(1) general standards of construction for any such facility the construction of which

is financed at least in part from a grant under this Act; and

(2) the kinds of facilities and services needed to provide adequate treatment and rehabilitation for drug abusers.

(b) The regulations referred to in subsection (a) may include provisions requiring that (1) before approval of any application for a project pursuant to a State plan is recommended by any Agency, an assurance shall be received, by the State filing such plan, from the applicant that a reasonable volume of treatment and rehabilitation services for drug abusers shall be made available to such drug abusers who are unable to pay for such services.

Sec. 4. (a) After the regulations referred to in section 3 have been issued, any State desiring to secure financial assistance under section 2 of this Act shall submit a State plan for carrying out the purposes of such section. Such plan must—

(1) set forth a program for construction of facilities for the treatment and rehabilitation of drug abusers which conforms with the regulations prescribed under section 3;

(2) designate a single State agency (referred to in this Act as the "Agency") as the sole agency for supervising the administration of the plan;

(3) contain satisfactory evidence that the Agency will have authority sufficient to carry out such plan in conformity with this Act;

(4) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

(5) provide that the Agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports;

(6) provide for affording to every applicant for a grant for a project pursuant to a State plan an opportunity for hearing before the Agency;

(7) provide that the State will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

(b) Any State desiring to submit a State plan as provided under subsection (a) shall submit such plan as a separate and distinct part of its State mental health plan submitted to the Public Health Service by the State's mental health authority in accordance with title III of the Public Health Service Act.

(c) The Secretary may approve any State plan (and any modification thereof) which is in substantial conformity with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

Sec. 5. (a) Any State, political subdivision thereof or nonprofit organization desiring to secure financial assistance under this Act for any project for the construction of facilities for the treatment and rehabilitation of drug abusers pursuant to an approved State plan shall submit, through the Agency, an application for a grant under this Act to assist it in carrying out such project. If any State, one or more political subdivisions thereof, or one or more nonprofit organizations jointly participate in any such project, the application may be filed by one or more of the participants. The application shall set forth—

(1) a description of the site for such project;

(2) plans and specifications for such project in accordance with the regulations prescribed by the Secretary under subsection (a) of section 3 of this Act;

(3) reasonable assurances that title to such site is or will be vested in one or more of the applicants filing the application;

(4) reasonable assurances that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

(5) reasonable assurances that the applicant will meet the requirements, if any, for furnishing treatment and rehabilitation services to drug abusers who are unable to pay for such services;

(6) such other information and assurances as the Secretary may, by regulation, require; and

(7) reasonable assurances that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

(b) The Secretary may approve any application filed under this section if he finds that the application (1) is in substantial conformity with subsection (a) of this section and all applicable regulations issued pursuant to this Act; (2) is in substantial conformity with the State plan approved under section 4 of this Act; and (3) has been approved and recommended by the Agency. No application filed pursuant to this section shall be disapproved by the Secretary until he has afforded the applicant an opportunity for a hearing. Any amendment of an application approved under this Act shall be subject to approval in the same manner as the original application.

Sec. 6. The payment of any grant to a State, political subdivision, or nonprofit organization under this Act may follow the approval by the Secretary of the application of such State, subdivision or organization. Any grant made pursuant to this Act for the construction of a project in any fiscal year shall include such amounts as the Secretary determines to be necessary in succeeding fiscal years for completion of the Federal participation in the project as approved by him. Payment of a grant may be made in advance or by way of reimbursement, and in such installments as may be determined by the Secretary, and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this Act. Amounts paid under this Act with respect to any project for the construction of a facility shall not exceed two-thirds of the construction costs of such facility as determined by the Secretary.

Sec. 7. Whenever the Secretary, after reasonable notice and opportunity for hearing to the Agency, finds—

(1) that the Agency is not complying substantially with the provisions required by subsection (a) of section 4 to be included in its State plan, or with regulations under this Act;

(2) that any assurance required to be given in an application filed under subsection (a) of section 5 is not being or cannot be carried out; or

(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 5;

the Secretary may forthwith notify such Agency that no further payments will be made under this Act for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph 1, 2, or 3 of this subsection; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments in connection with such State plan may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurances or plans and specifications, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

Sec. 8. If any facility with respect to which funds have been paid under this Act shall, at any time within twenty years after completion of its construction—

(1) be sold or transferred to any nonpublic organization; or

(2) cease to be used for the purposes for which it was constructed, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant from the obligation to continue such facility for the purpose of providing treatment for drug abusers;

the United States shall be entitled to recover from the recipient of such funds an amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of the facility.

Sec. 9. If any recipient of a grant under this Act is dissatisfied with any action taken by the Secretary under section 4(c), 5(b), 7, or 8 of this Act, such recipient may appeal to the United States court of appeals for the circuit in which such recipient is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

Sec. 10. (a) The Secretary is authorized to appoint such technical or other advisory committees as he deems necessary to advise him in connection with carrying out the provisions of this Act.

(b) Members of any such committees not otherwise in the employ of the United States, while attending meetings of their committee, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $75 per diem, including travel time; and while away from their homes or regular places of business, they may be

> allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.
>
> SEC. 11. As used in this Act, the term—
>
> (1) "State" shall include the District of Columbia;
>
> (2) "drug abuser" means any person who repeatedly uses, on a periodic or continuous basis, for their psychotoxic effects alone and not as therapeutic media prescribed in the course of legitimate medical treatment, any drug or drugs capable of altering or affecting, to a substantive degree, the consciousness, mood, motivation, or critical judgment of an individual, or the psychomotor coordination or the perception of the auditory or visual sense of an individual. Such drugs shall include, without limitation thereto, the opiates, cocaine, marihuana, barbiturates, and amphetamines, but shall not include alcohol;
>
> (3) "facilities" means buildings or other facilities which are operated for the primary purpose of assisting in the treatment and rehabilitation of drug abusers by providing, under competent professional supervision, detoxification or other medical treatment, physical therapy, family counseling, psychotherapy, vocational training, help in finding employment, or other services. The term "facilities" shall include, among others, facilities for medical care, laboratories, community clinics, halfway houses, sheltered workshops, and camps;
>
> (4) "construction" includes the creation of new buildings, acquisition, expansion, remodeling, and alteration of existing buildings, and payment of architect's fees. The term "construction" does not include the cost of off-site improvements and acquisitions of land.

Mr. JAVITS. Mr. President, I yield now to my colleague, the Senator from New Jersey [Mr. CASE].

Mr. CASE. Mr. President, I am happy to join with my colleagues from New York and several other States in sponsorship of this legislation to advance our battle against the tragedy of narcotics addiction.

Far too many of our citizens are the victims of this terrible fate; far too much time has passed without the achievement of lasting results in the campaign against this age-old affliction.

It is my belief that if these bills can be enacted we can make important strides in the direction of returning thousands of addicts to normal, useful lives.

I am particularly pleased that these measures have recognized the work being done by private, nonprofit organizations in the field of treatment. By providing these organizations with working capital to continue and improve their efforts we will be assured of both balance and additional strength in this good fight.

But I would emphasize that treatment is not the last step in the rehabilitation of the narcotics addict. The type and quality of aftercare are crucial. Here we have something less than a spectacular record. According to available estimates the relapse rate of drug addicts has ranged up to 90 percent. The chief problem seems to be in the addict's difficulty, after release from a hospital or rehabilitation center, in making a successful adjustment to his social environment.

One of the important purposes of our legislation is to deal with this particular phase of the problem and it is my hope that the committees which take up these bills will give it the most careful attention.

Mr. JAVITS. Mr. President, may I express our joint gratitude to the distinguished Senator from New Jersey.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

ABSOLUTE NECESSITY FOR ANNUAL REVIEW AND AUTHORIZATION OF AID PROGRAM

Mr. GRUENING. Mr. President, amendment No. 220, while seemingly technical in form, is simple in substance. It relates to the period of time for which authorizations would be approved for the foreign aid program.

As reported by the Senate Committee on Foreign Relations, S. 1837 provides for a 2-year authorization. The companion measure in the other body—H.R. 7750—continues the practice, heretofore unbroken, of annual reviews of the program and of annual authorizations.

My amendment continues past precedents and brings the Senate bill in line with the House version.

It does no more than that.

I agree with that portion of the Senate committee's report which states:

> The committee this year approached the foreign aid bill with something close to a consensus on three basic points: First, that some kind of foreign assistance program is essential to the national interests of the United States; second, that there is a great deal of profound dissatisfaction with the program conducted under the Foreign Assistance Act of 1961, as amended; and, third, that the Congress has a clear duty to perform in providing policy guidance in the field of foreign relations, including the aid program.

However, I cannot agree that Congress is performing its duty by admitting that the foreign aid program needs "policy guidance" from the Congress, while at the same time freeing the foreign aid program from congressional review for 2 years.

True, the bill before us contains the so-called Morse amendment, calling for the termination of the program in 2 years and for a review of the program and the formulation of a new approach by a select committee during that period.

I cannot see why the Morse amendment necessitates a 2-year authorization of the program any more than the formation of the Clay Committee did over 2 years ago.

In years past we have seen this same approach used at the time the foreign aid bill was before the House and Senate.

Repeatedly we have been told: Just authorize the foreign aid program for 1 more year. Next year, things will be different. Next year, we will come up to the Hill with a new program—with a new approach.

When the next year came around, we had the same old program, with the same old pleas for 1 more year and the same old promise of a new approach next year.

This year, something new has been added.

Now the plea is made that the administration needs a 2-year authorization to find the new approach—2 more years to find the new look.

I cannot distinguish this new plea from the old pleas in years gone by.

What is likely to happen if we grant this newest plea?

Before June 30, 1966, if the Morse amendment is agreed to—there will be a report submitted to the President by the select committee provided for in that amendment. That report will have to be studied. The more than 22 Federal agencies involved in one way or another in our foreign assistance program will be asked to comment on the report. Ways will have to be found in which the report can be implemented both legislatively and administratively. Then by June 30, 1966, the President will submit his recommendations to Congress which will hold hearings on the recommendations. By then, I predict it will be June 1967, with a request for a 2-year extension so that all the implications, involvements, and effects upon ongoing foreign aid programs can be studied.

Of course, when we face up to the question again in 1969, the 1967 report will by then, in this ever faster-moving world, be outdated and a fresh study will have to be made.

I have heard all this before.

On October 28, 1963, at the time of the long and well-remembered debate in the Senate on the foreign aid authorization for fiscal year 1964, the able and distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT] stated:

> At the same time, I would urge the administration not to delay embarking upon a full-scale reexamination of foreign aid requirements before the next session of Congress, which is approaching at alarming speed.

The report of the Committee on Foreign Relations on the bill then before us expressed the same hope in these words:

> Nevertheless, the committee believes that major changes remain to be made in the foreign aid program. In fact, the committee gave serious consideration to an amendment which would have terminated the program in its present form June 30, 1965, so that both the Congress and the administration could consider a major reorganization and reorientation of the program prior to that date. The committee refrained from adopting this amendment in the expectation, which it hopes will not prove unjustified, that the administration will submit a fiscal year 1965 program to Congress which has been revamped in major respects. (S. Rept. No. 588, Oct. 22, 1963.)

The Senate did not heed these long-familiar words then. It proceeded to adopt amendments to the foreign aid bill and to authorize only a 1-year extension of the program.

I hope that the Senate does the same thing this year and again fails to heed the alluring words of temptation that a new look will be forthcoming if the program is extended for 2 years.

I greatly fear that this is but another attempt to avoid oversight of the program by the Congress, even as the attempt is made in other parts of the bill—as I shall point out when I call up some of my other amendments—to turn over the program to multilateral institutions over which Congress exercises no control.

The reluctance of the administrators of our foreign aid program to this annual scrutiny of the program by the Congress is well known, just as is their equally strong reluctance to submit to other congressional controls over that program.

It is my opinion that this reluctance on the part of the foreign aid program's administrators to share the direction of the program's purposes and policies with the Congress on a coequal basis, as well as their shrouding the entire program in a blanket of oppressive and unnecessary secrecy, account in good measure for the lack of support of the program both in Congress and among the people of the United States.

An annual review of a program as far-reaching as our foreign assistance program can be most salutary and, rather than being resisted, should be welcomed by the executive branch.

We must be entirely realistic about the greatly increased burdens born by each Senator, by each Representative, and by each committee and subcommittee of Congress. In the flurry of other activities, the only way in which the foreign aid program would receive an annual review by the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs is through the utilization of a device such as annual authorizations.

It has been said that annual authorizations thwart long range, efficient planning.

This just is not so.

In the first place, we are dealing here with authorizations, not appropriations. In any sort of planning by AID—as well as by most of our domestic programs—any commitment must be subject to the appropriation of funds for the purpose. It is not an unknown phenomenon for programs to be authorized at one level and then funded at a much lower level—or not funded at all.

Thus, even if the recommendation of the Senate Foreign Relations Committee is agreed to, and the foreign aid program were to be authorized at the rate of $3.3 billion a year for a 2-year period, the AID administrators have no assurance that the Appropriations Committees of each body would recommend the appropriation of such a sum, either for this year or next.

There is no assurance of funds in an authorization act for either the foreign aid program or for any domestic program.

In the second place, the foreign assistance act requires long-range planning and many, if not all, of the countries aided under the foreign aid program have their 3-year plans, their 5-year plans, or their 10-year plans. AID has assisted in the development of those plans.

There is no dearth of planning under the foreign aid program.

This is in accordance with the requirement of the Foreign Assistance Act itself which states:

> Assistance shall be based on sound plans and programs.

The Charter of Punta del Este provides:

> Participating Latin American countries agree to introduce or strengthen systems for the preparation, execution, and periodic revision of national programs for economic and social development consistent with the principles, objectives, and requirements contained in this document. Participating Latin American countries should formulate, if possible within the next 18 months, long-term development programs.

In the third place, it is said that it is extremely difficult to recruit able personnel if the program is on a year to year authorization basis.

This just is not so.

As I have already stated, even a permanent authorization for the AID program would be no assurance that the level of the appropriations made from year to year would remain constant. The AID administration—like any other Federal agency—is subject to annual appropriations. Some years, those appropriations will enable AID to recruit additional employees—in other years the appropriation level may be such as to result in reduction-in-force notices being sent out.

That is common to all Federal departments and agencies. There is no such thing in Federal employment as an absolute right to a job—that right is always dependent on the appropriation of funds to run the department or agency.

As for AID contract employees, in the detailed report I filed with the Senate Committee on Government Operations concerning my study of U.S. foreign aid in 10 Middle Eastern and African countries. I cite many instances of contracts made on a longer than 1-year basis—subject, of course, to the appropriation of funds. This is done constantly in the technical assistance program.

In the fourth place, if the recruitment argument is advanced as a reason for an authorization for a period longer than 1 year, on the ground that capable men and women cannot be recruited because they fear that the foreign aid program will be out of business at the end of the year, then I say that the AID program should reexamine its recruitment policies to find out why they are not working.

The foreign aid program will be with us for a long, long time unless—and this is an important unless—unless through faulty administration, waste, duplication, and general mismanagement the AID program becomes anathema to the American people. And that day may be here sooner than the AID administrators think if there is continued waste in the program.

It is entirely obvious that using the fact that authorizations are annual argument to excuse careful planning and execution of the foreign aid program is a subterfuge in an attempt to avoid an annual review of the program by the Congress.

The report of the Senate Committee on Foreign Relations indicates the committee itself was reluctant to take the step of recommending a 2-year authorization for the foreign aid program. It did so apparently because it had adopted the Morse amendment terminating the program at the end of the 1967 fiscal year and calling for new program recommendations. The Foreign Relations Committee stated it acted thus because:

> Under the circumstances, then, the committee is approving for a 2-year period the program requested by the President. In view of the widespread criticism of the existing foreign aid programs, this action may be queried by those strongly opposed to the program. The main point here is that intolerable confusion would result if Congress tried in 1966 to review an annual foreign aid program in the traditional format at the same time it was planning a future program. This bill provides that the current program is to end June 30, 1967. The President is to submit his proposals for a new program by July 1, 1966, so that Congress will have ample time to consider them before the cutoff date. Within the guidelines set forth in part IV of the bill, the committee maintains an open mind as to the results of the inquiry provided for.

This approach is unrealistic.

It will be widely misinterpreted in the capitals of the free world and exploited in the Communist world.

The malaria eradication program to be begun next month in country X and slated to take 3 years for completion will not end on July 1, 1967. We all know that. Why tell the world differently so it can be exploited by our enemies abroad.

Do we expect AID technical assistance experts in every country where such assistance is now being given to begin immediately to look for new assignments beginning July 1, 1967.

Of course not.

We are equally unrealistic to assume that we will be believed in our pronouncement that the Public Law 480 program will be ended on July 1, 1966.

But the adoption of the committee's provision for ending the program on a date certainly is likely to cause just such confusion.

The foreign aid program is confused enough without the Congress further adding to the confusion.

I appreciate fully the frustration of the members of the Senate Committee on Foreign Relations. Two years ago the committee warned AID to come up with a completely revamped program. The committee in its report stated:

> Nevertheless, the committe believes that major changes remain to be made in the foreign aid program. In fact, the committee gave serious consideration to an amendment which would have terminated the program in its present form June 30, 1965, so that both the Congress and the administration could consider a major reorganization and reorientation of the program prior to that date. The committee refrained from adopting this amendment in the expectation, which it hopes will not prove unjustified, that the administration will submit a fiscal year 1965 program to Congress which has been revamped in major respects. (S. Rept. No. 588, Oct. 22, 1963.)

That has not been done.

The committee having jurisdiction in the Congress for oversight over foreign policy matters and how foreign aid programs should be carried out should insist upon the fulfillment of its request. Ending the foreign aid program on a date certain is definitely not the way to enforce the committee's request for a revamped program—much as I can understand the committee's annoyance at this bland disregard of its request.

Consider also the timing under the committee's proposal.

The report by the President containing his proposals for a new program is to be submitted by July 1, 1966, less than 13 months from now. The Foreign Relations Committee "maintains an open mind as to the results of the inquiry provided for."

Under this program the new proposals will be before the Congress beginning July 1, 1966. The budget process is a long one. That is just about the time each country team will be beginning that process in each of the countries aided. On what basis will each of those country teams plan with the host country? On the basis of one on-going program, on the basis of the study results, on the basis of the President's proposals, or on the basis of a fourth unknown factor—how the proposals will emerge from the Congress just as the new budget is to go into effect.

What I fear will happen to this declaration terminating the foreign aid program is that, if adopted by the Senate, it will not emerge from conference and may well be "traded away" for a 2-year extension of the program.

For that reason I strongly urge the passage of my amendment No. 220, placing the foreign aid program—as it has been in the past—on an annual basis with scrutiny of the program each year by the Congress, with the Congress continuing to change, through the legislative process, the program where such improvements do not come about through administrative action.

I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Alaska [Mr. Gruening].

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, the amendment tears the heart out of the bill and upsets an essential part of the structure which was painstakingly put together by the Foreign Relations Committee.

The provision in the committee bill for a 2-year authorization is indissolubly linked to other provisions in the committee bill terminating the AID program June 30, 1967, and providing for a searching study in the meantime.

Under the committee bill, the President is to submit to the Congress by June 1, 1966, his recommendations for such foreign assistance programs as he may deem desirable subsequent to the 1967 termination of the present program.

If the pending bill does not carry a 2-year authorization, it will mean that in the spring and summer of 1966 the Congress will again be considering a 1-year extension of the same tired, old program at the same time that it is receiving the President's recommendations for a new program. Furthermore, in the fall of 1965 and the winter of 1965–66, the executive branch will have to concern itself with extension of the existing program at the same time that it will supposedly be planning a new program.

This will lead to nothing but confusion and waste motion and will require the needless expenditure of a great deal of time and effort on the part of the Senate and the Committee on Foreign Relations to the detriment of other matters which require our attention.

It should also be noted that in connection with planning a post-1967 program, the committee bill provides for a Foreign Aid Planning Committee to be appointed jointly by the President, Vice President, and the Speaker of the House. This Committee is to submit its final report on or before January 3, 1967. We may assume that the membership of this Committee will include members of the Congress as well as officials of the executive branch who are most concerned with foreign aid and who cannot very well do the highly important planning job which has been given to them if they have to concern themselves at the same time with another one-year extension of the existing program.

Finally, as the committee report points out—page 5—it is clearly understood that despite the 2-year authorization the Foreign Relations Committee will continue to watch the foreign assistance program closely in carrying out its functions of legislative oversight under the Legislative Reorganization Act. Congress will also have an opportunity to review the program through the appropriation process.

Mr. MORSE. Mr. President, I owe it to the Senator from Arkansas, chairman of the Committee on Foreign Relations [Mr. Fulbright] and to the Senator from Alaska [Mr. Gruening] to make a statement on the history of the so-called Morse amendment in the Foreign Relations Committee, so that both Senators will understand why I shall vote against the Gruening amendment this afternoon.

As my colleagues on the committee know, when I first proposed my amendment, I requested a period of 1 year, instead of 2 years, which means that originally I shared the view of the Senator from Alaska. In the Foreign Relations Committee we discussed various modifications of the Morse amendment. The original Morse amendment was modified in several respects, this being one of them. We endeavored to arrive at conscionable compromises which I thought would not at all impair the objective which I had. Of course, my objective is to bring the foreign aid program as it is now constituted to an end and start over at the beginning of fiscal year 1967. I agreed to go along with the 2-year provision. I was moved to go along with the 2-year provision for the reasons that the Senator from Arkansas [Mr. Fulbright] has pointed out, but concerning which I wish to speak with my own lips for the Record. In our discussion in the Foreign Relations Committee we made it clear that the Foreign Relations Committee would not cease to exist during the 2-year period. If any problem should develop in regard to foreign aid during that 2-year period, the Foreign Relations Committee would be in a position to take jurisdiction over it, hold hearings on it, and make recommendations to the Senate, including legislative recommendations.

I wish to be fair to the Senator from Alaska. During that 2-year period the President would be in a position to veto any proposed legislation that we might offer. Of course, he would be in a position to veto a foreign aid bill, although we know the probabilities of such action are not nearly as great as the probabilities would be if we in the 2-year period passed a piece of proposed legislation that was not expansive in nature. But I would fight to protect the President's right to exercise that check, as the Senator from Alaska knows. The fact that we shall be in a position to call attention to and to take legislative action on anything that should develop within the 2-year period that warrants such action would be substantial protection to the country.

Furthermore, I must admit that there is great merit in the argument which the Senator from Arkansas used in our committee hearings when he proposed the arrangement for a 2-year period. The Commission that is provided for in the Morse amendment should have 2 years in which to work if the Commission is to do the job that we desire it to do.

I stress to the Senator from Alaska that this does not mean that if in the course of 2 years the Commission itself should find some particular item should be rectified immediately, it could not proceed to make a recommendation accordingly. Nothing in the amendment is intended to mean that we cannot take any action until the 2 years have expired. It only means that the program as a whole would not come to an end until the end of the 2-year period.

I feel that I owe it to the Senator from Alaska to make that explanation, pointing out why I shall vote against his amendment this afternoon, although he and I usually stand together on proposed modifications of foreign aid. I believe that, taking all factors into consideration, the amendment should be adopted by the Senate as it was adopted by the Foreign Relations Committee, and that the amendment of the Senator from Alaska should not be accepted.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. GRUENING. I should like to ask the Senator what the situation would be if the Morse amendment were removed from the bill in conference, in view of the fact that the House has taken positive action to continue the program 1 year at a time, as we always have done; and it seems possible that the House may not yield. What would be the situation then?

Mr. MORSE. I say to my good friend from Alaska that it would be awful. But does the Senator from Alaska believe that there is more possibility that his proposal would survive a conference than mine?

Mr. GRUENING. My experience has been that most of my proposals have had pretty tough sledding in conference. But I would suspect since the amendment of the Senator from Oregon has the approval of the committee, it would probably fare better.

Mr. MORSE. I believe that in conference a 2-year program would fare better than a 1-year program.

Mr. GRUENING. I thank the Senator.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

The question is on agreeing to the amendment of the Senator from Alaska. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Michigan [Mr. Hart], the Senator from Washington [Mr. Magnuson], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I also announce that the Senator from West Virginia [Mr. Byrd], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. Smathers] would vote "nay."

On this vote, the Senator from West Virginia [Mr. Byrd] is paired with the Senator from Washington [Mr. Magnuson]. If present and voting, the Senator from West Virginia would vote "yea" and the Senator from Washington would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from Kentucky [Mr. Morton], the Senator from Vermont [Mr. Prouty], and the Senator from California [Mr. Murphy] are necessarily absent.

The Senator from Kansas [Mr. Pearson] is absent on official business.

The Senator from Massachusetts [Mr. Saltonstall] is detained on official business.

If present and voting, the Senator from California [Mr. Murphy] would vote "yea."

On this vote, the Senator from Kansas [Mr. Pearson] is paired with the Senator from Massachusetts [Mr. Saltonstall]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Massachusetts would vote "nay."

The result was announced—yeas 26, nays 63, as follows:

[No. 113 Leg.]

YEAS—26

Bennett
Bible
Burdick
Byrd, Va.
Cotton
Curtis
Eastland
Ellender
Ervin
Fannin
Gruening
Hill
Hruska
Jordan, Idaho
McClellan
Mundt
Robertson
Russell, S.C.
Russell, Ga.
Simpson
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, Ohio

NAYS—63

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Boggs
Brewster
Cannon
Case
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Douglas
Fong
Fulbright
Gore
Harris
Hartke
Hayden
Hickenlooper
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Stennis
Symington
Tydings
Williams, N.J.
Young, N. Dak.

NOT VOTING—11

Byrd, W. Va.
Carlson
Hart
Magnuson
Morton
Murphy
Neuberger
Pearson
Prouty
Saltonstall
Smathers

So Mr. Gruening's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TRANSFER OF TITLE TO MOVABLE PROPERTY TO CERTAIN AGENCIES

Mr. JACKSON. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1000.

The PRESIDING OFFICER (Mr. Harris in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1000) to amend the act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions, which were, on page 2, lines 3 and 4, strike out "(43 U.S.C. 371, note)," and insert "(43 U.S.C. 371 et seq.),", and on page 2, after line 18 insert:

> Sec. 2. Whenever a municipal corporation or other organization to which water for municipal, domestic, or industrial use is furnished or distributed under a contract entered into with the United States pursuant to the Federal reclamation laws so requests, the Secretary of the Interior is authorized to transfer to it or its nominee the care, operation, and maintenance of the works by which such water supply is made available or such part of those works as, in his judgment, is appropriate in the circumstances, subject to such terms and conditions as he may prescribe.

Mr. JACKSON. Mr. President, S. 1000 was approved unanimously by the Committee on Interior and Insular Affairs and was unanimously passed by the Senate.

In the House, an amendment was added authorizing the Department of the Interior to cover operation and maintenance activities of municipal, domestic, or industrial water users who, by, inadvertence, were not covered in the bill as it passed the Senate. There is no controversy about the amendment. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. A rollcall is in progress. The clerk will call the roll.

The legislative clerk resumed the calling of the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 221 AND 224

Mr. GRUENING. Mr. President, I call up my amendments numbered 221 and 224 and ask that their reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendments will be printed in the Record at this point.

The amendment (No. 221) offered by Mr. Gruening is as follows:

> On page 2, lines 11–13, delete the following words: "United States and other free world nations place an increasing portion of their assistance programs on a multilateral basis and the".

The amendment (No. 224) offered by Mr. Gruening is as follows:

> On pages 3 and 4, delete subsection (b).

Mr. GRUENING. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GRUENING. Mr. President, the first amendment, No. 221, would strike out that portion of the policy finding that the "United States and other free world nations place an increasing portion of their assistance programs on a multilateral basis."

The second amendment, No. 224, would strike out subsection 102(b) of the bill.

That subsection, as reported, reads as follows:

> In order to serve the purposes of this title and the policy contained in section 619, the President, after consideration of the extent of additional participation by other countries, may make available, in addition to any other funds available for such purposes, on such terms and conditions as he determines, not to exceed 20 per centum of the funds made available for this title to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without regard to section 201 or any other requirements of this or any Act.

Previously, the law permitted the transfer of up to 10 percent to the International Development Association. Under this new provision, the amount the President can transfer has been doubled and he is now authorized to transfer that sum not only to the International Development Association but also to the International Bank for Reconstruction and Development and the International Finance Corporation.

This means that in 5 years, through this provision, $1,500 million could be transferred away from congressional control and into international control. All of the carefully worked out controls and limitations, now contained in the Foreign Assistance Act, would no longer be applicable to this foreign-controlled fund.

Gone would be the limitations and assistance now governed by the Hickenlooper amendment, an amendment which has proven to be a great deterrent to expropriations of U.S. property abroad.

Gone would be the safeguards for the use of development loan funds for purchases in the United States, thereby aiding our balance-of-payments problem.

Gone would be the requirement for detailed plans and cost estimates.

Gone would be the requirement for shipping a certain percentage of purchases in American bottoms.

Gone would be the restrictions on aid to Cuba, Poland, Yugoslavia, and other Communist countries.

Gone would be the restriction on aid to countries shipping goods to Cuba.

Gone would be the restriction on aiding businesses abroad that will ship goods into the United States in competition with our own businesses.

Gone would be the restriction against aid to countries preparing for aggression against their neighbors.

Gone would be the restriction against aid to Indonesia.

Gone would be the restriction against aid to countries having no investment guarantees.

Gone would be the restriction against aid to economically developed countries.

All these would be gone.

Also gone would be restrictions on the lowness of the interest rates which could be charged on the loans made by these international institutions loaning U.S. tax dollars. Thus while the U.S. taxpayers were paying 5¾ percent interest to raise the money to turn over to these international lending institutions, those very same institutions were lending $300 million to India at three-fourths of 1 percent interest for 50 years for highways, irrigation, power, and railway projects; or $32.5 million to Pakistan at three-fourths of 1 percent interest for 50 years for irrigation, flood control, and ports projects; or $13 million to Sudan at three-fourths of 1 percent interest for 50 years for an irrigation project.

These are actual examples of loans made in the past by the International Development Association.

I ask unanimous consent that the list of loans and their terms made by the International Development Association be inserted at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Statement of development credits June 30, 1963

[Expressed in U.S. currency]

Member in whose territories development credits have been made	Program or project	Date of development credit agreement	Maturities	Service charge rate, percent	Original principal amount	Development credits not yet effective [1]	Effective development credits held by association	Principal amount disbursed	Undisbursed balance of effective development credits [2]
Chile	Road construction	June 28, 1961	1971-2011	¾ of 1	$19,000,000		$19,000,000	$2,458,974	$16,541,026
China	Harbor dredging	Aug. 30, 1961	1972-2011	¾ of 1	2,200,000		2,200,000	98,945	2,101,055
	Ground water development	Aug. 30, 1961	1972-2011	¾ of 1	3,700,000		3,700,000	809,633	2,890,367
	Municipal water supply	Sept. 6, 1961	1972-2011	¾ of 1	4,400,000		4,400,000	2,712,939	1,687,061
	Development of private industry	Dec. 1, 1961	1972-2011	¾ of 1	5,000,000		5,000,000	911,128	4,088,872
Total					15,300,000		15,300,000	4,532,645	10,767,355
Colombia	Road project	Aug. 28, 1961	1971-2011	¾ of 1	19,500,000		19,500,000	4,085,235	15,414,765
Costa Rica	Road construction and maintenance	Oct. 13, 1961	1971-2011	¾ of 1	5,500,000		5,500,000	116,636	5,383,364
El Salvador	Third highway project	Nov. 2, 1962	1972-2012	¾ of 1	8,000,000		8,000,000	96,340	7,903,660
Ethiopia	Road development	Feb. 27, 1963	1973-2013	¾ of 1	13,500,000	$13,500,000			
Haiti	Interim highway project	Nov. 2, 1962	1972-2012	¾ of 1	350,000		350,000	262,980	87,020
Honduras	Western highway improvement	May 12, 1961	1971-2011	¾ of 1	9,000,000		9,000,000	2,408,885	6,591,115
India	Highway construction and improvement.	June 21, 1961	1971-2011	¾ of 1	60,000,000		60,000,000	15,153,511	44,846,489
	Tubewell irrigation	Sept. 6, 1961	1971-2011	¾ of 1	6,000,000		6,000,000	1,933,724	4,066,276
	Shetrunji irrigation project	Nov. 22, 1961	1972-2011	¾ of 1	4,500,000		4,500,000	1,043,360	3,456,640
	Salandi irrigation project	do	1972-2011	¾ of 1	8,000,000		8,000,000	832,492	7,167,508
	Punjab flood protection and drainage	do	1972-2011	¾ of 1	10,000,000		10,000,000	5,844,936	4,155,064
	Durgapur power extension	Feb. 14, 1962	1972-2012	¾ of 1	18,500,000		18,500,000		18,500,000
	Sone irrigation project	June 29, 1962	1973-2012	¾ of 1	15,000,000		15,000,000	1,889,092	13,110,908
	Purna irrigation project	July 18, 1962	1973-2012	¾ of 1	13,000,000		13,000,000	2,737,851	10,262,149
	2d Koyna power project	Aug. 8, 1962	1973-2012	¾ of 1	17,500,000		17,500,000		17,500,000
	Bombay port project	Sept. 14, 1962	1973-2012	¾ of 1	18,000,000		18,000,000	2,149,914	15,850,086
	Telecommunications	do	1973-2012	¾ of 1	42,000,000		42,000,000	2,090,051	39,909,949
	Railway improvement	Mar. 22, 1963	1973-2012	¾ of 1	67,500,000		67,500,000	14,816,092	52,683,908
	Kothagudem power project	May 24, 1963	1973-2013	¾ of 1	20,000,000	20,000,000			
Total					300,000,000	20,000,000	280,000,000	48,491,023	231,508,977
Jordan	Amman water supply project	Dec. 22, 1961	1971-2011	¾ of 1	2,000,000		2,000,000	26,039	1,973,961
Korea	Railway development	Aug. 17, 1962	1973-2012	¾ of 1	14,000,000		14,000,000	24,956	13,975,044
Nicaragua	Managua water supply project	Sept. 7, 1962	1972-2012	¾ of 1	3,000,000	3,000,000			
Pakistan	Dacca irrigation project	Oct. 19, 1961	1972-2011	¾ of 1	1,000,000		1,000,000	154,805	845,195
	Inland ports project	Nov. 22, 1961	1972-2011	¾ of 1	2,000,000		2,000,000	288,228	1,711,772
	Khairpur irrigation project	June 29, 1962	1973-2012	¾ of 1	18,000,000		18,000,000	99,319	17,900,681
	Industrial estates project	Nov. 2, 1962	1973-2012	¾ of 1	6,500,000		6,500,000	36,352	6,463,648
	Brahmaputra flood project	June 26, 1963	1973-2013	¾ of 1	5,000,000	5,000,000			
Total					32,500,000	5,000,000	27,500,000	578,704	26,921,296
Paraguay	Highway improvement and maintenance.	Oct. 26, 1961	1972-2011	¾ of 1	6,000,000		6,000,000	100,095	5,899,905
Sudan	Roseires irrigation project	June 14, 1961	1971-2011	¾ of 1	13,000,000		13,000,000	2,819,471	10,180,529
Tunisia	School construction	Sept. 17, 1962	1972-2012	¾ of 1	5,000,000		5,000,000		5,000,000
Turkey	Development of private industry	Nov. 23, 1962	1973-2012	¾ of 1	5,000,000		5,000,000	4,819	4,995,181
	Cukurova power project	Feb. 1, 1963	1973-2012	¾ of 1	1,700,000		1,700,000	302,907	1,397,093
	Seyhan irrigation project	May 31, 1963	1973-2012	¾ of 1	20,000,000	20,000,000			
Total					26,700,000	20,000,000	6,700,000	307,726	6,392,274
United Kingdom, Swaziland.	Highway construction	Mar. 14, 1962	1972-2011	¾ of 1	2,800,000		2,800,000	2,051,184	748,816
Grand total					495,150,000	61,500,000	433,650,000	68,360,893	365,289,107

[1] Agreements providing for these development credits have been signed, but the development credits do not become effective and disbursements thereunder do not start until the borrower takes certain action and furnishes certain documents to the Association.

[2] Of the undisbursed balance the Association has entered into irrevocable commitments to disburse $16,344,659.

Mr. GRUENING. Mr. President, this is a clear-cut attempt to turn over the entire Development Loan Fund—now under the control of the Congress, loose as that control may be—to the International Development Association.

Recently the Washington Daily News carried a story of one loan by the Inter-American Bank—for which Congress this year voted an additional $750 million over a 3-year period.

The Inter-American Bank had made a substantial loan to an agrarian bank in the Dominican Republic. That Government—not the Inter-American Bank—ordered an audit by a very reputable American accounting firm of the Dominican bank's activities for the first 5 months of 1964. In an obvious attempt to influence the political course of events in the Dominican Republic the so-called loyalists released the report, which showed glaring deficiencies in the management of the Dominican bank.

I ask unanimous consent that the story by John T. O'Rourke, entitled "It's Only Money—How Not To Run a Bank; U.S. $7 Million Is Mislaid," as it appeared in the Washington Daily News for June 2, 1965, and the editorial on the same date, entitled "It's Your Money," be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, I mention this incident to ask this question: How closely are the loans made by these international lending institutions scrutinized?

I am concerned with more than the auditing of the accounts here in Washington. With respect to the International Development Association, its accounts here in Washington are audited by the well-known firm of Price Waterhouse Co. But what of the loan made by the International Development Association on November 23, 1962, of $5 million for the "development of private industry" or the loan of $13 million to Sudan for "school construction" and all the other loans? Are these accounts audited in the host countries? If so, by whom?

In the case of the Dominican Republic audit, it was made by a private company for the Government of the Dominican Republic and not for the Inter-American Bank. One is forced to the conclusion that, save for the troubled situation existing in that island, this audit would never have seen the light of day.

This is a matter which should be thoroughly investigated.

We should not hasten—as the Senate Foreign Relations Committee in this bill seeks to do—to turn over U.S. dollars to international organizations until we are certain that those organizations take proper precautions to insure that the funds loaned will be used for the purposes for which they were loaned and for no other.

I urge the adoption of my amendments Nos. 221 and 224 to insure U.S. control over the tax dollars of U.S. taxpayers.

Mr. President, I ask for the yeas and nays on my amendments.

The PRESIDING OFFICER. The yeas and nays are ordered.

The yeas and nays were ordered.

EXHIBIT 1

[From the Washington Daily News, June 2, 1965]

IT'S ONLY MONEY—HOW NOT TO RUN A BANK; U.S. $7 MILLION IS MISLAID

(By John T. O'Rourke)

About $7 million of U.S. counterpart funds were mishandled by the Dominican Republic's Banco Agricola (Agricultural Bank) and U.S. law was violated, it was revealed today.

This bank is practically the baby of the Inter-American Development Bank, which has spoon fed it with the richest baby food there is—dollars—which it gets largely from congressional appropriations.

The Inter-American Development Bank has sent hordes of advisers to try to steer the Dominican bank's policies and it is reported that it has advisers there right now.

GOOD SHAPE

As a result, the Inter-American Development Bank's own funds there are in good shape, officials here in Washington said today. They are kept in a separate account. The Development Bank's officials were aware of the spongy condition of Banco Agricola from the very beginning, it was learned today, but were faced with the need of using the financial tools which were already in existence.

One financial consultant called it "institutionalized chaos" and said "no banker in the Western World could ever identify it as a bank at all."

A director of the government-owned Banco Agricola is, or was, Sr. Antonio Guzman, who until recently was prominently mentioned as a possible temporary president for the leaderless island nation. Some reporters said he was acceptable both to White House negotiator McGeorge Bundy and also to Col. Francisco Caamano Deno, head of the self-styled constitutionalist rebels.

ON THE BOARD

Sr. Guzman was Minister of Agriculture under the deposed president, Dr. Juan Bosch, as well as a member of the bank's board of directors. During that time many, but not all, of the bank loans were made on notes and collateral which cannot now be found.

The Washington Daily News published last week for the first time some details of the scandalous condition in which auditors found the bank's affairs. Denials followed.

Actually, the audit shows that about two-thirds of what the bank stated were assets were not assets at all. Of the bank's claimed $118 million assets, the auditors approved only $43 million. The rest, apparently, has gone with the wind.

ALLEGED RED

During the Bosch regime, the head of the bank was Sr. Rafael Jorge. Sr. Jorge's son, Rafael Jorge Tello, is reported to be a Communist and with the rebels. During Sr. Jorge's management, and while Sr. Guzman served both as cabinet minister and bank board member, the U.S. counterpart fund became tangled with the bank's already snarled affairs.

U.S. counterpart funds are accumulated by the sale of U.S. surplus commodities. The United States agrees that money it receives shall be spent inside the country which bought the commodities.

On its side, the country agreeing to the arrangement promises that it shall keep these funds sequestered in a separate account, disbursing them only with the approval of U.S. officials. All this is according to Public Law 480.

IGNORED LAW

The Bosch administration violated this agreement and ignored the U.S. law controlling the funds.

Counterpart funds were not segregated. Instead, they were fed into the bank's general cash flow and used for whatever purposes, without U.S. approval. Some time ago, the U.S. State Department discovered this situation and immediately and vigorously cracked down; but by that time, the Bosch regime had been overthrown by the military.

The military junta was succeeded after a short time by a temporary civilian government headed by Donald Reid Cabral. As soon as he received the State Department's stern representations, he ordered his new bank management to reconstitute fully the counterpart fund account and handle it according to law and the agreement between the two countries. This was done.

Meantime, the audit by the internationally known accounting firm of Ernst & Ernst was progressing. It had started during the previous regime, but was completed and handed to President Reid Cabral just before the military overthrew him as well.

ASSETS AND ASSETS

In referring to the $75 million discrepancy between what it said were assets and what the bank said were assets, the Ernst & Ernst audit makes on page 4 what is probably one of the most restrained financial understatements of the year, when it remarks:

"As a result of our examination, the financial statements previously prepared by the bank, as of May 31, 1964, have been revised substantially."

That is, revised $75 million worth, downward.

On the same page, the audit goes on to say:

"Contracts were inspected for the respective loan ledger cards and we were unable to locate approximately 3,900.

"We also inspected the mortgages and were unable to locate approximately 900 mortgages." When the auditors gave the bank a list of what was missing, they outdid their previous understatement by gently suggesting that the bank make "further investigation of this serious situation."

On page 5, the auditors describe their experience in checking the bank's lending and collection habits, as follows:

"Requests were mailed to 30,153 borrowers covering loans aggregating $37,322,495. We mailed second requests to all borrowers from whom no reply to the first request had been received.

"As of October 15, 1964," the auditors said, "15,885 replies had been received representing 52 percent of the requests mailed and 51 percent of the amount involved. * * * However a large number of requests were returned to us by the post office as being undeliverable for various reasons."

On page 6, the audit says that "as of May 31, 1964, the bank had not made the entries on the books to properly record the sale of certain agricultural products and equipment."

Ernst & Ernst had pointed out this discrepancy, but it was not until the Reid Cabral regime that the corrections were made.

SAD NEWS

On page 7, there is the sad news that "titles could not be located for certain properties carried at approximately $1,300,000."

On page 8, the auditors point to what must be one of the silliest mistakes ever made by a financial house. It says the bank forgot to list one of its most important assets, its own bank building, and had forgotten that it also owned "the building on Independence Avenue occupied by the police department."

A glance at the "assets" revealed loans made to borrowers who had skipped out of the country years ago, including Dominican diplomats.

According to a Dominican official, a great many of these loans were made to members of Bosch's Partido Revolucionario Democratico (Democratic Revolutionary Party) during his brief 19-month career in office, who were friends of the party's bigwigs, including Sr. Guzman.

CASH DEPLETED

Today, it is reported here that the bank's cash is just about depleted. It is so short that it cannot function properly in its primary role; to make loans on easy terms to small farmers and agricultural enterprisers. This means that the people who need credit most at this time of crisis, cannot get it.

One adviser to Reid Cabral told him that the bank is a "monument of inefficiency and casual indifference to even the most rudimentary correct banking procedures."

Today, those temporarily in charge during this time of no government are struggling hard to bring a semblance of business discipline to the institution, but as the bank staggers from day to day on U.S. cash transfusions, it is difficult for them to even be sure where to start to clean it up.

OTHER BANKS

Furthermore, some Washington officials have received information that many other banks throughout South America which have been getting capital from the Inter-American Development Bank (which in turn gets is capital largely from U.S. taxpayers via the Congress) are being run as loosely as the Banco Agricola.

Several Congressmen and Senators are reported to have obtained copies of the Ernst & Ernst report, since the kind of financial institution which handles aid and development funds appropriated by Congress is very much their concern.

[From the Washington Daily News, June 2, 1965]

It's Your Money

How a bank in the Dominican Republic, which handles Inter-American Development Bank funds and other international and U.S. aid moneys, snarled its affairs was described by this newspaper last week. Further details appear today on page 33.

An audit was made by Ernst & Ernst, an internationally known firm of accountants. The findings are enough to shake any friend of Latin America, or any supporter of the Alliance for Progress.

It said, for instance, that the Dominican institution, Banco Agricola, "has no definable systems and procedures."

It is no wonder that of stated assets of $118 million, the auditors could find only $43 million.

Financial crisis in addition to political crisis is tragic enough, but this matter has implications much wider than the Dominican Republic, because there are hints that there are many other banks in South America whose affairs are no better managed than Banco Agricola's have been in the past.

If this is so, and we strongly suspect that it is, it seems to us that this is a worthwhile area for congressional scrutiny, since so much of the money which these banks handle is appropriated by Congress.

In the United States, there is a Federal bank inspection system. At random and unforewarned intervals, examiners audit our banks, and this is a powerful deterrent to sloppy practices or cupidity.

Why not an international bank inspection system? We believe sound institutions would welcome it, and so would the agencies whose responsibility it is to arrange for the export and placement of international funds.

At present, there is no international inspection system comparable to our Federal bank examination. Banks in many other countries are audited only when some politician or other thinks it would suit his book to do so, or some temporary affluence causes a bank's managers to have one to make themselves look good.

When we explained our idea to Sr. Felipe Herera, president of the Inter-American Development Bank, he said, "I think this could be an interesting formula for international lending institutions."

It seems to us that an independent pool of well-known international accounting firms of recognized integrity could be organized, rotating examinations and examiners and sharing data for future reference and comparison.

It would cost a tidy sum, no doubt but we're convinced that whatever it cost, it would be a drop in the bucket compared with the flow of money and credit that, at present, receives far less surveillance in some underdeveloped countries than does the most modest savings account in the United States or Western Europe.

This might be a way to make development and aid dollars go farther and, by improving banking techniques, strengthen the financial systems in many countries. This would certainly be to the advantage of everyone.

The **PRESIDING OFFICER**. The question is on agreeing to the amendments en bloc offered by the Senator from Alaska.

Mr. **MORSE**. Mr. President, this is one of the most important amendments to be considered in connection with the foreign aid bill. In discussing it, I shall first call attention to that section of my minority views which deals with the threat of multilateralism. I said, in the minority views on the issue—and it was an issue that received a great deal of consideration and much debate in the Foreign Relations Committee:

The bill reported by the committee majority contains two provisions, described as major ones in the report, designed to promote a shift in U.S. foreign aid programs from a bilateral to a multilateral basis. A new proviso is inserted in the act's statement of policy which puts the Congress on record as urging "* * * that the United States and other free world nations place an increasing portion of their assistance programs on a multilateral basis. * * *" Section 205 of the act is then broadened to give the President authority to take as much as 20 percent of the program funds authorized for development lending and to turn them over to the International Development Association (IDA), the World Bank, and the International Finance Corporation. Only the vigilance of committee members prevented an attempt to include in this giveaway all multilateral financial institutions, not merely those now in existence, but those yet to be organized.

These are indeed major provisions—and dangerous ones to boot. To the credit of the backers of this initiative, there is no effort to mask the meaning of the shift; their reasoning is made painfully clear. Most important, it is openly stated that a successful move toward multilateral aid would permit avoidance of the new criteria and regulations now governing bilateral U.S. assistance.

For example, it would entirely evade the extremely valuable Hickenlooper amendment, which has helped so much to inhibit, if not prevent, expropriation of U.S. property in countries aided by our bilateral program. This is a particularly important example, for it highlights the fact that what criteria there are in the act resulted from efforts by the Congress to provide strong guidance, rather than from bureaucratic fiddling with minor administrative restraints, as the promoters of multilateralism implicitly seem to claim.

Again, by leaving it entirely up to the President to determine the means by which funds would be given to multilateral organizations, there is an in-built power to undermine the bipartisan Lausche-Mundt effort to encourage financial responsibility and competence in the less developed countries by insisting on more businesslike loan terms. The IDA lends for a half century and virtually dispenses with interest rates. In other words, IDA loans are the "softest" now available to borrowers in the underdeveloped world. And make no mistake about this point: it is the IDA which would receive the funds under these committee amendments to the act. World Bank loans are made on far "harder" terms than those which govern our bilateral lending, and the Bank under these provisions would scarcely seek new funds—which it apparently does not now require from us. Indeed, the Bank recently arranged to turn over to the IDA a portion of its annual net profits. As for the International Finance Corporation, it has had difficulty over the years in even employing the relatively modest sums which it has available. Thus it is evident that we are really dealing with the soft-loan IDA in this context. And this is an institution which so far has devoted more than half its resources to just two countries, India and Pakistan; these are also ones which receive a heavy share of our bilateral foreign aid, amounting to billions of dollars over recent years.

I am not opposed to providing limited funds to the multilateral financial institutions under firm guidelines which encourage businesslike terms. But the requirements of these many institutions are becoming insatiable. At the beginning of last year the Congress provided authority for a $312-million increase in the U.S. contribution to IDA over a 3-year period; yet there is now information that most of this authority has been used for loan commitments and that a new increase will be sought in the near future. Also, early in 1964 the Congress authorized new backing for the Inter-American Bank of close to half a billion dollars; yet one of the first bills we approved this year authorized another $750 million for that Bank over a 3-year period. In addition, pending before the committee right now is a bill to expand our quota in the International Monetary Fund by $1 billion—one-quarter of this sum to be made available from the stocks of gold which have been steadily slipping away from us.

Other bilateral aid limitations to be avoided by this section are procurement source limitations designed to protect the U.S. balance of payments; the requirement for detailed plans and cost estimates, 50–50 shipping; the restrictions on aid to Cuba, Poland, Yugoslavia, and other Communist countries; on aid to countries shipping goods into Cuba; on aid for enterprises abroad that will export back into the United States in competition with our own enterprises; on aid to countries preparing for aggression against other U.S. aid recipients; on aid to Indonesia; on aid to countries having no investment guarantee agreement; and on aid to economically developed countries.

What other reasons do the multilateralists advance in support of this shift? Their greatest emphasis is given to the questionable point that aid from a multinational organization does not result in resentment and hostility among the people assisted, which outcome has been so frequently the case with bilateral foreign aid. Now this is a fascinating admission about the record of our current aid program by those who are entirely prepared to approve 2 more years at the same old stand. I submit that there is no inescapable correlation between loaning money to a country and breeding resentment in the process. On the contrary, the connection between the two depends on the individual circumstances, on the kinds of assistance, and on the ways in which the overall transaction is handled. It seems overwhelmingly obvious that many basic flaws underlie our foreign aid program as it is presently formulated and administered if it brings such untoward results.

Where have resentment, backbiting, and mischiefmaking been most prevalent? Precisely in those countries—such as Indonesia, the United Arab Republic, Pakistan, and Ghana (not an exclusive list, by any means)—which the United States should have been extremely chary of assisting in the first place. Those four countries from 1946 through fiscal year 1964 received about $4½ billion in economic aid and agricultural surpluses, excluding long-term Eximbank loans and military assistance. The executive branch of our Government would have an impossible task if it tried to document just what the American people have received in benefits from their generosity in these instances. Only now is the U.S. Government reconsidering its actions, despite all the warnings from the Congress in recent years.

Too late, but at last we are stemming the flow of largess in such areas. However, the international financial agencies operate under criteria which do not permit the political judgment and policy adjustments we are able to make unilaterally; on the contrary, they are virtually compelled by their charters to consider economic factors alone. In these circumstances, there is nothing to prevent such financial institutions from using our contributions to help countries which are taking actions directed against our national interests. For example, the IMF is considering sending a team to Ghana to help straighten out the internal economic mess created by the most irresponsible and brutal dictatorship in tropical Africa. Yet it is all too evident that no basic change can take place in Ghana under its present regime.

One other main point in favor of their thesis is put forward by the multilateralists; namely, the premise that the capacity to make increased U.S. contributions will act as a lever to get the other industrialized free world nations to contribute more funds to the international agencies. Even if the premise were correct, and I am extremely dubious, the policy is not an appealing one. If the other developed nations wish to shirk their responsibilities, as we seem to interpret them, then the United States should resist rather than welcome the role of "father knows best." Much of the anti-Americanism found among our closest allies is attributable to just this kind of selfrighteousness. It is entirely possible that our allies have very good reasons for not wishing to make larger contributions to the multilateral agencies.

There is one other vital factor, however, which seems to have been totally ignored by those who support a steady movement of our foreign aid efforts into the multilateral category. On the question of the balance-of-payments impact of the program as a whole we are constantly being reassured by the high percentage of our references to "tied loans." Yet it does not appear to have occurred to the executive and legislative advocates of the multilateral approach that nothing could be more conducive to untying our loans than such a policy. By my computation as much as $300 million of our development lending could be freed of payments restraint by use of the 20-percent transfer authority.

Above all, these two committee amendments to the basic act should be stricken from the bill because they pose the clearest possible threat to control over our foreign aid program by the Congress and, by extension, the American people. It is true that the United States has representatives who exercise our voting power—a less than full equivalent to our contributions—in the multilateral financial institutions. However, the only meaningful congressional contact with those representatives comes when they appear to urge new U.S. contributions to such institutions; we may offer all the views we wish on such occasions, but there is no way to compel acceptance of any advice. Once the money is voted, it is turned over to the multilateral institutions and their use of the funds is not subject to congressional control. The same is true for the criteria and regulations established by those agencies. Only general guidelines are approved in their articles of agreement; and, once accepted, these provide great flexibility. The Congress is powerless to change the situation except through somehow stimulating an agreement for amendments among a great majority of the member countries. In practice, this means a total lack of congressional direction.

In these circumstances, multilateralism in the context of our foreign aid program forgoes the right and duty of the Congress to participate in the formulation and administration of a vital tool of our Nation's foreign policy.

Mr. President, I wish to develop that last point a little more in depth. In closing my argument, there are two points I wish to stress above all others.

I take this one first: It is difficult to persuade Senators to take the time and make the study necessary to give consideration to the abstract principle of American constitutional government; but, nevertheless, it is a vital one. That is the principle that involves the constitutional authority for Congress to check the expenditure of taxpayers' funds which are authorized and appropriated through authorization appropriation acts to various programs approved by Congress.

If there were no other reason for my opposition to the multilateral approach than this one, I would oppose it most strenuously.

I am greatly concerned about the tendency, during the past quarter of a century, of Congress to delegate away effective checks, and that I am greatly concerned about the tendency of Congress now—for a quarter of a century, but at an increasing rate in recent years—to vest more and more authority to make decisions in the executive branch of the Government. It does not matter how the multilateralists spell out their position on the issue semantically. Let me point out that the end result would be that a multilateral approach by Congress would have less authority than it would have under the bilateral approach, with less authority to control the specific expenditure of funds for specific purposes.

Turning over to an international body a voting ratio, but not a controlling voting ratio, would mean that millions and millions of American taxpayers' dollars would be spent in a foreign-aid program which will be rife with inefficiency and waste. As the Comptroller General has stated in many of his reports, it would result in malfeasance in the administration of the program on the part of officials in foreign governments.

Mr. President, the taxpayers have a right to say to Congress, "We do not wish to make a foreign international organization a superlegislature which, in effect, would have the authority to follow a policy course of action which Congress would probably not follow if it retained the bilateral approach to foreign aid authorizations and expenditures."

It is not necessary to have a good foreign aid program to do this, Mr. President. It is not necessary for Congress to delegate to a group of foreigners, sitting on a board of directors of international agencies, the degree of control over American taxpayers' dollars which this approach of so-called multilateralism would provide.

It is important, in the interest of protecting congressional control over its own constitutional checking power, that the Senate adopt the amendments of the Senator from Alaska. I believe that it would have a salutary effect around the world.

In connection with another amendment which I shall discuss at a later hour, there is an attitude which has even been developed in international conferences, particularly on the part of some Arab and African countries, that they are entitled to American foreign aid as a matter of right. They say this at international conferences, and I have quoted them in my minority views.

Mr. President, I do not believe that as a Congress, we can justify delegating away the effective authority, the practical authority, the working authority of the Congress to retain control over the expenditure of foreign aid funds.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Oregon yield to the Senator from Ohio?

Mr. MORSE. I am opposed to the multilateral approach which is envisioned in the committee bill. I believe that we should adopt the amendments of the Senator from Alaska, for other reasons, too, which I shall bring out after I yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. Is it not a fact that, through the past several years, we have attempted to establish safeguards which we deem to be necessary for the protection of the security of our country, and to prevent the outflow of gold, in what we call the unilateral loan program of aiding foreign countries?

Mr. MORSE. The Lausche-Mundt amendment had that as its main purpose.

Mr. LAUSCHE. It contemplated the granting of a loan at an interest rate that would have some semblance of a real loan being made to the recipient country.

Mr. MORSE. Yes. I was proud not only to support it, but I believe at one time I associated myself with the amendment.

Mr. LAUSCHE. Is it not also a fact that we adopted the Hickenlooper amendment, which is applicable to unilateral loans, and which denies the right to make a loan to any country which has confiscated American property and has not reimbursed the injured party in an amount equal to the reasonable value of what was confiscated? In substance I believe that is an accurate description.

Mr. MORSE. The Senator is correct. As I believe the Senator heard me say a few moments ago, I brought this out in my minority views. We would lose the benefit of the Lausche-Mundt amendment and the benefit of the Hickenlooper amendment insofar as funds that go into a multilateral organization are concerned.

Mr. LAUSCHE. Is it not a fact that we also created by law sanctions to be imposed upon countries receiving our aid, which were sending help into Cuba?

Mr. MORSE. Yes. We have not imposed nearly enough sanctions on a good many other countries, and we continue to finance them with huge sums of money. I hope we shall be able to be more effective this year in attaching some amendments to the bill which will stop aid to those countries.

As I say in my minority views, if we go along with this multilateral approach, no international body will stop giving a loan because a country has expropriated an American powerplant somewhere, for example.

Mr. LAUSCHE. Congress also adopted a limitation on aid that might be used to harm the interests of the United States.

Mr. MORSE. The Senator is correct. We would lose all that under this program.

Mr. LAUSCHE. Could the assumption be made that those who are administering the loan program, recognizing that they are subject to restraints, such as those under the Hickenlooper amendment and under the Mundt-Lausche amendment, and under other provisions that were adopted by Congress, are attempting to escape those restraints, and are therefore asking that we do away with the unilateral effort and turn it into a multilateral program?

Mr. MORSE. The Senator from Ohio said it in the first instance. I did not say it. However, I certainly wish to say it, and shall expand on that thesis, because in my judgment the Senator has put his finger on the basic cause of the inefficiency and the malfeasance and the waste connected with our whole foreign aid program.

Mr. LAUSCHE. Under the 20-percent provision, it would appear that of the $780,250,000 authorized for use by the Development Loan Fund, 20 percent would be liberated from the limitations and restrictions which Congress has imposed upon that agency in the use of that money. Is that correct?

Mr. MORSE. It constitutes a complete destruction of the application of the checking power of the Congress in protecting the taxpayer dollars. That is what is so bad about this proposal.

Mr. LAUSCHE. It might be repetitious to say so, but——

Mr. MORSE. The Senator need not worry about repetition. It is necessary to repeat and repeat in order to educate and teach.

Mr. LAUSCHE. Recognizing the perilous position of our gold reserves and the constantly increasing outflow of them, several years ago, contrary to previous operations, we adopted what we call the tie-in program. In effect we would say to a country, "We will lend you money, but you must use that money to buy goods manufactured in the United States."

We argued to the people of the United States that 80 percent of what we would lend to a foreign country would be spent in the United States in the purchase of U.S. labor and goods. Am I correct?

Mr. MORSE. The Senator is correct. I shall have something to say about that, so far as its effectiveness is concerned. However, the Senator is correct in his statement.

Mr. LAUSCHE. If we adopt the policy of allowing 20 percent of the $780 million to be used under a multilateral program, all the protections about which we have spoken will be abandoned. Is that correct?

Mr. MORSE. The Senator is correct. I am sure the Senator does not really believe that if we start this year with 20 percent, that will be the percentage ceiling. I say, watch out. The next time they will build it up to 30 or 35 or 40 or 50 percent. This is only the beginning of the design, on the part of the State Department and of the AID people in cooperation with Members of Congress, to take from Congress effective control over the expenditure of taxpayers' money in the foreign aid program.

Mr. LAUSCHE. There comes to my mind an incident which happened about 3 years ago, which embraces these facts: The United Nations sent to Cuba, at a time when our problem was tense with that nation, money to be used in some agricultural research work.

Mr. MORSE. A large percentage of that money was American taxpayers' dollars.

Mr. LAUSCHE. The public in the United States wrote in anger, "Why are our American dollars being sent to Cuba, to be used by a nation and a government that are hostile to us?" Is it not a fact that our Government answered by saying that this money was sent by the United Nations, that we had no control over it, and that we had no right to tell the United Nations where that money was to go?

Mr. MORSE. That is correct. It is a good example of how the State Department and the AID authorities again want to strip Congress of its checking control. If the American people only understood the application of the abstract principle of Government to which I am referring, there would be some angry responses from them today.

Mr. LAUSCHE. If authority is given to use 20 percent on a multilateral basis, instead of on a direct loan basis, is it not a fact that we are shorn of all of the protections provided for our country?

Mr. MORSE. That is the thesis of my minority views, which is not as well stated as the Senator has stated the situation.

Mr. LAUSCHE. Twenty percent will then be used on a multilateral basis, and the tie-in program will be eliminated.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. At a time when the outflow of gold is becoming more difficult and when, in fact, it comprises one of the gravest problems confronting our country.

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. I recognize what difficult times, internationally, confront our Nation. However, I believe that the multilateral program as contemplated is not sound, and I shall be glad to support the Senator from Alaska in his amendments, because I believe they would be in the interest of our country.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MORSE. I shall yield in a moment. I wish to say, out of appreciation to the Senator from Ohio, that as a member of the Foreign Relations Committee he supported my position there, too, just as he is supporting it on the floor of the Senate this afternoon. All these facts were brought out in the Committee on Foreign Relations. That is why I feel so heavy of heart, when I thought the facts were so clear, to find that a majority of the members of the committee were perfectly willing to delegate away from the American people a very precious checking power, which I am satisfied they would agree ought to be retained, and which was written into the Constitution for the protection of the taxpayers of this country.

I am at a loss to understand how there can be any question that the amendments should be adopted and why this provision of the bill should be eliminated.

I now yield to the Senator from Colorado.

Mr. DOMINICK. I appreciate the courtesy of the Senator from Oregon. I am also in support of the amendments of the Senator from Alaska.

I was most interested to receive recently a letter dated June 4, 1965, from the International Economic Policy Association, located in Washington. The letter is signed by its legislative chairman, Mr. Miles. I did not notice whether he testified before the committee or not. But I would gather he did not, because in the letter he said that the subject had come to his attention, as though it was something new. After analysis, he felt that the proposal of the committee as presented to the Senate would be very bad so far as this country was concerned.

He submitted with the letter a memorandum. I believe the memorandum is also of significance and importance. To support what the distinguished Senator from Ohio said about the balance of payments, I point out that on page 3 of the memorandum the writer states that the proposal as presented to Congress on this multilateral 20 percent blanket authority is definitely contrary to the policies declared by the President in his February 10, 1965, balance-of-payments message.

He points out that this action would permit the retention of 20 percent of the Development Loan Fund—presently tied 85 percent to U.S. procurement—and it would permit this reallocation to the World Bank and its affiliates, which are not subject to such restriction. Since its inception through April 30, 1965, only 12.8 percent of identifiable procurement of the International Development Association was U.S. procurement. That is $31.5 million out of $245.5 million worth.

The procurement history of the World Bank shows that the following percentages of World Bank expenditures resulted in U.S. procurement in 1960, 1963, and 1964: 29 percent in fiscal year 1960; 33 percent in fiscal year 1963; and 31½ percent in fiscal year 1964.

The memorandum continues:

> In view of the continuing balance-of-payments deficit, it would be extraordinary for the Congress to authorize a blanket exception to the rules governing procurement under U.S. statutes and Executive orders.

Commenting on that particular amendment, we are dealing with a most important subject, as has been brought out by the Senator from Alaska [Mr. GRUENING], the Senator from Oregon [Mr. MORSE], and the Senator from Ohio [Mr. LAUSCHE]. We are dealing with the question of whether the Congress of the United States will be able to say under what conditions American taxpayers' funds shall be distributed to the countries of the world.

Mr. MORSE. That is the issue.

Mr. DOMINICK. That is the basic issue. It seems to me that if we increased the percentage to 20 percent with none of the restrictions or requirements that we have made applicable to our own aid, we would merely be stepping out of the position of responsibility and delegating it to a group of people who may or who may not be in agreement with our own policy.

I should like to ask a question of the Senator from Oregon. Perhaps he cannot give me the answer, but I should like to ask the question anyway. If the amendments by any mischance should be rejected, is there any proposal or thought about offering a new amendment which would merely put the situation back in the position where it is under the present law?

Mr. MORSE. I hope that the amendments will not be defeated. I have reason to believe that they will be adopted. But if they should happen to be defeated, I shall then pursue every possible course of action that I can to circumvent the effect by offering whatever amendment would accomplish that end.

Mr. DOMINICK. Would it not be a fact that if the amendments were adopted, we would be leaving the existing law intact so that the small amount that we now allocate to the International Development Association would still be there?

Mr. MORSE. That is true.

Mr. DOMINICK. All we would be doing would be to eliminate the increase?

Mr. MORSE. We would only stop the expansion.

Mr. DOMINICK. I thank the Senator.

Mr. MORSE. That is a fitting transition statement for me to make the next argument that I wish to make in opposition to the proposal to delegate more and more authority to foreign multilateral financial institutions.

Mr. DOMINICK. Mr. President, will the Senator yield for one more observation?

Mr. MORSE. I yield.

Mr. DOMINICK. Mr. President, I ask unanimous consent to have printed in the RECORD the letter and the accompanying memorandum to which I referred.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

INTERNATIONAL ECONOMIC
POLICY ASSOCIATION,
Washington, D.C., June 4, 1965.

The Honorable PETER H. DOMINICK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOMINICK: I would like to bring to your attention a matter which should be of concern to all Members of the Senate. On April 14, 1965, the Senate Foreign Relations Committee voted out the Foreign Assistance Act of 1965. Among other changes the committee amended section 205 to give the President discretionary power to lend up to 20 percent (formerly 10 percent) of the Development Loan Funds to the International Development Association, the International Bank for Reconstruction and Development or the International Finance Corporation (formerly only the International Development Association) to be used by them under their individual criteria and administrative rules and regulations, rather than those governing U.S. bilateral aid programs.

This amended section 205 involves a number of inconsistencies with U.S. bilateral aid policies which are explained in detail in the attached memorandum.

In brief, section 205 of S. 1837 suffers from the following defects and inconsistencies with U.S. bilateral aid policy:

1. It circumvents the regular authorization and appropriation procedure in making contributions to multilateral international financial institutions with the necessary opportunity for congressional review of their activities;
2. It circumvents U.S. procurement restrictions designed to protect the U.S. balance-of-payments position;
3. It circumvents the Hickenlooper amendment (sec. 620(e)), a protection for U.S. foreign investment;
4. It circumvents congressional policy directives regarding foreign aid contained in section 620(a) to 620(m) which include restrictions on aid to Cuba; and, finally,
5. It circumvents the policy of minimum interest rates on development loans (sec. 201(d)), the requirements for detailed plans and cost estimates (sec. 611) and cargo preference requirements which protect the U.S. balance-of-payments position.

Because of these inconsistencies with approved congressional policy regarding U.S. bilateral aid, we urge you to delete section 205 entirely from the Foreign Assistance Act of 1965.

The amended section 205 does not increase the resources being made available to the less developed and newly independent countries, but merely alters the disbursing institution and the conditions upon which the funds are used. Deletion of section 205 will not diminish the amount of foreign aid resources which the United States supplies.

If the amended section 205 becomes law and should the President exercise the discretionary authority granted thereby, it is reasonable to conclude that the International Development Association (the soft loan window of the World Bank) would be the probable beneficiary of this authority. This is so because the World Bank has ample funds for its present level of operations, and the International Finance Corporation (IFC) will be provided additional capital of $400 million by the World Bank. Hence, neither one of these institutions presently needs additional resources.

The major part of IDA resources in the past have been committed to India and Pakistan. Of total commitments of $778.2 million to June 30, 1964, $569 million were allocated to these two countries (India, $390; Pakistan, $179) or 73.1 percent. Recently, $90 million was made available to India for import assistance, or balance-of-payments loans, with no conditions as to procurement.

One can legitimately raise the question why U.S. aid funds should be diverted to IDA to escape the conditions of U.S. aid legislation in the case of India, Pakistan, or any other less favored recipients of IDA funds.

I wish to make it clear that our membership does not necessarily oppose multilateral aid programs. What we do object to is the use of tangential devices to escape the application of policies already accepted by the Congress and the President in present law as conditions of bilateral aid. It is possible that when the charters and policies of the international agencies are brought in line with the policies of U.S. law applicable to bilateral aid, then we would not oppose, but might even favor, the multilateral approach. Until then, section 205 should be deleted.

These views have the general approval of our membership, except that the Ford Motor Co. wishes to disassociate itself from the views expressed in this letter and the attached memorandum.

Sincerely yours,
CLARENCE R. MILLS,
Chairman, Legislative Committee.

MEMORANDUM: SECTION 205 OF S. 1837 (THE FOREIGN ASSISTANCE ACT OF 1965)

On April 14, 1965, the Senate Foreign Relations Committee voted out the Foreign Assistance Act of 1965. Among other changes, section 205 was substantially altered. That section previously had provided that the President, if he should determine that it would more effectively serve the purposes of the Development Loan Fund title, and the policy contained in section 619 (pertaining to newly independent countries), could lend up to 10 percent of the Development Loan Funds to the International Development Association. That section has been altered to read as follows:

"SEC. 205. USE OF INTERNATIONAL LENDING ORGANIZATIONS.—In order to serve the purposes of this title and the policy contained in section 619, the President, after consideration of the extent of additional participation by other countries, may make available, in addition to any other funds available for such purposes, on such terms and conditions as he determines, not to exceed 20 per centum of the funds made available for this title to the International Development Association, the International Bank for Reconstruction and Development, or the International Finance Corporation for use pursuant to the laws governing United States participation in such institutions, if any, and the governing statutes thereof and without regard to section 201 or any other requirements of this or any other act."

As you can see, under S. 1837, the President would have the discretionary authority to funnel up to 20 percent of the funds appropriated for the Development Loan Funds to the International Bank for Reconstruction and Development (the World Bank) and its affiliates, the International Development Association and the International Finance Corporation, to be used by them under their individual criteria and administrative rules and regulations, rather than those governing U.S. bilateral aid programs. Such a provision involves certain inconsistencies with U.S. bilateral aid policies which we would like to point out to you.

First, it would not seem to be a wise practice to use funds appropriated for U.S. bilateral aid to support multilateral international lending institutions. The U.S. Congress, from time to time, appropriates funds to these institutions on the basis of separate authorization and appropriation requests by the President. This presents an opportunity for extensive hearings and examination of their past performance, which is as it should be.

Secondly, there are a number of requirements governing U.S. bilateral aid which this amendment to section 205 would void. First and foremost are the procurement limitations incorporated in section 604 which are designed to protect the U.S. balance-of-payments position. The AID Agency claims that at present more than 85 percent of all U.S. bilateral dollar aid is tied to U.S. procurement.

The country is facing a critical balance-of-payments deficit. The Government has taken extraordinary efforts, as outlined in the President's message of February 10, 1965, to reduce our deficit completely within the next year or so. In this effort, the President has requested the cooperation of U.S. businesses to restrain their investment in marginal projects and to so alter their operations abroad even at some financial cost in order to maximize the positive balance-of-payments impact of such activities. The President's message of February 10, 1965, stated that "to minimize the foreign exchange costs of our defense and aid programs, I am directing the Secretary of Defense, the Administrator of AID and other officials immediately to step up their efforts to cut overseas dollar costs to the bone."

It is definitely contrary to the policies declared by the President in his February 10, 1965, balance-of-payments message to permit the reallocation of 20 percent of the Development Loan Funds—presently tied 85 percent to U.S. procurement—to the World Bank and its affiliates which are not subject to such restriction. Since its inception through April 30, 1965, only 12.8 percent of the identifiable procurement of the International Development Association was U.S. procurement (i.e., $31.5 million out of $245.5 million). The procurement history of the World Bank shows that the following percentages of World Bank expenditures resulted in U.S. procurement in 1960, 1963, and 1964; (1) 29 percent in fiscal year 1960;[1] (2) 33 percent in fiscal year 1963;[2] (3) 31.5 percent in fiscal year 1964.[3]

In view of the continuing balance-of-payments deficits, it would be extraordinary for the Congress to authorize a blanket exception to the rules governing procurement under U.S. statutes and executive orders.

Thirdly, this change to section 205 is also inconsistent with other provisions governing U.S. bilateral aid. It avoids the following restrictions which presently govern U.S. bilateral aid:

1. Minimum interest rates on Development Loans (sec. 201(d)).

2. The restriction of sections 620 and 620(e), the Hickenlooper amendment which offers substantial protection for U.S. foreign investment against expropriation; sections 620(a) to 620(m) which contain many policy directives of the Congress with regard to foreign aid, including restrictions on aid to countries trading with Cuba.

3. The requirement for detailed plans and cost estimates (sec. 611).

4. The requirements that 50 percent of Government-financed commodities be shipped on U.S. vessels (sec. 901(b) of the Merchant Marine Act of 1936, as amended)—a measure which also protects the U.S. balance-of-payments position.

This amendment is further inconsistent with the congressional action which recently approved $750 million for the fund for special operations of the Inter-American Development Bank only upon the assurance of the Secretary of the Treasury that an agreement would be reached with the IDB that 80 percent of those funds would be spent in the United States.

It is also inconsistent with recent Senate action to apply the principles of the Hickenlooper amendment to the $750 million appropriation for this fund. On February 25, 1965, the Senate voted in favor of this amendment by a vote of 60 to 22.

The amendment to section 205 would bypass the Hickenlooper amendment, section 620(e), providing for the cessation of U.S. bilateral aid to a country that expropriates the property of U.S. citizens without taking steps within 6 months to make adequate, full-value compensation in convertible currency for the expropriated property. Many Members of Congress and key State Department personnel have stated that the Hickenlooper amendment has had a salutary effect in a number of less-developed countries.

Finally, the new amendment would also bypass section 620(L), providing for the cessation of aid to countries not entering into a bilateral investment guarantee agreement against expropriation and convertibility by the end of 1965.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORSE. I am delighted to yield.

Mr. DIRKSEN. I should like to have the attention of the Senator from Alaska [Mr. Gruening] also.

I gathered from the explanation of the Senator from Alaska that he proposed to delete section 205. But the amendments that are presently being considered would not do that.

Mr. GRUENING. Yes; they would.

Mr. DIRKSEN. I am interested in deleting section 205 because it would leave us high and dry. While we furnish most of the money, we do not even have any appropriation control over the money.

Mr. GRUENING. That is precisely the purpose of the amendments.

Mr. DIRKSEN. But they would not do that. If the amendments of the Senator from Alaska would delete section 205, I would support them. Otherwise another amendment would have to be submitted.

Mr. MORSE. I have not had an opportunity to study the language of the amendments, but my understanding was that the section would be deleted.

Mr. LAUSCHE. Why does the Senator from Illinois say that the amendments would not accomplish the deletion?

Mr. CLARK. Mr. President, who has the floor?

Mr. MORSE. I have the floor.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. It is the opinion of the counsel for the committee, and also my own, that the net effect of the two amendments would be to leave section 205 of the present act exactly the way it is, but they would change the statement of intention in the statement of purpose and eliminate the Foreign Relations Committee amendment which would increase from 10 to 20 percent the amount which could be used for multilateral advances.

Mr. DIRKSEN. I say to the distinguished Senator from Oregon that the summation sheet issued by the committee shows that amendment No. 224 would strike out amended section 205, authorizing up to 20 percent of development loan funds to the International Bank or its affiliates. That is not what the amendment would do. On pages 3 and 4 the language states, "delete subsection (b)," which has no relation to section 205 of the bill.

Mr. MORSE. I respectfully suggest to the Senator from Alaska that he confer immediately with legislative counsel and make certain that the amendments would carry out his expressed intention, which is what we are supporting. As the Senator from Illinois has pointed out, that is what I proposed and supported in committee. I assumed that the Senator from Alaska was making the same proposal that I made in committee.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. It seems to me that Senators who wish to change section 205 and to change the committee's provisions amending 205, increasing the percentage of what could be used for multilateral advances, would have two positions, one of which would be to go whole hog and knock out not only the provision in the pending bill, but also the original section 205. That has not been done.

The other would be to do what has been attempted, which is to knock out the stepping up from 10 to 20 percent, the percentage which can be used for multilateral purposes, leaving the law as it now is, which permits 10 percent. Far be it from the me to make any suggestions to my dear friends, but the yeas and nays have been ordered on the amendments. If the amendments are adopted, at least we shall be in a position where we shall have stricken out of the provision the increase from 10 to 20 percent, and we shall be at liberty to go ahead with another amendment to strike out section 205.

Mr. GRUENING. May I reply to the minority leader? This amendment reads:

> On pages 3 and 4, delete subsection (b).

This relates to the use of facilities of the Redevelopment Association and reads as follows——

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. CLARK. The fallacy of my friend's statement is that what he proposes to strike is the proposed new section 205, which would change existing law.

Mr. GRUENING. That is precisely what I wish to strike.

Mr. CLARK. But that is not what the Senator has done.

Mr. HOLLAND. That would put us back to the old law.

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[1] Semiannual Report of the National Advisory Council on International Monetary and Financial Problems, June 23, 1964; H. Doc. No. 200, 88th Cong., 2d sess., p. 14.

[2] Ninth Special Report of the National Advisory Council on International Monetary and Financial Problems, Jan. 20, 1964; H. Doc. No. 60, 89th Cong., 1st sess., p. 20.

Mr. CLARK. That would put us back to the old law, as the Senator from Florida well says.

Mr. DIRKSEN. I hope we may have this question clarified, because I am willing to go back to the 10-percent provision in existing law; but to go to 20 percent, when we are already up to our ears in commitments, would not be acceptable. The International Development Association, with 92 countries associated with us, could lend money to Cuba, and could not be stopped.

Mr. MORSE. Of course it could not be.

Mr. DIRKSEN. The IDA could ignore all our procurement criteria. It could nullify the Hickenlooper amendment. Aid could be given to a country that had expropriated American property, and there would not be a thing we could do about it. There would not be an iota of control in the Committees on Appropriations of the House and Senate.

I would not quarrel about 10 percent, because that is provided in existing law; but I do not want to go to 20 percent, because I feel that we are being very generous as it is.

Mr. MORSE. I agree with the Senator from Illinois. That is the position the Senator from Colorado [Mr. DOMINICK] and I took a few minutes ago on the floor of the Senate; it is the position the senior Senator from Oregon took in committee.

I suggest to the Senator from Alaska that he and his administrative assistant confer with Mr. Holt, counsel for the Committee on Foreign Relations, and with legislative counsel, to try to carry out the proposal I made in the Committee on Foreign Relations, which the Senator from Ohio [Mr. LAUSCHE] and other Senators supported, and which I thought the Senator from Alaska was seeking to implement.

Mr. CLARK. Is the Senator from Alaska content to leave the amount at 10 percent, as it now is?

Mr. MORSE. That is what I thought the Senator from Alaska was proposing.

Mr. GRUENING. We made that suggestion before, in an effort to have the amount removed entirely, and lost. I am now content to revert to the present 10 percent, which is what the amendment proposes. This discussion has now clarified the situation. The amendments as written would do precisely what I intended should be done.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. What is the view of the Senator from Illinois as to whether the entire concession ought to be eliminated or only that part which constitutes an increase?

Mr. DIRKSEN. I can only say that the moneys we have contributed were earmarked for Pakistan and India. India was to build a steel mill, when she was not ready for it. India did not have the skills; she did not have the personnel capable of laying it out.

Besides, this is what is known as the "soft loan window," because these are 50-year loans. The interest is so low that it is almost impossible to calculate it. This really is a concealed grant.

Mr. MORSE. That is the burden of my minority views.

Mr. LAUSCHE. I believe that all the percentage ought to be eliminated.

Mr. DIRKSEN. I would go along with that proposal, but I will be reasonable.

Mr. LAUSCHE. The entire 20 percent ought to be eliminated. My question is: What would be the position of the Senator from Illinois if it were proposed to remove all authority to use the money on a multilateral basis?

Mr. DIRKSEN. The reason why I would take it all away—and I will compromise, if I have to—is that the Bank does not need the money; the Bank is a moneymaker. The Fund does not need the money. So it is a fair assumption that the International Development Loan Association is going to get all this money. It is going to lend it on a 50-year basis at virtually no interest. So when I call it a concealed grant, that is exactly what it is. There is no control over the money. We cannot even dictate whether our vessels shall be used to carry American commodities. That question might be involved.

Mr. LAUSCHE. Would the Senator from Illinois support a removal of the whole amount?

Mr. DIRKSEN. I would; but I want to be certain that the amended language would do what we think it ought to do.

Mr. GRUENING. Does the Senator from Illinois agree that in its present form the amendments would restore the amount to 10 percent, which is what is intended?

Mr. DIRKSEN. Perhaps so.

Mr. GRUENING. I agree with the minority leader that the entire amount should be eliminated; but having been defeated last year, I thought we could not be successful this year. Therefore, I submitted a more moderate proposal.

Mr. DIRKSEN. The Senator should demonstrate his mettle.

Mr. GRUENING. The Senator from Illinois encourages me to go on.

Mr. DIRKSEN. I do.

Mr. GRUENING. If these amendments are adopted, perhaps I shall submit another one to strike the full amount.

Mr. DIRKSEN. That is fair enough.

Mr. GRUENING. Are Senators ready to vote?

Mr. MORSE. I am not ready to vote yet.

Mr. AIKEN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. AIKEN. Is not the practical aspect of the situation that there is a good chance of adopting the amendments offered by the Senator from Alaska to hold the amount at 10 percent, and that this proposal has an even better chance of being adopted than if we tried to strike out the entire amount?

Mr. MORSE. That is the point I was about to make. We who think the committee report should be modified, and that we should not act in haste tonight, may have an opportunity to greatly improve the bill. That is why I wanted to be certain we reached agreement as to what the amendments are designed to do. I have been holding the floor; I have not had an opportunity to study the proposal.

I have one more argument to make against the committee amendment.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DIRKSEN. To make certain that no one will think I am "talking by the card," this is information we have obtained from D. G. Henderson, a consultant with the Committee on Foreign Relations:

> Most of the loans are 50 years with no interest rate except a three-quarters of 1 percent service charge.

With 92 countries having subscribed $1,700 million, we are "in hock" for $632 million.

So when we lend money that way, it is a giving away of $632 million, and for practical purposes we do not have a string on it and cannot stop the recipients from doing what they want with it.

Mr. MORSE. I completely agree with the Senator from Illinois.

Mr. LAUSCHE. The Senator from Illinois was not in the Chamber when I made a rather complete statement that it was my belief that those administering the fund, finding themselves limited in what they may do because of the Hickenlooper amendment, the Mundt-Lausche amendment, the 50–50 use of American and foreign ships, and other restrictions, have conceived the idea that they can circumvent the limitations by converting the loan programs into multilateral programs. The reason underlying the program is to convert it into a multilateral program.

Mr. MORSE. I ask the Senator from Illinois, the Senator from Ohio, the Senator from Alaska, and the Senator from Pennsylvania this question: Am I correctly advised that those Senators have reached agreement that the amendment in the form submitted by the Senator from Alaska would have the singular effect of eliminating only the proposal to increase the amount of the funds that can go into the multilateral program from 10 to 20 percent; and that if the Senate should adopt the Gruening amendments, it would mean that the law would remain as it is at the present time?

Mr. CLARK. That is my understanding.

Mr. DIRKSEN. Do not misunderstand my position that if a proposal were made to strike out the entire amount, the circumstances being what they are, I would support it.

Mr. MORSE. Very well. That brings me to my second point. I should like to have the attention of the Presiding Officer and the Parliamentarian.

If the Gruening amendments were adopted, we would not be estopped tomorrow or the next day, or any other time, from offering an amendment to eliminate the entire program involving 10 percent, would we?

The PRESIDING OFFICER. (Mr. HARRIS in the chair). The Senator would not.

Mr. DIRKSEN. Mr. President, Senators should be present to find out what this is about. The facts are irrefutable. We know now what has been done. We know that we have no control over the matter. I do not mind being generous. However, I do not want to be foolish. I feel that we would be foolish if we were to accept this proposal.

Mr. MORSE. That is exactly the position I took, along with the senior Senator from Ohio, before the committee. We were defeated. We are now seeking to go back to the position that we took before the committee and have the Senate approve it.

I shall forgo making any further argument other than to say quickly, in a broad brush stroke, that there is no reason why the recommendation of the committee on this multilateral matter should not be agreed to. We have a bill before us which, if it is passed by the Senate, would provide for the appointment of a special commission to make a review study of the entire program on foreign aid for the next 15 months or so. That should be one of the major problems for the committee to review before it decides what its recommendations should be.

I do not believe that we should proceed to enact legislation on this controversial subject when there are such variances in points of view.

I believe that we should let the status quo stand and let the committee decide, after a survey, what recommendations it wishes to make in regard to expanding the multilateral approach.

If we obtain a group of men who really dig into this matter, the group will share the viewpoint which I expressed in my minority views. I have brought out every point that the Senator from Illinois has made in his suggestions for the adoption of the now generally understood import of the amendments offered by the Senator from Alaska.

I shall say nothing further at this time, although I have another subject matter connected with the amendment that I could just as well discuss in connection with another amendment.

Mr. DIRKSEN. Mr. President, if the Senator will yield, I suggest to the Senator from Alaska that he ask that the order for the yeas and nays be vacated, and that there be no vote on his amendments tonight. Let us have a little more explanation when more Senators are present tomorrow. I want Senators to understand what this is all about. Frankly, I feel rather deeply about it.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GRUENING. I say to the distinguished minority leader that his melodious words are music to my ears.

Mr. DIRKSEN. Music, or amusing?

Mr. GRUENING. Music. It is beautiful music, melody, harmony, symphony. For many years I have sought to demonstrate on the floor of the Senate that the so-called foreign aid loans at ¾ percent were concealed grants. The many times that I tried to rectify the situation we got slight improvement in the loan interest rate when the lending terms were controlled by the Senate. Then, the Senate gave a part of the control to the international banks with the regrettable consequences that the minority leader has now pointed out.

I share his viewpoint. I have expressed it repeatedly. By requesting that we rescind the order for yeas and nays, we could reopen the question and perhaps eliminate the giveaway completely.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I regret very much, as the Senator temporarily in charge of the opposition to this particular amendment, that I cannot approve the unanimous-consent request to vacate the order for the yeas and nays. It may well be that the chairman of the Committee on Foreign Relations will be back later. However, I suggest to my good friends the Senator from Oregon and the Senator from Alaska that it may not be desirable to vote tonight.

Mr. MORSE. That is what I was about to suggest.

Mr. CLARK. I do not see any point in the request to vacate the order for the yeas and nays. If the amendments should be rejected, the committee proposal would be approved. If the amendments were agreed to, it would still be within the authority of the Senator from Alaska and the Senator from Oregon to propose to strike section 205, which the House bill retained.

Mr. MORSE. That is the ruling that I have obtained from the Parliamentarian.

Mr. CLARK. My suggestion is that instead of asking unanimous consent to rescind the order for the yeas and nays, which I would have to object to reluctantly, we continue to debate the measure and put the vote off until tomorrow.

I ask the majority leader if that would be agreeable to him.

Mr. MANSFIELD. Mr. President, I should hope—and I believe I can speak for the chairman of the committee—that the distinguished Senator temporarily in charge of the bill would agree to the request. What we are having is a confused and compounded situation which could raise nothing but difficulty for all of us in the hours ahead.

I believe that it would be the better part of discretion to allow the distinguished Senator from Alaska to withdraw his request for the yeas and nays and get the matter straightened out tomorrow. I believe that it would help to expedite the measure.

Mr. DIRKSEN. Mr. President, we could offer an amendment to strike out all of section 205 with one exception, notwithstanding the yeas and nays. We would not have to obtain consent to it. So, there is nothing to gain whatsoever by resisting a request to rescind the order for the yeas and nays. If no other Senator does so, I shall offer an amendment in the nature of a substitute.

Mr. PASTORE. The Senator could ask for the yeas and nays on the pending amendments.

Mr. DIRKSEN. Surely.

Mr. CLARK. Mr. President, far be it from me to oppose my distinguished majority leader and the very able, melodious, and persuasive minority leader.

Mr. DIRKSEN. I thank the Senator.

Mr. CLARK. However, I should like to be clear on what we are doing. We are not to vote in connection with this proposal tonight.

Mr. MANSFIELD. The Senator is correct.

Mr. CLARK. Under those circumstances, the Senator from Alaska would have until tomorrow morning to prepare the form of the new amendment which he desires to present. With the understanding that we are not to vote tonight, I have no objection to the Senator asking unanimous consent to rescind the order for the yeas and nays.

Mr. GRUENING. Mr. President, in response to the Senator from Pennsylvania I see no reason for withdrawing the amendments, although we might get better results.

Mr. CLARK. I believe that we would be far better off if we were to get a vote on the amendments. Why does the Senator wish to rescind the order for the yeas and nays?

Mr. GRUENING. Because the minority leader thought it would be helpful to have it done, to achieve a result we both would welcome.

Mr. CLARK. There is no reason that we cannot discuss it this evening or tomorrow. That has nothing to do with the yeas and nays. I ask the Senator from Oregon for his view.

Mr. MORSE. Mr. President, the Senator from Alaska can ask unanimous consent to rescind the order for the yeas and nays, and we would be ready tomorrow to do anything we wish.

Mr. GRUENING. Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the Record just before the unanimous consent request about the voting tomorrow a 1-page statement relative to the amendment.

Mr. MORSE. And let it appear at the point at which the Senator from Arkansas is recommending.

Mr. FULBRIGHT. Yes, have it placed in the Record at the point where the unanimous consent request was made.

The PRESIDING OFFICER. Without objection, it is so ordered.

Foreign Aid Amendment No. 224

This would strike out section 205 of the act as amended by the committee bill so as to enable the President to make available up to 20 percent of development loan funds to the International Bank or its affiliates.

The amendment would leave section 205 as it now is in the existing law which authorizes the President to lend up to 10 percent of development loan funds to the International Development Association.

The real issue here is one of bilateral versus multilateral aid.

There is abundant evidence that multilateral arrangements are not only more efficient in hardheaded bankers' terms but that they also generate much less political friction between the United States and the recipient country.

The committee bill does not imply that the United States is going to write a blank check to some international organization or that it is going to lose all control over its money. The International Bank for Reconstruction and Development and its affiliates have made an enviable record which is universally admired by those who are familiar with it. The consortium which the World Bank has organized to develop the Indus River Basin in India and Pakistan has been highly successful and could well serve as a model in other parts of the world. A multilateral approach is at the heart of President Johnson's plan for southeast Asia and discussions are underway for an Asian development bank to play a major role in this plan.

In addition there are a number of other multilateral devices which warrant further exploration and development—such as, for example, the Development Assistance Committee of the Organization for Economic Cooperation and Development and the Inter-American Committee for the Alliance for Progress.

Mr. MORSE. Mr. President, this is not a suggestion on my part, but I am perfectly willing to consider any unanimous-consent agreement on time to vote on the amendment tomorrow. However, if Senators desire to let that matter go until tomorrow, that is agreeable.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I believe that the Senator from Oregon has made a sensible and reasonable request. I believe it would help to expedite the business of the Senate.

I suggest, therefore, that the vote be held at 1:30 tomorrow afternoon, the time to be equally divided between the Senator temporarily in charge of the bill, the Senator from Pennsylvania [Mr. CLARK], or whoever may be designated, and the Senator from Alaska [Mr. GRUENING].

Mr. CLARK. Mr. President, reserving the right to object, and I shall not object, I take it that the distinguished majority leader incorporates in his unanimous consent request, the request to vote on whatever amendment the Senator from Alaska may choose to offer tomorrow on the subject of multilateral aid. The Senator from Alaska may well change his mind overnight and decide that he wants to repeal section 205.

Mr. GRUENING. At present, I am in complete agreement with that suggestion.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Will the Senator from Montana state when the time limitation would begin under his request?

Mr. MANSFIELD. 12 o'clock.

Mr. BASS. Mr. President, will the Senator state that it will be possible to vote immediately thereafter on passage of the bill?

Mr. MANSFIELD. I wish it were possible.

Mr. MORSE. I do not believe the Senator wishes that.

The PRESIDING OFFICER. Is there objection to the request? Without objection, it is so ordered.

The unanimous-consent agreement, as reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to vote not later than 1:30 o'clock p.m. on Thursday, June 10, 1965, on amendments numbered 221 and 224 offered by the Senator from Alaska [Mr. GRUENING], to the bill S. 1837, to further amend the Foreign Assistance Act of 1961, as amended, and for other purposes.

Provided, That all time for debate between 12 noon and 1:30 o'clock p.m. on Thursday, June 10, 1965, shall be equally divided and controlled by the Senator from Alaska [Mr. GRUENING], and the Senator from Pennsylvania [Mr. CLARK], or any Senator designated by him.

AUTHORIZATION FOR COMMITTEE ON PUBLIC WORKS TO MEET UNTIL 1 P.M. TOMORROW

Mr. MANSFIELD. Mr. President, after discussing the matter with the distinguished minority leader [Mr. DIRKSEN], I ask unanimous consent that the Committee on Public Works be allowed to meet until 1 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MORSE. Mr. President, in further cooperation with the leadership, I am about to complete my argument on these amendments now, so that other Senators may use the time tomorrow.

Now that we have disposed of the parliamentary tangle, I wish to develop a little further my argument in opposition to the committee's recommendation to increase from 10 to 20 percent funds to be made available to multilateral financial organizations.

The majority of the committee find themselves in a rather indefensible position when they argue for this rather major change in foreign aid policy and at the same time agree to the Morse amendment in the bill as it came from the Foreign Relations Committee. The latter provides that the entire matter of foreign aid will be subjected to a full review and analysis between now and fiscal year 1967—an amendment which provides that the 1965 foreign aid program as it now operates will automatically come to an end, and that whatever foreign aid program we shall have thereafter will be a new foreign aid program, based upon recommendations the special committee is expected to bring forward after a year and a half of intensive study of foreign aid.

If we are to have a study of foreign aid, I do not think we ought to adopt a change in foreign aid policy as major as this change is.

I took this position in committee: I thought the committee ought to wait; that out of respect to the committee which is to be appointed, it ought to wait; that in fairness to those of us who are in such complete disagreement with a majority of the Foreign Relations Committee on so many aspects of foreign aid as it presently exists, the committee ought to wait until it receives the report that will flow from the intensive study which the special commission will bring forth, if the proposal survives in conference, as I hope and believe it will.

For that reason, the chairman of the Foreign Relations Committee, himself, after further reflection on this matter, should support those of us who believe that we ought to defeat the section of the bill as reported from the Foreign Relations Committee that would increase the contributions of American taxpayers' money to foreign financial bodies from 10 percent to 20 percent.

The Senator from Ohio [Mr. LAUSCHE] raised another point that he did not develop to the degree that I think it ought to be developed. It is a delicate matter. Mr. President, after all, I must sit here and vote on foreign policy matters in light of what I think is the attitude of the State Department and the AID agency in respect to congressional checks. I am sorry to say it, but I am completely convinced that it has been the attitude of the State Department and the foreign aid people for some years that they are not desirous of letting the Congress exercise in full its congressional rights and prerogatives and constitutional checks if they can, by circumvention, by various proposals, invade congressional legislative authority and get the Congress to delegate away to the State Department and the AID authorities more and more aid authority.

It is a serious charge, but I mean every word of it. I do not believe the State Department and the AID officials really have a desire to frame a foreign policy with the Congress of the United States consonant and consistent with the legislative authority of the Congress.

To put it another way, and perhaps a little more bluntly, there is an attitude on the part of the State Department and AID officials that Congress is merely a necessary evil. They would like to reduce the impact of the word "necessary" as much as possible and try to reduce Congress to as unnecessary an evil as possible.

That is too bad, for it is just as important to the executive branch that Congress be perpetuated in its constitutional strength and power as it is that the executive branch of the Government be guaranteed and assured its full executive power.

I take great pride in the fact that in the 20 years I have served in the Senate I have always risen to defend the powers of the executive branch whenever there was any attempt of the part of the Congress to encroach on the Executive power. It is just as important to me as a Senator as it is to the Secretary of State, or the Director of AID, or any other Cabinet officer, or the President himself, to retain the Executive power of our form of government in full bloom and force at all times.

Mr. President, I shall not regale the Senate tonight with the many instances in which this has been my record, but how well I remember, at the time of the McCarthy hearings—that an attempt was made on the part of Congress to invade the Executive's right in connection with the separation of powers doctrine—that I was the one who led the fight in behalf of the executive branch in defense of Executive power.

Time and time again in my 20 years in the Senate, on the doctrine of executive privilege, an attempt has been made on the part of Congress to impinge upon the doctrine of executive privilege. I have never allowed anyone to get ahead of me in insisting that the powers of the Executive be preserved.

We are not going to be able to retain the strength which our constitutional fathers intended this system of government to have, based upon three coordinating and coequal branches of the Government, if we as Senators ever sit in this Chamber and permit any infringment on Executive powers to be practiced against the executive branch; but, likewise, we as Senators will not be protecting the people of the country and their constitutional freedoms if we sit in this Chamber and proceed to delegate more and more legislative power to the executive branch, hiding behind the rationalization and the alibi that Members of Congress have so often heard advanced, "We did not delegate, really, any Executive power. We only delegated administrative authority."

Mr. President, in most instances that is only a lot of "hokum." It is an excuse, not a reason, for doing what Congress does.

I make these points because at the heart of the proposal of the majority on the Committee on Foreign Relations is the attempt to delegate away from Congress effective control over the determination of the expenditure of American taxpayers' dollars by foreign financial agencies, on which the United States has only representation.

I do not mean to open up old sores, but let the record speak for itself. I have not been willing to delegate away from Congress its constitutional authority or its constitutional duty under article 1, section 8, of the Constitution of the United States, in regard to the power to make war.

It will not be many months before many Senators will be wishing they had not granted to the President the delegation of power which he was given on August 12, 1964. Relatively a few days ago, in effect, the bill passed to grant the President $700 million to fight an undeclared war in Asia was only a vehicle to give him another vote of confidence through a delegation of power which Congress, under the Constitution, does not have the power to make. The fact that it goes along and makes it does not make it either legal or constitutional.

That is the principle involved: The question whether Senators are going to be jealous—as our voters have the right to expect us to be—of the inherent power of the Senate—in this instance, to maintain control over the expenditure of taxpayers' money involved in any authorization or appropriation bill in respect to foreign aid.

The Senator from Illinois [Mr. DIRKSEN] pointed out that what we are really doing is pouring more money through the soft loan window of IDA, and even more money through the windows of other foreign financial bodies on which we have only representatives sitting, but do not have control. They will make the decisions as to how the American taxpayers' money will be spent in a so-called foreign aid program. It ceases to be a U.S. foreign aid program. It becomes a foreign-country-controlled foreign aid program, but with huge sums of American taxpayers' money involved.

Let us be frank about it. Every Member of this body and every Representative in the House knows very well that 99.9 percent of the American people do not understand that fact, are oblivious to it, or are ignorant of it. But, if we could get them to understand it, I have no doubt as to what their verdict would be. It would not be complimentary to politicians. It would not be complimentary to Members of the Senate.

I can hear them saying to Members of the Senate: "That is not what we sent you back to Washington to do. We did not send you back to Congress to give away our rights."

I point out that the checking powers of the Senate are powers which do not belong to the Senate. They belong to the American people.

Senators are merely the political agents of the American people. Senators have no right to delegate away their constitutional checking powers without telling the American people in advance what they are doing, taking the time to make certain that the American people understand what is being proposed.

This is not the first time this plea has been made in this Chamber throughout the history of the Republic. I seek only to walk in the footprints on the carpet in this Chamber of former Senators—great statesmen whose footprints I cannot hope to fill but who, nevertheless, are a great inspiration to me.

I make this plea tonight, in respect to preserving the power of checks in Congress against a State Department and a foreign aid administration that has stated over and over again that it looks upon Congress as only a necessary evil, something to circumvent whenever it believes that Congress is standing in the way of its exercise of their personal discretion.

The plea that I make in opposition to an attempt on the part of the State Department and the foreign aid administration to try to get Congress to delegate this basic legislative authority carries out the teachings of the great men who have served in this body from the beginning of the history of our Republic.

The issue of maintaining a system of government based upon three coordinate and coequal branches of government involves a controversy between the executive and legislative branches of the Government as old as our history. It broke out in the first administration of George Washington. It has involved a continuous battle between the legislative and executive branches of Government from administration to administration throughout our history. I challenge any Senator to find a single administration of a single President in our entire history in which this issue was not raised.

The interesting thing is that although there have been examples of attempted infringement of the legislative branch of the Government upon the constitutional powers of the executive branch of the Government, in an overwhelming number of instances the attempt at encroachment upon this precious guarantee of protecting the people by a check and balance system has been carried on by the executive branch of the Government.

There are many reasons for that. One reason for it is that in the executive branch of the Government, by its very nature, there is centralized administrative control. Cabinet officers and the heads of departments do not like to displease the President. There is a tendency on the part of Presidents—I speak impersonally—to seek to exercise more and more discretionary authority. When they seek to take unto themselves more and more discretionary authority, the temptation becomes very great, as well as the opportunities, to yield to the temptation to try to impinge upon the constitutional checking authorities of Congress. That is why we must be on guard.

There is another reason why there is a tendency on the part of the executive branch of the Government to be more guilty than the legislative branch of the Government of attempts to weaken our system of checks and balances based upon this guarantee of three coordinate and coequal branches of government. The reason is straight partisan politics.

I am often amused to hear the argument made in the Senate and in the cloakrooms: "That is what the President wants. You have to support the President. That is what he wants. You know very well what he can do to get it."

I always reject those arguments as plain sophistry and expediency. The people of the United States did not send us to the Senate to give the President what he wants. The people sent us to the Senate to support the President when we think that on the merits of the issue he is right. That is quite a different thing.

Therefore, I say that one of the reasons, in my judgment, why there has been more and more delegation of legislative authority over the past 25 years than during any other span of years in the history of our country is that too many Members of Congress have surrendered to partisan politics. They have no right to do it. I have never been known, and I shall never be known, to agree to the argument that we hear in party caucus, which is called a conference, that we must go down the line with the President, as though we were some kind of renegades or traitors or worse if we even venture the suggestion that the President or the administration is wrong on the merits.

We have no right to sit here in the Senate and vote for something because the President is seeking it, unless the President can make a case on the merits. I do not want anyone to be fooled about the history of this proposal of the Foreign Relations Committee.

The delegation of more and more congressional checking power over the expenditure of American taxpayer money to international financial bodies controlled by foreigners is what this administration wants. It ought to be whipped in its attempt to get it. This is what the Secretary of State wants. This is what the Director of Foreign Aid wants. They do not want anything that the President does not want.

I do not propose, as a Democrat, to give to my Democratic administration any authority that violates the constitutional guarantee that the American people shall have preserved for them a system of three coordinate and coequal branches of government, each branch exercising precious constitutional checks on the other.

I wish to say from the floor of the Senate tonight: "Mr. President, you ought to tell the Secretary of State and your Director of Foreign Aid to make clear to the chairman of the Committee on Foreign Relations that you have had a second thought about this matter, and that you are willing to let the law stand as it is now written."

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GRUENING. I wonder whether the Senator, as a constitutional lawyer, could inform me whether he thinks there is any constitutional violation in turning over our taxpayer dollars to foreign countries to have them dispose of them as they see fit, without any further control by Congress or, indeed, by any part of our Government.

Mr. MORSE. I do not believe there is any constitutional problem if Congress is so derelict in its sense of responsibilities as to give away taxpayer money in that way.

The sad thing is that we have the power to give away taxpayer money. That is what this amounts to. It is too bad, but that is it. That is all the more reason why we have a solemn duty to the voters who have sent us here to see that that kind of delegation is not practiced by Congress.

Mr. GRUENING. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. GRUENING I was pleased to note that from the other side of the aisle there came tonight a vigorous recognition of what the Senator from Oregon and I have been trying to get across for these many years; namely, that the so-called loans at three-quarters of 1 percent interest, with no repayment of principal for 30 or 40 or 50 years, were concealed grants. The recognition of our efforts to introduce a little fiscal responsibility is very gratifying, even though it has come a little late. I hope that that recognition will spread to a majority of the Members of Congress.

Mr. MORSE. It is encouraging. As chairman of the Subcommittee on Education I say that it has given all of us further encouragement regarding the educational process.

Mr. GRUENING. It shows that we should not be discouraged but that we should fight on.

Mr. MORSE. We should never be discouraged. It is surprising, as the Senator from Alaska well knows, how frequently a student will blossom out all at once, having by osmosis or some other process taken in the nourishment that is obtained through knowledge.

Facetiousness aside, I now return to my concluding comments on the problem raised by the Foreign Relations Committee. I hope that tomorrow the Senate will reflect long enough to give consideration to the abstract principles of constitutional government that I have tried to present once again in the Senate and adopt the amendment of the Senator from Alaska.

Of course, I would have them go further and make clear to the administration that we are not even going to permit the present law, with its so-called 10-percent contribution, to stand, for here is a place where reform in foreign aid is crying out for attention.

I hope that the Senate will adopt the amendments of the Senator from Alaska. I commend him for the great service that he has rendered to the Senate over the years, year after year, pointing out the seriousness of the situation. As he knows, I made the fight in the Foreign Relations Committee this year, but I was delighted to have the Senator from Alaska take up the burden of the fight on the floor of the Senate. I assured him that I would give him every bit of support that I could give him when his amendment was before the Senate. That I have tried to do.

I have concluded, unless the Senator from Alaska wishes to ask a question.

Mr. GRUENING. I merely wish to thank the Senator from Oregon and to tell him how much I admire and appreciate his unflagging effort to improve our foreign aid program, to protect the American taxpayer, and to make it a more effective program. I have been very happy to have followed his leadership on these questions. His leadership is that of a far more experienced legislator and a longtime member of the Foreign Relations Committee. He has rendered and is continuing to render a service that cannot be praised too highly.

MODIFICATION OF AMENDMENT NO. 221

Mr. GRUENING. Mr. President, I ask that my amendment No. 221 be modified by inserting in line 4 the word "that" between "and" and "the".

The PRESIDING OFFICER. Without objection, it is so orderd.

MODIFICATION OF AMENDMENTS

Mr. MORSE. Mr. President, my amendment dealing with individual countries contains a typographical error which I should like to correct at this time. The last line on page 1 of my amendments Nos. 243, 245, 246, 247, 248, 249, and 250 are modified to read "Foreign Assistance Act of 1965" instead of "Foreign Assistance Act of 1963." The "1963" is a typographical error. I ask unanimous consent that the modification be made.

The PRESIDING OFFICER. Without objection, it is so ordered.

INVESTIGATION OF ROBERT G. BAKER BY COMMITTEE ON RULES AND ADMINISTRATION — PERSONAL STATEMENT BY SENATOR WILLIAMS OF DELAWARE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the RECORD an item appearing on the U.P.I. wire service today announcing that the majority members of the Committee on Rules and Administration have ditched the earlier report prepared by one of their staff members.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

> WASHINGTON.—Democrats on the Senate Rules Committee today adopted a short report, without criticism of Senator JOHN J. WILLIAMS, Republican, of Delaware, on the Bobby Baker investigation.
>
> The six Democrats on the committee voted unanimously to approve the report and, in effect, ditch a 100-page effort strongly critical of Williams' role on the investigation.
>
> The longer report, authored by the committee staff under the direction of special counsel Lennox P. McLendon, was never considered at today's session.
>
> It was leaked several weeks ago and drove WILLIAMS to a series of floor speeches in which he defended his actions and challenged Democrats on the committee to support or reject the charges in the report.

Mr. WILLIAMS of Delaware. Naturally I am glad that the majority members of the Rules Committee backed down on the suggested criticism which had first been outlined in the report prepared by one of their staff members. There had never been any doubt in my mind but that ultimately this would be the result. They had no choice when challenged.

From the beginning this has been one of the most underhanded attempts to discredit a Member of the Senate that I have ever witnessed.

This report was prepared by a member of the committee's staff and then leaked to the press with the implication that it represented the views of the Democratic members of the Committee.

Significantly, at no point has a single member of the committee ever defended this staff report or accepted it as representing their views; however, their failure to repudiate the report was clearly leaving just that impression. It was not until I challenged them to come to the floor of the Senate and present their criticism in my presence and in the presence of the full Senate that they decided to back down.

With this phase of the case now closed, I shall await with interest to see what criticisms or recommendations the report contains concerning Mr. Baker and his activities. After all, this was the primary purpose of the investigation.

MIGRATORY AGRICULTURAL WORKERS

Mr. WILLIAMS of New Jersey. Mr. President, in 1951 Congress enacted Public Law 78 as a temporary 2-year measure to bring Mexican Nationals into this country for farmwork. Renewals of the act during the 1950's for continued 2-year periods of time met with only nominal floor opposition.

Beginning in 1960 the importation of foreign farmworkers came under sharp attack from a large number of Representatives and Senators. Because of the increasing public opposition to the adverse effect foreign workers were having on American employment and wages, Congress in 1963 extended Public Law 78 for 1 year only and terminated it permanently on December 31, 1964.

Today we find that some parts of the farm community, and even some Members of this body, have launched a critical dialogus against Secretary of Labor Willard Wirtz because of the reduction in the number of foreign workers available for farmwork.

I, for one, realize that Secretary Wirtz is not responsible or accountable for the actions of Congress in terminating Public Law 78. His duty is to carry out the intent of Congress. It would be well, I think, for all Members of Congress to understand that if criticism is warranted on the foreign worker question, it should be directed to Congress rather than to the Secretary of Labor.

As Chairman of the Subcommittee on Migratory Labor, I have carefully studied the farm labor problem and the effects of the termination of Public Law 78 on our farm labor supply. As a result of my work in this area, I have come to the conclusion that, although the loss of foreign farmworkers may have caused temporary inconvenience to some farmers, there is in fact in most instances an adequate available supply of domestic labor which is willing and able to do the job which foreign farmworkers have previously performed.

The facts in my possession show that crops are not rotting in the fields as has been contended and that agricultural production has not been curtailed. In most instances sufficient domestic farm laborers have been recruited, where thorough attempts have been made and decent wages and working conditions have been provided. The cost to both the consumer and farmer of the use of American workers even at higher wages than those previously paid to foreign laborers has only been minimal.

I realize, however, that this transitional period is a most difficult one replete with many complicated and vexing problems. Secretary Wirtz has handled these problems with a minimum of difficulty and inconvenience to the parties involved. Where domestic workers have been unavailable, foreign workers have been authorized. Only in one instance has his judgment been questioned. In this instance, after a Federal District Court in Florida upheld the Secretary's authority to exclude foreign workers, Attorney General Katzenbach allowed 500 West Indians to remain in Florida for an 8-day period to help complete the harvest of the celery crop. I might add that these workers performed tasks which domestic workers have historically shown great reluctance to perform. These tasks involve backbreaking, arduous labor and, therefore, compensation for this type work should be at premium wages. It is not surprising, therefore, that growers would rather use foreign workers who are currently being paid $1.15 an hour and are making approximately $12 per day on a piece rate basis.

SECRETARY WIRTZ DID NOT TERMINATE FOREIGN WORKER PROGRAM

Much has been said over the past few weeks concerning the lack of an adequate supply of farm labor to harvest our Nation's crops. We have been told that there is an insufficient supply of domestic farm labor and that Americans are unwilling and unable to perform the stoop labor necessary to insure a successful harvest. It has been alleged that because of the lack of labor crops are rotting on the ground in California and in Florida. Much of this criticism has unjustly fallen on the shoulders of the Secretary of Labor Willard Wirtz.

SECRETARY WIRTZ CARRYING OUT CONGRESSIONAL INTENT

When Congress deliberately terminated Public Law 78 on December 31, 1964, it was its intent to end the importation of foreign farm labor. This labor for many years had deprived qualified Americans from jobs in all fields and caused unemployment and substandard living conditions and wages.

Proponents of the Public Law 78 were warned as early as December 3, 1964, in a speech on the Senate floor by the distinguished Senator from Louisiana [Mr. ELLENDER], chairman of the Committee on Agriculture and Forestry that:

> It is my belief that by giving this notice in advance, the proponents of this law will be warned that the Senate will not act again on this measure and that they must begin to look elsewhere for relief.

On the same day, the distinguished Senator from Colorado [Mr. ALLOTT] said:

> I realize that this bill can probably never again come before the Senate. I, too, am practical.

The distinguished Senator from Florida [Mr. HOLLAND] said:

> I understand that the distinguished gentlemen have indicated that this commitment is to an extension of 1 year and not beyond that time.

The Senate was warned at that time that the public would not continue to tolerate the substandard living and working conditions forced on American agricultural workers by the importation of cheap foreign labor.

CONGRESS DID NOT INTEND TO SUBSTITUTE PUBLIC LAW 414 FOR PUBLIC LAW 78

The intent of Congress in ending the foreign worker program was not merely to change the program's label from Public Law 78 to Public Law 414.

In California's Ventura County, the heart of the State's lemon groves, where foreign workers have been used in great numbers in the past and where growers on numerous occasions have called for their continued use under Public Law 414, the Ventura County Star-Free Press stated in its April 2, 1965, editorial:

> If the Congress were to abolish some longstanding program of social welfare and if an executive department were to continue the program through some back-door gimmick, can you imagine the reaction of congressional conservatives? Their outraged cries over the disregard for congressional authority would sound all the way to Ventura. And well they should.
>
> Strange then that conservatives in the Congress are asking the Secretary of Labor to circumvent congressional intent in the importation of farm laborers. That is what some Congressmen did yesterday—with Representative CHARLES TEAGUE, Republican, of Ojai, among them—when they asked Labor Secretary Wirtz to authorize the use of farmworkers where needed.
>
> It is one of the curious aspects of the current farm labor problem that Secretary Wirtz is blamed for the lack of farmworkers when it was the Congress which, after long deliberation and ample warning, terminated the bracero program.
>
> If the importation of foreign workers is to be reinstated, even partially and temporarily, it should be reinstated by the Congress, not by Mr. Wirtz whose authority in the matter stems only from misuse of the immigration law.

I am certain that no Senator would want Secretary Wirtz to usurp the powers of Congress in this field. This merely follows close on the heels of the eloquent statement of the distinguished Senator from Oregon, who so clearly defined the powers and the responsibilities of the respective branches. Mr. Wirtz is only following congressional intent in what he is doing in this field of activity.

The Secretary of Labor should not be abused as he is in this instance. He should be applauded by Senators. Certainly no one here today would want the Secretary of Labor to usurp the powers of Congress in this field.

During the debate on the last extension of Public Law 78 the Senate was well aware that the domestic farm labor force had been declining at an average rate of 200,000 persons a year for the last decade. Many of those displaced from the farm, being unskilled and uneducated, were concentrated in the slums of our cities, unemployed and destitute. It was intended at that time to give these unemployed farmworkers an opportunity to find agricultural employment without having to compete with foreign workers.

CONGRESS INTENDED STRICT ADMINISTRATION OF PULIC LAW 414

The provisions of Public Law 414 specifically provide that the importation of foreign farmworkers for temporary employment shall not have an adverse effect on the wages, working conditions and job opportunities of American farm labor. The Congress laid down these provisions, not Secretary Wirtz.

In order to carry out the congressional intent, the Secretary of Labor on December 19, 1964, announced that Public Law 414 would be strictly administered. At the same time, he announced a set of criteria which would have to be met before foreign labor would be admitted to this country. Those criteria are not unreasonable. They call for an absolute priority for domestic farmworkers in all available employment. Adverse effect wage rates were established for each State in which foreign workers had previously been employed to be offered to domestic workers. In addition, a minimum standard of hygienic housing and sanitary facilities and insurance comparable to workman's compensation was to be offered to domestic workers. Also included under the criteria set forth were transportation from the place of recruitment to the place of employment and return for all workers completing 50 percent of the contracted for working period; and a guarantee of employment for at least three-fourths of that working period.

These are essentially the same guarantees which have been offered to the braceros in the past. As the April 2, 1965, editorial in the Ventura County, Calif., Star-Free Press from which I have previously quoted so aptly stated:

> There is some reluctance on the part of growers to grant Mr. Wirtz the power to set wage standards and particularly so since the scale he prescribes for California agriculture is higher than that imposed for some competing States.
>
> Still, if Mr. Wirtz is to be given the authority to overrule the Congress on the matter of labor importation, perhaps he should also be allowed to assume the power of Congress to set wage standards.

I ask unanimous consent that this entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Ventura County Star-Free Press, Apr. 2, 1965]

WHY PUT BLAME ON SECRETARY WIRTZ?

If the Congress were to abolish some long-standing program of social welfare and if an executive department were to continue the program through some back-door gimmick, can you imagine the reaction of congressional conservatives? Their outraged cries over the disregard for congressional authority would sound all the way to Ventura. And well they should.

Strange then that conservatives in the Congress are asking the Secretary of Labor to circumvent congressional intent in the importation of farm laborers. That is what some congressmen did yesterday—with Representative CHARLES TEAGUE, Republican of Ojai, among them—when they asked Labor Secretary Wirtz to authorize the use of foreign farmworkers where needed.

It is one of the curious aspects of the current farm labor problem that Secretary Wirtz is blamed for the lack of farmworkers when it was the Congress which, after long deliberation and ample warning, terminated the bracero program.

If the importation of foreign workers is to be reinstated, even partially and temporarily, it should be reinstated by the Congress, not by Mr. Wirtz whose authority in the matter stems only from a misuse of the immigration law.

The Council of California Growers seems to have abandoned hope that Mr. Wirtz will soon approve the use of large numbers of foreign workers in California. The council feels that Mr. Wirtz has reason to believe—from his recent California visit—that not all State growers are doing everything they can to utilize domestic labor. And the CCG, in its newsletter, blames some "irresponsible segments" of its industry for Mr. Wirtz unfortunate impression:

Mr. Wirtz, the people of this country, and responsible California agriculture believe that growers must play the game fair and square. And this means providing the type of decent farm labor camp facilities and decent field conditions that will help attract and hold domestic workers. But, as we said, this was not the overall impression which the Secretary gained. Nor was it the impression that members of his staff, or the press, or the general public gained.

The overall impression gained by the Secretary and by the public was not good. The facts are that once again responsible California agriculture has been clobbered by the black sheep, by the "chicken neck profiteers" by the operators, disgraceful farm labor camps, by growers who incredibly though, did not have toilet facilities in their fields. It is obvious to responsible agriculture, as it is to the public and to the Secretary of Labor, that the type of things contributing to this adverse impression cannot be condoned.

Ventura County growers also seem to have abandoned hope of import labor. They have, in effect, withdrawn their request for foreign labor by declining to increase farm labor pay to the $1.40-an-hour minimum which Mr. Wirtz has set as one of the conditions for being eligible for foreign laborers if they are made available.

There is some reluctance on the part of growers to grant Mr. Wirtz the power to set wage standards and particularly so since the scale he prescribes for California agriculture is higher than that imposed for some competing States.

Still, if Mr. Wirtz is to be given the authority to overrule the Congress on the matter of labor importation, perhaps he should also be allowed to assume the power of Congress to set wage standards.

WHERE CRITERIA MET SECRETARY WIRTZ HAS BEEN REASONABLE

Mr. WILLIAMS of New Jersey. Mr. President, the Secretary of Labor has been more than reasonable in allowing foreign workers to enter the country. On the occasions where domestic workers have been certified as unavailable Secretary Wirtz under Public Law 414 has allowed foreign laborers to be used on our farms.

I say parenthetically that the Secretary of Labor has been very sensitive to what has been described as an acute need. I had occasion a month and a half ago to observe the harvest of strawberries in Florida. I went there in response to my responsibility as chairman of the subcommittee. I found that truly there was, an oversupply of labor. It was felt that the following week there would be a shortage.

I believe Secretary Wirtz authorized 300 offshore workers to be available the following week. Actually, as it eventually turned out, there was no need for those foreign workers.

In addition, Secretary Wirtz in order to aid Florida agriculture on April 7 extended the authorization for 6,500 West Indian farmworkers to remain at work for periods lasting up to June 30 because of the lack of domestic labor. Similarly in California 2,500 braceros and 1,000 Japanese workers have been allowed to work on the asparagus and strawberry harvests.

AGRICULTURE MUST NOT RELY ON GOVERNMENT FOR GUARANTEED FOREIGN LABOR SUPPLY

In our free enterprise system it is impossible for an industry to prosper, grow, and expand when it is primarily dependent on a foreign labor force or when it looks to the Federal Government for a guaranteed supply of workers. What other area of our economy relies on a foreign labor force? What other area of our country looks to the Federal Government for a guaranteed supply of workers? There is no other area. That is the reason why we are trying to establish within agriculture the same healthy atmosphere of domestic employment that we have in other industries.

Agriculture must not expect the Federal Government to guarantee it an annual supply of foreign labor. No such guarantee is given to any other American industry.

Now I realize that because of past programs farmers have become dependent on foreign workers and for them the transition to domestic labor will involve some difficulties. But this would be true for any industry which has permitted itself in the past to become dependent on an imported labor force. And there is no doubt that this transition can be successfully accomplished.

FEDERAL GOVERNMENT WILLING TO AID AGRICULTURE

The Federal Government is willing and has made efforts over the years to aid the farmer in securing an adequate supply of domestic labor. Between 1959 and 1964, approximately $40 million was spent in Federal grants to the States in order to aid them in implementing their farm labor recruitment programs. It is estimated by the Department of Labor that an additional $13.4 million will be used for this purpose in 1965 and that $15.9 million will be used in 1966. In 1964, this money was used to pay the salaries of 1,791 State employees whose job it was to recruit farm laborers. To meet the expected increased demand for labor in April, May, and June of this year, appropriations were granted for 318 additional recruiting jobs.

ADEQUATE SUPPLY OF DOMESTIC LABOR AVAILABLE

The continued allegations by some farmers that there is an insufficient supply of domestic labor simply are almost without exception not valid. These allegations do not square with the facts. On April 30, 74,600 American seasonal workers were employed throughout the United States as compared to 61,600 a year ago. Of these workers, 41,400 came from outside the State in which they were employed as compared to 35,800 1 year ago.

Americans do, in fact, perform every kind of work for which foreign farm labor has been imported. In tomatoes, where more foreign labor was used than in the harvesting of any other crop, Americans in 1964 did over three-quarters of the total work. In Florida and California lettuce, which used a higher percentage of foreign labor than any other crop in 1964, American workers supplied 44 percent of the total seasonal labor requirements.

In California, rather than there being a shortage of domestic labor it appears that in some regions there is an oversupply. As an example of this situation, an article in the April 22, 1965, San Jose Mercury states:

> Claims by growers in the Salinas Valley that there aren't enough domestic farmworkers are grossly misleading, according to farm labor contractor Frank Valenzuela.

Valenzuela went on to state:

> I could dig up 100 good farm laborers tomorrow if growers wanted them.
>
> Valenzuela estimates that there are about 5,000 domestics at work in the Salinas Valley as compared to 3,300 braceros at this time last year and "this alone should prove that domestic workers can do farmwork."

At this point, I ask unanimous consent to have this article printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the San Jose (Calif.) Mercury, Apr. 22, 1965]

No Shortage of Farm Labor Now: Contractor

Hollister.—Claims by growers in the Salinas Valley that there aren't enough domestic farmworkers are grossly misleading, farm labor contractor Frank Valenzuela said Wednesday.

"I could dig up 100 good farm laborers and put them to work tomorrow if growers wanted them," Valenzuela said.

He noted that his remarks were directed at the present labor situation in both the Salinas and San Juan Bautista Valleys.

"I'm not talking about a farm labor shortage that might develop later," Valenzuela said.

Valenzuela said that he ordinarily has a crew of 30 workers for whom he contracts work. On Wednesday only four of them were working. They were thinning apricots in the Hollister area.

He said that after hearing a television weekend plea from Representative Burt Talcott, Republican, of Salinas, and reading newspaper accounts that there was a desperate labor shortage in the Salinas Valley he took a truckload of 40 workers to Salinas Monday.

"We parked in front of the California farm labor office from 7:30 in the morning until 10:30," Valenzuela said. "No one lined us up with work.

"In fact, there were about 100 local workers that morning who were also job hunting and got no work.

"Many of them came to my truck, thinking I had jobs to offer."

Valenzuela is one of six farm labor contractors in the Hollister area.

A one-time Hollister policeman, San Benito County probation officer and until this week mayor of Hollister, Valenzuela estimated that there are about 5,000 domestics at work in the Salinas Valley.

"This alone should prove that domestic workers can do farmwork," Valenzuela said. "At this time last year there were 3,300 braceros in the area."

He said that he has a standing order with farm labor offices to furnish 30 to 40 workers at any time in Hollister or Salinas, but that he has not received requests for help.

"There are more workers today than there is work," Valenzuela said. "The growers know this. The employment department knows it. But the public is not being told."

Asked if he believes that he might have been "singled out" because of his outspoken attitude about there being no labor shortage, Valenzuela shook his head.

"I don't think growers are discriminating against me," he insisted. "Other labor contractors, in Salinas and Hollister, are having the same problem. It's just that there isn't enough work."

"I think it's that some growers are not making a sincere effort to fully employ locals. They are still hoping to get braceros."

"Every day that domestics remain unemployed brings growers 1 day closer to the day that they can better justify the bracero program."

Valenzuela said that in fairness to growers he should mention that where his own work crews have been hired "they have been treated well. There is no complaint from me on this."

He said that until April 1 the pay for workers in the Salinas Valley had generally been $1.25 an hour. Now it's $1.40 an hour.

"This wage increase has led to good spirit and has instilled enthusiasm in local workers," Valenzuela said. "Most of the crews are hustling."

In a parting shot at Talcott, Valenzuela said:

"I agree that the situation is desperate. It's desperate for the local unemployed farm worker whose rent is due, whose grocer has cut off his credit and whose children are in school."

Mr. WILLIAMS of New Jersey. Mr. President, on April 30, 1965, there were 38,700 migratory farm laborers employed in California as compared to 20,600 at that time last year.

Frank Porter, in commenting on this situation in an article in the Washington Post of May 11, stated:

> Despite grower's complaints, would-be pickers turned out over the weekend in the Salinas areas farther north. Most were sent home emptyhanded.

Mr. Porter also states that "despite the protests from growers, they have asked for only 6,000 foreign field hands thus far. The Orange County growers do not qualify for foreign workers since they have stopped recruiting domestic workers in Los Angeles, one of the criteria for certification."

At this point I ask unanimous consent that Mr. Porter's article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Growers Attack Wirtz Bitterly for Barring Use of Braceros

(By Frank C. Porter)

With the spring harvest peak close at hand, California growers have stepped up their bitter attacks on Secretary of Labor, W. Willard Wirtz for barring the wholesale importation of foreign workers.

Jack Tabata, an Orange County strawberry farmer, plowed under 12 acres of his crop Friday in protest against Wirtz's policy. He called domestic workers available in the Los Angeles area scum winos and non-employables from skid row.

At the plowing-under ceremonies, Senator George Murphy, Republican of California, once again called for Wirtz's resignation.

STRAWBERRIES FOR WIRTZ

Tabata, spokesman for the California Strawberry Advisory Board, sent Wirtz a tray of bruised, overripe, and green strawberries "selected at random" to demonstrate how incompetent domestic pickers are.

The Secretary was reportedly unimpressed. An associate said Wirtz ate the berries.

Despite growers' complaints, more than 2,000 would-be pickers turned out over the weekend in the Salinas area farther north. Most were sent home emptyhanded.

Actually, Tabata's complaint is not the unavailability of domestic workers but their alleged unreliability.

SECRETARY'S VIEWPOINT

This argument cuts little ice with Wirtz. He contends that sufficient and competent domestic workers can generally be found if they are offered adequate pay, housing, food and working conditions.

The law allowing importation of Mexican braceros expired December 31. Under immigration law, however, the Secretary of Labor may certify the entry of foreign workers if Americans cannot be found under criteria of pay and working conditions set by him.

So far this year Wirtz has certified the use of 1,500 Mexicans and 1,000 Japanese and Filipinos in California—a wide departure from the more than 100,000 Mexicans who worked there in 1964. Despite the protests from growers, they have asked for only 6,000 foreign fieldhands thus far.

The Orange County growers do not qualify for foreign workers since they have stopped recruiting domestic workers in Los Angeles, one of the criteria for certification.

CHARGE ON PAY PERIOD

A Labor Department official said yesterday he had been informed these growers also don't meet the pay criterion of $1.40 an hour—a charge that a spokesman for the growers denied yesterday.

The spokesman told the Washington Post that the Orange County growers alone expect to lose $4 million of their $11 million crop. In the case of tomatoes, where the alleged labor shortage is said to be particularly acute, plantings are down by an estimated 50 percent, he added.

In the Salinas area, where picking requirements are less stringent because most of the berries are canned or processed, there is a good chance that the whole strawberry crop may be harvested, he said.

But Orange County produces a high-quality table variety, most of which is marketed in the East. This requires picking skill, and since much of the current crop has been overripe when harvested, the official explained, it has been marketed locally. This has led to a surplus and depressed prices locally, he said. At the same time, there appears to be no shortage in the East and prices there have not risen, he explained.

THREATS BY GROWERS

Many California growers have threatened to move their operations to Mexico or to switch from row crops to crops that require less labor, such as cereals. They say that they are uncertain of obtaining sufficient labor or that the wages needed to attract domestic labor would be prohibitive.

But their critics contend they could double or even triple wages and still make money (estimates on the after-tax earnings on California's $3.6 billion annual agricultural output run as high as $1 billion).

Estimates on strawberries and tomatoes were unavailable yesterday but these Agriculture Department figures show how tiny the field labor costs are for other crops requiring much labor, compared to retail price:

[In cents]

	Retail price	Field labor cost per unit
Lettuce..................head..	21	1.0-1.3
Celery..................pound..	15½	.3-.5
Lemons..................do..	24	.6-1
Dates..................do..	49	1.0
Radishes..................bunch..	10	1.0
Oranges..................dozen..	50-72	1-2
Grapefruit..................apiece..	8-10	.2-.4

Mr. WILLIAMS of New Jersey. The Department of Labor in its attempts to recruit domestic laborers for work in the California fields has reported that "frequent order cancellations have depressed applicant interest in seeking agricultural employment."

The facts before us thus clearly show that there is an abundant supply of domestic farm labor which is ready, willing, and able to harvest our Nation's crops.

SALINAS STRAWBERRIES

On a statewide basis, California agriculture is making a successful transition from its previous heavy use of foreign workers to increased use of American farmworkers. The single exception—or area of difficulty—to the general transitional success is found in the Salinas strawberry industry, centered in Monterey County.

The statewide success of domestic recruitment programs is indicated by data just released by the Labor Department:

First. American farmworker employment, on May 15, was up 16.1 percent from a year ago. Moreover, the number of families in farm areas receiving welfare assistance is down sharply. For example, in Monterey County, a major user of foreign workers in years past, the county welfare director has reported that only 77 families received welfare assistance in April of this year, compared with 313 families in April 1964.

Second. The total seasonal American labor force in California on May 15 was 139,400 compared with 120,000 on the same date a year ago.

In my judgment, this increase of almost 20,000 in the first year of the transition spells success for the American farmworker recruitment program. In short, although our new recruitment techniques are just in their beginning stage, it has already been demonstrated that workers are available when transportation, adequate housing, wages and working conditions are provided.

The difficulties in the Salinas strawberry industry, the single problem area in the California labor situation, are primarily caused by the heavy use of Mexican nationals in previous years; this, in turn, has resulted in the present lack of family housing in the area. The Monterey County Public Health Department reports that at the present time there are 110 labor camps in Monterey County but that they only provide housing for 50 families.

Only last year, 75 percent of the labor force in Salinas strawberries was foreign workers—all male bachelors housed in dormitory facilities. Only one-quarter of the labor force was American workers. In view of this past dependence on foreign workers, the present difficulties in shifting to American family workers should not come as a surprise to anyone.

So, as I have indicated, the fundamental cause of the current strawberry difficulties is the lack of family housing. However, unseasonable rains, causing severe crop damage and increasing the need for labor to strip damaged berries, have produced an additional aggravating factor.

Regarding the housing shortage—the fundamental cause of the Salinas difficulties—may I quote a statement by the California Farm Labor Panel. It reads:

> Lack of adequate housing is especially acute. Accommodations formerly used by single male braceros are obviously inadequate for domestic workers with families, who will make up a large proportion of the labor force in many crops such as strawberries. Moreover, State and local officials have not made sufficient inspection of housing now in use and have failed to enforce existing laws to the fullest extent.

The California Farm Labor Panel has recently made another finding which identifies another significant cause for the Salinas situation:

> From the indications we conclude that the efforts of the strawberry industry to recruit domestic labor have fallen short of their full potential.

Other factors do, of course, enter into the Salinas situation. The need for more effective training programs to provide farmers with more reliable workers, and the need for better information are but two examples.

This general analysis shows beyond question that we are not confronted by a problem which defies solution. The California situation as a whole shows, to the contrary, that farm labor needs can be worked out rather quickly. It is only where exceptional circumstances exist, such as Salinas strawberries, that more time is needed. It serves no purpose to issue allegations of bad business judgment in the past, or to argue that the Salinas strawberry growers brought the problem upon themselves by undue reliance in the past on foreign workers. The point of focus in our present context should be, for this body and all concerned, to understand that all of the causes of this problem cannot only be identified and analyzed, but also are susceptible to improvement when constructive action is taken.

CALIFORNIA ASPARAGUS HARVEST AHEAD OF LAST YEAR

In the California asparagus fields, fresh market harvesting has virtually been completed. On May 8, 86.5 percent of the crop was cut compared to 83.5 percent at the same time in 1964. Asparagus production for the week ending May 8 was tentatively estimated at 7 million pounds. For the week ending May 1, 1965, 8.9 million pounds were produced. This shows that sufficient labor was available on May 1 for higher production and the lower output for May 8 must have resulted from factors other than a labor shortage.

The California asparagus situation clearly suggests that the American worker is capable of harvesting crops requiring even the most specialized type of farm labor.

LETTUCE HARVEST AHEAD OF 1964

The California spring lettuce crop in May was forecast as being about the same as for 1964. However, on May 8, the harvest was 44.5-percent complete, while last year at this time only 38.9 percent of the crop had been harvested.

The world's largest lettuce grower, Bud Antle, Inc., has had no trouble recruiting domestic labor. The company's vice president, George H. Hobbs, on April 22 was quoted in an article in the San Jose California Mercury as saying:

> We've gotten along without braceros so far this year. * * * If we can't have braceros we'll get domestics.

At this point I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOMESTICS FILL BILL FOR BIG LETTUCE GROWER

SALINAS.—"Domestics? Hell, if we need 'em, we'll get 'em."

That's the attitude of Bud Antle, Inc., which bills itself as the largest lettuce grower in the world.

Antle, perhaps because of its size, is sort of a maverick in the vegetable business, both in the Salinas Valley and elsewhere.

It was the first company to sign a union contract for field workers back in 1961. It has been a pioneer in mechanization. Several years ago it pulled out of the Grower Farm Labor Association, a labor recruiting organization formed by growers.

Now, as growers are pleading with Secretary of Labor W. Willard Wirtz for certification of supplemental foreign field hands to help harvest and cultivate row crops, Antle has taken another of its maverick stands.

The company plans, in the words of its vice president, George H. Hobbs, to "do whatever is necessary to get good workers."

Apparently Antle has been successful.

"We didn't think there were enough domestics to do the job last December 31," Hobbs said.

That was when the U.S. agreement with Mexico to import braceros for field work expired.

"We've gotten along without braceros so far this year," Hobbs said. "If we can't have braceros we'll get domestics."

Antle now has 1,058 domestic field hands working for it in Arizona, El Centro, Salinas Valley, and other locations. The figure is close to the maximum which the company will employ this year.

How has Antle been able to recruit hard-working domestics when everyone else claims they have had little or no success?

"Perhaps it's just because he works harder at it," Hobbs said.

There are some other factors, however, which have gone into Antle's efforts to fill its field jobs.

The company hires winos.

It hires temporary workers.

It puts pressure on foremen to fill their own crews.

It offers some unusual fringe benefits.

"We've got one crew with so many winos in it we call it the 'wino crew,'" Hobbs said.

"We can't, and don't use the sick man who comes to work for 1 day only and shakes all the time until he gets his jug.

"We do hire men who blow all their money on wine on the weekend but that's their business, not mine. Sure, Monday's are a little tough for them but by Tuesday most of them have settled down to work. Some of them are good workers, too."

Antle gets a lot of applications from field hands who just want to work "until I get a couple hundred dollars."

They're hired and given transportation from their home to whatever area Antle needs them. Then in 2 or 3 weeks "when they get their pile and want to go home" Antle gives them free transportation back.

"These 'temporary' workers return to us time and again," Hobbs said.

Because Antle can't, at the moment, provide family housing for field hands, it has taken another course.

Men hired in one area are transported, free again, to wherever Antle needs them.

"Then in a few weeks, if they want to take a few days off and see their families, we transport them back—free."

Antle pays its field foremen premium wages.

"Then we tell them to fill their own crews with good workers," Hobbs said. "If they can't, we get new foremen."

That way, he explained, the foreman is recruiting laborers and all the men working for him are recruiting.

The company has one man who does nothing but tour the San Joaquin Valley looking for suitable field hands.

Hobbs has little respect for the ability of the California Employment Service to supply it with adequate field hands.

"Between December 24, 1964, and January 3, 1965, we recruited 254 men from the employment service. At the end of 2 weeks' work only two of these men were still with us."

Hobbs thinks the State employment service-recruited men are "the bottom of the barrel. Most of them are sick. We don't use the service anymore."

Hobbs feels Antle pays "about average wages."

The company guarantees $1.40 per hour on some jobs and $1.50 per hour for most.

"On a piecework basis our people average between $2.60 and $3 per hour," Hobbs said. "We've got to give these people enough to make the job attractive and do whatever is necessary to fill our vacancies."

Hobbs doesn't think braceros have a corner on the ability to be good stoop laborers.

"Sure they're good workers. When we had them they were making as much in a day as they did in Mexico in a week. They worked hard.

"It's true that most of our field hands are domestics of Mexican extraction but Americans of any ethnic and racial background can, and do, work just as well."

Antle has an advantage over many of the smaller producers. Because of its holdings in different parts of the country it can give employees almost year-round work, shifting them as different harvesting seasons come up.

"Smaller companies should join with like outfits in other areas to build adequate crews which can be shifted from area to area and employer to employer as the crops come in," he suggests.

Turnover?

"It's damned high," Hobbs admits. "But so far, we're getting the men we need."

A short time ago the company had 75 field jobs in Firebaugh.

"We had 250 people applying," Hobbs said.

FLORIDA HAS ADEQUATE LABOR SUPPLY

Mr. WILLIAMS of New Jersey. In Florida, on March 31, 1965, there were 68,165 domestic laborers working in the fields, an increase of approximately 8,000 workers over a similar period in 1964. To further aid Florida growers, Secretary Wirtz has authorized the use of 6,500 additional foreign workers. This is only 2,000 less foreign workers than were employed in Florida in March 1964.

FLORIDA CITRUS PRODUCTION AHEAD OF LAST YEAR

Florida's production figures for the week ending April 4, 1965, disclosed that approximately 83.7 million boxes of oranges, grapefruit, and tangerines have been shipped or processed this season. This may be compared to 59.1 million boxes at the same time a year ago. For the week of April 4, total production was 3.4 million boxes as compared to 2.6 million a year ago. Furthermore a bumper crop which was estimated at 110,350,000 boxes for 1964 and 1965 season has been revised upward by over a half million boxes.

In Florida tomatoes we see the same result. Twenty-three thousand one hundred and fifty acres of ground tomatoes were planted this season. This compares with 19,610 acres for a comparable period of last year. The harvest has been substantially completed without the use of foreign workers with only 1,180 acres remaining. All of these remaining acres have been picked at least one time.

FOREIGN WORKERS NOT NEEDED IN WYOMING

Wyoming sugarbeet growers, one of the most vocal groups in advocating a return to the foreign worker program, now appear to have been wrong. They have not lost their crops because of an inadequate supply of domestic labor. The Casper, Wyo., Star-Tribune, one of the leaders in the attempts to have foreign workers return to Wyoming now admits it was in error. It characterized as wasted the "shouting and the tumult" of the last month or two and admits that Secretary Wirtz was right all the time when he said an adequate supply of domestic labor was available. At this point I ask unanimous consent to print the Casper Star-Tribune editorial, of April 25, in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIG SNIPE HUNT?

It begins to look as though the beet farmers of Wyoming have been crying wolf in connection with the claims of a desperate need to import braceros from Mexico.

The situation isn't as bad as it first appeared, because Mexican families can be obtained from Texas to do the work. Also, the high school kids are not turning down the $1.25 an hour. It's just that the beet growers want help with more experience and which is not in need of special supervision.

Maybe we don't have the picture right, but that's the way it looks from here. All the shouting and the tumult of the last month or two appear to have been pretty much wasted, and Secretary of Labor Willard Wirtz was right all the time.

We're a bit incensed about this situation after carrying the torch for what seemed to be an important Wyoming cause. Perhaps Senator MILWARD SIMPSON, who did yeoman work in trying to ease what seemed to be an aggravating situation, is in a similar position, having been taken along with the rest of Wyoming on a snipe hunt and having been left holding an empty bag.

SECRETARY WIRTZ UNJUSTLY CRITICIZED

Mr. WILLIAMS of New Jersey. In most areas of California, Florida, and Wyoming, it has been shown that sufficient domestic workers are available, and that there have been few if any losses to the farmer due to an inadequate labor supply.

I can only conclude from these facts that Secretary Wirtz has done a commendable job in helping growers recruit enough domestic labor to have such a banner harvest. The results of the Florida harvest, in particular, are not consistent with the unjust and uncalled for criticism which has been aimed at the Secretary of Labor.

LABOR COSTS ONLY SMALL PERCENTAGE OF RETAIL PRICE

It has been alleged that the wages needed to attract domestic labor would force the consumer to pay higher prices for his foods. The fact of the matter is that the cost of field labor is only a minute part of the retail price paid by the consumer. On a head of lettuce, which has a retail price of 21 cents, the field labor cost is 1 to 1.3 cents. On a pound of celery retailing at 15½ cents per pound, the cost of field labor is 0.3 to 0.5 cent. On lemons, retailing at 24 cents per pound, the field labor costs are 0.6 cent to 1 cent. On dates retailing at 49 cents per pound, field labor comes to 1 cent per pound. On oranges retailing at 50 to 72 cents per dozen, the field labor costs are 1 to 2 cents. And on grapefruits having a retail price of 8 to 10 cents each, the field labor costs are 0.2 to 0.4 cent.

HIGHER WAGES MUST BE OFFERED

The farmers real difficulty in attracting domestic workers to the fields are the low wages being offered. There are presently a large number of workers either already in the migrant stream or potentially available for work who are suited by their experience and qualifications only for farm employment. However, living wages and decent working conditions must be offered to our citizens if they are to be expected to work in the fields. The average migrant worker today earns only $657 during the year from farmwork and can expect to be employed only half of the year.

From 1960 to 1964, unemployment among all agricultural wage and salary workers rose from 8 to 9.3 percent, while the unemployment rate for all workers decreased from 5.6 to 5.2 percent. In addition, the underemployment rate in agriculture, that is, the number of persons working part time because work is slack or because they cannot find full-time jobs, rose from 5.2 percent in 1960 to 6.7 percent in 1964. In nonagricultural industries underemployment declined from 4.5 percent in 1960 to 3.3 percent in 1964.

An article in the Newark Sunday News of May 9, 1965, describes the plight of one migrant worker who received $3.50 for a 10-hour workday picking carrots in California. I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LONG DAY FOR $3.50—MIGRANTS GET LITTLE AMID PLENTY

LONG BEACH, CALIF.—For 10 hours, Albert Thomas, 53, worked on his knees, taking the carrots from the rich earth. Each 55-pound sack meant 12 cents in his pocket. He worked harder and faster than anyone else in the field and earned top money for his long day: $3.50.

There are thousands of Albert Thomases working in the fields of the Coachella and Imperial Valleys. And thousands more whose hands will pick cotton in Texas and soybeans in Illinois and tomatoes in New Jersey.

Albert Thomas is a U.S. citizen. So is Charles Hisle, 35. They are also migrant workers who move with the crops. Unlike the things they pick, these men do not set down roots.

TENTS AND SHACKS

Some manage to rent cabins, but for most it's living in tents or in cardboard shacks or makeshift sleeping in a car. The recitations of a sad plight are endless—

"I had to pick five trees to get one box of lemons," says Bill Fivecoats, father of three small children, "The rancher was paying 18 cents a box. I picked nine boxes in 8 hours. How do you feed a family, pay rent and utilities on that kind of money?"

"You make just enough for a pound of bacon and a loaf of bread," says Tony Roski, 53.

One of the new problems faced with using domestic migrants—who have replaced many of the Mexican braceros—is that many of them move about with their wives and children. The braceros and even other migrants in the past were largely unattached males.

The family aspect is easily seen. There's scarcely a place where picking is going on that is free of children. And this often is the most striking scene of all—a scene that seems to have come out of the depression rather than anything that could be part of the prosperous Great Society—children in rags, or a little girl with a tattered doll, the only possession of her own in the world.

Mr. WILLIAMS of New Jersey. Recently in Forrest City, Ark., tractor operators were being offered the prevailing wage of 60 cents per hour. On May 10, 1965, the prevailing wage in Dade County, Fla., for multicrop work was $8 per 10-hour day. During the month of March 1965, the average farmworker earned 86 cents per hour. In Florida, the average rate was 80 cents per hour.

It is scarcely a puzzle when wages such as these are offered that difficulties are encountered in hiring an adequate work force. Experience has shown us that where decent wages and working conditions are offered, few difficulties are encountered in the recruitment of sufficient domestic laborers.

TEENAGE UNEMPLOYMENT

Last June according to the Department of Labor there were 550,000 young people between 16 and 21 years of age listed as unemployed in those States where 70,000 foreign workers were used as farm laborers. Of these, almost 200,000 were boys on vacation from high school. On May 4, 1965, Secretary Wirtz announced the start of a special program for high school boys who want summer farmwork. The program called A-TEAM will place students in groups of 20 to 31 in farm jobs within 350 miles of their homes. As Secretary Wirtz said, "They can do the work. They are entitled to a chance at it."

IMPORTED WORKERS HAD ADVERSE EFFECT ON BALANCE OF PAYMENTS

The foreign worker as well as depriving qualified American citizens from gainful employment at living wages has also adversely affected this country's balance of payments. American workers spend their wages in the communities in which they work or live, thus benefiting local merchants and the entire economy. However, the braceros during the 10 years between 1955 and 1964 sent $802 million out of this country into Mexico. In addition, $30 million was taken out of this country by West Indian farmworkers. As my colleagues Senators MURPHY, SIMPSON, and HOLLAND have previously stated, these workers, next to tourism, have been their country's greatest source of American dollars.

IMPROVED RECRUITMENT EFFORTS

It appears obvious that the major problem in securing qualified workers for our farms is getting the worker to the right place at the right time. Great efforts are being made in this direction by the Federal and State Governments and by the farmers themselves. However, I realize that this problem will not be solved overnight and still greater efforts must be made.

Recently the Santa Clara Valley California Council of Churches has attempted to recruit domestic workers for farmwork with positive results. As an editorial in the May 7, 1965, San Jose Mercury stated:

> Both the Federal Government and central coast growers should ponder carefully the lesson implicit in the experience.

At this point I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CROP ILLUMINATES A TRUTH

The Interfaith Migrant Committee of the Santa Clara Valley Council of Churches has stepped into the "bracero gap" with surprisingly good initial results.

Both the Federal Government and central coast growers should ponder carefully the lesson implicit in the experience. This is what has happened:

With the importation of Mexican farmworkers, or braceros, cut to a thin trickle by the Labor Department's determination that farmers shall hire mainly domestic workers, strawberry crops in the Salinas Valley began to rot in the fields.

The Interfaith Migrant Committee thereupon set up a program called Community Recruitment of Personnel (or CROP in today's initial mania) and began to gather volunteer harvest hands for the trip to and from Salinas.

CROP's first trip was made a week ago with 20 volunteers. It has grown to 100 daily, and there is work for many more, according to Les Grube, a spokesman for CROP.

Grube's own words are the best explanation of CROP and its success. Said he:

"People active in service and religious groups felt sure there are many workers in the San Jose area willing to make a daily bus trip to Salinas if the pay and other conditions are right. * * * It seems that people will pick strawberries and other crops if their contribution is recognized, if they are treated with respect, and if the pay is commensurate with the hard work."

The point is well taken.

Farmwork is hard work. It is necessary work, and it should be regarded by all as honorable work. When a man's labor is valued, he deserves to be accorded dignity.

The grower who recognizes this truth and acts upon it should have no difficulty getting and keeping reliable harvest workers. CROP deserves a vote of thanks not only for providing a stopgap labor supply to meet an immediate farm crisis but for illuminating this truth so clearly.

Mr. WILLIAMS of New Jersey. Mr. President, as chairman of the Migratory Labor Subcommittee I have recently introduced legislation to help alleviate the farmer's labor recruitment problems. This legislation will aid the farmer by setting up a voluntary national farm recruitment service within the Department of Labor. The subcommittee has received much favorable comment on this bill from within the agricultural community. As an example of this comment I ask unanimous consent to have printed in the RECORD a letter dated May 12, 1965, from Talbott Farms, Inc., Palisade, Colo.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TALBOTT FARMS, INC.,
Palisade, Colo., May 12, 1965.

Re support of Voluntary Farm Employment Service Act.

Mr. FREDERICK R. BLACKWELL,
Counsel, U.S. Senate, Committee on Labor and Public Welfare, Subcommittee on Migratory Labor, Washington, D.C.

DEAR SIR: As employers of seasonal fruit workers for the past 23 years, we wish to go on record as favoring Senator HARRISON WILLIAMS, JR.'s bill to provide a voluntary farm placement program because it could alleviate some of the major problems of both the employer and the worker.

We live in a county using, formerly, bracero labor for vegetables and domestic workers for fruit. Since the passage of Public Law 78, our observance of the handling of the workers under that act has made us feel that a similar act covering domestics would stabilize the labor market, assure the farmer of better workers, provide for more efficient use of labor supply, and eliminate many of the handicaps of the migrant workers by providing the contract and employment conditions enjoyed by the braceros under Public Law 78.

Public Law 78 was valuable in teaching us how seasonal labor could be recruited, transported, and utilized in an orderly fashion to the benefit of both grower and worker. We are of the opinion that a Voluntary Farm Employment Service as outlined in Senator WILLIAMS' bill has an excellent chance of success because of the past years of experience with the administration of Public Law 78. His bill certainly ought to be tried because it is our best chance of bringing chaos out of the present domestic seasonal worker situation. We feel it is much better to upgrade domestic workers than to be dependent on foreign workers whose presence may be affected by international tensions.

Your very truly,
MRS. HARRY A. TALBOTT,
Secretary-Treasurer.

Mr. WILLIAMS of New Jersey. Mr. President, we shall not have unemployment of Americans while we are relying on foreign nationals to harvest that bountiful crop.

Mr. INOUYE. Mr. President, I am happy that I was in the Senate to hear this most thought provoking and interesting address by the Senator from New Jersey. I would like to add a statement to his comments.

Toward the end of last year, the Secretary of Labor began the most massive recruitment effort which has ever been made to secure American farmworkers to fill seasonal agricultural jobs on the mainland. These were the jobs which were formerly held by Mexicans who entered the United States under Public Law 78, and by British West Indians, Canadians, and others who entered under Public Law 414. Many different actions have been taken by the Department to carry out the intent of Congress that the supply of supplementary foreign agricultural workers would be cut off on December 31, 1964. And a great deal has been said and written about the actions of the Secretary in this regard, some challenging his position and some supporting it.

But at least one State—my own State of Hawaii—has not figured in the controversy, although throughout Hawaii's history, agriculture has been a predominant source of income and employment. In 1963, Hawaii had 6,600 farms. Average farm size was 394 acres. The State had a total of 2.6 million farmland acres, or about 60 percent of the total land area, and farm marketing in 1963 approached $350 million. Hawaii's year-round summer weather makes it possible to raise 8 or more vegetable crops annually on the same acreage, and its diversified agriculture, while based solidly on sugarcane and pineapples, also includes milk, beef, eggs, pork, coffee, poultry, and an assortment of field crops.

However, it is sugarcane and pineapples which afford the greatest opportunity for agricultural employment, and it is there that the public employment service affords the greatest service to agricultural employers and workers.

Agricultural employment in Hawaii has felt the same dramatic influence of mechanization as have States on the mainland.

While there has been substantial mechanization in both sugarcane and pineapples, the greatest effects have been felt in the sugar industry, with farm marketings in 1963 of $188 million.

The effects of this change include: First, a sharp decline in the employment of unskilled and semiskilled labor; second, an increase in the employment of highly trained mechanics, equipment operators, specialists, and technicians; third, a remarkable rise in average rate of pay; fourth, an increase in employment in those concerns that sell and service plantation equipment; and fifth, a substantial growth in the number of persons who sell to or service plantation families as consumers, because of their higher wages and living standards, made possible by increased man-hour output due to mechanization.

Sugar production in Hawaii is based on the output of 26 plantations on 4 islands, which employ 13,000 works and normally produce about 1.1 million tons of raw sugar each year.

Seasonal hired workers for the sugar industry are recruited throughout the year for specified work such as weeding, spraying of insecticide, and general cleanup. The number of these seasonal workers is limited.

The trend in employment practice by both sugar and pineapple companies has been toward maintaining a minimum year-round farm labor force; toward greater utilization of seasonal or casual workers; and toward any mechanization or technological changes which will reduce the overhead cost.

As on the mainland, nonfarmwork in Hawaii offers better wages, working, and living conditions, and job security than does seasonal farmwork.

Employment conditions in the sugar industry are extremely favorable. With higher wages, low transportation cost, job security, and a minimum number of seasonal workers needed, sugarcane employment offers substantially improved work conditions. Wages are high. According to USDA's sugar reports of September 1964, the overall hourly wage rate for sugarcane workers was $2.10 an hour with fringe benefits equaling $0.75—1963 earnings.

For comparison, earnings of sugarcane workers in Louisiana averaged $1.12; Florida, $1.30; Puerto Rico, 70 cents; and the domestic sugarbeet area, $1.22.

In fact, with the existing expansion program in effect to create new sugarcane fields, with the anticipated replacement of pensioners by younger workers, even temporary employment is attractive because it offers the possibility of gaining permanent work status. Many temporary employees with good work records have achieved a permanent status after 2 years on temporary work status.

Here it seems, is a portion of the solution to the agricultural employment problem. The sugarcane industry has accepted its responsibility, and actions by employers over a period of years have resulted in a stable, qualified work force. But, perhaps the advanced state of social legislation for farmworkers in Hawaii is the most significant contributor to improved agricultural employment conditions.

The Hawaiian agricultural worker, in general, fares better under State law than does his counterpart on the mainland, and this has aided in the solution of agricultural labor problems in an area where no outside labor is imported.

I would be remiss if I did not credit the efforts of the International Longshoremen's and Warehousemen's Union for its efforts to improve working conditions in the sugar and pineapple industries over the years.

Hawaii is one of 30 States having laws or regulations applying to agricultural labor camps.

Hawaii is one of only 11 States having a minimum age law for employment of children in agriculture outside school hours—14 years old; and 1 of only 19 States having a minimum wage law for agricultural work during school hours—16 years old.

Hawaii is one of only 17 States covering agricultural workers by workmen's compensation. Workmen's compensation legislation was the first type of social insurance to be developed extensively in this country, but progress was slow in extending its benefits to cover farmworkers. Hawaii was the first State to cover farmworkers. Its law was passed in 1915—50 years ago—and was compulsory from the beginning.

Hawaii is one of only 18 States having wage payment and wage collection laws broad enough to apply to claims of farmworkers.

Of the 14 State labor relations acts which recognize the right of employees to organize and to bargain collectively, Hawaii is one of four States which do not specifically except agricultural workers from coverage. And, employers and workers do bargain collectively as they do in nonfarm industry.

Hawaii is the only State which specifically covers agricultural workers under unemployment insurance laws, although other States permit voluntary coverage—Puerto Rico also has such a law.

And, rounding off this catalog of legislative protection, Hawaii is the only State having a minimum wage law which specifically applies to agricultural workers, both men and women. Puerto Rico also has such a law. The rate is currently $1.25 an hour, and covers agricultural work in any workweek in which the employer has 20 or more employees. However, coffee harvesting is exempt. Other States having minimum wage legislation confine it to nonseasonal work or to women and minors.

Such legislative benefits as those cited have made agricultural employment attractive in the State of Hawaii. This newest of States, dependent upon island labor for its agriculture, has compiled a thought provoking history of legislative benefit for the farmworker. The labor needs of the agricultural economy, the changes effected by modern technology, the forcefulness of collective bargaining, the prudent judgment of the leaders of agricultural industry, the services to agriculture by the public employment service—all have melded together at this point in time to produce a mature solution to agriculture's labor problems.

At the core of this progress is a program of sensible, intelligent social legislation aimed at affording the agricultural worker the same rights and benefits under the laws as are afforded the workers in any industry.

The mainland agricultural worker is much in need of a similar program of legislation if he is to reap the harvest of hope in a land where for the first time the weed of poverty is under sustained attack.

Mr. President, I decided to join the Senator from New Jersey [Mr. WILLIAMS] this afternoon to point out that it is possible to carry on an effective and reasonable agricultural program in the United States. I believe Hawaii has shown it can work.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. INOUYE. I yield.

Mr. WILLIAMS of New Jersey. It is something of a paradox that the 50th State to be admitted to the Union is clearly first in bringing full economic opportunity to the agricultural worker. It is one of our shames that we have systematically excluded agricultural workers from the economic opportunities and protections that industrial workers have, such as NLRB, minimum wage law, workmen's compensation, Fair Labor Standards Act, unemployment compensation, and against abuses of child labor. As I understand from the statement of the Senator from Hawaii, for a long time all of the opportunities afforded industrial workers have been extended to agricultural workers in Hawaii. I gather from the descriptions that agricultural employment is desired employment.

Mr. INOUYE. The Senator is absolutely correct.

Mr. WILLIAMS of New Jersey. There is a greater degree of stability in employment and the stimulus is there for people who have the skills—and, believe me, skills are not easy in agriculture. These people are brought to the farms and they participate in an important and truly a healthy and sound agricultural economy in Hawaii.

Mr. INOUYE. I thank the Senator from New Jersey for his comments.

SOME CALIFORNIA GROWERS ARE NOT SORRY TO SEE BRACERO GO

Mr. INOUYE. Mr. President——

The PRESIDING OFFICER (Mr. Morse in the chair). The Senator from Hawaii.

Mr. INOUYE. Mr. President, in view of recent demands by some segments of the California agricultural community for a return to the Mexican farmworker program due to a lack of American farm labor, I believe that this body would be interested in an article which was published on this subject in the Watsonville, Calif., Register-Pajaronian on June 2.

The Register-Pajaronian is a newspaper located in the heart of the California farm community and is, therefore, well qualified to comment on the farm labor situation.

The author of this article, George Burkhardt, quotes growers as stating that:

> Braceros brought about overproduction just because they were good, efficient and inexpensive labor. Overproduction meant lower prices for everybody.

Mr. Burkhardt goes on to state that:

> Meanwhile, bracero or not, with machine harvesting playing only a minute part, the crops are harvested. As a matter of fact, more is moving to market now of both berries and lettuce than last year.

I ask unanimous consent to have this article printed in the Record, together with a letter to the editors of the Register-Pajaronian of May 27, entitled "Will We Be Serfs?" which also reflects Californian opposition to the importation of Mexican farm laborers.

There being no objection, the article and letter were ordered to be printed in the Record, as follows:

[From the Watsonville (Calif.) Register-Pajaronian, June 2, 1965]

Some Growers Not Sorry To See Bracero Go

(By George Burkhardt)

"This is the year of transition," said the Japanese berrygrowers, "We have to change our ways; we have to adjust."

Ending of the bracero program has already wrought many changes in California agriculture. But the changes have just begun.

Many growers lament the passing of the bracero; others declare (privately) "I would not have a bracero now."

Labor union leaders brace themselves for inter-union rivalry in the changing agriculture. In the background, already busy in Salinas and the Imperial Valley and elsewhere, are officials of the Agricultural Workers Organizing Committee, sponsored and financed by the State AFL–CIO.

Eastern fruit and produce buyers find themselves flailing about in a seller's market; and, as one produce man put it, "It's the housewife who's paying through the nose."

Presiding over the changes taking place is U.S. Labor Secretary W. Willard Wirtz, who, his critics charge, little understands the far-reaching consequences of his acts. Wirtz himself says all is the work of Congress, itself merely expressing the people's will. Banning of the braceros, according to Wirtz, is predicated upon the existence of a vast labor pool of unemployed Americans, many of whom will eagerly work in the fields. Ending the bracero program helps erase a great economic and social injustice to native Americans, the way Congress sees it.

Meanwhile, the crops are harvested—excluding those fields already lost.

Many growers will agree with the strawberry farmer who looked over his 26 acres of mixed crops and said, "This is the year of transition. We have to change our ways."

A row crop man expressed it this way, "These growers got to make up their minds; the old days are gone."

No longer is there the efficient, inexpensive, reliable crew of braceros. Instead, growers must turn to a multitude of sources for their labor—the schools, Indian reservations in the Northern Plains States, southwesterners, the sincere city folk who volunteer for the arduous work.

(Clear already is the fact that the small armies of unemployment in the cities are not springing to the fields. Even Wirtz admits this implicitly as he calls for the formation of "A teams," harvest crews of athletes from high schools in the Western States.)

Growers agree they must somehow forge a stable, effective work force from whatever source, by whatever means they can. "It won't be easy," a Government official admitted.

Farmers will find themselves paying the new higher wages from now on. There is agreement with this thesis as proposed by grower-shipper J. J. Crosetti: "We can never go back again to the old, lower wages. Never. We're stuck with it."

Growers hope they are not stuck permanently with a higher minimum wage than that paid in any other State. At this point, most in California would support a national uniform minimum farm wage. As it is, California growers pay $1.40 while States closer to eastern markets (and with lower freight costs) pay as little as $1.15 an hour under Wirtz' rules. But few growers expect such a thing to happen—they expect growers in Southern States to successfully beat off any such attempt at a national uniform farm wage law.

Coupled with the twin uncertainties of marketplace and weather, the new higher costs could result in a grower finding it much easier to get less for his produce than it cost him to grow and harvest it.

This has happened more than once in past years.

It happened this year in the Imperial Valley when lettuce growers got less than the expense of cutting and packing.

Lettuce growers must invest $300 or more in each acre planted; strawberry growers invest $1,500–$2,000. Harvesting costs climb on top of these basic expenses.

"Listen, if I get my harvesting crops back and just a nickel on each crate, at least I'm getting something back in cash," said Joe Tomasello of T. O. Tomasello Co., a strawberry grower who got a crew in his 10-acre home ranch a month after the season opened.

So far, both lettuce and strawberry growers have done well in the marketplace. Lettuce growers aren't complaining about their $5 market, and strawberry men still get a good $3.25–$3.50 price for fresh berries.

How long either will hold is anybody's guess—and the growers' worry.

The farmer, unlike the toymaker or automobile manufacturer, can't set his prices: Supply and demand directly set his prices while his costs remain fixed.

Growers now concern themselves with reducing those fixed costs, chiefly in labor expended in planting, cultivating, harvesting and supervision.

"We must change our ways," said the Japanese strawberry grower. "We will turn to summer planting of berries, rather than winter planting; we will cover the plants with a plastic film so that there is no rot. The berries will come off in the early spring with heavy large fruit, easy for the inexperienced picker to harvest. The early berry will not face competition with all the summer fruit that starts hitting the Eastern markets in July."

The row crop men will change their ways, too. They will turn increasingly to mechanization as the labor-saver.

Privately, some growers say now they are glad the bracero has gone. Their reasons are legion. Some of them:

"With the braceros, the Government ran your labor deal for you. They were always on your neck," one grower said.

"Braceros brought about overproduction just because they were good efficient inexpensive labor. Overproduction meant lower prices for everybody," another grower said.

"Braceros gave an advantage to the big field factory like Salinas Strawberries, Inc.," a strawberry grower said. "Their whole operation was based on a plentiful supply of cheap labor producing in volume. They were driving out the smaller grower because we have higher per unit costs."

Yet, at the same time, many growers sense a mortal blow to many small row crop farmers in the loss of the bracero (strawberry growers can earn a fair living on a small acreage).

"Look what's happened to the pole bean growers already," said Irvin Dethlefsen, who describes himself as a small lettuce grower. "There used to be a couple thousand acres here in this valley. Gone, just all gone. And figure it out. Pole beans once brought probably $4 million to this valley in sales, labor, supplies, processing plant wages. Now how many acres do you see in pole beans?"

(At last count: 240 acres. Last year there were 1,000 acres in this county, another 700 in nearby Monterey County districts. Growers say they gave up pole beans because they could not be assured of a reliable labor force.)

"You tell me how a small grower can invest $20,000 in a harvesting machine and then let it sit idle for most of the year. I'll tell you—he can't," another row crop man said.

Meanwhile, bracero or not, with machine harvesting playing only a minute part, the crops are harvested. As a matter of fact, more is moving to market now of both berries and lettuce than last year.

"They [the growers] seem to be getting along," said Bill Bremmer, State department of employment farm representative. "Maybe they're not picking as they would like but they're getting it done."

This applies equally to lettuce and strawberry growers, to apple men getting their orchards thinned; to asparagus growers in the delta, melon men in the south, the cabbage growers and other tree crops so far harvested.

There have been losses suffered, serious losses.

"All right," said a grower, "but I'd rather ship one car to market at $5 than three cars at 90 cents a carton."

It's a sellers' market right now. While most growers feel that if one gets braceros, all should, they also know that it's a sellers' market largely because the braceros did go. The facts:

Anticipating the loss of braceros, growers planted more lightly this year. And so supplies are down.

Inexperienced harvesters have caused a shortage in the fresh market—and demand is up.

Crop losses have further lightened the market as fields were abandoned—and supplies are down still more.

While growers truthfully say they have lost thousands, even millions of dollars in berries or asparagus or lemons, will their actual net income rise or fall? Only the year's-end reckoning will tell.

And while the season is still early and only time will tell if peak summer harvest demands can be met, so far crops have been harvested. Many growers feel the rest of the vegetables and fruits and melons will be harvested also—one way or the other.

[From the Watsonville (Calif.) Register-Pajaronian, May 27, 1965]

WILL WE BE SERFS?

To the EDITOR:

Let's face the true issue about the braceros.

It's the same old story, the big farmers against the small farmers. A small farmer, with his family and a neighbor or two, can get by pretty good, and make a decent living for himself.

The larger farmers have to depend on cheap, slave bracero labor or wetbacks. The large farmers do not want to build labor housing. It costs money to build anything today, also they would be taxed. With braceros, no housing or taxes.

Also the large farmers with a plentiful supply of cheap labor can, and have in the past, flood the market, forcing more small farmers to quit farming.

Now what makes more sense, with our growing population and automation, a large amount of small farmers, making a good living for themselves or a few big farmers, living in San Francisco, New York, or Paris?

Just think, with a large amount of small farmers, the businesses, tractors, tools, autos, trucks, homes, and taxes. I believe that if the braceros are allowed to come in, in a few years we in America will be just like or as bad as Brazil is today, with approximately 125 families owning all the land businesses in the country.

So, I say let's cut out the braceros and give our local people, our small farmers and landowners and labor a chance, also let's think of our children. What are they going to do in the future? Are we the people of this great land going to be reduced to serfs?

And I thought the Secretary of Labor, Willard Wirtz, was supposed to represent labor, not agriculture. Why haven't the farmers hollered at the Secretary of Agriculture?

A native son,

ROBERT V. RASMUSSEN.

ADJOURNMENT UNTIL TOMORROW AT 10 A.M.

Mr. INOUYE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 42 minutes p.m.), the Senate, under the order previously entered, adjourned until tomorrow, Thursday, June 10, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 9, 1965:

U.S. MARSHAL

William J. Andrews, of Georgia, to be U.S. marshal for the northern district of Georgia for the term of 4 years. He is now serving in this office under an appointment which expired May 8, 1965.

U.S. ATTORNEY

Floyd M. Buford, of Georgia, to be U.S. attorney for the middle district of Georgia for the term of 4 years. He is now serving in this office under an appointment which expired April 13, 1965.

Carl W. Feickert, of Illinois, to be U.S. attorney for the eastern district of Illinois for the term of 4 years. He is now serving in this office under an appointment which expired May 5, 1965.

Milton J. Ferguson, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years, vice Harry G. Camper, Jr., resigned.

IN THE NAVY

The following-named officers of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated subject to qualification therefor as provided by law:

MEDICAL CORPS

Edward P. Irons
John W. Albrittain
George M. Davis, Jr.

SUPPLY CORPS

Henry L. Beardsley
Kenneth R. Wheeler

CHAPLAIN CORPS

Henry J. Rotrige.

CIVIL ENGINEER CORPS

Walter M. Enger

CONFIRMATIONS

Executive nominations confirmed by the Senate June 9, 1965:

DEPARTMENT OF JUSTICE

Fred J. Nichol, of South Dakota, to be U.S. district judge for South Dakota.

Irving Hill, of California, to be U.S. district judge for the southern district of California.

EXTENSIONS OF REMARKS

The 1965 National Award Honorees: Cushing, Graham, and Kronheim

EXTENSION OF REMARKS
OF

HON. EDWARD J. PATTEN

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 9, 1965

Mr. PATTEN. Mr. Speaker, several distinguished Americans have received National Citizenship Awards from the Military Chaplains Association of the United States for making outstanding contributions in the field of strengthening the spiritual foundations of citizenship.

At the 40th anniversary convention held this year, national award honorees selected were: His Eminence Richard Cardinal Cushing, archbishop of Boston; Dr. Billy Graham, of Montreat, N.C., and Milton S. Kronheim, Sr., of Washington, D.C.

These three honorees join such illustrious past recipients as: Gen. Douglas MacArthur, John Foster Dulles, President Dwight D. Eisenhower, J. Edgar Hoover, Francis Cardinal Spellman, Col. John Glenn, Jr., Bob Hope, and Dr. Raymond B. Walsh.

The purpose of the Military Chaplains Association is "to safeguard and to strengthen the forces of faith and morality of our Nation; to perpetuate and to deepen the bonds of understanding and friendship of our military service; to preserve our spiritual influence and interest in all members and veterans of the Armed Forces; to uphold the Constitution of the United States; and to promote justice, peace, and good will."

This is a noble purpose, but the association has succeeded in its programs. I congratulate and commend the Military Chaplains Association of the United States and its national award honorees. They have indeed helped make our Nation stronger and greater.

Debt Limit Boost Opposed

EXTENSION OF REMARKS
OF

HON. THOMAS M. PELLY

OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 9, 1965

Mr. PELLY. Mr. Speaker, the action today of the House in increasing the public debt limit from $324 to $328 billion raises the average amount of this debt owed by the head of each family in America to $6,936. I voted against increasing the debt limit because I am firmly opposed to continued deficit spending, especially in times of prosperity such as exist today. Having voted against foreign aid and a number of other costly programs, I feel justified in registering my opposition to this debt ceiling increase.

Mr. Speaker, the public and private debt in the United States is $1,172 billion; that is an average amount owed by each family in America of $24,936.16. Personally, I remember prior to the crash of October 1929 that my banker warned me against excessive borrowing. He said everyone was borrowing too much money, and he was proved right.

To me the same thing is true today. The Federal Government and likewise State and local governments are not exercising restraint in spending; they are not being prudent or frugal and on all levels our Nation is going deeper into debt.

If the House Ways and Means Committee would give us a meaningful, realistic permanent debt ceiling—something that Congress could live by and would live by—I would support it. There should be a permanent ceiling which would cause the administration to apply a brake in spending and to end all these new centralized welfare programs.

Until a policy of restraint is offered I must continue to protest deficit spending by opposing this practice of adopting regular periodic increases in the legal debt limit.

Federal Government and Florida: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1965

Mr. FINO. Mr. Speaker, I would like to bring to the attention of the Members of this House the unfortunate partnership of the Federal Government and Florida in making the Sunshine State a palmy paradise for syndicated crime. I refer to Florida's partnership with the Federal Government in keeping gambling illegal in Florida despite a recognition of the fact that it is widespread and ineradicable.

Skeptics say that legalization of some gambling would merely lend respectability to remaining gambling, much of which would still be in syndicate hands. I suggest that the Government ought to jump into the gambling business feet first. I would start with a national lottery, which has had the effect of diminishing other forms of gambling in countries where it has been tried, thus removing potential sources of money from the underworld. The lottery has proven itself in Scandinavia and the low countries to be a useful tool of social progress. It has struck at the crime rings.

The refusal of the Governments of Florida and the United States to institute Government-controlled and regulated gambling has made them partners in the crime they refuse to thus diminish and in the slime they thus spread, for gambling's profits are behind everything from prostitution in Pensacola to murder in Miami and dope rings in Daytona Beach.

Testimony before the McClellan committee pegged off-track betting at about $50 billion annually, which figure was said to constitute 42 percent of the national annual illegal betting total, which would thus come to about $120 billion. On a population basis, Florida's share of this would be $3.6 billion. This is more than enough money to provide profits to support every depth and shade of vice, including perversion of the political and law enforcement process to keep gambling illegal and lucrative for the gangs.

Florida has every known form of gambling—from Miami's bolita, the game of the poor, to the highlife of plush casinos. All of this flows into underworld coffers to subsidize the spread of crime because the Federal Government and Florida are partners in criminal neglect. I say that it is time to put an end to this tacit alliance of Government and immorality by establishing a national lottery.

Are Farm Prices Too High?

EXTENSION OF REMARKS

OF

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1965

Mr. POAGE. Mr. Speaker, apparently some groups hostile to agriculture have opened a well-financed campaign to discredit the pending wheat bill. This campaign seems to be based more on prejudice than upon reason, more upon slogans than upon facts. It boils down to the slogan which was used by the former chairman of the Republican conference of this House some 3 or 4 years ago. This propaganda is summed up in the quotation "Bread Tax." The implication is that if the Government is to help the farmer to receive a fair price for the wheat he produces that the Government will be imposing a tax on the "poor man's" bread.

Actually, there is so little to support this kind of theory, it seems to me that I should present a few of the facts. The facts are basically that there is very little direct relation between the price the farmer receives for wheat and the price the consumer pays for a loaf of bread.

A few weeks ago the Agriculture Committee of this House published a bulletin entitled "Food Costs—Farm Prices." I wish that each Member would get a copy of this report, which can be had from the House Committee on Agriculture, and study the charts beginning on page 3 and running through page 12. They are all extremely interesting. But chart No. 4 on page 7 shows the relationship between the index of retail bread prices and the index of prices received by farmers for wheat. This chart shows that as of the end of 1964 the retail price of bread and other bakery and cereal products stood at 145 percent of the 1947–49 base period while the price farmers received for wheat was just above 91 percent of the same base. In terms of money, a 1-pound loaf of bread retailed for 12.7 cents during the 1947–49 base period. In 1964 that same loaf of bread retailed for 20.7 cents—U.S. average.

During this same base period, the farm value of a bushel of wheat had dropped from $2.29 a bushel to $2.08. Thus, while the price of wheat was dropping by 9 percent, the cost of bread to the consumer was going up by 74 percent. Certainly, this increase in the price of bread cannot be charged to any excessive farm prices because farm prices were going down—not up.

The present proposal to restore the farmer's price on a bushel of wheat used domestically to just a little above what it was in 1947 will only add seven-tenths of a cent to the cost of the ingredients going into a loaf of bread. I do not know how much the milling and bakery industry can charge the public, but it is very certain that this restoration of farmer income cannot justify any substantial increase in the price of bread. As a matter of fact, the miller will still be buying their wheat for just a little more than what they paid when bread sold for 11.9 cents per loaf.

I think it is clear to any fairminded person that if there is to be an increase in the price of bread—and there doubtless will be because there has been a constant rise in the price of bread even during every one of 14 consecutive years while the price of wheat was declining—that the farmer and the farm price of wheat will not be responsible for that rise. If the baking industry is to justify these higher prices of bread, they must look somewhere other than to the farmer for the culprit. We are but asking for domestic price on approximately 45 percent of the wheat produced.

We are but asking a restoration of income in behalf of a group whose wages are notoriously low. According to the U.S. Department of Agriculture Economic Research Service, the realized returns per hour to all farm labor and management last year amounted to only $1.06—only 5 cents per hour more than 17 years earlier—whereas the average real earnings of employees in the food marketing industry averaged $2.25 in 1964—more than twice their average earnings in 1947. Do you wonder that these farm people are often a little cynical about our efforts to alleviate poverty by helping those, by farm standards, seem affluent?

Finally, let me repeat what should be common knowledge: the American farmer has for years been subsidizing our consumers. He has worked for a substandard wage. He has sold his food far below parity, and the American consumer is today buying more and better food for a far smaller part of his disposable income than are the people of any other major nation at any time in history.

Congressman Case's Challenge to Prejudice

EXTENSION OF REMARKS

OF

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1965

Mrs. DWYER. Mr. Speaker, Saturday, June 12, will be the 20th anniversary of a memorable event in the history of this body and in the career of one of our most distinguished former colleagues and present U.S. Senators, my friend and predecessor in this House, the Honorable CLIFFORD P. CASE.

On June 12, 1945, Senator CASE, then a first-term Congressman, took the floor of the House to reply to the late Member of Congress from Mississippi, John E. Rankin, who the day before had attacked the late Supreme Court Justice Frankfurter and impugned the war record of his State's Negro population.

Congressman CASE accepted the challenge implicit in Congressman Rankin's remarks and in brief and measured terms he defended those whom Mr. Rankin had attacked. In doing so, the young Congressman from New Jersey's Sixth District demonstrated a persuasive and evenhanded skill in debate, but, more important, he displayed a sensitive and enlightened conscience and the courage to act on the dictates of that conscience.

That speech, Mr. Speaker, attracted and deserved nationwide attention. For those of us who know so well and respect so deeply the senior Senator from New Jersey, the speech still stands as a symbol and a prophecy of a career of great public service, unsurpassed for its consistent devotion to the demands of conscience and to the rights and liberties of all Americans.

For that reason, Mr. Speaker, it seems most appropriate on this occasion to include the text of the speech as a part of my remarks:

A CHALLENGE TO PREJUDICE

(Speech of Hon. CLIFFORD P. CASE, of New New Jersey, in the House of Representatives, Tuesday, June 12, 1945)

Mr. CASE of New Jersey. Mr. Chairman, I am native-born, white, a gentile—a Protestant. That I am these things entitles me to no special status or distinction. Indeed I had no choice as to any of them, except the last. But because I am these things, and thus a member of the comfortable majority in this country, I find myself under compelling obligation to express my disagreement with certain remarks made yesterday in this Chamber by the gentleman from Mississippi, Mr. Rankin.

As to Mr. Justice Frankfurter:

I am not personally acquainted with Felix Frankfurter. My last and only direct contact with him was as a student for a few weeks, nearly 20 years ago. But several of my close friends and professional associates have long known him intimately and I have had occasion, of course, to follow his decisions and opinions in my practice over the years.

I am convinced not only that he is not a Communist, but also that he has no more sympathy with the Communists' philosophy or their political, social, or economic beliefs or methods than does the gentleman from Mississippi or than I do myself.

He is utterly devoted to our American democratic system and the great principles of liberty, equality, and justice under law upon which it rests. His devotion, I suggest, is but the deeper because he springs from a race which has known little but persecution since its history has been recorded; because, alien-born, he does not regard the great blessing of American citizenship so casually as his natural right as do many of us to whom it has come by birth.

He is a resourceful and energetic student of the law and our institutions; a fair-minded and stimulating teacher; always a crusader for justice for the individual; he has become one of the outstanding Justices of the Supreme Court, where he is regarded, I venture to say, by his brethren on the bench, as he is by the profession generally, as somewhat conservative in his views. He has the most profound respect for the Court, for its traditions, and for the law which it has made. I am satisfied, Mr. Chairman, that our American system, our constitutional democracy, will come to no evil at his hands.

Mr. Chairman, one word more.

The gentleman from Mississippi also said that, while in Mississippi the population is about equally divided between whites and Negroes, at least 90 percent of the casualties during this war from Mississippi have been gentile whites.

Mr. Chairman, no group in this country has a monopoly on patriotism. Men of all races, colors, and creeds, whether native- or foreign-born have equally sacrificed their lives or given the best years of their youth in this war. The casualty lists show that, as do the gold stars in the windows of homes, both high and humble, in every city, town, and hamlet, and on the farms throughout the land. I suppose there are not many Jews in the State of Mississippi, but I am convinced that their casualties are in proportion to their number in the population, as they are over the country as a whole. And, if that be not true also of the Negroes, it is due, I am sure, to no lack of courage or patriotism on their part, but rather to these two reasons:

First. That, because of poverty and lack of equal educational and economic opportunity for generations, the percentage of Negro draft rejections on medical and mental grounds is far above the average for other groups.

Second. That, to some extent, they may have been given noncombat service of one kind or another more often than most other groups.

Obviously, both of these factors have been quite beyond the control of the Negroes themselves. I am sure the records of this war will vindicate fully the heroism of the Negro combat soldier.

Mr. Chairman, I did not rise in defense of Mr. Justice Frankfurter or of the courage and patriotism of minority groups in this country. They need no defense by me. I rose because I could not by remaining silent permit any inference that I acquiesced in the sentiments to which I have taken exception. And, more important by far, because of my deep conviction that whenever we of the majority in this country permit such sentiments to be unchallenged, not only are we guilty of a wrong to the minority groups concerned but we risk the greater danger of brutalizing ourselves.

Congress Looks at the Cities

EXTENSION OF REMARKS

OF

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1965

Mr. DUNCAN of Tennessee. Mr. Speaker, I was privileged to serve as a member of the House Republican task force on urban-suburban affairs which attended the U.S. Conference of Mayors annual meeting in St. Louis on May 31.

The highlight of the conference was an address delivered to the delegates by my distinguished colleague and friend, CLARK MACGREGOR, of Minnesota.

The context of his speech was inspiring, enlightening and well received by all who attended.

I believe Congressman MACGREGOR's remarks merit the attention of everyone interested in improved urban-suburban affairs. I, therefore, take this opportunity to share his views with my colleagues by including the text of his address at this point in the RECORD:

CONGRESS LOOKS AT THE CITIES

(Address delivered to the delegates, U.S. Conference of Mayors Annual Meeting, St. Louis, Mo., May 31, 1965)

(By Congressman CLARK MACGREGOR)

There is a growing number of Congressmen who recognize the challenges of our fast-expanding metropolitan areas. Because of this I am hopeful that our efforts on the House Republican task force on urban-suburban affairs will help bridge the gap which too often exists between those who govern these metropolitan centers and the Congress of the United States.

You do not need an elementary course in urban affairs. You deal with the problems. You are the workshop. You already are aware that approximately 125 million Americans and nearly 80 percent of our productive capacity are now located within our 212 metropolitan areas. You already know that within 25 years, these urban areas will increase by another 100 million people. I can spare the statistics. You need no further proof that there are multiplying problems of core city deterioration and unhealthy suburban growth.

With this phenomenal growth, the problems of urban life—education, employment, housing, transportation, crime, air and water pollution, discrimination, open spaces, planning, and all the rest—have become increasingly complex.

There is no escaping the fact that the role of the Federal Government has assumed increased importance in metropolitan affairs. Competition for industry between the States and a wide variety of other factors have presented State and local governments with an increasingly difficult job in raising the revenues they need to meet their problems—problems which are increasing in magnitude and which frequently cross local and even State boundaries.

Despite all this, is there a mayor here who would say that the States and localities do not have the primary responsibility for meeting these problems? The American system has made the responsibility yours. Who can deal better with the problems than those who know them best?

Each of us at all levels of government needs to help provide you with the muscle it takes to get the job done. And it is not merely bigness, or just money, or only slogans which are going to do it. You know that, too.

I am going to propose here a number of steps which I believe can and should be taken: I don't mean to suggest that this is the policy of the Republicans in the House of Representatives. But it does represent the thinking of many of us. I come from a metropolitan area. My congressional district has added more than 100,000 people since 1960. It will have increased by over 100,000 more persons by the 1970 census. My background is the city.

First of all, Americans need, and need badly, an office of community development in the Executive Office of the President. Nearly 30 Republican Members of the House have introduced legislation to accomplish that purpose. For even if we were to get a Cabinet department of urban development tomorrow, the need for an effective office in the White House to coordinate the proliferating activities of the Federal Government, as they affect urban and suburban areas, would be no less desirable.

Here is why. By ignoring some 80 other Federal programs concerned with metropolitan problems and by simply elevating the

Housing and Home Finance Agency to Cabinet rank, a Department of Housing and Urban Development cannot hope to achieve coordination, efficiency, or economy. Urban problems cut across departmental lines, and as urban life grows increasingly complex, more and more of the problems can be expected to cut across these lines. The necessary coordination can be achieved without any increase in Federal control, and without any significant increase in the burgeoning Federal bureaucracy, by an Office of Community Development in the White House.

A bit later, I would like to return for a closer look at this proposal.

Secondly, as we attempt to improve the capacity of the executive branch of the Federal Government to give more effective help in the solution of metropolitan problems, we would be well advised to give thought to improving the way Congress itself functions in this area. Today, for example, an agreement between States on resolving problems of water and air pollution would be passed upon, not by the congressional committees which deal with health problems or with urban matters, but by the Judiciary Committees of both Houses. I am hopeful that the present commission which is studying the problems of congressional organization will provide some answers to the problem of congressional jurisdiction of metropolitan area affairs.

Third, consideration should be given by the Federal Government to the development of metropolitan service agencies in the field. To offer a single agency with which mayors could deal would avoid duplication, would review on a more comprehensive basis than is possible today the applications of local government for Federal assistance, and, in general, could afford all of you the opportunity to discuss your needs with a single repository of information on Federal programs. Too often a project application approved by a field agency of the Federal Government is now rejected, on the same set of facts, by the Washington central office.

Why should Federal regional offices be spread over the Housing and Home Finance Agency, the Public Health Service, representatives of the Bureau of Public Roads, the Federal Aviation Agency, and countless other agencies, each dealing in a fragmented fashion with bits and pieces of urban problems. We should consider a union of Federal agencies at the field level. Since Federal regional offices are, by and large, not decision-making agencies, we should, at the minimum, help simplify the service potential to the communities and States by bringing their functions under a single roof, subjecting local plans to a comprehensive and unfragmented review.

Fourth, renewed consideration should be given to the program sparked initially by Republican Governors for the sharing of Federal tax revenues with State and local governments. This program was given consideration by the administration of President Eisenhower—and reportedly since then—and was recently revived by Dr. Walter Heller. We welcome the bipartisanship. We are pleased that the chief economic adviser to Presidents Kennedy and Johnson has joined Republican Governors who have, over a period of years, proposed the reallocation of revenue resources so that communities and States would be better prepared to meet their responsibilities.

This proposal needs further public discussion. A more equitable sharing of tax revenues, with no strings attached, can have a profound impact on the future of our cities.

I would now like to take that second look I promised at the proposed Department of Housing and Urban Development. To understand why a mere change in the status of HHFA won't do the job, let's look at the relationships of some Federal programs today. Take the Federal Bureau of Roads, under the Commerce Department, and the HHFA, for example. Under the proposed Department, activities of the Bureau of Public Roads would not be included. Highway planners, as you all know, find their concern is often exclusively with traffic needs. On the other hand, local housing agencies have as their objective the avoidance of new slums and the replacement of existing ones. Clash for space, as each seeks to accomplish its own task, is often inevitable. The Federal Government, through two separate agencies—the Bureau of Public Roads and the HHFA, proposed to change to department status—provides funds for each, in cooperation with the States and localities.

But these objectives can and do clash. And, in some urban places in America, that clash can raise havoc with the dream of a beautiful America. Rather than elevating HHFA to Cabinet level, we need a referee. A White House office, such as we propose, would be an appropriate umpire.

The proposed Johnson administration bill creates neither a Cabinet-level department to coordinate the Federal programs geared to the needs of the urban communities nor a Cabinet-level department to administer the principal programs of the Federal Government which provide assistance for housing. Less than one-third of the Federal Government's housing activities would be encompassed in the new department.

I have already mentioned that the Bureau of Public Roads is not included. It will stay in the Department of Commerce.

Water pollution and sewage disposal programs will stay in the Department of Health, Education, and Welfare. Vocational education funds, social security activities, welfare activities, disposal of surplus Federal properties to schools and hospitals and other municipal entities, Hill-Burton funds, activities designed to promote public health, all will remain right where they are now. And, the more than 40 separate programs of financial aid for urban development involve some 13 departments and agencies.

We cannot divide responsibility and expect sound decisions for the most efficient use of the taxpayers' dollars in meeting overall community needs.

This is precisely why I favor the establishment of an office of community development in the White House. Your efforts to overcome the problems of air and water pollution, crime, education, public health, and others deserve equitable assistance, and we are determined to provide that assistance. This Republican proposal, if adopted, would not discourage local and State initiative or direct the development of appropriate solutions, but would provide State and local officials with a coordinating point of reference for all Federal programs. This coordination can be achieved with efficiency and economy.

If we establish an office of community development, if the Congress will improve its handling of metropolitan affairs, if the executive branch will develop metropolitan service agencies in the field, and if steps can be taken to share Federal tax revenues with State and local governments—if these four proposals can be adopted, we will have taken the first steps toward strengthening our metropolitan centers and improving the relations between these centers and the Federal Government—both Executive and legislative.

But the very first step is to build and strengthen the liaison between the city officials and the Members of Congress. This is the primary reason for the creation of the House Republican task force on urban-suburban affairs. Too often we find that the Congress tells the cities what they need without first asking a true cross-section of city leaders. This method of operation must not be allowed to continue. The cities must tell the Congress what Federal programs the cities properly need and want before the Congress takes action.

The challenge of our great metropolitan growth is a challenge for every American. It is a challenge which must be met with boldness and determination to recognize a problem and to get at the heart of that problem. But the first responsibility is with the local and State governments. It must be with those who know the problems best. The Congress hopes to work more closely with you in helping to meet that responsibility.

Statement Before the Joint Committee on the Organization of Congress, June 3, 1965

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1965

Mr. BRADEMAS. Mr. Speaker, under unanimous consent I insert in the RECORD the text of my statement before the Joint Committee on the Organization of Congress on June 3, 1965.

The statement follows:

TESTIMONY OF CONGRESSMAN JOHN BRADEMAS, DEMOCRAT, OF INDIANA, BEFORE JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS, JUNE 3, 1965

I appreciate this opportunity to appear before the Joint Committee on the Organization of Congress. The hearings and work of this committee are among the most important enterprises before the 89th Congress and I am glad to have been one of the cosponsors of the resolution authorizing this effort. Surely one of the critical tests of the greatness of any institution is its capacity for self-appraisal. That Congress is willing to take a long and careful look at its own procedures and practices is evidence of the continued vitality and viability of the legislative branch of our Government.

We are fortunate indeed that the cochairmen, and other members, of this committee bring such vast experience to this undertaking. Senator MONRONEY has once before in his legislative career contributed decisively to reappraisals of congressional organization, and my fellow Hoosier and dean of my delegation, Congressman RAY MADDEN, brings to this task his many years of experience in Congress and as a member of the important Committee on Rules.

Mr. Chairman, I wish to speak today not only as a Member of Congress, now serving his seventh year in the House of Representatives. I wish also to comment on the place of Congress in the National Government from my experience as a political scientist and as a college teacher of American government. As a teacher, I used to discuss the role of Congress as a check and balance participant in our National Government. As a Member of Congress, I have come to appreciate that the importance of maintaining an effective check and balance system is matched only by the difficulty. It is easy enough to say that the three branches of the National Government are coordinate and equal; but it is a continuing responsibility, and an extraordinarily difficult one, for the National Legislature to find ways of safeguarding its own place in the check and balance system. Not only in this country, but in governments around the world, legislatures and parliaments are challenged by the increasing power of executive branches, and my experience as a Member of the House has reinforced the thesis that I used to try to communicate to my students, namely, that one of the purposes of Congress is to be an effective and viable participant in our system of checks and balances.

I want to address myself to one aspect of the congressional role in the checks and balance system that seems to me to be of increasing importance.

I refer to the responsibility of Congress for what the political scientists call "oversight of administration", and I here cite the language of the Legislative Reorganization Act of 1947, which declares that Congress shall exercise "continuous watchfulness over administration of the laws".

With the passage of new welfare and education bills which authorize programs of large sums of money and which involve new patterns of relationships among Federal, State, and local governments as well as private agencies, Congress will, in my judgment, find it increasingly important to exercise this task of overseeing the administration of the new laws. I refer, for example, to such programs as the Economic Opportunity Act, the Appalachian Act, and the Elementary and Secondary School Act.

I realize that the appropriations subcommittees, especially in the House, have historically been most active in carrying out this responsibility of oversight. But it seems to me that the legislative or authorizing committees must, for the reasons I have suggested, anticipate a more vigorous role as watchdogs of the administration of the laws they have produced. I would add that the more initiative in the drafting of legislation passes to the executive branch, the more important this function of oversight by Congress will become.

Yet Congress is not as well equipped as it should be to do the job of overseeing the administration. In this respect it is ironic that we authorize the President and the heads of executive agencies to name many advisory councils and committees of experts outside Government to monitor Federal programs but we are reluctant to provide ourselves in Congress with enough qualified staff to enable us to do our own evaluating in a thorough way. I may say that there is a growing feeling among members of the House Education and Labor Committee that if we are going to authorize advisory councils to the Office of Education to review education programs, we should authorize at least one advisory council of nongovernmental experts to our own committee to make studies and recommendations with respect to programs within the jurisdiction of the committee.

But Congress must do more than check and balance the executive branch in the conduct of our national affairs. Surely we have as well the equally important task of making creative contributions to public policy. Congress is not only an institution for overseeing the Executive's conduct of affairs, or for legitimating proposals and decisions arrived at by members of the executive branch. It is also of great importance that Congress play a full part in the legislative process by initiating ideas and offering constructive proposals for dealing with the critical problems our Nation faces.

I think it is worth examining for a few moments the experience of Congress and the Nation in the 20th century with respect to achieving both these overriding goals: helping to maintain the check-and-balance system and making creative contributions to solutions of public problems. I am frank to say that I think we are barely holding our own. To be sure, individual Congressmen make important contributions to public policy and to balancing the executive role in national life. But as an institution, I believe that forces are at work that challenge the future of Congress as a creative and initiating institution in national politics. Many of these forces are inevitable, although the decline of Congress is not inevitable. Around the world, in other countries, parliamentary bodies have confronted the same forces, but with regrettably less success than we have mastered them in this country.

The forces I refer to are not subversive or darkly hidden; they are the inevitable consequences of the complex problems and difficulties of modern policymaking. Let me say that I think there is virtually a consensus among political scientists and students of government that more and more power is being shifted from the legislative to the executive branch.

Let me here interject that I appreciate that there are understandable reasons for the increased power of the executive branch in our Government not only with respect to initiating legislation, but generally. Two world wars, a depression, the cold war, the general acceptance of a wider role for government in modern industrial society—these are some of the factors which have enhanced the power of the President and the executive branch vis-a-vis Congress.

Power in itself is not dangerous; it is dangerous only when it is unchecked and unbalanced by other sources and centers of power. What disturbs me is that Congress is less and less an effective source of new ideas and of the initiation of legislation and more and more has had to fall back on the role of amending, accepting, or legitimating proposals brought to it by the executive. More and more often legislation is drafted first in the executive departments and then submitted to Congress for its acceptance, amendment, or rejection. This is true not only in the immensely complex fields of foreign affairs and defense policy, but in the traditionally domestic realms of national policymaking; such as education, labor, and transportation. If Congress is to be a full partner in the check and balance system, and if it is to make creative contributions to public policy, it must, it seems to me, not only legitimate and check, but it must initiate and propose. The business of Congress is not, in my view, simply to dispose of what the President proposes but to propose as well.

One of the principal factors, of course, that contributes to the threatening decline of Congress is that the problems that now cross the desk of a Congressman and come into the hearing rooms of our committees are more complex and numerous than ever before and involve often highly complicated information and debatable interpretations of that information.

President Kennedy used to say that a Member of Congress in the early 19th century needed to be informed about only three public problems, internal improvements, the tariff, and slavery. If a man came to Congress in the early 1800's and served 20 or 30 years, he would have very few important matters to pass on other than these three. And what he learned about each of them in his first years in Congress served him in good stead for the rest of his congressional career.

Would that the life of a modern legislator were as simple as in the days of Webster and Calhoun. The agenda of Congress not only consists of many more than three perennial problems, but it is constantly shifting. One year it is renewal of the trade agreements program; another year it is education; another year it is transportation. And mixed in with these problems of vast national and international scope are many others of great technicality and immense subtlety. The speeches that we make in our freshman years in Congress soon perish; they are hardly relevant to the needs of our later years.

The implication of the complexity of public problems is that the executive branch, with its bureaucratic advantages, is better organized than Congress for dealing with such problems. To be sure, Congress is not as bad off as it was in 1946, thanks to the La Follette-Monroney Act. The reduction in the number of committees, and the reorganization of committee jurisdiction, and the creation of professional committee staffs helped to slow down the decline of Congress, but as the appointment of this joint committee signifies, the tide still runs against us.

That public problems are changing and growing more complex is never more dramatically felt than with respect to those policies and problems relating to science. The world is undergoing a knowledge explosion as vast and troublesome as the population explosion. In the sciences, fields and disciplines merge and change, curriculums go out of date, and much of the education that many of us had before we came to Congress seems less and less pertinent to the demands now placed upon us.

Unfortunately, we cannot expect Members of Congress to bring with them skills sufficient to cover all of the many complex issues that face us. Consider scientific problems again. As we all know, it is relatively easy for a lawyer or a businessman, or even a college professor of government, to move in and out of politics, to spend a few years in Congress or in the service of the executive branch and then to return to his other career. But for a scientist in the laboratory to depart from his natural habitat for a term or two in Congress is virtually to forsake his career as a scientist. For by the time he returns to his laboratory, the structure of his professional knowledge will have so changed that he will have missed out on many important new developments. We are unlikely to expect to have among our colleagues many men with the technical training to advise us on the difficult and knotty questions of science and policy.

We must, therefore, look for ways to provide ourselves with sufficient staff or other forms of assistance to make up for our natural disadvantages.

For if Congress is to contribute effectively and creatively to the shaping of public policy, it is essential that we in Congress as well as officials in the executive branch should be thinking, searchingly and critically, about the great issues that face our country and the world.

It seems to me therefore imperative that we maintain a flow of ideas between the elected politicians in Washington and the intellectual community throughout the Nation.

This is a much more difficult enterprise for Congress than it is for the executive branch. The executive agencies, most obviously the procurers of scientific knowledge, such as the Defense Department, NASA, the AEC, and the National Institutes of Health, have direct links with both university-based thinkers and people at the Rand-type institutes and the great foundations.

I think we must do more to improve the relationship between the scholars and the legislators. I think we should consider, for example, the proposal of the then Senator HUMPHREY in 1963 for a new arm of Congress—what he called a "Congressional Institute"—a group of scholars selected by their peers, who would serve Congress as "a pool of knowledge, thought, and expertise."

Such a group could help Congress to think ahead about the problems we all know will be with us in the coming decade—the Atlantic Alliance, population growth, tax policy, Federal-State relations, China, international peacekeeping machinery.

A group of scholars serving from 1 to 3 years could rotate to Washington from our best universities and thereby maintain a flow of ideas both in Congress and in the university community. But for such a project to be effective, it would have to be more than a front operation. It would have to be of very high quality.

I think no one would quarrel with the proposition that the Library of Congress, as presently organized, is not able to provide Members of Congress with such knowledge, thought, and expertise, nor, I must add in all fairness, is it expected to. But the problem is still there.

Not only are we overwhelmed by complicated information in vast amounts, and not only is the executive branch much better organized for processing these vast resources than we are, and for initiating access to the thinkers of the country, but in our inevitable specialization to deal with these problems, we neglect another side of policymaking processes. I refer to the capacity of Congress—or lack of it—to integrate and combine our specialties into some relatively comprehensive view of public problems. Often I hear Members of Congress complain that only part of the problem comes before them and their committees. Other parts of the problem fall within the jurisdiction of other committees. We have seen in recent years the way in which foreign policy merges into defense policy and defense policy overlaps foreign policy. Yet we have two committees to deal with these subjects but no single committee to take a comprehensive view of their interrelations. Likewise, tariff and trade policies, with important foreign policy implications, are handled by the Ways and Means Committee. In my own committee, the Committee on Education and Labor, we have jurisdiction over national educational policy, but the work of the National Science Foundation, which makes such important contributions to education and research, falls under the jurisdiction of the Science and Astronautics Committee, and there is little communication between the committees.

I believe that the explanation for the relative diminution of legislative power vis-a-vis the executive lies in large measure in these two conditions, first, the increasing complexity and amount of information about public problems, for which the executive is better organized than Congress, and second, in the overspecialization of Congress and the minimum of facilities we have for integrating policy in a comprehensive fashion.

If we look to the future and assume that no changes are made in current legislative practices, what can we expect? I think we can only expect these trends to continue. I cannot imagine that the problems confronting modern government will grow any simpler or any less numerous. I cannot believe that information available to policymakers will decrease; it can only increase. Fortunately we need not expect things to get worse before they get better. The work of the Joint Committee on the Organization of Congress will hopefully lead to some innovations in legislative procedure that can help us check the tide and contribute to Congress' effectiveness in the check and balance system and as a creative contributor to national policy.

I have already offered a few modest suggestions for strengthening our capacity to handle the problems that confront us.

I have suggested that congressional committees be less hesitant to name advisory councils of nongovernmental experts to advise them on legislative programs within their jurisdiction.

A related suggestion, for which ample precedent already exists in a number of congressional committees, is that committees consider holding seminars or special panels at times other than when specific legislation is under consideration. The Joint Committee on the Economic Report, the Ways and Means Committee, the Committee on Aeronautical Sciences, and the Joint Committee on Atomic Energy have, in varying ways, instituted such a practice. Sometimes the procedure is for a small panel of experts to gather for the discussion of a paper or a document written by a member of the panel. On other occasions, a larger group convenes to hear a preliminary statement by a member of the committee or a member of the seminar panel, and afterward other panelists and committee members discuss the problems raised in the initial presentation.

I believe that such seminars, drawing upon the talents in and out of Congress, would help us not so much in our day-to-day decisions about legislation but in anticipating problems that we are likely to confront next year or the year after and furthermore would give us broad perspectives, if not concrete details, from which to consider both current and future policy issues.

In a similar vein, I urge that congressional committees make greater use of the research resources in universities and private organizations. What the Rand Corp. has done for the Air Force is something that might profitably be undertaken by some legislative committees. I refer to the commissioning or contracting of studies and reports by private research firms or universities. Earlier I referred to the knowledge explosion that has swept our century. Executive agencies take advantage of contracting for the advice and research of the Nation's leading scholars, but we have not always been so alert to having these materials made available to us in Congress.

There is, of course, precedent for such investigations and studies. For example, the Committee on Foreign Relations several times has conducted excellent studies of current and future problems of foreign affairs. And the Commission on Money and Credit and the Hoover Commissions similarly undertook contract research. This is one way of bringing fresh insight to Congress, without burdening the committees with enormous research staffs.

The suggestions I have made, advisory councils to congressional committees, a congressional institute, committee seminars, the use of research consultants, and also increased staff for individual Members, are intended to contribute to an improvement in our sources of information and judgment about contemporary problems. Such proposals would go some way, I am sure, toward making us more effective partners in the system of checks and balances and in initiating solutions to important public problems.

But as I indicated earlier, I think we also need to find ways of integrating and combining our specialized information in more intelligent ways. As I noted, I am concerned about subjects that fall between two committees. We are all familiar with the disjuncture that occurs when the authorizing committees study a matter in great detail and then see the House adopt a policy, only to find that when the Appropriations Committee brings in its bill to pay for the programs, the policy has been significantly altered or the program reduced. I think there is very little we can do about coordinating the authorizing committees and the Appropriations Committees, but there may be some other steps we can take to coordinate the work of the legislative committees.

For example, I would urge the Joint Committee to recommend that the leaderships of both Houses increase the staff facilities and resources available to the majority and minority leaders. I think we have to look to our leadership to consider the work of the committees not committee by committee but in a somewhat comprehensive and universal way. In the days when the present occupant of the White House was the majority leader of the Senate he began to create precisely this kind of staff that could comprehensively follow the work of the Senate. He was, however, obligated to create such a staff out of his various committee assignments instead of employing a staff directly at the service of the majority leader.

I hope that when the Joint Committee meets with the leadership of the two Houses it will explore ways in which their staffs may be augmented to monitor the work of Congress as a whole.

Likewise, I think there are some other steps that can be taken to coordinate effectively the work of committees with similar responsibilities. Without radically altering the committee structure, I think something might be done by which committees such as those on Foreign Affairs and Armed Services could meet together from time to time to consider ways in which their policies intersect with each other. Of course, I do not propose that one committee dominate the other, but rather that the two committees discuss subject matters that are related to each other.

I have already suggested meetings at which at least some members of the Education and Labor and Science and Astronautics Committees of the House could on occasion discuss problems that touch directly the work of both their committees.

Opportunities for joint discussions of other problems by other committees will easily suggest themselves.

I wish to conclude my remarks by urging upon the committee the value of undertaking additional research on Congress. I am sure that the committee will draw on the wisdom and experience of many Members of Congress. I am sure that it will also draw on the work of students of Congress. In addition to this, I recommend that the committee seriously consider commissioning further research on Congress. As a former teacher of government, and as an admirer of the work some political scientists have done to date in studying Congress, I cannot help saying that we are still short of the adequate knowledge we need to assess the strength and weakness of this body.

The American Political Science Association, under a grant from the Carnegie Corp. of New York, has already taken a major step to increase the availability of scholarly and scientific research on Congress. I refer to "The Study of Congress," under the direction of Prof. Ralph Huitt, of the University of Wisconsin. Those studies, however, are reasonably small and are not likely to be completed by the time that this committee completes its work. I am sure, however, that the committee could engage, in consulting capacities, the research skills of a number of able political scientists to participate in committee studies that could be completed during the 89th Congress.

In any such research, I would urge this committee to collect information on the way other legislative bodies conduct their business. An inventory of the parliamentary practices and procedures of democratic legislatures around the world might be quite useful to the committee. Something like this has already been undertaken in a study for the New Jersey State Legislature by the Eagleton Institute of Politics.

Mr. Chairman, many other Members of Congress have testified before this committee and have made suggestions for improving the organization of Congress. I have made no effort to repeat all the laudable suggestions you have heard but have touched on only a few ideas that seem to me worthy of consideration.

I would like to go on record, however, as endorsing the proposed 4-year term for Members of the House of Representatives. I shall not here rehearse all the arguments

for this proposal; they must be familiar by now and I think they are compelling.

I would like also to endorse the proposal of our colleagues, Congressmen Bolling and Udall, for a modification of the present seniority system in selecting committee chairmen. The suggestion that members of the majority caucus should be able, on a secret ballot, to vote for one of the top three majority members as chairman of each committee seems to me at once to respect the real values of the seniority system while providing a greater degree of responsiveness on the part of the committee chairmen to the Members of the House of Representatives.

SENATE

Thursday, June 10, 1965

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, our Father: Standing in these fields of earthly toil, we bow our heads and still our hearts, to listen in reverence to distant bells which speak of our kinship with the eternal.

Make us, we pray, vividly conscious—even in the drab surroundings of time and sense—of the divine reality which ever and anon breaks through the seen, in bright shafts of everlastingness.

Give us to see what the long travail of the ages makes crystal clear: that where there is no vision, the people perish, as idealism goes down and the false gods of selfish force ascend the throne. Set our eyes on the far-off goals, many of which cannot be reached in our brief day, but to whose final coronation we can give the stubborn ounces of our devotion, as we spend our fleeting years here as a valiant tale that tells for Thee and Thy coming kingdom.

We bring our prayer in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 9, 1965, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Constitutional Rights of the Judiciary Committee, the Committee on Banking and Currency, and the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations were authorized to meet during the session of the Senate today.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, the purpose in having the Senate meet early today is to give the Senator from Connecticut [Mr. Dodd] an opportunity to make a report on his recent trip to the Far East. I ask unanimous consent that the Senator from Connecticut be recognized for an indefinite length of time to deliver his scheduled speech.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Connecticut is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DODD. I yield.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 266, and that the remaining items on the calendar by considered in sequence thereafter.

The PRESIDING OFFICER (Mr. Bass in the chair). Is there objection? The Chair hears none, and it is so ordered. The clerk will state the first item.

EUGENINSZ LUPINSKI

The bill (S. 16) for the relief of Eugeninsz Lupinski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Eugeninsz Lupinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MEHDI HERAVI

The bill (S. 68) for the relief of Mehdi Heravi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mehdi Heravi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

VIOLET SHINA

The bill (S. 248) for the relief of Violet Shina was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Violet Shina shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ANTONIO JESUS SENRA AND WIFE

The bill (S. 372) for the relief of Antonio Jesus Senra (Rodriguez) and his wife, Mercedes M. Miranda de Senra, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Antonio Jesus Senra (Rodriguez) and his wife, Mercedes M. Miranda de Senra, may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required, in addition to their residence and physical presence within the United States since August 13, 1959.

DR. GUILLERMO CASTRILLO (FERNANDEZ)

The bill (S. 374) for the relief of Dr. Guillermo Castrillo (Fernandez) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Guillermo Castrillo (Fernandez) may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required, in addition to his residence and physical presence within the United States since September 17, 1960.

MARIA GIOCONDA FEMIA

The bill (S. 521) for the relief of Maria Gioconda Femia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Maria Gioconda Femia shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 13, 1946.

PATRICK ANTHONY LINNANE

The bill (S. 550) for the relief of Patrick Anthony Linnane was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, notwithstanding the provision of section 212(a)(22) of the Immigration and Nationality Act, Patrick Anthony Linnane may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act: *Provided further,* That nothing in this Act shall be construed to waive the provisions of section 315 of the Immigration and Nationality Act.

DR. SEDAT M. AYATA

The bill (S. 573) for the relief of Dr. Sedat M. Ayata was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Immigration and Nationality Act, Doctor Sedat M. Ayata shall be held and considered to be lawfully admitted to the United States for permanent residence as of October 1, 1958.

GEORGE PALURAS (GEORGIOS PALOURAS)

The bill (S. 653) for the relief of George Paluras (Georgios Palouras) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, George Paluras (Georgios Palouras) may be classified as an eligible orphan within the meaning of section 101(b)(1)(F), and a petition may be filed in behalf of the said George Paluras (Georgios Palouras) by Mr. Philip Paluras, a citizen of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans.

LEE HI SOOK

The bill (S. 678) for the relief of Lee Hi Sook was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Lee Hi Sook may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Lee Hi Sook by Captain and Mrs. John H. Duval, Junior, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

KIMIE OKAMOTO ADDINGTON

The bill (S. 703) for the relief of Kimie Okamoto Addington was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Kimie Okamoto Addington may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Charles and Mildred Addington, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

NICOLA MORIC

The Senate proceeded to consider the bill (S. 778) for the relief of Nicola Moric which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Nicola Moric shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Nicola Moric shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

MRS. STYLLIANI PAPATHANASIOU

The bill (S. 857) for the relief of Mrs. Stylliani Papathanasiou was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Act of September 26, 1961 (75 Stat. 650), Mrs. Stylliani Papathanasiou shall be deemed to be within the purview of section 25(a) of that Act.

SISTER MARIA CLOTILDE COSTA

The bill (S. 1281) for the relief of Sister Maria Clotilde Costa was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sister Maria Clotilde Costa shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

FELICIDAD CALETENA

The Senate proceeded to consider the bill (S. 130) for the relief of Felicidad Caletena which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of sections 212(a)(1) and 212(a)(4) of the Immigration and Nationality Act, Felicidad Caletena may be issued a visa and be admitted to the United States for permament residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That if the said Felicidad Caletena is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further,* That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

DR. JOSE S. LASTRA

The Senate proceeded to consider the bill (S. 207) for the relief of Dr. Jose S. Lastra which had been reported from the Committee on the Judiciary with an amendment in line 8, after the word "since", to strike out "October 1960" and insert "October 30, 1961"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Jose S. Lastra may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required in addition to his residence and physical presence within the United States since October 30, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

VLADIMIR GASPAROVIC

The Senate proceeded to consider the bill (S. 358) for the relief of Vladimir Gasparovic and Dragica Rendulic Gasparovic which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Vladimir Gasparovic and Dragica Rendulic Gasparovic shall be held and considered to have been paroled into the United States on the date of the enactment of this Act, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

LEE HYANG NA

The Senate proceeded to consider the bill (S. 454) for the relief of Lee Hyang Na which had been reported from the Committee on the Judiciary with an amendment on page 1, line 10, after the word "orphans.", to insert "Section 205 (c) of the Immigration and Nationality

Act, relating to the number of petitions which may be approved, shall be inapplicable in this case."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Lee Hyang Na may be classified as an eligible orphan within the meaning of section 101(b)(1)(F), and a petition may be filed in behalf of the said Lee Hyang Na by Mr. and Mrs. George O. Gregerson, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

JOHN WILLIAM DAUGHERTY, JR.

The Senate proceeded to consider the bill (S. 517) for the relief of John William Daughtery, Jr., which had been reported from the Committee on the Judiciary with an amendment on page 1, line 8, after the word "That", to insert "if the said John William Daugherty, Jr., is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250),"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212 (a)(1) of the Immigration and Nationality Act, John William Daugherty, Junior, may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That if the said John William Daugherty, Junior, is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

RICHARD BING-YIN LAM

The Senate proceeded to consider the bill (S. 551) for the relief of Richard Bing-Yin Lam which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Act of July 14, 1960 (74 Stat. 504), Richard Bing-Yin Lam shall be held and considered to have been paroled into the United States on January 22, 1963, as provided for in the said Act of July 14, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EVANGLIA MOSHOU KANTAS

The Senate proceeded to consider the bill (S. 614) for the relief of Evanglia Moshou Kantas, which had been reported from the Committee on the Judiciary with amendments on page 1, line 4, after the word "Act,", to strike out "Evanglia" and insert "Evangelia", and in line 8, after the word "said", to strike out "Evanglia" and insert "Evangelia"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Evangelia Moshou Kantas may be classified as an eligible orphan within the meaning of section 101(b)(F) of the said Act and a petition may be filed by Mr. and Mrs. Jerry Kantas, citizens of the United States, in behalf of the said Evangelia Moshou Kantas pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Evangelia Moshou Kantas."

BILLS PASSED OVER

Mr. MANSFIELD. Mr. President, I ask that Calendar Order Nos. 287, 288, and 289 be passed over.

The PRESIDING OFFICER. The bills will be passed over.

The bills ordered to be passed over are as follows:

A bill (S. 1698) to amend the Bank of America Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes.

A bill (S. 1483) to provide for the establishment of the National Foundation on the Arts and the Humanities, to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

A bill (H.R. 4185) to fix the fees payable to the Patent Office, and for other purposes.

STAIMAN BROS.-SIMON WRECKING CO.

The bill (H.R. 2166) for the relief of Staiman Bros.-Simon Wrecking Co., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 302), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Staiman Bros.-Simon Wrecking Co., against the United States for such losses arising out of disposal No. 2 PRD-313A, dated June 30, 1960, as are determined to be due in law and equity.

This matter arose in an offering for disposal by bid of the water system of the Susquehanna Subdepot of Letterkenny Ordnance, the material being described and set forth as lot A in said invitation.

Mr. MANSFIELD. That concludes the call of the calendar.

I thank the distinguished Senator from Connecticut for his usual courtesy and graciousness; and for the RECORD I call his attention to the fact that at 12 noon it is planned that the Senate will resume consideration of the Foreign Assistance Act of 1965.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

VIETNAM AND THE FAR EAST—A REPORT BY SENATOR DODD

Mr. DODD. Mr. President, since the close of World War II, our foreign aid program has operated as one of the chief instruments of our foreign policy.

It has since its inception been a program which combines altruism with enlightened self-interest.

It is in our interest, and of this we have every reason to be proud to seek a world that conforms to the principles set forth in the United Nations Charter—a world of free and independent nations, a world free from aggression and the threat of aggression, a world free of the scourge of hunger and the scourge of fear.

No one has stated the moral justification for our foreign aid program more eloquently than President Kennedy in his message to Congress on March 22, 1961. Let me quote what President Kennedy said on that occasion:

> There is no escaping our obligations: Our moral obligations as a wise leader and good neighbor in the interdependent community of free nations—our economic obligations as the wealthiest people in a world of largely poor people, as a nation no longer dependent upon the loans from abroad that once helped us develop our own economy—and our political obligations as the single largest counter to the adversaries of freedom.

In the growing impatience with annual outlays for foreign aid, the accomplishments of our foreign aid program are frequently forgotten.

Through the Marshall aid plan, we were able to revitalize the European economies, and to give them the strength that has made our alliance with them a meaningful deterrent to Communist aggression.

Our foreign aid program saved Greece and Turkey in the postwar period; it has rehabilitated Japan so that she has today become the most prosperous and most highly industrialized nation in Asia; it has enabled India to double her industrial output over the past 10 years and to increase her food production by 50 percent; it has helped the Republic of China achieve a degree of economic and social progress which has today made her a dispenser of technical assistance rather than a recipient of foreign aid; and it has thus far made it possible for nations like Vietnam and Laos to defend their freedom against Communist aggression.

Today I want to address myself specifically to the question of our foreign aid program in the Far East, because it is here, apparently, that the greatest differences are emerging.

During the month of April it was my privilege to visit all of the free countries of the Far East, to meet with heads of government, foreign ministers, and community leaders, and to discuss the situation in each country with our Ambassador and the members of our missions, and in certain cases, with the diplomatic representatives of other countries and with journalists, and acquaintances.

Having sorted out the many notes and documents and impressions with which I returned, and having had some opportunity to consider their meaning and relationship, I want to report to my colleagues today on the salient aspects, as I see them, of the present situation in Vietnam, in southeast Asia, and throughout the Far East, and on their implications for our foreign aid program in the area.

My report will be a long one, because the area is a big one and because some of the essential facts on which we must base our judgments in voting for foreign aid are unfortunately not known.

THE COMMUNIST ASSAULT ON FREE ASIA

Because the war in Vietnam is big and bloody and dramatic, there has been a tendency to focus most of our attention on it, so that we fail to see the broader picture of the general Communist assault on the whole of free Asia which is now taking shape.

Vietnam is unquestionably the most important front, and it may very well turn out to be the decisive front. But Vietnam is not the only front, nor is it the only nation whose future is at stake in the current battle.

Although the big news from Vietnam tends to obscure lesser news from other areas, in Laos, too, the government has been under attack for more than 4 years now by insurgent forces directed and supplied from Hanoi.

Not merely are the North Vietnamese openly providing the leadership for the so-called Pathet Lao forces, but I can inform Senators reliably that, as of this juncture, at least 10 full North Vietnamese battalions, without even troubling to conceal their identity, are operating in Laos.

In Malaysia, Sukarno, having cracked down on the last remaining vestiges of Indonesian opposition to communism, is pursuing his policy of confrontation and aggression, with the complete support of both Peiping and Moscow.

Hardly a week goes by without some new act of terrorism by Sukarno's agents in Malaysia or without some new infiltration or attempted infiltration of Indonesian guerrillas or paratroopers.

In Burma, the government of General Ne Win, having sought to placate Peiping by socializing the country and driving out Western business and influence, still finds itself fighting bitter battles against Communist guerrillas who control key areas of the country.

In Thailand, the Chinese Communists have already announced the formation of a Thai Liberation Front, patterned after the liberation front in South Vietnam; and the Thai Government has now been obliged to take energetic steps to deal with the first evidences of Communist insurgency in the remote northern areas of the country.

In the Philippines, the Huks have again become more active. While there are differing estimates as to their strength, they have, over the past several years, been assassinating local and provincial officials on an increasing scale, and it is generally agreed that they control, by terror, a substantial number of villages and towns.

Instead of talking about the war in Vietnam, therefore, it would convey a clearer picture of the situation in the Far East and of the stakes involved there if we talked about the war in Asia. Because the fact is that it is all one war, and it is the freedom of Asia and not merely the freedom of Vietnam that is today at stake.

That this is so is recognized by virtually every thinking Asian who is not a Communist or fellow traveler—not merely in the countries of the Far East, but even in neutralist countries like India and Ceylon.

Thus, in an editorial in early April, the Indian Economic Review, which is a semiofficial publication of the All India Congress Committee said the following:

> Nothing should deter lovers of freedom and democracy to make every effort to thwart Communist China's overrunning the vulnerable southeast Asia, for if our neighbors of southeast Asia succumb, we have no chance of survival if the United States of America, which obviously realizes the tremendous danger of expansionist Communist China, keeps aloof from this area, man's freedom is at stake.

I would in particular like to call the last sentence of this statement to the attention of the many honest citizens who urge withdrawal because they fail to understand the issues. It is not merely the survival of India that is at stake, according to the Indian Economic Review but "man's freedom" in general.

I do not think that this is in any way an overstatement of the gravity of the situation.

If we fail to hold the line in Vietnam, it would require an effort tenfold greater to hold the line elsewhere in Asia.

And the risk of escalation to all-out war would increase in proportion to the enhanced magnitude of the next encounter.

Those who call for withdrawal from Vietnam as part of a general American withdrawal from Asia, at least have the virtue of consistency.

On the other hand, those who urge withdrawal from Vietnam but say nothing about the rest of Asia, have the moral duty to tell us where and how they propose to draw an effective line against the advance of Asian communism.

And the critics in both categories have the further duty to explain to the American people whether they will also propose withdrawal wherever the Communists confront us with a so-called war of national liberation—in Asia, in Africa, or in Latin America.

We live in the era of "wars of national liberation."

Both Moscow and Peiping have hailed such wars as a prime instrument in the struggle for the destruction of capitalism.

If we demonstrate that we do not know how to cope with such a war in Vietnam, the inevitable consequence of our failure will be an epidemic of Vietnams throughout the world.

Will the critics of our Vietnam policy urge withdrawal in every one of these cases?

How much more of the free world are they prepared to surrender before they are willing to make a stand in defense of freedom?

If they are not prepared to say where we should make a stand, or if they believe that we should not fight unless the Communists mount a direct attack on our shores or on Western Europe, then I believe that their folly makes them unwitting accomplices of the Communist drive to destroy America, which the Communists rightly regard as the sole major obstacle standing between them and world conquest.

THE FRAUDULENT REVOLUTION

There is a canard which the Communist propaganda apparatus has assiduously circulated, according to which the Vietcong insurgency in Vietnam, and the Pathet Lao insurgency in Laos, and the Huk movement in the Philippines, and the Communist guerrilla movement in Burma, and Communist insurgencies everywhere else in the world, are all inspired by the quest for social justice and economic progress on the part of the masses.

Nothing could be further from the truth.

It is as much a fraud that the Vietcong insurgency and the Communist insurgencies in other countries are spontaneous revolts against economic and social injustice, as it is that the Vietcong are fighting for liberation from American imperialism.

The so-called Communist revolution has nothing in common with the great revolutions of history.

From a historical standpoint, indeed, the Communist revolution can only be looked upon as a counterrevolution as monstrous and retrogressive as Hitlerism.

Instead of expanding the frontiers of freedom and bringing about a greater degree of social justice, the Communist revolution has resulted in the organized impoverishment of the people.

Instead of the cultural and spiritual renaissance that has followed in the wake of true revolutions, Communist totalitarianism has everywhere resulted in the stultification of the intellect and the imprisonment of the spirit.

On the other hand, in the free countries of Asia—which the Communists tell us they wish to liberate from their present misery—there is a truly remarkable story to be told about the social and economic and political gains that have been registered since the close of the war, and especially over the past decade.

This, indeed, was one of the strongest impressions I brought back with me from the Far East.

Everywhere I went in the Far East, I was amazed by the changes that had taken place since I last traveled through the area in 1961.

Japan, Taiwan, Thailand, and Malaysia are all enjoying unprecedented prosperity.

The standard of living has been rising constantly, life has been made easier through the progressive introduction of social reforms, foreign trade is expanding, and foreign capital is seeking opportunities for investment.

JAPAN

About Japan, I need not tell you, because the story of the unprecedented economic expansion that has taken place over the past decade has been told over and over again.

This is not just a boom that has benefited the affluent.

The Japanese worker and farmer, too, are beginning to enjoy the good things in life in increasing measure.

The streets and highways are almost as jammed with vehicles as our own.

The Japanese farmers, the great majority of whom own their own land, as a result of the MacArthur land reform program, use more fertilizer per acre than the farmers of any other nation; and this fact together with their own hard work, has enabled them to achieve the highest output per acre in the world.

The orderliness and discipline of Japanese society and the industry of the people virtually assure that Japan will for a long time remain the foremost industrial power in Asia.

TAIWAN

Taiwan was even more unbelievable than Japan in terms of the gains scored in recent years.

As a result of a land reform program that is generally accepted today as a model for all the newly developing nations, 85 percent of the Taiwanese peasants now own their own land.

They have achieved the third highest production per acre in the world; and a measure of their prosperity is the fact that three out of four of them now have electricity.

The growth rate for the entire economy has in recent years averaged 7 percent, and last year it hit an amazing high of 10 percent.

Countless new industries are springing up, financed by both foreign and domestic capital.

In 1963, Taiwan for the first time achieved a favorable trade balance, totaling $20 million. By 1964, its favorable trade balance had risen to $53 million. And it is still on the upgrade.

As a result of this miracle of economic and social progress, Taiwan will this month cease to be a recipient of American foreign aid.

MALAYSIA

Malaysia, too, has to be seen to be believed.

Its per capita income, which is now close to $300, is the second highest in Asia. Only Japan ranks higher in this sphere.

Under the national development program, a second 5-year plan is now being completed that will have involved the outlay of $1,650 million from the time of its inception.

The program has developed new farmland for distribution to the landless; it has built hundreds of model villages; and it has carried out countless projects to improve the health, education, and welfare of the people.

The workers housing program in Singapore is by common agreement one of the massive and most remarkable undertakings of its kind anywhere in the world.

Once considered one of the most unhealthy areas in the world, Malaysia now has one of the best public health records in Asia, so that life expectancy has risen to 57 years—an almost incredible figure for this part of the world. The Government has even instituted a helicopter ambulance service to pick up patients requiring hospitalization from remote villages.

To those who think that communism is capable of planning on a national scale whereas private enterprise is not capable of doing so, I would recommend a visit to Malaysia, and specifically a briefing session such as I had at the planning center which is in charge of the national development program. With its hundreds of charts and graphs and maps and models of villages and ports and highways, it is almost like a NATO headquarters devoted to planning a better life for the people.

THAILAND

Thailand, too, presents a picture of a happy people, hard-working, but well-fed and relatively prosperous by Asian standards, and moving upward on the economic and social ladder.

Thailand is one of the largest rice exporting countries in the world. The overwhelming majority of the farmers own their own land, and the average farm is about 10 acres in size, which is large for this part of the world.

The Government has over the past decade encouraged diversification by Thailand's farmers so that they would not be so completely dependent on the world rice market.

The Government also provides free irrigation services and other services to assist the farmers.

The Government is also waging a massive campaign against disease and illiteracy. Among other things, it plans to double the number of teachers and make education compulsory until age 15.

The Thai people are basically happy, contented, and fiercely patriotic. One proof of this is the fact that, with rare exceptions, all the Thai students who go abroad to study return to Thailand to take jobs at exceedingly modest salaries. Another proof is the fact that there are virtually no Communists in Thailand.

KOREA

Even Korea, despite her incredible suffering during World War II and the Korean war, has now lifted herself up off the ground and is now the scene of a rapidly developing native industry and foreign trade. Korean exports, which a few years ago were virtually nonexistent, last year totaled $120 million, will this year reach $200 million, and in a few years' time are expected to go as high as $400 or $500 million. The process of economic resurgence in Korea is bound to be hastened, moreover, by the treaty normalizing relations with Japan, which has recently been negotiated and which is now awaiting ratification.

Not merely is the economic and social curve sharply upward in all of these countries, but they also appear to be blessed with politically stable governments and capable leadership.

If the outcome of the struggle between freedom and communism in Asia could be decided solely on the basis of performance, the problem of communism would cease overnight.

The free countries of the Far East, despite the menace of Communist subversion, have demonstrated conclusively that freedom makes for progress and prosperity and popular well-being; whereas, the Communist regimes in China and North Vietnam and North Korea and the near-totalitarian socialist regimes in Burma and Indonesia have produced nothing but progressive impoverishment and suffering for their peoples.

There would be no problem of communism in Asia if the contest could be resolved on the basis of performance or by popular referendum.

Communism is compelled to govern by totalitarian methods for the simple reason that it could not long survive if it permitted the people to express their will freely.

But the Communists have no intention of submitting the issue to popular referendum, nor will they be deterred from their aggression by the demonstrated economic and social superiority of the free countries of the Far East that they have marked for subjugation.

THE WAR IN VIETNAM

The news of the past week indicates that the long-awaited Vietcong offensive is now underway in Vietnam.

It had been more or less common knowledge that the Vietcong had been planning such an offensive, to coincide with the beginning of the rainy season.

It is clear, too, that the Communists are throwing everything they have into this offensive, in the hope of scoring a knockout before the buildup of American and Vietnamese forces makes this impossible.

The scale of the offensive that is now unfolding was suggested by the almost incredible rate at which the Communists have been smuggling arms and ammunition into South Vietnam, by jungle trails and by sea.

As my colleagues will recall, a single arms cache discovered by Government forces in mid-February contained almost enough equipment to outfit a division.

The scale of the offensive was also indicated in advance by the massive infiltration of North Vietnamese forces.

The Ho Chi Minh government about a year ago began sending in regular units of the North Vietnamese Army.

First they came in battalion strength.

Then they began to appear in regimental strength.

And this past week the veteran correspondent, Joseph Alsop, writing from Saigon, reported that we had identified an entire North Vietnamese division serving with the Vietcong forces, and that another division was concentrated on the frontier, apparently ready to enter South Vietnam.

The coming months will be months of testing for the Vietnamese people, for the American people, and for the entire free world.

There will be many costly battles.

There will be victories—but there will also be defeats.

And, because American forces are now involved on a larger scale in the actual fighting, the chances are that American casualties will run much heavier than they have since large-scale fighting first erupted in Vietnam in 1961.

If the Communists score some initial victories in this offensive this should be no reason for despair.

Virtually every major offensive in military history has scored some initial victories before it has been contained and reversed. Before they finally decided to throw in the sponge in the Korean war, the Chinese Communists also launched a major offensive and they drove our forces back from point after point.

But when this offensive had spent itself, and the United Nations forces launched their final counteroffensive, the Chinese and North Korean Communist forces, with their reserves of equipment and manpower exhausted, retreated far more rapidly than they had advanced.

So precipitous was their retreat, indeed, that they failed to make a serious stand at a single point; and when they finally swallowed their pride and asked for a cease-fire, our forces stood substantially to the north of the 38th parallel.

So let us not lose heart if the coming weeks bring some bitter news for the cause of freedom in Vietnam.

The commitment we have made there is irrevocable; the strength we are building there is invincible.

With our continued assistance I am certain that the Vietnamese people will ultimately prevail over the Communist aggressors and that the Communists will be obliged to sue for peace as they did in Korea.

THE THREE FRONTS OF THE VIETNAMESE WAR

The war in Vietnam over the coming period will be fought on three fronts:

First, the military front; second, the political front in Saigon; and third, the domestic front in the United States.

Having been in Vietnam just over a month ago, I do not underestimate the gravity of the military situation or of the still delicate political situation in Saigon.

In the field of battle, the Government forces have been fighting heroically.

They have taken heavy casualties, but they have inflicted much heavier casualties on the enemy.

They have suffered reverses, but they have also achieved remarkable successes in certain areas of the country.

Their performance is all the more remarkable when one considers the tremendous advantage enjoyed by guerrillas and when one recalls that, as a result of the British experience with the Malayan insurgency and of similar experiences in other countries, it has until recently been taken for granted that it was essential to have roughly a 15-to-1 superiority in manpower to deal successfully with a Communist-style insurgency.

I would further remind my colleagues that the British Commonwealth forces who fought against the Communist insurgents in Malaya in the postwar period were not raw conscripts, but highly trained and battle-hardened veterans—among the toughest fighting men to be found anywhere in the world.

Moreover, they had an important advantage which the Government forces in Vietnam do not enjoy.

They were fighting against an ethnically distinguishable enemy, for the simple reason that virtually all of the Malayan insurgents were Chinese.

The Vietnamese Government forces are fighting against a much tougher, much better trained, much better equipped enemy than the British confronted in Malaya.

They do not have the advantage of ethnic distinguishability; a Vietcong soldier looks exactly like a Government soldier.

And they have been fighting not with a manpower advantage of 15 to 1, but with an advantage of, at the most, 3 to 1, and in some parts of the country with no advantage at all in manpower.

With their limited and thinly spread forces they have had to protect their towns and villages and installations, convoy shipments of foods and supplies, conduct searches and forays in the jungle areas, and seek constantly to be on guard against surprise attacks.

Let no one, therefore, deprecate the performance of the South Vietnamese forces or their will to fight or their capacity for heroism.

These qualities they have demonstrated in a thousand different battles.

And the measure of their will to resist lies in the fact that almost 25,000 Vietnamese have given their lives in the fight against communism—as many casualties as the American forces suffered in Korea and, on a proportionate basis, more than the total number of Americans killed in action during World War II.

THE POLITICAL FRONT IN SAIGON

That the Vietnamese forces have done as well as they have done is amazing, too, because the conduct of the war has unquestionably been handicapped by the recurrent Government crises in Saigon since the overthrow of the Diem government.

For this we should not blame the Vietnamese people too much, because their experience with self-government has been a relatively brief one.

The government of Prime Minister Quat has seriously been seeking to achieve a greater degree of political stability. And I think it is to its credit that since it came to power there have been no major demonstrations or anti-Government or antiwar riots.

I had a long conversation with Prime Minister Quat in Saigon and I was greatly impressed by his intelligence and flexibility and strength of character.

He has had the courage to take certain measures which he believed had to be taken in order to win the active support of the Buddhists for the war. In doing so, he has, perhaps unavoidably, given offense to certain of the Catholic leaders in Vietnam.

It may even be, although I do not pretend to judge, that the Quat government in certain instances has leaned over more than was necessary to win active Buddhist support for the war by dismissing Catholic administrators of demonstrated competence, and even some competent Buddhists like the mayor of Saigon.

We who are on the outside can only hope that the present difficulties between the Catholic and Buddhist communities in South Vietnam can be overcome, and that Catholics and Buddhists will work hand to hand in the future, as they have in the past, to help their government resist the common enemy more effectively.

Vietnam cannot afford the luxury of any more coups.

THE BATTLE OF THE DOMESTIC FRONT

If the war in Vietnam could be determined by the will to resist of the Vietnamese people, or by the morale and dedication of our own Armed Forces, there would be no reason for misgivings about the outcome of this historic struggle.

But, as more than one observer has pointed out, the outcome of the Vietnamese war may very well be determined not in the field of battle in South Vietnam, but on what I have called the third front—the domestic front in the United States and, more specifically, in Washington.

The Gallup poll and other polls have repeatedly demonstrated that the overwhelming majority of the American people strongly support the administration's commitment to the defense of Vietnam.

But there has been a noisy minority, ranging in composition from Communists and fellow travelers and extremist liberals on the left, to pacifists and confused humanitarians in the center, to responsible Members of Congress and community leaders who are simply not aware of the facts—all of them clamoring for withdrawal from Vietnam, no matter what the consequences for the Vietnamese people or the peoples of Asia or our own future security.

They probably number somewhat less than 10 percent of the total population. But this minority of defeatists and appeasers, by dint of their incessant clamor, their seemingly boundless energy, their hundreds of newspaper advertisements, and the apparently limitless funds which fanaticism always generates, have had an impact that is out of all proportion to their actual numbers.

While the administration and Members of Congress know only too well how much noise minorities can sometimes generate, and while they are certainly aware that those who clamor for appeasement in Vietnam do not speak for the American people, unfortunately these things are not understood by African and Asian ambassadors in this country, or by the chancelleries of our NATO allies, or by the Communists themselves.

Thus, I have heard from friends who have a broad acquaintanceship in U.N. circles that many African and Asian ambassadors, and even ambassadors from European countries, have been greatly impressed by the seemingly endless number of advertisements appealing for withdrawal from Vietnam. And they have been reporting back to their governments that despite his commitment, President Johnson will probably have to give ground before the mounting opposition to his Vietnam policies.

Far more damaging is the impact that these advertisements and statements have had on Hanoi and Peiping and Moscow.

The Washington Post on May 28 carried a report from Moscow, for example, which quoted Dang Quang Minh, Vietcong representative in Moscow, as saying that the pressure of American public opinion will drive the United States out of South Vietnam.

Mr. Dang made his statement in an interview granted to J. R. Wiggins, editor of the Post, Chalmers Roberts, and Stephen R. Rosenfeld, Post correspondents.

Mr. Rosenfeld summarized the meeting in this paragraph:

> Flourishing a batch of American cartoons, signed advertisements, and speeches critical of American policy in Vietnam, the front's new representative in Moscow made clear his reliance on American public opinion rather than on military victory or negotiations, to compel American withdrawal.

The point made by the Vietcong representative in Moscow has also been made by the leaders of the North Vietnamese Government and by their chief propagandists, with increasing frequency in recent weeks.

I am convinced that President Johnson has weighed and measured every word when he said that we intend to live up to our commitment in Vietnam, no matter what the cost, and that there is no power on earth that can force us to withdraw.

I am convinced, too, that when President Johnson said "no power on earth," he meant not only Hanoi and Peiping, but also the clamorous domestic minority, some of them motivated, most of them misguided, who have been grinding out the statements and petitions and speeches which the Vietcong representative in Moscow brandished so triumphantly in the presence of the Washington Post's representatives.

President Johnson will not be deterred from his course by this minority.

But by encouraging the Vietcong to believe that the administration will be compelled to capitulate to their so-called public opinion, those who urge withdrawal are in practice doing more than any other group to frustrate the very objectives in whose name they profess to speak.

They are their own worst enemies, as well as the enemies of the freedom, humanity and decency they invoke.

They want the Vietnamese war ended. But their actions can only result in a prolongation of the war.

They want the killing stopped. But their clamor and the attention it receives can only result in more people being killed.

They ask for negotiations. But, as the Vietcong representatives in Moscow made clear, the Vietcong will not agree to negotiations so long as they believe that their witting and unwitting allies in America will be able to clear the way to total victory by forcing American withdrawal.

THE ROLE OF IGNORANCE, AND THE RESPONSIBILITY OF THE PRESS

In following the statements of the opposition and the teach-ins that have taken place since my return from Vietnam, I have been appalled by the degree of ignorance displayed by the majority of those who have spoken out against Government policy.

I am convinced that many of those who have spoken out or who have given their names to statements would not have done so if they had been aware of the facts.

In part, the false and misleading statements that have been made on Vietnam are due to the strange intellectual arrogance which causes psychologists, medical doctors, professors of English, entomologists, zoologists, and sundry other specialists to imagine that their mastery of their own profession has, ipso facto, qualified them as authorities on world politics—although I have no doubt that they would be among the first to protest if Congressmen or political scientists ventured to make speeches and recommendations on complex aspects of their own specialties.

Here, I cannot help observing that, while several thousand academicians in various fields have signed protests against our Vietnam policy, of the several score American academicians who have made on-the-spot studies in Vietnam and southeast Asia, and who, therefore, may be considered experts on the area, all but a handful strongly support the administration's commitment to defend South Vietnam.

It would be wrong, however, to blame all the misguided statements that have been made on intellectual arrogance or on other human frailties in those who protest. The fact is that, to an alarming degree, the lack of understanding and of information displayed by so many of our protestors stems from weakness and inadequacies in American press coverage of the Vietnam war.

The measure of whether the press has been doing an adequate or inadequate job in reporting on any situation is, in the final analysis, the degree of public awareness and understanding.

If, for example, important sectors of the American public are intensely aware of isolated acts of maltreatment of Vietcong prisoners by the Vietnamese armed forces, but hardly aware at all of the massive Vietcong terror that has, over 4 years' time, resulted in the assassination and abduction of some 35,000 Vietnam civilians, then there must be something wrong with American press coverage on Vietnam—not with every correspondent or every newspaper, I want to emphasize, but with American press coverage in general.

If there is a widespread belief that the South Vietnamese people are really not anti-Communist, and that we have forced them to fight more or less against their will, then this topsy-turvy impression, too, almost certainly bears a relationship to items that have appeared repeatedly in the American press.

If responsible Americans, based on their reading of the press, receive the impression that the overwhelming majority of the free peoples of Asia are opposed to our policy when the fact is that the overwhelming majority support our policy, then, again, I feel that there is something wrong with the press coverage that has fostered this false impression.

Because I was deeply troubled by the disparity between the actual situation in Vietnam and the prevailing public impression of this situation, I addressed myself to this subject in a speech before the Cleveland Press Club on May 5, a few days after my return from the Far East. My remarks on that occasion received modest mention in the press but only a handful of people, I am afraid, read the entire text.

I was particularly gratified to note that the one dispatch from Vietnam commenting on my speech said that members of the press corps there conceded that there was some validity to my critique. I was further encouraged by a letter which I received from a distinguished Washington correspondent, urging me to repeat my remarks on the floor of the Senate and to send copies of them to every newspaper editor in the country.

Acting on this encouragement, and because I am convinced that many facts about Vietnam are not commonly known even to Members of Congress, I want to repeat to my colleagues certain of the criticisms that I voiced before the Cleveland Press Club, fortified by further examples of stories that have not been told at all, or stories that have been told with a misleading twist or emphasis.

THE PRESS—AND CRITICISM OF THE PRESS

The press of our country has a healthy tradition of cynicism, iconoclasm, and general disrespect for officialdom.

In pushing their exposures, in developing their critiques, in hurling their barbs, our working press and our editorialists recognize no sacred cows.

This is the way it ought to be.

I want to repeat that I do not deprecate the diligence of the press in criticizing Government officials or Members of Congress when they think we are wrong.

No person and no institution should be immune to criticism. And there is nobody in public life so modest or so virtuous that he cannot benefit from a public examination of his foibles and his weaknesses, or a public challenge to his viewpoint.

And, although we may complain about the excessive acidity of the press, I believe that every Member of Congress, in his more philosophical moments, would be prepared to concede that it does our souls good to be cut down to size occasionally.

But what is true for government, also holds true for the press. The press, like all human institutions, is fallible, and it has no more right to be regarded as a sacred cow than government or Congress.

For understandable reasons, however, the press does not criticize the press.

For understandable reasons, too, it is considered unwise for people in public life to criticize the press.

While I consider our press to be the best and the most democratic in the world, I believe that it has suffered from this lack of criticism. Indeed, I will go further: I believe that this virtual immunity to criticism by an institution that claims the right to criticize everyone and everything is not merely wrong and unhealthy, but that it constitutes the greatest danger to the continuing freedom of the press.

This immunity to criticism has in turn been accompanied by a tendency, even on the part of informed and responsible members of our society, to regard the press as gospel. Thus, in a recent address a distinguished public figure—whom I look upon as one of the most intelligent and cultured men it has been my pleasure to know—departed from his prepared text to praise American press coverage both in Vietnam and in the Dominican Republic. Among other things, he said that he often found it more accurate than the information he got from official sources.

My own experience prevents me from sharing this uncritical attitude.

The press, with all its virtues, is not gospel.

The most eminent newspapers have sometimes been guilty of the most incredible misreporting and even downright misrepresentation.

Who, for example, would today be prepared to defend Herbert Matthews' 1959 and 1960 characterizations of Fidel Castro as a cross between Robin Hood and Thomas Jefferson, and as a man who is not only not a Communist but decidedly anti-Communist?

The veteran Scripps-Howard correspondent, Jim Lucas, recently told the Overseas Press Club in New York that the Vietnamese war is the worst reported war in American history.

This statement merits serious attention because it comes from a man who, I believe, commands universal respect as one of the greatest war correspondents this country has produced.

During my recent visit to the Far East, about a week of my time was spent in Vietnam and in Laos, hopping around from point to point by helicopter and plane, and meeting with as many people as possible.

Mr. Lucas' judgment may be a bit harsh. But on the basis of a careful reading of the American press over many months, and on the basis of what I was able to see and learn in Vietnam, I must say in all frankness that there has been something seriously wrong with American press coverage of the Vietnamese war.

In every situation there are bound to be differences of opinion and differences of evaluation. But it is a fact to reflect upon that every single person to whom I spoke in Vietnam—in the Embassy, in AID, and in the military—felt that the press had failed to convey a balanced or truly representative picture of the situation in that country.

It is also a fact to reflect upon when an officer from my home State serving as an adviser in the field received a letter from his wife telling him that she just could not believe the accounts contained in his letters because they were completely contradicted by what she read in her press.

Specifically, I came away from Vietnam with the impression that, despite the formidable difficulties, the war is going much better for our side than can be gleaned from a reading of the press, that government morale is higher and Vietcong morale lower, that the outlook for the future is more promising.

Other people, more knowledgeable than myself, who have taken the trouble to visit Vietnam, have come away with precisely the same impression.

P. J. Honey, the foremost British expert on Vietnam, stated about a month ago that American press coverage failed to reflect the remarkable progress that had been made on the government side.

More recently, Mr. Patrick Gordon Walker, special representative of the British Labor Party, who visited Vietnam just after I did, told the press that he "had not realized quite how well the war was going."

I believe that the overwhelming majority of the American correspondents in Vietnam are competent and conscientious reporters who are trying to do their best under difficult circumstances. I met many of them while I was in Vietnam, and I was greatly impressed by them.

But the hard fact remains that, taken in its totality, American press coverage of Vietnam has created a public image of the situation in that country that is in certain respects inaccurate, in other respects imbalanced, in still other respects grossly inadequate or even blank.

To the extent that it has failed to convey to the American people an accurate appreciation of what is going on in Vietnam, the American press has gravely complicated the task of the administration.

I have tried hard to understand this failure of the American press to convey a balanced picture of Vietnam. I have discussed the matter with many people in Vietnam and in this country since my return. I do not pretend to have the entire answer. I have the impression, however, that the fault lies in part with the general traditions and working habits of the American press, in part with the tyranny of the deadline, in part with our foreign news editors, in part with the headline editors, in part with our information officers.

I believe that if everyone concerned with the gathering and presentation of news on Vietnam could take time off for a critical evaluation of American newspaper coverage of the Vietnamese crisis, it would automatically result in a more balanced presentation of the news, which, in turn, would soon reflect itself in a greater degree of public comprehension.

Before I discuss what can be done about it, let me give you some specific examples to illustrate my argument.

1. THE STORIES THAT SHOULD NEVER HAVE BEEN TOLD

In category No. 1, there are the stories that should never have been told for reasons of security. Fortunately, the American press has not often been guilty of this type of infraction in Vietnam. But it has happened.

For example, 2 weeks ago, a story from Da Nang Airbase mentioned the operation from the base of the Blue Streak reconnaissance drone. This was a top secret matter. The correspondent in question was legally within his rights because there is no military censorship. In such situations the American mission cannot go beyond remonstrating with the offending journalists.

If the press cannot display more self-discipline than this in covering military operations, then it seems clear to me that the only alternative is military censorship.

2. THE STORIES THAT SHOULD HAVE BEEN TOLD DIFFERENTLY

In category No. 2, there are the stories which, while intrinsically accurate, conveyed a false public impression because of misplaced emphasis, or because of the sequence of presentation, or because of headline treatment.

As all of you will recall, there was an international uproar when it was revealed in the month of February that we had used gas in an engagement with the Vietcong.

If the headline and the lead sentence in each story had made it clear that we had used tear gases and not poison gas, there would, in my opinion, have been no uproar—because the use of tear gases as a minimum force instrument for the control of mobs and rioters is internationally accepted. Indeed, the use of such gases in the control of rioters is so routine a matter that the fact would hardly warrant inclusion in any riot story headline.

No one would have been excited, no one would have protested, if the lead sentence in each story had read approximately as follows: "It was revealed today that Vietnamese Government forces, in an effort to avoid injuring women and children in villages where the Vietcong is entrenched, are now using tear gases of the type commonly used for riot control in all countries."

I think the reaction of most people would have been that this was an eminently sensible and humanitarian innovation, and that it would represent substantial progress if all wars could be fought with weapons no more lethal than this.

But, instead, the lead sentences, as I recall them, simply spoke of gas being used for the first time in Vietnam—leaving the clear impression that what was involved was poison gas of the World War I type.

The headlines further confused the situation. Most of them read simply, "Gas Used Against Vietcong."

If you read further, you soon discovered that what was involved was not chlorine or mustard gas, but tear gases. But the fact is that many people do not read beyond the headline and the first few sentences of an article, while even those who read further are so conditioned by the headline and the lead sentence that they cannot be unconditioned by what follows.

I believe that every honest newspaperman and every honest editor will recognize the validity of this observation.

The result of this treatment of the story was that America was put on the defensive before world opinion and that administration leaders were obliged to go on the air to explain their position to irate citizens who accused it of violating the Geneva Convention.

Here is a situation where a slight shift of emphasis, a change of sequence, a somewhat more thoughtful handling by the headline editors, would have resulted in immediate public understanding. Instead, a few thoughtless phrases and devices, designed to give the story a slightly more sensational twist, played into the hands of the Communist propaganda apparatus, and created completely avoidable and unnecessary difficulties for the administration.

3. STORIES WHERE THE TRUTH WAS COMPLETELY OBSCURED BY SENSATIONALISM

In category No. 3, there have been stories in which the truth has been completely obscured by sensationalism.

Perhaps the outstanding example in this category were the harrowing accounts of the persecution of the Buddhist religion which were featured by the American press on an almost daily basis for some 6 months before the overthrow of President Diem.

I want to make it clear here that, in this instance as well as in other instances where I refer to the American press, I do not mean the entire press. There were a number of distinguished correspondents who swam against the stream, and who reported that, whatever the weaknesses of the Diem regime, the issue of religious persecution was completely fraudulent. Their voices, however, were drowned out by the much larger chorus of correspondents writing, in frequently lurid terms, about the supposedly intolerable persecution of the Buddhist religion by the Diem government.

In the month of November 1963, at the invitation of the Diem government, the United Nations General Assembly decided to send a factfinding mission to South Vietnam to look into the situation. President Diem was assassinated as the mission was completing its investigation. Because of this, the mission came up with no formal findings. But the published summary of the testimony taken by it in Vietnam pointed strongly to the conclusion that the persecution of the Buddhists was either nonexistent or vastly exaggerated and that the agitation was essentially political.

Ambassador Fernando Volio Jiminez, of Costa Rica, who had introduced the motion calling for the setting up of the U.N. mission, and who served as a member of it, told me that this had been his personal conclusion. Ambassador Pinto, of Dahomey, another member of the mission, publicly expressed himself in similar terms.

Men of long experience in Vietnam are agreed that prior to the Buddhist agitation of 1963 there was no serious religious division in Vietnam and that relations between the various religious communities were, on the contrary, remarkably harmonious. The exaggerated accounts of the alleged persecution of the Buddhist religion which appeared in the American press were played back to the Vietnamese people by USIA and by their own press and radio. Inevitably, they served to further embitter relations. In this sense, they contributed to the unfortunate division between Catholics and Buddhists that today exists in Vietnam and to the continuing political instability in that country.

The self-immolation of the Buddhist monks in protest against the persecution of the Buddhist religion made exciting newspaper copy and grade A headlines. But I cannot help wondering whether the situation in Vietnam would not be different today if the American press corps as a whole had investigated the alleged persecution of the Buddhist religion as assiduously as did the U.N. Commission, and if it had reported in the same temperate terms.

I also cannot help wondering why the American press, after devoting pages and pages of copy to the repeated acts of self-immolation carried out in protest against the Diem regime, completely ignored the self-immolation during the month of March of this year of High Priest Thich Nguyen Tu in Binh Dinh, in protest against the Communist occupation of his pagoda.

4. STORIES THAT LACK BALANCE

(A) GOVERNMENT ATROCITIES AND VIETCONG ATROCITIES

I believe that untold damage has been done to the democratic cause in Vietnam by stories that lack balance or which serve to create an unbalanced impression of the overall situation.

I am not suggesting that these stories are in themselves untrue. But, as we all know, it is possible to write the truth every day for an entire month—and if one has concentrated too narrowly on certain aspects of the situation and overlooked others, what will emerge at the end of that time is a completely imbalanced picture.

A sense of balance, or proportion, is the key to sanity. It is also the key to sound political and moral judgments.

But the citizens of our country cannot be expected to make balanced judgments on complex issues, if they are not provided with a balanced presentation of the facts.

Let me give you one example of what I mean.

Over the past 6 months I recall seeing at least a dozen different photographs of Vietcong prisoners being subjected to the water torture, or being kicked, or being otherwise maltreated by their Vietnamese captors in an effort to extract information from them. There was even a five- or six-page full-color spread in one of our major magazines on this theme.

These photographs and stories have resulted in widespread indignation. There have even been voices demanding that we discontinue our support of the Vietnamese Government if it insists on treating prisoners in this inhuman manner.

While the press has been devoting this kind of personalized attention, replete with photographs, to the maltreatment of Vietcong prisoners, for some strange reason it has dealt with the massive, systematized terror of the Vietcong against the Vietnamese people in a manner so perfunctory, so impersonal, so statistical, as to be virtually meaningless.

Every once in a while, one sees a reference to the fact that Vietcong terrorists have been assassinating and abducting many thousands of victims every year—village chiefs, local administrators, teachers, wives and children of government militiamen, teenage boys and girls. But only on the rarest occasions do American correspondents take the trouble to visit villages where Vietcong atrocities have occurred and to gather material and photographs for an on-the-spot story.

The maltreatment of prisoners on the Government side no doubt does take place occasionally. For that matter, I doubt very much that there ever has been a war situation in which prisoners on both sides have not been subjected to some kind of physical duress in an effort to extract intelligence from them. But such incidents are certainly not characteristic of the general treatment accorded Vietcong prisoners or defectors.

In line with its "open arms" policy, the Vietnamese Government has, in fact, placed a very heavy emphasis in its troop directives on the importance of treating prisoners humanely.

The Vietcong terror, in contradistinction, has from the beginning been a matter of general policy, claiming thousands of innocent lives every year. In 1964 alone, 11,000 Vietnamese civilians were killed or kidnapped by the Vietcong. On a proportionate scale, this would be equivalent to 143,000 victims in 1 year in the United States.

Because of the heavy photographic emphasis on the maltreatment of Vietcong prisoners, however, I am willing to wager that you will find a much greater public awareness on this point than you will of the massive and merciless Vietcong terror.

I recall seeing an article recently which was captioned approximately as follows: "Atrocities Abound on Both Sides in Vietnam War." In the opening paragraphs, the author described the water torture of a Vietcong prisoner in graphic detail. And then, in a single following paragraph, he made the point that there have been several thousand victims of Vietcong terrorist assassinations over the previous year.

In this way, I suppose, the correspondent was endeavoring to display his evenhanded repudiation of all brutality on either side.

I reject the moral implications of this equation.

It is simply not true that the physical abuse of one Vietcong prisoner, most probably in an effort to extract vital information from him, is an atrocity on the same scale as the deliberate assassination and abduction of thousands of innocent civilians.

It is impossible for the American people to understand what is involved in Vietnam and why the Vietnamese people are fighting, without a comprehension of the scope and nature of the Vietcong terror.

They cannot get this from statistics, because statistics are meaningless. And, in my opinion, the American press has failed to report on the Vietcong terror in the countryside in a manner that brings it to life and makes it meaningful and comprehensive to the American people.

Most of the thousands of Vietcong atrocities that occur each year are on a small scale. But through USIA, the American press corps in Saigon receives daily reports listing some of the incidents—a village chief assassinated in one district, three young men kidnaped in another district, a mother and child killed when a hamlet was fired upon, and so on.

Sometimes, the villages in question are difficult to reach. But not always. It seems to me that it would give balance and drama and new meaning to American press coverage of the Vietnam war if every American correspondent in Vietnam took it upon himself to visit the site of one Vietcong atrocity once a week or even once a month and do a human interest story based on conversations with the victims or with their relatives, supplemented wherever possible with photographs.

I cannot accept the explanation that has been tendered by some members of the American press for the heavy emphasis on the maltreatment of Vietcong prisoners and for the relative lack of emphasis on the massive Vietcong terror in the villages.

As these members of the press have put the matter, they report impartially on acts of brutality wherever they come across them. Since they frequently accompany units of the Vietnamese Army, they have no difficulty in photographing and reporting the interrogation of Vietcong prisoners. But since they cannot accompany Vietcong units, they cannot similarly report on and photograph the Vietcong treatment of South Vietnamese prisoners.

Moreover, so the explanation goes, minor acts of terrorism in villages scattered all over Vietnam are exceedingly difficult to cover, because confirmation can frequently not be obtained from official sources and because, so it is stated, the Vietnamese Government discourages emphasis on Vietcong atrocities and terrorism for fear of the impact it would have on civilian morale.

I can understand why the Vietnamese Government prefers to go easy on reports of Vietcong terrorism in its own press. But, I have received the most categorical assurance that the Government would not place any impediments in the way of any American reporter who wishes to visit a Vietnamese village anywhere for the purpose of checking on such a report.

While I was in Vietnam, there was a major terrorist attack on a village south of Da Nang.

It was midday, and the men were working in the fields, and the Vietcong, therefore, knew that their only victims would be women and children.

Knowing this, they opened up with heavy mortar fire on the village, killing some 10 women and children and seriously injuring 80.

I know that there was some minor reference to this incident in the American press. But I also know that there was no rush of American correspondents to take photographs and to interview victims for an on-the-spot story.

The press has made some reference to the fact that in the recent fighting south of Da Nang, the bodies of Government soldiers were horribly mutilated by the Vietcong when they occupied the village temporarily. So far, there have been no photographs, although the press has not hesitated to print the most gruesome photographs of the self-immolation of Buddhist monks and of the torture of Vietcong prisoners.

Moreover, nowhere in the press have I seen it pointed out that Vietcong units have made it a frequent practice to disembowel and otherwise mutilate the bodies of their victims.

Nor have I seen any reference to the fact that even American soldiers killed in action have had their bodies gruesomely mutilated by the Vietcong.

The incredible savagery of the Vietcong is something altogether alien to the Vietnamese tradition. Men who fought on both sides—the French side, and the Vietminh side—in the Vietnam war of national liberation, have assured me that both sides in this war respected the bodies of their fallen enemies, and that they could recall no instances of the kind of desecration and mutilation that is now commonly practiced by the Vietcong.

This is one of many facts that those so-called humanitarians who now comport themselves as open or hidden friends of the Vietcong, would do well to ponder.

I cannot insist too strongly that if the American people and the other peoples of the free world are to have a clearer understanding of the nature of the war in Vietnam than they have today, it is imperative that the American press corps make more effort than it has heretofore made to bring the facts about the Vietcong terror in the countryside to light.

If there are difficulties, it is their duty to overcome these difficulties.

If there is lack of official cooperation, then I for one will do everything in my power to assist them in obtaining such cooperation.

And, if they are worried about missing a big beat on a coup in Saigon if they take off for a 1-week trip to several areas in the countryside, I think that this is a risk they will have to take occasionally if they are to give their readers a broader and more balanced impression of the war in Vietnam.

THE IMPACT ON EDUCATION OF TERRORIST ACTIVITIES IN VIETNAM

One of the most damning documents on Vietcong terrorism that has yet been printed is a report entitled "Impact on Education of Terrorist Activities in Vietnam," prepared by the World Confederation of Organizations of the Teaching Profession, and published in 1962. The commission, which made an on-the-spot study in Vietnam, was under the chairmanship of S. Natarajan, vice president of the World Confederation and also vice president of the All India Federation of Educational Associations. The commission also included Wilhelm Ebert, president of the Bavarian Teachers Association (Germany), Jean-Baptiste Salabanzi, president of the Congolese Teachers' Federation, and Denis Forestier, secretary-general of the National Teachers' Syndicate of France. Among the findings of the commission were the following:

> That the Vietcong has been conducting since 1959 systematic attacks against the national school system in South Vietnam, demolishing and burning schools, school materials and equipment, and threatening, kidnaping, and executing teachers.
>
> That it is clearly evident that such action is motivated by the will to destroy the role played by the school from the national, educational, and human points of view. This destruction is particularly observable in the outlying villages and in those places which are isolated because of difficulties of communication, or where security measures are not provided or are insufficiently provided.
>
> That all the above facts result in a great insecurity for students, teachers, and schools, in a considerable reduction in the possibilities for education in Vietnam and in parents being extremely anxious as to their children's educational future.

In the statement he submitted together with the report, Chairman Natarajan said that in two regions of the south almost three-fourths of all the schools had been closed and that schools in the remote villages where security measures were not adequate frequently had to be closed because of the Vietcong terror.

In An Xuyen Province, alone, the commission learned that 150 schools had been closed, of which 22 were burned to the ground; that 4 teachers had been assassinated over the previous 2 years, and 60 kidnaped; and that, as a result of the terror, the province was now left with only 39 schools, which meant that 19,000 children who were eager to go to school were denied the opportunity to do so.

> We were told by the representative of the Women Social Workers—

Said the chairman—

> that about 6 months before our visit, a party of children was stopped while proceeding to school by bus from a neighboring village. The children were asked to go back to their homes and were told that if they went to the school their lives would be in danger. For a week, the children continued to go to school in the same bus. They were one day waylaid and a little child of 6½ years old was picked out and her fingers were cut off. The children were told: "This is

> what will happen, and more, if you go to that school." So, naturally, the school closed down.

Here is a story which in my opinion tells more about the true nature of the Vietcong, and the reasons why the Vietnamese people are resisting them so heroically, than any story that has yet been printed in the American press.

The facts related to this story would have been available to any American newspaperman who was willing to take a few weeks time to research them as the commission of the WCOPT did.

But for some strange reason, although it has been general knowledge that the educational system is a prime target of the Vietcong terror, no American correspondent, to my knowledge, has considered this situation to be of sufficient importance to warrant a few weeks in bringing together the basic factual information.

What is more, the report of the commission, if it was not completely ignored by the press, received such cursory attention that even people who are highly knowledgeable on Vietnam were, to my amazement, unaware of the existence of the report.

To those American educators who have been caught up in the protest movement against American policy in Vietnam, I can think of no more wholesome suggestion for the redirection of their energies than the closing statement of Chairman Natarajan:

> We urge teachers organizations over the world to help the General Association of Teachers of Vietnam in their great efforts to enable teachers to continue work under such conditions and to provide relief for the victims.

(B) THE TRUTH ABOUT ASIAN PUBLIC OPINION

It is, of course, important for the American people to know whether the peoples of non-Communist Asia support our policy in Vietnam or are opposed to it or, if there is any serious division in Asian opinion, to have an approximate idea of how much support and how much opposition there is for our policy.

The American press over the past month has carried headline stories about student demonstrations against our Vietnam policy in Tokyo, Cambodia, and Manila. Demonstrations and riots, of course, always make excellent copy. But unfortunately these stories, taken in aggregate, have created the widespread popular impression that Asian public opinion is opposed to American policy in Vietnam.

This assumption has, indeed, been stated as an established fact by a ranking national columnist. And, at the recent national teach-in in Washington, one emotional academician, at the end of the day's session, informed the audience that our Vietnam policy had earned us the hatred of 1½ billion Asians.

I do not know where the academician in question got his statistics. I doubt that he was able to count 1½ billion Asians manifesting their indignation over American policy in Vietnam. Indeed, I doubt that he even took the trouble to make a cursory examination of Asian newspapers and publications which are available in most of our major libraries. His sweeping statistics were plucked out of the thin air.

The one thing that may be said in defense of this academician is that the impression he voiced has unquestionably been encouraged by the exaggerated attention lavished on a few student riots by the American press.

The recent student demonstrations in several far eastern cities even though they make exciting copy, prove absolutely nothing.

As everyone knows, or should know by this time, it is the easiest thing in the world for a few trained agitators, even in countries basically friendly to the United States, to round up several thousand students for an anti-American demonstration. But these students do not, by a long shot, represent Asian public opinion.

During the month of April I visited eight countries in the Far East.

It was my privilege to meet with heads of governments and cabinet ministers, with our own Ambassadors and members of the diplomatic corps, with American officers and Asian officers, and with intellectuals and village heads. Politically, the spectrum of those with whom I had discussions ranged from middle-of-the-roaders like President Park of Korea to neutralists like Prime Minister Souvanna Phouma and Gen. Kong Lee in Laos, to Socialists like Prime Minister Lee Kwan Yiew in Singapore.

On the basis of these conversations I can assure my colleagues that the responsible leaders of the far eastern countries are solidly behind our Vietnam policy. Most of them support it publicly. Others, who for political reasons do not feel free to publicly endorse every aspect of our Vietnam policy, have, nevertheless, clearly indicated their support in private conversations.

President Macapagal of the Philippines stated on April 21 that the fall of South Vietnam to the Communists would be "disastrous to the security of the free nations of southeast Asia."

Prime Minister Menzies of Australia has described President Johnson's commitment as "the greatest act of moral courage since Britain stood alone at the beginning of World War II."

Foreign Minister Thanat, of Thailand, on May 11 in Washington said that "This courageous decision not only will preserve peace but will go down in history as the most important measure to preserve freedom in the whole of southeast Asia."

These are all statements of record. But this essentially was the tenor of the remarks of the several score Asian leaders whom it was my privilege to meet in the course of my tour.

And this was the tenor, too, of every editorial on the subject which I read in the eight countries I visited.

Even in India and Ceylon, with their neutralist and sometimes anti-American tendencies, these hard facts of life are being accepted by an increasing number of people.

I have already quoted the Indian Economic Review. The stand it has taken has been echoed by a surprising number of important newspapers in India. For example, the Indian Express, of Bombay, said in an editorial:

> What is now taking place in Vietnam is not an ordinary internal civil war, but a war of flagrant expansionism and aggression, confusion over the issue of aggression in Vietnam accounts for the tendency in many quarters to equate the two sides in the prevailing conflict. It is a type of confusion which India in her own interest would do well to avoid.

The Ceylon Daily News, in an article which appeared in early April, accused Communist China of practicing "the forcible overthrow of established governments in independent states," and in this connection it spoke of "Communist China's support of factions in rebellion against the lawfully established administrations in Laos, Thailand, and South Vietnam as well as in several African states.

Although the press is under no obligation to report in depth, I do believe that in the present difficult world situation it would be exceedingly helpful if every account of Asian student demonstrations against our Vietnam policy were accompanied by a broad survey of Asian public opinion, as expressed in the statements of Asian leaders and editorial columns, which I have quoted to you.

Indeed, I can think of no greater service that American correspondents in the Far East could perform at this juncture than to make a quick swing through Far Eastern countries, from Seoul to Singapore, and from Singapore to Karachi, to report to their readers on the attitudes of Asian leaders and the Asian press toward the war in Vietnam.

On the basis of my own experience in the Far East, I want to assure my Senate colleagues that American prestige among the free nations of Asia has never been higher than it is today.

The peoples of Asia fear nothing so much as the growing menace of Chinese Communist expansion.

Our decision to deny the Communists privileged sanctuary, to bomb North Vietnam, and to commit whatever forces may be necessary to assure victory in the battle of South Vietnam, has convinced all of them that the future is not lost, and that we have both the will and the power to help the free nations of Asia retain their freedom and their independence.

(C) THE TRUTH ABOUT AMERICAN PUBLIC OPINION

If it is important for the American people to have a reasonably accurate idea of how much support there is for American policy in Asia, it is equally important for the free peoples of the world to have a reasonably accurate conception of how much support and how much opposition there is for President Johnson's policy in this country.

Unfortunately, the American press, and in particular our great metropolitan newspapers, have lavished so much space and attention on every manifestation of opposition, that even sophisticated readers might be inclined to confuse the clamor of a tiny minority with the voice of the people.

Statements of protest signed by several hundred professors or the heckling of

Government speakers at campus meetings can be written up into exciting stories.

But even when they are completely truthful in detail, these stories frequently convey a completely erroneous impression. For example, on May 7, the New York Times carried an account of approximately 15 column inches on the appearance of a Government truth squad at the University of Wisconsin. The article was captioned "Students Heckle U.S. Truth Teams." The body of the article consisted almost entirely of a blow-by-blow description of the heckling and ridicule to which the State Department speakers were subjected. It also pointed out that "134 Wisconsin professors greeted the team with a full-page ad in the university newspaper urging 'an immediate end to the escalation of this conflict'."

Then, in the final paragraph, the article pointed out that "the three-man Government team was not entirely on the defensive here. Students supporting policy in Vietnam have formed a Committee to Support the People of South Vietnam."

The article, as it appeared in the first edition of the Times, contained a sentence pointing out that the petition supporting Government policy had obtained 6,000 signatures, as against 2,000 signatures on the petition opposing Government policy. This sentence was deleted from later editions. But, even with this sentence appearing in the last 2 inches of a 15-inch article, I say that the average discriminating reader would have come away with the impression that there was far more opposition than support for Government policy on the campus of the University of Wisconsin.

This impression, of course, would be completely false.

Another and more recent example of this kind of reporting appeared in the New York Times this last Sunday, June 6. The article, which ran a full half page in the news of the week section, was captioned "Debate Over Vietnam Policy—and Views of Key Senators." From the caption, one would normally have anticipated a carefully balanced, two-sided presentation. Instead, the article on the Senate debate over Vietnam policy was devoted entirely to a discussion of the opposition to administration policy and the misgivings about administration policy in Vietnam.

There were photographs of the majority leader, of the chairman of the Foreign Relations Committee, of the senior Senator from New York, of the junior Senator from New York, of the senior Senator from Tennessee, and the senior Senator from Vermont—all of them printed over quotations indicating various degrees of disagreement or concern over our Vietnam policy.

There were a number of quotations from unnamed Senators. One of them, for example, was quoted as saying that the President is suffering from "overbriefing and under-consultation".

There were no quotations from the many Senators who have spoken in general support of our administration policy, and this list is a long one, including the senior Senator from Wyoming, the senior Senator from Oklahoma, the senior Senator from Wisconsin, both Senators from Illinois, the majority whip, the senior Senator from Indiana, the senior Senator from California, and many others on both sides of the aisle.

Nor was there anything to suggest that, despite the criticisms and misgivings that have been voiced by members of this body, the overwhelming majority of the Senate are in basic accord with the administration policy in Vietnam.

Such was the report in the New York Sunday Times on the Senate "Debate of Vietnam Policy."

When this kind of exaggerated treatment is given to virtually every manifestation of opposition to the administration's policy in Vietnam, it is perhaps not surprising that foreign diplomats stationed in this country should send back evaluations questioning the administration's ability to persist in its present course.

Nor is it surprising that the Communist leaders in Peiping and Hanoi are encouraged by such reports to continue the battle and to refuse negotiations because of the misguided belief that American public opinion is working for them.

SOME STORIES THAT HAVE NOT BEEN TOLD

It seems to me, too, that the press has failed to tell many stories that could and should be told because they relate to the most basic facts about the Vietnamese war. The telling of these stories would not only enhance public comprehension, but would cast a more benevolent light on the Vietnamese war effort and on our own role in Vietnam.

I have related some of these stories to highly knowledgeable friends since my return and their reaction has invariably been one of amazement. They told me that they had not realized these things are going on in Vietnam. And a few of them who had been skeptical before said that, if these things were so, they would have to revise their thinking about the Vietnamese situation.

I intend to tell you a few of these stories so that you may check them against your own reading of news from Vietnam.

(A) THE SITUATION IN THE MEKONG DELTA

There are regions of Vietnam where the situation is still precarious and the Vietcong is dangerously strong. But there are other regions where the Government forces have, since the beginning of the year, tremendously strengthened their position and where they now have the Vietcong on the run.

Perhaps the most dramatic improvement has taken place in the 4th Corps area, with headquarters in the city of Can Tho, in the heart of the Mekong Delta. I know that the press has reported on one or two Government victories there. But nowhere have I seen an overall evaluation of the remarkable progress achieved in the 4th Corps area in the course of the past 6 months.

The 4th Corps area used to be considered one of the real hotspots of the war. But since last December 11, the Government forces have inflicted a series of six major defeats on Vietcong forces, in operations that involved as many as three Vietcong main force battalions at a time.

In the last major engagement, which took place on April 4, 276 Vietcong bodies were counted on the battlefield and there is now hard information that the Vietcong casualties were, in fact, much heavier.

The serious drop in Vietcong morale in the 4th Corps area is attested to by the steadily increasing number of defectors to our side.

In the middle of last year there were only about 10 a month coming over.

In December, 100 came over.

In March, 160 came over.

The defectors include not merely conscripts but a lot of hard-core Vietcong. Just before my visit, in fact, an entire squad of hard-core Vietcong had come over to the Government side, bringing their weapons with them.

I think it important to point out that this was the first time in the history of the insurgency that an entire squad of hard-core Vietcong had come over voluntarily to the Government side, bringing their weapons with them.

It seems to me that if I were a newspaperman, I could write not merely one, but a series of perhaps three or four articles on the improved situation in the Can Tho area, on the remarkable increase in the rate of defection from the Vietcong, and on other aspects of this singularly encouraging situation.

(B) THE VIETNAMESE AIR FORCE

Another story which, in my opinion, has not received the attention it merits is that of the buildup of the Vietnamese Air Force.

The average American newspaper reader, is, I am certain, under the impression that virtually all of the sorties flown against the Communists, both in North Vietnam and South Vietnam, have been flown by the U.S. Air Force and Navy. If he is at all aware of the existence of the Vietnamese Air Force, he is almost certainly under the impression that 90 percent or more of the work in the air has been done by American boys.

The truth is, however, that the Vietnamese Air Force, although it got off to a slow start, has now become a formidable power in its own right.

In 1961, the Vietnamese Air Force was virtually nonexistent. By March 1963, it mustered 227 pilots all told. Today its pilot strength is approaching the 1,000 mark; and, by the end of next year, it is my understanding that it will be close to 2,000.

According to the American advisers with whom I spoke, the efficiency and morale of the Vietnamese Air Force are extremely high. Its pilots are skilled and aggressive and they are flying as many sorties as our own. Their maintenance record also compares very favorably with that of the U.S. Air Force.

The exact number of sorties flown by the Vietnamese Air Force in recent months is for some reason classified. But I have been given permission to say that the number of sorties flown in January 1965, represent a 1,000-percent increase over the number flown in January 1962.

(C) AIRBORNE ALERT TO THE RESCUE

There is yet another story I heard in Vietnam, which, in my opinion, merits telling, but which I do not recall having seen in print.

Vietcong attacks on hamlets and outposts used to rely heavily on cover of darkness. The continuing nighttime airborne alert now flown jointly by United States and Vietnam aircraft has deprived the Communists of this advantage over a large area within reach of the 2d Air Division's headquarters.

Under this system, one plane, equipped with flares, is constantly in the air ready to respond to appeal for help from hamlets or outpost under attack. The minute an appeal is received, the plane takes off—and another plane takes to the air to respond, should there be a second call for help.

By completely depriving the Communists of the advantage of darkness, flare-dropping operations have been incredibly successful in reducing the effectiveness of their night attacks.

In the month of March, aircraft flying the airborne alert flew 152 sorties in response to 69 appeals for help. Only two of the outposts and hamlets under attack were actually overrun by the Communists.

(D) THE BUDDHISTS FIGHT BACK AGAINST COMMUNIST PERSECUTION

When the Buddhist militants were demonstrating against the Government or against the war, these demonstrations were always reported at great length and in considerable detail by the American press.

Indeed, the general impression conveyed by these reports was that the organized Buddhists in Vietnam were not merely anti-Government, but basically neutral in their attitude toward the Vietcong and disposed to seek a settlement with the North.

This was my own impression from my reading of the press; and I was, therefore, surprised to discover during my visit to Vietnam that, while this may have been the case at one time, it is certainly not the case today, and has not been for some time.

To me it seems a matter of the most fundamental importance when the recognized heads of the Buddhist religion in South Vietnam and the official Buddhist newspapers condemn the Communist persecution of the Buddhist religion in the most militant terms, call upon the people of South Vietnam to resist the Communists, and organize hunger strikes in support of their protests in various parts of the country.

To me it seems that this information is not merely essential to an understanding of what is going on in South Vietnam, but that it lends itself to the writing of some very exciting newspaper articles.

But, again for some reason which I cannot fathom, the American press, with a few notable exceptions, has virtually ignored this entire dramatic story.

Let me give a few of the essential facts about the Buddhist campaign against communism; and let me suggest that Senators check this account against their own reading of the press.

On April 12, the Unified Buddhist Association of Vietnam sent a communique to affiliated associations at all levels throughout the country—the equivalent of a general pastoral letter. Let me quote a few paragraphs textually, from this communique, because I consider it so remarkable.

Warning against "the danger of Communist dictatorship," the communique said:

> In rural areas, the Communists have occupied pagodas, confiscated lands, forbidden religious activities, forced Buddhist priests to enter the army, indulged in savage denunciations, and arrested and killed loyal Buddhist faithful of the Buddhist association.
>
> To protest against the Communists' activities aimed at destroying the religion and eradicating the faith, High Priest Thich Nguyen Tu in Binh Dinh burned himself to death after the Communists had occupied his pagoda; Buddhist faithful Nguyen Phan in Quang Nam was killed following a denunciation of his activities on behalf of the Buddhist association and a number of others were threatened; High Priest Bao Hue and a number of Buddhist faithful in Binh Tuy New Life Zone were arrested for having protested against arrests of innocent people and Buddhist faithful; many high priests, monks, nuns, and Buddhist faithful in Communist-occupied areas have been obliged to abandon pagodas and lands in order to evacuate to other places; they all are suffering innumerable hardships.
>
> In the face of the extremely sorrowful situation of the nation and the religion faced with the Communist calamity, the Vietnam Unified Buddhist Association issues this proclamation, strongly protests to public opinion at home and abroad against Communist plots to eradicate religion, and calls upon all Buddhist believers to close their ranks and to oppose Communist antireligious plots wherever they might come from, by nonviolent means of struggle, in order to oblige the Communists to respect freedom or religion and freedom of faith. The Buddhist association also appeals to Communists that they should not exploit religion for political ambitions, nor should they eradicate religion in order to establish a Communist dictatorial regime which would destroy the religion's fair and noble values.
>
> The Buddhist Association sincerely praises the noble sacrifices of Buddhist priests and faithful in the defense of faith and religion and prays at the same time for the liberation of the nation and the religion from control and subversion by the Communists.

The venerable Thich Tam Chau, one of the most prominent of the militant Buddhist leaders, speaking on behalf of the Council of the Institute for the Execution of the Dharma, "denounced before public opinion at home and abroad the Vietcong killings of Buddhist faithful and the destruction of pagodas."

The Buddhist press printed reports and petitions from many parts of Vietnam detailing the persecution of the Buddhist religion. Thus, a report from the Unified Buddhist Association in Binh Tuy New Life Zone, dated April 5, said that the activities of their organization had come to a standstill because of Vietcong arrests and persecution. "Well aware of the Vietcong plot to eradicate Buddhists," said the report, "High Priest Thich Bao, head of the Buddhist Representative Committee, went on a hunger strike on March 28, 1965, demanding the release of all members of the Buddhist Representative Committee."

The report stated that on March 30 there had been a demonstration of some 900 Buddhist faithful, demanding the release of the Buddhist leaders arrested by the Communists, and that on the same day the Buddhist Youth Group had staged a hunger strike in Quang Minh Pagoda and indulged in prayers.

An article in the official Buddhist organ, Chanh Dao, on April 15 described the beating and kidnaping of High Priest Thich Bao Hue on April 7, 1965. While traveling from the village of Duy Can to Quang Minh Pagoda, the high priest and his two disciples were stopped by the Vietcong. The Vietcong demanded that he come into the jungle with them to meet with their representative. The high priest refused, telling them that if their leaders wished to discuss with him, it would be better if they came to see him in the offices of the association. The Communists became angry and attacked the high priest physically.

> They pulled his string of beads from the high priest's neck—

Said the article—

> held his clothes and dragged him off while other members of the party choked him and beat him savagely.

The article said that the two disciples at first struggled in defense of their master, but that they were not strong enough to resist and they, therefore, had to let the atheists drag their master into the jungle.

I could go on and on with this documentation, all of it culled from official Buddhist sources.

These sources should have been available to the American press in Vietnam. At least I know that when I heard about these protests and statements while I was in Saigon, I simply asked for translations and they were made available.

I am certain that all of my colleagues will agree that this is a story of the first magnitude, a story that should have been told with the kind of front-page attention that was lavished on the self-immolation of the Buddhist monks at the time of the anti-Diem riots.

If the press corps in Saigon was aware of this material, but failed to report it, then I would say that the press corps was at fault. If, on the other hand, USIA, having prepared these translations, failed to make them available to the press or to encourage their interest in the situation, then I would say that USIA has some explaining to do.

I am certain that my colleagues will share my mystification over why this story has not heretofore been told; and I want to assure them that I shall do everything in my power to get to the bottom of this situation.

Perhaps if this story had been told, at least a portion of the many thousands who protested so vigorously against the alleged persecution of the Buddhist religion by the Diem government might now be induced to protest with equal vigor against the very real persecution of the Buddhist religion practiced by the Vietcong Communists in the territory under their control.

THE UNTOLD STORIES OF THE MANY FATHER HOA'S

My chief complaint against American press coverage of the war in Vietnam is that it has failed to bring the situation to life.

For the most part, the Vietnamese people remain faceless; I seriously doubt that the average intelligent reader of the press, for example, would be able to identify a single Vietnamese outside of Prime Minister Quat.

And, with the exception of Saigon and Da Nang, the names of the towns and villages where so many bitter battles have been fought in recent years command as little recognition as do the names of the Vietnamese leaders.

There is a tested formula for bringing such situations to life. The first requirement is that the story be told not in terms of people in general or people in the mass, but in terms of the life experience of individual human beings and the day-to-day experiences of the communities in which they live.

I can think of only two serious efforts that have been made to bring the story of Vietnamese resistance to life in these terms.

The first story, which dealt with the heroic resistance of Father Hoa and his "sea swallows" in the Camau Peninsula, was printed in the Saturday Evening Post on May 20, 1961. This article was followed by another article about Father Hoa in the Saturday Evening Post and by a condensed reprint in the Reader's Digest.

Few more dramatic stories have ever been told than the story of how Father Hoa succeeded in setting up an effective regional defense against the Vietcong in one of the most heavily Communist-infested areas in South Vietnam, and how he and his peasant militia, many of them refugees from Red China, succeeded in driving the Communists back and freeing substantial territory from their control.

The story of Father Hoa was by common consent an exceptionally good one, and it had great public impact. But I think it important to point out here that the original story about Father Hoa would probably never have been written and Father Hoa would probably remain unknown until this day if it had not been for the interest of an American officer who visited Father Hoa in Binh Hung, was impressed by him, and reported on the situation in some detail to President Kennedy.

President Kennedy's immediate reaction was that this was a story that had to be told precisely because it helped to bring the Vietnam situation to life.

He wrote a memo to the editor of the Saturday Evening Post—and the Post printed an article by the unnamed officer, under the caption "The Report the President Wanted Published."

The second effort to bring the war in Vietnam to life was made by several private citizens in a documentary film, "The Village That Refused To Die." But, unfortunately, this film has had very limited circulation, mostly to select audiences.

I am not suggesting that every American correspondent in Vietnam should go see Father Hoa in Binh Hung.

But there are many Father Hoa's, and many Binh Hungs, and many villages that refuse to die in South Vietnam, all of them waiting for their story to be told.

I have been told, for example, by an AID official who spent several years in Binh Dinh Province, that he could think of 10 or 12 villages in this province alone where correspondents could find dramatic and heroic material for human interest stories on the Vietnamese resistance.

All of these villages sustained numerous attacks by the Vietcong—sometimes minor attacks involving the assassination of a village official, sometimes major attacks involving heavy casualties on both sides.

All of them have "refused to die," refused to pay taxes to the Communists and to cooperate with them in any way, even though their situation was frequently desperate.

Even in the course of my own brief sojourn in Vietnam, I was able to visit one of these "villages that refuse to die"—the village of Chau Hiep in the Hop Tac area near Saigon.

I do not know the entire story of Chau Hiep, but I do know something of its story over the past several months—and this story can teach us all something of the daily terror that has been the lot of this brave people ever since the Vietcong launched this cruel war.

A week before my visit the hamlet was attacked by the Vietcong. Two members of the village militia were killed and six Vietcong were killed and one taken prisoner.

On April 15, the morning that I visited Chau Hiep, a land mine planted by the Vietcong exploded, seriously wounding four villagers. They were removed by ambulance just as I left.

Last Thursday, I received a report that Chau Hiep had been attacked the previous night by two main force Vietcong companies, numbering some 300 men and equipped with heavy weapons. The village was defended by a popular force unit of about 80 men and a 63-man company of the 30th Ranger Battalion. Attacking by surprise just before 1 a.m., the Vietcong succeeded in overrunning the western portion of the hamlet, which they held for about an hour. During this time, they tossed hand grenades into every house they could reach where popular force members or members of the Ranger company were known to be quartered.

In the course of the fighting, 9 civilians were killed and 35 wounded, while the popular forces and the Rangers lost 7 killed in action and 16 wounded. The Vietcong casualties were estimated at 50 dead.

The U.S. advisers on the spot have reported that the battle was a fiercely fought one in which the popular forces exhibited the greatest courage in defense of their own hamlet. The defenders were greatly outnumbered, and it was only their stubborn heroism and the assistance later made available by armed helicopters that kept the hamlet from being overrun.

I have told this story of Chau Hiep on the basis of a very brief visit and from my own meager notes.

But the epic of Chau Hiep is worthy of the talent of some far more competent report; and I hope that some day this epic—and many more like it—will be made available to the free peoples of the world by some enterprising American correspondents.

There is more than a tale of heroism involved here.

The story of Chau Hiep goes to the very heart of the Vietnamese war.

The Communists and the fellow travelers, and even some of our confused liberal humanitarians who disown the Communists and fellow travelers, prate incessantly about the Vietcong and the social revolution that is sweeping Asia.

I do not know what they mean by social revolution.

The great social revolutions of history have been directed against tyrants, both domestic and foreign, or against intolerable economic and social conditions.

But the people of Chau Hiep and the other thousands of villages that have suffered attacks by the Vietcong are not tyrants or capitalists or exploiters or the representatives of social injustice.

They are simple, greathearted peasants—kindly and open and God fearing as the peasants in every country are, threatening no one, and desiring nothing more than to be left to live their lives as they see fit.

What kind of revolution is it that throws armed bands in midnight terror attacks against peaceful villagers, murdering and maiming and torturing in an effort to compel them to accept the revolution?

And what kind of humanitarians are they that now clamor for us to abandon the people of all the Binh Hungs and all the Chau Heips?

I recall seeing a statement in the press some time ago signed by a number of misinformed clergymen, which bore the caption "In the Name of God, Stop the Killing." Their appeal was directed to President Johnson.

My only comment in the light of Chau Hiep is that they directed it to the wrong person and the wrong address.

I believe that the war in Vietnam would take on an altogether new dimension in the minds of the American public if some of our very able corps of correspondents in Saigon could be persuaded to go out into the countryside in search of the many Father Hoas who unquestionably exist in Vietnam; if they would take the time and the patience to delineate these unsung heroes of the Vietnam resistance in a manner that brought them to life and made them real people in the minds of their readers; and if they wrote at least an occasional article from the field telling the story of one of the many thousands of Vietnamese villages that refuse to die.

SOME OTHER STORIES THAT HAVE NOT BEEN TOLD

I could go on and on listing stories which have not been told at all, or else in my opinion, have been told inadequately.

There are stories to be told about the many evidences of improved morale on the Government side; about people again buying real estate and opening stores; about bus runs to Saigon, which had virtually been suspended 6 to 12 months ago, now operating on regular schedules; about residents who have long been intimidated by Vietcong, coming forward with information on the location of Communist units and supplies; about the fact that more than 80 percent of all those fighting against the Communists are volunteers and that, even in the case of the Regular Army, 75 percent of the recent entrants have been volunteers.

And much more could be written than has been written about the heroism and dedication of the AID representatives who carry on their work of village assistance and reform, unarmed and frequently at the risk of their lives.

Wonderful stories could be written, for example, about the malaria eradication program carried out with AID assistance; about the 12,500 village and hamlet health centers that have been established and stocked with medicines; about the 4,300 rural classroom buildings under construction; about the rural administration training program, which has already graduated 2,500 hamlet officials; about the many thousands of self-help projects that have been completed, ranging from village maternity centers to road and bridge repairs.

It has been pointed out by more than one expert that the war in Vietnam is perhaps two-third political and one-third military. But perhaps 95 percent of the dispatches from Saigon deal with the military aspect of the war while stories about the rural development program are few and far between.

There are stories to be told, too, about the work being done in Vietnam by the Philippines civil affairs team, by the Korean Medical Corps, by the contingent of Korean engineers, by the military contingents from Australia and New Zealand, and by the military and technical assistance units from 30 other nations that are beginning to share with us, in increasing measure, the task of assisting and supporting the Vietnamese people.

Stories could and should be told, too, about the 300,000 refugees who have fled from areas under Vietcong control in South Vietnam. And these stories would do much to set the Vietnam situation in perspective if they were told against the background of the mass exodus of refugees from every area under Communist control in Asia.

People tend to forget that there are more than 8 million refugees from communism in Asia. They forget that during the Korean war, 5 million of the 12 million people in North Korea took advantage of the fighting to flee to the south. And because they forget, they do not stop to ask themselves what kind of paradise it must be that compels so many millions of people to abandon their homes and everything they possess.

THE REASONS WHY

I believe that a large part of the reason for the inadequacy of American press coverage of Vietnam is the traditional tendency of the American press to compete by focusing on the sensational.

In Vietnam, this has meant focusing, on the one hand, on genuinely dramatic big stories like the bombing of American billets or the American Embassy or on the massive American air strikes against the north; and, on the other hand, it has meant focusing on things like the mistreatment of prisoners and coups and rumors of coups.

The competitiveness of our wire services and papers is such that correspondents are under pressure to be the first, to be as sensational as their consciences permit, and to come up with the standings daily in a situation where progress cannot truthfully be measured on a day-by-day basis.

All this is done on the assumption that this is what the public wants, that it does not have much interest in the thoughtful, balanced evaluation or in articles written with restraint and perspective.

There is also the fact that the majority of the American correspondents in Saigon must function as one-man bureaus. Since Saigon is the seat of the American Embassy and American military headquarters, since it is the chief source of news and a favorite target for Vietcong terrorists, and since coups and rumors of coups are still considered top news, there is a tendency for these one-man bureaus to spend most of their time in Saigon, perhaps supplementing this with an occasional visit to Da Nang and an even more occasional visit to the Vietnamese countryside.

The tendency to stay put in Saigon is in some cases fanned by the fear that they may be hauled on the carpet by their editors if they happen to be out of the city when a big story breaks.

But it is absolutely impossible to obtain a balanced and comprehensive view of the Vietnamese war from the vantage point of Saigon.

The Vietnamese war is not a single large war with a frontline separating contending armies, but a war made up of many smaller wars which go on every day in the remote isolated villages and hamlets of Vietnam. It is in the Vietnamese countryside that the war will be won or lost—and all the indications are that it is today being won there.

Partly because of the pressures to focus on the big and the sensational, partly because of the "Saigon complex," partly because some of them lack the experience or maturity to understand this enormously complex political situation, partly because the political and military situations in Vietnam, when combined, constitute a subject almost too big for the ablest reporter, the American correspondents in Saigon, with notable exceptions, have paid inadequate attention to the many little wars which constitute the real war—to the daily acts of Vietcong terrorism against the people of South Vietnam, to the hundreds of small but grimly fought battles which take place every week between village and district militiamen and the Vietcong forces, to the hundreds of air sorties flown every month by the Vietnamese and American Air Forces in support of minor hamlets and outposts under attack, to the drab but heroic work carried out in the countryside of Vietnam by American AID advisers seeking to help the Vietnamese people to improve their lives.

Finally, as I heard from a number of people, there is a history of antagonism between the Government and the press going back to the last years of the Diem period. Whatever the merits of the controversy at that time, it is generally agreed that the press corps felt that they were not getting the straight news from either the Vietnamese Government or the U.S. Embassy; and whenever an opportunity arose to show that the Government or the Embassy was wrong, the press was wont to seize upon it.

In this way, a tradition of concentrating on the negative aspects of the war grew up, and some of it persists to this day.

WHAT CAN BE DONE TO IMPROVE THE QUALITY OF PRESS COVERAGE?

I hope that no one here will construe my remarks as meaning that I favor censorship of the press, or even a voluntary censorship which ignores the bad and concentrates on what is good in reporting on our side.

My plea is for a broader view, for treatment in depth, for more balanced presentations, for less insistence on the sensational on the part of foreign news editors, for more thoughtfulness in the formulation of lead paragraphs and headlines.

I do not suggest that every correspondent in every article should seek to present a balanced and comprehensive view of the situation in Vietnam. This is clearly impossible.

But I do not think it improper to suggest that correspondents and editors should seek to organize and balance their coverage of Vietnam so that at the end of 1 month's time, let us say, their articles, taken in aggregate, do present a balanced picture.

I do not think it is too much to suggest that correspondents—even the one-man bureau correspondents—be encouraged to spend more time in the countryside interviewing province chiefs and American district advisers, and AID officials in the field and simple Vietnamese peasants, and Vietcong defectors, and victims of Vietcong terror.

I am convinced that such a balanced presentation of the news would enable the American people, and Congress as well, to make more balanced judgments about the situation in Vietnam.

I am convinced that it would help us to better explain our position to the free world, and that the clarification of the issue would dispel much of the confusion that is today undermining public support for our commitment in Vietnam and southeast Asia.

Competence, diligence, and conscientiousness can be found in abundance among the American press corps in Vietnam. As for the conscientiousness of American editors, about this I can speak from personal experience because I am proud to count many of them among my friends.

The one ingredient necessary to assure a more effective presentation of the Vietnamese situation is a determined effort to seek for balance. There have been correspondents and editors who have, despite the very great difficulties, managed to achieve a remarkable degree of balance in their handling of Vietnamese news. As of this moment, however, they are still in the minority. I would like to see them become the majority.

I also believe that the quality of American press coverage from Vietnam would be greatly improved if the present war between the American press corps in Saigon and USIA could be terminated by formal diplomatic agreement. Relations between the press corps and the USIA office in Saigon have become a scandal of the first magnitude.

The press has assailed the USIA in article after article, and it even came to the point of a full-scaled denunciation of USIA by the president of the American Society of Newspaper Editors. Because of the limitations under which it must operate, the USIA has neither been able to defend itself publicly nor to counterattack.

While I have reason for believing that some of the press charges against USIA in Saigon have been very much exaggerated, I do not say that the press has been wrong on every point of difference and the USIA has been right. But, whatever the merits of the case, I consider it most unfortunate that these differences should be aired before the world in vitriolic prose.

It seems to me that if the press has grievances against the USIA, there should be some kind of mechanism for discussing these grievances and endeavoring to adjust them, before American correspondents rush to their typewriters to place their complaint before the world public. Perhaps it might be helpful if regular meetings were set up between USIA and an elected committee representing the American press corps in Saigon.

I do not pretend to any finality in my remarks. I have broached a subject which I believe requires public discussion. I also happen to believe that this discussion can best be pursued by the members of the American press themselves.

THE NEED FOR A FACTFINDING MISSION

What I saw in Vietnam convinced me that the fundamental realities of the situation cannot be gleaned from a reading of the press. Because of this, I proposed, in the course of a press interview in Singapore, that the Senate Foreign Relations Committee appoint a bipartisan factfinding mission to make an on-the-spot study of the situation in Vietnam and to report back.

One of my colleagues was quoted as saying when he was queried about the proposal that a factfinding mission to Vietnam is unnecessary because the facts about Vietnam are known. What is needed now, he said, is judgment. Nothing could be further from the truth.

The facts about Vietnam are not known, and this is something that I hope I have established in the course of my speech today.

Because nothing I have learned since my return has altered my opinion in any way, I have today sent a letter to the chairman of the Foreign Relations Committee, with copies to all of the members of the committee, formally proposing the dispatch of a bipartisan factfinding mission to Vietnam at the earliest possible date.

I think it would be beneficial if the Senator from Oregon [Mr. MORSE] and the Senator from Idaho [Mr. CHURCH] were to visit South Vietnam. I should like to have these respected colleagues go there and see for themselves what is taking place. I am confident that there would be a great change in their view of the situation there.

Mr. President, I ask unanimous consent that the text of my letter be printed in the RECORD at the conclusion of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD. (See exhibit 1.)

Mr. DODD. If the national debate on Vietnam policy is to be conducted in a rational manner, it is essential that the facts be established and the nonfacts be laid to rest—as expeditiously as possible, but also as thoroughly and scrupulously as possible.

A bipartisan Senate committee could make a giant step in this direction. But there are many other steps that can be taken and should be taken at every level, public and governmental with a view to reducing the unfortunate domestic confusion which so dismays our friends and so encourages our enemies.

Among other things, I would like to see some of the more prominent critics of our Vietnam policy, including Mr. Walter Lippmann and Prof. Hans Morgenthau, invited to visit Vietnam so that they could get a firsthand look at the situation. And I would like to see them tour through the countries of the Far East, as I did, so that they would better be able to weigh the human and political consequences of withdrawal on this entire crucial area.

I do not say that all of the critics will reverse their position as a result of such a visit. But I am convinced that at least a number of them would find reason to pause and reconsider the stand they have taken.

I would like to see students by the hundreds, including student critics of administration policy, organized into a kind of summertime Peace Corps for service in Vietnam. As I was completing these remarks, I received the welcome information that such a plan, on a minor scale, is already in the works, and the administration has selected 50 students out of a total of more than 2,000 applicants to spend the summer working as assistants to American AID representatives in various parts of Vietnam. I hope that this project can be multiplied many times over and that the students who go there will be able to relate their impressions to their fellow students on their return.

I would like to see Vietnamese editors and professors and students and community leaders invited to this country by university groups and by student organizations so that they can tell their story and discuss their problems with us. In the teach-ins and debates that have thus far taken place, it struck me as strange that both sides were seeking to settle the fate of Vietnam without the presence of a single spokesman for the Vietnamese people.

I would not like to see Government spokesmen, especially ranking spokesmen, participating in public debates if that is what they may be called; first, because by so doing, they dignify the opposition and give it more publicity than it would otherwise receive; second, because the critics find it easy to discount anything that an official spokesman may say, on the grounds that no employee of the Government could do other than defend administration policy.

Instead of teach-ins with the platform stacked heavily against administration policy, and where jeering, heckling, catcalling extremist claques make it virtually impossible for pro-administration participants to speak, I would like to see the issue of Vietnam debated in the traditional American manner—in a calm and reasonable atmosphere, by men who are experts in the field, with an equal number of speakers and an equal amount of time for both sides.

I would like to see those who share the administration's conviction that we cannot abandon the struggle in Vietnam because human freedom is at stake there, as earnest and as forceful in the advocacy of their belief as the opponents of the administration are in advocating retreat and appeasement. Because only when the scales of public opinion are thus balanced will the world be able to comprehend what the American people really think.

My plea, then, is for light—for all the light that can be brought to bear on the subject.

Wrong information breeds wrong conclusions. Nor is the truth by itself enough, because inadequate information or imbalanced information can also lead to wrong conclusions.

What is needed is not merely the truth, but the whole truth.

And if we have the whole truth it will not merely enable us to discuss the question of Vietnam and southeast Asia more intelligently, but it will also help us to make the right evaluation in weighing the elements of our foreign aid program.

VIETNAM AND ITS IMPLICATIONS FOR OUR FOREIGN AID PROGRAM

In the current debate on Vietnam, I have been disturbed to find Dr. Hans Morgenthau, for whom I have, up until now, had the greatest respect, lined up with those who urge withdrawal from Vietnam.

Dr. Morgenthau is neither an appeaser nor a conciliationist. He has on most cold war issues been a man of eminently sound judgment. For example, I am in wholehearted accord with his view that we should make political concessions from the Communists a condition of increased East-West trade. But in the case of Vietnam, Dr. Morgenthau apparently feels that our postion is unrealistic because we cannot make any solution in Vietnam stick unless we are prepared to go to war with Red China.

He has said in almost so many words that he considers southeast Asia a natural sphere of interest for Red China and that the conquest of southeast Asia by Red China has been decreed by a political fate which it is pointless to challenge. I wish that he would go to southeast Asia and see conditions there for himself.

There are Members of Congress who have expressed themselves in similarly pessimistic terms about the fate of southeast Asia.

For example, in the course of the debate on foreign aid, it was said that the area of Vietnam affected by the Mekong River plan lies in a part of the country that is not controlled by the Government, but by the Vietcong, and that it was silly to be spending millions of American dollars in an area that is presently controlled by our enemy.

This assertion does not jibe with the facts. Certain portions of the Mekong Delta area are considered to be under Vietcong control. But very large parts if it are under Government control, and in operations which I described in my previous remarks, the Government has been expanding and consolidating its control since the beginning of the year.

I take issue with this stand, not merely because it is factually wrong, but because it is defeatist. The war in Vietnam, if it is to be won, must be waged on two fronts simultaneously: the military front and the economic and social front. To forgo major economic projects that would bring vast benefits to the people of the area simply because the Vietcong may be in temporary control of certain areas would be tantamount to accepting defeat, because the war cannot be won by purely military means.

I believe the best answer to Dr. Morgenthau and those who share his pessimism would be the example of South Korea. There we inflicted a decisive defeat on Communist aggression, and the solution we achieved in Korea, although far from ideal, has at least held fast for some 13 years now.

If we can inflict a similar defeat on Communist aggression in southeast Asia, if we can purchase a pause of 10 years or 15 years or 20 years in this area, if we can hold the line against the expansion of Communist power at other points; then there is at least reason to hope that the extremists in Moscow and Peiping will be discredited by their successive defeats, and that somewhat more moderate elements will come to the helm.

Short of accepting total defeat on the installment plan, I see no plausible alternative to this policy of positive containment.

Several Senators have intimated that they plan to introduce amendments calling for cutbacks in our military assistance programs.

Because I for one believe that the war in Vietnam can be won and must be won, and because I am not prepared to accept defeat on the installment plan, I want to say for the record that I intend to vigorously oppose any such amendment.

Of a total of approximately $100 billion we have spent for foreign aid, roughly one-third has been for military assistance. The bulk of this assistance has gone to countries in Europe and Asia that live under the threat of renewed Communist aggression.

A total emphasis on economic assistance in the case of these countries would be self-defeating because, without military security, there can be no political security, and, without political security economic progress may become impossible to achieve, even given the most generous foreign aid program.

The relatively small amount we have been spending on military assistance each year has enabled friendly countries to maintain ground forces totaling 4 million men, air forces with some 8,000 operational aircraft, and approximately 1,900 naval craft of various kinds. These forces have constituted an important deterrent to Communist aggression in Europe and in Asia. To attempt to replace these forces with American forces would place an impossible drain on the American economy and manpower.

If anything, I believe that prudence dictates a substantial beefing up of our military assistance program, particularly in the countries of the Far East.

South Korea, it has just been announced, intends to send a full division of 15,000 combat troops to South Vietnam. It is making this contribution despite the fact that it must remain eternally vigilant against the threat posed by a Communist army of 500,000 men massed just across its frontier with North Korea. And to me this contribution is all the more remarkable because I know from my recent experience in Korea of the many stringencies and handicaps under which the Korean armed forces must operate.

Their 10 reserve divisions have virtually no heavy equipment and do not even have an adequate supply of uniforms and shoes.

Although the South Korean Government has been spending a very substantial portion of its annual budget for military purposes, the pay of the South Korean soldier is probably the lowest in the free world—so low that it constitutes a real morale problem.

On a tour of the frontlines accompanied by two American generals, a South Korean officer laid out the meager week's ration of a Korean soldier for us, pointing out that it was seriously deficient in protein and that its caloric content was several hundred calories below the prescribed minimum for soldiers.

In Taiwan the Chinese Nationalist Government maintains a military establishment of some 600,000 men. This force is by common consent, the best trained and best equipped force available to the free world in the Far East.

Their morale is high. But it would be quite impossible for the Chinese National Government to maintain this force, despite its heavy expenditures on defense, without assistance from the United States. And it is in our interest to see that these forces are maintained in a state of efficiency and readiness because of the increasing tempo of Communist aggression throughout the Far East.

Let us by all means place primary emphasis on works of peace in our foreign aid as we have done in the past.

I do not say there should be no modifications in this program; but if we decide to modify it, let us set up a scale of priorities that helps the recipient nations to develop into more prosperous, more progressive, more independent societies, and which, at the same time, fortifies our national security and strengthens the cause of freedom. Let us not be embarrassed to reward our friends, to restrict our aid to those who frequently oppose us, and to eliminate aid to those who consistently oppose us.

If we can find a formula which so balances our foreign aid program many other problems will, I feel, soon take care of themselves.

But let us realize that the foreign aid program in many countries may, in the final analysis, depend on our ability to preserve freedom in South Vietnam.

EXHIBIT 1

U.S. SENATE,
Washington, D.C., June 10, 1965.

Hon. J. W. FULBRIGHT,
Chairman, Senate Foreign Relations Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: What I saw in Vietnam convinced me that the fundamental realities of the situation cannot be gleaned from a reading of the press.

In the speech which I am making this morning, I set forth instance after instance where the truth has been distorted by twisted or misplaced emphasis, or where important truths are not known because the story has not been told at all or not been told widely enough.

I am convinced that to a very large degree the opposition to administration policy stems from lack of information or misinformation.

If the national debate on Vietnam policy is to be conducted in a rational manner, it is essential that the facts be established and the nonfacts be laid to rest—as expeditiously as possible, but also as thoroughly and scrupulously as possible.

Because of this, I wish to propose that the Senate Foreign Relations Committee appoint a bipartisan factfinding mission to make an on-the-spot study of the situation in Vietnam and to report back.

I hope that this proposal meets with your approval.

I am taking the liberty of sending copies of this letter to the other members of the Foreign Relations Committee.

With best wishes.

Sincerely,

THOMAS J. DODD.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. BASS in the chair). Has the Senator from Connecticut yielded the floor?

Mr. DODD. I have not. I should like to give Senators an opportunity to ask questions.

The PRESIDING OFFICER. To whom does the Senator from Connecticut yield?

Mr. DODD. I yield first to the Senator from Wyoming.

Mr. McGEE. First, I commend the Senator from Connecticut for his complete, personal, eyewitness report on his recent trip to southeast Asia, in which he has shared with his colleagues his judgment on the general perspective of the crisis in South Vietnam. This comes as a great help to all of us who are trying to make as wise a decision as possible in this matter. I assure the Senator from Connecticut that he has made that kind of contribution today.

Could the Senator from Connecticut share with us his impression of what he learned in Vietnam, when he was there recently, concerning the emerging leaders of the Vietcong? In this country, we hear nothing about any leadership. Does not the Vietcong have leaders? Is there a real Vietcong leadership in South Vietnam, or is the leadership coming mostly from the north?

Mr. DODD. Mr. President, I believe that it is, to a great extent, coming from the north, although there are some in the Vietcong who are South Vietnamese. I was interested, for example, to learn from our military representatives in one of the villages that I visited that they had taken Vietcong prisoners on the day before who averaged 14, 15, and 16 years of age.

This is a shocking thing. I inquired about it. I asked, "Is this an isolated example?" They replied, "No. This goes on all the time. They get the youngsters, who are really children." I suppose that some of them are lured by excitement. Possibly some of them are under duress. I am confident, however, from all I have heard, that the leadership of the Vietcong comes from the north.

Mr. McGEE. That is a point we tend to overlook at home. While we tend to dwell upon the implications of our presence there, we also blithely ascribe to the Vietcong a status of leadership as though there were a responsible group inside the Vietcong that was indeed genuinely fighting a civil war. I believe that it is important that we make the distinction which the Senator from Connecticut has made so well.

Mr. DODD. Yes. The Senator did raise the point of clarifying the issue. It is important to know that General Giap, of North Vietnam, is recognized in east Asia as the leader and commander of the Vietcong. Nobody in that part of the world makes any pretense that the Vietcong is a truly local insurgency. Some people from that part of Vietnam belong to the Vietcong. However, it is entirely motivated, and almost entirely led, by the North Vietnamese Communist forces.

In Laos, as I said earlier, they do it openly. They do not pretend to any Laotian insurgency any longer. They have almost dropped the guise of the Pathet Lao.

Mr. McGEE. Mr. President, is it not significant that the Vietcong are in control of some contiguous areas in which they have the responsibility for government?

Mr. DODD. The Senator is correct.

Mr. McGEE. And we find, up to now, no substantial evidence of any flight of South Vietnamese into the North Vietnam areas for refuge. On the contrary, they are coming south.

Mr. DODD. The Senator is correct.

Mr. McGEE. I am informed that there are refugee camps in South Vietnam which hold in excess of 200,000 people who have fled from the area under Vietcong control.

Mr. DODD. The Senator is correct. It is in excess of 300,000.

Mr. McGEE. I am glad to receive the correction, even to the extent of that number. It is significant that the effort to cast the Vietcong as some desperately sincere local grassroots people who seek to obtain the right to govern themselves is quite a distortion of the facts.

One contribution, among the many made this morning, that I think is significant bears on the impatience of many of our own people, the critics of our own country, over the fact that the conflict there continues to drag along, and that it has become protracted.

I feel that this impatience must be answered in a very substantive way. The Senator from Connecticut has done that. The people want to know why the North Vietnamese have not surrendered and gone to the conference table.

What the Senator from Connecticut has said reminds us that, at the very best, this must remain a long, tortuous, and painstaking operation. They are not about to give in if they can avoid it. The relentless pressure that we seek to impose upon them in order to hasten that decision must be kept up.

Some of the worst things that were supposed to happen when we planned the escalation in North Vietnam have not happened. The Senator from Connecticut will recall that when we were debating the matter in February, it was claimed that the first thing that an escalation would do would be to unite the Russians and the Chinese. It was claimed that it would bring China into the struggle. It was claimed that it would bring Russia into the struggle. We were informed that we would have to take into consideration the commitment of millions of American troops.

Is it not a fact that we have contained this conflict, up to now, within the dimensions outlined by the President in February, and that our only objective is to cut off the interference and the infiltration from the north so that the South Vietnamese might still arrive at their own decision?

Is that not still the case?

Mr. DODD. That is still the case. There is no doubt about it. Everything that I saw and heard while there fortifies that position. I do not know why people say such things. However, they do.

I believe we have followed the policy that the President announced. We ask only that the aggression against these free people in South Vietnam be stopped.

Mr. McGEE. Yesterday on the floor of the Senate, we had a very interesting suggestion made by one of our ablest colleagues, the senior Senator from New York [Mr. JAVITS]. His suggestion was that, in view of the developments that have been occurring there in recent years, a new reaffirmation of support from Congress is required at this time.

I took exception with the Senator from New York. I suggested that there is no new dimension in the war and that we should not cheapen the role of congressional sanction, approval, or support. I took the position that the dimensions of the conflict there are still as originally laid out. I pointed out that, whether ground troops, Air Force, or Navy were used, the dimensions would not be changed. Therefore, every time that some new foray occurs in the jungle, or an air strike, it should not be up to Congress to call another meeting in order to reaffirm its support of the position of the President.

Has the Senator from Connecticut any judgment on that matter?

Mr. DODD. Yes. Unfortunately, I was not on the floor at the time. I have read the RECORD this morning. I completely agree with the Senator from Wyoming in the view he so clearly expressed yesterday.

I believe that the Senator from Wyoming is absolutely correct. Such a course of action would do nothing but hinder us and make the task more difficult than it already is.

I had no idea how widely everything that is said in the Senate Chamber is published around the world. It was a matter of great astonishment to me that, every day I was in the Far East, more news of what occurs in Congress was published in the daily newspapers than is published in our own press. What is said in Congress is widely published by the press over there.

I believe that it would probably be unwise in the sense that it would create an impression that would be a false one—namely, that there is really great and wide division among the American people and Members of Congress.

Mr. McGEE. If there had been some significant, new decision to change the whole structure within which that conflict is being waged—which is not the case, as I see it—it would appear to me that it would help a great deal if all of us were to try to do something. We firmly believe that if southeast Asia were to fall under the influence of mainland China, it would dangerously prejudice the balance of power of the world. That has been true all through history. The British desired that area at one time. The Japanese started World War II to get control of the area. The French, Dutch, Germans, and Portuguese all sought to use that area as a means of power.

If southeast Asia were to fall into the hands of the Chinese, there would be an unfavorable effect on the balance of power in the world.

I believe that it should be understood that we are being tried psychologically before the bar of public confidence in the world, as to whether we really intend to live up to our pledge of responsibility to balance the power in the world in the interest of peace, or whether we are also trying to remain there. We should stop for a moment and ponder the proposals coming from the critics who really oppose or object to what we are now doing on the assumption that if we stop what we are now doing, this would bail us out of our difficulties.

If we stop the bombardments in North Vietnam, if we were to stop committing troops below the 17th parallel, everything would be all right, the critic says. Does he not believe that would be fortifying the critical area of the discussion the other day?

Mr. DODD. I certainly do.

Mr. McGEE. Finally, the question on the floor is asked, "Why are we not honest about it?" I expressed doubt as to the effect of a declaration of war, and fear that it might create roadblocks to a negotiated settlement and a possible way out. It seems to me this would hinder rather than help our chances for ultimate peace in that part of the world.

I wonder if the Senator from Connecticut thinks a formal declaration of war would be a good approach.

Mr. DODD. No. The Senator is correct.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. SYMINGTON. I commend the able Senator from Connecticut for the work he has done on this statement, and wish more of our colleagues had been present to listen to it.

In his analysis of why he believes the press has not reported the war accurately, the Senator dwells on the point of sensationalism. He also mentions that some 35,000 South Vietnamese have been killed by the Vietcong, often murdered under extraordinarily cruel circumstances.

I would ask the Senator, as a matter of information, why he believes there is no recognition of sensationalism in that story as against stories which tell of unfortunate things that have happened to the Vietcong?

Mr. DODD. I think it would be sensational. My regret is it has not been covered more fully. The press should have pursued that story. I regret that it has not been emphasized.

Mr. SYMINGTON. Does the Senator believe that an overall general policy could continue over a period of months, so far as the working press is concerned, unless they were receiving instructions from the home office?

Mr. DODD. I would think so. I think it could be done.

Mr. SYMINGTON. If there is sensationalism in the stories, and the war is being reported unilaterally over a period of months, does the Senator believe that possible without instruction from the home office?

Mr. DODD. Yes; there should be a better balance. The fact that 35,000 civilians have been killed or kidnaped should be told dramatically.

Mr. SYMINGTON. The Senator specifically mentions, several times, the New York Times. Has he discussed the matter with the executives of the New York Times?

Mr. DODD. I have not done so. I have not had an opportunity to do it. I doubt if I would have an opportunity.

Mr. SYMINGTON. Does the Senator intend to ask them about the matter he brings up today?

Mr. DODD. I have talked with several persons.

Mr. MORSE. Mr. President, if the Senator will yield, has the Senator talked with the editor of the St. Louis Post-Dispatch?

Mr. DODD. No, but I have talked with some others. I have talked with editors in Connecticut and others in the newspaper business.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield the floor?

Mr. DODD. I shall yield the floor in a moment.

Let me mention one other matter to the Senator from Missouri. I have sent copies of what I have said about the Times to the Times, so they know what I have said.

Mr. SYMINGTON. The reason I mention this paper by name is because he mentioned it by name several times.

Mr. DODD. If I did, it is because it is a great newspaper, with great influence. I think it is a sad thing when it does not present both sides of the story.

I yield the floor.

Mr. MANSFIELD. Mr. President, there have been references on the floor of the Senate yesterday and today to whether or not there was a government for the Vietcong, and the statement has been made categorically that, so far as we know, no government has been established for the Vietcong, but it is directed from Hanoi.

This is a matter that may be open to question. I do not know the answer, but it appears to me, and as I recall—and I am looking into it now—there have been stories in the press lately to the effect that there was a shadow government directing the Vietcong, at least in part, perhaps wholly, in some areas of South Vietnam.

A statement has been made to the effect that the infiltration has been decreased since the bombings started in February, when, as a matter of fact, according to press reports and statements by the Government, infiltrations from North Vietnam have increased despite the bombings.

There has been reference to a postulate that the U.S.S.R. and the Chinese Communists have not been drawn together, as had been anticipated by some, according to statements made on the floor today, as a result of the bombings.

This is a question no one can answer for some time to come. It may well be that circumstances will force the Soviet Union and Communist China once again together, even though, according to press reports, the cleavage between the two at the present time seems to be quite wide. But circumstances will determine this in the future.

There was a statement made on the floor yesterday to the effect that it was quite possible Reserves would be called up. This is something I know nothing about.

These are responses to statements which have been issued lately, either yesterday or today.

Now, although the Senator from Connecticut [Mr. Dodd] did not mention me by name, I believe he made reference to me on page 12 of his speech when he said, with reference to the American press:

> This immunity to criticism has in turn been accompanied by a tendency, even on the part of informed and responsible members of our society, to regard the press as gospel. Thus, in a recent address a distinguished public figure—whom I look upon as one of the most intelligent and cultured men it has been my pleasure to know—departed from his prepared text to praise American press coverage both in Vietnam and in the Dominican Republic. Among other things, he said that he often found it more accurate than the information he got from official sources.

Actually, I did not depart from the prepared text of my speech, although certain press accounts may have suggested that such was the case. On the contrary, I thought through most carefully, in advance, what I would say about the press in that statement.

Mr. President, I ask unanimous consent to have printed in the Record the remarks I made at the commencement exercises at Clarke College in Dubuque, Iowa, as they relate to the efficiency and effectivness of the press.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> Most important you can make intelligent use of the unparalleled sources of information which are available in this Nation, particularly the press. Newspapers, large and small, those printed in the metropolitan centers of our country and those that abound in smaller cities, have done an outstanding job of supplying facts and informed opinion on national and international developments. They have helped to keep government on its toes. They have served to bring to the public an independent picture of our national policies at home and abroad.
>
> And while I am on this subject, I want to say a word of praise for the American men and women who report the news. They do an excellent job even if I may sometimes suffer personally at their hands. The reporter's job is to turn the light on, regardless of the inadequacies in government which may be exposed. Management of news by government can never be squared with our continuing and growing need for a fully informed and alert public. It can never be squared in other words, with the needs of a democratic society.
>
> And in no aspect of this Nation's public affairs is a press contribution more essential than in foreign policy. The function of the newspapers is to point up the facts as they see them—the strengths and weaknesses, the consistencies and inconsistencies, the reasons for and reasons against our policies and our posture.
>
> We will never safeguard this Nation by deprecating, in the name of national policy or of a superior governmental wisdom, the free press which is one of the principal institutions by which freedom is maintained. Government officials are almost always inclined to think—and understandably—that they know better than the press what is transpiring in the world or any segment of it and what to do about it. But time and again events have indicated that on many occasions they do not. In this connection, I think, for example, of the work of American correspondents in Vietnam and the Dominican Republic which has been outstanding in every respect. One sometimes has the impression that the accuracy of the press reporting and some of the press analysis in both places may very well have been greater in many instances than the great flow of information which has come to Washington through official channels.
>
> I want to say, too, that over the years as a member of the Foreign Relations Committee, in secret or public sessions, the flow of information from the executive branch to the Senate on the international situation is more copious but many times no more revealing or lucid than that which has been carried in the great newspapers of the Nation.
>
> In short, I want to stress to you the indispensable service which the press of the Nation performs in our society. It must continue to reflect the truth as it sees the truth, directly, with its own eyes, and not as it is reflected in the retina of "official positions." The two may be and often are identical. That is fortuitous when it is the case. But when it is not, there must be no forced convergence in the name of a national

> unity. For that kind of unity can never be more than skin deep. It is not a source of strength. Rather, it is a source of a dangerous and delusive weakness.
>
> The basic work of the press leads to the asking of the incisive questions which in a democracy need to be asked by the people and answered by their government. And, so, as in the case of the situation in Vietnam and the Dominican Republic, the press provides the impetus and stimulus for a searching and continuing public debate which is likely to go on and should go on until there is a satisfactory resolution of critical national questions.

Mr. MANSFIELD. Mr. President, my relationship with the press is not intimate. I have met correspondents of all shades, in Saigon, in Thailand, in India, in Laos, and elsewhere throughout the Far East—including Japan.

Some of the correspondents whom I had the pleasure to meet thought directly opposite to my thinking as, for example, in their views on President Ngo Dinh Diem. They thought that he was a drag and a hindrance on the development of South Vietnam, whereas I thought that he was the one man who might have brought continued stability to that country, especially on a civilian basis. He did so for 9 years.

I believe that the reason for the decline of South Vietnam can be traced to the assassination of President Ngo Dinh Diem. Nevertheless, though we might disagree on questions of this kind, I recognize the effectiveness and the efficiency of the reporters. It is not necessary that they agree with me for me to recognize their worth. None was perfect. But, on the whole, they were a good, sound, hard-working lot. They were doing their job, digging for information and relaying it to the American people.

Let me say to the Senator from Connecticut that the remarks which I made at Clarke College apply to the press in general, to the press on balance, to those newspapers which, on occasion, have treated me kindly, no less than those which may not have been, on occasion, very kind. The remarks apply to those press reports, facts, and opinions which agree with my personal observations and conclusions, as well as to those which do not.

The press is not above criticism, as the remarks of the Senator from Connecticut made amply clear. The Senator is entirely within his rights to complain of the reporting from Vietnam, or anywhere else in the world, where, on balance, it does not add up to the same observations and conclusions he has reached, or for that matter, for any other reason.

But that does not change the basic issue as I discussed it in my remarks at Clarke College. Indeed, it would not change that issue even if the press reporting, on balance, had sustained the personal observations on Vietnam of the Senator from Connecticut.

The essence of the issue is that the press has its individual responsibility under the Constitution, even as Senators have theirs.

We may be criticized. We may be applauded. We may be ignored. But, in the end, we are answerable only to our consciences and to our constituencies.

The press of this Nation is in much the same boat. It is answerable in many ways, but the one way it is most certainly not answerable is in terms of conformity with official observations or policy. It is, in my judgment, a constitutional obligation of Government to facilitate the exercise of individual responsibility on the part of the press, but it is not the function of Government to direct the press as to how it is to exercise its responsibilities.

After making allowances for the criticism of the press coverage, which the Senator from Connecticut had just advanced, some of which was constructive, very constructive—I would reiterate what I said at Clarke College:

> Taken as a whole, Government officials are almost always inclined to think—and understandably—that they know better than the press what is transpiring in the world or any segment of it and what to do about it. But time and again events have indicated that on many occasions they do not. In this connection, I think, for example, of the work of American correspondents in Vietnam and the Dominican Republic which has been outstanding in every respect. One sometimes has the impression that the accuracy of the press reporting and some of the press analysis in both places may very well have been greater in many instances than the great flow of information which has come to Washington through official channels.

Mr. PELL, Mr. CLARK, and Mr. JAVITS addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, I shall be glad to yield to the Senator from Rhode Island if he wishes to ask questions of the Senator from Montana. Is that agreeable to the Senator from Montana?

Mr. MANSFIELD. Certainly.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. CLARK. Mr. President, I ask unanimous consent that, without losing my right to the floor, I may yield to the Senator from Rhode Island briefly for any questions he may wish to ask of the Senator from Montana.

Mr. PELL. Mr. President, I have no questions to ask the Senator from Montana.

Mr. CLARK. Mr. President, the Senator from Rhode Island does not have any questions to ask but I shall be glad to yield to him briefly—and I emphasize the word "briefly"—without losing my right to the floor.

The PRESIDING OFFICER. Without objection, the Senator from Rhode Island may proceed.

Mr. PELL. Mr. President, I rise to support the words and the spirit of the remarks of the Senator from Montana.

While not knowing the Far East as well, as thoroughly, or in as great a depth as does the Senator from Montana, with his years of study about the Far East, and the great deal of time he has spent there, I did accompany him on his last trip to the Far East, to the countries on the periphery of China, most specifically including Vietnam, where we saw President Diem. We wrote a report after our visit, which stands up remarkably well 2 years later.

I find myself in complete agreement with his views that, on balance, the thoughts of the press often seem to me to reflect better the actual situation and enunciations of the Government.

I remember that we felt that way at that time. Events have proved us to be correct.

I still feel the same way.

I congratulate the Senator from Montana on his speech and I agree with him.

Mr. MANSFIELD. I thank the Senator from Rhode Island.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield to me for 30 seconds?

Mr. CLARK. I am glad to yield to the Senator from Oregon.

Mr. MORSE. I wish to associate myself with the statement of the Senator from Rhode Island. I am familiar with the report which he filed. It is too bad that the recommendations and suggestions in the report were not followed and made a part of the policy of our Government.

I completely support the observations of the Senator from Montana.

Let me say that on my own time I shall give my reply to the speech of the Senator from Connecticut today.

Mr. CLARK. Mr. President, the Senator from Connecticut [Mr. Dodd] has, in my judgment, served a useful purpose in initiating what I hope will become an orderly and extensive debate on our Vietnamese policy.

His speech is a carefully documented and calmly delivered exposition of the point of view of the Pentagon, General Taylor, the Bundy brothers, and to some extent, at least, the Secretary of State.

I hope that his views do not entirely represent those of the President of the United States, for I find myself in profound disagreement with much of what my good friend the Senator from Connecticut has just stated.

During the course of debate on the $700 million appropriation for Vietnam, I undertook at some length to spell out my views on the floor of the Senate.

Those views have changed little, if any. Nevertheless, I intend at an appropriate time to make a somewhat more elaborate statement of what I conceive to be the middle road between two extremes in the Vietnamese controversy.

I have profound respect for the extreme view represented by the Senator from Connecticut [Mr. Dodd], and I have profound respect for what I consider to be the other extreme, represented by my good friends the Senator from Oregon [Mr. Morse] and the Senator from Alaska [Mr. Gruening]. I believe there is a middle ground. I believe there is a vast oversimplification of views at both extremes.

Mr. President, we are deluding ourselves if we think we can win, in the foreseeable future, the Vietnamese war on the land mass of Asia. It is a war which we should never have gotten into, a war which I believe will be very difficult to win, if we can win it; and even if we do win it, it will result in thousands upon thousands of American casualties.

As was said not too long ago, the coffins are already coming home. There will be more and more coffins coming home as time goes on.

On the other hand, in view of the corner into which we have painted ourselves, I do not believe we can get out of Vietnam at present. I see no alternative but to stay there at least through the monsoon season,, so that, by convincing our Communist opponents that they cannot throw us out, we will be able in due course to get them to the negotiating table.

Therefore, I say again that I find myself in disagreement with both these extremes.

I should like to comment very briefly on two of the statements made by the Senator from Connecticut. The first is that there is overwhelming support in the United States behind the Pentagon-Bundy-Taylor policy. I do not believe that to be true. On the contrary I believe that a large mass of the American people are confused. A substantial number of our people would like to see us get out. Perhaps a slightly larger number want us to escalate the war, thinking by this attack on what they refer to as "godless communism," we would be defending an important principle of our country.

Because the view I have just expressed is documented by the Gallup poll, which was published in the Washington Post of yesterday, I ask unanimous consent that a copy of that poll, as published in the Washington Post, may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GALLUP POLL: SUPPORT OF VIET POLICY GAINS SLIGHTLY IN UNITED STATES

PRINCETON, N.J., June 8.—During a period of stepped-up military activity on the part of the United States in Vietnam, an increased number of Americans have come to agree with the administration's present policy in that country.

In the latest Gallup survey, 20 percent think the United States should continue its present efforts as compared with 13 percent a month ago.

It is true, however, that the size of the two dissenting wings—those who think we should discontinue fighting, and those who think we should step up our military activity—are just about the same as in May.

In considering the views of those who favor a more aggressive approach to the Vietnam problem, it is important to bear in mind that a fairly sizable proportion in this group talks in terms of an "either-or" proposition—either step up our activities and wage all-out war, or get out completely.

Opinions in both surveys were obtainable by this question, in which persons interviewed were able to state their own views, whatever they were:

"In your opinion, what would you like to see the United States do next about Vietnam?"

The results, based on all adults in the sample:

[In percent]

Stop military action	25	26
Withdraw completely	13	12
Start negotiations, stop fighting	12	16
Continue present policy	13	20
Increase military action	23	21
Step up present efforts	8	4
Go all out, declare war	15	17
No opinion, no definite view	35	28
Other responses	6	5

NOTE.—Subtotals within categories add to more than the total for the category since some persons gave both answers.

Mr. CLARK. Mr. President, the poll shows that 13 percent of the people want us to withdraw, 12 percent want us to stop fighting and start negotiations, 13 percent want us to continue the present policy, 23 percent want to increase the military action, 8 percent want to step up the present efforts, and 15 percent want us to go all the way out and declare war. It seems to me to be clear that there is no consensus.

Mr. President, with respect to the attack by the Senator from Connecticut on the press, I have not been one who has through the years been an unlimited admirer of our American press. Nevertheless, I must say that I believe the majority leader, the Senator from Montana [Mr. MANSFIELD], was entirely correct in the comments he made on the reporting by the press of the war in Vietnam. It has not been perfect. There is a tendency toward sensationalism which is a part of the remaining immaturity in many of our press reports.

However, I believe that on the whole the press has done a very good job. I agree with what the Senator from Rhode Island [Mr. PELL] has said. We have obtained more accurate information from the press on Vietnam than we have received from the American Embassy in Saigon, the Pentagon, or the State Department.

So I say again that I have a profound disagreement with what the Senator from Connecticut has said. I shall attempt to spell out that disagreement at some length later. However, I congratulate him for a carefully documented exposition of one point of view, with which I find myself in disagreement.

Mr. JAVITS. Mr. President, I, too, commend the Senator from Connecticut on his speech, and associate myself with the kind things that were said about it by the Senator from Pennsylvania. It is a well-organized speech. He has given us some views on what has taken place on the ground. It is valuable to have his reflection on this situation, and on what some Asian leaders think about it.

However, I must also say, with all the deep respect and affection I have for the Senator from Connecticut, that when he tries to induce us to leave it all to the President and allow the status quo to remain, to let the troops go in there to undertake whatever mission the President orders them to undertake and at the same time keep us in the dark, on the theory that the press is not reporting things right, I must depart.

This would be a novel doctrine indeed in our country. I believe the press is doing an excellent job in reporting on this and other fracases of the same character.

It is clear that if we blanket out the press and the opposition, we deprive ourselves of what every judge and legislator wants to have, namely, a statement from the other side. We should be solicitous to get the view of the other side.

That does not mean that we must go along with people who do not agree with us, who might have views that are in direct conflict with our views. We are accustomed to fellow travelers, even in the civil rights cause. We can disregard such views.

I do not see that that permits us to say that we have no right to question, that the status quo should remain, and that we should rule out a strong opposition in the press. I want the press to rule both sides in. I want to hear them. I believe that the press and a strong opposition keep us on our toes and test the worth and value of our policies, and compel our attention to an alternative, even the very alternative which the Senator from Connecticut has advanced. He said we should at least send over a bipartisan fact-finding mission. That is already a step in the right direction.

I see no substitute for whatever may be of value in the views of those on the opposite side of the issue. I have made my own view clear. I stand with the President. However, I am also a Senator from the State of New York, representing 18 million people. I want to know what is going on. I want my people to know what is going on. I want my vote and the votes of other Senators cast in favor of or against what I call a major, bog-down war in Asia. It may be necessary, but I want something to say about it. I am not going to accept any blanketing of the press or the opposition as an excuse for allowing the status quo to continue and for keeping me and others substantially in the dark.

There is no substitute for knowing. There is no substitute for debate. There is no substitute for inquiry. Even the famous MacArthur hearings were conducted in such a way that the public knew something about them. No one could think of anything more sensitive in terms of security than that subject. We can do the same thing. We can respect security and still know what we are doing and have an interest and participate in the decisions.

Mr. MORSE. Mr. President, I rise to defend the free press of the Nation. I hope that statement will not cause any heart attacks in the editorial offices of our country. We have not been getting the truth from the administration, the State Department, or the Pentagon, in regard to what is happening in South Vietnam. It is shocking but true that some of our war correspondents in South Vietnam have been muzzled.

I commend the St. Louis Dispatch, the Knight papers, the New York Times, the

York Gazette, York, Pa., and other newspapers that have presented the American people with objective and truthful reporting on the war in Asia.

To my friend the Senator from Pennsylvania [Mr. CLARK] I say that I am the ultraconservative in the debate and have been for the past 2 years. I am not the extremist. Those who have been trying to support the administration have been the extremists. When one stands for the rule of law, he is not a radical. When he stands for the application of the rule of law, he is not an extremist.

I was surprised today to hear the Senator from Wyoming [Mr. MCGEE] say on the floor of the Senate, in effect, that those of us who criticize the administration policy have no substitute program.

Mr. President, we are the ones who have had a program to substitute for the administration's program of war. I shall later this afternoon expand my views.

Mr. SCOTT subsequently said: Mr. President, I wish to commend the distinguished Senator from Connecticut, Senator DODD, for his comments on Vietnam. His careful thought and research demonstrate that he has done exactly what critics of America's Vietnam policy should have done; namely, get facts on the scene. Clearly, this is what certain outspoken columnists should have done unless, indeed, they are so blinded by their fears and ideologies as to be incapable of learning by seeing. In any event, this would have done no good unless they had gone to the villages, as Senator DODD did, because if they confined their visit to the press clubs, they would find plenty of nontouring and unventuresome journalists to agree with them.

Congressional critics of administration policy have not altered the overwhelming public support for what we are doing, but criticism has by no means escaped notice in the Communist press and radio.

Under the headline, "U.S. People Dispute Johnson's Vietnam Policy," the English-language Peiping NCNA International Service of May 21, 1965, quoted with approval, and by name, a number of the President's severest critics. I hereby include a part of the Peiping text, but I have omitted much of the Communist praise of named Members of Congress which would certainly be objectionable to the President's critics in the legislature.

I ask unanimous consent to have the excerpts printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PEIPING, May 21.—The Johnson administration's military venture in Vietnam has set off disputes of unparallelled intensity within the ruling circles in the United States while evoking strong censure among the people. Representative figures of the U.S. ruling class, including a number of Congressmen, have publicly complained that Johnson's escalation of the war has resulted in an escalation of reverses. The fear Johnson's war gamble might bring the country to an unprecedented disaster.

Annoyance among the U.S. ruling circles at the losing war of aggression in South Vietnam has been sizzling under the surface for quite some time. With the bankruptcy of the "special warfare" and the failure of the war blackmail against North Vietnam, this annoyance grew and broke out in an open battle of arguments.

American newspapers and journals have sounded the alarm that "the Vietnam war is coming to Washington" and "battlelines are already forming on Capitol Hill over the Vietnam problem" (Washington Evening Star, January 2) and that "some of his own Democrats in the Senate opened fire on the President" and "Mr. Johnson is finding that the White House is a lonely place." (U.S. News & World Report, March 15.)

Since early this year an increasing number of influential Congressmen and masterminds, with solid backing, have directed their verbal fire at the administration's Vietnam policy. Combining pressure with blandishments, Johnson has talked personally to more than 500 Congressmen and a large number of columnists and has led his aides in making scores of public statements or addresses to defend the policy of armed aggression against Vietnam. But all this had little effect on the mounting criticism in the country.

A report in the May 14 issue of the American magazine Time quoted Johnson as saying:

"I am the most denounced man in the world * * * and occasionally I get touched up here at home." Then reports said he talked himself hoarse trying to "explain and defend his decisions" that the United States must hold on to South Vietnam. Yet criticism of his administration, instead of being muffled, became more vociferous, and the U.S. President was irritated by it.

A salient fact about this battle of arguments is that the number of critics of Johnson's Vietnam policy is increasing. Many Congressmen who had once supported the policy now publicly oppose the Government line, having lost confidence in the President. Of the 19 members of the Senate Foreign Relations Committee, 11 are against the administration's present policy toward Vietnam. Many Senators, including ——— ——— ——— ———, and ——— ———, who had voted to empower Johnson to do what he deemed expedient after Johnson had engineered the "Tonkin Gulf incident," have now come out against him. They expressed particular anxiety over the sustained and escalated bombing of the DRV.

Mr. DOUGLAS subsequently said: Mr. President, I had hoped to be in the Chamber earlier when the distinguished senior Senator from Connecticut [Mr. DODD] made an important, significant speech about Vietnam. I had read his speech overnight. I wanted to commend him for making the speech and to comment upon it at the time. Unfortunately, it was not possible for me to be in the Chamber at that time, because the Committee on Finance was meeting for important action on the excise tax reduction bill. I desire to speak briefly now in commendation of the able and thorough address delivered by the Senator from Connecticut this morning.

Senator Dodd's speech puts a different aspect upon the struggle in Vietnam. In the first place, the speech clearly shows that the struggle there is primarily the result of an invasion from North Vietnam rather than a spontaneous revolution from inside South Vietnam.

In the second place, he shows that the war is going much better, so far as we are concerned, than many previous reports would indicate.

Third, he proves conclusively that the murders and atrocities committed by the North Vietnamese and the Vietcong have been widespread by the thousands, possibly the tens of thousands, and much greater in number and in severity than the few atrocities committed by the South Vietnamese.

What is at issue in southeast Asia is not merely the fate of South Vietnam, but the fate of virtually all Asia. If we were to withdraw and allow the Communists to take over South Vietnam, one country after another in southeast Asia would fall within Communist control: Laos and Cambodia first, and very quickly; Thailand next, then Burma rather quickly, and then Malaysia. As I indicated a few weeks ago, in such a situation it would be almost impossible to keep India neutral; India would move into the Communist bloc. Then there would be an almost solid Asia opposed to us. Under those conditions, the Philippines and Japan could not be held in the democratic alliance.

Various criticisms have been made of President Johnson and many suggestions have been made to him. In the beginning, it was said that President Johnson should offer to negotiate. He did this in his Johns Hopkins speech, and also, apparently, in negotiations with some of our allies. He has publicly stated that he would be glad to negotiate at any time with the North Vietnamese and the Chinese. The North Vietnamese and the Chinese have spurned these offers to negotiate and have rejected them in most brutal language.

But this did not satisfy the critics of American policy. They then said that President Johnson should offer constructive alternatives to the policy of military resistance; and, indeed, this had been suggested prior to the Johns Hopkins speech, as well. President Johnson met this criticism by offering to participate in a reconstruction of rural life and in relief activities in those sections of the Mekong Valley which were not controlled by the Vietcong. This proposal, however, did not satisfy the critics.

They then said that the United States should stop bombing. President Johnson did this for 6 days. It had no result in bringing about any response from the North Vietnamese or the Chinese Communists.

As the Senator from Connecticut [Mr. DODD] observed, there is great danger that here at home we may grow tired of the hostilities in South Vietnam. These tests do create a severe emotional strain, and they may become more severe. But the quality which is needed at home is a readiness to stick with the policy and to keep on.

We should remember that at one time in World War II a victory by Hitler seemed almost certain after France had been knocked out and when Russia was still an ally of Hitler. If the British had resigned themselves to what was said to be the inevitability of Nazi victory, there would have been a Nazi victory. It is to the great credit of the British that at a time when everything seemed to be against them in late June of 1940, they kept on and resisted, and by their resistance gradually drew other nations into the struggle as their allies, and the free world was saved.

I hope that we shall display something of that same quality of sturdy resistance and determination in this struggle.

We owe a distinct debt to the able Senator from Connecticut for his address and his courage in this matter. I commend him.

Mr. President, I ask unanimous consent that my remarks may be printed at the conclusion of the address by the Senator from Connecticut, and with a notation that they were uttered subsequent to his speech.

The PRESIDING OFFICER (Mr. DODD in the chair). Without objection, it is so ordered.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 288, Senate bill 1483.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1483) to provide for the establishment of the National Foundation on the Arts and the Humanities, to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "National Foundation on the Arts and the Humanities Act of 1965".

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that a high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity;

(3) that democracy demands wisdom and vision in its citizens and that it must therefore foster and support a form of education designed to make men masters of their technology and not its unthinking servant;

(4) that it is necessary and appropriate for the Federal Government to complement, assist and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and organizations;

(5) that the practice of art and the study of the humanities requires constant dedication and devotion and that, while no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent.

(6) that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit; and

(7) that, in order to implement these findings, it is desirable to establish a National Foundation on the Arts and the Humanities and to strengthen the responsibilities of the Office of Education with respect to education in the arts and the humanities.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "humanities" includes, but is not limited to, the study of the following: language, both modern and classic, and linguistics; literature, history, jurisprudence, and philosophy; archeology; the history, criticism, theory and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods.

(b) The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms.

(c) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, television, radio, and tape and sound recordings, and any other activities involving the execution or rendition of the arts and meeting such standards as may be approved by the National Endowment for the Arts established by section 5 of this Act.

(d) The term "project" means programs organized to carry out the purposes of this Act, including programs to foster American artistic creativity, to commission works of art, to create opportunities for individuals to develop artistic talents when carried on as a part of a program otherwise included in this definition, and to develop and enhance public knowledge and understanding of the arts, and includes, where appropriate, rental, purchase, renovation, or construction of facilities, purchase or rental of land, and acquisition of equipment.

(e) The term "group" includes any State or other public agency, and any nonprofit society, institution, organization, association, museum, or establishment in the United States, whether or not incorporated.

(f) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

ESTABLISHMENT OF A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SEC. 4. (a) There is established a National Foundation on the Arts and the Humanities (hereinafter referred to as the "Foundation"), which shall be composed of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council on the Arts and the Humanities (hereinafter established).

(b) The purpose of the Foundation shall be to develop and promote a broadly conceived national policy of support for the humanities and the arts in the United States pursuant to this Act.

(c) In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control over the policy determination, personnel, or curriculum, or the administration or operation of any school or other non-Federal agency, institution, organization, or association.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE ARTS

SEC. 5. (a) There is established within the Foundation a National Endowment for the Arts.

(b) The Endowment shall be headed by a Chairman, to be known as the Chairman of the National Endowment for the Arts.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to groups or, in appropriate cases, to individuals engaged in or concerned with the arts, for the purpose of enabling them to provide or support in the United States—

(1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity and the maintenance and encouragement of professional excellence;

(2) productions, meeting professional standards or standards of authenticity, irrespective of origin which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country;

(3) projects that will encourage and assist artists and enable them to achieve standards of professional excellence;

(4) projects that will encourage and develop the appreciation and enjoyment of the arts by our citizens; and

(5) other relevant projects, including surveys, research, and planning in the arts.

(d) (1) In addition to performing any of the functions, duties, and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, Public Law 88–579, approved September 3, 1964, the individual appointed under such Act as Chairman of the National Council on the Arts shall serve as the Chairman of the National Endowment for the Arts. In lieu of receiving compensation at the rate prescribed by section 6(c) of such Act, such individual serving as Chairman of the National Council on the Arts and Chairman of the National Endowment for the Arts shall receive compensation at the same rate prescribed by law for the Director of the National Science Foundation.

(2) (A) The first sentence of section 6(b) of the National Arts and Cultural Development Act of 1964 is hereby amended to read as follows: "The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment."

(B) The amendment made by clause (A) of this paragraph shall be applicable with respect to the Chairman holding office on the date of enactment of this Act and each Chairman holding office thereafter.

(e) No payment may be made to any group under this section except upon application therefor which is submitted to the National Endowment for the Arts in accordance with regulations and procedures established by the Chairman.

(f) The total amount of any grant to any group pursuant to subsection (c) of this section shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds allotted by the National Endowment for the Arts for this purpose for any fiscal year may be available for such grants in that fiscal year without regard to such limitation in the case of any group which submits evidence to the Endowment that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such group, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

(g) Any group shall be eligible for financial assistance pursuant to this section only if (1) no part of its net earnings inures to the benefit of any private stockholder or stockholders, or individual or individuals, and (2) donations to such group are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954.

(h)(1) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Arts, is authorized to establish and carry out a program of grants-in-aid to assist the several States in supporting existing projects and productions which are making a significant public contribution in one or more of the arts, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States.

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Chairman finds—

(A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan;

(B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of this subsection; except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed $25,000 of such funds will be expended solely to conduct a survey in order to study and develop plans for the establishment of a State agency in the State, and to execute such plans; and

(C) provides that the State agency will make such reports, in such form and containing such information, as the Chairman may from time to time require.

(3) Each State which has a plan approved by the Chairman in effect on the first day of the fiscal year beginning July 1, 1966, or any succeeding fiscal year, shall be entitled to a maximum allotment in any such fiscal year of an amount equal to the amount resulting after dividing the total amount appropriated to the National Endowment for the Arts for the purposes of this subsection for such fiscal year by the total number of States. Notwithstanding the limitation prescribed by section 11(b) of this Act with respect to the amounts that may be appropriated under such section to match any amounts received by the National Endowment for the Arts under section 10(a)(2) of this Act, in the event that any sum is remaining out of the maximum allotment available under this paragraph for grants to each State in any fiscal year after all allotments are made to States with approved plans in effect on the first day of such fiscal year, the aggregate of such remaining sums or any portion thereof shall be available to match any amounts which are received by the Endowment under such section 10(a)(2) in excess of $2,250,000.

(4) The amount of any grants allotted to any State or State agency pursuant to this subsection for any project or production shall not exceed 50 per centum of the total cost of such project or production. The provisions of this paragraph shall not be applicable in the case of funds expended to conduct a survey, or execute plans under a survey, made pursuant to paragraph (2)(B) of this subsection.

(i) Whenever the Chairman, after reasonable notice and opportunity for hearing to any group or State agency, finds that—

(1) any such group is not complying substantially with the provisions of this section;

(2) any such agency is not complying substantially with the terms and conditions of its State plan approved under this section; or

(3) any funds granted to such group or agency under this section have been diverted from the purposes for which they were allotted or paid

the Chairman shall immediately notify the Secretary of the Treasury and the group or State agency concerned that no further grants will be made under this section with respect to such group or State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the group or State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

(j) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that (1) all professional performers and related or supporting professional personnel (other than laborers and mechanics with respect to whom labor standards are prescribed in subsection (k) of this section) employed on projects or productions which are financed in whole or in part under this section will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation as determined by the Secretary of Labor to be the prevailing minimum compensation for persons employed in similar activities; and (2) no part of any project or production which is financed in whole or in part under this section will be performed or engaged in under working conditions which are unsanitary or hazardous or dangerous to the health and safety of the employees engaged in such project or production. Compliance with the safety and sanitary laws of the State in which the performance or part thereof is to take place shall be prima facie evidence of compliance. The Secretary of Labor shall have the authority to prescribe standards, regulations, and procedures as he may deem necessary or appropriate to carry out the provisions of this subsection.

(k) It shall be a condition of the receipt of any grant under this section that the group or individual or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1964, as amended (40 U.S.C. 276c).

(j) The Chairman shall correlate the programs of the National Endowment for the Arts insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

TRANSFER OF THE NATIONAL COUNCIL ON THE ARTS

SEC. 6. (a) The National Council on the Arts, established by the National Arts and Cultural Development Act of 1964, and its functions are transferred from the Executive Office of the President to the National Endowment for the Arts.

(b) The National Council on the Arts shall, in addition to performing any of the duties and responsibilities prescribed by the National Arts and Cultural Development Act of 1964, (1) advise the Chairman with respect to policies, programs, and precedures for carrying out his functions, duties, or responsibilities pursuant to the provisions of this Act, and (2) review applications for financial assistance made under this Act and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove any such application until he has received the recommendation of the Council on such application, unless the Council fails to make a recommendation thereon within a reasonable time.

(c) The function of the Secretary of the Smithsonian Institution with respect to serving as an ex officio member of the National Council on the Arts, now derived from section 5(a) of the National Arts and Cultural Development Act of 1964, is hereby abolished.

(d)(1) The first sentence of section 5(a) of the National Arts and Cultural Development Act of 1964 is amended by striking out "twenty-four" and inserting in lieu thereof "twenty-six".

(2) Clause (2) of the first sentence of section 5(b) of such Act is amended by inserting, immediately after "taking office", the following: "prior to May 31, 1965.".

(3) The second sentence of section 7(a) of such Act is amended by striking out "Thirteen" and inserting "Fourteen".

(4) Section 7(d) of such Act is hereby repealed.

(5) Section 10 of such Act is hereby repealed.

(e) Except as inconsistent with the provisions of this Act, the provisions of the National Arts and Cultural Development Act of 1964 shall be applicable with respect to the Chairman and the National Council on the Arts insofar as necessary for, or incidental to, carrying out the objectives of this Act.

ESTABLISHMENT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

SEC. 7. (a) There is established within the Foundation a National Endowment for the Humanities.

(b)(1) The Endowment shall be headed by a Chairman, who shall be appointed by the President by and with the advice and consent of the Senate. The Chairman shall receive compensation at the rate prescribed by law for the Director of the National Science Foundation.

(2) The term of office of the Chairman shall be four years, and the Chairman shall be eligible for reappointment. The provisions of this paragraph shall apply to any person appointed to fill a vacancy in the office of the Chairman.

(c) The Chairman, with the advice of the Federal Council on the Arts and the Humanities and the National Council on the Humanities (hereinafter established), is authorized to—

(1) develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities;

(2) initiate and support research and programs to strengthen the research potential of the United States in the humanities by making arrangements (including grants, loans, and other forms of assistance) with individuals or groups to support such activities;

(3) award fellowships and grants to institutions or individuals for training in the humanities. Fellowships awarded to individuals under this authority may be for the purpose of study or research at appropriate nonprofit institutions selected by the recipient of such aid, for stated periods of time;

(4) foster the interchange of information in the humanities;

(5) foster, through grants or other arrangements with groups, public understanding and appreciation of the humanities; and

(6) support the publication of scholarly works in the humanities without regard to the provisions of section 87 of the Act of January 12, 1895 (28 Stat. 622), and section 11 of the Act of March 1, 1919 (40 Stat. 1270; 44 U.S.C. 111).

(d) The Chairman shall correlate the programs of the National Endowment for the Humanities, insofar as practicable, with existing Federal programs and with those undertaken by other public agencies or private groups, and shall develop the programs of the Endowment with due regard to the contribution to the objectives of this Act which can be made by other Federal agencies under existing programs.

ESTABLISHMENT OF THE NATIONAL COUNCIL ON THE HUMANITIES

SEC. 8. (a) There is established in the National Endowment for the Humanities a National Council on the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment on the Humanities, who shall be the Chairman of the Council, and twenty-six other members appointed by the President from private life. Such members shall be selected on the basis of distinguished service and scholarship or creativity and in a manner which will provide a comprehensive representation of the views of scholars and professional practitioners in the humanities and of the public throughout the United States. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations concerned with the humanities.

(c) Each member shall hold office for a term of six years, except that (1) the members first taking office shall serve, as designated by the President, nine for terms of two years, nine for terms of four years, and eight for terms of six years, and (2) any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. No member shall be eligible for reapointment during the two-year period following the expiration of his term.

(d) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Fourteen members of the Council shall constitute a quorum.

(e) Members not otherwise employed by the Federal Government shall receive compensation and be allowed travel expenses in the same manner as is provided in section 8 of Public Law 88–579 for the National Council on the Arts.

(f) The Council shall (1) advise the Chairman with respect to policies, programs, and procedures for carrying out his functions, and (2) shall review applications for financial support and make recommendations thereon to the Chairman. The Chairman shall not approve or disapprove an application until he has received the Council's recommendation unless the Council fails to make a recommendation on the application within a reasonable time.

ESTABLISHMENT OF THE FEDERAL COUNCIL OF THE ARTS AND THE HUMANITIES

SEC. 9. (a) There is established within the Foundation a Federal Council on the Arts and the Humanities.

(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, and a member designated by the Secretary of State. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.

(c) The Council shall—

(1) advise and consult with the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities on major problems arising in carrying out the purposes of the Foundation;

(2) coordinate, by advice and consultation, so far as is practicable, the policies and operations of the National Endowment for the Arts and the National Endowment for the Humanities, including joint support of activities, as appropriate;

(3) promote coordination between the programs and activities of the Foundation and related programs and activities of other Federal agencies;

(4) plan and coordinate appropriate participation (including productions and projects) in major and historic national events.

ADMINISTRATIVE PROVISIONS

SEC. 10. (a) In addition to any authorities vested in them by other provisions of this Act, the Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities, in carrying out their respective functions, shall each have authority—

(1) to prescribe such regulations as he deems necessary governing the manner in which his functions shall be carried out;

(2) to receive money and other property donated, bequeathed or devised, without condition or restriction other than that it be used for the purposes of the Foundation or one of its Endowments, to the National Endowment for the Arts, or the National Endowment for the Humanities; and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 5(c) and 7(c) and for the purpose of carrying out the functions transferred by section 6(a) of this Act;

(3) in the discretion of the Chairman of an Endowment, to receive (and to use, sell, or otherwise dispose of, in accordance with paragraph (2)) money and other property donated, bequeathed or devised to that Endowment with a condition or restriction, including a condition that the Chairman use other funds of that Endowment for the purposes of the gift;

(4) appoint employees, subject to the civil service laws, as necessary to carry out his functions, define their duties, and supervise and direct their activities;

(5) utilize from time to time, as appropriate, experts and consultants, including panels of experts, who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a);

(6) accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed without compensation.

(7) rent office space in the District of Columbia; and

(8) make other necessary expenditures.

In any case in which any money or other property is donated, bequeathed, or devised to the Foundation (A) without designation of the Endowment for the benefit of which such property is intended, and (B) without condition or restriction other than that it be used for the purposes of the Foundation, such property shall be deemed to have been donated, bequeathed, or devised in equal shares to each Endowment within the scope of paragraph (2) of this subsection, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. In any case in which any money or other property is donated, bequeathed, or devised to the Foundation with a condition or restriction similar to a condition or restriction covered by paragraph (3) of this subsection, such property shall be deemed to have been donated, bequeathed, or devised, within the scope of such paragraph, to that Endowment whose function it is to carry out the purpose or purposes described or referred to by the terms of such condition or restriction, and each Chairman of an Endowment shall have authority to receive such property under such paragraph. For the purposes of the preceding sentence, if one or more of the purposes of such a condition or restriction is covered by the functions of both Endowments, or if some of the purposes of such a condition or restriction are covered by the functions of one Endowment and other of the purposes of such a condition or restriction are covered by the functions of the other Endowment, the Federal Council on the Arts and the Humanities shall determine an equitable manner for distribution between each of the Endowments of the property so donated, bequeathed, or devised. For the purposes of the income tax, gift tax, and estate tax laws of the United States, any money or other property donated, bequeathed, or devised to the Foundation or one of its Endowments and received by the Chairman of an Endowment pursuant to authority derived under this subsection shall be deemed to have been donated, bequeathed, or devised to or for the use of the United States.

(b) The Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities shall each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year. The report shall summarize the activities of the Endowment for the preceding year, and may include such recommendations as the Chairman deems appropriate.

(c) The National Council on the Arts and the National Council on the Humanities, respectively, may each submit an annual report to the President for transmittal to the Congress on or before the 15th day of January of each year setting forth a summary of its activities during the preceding year or its recommendations for any measures which it considers necessary or desirable.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. (a) For the purpose of carrying out sections 5(c) and 7(c) and the functions transferred by section 6(a) of this Act, there is authorized to be appropriated for the fiscal year ending June 30, 1966, and each of the two succeeding fiscal years the sum of $10,000,000; but for the fiscal year ending June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Sums appropriated under the authority of this subsection shall be equally divided between the Endowments of the Foundation, and shall remain available until expended.

(b) In addition to the sums authorized by subsection (a), there is authorized to be appropriated to each Endowment an amount equal to the total of amounts received by that Endowment under section 10(a)(2) of this Act, except that amounts appropriated to the National Endowment for the Arts under this subsection may not exceed $2,250,000 for any fiscal year, and amounts appropriated to the National Endowment for the Humanities under this subsection may not exceed $5,000,000 for any fiscal year. Amounts appropriated to an Endowment under this subsection shall remain available until expended.

(c) There is hereby authorized to be appropriated to the National Endowment for the Arts the sum of $2,750,000 for each fiscal year, beginning with the fiscal year 1966, for use in carrying out its activities authorized by section 5(h). Sums appropriated under this subsection shall remain available until expended.

(d) There are authorized to be appropriated such sums as may be necessary to administer the provisions of this Act.

FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN THE HUMANITIES AND THE ARTS

Sec. 12. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used for (1) making payments to State educational agencies under this section for the acquisition of equipment (suitable for use in providing education in the humanities and the arts) and for minor remodeling described in subsection (c)(1) of this section, and (2) making loans authorized in subsection (f) of this section.

(b) Sums appropriated pursuant to subsection (a) shall be allotted in the same manner as provided in subsections (a) and (c) of section 302 of the National Defense Education Act of 1958, as amended (72 Stat. 1588; 20 U.S.C. 442).

(c) Any State which desires to receive payments under this section shall submit to the Commissioner of Education through its State educational agency a State plan which meets the requirements of section 1004(a) of the National Defense Education Act of 1958, as amended (72 Stat. 1603; 20 U.S.C. 584), and—

(1) sets forth a program under which funds paid to the State from its allotment under subsection (b) of this section will be expended solely for projects approved by the State educational agency for (A) acquisition of special equipment (other than supplies consumed in use), including audiovisual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in the humanities and the arts, and (B) minor remodeling of laboratory or other space used for such materials or equipment;

(2) sets forth principles for determining the priority of such projects in the State for assistance under this section and provides for undertaking such projects, insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

(3) provides an opportunity for a hearing before the State educational agency to any applicant for a project under this section; and

(4) provides for the establishment of standards on a State level for special equipment acquired with assistance furnished under this section.

(d) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (c) of this section and the provisions of subsections (b) and (c) of section 1004 of the National Defense Education Act, as amended (72 Stat. 1603; 20 U.S.C. 584), shall apply to this section in the same manner as applicable to State plans under that Act.

(e) Payments to States from allotments made under subsection (b) shall be made in the same manner as provided in section 304 of the National Defense Education Act of 1958, as amended (72 Stat. 1589; 20 U.S.C. 444).

(f) The Commissioner shall allot and administer loans to nonprofit private schools in the same manner as provided in section 305 of the National Defense Education Act of 1958, as amended (72 Stat. 1590; 20 U.S.C. 445).

TEACHER TRAINING INSTITUTES

Sec. 13. (a) There is authorized to be appropriated to the Commissioner of Education for the fiscal year ending June 30, 1966, and each of the two succeeding years the sum of $500,000; but for the fiscal year ending on June 30, 1969, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Such sums shall be used to enable the Commissioner of Education to arrange, through grants or contracts, with institutions of higher education for the operation by them within the United States of short-term or regular session institutes for advanced study, including study in the use of new materials, to improve the qualification of individuals who are engaged in or preparing to engage in the teaching, or supervising or training of teachers, of such subjects as will in the judgment of the Commissioner, after consultation with the Chairman of the National Endowment for the Humanities, strengthen the teaching of the humanities and the arts in elementary and secondary schools.

(b) Each individual who attends an institute operated under the provisions of this part shall be eligible (after application therefor) to receive a stipend at the rate of $75 per week for the period of his attendance at such institute, and each such individual with one or more dependents shall receive an additional stipend at the rate of $15 per week for each such dependent.

PRESIDENTIAL APPOINTMENTS

Sec. 14. The President is requested to make such appointments (including any nomination) as are provided for in this Act within ninety days after the enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 300), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows: .

INTRODUCTION

S. 1483 contains the proposals of the administration of President Lyndon B. Johnson for the establishment of the above Foundation. As amended, S. 1483 also contains important provisions and objectives found in closely related legislation introduced during the first days of the 89th Congress by Senators Ernest Gruening, Jacob K. Javits, and Claiborne Pell. Senators Gruening and Javits are cosponsors of S. 1483, introduced on March 10 by Senator Pell, together with the many other Senators listed below in this report. The committee believes that S. 1483 is the most comprehensive legislation of its kind ever to have come to the attention of the Congress, and that it contains the best elements to be found in the historic development of the legislation described later in the report.

As President Johnson said in transmitting the administrations proposals:

"This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization."

S. 1483 has received the enthusiastic endorsement of leading representatives of the arts and humanities who testified at the 7 days of public hearings described below, and of civic leaders, scientists, and businessmen who emphasized that this legislation is of great importance to our welfare and to the goals we seek as a nation.

EXPLANATION OF THE BILL

Purpose of the Foundation: To develop and promote a broadly conceived national policy of support for the arts and humanities throughout the United States.

The bill establishes a National Foundation on the Arts and the Humanities, consisting of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal Council to insure coordination between the two endowments and with related Federal programs.

Federal Council

The seven-member Federal Council is composed of the Chairman of the two Endowments, the U.S. Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, and a member designated by the Secretary of State.

Arts

The National Endowment for the Arts provides matching grants to States, to nonprofit or public groups and to individuals engaged in the creative and performing arts for the whole range of artistic activity. Under special circumstances matching is not required. Where appropriate, renovation or construction of facilities are included.

The National Council on the Arts established in 1964 by Public Law 88–579 is transferred to the National Endowment for the Arts and increased by 2 members to 26, plus the Chairman of the Council who becomes Chairman of the Endowment. The Council, composed of private citizens, advises the Chairman on policies and programs and reviews applications for financial assistance.

Humanities

The National Endowment for the Humanities provides grants and loans for research, awards fellowships and grants to institutions for training, supports the publication of scholarly works, provides for the interchange of information, and fosters understanding and appreciation of the humanities.

The bill establishes a National Council on the Humanities appointed by the President and composed of 26 private citizens and the Chairman of the Humanities Endowment, as Chairman of the Council. The Council advises the Chairman on policies and programs and reviews applications for financial assistance.

Funding

Each Endowment is authorized $5 million for each of fiscal years, 1966, 1967, and 1968.

A major objective of this legislation is to stimulate private philanthropy for cultural endeavors and State activities to benefit the arts. For these purposes an additional annual maximum of $5 million for the Humanities Endowment and $2.25 million for the Arts Endowment are authorized to match funds donated from private sources; and $2.75 million is authorized for the Arts Endowment, to enable each of the States (55 entities in all, including the District of Columbia and the territories) having a State arts agency to receive an annual grant of up to $50,000 on an even matching basis.

For States without such an agency, a one-time grant of up to $25,000 (no matching requirements) would be made from these earmarked State funds. This would allow such States to conduct a survey leading to the establishment of a State agency for the arts and enable them to qualify for a $50,000 matching grant in subsequent years.

Also, for each fiscal year, 1966, 1967, and 1968, the Office of Education is authorized $500,000 for payments to State educational agencies for equipment and minor remodeling related to the arts and humanities; and for each of those fiscal years, $500,000 for training institutes to strengthen the teaching of the humanities and the arts in elementary and secondary schools.

Definitions

The term "humanities" includes, but is not limited to, the study of the following: Language, both modern and classic, and linguistics; literature, history, jurisprudence, and philosophy; archeology; the history, criticism, theory, and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods.

The term "the arts" includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms.

Federal authorization minimums and maximums for the two endowments in a fiscal year

Minimum: $5 million for each endowment; a total of $10 million.

Maximum: Depending on the availability of sums donated from private sources and matching sums provided by the States, up to $10 million for each endowment; a total of $20 million.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment.

Mr. **MANSFIELD.** Mr. President, I offer an amendment to the committee amendment which I send to the desk and ask to have stated.

The **PRESIDING OFFICER.** The amendment of the Senator from Montana will be stated.

The LEGISLATIVE CLERK. On page 28, line 10, in the committee amendment, it is proposed to strike out all after the word "productions" through the word "arts" on page 28, line 12, and insert in lieu thereof the following: "which meet the standards enumerated in section 5 (c) of this Act".

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Montana to the committee amendment.

The amendment to the amendment was agreed to.

The **PRESIDING OFFICER.** The committee amendment is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. **PELL.** Mr. President, I rise at this time to urge passage of S. 1483, to provide for the establishment of a National Foundation on the Arts and the Humanities.

As chairman of the Senate Special Subcommittee on Arts and Humanities, of the Committee on Labor and Public Welfare, which is so ably and knowledgeably chaired by Senator HILL, I wish to emphasize that S. 1483 not only has the strong support of President Johnson's excellent and forward-looking administration, but also that it is the result of bipartisan efforts relating both to this Congress and to previous Congresses.

In this respect, let me pay especial tribute to the leadership and to the valiant efforts of Senator JAVITS, our congressional pioneer in legislation to benefit the Nation's cultural progress. Senator JAVITS has added important features to this bill, which I am convinced serve to strengthen it.

And let me also, at the very outset, extend my admiration to Senator YARBOROUGH, the ranking majority member of the subcommittee, whose experience with the development of the legislation we are considering predicates my own. Senator YARBOROUGH has given long hours to the development of this bill, at the 7 days of public hearings we held in late February and early March, and in our subsequent deliberations. He has added significant dimensions to this legislation and has contributed most meaningfully to its report.

Similarly, let me acknowledge with gratitude the contributions made by Senator CLARK, the member of the subcommittee who originated the concept of matching grants to the States to enable them better to encourage excellence in the arts—a concept which is included in S. 1483 and given added new meaning by an amendment which was approved and which was introduced by Senator JAVITS.

Any summation of the legislative concepts incorporated in S. 1483 should include special tribute and special reference to Senator GRUENING. Senator GRUENING introduced in the 89th Congress the first Senate bill—S. 111—to benefit both the humanities and the arts. His close association with the development of S. 1483 into its present comprehensive form has proved of very great value to the chairman of the subcommittee, and I wish to acknowledge the depth of wisdom and perception which Senator GRUENING has contributed to this legislation.

The subcommittee members also include Senators WILLIAMS of New Jersey, KENNEDY of Massachusetts, and MURPHY. I owe them all my heartfelt thanks for their great assistance, counsel, and support; and I would also like to pay tribute to the more than 40 distinguished cosponsors of this legislation. I believe it is the most comprehensive and meaningful of its kind which we have ever considered in the Congress.

In combining support for the arts and humanities, for the two closely allied and interrelated areas so essential to our national welfare, I believe this bill also combines the best elements in all the various bills which were referred to the subcommittee—those introduced by Senators GRUENING and JAVITS and by myself, and the proposals in bill form of the administration, which became the framework of the act we have reported.

S. 1483 would establish one overall foundation, as an independent agency in the executive branch of the Government, to encourage excellence in the arts and give needed emphasis and recognition to the values of the humanities—those areas which pertain to the scope of man's knowledge outside of the realms of the natural or physical sciences.

During the 88th Congress we passed in the Senate legislation to establish not only a National Council on the Arts but also a National Arts Foundation. The legislation was greatly modified by the House of Representatives. Only the Council emerged into public law. This year the humanities have been added to the bill we are considering, and I am convinced that this addition is of essential value.

I believe that true excellence in the arts is deeply dependent on the humanities—on a full understanding and perception of past accomplishments. Furthermore, I believe that an ability to assess the past wisely in terms of the present and future is fundamental to the wisdom a leading democratic society must possess if it is to flourish.

The arts throughout history have greatly enriched all truly worthwhile civilizations. The arts can put into tangible form the highest of man's creative ideas, so that they may become permanently memorable. But the arts, if they are not allied with man's wisdom and his ability fully to appreciate them, can only in part fulfill their mission. Thus the arts and humanities are close allies, each beneficial to the other, each serving to strengthen the other.

President Johnson made this clear in his statement accompanying transmittal of his administration's proposals on this legislation to the Congress, and he went on to say:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

In this connection, I would like to extend my admiration to our Vice President, HUBERT HUMPHREY, for the great leadership he exerted in introducing legislation related to the scope of this bill when he was a member of the Senate; also I also think that it is highly fitting for us to recall at this time the added luster and the vision which our late President, John F. Kennedy, brought to bear on our Nation's cultural progress.

Returning to President Johnson's statement, this legislation is indeed modest in comparison to the support provided for cultural activities by other leading governments throughout the world and throughout history; and it is modest in terms of the relatively huge Federal investment we have placed in scientific and technological advance. The flight of Gemini 4 symbolizes our most recent outstanding success in science. That flight, and others preceding it, captivate our imaginations and give a soaring uplift to our spirits; but we must recognize that technological achievements—remarkable as they are and important as they are—only in part can fulfill the goals we seek for our Nation's welfare.

A leading democratic society also needs to place key importance on the values of the mind, on its creative expressions, on wisdom and human understanding. The more profound is our wisdom, and the more profound is our understanding in the fields of knowledge encompassed by the humanities, the more will we contribute to the great strength of our whole democratic process—and the more inspiring will be the creative expressions we leave behind for future generations.

That is basically what this legislation in S. 1483 is all about.

It would establish a National Foundation on the Arts and the Humanities, with two virtually autonomous endowments for each of the two broad cultural areas, and with a means of insuring proper coordination between them and with related Federal programs.

It would also give much needed implementation to the National Council on the Arts, as the advisory body for the arts endowment, and give to its Chairman, Roger L. Stevens, a constructive and meaningful program to develop. I have a great regard for Mr. Stevens' abilities, and for the distinguished members of that Council, who are to hold their second formal meeting later this month. I was present at their first meeting a few weeks ago and can testify to the dedication of purpose of the Council members and to their eagerness to get this program underway.

Similarly, the national endowment for the humanities, would serve to strengthen our resources in research and teaching of such subjects as history and philosophy and in such studies as those which deal with our environment, and how we can improve it, and with behavioral problems and their solutions. We take for granted the tremendously beneficial impact research has had on the sciences; but we often overlook the values which research can have on the whole spectrum of knowledge outside the sciences. Teaching can become trite and stereotyped unless it is constantly refreshed by new knowledge, and new explorations. If this concept applies to the sciences, it applies equally to the humanities.

Certainly, a word should be said here in praise of the leadership of Dr. Barnaby Keeney, Chairman of the Commission on the Humanities. This Commission consisting of the American Council of Learned Societies, the Council of Graduate Schools in the United States, and the United Chapters of Phi Beta Kappa, published a highly significant report in 1964, calling for an independent national foundation to benefit the humanities and the arts. Together with Dr. Keeney, who is president of Brown University in Providence, R.I., the presidents of the three distinguished scholarly bodies testified at length at our subcommittee hearings. Representing virtually the entire academic community in the United States, these learned gentlemen have unanimously endorsed S. 1483.

This legislation has been strongly supported not only by leading artists, scholars, and educators—it has also been supported by business leaders, such as Thomas J. Watson, Jr., chairman of the board of the International Business Machines Corp., who sees the Foundation as highly useful to preparations for leadership in the business world; and by civic leaders, such as John D. Rockefeller III, who calls the proposals we are considering "long awaited steps in the right direction" and who emphasizes in the printed hearings the responsibility which our Government should assume in supporting the arts and in redressing the "growing" imbalance between governmental support for the physical sciences and the humanities.

Incidentally, the Rockefeller panel report, also printed in the hearings in summary form, calls for a new nationwide program, costing between $40 and $60 million annually—for the arts alone, and only as as interim objective. I believe that the authorizations contained in S. 1483 could substantially help us to achieve such a goal, because it has been clearly demonstrated that governmental aid to cultural activities can stimulate private giving to these fields at a ratio of 1 governmental dollar to 4 in private giving within the span of a few years. The New York State Council on the Arts has proved this point in its first few years of operation.

That renowned ancient Greek philosopher, Plato, once said "What is honored in a country will be cultivated there." S. 1483 will help greatly to give the arts and humanities their rightful place of honor in our society, so that they can be properly cultivated and encouraged, developed, and appreciated among all the States and by our private citizens.

Finally, support for this legislation comes from the scientific community—from the Director of the National Science Foundation, from the Chairman of the U.S. Atomic Energy Commission, from the president of the Massachusetts Institute of Technology. I would call attention to the statement of Dr. Stratton, president of MIT, who in supporting the legislative concepts before us, said:

> I want to emphasize the enormous influence of the arts and humanities on the culture of a people and, indeed, on the character of a nation.

In similar full support of the Foundation and S. 1483, Dr. Leland J. Haworth, Director of the National Science Foundation said:

> I am convinced that Federal support for the arts and humanities will ultimately bring added strength and vitality to our science and technology.

Among the benefits which this legislation would bring to our country, let me stress the following:

First. It would bring excellence in the arts to the cultural Appalachias of our Nation—those areas where our citizens have never had an opportunity to see a live theatrical performance of high quality, or hear a fine symphony orchestra play, or see an exhibition of master works in painting or sculpture. Such excellence can enrich our lives; and especially is this concept of importance in a time of growing prosperity and of increasing hours of leisure time. There is a great new desire on the part of our people for cultural excellence. The Foundation would help meet these needs.

Second. It would serve to give key recognition to excellence in the arts and excellence in scholarship and scholarly endeavors, so that our young people in the future can receive better instruction, a more well-rounded education in the very fields of human knowledge they will need most to become fully responsible citizens.

Third. The partnership between the arts and humanities implicit in this Foundation will help us to build better cities, to study environmental and behavioral problems with deeper insight and understanding. The Foundation would provide a common meeting ground for talented specialists in architecture, in sociology, in philosophy. The making of a fine city, for example, requires a great variety of talents if the needs of our citizens are to be properly answered, and if our citizens are to have the proper environment in which to grow.

Fourth. The Foundation will serve to broaden the base of all our cultural undertakings, so that we can hold up a better mirror of ourselves to the world at large, a more meaningful reflection of the American past and present, and of the ideals we believe in. This is of special importance at a time when our enemies are conducting massive cultural offensives of their own.

Fifth. In conclusion, I would emphasize that the Foundation is oriented to serve the needs of all our citizens, in the States, in local communities, and centers of learning. The advisory bodies for the two broad areas, arts and humanities, consist of private citizens, 26 in number for each endowment, so that there can be a comprehensive representation of viewpoint, a wide range of expert knowledge. The National Council on the Arts and the National Council on the Humanities would work closely with civic leaders and other knowledgeable private groups and individuals at a community level. Thus the benefits of the Foundation would be as widespread as possible.

The words "liberal arts" stem from the Latin "artes liberales" which mean the arts of freemen. The words can apply to both the arts and humanities in this legislation. I believe it is of the greatest importance to our national welfare that the liberal arts, the arts of freemen, flourish exceedingly well in the United States. This is the goal of the legislation now being considered. I wholeheartedly urge its full approval.

Mr. GRUENING. Mr. President, I express my gratification at the action the Senate is about to take on the bill to create a National Foundation on the Arts and the Humanities. I think it is a very important achievement.

The bill before us, S. 1483, would establish a National Foundation on the Arts and the Humanities. It implements the wishes of millions of Americans who are interested in the humanities and the arts, who individually or through their State or National representatives have expressed the hope that this foundation could be established to develop and promote a national policy for the arts and the humanities.

The Foundation established would consist of a national endowment for the arts, a national endowment for the humanities, and a Federal Council to insure coordination between the two endowments and with related Federal programs.

My able friend from Rhode Island [Mr. PELL] has described in detail the provisions of S. 1483. No man is better qualified to do this. The junior Senator from Rhode Island [Mr. PELL] served as chairman of the Senate Labor and Public Welfare Special Subcommittee on Arts and Humanities which held hearings on this and related bills. Those hearings drew national attention. Spokesmen for the humanities and arts came to Washington, D.C., to tell us why this proposed legislation was needed.

Many men and women deserve praise for having persevered, for having helped us formulate a bill which bridges controversy.

Shortly after the 89th Congress convened I introduced S. 111, a bill to provide for the establishment of the National Humanities Foundation to promote progress, research, and scholarship in the humanities and the arts, and for other purposes. Cosponsors of my bill were the senior Senator from New Mexico [Mr. ANDERSON], the junior senator from Tennessee [Mr. BASS], the junior Senator from Indiana [Mr. BAYH], the senior Senator from Maryland [Mr. BREWSTER], the junior Senator from North Dakota [Mr. BURDICK], the senior Senator from New Jersey [Mr. CASE], the the senior Senator from Pennsylvania [Mr. CLARK], the senior Senator from Connecticut [Mr. DODD], the senior Senator from Illinois [Mr. DOUGLAS], the senior Senator from Hawaii [Mr. FONG], the senior Senator from Tennessee [Mr. GORE], the junior Senator from Oklahoma [Mr. HARRIS], the junior Senator from Michigan [Mr. HART], the senior Senator from Indiana [Mr. HARTKE], the junior Senator from Hawaii [Mr. INOUYE], the senior Senator from California [Mr. KUCHEL], the senior Senator from Wyoming [Mr. MCGEE], the junior Senator from South Dakota [Mr. MCGOVERN], the junior Senator from Montana [Mr. METCALF], the junior Senator from Iowa [Mr. MILLER], the junior Senator from New Mexico [Mr. MONTOYA], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Utah [Mr. MOSS], the senior Senator from South Dakota [Mr. MUNDT], the junior Senator from Maine [Mr. MUSKIE], the junior Senator from Wisconsin [Mr. NELSON], the junior Senator from Oregon [Mrs. NEUBERGER], the senior Senator from Rhode Island [Mr. PASTORE], the junior Senator from Rhode Island [Mr. PELL], the senior Senator from West Virginia [Mr. RANDOLPH], the junior Senator from Connecticut [Mr. RIBICOFF], the junior Senator from Maryland [Mr. TYDINGS], the junior Senator from New Jersey [Mr. WILLIAMS], the senior Senator from Texas [Mr. YARBOROUGH], and the junior Senator from Ohio [Mr. YOUNG].

When I introduced the bill I said:

> In the sciences, our progress has been aided greatly in recent years by a vast program of aids by the Federal Government to basic and applied science. This is as it should be and I can only applaud the use of any of the funds which have been intelligently spent in scientific endeavors.
>
> But in directing our efforts to aid the sciences, we have created an imbalance in the advances in the humanities and the arts. I therefore urge that we initiate a humanities program of corresponding scope which will enable us to understand one another better. As President Johnson said in his state of the Union message:
>
> "We must also recognize and encourage those who can be pathfinders for the Nation's imagination and understanding."

The state of the humanities in our land today must be improved. The report of the Commission on the Humanities issued in 1964 by the American Council of Learned Societies, the Council of Graduate Schools in the United States, and the United Chapters of Phi Beta Kappa states in part:

> If the interdependence of science and the humanities were more generally understood, men would be more likely to become masters of their technology and not its unthinking servants. Humanist scholars have therefore a special responsibility in that the past is their natural domain. They have the privilege and obligation of interpreting the past to each new generation of men who necessarily must live in one small corner for one little stretch of time. Through the humanities we may seek intellectual humility, sensitivity to beauty, and emotional discipline. By them we may come to know the excitement of ideas, the power of imagination, and the unsuspected energies of the creative spirit.

The Commission had reasons for concern. We spend $50 billion for defense while nearly 11 million students in the United States do not have access to a central library of any kind.

The bill before us today will help correct this disparity.

The Senator from Rhode Island [Mr. PELL] shared my enthusiasm for a National Humanities Foundation. His bill, S. 316, was similar to mine. Cosponsors of the Pell bill were the junior Senator from Tennessee [Mr. BASS], the junior Senator from Indiana [Mr. BAYH], the senior Senator from Maryland [Mr. BREWSTER], the junior Senator from North Dakota [Mr. BURDICK], the junior Senator from Alaska [Mr. GRUENING], the senior Senator from Connecticut [Mr. DODD], the senior Senator from Illinois [Mr. DOUGLAS], the senior Senator from Hawaii [Mr. FONG], the junior Senator from Michigan [Mr. HART], the senior Senator from Indiana [Mr. HARTKE], the junior Senator from Hawaii [Mr. INOUYE], the junior Senator from Massachusetts [Mr. KENNEDY], the junior Senator from Missouri [Mr. LONG], the senior Senator from Wyoming [Mr. MCGEE], the junior Senator from South Dakota [Mr. MCGOVERN], the junior Senator from New Hampshire [Mr. MCINTYRE], the junior Senator from Montana [Mr. METCALF], the junior Senator from Minnesota [Mr. MONDALE], the junior Senator from New Mexico [Mr. MONTOYA], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Utah [Mr. MOSS], the junior Senator from Maine [Mr. MUSKIE], the junior Senator from Wisconsin [Mr. NELSON], the junior Senator from Oregon [Mrs. NEUBERGER], the senior Senator from Rhode Island [Mr. PASTORE], the senior Senator from West Virginia [Mr. RANDOLPH], the junior Senator from Connecticut [Mr. RIBICOFF], the junior Senator from Maryland [Mr. TYDINGS], the junior Senator from New Jersey [Mr. WILLIAMS], the senior Senator from Texas [Mr. YARBOROUGH] and the junior Senator from Ohio [Mr. YOUNG].

Both Senator PELL and I cosponsored each other's bills. Note, too, that our cosponsors were nearly identical. This was ample evidence of the desire of the Senate to proceed with consideration of this type of legislation, as the able Senator from Rhode Island [Mr. PELL] has done. At his invitation I sat with the special subcommittee.

As I emphasize the need for financial assistance for the humanities, we must not overlook the importance of assisting the arts. The senior Senator from New York [Mr. JAVITS] has worked for many years to help formulate a national policy for the arts.

He joined with us in cosponsoring S. 1483 which encompasses both the arts and the humanities when it was introduced March 10. The bipartisan cosponsorship of S. 1483 has been gratifying. As the Senator from Rhode Island [Mr. PELL] has noted, more than 40 Members of the Senate are cosponsors of S. 1483.

This bill embodies recommendations of the President who in his state of the Union message said:

> We must also recognize and encourage those who can be pathfinders for the Nation's imagination and understanding.

This bill will encourage those who would push forward what President Johnson has described as "the frontiers of understanding in the arts and in humanistic studies."

In his March 10 statement on the bill, the President said:

> This Congress will consider many programs which will leave an enduring mark on American life. But it may well be that passage of this legislation, modest as it is, will help secure for this Congress a sure and honored place in the story of the advance of our civilization.

If we are to advance civilization we need the proper tools. I was distressed last year in reading the report by the Commission on the Humanities to find the Archaeological Institutes of America believed that—

> Our greatest single need is for high school teachers who can teach the classical language * * * Unless Greek and Latin are maintained in the secondary schools, our discipline is threatened at its roots.

Therefore, I am particularly gratified that the Senate Labor and Public Welfare Committee approved my amendment to S. 1483 which included the study of both modern and classic language and linguistics in the term "humanities."

Perhaps a classic revival is underway. The New York Times of June 6, 1965, reports that more college students are interested in the study of Greek and Latin. I ask unanimous consent that the article entitled "Classic Revival," which describes this renaissance, be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CLASSIC REVIVAL

Classical Latin and Greek, although classified as "dead" languages, continue to show increasing evidences of life in colleges and universities, according to the latest survey of national conditions in classical studies published by the Classical World.

Prof. Samuel Lieberman, of Queens College, reports that in the fall semester of 1964,

> the number of students studying Latin rose by 9.76 percent over the preceding year and the number studying Greek by 8.97 percent. At nearly half of the 370 institutions included in the survey, the number of Latin enrollments increased at a higher rate than the increase in total college enrollments. The same was true of Greek enrollments in about a third of the colleges.
>
> Despite these improvements, Professor Lieberman noted that the rate of growth was not quite up to the 11.88-percent rise in enrollments in the reporting colleges.
>
> In terms of relative rate of growth and ratio of classical students to total college population, Professor Liberman found the South in the healthiest position in Latin and Greek, and New England doing well in Greek but weakening slightly from a sound position in Latin.
>
> "A region to watch in both languages is the Far West, which, if it continues to maintain its rate of growth, may in a few years lead in strength of classical studies," he suggested.
>
> He said surprisingly enough the Catholic colleges, though still leading in the ratio of classical students to total college enrollment, were slipping in both growth rate in classical languages and in growth relative to increase of total college enrollments.

Mr. President, this welcome revival of interest in the classics is not confined to college students. I have received hundreds of letters from members of the Michigan Junior Classical League in support of proposed humanities legislation. These letters are welcome, and they have been most helpful.

Humanities and the arts are entwined. They should not be separated and the bill before us will make both stronger. I urge the favorable consideration of S. 1483.

Mr. JAVITS. Mr. President, I approach Senate consideration of S. 1483 with a great deal of personal gratification, for I have joined as a sponsor of this bill from the beginning and it is legislation I have sponsored and worked for for 16 years—since January 1949. Having seen these efforts come to partial fruition last year in the enactment of the bill for a National Council on the Arts which is advisory in character and having seen the Senate pass a National Arts Foundation bill which, however, did not pass the other body, it is a historic day to pass this bill which looks like it could become law.

I should like also to take this opportunity to pay tribute to the outstanding stewardship of the present bill by the Senator from Rhode Island [Mr. PELL], who as chairman of the Subcommittee on the Arts and Humanities of the Senate Committee on Labor and Public Welfare chaired 7 days of fruitful hearings and shepherded the bill through subcommittee, full committee and onto the floor. He is a true patron of the arts and merits the appreciation of the Nation for his role in guiding this bill through the legislative process and making of it the bipartisan success I feel it will be.

Passage of the National Foundation on the Arts and the Humanities Act (S. 1483) will materially advance the cultural and intellectual progress of our Nation and our people and will appropriately establish the Federal Government as a leader in such progress. This legislation will supplement private efforts in the field. As our hearings indicated, less than 2 percent of the private philanthropy in this Nation from all sources goes to the support of the arts, an insufficient amount which will still fall short of the national need even after the passage of S. 1483.

Of particular importance in the bill is the provision which I sponsored as an amendment originating from an idea fathered by Senator CLARK of Pennsylvania, and myself, wherein each of the States having a States arts agency is eligible to receive an annual grant of up to $50,000 on an even matching basis and those States without such an agency can receive a one-time, no-matching grant to allow the State to conduct a survey leading to the setting up of such an agency.

I direct the attention of this body to the excellent studies of activities on the arts within the States found on pages 19 through 37 in part 1 of the hearings. I also take understandable pride in the outstanding work in this regard performed by the New York State Council on the Arts whose 1965 annual report is found on pages 487 through 550 in part 2 of the hearings.

Enactment of the National Foundation on the Arts and the Humanities Act of 1965 will, I predict, be for long years into the future a monument to the 89th Congress. Those Senators, past and present, who have played a role in the shaping of this legislation, can well be proud of their achievement in fulfilling the promise of a mature, yet still growing, America.

Mr. MURPHY. Mr. President, as a cosponsor of S. 1483 which would establish a National Foundation for the Arts and the Humanities, I am naturally most pleased that the Congress today is enacting this measure.

As both a former artist and an executive in the motion picture industry, I feel strongly the bill will stimulate and encourage the arts throughout our great Nation. Of course, in the final analysis, the success of the bill will be determined by the efforts that are made by the local and State governments as well as individual citizens. S. 1483, while attempting to stimulate the arts, contains an express prohibition against the Federal Government dictating direction to the arts. This is most proper for it is clear that the artist must have complete freedom if art is to thrive and prosper in the United States.

Unquestionably, the arts and humanities are a reflection of the measure of a nation's greatness. Our minds like our bodies need food. Unfortunately, too few of our citizens have the opportunity to benefit from quality performances. I am hopeful that this legislation will encourage a cultural explosion across our land.

In addition, many educators across the Nation and particularly in the State of California have expressed concern over the imbalance resulting from Federal support of the sciences and neglect of the humanities. The bill we are passing today will help rectify this imbalance.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OFFERS RICH CULTURAL OPPORTUNITY FOR ALL CITIZENS

Mr. RANDOLPH. Mr. President, I rise in support of S. 1483, a bill to provide for the establishment of a National Foundation on the Arts and Humanities. As a cosponsor of this legislation I have been gratified to note the widespread approval which the measure is receiving. Enactment of this proposal will constitute a commitment on the part of the Federal Government to work in cooperation with public agencies, institutions of higher education, museums and other nonprofit groups, and individuals, toward the advancement of the arts and humanities throughout the land.

I believe it an eloquent tribute to the spirit which motivates this body and the American people that we have paused briefly during the debate of matters of grave national concern to consider a measure designed to place stronger emphasis on cultural achievements.

It is appropriate at this point to commend the diligent efforts of my colleagues who served on the Special Subcommittee on Arts and Humanities of the Committee on Labor and Public Welfare. The junior Senator from Rhode Island [Mr. PELL] and the senior Senator from New York [Mr. JAVITS] are especially deserving of recognition. They have worked long and hard to bring this measure to fruition and deserve our heartfelt thanks.

There is one feature of the legislation which I believe will be of particular significance and benefit to the citizens of West Virginia. I refer to the section which provides that a one-time grant of up to $25,000—with no matching requirement—may be made from funds authorized for the arts endowment to States which have no arts agency. This would permit such States to conduct a survey leading to the establishment of a State agency for the arts, and would enable the State to qualify for a $50,000 matching grant in subsequent years.

During hearings on S. 1483, testimony indicated that West Virginia is among the 24 States which do not have an arts council or commission. I am confident that enactment of this measure can be an important stimulus in the spread of cultural appreciation and attainment in each of these States.

Mr. President, I wholeheartedly support the passage of S. 1483, and urge the Senate to give the measure speedy approval.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PELL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I wish to express my delight and joy that the bill has passed. When we look back in historic perspective 10 or 15 years from now, we shall realize that the proposed legislation is one of the milestones of these years.

Mr. MANSFIELD. I wish to express my deep appreciation to the distinguished Senator from Rhode Island [Mr. PELL], the distinguished Senators from New York [Mr. JAVITS and Mr. KENNEDY], distinguished Senators from California [Mr. KUCHEL and Mr. MURPHY], the distinguished Senator from Alaska [Mr. GRUENING], the distinguished Senator from Texas [Mr. YARBOROUGH] and all other Senators who have contributed to the introduction and the passage of this bill. The National Foundation on the Arts and the Humanities is a milestone and a step in the right direction.

Mr. WILLIAMS of New Jersey. Mr. President, I express my great pleasure at the action of the Senate this afternoon in passing S. 1483, the arts and humanities bill. This bill has benefited from the long-term interest and dedicated support of Senator JAVITS. Our able colleague, Senator PELL, introduced this year's version of the bill, and conducted lengthy hearings on it before his Special Subcommittee on Arts and Humanities. During the course of the hearings, many constructive and useful suggestions were made for improving the bill. Under the imaginative leadership of Senator PELL, and with the aid of his hard-working staff, the subcommittee reported the excellent version of the bill which we have passed today.

As a member of the full Committee on Labor and Public Welfare, and as a cosponsor of this legislation, I was particularly gratified to see its speedy enactment after final approval by our committee.

I think the bill will provide a vitally needed stimulus for all the branches of the arts and humanities in every locality in the United States. Under the provisions of the bill for direct grants and loans to performing groups, as well as to students of the various humanistic disciplines, I am convinced that we shall see an inspiring upsurge in activity and creativity. The passage of this bill truly marks recognition of the central importance of the arts and humanities in our American culture.

S. 1483 IS A LANDMARK IN THE DEVELOPING AMERICAN CIVILIZATION

Mr. YARBOROUGH. Mr. President, America has ever been the great proving ground for the idea that the citizens of a nation are capable of governing themselves, of running their own lives and of building a humane and civilized society in the process. There have been critics of democracy, and of American democracy in particular, who have argued that high cultural attainment is beyond our reach. They see Americans as a rather boorish lot who are concerned solely with increasing their possession of material goods.

A significant portion of Americans has never accepted this judgment. Sharing Walt Whitman's vision of a great literature arising from deep within the American spirit, they have attempted to show that a democracy is capable of producing great works of art and that the whole people of the democracy will form the greatest audience that any society has ever known. Indeed, as the penetrating study of the Rockeller Panel Report on the Performing Arts points out:

> There have long been thoughtful people among us who believe that the ultimate test of democracy lies in the quality of the artistic and intellectual life it creates and supports.

The action which the Senate of the United States has taken today in passing the Arts and Humanities Foundation bill is a sign that American culture, far from standing still, is pressing forward toward her appointed rendezvous with a golden age.

This bill establishes a National Foundation on the Arts and the Humanities, consisting of a National Endowment for the Arts and a National Endowment for the Humanities. The National Endowment for the Arts provides matching grants to States, to nonprofit or public groups and to individuals engaged in the creative and performing arts. The Humanities Endowment provides grants and loans for research, provides fellowships and grants to institutions for training, supports the publication of scholarly works in the humanities, and fosters understanding and appreciation of the humanities.

In the arts the influence of this program will have, I believe it is safe to say, a secondary influence far greater than the primary influence of the money which the Federal Government itself awards. The impetus which this program will give to private philanthropy, to State and community effort, and to personal involvement of persons who had never involved themselves in the arts before, will produce a net effect many times greater than might be expected. As a study of State arts councils by the U.S. Office of Education shows:

> Adequate financial stimulation of high quality art will result in enthusiastic participation and enjoyment by large numbers of people, in greater private support and box office income, and in gradual reduction in need for subsidies.

Equally important to the advancement of the American civilization is adequate support for activities in the humanities. Indeed, if any nation should be concerned about the humanities, that nation is the United States. This Nation was conceived in the notion that what counts most in life is that which is most human. This is what the humanities are concerned with. The report of the Commission on the Humanities reminds us:

> Throughout man's conscious past they have played an essential role in forming, preserving, and transforming the social, moral, and esthetic values of every man in every age. One cannot speak of history or culture apart from the humanities. They not only record our lives; our lives are the very substance they are made of. Their subject is every man. * * * All men require that a vision be held before them, an ideal toward which they may strive. Americans need such a vision toward which they may strive. Americans need such a vision today as never before in their history. It is both the dignity and the duty of humanists to offer their fellow countrymen whatever understanding can be attained by fallible humanity of such enduring values as justice, freedom, virtue, beauty, and truth. Only thus do we join ourselves to the heritage of our Nation and our human kind.

In today's world, when the growth of man's understanding of technology is greater than the growth of his understanding of his fellow man, it is vital that we pay some attention to the humanities, to that which is human and therefore common to all men. This is every bit as vital to our national defense as the billions of dollars we spend every year on missiles and bombs.

PROPOSED NEW LIBRARY BUILDING

Mr. HARRIS. Mr. President, the Senate Public Works Subcommittee on Buildings and Grounds, chaired by Senator STEPHEN YOUNG, Democrat, of Ohio, yesterday adopted restrictive amendments to a Senate resolution to build a new library building.

The amendments adopted included taking jurisdiction over the construction from the Office of the Architect of the Capitol and placing it in the General Services Administration, a requirement for competitive bidding on construction and equipment and restricting the authorization to $500,000, rather than $72,500,000, as was proposed.

The people's business ought to be handled in such a way as to demonstrate to them that their interests are being fully protected.

That is why I made the motion to uphold the view of our chairman, Senator YOUNG, that the construction of any new Library of Congress building should be handled by the General Services Administration, which has a long and excellent record in the field of public construction.

Further, I made the motion that all construction and equipment contracts on any such new building should be let only after competitive bidding, under the same procedures now applicable to other GSA contracts.

I also made the motion to reject the proposal that the bill fully authorize the construction of the new building at a cost of $72,500,000 and that the authorization be limited to $500,000 only, for the completion of detailed plans, design, and cost estimates.

The subcommittee agreed with me that we should not at this time fully authorize the construction of the building, because it was not yet certain whether the land adjacent to the Library of Congress could be secured and there had been no detailed plans, design, and cost estimates made and filed with the subcommittee.

By authorizing only $500,000, as I suggested, the subcommittee made it clear that we do not intend to make any authorizations in the dark and without full knowledge of the facts; further authorizations for the construction of the building can be made after the full facts have been obtained, and the people, through the subcommittee, have an opportunity to know all about the project.

There is no question in my mind that the Library of Congress needs an additional building and that the James

Madison Memorial building is a worthy project, but I am proud that the subcommittee made it clear that we intend to see that the taxpayers' interests are safeguarded in its construction.

I intend to continue vigorously my efforts to assure that these safeguards are continued in this or any other authorization legislation adopted for this project by the Congress.

FOREIGN ASSISTANCE ACT OF 1965

The PRESIDING OFFICER. The hour of 12 o'clock having arrived, under the unanimous-consent agreement the Chair lays before the Senate the pending business, which will be stated.

The Legislative Clerk. A bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. Under the agreement, the Senator from Pennsylvania [Mr. Clark], or somone whom he might designate, will be recognized for 45 minutes.

Mr. CLARK. Mr. President, I ask unanimous consent that the understanding may be changed, and that the Senator from Arkansas [Mr. Fulbright], chairman of the Foreign Relations Committee, and the Senator in charge of the bill, may be substituted for me.

The PRESIDING OFFICER. Without objection, the Senator from Arkansas will have control of the time previously designated for the Senator from Pennsylvania [Mr. Clark].

The Senator from Alaska [Mr. Gruening] will have control of 45 minutes of the time available.

Mr. GRUENING. Mr. President, I ask unanimous consent that I may be permitted to suggest the absence of a quorum without the time necessary for the quorum call being charged to the time of either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I send to the desk a proposed unanimous-consent agreement and ask that it be given immediate consideration.

The PRESIDING OFFICER. The clerk will read.

The legislative clerk read as follows:

> Unanimous-Consent Agreement
>
> *Ordered,* That, effective June 11, 1965, at the conclusion of routine morning business, during the further consideration of the bill (S. 1837) to further amend the Foreign Assistance Act of 1961, as amended, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Arkansas [Mr. Fulbright]: *Provided,* That in the event the Senator from Arkansas is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the majority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received except for two amendments to be offered by the Senator from New York [Mr. Javits].
>
> *Ordered further,* That on the question of the final passage of the said bill debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. JAVITS. Mr. President, reserving the right to object, I have no objection to the time limitation, but I may desire to submit two amendments. One is printed, one is not. One amendment relates to the Peace by Investment Corporation; the other relates to East-West trade. I ask the majority leader to except those amendments from the germaneness rule, if there is any problem.

Mr. MANSFIELD. Of course.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, do I correctly understand that the two amendments are excepted from the rule of germaneness?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Who yields time?

Mr. GRUENING. Mr. President, I yield myself such time as I may require.

Subsection 205 of the present Foreign Assistance Act provides:

> If the President determines that it would more effectively serve the purposes of this title and the policy contained in section 619 (pertaining to newly independent countries), he may, in accordance with the provisions of this title, lend not to exceed 10 per centum of the funds made available for this title to the International Development Association for use pursuant to the International Development Association Act (Public Law 86-565, 74 Stat. 293) and the articles of agreement of the Association.

The bill reported by the Committee on Foreign Relations changes the law in three respects:

First. It inserts the following policy finding by the Congress:

> That the United States and other free world nations place an increasing portion of their assistance programs on a multilateral basis.

Second. It includes in the agencies to which the President is authorized to transfer development loan funds two international lending institutions—the International Bank for Reconstruction and Development and the International Finance Corporation, in addition to the International Development Association, to which funds can be transferred under existing law.

Third. The committee bill increases from 10 to 20 percent the amount of funds which the President can transfer to these three international institutions.

My amendments—Nos. 221 and 224 combined, which are now being considered en bloc—would delete these three committee amendments and leave the present law undisturbed.

My amendments do nothing more.

On page 13055 of the Congressional Record for June 9, I have inserted a list of the loans made by the International Development Association. These are soft loans. They are repayable over the term of 50 years with an interest rate of three-fourths of 1 percent with no repayment of principal for the first 10 years.

With the United States borrowing the money to turn over to the International Development Association at more than 5¾ percent interest, this means a concealed grant is going to each borrower from the International Development Association of at least 5 percent interest.

For example, the loan made to India by the International Development Association of $300 million contains a concealed grant to India from the United States of $15 million per year. It is concealed because, while the taxpayers of the United States are paying this $15 million annually, it is treated by the International Development Association and the people of India as a loan, rather than a grant.

If the people of the United States and their elected representatives want to make grants, let them do it openly and knowingly.

The effect of the committee amendments continues a trend to obviate the restrictions placed on the Development Loan Fund by the Congress over the years.

The committee amendments would free an additional 10 percent of the Development Loan Funds from the following restrictions:

First. The Hickenlooper amendment, a great deterrent to expropriations of U.S.-owned property abroad.

That would go down the drain if my amendments were rejected.

Second. The safeguards for the use of Development Loan Funds for purchases in the United States provided a restriction of great assistance to our balance-of-payments problem.

That would go down the drain if my amendments were rejected.

Third. The requirement for detailed plans and cost estimates on public works projects is a safeguard.

These safeguards would also disappear if my amendments were rejected.

Fourth. The requirement for the shipment of a certain percentage of purchases in American bottoms is a safeguard.

All purchases made through the proceeds of these loans, including the additional 10 percent through the international corporations, would have no protection for American shipping.

Fifth. The restrictions on aid to Cuba, Poland, Yugoslavia, and other Communist countries are safeguards.

The international bankers lend this money wherever they see fit.

Sixth. The restriction on aid to countries shipping goods to Cuba is a safeguard.

That, too, would disappear.

Seventh. The restriction on aiding businesses abroad that will ship goods into the United States in competition with our own businesses is a safeguard.

They would ship goods into America in competition with our own businesses.

The following are safeguards:

Eighth. The restriction against aid to countries preparing for aggression against their neighbors;

Ninth. The restriction against aid to Indonesia;

Tenth. The restriction against aid to countries having no investment guarantees;

Eleventh. The restriction against aid to economically developed countries.

Rather than increasing the amount of U.S. taxpayers' dollars we permit to escape from the control of the Congress, we should reverse the trend and seek ways and means of bringing more and more of the foreign aid program in all its aspects under the close and continued scrutiny of the Congress.

Mr. President, these are conservative and mild amendments. They would only tend to retain the commitments already given. They would not seek to reverse the commitments of a previous Congress.

If I were introducing the bill, I would scrap this section entirely and have no further waste such as occurs when this money goes to international organizations and Congress loses complete control of our taxpayers' money.

Mr. President, I ask for the yeas and nays on my amendments.

The yeas and nays were ordered.

Mr. GRUENING. Mr. President, I yield the floor.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. FULBRIGHT. Mr. President, before commenting directly with regard to this matter, I wish to observe that, with regard to the alleged great waste of the taxpayers' money which has been mentioned by the Senator from Alaska—which he calls the 10-percent provision in the existing law, it has not been very wasteful. It has never been implemented because of the restrictions put on it in the appropriations act. The Senator does not know whether it would be wasted or not. It has not been done. That is an inoperative provision.

One may ask why I want this provision for 20 percent in the committee bill. This is a matter of principle. This is the way the foreign aid program should be administered, even though it is not now so administered.

I believe it is significant that the principal sponsors of the amendment are people who, generally speaking, have always opposed foreign aid in its entirety. It is not a question of whether they are interested in passing a bill. I believe that the Senator from Alaska, if my memory serves me correctly, has voted against the aid bill for several years. Is that correct?

Mr. GRUENING. No; that is incorrect. I have at times opposed a foreign aid bill when I felt it was a bad bill. But I have sought to improve all foreign aid bills by amendment. And when they were improved I voted for them. Otherwise not.

Mr. FULBRIGHT. I thought the Senator always voted against it.

Mr. GRUENING. That shows how misinformed the chairman of the committee is.

Mr. FULBRIGHT. If the Senator has not voted against the bill, he has voted against certain provisions of it.

Mr. GRUENING. The Senator is correct. I have voted in favor of amendments that would improve the foreign aid bills, stop wasting the taxpayers' money, and stop sending money to ruthless dictators who are aggressors, who burn our libraries, permit attacks on our Embassies, and denounce us. That has been the purpose of my amendments. Some of the amendments I have sponsored that were enacted have succeeded in improving the foreign aid bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. Mr. President, I say goodnaturedly that I am a little surprised that the lack of knowledge of the King's English possessed by my good friend the Senator from Arkansas, led him to make a mistake and think of us as being opposed to foreign aid.

I have voted against the bill. However, I have said that I would vote for more money for foreign aid if we could really have a decent foreign aid bill that would eliminate waste, inefficiency, and the cause of corruption in the administration of foreign aid in so many parts of the world.

I am greatly indebted to the Senator from Arkansas for giving support in the committee to the Morse amendment that is in the present bill. My amendments seek to carry out that objective with a study that would seek to outline an improved foreign aid program for us in the future.

Mr. FULBRIGHT. Mr. President, the impression was given to the uninitiated from the discussions of the bill last year and the year before that the Senator from Oregon was opposed to foreign aid. He interprets that to mean that he is opposed to this bill.

I do not recall that the Senator has ever offered a complete substitute or an entirely new or different kind of bill.

Mr. MORSE. I know that the Senator wants to be fair.

Mr. FULBRIGHT. Perhaps that will come out of this study. I hope that it will.

Mr. MORSE. I know that the Senator from Arkansas wants to be fair. We would have had a Morse foreign aid bill if the Senator from Arkansas and other Senators had been willing to adopt the long list of amendments that I have offered here on the floor of the Senate now for the past 3 years, which amounted to a rewriting of the foreign aid program. That is the kind of foreign aid I am for.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question.

Mr. DIRKSEN. I would rather have the Senator yield for an observation.

Mr. FULBRIGHT. I yield for an observation.

Mr. DIRKSEN. Mr. President, I pointed out last night that there are 92 countries in the international development program. A country must be a member of the World Bank in order to be a member of the Association. So 10 countries are not members of the Association.

Mr. Henderson's figures indicate to me that we have now committed $632 million of U.S. funds. Once that money goes into the "kitty," they can evade the Hickenlooper amendment. They can evade shipping instructions. There is no appropriation control. We are at sea without a paddle. That is what it amounts to.

I do not mind being generous about this. However, I do not want to go whole hog and commit the U.S. Treasury to the keeping of people who have an interest in getting money out. That has not been our interest there. There ought to be some restraint in fairness to the taxpayers of the country.

Mr. FULBRIGHT. The Senator from Illinois, of course, has every right to his own opinion, but we differ very greatly as to what is designed to improve the efficiency of this program. The international agencies have a far better reputation in the eyes of 99 percent than does AID when it comes to efficient administration of their funds.

The amendment of the Senator from Alaska raises a fundamental policy question involved in the program. As I stated before, the 10-percent provision has never been operative because of the limitation put on it by the Appropriations Committee of the House. So we are dealing here, as we often find ourselves doing in the foreign aid bill, with a kind of windmill. We argue at great length and acrimoniously about various provisions, only to find in the long run that the arguments have been largely futile, just as is this point. I am not at all sanguine, even if the 20-percent provision stays in, because under the 10-percent provision, not one nickel has been spent for this purpose, although the provision did establish a good policy.

The justification for foreign aid must ultimately stand or fall on a political base. Whether we are killing mosquitoes in Africa, or building dams in Latin America, or supplying weapons in Asia, we are doing it for essentially political purposes. We are doing it because we hope that, if we are successful, there will emerge in the affected countries a political order which is not incompatible with U.S. interests. This does not have anything to do with trying to buy friends; it has to do with the much more subtle and complex task of trying to influence the course of events toward the development of situations more nearly in our interest than the situations which now exist.

This, of course, is the general and continuing objective of our foreign policy in all its aspects. The foreign aid program is only one of a number of instruments available to us to achieve this objective. The other instruments include old-fashioned diplomacy, the overseas information program, the activities of the Central Intelligence Agency, our Armed Forces, our commercial and trade policies, and our exchange-of-persons programs, among others. None of these is an end in itself, but rather a means to a broader end.

It should be clear that what we are talking about in this amendment is not the foreign aid program as a whole, but the particular segment of it which is called development loans and which consists of dollar-repayable loans to underdeveloped countries other than those of Latin America. Further, we are talking about a relatively small percentage—whether it be 10 or 20—of the funds available under that program. These funds, if the administration gets the full appropriation requested, will total $780,250,000 in fiscal year 1966.

Now, these funds—which are only a little more than the Senate recently approved with a whoop and a holler for war in Vietnam—are aimed directly and exclusively at economic development in Africa and Asia. But even economic development is not an end in itself; it is a means to the end of political stability and compatibility with U.S. national interests.

I hope no one any longer deludes himself that economic development is a sufficient condition for political development. It is probably a necessary condition. At any rate, it can be a helpful contributing factor—if it is not offset by international political irritants.

The real issue involved in this amendment is whether development loans can contribute more effectively to the long-term, broad political purposes of the United States if they are administered bilaterally or multilaterally.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself an additional 5 minutes.

Deeply involved in this issue are the feelings and attitudes of the people of most of the countries of Africa and Asia. These feelings and attitudes are best described as being intensely nationalistic and independent. From the comfort and security of an established world power and an affluent society, this nationalism frequently appears perverse and irrational; but we fail at our peril to try to understand it and to take account of it.

Africans and Asians know they need development assistance, and at the same time they resent their need for it. They consequently sometimes try to rationalize it as their just due. They are very sensitive about it—and especially so when they hear themselves denounced periodically in the United States generally, and particularly in the Senate, as incompetent or worse.

When development lending is done on a bilateral basis, all of the manifestations of this nationalism are compounded. When aid is extended on a multilateral basis, these manifestations are muted and diluted.

The question here is, What is the Senate trying to do? If it is trying to promote economic development in selected countries of Asia and Africa, without a constant irritant in our own relations with those countries, then a modest flexibility should be provided the President to channel some of these loan funds through the International Bank and its affiliates. But if the Senate is simply trying to assert its own brand of nationalism, then this flexibility should be denied the President and the program should be surrounded with still more restrictions and conditions, which seems to me to be its purpose.

Much has been said by the proponents of this amendment about how the use of the World Bank will take all the strings off aid and enable a group of international bureaucrats to scatter American largesse throughout the world. Do Senators think the World Bank has no standards of feasibility, no requirements for economic performance, no competence in administration and management? Why do Senators think the World Bank refused to make any loans to Brazil for several years prior to 1964? Because the Bank was not satisfied with the economic record of the Brazilian Government. Why do Senators think the World Bank has refused to make any loans to Greece? Because Greece has been in default on an international loan contracted in 1929.

That is a matter which has just been considered by our committee. The Greeks have gone to great efforts to arrive at an international agreement settling that particular loan and clearing up their back debt in order to be eligible for International Bank loans.

These are rather higher standards than AID—or the U.S. Congress, for that matter—has applied.

We hear a great deal in the Senate about GAO reports on maladministration of our own aid program. Has any Senator ever heard of an auditor's report which questioned in the slightest the administration of the World Bank?

In another title of this bill, there is an item of $44 million to be contributed to the Indus Basin Development Fund, which is administered by the World Bank. This large project has been under way for several years, and there has not been the slightest criticism of it. What is wrong with trying to work out similar projects elsewhere?

To sum up, Mr. President, the committee bill provides that the President "after consideration of the extent of additional participation by other countries, may make available" up to 20 percent of the development loan funds to the International Bank and its affiliates. The existing law provides that he may lend up to 10 percent to the International Development Association. The existing law, incidentally, has been effectively nullified by a prohibition in the appropriation act; so the present authority has never been used.

The committee bill represents a very modest effort to encourage the President to shift a small portion of development loans from bilateral to multilateral administration. For both political and economic reasons, I strongly believe that this is the direction in which economic development programs should move, and I hope the Senate will reject the amendment of the Senator from Alaska.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CLARK. There was some criticism on the floor of the Senate yesterday about loans made by the International Bank organization; that IDA had not properly made long-term, soft loans at appropriate interest rates.

What can the Senator tell us about standards of IDA, an affiliate of the World Bank, in making loans? Are they not pretty careful about loans they make, even though less interest is charged than for loans under conventional terms?

Mr. FULBRIGHT. They are.

The PRESIDING OFFICER. The additional time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, how much time have I left?

The PRESIDING OFFICER. Eighteen minutes.

Mr. FULBRIGHT. I yield myself 5 minutes, or as much as I wish to use of the 5 minutes.

The Senator is correct. They are called soft loans, but such loans are usually worked out and result from very careful consideration by the Bank itself, very often with an eye to a regular loan from the Bank. But because of the inability of a particular country to service a loan at the regular rate, and for the short terms on which a regular rate is based, they have to fall back on IDA. It is a complementary organization. It has complementary standards that complement the regular operations of the Bank. Over the years, the Bank has developed a highly skilled international group of technicians in the engineering, auditing, and economic fields. It has done a remarkable job in administering the affairs of the Bank. IDA is a more recent organization, which has been operating for only a few years, but I have never run into any serious criticism of the efficiency of its operation.

We fail to allow them to administer a part of our funds, but let me emphasize one point: I believe that some of the major troubles we are today encountering throughout the world stem from the relationship between the patron and the client that grows from the bilateral loan, which is the beginning of a sour and disillusioned relationship between the underdeveloped countries of the world and the United States. We, being such a large, and to them at least, rich country, they immediately become impatient with any kind of restriction.

The most glaring instance I heard of was in Malaysia where, after long negotiations, we raised the problem of the regular interest rate. They staged a great anti-American demonstration in

Kuala Lumpur because of that interest rate—the only such demonstration I ever heard of in Malaysia.

This poisons our relationship rather than improves it because of the nature that adheres to such a relationship. It is not because of David Bell or anyone else in the organization. It is inherent in this kind of program, particularly if it is a lending program. If it is a program for the eradication of malaria, or a technical assistance program for the construction of a school, it does not result in disillusionment. It is fundamentally bad for us to continue this bilateral lending program. This applies only to the lending part of the program.

Mr. CLARK. What would the Senator's comment be with respect to the criticism made here that, by encouraging multilateral loans by world organizations, Congress is losing control of the program? Have we not a good deal to say about the organization of the World Bank and its affiliates as to where loans should be made?

Mr. FULBRIGHT. Technically the criticism is correct, because Congress does not have a representative on the Board. But some agency of the Government, or the administration, which is a legitimate part of the Government, of course, do have representatives on the Board. These representatives carry substantial voting weight in accordance with the constitution of the World Bank, so that they possess great influence. They do not dominate the Bank, and I do not wish them to dominate it, but they do have a substantial vote.

Mr. AIKEN. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield 3 minutes to the Senator from Vermont.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The Senator from Vermont is recognized for 3 minutes.

Mr. AIKEN. Mr. President, there have been many times when I have felt that these programs, including the extension of credit, have been handled considerably better by multilateral organizations than by a bilateral arrangement. However, if we are to take this recommendation in the bill as reported by the Committee on Foreign Relations factually and realistically, we must accept the amendments offered by the Senator from Alaska.

Part 4 of the bill provides that the foreign aid programs will terminate on July 1, 1967. It also requests the President to submit to Congress his recommendations for a continuation of the aid programs, and specifies the different factors to be considered in extending such a program.

It also provides for setting up a temporary planning committee comprised of four members to be appointed by the President, four from the Foreign Relations Committee, and four from the Committee on Foreign Affairs of the House of Representatives. The committee will be required to make a final report to Congress not later than January 1, 1967, or approximately 18 months from now.

If we already knew what should be done in revising foreign aid programs, including lending programs, there would not be much need to set up committees or request the President to submit a new program.

In view of that fact, it seems to me that we had better let the situation remain where it is, authorizing the transfer of 10 percent of the funds to the international lending agency.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. GRUENING. Mr. President, I yield 1 additional minute to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 1 additional minute.

Mr. AIKEN. Mr. President, I believe that we should accept the amendments offered by the Senator from Alaska. However, I would not vote to reduce the 10 percent, or eliminate it, as was suggested yesterday on the floor of the Senate.

Mr. GRUENING. Mr. President, this is a conservative amendment. Let me point out some of the loans which have been made by the International Development Corporation, which shows how the money is being disbursed.

In Formosa, there are four loans at three-fourths of 1 percent interest, one for harbor dredging, another for water development, another for municipal supply, and another for the development of private industry.

Please note that the loan for the development of private industry is making our Government money available to private industry at the interest rate of three-fourths of 1 percent, with no repayment on the principal for 10 years and then a 50-year term before the loan is to be paid.

Going on down the line, we find loans to be of the same character. Nowhere does it seem that any effort is being made to save American taxpayers' money. All the loans are at three-fourths of 1 percent. They are all for the same terms, with no repayment on the principal for 10 years, and 50 years to run.

In India, there are about a dozen loans for highway construction and improvement, irrigation, flood control, and so forth.

It is interesting that we cannot seem to do anything about flood control in our own country, but we can give our money away this liberally for flood control purposes in every country of the world except the United States.

Only this year and last year, we witnessed the terrible floods in the Midwest and in the Northwest. The States have come back to the Government year after year after year for help, but do we suppose that States could borrow money from the United States at the rate of three-fourths of 1 percent with no repayment on the principal for 10 years? Of course not.

This is a double standard which I have consistently opposed.

Mr. FULBRIGHT. Mr. President will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. FULBRIGHT. Does the Senator hold the view that either the AID program or IDA is intended as a moneymaking bank?

Mr. GRUENING. No; not as a moneymaking bank. Neither was it intended to be a complete giveaway, which is pretty much what it is in a number of areas.

Mr. FULBRIGHT. It is not. These loans are repayable. Formosa is one of the few countries which is making such great progress that this year the AID will discontinue completely its economic assistance to that country.

Mr. GRUENING. How about the Haiti loan, which is now in default, which was made by the International Development Corporation?

Mr. FULBRIGHT. I believe that everything is in default in Haiti, at the present time.

Mr. GRUENING. I know that, but the Senator was relating how safe the loans made by the international organization are.

Mr. FULBRIGHT. Yes, but I did not say that it was infallible. It has had relatively greater success than many of the AID programs. We have some AID obligations in default in Haiti also, but on balance the International Bank and its affiliates have done an excellent job. Their standards of lending and their supervision, I believe, have been more efficient because they do not encounter nationalism and resentment on the part of the borrower.

Mr. GRUENING. Why would not the record be an excellent record when based on these generous terms, when we give this money at virtually no interest and let the borrowers have 10 years before any payment is due? Nevertheless, already there has been some default.

Mr. President, I yield such time to the Senator from Oregon as he may require.

Mr. MORSE. I shall not take more than 5 minutes. I am ready to vote. I believe that in fairness to myself and in fairness to the Senator from Alaska I should recapitulate the two main arguments that I made in my major speech on the subject last night.

The amendment in principle is the amendment that the senior Senator from Oregon proposed in committee. It will have substantial support on the floor of the Senate when the yea-and-nay vote is had, as there was substantial support for it in committee. A number of the committee members will vote for it. My two main reasons are that I believe the report of the committee itself, which contains the Morse amendment that provides for creating a special body to make a Federal survey and analysis of the foreign aid program with the requirement of a report on its findings and its recommendations at the beginning of fiscal 1967, justifies our urging that we not adopt a policy change as important as this policy change would be.

This is the type of policy question that ought to go to the special committee for consideration between now and the beginning of fiscal 1967.

Therefore I do not believe that this type of proposal should be added to the bill this year. If, after careful analysis, the special committee should decide that there is merit in the proposal, I believe we ought to consider it at that time.

The second point, which I discussed at some length last night, is my attitude toward our constitutional system in regard to maintaining congressional checks over the executive branch of Government. This committee proposal, in my judgment greatly weakens the checking power and authority and duty of Congress, because no matter what semantics are used, when all is said and done we transfer out of direct control by Congress the checking authority to pass judgment upon the policies that shall prevail in the expenditure of taxpayer money in the foreign aid program.

The Senator from Alaska has pointed out the side effects of the amendment in connection with the policy that we have already adopted in exercising our power of check through the Hickenlooper amendment and the Lausche-Mundt amendment that we have already adopted. We cannot, in my judgment, reconcile this proposal with the procedures under the Hickenlooper amendment and the Lausche-Mundt amendment in respect to the amount of money that will be transferred to foreign financial agencies, which to a large degree will exercise control over the expenditure of money, without an effective congressional check.

I do not believe this is the time for us to further delegate the authority which I believe to be so precious and that we must have it remain inviolate.

Congress must stop building up a government of executive supremacy in this country. Every time we delegate this kind of control, this degree of checking, we simply vest more and more power in the executive branch of the Government, in this instance in the State Department and in a foreign financial agency, to which we would give ultimate control.

Lastly, it has been pointed out by the supporters of the amendment, both in committee and on the floor of the Senate, that we have a voice in this agency, that we have a voice in the World Bank, that we have a voice in the Inter-American Bank, and that we have a voice in many other international agencies.

Mr. President, I used to teach my students that, although we are a government of laws and not a government of men, and that we must keep our government of laws in order to preserve the freedoms and liberties of the American people, we should never forget that we are a government of laws administered by mere men.

Senators know something about the human relations that develop, the camaraderie, the exchange of agreements, and the compromises—in this instance the support of someone for a compromise on another issue that may develop on the board.

I take judicial notice of the fact that within the international agencies the human factor plays a very important part in working out arrangements and adjustments of policies that become the program of that agency.

We have no effective check on the American representative. It may be said, "You can get him off the board." I say, "Try it."

It may be said, "You can give him instructions." I say, "Try it."

The fact is that we lose congressional control.

Therefore I urge Senators this afternoon to adopt the Gruening amendment, because its adoption would give us time necessary to consider this policy by the group which the Morse amendment, a part of the bill, envisions shall be created to make a thorough analysis of the whole foreign aid program between now and the beginning of fiscal year 1967.

Mr. GRUENING. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Alaska has 18 minutes remaining.

Mr. GRUENING. I point out that this is an extremely conservative amendment. It merely keeps the situation where it is now. As these loans do not require repayment for 10 years, how do we know how good any of them are? Not one of them will become due for its first payment until 1970 or 1971 or 1972 or 1974 or 1975.

What is more reasonable than to keep the provision that is now in the bill, which permits 10 percent of the money to be loaned, instead of doubling it and going ahead on an uncharted sea, where there is great profligacy as is shown by the loans already made? It is absurd for Congress to double the ante in view of what we have been giving away in the past few years since this International Development Bank was created.

Mr. FULBRIGHT. I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I associate myself with the remarks of the Senator from Arkansas in support of the committee amendment to double the amount of multilateral aid which can be furnished.

I direct particular attention to his comment about our trying to promote economic development in selected countries of Asia and Africa by moving some of the loans into the World Bank and its affiliates. We have been shocked in recent years by the spreading all over the world of the slogan "Yankee go home." We have been shocked by the burning of our libraries, by the attacks on our embassies. However, has anyone ever said, "World Bank go home"? Has anyone ever said, "International Development Organization go home"?

Has anyone ever tried to burn down the foreign offices of the World Bank and its affiliates? This in itself is strong justification for extending multilateral aid.

Let me point out that this is not a policy change, as the Senator from Oregon has suggested. The policy of making a certain amount of development loan funds available to international institutions was adopted by Congress in section 205 of the Foreign Aid Act as long ago as 1961. We are not changing any policy. We are merely implementing a policy which a majority of the members of the Committee on Foreign Relations thought was sound.

There is another reason why I believe the committee should be supported, and it is very important. In my judgment, the committee position represents a wave of the future and the Gruening amendments represent a relic of the past. We are in a situation in which an expanding internationalism is becoming essential not only to remedying the vast disparity between the rich nations and the poor nations, but, indeed, to preserve our Western civilization from destruction in a nuclear holocaust. We are moving slowly but surely toward a limited yielding of national sovereignty, a situation in which the 13 States found themselves unable to govern themselves under the Articles of Confederation finally and reluctantly made to the Federal Government, as result of which our country had a great and marvelous growth.

We now have the United Nations, the International Monetary Fund, the International Labor Organization, the World Health Organization, and a great many other international organizations to which some small part of our national sovereignty has gradually been yielded. Therefore, I take no credence in the suggestion that the Congress ought to keep a tight rein on every dollar which we put into programs of international cooperation. I feel, rather, that it is far wiser to expand the growing internationalism essential to the survival of a complex and completely changing world. It is for that reason, in addition to the reasons stated by the Senator from Arkansas, that I support the committee position.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PASTORE. The point that disturbs me in relation to the amendment is as follows: What is wrong with the borrower knowing that the money involved is American money coming from America? Why should it be funneled through an international agency, with allegiance being, let us say, to an entity, as against a nation that is actually making the sacrifice to put up the money? What is wrong with that?

Mr. CLARK. There is nothing wrong with it.

Mr. PASTORE. America should be generous. We should have a generous heart. Not long ago I heard that in the Dominican Republic, where we are furnishing food, there was resentment that the food bore a mark "From America." What is wrong with that? If they are going to eat our food, why should not the people know that it has come from us? If they are going to have our money, why should not the people know that the money is coming from us? What is essentially wrong with that?

Mr. CLARK. May I answer the Senator?

Mr. PASTORE. Yes.

Mr. CLARK. There is nothing essentially wrong with that. The vast majority of our funds are indicated as coming from America.

I say to my friend the Senator from Rhode Island that it is a question of commonsense. Will we get a better result for each dollar spent if we make it possible for international institutions such as the World Bank, IDA, and the others, to have an expanded amount of capital with which to make available loans to the countries of Africa and Asia? If the Senator should desire—and I am sure he does not, because he is not that kind of individual—we could point with pride all over the world and beat our chests about the great generosity and say, "Look at what Uncle Sam has done for you." I agree there is nothing wrong with that. The only problem is whether it is not more sensible to move an additional amount of loans into the international field, as we have done in connection with the United Nations and the other agencies I have spoken about. There is nothing wrong with what the Senator has stated; it is only a question of what is wise.

Mr. PASTORE. The Senator from Rhode Island does not mean that we should go around beating our breasts and pointing with pride. I do not mean that at all. I believe it is a fallacy to think for one moment that we accomplish more if people do not know where the benefits come from. I would hope that whatever we do, we do the thing that is right in the long run. I do not believe that America ought to be wearing its affluence on its sleeve. I have never said that. I do not mean that. Too often I hear people say that our way of giving is not good, that our aid is resented by people because they know we are giving it. If they resent it, they need not ask for it.

Mr. FULBRIGHT. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 minutes.

Mr. FULBRIGHT. There is nothing wrong with giving away money as charity or as anything else. What we are talking about is a lending program. It has been well acknowledged—certainly since the days of Shakespeare—that a borrowing relationship between friends, for example, very often results in some resentment. The lender expects to be paid. A personal feeling goes with a loan, and the borrower feels that he is obligated in a way beyond mere repayment of a loan, and the lender feels that he has done a personal favor, which is aside from business, to the borrower. It is difficult to maintain a satisfactory relationship.

That is one reason why we have banks. I know that in my private life, wise people of my acquaintanceship have always refused to lend directly to friends, but they have helped those friends obtain money through a bank. They do so in order to maintain their personal relations on a proper basis.

The attitude of which I speak enters into our relations with a small country such as Malaysia. Before the Senator came into the Chamber, I believe, I cited an instance in that country.

Mr. PASTORE. I heard the Senator make that reference.

Mr. FULBRIGHT. I do not know why they did it, but the fact is, whether we like it or not, for the first time to my knowledge there was a large anti-American demonstration in the capital city because we had insisted on an interest rate on a loan that did not please them. That factor has not entered into the relationships of that country with the Bank.

I am judging by our experience. There is nothing wrong in what the Senator has said. I am not talking about a moral question. It is purely a political, practical question. The Bank has had very satisfactory relations in a lending program and we have had some very unsatisfactory relationships. I know that the record of the Bank is that there has never been a default. Never in its history has there been a single default. I know of instances in which countries have rescheduled their other obligations in order to avoid defaulting to the Bank. They have felt that their reputation with the Bank was at stake, and they have gone to great pains to preserve their reputation with the Bank.

Our own record of bilateral lending, even by private sources to Latin America after World War I, is deplorable. Practically every country down there defaulted. Much ill will resulted. The very fact that we are big and rich exaggerates the problem.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. FULBRIGHT. I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 1 minute.

Mr. FULBRIGHT. A psychological problem in relation to loans is created. I do not believe the same thing arises with regard to gifts. They accept malaria control; they accept milk for their children; they accept teachers in their schools. But there is not established a relationship of borrower and lender.

This has not created any bad feeling, but I believe that lending by the great United States to a small country at the kind of rates, for example, that the Senator from Alaska advocates has resulted in ill will and the alienation of those countries rather than a continuation of satisfactory political relationships. It is a fact of life; it is not a moral question.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. PASTORE. First, I have the highest respect for the integrity and the responsibility of the Foreign Relations Committee, especially because of the fact that it is headed by my distinguished friend from Arkansas. But what has he to say to the following question: Now 10 percent can be used for the stated purpose. The committee has decided that the percentage should be increased from 10 percent to 20 percent without changing the overall total figure. Would the increase implicate us to the extent that it would be harder for us to extricate ourselves in the future from the responsibility? Would not such action become an obligation, in a multilateral sense, to many nations, as against dealing with one person? Would the proposed action mean that from now on the percentage rises from 10 percent to 20 percent—and maybe later it may even go above that percentage—but even if it does not, we shall have committed ourselves to 20 percent, and from now on we might as well reconcile ourselves to the fact that the program will be our obligation from now into the future?

Mr. FULBRIGHT. There is no commitment in the bill beyond the life of the bill.

Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 1 minute.

Mr. FULBRIGHT. The 10 percent is an expression of policy. It has never been implemented. Not one red cent has ever been transferred in accordance with the authorization because the great Appropriations Committee, in its greater wisdom, has refused to appropriate the amount necessary. Instead, it has included a flat prohibition.

In another part of the bill, in addition to section 205, is a statement of policy adopted by the committee. This is not the first one; there have been similar ones. Some time ago there was a statement of policy which I remember specifically. As I recall, it was with regard to Africa. It was felt that loans to new countries should be made on a multilateral basis. I was in favor of that, and so was the committee at the time. The purpose of the negotiation of the loans was to prevent the alienation of those countries.

This proposal is permissive; it provides that the President may make funds available. It is, in a sense, a statement of policy. I believe—and I feel that a majority of the committee believe—that with respect to a lending program of development loans—that is all the policy applies to—it is wise to move in this direction, because it involves fewer political risks. It would be more successful in achieving the purpose of economic development. After all, that is what I assume is the purpose in this instance. That was the judgment of the committee. But it is not the judgment of the Committee on Appropriations, so we have nothing to go on. The Committee on Appropriations has never done anything about it, and I do not know that it will in this instance. But the principle is important.

It is no secret that I am dissatisfied with the way the program has developed. It has involved us in many places where I do not like the conditions. It operates in a good many countries. However, I have tried to do the best I could with what we have.

I support the amendment of the Senator from Oregon for a revision of the program. I am not too hopeful that anything can be done that will change it much. One thing that we hope can be done is to make greater use of the successful international organizations working in this field. For the most part such organizations have been successful; there have been few failures.

Another aspect is that it is hoped that if the President takes advantage of the program, he will use it as a lever to persuade other countries to match us, and thus make a larger total amount available for development loans.

Mr. MORSE. Mr. President, will the Senator from Alaska yield me 1 minute?

Mr. GRUENING. I yield 1 minute to the Senator from Oregon.

Mr. MORSE. I direct my remarks to the Senator from Rhode Island. Although the committee report favors this approach, a strong minority in the committee does not share this view.

The Committee on Appropriations tied down the flap in front of the nose. I believe this is the beginning of a program to go beyond 20 percent. I believe that is what is contemplated. In my judgment, it would be a great mistake to do that.

For the time being, we ought to leave well enough alone, or bad enough alone, and await the study that is contemplated in connection with the program.

Mr. PASTORE. What has the Senator from Oregon to say about the observation made by the chairman of the committee; namely, that this program will be used as an instrument to induce other people and other nations to match what the United States does?

Mr. MORSE. There are nations which, if they can succeed in having the jackpot increased by millions of American dollars, will make token loans themselves in order to exercise control over the expenditure of American money. This is not a matching-money proposal. It does not mean that if we put in 20 percent, some other country will put in 20 percent. We should look at the amounts other countries are contributing. It is a token in comparison with what the United States is investing in the international program, on an international sharing basis. I do not buy that argument at all. I reject it.

Mr. GRUENING. Mr. President, I yield myself 2 minutes. I, too, wish to address my remarks to the Senator from Rhode Island.

We do not know yet how these loans will fare. No repayment will be made for 10 years. Yet although this experiment has been in operation briefly, it is now proposed to double the amount. Why not continue with the present 10 percent? Doubling it is what I object to. My amendment does not provide for its repeal. Several Senators yesterday in debate suggested that the program be abolished. I do not go that far.

The chairman of the committee refers to the high interest rates I propose. What are those high interest rates, which occur under the direct aid program? One percent; and after 2 years, 2½ percent. That should not be disastrous to any borrower, when we have to borrow the money from the American people at a cost of twice or three times that amount.

All the international loans are on these generous terms. There never seems to be any discretion. All the loans are made at three-quarters of 1 percent, with no repayment of principal for 10 years, and the life of the loans is 50 years.

Is there any flexibility in the overall analysis of the projects for which we make these foreign so-called loans? Apparently not.

This amendment would merely hold the program in status quo for the next 2 years, and we would proceed on that basis. Why double the amount before we know how the program will work? We do know that these loans are made at negligible interest rates. Actually, they are not loans at all; they are grants.

Mr. President, I am prepared to vote.

Mr. FULBRIGHT. Mr. President, I am prepared to yield back the remainder of my time.

Mr. GRUENING. Mr. President, I suggest the absence of a quorum, the time for the quorum call to be charged to neither side.

Mr. FULBRIGHT. Let the time for the quorum call be charged to my time. The quorum call need only be notice that Senators are prepared to vote.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the unanimous-consent agreement, the Senate will proceed to vote on the amendments (Nos. 221 and 224) of the Senator from Alaska [Mr. Gruening]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. Dirksen]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. MORTON (after having voted in the negative). Mr. President, on this vote I have a live pair with the Senator from Colorado [Mr. Allott]. If he were present and voting he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. Dodd], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Minnesota [Mr. McCarthy], the Senator from Maine [Mr. Muskie] and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Washington [Mr. Magnuson], and the Senator from Alabama [Mr. Sparkman] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is necessarily absent.

The Senator from Kansas [Mr. Pearson] is absent on official business and, if present and voting, would vote "yea."

The Senator from Illinois [Mr. Dirksen] is detained on official business, and his pair has been previously announced.

The Senator from Colorado [Mr. Allott] is absent on official business, and his pair has been previously announced.

The result was announced—yeas 40, nays 46, as follows:

[No. 114 Leg.]

YEAS—40

Aiken
Bartlett
Bible
Byrd, Va.
Cannon
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Gore
Gruening
Hartke
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Morse
Moss
Mundt
Murphy
Robertson
Russell, S.C.
Russell, Ga.
Simpson
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—46

Anderson
Bass
Bayh
Bennett
Boggs
Brewster
Byrd, W. Va.
Case
Church
Clark
Cooper
Douglas
Fulbright
Harris
Hart
Hayden
Hickenlooper
Hill
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Tydings
Williams, N.J.

NOT VOTING—14

Allott
Burdick
Carlson
Dirksen
Dodd
Long, Mo.
Magnuson
Mansfield
McCarthy
Morton
Muskie
Neuberger
Pearson
Sparkman

So Mr. Gruening's amendments (Nos. 221 and 224) were rejected.

AMENDMENT NO. 240

Mr. MORSE. Mr. President, I call up my amendment No. 240 and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated for the information of the Senate.

The Legislative Clerk. The Senator from Oregon [Mr. Morse] proposes an amendment to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; namely—

> On page 11, line 13, strike out "1,170,000,000" and insert in lieu thereof "$1,000,000,000".

Mr. MORSE. Mr. President, this amendment reduces the sum for military aid to $1 billion. The hearings reveal that military aid has increased for Vietnam and for one other country whose name is deleted from the committee hearing.

The reason is that a 5-year agreement was reached with that country which is still secret. It pledges U.S. military aid in the sum of several tens of millions each year. The Congress has not been notified, except when the foreign aid bill was presented with this amount in it for the next fiscal year.

The Congress has never passed on the advisability of this agreement. The American people have never been told of it. Yet when we see the foreign aid presentation for next year, there it is. It is a prior commitment. It was never made by Congress nor had Congress ever heard of it; yet we are told it is a commitment on which Congress must make good.

To digress from my brief manuscript, I have just put my finger on one of the greatest evils of our whole foreign aid program, the evil of concealment practiced by this administration against the best interest of Congress and to the great detriment of the American people insofar as their right to full disclosure of the public business is concerned.

This administration is increasingly guilty of concealing from the American people the facts that the American people are entitled to know about if we are to protect the precious right of free men that in a democracy there is no substitute for full public disclosure of the public's business.

I am waiting "all ears" for a Member of the Senate to tell me why the Pentagon, the State Department, and the White House should be allowed to get by with entering into a secret agreement with a foreign country in regard to military aid to that country for a 5-year period that will involve many millions of dollars.

I know that I have probably spoken to my colleagues to the point of boredom, time and time again, during my 20 years in the Senate, about the precious guarantee of the right of the people to know. But during those 20 years there has been a great acceleration of the trend toward government by secrecy and government by executive supremacy.

Let the American people know that they cannot go to any library and find a single example of any country in the history of mankind in which the executive of that country became supreme and the people remained free. Executive supremacy and freedom for the people are irreconcilable, inconsistent concepts of government.

Some of my colleagues in the Senate will say we are not over the abyss yet; it is a matter of degree, and we have not gone that far yet. I believe we go too far when we go a step in the direction of government by executive supremacy.

I should like to answer another argument that we shall hear undoubtedly before we finish with this statement. We shall hear about Vietnam. This amendment has nothing to do with Vietnam. There is no Senator who does not know that if the President continues to prosecute his shocking, illegal war of outlawry in Asia, he will be here time and time again for additional funds to prosecute that war. Vietnam is used in connection with the foreign aid bill every time they think they can make the argument in order to justify a sum in the bill far in excess of what Congress ought to appropriate.

We are in a period of war hysteria. All that need be done is to wave the flag into tatters and the votes will be cast for any waste that is advocated in connection with the foreign aid bill.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I commend my friend from Oregon and emphasize a point he has made. This amendment to cut $170 million off military aid, has nothing to do with Vietnam. The purpose is, hopefully, to arrange a situation in which we shall not give military aid to the Turks so that they can fight the Greeks, or give military aid to the Greeks so they can fight the Turks, or give military aid to Pakistan so it can fight India, or give military aid to India, so that it can fight Pakistan. I strongly support the Senator from Oregon.

Mr. MORSE. I appreciate the Senator's comment very much. I am grateful indeed to the Senator for emphasizing the major thesis of my speech. This proposed cut in military aid has nothing to do with Vietnam. One of my purposes in offering the amendment is to try to get the United States back inside the framework of morality. We are a shockingly immoral nation with respect to the policy we are following in connection with military aid. The Senator from Pennsylvania has alluded to one phase of this problem. We have fully equipped Greece and Turkey with American military aid so that Greece and Turkey stand as a threat to the peace of the world. The United Nations must maintain a peacekeeping force in Cyprus to prevent the outbreak of a major war in that area of the world. No one knows whether we shall succeed in preventing a war there even under the peacekeeping force of the United Nations.

The United States has equipped, 100 percent, the military establishments of Pakistan and India. When we have done that, we have gone outside the framework of morality. We have equipped two nations that are threatening to make war against each other over Kashmir. The United Nations has had to move into Kashmir in order to give some hope of preventing those two American military-equipped countries from going to war against each other with American equipment.

I was shocked the other day to have colleagues in the Senate say, "But, Wayne they bought a great deal of this military equipment." Imagine that. Does that make it moral? I say to American labor leaders that the senior Senator from Oregon is exceedingly disturbed in connection with their stand on American foreign policy. Too many American labor leaders seem to think that we can justify these millions of dollars in foreign aid because 80 percent of the money is spent in the United States and thereby makes jobs for American workers.

Let me say to American labor, "I do not intend to support your program in the advocacy of blood money." I yield to no man in Congress or in the country in support of the legitimate objectives of organized labor. But if it is a make-work program for the arms industry which labor desires—what an immoral premise on which to stand.

Mr. President, there are many crying domestic needs in this country for the expenditure of the savings that the senior Senator from Oregon is at least going to give the Senate an opportunity to vote upon in the days immediately ahead that would help strengthen the greatest defense weapon this Republic has; namely, our domestic economy, for if we weaken that economy, we weaken the strength of the Republic.

I say to American labor that it would be much better to have American workers working in connection with programs that seek to build up the economy of this country than arguing to retain jobs that make it possible for potential belligerents to fight a war against each other with American weapons manufactured by American labor.

I repudiate that argument on the part of American labor leaders. By arguing for military aid on the basis of jobs for workers, they are performing a great disservice to the workers of our country. I suggest to them that they join in a tapering-off program with regard to the manufacture of military equipment and join in the development of a wealth-creating series of programs, such as the great reclamation program across the country, from coast to coast.

The American people must realize that we are in danger of jeopardizing future generations of Americans by leaving to them a heritage of a polluted water supply and a falling water table from coast to coast. Go into any New York City hotel in the very hour at which I speak and read the sign that one will find in every room in every hotel in which there is a water faucet urging conservation of water because New York City is in short supply of water already.

They are greatly concerned about the potential danger, unless the water table starts coming back, of water rationing in the largest city in the land.

Come with me into the West, into the Colorado River Basin, which we think of as a surplus water area, and take note of the great concern of cities in that area in regard to an assurance that there will be an adequate water supply 12 months of the year.

Consider the waste of hundreds of millions of dollars in the foreign aid program. Consider the fact that since 1946 the American taxpayers have been fleeced out of billions of dollars of taxpayers' money in a wasteful and inefficient foreign aid program that has reached, according to the latest figure that was given to me, some $111 billion since 1946, with billions of that money completely wasted.

Politicians may think that there is no limit to the patience of the American taxpayer. They may think that they can continue to fool the American taxpayer by waving the flag into tatters every year when we get into a historic debate on foreign aid.

I have more confidence in the judgment of American taxpayers than have most politicians. When at long last the

American taxpayers catch up with Members of Congress who, year after year, continue to waste money by hundreds of millions of dollars, they will hold them to an accountability at the polls. Their first opportunity will be 1966.

I hope the people will take a toll by way of an accountability of the Congress of the United States at the polls in 1966, if that is the only way we can teach politicians.

Mr. President, when I think of the educational crisis in America, when I think of what we are doing as a nation of cheaters against the young of this country in denying to them by the tens of thousands an opportunity to develop to their maximum extent their intellectual potential, I am aghast to see Senators vote for a continuation of the waste of hundreds of millions of dollars in a foreign aid program, denying to the young people of our country adequate schools that they need for the education to which they are entitled as a matter of right.

One of the paradoxes is the millions of dollars that we spend each year for schools under a foreign aid bill with no restricted checks placed upon it in foreign lands, and the difficulty we have in obtaining adequate financing to meet the educational crisis in this country.

As chairman of the Senate Subcommittee on Education, I say that there are so many phases of the educational problem that pop up in my mind as I raise the issue, that if I did not leave the issue, I should be on it for the rest of the afternoon and be charged with conducting a filibuster. Yet every moment that I might take in discussing the educational crisis of the United States and arguing for a substitution of millions of dollars in the foreign aid bill for expenditures on the schools of America would really be time well spent.

My views are pretty well known to Senators. Let us face it. The votes on the bill are already cast. The lineup has been formed. Pressure has been responded to. Politicians are surrendering right and left to the pressure that states, "You must not disturb the foreign aid bill in an hour of war."

I say that in an hour of war we had better start saving our money so that we can use it to a much greater advantage for the protection and security of our country than using it in connection with the foreign aid program, for I happen to believe that we are on our way now to a major war. Is it not a little amusing to hear the alibis, the rationalizations, and the downright misrepresentations of the State Department in regard to trying to qualify the announcement they made the day before yesterday as to what would go on with regard to American troops in South Vietnam?

To the American people, I say: Here is one Senator and one member of the Committee on Foreign Relations who does not believe the statements that have been uttered by Dean Rusk and by the administration in regard to what the policy is now. It is no different from that which was announced yesterday in regard to the use of American troops in the war in Vietnam.

I say to the American people: Do not be fooled. American boys are now pledged to battle in South Vietnam. American boys are going to die by the thousands in the months ahead if this undeclared, unconstitutional, illegal war is allowed to continue. Of course they are committed to combat. Even Dean Rusk becomes hung up in his own semantics when he issues a statement, as he did yesterday, that they do not sit over there as hypnotized rabbits. Read that statement. One can reach no other conclusion than that Rusk, in spite of his evasive language, is tacitly admitting that American boys are committed to combat. I am willing to accept that reality.

Mr. President, in this connection I ask unanimous consent to have printed in the Record at this point the devastating answer to the Secretary of State, which is contained in an editorial published in the New York Times this morning entitled "Ground War in Washington." It is also a devastating answer to a large part of the speech of the Senator from Connecticut [Mr. Dodd].

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, June 10, 1965]

Ground War in Washington

The Johnson administration's decision authorizing a combat role for American troops in South Vietnam is only confirmed by yesterday's White House statement; yet the statement is carefully drafted to give the impression that the United States is not embarking on a radical new course.

The White House admits that General Westmoreland, since March, has had the secondary mission of providing "combat support" to South Vietnamese units in trouble.

But why did Secretary Rusk at the time say that "ground combat personnel is not what is needed" and that there would be "a problem about foreign ground troops undertaking the kind of pacification effort that is required in South Vietnam"?

The White House denies that the President ordered the new combat role in March "or at any other time." It is explained that General Westmoreland's authority was "implicit" in the assignment of marines to Danang. Yet, how could "implicit" authority have been so explicitly defined all along as was finally claimed in yesterday's White House statement? It is there limited to instances when South Vietnamese forces are "faced with aggressive attack when other effective reserves are not available and when in his [Westmoreland's] judgment the military situation urgently requires it."

As recently as last Saturday the State Department did not mention this role when, at the request of newsmen, it redefined the mission of American troops in a statement reportedly approved at the highest levels of the Department. It admitted that American troops had stepped beyond an advisory role, but described their function simply as defense of American installations and patrolling nearby.

The new role of "combat support," which the State Department finally announced this week, seems to be one of serving as a strategic and tactical reserve for the South Vietnamese Army. It presumably can take American combat troops anywhere in the country. Despite an effort semantically to exclude "offensive" campaigns, it appears to include aid to South Vietnamese units that get into difficulty during offensive as well as defensive operations.

A land war on the continent of Asia, which many of the country's leading military men long have opposed, is not undertaken lightly or without premeditation and careful planning. The doubling of American troops in South Vietnam since March and the reports that the 54,000 now there are being increased to 70,000 suggest implementation of a plan approved in February and prepared much earlier.

The time has come for the President to take the country into his confidence and to give the Congress time for a full debate before the war is escalated any further.

Mr. MORSE. I was much interested in the statements made on the floor of the Senate yesterday in opposition to a declaration of war. Several Senators expressed their opposition to a declaration of war. It is interesting, is it not? What are they afraid of? To give my interpretation, they are afraid of American public opinion. The American people are entitled to know whether or not this Government is going to make war, and continue to make war, in Asia—and we know that is its intention. If it is, the American people are entitled to receive from the President a proposal for a declaration of war, and they are entitled to receive from Congress a standup count as to who will vote for a declaration of war under article I, section 8, of the Constitution of the United States.

Let the President bring in that proposal for a declaration of war and confront the American people directly with the issue. Then he will get a direct response from the American people. It is the opinion of the senior Senator from Oregon that the American people are not in support of an undeclared war in Asia. This is contrary to the statement made by the Senator from Connecticut [Mr. Dodd] on the floor of the Senate today, as to most of which I have already announced that I am in strong disagreement.

The American people are confused, and they will continue to be confused, because of the concealment by the administration of the facts in regard to what is taking place in Asia. The American people are entitled to receive from the administration a clear drawing of the issue. Either we should go to war legally, under article I, section 8, or the President should proceed to reverse his position and take the position I took in Madison Square Garden the night before last. That position is my answer to the Senator from Wyoming [Mr. McGee], who said earlier today on the floor of the Senate that we who are opposed to the administration's policy in South Vietnam do not offer any alternatives. Mr. President, we have been offering alternatives for most of 2 years, only to be met with, until recently, dead silence on the floor of the Senate, although not in the cloakrooms. In the cloakrooms, there has been strong approval of the alternatives; but only silence, until recently, on the floor of the Senate.

In closing my speech in Madison Square Garden the other night, I said I had no right to criticize my Government in regard to its policies in South Vietnam unless I were willing to offer alternative proposals, which I have been offering for many months.

I said, "We meet here but a few blocks from the temple of international law and justice—the United Nations. I now recommend to my President that he make use of a procedure in the United Nations Charter which we have not made use of yet, but which we ought to make use of, a procedure calling for an extraordinary session of the General Assembly of the United Nations. I recommend that my President walk out onto that historic platform and proceed to make history that will shock the world, by announcing that the United States lays before the United Nations the threat to the peace of the world as it now exists in Asia, and that the United States pledges its support to the United Nations to arrive at a peaceful, honorable, negotiated settlement through the procedures of the United Nations, thus bringing to an end the killing in Asia and the threat to the peace of the world."

An interesting incident happened thereafter. There followed for the next hour an increasing demand on the part of the leaders of that rally for a march on the United Nations Building as the best way for that group to symbolize its protest against U.S. outlawry in Asia. It was the best way for that group to symbolize its protest in opposition to the record of the administration of open violation of article after article of the United Nations; in fact, the violation by this country, since 1954, of article after article of the United Nations by the course of action we have followed in Vietnam.

Without my knowing what was really taking place, because I remained on the platform to hear other speakers, arrangements were made with the New York City Police Department for a march on the United Nations. I wrote to the chief of police of the New York Police Department yesterday, expressing my high praise for the way the police department handled the demonstration that followed the meeting. It was announced at 11 o'clock that arrangements had been made with the police for a march from Madison Square Garden to the United Nations Plaza. At 20 minutes before midnight, that march started.

Some Senators would be a little amused to read some of the correspondence I have already received from superpatriots, because I had the high honor and the distinct privilege to join with Dr. Benjamin Spock at the head of that column, while more than 2,500 people out of that audience, at 20 minutes before midnight, 2 by 2, walked down Broadway, across 42d Street, to the Plaza of the United Nations for a second rally that was held at 1 o'clock in the morning.

Mr. President, this administration is whistling by graveyards. But its whistling will not prevent filling all the graves in those graveyards if it thinks that the grassroots of America happen to be in support of its killing in Asia and the offering of no hope to the American people for years to come for an ending of those killings.

In my judgment, if this administration follows its outlawry in Asia, American troops will be bogged down in Asia for a quarter of a century, at the minimum. Then, at long last, we shall have to come to a negotiated settlement that could not possibly be any better than the negotiated settlement that could be reached now, in my judgment.

The rally that was held in New York City the night before last could be held in Chicago, the Twin Cities, San Francisco, St. Louis, Los Angeles, any other major city in the country. This is not a matter of New York locale.

Mr. President, at the roots of America, the American people are concerned about this bloodletting. They are asking questions. "What will it profit us? Where is the end? What will it accomplish?"

I have been heard to say, during the past 18 months on the floor of the Senate in speech after speech in opposition to this international outlawry of my country in Asia, that we are driving millions of people in the underdeveloped areas of the world into the arms of communism.

We have the greatest weapon to defeat communism that mankind has ever forged. That weapon is not hydrogen bombs. That weapon is not nuclear warfare. That weapon is not military might. That weapon is not the substitution of the jungle law of military force for the rule of law of international justice for the settlement of disputes that threaten the peace of mankind. That weapon happens to be economic freedom, which is the very strength of this Republic. That weapon happens to be the giving to the underdeveloped peoples of the world the right to be freemen economically, because that breeds political freedom. It nourishes the development of political freedom.

We have no more chance of exporting political freedom to Asia or to Africa—or, for that matter, to any other underdeveloped area of the world—than I have of walking down to the Washington Monument and putting it on my shoulder and walking away.

Mr. President, we do have a great opportunity to help make the people in the underdeveloped areas of the world economically free. However, we cannot do it until we first have a peace settlement in Asia.

We in the Senate well know my reasons for fighting the $700 million military program that the President requested for the purpose of fighting an illegal war in Asia. I fought that proposal first because, by his own admission, it was not needed. He used the measure only as a vehicle through which to obtain another vote of confidence from the Senate and the House by which to continue a policy that he never should have started in Asia.

I voted against the measure, too, because I knew that it would not result in the exportation of economic freedom. It would result only in the further exportation of war to Asia.

I suggested the other day, as Senators will recall, with regard to the $89 million proposal of the President—which was another attempt on his part to get another vote of confidence in his program in Asia—that we cannot build economic projects in the Mekong area of South Vietnam because the area is controlled by the Vietcong and will continue to be controlled by the Vietcong until there is a negotiated peace.

Some of my colleagues did not like that.

As a member of the Committee on Foreign Relations, I have read too many reports and interviewed too many people who have been involved in the administration of our so-called economic aid program in South Vietnam not to know that the Vietcong have succeeded in sabotaging and emasculating and taking over the so-called economic projects that we have sought to develop in South Vietnam.

The proposal of the President for $89 million for so-called economic development in South Vietnam will be largely wasted until we get a negotiated peace. We must stop the war. When we get that war stopped, it must be stopped on an honorable basis and stopped on the basis of an understanding that will not permit a massacre and blood bath of the South Vietnamese by the Communists, and will not permit of a blood bath of the Vietcong by the South Vietnamese. Let us not forget that on both sides there are participants who are ignorant and illiterate, and are victims of military forces that control and direct their lives.

I want to bring the direction of their lives by military forces to an end. I want an honorable, negotiated peace. Then I want to see this great, free land of ours beat communism in Asia by the exportation of economic freedom to the people of that area.

That will not take place in a year, 5 years, or 10 years. That would be a long, hard pull. However, I would much rather spend the next 25 years supporting the exportation of economic freedom to Asia than spend billions of dollars of the money of the American taxpayers in trying to support a bogged down U.S. military force in Asia. That force will become bogged down.

I am still waiting, may I say to Mr. McNamara, the Secretary of Defense, for him to come forth with any rebuttal to the oft-repeated advice of General Bradley, to the oft-repeated advice of General Collins, to the oft-repeated advice of General Marshall to the oft-repeated advice of General Eisenhower, and to the oft-repeated advice of General MacArthur, all of whom told us—great American military strategists and military staff leaders that they are—that Asia is no place to bog down an American army.

It is still true. I happen to believe that nuclear bombs and atomic bombs have not changed it. I call again on the Defense Establishment for a rebuttal of the advice to which I have alluded.

There are many other domestic needs confronting the country in which the millions of dollars I am seeking to save out of the wasteful foreign aid program provided for in this bill can be of great help in providing economic security in this country. They are well known to the Members of this body—great public works programs, the great urban renewal program, the great need for slum clearance programs. Millions of dollars more will be needed if we are ever to have an effective poverty control program.

Any dollar of saving we are willing to vote out of the foreign aid bill will produce much more good, eventually, for the world if spent to meet domestic needs here at home, because in that way we will strengthen our Nation at home and will then be in a stronger position to be of assistance with sound programs involving the exportation of economic freedom abroad than will ever be the case if we continue to waste huge sums of money under this bill.

The last remark I want to make by way of digression from the manuscript deals with the argument Senators will hear over and over again in the days ahead—that this is a very economical foreign aid bill; that it is a barebones bill; that it provides for only $3,380 million.

Mr. President, that sounds good, but even if it stood alone—and it does not stand alone—this so-called barebones bill has hulks and humps of fat upon it.

The foreign aid bill must be considered in terms of the total foreign assistance bill. The total foreign assistance bill amounts to nearly $7 billion—not $3,380 million.

Mr. President, on this amendment I am asking for a saving of $170 million. I repeat, it does not interfere in the slightest with Vietnam. Everyone knows that Vietnam is now in a class by itself. Everyone knows that so long as American boys are being killed in Vietnam, the administration is in a position to come before the Congress and ask for whatever funds it thinks necessary to supplement its financial needs in Asia. But the $170 million I am asking to have taken out of the military foreign aid program deals with other countries.

The Foreign Assistance Act has been amended to eliminate military aid to Western Europe except for "prior commitments." It contains certain restrictions on military aid to Latin America, except for "prior commitments."

In many ways this is a futile exercise because it is the Department of Defense that enters into these commitments, not the Congress, and because we are not told of them in advance, they are all "prior commitments," so far as Congress is concerned.

Senators who are not members of the Foreign Relations Committee should sit with me on that committee and listen to the testimony we receive from the Defense Establishment, the State Department, and the AID Agency. Talk about making a saving in some of these expenditures, and the representatives of the Defense Department, the State Department, or the AID Agency say, "Oh, we have an agreement on that." Who entered into the agreement? The Congress? Of course not. For Congress to enter into it would be unthinkable. It would merely be carrying out the basic principles of representative government. It would be consistent with our democratic processes. It would be in keeping with our professing of a government of law, and not of men.

These commitments are made in secret conferences. These commitments are made by the executive branch of the Government without the advance knowledge of the Congress. When we ask, "Did you not tell those countries there was no constitutional authority to bind this Government?" They say, "Well, we told them it was subject to the approval of the Congress." Then they come in with the clincher argument. Senators should see my colleagues wilt before this sophistry: "It was a hard agreement to negotiate. It was difficult to get them to agree. We had to work long and hard to get certain concessions out of them. We do not believe you will want to turn down an agreement that we worked so hard to negotiate. We hope you will not want to do so."

Let me say to the Congress that until it starts turning down such agreements, until it starts making clear to the executive branch of the Government that Congress is entitled to give approval in advance of any agreement, there will be an increase, at a rapid rate, of this gallop down the road toward government of this country by executive supremacy.

Mr. President, I am not at all moved by the fact that the Defense Department, the State Department, and the AID officials have entered into secret agreements, so far as prior knowledge of Congress is concerned, and the argument that we should not reduce the military aid program because it might interfere with some of those agreements. Such agreements are not binding on Congress. Congress has the authority, if it is necessary to make savings in the military assistance aspects of the bill, to reduce any amounts that any representatives of the State Department, the Defense Department, or the AID officials have provided in the agreements they have entered into. It should be done for the people. They are entitled to that protection by the Congress.

Now we have a new prior commitment on which Congress and the American people will have to pay for 5 years. Yet all these secret commitments and the military aid for Vietnam still take only little more than half the total requested for military aid.

In 1963, the committee headed by General Clay to study the foreign aid program took no serious issue with the theory of military aid—whatever that theory may be. But it did protest the number of countries receiving military aid, and made it clear that we should be contemplating a military aid program of not more than $1 billion a year.

Mr. President, we had it down to $1.055 billion last year; but under this bill it is back up to $1.170 billion.

It will go much higher than that again if Congress has not the capacity to say "no."

One of the annual justifications offered for military aid is that it makes available millions of more men from other countries, particularly from Asia, who will be on hand to fight any Communist attack or aggresison.

Well, the Communist attack is underway in South Vietnam. Yet there are no millions of Asians from Japan or South Korea or Taiwan or the Philippines, or Thailand, or Pakistan, or India, helping American troops do the fighting. They have our money and our military aid but not to help us do any of the fighting, except for a token force from South Korea, a token force from Australia—about which there is great doubt as to whether there is any commitment for them to go anywhere near the line of battle—and a token force offered from the Philippines.

Our so-called Asian allies have walked out on us, so far as the war in Asia is concerned, but they are taking their military aid from us by the millions of dollars. They are perfectly willing to spend our money to build up their own military prestige and to keep themselves in a position where they can threaten to make war on their neighbors.

As I have been heard to say many times, but in the interests of consistency I wish to repeat, the military aid we have supplied to any of these countries—I do not care which one is named—India, Pakistan, Greece, Turkey, Thailand, any other country—will be of absolutely no value to the United States in case of war with Russia.

Mr. President, that is my answer to the sophistry of Senators who each year are heard to say, "Oh, but it is cheaper to keep a Pakistani in uniform than an American boy. It is cheaper to keep a South Korean in uniform than an American boy. It is cheaper to keep a Turk in uniform than an American boy."

There is no cause-to-effect relationship in that kind of argument, because it is a complete nonsequitur. If there ever is a war between the United States and Russia, every one of those countries will be dependent for its protection not upon the military aid which the United States has supplied them, but upon the nuclear power of the United States.

In case of war between the United States and Russia, it will be a nuclear war—a war which will be over quickly, in an exceedingly short time. Out of it will come no victors, American or Russian. Out of it will come only world devastation.

Mr. President, the military route is not the road to peace. The military route is the road to continued war, ending up eventually in a nuclear holocaust.

I would rather be condemned in my day by the superpatriots and by those who believe that force is the answer to the threat to peace, by those who have substituted their adrenal glands for their cortexes in facing the issue of war or peace.

Mr. President, I will not walk out on a great ideal which has always symbolized my country; namely, that we believe in a peaceful approach to the threat to peace.

It is not true that military aid to these countries will strengthen the security and the defense of the United States.

The ugly reality is that our military aid to many countries in the world has greatly increased the danger of war.

This morning or yesterday there was reported affirmation of a matter with respect to which I warned the Senate about not so many days ago, that our Government is in the process of selling to Saudi Arabia more than $100 million worth of weapons.

What a blot on our history.

The danger is great. No more than Lady Macbeth will we be able to wipe out that bloody spot. For that aid to Saudi Arabia is aid which will increase the warmaking power of the Arab States. The Arab States continue to threaten to drive into the sea, up to the moment that I speak, the only free nation in all the Middle East, the State of Israel.

I hold no brief for any mistakes of Israel, but we cannot justify strengthening the military power of Arab countries which threaten to destroy Israel. As I have been heard to say, I am opposed to military aid to any country in the Middle East, including Israel, for military aid to countries in the Middle East increase the danger of war.

I have stated earlier in my speech that the position of my country in the matter of military aid cannot be reconciled with morality.

I say to my administration today, "Your proposal to send $100 million in arms and military equipment to Saudi Arabia is shockingly immoral. History will condemn us for it, for I am convinced that if you continue to build up such war machines as we are building up in the Middle East, the end will be war."

We seem to have hurt feelings when critics abroad charge us with being a hypocritical nation, when the ugly reality is that the United States is a hypocritical nation. Our record in foreign policy is a record of hypocrisy. We profess one thing and we practice another. That is hypocrisy. We profess to believe in the rule of law, but we refuse to resort to an application of the rule of law under existing treaty obligations, which really place a compelling duty upon us to resort to the procedures of those treaties to which we have affixed our signature.

Are treaties signed by the United States to be but a scrap of paper, except when we believe that carrying out their provisions might be, momentarily, in our national, selfish interest? We cannot maintain peace in the world on the basis of any such premise or any such policy as that.

Mr. President, we are hearing from faint noises that suggest that troops from Taiwan might be landed to fight in South Vietnam. Or they might be used as a threat against mainland China. Who would pay for that? Why, it would take more military aid out of Uncle Sam's pocket.

Do not forget that for 6 or 7 years we sent tens of millions of dollars worth of military aid to South Vietnam on the basis that it would enable that country to do its own fighting and defend itself. But when a real challenge was encountered, Americans have come to do the fighting not just in the air or on the sea, but now on the ground.

That is what will happen in South Korea, too, and in Taiwan if either of them is ever put to the test. And their troops are not going to join Americans in South Vietnam in any but the most token numbers. Of Indians, and Pakistanis, and Japanese we will see none at all. The Indians and Pakistanis are concentrating on fighting each other with American military aid.

I point out to the Senate, and to the American people, that the war has come to Asia, and despite the billions and billions of military aid we have given to Asian countries since the end of World War II, their forces have not joined us in the battle. That is perhaps as much our choice as theirs, because it would cost us tens of billions more to support both their armed forces and their national economies in any kind of a war effort. Every one of the 2,106 South Koreans in Vietnam, for example, is financed by American money. I ask unanimous consent to have printed at this point in the Record the table from page 643 of the committee hearing showing free world assistance for Vietnam.

The PRESIDING OFFICER (Mr. Tydings in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the Record, as follows:

Free world assistance for Vietnam

Country	Nature of aid	Persons in RVN
Australia	Combat advisers, aircraft and crews, medical aid, technical aid, civic action aid, and radio stations.	200
Canada	Medical aid, scholarships, and wheat.	1
China	Agricultural aid [deleted], electric power aid.	124
Germany	Professors, technical experts, credits, and 30 ambulances.	23
Italy	Surgical team	17
Japan	Electric power aid, medical aid, ambulances, and transistor radios.	80
Korea	Karate instructors, mobile Army surgical hospital, combat engineers with security forces.	2,106
New Zealand	Army engineers, surgical team, and educational aid.	32
Philippines	Medical aid, psywar assistance.	34
Thailand	[Deleted] cement and roofing. [Deleted].	(1)
United Kingdom.	Police instructions, professor, educational and technical equipment.	12
Netherlands	Surgical team	10

[1] Deleted.

Note.—The French, though their policies in South Vietnam differ from ours, continue to have a number of educators, medical and technical personnel there.

Mr. MORSE. Mr. President, the contention that military aid and supporting assistance was guaranteeing us allies and allied manpower in the event of an Asian war has been proved false by the war in Vietnam. I strongly suspect that a war anywhere else will prove it wrong in most parts of the world.

Of the countries shown in the chart, we have not extended any direct military aid to Canada, New Zealand, or Australia, though they have received some through channels of regional aid. But through fiscal year 1964, China had received $2.458 billion from us in military aid. Germany had received $951.6 million; Italy, $2.312 billion; the Netherlands, $1.242 billion; the United Kingdom, $1.035 billion; Japan, $1.057 billion; Korea, $2.191 billion; the Philippines, $445 million; and Thailand, $68 million through 1963.

I do not mean to single out these countries for criticism because they at least have some people in South Vietnam, even if they are not combatants. Dozens of other recipients of U.S. military aid over the years have no one there at all.

Nor do I believe we should continue to increase our military aid program in the absence of some indication of its future objectives. Take, for example, the constant question of obsolescence. Each year the Foreign Relations Committee is told that country A or B needs new tanks to replace some we furnished them 5 years ago and which are now "obsolescent." Or we are told that a given army must be reequipped because our earlier military aid is now obsolete. That is good for the military equipment manufacturers.

Who knows what the standards are for obsolescence? And who knows how long we plan to go on arming the world with new material? There is never a point at which some nation's military equipment will not become obsolescent. Do we intend to go on indefinitely replacing existing equipment with new?

Never in the life of the military aid program have I heard any indication from the Defense Department of the anticipated future programing for military aid.

There is another important omission from our projected military aid program. That is an estimate of how much it would cost the United States to support any one of these countries in the event it became involved in a major war. Some are saying that the soldiers of Taiwan should be transported to mainland China to divert China away from Vietnam; or that Taiwan troops should be moved to South Vietnam to fight in the war against the guerrillas. But none of these voices ever tells us how much it would cost the United States to support a war economy in Taiwan. Would it be enough that we would have to arm, equip, and supply all her soldiers? Or would our economic aid to Taiwan also have to be expanded, as some form of lend-lease?

Here again, we went through all this with South Vietnam. But the cost of maintaining South Vietnam on a war footing has vastly exceeded the cost of maintaining her even in the years immediately after the French withdrawal.

I have no sympathy for the argument that military aid to undeveloped countries gives us something for nothing, or that it gives us cheap manpower for use in place of American soldiers. Nothing of the sort has happened in the one place where a war is going on.

Yet this is the basis for our military aid in most parts of the world. It should be examined right down to its roots. In the meantime, the level should not go above $1 billion.

Mr. LAUSCHE. Mr. President, I send to the desk an amendment, the essence of which is to reduce the amount of 20 percent in the pending bill to be used in the discretion of the administration for multilateral aid. My amendment would reduce that 20-percent allowance to 12 percent. In principle, it is identical with the proposal that was voted upon at 1:30

this afternoon, the Gruening amendments, to reduce the 20 percent to 10 percent. My amendment would reduce the 20 percent to 12 percent.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

The question is on agreeing to the amendment offered by the Senator from Oregon.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the amendment be had at 5 minutes after 3, 10 minutes from now. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon [Mr. Morse]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. Bass], the Senator from Virginia [Mr. Byrd], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], and the Senator from Washington [Mr. Magnuson] are absent on official business.

I also announce that the Senator from North Dakota [Mr. Burdick], the Senator from Minnesota [Mr. McCarthy], the Senator from Maine [Mr. Muskie], the Senator from Oregon [Mrs. Neuberger], the Senator from South Carolina [Mr. Russell], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. Burdick] would vote "yea."

I further announce that, if present and voting, the Senator from Washington [Mr. Magnuson] would vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Alabama [Mr. Sparkman]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Alabama would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] is necessarily absent.

The Senator from Colorado [Mr. Allott] and the Senator from Kansas [Mr. Pearson] are absent on official business and, if present and voting, would each vote "nay."

The result was announced—yeas 22, nays 63, as follows:

[No. 115 Leg.]

YEAS—22

Bartlett
Bible
Church
Clark
Hruska
Long, La.
McClellan
McGovern
Cotton
Curtis
Douglas
Ellender
Morse
Nelson
Pell
Proxmire
Ervin
Gruening
Hart
Hartke
Randolph
Young, Ohio

NAYS—63

Aiken
Anderson
Bayh
Bennett
Boggs
Brewster
Byrd, W. Va.
Cannon
Case
Cooper
Dirksen
Dodd
Dominick
Eastland
Fannin
Fong
Fulbright
Gore
Harris
Hickenlooper
Hill
Holland
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Mansfield
McGee
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Murphy
Pastore
Prouty
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—15

Allott
Bass
Burdick
Byrd, Va.
Carlson
Hayden
Inouye
Long, Mo.
Magnuson
McCarthy
Muskie
Neuberger
Pearson
Russell, S.C.
Sparkman

So Mr. Morse's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE obtained the floor.

Mr. HARRIS. Mr. President, will the Senator from Wisconsin yield to permit me to call up an amendment?

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, without losing my right to the floor, I may yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I call up my amendment which is at the desk and ask that it be read and made the pending business.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 18, after line 22, it is proposed to insert the following:

(3) add the following new subsection:

"(n) No assistance shall be furnished under this Act, and no sales shall be made under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, to the United Arab Republic or to Indonesia so long as either of such countries shall continue to commit aggression, as the President shall determine in accordance with section 620(i) of the Foreign Assistance Act of 1961, as amended."

Mr. HARRIS. Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROXMIRE obtained the floor.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield briefly to the Senator from Oregon without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE U.S. USE OF A LOBBYIST AS INTERMEDIARY WITH A DOMINICAN POLITICIAN

Mr. MORSE. Mr. President, I have a statement to make as chairman of the Subcommittee on Latin American Affairs.

One of the more disturbing elements in our troubles with the Dominican Republic is one that need not have occurred and which certainly need not have occurred and which certainly need not continue. It is the use by the United States of a lobbyist as intermediary with a Dominican politician.

The lobbyist is I. Irving Davidson, and the Dominican he represents is Joaquin Balaquer. Mr. Balaquer was President of the Dominican Republic for a time after the death of Trujillo.

I do not doubt that Balaquar is still a factor in Dominican politics, and he rightly should be considered as a possibility for public office there again. Moreover, I expect the United States to have some contacts with him as we seek to put together a new government down there, pending new elections.

But to use Mr. Davidson as the intermediary is completely unnecessary and cannot help but cloud still further the good intentions of the United States. Let us face the fact that our virtual occupation of the Dominican Republic and our current, undisguised intention of installing a new government favorable to the United States is not exactly enhancing our standing or our good name in the Western Hemisphere. It is a dirty business at best.

But we are making it dirtier by including in our dealings a paid lobbyist who has advertised his claimed connections with the President by advising his clients in Central America that in 1960 he had assurances from the "L.B.J. policy board" that there will be a general housecleaning of the policymakers of the State Department for Central America, and that the same "L.B.J. policy board" had also promised him "first refusal for representations—ambassadorial, military, et al."

Mr. Davidson made these claims in a letter to Senor Luis Somoza, of Nicaragua, its President, and one of his clients, in a letter dated July 7, 1960. This letter and Mr. Davidson's testimony about it came up in the inquiry of the Foreign Relations Committee into the activities of agents for foreign governments. I ask unanimous consent that portions of the testimony of Mr. Davidson before the committee in 1963 be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, Mr. Davidson is an influence peddler. Among his clients in 1963 were President Somoza of Nicaragua, Ecuadorian sugar interests, Israel military interests, and economic and military interests of Indonesia. On behalf of these clients, he seeks grants and loans under the foreign aid program and sugar quotas.

Today, Mr. Davidson's clients also include President Duvalier of Haiti, and a Texas company controlled by the Murchison family. Two weeks ago, the Justice Department asked Mr. Davidson to register as a representative of Mr. Balaquer as well, which he has not done on the ground that his relations with Balaquer were conducted at the request of the State Department.

One of the items that was included in our hearing record was a letter from Mr. Davidson to President Somoza in 1956, in which he told him:

> The colonel is cooperating with me on several good public relations moves, which will be very beneficial for Nicaragua. For instance, he has taken five tickets for the Eisenhower dinner to be held here on January 20. These tickets, which sell for $100 each are a form of political gratuity for the Republican Party. I have given them, with the Colonel's approval, to five people in the U.S. Government who are grateful for the opportunity and are aware to whom they are indebted for this favor.

The colonel referred to is Somoza's son. Mr. Davidson testified that the tickets were paid for by the Nicaraguan Government.

In 1960, he sought to impress Somoza with his close ties to Lyndon Johnson, then a candidate for the Presidential nomination. He wrote in the letter I have already cited that he was off to the Los Angeles convention where he would be active in the campaign to nominate Johnson as the Democratic candidate for the Presidency.

He also told Somoza:

> I have made available to the Johnson camp the strength, et al., of labor [money, delegates, hospitality, votes, etc.] which I will make available to the Republican nominee in Chicago at the end of this month. The services that I have made available to them are invaluable, since through 900 locals throughout the United States, I have made available to them 12,000 militant workers.
>
> I am operating behind the scenes. So far as Nicaragua is concerned, everyone with whom I am dealing knows that I am your registered representative; and everyone knows that much of the money I spend throughout the year is made available to me through your generosity.

Along with other Senators, I asked Mr. Davidson some questions about his activities on behalf of these clients. I think it was evident that he was doing his best to impress Mr. Somoza with his value as a lobbyist. To what extent his statements about promises from "the L.B.J. policy board" were true we did not go into, since in March of 1963, when the hearing was held, Mr. Johnson was not President.

But today he is President. And inquiries at the State Department have been reported to me which indicate that the Department is using Mr. Davidson as their contact with Joaquin Balaquer in dickering for a new government for the Dominican Republic.

When the President wanted to dicker with Juan Bosch, also a former President of the Dominican Republic, he sent John Bartlow Martin to do it. Surely it is possible to find someone equally reputable and free from financial involvement to dicker with Mr. Balaquer.

I can only say to the administration that if Mr. Davidson is a part of this administration's negotiations in the Dominican Republic, then I have been wrong in saying that our actions there have set back U.S. relations with Latin America by 25 years. The figure should be 60 years.

This is not to say that Mr. Davidson is dishonest or that he is doing anything illegal. Influence peddling is still legal in Washington, D.C., and that is Mr. Davidson's profession. He got $1,000 a month for representing Somoza. No doubt he expects to make much more if he can promote Balaquer into the Presidency of the Dominican Republic.

But I predict that even if Mr. Balaquer does become President, Mr. Davidson's role will give him the kiss of death so far as most of Latin America is concerned, and eventually with the Dominican people.

EXHIBIT 1

TESTIMONY OF I. IRVING DAVIDSON

Mr. Davidson. I would just like to state, Mr. Chairman, that I am not a lawyer, and that I hope that you will bear with me if I take a little time so that I can answer whatever questions you put to me properly.

I am glad to cooperate with the committee in trying to fulfill the purposes of the committee in every way.

The Chairman. Well, we appreciate your cooperative attitude, Mr. Davidson.

Will you state for the record your full name, your business address, and your home address?

Mr. Davidson. My name is Irving Davidson. My business address is 1612 K Street, Suite 306, Washington 6, D.C.

My Washington home address is 2801 McKinley Place NW., Washington 15, D.C.; my Pennsylvania address is 820 Highview Street, Pittsburgh 6, Pa.

The Chairman. Would you give us, Mr. Davidson—I believe you did not choose to have a counsel present, is that correct?

Mr. Davidson. No, that is correct, Mr. Chairman.

MR. DAVIDSON'S BACKGROUND

The Chairman. Would you give us a very brief statement for the record of your career, I mean when you came to Washington and so on, just very briefly.

Mr. Davidson. I came to Washington back in 1941 when I went to work for the War Production Board. I was there approximately 3 years. Then I entered into the public relations field privately, approximately 1944.

The Chairman. 1944?

Mr. Davidson. Approximately 1944.

The Chairman. Yes.

Mr. Davidson. To the best of my recollection.

The Chairman. And you have been in that ever since?

Mr. Davidson. Yes, Mr. Chairman.

REPRESENTATION OF NICARAGUA, ECUADOR, INDONESIA, AND ISRAEL

The Chairman. Are you currently registered with the Department of Justice as a representative of various foreign principals?

Mr. Davidson. I am, Mr. Chairman.

The Chairman. Who are these principals?

Mr. Davidson. At the present time I am registered with the Justice Department for the Government of Nicaragua, and I have been registered for Nicaragua for going on the eighth year.

The Chairman. Eight years?

Mr. Davidson. Yes, sir.

I am presently registered for the Republic of Ecuador, and the Ecuadoran sugar producers.

The Chairman. Are they separate registrations?

Mr. Davidson. Yes, sir. I would like to say at this time, Mr. Chairman, that, well, let's pass that for a minute. I am also presently registered for the Indonesian National Army, part of the Republic of Indonesia, and I am also registered for the Israeli Aircraft Industries, a semiofficial branch of the Government of Israel.

I would like to state at this time, Mr. Chairman, that my representation for Indonesia, even Ecuador, and possibly Israeli Aircraft Industries is a matter of interpretation.

For instance, with regard to Indonesia, I have no fee arrangement, and I just wanted to be sure that I was complying technically with the spirit and the letter of the law and I filed a foreign agents registration statement, although there is a doubt in my mind whether I still represent Indonesia or not. But it presents no problem to file these statements. It is the easiest thing to do, and it worked no hardship upon me when I was having relations with these agencies, to file with these semigovernment agencies, to file with the Justice Department so they would know of my activities.

In the case of Indonesia since my first contact with the representative of the Indonesian National Army I have had no further contact with him. With regard to Ecuador, I had an understanding with either the representative of the Government of Ecuador under the President who was deposed, Velasco Ibarra, and when the new President of Ecuador came in, Arosemena, I was not asked to relinquish my registration.

I felt that when I filed a supplemental form with the Justice Department that I was representing the Ecuadorian sugar producers that there was enough of a tie between the Government and the Ecuadorian sugar producers that I should file a supplemental foreign agents registration form and comply technically with the spirit and the letter of the law and the Foreign Agents Act.

The Chairman. You also filed, I believe, for the Plywood de Nicaragua, S.A.; that is a private corporation?

Mr. Davidson. Mr. Chairman, that is another instance where I merely complied with the letter and the spirit of the law although I don't really know whether technically I should be filing for the Plywood de Nicaragua, but the reason I did was that the President of Nicaragua has a stock interest in this corporation and I felt that I should disclose this to the Justice Department.

It bore me no great hardship to keep them apprised of his stock interest in the plywood factory.

REGISTRATION AND DUTIES FOR PRESIDENT OF NICARAGUA

The Chairman. When did you first register on behalf of the President of Nicaragua?

Mr. Davidson. Mr. Chairman, about 1955. I can tell you the exact date if you will bear with me.

The Chairman. Yes, go right ahead.

Mr. Davidson. I would like it to be known for the record that I asked that my secretary be allowed to come in with me because I am not too knowledgeable about my files, and I travel extensively and I have had three secretaries in the last year and a half, and my files aren't in too good shape. I believe the first registration that I filed for Nicaragua was in August 1955.

The Chairman. What were your duties on behalf of Nicaragua? What was your fee?

Mr. Davidson. My fee arrangement was an oral one with the then President of Nicaragua, President Anastasio Somoza. It was a fee arrangement of a thousand dollars per month, and if there were any expenses which I felt they should pay for work that I was doing in their behalf they would take care of them.

It was an oral agreement.

My duties were precisely in 1955 to help them in certain purchases from the U.S. Government, surplus property, military supplies, but chiefly to try to encourage foreign investment into Nicaragua, trying to bring U.S. capital into Nicaragua.

SPECIAL ASSISTANCE GRANT TO NICARAGUA

The Chairman. Mr. Davidson, first, we would like to discuss your part, if any, in securing a $350,000 ICA special assistance grant to Nicaragua for a housing development in that country which was approved by ICA in 1959.

Are you acquainted with a man named Allen Oakley Hunter?

Mr. Davidson. I am, Mr. Chairman.

The Chairman. Will you identify Mr. Hunter for the record?

Mr. Davidson. Yes, sir. Mr. Allen Oakley Hunter is a former Congressman from California and former FBI agent and former General Counsel of the FHA; no, HHFA, Housing and Home Finance Agency.

The Chairman. Were you acquainted with Mr. Hunter in 1957?

Mr. Davidson. I was.

The Chairman. Do you know a Mr. Dan R. Hamady?

Mr. Davidson. I do, Mr. Chairman.

The Chairman. Who is he?

Mr. Davidson. Mr. Hamady is—I believe his present title is Chief of International Housing for the FHA or the HHFA. He has something to do with our housing situation——

The Chairman. You knew him in 1957?

Mr. Davidson. Yes, sir.

ASSOCIATION WITH MESSRS. HUNTER AND HAMADY

The Chairman. What was your association with these gentlemen in 1957?

Mr. Davidson. Mr. Chairman, I got to know Mr. Hunter socially around Washington. I had seen him over a period of a few years and one of the great problems that we had in Nicaragua which we still have today, is housing; one of the most terrible problems in Nicaragua is housing; people actually live on the ground in Nicaragua, and about that time I learned that our Government was planning to put some pilot self-help housing in Central America as they had done in Korea, Lebanon, and in other parts of the world.

I heard that funds were available for Western Hemisphere countries and I asked permission of the President to pursue this with the proper officials in the U.S. Government to try to get a self-help housing program started.

The Chairman. Which President are you referring to there?

Mr. Davidson. President Somoza.

The Chairman. Yes.

Mr. Davidson. If I couldn't try to undertake to try to get some—I believe the name given to this project was the do-it-yourself housing project whereby the workers in the country would help build the homes at a low cost and I wanted to see if I couldn't get FHA or whatever the name of the international agency was at that time that had to do with self-help housing to put a pilot project into Central America. I heard they were planning such a project and I wanted Nicaragua to be chosen as the country to start this self-help project.

TRIPS BY MR. HAMADY AND MR. HUNTER TO NICARAGUA

The Chairman. Did Mr. Hunter and Mr. Hamady visit Nicaragua in 1957 as guests of the Nicaraguan Government?

Mr. Davidson. Mr. Chairman, to the best of my recollection I don't know whether they were the guests of the Nicaraguan Government but I do know they were both at that time going down representing the housing agency in one way or another, but I don't believe that the Nicaraguan Government paid their transportation.

The Chairman. Did you make arrangements for this visit?

Mr. Davidson. I did all I could to bring the visit about, Mr. Chairman.

The Chairman. Did you initiate the idea for the visit?

Mr. Davidson. I believe I did.

The Chairman. And you knew all about the trip at the time?

Mr. Davidson. Yes, sir.

The Chairman. The purpose, if I understood you correctly, was to promote a self-help housing project in Nicaragua; is that correct?

Mr. Davidson. Yes, that is correct, Mr. Chairman.

TWO LETTERS FROM MR. DAVIDSON TO AMBASSADOR WHELAN AND PRESIDENT SOMOZA

The Chairman. Mr. Davidson, I show you a copy of two letters, both dated June 25, 1957, the first addressed to Mr. Thomas Whelan, the American Ambassador at the American Embassy at Managua, Nicaragua, and the second addressed to President Luis Somoza, Presidential Palace, Managua, Nicaragua.

Did you send these letters to the respective addressees?

(Copies of the letters referred to are as follows:)

June 25, 1957.

Mr. Thomas Whelan,
The American Ambassador,
The American Embassy, Managua, Nicaragua.

Dear Mr. Ambassador: I am pleased to inform you that I am bringing Mr. Oakley Hunter to Nicaragua with me the weekend of June 30. Mr. Hunter is the General Counsel of the Housing and Home Finance Agency, the parent organization of all the housing bureaus in our Government. Over the past several months he has become quite interested in Nicaragua and sees the possibility of a housing project being developed there. He believes this can be possible with the cooperation of various Government agencies, together with private mortgage money. He's coming down to get a firsthand knowledge of the basic problems of the country.

It was Mr. Hunter's organization that sent the ICA group and a group of private mortgage bankers to Peru to try to work out a housing program there. At lunch the other day, I met Mr. Ashley Ford, the gentleman who headed that group. I also met Mr. Dan Hamady, the ICA representative to the Housing and Home Finance Agency. Both these gentlemen believe that a housing project in Nicaragua is easily possible, as well as economically feasible.

Mr. Hunter has heard a lot of good things about Mr. Foster in your office and is anxiously looking forward to meeting him.

For your information, Mr. Hunter is a former Congressman from California and an ex-FBI agent. He is a very close personal friend of Vice President Nixon, Congressman Pat Hillings (from Nixon's district), and Bill King, the Vice President's administrative assistant. He is also a personal friend of the Murchisons.

Looking forward to seeing you soon.

Very truly yours,
I. Irving Davidson.

June 25, 1957.

President Luis Somoza,
Presidential Palace,
Managua, Nicaragua.

Dear Mr. President: The enclosed blind carbon copy of my letter to Ambassador Whelan is self-explanatory. Confidentially, Mr. Hunter will be leaving the service of the U.S. Government in the next 5 or 6 months and will become associated with a large mortgage bankers group. I will tell this to Ambassador Whelan personally, but I didn't want to put it in his letter and have someone in the Ambassador's office get the wrong idea about a conflict-of-interest situation where Mr. Hunter is concerned.

Mr. Hunter is one of the most respected men in the housing field and his new group can make our housing project a reality. He is also a personal friend of Vice President Nixon and can tell you how Nixon feels about Nicaragua.

I hope you will take a personal, social interest in Mr. Hunter's visit. His friendship can mean a lot to Nicaragua.

Abrazos.

I. Irving Davidson.

Mr. Davidson. I am sure that I did, Mr. Chairman.

The Chairman. I read from the letter to Ambassador Whelan. You have it before you there?

Mr. Davidson. Yes, sir.

The Chairman (reading): "Over the past several month he," that refers to Mr. Hunter, "has become quite interested in Nicaragua and sees the possibility of a housing project being developed there. He believes this can be possible with the cooperation of various Government agencies, together with private mortgage money."

Is that contained in your letter?

Mr. Davidson. Yes, sir.

The Chairman. Was a copy of the letter to the Ambassador Whelan included with the letter sent by you at the same date to President Somoza?

Mr. Davidson. Would you state the question again, Mr. Chairman?

The Chairman. Was a copy of your letter to Ambassador Whelan included in your letter to President Somoza of the same date?

Mr. Davidson. Well, I state that I did and I am sure that I did.

The Chairman. Yes.

Mr. Davidson. I state that I did in the letter.

The Chairman. In your letter to President Somoza which you have before you did you write as follows:

"Confidentially Mr. Hunter will be leaving the service of the U.S. Government in the next 5 or 6 months and will become associated with a large mortgage bankers group. I will tell this to Ambassador Whelan personally, but I didn't want to put it in his letter and have someone in the Ambassador's office get the wrong idea about a conflict-of-interest situation where Mr. Hunter is concerned."

Is that included in your letter?

Mr. Davidson. Yes, sir.

MR. HUNTER'S DEPARTURE FOR GOVERNMENT SERVICE

The Chairman. When did you first learn that Mr. Hunter was about to leave the Government service?

Mr. Davidson. I learned that some time before—I can't say specifically but I would like to explain that paragraph if I may, Mr. Chairman.

The Chairman. Yes.

Mr. Davidson. As I stated in here, Mr. Hunter is a very honorable man and a very respected man in the housing field, and when I asked him to come down to Nicaragua I recall very distinctly he said to me, "You know, Irving, I am leaving the Government very shortly and maybe you ought to be getting somebody else to go on down there and maybe it is enough for Mr. Hamady to go down."

But Mr. Hunter would be going out into the private housing field and I know our Government wasn't going to be financing housing for Latin America, at least I hoped they wouldn't and I was looking for people to invest money in housing in Nicaragua and I felt that through Mr. Hunter's connections I would be able to get some mortgage money into Nicaragua and I felt if he was familiar with the housing situation and the financial situation in Nicaragua that I would have a very good man to help me in trying to secure mortgage money for such a project.

The Chairman. What is the conflict of interest situation to which you refer in your letter?

Mr. Davidson. I didn't want anybody—I wanted it to be very clear to everyone that Mr. Hunter would be leaving the Government, and that he was coming down there solely to do a job for the U.S. Government while he was there, and though he was going to leave it was all very proper.

The Chairman. Well, you state in your letter in, I think the following paragraph from the one I read:

"Mr. Hunter is one of the most respected men in the housing field and his new group can make our housing project a reality."

What is the new group that you refer to there?

Mr. Davidson. Well, in my—as I stated above I thought Mr. Hunter would be going with a large mortgage bankers group and if I was able to——

The Chairman. What is that group, do you know?

Mr. Davidson. No, I don't, Mr. Chairman. I can't recall.

The Chairman. What did you think it was at that time?

Mr. Davidson. I thought that to the best of my recollection, I thought that Mr. Hunter was going out with a mortgage banking group out in California.

The Chairman. California.

HOUSING PROJECT

You refer in that paragraph and I quote: "Our housing project," what was our housing project at that time?

Mr. Davidson. The President wanted to put in a private housing project, and we spent a lot of time and money in trying to get people to come into Nicaragua and build a housing project without any U.S. funds, because we didn't feel any would be forthcoming, and it has been the President's dream to put in a housing project. We had many, many Americans come down, though, who were builders and they wanted to build a housing project with our money, but we had no money.

The Chairman. You mean the President—was this a private project of the President's or was it a Government project?

Mr. Davidson. It would have been a Government—when I say, "Our housing project," the President wanted me to promote private funds to build a housing project in Nicaragua. He would then lend his support for the good of Nicaragua. It was not a private one for him but he wanted private capital to build it. The problem was to get someone to give us a 10-year mortgage.

The Chairman. Was the President to have a financial interest in it personally?

Mr. Davidson. The housing project we were thinking about or are you talking about the pilot project?

The Chairman. The one you refer to here, "Our housing project."

Mr. Davidson. Our housing project was a dream to build 500 homes in Nicaragua and the President was going to donate the land and take a secondary position until the mortgage was paid off. He was going to put up prime land that would be very desirable to any builder so he would have had an interest.

REFERENCE TO "THE MURCHISONS"

The Chairman. Mr. Hunter—you mentioned he was a former Congressman and ex-FBI agent. You also state in this letter that he "is a very close personal friend of Vice President Nixon, Congressman Pat Hillings (from Nixon's district), and Bill King, the Vice President's administrative assistant. He is also a personal friend of the Murchisons."

Who are the Murchisons?

Mr. Davidson. Mr. Chairman, I am not a lawyer and I want you to bear with me. I don't know whether this question you asked me is relevant to this hearing, my being a foreign agent.

The Chairman. This is from your own letter. I am just seeking to understand what you had in mind here. Why did you mention that in your own letter?

Mr. Davidson. Well, I still don't see what that has to do with my foreign agent's representation.

The Chairman. Well, if you don't care to answer it, I don't know that it is vital to the hearing. It is quite all right. I think we know who the Murchisons are.

Mr. Davidson. Well, Mr. Chairman, I brought Mr. Murchison to Nicaragua with the idea that he would build—invest some money in Nicaragua, private capital, and I established a relationship between potential American investors in Nicaragua. At all times it was part of my job to try to bring potential investors into Nicaragua.

The Chairman. Mr. Hunter, who is a central figure in this study, you state was also a personal friend of Mr. Murchison, is that right. The Murchisons are from Texas, Mr. Hunter is from California.

Mr. Davidson. That is correct.

The Chairman. In your letter of June 25 of 1957 you state that——

Mr. Davidson. Could I have a copy of that; I see, yes, I have it.

The Chairman. You are talking about Mr. Hunter and you say:

"He is also a personal friend of Vice President Nixon and can tell you how Nixon feels about Nicaragua."

Mr. Davidson. That is correct, Mr. Chairman.

LETTER OF JULY 18, 1957

The Chairman. I show you a letter dated July 18, 1957, addressed to President Somoza and ask you if you sent this letter to the President. That is July 18.

Mr. Davidson. Yes, sir: I did.

(A copy of the letter referred to follows:)

July 18, 1957.

President Luis Somoza,
Casa Presidential,
Managua, Nicaragua.

Dear Mr. President: Mr. Oakley Hunter, General Counsel of the U.S. Federal Housing and Home Finance Agency, and Mr. Dan Hamady, Chief of the International Housing Service, will be our guests in Nicaragua the weekend of July 28. We will arrive in Managua Sunday morning at 10:15 and will be there only 3 days as Mr. Hunter must be back in Washington on Wednesday.

Please plan to give these gentlemen as much of your time as possible. It is possible for them to effect a "demonstration housing project" for Nicaragua through a special fund that exists in the ICA budget. This is not common knowledge and should be kept confidential for the time being.

I explained to you in a previous letter about Mr. Hunter's background and close friendship with Vice President Nixon. They are all eager to help in this project.

Ambassador Sevilla-Sacasa has made a formal request from Secretary of State Dulles to allow Mr. Hunter and Mr. Hamady to accept your invitation. This gives it the official air that we need.

Saludes,

I. Irving Davidson.

The Chairman. This letter, if you follow me, reads in part as follows:

"Please plan to give these gentlemen as much of your time as possible. It is possible for them to effect a 'demonstration housing project' for Nicaragua through a special fund that exists in the ICA budget. This is not common knowledge and should be kept confidential for the time being."

Does the—do you refer there, "these gentlemen" meaning Mr. Hamady and Mr. Hunter?

Mr. Davidson. Yes, I do, Mr. Chairman.

KNOWLEDGE OF SPECIAL ICA HOUSING PROJECT

The Chairman. From whom did you learn of this special ICA fund to finance demonstration housing projects? Was that from Mr. Hunter?

Mr. Davidson. No, that was public knowledge, Mr. Chairman. It was public knowledge that there was, as I stated, that there was a fund within the ICA for do-it-yourself program housing throughout the world. They had never before started a do-it-yourself housing project in Central America, and they had the right to start one if they wanted to.

The Chairman. You say in your letter there:

"This is not common knowledge and should be kept confidential for the time being."

That wouldn't seem to be very public, would it?

Mr. Davidson. Well, again, Mr. Chairman, I believe this would be a case of where I didn't express myself too clearly, but when I say it is not common knowledge, I believe that the man on the street didn't know about this ICA budget that existed, that it was something that I learned because of my moving around the agency trying to find out how I could get funds for a demonstration project. I knew there was only so much funds and every country in South America would like to move in on these funds and start such a project.

The Chairman. Did you learn that from Mr. Hunter?

Mr. Davidson. I believe I could have learned that from Mr. Hamady who was in charge of international housing and the do-it-yourself program. I don't believe it was a secret and I think my letter might imply something secretive about it but there was nothing secretive about it. It was public information if one would search it out.

The Chairman. Were you told by Mr. Hamady or Mr Hunter it was possible for them to effect such a project?

Mr. Davidson. Well, Mr. Chairman, I don't believe they put it to me the way you state it.

The Chairman. That is the way you state it. Your letter says, "It is possible for them"——

Mr. Davidson. I knew if Mr. Hamady and Mr. Hunter felt that it would be to the best interests of the ICA and our Government to effect a demonstration housing project in Nicaragua of all the countries of Central America, and that our presentations were such that they could—it merited that demonstration housing project these gentlemen would be of great help in effecting such a housing project.

I felt that all the countries were looking for these funds to put in demonstration projects but I felt if we jumped in there first, and put our best foot forward we would be first in line.

DEMONSTRATION HOUSING PROJECTS

The Chairman. In that same letter it reads as follows, and you have it before you:

"I explained to you in a previous letter about Mr. Hunter's background, close friendship with Vice President Nixon. They are all eager to help in this project."

Who is "they" that you refer to in that sentence?

Mr. Davidson. Well, I am sure that I was referring to Mr. Hunter and I cannot specifically say that—I wasn't there, but Mr. Hunter told me that—to the best of my memory—that Vice President Nixon thought that a demonstration project, housing project, in Nicaragua where it is so sorely needed on a do-it-yourself basis would be a nice thing, and he was in accord with such a project if it could be worked out.

The Chairman. This is the project you mentioned before the 500 houses?

Mr. Davidson. No, this is just the demonstration housing project. This would be the one where the United States put in technical assistance to show the people how—this demonstration project was under the do-it-yourself program. Our Government provided wheelbarrows and technicians. This was the type of home that we built in Korea under $1,500, and we wanted to see if the workers in Nicaragua would build their own homes after their working hours. It was a do-it-yourself type project. But not the overall housing project that I wanted to put across through private capital. This had nothing to do with that.

TWO PROJECTS

The Chairman. This is a different project from the one you referred to as "our project"?

Mr. Davidson. Yes, sir.

The Chairman. You had two different projects in mind?

Mr. Davidson. Yes, sir, the one where Mr. Hunter is involved in this correspondence had to do strictly with the demonstration do-it-yourself-type project, and I believe that was carried through and they built about 50 do-it-yourself-type projects.

The Chairman. When you say "these are eager to help" you mean help get what?

Mr. Davidson. To see that they could get the do-it-yourself project started.

The Chairman. How were they to help?

Mr. Davidson. Mr. Chairman, I don't know. I don't know what the workings are exactly or what they were in FHA but I did know that the funds were available and I wanted to get their assistance for a very necessary project.

FORMAL REQUEST FROM THE AMBASSADOR

The Chairman. I notice in this same letter of July 18 to President Somoza, you state in your last paragraph and I quote, "Ambassador Sevilla-Sacasa has made a formal request from Secretary of State Dulles to allow Mr. Hunter and Mr. Hamady to accept your invitation. This gives it the official air that we need."

Mr. Davidson. That is correct.

The Chairman. Who was the Ambassador there you refer to there, Ambassador Sevilla-Sacasa?

Mr. Davidson. Ambassador Sevilla-Sacasa is the Nicaraguan Ambassador to the United States. He is also the brother-in-law to the President of Nicaragua.

The Chairman. Did you suggest to the Ambassador that he make the formal request of Secretary of State Dulles?

Mr. Davidson. To the best of my recollection I did not, but I believe that there is a formality within the Government that Government people must follow to accept invitations from foreign chiefs of state. This is something that I know nothing about. However, I did discuss it with Ambassador Sevilla-Sacasa and he went through the formality, this is protocol which I don't know anything about, Mr. Chairman. I can't remember but I know we did this in order to be proper.

The Chairman. Well, that would seem to be the meaning of this paragraph, wouldn't it?

Mr. Davidson. Yes, sir.

MEANING OF "OFFICIAL AIR" NECESSARY

The Chairman. What do you mean by "official air that we need"? What did you need an official air for?

Mr. Davidson. Maybe I didn't express myself properly. I should have had a secretary who could take my dictation and put it into——

The Chairman. What is wrong with it? I just want to know what it means?

Mr. Davidson. Well, official air, it could have been stated a little better typographically. This gives it the official touch that we need. This makes it official, I should have just stated that this makes the trip official and proper. It puts it in a proper perspective or posture.

The Chairman. You say you don't understand why it needed to be official.

Mr. Davidson. No; I knew it had to be official.

The Chairman. Why did you know that?

Mr. Davidson. Well, these gentlemen were representatives of the U.S. Government, and this was an official trip. This was an official trip.

The Chairman. By official, you mean at the invitation of the President of Nicaragua?

Mr. Davidson. No; even though I invited the gentleman to come down to Nicaragua.

The Chairman. You invited them in the name of the President?

Mr. Davidson. In the name of the President I invited them, Mr. Hamady and Mr. Hunter had to clear with their agency and the proper people in the U.S. Government.

The Chairman. And they told you they couldn't go until they did?

Mr. Davidson. That is correct.

The Chairman. Is that the reason you asked Mr. Sevilla-Sacasa to initiate the invitation?

Mr. Davidson. That is correct, Mr. Chairman.

LETTER OF JULY 24, 1957

The Chairman. Mr. Reporter, I will put into the record the letter of July 24, 1957, a letter addressed to Mr. Cole, Albert Cole, Administrator, Housing and Home Finance Agency, and signed for the Secretary of State by William A. Weiland, Director of Office of Middle American Affairs. The significant paragraph, I think, is this one, it says:

"The Department of State discussed this request with the International Cooperation Agency which states this visit has apparently been arranged without consultation by the Nicaraguan Government or the FHA with the U.S. operations mission in Nicaragua or with the International Cooperation Administration here. ICA notes, however, that the housing adviser of the USOM in Nicaragua is absent from his post at this time.

"The Department of State and ICA interpose no objection to his visit but suggest that Messrs. Hunter and Hamady contact our Embassy and USOM in Managua during their visit."

That will be in the record. That is dated July 24, 1957.

(The letter referred to follows:)

July 24, 1957.

Hon. Albert M. Cole,
Administrator, Housing and Home Finance Agency, Washington, D.C.

Dear Mr. Cole: The Government of Nicaragua is interested in having Messrs. Oakley Hunter and Dan Hamady of the Housing and Finance Agency visit Nicaragua on or about July 28 to consult with President Somoza concerning Nicaraguan housing problems. In its Note No. 299 of July 18, 1957, requesting this, the Nicaraguan Embassy states that "any expenses incurred by these technicians will be borne by the Nicaraguan Government."

The Department of State discussed this request with the International Cooperation Agency which states this visit has apparently been arranged without consultation by the Nicaraguan Government or the FHA with the U.S. operations mission in Nicaragua or with the International Cooperation Administration here. ICA notes, however, that the housing adviser of the USOM in Nicaragua is absent from his post at this time.

The Department of State and ICA interpose no objection to this visit but suggest that Messrs. Hunter and Hamady contact our Embassy and USOM in Managua during the visit.

William A. Wieland,
Director, Office of Middle American Affairs
(For the Secretary of State).

LETTER OF JULY 24, 1957, TO AMBASSADOR WHELAN

The Chairman. Mr. Davidson, I show you a letter dated July 24, 1957, addressed to Mr. Thomas Whelan, and ask if you sent that letter?

Mr. Davidson. I did, Mr. Chairman.

July 24, 1957.

Mr. Thomas Whelan,
The American Ambassador,
The American Embassy, Managua, Nicaragua.

Dear Mr. Ambassador: I thought you might be interested in reading the enclosed article from the Congressional Record about Mr. Oakley Hunter, who will be the guest of the Nicaraguan Government from Sunday through Tuesday.

Mr. Hunter is a wonderful person. Though he is leaving Government in August, he is now the controlling factor in our getting a demonstration housing project in Nicaragua.

Dan Hamady is well known to your ICA boys in Managua. Confidentially, Mr. Ambassador, there are certain factions within ICA in Washington who are peeved over the fact that Hunter and Hamady are going to Nicaragua, of all places, as they put it. In spite of this, I hope they will get the complete cooperation of your ICA chief in Managua. With his cooperation, Luis cannot miss getting this deal. Hunter and Hamady did not feel that it was necessary to contact Foster.

I am anxiously looking forward to your meeting these gentlemen for once they get your personal views on the need for this project, everything will be buttoned up for us.

Sincerely yours,

I. Irving Davidson.

The Chairman. The second paragraph of that letter reads as follows, if you would check it there:

"Mr. Hunter is a wonderful person. Though he is leaving Government in August, he is now the controlling factor in our getting a demonstration housing project in Nicaragua."

In what way was Mr. Hunter the controlling factor?

Mr. Davidson. In my opinion, Mr. Chairman——

The Chairman. What?

Mr. Davidson. In my opinion, I felt that Mr. Hunter would be a key factor as general counsel in helping us getting this demonstration housing project in Nicaragua because of the position that he had.

The Chairman. In that same letter you say in the next paragraph from the one I read, that "Dan Hamady is well known to your ICA boys in Managua. Confidentially, Mr. Ambassador, there are certain factions within ICA in Washington who are peeved over the fact that Hunter and Hamady are going to 'Nicaragua, of all places,' as they put it. In spite of this, I hope they will get the complete cooperation of your ICA chief in Managua. With his cooperation, Luis cannot miss getting this deal. Hunter and Hamady did not feel that it was necessary to contact Foster."

This is your letter to Ambassador Whelan.

Mr. Davidson. Yes, sir.

The Chairman. Who is Foster?

Mr. Davidson. To the best of my recollection, Mr. Chairman, he was—I don't know the exact name of the mission—but he had something to do with one of our point 4 missions in Managua that had to do with housing. That tied somewhere into this housing project.

The Chairman. But Hunter and Hamady didn't wish to see him, is that correct?

Mr. Davidson. No, I wouldn't say that. I said they didn't feel it was necessary to contact Foster.

The Chairman. Yes.

ADDITIONAL OBJECTIVES IN REPRESENTATIONS

Mr. DAVIDSON. Mr. Chairman, about that paragraph:

"Certain factions within ICA in Washington are peeved over the fact that Hunter and Hamady are going to 'Nicaragua, of all places.'"

When I first started with Nicaragua and President Somoza and it was the first time that I became a registered agent for a foreign government, I found the Nicaraguan people to be very, very friendly and warm to the United States. In fact, they bent over backward to be friendly to the United States, and as the years went on, as time went on, well, this letter is dated 1957.

The Chairman. Yes.

Mr. DAVIDSON. I seemed to find a wall around certain places where Nicaragua was mentioned. I didn't feel that Nicaragua was appreciated by many people here in Washington, and that I thought it was very unfair, because from my having been in Nicaragua, not only as their agent, but I have invested money in Nicaragua and I got to know the people very well, that I felt we were taking them for granted down there and that the Nicaraguan story or Nicaragua wasn't appreciated too well in Washington.

Other than my job of getting people to invest money in Nicaragua, every time I could I let people know what great friends Nicaragua was to the United States, how anticommunistic they were, and how strong they were for the United States, how fair their father had been. At this time the President who had hired me had been assassinated by a Red and the boys had taken over and they were trying to do a good job and they were following in their father's footsteps, and I felt Nicaragua was being used by our Government and I was very happy that our Government had confidence in Nicaragua to put in military missions to try to keep the Castro-type Communists out of Nicaragua, used their services in Guatemala to help kick out the Reds there and I felt they were taken for granted and not appreciated in Washington.

I asked all the friends I had in every way that I could to try to promote better understanding between Nicaragua and certain people here in Washington who didn't know them.

FIRST ASSOCIATION WITH AMERICAN AMBASSADOR

The CHAIRMAN. When did you first meet Mr. Thomas Whelan, the American Ambassador?

Mr. DAVIDSON. Mr. Chairman, when I first went to Nicaragua in approximately early 1955, I went down on a commercial deal. As our State Department asked all Americans visiting foreign countries to go in and register with the U.S. Embassy, I went in to register and I had heard about Ambassador Whelan from people in Washington, that he was a great American and a great friend of Nicaragua, and I asked for an appointment to talk with him, and he granted me an appointment, and I found him to be a very great American and a very understanding man for Nicaragua, and a great influence on the Nicaraguan people so far as the United States was concerned, well loved by all the people.

He was loved by the ones they call the barefooted ones and the shirtless ones in Nicaragua. He was not a stiff ambassador and also his door was open to everyone at all times.

We hit it off very well, and I recall the Ambassador saying to me, "Irving, I want to tell you something. These are a wonderful people down here and they are great friends of ours and you are going to represent President Somoza, I ask you to do one thing. Be fair with them at all times, and be honest with the old man because they are great friends of ours," and the Ambassador put his trust in me to do right by these people, not to embarrass the United States and I feel that I have done a great job both as an American for the United States in the way I have conducted myself in Nicaragua and for the Nicaraguan Government.

EMPLOYMENT WITH GOVERNMENT OF NICARAGUA

The CHAIRMAN. Had you already been employed at that time by the Nicaraguan Government to represent them?

Mr. DAVIDSON. To the best of my recollection I had just come from visiting the President who was at an army camp and I asked him—at that time I believe he had told me that he wanted me to be his public relations man and purchasing agent on commercial deals in the United States.

My stature has changed somewhat since my first registration with Nicaragua but that is how I got to know Ambassador Whelan and I felt if I worked closely with the American Ambassador and he knew of all of my activities that I was doing that he could perhaps guide me for the best interests of the United States and Nicaragua.

The CHAIRMAN. In this sentence it says: "With his cooperation Luis cannot miss getting this deal."

Who is Luis?

Mr. DAVIDSON. That is President Somoza.

RELATIONSHIP TO PRESIDENT SOMOZA

The CHAIRMAN. Were you on very intimate terms with the President?

Mr. DAVIDSON. Yes, sir; I was. President Somoza today is, I believe——

The CHAIRMAN. Is this the same one?

Mr. DAVIDSON. No. The President of Nicaragua who hired me was Gen. Anastasia Somoza who was assassinated by the Reds in 1956. His son, Luis, took over. At that time, Luis was about 35 or 34. Luis today is about 41 years of age. We were very friendly before his father's death. There are two brothers, there is General Somoza who is head of the Guardia Nacional, that is the Nicaraguan Army, and Luis who is the present President although he retires from office approximately June in this year, they had an election and there is a new President of Nicaragua.

INITIAL CONTRACT THROUGH SALE OF MILITARY SUPPLIES

The CHAIRMAN. Who first introduced you to the President, Anastasia Somoza? How did you make the connection?

Mr. DAVIDSON. Mr. Chairman, the military attaché at the Nicaraguan Embassy contacted me.

The CHAIRMAN. Here in Washington?

Mr. DAVIDSON. Here in Washington, D.C. His name was Col. Julio Morales who today is a general and still here in Washington, D.C.

About that time I was making surplus property purchases around the United States for my own account, and General Morales contacted me to see if I had some supplies that I could sell to the Guardia Nacional.

The CHAIRMAN. What kind of supplies?

Mr. DAVIDSON. Surplus supplies.

The CHAIRMAN. Military supplies?

Mr. DAVIDSON. Military supplies, all types of supplies, Mr. Chairman. I made the first commercial deal with Nicaragua, and I sent it to him on credit which was—which is what really broke the ice for me with General Somoza and as a result of that deal he invited me down to talk with him.

LETTER OF AUGUST 8, 1957, TO AMBASSADOR WHELAN FROM OAKLEY HUNTER

The CHAIRMAN. We will come to that part of it a little later.

Mr. Davidson, I would like to place in the RECORD at this point a letter received by the staff from the General Counsel's office, Housing and Home Agency, dated August 8, 1957, addressed to the Honorable Thomas E. Whelan and signed by Oakley Hunter. The next to the last paragraph of this letter concluded as follows:

"As I told you, I am leaving Government as of tomororw. That may explain why I was in somewhat of a hurry in connection with the housing projects in Nicaragua, having told my Nicaraguan friends here in Washington that I would do what I could to help them, I wanted to get something moving before I left the Government."

(The letter referred to follows:)

AUGUST 8, 1957.

Hon. THOMAS E. WHELAN,
American Ambassador,
Managua, Nicaragua.

DEAR MR. AMBASSADOR: Hamady and Hunter arrived safely back in Washington after a very interesting and enjoyable visit to Nicaragua.

I wish to thank both you and Mrs. Whelan for your very cordial welcome and most generous hospitality. It was a real treat to be put up at your residence.

I have every reason to believe that Washington officialdom will approve whatever recommendations you make with respect to assistance to the Nicaraguan Government in the field of housing. This morning I had the opportunity to talk to Vice President Nixon and he asked to be remembered to you. As a matter of fact, he spoke highly of you exclaiming that you were one of the best damn people in the business. He was very sympathetic toward Nicaragua and is appreciative of the friendliness of Nicaragua toward the United States and the cooperative spirit of President Somoza and his Government.

You will be hearing from Dan Hamady shortly if you have not already received a letter from him by now. We talked to the housing people in ICA and I believe it has been agreed that George Speer will go down as soon as Foster returns. I believe that is better than having George Speer come down immediately and in the absence of Foster.

Again thank you for your many kindnesses. I hope that I can come down to Nicaragua as a private citizen before too long and see you again. As I told you, I am leaving Government as of tomorrow. That may explain why I was in somewhat of a hurry in connection with the housing projects in Nicaragua, having told my Nicaraguan friends here in Washington that I would do what I could to help them, I wanted to get something moving before I left the Government.

Please give my best regards to Mrs. Whelan. With best wishes, I remain,

Sincerely yours,

OAKLEY HUNTER,
General Counsel.

Mr. DAVIDSON. I don't have that letter.

The CHAIRMAN. Were you one of Mr. Hunter's Nicaraguan friends to whom he said he, "would do what I could to help them"?

Mr. DAVIDSON. Mr. Chairman, I am sorry, but I was distracted by talking here and I would appreciate your reading. I was a close friend and I still am a close friend of Mr. Hunter's. This letter is written——

The CHAIRMAN. It is not your letter, it is from the Housing and Home Finance Agency, it is from Mr. Hunter, as a matter of fact. Mr. Hunter signed it. You didn't write it but he says, "I want to get something done before I leave the Government," having told his Nicaraguan friends.

Are you one of his Nicaraguan friends?

Mr. DAVIDSON. No, I am an American, but I am sure he meant President Somoza and General Somoza and many of the Government men he met on his trip. They were very hospitable to us in Nicaragua but I know I am a friend of Mr. Hunter.

ADDITIONAL LETTERS PERTINENT TO DISCUSSION

The CHAIRMAN. I want to put in the record some other letters here from Mr. Hunter and one from Mr. Davidson to complete this series of letters. I don't think there is need to read them all.

Mr. Reporter, they are here.

(The letters referred to follow:)

AUGUST 8, 1957.

HIS EXCELLENCY,
THE PRESIDENT OF NICARAGUA,
Managua, Nicaragua.

DEAR MR. PRESIDENT: I wish to express to you my heartfelt thanks and deep appreciation for your very cordial welcome and generous hospitality during my recent visit to Managua. Both Mr. Hamady and I enjoyed the trip tremendously. We had a very interesting time and learned a great deal about your country.

This morning I conferred with Vice President Nixon. I talked to him about our meeting and my visit and he asked to be remembered to you. As a matter of fact, he borrowed my pen to make a note to remind himself to drop you a line.

I told the Vice President the story you related to me about your father once saying that he had met three genuine politicians in the United States; namely, Franklin Roosevelt, John Garner, and Richard Nixon. I believe the story pleased him greatly.

Mr. Nixon was very much interested in my report on our discussion of housing. He is a true friend of Nicaragua and believes that our Government should cooperate in every possible way with your Government in effectuating the aided self-help project which was conceived as a result of our discussions with Ambassador Whelan and Mr. Finney. I am sure that should any difficulty arise, he will do everything he can personally to keep things going smoothly.

I have written Dr. Delgado concerning housing legislation. You may already know that I talked to him about the recent conference which was held in Lima and which resulted in a new housing act for Peru. The work was undertaken by Peruvian Government officials working together with people from the Housing Agency here and also representatives of private industry. I am sending Dr. Delgado, at his request, a copy of the Peruvian Act together with any supplementary material that may be available. It may very well be that such a conference as was held in Lima could be duplicated in Managua with considerable benefit to your Government.

Again, thank you for your kind hospitality. It was an honor to be your guest. It was a source of personal pleasure to know that you had gone to college in my native State of California. With best personal regards, I remain,

Sincerely yours,
OAKLEY HUNTER,
General Counsel.

AUGUST 13, 1957.

MR. THOMAS WHELAN,
The American Ambassador,
The American Embassy,
Managua, Nicaragua.

DEAR MR. AMBASSADOR: I thought you would be interested in seeing the enclosed copy of a letter Oakley Hunter sent to President Somoza.

With your cooperation and that of Mr. Finney we anticipate no trouble on this housing project. I believe you received Mr. Dan Hamady's letter explaining the reason why Mr. Speer and Mr. Zinger won't go to Managua until after Mr. Foster's return. We all concur that this would avoid any unnecessary ruffling of feathers.

With best wishes.

Sincerely yours,
I. IRVING DAVIDSON.

AUGUST 8, 1957.

Hon. DR. ENRIQUE DELGADO,
Minister of Economy, National District,
Managua, Nicaragua, C.A.

DEAR DR. DELGADO: It was a pleasure meeting you in Managua, and I wish to thank you for your kind hospitality during my visit. I believe there are great possibilities in your country and it is a deep source of personal satisfaction to me to know that the people of Nicaragua are kindly disposed toward the people of the United States.

You will recall that during one of our conversations, I mentioned to you the work which has been done by this agency and representatives of private industry in Peru. I promised that I would send you a copy of the Housing Act which we drafted at the Lima Conference. There is only one copy available in my office, so I will have it duplicated, or perhaps I can obtain a copy in Spanish from the Pan American Union. In any event, Mr. Hamady and I will make sure that you are furnished a copy of the act together with any other supplementary material available.

Again may I express to you my appreciation for your cordial welcome to Nicaragua. With best wishes, I remain,

Sincerely yours,
OAKLEY HUNTER,
General Counsel.

AUGUST 8, 1957.

Gen. ANASTASIO SOMOZA,
Managua, Nicaragua.

DEAR GENERAL SOMOZA: I wish to thank you for your cordial welcome and kind hospitality afforded me during my recent visit to Managua. It was a very enjoyable and interesting trip. I know that Mr. Hamady shares my feelings.

This morning I conferred with Vice President Nixon, and I told him that you had asked to be remembered to him. He was very appreciative of your thoughtfulness and asked me to extend to you his best wishes. I discovered while I was in his office that his military aide, Col. Don Hughes, was a classmate of yours at West Point. He told me, as a matter of fact, that you were in the same company. He reminisced about some of your mutual experiences which are perhaps better not discussed any further in this letter.

Again thank you for the cordiality of your welcome. I do hope that when you are in southern California this fall I will have the pleasure of seeing you again.

With best wishes I remain,

Sincerely yours,
OAKLEY HUNTER,
General Counsel.

LETTER OF AUGUST 12, 1957, TO THOMAS WHELAN

The CHAIRMAN. I show you a letter dated August 12, 1957 addressed to Mr. Thomas Whelan and ask if you sent this letter.

Mr. DAVIDSON. Yes, I did, Mr. Chairman.

(A copy of the letter referred to follows:)

AUGUST 12, 1957.

MR. THOMAS WHELAN,
The American Ambassador,
The American Embassy, Managua, Nicaragua.

DEAR MR. AMBASSADOR: At a meeting last week with Oakley Hunter and Bob King, Vice President Nixon paid you a great compliment. He said you were an outstanding representative for the United States and he wished that we had more like you in ambassadorial positions.

He further said he would send a letter to President Somoza expressing his continued friendship. Oakley Hunter repeated to Mr. Nixon the remarks that Luis attributed to his father concerning the late general's statement that the three great politicians that he met in his life were Garner, Roosevelt, and Vice President Nixon.

Most confidentially, the Vice President assured us that his office would assist in every way in making the housing project a reality as soon as possible. He said that if the project bogged down anywhere along the line in any Government agency, his office would would move on it immediately.

I know you don't want my thanks, Mr. Ambassador, but I do want to express my appreciation for the wonderful way in which you handled the visit of Messrs. Hunter and Hamady. It was not the official acts that impressed them, but your personal attention and warm feelings that went into the way you and your charming wife did everything.

I am looking forward to seeing you at the end of the month.

Very truly yours,
I. IRVING DAVIDSON.

MEETING WITH VICE PRESIDENT AND AIDS

The CHAIRMAN. This letter refers to a meeting with Oakley Hunter, Bob King, and Vice President Nixon. Who is Bob King?

Mr. DAVIDSON. Mr. Chairman, at the time, to the best of my recollection, Mr. Bob King was an administrative assistant or aide to Vice President Nixon.

The CHAIRMAN. Were you present at that meeting?

Mr. DAVIDSON. No. I was present at the meeting with Oakley Hunter and Bob King.

The CHAIRMAN. The letter states——

Mr. DAVIDSON. I believe that this would be a typographical mistake, and I can recollect when I met with Bob and Oakley, Oakley Hunter introduced me to Bob King and I got to be friendly with Bob King.

The CHAIRMAN. Your letter states there and I quote:

"Most confidentially, the Vice President assures us that his office would assist in every way in making the housing project a reality as soon as possible. He said that if the project bogged down anywhere along the line in any Government agency, his office would move on it immediately."

This would indicate you were present at such a meeting, wouldn't it?

Mr. DAVIDSON. Well, I was not but I don't believe the letter is written typographically correct. I was not present at the meeting when Oakley and Bob King and the Vice President were together, I was with Oakley and Bob King and they relayed this information—Oakley relayed this information to me.

The CHAIRMAN. Did you have any indication that the Nicaraguans didn't believe that this was an accurate résumé of the meeting? Did they raise any questions about it?

Mr. DAVIDSON. I don't believe it was an accurate résumé but I was in Nicaragua soon afterward and I never told President Somoza that I was with the Vice President if I wasn't. I talked often to Nicaragua, I used to go down there every other month. But I didn't mean for this letter to connotate I was sitting in a meeting with Oakley and Bob King and the Vice President.

CHECK OF JULY 29, 1958, TO MR. HUNTER

The CHAIRMAN. Mr. Davidson, I show you a copy of a check dated July 29, 1958, made out to Allan Oakley Hunter in the amount of $500 on the account of the Nicaraguan Government Agency and signed I. Irving Davidson.

Is that your check?

Mr. DAVIDSON. That is.

LEGAL SERVICES FOR NICARAGUAN GOVERNMENT

The CHAIRMAN. The check carries the notation, "legal services for Nicaraguan Government."

What services did Mr. Hunter perform for the Nicaraguan Government for which you paid him $500?

Mr. DAVIDSON. Mr. Chairman, some time after our trip to Nicaragua, Mr. Hunter went back to California to practice law in his field of housing. There was a lot of disturbing elements on the borders of Nicaragua, there were a lot of people trying to overthrow the Government of Nicaragua, they were Castro Communists, Castro-type Communists, causing invasions and shootings on our border and what not, and the Government was in a very shaky position, in my opinion, and at a meeting with President Somoza and his mother, and his wife, and the general one day at a dinner at the palace one day, it came out at the dinner table that if the U.S. Government would put forth a welcome hand and invite President Somoza to visit Washington that his enemies would see that our Government was friendly to Nicaragua and they wouldn't try to overthrow him and have a bloody coup.

The strongest weapon that the Somoza enemies had that was used against him was the fact that official Washington, and especially our State Department, led people to feel that they looked at Nicaragua with askance as though they were second cousins.

I personally felt this in all my dealings on behalf of Nicaragua around Washington, that people in various agencies around our Government didn't care about Nicaragua, they put Nicaragua in the class of an undesirable, which I——

Senator SYMINGTON. Mr. Chairman, will you yield for just a minute? I would like to with great respect tell the witness I think you made that point with us, and some of us have other committees, and I am clear on that as a member of this committee.

If you could shorten up your answers a little bit it would help us move along. I say that with great respect and I say it, if I may, perhaps as much in your interest as my own. I think you made your point about how you feel about Nicaragua. I know you can supply anything additional for the record, and I know the chair and the committee would be delighted to have you do so.

The CHAIRMAN. Could you be more specific?

Mr. DAVIDSON. I am not a lawyer.

REQUEST OF MR. HUNTER TO COME TO WASHINGTON

The CHAIRMAN. What were the services for the $500, what did you give him the $500 for?

Mr. DAVIDSON. I asked Mr. Hunter to come to Washington, D.C., to use whatever friends he had here to try to effect an official visit of Luis Somoza to the United States.

He said, "Irving, I will be glad to do it."

So he came up here on his own money and he spent time around here, and I know that he went to see Vice President Nixon and he went to see General Persons in the White House and went to see all his congressional friends and he went and put forth the story of Nicaragua and to why we ought to extend our arm in friendship.

I offered to pay—I asked Mr. Hunter what his expenses were and he didn't want to take it and I said, "At least let me pay for your transportation," so this $500; $400 is a round-trip ticket to Fresno and about $100 out-of-pocket expenses I had to force it on him.

He felt he wanted to do it because he believed in it.

The CHAIRMAN. You say on this "legal services for the Nicaraguan Government."

Mr. DAVIDSON. Well, I put it on there because I felt Mr. Hunter is a lawyer, and that this was just reimbursable money and I wouldn't know how else to—I couldn't call it a public relations fee. He is an attorney.

The CHAIRMAN. This had nothing to do with his services in approving the housing project?

Mr. DAVIDSON. No; none whatsoever.

The CHAIRMAN. Nothing to do with it?

Mr. DAVIDSON. None whatsoever.

The CHAIRMAN. These services were performed subsequent to his leaving the Government?

Mr. DAVIDSON. Yes, sir.

LETTER DATED OCTOBER 6, 1958

The CHAIRMAN. Mr. Davidson, I show you a copy of a letter dated October 6, 1958, addressed to Hon. Thomas E. Whelan and signed by Allan Oakley Hunter and ask you if you received a copy of this letter?

Mr. DAVIDSON. Yes, I do; Mr. Chairman.

(A copy of the letter referred to follows:)

FRESNO, CALIF., *October 6, 1958.*

Hon. THOMAS E. WHELAN,
U.S. Ambassador, American Embassy
Managua, Nicaragua.

DEAR AMBASSADOR WHELAN: I spent the greater part of 2 days this past week in San Francisco with our mutual friend, Irving Davidson. I introduced him to abalone, his acquaintance with that delectable shellfish having previously been confined to seeing its name in crossword puzzles in the New York Times. We reminisced about Nicaragua and about my visit to Managua. Irving advised me that the housing program that I helped initiate has expectations of becoming a reality. I certainly hope that is true.

The purpose of this letter is to seek your counsel regarding a suggestion by Irving that it would be beneficial to President Luis Somoza if he were to visit the United States at the invitation of the latter. I still have a few friends in Washington, I think, and I would be only too glad to write or call them if I thought it would aid the cause of hemispheric solidarity. However, I don't want to do anything untimely or otherwise out of order. I am therefore writing you asking your advice in the matter. Whether or not you are in a position to advise I do not know, and certainly I do not wish to cause you any embarrassment. Any comments which you might make, however, would be treated in utmost confidence.

If in your opinion such a visit would be advisable, I would not hesitate to write the Vice President and General Persons expressing my personal opinion in the matter and for what it might be worth, urging them to do whatever they could to initiate action at the Washington end. Maybe that is not according to protocol but yet it might have some effect, and it is the results in which I am interested.

I would appreciate hearing from you, only if to receive a report on the weather. In the meantime my best wishes to both you and Mrs. Whelan. I still remember most fondly your cordial hospitality during my visit to Managua.

Sincerely,

ALLAN OAKLEY HUNTER.

INDICATION OF HOUSING PROJECT BECOMING REALITY

The CHAIRMAN. Is the letter accurate in saying that you—Davidson—"advised me"—Hunter—"that the housing program that I helped initiate has expectations of becoming a reality"?

Mr. DAVIDSON. Yes.

The CHAIRMAN. Would you read there the second and third paragraphs of Mr. Hunter's letter.

Mr. DAVIDSON. "The purpose——

The CHAIRMAN. Just read it so that we can hear it. Read it aloud, will you please?

Mr. DAVIDSON (reading):

"The purpose of this letter is to seek your counsel regarding a suggestion by Irving that it would be beneficial to President Luis Somoza if he were to visit the United States at the invitation of the latter. I still have a few friends in Washington, I think, and I would be only too glad to write or call them if I thought it would aid the cause of hemispheric solidarity. However, I don't want to do anything untimely or otherwise out of order. I am, therefore, writing you asking your advice in the matter. Whether or not you are in a position to advise I do not know, and certainly I do not wish to cause you any embarrassment. Any comments which you might make, however, would be treated in utmost confidence.

"If in your opinion such a visit would be advisable, I would not hesitate to write the Vice President and General Persons expressing my personal opinion in the matter and, for what it might be worth, urging them to do whatever they could to initiate action at the Washington end. Maybe that is not according to protocol but yet it might have some effect, and it is the results in which I am interested.

"I would appreciate hearing from you only if to receive a report on the weather."

The CHAIRMAN. Mr. Davidson, isn't that letter sometime subsequent to the time you gave him the $500, isn't it?

Mr. DAVIDSON. Well, it is.

The CHAIRMAN. Some months. It looks quite clear from that letter that he had not yet made this trip.

Mr. DAVIDSON. Mr. Chairman, I would like to explain, we are going back 5 years. However, this was always foremost in my mind, this official visit and it was not only at this time, but maybe Mr. Hunter was just catching up with notifying Mr. Whelan about his activities, but the people that he talked with, he talked with more than one, and——

The CHAIRMAN. He says here, "I still have a few friends and I would be only too glad to write or call them."

It certainly doesn't indicate he had already done that.

Mr. DAVIDSON. Mr. Chairman, even before Mr. Hunter had tried to help me effect a visit, even prior to this letter, even prior to this letter——

SUGGESTION FOR PRESIDENT SOMOZA'S U.S. VISIT

The CHAIRMAN. The only point, Mr. Davidson, is this isn't a matter of recollection, this is a letter written at the time, October 6, 1958, by Mr. Hunter, and he wouldn't be afflicted with any uncertainty about his memory, would he, with regard to this kind of activity as of that time and this was subsequent to the $500 you gave him. It would not indicate that the $500 was for this purpose.

Mr. DAVIDSON. Well, Mr. Chairman, I want to be very respectful and I am—and I have not said anything that wasn't correct when I state that Mr. Hunter, even prior to this letter to Ambassador Whelan tried to help effect a visit for Luis Somoza to the United States. I just can't—however, I would like to state for the record, I called up Mr. Hunter when I received a subpena from this committee and I asked Mr. Hunter if he wouldn't check his records and see if what these two checks were for.

I had an idea what they were about, and he stated that the $500 check, he had a notation on was my paying him for coming up to Washington, reimbursing him for his travel expenses and his helping me in trying to help Nicaragua in effecting a visit.

Mr. Hunter made several trips on his personal business, and I don't know who he saw exactly on the visit that the $500 check was issued for. He could have seen the same people subsequently. But you would have to ask Mr. Hunter that but——

The CHAIRMAN. The letter speaks for itself, Mr. Davidson, I don't have to ask him about it. He says here what he proposed to do.

Mr. DAVIDSON. Even before he had already spoken to people, Mr. Chairman?

The CHAIRMAN. Did you suggest to Mr. Hunter that he take some initiative in getting President Somoza invited to the United States?

Mr. DAVIDSON. I did, Mr. Chairman.

QUESTION OF FILING PAYMENT AND REGISTERING SHORT-FORM STATEMENT FOR MR. HUNTER

The CHAIRMAN. Did you file in your registration statement the payment of $500 to Mr. Hunter?

Mr. Davidson. What is that——

The Chairman. Did Mr. Hunter file a short form and did you file in your statement the expenditures of $500?

Mr. Davidson. I don't believe—I would have charged Nicaragua for expenses for such a check that I issued, and it would come under general expenses on behalf of Nicaragua but I would not have filed a short form for Mr. Hunter because he was not an employee.

The Chairman. Under the law, I think you are supposed to file those you employ in furtherance of your agency, is that not so?

Mr. Davidson. Well, I don't consider that this was employment.

The Chairman. It says as follows—the language from the registration says:

"Furnish the following information as to all employees and other individuals who during the period rendered any services or assistance to registrant with or without compensation for or in the interests of any foreign principal named under item 5."

It is quite clear if he was employed by you and you paid him $500 for it you should have reported it. Is that not so?

Mr. Davidson. Well, not exactly. That is such a broad statement, Mr. Chairman——

The Chairman. It is quite clear, isn't it?

Mr. Davidson. Well, I would have to put down everybody that I ever talked to about Nicaragua who helped me with my foreign principal, if I would meet you on the street or anybody else and I talked about Nicaragua and it got to be around Washington that everybody identified me with Nicaragua I would have a telephone list book of names.

But Mr. Hunter was not an employee of mine, and I don't know, if I know the date of that I will look at my foreign agents form and I will see whether or not in that time I billed Nicaragua for extra expenses.

There are many times, and I spent more money than my thousand dollars a month allotted to me by Nicaragua because I wanted to do it. I had many personal interests in Nicaragua. I liked the country.

The Chairman. We know you liked it, Mr. Davidson, you don't have to emphasize that any further.

EFFORT TO HAVE PRESIDENT SOMOZA TO VISIT UNITED STATES

Did you suggest—did you say to Mr. Hunter that he initiate getting President Somoza invited to the United States? That is clear?

Mr. Davidson. Yes, Mr. Chairman.

The Chairman. Did anything come of this effort of Mr. Hunter?

Mr. Davidson. Yes, to the best of my recollection, Mr. Chairman, Mr. Hunter reported back to me that the State Department informed people that he talked with that the time was not opportune for such a visit.

Perhaps, at a later date it could be arranged.

LETTER DATED JANUARY 31, 1959

The Chairman. Mr. Davidson, I show you a letter dated January 31, 1959, addressed to Mr. Thomas Whelan and signed by Allan Oakley Hunter and ask you if you received a copy of this letter?

Mr. Davidson. Yes; I saw this letter from Oakley.

The Chairman. You received a copy?

Mr. Davidson. Yes, sir.

The Chairman. Would you read the first paragraph on it? It is a long letter, we will put the whole letter in the record.

Mr. Davidson (reading):

"You will recall that I wrote you some time ago regarding the possibility of an official visit to this country this spring by President Somoza. Apparently your letter of reply to me was misdirected. However, I have learned through Irving Davidson that you very much agree with the idea. I am back in Washington at the moment in connection with a number of business matters and I have had occasion to talk to Irving further about such a visit."

(The letter referred to follows:)

Washington, D.C.,
January 31, 1959.

Mr. Thomas Whelan,
The American Ambassador, the American Embassy, Managua, Nicaragua.

Dear Mr. Ambassador: You will recall that I wrote you some time ago regarding the possibility of an official visit to this country this spring by President Somoza. Apparently your letter of reply to me was misdirected. However, I have learned through Irving Davidson that you very much agree with the idea. I am back in Washington at the moment in connection with a number of business matters and I have had occasion to talk to Irving further about such a visit.

As I told you in my earlier letter, I certainly do not wish to embarrass you in any way or to stick my nose into matters which are none of my concern. However, I gained the impression that you see no harm in my doing what I possibly can to help initiate an official invitation to President Somoza to visit the United States. Accordingly, I have taken the matter up with the Vice President, General Persons, and several of my former colleagues in Congress. Yesterday, I had a long talk with Congressman Alvin Bentley, of Michigan, who is a member of the Foreign Affairs Committee, and who was a member of the Foreign Service for some 9 years. He is very sympathetic toward President Somoza and believes that a visit would be in order at this time, particularly in view of the developments in Cuba and the activities of the Socialist element in several of the Latin American countries directed toward discrediting President Somoza and associating him in the public mind with Batista, Trujillo, and Stroesner.

As a result of our conversations, it is Congressman Bentley's and my opinion that in order to bring about the desired action on the part of the White House and Department of State, a three-pronged approach is necessary:

1. The President should immediately instruct his Ambassador, Guillermo Sevilla-Sacasa, upon his return from France that he would be open to such an invitation and that under the circumstances a visit this spring would be far more advantageous to both countries than in 1960. I believe 1960 is the State's present scheduling.

2. You, as the American Ambassador to Nicaragua, should again recommend such a visit, timing your communication to State to arrive at about the same time State is contacted by the Nicaraguan Ambassador.

3. As soon as your recommendation and the communication from the Nicaraguan Ambassador are on record, Congressman Bentley and Congressman Don Jackson, of California, who is also a member of the Foreign Affairs Committee, together with possibly two or three other Members of Congress, will push for such a visit through Mr. Rubottom, of State.

Meanwhile, I will again contact the White House through General Persons and also contact the Vice President, urging that an invitation be extended.

I have not used your name in my conversations here other than to mention that I am acquainted with you and that I understand you favor the action in question.

I trust that this letter finds you in good health and I hope that before too long we can get together for a visit.

Very truly yours,
Allan Oakley Hunter.

The Chairman. This was in January 1959, wasn't it?

Mr. Davidson. Yes, sir.

The Chairman. It was several months after the payment of the $500, wasn't it?

Mr. Davidson. Yes, sir.

AMBASSADOR'S SUPPORT OF IDEA FOR OFFICIAL VISIT

The Chairman. Did you tell Mr. Hunter that Ambassador Whelan supported the idea of an official visit to the United States by President Somoza?

Mr. Davidson. I did, Mr. Chairman.

The Chairman. How did you learn Ambassador Whelan's views on this matter?

Mr. Davidson. Mr. Chairman, I can say unequivocally I had many conversations with Ambassador Whelan and he had been trying to effect such a visit for years and he strongly supported it.

The Chairman. Did Ambassador Whelan, ask you to help promote this visit?

Mr. Davidson. He knew that I was working on it and he was in high accord with what I was doing, but he didn't give me any orders, I wasn't working for Ambassador Whelan.

The Chairman. Did he suggest to you that you do it?

Mr. Davidson. He agreed with what I was doing. He found no fault with what I was trying to accomplish. He thought it would be in the best interests of the United States and Nicaragua.

LETTER OF JANUARY 7, 1959

The Chairman. Mr. Davidson, I now show you a copy of the letter dated February 2, 1959, addressed to President Luis Somoza and ask you if you sent this letter—February 2, 1959.

The whole letter, Mr. Reporter, I want in the record.

Did you send this letter?

Mr. Davidson. Yes; I wrote this letter, Mr. Chairman.

(The letter of February 2, 1959, referred to follows:)

February 2, 1959.

President Luis Somoza,
Presidential Palace,
Managua, Nicaragua.

Dear Mr. President: The blind copy of the letter from Allan Oakley Hunter to Ambassador Whelan which I sent you yesterday is self-explaining. Be assured that more than just talk has been going on to make your visit a reality this spring.

[Deleted.]

Very truly yours,
I. Irving Davidson.

P.S.—The enclosed letter to Ambassador Whelan is also self-explaining.

REFERENCE TO JANUARY 31, 1959, LETTER

The Chairman. This first sentence of this letter reads as follows:

"The blind copy of the letter from Allan Oakley Hunter to Ambassador Whelan which I sent you yesterday is self-explaining."

Were you there referring to the letter of January 31, 1959, which you just read part of?

Mr. Davidson. It looks like I could have been. I can't recall exactly. But it looks like it.

The Chairman. That would seem logical; is that right?

Mr. Davidson. Yes, sir.

STATE DEPARTMENT OPINION ON OFFICIAL VISIT

The Chairman. The second sentence of your February 2 letter to President Somoza reads as follows:

"Be assured that more than just talk has been going on to make your visit a reality this spring."

What do you mean it was more than just talk was going on?

Mr. Davidson. Mr. Chairman, many people, officials, who would visit Nicaragua, businessmen and friends who would visit Nicaragua and whom the President would entertain, were so impressed by Nicaragua and President Somoza and the attitude of the Nicaraguans toward the United States that everyone went away with the idea it would be a good idea if Luis could come to the United States and meet the American people; that it would be a good thing for the two countries and many went back and said, "I am going to do this or do that," and never did anything which happens a lot in these countries. People go down there and promise to do a lot and never do anything and it really hurts us.

The CHAIRMAN. Was it during this period that the Department of State in your opinion was against such a visit?

Mr. DAVIDSON. I wouldn't say they were against such a visit. The Department of State never said they were against anything. They just said it wasn't timely at this time.

The CHAIRMAN. Then they opposed it at that time; is that correct?

Mr. DAVIDSON. Well, I wouldn't know that they—they said it wasn't a proper time. They weren't opposed to it.

ACTIVITIES OTHER "THAN JUST TALK" TO EFFECT TRIP

Senator MORSE. Mr. Chairman, I wonder if you would go back to the question you asked him in regard to the letter in which he said in effect that things other than just talk had been going on.

I don't think we have a response to your question yet.

The CHAIRMAN. I don't either.

What did you mean by "be assured that more than just talk has been going on to make your visit a reality this spring"?

What did you have in mind?

Mr. DAVIDSON. We had initiated action whereby the matter was discussed with Vice President Nixon, with the people—well, I refer to Oakley Hunter's letter where Oakley Hunter said he had talked to these various Congressmen like General Persons in the White House and Alvin Bentley and certain other people.

I wanted him to know that Oakley Hunter was an honorable man and he wasn't making idle gossip or information.

Senator MORSE. Mr. Chairman, may I interrupt again. I am still puzzled because even the conferences with Vice President Nixon and the others was just talk and I think that that implies that some action other than conversation had been taken.

I may be misinterpreting the letter. Would you read that to me again?

The CHAIRMAN. What he said here:

"Be assured that more than just talk has been going on to make your visit a reality this spring."

Senator MORSE. He has only testified thus far as to talk, as to conversations. I want to know if any understandings or any commitments were made that would be beyond the stage of just talk.

Mr. DAVIDSON. Well, Mr. Senator, Mr. Chairman.

The CHAIRMAN. Yes.

Mr. DAVIDSON. Believe me; no. All I meant by that was that effective talk was going on, talk with people, not just talk that could result into something, not just, we call it, talking in the club in Nicaragua, people saying what they are going to do; but action was being taken is what I meant by that.

CHECK DATED FEBRUARY 3, 1959

The CHAIRMAN. Mr. Davidson, I show you a copy of a check dated February 3, 1959, made out to Allen Oakley Hunter in the amount of $1,000 on the account of the Nicaraguan Government agency and signed by I. Irving Davidson. Is this your check?

Mr. DAVIDSON. Yes.

[Copy of check not printed in RECORD.]

NOTATION "PROFESSIONAL SERVICES, BALEGUARD HOUSING" FOR NICARAGUAN GOVERNMENT AGENCY ACCOUNT

The CHAIRMAN. The notation on the check reads "professional services, Baleguard housing."

Mr. DAVIDSON. Yes, sir.

The CHAIRMAN. What does the notation mean?

Mr. DAVIDSON. Mr. Chairman, first, I would like to explain to you that when you see this check—Nicaraguan Government Agency—there was a time in 1959 and 1960, I think this will help very much in these hearings, that I was doing so many purchases for Nicaragua, we were building a hospital and we were building a plywood factory and we were going into clothing deals and housing deals and whatnot. I had so much money coming through my account, I would put everything in my personal account but my accountant advised me in order not to mix up my books so it would be clear in filing of my statements with Revenue and whatnot that I ought to have a special account set up just for my Nicaraguan activity. So I followed his advice, and because it gave him a lot of trouble every year to recapitulate all my checks and I had to explain to him which ones were personal and which ones had to do with Nicaragua and which ones had to do with other clients of mine, and I set up this "Nicaraguan Government Agency" account over which I had complete control.

It was my own account. It had nothing to do with the Government. No one signed the checks but myself. It was just something, a vehicle for myself.

Now, I would at this time, would have, if I would open my drawer and my secretary wasn't there and I wanted to write a check I would take whatever checkbook was on top and write a check, make a notation about it. Or if my personal account was low, one of my other accounts in the same bank, and the Nicaraguan Government Agency check was high, I would write it on that.

But this Nicaraguan Government business is confusing, it is just a name, and that is very clear to the Justice Department and to my accountants and it is very clear to Internal Revenue.

EXPLANATION OF $1,000 FEE TO ALLEN OAKLEY HUNTER

Now, but I can explain this $1,000 fee to Allen Oakley Hunter very easily.

Mr. Hunter was engaged by me on behalf of one of my clients in Pennsylvania who is a general contractor in Pennsylvania who wanted to go into the housing field in Pennsylvania and take advantage of some of the FHA housing programs. I recommended that this gentleman hire Oakley Hunter as the best informed man as he worked on housing legislation.

He suggested I bring Oakley Hunter to Washington. He came from Pittsburgh, and he spent 3 or 4 days with my principal, my client, a man by the name of Mr. Dan Parrish of Allegheny Contracting Industries, of Pittsburgh, and they went through FHA and all the Government agencies in a matter of 4 or 5 days, and Mr. Hunter told Mr. Parrish he was going to bill him for $1,500.

Mr. Parrish says "That is fine." He billed him and Mr. Parrish was slow in getting the check out and over the phone one day I said, "Oakley, did you get your check from Dan," and he said, "No, I didn't."

I said, "How about me advancing you a thousand dollars."

He says, "I could use it," so I just advanced him the check.

Subsequently, Mr. Parrish paid him his $1,500 fee and he sent me the thousand dollars back.

The CHAIRMAN. Who sent you the thousand dollars?

Mr. DAVIDSON. Oakley, Oakley Hunter.

ADVANCE PAYMENT

The CHAIRMAN. This thousand dollars of February 3 you say is just an advance?

Mr. DAVIDSON. I advanced him on a fee that he was to receive from a client that I represented in the housing business, in the contracting business. Then Mr. Hunter reimbursed me.

The CHAIRMAN. This check reads, notation says "Professional service—Baleguard, housing."

Is that Nicaragua or Pennsylvania?

Mr. DAVIDSON. That is two things. Housing was Mr. Dan Parrish. Baleguard—Nicaragua, grows cotton, Mr. Chairman.

The CHAIRMAN. I have heard that, yes.

Mr. DAVIDSON. And there was a company in California that made a——

The CHAIRMAN. Mr. Davidson, all I want to know is, is this in Nicaragua; is it?

Mr. DAVIDSON. No, California.

The CHAIRMAN. Baleguard housing?

Mr. DAVIDSON. No, that is two different—Baleguard is a wrap for a cotton, a bale of cotton. When Oakley was up here we discussed it. There is a company that makes a cotton wrap out of polyethylene that we thought would be very good to wrap cotton in to prevent damage.

The CHAIRMAN. Well, Mr. Davidson, you have confused me now. If we can start all over.

You gave Mr. Hunter a thousand dollars on February 3, that was 3 days, wasn't it, after the letter of January 31 to Ambassador Whelan from Mr. Hunter; is that not correct?

Mr. DAVIDSON. That is correct.

The CHAIRMAN. You say, you note on here professional services, Baleguard, housing.

Mr. DAVIDSON. Yes.

BALEGUARD AND HOUSING

The CHAIRMAN. Does Baleguard housing—is that a Nicaraguan project?

Mr. DAVIDSON. No, there are two separate things. Baleguard is not a Nicaraguan project, let's stop right there.

The CHAIRMAN. Where is it?

Mr. DAVIDSON. Baleguard and housing? The Baleguard is a California company that makes a cotton wrap we were trying to introduce around the world.

The CHAIRMAN. That has nothing to do with housing?

Mr. DAVIDSON. No.

The CHAIRMAN. Then this check is partly for that purpose and partly for housing; is that correct?

Mr. DAVIDSON. Well, so I stated on the check.

The CHAIRMAN. That is right.

Mr. DAVIDSON. But Mr. Hunter was here and we talked about Baleguard but this was the housing check that I was reimbursed for.

The CHAIRMAN. Did you charge this thousand dollars to the Nicaraguan Government account?

Mr. DAVIDSON. I did not.

The CHAIRMAN. As expense. You did not?

Mr. DAVIDSON. I did not.

The CHAIRMAN. Did you reimburse the Nicaraguan Government Agency account with a thousand dollars?

Mr. DAVIDSON. I believe it was my own account. I would be reimbursing myself but I never charged Nicaragua anything.

ICA HOUSING GRANT UNDER CONSIDERATION IN FEBRUARY-MARCH 1959

The CHAIRMAN. At this particualr time, February or March of 1959, the ICA housing grant was under consideration; was it not?

Mr. DAVIDSON. To the best of my recollection.

The CHAIRMAN. It was.

Mr. DAVIDSON. What is the date again?

The CHAIRMAN. March, February, March of 1959. This was——

Mr. DAVIDSON. I can't say, I just don't recall, Mr. Chairman. I want to say this. After the visit of Mr. Hunter and Mr. Hamady I would say that I had—I did very little to pursue the do-it-yourself housing project for Nicaragua.

The CHAIRMAN. In the letter of October 6, which I think we have already discussed, the housing was still alive there, wasn't it, I quote in that letter the first one, this is Mr. Hunter's letter to Ambassador Whelan.

Mr. Davidson. But I personally dropped it, Mr. Chairman. I did my part and I was off on other things, I never followed it. I never knew what the final outcome was. I still don't know to this day whether it was 50 houses or 250. I initiated the action and went on to other things.

The Chairman. You don't know whether or not this matter was still under consideration in February and March of 1959, ICA housing grant?

Mr. Davidson. I really don't recall but I know they started, they sent technicians down there. When it was exactly, I don't know, Mr. Chairman. But after I initiated it I walked away. I am not a housing expert. But this thousand dollars had nothing to do with, anything to do with the housing project that we initiated with FHA or under ICA.

The Chairman. I notice in that same letter you enclose a copy of your letter to Ambassador Whelan, in your letter to President Somoza; is that correct? Is that your customary procedure?

Mr. Davidson. No. Whenever I thought it was the correct thing to do and it wouldn't be improper, I wouldn't be violating a confidence that I enjoyed with Ambassador Whelan, I would do it. I got to know Ambassador Whelan very well and he trusted me and when I thought it would benefit relations between our countries I would do it and it wouldn't hurt anything, I would enclose copies.

DISTINGUISHING THE PURPOSES OF TWO CHECKS

The Chairman. We have two checks here. I wonder if we could make it a little clearer—one for $500 and one for $1,000 to Mr. Hunter.

During this period, in fact 2 or 3 days before the last check, Mr. Hunter was engaged in promoting a visit for Somoza to this country, wasn't he? Is it fair to say that is the service he was rendering for which you gave the check?

Mr. Davidson. The $500?

The Chairman. Both of them.

Mr. Davidson. No. I would say the $500 was reimbursed. I reimbursed Mr. Hunter when I asked him to help me re Nicaragua after he left the U.S. Government. The thousand dollars had nothing to do with it to the best of my recollection, nothing to do with housing for Nicaragua. It had to do with a private business.

The Chairman. It had nothing to do with his urging a visit of Somoza to this country, invitation for a visit?

Mr. Davidson. The thousand dollars?

The Chairman. Yes.

Mr. Davidson. No, I don't believe so.

The Chairman. But at that time he was doing that, wasn't he?

Mr. Davidson. Yes, he has never stopped. He has never stopped. From the day he met President Somoza like from the day I met him I have been trying to do it and I haven't been successful yet. I tried as recently as 2 months ago, Mr. Chairman.

PURPOSE OF CHECKS TO MR. HUNTER

The Chairman. Mr. Davidson, were either of the checks to Mr. Hunter to which we have referred given him in consideration for any services he rendered related to this ICA housing grant to Nicaragua?

Mr. Davidson. I can answer that unequivocally not.

The Chairman. You say you can answer it unequivocally?

Mr. Davidson. Unequivocally, definitely not.

The Chairman. Had nothing to do with it?

Mr. Davidson. None whatsoever.

The Chairman. Were either of the checks in any way given him for the services he rendered relating to his activity on behalf of the effort to have President Somoza invited to the United States?

Mr. Davidson. I would say the $500 check definitely had a bearing on those efforts of his which I had to force on him.

FAILURE TO ITEMIZE CHECKS ON REGISTRATION STATEMENT

The Chairman. I show you a copy of your registration statement filed with the Department of Justice on November 17, 1958, covering the 6-month period ending October 18, 1958.

Did you report the $500 payment to Mr. Hunter in your registration? It is the same section there that I referred to a moment ago.

Mr. Davidson. Maybe I have it in mine.

The Chairman. You did not report it; is that not a fact?

Mr. Davidson. Well, to the best of my recollection—I could find it right here, if you will bear with me, this gentleman is showing me—is it Mr. Sifton?

The Chairman. Yes.

Mr. Davidson (continuing). Is showing me part of my statement where I say to the President that I spent some money but it doesn't itemize it. I have not itemized whatever expenses I had.

ITEMIZATION OF EXPENSES

The Chairman. Did you make a practice of itemizing your expenses?

Mr. Davidson. Mr. Chairman, in the early days, in the early years of my representation I did not make it a practice of itemizing my expenses. However, I was called to task by the Justice Department Foreign Agents Registration Section, and they made me go out and recapitulate all the expense items that I ever had on behalf of Nicaragua, and I had to hire accountants and finally after many months I starting in 1958, started to itemize.

The Chairman. Did you itemize this item?

Mr. Davidson. To the best of—the best way that I could—on my forms, the Chairman asked me a specific question, did I?

The Chairman. Did you ,report the $500?

Mr. Davidson. I would like to take a look. I may have taken a general expense and said expenses for this 6-month period, $2,000 and I may have included it in there but I don't believe I itemized it.

The Chairman. You did not itemize it.

Mr. Davidson. I would not have itemized it, Mr. Chairman, I don't believe, but I could look through this and give you an answer.

ADEQUACY OF REPORTING OTHER PAYMENTS AND SERVICES

The Chairman. Did you report the $1,000 payment on February 3?

Mr. Davidson. No, because that had nothing to do with my foreign principal, Mr. Chairman. That was a private matter. I have other clients, other than foreign principals.

The Chairman. You did not or did you in either of the registrations report that Mr. Oakley Hunter had performed any services for you on behalf of your Nicaraguan principal?

Mr. Davidson. I don't believe so, to the best of my recollection.

The Chairman. And Mr. Hunter did not file a short form registration?

Mr. Davidson. No. I don't believe he did. I believe he told me he didn't have to.

The Chairman. Did you at any time in your registrations indicate that one of your activities was to help promote an invitation for President Somoza to visit the United States?

Mr. Davidson. I don't believe so, to the best of my recollection.

The Chairman. With regard to the eventual approval of the ICA grant, it was approved, was it not?

Mr. Davidson. I believe it was.

The Chairman. Don't you know that it was?

Mr. Davidson. I don't know what percentage of the grant was, but something was approved.

The Chairman. Well, did you just lose interest in this housing project?

Mr. Davidson. Yes, after I initiated it I got involved in other things. But I am sure that to the best of my recollection I knew it was well on the road and I walked away from it. Mr. Chairman, I had no other interest in it. In my mind—I don't know the amount of money or anything. I understand it did go through, I believe.

CONFIDENTIAL MEMO OF APRIL 6, 1959

The Chairman. On April 6, 1959, I want to read for your information a paragraph from a memorandum marked "Confidential." This is signed by John Bell, Special Assistant for Mutual Security Coordination, Department of State.

This is a memorandum for the Honorable Leonard Saccio, Acting Director, International Cooperation Administration, this is April 6, 1959, shortly, a couple of months, after this thousand-dollar check.

(The memorandum referred to is in the committee files.)

The Chairman. It reads in part:

"While the programing of special assistance for this purpose is considered highly undesirable, he has approved this program on the basis of the adverse political effects which would flow from a failure of the United States to fulfill the presumed commitment and on the understanding that the assistance will not constitute a precedent for extension of assistance of the same or similar character to other Latin American countries under similar circumstances.

"Mr. Dillon has also instructed me to say that the approval of this program is on the further understanding at the earlier possible date a qualified and experienced officer will be assigned in charge of the USOM in Managua in order that similar errors may not occur in the future. I would appreciate being informed of the action taken on this point as soon as possible."

That was John G. Bell. I failed to read the first paragraph.

It says:

"Mr. Dillon has considered the recommendation that $350,000 in special assistance be made available to fulfill the commitments made to the Government of Nicaragua by Ambassador Whelan for assistance in a housing program."

QUESTION OF U.S. RELUCTANCE ON HOUSING PROJECT

It was quite clear from that memorandum that this was approved reluctantly on the assumption that a commitment had been made.

Mr. Davidson. Well, Mr. Chairman, I don't know Ambassador Whelan's business or what commitments were made or weren't made but I am very proud and glad that the United States did go ahead and build these houses. I thought it created a tremendous impact upon the people who got off the ground and were able to——

The Chairman. It does not disturb you that this action was contrary to the policy of the Government?

Mr. Davidson. I don't believe it was contrary to the policy or they wouldn't have approved it. It may have been contrary to the thinking of some people who didn't want to see Nicaragua benefit by anything from the United States.

The Chairman. Well this is——

Mr. Davidson. I don't know the inner workings.

The Chairman. Mr. Dillion at that time I think was the Under Secretary of State. This was in the previous administration. He says:

"While the program of special assistance for this purpose is considered highly undesirable"—

which would indicate it was contrary to the policy of the Government at that time.

Mr. Davidson. Mr. Chairman, maybe it was undersirable to two or three people who didn't think very much of Nicaragua and rather because they said, "Why Nicaragua?" Remember I had that quotation in my letter. I say why not Nicaragua? They were going to do it somewhere and I wanted it for Nicaragua.

QUESTION OF WORKING THROUGH OFFICAL CHANNELS

The Chairman. Does it not occur to you that in this instance you were working through unofficial channels to thwart and obstruct the policy of the Government, weren't you?

Mr. Davidson. No, definitely not, Mr. Chairman, I beg to differ with you.

The Chairman. Isn't that quite clear to you?

Mr. Davidson. I moved through proper channels; I went to the U.S. Ambassador, I went to officials of the ICA, FHA and they could always have said no. Apparently my arguments were very effective and someone saw the merits.

The Chairman. They were effective.

Mr. Davidson. And someone saw the merits of the project or they would never have approved it.

The Chairman. Is it normal for a private citizen to directly approach our diplomatic representatives abroad in order to develop programs contrary to the official policies of the Government?

Mr. Davidson. Definitely not, Mr. Chairman. But I was not approaching our people to bring about anything that would be contrary to the policies of the U.S. Government.

On the contrary, I was trying to better them, better our relations.

The Chairman. That is in your opinion?

Mr. Davidson. Yes.

The Chairman. But that was contrary to the policy of the Government at the time, wasn't it?

Mr. Davidson. I don't think so, Mr. Chairman.

The Chairman. And you were being paid a thousand dollars a month to do it, weren't you, Mr. Davidson?

Mr. Davidson. No; Mr. Chairman. I was paid a thousand a month to do commercial public relations and do general public relations for Nicaragua.

EFFECT OF COMMITMENT TO NICARAGUAN GOVERNMENT

The Chairman. I think the statement I have already read is very long, but it is quite clear from this backup statement from the ICA that Mr. Hunter and Mr. Hamady at the time of their visit to Nicaragua had created the impression that a commitment was made to build these houses, and that this final document from Mr. Bell says it is highly undesirable but in view of this commitment we felt we have to do it, isn't that clear?

Mr. Davidson. Mr. Chairman, I want to say this, I don't think the U.S. Government had a more loyal or honorable man representing them than Allen Oakley Hunter. I think his reputation in the Congress and in the business world today will prove that.

The Chairman. We are not trying to characterize Mr. Hunter, I just asked you——

Mr. Davidson. If Mr. Hunter didn't believe that this was a good thing for the United States to do or his agency to get involved with I could be his brother or his father and he wouldn't have gone along with it.

[Deleted.]

The Chairman. Mr. Davidson, I will pass now to another subject.

LETTER OF JANUARY 27, 1956

I show you a copy of a letter of January 27, 1956, addressed to the Honorable Thomas Whelan and ask you if this is a copy of a letter sent by you to the then Ambassador?

Mr. Davidson. Yes; I wrote this letter.

(A copy of the letter referred to follows:)

January 27, 1956.

Hon. Thomas Whelan,
The American Ambassador,
American Embassy,
Managua, Nicaragua.

Dear Ambassador: I hope that this letter finds you and your wife enjoying the best of health. I have met more than a dozen of your friends over the past 10 days who assure me that things are going well with you.

Colonel Somoza parted with $500 at my suggestion for five tickets to the "Salute to Eisenhower Dinner." As you can imagine, the five people that we invited were most grateful to the colonel and to the Nicaraguan Government.

[Deleted.]

By the way, Mr. Ambassador, our Government also let us have the elbow barge to go along with the dredge at a very favorable price. I am sure that the general is quite happy over this acquisition. We saved him a ton of money.

[Deleted.]

Things are quite the same here at the Nicaraguan Embassy. I have noted a lot of favorable comment and feeling toward Nicaragua in State Department as well as Commerce Department channels. I will keep you advised.

With best wishes.

Sincerely yours,

I. Irving Davidson.

TICKETS FOR POLITICAL DINNER

The Chairman. You refer in there that Colonel Somoza, I quote: "Colonel Somoza parted with $500 for five tickets to the 'Salute to Eisenhower Dinner.'"

Mr. Davidson. That is correct, Mr. Chairman.

The Chairman. You say you "can imagine the five people we invited were most grateful to the colonel and the Nicaraguan Government."

Who is Colonel Somoza referred to there?

Mr. Davidson. Colonel Somoza is a brother of President Somoza and presently he is a general. He is a younger brother.

The Chairman. Brother of President Luis Somoza?

Mr. Davidson. Yes, sir.

The Chairman. Is it a fact you made a suggestion to Colonel Somoza to buy these tickets?

Mr. Davidson. I would like to clarify that.

The Chairman. You can answer the question yes or no.

Mr. Davidson. I wanted to expense five tickets against my expense account for five tickets; yes, sir, for five tickets.

The Chairman. You did, and he bought the tickets?

Mr. Davidson. No, Mr. Chairman. I paid for the tickets.

The Chairman. You paid for them?

Mr. Davidson. And later on I am sure I included in my expenses for operations.

The Chairman. Were the persons for whom you bought the tickets informed they were being purchased on behalf of an official of the Nicaraguan Government?

Mr. Davidson. To the best of my recollection I could have said to my guests at the dinner table, "Boys, gentlemen, we are here as guests of General Somoza. I billed him for these five tickets."

The Chairman. You told Mr. Whelan that the five people were most grateful to the colonel, didn't you?

Mr. Davidson. Yes, I just said that.

The Chairman. Who did you buy the tickets from?

Mr. Davidson. I don't recollect who I bought them from, but I have a pretty good idea who was with me.

The Chairman. Who were they?

Mr. Davidson. Myself, I had a Col. Alex Gates at Pan American; I had a university professor by the name of Dr. Fred Singer.

The Chairman. Who is he?

Mr. Davidson. Who is that?

The Chairman. Who is Singer? I mean just say who they are.

Mr. Davidson. University professor, Maryland University, he was at the time.

LETTER OF JANUARY 16, 1956, RE TICKETS

The Chairman. To refresh your memory, on January 16, 1956, you wrote a letter to President Somoza in which you say:

"These tickets which sell for $100 each are a form of political gratuity for the Republican Party. I have given them with the colonel's approval to five people in the U.S. Government who are grateful for the opportunity and are aware to whom they are indebted for this favor."

That is in your letter of January 16, 1956.

(A copy of the document referred to follows:)

January 16, 1956.

President A. Somoza,
Casa Presidential,
Managua, Nicaragua.

Dear Mr. President: I hope this finds you still enjoying the best of good health.

I am happy to write that I had a most enjoyable visit with your son, Colonel Somoza in New York City last week and intend to see him often while he is here. This was the most fruitful meeting that I have had with the colonel since my getting to know Nicaragua.

From what I was able to gather, both from my visits to the office, as well as from Government shipping intelligence in New York, the colonel is making some drastic and radical changes for the good of the Mamenic lines. I will keep you informed should I have any suggestions along these lines. Please keep this between ourselves.

The colonel is cooperating with me on several good public relation moves which will be very beneficial for Nicaragua. For instance, he has taken five tickets for the Eisenhower dinner to be held here on January 20. These tickets, which sell for $100 each, are a form of political gratuity for the Republican Party. I have given them, with the colonel's approval, to five people in the U.S. Government who are grateful for the opportunity and are aware to whom they are indebted for this favor.

The colonel plans to go to Pittsburgh with me for 2 or 3 days in the very near future.

By the way, I was successful in getting the elbow barge for Colonel Somoza which will be shipped along with the "Swinomish." The price was very reasonable at $2,260. I am also shipping you six Yale & Towne hoists for your new boathouse.

Cordially,

I. Irving Davidson.

Mr. Davidson. 1956.

The Chairman. Does that refresh your memory?

Mr. Davidson. Yes.

The Chairman. Who are the five in the U.S. Government?

Mr. Davidson. Well, I could say that could be a typographical error, Mr. Chairman, because the five people I gave them to, I recall three right now and it won't take long for me to remember who the other two were but they were not in the Government of the United States.

The Chairman. Then that statement is in error.

Mr. Davidson. I am trying to think of who the other two were and let's see——

PURPOSE AND KNOWLEDGE OF PRESENTING FREE TICKETS TO INDIVIDUALS

The Chairman. Why did you write Ambassador Whelan about this transaction?

Mr. Davidson. I wanted Ambassador Whelan to get an idea of what I was doing for Nicaragua in case I was going, doing things that I shouldn't be doing he would call me down for it. He told me the first time I met him and subsequently that he would like to be informed of my activities so that I wouldn't be going at cross-purposes with U.S. policy. He sort of had a guiding hand on my shoulder.

The CHAIRMAN. Did these people that you had to dinner in fact express to you or the colonel any gratitude to the Nicaraguan Government for receiving the tickets?

Mr. DAVIDSON. Yes, they did. At a visit of General Somoza at a much later date to the United States, I had Colonel Gates meet General Somoza and Dr. Singer, I am stretching my memory in trying to figure out who the other two were, Mr. Chairman, and I will do my best to figure out who they were and they did thank the general personally. And these men were not in the employ of the U.S. Government.

The CHAIRMAN. Well, if they are not in the the Government service what purpose was served by giving them these free tickets?

Mr. DAVIDSON. Well, the purpose was served when I, as a Washington public relations man and Nicaragua being one of my clients, I was able to make, effect a contribution to a political party which I do whether it be Republican or Democrat, and which I still do today.

It was general good will for——

TICKETS CHARGED AS EXPENSE TO NICARAGUA

The CHAIRMAN. This is Nicaragua's money that you bought these tickets with, isn't it?

Mr. DAVIDSON. I billed, I charged this off as an expense to Nicaragua.

The CHAIRMAN. Well, it was Nicaraguan money, wasn't it?

Mr. DAVIDSON. Well, yes.

The CHAIRMAN. So in effect you are contributing Nicaraguan money to the political parties in this country, is that correct?

Mr. DAVIDSON. No, that is not a correct statement.

The CHAIRMAN. Why is it not?

Mr. DAVIDSON. At this time I definitely told the general that I was going to spend $500 and buy five tickets for for the Eisenhower dinner.

The CHAIRMAN. We know that Mr. Davidson.

Mr. DAVIDSON. All right.

QUESTION OF MONEY COUNTING AS POLITICAL CONTRIBUTION

The CHAIRMAN. Why is this not a contribution by the Nicaraguan Government to our political parties?

Mr. DAVIDSON. Because the contribution was by I. Irving Davidson.

The CHAIRMAN. But it was Nicaraguan money you just stated, you charged them for it.

Mr. DAVIDSON. In this instance it was, but I do not make a practice of contributing Nicaraguan money to campaigns in the United States.

The CHAIRMAN. In your own letter you say: "Colonel Somoza parted with $500 at my suggestion for five tickets."

You say "at my suggestion for five tickets to the Salute to Eisenhower dinner."

Mr. DAVIDSON. That is correct.

The CHAIRMAN. I don't know why you are so reluctant about it. It is quite clear there that that is what it was.

Mr. DAVIDSON. Yes, Mr. Chairman.

The CHAIRMAN. It is not any crime to do it, why are you so reluctant to state it?

Mr. DAVIDSON. Well, I thought the statement you made before that I was in the habit of contributing Nicaraguan money to political parties in the United States. This is the only instance that I can recall that I took any money and earmarked it and charged Nicaragua or any of my foreign principals with a political contribution.

[Deleted.]

Mr. Chairman, I would like to say it may help clarify my relations with Ambassador Whelan that I believe I was most fortunate in that I got to be a very good friend of the Ambassador and his wife on a personal basis, and I thank God for that because Mr. Ambassador Tom Whelan, I think, was the greatest thing that ever happened during these periods of strife between Nicaragua and the other countries of Central America, and it was only by Ambassador Whelan being a firm, good Ambassador to Nicaragua that we didn't have problems in Nicaragua like we have in Cuba and problems that could arise today in other countries of Central America like Guatemala.

REFERENCE TO BARGE OBTAINED

The CHAIRMAN. Mr. Davidson, I will ask you further about this letter of January 27, 1956. I believe you have identified that, that you wrote to Mr. Whelan.

Mr. DAVIDSON. Yes, sir.

The CHAIRMAN. You say on the top of page 2: "By the way, Mr. Ambassador, our Government also let us have an elbow barge to go along with the dredge at a very favorable price. I am sure that the general is quite happy over this acquisition. We saved him a ton of money."

Mr. DAVIDSON. Right.

The CHAIRMAN. What is an elbow barge?

Mr. DAVIDSON. A—it is a type of barge that goes along—that ships drag behind them for carrying maybe ore or mud.

Mr. Chairman, I was very successful in helping to get from our Government, through the Corps of Engineers and through proper State Department channels a dredge which was sorely needed in Nicaragua for dredging purposes, and while I was getting the dredge, I knew we had to have barges and the Government went along and got us a dredge or two, and at a great saving to Nicaragua, and the transaction was paid for in cash. It was not a gift and it was a government-to-government transaction.

The CHAIRMAN. When you say "we saved him a ton of money" what did you mean by that? What is a ton of money?

Mr. DAVIDSON. A lot of money.

The CHAIRMAN. $10 is a lot to some people. Was this a million dollars or $10?

Mr. DAVIDSON. We are talking in the area of $4,000 or $5,000.

The CHAIRMAN. A ton of money?

Mr. DAVIDSON. Yes.

The CHAIRMAN. That letter is in the record.

Mr. DAVIDSON. OK.

LETTER DATED APRIL 2, 1956

The CHAIRMAN. I show you a copy of a letter of April 2, 1956, addressed to Ambassador Whelan and ask you, if this is a copy of a letter that you sent to the Ambassador?

Mr. DAVIDSON. It is.

(A copy of the document referred to follows:)

APRIL 2, 1956.

Mr. THOMAS WHELAN,
The American Ambassador, the American Embassy, Managua, Nicaragua.

DEAR MR. AMBASSADOR: It was an unexpected surprise to see you at the airport the other morning at 5:30 a.m. My departure from Nicaragua was sudden and I had planned to send you a short note by my driver. However, I am glad that we got together and had the few moments to chat.

I had a delightful trip over to Salvador with Commander Wagner and his wife. He is a wonderful guy and a great American. They were both greatly impressed with General Somoza and his feelings on Americanism. You deserve a lot of credit for doing a great public relations job in getting Wagner down to Nicaragua to meet the President.

Commander Wagner told me that he was sufficiently impressed to speak out 100 percent in our behalf. I sincerely hope that General Somoza will be invited to address the Legion at their annual convention. Nicaragua and all of Central American would benefit by this.

I would appreciate it greatly, Mr. Ambassador, if you could have the person in charge of making the survey for a possible canal through Nicaragua send me whatever written data that he can. I know that you planned to introduce me to the gentleman and I hope to have the pleasure on my next visit which should be in the next 4 weeks.

I had a good ride back with the Murchisons from Salvador to Dallas. In the long run it was better that they did not come to Nicaragua during this short visit. I learned so much as to the reasons why they had not been there before and I am sending the information on to the President with a blind copy for you.

Thank you again for the many courtesies extended to me by you and your charming wife.

Very truly yours,
I. IRVING DAVIDSON.

P.S.—I had Mac Bannell down to visit with General Somoza and Bannell will now be going out of his way to be sending the general "poop" that he feels will be important to Nicaragua and the general's security. This is highly confidential and I know that the only reason I am as close to Bannell as I am is because of his great friendship for you.

CREDIT FOR ARRANGING TRIP FOR PROMINENT AMERICAN

The CHAIRMAN. You say:

"You deserve a lot of credit for doing a great public relations job in getting [Commander] Wagner down to Nicaragua to meet the President.

"Commander Wagner told me that he was sufficiently impressed to speak out 100 percent in our behalf."

Does that President refer to President Somoza?

Mr. DAVIDSON. Yes.

The CHAIRMAN. Who was Commander Wagner?

Mr. DAVIDSON. Commander Wagner was the commander of the American Legion and a great American, and at that time the American Legion was, and by the way Ambassador Whelan was a former officer of the American Legion. At that time even in 1956 the communistic threat in the hemisphere was horrible, especially in Central America.

The CHAIRMAN. Who is it who deserves a lot of credit for doing a great public relations job, is that the Ambassador?

Mr. DAVIDSON. I believe Ambassador Whelan.

The CHAIRMAN. He got Commander Wagner.

Mr. DAVIDSON. Yes, sir; I believe every year he has been in Nicaragua he has invited the commander of the American Legion to come to Nicaragua.

IDENTIFICATION OF STRINGER IN NICARAGUA

The CHAIRMAN. In that same letter you say:

"I had Mac Bannell down to visit with General Somoza and Bannell will now be going out of his way to be sending the general "poop" that he feels will be important to Nicaragua and to the general's security."

What does that mean?

Mr. DAVIDSON. I will be very happy to explain it.

The CHAIRMAN. Who is Mr. Mac Bannell first so you will get it in the record.

Mr. DAVIDSON. Mr. Bannell is a newspaper stringer who covers Central America.

The CHAIRMAN. For whom?

Mr. DAVIDSON. For various newspapers in the United States.

The CHAIRMAN. What papers that you know of?

Mr. DAVIDSON. I believe he is a stringer for a Chicago paper, which one I don't know and a New York newspaper but I haven't seen him for 4 or 5 years.

The Chairman. What is a stringer, is that a reporter?

Mr. Davidson. Yes.

The Chairman. What does it mean?

Mr. Davidson. Self-employed, he writes stories at so much per word.

The Chairman. Freelance?

Mr. Davidson. Yes.

The Chairman. What does "poop" mean?

Mr. Davidson. Information.

INFORMATION OF STRINGER IMPORTANT TO GENERAL'S SECURITY

The Chairman. How could a stringer have information important to the general's security?

Mr. Davidson. I will be very happy to explain that, Mr. Chairman. Mac Bannell covered the countries of Central America, and Mac Bannell would visit Nicaragua and Salvador and Honduras and he would be around the hotels and he would pick up—he lived in these countries and he was almost one of the people and he would hear about all the plots against Nicaragua and all the intrigue and everything that was going on, and during this time in 1956 there were a lot of plots and intrigues going on in all of the republics of Central American and I felt it would be to the best interests of Nicaragua and the security of the Nicaraguan Government if Mac Bannell became a friend of ours and would advise the general from time to time about plots and things that he heard that would endanger the security of Nicaragua.

There were many Communist plots to oust the Somozas and cause bloodshed in other republics in South America. Mac Bannell was a good American and anticommunistic.

The Chairman. Is that information he sent to Somoza?

Mr. Davidson. Yes; I am glad this is going to be kept in executive hearings, Mr. Chairman, because I believe Mr. Bannell who I believe still covers these countries, his life would be in danger if it was thought that he was sending information to General Somoza about intrigues and plots against Nicaragua.

I don't believe Mr. Bannell would last very long.

The Chairman. Did you arrange for Bannell to visit General Somoza?

Mr. Davidson. I did. I took him to visit General Somoza.

INTEREST IN OBTAINING INFORMATION FOR CANAL

The Chairman. You took him to visit. I see. Also in this letter you made the following request of our Ambassador:

"I would greatly appreciate it, Mr. Ambassador, if you could have the person in charge of making the survey for a possible canal through Nicaragua send me whatever written data that he can."

Did the Ambassador comply with that request?

Mr. Davidson. No. I believe the reason he didn't comply, I may have gone down there shortly afterward, and I met the man who was making the survey personally.

The Chairman. What was your interest in that matter?

Mr. Davidson. He was a private citizen.

The Chairman. Were you interested in the canal?

Mr. Davidson. I was interested in anything that had to do with Nicaragua. I didn't have much faith in it, but I was wondering who was making this survey, but it wasn't being done by the U.S. Government. It was done by a private person.

We subsequently found out that this man was a stock promoter, because I found no record of a survey being made by the U.S. Government.

LETTER DATED JUNE 5, 1958

The Chairman. Mr. Davidson, I hand you a letter dated June 5, 1958, and ask you if you received this letter.

Mr. Davidson. Yes, I did.

(A copy of the document referred to follows:)

THE FOREIGN SERVICE OF THE
UNITED STATES OF AMERICA,
AMERICAN EMBASSY,
Managua, Nicaragua, June 5, 1958.

Mr. Irving Davidson,
Nicaraguan Government Agent, Suite 1224,
Wyatt Building, Washington, D.C.

Dear Irv: I am enclosing copies of a letter I received from Dr. Thaeler today. He also sent me a copy of the letter that he wrote Jim, so you both know all about it.

With kindest personal regards.

Sincerely,

Thomas E. Whelan.

P.S.—We have sent in to the Department the resolution that was adopted by the Senate of Nicaragua on the Nixon incidents in South America and have asked the Department to send it over to the Senate at once.

The Deputies adopted a similar resolution which will be sent to the House of Representatives. I am writing Guillermo about it. [Handwritten: Confidential.]

The Chairman. Can you identify the signature on the letter?

Mr. Davidson. It looks like "Dan" but I guess it is Tom Whelan.

The Chairman. Can't you tell?

Mr. Davidson. No, I couldn't be sure, but I would have to say definitely it was Ambassador Whelan's signature, signed Tom, but I don't—doesn't it look like Dan to you, Mr. Chairman? But I am sure it is Ambassador Whelan.

The Chairman. It looks like Tom to me.

Mr. Davidson. OK.

The Chairman. You are familiar with his signature, aren't you?

Mr. Davidson. No, I can't say that I am, but I would say that is his signature and that is is his letter.

WHY MEMO MARKED "CONFIDENTIAL"

The Chairman. "P.S." says:

"We have sent in to the Department the resolution that was adopted by the Senate of Nicaragua on the Nixon incidents in South America and have asked the Department to send it over to the Senate at once.

"The Deputies adopted a similar resolution which will be sent to the House of Representatives. I am writing Guillermo about it."

And it says "Confidential."

What is confidential about it?

Mr. Davidson. I don't see anything confidential about it because this was all public. Well, I believe there were times when—I was interested in anything that had to do with Nicaragua, and that I should take up with Ambassador Sevilla-Sacasa. I don't remember what this refers to exactly, other than about the Nixon incident in South America and probably he meant that Guillermo would be talking to me about it and I should hold off until he mentioned it to me.

But I don't recall it. I just don't remember.

The Chairman. Was it your practice that he kept you advised of any of his communications to the Department of State?

Mr. Davidson. No, definitely not.

The Chairman. Was this instance an unusual instance?

Mr. Davidson. I would say this was a very unusual instance, but I don't think there was anything official about this communiqué.

ACQUAINTANCE WITH FRANK BARRY

The Chairman. Are you acquainted with an individual named Frank Barry?

Mr. Davidson. I am.

The Chairman. Will you explain the circumstances of your acquaintance with Mr. Barry?

Mr. Davidson. Mr. Chairman, after the assassination of President Somoza, I felt that the Communist elements——

The Chairman. I hope you won't go into all of that. When did you meet Mr. Barry, and what was your association, very briefly, please.

Mr. Davidson. Mr. Barry used to be a White House Secret Service officer.

The Chairman. Yes.

Mr. Davidson. I have known him in Washington for many years.

The Chairman. You knew him in Washington for many years?

Mr. Davidson. Yes, many years.

After the assassination of the President. I knew there were plots against the lives of the Somoza boys and their immediate family, and I suggested to the mother of the President that she talk to the boys, and I suggested to the then acting President that they hire a security officer from the United States to put——

The Chairman. And you recommended Mr. Barry?

Mr. Davidson. I recommended Mr. Barry.

The Chairman. About what time was this—1956, 1955?

Mr. Davidson. To the best of my recollection, I could tell you if we had time, if you wanted to allow me to, I would say about the latter part of 1956.

The Chairman. You recommended him to the Somozas as a security officer?

Mr. Davidson. Yes.

The Chairman. And they accepted it.

Mr. Davidson. They accepted it.

The Chairman. Did you share an office with Mr. Barry at that time?

Mr. Davidson. Mr. Barry shared offices with me.

The Chairman. Well, either way.

Mr. Davidson. Yes.

The Chairman. The same office you now have?

Mr. Davidson. Well, prior—no, Mr. Chairman, prior to my moving to 1612 K Street I had offices at the 1224 Wyatt Building and I don't recall whether Barry was with me there or he moved over with me when I moved to 1612, but he did share offices with me for a time.

The Chairman. When you say "share" what does that mean? Were you associated? Were you partners, or what was your relationship?

Mr. Davidson. We were just friends, and Mr. Barry, I don't know that I ever charged him any money.

The Chairman. Any rent?

Mr. Davidson. Yes. I can't recall if I ever did.

The Chairman. You don't know?

Mr. Davidson. If I did, it would have been very nominal, like $50 or $75. We were very close friends, and I felt as he was going to be in Nicaragua most of the time he could have a place to hang his hat in my office.

LETTER OF JUNE 29, 1959

The Chairman. I show you a copy of a letter dated June 29, 1959, addressed to Ambassador Whelan from Frank Barry, and ask you whether you have a copy of that letter in your files.

(Copy of the document referred to is in the committee files.)

Mr. Davidson. Mr. Chairman, much to my surprise, when Mr. Pincus came to my office to photostat my files, we ran across this letter, and I don't know how it got in my files. The only way, and he did get it out of my file, I was there when he got the letter out of the file, but there could have been a time when Mr. Barry was writing some letters and it got fouled with my Nicaraguan information, but I saw this letter, and I do have a copy of it. But this doesn't concern me in any way.

The Chairman. This is June 29, 1959?

Mr. Davidson. Yes; this letter did come out of my files, but it got there by accident. This doesn't concern me at all.

The CHAIRMAN. Well, Mr. Barry was a friend of yours, was he, at that time, sharing an office with you?

Mr. DAVIDSON. I am sure he was.

The CHAIRMAN. He was representing Nicaragua, and you were representing Nicaragua.

Mr. DAVIDSON. But our field of endeavor was not the same.

The CHAIRMAN. I understood you were concerned with everything concerning Nicaragua.

Mr. DAVIDSON. That is correct.

The CHAIRMAN. And this did concern Nicaragua.

Mr. DAVIDSON. Certainly.

[Deleted.]

The CHAIRMAN. We are going to have to recess in just a moment.

LETTER OF JULY 18, 1957, REFERENCE TO TRIP OF OFFICIALS

I wanted to refer back, Mr. Davidson, to your letter of July 18, 1957. This regards—it is your letter to President Luis Somoza. I didn't read the first paragraph. I didn't do it a moment ago, I skipped it.

"Mr. Oakley Hunter, General Counsel of the U.S. Federal Housing and Home Finance Agency, and Mr. Dan Hamady, Chief of the International Housing Service, will be our guests in Nicaragua the weekend of July 28. He will arrive in Managua Sunday morning at 10:15 and will be there only 3 days so Mr. Hunter must be back in Washington on Wednesday."

Did Mr. Hunter and Mr. Hamady go as the guests of the Nicaraguan Government?

Mr. DAVIDSON. Mr. Chairman, I don't recollect, but I don' think so.

I am quite confident that the U.S. Government paid their fares down. But that is an expression—I think "our guests" is an expression that I used as our guests.

The CHAIRMAN. I know it is. You say "will be our guests in Nicaragua." Did you pay for it? Did you buy their transportation?

Mr. DAVIDSON. I did not.

The CHAIRMAN. Did you pay their hotel bill?

Mr. DAVIDSON. I definitely did not.

The CHAIRMAN. Did the Nicaraguan Government?

Mr. DAVIDSON. I recall definitely Mr. Hunter stayed at the American Embassy, there was no hotel.

The CHAIRMAN. Was transportation——

Mr. DAVIDSON. Yes; I am sure they paid their own. They stayed at the American Embassy.

QUESTION OF EXPENSES

The CHAIRMAN. Well, do you state that you did not nor did the Nicaraguan Government stand any of the expenses of the trip?

Mr. DAVIDSON. No; I am sure not, definitely.

The CHAIRMAN. It did not?

Mr. DAVIDSON. Definitely not.

The CHAIRMAN. In the letter of Mr. William Wieland, Director, Office of Middle American Affairs, it reads as follows. This letter I put in the record.

"JULY 24, 1957.

"The Government of Nicaragua is interested in having Messrs. Oakley Hunter and Dan Hamady of the Housing and Finance Agency visit Nicaragua on or about July 28 to consult with President Somoza concerning Nicaraguan housing problems. In its note No. 299 of July 18, 1957, requesting this, the Nicaraguan Embassy states that 'any expenses incurred by these technicians will be borne by the Nicaraguan Government.'"

How do you explain that?

Mr. DAVIDSON. Mr. Chairman, I cannot explain it, I don't know. I cannot recollect, but I will find out.

But, to the best of my knowledge, we did not pay for this transportation. But I will call up and find out.

The CHAIRMAN. When you say "we," do you mean you or the Nicaraguan Government?

Mr. DAVIDSON. Yes, myself, or the Nicaraguan Government. It doesn't seem logical to me. However, I will call up Mr. Hunter and Mr. Hamady and ask them. I don't recall; it has been so long. But I am sure we can get an answer to that.

The CHAIRMAN. Well, it is in accord with your own letter where you say, "will be our guests in Nicaragua," isn't it?

Mr. DAVIDSON. Yes, but that could be——

The CHAIRMAN. A typographical error?

Mr. DAVIDSON. Yes, sir.

The CHAIRMAN. I see.

Mr. DAVIDSON. But I can check it out.

The CHAIRMAN. Do you do your own typing, or do you have a secretary?

Mr. DAVIDSON. That is one of the problems. I have had a dozen secretaries in the course of 2 years for various reasons. This could have been typed by one that wasn't too good.

QUESTION OF TICKET PURCHASE

The CHAIRMAN. You stated in your letter of June 25, 1957, which was before that, to Whelan:

"I am pleased to inform you that I am bringing Mr. Oakley Hunter to Nicaragua with me during the weekend of June 30."

The CHAIRMAN. That would indicate that you brought him.

Mr. DAVIDSON. I came with him.

The CHAIRMAN. Yes. You did not buy his tickets?

Mr. DAVIDSON. To the best of my recollection, I did not, but I am going to check it, Mr. Chairman, and I will let you know.

The CHAIRMAN. Well, it is 12:30, and we both have engagements. We will adjourn until—we have a few other items to ask Mr. Davidson at 3 o'clock.

Mr DAVIDSON. Is it all right to leave these papers?

The CHAIRMAN. Yes.

(Whereupon, at 12:30 p.m., the committee recessed, to reconvene at 3 p.m. the same day.)

AFTERNOON SESSION

The CHAIRMAN. The committee will come to order.

Mr. Davidson, this is a continuation of the morning meeting, and it won't be necessary to administer the oath again as it still carries over as long as you are a witness.

TESTIMONY OF I. IRVING DAVIDSON—RESUMED

Mr. DAVIDSON. Yes, sir.

The CHAIRMAN. If I may refer again to a subject which we covered briefly this morning, but it is a different context, I will call your attention to a letter dated January 16, 1956, addressed to the President, President Somoza. Do you have a copy of it?

Did you write that letter?

Mr. DAVIDSON. Yes, sir.

The CHAIRMAN. The significance of it is, I think, this was written before the dinner, was it not, whereas the one this morning to Ambassador Whelan was written after the dinner. Is that correct?

Mr. DAVIDSON. Well, if you say so, I know the one on January 16, I did write it and if one was written after the dinner——

The CHAIRMAN. Well, you identified a letter before the noon recess, written to Ambassador Whelan on January 27, wasn't it?

Mr. DAVIDSON. Well, that would be correct.

The CHAIRMAN. All right.

It was after the dinner?

Mr. DAVIDSON. Yes, Mr. Chairman.

The CHAIRMAN. Well, just to tie the two together, I will call your attention to the fourth paragraph on the first page.

You say:

"The colonel is cooperating with me on several good public relations moves which will be very beneficial for Nicaragua. For instance, he has taken five tickets for the Eisenhower dinner to be held here on January 20. These tickets, which sell for $100 each, are a form of political gratuity for the Republican Party. I have given them, with the colonel's approval, to five people in the U.S. Government who are grateful for the opportunity and are aware to whom they are indebted for this favor."

That is very similar to the statement in the letter of the 27th, is it not?

Mr. DAVIDSON. Yes; I think so.

The CHAIRMAN. Who was the colonel?

Mr. DAVIDSON. Colonel Somoza is a brother of the present President.

The CHAIRMAN. Brother of Luis Somoza?

Mr. DAVIDSON. Brother of Luis Somoza.

QUESTION OF TICKET PURCHASE BEING OF BENEFIT TO NICARAGUA

The CHAIRMAN. I will ask you again, why is this very beneficial to Nicaragua?

Mr. DAVIDSON. Well, it is a phraseology that I used, Mr. Chairman. As a public relations man, I make it a policy for many clients that I represent to attend as many political functions as I possibly can. All of my clients are scattered all over the United States.

The CHAIRMAN. In this particular case, what about this?

Mr. DAVIDSON. Well, in this particular case, it is just that phraseology and I believe it is truthful, there was a time in 1956, 1957, 1958, 1959, when I was devoting, I would say, 80 percent of my time just to Nicaraguan activities, and it got to be sort of a standard phrase among my friends, "here comes Nicaragua," among even my American clients, I was just taken synonymously with Nicaragua, I got a lot of ribbing about it, and whatnot, and a lot of what I did, people just associated Davidson with Nicaragua.

I took a lot of kidding about it, but it was true. I put 80, 90 percent of my time through these years on Nicaragua.

The CHAIRMAN. Are you saying that it is or is not beneficial to Nicaragua for you to do this? What are you saying now about that?

Mr. DAVIDSON. Well, any activity or any conduct that I conduct myself in would reflect upon Nicaragua. And I had to be very careful in any activities that I entered into that would not reflect upon Nicaragua unfavorably or any of my other clients.

The CHAIRMAN. Why was the taking of these five tickets beneficial to Nicaragua?

Mr. DAVIDSON. Well, in 1956, Mr. FULBRIGHT, I was not in as good a financial position as I am today, I am happy to say, I mean I was not in as good a financial position as I am in today. In 1956 there were a lot of things I would have liked to have done that I wasn't able to do financially.

The CHAIRMAN. You didn't buy these tickets, did you?

Mr. DAVIDSON. No; I did not.

I want to say that I thought that if I could put $500—spend $500 for five tickets for this Republican dinner, I felt that the benefit would be very—it would be very beneficial to me in my activities around Washington.

The CHAIRMAN. You say beneficial to Nicaragua?

Mr. DAVIDSON. And it would rub off on Nicaragua, Mr. FULBRIGHT.

TICKETS A POSSIBLE FORM OF POLITICAL GRATUITY

The CHAIRMAN. You say these tickets, which will sell for $100 each, are a form of political gratuity for the Republican Party.

Did you think the Republican Party was seriously in need of this gratuity?

Mr. DAVIDSON. No, but I personally was in need of probably some stature with the Republicans, as well as with the Democrats.

The CHAIRMAN. You say, with the colonel's approval you gave them to five people in the Government, who are grateful for this opportunity, and are aware to whom they are indebted for this favor.

In other words, if I interpret it correctly, you gave it to these people and said, "This is a favor from the Government of Nicaragua," is that correct?

Mr. DAVIDSON. Yes; I let them know that General Somoza paid for the five tickets.

The CHAIRMAN. And then anything General Somoza wants, you hoped they would agree to it, is that right?

Mr. DAVIDSON. Mr. Chairman, I believe I told you at the earlier meeting that two of the recipients of the tickets, one was a Colonel Gates of Pan American Airways, who was not a Government employee, and another one was a doctor, Fred Singer, who was a professor.

The CHAIRMAN. Why did you say they were Government, why are you misrepresenting it to your principal sponsor?

Mr. DAVIDSON. I think the phraseology is wrong; let me tell you what I do, Mr. Chairman.

I had a lot of secretary problems at this time; I was sharing a secretary. Many a time I have gone out and said to my secretary, Miss Ginn, or Miss Boone, or Miss Kelly, "Will you please write a letter to the general that I have done this or the President I have done this, or done that," and they will prepare a letter and put it before me and I would sign it.

The CHAIRMAN. Without reading it?

Mr. DAVIDSON. I would read it cursorily.

The CHAIRMAN. Yes; well, it is a coincidence, then, that these two letters have almost the same verbiage, although one is written on the 16th of January and the other the 27th; isn't it?

Mr. DAVIDSON. Well, I am sure that there is no doubting that I bought the five tickets, and I am not denying that I did, and I am not denying that I asked the general to pay for it. I think I had as great a benefit as did anyone else from the purchase of these five tickets.

Senator MORSE. Are you denying, if I may ask, are you denying you bought them in part for the purpose of creating a political obligation on the part of the grantees?

Mr. DAVIDSON. I will deny that my intent was to buy a favor from the Republican Party. I never asked them for any favor.

Senator MORSE. Do you deny that you said in the letter to President Somoza that there are five people in the U.S. Government who are grateful for the opportunity and are aware to whom they are indebted for this favor? Do you deny that?

Mr. DAVIDSON. That is an erroneous statement.

I recall who three of the recipients were, and I—before the committee adjourns I will get the names of the other two gentlemen.

Senator MORSE. It is not an erroneous statement as to what is in the letter, is it?

Mr. DAVIDSON. No; but that is an incorrect statement.

Senator MORSE. Is that a correct quotation from the letter?

Mr. DAVIDSON. Yes, it is, Senator MORSE.

IMPLICATION OF POLITICAL ADVANTAGE GAINED

Senator MORSE. Does it show a clearly implied intent that you hoped to gain political advantage by making the contribution of the tickets?

Mr. DAVIDSON. It does show that, Mr. Senator.

Senator MORSE. Do you think that is not subject to the interpretation that it is an implied bribe?

Mr. DAVIDSON. I do not, Mr. Senator, when General Somoza subsequently came to the United States, the people who received the tickets thanked him personally, and he knew they were not in the U.S. Government.

Senator MORSE. I only want the record to show, Mr. Chairman, so far as the Senator from Oregon is concerned that when a lobbyist puts down in black and white that he has bought five tickets for five people in the U.S. Government who are grateful for the opportunity and aware to whom they are indebted for that favor that as a juror I would consider that as an intent of an implied bribe.

Senator AIKEN. I would like to ask him, Mr. Chairman—who did you buy the tickets from?

Mr. DAVIDSON. I believe I just sent a check in cold to the Republican National Committee.

Senator AIKEN. Did you visit the committee at the time you were buying them for the Nicaraguan Government?

Mr. DAVIDSON. Definitely not.

Senator AIKEN. As far as they knew, you were buying them for yourself?

Mr. DAVIDSON. To the best of my recollection, I bought them on my own name, and I recall now that I told a gentleman who works at the Republican National Committee that I was sending in for five tickets. The name of the gentleman at that time was Mr. Carl Shipley.

Senator AIKEN. But you did tell your guests that they were indebted to the Nicaraguan Government for this?

Mr. DAVIDSON. Yes, and not Irving Davidson, that is correct.

Senator AIKEN. For the tickets.

LETTER DATED JULY 7, 1960

The CHAIRMAN. Well, let's go on to a letter dated July 7, 1960, addressed to His Excellency Senor Luis A. Somoza, the Presidential Palace, Managua, Nicaragua.

(A copy of the document referred to follows:)

Letter from I. Irving Davidson to His Excellency, Senor Luis A. Somoza. The Presidential Palace, Managua, Nicaragua, dated July 7, 1960:

"DEAR LUIS: Today, I am taking off for Los Angeles, Calif., for the Democratic Convention where I will be in the active camp of Lyndon Johnson. * * *

"I have made available to the Johnson camp the strength, et al., of labor (money, delegates, hospitality, votes, etc.) which I will make available to the Republican nominee in Chicago at the end of this month. The services that I have made available to them are invaluable, since through 900 locals throughout the United States, I have made available to them 12,000 militant workers.

"I am operating behind the scenes. So far as Nicaragua is concerned, everyone with whom I am dealing knows that I am your registered representative; and everyone knows that much of the money I spend throughout the year is made available to me through your generosity.

"I do have a promise from the L.B.J. policy board that we will be given first refusal for representations (ambassadorial, military, et al.); but, more important, there will be a general house-cleaning of the policymakers of the State Department for Central America. I have also been promised that should L.B.J. win the nomination and the Presidency he will immediately invite you to the United States for your opinions and suggestions on policy for Central America.

"I am an official newspaper correspondent for Novedades to the convention and I will file several stories direct from Los Angeles to Novedades."

The CHAIRMAN. Did you write that letter?

Mr. DAVIDSON. Yes; this letter looks familiar.

The CHAIRMAN. I wanted you to read it to the committee.

Did you write it? Did you?

Mr. DAVIDSON. Yes; I wrote this letter.

The CHAIRMAN. You sent it to the President?

Mr. DAVIDSON. I did.

The CHAIRMAN. Would you read the letter?

Mr. DAVIDSON. Mr. Chairman, I will be happy to read the letter but I would like to make this statement: First of all, as you know, I am not a lawyer, and I will try to the best of my ability to explain to you what I intended to convey at the time I wrote this letter, and I hope when I read the letter that you will let me read it paragraph by paragraph.

The CHAIRMAN. All right.

Mr. DAVIDSON. So that I can explain each sentence or each paragraph so I don't get confused.

The CHAIRMAN. All right, go ahead.

Senator MORSE. That is fair enough.

DEMOCRATIC CONVENTION IN 1960

Mr. DAVIDSON. All right.

"DEAR LUIS: Today, I am taking off for Los Angeles, Calif., for the Democratic Convention where I will be in the active camp of Lyndon Johnson."

That is a true statement. However, before I read the letter further, Mr. Chairman, I would like to say this, that I don't believe that this letter is relevant to my status as a foreign agent, but if you want me to answer I will be very happy to go over them, if you direct me to answer, but I want to go on record that I don't feel that this is relevant to my status as a foreign agent.

The CHAIRMAN. I think the committee will judge that.

You go ahead and read it.

We think it is, or at least prima facie, but you go ahead and read the letter.

Mr. DAVIDSON. That is a correct statement.

I did write to Luis and say that I was taking off for Los Angeles where I would be in the active camp of Lyndon Johnson.

POLITICAL ACTIVITY DURING CONVENTION

The CHAIRMAN. What do you mean by the active camp of Lyndon Johnson?

Mr. DAVIDSON. Well, as an American citizen, I had a right to be for whoever I wanted to be for, and I thought that Lyndon Johnson would make a very good President. I thought that Lyndon Johnson was a great liberal, and I would loved to have seen him get the Democratic nomination for President of the United States, and politics has been somewhat of a little hobby with me as much as I could afford to take part in it, and I was a great believer in Lyndon Johnson, so far as the Democrats were concerned, and I wanted to do everything in my power that a man like Lyndon would get the Democratic nomination because I knew he understood the threat of communism in the Western Hemisphere and I knew about the problems of Central and South America, and I was a great admirer of Lyndon Johnson.

QUESTION OF COMPLETENESS OF LETTER PRESENTED WITNESS

The CHAIRMAN. Go ahead; what is the next paragraph?

Mr. DAVIDSON. Mr. Chairman, I think some of this letter has been taken from context, and I don't believe it is all here. This is not the letter that I wrote. I think that part of this stuff as long as you have this letter, I have been looking for this letter, and I would like to see the whole letter, but if you have it all I would like to see the entire letter because it will just throw me, but that is a true statement that I was taking off, but I also went the day after, 2 or 3 days after the Democratic Convention ended, I went to the Republican Convention in Chicago.

The CHAIRMAN. I know, that comes later, but can't we deal with this letter now? We will come to that later.

Mr. DAVIDSON. What more is there?

Yes, I say——

The CHAIRMAN. Read the next paragraph, and you can state whether or not you wrote it or not.

Mr. DAVIDSON (reading): "I have made available to the Johnson camp the strength et al of labor, money delegates, hospitality, votes," and so forth, but money, delegates, hospitality, votes, et cetera, are in parentheses, "which I will make available to the Republican nominee in Chicago at the end of this month. The services that I have made available to them are invaluable since through 900 locals throughout the United

States, I have made available to them 12,000 militant workers."

But there should be some more between this. It is like taking stuff out of context, Mr. Chairman, I don't think that is fair. I would like to see the whole letter.

I have been looking for this letter, that is why I wanted my secretary here. I would prefer to see the whole letter.

The Chairman. Well, didn't you write that paragraph?

Mr. Davidson. Well, it sounds very familiar. I am quite sure I did. I am sure that your committee wouldn't fabricate anything, but I still don't feel that this is relative to my being a foreign agent.

The Chairman. Well, Mr. Davidson, I think that is a matter for the committee to judge. [Deleted.]

Have you not got the copy of the original of this letter or a copy of it?

Mr. Davidson. No, I had it, and I just can't find it.

LETTER SUPPLIED COMMITTEE BY DEPARTMENT OF JUSTICE

The Chairman. I know you had it. This letter was given to us at our request by the Department of Justice.

Mr. Davidson. Right. When the Department of Justice came into my office a year and a half ago to make an investigation of their foreign agents, I recall the letter and they photostated it. I didn't attempt to conceal it from them. I gave it to them. Like I gave Mr. Pincus every letter.

Now, they took a lot, at the time they were in, they took—I just left them in my office and I went on a trip and I gave them the keys to my files, and I have seen a copy of this letter that has been passed around, Mr. Chairman, but if you all have a copy of it, I would be very happy to comment on it all. I did have a copy but it sort of disappeared.

But I would like—I told Mr. Pincus to go down to the Justice Department and pick up the letter.

The Chairman. That is where we got this.

Mr. Davidson. Well, that is where I told him the letter was, I am not ashamed of the fact.

The Chairman. I am not saying you are.

Mr. Davidson. I would like to see the entire letter, and I will explain the paragraph.

The Chairman. We gave you a copy of what we got.

Mr. Davidson. That is not the complete letter.

The Chairman. I don't know if that makes any difference if that is actually a part of it. That is what we got.

Are you saying——

Mr. Davidson. There is more. It is a two-page letter. It says on here page 2, it must be page 2.

The Chairman. It doesn't say it on this.

Mr. Davidson. I see page 2 up here.

[Deleted.]

RELEVANCY OF JULY 7 LETTER ESTABLISHED

Senator Morse. Mr. Chairman, I would like to lay a foundation for this document, if you will permit me.

The Chairman. Certainly, go right ahead.

Senator Morse. It is my understanding that you raise a question about this document to the effect that it is not the complete letter of July 7, 1960, that you wrote to the President of Nicaragua.

Mr. Davidson. That is correct.

Senator Morse. My first question is, have you read the document in full that is before you that I have just identified for the record?

Mr. Davidson. Yes, sir

Senator Morse. Based upon your contention, that is not the full letter of July 7, 1960, do you deny that any of the paragraphs contained in the document before you were not included in your letter of July 7, 1960, to the President of Nicaragua?

Mr. Davidson. To the best of my recollection, this is correct.

Senator Morse. Therefore, I want to point out, Mr. Chairman, that if the witness' answers to my questions stand, the document is relevant to the hearing. It is for the committee to decide what value the document is. If the committee in executive session discovers that the letter is not fully stated, it may very well be that the committee may call upon the Department of Justice to supply additional information they have on the letter.

(Subsequent to the hearing the following documents were received from the Department of Justice:)

April 2, 1963.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Senator: Walter Pincus, of the staff of your committee, has inquired concerning a copy of a letter dated July 7, 1960, addressed to Luis A. Somoza by I. Irving Davidson. This copy was made available by the Department, and Mr. Pincus asked if the copy he received contained the complete text of the original letter.

I am advised by the Federal Bureau of Investigation that it has never had the original of the letter in question in its files and that the full text does not appear in the copy.

The original letter was reviewed during the course of a Registration Act investigation conducted in May and June 1961. Mr. Davidson, at that time, specifically requested that only those portions of the letter pertinent to the inquiry be included in any report reflecting review of his records. After reading the letter in its entirety and observing that certain portions were not pertinent, Mr. Davidson's request was honored and only the pertinent portions were excised. We are further advised that no original records or documents were removed from Mr. Davidson's office.

William A. Geoghegan,
Assistant Deputy Attorney General.

April 18, 1963.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Senator: This is in further reference to my letter dated April 2, 1963, concerning a copy of a letter addressed to Luis A. Somoza by I. Irving Davidson, which has been made available to your committee.

In the investigative report from which the text supplied your committee was taken the following paragraph appears immediately before the letter:

(This file (Mr. Davidson's) contains a copy of a letter from Davidson to His Excellency, Senor Luis A. Somoza, The Presidential Palace, Managua, Nicaragua, dated July 7, 1960. This letter states, in part, the following:)

This preliminary language was not given to your committee when the Davidson letter was forwarded and if, as a result, any misunderstanding resulted as to whether the complete text was supplied it is regretted. As I advised on April 2, 1963, the Federal Bureau of Investigation never had the original of the letter in question in its files and the full text did not, therefore, appear in your copy.

Sincerely,

William A. Geoghegan,
Assistant Deputy Attorney General.

Senator Morse. But there is no reason as a matter of defense as to why the document before us should not be included in the record of this hearing, and the witness examined in regard to the paragraphs which he has admitted were written by him and were part of the full letter.

The Chairman. I think that is quite right. I don't understand the witness.

You do not contend that these paragraphs are not in the letter which was taken from your files, do you?

Mr. Davidson. They are very familiar—no, but, Mr. Chairman, the reason I question this, the relevancy of the question about the letter at all is the fact that in my opinion, and I am still a layman, that these questions appear unrelated to my activities on behalf of Nicaragua, Ecuador, Indonesia, and if I answer them I want—I believe I may prejudice some of my rights.

If you will advise me that I am in no way waiving or prejudicing my rights, I will be happy to stop making these objections and I will do whatever you want me to do and if I can't do that maybe I should get a lawyer to advise me.

I just don't want to prejudice my rights. I want to cooperate with the committee, I am not ashamed of anything that I wrote, but I don't want to prejudice my rights.

COMMENTS ON OBJECTION RAISED BY WITNESS

Senator Morse. Mr. Chairman, may I comment on the objection raised by the witness?

The Chairman. Yes.

Senator Morse. The question, Mr. Davidson, as to the jurisdiction of the committee is, of course, for the committee to decide. The question as to what the committee considers to be relevant to your working as a registered lobbyist for the Nicaraguan Government is for the committee to decide.

The question before the committee at the present time pertains to this document in respect to the major issue which has been raised; namely, did you, in fact send a letter that contained these paragraphs to the President of Nicaragua?

Your answer is that the letter did contain these paragraphs.

Now, examining you in regard to the contents of those paragraphs in no way prejudices your rights before the committee because it is for the committee to determine whether or not it has jurisdiction. I want to say to you, as a lawyer, you can at any time, of course, refuse to answer questions put to you by this committee. The committee has procedures available to it for responsive action if you take that position.

I do think you ought to be forewarned that you have the right, of course, to take the fifth amendment in response to any question that is asked you if you want to rely on that constitutional right. But you couldn't possibly prejudice yourself in answering any question in regard to written material which you have already admitted on this record you did write, and which in the opinion of the committee is relevant to the hearing which is being conducted or we wouldn't be asking you the question.

I want to assure you that as a lawyer I wouldn't sit here and permit any witness to have his rights violated, if I had reason to believe his rights were being violated.

I am satisfied that the chairman has not only the right but the duty to examine you in regard to the language contained in a document which is now a part of this record, the contents of which document you admit you wrote.

Now, that you wrote something over and above that document which might very well explain the part that is before us that you admit you did write, is a point that you have raised when you have said for the record it is not the full document.

When we come to evaluate your testimony as a committee, undoubtedly the question will be raised within the committee, is there any basis for a different evaluation of these paragraphs because of the fact that there are paragraphs that may be excluded? I don't know whether they have been excluded or not, but I am going to assure you that for a hypothetical for the time being. I don't think you need to worry about the treatment of the document by the committee, if this isn't the full document.

Undoubtedly some of us will ask to see the full document, but as of now the chairman has certainly the right to cross-examine you on the basis of language that you admit that you did write.

QUESTION OF LETTER BEING EXCERPTED

Senator AIKEN. Mr. Chairman, may I ask, does the copy of the letter submitted to us by the Department of Justice indicate that the paragraphs which have been read by the witness were excerpted paragraphs or does the copy of the letter submitted to us by the Justice Department indicate that that is a complete letter?

Senator MORSE. I don't know.

Senator AIKEN. If, in fact, these are excerpts and a copy of the letter submitted by the Department of Justice does not show that there have been deletions from the letter, then I would say the Department of Justice was not perhaps giving us the full accurate story.

The CHAIRMAN. If I understand it, I believe Mr. Davidson——

Senator AIKEN. I don't know. I am just asking.

The CHAIRMAN. Mr. Davidson has already stated that the Department of Justice, a year and a half ago, came to his office and photostated the letter.

Now, this is the part that they thought was pertinent, I assume, and we got this from the Department of Justice.

Mr. Davidson says that he can't find the original, is that not correct?

Mr. DAVIDSON. That is correct.

The CHAIRMAN. But this is what they took from the letter, and has testified this was included in the letter and this is what we have.

Senator AIKEN. They didn't submit to you, though, the photostat of the letter itself?

The CHAIRMAN. No; this is what we got from them, and they took a copy of the letter, but Mr. Davidson is not able to supply the original.

Senator MORSE. The Senator from Oregon wishes to make his position clear in regard to this document in the record at this time.

I think it is perfectly proper to examine this witness in regard to what he admits is language that he wrote in the letter of July 7. The Senator from Oregon, when we go into executive session, will request that the full letter be provided the committee for a determination as to whether or not any of the excluded parts would in any way bear upon the testimony of the witness.

If he decides that it would, this witness can always be recalled before this committee for further examination on the full letter.

[Deleted.]

Senator AIKEN. We wouldn't want Justice submitting anything prejudicial to WAYNE MORSE or HUBERT HUMPHREY, or even GEORGE AIKEN or BILL FULBRIGHT.

Senator MORSE. My point is that the chairman is now in perfect order in asking the witness to comment on paragraphs of a letter of July 7, 1960, written to the President of Nicaraugua which he admits that he wrote.

Senator AIKEN. I think we should make every effort to get the complete letter.

Senator MORSE. I have already requested it.

Senator AIKEN. If, in fact, these are excerpts.

The CHAIRMAN. I think that is quite clear. Whether there is anything further that bears upon it, we will try to find out. This is all that we were given by the Department.

Take the next paragraph, Mr. Davidson.

Mr. DAVIDSON. Mr. Chairman, I would like to state that I appreciate the suggestion and I understand what Senator MORSE stated and I want to cooperate. But I would like, as Senator AIKEN said, to have an opportunity, if after the full letter is brought to light, that I have an opportunity to explain that letter paragraph by paragraph, if I feel that I am put in an unfair light or I put anybody mentioned in here in an unfair light, that I think I should be given another chance.

The CHAIRMAN. You will be given another chance, and we hope you will find the letter in your own files.

Mr. DAVIDSON. That is why I wanted Miss Ginn to come in with me today.

The CHAIRMAN. She couldn't find it in here. Ask her to find it for you.

Mr. DAVIDSON. I have been away for several days since I got the subpena, and since Mr. Pincus was in I have been traveling in Europe for 3 weeks, and I have a very poor filing system. I have had three secretaries in the last year, and I would want to cooperate with the committee, and I think the work of the committee is terrific, and I am in favor of it. In fact, I wrote my president, and I want to cooperate.

The CHAIRMAN. The way you can cooperate is just go through this letter, and if you say you didn't write it, that is one thing—can you explain what you meant by the language here? Go to the next paragraph. I think it is very simple.

[Deleted.]

The CHAIRMAN. Let's go to the next one.

Mr. DAVIDSON. Do you want me to explain that, the services?

The CHAIRMAN. I thought you had explained it.

SERVICES OF THE LABOR UNION

Mr. DAVIDSON. All right. [Reading:]

'The services made available are invaluable through 900 locals, 12,000 militant workers."

The labor or union that I was talking about has approximately 900 locals—

Senator MORSE. What union is that?

Mr. DAVIDSON. Teamsters, International Brotherhood of Teamsters, and I have here, and I have been told that there are about 12,000 paid workers in these 900 locals, and I thought if they got the support of the Teamsters they would have 12,000 militant workers, which would be very good.

Now——

The CHAIRMAN. You also made this available to the Republicans in Chicago, is that right?

Mr. DAVIDSON. Yes, that is correct.

The CHAIRMAN. If you made it available to both of them——

Mr. DAVIDSON. But I made it to the Republicans not in Chicago. I made it available before Chicago. I was just telling the president that I was active in the camp of Lyndon Johnson, there is a paragraph I remember in that letter that I said "In the Democratic campaign I am an active worker for Lyndon Johnson. In the Republican campaign I am an active worker for Vice President Nixon" and that is a very—that was a paragraph, and that paragraph, I think, would be very important if I am to explain this letter.

[Deleted.]

WITNESS KNOWN TO BE REGISTERED AGENT OF NICARAGUA

Mr. DAVIDSON (reading): "I am operating——"

The CHAIRMAN. Go ahead.

Mr. DAVIDSON (continuing):

"I am operating behind the scenes so far as Nicaragua is concerned, everyone with whom I am dealing knows that I am your registered representative and everyone knows that much of the money I spend throughout the year is made available to me through your generosity."

Now, I will explain that. I wanted the President to know that I was not waving a flag, that I was very discreet and I wasn't going to embarrass Nicaragua or antagonize Nicaragua.

Senator SYMINGTON. Do you think this was a discreet letter?

Mr. DAVIDSON. Well, President Somoza of Nicaragua and all those little countries in Central America have a great stake in the United States and all of them have a burning curiosity as to what is going on. From time to time, the President would call me up and talk to me, every time I went down there and every time Americans went down to visit Nicaragua, whether it be Senators, Congressmen, or businessmen, he had a burning curiosity as to what the political situation was in the United States because it would affect——

Senator MORSE. May I ask one more question?

Mr. DAVIDSON. I didn't write this letter with the idea of it ever becoming public.

RELEVANCY OF DOCUMENT TO COMMITTEE'S INVESTIGATION

Senator MORSE. I will desist with this because it pertains to my previous laying of a foundation for this document. The witness, as the committee knows, raised a question as to the relevancy of this document to this investigation of lobbying activities of registered agents of foreign governments.

Mr. Davidson, do you think that the content of the third paragraph of this letter, which has just been read, which reads in part:

"I am operating behind the scenes so far as Nicaragua is concerned; everyone with whom I am dealing knows that I am your registered representative and everyone knows that much of the money I spend throughout the year is made available to me through your generosity"

leaves any question about the relevancy of this document to your work as a lobbyist for the President of Nicaragua?

Mr. DAVIDSON. Mr. MORSE, if—Senator MORSE, I will explain that. I know the personality of my President, that I represent, Luis Somoza, and the thousand dollars a month that they paid me and his father started to pay me 5 years before this. For the economy of Nicaragua that was an awful lot of money, so they thought many times during my representation. I spent many times over a thousand dollars a month, but he felt that that thousand dollars a month was a great deal of money for Nicaragua. I wanted him to feel pretty good, that he was getting quite a bit for his thousand dollars a month, and I feel that a lot of my other activity rubbed off and benefited Nicaragua, and this is a case of not talking myself down because I truly did by my actions benefit Nicaragua indirectly. Not one penny of money did he give me for either campaign, or for any of my expenses, either in California or in Chicago.

Senator MORSE. Now, going back to my question, Mr. Davidson, as to the relevancy of this letter to this hearing, do you deny that the paragraph we now have under consideration does not report to the President of Nicaragua that you, in fact, and effect, were representing him at the Democratic and Republic Conventions of 1960?

Mr. DAVIDSON. Senator, and Mr. Chairman, technically I was representing Nicaragua at the convention. Looking at the last paragraph: "I am an official newspaper correspondent for Novedades to the convention and I will file several stories direct from Los Angeles to Novedades."

For this convention I became a representative for Novedades, the Nicaraguan newspaper. I wanted these credentials which would enable me to get into the press section at the conventions, and I would be entitled to privileges of walking around to committees, et cetera.

But I never filed any stories, and, no, I cannot deny that there is some relevancy here, Mr. Senator.

Senator MORSE. Coming back to my question further of the paragraph we have under discussion, it is perfectly clear, is it not, that you made clear to your President, the President of Nicaragua, that everyone with whom you were dealing at the conventions knew that you were President Somoza's registered representative at the convention?

Mr. Davidson. Mr. Chairman——

Senator Morse. Yes or no, is that what it says?

Mr. Davidson. Yes, but that first sentence is very important—"I am operating behind the scenes."

Senator Morse. I will say it is important.

Mr. Davidson. Mr. Chairman, Mr. Somoza cautioned me when he knew that I was—I had an interest in political candidates on both sides, that I be very careful not to embarrass Nicaragua in any way and he made this very, very strong to me.

Prior to my going, he said "Now, Irving, don't you get us in trouble because everybody associates you with Nicaragua." And that is why I wrote there I am operating behind the scenes and I wanted to know that I was being very discreet.

Maybe my phraseology is not the best.

Senator Morse. Mr. Davidson, do you think because you said in the letter that you were operating behind the scenes that that made you any the less the registered representative of the President of Nicaragua?

Mr. Davidson. No, I was always the registered representative of the President of Nicaragua, the President of, well, the Israelis and whoever else I could have been the agent for at that time. I was also representing all my clients, and myself.

Senator Morse. Yes. But the letter makes clear that you were very careful to make clear that everyone with whom you dealt at the convention knew that you were the registered representative of the President of Nicaragua.

Mr. Davidson. Yes, that is a fact, Mr. Senator.

Senator Morse. That bears upon the point of relevancy for foundation for the document that I laid.

Mr. Davidson. Okay.

EXPENSES FOR CONVENTION

The Chairman. In that connection, Mr. Davidson, who paid your expenses to the convention? Did you charge this to Nicaragua?

Mr. Davidson. I did not, Mr. Chairman. I paid my own expenses.

The Chairman. What do you mean by: "Everyone knows that the money I spend throughout the years is made available to me through your generosity."

Mr. Davidson. I was telling him much of the money I spent throughout the year. I wanted the President to feel good, to let him know that I appreciated the money he paid me every month, and he was getting a lot of action for those thousand dollars a month.

The Chairman. Well, he supplied you with more than a thousand dollars a month, did he not?

Mr. Davidson. No; my actual agreement with the President of Nicaragua was a thousand dollars a month and if there were expenses that could be directly attributed to expenses on behalf of Nicaragua I was reimbursed.

The Chairman. That is what I mean.

Mr. Davidson. But there were no—and I am sure my agent's forms will show, that there were no expenses of this convention charged to Nicaragua.

The Chairman. Did you write similar letters to any other principals that you were registered for at that time?

Mr. Davidson. Well, I would like to see—I don't believe so.

I don't believe I was registered for any other principal other than possibly the Israelis at that time.

The Chairman. Did you write a similar letter to the Israelis?

Mr. Davidson. To the best of my recollection, I did not. I could have discussed it with the Israelis. The Israelis keep a commercial office in New York City that I am in very close contact with and my letterwriting was not as profuse.

OFFICIAL NEWSPAPER CORRESPONDENT FOR NOVEDADES

Senator Symington. If you were an official newspaper correspondent for Novedades and you are saying that to President Somoza, why wouldn't it be logical for him to pay your expenses to Los Angeles?

Mr. Davidson. Because he didn't care whether I went to the convention or not. He did not order me to go. I wanted to go, myself. I was going anyway, and I wanted to go with some officialdom, and I asked to be made the representative for Novedades, and they sent me credentials.

Senator Symington. Who owns Novedades?

Mr. Davidson. I believe that the Somoza family have a large interest in Novedades.

Senator Symington. Thank you, Mr. Chairman.

The Chairman. Well, go to the next paragraph, Mr. Davidson.

PRENOMINATION PROMISES

Mr. Davidson (reading):

"I do have a promise from the L.B.J. policy board that we will be given first refusal for representations (ambassadorial, military, et al.); but, more important there will be a general house cleaning of the policymakers of the State Department for Central America. I have also been promised that should L.B.J. win the nomination and the Presidency he will immediately invite you to the United States for your opinions and suggestions on policy for Central America."

Well, in this instance, there was no one that I was in contact with that did not know that I was interested in Nicaragua. But I don't know specifically which aid told me that I would get the cooperation.

The point is I was anticipatory in this statement.

The Chairman. Who made the promise?

Mr. Davidson. I don't recall exactly who made the promise. I discussed Nicaragua many times.

The Chairman. You say——

Mr. Davidson. I had no firm or definite commitment with regard to a visit by Luis to——

The Chairman. Are you saying that you are here deceiving your principal by this statement?

Mr. Davidson. No; I say, I was anticipatory.

The Chairman. It says, "I do have a promise from the L.B.J. policy board."

Who is the policy board? Who did you have in mind when you said, "I do have a promise"?

Mr Davidson Well, the policy board is a general statement. These are the aids that I talked with and that I worked with in the L.B.J. camp, and I cannot specifically say.

The Chairman. Who?

Mr. Davidson. That I talked with about Nicaragua?

The Chairman. Yes.

Mr. Davidson. Who were familiar with my representation? Mr. James Blundell.

The Chairman. Blondell?

Mr. Davidson. B-l-u-n-d-e-l-l.

The Chairman. Is that all?

Who else?

Mr. Davidson. Irving Hoff; H-o-f-f.

The Chairman. Yes; who else?

Mr. Davidson. Well, numerous secretaries.

QUESTION OF SPECIFIC PROMISES

The Chairman. Who gave you the promise?

Mr. Davidson. I had no firm or specific promise from any one person, but I had every right to believe that if Lyndon Johnson got the nomination there was no doubt in my mind that he would pick an ambassador for Nicaragua that would appreciate Nicaragua and all that Nicaragua has done for the United States, who would be anticommunistic and would appreciate the problems of Nicaragua and give Nicaragua—what the recognition which she has been due and hadn't been getting for all the years I know I have been working for Nicaragua.

The Chairman. Let me read this to you——

Mr. Davidson. I was anticipatory. Maybe my phraseology isn't well, Mr. Chairman.

The Chairman. It is very clear. It is not equivocal at all. You say, "I do have a promise." This is to your dear friend or your principal, I mean, "Dear Luis." Were you telling him the truth or not? I think you could answer that.

Mr. Davidson. Well, I had no—I cannot say that I had a specific promise from any one person.

The Chairman. Then you were misleading your principal.

Mr. Davidson. I was not misleading my principal because there was no doubt in my mind, Mr. Chairman, that if Mr. Johnson got the nomination he would not pick anybody for Nicaragua that would be soft on communism or be obnoxious.

The Chairman. That is not what you say. You say, "I have a promise."

Mr. Davidson. Let us say I was being anticipatory. I had no specific promise or no definite commitment.

Senator Symington. Mr. Davidson, in your own interest, you realize you are sworn?

Mr. Davidson. Yes, sir.

Senator Symington. This testimony is under oath?

Mr. Davidson. Yes, sir.

Senator Symington. You realize that?

Mr. Davidson. Yes, sir.

The Chairman. It seems to me you could be able to answer this really very positively, either this was true or it wasn't true.

Mr. Davidson. I would say my phraseology is poor when I say L.B.J. policy board, I don't think there was any such board in existence, but I say it was made up of a lot of people, and I am sure that if all the people that I came into contact with around Lyndon B. Johnson——

The Chairman. Did any one person make a promise to you?

Mr. Davidson. No, not one person, no specific statement.

The Chairman. Then this statement is false, isn't it?

Mr. Davidson. No; I didn't say any one person, I had a promise from the L.B.J. policy board. I would say it would be an assumption that I made from my many conversations with many people that L.B.J.'s team felt like I did about Central America, about the anticommunistic element.

The Chairman. That is not the question, Mr. Davidson.

Mr. Davidson. About being soft on communism.

The Chairman. I don't wish to delay too long here, we have been very long on this letter.

I think you should answer, was this statement, "I do have a promise from the L.B.J. policy board"—is that a correct statement or is it not a correct statement?

Mr. Davidson. The phraseology is poor, but——

The Chairman. I didn't ask you that. Is it a correct or incorrect statement?

Mr. Davidson. You can't end it that way.

The Chairman. What?

Mr. Davidson. It is an assumption.

The Chairman. Well, is it incorrect or is it correct?

Mr. Davidson. No; it was a fair assumption.

The Chairman. I think you should answer.

Mr. Davidson. It was a fair assumption I made, Mr. Chairman.

The Chairman. Then that means you did not have a promise, is that correct? If it is an assumption, it is not a promise, is it?

Mr. Davidson. Well, it was more than that. I discussed many times with different people on the board about the type of people that ought to be in——

The CHAIRMAN. I don't ask you that. You can say whether or not you had a promise.

Mr. DAVIDSON. I would like to see the—well, let's see.

The CHAIRMAN. That is the language there. Is it correct or not?

Mr. DAVIDSON. I have no specific commitment.

The CHAIRMAN. That is what I wanted to know. This was not a correct statement, then?

Mr. DAVIDSON. I wouldn't say it was entirely incorrect, either, but——

The CHAIRMAN. It is not a correct statement, is it?

Mr. DAVIDSON. I had no specific promise.

The CHAIRMAN. Yes.

Now, the next statement there, "More important, there will be a general housecleaning," in other words, if I read this at all correctly you have a promise that there will be a general housecleaning of the policymakers of the State Department on Central America. Did you have such a promise or not?

Mr. DAVIDSON. No; I had no such promise, but the point is this, after every presidential election when there is a new President there is always a general housecleaning, and I felt from all I heard around——

The CHAIRMAN. Mr. Davidson, that is not involved here.

Mr. DAVIDSON (continuing). The aids, they were going to clean house of all these longhairs that were about on Central America.

QUESTION OF INDIRECT PROMISE OR INFERENCE

The CHAIRMAN. Let's take the next sentence. Mr. Davidson, let's get on with this. You say:

"I have also been promised that should L.B.J. win the nomination for the Presidency he will immediately invite you to the United States for your opinions and suggestions."

Did you have such a promise?

Mr. DAVIDSON. I wouldn't say this was an actual promise, but it was an inference from the L.B.J. camp.

The CHAIRMAN. Then you did not have a promise?

Mr. DAVIDSON. It was an inference, it was pretty strong, my appraisal.

The CHAIRMAN. Inference from whom, then, an inference from whom? Whom did you have the inference from?

Mr. DAVIDSON. From the L.B.J. camp in general.

[Deleted.]

Mr. DAVIDSON. I would say a combination of all my associations with the L.B.J. camp that they were in tune with my views on Central America.

The CHAIRMAN. That is not what you say here. I think you should answer yes or no, were you promised that there would be——

Mr. DAVIDSON. I cannot answer these questions unequivocally yes or no, Mr. Chairman.

The CHAIRMAN. Well, you can answer them, too, if you will. You can answer yes or no you had a promise.

Mr. DAVIDSON. At the time I wrote that letter, I know the mentality—I know the way an American who wrote a letter and I know the way a Nicaraguan would read a letter. There is a different interpretation that everybody would put on their reading the letter.

Senator SYMINGTON. Do you realize this testimony that you are giving under oath is being taken down and will be printed?

Mr. DAVIDSON. I am very proud of these gentlemen. I am not talking——

Senator SYMINGTON. I don't see why you don't answer the questions because you make it look like it was a much more complicated matter than apparently it is. It doesn't seem to be a complicated matter, on the basis of the letter, but you seem to be making it so.

Mr. DAVIDSON. Mr. Senator—look, I don't want to be made to feel that I have written an unfair document or anything. I am very proud of the friendship of these men, and I am sure that they are not angry with me today. They know——

RIGHT OF WITNESS IN ANSWERING QUESTIONS

Senator LONG. Mr. Chairman, if I might put a word in here, I don't know this gentleman, but as a lawyer, if I were defending him in court, I would defend his right to not give a categorical answer to any question.

I don't think you have got a right to insist upon that. I have had people try to make me answer categorically about that farm bill. Answer yes or no. Well, it just happened that wouldn't be an adequate answer, if the answer is maybe, I think the client, the witness, is entitled to say maybe.

To say, well, because oftentimes that is the case, "Have you quit beating your wife? Answer yes or no."

This witness knows that he is under oath and could be prosecuted for perjury, and I assume he is in a somewhat embarrassing position testifying about this matter, and I think he is entitled to qualify any way he wants to.

Senator SYMINGTON. If he said he had a promise, he doesn't have to say who gave him the promise, or if he said he did not have a promise, then that ends it.

Senator LONG. Frankly, I am just sitting here and I get the idea what the man is saying here is "I didn't have any definite promise, but I did feel, based on the conversations with these people, I had good reason to feel this would happen."

Senator MORSE. Why doesn't he say so?

Mr. DAVIDSON. I am not as erudite.

Senator LONG. That is what the words mean to me just walking in this room as a stranger.

The CHAIRMAN. Then it is very clear he didn't have a promise is all it amounts to. That is all I am asking him to say.

Senator MORSE. To keep the record clear, we certainly have a right to cross-examine this witness here or in court on a document that he has written in which he said, "I do have a promise from the L.B.J. policy board" and where later in the letter he said:

"I have also been promised that should L.B.J. win the nomination of the Presidency he will immediately invite you to the United States for your opinion and suggestions on policy for Central America."

The chairman has asked him if he had such a promise. He refuses to say "Yes" or "No." The chairman asked him who gave him the promise, if he had such a promise. He refuses to say "Yes" or "No."

It is a very important fact in the record we are making. There is nothing improper about the chairman's question. If he didn't have a promise, he should say he didn't have a promise.

If he says he doesn't want to answer it, let the record speak for itself.

But I certainly do not intend to let this record stand with this witness not giving a categorical answer to the chairman's question as to whether or not he did or didn't have these two promises.

Mr. DAVIDSON. Mr. Chairman, I want to cooperate with the committee, and I may not——

Senator LONG. Let me ask you this: Can you answer that question "Yes" or "No"?

Mr. DAVIDSON. I cannot answer the question "Yes" or "No."

WITNESS' EXPLANATION OF COMMITMENT

Senator LONG. Suppose you explain it in your own words what you meant by that or at least suppose you explain the nature of the commitment that you thought you had?

Mr. DAVIDSON. All right. Having been associated with these gentlemen for several months, I knew we had a common bond between us that they thought like I did, that if Lyndon Johnson got to be President of the United States that he had a good understanding of the problems of Central and South America and the whole world, and he would be the type of man that would not be soft on communism, and not let any oldline State Department make up his mind for him, and give a new approach and a new look to Central America, and he wouldn't allow for an ambassador to go down to any of these countries that was obnoxious to the Government. They would be friendly to the Government like Tom Whelan, and I am going to say on my own I think that our own State Department fought Tom Whelan and wanted to kick him out of Nicaragua because he was so tough on communism, and I think that Lyndon Johnson would understand these things and he would do a lot more than I thought was being done to make friends of our neighbors especially of a country like Nicaragua who was a great friend of the United States who were always getting the short end of the stick.

We would have no more Cubas if we had more Nicaraguas, there would be no Castro.

The CHAIRMAN. Did you ever discuss this with Lyndon Johnson himself?

Mr. DAVIDSON. I did not.

The CHAIRMAN. He made no such promise?

Mr. DAVIDSON. No, he did not.

But I was around enough of his aids to know and close enough with them to know that he thought like I did and like Tom Whelan did and like a lot of good Americans thought we ought to have a hard policy on communism, and these leftwingers in Central and South America.

There would have been no Castro today if everybody had listened to President Somoza, who was assassinated, and other people in Ceneral America who are true friends of the United States.

The CHAIRMAN. Mr. Davidson, let's move you.

You state in your July 7 letter to President Somoza, and I won't repeat it all, but you say at the end "so far as Nicaragua is concerned everyone with whom I am dealing knows that I am your registered representative and everyone knows that much of the money I spent throughout the year is made available to me through your generosity."

CHECK TO HILTON HOTEL WITNESS

I show you a copy of a check drawn on your account in the Security Bank, dated July 27, 1960, in the amount of $400 made payable to the Conrad Hilton Hotel and signed Irving Davidson.

Did you sign that check?

Mr. DAVIDSON. Drawn on what account, sir? This looks like my signature.

The CHAIRMAN. Your account?

Mr. DAVIDSON. Yes.

The CHAIRMAN. At the Security Bank.

Mr. DAVIDSON. Yes, that is my signature, but——

The CHAIRMAN. Made to the Conrad Hilton Hotel.

Mr. DAVIDSON. Yes.

The CHAIRMAN. And signed Irving Davidson. Did you sign that check?

Mr. DAVIDSON. That is my signature, but I am in hotels two out of every——

The CHAIRMAN. Well, did you sign that check or not?

Mr. DAVIDSON. It is my signature but I don't know what it is for.

The CHAIRMAN. We will come to that, but I ask you is that your check?

Mr. DAVIDSON. That is my check.

PURPOSE OF THE CHECK

The CHAIRMAN. Can you tell us what the purpose of that check was?

Mr. DAVIDSON. I don't recall.

The CHAIRMAN. Could I ask you, are you acquainted with any of the following persons: Charles Heinrich?

Mr. Davidson. Charles who?

The Chairman. Heinrich, H-e-i-n-r-i-c-h?

Mr. Davidson. I don't believe so.

The Chairman. Do you know Peggy Trine—T-r-i-n-e?

Mr. Davidson. No.

The Chairman. Do you know Patrick Hillings?

Mr. Davidson. Yes.

The Chairman. Who is he?

Mr. Davidson. Patrick Hillings is, was, the California—was the Los Angeles County campaign chairman for Vice President Nixon.

The Chairman. Do you know B. Blanchard?

Mr. Davidson. I don't believe so.

The Chairman. John Robert Begg?

Mr. Davidson. Yes.

The Chairman. Who is he?

Mr. Davidson. Mr. Begg was an assistant to Mr. Pat Hillings.

LETTER DATED MARCH 6, 1963, FROM HILTON HOTEL

The Chairman. I show you a copy of a letter received by me from Mr. T. M. Smith, credit manager of the Conrad Hilton Hotel, Chicago, Ill., dated March 6, 1963.

Will you read that letter?

(A copy of the document referred to follows:)

The Conrad Hilton,
Chicago, March 6, 1963.

Senator J. W. Fulbright,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

Dear Sir: We are herewith enclosing itemizations of—

Folio G 60297 Charles Heinrich.
Folio G 66649 Peggy Trine.
Folio G 61893 Patrick Hillings.
Folio G 66644 B. Blanchard.
Folio G 61701 John Robert Begg.
Folio F 30506 John Robert Begg.

These folio numbers appeared on the back of check No. 185, given to the Conrad Hilton Hotel, dated January 27, 1960, in the amount of $400, signed by I. Irving Davidson.

We trust that the statements will furnish you with the necessary information you have requested.

Respectfully submitted.

T. M. Smith,
Credit Manager, the Conrad Hilton.

Mr. Davidson. I would like to ask the chairman something first. When you first handed me the check, did you say to me this was a check drawn on the Nicaraguan Government Agency?

The Chairman. I said I show you a copy of a check drawn on your account at the Security Bank and dated July 27, 1960.

Mr. Davidson. All right, fine.

The Chairman. Will you read that letter?

Mr. Davidson. Yes.

"Senator J. W. Fulbright,
"Chairman, Committee on Foreign Relations,
"U.S. Senate, Washington, D.C.

"Dear Sir: We are herewith enclosing itemizations of"—for the people that you mentioned, Heinrich, Trine, Hillings, B. Blanchard, Begg.

"These folio numbers appeared on the back of check No. 185 given to the Conrad Hilton Hotel, dated January 27, 1960, in the amount of $400, signed by I. Irving Davidson."

The Chairman. Dated January 27, 1960.

Mr. Davidson (continuing): "In the amount of $400 signed by Irving Davidson.

"We trust these statements will furnish you with the necessary information"—he has a mistake there. He has January, it is July. There is a mistake in his letter because I don't know what I would be doing there in January. We were there together in July at the Republican convention.

The Chairman. That is a mistake. It was July 27.

Mr. Davidson. He has made a mistake here, this was in July. I remember very well paying this bill.

BILL PAID FOR INDIVIDUALS AS PERSONAL CONTRIBUTIONS

The Chairman. You paid that bill?

Mr. Davidson. Yes.

The Chairman. For those persons there?

Mr. Davidson. I made it as a contribution, a personal contribution to my friends.

The Chairman. It was a personal contribution to your friends?

Mr. Davidson. Yes.

The Chairman. Did that cover their entire bill?

Mr. Davidson. No, I am sure, of course not.

STATEMENTS SUPPLIED BY HOTEL FOR BILLS

The Chairman. I have here the statement. These are copies supplied by Conrad Hilton Hotel for Mr. Hillings, room 2922, I mean rooms 922 and 923, and it correctly states July 23, July 24, July 25, 26, 27, 28, 29, with all the itemized amounts.

* * * * *

Mr. Davidson. Right.

The Chairman. The same is for Peggy Trine, Charles Heinrich.

Mr. Davidson. I believe they were part of the team from Los Angeles County that were out to help at the convention, and I made this a contribution.

Senator Symington. Mr. Chairman, I am a little mixed up here. At the Los Angeles convention?

The Chairman. This is Chicago.

Mr. Davidson. We are talking about Chicago now.

The Chairman. This is Chicago.

Senator Symington. I beg your pardon.

Mr. Davidson. Then I went to the Republican convention.

Senator Symington. I get it. I was a little mixed up.

The Chairman. I have got the next item in Los Angeles. This particular one is the Conrad Hilton in Chicago during the Republican convention.

Were these individuals whose hotel bill you paid aware that you paid these room bills?

Mr. Davidson. Yes. I asked Pat Hillings if I could help in any way. He said, "Irv, we are short of dough out here."

I said, "Let me pay something."

He said, "Okay, pay the hotel bill."

I said, "How much is it?"

He said, "$400."

And I wrote him a check as a contribution.

SOURCE OF MONEY

The Chairman. Were they aware that this money was made available to you through the generosity of President Luis Somoza?

Mr. Davidson. Definitely not. It came from Irving Davidson.

The Chairman. Well, this is in conflict with your letter which you say——

Mr. Davidson. No; that letter isn't intended, that statement isn't intended to mean that he gives me all the money. I believe in 1960 I may have paid taxes on $70,000 or $80,000. All Nicaragua gives me is a thousand dollars a month and maybe that year I got $4,000 for expenses. My travel alone in any one year is $15,000. The President doesn't pay for all my bills. I made this as a personal contribution.

The Chairman. You said in your letter that:

"Everyone knows that much of the money I spend throughout the year is made available to me through your generosity."

Mr. Davidson. They think it. I told President Somoza he is getting a lot of credit for stuff he never does and we are just very close friends. We are associated together in business, Mr. Chairman. I spend more money on Nicaragua per year than they give me. I am very proud of my reputation of Nicaragua, and I would serve for nothing because they are such a wonderful country and a wonderful people and good friend of the United States, and I don't measure it in a thousand dollars a month. There is nothing unholy about Nicaragua or any relationship and any representation.

I have never embarrassed them, and in all my activities I have bent over backward to see that I don't do anything that would reflect on Nicaragua. They have enough of it. They are behind the eight ball far enough so far as we are concerned.

The Chairman. You didn't charge this $400 to Nicaraguan accounts?

Mr. Davidson. I did not.

Senator Morse. Mr. Chairman, I may have to leave. I wanted to go back to the Democratic Convention for a moment.

CHECK FOR BEVERLY WILSHIRE, AUGUST 24, 1960

The Chairman. I am coming to it right now.

I show you a check on the account of Irving Davidson, Security Bank of Washington, dated August 24, 1960, in the amount of $1,749.05 payable to the Beverly Wilshore Hotel in Los Angeles. Did you sign this check?

Mr. Davidson. I sure did.

PURPOSE OF PAYMENT

The Chairman. What was the purpose of the payment made by this check?

Mr. Davidson. Mr. Chairman, when I went to California where I was working for the nomination of Lyndon B. Johnson, I took a suite at the Beverly Wilshire Hotel and I kept an open bar, open telephone, and invited all the friends and delegates I could and did all I could to help Lyndon get the nomination.

I failed, but I did my best. I put my best foot forward for him.

And part of that bill reflects that the day the convention ended, I had my wife and my daughter and my mother-in-law come down and I took them to Disneyland for 2 days prior to my going to the Republican Convention.

(Subsequent to the hearing, the committee received the following information pertaining to the above payments:)

Beverly Wilshire Hotel,
Beverly Hills, Calif., April 8, 1963.

Senator J. W. Fulbright,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

Dear Senator Fulbright: Please accept my apology for not answering your letter of March 15 in which you asked for additional information pertaining to the Davidson account. I must confess that I gave this to someone else to get the information for me and failed to follow through on it.

On the photostatic copy of the account which you have in your possession the account shows an item of $217.89 for Jack Anderson. I am enclosing a photostatic copy of this account.

Further down there is an item of $427.33, which on the original shows incidentals with no other information. I have not been able to locate the detail on this but I presume from the notation that it would be for restaurant charges, telephone charges, etc.

The next item of $774 represents the room charges from July 7 through July 17.

The next item of $54.01 is an account for Mr. M. B. Coyne, a copy of which is enclosed.

The next item of $104.75 is an account for Mr. Drew Pearson and a copy of this is also enclosed.

The next item of $178.46 is again for Marshall Coyne and a copy of this account is enclosed.

I believe the enclosed copies of the accounts plus the explanation of the $774 amount will give you the information that you'll need. If I can be of any further assistance to you, please do not hesitate to let me know.

Sincerely,

Vern C. Clark,
General Manager.

The CHAIRMAN. Did you charge this amount to the Nicaraguan account?

Mr. DAVIDSON. I did not.

The CHAIRMAN. You did not.

Now, Senator MORSE?

DISCUSSION OF PROMISES REFERENCED JULY 7, 1960, BEING FULFILLED

Senator MORSE. Now that the Vice President's name has become involved in this hearing, and a matter of record, I would like to ask Mr. Davidson these questions:

Now that Lyndon Johnson has been elected Vice President of the United States, have you any reason to believe that the promises mentioned in your letter of July 7 to Somoza have been fulfilled? I recognize he was not elected President, but as Vice President he is a part of the administration.

Mr. DAVIDSON. Mr. Chairman, and Senator, I still feel strongly—I still feel the way I do about Lyndon B. Johnson. However, being that there was no specific promise, I have altered my point, and I have still—am working at the Kennedy administration and I have taken active steps to get Mr. Kennedy to invite President Somoza to the United States for the best interests of the United States.

I have gone on record with the White House, and—I have copies of letters to them, and I have asked actively to the Hill, Senators to go out and make this country a friend of ours or we are going to have another Castro Government in Nicaragua. I thought I was doing my duty as an American as I know what the situation is in Central America. It can explode any day, even right now. I have some business in Central America, Senator MORSE, and I have men with me and we cover all six countries in Central America. My people are very intelligent, they deal with the six countries in a way that our CIA or FBI would be proud of, and I have taken this intelligence and I have given it to our Government agencies and I have begged them to get behind Nicaragua, get the President of Nicaragua here and extend a welcoming hand or I thought President Somoza would be assassinated by the Reds. Thank God the Castro situation was such that our Government recognized Castro for what he was, and this was really the salvation of Nicaragua because Cuba tried to attack Nicaragua several times, and if our Government hadn't put their foot down we would have had a blood bath in Nicaragua and another Castro government. And they are still trying.

INVITATION PROMISE UNFULFILLED

Senator MORSE. Now, coming back to my question, as of now, with Lyndon Johnson as Vice President of the United States, you have not yet been successful in getting President Somoza invited by the Kennedy administration to come to Washington?

Mr. DAVIDSON. No; but I am still trying every day.

Senator MORSE. Now in your letter of July 7 you referred to a house cleaning that would take place in case Mr. Johnson were elected President. He was not elected President, but he was elected Vice President. Has there been any such house cleaning as you contemplated, in the State Department at the time you wrote the letter of July 7?

Mr. DAVIDSON. Well, from reading in the newspapers there has been some sort of a house cleaning, and in my opinion President Kennedy is finally getting down to moving some people out of there who brought about this Castro situation. There have been some transfers, I was very happy to read about. The best I can do now is to write whatever information intelligence I have to the FBI which I do regularly. Whenever I get intelligence from Central America, from my partners down there, I pass it on to the FBI and I hope they pass it on to the proper channels and CIA and the Executive, to prevent such a situation.

I give full credit to Nicaragua because they arm me with good information. Nicaragua helped train people for the invasion of Cuba, Nicaragua trained people, helped people when we kicked out Arbenz, the Communist, from Guatemala in 1954, and we repaid them by shaking hands with our enemies and kicking our friends in the tail.

We had everybody up from Central America but President——

Senator MORSE. I have been very lenient with this witness, but I am going to insist I get answers to my questions and not speeches.

Mr. DAVIDSON. I am sorry, I feel very strongly about Nicaragua.

QUESTION OF CHANGES AS RESULT OF PRECONVENTION UNDERSTANDINGS

Senator MORSE. I know you feel very strongly about it, but if we could shorten it—I am going back to my question on the letter of July 7 in which you indicated if Johnson were elected President there would be house cleanings to your liking in the State Department.

I understand from your reply now to my question that with Johnson as Vice President there have been some changes in the State Department, but I am asking you in your opinion are those changes the result of any promises or understandings that you had with the L.B.J. policy board at the Los Angeles convention?

Mr. DAVIDSON. No; I cannot take credit for any of that.

Senator MORSE. That is the answer.

That is the answer I wanted to elicit one way or the other.

My last question is, Have—you say in this letter of July 7:

"I have also been promised that should L.B.J. win the nomination for the Presidency, he will immediately invite you to the United States."

You have already stated that hasn't come to pass yet, but you are still trying to carry it out. You say that you "have been promised that we will be given first refusal for representation, ambassadorial, military" and so on.

Have you under the Kennedy administration been given first refusal on ambassadorial nominations?

Mr. DAVIDSON. No, sir.

LETTER JULY 7, 1960

The CHAIRMAN. Mr. Davidson, I will hand you a letter dated July 7, 1960, addressed to Senator Guillermo Lang. Did you write that letter?

Mr. DAVIDSON. Yes.

(A copy of the document referred to follows:)

JULY 7, 1960.

Senator GUILLERMO LANG,
Press Secretary,
The Presidential Palace,
Managua, Nicaragua.

DEAR BROTHER LANG: Kindly deliver by hand the enclosed letter to President Luis and please inform General Somoza of its contents. My letter is self-explanatory, but you can be sure that if it is not Johnson it will be Nixon and we will be with the winner.

Please alert the wire services to accept my cable stories from Los Angeles which will be wired directly to you for Novedades.

Sincerely yours,

I. IRVING DAVIDSON.

LETTER TO PRESS SECRETARY

The CHAIRMAN. The letter reads:

"DEAR BROTHER LANG"—

First, who is Guillermo Lang?

Mr. DAVIDSON. Guillermo Lang was the former consul general of New York from Nicaragua to the United States, who, 2 months, I believe, or 3 months prior to this letter, went back to Nicaragua as press secretary to President Somoza.

The CHAIRMAN. He was press secretary at the time he wrote this?

Mr. DAVIDSON. Yes.

The CHAIRMAN. The letter reads:

"DEAR BROTHER LANG: Kindly deliver by hand the enclosed letter to President Luis and please inform General Somoza of its contents. My letter is self-explanatory, but you can be sure that if it is not Johnson it will be Nixon and we will be with the winner."

The "we" is underlined.

"Please alert the wire services to accept my cabled stories from Los Angeles which will be wired directly to you for Novedades.

"Sincerely yours,

"IRVING DAVIDSON."

Is this letter that you referred to, "the enclosed letter," is that not the letter dated July 7 that we have just been discussing?

Mr. DAVIDSON. I believe it is. I can't be sure, but to the best of my knowledge that is the letter.

The CHAIRMAN. This is the cover letter. In other words, this was to Lang enclosing the other letter, too?

Mr. DAVIDSON. I believe so.

The CHAIRMAN. To President Somoza, is that correct?

Mr. DAVIDSON. Yes; I believe that is correct. Sometimes letters go astray, he gets so much mail I wanted to be sure he got the letter in his hand.

The CHAIRMAN. So you wrote the letter to the press secretary?

Mr. DAVIDSON. Yes; the President's closest friend.

The CHAIRMAN. You say, "We will be with the winner."

Mr. DAVIDSON. I thought I had it locked, either Johnson or Nixon. I was real wrong.

The CHAIRMAN. "We" is you and the President Somoza?

Mr. DAVIDSON. I refer to Nicaragua.

QUESTION OF CAMPAIGN CONTRIBUTIONS

The CHAIRMAN. Mr. Davidson, have you ever made any campaign contributions on behalf of the Nicaraguan Government?

Mr. DAVIDSON. Mr. Chairman, I believe a letter that you showed me wherein I bought five tickets for an Eisenhower dinner could be construed as, but I haven't made any other contributions other than——

The CHAIRMAN. Other than that?

Mr. DAVIDSON. I don't believe, to the best of my recollection I have not made any contributions, that I charged Nicaragua, but I have made plenty personally to both sides.

COPY OF NICARAGUAN GOVERNMENT AGENCY CHECK

The CHAIRMAN. I show you a copy of a Nicaraguan Government Agency check made payable to the Republican Fund of the District of Columbia in the amount of $100 and dated September 18, 1959, and ask you if you made out the check?

Mr. DAVIDSON. Yes; but I have an explanation for this, Mr. Chairman.

The CHAIRMAN. Was the check cashed?

Mr. DAVIDSON. I am sure that it was, but I explained to you that the Nicaraguan Government Agency is a private account that I set up to try to channel as much business as I was doing through and directly with Nicaragua. It was my own account that I had complete control over and at the end of every year when my checks were recapitulated, checks that belonged to Nicaragua were charged to Nicaragua, checks that were personal were charged to "Personal" but this was a personal contribution from I. Irving Davidson. The Nicaragua Government Agency—this name is misleading.

The CHAIRMAN. What name is misleading?

Mr. DAVIDSON. Nicaraguan Government Agency. It gives the impression to someone looking at it that this is a Nicaraguan Government check. It is not. It is a name that I gave to an account and I have complete control over the account.

SOURCE OF MONEY IN THE ACCOUNT

The CHAIRMAN. Where did the money that went into this account come from?

Mr. DAVIDSON. It came from myself personally and from moneys that were sent to me from Nicaragua to effect certain things. Everything on direction, like the billing of a hospital, the purchasing of military uniforms, the buying of medicines.

QUESTION OF CAMPAIGN CONTRIBUTIONS ON GOVERNMENT ACCOUNT

The CHAIRMAN. Have you made other contributions to campaigns by means of similar checks on the Nicaraguan Government Agency accounts?

Mr. DAVIDSON. Well, Mr. Chairman, I make many contributions. I go to many cocktail parties that are fundraising events for Senators and Congressmen and at these——

The CHAIRMAN. Then the answer is what, "Yes"?

Mr. DAVIDSON. But not on behalf of Nicaragua, it is Irving Davidson.

The CHAIRMAN. Have you made other campaign contributions by checks on this account?

Mr. DAVIDSON. I don't know; I may have. Whether I made it on this account or Irving Davidson, it is the same thing, it is all out of my pocket.

The CHAIRMAN. Are the checks among the record that you produced today pursuant to the subpena, are there any checks in those records?

Mr. DAVIDSON. I don't understand the question. I have an answer for every check that I wrote pertaining to what was in the subpena and if you ask me about any one of them, I have the answers.

The CHAIRMAN. Did you produce any checks today, any additional ones on this account?

Mr. DAVIDSON. I have all the checks I have ever written.

The CHAIRMAN. On that account?

Mr. DAVIDSON. Yes.

The CHAIRMAN. Are any of those for campaign checks on this account?

Mr. DAVIDSON. It would be hard—to the best of my recollection, I can't tell.

The CHAIRMAN. You don't know who the checks were payable to?

Do you have them here?

Mr. DAVIDSON. I must have 2,000 of them, Mr. Chairman, but the point is this: I had no account that belonged to Nicaraguan Government. I have seven bank accounts and I set these bank accounts up to suit myself and if I were short of money in one account and the checkbook was handy I would take it out of another account but at the end of the year when it came time for me to pay my taxes I was audited by Revenue and we go over every check with my accountant and we say was this Nicaragua, was this personal, was this business expense, was this personal and I have a recapitulation of every check that I have written since 1958. This is when I started that system and I have every check that I have ever written, and I just went through a terrific audit of special agents, fraud agents, Internal Revenue and I am down to where I am going to get a bill which signifies something.

QUESTIONS OF CAMPAIGN CONTRIBUTIONS BY CASH

The CHAIRMAN. Did you ever make campaign contributions on behalf of Nicaragua by means of cash payments?

Mr. DAVIDSON. To the best of my ability, to the best of my recollection, I have not.

The CHAIRMAN. Did you keep any record of any payments, if you did make them?

Mr. DAVIDSON. I never made a policy of making cash contributions. I would write a check for a hundred dollars maybe at a cocktail party to cash, but that would be out of pocket expense money of my own. But I don't deal in cash, I deal in credit cards.

The CHAIRMAN. You deal in what?

Mr. DAVIDSON. I use my credit cards. I don't carry sums of cash.

The CHAIRMAN. You say you have seven different accounts?

Mr. DAVIDSON. Yes; I have in Pittsburgh, and I had a Nicaraguan account, I had a personal account, my wife had an account, I had two accounts in Pittsburgh, my wife and I; I maintained an account for the Government of Nicaragua in Europe, but——

The CHAIRMAN. You maintained an account for Nicaragua in Europe?

Mr. DAVIDSON. Well, there was one transaction that was dealt between the Government of Nicaragua and the Government of Israel where I was the agent on direction. But Mr. Chairman, I would like, I don't mean to be confusing but I would like to make this statement: That never did the President or the Government of Nicaragua give me moneys to influence the policy decision or politicos or Congressmen or Senators in the United States. I was not paid to try to influence anybody in the official U.S. Government.

When I bought those five tickets for the Eisenhower campaign I spent the money anyway, and I got it back from General Somoza. If he hadn't given it back to me I would have paid for it out of my own pocket.

RECIPIENTS OF NICARAGUAN AGENCY CHECKS

The CHAIRMAN. Wouldn't a check drawn on the Nicaraguan Government account, which shows that on its face, lead the recipient of the check to believe that it was made by the Nicaraguan Government that they paid for it?

Mr. DAVIDSON. It might if they don't know what the Nicaraguan Government agency was. I think most people who knew me knew that I didn't, I don't have an account controlled by the Nicaraguan Government. If I had such an account, the Justice Department would know about it.

ITEMIZATION OF EXPENSES IN JUSTICE DEPARTMENT REPORTS

The CHAIRMAN. In your registration statements you never did itemize your expenses, did you?

Mr. DAVIDSON. Well, in 1956 and 1957 I was lax. In 1958 the Justice Department came in and said, listen, Irving, you itemize every account, I don't care if it's a $5 postage bill, so I then went over all my bills and it took 6 months of auditing and whatnot and now I itemize everything.

However, ever since 1960, my operations in Nicaragua have waned where I don't believe in 1962 other than my thousand dollars a month, that I spent on behalf of Nicaragua more than $3,000.

In 1961, I am guessing, that it would be $4,000. My great activity in Nicaragua was 1958 and 1959 when we were effecting the building of some plants and the buying and selling of some armaments.

The CHAIRMAN. Did you ever at any time itemize your contributions to campaigns?

Mr. DAVIDSON. To whom?

The CHAIRMAN. On your reigstration account?

Mr. DAVIDSON. No; I had no occasion to. I don't recollect why I would do it.

LETTER DATED OCTOBER 3, 1962

The CHAIRMAN. Mr. Davidson, I show you a copy of a letter dated October 3, 1962, addressed to you and signed Guillermo; did you receive such a letter?

Mr. DAVIDSON. Yes; I did.

(A copy of the document referred to follows:)

GUILLERMO LANG,
MINISTRO DEL DISTRITO NACIONAL,
Managua D.N., October 3, 1962.

Mr. I. IRVING DAVIDSON,
City Building,
Washington, D.C.

DEAR IRVING: I got your letters and immediately I went up to the Hill and delivered the envelope to our brotherly friend President Somoza, when he was just leaving for Masaya.

I think your labor is invincible as usual. I am sure our dear Louis has gotten in touch with you due to the importance of the content of your letter and for the great victory it would be to him to have this issue to become reality.

You must be sure we always remember you here with affection especially Gustavo, Leonardo, and myself.

Please convey my best regards to Linita and your lovely wife with my best wishes that God will bless you all and keep you happy so we will also be gratified.

A fraternal hug from your brother,

GUILLERMO.

The CHAIRMAN. You did receive such a letter?

Mr. DAVIDSON. Yes.

The CHAIRMAN. Who was Guillermo?

Mr. DAVIDSON. Guillermo Lang is on the top, the man who was the press secretary who was later, became later, mayor of the city of Managua, that was the same Guillermo who was the press secretary.

The CHAIRMAN. The first paragraph of that letter refers to an envelope. The second notes the importance of the contents of your letter. Is a copy of the contents of the envelope and/or the letter referred to among the files which you have brought today.

Mr. DAVIDSON. I believe it might be, I will take a look; would you like for me to take a look?

The CHAIRMAN. Well, if you can do it quickly. Do you know what it was?

Mr. DAVIDSON. No; I don't; I am sure it had to do with a commercial transaction of asking him to ask the Ambassador in Washington to put the fire on, and I had been to get us a canning factory loan or something.

I will take a look.

The CHAIRMAN. If you can't find it we will look for it later. It says:

"Your labor is invincible as usual."

Mr. DAVIDSON. It is something the way they express themselves; it is something like the type of letters I wrote.

LETTER DATED FEBRUARY 7, 1962

The CHAIRMAN. I show you a copy of a letter dated February 7, 1962, sent to Senor Leonardo Lacayo Ocampo, director of public relations in Nicaragua. Did you send such a letter to Senor Ocampo?

Mr. DAVIDSON. I did. Senor Ocampo used to be the editor of Novedades. He is a very, very sick man, and he was moved into this spot because he couldn't stand on his feet and he wanted me to help him get into some investments up here, and I started a little deal where he was going to benefit. One was an insurance program, another was part of the canning deal, but this is all commercial.

(A copy of the document referred to follows:)

FEBRUARY 7, 1962.

Senor LEONARDO LACAYO OCAMPO,
Director de Relaciones Publicas del Ministerio del Districto Nacional, Managua, Nicaragua, C.A.

DEAR LEONARDO: It was nice to have had the several occasions to visit with you during my recent visit to Nicaragua. Also, thank you again for your guidance and support in helping me present my program to both Guillermo and the President. It is good to have someone with whom you can think aloud, especially one who is loyal to his government and friends and who has the same ultimate objectives.

Please advise Guillermo that the ball game has started. I have a good advisory coaching staff and my pitchers have been selected. We have already started to work. The President knows this. I have not received my data yet; however, I expect to in the very near future. Soon after that I will visit

Nicaragua again. This insurance program cannot miss.

Sincerely su hermano,

I. IRVING DAVIDSON.

The CHAIRMAN. The second paragraph says:

"Please advise Guillermo that the ball game has started. I have a good advisory coaching staff and my pitchers have been selected. We have already started to work. The President knows this. I have not received my data yet; however, I expect to in the very near future."

What does that mean?

Mr. DAVIDSON. Let me recollect.

The CHAIRMAN. What is the ball game?

Mr. DAVIDSON. Oh, what is the ball game?

The CHAIRMAN. Who were your pitchers, does that refresh your memory?

Mr. DAVIDSON. Well, it could be an ambassador. I think this refers, Mr. Chairman, and I will have to recollect—there was a movement underfoot at this time, I believe, a political movement in the country. It was to give Luis some political help, I believe. I will have to—I believe this has to do with the President's selection of his successor or something.

The CHAIRMAN. What?

Mr. DAVIDSON. I believe this has to do with a local internal problem where the President—it has something to do with the President's political, local political campaign, and some public relations work they might have wanted me to do.

The CHAIRMAN. Up here or down there?

Mr. DAVIDSON. Both. However, I didn't want to do the work because I was too busy elsewhere and I so told them. He was very slow in getting me information. We were going to do things to credit a good political impact in Nicaragua but I can't remember exactly. I don't know that—I will have to refresh my memory, Mr. Chairman.

The CHAIRMAN. All right, Mr. Davidson.

FOUR LETTERS

Mr. DAVIDSON. I show you copies of four letters, one dated September 18, 1962, addressed to the Honorable John F. Kennedy and signed "Homer E. Capehart."

Mr. DAVIDSON. Yes.

The CHAIRMAN. The second appears to be a carbon of the first but carries at the bottom the notation:

"Blank copies to Irving Davidson, Senator FULBRIGHT, and Carl Marcy."

Mr. DAVIDSON. Yes.

The CHAIRMAN. The third is dated October 16, 1962, and addressed to Senator Capehart and signed by Frederick G. Dutton.

The fourth letter, dated November 1, 1962, is addressed to I. Irving Davidson and signed "George H. Buschmann."

Do you have copies of any and all of these records in your files?

Mr. DAVIDSON. Yes; I do, right.

(Copies of the documents referred to follows:)

U.S. SENATE,
Washington, D.C., September 18, 1962.

Hon. JOHN F. KENNEDY,
The President, The White House,
Washington, D.C.

DEAR MR. PRESIDENT: My purpose in writing this letter is to suggest that you invite His Excellency, Luis Somoza, President of the Republic of Nicaragua, to the United States on an official state visit as soon as is conveniently possible.

I believe that President Somoza and the Republic of Nicaragua are entitled to such an honor and that this gesture would demonstrate to the other countries of the OAS, and throughout the world, that the United States recognizes her friends of long standing. I also believe that such a visit would show that the United States recognizes the efforts which are being actively made by this young President to adhere to the principles of the Alliance for Progress.

As you know, Nicaragua's record of friendship with the United States speaks for itself. We cannot, in good conscience, do less than everything in our power to see that the transition in the forthcoming Nicaraguan election is a peaceful one.

I am personally acquainted with the Somoza family and I have known many of our Government's personnel who have served in our Nicaraguan Embassy, and I believe that they agree with my thinking.

Sincerely,

HOMER E. CAPEHART.

SEPTEMBER 18, 1962.

Hon. JOHN F. KENNEDY,
The President, The White House,
Washington, D.C.

DEAR MR. PRESIDENT: My purpose in writing this letter is to suggest that you invite His Excellency, Luis Somoza, President of the Republic of Nicaragua, to the United States on an official state visit as soon as is conveniently possible.

I believe that President Somoza and the Republic of Nicaragua are entitled to such an honor and that this gesture would demonstrate to the other countries of the OAS, and throughout the world, that the United States recognizes her friends of long standing. I also believe that such a visit would show that the United States recognizes the efforts which are being actively made by this young President to adhere to the principles of the Alliance for Progress.

As you know, Nicaragua's record of friendship with the United States speaks for itself. We cannot, in good conscience, do less than everything in our power to see that the transition in the forthcoming Nicaraguan election is a peaceful one.

I am personally acquainted with the Somoza family, and I have known many of our Government's personnel who have served in our Nicaraguan Embassy, and I believe that they agree with my thinking.

Sincerely,

HOMER E. CAPEHART.

OCTOBER 16, 1962.

Hon. HOMER E. CAPEHART,
U.S. Senate.

DEAR SENATOR CAPEHART: Thank you for your letter of September 18 to the President suggesting that he invite President Luis Somoza to the United States on an official visit. As stated in your letter, the United States should recognize her stanch friends of long standing. In this respect the record of all the Central American States, as well as that of Nicaragua, merits our special attention.

The President has responded favorably to an earlier suggestion that he meet with the Central American Chiefs of State. Unfortunately, an additional official visit could not now be scheduled until 1963. However, the President looks forward to meeting President Somoza when he meets the Central American Chiefs of State.

Sincerely yours,

FREDERICK G. DUTTON.

SENATOR CAPEHART'S LETTER TO THE PRESIDENT

The CHAIRMAN. Do you know—you identify those letters as the ones you wrote and the ones you see?

Mr. DAVIDSON. Yes, sir.

The CHAIRMAN. Do you know an individual named George H. Buschmann?

Mr. DAVIDSON. Yes; I do.

The CHAIRMAN. Who is he, would you identify him?

Mr. DAVIDSON. He was an administrative assistant to Senator Capehart who at one time visited Nicaragua.

The CHAIRMAN. Did you play any part in encouraging Senator Capehart to write his September 18 letter to the President suggesting that an invitation to visit the United States be extended to President Somoza?

Mr. DAVIDSON. I did and went to Senator Capehart and asked him to do all he could.

The CHAIRMAN. Did you ask Mr. Buschmann to "follow through"?

Mr. DAVIDSON. Yes; I did ask him to follow through.

The CHAIRMAN. In what way?

Mr. DAVIDSON. Well, to keep reminding the Senator if he got too busy just to follow through. Senator Capehart had been to Nicaragua, as had Mr. Buschmann, and I felt very strongly that unless the United States showed the opposition in Nicaragua they were not anti-Luis Somoza there was going to be a bloody revolution down there.

MEANING OF NOTATION

The CHAIRMAN. The Buschmann letter carries a written notation on it to the right which says:

"Luis: guess why. My green personality."

Did you write that notation?

Mr. DAVIDSON. Yes; that is in my handwriting.

The CHAIRMAN. Who is Luis?

Mr. DAVIDSON. Luis is the President.

The CHAIRMAN. What did you mean by "Guess why. My green personality"?

Mr. DAVIDSON. I have—the President and I have a lot of personal jokes between us. I could just as well have written down there "chickens," and he would have known what it is. We have a lot of jokes, or "walking in tall cotton." What is meant at that time I don't know but it is just we have a lot of personal jokes between us.

The CHAIRMAN. This is only 6 months ago, this is November 1, 1962. It is not even 6 months ago, what did you mean by "my green personality"?

Mr. DAVIDSON. It is just, I really can't recall. I could have put "chickens" down there right now.

The CHAIRMAN. I know you could have, but you put "my green personality." What did you mean to convey there?

Mr. DAVIDSON. I can't remember. It must be I am doing a good job, it is my charming personality.

The CHAIRMAN. What is a green personality, that is not charming, is it?

Mr. DAVIDSON. I don't recollect; I would have put "chickens" down there and it would mean more to a lot of people in Washington than "green personality."

The CHAIRMAN. What would "chickens" mean?

Mr. DAVIDSON. Well, we have a very closely knit organization called the Chicken Club.

The CHAIRMAN. What is that?

Mr. DAVIDSON. Well, it is an organization with a lot of prominent people in it, and we identify one another by "chickens" or "Mr. Green," or things of that nature and "walking in tall cotton," you probably heard about it when we put the chickens out on the football field.

The CHAIRMAN. They have each a different significance, don't you recall what "my green personality" means?

Mr. DAVIDSON. No; I don't put any great significance on it, like I said my great personality.

The CHAIRMAN. Whether you do or not, you meant to convey something to the President of Nicaragua by that notation, didn't you? Why did you put it there?

Mr. DAVIDSON. Well, I had some problems down in Nicaragua with part of the official family, Mr. Chairman; I had some problems down in Nicaragua with part of the official family, and someone called me up and said that the statement was made that I was green with envy because an association that I had, that no longer exists and I was very green with envy, and I have quite a—developed quite a split with half of the presidential family down there, and in my conversation with the President, I wanted him to know that I wasn't green with envy and it could be referred to that. I am dealing at arm's length with the general and I am very close with the President and that could be what that meant.

RECEIPT FROM LUIS SOMOZA FOR SERVICE RENDERED—1961

The CHAIRMAN. Mr. Davidson, I show you what looks to be a receipt from Luis A. Somoza for services rendered for 1961 on behalf of Nicaraguan Government dated December 1961.

Mr. DAVIDSON. Right.

(A copy of the document referred to follows:)

DECEMBER 1961.

Received of Luis A. Somoza, President of Nicaragua, for services rendered the Government of Nicaragua during the year 1961	$12,000
Reimbursement of expenses incurred during 1961 in behalf of principal	4,000
Total	16,000

I. IRVING DAVIDSON,
U.S. Representative,
Nicaraguan Government Agency.

The CHAIRMAN. Did you give a signed copy of such a receipt to Mr. Luis Somoza?

Mr. DAVIDSON. Yes.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MANSFIELD. Mr. President, will the Senator from Wisconsin yield, without losing the floor?

Mr. PROXMIRE. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a limitation of 15 minutes on the Harris amendment, 10 minutes to be under the control of the Senator from Oklahoma [Mr. HARRIS] and 5 minutes under the control of the Senator from Arkansas [Mr. FULBRIGHT].

Mr. PROXMIRE. Mr. President, it is understood that I will obtain the floor thereafter.

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. HARRIS. Mr. President, I yield 1 minute to the Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. President, I am very glad the Senator from Oklahoma has offered this amendment. I think we have taken enough insults from Sukarno and Nasser and have witnessed a series of of hostile actions. While I believe in foreign aid, when there are repeated acts of aggression, such as Nasser is committing in Yemen, and Sukarno is committing in Malaysia, and when these are accompanied by damage to American buildings and insults to the United States, there is a time when we should stop. So I shall support the amendment of the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I yield myself 5 minutes.

Under my amendment it is provided that no assistance shall be furnished under this Act or under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, to either the United Arab Republic or to Indonesia so long as either of such countries shall continue to commit aggression, as the President shall determine in accordance with section 620(i) of the Foreign Assistance Act of 1961, as amended.

Section 620(i) of the Foreign Assistance Act of 1961 states that no assistance shall be provided under this or any other act to countries which are engaging in or preparing for aggressive military efforts against certain countries.

Mr. President, I ask unanimous consent that that section of the Foreign Assistance Act of 1961 be printed in the RECORD at this point.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

> No assistance shall be provided under this or any other act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against—
>
> (1) the United States,
>
> (2) any country receiving assistance under this or any other act, or
>
> (3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954, until the President determines that such military efforts or preparations have ceased and he reports to the Congress that he has received assurances satisfactory to him that such military efforts or preparations will not be renewed. This restriction may not be waived pursuant to any authority contained in this act.

Mr. HARRIS. The Agency for International Development has recently put out a question and answer booklet on foreign assistance, under which, on page 5, in answer to the question, "What aid is proposed for Indonesia?" The answer is made:

> Since September 1963, our aid activities in Indonesia have been restricted to limited technical assistance activities, health (primarily in the eradication of malaria), and public safety. Deliveries of commodities under Public Law 480 title I sales agreements have ended. No new Public Law 480 sales agreements have been made since September 1963. The continuation of any U.S. assistance to Indonesia is presently under review by the administration.

Furthermore, in answer to the question, "What aid is proposed for the United Arab Republic?" contained on the same page, the answer is along the same lines, and indicate that $37 million worth of Public Law 480 sales remain.

I ask unanimous consent that those two questions and answers in the booklet be printed in the RECORD at this point.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

> What aid is proposed for Indonesia?
>
> Since September 1963, our aid activities in Indonesia have been restricted to limited technical assistance activities, health (primarily in the eradication of malaria), and public safety. Deliveries of commodities under Public Law 480 title I sales agreements have ended. No new Public Law 480 sales agreements have been made since September 1963. The continuation of any U.S. assistance to Indonesia is presently under review by the administration.
>
> What aid is proposed for the United Arab Republic?
>
> The United States has made no development loans to the United Arab Republic in the last 2 fiscal years. Limited programs of technical cooperation have been maintained at the rate of $2 to $3 million a year.
>
> Assistance under the food for peace program (Public Law 480) represents the bulk of our aid to the United Arab Republic. The existing title I sales agreement was signed in 1962, and will end on June 30, 1965. Its overall value was $431.8 million, of which $37 million remains.

Mr. HARRIS. Mr. President, it is quite clear, from that statement by the Agency for International Development that it does have under review the question of further assistance or sales to Indonesia, despite the fact that Indonesia is flagrantly in violation of section 620(i) of the Foreign Assistance Act, which prohibits aid to any country engaging in or preparing for aggressive military efforts.

Moreover, newspapers carry reports that our country is engaged in negotiations with the United Arab Republic concerning aid, assistance, or sales under Public Law 480 to the United Arab Republic despite that fact that the United Arab Republic is in violation of section 620(i) of the Foreign Assistance Act, which prohibits aid to countries engaging in or preparing for aggressive military efforts, as reports from newspapers carry, against Israel, and also for activities, which are well known, in Yemen.

Her activities in the Congo have reportedly ceased, but they have probably ceased, if they have, because the United States has threatened not to send aid under the program to the United Arab Republic.

I think we should make it clear under the program and I think the United States of America ought to be revealed before the world as a country which does not condone aggression, as a country which says we will not give aid, comfort, or assistance of any kind to any country which is engaging in or is preparing for aggressive military efforts.

That is in the present law, and it is unfortunate that the present law has not been invoked already by the President of the United States or upon the advice of the Department of State.

Therefore, I urge adoption of the amendment.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from Oklahoma has 9 minutes remaining.

Mr. HARRIS. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Arkansas [Mr. FULBRIGHT].

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. I thought the time was 15 minutes altogether.

The PRESIDING OFFICER. The point is well made. The Senator from Oklahoma has 4 minutes remaining.

The Chair recognizes the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I believe that Senators are all sympathetic with the purpose of the amendment.

The Senator from Oklahoma has already pointed out that in existing law there is a prohibition against aid to such countries unless the President determines it to be in the national interest to do so. Aid to Indonesia has stopped, so the amendment is quite superfluous at this stage.

With respect to the United Arab Republic, the Senator from Oklahoma referred to $37 million. This is the last installment made on an agreement of 3 years ago. I do not believe the Senator from Oklahoma would force, by legislation, the canceling of an obligation which we assumed 3 years ago.

Negotiations have been proceeding with the UAR. They have been more than usually successful with regard to arms shipments, restoration of the library, and a few other things. They are not entirely satisfactory. But, on principle, aside from the specifics involved in this kind of legislation, I do not believe that any particular piece of legislation should select one country and apply with respect to it under conditions as they are today. This is a dangerous and impractical procedure.

It is satisfactory to establish general principles, such as the one in the present law which has been referred to, about not assisting any country which commits aggression, and so forth, without naming such countries, and to establish this principle as a policy of the Congress for guidance of the President. But when we provide specifically in legislation that a certain country must be treated in a specific manner, we are going too far. It would set a dangerous precedent. No one can tell what our relations will be a month from now if we adopt this amendment. If we adopt it, there are others who dislike other countries and who would like to have other countries included in the bill. So a bad precedent would be established.

I am strongly opposed to this kind of legislation, although I am sympathetic, as I have stated publicly, with regard to the sentiment concerning countries which burn libraries and so forth, of which, of course, I thoroughly disapprove. But as a matter of orderly government, I do not believe it is wise to adopt this kind of amendment, with regard to Indonesia, particularly when there is sufficient power in the law now, and because actually aid has been stopped in that area.

Mr. COOPER. Mr. President, will the Senator from Arkansas yield me 30 seconds for a question?

Mr. FULBRIGHT. I yield.

Mr. COOPER. In reading the amendment, I thought it provided that it would still leave discretion to the President; is that not correct?

Mr. FULBRIGHT. The way it is phrased, the President, assuming that they are now committing aggression, has to make a specific finding that they have stopped their aggression, which is a very difficult responsibility to place upon a President. The reverse procedure in existing law has authorized and directed them to stop it, if he finds they are committing aggression. The big trouble with regard to existing law, which contains restrictions, is picking out certain countries by name and then putting them into the law. I believe that this is bad practice, under any circumstances, no matter how offensive a particular country's conduct is as of a given moment.

Mr. CLARK. Mr. President——

Mr. HARRIS. Mr. President, I yield 1 minute to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 1 minute.

Mr. CLARK. Mr. President, I find myself in disagreement with the Senator from Arkansas. Congress controls the purse strings of the Nation, which is about all it has left of its legislative authority. We have turned over our prerogatives on foreign policy. We have to advise and consent to it now. It is therefore entirely appropriate for Congress to indicate its opinion with respect to where the money we are authorizing is to be spent. I can think of no worse place to spend it than in Indonesia, with the possible exception of the United Arab Republic.

Of course, there is an "out" in the bill. The President can determine that these countries have ceased their aggression. As a lawyer, I have never found it difficult to locate aggression which others have committed. It seems to me that this proposal indicates a very clear understanding that Congress does not like the way Sukarno and Nasser are behaving, yet permits the President an "out" if he believes it to be in the national interest. Therefore I shall support the amendment.

Mr. PASTORE. Mr. President——

Mr. HARRIS. Mr. President, I yield 1 minute to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 1 minute.

Mr. PASTORE. Mr. President, I shall support the amendment. I believe that it is concise, explicit, and clear. All the amendment provides is that while a nation is an aggressor, and two nations are named, we should not give the aggressor any assistance.

What is wrong with that?

I do not care how the President determines it. Would it not be ludicrous for the Senate, the administration, and the Government to advance foreign aid to a government which we know is committing aggression against another country?

All the amendment provides is that if a country wishes help from America, it must stop interfering with the liberty and freedom of other people. It is as simple as that.

Mr. HARRIS. Mr. President, the distinguished and able chairman of the committee, the Senator from Arkansas [Mr. Fulbright] has said that aid to Indonesia has ceased, but I point out once again that the bulletin of the AID Agency states specifically that continued aid is now under review by the United States.

The Senator from Arkansas went further and said that he is sure that the Senator from Oklahoma would not wish us to carry out further sales of $237 million under Public Law 480 under previous agreement with the United Arab Republic.

That is exactly what I believe we should do; we should not carry out the previous agreement.

I voted for that exact position back when we considered such an amendment in the Senate to the Commodity Credit Corporation supplemental appropriation bill.

Let me say that the amendment is not absolutely binding upon the President of the United States. It leaves him with an escape clause such as is now provided in section 620(i) of the present law, as he shall determine whether aggression has been committed, but it puts the Senate squarely on record as believing that it has some responsibility in the field of foreign policy, as indeed the Constitution of the United States intended; namely, that Congress should have the power of the purse, and that the Senate should have treaty-ratification powers. There is an escape clause here. The bulletin from AID says that aid to Indonesia is under review.

The daily newspapers are now reporting that aid to the United Arab Republic is under review.

Mr. FULBRIGHT. Mr. President, will the Senator from Oklahoma please explain that? The testimony was quite clear that no aid was being considered for 1966. This is the tag end of it. There is a small training program, and a small installation being finished up in the harbor. They are talking about a review for the future. No aid is proposed for Indonesia in the coming year.

Mr. HARRIS. Let me say to the distinguished chairman of the committee, that is all well and good, but the entire committee said, "Let us study the entire foreign aid program and bring in a new one." The AID bulletin which I placed in the Record earlier states that aid for Indonesia is under review. It is under review in both of those countries. The President would know that the sense of Congress——

Mr. FULBRIGHT. What is the date of that bulletin?

The PRESIDING OFFICER. All time has now expired. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. Harris]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

Mr. FULBRIGHT. Mr. President, have I not 1 minute still remaining? I thought I had sufficient time to yield 1 minute to the Senator from Wyoming?

The PRESIDING OFFICER. All time has now expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 1 additional minute be permitted to the Senator from Wyoming [Mr. McGee].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Wyoming is recognized for 1 minute.

Mr. McGEE. Mr. President, I appreciate the courtesy of the majority leader, and the chairman of the committee, for unanimous consent to proceed for 1 minute.

I oppose this amendment. In the first place, it is poor policy for the Senate of the United States to legislate foreign policy against a man they do not like. To translate a senatorial "mad-on" into policy cannot be in the national interest. What we ought to be concerned with are the Indonesian people and the Egyptian people. They will be there long after Sukarno and Nasser are gone.

In the second place, for the Senate to take an act like this simply crowds men like Nasser and Sukarno closer and closer to the enemy camp, which cannot be in our national interest. And in the case of Egypt itself, I know personally that many Israelis feel that whatever relations we can maintain from the United States serve as a restraint on Nasser and that the United States of America is almost the only restraint preventing Nasser from unleashing wild and irresponsible attacks on his Israeli neighbors. To adopt this amendment would be to bring Nasser toward more irresponsible acts.

Thirdly, we ought to legislate policy for the long run and not from the short run sense of pique. It pays richer dividends. I recall the case of Guinea in West Africa several years ago. I was there when its President was obnoxious in his attacks on the United States. Nonetheless, we continued financial aid to his country, and within a matter of months Sékou Touré was completely shifting over to our side, discovering how he had been taken in by Moscow and Peiping and newly committed to friendship with the United States because, as he said, we trusted his country and his people even when he was insulting us.

The net effect of the whole amendment would be to complicate our problems of moving ahead toward peace in the world. It would, in effect, place our Nation in a straitjacket. We hurt no one but ourselves in such a move, and we limit only the chances for an easing of tensions.

The PRESIDING OFFICER. All time has now expired. The question is on agreeing to the amendment of the Senator from Oklahoma.

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. HAYDEN], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

I also announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Maine [Mr. MUSKIE], the Senator from South Carolina [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN], are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK] would vote "yea."

On this vote, the Senator from Washington [Mr. MAGNUSON] is paired with the Senator from Alabama [Mr. SPARKMAN].

If present and voting, the Senator from Washington would vote "yea" and the Senator from Alabama would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] and the Senator from Kansas [Mr. PEARSON] are absent on official business and, if present and voting, would each vote "yea."

The Senator from Massachusetts [Mr. SALTONSTALL] is detained on official business and, if present and voting, would vote "yea."

The result was announced—yeas 73, nays 13, as follows:

[No. 116 Leg.]

YEAS—73

Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Gruening
Harris
Hart
Hartke
Hill
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Nelson
Neuberger
Pastore
Proxmire
Randolph
Ribicoff
Robertson
Russell, Ga.
Scott
Simpson
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—13

Aiken
Church
Cooper
Fulbright
Gore
Hickenlooper
Lausche
Mansfield
McGee
McNamara
Morton
Pell
Prouty

NOT VOTING—14

Allott
Bass
Burdick
Byrd, Va.
Hayden
Inouye
Long, Mo.
Magnuson
McCarthy
Muskie
Pearson
Russell, S.C.
Saltonstall
Sparkman

So Mr. HARRIS' amendment was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE obtained the floor.

ORDER OF BUSINESS AND ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield.

Mr. DIRKSEN. I should like to ask the majority leader about the remainder of the day and also whether he plans to have the Senate convene early tomorrow.

Mr. MANSFIELD. Mr. President, the subject has been discussed. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, anticipating an exodus there will be no further yea-and-nay votes today. There will be some interesting talks on the bracero problem, interest rates, and other subjects, which all Senators are invited to attend.

Mr. DIRKSEN. Mr. President, one further question. Will there be a morning hour tomorrow?

Mr. MANSFIELD. Yes; there will be a morning hour tomorrow. I might add that there is a long chance—a very outside chance—that the bill may be disposed of tomorrow night. I would not bet on it, but I would hope that by Monday or Tuesday, at the latest, it can be completed.

Mr. DIRKSEN. Mr. President, while we are about it, I should like to query the majority leader on a very interesting question. Will there be a Saturday session?

Mr. MANSFIELD. No.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. PROXMIRE. I am happy to yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from New York.

AMENDMENT NO. 260

Mr. JAVITS. Mr. President I call up my amendment No. 260, as modified, and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from New York will be stated.

The LEGISLATIVE CLERK. On page 4, between lines 4 and 5, it is proposed to insert the following:

> (c) Add the following new section:
>
> "SEC. 206. REGIONAL DEVELOPMENT IN AFRICA.—The President is requested to seek and to take appropriate action, in cooperation and consultation with African and other interested nations and with international development organizations, to further and assist in the advancement of African regional development institutions, including the African Development Bank, with the view toward promoting African economic development."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, I shall be very brief. Very large amounts of economic aid are now moving into Africa, insofar as the United States is concerned, through AID, food for peace, and the Export-Import Bank. In the fiscal year 1964 it amounted to approximately $379 million.

In addition, aid from other free world countries—principally the United Kingdom, West Germany, and France—amounting, in round figures, to $986 million, and from international organizations, totaling $209 million moved into Africa in the same year.

There is also important competition in aid from the Sino-Soviet bloc in the amount of some $413 million in 1964.

The purpose of this amendment is to focus the attention of the President and of our AID organization to African economic development, to encourage African economic development through regional development institutions, including the newly created African Development Bank, and to maximize, to the greatest possible extent, the channeling of free world economic aid to Africa through African regional development institutions on the basis of self-help and mutual cooperation.

In proposing this amendment I want to make it entirely clear—and this is evident from the statistics I cited previously—that, in my view, the principal responsibility for free world economic assistance to Africa rests with Europe, with the United States taking a "minority position," differing in that way from the role played by the United States in Latin America. In presenting the amendment, I made it clear to the Senator from Arkansas, that I would make my position clear on this point.

African nations are making great progress in the field of economic and social development through self-help, despite great handicaps of low income, lack of infrastructure, illiteracy, and disease. Examples cited by Governor Williams, Assistant Secretary of State for African Affairs, during the course of testimony presented before the House Foreign Affairs Committee on February 10 of this year clearly illustrate this:

First. In recent years Liberia, Ethiopia, and Nigeria have been able to increase their gross national product by 4 to 5 percent annually.

Second. Agricultural production for the entire continent has risen 25 percent in the past 10 years.

Third. African exports have increased 45 percent in the same period of time.

Fourth. Oil production in Libya and Nigeria has increased sharply in the last 4 years.

Fifth. The U.N. Economic Commission for Africa is one of the most active and most effective of the U.N. regional bodies. Its activities in planning for African development auger well for the future. For example:

(a) The ECA fathered the African Development Bank established last year.

(b) The ECA is cooperating with African nations in planning regionally integrated programs in such fields as transportation, telecommunications, and industrialization.

By assisting the advancement of regional development institutions—through technical assistance, projects financed in cooperation with the African Development Bank, with international lending organizations, and with European nations we can make possible effective self-help and mutual cooperation in Africa. We are doing that very successfully in Latin America. I believe the time has come to direct the attention of the administration toward that concept in Africa.

I have submitted the amendment to AID and have redrafted it in terms which are satisfactory to them. I hope very much that the chairman of the committee, who has such a great interest in this particular area, may consider the amendment worthy and will take it to conference.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I have discussed the amendment with the distinguished Senator from New York. I believe that the idea of utilizing regional banks or other multilateral or multinational institutions is a good one. I wish to make clear that in the African case, while I favor our participation, I am very strongly of the opinion that we should not attempt to be the dominant member of the bank. This is essentially a European responsibility. While we have some responsibility, we should be a minority stockholder, so to speak, in the bank, just as I expect us to be in the Asian bank, which is now under consideration. But I believe the idea of regional banks to help undeveloped countries is a good one, and I am willing to take the amendment to conference. But I wish it understood that whatever influence I have will be against our trying to be the big, dominant factor in the African or Asian bank.

Mr. JAVITS. If the Senator will allow me. I should like to join the Senator completely in his statement. I should like to state in the RECORD my motivation.

I have probably been as active as anyone in our Government in trying to bring Europe into helping in Latin America. The great Adela project which resulted in the creation of the Adela Investment Co. last September is an example. Though we recognize that the growth of African regional development institutions, as it should properly be, involves a greater European commitment, we should be willing to use our initiative and our governmental machinery to see if this great project in Africa can be forwarded, and we should extend to this, as it were, the hand of cooperation.

I thoroughly agree with the Senator. I shall do everything I possibly can in cooperation with the Senator to see that our role is a minority one, as it properly should be.

Mr. FULBRIGHT. With that understanding, I am willing to take the amendment to conference. I approve of it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SCOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MOTION PICTURE ENTITLED "JOHN F. KENNEDY—YEARS OF LIGHTNING, DAY OF DRUMS"—CONCURRENT RESOLUTION

Mr. McGOVERN. Mr. President, I ask that the Chair lay before the Senate House Concurrent Resolution 285, and that it be read and placed on the calendar.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The concurrent resolution will be stated.

The legislative clerk read the concurrent resolution, as follows:

Whereas the life of John Fitzgerald Kennedy is a continuing inspiration to American citizens all across our Nation; and

Whereas the film "John F. Kennedy—Years of Lightning, Day of Drums" is a part of the country's history which every American citizen is entitled to share: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) the people of the United States should not be denied an opportunity to view the film prepared by the United States Information Agency entitled "John F. Kennedy—Years of Lightning, Day of Drums", and

(2) the United States Information Agency should make appropriate arrangements to make such film available for distribution through educational and commercial media for viewing within the United States.

Mr. McGOVERN. Mr. President, I am delighted by the action taken yesterday by the House of Representatives which approved, by an overwhelming bipartisan vote of 311–75, House Concurrent Resolution 285 to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums."

On the opening day of the current session of the Congress, I introduced a similar concurrent resolution in the Senate to permit the American public to view this brilliant memorial film on the administration of our late beloved President John Kennedy. I was joined in this effort by 38 cosponsors from both sides of the aisle.

This stirring film is not a partisan affair. It is a drama which grows out of the life of the American people. President Kennedy's life is a continuing inspiration to Americans all across our land. It would be unfortunate if the people of the United States were to be denied the opportunity of viewing this dramatic story of his brief years in the White House. In the words of the resolution, the film is "a part of the country's history which every American citizen is entitled to share."

Mr. President, I am most hopeful of early favorable action by the Senate on House Concurrent Resolution 285.

The PRESIDING OFFICER. Without objection, the concurrent resolution will be placed on the calendar.

SOLID ACHIEVEMENTS OF PEACE CORPS AND POVERTY PROBLEM UNDER SARGENT SHRIVER

Mr. PROXMIRE. Mr. President, last week a measure shot through the Senate with the speed of light and the silence of the deep. This amendment sought to do indirectly what could not be done directly. I refer, of course, to the Javits amendment to the Peace Corps bill, which would bar Sargent Shriver from holding simultaneously both his Peace Corps and Poverty positions.

I objected to the amendment at that time for both substantive and procedural reasons, but the amendment was gaveled through the Senate on a voice vote with less than half a dozen Senators in the Chamber.

I objected to the acceptance of the amendment the following day and pointed out that it would have been overwhelmingly rejected if it had been brought up and debated in the presence of a quorum of the Senate. The Senator from New York [Mr. JAVITS] had raised this issue when Mr. Shriver's appointment to the poverty post was being considered by the Senate. It will be recalled that Mr. Shriver's appointment to direct the war on poverty was subsequently enthusiastically and overwhelmingly endorsed by the Senate, although it was well known that he was also the Director of the Peace Corps.

There was no criticism of the distinguished senior Senator from New York for raising the issue of two jobs at that time, nor could there have been. That was the proper time for such an issue to be raised. The Senate then proceeded to confirm Mr. Shriver's appointment, and presumably the matter was settled last fall.

In view of the fact that the Senate has now reversed itself, are we to conclude that in the several months that have elapsed between these two events, one or both of the programs has slipped so badly that it is now obvious that Mr. Shriver cannot hold both jobs?

Although the Senate has reviewed both programs, no such evidence was brought out. The evidence is distinctly to the contrary. Both programs are moving along strongly and well.

The reason I have taken the floor this afternoon on this issue is that I believe the debate to date on this subject has not really gone to the heart of the question, which is how the Peace Corps and now the poverty program have proceeded under the joint directorship of Mr. Shriver. The Javits amendment has made this an issue.

Let us take a look at the record. How has the Peace Corps done? How has the poverty program fared under Sargent Shriver? That is the real issue.

In its report to Congress for fiscal year 1966, the Peace Corps showed continued growth, both in program development and in the overall job which the Peace Corps is doing.

The Peace Corps began 4 years ago with 120 volunteers assigned to 3 countries. Today there are almost 9,000 volunteers in 46 countries, and by the end of the summer there will be almost 14,000 volunteers and trainees in 47 countries. The planned total strength by August 31, 1966, is 15,110 volunteers and trainees. There will still be requests for many more than the Corps capability to field.

Another measure of the success of the program is the growth of the "voluntary service" idea to other countries. By December 1964, 12 other industrialized nations had volunteers in the field. By the end of 1965, Sweden and Japan will also have their equivalents of the Peace Corps in the field.

The number of domestic Peace Corps is also on the rise. Thailand's Voluntary Rural Development Corps, now beyond the planning stage, awaits budgetary approval by the cabinet. India is planning a Development Corps of 5,000 to 10,000. Peru's student Peace Corps, begun in 1963, now has 1,200 students working in the Andean highlands. And in Ethiopia, many students now give a year to their country in the Ethiopia University Service.

The Peace Corps program is being steadily broadened from its bases of education, public health, agriculture, and community action. The Corps will expand its research on and use of educational television after a highly successful beginning in Columbia. The public health and public medicine programs—which have cut the disease rates tremendously in many countries—will be expanded. There will be a substantial increase in industrial recruiting to help to spread the benefits of our technological progress abroad.

Is the Peace Corps less efficient than it was? The thesis of those who favor the amendment to eliminate Sargent Shriver from the Peace Corps, or to eliminate him from one of the two jobs—the Senator from New York specifically recommends his elimination from the Peace Corps—is that the Peace Corps is not as efficient as it used to be or as it should be. What is the record?

The Peace Corps has, in fact, shown a substantial improvement in efficiency in the past year. Try the test of how far each dollar of administrative cost is now going in the Peace Corps. Under this test, the Peace Corps is doing more with a sharply lower ratio of administrative cost.

For example, in 1963, there were 6,635 trainees and volunteers in the program, and the ratio of trainees and volunteers to employed persons was 6 to 1. In 1964, there were 10,494 trainees and volunteers, and the ratio improved to 10 to 1. In 1965, there are 13,710 volunteers and trainees, and the ratio is 12 to 1. Next year there will be 15,110 trainees and volunteers to 1,792 employed persons, for a ratio of 13 to 1.

The morale of the Corps and its public image, both at home and abroad, remain excellent. I believe that without exaggeration I could call it inspiring.

Who can forget the manner in which Peace Corps volunteers were welcomed by both sides—by rebels and government forces alike—during the heavy fighting that took place in the early days of the revolution in the Dominican Republic? The volunteers, it will be recalled, were allowed to move freely from one zone to another to bury the dead, provide medical aid, and to deliver food, water, and supplies. Often, the volunteers were spontaneously cheered.

Yet despite these great achievements, this great progress—all made under the direction of Mr. Shriver—the Senator from New York [Mr. JAVITS] is seeking Mr. Shriver's dismissal.

Mr. President, recently Mr. E. W. Kenworthy, writing in the New York Times, gave an account of the reaction of Members of the House to the Senate's precipitate action. As Mr. Kenworthy points out in his lead paragraph, "Members of the House Foreign Affairs Committee praised Sargent Shriver lavishly" and told him "they could not care less if President Johnson insisted on his wearing two hats."

I ask unanimous consent that Mr. Kenworthy's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOUSE UNIT HAILS SHRIVER IN TWO JOBS—VOWS RESISTANCE TO MAKING HIM QUIT ONE OF THEM

(By E. W. Kenworthy)

WASHINGTON, June 8.—Members of the House Foreign Affairs Committee praised Sargent Shriver lavishly today and told him they could not care less if President Johnson insisted on his wearing two hats.

Mr. Shriver, a brother-in-law of President Kennedy, is Director of both the Peace Corps and the Office of Economic Opportunity, which administers the antipoverty program.

Last Wednesday, while the Senate was considering the $115 million authorization bill for the Peace Corps, Senator JACOB K. JAVITS, Republican, of New York, offered an amendment requiring Mr. Shriver to give up one of the two jobs.

Senator J. W. FULBRIGHT, chairman of the Foreign Relations Committee, floor manager of the bill, accepted the amendment, and a handful of Senators on the floor passed it by voice vote.

President Johnson made plain that he would fight to retain Mr. Shriver in both posts.

Today, Democrats and Republicans alike on the Foreign Affairs Committee made plain that the President would have some help.

When Mr. Shriver appeared to testify on the authorization bill, the committee chairman, THOMAS E. MORGAN, Democrat, of Pennsylvania, immediately raised the question of the Javits amendment.

Mr. Shriver said he had never asked for either job; that he had, in fact, proposed several people for both posts; that he was an appointee of the President, and that anybody asked to do a job by the President "ought to try and do it."

PLEDGES RESISTANCE

Mr. MORGAN agreed and said that if anybody in the committee or on the floor offered a parallel amendment "there will be more resistance here than in the other body."

Mr. MORGAN said it seemed highly unusual for the Senate first to confirm Mr. Shriver for both jobs and then try to force him to relinquish one of them.

Representative WAYNE L. HAYS, Democrat, of Ohio, said that under Mr. Shriver's direction the Peace Corps had exceeded the fondest dreams of its supporters. His one concern, Mr. HAYS went on, was that what he foresaw as the colossal failure of the antipoverty program might tarnish the luster of the Peace Corps.

Harris B. McDowell, Jr., Democrat, of Delaware, predicted that the critics of the antipoverty program would change their minds, as critics of the Peace Corps, changed theirs.

Frances P. Bolton, of Ohio, ranking Republican on the committee, told Mr. Shriver:

"I hope we will not interfere with the depth and breadth and height of your talents. I want to thank you for your generosity in giving that which has been given to you. If you can do that for the poverty program, you will do something for this country. I am grateful to the Lord for putting you around here to stimulate us."

Mr. Shriver said the Peace Corps, partly because it did not take on all the volunteers originally planned but largely because of economics, was returning to the Treasury $12 million of this year's $104 million appropriation. It had cut the living cost for a volunteer abroad from $150 to $103 a month, he said.

The Peace Corps now has 10,000 volunteers. By August 31, it will have 13,710 volunteers and trainees, by August 1966, there will be 15,110.

President Johnson has asked Attorney General Nicholas deB. Katzenbach for an opinion on the right of Congress to require Mr. Shriver to give up one of his jobs.

Mr. Shriver draws the $28,500 salary of his Peace Corps job but not the $30,000 salary as antipoverty director.

He told the committee it would be illegal for him to take two salaries. Barratt O'Hara, Democrat of Illinois, commented:

"You do two jobs for one salary. Isn't that consistent with the President's program of turning out the lights?"

Mr. PROXMIRE. Mr. President, what about the poverty program? Has Mr. Shriver neglected this responsibility? Members of the House Committee on Education and Labor recently conducted hearings on the program.

Despite some criticism by the chairman of the committee, Representative Adam Clayton Powell, the committee report praised the program in the most glowing terms. Representative Powell, who had sought greater involvement of the poverty-stricken and minority groups in the program, ended the hearings with the statement that he was extremely satisfied with the program after discussing it with Shriver. Several members of the House committee made on-site inspections of poverty program operations and were universally pleased with what they found.

I think the facts of the program itself speak more adequately of its progress under Shriver's leadership than I can myself. For the Record, I would like to sketch what has been done in 11 poverty program areas since the program got underway about 6 months ago.

WAR ON POVERTY PROGRAMS AS OF JULY 15, 1965

Community action program: More than 500 grants totaling some $150 million to nearly 400 communities which, in all 50 States, serve nearly 4 million persons.

Job Corps: 250,000 young men and 50,000 young women have applied; 13,000 in training in 65 centers; 40,000 by the end of the year. $190 million obligated for program.

Project Head Start: More than 530,000 children in 12,500 Child Development Centers of 2,300 projects in every State—a $105 million program. About half of all head start projects are in 765 rural counties.

VISTA—Volunteers in Service to America: Nearly 1,000 volunteers; some 700 working in slums, migrant camps, Indian reservations, and Appalachia; more than 200 in training. Some 2,000 volunteers will be at work in 40 States by the end of the year.

Neighborhood Youth Corps: 200,000 youth are at work in 400 projects; $130 million program.

Work experience: 88,000 unemployed parents, participating in projects in 42 States and three territories at a Federal cost of $116.5 million.

Mr. President, remember that all of this vast program, this very expensive program which involves literally hundreds of thousands of people has proceeded within the last 6 months. On college work study, there have been 40,000 needy students from 880 colleges working for the summer to earn funds for school. Thirty million dollars has been spent thus far.

On adult basic education, 37,000 persons are receiving literacy training in 48 States and 4 territories. That is a $19 million program.

On aid to migrants, 40 grants, totaling more than $15 million, have been made in 20 States.

On rural loans, 11,000 loans, averaging $1,700 each, have been made to rural families. The total amount on loan is $18.7 million. Nearly 100 loans, averaging $6,000, have been made to rural farm cooperatives.

More than $1.5 million in small business loans have been made to 150 operators of small businesses. Small business development centers have been opened in 17 cities.

Not only have these programs been implemented in an almost unbelievably short time, but also they have been successful in winning wide public acceptance among the poor, business and industrial leaders, labor groups, and just about every other segment of the population.

I submit, Mr. President, that this poverty program, is in fact radical. It is something that has not been tried in any country in the world to this remarkable extent. Of course we can expect criticism. There have been dozens of newspaper editorials from every part of the country which have praised the program and given it a high rating. There have been a few critical stories, as there should be, but even those stories have praised the program and the administration of the program by Shriver.

One of the most interesting articles was published in the Wall Street Journal of June 4, 1965. The article was entitled, "Spotlight on Shriver. Bold Methods Get War Against Poverty Moving but Lead to Confusion."

The article states that Shriver has the poverty war off to a fast start. It points out that there are some shortcomings in the program. However, it indicates that the program overall has been moving surprisingly well.

I point out that Jerry Landauer has written two articles in the Wall Street Journal in the past 2 days showing among other things the development of a number of duplications in the poverty program. There is no criticism of Shriver's administration in these critical articles. But it is made clear that in setting up this program Congress made duplications inevitable because we have tried to help some of these poverty stricken people in different ways. The farmers, Indians, depressed small business, the unemployed have had previous programs before this comprehensive assault on poverty.

The confusion and duplication that has developed is perhaps the most important reason of all that a man of the stature, caliber, quality, and the prestige of Sargent Shriver should be kept in this program. It is necessary that a man of Sargent Shriver's stature is the man dealing in these programs with Secretary of Agriculture Freeman, Secretary of Commerce Connor, and the other officials of a very high level in the Federal Government. Without Shriver the poverty program might get short shrift in the inevitable power struggle.

A new man who would have to come along under these circumstances, would have to operate under a very serious handicap, in my judgment.

Mr. President, I ask unanimous consent that an article from the New York Times, dated May 2, 1965, entitled "Antipoverty Program Stirs Wide Controversy," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record as follows:

[From the New York Times, May 2, 1965]

Antipoverty Program Stirs Wide Controversy

(By Marjorie Hunter)

Washington, May 1.—It was just a year ago this week that President Johnson, on a swing through the Nation's pockets of poverty, told a crowd at one stop:

"We will not win our war against poverty until the conscience of the entire Nation is aroused."

There is no accurate reading on the state of the American conscience today, but there is no doubt that the Nation has become aroused over poverty.

In the short span of 6 months—when the $800 million in Federal money first became available—the antipoverty program has assumed the proportion of a major social revolution equal to, if not greater than, the civil rights movement of recent years.

The revolution has come quietly in some places, noisily in others.

In some southern cities and towns, racial barriers have toppled almost silently as both races join in to wage local wars on poverty.

In the teeming cities of the North and Midwest, the once voiceless poor have risen up to challenge what they call the "affluent vested interests who seek to keep us poor."

There have been loud cries of "giant fiestas of political patronage," "bureaucratic boondoggle," of "wildly excessive salaries."

Said one Chicago preacher: "The poor are being pushed out of planning poverty programs by men who drive Cadillacs, eat 3-inch steaks and sip champagne at their luncheon meetings."

The problems of waging war on poverty are being brought into focus now as Congress takes a hard look at the program it spawned last year and which it is now being asked by President Johnson to nearly double to $1.5 billion in the coming fiscal year.

Sargent Shriver, who directs the Nation's antipoverty program, is seemingly unruffled as the winds of discontent whirl around him.

"Nobody would be yelling if nothing was happening," he says calmly.

And things are happening. Here is where the program stands today:

(1) More than 2,000 impoverished young men and women, aged 16 to 22, are receiving job training and remedial education in 12 rural Job Corps camps and 7 urban Job Corps centers. With other camps and centers under construction, the target for June 30: 10,000 enrollees in 139 camps and centers in 35 States.

(2) Federal grants totaling $60,955,494 have been made to 342 States, cities, and communities to conduct communitywide action programs to help the poor break the cycle of poverty. The target for June 30: 500 grants, totaling $235 million.

(3) Eighty-four members of VISTA, the domestic Peace Corps, are at work in migrant camps, city slums and other poverty areas. Sixty-six others are in training. The target for June 30: 2,000 in training or at work in 100 communities.

(4) About 31,000 teenagers, either in or out of school, are working part time under the neighborhood Youth Corps program. The target for June 30: 150,000 at work in 275 communities.

(5) Part-time jobs have been provided for 45,657 college and university students on 678 campuses under a work-study program. An additional 64,400 such grants are to be made for the summer session.

(6) Nearly 8,000 poor persons, most of them on relief, have been placed in jobs under a work-experience program. The target for June 30: 80,000 at work in all 50 States and the 4 territories.

(7) Small business loans, totaling $466,100, have been made to 50 individuals in 7 States. The target for June 30: 1,000 loans totaling $5 million.

(8) Rural loans, totaling $7,082,880, have been made to 4,165 families and 8 cooperatives in 49 States and Puerto Rico. The target for June 30: 7,375 loans totaling $25,700,000.

Behind these bare statistics lie the human stories of what the war on poverty has meant to the poor of America.

Two brothers, sharing a single toothbrush, were among the first enrollers to arrive at a Job Corps camp in rural Arkansas.

Another enrollee, at a Job Corps camp in Maryland, slipped away by himself whenever he could. He later admitted: His teeth ached and he was afraid he would be expelled if he told anyone. The camp dentist pulled 15 rotten teeth and prepared him a plate.

NO SHOES FOR GIRL

A Kentucky youth, explaining why he had joined the Job Corps, told a counselor his mother had advised him to leave home. "'Don't come back here, boy,'" he said she told him. "'There's nothing here but the graveyard.'"

In the coal mining area of West Virginia, a girl had been staying out of school because her family couldn't afford to buy her shoes. She now has a part-time job in the school cafeteria and is back in class.

These are a few to whom the antipoverty program has become more than statistics. But there are many hundreds of thousands of others who are still waiting.

The Shriver doorway has been literally battered down by more than 250,000 impoverished young people, who have seen the Job Corps posters—"Be Somebody"—and sought to join.

Requests for community action grants have poured in from virtually every city and community in the Nation. Schools are clamoring for neighborhood Youth Corps programs, to provide part-time jobs for the poor and keep them from being dropouts. More than 16,500 men and women, from the affluent side of the tracks, have sought to join the domestic Peace Corps.

The political pressures on the Office of Economic Opportunity have been tremendous, as factions with various cities and communities scrambled for power and Federal funds.

In effect, Mr. Shriver and his Office of Economic Opportunity have inherited a thousand local political fights.

In New York, in Chicago, in Cleveland, in Philadelphia, various factions have charged "city hall" with failing to allow the poor to help plan and direct the programs for fear they will challenge the political power structure.

NEW YORK FEUD

Perhaps the bitterest of the local feuds in which the OEO has found itself injected is one between Mayor Wagner of New York City and Representative ADAM CLAYTON POWELL, Democrat, of Manhattan, whose House Education and Labor Committee holds the purse strings on the antipoverty program.

Charging that Mayor Wagner's antipoverty operation fails to include representatives of the poor—as required by law—Mr. POWELL has demanded that New York's request for $16 million be held up until the poor are included.

The bitterness of the infighting in the cities has overshadowed the quiet progress made in Atlanta, Los Angeles, Detroit, and elsewhere in the Nation, and has caused some to doubt on how far Congress will be willing to go in expanding a program that, in the view of one Congressman, seems to be "tearing up communities of America."

But the general outlook is that the real fight will center not on whether the program should be expanded, but on whether $1.5 billion is enough.

A number of Congressmen hope to push for a far larger expansion. Mr. POWELL, while critical of how some phases of the program are being run, has said he will seek $3 billion.

This has placed Mr. Shriver in the peculiar position—one that few public administrators have ever had—of fighting off what he considers too much money. He has said firmly that $1.5 billion is as much as his agency could "prudently use" in the coming year.

Congressional fights also loom on two other questions:

First, whether to set a fixed quota on how many of the poor should be included on local antipoverty boards and whether to spell out their means of selection.

The law now merely requires that such programs be "developed, conducted, and administrated with the maximum feasible participation of residents of the areas and members of the groups served."

Second, whether to abandon the "local poverty umbrella" approach—that is, a single communitywide program embracing all groups into a single striking force against poverty.

Many private agencies and neighborhood groups have protested that they have been shut out by local antipoverty boards—chiefly those dominated by city hall—in some cities.

Mr. Shriver will fight to keep the "umbrella." Without it, he says, his agency would be washed away in a flood of money requests from every social action group in every city and hamlet of America.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that an article by Sylvia Porter from the Washington Evening Star of April 22, 1965, entitled "Fight on Poverty To Be Measured," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Apr. 22, 1965]

FIGHT ON POVERTY TO BE MEASURED

(By Sylvia Porter)

We have in recent years poured billions of our tax dollars into a bewildering range of antipoverty, antidropout, anti-illiteracy schemes. Yet we have no solid evidence that our billions have been reducing poverty or the numbers of dropouts and illiterates.

We now spend an annual $5 billion on Federal-State welfare programs alone. Yet our relief rolls are at historic highs.

At last count 6 separate Federal agencies were running no fewer than 41 separate Federal antipoverty programs for which Congress appropriated $15 billion in fiscal 1964 alone. Yet the agencies themselves confess that frequently they haven't had the vaguest notion how each program meshed or conflicted.

The shocking fact is that we have been fighting poverty blindly. We have had no yardstick to measure success or failure. If any private company even dared to "muddle through" a program the way the Federal Government has been blithely muddling through its antipoverty programs, it would go bankrupt overnight.

BUSINESSLIKE EFFORT

Now, though, for the first time in history, an aggressive drive is underway to put our sprawling antipoverty war on a businesslike basis.

Now, a visitor to the U.S. Office of Economic Opportunity in Washington—headquarters of the national antipoverty war—hears such terms as "cost effectiveness," "optimization," "systems analysis" and "regression analysis." These belong to the vocabulary of a new "Office for Research, Plans, Programs, and Evaluations" staffed by a brain trust of 33 economists, statisticians, programers—and Pentagon planners—backed by an IBM computer.

"Cost effectiveness may sound cold and brutal in this business," says Leon Gilgoff, a Pentagon alumnus now in charge of the evaluation of the program. "But failure of the program would be much more brutal for those we are trying to help. We simply can no longer afford a buckshot approach. Our choices must be deliberate and scientific if this is to be a total war with a chance of winning."

FACTS COMPLETED

The OEO is compiling—for the first time ever, mind you—facts from every Government agency and major private organization involved in the war on poverty. All are to be cataloged to help determine how each antipoverty program relates to the total war. To speed the task, a computer soon will be installed and mathematical models are being prepared to feed it. Detailed poverty maps also are being devised to show the geographical distribution of poor families county by county, city by city, and even by districts and blocks within a city.

All groups receiving aid under the antipoverty drives will be cataloged—school achievement, IQ, family income level, physical and mental health, attitudes, employment, skills, earnings, crime record, etc. This will permit a continuing progress report on individuals, groups of individuals, whole slums and cities—a "before" and "after" view.

LOOK TO FUTURE

"Ten years from now," says Gilgoff, "we'll be able to see how today's preschooler is faring in high school, how today's Job Corps member is doing on his job, how today's youngster on a college scholarship is making out in his profession."

Among the awesome questions the evaluation program is expected to help answer are: Who needs help most? To what extent should we concentrate on the adult or the very young, middle-aged mothers or their children or disadvantaged minorities everywhere or on disadvantaged regions? Should we begin in the city or in the country? Should we start with birth control or health or housing or education?

"Poverty is not just people," Gilgoff emphasized. "It is economics, housing, culture, civil rights, geography. It is many, many forces and only the charlatan offers a neat answer to it."

It is astounding, but it is a fact that this is the first attempt to find out, as poverty chief Sargent Shriver says, "whether the Government is getting its money's worth out of its antipoverty programs." We're probably heading for some big shocks—multibillion-dollar ones.

Mr. PROXMIRE. Mr. President, in view of the great record compiled by Mr. Shriver in both jobs, it is quite understandable that President Johnson would ask Mr. Shriver to continue to wear the two hats. The two programs have much in common. In fact, the poverty program has been called a domestic peace corps by some observers. When the program was originally instituted, as we know, it was called the Domestic Peace Corps. As the program moved through Congress, it was called the Domestic Peace Corps. The description is not a farfetched one. Since the Peace Corps was a pioneer venture that was piloted admirably by Mr. Shriver through the troubled waters one would expect such a program to face, it is quite logical that the President would also want Mr. Shriver to get the war on poverty underway and established.

As I have said, the Director of both agencies, although not a Cabinet officer, must deal as the equal with the heads of at least three departments, who are Cabinet officers, and with the directors of a dozen agencies. He must be able to cut across the established line of government and work closely with, and in some cases, coordinate the activities of, several governmental agencies.

There are not many men in government who have the stature and the talent to do these things. Shriver is one of the very few. For accepting the responsibilities and the attendent headaches that go with both jobs, he is to be thanked, not censured.

In the Peace Corps, it makes sense for the President to continue to go with a man who has made it the most spectacularly successful new American program in the foreign policy field in the past 5 years.

In the poverty program—under attack, controversial, involving billions of dollars, and millions of people, with brickbats guaranteed—what man is better qualified to head the program than Sargent Shriver, Mr. Integrity?

To me, it would be a tragedy if he were to give up either job in the near future.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point various editorials and articles pertaining to this matter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 4, 1965]

BOLD METHODS GET WAR AGAINST POVERTY MOVING BUT LEAD TO CONFUSION—PROGRAMS LAUNCHED DESPITE LACK OF STAFF; QUESTIONS RAISED ON PEACE CORPS JOB—A BRIGHT FUTURE IN POLITICS?

(By Jonathan Spivak, staff reporter of the Wall Street Journal)

WASHINGTON.—A superb salesman of the Administration's antipoverty policies, yet overly engrossed with public relations.

A bold innovator willing to take risks, yet sometimes sold on silly ideas and disdainful of the dreary details of public administration.

A "doer" dedicated to rapid results, yet unwilling to attend long-range organizational needs.

An acute judge of men, motives and political maneuvers, yet capable of impulsive decisions, which later must be modified.

These are some of the strengths and weaknesses of Sargent Shriver, commander in chief of the Nation's war on poverty, as seen by his closest associates in the Office of Economic Opportunity and by other Government officials. Their enthusiasm varies inversely with age. "Shriver's a truly great man, no question about it," exudes one bright young assistant. "A mixed bag," concludes a more skeptical senior official.

LARGER POLITICAL FUTURE

But there's unanimous agreement, even among the most critical, that Mr. Shriver's aims are admirable and his merchandising methods magnificent. The unexpectedly enthusiastic participation of private industry in OEO's endeavors, his stirring speeches sparking State and local efforts, his quick and effective answers disarming critics on Capitol Hill are all evidence of his superior salesmanship. This and other abilities, plus his kinship with the Kennedys, could lead him to some larger political future.

Soon Mr. Shriver's antipoverty program will get a big boost. The House Education and Labor Committee, where most congressional criticism has centered, has voted a $1.9 billion authorization for the fiscal year starting July 1, more than double this year's sum and $400 million more than the administration asked. The amount actually appropriated, though, will probably be closer to $1.5 billion.

A critical question, however, now that OEO has survived birth and baptism in the congressional fires, is whether the Shriver flair is still essential or whether a more methodical man could better administer its diffuse operations.

The answer depends largely on an assessment of how Mr. Shriver has fared so far as antipoverty potentate. Some say the OEO is beginning to suffer seriously from his preoccupation with "selling" and his diversion to other duties, particularly the Peace Corps, which he still also heads. "I don't see any sense of direction. It reminds me of a war between two Indian tribes: everybody fans out and charges," says one critic of the poverty agency.

MANY INTERNAL PROBLEMS

There are internal problems aplenty. Minor matters are not settled at the lower levels and many issues accumulate for crisis handling at the top. Scores of staff positions remain unfilled; even secretaries are scarce, and other vacancies are arising as some early recruits tire of the poverty war. The opening of regional offices, bringing OEO's operations closer to the grassroots and speeding its processing of applications, is months behind schedule. Productive partnership with universities, whose cooperation is needed to carry on much of OEO's work, is yet to evolve.

But the criticism is generally tempered with a recognition of the dire difficulties of launching nearly a dozen diverse, largely unprecedented antipoverty efforts. Cumbersome civil service procedures, President Johnson's parsimony with personnel, pressure for speed from northern Governors and for slowdown from southern Governors, interagency conflicts in Washington—these and many other matters has been bothersome. "I truthfully don't know of a man in Government who could have done any better," insists one nonadmirer of Mr. Shriver.

By midyear, antipoverty funds will be flowing at an accelerating pace, with about $200 million already spent; 10,000 impoverished 16- to 21-year-olds will be enrolled in Job Corps training centers; and 5,000 of the poor will be employed in locally managed antipoverty programs.

It's likely, too, that as his operations expand, Mr. Shriver will increasingly depend on administrators experienced in vast public programs, rather than the Peace Corps proteges and other "inspired amateurs" who have helped in the planning. In key spots, Mr. Shriver has sought to install tough-minded men bold enough to tell him what can't be done as well as what can. Recently he has appeared more eager to delegate duties to subordinates such as Otis Singletary, Director of the Job Corps.

NEW DEPUTY DIRECTOR

After a delay of many months, a Deputy CEO Director has finally been obtained; he is Jack Conway, an AFL–CIO official whose administrative abilities are highly respected in OEO and elsewhere. Many officials think the two could constitute one of the Capital's most effective combinations; Mr. Shriver would handle broad policy and outside affairs while Mr. Conway could concentrate on the more routine internal chores.

Even so, Mr. Shriver's energies are extended. While he devotes most of his time to the OEO and has a new deputy to help run the Peace Corps, he is still trying to do two jobs that many people think demand two men; the Senate has just voted to bar such double duty, though the restriction may not stick. Some onlookers say he hoped months ago to be freed of his original job but President Johnson insisted on keeping him at it; others contend Mr. Shiver rejoices in the chance to show he can shoulder a double assignment.

For the OEO's future, the Peace Corps precedent is not reassuring. Though a brilliant public success, after 4 years the corps remains an intensely personal organization, a cluster of young men revolving around Mr. Shriver. The agency is only now beginning to come to grips with the problem of establishing satisfactory permanent ties with universities and other units of government. "Shriver is just not a builder of bridges," sighs one assistant.

At the OEO, Mr. Shriver is an inveterate "interventionist," fond of dipping down deep in the organization to dabble in some obscure detail, such as the forms to be used at Job Corps camps. Some subordinates suspect this is a technique to keep people on their toes and stir up productive tensions. But there is always unsettling uncertainty over what issues Mr. Shriver will want to become involved in.

He is harsh, even ruthless, in his demands on the time and energies of his assistants, but is willing to work even harder himself. Mr. Shriver is chary of giving commendations; when he does offer a word of praise, a subordinate may be too startled to respond. "Like all ambitious men, Shriver uses able people and he uses them up," says one assistant.

SHOULD WILLIE MAYS COME?

OEO staff meetings seem to concentrate on less than earthshaking issues, such as how to answer congressional queries most expeditiously, or the suitable ceremonies for opening Job Corps centers, including whether baseball star Willie Mays should be invited to attend.

But the meetings do serve to exchange information among OEO's high command and examine some serious subjects. Everyone, irrespective of rank, is encouraged to contribute comments or criticism. Nearly half a dozen officials may be involved, whether the problem is launching a nationwide preschool preparedness program or resolving the constitutional issues of the participation of religious groups in antipoverty efforts.

* * * * *

Thus it's not unknown for two people to write the same speech for the same occasion. More seriously, the system demands that Mr. Shriver, himself, who is always under pressure, finally dispose of the staff differences that develop. Routine problems, such as staffing, may get handled in an atmosphere of high crisis. "It's great to have a guy that you can turn to occasionally, but the trouble is that nothing tends to get done except by pouring on boiling oil," argues one assistant.

Mr. Shriver deals most intimately at OEO with a small inner circle whose duties are only vaguely defined. The members are mostly intelligent, ambitious young men of little public prominence, such as former Peace Corpsman William Haddad. But Mr. Shriver also turns for advice to many others inside the Government and out, including Presidential aide Bill Moyers, Education Commissioner Francis Keppel and Dr. Robert Cooke, chairman of the department of pediatrics at Johns Hopkins University. "He's the most accomplished brain-picker I've ever seen," comments an old Government hand.

PUSHES HIS ASSISTANTS

Above all, Mr. Shriver likes to get things done, and he often forces his assistants to move faster than they wish. He has pushed the Job Corps at a pace which some subordinates fear may degrade its quality particularly at the rural conservation centers. He has battled with education and welfare agencies to speed up their execution of OEO programs.

"What Shriver does is start a snowball going down the hill and then run like crazy to keep up with it," says one associate.

The classic case is this summer's Operation Headstart, designed to prepare impoverished 5- and 6-year-olds for their first encounter with school in the fall. When proposed last January, Headstart was to be a modest effort involving 100,000 children in 300 communities and costing $17 million; but the concept caught on and Mr. Shriver decided to dramatically expand the program.

Now Headstart will aid 600,000 children in 2,500 communities at an outlay of $112 million. "Most administrators would have fiddled around for months, checking on logistics, staff and so forth, and by then it would have been too late," says one OEO official.

ROLE FOR EAGLE SCOUTS?

While thus open to new ideas, Mr. Shriver can become overenthusiastic about impractical notions, aids complain. One of these ideas is to install an Eagle Scout in every Job Corps center as an inspiration to the enrollees. "Imagine what will happen when a scout from Scarsdale starts telling a bunch of kids from Harlem 'Come on, let's play ball,'" warns one youth specialist.

No one professes to know Mr. Shriver's future political plans, if any. The obvious target of opportunity is the governorship of Maryland where he lives. Incumbent Democratic Governor Tawes must bow out after completing his second term next year. The State's Democrats lack lustrous candidates, and the campaign's timing, 1966, would be excellent for an exit from antipoverty work. Mr. Shriver could claim to have successfully started OEO on its way, but would avoid wrestling indefinitely with its intractable difficulties. As a politician he's capable of charming all kinds of people, from educators to businessmen.

Travels with Mr. Shriver show him to be a good speechmaker, especially effective in extemporaneous efforts before younger audiences. In private conversation he's full of fun, frank, entirely charming, and far from single minded; his nonofficial interests range from art and architecture to nightclub comedians. He exudes the confidence and decisiveness of the Kennedy clan, but his style is milder.

Among OEO's many remaining problems, personnel shortages are considered especially serious. "It takes 2 weeks just to get a telephone message confirmed," complains one official from another agency. The Job Corps staff is still far from complete; the community action program desperately needs specialists in the social services to review local applications for aid and assist in development of projects.

BUREAUCRATIC BATTLE POSSIBLE

A potential hot potato is the question of public reaction in case Job Corps training centers attract far more Negro youths than whites. Already a few centers, including one in Arkansas, are at or over the 50-percent point. If the proportion continues to climb, reaction in communities where the centers are located—in the North as well as in the South—could be troublesome. But most officials see no practical or politically acceptable way of limiting Negro enrollment.

It's still far from clear whether the Job Corps will pluck up the "hard core" youth it's intended to aid. With limited space in the centers and political pressure for results, it's natural to take in those most highly motivated and easiest to rehabilitate. Procedures for finding work for Job Corps graduates have still to be ironed out: A bitter bureaucratic battle could develop between the OEO and the U.S. Employment Service.

Birth control is a bothersome question. Specialists would like to provide as much family planning and sex education as possible. But, particularly at training centers for girls, objections could arise from the Roman Catholic church and others, on the ground of encouraging immorality. Mr. Shriver, a Catholic, has conservatively decreed family planning services financed through local community action programs must be limited to married women.

The community projects face a raft of problems. OEO officials are finding it's not enough to insist that representatives of the poor participate in forming local groups; some system must be found to insure that the individuals chosen really do represent the impoverished.

Many OEO officials now recognize that early in the game they went overboard on the idea of "indigenous leadership." Now, they contend, far more stress must be placed in training the poor for positions of responsibility in local projects rather than immediately installing them in executive posts.

So far, progress on community programs in the South has been slow; just insuring that planning committees are biracial has proved troublesome in rural Georgia, for example. Throughout the country, local antipoverty efforts have focused on education and neighborhood organization but have only marginally attacked such matters as medical aid, job creation, and helping the impoverished elderly.

Generally, the antipoverty leadership has disdained and distrusted the regular welfare agencies. Eventually some accommodation must be reached between the old and the new if the OEO is to carry out its antipoverty aims on any large scale.

[From the St. Louis Post-Dispatch May 16, 1965]

WAR ON POVERTY BREAKS TOWN'S RACE BARRIERS

FARMVILLE, VA., May 15.—The Federal antipoverty program is accomplishing here what the U.S. Supreme Court, 14 years of litigation and heartache, and other kinds of Federal financial inducement has not—the integration of whites and Negroes in a major effort to educate and employ Negroes.

The transition is already remarkable, and the program has hardly begun.

Robert E. Taylor, president of a local lumber and homebuilding company and one of the most active segregationist leaders here during the long and bitter struggle over the Prince Edward County public schools, and the Reverend L. Francis Griffin, the pastor of the First Baptist Church, who is often called the "Moses" of this southwest Virginia community, are cochairmen of the new antipoverty committee.

It is an active as well as an unusual alliance. The two men have made three trips together to Washington—one in Taylor's private airplane, at his expense—to push their application for about $100,000 from the Federal Office of Economic Opportunity.

Moreover, although the Reverend Griffin probably has had an equal role in this effort, Taylor is publicly identified as the initiator of this surprising development here.

At the first meeting of the Prince Edward Action Group, Inc., last February—it is composed of 30 whites and 30 Negroes—Taylor himself moved that the Reverend Griffin be name cochairman with him.

Taylor is vice president of the Prince Edward School Foundation, the corporation that created the private, segregated academy that has allowed Prince Edward County's white parents to evade court-ordered integration of their public schools.

The Reverend Griffin, a Negro minister whose sermons include references to Kierkegaard and other existentialist theologians, is the head of the National Association for the Advancement of Colored People in Farmville, and is the State NAACP president.

He and Taylor, in the last 3 months, have created the poverty program here.

A further indication of change, although Taylor denies there is any change in his segregationist views regarding the public schools, came when an interviewer asked the homebuilder to identify the Negroes on his poverty committee.

"We're not supposed to identify them that way anymore," he replied gravely. "Just say it's 50–50."

A check of the names with other sources showed that Negroes had half the seats on the full committee and on the 10-man executive board of the poverty group.

[From the Rialto (Calif.) Record, May 19, 1965]

PROJECT HEADSTART

An exciting new program aimed at the heart of the dropout, unemployment, and welfare problems will be launched in most California communities this summer.

It is called Project Headstart.

The purpose: to provide a standard nursery school experience for the State's 4- and 5-year-olds from poverty-stricken homes (any family with an annual income of $3,000 or less), before they enter kindergarten this fall.

Financed almost totally by the Federal Government's antipoverty program, the effort is based on experience with numerous pilot school projects which clearly indicate that one of the most effective ways to help these children become successful in school is to give them a badly needed boost before they enroll in the regular school program.

These are children, as the National City Star-News eloquently described them in a recent editorial, from "homes where reading is unknown, where a child learns little because his parents know little, where frequently parents do not even speak English, where a child can hardly speak because his parents seldom speak, where he does not know how to listen because his parents do not listen, where he often lives in fear because of tensions and discord in the home, where he does not know such elemental things as when to wash his hands, and where he dwells in a narrow world circumscribed by his family's limited existence."

These are children headed straight for the dropout, unemployment, and welfare rolls. They and their future children can be expected to follow the same hopeless, wasteful pattern—unless something is done to break the vicious cycle of ignorance and poverty.

This is what Project Headstart is designed to do.

It will open up a new world to these children before the blight of their homelife forms personality scars so permanent that rescue efforts in later years will be far more difficult, if not impossible. They will be familiarized with speaking and understanding English. They will learn about health and nutrition. And their parents will be encouraged to participate, too.

More than just a summer effort, Project Headstart is expected to continue in the fall on an all-year basis under the auspices of the public schools, cooperative nursery schools, and child care centers.

At long last, in at least one important phase of the multipronged attack required for a successful compensatory education program, pious talk about equal educational opportunity is being matched with direct action on a significant scale.

[From the Sunday Bulletin, May 30, 1965]

Project Headstart Attacks Poverty Cycle

(By Whitney M. Young, Jr.)

By flouting all the rules of bureaucratic inertia, Project Headstart, a new, $62 million chance for the children of the poor, will break like summer lightning on the American landscape in the days ahead.

If successful, the Federal program will rain a torrent of educational vitamins on some 150,000 preschool children from disadvantaged homes. Within a short time, more than 2,600 individual projects are expected to be authorized by R. Sargent Shriver, Director of the Office of Economic Opportunity. In paying out up to 90 percent of the cost of an 8-week summer program, his Office hopes to reach half of the 1 million youngsters whom Mrs. Lyndon Johnson described as being "lost in a gray world of poverty and neglect" and to "lead them into the human family."

KNOW FEW WORDS

Of them, Mrs. Johnson said, "Some don't know even a hundred words because they have not heard a hundred words. Some don't know how to sit in a chair because they don't have as much as a chair. Some have never seen a book or held a flower."

Some social workers have been critical of the OEO's speed in devising and funding the projects. But this necessity was prompted by the failure of the public's old and staid method to accomplish the same end.

Thus, in 261 of the countries 300 poorest counties, church, welfare and health agencies, schools, settlement houses, fraternal, sorority and women's clubs are preparing to open the doors to Headstart operation.

MEDICAL EXAMINATIONS

This effort goes beyond traditional day care services, a field in which America lags behind many industrialized nations. Its aim is not merely to babysit but to open the child's mind to the world around him, to prepare him for success when he or she begins first grade or kindergarten in the fall.

All children will get at least one hot meal daily. Some will get their first dental and medical examinations. Others wil get eyeglasses their parents could not afford.

Dr. Julius B. Richmond, project Director, says Headstart will attack the health deficiences of the children, emphasize communication skills, expose them to art and music and reading; motivate them to learn, and expose them to the wider world beyond their slum or rural shanty town.

In too many cities, North and South, by the time Negro, Puerto Rican, Mexican, or other children from disadvantaged backgrounds reach the sixth grade, they are years behind their counterparts on the achievement scores. They are the dropouts of the future, tomorrow's failures.

Project Headstart could be an imaginative answer to open the doors to creative and constructive citizenship for these youngsters. The Nation will watch it carefully to see whether it can help the children of the poor break the cycle of poverty and stand on their own two feet.

[From the Parkersburg (W. Va.) Sentinel, May 17, 1965]

Benefits To Come

The long-term benefits to be obtained from such projects as the Neighborhood Youth Corps and Operation Headstart can only be estimated but we believe they will surprise us.

Already hundreds of young people are working in a wide variety of part-time jobs, earning small sums and learning how to perform definite tasks. For many of these youths, this is the first time they have had the opportunity to earn any money. The experience is a good one. They want to become regular workers earning regular pay. But they are discovering they must learn some skills in order to qualify for good jobs.

When Operation Headstart gets underway late next month or early in July, we will see hundreds of preschool children from families of limited opportunity going to kindergarten. In 8 weeks these youngsters will be prepared for regular school and thus they will get the headstart that otherwise they would have missed.

Eventually we must have kindergartens as a regular part of our public school system. And we will have technical and trade school instruction for the youngsters who need it, like those now in the Youth Corps. These projects now are proving themselves so we'll know that we must continue them.

[From the St. Petersburg (Fla). Times, May 20, 1965]

Poverty's Children

Imagine a child, 6 years old, who has never been inside a restaurant or cafeteria, held a book or pencil in his hand, used—or even heard of—a flush toilet, been on a playground or exposed to group activities of any sort.

Deposit him, apprehensive with fear of the unknown, in the strange, new environment of a modern school filled with chattering, knowledgeable children * * *

And is it any wonder that he is unable to fit in, gets off to a bad start and, never able to catch up with his schoolmates, drops out as soon as the law allows? What hope of success in life has he?

Such is the problem that a new Federal program, "Operation Headstart" is attacking. This summer 530,000 of what President Johnson calls "poverty's children" will get preschool training in 11,000 guidance centers scattered in all 50 States. Included will be 18 in Pinellas, 12 in Pasco, 4 in Manatee, 5 in Sarasota, 3 in Charlotte, 2 in Hernando and * * * in Hillsborough Counties. Nationally, the program will cost $128 million, or about $240 per child.

Few could quarrel with the aim of the program. It will attempt to give a chance to those who otherwise would be facing almost hopeless odds.

It is another aspect of the administration's war on poverty, the key object of which is to break the "cycle of poverty," that vicious circle in which proverty breeds poverty. The Job Corps in St. Peterburg, for example, brings girls out of their home environment into a totally new one where there is cleanliness, slef-respect and most of all—hope.

President Johnson, in announcing the headstart program this week, spoke with considerable justice when he said it is "one of the most constructive, most sensible and also one of the most exciting programs the Nation has ever undertaken."

[From the Winston-Salem, (N.C.) Sentinel, May 20, 1965]

A Chance for Our Children

All the king's horses and all the king's men couldn't enable Project Headstart to achieve fully the goals that President Johnson has set for it: "To rescue these children from the clutches of poverty * * * and to put them on an even footing with their classmates as they enter school."

Even so, Headstart is a program so practical in its design and so humane in its purpose that even those with sincere doubts about the war on poverty as a whole can surely subscribe to it. There is obvious good sense to the notion of taking poor children, in the summer before they march off to the first grade, and trying to equip them for the mysteries of schoolwork.

And there is merit too in the idea of involving school people and volunteer workers in a common effort to help such children. We are convinced that, in this and other communities, there is a lot of talent and idealism that might become committed to such a program.

Both the community and the Federal Government, then, are to be congratulated on the swift and apparently orderly processing of the Winston-Salem program, along with others. The staffs should be ready to function by the time the preschool program gets underway on June 28.

Headstart, like many of the other antipoverty programs, is frankly experimental. No one knows for sure how much can be done to equip children for dealing with such middle class wonders as books and improved hygiene and basic conversation when their lives have left them, at age 6, behind those with whom they must compete.

The Winston-Salem program is for 580 children in six centers. The Charlotte-Mecklenburg system by contrast, is planning for 2,055 children in 35 centers. There are more children in Charlotte, of course, but the Charlotte plan seems to call for taking on a broader range of children in smaller centers spread over a wider geographic area, and to provide opportunities for children from lower class homes to have contact with other children who are better off.

Because the program is so experimental, it may be premature to say which approach will prove preferable. But Winston-Salem can learn, not only from its own experience, but from what other cities try as well.

Surely there should be excitement in this city about the approval of Project Headstart. To try, even just to try, to help a child escape the handicaps his cultural background imposes on him seems the most worthy way of all to fight poverty.

No one is asking for or offering a handout here. All we have is a lot of children, and all they really ask is a chance.

[From the Clinton (Mo.) Eye, May 20, 1965]

PROJECT HEADSTART VITAL TO POVERTY WAR

"Project Headstart" is purported to be the most important program in the War on Poverty. Every State in the Union will be included in this project, and some States will have child development centers in every county.

For the first time in many communities—the professionals, parents, friends, and neighbors—are uniting to help children from poor families get ready for school this fall.

Many of these children have never seen a book, held a crayon, or seen flowers growing in a garden. Inadequate diet saps their energy. Their poor sight or hearing goes unnoticed, their bad teeth ignored. In their homes they hear little besides curt commands, and cannot build the vocabulary they need to express themselves.

Without help they may be defeated before they enter school, incapable of competing with children from more fortunate homes. In the first grade they will be 6 and, by the fourth or fifth, they will be, incredibly, some 2 years behind.

This 8-week summer program in July and August is an attempt to save these children from this fate. It is a local action program providing learning activities, medical, dental, and eye care, supervised field trips, and balanced meals.

Local communities organize and administer the projects, with financial assistance provided by the Office of Economic Opportunity. The community pays 10 percent, which may be in the form of space, utilities, or services. The Office of Economic Opportunity pays 90 percent. The average estimated cost per child is $170, but will vary in different communities.

Headstart is for both rural and urban areas.

Particularly in a rural area where there is no community action agency, sponsors of a Headstart Child Development Center may be a school district, or other local Government body, or a private nonprofit nonpolitical group.

Professionals will do the teaching. The National University Extension Association has undertaken to train 12,000 or more teachers for the centers. This training program will be conducted in universities, colleges, and institutions of higher learning in 49 States, the District of Columbia and Puerto Rico, from June 14 through July 3.

How did Project Headstart happen? With the advice, counsel, and direction of the most outstanding and qualified leaders in the medical, social, and educational fields.

Originally, this program was planned to reach 100,000 children out of 1 million from poor families—those with income less than $3,000—in 300 communities—the poorest communities in the United States—182 of which have a per capita income of less than $750 per year.

Unprecedented requests from Governors, mayors, schools, and community leaders across the country have resulted in many more applications, including more children than anticipated.

In the next fiscal year, many communities are expected to apply both for followthrough programs to further help children who participate in Headstart and apply for community action grants to fund 9- to 12-month programs similar to Headstart.

This could be the most challenging and rewarding program in the country today. There is a place for everyone in Headstart centers. This is not a custodial care program—nor is it a public kindergarten.

[From the AFL-CIO News (Washington, D.C.) May 15, 1965]

ANTIPOVERTY PROGRAM TOO VITAL FOR LOCAL POLITICAL IN-FIGHTING

(By Edward P. Morgan)

(This column is excerpted from the nightly broadcasts of Edward P. Morgan, ABC commentator sponsored by the AFL-CIO. Listen to Morgan over the ABC Network Monday through Friday at 7 p.m., e.d.t.)

The war on poverty is suffering a counterattack of politics. Perhaps the strategic concept drafted in Sargent Shriver's GHQ in OEO, the Office of Economic Opportunity, is too idealistic, though the point is debatable.

What the antipoverty people are trying to do is to wage not just a war but a social revolution. They believe—and in principle they are right—that one of the reasons poverty is perpetuated in this incredibly rich land is that politicians develop a kind of vested interest in it through the patronage they control and the resultant votes involved. The OEO is attempting to penetrate these political fiefdoms and get representation from the poor themselves on the boards and commissions and committees set up to attack poverty.

But this approach generates not only resistance from suspicious politicians, welfare agencies and social workers eager to get their hands on potential funds; the approach creates as well a psychological obstacle with the people who most need to be helped.

Who, for instance, wants to identify himself as poverty-stricken in order to be eligible as a spokesman for the unfortunate and how do officials determine for whom he really speaks? These pressures and problems explain, in part, the rows that have developed in numerous communities.

The fights are not confined to the South, where one of the main issues is a fair representation for Negroes. There have been tussles in St. Louis over patronage, in Milwaukee over birth control clinics; in New York City the bickering is colossal and paralyzing as Mayor Wagner, Harlem's Representative ADAM CLAYTON POWELL and others reach for power and influence.

It is a pity, if not a crime, that this kind of in-fighting can't be suspended in some sort of truce to give the protagonists time to read some of the mail that is pouring in at the White House and war on poverty headquarters from individual citizens fighting their own battles and in need of reinforcements. An interesting theme runs through much of this correspondence. Instead of asking "where do I line up for my handout," the line is rather, "tell me what I can do to help myself."

Stanley, age 17, writes, "I realize now that 'I most of all' need an education. I am going to this school (presumably a training center) if I have to sneak in to do it and believe me, I will.

"P.S.—I am one of them who want a chance. Are you one of them who want to give me a chance? We'll see."

A girl named Rosebud from Norway, S.C., writes, "I hear over TV that you all want someone to clean up the camp. I will like to take this job"—if it isn't for boys only.

James, 18 years old, of Hayti, Mo., says he needs a job because his mother is sick.

From Edmond, Okla., 19, in a bold scrawl on lined tablet paper, "Most of all I would like to know: what my place in life really is."

Betty Jane, 18, writes from San Antonio, Tex., "I have no home, just here where I work. I live where I babysit. I would like to better myself and get a job that I can help myself."

In a tortured hand, a Mill Wood, Ga., teenager named Jim, writes, "Most of all I wood like two serve my people as well as yours."

And from Gresham, Ore., 16-year-old Janice in a neat, correctly spelled, two-page letter, epitomizes the goading frustration of countless others. "Through school," she says, "I found out only what I couldn't do and not what I could do.

"My mother has agreed to let me join if I were to be accepted by the Job Corps. I don't think she understands how badly I want to make something of myself instead of falling into a rut like she did. She can't get a job because she doesn't have the know-how to do anything.

"She won't be able to support us because my father left us recently. I don't know if I blame him, sometimes I just want to get away from it all too. I never even had any hope until I heard of the Job Corps. Nothing has ever gone right for me. At least I have hope, some people haven't even got that."

And the hopeless ones can be the explosive ones, as the May issue of the AFL-CIO magazine, The Federationist, notes in an article on "the specter of mass youth unemployment." Roughly 40 percent of the Nation's unemployed, the article says, are under 25 years of age.

"When young people reach working age," it goes on, "they are at an important stage in their lives.

"These are important, formative years. It is a time a person's ideas and attitudes—toward life and toward society—begin to take on a permanent mold. But without a decent opportunity to get started—without jobs and income—the ideas and attitudes developed during these early years are bound to be twisted by disappointments and frustrations."

Upward of 2 million youths between 18 and 24, the Federationist estimates, had job problems last year. And those problems multiply in idleness and discouragement like mosquitoes in a swamp.

[From the Newark, (N.J.) Star-Ledger, May 17, 1965]

A POOR SUBJECT

Poverty is a social ailment, a symptom of society's failure to deal with citizens who, for a variety of causes, are unable to care for themselves.

These unemployables form sizable segments of our population; they include the elderly, the physically disabled, the unskilled and the untrained, the school dropout. And, no doubt, the malingerer, the social parasite content to live off the dole. This group fortunately is in the minority.

For the first time in this Nation's history, a massive program has been mounted on a national level to deal with this problem, a seeming anachronism in an era of plenty.

By foresight and wisdom, Mr. Johnson has become the first President to thrust the vast resources of the Federal Government into an area that suffers from monumental neglect. This is not a handout program, despite the outcries of critics.

The antipovery program is being imperiled by mounting sniping, some of it politically inspired. There has been talk of excessive administrative salaries, some of it justified, some of it not. There have been charges of political control, and in cases where these conditions exist, they should be met with forthrightness.

But the danger of the poverty program becoming a political issue, to be bandied for partisan interest, is cynical, unthinking and irresponsible. It plays havoc with a constructive attempt to alleviate a social condition of distressing dimension.

The legislature, a Republican dominated body, has launched an investigation of the poverty program in this State. The legislators are primarily concerned with reports administrators have been hired at attractive salaries.

One report, repeated by a State senator, was a gross misstatement of fact: 26 antipoverty posts in the Newark area were budgeted at more than $10,000 each for salaries. The fact is that the program will have nine in this bracket and only three positions have been filled thus far.

There is a place and a time for politics * * * an election campaign. Poverty is with us always, grinding pockets of human misery. It should not be fodder for candidates unless there are serious administrative breaches and political chicanery.

[From the Washington (D.C.) News, Mar. 17, 1965]

PEACE CORPS PRUDENCE

Director Sargent Shriver of the Peace Corps has done something which, by and large, would horrify the standard bureaucrat in Washington. He has cut back his budget request even before Congress has had a chance to consider it.

Mr. Shriver had a realistic reason for this. He couldn't recruit enough qualified corpsmen to fill the quota he had in mind when he cleared his budget with President Johnson.

Peace Corps planners had been hoping to have 17,060 volunteers overseas in the summer of 1966, for which the budget is designed. But now they figure they will be lucky if they line up some 15,000 by then—if they hold to their standards.

This is not normal bureaucracy in action. The usual bureaucratic policy is to grab off as big an appropriation as Congress will yield and build up as big an "empire" as possible, regardless of qualifications.

But if the Peace Corps is to serve its purpose, it must stick to high standards, use its staff selectively, get the most it can from what it spends. Mr. Shriver's latest evidence of prudence is refreshing.

[From the New York (N.Y.) Post, Mar. 2, 1965]

SUCCESS STORY IN IDEALISM

Many monuments remind the country of John F. Kennedy, but few seem as meaningful as the Peace Corps.

Launched amid the derision of those who characteristically turn a dubious eye on any effort suggesting man has a higher as well as a baser nature, the Corps has become an accepted instrument of national purpose. It even earned a recent two-page encomium from the Daily News. President Johnson, always an enthusiast for the Corps, and its Director, Sargent Shriver, have asked Congress to permit it to expand from 15,000 to 17,000 volunteers.

One additional advantage the administration is deriving from the success of the Peace Corps is that its example has tended to restrain and mute critics of the new domestic youth projects—the Job Corps, the Youth Neighborhood Corps, and the domestic replica of the Peace Corps, VISTA. One vision has fostered many.

[From the Council Bluffs (Iowa) Nonpareil, Apr. 7, 1965]

CONTINGENT TO GROW TO 650: INDIAN GOVERNMENT CALLS FOR MORE PEACE CORPSMEN

(By Dan Coggin)

MEHRAULI, INDIA.—Peace Corps Man Tim Crean was bent over his battered desk catching up on paperwork when a great cackling and clucking shattered the quiet of the village street outside his tiny office.

In burst a bearded Indian peasant and several helpers bearing armloads of excited, flapping chickens which they dumped on the floor.

In the babel of Hindi and Punjabi, languages Tim understands, he learned that a family crisis brought this Indian chicken farmer and 150 birds to the Indian cooperative union, a poultry venture started with his advisory help a year ago.

Helpers transferred the flock from a bullock cart to the office.

The chicken farmer explained that he was a Brahmin. Parents of his daughter's fiance threatened to cancel their marriage contract unless he stopped working with poultry—they deemed this unworthy for India's highest social caste.

A week later—after the wedding—the farmer came back for his 150 birds and stayed in the poultry business.

SATISFIED CUSTOMER

"You might call him a satisfied customer," chuckled Crean, 24, a native of Portland, Me., recalling this lighter episode of his tour as one of 274 Peace Corps volunteers in India.

The Indian Government, encouraged by results of the program that started with 26 volunteers 3 years ago, continues to ask for more and more corpsmen.

Brent Ashabranner, 43, Peace Corps director in India, said his contingent will grow to about 650 in September, may number 1,000 by this time next year and stand to be perhaps the largest Peace Corps team in any nation.

"But the program will still be small in terms of India's potential and need," Ashabranner said, noting that India's 480 million outnumber the populations of Africa and Latin America combined.

Crean last April brought American know-how to Mehrauli after spending his first 3 months in India on a poultry project in the desert State of Rajasthan. People eager to start chicken and egg enterprises need expert advice.

Tim launched Mehrauli's government-aided poultry cooperative with 12 families and 1,500 chickens. It now has 40 families and 15,000 birds and 10,000 more chickens will be added before Tim completes his tour in September.

FOOD A DAILY CRISIS

Families now participating in the project were all farmers previously and scratched out an average of 30 rupees—$6.30—a month raising mustard seed or other crops on small plots of land. Getting enough to eat was a daily crisis.

Given loans to cover most of their initial poultry outlays, these families now earn an average of $42 a month—far above the nationwide average.

The operation is going so well, according to Tim's superiors, that no other corpsman is expected to be assigned to Mehrauli when he goes home. The Indians can run it themselves.

Tim will go back to school in September and hopes to add a degree in Indian studies from the University of Pennsylvania to his political science degree from the University of Maine, class of 1963. His eventual aim is to return to India as a diplomat.

[From the New York (N.Y.) Journal American, Mar. 1, 1965]

THE PEACE CORPS—AND A MAD DOG

In a very short time the Peace Corps has come a very long way.

At first scorned by cynical doubters, it was regarded as being, at best, a symbol of America's friendly intent. It has become, as President Johnson has proudly pointed out, an essential instrument of U.S. action in meeting our world responsibilities.

The President's glowing praise graced his quest in Congress of a $21.1 million increase, to $125.2 million, in the Peace Corps appropriation for the next fiscal year. This would enable the Corps to expand from 15,000 to 17,000 volunteers.

The Peace Corps, engrossed now in the needs of many countries, has become a tremendous civilizing influence and, in its achievements, an effective means of impressing on these countries America's readiness to activate, by convincing deed, its words and work of friendship.

One way the Peace Corps works—in this case to save life—was demonstrated here over the weekend when a Peace Corps messenger planed in from Togo, West Africa, with the brain of a dog. The animal had bitten five persons there. Rabies was suspected by U.S. Public Health veterinarian Robert Schotteno, who was at the scene.

Dr. Morris Schaeffer, director of the city health department's bureau of laboratories, confirmed that the dog was rabid. The news was radioed to Togo and antitoxin treatment was begun.

Five persons will live—a convincing deed, indeed.

[From the Schenectady (N.Y.) Union-Star, Jan. 12, 1965]

PEACE CORPS MOVES ON IN SPIRIT, DEDICATION

After 4 years, the Peace Corps has become a seasoned organization and apparently is adequately doing the job which the founders intended it to do in a troubled world. It's almost impossible to assess exactly how extensive and effective its accomplishments have been. It's difficult to evaluate how well the United States, through the Corps, has depicted its image in so many foreign lands.

The character of the Peace Corps has changed, the New York Herald Tribune noted in a story Sunday. One of its chief examiners who has been administering the Corps tests to applicants said that it is drawing a different clientele today. "When the tests first started," he said, "we got the beatniks—young people who thought it would be a lark, a paid vacation. Now we get the more sedate, serious person." Perhaps his description of the earlier applicants fits in many cases. However, we knew some early members of the Corps and others who aspired to join it in the Schenectady area, and they were very dedicated people with truly unselfish goals in life.

Now, the novelty of the Peace Corps has worn off, the pay is low and the living conditions for many members overseas are almost intolerable by our standards. One of its recent applicants, a professional model and receptionist, explained her desire to join this way: "I want to do something that will make me feel good inside. I want to help those who don't have it so good."

In that lies the spirit of the Peace Corps, and it tends to make the most cynical persons think twice about its role in strife-torn areas of the world. With enough dedicated people like that we may one day attain here at home that Great Society President Johnson is talking about.

[From the Manila Chronicle, May 24, 1965]

PASIG ADOPTS TWO PEACE CORPS GIRLS

PASIG, Rizal, May 23.—(CNS)—For a job well done, two female American Peace Corps volunteers assigned to this capital town, were made adopted daughters in a resolution passed by the municipal council.

> The two Peace Corps workers are Misses Nanci Bush, 23, of Oakland, Calif., and Patricia Brown, 23, of Hubbsville, N.C.
>
> They were assigned here in 1963. Miss Bush is teaching at San Joaquin elementary school while Miss Brown is with the teaching staff of the Maybunga elementary.
>
> Bush is teaching English, science and arts. She majored in social work while Brown is an education major. Miss Bush who acted as spokesman, commented that this town is undergoing a big change and that progress is seen in all places here.
>
> Asked how they feel about being made adopted daughters of the town, Miss Bush said they were very grateful and wished they could help further in the educational growth of the locality.
>
> Mayor Emiliano R. Caruncho, Jr., said the council adopted the two Americans as a sign of gratitude for their invaluable service to the community.
>
> Caruncho said the dedication and efforts the two Peace Corps workers had exerted in their respective assignments could not be paid back in terms of money.
>
> Bush and Brown are returning to the United States this June after completing their tour of duty in the Philippines. They will make a side trip to other Asian countries and Europe before enplaning for home.—rm

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1965, as amended, and for other purposes.

AMENDMENT NO. 255

Mr. PELL. Mr. President, I call up my amendment No. 255 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 4, line 21, strike out "July 1, 1966" and insert in lieu thereof "July 1, 1967".
>
> On page 4, line 24, strike out "$7,000,000" and insert in lieu thereof "$9,000,000".

Mr. PELL. Mr. President, as I mentioned upon introduction of this amendment on June 8, this bill provides a modest increase in the funds authorized for support of American-sponsored schools and hospitals abroad. The administration had recommended an abrupt drop in the amount of this assistance from $18 million to $7 million and my amendment would increase this amount to $9 million in each of the next 2 fiscal years.

The act does not earmark the institutions to which this assistance should be given, and I do not presume to do so, either. However, as I suggested in my statement on June 8, I have been particularly impressed by the two projects which I believe should be given consideration for the assistance granted under this section of the act. They are the Polish Children's Hospital in Krakow, Poland and the Hadassah Hebrew University Medical Center in Jerusalem.

The RECORD should show that both of these projects seem to qualify admirably under the new criteria which were described by the AID representatives on page 403 of the Senate hearings. The Deputy Administrator, Mr. William S. Gaud told the committee:

> We believe that the special authority of section 214 should be limited to the support of institutions whose primary function is education and research whether in medicine or in other fields.

While it is perfectly true that the emphasis of the Krakow project to date has been on medical treatment, as opposed to education, I am informed that the new expansion which they now contemplate is related closely to education and research. The immediate need of this project is for a feasibility study of a combined training school and residence for nurses and a separate laboratory facility. These facilities would enable the Krakow hospital to train a continuing supply of nurses who will in time carry the message of this American-sponsored institution to all parts of Poland.

The Hadassah-Hebrew University Medical Center in Jerusalem has an already established record as a training center in the healing arts. As its name implies, it is a teaching facility, and part of a university. Last year, there were 1,357 students enrolled in the schools which are part of the medical center. Seven hundred forty-seven of them were enrolled in the medical school alone; others were enrolled in schools of dentistry, nursing, and pharmacology.

What is most impressive about this center, to my mind, is the fact that it is rendering a valuable educational service on an international basis. While its primary service is, understandably to the needs of Israel, it is playing an expanding role in training the professional medical personnel needed throughout the developing countries of Africa and Asia. The center includes an Afro-Asian Institute whose mission is to train persons from such countries and send them back to serve their people. Last year, the institute had an enrollment of 58, representing Liberia, Ethiopia, Ghana, Nigeria, British Guinea, Cyprus, Kenya, Mauritania, Nepal, Tanzania, and Uganda. Clearly such a project fully meets the standards of the agency.

I have discussed the amendment with the chairman of the committee, and understand that he might be willing to accept it.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. FULBRIGHT. Does the Senator contemplate that it would involve utilization of local currencies that have accumulated in the respective countries?

Mr. PELL. It would involve utilization of local currencies that had accumulated in such countries as Poland and Israel, among nine countries left with a balance of local currencies. They have huge supplies of them, and would not suffer as a result of this amendment.

Mr. FULBRIGHT. Is it anticipated that this is an authorization for an appropriation to be used to purchase local currencies now in the Treasury?

Mr. PELL. That is correct.

Mr. FULBRIGHT. In view of the fact that we did not have testimony on these specific projects, if the amendment is accepted it is not with the understanding that this money is earmarked for these two particular projects, because they will have to be justified to the administration. I would not want to be in the position of saying in accepting the amendment, when I do not know, that they are to be earmarked for these particular projects. The cases for the projects will have to be made before the agency. Is that correct?

Mr. PELL. That is correct, although I hope our colloquy would show these two projects to be in our minds as we appropriated this amount of money.

Mr. FULBRIGHT. The Senator has made that clear, but we have not had the testimony and the usual examination in such cases. The committee gave what the administration requested on those items; namely, $7 million. The Senator has referred to the nature of the projects. While I generally agree that these currencies should be utilized to the fullest for any worthy projects, because they should be used, especially in Poland, where the opportunity is somewhat limited, and I would like to see the currencies utilized for these worthy projects, I am not in a position to say that this is the only way the currencies should be used.

Mr. PELL. I understand.

Mr. FULBRIGHT. The RECORD should show that if I take this amendment, it is on the basis that I will take it to conference and subsequently we shall receive comments from the administration. The Senator and his friends can make efforts to persuade the administration that these are good projects. If that is the understanding, I will take the amendment to conference on the general principle that it is good policy to use local currencies for worthy projects. I am in favor of that.

Mr. PELL. I thank the Senator and am delighted that he will accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island [Mr. PELL].

The amendment was agreed to.

FEDERAL RESERVE BOARD GOVERNOR ROBERTSON OPPOSES TIGHT MONEY

Mr. PROXMIRE. Mr. President, a distinguished member of the Federal Reserve Board, Gov. J. L. Robertson, spoke some mighty welcome words in Pittsburgh last night.

He took sharp issue with some of the statements of the Reserve Board Chairman, William Martin.

Mr. Robertson's statement was especially remarkable because he not only pointed to the bad effects of high interest rates on our domestic economy; but he made a fresh and convincing indictment of the thesis that higher interest rates would assist in improving our adverse balance of payments.

As Governor Robertson pointed out:

> Our balance of payments is not suffering from the "traditional" ailments for which tighter money has come to be regarded as the "traditional" solution.
>
> We are not suffering from domestic inflation, with a resulting excess of imports over exports and accompanied by a flight from the currency.

Robertson pointed out that raising interest rates here would simply drive up European rates too.

Governor Robertson makes an ingenious argument that I have not heard before, in explaining why higher interest rates is exactly the wrong prescription. He points out that the prime reason for our adverse balance of payments has been the great increase in the flow of American funds abroad, and then he says:

> This unprecedented outflow of capital was generated at least in part, by an apprehension on the part of American corporations and their overseas subsidiaries that interest rates here might rise substantially, or that direct controls on capital outflows might be instituted.

Much of the Robertson speech is, in fact, an excellent defense of the President's program of voluntary guidelines to restrain the flow of funds abroad. Governor Robertson shows why the program was wise and necessary and assesses how well it is working.

Mr. President, I ask unanimous consent that the speech delivered yesterday in Pittsburgh by Governor Robertson, of the Federal Reserve Board, at a meeting sponsored by the Directors of the Federal Reserve Bank of Cleveland and its Cincinnati and Pittsburgh branches be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE BALANCE-OF-PAYMENTS PROBLEM SHORT-TERM RELIEF AND LONG-TERM REMEDY

(Remarks of J. L. Robertson, member of the Board of Governors of the Federal Reserve System)

It is a pleasure to come to Pittsburgh and to meet with the leaders of a community and area that have done such a magnificent job of demonstrating what can be accomplished by that good old-fashioned American virtue of self-help. I feel a certain kinship with you on this score, since my own hometown, Broken Bow, Nebr., has also been an exemplar of this same spirit, albeit on a somewhat smaller scale. However, Broken Bow may even be ahead of you in one respect. Its efforts have inspired a movie, called "The Broken Bow Story," which is not about cowboys and Indians but about the efforts one small community is making to improve its balance of payments.

Of course, they do not describe it quite that way in Broken Bow, but the fact is that balance-of-payments troubles are not confined to the area of international finance. Communities and even individuals may have them; and when we have them, no matter what name we give them, we know that we have a real problem on our hands.

It has taken quite a long time for most Americans to realize that we, as a nation, had this kind of trouble. I made my first talk on this subject just 6 years ago. I warned at that time that if we ignored the problem, that then had only recently reared its head, the dollar would cease to be the world's soundest and most sought-after currency, our prestige would be impaired, and with it we would see a decline in our ability to play our proper role as leader of the free world. This was pretty strong language for a central banker to use, but the possibility seemed so remote that it caused not a ripple. I cannot honestly say that I find any gratification in the fact that this warning does not, in retrospect, appear to have been in the least bit exaggerated. I only regret that it has taken us so long to arouse the kind of concern that was needed to produce corrective action.

I need not tell you that a strong program, designed to help solve the problem, was launched by President Johnson last February, and that it has been my fate to have been assigned a certain role in it. I have been asked quite frequently how I happened to get the job of riding herd on the Federal Reserve's part of the program. I want to assure you that I did not volunteer. I was not like the man who many years ago called President Wilson at 2 o'clock in the morning. The President had had a rugged day and had retired early to nurse a bad cold. He was awakened by an aid who said he had a call from New York. The President asked whether it could not wait until morning, but the aid said the caller insisted that it was urgent. And so Wilson wearily got out of bed and went to the phone. The caller said, "Mr. President, the collector of customs for the port of New York has just had a heart attack and has died." Wilson said, "I am very sorry to hear that, but really, couldn't you have waited until morning to tell me?" The caller said, "Well, I thought you might like me to take his place." To which the President responded, "I would be delighted, but you had better make sure it's all right with the undertaker."

Twenty-five years ago our country's international financial posture, as it impinged upon our domestic economy, was relatively insignificant. It rated only a few lines in standard textbooks on economics—usually to the effect that it could safely be ignored in formulating monetary or fiscal policies. The term "balance of payments" was known to only a few people, and understood by even fewer.

This situation was completely changed by World War II and the events that followed. First we were faced with the "dollar gap," and the need to pump dollars by the billions into foreign countries, chiefly in Western Europe, to stave off economic collapse, and to facilitate recovery from the devastation and economic dislocation caused by the war. These efforts succeeded beyond the most sanguine hopes.

By the mid-1950's the developed countries of Western Europe, as well as Japan, had met their most urgent investment needs and were beginning to use our dollars, which by then were being received from trade and private investment rather than aid, to build up their official reserves. The focus of our aid efforts had shifted from the industrial nations to what have come to be called the less developed countries. And while we continued to provide official aid to those countries, increasingly large amounts of U.S. private capital were attracted into foreign investment by economic growth and increased political stability abroad, and by the return to convertibility of the major European currencies in 1958. Simultaneously, economic recovery in Europe and Japan, coupled with the delayed effects of the substantial currency devaluations of 1949, greatly enhanced the ability of those areas to compete with us in world markets—including theirs, ours, and those of third countries.

Beginning in 1958, there developed a deficit in our balance of payments which has persisted until the man in the street has become aware that "dollar glut," "gold drain," and "balance-of-payments deficit" are not merely matters of concern to bankers, but phenomenons which pose a threat to world confidence in the dollar and possibly to his own individual financial security.

I do not think it necessary before a group of this kind to spell out the nature of our balance-of-payments problem. Suffice it to say that since 1958 the United States has been sending dollars abroad, as payment for imports and tourism, as military and economic aid, and as private foreign investment, in an amount greater than foreigners are willing to use to buy U.S. goods and services, to invest in the United States, or to hold as monetary reserves. The overflow comes back to us as a claim against our gold supply, which has fallen by more than $8 billion, or more than one-third, since the end of 1957.

The measures adopted in mid-1963, primarily the interest equalization tax, produced only a temporary respite. In the fourth quarter of last year, the deficit reached a record annual rate of $6 billion. It was clear that additional action was called for, and President Johnson's program announced on February 10, 1965, was the answer to the challenge. The objective of this program is to reduce the outflow of dollars to a rate at which they are actually needed by the rest of the world. It is not our purpose to create trouble for any other country, but only to prevent foreigners from being reluctant holders of dollars. We do not want to re-create a "dollar gap." We simply want to slow down the outflow in order to maintain the confidence of the world in the strength of our currency—which is vital to the continued performance of our role of world leadership.

The direction that our effort should take was clear from the statistics. While our favorable balance on goods and services rose in 1964, the outflow of private capital rose even more. The total net outflow of private capital in 1964 was over $6 billion, or twice the amount of the total payments deficit. Of this amount, one-third represented foreign lending by U.S. banks. The annual rate of such lending reached $4 billion in the 4 months ended with January 1965.

This unprecedented outflow of capital was generated, at least in part, by an apprehension on the part of American corporations and their overseas subsidiaries that interest rates here might rise substantially, or that direct controls on capital outflows might be instituted. I am not criticizing such corporations, or the banks which met the loan demand, but merely noting that the resulting surge was one of the factors we had to consider in our search for a solution to the problem.

The voluntary program was chosen over other alternatives for several reasons. First was the fact that our citizens were aware of the seriousness of the situation and willing to cooperate, even if cooperation impinged upon their profits and upon their personal wishes and plans. Secondly, direct economic controls were rejected as being insufficiently flexible, as likely to have longer lasting adverse effects on our economic system, and as being—to a greater degree—inconsistent with our policy of freedom of movement in international trade and finance. Restrictive monetary policy, an alternative action urged upon us by many of our foreign friends, was rejected for reasons which I will outline in a few moments.

I want to emphasize, without unduly disregarding Shakespeare's warning against protesting too much, that the President's program is a voluntary one. Its effectiveness depends entirely upon the voluntary actions of private individuals and institutions. We in government have simply designed guidelines to aid institutions in coordinating their efforts effectively to achieve the goals which all of us recognize to be essential. Without such guidelines, they might be working at cross-purposes, and inequities might develop which would impair our competitive free-enterprise system. Even with guidelines, it is impossible to provide for absolute equity among all banks and financial institutions—but our efforts have been directed toward that goal.

Those who complain about "government by guideline" must realize that there are situations in which common action must be taken, and in which the consensus necessary for a success of such action must be realized more speedily than could be done by leaving the matter purely to individual decisions. Obviously, no bank could possibly be expected to restrain its foreign lending if it did not know that its competitors would do the same. Since in this country financial institutions have—praise be—neither compulsory nor voluntary cartel organizations, the Government was the only agency that could draft the needed guidelines.

The basic objectives of that part of the President's program assigned to the Federal Reserve System are, I hope, fairly well known. We aim to reduce the expansion of bank credit from a rate of over $2 billion a year, which it attained in 1964, to something in the neighborhood of $500 million in 1965. To achieve comparable results in the area of nonbank financial institutions, we asked them to reduce, in an orderly manner, their holdings of liquid funds abroad to the December 31, 1963 level, to refrain from increasing their holdings of short- and medium-term investments by more than 5 percent during 1965, and to exercise considerable restraint in increasing their long-term investments.

Barely 3 months have passed since the guidelines were distributed and we have data on actual transactions only for March and April, and that only for banks. It is already clear, however, that there has been a sharp reduction in the rate of expansion of bank credit; from over $2 billion in 1964, and about $400 million in just the first 2 months of 1965, the flow was reduced to $40 million in March and converted into a reflux of $140 million in April. We do not yet have specific data (but soon will) on capital flows through the nonbank financial institutions this year (their foreign credits increased 9.4 percent in 1964, from over $8 billion to over $9 billion), but the information we do have leads us to believe that they, too, are cooperating wholeheartedly with the program.

We are keeping in close touch with all these financial institutions. Regular reports and hundreds of face-to-face meetings with top management give us every reason to believe that the guidelines are being followed, and that the program will be effective in achieving a substantial reduction in the rate of capital outflow while providing adequate financing not only for U.S. exports but also for the needs of the less-developed countries of the world.

The reaction of the financial community to the program has been an encouraging example of the way in which American institutions can place the national welfare above their own shortrun economic interests. It is true that financial institutions recognize that their welfare is inextricably entwined with the preservation of a sound dollar and an effective international monetary system. Nevertheless, their willingness to cooperate and to refrain from taking competitive advantage of the situation exhibits an admirable sense of public responsibility.

This performance becomes all the more remarkable when one remembers that bankers understandably hold differing views concerning various facets of the program—they do not all see eye to eye with me concerning the appropriateness of each of the guidelines. It is even more remarkable in view of the probability that many junior officers of these institutions will, in the nature of things, be concerned chiefly with volume of business and earnings achievements. It is difficult for these younger executives to place the national economic interest above the drive of personal accomplishment and personal advancement—and I am not sure we would want it to be otherwise. Nevertheless, this situation imposes on the men who head their institutions the heavy burden of making this program work by a skillful combination of inspiration, discipline, and education—and they must do all this without permanently dampening the drive and enthusiasm of the rising men of their organizations.

The reaction abroad has been especially interesting to me. Publicly we were applauded for moving forthrightly to solve the problem. Privately, skepticism was expressed that a voluntary program could have any appreciable effect. This attitude of skepticism has since undergone considerable revision, in view of the demonstrated effectiveness of the program and the concomitant reduction of excess supplies of dollars abroad.

A program of this nature is bound to come in for some criticism and comment. Without undertaking a complete defense against every charge that has been leveled against it, I should like to clear the air a little by commenting on those most frequently made.

1. Some bankers complain that under the Commerce Department program direct investment abroad by nonfinancial corporations is being encouraged, while foreign lending is discouraged by the Federal Reserve program. This must be a misunderstanding, for surely no one in Government expects the banks to shoulder the entire burden of eliminating the payments deficit. Obviously, over the long run, direct investments abroad are desirable, from many points of view, including the balance of payments. But so are bank loans; as a matter of fact, they are even more desirable in some respects because the returns are often surer and quicker than the returns on other investments. The situation simply is one that requires both kinds of dollar outflows to be temporarily curtailed—not eliminated, just curtailed.

2. A closely related criticism results from the fact that the guidelines for nonbank financial institutions exempt foreign credits with original maturities over 5 years. Some banks feel that this has given the nonbank institutions an unfair competitive advantage. As to that, I can only say that the guidelines for the nonbank institutions were labeled "tentative" because we in the Federal Reserve knew less about the operations of those institutions than we did about banks. After seeking the advice and counsel of representatives of the institutions affected, we are now in the process of revising those guidelines to make them more specific and more consistent with the bank guidelines. Hence I hope this criticism will soon lose whatever validity it may now have.

3. Perhaps the most serious charge leveled against the voluntary program is that it inhibits U.S. exports. This concerns us, since it would do no good if we reduced the deficit on capital account only by reducing, at the same time and in the same amount, the surplus on current transactions.

We are told, moreover, that loans to finance exports cannot harm the balance of payments since, to use a phrase we often hear, "the money never leaves the country"—the capital outflow is offset by the payment which the foreigner makes to the exporter, with no net effect on the overall balance.

Those who offer this argument are saying implicitly that every export transaction financed by credit from U.S. banks depends for its consummation on the availability of that credit. In some cases this may indeed be so. But, clearly, every foreign purchaser of U.S. goods has essentially three basic alternatives: he can pay cash for the goods from his own funds; he can borrow from his own bank or obtain credit from some other source outside the United States; or he can obtain credit in the United States. Since credit is usually cheaper and more readily available here, he will ordinarily prefer to use United States credit if possible. However, his failure to obtain credit here does not necessarily signify that the exporter will lose the sale. And if the exporter would not lose the sale, it is clear that the credit (if granted by a U.S. bank) would be a net drain on the balance of payments—even if the money never left the country. It would be completely impossible, in my opinion, to establish operational criteria that could distinguish accurately between U.S. bank loans that would be essential to an export sale and those which would finance exports that would be made even in the absence of the loans.

For this reason, we have included all types of bank loans in our target. However, if banks give export credits absolute priority, as the guidelines prescribe—and so far we have every reason to believe that they are doing so—there will be more than ample bank resources available to provide all the export credit that will be needed. Remember, it is not just the 5-percent expansion that is available to finance additional exports; repayments on outstanding loans, together with the 5 percent expansion, will put banks in a position to extend a minimum of $7 billion in new credits to foreigners during 1965. Surely within this large amount there can be no lack of bank credit to finance any foreseeable expansion of exports.

If U.S. banks were free to make export credits without limit, foreigners would naturally couch all of their appeals for funds in terms of export credits. The result would be that any overall dollar target that excluded export credits would be meaningless.

Consequently, in the absence of a better case than has been made thus far—one clearly establishing that exports are being lost for lack of financing attributable to this program—I regret to suggest that those who are advocating the exemption of export credits are doomed to disappointment. The risk to the success of the program is too great to permit it.

4. This may be the appropriate place to refer to the one and only exemption that has been given under the guidelines—the exemption for loans guaranteed, insured, or otherwise participated in by the Export-Import Bank. This exemption was not granted because it was considered that such loans had an effect on the U.S. balance of payments different from any other export credits. Rather, it was decided that the Export-Import Bank, as a Government agency, should have sufficient flexibility to carry out its program effectively. But this does not mean that we will view with equanimity a rapid rise in such exempted credits which would indicate that credits had been placed under the umbrella of the Export-Import Bank for the purpose of getting them outside the voluntary program and freeing a bank's funds for nonexport credits. We have an understanding with the Export-Import Bank on this point. Both of us are determined to see that the exemption is not used in such a way as to undermine the program.

5. We have also been told that our 105-percent ceiling has unduly restricted credits to the less developed countries. As you know, banks have been asked to give high priority to such credits, and our information indicates that they are doing so. For instance, commitments by banks since February 10 to make long-term loans to foreigners have amounted to $280 million, of which $220 million, or 80 percent, was to less developed countries. Total commitments to less developed countries during the first 4 months of this year amount to $470 million, which may be compared with $970 million in the full year of 1964, when less developed countries accounted for only 40 percent of the total.

This is not to say that even some high priority credits will not be denied by some institutions because of the program. While the banking system as a whole is under the 105-percent target, some individual banks are still above it, and they may feel obliged to limit or delay new commitments until they can get back under their ceiling. However, failure to get a loan from an accustomed source does not prove that credit is not available; it may mean merely that some new source of credit must be sought. In this connection I suggest the likelihood that we may have passed the point of tightest pinch on priority loans. Up to now advances under the huge volume of commitments made prior to February 10 have caused some banks to be reluctant to accommodate demands for new credits—even those with high priority. This situation should soon begin to ease.

6. It is frequently asserted that while the Government is asking American concerns and financial institutions to curb the flow of private capital abroad, the Government itself is not doing its share to correct the balance-of-payments problem. As to this, let me assert that, from my point of view, it is essential that action be taken in the public sector—as clearly stated in the President's message of February 10—to contribute in every way possible to the solution of this problem.

7. One further point deserves mention simply because it is frequently advanced by some bankers, both here and abroad. They contend that monetary policy should be used to solve the problem through the traditional measure of tighter credit and higher interest rates. This alternative has been considered. I personally think it is not an appropriate method for dealing with the problem. Let me tell you why.

Our balance of payments is not suffering from the traditional ailments for which tighter money has come to be regarded as the traditional solution. We are not suffering from domestic inflation, with a resulting excess of imports over exports and accompanied by a flight from the currency. On the contrary, we have a large and growing surplus on current account.

The problem is that our export surplus, large as it has become, has still not been large enough to cover the extraordinary amount of public and private investment funds that we have been providing to the rest of the world in recent years. The public investment portion of these capital outflows has been a part of our country's overall international policy in these postwar years, and ought to be judged accordingly. The private capital outflow has been primarily in response to two sets of market forces: the high level of saving in our relatively affluent society, on the one hand; and the upsurge of attractive investment opportunities, especially in Western Europe's rapidly growing economies, compared with a rather low-growth, high-unemployment U.S. performance in the late 1950's and early 1960's. In this environment, imposition of a deflationary tight-money policy in this country would have, in time, made domestic investment opportunities still less attractive and eventually added to the excess of savings seeking investment elsewhere.

Moreover, if we were to resort to restrictive credit policies in the United States, with the view of raising our interest rate levels to a point comparable with those prevailing abroad—and, by the way, it could only be done here by reducing the total availability of money and credit—the probable result would be a ratcheting increase in interest rates elsewhere, with little narrowing of the differential—an outcome that would please no one and would simply impede economic progress throughout the free world.

Hence tight money does not stand the test of careful examination, either as a temporary or permanent remedy for our balance-of-payments deficit at this juncture. Furthermore, tight money is not now an appropriate prescription for our domestic economic problems, given the current slackening in the rate of business expansion and our sizable remaining margins of unutilized resources—both human and material. Consequently, I would not favor higher interest rates here unless and until it seemed likely that higher rates would either be needed to contain or curb inflation at home or would significantly improve the balance of payments without jeopardizing our domestic economy—which, of course, is the real source of our strength.

In conclusion, let me say that the preliminary information we have received, both from statistical data and from our continuing conversations with the managers of financial institutions across the country, both bank and nonbank, leads us to believe that our part of the program is operating satisfactorily. However, the success of one part of the program does not mean the success of the whole. If price and wage increases should diminish our ability to compete in world markets and thus cause our export surplus to drop sharply, if corporate investments abroad should unduly expand, if unexpected events on the political front should result in increased governmental spending abroad in spite of all efforts to curtail it, we would still have a problem—a problem calling for more stringent measures. This is not, in any sense, a threat; it is merely a realistic recognition of the fact that we face a problem that must be solved—and solved it will be.

We must not lose sight of the fact that a program such as this one, which does not rely basically on the operation of free market forces and the price mechanism, can only be considered as a holding action. Consequently, we must continue, in both the Government and the private sector, to seek for and to follow policies which will achieve the basic adjustments necessary to bring our international payments and receipts into approximate balance. When that has been done then this program can be phased out—as much to my relief as to that of any financial institution.

In the meantime, the success of the voluntary credit restraint program remains a vital issue for everyone. Bankers and businessmen all over the country who are directly affected by it have recognized this fact. The degree of public responsibility which they have displayed in grappling with the problem—a truly complex national problem—has come as no surprise to us, but it has been a revelation to some people abroad who did not believe a voluntary program of this nature could work—even in America.

SUPPLEMENTAL FARM LABOR

Mr. MURPHY. Mr. President, I rise to speak once again on the catastrophe which is being inflicted upon our Nation's farmers and our food-buying housewives by Secretary of Labor Wirtz' incredibly stubborn refusal to permit the farmers to have necessary supplemental harvest labor.

Since I spoke last we have entered the first period of substantial need for supplemental labor, and the result of a lack of that labor has been twofold:

First. Financial disaster to hundreds of farmers whose crops have ripened in recent weeks; and

Second. The first indications of the precipitous rise in food prices which will inevitably follow the decreased farm production caused by Secretary Wirtz.

Let me make clear at the outset that the terrible losses being suffered right now are as nothing compared to what will happen in late summer, when 80,000 more farmworkers are necessary on California's farms. Unfortunately, the losses which for a year I have been predicting would occur if a sensible approach were not taken to this matter are now besetting us, and, just as surely as night follows day, greatly increased losses will occur in late summer if something is not done right now to bring about a change in Secretary Wirtz' policies.

Events in recent months offer proof to anyone willing to look at the facts that there are not sufficient domestic workers available to replace our foreign friends who have helped in past years. Even Secretary Wirtz has departed from his original thesis that the urban unemployed will stream onto our farms and so replace the foreign workers. Like a medicine man, Secretary Wirtz keeps reaching into his bag and coming up with new balms for the sores which he himself created.

Apparently recognizing the labor shortage, he has now fallen back on the so-called "A teams," groups of vacationing high school athletes, as a cure-all for our farm labor problems. This may be a great public relations gimmick for the Secretary, but I would point out to him that in California, and I am sure throughout the country, we have always used all high school students who want to work on our farms in the summer. And it does seem strange that our farmers in California are now required to pay over $50 per person to transport these "A teams" from Texas when there is a shortage of farm labor right there in Texas, as my distinguished colleague, Senator TOWER, pointed out here on June 7.

It seems we are creating a shortage by moving labor to other areas where there is an existing labor shortage.

It seems necessary constantly to remind some people that our farmers have always attempted to hire domestic labor before foreign, as the statistics show and as, in fact, they were required to do by law. The same is true with our young people, but I do think our farmers in the past would have hesitated to hire high school youths to do difficult stoop labor in the 112° to 115° heat of the Blythe area. Yet this is what is being demanded of our farmers now, and they, of course, have no alternative but to comply.

California's farmers are complying with the request that they hire these "A teams," as they have with every one of the demands from their new agricultural dictator in the Labor Department. Considering the costs involved to bring these boys to California, as well as the fact that if these teams are not able to work, it is too late to obtain other labor for many of the crops, it is easy to understand the uneasy apprehension with which the farmers view the situation. But even if all these "A teams" work out, there is a very obvious reason, which should be clear to all, why they are not the answer to our farm labor needs. These high school boys must be back in school in September, which is exactly the time when California's peak farm labor needs arise. I wonder if the next desperate order from the Labor Department will be some form of gag on truant officers. In fact, if I were an employee of the Labor Department, I would be very much worried that, come September, I would be in the tomato fields of California salvaging my boss' skin.

Mr. HOLLAND. Mr. President, will the Senator from California yield?

The PRESIDING OFFICER (Mr. MONDALE in the chair). Does the Senator from California yield to the Senator from Florida?

Mr. MURPHY. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. I remind the distinguished Senator from California, whom I compliment, that the "A teams" of young athletes working during the summer do not touch the problem in the State of Florida, because our time of need, which begins in late September and October, ends before school is out. There is no application whatever—even to the small extent already stated by the Senator from California in the application of these "A teams" to his own area—to a recruited team of young athletes to aid the labor problems of agriculture in Florida. I wish the RECORD to show that, and I thank the Senator for yielding to me.

Mr. MURPHY. I thank the Senator from Florida for his comments.

This week, the farm growers in California who use or may need supplemental labor received a telegram from a regional administrator for the Bureau of Employment Security of the Department of Labor. This telegram points up the full extent of the dictatorship which is now being inflicted upon our agricultural community. I ask unanimous consent to have a copy of the telegram printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Wire Received by Farmers and Farm Organizations, June 8, 1965

Following directions have been received today from our national office which apply to all employers who are using foreign workers:

1. You are required to accept all workers who are available in area west of the Mississippi River. These workers will be of all types, "A teams," Indians, and others.

2. Mr. Tieburg and my office will arrange for the distribution of these available workers by quota to user employers. You must then make specific and firm arrangements for the recruitment of these workers assigned you by such quotas.

3. If any employer of foreign workers refuses to accept these available workers, I am directed after telephone clearance with my national administrator to submit a revised authorization (ES 354) to the Immigration and Naturalization Service reducing the number of foreign workers previously authorized by the exact proportions as the number of domestic workers refused.

4. User employers have in some instances agreed to accept "A teams" but have limited the number of teams they will accept. This is not permissible. User employers in California between them must accept all "A teams" west of the Mississippi River as are available. These "A teams" will be included in quotas arranged by my office with Mr. Tieburg.

5. All the above requirements obtain in all cases except family group workers for whom sufficient housing does not exist.

For your information, if user employers do not require all the workers who are available then these workers will be offered to those nonusers who are meeting the Secretary's criteria. Failure of these latter employers to take workers will result in immediate forfeiture of their eligibility to employ foreign workers. In that the present criteria requires that all employers must recruit domestic workers under the Secretary's criteria for at least 30 days prior to the expected date of the need for foreign workers. These employers must then serve another 30 days under criteria before they will again be eligible.

GLENN E. BROCKWAY,
Regional Administrator, Bureau of Employment Security, Department of Labor, San Francisco.

Mr. MURPHY. Mr. President, this telegram is one of the most unbelievable bits of evidence I have ever seen on this matter, and I believe that the RECORD will be read with great interest.

In commenting on the telegram, I point out only that the farmers are being forced to accept workers, to pay huge sums of money for transporting them from any area west of the Mississippi River—in effect, to gamble that any warm body which the Department of Labor asks them to take will turn into a good worker. I doubt whether Secretary Wirtz or any other employer would wish to hire his staff on that basis.

The farmers have willingly attempted everything asked of them in an effort to obtain sufficient workers. One organization in Salinas, Calif., paid $6,400 to fly 300 Indians whom the Department of Labor said they could recruit in the Dakotas. When the planes arrived on May 17, there were 112 men aboard and of those, 20 now remain on the job. An Arizona grower has taken seven different groups of Indians and found that their average length of stay on the job has been 14 to 15 days.

Let me make it clear that my remarks are no reflection on the Indians, the high school students, or any others who are pitching in to help on our farms. The figures simply prove what I and my colleagues have been saying all along—that the work which has been done by the supplemental labor does not attract our domestic workers.

I have specific figures to prove that our domestic workers will not do the work which has been done by supplemental labor. The Ventura County Citrus Association since January 1 has hired 15,131 domestic workers. On May 30, they had 2,764, or 18.3 percent remaining on the job. In this period, their work force has picked an average of 2.8 boxes of fruit per hour as compared with 3.8 boxes per hour picked by the crews which included supplemental labor during the same period last year.

A company which grows strawberries in the Salinas area has hired 8,488 domestic workers since January 1. On June 7, 944 of these remained, or only 11.1 percent.

While Secretary Wirtz has thrashed about for solutions to his dilemma, the losses to California's farmers have been soaring. Even now, at a time when only approximately a third of California's strawberry crop is ripe, our strawberry farmers have already lost about $5 million worth of fruit. Unless conditions are changed, therefore, they face a $15 million loss by the end of the season.

Because of the lack of labor, our asparagus growers let 8,000 acres of asparagus, intended to be white asparagus for canning, go unharvested. This involves a loss of $10 million to those farmers, half of the total white asparagus production for our State.

I have sent the photographs, the identification of the farms, and all the records to the Secretary of Labor, and to the White House as well, for their attention.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator from California yield?

Mr. MURPHY. I am happy to yield to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. I should like to ask one question. The Senator quotes figures in terms of the loss of crops and the loss of workers. Are these official Government figures which the Senator is using?

Mr. MURPHY. Yes. They are the best possible figures. They were obtained from Government sources, and also from industry sources within the State.

Mr. WILLIAMS of New Jersey. The figures are at variance with those from the Government sources upon which I have relied at the scene.

Mr. MURPHY. Let me suggest to the Senator that at the beginning of the colloquy in the Chamber, I placed in the RECORD the fact that Government figures which had been supplied to the Secretary of Labor were supplied by officials in the State of California, five of whom were removed from their jobs for padding their figures. Those men had been going into the fields, taking the names of people, and recording them as referrals when actually they were not referrals at all.

Mr. WILLIAMS of New Jersey. Is that a statement of fact?

Mr. MURPHY. That is a statement according to newspaper reports which had been placed in the RECORD previously by me.

Mr. WILLIAMS of New Jersey. If it is a fact, I believe that we must look at the records in the Labor Department. I would deplore any misstatement of a factual matter by an employee of the U.S. Government.

Mr. MURPHY. The State Department of Labor actually has the matter under examination at the present time. These are reports——

Mr. WILLIAMS of New Jersey. It is a fact?

Mr. MURPHY. I say that it has been reported as fact in the newspapers in the State of California and they were placed in the CONGRESSIONAL RECORD, to which the Senator can refer anytime, if he so chooses. If he would like to have me——

Mr. WILLIAMS of New Jersey. If the Senator from California could bear with me for one-half hour, I should like to check into the facts. I am directing my assistant to go at once to Secretary Wirtz' office for that purpose.

Mr. MURPHY. It is all in the RECORD. I can save the Senator the trouble.

Mr. WILLIAMS of New Jersey. Even if it is in the RECORD, it is not necessarily a fact.

Mr. MURPHY. If the Senator wishes to pursue the matter, I should like to continue with my remarks, if he does not mind.

Mr. WILLIAMS of New Jersey. Certainly. I am glad to do so.

Mr. MURPHY. Mr. President, our lemon growers in Ventura County estimate that by the end of July they will be over 2 million boxes behind in their picking. This is a loss of $3 to $4 million to the farmers, and an irreparable one because a great portion of their loss has been in the export market, which cannot be recovered against the foreign competition facing them. Secretary Wirtz could prove to be the undoing of the President's efforts to improve our Nation's balance-of-payments deficits.

While crops rotting in the fields—and I have seen them—are the most dramatic evidence of the man-made tragedy facing California agriculture, the greatest losses to the agricultural economy are caused by the crops which have not been planted due to the fear that there would be no labor available to harvest them. Tomatoes offer the best evidence, as 100,000 acres are being planted this year as opposed to 143,000 last year. Forty-three thousand acres of tomatoes, which would have brought $500 per acre to the farmers, have been lost because of the ridiculous policies in Washington. This is a loss of $21.5 million gross income to our farmers.

Only a few crops thus far have reached the point that an accurate estimate of the losses caused by the labor shortage can be calculated. Even these bring the total direct loss in the neighborhood of $40 million. When we consider that economists calculate each dollar of gross income to the farmer eventually produces $7 to the total economy, it is clear that the total loss to the economy caused thus far has already passed the quarter of a billion mark. I might point out that the vice president in charge of agricultural loans for one of our largest lending institutions has stated that the loss in California may well reach the $500 million mark. The responsibility for this disaster should be enough to try any man's conscience.

Secretary Wirtz should consider also that a large portion of the farm dollar goes into wages, that is, to the workers whom the Secretary is supposed to represent. It is estimated that about one-half of the tomato growers' dollars go toward payroll, so that the Secretary has wiped out over $10 million in wages in the tomato fields alone. This is small compared to the resulting effect on wages paid to workers in canneries, to truckers, and to those who work to supply the tomato packers. The effect of Secretary Wirtz' policies will be drastically felt by workers in every phase of our economy. The justifiable fear of this is shown by a resolution recently adopted by the Western Conference of Teamsters, which resolution I ask unanimous consent to be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ON BRACERO LABOR

Sugarbeet growers throughout the United States have been bending every effort toward full mechanization of beet crop production. Harvest operations are now fully mechanized. Various techniques employing mechanical and chemical means to supplant labor needed for thinning, weeding, and other spring work have been developed and are being employed by many growers today. These new techniques are not, however, fully developed or entirely effective under all conditions encountered in the widely differing sugarbeet production areas extending from eastern areas to the Pacific coast.

Recognizing and endorsing the proposition that all growers must redouble their efforts toward achieving full mechanization, the sugar division of the Western Conference of Teamsters also urges that until such goal is achieved, Federal authorities utilize those powers available to them to supplement domestic labor at critical seasons of peak demand to secure a sufficient quantity of beets of workable quality in order for full employment of members of sugar locals.

Mr. MURPHY. Mr. President, the ultimate and most numerous victims of the foolish and irrational ban on supplemental labor are the American housewives. The newspapers recently have been full of stories about sudden increases in the cost of living, after the indices had been stable for many years. An article from the Washington Post on Monday, June 7, had the headline "Wholesale Prices Rise After 7 Stable Years." The article stated:

> Much of last month's increase is attributable to a steep rise in food, particularly in fruit and vegetables. And this is one area in which the consumer definitely seems to be hurting.

I ask unanimous consent that that entire article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 7, 1965]

WHOLESALE PRICES RISE AFTER 7 STABLE YEARS

After 7 years of exceptional stability, wholesale prices in the United States are creeping up on a broad front.

Since wholesale indexes generally move in advance of retail prices, the trend has not yet hit the American consumer in the pocketbook—at least not noticeably.

By itself, the rise in wholesale prices is too small to be alarming. It is the trend that has some economists worried.

Were it to start snowballing, the resultant inflationary blowoff could reverse the record peacetime expansion of 52 months. This in turn would send unemployment up again, depress personal income, squeeze corporate profits through reduced sales volume, and deepen the Federal deficit.

Beyond this, it would deliver a severe blow to the thesis of administration economists that recessions are not inevitable and that orderly economic growth can be sustained—a thesis that drew skepticism from Federal Reserve Board Chairman William McChesney Martin, Jr., in a widely publicized speech last week.

TIGHTENED BANK RESERVES

The price creep was undoubtedly a factor in the Fed's decision earlier this year to tighten up on bank reserves and growth of the money supply.

After more than doubling between 1939 and 1958, the Bureau of Labor Statistics' wholesale index of 2,200 commodities abruptly flattened out and held within a narrow range of 100.3 to 100.7 percent of the 1957–59 average on an annual basis through last year.

Since January, however, it has been climbing steadily and fairly rapidly, reaching 102.4 last week. This was 2.4 percent above a year ago.

The jump in the industrial raw materials index has been more spectacular—from 100.9 in May last year to 117.3 percent of the 1957–59 average last month. (Since it includes a number of extremely sensitive items, however, this volatile index tends to overstate price swings.)

Much of the blame for the upturn in wholesale prices has been put on farm products. And indeed this component of the broad wholesale index shows the biggest jump, 3.4 percent over the year.

But industrial commodities have inched up, too, although at a slower rate. The gain, over last year at this time is 1.3 percent.

LITTLE GOVERNMENT CAN DO

Disquieting as is the rise in the broad indexes, there isn't much that the Federal Government can do about it. It is on the big primary industries, where price shifts are more obvious and dramatic, that the administration attempts to focus public attention in its effort to keep prices in line.

After keeping the heat on the steel companies for the better part of the year, administration economists suddenly switched their attention to aluminum last week.

The big primary producers no sooner signed a fat contract with the United Steelworkers of America, than they began announcing price increases for fabricated products.

Administration officials were concerned on both counts.

First, they contended, the contract provided an annual 3.9 percent rise in wages and fringe benefits, clearly violating the Council of Economic Advisers hortatory wage guidepost. This calls for contract gains in line with the national trend of increased output per man-hour, or 3.2 percent.

Second, the council's price guidepost suggests that industries where productivity exceeds the national average should cut prices. Since Government statisticians say productivity in aluminum has increased 6 percent on the average in recent years, the administration feels the industry has no business raising prices.

With Government attention switched to aluminum, incidentally, there has been a slight upward drift in steel prices. The BLS index of finished steel has risen from 103.0 percent of the 1957–59 average last month to 103.2 percent in the latest week. Economists consider the increase niggling but they say the trend bears watching.

Two other areas of significant price pressure are in nonferrous metals, where short supply has sent the price of copper from 32 to 36 cents a pound in the past year, and textiles, where print cloth has risen steadily from 18.1 cents a yard to 20.3 cents in the same period.

LITTLE RETAIL EFFECT

Thus far wholesale price increases have had little determinable effect on the standard retail yardstick, the Bureau of Labor Statistics' consumer price index (CPI).

Despite the 7-year stability of wholesale prices, the CPI has been rising an average 1.2 percent a year over the period. Economists disagree over the reasons for this divergence, but a growing number feel the index has a quality bias. In other words, if improvements in products and services could be accurately measured and corresponding offsets applied to prices, the index might remain a good deal more stable. A doctor may have doubled his fees in the past 20 years, for example, but advancements in medical science enable him to keep a patient much more healthy.

In May, the CPI did go up 0.3 points, triple the average monthly gain. But 1 month doesn't indicate a trend and the index is still only 1.4 percent above the year ago level.

Much of last month's increase is attributable to a steep rise in food, particularly in fruit and vegetables. And this is one area in which the consumer definitely seems to be hurting.

Charles B. Shuman, president of the American Farm Bureau Federation, complained last week that California strawberries that sold 2 pints for 69 cents in Washington a year ago now sell for 49 cents a pint. California lettuce that sold 19 cents a head a year ago now costs 39 cents, he said.

Shuman cited the figures in blaming higher fruit and vegetable prices on Labor Secretary W. Willard Wirtz. He accused the Secretary of creating a labor shortage by not certifying entry of foreign harvesters under immigration law now that the Mexican bracero law has expired.

The Bureau of Labor Statistics, however, blamed the increase in vegetable and fruit prices on heavy rains which it said delayed harvesting.

Mr. MURPHY. Mr. President, the Washington Star on May 26 published an article headlined "Prices of Food Higher, Expected To Keep Rising." I ask unanimous consent to print that article in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, May 26, 1965]

PRICES OF FOOD HIGHER, EXPECTED TO KEEP RISING

NEW YORK.—It is costing more to fill the family dinner plate with meat, potatoes and fresh vegetables.

An Associated Press survey indicates that the prices will keep rising a while longer.

Beef and pork have risen sharply this spring, after more than a year of bargain levels for housewives.

Food stores generally report markedly higher prices for vegetables, too—as much as 50 percent higher in Kansas City.

"Highest all-time prices," says Peter Asta of Asta Produce Co. in Kansas City.

"Never saw prices so high and quality so poor," says Steve Hatton, Kansas City manager for George De Paoli Co., another produce wholesaler.

FIFTEEN PERCENT HIGHER

Most food stores surveyed put their increase at about 15 percent higher than last spring. It varies by region.

The stores report that the biggest increases are for iceberg or head lettuce, tomatoes, cabbage and potatoes—all big volume vegetables.

Potatoes are double the usual price in many areas.

Behind the high cost of eating are a number of factors: Meat packers are paying more for livestock. Last year, when prices were low, cattlemen cut back on herds; pig growers sold off breeder stock. Now, tight supplies have hiked top prices for steers 13 percent and for top-quality hogs 34 percent—highest in years.

Last fall's harvest of potatoes was poor in the Midwest and West because of a damaging frost. New potatoes aren't due on the market until the end of June and the last of 1964 crop is running out, brokers report. An early winter freeze and rough spring weather—foods, tornadoes, drought—have cut into the fruit and vegetable crops.

GOVERNMENT GETS BLAME

Many in the produce markets blame the Government's decision to end the "bracero program," under which Mexican workers were brought into California to help harvest lettuce, tomatoes, asparagus, strawberries, and other crops that have to be picked by hand. Acreage planted is down, as well as harvests, produce dealers say.

Sirloin steak ranged from $1.05 to $1.09 a pound in Kansas City last weekend, $1.09 in Atlanta, $1.15 to $1.59 in Boston, $1.19 in Chicago, $1.45 to $1.50 in San Francisco—all up some 100 percent over year ago prices.

Some sample prices: Chicago—potatoes 9–12 cents a pound compared with 7–8 cents last spring, lettuce 29 cents a head against 15 cents last spring. Boston—lettuce 39, up 20 cents, cabbage 19 up 10, potatoes—5 pounds—65, up 16.

Mr. MURPHY. Mr. President the New York Herald Tribune in its Sunday section of May 30, 1965, had two articles headlined "Food Prices Climbing as Crop Yields Dwindle." These subheadings are: "Bad News for Housewives" and "Migrant Ban Hits California." I ask unanimous consent that these articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

FOOD PRICES CLIMBING AS CROP YIELDS DWINDLE

BAD NEWS FOR HOUSEWIVES

(By George F. W. Telfer)

Cash registers in supermarkets across the country are ringing up higher prices for popular table items, including potatoes, many vegetables, fruits and meats.

And the situation may get worse before it gets better. In the coming months housewives probably will pay even higher prices for some favorites.

Big volume vegetables, such as potatoes, tomatoes, lettuce, and cabbage, and fruits like strawberries and pears, along with such specialties as asparagus and cucumbers, all carry higher price tags.

Beef and pork have risen sharply this spring, after going for bargain prices for more than a year.

Bad weather hit such crops as potatoes, pears and strawberries.

The main reason for the higher fruit-vegetable prices is the sharp drop in production caused by the ban on importing farm labor imposed by Labor Secretary W. Willard Wirtz. Farmers in California, the country's biggest vegetable-producing State, have not raised their wage rates high enough to attract domestic labor to the fields.

Fewer acres

As a result, farmers planted fewer acres to crops traditionally picked mostly by Mexican braceros and other migrant workers.

To make matters worse, yields per acre are expected to fall considerably because domestic laborers are less experienced. Some simply refuse to do the stoop labor and other unpleasant tasks required to make the most use of crops.

Relaxation of the ban in special circumstances came too late for farmers to plant more acreage. Furthermore, they must demonstrate a need for importing the labor before they can get permission. Then they must prove that the laborers are Mexican.

Farmers thus planted less acreage rather than take a chance on not getting the needed labor to pick the crops.

A survey by the Associated Press said most food stores put their price increases at about 15 percent above prices last spring. The situation varies by region. In many areas, potatoes are double the usual price.

Some sample retail prices, according to the AP, follows:

Chicago—potatoes, 9 to 12 cents a pound, compared with 7 to 8 cents last spring; lettuce, 29 cents a head, against 15 cents last spring.

Boston—lettuce, 39 cents, up 20 cents; cabbage, 19 cents, up 10 cents; potatoes (5 pounds) 65 cents, up 16 cents.

Nip and tuck

A spokesman for a leading food canner in the Midwest told the Herald Tribune that one popular grade of canned asparagus is selling at $8.25 a case, compared with $7 at this time last year. With 24 cans to a case, this works out to an increase of 4 or 5 cents a can at retail.

Canners are paying as much as 3 cents a pound more for raw stock.

Another canning company official said his company's budget for asparagus was down 20 percent, and its tomato budget is down even more. "It's nip and tuck whether the California tomato crop will get harvested."

A large California packer says the white-tipped asparagus crop there may drop as much as 30 to 50 percent, while the all-green variety probably will fall 15 to 25 percent. Freezers of asparagus usually use all-green asparagus, while canned processors use more than half all-green, and the rest white-tipped.

"Sophisticated domestic laborers refuse to cut asparagus properly," this official said. "To be done right, asparagus must be cut 7 or 8 inches under the ground, and this is hard work."

In tomatoes and strawberries, it's the same story. The domestic workers do not have the skill nor the inclination to pick as carefully as braceros.

California accounts for a little more than 50 percent of the Nation's annual tomato crop. This year Golden State farmers planted only 100,000 to 110,000 acres to tomatoes, compared with 140,000 to 145,000 acres last year.

Higher tomato prices are showing up already, even in canned goods, where they have risen by about 50 cents a case. Catsup is up 2 or 3 cents a bottle.

Inexperienced pickers fail to cover up unripe tomatoes on the vines, leaving them exposed to too much sun. This could cut the yield per acre by 3 to 5 percent.

MIGRANT BAN HITS CALIFORNIA

SAN FRANCISCO.—It is easier and far safer to forecast the weather than it is the fate of California agriculture—or the price of vegetables around the Nation—this year.

But, like the weather, everyone is talking about crops this spring, causing the ruckus is the expiration last December 31 of Public Law 78, the Bracero Act, whereby Mexicans were permitted to enter the country to help in the harvests.

The migrant farmworkers from Mexico constituted only 10 percent of the total farm force in California last year—ranging from 13,400 in December to 70,000 in September—but they made up a majority of the workers in citrus orchards and in the fields that required "stoop" labor.

The end of the program and the resulting shortage of competent farm laborers has created a crisis for the No. 1 industry in California.

Even more significantly, the State produces 43 percent of the Nation's vegetables, 42 percent of its fruits and nuts, and 25 percent of table foods.

Agriculture is a $3.25 billion annual business in the State. It and related industries account for $12 billion in the annual economy.

Problems

It is too early to know how the industry will fare this first year without the braceros. Their absence has already caused harvest problems in the date orchards of the Coachella Valley and the strawberry acres in the San Joaquin Valley.

As of this date only half of last year's tomato acreage has been planted.

J. Earl Coke, agricultural vice president for Bank of America, said, "predictions of the expected damage to California's economy run as high as half a billion dollars and no one yet knows how far reaching the total impact is likely to be on the Nation's economy.

"The anticipated decline in exports and almost certain rise in imports of canned food will worsen the country's balance-of-payments problems," said the farm expert of the world's biggest bank.

Bank of America, which last year lent more than $1 billion to agricultural enterprises is now making loans to farmers "in the normal manner." But earlier this year it advised growers not to plant hand-harvested crops unless they were assured of a local labor supply or ample income from machine-harvested crops.

A harried Gov. Edmund (Pat) Brown admits the situation is "one of the toughest problems I've had to face. I think Secretary of Labor W. Willard Wirtz is doing a good job. It's very difficult," he said.

"It's not easy, and he could be right. I think he's wrong, but he could be right. He came here trying to follow the mandate of Congress that terminated the bracero program. What they should have done, I think, is to phase out the bracero program, but if they had done that I don't think the growers would have ever tried to make the move.

"If anybody thinks we're going to be able to get through this year without trouble and without loss, they have another think coming. We're not going to be able to do it."

U.S. Senator George Murphy has predicted that California farmers will lose 30 percent of their crops. He places the dollar loss at $1 billion.

Congressman James B. Utt, Republican, from Santa Ana, demanded that President Johnson fire Mr. Wirtz and suggested to the State legislators in Sacramento that they immediately begin impeachment proceedings against Governor Brown.

"This is a manmade catastrophe, just as deadly as a tornado, earthquake, or flood," he said.

Mr. MURPHY. Mr. President, I ask unanimous consent that an editorial from the Richmond Times Dispatch of May 21, 1965, entitled "Theory that Didn't Work" be included in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Richmond Times-Dispatch, May 21, 1965]

THEORY THAT DIDN'T WORK

Virginia housewives who are paying an average of 39 cents a head for lettuce this week as against 22 cents at the same time last year, doubtless can thank Mr. Willard Wirtz and the Great Society for at least part of that increase.

If Virginia strawberries and apples and other crops rot in the fields and on the trees this year because of lack of labor, Mr. Wirtz and the Great Society will be partly responsible.

The Great Society had a dream.

The dream was that if immigrant farm labor, which came principally from Mexico and the British West Indies, were kept out of the United States, there would be lots more jobs for Americans as harvesters of crops.

They're still dreaming in Washington, while farmers in Florida and California are having nightmares.

The immigrants who used to come across the border to help harvest crops are largely gone. And there's no one to take their place.

American labor is simply not available.

Not enough Americans want to do this kind of work. Some who are willing aren't skilled. They don't bring in a sufficient harvest to pay their own wages, much less to provide any profit for the grower.

This unhappy situation had its beginning in the expiration last year of the law under which immigrant labor came into the country for seasonal farmwork.

Under the immigration laws now on the books, however, the Secretary of Labor has authority to permit immigrants to enter the country to work on farms. But despite the fact that California and Florida crops are rotting in the fields, Secretary Wirtz is refusing to allow more than a handful of workers to cross the border. He has lifted the ban a bit, but it's too little and, for many farmers, too late.

As crops rot or are plowed under in Florida and California, the resulting shortages send prices up all across the country.

And while relatively few immigrant laborers are used for harvesting Virginia crops, the greatly increased demand for American migrant farm laborers elsewhere in the Nation can directly affect the labor supply here. Apple growers, for example, are facing this year's harvesting period with apprehension.

On the Senate floor last week, Senators Spessard Holland of Florida and George Murphy of California leveled devastating attacks on the policy of Secretary Wirtz.

Quoting from various publications and his own observations, Senator Holland told the Senate that millions of dollars worth of strawberries are being plowed under because there is no one to pick them; celery and sweet corn crops are rotting for lack of harvesters, and crop losses will cost the housewives of the Nation untold millions in increased food prices.

Senator Murphy related how a thousand schoolchildren were gotten together by community leaders in one locality and taken to a 2,000-acre strawberry farm. The students' intentions were good, but they averaged picking 2 boxes of berries during a period when a trained worker would have picked 10. The farmer was losing 32 cents on every box picked, so he sent the children home and plowed under much of the crop.

Senator Murphy told of another incident:

One man in El Centro district sent to El Paso for help. He obtained 70 workers. He brought them from El Paso to El Centro on the bus at a cost of $35 a head. He fed them and housed them. In the morning, seven of them walked away. After lunch, seven more walked away. At the end of 3 days, 7 workers out of 70 remained.

When Senators Holland and Murphy finished speaking, Senate Majority Leader Mike Mansfield said the theory that American labor should do the work formerly done by the immigrants is fine, but, he added:

"There is a great discrepancy between American labor which will do the kind of stoop labor and other kinds of labor necessary in harvesting crops in various parts of the country and the actuality of getting them to do the job."

Senator Mansfield said he hoped the Government would act to prevent further loss of crops.

So far, Mr. Wirtz, who is the one to act, hasn't done so in an effective way. He is still dreaming that American laborers can do the harvesting job. And while he dreams, crops are being plowed under, and prices at the grocery stores are going up.

It doesn't make sense.

Mr. MURPHY. Mr. President, the citizens of my home State are at a loss to understand how a man can continue in Mr. Wirtz's manner when the proof of his follies is so readily available. I have resolutions from the board of supervisors of three counties to add to those I have already introduced in the Record, and I ask unanimous consent that at this point there be placed in the Record resolutions from the boards of supervisors of the counties of Santa Barbara, Monterey, and San Joaquin.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

RESOLUTION 24691: REQUEST FOR IMPORTATION OF FARM LABOR TO AVERT THREATENED LOSS OF COUNTY STRAWBERRY CROP

(Board of Supervisors of the County of Santa Barbara, State of California)

Whereas agriculture is one of the largest industries of Santa Barbara County, which ranks within the top 40 agricultural counties within the United States; and

Whereas the raising of strawberries is an important segment of the agricultural industry with free on board, value of $4¾ million in 1964 and a $17 million impact on the economy of Santa Barbara County; and

Whereas serious losses are now occurring in the strawberry industry, as untold thousands of boxes of strawberries are unpicked and rotting in the fields due to lack of labor to harvest them; and

Whereas such losses are being compounded by continued shortages of labor, despite the sincere efforts of the growers to recruit domestic workers; and

Whereas all sources of local labor have been utilized to the fullest extent, and recruitment by the growers has been extended to other States with negligible results; and

Whereas it has become evident that supplemental labor is necessary to save this vital segment of the agricultural industry of Santa Barbara County: Now, therefore, be it and it is hereby

Resolved, That this board of supervisors respectfully and urgently requests President Lyndon B. Johnson to direct Secretary of Labor W. Willard Wirtz, to immediately authorize the importation of supplemental foreign workers in sufficient numbers to salvage the remaining strawberry crop in Santa Barbara County.

Passed and adopted by the board of supervisors of the county of Santa Barbara, State of California, this 7th day of May, 1965, by the following vote:

Ayes: George E. Clyde, Joe J. Callahan, Daniel G. Grant, F. H. Beattie, and Curtis Tunnell.

Noes: None.

Absent: None.

JOE J. CALLAHAN,
Chairman, Board of Supervisors.

Attest:

J. E. LEWIS,
Clerk.

RESOLUTION 65-227: URGING ACTION TO ALLEVIATE LABOR SHORTAGE IN MONTEREY COUNTY UNDER PUBLIC LAW 414

(Before the Board of Supervisors in and for the County of Monterey, State of California)

Resolved, That the Monterey County Board of Supervisors declares Monterey County is facing economic disaster as a result of the lack of adequate qualified farm labor; and

That the President of the United States, the Governor of the State of California, Congressmen and State legislators be requested to exercise all power at their command to make available adequate supplemental labor under Public Law 414 to fill the void that local domestic adult and student labor is unable to accomplish; and

That this board realizes that this problem can be worked out if enough time and thought are given to it until an adequate permanent solution is reached.

Passed and adopted this 10th day of May, 1965, upon motion of Supervisor Henry, seconded by Supervisor Anderson, and carried by the following vote, to-wit:

Ayes: Supervisors Church, Atteridge, Henry, Anderson, and Hudson.

Noes: None.

Absent: None.

RESOLUTION 6502: SAN JOAQUIN VALLEY SUPERVISORS ASSOCIATION RESOLUTION URGING SUPPLEMENTAL SUPPLY

Whereas the economy of the counties of this association is based primarily upon agriculture and as agriculture prospers, so does all other segments of the economy, and when it falters, so does the entire economy of the area; and

Whereas the agriculture of the counties of this association, as well as that of many other areas of the State of California, has for many years used foreign labor, primarily what is referred to as "braceros" from Mexico during periods of peak labor requirements; and

Whereas with the sudden termination of the so-called bracero program it became apparent that in order to avert disaster to the economy of the area involved, it would be necessary to find alternative means of procuring supplemental farm labor; and

Whereas notwithstanding advice to the contrary of knowledgeable persons, well-meaning but misinformed government officials have contended that if sufficient effort were exerted and conditions of employment improved, sufficient domestic labor could be found to supply the peak needs of agriculture as aforesaid; and

Whereas in truth and fact the great bulk of competent agricultural labor is steadily employed and notwithstanding strenuous efforts at recruitment, the amount of able and willing domestic labor to meet the peak harvest requirements of many crops is and will continue to be grossly inadequate; and

Whereas the small amount of supplemental foreign labor approved to date constitutes only a token and is and will continue to be wholly inadequate with thousands of acres of strawberries today rotting on the vines or being plowed up by reason of lack of labor to harvest the same; and

Whereas unless the responsible government officials, State and Federal, immediately take a more realistic position with respect to a supplemental supply of agricultural labor other crops within the area, such as asparagus, melons, fruit, and the like, will shortly face the same condition resulting in great disaster to the economy of the entire area, not only to the agricultural segment thereof, but to other industries dependent thereon and in turn to the counties and cities as their tax base is inevitably impaired: Now, therefore, be it

Resolved by the San Joaquin Valley Supervisors Association, That Government officials, State and National, be urgently petitioned to take immediate steps to use all available methods to provide an adequate supply of supplemental farm labor to California agriculture, including that of the San Joaquin Valley, in order to forestall an otherwise inevitable catastrophe to the area for the reasons aforesaid; be it further

Resolved, That the secretary hereof forthwith cause true copies of this resolution to be forwarded to the Honorable Lyndon B. Johnson, President of the United States, to the Honorable THOMAS H. KUCHEL and GEORGE MURPHY, U.S. Senators from the State of California, to each Member of Congress representing a county of the association, to the Honorable W. Willard Wirtz, Secretary of Labor, to the Honorable Edmund G. Brown, Governor of the State of California, to the Honorable Albert B. Tieburg, director of the State department of employment, and to the County Supervisors Association of California.

HARRY W. PERRY,
Secretary.

I, Harry W. Perry, hereby certify that I am the duly appointed and acting secretary of the San Joaquin Valley Supervisors Association, an association of county supervisors representing the counties of San Joaquin, Stanislaus, Merced, Mariposa, Madera, Fresno, Kings, Tulare, and Kern, Calif., and further certify that the foregoing is a true copy of a resolution duly adopted by said San Joaquin Valley Supervisors Association assembled in regular meeting in Mariposa, Calif., May 8, 1965, by unanimous vote of the members present.

HARRY W. PERRY,
Secretary.

Mr. MURPHY. Mr. President, I did not ask for these copies. Copies were sent simultaneously to the Secretary and to the President of the United States, as well as to Senators who have been interested in this subject. I include in all my remarks about Senators the senior Senator from California [Mr. KUCHEL].

Mr. President, I recently received from six law students at the University of California in Berkeley a letter reporting on a survey they had made of the farm-labor situation. This is an exceptionally intelligent study which I wish every Member of Congress could read, and I ask unanimous consent that the letter, dated May 13, 1965, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 13, 1965.

Senator GEORGE MURPHY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MURPHY: We are law students at the University of California (Boalt Hall) who take a deep interest in the immediate welfare of California and the future of agriculture in this State.

Agriculture is the largest industry in California. What hurts agriculture cannot help but hurt all California. Many areas in California are economically entirely dependent on agriculture and related industries. Stockton, the agricultural center of the great San Joaquin Valley, is one such area. Confused by the many conflicting reports in the news media as to labor shortage and crop abandonment we undertook a research of labor past and presently available to the asparagus farmers around Stockton, and reached the following general conclusion: There is no adequate farm labor force available to California agriculture at the present time. The present chaos in the labor market; if continued, will result in an economic disaster in California. The asparagus industry itself is already badly hurt, and can expect a production of no greater than 40 percent of normal.

On the basis of our research, we find it incredible that responsible public officials could believe that a source supplying 65,000 capable laborers to California agriculture last year under Public Law 78 could be completely choked off without disastrous effects on California agriculture this year. While recognizing the merits of any attempt to improve the living and working conditions of domestic farm laborers, we vehemently maintain that the means now being employed do not justify the results we have observed in the Stockton area (7,000 acres of asparagus already disked up before harvest of a single spear of white asparagus, normally 65 percent of the Stockton production).

The theory behind the demise of Public Law 78 was apparently that we should not be importing labor when we have millions of unemployed at home. This theory assumes a mobility of labor factors which is simply not borne out by past or present experience.

The following facts are a matter of public record. There were 9,450 unemployed persons in San Joaquin County in April 1965, 1,275 more than in April 1964, despite the availability of up to 3,000 jobs in the asparagus fields alone. The department of employment estimates that not over 1 percent of this unemployed group is available for farmwork. One hundred men from this category were referred by the department to agricultural jobs in Modesto last week; one man out of the hundred accepted agricultural employment.

Vast recruiting programs have been equally unproductive. Out of over 1,200 men recruited in April by 2 private farmer groups, less than 50 remained on the job at the end of the month. The cost to one of these groups of recruiting 556 men was $15,259.86. After 4 days not one of these men remained on the job.

Is the failure to keep these men on the job a question of wages? Farmers in the San Joaquin Delta lands are adhering to the $1.40 per hour minimum wage required to keep them eligible for foreign labor, but this does not reflect the piece-rate wages they are actually paying. Capable crews in asparagus cutting are averaging a minimum of $2 per hour per man, most over $2.50 per hour, and in one instance, up to $5 per hour.

Why, then, do they not have adequate labor? Because enough capable farmworkers are not available, and never have been available in California itself to satisfy the peak-seasonal needs of California agriculture. Whatever the merits of this situation may be, it cannot be solved overnight, or in 1 year. Technical innovations have steadily reduced seasonal labor needs in California over the past several years, but sophisticated machines to cut asparagus, or pick peaches, or cut grapes, are not yet available. Suggested summer vacation student labor forces are not available in the spring and fall and asparagus has to be cut every other day, not just on weekends.

Presently the constant supply of bona fide domestic farm labor moves to the best work in the season, and the more difficult work is spurned. Now farmers all over the State are competing wastefully against each other for the available labor. One frustrated recruiter observes that the laborer seems to be spending as much time on the recruiting buses chasing down rumors of higher pay and better conditions as he is in the field.

Unemployment figures indicate that there is labor available right in San Joaquin County. Farmers have recruited a small army from Calexico, Bakersfield, and Los Angeles. Wages are at the level the unions predicted would attract workers to the farms. Yet there is a 2,000 to 3,000 man shortage in the asparagus fields.

Where is the labor going to come from? Is it going to come from the industrial unemployed and the cast-offs and degenerates in the cities? Or from the Southern States? Can the agricultural communities support additional large numbers of families on welfare and unemployment roles for the 8 months out of the year when there isn't peak seasonal employment in agriculture? Can we afford to create for the first time an adequate migrating domestic farm labor force now with the expectation that machines will eliminate their jobs in the next 5 to 10 years? Is it possible to simultaneously raise the living standard of farmworkers and reduce unemployment while bankrupting farmers and compelling them to plant crops which don't require much hand labor? Couldn't the good effects have been obtained without the bad? Couldn't the labor supply under Public Law 78 (or Public Law 114) be regulated as it has in the past so as to raise standards on the farms without choking off the labor supply on which the farmer has depended since at least 1944?

The farmer is interested in improving the living and working conditions of his labor. Due to his independent competitive position against consolidated processors and wholesalers, he is in a uniquely difficult bargaining position especially with his crop in the ground and no choice as to when he must harvest. He has historically been unable to pass his costs on to the consumer and thereby has been unable to improve the standard of living of his labor.

Something, obviously, must be done, but is it necessary to bankrupt an agricultural economy in the process? It is estimated that the San Joaquin County asparagus industry will this year realize less than $10 million from what is normally a $20 to $25 million crop.

Respectfully,
Dante John Nomellini, Thomas M. Zuckerman, John O. Van Sant, Philip Sacks, Gay Moselle, Norman E. Reitz, Arthur Acevedo, Gary Wiler.

Mr. MURPHY. Mr. President, I have selected, from hundreds of letters I have received, three letters from small farmers in California which point up the problems they are facing because of the chaotic labor conditions created by Secretary Wirtz. I ask unanimous consent that these three letters, from Allen Guidici, James A. Petit, and R. H. Fowler, be printed in the Record at this point.

There being no objection, the letters were ordered to be printed in the Record, as follows:

San Ardo, Calif.,
May 13, 1965.

Hon. George Murphy,
U.S. Senator, U.S. Senate Building,
Washington, D.C.

Dear Sir: This letter is being written as an appeal for your further intervention into the farm labor problem of California, and in particular, the Salinas valley.

As growers, on leased land, of sugar beets, lettuce, carrots, tomatoes, and dry beans, we are facing a serious lack of harvesting personnel. In addition, the costs of our thinning and weeding operations have risen 50 percent over last year, and the quality of work performed is much inferior.

So far, this year, we personally have lost no crops through harvesting problems because we are not quite yet into that season. However, lettuce and carrot harvest will very soon be upon us.

Thanking you for your attention, I remain,
Yours truly,
R. H. Fowler.

King City, Calif.,
May 14, 1965.

Hon. George Murphy,
U.S. Senator, Senate Office Building, Washington, D.C.

Dear Sir: I farm 275 acres in the Salinas Valley. The crops are varied—beans, barley, sugarbeets, and potatoes. All of these crops need irrigation. All but barley need weeding. The beans and potatoes need harvest help. The competition for labor is such that a small farmer, such as I am, has difficulty obtaining help at the proper time. To properly farm these crops it is necessary to have at least 10 weed hoers and 2 irrigators during June, July, August, and September to supplement my regular help. With the use of supplemental labor these requirements may be met. Help.

Yours very truly,
James A. Petit.

San Lucas, Calif.,
May 14, 1965.

Hon. George Murphy,
U.S. Senator, U.S. Senate Building,
Washington, D.C.

Senator George Murphy: I farm 257 acres of irrigated farming in southern Monterey County. Fifty acres is in alfalfa, the remainder in row crops: sugarbeets, onions, carrots, lima beans, and lettuce.

I had fair luck in obtaining labor early in the season for beet thinning but since the harvest has started in the valley I have not been able to get men to do irrigating or weeding in the last month.

I could use 10 men right now or better yet 10 days ago.

Any help you might be able to give me and the rest of the growers in the valley would be greatly appreciated.

Yours truly,
Allan Guidici.

Mr. MURPHY. Mr. President, I believe it is time for all persons in and out of public life interested in the welfare of our country to speak up on this issue. There can be no doubt that great harm has already been done, nor that much greater damage awaits us if there is not an immediate change of policy in Washington. I have been particularly puzzled by the attitudes of two of our public officials, Secretary of Agriculture Freeman, who has said nothing on the subject, and Governor Brown, of California, who has said everything. My attitude on Secretary Freeman is reflected in an article from the Farm News, of Kern County, Calif., of May 1965, entitled "California Farmers Puzzled by Secretary Freeman's Silence." I ask unanimous consent that that article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

California Farmers Puzzled by Secretary Freeman's Silence

California farmers say they are puzzled at Secretary of Agriculture Orville Freeman's silence in the farm labor crisis and would like to know what he is doing in their behalf to help alleviate the situation.

In a letter to Secretary Freeman recently, President Allan Grant, of the California Farm Bureau Federation, said farmers are presently facing real trouble, severe economic losses, and a very uncertain future because Secretary of Labor W. Willard Wirtz apparently intends to admit foreign supplemental labor only on a crisis-to-crisis basis, regardless of circumstances.

"Serious agricultural and general economic losses have occurred and will occur this year, and loss of markets in future years can well be an aftermath of the present situation," Grant explained, referring to Wirtz' refusal to allow more than a trickle of foreign workers into California fields.

The chief spokesman for California's largest farm organization said Freeman's silence in the labor crisis is extremely puzzling to farmers. "Secretary Wirtz made his much publicized trip to our State, apparently on behalf of farm labor," Grant commented, "but we have neither seen nor heard from the Secretary of Agriculture on behalf of farmers."

Grant also pointed out that the USDA has been quoted as saying that there will be a 3- to 5-percent decrease in agricultural income in California due to farm labor shortages in the 1965 production year. He said the results of this shortage could be both short-term and long-term chaos.

To further indicate the organization's position on the farm labor shortage, Grant enclosed a copy of his statement to the three-man panel recently appointed by Wirtz to examine more deeply farm labor needs.

The text of Grant's statement to the panel reads as follows:

"We agree that growers should offer employment to any willing and able domestics first, but do not agree that growers should suffer losses before sources for supplemental labor are opened.

"California farmers understand the intent of Congress when Public Law 78 was allowed to expire, and have never requested mass importation of foreign workers. Such supplemental workers should be authorized only upon bona fide request.

"With other industries and occupations utilizing Public Law 414 for certain talent, it is difficult to imagine that California agriculture should be placed in the position of noneligibility.

POINTS TO STUDIES

"We stand on the facts as indicated in a number of official studies and surveys including the University of California report which indicates that future worker requirements for California agriculture would not only remain about the same as 1964, but would increase slightly—providing the agricultural production remains constant. You have already received testimony showing certain crop decreases for 1965 over 1964 as a result of the confusion which is upon us. Unless we are assured of an adequate farm labor supply we can expect a diminishing agriculture.

> "You are also aware that the number of braceros utilized in previous years in the United States and California was decreasing We would agree such decreases should continue, but it should not be assumed that 1965 can be a close-off year and that suddenly we will find the replacements.
>
> "Idle claims that 10,000 or more workers are available in certain areas, are merely clouding the issue. Such claims are most often made by those not responsible in the production of food and fiber.
>
> "We are pleased that Secretary Wirtz has seen fit to appoint your three-man panel to assist him in evaluating this critical situation."

Mr. MURPHY. Mr. President, I am also puzzled, if not surprised, by a direct quote given to the press by Governor Brown in answer to a question as to whether he believes Secretary Wirtz was doing a good job handling the farm-labor problem. The Governor replied:

> I think he's doing a good job; yes. I think it's very difficult. He's doing a different job from the one our department of employment thinks should be done, but it's not easy and he could be right. I think he's wrong but he could be right.

Mr. President, the confusion in this statement reflects the confusion of the whole situation so far as the people of my State are concerned.

Mr. President, the facts in this matter are not confusing to me. They are obvious and readily available for all to see. I have made every effort that I possibly can do to bring this to the attention of the Senate and to the attention of the Secretary. On several occasions I have asked to be permitted to speak to the President on this subject. I think it is one of the most serious manmade catastrophes that has befallen our country. If it continues at the rate at which it is moving now, it will finally arrive at the billion-dollar mark. I believe that money can be better used for the benefit of our citizens.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. WILLIAMS of New Jersey. Is the Senator familiar with the legislative history of the bracero program which was initiated in 1951 as Public Law 78?

Mr. MURPHY. Yes; I am familiar with it.

Mr. WILLIAMS of New Jersey. It was continued every year without a great deal of opposition. The purpose was to bring workers to this country while an emergency continued.

Mr. MURPHY. Yes.

Mr. WILLIAMS of New Jersey. That emergency came to an end when we turned the corner. Each year when this subject was debated there was increasing opposition to bringing in workers from another nation who would be competing with American workers for jobs in this country.

Mr. MURPHY. That is a misstatement of fact. They actually do not compete.

Mr. WILLIAMS of New Jersey. I happened to be here. It was not the Senator's fault that he was not here.

Mr. MURPHY. They actually do not compete for jobs. The law has always provided that domestic labor must be employed first. There has never been enough domestic labor. The proof of that is that every year from 75,000 to 100,000 good neighbors have come to us from the South. This has been the finest international exchange program that has ever been conceived. We have also brought in specially selected boys—200 of them—from Japan. We brought in some boys from the Philippines. I have recently heard the Senator from Wisconsin [Mr. PROXMIRE] speak about the fine job that has been done by the Peace Corps. I do not believe there is a finer job that has been done, on a people-to-people basis, than the job that has been done by those who have come to us from the Philippines, from Mexico, and from Japan. They have gone back to their countries as friends of America. Those who have come to us from Mexico have gone back to their country with earnings that provided the second largest source of foreign income for their country.

We are not sitting here in Congress giving away taxpayer dollars.

All that those people ask is to be allowed to come back in. The Secretary recognizes the problem, because at the outset he said that if the need should arise they would be provided under certain criteria. The criteria have been met. Conditions have now changed again. It is said that boys must be hired. They are asking 15- and 16-year-old boys to sign contracts. I know it is a desperate attempt. I agree with the Secretary that it would be an ideal situation if every man and woman in the United States who wanted to work had a job. However, I assure the Secretary that our people will not do this work. This is especially difficult and hard work. It has nothing to do with the wages paid. The Secretary has said, "If you pay a wage of $1.40 an hour, this will take care of it." It has not. I have been on farms where $1.70 to $2.40 an hour was paid on piecework.

I have seen a picture of a farmer in a strawberry field, a fine Negro man, who had one withered arm. With one arm he was averaging $25 to $27 a day. It is difficult work, but he was used to that kind of work.

Mr. WILLIAMS of New Jersey. I should like to ask the Senator what percentage of hand labor on fruit and vegetable farms is done by American workers and what percentage is done by foreign workers.

Mr. MURPHY. The best figures that I could find show that domestic workers have always constituted about 85 to 90 percent of farm labor.

Mr. WILLIAMS of New Jersey. Why, then, does the Senator say that American workers will not do that type of work?

Mr. MURPHY. I say that for the particular kind of work I have described they cannot be obtained.

Mr. WILLIAMS of New Jersey. Still 85 percent of the work is done by American workers.

Mr. MURPHY. That figure is for the entire agricultural field. It includes tree crops and all other products. But historically the harvest of what is known as crops requiring stoop labor has been done by braceros and other workers brought in from outside the United States.

Mr. WILLIAMS of New Jersey. What percentage?

Mr. MURPHY. I cannot state the exact percentage. I can only tell the Senator that in the overall agricultural picture, supplemental agriculture labor never runs over about 10 percent.

Mr. WILLIAMS of New Jersey. I have been chairman of the Subcommittee on Migratory Labor for a little longer than 5 years. Under the appropriations for the committee we have had the opportunity to travel, and have visted probably a dozen of the main agricultural States. I assure the Senator from California that the great bulk of harvesting is done by Americans.

Mr. MURPHY. I said that.

Mr. WILLIAMS of New Jersey. And it is done with skill and efficiency, even though their employment opportunities are such that they live in the worst housing in the Nation. Their children are not in school. Parents must worry about the children back in the camp. Sanitation is nonexistent in many areas. There is a lack of running water in many areas; and all the rest of the problems about which we have heard exist.

With the help of the senior Senator from Florida [Mr. HOLLAND], we have brought a measure of health care to those people.

Mr. MURPHY. I congratulate the Senator. I am honored to serve on that committee this year as a minority member.

Mr. WILLIAMS of New Jersey. And a very valuable member.

Mr. MURPHY. I look forward to helping bring about better conditions. I look forward to helping remedy deficiencies in the old Public Law 78—and there were some. I look forward to rectifying many conditions that existed in the past and that should not have existed.

But at the present time I point out, as I have previously done on the floor of the Senate, that the largest industry in my State is endangered because of an arbitrary position taken by the Secretary of Labor. He has tested it. At this point the answers should be evident to him.

I have not gone out and asked the people affected to send me telegrams and to write letters. I receive stacks of them every day. I send copies to him as well as to the President.

A crisis has arisen. The farmers are going broke. The jobs and the farmers are moving into Mexico. The Secretary's adamant position has created that situation. He must assume the responsibility for it. He must say, "My experiment did not work. How can we phase this problem out in a more gradual way so that we shall not have such great destruction?"

The destruction at this point is greater than the destruction caused by the Christmas floods, unfortunately.

Mr. WILLIAMS of New Jersey. I wish to make two observations. First, it seems to me that somehow, out there in the great State of California, panic strikes early, panic that is undeserved. When television came along I am sure the moving picture industry went into panic.

Mr. MURPHY. I point out to the Senator that I was one in the industry who said that there would not be a wrestling match to the death between two giants. I said, "There will be the finest marriage between the two, out of which will come a new offspring of a better product for the public."

Mr. WILLIAMS of New Jersey. I am, indeed, encouraged. I do not believe that we need panic before the fact. We are trying to recruit American unemployed agricultural workers in the best and most wholesome situation possible.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I yield.

Mr. MURPHY. I read a story which I have not had time to check, and for that reason I did not include it in my remarks, but now they are talking about making special arrangements to parole prisoners to fill out the requirements.

Mr. WILLIAMS of New Jersey. May I ask who "they" are?

Mr. MURPHY. That was reported on the basis of a State suggestion.

Mr. WILLIAMS of New Jersey. In California?

Mr. MURPHY. Yes. The situation in California could not be called panic, unless panic could be termed what I observed 2 weeks ago. I watched a man with a loss of $50,000 a day in strawberries. There were schoolchildren——

Mr. WILLIAMS of New Jersey. Was the Senator in the field?

Mr. MURPHY. I was in the field; yes. I have photographs.

Mr. WILLIAMS of New Jersey. I can attest that that is not true in Florida, because I spent 3 full days in strawberry fields in Florida.

Mr. MURPHY. For some reason or other Florida obtained workers this year. I believe the total was about 12,000——

Mr. HOLLAND. There were 13,800.

Mr. MURPHY. They got 50 percent. By the same scale we should have had 40,000 in California. I believe we have had about 2,000.

Mr. WILLIAMS of New Jersey. Mr. President, at this point I should like to make a correction in the RECORD. Yesterday in my speech I referred to the figure of 6,500. The RECORD erroneously carried an extra cipher, and the figure appears as 65,000.

Mr. HOLLAND. Mr. President, may I be heard on that point?

The **PRESIDING OFFICER.** The Senator from Florida is recognized.

Mr. HOLLAND. I am glad to have unanimous consent given, because I know that it will allow the RECORD to state the truth. But I am very sorry that the Senator has taken from us between 57,000 or 58,000 workers in one fell swoop. When I read the Senator's remarks, I thought he had become openhanded and charity-hearted and was arranging for us to have many more workers. Then I realized he had been misquoted.

Mr. WILLIAMS of New Jersey. I suggest that perhaps the Senator would rather that I would not amend the RECORD but that I would amend the number of foreign workers permitted in Florida.

Mr. HOLLAND. I am perfectly willing for the Senator to correct the RECORD so that it will speak the truth. I am very sure that what he has asked for is proper, and I shall give consent to it. I am merely saying that it is a source of regret to me that we do not have access to more workers than the ones which his reduced figure would indicate.

Mr. WILLIAMS of New Jersey. If the Senator will yield further, I should like to say that I had the honor to be in Florida about a month and a half ago during the peak of the strawberry harvest. Secretary Wirtz is truly honoring congressional intent. I do not know any Senator who is more vigilant in watching the executive department as it expresses itself administratively in terms of congressional intent. We intended to cut off the foreign worker program, and that fact is complete in the RECORD. I went to Florida and observed in the strawberry fields that there was no shortage of labor.

Mr. HOLLAND. Mr. President, before the Senator from California leaves the Chamber in order to catch a plane, I wish to thank him. He is making a gallant fight. I commend him for it. I commend him for the hard work that he is doing. All I can say is that I shall be marching with him, because I know that he has a difficult problem, and, whether they know it or not, the consumers throughout the Nation have a rough problem. Whether they know it or not, those who are interested in our country's advancement in its financial structure have a rough problem on this question.

I shall address myself to the problem now. I merely wished to congratulate the Senator as he is leaving the Chamber.

Mr. MURPHY. I thank my distinguished colleague very much. I thank the distinguished Senator from New Jersey, also.

Mr. WILLIAMS of New Jersey. I am grateful, indeed, that the Senator from California is a member of the subcommittee.

Mr. MURPHY. I am going out now to look at the smog situation in Oklahoma City.

Mr. WILLIAMS of New Jersey. Good luck.

Mr. HOLLAND. I am in complete good humor with my distinguished friend from New Jersey. I would not think of charging him with anything but the desire to state the facts completely, as I know he tried to state them in connection with the figures covering the number of offshore West Indians that we had in Florida. I realized that he tried to state it at 6,500. I was glad to have him correct the mistake he made in his remarks.

In starting my remarks I shall deal with three subjects which relate to what the Senator said on the floor of the Senate, because I believe he desires to know what the facts are.

First, he has answered his own question as to what proportion of workers are domestic, as contrasted to supplemental workers from offshore—at least in our State. He will find that in his remarks yesterday on page 13071, in the first column of the page, there is a paragraph which contains some figures. I take it that these figures came from the Senator's personal inspection which he has been talking about, although I do not believe that he counted the workers. I am sure he obtained these figures, and I have no argument with them:

> Mr. WILLIAMS of New Jersey. In Florida, on March 31, 1965, there were 68,165 domestic laborers working in the fields, an increase of approximately 8,000 workers over a similar period in 1964. To further aid Florida growers, Secretary Wirtz has authorized the use of 6,500 additional foreign workers. This is only 2,000 less foreign workers than were employed in Florida in March 1964.

Mr. President, I am sure those figures are approximately correct. I refer to them at this time because they show that as of that date less than 10 percent of the fieldworkers in the Florida fruit and vegetable industries—because that is what the Senator from New Jersey is talking about—including the berry industry, also—were supplemental laborers from offshore. Some laborers were still there in the sugarcane industry, so that industry should be included.

The figures, while they applied at one time, are relatively accurate as to our times of major employment. About one-tenth of the field force at the maximum time of employment in our State has been supplemental workers. But they have been, and they were when the Senator from New Jersey was there, engaged in certain particular aspects of the field industry, the harvesting industry, where we have difficulty in obtaining domestic labor. At the time the Senator was there, of those 6,500, approximately 3,500 were engaged as citrus pickers, out of a whole force of some 15,000. But at that time about 15,000 citrus pickers were engaged. We used every domestic picker we could obtain, every domestic picker that Mr. Wirtz could help us to get, every domestic picker that our State agency and Federal agency working together could help us to get, and still we needed others to the extent that the Secretary of Labor certified 3,500 for use at that time.

Of the 6,500, a certain number—I cannot cite the number accurately without a reference to the files in my office—were in the cane industry. They were employed in a hazardous industry, one which requires the use of machetes in cutting cane. It has not been possible to find many domestic workers who will engage in that task.

In the celery industry, only the cutters, those who precede with the big machines to cut the heads of the celery out of the ground, in an arduous, dangerous, exacting job, were supplemental workers.

It is only in those fields that we have had difficulty. Sometimes we have encountered the impossibility of obtaining any sizable number of domestic workers that we have needed, and we have asked for or proceeded to use supplemental workers. I am sure that the situation as it applies in Florida is quite similar to that which applies in California, although the distinguished Senator from California [Mr. MURPHY] could speak with much greater knowledge of the situation there than I.

So, in the first instance, to answer the question raised by the Senator from New Jersey today, only about one-tenth of the field force in Florida was offshore labor at the time he was here, which was not the time of highest employment. Only about one-tenth have been supplemental or offshore workers, and they have been engaged only in the most critical jobs, many of them quite hazardous, because we find that many employees will not climb orange trees, just as in the West they will not climb date trees for the harvest or for the pollination of the date blossoms.

So far as the industries in Florida are concerned, they would be most happy if an adequate, efficient force of domestic labor were available. The Florida industry uses everyone it can get. The greatest proportion of our labor is in our own State—our own citizens.

We went out this year as far as Philadelphia and Scranton, Pa., and even to St. Louis, Mo., at the suggestion of the Employment Security officials, in the search for workers. We brought them long distances only to find that, in many instances, they were either unqualified or did not desire the employment, and would not stay. That is the kind of problem we are seeking to solve. We are dealing with about one-tenth of the field force, which does not include the packinghouse force, the cannery force, or the concentrate force. The Senator from New Jersey has been in our State often, and he is always welcome there. We like to have him come. He knows the number of those engaged in processing, which is probably as great as the number who are in the fields working, which the statement of the Senator from New Jersey covers.

Mr. WILLIAMS of New Jersey. I am encouraged by the statement of the Senator from Florida that it would be most desirable if we could bring qualified people, American citizens, to the farms to meet the needs.

Do I correctly understand that the months of January, February, and March are the major harvesting months in Florida? Is that an accurate statement?

Mr. HOLLAND. It is accurate to a degree. The citrus crop is not at its maximum at that time. That is an off period between the so-called early and mid-season crops, when a great many more people are not only in the fields but also in the packinghouses, the concentrate plants, the canneries, and the Valencia harvest, now in progress in Florida, but about to come to an end, which begins a little after that time.

The sugarcane harvest was supposed to come to an end at the time the Senator from New Jersey was there.

Mr. WILLIAMS of New Jersey. I recall that during the months of December, January, and February, some of the less highly skilled harvesters in the country are unemployed. There is a great concentration of those unemployed workers in Texas. They are Americans of Mexican background to a great extent. They are families of husbands, wives, and children.

We are trying to develop a program to bring this skilled American employment pool and the employment opportunities together in Florida and California in those months. That will require accurate recruitment programs. The families will need adequate housing, because in the past the reliance has been on the single worker from Mexico or the West Indies. So a housing gap and a transportation gap must be filled. To transport workers and their families from Texas to Florida or from Texas to California presents a problem. Legislation exists which seeks to fill the gaps which separate unemployed Americans from employment within our land.

Mr. HOLLAND. I thank the Senator from New Jersey. His motives are excellent. I question them not in the slightest. I want him to know, however, that some thousands of Mexican-Americans from Texas come to our help in harvesting the vegetable crop, but they cannot be used for citrus picking. An attempt has been made to use them for citrus picking, but it is only an occasional one who is big enough to handle a citrus ladder. Neither they nor any other domestic workers we have been able to find will handle machetes in the sugarcane fields. So it goes. There are gaps in the field employment which cannot be filled. The jobs are available to be filled, but we have been unable to fill them.

We have recruited labor from Texas every year. We have found thousands of those people to help us in our harvesting problem. We are happy to have them. They are good in certain fields.

I was in the vicinity of the Everglades National Park in December. On two or three occasions, I went out to the fields in lower Dade County. I hope the Senator from New Jersey had an opportunity to be there. I saw hundreds of Mexicans, to whom the Senator has referred, working at picking tomatoes, picking polebeans, picking other produce. They were engaged in the type of work they like to do. Evidently they were happy and making good money. They had their families with them. They had children ranging from the age of approximately 15 on up, if I am a good judge of age. If I ever saw a happy bunch of people, there they were.

I want my friend to know that not only are we glad to have this type of labor, but also that we have spent many millions of dollars of our own money, taking a period of years as a whole, to bring such people to us. I have already said that people were sent from as far off as Pennsylvania and St. Louis. I might have also mentioned Texas in the same breath. People were sent from that far to help out in the harvesting of our crops.

However, when Mr. Wirtz, who has just as good objectives and motives as does my distinguished friend the Senator from New Jersey, thinks that an unemployed miner from West Virginia must necessarily be a good orange picker, a good cane cutter, or a good strawberry picker in Florida, of course, as the Senator knows, he is completely mistaken in that conclusion. Only one out of very many people will accept that type employment, even if they were to make good money every day. That is the first point that I want to deal with.

The second point concerned a statement made yesterday by the distinguished Senator from New Jersey. Evidently the Senator felt that the Secretary of Labor needed his able defense. He certainly gave him an able defense. If I were to need an able defense, I would want to have the services of my distinguished friend from New Jersey available.

In his statement yesterday, the Senator from New Jersey said:

> I, for one, realize that Secretary Wirtz is not responsible or accountable for the actions of Congress in terminating Public Law 78.

That part is completely accurate. The Senator then continued:

> His duty is to carry out the intent of Congress. It would be well, I think, for all Members of Congress to understand that if criticism is warranted on the foreign worker question, it should be directed to Congress rather than to the Secretary of Labor.

The Senator went a bit too far there.

A little later in his able statement, the Senator said:

> It has been alleged that because of the lack of labor, crops are rotting on the ground in California and in Florida. Much of this criticism has unjustly fallen on the shoulders of the Secretary of Labor Willard Wirtz.
>
> SECRETARY WIRTZ CARRYING OUT CONGRESSIONAL INTENT
>
> When Congress deliberately terminated Public Law 78 on December 31, 1964, it was its intent to end the importation of foreign farm labor.

I was on the floor of the Senate, as was the Senator, at that time. What is also pertinent is that I was on the floor of the Senate when Public Law 78 was first passed. I was here as a member of the committee which considered the bill. I served on the subcommittee and on the committee. I served on the conference committee, as the Senator will find if he examines the RECORD.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of New Jersey. Mr. President, I understand that this law was enacted during a very critical period of national emergency, in the Korean conflict.

Mr. HOLLAND. It was enacted in July 1951 but was not effectively implemented until 1954.

Let me state the general background of this, if I may, to the distinguished Senator. I was here and had a part in this. I know what happened.

A large number of Mexicans had been involved in what was called the wetback process, a process of getting over to our country in order to help work farms in this country. I believe at one time they were said to have gotten as many as 700,000 over here.

The Government of Mexico objected vigorously on two grounds. I thought the grounds were excellent. One ground was that many of those workers, because they were illegally in this country, were imposed upon and abused by their employers. I thoroughly agreed with the complaint of the Mexicans that that condition should not continue to exist.

The second thing that the Mexican Government objected to was that most of the wetbacks came across from the areas adjoining the United States. The Government of Mexico felt that it should have some voice in the matter of where those people should come from. The areas of unemployment were generally not close to the U.S. border. Those areas were back some distance from the U.S. border.

I helped in forming this legislation. I heard the testimony of representatives of Mexico when they appeared before the committee. I heard the testimony of representatives of all concerned who appeared before the committee. I heard the request of the representatives of the Department of Labor and other departments for the setting up of expensive labor camps, arrangements for doctors, transportation, and other things.

I agreed to the enactment of Public Law 78, with the clear understanding—and the Senator will find this in the report upon this legislation and in the debate that was had on the floor—that the program was not to be considered as in any way involving a program under which we operated on the east coast of the United States, from Florida to Maine, and back from the coast as far as Ohio, and perhaps other places.

There was the clear understanding that we would continue to rely upon our own efforts. We did not want the Government to spend a great deal of money to set up camps. We were perfectly willing to put up $50, either in bond or cash, in every case to assure the return of a West Indian to his homeland. We were perfectly willing to clear up the obligations imposed by the colonial governments of the Bahamas, Jamaica, and other British West Indian areas. They always send their doctors, dentists, and people to check payrolls, and representatives to see whether reasonably good food is being served. We were perfectly willing to be checked by them and to live up to their requirements, which are generally rather high.

We wanted to be very sure that Public Law 78 should not invade any other field, should not be regarded as conflicting with it, and should have nothing to do with the provisions for the admission of aliens as supplemental agricultural labor under the general immigration law. That issue was gone over time and time again.

It was so stated in the report of our committee. If the Senator is sufficiently interested to go back and read the report of our committee, he will find that that is the case. He will find that, during the course of the debate, the Senator from Florida, who is now speaking, rose and brought the question to the attention of the Senate, to bring it into the debate and to make it part of the record of the debate, as to whether the passage of that law would in any way impose upon or have any relation to the provisions of the general immigration law now known as Public Law 414, under which we have been bringing in aliens and under which the people of Maine, New Hampshire, New England, and New York have been bringing people in from Canada. Definite assurance was given that there was no connection between the two of them.

I call attention to it at this time because I want to go further and remind the distinguished Senator, because I know he was here during the debate when we, for the last time, extended Public Law 78, that I personally quoted in that debate from Under Secretary Henning, of the Department of Labor, his words that Public Law 414 would still be on the books and would still be available.

The Senator will find those words and that quotation from the debate at that time. He will also find that the distinguished Senator from Iowa [Mr. HICKENLOOPER] raised a question on the same subject, and was assured that Public Law 414 would still be in effect and available for the admission of outsiders.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield at that point?

Mr. HOLLAND. I shall yield in a moment.

The Senator stated—and I know that he did so with the best of motives—as follows:

> It was its intent to end the importation of foreign farm labor.

Nothing could be further from the fact. It was the intention of Congress not to continue Public Law 78. It was the intention of Congress, well preserved in that debate, to continue any rights that it had under the immigration law for that portion of agriculture which used those rights.

I am merely calling this point to the Senator's attention, because I know how good his motives are, and I know how much he is immersed in this task, on which he has rendered fine service. I have been glad to join with him in three bills introduced, which I think have been passed—perhaps they have not; I am not sure; I hope they have been passed—to lessen the burden of migrant workers in this country. But nothing could be less accurate than to say it was the intent of Congress to end the importation of foreign farm labor.

In that debate not only was it shown that Public Law 414 was to continue to function, but it was also shown that a number of workers were coming in from Mexico under Public Law 414, rather than under Public Law 78, at the very time Congress was debating that subject.

I yield now to the Senator from New Jersey.

Mr. WILLIAMS of New Jersey. The Department of Labor, Secretary Wirtz of the Department of Labor, and Mr. Henning, his assistant, honored the words which were quoted by the Senator from Florida at that time. The 6,500 foreign workers are admitted under Public Law 414. I refer to the 6,500 workers that were admitted to Florida.

Mr. HOLLAND. That was done legally and properly. I am saying that the Senator—unintentionally, I am sure—was going too far when he said:

> When Congress deliberately terminated Public Law 78 on December 31, 1964, it was its intent to end the importation of foreign farm labor.

It was the intention of Congress to stop that importation under Public Law 78. There is no doubt about that. That is as far as I understood the intention of Congress to go. Anyone reading the debate is bound to come to the conclusion that Public Law 414 was deliberately left unaffected.

Attention was called to the importance of Public Law 414 to a large part of the eastern section of the country and to the fact that some workers under Public Law 414 were coming into California, just as they are now, and are not included in the 2,500 who were admitted under the recent action of the Department of Labor and the Immigration Service.

Mr. WILLIAMS of New Jersey. Is it not a fact that Public Law 414 is permanent legislation?

Mr. HOLLAND. That is my point.

Mr. WILLIAMS of New Jersey. And Public Law 78 was subject to a term of years. It was for 2 years, and it was then reduced to 1 year.

Mr. HOLLAND. And it affected only a part of the country; it was under Public Law 414 that farmworkers came into Florida.

Mr. WILLIAMS of New Jersey. Is it not a fact that the administration of Public Law 78 was under the jurisdiction of the Committee on Agriculture and Forestry, and it had to come to the floor from that committee; and is not a fact that Public Law 414 is an immigration matter, which, if it were to be considered, would come from the Judiciary Committee?

Mr. HOLLAND. I cannot tell the Senator where the jurisdiction over Public Law 414 is, but it did not come to the floor, and that point was made during the course of the debate. There was no intent from failure to further extend Public Law 78, not to continue the existence of Public Law 414.

I am only calling to the attention of the Senator the fact that in his zeal—and I appreciate his zeal and his fine motives—the quotation, which I have read several times, goes too far, because there was no intention to end importation of farm labor entirely. I never even heard it mentioned until these problems arose this year, when a few labor leaders began to say that, because Congress had not continued Public Law 78, surely it had given a mandate to the Secretary of Labor not to certify foreign farm laborers for supplemental purposes, when that is not the case at all, and never has been.

Mr. WILLIAMS of New Jersey. I wonder if I may obtain unanimous consent to make a statement rather than ask a question.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senator may do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. The fact is that Public Law 78 was before the Congress. Public Law 414 was not. When we got through with Public Law 78 we were saying that as national policy we should not import foreign workers under Public Law 78 to the detriment of American workers.

Does the Senator seriously suggest to this deliberative body that we were saying there would be no foreign workers in California but that we would permit foreign workers in Florida? It was clearly implied that it was our new national policy to reduce our reliance on foreign workers and increase economic opportunities for Americans.

Mr. HOLLAND. I cannot follow the Senator at all. The debate shows otherwise. The quotation from Under Secretary Henning shows otherwise. The questions of the Senator from Florida and other Senators show otherwise. I noted that the distinguished Senator from New Jersey yesterday quoted three of the Senators in that debate—I happen to have the honor of being one of them—as having said something that supported the conclusion, which is inaccurate, that the Senator has stated. The Senator from New Jersey quoted the Senator from Louisiana [Mr. ELLENDER], the distinguished chairman of the Committee on Agriculture and Forestry. I read that quotation of the Senator from Louisiana:

> It is my belief that by giving this notice in advance, the proponents of this law will be warned that the Senate will not act again on this measure and that they must begin to look elsewhere for relief.

He was discussing Public Law 78.

Then the Senator from New Jersey quoted the Senator from Colorado [Mr. ALLOTT] as follows:

> I realize that this bill can probably never again come before the Senate. I, too, am practical.

The Senator was talking entirely about Public Law 78.

Then the Senator from New Jersey does me the honor of quoting me as follows:

> I understand that the distinguished gentlemen have indicated that this commitment is to an extension of 1 year and not beyond that time.

I was asked whether or not I had agreed to that, but I said I understood that the Senator from Louisiana [Mr. ELLENDER] and other Senators had given the assurance that they would not bring up the bill. But I did bring up at the same time, in the same debate, the quotation from Under Secretary Henning. I know how conscientious the Senator from New Jersey is, and I know that if he would read the debate of that time he would never again say that the action in refusal to extend Public Law 78 was a mandate to the Secretary of Labor to terminate the importation of all foreign farm labor.

Mr. WILLIAMS of New Jersey. Mr. President, if the Senator will yield, as I understand, nobody suggested at that time that workers brought in under Public Law 78 would be replaced by workers brought in through the immigration law, Public Law 414. There is no congressional record which suggests that we were supplanting Public Law 78 with Public Law 414.

Mr. HOLLAND. I think that is correct. Yet there was debate that there were workers brought into California under Public Law 414.

Mr. WILLIAMS of New Jersey. And they are still being brought in under Public Law 414.

Mr. HOLLAND. That is what I wish to establish. I thank the Secretary of Labor, and point out to him at the same time that there is a great need for workers, whether they be in California, Florida, or Maine.

The vital need of agriculture, which tried to obtain domestic labor, after it tried to have supplemental labor brought in, was for workers. That right was not extinguished, and it was not intended to be extinguished, and no such mandate was given to the Secretary. I believe that my distinguished friend, in his zeal and in his friendship for the Secretary of Labor, is going too far in stating that Congress is to blame, and not the Secretary of Labor, for the impositions which he has brought upon agriculture, at least in my part of the country. He has brought impositions, as I have stated on the floor and am willing to state anywhere; and I have said so to him. I believe that he has abused the confidence which the people of this country have placed in him by refusing to give sufficient importance to the justified requests of the agricultural industries which were in need of supplemental labor, which had gone as far as it could—and expensively—in the effort to obtain domestic labor, in refusing to certify the need for migratory farm labor.

Let me mention one more point. I realize that the Senator has tried to state the case with complete adherence to the facts. Please understand that I would never make any charge to the contrary, because I have such confidence in the Senator and in his high conscience.

However, I invite his attention to the fact that he has again added to his complete misunderstanding of an important situation in the State of Florida.

I shall read from his statement of yesterday. I am sorry that the Senator did not let me know yesterday that he intended to speak on this subject, as I advised him today that I would.

Mr. WILLIAMS of New Jersey. If the Senator from Florida will yield——

Mr. HOLLAND. I would have been glad to come into the Chamber yesterday to correct the statement at that time.

Mr. WILLIAMS of New Jersey. Perhaps that is true, although I did not know when I was going to get on yesterday, or indeed whether I would ever be able to get on. The Senator knows of my interest in these matters. He has had two complete discussions with the Senator from California [Mr. MURPHY]. I personally was not advised of either of those discussions. At least my office was not informed—the Senator can correct me—it did not come to my attention until this morning when I picked up the CONGRESSIONAL RECORD.

Mr. HOLLAND. I can only quote the statement of the Senator from New Jersey yesterday when he had a good deal to say about the situation in Florida, which the Senator knows rather vitally affects me, because I was born in an orange grove and feel that I am a distinct part of the citrus industry down there.

Mr. WILLIAMS of New Jersey. I believe that the Senator would therefore be particularly happy to know that citrus, tangerine, grapefruit, and orange production was well ahead this year over last year, 83.7 million boxes as against 51.1 million last year.

Mr. HOLLAND. I put those figures into the RECORD.

Mr. WILLIAMS of New Jersey. That was in Orange County.

Mr. HOLLAND. I brought those facts into the RECORD before. If the Senator thinks through his statement, he will come to the conclusion inescapably that it means we need more workers this year than we did last year.

Mr. WILLIAMS of New Jersey. These were boxes. These were not fruit on the ground. These were boxes, and on their way. I do not mind saying that my favorite fruit is oranges from the State of Florida.

Mr. HOLLAND. These are boxes which have been picked. It is not fruit which fell to the ground, because we could not get enough pickers.

Mr. WILLIAMS of New Jersey. How many boxes were there of fruit which fell to the ground?

Mr. HOLLAND. These were the work of the pickers. We needed more labor than we had. I have placed in the RECORD already various showings from people as to how much they actually lost. However, I am not going to go back into that.

But I wish to mention one point which I believe the Senator will appreciate, because I know he wishes his statements to be completely accurate which appear in the Record.

He mentions the functionings of the Secretary of Labor, and I will make no reference to that at this time, because he thought so highly of those functionings, and I could not agree with him as to some part of them. I do not wish to get into debate concerning them, but I am going to read from the reference he made to court action:

> Only in one instance has his judgment been questioned.

I suppose he means questioned in the courts. Of course, there were a great many instances in which the Secretary's judgment was questioned on the floor of the Senate. Perhaps that did not count. There were many instances in which his judgment was questioned in the press, and by letters to him and in every conceivable way that I can imagine.

Continuing reading:

> Only in one instance has his judgment been questioned. In this instance, after a Federal District Court in Florida upheld the Secretary's authority to exclude foreign workers, Attorney General Katzenbach allowed 500 West Indians to remain in Florida for an 8-day period to help complete the harvest of the celery crop. I might add that these workers performed tasks which domestic workers have historically shown great reluctance to perform.

The task of celery cutting to which I referred a while ago is such that we have not been able to get any sizable number of domestic laborers to do that hard work.

The statement, which is inaccurate, and which I thought to be vital to call attention to while the Senator from New Jersey was in the Chamber, was the statement that the Federal court upheld the Secretary's authority to exclude foreign workers. No such issue is involved in that suit.

Mr. WILLIAMS of New Jersey. Was not the suit——

Mr. HOLLAND. That is what I am about to inform the Senator about. That is why I wish him to be on the floor, because I wish him to realize that he had decided, merely because the court did not spank the Secretary of Labor, that the court must have upheld the Secretary of Labor when nothing of that kind happened.

Mr. WILLIAMS of New Jersey. The Senator is a much more experienced lawyer than I am, and certainly much more able, and I am listening to him with great interest.

Mr. HOLLAND. The Senator can read probably better than I can. This decision speaks for itself.

I hold in my hand a document, which I shall be very glad to turn over to the Senator, which is a decision and a memorandum of opinion by the learned judge who heard the case. I wish the Senator to know exactly what the issues are, so that he will realize how far afield his statement went.

Obviously, I cannot read the whole decision which I shall turn over to the Senator, but I wish to read enough of it to assure him that I shall have placed in the Record all the salient facts.

The first of the salient facts is a rather lengthy paragraph from page 4:

> The ultimate act sought by the plaintiffs—

That is, the growers—

> in this suit as set forth in paragraph No. 4 of the prayer of the complaint is an order of this court directing and commanding the Attorney General, the Commissioner of the Immigration and Naturalization Service, and the District Director of the Immigration and Naturalization Service, Miami district, to proceed with a determination and to grant the "petition" for retention and use of the offshore celery cutters; that "he" (presumably the Attorney General) be further directed to find that unemployed persons capable of cutting celery cannot be found in this country and that all three, (the Attorney General, the Commissioner of the Immigration and Naturalization Service of the United States and the District Director of the Immigration and Naturalization Service, Miami district) be ordered to permit the offshore celery cutters to remain in the United States until June 15, 1965, and cut celery.

That is a fair statement of what was involved. The Senator will notice that the Secretary of Labor was not even a necessary party to the suit, and that no remedy was asked to be directed against them.

I read a subsequent paragraph, and I hope that the Senator from New Jersey will pay attention to me, because I know that he is an able lawyer and will be able to follow me without quoting the full decision, although I am perfectly willing for him to have the full decision.

Continuing reading:

> The most relief that could be afforded, if any, by this proceeding would be a determination that the Attorney General should reconsider but there is no basis in the law whatsoever for this court to compel the Attorney General to reach one conclusion or the other on a matter within his sole discretion.

The third paragraph, which I believe will complete the showing, confirms that what I have been talking about is the only issue in this case, and the only decision made by the court because it excludes the decision's effect upon the Secretary of Labor.

Continuing:

> The decision made here today is not a determination that the Secretary of Labor or the Attorney General were or are correct in their position in the use or nonuse of nonmigrant celery cutters; nor is this a decision that plaintiffs were or are wrong in their position that there are unavailable domestic workers. What this decision in short means is that this court under the law cannot decide that question for the Attorney General.

Mr. President, I believe the Senator realizes that his statement in the Record on this point was far amiss, and far away from the conclusion that he attached to it; and I therefore wished the Record to show this, because I was sure he had not seen the decision and had not been familiar with it other than through press dispatches. I have seen press dispatches which would have justified the statement that the Senator made yesterday.

I went to the trouble to obtain the decision, because I wanted to see on what ground it was based. The Record will reflect what the judgment of the court was. One of the judgments of the court was that the court was neither upholding the actions of the Secretary of Labor nor finding that they were wrong. That was not the question.

Mr. WILLIAMS of New Jersey. But the suit was brought in response to petitioner's objection to a decision of the Secretary of Labor; is that correct?

Mr. HOLLAND. It was brought after the Secretary of Labor had refused to permit 550—I see that the number is stated at one time as 500 and at another time as 550—celery cutters to remain there after the date at which their visas for entry and to stay here had expired.

The action was brought against the enforcement officer. The Secretary of Labor is nothing but an advisory officer. All he can do is advise. The Attorney General does not even have to follow his advice.

To complete what the Senator said:

> Attorney General Katzenbach allowed 500 West Indians to remain in Florida for an 8-day period to help complete the harvest of the celery crop. I might add that these workers performed tasks which domestic workers have historically shown great reluctance to perform.

The point I am making is that the distinguished Senator, just like our overzealous Secretary of Labor, has not had full information about what goes on in the field, and has not realized, I believe, as I think we all should realize, that the action in Florida does not depend in the slightest degree on what happened or did not happen with respect to Public Law 78.

Mr. WILLIAMS of New Jersey. I know that.

Mr. HOLLAND. Instead, there was an action under the immigration law imposing a duty under which the Commissioner of Immigration, representing the Department of Justice and the Attorney General, very frequently acts to admit people who are needed.

For example, it had not been many years since the Senator from Florida aided in the admission of a certain number of terrazzo setters from Italy for work that nobody else could do, during the time when so many motels and hotels were being built in Florida.

Mr. WILLIAMS of New Jersey. Was this under the first preference for permanent immigration under Public Law 414?

Mr. HOLLAND. No. It had to do with supplemental workers. They would return to their native land. The Senator from Florida has tried to help the late Senator from Nevada, Mr. McCarran, in getting in some Basque sheepherders, because no Americans could be found who would do the work of tending sheep. Eventually we passed a special act, after the action that I have just mentioned, allowing 1,000 of them, as I recall, to come in. I am not sure whether that was the exact number. Some time ago I asked if the Basques were still here—and when I say some time ago, I mean in the last 2 or 3 weeks—and I was advised that a number of them were still here.

We are talking here, and we will have to continue to talk here, about the vegetable and fruit crops up the Atlantic coast, including the State so ably represented by the Senator from New Jersey, with respect to the availability of supplemental labor to do stoop labor or climb labor or very difficult labor involving the handling of machetes, and the winter wood-cutting labor up on the hills of New England, which is done traditionally by Canadian woodsmen, or to aid in the harvest of the potato crop in Aroostook County, Maine.

Those problems have no direct relation whatever to Public Law 78. We are not affected by the failure to continue Public Law 78. To the contrary, both in the initiation and in the first passage of Public Law 78, and always thereafter, and in the final action, that question was reserved for different handling, because we never have asked Uncle Sam to take jurisdiction of the handling, nurturing, fathering, and mothering of these people who come in here as supplemental labor, as was done in the case of Public Law 78.

We are perfectly willing to rely upon our own people to do the right thing, under rather strict regulations of the Commissioner of Immigration and under the strict supervision, always reserved by the health authorities and the economic authorities from the colonies—I call them colonies, although I believe some of them now constitute one or more dominions—because they take good care of their people, and they very carefully choose the ones that they send here.

As the Senator knows, because we have discussed this subject before, I have personally been to Nassau when these workers were being selected from the Bahamas. They send only active, vigorous men, young married men, who have no criminal record, who are not alcoholics, and who are willing to assign a given portion of their earnings to their families.

I have told the Senator heretofore that the then Governor of the Bahamas, Major General Neville, retired Royal British marine, told me that, except only for tourism, that was the most important source of revenue that Bahama had at that time. I do not know whether that is true at this time.

Mr. WILLIAMS of New Jersey. May I interrupt the Senator for an observation?

Mr. HOLLAND. I am glad to have the Senator interrupt me.

Mr. WILLIAMS of New Jersey. If I were a West Indian agricultural worker I would certainly hope that the Senator from Florida would plead my case. I do not know of anyone who could do it more eloquently. I represent unemployed American agricultural workers. However, I wish that I had the eloquence of the Senator from Florida to plead for unemployed American workers. Those American workers can do the work of harvesting fruits and vegetables. Last year they made on the average of $700 a year. Their families are really in a state of deprivation. My mission is to plead their case. The Senator from Florida is pleading an eloquent case for the West Indian agricultural workers.

Mr. HOLLAND. I appreciate the Senator's compliment, although I am afraid it has a little barb in it. The Senator from Florida has been active in taking care of the laboring people of this country. I was happy to sponsor a number of bills to put a large number of our agricultural people on an unemployment compensation basis. In many ways the Senator from Florida has been helpful in that regard.

I believe the RECORD will show that the distinguished Senator from New Jersey has himself found occasion two or three times to compliment the Senator from Florida on having helped in getting bills passed setting up nursery care establishments, which we tried out in Florida and found good, and making that applicable to the Nation; also public programs for education, and public programs for housing. I do not recall what the other programs have been, but on three of the bills of the distinguished Senator I was only too glad to join him.

I hope the Senator did not mean that barb too seriously.

Mr. WILLIAMS of New Jersey. I did not mean to have any barb in what I said. I meant every word I said. I would be glad to have the Senator, with his ability and eloquence, on my side of this question.

Mr. HOLLAND. The eloquent Senator from New Jersey does not need anyone on his side. All I am trying to do is to bring up these points with respect to which I felt his remarks yesterday were based upon inaccurate information.

I should like to say again, first, that I have complete confidence in the high sense of ethics of the distinguished Senator.

Next, I am busy enough myself to know that I have to glean my facts from various staff members in any way that I can get them, and I must present them as I believe them to be after I have done my best to get them from such sources as I can.

I desired the Senator to be present when I went into these three subjects, because I am sure that in the three points I have made, the Senator's remarks were not really based upon an accurate statement of facts—for which I do not at all blame him.

Mr. President, I had prepared quite an extensive set of remarks to make this afternoon. I had not intended to go into this subject until I had the pleasure of reading the able and eloquent statement of the Senator from New Jersey, which I did just before we got into the debate and before I heard him make his statement in his colloquy with the Senator from California [Mr. MURPHY]. So I shall not do that at this time, but will withhold it for another time.

I have only one additional point. One thing that has disturbed me more than any other thing in connection with the current controversy—subject only to the sociological attitude of the distinguished Secretary of Labor—has been the fact that the Department of Agriculture has not gone to bat on this question with the fervor, the diligence, and the public knowledge of facts which it has in the way that I think it should do to protect the agricultural interests of this Nation which are producing perishable crops, principally fruits, vegetables, and berries. My own feeling is that we are only at the beginning of this problem. Florida was fortunate—I have made this statement before—in having had present in our State about 13,800 workers from the West Indies area when the new ruling, the new philosophy, became effective on January 1. We were fortunate in having certain remedial decisions made by the Secretary of Labor in two instances—I have paid him tribute for that on the floor of the Senate before—and by the Attorney General in the last instance. I think we owe much to the President for having brought his beneficence and understanding influence into this picture.

But I still think, Mr. President—and I have communicated with the Secretary of Agriculture and his staff—that the big problems lie ahead, because we were able to retain, through various measures, enough in some way to get through our critical season, and we are through that now, or practically so. But the critical season in other parts of the Nation is just beginning.

The Senator from California [Mr. MURPHY] very ably pointed out the fact that the 2,500 Mexican workers recently admitted there and the few Japanese who have been permitted to go to work do not begin to solve their problem. I know that is the case. We have problems in the apple industry. Very few people like to engage in that industry. I do not think that the distinguished Senator from New Jersey or I would volunteer to handle the heavy ladders that are used in the apple industry in the valley of Virginia. I know that I would not. Perhaps the Senator from New Jersey is vigorous enough to do that. Most workers would rather not do it. They would rather draw their welfare checks or find some easier job. That problem will be on the applegrowers.

The State of the Senator from New Jersey is a fine State for the production of garden produce and fruits. I believe it is called the Garden State. I pay tribute to that State, which is a wonderful State.

Mr. WILLIAMS of New Jersey. It is a wonderful State.

Mr. HOLLAND. There is also the strawberry industry on the Delmarva Peninsula.

Those States will need some workers. They have some advantage over some of the areas affected in that they are close to so many pools of unemployed labor, and the type of labor is not so onerous as climbing citrus trees, cutting cane, climbing date trees, cutting celery, or any of the other more difficult jobs that we have mentioned this afternoon.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield.

Mr. WILLIAMS of New Jersey. The Senator has mentioned that many people would rather draw welfare checks than climb the ladders and harvest the fruit.

Mr. HOLLAND. We have had them leave stating that they would rather go back and do that.

Mr. WILLIAMS of New Jersey. I am sorry that I did not have an opportunity to put a statistic in the RECORD while the Senator from California [Mr. MURPHY] was present. At this time a year ago Monterey, Calif., had 317 families on public assistance welfare. I am told that there are now only 77 families on public assistance welfare. That fact relates to the reduction in the number of foreign nationals who are working in the State of California. That is wholesome.

Mr. HOLLAND. The Senator stated those figures in his speech yesterday. I found no fault with them and made no reference to them.

I agree with the Senator that it is a wholesome figure. Some good has been accomplished by the program. But the Secretary has been too adamant, too unyielding, and too unbelieving as to what the conditions are. Nothing better illustrates that than the facts in the celery industry. I shall ask to have printed in the RECORD a report from Mr. W. H. Anderson, Jr., assistant general manager for the Florida Fruit & Vegetable Association, showing the situation in the celery fields around Lake Okeechobee—not the ones farther north.

Mr. WILLIAMS of New Jersey. Has the Senator ever been in the celery fields in June in Florida?

Mr. HOLLAND. Yes.

Mr. WILLIAMS of New Jersey. I agree that that is one of the hardest possible occupations.

Mr. HOLLAND. Does the Senator mean for the cutters?

Mr. WILLIAMS of New Jersey. Even for the women who work on the combine. It is a factory in the field. With not a cloud in the sky, the temperature runs to about 140 degrees.

Mr. HOLLAND. The Senator must be talking about California.

Mr. WILLIAMS of New Jersey. No; I am speaking of Florida. I was there. I could not wait until I got out of that field. It is hard work.

Mr. HOLLAND. It is hard work. We are able to recruit domestic workers either from our State or adjoining States to do three-quarters of that work.

The Senator noticed the people who were clipping the celery so that it could fit into the packages, the people who were cleaning the celery, and the people who were handling the packages after the packaging had taken place. They were all domestic workers.

Mr. WILLIAMS of New Jersey. Yes.

Mr. HOLLAND. A good many of them come from local places. Some are recruited from adjoining States. I am sure that the Senator will agree that the cutting is by far the most arduous and most difficult part of the work. The workers cut around each head of celery, remove it from the ground, and get it ready to place on the conveyor, as I call it. I do not know what they call it.

Mr. WILLIAMS of New Jersey. It is a conveyor. In fact, they have three long conveyors that sweep out ahead of the washing and packing machines. When the celery leaves the field, nothing is done to it until the housewife picks it out of the supermarket freezer.

Mr. HOLLAND. All she has to do is wash it and make sure that it is clean.

Mr. WILLIAMS of New Jersey. I would certainly recommend that.

Mr. HOLLAND. The fact is—and I am glad that the Senator had an opportunity to observe it—there is one part of that job which we have always found to be more difficult in some areas of the State. There is the southernmost area——

Mr. WILLIAMS of New Jersey. The Bell Glade area.

Mr. HOLLAND. That is correct. The southernmost part of the celery producing area. There it is practically impossible to get industrial workers to do that work. It is tough, hard work. Those who ride the machines, do the washing, cleaning, packaging, and handling of the packages are all domestic workers. There are a great many more of them than there are celery cutters, as the Senator would testify. My recollection is that the ratio is about 1 to 3.

Mr. WILLIAMS of New Jersey. We have found an area of almost total agreement.

Mr. HOLLAND. I am glad that we have. That is not the only area of almost total agreement that we have many times found in this field. The Senator from Florida was born, raised, and spent a good many years in the fruit and vegetable industry. He used to have four or five groves, but unfortunately he does not have them any more. His brother is an agricultural expert; his father was one of the original planters in Florida. I know the troubles in obtaining supplemental workers for these rough jobs, particularly the climbing jobs and the cutting jobs so far as celery is concerned. They are all very rough and difficult and, in some instances, dangerous, as the Senator knows from his climbing of high citrus trees.

My hope is—and I shall close on this note—that the Department of Agriculture will assume more aggressiveness in relation to this problem, because these crops must be marketed.

Mr. President, I am sorry that I am unable to place in the RECORD at this time a compilation relating to the celery situation. I shall do so at a future time. However, I ask unanimous consent to have printed at this point in the RECORD a letter on this subject dated June 4, addressed to me, by W. H. Anderson, Jr., the gentleman whom I mentioned a while ago.

The PRESIDING OFFICER (Mr. DODD in the chair). Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FLORIDA FRUIT & VEGETABLE
ASSOCIATION,
June 4, 1965.

Hon. SPESSARD L. HOLLAND,
The U.S. Senate,
421 Old Senate Office Building,
Washington, D.C.

DEAR SENATOR HOLLAND: You asked for a report as soon as possible on the experience of the Lake Okeechobee celery growers for the month of May. The following official data was supplied by the Florida Celery Advisory Committee:

Acres harvested May 1–30	1,068.6
Acres lost due to labor situation	109.1
Acres remaining to be harvested in the Lake Okeechobee area as of May 31	419.0

The Florida Celery Advisory Committee further informs me that for the entire season, beginning last fall, the Lake Okeechobee celery growers have lost a total of 196 acres due to the lack of labor, and you will note that more than half of this was lost during the month of May when Mr. Wirtz's interference became critical. In addition, a total of 64.8 acres were abandoned for economic reasons and 156 acres were lost due to hurricane damage in the early fall of 1964. The Advisory Committee further reports that it was the observation of Lake Okeechobee celery growers that yields were reduced by about 100 crates per acre for all acres harvested during the month of May by domestic workers as a result of celery being improperly cut and mutilated or left standing in the fields by careless and inexperienced workers.

I will give you a full report as soon as possible following the close of the celery harvest in that area.

Best personal regards.

Sincerely,

W. H. ANDERSON, Jr.,
Assistant General Manager.

Mr. HOLLAND. Mr. President, the compilation showing what has actually happened as to the full acreage and the amount of loss, which is considerable, I shall place in the RECORD at a later date.

I thank the Senator from New Jersey for his attendance. I yield the floor.

OPPOSITION TO APPOINTMENT OF CAREER MILITARY MEN TO POSITIONS CREATED FOR CIVILIANS

Mr. HARTKE. Mr. President, we have before us what appears to be a very simple bill to accomplish a very simple purpose. The stated intent of S. 1900 is to set aside that portion of the Federal Aviation Act of 1958 requiring a civilian Administrator so as to clear the way for the appointment of a recently retired four-star Air Force general as Administrator.

The very danger in this bill lies in this simplicity, for it is neither as simple nor as innocuous as it appears. By its enactment we shall cloak with congressional legality, and thus provide legislative precedent for the extension of an already existing eroding process. It, in essence, would destroy a fundamental principle of the philosophy upon which our Government exists—the supremacy of the civilian over the military.

The proposed legislation would nullify the intent and the meaning of the Federal Aviation Act of 1958, and say once and for all that the Administrator of the Federal Aviation Agency need not be a civilian now or ever in the future. By the bill before us here, we open the door to the ever-present danger that a man in uniform, whatever be his rank—active or retired—can be placed in every civilian position in our Government on the theory that it is wise or expedient to take such action at the moment.

In recommending passage of S. 1900 as it applies to the President's intended nomination of General McKee, the majority of the Commerce Committee subconsciously recognized this insistent danger when it expressed its doubts about the wisdom of the action it recommended with the following qualifying expressions:

The majority expressed:

> 1. Substantial doubts about the wisdom of repeated appointments of retired military men to high civilian posts.
>
> 2. Continued appointment of career officers could destroy the symbol of civilian government, which is one of the cornerstones of our system.
>
> 3. Serious misgivings about the wisdom of the Dual Compensation Act which attracts the career military men to civil government.

About all the majority could say for General McKee is that he has been a capable administrator in the Air Force and that the President badly wants him to head the Federal Aviation Agency.

SERIOUS QUESTIONS RAISED

This raises a number of questions which demand immediate consideration and immediate answers in this Chamber—answers that do not equivocate—answers which will decide whether a fundamental principle of our constitutional government is to be either ignored or nullified. To do otherwise is to consign a cherished principle to oblivion.

What about our rich heritage of civilian supremacy as taught in the textbooks of all our schools? Shall we have the books rewritten?

If we here decide that civilians no longer are to conduct the affairs of government, the honest course is to state so frankly and to say that the textbooks will have to be rewritten to reflect this change. But, before we take such a drastic step, let us remember that the founders of our Nation, the framers of our Constitution, reflected the fears of their own experience time after time, both orally and in writing, reiterating that this Government must be one of civilian domination and control. While it is true that this Nation has had military men as its Chief Executives, no one here would dare impugn their devotion to the principles of the Constitution. Yet only one of these Chief Executives was a professional military man; and, from him probably came the greatest indictment of the possibility of military domination. In his farewell address to the Nation, on January 17, 1961, President and Gen. Dwight D. Eisenhower warned:

> In the councils of Government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.
>
> We must never let the weight of this combination endanger our liberties or the democratic process.

But he is not alone among great military leaders in recognizing this inherent danger.

Gen. Douglas MacArthur said in his May 12, 1962, speech at West Point:

> Others will debate the controversial issues, national and international, of which divide men's minds * * *. Let civilian voices argue the merits or demerits of our processes of government * * *. These great national problems are not for your participation or military solution.

A solemn warning on this same subject was uttered by the distinguished Adm. Arleigh A. Burke, who said in plain language:

> The government in many countries can exist only if the military wants it to exist. But in the United States, as in Great Britain, centuries of experience with constitutional government, and its checks and balances, have created a different situation. The military in this country are not one "unit" or a monolithic group. So long as this Nation retains its effective checks and balances in Government and so long as its military, in organization and in thinking, do not become a monolithic group, the military cannot become a political machine to be used to destroy the concepts upon which our Government is based.

These military leaders recognized instinctively that a military man, no matter how able or how great, in assuming a civilian governmental post must fight vigorously to repress the instinct created by his training and his profession. In order to be an effective civilian administrator, he must subjugate to the civilian needs the demands imposed upon him by his years of military training and indoctrination. It takes an exceptional man, an unusually strong individual, to rise above such a background.

Let us here consider the basic question which we must consider. Are we committed to the principle that able administrators in civil government and in the military are interchangeable to the extent that a capable Governor could be commissioned a full general?

Are we totally unconcerned about the growing tendency to place retired career military men in what should be a civilian government?

INHERENT DANGER

Mr. President, it is my purpose here to develop, for the information of my colleagues, the dangers inherent in S. 1900, which is before us. I shall explore the whole problem presented by the influx of military personnel, active and retired, in our civilian establishments. We shall clearly see the resulting potential danger to our philosophy of government.

Mr. President, I am opposed on principle to the enactment of S. 1900.

I intend to show that there is more here than meets the eye. This special legislation goes far beyond the claimed purpose.

First. I shall show that the bill violates and effectively nullifies the basic positive declaration of the Federal Aviation Act that the Administrator shall be a civilian.

Second. I shall show that it gives added emphasis to the special incentives offered by the Dual Compensation Act to encourage military men to move into positions formerly confined to civilians who are forbidden by a double standard from similarly profiting from dual compensation.

Third. I shall show that it sets a precedent which is contrary to the often declared intent of the Founding Fathers that civilian management in our democracy must always be paramount.

Further, I shall show that it confirms the fears of our leaders and statesmen, including the distinguished military men whom I have already quoted, and others to whose remarks I shall refer.

In saying these things, in calling attention to this situation, I frankly am entering a plea for the defense and the preservation of the civil traditions of this Republic in a period when military juntas over the world—from Latin America to southeast Asia—are endangering and frustrating the principles of democracy, creating its destruction by their subjugation of the civilian leadership. I want here to call attention to the present danger and to insist that it is our function to preserve our own democratic heritage by strengthening rather than weakening its cornerstone.

I have expressed my fears to a limited extent in the minority views, in which I am joined by the Senator from Kansas and, which appear in the report of the Senate Commerce Committee on this bill. That minority report notes:

> At this moment, 94 retired and regular officers enjoy executive assignments in the Federal Aviation Agency.

We noted further:

> It is estimated that some 30,000 persons serving within the Government presently are ex-military officers.

MAJORITY EXPRESS FEARS

But, strange as it may seem, the reservations expressed in the minority views are echoed in the words of the majority report—in fact, more strongly. The report notes that section 2 specifies that General McKee shall be subject to no controls "as a consequence of his status as a retired regular military officer," and that section 3 expressly states that this action "is not to be considered as approval by the Congress of the continued appointments in the future of military men to the office of Federal Aviation Agency Administrator."

Then the report states:

> The committee wishes to emphasize that it considers the latter two sections of critical importance and that its action in favorably reporting this measure was contingent upon their inclusion.

Why does the majority feel constrained to make such an emphasis? There can be only one reason—that they, too, are in reality fearful of the growth of dominance by the military over our civilian institutions.

Further, the majority cites from Executive Report No. 7, 86th Congress, 2d session, the following statement, making it plain that they are not in any way departing from that statement, but are affirming that this is still its position:

> Furthermore, and perhaps most important, one of the basic principles of our society is, that the control of government, including the policymaking function, should be vested in civilians with the military subordinate. Continued appointments of career officers could destroy the symbol of civilian government as well as promote the unfortunate practical effects associated with almost dominant military influence.

This, I would remind the Senate, is not the statement of the minority views, but a citation which appears, with full endorsement, in the views of the majority.

Further, the majority concludes a statement of less than five pages, nearly half of which is taken up with quotations, by these remarks, again expressing grave reservation rather than wholehearted commitment to the violation of their own principles:

> The majority of the members of the committee have grave reservations concerning what appears to be an increasing tendency to fill civilian Government positions with retired military personnel. The magnitude of this practice is evidenced by certain tables prepared by the Civil Service Commission and printed by the direction of the committee in appendixes B and C of this report. This matter should be thoroughly reviewed by the appropriate committees of Congress.

I might state that one of the Senators upon reading the report commended me for having this placed into the Record. I had to correct the statement because, instead of coming from the minority, these principles and tables were, in fact, placed in the report as part of the majority opinion, and they certainly do not support it at all.

Why, I ask, in view of these grave reservations, these expressions which are far from enthusiastic support of the bill, does the majority support this bill at all? Is it not saying in effect, "We refuse to endorse the dangerous principle involved here, but we will lay our principles aside just this once, in the same way that we did when we recommended Admiral Wilson to the Federal Maritime Board and General Bragdon to the Civil Aeronautics Board." Is not the majority saying, "we do not really believe in what we are doing, but we will do it just the same?" Has the military already become so powerful that the Senate must close its eyes to each military person recommended or suggested for civilian appointments?

So we can see that the majority of the committee agrees with us on principle. The majority feels, however, that principle should be set aside in order to clear the way for appointment of General McKee. We do not agree with that conclusion. Our belief remains in the principle that a civilian agency that has jurisdiction in the broad field of aviation must be headed by a civilian.

In 1958, the Congress wrote the Federal Aviation Act after the collision of two airplanes over Grand Canyon.

At that time there was an effort to ascertain what the cause of the collision had been. No one could learn what the cause was at that time. No one was telling where the civilian or military planes were flying.

Its chief purposes were to control airways and to develop safe and progressive aviation. Except for definite and obvious military needs and for the development of military aircraft, the Agency created by this act was to be controlling in the field of aviation—not civilian alone, but civilian and military as well.

CIVILIAN INTENT OBVIOUS

There was an obvious, burning intent to make this Agency civilian in nature and to make the civilian Agency clearly supreme over the military in control of airways. Recognizing that there were military functions which affected civilian aviation, the Congress took steps to insure adequate military representation within this new Agency.

In the hearings on the measure creating the Federal Aviation Agency, it is quite clear that Congress intended to be fully fair with the military.

There were discussions concerning assignment of military advisers and active military officers to the Agency. At each step, however, it was clear that the authors and the committee's hearing testimony were intent upon maintaining complete civilian control.

Military men assigned to the Agency were to be subject to the control of the Administrator, who, according to statute, was to be civilian.

This appears very clearly in the speech of Chairman Oren Harris of the House Committee on Interstate and Foreign Commerce on the original Federal Aviation Agency bill, on August 4, 1958, in the House debate on the bill. In listing the purposes of the bill, Mr. Harris said:

> Fifth. The Agency is to be headed by an Administrator, who must be a civilian, appointed by the President, by and with the consent of the Senate.
>
> Sixth. In order to effect the maximum coordination with the Department of Defense the bill provides for the appointment by the President of a Deputy Administrator, by and with the consent of the Senate. The Deputy Administrator may be a military officer at the discretion of the President, and may continue as a military officer as Deputy Administrator, receiving all military pay and allowances payable to a commissioned officer of his grade and length of service; or he may elect to receive the compensation provided for the Deputy Administrator by this bill. The bill provides, however, that if the Administrator is a former military officer, the Deputy Administrator shall not be an officer on active duty with one of the armed services or retired or resigned officer of one of the armed services.

Time after time, in the hearings and in the debate in both House and Senate, the point was stressed again and again, and I emphasize this, that the Administrator was to be a civilian. In fact, the provision for a Deputy Administrator who might be drawn from the military was expressly made in order to provide the advice and experience of military service within top levels of the Agency. But by the same token it was made plain and clear, as the law still remains, that the Administrator should be a civilian, that the military man would be his subordinate.

Mr. Harris was most explicit on this point, when he continued:

> These provisions have been made to insure adequate military representation in an Agency vital to the national defense, and yet to prevent military domination of the Agency equally vital to the safe and efficient operation of civil aircraft.

A few days earlier, on July 14, in the Senate, the Senator from Oklahoma [Mr. Monroney], who prepared and sponsored Senate bill 1900, as the leader in this field, also took the floor as the leader of the bill and took the same point of view when he said:

> The main purpose of the language in the bill as it is before the Senate is to provide that the Agency shall be a civil aviation agency and that the civil government shall be concerned with these activities.

On the same day Senator Bennett, another of our colleagues who is still in our midst, made a statement in support of the bill in which he said:

> I think it is important that the proposed Federal Aviation Agency, as is the present Civil Aeronautics Board, be essentially a civilian agency—and thus in keeping with traditional form of government in this country. I feel that the act should not allow the military, directly or indirectly, to control or be in a position to exert strong or undue influences over this Agency established for the purpose of coping with a situation for which the military is the major cause.

One of the witnesses before the House committee was the future Administrator of the Agency, Lt. Gen. Elwood P. Quesada. He was asked by Senator Schoeppel:

> What assurance do we have that the military will not dominate this new Agency if joint participation is authorized?

Mr. Quesada answered:

> We have one assurance that this Agency will be a civilian-controlled agency like all other agencies of Government. We should assume that the President would appoint a person who is not subject to abusing his authority * * *. This Agency will predominantly be civilian, clearly.

Turning again to the record of the hearings held in the House, there appears this statement in the testimony of Dr. Leslie A. Bryan, chairman of the general aviation facilities planning group, which was the organization primarily responsible for the bill:

> The group that I represent feels that every protection should be assured to maintain the integrity of the Civil Aviation Agency, or the Federal Aviation Agency, as a civil controlled

> and operated group * * *. I think it is a mistake, personally, to spell out in the law, for instance, that the Deputy Administrator or the Administrator, if it happened to be that way, should be a military person. And I speak with a little authority there, being a Reserve officer myself and still an active reservist.

ATA PRESIDENT'S STATEMENT

Stuart G. Tipton, who was then and still is president of the Air Transportation Association, made a similar statement:

> If it is decided that the Deputy be a military man, that is all right.
>
> One thing we are interested in, though, and that is, that the bill continue to contain a provision that the Administrator by law shall be a civilian.

The original Senate bill went to a conference committee. There were some changes adopted which have a bearing on the question of the place of the Administrator as a civilian. The Senate bill, the House amendment, and the final bill all agreed, however, in providing that "at the time of his nomination he—the Administrator—shall be a civilian." The statement to the House by its members of the conference committee made extremely explicit the intent:

> The requirement in section 301(b) that the Administrator be a civilian at the time of his nomination means that he shall be a civilian in the strictest sense of the word. Thus, at the time he is nominated he may not be on the active or retired list of any regular component of the armed services or be on extended active duty in or with the armed services.

I point out that the general who is proposed is not on the active list. He is a retired man. But it is specified that he shall not be a retired officer of any of the regular components of the armed services or be on any extended active duty with them.

However, the bill as enacted and still in force contained in section 302(b) a provision that nothing in the act or other law should preclude appointment to the position of Deputy Administrator of an officer on duty with the armed services. To this, which was a part of the original Senate bill, the House added the following:

> Except that if the Administrator is a former regular officer of any one of the armed services, the Deputy Administrator shall not be an officer on active duty with one of the armed services or a retired or resigned regular officer of one of the armed services.

The present Deputy Administrator of the Federal Aviation Agency is Lt. Gen. Harold W. Grant, whose permanent rank is that of major general. Obviously it is impossible under the law, even if S. 1900 should be passed, for General McKee to be named to the post of Administrator and for General Grant to continue as Deputy Administrator.

This is a strange situation we are called upon to look into, to consider a law which would even make it impossible—at this time and under the present situation—even to hire the man, even if we pass the law, unless some other changes were made.

Consequently, as Chairman John W. Macy, Jr., of the Civil Service Commission testified before the Senate committee on May 14 of this year:

> The President intends to meet that statutory requirement with the appointment of a civilian to the Deputy post to be associated with General McKee in the leadership of that important Agency.

As the citations I have offered from the legislative history of the Federal Aviation Act make clear, it was the general intention of the framers of the law that the post of Deputy was appropriately to be filled by a military man, but that the Administrator should definitely be preferred as a civilian. Yet, as Joseph B. Hartranft, Jr., president of the Aircraft Owners & Pilots Association, said before the Senate Commerce Committee:

> The FAA has had two Administrators, one with a military background and the other a civilian. Now it is proposed that the third Administrator be a military-oriented individual. Thus, under the act, which stipulates that the Administrator shall be a civilian, the score will be two Administrators from the military and only one civilian.
>
> We must conclude that the present language is either inadequate to convey accurately and convincingly the intent of Congress with regard to statutory qualifications of candidates, or that there exists nowhere an available and capable civilian to fill this top aviation post.
>
> We cannot conceive that the latter could be the case—that nowhere within the FAA itself or from outside that Agency does there exist a qualified civilian.

With this view I firmly agree. I agree, too, with the view to which I have so often referred, that the Deputy Administrator, in a position subordinate to a civilian Administrator, is properly a military man if this seems most desirable.

AUTHORS STILL WITH US

Who were the men who spelled out this arrangement in 1958 when the basic statute was enacted?

I believe it is of interest to know that every member of the majority on the Senate committee from the 85th Congress which wrote the law in 1958 is still a Member of this body, together with one member of the minority. Of the House Members who wrote the measure, 11 of the 16 are still majority Members and 3 of the minority still remain.

These people felt then, and should still feel, that the deputy position is the one in which a regular military officer, active or retired might be placed. If General McKee was desperately needed for his great administrative skill and his expertise on procurement and development within the Federal Aviation Agency, his services could be provided in the Deputy Administrator position where he would still have a civilian boss.

This was the case when General Grant in 1962 took the deputy position under Administrator Najeeb Halaby. The President has announced his intention of removing General Grant to a lesser position so that the act would not be further violated by having military men in both top positions. Thus, General McKee could have taken General Grant's place.

But, what are we proposing to do? To just push Grant aside, providing more military brass, not less, since he will still remain in the Agency. Surely in America we could reach among the aerospace experts of our great universities or their graduates to find a civilian head of this Agency. I believe that such distinguished places as MIT, Purdue, Cal Tech and others have available aviation-oriented men capable of management of this civilian agency. Nor need we confine the search to the academic field.

I cannot accept the notion that only the military today is capable of producing experts in the field of aviation. If this is so, our educational system and our civilian government and our industries are in sad plight.

MILITARY INFLUX IN GOVERNMENT

Despite all of this intensive effort to create and maintain a civilian agency headed by a civilian, we are asked now to waive the act so as to allow appointment of General McKee. His appointment would add him to 9,120 employees of FAA who have some military status. This was the total last compiled. This figure includes Ready Reserve, Active Standby, Inactive Standby, retired, and class 1-A and class 2-A military personnel.

The record is no more unusual, I suppose, than that of the rest of our so-called civilian Government.

There are an estimated 30,000 retired officers on duty with Federal agencies now, according to the Civil Service Commission. These military officers are attracted by the generous Dual Compensation Act of 1964.

The Dual Compensation Act of 1964 recognized that, in an age of nuclear and space sciences, many of our most highly trained and skilled people are in the military and have been trained for these new and unique skills by the military. To keep these people available for essential work in the Government, the act provides that a retired officer is entitled to full salary for the job in civilian Government and a reduced retirement amounting to $2,000 annually plus one-half of his remaining retirement pay. The earlier act provided that, except in cases of disability, a retired officer could receive no more than $2,500 annual retirement pay plus his civilian salary.

A retired civil servant who may be called upon to rejoin the Government must sacrifice his entire retirement pay. Let us look at the situation as it was in the Finance Committee when we were considering the medicare bill and the question of social security.

A man or woman who has spent all of his life in the private sector and who has retired on social security may also occasionally be called upon to serve his Government. Regardless of how worthwhile this may be for the Government, the retiree's salary would result in substantial loss of his retirement benefits. In fact, he would be forced to give up everything over $1,200 at the present time.

Thus, there is no financial incentive for a retired civilian from any walk of life to serve his Government. The career military man uniquely enjoys the advantage in his retirement of being able to join the civilian Government at a substantial financial profit.

The military men did not ask for a double standard. It was granted by Congress in recognition of the needs of a scientific age. Many of the 94 officers in the Federal Aviation Agency are there because of this need. The presence of some retired military officers in other agencies may likewise be justified, or at least explained.

DOUBLE STANDARD

Appointment of an Administrator—a manager, however capable—can hardly be justified on these grounds. Neither can the double standard imposed by Government, at times overzealous in its worship at the feet of the graven image, science, be justified in this case.

In any case, granting military special dispensation in these matters has led to too frequent appointment of military men to civilian positions which may endanger our traditional civilian control.

The majority of the Commerce Committee wrote the following in their report on S. 1900:

> Some members of the committee have expressed serious misgivings with respect to the Dual Compensation Act in particular and various other statutes permitting retired military personnel, of all categories, to receive full or substantial military retirement benefits while, at the same time, receiving full civilian Government salary. While matters relating to dual compensation are not within the purview of this committee's jurisdiction, some members have expressed strong sentiments that the appropriate committees should consider a review of the entire subject.

Aside from questions relating to compensation, the majority of the members of the committee have grave reservations concerning what appears to be an increasing tendency to fill civilian Government positions with retired military personnel. The magnitude of this practice is evidenced by certain tables prepared by the Civil Service Commission and printed by direction of the committee in appendixes B and C of this report. This matter should be thoroughly reviewed by the appropriate committees of Congress.

Mr. President, I ask unanimous consent to have appendixes B and C, as well as a table on the distribution of officer accessions by military pay grade and agency, December 1964 to April 1965, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APPENDIX B

Retired Regular officers, grades O–7 through O–10, reported to Civil Service Commission as employed as Federal civilians

EMPLOYED ON NOV. 30, 1964

	Agency	Position	Civilian salary	Gross retired pay [1]	Combined pay [2]
Taylor, Gen. Maxwell D. (Army)	State	Ambassador to Vietnam	$26,000.00–$30,000.00	$17,719	$35,859–$39,859
Powell, Gen. Herbert B. (Army)	do	Ambassador to New Zealand	26,000.00– 30,000.00	16,065	35,033– 39,033
Halislip, Gen. Wade H. (Army)	Soldiers' Home	Governor	18,935.00	[3] 15,300	34,235
O'Connell, Lt. Gen. James D. (Army)	OEP	Assistant Director	26,000.00	14,175	34,088
McNinch, Maj. Gen. Joseph H. (Army)	VA	Chief Medical Director	28,500.00	12,758	35,879
Ryan, Maj. Gen. Cornelius E. (Army)	Defense	Director, Infrastructure Division	22,500.00	12,150	29,575
Hinds, Brig. Gen. Sidney R. (Army)	do	Inspector General Administrator	15,150.00	[4] 9,518	24,668
McKee, Gen. William F. (Air Force)	NASA	Assistant Administrator for Management Development.	24,500.00	[5] 16,065	40,565
Barnes, Lt. Gen. Earl W. (Air Force)	CIA	Member, Board of National Estimates	24,000.00	13,500	31,750
McClelland, Maj. Gen. Harold M. (Air Force)	do	Director of Communications	24,500.00	12,150	31,575
Holzman, Brig. Gen. Benjamin G. (AF)	NASA	Assistant to Associate Administrator	22,000.00	11,394	28,697
Hull, Brig. Gen. Harris B. (AF)	NASA	Special Assistant to Administrator	20,500.00	11,115	27,058
Mundy, Lt. Gen. George W. (AF)	Army	Special Assistant to Director of Civil Defense	21,445.00	[4] 14,175	35,620
Curts, Adm. Maurice E. (Navy)	Defense	Director, Telecommunications Policy	23,695.00	[4] 16,065	39,760
Wright, Adm. Jerauld (Navy)	State	Ambassador to China	26,000.00–30,000.00	16,065	35,033–39,033
Boone, Adm. Walter F. (Navy)	NASA	Deputy Associate Administrator	24,500.00	[5] 16,065	40,565
Rose, Vice Adm. Rufus E. (Navy)	NASA	Director, Policy Planning Division	23,000.00	[5] 14,175	37,175
Anderson, Adm. George W., Jr. (Navy)	State	Ambassador to Portugal	26,000.00–30,000.00	17,719	35,859–39,859
Harllee, Rear Adm. John (Navy) [6]	Maritime Commission.	Chairman	28,500.00	7,166	33,083
McMillan, Brig. Gen. Hoyt (Marines) [7]	Post Office	Postmaster	8,625.00	6,279	12,765
Fojt, Brig. Gen. Robert E. (Marines) [7]	Interior	Public utilities specialist	12,495.00	[4] 8,688	21,183
Nelson, Maj. Gen. Ralph T. (Army)	Army	Consultant (w.o.c.)	----------	[8] 12,758	12,758
Lansdale, Maj. Gen. Edward G. (Air Force)	Agriculture	do	----------	[3] 12,150	12,150
Nichols, Maj. Gen. Kenneth (Army)	Defense	Consultant (w.a.e.)	[9] 94.24	9,720	----------
DeCoursey, Maj. Gen. Elbert (Army)	Army	do	[9] 50.00	[3] 12,758	----------
Simon, Maj. Gen. Leslie E. (Army)	Defense and Army	Consultant (w.a.e.) (3 positions)	[9] 68.00 [9] 83.04 [9] 94.24	12,150	----------
Lindquist, Maj. Gen. Roy E. (Army)	Defense	Consultant (w.a.e.)	[9] 50.00	[3] 12,758	----------
Morris, Maj. Gen. Sewell I. (Army)	do	do	[9] 50.00	12,780	----------
Fenn, Brig. Gen. Clarence C. (Army)	Army	do	[9] 83.04	10,575	----------
Mattingly, Brig. Gen. Thomas W. (Army)	do	do	[9] 50.00	11,104	----------
Samford, Lt. Gen. John A. (Air Force)	CIA	do	[9] 94.24	14,175	----------
O'Hara, Maj. Gen. John J. (Air Force)	Defense	do	[9] 50.00	[3] 12,758	----------
Summerfelt, Brig. Gen. Milton F. (Air Force)	State	do	[9] 78.64	11,115	----------
Witherington, Rear Adm. Frederic S. (Navy)	Army	Advisory Board member (w.a.e.)	[9] 74.16	12,758	----------
Colclough, Rear Adm. Oswald S. (Navy)	AEC	Member, AE Labor and Management (w.a.e.)	[9] 100.00	12,150	----------

APPOINTED SINCE NOV. 30, 1964

	Agency	Position	Civilian salary	Gross retired pay [1]	Combined pay [2]
Shaw, Brig. Gen. Samuel R. (Marines)	U.S. Senate	Professional staff member	$15,000.00	$11,115	$26,115
Raborn, Vice Adm. W. F. (Navy)	CIA	Director	30,000.00	14,175	38,088
Tyson, Brig. Gen. Robert N. (Army)	VA	Program planning specialist	16,460.00	11,115	23,018
Grantham, Rear Adm. Elonzo B., Jr., (Navy)	State	Senior evaluation officer	21,020,00	13,100	28,570
Beardsley, Vice Adm. George F. (Navy)	Navy	Consultant (w.a.e.)	[9] 83.00	14,175	----------
Bogart, Lt. Gen. Frank (Air Force)	NASA	Special Assistant to Associate Administrator	23,000.00	[5] 14,529	37,529

[1] Except as indicated in footnotes 3, 4, 5, 8, retired pay is subject to reduction under sec. 201(a) of the Dual Compensation Act.

[2] Annual civilian salary plus gross annual retired pay, reduced where appropriate under sec. 201(a) of the Dual Compensation Act. Does not allow for reductions from gross pay for survivorship benefits, etc.

[3] Elected to remain under exemption from 1932 Dual Compensation Act.

[4] Exempt from reduction in retired pay because of combat disability.

[5] Exempted from reduction in retired pay, NASA action under sec. 201(e) of the Dual Compensation Act.

[6] Honorary rank under 10 U.S.C. 6150, retired pay based on active duty rank of captain.

[7] Honorary rank under 10 U.S.C. 6150, retired pay based on active duty rank of colonel.

[8] Not subject to reduction.

[9] Per day.

Source: Prepared by the Civil Service Commission.

APPENDIX C

TABLES RELATING TO THE EMPLOYMENT OF RETIRED MILITARY PERSONNEL IN CIVILIAN POSITIONS [1]

Distribution of officer accessions by military pay grade and civilian salary, December 1964 to April 1965

Pay grade	W.o.c.	Consultant, W.a.e., fee, pd	0 to 4,999	5,000 to 9,999	10,000 to 14,999	15,000 to 19,999	20,000 to 24,999	25,000 and over	N/R	Total
Regular officers:										
O-9		1								1
O-8							1			1
O-7		1				1			1	3
O-6		5	1	5	11	7	1		4	34
O-5		3	3	15	23	1			5	50
O-4			5	22	11	1				39
O-3			5	9	1				1	16
O-2			3	2		1				6
W-4			2	6	1				1	10
W-3			5	9	3				2	19
W-2			2	13					2	17
W-1			2	2						4
Total		10	28	83	50	11	2		16	200
Reserve officers:										
O-6				8	5	2				15
O-5		2	11	76	21	1			7	118
O-4		2	35	94	9				12	152
O-3			6	22	2				4	34
O-2			3				1		1	5
W-4			2	3						5
W-3			6	15	1				1	23
W-2		1	5	9						15
W-1			1							1
N/R			1	2		1			1	5
Total		5	70	229	38	4	1		26	373
Component not recorded: N/R		20	18	71	29	2	2			142
Final total		35	116	383	117	17	5		42	715

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[1] Tables prepared by the Civil Service Commission.

Distribution of officer accessions by military pay grade and agency, December 1964 to April 1965

Pay grade	Defense	Army	Navy	Air	FAA	NASA	VA	PO	Other	Total
Regular officers:										
O-9			1							1
O-8									1	1
O-7		1					1		1	3
O-6		4	7	11		1			11	34
O-5		5	13	7	3	2	4		16	50
O-4	2	6	14	8	1		2		6	39
O-3		4	5	1		1	1		4	16
O-2			3	1			2			6
W-4		3	2	1			1		3	10
W-3	2	3	3	3	1		1		6	19
W-2		1	9	2		1	1	1	2	17
W-1		1	2					1		4
Total	4	28	59	34	5	5	13	2	50	200
Reserve officers:										
O-6	3		2	4			1		5	15
O-5	3	27	14	46	2	2	2	2	20	118
O-4	4	28	23	55	8		5	2	27	152
O-3	2	8	2	10	5		1	2	4	34
O-2		2	1	1					1	5
W-4			1	1					3	5
W-3		10	2	6			1		4	23
W-2		7	3	1				2	2	15
W-1									1	1
N/R		2		1	1		1			5
Total	12	84	48	125	16	2	11	8	67	373
Component not recorded: N/R	1	58	17	11	1	2	3	1	48	142
Final total	17	170	124	170	22	9	27	11	165	715

Retired regular officers employed in civilian positions as of Nov. 30, 1964

	Total	W.o.c.	Consultants	0 to 4,999	5,000 to 9,999	10,000 to 14,999	15,000 to 19,999	20,000 to 24,999	25,000 and above
Grades 7 to 10	33	2	12		1	1	2	8	7
Grades 1 to 6	575		58	68	265	82	62	31	9
Warrant officers	276			47	204	21	3		1
Total	984	2	70	115	470	104	67	39	17

CONSTITUTIONAL WARNING

Mr. HARTKE. Mr. President, since the days of the writing of the Constitution, we Americans have rightfully insisted that civilian control be paramount. Thus, we have remained the same unique democracy, the same republic, without the development of a military caste, without dictatorship, without continuous political upheaval such as that which besets our Latin American neighbors.

We came by this decision of civilian control over the military in colonial times. James Madison thought the regulation of the militia to be natural as a part of the civil authority charged with the public defense.

It did not seem—

He said—

> in its nature, to be divisable between two distinct authorities. If the States would

> trust the general government with a power over the public treasury, they would from the same consideration by necessity grant it the direction of the public force. Those who had full view of the public situation, would, from a sense of the danger, guard against it.

Charles Pinckney, the following Monday, in the Federal Convention of 1787, elaborated on Madison's point saying:

> The military shall always be subordinate to the civil power.

The intense desire to keep the military from gaining control was burned into our way of life in the Bill of Rights. Pinckney's words in the Federal Convention were adopted in effect in the third amendment:

> No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Thus was spelled out in the 18th-century manner the prohibition that was to keep a man's castle safe from unwanted military domination. Today, we can return to Pinckney's words.

Today we say we do not wish the military quartered in the house of civil government.

Tristram Coffin, in his book, "The Passion of the Hawks," graphically describes this inheritance of a desire to prevent military domination and takeover:

> The American revolutionaries did not agree on very much, but they were united in an equal dislike of British rule and military authority. There was a real question whether their hostility for the military would allow them to throw out the British. John Marshall wrote that one faction in the Continental Congress dreaded the Redcoats less than an effective American Army which might seize political power.
>
> The Virginia bill of rights, one of the first pronouncements of the rebellious settlers, said: "In all cases the military should be kept under strict subordination to and governed by the civil power."
>
> The declaration and resolves of the First Continental Congress proclaimed: "The keep of a standing army in these colonies, in times of peace, without the consent of the legislature of that colony in which such army is kept, is against law."
>
> President George Washington in his Farewell Address said, "Hence likewise they [the States of the Union] will avoid the necessity of those overgrown Military Establishments which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to Republican Liberty."

The danger from the military foreseen by the founders of this Nation was counterbalanced in the best ways they knew. We cannot do less today.

DANGER REMAINS TODAY

What endangered our way of life in 1787 endangers our way of life to an even greater extent in 1965.

Today we maintain, as a way of life, millions of men under arms. Over half our national budget is devoted to men and material for war and the prevention of war. Thousands of Americans depend upon the military and upon defense production for their daily bread. The need for the military is obvious; the danger of Communist aggression.

I fear lest our preoccupation with defending ourselves and our friends develop another danger to our way of life, that of military domination.

A close friend of President Johnson put his fear of the danger of military power in succinct terms: "I am worried." This statement was made by John B. Connally, Jr., while he was Secretary of the Navy in the Kennedy administration, now Governor of Texas.

I do not wonder that the books, "Seven Days in May" and "Fail Safe," made many people in the United States echo, "I am worried."

Secretary Connally, now Governor of Texas, stated while still at the Pentagon:

> If people no longer believe they can influence events, democracy is in danger and a dictator could take over. There is no magic in the American system, it can be served only by millions of citizens working day in and day out to nourish the system of government now almost 200 years old.

Then he asks:

> But do Americans still work at it? Are they beginning to give up?

Are we in the Senate giving up? Are we encouraging American citizens to give up? We must continue to examine the principles and practices with respect to civilian control of government. There is nothing new in this idea.

DIFFERENCES IN ATTITUDE

Recently we have seen strong efforts exerted in various aspects of our Government to assure that policy, both internal and in the conduct of foreign affairs, reflects the strong support of public opinion.

We can see it in the "teach-ins," and in Government officials explaining what our position throughout the world is. This is as it should be. In a civilian government conducted as a democracy the will of the people is of the utmost consideration. What the people may think of policy and of the actions required to carry it, is of vital concern to the public official. It is the trademark of democratic civilian government.

A military man, by the very nature of the danger involved in his mission and the need for secrecy, is accustomed to following orders, if need be, with blind obedience. Public opinion is secondary. It has little to do with the chain of command or with the battlefield essentials of life and death.

There is an essential difference between the approach inherent in the thinking of the military man subject to years of military discipline and that of the civilian leader in public life, accustomed to the need for sensitivity to public opinion and the nuances of its subtle shifts. Military leadership unavoidably partakes of the autocratic and the dictatorial; the best civilian leadership bears a different kind of authority, that which stems from harmony and concensus with the will of the people.

Consequently, as a matter of sound public policy in a democracy, it is imperative that civilian agencies be led by civil servants rather than dominated by a large concentration of military or ex-military personnel.

There is today a real fear of military control of civilian government. This fear has become a real part of our cultural and political institutions. It is well known and understood. It is talked about frequently.

George M. Humphrey, President Eisenhower's first Secretary of the Treasury, felt the military pressures and speaks of his fear of mounting military power:

> The military can hold the power of life and death over a community. This growing power of the military threatens the traditional American way of life and brings the civilian authorities under tremendous pressure.

Senator FULBRIGHT said regarding his now famous memorandum to Secretary McNamara on the General Walker controversy:

> The memorandum was based on my strong belief in the principle of military subordination to civilian control. Military officers are not elected by the people, and they have no responsibilities for the formulation of policies other than military policies.

President Kennedy warned in his first special message to the Congress on the Defense budget:

> Neither our strategy nor our psychology as a nation—and certainly not our economy—must become dependent upon the permanent maintenance of a large military establishment * * *. Our arms must be subject to ultimate civilian control and command at all times, in war as well as peace.

President Franklin D. Roosevelt in an address at Shibe Park, Philadelphia, on October 27, 1944, said:

> The Constitution of the United States says—and I hope you will pardon me if I quote it correctly—"The President shall be Commander in Chief of the Army and Navy of the United States."
>
> It seems to me that this is a matter of considerable importance to the American people.
>
> It was due to no accident and no oversight that the framers of our Constitution put the command of our Armed Forces under civilian authority.

Fletcher Knebel and C. W. Bailey point out in a hard-hitting article in Look magazine on September 11, 1962:

> The possibility of a military takeover is one of the great unmentionables in Washington. Hundreds of politicians speak on the fringes of the subject. Yet there would be no reason for men like Eisenhower to fear a military-industrial complex unless they fear military control of the Government, either overt or covert, and unless they believe that such control would be an evil thing.

I quote from Time magazine of August 10, 1953:

> ARMED FORCES—RUDE AWAKENING
>
> To the Navy's top brass, the ideal Secretary of the Navy is a civilian who soaks up briefings, cuts an impressive figure before congressional committees, signs his name legibly, and relies for all his decisions on the Navy's top brass. Navy Secretary Robert B. Anderson, a 43-year-old Texas lawyer, estate manager, and Boy Scout worker, appeared to fit these specifications. Last week the Navy got a rude awakening. Bob Anderson, 6 months in office, moved an admiral out of a top Navy Department job because of "policy differences."
>
> Anderson's victim was Rear Adm. Homer N. Wallin, 59, Chief of the Navy's Bureau of Ships. Wallin led the fight to prevent promotion—and thus bring automatic retirement—of Navy Capt. Hyman Rickover, a

brilliant, freewheeling Navy engineer who developed the atomic submarine. Secretary Anderson inherited the Rickover mess and the senatorial protests over the obvious injustice. Anderson examined the facts, disregarded Wallin's advice, and convened a special selection board which advanced Rickover to rear admiral. (He was confirmed by the Senate last week.)

Meanwhile, Navy Under Secretary Charles Thomas asked Navy departmental heads to report detailed facts on their procurement plans. Some of the admirals replied with vague generalizations. Thomas issued a stern order for precise detail. On the second round, all complied except Admiral Wallin, who, in effect, told Anderson and Thomas to content themselves with broad policy and leave the details to the admirals. Since, as every Pentagonian knows, broad policy is frequently determined by details, Anderson considered that he was getting a well-known form of Pentagon run around. Wallin was relieved of his command and transferred to the Puget Sound Navy Yard in Bremerton, Wash.

Mild Bob Anderson was not trying to throw his weight around. His action was part of the Eisenhower effort to get control of defense policy back where the Constitution put it: in the hands of the President and his top civilian officials.

Mr. President, C. Wright Mills, in his book, "The Power Elite," refers to the "war lords" and he cites the military ascendancy in the world of science:

By October of 1954, this had reached the point at which Dr. Vannevar Bush—World War II Chief of the Office of Scientific Research and Development—felt it necessary to assert flatly that the scientific community was demoralized. "You won't find any strikes," he said, "but scientists today are discouraged and downhearted and feel that they are being pushed out, and they are." In the context of distrust, no less a scientist than Albert Einstein publicly asserted: "If I would be a young man again and had to decide how to make my living, I would not try to become a scientist or scholar or teacher. I would rather choose to be a plumber or a peddler in the hope to find that modest degrees of independence still available under present circumstances.

The whole problem of this infiltration of our civilian government by the military was anticipated by troubled students of our Government for some time. As far back as March 1952, Look magazine published two articles on the subject "Should We Fear the Military," in which both Supreme Court Justice William O. Douglas and Gen. Omar N. Bradley, former Chairman of the Joint Chiefs of Staff, commented in detail on the situation. Their remarks are so pertinent and so important that I ask unanimous consent to include their full text in this presentation.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SHOULD WE FEAR THE MILITARY? ASSOCIATE JUSTICE WILLIAM O. DOUGLAS, U.S. SUPREME COURT: "WE HAVE BECOME VICTIMS OF THE MILITARY MIND"

The increasing influence of the military in our thinking and in our affairs is the most ominous aspect of our modern history.

Our Government was designed to keep the military in the background, reserving them for the days of actual hostilities. That is why the President is Commander in Chief. That is why civilians are administrative heads of even the military branches of our Government.

We indeed do the military great disservice by thrusting civilian tasks on them, by placing on them the burdens of peace. Many of them are the first to recognize that neither by training nor by experience are they as a general rule qualified to handle the complex problems of the present world crisis.

This is not because military men lack integrity or ability or devotion. They are men of high character and fine ideals. But the military mind is too narrow, the military technique too limited to deal with the vast problems of this age. I do not refer to the military great among us—Bradley, Eisenhower, MacArthur, Marshall. My criticism runs to the military clique that spreads slowly throughout Government, expanding its hold and making its voice more loudly heard with each passing day.

The deficiencies in the approach of the military to domestic and world affairs start with military education. West Point and Annapolis give good technical training. It is, however, a specialized education for one of the most highly specialized of all callings—the killing of men, the destruction of cities, the pursuit of the enemy.

An education broad and liberal in its base is needed for insight into and understanding of the problems of the world as well as of the Nation. The world problem is not essentially different from any community problem. We need men who have made a specialty of human beings and their aspirations, motivations and reactions. Our Foreign Service is made up of men who have had this broad and liberal education. They know people and history, and, knowing them, have often been able to do brilliant jobs in shaping history, in deflecting streams of events.

The military mind looks at world affairs in terms of preparations for war—bases that will be useful in defense or offense, the building of armies, the marshaling of raw materials and the harnessing of industrial production. The military looks at domestic affairs in terms of giving orders and expecting obedience. The military mind does not know the give and take of public debate, the art of persuasion of people, the value and importance of dissent and disagreement, the importance of religious, political, racial minorities in our midst.

The military mind, in other words, has two distinctive characteristics—first, it tends to put every problem in the perspective of war; second, it tends to regiment people, to have one orthodox creed and to leave no room for diversity of opinion, the strength of democracy.

The military can, of course, take hold of almost any civil disturbance and create law and order. But it takes the priest, the teacher, the social worker, the psychologist to get at the basic tensions. The military should in no case be called upon for action until the political department is bankrupt.

REVOLUTIONS SWEEP THE EARTH

Astute political management can control today's crisis, the greatest crisis in world history. What is this crisis? It stems for the most part from revolutions that sweep the earth and involve most of the people of the world. They are revolutions against feudalism; against the ownership and control by a few men of the wealth and resources of a nation while the bulk of the people work on meager shares for the few at the top. Where there is feudalism, Communist organizers work with the greatest ease and gain the quickest results.

The desire to be rid of feudalism, the desire to throw the foreigner out, the desire for equality of status—these whip up the tremendous unrest that disturbs the world today. Management of these revolutions and the problems they create is a political problem of the first magnitude. That we have taken the military rather than the political approach to these problems is powerful proof that we have become victims of the military mind.

The formulation of our foreign policy has slipped more and more into the hands of the military clique that has possessed Washington, D.C. The emphasis has been more and more on military strategy, less and less on political management. Billions upon billions upon billions of dollars are invested; and yet in spite of our investment in military ideas and military projects, the free world continues to shrink.

Under military management, we are being propelled into fateful decisions. We are alienating Asia. We are losing prestige throughout Africa and the Middle East. In the eyes of the little people of the world, we often act as haughtily as the foreign power that once landed on their shores. Our seemingly arrogant attitude is the product of our military management.

We should be going to the world as the Quakers go—with humility and understanding and the desire to serve. We should keep the military in the training camps and the officers' schools. We should man our agencies with civilians, keeping the military out of the public affairs. The world crisis is a crisis in human relations that all the bombs, all the tanks, all the guns in the world cannot resolve.

MILITARY MIND SHAPES THINKING

Some say that although there has been a great inroad of military men into public office the situation is saved by the umbrella of civilians that is held over them. It is true that many departments, manned by the military, have civilian heads. But anyone who knows government knows that policy is made at the expert level. The hidden layer of military personnel shapes the thinking and policy of many an agency; the civilian heads by and large are merely spokesmen for what the military want. This is a necessary consequence of the complexities of a bureaucracy.

The military have such a dominating influence in our foreign affairs, and foreign affairs are so large in every budget, that military men are inheriting more and more domestic roles. It is the military voice that is heard more and more in the factories, along the waterfronts, in our powerplants. It is the influence of the military that is having a fearsome effect in repressing speech in most of the classrooms and on most of the campuses of the country. It is the military that are behind the vast regimentation that is taking hold of our society, forcing opinion into one mold, fastening an orthodox view on the country, making every dissent or disagreement dangerous. Our greatest efficiency has always been in a unanimity attained by debate, argument and persuasion. Today, as a result of our military-mindedness, there is less room for debate—less room for argument—less room for persuasion—than in almost any period in our history.

It is important that we look strong, and be strong, against the Soviet military threat. But our great influence in the world will be at the political level, through emissaries who teach freedom and justice and show that there is an alternative to the war tendered by the military. It is only political management that can make peace a continuous, cooperative undertaking among the peoples of the world, rather than the nervous interlude between wars.

GENERAL OF THE ARMY OMAR N. BRADLEY, CHAIRMAN, JOINT CHIEFS OF STAFF: "THERE IS NO MILITARY CLIQUE—CIVILIANS ARE IN CHARGE"

It is certainly wise to look at the growing influence of our military men in the policymaking that shapes our Nation and its place in the world. Every American wonders about this trend. There is a traditional distaste among Americans for any dictatorial

> influence in their lives. We are rugged individualists and, as far as possible, we want to stay that way.
>
> If my experience hadn't reassured me as to the integrity of our Armed Forces and the devotion of the men in them to our Nation, I, too, might have doubts and misgivings. But I can say from personal knowledge that we have nothing to fear from military men themselves. Certainly, their role in our national life is far from dominant.
>
> Let us look at how this "military influence" exerts itself.
>
> To maintain Armed Forces of 3,500,000 as we are doing, the military's requirements touch nearly every family in the United States. Young men and women, fulfilling their citizenship obligation to the Nation's defense, are subject to this "military influence" during their most formative years. Does that mean that our democratic principles are threatened by a dictatorial influence on our young people?
>
> The integrity of West Point and Annapolis is expected to be the soul of our military services. The selection of cadets and midshipmen is the most democratic in the world. At both Academies, the opportunity of free and honest competition is the foundation of academic and extracurricular rewards. Before the rigorous demands of cadet and midshipman training, all men are equal. Among our professional officers graduated from the Academies, we need fear no violation of democratic principles. Totalitarian government for the United States will never rise from these graduates.
>
> ### CIVILIAN INFLUENCE IS GREATER
>
> In our Armed Forces themselves, the democratic principle is stronger than in any other country. There is no military clique. Civilian influence is greater than the professional military influence. In 1940, the Regular service included about 17,000 officers. In World War II, our Army and Air Force had more than 800,000 commissioned officers. Several of our civilian universities and civilian military colleges—for example, Texas A. & M.—furnished more officers than West Point did. Many of our fine generals came up from the Organized Reserves and National Guard.
>
> The impact of preparedness on our economic life also raises the question of "military influence." The Defense budget this fiscal year runs to $59.4 billion, with another 5.8 billions for military aid to our allies. Arms production is cutting across the whole pattern of our economy.
>
> But the projected outlay for defense is not in reality a military budget; it is a civilian budget. Civilians are in charge. In the Defense Department, the budget is controlled and finally approved, not by the Joint Chiefs of Staff but by the four civilian Secretaries. In the White House, it is carefully reviewed and inspected, and even changed, by an all-civilian Bureau of the Budget. After it goes to Congress, the budget undergoes careful examination by the Appropriations Committees of the House and Senate. This would not appear to me to be dangerous military control over the share of the Government's money which is being expended for defense, nor a dangerous military influence on our economic life.
>
> In our international negotiations, some of our gravest decisions are influenced by recommendations of the Joint Chiefs of Staff—our four top military leaders. But this dependence on military counsel is not of the soldiers' choosing. All the military men I know believe profoundly in civilian control and look to civilian leadership in national and international affairs.
>
> ### MARSHALL RELIED ON CIVILIANS
>
> Our wartime Chief of Staff, Gen. George C. Marshall, is an outstanding example. When he moved in as Secretary of State, he relied for his staff upon the civilians who had been doing the job before. When he assumed the difficult job of Secretary of Defense, he prepared the way as quickly as possible for his own relinquishment of the task.
>
> The truth is that in these times of half peace, half war, neither the soldier nor the diplomat alone can lead the American people on a wise course of international action. Both voices must be heard, and are heard, to make American policy realistic and effective.
>
> But in international affairs, just as in matters of the defense budget, civilians make the final decisions. The Secretary of State, with his Department, works out the final answers with the President. Military men contribute advice at all stages of the decision, and frequently are assigned to help carry out the policies, but that is all.
>
> Even in matters more strictly concerned with the security of the Nation—economic, political, or military—the National Security Council, consisting of five civilians, passes on most of the action and all of the major policy. From the Council, the recommendations go to the President for approval and frequently to committees of Congress which investigate and review the decisions.
>
> Not only do congressional committees review the policy and the actions in foreign relations, they also examine and investigate specific military matters. A big part of my own job as Chairman of the Joint Chiefs of Staff is keeping Members of Congress as well as the Secretary of Defense, the Secretary of State, and the President briefed on military events.
>
> Economically, politically, and militarily, the control of our country resides with the civilian executive and legislative agencies, and thus ultimately in the hands of the voters and organized civilian groups interested in good government.
>
> Americans guide their Government, and their destiny, through their elected and appointed leaders. Fortunately, there is no dearth of strong leadership in the United States. But many of the great fullbacks and linesmen of American enterprise are still on the bench rather than in the game.
>
> I know that 160 million people here in the United States have the largest pool of strong, vigorous, imaginative leadership in the world today. The success of business and industry proves it. The success of labor proves it. Local government and the great mass of private volunteer enterprise—both civic and social—prove it a thousand times a day.
>
> When you have civilians like these in charge, no military clique can develop. And when you have trained and skilled businessmen and scientists advising the military as frequently as we have had since 1940, admirals and generals are not likely to influence unduly the policies and plans of our Government.
>
> In these next trying years, I predict that as emergencies arise, the military will be called upon for advice, and perhaps initially to take charge of problems. I also am sure that as soon as civilian agencies are organized to take over such civilian problems, the military will gladly withdraw to its purely professional duties.
>
> Unless, however, more strong men drop their briefcases full of contracts to take up the reins of government, we will lose by default in the struggle we are engaged in today. If industrial and labor leaders will step forward and help run our Government in the American way, there will never be a danger of our Government running America in the wrong way.

Mr. HARTKE. Since I see my distinguished friend the Senator from Louisiana in the Chamber, I should like to read portions of the statement of Mr. Justice Douglas:

> The increasing influence of the military in our thinking and in our affairs is the most ominous aspect of our modern history.
>
> Our Government was designed to keep the military in the background, reserving them for the days of actual hostilities. That is why the President is Commander in Chief. That is why civilians are administrative heads of even the military branches of our Government.
>
> We indeed do the military great disservice by thrusting civilian tasks on them, by placing on them the burdens of peace. Many of them are the first to recognize that neither by training nor by experience are they as a general rule qualified to handle the complex problems of the present world crisis.
>
> This is not because military men lack integrity or ability or devotion. They are men of high character and fine ideals. But the military mind is too narrow, the military technique too limited to deal with the vast problems of this age. I do not refer to the military great among us—Bradley, Eisenhower, MacArthur, Marshall. My criticism runs to the military clique that spreads slowly throughout Government, expanding its hold and making its voice more loudly heard with each passing day.
>
> The deficiencies in the approach of the military to domestic and world affairs start with military education. West Point and Annapolis give good technical training. It is, however, a specialized education for one of the most highly specialized of all callings—the killing of men, the destruction of cities, the pursuit of the enemy.
>
> The military mind looks at world affairs in terms of preparations for war—bases that will be useful in defense or offense, the building of armies, the marshaling of raw materials and the harnessing of industrial production. The military look at domestic affairs in terms of giving orders and expecting obedience. The military mind does not know the give and take of public debate, the art of persuasion of people, the value and importance of dissent and disagreement, the importance of religious, political, racial minorities in our midst.

How can a man move into a position as head of the Federal Aviation Agency without knowing about civilian aviation safety, how a certain base will be used, and how a certain field will be used—not how a flier might wish to fly in military aviation, but how will the field be used in civil aviation?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HARTKE. I am glad to yield to my great friend, the assistant majority leader, the Senator from Louisiana.

Mr. LONG of Louisiana. I may be boring the Senator with a subject that I constantly raise. As the Senator so well knows, the Senator from Louisiana has consistently been criticizing the military for signing contracts for research and development in which the military takes the attitude that all they are interested in getting for their $12 billion spent on research and development is merely the right for the military to use what is developed with those funds. It would be the same as if we had a highway program and gave the military the money of taxpayers to build a bridge across the Mississippi River or the Potomac River, and having done so, and having built the bridge on the condition that the military could drive its trucks across that bridge toll free, we would then proceed to let the contractor, who had already been paid his price, proceed to set tolls and charge VANCE HARTKE and RUSSELL LONG any price he wished to charge us, as well as the other 190 million taxpayers who had paid for the bridge, to cross it.

That is "tunnel vision" that fails to consider general interest but only military interest. We see that possibility in a military officer going over to the Federal Aviation Agency. The Federal Aviation Agency has insisted upon protecting the entire public interest. They do research, and when they do it, they insist that the public interest be scrupulously and carefully protected. This Senator is very careful. I should like to know, if that military officer should go over to the Federal Aviation Agency, whether he will try to impose the Department of Defense giveaway program on the Federal Aviation Agency. I assure the Senator that no one in that Agency wishes to give away private patents on the research of that Agency.

Mr. HARTKE. The Senator from Louisiana has put his finger on an important factor. As I believe the assistant majority leader knows, one of the important reasons, we have been told, why General McKee wishes to go into that position is that we need a supersonic transport. Day in and day out money is authorized for research and development in the Federal Aviation Agency. The military will now take another step into an agency that heretofore has been reserved under the law for civilians. We shall take another step and give that agency to the same type of thinking and the same philosophy of those who already posses the military type of thinking. We would give them an opportunity to tighten their hold on patent developments, and on the public right to have an interest in those developments which are made at public expense.

I know that the Senator has been fighting for this program. I believe he will be successful this year in stripping at least part of that authority away.

Mr. LONG of Louisiana. Here is an agency, the head of which is Mr. Halaby—a proper head of that Agency—who is leaving it. That man would not consider giving away private patents on the research undertaken. His predecessor would not consider giving them away. None of those on the staff would consider giving away private patents on the research done by that Agency.

They feel that the research should benefit the public in general, and that the plane which the public flies, if handled by that Agency, could be produced much more cheaply. That would mean much cheaper passenger rates and much cheaper freight rates if the planes were produced on a competitive basis. I hope we are not falling into the trap of sending a man to that agency who would proceed to reverse the public interest policy which has long been established and scrupulously followed.

When I see this man, who is basically a Department of Defense man—and the Department of Defense follows a patent giveaway program—going over from NASA, which is trying to get more and more into that type of giveaway program, and then see him in turn take over the Federal Aviation Agency, which is an agency which from top to bottom, as it stands now, is completely opposed to giving away private monopolies on research done with Government money——

Mr. HARTKE. I do not believe that we will send that man over there. I do not believe that we will change that law. I believe we shall be able to make it clearly understood that we shall not do so.

Mr. LONG of Louisiana. Do I correctly understand that change in the law is requested, or is a man being appointed in violation of the law?

Mr. HARTKE. The man is not yet recommended. Senate bill 1900 would change the present law, which specifically requires that the Federal Aviation Agency Administrator be a civilian. We would wipe out that law.

That man has said, "I am not going to take that job. I am a four-star general. I shall not take that job because I have been enjoying a good life in NASA and collect my pay over there—about $39,000." He is at the top. He says, "I shall not take that job unless you agree to pay me $30,000 as Administrator and let me have my dual compensation under the Dual Compensation Act." That would make the total about $38,000, or a little less. But he has said, "I will not do that if I have to give up my benefits."

An amendment was proposed in the Finance Committee, on which we voted, to increase the benefits of the poor little worker on the factory line who works a lifetime and retires at the age of 65. If he wishes to dedicate his service to the Government and earns more than $1,200, he may keep the $1,200, but with respect to anything over the $1,200, he must give back half of the next $500; and if he makes more than $1,700, he must give back all the rest of his social security.

Mr. LONG of Louisiana. I would imagine that if such a person were to go to the Federal Aviation Agency and give away patent rights on all its research, the airplane companies would arrange to see to it that he would not have to worry about receiving compensation from other sources during the remainder of his lifetime.

Mr. HARTKE. I thank the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, will the Senator further yield?

Mr. HARTKE. I am glad to yield.

Mr. LONG of Louisiana. The Senator knows that I came into the Chamber during the middle of his speech. I discussed the subject with him in general terms prior to the time he launched upon the fine study he has made. But the Senator might clear up my confusion in this matter. Are we being told that we must enact a law because there is only one man in America who is qualified to fill this position?

Mr. HARTKE. That is exactly correct.

Mr. LONG of Louisiana. What would happen if the man died? Would the country have to go out of business?

Mr. HARTKE. We are supposed to be operating on the indispensable-man theory. We are being told in substance that among the 200 million Americans there is no other man capable of filling this post.

As of now, he has not been nominated. He could not be nominated at this time. He could not be nominated unless a new law were passed and until another man had been moved from another post. This is really the domino theory. A military man is now the Deputy Administrator. If the proposed law were enacted, the Deputy Administrator would have to be moved out; otherwise we would be in violation of still another provision of law.

Mr. LONG of Louisiana. The Senator will recall that we have had arguments from time to time about the indispensable man. With all due deference to a great man, I recall that General Marshall was brought back to be Secretary of Defense at a time when we had suffered a reverse in Korea. Things were not going well. As a practical matter, as things had occurred, the Nation had not intended to defend Korea in the first instance. When the attack occurred, the decision was made on the spur of the moment that we had to go in and defend that area. The decision was also made to bring General Marshall back.

He was a great man. He rendered outstanding service. But the man's performance in prior years had been much greater than what he could do at his age at that particular time. Sometimes more reliance is placed upon a man's past reputation, in taking the indispensable-man attitude, than on what he has to offer for the future.

Mr. HARTKE. That seems to be the general philosophy. I am glad the Senator has raised the question. Sometimes high civilian posts are considered as retirement honorariums for a man who has given good service to his country. He has been a great man and has performed wonderful service. In order to take care of him further, he is honored by being placed in a top position in the Federal Government.

Mr. LONG of Louisiana. There is no doubt in the judgment of the junior Senator from Louisiana that there are other men who could do that job. I see no need whatever for a change in the law. The Senator from Indiana has convinced me that there is no need to change the law.

Are we to understand that the law is to be changed because it is said that only one man can handle the job?

Mr. HARTKE. It is said that the law is to be written for the benefit of one man, and one man alone; it is never to be done again. Of course, that is not true. Such a law would be good forever. It is designated as the McKee bill, because he cannot be appointed unless the bill is passed. His name is mentioned in the bill so that he can retain his retirement benefits and not have to give up anything. After he had served for 5 years, his wife would be eligible for increased widow's retirement benefits, from $4,000 to $14,000.

Mr. LONG of Louisiana. Let me try to recall what the law provides. Is that the law which provides that when a person takes such a job, he must surrender 50 percent or otherwise his income would be reduced?

Mr. HARTKE. The Dual Compensation Act, which applies, provides that a retired military officer may keep $2,500 plus one-half of his retirement pay, which in this case means roughly that this man could keep about $8,400.

Mr. LONG of Louisiana. Some time ago the junior Senator from Louisiana recommended a man whom he regarded as one of the best Air Force officers for a job in one of the regulatory branches of the Government. He is one of the finest officers the country has produced. He was perfectly willing and content to comply with the law. Why cannot General McKee comply with the law? The officer whom I recommended is far better known among officers than the man we are now talking about.

Mr. HARTKE. General McKee says that he cannot afford to do that. He would require Congress to set aside a well-established principle in the history of democracy. The bill provides:

> The President is authorized to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency.

In addition, the bill provides:

> He shall receive the compensation of that office at the rate specified in the Federal Executive Salary Act of 1964 * * * and shall retain the rank and grade which he now holds as an officer on the retired list of the regular Air Force, and shall in addition continue to receive the retired pay to which he is entitled by law, subject to the provisions of the Dual Compensation Act.

Mr. LONG of Louisiana. It strikes me that a man who has been on the public payroll his whole lifetime, since about the age of 17, ought to give somebody else a chance at public office. This is a good position.

Mr. HARTKE. We are here considering an indispensable man. That is the whole problem. But the danger really is greater than that. It is really greater than one exception.

We are asked, in effect, to close our eyes and plunge into the river; and if there are rocks at the bottom of the river, and we break our neck when we strike them, that will be too bad.

The net effect of the report is that the President needs General McKee in this position.

There are three sections to the bill. I read from the report:

> Section 2 specifically provides that General McKee, while serving in the capacity of Administrator of the Federal Aviation Agency, shall in no way be subject to supervision, control, restriction, or prohibition (military or otherwise) as a consequence of his status as a retired military officer.

Section 3 of the bill provides:

> It is hereby expressed as the intent of the Congress that the authority granted by this Act is not to be construed as approval by the Congress of continuing appointments of military men to the office of Administrator of the Federal Aviation Agency in the future.

Then the report states:

> The committee wishes to emphasize that it considers the latter 2 sections of critical importance and that its action in favorably reporting this measure was contingent upon their inclusion.

Mr. LONG of Louisiana. I hope we can hold up the passage of this bill so that I can submit some names. I know many persons who would be competent to fill this position. The appointment of any of them would not require a change in the law. Any of them would be glad to surrender his present income to get the job. Of course, it would still result in a net increase in pay, would it not?

Mr. HARTKE. Yes.

Mr. LONG of Louisiana. It is a position of great power and prestige.

Mr. HARTKE. It is considered one of the most important positions in the Federal Government. Outside the Post Office Department, the Federal Aviation Agency is the largest employer of personnel.

Mr. LONG of Louisiana. I hope the bill can be held up long enough so that the junior Senator from Louisiana can submit names for the position. I know of a number of fine persons who I am sure would be interested in it.

Mr. HARTKE. I am certain that Mr. Macy will be glad to consider the names of the persons whom the Senator from Louisiana might recommend.

I wish to repeat these words of Justice Douglas:

> The military shall in no case be called upon for action until the political department is bankrupt.

I think we have demonstrated conclusively now that this country is not politically bankrupt.

Remember, Gen. Omar Bradley, in his response, stated:

> It is certainly wise to look at the growing influence of our military men in the policymaking that shapes our Nation and its place in the world. Every American wonders about this trend. There is a traditional distaste among Americans for any dictatorial influence in their lives. We are rugged individualists and, as far as possible, we want to stay that way.

This is the American concept. Americans carry out their form of government.

Does the Senator from Louisiana have someone whom he would like to have nominated, one who would come within the law?

Mr. LONG of Louisiana. I have. May I ask if the Senator from Indiana has looked into the statement of General Eisenhower in his farewell address to the effect that we should beware of this kind of situation?

Mr. HARTKE. We have. I covered that earlier. We also have a statement issued by Mr. Patton, of the Farmers' Union. He has never been considered to be a supporter of President Eisenhower, and I doubt that he is now. He stated that he agreed 100 percent with President Eisenhower.

CONCLUSION

I believe that General Bradley in his cogent argument that no danger exists of a military takeover makes the most eloquent case for our hesitation to pass S. 1900, which in its essence rewrites our laws so as to substitute military for civilian control. Clearly and definitely General Bradley recognized the absolute need for the maintenance of civilian control of our Government.

He saw effective, vigorous, imaginative leadership from all parts of the civilian economy helping to mold public opinion and he saw that the orderly constitutional processes of our Government subordinate the military. He thought the traditions of our Government, backed by executive and legislative leadership, would continue civilian control and prevent military takeover.

This is the essence of our argument here today. We must continue to assert these controls.

As General Bradley observed, we have a tremendous pool of civilian leadership in our Nation. Why is it not being tapped? General Bradley's confidence in civilian talent is open to question if a four-star Air Force general is the only man who can lead the Federal Aviation Agency. His words urge us to examine the issues raised by S. 1900 at length, in depth, and with clear heads.

The issue before us is not General McKee, it is not an individual, it is not a single personality, but the increasing practice of appointing military men in civilian agencies, not only to take and assume the functions and take the positions created for civilians, but to improve their will and their authority as administrators.

The danger is not General McKee, the danger is the growth of military assumption of civilian functions. Their creation thereby of military cliques in positions of authority, which inevitably means the domination of the military on civilian matters and the inevitable consequences—the trend of a military state.

I believe that the time has come for us to take a new and careful view of the high cost and potential danger of this continual appointment of military men to civilian jobs. The Federal Aviation Agency is the one special place where we should take the longest and hardest look.

This is not a partisan issue, this is not a personal issue. This is an issue vital in its consequence because it concerns a fundamental tenant to which we need and must hold fast.

The purpose of the Federal Aviation Act is to coordinate aviation activity, to save lives, to provide better air transportation for the civilian population, to build new airports to serve expanding needs and to help develop ever-better aircraft for civilians.

First, S. 1900 violates the legislative history of the Federal Aviation Act of 1958 which many of those now serving in this body made. Second, S. 1900 only points out too painfully the unfair basis of the Dual Compensation Act of 1964, which is unfair to the retired civilian employee and sneers at the social security recipient who returns to work.

As a third point, our constitutional heritage, as well as the basic reasoning for the Federal Aviation Act of 1958, demands civilian control of this agency. Whatever the unusual needs of the space age, they do not demand scrapping these wise and accepted safeguards.

I feel strongly that the Members of the Senate of the United States cannot ignore the words of distinguished leaders who in modern times call the attention to the importance of civilian control over the military and the foreboding of military domination: my distinguished colleague Senator FULBRIGHT, of Arkansas, President Eisenhower, President

Kennedy, President Roosevelt, Gov. John B. Connally, Admiral Burke, General MacArthur, ex-Treasury Secretary Humphrey, former Secretary of the Navy and former Secretary of the Treasury Robert Anderson, Dr. Vannevar Bush, and Albert Einstein. Can we in good conscience violate the trust the framers placed with the Senate in our capacity of advise and consent? Can we ignore the well thought out and contemplative warnings of the distinguished roll?

I do feel it incumbent upon me to spread before this Chamber and the Nation, the record as it exists today, my fears of tomorrow and my apprehension for the future of our democratic principles. I cannot do otherwise, and to do less would be unfair to the principles which I espouse.

A law which must be changed periodically to meet—not an emergency, not a pressing need—but to justify and satisfy one man or each changing whim obviously is not a good law. But this I do not believe to be the case of the Federal Aviation Act of 1958. This is a good law and should not be weakened to meet a momentary compromise or a whim. The consequences of such actions are inevitable. By this constant erosion, we shall have no law—nothing upon which the American people can place reliance as it is applied to our aviation activities. Thus, S. 1900 is merely a continuation of an eroding process which must be halted now, emphatically and decisively. Every time we act to amend or change legislation which is honest in intent and capable of observance, I cannot help but recall the words of Jean Jacques Rousseau which are as pertinent today as they were 200 years ago, "Good laws lead to the making of better ones: bad laws bring about worse." This is a bad law, this is a bad proposal and, if adopted, inevitably will bring about worse and by taking this step, we are assisting in the destruction of the cornerstone of our Republic.

Mr. LONG of Louisiana. The Senator has convinced me—so much so that he does not want the bill passed without looking into this matter, because, if it comes to a showdown, the junior Senator from Louisiana might want to join forces with the Senator from Indiana.

This matter should not be looked on lightly. We are not talking about a general of the caliber of General Eisenhower. We are not talking about a General Bradley. We are not talking about a Gen. George Washington. We are not talking about a Gen. Ulysses S. Grant, who, by the way, would be an exception to the rule. I suspect that the country would have been much better off if that particular military man had not become a civilian and become the President, because while he was a great general, I am sure historians do not regard his record as a President as being very good. We are not talking about that caliber of general, but we are talking about a run-of-the-mill officer who wants to make more money, when there are many people who would be delighted to take this position.

Mr. HARTKE. It is a remarkable thing when a man sets down the conditions on which he will take the job. In essence he says, "I am the only one. Here I am. Take me."

Mr. LONG of Louisiana. We have fine men serving in Washington, who were making a quarter of a million dollars or more in the private practice of law or in private business, who have made a great sacrifice to serve in Washington. But they took the job knowing they were making a sacrifice.

The Senator from Indiana has convinced me that the idea of a man drawing a salary for this job and Congress enacting a special law in order to appoint run-of-the-mill general to the position does not appeal to me.

What is the general's great distinction? Did he win any war in Santo Domingo, or some such thing? Where has he been? What has he done? Where has he been all these years that I have not heard of him?

Mr. HARTKE. I think the Senator will find that he is in the Air Force but is not a pilot.

Mr. LONG of Louisiana. What has he done? If we are to change the law so that this one man can have a job that could be performed by a lot of other persons, we ought to know something about him. What has he done?

Mr. HARTKE. The nomination has not been before the Commerce Committee, so we could question him. We have not been able to ask him questions. If he is such a superior individual, we ought to know about it. The truth is that it is said he is a pleasant man to meet.

Mr. LONG of Louisiana. Apparently, if he is appointed to this job, it may be a great loss to private enterprise not to have his talents.

Mr. HARTKE. He is not in bad shape. He is with NASA and is drawing $39,000 a year.

Mr. LONG of Louisiana. Giving away patent rights.

Mr. HARTKE. That is correct, giving away patent rights. One can judge a man only by his past history.

Mr. LONG of Louisiana. What has the man done? What have been his achievements that we have to change the law so he may draw more compensation and get more than somebody else doing the same job would get, a job that even other military men might take without our changing the law? Why change the law to fit this man?

Mr. HARTKE. I am at a loss to answer the question. I presume it will be answered.

Mr. LONG of Louisiana. Assuming he is worth more money than he is getting, does not the Senator believe that if he took this job we might be denying private enterprise some fantastic talent?

Mr. HARTKE. Under the normal procedures of the advice-and-consent powers of the Senate, a man's name is submitted to the Senate. He is nominated by the President. The Senate refers the nomination to a committee. Then a hearing is held to decide whether he is qualified. We are not going to do that in this case. We are going to pass upon his qualifications for his job without having his name submitted to us. This is saying that he is the type of personality who fits the indispensable man theory.

Mr. LONG of Louisiana. Does not the Senator believe we should bring this man before us and see what we are going to get in the way of extra talent by changing the law, presuming that we are going to get this colossus?

Mr. HARTKE. I personally feel that, no matter how well qualified he is, no matter how exceptional he may be, the truth is that this is a dangerous trend, and it is time to stop it. If we pass the bill, we shall be bowing to a military takeover of all civilian authority. We passed the bill in 1958, and the distinguished Senator from Louisiana was here when the bill was passed, as were the Vice President and the President, and as were the majority members of the Committee on Commerce.

If the bill is passed, we shall, in effect, be saying to the American people that we have resisted as far as we can; that we must get all our talent from the military; that we do not have a good civilian educational system; that only the military system can produce men to hold these civilian jobs. That is what it amounts to.

Mr. LONG of Louisiana. It seems to me that in order to pass the bill two points would have to be established. The first point is that the person named to the position is the man who can do it best. As a part of that point, I think we should have to look over the qualifications of this person. The next point is that we must use the talents of this unusual person in this particular field, in which he has been giving away patent rights as a result of Government research, and that other men do not have such talents. What is his special talent? Is it that he is congenial in getting along with big industry? Is it because of his ability to deal with scientists and research workers? Is it his flying talent? Is it because of his great military achievements? What is it that qualifies this man above all others? In order to ascertain the answer to that question, we should bring him before us and learn what his qualifications are.

In the meantime, perhaps we can obtain brochures with respect to other persons who might qualify for this position. I might be able to think of a few whom I would like to see take that job, some of whom are in the military service, some of whom are civilians, some of whom may have had experience in both fields. We can consult the finest people available and then see if he really qualifies. Then the case will have been proved that this law is needed.

Mr. HARTKE. We still will not have proved that we need the law. We would still have the indispensable man theory that it is only from the military that we can get men for these positions. If we are going to wipe away, with one sweep of the pen, the whole theory of democratic government, that the civilian authorities shall control, we shall be setting a dangerous precedent. The first words in the report of the majority are:

> Section 1 would authorize the President to appoint Gen. William F. McKee, U.S. Air

> Force, retired, to the Office of Administrator of the Federal Aviation Agency.
>
> Section 301(b) of the Federal Aviation Act requires that the Administrator of the Federal Aviation Agency shall be a civilian at the time of his nomination.

It says he "shall" be. We are not arguing about the word "shall" or "may," as we do in law school. It says "shall." When the law says he "shall" be a civilian, it means he shall be a civilian, in the strictest sense of the word.

By passing the bill we would wipe away what many great men have said, what was repeated by President Eisenhower, by President Kennedy, by Pinckney, by Madison, and by many other great men—that it is the strength of democracy that there shall be civilian control of the Government. This principle is more important than the indispensable man theory. The only place where the indispensable man theory belongs is in a dictatorship. Only Hitlers and Mussolinis belong in the indispensable man classification. During a great recent war in which this country was engaged, one of our great men passed away in wartime. Great as that man was, we carried on. It seems to me that the world has continued. So there is no such thing as an indispensable man.

Mr. LONG of Louisiana. We adopted a constitutional amendment, which is in effect at present, that a President may serve no more than two terms. That proposal was urged, for the most part, by Members on the other side of the aisle. It was done after President Franklin Roosevelt, a great President, had been elected four times. We know that many persons thought that the adoption of such a provision was unfortunate because they thought they needed President Eisenhower to run for a third term for the Republicans. That provision was adopted, and it has been in effect since that time. It is a complete constitutional denial of the indispensable man theory.

Mr. HARTKE. The whole theory of the indispensable man is contrary to the concept of democracy. This is the very essence of the argument.

Mr. LONG of Louisiana. If this man is so essential for the Government that we cannot afford not to have him, perhaps we should pass a bill putting a large insurance policy on his life. It would mean that some of the States would have to do without him.

Mr. HARTKE. If it does, it would require an insurance policy to be paid for by the Government. This would probably be all right.

Mr. LONG of Louisiana. That is what I had in mind.

Mr. HARTKE. With special benefits for the widow. Perhaps I can offer such an amendment. It is important to remember that Representative JOHN BELL WILLIAMS of Mississippi in the House, which passed the bill, held some discussion about it, and he offered an amendment—of course he offered it in jest—which would have provided a law that the man to head the FAA shall be a military man unless the President decides to appoint a civilian.

One of the newspapers back home, commenting on the story, reported, "Old generals don't pass away; they just take Government jobs."

Let me say to my distinguished friend from Louisiana that this is a serious matter. Although the bill has not been called up, it is on the calendar and is ready to be acted upon. I hope at that time that I shall have the assistance of the majority whip, who has acted so ably in many fields on the floor of the Senate, and who has always championed the cause of the people against the power structures.

Mr. LONG of Louisiana. Let me say to the Senator from Indiana that he has made himself a real prospect here today.

Mr. HARTKE. Mr. President, I yield the floor.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

ANNUAL REPORT OF THE OFFICE OF ALIEN PROPERTY—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am proud to transmit the Annual Report of the Office of Alien Property for the fiscal year ended June 30, 1964.

This is the 22d report, as required by law, of proceedings under the Trading With the Enemy Act, as amended. There is special significance in this report because it signals the completion of the functions of the Office of Alien Property in the near future. I feel it is appropriate, therefore, to review the record of this Office which has led to the successful conclusion of the purpose for which it was established by the Congress.

Upon our entry into World War II, Congress broadened the terms of the Trading With the Enemy Act of 1917 to permit effective use of enemy owned or controlled property in our own war effort, and also to deny its use to the enemy.

The Office of Alien Property Custodian was reconstituted as an independent agency in 1942 and by February 1943 personnel of the Office had reached its peak of almost 1,300 persons. Offices were opened in Washington, New York, Chicago, San Francisco, Manila, and Honolulu—and after the war in Munich, Germany, and Tokyo, Japan. In 1947, the Office of Alien Property Custodian was terminated and its functions transferred to the Office of Alien Property within the Department of Justice.

Thus far, a total of $861 million has been realized from all World War II vestings. Seizures affected assets of every description from the huge General Aniline & Film Corp. stockholdings to script certificates valued at only a few cents. Assets administered and liquidated have included personal property, trusts, estates, patents, copyrights, trademarks, stocks, bonds, industrial equipment, mineral rights, farms, urban real estate, mortgages, entire businesses, and objects of art.

In 1946, following the cessation of hostilities, Congress authorized return of vested property to individuals who were within countries which had been occupied by the enemy and to individuals who had been substantially deprived of their rights of citizenship on racial and religious grounds. Additionally, Congress authorized the payment of claims of American creditors from the vested property of their German debtors. More than 67,000 claims were filed under this authority—and, at this writing, only 134 claims involving about $25 million remain for processing and decision.

Under the act, the net proceeds of vested property which are not returnable must be placed in the war claims fund where it will be used to compensate American citizens who have suffered war damage. To date, about $314 million has been transferred by the Office of Alien Property to the war claims fund. An additional amount of $165 million recently obtained from the sale of the stock of General Aniline & Film Corp. will also be available for deposit to the war claims fund in the future.

During the years since 1942, the Office has participated in more than 7,000 litigated cases involving its assets. I am pleased to report that this caseload has now been cut drastically so that only 60 cases remain in litigation currently.

I am able to report to you now that the Department of Justice expects to complete the administration of World War II property, and to terminate the Office of Alien Property as an organizational entity, by June 30, 1966. This achievement is the result of a planned and purposeful effort made since 1961 to close the Office within 5 years.

Throughout its entire existence, the Office of Alien Property has been self-supporting from the proceeds of its vested property. Since July 1, 1961, the annual budget authorization of $690,000 for each year has supported a staff of about 50 persons. The Office's budget request of $369,000 for fiscal year 1966 is designed to support a staff of 21 persons during its last year as an organization.

After June 30, 1966, certain minimal functions will remain, including the administration of the blocked assets of several satellite countries which cannot be terminated until adequate financial agreements are reached with those countries. This function which requires the full-time services of only one employee may be assigned to another agency. At present, no other alien property matters are expected to require the full-time services of any employee beyond June 30, 1966.

At an appropriate time, in connection with the budget for fiscal 1967, I will propose recommendations on how the burden of the few remaining alien property functions can continue to be discharged with nonappropriated funds even though the functions may be performed by persons on appropriated fund payrolls.

The termination of the Office of Alien Property as of June 30, 1966, will bring to a close a chapter of American history which began in World War I. The first provision for an Alien Property Custodian in U.S. legislation is found in the Trading With the Enemy Act of October 6, 1917.

The termination of the last remaining World War I functions—impeded by the outbreak of World War II—was not accomplished until 1956, some 38 years after the conclusion of hostilities. Fortunately, we shall be able to conclude the affairs related to World War II in only 21 years, and I welcome this occasion to report that this objective is now finally in sight.

I would take this opportunity to observe that we of the United States enjoy the unique and blessed distinction of having, as a nation, no traditional or historic, and certainly no natural enemies, among other nations and other peoples on this earth. We greatly prize this good fortune and I know it is the will of the people, of the Congress, and certainly of the Chief Executive that such amity and friendship may be preserved forever, through growing understanding and unwavering pursuit of our objective of peace with honor among all men and nations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *April 10, 1965*.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6767) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DENTON, Mr. KIRWAN, Mrs. HANSEN, Mr. MARSH, Mr. MAHON, Mr. REIFEL, Mr. MCDADE, and Mr. JONAS were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap;

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk;

H.R. 7621. An act to amend title I of the Tariff Act of 1930 to limit button blanks to raw or crude blanks suitable for manufacture into buttons; and

H.R. 8464. An act to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 285) to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums," in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 1000) to amend the act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Finance:

H.R. 4493. An act to continue until the close of June 30, 1967, the existing suspension of duties for metal scrap;

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk;

H.R. 7621. An act to amend title I of the Tariff Act of 1930 to limit button blanks to raw or crude blanks suitable for manufacture into buttons; and

H.R. 8464. An act to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

HOUSE CONCURRENT RESOLUTION PLACED ON THE CALENDAR

The concurrent resolution (H. Con. Res. 285) to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums," was placed on the calendar, as follows:

Whereas the life of John Fitzgerald Kennedy is a continuing inspiration to American citizens all across our Nation; and

Whereas the film "John F. Kennedy—Years of Lightning, Day of Drums" is a part of the country's history which every American citizen is entitled to share: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) the people of the United States should not be denied an opportunity to view the film prepared by the United States Information Agency entitled "John F. Kennedy—Years of Lightning, Day of Drums", and

(2) the United States Information Agency should make appropriate arrangements to make such film available for distribution through educational and commercial media for viewing within the United States.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"SENATE JOINT RESOLUTION 16

"Joint resolution relative to the proposed discontinuance by the U.S. Department of Agriculture of its utilization research program on western rice

"Whereas the Secretary of Agriculture announced on December 31, 1964, his intention to request the discontinuance as of July 30, 1965, of all utilization research on western rice; and

"Whereas funds allocated to the Department's western laboratory at Albany, Calif., for this program total only $79,800 annually; and

"Whereas the value to both domestic consumers and the rice industry of California, since the western laboratory's initial research in 1948, has been estimated at many millions of dollars; and

"Whereas accomplishments of the western rice research program to date have included: major improvements in rice-drying operations; a process for stabilizing rice bran and brown rice; a process for increasing milling yields by drying to low moisture levels; establishment of relationships between milling yields and tempering conditions during drying; practical production of high-protein rice flours; delineation of comparative changes occurring in rough rice during flat, aerated, and turned storage; compositional changes during storage under a wide variety of temperature and moisture conditions, determination of equilibrium moisture contents of brown and parboiled rices; development of improved parboiling conditions for both pearl and Calrose rices; demonstration of critical relationships of milling yields and kernel properties to see maturity at harvest; quality control test for completeness of cooking in parboiled and quick-cooking rice products; demonstration of effectiveness of complete milling on removal of microorganisms from brown and undermilled rices; development of detailed information on amino acid, plant acid, sugar, and hemicellulose constituents in the rice kernel; demonstration of effect of enzymatic changes during storage on cooking and processing properties; development of high quality canned white rice; discovery of unique properties of waxy rice now being used commercially for stabilizing frozen food products; development of a quick-cooking rice now being used commercially; development of new types of instant breakfast cereal; development of process to freeze cooked rice for convenience marketing; development of rice curls, a unique snack item; and comparison of properties of U.S. rices with world rices to demonstrate potential of U.S. rices in export markets; and

"Whereas lines of research work presently in progress at the Albany laboratory include: at the specific request of the cereals committee of the National Research Council and the California rice industry, development of improved methods and materials for the coating of rice and for the uniform total enrichment of milled rice; at the request of the California rice industry, development of parboiled products having improved color and flavor from brown and undermilled, as well as paddy rices; pilot-scale and commercial production of high-protein flours, in cooperation with the United Nations Children's Fund; characterization of the protein components of rice and the elucidation of their relationships to processing qualities; and

"Whereas some specific problems requiring further research to benefit domestic consumers and the rice industry are: new milling methods for removal of bran other than by the conventional abrasion methods now in use; radically different quick-cooking and instant rice products with major improvement in quality; exploitation of leads from past research to reduce undesirable stickiness of short-grain rice; a full understanding of relationships between compositional variations in rice and major quality factors; mechanisms of aging changes in rice and development of methods to modify and control them; development of allergen-free beverage products from high-protein rice flours for use by weaning children in developing nations; investigations of new techniques to maintain high processing quality of rough rice at the mill; development of profitable new outlets for bran and polish in high value food products and for hulls in feed and industrial products; and

"Whereas discontinuance of the western rice research program by the United States Department of Agriculture would result in the loss of many millions of dollars of value to consumers, producers, and America's foreign aid program: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California (jointly)*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States of its opposition to the proposed discontinuance of the program and the legislature urges Congress to provide the necessary funds for the continuation of utilization research on western rice by the Department of Agriculture; and be it further

"*Resolved*, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Appropriations:

"ENROLLED SENATE CONCURRENT RESOLUTION 70

"Concurrent resolution memorializing the Congress of the United States to continue the agricultural conservation program by supporting the annual appropriation measure for such program; noting and recognizing the merits of the agricultural conservation program; and directing distribution of this resolution

"Whereas the preservation of the soils, water, forests, and wildlife of this Nation, and in particular the topsoil, is necessary; and

"Whereas the preservation of these resources is a responsibility of all people; and

"Whereas farmers and landowners through conservation practices have made Oklahoma a far more beautiful State for both rural and urban people to enjoy; and

"Whereas for the past 30 years the U.S. Department of Agriculture, through the agricultural conservation program, has done much to maintain and improve these resources, and make landowners and society in general more conscious of the need for such preservation; and

"Whereas during the past 5 years some 100,000 Oklahoma farmers and landowners have put to good use the many conservation practices of the agricultural conservation program; and

"Whereas in carrying out these practices Oklahoma farmers and landowners are now more than matching Government funds; and

"Whereas through the medium of agricultural conservation program farmer-elected committeemen throughout the State, farm leadership has been developed to a most helpful degree; and

"Whereas farmers will be forced to exploit their soil in the overproduction of food and fiber, unless adequate funds to continue the operation of the agricultural conservation program are appropriated: Now, therefore, be it

"*Resolved by the Senate of the 30th Legislature of the State of Oklahoma (the House of Representatives concurring therein)*:

"SECTION 1. The 30th Oklahoma Legislature does memorialize the Congress of the United States to continue the agricultural conservation program by supporting the annual appropriation of $250 million for such program.

"SEC. 2. A duly authenticated copy of this resolution shall be forwarded to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the chairmen of the Senate and House Committees on Appropriations, the Secretary of Agriculture, and to the members of the Oklahoma congressional delegation.

"Adopted by the senate the 25th day of May 1965.

"JOHN MASSEY,
"Acting President of the Senate.

"Adopted by the house of representatives the 1st day of June 1965.

"J. D. MCCARTY,
"Speaker of the House of Representatives."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Labor and Public Welfare:

"SENATE CONCURRENT RESOLUTION 92

"Whereas the people of Hawaii are conscious of their role in bringing together the peoples of the Pacific area; and

"Whereas this role can be performed most effectively by cooperation between the State of Hawaii and the Federal Government; and

"Whereas the President of the United States has expressed his interest in and desire for American participation in a massive attack upon disease and poverty in southeast Asia; and

"Whereas Hawaii could provide help in such an undertaking by the development of an advanced Pacific Medical Center for training teachers and researchers to prepare them to deal with the medical problems of the Pacific area: Now, therefore, be it

"*Resolved by the Senate of the Third Legislature of the State of Hawaii, regular session of 1965 (the House of Representatives concurring)*, That the Congress of the United States be, and it hereby is, respectfully requested to enact legislation establishing such a Center in Hawaii, and to consider the feasibility of using the Aiea Naval Hospital as the central location of such a Center; and be it further

"*Resolved*, That certified copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the United States, and to the members of Hawaii's delegation to the Congress of the United States."

A resolution of the Senate of the State of Hawaii; to the Committee on Finance:

"SENATE RESOLUTION 170

"Whereas President Lyndon B. Johnson has proposed the repeal of virtually all Federal excise taxes for the benefit of our national economy; and

"Whereas President Johnson's proposals will mean a savings of about $12 million annually to the people of Hawaii and a substantial increase to the purchasing power of island residents to the benefit of our economy; and

"Whereas the proposals do not include the repeal of the Federal excise taxes on air travel both within the islands and between the mainland and Hawaii; and

"Whereas taxes on air fares should be repealed to encourage travel within the islands and between the mainland and Hawaii: Now, therefore, be it

"*Resolved by the Senate of the Third Legislature of the State of Hawaii, general session of 1965*, That the Congress of the United States be hereby requested to support President Johnson's proposals to eliminate virtually all excise taxes for the benefit of our national economy; and, be it further

"*Resolved*, That Congress be and it is hereby requested to eliminate the excise taxes on air travel within the Hawaiian Islands and between the mainland and Hawaii; and, be it further

"*Resolved*, That duly certified copies of this resolution be sent to the President of the United States, Lyndon B. Johnson, to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, and to U.S. Senators DANIEL K. INOUYE and HIRAM L. FONG, Congressman SPARK M. MATSUNAGA and Congresswoman PATSY T. MINK."

A resolution of the Legislature of the State of Nebraska; to the Committee on the Judiciary:

"LEGISLATIVE RESOLUTION 50

"Whereas antifirearms legislation now being considered by the Congress if adopted will seriously impair the right of legitimate hunters and target shooters to enjoy their chosen sports; and

"Whereas the history of such legislation is that the criminal and psychotic elements are little affected thereby; and

"Whereas the second amendment to the U.S. Constitution sets forth the rights of citizens who have not lost their civil rights to keep and bear arms; and

"Whereas tight controls on firearms as attempted in New York and Puerto Rico have not deterred the criminal classes but have only served to disarm the law-abiding citizen; and

"Whereas a situation in which our law-abiding citizen would become effectively disarmed by administrative action of governmental bureaus or by the necessity of complying with complicated and obtuse administrative procedure would be intolerable in these United States; and

"Whereas control of crime and misuse of firearms is best accomplished by a combination of effective and stringent law enforcement and justice directed against the criminal himself, not the weapon, coupled with education and alleviation of the known factors that cause crime; and

"Whereas no nation in modern times has fallen to tyranny without first imposing upon itself a strict system of firearms controls and registration: Now, therefore, be it

"*Resolved by the members of the Nebraska Legislature in 75th session assembled*, That this body, (1) is opposed to Federal legislation which interferes with the rights of our law-abiding citizens under the second amendment to the U.S. Constitution or which interferes with the rights of such citizens to transport sporting arms and ammunition in interstate commerce, (2) favors enforcible legislation at the Federal level which provides stringent and enforcible penalties against the criminal misuse of firearms and ammunition shipped in interstate commerce; and be it further

"*Resolved*, That the legislature directs the clerk of the legislature to spread this resolution upon the journal of this body and to furnish suitably prepared copies thereof to the President of the United States, the President pro tem of the U.S. Senate, the Speaker of the U.S. House of Representatives, to the chairman of the Senate Judiciary Committee, to the Nebraska congressional delegation, and to Senator THOMAS DODD, of Connecticut.

"PHILIP C. SORENSEN,
"*President of the Legislature.*

"Attest:

"HUGO F. SRB,
"*Clerk of the Legislature.*"

A resolution of the Legislature of the State of Florida; to the Committee on Labor and Public Welfare:

"MEMORIAL OF FLORIDA SENATE

"Memorial to the President of the United States of America, urging construction of an urban male Job Corps Training Center at Camp Blanding, Fla.

"Whereas the Congress of the United States declared war on poverty by its approval of the Economic Opportunity Act of 1964, which was a plan proposed by President Lyndon B. Johnson; and

"Whereas such act was signed into law by the President, thereby creating the Office of Economic Opportunity; and

"Whereas the community of Starke, Fla., has expressed its sincere desire to cooperate in establishing an Urban Job Corps Training Center at a site located at Camp Blanding, Fla.; and

"Whereas the community of Starke has since March of 1964 been working toward preparing the citizens of the area for such social change that a Job Corps Training Center may bring to the area; and

"Whereas the Governor of the State of Florida, the entire State cabinet, all of the local county public officials of the Bradford-Clay County area, and most of the Florida congressional delegation as well as many civic, fraternal and business organizations of the area have expressed support for and interest in the establishment of a Male Job Corps Training Camp at Camp Blanding, Fla.; and

"Whereas the Florida State Armory Board has agreed to grant the use of a section of raw land (640 acres) for the construction of such a school; and

"Whereas a joint proposal to operate such a school at Camp Blanding, Fla., has been submitted by the Northrop Corp. (a California-based company) to the Office of Economic Opportunity in cooperation with the Bradford County Development Authority of Starke, Fla., and Florida State University; and

"Whereas the Office of Economic Opportunity has not yet announced plans to establish a Male Job Corps Training Center in the South or the southeastern part of the United States; and

"Whereas the dropout rate in Florida appears to be in excess of 18,000 students annually; and

"Whereas the Bradford-Clay area is presently located in one of America's poverty pockets and is in need of realizing economic benefits that the establishing of such a center could provide; and

"Whereas all of Florida as well as Georgia and Alabama could more actively enter into the war on poverty by upgrading employee skills among the many dropouts of the tri-State area if such a center were located at the Camp Blanding site; Now, therefore, be it

"*Resolved by the Legislature of the State of Florida,* That the President of the United States is hereby requested to urge the Director of the Office of Economic Opportunity to approve the request of the State of Florida to establish and construct an Urban Male Job Corps Training Center at Camp Blanding, Fla.; and be it further

"*Resolved,* That copies of this memorial be transmitted forthwith to the President of the United States, the Vice President of the United States, the President of the Senate, and the Speaker of the House in the U.S. Congress, each member of the Florida delegation to the Congress of the United States, the secretary of state of the State of Florida, and to the Administrator of the Office of Economic Opportunity; and be it further

"*Resolved,* That a copy of this memorial be spread upon the journals of both the senate and the house of representatives.

"JAMES E. CONNOR,
"*President of the Senate.*

"Attest:

"EDWIN G. FRASER,
"*Secretary of the Senate.*"

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Labor and Public Welfare:

"HOUSE CONCURRENT RESOLUTION 154

"Concurrent resolution to protest the closing of hospitals, domiciliary homes and regional offices of and by the Veterans' Administration of the United States

"Whereas the Veterans' Administration has issued an order, dated January 12, 1965, calling for the closing of 11 hospitals, 4 domiciliary homes, and 16 regional offices; and

"Whereas this action is in complete conflict with the administration's announced aims of improving the needs of our sick and disabled; and

"Whereas the 11 hospitals being closed have 2,909 beds, and the remaining hospitals to which the Veterans' Administration intends to transfer patients have a combined waiting list of 2,457 and a national waiting list of 13,000; and

"Whereas the 4 domiciliaries being closed have 3,220 beds and at present have a very substantial waiting list with no explanation given other than the fact that the veterans can be taken care of by Social Security or other general welfare programs; and

"Whereas the closing of the regional offices will substantially decrease the ability of the Veterans' Administration to render services to veterans and their survivors, by making it more difficult for them to learn about and obtain benefits which Congress has made available to them; and

"Whereas the manner in which the action was reported to the public creates the feeling that this is but one decision of many others to come which eventually will subordinate the Veterans' Administration medical program to social security and other general welfare programs: Therefore be it

"*Resolved by the House of Representatives of the Legislature of the State of Louisiana (the Senate concurring)*, That the legislature hereby goes on record as opposing the decision of the Veterans' Administration to close the hospitals, domiciliary homes and regional offices now proposed to be closed; and be it further

"*Resolved,* That the legislature hereby requests the Veterans' Administration to review its decision in this connection in view of the continuing need and hardships it would cause and to recall and annul its previous decision to close these facilities; and be it further

"*Resolved,* That a duly attested copy of this resolution shall be immediately transmitted by the secretary of state to the President of the United States, to the Presiding Officer of each House of the U.S. Congress, and to each member of the Louisiana delegation in the Congress of the United States.

"VAIL M. DELONY,
"*Speaker of the House
of Representatives.*

"C. C. AYCOCK,
"*Lieutenant Governor and
President of the Senate.*"

A joint resolution of the Legislature of the State of North Carolina; to the Committee on Labor and Public Welfare:

"HOUSE JOINT RESOLUTION 969

"Joint resolution memorializing the Congress of the United States, the Members of Congress from the State of North Carolina, and the Secretary of Labor to refrain from repealing the Barden amendment, or section 14(b), of the Taft-Hartley Act allowing States to enact laws against compulsory union contracts

"Whereas the so-called Barden amendment, designated as section 14(b) of the Taft-Hartley Act, and further designated as 29 U.S.C.A. 164(b) of the United States Code Annotated, permits States to prohibit agreements requiring membership in a labor organization as a condition of employment; and

"Whereas the President of the United States has sent a message to Congress asking for the repeal of this section with the result that there would be compulsory unionism in every State of the Union; and

"Whereas North Carolina has enacted a statute (art. 10 of ch. 95 of the General Statutes of North Carolina) which places affiliation with a trade union on a voluntary basis which prohibits an employer from requiring that any person shall become or remain a member of any labor union or labor organization as a condition of employment or continuation of employment and which also prohibits an employer from requiring that a person shall abstain or refrain from membership in any labor union or labor organization as a condition of employment or continuation of employment; and

"Whereas the Supreme Court of the United States in a case which involved the statutes of Nebraska and North Carolina (*Lincoln Federal Labor Union No. 19129, American Federation of Labor, et al.* v. *Northwestern Iron and Metal Company, et al.,* 335 U.S. 525, 69 S. Ct. 251, 93 L. ed. 212) upheld the validity of said statutes and decided that said statutes were in all respects constitutional and legal and that said statutes were nodiscriminatory in that they only commanded employers not to discriminate against either union or nonunion members because they are such, and, further, that said statutes did not violate the freedom of speech, equal protection of law or due process of law provisions of the Federal Constitution; and

"Whereas all men should be free to either affiliate or join or not to affiliate or join any organization, association, or trade union, and no men or employee should be compelled by arbitrary decree or provision of law to become a member of any trade union or organization involuntarily or against their wishes; and

"Whereas trade unions who in fact perform good services for their membership have not been hindered or unduly restricted in the progress of developing their unions, and it is believed that only those unions who desire to extract large sums of money through the check-off process from a captive membership desire the repeal of section 14(b) of the Taft-Hartley Act: Now, therefore, be it

"*Resolved by the House of Representatives (the Senate concurring)*,

"SECTION 1. The General Assembly of North Carolina does hereby memorialize the Congress of the United States, the Members of the U.S. Senate, the U.S. Senators from North Carolina, and the Members of the House of Representatives of the Congress from North Carolina to refrain from enacting Federal legislation which would repeal the provisions of section 14(b) of the Taft-Hartley Act or the provisions of 29 U.S.C.A., 164(b), and that the Congress of the United States leave said provisions in full force and effect. The General Assembly of North Carolina further memorializes and requests the Honorable W. Willard Wirtz, Secretary of Labor, to use his best efforts to the end that such repealing legislation shall not be enacted by the Congress.

"SEC. 2. Upon adoption of this resolution, a copy thereof shall be mailed by the secretary of state to the President of the U.S. Senate, and the Speaker of the House of Representatives of the Congress of the United States, and a copy shall also be mailed by the secretary of state to each Member of the Congress from the State of North Carolina and to the Honorable W. Willard Wirtz, Secretary of Labor.

"SEC. 3. This resolution shall become effective upon its adoption.

"ROBERT W. SCOTT,
"President of the Senate.
"H. P. TAYLOR, Jr.,
"Speaker of the House of Representatives."

A resolution adopted by Aloha No. 28, Navy Wives Clubs of America, Inc., favoring the enactment of House bill 5725, providing increased pay for members of the armed services; to the Committee on Armed Services.

A resolution adopted by the Noncommissioned Officers Wives Club, of Schofield Barracks, favoring the enactment of legislation to provide increased pay for members of the armed services; to the Committee on Armed Services.

A resolution adopted by the American Association of Airport Executives, at Fort Worth, Tex., favoring a congressional review of the policies of the Civil Aeronautics Board to determine the requirement for legislation to assure adequate air service to all certificated cities; to the Committee on Commerce.

A resolution adopted by the Kabetogama Lake Association, of Ray, Minn., relating to the proposed Voyageurs National Park in the Kabetogama-Rainy Lake area, Minnesota; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Board of Supervisors of Sonoma County, Calif., and the board of directors of Sonoma County Flood Control and Water Conservation District, favoring the enactment of Senate bill 1636, to clarify the relationship of interest of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

A resolution adopted by Customs Post No. 51, the American Legion, New York, N.Y., relative to the use of the words "one nation under God" on a pennant to be flown on flagstaffs below the American flag; to the Committee on the Judiciary.

A resolution adopted by the Kiwanis Club of Greater Gentility, New Orleans, La., relating to the perpetuity of freedom, liberty and justice of all the people of the United States; to the Committee on the Judiciary.

Statements in the nature of petitions from the Women's International League for Peace and Freedom, Minneapolis, Minn., relating to civil rights and civil liberties; to the Committee on the Judiciary.

Resolutions adopted by the Chicago Typographical Apprentice League, of Chicago, Ill.; the Lincoln Typographical Union No. 209, of Lincoln, Nebr.; the Massillon Typographical Union No. 298, of Massillon, Ohio, the Monterey Peninsula Typographical Union No. 759, of California; the Typographical Co-op, of California; the Oakland Typographical Union No. 36, of Oakland, Calif.; the Fort Lauderdale Typographical Union No. 895, of Fort Lauderdale, Fla.; the Cincinnati Typographical Union No. 3, of Cincinnati, Ohio; the Battle Creek Typographical Union No. 429, of Battle Creek, Mich.; the Broward County Central Labor Union, AFL-CIO, of Fort Lauderdale, Fla.; the Portland Allied Printing Trades Council, of Portland, Oreg.; the Vermilion County, Ill., Federation of Labor, of Danville, Ill., and the Multnomah Typographical Union No. 58, of Portland, Oreg., all favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

Two resolutions adopted by the sixth constitutional convention of the International Union, United Plant Guard Workers of America, at Miami Beach, Fla., favoring the repeal of section 14(b) of the right-to-work law, and the replacement of union guards with surplus civil service employees; to the Committee on Labor and Public Welfare.

A resolution adopted by the Women's International League for Peace and Freedom, of Minneapolis, Minn., favoring the proposed Midwest Valley Authority; to the Committee on Public Works.

A resolution adopted by the Women's International League for Peace and Freedom, of Minneapolis, Minn., favoring the proposed United Nations Charter amendments and the need for U.S. ratification of United Nations conventions; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, with amendments:

S. 599. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom south unit, American River division, Central Valley project, California, under Federal reclamation laws (Rept. No. 312).

By Mr. HART, from the Committee on the Judiciary, with an amendment:

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes (Rept. No. 313).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 1761. A bill to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes (Rept. No. 314).

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON ECONOMIC CONCENTRATION—REPORT OF A COMMITTEE

Mr. HART, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 37) authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration, which was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of part 1 of the hearings held by its Subcommittee on Antitrust and Monopoly during the Eighty-eighth Congress, second session, on economic concentration and its over-all and conglomerate aspects.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

One hundred and five postmaster nominations.

By Mr. SALTONSTALL, from the Committee on Armed Services:

W. Brewster Kopp, of New York, to be an Assistant Secretary of the Army.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. YOUNG of Ohio. Mr. President, from the Committee on Armed Services I report favorably the nominations of 3 general officers in the Army and 35 flag officers in the Navy, and ask that these nominations be placed on the Executive Calendar.

The PRESIDING OFFICER (Mr. BASS in the chair). Without objection, it is so ordered.

The nominations ordered to be placed on the Executive Calendar are as follows:

Vice Adm. Harold T. Deutermann, U.S. Navy, when retired, for appointment to the grade of vice admiral;

Vice Adm. John S. McCain, Jr., U.S. Navy, for appointment as a senior member of the Military Staff Committee of the United Nations;

Rear Adm. Charles K. Duncan, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Maj. Gen. Marshall Sylvester Carter, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Maj. Gen. George Robinson Mather, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Maj. Gen. Frank Thomas Mildren, Army of the United States (colonel, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general; and

Thomas D. Davies, and sundry other officers, for temporary promotion in the Navy.

Mr. YOUNG of Ohio. Mr. President, in addition, I report favorably 2,144 promotions in the Navy to the grade of captain and below; 2 appointments in the Marine Corps in the grade of second lieutenant; and 1,766 promotions to the grade of lieutenant colonel in the Air Force. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Nilo J. Baldasari, and sundry other officers, for promotion in the Navy;

Philip T. Blake, and John C. Self (Naval Reserve Officers' Training Corps candidates) to be permanent ensigns in the Navy;

James W. Forrester, Jr. (Navy enlisted scientific education program), to be a permanent ensign in the Navy;

Philip B. Alexander (civilian college graduate) to be a permanent lieutenant and a temporary lieutenant commander in the Navy;

Gene T. Izuno, and sundry other Naval Reserve officers, for promotion in the Navy;

James G. Franklin, U.S. Navy retired officer, to be a permanent captain in the Navy;

Richard Gnazzo and John C. Livingston, Army Reserve Officers' Training Corps, for permanent appointment in the Marine Corps; and

Walter L. Abbott, and sundry other officers, for promotion in the Regular Air Force.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK (for himself and Mr. Kennedy of New York):

S. 2117. A bill to repeal certain provisions of the National Defense Education Act of 1958 relating to loyalty oaths, disclosure of criminal activities, and prohibition of benefits to members of Communist organizations; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (by request):

S. 2118. A bill to clarify sections 9 and 37 of the Shipping Act, 1916, and subsection O(d) of the Ship Mortgage Act, 1920, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 2119. A bill for the relief of Colonel Francis J. McQuillen; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 2120. A bill for the relief of Chan Po Yiu; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself, Mr. Williams of New Jersey, Mr. Kennedy of New York, Mr. Clark, Mr. Brewster, Mr. Dodd, Mr. Mondale, Mr. McIntyre, Mr. Pell, Mr. Nelson, Mr. Jackson, Mr. Randolph, Mr. Bayh, Mr. Pastore, Mr. Inouye, Mr. McGovern, Mr. Tydings, and Mr. Hart):

S. 2121. A bill to protect the health and well-being of the Nation's children by establishing a special summer lunch program; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2122. A bill for the relief of Amal Attoun; and

S. 2123. A bill for the relief of Dr. Aristomenis Konstantinis Kargas; to the Committee on the Judiciary.

By Mr. HART (for himself, Mr. Kennedy of Massachusetts, and Mr. Muskie):

S. 2124. A bill to curb monopolistic control of professional boxing, to establish within the Department of Justice the Office of the National Boxing Commissioner, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. McINTYRE:

S. 2125. A bill for the relief of Gerasimos Kapos; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON ECONOMIC CONCENTRATION

Mr. HART, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 37) authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration, which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when reported by Mr. Hart, which appears under the heading "Reports of Committees.")

PROPOSED REPEAL OF STUDENT LOAN LOYALTY OATH REQUIREMENT

Mr. CLARK. Mr. President, on behalf of the Senator from New York [Mr. Kennedy] and myself I send to the desk, for appropriate referral, a bill to repeal certain provisions of the National Defense Education Act relating to loyalty oaths.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2117) to repeal certain provisions of the National Defense Education Act of 1958 relating to loyalty oaths, disclosure of criminal activities, and prohibition of benefits to members of Communist organizations, introduced by Mr. Clark (for himself and Mr. Kennedy of New York), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. CLARK. Mr. President, I ask unanimous consent that the bill remain at the desk for 1 week for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, the bill invokes one sentimentality in me, because it is the same bill which was introduced by the late President John F. Kennedy and myself in 1959 to repeal the loyalty oath provision in the National Defense Education Act. I am happy indeed to be joined as a cosponsor in the present renewal of that worthy effort by the brother of our late President, the Senator from New York [Mr. Kennedy].

I ask unanimous consent that a joint statement of the purposes of the proposed legislation may be printed in full in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> We are today reintroducing in the Senate a bill to repeal the loyalty oath provisions of the National Defense Education Act. This bill was originally introduced in 1959, with the then Senator John F. Kennedy as its principal sponsor, and Senator Joseph S. Clark as cosponsor.
>
> This bill would wipe off the statute books the requirement that recipients of student loans under the National Defense Education Act program swear or affirm allegiance to the United States and disclose criminal convictions for any offense greater than a minor traffic violation. It would also strike out a provision making it a crime for any person who belongs to an organization which has registered or been ordered to register under the Subversive Activities Control Act to apply for a student loan or other aid under the National Defense Education Act.
>
> The elimination of these provisions is long overdue. They are meaningless as a weapon against subversion; they gratuitously impugn the loyalty and integrity of our young men and women. Other Government programs of grants and loans to individuals such as the Small Business Administration loan program, and the Soil Conservation and Rural Housing programs—have no loyalty oath requirement. We are willing to assume the loyalty of our businessmen and farmers. We should be willing to do so for our youth.
>
> In addition, it seems particularly unfair to us to require an affirmation of loyalty from the student whose financial circumstances force him to seek aid from the Federal Government, while no such requirement is made of his more affluent classmate who can pay his own way. Not only is this illogical, but it has the effect of degrading the recipient of Federal assistance into a kind of second-class citizenship.
>
> Loyalty oaths are particularly in apposite as a condition for receiving a college education. What most clearly distinguishes the universities of the free world from their Communist counterparts is our insistence that the university—and its students—be free. Ideological tests and oaths have no place in this great tradition.
>
> Finally, it is clear, in view of the Supreme Court's decision of this week, that the criminal provisions which we would eliminate are an unconstitutional bill of attainder.
>
> We have been greatly encouraged by the recent action of the House Committee on Education and Labor in reporting a bill to repeal the loyalty oath, and by the firm support which the administration has given to repeal. We are pleased to join this effort, and hope for swift Senate approval of the bill which we are introducing today.

Mr. CLARK. Mr. President, I yield to the Senator from New York [Mr. Kennedy].

Mr. KENNEDY of New York. Mr. President, I am happy to join the Senator from Pennsylvania [Mr. Clark] in this worthy endeavor. The action suggested in the proposed legislation is long overdue. I hope that efforts will be made to bring it to fruition either in the present session of Congress or early in the next session of Congress.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. CLARK. I yield.

Mr. JAVITS. We were trying to arrive at a compromise on the proposal; and, as the Senator will remember, we ran into a brick wall on exactly what the Senator is trying to do now. I understand that a new fact has arisen, and that is, it has really been found useless to use the loyalty oath.

I assure both Senators that, since I am very active in the committee which will consider the bill, I shall do my utmost to bring about the earliest possible consideration of the bill they have introduced. What they have done is very useful. I congratulate them.

Mr. CLARK. We would be happy to have the Senator from New York as a cosponsor of the measure.

Mr. JAVITS. I should like to study the bill.

AMENDMENT OF SHIPPING ACT OF 1916 AND THE SHIP MORTGAGE ACT OF 1920

Mr. BARTLETT. Mr. President, by request, I introduce, for appropriate reference, a bill to clarify the problem which recently arose by a Federal court decision that affects all trust indentures and bond financing on American-flag vessels. This is a matter of immediate importance and I sincerely hope Congress can act in a timely manner on this situation which has such a tremendous impact on our merchant marine. I ask unanimous consent that a memorandum describing the need for this legislation be inserted in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and without objection, the memorandum will be printed in the Record.

The bill (S. 2118) to clarify sections 9 and 37 of the Shipping Act, 1916, and subsection 0(d) of the Ship Mortgage Act, 1920, and for other purposes, introduced by Mr. Bartlett, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The memorandum presented by Mr. Bartlett is as follows:

Memorandum in Support of Proposed Legislation

The purpose of this legislation is to amend sections 9 and 37 of the Shipping Act, 1916, and subsection 0(d) of the Ship Mortgage Act, 1920, to eliminate any possible question as to the validity of ship mortgage bonds on American-flag vessels, including certain bonds which heretofore have been or hereafter may be insured by the U.S. Government under title XI of the 1936 act. Clarification is necessary because of the language and rationale contained in the opinion of the U.S. Court of Appeals for the Fourth Circuit issued on April 5, 1965, in the case of *Chemical Bank New York Trust Co.* v. *The Steamship "Westhampton."*

The legislation would clarify the situation with respect to all trust indentures and/or bond financing on American-flag vessels. At least two liner companies which must build new ships under the provisions of their operating-differential subsidy agreements with the United States are currently negotiating with underwriters for the necessary financing and must within the next several weeks enter into or complete commitments for long-term financing utilizing title XI bonds issued to the public.

The *Westhampton* decision of the Court of Appeals for the Fourth Circuit involved the preferred status under the Ship Mortgage Act, 1920, of a mortgage on the steamship *Westhampton*, an American-flag vessel. The mortgage was held by Chemical Bank's New York Trust Co., an American corporation, as trustee pursuant to a trust indenture executed concurrently with the mortgage. A single bond was issued to a German bank which had advanced the funds to pay for extensive conversion work on the vessel. The court concluded that the mortgage was not entitled to preferred status under the Ship Mortgage Act because (1) the bond constituted "an interest" in the vessel within the meaning of section 37 of the Shipping Act, 1916, and (2) section 37 prohibits the transfer of an interest in an American-flag vessel to a person not a citizen of the United States without "first obtaining the approval" of the Maritime Administration.

The mortgage and bond involved in the *Westhampton* case were not insured by the United States pursuant to provisions to title XI of the Merchant Marine Act, 1936. Nevertheless, there is language in the decision which may be interpreted to cast doubt upon the validity of bonds which have already been so insured by the United States or which may hereafter be so insured. The Maritime Administration made all the necessary statutory findings and gave all the necessary statutory approvals under title XI in connection with each series of bonds issued, but it did not consider it necessary to ascertain the citizenship of the bondholders or to approve the purchase of bonds by noncitizens under section 37 of the Shipping Act, 1916, because it considered that section inapplicable to such bonds. Thus, Maritime Administration's regulations specifically provide that "In the case of a mortgage or loan involving a trust indenture, the mortgagee or lendor will be deemed to be a citizen if the trustee designated in such trust indenture, and his successors and assigns as trustee, if any, so qualifies as a citizen of the United States." Title XI bonds are frequently in $1,000 denominations, are widely held by the general public, and are traded actively in the bond markets. The great majority of such bonds are in bearer form and it would be impractical or impossible to determine the citizenship status of the many bondholders either at the time of original issuance or upon subsequent transfer. In any event, except to the extent it has already given approval to completed transactions by the issuance of its regulation above quoted, the Maritime Administration cannot give prior approval to these completed transactions.

If the *Westhampton* decision should be held applicable to bonds issued in connection with title XI insured mortgages, it would undermine public confidence in the validity of such bonds and would jeopardize a principal method being used to finance the ship replacement program of the subsidized lines. Moreover, since the Government has issued policies of insurance, in incontestable form, with respect to such bonds and the mortgages secured thereby, it may become liable to pay a substantial part of the more than $344 million in insurance presently in force with respect to such bonds.

For the future, it would become difficult to market this type of bond to the general public, principally because of the doubt which would be cast upon the validity of the mortgages securing the bonds. And, as a practical matter, even if the Maritime Administration should announce some method of granting blanket or individual approval for the sale or transfer of such bonds to noncitizens, the investing public would be chary of purchasing a security under such complicated circumstances.

As stated above, this legislation is intended to clarify existing law by expressing the true intent of Congress. It is clear from the legislative history of title XI of the Merchant Marine Act, 1936, and agency action thereunder reported to the Congress, that the Congress upon numerous occasions has considered and approved the desirability of broadening the market base for ship mortgage securities. In order to carry out this intent it has amended the law from time to time, first to permit the issuance of bonds and thereafter to strengthen the security, validity and marketability of such bonds. The proposed clarification states what I believe was the intent of the Congress from the beginning; namely, that no approval is required under sections 9 and 37 for the issuance or transfer to noncitizens of bonds insured under title XI.

SPECIAL SUMMER LUNCH PROGRAM FOR YOUNG PEOPLE

A SUMMER LUNCH PROGRAM: HUNGER TAKES NO VACATION

Mr. RIBICOFF. Mr. President, today I present a bill in answer to an immediate and pressing need.

The need is to satisfy the hunger of children. The time is now. The logic is indisputable: Children cannot learn or enjoy health and happiness when they are hungry.

Most children in this great land of ours look forward to summer vacation time. It means fun and play—splashing water, hot sand, long camping days, cool woods, exciting trips, or constructive learning and work experiences. But for others, summer vacation means idleness and hunger, even starvation. My bill is designed for them.

My bill would establish a special summer lunch program for young people throughout the land—young people between the ages of 6 and 16. Those children who could pay for their lunches would do so. But for the some 1,600,000 children who cannot, the program would spell the difference between hunger and health.

During the academic year, Mr. President, the lunch program authorized under the National School Lunch Act provides nourishing food to elementary and secondary school students in their schools. My bill would complement the regular program. It would permit public recreation centers, public or private nonprofit day camps, public or private nonprofit neighborhood child centers, public or private nonprofit summer camps, or any other public or private nonprofit activity organized to promote the health or recreation of children, to serve lunches to children during summer recesses. It would extend to children attending summer school.

Such a summer lunch program is badly needed. During the 3 months of the year when children do not attend school they should have the nutritional advantage of at least one decent, well-balanced meal a day.

We are discussing children—human beings—here, not statistics. But statistics tell us the extent of the need.

Although most students who now get lunches when school is in session pay for their food and so bear a substantial part of the cost of this program, about 10 percent of all students in participating schools are unable to pay the price of lunch. The percentage in the cities runs much higher. The children in the nationwide 10 percent receive their meals free, or at a reduced cost.

Ten percent is a cold statistic. But how many children does it represent?

In 1964, over 16 million children were receiving lunches under the National School Lunch Act. Over 1,600,000 children, then, received their lunches at little or no cost. The questions that haunt our national conscience are these: How are they getting fed when school is not in session? How are they getting fed in the summers, on the weekends, and during holidays? What do they do for breakfast or for dinner?

In many communities, especially in the schools in the slums, children drag themselves to school when they are ill, just to pick up their lunches. Children have been known to take their lunches and sneak away from school at midday so that their brothers and sisters at home could have a bite or two of decent food. Children have been known to race to school early to get to the teacher first and reserve any lunches that may be left over from schoolmates who are absent. I am deeply grieved that any American child be so deprived.

A few weeks ago, a woman called my office. She is a volunteer in the schools here in our Nation's Capital. She was frightfully worried lest the children in her school, children who are dependent on school lunches, go hungry this summer. So concerned was she that she had arranged to feed two of the youngsters herself.

Such goodness of heart, such private charity, is commendable, Mr. President. But the problem is too vast for private charity.

On May 21, 1965, the Washington Post soberly headlined a story: "Schools Give Thousands Their Only Meal." The Post reported that the principal of one Washington elementary school found that two-thirds of her pupils on free lunches lacked a real breakfast; although some might have a few potato chips. Half of these children had had nothing at all to eat before coming to school.

Another principal observed, "With hunger pangs, they could not care less about who discovered America."

The situation is especially deplorable here in the District of Columbia, where some 40 percent of the lunches served during the school year are free lunches, and where there are over 10,000 children whose free lunches meet one-third to one-half of their daily nutritional needs. But throughout our land children are going hungry during school except for school lunches. And once school is out of session, they just go hungry. This is the largest single justification and a clearly indisputable argument for extending the regular school lunch program to cover the out-of-school summer activities of young children, particularly those in need.

I do not think we either show much respect for the facts, compassion for the hunger of children, or commonsense as to what is good for the Nation's future if we accept our responsibilities to our needy youngsters only during the 180 or 190 days a year when school is officially in session. For, although the schools take a vacation, young stomachs and hunger do not.

Mr. President, the United States has a long history of providing lunches for young people. As early as 1853, well over one hundred years ago, free lunches were provided to children in New York City's industrial schools by the local Children's Aid Society. But large-scale projects did not develop until the early years of this century, and then they were generally in large cities. During the depression years, an era which gave birth to so many programs that have become a part of the national scene, schools began to receive surplus foods from the Federal Government to ease the hunger pains of many needy children. Meeting this obligation—feeding the mouths that could not be fed at home—was the Government's first significant school food program.

In 1946, Congress passed the National School Lunch Act—permanent legislation to provide for establishing, maintaining, operating, and expanding a school lunch program. Under this act, the Department of Agriculture furnishes funds to the States for the purchase of food and distributes surplus foods and purchased commodities directly to the schools. In return, schools must agree: First, to operate on a nonprofit basis; second, to provide free lunches to those unable to pay; and third, to meet the nutritional standards established by the Agriculture Department. These three conditions would apply to the legislation I am now proposing.

History, then, shows that a need has been recognized and that increasing efforts have been made to meet its requirements. It is my contention that this need still is not adequately filled, even under the present extensive program. For there is still this question, What do hungry children—those who receive free lunches during the school term—do for their food when vacation rolls around?

Mr. President, in the last few years, this Nation has shown a new awareness of the persistence of poverty in the midst of abundance. We have realized, too, that the young, the children of the poor, constitute a disproportionate percentage of all the poor. Experts estimate that some 17 to 23 million young people, or from one-fourth to one-third of all our children, are growing up in deprivation.

Poverty breeds ignorance, crime, and disease. People who are hungry are more apt to steal, get sick, and turn their backs on learning. Let us do the reasonable thing. Let us put a stop to hunger. Let us take every possible step to unravel the fabric of poverty in our land.

Summers are always an especially restless time in our slums. Children with free time on their hands—hungry children—often get into trouble. Of course, making lunches available to such children during the long, hot summer is not by itself going to solve this problem. Yet it is one of the many steps that can be taken to improve the outlook and stimulate the hope of those who feel they have nothing to lose and everything to gain by violence and lawlessness and contempt for society.

Under the summer program I am proposing, States will be generally required to match every $1 of Federal expenditure with 10 cents from State sources.

For those with a pragmatic turn of mind, we can find economic justifications for the program I propose, as well as moral and social grounds. This program would reap a veritable harvest of benefits—benefits far in excess of the Federal money and surplus food involved. Let us look at a few: Strong, well-fed youth; more income for the farmer; huge market for food trades; jobs for lunchroom personnel; constructive outlet for abundant commodities; and, of course, well-nourished students, receptive to continued instruction.

And consider the other benefits which might arise from a summer lunch program. Children who ordinarily would play listlessly on the streets or roam aimlessly in slum neighborhoods might go to wholesome recreational activities at public playgrounds and day centers. Summer day centers, especially in low-income neighborhoods, are an important barrier to antisocial activity. We already have evidence that with the additional attraction of needed free lunches, such playgrounds and centers will be used more broadly and constructively. Here in the Nation's Capital, I am happy to report that local officials have responded to the need I pointed out to them for summer lunches for poor children in a most constructive way. With my encouragement, and with that of Charles Horsky, the President's Adviser for National Capital Affairs, they are formulating a complete summer program for youngsters beyond Project Head Start age. We are hoping to announce the details shortly, but meanwhile even the planning of this SAY—or Summer Adventures for Youth project—is an exciting, pace-setting development.

Mr. President, Federal activity in the area of school feeding programs has been impressive. More than 35 percent of the Nation's elementary and secondary school students participate. Most of them are either students who cannot meet their own lunch needs or students who cannot go home for lunch.

Yet, I think the circumstances I have described show that there is more we can do.

As a nation we have been conscientious in helping people who need help. Recently—and especially in planning our war on poverty—we have recognized that much of this help fails to reach those who need it most. We have also seen that some of our programs are not extensive enough. The domestic programs we enacted in the last Congress and in this one, and the programs that we are now considering, are aimed at remedying these inadequacies and deficiencies. I think a summer lunch program to benefit our greatest national asset—our children—certainly has a place in such a campaign.

In the past school lunch programs generally have not been extended through the summer months for two reasons.

First. Under existing legislation, attendance at a school or at activities described by local educational agencies as school activities is a requirement for participation in the school lunch program.

Second. The amount of Federal money available to the States under the present program is not enough for them to set up lunch programs during the summer.

My proposal conceives the summer lunch program as part of the war on poverty and not an exclusive school activity. My proposal would provide the funds necessary to make lunches available to children at various recreation centers, as I have outlined. It would include community action programs organized under the Economic Opportunity Act.

The Federal Government has shown itself to be deeply committed to the health and welfare and fitness of its people. Local governments and private organizations have shown their willingness and desire to achieve these ends as well. We know, however, that local and private groups have limited resources; they cannot do the needed job alone. The truly American partnership of Federal, State, and local agencies can accomplish what is urgently needed.

The legislation I propose and urge you to support will strengthen this partnership and will serve a highly admirable goal—the health, happiness, and wellbeing of our Nation's children.

I introduce, for appropriate reference, a bill to establish a special summer lunch program.

I ask unanimous consent that the following Senators be listed as cosponsors: The Senator from New Jersey [Mr. Williams], the Senator from New York [Mr. Kennedy], the Senator from Pennsylvania [Mr. Clark], the Senator from Maryland [Mr. Brewster], the Senator from Connecticut [Mr. Dodd], the Senator from Minnesota [Mr. Mondale], the Senator from New Hampshire [Mr. McIntyre], the Senator from from Rhode Island [Mr. Pell], the Senator from Wisconsin [Mr. Nelson], the Senator from Washington [Mr. Jackson], the Senator from West Virginia [Mr. Randolph], the Senator from Indiana [Mr. Bayh], the Senator from Rhode Island [Mr. Pastore], the Senator from Hawaii [Mr. Inouye], the Senator from South Dakota [Mr. McGovern], the Senator from Maryland [Mr. Tydings], the Senator from Michigan Mr. [Hart], and the Senator from Illinois [Mr. Douglas].

I ask unanimous consent that the bill be printed in the Record and that it lie on the table for 7 days for cosponsors.

I also ask unanimous consent that Helen Dewar's article in the Washington Post, May 21, 1965, "Schools Give Thousands Their Only Meal" be printed in the Record and that it appear at the conclusion of my remarks after the printing of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and lie on the table as requested, and the article will be printed in the Record.

The bill (S. 2121) to protect the health and well-being of the Nation's children by establishing a special summer lunch program, introduced by Mr. Ribicoff (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Special Summer Lunch Program for Children Act".

DECLARATION OF PURPOSE

Sec. 2. It is hereby declared to be the purpose of this Act to further safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by establishing a special summer lunch program for children to complement the regular school lunch program carried out under the National School Lunch Act.

APPROPRIATIONS AUTHORIZED

Sec. 3. For each fiscal year there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of Agriculture (hereinafter referred to as the "Secretary") to carry out the provisions of this Act.

SPECIAL SUMMER LUNCH PROGRAM FOR CHILDREN

Sec. 4. The Secretary shall formulate and carry out a special summer lunch program for children as provided in this Act under which lunches shall be made available for children between the ages of 6 and 16, inclusive, attending public recreation centers, public or private nonprofit day camps, public or private nonprofit neighborhood child centers, public or private nonprofit summer camps, or any similar public or private nonprofit activity organized to promote the health or recreation of children, including a community action program organized for such a purpose and approved under title II of the Economic Opportunity Act of 1964 (all of the foregoing hereinafter referred to as "summer youth centers"). The sums appropriated for any fiscal year for carrying out such program, excluding the sum specified in section 5, shall be available to the Secretary for supplying agricultural commodities and other foods for the program in accordance with the provisions of this Act. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the funds made available for such year for supplying agricultural commodities and other foods under the provisions of section 3 of this Act. The Secretary shall apportion funds among the States on the same basis, insofar as practicable, as funds are apportioned under section 4 of the National School Lunch Act to carry out the nation, school lunch porgram. The program authorized under this Act shall be carried out in a State only during the summer vacation period when the elementary and high schools of such State are normally closed or open only on a limited summer schedule.

NONFOOD ASSISTANCE

Sec. 5. Of the sums appropriated for any fiscal year to carry out the special summer lunch program for children authorized by this Act, $5,000,000 shall be available to the Secretary for the purpose of providing during such fiscal year, nonfood assistance for such special program pursuant to the provisions of this Act. The Secretary shall apportion among the States during each fiscal year the aforesaid sum of $5,000,000, and such apportionment among the States shall be on the same basis as the apportionment of funds for agricultural commodities and other foods is made under section 4 of this Act.

DIRECT FEDERAL EXPENDITURES

Sec. 6. The funds appropriated for any fiscal year for carrying out the provisions of this Act, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses, and less the amount apportioned by him pursuant to sections 4, 5, and 10, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and summer youth centers participating in the special program under this Act in accordance with the needs as determined by the appropriate local authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this Act, also be applicable to expenditures of funds by the Secretary under this Act.

PAYMENTS TO STATES

Sec. 7. Funds apportioned to any State pursuant to section 4 or 5 of this Act during any fiscal year shall be available for payment to such State for disbursement by the appropriate State agency, in accordance with such agreements not inconsistent with the provisions of this Act, as may be entered into by the Secretary and such State agency, for the purpose of assisting summer youth centers of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children between the ages of six and sixteen, inclusive, and (2) nonfood assistance in furtherance of the special summer lunch program for children authorized under this Act. Such payments to any State in any fiscal year shall be made upon the condition that an amount equal to not less than 10 per centum of such payments will be matched during such year from sources within the State determined by the Secretary to have been expended in connection with the special summer lunch program for children carried out under this Act. For the purpose of determining whether the matching requirements of this section and section 10, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the appropriate State agency and in case of summer youth centers receiving funds pursuant to section 10, by such summer youth centers (but not the cost or value of land, of the acquisition, construction, or alteration of buildings or commodities donated by the Secretary, or of Federal contributions, or the cost or value of any facility paid for in whole or part with funds counted as matching funds under the National School Lunch Act), may be regarded as funds from sources within the State expended in connection with the special summer lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

STATE DISBURSEMENT TO SUMMER YOUTH CENTERS

Sec. 8. Funds paid to any State during any fiscal year pursuant to section 4 or 5 of this Act shall be disbursed by the appropriate State agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the summer youth centers in the State, to those summer youth centers in the State which the State agency, taking into account need and attendance, determines are eligible to participate in the special summer lunch program for children authorized by this Act. Such disbursement to any summer youth center shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the special summer lunch program for children and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any summer youth center for any fiscal year exceed an amount determined by multiplying the number of lunches served in the summer youth center under the special summer lunch program for children during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

NUTRITIONAL AND OTHER PROGRAM REQUIREMENTS

SEC. 9. Lunches served by summer youth centers under this Act shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the summer youth center because of his inability to pay. Lunch programs under this Act shall be operated on a nonprofit basis. Each summer youth center shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the summer youth center area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to summer youth centers, in accordance with the needs as determined by local authorities, for utilization in the special summer lunch program under this Act.

NONPROFIT PRIVATE SUMMER YOUTH CENTERS

SEC. 10. If, in any State, the appropriate State agency is not permitted by law to disburse the funds paid to it under this Act to nonprofit private summer youth centers in the State, or is not permitted by law to match Federal funds made available for use by such nonprofit private summer youth center, the Secretary shall withhold from the funds apportioned to any such State under sections 4 and 5 of this Act an amount which would otherwise be made available, as determined by the Secretary, to such State on account of such nonprofit private summer youth centers in the State. The Secretary shall disburse the funds so withheld directly to the nonprofit private summer youth centers within such State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to other summer youth centers within the State by the appropriate State agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 7 for such State, by funds from sources within the State expended by nonprofit private summer youth centers within the State participating in the special summer lunch program for children under this Act. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 7.

MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 11. (a) States, the appropriate State agencies, and summer youth centers participating in the special summer lunch program for children under this Act shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this Act are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines necessary.

(b) The Secretary shall encourage, and in cases in which he determines appropriate, require as a condition of eligibility to participate, the use of existing facilities utilized for serving lunches under the national school lunch program.

(c) The Secretary may, during the first fiscal year in which a program is in effect under this Act, make such adjustments as he deems appropriate in order to provide for the effective and equitable administration of this Act.

(d) The Secretary shall incorporate in his agreements with the appropriate State agencies the express requirements prescribed in this Act with respect to the operation of the special summer lunch program for children insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this Act.

(e) For purposes of this Act—

(1) The term "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puetro Rico, the Virgin Islands, Guam, or American Samoa.

(2) The term "appropriate State agency" means the agency or body of the State designated by the State legislature to administer in the State the special summer school program authorized by this Act.

(3) The term "private nonprofit" as applied to any of the summer child centers described in section 4 of this Act means a summer child center operated by a private school or organization exempt from income taxes under section 501(c)(3) of the Internal Revenue Code of 1954.

(4) The term "nonfood assistance" means equipment used by summer youth centers in storing, preparing, or serving food for children under this Act.

The article presented by Mr. RIBICOFF is as follows:

[From the Washington (D.C.) Post, May 21, 1965]

SCHOOLS GIVE THOUSANDS THEIR ONLY MEAL

(By Helen Dewar)

Nine years ago Washington was shocked to learn that it was a city wracked by the hunger pangs of thousands of small children.

Today, although free lunches provide one good meal a day to nearly 11,000 youngsters, hunger and malnutrition still stalk the slums of the Nation's Capital.

For children like Patricia at a school near some of Washington's most elegant restaurants, missing the little brown bag handed out by her teacher at noon means another day without breakfast, lunch, or dinner.

For children like Patricia—and teachers estimate there are thousands here, in one of the Nation's wealthiest metropolitan areas—there is no such thing as a standard American breakfast or dinner. A pot of beans or rice from the monthly allotment of surplus food, or a bag of potato chips or a candy bar is all there is.

So Patricia and her friends sometimes drag to school when they're so sick they can't study. Or their stomachs are so empty, so mistreated by a diet of grease, starch, and junk that they reject this one decent meal of the day.

Or they sneak off with an extra lunch to share among younger brothers or sisters at home. Or they steal an extra carton of milk for themselves.

Eating becomes an educational experience in itself. A teacher recently had to explain the word "salad" to a 10-year-old. A volunteer tutor found her 12-year-old student baffled by the word "banana." And it takes patient coaxing to get across the idea that a person should sit—not walk, stand, or lie down—while eating a meal.

Principals and teachers at Harrison, Shadd, Meyer, Thomson, and many other schools in areas of severe poverty dig into their own pockets to buy crackers, soup, and apples for emergencies that are nearly every day affairs.

A free lunch—a hot plate for schools with cafeterias, or a bag with sandwich, salad, dessert, and milk for those without—is supposed to go to all children in need, but some miss it. One day, Hospitality House, 507 Florida Avenue NE., had to feed 21 children who, for one reason or another, had missed lunch at school.

On paper the free lunch eligibility ceiling (ranging from $165 monthly income for a family of two to $520 for family of 12) appears restrictive. But principals are urged to use this only as a guideline and to let no child go hungry.

Because of absences, there are always extra lunches to go around. Children sometimes swarm around a teacher's desk first thing in the morning to reserve one of the surplus lunches. When the extras run out, the supply of crackers and soup cans is usually tapped.

About 50 schools, in generally well-off neighborhoods, get no free lunches.

A principal at one of these schools in an old neighborhood in Southeast said she frequently "could use a few lunches." She estimated that 25 to 30 children need food for short stretches during the year.

While Food Services Director Aleta Swingle and her 500 employees receive high praise from many quarters, teachers and volunteers cite these problems:

Food needs are often sporadic, occurring at the end of the month when welfare checks are exhausted or during spot crises four or five times a year. Yet, because of the magnitude of the operation, eligibility rolls cannot be changed constantly.

A teacher must be perceptive and diligent in keeping abreast of lunch needs, for not all children complain aloud of their hunger. An overworked, harried, or inadequately prepared teacher may be absorbed in other matters.

The poor—child as well as adult—are often too proud to admit hunger. Principal Marjorie Buchanan of Shadd School, East Capitol and 57th Streets NE., tells of a little boy who came to school angry and belligerent. Given a cookie, "his whole disposition changed." He said he had had a wonderful breakfast—eggs, bacon, milk, everything. But his mother later told Mrs. Buchanan that the cupboard had been bare that day.

Nutritional requirements and the necessity for using nonspoiling foods limit the variety of lunches. The frequency of such items as peanut butter and cheese, staples in the surplus-food diet at home, draws some frowns. Noses also turn up at "strange" foods such as salads. And a lunch that a 16-year-old youth wolfs down may nearly gag a 4½-year-old girl at sight.

Poor children receiving free bag lunches are often set apart from their classmates at noon. Teachers generally agree that this raises no problem, but some worry, too, about "breeding an attitude of dependency," as one put it.

LESSON WITH LUNCH

Marguerite Selden, principal at Harrison, 13th and V Streets NW., serves a lesson along with the food. Others are helping you when you need something, and you must do the same, she tells her children. Her pupils, including some of the city's poorest, recently raised $48.78 for Childrens Hospital by selling tags to the school's flute concert.

All secondary schools have hot lunches, available to nonneedy children for 37 cents or less. Only 3 elementary schools have cafeterias, but another 9 or possibly 14 will be added next year.

The schools' 26,000 lunches, of which 10,600 are free, cost the District roughly half a million dollars. They are largely subsidized by U.S. Agriculture Department surplus food, including a large supply of lean beef this year.

WHAT OF SUMMER?

While most children in need get lunches at school, two nagging questions remain. What about breakfast, and what happens during the summer?

Principal Wilhelmina Thomas at Walker-Jones School, First and L Streets NW., found that two-thirds of her 272 pupils on free lunch lacked a real breakfast, although some "might have had potato chips or something like that." Of these, half had nothing at all.

Children such as these are found to be listless, peevish, and easily distracted.

"With hunger pangs, they couldn't care less about who discovered America," observed Mrs. Buchanan at Shadd.

A few schools already have a breakfast program, and teachers frequently "sneak" a child his midmorning milk a little early or bring some dry cereal from home. But the magnitude of the problem is reflected in plans by Superintendent Carl F. Hansen to begin a wide-scale breakfast program of cereal and milk for all hungry youngsters next year.

As for summer, no one can really say.

"They scrounge, they borrow, maybe they steal, but they get by somehow," said one principal.

Jobs are more plentiful in the summer, and fruits and vegetables cheaper. But, still, lunch is often a popsickle and breakfast a bottle of soda pop. Many children will look a little thinner next fall.

OFFICE OF BOXING COMMISSIONER WITHIN THE DEPARTMENT OF JUSTICE

Mr. HART. Mr. President, by now the debacle of heavyweight championship bouts have become almost tedious. And the future promises little better. After every such event in the past few years, the usual clamor has arisen—"Why doesn't someone do something about it?" Certainly the Antitrust and Monopoly Subcommittee has tried. It has long been concerned with monopolistic control of professional boxing.

Back in 1960 the late Senator Kefauver, then chairman of the subcommittee, began a set of hearings that revealed the sordid part racketeering elements played in the entire business. Small wonder that the unexpected has become the expected in this sport.

After the Liston-Clay fight in Miami last year, the subcommittee held another set of hearings that brought the record up to date. The consensus was that little had changed in the boxing picture except some of the faces.

Senator Kefauver, in response to the condition exposed during his hearings, introduced bills to establish for 5 years an Office of the U.S. Boxing Commissioner with sufficient authority to correct the most important of boxing's ills. Last year it was reported favorably by the subcommittee, but action was not taken in the full Judiciary Committee.

Today, together with the distinguished junior Senator from Massachusetts [Mr. KENNEDY] and the distinguished junior Senator from Maine [Mr. MUSKIE], I am reintroducing the bill. In substance it would establish within the Department of Justice for a period of 5 years the Office of the U.S. Boxing Commissioner to license all boxers, managers, promoters, and matchmakers participating in major boxing contests in or affecting interstate commerce and to require the filing of all contracts and financial reports from these licensees. By so doing, the bill seeks to grant the Commissioner sufficient authority to establish minimum standards and insure that the standards are observed. The bill does this without preempting the State authority in this field.

To assist in carrying out the purposes of this legislation, criminal sanctions against undercover and nonlicensed participation in contests within the jurisdiction of the Commissioner are provided.

Frankly, I do not anticipate the need for further hearings on the legislation. It would serve no useful purpose. The fight itself in Lewiston, Maine, is worth 10 volumes of testimony. The hearings we held last year were a prophecy of what did in fact occur. We were told, for instance, that no single State, no matter how strict its standards, can cope with the ills of boxing; that those States with strict standards just didn't get the big fights. There were plenty of others more hospitable to the revenue and publicity which a big fight brings.

It is well known that the big money is not in the live gate, but in closed circuit television. This new media has made boxing big business. It is estimated that the recent fiasco in Maine will bring in $5 million to the principals and promoters. And it has removed the necessity of moving boxing to where the crowds are. Any spot boasting a canvas and four ring posts will now do.

The only new factor since our last hearings is the international aspect of the big fights. And we have looked better on Telstar than we did in that show out of Lewiston.

The Nation will not founder if this bill is not passed. However, society is reluctant to tolerate any organized activity that is not endowed with some standard of morality and orderliness and self-discipline. Self-regulation in the field of boxing has not been successful. Nor has State regulation proved effective. If one State sets up sound regulations and seeks to enforce them, the parties merely move to another State with more flexible standards. Further, as the record now stands, neither the fighters themselves nor the spectators have any protection from the shadowy interests which appear to dominate boxing. As one witness stated, this bill is essential unless we are of a mind to hold congressional hearings after every championship fight. We are not of such a mind. The one conclusion that can be drawn from the hearings that have been held is that if this legislation is not passed, boxing has a very dim prospect for the future. However, it is only fair that this sport and business have a last chance. This boxing bill represents that last chance.

As in the past, it may be another futile act. But just possibly the sickness that is professional boxing today may worry enough people to sustain the outcry for a congressional remedy.

Mr. President, I ask unanimous consent that the bill lie on the table for 48 hours so that other Senators may join in cosponsoring it. Also, I ask unanimous consent that the bill be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Michigan.

The bill (S. 2124) to curb monopolistic control of professional boxing, to establish within the Department of Justice the Office of the National Boxing Commissioner, and for other purposes, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Anti-Racketeering and Monopoly Boxing Act".

DECLARATION OF POLICY

SEC. 2. The domination and monopolistic control of professional boxing contests by racketeers and other undesirable persons have become matters of serious concern to the Congress and the Nation. These boxing contests, because of their interstate character arising from their substantial utilization of the channels of interstate trade and commerce, are presently beyond the power of any State to fully and effectively regulate. It is therefore the sense of the Congress that there is a need to establish for a period of five years within the Department of Justice the Office of the United States Boxing Commissioner to license participants in professional boxing contests in or affecting interstate commerce.

DEFINITIONS

SEC. 3. As used in this Act—

(1) the term "professional boxing contest" means any boxing contest, exhibition, or match in or affecting interstate commerce between contestants either of whom receives, or by contract, agreement, or other arrangement is authorized to receive monetary or other consideration of an amount or value in excess of $1,000 for his services;

(2) the term "professional boxer" means any individual who participates in or undertakes to participate in any professional boxing contest as a contestant for monetary or other consideration;

(3) the term "manager" means any individual or corporation which (A) undertakes. offers to undertake, or has undertaken to represent in any way the interest of any professional boxer in the procurement, arrangement, preparation for, or the conduct of any professional boxing contest in which such boxer is to participate as a contestant; or (B) receives or is entitled to receive any part of the gross purse of any professional boxer for any services relating to any professional boxing contest in which such boxer has participated or is to participate as a contestant;

(4) the term "purse" means any financial guarantee or any other compensation, or part thereof, which any professional boxer receives or is entitled to receive for participating as a contestant in any professional boxing contest, without regard to the source of such guarantee or compensation;

(5) the term "promoter" means any individual or corporation which (A) undertakes, offers to undertake, or has undertaken to arrange for the conduct of any professional boxing contest; or (B) undertakes, offers to undertake, or has undertaken to arrange for the making or transmitting of a closed circuit telecast of any professional boxing contest; or (C) receives or is entitled to receive any part of the gross promotion proceeds resulting from any professional boxing contest for any services relating to any such contest;

(6) the term "promotion proceeds" means any financial guarantee or any other compensation, which any promoter receives or is entitled to receive for participating as a

promoter in any professional boxing contest, without regard to the source of such compensation;

(7) the term "matchmaker" means any individual who undertakes, offers to undertake, or has undertaken, on behalf of any promoter, to render any services incident to the arrangement of the conduct of any professional boxing contest;

(8) the term "corporation" means any corporation, partnership, association, or other business entity existing under or authorized by the laws of the United States, any State, Commonwealth, or possession thereof, or any foreign country;

(9) the term "interstate commerce" means trade, traffic, commerce, transportation, or communication (1) among the several States or (2) between the District of Columbia or any possession of the United States and any State or any other such possession or (3) between any foreign country and any State or possession of the United States or the District of Columbia or (4) within the District of Columbia or any possession of the United States.

ESTABLISHMENT OF THE OFFICE OF THE UNITED STATES BOXING COMMISSIONER

SEC. 4. There is hereby established in the Department of Justice an office to be known as the "Office of the United States Boxing Commission" (hereinafter referred to as the "Office of the Commissioner"), to be headed by a Commissioner to be appointed by the Attorney General, without regard to the civil service laws and regulations and to be compensated in an amount to be determined by the Attorney General without regard to the Classification Act of 1949.

POWERS AND AUTHORITY OF THE COMMISSIONER

SEC. 5. (a) The Commissioner is authorized to establish such rules and regulations, prescribe such forms of applications, reports, contracts, entries, and other papers, and require such physical examinations as he determines necessary to carry out the provisions of this Act.

(b) Any form of application, report, contract, entry, or other paper filed with any agency or authority of any State or political subdivision thereof, Commonwealth, or possession of the United States, exercising regulation or control over professional boxing, which is in substantial conformity with any form of application, report, contract, entry or other paper prescribed by the Commissioner may be accepted by the Commissioner in lieu thereof.

(c) The Commissioner is authorized to establish an Information Service to assist any agency, commission, or association engaged in the regulation of professional boxing by making available such information or other data acquired by him under this Act.

(d) The Commissioner is authorized to appoint such examiners and experts as may be necessary for carrying out his functions under this Act, and may, in accordance with the civil service laws and regulations and the Classification Act of 1949, appoint such other officers and employees as he deems necessary in order to carry out the provisions of this Act.

(e) The Commissioner is authorized, with the approval of the Attorney General, to utilize the services of such employees of the Department of Justice as the Commissioner may deem necessary or desirable to enable him to effectively carry out the provisions of this Act.

(f) The Commissioner is authorized to obtain from any department, agency, or independent instrumentality of the United States with the consent of the head thereof any information he deems necessary to carry out his duties under this Act; and each such department, agency, and instrumentality is authorized to furnish such information to the Commissioner upon his request.

(g) The Commissioner, or any officer or employee of the Office of the Commissioner designated by the Commissioner, is authorized to hold such hearings, sit and act at such times and places, administer such oaths, and take such testimony as the Commissioner or such officer or employee may deem advisable. The Commissioner shall have such powers of subpena and compulsion of attendance of witnesses and production of documents as are conferred upon the Securities and Exchange Commission by subsection (c) of section 18 of the Act of August 26, 1935 (15 U.S.C. 79r), and the provisions of subsections (d) and (e) of such section shall be applicable to all persons summoned by subpena or otherwise to attend or testify or produce such documents as are described therein before the Commissioner or his designee; except that application to any court for aid in enforcing any such subpena may be made only by the Commissioner. Subpenas may be served by any person designated by the Commissioner.

LICENSES

SEC. 6. (a) The Commissioner may issue to any individual or corporation a license to participate as a professional boxer, manager, promoter, or matchmaker in any professional boxing contest. No individual or corporation may on or after the ninetieth day following the date of the enactment of this Act participate, directly or indirectly, as a professional boxer, manager, promoter, or matchmaker in any such contest unless such individual or corporation holds an unsuspended and unrevoked license issued by the Commissioner under this Act.

(b) A license may be issued or renewed under this Act only upon the determination of the Commissioner that the issuance or renewal thereof is not contrary to the public interest or the interest of the lawful conduct of activities in professional boxing and that the applicant for such license—

(1) has not violated any provisions of this Act or any rule or regulation promulgated pursuant thereto;

(2) has not willfully falsified a material fact or willfully concealed a material fact in any application, report, statement, or other paper filed under this Act, or has not induced, aided, or abetted any other individual or corporation to do so;

(3) has not willfully refused to permit the Commissioner, or any authorized officer or employee of the Office of the Commissioner, to examine any books, papers, or records relating directly or indirectly to any professional boxing contest, or has not induced, aided, or abetted any other individual or corporation to do so; or

(4) has not willfully neglected or refused to make a report or statement, or file a contract as required under this Act, or has not induced, aided, or abetted any other person or corporation to do so.

(c) Where the Commissioner makes a finding that the investigation and standards for licensing by any agency or authority of any State or political subdivision thereof, Commonwealth, or possession of the United States, exercising regulatory power or control over professional boxing, are at least equal to those imposed under this Act, he may issue a license under this Act on the basis of the license issued by the said agency or authority.

(d) Any individual or corporation which is denied a license under this section shall, upon his or its request filed in writing with the Commissioner within ten days following any such denial, be entitled to a hearing with respect thereto. Any such hearing shall be conducted by the Commissioner in accordance with the applicable provisions of the Administrative Procedure Act.

(e) Any license issued or renewed under this Act shall expire on the 31st day of December next following the date on which it was issued or renewed.

FILING OF CONTRACTS

SEC. 7. Any contract, including any amendment, change or modification thereof, entered into on or after the ninetieth day following the date of enactment of this Act by the holder of any license issued by the Commissioner, which relates directly or indirectly to any professional boxing contest, shall be made in writing and shall be filed with the Commissioner within a period of ten days after it has been entered into (unless such period is extended by the Commissioner).

SUSPENSION OR REVOCATION OF LICENSES

SEC. 8. (a) The Commissioner may suspend or revoke any license issued under this Act whenever he determines after hearing that such action is in the public interest or the interest of the lawful conduct of activities in professional boxing or that the holder of that license—

(1) has violated any provisions of this Act or any rule or regulation promulgated pursuant thereto;

(2) has willfully falsified a material fact or willfully concealed a material fact in any application, report, statement, or other paper filed under this Act, or has induced, aided, or abetted any other individual or corporation to do so;

(3) has willfully refused to permit the Commissioner, or any authorized officer or employee of the Office of the Commissioner, to examine any books, papers, or records relating directly or indirectly to any professional boxing contest, or has induced, aided, or abetted any other individual or corporation to do so; or

(4) has willfully neglected or refused to make a report or statement, or file a contract as required under this Act, or has induced, aided, or abetted any other person or corporation to do so.

(b) Hearings under subsection (a) shall be conducted in accordance with the applicable provisions of the Administrative Procedure Act.

BOXERS, MANAGERS, PROMOTERS, AND MATCHMAKERS TO SUBMIT FINANCIAL REPORTS CONCERNING CONTESTS

SEC. 9. Within a period of ten days after the close of any professional boxing contest (unless such period is extended by the Commissioner), each professional boxer, manager, promoter, or matchmaker licensed under this Act who participated in, or received or is entitled to receive any share of the purse or promotion proceeds of that contest shall file with the Commissioner in writing, a full and complete financial report with respect to such contest prepared in such manner and form, and containing such information, as the Commissioner shall prescribe by regulation. Each such report shall include a detailed account of the distribution to any individual or corporation of any part of the purse and of the promotion proceeds resulting from such contest, including the share thereof which each professional boxer who participated in such contest, and each manager, promoter, or matchmaker who rendered any service in or in connection with such contest, filing such report received or is entitled to receive.

INSPECTION OF BOOKS, PAPERS, AND RECORDS

SEC. 10. (a) Each licensee under this Act shall keep and maintain accurate and comprehensive records of all transactions relating directly or indirectly to professional boxing contests in which he participates.

(b) All books, papers, and records of any such licensee, which relate directly or indirectly to professional boxing contests, shall be made available by such licensee for examination or inspection, at any reasonable time, to the Commissioner, or to any officer or employee of the Office of the Commissioner authorizing in writing by the Commissioner to examine or inspect such books, papers, and records.

BOXING ADVISORY BOARD

SEC. 11. (a) A Boxing Advisory Board is hereby established to advise and assist the Commissioner in the performance of his duties under this Act. The Board shall consist of five members appointed by the Commissioner with the approval of the Attorney General to serve at the pleasure of the Commissioner. Members of the Board shall be selected in such manner as to provide for the greatest practicable geographical representation on the Board.

(b) Members of the Board shall serve without compensation, but shall be reimbursed for travel, subsistence, and other expenses actually and necessarily incurred by them in the performance of duties vested in the Board.

(c) Service of an individual as a member of the Board shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

(d) The Board shall elect a Chairman from among its members. The Board shall meet at the call of the Chairman or at the call of a majority of the members thereof.

(e) The Board shall have the power—

(1) to advise the Commissioner from time to time concerning any or all matters relating to professional boxing;

(2) to make recommendations to the Commissioner for the improvement of professional boxing in the public interest, and for the welfare of all individuals participating therein; and

(3) to issue information relating to professional boxing in the form of publications or otherwise, for the use of agencies, commissions, or associations engaged in the regulation or supervision of professional boxing.

JUDICIAL REVIEW

SEC. 12. Any individual or corporation aggrieved by any order of the Commissioner in refusing to issue or renew a license under section 6 of this Act, or any order of the Commissioner suspending or revoking a license under section 8(a) of this Act may obtain a review of any such order by filing in the district court of the United States for the district wherein such individual resides or has his principal place of business or such corporation has its principal office, or in the United States District Court for the District of Columbia, and serving upon the Commissioner, within sixty days after the entry of such order, a written petition praying that the order of the Commissioner be modified or set aside in whole or in part. Upon receipt of any such petition, the Commissioner shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, set aside, modify, or enforce such order, in whole or in part. In any such review, the findings of fact of the Commissioner shall not be set aside if supported by substantial evidence. The order of the court affirming, modifying, or setting aside, or enforcing, in whole or in part, any such order of the Commissioner shall be final, subject to review as provided in section 1291 and section 1254 of title 28 of the United States Code.

CRIMINAL PENALTIES

SEC. 13. (a) Whoever on or after the ninetieth day following the date of enactment of this Act participates, directly or indirectly, as a promoter, manager or matchmaker in any professional boxing contest while not holding an unsuspended and unrevoked license under this Act to act in such capacity shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(b) Whoever on or after the ninetieth day following the date of enactment of this Act participates as a professional boxer in any professional boxing contest while not holding an unsuspended and unrevoked license under this Act to act in such capacity shall be fined not more than $1,000, or imprisoned not more than one year, or both.

(c) Whoever shall willfully falsify a material fact, or willfully conceal a material fact in any application, report, statement, or other paper filed under any requirement of this Act shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(d) Whoever, in violation of any provision of this Act, shall willfully neglect or fail to make any report or statement or file any contract with the Commissioner shall be fined not more than $5,000, or imprisoned not more than five years, or both.

STATES NOT PROHIBITED FROM ACTING

SEC. 14. Nothing contained in this Act shall be construed to prohibit any board, commission, or other agency, created by or pursuant to the law of any State or political subdivision thereof, Commonwealth, or possession of the United States, from exercising any of its powers, duties, or functions with respect to the regulation or supervision of professional boxing or professional boxing contests.

TERMINATION OF ACT

SEC. 15. (a) Except as otherwise provided in subsection (b) of this section, this Act shall terminate upon the expiration of five years from the date of its enactment.

(b) The termination of this Act shall not be construed to affect any warrant of arrest, prosecution, suit, action, proceeding, or liability, civil or criminal, brought or existing on the day immediately preceding the date of such termination. Any such warrant, prosecution, suit, action, proceeding, or liability shall be heard and determined in accordance with the provisions of this Act in the same manner and to the same extent as if it had not terminated.

ANTITRUST LAWS

SEC. 16. Nothing contained in this Act shall repeal, modify, or supersede, directly or indirectly, any provision of the antitrust laws of the United States.

FOREIGN ASSISTANCE ACT OF 1965—AMENDMENTS

AMENDMENT NO. 262

Mr. KENNEDY of New York (for himself and Mr. CLARK) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 264

Mr. LAUSCHE submitted an amendment, intended to be proposed by him, to Senate bill 1837, supra, which was ordered to lie on the table and to be printed.

TO PROVIDE FOR THE COINAGE OF THE UNITED STATES—AMENDMENT

AMENDMENT NO. 263

Mr. SIMPSON (for himself, Mr. METCALF, Mr. CANNON, Mr. JORDAN of Idaho, and Mr. MANSFIELD) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2080) to provide for the coinage of the United States, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILLS

Mr. MOSS. Mr. President, I ask unanimous consent that the name of the able and distinguished Senator from Texas [Mr. TOWER] be added as a cosponsor of the bill (S. 602) to amend the Small Reclamation Projects Act of 1956, and that his name be listed on the bill in the next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the name of the distinguished junior Senator from Michigan [Mr. HART] be added as a cosponsor of Senate bill 1712, which I introduced, to change the qualifications of congressional pages and provide for the appointment of young men and young women of college age as congressional pages or messengers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that my name be added as a cosponsor of Senate bill 513, the proposed amendment to the Community Mental Health Centers Act of 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON BILLS RELATING TO THE FEDERAL EMPLOYEES GROUP LIFE INSURANCE ACT

Mr. BREWSTER. Mr. President, as chairman of the Subcommittee on Health Benefits and Life Insurance of the Committee on Post Office and Civil Service, I wish to announce that the subcommittee will hold hearings on June 16, 1965, in room 6202 of the New Senate Office Building at 10 a.m., on three bills relating to the Federal Group Life Insurance Act.

These bills are S. 272, introduced by the late chairman of the committee, Senator Olin D. Johnston; S. 628, introduced by Senator DIRKSEN; and H.R. 6926, a House-passed measure introduced by Congressman DANIELS.

Those wishing to appear as witnesses may arrange to do so by telephoning the committee staff on 225-5451.

NOTICE OF HEARINGS ON EXPORT CONTROL ACT

Mr. ROBERTSON. Mr. President, I should like to announce that the Committee on Banking and Currency will hold a hearing on H.R. 7105, a bill to amend and extend the Export Control Act of 1949. The hearing is scheduled to be held on Wednesday, June 16, 1965, in room 5302, New Senate Office Building, at 10 a.m.

The committee also has pending before it other bills relating to the Export Control Act, S. 948 and S. 1896, which would amend sections 2 and 3 of the Export Control Act of 1949. The committee will consider these amendments to sections 2 and 3 of the Export Control Act in connection with its consideration of H.R. 7105. Hearings have already been held by the Subcommittee on International Finance on S. 948, and this testimony will be made available to the committee in connection with its consideration of H.R. 7105.

Any persons who wish to appear and testify in connection with H.R. 7105 are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone 225–3921.

FLOYD M. RIDDICK, SENATE PARLIAMENTARIAN

Mr. JORDAN of North Carolina. Mr. President, the April 1965 issue of the Duke University Alumni Register, which I have just received, contains a fine article on my good friend, Floyd M. Riddick, Parliamentarian of the Senate, who is a loyal alumnus of Duke University.

Floyd is well known to all Senators for both his modesty and his efficiency, and I take great personal pleasure in calling this well-deserved tribute to the attention of the Senate, whose Members he serves so faithfully.

Mr. President, I ask unanimous consent that this article may be printed in the Congressional Record following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Alumni Profile, Floyd Riddick: Senate Parliamentarian

What is it like to be Parliamentarian of the U.S. Senate? "It's like keeping store—it may be quiet for a long time, then all hell breaks loose," says the new Senate Parliamentarian Floyd M. Riddick, 1932, Ph. D., 1935.

Sitting in his quiet office on the ground floor of the Capitol's Senate wing, Dr. Riddick talked easily about his new position. And there was every reason that he should. He had served a 13-year apprenticeship as assistant to Charles L. Watkins, the Senate's first Parliamentarian, before taking over the job with the opening of the new session of Congress in January. Mr. Watkins, a Senate employee for more than half a century and parliamentarian since 1937 when the post was created, had retired at the last session of the Senate.

Explaining in his mild, soft-spoken way the job of the Parliamentarian, Dr. Riddick pointed out that the Senate has its own standing rules which differ in many respects from conventional parliamentary procedure. In addition, numerous amendments and revisions have been made over the years. The result is a complex body of rules which require a great deal of time to become thoroughly familiar with. Since the Presiding Officer of the Senate has many other duties, it isn't practical for him to spend all his time with rules.

In his official capacity, the Parliamentarian is the servant of the Senate. When the Senate is in session, he sits on the dais in front of the Presiding Officer. He must be ready whenever he is called upon to advise the Presiding Officer. The Parliamentarian, Dr. Riddick emphasized, does not make decisions. He simply advises the Presiding Officer as to what the rule is. All decisions are made by the Presiding Officer.

The Parliamentarian also advises the Senate leaders and the individual Senators whenever they have questions about procedure. This often eliminates controversies on the floor and expedites the business of the Senate. The Parliamentarian also indicates the references to committees of all bills and resolutions introduced as well as those passed by the House and transmitted to the Senate.

It is obviously a tough and demanding job, and one that allows not the slightest hint of partisan preference. During the heat of debate the Parliamentarian must have his wits about him every minute, and he must immediately produce the right answer at the right time.

But in addition to a wealth of scholarly knowledge, the job requires stamina. During a filibuster in 1954, Dr. Riddick remembers putting in 86 hours in the Senate Chamber. Mr. Watkins was ill and he had to remain by the Presiding Officer straight through, never able to leave for more than a few minutes at a time. "I would doze in my chair," Dr. Riddick recalls, "but I never got a chance to lie down."

It is obvious that this is one of the toughest jobs on Capitol Hill. But how does one get to be Senate Parliamentarian?

"When I started out," says Dr. Riddick, "I had no idea in the world of becoming Parliamentarian of the U.S. Senate."

Born in Trotville, N.C., he grew up on the family farm in Gates County. He didn't care much for farmwork, which he considered too hard, but became interested in the law by observing the district solicitor perform in Gates County Superior Court. So he decided to become an attorney, and with this objective he entered Duke.

At Duke, however, he became a student of Dr. Robert S. Rankin's and soon changed his mind in favor of an academic career. After receiving his bachelor's degree in 1932, he went on to Vanderbilt where he earned a master's degree in political science before returning to Duke to work on his doctorate.

In 1935 he received his Ph. D. His dissertation was almost a forecast of the future—it dealt with parliamentary procedure in the House of Representatives.

After graduation he worked as a statistical analyst for the Government, and spent a year at the University of Berlin on an international fellowship. His research paper on local institutions in Germany was later used by the U.S. occupation forces after World War II.

After his return from Germany, Dr. Riddick did some teaching at American University and, for a summer session, at Duke. Then he took a job as legislative analyst for a private research organization known as Congressional Intelligence, Inc. He edited their publications for several years, and published articles in scholarly journals. As a result he came to the attention of scholars in the field and his reputation as an expert in congressional procedures began to grow.

He is the author of "Congressional Procedure" (1941) and "The U.S. Congress: Organization and Procedure" (1949), and the coauthor of "Congress in Action" (1948) and "Senate Procedure" (1958).

In 1947 he went to the Senate to inaugurate the publication of the Congressional Record's Digest. This publication is now recognized as an indispensable tool for readers of the Record.

As he relaxes in his spacious office, which he shares with his assistant and his secretary, Dr. Riddick is obviously a proud and happy man. He is proud of the Senate, "the world's greatest deliberative body," and he is proud of his association with it.

Upon his appointment to the post, he was praised by a number of Senators as a worthy successor to the esteemed Charles Watkins. Senator Russell of Georgia whose own deep knowledge of the rules is outstanding, said he was confident Floyd Riddick "will live up in every respect to the kind of service demanded of a successor to Charlie Watkins."

Senator Mike Monroney, of Oklahoma, pointed out that Dr. Riddick knew the history and traditions of the Senate well, and observed:

"He is also well aware that the Parliamentarian, like Caesar's wife, must be above suspicion on all accounts, because in the Senate many parliamentary decisions are more important than votes."

"THE PHILOSOPHY OF THE ADMINISTRATION"—ADDRESS BY THE VICE PRESIDENT

Mr. WILLIAMS of New Jersey. Mr. President, on May 28, 1965, Vice President Humphrey, when addressing the National Conference on Social Welfare, in Atlantic City, N.J., characterized the philosophy of this administration as one that welcomes change—not changes for their own sake, or merely those of a partisan nature, but positive, progressive change. The Vice President has always been an advocate of bettering the positive aspects of a situation, while never hesitating to propose reforms where they are needed. As the basis for these policies, the Vice President states:

> The notion of consensus implies neither inaction nor sterility. And bold and beneficial governmental action to effect social change need not have its origin in blind, partisan welfare.

The movement today is toward the affirmative, toward the realization of the parts of the American way of life that should be available to all. In order to achieve these objectives, it is necessary to revamp some of our policies, so as to have them encompass all segments of our population. The Vice President's remarks are addressed to these problems. Therefore, I ask that they be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Vice President Hubert H. Humphrey at the National Conference on Social Welfare, at Atlantic City, N.J., on May 28, 1965

It is not only a high privilege to be with you today, but a great pleasure as well. The work you do—on a national level, and in your own communities—is a labor of love. And it is work of the greatest social significance.

You deal daily with complex financial and organizational problems. But you also deal with the daily problems of human beings. The intensely personal aspects of human motivation and conduct—the reaction of man to the stresses and pressures of his environment—the response of man to his family, and his neighbor and his God—these are matters which comprise human existence itself.

You have much to offer a nation which is deeply concerned today about the underside of our affluence.

It is thus wholly fitting that your National Conference has the theme, "Social Change Through Social Welfare and the Law." You know the powerful stresses which change exerts upon the individual, upon our institutions, and upon our society.

No generation in history has lived amid such change as we have seen in our lives. Yesterday's science fiction is today's reality.

Today we are the strongest and most advanced nation in the history of the world. But our favored existence is not guaranteed by either experience or theology.

John Stuart Mill said a century ago: "Great economic and social forces flow like a tide over half-conscious people. The wise are those who foresee the coming events and seek to shape their institutions and mold the thinking of the people in accordance with the most constructive change. The unwise are those who add nothing constructive to the process either because of ignorance on the one hand or ignorant opposition on the other."

My message to you this evening is simply this: What we do today will determine the course America will follow tomorrow.

The American dream was never conceived in the conscience of conservatives but in the hearts of visionaries. And it has been the energy, creativity, and innovation brought by Americans to the task of democratic government which has preserved this Nation as a beacon of hope in a weary and struggling world.

In meeting this challenge of constructive change, we must understand that life is pragmatic. Ideas and institutions that work are those which survive. But ideas and institutions do not emerge full-blown—nor do they function unaided. They must be patiently shaped and refined by men—wise, courageous and just men.

When the times demanded such men, America has always been fortunate. Three decades ago, Franklin D. Roosevelt captured the imagination of a tired and frightened people with a boundless confidence in our capacity to conquer the great depression. He said:

"The country needs * * * bold, persistent experimentation. It is commonsense to take a method and try it: if it fails, admit it frankly and try another. But above all, try something."

Franklin Roosevelt, in his Presidency, preserved the precious tree of democracy, with its old trunk and new branches, in face of some who would have cut the tree down and others who would have let it rot.

The pragmatic leadership of Franklin Roosevelt saw us through a period when the future of our democratic political system itself was in danger.

Why has the American system—above all others—possessed its remarkable capacity to bend, to accommodate, to accept change?

The relative youth of our Nation? Perhaps. The lack of a ruling class, or the presence of a flourishing middle class? Perhaps. The pluralistic nature of our population? Perhaps.

But I suggest this: The principal reason for our adaptability has been our unwavering commitment to moderation.

From the earliest days of this Republic, we have deplored extremes.

We have developed a lively, partisan political system—but one which recognizes that all significant national decisions must ultimately be based on a pooling of individual consent—based, in a word, upon consensus.

President Lyndon Johnson has faithfully preserved and implemented the belief that a creative consensus is the most valued instrument in the pursuit of justice and freedom through the democratic process.

The notion of consensus implies neither inaction nor sterility. And bold and beneficial governmental action to effect social change need not have its origin in blind partisan warfare.

Indeed, this administration is responding to our age with this affirmation: That all Americans shall share in and contribute to the fruits of our progress. We are undertaking specific programs to make this affirmation a full reality:

The broad spectrum of antipoverty programs—the Job Corps, community action programs, Project Headstart, the Neighborhood Youth Corps, and others—which are providing new opportunity to the deprived and revitalizing our local communities at the same time.

The Elementary and Secondary School Act, which recognizes the urgent need for Federal assistance in helping our States and localities meet the educational needs of our youth, especially those who are poor.

A comprehensive program of health care—including hospital insurance for the aged; regional medical centers; better health services for children, the mentally retarded, and the elderly—and vastly expanded resources for health research.

A pioneering effort to conserve the natural beauty of this great land and to eliminate health hazards in our everyday lives.

A long-overdue reform of our immigration system, stressing what a man can do—and not where he comes from.

A total commitment by the Federal Government to implement the Civil Rights Act of 1964 and other related legislation as part of our effort to banish discrimination, prejudice and segregation from our national life.

We have abiding faith in the future of progressive government in America.

Alexis de Tocqueville captured this spirit over a century ago: "* * * America is a land of wonders, in which everything is in constant motion and every change seems an improvement * * * no natural boundary seems to be set to the efforts of man—and in his eyes what is not yet done is only what he has not yet attempted to do."

We have no intention of resting on our oars—or on our laurels.

The Great Society, as President Johnson has noted, "is not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor."

Indeed, ours is the most exhilarating task of all: to preserve America as the place for renewal of the human spirit and liberation of human potentiality.

So let us retain compassion in the midst of indifference—ideals in the midst of cynicism—and belief in the midst of despair.

Let us not fear change. Let us seek it as our ally in creating a more perfect society.

Let us look forward to the time when, in the words of Isaiah: "Every valley shall be exalted, and every mountain and hill shall be made low; and the crooked shall be made straight, and the rough places plain."

CRANBERRY GLADES, WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, West Virginians have long been aware of the outstanding beauty, the geological and biological importance of the Cranberry Glades of Pocahontas County, W. Va. It has been our dream to share the wonders of this site with visitors from, not only our own country, but, also, those from all over the world.

With the support of the Congress, I was able to amend the fiscal year 1965 appropriations bill for the Department of the Interior and related agencies to include the $100,000 which will finance the construction of a visitors information center at the Cranberry Glades.

That construction is now underway and with good fortune it will be ready to serve visitors next spring. I am hopeful that every Member of Congress will be able to visit this scenic area. Its beauty and history are best described in an article appearing in the Charleston, W. Va., Sunday Gazette-Mail of June 6. I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Charleston (W. Va.) Gazette-Mail, June 6, 1965]

NEW SAUCE FROM OLD CRANBERRIES: NEW PROJECT LAUNCHED TO MAKE "GLADES" BOTANICAL SHOWCASE

(By William C. Blizzard)

Ask any West Virginian, "Have you ever heard of Cranberry Glades?" and he might reply:

"Has Macy's heard of Gimbels? Has Liston heard of Clay? Has Burton heard of Taylor? Has Doris heard of Day?"

If he thinks in prose instead of jingles, which is likely, the mountaineer might retort: "Asking a West Virginian if he has heard of Cranberry Glades is like asking Patrick O'Toole if he has heard of the Blarney Stone. Of course I've heard of the glades."

The mountaineer may even have visited Cranberry Glades, although this is not so likely as the fame of this boggy area might appear to warrant. Until recently, the glades have been like virtue, favorably talked about but not often actually looked into, except by professionals.

In the past, the professionals have liked this arrangement. Professional botanists, that is, have liked the Cranberry Glades arrangement. I can't speak for the professional guardians of virtue.

Botanists and other natural scientists have generally felt that keeping the glades set aside as a natural area, relatively untrampled and undespoiled by casual tourists, has helped to keep them in their original state. As such, they have been valuable outdoor biological laboratories.

But in recent years the accent on travel and tourism in West Virginia has changed this estimate of Cranberry Glades. Although improvements in access to the glades, built by custodians of the Monongahela National Forest, have been modest, out-of-State tourists in great numbers now visit the area.

Local naturalists act as field guides on excursions intended for the layman. West Virginians often drop by during trout season, or simply as a diversion while in that section of the State.

What was once called the Pocahontas Wilderness at times now resembles a city park on a Sunday afternoon—at least in some sectors. But this is only the beginning.

Cranberry Glades is scheduled to become the nucleus of a federally financed recreation area. Nearby, a $100,000 Visitor Information Service center will welcome the traveler and supply photographic, oral, and written introductions to local attractions. A 55-acre lake will offer trout fishing, boating, picnicking, and, for the hardy, swimming.

Not far distant, the falls of Hills Creek (this stream will be impounded to make the 55-acre lake) will furnish a pleasant forest setting for those who appreciate a woodland stroll over Forest Service-maintained hiking trails. I am informed, by the way, that St. Patrick must have driven the snakes from this section of Pocahontas County at the same time he did the extermination job for the Emerald Isle. Reptiles are seldom seen.

At Cranberry Glades itself, a new, 2,000-foot, semicircular walkway is to be constructed, arching through Flag and Round

Glades like a bent fishing rod. From this walkway, visitors may see whatever is to be seen.

Boardwalk construction and other improvements are contingent upon changing the Federal designation of the glades from a "natural area" to a "scenic area," but this change seems not only inevitable, but likely to come soon. The VIS center for tourists will be under construction by June of this year, and much of the Cranberry Glades development should be well underway by next summer.

A new sort of tourist-tempting sauce is to be made from the old cranberries in these Pocahontas County hills. The recipe was invented and the cost will be borne by the Federal Government, but West Virginians may smack their lips as they taste the benefits.

What led to this new development? Primarily, it was the planned construction of West Virginia 150 from near Gormania, on the Maryland line, to a southern terminus between Richwood and Marlinton on West Virginia 39. By the time you read this article, bulldozers will probably be rooting out the roadbed on a few miles of the southern section of this "Highland Scenic Highway."

The Federal Cranberry Mountain tourist center (also called Visitor Information Service Center, or VIS) is being built squarely across the end of the 160-mile-long Highland Scenic Highway, like a cap on a garden hose. Traffic on this highway, most of which is being paid for by Federal money, will be shunted into West Virginia 39, west toward Richwood or east to Mill Point.

But the VIS center hopes to attract a significant percentage of the West Virginia 150 traffic, at least for a short stay. This hope seems reasonable, taking into account the VIS-building location at the end of this main north-south highway.

The Highland Scenic Highway, incidentally, will not be, patterned after four-lane, medium-strip, high-speed, interstate roads. The $55 million macadam strip will have two lanes and will be designed for the pleasure of motorists who like to observe the country they travel through.

West Virginia 150 will crown mountain ridges for much of its mileage. Where the ridges are slashed by streams, no bridges will span the "gaps." Instead, there will be some roller coaster effects, as motorists drive down grades and ascend to observe hill-and-valley vistas.

As to Cranberry Glades itself, visitors should know what to expect, or they may be disappointed. At present, you proceed on a short boardwalk into an area called Flag Glade. You face a boggy swamp surrounded by high hills. In the nature of things the total effect can't be much different, whatever the manmade improvements.

The unusual features of the glades are not easily seen, and it takes a trained eye and mind to pick them out. In front of your big toe, for instance, may be the sundew, a carnivorous plant. You'll travel a long way to find the sundew growing wild again, but you may not even notice the tiny plant.

At least five species of birds reach their southernmost known breeding limits in eastern North America at the glades. A plant called bog rosemary grows there, in its southernmost locality. To find the next patch of bog rosemary, you would have to travel north to the Pocono Mountains in northeastern Pennsylvania.

These northern species of plants and animals have remained in the Glades, while elsewhere their kind have migrated north in past geologic ages, following the retreating glacial ice. Why have these plants and animals remained in the Glades? They like it there, which means that climate, soil, and other features of the area are similar to those features as they existed thousands of years ago.

You probably know that winter temperatures in and near the Glades are often the lowest in West Virginia. In 1945, the lowest glades temperature was 18 below zero, and the period between killing frosts was only 81 days, from June 7 to August 27. Although 1945 was unusual in this respect (summer temperatures in most years may reach 90), in the average year this section of West Virginia still qualifies as one of the refrigeration spots of the Mountain State.

There are misconceptions about Cranberry Glades. In his booklet, "Cranberry Glades Natural Area," Dr. Earl L. Core of West Virginia University dispels most of them. A common one is that the lower, level section of Cranberry Glades was once occupied by a mountain lake. Not so, says Dr. Core, citing the research of Dr. H. C. Darlington, who has made a study of the Glades virtually a life work.

According to these scientists, the flat bogs came about simply because of erosion, which means water action of the same sort that carved the present hills of West Virginia from flat plains. This erosion was of a special type which resulted from varying hardness of rock strata in the area, coupled with geologic occurrences affecting the earth's crust in that section.

It may be hard to believe, but Black Mountain, 4,600 feet high, and the flat parts of Cranberry Glades, 1,200 feet below, were once both level plains, the highlands above the Glades being as flat as Kansas at an earlier geologic date than the present bogs.

The Glades consist of about 750 acres, with less than 120 acres taken up by the flat, swampy bogs many people think of as comprising the whole area. An area surrounding the bogs, flat and thickly covered by shrubs, comprises about 400 acres, while another 200 acres of bog forest make up the remainder of Cranberry Glades.

Dr. Core lists five flat, boggy areas including a two-acre tract he calls "Little Glade." Forest Service maps now list only four such tracts. They are Big Glade, 60 acres; Flag Glade, 28 acres; Long Glade, 20 acres; and Round Glade, 8 acres.

All these glades present to the observer similar outward appearances and have similar or identical plant and animal life. Beneath the flat, vegetation-covered surface, peat deposits composed of decayed vegetable matter may be nearly 13 feet thick. Radiocarbon dating has shown that their formation began about 10,000 years ago.

Water is very near the surface of the peat. Where the peat deposits are more than 5 feet thick, the combination of water and peat quakes beneath the visitor's feet. It also makes for poor rooting for spruce and other forest trees which attempt to invade the peat bogs. As a result, fallen trees are nearly as common in the bogs as standing ones.

Nevertheless, Dr. Core believes that the encroachment of woody forest trees upon the bogs is progressing rapidly, and will one day be complete.

As you may have surmised, or already know for a fact, Cranberry Glades derives its name from the cranberries which grow wild in the peaty bogs. There are two species, a little one and a big one, and both were once picked in quantities by local people who fancied their tart flavor.

You won't find the cranberries in picking condition, however, until much later in the year, even if picking were now permitted; and unless you are a trained botanist or have experience in such matters, you'll have difficulty in locating cranberry plants. VIS photographs and exhibits, when that building is in operation next year, will make plant and fauna identification much easier for the layman.

The Cranberry River, a good trout stream and one of the most rugged in West Virginia, heads up in Cranberry Glades. Overlooking Cranberry Glades is Cranberry Mountain, There is no reason to believe that this unusual national forest attraction will be a tourist dud.

But even if it is, there won't be a bad taste in anyone's mouth. After all, what better sauce can you find for a turkey?

REGULATION OF SALE OF FIREARMS

Mr. DODD. Mr. President, the most compelling and persuasive statement I have heard in support of legislation to regulate the sale of firearms is Senator Robert Kennedy's testimony before the Juvenile Delinquency Subcommittee, on May 20, the second day of our hearings on the administration-supported bill, S. 1592.

He cited the overwhelming statistical evidence that makes the need for this legislation self-evident to reasonable people.

And he summed up the human need for regulating the sale of firearms as follows:

> It would save hundreds of lives in this country and spare thousands of families all across this land the grief and heartbreak that may come from the loss of a husband, a son, a brother, or a friend.
>
> It is past time that we wipe this stain of violence from our land.

I ask unanimous consent that Senator Kennedy's excellent statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Testimony of Senator Robert F. Kennedy Before the Subcommittee on Juvenile Delinquency of the Judiciary Committee, May 20, 1965

Mr. Chairman and members of the subcommittee, I am grateful for the opportunity to testify today on a matter of deep national interest. Regulation of the sale of firearms is, in my judgment, essential for the safety and welfare of the American people.

Every year, thousands of Americans are killed by firearms—9,300 in 1964 alone.

The great majority of these deaths would not have occurred if firearms had not been readily available. For the evidence is clear that the availability of firearms is itself a major factor in these deaths.

One out of every 20 assaults with a weapon in the United States in 1963 resulted in death. Where firearms were used, however, one out of every five assaults resulted in the death of the victim.

Of the 225 law-enforcement officers who have been killed by criminals in the last 4 years, 216—95 percent—have been killed by firearms. Of the weapon-users responsible for these deaths, 73 percent had been convicted of crimes before acquiring the murder weapon.

This bill would meet the firearms problem in a moderate and careful fashion.

It would restrict the interstate shipment of firearms to manufacturers, dealers, and importers, thus eliminating the present flow of 1 million inexpensive mail-order weapons annually. Many of these guns go to juveniles, persons with criminal records, and emotionally unstable persons.

It would prohibit the retail sale of firearms to youths, or to persons not resident in the State of purchase—thus helping States to enforce their own firearms regulation.

It would sharply curtail the importation of foreign military surplus weapons, which account for the bulk of the cheap mail-order trade, and the bulk of the large-caliber weapons sold in the United States.

Basically, this bill would only subject deadly weapons to the same control we have always imposed on automobiles, liquor, or prescription drugs. The use and sale of these things are carefully regulated by Federal, State, and local government. The same should be true of firearms.

S. 1592 would impose necessary controls. It would make State and local law enforcement more effective, and safeguard policemen in the exercise of their duties. And it would accomplish these ends without unduly curtailing the use of firearms for legitimate sport shooting or hunting, and without curtailing the lawful activity of sport gun clubs.

Nevertheless, the Nation, Congress, and sportsmen have been subjected to a massive publicity campaign against this bill. This campaign has distorted the facts of the bill and misled thousands of our citizens. Those responsible for this campaign place their own minimal inconvenience above the lives of the many thousands of Americans who die each year as the victims of unrestricted traffic in firearms. The campaign is doing the Nation a great disservice.

The national interest will be served by the speedy enactment of S. 1592. I support every one of its provisions.

During its deliberations, I would urge the subcommittee to consider also ways by which the private arsenals of secret groups—such as the Ku Klux Klan, the Black Muslims, and the so-called Minutemen—could be curtailed and eliminated. At a minimum, all weapons in the possession of these organizations or members of these organizations should be registered. Further, all large-caliber heavy weapons should be removed from private hands. Private citizens have no need of antitank guns, mortars, or machineguns.

And I would also urge all citizens, and all State and local authorities, to take every appropriate step to control the sale and possession of firearms in their own communities. Without that action, this bill will not be nearly as effective as it should be.

We have a responsibility to the victims of crime and violence. It is a responsibility to think not only of our own convenience but of the tragedy of sudden death. It is a responsibility to put away childish things—to make the possession and use of firearms a matter undertaken only by serious people who will use them with the restraint and maturity that their dangerous nature deserves—and demands.

For too long, we have dealt with these deadly weapons as if they were harmless toys. Yet their very presence, the ease of their acquisition, and the familiarity of their appearance have led to thousands of deaths each year—and to countless other crimes of violence as well.

With the passage of this bill, we will begin to meet these responsibilities. It is a necessary bill, and I urge its immediate enactment.

It would save hundreds of lives in this country and spare thousands of families all across this land the grief and heartbreak that may come from the loss of a husband, a son, a brother, or a friend.

It is past time that we wipe this stain of violence from our land.

THE HUNGARIAN MINORITY IN RUMANIA

Mr. WILLIAMS of New Jersey. Mr. President, the plight of Hungarians living in Rumania is one that deserves the thoughtful and sympathetic consideration of this Government. The Hungarian populace residing in Transylvania has been the target of a Communist policy which has as its purpose the destruction of the Hungarian heritage. To achieve this end, the institutions of Hungarian life have been taken over by Rumanians, and all responsible citizens have been separated, so as to render impotent their nationalistic feelings. This is a familiar device of oppressive government: displace, dilute, dissuade; keep the responsible voice of reason from any concentrated group of citizens.

The Communist heirarchy have profited from their mistakes of 1956. They have learned that the only way to dominate a proud people is through the iron-hand approach of oppression and suppression.

It is imperative that U.S. policy proceed in a way that will insure the fair treatment of Hungarians. The 1947 peace treaty stipulated that the Rumanian Government would practice no discrimination toward any religion, nationality, or language. This covenant has been conspicuously violated. The Hungarian Bolyai University has been merged with the Rumanian Babes University; courses formerly taught in Hungarian are now presented only in Rumanian.

The same process is being followed in the professional institutions, as well as those at the grade school and high school levels.

There are no statewide cultural organizations for Hungarians.

Areas that previously contained heavy percentages of Hungarians are now being merged with Rumanian districts, thereby diluting the power of the Hungarians to maintain their own leadership. The end product of such a policy could well be the destruction of the Hungarian culture in Rumania.

The United States should use the economic lever to best advantage in securing fundamental rights for the Hungarian people. Their institutions should be reopened; instruction should be given in their own language; and they should be allowed exposure to the counsels of their natural leaders. It is only by these means that the Hungarian culture may be preserved.

The situation may best be remedied by a concerted effort on the economic, the political, and the diplomatic fronts. The preservation of this historic culture is of great importance to the entire world.

THE IMPORTANCE OF EDUCATION—AUGUSTA AREA TECHNICAL SCHOOL

Mr. TALMADGE. Mr. President, in today's complex society, nothing is more important to our young people than education. The difficult task facing American schools today is that of providing young men and women with the skills and training needed for the jobs of tomorrow.

Increasing in importance, in assuring that everyone will have an adequate opportunity for the proper kind of education, are our vocational-technical training schools. I am proud to say that Georgia is outstanding in this regard, and its vocational-technical training program is regarded as a model for the Nation.

My State, which is undergoing a rapid transition from an agricultural economy to an industrial economy, is involved, as is the rest of the Nation, in a race between the modernization of industry and business and the modernization of manpower.

The Congress of the United States 2 years ago underscored what has been called the skills crisis by enacting the half-billion-dollar Vocational Education Act of 1963, which will assist the States in expanding and improving their vocational-technical training programs.

It is vitally important that our young people take full advantage of the opportunity afforded them by these programs. Unfortunately, there is some evidence that this is not always done. There has recently come to my attention the fact that one of the vocational-technical schools in Georgia may have to be closed, because of a lack of enrollment. According to officials of the Augusta, Ga., Area Technical School, as reported in the Augusta (Ga.) Herald, the school will have to be shut if more students do not enroll in its classes. As the Augusta (Ga.) Chronicle stated editorially:

> This is a serious situation which means a great deal to the future of young people now at the crossroads. With the school, they have a golden opportunity. Should it be closed for lack of interest, they may be handicapped the rest of their lives.
>
> The danger is of great concern to the community as well. There can be no doubt that the success of Augusta Technical School will be a factor, far into the future, in bringing to this area industries which depend on local training for the skilled people they need.

Mr. President, I ask unanimous consent that a newspaper article from the Augusta Herald and the editorial from the Augusta Chronicle, concerning the plight of this school, be printed in the Record.

There being no objection, the article and the editorial were ordered to be printed in the Record, as follows:

[From the Augusta (Ga.) Herald,
June 1, 1965]

APPLICATIONS ARE FEW: TECH SCHOOL THREATENED—STUDENT INCREASE NEEDED

(By Gerald Stephan, Herald staff writer)

Richmond County is in danger of losing the Augusta Area Technical School if enrollment isn't increased, the school director warned today.

George M. Hardy said classes must have an initial enrollment of 12 students if the State is to pay expenses, according to a recent directive. All of the financing for Augusta Tech comes from the State except such costs as the light bill and maintenance, which are paid for by the Richmond County Board of Education.

"We would have had to shut down about four classes last year if this rule had been in effect then," Hardy said. "The taxpayers spent over $1 million to build technical training facilities in Richmond County. Why aren't they being used?"

It can't be for the lack of trying.

OPPORTUNITY

"We've been to every Georgia high school in the CSRA—telling them of the opportunity here," Hardy said. "We've taken students on tour here. Six thousand first-class letters have been mailed to Richmond County high school graduates since January."

Despite these efforts, there have been only 25 applications from Richmond County graduates for admission to the school in September. Butler High has 5, Richmond Academy 10, and Hephzibah High, 10.

Most of the applications come from outside the county. One student in St. George, Maine, wants to come in September to study automotive mechanics. Another in Syracuse, N.Y., wants to take a course in data processing.

APPLIED

In all, 98 out-of-county students have applied for the classes beginning in the fall, Hardy said.

"We could use another 225 applications—to insure that the school is filled up," he added.

Now going into its fifth year, Augusta Tech began this school year with 125 students.

"It should have been 300," Hardy said.

Augusta Tech's director said he is worried about the future of the county's youth. Of the 1,200 graduating from high school this month, about 600 will go to college. Hardy said 48 percent of these 600 will never graduate.

The question is, What happens to these 900 who are not destined to become college graduates?

"I'd like to run a study to find out what happened to them," Hardy said. "I'm sure that a lot of them are in low-paying jobs with no future."

Hardy blames the lack of students at Augusta Tech on "parental apathy." He said teenagers about to enter the labor market especially need counseling from their parents.

"They can't take 30 minutes to come out here and see what we've got," he said. "Life isn't so busy yet that parents don't have time to help plan the future of their boy or girl."

For the students who do take advantage of Augusta Tech, the future is bright. Twenty-one night students graduated last week in drafting and electronic technology. Every one either received a promotion in his work or got a better job as a result of his training.

After completing a course of study at Augusta Tech, finding a job is almost a sure thing. Hardy could place hundreds of graduates if he only had them.

Hardy said there are two possibilities if enrollment at the school doesn't increase. "Augusta Tech can either be financed through local taxation, or it can be turned ino a junior high school," he said. "But what would we accomplish there?"

He said there is nothing to hold students back. There is a small supply fee and the students pay for their books, but these costs will be paid for the student if he cannot afford it.

"If Rome and Albany can fill their schools up, why can't we fill ours up," Hardy asked. "The people in Augusta need training just as much as they do in other parts of the State."

[From the Augusta (Ga.) Chronicle, June 2, 1965]

Opportunity Down the Drain?

If Augusta were about to lose an industry on which the jobs of hundreds or thousands of wage earners depended, the entire community would be aroused to action.

Augusta and the entire CSRA within commuting distance is on the verge of a comparable loss—not of a plant itself, but of a training facility which provides the skills necessary to bring plants here, and keep them supplied with highly trained staffs.

We can lose the Augusta area technical school for lack of enrollment, Director George M. Hardy said Tuesday, because the State of Georgia has issued a directive which says costs will not be paid in any class which does not have at least 12 students enrolled initially.

If this were an expensive school, with high tuition, the slow pace of enrollment might be understandable. It is State supported, however, with students paying only a small fee for supplies, and paying for their books. If a student is in straitened financial circumstances, even these minor costs will be paid for him.

The need on the part of city and area youths for the kind of training which the technical school provides is obvious. Of 1,200 high school graduates in this county, only about 600 of them go to college, and approximately half of that number do not graduate, says Director Hardy. That means that three-fourths of our high school graduates do not get the professional and business training of a full college course.

What will they do? Perform menial, ill-paying tasks the rest of their lives? Be passed over when promotions and pay increases are awarded? Struggle a little way up the ladder to success, then be the first demoted or fired when business is bad? Go into industrial scrap heap if wage costs go so high that automation replaces the unskilled labor?

The State of Georgia spent more than $1 million to build technical schools in Richmond County. Their work is highly effective. Graduates of Augusta Technical School have almost a certainty of getting a job, Director Hardy saying he could place hundreds of graduates if only he had them. Twenty-one night students in drafting and electronic technology were graduated last week, and as a result every one received a promotion or got a better job.

Similar schools in Albany and Rome are filling up their classes. Here, however, only 25 applications from Richmond County for admission in September have been received. Out-of-county applications number 98, for a total application list of 123. The school could admit another 225 students.

Had the rule on a minimum of 12 students per class been in effect last year, four classes would have been discontinued.

This is a serious situation which means a great deal to the future of young people now at the crossroads. With the school, they have a golden opportunity. Should it be closed for lack of interest, they may be handicapped the rest of their lives.

The danger is of great concern to the community as well. There can be no doubt that the success of Augusta Technical School will be a factor, far into the future, in bringing to this area industries which depend on local training for the skilled people they need.

Both individuals and community have a tremendous stake in the success and continued operation of this school.

SOUTH VIETNAM

Mr. McGEE. Mr. President, the argument continues, both in this Chamber and in the press, as well as around our Nation, about America's future course in South Vietnam. We are told we must declare a state of war, or, at least, specifically authorize the offensive use of U.S. troops in southeast Asia.

In truth, Congress has already given President Johnson a firm endorsement of his policy in Vietnam, which is a policy of "firmness with moderation." The determination of our President and our Nation to withstand the Communist onslaught in Vietnam is unchanged, although the role played by ground forces remains chiefly defensive.

Large segments of the press have served their function well in analyzing, for the American people, the situation and the debate. On Wednesday, the Washington Star, in an editorial, talked back to critics of our strategic bombing policy who claim it has not succeeded. As the Star pointed out, that fact does not mean that it has failed. There are many indications that the Communists realize that time is running out for them. Today, the Washington Post cleared the air by stating editorially that, despite much recent speculation and debate about future moves, the administration has simply reaffirmed America's determination not to abandon South Vietnam to Communist conquest.

I ask unanimous consent that these editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Star, June 9, 1965]

Escalation in Vietnam?

Maxwell Taylor's return to Washington for periodic consultations coincides with the announcement that the United States has once again upped the ante in Vietnam. From now on, American troops are to be authorized to engage in combat operations along with Vietnamese forces when and as they are needed.

This is another indication that the war on the ground in Vietnam has entered a critical phase at the onset of the monsoon season. And it is another sign of American determination to make whatever commitment may be necessary to prevent a Communist military victory in the coming months.

Taylor's visit also coincides with mounting pressure for a further escalation of the war in the north. In Saigon, the Government is reported to be urging stepped-up American air attacks against industrial installations in the Hanoi-Haiphong area and even on Hanoi itself as a means of forcing North Vietnam to call off its efforts in the south.

The present policy of limiting the attacks to military targets and infiltration routes, it is said, has failed to produce the desired results. More serious damage would persuade Hanoi that we mean business. It would stiffen sagging morale in South Vietnam and strengthen the shaky regime of Premier Phan Huy Quat.

These arguments need careful evaluation. Taylor himself—along with virtually all responsible officials in Washington—is reported to be firmly opposed to the indiscriminate bombing of civilian populations. And the value of attacks against other essentially nonmilitary targets must be weighed in terms of their real effect on the fighting in the south.

Apart from any other considerations, the real deterrent to North Vietnam is the threat that industries and communications may be destroyed. Once they are gone Ho Chi Minh will be quite literally in a position of having nothing more to lose no matter what happens in the south. This fact, combined with adverse reaction around the world and the probability of greatly increased Russian and Chinese support, casts considerable doubt on the wisdom of playing all of our trump cards at this particular time.

Nor is there any reason to assume that the present limited schedule of attacks is without deterrent effect on the Hanoi govern-

ment. The fact that it has not succeeded yet does not mean that it has failed. There are many indications that the Communists realize that time is running out and are gambling heavily on a decisive military victory on the ground before it does. The time for drastic decisions—in both Hanoi and Washington—will come after the critical summer months.

[From the Washington Post, June 10, 1965]

COMMITMENT IN VIETNAM

The White House statement of yesterday does not change the fact that American forces in Vietnam may now be used in regular fighting alongside the Vietnamese if the American commander deems it to be necessary. In this comment on a previous announcement that had come out of the State Department the White House insists that no new order has been given to General Westmoreland. Nevertheless, the current statements give the public a somewhat different understanding of the policy than had been given in previous official discussion of it.

As we understand the order that has been given, American troops in South Vietnam will not engage in general combat. Their primary duty is the patrolling of important military installations and the adjacent areas. But within the scope of this mission they may fight with Vietnamese troops when the latter are aggressively attacked, if the Vietnamese commander requests it and the American commander thinks that the military situation requires it. Undoubtedly this will mean some further involvement of American forces in the Vietnamese war than the public had previously contemplated.

Yet the basic problem in Vietnam has not changed. Nor has the basic policy of this Government. The administration has merely indicated in more explicit terms that it is following a somewhat flexible policy of helping the South Vietnamese resist the aggression from their northern neighbors.

Six weeks ago President Johnson described his policy as one of "firmness with moderation." That is still an accurate description. What has happened since then is an intensification of the Vietcong's efforts to strike a series of climactic blows at South Vietnam. In response the United States has continued to bomb supply lines in North Vietnam and has stepped up its patrolling operations and resistance to attacks in the vicinity of military bases. Yet the U.S. commitment remains limited. In purpose it will remain defensive.

In effect the administration has reaffirmed its determination not to abandon South Vietnam to Communist conquest. This is a policy that appears to have strong national backing. Congress recently voted overwhelmingly to support the continuation of aid to South Vietnam in its fight for survival, and this determination will not waver because the struggle in that unhappy land is undergoing some measure of transformation.

The dangers involved in this course are well known in the White House, in the State Department and in virtually every American home. But the perils of each new step that is taken have to be measured against the perils of not taking it. Painful though the decision is, the continuation of a strong posture of resistance to aggression in South Vietnam still appears to be less dangerous than either defeat or withdrawal. For such a victory for militant communism would doubtless bring an escalation of armed aggression on a broad scale, with a graver menace for both peace and freedom.

Secretary of State Rusk took occasion to reiterate the eagerness of the United States to join in peace negotiations. Some wishful thinkers are saying that Hanoi cannot be expected to negotiate so long as the United States is bombing its territory. But the entire history of the Vietnamese affair indicates that Hanoi is even less inclined to talk when the pressure is relaxed.

The United States is trying to show the North Vietnamese that they cannot dictate the terms of a settlement by the continued use of force and violence against their neighbors. However disagreeable and costly that task may be, it still seems to involve less risk to our freedom and security than any form of knuckling under to the Communist threat in Vietnam.

MEXICAN CHILDREN IN NEW MEXICO SCHOOLS

Mr. MONTOYA. Mr. President, we in Congress who vote billions of dollars every year for foreign aid rarely have the opportunity to see anything but the "big picture."

Today, I would like to tell Senators about a "little picture" in my home State of New Mexico which will make a number of Mexican citizens lifelong friends and supporters of the United States.

Since 1910, Mexican youngsters from the border village of Palomas have been crossing the international boundary every day to attend school in Columbus and Deming, N. Mex. Many walk a mile or more.

The citizens of Deming and Columbus have always welcomed this arrangement, and the Mexican children and their parents have, of course, been pleased with the opportunity to attend our schools.

The children pay $2 a month, and the rest of the cost has traditionally been absorbed by the taxpayers of Luna County, N. Mex., as a neighborly gesture toward their friends across the border.

Sixty-seven children are involved this year.

Last month, the New Mexico attorney general ruled that this arrangement is illegal, and said the Mexican youngsters' educational costs must be paid in full if they are to continue going to our schools. That would mean $400 a year per child, or more, and few families could afford that.

This ruling was very disturbing to many people.

The Albuquerque Journal ran an editorial titled, very fittingly, "Good Will That's Illegal."

The editorial commented that "it would be regrettable if some method could not be worked out to continue, perhaps under Federal sponsorship, this fine, hands across the border project. This is one program on which foreign aid dollars could be spent without arousing controversy."

The editorial reflected the view of many people. Two who worked particularly hard to find a solution were our State superintendent of public instruction, Mr. Leonard J. De Layo, and State Senator I. M. Smalley, of Deming.

I asked the State Department to see whether these youngsters' education could be paid for through AID funds, and ran into a barrage of what seem to me rather superficial objections. To state it briefly, State took the position that such a contribution would set a costly precedent, and that Mexico would resent such an action on our part anyway.

It was left to the New Mexico School Budget Board to come to the rescue. On June 2, the board voted a special $25,000 appropriation from general State funds to take care of the Palomas children next year.

This fine gesture in international goodwill is a statewide gesture, and I want Senators to know, how proud I am of the people of my State.

In conclusion, I must say that we have probably not heard the last of this matter. This State appropriation is a stopgap measure, and it will probably be necessary to change State law if we are to continue to help the Palomas children after next year.

In the meantime, I hope the U.S. State Department will keep an open mind on this subject, because it may develop eventually that Federal aid is the only permanent solution.

It would be folly to let such a fine program die for lack of what is, after all, only a small amount of money when we consider the international good will which is involved.

THE HIGHER EDUCATION ACT OF 1965

Mr. WILLIAMS of New Jersey. Mr. President, the advancing pace of our daily lives makes us more than ever aware that if we are to continue to progress as a people, we must be willing and able to prepare our youth to accept these complex responsibilities. It is to this end that the proposed Higher Education Act of 1965 is directed.

This bill takes cognizance of the fact that we must look to every segment of our youthful population in order to find the responsible leaders of the future. This country may no longer rely on the development of educated citizens from only those who come primarily from the higher income families. Talents are measured, not by economic background, but by the opportunity and the ability to produce. This opportunity must be available to all. The provisions of this bill make it possible for all those of ability to be eligible for a college education. Although this is an admirable and a significant advance, it does not do the whole job.

As you know, Mr. President, Gov. Richard J. Hughes, of New Jersey, has always been vitally interested in the expansion of our educational programs. When testifying before the Subcommittee on Education, of the Senate Committee on Labor and Public Welfare, Governor Hughes described his philosophy as follows:

> I believe that the concept of the academic community as a vital component of the general community is both visionary and sound.

It is with this thought in mind that I ask that the Governor's remarks be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WILLIAMS of New Jersey. Mr. President, Governor Hughes eloquently urged the inclusion in Senate bill 600 of provisions for financial aid for community colleges which are playing a key part in New Jersey's educational program. As Governor Hughes pointed out, more than 11,000 students will benefit from existing and proposed community colleges. The distinguished chairman of the Education Subcommittee, Senator MORSE, agreed completely with Governor Hughes, and complimented him on the perception and cogency of his statement.

Senator MORSE and I are of the opinion that the present bill fails to recognize the critical needs of those who pursue their education at the junior college or the community college level. Students desiring to enroll in a 2-year course are, at present, unable to benefit from the provisions of this bill. Many of them will go on to a 4-year college, to receive their bachelor degrees; others will enter business, after completion of their 2-year programs. In either case, it is absolutely imperative that these students be given the same opportunities to better themselves through the educational process.

EXHIBIT 1

STATEMENT BY GOV. RICHARD J. HUGHES, OF NEW JERSEY, TESTIFYING BEFORE THE SUBCOMMITTEE ON EDUCATION OF THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, JUNE 3, 1965.

I want to thank you for the privilege of testifying before this distinguished committee on the proposed Higher Education Act of 1965, S. 600.

In the State of New Jersey, education is the first order of public business. Among the many obligations of State government, none has a higher priority than that of training and educating our young people. It has become increasingly clear that many of our most critical needs in this area are at the higher education level.

The legislation before this committee will enable us to take impressive strides toward meeting that need, and it will enable us to take action simultaneously in a number of significant ways. One of its most promising aspects is that which provides direct assistance to college students themselves, especially those from low-income families. Despite the fact that we are the sixth richest State, in terms of per capita income, New Jersey has 180,000 families with incomes of less than $3,000 a year, the sum established as the poverty level. And, we all know that this income is even more inadequate when determining the ability to pay the costs of a modern college education. During the school year 1964–65, the average cost of attending public institutions of higher learning has been about $1,560; in private institutions this figure rises to $2,370. These figures assume special significance when compared with the average family income levels which in New Jersey are $6,786 per year.

I believe that part A of title IV, which is intended to aid directly young people from low-income families, is an innovation in assistance to college students. I am particularly impressed by the related provision in the legislation which will help in the identification of qualified youth from low-income families and encourage them to undertake secondary and postsecondary training. By increasing cooperation between high schools and colleges, this additional element in the program will mean that every dollar spent is a more effective dollar. If we are to break the cycle of poverty in this country, many of our efforts must be directed toward providing education for those who are growing up in a poor environment. This legislation strikes at the cycle at a critical point. It should make the entire legislative package more valuable to our less advantaged young people.

When these scholarship proposals are combined with the loan provisions under title IV, they constitute a flexible and extensive instrument or expanding college education for thousands of young Americans. New Jersey has granted 11,332 State scholarships to its present college population. We expect this number to grow to approximately 12,500 in the fall of 1965. Our scholarship program is supplemented by a State student loan plan under which 11,318 students are presently receiving assistance. The proposed Federal programs will be a valuable increment to our State's activities in this field.

I am happy to note, in passing, that the administration bill includes a proposal first suggested by the distinguished Senator from New Jersey, HARRISON A. WILLIAMS, JR.—a proposal which provides for modest interest subsides to borrowers while they are in college and for 1 year thereafter. I think that this will go a long way toward facilitating the use of the loan program by students, since it will prevent them from incurring a heavy interest burden at a time when their earning power is negligible. It will surely encourage speedier repayment.

I have been impressed by the success of the college work-study program which was established under the Office of Economic Opportunity. In New Jersey 8 institutions have applied initially to participate in the program and 770 students are expected to benefit from it. I anticipate the substantial growth of this program in the years ahead and the participation of large numbers of New Jersey college students. The transfer of responsibility for this program from the Director of the Office of Economic Opportunity to the Commissioner of Education is a sensible step for the long run. The OEO has well served its function as an innovator and has successfully tested this new program. Its expansion is also sensible. By tying the work-study opportunities to other kinds of assistance, colleges and universities can help students to reduce the heavy debt burdens they incur when they must borrow to meet the large portions of their college expenses. The work-study program provides the opportunity for our young people to give a new and dynamic expression of their traditional willingness to work their way through college. It encourages self-reliance based upon a realistic hope that the financial means to complete higher education will be available. We must intensify our public and private efforts to keep our needy students in school.

I would take special note of paragraph 4 of section 441 of this legislation which delays by 10 months the date on which the Federal share of student compensation under the work-study program is reduced from 90 to 75 percent. This postponement will grant participating institutions the time needed to prepare themselves for the added financial burdens upon them when the Federal contribution is reduced. The expansion of the work-study program is based, it seems to me, upon a realistic appraisal of the sharp increase in enrollment in our higher institutions. Last fall a recordbreaking total of 28,825 New Jersey public high school students went to college. This was an increase of 33 percent over the 21,638 who entered college in 1963. Our general population trends indicate that we can expect such sharp increases to continue in the future.

Together, the programs for student assistance in S. 600 can provide a multipronged attack on the problem of removing the financial barriers to higher education for all our capable young people. They are based upon a sound recognition that such assistance encourages hope and aspiration in those who might otherwise view college as an impossible dream.

I am pleased to note that this legislation recognizes the increasing importance of university extension programs and directs its assistance toward areas of substantial benefit to communities. The problems of urbanization—and New Jersey is the most urbanized State in the Nation—receive a special emphasis. I believe that the concept of the academic community as a vital component of the general community is both visionary and sound. The widespread implementation of community-oriented university extension courses will have an immediate impact on the social and economic life of our towns and cities. I need not detail here the problems of civil rights, juvenile delinquency, mass transportation, urban blight, and housing which plague our urban centers. There has been much progress in the academic disciplines in these areas, and I believe that we are moving closer to the day when we may see real progress toward closing the unfortunate gap between the world of ideas and the world of affairs. This program of development for university extension courses implies our willingness to move toward that goal.

In New Jersey it meets a number of specific needs. Ten colleges and universities in our State are engaged in extension programs in professional training and refresher programs for those in professional fields. They now enroll approximately 40,000 adults, almost 41 percent of all those attending our colleges and universities. The funds which would be made available by this legislation would enable our State to expand such programs and to initiate new ones in specific areas of public need.

Our recent experience in this area has included a continuing partnership between the university and the Government, such as in the study of legislative procedures completed by the Eagleton Institute at Rutgers, the State university, and the ongoing assistance of the urban studies center at the same institution to the Newark community action program. In short, these extension programs not only benefit those who would continue their education into their working years, but also the community at large.

I would like to speak in a similarly positive manner about the college library assistance provided for under title II of this bill. In the State of New Jersey we can well appreciate the importance of a program of aid to institutions of higher learning which will enable them to acquire library materials and train library personnel. In New Jersey we are grappling with the problem of filling vacancies in positions requiring trained librarians in school systems and public libraries which exceed the number of librarians prepared by the School of Library Science at Rutgers, the State university. This program, together with the provision for expansion of college library resources, will help us sustain our extensive efforts in this area. The unprecedented demand for library facilities speaks well for the vigorous spirit of inquiry in America.

The provisions for strengthening developing institutions under title III offer significant possibilities for the future and growth of New Jersey's smaller public and private institutions. While private, nonprofit colleges will be receiving substantial benefits, I would particularly note the potential assistance for our rapidly developing State colleges. In the last 10 years, their combined faculty grew from 326 to 1,006, their full-time undergraduate student body from 3,784 to 15,076, and their total budgets from about $3½ million to the total of almost $16½ million. Their continued vitality and expansion are prerequisite to meeting the ever expanding educational needs of New Jersey. I believe that the effective use of funds which will be made available by this legislation can be an important element in our efforts in this direction.

I am disturbed, however, by the fact that the definition of "developing institutions" in the legislation is restricted to those awarding a bachelor's degree. This excludes 10 2-

year colleges already in existence in New Jersey with a total student body of almost 4,000. In addition, the State government has established a high-priority program for the development of county community colleges. Our plans include State-local matching participation in the capital costs of such institutions and a one-third State, one-third local, and one-third tuition division of contributions for operating expenses. Plans are in progress for these colleges in 17 counties in the State of New Jersey. Our State board of education already has sanctioned 7 of these colleges which will have a total student body of almost 6,000. In addition, feasibility studies are going ahead on 5 additional colleges with a proposed enrollment of about 5,500. Given the growth and importance of these 2-year institutions and the general recognition of this fact, it seems clear that the broadening of the definition in the legislation would be advisable. Many of the young people in attendance at junior colleges go on to complete higher degree requirements and this postsecondary training has great value in itself. Title III's purpose of strengthening academic programs in our colleges is an admirable one. It should be broadened to include 2-year institutions and it will be a significant part of the overall program.

All the titles in S. 600 offer substantial benefits for the people of the State of New Jersey. But this does not mean that the Federal Government is taking over responsibility for education. It means that it is playing particular roles in particular areas of educational financing. The Federal role is a national role. The language of this legislation articulates and suggests ways of implementing many of our broad national goals in higher education. It is for each State to tailor this Federal purpose to the specific needs of its people. John F. Kennedy once said, "Fundamentally, education is and must always be a local responsibility, for it thrives best when nurtured at the grassroots of democracy." This statement remains a valid premise on which to base our educational activities. The Higher Education Act of 1965 is soundly based on this concept of State-Federal cooperation. I believe that it will enable us to move forward toward the highest goals of American education—toward making a youth a man and a student a scholar, and toward making all of our citizens full participants in building American society.

GI BILL OFFERS INCENTIVE TO INTELLECTUAL ADVANCEMENT

Mr. YARBOROUGH. Mr. President, the GI education bill extends to veterans of cold war military service the opportunity to become useful citizens of the civilian community. A letter from Mr. Joseph M. Snarponis, of Hazleton, Pa., expresses the strong feelings of hundreds of thousands of Americans in support of the cold war GI bill S. 9.

Mr. President, I ask unanimous consent that Mr. Snarponis' letter dated May 28, 1965, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HAZLETON, PA.,
May 28, 1965.

Senator RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SIR: First of all I want to thank you for your interest in the fate of men and women all over the United States who have served their country honorably in its armed services. It is men who have your vision and keen insight who will see the merit of your proposal for a cold war GI bill.

Since the opposition to your proposal seems to center around reducing service reenlistments and cost factors, I would like to express my viewpoint to you.

If a chance to better a man's economic position will sway him away from the services of the United States, can that swaying source be labeled as undesirable? My point is that our economic system is capitalism and its basis is a desire to better oneself economically. If ability is chained to the unyielding hulk of our military services under the guise of manpower conservation for the defense of this Nation, we are fooling ourselves. This Nation's chief resource is its vast supply of unexplored brainpower. Very few career service personnel realize their full potential as idea producers. Even if these men do leave the ranks, they are trained in their field in case of national need. They will have trained themselves to be of even greater value to this Nation in war or peace if they can complete college or some other form of higher education under a bill such as yours.

My next point is the cost of the program. The President is prepared to spend $1.7 billion on an antipoverty program. Among the ex-servicemen, still loyal Americans, the will to advance themselves is present and only needs the opportunity to manifest itself with the aid of financial support. Your proposal will start off where the antipoverty program hopes to terminate—with the will to move forward. Within a few years, if stringent requirements are set, the many ex-servicemen now occupying the "tight" unskilled and semiskilled jobs will move into professional or semiprofessional or skilled positions. This motion of a portion of the labor force will make room in the highly overmanned echelons of labor. I believe your proposal has as much potential as the so-called antipoverty program and its results will be permanent.

Sincerely yours,
JOSEPH M. SNARPONIS,
Ex-Airman First Class,
U.S. Air Force.

INTERNATIONAL ROAD FEDERATION HOLDS SOUTH AMERICAN REGIONAL CONFERENCE AT LIMA, PERU, ON MAY 17-22, 1965—REX WHITTON MAKES SIGNIFICANT SPEECH

Mr. RANDOLPH. Mr. President, the activities of the International Road Federation, one of the world's leading organizations in the development and improvement of highway transport internationally, are worthy of our attention.

This nonprofit group, supported by private business, continues to make significant progress in the stimulation of interest in economic and social advancement through highways and highway transportation. It contributes materially to the advancement of the American image abroad, both from a governmental and private enterprise standpoint. The Federation goes far to insure a maximum return on road investment internationally.

As a member of the Senate Committee on Public Works, and as chairman of its Subcommittee on Public Roads, I have followed the progress of this organization for many years. Recently it was my privilege to participate in its South American Regional Conference in Lima, Peru. I share IRF's philosophy that it is incumbent on us to bring to our sister republics in this hemisphere, and indeed throughout the world, the best in thought and experience in the highway transportation field which we and others have been and are developing on a day-to-day basis.

I briefly report to the Congress on this productive meeting of the International Road Federation and point out my conviction in the work it is doing and the dividends which are being experienced as a result of the programs of the federation.

The federation believes that no one nation has a monopoly on either highway problems or their solutions, and calls regional and world meetings wherein the best methods and techniques which have been developed can be made available to all men upon whom the responsibility of land transport may rest.

As M. Clare Miller, IRF board chairman, indicated at the inaugural session:

> Possibilities and opportunities do not vary greatly from nation to nation. We study the work of men of research and vision, as well as the experiences of our neighbors, and strive to assure the most effective course, not only for the present but for the years ahead.

Chairman Miller added:

> National road programs, combined with construction of international routes are unfolding into an artery of lifeblood for social and economic development over our entire hemisphere. We have many miles yet to go but are making giant strides.

IRF president, Robert O. Swain, emphasized that the automobile and the motortruck have become the foundation on which the expanding horizon of modern world transport must depend. It is imperative, therefore, that nations throughout the world seek out and apply the best methods available which will help them keep pace with the expanding world population and will spur on the economic development of the newer countries which are now taking their deserved place in the world.

Consistent with this concept, the federation's recent meeting brought together delegates who are guiding the technical communication effort in the Americas and in many countries in Asia, Africa, and Europe as well.

More than 430 persons from 27 countries were in attendance. Definite proposals on the construction of the Bolivarian Marginal Jungle Highway, the Transversal Pan American Highway, and the Longitudinal Pan American Highway including the Darien Gap were included in the resolutions of the Conference. The assembled delegates heard the presentation of some 65 technical reports which opened new frontiers of knowledge and through which the delegate engineers and administrators gained a better understanding of new road construction methods and techniques.

The scope of these resolutions covered the gamut of highway matters including elements of research, international credits, the use of photogrammetry and computers, the administration of operators and mechanics training centers, new equipment, and experimental road tests.

The meeting was one of seriousness, purpose, and concommitant accomplishments. Following the presentation of the message to the delegates from the President of the United States, which extended greetings and urged significant effort in advancing the mobility of peoples and goods, we heard the discourse of his Excellency Arq. Fernando Belaunde Terry, President of the Republic of Peru. President Belaunde emphasized that neither Peru, nor any other single nation, could solve its road problems separately and hoped that the Congress would provide a propitious opportunity to establish groundwork for truly international planning. Outlining the programs within Peru, both national and international in scope, which he felt were leading in a positive direction, President Belaunde envisaged a South American common market for roads so created as to accommodate the populations which will surely come to seek "food, well-being, and future greatness."

President Belaunde explained the Peruvian program and stated that roads are being cut through undeveloped frontiers in an effort to extend to the people of the nation the wealth of the modern world. He emphasized the Bolivian marginal jungle highway as an example of continental solidarity in which the power of the state and the discipline and good will of freemen in private enterprise go hand in hand in the execution of solutions to the problems of highway transport.

President Belaunde envisaged the completion of this highway which carries with it a desire for self-improvement beyond geographical frontiers of a single country and which would be mutually beneficial to Peru, Ecuador, Bolivia and Colombia, and indeed, to the whole of the Americas.

Rex M. Whitton, U.S. Federal Highway Administrator, stressed the growing concern for human values as a criteria of the highway program in the United States. He stressed that successful development in the United States stems largely from our balanced system of road management. The States operate the main rural and urban routes, with Federal aid and guidance, and local governments manage the rest. All Federal aid and most State highway funds come from taxes on highway users, and the users reap from their investment a handsome return in savings of time and vehicle operation costs, fewer accidents, and less driver strain.

As Mr. Whitton told the Conference, the motor vehicle has come to be a prime mover in our economic life. One out of every six businesses and one out of every seven jobs are related to highway transportation. But the real importance of the motor vehicle is in its use: Highway hauling accounts for two-fifths of our total freight movement; three-fourths of all auto trips are concerned with work or family business. Highway improvements stimulate the economy by permitting better rural and urban land use, better distribution, and broader range of job opportunities. The automobile has important social influences, too: It is our major means of going to the movies, to church, and to the ball field, the beach, and the golf course; and the recreational drive is a most popular form of outdoor interest.

Mr. Whitton told the Conference that we have our highway problems, too, partly because the better the highway system gets, the more travel it encourages. He noted that one critical problem is highway safety. Our Interstate System of freeways will save 8,000 lives a year when it is completed, but most of our roads cannot be so extensively improved. One practical attack on the problem being made at President Johnson's direction, which offers much promise for increasing highway safety, is the spot improvement program, to eliminate hazards at highway locations with high accident records.

Another major highway problem, according to Mr. Whitton, lies in our growing urban areas, and we are now engaged in a nationwide intensive effort involving a cooperative, comprehensive, continuing transportation planning process in all of our cities of over 50,000.

He also pointed to growing concern about the scenic and esthetic aspects of our highways. Now, with President Johnson's strong support, highway builders—who have not been insenitive to these needs—expect to do much more in this field.

Mr. Whitton spoke of the efforts to improve highway transportation through planning and research. One major planning objective is to determine highway needs for the years beyond 1972, so that future highway policies and programs can be formulated well in advance. Among many areas of research, one worth mentioning is the effort to understand how the driver performs his often difficult task, and to devise practical means for helping and guiding him. Another is the application of quality control and scientific sampling techniques to highway construction materials and methods.

With further regard to transport development within our own country, it was my privilege to present the broad outline of the initial Appalachia projects—a momentous step in the construction of development highways in designated corridors of that region.

This concept and action was of tremendous interest to the delegates, both as evidence of U.S. thought in the fields of social and economic improvement and as a possible formula for similar application in the South and Central Americas.

I reiterate my belief in the productiveness of meetings of this type. Delegates convene as friends. Their singular purpose is to discern ways and means through which their national welfare can be improved through better highways. The very nature of highway transport within continents calls for international cooperation if the necessary avenues for the strong exchange of ideas and products can be opened and maintained.

The International Road Federation has for 18 years provided a needed range of services to governments, international organizations, and to private engineers and businessmen worldwide in helping these individuals keep pace with the transport requirements of an expanding world population. Today it links national road associations in over 70 countries and has established important points of contacts in an additional 14 countries.

The federation believes that while great highway progress has been recorded much remains to be accomplished. Today the dominant question is not how much we will discover and refine new material benefits for man, but how we can make these refinements available to the greatest number. This is the problem which more and better highways around the world will alleviate and to which the International Road Federation dedicates its total resources. Regional conferences of highway leaders, such as the Peru meeting, is a productive medium through which the Federation achieves its goals. It well behooves government and business interests to note its enterprise, methods, and results.

SIXTH ANNIVERSARY OF THE INDEPENDENCE OF TUNISIA

Mr. WILLIAMS of New Jersey. Mr. President, June 1 marked the sixth anniversary of Tunisia's independence. On that day it is fitting for Tunisians and Americans to join in rededicating themselves to the principles of freedom and constitutional government. Tunisia has been a leader in the progressive movement toward understanding between nations.

Though a young member in the family of nations, Tunisia bears well her proud heritage. From the beginning of her written history at the time of the Phoenicians, Tunisia has occupied a pivotal position in the development of both East and West. The struggles of that nation have resulted in many scars from both internal and external conflicts; but her recent emergence as a unified nation gives witness to the quality of her people. It is with this in mind that the United States watches with interest the path that Tunisia will follow in her future relations.

Tunisia's struggle for independence gives irrefutable evidence to the character and courage of her people. Their relentless desire for freedom has served as a noble example for other nations; and the product of this diligence is readily apparent among the newly emerging nations of the world. The leadership of President Bourguiba has proven to be an inspiration, not only to his own people, but also to the rest of the free world.

Tunisia's role in world affairs is one of great importance; and she has responded admirably to the challenge, as evidenced by her active participation in the United Nations and in the Organization of African Unity.

Tunisia stands with the United States in her desire to rid the world of oppression and pestilence which succeed only in depriving its citizens of a more useful participation in their government. It is to these ends that our support and friendship are pledged.

THE FARM CRISIS IN SOUTH DAKOTA—II

Mr. McGOVERN. Mr. President, at our meeting with the South Dakota delegation which is in Washington today, Arthur Svendby, of the Lemmon, S. Dak., Chamber of Commerce, made a statement in which he detailed the effect on smaller communities of declining farm income. His statement reveals how farm sales are followed by business closures. Other South Dakotans discussed other aspects of the farm problem.

I ask unanimous consent to have printed in the Record brief statements made to us, in the room of the Senate Committee on Agriculture and Forestry, by Mr. Svendby and by Mr. Richard Kneip, a dairy-equipment dealer at Salem, S. Dak.; Mr. C. E. Pollard; and Mr. George Levin, of Newell, S. Dak., a cattleman.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Statement by Arthur Svendby, Manager, Lemmon Chamber of Commerce, Lemmon, S. Dak.

Honorable Chairman and members of the committee, my name is Arthur Svendby. I am the manager of the Lemmon, S. Dak., Chamber of Commerce, and a resident of that city.

The South Dakota Agricultural Crop and Livestock Reporting Service issued their 1964 report in the month of May. They state that South Dakota lost 10,500 farms and farm families during the 10-year period of 1954 through 1964—a reduction of from 64,000 farms to 53,500 farms—and that the remaining farms increased in size from 711 to 841 acres with a half million less acres in cropland.

You, the gentlemen of the Agricultural Committees of the U.S. Congress, have been kept fully informed of the difficulties of the farmer-rancher, and there is little we can bring to your attention as to why they are leaving or being forced out of their agricultural pursuits but we do wish to express some thoughts.

We, the Lemmon Chamber of Commerce, desire to present some expressions of the disatrous side effects of the farmer-rancher problem. The elimination of people from the land; the elimination of business dependent on and of assistance to the farmer-rancher; and the potential financial straits of all people in the rural South Dakota area.

The low parity of farm product prices and subsequently low income of the farmer-rancher compared to the increasing costs of operation has compelled the average farmer-rancher to either expand his operation or dispose of his properties on which he is unable to earn a living income. This was indicated in the foregoing report wherein based on 1957–59 indexes of prices is 100 percent and it is shown that average prices received in 1954 by farmers was 101 percent and prices paid of 93 percent—a profit spread of 8 points. In 1964 this had reversed itself to prices received of 93 percent and prices paid of 106 percent, a loss of 13 points.

This operation at a loss is more graphically illustrated by auction sales of farm equipment and personal belongings and by the farmer-rancher moving to some other place to attempt to make a living with the result we have fewer and larger farms and less people.

As an example, farm auction sales in the Lemmon, S. Dak., trade area in 1963 and 1964 were as follows:

Penfield Auction Service held 42 auction sales in 1963 and 34 auction sales in 1964. Francis Haley held 17 farm auction sales in 1964.

This total of 93 auction sales equaled 93 less families in the area. The average size of the farms and ranches was increased, as indicated earlier (in our county of Perkins the average size exceeds 2,000 acres), but the area population was decreased. A farm auction sales bill of such a sale is attached to show what is generally disposed of—a lifetime of savings at a forced liquidation price of a few cents on the dollar valuation.

The dire effect of this outmigration of farm families is shown in a survey conducted whereby the first 10 farm accounts of an accountant's file were checked as to the expenditures for farm-ranch operations expenses. These expenses totaled $100,170, or an average of $10,017 spent by each farmer-rancher.

On this average it is shown that the loss to business from the 93 liquidated farms-ranches and eliminated farm family expenditures in this area total $911,547. This, plus the unrecorded personal expenditures would be far in excess of a million dollars loss annually to the small businesses of the area which has had a dire effect on the towns of the area in South Dakota.

The South Dakota Business Review for May 1965, from the School of Business, University of South Dakota, indicates this loss wherein it shows that agricultural supported towns and cities in South Dakota generally show a loss of sales in 1964 compared to 1963, based on sales tax income to the State, wherein it also shows that industry or "Government" supported towns generally showed increases in sales volume. Furthermore, that this condition is continuing is indicated in the Ninth Federal Reserve District report wherein it is shown that nonfarm personal incomes were up 6.3 percent while farm incomes were off 7 percent, a variance of 13.3 percent to the farmer-rancher disadvantage during the first 3 months of 1965.

During the past 2 years many business firms have been liquidated in the area and we note these so that you will recognize that many types of services and assistance are removed. These not only affect the communities but show the lessening distribution to these points by industries of other portions of the United States.

These liquidations by auctions and otherwise are: Gambles Hardware Store, Lemmon, S. Dak.; Finsand's Hardware, Lemmon, S. Dak.; Davison's Case Farm Implements, Lemmon, S. Dak.; Red Owl Grocery, Lemmon, S. Dak.; City Market Grocery, Lemmon, S. Dak.; Erz Hardware & Implements, Watauga, S. Dak.; Oberlander Farm Implements, Reeder, N. Dak.; Sack Service Hardware, Reeder, N. Dak.; Reeder Furniture, Reeder, N. Dak.; Cooperative Grocery, Scranton, N. Dak.; Carsterns-Zemple Hardware, Bowman, N. Dak.

These 11 firms are no longer an economic factor in these communities and have lessoned the capabilities of main street to be of assistance to the farmer-rancher in his production and to assist him in overcoming the inequities that the present below-parity farm program places on the farmer-rancher.

Lemmon, S. Dak., although a city of only 2,500 people is proud of being a financial center for the area farmer-ranchers. Its banks are highly rated in that only banks in the 11 major cities of South Dakota have greater deposits. These deposits as of January 1, 1965, in Lemmon's two banks totaled $13,547,275, but sorry to say, that is only part of the story. If the people of the area had this money unencumbered it would show a prosperous rural community and economy. What must also be shown are the debts of the area and in this instance, the above noted banks, with the locally operated production credit association and Federal land bank association, show, as of January 1, 1965, loans totaling $18,119,000. Too, this does not show loans made by Federal agencies and other loan agencies such as insurance companies. It is certainly a financial situation fraught with danger for the individual farmer-rancher.

You gentlemen are undoubtedly familiar with the address given by the noted Swedish economist Gunnar Myrdal at a recent meeting of the National Farmers Union in Chicago, and noted in the Congressional Record, wherein he quoted from the Food and Agricultural Organization of the United Nations, and states, "FOA calculates also that total food supplies must be doubled by 1980 (15 years hence) and trebled by 2000." Further, he states, "From my own studies, I am inclined to believe that this is an underestimation rather than an overestimation."

Yet through present U.S. governmental policies, farmers are daily being removed from the farm-ranches of South Dakota lessening our ability to cope with the forecast potential of agriculturally-produced food needs for ourselves and the needy world. A good example of the need is the U.S. shipments of wheat daily to the government of India for a starving people.

In summary, the present inequitable farm parity program, with constantly forced reduction in cash income crop acreage, is crushing the economy of the rural area of South Dakota. It is not only disastrous to the farmer-rancher but to the individuals, towns, cities, counties, and States.

The Lemmon Chamber of Commerce requests that you, the Congress of the United States, give attention to this situation and evolve a program of farm product price parity in income that will tend to correct the present situation of lessening income and higher costs of farm-ranch product production and thus assist in retaining the farmer-rancher on his land where he can be of the greatest value to our State and Nation.

Statement by Senator Richard Kneip of Salem, S. Dak.

My name is Richard Kneip. I am a member of the South Dakota State Senate, and a dairy equipment dealer in Salem, S. Dak.

As you can see, I have two reasons for feeling strongly about the current state of farm income—one growing out of my personal business connections with farm people, and the other resulting from my experience in State government and my deep interest in the economic affairs of South Dakota.

Without going deeply into personal experiences and statistics, I would first like to reaffirm what others have said about the dangerous situation that is developing in South Dakota and other rural States because of low farm income. You can see it on the main streets of nearly every small town, where vacant buildings—once thriving businesses—stand. And you can see it just as readily out in the country. To me one of the saddest sights in the world is the dilapidated farmstead that stands where a farm family used to live. And we're getting more and more of them in South Dakota—about 1,000 each year—because our farmers aren't getting an adequate reward for their productive skills.

I'm sure you agree that something needs to be done about this worsening situation, and I know this committee will do whatever is possible to do to reverse the trend toward rural depression. But from what I've read and seen, I've concluded that the greatest obstacle to decent farm legislation is the fact that many people apparently don't think parity of income is worth what it would cost—either to the consumer or to the taxpayer. And I'd like to say a few words about that.

As you well know, there are only two sources from which the producer of food can get increased income and prices—from the consumer, through the market, or from the taxpayer, through direct payments. The opponents of farm programs contend that if you get it from the taxpayer, it's an unwarranted subsidy. And they say that if you get it from the consumer it's a "bread tax" which our consumers shouldn't have to pay.

We can only conclude that those who preach both of these lines at the same time don't want increased farm income at all.

So we've got to make the decision that there is no other source—at least a visible one—for more farm income other than the consumer, or the taxpayer's pocket. And then we must decide if it's needed, warranted, and worth the expense.

I firmly believe that it is. From the standpoint of need, I don't think we need to do more than look at the number of farm failures each year and the number of rural businesses that are forced to close their doors. In a nation where there aren't enough jobs to go around, it's imperative that we keep productive members of society, rather than unemployed living on the tax rolls of our towns and cities.

And I certainly believe that increased farm income is warranted—and deserved. The information compiled in the pamphlet, entitled "Food Costs—Farm Prices," put out by the House Committee on Agriculture includes the fact that last year consumers in this country paid about $69 billion for farm-produced food. That's a big chunk of money. But even when you add the cost of Federal farm programs to that figure, it still comes to only 19.5 percent of the average family's income. This figure, standing alone, is rather meaningless, but when you compare it with corresponding figures in other countries, it is truly amazing. Great Britain has the next lowest food cost in relation to personal income. Consumers there, according to the latest United National figures, spend 29.5 percent of their incomes for food. In France they spend 30.6 percent, and in Russia they spend 53 percent.

Now, I've done a little calculating, and I've determined that if consumers in the United States had to spend as much of their incomes for food as in the next lowest country—Great Britain—the food bill here last year would have been something like $104 billion instead of $69 billion—or $35 billion more than it was.

To look disparagingly at "subsidies" in light of this is, to me, nothing short of ridiculous. The "subsidy" as I see it is clearly going in the other direction—from the farmer to the consumer—and it's about the biggest subsidy there is in this country. The farmer is truly subsidizing the consumer.

Now, I don't know what share of their incomes consumer should rightly pay for food. I don't think that even with full parity income consumers in the United States would have to pay as much as they do in Great Britain. But I do say that the part of the food dollar that goes to the farmer is, in absolute terms, far too low in this country, and that a substantial increase is not only warranted but is an obligation. I'm 100 percent for the lowest cost, highest quality food we can provide, but it is wrong to keep the cost of food low by forcing those who produce it into bankruptcy.

And let me note here that the food industry, beyond the farm—particularly the retailers—have taken a great deal of credit for the low-cost food we do have, and that most of this credit—and dubious credit it is—belongs to the farmer. If he wasn't forced to produce on meager margins and losses, the cost of food would have kept pace with the cost of everything else.

Finally, I'd like to express my opinion that higher farm income is an urgent need not only from the standpoint of the farmer, but from the standpoint of the consumer and the broad national interest.

I've already pointed out that food costs are unbelievably low in this country in comparison to the rest of the world. This Nation is, I am sure, the envy of the world because of our food abundance and the amazing ability of our family farmers to produce enough, and too much food. We are unique in having this problem of surpluses. Many other countries, I'm sure, wish they had the same problem.

But it's my contention that we won't have this surplus problem very long—and we won't have the low-cost food, either—if we lose, as we are losing now, the family farmers who produce it and if they are replaced by corporate factories in the field.

I am supported in this statement by what is happening in other countries. In Latin America, for example, something closely akin to the corporate farm in that most of the people merely work on and do not own the land they farm. And these countries are importers, not exporters, of food.

Or let's look at the Soviet Union. From the farmworker or producers' standpoint, there's not a great deal of difference between working for a collective farm or a corporate farm. And over there they've had to swallow their pride, admit their failure, and look to free countries for food.

So I don't think there's any question of our need to maintain the family farm system. And the only way this can be done is to substantially strengthen farm income. Our group statement which Mr. Radcliffe has presented indicates in general terms what steps we believe should be taken to accomplish this end. It is my fervent hope that this committee will act in that direction, and will help in this way to avert economic disaster in rural America.

Thank you very much for this opportunity to appear before you.

Statement of C. E. Pollard

The farmers in South Dakota have been caught in the long-term cost-price squeeze and are being "squeezed" as hard if not harder, than in most other sections of the country because of the lack of alternate opportunities for employment off the farm. We should remember that the parity index for agricultural commodities has reached 100 percent only twice during the last half century, and that was during a time of war when restrictions were placed upon farm prices to prevent us from recovering from the losses which we had sustained during previous years.

At the present time, the parity index is standing steady at 74, having dropped from 100 at the beginning of 1953 steadily downward. In an attempt to compensate for decreased prices, farmers have turned to technology and mechanization. Unfortunately, the expansion of the productive plant has not been followed by adequate compensation. As a result, the capitalization, both in land and in the assets of production, or the non-real-estate loans, has been increasing steadily.

The farm mortgage debt nationally has increased from an index of 100 in 1950, to 249 in 1962. The non-real-estate debt index has increased from 100 to 235 during the same period. All debt has increased from 100 to 362 during this 12-year period; however, the production assets have increased only from 100 to 277. In other words, during this 12-year period, the debt index increased by 262 points, and the asset increased by 177.

What has happened to all of us very simply, is that we have been living off of our inventories, we have been existing because we have reduced our standards of living by reducing our purchases for those items which most segments of our economy call necessities, such as higher education for our children. More important is the fact that we have been substituting credit and borrowing for earnings. This simply cannot go on forever.

Our country banks are loaning up to their legal capacity at the present time. The demand for cash in order to continue business, has been so great that a number of them are discounting their short-term farm paper for as low as 96 percent, in order to get this capital. Total farm debt at the present time held by reporting institutions has increased from $2,834 million in 1950, to $9,465 million in 1964. Nonreporting institutions, including dealers, finance companies, etc., are holding debts of $6,720 million at the end of 1964, up from $2,320 million in 1950.

That this presents an economic hazard to our total community is indicated by the fact that had agricultural income continued to rise, after 1952, at the same rate that it did in the previous 12 years and as the nonagricultural segments of our economy did, net spendable farm income would have been $108 billion in excess of that which was actually received. This would be in excess of the total favorable balance of trade of all exports during this same period of time.

What this has meant in terms of jobs that have not been filled, due to declining purchases of agricultural machinery and hard capital goods, is difficult to estimate. It is safe to say that it represents the difference between a booming economy and one which is barely able to keep ahead of the next recession.

Farmers are not asking for charity. They do not want to go on welfare. They do not ask for special treatment as "special" people, with special privileges. What they do ask for is adequate, and equitable, returns for their labor, their investment, their managerial ability, and their risk, that is comparable to that which would be returned for these same economic factors in any other segment of the economy. Self-survival demands no less. The general welfare cannot afford any less than this equity. Speaking for the grange in South Dakota, I would say that we are going to oppose any program that will reduce farm income and we will look with favor on any program which will maintain and improve farm income.

"A Cattleman's View" Statement by George Levin, Cochairman of the Cattle Parity Committee

Mr. Chairman, my name is George Levin. I live at Newell, in the heart of the cattle country. We are in the cattle business.

I speak as a citizen and as cochairman of cattle parity committee.

The long and relentless deterioration of farm income towers over other aspects of the farm problem as Washington Monument towers over Arlington. The underpayment in agriculture has had a tremendous depressing effect on the economy of the State of South Dakota. Since 1950, we have lost about $5.5 billion. This $5.5 billion could have been earned without flexing one more muscle, without investing one more penny, without building one more factory, without employing one more worker. We already had the production. All we needed was a price increase in farm products in relation to the increase in the cost of operating expenses. This $5.5 billion is lost forever to the State of South Dakota. It can never be recovered.

Because this price increase was not forthcoming, we have witnessed a 300 percent increase in the national farm debt, from $12 dollars in 1950 to $36 billion today. Farmers and ranchers had no choice but to substitute credit for the loss in earned net income. This situation has brought country banks near the end of their credit limitations. Soon these banks will be forced to begin curtailing loans to farmers and ranchers. Some already have begun. As I was leaving, word came to me that one of my neighbors had been called in for a showdown. He is a young, energetic, and capable rancher with a good substantial operation, but that alone isn't enough. It takes price, too, you know. Who will be next we don't know but over 90 percent of the ranchers are deeply in debt. Many thousands stand on the brink of disaster as I speak to you today.

This persistent decline in net farm income is no longer just a problem of the producers of agricultural producers alone. This was brought home very forceably to us last week in the little town of Newell in western South Dakota near where I live. A businessman found that he was no longer able to keep his doors open. He proceeded to dispose of his place of business at auction. Though the chant of the auctioneer rang loud and clear, no one offered a bid. A lifetime of work and investment had been rendered valueless. The relentless downward spiral in net farm income had chained another victim on main street.

It is my firm conviction that if remedial action is not taken at once by the Congress to bring justice to the people in agriculture this persistent decline in net income will continue to increase at an accelerated pace. Eventually it will have an adverse effect on the national economy of such magnitude as to halt this extended period of economic expansion that the country as a whole is experiencing and plunge us headlong into serious economic depression.

The old addage that depressions are farm led and farm fed still holds true today.

I agree with Senator McGovern that "either we devise a formula for generating at least $5 billion of increased net income in agriculture or we will see the collapse of much of our rural economy, the steady exodus of farm families from the land and an acceleration of urban congestion and unemployment." Unless we do this and even more we cannot hope to make any progress in the direction of retiring this huge national farm debt. We will see 20 million people leaving rural areas and moving to the cities. This is neither economically or socially desirable.

From my understanding of the policies being projected, production for export at world market prices will soon replace adequate price support programs as the answer to the farm problem. I don't think that the producers of agricultural products should be required to underwrite the cost of the foreign policy of this country. We have demonstrated in the past that we are willing to do our share but we should not be expected to carry the whole load.

In conclusion, I would like to stress that price is our main problem as I stated in my opening remarks. This problem can only be solved by bringing justice and parity to people in agriculture. In times past, cattlemen who produce feeder cattle have voiced strong opposition to price support programs but 2 years of low cattle prices has convinced most of them of the need for some type of legislation to alleviate the situation. The success of the petition campaign for a Federal cattle program initiated by the cattle parity committee bears witness to this fact. Ranchers, large and small alike, joined wholeheartedly with us in our efforts to petition the Congress for a Federal cattle program patterned in principle after the wool incentive program.

"I used to think we didn't need a Federal program for cattle but the last 2 years has sure changed my mind" is an oft repeated remark by producers as we visited with them about the situation.

The solution is as obvious as it is simple. We must improve and expand the Federal farm programs to reflect 100 percent for all livestock products, including cattle with a family farm cutoff built in. Our failure to act will invite tragedy to rural America.

It is already in progress.

THE REASONS FOR OUR COMMITMENTS IN VIETNAM AND THE DOMINICAN REPUBLIC

Mr. WILLIAMS of New Jersey. Mr. President, an editorial in the Trentonian of May 10 ably states the reasons for our commitments in Vietnam and the Dominican Republic. Recent events in these two countries have a common theme—that of Communist aggression; and not, as some may believe, U.S. intervention. Our action in these two places of world crisis continues to be for the purpose of thwarting the offensive action of Communist nations.

The interests of this country are challenged directly by Communist military action in Vietnam and in the Dominican Republic. The aggressive Communist philosophy threatens the peace and security of our own hemisphere. We have only to look at the most glaring manifestation of the Communist success—in Cuba—to realize that this is a real, not an imaginary, evil. Therefore, I ask that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Let's Not Forget Who Intervened First

(By J. Willard Hoffman, editor of the Trentonian)

Too many Americans have never really understood why Americans are fighting and dying in Vietnam.

Now, too many don't understand why Americans are fighting and dying in the Dominican Republic.

Perhaps they don't understand because they, like all of us, hate wars—whether they be big or little or declared or undeclared—and therefore refuse to accept the fact that there is any justification for armed action by this Nation.

Or perhaps it is because they don't recognize the threat of communism for what it really is.

In any event, they should be able to grasp the fact that Americans are fighting in Vietnam because they are fighting communism; and they are fighting in Santo Domingo because they are fighting communism.

Here at home, some commentators and some elected officials may rant and rave about President Johnson's sending the marines into the Dominican Republic being an unilateral and illegal action, but they conveniently ignore the fact that the Communists intervened first.

For too long the policy of nonintervention in Latin American affairs has been a joke; all it meant was that the United States could not intervene, but the Communists could infiltrate and subvert wherever they could and whenever they could.

So it was in the Dominican Republic. It is a matter of indisputable record that more than 50 trained Communist agents—most of them from Cuba, but others from Russia, China, and other Communist countries—slipped into the Dominican Republic. Subsequently they took advantage of a governmental breakdown, aroused the people, passed out arms, and did everything possible to reap the benefits of civilian unrest.

Even if our Government had not known beforehand of Communist plans for a takeover of the Dominican Republic, it soon became clear that that was exactly what the uprising was all about.

What was the United States to do? Stand by and implore the Organization of American States to get moving, then find the hemisphere with another Castro-type regime in power?

Of course not. President Johnson did what he had to do at the only time that he could hope to do it and achieve success. His excuse at first was, of course, to protect and rescue Americans and other foreign nationals. But it soon became clear that his real purpose was to prevent the creation of another Castro Cuba. He intervened, but only after the Communists had intervened first.

The Reds started another phony "war of liberation"—the same kind of "war of liberation" they are waging to try to take over South Vietnam. President Johnson decided to thwart them before he found himself with another Cuba and another Vietnam on his hands.

As for Vietnam, let's pay attention to what Secretary of State Rusk said recently in an address:

"Let us be clear about what is involved today in southeast Asia. We are not involved with empty phrases or conceptions which ride upon the clouds. We are talking about the vital national interests of the United States in the peace of the Pacific. We are talking about the appetite for aggression—an appetite which grows upon feeding, and which is proclaimed to be insatiable. We are talking about the safety of nations with whom we are allied—and the integrity of the American commitment to join in meeting attack."

Let us not delude ourselves into thinking that the way to avoid world war III is to let aggressive communism run rampant. Such delusions paved the way for World War II.

THE FARM-INCOME CRISIS IN SOUTH DAKOTA

Mr. McGOVERN. Mr. President, today, nearly 200 South Dakota farmers, bankers, and businessmen are in Washington, because of their deep concern about farm income, the continuing and steady failure of farm operators, the disappearance of farming units, the subsequent disappearance from rural towns of stores and business establishments, and, inevitably, the decline of the towns, themselves.

This morning, the group submitted to several of us, for inclusion in the record of the hearings on farm legislation, statements by five or six of the members of the group. Their statements graphically tell the story of a declining rural America.

I ask unanimous consent to have printed in the Record the statements by Mr. Ben Radcliffe, president of the South Dakota Farmers Union; and by

Mr. Ernest Johnson, the secretary of agriculture for South Dakota.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF THE SOUTH DAKOTA RURAL LOBBY—SUBMITTED BY MR. BEN RADCLIFFE, PRESIDENT, SOUTH DAKOTA FARMERS UNION

The farm economy of South Dakota and other rural States is approaching a major crisis. So serious is the situation that unless immediate steps are taken to improve farm income, a farm depression may soon be upon us. This, in turn, could result in a general recession that would seriously endanger the economy of the entire Nation.

Numbers tell only part of the story, but they are extremely meaningful:

While gross farm income in South Dakota has been increasing somewhat, higher production costs have been cutting deeper and deeper into meager profits. According to the South Dakota Crop and Livestock Reporting Service, net farm income in the State in 1963 was $35.4 million below the most recent 5-year average.

Although final net income figures for 1964 are not yet available, total cash receipts from farm marketings dropped another $12 million last year. If the growth in production expenses averaged the same as in the previous 10 years, the total drop in net income will amount to about $28 million.

The 1960 census showed that median family income in nearly a third of South Dakota's counties was below the poverty level of $3,000 per year. Significantly, these counties generally represent the most agricultural areas and much of the best farmland in the State.

The steady decline in net income has caused a continuing migration from the farm. In 1931 there were 84,300 farms and ranches in South Dakota. In 1950 there were 67,100. Last year the number had dropped to 54,000. Since 1955 the drop has been 16 percent. Assuming that an average farm family has 4 members, 38,000 people have left South Dakota farm homes in the last decade.

The forced exodus from our farms has had an obvious effect upon our cities and towns. A generally accepted ratio is that for every 12 farms that disappear, one rural business place must close its doors. The main streets of hundreds of our rural communities bear witness to this attrition.

To improve the economic status of agriculture and to avert the very real possibility of a rural depression and the human hardships that would go with it, we ask for action now. The economic plight of America's great heartland will continue to worsen unless immediate steps are taken to substantially improve farm income.

We urge the Congress and the appropriate administrative agencies to act quickly to strengthen programs that directly affect farm prices and income. The following are the goals that must be sought and the means that should be used to attain them:

I. Increasing farm cash receipts through:

(A) Higher certificate values and price supports for wheat and feed grains in 1965 and in subsequent years.

(B) An administrative decision to keep CCC sales of wheat and feed grains for unrestricted use to a minimum, thereby creating upward pressures on market prices.

(C) Administrative action to boost exports of farm commodities.

(D) Immediate action for a long-range, balanced, all-commodity farm program of equal benefit to the economic interest of all family farmers.

II. Improvement of the farmer's ability to manage his farm effectively and economically through:

(A) Accelerated Soil Conservation Service small watershed developments with adequate funds for planning, technical services, and construction of improvements. Public policy in this area should be broad enough to include wildlife, recreation, and scenic resources.

(B) Adequate technical services to all soil conservation districts, with the long-term public interest in conservation of land and water resources supported by public funds.

(C) ACP practices which divert dropland to alternate uses on an annual or longer term basis should be given priority over land retirement. Land rental arrangements should be considered where the major benefits are of a public nature.

III. Strengthened farms and rural communities through:

(A) Earliest possible completion of the Oahe diversion project in South Dakota.

(B) Adequate loan funds for the continued development of rural electric systems.

(C) Increased rural economic development to provide satisfactory job opportunities in rural areas, thus ending the forced out-migration of young people from South Dakota and other Great Plains States.

(D) Adequate farm credit both for continuing operations and for beginning farmers.

FACTS OF INTEREST TO SOUTH DAKOTA

Components of cash receipts from farming in the State

	1963	1964
Livestock and livestock products	$489,011,000	$482,288,000
Crops	169,019,000	156,144,000
Government payments	60,122,000	67,924,000
Total	718,152,000	706,356,000

Source: "Farm Income Situation," February 1965, Economic Research Service, USDA.

Support prices for farm commodities

Crop	1965 support	1965 support as percent of parity	100 percent of parity as of January 1965
		Percent	
Wheat	$2 per bushel[1]	82.6	$2.52 per bushel.
	$1.55 per bushel[2]	61.8	
	$1.25 per bushel[3]	49.6	
Corn	$1.25 per bushel	79.0	$1.55 per bushel.
Sorghum	$2 per hundredweight	80.0	$2.44 per hundredweight.
Barley	$0.96 per bushel	77.0	$1.23 per bushel.
Oats	$0.60 per bushel	72.0	$0.84 per bushel.
Rye	$1.02 per bushel	75.0	$1.37 per bushel.
Soybeans	$2.25 per bushel	74.3	$3.00 per bushel.
Flaxseed	$2.90 per bushel	75.9	$3.80 per bushel.
Milk	$3.15 per hundredweight	75.0	$4.30 per hundredweight.
Butterfat (manufacturing)	$0.58 per pound	75.0	$0.79 per pound.

[1] Support for domestic food use—45 percent of production.

[2] Support for export use—35 percent of production.

[3] Basic support—10 percent of production.

NOTE.—"Parity" is defined as a return on family labor, management, capital investment, and risk comparable to the returns that similar production resources receive elsewhere in the national economy.

Number of farms and land in farms in South Dakota, 1950–64

Year	Number of farms	Average size of farm	Land in farms
		Acres	*Acres*
1950	67,100	669	44,900,000
1951	66,300	679	45,000,000
1952	65,500	690	45,200,000
1953	64,700	702	45,400,000
1954	64,000	711	45,500,000
1955	63,500	717	45,500,000
1956	62,500	728	45,500,000
1957	61,500	738	45,400,000
1958	60,400	752	45,400,000
1959	59,600	762	45,400,000
1960	58,400	777	45,400,000
1961	57,300	792	45,400,000
1962	56,200	804	45,200,000
1963	55,100	818	45,100,000
1964	54,000	833	45,000,000

The number of farms and ranches in South Dakota has dropped steadily from a high of 84,300 in 1931. Since 1955—or in just the last 10 years—the number has declined by 16 percent.

Source: South Dakota Crop and Livestock Reporting Service.

Realized gross and net income from farming

[In millions]

Year	Gross farm income [1]	Production expenses	Realized net farm income
1950	$549.2	$344.0	$205.1
1951	643.6	403.6	240.0
1952	610.5	405.0	205.5
1953	569.2	385.7	183.5
1954	608.2	384.0	224.2
1955	568.6	375.7	192.9

Realized gross and net income from farming—Continued

[In millions]

Year	Gross farm income [1]	Production expenses	Realized net farm income
1956	$542.9	$380.8	$162.1
1957	588.1	412.3	175.9
1958	744.0	448.3	295.7
1959	661.3	429.4	231.9
1960	665.0	458.9	206.1
1961	724.2	486.5	237.7
1962	753.5	525.5	228.0
1963	753.0	548.6	204.4

[1] Includes cash receipts from marketings, Government payments, value of home consumption, and rental value of farm dwellings.

Source: South Dakota Crop and Livestock Reporting Service.

Growth of price spreads for food products

[In percent]

Product	Change in farm value, 1947–49 to 1964	Change in retail price, 1947–49 to 1964
Wheat	Down 9	Up 47.
Dairy products	Down 7	Up 19.
Poultry and eggs	Down 43	Down 29.
Meat products	Down 22	Up 7.
All food products	Down 15	Up 31.

Farmers in 1964 delivered 46 percent more food into the domestic market than they did annually in the 1947–49 base period. Americans paid about $69 billion for the farm-produced food they consumed in 1964—$28.2 billion or 69 percent more than their average food bill in 1947–49. Of this $28.2 billion increase, $24.5 billion, or 86.9 percent, went to processors and marketing agencies, while only $3.7 billion trickled back to farmers in payment for their 46 percent greater volume of marketings.

Source: House Committee on Agriculture study, "Food Costs—Farm Prices," released in April, 1965.

Market spread for related products

Year	Choice grade beef (cents per pound)				Pork (cents per pound)				Fresh milk (cents per ½ gallon)				Bread (cents per pound)			
	Retail price	Farm value	Spread	Farmer's share	Retail price	Farm value	Spread	Farmer's share	Retail price	Farm value	Spread	Farmer's share	Retail price	Farm value	Spread	Farmer's share
				Percent				*Percent*				*Percent*				*Percent*
1947	61.8	48.2	20.0	68	59.9	30.5	18.5	69	36.6	21.0	15.6	57	11.9	[1] 3.7	8.2	25
1964	77.8	46.6	35.4	54	54.6	30.2	29.8	47	47.7	21.7	26.0	45	20.7	[2] 3.2	17.0	12

[1] 3 cents wheat.

[2] 2.5 cents wheat.

FOOD—A BARGAIN

The overall cost of food to the consumer in the United States in relation to his income has continued to decline. In 1950, food costs amounted to 22.8 percent of personal income, while consumers paid only 18.5 percent of their after-tax earnings for food in 1964. If the costs of farm programs were added to food bills, food would still take only about 19.5 percent of family income.

In contrast to the United States, consumers in the United Kingdom, according to the latest United Nations figures available, spend about 29.5 percent of their incomes for food; in Russia, 53 percent; France, 30.3 percent; Greece, 46.3; Italy, 44.7; and Ghana, 54.1 percent.

One farm worker in the United States today feeds 33 persons, while in Europe one worker produces only enough for 10 people. In Russia, under a collectivist system, one farm worker's production feeds only four or five persons.

STATE LEGISLATIVE RESEARCH COUNCIL,
PIERRE, S. DAK.

PERSONAL INCOME IN 1964

Although personal income advanced to a new high in nearly every State in 1964, according to the Office of Business Economics of the U.S. Department of Commerce, the Plains and Rocky Mountain States did not share the national increase. Personal incomes in 1964 were down in Montana, North Dakota, and South Dakota (which had the greatest negative deviation from the national increase of 6 percent—South Dakota's income was down 6 percent), and in most of the other States of the area increases were generally limited to 1 or 2 percent. It is significant that in every State in the Plains and Rocky Mountain regions, nonfarm income rose at approximately average rates; the failure to meet the national average was attributable directly to the decline in agriculture.

Contributing also to South Dakota's overall decline in personal income was the very substantial reduction in contract construction (−22 percent), which resulted from the completion of military sites (principally the Minuteman missile installations).

Figures on per capita income and sources of personal income for the Nation and for South Dakota and its neighbors are shown in the following tables:

Total and per capita personal income, 1963–64

	Total personal income			Per capita personal income					
	Amount (in millions)		Percent change 1963 to 1964	1960	1961	1962	1963	1964	Percent of national average, 1964
	1963	1964							
United States	$461,610	$487,881	6	$2,217	$2,268	$2,367	$2,448	$2,550	100
Iowa	6,399	6,533	2	2,024	2,106	2,203	2,323	2,370	93
Minnesota	8,152	8,356	3	2,073	2,149	2,208	2,334	2,373	93
Montana	1,553	1,539	−1	3,007	1,935	2,238	2,215	2,183	86
Nebraska	3,376	3,407	1	2,135	2,147	2,276	2,300	2,302	90
North Dakota	1,300	1,298	0	1,746	1,552	2,201	2,016	2,012	79
South Dakota	1,390	1,300	−6	1,854	1,842	2,077	1,963	1,832	72
Wyoming	849	849	2	2,311	2,301	2,440	2,460	2,475	97

STATEMENT BY ERNEST JOHNSON, SECRETARY OF AGRICULTURE OF SOUTH DAKOTA

My name is Ernest L. Johnson. I am secretary of agriculture for the State of South Dakota. I am a member of this rural lobby in order to express my deep concern and that of the administrative branch of government in my State, about the depressing income picture facing our farmers.

The members of this committee are well aware, I am sure, that the United States is in the midst of the longest peacetime economic expansion in our history. A good indicator of this is the fact that between 1963 and 1964 total personal income in our country increased by fully 6 percent. The gross national product is setting new records each quarter. The economy is booming.

In the face of this you might think we are alarmists when we speak of approaching farm depressions and general recessions. Well, we are alarmed. We are alarmed because farm people and—on a broader scale—rural people are being left out of this unprecedented prosperity.

Last year in South Dakota, where nearly 55 percent of total personal income is farm cash receipts and at least another 25 percent or more is derived indirectly from farming, personal income fell by 6 percent according to the Office of Business Economics of the U.S. Department of Commerce. Between 1963 and 1964 per capita personal income in the United States increased by $102. In South Dakota it dropped by $131. Per capita income in our State now stands at only 72 percent of the national average. And it was less in 1964 than it was in 1960.

The reason for this lagging in the fortunes of South Dakota and rural people is not too difficult to find. It is seated in the paradox that while our farmers have become the envy of the world in terms of productivity and efficiency, they are being forced into second-class economic citizenship by rising costs and dropping net returns.

The members of this committee are as aware as anyone of the success story of American agriculture. You know that this Nation's farmers are providing more and better food at less relative cost to the consumer than anyone, anywhere has ever produced. You know that even when the costs of farm programs are considered, the average American family spends only about 19.5 percent of its income for food, while in the country with the next lowest relative food cost—Great Britain—consumers spend close to 30 percent of their incomes on this basic necessity.

This Nation can be immensely proud of its farmers. And I believe we are. But a farmer cannot feed, clothe, house and educate his family on congratulations. He cannot survive as a viable part of our economy without a decent return for the investment and effort he puts forth.

HEROIC ACTION OF AMERICANS IN VIETNAM

Mr. KENNEDY of New York. Mr. President, I ask unanimous consent to have printed in the RECORD articles appearing in the New York Journal American of June 7, 1965, and the Life magazine of May 28, 1965.

These articles bring home poignantly the courageous and heroic struggles of American fighting men in Vietnam. They serve as our link with the world of daily patrols, of sudden ambush, of attacks on Vietcong battalions, of defense of Vietnamese villages. They help us share the toil, strain, and sacrifice borne by fellow Americans.

The daily toll of dead and wounded Americans expressed in numbers, and names that many of us do not know, can only partially describe the struggle and sacrifice that those in combat undergo. We only begin to appreciate the costs of defense of the free world when we learn of the individual and collective heroism of those fighting in Vietnam.

Lt. Harold Dale Meyerkord, USNR, Capt. Christopher J. O'Sullivan, and Sgt.

Willie Tyrone have made the final sacrifice in combat in Vietnam. With incredible courage and skill they have shown once again that the American fighting man has no superior in his ability to meet the threat of aggression.

I hope that every American will take this opportunity to learn firsthand of the sacrifice and contribution of Lieutenant Meyerkord, Captain O'Sullivan, and Sergeant Tyrone and join me in paying tribute to their heroism.

We cannot repay the loss to their families but we should make it known that all Americans owe them an infinite obligation and extend their deepest sympathies at this time.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Journal-American, June 7, 1965]

HERO'S LAST MESSAGE: "A MATTER OF DUTY * * *"

(By Donald R. Flynn)

Losing a son on a battlefield—any battlefield—is tough. When hardly anyone seems to care about the battlefield, it's worse.

But try to imagine the feelings of the O'Sullivan family of Astoria, Queens, with their son dead in the steaming jungles of Vietnam when unknown "college students" telephoned to say, "I'm glad he got killed."

These "college students" called Mrs. Eleanor O'Sullivan, the young widow of Capt. Christopher O'Sullivan, and his parents, Mr. and Mrs. William O'Sullivan, to say that Americans shouldn't be in Vietnam.

"I hope they all get killed," one of these "students" said.

Ironically, Captain O'Sullivan didn't have to be in Vietnam. He stayed longer than he had to because of duty—duty to his conscience, to his comrades, and to the Vietnamese who asked him not to leave.

Why was Captain O'Sullivan in Vietnam? Read these letters from a soldier to his parents and his wife, and find out.

"April 15. Dear Folks: By now, I am sure Eleanor has told you of my decision to remain. * * * I wanted to try to explain. My counterpart, the (Vietnamese) battalion commander, asked me to remain. This is in itself a rare occurrence.

HARD DECISION

"I have spent a long time deciding. I prayed to God for guidance. I thought of all the sorrow and anguish I could bring to you and Dad and especially Eleanor.

"There was only one decision. I had come to Vietnam to try to help in any way I could. I was being asked to continue that help. I had no right to refuse.

"I now know intimately the dangers involved. But I have no grounds for refusing to remain. So, I am remaining with the battalion."

On May 29, Captain O'Sullivan wrote the last letter of his life, to his wife, Eleanor:

"Tonight, my heart is sadder than it has ever been before. Lt. Don Robinson (a buddy) was out on an outpost. A regimental portion of a Vietcong force hit the outpost and survivors say Don and the two noncoms with him and the battalion commander were captured.

"If he was wounded, the Vietcong have killed him. If he was captured, we will never see him again.

SEARCH AREA

"Tomorrow, three companies of the battalion * * * are going into the outpost area to look for Don and his two sergeants. I am writing this letter because * * * I feel it is necessary to search the area, or fight the Vietcong, to find Don or his body.

"I promised you that I would be overly cautious now that I am rotating so soon. I cannot keep that promise this time. Don has a young wife and a 3-year-old daughter.

"If he was to go looking for me, you would want him to do the best job he could.

"By the time you receive this letter, it will be all over one way or the other. Tonight, I pray to God it will be for the best.

"To lose (Don) to a duty that wasn't even his, to lose him when I possibly could have fought to prevent his going, I will never be able to forget that. God have mercy on both of us."

Captain O'Sullivan, 28, of 20-20 27th Street, Astoria, could have gone home long before that day. He didn't have to look for his buddy.

But he went, and on the way to find survivors, he and his force were overrun and killed to the last man.

[From the New York Journal-American, June 7, 1965]

I'M WOUNDED AND WE'RE RUNNING OUT OF AMMUNITION

(By Guy Wright)

QUANG NGAI, June 7.—It was their first night of rest since the battle began and they spent it talking about the two dead men. They told me about the last message they received from Sgt. Willie Tyrone, of Abilene, Tex.: "and I am wounded and we're running out of ammunition."

Sergeant Tyrone and Capt. Christopher J. O'Sullivan, of Astoria, Queens, were advisers to the 39th Vietnamese Ranger Battalion, which was ambushed at a bend in the road on its way to relieve a beleagured outpost at Bagia.

The battalion command group was pinned down and completely wiped out, but that's getting ahead of the story. When Sergeant Tyrone radioed his message, the unit had repulsed the first attack.

"And both Tyrone and Sully, before he was killed, told us they'd captured over 200 enemy weapons. That means they killed over 200 Vietcong," said Maj. Earl Sykes. "When they're attacking, you don't capture their weapons without killing them first."

"Sully must have died instantly, judging from the shrapnel in his head," Capt. Clarence W. Dillworth said.

Captain Dillworth was a marine. The others were Army. But after what they'd been through together, a man's uniform didn't make much difference.

CALL FOR COPTER

"Sully wasn't the type you expected to get killed," the marine said of his soldier friend. "Some guys, you watch them and you figure sooner or later they're gonna get it. But not O'Sullivan.

"The last time I saw him I slapped him on the can and told him to take care of himself—it's hard to believe."

Major Sykes nodded agreement and continued the story of Sergeant Tyrone's heroism.

"When we got his message, we called for a copter to take in more ammo and bring him out," the major said. "But he waved it off. The VC were too close. He said he only had a flesh wound in the arm and didn't want to risk the lives of the copter crew by having it try to land."

Those lives the sergeant was concerned about were Vietnamese lives, incidentally. His decision cost him his own. For the Vietcong attacked again a few hours later and this time they overran the command group, killing every man.

HIT BY SHELL

The sergeant's body, when it was found the next day, had part of the chest torn away by some kind of shell that had hit him.

"I heard he was already in for a decoration," someone said. "Now it will be posthumous."

We sat for a while, not saying anything. Then Major Sykes told the strange story of Captain O'Sullivan.

"The bad part about Sully," he said, "was that he wasn't even supposed to be there. He was being transferred and could have been on his way before the attack started. But a Catholic chaplain was coming Sunday and Sully said he would like to stick around for confession.

"I'm not Catholic myself," the major said, "but I saw it meant something special to him. So, I told him, 'Sure, Sully, suit yourself. Another couple of days won't make any difference.' "

As it turned out, they made all the difference. By Sunday, Captain O'Sullivan was no longer alive. And when the chaplain arrived here 2 days later, it was to conduct a memorial service for the dead captain.

[From Life magazine, May 28, 1965]

IN SEARCH OF A VIETNAM HERO

(By Loudon Wainwright)

Harold Dale Meyerkord was a man who liked to keep track of meaningful events, and among his records is a list headed "dates on which I was on boats receiving hostile fire." The entries are numbered and with each date there is also written the place of action. The list begins with August 13, 1964. The final item is No. 30, put down by Meyerkord in reasonable anticipation after he had finished with No. 29, but there is no date or place beside it. To complete the record, it should read March 16 on a canal in the Ducton district of the Vietnamese delta, and the hostile fire Meyerkord drew there that day killed him.

Except that he died in it, the action was not extraordinary. Meyerkord himself had participated in many more spectacular engagements. He was killed in a sudden flurry of fire at the end of a day's operations, and if he had time to think after the shooting started and before the rifle bullet reached his brain, he must have been furious at being taken so by surprise. For if anything can be said with certainty of Lt. Dale Meyerkord, USNR, it is that he knew precisely where to expect trouble and was usually ready for it.

The word "aggressive," in fact, is the one most often used by Meyerkord's colleagues in their efforts to describe him, and it is always offered as the highest form of compliment. In their view—though they probably would not use the term—Dale Meyerkord was a hero. The true proportions of heroes have always held a deep fascination for me, and when I first heard about Meyerkord, I wondered what a search beyond and beneath the formal accounts of his gallantry would reveal. Would it, for example, tell me why he behaved heroically? Would it show me what sort of man he was between braveries? Would I find out what he thought and what he cared about? Could I, in short, come to know him?

The official records in Saigon provided some details on Meyerkord's job and on his behavior in it. His duty was to advise the Vietnamese commander of the 23d River Assault Group working in the labyrinthine rivers and canals of the Mekong Delta. He had also to work on the planning and carrying out of operations with other military leaders both Vietnamese and American. The 19 boats of the River Assault Group, or RAG, were used to carry Vietnamese troops to battle, but they were more than transport vessels. Varying in length from 60 to 35 feet, they carried substantial firepower—mortars, 40- and 20-millimeter guns, .50- and .30-caliber machineguns—and when they lined up and brought all these weapons to bear, they became a murderous force. If Meyerkord was aggressive, his counterpart, the Vietnamese RAG skipper Nguyen Van Hoa, suited him exactly. The two men plotted constantly for action, and when they weren't carrying troops on an operation, they patrolled the waterways on the lookout for pockets of Vietcong.

On days when nothing was going on with the boats, Meyerkord went to the airfield near his base at Vinh Long and flew on observation missions in small reconnaissance planes or armed helicopters. From these trips, many of which drew fire as the choppers swooped down as low as 50 feet, Meyerkord increased his knowledge of the area and kept his charts up to date. The records were strangely bare of personal information about Meyerkord. His superiors recalled that he was 27, was married, had a wife and small daughter living in St. Louis and that he had served on a destroyer before coming to Vietnam.

There was better documentation of some of his actions. On one occasion last November, his RAG landed troops, then got well ahead of them in a canal so narrow that it was impossible for the boats with the heaviest guns to come up and fire. When the other boats began to draw sniper fire, Meyerkord scouted ahead on foot, found that the canal was blocked and that the Vietcong were waiting in force. Under heavy fire he set up a command post, called for and directed artillery, summoned air strikes, and when friendly troops caught up with him he directed them, too, in routing the Vietcong. Another time, when one of the RAG boats was damaged and two Vietnamese sailors were wounded. Meyerkord left his own boat, took another to the vessel where the wounded men were, gave them first aid and then got back to his boat, all this time in the middle of a fire fight. On a third occasion his RAG guns could not be fired because friendly troops were in the way. Meyerkord ordered the boat to back down the canal. When the Vietnamese troops saw this, they thought the operation was being canceled and began a quick retreat themselves. Then suddenly Meyerkord ordered the boats ahead, past the troops, and now, with a clear field of fire, he opened up with all the guns he had. The battle was won.

Dale Meyerkord's own log and reports are entirely matter of fact, even, in some places, laconic. "I don't wear a helmet or flak vest," he wrote at one time. "My preparations consist of setting my carbine on auto and loading it with a clip and tracers. These I will use to direct fire." After he had picked up an enemy flag in the field one day, he wrote: "The flag I can use for trade goods to obtain more weapons or other desired items." After his jeep went off the road one day when a landmine exploded just ahead, he said of it: "Examination showed that several muscles and tendons were injured." He could be sharply critical when he did not like the way things were going, and he said of one American officer whose performance didn't suit him: "An adviser that is overly cautious and places needless stumbling blocks in an operation is a handicap." And he must have been laughing at himself when he wrote: "While jumping from the boat to the pier with my gear, the pier collapsed and I ended up in the Mekong. This presented an excellent opportunity to test my waterproof watch and equipment. It all worked when I got ashore and tested it."

From men in Saigon I learned a bit more about Dale Meyerkord. "I could see right away that this was a ruddy, gung-ho individual," said his boss, Capt. W. H. Hardcastle, Jr. "He seemed to have maturity and confidence in himself." I learned that Meyerkord's radio code name was Hornblower. "He used to talk about his delta experience a lot," a friend recalled. "Sometimes even too much. He told about it in such detail a person might think he was bragging. But why should a brave man be modest and charming? He was fascinated by the whole thing. When he tried to explain to you one of his eyeball-to-eyeball moments, you could see he was exhilarated by it.

A snapshot told me only that Meyerkord was blond and lean and not tall. I flew to Vinh Long to meet more of Meyerkord's friends. It is only 45 minutes by helicopter from Saigon, but the trip takes one into an entirely different world. The ugly little war in Vietnam seems suddenly much more personal, and the chopper pilot only slows his blades to let his passengers off. The town and the bases there are secure enough, but the VC are active in the countryside immediately surrounding it, and precautions against enemy marksmanship, like bringing aircraft into the tiny field at a rate of descent so sharp that a landing seems virtually a controlled crash, are entirely called for. This had been Dale Meyerkord's town for the last 8 months of his life, he had died in a canal just a few kilometers up the road, and it was the right place to come.

"He spent a lot of time with us out here," said Capt. Clarence Boyle, pilot and section leader for the small spotter and observation planes used in the area. "Everybody here at the field had a lot of respect for him. The V.C. respected him too. They knew all about him and his iron boats. Somebody tried to change his call sign from Hornblower to something else, but he just wouldn't answer from the boat when we gave him the new call, and we had to go back to Hornblower." Meyerkord's Vietnamese counterpart, Commander Hoa, was away on navy business, and I was not able to see him. But it became clear from talking to others that the relationship between the two men was more than professional. They had spent much off-duty time together, and Hoa had invited Meyerkord to be the godfather of a child born shortly after the American died.

Navy Chief Ralph Gentile had been with Meyerkord during his tour in Vietnam, but he was not on the boat the afternoon of the lieutenant's death and he feels badly about it. "We used to talk on the boat at night when no one was around," Gentile said. "He told me how he'd worked on farms in the summers when he was a kid going through college. He talked about his mother some, and he talked about his wife and daughter. I'm 42, a lot older than him, and he was very interested in how my wife and I were bringing up our kids, about what kind of things we wanted for them, about how much money we're spending on them. I think he was trying to get some ideas of what he might do for his own child in the future. Sometimes you'd think he was out here on a good-will tour," Gentile went on as we drank beer on a porch overlooking the Mekong River. He took about a hundred school kids out for a ride on the boats one day, and he was very good with the local Vietnamese chiefs.

He scrounged a lot of medical instruments, and a doctor showed him how to make stitches. His stitches looked a little tangled but they did the job.

Gentile paused a moment. "I think he tried to protect me," he continued. "He tried to keep me away from him when there was something doing on the boats. I used to kid him when he'd go off on an operation without me. 'Well, what do you want me to tell your wife?' I'd ask him. 'Hell,' he'd say, 'them bullets turn away every time they come toward me.' "

At the airfield that night the armed helicopters came back very late from a big and successful fight. I talked to the leader, Capt. Robert Molinelli. "The day before Dale was killed," Molinelli said, his dirty face drawn with fatigue, "we flew out there together to that canal. We both knew it well. Dale was one of the few people we could work in real close to and not scare him or his troops. Those rockets make a helluva noise. Woof when they go, crack when they break the sound barrier, boom when they hit." Molinelli took a sip of his iced drink. "I was 10 feet above his head that day," he went on. "As a matter of fact I tried to shoot for him, but he told me to go away. I told him to get his fanny out of the open. Just a little later somebody called and told me Hornblower had been hit. He loved to fight and he loved to live. I couldn't believe it."

Army Capt. James Snooks 3d was observing the operation from Meyerkord's boat the day he was killed. Snooks, a Navy chief named Eugene Barney and Meyerkord were on the open deck of the lead vessel when it went slowly around a curve and nosed in toward the bank.

Meyerkord, apparently not expecting anything, was seated with his back up against the windshield of the boat when the firing started. "I could see the muzzle flashes and smoke," Snooks recalled. "We were receiving fire from three positions, quite close, 30 to 40 yards. I was down on the deck now and firing with the carbine, and Barney was shooting the shotgun. Meyerkord may have been shooting too. But I wasn't looking at him. I heard him say, 'I'm hit.' Barney reached up to pull him down, got hit himself and Meyerkord got hit again. Barney said, 'Lieutenant Meyerkord is dead,' and I looked then and he was right."

I also talked to Maj. Oscar Padgett, Jr., senior adviser to a Vietnamese infantry regiment. He worked with Meyerkord on many operations. "His contribution was as high as any I've seen," Padgett said. "If you send the best over here, you're going to lose the best. He was often working from an exposed position because he could report enemy strengths and weaknesses to us better that way, and he set a great example for the men. If he found out that I had an operation that his bunch wasn't in on, he'd be knocking at the door. 'Why can't I go?' he'd say. 'There are canals down there I know better than anyone else.' He was a pretty smart lad. He liked to laugh and lie and kid me about how he was furnishing the ammunition for the Army."

Padgett paused and frowned in recollection. "I didn't really like that hat, though," he said. "It was an Australian-type bush hat, one of those things that turns up on one side, and I told him if I was shooting at the boats, I'd shoot at somebody with a hat like that. But Hoa had a hat too, a floppy one he called his fighting hat. I told Dale they looked like sheepherders in them. When they brought him in on the litter, there was that hat down around his feet."

Meyerkord's replacement as adviser to the 23d RAG is a cheerful young lieutenant named David Swavely. He knew Meyerkord and admired him, but he did not talk much about him. I did not want to ask, but I finally had to inquire if Swavely had found it difficult to follow in the footsteps of a man so generously respected as Meyerkord. "Oh, no," he answered with absolute candor. "These people around here made things very easy for me. They do all kinds of things for me. They see the Navy coming, and automatically you're Hornblower."

The last person I talked with in Vinh Long was Hugo Aragon, an Army chief warrant officer. He did not work with Meyerkord on operations but the two men spent much free time together and were close friends. "That was a strong, outspoken personality," Aragon said. "He told you what he thought, and he didn't think he'd die here. That day I was going on a trip in the jeep and crossed a bridge over one of the canals, and I saw him and the boats. I tooted the horn at him and he waved back."

Aragon, a short, dark man, crossed the little room and fumbled through some belongings. He came back and handed me an empty pint flask. "I'm a scotch drinker," Aragon said, "and you can't get it every place around here. You have to carry it with you. Two days before he died, Dale gave me that. It was his." I turned the flask over and saw the initials H.D.M. in the silverplate.

A flask says nothing. You can't even tell much about a man by reading his words or talking to his friends. But by this time I wished heartily that I had some recollections of my own about Dale Meyerkord.

MERGERS AND TRANSPORTATION

Mr. WILLIAMS of New Jersey. Mr. President, as the chief sponsor and strategist of the 1964 mass transit bill, I have maintained a close and careful interest in the many problems of commuter mass transit which are plaguing municipalities all over the country. The question of how to efficiently and comfortably transport large numbers of working people during peak rush hours is one that is particularly troublesome to my own State of New Jersey.

Part of this problem arises from the absence of an overall, coherent policy which would integrate all transportation facilities—rail and bus, as well as highway.

I ask consent to have printed in the RECORD an editorial, from the April 1, 1965, issue of the Washington Post, which discusses this problem, and, in particular, relates it to the proposed merger between the Pennsylvania Railroad and the New York Central Railroad.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 1, 1965]

MERGERS AND TRANSPORTATION

The proposed merger between the Pennsylvania and New York Central Railroads has been advanced a step further toward realization with the approval of the Interstate Commerce Commission's trial examiners. It now appears likely that the ICC will accept the examiners' recommendation. But before sanctioning the largest merger in this country's history, the union of the Pennsylvania and the Central should be appraised within the broad context of national transportation policy. For as the examiners aptly remarked, merger is not a panacea for the ills that beset the rails. Nor is merger a reliable route to the creation of an adequate network of transport facilities.

The Penn-Central merger, by eliminating duplicative facilities and increasing operating efficiencies, will result in a financially viable entity. But what of the eastern roads that are not included? Smaller paralleling roads such as the Erie-Lackawanna would be placed in an untenable competitive position. And more seriously, the exclusion of the Boston and Maine might well deprive much of the New England region of rail service.

Mergers must perforce result in the elimination of some weak roads, but they should not be permitted to tear great gaps in the rail network. Therein lies the weakness of the ICC's case-by-case approach to mergers. What is required is an overall plan for rail consolidation, an outline of a balanced network that would serve as a guide for future mergers.

In recommending the Penn-Central merger the examiners painted a rather gloomy picture of the railroad future. But much of their pessimism might be dispelled if the railroads were permitted to compete against trucks on an equal footing. Railroads are disadvantaged by their inability to reduce rates without performing a lengthy ritual before the ICC.

And unlike the trucks which bear a very small part of the cost of building and maintaining public highways, the railroads are burdened with enormous costs of their rights-of-way. Unless this balance is redressed by eliminating the archaic ICC rate regulations and imposing realistic user charges on trucks, the benefits that can be obtained through wise railroad mergers will be dissipated.

If there were a coherent Federal transportation policy, a verdict on the wisdom of the Penn-Central merger could be reached with relative ease. But in the absence of a policy, one can only point to its defects and dangers and hope that they will somehow be eliminated.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move, under the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 41 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Friday, June 11, 1965, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 10, 1965

The House met at 12 o'clock noon.

Dr. Wendell Bohrer, Good Shepherd Church of the Brethren, Morgantown, W. Va., offered the following prayer:

Let us pray: O most merciful Father in heaven, who governs the people of the earth, we offer to You again our thanksgiving for every divine blessing. Especially do we thank You for this Nation and for these men and women who have been selected from its people to serve as its leaders and stewards.

We therefore pray that Your divine blessing be bestowed upon them in these crucial times. Deliver them from blindness of heart, from love of ease, and from failure to do the good which You set before them.

Grant that, in the hours of this day and in every day, they may have the wisdom to know what is best to do and the courage and the dedication with which to act upon such wisdom.

May Thy blessing rest also upon the people of this Nation and upon Thy people everywhere.

May we find the courage to be the kind of true disciples those were who were disciples of Your Son, our Lord and Saviour, Jesus Christ, in whose name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 5, 1965:

H.R. 806. An act to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product;

H.R. 1453. An act for the relief of the Jefferson Construction Co.;

H.R. 3899. An act for the relief of C. R. Sheaffer & Sons;

H.R. 6691. An act to validate certain payments made to employees of the Forest Service, U.S. Department of Agriculture.

On June 7, 1965:

H.R. 2139. An act for the relief of Mrs. Mauricia Reyes.

On June 8, 1965:

H.R. 7031. An act to provide for the establishment and operation of a National Technical Institute for the Deaf.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2166. An act for the relief of Staiman Bros.-Simon Wrecking Co.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1000. An act to amend the act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions.

AUTHORIZING APPROPRIATIONS FOR CERTAIN RIVER BASIN PLANS

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6755) authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, in the table following line 2, immediately under the center headings insert:

"Alabama-Coosa------ March 2, 1945------ $38,000,000".

Page 2, in the table following line 2, in the line beginning "Arkansas River" strike out "$115,000,000" in the third column and insert "290,000,000".

Page 2, in the table following line 2, in the line beginning "Brazos River" strike out "6,000,000" in the third column and insert "14,000,000".

Page 2, in the table following line 2, in the line beginning "Central and Southern Florida" strike out "11,000,000" in the third column and insert "30,000,000".

Page 2, in the table following line 2, in the line beginning "Columbia River" strike out "73,000,000" in the third column and insert "223,000,000".

Page 2, in the table following line 2, strike out:

"Los Angeles-San Gabriel------ August 18, 1941-------- 10,000,000".

Page 2, in the table following line 2, after the line beginning "Los Angeles-San Gabriel" insert:

"Lower Mississippi------ May 15, 1928------ 53,000,000".

Page 2, in the table following line 2 in the line beginning "Missouri River" strike out "24,000,000" in the third column and insert "116,000,000".

Page 2, in the table following line 2, in the line beginning "Ohio River" strike out "3,000,000" in the third column and insert "89,000,000".

Page 2, in the table following line 2, in the line beginning "Ouachita River" strike out "1,000,000" in the third column and insert "11,000,000".

Page 2, in the table following line 2, in the line beginning "Upper Mississippi River" strike out "14,000,000" in the third column and insert "27,000,000".

Page 2, in the table following line 2, in the line beginning "West Branch Susquehanna River" strike out "6,000,000" in the third column and insert "17,000,000".

Page 2, line 4, strike out "Act" and insert "section".

Page 2, line 4, strike out "$263, 000,000" and insert "$908,000,000".

Page 2, after line 4, insert:

"Sec. 2. In addition to previous authorizations, the completion of the Great Lakes to Hudson River Waterway, New York, project, approved in the River and Harbor Act of August 30, 1935, as amended, is hereby authorized at an estimated cost of $5,000,000."

Page 2, after line 4, insert:

"Sec. 3. In addition to previous authorizations, the completion of the comprehensive plan for flood control and other purposes in the Los Angeles River Basin, approved by the Flood Control Act of August 18, 1941, as amended and supplemented, is hereby authorized at an estimated cost of $31,000,000.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, and I do not intend to object, let me state that this bill varies from the House-passed bill simply by making 2-year authorizations of the required extensions of river basin projects that have already been authorized as an overall program. The Senate amendments meet with the unanimous approval of the House Committee on Public Works members, because we have had difficulties in recent years with inadequate advance periods of authorization that have caused contracts to be running out of funds when they are halfway through. Therefore, we are in full support of the Senate bill on both sides of the aisle.

Mr. CRAMER. Mr. Speaker, reserving the right to object, and I shall not object because I support the bill, but, as I understand, this bill does not contain any new authorizations but only continuing authorizations for existing projects and programs and thus should receive unanimous consent, is that not correct, I ask the gentleman from Alabama?

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. JONES of Alabama. That is correct. These are continuing projects that have heretofore been authorized.

Mr CRAMER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, the bill H.R. 6755 provides for additional authorizations for certain river basin plans for flood control and rivers and harbors. This bill was passed by the House on May 12, 1965. The bill as passed by the House included additional authorizations to cover deficits in monetary authorizations for river basin plans which would occur during fiscal year 1966. The total amount of these increased authorizations is $263 million.

As pointed out in the committee report at that time, the basin monetary authorizations were placed in effect by the Flood Control Acts of 1936 and 1938 and subsequent acts. Their effect is to limit the authority to expend funds within a specified basin below the total authorized extent of development of the basin. It has been traditional to increase these authorizations in the omnibus river and harbor and flood control bills as the appropriations approached the limit of the authorization. The purpose of limiting the authorization, rather than authorizing the full amount for development in these large basins is to permit the Congress to review the programs from time to time to determine if changes are necessary.

As explained during the debate on the floor at the time the bill was passed, the reason for immediate action on these river basins rather than to wait for the passage of the omnibus river and harbor and flood control bill later this session was because the letting of contracts was being deferred because of the lack of authorization. The 1-year period covered in the bill as previously passed by the House was in the nature of an emergency measure to take care of this condition.

I am pleased to say that the House agreed to the necessity for this action and approved the bill.

I should point out, Mr. Speaker, at this point that it was the intention of the committee to include an additional authorization covering 1 or 2 more years in the omnibus river and harbor and flood control bill which will be taken up later.

When the bill was considered by the other body it saw fit to increase the 1-year period of authorization to 2 years; thereby increasing the amount from $263 million to $944 million. This would take care of authorizations required in these basins, not only for the fiscal year 1966, but also for the fiscal year 1967. In other words, the other body included authorizations for the fiscal year 1967 in the present bill, rather than waiting for the omnibus bill. In providing for the needs for the fiscal year 1967 in these basins three additional basins were added to those contained in the bill as passed by the House. These three basins, Alabama-Coosa, the Great Lakes Hudson River Waterway—the Erie Canal, and the Lower Mississippi River, were not included in the House version of the bill since they would not run out of monetary authorization until the fiscal year 1967. In other words, Mr. Speaker, the other body merely took an additional year's authorization out of what would have been considered in the omnibus bill and added it to the House version of H.R. 6755. There should be no objection to this, of course, because it merely means that action is being taken at this time rather than later in the session.

I would like to point out that it is probable that an additional authorization, perhaps for another year—fiscal year 1968—may be included in the omnibus bill when it is taken up for consideration. This will permit the program to be placed in a more favorable position in that the program for these river basins will always have sufficient authorization in advance to permit appropriations to be made.

Mr. Speaker, I am sure that there can be no possible objections to the amendments added by the other body and I strongly urge that the House approve H.R. 6755 as amended.

The amounts for the basins as passed by the House and the amounts as contained in the amendment of the other body are shown in the attached table:

River basin	Amount included in House version	Amount included in Senate version
Alabama-Coosa		$38,000,000
Arkansas River	$115,000,000	290,000,000
Brazos River	6,000,000	14,000,000
Central and southern Florida	11,000,000	30,000,000
Columbia River	73,000,000	223,000,000
Los Angeles-San Gabriel	10,000,000	31,000,000
Lower Mississippi		53,000,000
Missouri River	24,000,000	116,000,000
Ohio River	3,000,000	89,000,000
Ouachita River	1,000,000	11,000,000
Upper Mississippi River	14,000,000	27,000,000
West Branch Susquehanna River	6,000,000	17,000,000
Great Lakes to Hudson River Waterway (Lake Erie Canal)		5,000,000
Total	263,000,000	944,000,000

Mr. EDMONDSON. Mr. Speaker, this bill is urgently needed to prevent delays in orderly construction on 10 river basins.

It is another giant forward step for America in our water development program, and I urge its approval.

Mr. SELDEN. Mr. Speaker, I rise in support of the pending measure, H.R. 6755, the Basin Authorization Act.

One of Alabama's greatest assets is its very fine system of rivers, and the district I have the privilege of representing is traversed by three of these fine systems. One of them, the Coosa-Alabama waterway, is the second longest in the entire Southeastern region that remains only partially improved.

The initial and ultimate comprehensive plan of development of the Coosa-Alabama was authorized in 1945 by the 79th Congress, with an authorization of $60 million. At the end of the current fiscal year, appropriations totaling $20.5 million will have been allocated to improvements on the system, thereby leaving a $39.5 million balance in the authorization. The budget for fiscal 1966 contains requests for $27.1 million for three of the projects on the Alabama River and one on the Coosawattee River in Georgia, and it appears that Congress will approve this full amount for the coming fiscal year.

Since the funding requirements for fiscal year 1967, as determined by the Corps of Engineers, will amount to approximately $49.5 million, it is imperative that the Coosa-Alabama River System authorization be increased by $38 million.

The economic benefits that will flow from this system when full development is realized are immeasurable, and I respectfully urge favorable consideration be given to this measure, H.R. 6755.

GENERAL LEAVE TO EXTEND

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just considered.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1966

Mr. DENTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6767) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

The Chair hears none and appoints the following conferees: Messrs. DENTON, KIRWAN, HANSEN of Washington, MARSH, MAHON, REIFEL, MCDADE, and JONAS.

PUBLIC WORKS COMMITTEE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Public Works Committee have permission to sit during general debate this afternoon.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL EXPLANATION

Mr. POOL. Mr. Speaker, on Wednesday, June 9, due to sudden illness in my family, I was unable to be present for the vote on rollcall No. 130, H.R. 8464, to raise the national debt limit. Had I been present, I would have voted against augmentation of the limit of our national debt.

AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS, AND FOR OTHER PURPOSES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 408 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 408

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 133]

Andrews, George W.
Ashley
Bandstra
Betts
Blatnik
Bolton
Bonner
Bow
Bray
Brock
Brown, Ohio
Callaway
Chamberlain
Clancy
Clawson, Del
Cooley
Devine
Fogarty
Ford, Gerald R.
Fraser
Grabowski
Grider
Halleck
Harris
Harvey, Ind.
Hébert
Helstoski
Holland
Ichord
Karth
King, N.Y.
Kornegay
Landrum
Langen
Lindsay
Mailliard
Matsunaga
Mills
Mink
Olson, Minn.
Pike
Powell
Price
Reid, N.Y.
Rogers, Fla.
Taylor
Teague, Tex.
Toll
Willis
Wright

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GENERAL LABOR SUBCOMMITTEE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the General Labor Subcommittee have permission to sit for the first 3 days of next week while the House is in session under general debate. I have taken this matter up with the ranking minority member of the subcommittee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. GOODELL. Mr. Speaker, I object.

CONSTRUCTION AT MILITARY INSTALLATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri [Mr. BOLLING].

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, this resolution, House Resolution 408, which was just read, provides an open rule with 4 hours of general debate for the consideration of the annual military construction bill. I know of no opposition to the rule. I understand there is some controversy over the bill which it makes in order. I therefore reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 408 will make in order H.R. 8439, the military construction authorization bill under an open rule with 4 hours of general debate.

Mr. Speaker, H.R. 8439 is an authorization bill which is necessary for enactment before the appropriations can be provided to finance construction activities of the military departments during fiscal year 1966.

The bill as approved by the Committee on Armed Services totals $1,934,927,000, and provides construction authorization in support of the Active Forces, the Reserve components, defense agencies, and military family housing.

This can be broken down as follows:

Army	$365,026,000
Navy	319,722,000
Air Force	386,915,000
Defense agencies	100,051,000
Family housing	732,100,000
Reserve Forces	21,290,000
Deficiency authorization	9,823,000
Grand total	1,934,927,000

The authorization program for fiscal year 1966 is based on a 5-year projection of the missions and forces to be supported through fiscal year 1970. Assurances have been given by the Department of Defense and the individual military services that there are no present plans for reducing or deactivating any of the bases for which authorization for construction is included in this bill.

This is a large bill, but I believe it is a sound bill.

As the distinguished chairman of the Armed Services Committee [Mr. RIVERS] pointed out before the Rules Committee, the military forces of the United States are the strongest in the peacetime history of the world. Yet, while we have provided the necessary hardware to support these troops, we have not provided adequate facilities in which to house our troops and their families. Even if the Congress authorized and funded at the rate requested in this year's bill for obsolete World War II facilities, it would take approximately 13 years to modernize the physical plant of the services.

It is significant to note that while the committee authorized the acquisition of 16,732 acres of land at a cost of approximately $5.5 million, no new bases or installations are to be developed. Rather, the bulk of this land constituting approximately 15,000 acres, is for an addition to the western test range in California at a cost of slightly more than $4 million.

Mr. Rivers has indicated that one of the difficult decisions facing the Armed Services Committee this year was construction required as a result of the base closure announcements of November 1964. Construction was requested in the amount of $49.8 million, and involved work at 31 different bases. All of the construction requested in this area was approved except for the small arms research and development facility at Rock Island, Ill., and this was omitted because the Secretary of Defense is having an outside firm make an audit of the alleged cost savings, and the final determination has not yet been made.

I recognize that the Committee on Armed Services had difficult decisions to make regarding construction required as a result of bases scheduled to be closed. In my opinion, the committee had no alternative but to follow the course that they adopted. They were assured that there would be recurring annual savings in the amount of $477 million and, in addition, construction costs alone would result in a savings of $25 million.

Now, I would like to touch upon a few highlights of the bill. The bill provides new operational facilities in the amount of $1,193 million to support the Active and Reserve Forces, and authorizes for military family housing the amount of $732.1 million.

It provides support for our strategic and defensive forces, our general purpose forces, our airlift and sealift forces, and Reserve Forces.

It is significant to note that there is nothing in the bill this year to take care of facilities for the Army National Guard or Army Reserve Forces because a final determination has not as yet been made as to a possible realinement.

In addition, the committee authorized new construction in support of various research and development programs in the amount of $118 million.

The largest single element in the construction program is the provision of general support facilities. This authorizes construction of facilities totaling $89 million for military training facilities, and $62 million for communication facilities.

The committee also authorized 57,700 new barracks spaces and 5,700 new bachelor officers' quarters.

In authorizing $735,600,000 for all costs related to military family housing, the committee approved a request for construction of 12,300 new units of family housing and 600 trailer spaces for military personnel owning their own trailers. While this amount is extremely large, it is significant to note that over $500 million in quarters allowances will be forfeited because family housing has been provided.

During the hearings on military construction the Committee on Armed Services modified the bill submitted by the Department of Defense in several major regards.

First. It modified section 605 of the bill by requiring that whenever practicable, construction shall be under the jurisdiction and supervision of the Corps of Engineers and the Bureau of Yards and Docks, and makes the application of this provision worldwide rather than merely within the United States and its possessions. This has the effect of fostering competition between the two construction agencies and will, in the opinion of the committee, reduce the cost of construction to the Government.

Second. The committee added a restriction that housing constructed under this act shall be insofar as possible, detached single family units or semidetached units unless other types of construction shall have been justified to the Armed Services Committee on individual project basis.

Third. The committee added a provision giving the Secretary of Defense the discretion to operate former Wherry housing units on a fair rental determination basis or on an adjusted forfeiture of basic allowance for quarters basis rather than on the full forfeiture of basic allowance for quarters. This would have the effect of correcting many inequitable situations.

Fourth. The committee added section 608 to the bill, which has the effect of requiring notification to the Armed Services Committee of the House and Senate an opportunity for the Houses of Congress to act on a resolution of disapproval submitted by the respective committees before any military base or installation could be closed, substantially reduced, or consolidated.

It is my opinion that this is a good amendment. Not only does it make Congress full partners with the Executive in the running of the military, but it will give to Congress the opportunity to make its strength and wishes known to the executive branch and to the American people.

Fifth. The committee also added section 609, which requires a specific act of Congress before the land comprising the Bolling-Anacostia complex could be transferred from the military inventory. Many committees of the Congress are interested in the future use of this land. I agree with the Armed Services Committee that Congress should have the right to determine the future utilization of this land.

Sixth. The committee also wrote language into the military construction authorization bill requiring that the military services provide in all replacement hospitals in the United States, care and treatment of retired military personnel and their dependents to the extent that such care has been provided at the same installation over the last 3 years. It also requires that in every hospital construction within the United States, facilities be included for obstetrical care.

Seventh. The committee wrote language requiring that in all construction authorized under this act, techniques be utilized to maximize fallout protection where this can be done without impairing the purposes for which the construction is authorized.

I think each of these changes represent significant improvements in the bill which was submitted by the Department of Defense. I believe, too, that this bill which will be presented by the distinguished chairman of the Armed Services Committee reflects the painstaking care with which he and the committee scrutinized the Department's request.

I urge the adoption of the rule, and reserve the balance of my time, Mr. Speaker.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTEREST RATES ON FOREIGN OFFICIAL TIME DEPOSITS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 401 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5306) to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Banking and Currency now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. Anderson] and, pending that, to myself such time as I may require.

Mr. Speaker, House Resolution 401 is self-explanatory. I know of no opposition to it.

I reserve the balance of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this resolution makes in order a bill which would permit domestic banks to pay higher interest rates on time deposits of foreign governments, central banks or other monetary authorities, of which the United States is a member.

Apparently this program is necessitated by the difficulties we have suffered with respect to our balance of payments. The report succinctly points out that by permitting American banks to pay higher interest charges holders of American dollars are discouraged from converting them to gold and encouraged instead to deposit them in American banks. The program has evidently been successful. This bill would permit and extend for an additional 3 years the authority which banks now have to pay these higher interest rates on time deposits.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SBA AUTHORITY TO LEND TO SBIC'S AND STATE AND LOCAL DEVELOPMENT COMPANIES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 402, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 402

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7847) to amend the Small Business Act. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Missouri [Mr. BOLLING] is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON]; pending that, such time as I may consume.

Mr. Speaker, the bill made in order by House Resolution 402 provides for an increase by $120 million of a portion of the Small Business Administration's revolving fund which may be on loan to small business investment companies and State and local development companies pursuant to the Small Business Act of 1958.

Mr. Speaker, I know of no opposition to the rule and reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, this bill was reported unanimously by the Committee on Banking and Currency. Apparently there is some urgency attached to this matter, as I understand it. By the middle of this month unless this bill is passed, the authority which the Small Business Administration now has to make loans of this character would lapse. It does not provide for authorization of any new funds. It merely increases the amount of the revolving fund or the share of the revolving fund of the Small Business Administration that is now available for the purpose, as the gentleman from Missouri has said, of making this particular category of loans.

Mr. Speaker, I have no further requests for time and reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous questioned was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING ADDITIONAL COPIES OF HOUSE DOCUMENT, "DOCUMENTS ILLUSTRATIVE OF THE FORMATION OF THE UNION OF THE AMERICAN STATES"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (H. Con. Res. 400) to provide for printing additional copies of House document entitled "Documents Illustrative of the Formation of the Union of the American States" and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 400

Resolved by the House of Representatives (the Senate concurring), That there shall be reprinted twenty thousand copies of House Document Numbered 398 of the Sixty-ninth Congress, first session, entitled "Documents Illustrative of the Formation of the Union of the American States", of which one thousand copies shall be for the use of the Senate and one thousand copies for the use of the House of Representatives.

With the following committee amendment:

Strike out all after the resolving clause and insert the following:

"That there shall be reprinted three thousand copies of House Document Numbered 398 of the Sixty-ninth Congress, first session, entitled 'Documents Illustrative of the Formation of the Union of the American States', of which five hundred and fifteen copies shall be for the use of the Senate, two thousand one hundred and ninety-five copies for the use of the House of Representatives, and two hundred and ninety copies for the use of the Joint Committee on Printing.

"SEC. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House Document Rooms."

Estimated cost: $12,412.00.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. I understand from the amendment that this is a substantial reduction in the number of copies to be printed of this particular item?

Mr. HAYS. That is correct. The original resolution called for 20,000. This is a document that contains all of the documents relating to the formation of the Union of the American States and it is a document that has been in some demand. However, we reduced it from 20,000 to 3,000 giving each Member of the other body and this body 5 copies.

We have informed the Public Printer and he will ride the order and it will be for sale at the Government Printing Office for those people who want them. I might tell the gentleman that in the last 2 years, the Government Printing Office has sold 500 of these and they are out of print.

Mr. GROSS. Do I understand that the House Administration has reduced substantially the printing that is to be authorized in the numerous resolutions that are being reported today?

Mr. HAYS. I would say to the gentleman, we have reduced the quantity in every instance except one, substantially, and that one was a document entitled "History of the House of Representatives" which is also out of print and which has been in great demand.

As a matter of fact, the requests which came to us would have cost a total of $77,975.69. After committee action, they total $35,246.24, a savings in the reductions of $42,729.45.

Mr. GROSS. If the gentleman will yield further, I have seen, as I am sure other Members of the House have seen, some of the corridors of the office buildings stacked with material of one kind or another which does not seem to move.

I do not suggest that copies of material in demand should be drastically curtailed, but I do want to commend the gentleman and his committee. They are in a position to ascertain whether there is a demand for much of this printing. I commend the committee for reducing the amount of material that is being printed.

Mr. HAYS. I thank the gentleman.

Mr. GROSS. This is a saving to the taxpayers that ought to be appreciated.

Mr. HAYS. I say to the gentleman that the committees which have materials stacked in the halls have been notified that any further requests for printing will get short shrift from the committee until they clean up the halls.

Mr. GROSS. That is good.

The SPEAKER pro tempore. The question is on the committee amendment.

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF A REPORT ON THE SINO-SOVIET CONFLICT, TOGETHER WITH HEARINGS THEREON

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 415, with committee amendments, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 415

Resolved by the House of Representatives (the Senate concurring), That the document entitled "Sino-Soviet Conflict and Its Implications", a report by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, dated May 14, 1965, be printed as a House document and that an additional ten thousand copies be printed for the use of the Committee on Foreign Affairs of the House of Representatives.

With the following committee amendments:

Line 7, strike out "ten" and insert "three".

Line 8, following "thousand" insert "five hundred".

The amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF A REVISED EDITION OF "HISTORY OF THE HOUSE OF REPRESENTATIVES"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 428 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 428

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document a revised edition of the publication entitled "History of the United States House of Representatives," and that there be printed twenty-one thousand nine hundred and fifty additional copies to be prorated to the Members of the House of Representatives for a period of sixty days, after which the unused balance shall revert to the House document room.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF "COMMUNIST ACTIVITIES IN THE BUFFALO, N.Y., AREA"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 411, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 411

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities six thousand additional copies of the publication entitled "Communist Activities in the Buffalo, New York, Area," Eighty-eighth Congress, first session.

With the following committee amendment:

Line 3, strike out "six" and insert "three".

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT 1739, ENTITLED "ANNUAL REPORT FOR THE YEAR 1963, COMMITTEE ON UN-AMERICAN ACTIVITIES"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 412, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 412

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities ten thousand additional copies of the committee's annual report for the year 1963, House Report 1739, Eighty-eighth Congress, second session.

With the following committee amendment.

Line 3, strike out "ten" and insert "five".

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF "VIOLATION OF STATE DEPARTMENT TRAVEL REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES IN THE UNITED STATES, PARTS 1 THROUGH 5"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 413, with a committee amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 413

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities ten thousand additional copies of each part of "Violation of State Department Regulations and Pro-Castro Propaganda Activities in the United States, Parts 1 Through 5."

With the following committee amendment:

Line 3, strike out "ten" and insert "five".

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF "COMMUNIST ACTIVITIES IN THE MINNEAPOLIS, MINN., AREA"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 414, with an amendment, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 414

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Committee on Un-American Activities six thousand additional copies of the publication entitled "Communist Activities in the Minneapolis, Minnesota, Area," Eighty-eighth Congress, second session.

With the following committee amendment:

Line 3, strike out "six" and insert "three".

The amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF "THE COMMUNIST PARTY'S COLD WAR AGAINST CONGRESSIONAL INVESTIGATION OF SUBVERSION—REPORT AND TESTIMONY OF ROBERT CARRILLO RONSTADT"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 390, with a committee amendment, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 390

Resolved, That there be printed for the use of the Committee on Un-American Activities seventeen thousand additional copies of a publication entitled "The Communist Party's Cold War Against Congressional Investigation of Subversion—Report and Testimony of Robert Carrillo Ronstadt", Eighty-seventh Congress, second session.

With the following committee amendment:

Page 1, line 2, strike out "seventeen thousand" and insert "eight thousand five hundred".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION TO APPOINT DELEGATION TO ATTEND A MEETING OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. HAYS. Mr. Speaker, I offer a resolution (H. Res. 418) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 418

Resolved, That the Speaker of the House of Representatives is authorized to appoint four Members of the House of Representatives as a delegation to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in Wellington, New Zealand, at the invitation of the New Zealand branch of the Association, and to designate the chairman of said delegation.

SEC. 2. The expenses of the delegation, including staff members designated by the chairman to assist said delegation, shall not exceed $10,000 and shall be paid from the contingent fund of the House upon vouchers approved by the chairman.

Expenses of the delegation shall include such special expenses as the chairman may deem appropriate to carry out this resolution.

A member or employee of such delegation (1) shall receive subsistence expenses in an amount not to exceed the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964, (2) shall receive actual transportation expenses, and (3) shall not expend appropriated funds for the purpose of defraying expenses in any country where counterpart funds are available for this purpose.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LENDING TO SMALL BUSINESS INVESTMENT COMPANIES

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7847) to amend the Small Business Act.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7847, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. PATMAN. Mr. Chairman, the purpose of H.R. 7847 is to allow the Small Business Administration to increase by $120 million the amount of money that it may spend for programs under the Small Business Investment Act of 1958. These functions include purchase of subordinated debentures of small business investment companies, loans to such SBIC's as well as the making of loans to State and local development companies.

H.R. 7847 does not provide an increased appropriation for SBA, but merely gives the agency authority to spend money already available in its revolving fund. Section 4(a) of the Small Business Act limits the amount of money that may be outstanding in the SBIC and development company programs to $341 million. Once that figure has been reached, SBA is prohibited from lending additional money until repayments have reduced the figure below $341 million. Most of the loans made by the agency for these programs are for 10 years or more and, consequently, the major repayment period is still several years in the future since both the SBIC and local development company programs are fairly new. H.R. 7847 would amend section 4(a) of the Small Business Act to provide that $461 million may be outstanding in the investment company field. The proposed increase is based upon a projection of requirements for these programs through June 30, 1966. SBA officials estimate that loans and commitments outstanding for investment division purposes would total about $461 million by that date. In closing, I would like to quote a paragraph from the statement presented by SBA Administrator Eugene Foley when he testified before the Banking and Currency Committee on this legislation:

> Action to increase this authorization is urgent, since the present amount of $341 million is estimated to be adequate to meet requirements only until the middle of next month. Once the statutory limit is reached, no further loans may be made under the Small Business Investment Act, regardless of the amounts available in SBA's revolving fund. Of course, such a loan cut-off would adversely affect the SBIC program and would block progress on local development company projects in communities throughout the Nation.

For the benefit of the Members of this body, I would like to give an up-to-date progress report on the outstanding funds of the SBA Investment Division:

SBA Investment Division is authorized to have $341 million outstanding in programs under the Small Business Investment Act of 1958. At the present time $329.1 million has been loaned for these purposes. This means that there is $11.9 million remaining. However, at the present time, SBA has in "the works" $12 million in additional loans. These loans are comprised of $8 million for development company lending and $4 million for SBIC lending. If SBA honors all of these commitments, it would exceed its total authorization for Investment Division activities.

Mr. Chairman, after hearing Mr. Foley's request for urgent action on H.R. 7847, the Banking and Currency Committee voted unanimously to recommend passage of the bill.

Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. EVINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EVINS of Tennessee. I strongly urge passage of H.R. 7847, which provides for increased revolving fund authorization to be used by the SBA in its investment company and development company programs.

It is apparent that the present authorization ceiling of $341 million must be raised in order that these programs not be curtailed. These programs are aiding small business concerns throughout the Nation and should be fully utilized.

As chairman of the House Small Business Committee, I am familiar with the benefits that small businesses derive from these programs and the necessity that the revolving fund authorization be increased in this regard. After extensive investigations and hearings, our committee reported to the Congress this past year, in House Report 1934 concerning the investment company program, that:

> The program is making a valid and substantial contribution to the small business community and to the entire national economy.

The House Small Business Committee unanimously recommended in that same report—House Report No. 1934—that legislation be considered early in the 89th Congress to increase the revolving fund for the small business investment program. The committee concluded in that report, on page 29, as follows:

> With the steady expansion of the program and the increased authority to SBA under Public Law 88–273 to increase initial capital loans to SBIC's and because of the fact that this early in the program repayments to SBA are not substantial the committee feels that legislation raising the revolving fund authorization should be considered early in the 89th Congress.

Today the more than 700 small business investment companies have provided equity capital, and long-term loans totaling more than $700 million to many thousands of small businesses. Nothing should be done now that might impede or delay the full growth of the program.

The development company loan program is also of special benefit to small business and shows greater and greater promise. This week SBA Administrator Foley, in testifying before Subcommittee No. 5, chaired by our very able colleague, the gentleman from Illinois [Mr. KLUCZYNSKI], advised that 607 development company loans have been made by SBA; that SBA has supplied $82 million of total investments of $124 million on development projects creating 30,468 new jobs. This program must also be developed to its fullest capacity.

I congratulate Chairman PATMAN and the members of the Banking and Currency Committee who unanimously reported this bill recommending passage. This legislation is needed now and I wholeheartedly support its passage.

Mr. WIDNALL. Mr. Chairman, the distinguished chairman of our committee has explained this bill. It increases the available money by using the revolving fund money that is available at the present time. There are no new authorizations involved. The committee unanimously approved the bill.

Mr. Chairman, I reserve the balance of my time.

Mr. ROYBAL. Mr. Chairman, I rise in support of H.R. 7847, to amend the Small Business Act to increase the authority of the SBA to lend under the small business investment program and to State and local development companies.

This legislation does not appropriate or authorize the appropriation of any new funds for SBA, it merely gives the agency authority to utilize funds already available in its revolving fund.

The bill would increase by $120 million—by raising to $461 million from the present ceiling of $341 million—the portion of SBA's revolving fund which may be on loan at any one time under these programs pursuant to the Small Business Investment Act of 1958.

There is a certain urgency in the passage of H.R. 7847 because SBA is now reaching the present statutory limit for outstanding loans under these programs, and without prompt action in the Congress they will come to an abrupt halt.

Such an eventuality would have a very serious and damaging effect on small business investment companies, as well as on the many small firms receiving assistance from them, and would delay and impede local development company projects across the country.

Because of this urgency, therefore, and because of the tremendous proven value of the small business investment program and the development company program, I hope the Members of this House will give their full support for passage of this vital legislation.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 7847

A bill to amend the Small Business Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(c) of the Small Business Act (15 U.S.C. 633(c)) is amended—by striking out "$341,000,000" and inserting in lieu thereof "$461,000,000."

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 7847) to amend the Small Business Act, pursuant to House Resolution 402, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INTEREST RATES ON FOREIGN OFFICIAL TIME DEPOSITS

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5306) to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5306, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, H.R. 5306 reported out by the Banking and Currency Committee on May 11 would continue the legal exemption enjoyed by commercial banks permitting them to pay higher rates of interest on time deposits of foreign official institutions.

Ordinarily, our commercial banks may not pay a rate of interest to these foreign depositors higher than the rate payable to any other depositor. The Federal Reserve Board and the Federal Deposit Insurance Corporation by law fix the maximum rate of interest on time and savings deposits paid by our commercial banks. The present law, enacted October 15, 1962, provides an exemption from the interest rate ceiling for a 3-year period and runs out this October 15.

The intended purpose of this legislation is, of course, to keep dollars within this country which might otherwise be redeemed for gold, thereby further depleting our gold reserves. In the opinion of a number of experts, there is a place for this legislation in the Government's program for dealing with our balance-of-payments deficit.

This is discriminatory legislation; we are discriminating against our own citizens. But since this is also emergency legislation, we feel that the Government should be able to provide this discriminatory exemption as long as the emergency continues.

Hopefully, that will not be too much longer. The executive branch is optimistic that our payments situation will show a great improvement this year and preliminary evidence strongly supports that conclusion. For this reason, we amended the bill in committee, agreeing to a 3-year extension rather than a permanent extension as requested in the original bill sent up.

The authority of this legislation is, of course, only permissive. It does not compel higher rates of interest to be paid. As a practical matter, only a small handful of the larger money market banks will be affected.

It must be recognized that the decision as to whether they hold dollars, gold, or other reserves is influenced by many considerations other than interest rates. As a matter of fact, it is not possible to say with certainty that interest rates play a significant role at all in international money flows. And, the administration has repeated emphatically that they vigorously oppose any general increase in interest rates or tightening of credit which would only aggravate our payments deficit by putting the economy into a tailspin.

Since November 24, 1964, our commercial banks have been permitted to pay as much as 4½ percent interest on time deposits of 1 year or more and have paid up to 4 percent since January 1, 1962. The 4½-percent figure is presently the maximum permissible rate payable on domestic deposits. Therefore, our interest rates are already very high. So, while any benefit derived from this legislation is not measurable, the committee feels that the exemption should be continued as a minor but possibly helpful tool in the Government's overall balance-of-payments program.

Mr. Chairman, I do not think there is any opposition to the bill and I reserve the balance of my time.

Mr. WIDNALL. Mr. Chairman, this bill was approved by the committee unanimously, I believe.

Mr. PATMAN. That is right.

Mr. WIDNALL. Mr. Chairman, this is a program that has been working quite well since it was instituted and became the law. In the committee one change was approved—an amendment to provide a 3-year expiration date instead of making permanent the exemption of foreign official deposits from interest rate ceilings.

I believe this is a good bill and should be approved by the House.

The CHAIRMAN. Pursuant to the rule, the Clerk will report the committee amendment as a substitute bill for the purpose of amendment as an original bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of the fourteenth paragraph (12 U.S.C. 371b) of section 19 of the Federal Reserve Act is amended by changing "the effective date of this sentence and ending upon the expiration of three years after such date," to read "October 15, 1962, and ending on October 15, 1968,".

SEC. 2. The last sentence of section 18(g) of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)) is amended by changing "the effective date of this sentence and ending upon the expiration of three years after such date," to read "October 15, 1962, and ending on October 15, 1968,".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 5306) to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors, pursuant to House Resolution 401, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks and include relevant extraneous matter on the two bills just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNUAL REPORT OF THE OFFICE OF ALIEN PROPERTY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce.

To the Congress of the United States:

I am proud to transmit the Annual Report of the Office of Alien Property for the fiscal year ended June 30, 1964.

This is the 22d report, as required by law, of proceedings under the Trading With the Enemy Act, as amended. There is special significance in this report because it signals the completion of the functions of the Office of Alien Property in the near future. I feel it is appropriate, therefore, to review the record of this Office which has led to the successful conclusion of the purpose for which it was established by the Congress.

Upon our entry into World War II, Congress broadened the terms of the Trading With the Enemy Act of 1917 to permit effective use of enemy owned or controlled property in our own war effort, and also to deny its use to the enemy.

The Office of Alien Property Custodian was reconstituted as an independent agency in 1942 and, by February 1943, personnel of the Office had reached its peak of almost 1,300 persons. Offices were opened in Washington, New York, Chicago, San Francisco, Manila, and Honolulu—and after the war in Munich, Germany, and Tokyo, Japan. In 1947, the Office of Alien Property Custodian was terminated and its functions transferred to the Office of Alien Property within the Department of Justice.

Thus far, a total of $861 million has been realized from all World War II vestings. Seizures affected assets of every description from the huge General Aniline & Film Corp. stockholdings to scrip certificates valued at only a few cents. Assets administered and liquidated have included personal property, trusts, estates, patents, copyrights, trademarks, stocks, bonds, industrial equipment, mineral rights, farms, urban real estate, mortgages, entire businesses, and objects of art.

In 1946, following the cessation of hostilities, Congress authorized return of vested property to individuals who were within countries which had been occupied by the enemy and to individuals who had been substantially deprived of their rights of citizenship on racial and religious grounds. Additionally, Congress authorized the payment of claims of American creditors from the vested property of their German debtors. More than 67,000 claims were filed under this authority—and, at this writing, only 134 claims involving about $25 million remain for processing and decision.

Under the act, the net proceeds of vested property which are not returnable must be placed in the War Claims Fund where it will be used to compensate American citizens who have suffered war damage. To date, about $314 million has been transferred by the Office of Alien Property to the War Claims Fund. An additional amount of $165 million recently obtained from the sale of the stock of General Aniline & Film Corp. will also be available for deposit to the War Claims Fund in the future.

During the years since 1942, the Office has participated in more than 7,000 litigated cases involving its assets. I am pleased to report that this caseload has now been cut drastically so that only 60 cases remain in litigation currently.

I am able to report to you now that the Department of Justice expects to complete the administration of World War II property, and to terminate the Office of Alien Property as an organizational entity, by June 30, 1966. This achievement is the result of a planned and purposeful effort made since 1961 to close the Office within 5 years.

Throughout its entire existence, the Office of Alien Property has been self-supporting from the proceeds of its vested property. Since July 1, 1961, the annual budget authorization of $690,000 for each year has supported a staff of about 50 persons. The Office's budget request of $369,000 for fiscal year 1966 is designed to support a staff of 21 persons during its last year as an organization.

After June 30, 1966, certain minimal functions will remain, including the administration of the blocked assets of several satellite countries which cannot be terminated until adequate financial agreements are reached with those countries. This function which requires the full-time services of only one employee may be assigned to another agency. At present, no other alien property matters are expected to require the full-time services of any employee beyond June 30, 1966.

At an appropriate time, in connection with the budget for fiscal 1967, I will propose recommendations on how the burden of the few remaining alien property functions can continue to be discharged with nonappropriated funds even though the functions may be performed by persons on appropriated fund payrolls.

The termination of the Office of Alien Property as of June 30, 1966, will bring to a close a chapter of American history which began in World War I. The first provision for an Alien Property Custodian in U.S. legislation is found in the Trading With the Enemy Act of October 6, 1917.

The termination of the last remaining World War I functions—impeded by the outbreak of World War II—was not accomplished until 1956, some 38 years after the conclusion of hostilities. Fortunately, we shall be able to conclude the affairs related to World War II in only 21 years, and I welcome this occasion to report that this objective is now finally in sight.

I would take this opportunity to observe that we of the United States enjoy the unique and blessed distinction of having, as a Nation, no traditional or historic, and certainly no "natural" enemies, among other nations and other peoples on this earth. We greatly prize this good fortune and I know it is the will of the people, of the Congress, and certainly of the Chief Executive that such amity and friendship may be preserved forever, through growing understanding and unwavering pursuit of our objective of peace with honor among all men and nations.

LYNDON B JOHNSON.

THE WHITE HOUSE, *June 10, 1965.*

AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. RIVERS of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8439, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, it is with pleasure that I come before you today to present the fiscal year 1966 military construction authorization bill. In so doing, I want to assure the membership of this body that I am bringing to you a bill which was approved by the Armed Services Committee by a unanimous vote. We believe it is a good bill—squarely meeting the needs of the military departments. We believe, too, that certain provisions in this bill will return to the Congress the powers which the framers of the Constitution meant for us to have and to retain. We believe it is a well-conceived bill—without austerity and also without frills—permitting us to meet our responsibilities in these troublesome times.

GENERAL FACTS

The purpose of this bill is to provide military construction authorization and related authority in support of the military departments during fiscal year 1966.

This is an authorization bill which is necessary for enactment before appropriations can be provided to finance these activities of the military departments during fiscal year 1966.

Mr. Chairman, we have today the strongest military forces in the peacetime history of the world.

Our Armed Forces have now achieved an excellent balance in both nuclear and conventional war capability so that we are capable of providing the flexible response that might be necessary to meet any emergency at any time any place in the world.

OUR MILITARY STRENGTH

Our military strength is a combination of nuclear and conventional war capability.

Our nuclear capability consists of:

Our Strategic Air Command forces with 935 bombers.

Our existing fleet of 26 Polaris submarines which, by fiscal year 1967, will be increased to 41 Polaris submarines, which will have 656 missiles.

Our 854 intercontinental ballistic missiles which, by the end of 1965, will be increased to 1,054 ICBM's made up of Titan and Minuteman missiles.

This is our nuclear capability today and as it will be next year.

Our conventional forces include 16 combat-ready Army divisions, 3 combat-ready Marine divisions, 885 naval vessels, of which 672 are combatant types, and our tactical air support.

These nuclear and conventional war forces are supported by a total of 2,640,266 personnel distributed among the several military departments, as follows:

Army	953, 094
Navy	684, 848
Marine Corps	193, 190
Air Force	809, 134
Total	2, 640, 266

In summary, therefore, these are the operating forces which this proposed construction will support and enable them to continue to provide for our national security.

The bill as submitted by the Department of Defense, together with subsequent requests for adjustments, totals $1,953,293,000, which included $9,823,000 for deficiency authorizations.

The bill as submitted by the Department included $735,600,000 for all housing expenditures of the Departments proposed for fiscal year 1966.

Therefore, the bill, exclusive of housing costs, represents a total of $1,217,693,000.

In comparing this year's departmental request to that of last year, I find them reasonably comparable.

Last year the Departments requested a grand total of new construction authorization in the amount of $1,847,200,000.

This year the Departments requested $1,943,470,000 of new construction authority.

Therefore, the request this year for new construction authorization is approximately $96 million greater than that made by the Departments last year.

Last year the Congress reduced the Department's requested new construction authorization by $315,516,000, and granted approval for construction for fiscal year 1965 in the amount of $1,531,684,000, all of which was proposed for funding. And the Department is requesting the funding of its entire fiscal year 1966 military construction request, except for the $30 million in emergency construction authority contained in sections 103, 203, and 303 of the bill.

In summary, therefore, the Department's request is approximately $96 million greater than that requested last year, and approximately $412 million more than that authorized by the Congress for fiscal year 1965.

ARMED SERVICES COMMITTEE ACTION

The Armed Services Committee, after extensive hearings by the full committee, reviewed each of these line items requested by the Departments and ultimately reduced the bill by $10,570,000.

The committee reduction of only $10½ million is minor when compared with the $315 million reduction made by the committee last year on the annual military construction bill.

Why was such a small reduction made when the bill was for nearly $100 million more than was requested last year? Rather than reflecting lack of consideration of the items, I believe the results of the committee action show that we are realistically meeting our broad responsibility in providing to the Department of Defense and the services the essentials they need for operation, training, and the facilities needed to attract and retain much-needed personnel.

The committee recognized that not only do we have military commitments all over the world, we also have strong military involvements in several areas of the world—and military commitments and military involvements require military construction.

In times such as we are now experiencing, military construction at military bases overseas is not in itself sufficient. Operational and training facilities in the United States are required also.

And the cycle does not end there.

At a time when the retention rate is the lowest in years, it became essential to look at its causes. As I indicated when I appeared before you on the military hardware bill, pay is one of the chief causes for lack of retention, but another major factor is housing, not only for the troops, but also for their families.

In assessing these broad areas of need, the committee became convinced that the facilities are essential.

The Committee on Armed Services is convinced that this minor reduction, the major part relating to one classified project, will certainly not impair the operational effectiveness of the armed services nor will it in any way jeopardize our national security.

NUMBER OF BASES AND LINE ITEMS IN THE BILL

This bill authorizes construction at 427 military bases throughout the world.

Included in the construction authorization for these 427 bases are approximately 1,372 line items.

Also included in this construction authorization are 12,300 individual units of military family housing.

There are no new bases proposed for construction in this bill.

All the construction authorized by this bill will occur at existing bases and military installations throughout the world.

HOSPITALS

Included in H.R. 8439 are authorizations amounting to approximately $52 million for medical facilities of all types. These include hospital additions, dispensaries, dental clinics, and complete hospitals.

Approximately $22 million of this total authorization is allocated for the construction of eight new hospitals.

These eight hospitals are distributed as follows:

Place	Number of beds	Cost
Army:		
Fort Devens, Mass	116	$4, 794, 000
U.S. Military Academy, New York	100	4, 930, 000
Fort Benjamin Harrison, Ind	40	2, 088, 000
Fort Stewart, Ga	38	1, 887, 000
Fort Irwin, Calif	24	1, 847, 000
Navy: Classified location	100	2, 000, 000
Air Force:		
Turner AFB, Ga	55	2, 443, 000
Ankara AFS, Turkey	65	2, 301, 000
Grand total		22, 290, 000

The costs for the military hospitals contained in this bill have been carefully reviewed, and it is gratifying to note that these continue to compare very favorably with the costs for civilian Hill-Burton hospitals.

The costs for Hill-Burton hospitals have shown a 2.5-percent increase over the past years, whereas military hospital costs have remained unchanged for the past 4 years.

The actual dollar cost for military hospitals in a normal cost region varies from $29 to $33 per square foot, depending upon the size of the hospital.

During the hearings on last year's construction bill a special subcommittee was appointed to look into the matter of requirements for military hospitals. As an outgrowth of their findings, and recommendations of that subcommittee, this committee approved a new section 610 to be added to H.R. 8439 which will require that beds for retirees and their dependents and obstetrical facilities will be provided in all new military hospitals.

UNUSED AUTHORIZATION

The Committee on Armed Services has made a determined effort over the past few years to reduce the amount of unfunded and unused construction authorization available to the military departments.

In order to avoid the unnecessary accumulation of unused authorization, the committee has reduced the period of validity of authorizations provided in the annual military construction bill to a 2-year period for all facilities other than military family housing.

In the case of military family housing, the authorization is limited to a 15-month period.

As a consequence of this action, the unused authorization of the military departments has decreased from a high of approximately $2½ billion in fiscal year 1957, to an estimated $95 million in fiscal year 1965.

LAND ACQUISITIONS

The bill as submitted by the Department proposed the acquisition of approximately 17,000 acres of land at a total estimated cost of $5½ million. This is substantially less than 1½ million acres at an estimated cost of $32 million requested in fiscal year 1965.

The committee approved without change the departmental request for land acquisition.

The bulk of the land acquisitions included in the 17,000 acres approved by the committee involves the fee acquisition of 15,000 acres of land for the Western Test Range in California at a cost of slightly more than $4 million.

And speaking of land, the committee was convinced that there was a military necessity to retain in the Department of Defense inventory the land comprising the Bolling-Anacostia complex. Experience shows that when prime land such as this is disposed, there is a necessity to acquire other land at premium prices. Therefore, the committee included in this bill a provision requiring a specific act of Congress before the Bolling-Anacostia land could be removed from the Defense inventory.

I have also asked the Real Estate Subcommittee to make a thorough inquiry into the whole matter.

BASE CLOSURES

Certain of the construction authorized in this bill is related to base closure action recently announced by the Department of Defense.

The committee was advised that construction projects associated with base closures included in the bill total approximately $50 million, with an additional $27 million being required during the next 4 fiscal years—fiscal year 1967 through fiscal year 1970—for a total requirement of approximately $77 million.

The Department advised the committee that when the base closures made possible by these projects are completed the construction economies resulting from these consolidations of activities will produce savings of $25 million by terminating approved prior year construction projects, plus the cancellation of projects totaling $69 million no longer required during the period fiscal year 1966 through fiscal year 1970; for a total of $94 million. This would indicate a net savings in construction of $17 million.

In order to insure that the Congress is properly informed and consulted prior to the closure or substantial reduction to any base, the committee has added a new section 608 to the bill which states:

> The Secretary of Defense or the Secretary of a military department, or the designee of either, may not close, substantially reduce, or consolidate any military camp, post, station, installation, or facility located in the United States and Puerto Rico, until the expiration of 30 calendar days of continuous session of the Congress following the date on which the Secretary of Defense or the Secretary of a military department reports the pertinent details of the action to be taken to the Armed Services Committees of the Senate and of the House of Representatives.
>
> If during such period a resolution is reported by either of the said committees stating that the proposed action should be rejected by the resolving House because if carried out it would in the judgment of the said resolving House tend to impair the defense of the United States such action shall take effect after the expiration of the first period of forty calendar days of continuous session of the Congress following the date on which such resolution is reported; but only if, between the date of such reporting in either House and the expiration of such 40-day period such resolution has not been passed by such House.

Now, there will undoubtedly be those who will seek to nit pick this section of the proposed legislation with technical objections.

I think it is quite clear what the committee has in mind.

No camp, post, station, installation, or facility may be closed, substantially reduced or consolidated until the Congress has had the opportunity to study its effect upon the national security.

This does not mean that a division of troops needed for military operations cannot be ordered overseas. It does not mean that a squadron of aircraft located on an air base cannot be relocated for tactical reasons because of necessary military operations or possible military operations.

But it does mean that an air base cannot be closed down and the aircraft transferred to another base permanently, until the Congress has been advised.

Mr. THOMSON of Wisconsin. Mr. Chairman, I make the point of order a quorum is not present. I think this is a very important subject, and I wish all Members were here to listen to the distinguished chairman of the Committee on Armed Services explain this bill.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Andrews, George W.
Bolton
Bonner
Bow
Bray
Brock
Brown, Ohio
Callaway
Cameron
Chamberlain
Clancy
Clawson, Del
Collier
Cooley
Dawson
Devine
Diggs
Evins, Tenn.
Fogarty
Ford, Gerald R.
Fraser
Frelinghuysen
Grider
Halleck
Hansen, Idaho
Hansen, Wash.
Harvey, Ind.
Hébert
Helstoski
Holland
Ichord
King, N.Y.
Kornegay
Landrum
Langen
Lindsay
Mailliard
Matsunaga
Miller
Mink
Mosher
Nedzi
Pike
Powell
Price
Reuss
Selden
Smith, Calif.
Steed
Teague, Tex.
Toll
Wilson, Charles H.
Wright

Accordingly, the Committee rose; and the Speaker having assumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee on the Whole House on the State of the Union reported that that Committee, having had under consideration the bill H.R. 8439, and finding itself without a quorum, he had directed the roll to be called, when 381 Members responded to their names, a quorum, and he submitted the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the point of order of no quorum was made, the gentleman from South Carolina [Mr. RIVERS] had consumed 26 minutes.

The gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Chairman, as I was attempting to explain to the membership of the Committee, section 608 means that a division cannot be transferred from one base to another base, on a permanent basis, with the idea of closing the base as soon as the troops are transferred.

There is no intention of tying the hands of the President or the Joint Chiefs of Staff with respect to the movement of troops to meet tactical situations, threatened aggression, or actual military commitments.

But I am confident that there will be some who will raise objections to this provision on the grounds that troops cannot be transferred without the prior approval of Congress.

This is not the intent of the provision and I am sure that no Secretary of Defense would interpret it in this manner if he had to meet a military situation.

You know the purpose of the provision. I know the purpose of the provision. And any responsible person who interprets the provision knows the purpose.

But there is a game that goes on in some parts of the executive branch of the Government, whenever they want to shoot down any original idea that emanates from the Congress. Their idea is that the Congress is not supposed to have any ideas of their own.

Instead, we are supposed to rubber-stamp only what is submitted for approval.

I was not elected for that purpose.

And section 608 is our way of once again advising the executive branch of the Government that we are partners in maintaining the defense of the Nation.

We will meet the other branches of Government more than halfway.

But bear in mind that the Constitution specifically mentions national defense and gives the Congress the power to raise and support armies and provide for a Navy.

If we have the exclusive authority to raise and support armies and provide for a Navy—are we powerless to prevent their dissolution? If we—and we alone—can build military camps and stations—are we powerless to prevent their closing? I certainly hope not.

Does it make any sense that four committees of the Congress are required to act on every request for facilities costing over $25,000 and yet, at the same time, the Secretary of Defense can close installations costing hundreds of millions of dollars without getting the consent of Congress? We of the Armed Services Committee believe that this does not make any sense.

Therefore, I ask each of you to join with me in supporting this provision of this bill.

ANALYSIS OF THE BILL

The military construction authorization for fiscal year 1966 as reflected in H.R. 8439, contains two distinct parts:

First. The authority to provide and construct new operational facilities in the amount of $1,193 million to support the Active and Reserve Forces, and second, the authority for military family housing in the amount of $732.1 million.

Now, I would like to briefly review the $1,193 million authorization for the Active and Reserve Forces by relating it to the nature of the support which this construction is intended to provide the operating forces.

STRATEGIC OFFENSIVE AND DEFENSIVE FORCES

In support of these forces, which I will treat together in this statement, we have authorized $71 million in construction. This includes facilities for offensive missiles, our manned bomber force and our continental air and missile defense forces. Facilities to support these missions are sharply reduced over previous years, amounting to only 6 percent of the fiscal year 1966 program. Work on new ICBM sites is essentially completed except for silos for the last Minuteman squadron authorized last year for Malmstrom Air Force Base, and placed under construction contract in February 1965.

GENERAL PURPOSE FORCES

The committee has allocated approximately $330 million of new construction in support of our general purpose forces.

These projects include almost $108 million for troop housing and community facilities for the Departments of the Army, Navy, and Air Force.

This category of construction also includes new operational, training, and maintenance support facilities for the Army, Navy, Air Force, and Marine Corps. Of particular significance, some $22 million is proposed for tactical aircraft shelters in Europe and in the Pacific area.

AIRLIFT AND SEALIFT FORCES

The committee provided $29 million in support of our airlift and sealift forces. Some $23 million of this would go into the Department of the Air Force to provide support facilities for troop carriers, cargo aircraft, and MATS; while some $6 million would be provided the Department of the Army to consolidate facilities of Army transportation activities principally at the Bayonne Naval Supply Center, N.J.

RESERVE FORCES

Authorization for construction of Reserve facilities proposed in fiscal year 1966 is substantially reduced over fiscal year 1965 since no additional authorization is proposed at this time for the Army Reserve Forces. The Department of Defense recommended that residual lump-sum authorizations for the Army Reserve and Army National Guard enacted during the last session of Congress should provide sufficient construction authority during fiscal year 1966, while decisions with respect to the proposed realined force structure are being made. Since the committee has not yet ascertained its final position in regard to the proposed merger of the Reserves and National Guard, H.R. 8439 omits such provisions.

The amounts approved for the Air Force and Navy Reserve Forces again follow the lump sum authorization procedures reinstituted by the Congress in 1963 under which the Congress is notified in advance of the specific projects to be undertaken. A total of $21.3 million is programed for these purposes, consisting of the following:

	Million
Naval and Marine Corps Reserve	$8.9
Air National Guard	9.0
Air Force Reserve	3.4

RESEARCH AND DEVELOPMENT

The committee authorized new construction in support of various research and development programs amounting to $118 million.

Twenty-four million dollars of this is intended for support of the Nike X development and test program on Kwajalein Island.

An additional $94 million will provide various research and development laboratories and support facilities for the Army, Navy, and Air Force.

GENERAL SUPPORT

As might be anticipated, the largest single element in the military construction program is the provision of general support facilities.

Included in this category, which totals some $594 million, are approximately $89 million of new military training facilities and $62 million for communications facilities. Some $177 million is included for troop housing and community support facilities. I am pleased to state the committee has approved some 57,700 new barracks spaces and 5,700 new bachelor officer quarters in this bill.

EMERGENCY UNFORESEEN REQUIREMENTS

Sections 103, 203, and 303 provided contingency unfunded authorization for the three military departments in the amount of $10 million each—a total of $30 million. Use of this authorization to proceed with construction made necessary by changes in missions and responsibilities due to unforeseen security considerations, new weapons development requirements, or improved production schedules, is subject to the prior scrutiny of the Committees on Armed Services to insure that the statutory criteria has been observed.

Unused portions of this emergency authorization automatically expire on September 30 of each year following enactment.

FAMILY HOUSING

As members of this committee will recall, the military construction authorization bill contains within it authorization for all costs related to military family housing.

The total amount requested by the Department of Defense in support of military family housing for fiscal year 1966 was $735,600,000.

The committee authorized $732,100,000.

This authorization is reflected in section 508 of this legislation. Subsection (a) of section 508 authorizes $242,400,000 in support of new construction and certain construction related projects.

This includes: $224,934,000 for 12,300 new units of family housing; $1,080,000 for the construction of 600 trailer spaces for military personnel owning their own trailers; $18,196,000 for improvements to adequate quarters; $1,500,000 for relocation of 200 relocatable housing units from Glasgow Air Force Base; minor construction in the amount of $1,210,000; planning moneys of $1 million.

The total of these authorizations amounts to $247,920,000. Against this total, the Department of Defense is applying $5,520,000 of construction savings from previous years programs. This then leaves $242,400,000 authorized by this committee for appropriation.

Subsection 508(b) of H.R. 8439 provides the balance of the support costs of military family housing. These items which were approved in their entirety include the following:

Operating expenses	$171,786,000
Leasing	21,465,000
Maintenance for real property	133,951,000
Debt payment—principal	74,016,000
Debt payment—interest and other expenses	87,179,000
Mortgage insurance premiums, Capehart and Wherry	3,495,000
Servicemen's mortgage insurance premiums	4,940,000

The total of these items is $496,832,000. The Department of Defense anticipates reimbursements to the family housing account of approximately $7,132,000. Consequently, the amount of new appropriations authorized by the committee for the support of family housing is $489,700,000.

Although this figure of almost a half billion dollars in support of military family housing seems unfortunately large, let me point out that more than this amount of money would be required as an annual Federal disbursement whether or not we have any military family housing. This would occur since military families occupying the more than 365,000 sets of family quarters will forfeit their quarters allowances in an estimated amount of $510 million. Thus, if there were no quarters available, these individuals would be eligible for and receive a monetary allowance in lieu of Government quarters. The cost would then be reflected in additional requirements by the departments for military pay and allowances.

CHANGES IN COST LIMITATIONS ON FAMILY HOUSING

The committee has eased some of the cost limitations on family housing in order to provide required flexibility in the administration of the housing program.

Specifically, an increase in the cost limit to the 5-foot line for housing for general officers from $24,000 to $26,000 has been approved. In conjunction with this, the total cost limitation for general officers' housing has been increased to $32,000. These changes were required in order that general officers' housing may have a similar cost per gross square foot as the housing for all other ranks.

In lieu of increasing the average unit cost of $17,500 which previously was applied per project, the committee changed this limitation to be applicable to each military department's domestic program.

In a similar vein, the $160 average per month limitation for the leasing program has been applied upon the military departments' overall leasing program rather than on an individual unit.

This year, a special exception to the cost limitations is being granted for the project at the U.S. Military Academy at West Point. The total average cost at West Point will not exceed $36,000 per unit. This exception is required due to the extremely rocky and steep terrain of the housing site and the high cost of labor in the area.

A further special exception to the cost and space limitations is for the acquisition or construction of two sets of representational quarters. These quarters would be authorized at $100,000 each and are over and above the 12,500-family housing units previously mentioned.

LEASING AND RENTAL GUARANTEE

The committee has authorized an increase in the Department of Defense's domestic leasing program from 5,000 units per year, with the leasing on a single-unit basis. The committee feels that leasing may offer a desirable alternative to construction in some instances and should be expanded to help alleviate the problems encountered by the departments in some areas.

Finally, in the legislative changes for military family housing, we are extending the current limitations upon the rental guarantee program.

COMPETITIVE BIDDING

I would like to point out that, historically, practically all of this construction is accomplished through competitive bidding.

The Department advises that in fiscal year 1964, 96 percent of this construction was accomplished through competitive bidding, and the Department anticipates the same approximate percentage during fiscal years 1965 and 1966.

SUMMARY

I have attempted to provide a general review of the more important features of this legislation.

As I mentioned at the outset of my statement, approval of this legislation by the Congress will authorize construction for the military departments for fiscal year 1966 in the amount of $1,934,927,000, which includes $1,925,104,000 for new authorization and $9,823,000 for deficiency authorization.

Mr. Chairman, the House Armed Services Committee worked long and hard on this bill. It was unanimously supported by the members of the Armed Services Committee. In my opinion, it is a sound bill, and I urge the support for the bill in its entirety by the Members of this great body.

I want to thank you for your kind attention. I want to tell you we worked pretty hard on this bill. We got it out in record time. There are over 12,000 line items in the bill and almost 500 bases. We worked day and night with an amazing attendance. There are 37 members on the committee and generally 37 members were present. It is a great tribute to the Congress and a great record for this committee, and I am honored to be chairman of this dedicated committee.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from California. I know he has an important announcement to make.

Mr. MILLER. Mr. Chairman, I want to announce the Russians have Lunik-6 on its way to the moon. They tried to make a midcourse correction. They could not bring it back and they are going to miss the moon by about 99,000 miles.

Mr. RIVERS of South Carolina. That is good.

The CHAIRMAN. The gentleman from South Carolina has consumed 40 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, your Committee on Armed Services has met in day and night sessions over the past several weeks for hearings on the defense military construction authorization bill for the fiscal year 1966. Before these hearings started, every member of the committee was furnished a set of program books by each participating Department, and these were most helpful in acquainting members with the items involved preparatory to the actual testimony being presented. In 2,517 pages of hearings, the committee examined in great detail the requirements of the Department of Defense.

As the ranking minority member of your Committee on Armed Services, I agree fully with the remarks by our able chairman in his presentation of the military construction authorization bill. It has my personal support. The committee chairman has been clear and succinct in his outline of the details of this complex bill. He has pointed up several problems with which the committee was confronted and the proposed solutions. I believe these recommended solutions will reaffirm the related constitutional responsibilties and prerogatives of the Congress.

The bill would authorize approximately 1,370 individual construction line items. Many of these are new types of facilities needed to keep abreast of the developments in modern warfare, to keep up with technological improvements in equipment and weapons systems. The various types of structures run the gamut of facilities required to operate and maintain today's military installations for support of the operating forces. A relatively large segment of the line items is for our uniformed people, to better their living conditions with decent barracks, bachelor officers' quarters, mess halls, chapels, athletic fields, and family housing.

One other subject deserves comment—"gold flow." The committee carefully examined all overseas projects in gold flow areas to insure, first, that only essential items were included in the bill and, second, that construction procedures will minimize the funds flowing into international balance of payments.

This legislation represents the second of three increments in support of the Military Establishment. The first, the Military Procurement Act, is now law. The third phase, personnel problems, will be presented in a series of bills with primary attention to compensation.

I should now like to speak in support of the specific titles.

TITLE I—ARMY

Title I proposes new authorization for the Army in the amount of $365,026,000. Of this amount $267,795,000 is for projects inside the United States, $7,391,000 is for projects outside the United States, $79,840,000 is for classified projects and $10 million is authorization to meet unforeseen emergencies.

The Army is continuing its effort initiated several years ago to emphasize replacement of its inadequate temporary facilities. In 4 years, this effort has more than doubled. Approximately one-quarter of the Army's physical plant at its permanent installations consists of World War II and prior temporary structures. Members of this body who served in the Army during World War II remember the cantonment-type construction thrown together hurriedly with green lumber and only the barest of utilities. Who would have guessed then that many of those buildings, designed for a 5-year life, would still be in use 25 years later? While the total building floor area actually occupied by the Army at all of its active nonindustrial installations is considerably greater than that occupied by the Navy and Air Force, the Army has the smallest percentage of permanent facilities and the largest percentage of temporary facilities. More than one-quarter of the Army's assets are in temporary space. This is five times as much temporary space as either the Navy or the Air Force occupy. Therefore, the Army's replacement program is urgent.

Let us now consider title I from a standpoint of major categories of construction. In the category "Troop housing and community facilities," we have approximately $133 million. We now authorize troop housing largely in terms of barracks complexes which are manageable units of barracks construction with essential associated troop support facilities. This bill would authorize 25,000 enlisted men's barracks spaces in the United States. This leaves a deficit of 127,000 barracks spaces the Army hopes to provide by 1973. The bill would also provide for 1,600 spaces for bachelor officers which will raise the Army's permanent assets to 11,000, or one-half of the total requirement.

The next important category is "Operational and training facilities," $72 million. This provides for a wide range of items such as air defense—Nike-Hercules and related facilities—a POL pipeline in Alaska, Army Security Agency facilities, Army airfield facilities, and completion of the Southeastern Signal School at Fort Gordon, Ga.

The largest single requirement in the $40 million research and development facility package is $24 million for facilities required to support the test and evaluation of the Nike X missile system. Decision concerning future deployment of this system will depend upon test and evaluation using the proposed facilities.

To keep the Army's materiel in first-class fighting condition, ready to respond to any emergency, requires first-class maintenance facilities at all echelons from the tactical unit shops to the rebuild depot. This bill would provide $32 million for such facilities. It includes the first of the Army's new consolidated field maintenance shops developed after extensive study and based on the latest industrial engineering concepts borrowed from American industry. The first of these will be located at Fort Carson, Colo., to support the 5th Infantry Division—mechanized—and will maintain over $225 million worth of division materiel. This bill would also provide 16 tactical equipment shop projects for organizational maintenance of wheel and track vehicles.

This year we are supporting the Army's request for $22 million in administrative facilities, including three major command headquarters. After hearing the Army's testimony, the committee is convinced that senior staffs making important decisions regarding training, equipping, and deploying, the Army should be housed in office space reasonably comparable to that used by the business community. The continued use of improvised makeshift buildings not functionally suitable for major command headquarters adversely affects the high standard of performance expected in the management of our military resources. No suitable facilities exist.

This bill includes $22 million for medical facilities. It provides for the replacement of five deteriorated, inadequate hospitals at Fort Devens, Mass.; Fort Stewart, Ga.; Fort Benjamin Harrison, Ind.; Fort Irwin, Calif.; and at the Military Academy. It also provides for an addition to the hospital at Fort Belvoir, Va., construction of several dental clinics, and an area medical laboratory at Fort Sam Houston, Tex. The Army Medical Service is to be complimented on the progress made in improving the general health of the Army, lowering the number of ineffectives due to sickness and injury, and the number of hospital beds occupied. Were it not for the accomplishment in this field, the size and cost of the hospitals now being programed would be considerably larger.

The remainder of the proposed authorization is devoted to essential items such as utilities and supply facilities and $10 million of emergency authorization.

You will recall that authorization to increase the corps of cadets at the Military Academy necessitated a comprehensive program for expansion of facilities at West Point carefully time phased so as not to disrupt the normal operations of the Academy. In addition to the hospital already mentioned, this bill continues the expansion and modernization plan initiated last year. Members of the committee have reviewed plans on the ground at West Point with the Superintendent to insure that the architectural plans will preserve the nature of the Academy as a national shrine as well as an educational institution.

TITLE II—NAVY

The Navy would be authorized military construction in title II in the total amount of $319,722,000. This amount includes $234,187,000 for projects inside the United States, $34,436,000 for projects outside the United States, $41,099,000 for classified projects, and $10 million for emergency projects.

In recent past years the Navy has had to modernize its shore facilities in keeping with its advanced ships, aircraft, and weapons systems. Major portions of its budgets during those years were for projects having direct impact on its operations. As a result, less than 15 percent of those budgets were for improving living conditions for the sailors and marines. Many of these dedicated officers and enlisted men serve protracted tours of duty at sea and at advanced bases separated from their families and friends. To mitigate these hardships the Navy has assigned over 25 percent of its program this year to what I would call people facilities. These include new and rehabilitated barracks, bachelor officers' quarters, messhalls, and a few athletic and recreational facilities, and chapels. Approximately 40,000 spaces would be provided in these barracks and bachelor officers' quarters for the Navy and Marine Corps enlisted men and women and officers.

The Navy has continuing requirements ashore to support its fleet of surface ships and submarines.

This bill would authorize the modernization of various facilities totaling $28 million. This program would affect all the naval shipyards remaining in active status.

The other projects include consolidation of shops for maintenance and repair of equipment and devices common to modern warships; improvement of existing drydocks to accommodate the longer and deeper draft nuclear submarines and destroyer-type ships; additional and increased scope of utilities to support modern ships; and several other facilities within the modernization framework, such as crane tracks at the Philadelphia Naval Shipyard. Convinced by testimony of certain deficiences at the Boston Naval Shipyard, the committee approved two additional line items for this yard.

The need for shore support of our ships extend beyond naval shipyards. From time to time ships must return to their homeports or stop at other bases for logistic reasons. They berth at piers to conduct routine maintenance or emergency minor repairs, to refuel, to off- or on-load troops, supplies, and so forth. The bill would authorize approximately $34 million for the construction of projects at a number of our naval stations and bases to improve their capabilities for carrying out these functions efficiently and effectively. Projects in the bill for these needs are at east and west coast stations; at Guantanamo Bay; and in Okinawa.

Within the Navy's bureau organization, the Bureau of Naval Weapons supports Navy and Marine Corps aviation and ordnance installations. Projects in the bill for these activities total nearly 40 percent of the Navy program, or $124.7 million. Nearly 30 percent of the amount is for personnel support facilities. The remaining projects will provide improvements at five different groups of stations. Three of these groups consist of 47 aviation installations; the fourth group is composed of 7 ordnance stations; and the fifth group is made up of 4 research and development stations.

Projects in the bill for the air activities range through the construction categories. They include such line items as airfield lighting, pavement, fueling and communication facilities, training buildings, maintenance hangars and shops, storage and administration buildings and utilities. The first of the air groups consists of nine naval air training stations where the embryo pilots and ground technicians are trained, mainly at the Pensacola and Corpus Christi complexes. The second group of 28 stations is widespread—from north to south on each coast and in the Atlantic and western Pacific areas. These stations conduct operational training of naval aviators and perform actual operations in support of the fleet. The third air group consists of 10 Marine Corps air stations on the east and west coasts and in Japan and Okinawa. They perform much the same mission as the preceding group, but with emphasis on close air support of the Marine ground forces.

The ordnance stations are on the east and west coasts and in Hawaii. Most of the facilities are for handling, maintaining or storing special weapons and disposing of faulty ammunition. The research and development stations are on the east and west coasts. The projects will provide research or development facilities peculiar to the specialty of each station.

The committee has also approved projects in the amount of $20.2 million at five installations for the Marine ground forces. Approximately 40 percent of these are for personnel support. One of the others is for a utility at the Barstow supply center. The remaining projects are for construction of training, maintenance, supply and administrative buildings and utilities. The four Marine bases, at Camp Lejeune, Camp Pendleton, Twentynine Palms, and Camp Butler, Okinawa, are utilized for operational training to maintain the Marines in combat readiness for rapid deployment.

The relatively large turnover of naval personnel and the increasing complexity of ships and weapons systems dictate the continuing induction and training of recruits and officers, and training of rated enlisted men in advanced technical skills. Projects are in the bill for 10 training stations in the amount of $46.8 million. Approximately 44 percent of this total is for barracks and mess halls. The remainder is for training buildings and essential station utilities. A project of special importance will complete the construction of the science building at the Naval Academy.

Projects approved at nine naval hospitals in the United States total $13.5 million of which approximately one-third is for replacement barracks. The balance of $9 million will provide a consolidated dispensary and dental clinic at Pearl Harbor, a long-delayed replacement of the outpatient clinic at San Diego, and a replacement of temporary hospital wards and related spaces at Newport. The Navy has testified that this hospital will have the capability to care for obstetrical cases and for retirees and their dependents.

Because of the nature and sphere of its operations the Navy places great dependence on reliable, accurate, and rapid communication. The bill would include $21.6 million for projects at 25 shore installations within the Navy's worldwide communication system. These are mainly for updating the communication, intelligence collection, and associated facilities, with particular emphasis on provision of increased electrical power.

The remaining three groups of naval installations provide Navy-wide support. One of these, supply facilities, approved for $1.4 million, includes two projects for administrative facilities and a third for a ship-support POL pipeline at Newport. The second group covers research facilities for which three projects are included in the bill for $11.1 million. One project is for a chemistry laboratory at the Navy's renowned basic research laboratory, here in Washington. The last group consists of six projects for $6.1 million for yards and docks installations in the United States and at Subic Bay. These activities are operated by the Navy's civil engineers for support of major naval complexes and for training and supporting the famed fighter-builder Seabees.

As for the Army and Air Force, the bill contains $10 million authorization for the Navy to accomplish emergency construction.

TITLE III—AIR FORCE

Title III proposes new authorization for the Air Force in the amount of $386,915,000. Of this amount $227,516,000 is for projects inside the United States, $93,463,000 for classified projects, $55,936,000 for projects outside the United States, and $10 million is for emergency projects.

The Air Force real property facilities, like those of its sister services, consist, to a surprising degree, of buildings that have been kept in use long beyond their expected life span. Although the Air Force has received the largest portion of the construction authorizations over the past years, 95 percent of these authorizations have gone to house our Dewline, Sage, Bomarc, Atlas, Titan, and Minuteman and other similar systems of national priority. Only 5 percent of the authorizations were directed toward the replacement or modernization of the existing Air Force plant. This amount is entirely inadequate by any business or Government standard to protect our invested capital.

It is appropriate that the first Air Force construction program since fiscal year 1957 which does not contain authorization for a new operational strategic, defense, or tactical missile unit, should switch its emphasis to the modernization, replacement, and upgrading of facilities for our airmen and officers. In spite of the ever increasing sophistication of our aerospace forces, the training, attitude, and motivation of the people manning these forces is still the primary measure of their effectiveness. Over 25 percent of the Air Force authorization request is in the replacement and modernization of the plant, predominantly in the "people facilities" area I mentioned earlier.

Let me emphasize that this is the start of a program that will be with us again in the coming years. A 1-year effort cannot solve the problem built up over the past 15 or 16 years. Aerospace developments continue at a rapid pace. I should like to highlight some of the significant projects in this portion of the bill that reflect these activities. We are providing $36.7 million in the support of the strategic forces. These are facilities for our B-52's, KC-135's, and the supersonic SR-71 strategic reconnaissance aircraft. For the continued defense of our continent against air and missile attack some $27 million is required. These projects range from the replacement of a critical A.C. & W. station on the northern Alaskan coast to the second increment in our over the horizon radar net.

Our tactical forces are those that bear the brunt of our contingency operations in Vietnam, and must respond promptly in emergency situations such as the Dominican revolution. Here we are spending one quarter of our construction funds to insure their continued capability. A major project in this segment of the program is for the construction of aircraft shelters at overseas locations to protect tactical aircraft on the ground against conventional weapons attacks. The cost of these shelters is $22.4 million which is only a small fraction of the value of the aircraft they will protect. Also, new buildings to house the Tactical Air Command and the Strike Command will enhance the operational effectiveness of these headquarters.

In overseas areas our major efforts will be to provide for fuel and munitions storage, to expand our capabilities at Clark Air Base in the Philippines, and to consolidate all U.S. support activities in Ankara into one area which has been supplied by the Turkish Government.

I share our chairman's support for the airlift forces. I am tremendously gratified to see the first all jet aircraft specifically designed for air transport, the C-141, coming into use. There is $20 million in this bill to support the Military Air Transport Service. Half of that is for support of the C-141 aircraft.

Construction support of research and development continues as a significant and essential part of the Air Force program. Major expansions in our technology laboratories, wind tunnels, and test chambers are included. Improvement of our missile ranges and tracking stations are also provided. At the western test range a Titan III space launch booster complex and related land acquisition will yield a significant increase in our capabilities to make polar orbit space launches at a construction cost of $22 million.

The balance of title III provides a myriad of facilities essential to the housing, training, maintenance, and logistical support of our aerospace team as it is deployed around the globe. We have reviewed all of them, and have found them to be essential to the continued smooth functioning and rapid response capabilities of our Air Force. I recommend your continued support of the military construction program of the Air Force.

TITLE IV—DEFENSE AGENCIES

Under title IV, the bill would authorize $100,051,000 for projects in support of five Department of Defense agencies. Of this total $30,051,000 is for specific projects to construct new or to rehabilitate existing buildings at 12 military installations. These facilities are minimal to further the work of the agencies in the fields of atomic support, supply, security, and intelligence. Of particular significance are two projects for operational buildings in the greater Washington area, which are highly important to our military intelligence effort; and a project at Johnston Island to support nuclear weapons tests.

The balance of $70 million is for the Office of the Secretary of Defense and will serve two purposes; $50 million is to be used for unforseen emergency construction to support operations vital to the security of the United States. The need for this amount was discussed prior to enactment of Public Law 89-18. Your approval of it would be in agreement with our decisions at that time. The remaining $20 million is necessary to provide support facilities for advanced research projects.

TITLE V—FAMILY HOUSING

Title V of the bill would authorize family housing. Your Armed Services Committee approved virtually the entire Department request for military family housing. Such housing is a vital portion of the Military Establishment. If we are to retain our experienced personnel in the services, it is essential. The committee approved 12,300 new family housing units at a cost of $224.9 million. It also approved $507.2 million for general support of the housing program. This includes the building of some trailer court facilities, improvements to adequate quarters, minor construction, planning, and relocatable housing units. It also includes authorization of operating and maintenance expenses, debt payment and mortgage insurance premiums. I strongly urge your support of this program.

TITLE VI—GENERAL PROVISIONS

Title VI contains the general provisions of the bill. These are, in a sense, the rules for utilizing the authorization that would be granted in this bill. In the main, they follow the pattern of recent years. In my opening remarks I mentioned, by inference, certain special provisions that have been added by the committee this year. I invite your particular support of them. One, section 608, would set up a procedure for the Department to report to both Armed Services Committees of the Congress any planned base closure or substantial reduction; and to allow the Congress time to study the plans and to accept or reject them. The next section, 609, would require the Department to retain the land comprising the former airfield complex at Bolling-Anacostia. The third provision of special importance, section 610, would require the Department to include in every hospital it builds in the United States, facilities for obstetrical care and for the care of military retirees and their dependents. This is a debt that we owe to the military servicemen and their families.

TITLE VII—RESERVE FORCES

Title VII would authorize $8.8 million of construction for the Naval and Marine Corps Reserves, about half of which would be for facilities for aviation elements and the other half for training center or armory type facilities for nonaviation units. The Air Force Reserve would be authorized $3.4 million for its construction and the Air National Guard $9 million; this $12.4 million for these Air Reserve Forces would be divided almost equally among three missions—air defense units, tactical support units, and transport units. No additional authorization is proposed for Army Reserve or Army National Guard for fiscal year 1966. The proposal for realinement of these Army components has precluded use of the construction authorization already available during fiscal year 1965 and this will accommodate the construction needs during fiscal year 1966.

Mr. Chairman and gentlemen, I conclude my remarks with the recommendation that you approve this military construction authorization bill, H.R. 8439.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. LIPSCOMB. Mr. Chairman, first I should like to commend the gentleman for his presentation, and also the distinguished chairman of this committee [Mr. Rivers] for his presentation. The explanation of this important legislation has been very clear. I congratulate both these gentlemen and the committee on the job they have done on this bill. Will the gentleman yield further for a question?

Mr. BATES. I would be glad to yield to the gentleman.

Mr. LIPSCOMB. In a prior year the Congress authorized planning to improve and expand the Naval Ordnance Test Station at Pasadena, Calif. Can the gentleman tell me whether there is an authorization in this bill to go ahead with that improvement and expansion?

Mr. BATES. I regret to say that although this item was originally approved, as the gentleman will observe in the committee report, under a letter from the Secretary of Defense, they asked the committee to delete the item this year, and that is what we did.

Mr. LIPSCOMB. I think the decision at this time not to go ahead, as the gentleman points out by order of the Secretary of Defense, is a mistake. This is a laboratory that has had great accomplishments. They are working in their present laboratory under very difficult circumstances. The decision was made several years ago to go ahead with this particular improvement, and I believe the action taken by the Secretary of Defense to delete this item will delay construction of a needed laboratory in the vital field of underwater weapons. It could break down morale and hold up the work. NOTS Pasadena is doing important work in undersea warfare and I hope that the committee will persuade the Secretary of Defense to come to a decision and carry it out in the future.

Mr. BATES. I thank the gentleman for the information.

Mr. LIPSCOMB. I thank the gentleman for yielding.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. PIRNIE. Mr. Chairman, I would like to take this opportunity to offer my congratulations to my chairman and the gentleman in the well for very excellent statements respecting this legislation. I, too, feel that the bill represents a very solid contribution to the security of our Nation and also a recognition of the economies that must be practiced if we are to protect our basic strength.

Under the leadership of our distinguished chairman [Mr. Rivers] we have given close scrutiny to all line items, having been furnished detailed information well in advance of our hearings. This preparation expedited our action and gave additional objectivity to the testimony.

Mr. Chairman, I am pleased to join in the support of H.R. 8439. This measure is the result of careful study and analysis. Of special significance is the fact that our committee, during its hearings on the bill, received assurance that construction authorizations have been requested only for those installations that are expected to be operating for some time and in no instance, for an installation whose future is in immediate doubt. This, to me, is very vital and I am confident that my colleagues share this viewpoint.

The bill this year also represents, in my opinion, a forward step in the elimination of one of the major causes for trained personnel leaving the service; namely, inadequate family housing.

The family housing program as proposed by the Department of Defense reflects a well-balanced effort to provide additional facilities which are essential to retain in uniform highly skilled military personnel, as well as to assure continuing improvement in the management of a sizable, existing housing inventory. The Armed Services Committee, after making a comprehensive review of the proposals in this area is pleased to support them virtually without change.

Pursuant to a legislative requirement instigated by the House Armed Services Committee, the annual Department of Defense family housing authorization program embodies not only new construction, but all of the cost elements associated with the housing program. The total authorization requests approved by the committee amount to $744,752,000, of which $247,920,000 is for new construction and related activities, and $496,832,000 is for support costs including operation and maintenance of the existing inventory.

The committee supports a proposed expenditure of $224,934,000 for construction of 12,300 units of new on-post housing. We have been assured by the Department of Defense that such housing is proposed only for locations where the private community is unable to meet the need. The committee has examined the justification for every project and is convinced that all of those contained in the bill meet this essential criteria.

The committee noted with favor that the proposed construction program continues to give primary emphasis to the needs of enlisted men and junior officers. About 80 percent of the proposed construction is for enlisted men, and much of the balance is intended for junior officers. The proposed construction will permit separated families to be reunited in decent housing and will make available improved living conditions for families now in substandard housing, as well as alleviate hardships for families paying excessive charges for private housing or living at excessive distances from the serviceman's duty station. A small portion of the program will meet needs associated with current or planned mission expansions.

The Defense Department's comprehensive housing program also provides for construction of 600 trailer spaces for families which own their own trailers and prefer trailer living. These spaces will be located at four installations where there is a shortage of private adequate trailer court facilities in the community.

The committee received testimony concerning the domestic leasing program of the Department of Defense, and has given favorable consideration to the request that this program be increased from 5,000 to 7,500 units. The committee concurred in the Department of Defense views that leasing of private housing facilities is preferable to new construction, not only in areas where the duration of need is uncertain, but also in a number of high cost areas where military construction would be extremely expensive.

Other highlights of the proposed legislation include the following:

First. Improvements to existing quarters: The committee supports the request of the Defense Department for $18.2 million for this purpose. It is noted that this amount represents only about one-third of 1 percent of the acquisition value of the existing Department of Defense inventory, and we believe it is good business management to make this modest investment in order to preclude obsolescence of aging assets and to extend their useful life.

Second. Relocation of 200 units of relocatable housing from Glasgow Air Force Base, Mont. Department of Defense witnesses referred to the fact that Glasgow Air Force Base will be phased out and reported as surplus to the General Services Administration by July 1968; accordingly, the Department of Defense requested authority to proceed with relocation of these units in an orderly fashion in anticipation of that date. The committee fully supports the relocatable housing concept as a device to minimize losses resulting from military redeployments. It is noted that these units can be moved and reerected on new foundations at another location for a cost of about $7,500 each, which is less than one-half the cost of new construction. The language of section 507 of the bill provides that the Armed Services Committees receive advance notice of the proposed new locations and the estimated cost of relocation.

Third. Revised cost limitations: The bill as approved by the committee provides for a more flexible application of the existing $17,500 average cost limit per unit. It also provides for a more realistic cost limit for housing for general officers. Furthermore, owing to high labor costs and difficult site conditions, it provides a special cost ceiling for the proposed project at West Point.

Fourth. Representational quarters: The Department of Defense advised the committee that there are a limited number of positions, some 61 in all, within the Military Establishment which involve extensive public relations and representational responsibilities. The incumbents of these positions are called upon to represent the interest of the United States in numerous social activities involving foreign and/or U.S. dignitaries of high governmental and military rank, as well as outstanding members of the business, industrial, labor, scientific, and academic communities. Persons occupying these positions are in ranks 0-8 to 0-10. Typical of these positions are the Chairman of the Joint Chiefs of Staff, the Chiefs of Staff of the Army and Air Force, the Chief of Naval Operations, the Commandant of the Marine corps, commanders of joint commands, and the Superintendents of the various service academies.

In general, the incumbents of the positions identified as military representational positions are adequately housed. There are, however, a few who lack appropriate accommodations. In addition, there are some who reside in units which are not economical to operate and maintain. It is proposed to provide satisfactory quarters for those who do not now have such facilities and to replace those which are too expensive to continue in the defense inventory.

Military representational quarters cannot be obtained under current statutory size and cost criteria. At present, there are size limitations of 2,100 square feet—net—for family housing. Further, there are statutory cost limitations of $24,000 for the unit itself—and $28,000 for all costs including the site development work.

In fiscal year 1966, the Department of Defense proposes to acquire or construct two sets of military representational quarters. They are intended for use by the commander in chief, North American Air Defense Command in Colorado Springs, and the commander in chief, Strike Command, at MacDill Air Force Base. Both of these positions are occupied by four-star incumbents, and both of them qualify under the criteria noted above.

The committee is satisfied that this proposal is intended, not to provide extraordinary features for the personal enjoyment of the occupant of the quarters, but rather, to provide facilities of sufficient size and quality to permit senior military officials to appropriately fulfill their representational responsibilities.

Other important provisions of this measure have been adequately covered by our able chairman and my other colleagues on the Armed Services Committee. In summary, let me say that I am convinced that this bill is a good one and merits the support of every Member of the House.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman.

Mr. CUNNINGHAM. Mr. Chairman, with reference to the family housing which the gentleman touched on, is this a blanket authorization or is it an authorization for a certain number of units, we will say, for the Air Force; and do you specify how these units shall be distributed among the various installations?

Mr. BATES. I want to say to the gentleman that on each page of the justification sheets presented to us there were a certain number of houses to be built at certain bases within the various services. So, each of these units will be built at a particular base and have been so designated in the report before you.

Mr. CUNNINGHAM. Is that in this report?

Mr. BATES. Yes, and it is also in the committee bill.

Mr. CUNNINGHAM. If the gentleman will yield further, each base is specified as to the number of units you have authorized for that particular base?

Mr. BATES. In the backup information; that is correct. In the bill it will indicate family housing but not indicate the number of units. However, in the backup information you know specifically how many units will be placed at each individual base.

Mr. CUNNINGHAM. In glancing through the report I read that these units would be constructed if the local people did not meet the demand: Is that correct? These units are authorized and if private industry does not meet the needs——

Mr. BATES. Of course, as a matter of fact even after you investigate, you still find that there is a shortage of housing, but any time the local community can satisfy the needs, then we do not authorize these houses.

Mr. CUNNINGHAM. Who takes the side of private industry to point out that private industry can meet these needs? Do you have someone on the staff who does that?

Mr. BATES. I will say to the gentleman that this information is public knowledge. Generally, an area will know how many units will be placed there. It is debated and discussed in the hearings and the committee bill is public information. There is no secret about it. Oftentimes communities resent more houses being built in their area. With reference to this particular bill the gentleman from Pennsylvania appeared before the committee and he said that the building of some 200 units at Johnsville in Pennsylvania was not favored by the local people and, therefore, it was eliminated from the bill.

In years gone by we have gone down to North Carolina and we have gone down to South Carolina and made investigations of housing down there, on the complaints of military personnel and on the complaints relayed to us by chambers of commerce. We investigated the matter ourselves.

So, I will say to the gentleman that any time any area wants a day in court, we will investigate the matter very thoroughly.

Mr. CUNNINGHAM. Mr. Chairman, if the gentleman will yield further, insofar as Offutt Air Force Base is concerned, which is located in the congressional district which it is my honor to represent, if the Air Force stated they needed x number of units, would there be anyone from your committee or staff member who would investigate that request to see if their request was justified?

Mr. BATES. No, and no one appeared before us to the contrary. However, they indicated how many houses they were short there and at each base, and in the absence of any information to the contrary we went along with it.

Mr. CUNNINGHAM. I believe it was last year that I appeared before the Committee on Armed Services relative to Offutt and your committee cut down the request made by the Air Force. Then, when the appropriation bill came up they did not specify where these units should be built. They just said that the Air Force could have x number of units.

So, what the Air Force did in effect was to overrule what was done by the Committee on Armed Services and put the full number of units at Offutt that they had originally requested but which your committee had cut down.

This is what the Committee on Appropriations allowed them to do.

Mr. BATES. If there is no authority to build units at a particular base, I do not see how they could do it.

Mr. CUNNINGHAM. They did it.

Mr. BATES. I wish we had known about that and I think our committee would have taken action.

Mr. MIZE. Mr. Chairman, will the gentleman yield for a question?

Mr. BATES. I am delighted to yield to the gentleman from Kansas.

Mr. MIZE. On page 79 of the report where you outline the amounts of money to be spent in the various States other than housing construction, I notice that in the State of Kansas we have only four major installations, Fort Leavenworth, Fort Riley, McConnell Air Force Base, and Forbes Air Force Base located at Topeka, there is no money for constuction authorized at Forbes Air Force Base in Topeka.

Does that mean they did not apply for anything or did they apply and were turned down?

Mr. BATES. It means they did not get this far. Whether it was turned down by the Department of Defense or the Bureau of the Budget, I do not know.

I do know that our committee did not turn that down. No request came to our committee on this particular matter.

Mr. MIZE. I thank the gentleman.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from Ohio.

Mr. LATTA. I thank the gentleman for yielding. I want to call attention specifically to page 7 of this bill, line 7, the item:

> Letterkenny Army Depot, Pa.: Maintenance facilities, and utilities, $2,239,000.

At the same time I would like to call his attention to page 1936 of the hearings dealing with this subject, and I would like to recall a little history.

Several months ago the Secretary of Defense announced to the Nation, with a lot of fanfare, they were going to save millions of dollars by closing certain installations throughout the country. One of these installations happened to be Erie. At the time this closing was ordered I pointed out there were certain facilities, to wit, a building used and constructed especially for rebuilding of missiles which required a certain humidity content. I said it would seem to me this would have to be built if this facility was transferred. At that time it was pointed out there were not going to be any facilities built at Letterkenny, that they were adequate. Time has passed, and the Erie Army Depot is in the process of being phased out. But it seems as though we find now an item to provide a new shop to do the identical work they are doing at Erie at Letterkenny. I think the people out in Erie deserve some kind of an explanation of the matter.

Can the gentleman give us any enlightenment on that?

Mr. BATES. The justification for that is indicated on page 1936 of the hearings. I would like to say if functions are being performed and if those functions are necessary, if this function is transferred elsewhere the same work must be done. Ofttimes it is necessary to reconstruct a facility that was occupied previously somewhere else. I have seen overall figures indicating they will save overall but, as the gentleman indicated, if a function is important enough it has got to be done somewhere even if it means it must be developed somewhere else.

Mr. LATTA. I well realize the gentleman is giving the same argument that the Secretary of Defense gave at the time he ordered these closings. We also realize that the same people are being offered a transfer to Letterkenny, in this instance, and are being paid transportation costs, many of them upgraded at additional cost to the taxpayers to do the same work they were doing at Erie. I am not one who believes we are saving money by that. They had a specially constructed building that cost a million or two million dollars at Erie to do this work which was transferred to Letterkenny, and they were not doing the work. Now we find that in this bill.

I feel this is something that requires a little more attention than was given by the committee on page 1936 of the hearings, and apparently it is the reasoning given by the Department as the real answer to this problem. I do not think it is an answer at all.

Mr. BATES. I do not want the gentleman to misinterpret what I say. I do not attempt to justify the position of the Department of Defense.

Mr. LATTA. I am glad to hear the gentleman say that.

Mr. BATES. I want to make this comment as definite as I possibly can. We have a section in this bill, 608, that will require the Secretary of Defense to come before us in the future to avoid the very kind of situation the gentleman brings to our attention; but at the moment we do not have the right to keep open a base unless we put it in here very specifically by legislation. The gentleman has made the best case in the world that can be made for 608, which I support.

Mr. LATTA. I intend to support that section and I want to commend particularly the gentleman and the chairman of the committee for their foresight in putting this section in. I think this case in particular points out the need for that section and I intend to support it.

Mr. BATES. I thank the gentleman very much for his cooperation. I feel exactly the way he feels.

Mr. LATTA. I thank the gentleman.

The CHAIRMAN. The gentleman from Massachusetts has consumed 26 minutes.

Mr. BATES. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. Arends].

Mr. ARENDS. Mr. Chairman, there is little that need be added to what our distinguished chairman, the gentleman from South Carolina [Mr. Rivers], and our ranking minority member, the gentleman from Massachusetts [Mr. Bates], have detailed for us with respect to this bill. From their fine presentations it is evident that our Armed Services Committee as a whole, and the gentleman from South Carolina [Mr. Rivers] and the gentleman from Massachusetts in particular, have prepared this military construction authorization bill and painstaking care.

In reporting this measure, authorizing an appropriation of almost $2 billion, our committee has sought to have authorized no more, and no less, than is actually needed for our defense purposes. While the bill embodies practically everything the Department of Defense recommended, it nonetheless constitutes the independent judgment of our committee.

Our able chairman [Mr. Rivers] has made it abundantly clear, in what he has said and in what we have done since he assumed the chairmanship, that our Armed Services Committee is determined to reassert its constitutional prerogative—duty and responsibility—of deciding the size and nature of our Military Establishment.

Our committee will not rubberstamp anything. If we find a recommendation of the Secretary of Defense to be valid and justified, we will support it wholeheartedly and without hesitation. If, on the other hand, after careful evaluation of his request we find otherwise, our committee will have no hesitancy whatever in rejecting it.

We are not interested in the political implications—the political overtones, undertones, or what have you—of any given military project or proposition. We are solely interested in the facts, let the political chips fall where they may, that we may have a sound national defense and that we get a dollar's worth of defense for each dollar expended.

This may account for the Defense Department's request this year being somewhat more realistic than in prior years. It may account for the careful screening made by the Department, as well as by the Secretary of Defense personally, of the requests for new facilities submitted to our committee.

As I indicated at the outset, I have no intention of discussing this bill in any detail. It would be merely repetition of what has already been so fully and so accurately presented.

There is one aspect of the measure now before us which, in a very significant way, distinguishes it from the military construction bills of prior years. In previous bills the emphasis has been on "operational facilities." In this bill we have, at long last, emphasized "human facilities."

At long last, we have before us a military construction bill that takes cognizance of the fact that how our servicemen and their families are housed is as important as to how our missiles and planes are housed.

Around 30 percent of the amount embodied in this bill is for facilities—to provide adequate housing, medical care, eating and recreational facilities—for our service personnel.

This is why I call this a "human facilities" bill. And this is what especially commends this bill to me. We are proposing to correct a deficiency all too long neglected.

The bill before us provides for 89,551 space units for our enlisted personnel—7,093 bachelor officer's quarters units and 12,300 family housing units. This by no means provides all the current need, but it is a substantial beginning for correcting the substandard military housing conditions.

One of the basic problems of all the services, and particularly the Army, is the retention of its highly trained personnel. When the Secretary of the Navy appeared before our committee last March, he stated:

> The most important problem which confronts me today as Secretary of the Navy involves procurement of personnel and the retention of skilled, experienced military personnel as careerists in the naval services.

You may recall that a few weeks ago the Secretary of the Navy urged Navy personnel to extend their tours of duty in order to have adequate personnel of experience to meet the current defense needs arising from the international developments.

That we are obliged to continue the Selective Service Act and that we are obliged to have such an extensive Reserve training program, which is not entirely voluntary, in itself bespeaks the military personnel procurement and retention problem confronting us.

It takes a great deal of money and a great amount of time to train men to the skill necessary to operate today's intricate weapons and complex weapons systems. Every time one of our servicemen leaves the service we lose his technical skill and we lose our investment in him. We must repeat the cost of training his replacement.

There are two reasons why many young men decide not to remain in the military service. One is the poor living conditions and the other is the inadequate pay.

The military construction bill before us today is designed to improve the living conditions of our service people. It merits your support.

Our Committee on Armed Services is currently holding hearings on a military pay raise bill. We will shortly report a bill which, I am confident, will merit your full support.

Permit me to add that in my judgment it is utter nonsense for this Congress to consider any general Federal pay raise, as has been recommended, until we first of all grant a long overdue and much deserved military pay increase. The average pay of classified civil service personnel is now $7,368, while the average military pay, which includes basic pay, quarters and subsistence allowances, is only $5,692—a difference of $1,676. And I will frankly say that personally I am not at all impressed with the recommendation of the President's Special Panel on Federal Salaries, particularly as it relates to the pay of our uniformed personnel.

To say the least, the problem of procuring and retaining qualified Government civilian personnel is not by any stretch of the imagination near as serious as the problem of procuring and retaining qualified military personnel.

Let us put first things first. Let us first pass this bill to help deal with the living conditions of our service people. Let us then proceed with action of an adequate pay raise for our servicemen. If we do this we will have done much toward our continuing to have a National Defense Establishment second to none.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I take some pride in the fact that I am an alumnus of the great Committee on Armed Services. It is one of the great committees of the House of Representatives and it has contributed much to the positive, stabilizing, and reassuring fact of a powerful and positive defense. I am proud of the fact that my good friend, the distinguished gentleman from South Carolina, the chairman of the Committee on Armed Services, is in fact, a chairman. Nobody now discounts or denies that. The House has had time to watch him in action. We can be proud of the job he and his committee are doing. I am proud of this leadership and these contributions. Very fine work being done by the Committee on Armed Services.

Mr. Chairman, I have asked for this time in particular to talk about section 608 of the bill now before the House, and to express my support for that section.

The need for this section is attested by the confusion which now accompanies last November's base closing order. I have conducted hearings on military construction appropriations during most of the past month. The more fully I have become acquainted with the mechanics of the proposed base closures, the more disenchanted I have become with the entire procedure.

This is not to say that all bases should be maintained regardless of location and use. Of course, they should be closed when there is no justification for continued operation, or modified in scope if this will produce greater economy of operation. However, I think it proper that Congress should be a party to the changes in base structure. I believe this is a definite part of the constitutional authority which is granted to Congress in military matters. In any event, the Congress is an integral part of the national team and there is no reason on earth why Congress should be shut out on such considerations; left to learn about major changes in the defense program by reading it in the papers.

Let us look at the adverse side of the base closing picture. First there is the problem of moving people and equipment; this is costly. Wholesale shifting of families from communities in which they have taken root is not in any sense a desirable practice. But that is only the beginning of the problem. At the new base to which an activity has been moved, we find invariably that new facilities are required. It is not a case of moving into a vacant facility and setting up shop; new buildings must be constructed and today's construction is costly.

Then there is the problem of housing for the families that have moved; there is the problem of additional traffic congestion on the base and in the community; there is the problem of schools, shops, community facilities, and all the other things which must be provided for new families.

Yet this may be the least consequential part of the problem. Let us look at the community in which the base was closed. First you take jobs out of the community with a single stroke of the pen. For instance, there is the case of Brookley Air Force Base in Mobile where 12,000 jobs are being lost to the community. All of these are Air Force jobs. I think it undoubtedly true that when this much earning capacity is taken away from the Mobile community an additional 12,000 jobs will be lost from the business activities of the local community itself. This is a tremendous blow to any city. A smaller city would scarcely survive it. Mobile will be hard hit. When you take away the earning power of people, you destroy their ability to pay taxes. I am not at all sure that you are not going to hurt the taxpaying ability of the Mobile economy more annually than the savings which are claimed. Magnify this to greater or lesser degree by the 94 communities in which bases are closed or consolidated and I suspect the tax reductions in Treasury receipts over the period in which savings are claimed will more than offset those savings.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield, with respect to Mobile?

Mr. SIKES. I am pleased to yield to the distinguished chairman.

Mr. RIVERS of South Carolina. If Members of Congress do not know this, Brookley Air Force Base, at Mobile, Ala., is a vital installation, where they are rebuilding the F-105's. They have had to put in 300-plus hours on every one of those planes, to get them back off the ground. Those planes are vital in South Vietnam, yet the Department of Defense is closing this base, and shifting most of its operations all the way to Sacramento, Calif. This is one of the most vital bases we have, yet somebody is closing it.

We have had nothing to do with that. They are shifting it way across the continent, without our having had any opportunity to go into it.

If there has been a mistake made as to the closing of any base in America, that has been at Mobile. Why should the committee not go into these things?

In addition to all of that, the impact on the community is staggering. This is the only air base in the Nation where one can bring a tanker up and take it up to the dock and give it all the oil it needs. It is one of the most important bases we have, yet they are going to close it. That does not make sense, particularly now when the world is on fire.

If section 608 were a fact, this would have to be justified.

Mr. SIKES. I thank the gentleman.

Mr. Chairman, it is significant that the Department of Defense is going contrary to the findings of industry when it continues to build great military complexes. Industry has learned the hard way that if plants become too large they become inefficient. I predict the Department of Defense will have the same experience through overexpansion at some of our military facilities. Some of these are approaching 30,000 people—that is too many. As a result, many communities must go through all the growing pains which are associated with the growth of installations. Many other communities suffer retrenchment. They are left with an excess of nearly every type of facility. Not the least of these problems is that of surplus houses which have been built to house families now sent to another location.

Then there is the problem of the vacated base. There is not anything much more useless than the buildings, the utilities, the roads and all the other facilities which are associated with a closed base. Despite the fact that all of this was built upon the insistence of the Department of Defense that it was for a required and continuing need, it now becomes a costly and meaningless monument to somebody's bad judgment.

Nothing has been said about vulnerability to enemy attack. For years we have heard about the danger of overconcentration of military facilities, yet this is exactly what is being done. We are taking a bigger chance with each consolidation on having an essential part of our defense program plus an undetermined number of people wiped out with a single atomic strike. I am convinced that the Department of Defense has not looked carefully enough at the long-range effects of these proposals on local economy, on efficiency, and on base vulnerability. It is not too late to take a second look, and I think this should be done.

Apparently, no one foresaw the escalation of the fighting in Vietnam when the base closing order was issued last November. Nor was there any indication we would be called upon to occupy the Dominican Republic. If there should be continued escalation of warfare anywhere in the world, and there may well be, some of these bases will have to be reopened. This still does not say bases should not be closed when they are not needed. But if Congress were made a party to these things, I confidently and fully believe that a higher degree of order would be established. It would be difficult, I know, to bring Congress into the picture of base closings but so is the achievement of democracy difficult—only dictatorship is simple but that does not make it right.

Mr. BATES. Mr. Chairman, I have no further requests for time and I yield back the balance of my time.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 5 minutes to the distinguished senior majority member of the committee, the gentleman from Massachusetts, the Honorable PHIL PHILBIN.

Mr. PHILBIN. Mr. Chairman, this is a very important bill we are discussing today. It is important to the national defense, and it is important to the Nation and to the free world.

I would especially like to congratulate the brilliant and most dedicated chairman of my committee for his outstanding speech on this bill and the complete explanation that he gave concerning its terms, provisions, impact, and adequacy with respect to the constitution of our armed services.

I would also like to compliment my distinguished friend and colleague, the gentleman from Massachusetts [Mr. BATES], for his fine contribution, as well as the other Members who have spoken here.

I think, my friends, that one of the most important parts of this bill deals with the impressive and massive efforts we have made regarding research and development, test and evaluation.

This Nation of ours has achieved impressive successes as a result of an imaginative research and development program covering the full spectrum from basic research to the engineering of military operational hardware. We have every reason to be very proud of these accomplishments. They have been unprecedented in many instances. Many have been spectacular and have received wide publicity.

The near revolutionary progress in science and technology has been opening up an ever-increasing number of technological choices. We must continue to explore the most promising prospects and initiate new research and development projects as well as continue support of promising lines of investigation started in previous years.

The challenge of technology is compounded by the challenge of communism. The Soviets have a clear-cut objective—world domination. They have repeatedly declared that they will use science and technology as their instruments to help attain that objective. As part of the national effort to meet this threat, we need to take the technological initiative. In the area of technology we need to take the actions needed to attain superiority. We need to meet the challenge. We have ample warnings of the ultimate Soviet objective and several demonstrations of their scientific and engineering skills.

How do we meet the technological challenge and continue to widen the scientific and technological lead of the free world? One of the most significant ingredients is the timely availability and adequacy of a high quality, modern research and development physical plant. Advances in research and development are dependent upon technical facilities. These facilities are basic resources, essential weapons in the technological war. The vision which resulted in the investment in research and development facilities in past years has made a significant contribution to the position of leadership which we enjoy today. This vision needs to be duplicated today to provide the building blocks essential to the retention of this position.

Industry can and does make significant contributions in new developments, and this is as it should be. However, industry cannot do the entire job for our total military capability. We must rely on the laboratories of the armed services to provide the knowledge and ideas that are aimed primarily at military applications. A strong research and development capability within the services is absolutely essential to, first, foster and exploit research and development that is vital to our military efforts yet has little commercial appeal; second, to review and evaluate the results of research which is privately sponsored or accomplished by contract with the Government. The evaluation function is extremely important to insure a maximum return from our overall national investment in research and development.

Air Force achievements in research and development have provided much of the technological foundation we enjoy today. These achievements—of which we all are justly proud—have been realized to a large degree by the efforts of dedicated Air Force scientists and engineers. The accomplishments of these people have provided a manifold return on past investments in technical facilities. Exotic fuels, new materials, advanced communications, improved intelligence, weapons and life support systems and many other advances have resulted from the labor of these dedicated people. We must continue to provide these people with the adequate, modern, technical facility tools required to continue this outstanding work.

With this in mind we have provided funds in this bill for laboratory facilities at Wright-Patterson AFB, Ohio, for expansion of critical research and development and evaluation efforts in the area of materials technology—which includes the application of advanced technology to brush warfare situations as well as the development of new materials to withstand very high temperatures, sustained high speeds, missile reentry and the space environment.

Funds are also provided for facilities at Griffiss AFB, New York, to provide a modern laboratory for critically needed advances in the area of display technology. These advances will provide the capability for a manifold improvement in overall Air Force decision data systems and will have direct application to Air Force Strategic, Defense, Tactical and Counterinsurgency Forces.

Also included are provisions for facilities at Edwards AFB to increase the research and evaluation capability in the development of new high energy propellants—and to respond to the flight test technical evaluation requirements generated by southeast Asia commitments diversification in type of aircraft, and increased sophistication of modern military aircraft.

This bill provides funds for updating launch facilities, telemetry, communications and control capability at Vandenberg AFB, Western Test Range, and the worldwide satellite tracking and control network. These requirements respond to increased activity in these areas, including a threefold increase in number of satellites in orbit controlled by the Air Force and advanced ballistic reentry system developments.

Finally, the bill provides technical facilities at Holloman AFB; Kirtland AFB; Sacramento Peak, N. Mex.; and Brooks AFB, Tex. These facilities are the key to progress and advances in research and development in the areas of inertial guidance, weapons effects technology, solar effects on operational systems, and life support systems.

Gentlemen, each and every one of you are aware of the critical importance of an imaginative, dynamic research and development program and its impact on national security. The Soviet scientific threat—and the consequent military threat—are clear to all of us. We have had to live with it since the end of World War II, and we will probably continue to face it for many years to come. As part of the national effort to meet this threat we need to take the technological initiative. To do so we must provide our scientists and engineers with the modern facilities tools required to advance research and development—meet the challenge—and maintain our lead. This bill clearly supports this national objective. It provides the Air Force with the technical facilities that are urgently needed today for responsive exploitation and evaluation of advanced technology for vital requirements in all phases of our military capability.

I am sure the Members of the House are fully cognizant of the importance of this part of the overall, R. & D. program which is provided in this bill. I am confident that we are going to have your strong and wholehearted support for these efforts, and all the other efforts that we are making with respect to the various programs of this meritorious bill. I urge that this bill may have unanimous approval of the House, as it had by the committee, in order to serve notice on those who are standing and working against our democratic way of life that we mean to preserve our great heritage.

Mr. ASHBROOK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Eighty-nine Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 135]

Andrews, George W.
Bolton
Bonner
Bow
Bray
Brock
Brown, Ohio
Callaway
Chamberlain
Clancy
Clawson, Del
Collier
Cooley
Craley
Dawson
Devine
Dyal
Evins, Tenn.
Fogarty
Ford, Gerald R.
Fraser
Frelinghuysen
Grider
Hagan, Ga.
Halleck
Hanna
Hansen, Idaho
Harvey, Ind.
Hébert
Helstoski
Holland
Ichord
Keogh
King, N.Y.
Kornegay
Landrum
Langen
Lindsay
Mailliard
Martin, Ala.
Matsunaga
Miller
Mink
Pike
Powell
Reid, N.Y.
Rivers, Alaska
Teague, Tex.
Toll
Willis
Wilson, Charles H.
Wright

Accordingly, the Committee rose; and the Speaker having assumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8439, and finding itself without a quorum, he had directed the roll to be called, when 381 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from New York, a member of the committee [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, I appreciate the compliment which the Members have paid me by coming out in large numbers to hear my remarks on this legislation. I want to assure them, however, that I did not make the point of no quorum.

I rise, Mr. Chairman, in support of this legislation and particularly in support of the section which has come under most attention this afternoon, section 608, the provision that would say that bases may not be closed without a report on that action first being submitted to our committee and then allowing the committee and the Congress to overrule that action if in the judgment of either House that action were not regarded as desirable.

This, I might point out, is the same procedure which is used in the Reorganization Act. It is roughly the same procedure that, as the distinguished gentleman from South Carolina has pointed out, applies to the purchase and sale of Defense Department real estate. And it is surprising indeed that the committee and the Congress do have some authority with regard to relatively inactive real estate, but until the distinguished Chairman of our committee proposed that this working be included in the legislation, we could do nothing about the military and industrial activities that take place on the real estate.

I want to commend the distinguished Chairman for his leadership in including this section in the bill. I think that it is a very helpful and desirable section.

I hope I am not being immodest, Mr. Chairman, when I say that I offered as one of my first bills when I first came to Congress 6 years ago, a similar provision, and I think that it is even more necessary today than it was then as the extent and the economic impact of these closings have multiplied around the country.

It is perfectly clear that the committee is not proposing in this section to run the Defense Department. We recognize, as the gentleman from South Carolina has pointed out, the necessity for changes; some things have got to be closed, some things have got to be shifted, some things have got to be beefed up. But we do feel that these changes coming along to the extent that they have in the past few years, have had an effect on both our ability to defend ourselves and also on the economy of the areas affected. Therefore, this is a big enough matter so that the Congress itself should participate in these decisions.

And as the distinguished gentleman from Florida [Mr. SIKES] said a few minutes ago, this is something that ought to be made as a joint decision of the executive and legislative branches rather than by the executive branch alone.

Mr. Chairman, the House protested rather effectively earlier this year against the closing of a relatively few agricultural research stations. The House and the other body also opposed very effectively the closing of several veterans hospitals, and now even the President of the United States admitted that he was wrong and ordered some of these hospitals continued.

Certainly when it comes to important military installations, involving in some cases thousands of employees, the Congress of the United States ought to have an equal interest and concern and as much of an opportunity to be informed and to express its will.

Now, Mr. Chairman, the only complaint I would have with the wording of section 608 is that it is just a little bit ambiguous with reference to those bases which have previously been ordered closed or substantially reduced or consolidated but in which the consolidation or closing or substantial reduction has not already been completed, and where this action is still going on, for example, the Brooklyn yard; for example, the Portsmouth Navy Yard; for example, the installation at Sands Point, Long Island; for example, the installation to which the gentleman from Ohio [Mr. LATTA] referred earlier during the debate.

I think it could well be argued that since none of these closings have formally been reported to the committee, the adoption of this bill with section 608 included in the form offered by the committee probably would prevent the closing of these installations until after a report had been made to the committee, and until the House had had an opportunity to consider it.

But, Mr. Chairman, I do not think we ought to take any chances about ambiguity. We ought to make it perfectly clear that if we are going to take a look at these closings, then we certainly ought to take a look at some of the significant ones that are currently in the process of being closed, particularly the Brooklyn Navy Shipyard which involves some 9,000 people and will have a tremendous economic impact on the Empire State and the great city of New York.

Further, Mr. Chairman, we ought to take a look at some of these other proposals that could have a devastating effect upon local communities like, for instance, the closing of the Portsmouth Navy Yard which will affect both New Hampshire and Maine.

Therefore, Mr. Chairman, I propose at the proper time under the 5-minute rule to offer an amendment to this section at page 68, line 16, to add a new sentence at the conclusion of that paragraph to read as follows:

> This paragraph shall apply to any such closure, substantial reduction, or consolidation previously ordered which was still incomplete as of June 1, 1965.

Mr. Chairman, that amendment would give the committee and the Congress an opportunity to determine the economic impact and the impact on national defense of closings like the closing of the Brooklyn Navy Shipyard.

In the case of the closing of the Brooklyn Navy Yard, we have been led to believe that this decision was made on a purely automatic, scientific, computer basis. Yet I would refer members of the Committee to the hearings held by the Committee on Armed Services at which the Secretary of the Navy testified. He admitted that what he had referred to as a "comprehensive" survey of naval shipyards made in 1963 found no need to close the Brooklyn Navy Yard, although Members of the House were informed that other shipyards were to be closed. Actually, as it turned out, no shipyards were included in the 1963 list when it was finally made public. Yet 1 year later, the Secretary told us, a new survey, which he termed a survey "in depth," came up with a completely different conclusion which recommended closing down the Brooklyn Naval Shipyard yet retained the very same naval shipyards which were originally reported to be slated for closing in the 1963 "comprehensive" survey.

Under the prodding of the committee and under our direction to provide the backup material for the difference between the 1963 and 1964 studies, the Secretary of the Navy presented to the committee nothing more substantial than the press release issued on December 12, 1963. I think this kind of failure to communicate with the Congress is a most serious matter. It certainly justifies the action of the committee in adding section 608, and I hope at the proper time the members of the Committee of the Whole will support the unambiguous assertion that it does extend to those closings pending as of the first of June this year.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I wonder if the gentleman would clarify a little more his proposed amendment and what it would cover?

Mr. STRATTON. We mean those closings which have been ordered, but where the closing, the substantial reduction or consolidation is not yet complete.

Mr. EDWARDS of Alabama. In other words, as I understand it, if a base has been ordered closed but it has not been actually closed, this would hold up that action until the Congress had a chance to look into it?

Mr. STRATTON. The gentleman is correct. In the closing of Brooklyn, for example, it was ordered closed on November 19, last year, I believe. Of the 9,000 employees who were there at that time there are 7,000 there now. Plans are going ahead to complete the closing within another year. My amendment would apply in this case, and further action would be terminated until the committee and the Congress would have an opportunity to look at it.

Mr. EDWARDS of Alabama. I represent the First District of Alabama. We have a base there called Brookley Air Force Base, not to be confused with Brooklyn, N.Y. The distinguished gentleman from South Carolina spoke about this a minute ago. We have 13,000 people to be phased out of a town with a population of 200,000. I join with the gentleman in his intention to offer this amendment.

Mr. Chairman, in proposing to close Brookley Air Force Base at Mobile, Ala., the Defense Department seems to be working against its own standards.

The Secretary of Defense has said that these base closings are limited to those installations which have been inefficient and obsolete. However, during fiscal year 1964 Brookley was credited with cost savings of $122 million in response to the Defense Department's economy drive.

The performance was 23 percent above the savings goal assigned to the base and was sufficient to earn for Brookley the so-called gold rush pennant for cost reductions, the second time that the base won the award out of only four times it was offered.

The Defense Secretary also has indicated that one of his top deputies had singled out Brookley and two other air materiel bases as "the most outstanding he has seen anywhere in the Department of Defense."

In commenting on these conclusions, Air Force Secretary Eugene M. Zuckert said:

> These plaudits do not come easily and are worthy of recognition.

With regard to the matter of whether or not Brookley enjoys a strategic location, I want to remind the country that Brookley is the only Air Force installation with total supply and tactical capabilities for effective action in emergencies which is located within striking range of Latin American areas where communism is either entrenched or on the move.

Brookley is the only Air Force base with a deep water port and lies on a water transportation route that connects space installations at Cape Kennedy, New Orleans, and Houston.

Let me also mention these facts which relate to the proposal for closing the Brookley Air Force Base. It would mean automatically writing off about a quarter of a billion dollars in real estate and capital investment.

The cost of relocating families of civilian employees could be very high. It is very possible that, of the 13,000 employees involved, 10,000 would choose to relocate with their families. At an estimated cost of $1,400 per family, the cost comes to $14 million.

Of the present employees approximately 2,000 are either unskilled or semiskilled and would be unable or unwilling to move even if they were qualified. They would thus be thrown on a labor market which already is rated as excess.

Brookley Field has a runway that can handle any aircraft in the Air Force—9,600 feet in length, 200 feet wide, and 2 feet thick.

The equipment and personnel at Brookley Air Force Base provides the major support for the F-105 weapons system. The F-105 is our firstline fighter-bomber, providing a nuclear strike power which will remain indispensable for several years in the future. It is the prime Air Force bomber in Vietnam today.

The Brookley team is important to the continued successful operation of the F-105 system. Breaking up that team is expected to deal a setback to the potential of the F-105 as an integral part of our defense system.

Mr. Chairman, in my view, the Congress should have an opportunity to review the decision to close Brookley Air Force Base.

Mr. STRATTON. I appreciate the gentleman's interest. That is precisely the thing it was designed to help.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from New York yield?

Mr. STRATTON. I yield to the gentleman from New York.

Mr. ROONEY of New York. First I should like to commend the distinguished gentleman from New York for the highly accurate statements he has made with regard to the unjustified action of Secretary McNamara in reference to the latter's order closing the New York Naval Shipyard. There is no more justification at any point in the record than was set forth here this afternoon by the distinguished gentleman from New York. Would I be in error, I should like to ask the distinguished gentleman from New York, if I were to assume that section 608 at page 68 of the pending printed bill would very well cover the situation at the New York Naval Shipyard for the reason that this yard has not as yet been closed, that there has not as yet been a substantial reduction in personnel, and certainly there has been no consolidation of this shipyard with any other military facility.

Mr. STRATTON. May I say to the gentleman, he is a lawyer and I am not. Therefore I find myself at a disadvantage in interpreting some of this language. However, I think there is considerable merit to the position which the gentleman maintains. This base has been ordered closed, it has not yet been closed, there has been a reduction, but the process is still underway and there has been no official report on this action submitted to our committee.

In fact I am informed there has been no official report to our committee about this action or about any of the other actions ordered on the 19th of November. Nevertheless, I still think there is some ambiguity as to whether section 608 would apply to Brooklyn, and therefore it seems to me important that we make it crystal clear in this bill that the intention of the House is to have it apply to bases or shipyards currently in the process of being closed.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 10 minutes to the distinguished member of the committee, the gentleman from Michigan [Mr. NEDZI].

Mr. NEDZI. Mr. Chairman, I am in agreement with most of the bill, but I strongly oppose section 608 which was added in committee at the last moment and without adequate consideration. This section would forbid the Secretary of Defense to "Close, substantially reduce, transfer, reassign, abolish or consolidate any military camp, post, station, installation, or facility," in the United States and Puerto Rico, unless and until he reports to the Armed Services Committees of both the House and the Senate, then waits 30 to 70 days unless he is prohibited from proceeding by either the House or the Senate.

What does the quoted language mean? I do not intend to take the time of the House to examine all the ambiguities, but I want to discuss two of them.

First, is section 608 talking simply about transfers of parcels of real estate and the like? Or is it addressed to something much bigger, the level of activity, the military personnel level and civilian employment, and the local economic benefits produced by the military installation? I do not think the Members of this House are greatly disturbed about how the Defense Department has been disposing of parcels of real estate—at least not to the extent of superimposing the procedural rigmarole of section 608 when there already exists a successful, simple procedure for notifying the Armed Services Committee of the intention of the Department of Defense to declare excess its surplus parcels of land. While the language certainly is not clear and there was no significant committee discussion of it, I think we know that section 608 is directed to subsidizing the economies of communities possessing unneeded military facilities by preventing the Defense Department from reducing the number of people at those facilities. If this is not the case, and the section is intended to deal only with real estate transactions, then a baseball bat is being used to kill a fly. If it is the case, then I think it should be so stated rather than disguising the real meaning of the section by talking about returning constitutional powers to Congress.

Second, let us look at such careless language as the words "substantially reduced". I suppose that if an isolated radar station with 100 men loses 90 of them, there is a "substantial reduction" percentagewise. Are we going to ask the Secretary of Defense to come running to us every time he wants to move 90 soldiers? Or suppose the Secretary of Defense moves 10,000 troops to a forward area to meet a sudden contingency, leaving 10,000 other troops at the home installation; is this a "substantial reduction"? Are the committees not only going to review these military and administrative decisions, but also, as the occasion arises, decide what their own amendment means? I for one do not think this is sound legislation, even on this limited ground.

But, the problem of interpretation aside, I am against this section because it is out of touch with military realities. If the military is doing its job it will create obsolescence. It will continually be developing new weapon systems and getting rid of old ones. It will be shifting people to obtain a more efficient and responsive military force. And it will adjust the military base structure to reflect this constant process of change.

Section 608 would establish a congressional veto procedure for particular base closures. This can have no other effect than to prevent or slow down the necessary process of military change for the benefit of parochial, nonmilitary interests. The result will be higher cost to the taxpayer and lesser military readiness. This result can be very simply illustrated. Take for example the problem of technological change. As we all know, the hundreds upon hundreds of Minutemen with their high dependability have eliminated the need for the older, liquid fueled Atlas and Titan I missiles. When they are taken out of force, the bases they support become unnecessary and personnel must be shifted or become sheer waste. Congress through the military authorization and appropriations bills in effect approves the phase out of weapons systems by its allocation of money for Minutemen and its failure to allocate money to continue the older missiles. The only point in asking the Defense Department to come again to Congress in order to shut down the bases associated with obsolete missiles is to second-guess Congress original decision for the benefit of particular communities. That I cannot support.

The same is true of redeployments. We have a good recent example in the redeployment of B-51 squadrons to take advantage of improvement in the warning system, and in the redeployment of continental defense fighter forces to take advantage of greater aircraft capabilities and achieve more dispersal. This sort of action requires complicated, integrated planning which can be completely disrupted if one link in the chain of closures, reductions, and increases at various bases is removed to satisfy local interests. This I cannot support.

Furthermore, section 608 will seriously degrade the efficiency of our military support and logistics systems and their sound management by the Defense Department. It would interfere with complex continuing programs to integrate and reorganize logistics and supply systems, programs which necessarily involve changes in the level of activity at numerous locations. We may as well recognize that if we tamper with these programs by freezing activity at one installation at a predetermined level, we are likely to so disrupt the whole plan as to make it unworkable and lose all its benefits in money saved and military readiness gained. Even the threat of delay and disruption, which this amendment certainly establishes, may be enough to kill much needed action.

These are long-run military realities which should not be ignored. Section 608 is bad enough in these terms; it is even worse in its impact on short-run operational flexibility. To give you just one example, last March, the expanding crisis in South Vietnam required the deployment of some 6,000 personnel of the 1st Marine Brigade from Hawaii to the Western Pacific. This meant that the base population at Kaneohe Air Station, Hawaii, dropped to little more than 25 percent of its former level. I suppose this would be called a "substantial reduction"; undoubtedly, the community at Kaneohe is suffering economically. But is there any one of us who would have required the Secretary of Defense and the Joint Chiefs of Staff to come to the Armed Services Committees, hat in hand, to ask permission to take this action when the Nation's commitments and the security of all of our constituents were at issue? I think not. But this is what the section requires on its face and there is nothing in the committee proceedings which would lead to a contrary conclusion.

The fact is that there is nothing of significance in the printed committee hearings at all about this section. It was included in the bill at the last moment without any meaningful hearings whatsoever, without any consideration of its impact on military readiness, and without any review of the grave constitutional problems which flow from its attempt to limit the Commander in Chief's authority to deploy or redeploy Defense Department personnel.

It was included in the bill in the face of the policy repeatedly expressed by Congress in various parts of the National Security Act that the Department of Defense shall be operated efficiently and economically. In the past 4 years the Department announced 669 base closures and reductions with savings which will eventually run to $1 billion annually. Almost 1½ million acres of land will be returned to civilian use. These actions have been responsive to our statutory instruction. We should expect the Department of Defense, as the greatest single employer and spender in our Nation, to set an example for the Nation—to return to the economy assets not needed for military purposes, to use its resources efficiently and to readjust its base structure with a minimum deleterious effect on the communities and their members.

Individual citizens' lives are bound to be disrupted if the Department does its job. But the answer is not to subsidize waste but to do everything possible to enable the individuals affected to find new jobs. Greatly to its credit, this is just what the Department of Defense is doing. No employing institution of substantial size has ever demonstrated greater responsibility for alleviating disruption of the lives of its employees. It has an active economic adjustment program which has in many cases helped communities to bring in new industries so that they ended up being better off. Moreover, every career employee affected by a closure is guaranteed another job opportunity; this guarantee has been met, and more than three-fourths of those so far affected have accepted the jobs offered. This is an outstanding record of achievement. And Congress now has before it the opportunity to provide additional protection and benefits in the form of proposals for severance pay and additional transportation and moving expenses for such employees. This is the way for us to perform our share of the responsibility for those who have served their country well. To encourage the pressures of conflicting parochial interests, as section 608 would do, is, I submit, not the way.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. I yield to the gentleman from California.

Mr. BURTON of California. Mr. Chairman, I would personally like to commend the gentleman from Michigan for his thoughtful addition to this discussion and to our understanding of the problem. I would like to associate myself with his remarks.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RIVERS of South Carolina Mr. Chairman, I yield the gentleman 4 additional minutes

Mr. TODD. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. I yield.

Mr. TODD. Mr. Chairman, I would like to commend my distinguished colleague from Michigan on the remarks he has made. I find the Chairman's remarks most assuring in this matter. I appreciate the courage that my colleague has shown.

Mr. NEDZI. I thank the gentleman.

Mr. Chairman, under permission granted I include the following editorials as a part of my remarks:

[From the Washington (D.C.) Post, May 28, 1965]

LOCAL VERSUS NATIONAL INTEREST

The House Armed Services Committee is having one more try at requiring the Defense Department to be run as a welfare society rather than as a business agency.

The Committee has voted to require either Defense Secretary McNamara or one of the armed services secretaries to give Congress advance time first to disapprove, and then block altogether, the closing down of military bases the Government finds unnecessary. Congressman Lucien Nedzi of Michigan summed up the matter completely when he declared: "If this becomes law there will never be another base closed."

There is no question that a Congressman has a right to be concerned when a military base which has brought employment and prosperity to his constituency faces extinction. The Administration's decision last November to reduce or consolidate activities at 95 military installations involved savings estimated at $477 million. The net reduction of 63,401 jobs and the use of 376,720 acres of land was bound to affect a large number of congressional constituencies.

But this bold move by the administration was made on the judgment that the national interest comes before local interests—that when national defense no longer requires so many bases their continuance becomes an extravagant burden on all the taxpayers.

The Pentagon, in economizing on unnecessary base operations, is well aware of the dangers of abrupt economic dislocations. Efforts have been made to create new local industries, to retrain personnel and to find alternative uses for the bases themselves. In this way, both local and national interests are served. But to follow the House Armed Services Committee's lead would be both parochial and shortsighted.

[From the Wall Street Journal, June 1, 1965]

CONGRESSIONAL COFFIN-NAILERS

Congress rightly complains about the near demise of its control over the armed services. In selecting issues on which to buck that trend, though, its corps of military overseers could be driving the last nails into its own coffin.

The House Armed Services Committee opened its campaign for more congressional control by snapping at Secretary McNamara's proposed merger of the Army Reserve and National Guard. As the committee itself now seems to admit, that proposal takes a considerable step in the direction of economy and efficiency.

The merger, however, was bound to be unpopular in a bread-and-butter political sense, for in numerous congressional districts it involved a cutback in Federal favors such as spending and commands for Reserve officers. In its early opposition, moreover, the House committee seemed unwilling even to look at the merits of the proposal. It seemed, in short, to aline itself against efficiency and for pork-barrel politics.

House committee members may be on sounder ground in their second quarrel with Mr. McNamara—that his proposed military pay raise is overly parsimonious. Yet, especially in light of the committee's other actions, this also acquires an unsavory political taint as a possible attempt to court favor with the military rank and file at the expense of the commanders in the Defense Department.

The House committee's third foray, the recent vote to limit executive power to close military installations, is the most depressing of all. In passing an authorization for military construction, the committee tacked on a provision that all planned closings should be subject to congressional veto within 40 days after their announcement.

Congress takes this special interest in few, if any, other military decisions. The controversy over the latest base closings provides unflattering evidence of the reason for that special interest. Since howls came nearly exclusively from Congressmen representing districts where fat was being cut, their posture on scrutiny of cutbacks hardly seems one of selfless devotion to defense efficiency.

The great pity is that the general decline in congressional power does pose a significant problem. More and more the executive department is going unchallenged and unchecked, adding to the disturbing overtones in the concentration of power it already holds. Congress could perform a sizable service by becoming a more alert watchdog, and the military is in many respects a logical place to start.

But when it appears to challenge the executive only to defend the most parochial political interests, Congress will hardly reverse the decline of its powers on really significant issues. More dangerously, it may compound the problem by convincing many citizens that the decline is fully deserved.

[From the Washington (D.C.) Star, June 8, 1965]

WASHINGTON CLOSE-UP: A GRAB FOR POWER ON THE HILL

(By Richard Fryklund)

The effort of Chairman RIVERS of the House Armed Services Committee to assert Congress constitutional prerogative to "raise and support armies" is now being carried to an extreme.

His committee is trying to wangle a veto power over efforts by Secretary of Defense McNamara to close surplus military facilities.

If he succeeds, political control over these valuable economy actions will be absolute. There won't be any more closings—unless of course one is announced for the home district of a Congressman who has somehow offended the czars of the Armed Services Committee.

The problem is one of personal prestige and power. RIVERS and a number of his committee members believe that the previous chairman, Carl Vinson, let the Pentagon become the dominant rather than a "coequal" partner in defense.

McNamara encourages the frustration of the committee by doing pretty much what he pleases and, what's worse, by showing the committee members that he knows vastly more about defense problems than they do.

In his effort to regain congressional authority—as he sees it—over defense, RIVERS is challenging McNamara on each issue where he has the slightest chance of changing a major recommendation.

He may well win on his effort to get larger pay raises for military people.

But there is too much good sense on Capitol Hill to let him win on base closing.

The rider he attached to this year's military authorization bill specifies that if the Defense Department wants to close or "substantially reduce or consolidate" a base, it must notify the Armed Services Committees of the House and Senate and then wait 30 days for either committee to recommend a veto.

If there is such a recommendation, the Defense Department will have to wait another 40 days for either House to approve the veto.

Obviously there will be a veto attempt every time a base is to be closed in one of the States represented on the Armed Services Committee. And obviously any Congressman with any class from one of the other States can get to a committee member, roll a log and get a veto.

Base closing will almost come to an end.

If Congressmen are interested in economy—in other districts even if not their own—they might ponder the saving of more than $1 billion that will accrue from the 669 already closed or cut back.

Or they might think about the quick shipment of combat units from the United States to a foreign theater—shipments that often substantially reduce a base. A service could not make the shipments, under the Rivers rider, until 30 or possibly 70 days had passed.

Or they might think of necessary structural changes in the services—the phasing-out of old B-47 bombers or the shift of B-52's to less vulnerable southern bases, for instance—which require basic changes.

Or they might study the constitutional issue. It seems clear from past decisions that one committee or one House cannot force the Executive to waste money. On a substantial issue, of course, the whole Congress can enact a law which a President must obey.

Congressmen might also look at the Bolling-Anacostia Airport mess created here by the Rivers committee. It has frozen those two surplus fields despite Air Force and Navy efforts to get rid of them. The committee action did not benefit the services or the communities, which have better uses for the land.

Congressmen should ask themselves whether the Defense Department should be forced to keep bases and jobs alive when the need has died—just so a community will not suffer.

The Defense Department does offer alternative jobs to career employees affected by base closings (and 80 percent of the people so far have accepted the offer).

The Department also helps communities adjust to the economic impact of closings. In some instances the abandoned real estate has attracted new industry which has compensated for the Government jobs lost. In other instances the loss has been a local disaster. But hanging on to useless defense facilities is not the rational answer to those disasters.

Of course every Congressman really knows all of these things. Cooler heads in other House committees and in the Senate will surely kill the Rivers rider.

[From the Atlanta (Ga.) Constitution, June 1, 1965]

DEFENSE MANAGEMENT FROM CAPITOL HILL

Representative MENDEL RIVERS of South Carolina and his House Armed Services Committee are raising serious questions about whether the Defense Department is going to be run by Defense Secretary Robert McNamara or by Chairman RIVERS and his committee.

RIVERS and Company have approved legislation which would require the Defense Department to give the House and Senate Armed Services Committees advance notice before cutting back or closing a military base. If either committee disapproved, Congress then could override the Defense Departments' plans.

The obvious effect of this move, as a Michigan Congressman quickly pointed out, would be to prevent the closing of another single base, no matter how worthless to the defense effort, from now on anywhere in the United States. For every such base lies within some Congressman's district and some Senator's State, so it is virtually certain that somebody would be able to exert enough political pressure within Congress to prevent the closing.

Mr. McNamara's problem with Congress is that he has done his job too well. It has been said of him that he is the first

Defense Secretary to really fill the office. That has meant some collisions with what President Eisenhower called the military-industrial complex. It also has meant some collisions with Congressmen with an appetite for military pork in the form of unneeded bases, installations and purchases.

Representative RIVERS' predecessor, former Representative Carl Vinson of Georgia, praised Mr. McNamara, even while sometimes disagreeing with him. But Representative RIVERS seems to have a rule-or-ruin attitude.

"I just got this gavel in January," Representative RIVERS said last week, "and I intend to use it."

To a man, Congressmen are loud in their advocacy of economy in government. However, they seem to want none of it in the Defense Department.

But with the defense budget already accounting for more than half the national budget, and with U.S. miliary commitments expanding on several parts of the globe at once, Mr. McNamara would not be doing his job unless he were striving constantly to prevent military waste.

The question is whether or not this effort shall continue or whether Mr. McNamara will be compelled to surrender the keys of his office to Mr. RIVERS and his committee. If the Pentagon is to be operated henceforth from Capitol Hill, we can be sure that the effort to trim defense waste will be all but futile.

[From the Seattle (Wash.) Times, May 27, 1965]

NEW "PORK BARREL" PLAN

By tacking an amendment onto a military-construction bill, the House Armed Services Committee acted this week to curb the power of Defense Secretary McNamara. The amendment is bad legislation which would strengthen "pork-barrel" practices in Congress.

McNamara's postelection announcements of military-installation closings—which caused anguish in many congressional districts across the country—provided the impetus for the committee's action.

The proposed law would give the House or the Senate a veto over any future base closings.

In our view, this would constitute a clumsy intrusion by the legislative branch into the administrative functions of the executive branch.

The issue posed is thus a great deal larger than whether McNamara is right or wrong in closing any particular base.

It is not difficult to visualize what would happen if the amendment became law. In the log-rolling, back-scratching atmosphere of Congress, the Defense Department would find it virtually impossible to close any base providing a community payroll anywhere at any time. Bases devoted to the maintenance of obsolete weapons or training programs would dot the countryside from Key West to Nome.

If such an amendment had been in effect in past decades, it is probable that coast-artillery units would still be going through their paces at Forts Worden and Casey. Goodness knows how many of the West's old cavalry posts still would be awakening daily to the sound of bugles.

If the House Armed Services Committee has its way, this absurd situation would prevail: The President could take the Nation into war without the formal approval of Congress—but could not shut down a storage depot in Wyoming or a port of embarkation on the Mississippi or Puget Sound.

The "curb-McNamara" amendment is attached to the administration-request measure for $1.9 billion in military construction projects. The House as a whole should give it the ax.

[From the Cleveland (Ohio) Plain Dealer, June 2, 1965]

DEFENSE VETO

The House Armed Services Committee, in voting to curb Defense Secretary McNamara's authority to close military bases, has openly moved that authority into the pork-barrel department.

The committee approved an administration request for $1.9 billion for military construction projects. But it tacked on a requirement that either House or Senate must have a veto over any future base closings.

Since 1960, McNamara has shut down or reduced operations at 669 military bases. His reasons have been that savings can be effected through consolidations or through use of new techniques or designs which make older bases obsolete. Despite the logic of his decisions, few Congressmen from affected districts have taken his recommendations lying down.

Defense installations do play a large part in the economy of some districts but it is to the overall advantage of the taxpayer that the department be run as economically as possible while, at the same time, giving the Nation the best possible protection.

If a Congressman can get enough of his friends to join him in a veto every time the gravy train at home is threatened by a technological advance in the military setup, the chances of a streamlined, fairly priced defense system are remote.

The Nation's defense is too important to be a plaything for selfish interests and any veto here would infringe seriously on administrative rights and practices.

[From the Kansas City Star, May 31, 1965]

KEEP MCNAMARA FREE TO SAVE ON DEFENSE

It is open season on Robert S. McNamara in the committee halls of Congress. The hard-driving Secretary of Defense is under fire in two directions. The House Armed Services Committee is out to curb drastically the authority of McNamara to close military bases. Previously the Senate Preparedness Subcommittee subjected him to intense grilling in connection with his plan to merge the Army Reserve into the National Guard.

The Reserve-Guard merger proposal is still pending. But the House group has already taken action intended to give either the House or Senate a veto over any future base shutdowns. We detect a vindictiveness in this move. McNamara has bruised some political feelings by ordering a total of 669 military facilities closed or curtailed since he took office in 1961.

These actions have resulted in saving hundreds of millions of dollars for the American taxpayer—with the promise of more thrift to come. But Members of Congress who are for economy as an abstract principle tend to cry foul when any governmental activities in their home States or districts are cut back. Their attitude suggests an unwillingness to concede that the Secretary of Defense is in a better position to judge the Nation's overall military requirements than they are. It also suggests straight politics.

We are not impressed by the contention of some Congressmen that McNamara has invaded a field of legislative authority. It seems to us that, instead, Members of Congress are seeking to restrict what is properly a responsibility of the executive branch of Government.

The House committee's restriction was written into the military construction authorization bill. If passed in the House and approved by the Senate, the President would have to choose between vetoing an essential fund measure or accepting a major infringement on the administration's power to economize. We hope that the lawmakers' collective good sense will prevail and that so difficult a choice will not become necessary. McNamara should be encouraged, not hamstrung, in his efforts to eliminate costly waste from the defense program.

[From the Providence (R.I.) Journal, May 30, 1965]

INDEFENSIBLE MEDDLING WITH DEFENSE BASE CLOSINGS

The decision by the House Armed Services Committee to curb the authority of the Secretary of Defense to close military bases is self-serving and indefensible.

The wonder is that the bill didn't appear a few years ago. Defense Secretary McNamara under Presidents Johnson and Kennedy has reduced or shutdown operations at 669 military bases. Invariably, the affected communities turned to their Congressmen. Mr. McNamara's arguments for greater economy in the Military Establishment were criticized as forcing unemployment and injuring local economies.

But Mr. McNamara's views have prevailed, and it is to the Nation's credit that the realities in managing the Nation's defense needs have provided the standard whether this or that military base was to close down.

These standards have held firm against pressures from some powerful constituencies, but the citizenry has been answered fairly, openly, and with patience by the Defense Department.

Representative L. MENDEL RIVERS, Democrat, of South Carolina, is attempting to impede this progressive adjustment of bases to needs by invoking article 1 of the Constitution which provides Congress with power to raise and maintain Armed Forces. Mr. RIVERS feels that his bill would return to Congress the power which the framers of the Constitution originally intended Congress to have.

This argument lacks substance and should be disclosed swiftly for what it poorly conceals—a move to transfer the decision-making from considerations of national security and economical management to the area of pork barreling.

As for interpreting this clause of the Constitution, it has been established that the congressional authority "to raise and support armies" was not inserted for the purpose of endowing the Congress with power to do these things as administrator, but rather to designate the department of Government which should exercise such powers under the executive.

[From the Chrisitian Science Monitor, May 28, 1965]

VETOING A BAD VETO

Selfish, small-minded politics can be a serious handicap to American military efficiency. They can also constitute a conscienceless expense to the American taxpayer. It is for these reasons that we cast a most questioning eye on the House Armed Services Committee's decision to limit Defense Secretary Robert S. McNamara's authority to shut down bases.

To put our doubts bluntly: we believe that the Pentagon is both better informed and less locally influenced in its decisions than are either Congressmen or Senators. We think the Pentagon is the best judge of which bases to close down, while not forgetting the need to minimize the resulting unemployment and dislocation.

Indeed, we should have thought that Members of Congress would have preferred to have all decisions on base closings made by the Pentagon. In this way such Members would have been able to plead complete noninvolvement when local merchants and chambers of commerce objected to the withdrawal of bases. Thus both political expediency and military efficiency would have been served.

The House Armed Services Committee bill woud give either the House or the Senate veto power over base closings. Any plan to shut down a base would have to be reported to Congress, with either House having up to 70 days to block the shutdown.

Secretary McNamara can be expected to protest with the utmost vigor against a move which, if enacted into law, would seriously clip his efforts to cut waste in America's gigantic military plant. Since the Secretary's steps for efficiency and economy would appear to have President Johnson's approval, we presume that the White House—despite its political sensitivities—will also oppose the measure.

Undoubtedly Secretary McNamara has made his mistakes. He has even made his share of enemies. But there is evidence that he has been an efficient businesslike and highly able Secretary of Defense. These are just the qualities required in a man responsible for the U.S. $50 billion military budget.

With the United States facing a steady increase in the cost of its military operation in Vietnam, this is no moment for petty, local politics to enter the picture. We trust that Congress will recognize this fact and take no steps likely to decrease military efficiency and raise costs.

[From the Chicago (Ill.) Daily News, June 1, 1965]

CONGRESS AND MILITARY BASES

Congress seems about to tell the Secretary of Defense to keep his hands off military bases in the United States. The House Armed Services Committee tacked onto a military construction bill a provision that either the House or Senate may veto the closing of bases.

The reason for the move is clear. Secretary Robert McNamara upset some political applecarts when he recommended a series of base closings recently. When a base shuts down it alters the economy of the region in which it is located, and the Congressman for that district hears protests.

In all, McNamara has closed or reduced operations at 669 military bases since he became Secretary of Defense more than 4 years ago. He advanced valid reasons in each case, and the net has been a saving of billions of dollars. But when it affects the home district, Congressmen are more interested in saving their skins than saving the public money.

If the House committee's recommendation is written into law, the chances of any more streamlining of the extensive military base system, would just about vanish.

It is unfortunate that some districts have suffered economically because bases were shut down. But military needs change and bases become obsolete. The services cannot afford to expand in new directions without retracting in areas no longer needed.

Congress should let well enough alone, and be thankful the Secretary of Defense is willing to relieve them of some of the heat for doing what has to be done.

PROGRAM FOR THE BALANCE OF THIS WEEK AND NEXT WEEK

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, I take this time to ask the majority leader if he will kindly announce the program for next week.

Mr. ALBERT. Mr. Chairman, will my colleague yield?

Mr. ARENDS. I yield.

Mr. ALBERT. Mr. Chairman, may I advise the House first of all that if this matter is disposed of that we are now considering it will be our plan to go over until Monday. We will have finished the business for the week.

The business for next week is as follows:

MONDAY

District day, no bills.

House Resolution 110, to authorize travel authority to the Committee on Government Operations.

Six unanimous-consent bills of Committee on Veterans' Affairs:

H.R. 205, increasing rates of subsistence under war orphans' educational assistance program.

H.R. 206, increasing rates of subsistence for service-connected trainees under vocational rehabilitation.

H.R. 208, training of seriously disabled veterans under the vocational rehabilitation program.

H.R. 227, war orphan benefits for children of those who served prior to September 1940.

H.R. 235, repeal of chapter 33, title 38, United States Code.

H.R. 2656, size of flags furnished by Veterans' Administration.

TUESDAY AND BALANCE OF WEEK

Private Calendar.

S. 2089, providing assistance to the States of Oregon, Washington, California, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters. Open rule, 1 hour debate.

H.R. 6927, establishing a Department of Housing and Urban Development, and for other purposes. Open rule, 2 hours debate, waiving points of order, making H.R. 8822 in order to be offered as a substitute.

H.R. 237, Garrison diversion unit, Missouri River Basin project. Open rule, 1 hour debate.

H.R. 485, Auburn-Folsom South unit, American River division, Central Valley project, California. Open rule, 1 hour debate.

Conference reports may be brought up at any time.

Any further program will be announced later.

Mr. ARENDS. Mr. Chairman, may I ask the gentleman, Do these necessarily come in order?

Mr. ALBERT. Not necessarily in the order in which announced but from Tuesday on, I should say substantially so.

Mr. ARENDS. I thank the gentleman.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield such time as he may desire to use to the ranking minority member, the gentleman from Massachusetts [Mr. BATES].

Mr. BATES. Mr. Chairman, I would like to say, speaking for all the members on the minority side of this committee, that our understanding and interpretation of section 608 to which the chairman of the committee addressed himself a few moments ago in colloquy with the gentleman from Michigan is identical with his interpretation. I thought we ought to have that in the RECORD.

Mr. RIVERS of South Carolina. I thank the gentleman. At this time I yield 5 minutes to the distinguished member of the committee, the gentleman from Washington [Mr. HICKS].

Mr. HICKS. Mr. Chairman, I want to thank the chairman of my committee for permitting me to speak here for a moment or two. I was advised early in my time here—I am a new member on the Committee on Armed Services—that it was ill advised to speak at all the first year around here and doubly so if you had any words in opposition to your chairman.

I rise to join the gentleman from Michigan [Mr. NEDZI] in opposition to section 608. I would not have done this earlier in the session, but in the course of serving on the Armed Services Committee I have come to have a great deal of respect for our chairman. I know that he is too big a man not to permit a little opposition, that he would not hold himself out as infallible.

Now, Mr. Chairman, around the country there is some opposition to this particular section.

Mr. Chairman, the Seattle Times, one of the larger newspapers in my State, editorialized against it and pointed out one of the reasons why this is a bad section.

Mr. Chairman, when we are back in the House I shall ask unanimous consent to have this particular editorial inserted at this point in my remarks:

> By tacking an amendment onto a military construction bill, the House Armed Services Committee acted this week to curb the power of Defense Secretary McNamara. The amendment is bad legislation which would strengthen "pork barrel" practices in Congress.
>
> McNamara's postelection announcements of military installation closings—which caused anguish in many congressional districts across the country—provided the impetus for the committee's action.
>
> The proposed law would give the House or the Senate a veto over any future base closings.
>
> In our view, this would constitute a clumsy intrusion by the legislative branch into the administrative functions of the executive branch.
>
> The issue posed is thus a great deal larger than whether McNamara is right or wrong in closing any particular base.
>
> It is not difficult to visualize what would happen if the amendment became law. In the logrolling, back-scratching atmosphere of Congress, the Defense Department would find it virtually impossible to close any base providing a community payroll anywhere at any time. Bases devoted to the maintenance of obsolete weapons or training programs would dot the countryside from Key West to Nome.
>
> If such an amendment had been in effect in past decades, it is probable that coast artillery units would still be going through their paces at Forts Worden and Casey. Goodness knows how many of the West's old cavalry posts still would be awakening daily to the sound of bugles.
>
> If the House Armed Services Committee has its way, this absurd situation would prevail: The President could take the Nation into war without the formal approval of Congress—but could not shut down a storage depot in Wyoming or a port of embarkation on the Mississippi or Puget Sound.
>
> The curb McNamara amendment is attached to the administration request measure for $1.9 billion in military construction projects. The House as a whole should give it the ax.

Mr. Chairman, the purport of this is that it is a bad situation for the Congress to sit in judgment on the closure of these various bases. I believe this was most adequately pointed out right here in this Chamber this afternoon with reference to the agricultural experiment stations on which attempted closure was made. There was one of these stations located in the congressional district which it is my honor to represent.

Certainly, Mr. Chairman, the people wrote me and pressure built up. I protested and I was not in favor of the agricultural experiment stations being closed.

Then, Mr. Chairman, there was the situation with reference to the proposed closing of the Veterans' Administration hospitals. With reference to these closures the same thing occurred.

Mr. Chairman, it just gets down to who is going to make this judgment. Shall it be made by the Congress or, in this instance, shall it be made by the Department of Defense, that a particular installation should be closed?

Mr. Chairman, the point was brought up earlier this afternoon to the effect that Congress must approve any expenditure which exceeded $25,000. That is as it should be. When the military wants more, someone should check the request. When less is required or requested, however, the same check is not necessary, for that is a different situation. The Department of Defense does not close bases when they are considered valuable to the Department of Defense at that time. They are closing the bases at the times that they do because, in the best judgment of the Department, it is in the best interest of the Nation that they be closed, not just because a particular Secretary is involved and is only going to be there for a period of 4 years. But, Mr. Chairman, the Secretary has the best judgment of the entire Defense Department at his disposal, and, in each instance, experts make such recommendations.

Mr. Chairman, I am sure that the Seattle Times, if the Bremerton Navy Yard were being closed, probably would sing a different tune. I am certain that it would. When the Dyna-Soar program was phased out, there was an entirely different tune. But, that is self-interest.

Some feel that if section 608 is retained in the bill they would be able to come up here and veto these base-closing actions. Maybe they would and maybe they would not. The gentleman from Alabama [Mr. EDWARDS] seemed to think that the Brookley Air Force Base could be saved and some seemed to think that the Brooklyn Navy Yard could be saved if this section were adopted.

Mr. Chairman, the section says that we are supposed to take a look and make a judgment on these matters. However, I am afraid what would happen would be the same thing as happened with reference to the agricultural experiment stations and with reference to the veterans' hospitals. It would be a question of provincialism and self-interest. That is the reason I feel section 608 is a bad portion of the bill. Otherwise this is an exceptional bill and one on which the committee worked very hard.

Mr. Chairman, I do support the bill but I am concerned about this particular section.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. HICKS. I yield to the gentleman from New York.

Mr. BINGHAM. Mr. Chairman, I would like to compliment the gentleman from Washington on his statement and associate myself with it.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. HICKS. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, I would like to compliment the gentleman on his statement. It just so happens that I used to have in my congressional district the Bremerton Navy Yard which now is in the district represented by the gentleman now in the well of the House. I will say that as far as that navy yard goes and the personnel connected with it, they are absolutely sold on the idea that they have to produce and get the most for the defense dollar in order to justify their getting the work.

Mr. Chairman, I think the gentleman is very lucky to have that type of individual under his responsibility.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. HICKS. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Washington, and to compliment him on his first speech on the floor of the House on a very important matter. I think he has a great deal of courage. It is well stated, and I would like to associate myself with his remarks.

I also compliment the chairman of the committee for his ability and graciousness in allowing a new member of his committee to come before this body.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. HICKS. I yield to my chairman.

Mr. RIVERS of South Carolina. I, too, want to congratulate the gentleman for having done one of the most dedicated jobs of any member of our committee. We have encouraged all new Members to participate in our deliberations.

The first thing I did when I became chairman was to brief the new Members, and every single Member. The attendance has been excellent. The attendance of the new Members has been better than that of the older Members, particularly that of the gentleman who now occupies the well of the House. He has done a magnificent job, and I want to urge him to come to my office, go to the newspapers, any place he wants to. Certainly he does not agree with me all the time. I may be wrong, and I am wrong a lot of times. But any time I am right he has supported me. I do not have anything to say against what the gentleman says, and he has the right to say anything he wants to. He has done a magnificent job, and I wish we had a million like him in the Congress.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, I am not one who always agrees with the chairman of our committee on all issues and in all particulars, yet I think it is time that we put a few things in perspective.

First, I do not think the paramount issue today is whether one has the courage to stand here in the well and oppose the chairman. I admire the preceding speaker, the gentleman from Washington, very much. I know he is concerned about editorials. But I think we should point out some of the rest of us have newspapers that have written adverse editorials directed at section 608.

I happen to represent an area that has a newspaper that has printed an editorial against section 608. Bear in mind it is the only paper, the only outlet for printed publicity in the metropolitan area whose suburbs I happen to represent. The Kansas City Star is against section 608. But I want to present a few reasons why this provision should be adopted.

Let me emphasize that a false assumption has been made here, namely, that when the Armed Services Committee considers closings or consolidation of military installations it is going to oppose the closing of every single base proposed to be closed by the Department.

I think the key word in the section is "review." It simply gives the committee a chance to review the decisions. Then 30 days pass. If the committee passes a resolution there is an additional period of 40 days in which this House or the other body have an opportunity to adopt a resolution rejecting the proposed closings. That is all that is contained in section 608.

The assumption that each and every closing is going to be opposed is a false assumption and leads to unjustified conclusions. It is not a question of whether it is contemplated or advisable for a base to be closed. We are not seeking to reverse the base-consolidation announcement of Secretary McNamara of November 1964.

The point is we are trying to provide some procedural guidelines to be followed in future consolidations. I do not know whether the amendment that is going to be offered by the gentleman from New York [Mr. STRATTON] will be adopted or not under the 5-minute rule, but I do submit we are seeking to avoid what happened last November, just after the election, when there was a complete factual blackout.

No Member of Congress could find out anything that was going to happen, except there had been or would be an announcement about a series of closings or consolidations. There were no further details given to Members whose districts were affected, or to any Member of the House. Information was first given to the press, then sometime afterward Members of Congress were notified. Avoidance of future information blackouts is a main purpose of section 608. That is all we are talking about.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Article I, section 8 of the Constitution says "The Congress shall have Power." It does not mention Veterans' Administration, it does not mention the Agriculture Department, it says "To raise and support Armies. To provide and maintain a Navy; To make Rules for the Government and Regulation of the land and naval Forces."

Now if you cannot do this—if you cannot find out what is going on at a base and if you cannot find out what is intended beforehand, how in the name of God can you do these things? That is what I would like to know. But, my friends, this Constitution says that you fellows in Congress are supposed to look out for this military. How are you going to do it if somebody in the Pentagon says, "We are just not going to tell you what is going on in our minds and furthermore when you boys close shop and adjourn we are going to close a few bases, and furthermore we just aren't telling you where those bases are"? How would you like to run a railroad like that? That is what the framers of the Constitution said when they wrote that language here. They knew that one of these days some strong man was going to come along who might not think that we are smart as he is. They knew that. Now we have come along and tried to put you back in business. If you are not capable of running your own business, you are going to have a chance to vote on it. We think you are. We think you have sense enough to handle your own business and that is all we are trying to do in keeping with the direction of this Constitution. That is all we are doing. It did not pick out agriculture—it says "military" and it is the only branch of government that the framers of this Constitution has reposed in your keeping. You can take it or leave it. If you do not want that, you have a chance to turn it down. I want it. I know I have sense enough to run the business in my district and I believe everyone of you has that sense and at least I will believe that until somebody proves me wrong.

I tried to get some information for the distinguished gentlewoman from Oregon sometime ago from the DOD. I had an awful time and I do not have it yet. This should not be this way. This is a great country—this is a great country and the Constitution has given you this responsibility and you cannot delegate it—you cannot delegate it. If you do not like it, it has to be changed by an amendment to the Constitution and you cannot do anything about giving away this power. I do not want to give away mine. I believe I read the same confidence in your eyes. That is what I believe.

Mr. RANDALL. I certainly want to associate myself with the excellent, forthright, factual, and accurate statement just pronounced by the distinguished chairman of the House Committee on Armed Services.

I will just take a moment or two more to comment briefly on some of the statements that were made by my good friend from Michigan, Mr. Nedzi, in which he said that if the purpose of section 608 is to help some community out of economic straits then we should pass legislation for that purpose and there should be no discussion of the constitutional prerogatives of the Congress.

It was mentioned earlier that it would take four committees to authorize an expenditure of over $25,000 for military construction. Let us not confuse this issue before us now with some of the comments in the Washington press this morning about a recent veto by the President on some public works measure as a warning against infringement of powers of the Executive.

Today we are considering an entirely different matter because the provision which covers raising and equipping of armies and navies is written right into article I of the Constitution. There is an easy and clear implication to be drawn that Congress has the same powers and prerogatives at the time of closing or consolidation of military bases it has when such installations are authorized. That is the constitutional question involved. If Congress has any powers to authorize the construction of military installations it also has powers to consider their closing or discontinuance. All section 608 seeks to do is call attention by emphasis to a provision already contained in our Constitution.

The issue is not whether economy in Government is desirable or feasible, as some persons would claim. Americans everywhere have applauded the President's efforts to put a realistic ceiling on the Federal budget and to pare down nonessential Federal expenditures, just as they have enthusiastically supported congressional efforts to reduce spending requests of the executive branch.

The issue is whether, as the gentleman from South Carolina has so properly asserted, our exclusive authority to raise and support armies and provide for a navy does not by implication entail the right to be consulted when such military forces are curtailed or reduced.

Mr. Chairman, your committee is not seeking to reverse the base-consolidation program of Secretary McNamara. To the contrary, this bill authorizes appropriations of construction projects essential to that consolidation program. Moreover, section 608 would not affect the closings already ordered by the Secretary.

On the other hand, your committee is trying to set more reasonable procedural guidelines to be followed in future consolidations of military installations.

We do assert it to be intolerable that supposedly irreversible and irrevocable decisions are announced to the press before they are announced to the appropriate committees of the Congress or to the individual members most concerned with these decisions.

We do insist that such decisions ought to be justified to the appropriate elected representatives of the people well in advance of the time they are permitted to take effect.

This is the purpose of section 608. It is a needed addition to the law and I am glad our committee stood unanimously for inclusion of this provision to review base consolidation proposals that come from the Pentagon. H.R. 8439 containing its important section 608 deserves our support.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from West Virginia [Mr. Staggers].

Mr. STAGGERS. Mr. Chairman and members of the Committee, I thank the chairman of the committee for yielding me this time, because I am not a member of his committee.

The 1966 military authorizations are now fixed, as in this bill, but I intend to direct my remarks to 1967, and I intend to make them directly to the Department of Defense and the White House. I also look to this committee, and I want the committee members to listen to what I have to say, because I need their help.

In this bill there are included 45 States and 13 foreign nations and territories, which will receive $1,934,927,000, but there is not 1 cent for West Virginia. The five States surrounding our State will receive $140,598,000, but there is not 1 cent for West Virginia.

We can no longer conceal the fact that we are widening the war effort. More and more of our West Virginia boys are receiving those little messages with greetings from the White House. There the ultimate responsibility lies.

West Virginia will be asked to contribute to expanding military operations, and it will respond, as it always has. We accept without complaint the necessity of sacrifice incident to war.

I heard the late President Kennedy say, some 2 years ago, on the steps of the White House, that the State of West Virginia had contributed more men to the defense of this Nation who had lost their lives, based on a population ratio, than had any other State in the Nation.

We believe we have a right to share in the financial benefits which result from the vast industrial and construction activities promoted by war. We trust the White House will be aware of this fact in 1967.

My colleague from Michigan [Mr. Nedzi] said that he would rely upon the judgment and the wisdom of those in the Department of Defense. I say to him that I have been relying on that judgment and wisdom for 17 years, and that judgment and wisdom has not done one single thing for our State, though this has been drawn to their attention many, many times. Oh, yes, they will come back to say that some 7 or 8 years ago they started a military installation in West Virginia. But some of the scientists, not longer than 2 or 3 days ago, said that the Department of Defense made one of the greatest mistakes in the defense of America by stopping that military installation. If I had time I would go into why they said they did make that mistake.

In West Virginia we have everything that is favorable for military construction. We have pure water. We have the needed terrain. We have a good climate. We have men and women who want to work, and who have the ability to work. In our State we have some of the prettiest and most beautiful scenery in America.

I have been impressed by some of the arguments made against the closing of some of the installations. It is said this takes away jobs in districts and affects taxes. We would like to have some of them, so that we could argue about closing them. We do not have them. I call that to the attention of the House today.

There will be some arguments made, and some will say, "oh, yes, you share in some of the community facilities grants, and you get some Small Business loans, and perhaps some relief appropriations." We want jobs. We want work for our people, and they want to work.

I said here some years ago that the first time there was not anything in the bill for West Virginia it could have been a mistake. At that time there were 49 States of the Union which shared in it, as I recall, and 14 foreign nations. I made the statement then that the second time we could call it a coincidence, but that the third time it happened it would get to be a habit. The habit has grown down through the years. I do not know what it will take to stop that habit, but if it takes a revolution—well.

West Virginia should share, and West Virginia should have its rightful share, if we are going to contribute our men in time of war. I do not have to tell you Members who serve on the military committees the imminence of war at this time. For that reason, we need everyone in America to join in a cooperative effort, working for a common goal—the defense of our land.

Mr. EDWARDS of Alabama. Mr. Chairman, will the chairman yield to me for a question?

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 1 minute to the distinguished Member from Mobile.

Mr. EDWARDS of Alabama. Mr. Chairman, in referring to section 608, I would like to ask a clarifying question. On November 19, some 95 bases were ordered closed by the Secretary of Defense, and Brookley Air Force Base was one of those to be phased out over a 4-year period. It is my understanding that the first people are to leave Brookley in June, this month 1965, and then continue for the next 4 years. Is it the chairman's interpretation of section 608 that the Congress would have a chance now, if this bill should pass, under section 608, to review the order to close Brookley Air Force Base?

Mr. RIVERS of South Carolina. I had not gone into that subject very thoroughly until it was called to my attention a few moments ago. It is my feeling that once this bill is signed by the President it would apply to any base that is open at that time. This is my curbstone opinion.

Mr. EDWARDS of Alabama. Regardless of whether an order has been issued for it?

Mr. RIVERS of South Carolina. That is my opinion.

Mr. EDWARDS of Alabama. Is that your intention as well as your opinion?

Mr. RIVERS of South Carolina. Well, if I have a belief, I always follow it up with my intent.

Mr. EDWARDS of Alabama. I thank the gentleman.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 5 minutes to the distinguished member of the committee, the gentleman from California [Mr. LEGGETT].

Mr. LEGGETT. Mr. Chairman, I would like to congratulate the chairman again for presenting an innovating kind of a bill. As you will recall, we had the authorization legislation here just a few weeks ago which had some new items in it which were never before presented to this House of Representatives redefining the power of Congress. I believe in this legislation, in sections 608, 609, and 610, where we specifically set forth the authority to construct hospitals for our retirees and to have a referendum on the sale of real estate and a referendum on the closure of bases, we are redefining the power of this Congress, which I certainly think is to our advantage.

While I applauded the statement of my colleague from Washington a few minutes ago as his maiden speech before this House, I certainly did not intend to agree with the substance of his objection to this legislation, which was similar to that of my colleague from Michigan, wherein they state in section 608 power would lead to abuse by this Congress. I would like to point out we are dealing with 68 pages of legislation here and an 85-page summary explaining the bill. We have gone into such obscure items as constructing a two-car garage up at a little base near Nome, Alaska. We spent almost a full day on the issue as to whether or not we would convert from coal to oil and gas in a valley in Alaska near Elmendorf Air Force Base in Alaska. So if we can spend this amount of time on this trivial material with $2 billion worth of expenditures on several hundred bases around the United States and in our foreign possessions and in the territory of our allies, then it would certainly appear to me as long as we vest in the Department of Defense the power ultimately to control the mission, which we certainly do by this legislation, we should certainly at least have a referendum on the matter of closing a military base. When it comes to constructing a military base, they have to come to our committee to get authorization to construct the facility. Certainly it does not mean that we are going to turn all of our bases into WPA projects. They closed one base in my district and substantially modified another. I think my district saw it was readily apparent that it should be phased out and modified and consolidated, and it did not develop into a big political harangue. I do not think we have to exercise our discretion in this section in that manner. We should exercise it with caution and discretion. We reviewed before our committee in a hearing for a full day the question of the closure of the New York Naval Shipyard. Certainly politics there played no part and we tried to decide the issue on the merits of the matter.

Mr. Chairman, I would ask support of this legislation and also 608, 609, and 610.

Mr. Chairman, I am pleased to support H.R. 8439, this year's military construction authorization bill.

There is one aspect of the bill which I would like to discuss with you and that is the construction program for the Military Air Transport Service, and particularly that portion of the bill which relates to the construction requirements necessitated by the introduction of the turbofan C-141 aircraft.

The Military Air Transport Service—MATS—program contains $20 million for items at overseas and Zone of Interior bases. Of this amount, 29 items at a cost of $14,703,000 support the new C-141 aircraft. A substantial portion is to expand and further modernize Travis Air Force Base, West Air Force Headquarters in my congressional district.

MATS provides worldwide support for all Department of Defense airlift missions. The dependence upon an airline of communication has permitted the Defense Department to reduce troops and supply buildup in overseas areas at a considerable savings in manpower and money without compromising our commitments. The introduction of the turbofan C-141 will greatly enhance the capability of MATS to perform the intertheater airlift mission.

This aircraft will form a major portion of the backbone of our airlift capability and provides a new future in airlift and operation throughout the free world. In conjunction with this new air transport capability, the Air Force has developed, under Defense Department direction, an integrated cargo handling system called 463L. This system is a method of handling cargo from preparation for shipment to delivery at forward area terminals with ground, terminal, and airlift equipment designed for compatibility with the special pallets on which cargo moves. A high degree of triservice coordination has been maintained to assure compatibility.

Part of the Air Force ground equipment portion of this system is airlift terminals that are automated to receive and process cargo through the terminal facilities at high speed. The operation of this system will permit a C-141 jet transport to be unloaded, refueled, and reloaded within a 1-hour period.

The manpower required for the terminal operation is considerably reduced by use of the automated system. The savings, in time and dollars, that is gained by use of this system is considerable and includes manpower, delivery time, more flying hours per aircraft, and efficiency of operation.

This new aircraft, plus the integrated cargo handling system, gives our country a definite advantage in its worldwide military commitments by providing quick reflex, nonstop, air delivery to almost any point on the globe, and provides the Department of Defense with a fast, long-range supply capability. It reduces reaction time and permits greater flexibility in decisions regarding our use of manpower and materials. Thus, denial of intermediate-stop refueling and reloading points to faraway overseas locations no longer make our actions partially dependent on favorable government-to-government agreements. The construction and conversion cost for facilities to support this new C-141 weapon system and the integrated cargo handling system, is small indeed, when compared to the overall savings made and advantages gained through their use.

This is merely one example of how relatively small construction costs enable us to realize not only dollar savings but also superior military advantage.

I urge each of you to support this bill.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Wyoming [Mr. RONCALIO].

Mr. RONCALIO. Mr. Chairman, I thank the chairman for this time.

I rise to record my approval and support of H.R. 8439, and to congratulate the eminent and able chairman—the gentleman from South Carolina—and to compliment the members of his committee for the obvious and evident hard work that has gone into the preparation of a bill of this magnitude.

Earlier today it was my intention to strike from page 51 all of lines 18 and 19, which would have removed authority for the construction in the next 18 months of 100 units of housing at F. E. Warren Air Force Base, in Cheyenne, Wyo.

My reasons for this arise from the fact that approximately 1,200 units of housing near F. E. Warren Air Force Base and in Cheyenne are vacant at the present time. This is the result of the inevitable transition that affects all military installations when one program is completed and before additional programs are begun. If these units represent marginal or substandard housing—or were largely basement apartments unsuitable for military personnel—it would be different. But unfortunately well over 1,000 represent recently built or substantially new housing units. It is common knowledge in the Cheyenne area that mortgage foreclosures on residences have lately been on the increase.

However, to strike from this bill the authorization for these units would be to do offense to the planning of those within the Department whose vision in the long-range purposes for Warren exceed mine.

I therefore asked that I be assured by the Department of Defense that a housing survey be made to test the need for such construction. I was given that assurance.

It is also my hope that the next round of military activity incident to the intercontinental ballistic missile program can be begun at F. E. Warren Air Force Base before or concurrent with the beginning of the construction program as contained in this bill.

As for section 608 of this legislation, I desire to associate myself with the chairman of the committee, and my colleague, the gentleman from Colorado, FRANK EVANS, who is a member of that committee. I support their position fully that Members of Congress have the right to be notified before facilities are substantially reduced or closed.

I see no conflict in this position and the constitutional principle that the President of the United States shall be the Commander in Chief of the Armed Forces of the United States. In my opinion, section 608 does not conflict with this principle in any way. It applies only to the structure of the Armed Services as distinguished from its function in the national defense.

Mr. BENNETT. Mr. Chairman, I rise in support of H.R. 8439. I know the hours of work that have been put into it. And I believe, too, the number of amendments which were added reflect the painstaking consideration which went into the committee deliberation of this bill. It is to one such amendment that I would like to direct my remarks.

Over the years as air traffic in the Washington area increased, concern for safety grew among the executive and legislative departments and among the Department of Defense and the Federal Aviation Agency. Extensive studies were made by a special authoritative commission appointed by the President and headed by Gen. E. R. Quesada. This study included all military and civil airports in the Washington-Baltimore area and the complex air traffic patterns in the area. Action was started in 1958 and by 1962 the Air Force and the Navy had ceased fixed-wing flying operations at Bolling Air Force Base and Anacostia Naval Air Station in accordance with the recommendations of the Commission and with the authorization of the Congress. The removal of military flights adjacent to Washington National Airport assisted the Federal Aviation Agency immeasurably in minimizing aircraft operational conflicts within the highly saturated Washington airspace.

In this connection, it may be noted that the Navy, as the design agent for the Air Force and at Department of Defense direction, has developed a master plan for the development of a part of Bolling as a joint cantonment area for military personnel and for military administrative activities in the Washington area.

The Department of Defense at the moment has no present firm requirements for all of its landholdings at Bolling-Anacostia but has decided not to declare any of the land surplus on an immediate basis. Various public and private interests have applied for whatever land was not to be immediately developed to meet the needs of the Department of Defense. Some of these uses would make it unwise, or very questionable, for the Department of Defense to go forward with its plans for military housing and office space, because of an overconcentration in the area of industrial and traffic problems. In addition, a bill was introduced in the Congress, H.R. 554, which would provide for the resumption of flying operations at Bolling-Anacostia.

In view of the many and adverse and opposing interests which are at work on the Department of Defense's holdings and plans in the Bolling-Anacostia area, H.R. 8439 provides for the Congress to assume the responsibility for resolving these issues. Section 609 provides that all the land composing the Bolling-Anacostia complex will be required for military purposes in the foreseeable future and disposal will not be made unless specifically authorized by an act of Congress. This section will permit the Department of Defense to proceed in its orderly development of a cantonment area for military personnel and administrative activities in accordance with its needs. It will put the disposal of this much sought after land under the purview, responsibility, and authority of the Congress of the United States where it belongs rather than permit it to be doddled away, whittled up, and fought over by other Government agencies, outside pressure groups, and special interests. It will help preserve the use and the value of the projected defense expenditures in the land which is planned for retention by the Defense Establishment.

It would seem most imprudent to allow the precipitate disposal of this area, which has been in the possession of agencies of the Department of Defense for almost half a century, simply because a pressing need has not made immediate development mandatory. Historically, sufficient land for defense agencies which must be housed in the Washington area has been a matter of continuing concern.

Various sections of the defense agencies are now in many leased or temporary structures in this city. Their operations are fragmented and their efficiency reduced by physical separation. The new office building on Independence Avenue will relieve, but not solve, this problem.

There are both known requirements for portions of the Bolling-Anacostia complex and other requirements, which while not wholly clear at this time, undoubtedly will become much more clear as further study is made of the proper utilization of this valuable property.

Section 609 of this bill is designed to insure that no action is taken to dispose of any portion of the Bolling-Anacostia complex unless Congress has had an opportunity to indicate its will in this respect through legislative action. This was the first step taken by the committee.

The second step taken by the committee was the assignment to the Real Estate Subcommittee, of which I have the honor to be chairman, to make an overall study of the proposed utilization of Bolling-Anacostia. The subcommittee has held one hearing so far and taken testimony from officials of the Department of Defense.

The subcommittee also has requested information from the General Services Administration as to the leasing and construction of office space in the metropolitan area and has also requested of the National Capital Planning Commission such information as is presently available with respect to that Commission's master planning for Bolling-Anacostia.

One thing I would like to make abundantly clear. The Armed Services Committee is not asking the House to hold this property merely because it is military property which, after all, is Federal property like any other; nor are we asking that the property be held merely for the sake of holding it for some conceivable, presently unknown, and vague use in the future. Our purpose is simply this: to make sure that a proper study has been made of the total utilization of this extremely valuable property before it is declared excess to military needs.

Frankly, I do not know what conclusions the subcommittee will ultimately arrive at. But I think I can assure the House that such conclusions as are reached will result from a close, fair, and objective study of the Bolling-Anacostia property.

I hope that you can join with me not only in support of the language regarding the Bolling-Anacostia complex, but in the support of H.R. 8439, the military construction authorization bill.

Mr. RONCALIO. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. Price] may extend his remarks at this point in the Record and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. PRICE. Mr. Chairman, I appreciate having this time to make a few remarks on a particular section of the military construction bill, H.R. 8439, which the House is presently considering. I am referring to the provision which authorizes the conversion of the Elmendorf Air Force Base and Fort Richardson steamplants from coal to gas.

Coal has long supplied the two installations located at Anchorage, Alaska, with a dependable source of energy from mines only 40 miles away via the Government's Alaska Railroad. The bases form the only major coal market and conversion would accordingly kill coal as an industry in Alaska's Matanuska Valley. This will mean at least 120 jobs will be immediately sacrificed affecting not only miners and their 270 dependents, but Alaska Railroad and base employees as well. The Matanuska Valley will suffer the loss of the mine's payroll, which exceeded $1 million in 1964. In addition, the business community in the area will lose over $1 million which the mine spends for supplies and services. The Alaska Railroad stands to lose $700,000 to $800,000 in annual revenues for the 250,000 tons of coal it hauls. If conversion is effected the area's economic losses would run about $2,800,000 annually.

In reviewing these and other data presented on the proposed conversion, I must express concern over the course of action taken thus far. To my way of thinking certain contradictions in Government policy are evident. On the one hand, the Appalachia Commission has been established to administer programs of regional redevelopment and revitalization in an area plagued with chronic unemployment, particularly in the coal-mining industry. On the other hand, we are asked to approve a project which, if adopted, will kill the coal-mining industry in the Matanuska Valley, an area which already has substantial labor surplus.

To further illustrate the problems of conversion at the two bases, I am including a recent statement presented by Mr. W. A. Boyle, president of the United Mine Workers:

> The United Mine Workers of America is unalterably opposed to the conversion of the Elmendorf Air Force Base and Fort Richardson power and heating plants to natural gas. These conversions are not in the public interest and would strike a damaging blow to the Alaskan coal industry and the people and communities which depend upon it.
>
> We are certain that the decision to convert these bases was made without serious thought for the economic consequences of such an action. We are also sure that little, if any, consideration was given to what would happen to the coal miners of the State of Alaska when their jobs were eliminated and they were forced to live on unemployment compensation and even public dole.
>
> Yet, such factors should be made a part of any decision to convert military bases from coal to other fuels. This is especially true in Alaska, a State where the military consumes 90 percent of the total coal production and where the loss of a military contract means corporate extinction.
>
> Since these factors have not, in our opinion, been correctly evaluated, or probably not evaluated at all, we would like, for the record, to discuss them. We do this, not because of our hostility toward those who decide on fuel conversions in the Pentagon, but simply because we feel that these people cannot, or will not, take account of the human factors involved in fuel conversions.
>
> The production of coal in the Matanuska Valley of Alaska provides a payroll of $1 million annually to the coal miners and their families. An additional $1 million is spent by the operators in the normal conduct of their business for services and supplies.
>
> The decision to convert these bases under question means that this payroll and these purchases will be stopped. We have not heard any discussion on what will take their place. We have not seen any proposals as to what will fill the vacuum created by what is to us a harsh and arbitrary decision.
>
> Nor are we aware of any plans to provide alternate sources of employment for the coal miners who will be displaced.
>
> But there should be. All of these factors should be taken into consideration.
>
> In a very real and immediate sense, the loss of such jobs represents a price that will have to be paid for the use of natural gas by the military at Elmendorf and Fort Richardson. Perhaps if such costs were considered, the decision which has been made would be reversed and coal would be retained.
>
> We note with interest the Department of Defense did go so far as to ascertain the cost of unemployment compensation, which would be incurred in the event that the conversion were made. This cost has been set by the Department of Labor at $215,000. We wonder if this has been figured into the cost of conversions and what effect it has had upon the economics of the situation.
>
> More importantly, what happens to the people when the unemployment insurance runs out? What happens when their families and children have to endure all the rigors of poverty and all of the hopelessness of destitution because the breadwinner cannot secure a job?
>
> We have seen situations like this all across the coalfields of this Nation. We have seen long-term unemployment and the misery that it brings. And we say to you today in the strongest possible terms that it should not be allowed to happen. We further contend that every possible resource of the Federal Government, as well as the concerted action of every person in this Nation, should be used to prevent it where possible and wipe away its stain where it exists.
>
> It seems that we as a Nation face a question of policy with respect to the bases under question and, to a greater extent, on the whole question of military uses of coal. That decision comes, in essence, to the question of jobs. For the continuation of the use of coal in these two installations, as well as other such bases, will mean a continuation of jobs for coal miners. It will mean that men can work at their trade and provide for their families. It will return money into the economy of coal areas and allow business establishments to grow and prosper.
>
> On the other hand, conversions throw men into idleness and place upon the taxpayers of the Nation the burden of caring for them and for their families.
>
> There is also the question of the Alaskan Railroad. This railroad is a creature of the Government, having been built in the interest of national security and maintained in part by a Government subsidy. The economic viability of this railroad, however, is insured in large measure by the $750,000 per year derived from the transportation of coal to the military bases in question. We understand that the loss of this coal freight revenue would force the railroad to close its line to Palmer, thus dealing a serious blow to the valley's agricultural industry, which, together with the coal industry, almost totally supports the economy of Palmer and the Matanuska Valley.
>
> The Matanuska Valley coal deposits have provided a reliable fuel supply to the heating plants at Elmendorf Air Force Base and Fort Richardson. These bases constitute about 90 percent of the coal market. If they are converted to gas, the Matanuska Valley coal industry will be lost.
>
> It would seem, therefore, that the Government has a special responsibility to the Alaskan coal industry and the men who work in it. But, more importantly, the Government has a responsibility to use its full resources to provide jobs for Americans who want them and to promote the stability of essential American industries. Apparently the policy of the administration is to do just that—wipe away the pockets of poverty in our land.
>
> For these reasons, we strongly urge that the decision to convert Elmendorf Air Force Base and Fort Richardson to gas be reversed and that the use of coal be retained at these installations.

Mr. IRWIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. IRWIN. Mr. Chairman, I am taking this opportunity to express my support of this legislation at the same time as I express my concern about the inclusion of section 608 in this bill. I feel certain that if this section becomes the law we will live to regret its inclusion. I voted against this section when it was offered as an amendment to this bill in committee. I feel certain that if this section becomes law we will be opening one more legislative hornet's nest to the detriment of the national interest.

Mr. SCHMIDHAUSER. Mr. Chairman, I wish to state my unalterable opposition to any proposal to retain operations at the Springfield, Mass., Armory rather than to transfer these operations to the arsenal located in Rock Island, Ill., as the Department of Defense had recommended.

After a study of the operations at the Springfield Armory of 1½ years, it was determined that utilization of production would decline from 56 percent in fiscal year 1962 to an expected 37 percent in fiscal years 1965 and 1966. This degree of utilization could only be maintained by producing items that could have been procured from private industry. The high cost of operating the Springfield Armory has been the subject of attention of the General Accounting Office and various congressional inquiries. Further, the aging condition of the Springfield

Armory has created a maintenance cost 50 percent higher than that of comparable facilities.

I would also like to point out that there are good and sufficient reasons for the Department of Defense's proposal to transfer the operations from the Springfield Armory to the Rock Island Arsenal. The Springfield capacity for producing small arms is duplicated by Rock Island; the Rock Island Arsenal has outstanding capabilities essential to the production of small arms including a high inventory of machine tools and a variety of manufacturing capabilities; the Rock Island Arsenal has the floor space required for the research and development mission, it has some indoor test firing facilities although some modernization is required. I would like to conclude by stating that the Department of Defense findings reveal that annual savings to be achieved by transferring operations from Springfield to Rock Island would exceed the savings which could be obtained by eliminating manufacturing operations at Springfield and continuing the research and development mission there.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope this amendment to section 608 of H.R. 8439, requiring the Defense Secretary to initiate a reporting procedure to the Armed Services Committee previous to any substantial reduction action or closure of a military base or facility, is accepted and approved by this House, because I believe it is a wise, a just, and a fair requirement prudently protective of the national interest.

I submit that there is no direct intention here of seriously contesting the executive discretion of the Secretary; on the contrary the substantive purpose of this amendment is to aid him in the wisest discharge of his grave responsibilities.

The real value of this amendment is that it seeks to join and coordinate the knowledge and the duty of the Congress with the power and responsibility of the Secretary in making decisions that vitally affect the welfare of a great number of American families, the security of the Nation and, indeed, the peace of the world.

In my own district, particularly at the Watertown Arsenal and at many other military installations throughout our State and region, a closure action was projected by the Defense Department against the repeatedly expressed strong convictions of a great many responsible leaders and organizations that such action was of extremely doubtful economic impact, extremely unwise, especially in the light of increased military participation throughout the world, in its impact upon our national defense posture and obviously and dangerously detrimental to the high morale of millions of loyal American workers and taxpayers. Indeed, a great many of us here in the Congress from our area, businessmen in the region and civic officials fully acquainted with the matter, remain firm in our patriotic convictions and belief that the closure action affecting the historically efficient defense production activity of the Watertown Arsenal and the faithful experienced employees of that famous facility is not right, is not wise, is not prudent, is not economically justifiable and that it cannot be held certain by any authority that the full and essential war production effort of this arsenal will never again be needed.

Had the procedure proposed in this amendment been in existence, many of our grave questions and doubts and apprehensions, with the evidence sustaining them, could have been presented to the Armed Services Committee together with the allegations of the Defense Department on their side, and the whole problem would at least have been subject to a more thorough and impartial review through the Secretary and the committee and the Congress working together toward a better understanding for the good of the country.

As provided in the proposed amendment, if the Armed Services Committee has reason to be believe that the effect of a substantial reduction or closure of a military facility would tend to impair the defense of the United States, it would report a resolution to the resolving House. The House would then have 40 days to act upon the resolution. If the resolving House fails to act upon such resolution, the Secretary would not be hindered in closing or reducing a military activity; otherwise he would be precluded from doing so.

This procedure, proposed by this amendment, appears, as I have said, to be wise and in the best national interest of all Americans and all branches of the Federal Government. I hope that it will be approved here and further hope that within its provisions the Armed Services Committee may see fit to review all the circumstances of the proposed closing of the Watertown Arsenal for the benefit of the employees that are so vitally affected and the national interest that is so gravely involved.

Mr. MOORE. Mr. Chairman, I should like to submit the text of a press release which I have issued on the proposed military construction bill:

> WASHINGTON.—Congressman ARCH A. MOORE, JR., said today a bill proposing the authorization of nearly $2 billion for military construction the next fiscal year doesn't carry a single penny for West Virginia.
>
> "My only reason for pointing this out to the people of West Virginia is that our State is always used as a prime example of the need for economic, social and educational help at the Federal level by reason of its so-called depressed condition," MOORE said. "Yet, every year, literally billions of dollars in regular Federal expenditures bypass West Virginia and have been doing so for several years."
>
> The First District Congressman emphasized that these billions of dollars represent the defense spending of the Nation and create thousands of jobs in other States.
>
> "This is the difference between the types of Federal dollars West Virginia receives and other States get," MOORE said. "I believe it is time West Virginians are made aware of this. I am sure that a vast majority of West Virginians as well as myself prefer Federal dollars that create jobs rather than those creating handouts."
>
> The House Armed Services Committee last week reported out favorably the bill authorizing $1,934,927,000 for military construction the next fiscal year, starting July 1.
>
> The Congressman declared that some would say these dollars can't be spent in our State because of the geography, climate, weather, or for any number of other reasons. "However," he continued, "millions of dollars are going to neighboring States that even today because of their conditions are also participants in the Appalachia redevelopment program." He added:
>
> "For example, Virginia would receive upwards of $61 million under the military construction authorization bill the next fiscal year; Maryland would receive more than $38 million, and Kentucky would receive more than $18.5 million—yet West Virginia would receive not a single cent."

For these reasons, Mr. Chairman, I shall oppose passage of this measure this afternoon.

Mr. ADDABBO. Mr. Chairman, while I support H.R. 8439, I believe that the adoption of the amendment offered by my colleague from New York is mandatory. Congress must not abrogate its authority to provide for the defense of our Nation—we must have the final veto authority over any order closing any present existing military installation.

Mr. Chairman, we are at war—cold, peacekeeping, or otherwise—and I do not believe we should enter into a program of disarmament. And, call it what you may, budget cuts, savings, or otherwise, this program to close many of our military installations is disarmament without the consent of Congress.

The United States, our defenses, cannot afford the dismantling of a great military installation such as the New York Naval Shipyard. The justification for the continued operation of the New York Naval Shipyard needs no "fancy survey." Past and present undisputed performance is its justification. Paper figures and anticipated happenings and cost and savings must fall when matched by actual fact based on proven performance. The New York Naval Shipyard has the best and the highest performance in all wars as to construction, mobilization, and so forth.

We must retain the New York Naval Shipyard, and I urge my colleagues to support the amendment by the gentleman from New York [Mr. STRATTON].

Mr. Chairman, I will also support the amendment to be offered by my New York colleague [Mr. WOLFF] to prevent the transfer from Sands Point, N.Y., to Orlando, Fla., the naval experimentation station, which transfer is not justified.

Mr. EVANS of Colorado. Mr. Chairman, one of the basic problems of the services in general and the Army in particular is retaining qualified personnel. It costs a lot of money to train young soldiers and lieutenants, and every time one leaves the service after only 2 or 3 years, the Army not only loses that investment but also must repeat the cost in training a replacement. For example, over $35,000 must be invested when a lieutenant hangs up his uniform—many times the cost of a bachelor officer quarters space.

One of the reasons many young men and women cite for leaving the service is poor living conditions; namely, having to live in deteriorated temporary wooden barracks and bachelor officer quarters, eat in old wooden messhalls, and use dilapidated World War II facilities. If the young man is married, or planning to get married, family separation due to the shortage of family quarters often affects his decision to get out of the service. Consequently, when we build new barracks and bachelor officer quarters, supporting items, and family quarters, we not only take better care of our military men and women but we also make a wise investment toward reducing costly military personnel turnover.

It is interesting to note that the Army now requests barracks in the form of regimental size complexes whenever possible. These complexes, which we started in fiscal year 1963 with one at Fort Dix, are balanced packages for about 3,500 men, and include not only the barracks and messhalls but also the related support items, such as battalion and regimental headquarters, classrooms, dispensary, chapel, branch PX, and regimental gymnasium. The Army does not have to come back year after year to round out the supporting items on a piecemeal basis as is the case for the older troop housing areas, and the troops have a complete living area as soon as they move into their new barracks.

The bill last year brought the Army up to a reasonable rate for replacing barracks and bachelor officer quarters, and the bill this year essentially continues that level. We must sustain that level for a few more years if we are going to get the Army troops into modern permanent barracks and bachelor officer quarters and family housing in which they will be proud to live and reenlist for more years of service.

I believe this is not only our patriotic duty to the men and women in uniform and their families, but this is also our fiscal responsibility to invest these construction dollars where they will pay dividends in retention of skilled men and women of the services.

Mr. WALKER of New Mexico. Mr. Chairman, I am pleased to join in the support of H.R. 8439. It is a balanced bill which meets the responsibilities of today. It attacks the problems of obsolescence and still provides the operational facilities for global commitments.

One element of the bill, however, as submitted by the Department of Defense, disturbed me. I refer to the area of replacement of obsolete hospital facilities. This year, as in each year since 1963, the Department has been planning hospital construction without including any beds for retired personnel and their dependents. Too, the Department of Defense and the Bureau of the Budget have made surveys of community facilities to determine if obstetrical facilities are required in military hospitals. This policy is disturbing to the committee in that it does not take into consideration emergency mobilization requirements. Further, it is a vehicle to exclude promised hospital care to military retirees and their dependents.

Thus, the committee has deemed it necessary to place specific restrictions in this bill. If you will remember, last year a special subcommittee was appointed for the purpose of inquiring into Department of Defense policy on hospital construction. This subcommittee conducted extensive hearings and published its report in September of 1964. The recommendations made concerned the provision of medical care for retired military personnel and their dependents, as well as the dependents of active duty military personnel.

The Department of Defense has also been engaged in an extensive study of the retired care problem. To date, they have not acted upon their study nor have they implemented the recommendations of the special subcommittee on hospital construction.

For this reason, interim restrictions have been placed in this bill to provide beds for retired military personnel and their dependents equal to the average experience of the last 3 years. In keeping with the recommendations of the subcommittee made last September, we have also seen fit to require that obstetrical facilities be provided for the dependents.

This bill contains several additions to existing permanent hospitals. Over the past decade there has been considerable change in the practice of medicine. Emphasis has shifted from caring for sick persons on an inpatient status when they occupy a hospital bed and are absent from duty, to caring for these same persons on an outpatient status where they can remain on duty and continue their normal family life. This clinic concept of providing medical treatment on an outpatient basis, whenever the nature of the disease or injury permits, has been a major factor in reducing the noneffective ratio. Within the Air Force alone, it amounted to a saving of 1,255,807 man-days in 1964 over what this would have been 10 years ago. While this has been a saving in manpower, it has resulted in a greater requirement for outpatient facilities in our hospitals than was envisioned at the time of their construction.

I believe the bill as it now stands corrects the objections which the committee found.

I urge the support of H.R. 8439.

Mr. LOVE. Mr. Chairman, I would like to take this opportunity to offer congratulations to my chairman [Mr. RIVERS] for his leadership with respect to H.R. 8439. It is, indeed, an honor to serve on his committee.

I am pleased to join with my fellow committee members in giving this bill unanimous approval. It is as economical and practical as can be made and will sensibly serve our military departments in fiscal year 1966.

There is one part of the bill—section 608—which has caused considerable discussion. This section calls for the Secretary of Defense or the Secretary of a military department to give prior notice to Congress of any planned closure or substantial reduction to any base. I admit that I had some initial misgivings as to the overall advisability of this provision. However, after due consideration I decided that section 608 would not prevent me from supporting the bill.

First of all, there is no question of the constitutionality of such a provision. Article I, section 8, of the U.S. Constitution reads in part:

> The Congress shall have power * * * to pay the debts and provide for the common Defence and general Welfare of the United States;
>
> To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;
>
> To provide and maintain a Navy;
>
> To make rules for the Government and Regulation of the land and naval Forces;
>
> To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

The Founding Fathers obviously meant for Congress to hold such power over the military.

May I also add that I believe section 608 would be in the best interests of my district, living as I do in the Dayton, Ohio, area where Wright-Patterson Air Force Base is located.

In the event that an attempt is made to close, move, or substantially reduce Wright-Patterson Air Force Base, and it appears that the move is politically inspired to raid the base for parochial reasons, I would have an opportunity to be heard as a result of the process of requiring a notice to the Congress.

As a member of the House Committee on Armed Services, I enthusiastically support the bill with the controversial section included.

Mr. RIVERS of South Carolina. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparations, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Continental United States, Less Army Materiel Command

(First Army)

Fort Devens, Massachusetts: Hospital facilities and troop housing, $11,008,000.

Fort Dix, New Jersey: Maintenance facilities, medical facilities, and troop housing, $17,948,000.

Federal Office Building, Brooklyn, New York: Administrative facilities, $636,000.

United States Military Academy, West Point, New York: Hospital facilities, troop housing and community facilities, and utilities, $18,089,000.

(Second Army)

Fort Belvoir, Virginia: Training facilities, research, development and test facilities, hospital facilities, and administrative facilities, $8,122,000.

East Coast Radio Transmitter Station, Woodbridge, Virginia: Utilities, $211,000.

Fort Eustis, Virginia: Utilities, $158,000.

Fort Knox, Kentucky: Training facilities, maintenance facilities, troop housing and community facilities, $15,422,000.

Fort Lee, Virginia: Community facilities, $700,000.

Fort Meade, Maryland: Ground improvements, $550,000.

Fort Monroe, Virginia: Administrative facilities, $4,950,000.

Vint Hill Farms, Virginia: Maintenance facilities, troop housing and utilities, $1,029,000.

(Third Army)

Fort Benning, Georgia: Maintenance facilities, troop housing and utilities, $5,325,000.

Fort Bragg, North Carolina: Maintenance facilities, supply facilities, medical facilities, troop housing and community facilities, $4,106,000.

Fort Campbell, Kentucky: Operational and training facilities, maintenance facilities, troop housing and utilities, $1,992,000.

Fort Gordon, Georgia: Training facilities, troop housing and community facilities, $18,485,000.

Fort Jackson, South Carolina: Training facilities, maintenance facilities, medical facilities, and troop housing facilities, $17,281,000.

Fort Rucker, Alabama: Maintenance facilities, troop housing and community facilities, $3,720,000.

Fort Stewart, Georgia: Hospital facilities and utilities, $2,317,000.

(Fourth Army)

Fort Bliss, Texas: Operational facilities, administrative facilities, troop housing and community facilities, $1,416,000.

Brooke Army Medical Center, Texas: Training facilities, $8,300,000.

Fort Hood, Texas: Maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $18,081,000.

Fort Sam Houston, Texas: Medical facilities, $1,300,000.

Fort Polk, Louisiana: Training facilities, troop housing and utilities, $1,118,000.

Fort Sill, Oklahoma: Operational and training facilities, administrative facilities, troop housing and community facilities, $2,268,000.

(Fifth Army)

Fort Carson, Colorado: Maintenance facilities, $9,443,000.

Fort Benjamin Harrison, Indiana: Hospital facilities, troop housing and community facilities, $4,017,000.

Fort Leavenworth, Kansas: Operational facilities and medical facilities, $2,893,000.

Fort Riley, Kansas: Maintenance facilities, troop housing and community facilities and utilities, $9,555,000.

Fort Sheridan, Illinois: Utilities, $47,000.

Fort Leonard Wood, Missouri: Operational and training facilities, and troop housing facilities, $16,084,000.

(Sixth Army)

Fort Irwin, California: Operational facilities, maintenance facilities, hospital facilities, community facilities, and utilities, $4,741,000.

Fort Lewis, Washington: Training facilities, troop housing and community facilities, $710,000.

Presidio of Monterey, California: Training facilities and troop housing, $3,046,000.

Fort Ord, California: Maintenance facilities, $974,000.

Presidio of San Francisco, California: Administrative facilities, $1,299,000.

Two Rock Ranch, California: Operational facilities, maintenance facilities, and utilities, $385,000.

West Coast Receiving Station, California: Utilities, $166,000.

Yakima Firing Range, Washington: Troop housing, $56,000.

(Military District of Washington)

Army Map Service, Maryland: Operational facilities, $182,000.

Cameron Station, Virginia: Medical facilities, $168,000.

Fort Myer, Virginia: Troop housing and community facilities, and utilities, $5,587,000.

Walter Reed Army Medical Center, District of Columbia: Medical facilities and utilities, $611,000.

Army Materiel Command

Aberdeen Proving Ground, Maryland: Administrative facilities and utilities, $3,419,000.

Aeronautical Maintenance Center, Texas: Maintenance facilities, $1,941,000.

Anniston Army Depot, Alabama: Maintenance facilities, $837,000.

Bayonne Naval Supply Center, Bayonne, New Jersey: Maintenance facilities, supply facilities, administrative facilities, and utilities, $3,658,000.

Blue Grass Army Depot, Kentucky: Operational facilities and maintenance facilities, $779,000.

Cold Regions Research and Engineering Laboratory, New Hampshire: Maintenance facilities, research, development and test facilities, $1,184,000.

Fort Detrick, Maryland: Operational facilities, research, development and test facilities, and utilities, $11,771,000.

Dugway Proving Ground, Utah: Community facilities, $137,000.

Edgewood Arsenal, Maryland: Research, development and test facilities, and utilities, $2,736,000.

Granite City Army Depot, Illinois: Utilities, $56,000.

Fort Huachuca, Arizona: Troop housing, $320,000.

Jefferson Proving Ground, Indiana: Operational facilities, $52,000.

Letterkenny Army Depot, Pennsylvania: Maintenance facilities, and utilities, $2,239,000.

Lexington Army Depot, Kentucky: Administrative facilities, and utilities, $526,000.

Fort Monmouth, New Jersey, Troop housing, $586,000.

Natick Laboratories, Massachusetts: Maintenance facilities, $1,371,000.

Navajo Army Depot, Arizona: Utilities, $56,000.

New Cumberland Army Depot, Pennsylvania: Operational facilities, supply facilities, and administrative facilities, $815,000.

Oakland Army Terminal, California: Community facilities, $912,000.

Picatinny Arsenal, New Jersey: Administrative facilities, $584,000.

Pueblo Army Depot, Colorado: Utilities, $337,000.

Red River Army Depot, Texas: Maintenance facilities and utilities, $465,000.

Redstone Arsenal, Alabama: Training facilities, $1,364,000.

Rock Island Arsenal, Illinois: Administrative facilities, and utilities, $826,000.

Rocky Mountain Arsenal, Colorado: Maintenance facilities, $36,000.

Savanna Army Depot, Illinois: Training facilities, $102,000.

Sharpe Army Depot, California: Maintenance facilities, $175,000.

Sierra Army Depot, California: Utilities, $115,000.

Tobyhanna Army Depot, Pennsylvania: Supply facilities, $199,000.

Tooele Army Depot, Utah: Utilities, $340,000.

Watervliet Arsenal, New York: Utilities, $1,713,000.

White Sands Missile Range, New Mexico: Research, development and test facilities, and utilities, $473,000.

United States Army, Hawaii

Schofield Barracks, Hawaii: Maintenance facilities, troop housing and utilities, $3,175,000.

Outside the United States

Okinawa, various: Community facilities and utilities, $2,558,000.

Germany, various: Operational facilities and troop housing, $2,046,000.

Fort Clayton, Canal Zone: Utilities, $387,000.

Classified location: Operational facilities, $2,400,000.

Sec. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $79,840,000.

Sec. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

Sec. 104. (a) Public Law 86–500, as amended, is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Technical Services Facilities (Ordnance Corps)," with respect to "Watertown Arsenal Massachusetts," strike out "$1,849,000" and insert in place thereof "$1,952,000."

(b) Public Law 86–500, as amended, is amended by striking out in clause (1) of section 502, "$80,460,000" and "$147,390,000" and inserting in place thereof "$80,563,000" and "$147,493,000", respectively.

Sec. 105. (a) Public Law 87–554, as amended, is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri," strike out "$8,567,000" and insert in place thereof "$9,066,000".

(b) Public Law 87–554, as amended, is amended by striking out in clause (1) of section 602, "$101,816,000" and "$150,325,000" and inserting in place thereof "$102,315,000" and "$150,824,000", respectively.

Sec. 106. (a) Public Law 88–174, as amended, is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Fifth Army)", with respect to "Fort Leonard Wood, Missouri", strike out "$8,163,000" and insert in place thereof "$8,737,000."

(2) Under the subheading "Army Component Commands (Pacific Command Area)", with respect to "Hawaii Defense Area, Hawaii", strike out "$150,000" and insert in place thereof "$279,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (1) of section 602, "$154,993,000" and "$199,650,000" and inserting in place thereof "$155,696,000" and "$200,353,000", respectively.

SEC. 107 (a) Public Law 88–390 is amended under heading "Inside the United States" in section 101, as follows:

(1) Under the subheading "Continental Army Command (Military District of Washington, District of Columbia)", with respect to "Fort Myer, Virginia" strike out "$4,052,000" and insert in place thereof "$4,524,000".

(2) Under the subheading "United States Army Materiel Command (United States Army Weapons Command)" with respect to "Watervliet Arsenal, New York" strike out "$77,000" and insert in place thereof "$161,000".

(3) Under the subheading "United States Military Academy, West Point, New York" strike out "$20,578,000" and insert in place thereof "$27,997,000".

(4) Under the subheading "Army Security Agency" with respect to "Two Rock Ranch Station, California," strike out "$1,014,000" and insert in place thereof "$1,210,000".

(b) Public Law 88–390 is amended by striking out in clause (1) of section 602 "$241,526,000" and "$292,587,000", and inserting "$249,697,000" and "$300,758,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Bureau of Ships Facilities

(Naval shipyards)

Naval Shipyard, Boston, Massachusetts: Maintenance facilities, and utilities, $5,105,000.

Naval Shipyard, Bremerton, Washington: Maintenance facilities, troop housing and community facilities, and ground improvements, $1,692,000.

Naval Shipyard, Charleston, South Carolina: Maintenance facilities, $5,917,000.

Naval Shipyard, Long Beach, California: Operational facilities, maintenance facilities, and utilities, $2,931,000.

Naval Shipyard, Mare Island, California: Maintenance facilities, and utilities, $1,129,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, and utilities, $2,703,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, and maintenance facilities, $3,591,000.

Naval Shipyard, Philadelphia, Pennsylvania: Maintenance facilities, and supply facilities, $3,487,000.

Naval Shipyard, Portsmouth, New Hampshire: Maintenance facilities, $998,000.

Naval Shipyard, San Francisco, California: Maintenance facilities, $450,000.

(Fleet support stations)

Headquarters, Commander-in-Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $873,000.

Naval Inshore Undersea Warfare Group, Norfolk, Virginia: Utilities, $216,000.

(Research, development, test and evaluation stations)

Navy Mine Defense Laboratory, Panama City, Florida: Supply facilities, $97,000.

Fleet Base Facilities

Naval Station, Charleston, South Carolina: Operational facilities, and troop housing, $765,000.

Naval Amphibious Base, Coronado, California: Maintenance facilities, $396,000.

Naval Command Systems Support Activity, District of Columbia: Administrative facilities, $643,000.

Naval Station, Key West, Florida: Supply facilities, and medical facilities, $1,293,000.

Naval Station, Long Beach, California: Troop housing, and utilities, $2,319,000.

Naval Submarine Base, New London, Connecticut: Troop housing and community facilities, and utilities, $2,350,000.

Naval Station, Newport, Rhode Island: Maintenance facilities, and troop housing, $2,112,000.

Naval Station, Norfolk, Virginia: Operational facilities, and community facilities, $2,133,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Administrative facilities, and troop housing, $670,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Operational facilities, $271,000.

Naval Station, San Diego, California: Operational facilities, troop housing, and utilities, $4,508,000.

Naval Station, Treasure Island, California: Administrative facilities, medical facilities, troop housing and community facilities, and utilities and ground improvements, $2,594,000.

Naval Weapons Facilities

(Naval air training stations)

Naval Auxiliary Air Station, Chase Field, Texas: Operational facilities, and utilities, $152,000.

Naval Air Station, Corpus Christi, Texas: Real estate, $184,000.

Naval Auxiliary Landing Field, Ellyson Field, Florida: Operational facilities, troop housing, and utilities, $1,530,000.

Naval Air Station, Glynco, Georgia: Operational facilities, and troop housing, $637,000.

Naval Auxiliary Air Station, Kingsville, Texas: Operational facilities, troop housing, and utilities, $557,000.

Naval Air Station, Memphis, Tennessee: Training facilities, and troop housing, $5,792,000.

Naval Air Station, Pensacola, Florida: Maintenance facilities, administrative facilities, and utilities, $2,263,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Training facilities, $664,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, and utilities, $1,355,000.

(Field support stations)

Naval Station, Adak, Alaska: Operational facilities, maintenance facilities, administrative facilities, and utilities, $5,890,000.

Naval Air Station, Alameda, California: Operational facilities, and troop housing, $1,284,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Troop housing and community facilities, $521,000.

Naval Air Station, Brunswick, Maine: Operational facilities, $161,000.

Naval Air Station, Cecil Field, Florida: Maintenance facilities, and administrative facilities, $1,124,000.

Naval Air Facility, El Centro, California: Operational facilities, $500,000.

Naval Auxiliary Air Station, Fallon, Nevada: Administrative facilities, and community facilities, $441,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, maintenance facilities, troop housing, and utilities, $11,595,000.

Pacific Fleet Tactical Range, Kauai, Hawaii: Operational facilities, troop housing, and utilities, $1,878,000.

Naval Air Station, Key West, Florida: Operational facilities, and troop housing, $834,000.

Naval Air Station, Lakehurst, New Jersey: Training facilities, $199,000.

Naval Air Station, Lemoore, California: Training facilities, $990,000.

Naval Station, Mayport, Florida: Operational facilities, and utilities and ground improvements, $892,000.

Naval Air Station, Miramar, California: Operational facilities, maintenance facilities, and administrative facilities, $914,000.

Naval Air Station, Moffett Field, California: Operational facilities, $476,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, and troop housing, $2,774,000.

Naval Air Station, North Island, California: Troop housing, and utilities, $853,000.

Naval Air Station, Oceana, Virginia: Operational facilities, maintenance facilities, and troop housing, $5,482,000.

Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and community facilities, $509,000.

Naval Auxiliary Air Station, Ream Field, California: Troop housing, $2,024,000.

Naval Air Station, Sanford, Florida: Operational facilities, maintenance facilities, troop housing, utilities, and real estate, $7,365,000.

Naval Air Station, Whidbey Island, Washington: Operational and training facilities, maintenance facilities, and troop housing, $3,754,000.

(Marine Corps air stations)

Marine Corps Air Station, Beaufort, South Carolina: Operational and training facilities, maintenance facilities, and utilities, $2,773,000.

Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational facilities, $264,000.

Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, supply facilities, and troop housing, $4,569,000.

Marine Corps Air Station, El Toro, California: Operational facilities, supply facilities, and utilities, $659,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, maintenance facilities, medical facilities, and troop housing, $2,587,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, and troop housing, $2,483,000.

Marine Corps Air Station, Yuma, Arizona: Operational facilities, supply facilities, and utilities, $619,000.

(Fleet readiness stations)

Naval Ammunition Depot, Charleston, South Carolina: Medical facilities, administrative facilities, community facilities, and utilities $1,355,000.

Naval Weapons Station, Concord, California: Maintenance facilities, and utilities, $609,000.

Naval Ammunition Depot, Oahu, Hawaii: Operational facilities, and troop housing, $597,000.

Naval Weapons Station, Seal Beach, California: Maintenance facilities, $100,000.

Naval Weapons Station, Yorktown, Virginia: Real estate, $81,000.

(Research, development, test, and evaluation stations)

Naval Ordnance Test Station, China Lake, California: Operational facilities, and research, development, and test facilities, $495,000.

Naval Parachute Facility, El Centro, California: Research, development and test facilities, and real estate, $2,300,000.

Naval Air Engineering Center, Philadelphia, Pennsylvania: Utilities, $155,000.

Pacific Missile Range, Point Mugu, California: Maintenance facilities, and research, development, and test facilities; and, on San Nicolas Island, operational facilities, and troop housing, $2,480,000.

Supply Facilities

Naval Supply Depot, Newport, Rhode Island: Operational facilities, $726,000.

Naval Supply Center, Oakland, California: Administrative facilities, $590,000.

Marine Corps Facilities

Marine Corps Supply Center, Barstow, California: Supply facilities, $200,000.

Marine Corps Base, Camp Lejeune, North Carolina: Training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,771,000.

Marine Corps Base, Camp Pendleton, California: Training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $8,481,000.

Marine Corps Base, Twentynine Palms, California: Training facilities, $2,912,000.

Service School Facilities

Naval Academy, Annapolis, Maryland: Training facilities, and utilities and ground improvements, $9,532,000.

Naval Training Center, Great Lake, Illinois: Training facilities, and troop housing and community facilities, $11,457,000.

Naval Schools Command, Mare Island, California: Troop housing, $432,000.

Naval Postgraduate School, Monterey, California: Training facilities, $2,140,000.

Officer Candidate School, Newport, Rhode Island: Training facilities, $3,000,000.

Fleet Training Center, Norfolk, Virginia: Training facilities, $2,221,000.

Naval Schools Command, Norfolk, Virginia: Training facilities, $566,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Troop housing, $1,212,000.

Naval Training Center, San Diego, California: Training facilities, and troop housing, $10,306,000.

Naval Schools Command, Treasure Island, California: Troop housing, $3,302,000.

Medical Facilities

National Naval Medical Center, Bethesda, Maryland: Troop housing, $800,000.

Naval Hospital, Charleston, South Carolina: Troop housing, $353,000.

Naval Hospital Corps School, Great Lakes, Illinois: Troop housing, $1,696,000.

Naval Hospital, Newport, Rhode Island: Hospital and medical facilities, $4,736,000.

Naval Hospital, Oakland, California: Troop housing, $673,000.

Naval Dispensary and Dental Clinic, Pearl Harbor, Oahu, Hawaii: Medical facilities, $2,800,000.

Naval Hospital, Philadelphia, Pennsylvania: Troop housing, $315,000.

Naval Hospital, Saint Albans, New York: Troop housing $718,000.

Naval Hospital, San Diego, California: Medical facilities, $1,433,000.

Communication Facilities

Naval Communication Station, Adak, Alaska: Operational facilities, and supply facilities, $303,000.

Naval Radio Station, Mount Moffett, Adak, Alaska: Operational facilities, $1,185,000.

Naval Autodin Facility, Albany, Georgia: Operational facilities, $313,000.

Naval Radio Station, Annapolis, Maryland: Troop housing, $86,000.

National Naval Reserve Master Control Radio Station, Arlington, Virginia: Operational facilities, $40,000.

Naval Communication Station, San Francisco (Stockton), California: Administrative facilities, and troop housing, $518,000.

Naval Autodin Facility, Syracuse, New York: Operational facilities, $45,000.

Naval Communication Station, Wahiawa, Oahu, Hawaii: Operational facilities, supply facilities, troop housing, and utilities, $1,248,000.

Various locations: Utilities, $2,000,000.

Office of Naval Research Facilities

Naval Arctic Research Laboratory, Barrow, Alaska: Research, development and test facilities, administrative facilities, troop housing and community facilities, and utilities, $3,000,000.

Naval Research Laboratory, District of Columbia: Research, development and test facilities, and utilities, $7,202,000.

Naval Training Device Center, Orlando, Florida: Research, development and test facilities, $851,000.

Yards and Docks Facilities

Naval Construction Battalion Center, Davisville, Rhode Island: Training facilities, community facilities, and real estate, $774,000.

Navy Public Works Center, Newport, Rhode Island: Utilities, $390,000.

Navy Public Works Center, Norfolk, Virginia: Operational facilities, and utilities, $1,868,000.

Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, $130,000.

Naval Construction Battalion Center, Port Hueneme, California: Troop housing, $893,000.

Outside the United States

Fleet Base Facilities

Naval Station, Guantanamo Bay, Cuba: Operational facilities, $187,000.

Fleet Activities, Ryukyus, Okinawa: Troop housing, $1,287,000.

Headquarters Support Activity, Taipei, Republic of China: Administrative facilities, $199,000.

Naval Weapons Facilities

Naval Air Station, Agana, Guam: Maintenance facilities, and medical facilities, $138,000.

Naval Air Station, Atsugi, Japan: Operational facilities, $2,047,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Maintenance facilities, and community facilities, $331,000.

Marine Corps Air Facility, Futema, Okinawa: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities and ground improvements, $1,499,000.

Marine Corps Air Station, Iwakuni, Japan: Operational facilities, and troop housing, $639,000.

Naval Air Facility, Naha, Okinawa: Administrative facilities, and troop housing, $497,000.

Naval Station, Roosevelt Roads, Puerto Rico: Operational facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities and ground improvements, $7,986,000.

Naval Station, Rota, Spain: Operational facilities, maintenance facilities, troop housing and community facilities and utilities, $5,616,000.

Supply Facilities

Naval Supply Depot, Subic Bay, Republic of the Philippines: Administrative facilities, $120,000.

Marine Corps Facilities

Camp Smedley D. Butler, Okinawa: Training facilities, maintenance facilities, administrative facilities, and community facilities, $841,000.

Communication Facilities

Naval Radio Station, Barrigada, Guam: Operational facilities, $526,000.

Naval Communication Station, Finegayan, Guam: Operational facilities, and troop housing, $1,701,000.

Naval Radio Station, Fort Allen, Puerto Rico: Operational facilities, and troop housing, $94,000.

Naval Radio Station, Isabela, Puerto Rico: Operational facilities, and real estate, $1,237,000.

Naval Communication Station, Londonderry, Northern Ireland: Operational facilities, and troop housing and community facilities, $1,364,000.

Naval Radio Station, Sabana Seca, Puerto Rico: Community facilities, $603,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Operational facilities, $563,000.

Naval Radio Station, Summit, Canal Zone: Operational facilities, and troop housing and community facilities, $383,000.

Various locations: Utilities, $4,500,000.

Yards and Docks Facilities

Navy Public Works Center, Subic Bay, Republic of the Philippines: Utilities, $2,078,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $41,099,000.

SEC. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

Inside the United States

Air Defense Command

Ent Air Force Base, Colorado Springs, Colorado: Operational facilities, maintenance facilities, and troop housing, $1,767,000.

Hamilton Air Force Base, San Rafael, California: Operational facilities and troop housing, $1,297,000.

Kincheloe Air Force Base, Sault Sainte Marie, Michigan: Operational facilities, supply facilities, and community facilities, $189,000.

Kingsley Field, Klamath Falls, Oregon: Operational facilities and maintenance facilities, $258,000.

McChord Air Force Base, Tacoma, Washington: Operational and training facilities, maintenance facilities, medical facilities, and troop housing and community facilities, $3,736,000.

Otis Air Force Base, Falmouth, Massachusetts: Maintenance facilities and utilities, $950,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Maintenance facilities, $104,000.

Selfridge Air Force Base, Mount Clemens, Michigan: Operational facilities and maintenance facilities, $117,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities, $414,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Operational facilities and community facilities, $294,000.

Tyndall Air Force Base, Panama City, Florida: Operational and training facilities, supply facilities, and troop housing, $2,991,000.

Air Force Accounting and Finance Center

Air Force Accounting and Finance Center, Denver, Colorado: Administrative facilities and utilities, $225,000.

Air Force Logistics Command

Griffiss Air Force Base, Rome, New York: Operational facilities and research, development, and test facilities, $1,890,000.

Hill Air Force Base, Ogden, Utah: Maintenance facilities, supply facilities, administrative facilities, and community facilities, $6,444,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, maintenance facilities, administrative facilities, and troop housing and community facilities, $6,039,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, administrative facilities, troop housing and community facilities, and utilities, $4,996,000.

Newark Air Force Station, Newark, Ohio: Utilities, $181,000.

Norton Air Force Base, San Bernardino, California: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing, $8,874,000.

Robins Air Force Base, Macon, Georgia: Operational facilities, maintenance facilities, administrative facilities, troop housing and community facilities, and utilities, $6,983,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, maintenance facilities, administrative facilities, and community facilities, $7,579,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Research, development, and test facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $12,319,000.

Air Force Systems Command

Arnold Engineering Development Center, Tullahoma, Tennessee: Operational facilities, $1,861,000.

Brooks Air Force Base, San Antonio, Texas: Operational facilities, research, development, and test facilities and troop housing, $588,000.

Edwards Air Force Base, Muroc, California: Research development, and test facilities, hospital facilities, and utilities, $2,897,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, medical facilities, troop housing and community facilities, and utilities, $2,684,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, research, development, and test facilities, supply facilities, administrative facilities, and troop housing and community facilities, $3,405,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Research, development, and test facilities, and community facilities, $1,517,000.

Patrick Air Force Base, Cocoa, Florida: Administrative facilities, community facilities, and utilities, $431,000.

Various locations, Eastern Test Range: Troop housing and utilities, $415,000.

Air Training Command

Buckley Air Force Base, Aurora, Colorado: Operational facilities, medical facilities, and utilities, $106,000.

Chanute Air Force Base, Rantoul, Illinois: Training facilities, troop housing, and utilities, $6,242,000.

Craig Air Force Base, Selma, Alabama: Maintenance facilities, troop housing and community facilities, and utilities, $1,781,000.

Keesler Air Force Base, Biloxi, Mississippi: Training facilities, administrative facilities, and community facilities, $3,567,000.

Lackland Ar Force Base, San Antonio, Texas: Training facilities, troop housing and community facilities, and utilities, $5,510,000.

Laredo Air Force Base, Laredo, Texas: Operational facilities, maintenance facilities, and troop housing and community facilities, $1,852,000.

Laughlin Air Force Base, Del Rio, Texas: Troop housing and community facilities, $866,000.

Lowry Air Force Base, Denver, Colorado: Community facilities, $352,000.

Mather Air Force Base, Sacramento, California: Training facilities, maintenance facilities, and troop housing and community facilities, $2,933,000.

Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, supply facilities, troop housing and community facilities, and utilities, $1,782,000.

Randolph Air Force Base, San Antonio, Texas: Maintenance facilities and troop housing, $651,000.

Reese Air Force Base, Lubbock, Texas: Training facilities, troop housing and community facilities, and utilities, $1,533,000.

Sheppard Air Force Base, Wichita Falls, Texas: Training facilities, maintenance facilities, troop housing and community facilities, and utilities, $4,319,000.

Vance Air Force Base, Enid, Oklahoma: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,653,000.

Webb Air Force Base, Big Spring, Texas: Training facilities, supply facilities, and troop housing and community facilities, $1,342,000.

Williams Air Force Base, Chandler, Arizona: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $2,920,000.

Air University

Gunter Air Force Base, Montgomery, Alabama: Troop housing and utilities, $741,000.

Maxwell Air Force Base, Montgomery, Alabama: Troop housing, $770,000.

Alaskan Air Command

Eielson Air Force Base, Fairbanks, Alaska: Operational facilities and supply facilities, $601,000.

Elmendorf Air Force Base, Anchorage Alaska: Operational facilities, supply facilities, administrative facilities, community facilities, and utilities, $4,540,000.

Galena Airport, Galena, Alaska: Supply facilities, $374,000.

King Salmon Airport, Naknek, Alaska: Community facilities, $288,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $7,837,000.

Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Supply facilities, administrative facilities, troop housing and community facilities, and utilities, $3,187,000.

Military Air Transport Service

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, maintenance facilities, supply facilities, troop housing, and real estate, $3,359,000.

Dover Air Force Base, Dover, Delaware: Training facilities and maintenance facilities $1,180,000.

McGuire Air Force Base, Wrightstown, New Jersey: Maintenance facilities and utilities, $2,094,000.

Scott Air Force Base, Belleville, Illinois: Administrative facilities, troop housing, and utilities, $2,240,000.

Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, medical facilites, and community facilities, $3,319,000.

Pacific Air Force

Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, maintenance facilities, and troop housing and community facilities, $3,315,000.

Wheeler Air Force Base, Wahiawa, Hawaii: Community facilities, $396,000.

Strategic Air Command

Altus Air Force Base, Altus, Oklahoma: Operational facilities, $46,000.

Barksdale Air Force Base, Shreveport, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing, $3,015,000.

Beale Air Force Base, Marysville, California: Hospital facilities, community facilities, and utilities, $1,839,000.

Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, maintenance facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $1,792,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, hospital facilities, and community facilities, $1,785,000.

Carswell Air Force Base, Fort Worth, Texas: Operational facilities and troop housing, $662,000.

Castle Air Force Base, Merced, California: Troop housing and community facilities, $389,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities and community facilities, $306,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Supply facilities, hospital facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements, $4,235,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Community facilities, $426,000.

Fairchild Air Force Base, Spokane, Washington: Community facilities, $187,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Community facilities, $263,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Troop housing and community facilities, and utilities, $4,453,000.

Homestead Air Force Base, Homestead, Florida: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $1,908,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational facilities and supply facilities, $148,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities and troop housing, $1,169,000.

Lockbourne Air Force Base, Columbus, Ohio: Community facilities, $565,000.

Malmstrom Air Force Base, Great Falls, Montana: Troop housing and utilities, $577,000.

March Air Force Base, Riverside, California: Operational facilities, maintenance facilities, and troop housing, $3,051,000.

McCoy Air Force Base, Orlando, Florida: Maintenance facilities and troop housing, $239,000.

Minot Air Force Base, Minot, North Dakota: Operational facilities and maintenance facilities, $109,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities and troop housing, $171,000.

Offutt Air Force Base, Omaha, Nebraska: Training facilities and utilities, $389,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Maintenance facilities, $126,000.

Turner Air Force Base, Albany, Georgia: Maintenance facilities, hospital facilities, and troop housing and community facilities, $4,643,000.

Vandenberg Air Force Base, Lompoc, California: Operational facilities, supply facilities, community facilities, and utilities, $691,000.

Walker Air Force Base, Roswell, New Mexico: Community facilities, $796,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Supply facilities, $298,000.

Whiteman Air Force Base, Knob Noster, Missouri: Community facilities, $218,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities, $45,000.

Tactical Air Command

Cannon Air Force Base, Clovis, New Mexico: Operational and training facilities, administrative facilities, and troop housing, $1,823,000.

England Air Force Base, Alexandria, Louisiana: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $2,085,000.

George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, administrative facilities, and community facilities, $2,775,000.

Langley Air Force Base, Hampton, Virginia: Operational facilities, administrative facilities, and troop housing and community facilities, $3,948,000.

Luke Air Force Base, Phoenix, Arizona: Maintenance facilities, administrative facilities, and troop housing and community facilities, $774,000.

MacDill Air Force Base, Tampa, Florida: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $9,679,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, medical facilities, and community facilities, $755,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational and training facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, ground improvements and real estate, $1,639,000.

Nellis Air Force Base, Las Vegas, Nevada: Operational facilities and supply facilities, $1,636,000.

Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, medical facilities, administrative facilities, and troop housing and community facilities, $2,560,000.

Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $1,189,000.

United States Air Force Academy

United States Air Force Academy, Colorado Springs, Colorado: Training facilities, $8,872,000.

United States Air Force Security Service

Goodfellow Air Force Base, San Angelo, Texas: Community facilities and utilities, $768,000.

Aircraft Control and Warning System

Various locations: Maintenance facilities, troop housing, and utilities, $1,377,000.

Outside the United States

Air Defense Command

Various locations: Maintenance facilities, troop housing and community facilities, and utilities, $970,000.

Military Air Transport Service

Wake Island Air Force Station, Wake Island: Supply facilities, troop housing and utilities, $1,391,000.

Various locations: Maintenance facilities and medical facilities, $953,000.

Pacific Air Force

Various locations: Operational facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, and troop housing and community facilities, $21,935,000.

Strategic Air Command

Various locations: Utilities, $335,000.

United States Air Forces in Europe

Various locations: Operational facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, troop housing and community facilities, and utilities, $25,255,000.

United States Air Force Southern Command

Howard Air Force Base, Canal Zone: Operational facilities, maintenance facilities, supply facilities and community facilities, $1,686,000.

United States Air Force Security Service

Various locations: Operational facilities, supply facilities, medical facilities, community facilities, and utilities, $3,411,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $93,463,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons development, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Air Force or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1966, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Public Law 88–174, as amended, is amended in section 301 under the heading "Inside the United States" as follows:

(1) Under the subheading "Air Force Systems Command", with respect to Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico, by striking out "$2,889,000" and inserting in place thereof "$3,167,000".

(2) Under the subheading "Strategic Air Command", with respect to March Air Force Base, Riverside, California, by striking out "$186,000" and inserting in place thereof "$255,000".

(b) Public Law 88–174, as amended, is amended by striking out in clause (3) of section 602 the amounts of "$161,940,000" and "$491,622,000" and inserting in place thereof "$162,287,000" and "$491,969,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

Inside the United States

Defense Atomic Support Agency

Sandia Base, Albuquerque, New Mexico: Utilities, $188,000.

Clarksville Base, Clarksville, Tennessee: Troop housing, $36,000.

Killeen Base, Killeen, Texas: Troop housing, $45,000.

Defense Intelligence Agency

Arlington Hall Station, Arlington, Virginia: Operational and training facilities, $17,900,000.

Defense Supply Agency

Defense Construction Supply Center, Columbus, Ohio: Maintenance facilities and supply facilities, $301,000.

Defense Depot, Memphis, Tennessee: Supply facilities, $266,000.

Defense Depot, Ogden, Utah: Supply facilities, $329,000.

Defense Clothing and Textile Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $950,000.

Defense Industrial Supply Center, Philadelphia, Pennsylvania: Administrative facilities, $255,000.

National Security Agency

Fort Meade, Maryland: Operational facilities and production facilities, $6,075,000.

Office of Secretary of Defense

Armed Forces Radio and Television Service, Los Angeles, California: Operational facilities, $18,000.

Outside the United States

Defense Atomic Support Agency

Johnston Island Air Force Base: Research, development and test facilities, $3,688,000.

SEC. 402. The Secretary of Defense may establish or develop installations and facilities required for advanced research projects and in connection therewith may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $20,000,000.

SEC. 403. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $50,000,000: *Provided*, That the Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto.

TITLE V

Military family housing

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities, in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Administrator, Housing and Home Finance Agency, as to the availability of adequate private housing at such locations. If the Secretary and the Administrator are unable to reach agreement with respect to the availability of adequate private housing at any location, the Secretary shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

(a) Family housing units for—

(1) The Department of the Army, two thousand four hundred and seventy units, $47,064,000.

Presidio of San Francisco, California, one hundred and fifty units.

Fort Benning, Georgia, three hundred units.

Fort Leavenworth, Kansas, fifty units.

Fort Meade, Maryland, three hundred and forty units.

Fort Monmouth, New Jersey, one hundred units.

United States Military Academy, West Point, New York, two hundred units.

Fort Jackson, South Carolina, one hundred and eighty units.

Fort Belvoir, Virginia, three hundred units.

Fort Monroe, Virginia, fifty units.

Fort Myer, Virginia, one hundred and twenty units.

Atlantic side, Canal Zone, one hundred units.

Pacific side, Canal Zone, three hundred units.

Fort Buckner, Okinawa, two hundred and eighty units.

(2) The Department of the Navy, four thousand eight hundred and forty units, $85,200,000.

Marine Corps Supply Center, Barstow, California, fifty-two units.

Marine Corps Air Station, El Toro, California, two hundred and fifty units.

Naval complex, Long Beach, California, two hundred units.

Naval Post Graduate School, Monterey, California, two hundred and eight units.

Naval complex, East Bay, San Francisco, California, four hundred units.

Naval complex, South Bay, San Francisco, California, three hundred units.

Naval complex, West Bay, San Francisco, California, three hundred units.

Naval complex, Washington, District of Columbia, three hundred units.

Naval Base, Key West, Florida, four hundred units.

Naval Air Station, Pensacola, Florida, two hundred and fifty units.

United States Navy installations, Oahu, Hawaii, three hundred units.

Naval Training Center, Great Lakes, Illinois, two hundred units.

Naval Base, Newport, Rhode Island, two hundred units.

Naval Air Station, Quonset Point, Rhode Island, two hundred units.

Naval Air Station, Corpus Christi, Texas, three hundred and fifty units.

Naval Complex, Norfolk, Virginia, five hundred units.

Marine Corps Schools, Quantico, Virginia, one hundred units.

Naval Station, Keflavik, Iceland, one hundred and fifty units.

Naval Complex, Naha, Okinawa, forty units.

Naval Station, Sangley Point, Republic of Philippines, one hundred and forty units.

(3) The Department of the Air Force, four thousand nine hundred and ninety units, $92,670,000.

Eielson Air Force Base, Alaska, two hundred units.

Elmendorf Air Force Base, Alaska, two hundred units.

Beale Air Force Base, California, three hundred units.

Vandenberg Air Force Base, California, three hundred units.

Ent Air Force Base, Colorado, forty-nine units.

Bolling Air Force Base, District of Columbia, three hundred units.

Eglin Air Force Base, Florida, three hundred units.

United States Air Force installations, Oahu, Hawaii, two hundred and fifty units.

Scott Air Force Base, Illinois, one hundred and fifty units.

England Air Force Base, Louisiana, three hundred and fifty units.

Andrews Air Force Base, Maryland, two hundred and fifty units.

Keesler Air Force Base, Mississippi, two hundred units.

Nellis Air Force Base, Nevada, one unit.

Cannon Air Force Base, New Mexico, one hundred and fifty units.

Langley Air Force Base, Virginia, one hundred units.

F. E. Warren Air Force Base, Wyoming, one hundred units.

Pacific side, Canal Zone, two hundred and fifty units.

Andersen Air Force Base, Guam, two hundred units.

Goose Airbase, Newfoundland, Canada, one hundred units.

Kadena Airbase, Okinawa, two hundred units.

Naha Airbase, Okinawa, one hundred and seventy units.

Clark Airbase, Republic of Philippines, four hundred units.

Site 4–S, seventy units.

Site 6–S, two hundred units.

Site QC, two hundred units.

(b) Trailer court facilities for:

(1) The Department of the Navy, two hundred spaces, $360,000.

(2) The Department of the Air Force, four hundred spaces, $720,000.

SEC. 502. Authorizations for the construction of family housing provided in this Act shall be subject to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The cost per unit of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico shall not exceed—

$26,000 for general officers or equivalent;

$19,800 for colonels or equivalent;

$17,600 for majors and/or lieutenant colonels or equivalent;

$15,400 for all other commissioned or warrant officer personnel or equivalent except the four-bedroom housing units authorized by sections 4774(g), 7574(e), and 9774(g) of title 10, United States Code, may be constructed at a cost not to exceed $17,000.

$13,200 for enlisted personnel, except that four-bedroom housing units authorized by sections 4774(f), 7574(d), and 9774(f) of title 10, United States Code, may be constructed at a cost not to exceed $15,000.

(b) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of fifty units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000.

(c) The cost limitations provided in subsections (a) and (b) shall be applied to the five-foot line.

(d) For all units constructed in the areas listed in subsection (a), exclusive of the project for the United States Military Academy at West Point, the average unit cost for each military department shall not exceed $17,500, including the cost of the family unit and the proportionate cost of land acquisition, site preparation, and installation of utilities.

(e) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $32,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(f) Units constructed at the United States Military Academy, West Point, shall not be subject to the limitations of subsections (a) through (e) of this section, but the average cost of such units shall not exceed $36,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 503. (a) Notwithstanding the limitations on net floor area and cost contained in section 502 of this Act and in sections 4774 (b), 7574(b), and 9774(b) of title 10, United States Code, the Secretary of Defense, or his designee, is authorized to construct or acquire family quarters for general officers assigned to the following positions which involve exceptional representational responsibilities for the benefit of the United States:

Commander in Chief, North American Air Defense Command, Colorado Springs, Colorado.

Commander in Chief, Strike Command, MacDill Air Force Base, Florida.

(b) For any set of quarters constructed under the authority of this section the net floor area shall not exceed three thousand six hundred square feet, the cost to the five-foot line shall not exceed $80,000 and the total costs, including those for construction, land acquisition, site preparation, and installation of utilities, shall not exceed $100,000.

(c) For any set of quarters acquired by purchase under the authority of this section the total costs of acquisition shall not exceed $100,000.

SEC. 504. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(a) For the Department of the Army, $8,000,000.

(b) For the Department of the Navy, $5,000,000.

(c) For the Department of the Air Force, $4,800,000.

(d) For the Defense Agencies, $396,000.

SEC. 505. Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is amended to read as follows:

"SEC. 515. During fiscal years 1966 through and including 1967, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military installations in the United States and Puerto Rico for assignment as public quarters to military personnel and their dependents, if any, without rental charge, upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military installations. Such housing facilities may be leased on an individual or multiple unit basis and not more then seven thousand five hundred of such units may be so leased at any one time. Expenditures for the rental of such housing facilities may not exceed an average of $160 a month for each military department, including the cost of utilities and maintenance and operation."

SEC. 506. Section 507 of Public Law 88–174 (77 Stat. 307, 326) is amended by deleting the figures "1964" and "1965," and inserting in lieu thereof the figures "1966" and "1967."

SEC. 507. The Secretary of Defense or his designee is authorized to relocate two hundred units of relocatable housing from Glasgow Air Force Base, Montana, to other military installations where there are housing shortages: *Provided*, That the Secretary of Defense shall notify the Committees on Armed Services of the House of Representatives and the Senate of the proposed new locations and estimated costs, and no contract shall be awarded within thirty days of such notification.

SEC. 508. There is authorized to be appropriated for use by the Secretary of Defense or his designee for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $242,400,000 and

(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $489,700,000.

SEC. 509. Family housing constructed under authority of this Act shall all be detached single family units or semidetached two-family units unless, prior to seeking bids from contractors, the military service concerned shall have justified to the Armed Services Committees of the Senate and House of Representatives on an individual project basis, proposed other types of units which will not become substandard or cause excessive population density.

SEC. 510. Under regulations to be promulgated by the Secretary of Defense, military personnel who are assigned quarters in former Wherry housing units, whether or not such units have been rehabilitated, are eligible to occupy such units on the basis of a fair rental determination, rather than on the full forfeiture of basic allowance for quarters.

TITLE VI

General provisions

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $267,795,000; outside the United States, $7,391,000; section 102, $79,840,000; section 103, $10,000,000; or a total of $365,026,000.

(2) for title II: Inside the United States, $234,187,000; outside the United States, $34,436,000; section 202, $41,099,000; section 203, $10,000,000; or a total of $319,722,000.

(3) for title III: Inside the United States, $227,516,000; outside the United States, $55,936,000; section 302, $93,463,000; section 303, $10,000,000; or a total of $386,915,000.

(4) for title IV: A total of $100,051,000.

(5) for title V: Military family housing, a total of $732,100,000.

SEC. 603. Any of the amounts named in titles I, II, III, and IV of this Act may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 604. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 605. Contracts for construction made by the United States under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, on an equal basis when practicable, unless the Secretary of Defense determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 606. (a) As of October 1, 1966, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts approved before August 2, 1964, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1966, and authorization for appropriations therefor;

(3) notwithstanding the provisions of section 606 of the Act of August 1, 1964 (78 Stat. 341, 363), the authorization for the following items, which shall remain in effect until October 1, 1967:

(a) operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, utilities and ground improvements in the amount of $611,000 at Fort Benning, Georgia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 27, 1962 (76 Stat. 223).

(b) operational and training facilities, maintenance facilities, administrative facilities and utilities in the amount of $833,000 at Fort Bragg, North Carolina, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of July 7, 1962 (76 Stat. 223).

(c) operational and training facilities, troop housing and community facilities, and utilities in the amount of $4,241,000 at Fort Dix, New Jersey, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (First Army)" of the Act of November 7, 1963 (77 Stat. 307).

(d) training facilities in the amount of $290,000 at Fort Belvoir, Virginia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(e) operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities in the amount of $236,000 at Fort Knox, Kentucky, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(f) maintenance facilities in the amount of $449,000 at Fort Story, Virginia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Second Army)" of the Act of November 7, 1963 (77 Stat. 307).

(g) maintenance facilities, medical facilities, community facilities, and utilities in the amount of $512,000 at Fort Benning, Georgia, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(h) training facilities, maintenance facilities, supply facilities, medical facilities, troop housing and utilities in the amount of $1,836,000 at Fort Bragg, North Carolina, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(i) operational facilities, maintenance facilities, supply facilities, medical facilities, and administrative facilities in the amount of $553,000 at Fort Campbell, Kentucky, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Common (Third Army)" of the Act of November 7, 1963 (77 Stat. 307).

(j) training facilities, troop housing and community facilities in the amount of $919,000 at Fort Irwin, California, that is contained in title I, section 101, under heading "Inside the United States" and subheading "Continental Army Command (Sixth Army)" of the Act of November 7, 1963 (77 Stat. 308).

(k) operational facilities, maintenance facilities, troop housing and utilities in the amount of $719,000 at various locations that is contained in title I, section 101, under heading "Inside the United States" and subheading "Army Component Commands (United States Army Air Defense Command)" of the Act of November 7, 1963 (77 Stat. 309).

(l) maintenance facilities in the amount of $1,498,000 at Fort Richardson, Alaska, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Alaska Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(m) maintenance facilities in the amount of $721,000 at Schofield Barracks, Hawaii, that is contained in title I, under the heading "Inside the United States" and subheading "Army Component Commands (Pacific Command Area)" of the Act of November 7, 1963 (77 Stat. 309).

(n) operational facilities, supply facilities, administrative facilities, troop housing, community facilities and utilities in the amount of $968,000 at various locations that is contained in title I, section 101, under heading "Outside the United States" and subheading "Army Security Agency" of the Act of November 7, 1963 (77 Stat. 310).

(o) operational facilities, maintenance facilities, supply facilities, troop housing and utilities in the amount of $5,995,000 in Germany that is contained in title I, section 101, under the heading "Outside the United States" and subheading "Army Component Commands (European Command Area)" of the Act of November 7, 1963 (77 Stat. 310).

(p) operational facilities in the amount of $6,900,000 at various locations that is contained in title I, section 102, of the Act of November 7, 1963 (77 Stat. 310).

(q) training facilities in the amount of $7,600,000 for the Naval Academy, Annapolis, Maryland, that is contained in title II, section 201, under the heading "Service School Facilities" of the Act of November 7, 1963 (77 Stat. 314).

(r) administrative facilities in the amount of $3,484,000 for the Naval Research Laboratory, District of Columbia, that is contained in title II, section 201, under the heading "Office of Naval Research Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(s) community facilities in the amount of $550,000 for Camp Smedley B. Butler, Okinawa, that is contained in title II, section 201, under the heading "Outside the United States" and subheading "Marine Corps Facilities" of the Act of November 7, 1963 (77 Stat. 315).

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act or any Act approved prior to August 2, 1964, are repealed except (1) the authorization for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date, (2) the authorization for two hundred family housing units at a classified location contained in the Act of August 1, 1964 (78 Stat. 341, 359), and the authorization for one hundred and eighty units at site 4–S contained in the Act of August 1, 1964 (78 Stat. 341, 360).

SEC. 607. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $8 per square foot for regular warehousing;

(3) $1,850 per man for permanent barracks;

(4) $8,500 per man for bachelor officer quarters;

unless the Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

SEC. 608. (a) The Secretary of Defense or the Secretary of a military department, or the designee of either, may not close, substantially reduce, or consolidate any military camp, post, or station, installation or facility until the expiration of thirty calendar days of continuous session of the Congress following the date on which the Secretary of Defense or the Secretary of a military department reports the pertinent details of the action to be taken to the Armed Services Committees of the Senate and of the House of Representatives.

(b) If during such period a resolution is reported by either of the said committees stating that the proposed action with respect to the closure, substantial reduction, or consolidation should be rejected by the resolving House because if carried out it would in the judgment of the said resolving House tend to impair the defense of the United States, such closure, substantial reduction, or consolidation shall take effect after the expiration of the first period of forty calendar days of continuous session of the Congress following the date on which such resolution is reported; but only if, between the date of such reporting in either House and the expiration of such forty-day period such resolution has not been passed by such House.

(c) For the purposes of subparagraph (a) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but in the computation of the thirty-day period or the forty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain.

(d) This section applies only to military camps, posts, stations, installations and facilities in the United States and Puerto Rico. It does not apply to any facility used primarily for river and harbor projects or flood control projects.

SEC. 609. (a) It is the sense of Congress that all the land comprising the Bolling-Anacostia complex will be required for military purposes within the foreseeable future and should be retained by the Department of Defense for such use.

(b) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.), the Housing Act of 1949, as amended (42 U.S.C. 1441 et seq.), the Act of June 8, 1960 (10 U.S.C. 2662), or any other law, no portion of the Bolling Air Force Base or the Anacostia Naval Air Station shall be determined excess to the needs of the holding agency or transferred, reassigned, or otherwise disposed of by such agency unless hereafter specifically authorized by an Act of Congress.

SEC. 610. No authority provided in this Act for hospital construction within the United States shall be exercised unless plans and provisions are made in advance of the initiation of construction for the treatment of retired military personnel and their dependents to the average extent of such treatment in existing hospital facilities at the installation concerned for the period of three years preceding the date of this Act; nor shall such hospital construction authority be exercised unless plans for the hospital include facilities for obstetrical care.

SEC. 611. (a) All construction under this Act shall be designed using techniques developed by the Office of Civil Defense to maximize fallout protection, where such can be done without impairing the purpose for which the construction is authorized or the effectiveness of the structure, unless exempted from this requirement under regulations prescribed by the Secretary of Defense or his designee.

(b) The Secretary of Defense shall make appropriate provision for the utilization of technical design and construction methods in the preparation of design and construction plans and in construction under this Act, to assure carrying out the purposes of this section; and for such purposes expenditures on individual projects shall not exceed one per centum of the amount authorized for that project.

SEC. 612. The last sentence of section 2674(a) of title 10, United States Code, as amended, is amended by changing the figure "10,000" to "$25,000".

SEC. 613. Every contract between the Secretary of the Air Force and the Aerospace Corporation shall prohibit the construction of any facility or the acquisition of any real property by the Aerospace Corporation unless such construction or acquisition has first been authorized to the Air Force by the Congress.

SEC. 614. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1966."

TITLE VII

Reserve Forces Facilities

SEC. 701. Subject to chapter 133 of title 10, United State Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for Department of the Navy: Naval and Marine Corps Reserves, $8,890,000.

(2) for Department of the Air Force:

(a) Air National Guard of the United States, $9,000,000.

(b) Air Force Reserve, $3,400,000.

SEC. 702. The Secretary of the Navy is authorized to convey to the city of Little Rock, Arkansas, without consideration, all right, title, and interest in so much of the land and improvements comprising the Naval and Marine Corps Reserve Training Center, Little Rock, Arkansas, as is agreed to be required for a right-of-way for construction of a public highway, at such time as that portion of the land and improvements may no longer be required as a part of said training center.

SEC. 703. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 704. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1966".

Mr. RIVERS of South Carolina (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent to dispense with the further reading of the bill and that it be open at any point to any and all germane amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 2, line 17, delete the figures "$8,122,200" and insert "$8,122,000" in lieu thereof.

On page 56, line 2, delete the words "or multiple-unit".

The committee amendments were agreed to.

Mr. KING of Utah. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am taking this time because I feel that there is still one item relating to section 608 which needs further clarification. I should like to address a question to the distinguished chairman of the committee in the spirit of further clarification.

I am concerned with the constitutionality of this section, and the possibility of a Presidential veto. I would like to read, if I may, two or three short paragraphs from this morning's Washington Post as a preface to my question. The article reads as follows:

> A little-noticed Presidential veto earlier this week appears to have been intended as a quiet warning of what is in store if bills sponsored by two House committees ever reach the White House.
>
> The bill the President vetoed Monday authorized the administration to repair some

> of the damage done by floods on the west coast last winter.
>
> The President vetoed the bill although the administration supported it. The veto came because of a proviso the House inserted that would give the Public Works Committees of the House and Senate the power to block any project they disapproved.
>
> The President said he would not sign the bill with such a clause in it, terming the clause an infringement on the traditional division of powers between the executive and legislative branches.

My question is, of course, Does the distinguished chairman feel that the position which the President of the United States has taken with regard to the bill just referred to indicates the possibility of his vetoing the bill now before us, because of the provisions of section 608?

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. KING of Utah. I yield.

Mr. RIVERS of South Carolina. I just finished a moment ago referring to that section of the Constitution where the military was placed in the hands of the Congress. It did not say that about agriculture.

So, I do not think there is any conflict with the constitutional powers of the President or the mandates of the Constitution to the Congress. I do not see any conflict.

Of course, I did not read the article to which the gentleman has referred, but if it is the same author of another article where they took a whack at our committee a few days ago, I have a 17-year-old boy at home who knows as much about the Constitution as the man who wrote that article.

I think it is designed to intimidate the Congress. I know our powers are clear and this is one of them upon which we are going to insist.

Mr. Chairman, I see no conflict between us and the President and I am going to insist on our right to legislate in this field. I do not care what the Washington Post has to say about it.

Mr. KING of Utah. Let me pursue this just a step further, if I may.

Does the gentleman know whether the position of the President is based upon a published opinion of the Attorney General?

I am asking for information, for I do not know the answer to that myself.

Mr. RIVERS of South Carolina. If the gentleman will yield further, I am not familiar with it.

Mr. KING of Utah. Has the gentleman from South Carolina made contact with the Office of the Attorney General to determine what its position would be on this question? I think it is rather serious if there is even a remote possibility that this bill might be vetoed by the Chief Executive.

Mr. RIVERS of South Carolina. Of course, the Office of the Attorney General does not concern me. I happen to know as much about the Constitution as does the Attorney General, and this I can assure the gentleman—I have a great regard for the Constitution, a great regard for it, and I believe the record is clear on that point.

Mr. KING of Utah. I think the record is abundantly clear that the gentleman from South Carolina does have a great regard for the Constitution, as does the gentleman in the well. I do feel, however, that this legislative history is necessary because I am sure there will be people in good faith who will be asking questions about this. At this time, I should like to express grave reservations about section 608, because of the possibility of a Presidential veto.

Mr. RIVERS of South Carolina. I am sure that is correct and I hope I did not leave with the gentleman from Utah the wrong impression. I know of the dedication of the gentleman. He has been one of the great Members of the Congress and I appreciate the gentleman's interest in this legislation and his asking the question.

Mr. KING of Utah. I thank the gentleman from South Carolina.

AMENDMENT OFFERED BY MR. STRATTON

Mr. STRATTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. STRATTON: On page 68, line 16, at the end of the line insert a new sentence to read as follows:
>
> "This paragraph shall apply to any such closure, substantial reduction or consolidation previously ordered which was still incomplete as of June 1, 1965."

Mr. STRATTON. Mr. Chairman, this is the amendment, of course, to which I referred earlier, the amendment that would make it perfectly clear, so that there can be no possibility of ambiguity, that the wording of section 608 applies to those closings or reductions that have previously been ordered but which are still in the process of being carried out.

Mr. Chairman, I ought to make it clear as I did not make it clear, I am afraid, when I spoke on this matter earlier, that actually this amendment was offered in the committee by my distinguished colleague from New York [Mr. PIKE]. However, he is in transit at the present time, at the request of our distinguished chairman, as a member of a group of our committee that is going out for an on-the-spot investigation of the military situation in Vietnam. Therefore, he asked me to offer his amendment in his behalf.

Mr. Chairman, the amendment lost in the committee by a narrow margin. I think there was some misunderstanding as to its full implications. I have altered the wording somewhat so that it would be perfectly clear, and I think it should be clear that it applies to any installation such as the Brooklyn Navy Yard, the Portsmouth Navy Yard, the facility at Sands Point, Long Island, the air base at Mobile, Ala., whose closing or reduction may have been ordered earlier but whose closing or reduction has not been fully carried out as of the first of June.

Mr. Chairman, the only point at issue seems to be whether the present wording of section 608 already covers closings in process at this time. Of course, the distinguished chairman of our committee said in response to an inquiry just a moment ago that it was his horseback opinion that it did apply. I hope it does.

However, I believe we ought not to leave the point hanging, particularly because on page 13 of the committee report, at the top of the page, in connection specifically with shipyard closures, the committee report says:

> No language was included to stop the closures at this time.

So let us make sure that the language is placed in the bill, let us make sure that the same prerogative of constitutional review—and I could not agree with my chairman more strongly that we do have this right—is extended to those closings which are in process, so the gentleman's committee may have a chance to look at them and work its will. Then we will be doing the fair thing.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from New York.

Mr. CAREY. I join with the gentleman now in the well in expressing praise on behalf of our entire delegation to him and to the other members of the committee, particularly to the chairman, for the careful, comprehensive and responsible treatment in the hearings which they accorded us, and those we brought with us, on behalf of the contemplated closing in the New York area. They have been most considerate. As I pointed out, this committee is living up to its constitutional responsibility, and I hail the gentleman in the well for pointing out that the language in the bill in section 608 clearly makes it possible for this committee to continue its inspection into the closing down of these very vital defense installations. As the report points out, this is not a closed chapter, this is not a final matter, there is no irrevocability here. We are disposing of some $300 million of assets in the New York Naval Shipyard, and it is high time for this Congress under the chairmanship of the great gentleman from South Carolina to continue to look at this matter.

I would remind he House that some 80 Congresses contributed to the building of this great shipyard, and the other installations, and certainly this Congress has a right to look at the closing of these installations. I assure the membership there would be a great loss on our hands if this installation is closed down without a complete review by this able committee. I therefore hail the chairman of the committee and the gentleman in the well for the work they have done. We are not talking about surplus or obsolete bases to be held open. We are seeking the truth for the closing so that we will know fully about the matter.

Mr. STRATTON. I thank the gentleman for his very generous remarks and join him in the views he has so eloquently expressed.

Mr. RIVERS of South Carolina. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, I take this time to comment on the remarks made by my distinguished friend, the gentleman from New York. I remember last October when I made the statement outlining some of the military base closure decisions that had already been made but were not being announced until after the November election. One of the base closures I announced in a speech in Lima, Ohio, was the Brooklyn Navy Yard. At that time New York Representatives in the Congress disputed my statement and said that they had talked with the Department of Defense and that there was no plan to close the Brooklyn Navy Yard. I announced at that time these closings would take place immediately following the November election.

Now, as a member of the Subcommittee on Appropriations for the Department of Defense, I have disagreed with Secretary McNamara on many items, as far as the research and development program, as far as the long-range defense planning for the 1970–75 time period, and as far as the adequacy of the 1966 defense budget to meet the costs of our involvement in southeast Asia and throughout the world.

I support the Secretary of Defense on his base-closing program thus far announced. This Congress should support the administration in this announced program. The gentleman from New York should now admit and I am sure he must that the decision to close these bases had been made before the November elections. It was deliberately withheld merely for partisan political reasons. It seems to me if the Secretary of Defense was right before November when this decision was made, he is just as right today. I would have admired his courage just a little more, however, if he would not have denied they were programed before the election. These decisions were of long standing and their announcement long overdue from the standpoint of proper management of our Defense Department. Politics should have no place in the running of this most important Department. The national security of our country should have top priority.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER. Mr. Chairman, I ask unanimous consent to proceed out of the regular order.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER. Mr. Chairman, I am taking this time merely to announce that NASA now has the pictures of the astronaut walking in space. They will be shown starting Monday morning at 11 o'clock in the Committee on Science and Astronautics, room 2318, Rayburn Building. We will continue to show them through the day, but the first showing will be reserved for Members of Congress.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I hope I will not take the 4 minutes, but I was a little bit concerned lest this debate go by on the assumption that there were those in the House who did not take serious objection to what the Committee on Armed Services is suggesting be done in this area in section 608. I was very pleased that the gentleman from Wisconsin [Mr. LAIRD] made the points he did. I think that this form of section 608 is unconstitutional. I have respect for the gentleman from South Carolina's judgment in constitutional areas, but there are those who feel that it is unconstitutional.

Let me point out another thing. This does not give the power to the Congress. The Committee on Way and Means constantly has these problems. I have been insisting over a period of years that when something is written in about a retention of power in the Congress, affecting matters of concern to the Ways and Means Committee it says the Congress and not the Committee on Ways and Means, even though it might be a tax matter or a tariff matter. If it is to accomplish what the gentleman says, it should be the Congress and not the Committee on Armed Services. Of course, the matter would be rather automatically referred to the Committees on Armed Services when it comes to the House and the Senate in compliance with the words, to the Congress.

Then, second, this is not the Congress that acts. This is one House of the Congress or either House acting upon what the respective Committee on Armed Services might do.

I believe somebody had better look at the books on constitutional law. If we were to have something in this bill to reserve some power in the Congress, for which I can see some merit, although in this area I am not so sure, I do question the propriety and constitutionality to proceed in this fashion.

I believe we are all aware of what is going on here. I merely wish to say for the RECORD that there are many in the House who have been looking forward to some real reform in expenditures areas in the executive department, not the least of which is in respect to the military establishment. The McCormack-Curtis amendment, which I coauthored with our Speaker in 1958, was designed to try to bring about some of these efficiencies, not merely in the Military Establishment, but in respect to the whole process of Government procurement.

I wish that this issue over the propriety and constitutionality of section 608 had been fought out by the leadership on the Democratic side of the aisle, but I notice that the sponge has been tossed in. That is why I have been rather quiet on the thing. However, I did not want the day to go by without having a record made to demonstrate that many of us have serious reservations about it. I regret that the Democratic leadership did not make a fight for its own executive administration. I stood ready to assist.

This matter was not cleared with the leadership by the members of the Armed Services Committee on either side of the aisle and yet they profess to speak in the name of the Congress. Where are the House leaders today on an issue which affects basically the structure of the Congress and the relationship of the Congress with the executive? The administration is strongly opposed to this, and on sound grounds, in my judgment.

Mr. RUMFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Chairman, I wish to commend the gentleman from Missouri and associate myself with his remarks and particularly to his statement in opposition to section 608.

Whether or not the constitutionality of this section can be questioned as has been suggested today by several knowledgeable Members, it appears to me that the section is unwise. I consider it a proper delegation of legislative authority to permit the Secretary of Defense to effect economy in the conduct of the Department of Defense through the closing and/or consolidation of U.S. military facilities across the globe where he can demonstrate that it is in the best interests of the country from both a military as well as an economy standpoint.

Further, a reading of this section raises questions in my mind as to whether or not the words "substantially reduce" might inhibit the Secretary of Defense in the conduct of U.S. military affairs. I have great respect for the chairman and his Committee on Armed Services, but in this case, I must say that I am hopeful that section 608 is removed from the bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise in enthusiastic support of this amendment. I feel it is fair. It is responsible. It is certainly justifiable. I do not see how anyone in this House can oppose it.

In answer to the able gentleman from Wisconsin, I may not be a member of this committee, but I am fully aware of the great efforts made by the gentleman from New York who offered this amendment, and the other members of the committee in the New York area, to thwart the arbitrary, unfair action of the Defense Department.

Mr. Chairman, all of us in the New York metropolitan area have been fighting this arbitrary action ever since it was even in the rumor stage. No one ever said that we agreed with the Department of Defense. No one remained silent. To the contrary, the gentleman from New York and all of us have been fighting the action of the Defense Department and the Secretary of that Department in relation to the unfair, unjustifiable and callous action regarding the New York Naval Shipyard. Hence, I feel that the statement of the distinguished gentleman from Wisconsin was uncalled for.

I commend the gentleman from New York [Mr. STRATTON] for his concern and for his efforts to win this objective. Likewise, I wish to compliment the gentleman from New York [Mr. PIKE] who unfortunately cannot be here today due to his official mission, for his relentless fight for this amendment. I trust that it will win overwhelmingly today.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr RYAN].

Mr. RYAN. Mr. Chairman, I rise in support of this amendment. It seems to me that the amendment offered by the gentleman from New York [Mr. STRATTON] which would apply to section 608, is eminently fair and justified. Certainly if the closing or reduction or consolidation of a military installation should be reported back to the Armed Services Committees of the House and Senate, then this same provision should apply to those installations where the closing or reduction or consolidation has not been completed. This would give the Armed Services Committee an opportunity to examine thoroughly the basis upon which the decision has been made.

It is important that there be full justification laid before the appropriate committees of the House and the other body on the question of closing not only the naval shipyard but also other installations. The economic impact on the city of New York is tremendous in this case. I am sure this applies elsewhere in the country. It also shows the imperative need for Congress to face the whole question of conversion of the economy. We should adopt legislation to deal with economic conversion. I have introduced legislation to do this—H.R. 1728.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. DOW].

Mr. DOW. Mr. Chairman, I should like to compliment the Committee on Armed Services on the splendid bill they have brought forth and also compliment the chairman of that committee.

Mr. Chairman, I rise in support of section 608. I believe it would be strengthened by the addition of the amendment offered by my distinguished colleague, the gentleman from New York, the Honorable SAMUEL STRATTON. Therefore, I rise in support both of the section and of the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS], for 4 minutes to close debate.

Mr. RIVERS of South Carolina. Mr. Chairman, I cannot agree that the amendment of the gentleman from New York [Mr. STRATTON], is needed. An amendment slightly varying from this was offered by our distinguished colleague [Mr. PIKE], who is unfortunately not here today. After discussion, the amendment was defeated in committee. I hasten to say that the vote was not very close. As I said awhile ago, I do not believe this is necessary. If anything ever gave the President the right to veto a bill, I think the attaching of this amendment would do it, because it might be ex post facto in its application. What we ought to do, I think, is to leave the bill as it is now written and try to see what we can do, if it is needed to be clarified, during the conference. We, in the committee, do not feel it is needed.

So far as 608 is concerned, Mr. Chairman, the gentleman from Missouri [Mr. CURTIS], was talking about the Curtis-McCormack amendment. We do not agree that the Curtis-McCormack amendment applies to things of this nature. When that amendment was offered, if my memory serves me right—and I did not agree with it then—it was really to apply to procurement. However, since then the Curtis amendment has been applied to everything one can conceive of in the Department of Defense—transportation, intelligence. You name it—and it applies. If there was ever a delegation of constitutional powers to the Department of Defense, it was in the Curtis amendment. The Constitution puts under the Congress the military. For your information, we cannot delegate it.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am delighted to yield to the gentleman from Missouri.

Mr. CURTIS. The gentleman is accurately stating that there has been a different interpretation. I would say there are three. I do not quite agree with the Department of Defense interpretation, either, but there was a colloquy, and a rather lengthy one, between the Congressman from Massachusetts [Mr. BATES] and the Congressman from Virginia [Mr. HARDY] and myself about a year or so ago in which we explored this area. I thought we came out with a pretty fair report of our understanding. Nonetheless, I was simply referring to my interest in this area when I was referring to it.

Mr. RIVERS of South Carolina. I have the highest affection for the gentleman from Missouri, but it seems to me that we did not give any such powers as this to the Secretary of Defense and, if we did, we should positively take them back, because he has no business with them. That is my position. We cannot give away these constitutional powers. I do not care what anybody says. We just cannot do it. And I am not willing to make the effort. I am going to cling to the rugged old cross that happens to be the Constitution. So far as the amendment of the gentleman from New York is concerned, I do not think it is needed. This bill has enough in it for those people to try to fight it. We have taken a giant step forward in getting back our constitutional powers, and I would like to see us retain what we have. That was the reasoning of the committee.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time on this amendment has expired.

The question is on the amendment offered by the gentleman from New York [Mr. STRATTON].

The question was taken; and on a division (demanded by Mr. STRATTON) there were—ayes 32, noes 104.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WOLFF

Mr. WOLFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLFF: On page 23, strike out lines 3 and 4.

Mr. WOLFF. Mr. Chairman, the proposed move of the Sands Point Naval Training Devices Center represents a direct challenge and affront to legislative prerogative. Bipartisan attempts to question the Navy regarding the move have been met by evasive tactics composed of misstatements, omissions, and absence of knowledge requested. For the past 5 months I have directed my staff to examine the ramifications of this move, and I can confidently predict that today's request is but the surface portion of a huge iceberg. This transfer involves not only the rehabilitation of buildings we are being asked to act on today; but, in addition, the attendant costs of disruption of service, training of new personnel, moving expenses, and forced early retirement of employees.

In evaluating such a transfer, the answers to two questions must be carefully weighed: First, is the move necessary and in the best interests of national security; and, second, what is the cost of this transfer?

None of us wishes to see the military establishment turned into a WPA by retaining obsolete or inefficient bases; and, by the same reasoning, none of us wishes to spend the taxpayer's money when we do not have to. Yet studies have proven that the move of the Sands Point Center will ultimately cost us $9 million more than it would cost to expand present facilities. Hidden costs have been studiously obscured in an effort to find something to do with the 1,400-acre Orlando Air Force Base.

National security must be the only criterion in defense determination, and national security demands a continuous flow of trained men and the training devices to teach them. The Navy has defined the mission of the center as "contributing to the Navy's operational readiness." With naval forces deployed across the globe and the importance and vitality of the U.S. Navy in evidence each day in Vietnam, "operational readiness" takes on a more important aspect of our defensive network.

In fact, the Navy Department has blandly disregarded its own advice. The last time it was suggested that the center be transferred, the commander of the center said:

> The loss of any significant number of experienced personnel would certainly reduce the activity's ability to maintain adequate progress in the training device program.

I have here a petition signed by men who have determined to resign; 127 out of a total of 150 of the center's professional personnel.

"The center's leadership and strength in the training device R. & D. field has always been people." Yet 70 percent of those employees will require replacements if the move is effected. Thirty-two engineers have already resigned. I have the signatures of 92 other engineers exhibiting their reluctance to participate in this forced march. This is 124 out of an engineering force of 167. If the men are the program, as the Navy asserts, this program will collapse.

It will cost an added $2,187,000 for the training of inexperienced engineers and technicians who will require at least 6 months training to assume new projects plus $700,000 more as the result of the forced retirement of employees.

If the move is effected, this trained element is lost forever, and I concur with the Navy analysis, "the training devices program is too important to allow any disruption."

This facility now utilizes 10 out of 160 acres available at the present site leaving ample opportunity for expansion and development without the attendant costs of moving. Now they want to move it to a 1,400 acre site.

Authenticated figures evidence this move will cost $10.5 million. Expansion of the present facilities would run to only $1.7 million. A relocation that causes an unnecessary disruption of a vital service that costs more money than it would, to expand present facilities, that is done in total disregard of congressional wishes, that flaunts the information gathering prerogative of Congress, is pernicious.

The ultimate effect on national security colors all my decisions. However, fiscal responsibility must be a full and equal partner. In this move it is merely a poor relation.

The President has asked us to engage in a war against waste. We readily enlisted. Executive agencies have been queried countless times—"Is this trip really necessary?" It is time we in Congress did the asking—"Is this move really necessary?" Those of us who are interested in eliminating waste in Government are always looking for superfluous items to cut from the budget. Gentlemen, we have found one.

Mr. SIKES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from New York [Mr. WOLFF] has a personal and a valid interest in this matter. I would expect him to make the effort he is making for his own people. It is a commendable effort.

Now, Mr. Chairman, I happen to have gone into this matter with some care. I heard the testimony on it in the Committee on Appropriations where we also must pass on the proposal.

Mr. Chairman, I want to give to the members of the committee some of the facts which were related to that committee by Navy witnesses. First of all, Mr. Chairman, the proposal to move the naval training device center is not new. A year ago the Navy asked to move the center because they found the facilities now available are not proper nor adequate for the requirements and that it would simply cost too much money to provide adequate facilities at the present site.

At that time the Navy sought to move to Mitchell Field, N.Y. The move was not carried out. Now a year later they are back again and they specifically say again the facilities are not adequate for the proper operation of the naval training device center. It is a question of rebuilding them at a high cost or of moving.

Mr. Chairman, the only places that are available and suitable for their purposes are Orlando, Fla., where an air base has been vacated, or Mitchell Field, N.Y. They propose to move the center to Orlando because it will cost only $851,000 in military construction to go there. It will cost much more to go to Mitchell Field. Future requirements for expansion can be accommodated at Orlando by modifications rather than new construction. So the total anticipated cost will be less at Orlando than anywhere else.

In addition it is estimated that the sale of the property now occupied by this station will net the Federal Government a return of $1,295,000. The cost of the transfer will very largely be compensated by the sale of property no longer required.

I would like to point out that while a number of employees are involved, 700, the Navy has already polled them, and the Navy has testified that approximately 500 of the 700 have already signified their intention of moving. Apparently there is no problem of getting qualified personnel to accompany this move to Orlando. Everybody wants to go to Florida anyway. This is basic.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New York.

Mr. WOLFF. Of those 500 employees, what character are they? Are the employees these professional people who are the guts of this base?

Mr. SIKES. I have the Navy testimony before me. It signifies that 500 of the 700 expressed their desire to accompany the base to Orlando. Of the remaining 200, only 60 are professional and engineering types. The testimony further states "of the top-graded professionals currently at the center, a very high percentage of them have indicated their intention to move to Orlando."

This is the testimony of Navy witnesses on this same subject. I have no reason to question that testimony.

Mr. ROONEY of New York. The gentleman stated everybody likes to go to Florida.

Mr. SIKES. I trust the gentleman agrees.

Mr. ROONEY of New York. I agree with him on that. But would the fact that there is an 18-hole golf course on this property at the Orlando Airbase be of any significance in the Navy's decision for this move?

Mr. SIKES. It is a very nice thing to have golf courses available for service personnel and civilian employees at military bases. It helps to make everybody happier in their work. If there already is one available, it is better still. In Florida you can play golf year around.

Mr. Chairman, I do not think there is any question about the necessity for the move. Let me reiterate the fact that the Navy has testified 2 years hand running that they have to get out of the present facilities or spend millions of dollars to build them up. Two sites are available. Orlando is less costly, and more desirable otherwise, and for that reason the Navy would like to go to Orlando.

I trust the amendment will be defeated.

Mr. RESNICK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the distinguished gentleman from Florida has put his finger right on the situation. A lot of admirals would like to be in Florida in the winter so they can play golf—not 7 months, like we can in New York—but 12 months a year. This seems to be the nub of the entire argument. During general debate the gentleman from Florida took about 10 minutes, and he pointed out very carefully, point by point, all the reasons why section 608 should remain in the bill, and why these base closing and consolidations should not be permitted to take place.

Now he stands here and says to us—but that does not mean we should not move a base from New York State to Florida—so that some admirals can play golf all winter long.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I am glad to yield to the gentleman.

Mr. SIKES. I am sure the gentleman will, if he refers back to my previous testimony, he will find that I said Congress should be made a partner. I did not say there should not be base closings or changes. I said Congress should be made a partner. That is why I support section 608. That has nothing to do with what we are talking about now. I am sure the gentleman wants the record to read correctly.

Mr. RESNICK. That is correct, sir. I also would like to point out, we do want Congress to be a partner. We would like to be a partner in this decision to keep a base where it has been for 20 years and where it has prospered and where there have been no complaints of the service there. As my distinguished colleague, the gentleman from New York, pointed out, the guts and the heart and the brains of this organization is not the facilities. The facilities are just bricks and mortar.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I yield to the gentleman.

Mr. WOLFF. Does the gentleman know that the maintenance costs of the base as substantiated by the Society of Professional Engineers would be $2,566,700 per year as compared to this base where it is now of $500,000 a year?

Mr. RESNICK. Yes, I am aware of that and the gentleman has done an excellent job in making the House aware of this. I have personally lived near the base for a number of years. I know in what high regard it is held in the area and the high opinion in which the base is held by the professional services.

I will ask permission when the Committee rises and we are back in the House to put into the RECORD a letter from the steering committee of a New York bipartisan group, and I would just like to read what the committee said about the Navy's responses.

First, that the responses were not responsive throughout all of Mr. WOLFF's questions or requests for information.

The information even in this inadequate fashion is contradictory.

Mr. Chairman, I would like also to point out that this appropriation bill is the small part of the iceberg. We just see this small part—$817,000. We do not see what it is going to cost to move that equipment. We do not see what it is going to cost to move the people. We do not see what it is going to cost to retrain the people.

I ask my colleagues to join me in support of this amendment.

Mr. GURNEY. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman and Members of the House, I realize the hour is getting late and that we are all anxious to get back to our offices and attend to our many other duties. Yet, I am sure you realize since I represent the area to which this naval training unit is going to move, I have a vital interest in this matter.

Let me say that I have followed this very carefully. I have checked with the Navy and also I have checked out the figures that the gentleman from New York has sent around to the Members of the House recently. I can tell you that the figures are misleading. As a matter of fact, the Navy has found that this move will be an economical move. It will provide better facilities. It will take care of an expansion that they decided on 5 years ago and decided also at that time that they must move. They have been looking for a place ever since.

I would like to point out this further point because I think it is a part of this whole business. In November the Secretary of Defense made a decision to close somewhere between 80 and 90 bases. Those bases are located in 33 States. As a matter of fact, there are 64 congressional districts involved in these base closures. At the Orlando Air Force Base where this unit is going we now have four Air Force units that they are moving to four Air Force bases throughout the country. Orlando in the 11th District of Florida stands to lose about 3,000 men with a payroll of about $20 million. I think this is part and parcel of this whole decision and it was made in the interest of economy by the Secretary of Defense and actually supported his move. With the Orlando Air Force Base empty and its modern facility there, the Navy ascertained this was a good place to transfer their operation. I think it makes a lot of sense. Actually the nub of this matter is this, if we approve this amendment what we are really doing here is specially treating 1 Member of the House when there are about 64 of us who are suffering from the same base closure and change problems. This is not a sound thing for the House to do.

I would hope this amendment is defeated. The financial figures so far as the economy involved here show that the move is a wise one. It will be an economy for the Government and it makes good sense. The Navy figures show that the move to Orlando will cost the Government only $2.2 million while remaining in Long Island will cost $3.8 million, a saving of $1.6 million.

I urge the defeat of the amendment.

Mr. RIVERS of South Carolina. Mr. Chairman, I rise to ask if we can reach some agreement on time on the amendment. Many Members wish to leave. I certainly should like to complete action on the bill as quickly as possible.

I ask unanimous consent to terminate debate on this amendment in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I rise in support of the amendment offered by our distinguished colleague from New York. The Defense Department's proposed transfer of the function now being so ably carried out at the Sands Point facility is just another example of false economy.

I commend the gentleman from New York for the efforts he has given to this issue. I believe it has been clearly demonstrated at the hearings, that this move, if permitted to take place, would represent not a savings but a waste of $9 million.

As Members of this House, we should consider it our responsibility to oppose this kind of wasteful spending and such a foolhardy proposal as the one to relocate a vital facility which has proved itself to be eminently efficient and successful. The Naval Defense Training Center at Sands Point is doing an outstanding job. I do not believe it should be moved just to promote the illusion of savings.

I am happy to join my colleague in this effort to retain this facility. I trust his amendment to delete the amount for the Orlando site, where the Sands Point facility is to be relocated, will be approved overwhelmingly.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. DOW].

Mr. DOW. Mr. Chairman, I observe that the distinguished chairman of the Committee on Armed Services declared that 12,000 line items were handled in the course of the stupendous work which was done on this bill. All we are concerned with now are two lines out of the 12,000.

Naturally, we in our area are concerned about the loss of this facility, coming as it may come, on top of the closing of the Brooklyn Navy Yard.

If there were incontrovertible evidence to support the transfer of the Sands Point facility, we could yield. But reasons and purposes for the transfer are clouded in the data that appear before us.

When it is revealed through a study of the engineers at the training center that $9 million, not $851,000, will be spent for the new site, for construction, maintenance, and training at the new location, then a second look at the proposal is essential. If we appropriate this $851,000, we will automatically generate the expenditure of an additional $8 million. And that amount is not in the appropriation.

Because of this automatic extra expense, because of the lack of agreement on the merits of the transfer of the Sands Point Naval Devices Training Center, I urge that the specific appropriation be eliminated by amendment to the bill H.R. 8439.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, I rise in support of the amendment of the gentleman from New York. I believe that under the cloak of economy we have in many ways handed to the Secretary of Defense a carte blanche enabling him to close down or move any facilities.

As I understand it, this is not an economy move. It is a move which will be very costly to the Government. I should like to ask the gentleman from New York [Mr. WOLFF] if he has overall figures indicating what this will actually cost, rather than save the Government if the move is made.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to my colleague from New York.

Mr. WOLFF. I have those figures. The rehabilitation of buildings at Sands Point will cost nothing. At Orlando, that will cost $850,000.

The construction of new buildings at the present site would cost $1.2 million. At Orlando it would cost $2 million. These are figures of the Engineers and Scientists Association of the U.S. Naval Training Device Center. Annual maintenance would cost $530,000 at the present base, but the maintenance cost in the move to Orlando would be $3 million a year. The moving cost would be $1.5 million.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair now recognizes the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, the proposed move of the U.S. Naval Training Devices Center from Port Washington, N.Y., to Orlando, Fla., is highly questionable from the point of view of the taxpayers.

We are not engaged in a chess game. The distinguished gentleman from Florida [Mr. GURNEY], represents the district to which the Center is to be moved. I am deeply concerned with the economic well-being of my constituents. Many of the employees of the Center reside in my district. I am equally concerned about our national defense. I feel that ill-advised, poorly conceived transfers and base closings can defeat the economy goals they are designed to serve.

In the case of the Naval Training Devices Center move from Port Washington, N.Y., to Orlando, the Navy has consistently avoided a candid statement of what this move would cost. All we have to go on in this bill is a request for authorization of $851,000 for rehabilitation of buildings. Commonsense tells us that the costs of moving a multimillion-dollar installation 1,200 miles involves costs other than the repairing of some buildings.

Why does the Navy not provide us with the total costs involved in this move?

The failure to provide the information should preclude further consideration of this authorization by the Congress of the United States.

Other items attest to the shortsightedness of the proposed transfer. A $100,000 laboratory at the Port Washington site, presently in process of construction, would be completely lost to the taxpayers.

Relocation of Center personnel and their families would occasion substantial costs which would return nothing on the defense dollar spent.

The proposed move of this base 1,200 miles is not in line with the President's and Mr. McNamara's economy goals. The Center requires less than 10 acres; Orlando has 1,400. Does an operation of this size justify keeping open a huge base? Why should an installation requiring only 10 acres be moved to 1,400 acres?

Renovation of existing housing at Port Washington would cost far less than making such housing available at the Florida location. The buildings at the present site, I am told, are durable structures that can be modified and improved.

Mr. Chairman, much has been said about this matter, much evidence has been brought out to indicate the folly of such a move. I do not want to belabor the point, but such a move under the guise of economy, appears to me to be a matter of false economy.

The Naval Training Devices Center has had a long and successful history at its present location. There is ample room for expansion and consolidation of the scattered elements of the center at the Port Washington site and in the surrounding area. By remaining where it is, the waste occasioned by the cost of moving would be saved. Interruption of the vital function of the center would be avoided.

Mr. Chairman, I rise in the name of the American taxpayer and in support of the President's economy program. I urge that the amendment to strike the $851,000 authorization in connection with the move of the Naval Training Devices Center be carried in the interests of economy and national defense.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I rise in support of this amendment and to commend the gentleman from New York [Mr. Wolff] for his leadership in bringing this matter to the attention of the House. Here we have an opportunity to strike a blow for economy. Rather than it being, as the gentleman from Florida [Mr. Gurney] suggested, special treatment for one Member, this is a special opportunity for the taxpayers of this country to save $9 million. I certainly want to say that the gentleman from New York has ably analyzed the costs involved and presented them to the House. This is a chance to strike this blow for economy. At the same time let us remember there is more involved than just one facility. It is the whole question of the engineers and scientists and contractors who are doing this very important work.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Herlong].

Mr. HERLONG. Mr. Chairman, I rise in opposition to this amendment. I should simply like to state that the committee has gone into this thoroughly; the Subcommittee on Appropriations has gone into it thoroughly; the Navy Department has gone into it thoroughly; and they have all arrived at the conclusion that this would save money, and I am willing to take their word for it.

I commend the gentleman from New York for the fight he is making to keep this installation in his district. It is a fine thing that he is doing, and if the shoe were on the other foot, I would probably be doing the same thing. But I must say, to coin a phrase, "In my heart I would know I was wrong."

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. Bates].

Mr. BATES. Mr. Chairman, I rise in opposition to the amendment.

A little while ago, during the process of the discussion of section 608 it was contended if that section ever became law, all we would do would be restrict our help to one Member after another without making any firm or hard decisions with respect to the merits of the suggestion on base closures. I am sure it is not the intent of this committee and it is not what we will do. Here is another point. The information has come to us that this school eliminates the need for three items. One major repair project costing over $1 million would be needed if the site remained where it is. However, if you moved it to Orlando, it can be done at a much cheaper rate. One other thing in respect to section 608. If this section 608 had been in the law, the gentleman from New York [Mr. Wolff] would come before our committee and we would have given him his day in court. We would have heard the facts and exercised our judgment on those facts. As it is we have had the information supplied by the Navy. We were satisfied with that information. If the gentleman from New York had made a presentation perhaps we could have given his side of it a little bit more time than we have been able to do in these few moments today.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. Rivers] to close the debate.

Mr. RIVERS of South Carolina. Mr. Chairman, I oppose the amendment. According to the records of the Armed Services Committee, it will cost $851,000 to move to Florida. It will cost $2,600,000 to move to Mitchell, plus $1.2 million if you add a Polaris facility, making a total of $3.8 million. If you move the employees to Florida it would cost $1.2 million. It would cost $100,000 instead of $1.2 for the Polaris, making a total cost in Florida of $2.2 million as against $3.8 million to remain where it is, plus the growth potential of this base in Florida which is, incidentally, a very good base.

Mr. Chairman, I have no ax to grind. These are just the facts as presented to our committee. So the committee felt constrained not to oppose it. These are the facts. This is the reason why I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Wolff].

The question was taken; and on a division (demanded by Mr. Wolff) there were—ayes 61, noes 113.

So the amendment was rejected.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to commend the Committee on Armed Services for its great diligence and efforts in connection with this important bill. I am certainly heartily in accord with most of its provisions.

I have serious concern about section 608. I just wanted to make some reservation in regard to the matter at this time. I do not know what eventually may be the outcome of this proposal, but I do think there is cause for concern about the language in the bill as it is now written.

S. 327, PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965

Mr. CRAMER. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have listened with a great deal of interest to the statements of the distinguished chairman of the Committee on Armed Services with whom I generally agree. I certainly agree with the strong statement he made to the effect that "this is a giant step in regaining our constitutional powers," meaning the Congress of the United States.

Mr. Chairman, I would only hope that on next Tuesday when we have an opportunity, which we likely will have, to vote on the question of the Northwest disaster bill which was vetoed by the President, that those who are in support of that position of the gentleman from South Carolina will strongly support the effort that probably will be made to reinstate the language which the President asked be stricken and which the Public Works Committee in fact did strike and which unquestionably is a Presidential attempt to prevent the Congress of the United States, meaning the Public Works Committees of the House and Senate, from exercising the powers that they unquestionably have of authorizing public works projects.

Mr. Chairman, the President said that he thought there should be stricken from section 5(a) of that bill the clause that reads as follows:

> But no appropriation shall be made for any such work that has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively.

So I say to all those who are supporting the distinguished gentleman from South Carolina on this matter, they should particularly support the effort to reinstate that language come next Tuesday.

Mr. Chairman, I agree with the gentleman from Texas [Mr. Mahon], chairman of the Committee on Appropriations, as to his statement as it relates to the question of economy. Those people who want to economize, likewise want to preserve the proper powers of the Congress, should also support the amendment preserving the power of the Public Works Committee to properly authorize such projects. The very purpose of putting this into the language of the legislation was to make certain that any proposal made by the President and the Office of Emergency Planning, the objective of it, would be to make certain that when the decision was made as to the nature of the project, the project would have to come back for proper authorization which unquestionably is the authority of the Public Works Committees of the House and Senate and is exactly the same language that was written into the Public Building Act of 1959 and was signed by the then President Eisenhower and is precisely the same language that was contained in the Water Resources Act of 1964, signed by President Johnson, although he said he had reservations about it at the time.

So I say to all on both sides of this issue, you should support on Tuesday next the effort to reinstate the powers of Congress relating to the Northwest disaster relief bill which will be pending before you at that time.

The **CHAIRMAN**. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. Boggs) having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes, pursuant to House Resolution 408, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The **SPEAKER** pro tempore. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The **SPEAKER** pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. **WYDLER**. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER** pro tempore. Is the gentleman opposed to the bill?

Mr. **WYDLER**. I am in its present form, Mr. Speaker.

The **SPEAKER** pro tempore. The Clerk will report the motion.

The Clerk read as follows:

> Mr. Wydler moves to recommit the bill H.R. 8439 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendment:
>
> On page 68, line 16, at the end of the line a new sentence as follows:
>
> "This paragraph shall apply to any such closure, substantial reduction, or consolidation, previously ordered, which was still incomplete as of June 1, 1965.".

The **SPEAKER** pro tempore. The question is on the motion to recommit.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. **WYDLER**. Mr. Speaker, I object to the vote on the ground a quorum is not present, and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. The Chair will count. [After counting.] Two hundred and fifty-two Members are present, a quorum.

The motion to recommit was rejected.

The **SPEAKER** pro tempore. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. **RIVERS** of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record on the bill just passed.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

U.S. POLICY IN VIETNAM—ADDRESS OF THE VICE PRESIDENT

Mr. **BOGGS**. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. **McCORMACK**. Mr. Speaker, in my remarks I include a well-considered address, that should be widely read, delivered by Vice President Hubert Humphrey on June 1, 1965, at Michigan State University:

Address by the Vice President

It is a pleasure to accept the invitation of the Michigan State People-to-People Committee to discuss U.S. policy in Vietnam.

Coming here today from Washington—once aptly described as "a city of southern efficiency and northern charm"—it is refreshing to return to the atmosphere of excitement, of expectation and love of learning that is characteristic of a great university.

Action is to the politician what reflection is to the scholar—and as a political leader, it is a rewarding experience to confront the enthusiastic questioning of the student and the careful scrutiny of the professor.

It is a welcomed—if risky experience.

It is welcome, because nowhere are solid arguments and perceptive judgments more appreciated.

It is risky because nothing chills nonsense like exposure to the brisk air of a university.

The subject which I am about to discuss with you is appropriate for this audience because it pertains to war and peace.

No group should be more interested in war and peace than those who will be expected to bear the brunt of the fighting if war should come.

It is therefore a natural and healthy phenomenon that war and peace in southeast Asia should have become the subject of lively debate and vigorous discussion on university campuses across the country.

As the debate on U.S. policy in Vietnam has flourished during the past 6 months, the United States has continued to be challenged to match deeds with words in opposing aggression and defending the freedom of a friendly nation.

We have met that challenge.

Our firm and decisive response to naked aggression against South Vietnam has demonstrated to our friends that our power remains preeminent and our devotion to freedom firm—and to our foes that the United States is no paper tiger.

The measured application of American power proves that we are prepared to meet aggression in whatever form—that we shall not be forced to choose between humiliation and holocaust—that the firmness of our response in no way diminishes our devotion to peace.

Our action in Vietnam is a part of the continuing struggle which the American people must be prepared to wage if we are to preserve free civilization as we know it and resist the expansion of Communist power.

It is a further indication that the breakup of the bipolar world, which has characterized the international relations of the past two decades, and the easing of tensions between East and West following the nuclear test ban, may have changed the pattern of U.S. involvement in world affairs, but it has not diminished it.

We retain the role of leader of the free world that we inherited at the end of World War II, and in that role our responsibilities remain worldwide. In that role our responsibility extends to distant Asia as well as to countries on our doorstep.

President Johnson has made it unmistakably clear that we intend to meet those responsibilities.

It was in the role of defender of the free world that we originally made a commitment to Vietnam in 1954.

It was in this role that three administrations maintained that commitment.

Although as students of history you may debate the wisdom of the original decision to take up the responsibilities which the French relinquished in 1954, this question has little reliance for the policymaker today.

President Johnson in his Baltimore speech of April 7 and his Washington speech of May 13 spelled out those alternatives and which we have chosen as the basis of our policy.

They are three:

First. In the face of armed conflict, in the face of continued aggressions, we will not withdraw, we will not abandon the people of Vietnam. We shall keep our word.

Our refusal to withdraw is based on our recognition that sudden withdrawal from Vietnam would only weaken the position of free societies in Asia—which could only regard withdrawal as a loss of interest by the United States in the area and enticement to accommodate themselves to Communist China.

In refusing to withdraw we reject the belief that by some Hegelian law of inevitability, China is destined to swallow up all of Asia. And I find it curious that proponents of the inevitability theory so often combine it with advocacy of the Titoist doctrine that Vietnam would become an independent neutral nation if we would withdraw our military forces. The arguments are absolutely incompatible.

We refuse to withdraw in the certain knowledge that withdrawal would mean the betrayal of those who have opposed the spread of communism in southeast Asia, would mean certain death or exile.

Finally, in relation to the Sino-Soviet contest, a withdrawal by us would vindicate, the Chinese thesis that militancy pays—and discredit the Soviet thesis of peaceful coexistence.

Second. Recognizing that a political solution of the conflict is essential, we stand ready to engage in "unconditional discussions." We have no desire for further military escalation of the war. We stand ready to consider any solution which would bring peace and justice to all of Vietnam, North and South.

I would like to make crystal clear who is in favor of a political settlement and who is opposed, who has offered the olive branch and who has rejected it. President Johnson has affirmed not only our willingness to hold unconditional discussions to end the war, but our ardent desire to do so.

What has been the response of the Communist governments in Hanoi and Peiping?

They have rejected every peace offer from any source. They have spurned the efforts of the U.N. to mediate. They have scorned the offer of the British. They have brushed aside the efforts of the Indian Government. In short, the Communist governments in Hanoi and Peiping have rejected all efforts to restore peace and justice to the people of Vietnam.

Third. We recognize that the people of Vietnam must have a cause for which to fight, they must have hope of a better day. We have made it clear to the people of Vietnam that to improve their lives and fulfill their hopes we stand ready to support a massive cooperative development effort—not only for Vietnam but for all of southeast Asia. It is our hope, as President Johnson has said, that "the works of peace can bring men together in a common effort to abandon forever the works of war."

These three principles—honoring our military commitment, a continuing willingness to seek a political solution, and a massive economic development program—remain the bases of our policy.

The struggle in Vietnam has a special significance for the United States as the defender of the free world because it confronts us with a bold new form of aggression which could rank in military importance with the discovery of gunpowder. I refer to the "war of national liberation."

Vietnam offers a classic example of what can be accomplished by militant Communist forces intent on deliberate subversion of a country from within.

There we have seen a Communist state refuse to leave its neighbors in peace. We have seen the infiltration of Communist cadres to strengthen and direct guerrilla warfare in violation of international accords. We have seen the Communists who control and direct the war from Hanoi insist that the war in South Vietnam is internal because many of the Vietcong are South Vietnamese. We have seen them portray the struggle as a civil war, in which the "popular forces" are arrayed against "American imperialism."

It is this new sophisticated form of warfare that is becoming the major challenge to our security, to the security of all free nations. This new warfare is often more dangerous than the old—a war in which the leaders cannot be located, in which the sources of supply cannot be easily cut off, in which the enemy forces are not outsiders but indigenous troops—in which signed truces do not halt the struggle.

The supreme challenge today is to prove to our Communist foes and our freedom-loving friends that the new face of war is no less pernicious than the old, that it can be defeated by those of strong mind, stout heart and a will of steel. We know now that most Communist regimes do not desire to blow the world to pieces. They prefer to pick it up piece by piece.

How do we successfully meet the challenge posed by wars of national liberation? We need a balanced military force comprising air, sea, and land power. We need maximum flexibility in our forces—making it possible to respond rapidly to any situation. We need men experienced in guerrilla and psychological warfare, in all the paramilitary arts that are practiced in wars of national liberation. We must adapt our aircraft and ships to the conditions we find. We must relearn the tactics of ground warfare in a guerrilla setting and adapt our equipment and our weapons accordingly.

Overwhelming military power alone is not an adequate response to wars of national liberation. Since these wars feed on seething social discontent, success in countering them requires a subtle blending of economic aid, political expertise, educational efforts, information and propaganda programs, combined with military power.

Where wars of national liberation flourish, the military struggle is but one part of a larger social and political struggle. And these struggles will continue and revolutionary ferment will increase until governments come to power capable of implementing systematic social and economic programs designed to abolish shocking social and economic inequality between the privileged few and the impoverished masses, between glittering capitals and festering slums, between favored urban enclaves and primitive rural areas.

For the masses of the people in the developing countries of Asia who have never known the benefits of modern civilization, the status quo is no longer a burden to be patiently borne, but an oppressor to be cast off.

The primary responsibility for preserving the independence and security of a country remains with the people and the government of that country. If the people and their leaders have no will to preserve their independence, no outside force can save them. If the government can provide the people with a cause for which to fight, with a program inspiring sacrifice and effort, that government can be capable of defending itself against Communist infiltration and subversion from within. Where subversion from within is supported from outside, as in the case in Vietnam, outside assistance is needed if such a government is to achieve this capability. In many areas of the world, the United States has inherited the role of protector and defender of non-Communist nations which are under Communist assault. It is a role we have not sought. It is often a painful and expensive one. But it is an essential one, both to the security of the non-Communist world and to our own.

As I have noted, in overcoming wars of national liberation no one mode of response is adequate. At this point I would like to call attention to the nonmilitary side of the struggle that is required in this complex situation. My example again is Vietnam. I refer to the little noticed side of the struggle—the struggle for a better life. It is the battle of the Vietnamese people not merely to survive, but to build, to make progress, to move forward.

In the past decade, rice production has been doubled. Corn output is expected to be four times as large next year as it was in 1962. Pig production has more than doubled since 1955.

The average Vietnamese can expect to live only 35 years. Yet there are only 200 civilian doctors. A new medical school we are helping to build will graduate that number of new doctors each year.

Meanwhile, we have helped vaccinate more than 7 million people against cholera and millions more against other diseases. More than 12,000 hamlet health stations have been built and stocked with medical supplies.

In Vietnam, as everywhere, civilization is a race between education and catastrophe. Education is the foundation of any country's future. For it is impossible to run a government, local or national, to man factories or to enrich the national life without trained and educated people. Elementary school enrollment was 300,000 in 1955—it is five times that number today. Vocational school enrollment has quadrupled. The university population is increasing steadily.

This progress has been achieved against the most appalling odds. It has been made despite the carefully planned and executed program of terror and harassment carried out by the Vietcong.

There is a curious misconception abroad that the Vietcong is a great idealistic movement, a sort of "Indo-Chinese wing of the American Populist Party"—to use Arthur Schlesinger's phrase. In reality, they are, he continues, "a collection of very tough terrorists whose gains have come in the main not from the hopes they have inspired but from the fear they have created."

In the countryside, agricultural stations have regularly been destroyed and medical clinics raided. Malaria control team members have been killed or kidnaped. Village chiefs, schoolteachers and others who represent order and social service have been made special targets by the terrorists.

All told, it is estimated that 10,000 civilian officials have been killed or kidnaped since 1954. If one were to use comparable figures for the United States in relation to population, this would amount to 130,000 officials.

Yet the effort goes on despite these attacks and dangers. Brave and tireless Vietnamese continue to take seeds and fertilizer and farming know-how to the villagers; teachers continue to man the schools; medical teams go into the country despite the clear and always present danger. And at their side—I am proud to say—go American civilian workers. And they, too, have been killed and kidnaped. These men and women, Vietnamese and American—and increasingly of other nationalities—are the unsung, unpublicized heroes of this phase of the struggle. So long as they persevere wars of national liberation can be defeated.

As I understand it, you have decided to participate in this struggle by adopting the hamlet of Long Yen in Tay Ninh Province. This hamlet, 60 miles from Saigon, has vigorously resisted absorption into Vietcong hands. I am told you plan to raise funds to build a new two-room school, to construct an open-air market, and to pay for both a schoolteacher and a health officer. These are things the people of the hamlet themselves have decided they most need and want.

I have heard that word of Michigan State's program has struck sparks in other campuses as well. This is most encouraging, most inspiring. For the need is so great—not just the physical need, but the need for people to know that other people stand with them. In this fashion you will be helping the Vietnamese people build a future for themselves. You will be working to defeat a new and pernicious form of aggression against mankind.

In assisting independent nations—whether in southeast Asia or in our own hemisphere—there will be required on our part patience as well as courage, the will to endure as well as the will to resist.

But our willingness to meet our obligation to assist free nations should not be confused with a desire to extend American power or impose American ways.

We do not aspire to any Pax Americana. We have no desire to play the role of global gendarme. Where multilateral organizations are ready and capable of assuming the burden of defending independent nations from Communist assault, of preventing internal rebellions from leading to chaos and anarchy, we welcome their intervention. As we know from recent history, international organizations like the UN are not always capable of stepping in quickly. When they are capable we welcome their presence.

Our stakes in southeast Asia are too high for the recklessness either of withdrawal or of general conflagration. We need not choose between inglorious retreat or unlimited retaliation. The stakes can be secured through a wise multiple strategy if we but sustain our national determination to see the job through to success.

Our Vietnamese friends look forward to the day when national independence and security will be achieved, permitting the withdrawal of foreign forces. We share that hope and that expectation.

But we know that that hope cannot be achieved if the United States shirks its obligations, if it attempts to withdraw from the world, to retreat from its responsibilities as a world leader. If we refuse to share the burden of preserving the peace—who will take it on? If we refuse to share the burden of defending free societies, who can guarantee their survival? If we will not join in the defense of democracy, what are its future prospects?

I fail to see the logic of those who recommend that we withdraw from the world. If we are concerned about our national security in all its aspects, we cannot ignore Asia because Europe has been made secure. We learned by hard experience in Europe that involvement is the price of resisting aggression, that appeasement is not only morally wrong, but a threat to national security.

In a complex world, we must practice patience and perseverance—patience to defend free nations in distant Asia as well as those close to home. We must not be lured by quick and easy solutions. We must not abandon our goals because of frustration. We must continue to pursue the goal of peace and freedom—acknowledging both the prospects of success and the consequences of failure. If we act with vision and wisdom, we shall not fail.

THE NATIONAL ECONOMY

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, we have been witnessing some interesting but in some respects distressing conflicts in the presentation of our national assessment of our national economy. The policy and position of the President and his administration has been that our economic output can be steadily increased with balance and stability. Indeed such expansion is an absolute necessity in the light of increased technology and the press of unemployment. The posture of the Federal Reserve Board seems to lean against this position and seems convinced that progress can only be bought by dangerous inflation. Let it be understood that we all appreciate and highly respect the distinct role that the Federal Reserve plays in our monetary and fiscal policy. That this role calls for a cautious approach is not questioned, but it should also be responsible and ought to be responsive to the avowed policy of the country's leadership so long as that leadership is not demonstrably irresponsible.

We have as the Chairman of the Federal Reserve a very highly qualified individual. A man of great ability, high intellect and long experience and, incidentally, one of the most astute politicians outside of political office, using that term in its elective sense. Mr. Martin does very little, if anything, by accident and misadvertence. Characteristically, he speaks and acts upon careful and thoughtful consideration. He would, I am sure, be the first to admit, however, to being subject to error. He still puts his pants on one leg at a time like the rest of us and he can be wrong. If my memory serves me correctly, the Chairman of the Federal Reserve Board was wrong in his expectations about the tax cut which we passed last session.

It is not for being subject to error that the Chairman should be faulted, however. It is in exercising less than the highest level of restraint in his public statements. His is one of the most sensitive positions in the United States. To the degree that the heavy responsibility of that office is not reflected in responsibility ringing in every public utterance, he can do great disservice.

May I say, Mr. Speaker, that I entertain not only a high respect for Mr. Martin, I am also deeply impressed by the complexity and difficulty of the subject matter over which he exercises with his Board awesome jurisdiction. Running tandem with this respectful regard nonetheless is a commonsense understanding of the inexactitude of the economic art which all economists interested in monetary matters practice. There are no absolutes in the field and the truth is as elusive as in any intellectual pursuit. No amount of systematizing or invention of vocabulary can obscure that fact. It behooves the actors in the monetary role then not to play the "heavy."

It is for just these reasons that I am disappointed with the recent speech by Mr. Martin in which he undermined the confidence of those elements in our society most needed to be encouraged to maintain the balance effort to achieve continuing stable progress. Cautionary criticism and advice on constructive restraint should and have been welcomed, but an unrestrained lowering of the monetary boom with the tone of impending doom is not in keeping with the appropriate role of the Federal Reserve System. That we are not alone in being disturbed by the conflicting positions between the Federal Reserve Board and the administration is obvious.

Mr. Speaker, the Washington Post of May 31 carried a very disturbing article by Frank Porter, apparently prompted by very definite signs that the Federal Reserve Board is going it alone in monetary and credit policy, regardless of administration views.

Columnist Porter could not have put the question any more bluntly than when he asked:

> Are William McChesney Martin, Jr., and the Federal Reserve Board he heads in open rebellion against administration policy?

Frankly, Mr. Speaker, it is my own opinion that it is about time a few blunt questions were asked and some straight answers given on the vital question of money and credit. Just what is going on?

The United States is the only advanced industrial nation I know of where credit may be manipulated by small groups without any political responsibility. Former Secretary of the Treasury Dillon was fond of saying, even in testimony before the Banking and Currency Committee, what a friendly, old time was had over lunch when the Treasury and Fed officials exchanged views on these issues so vital to all Americans. But Mr. Dillon never failed to admit, albeit reluctantly, that the Federal Reserve could always tell the Treasury where to get off. In plain words, the Fed might listen politely and then make independent decisions on money and credit even though Treasury would vigorously disagree. Now, what kind of government is this where the voters do not have even an indirect voice in these matters?

President Johnson has pledged us adequate credit at low interest rates while wisely dealing with the gold outflow by selective measures. And our price stability over recent years has been a marvel for all to behold—prosperity without inflation. So when the Fed plunges bank reserves down close to $200 million in the red, then maybe Eliot Janeway is right when he suggests that "right under L.B.J.'s long and inquisitive nose, Chairman Martin has crossed the President up in this most sensitive area of governmental operations."

Mr. Speaker, if it is Martin who is in charge here and not the administration or other elected officials, I think it is high time the folks back home knew about it.

The complete article by Mr. Porter follows and after it is a more recent article reflecting Mr. Fowler's reaction to Mr. Martin's recent speech:

[From the Washington Post, May 31, 1965]

FEDERAL RESERVE RESTRICTIONS RAISE SOME ISSUES

(By Frank C. Porter)

Are William McChesney Martin, Jr., and the Federal Reserve Board he heads in open rebellion against administration policy?

Or is the White House in tacit agreement with the Fed's shift toward a tighter monetary policy?

Will the trend toward tighter money and credit help choke off present prosperity, as it was accused of doing in 1957 and 1960?

Or will it reduce the threat of an overheated American economy and help bring the balance of international payments into equilibrium?

These are questions being asked about Washington with increasing frequency these days. And hard answers are hard to come by. Administration spokesmen are mum on the subject.

The Federal Reserve System exercises substantial control over the Nation's stock of money and interest rates by fixing the level of reserves commercial banks must set aside against their deposits, by raising and lowering the interest rate on loans the Fed makes to its member banks and—most importantly—through its purchase and sale of Government securities in the open market.

READING THE WIND

In the words of Chairman Martin, it "leans against the wind" by easing money and credit when business conditions are depressed and tightening up when surging prosperity threatens an inflationary blowoff.

But its critics charge that its timing is frequently off—that instead of leaning against the wind the Fed sometimes leans with it and falls on its face.

In its 1964 annual report, the President's Council of Economic Advisers singled out restrictive monetary policy as a chief factor in the downturns of 1957 and 1960.

For most of the current 51-month economic expansion, the Fed has gone along with frequent White House admonishments to keep money relatively easy. As recently as in his January economic message, President Johnson warned that monetary policy should not be permitted to cancel the expansionary effects of last year's tax cut.

When Mr. Johnson put forth his 10-point program to reduce the Nation's international payments deficit, it was widely interpreted as in lieu of tightening money and raising interest rates to halt the dollar outflow.

SWITCH IN POLICY

But since then the Fed has switched from relative ease to a moderately tight policy—a move that possibly was foreshadowed when Martin told Congress in late February that if the President's program failed to produce results "we must be prepared to take whatever measures are needed, including of course, a less expensive overall credit policy."

The President's program appears tentatively to have reversed the outflow. But free reserves—a measure of commercial banks' unused lending powers—have been allowed to drop from an average $103 million in January to $32 million in February, to minus $76 million in March and to minus $113 million in April. The figure is now averaging nearly minus $150 million.

This has led Eliot Janeway, New York economic consultant, to suggest that "right under L.B.J.'s long and inquisitive nose, Chairman Martin has crossed the President up in this most sensitive area of governmental operations."

AGREEMENT ASSUMED

Janeway's thesis is that the administration had assumed an agreement with the Fed on a target of zero or neutral reserves, that it assured bankers there would be no money squeeze when the bankers agreed to limit oversea loans to help the payments situation, that the swing toward tighter money is already reflected in a skittish stock market and bodes ill for the economy in general.

A Capitol Hill economist complains that the Fed "hasn't allowed a damn nickel for commercial expansion" and is putting a severe strain on business ability to finance inventories and receivables.

On the other hand, a prominent Wall Street investment banker, who is no friend of tight money, sees no danger in the present policy unless it is pursued further. He feels it is a normal reflection of the abnormal pace of economic expansion in the first quarter.

And an administration economist also leery of restrictive monetary policy is inclined to discount the negative reserve position. He notes long-term interest rates have remained stable and sees no dearth of liquidity in the economy.

[From the Washington Post, June 9, 1965]

SECRETARY FOWLER DISCOUNTS BOOM-BUST TALK

(By Joseph R. Slevin)

Secretary of the Treasury Henry H. Fowler, predicted yesterday that the United States will enjoy noninflationary growth and prosperity "as far ahead as one can see."

He told the Senate Finance Committee that he is "not at all fearful" of another 1929 crash and stressed that the American economy is expanding in a healthy, balanced way.

The Cabinet officer's statements came as a firm rejection of a week-old warning by Federal Reserve Board Chairman William McChesney Martin, Jr., that there are "disquieting similarities between our present prosperity and the fabulous twenties." Martin's statement touched off a sharp stock market break.

"The dissimilarities between the two situations so far outweigh the similarities that I'm not at all fearful," Fowler declared.

The Treasury head made his comments in reply to committee questions as the finance group opened hearings on a $4.8 billion excise tax cut bill that the House passed last week.

Fowler asked the committee to reject the House measure in favor of a more modest $3.6 billion excise reduction that President Johnson recommended in mid-May.

"The administration's distinct preference * * * is that the bill we would like to see emerge is the bill in line with the President's program rather than the bill approved by the House," Fowler said.

In giving the committee his confident prediction of a steady growth in economic activity, Fowler said the administration has raised its sights since it made its yearly economic forecast in January and now expects that the gross national product will be higher than its original $660 billion estimate.

The Secretary ruled out an inflationary boom along with a 1929 bust. He said it is important to be aware of potential dangers but he declared that the economic barometers "give grounds for solid confidence that our expansion will continue without undue strain on the economy or on manpower."

"The economy is catching its breath following the very large sales and production increases of the first quarter," Fowler said. "We see and expect a continued orderly growth as far ahead as one can see."

SLOGAN IN WASHINGTON NOT "POLITICS AS USUAL," BUT "POLITICS AT THE FLICK OF A FINGER"

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, late Tuesday the House approved an expenditure of public funds for the hiring of operators to man some of the ultramodern, fully automatic elevators in the Rayburn Office Building.

Bright and early yesterday morning, even before the bill could be messaged to the Senate, the political pap had begun to flow. The powers-that-be had started to install the operators. Apparently the political patronage machinery was greased and rolling even before the House gave approval.

Apparently the old slogan in Washington of "politics as usual" is out. It is now "politics at the flick of a finger."

INTENSIFICATION OF NATIONAL EFFORT TO BEAUTIFY AMERICA

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, during the recent past months, under President Johnson's urging, there has been an intensification in national effort to beautify America. I sense that on the State and municipal level there has begun a local participation that can only have the most favorable effect insofar as cleaning up junkyards and effectively curtailing the littering of waste throughout the land.

This Nation not only owes an obligation to the President for his efforts in this field, but Mrs. Johnson is to be equally commended for her leadership.

I am pleased to draw the attention of the House to the St. Louis Post-Dispatch editorial of Sunday, May 23, 1965, which points out that the basis of "America the Beautiful" today lies as much with Americans as with Government.

The editorial of the St. Louis Post-Dispatch is as follows:

CHALLENGE TO THE SPOILERS

The skeletons of discarded cars, old junkyards, litter our countryside—and are driving my wife mad.

The husband who said that is President Johnson. The words are more simple observation than political oratory, yet they indicate that the President, or his wife, started something.

They have started the White House Conference on Natural Beauty in Washington this week. That in turn is intended to start Americans thinking about the beauty, the dignity and good taste of their every-day life.

An American in London will note that Englishmen do not throw paper on the streets. An American in Paris will observe that Frenchmen do not break mementoes off the Notre Dame Cathedral. An American almost anywhere in the European countryside will see few billboards, auto graveyards and other scars against nature. Yet at home he is used to these things.

Peter Blake, who wrote "God's Own Junkyard" (not in anger but in fury), found a signboard on a giant California sequoia, a junkyard in a Rocky Mountain valley in California, and other forms of avaricious squalor destroying scenery from Miami Beach to Waikiki. More statistically, the Keep America Beautiful organization estimates that if the litter along the Nation's highways were dumped along one highway from New York to San Francisco, the road would be buried a foot deep in waste paper, beer cans and whatnot.

Such is America the Beautiful today. It is a land where many central cities, including St. Louis, are trying to beautify their downtown areas while suburban sprawl spreads across fields and meadows. It is a land where some devoted souls attempt to preserve worthwhile or historic buildings and sites while others try to exploit them commercially or tear them down for parking lots and cubed architecture.

It is a land where the finest superhighways in the world are being built, to be lined in most States (including Missouri, apparently) with billboards. It is a land where more and more people clamor for water for recreation while other people and industries pollute it, along with the air above.

It is a land where a recent Congress passed farsighted legislation to preserve a vestige of American wilderness, and to create new areas for outdoor use and enjoyment, while outside these few conserved areas spoilation seems to grow with the affluent but not yet great society.

What is it about Americans that leads them to toss a tin can here and a wrapping paper there, to cut down unique trees, to dump waste in lakes and rivers, on an ascending scale of disregard for beauty and for fellow Americans? Is it a legacy from pioneer days when the land was vast and the people few, and rugged disregard for either was free?

The land is no longer vast and the people are no longer few. Littering, polluting, bulldozing, billboarding and other forms of senseless misuse and destruction of resources and beauty must be stopped. So it is that President Johnson talks of measures with force behind them to landscape highways and restrict signboards.

Yet does it not seem strange that the Federal Government has had to take the lead almost everywhere in conservation and antipollution measures? Why should the Federal power have to lead and push States and local communities to protect the grass at their grass roots?

Indeed, the basis of an America the Beautiful today lies as much with Americans as with government. It is time for civilized maturity, for a social and individual conscience of a heritage that needs creation as well as preservation. We would expect the White House Conference to tell Americans that beauty is in the eye of the beholder. By the end of this century there may well be 380 million Americans to behold what is left to them.

SUPREME COURT INVALIDATES STATUTE TO PREVENT AVOWED COMMUNISTS FROM BECOMING OFFICERS IN UNION

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, the Supreme Court Monday invalidated that part of the Landrum-Griffin Act which attempted by statute to prevent avowed Communists from becoming officers in unions.

With irresponsible unionism now holding this new and astonishing sanction, the individual more than ever needs his only real protection—the right not to join and the right to withdraw from a union.

The great labor federation, the AFL–CIO, expelled many unions from that association for Communist domination and for racketeering. But these same expelled unions enjoy compulsory membership in most States, and some of them appeared before your Education and Labor Committee demanding compulsory membership in all the rest of the States. The McClellan investigations of racketeering in unions support the need of workers in 31 other States for relief from compulsory irresponsible unionism.

I am today introducing an amendment to the present national labor laws which will give this relief. The near 100-percent membership in thousands of unions in those States having right-to-work laws shows that voluntary unionism will not damage responsible unions.

WYOMING—WOMAN SUFFRAGE AND THE LADIES OF THE CONGRESS

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, in this morning's Washington Post there appears a picture of an even dozen most attractive ladies with the comment that none could remember it ever having happened before—the 12 women Members of Congress under 1 noncongressional roof.

My State of Wyoming, Mr. Speaker, gave America a first lady Governor, the beloved Nellie Tayloe Ross, and is the first State to give women suffrage in America. Since Wyoming is celebrating its 75th year of statehood this summer, I think this is an appropriate time, in behalf of my State of Wyoming, to congratulate the 10 ladies of this House and their counterparts in the other body.

Voting rights for women were won in America by a lady justice of the peace at South Pass City, Wyoming Territory, whose name was Esther Morris and whose likeness is in Statuary Hall. It is said at the time of her victory in Cheyenne, Wyo., nearly three-fourths of a century ago, that the members of the Wyoming Territorial Legislature drank to her success with the toast: "God bless our women, until now our superiors, from this day forward our equals."

The cutlines follow:

It's unanimous—They couldn't remember its ever happening before: the 12 women Members of Congress together under the same noncongressional roof. Aware that it may be a while before it happens again, they sit for a rare picture at a dinner the Women's National Press Club gave in their honor Tuesday night. They are: Senator MAURINE NEUBERGER, Democrat, of Oregon; Representative FRANCES BOLTON, Republican, of Ohio; Senator MARGARET CHASE SMITH, Republican, of Maine; Representatives FLORENCE DWYER, Republican, of New Jersey; MARTHA GRIFFITHS, Democrat, of Michigan; EDITH GREEN, Democrat, of Oregon; PATSY MINK, Democrat, of Hawaii; LEONOR SULLIVAN, Democrat, of Missouri; JULIA HANSEN, Democrat, of Washington; CATHERINE MAY, Republican, of Washington; EDNA KELLY, Democrat, of New York; and CHARLOTTE REID, Republican, of Illinois.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday next be dispensed with.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT OVER

Mr. MOSS. Mr. Speaker, I ask unanimous consent when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

NATIONAL STUDENT COUNCIL WEEK

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I introduce, for appropriate reference, a joint resolution requesting that the President proclaim the last week of October as National Student Council Week.

The student councils in secondary schools are actually proving grounds for citizenship. They provide a forum for the expression of student opinion and a training ground for students who will be the leaders of the Nation. The councils also provide a level of communication between the student body and the adult community through which joint problems may be resolved.

The student council is a student self-government organization, elected by students, to represent the student body on matters of concern to the entire school. Through participation in these groups, students gain an understanding of the problems involved in the operation of a community at an early stage in their lives.

I am pleased to note that my own State of New Jersey was the first to proclaim a statewide Student Council Week and has done so annually for 14 years. I have been contacted on several occasions by a constituent of mine, Miss Jo Anne Chernev, who served this past year as president of the New Jersey Association of High School Councils. The New Jersey association was given the responsibility of promoting the National Student Council Week project by the annual national convention. Miss Chernev and her group have done extensive research on the statewide programs and have made their information available to Members of Congress. I am happy to support Miss Chernev and the association in their work on this project.

Statewide student council weeks have been established in 14 States and 9 others have indicated that they may do so in the near future. The activities conducted during these periods may include conventions, poster campaigns, elections, inaugurations, leadership training, and conferences, all of which are patterned on those on the national level. In this manner, student councils provide an opportunity for young people to learn the fundamentals of government and democracy through actual practice. Since Congress serves as a model for these student organizations, the promotion of a National Student Council Week would be a means of expressing confidence in the ability and sense of responsibility of our young people.

EXPLANATION FOR LACK OF ACTION ON ARM TWISTING?

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. NELSEN. Mr. Speaker, perhaps the listless approach the Civil Service Commission has taken in resolving the cases of Rural Electrification Administration officials charged with violating Federal laws in soliciting civil service workers for political campaign funds may be explained by charges that Civil Service Commission Chairman John Macy is trying to wear two or three job hats.

The Washington Sunday Star Columnist Joe Young quotes the director of a private research organization as saying that Civil Service Commission Chairman John Macy has become so occupied with White House duties, he is not even available to return telephone calls from other key officials in Government.

Perhaps this is one of the reasons the Civil Service Commission has not seen fit to take firm and forthright action on these cases of political arm twisting which I brought to the Commission's attention long ago.

I want to make it unmistakably plain that I do not necessarily agree with some of the judgments made by this private research organization, the Committee for Economic Development, nor do I subscribe to all its recommendations involving Federal service careerists. But in this instance, it would seem to me there is validity to the criticism that Mr. Macy is trying to wear two or three hats.

Looking after the welfare of the vast number of civil service employees, and protecting their integrity from political pressure is the paramount responsibility of the Civil Service Commission. I do not believe any other tasks should take precedence over this clear obligation on the part of all members of the Commission.

We have been treated to 9 months of delay since the Commission investigation ended without bringing the REA arm-twisting cases to a conclusion. That is far too long a period for a reasonable investigation, assessment of the facts, and sound corrective action.

With consent I place the Washington Star article at this point in my remarks:

[From the Washington (D.C.) Star, June 6, 1965]

MACY'S WHITE HOUSE DUTIES CITED AS HARMFUL TO CIVIL SERVICE ROLE

(By Joe Young)

NEW YORK, N.Y.—John Macy's dual role as Chairman of the Civil Service Commission and Special Adviser to President Lyndon Johnson on Government personnel matters was criticized yesterday by the director of the Committee for Economic Development's committee on improvement of management in Government.

Robert Steadman said that the Commission's operations and direction of Government personnel affairs and policies are suffering as a result of Macy's "wearing two hats."

Macy also has a third function—that of chief talent scout for the President in recruiting top Government executives.

EXPANDED ACTIVITIES

The CED is an influential group composed mainly of top financiers and industrialists which concerns itself with monetary and fiscal policy matters. Recently, it expanded its activities to include Government personnel and management problems.

Its Government committee is headed by Marion Folsom, Eastman Kodak executive and former Secretary of Welfare.

Steadman charged that top Government officials under the rank of Cabinet officers, such as Under Secretaries, "can't even get Macy to return their telephone calls because he's so busy with his White House duties."

"Who's running the Civil Service Commission?" Steadman asked. "Are the Commission's duties and responsibilities so light that it can afford to operate without full-time leadership?"

Steadman predicted that the situation will continue to deteriorate as long as Macy devotes so much time to his White House duties.

The CED official quoted Philip Young, who also served in a dual capacity under President Eisenhower while CSC Chairman, as declaring after his experience that such an arrangement won't work.

PERSONNEL OFFICE URGED

Steadman spoke at the Eastern regional conference of the Public Personnel Association in behalf of CED's recent report on the Federal career service. The report in part urged that Federal career jobs in grades 15 or 16 and above be removed from the Civil Service Commission's jurisdiction and be placed under the control of a proposed new office of executive personnel in the White House.

These supergrade jobs under such a plan would be under the control of the President and the occupants would not have the job tenure rights as at present.

The objective is to permit greater flexibility in selecting and promoting such officials and in assigning them to different Federal jobs as needs arise.

There also are reports that a special Presidential task force recently recommended something along the same line.

REJECTED BY JOHNSON

Civil Service Commission officials at the conference here, however, disclosed that the Johnson administration has rejected such a proposal and the Federal supergrade careerists will remain under the commission's jurisdiction.

The administration also was disclosed to have rejected another CED proposal that two new supergrades—grades 19 and 20—be created at higher salaries for key careerists assigned to special and highly important duties.

CSC officials said there was not need for the proposed extra grades.

Many of CED's other proposals, however—such as improved executive training, higher salaries, more mobility in assigning career people to other Government duties—either have been adopted or are under serious consideration with a good chance of being adopted, CSC officials said.

On the issue of removing top Federal careerists from civil service coverage, the CSC apparently convinced the President that it would be an unwise move.

Herald Leich, Chief of the CSC's Program Planning Division, who appeared on the panel with Steadman, said removing top Government careerists from the Civil Service Commission's authority would be "decapitating the career service."

Leich also said it would be a deteriorating effect on the morale of middle-grade Federal civil servants aspiring some day to top jobs as well as being impractical in planning programs for the entire career service.

Leich differed with the CED official on Macy's dual functions, declaring that his White House duties make unnecessary any divorce of CSC's authority and responsibilities because of the close links between the Commission and the White House.

CITY OF MINNEAPOLIS OBJECTS TO WITHDRAWAL OF MAIL FROM PASSENGER TRAINS

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have received a resolution from the city of Minneapolis, Minn., requesting me and my congressional colleagues to exert our "utmost influence to encourage the U.S. Postal Department to continue the transportation of mail by passenger train."

As the city council resolution indicates, withdrawal of post office mailings results in revenue losses to the railroads, resulting in cutbacks in passenger train service and economic and transportation distress to the entire State.

Certainly, I hope that the Post Office Department will give this sound resolution its careful attention and will act upon its wisdom. Under unanimous consent I insert the letter of transmittal and the resolution in the CONGRESSIONAL RECORD at this point in my remarks:

CITY OF MINNEAPOLIS,
June 7, 1965.

HON. ANCHER NELSEN,
House of Representatives,
Washington, D.C.

DEAR SIR: Attached you will find copy of a resolution passed by the City Council of the City of Minneapolis, Minn., at a regular meeting thereof held May 28, 1965, requesting the Senators and Representatives from the State of Minnesota in the Congress of the United States to exert their utmost influence to encourage the U.S. Postal Department to continue the transportation of mail by passenger train.

Very truly yours,
LEONARD A. JOHNSON,
City Clerk.

RESOLUTION

(By Alderman Martens)

Resolution requesting the Senators and Representatives from the State of Minnesota in the Congress of the United States to exert their utmost influence to encourage the U.S. Postal Department to continue the transportation of mail by passenger train

Whereas it appears that there has been a policy established by the U.S. Postal Department of discontinuing mail service being transported via passenger trains; and

Whereas withdrawal by the Post Office Department of the use of passenger trains for carrying the mails and the attendant loss of revenue to the railroads where passenger traffic is not heavy results in making some railroad line operations marginal or submarginal; and

Whereas the discontinuance of passenger train service throughout the State of Minnesota acts generally to the disadvantage of the citizens of the city of Minneapolis and the State: Now, therefore, be it

Resolved by the City Council of the City of Minneapolis, That it hereby requests all Minnesota Senators and Representatives in the Congress of the United States to exert their utmost influence to encourage the U.S. Postal Department to continue the transportation of mail on passenger trains; be it further

Resolved, That this council desires to record and reiterate its position of encouraging our Federal and State agencies to take a very close look at any proposed or suggested reduction of service given to and needed by city of Minneapolis and State of Minnesota residents and businesses before granting a discontinuance of passenger train service; be it further

Resolved, That the city clerk be and is hereby directed to transmit a copy of this resolution to each of the Senators and Representatives from the State of Minnesota in the U.S. Congress.

Passed May 28, 1965.

Geo. W. Martens,
President of the Council.

Approved June 4, 1965.

Arthur Naftalin,
Mayor.

Attest:

Leonard A. Johnson,
City Clerk.

FACTFINDING MISSION LEAVES TONIGHT FOR PARIS

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the Republican factfinding mission will leave tonight for NATO headquarters in Paris after a weeklong series of briefings and conferences here.

Sponsored by the House Republican conference, the mission consists of Representatives Alexander Pirnie, of New York, Hastings Keith, of Massachusetts, James D. Martin, of Alabama, and myself. The Republican conference is headed by Representative Melvin R. Laird, of Wisconsin, and includes the full GOP membership in the House of Representatives. The NATO mission was selected from the House Republican task force on NATO and the Atlantic community.

No Government funds are involved and the group is taking Pan American flight No. 114 from Kennedy International in New York departing at 8:30 p.m. The group will board a National Airline flight No. 289 at Washington National Airport at 5:55 p.m. to connect with plane in New York.

The schedule of conferences in Paris is not complete but it already includes the following: Gen. Lyman L. Lemnitzer, Supreme Allied Commander of Europe; NATO Secretary General Manlio Brosio; Ambassador Thomas K. Finletter, U.S. Representative on the NATO Council; French Minister of Defense Pierre Messmer, and officials of the French Ministry of Foreign Affairs.

Final briefing in preparation for the trip was early today with Dr. Robert Strausz-Hupé, director of the Foreign Policy Research Institute, University of Pennsylvania, who serves as consultant to the mission and has been in Paris for the past week arranging appointments.

Yesterday we met with Assistant Defense Secretary John T. McNaughton and Admiral Alfred G. Ward, U.S. member of the NATO military council known as the Standing Group, which is located in Washington.

The previous day we met with NATO's first Commander, former President Eisenhower at Gettysburg and later with Assistant Secretary of State Douglas MacArthur II.

On Monday we were in New York where we conferred with former Vice President Richard M. Nixon.

Our pretrip conferences and consultations have convinced us that our concern over the sharp decline in the influence of NATO is widely shared.

We leave with the benefit of counsel from high officials, past and present. The encouragement and advice of public officials on both sides of the political aisle, scientists, military experts, and economists have been most gratifying and helpful.

This will be a factfinding, not a faultfinding mission. Our group seeks to understand the attitude of French and other officials toward NATO and our role in the alliance.

Through this mission, we hope to alert the American people to the deepening crisis in NATO and to contribute to a better understanding of its gravity; learn firsthand the nature of Franco-American disagreement as viewed by the French; and, hopefully to aid our Government in moving swiftly and wisely to meet these problems.

INDUSTRIAL WHEAT AMENDMENT WOULD PENALIZE CORN FARMERS

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I am hopeful that the Agriculture Committee and Members of the House will take a most thorough look at a provision in H.R. 8629 which would substitute the use of wheat for industrial purposes at the expense of feed grain farmers. This bill will more than likely soon be part of the omnibus farm bill.

The Wheat Subcommittee of the Agriculture Committee recently reported H.R. 8629 to the full Committee. I am a member of the subcommittee. I opposed the provision in it which would change the definition of "food product" in the Agricultural Adjustment Act of 1938. I am still opposed to the provision and for reasons which I shall state.

The existing definition of "food product" includes flour. The new definition in H.R. 8629 would amend section 379(d) of the act to read as follows:

> As used in this subtitle, the term "food product" means flour, excluding flour clears not used for human consumption as determined by the Secretary, seminola, farina, bulgur, beverage and any other product composed wholly or partly of wheat which the Secretary may determine to be a food product.

The exclusion of flour clears from the definition of "food product"—flour clears being a byproduct of wheat milling—represents a very important change in the act. Approximately 73 percent of a bushel of wheat is classified as flour. In 100 pounds of flour clears, there is about 15 pounds of protein, which is marketed as vital wheat gluten, a food, and about 55 pounds of starch. Some of this 55 pounds goes into food products, but a substantial portion of it is available, if the price is right, for industrial uses. Under the new definition in H.R. 8629, a processor of flour clears which are used for glue would not have to pay for a wheat certificate. At present, all flour processed must have paid for it the 75 cents a bushel certificate, which would rise to $1.25 if the pending legislation is enacted.

The processors of flour clears, if the new definition of "food product" becomes law, will get their raw material at a price which probably would be close to the support price for wheat of $1.25 a bushel. This would not be far from the price which the processors of corn have to pay for their raw material.

In other words, industrial wheat processors would be excused from paying the extra $1.25 "bread tax" that will apply to wheat used for domestic food consumption, and they could purchase wheat for prices about one-half below that in effect for other wheat processors and therefore be very competitive indeed with the corn industry. The new definition of wheat then would really be a subsidy for wheat at the expense of corn and grain sorghums and to some extent, potatoes, since starch from potatoes is used for certain industrial purposes. This would also be a subsidy at the expense of the taxpayer, because for every bushel of wheat exempted from certificates under this proposal, Uncle Sam would no longer collect his $1.25. Remember that under the present program, Uncle Sam now collects 75 cents a bushel on the wheat clears used for these industrial purposes.

This whole question has been complicated by the introduction of what I consider extraneous and irrelevant issues. The Department of Agriculture supports the amendment on the grounds that it will enable the wheat processors to recover markets lost to imports of wheat byproducts which go into industry. I submit that, if imports are injuring the wheat processors, the best remedy does not lie in a domestic subsidy which hits other domestic industries.

We are also told that the proposed amendment simply would enable both wheat and corn processors to buy their raw material at world prices and that, consequently, it is equitable.

I do not see where the world-price question has any bearing whatever on this controversy. Both corn and wheat processors must obtain their raw material here and not abroad. The world price for corn is the domestic price and our wheat processors cannot buy wheat at the world price. An import quota shuts almost all of it out. I am surprised then that the Department of Agriculture uses the world-price argument in defense of the amendment when it has no application to the situation which the amendment would create.

Since the corn and wheat processors both must obtain their raw material here, we must look to the price relationship between the two products to determine whether a subsidy is involved. What do we find? In the domestic market, wheat, over a long period of years, has sold at prices substantially higher than corn. This was true before the Federal programs and has been true since. The cost of producing wheat is quite a bit higher than the cost of producing corn. And the parity price of wheat today is around $1 a bushel higher than the parity price of corn.

The habitual price differential, the difference in production costs and the wide spread between wheat and corn parity are the pertinent factors. The parity differential alone should dispose of the contention that the proposed new definition of "food product" represents only an equitable adjustment. The new definition, in my opinion, is intended to provide a subsidy for wheat which goes into industrial uses and this wheat would be in direct competition with corn and grain sorghums which are diverted to the industrial market.

I am sympathetic with the problems of wheat farmers and with the problems of the entire wheat industry. Yet, I cannot find justification for a subsidy which helps one agricultural commodity at the expense of other agricultural commodities. It establishes a most dangerous precedent and it hurts corn farmers in my State and throughout the corn belt. If we subsidize wheat today at the expense of corn and grain sorghums, tomorrow we will be asked to subsidize other agricultural commodities at the expense of other segments of agriculture.

Only last year the agriculture committee turned down a similar proposal to subsidize directly wheat for industrial uses. Now, we are asked to do the same thing indirectly. We have already set a precedent in this matter and a most constructive one. I see no reason to penalize corn farmers now.

AID FOR NORTH VIETNAM

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, in support of my bill, H.R. 8654, relating to shipments of supplies to North Vietnam and Cuba, I want to call attention to the following newspaper column by Don Maclean:

WASHINGTON.—Even the most simple-minded armchair strategist can figure out that instead of wasting million-dollar airplanes trying to bomb tiny bridges and jungle trails, we should be bombing the main port in North Vietnam. That's where the enemy's supplies are delivered in the first place.

But, as with everything else about the Vietnam situation, it isn't as simple as that.

For one thing, if we bombed the main port, we accidentally might unload a few bombs on ships belonging to our great and good allies, England, Japan, and West Germany. That's a little something that the pacifist professors failed to mention during their teach-in, the crash course in nonfighting.

When I talked to State Department officials about bombing Hanoi's port, they said that the State Department was preparing a study of the matter. The question is not whether to bomb the port, apparently, but whether it's worth all the hell that'll be raised if we do. The State Department told me that in 1964, 402 free world ships landed supplies there. State says our allies assure us that these supplies are nonstrategic.

This, of course, is nonsense. When a nation is at war, it can use a boatload of almost anything. It all helps, one way or the other. Also, the United States, even at this late hour in the Vietnam war, hesitates even to blacklist the free world ships that call at Hanoi. In other words, they can drop stuff off there and make their next stop San Francisco. Then, if they feel like it, they might get a consignment of supplies for our troops. Then, on to Saigon.

A breakdown on our allies' ships calling at North Vietnam in 1964 shows: England, 177; Japan, 74; Norway, 43; Greece, 35; West Germany, 8; France, 1. The State Department says that in 1965, the figures have escalated. That's funny. I guess North Vietnam, despite the war, is getting more prosperous and is importing more consumer goods. If you believe that, then you probably believe that all Chinese are laundrymen.

The lack of a blacklist against this shipping is harder to understand than the lack of bombing raids against the port. Such a list exists against free world ships trading with Cuba. The Maritime Administration publishes it every 3 weeks. Ships landing supplies in Havana can land at American ports, too, but they can't take on any cargo that our Government has an interest in, owns, or controls. That's an awful lot of cargo.

About 800 ships, or roughly 5 percent of the world's fleet, have now made our blacklist. I asked the maritime people how we found out whose ships and what ships landed supplies in Havana. An executive said: "Sometimes from shipping reports published in other countries and sometimes in various other ways which I'm not at liberty to tell you about."

By the way, our old buddy, England, is leading the way there, too. You've got to hand it to those British businessmen, they can seek out business faster than rats can find a healthy ship.

It's little things such as this that drive our military men crazy. Every time we lose an expensive plane, and sometimes its pilot, trying to bomb supplies being hauled south in Vietnam, the Joint Chiefs know that these losses could be avoided. Hanoi's supplies would disappear if we bombed that port. Like Korea, this is another war our troops aren't being allowed to win.

The professors at the teach-in gave us little credit for what we're not doing. We're not using atomic weapons, poison gas, germs, or any of our awful weapons. We are not seeking the main, most vital targets. We're not even trying to stop our friends from helping the enemy. But, you see, the mealymouthed professors and the weak-chinned students came to criticize, not to praise.

A LONG, HARD SUMMER

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. TALCOTT. Mr. Speaker, evidence continues to accumulate substantiating the critical need for substantial numbers of competent farmworkers in my district and elsewhere in California, and in other sections of the country, including Florida and even Ohio.

For some time, it has been evident that the administration is attempting to solve the farm-labor problem by recruiting students and other nonprofessional farmworkers, such as delinquents and dropouts, to work in the fields. The administration seems to believe that it can solve some of the social and racial problems of the big cities in the process. Thus, our area is to become a laboratory for administration experiments in social planning—when our immediate need is for thousands of competent professional farmworkers to forestall continuing disastrous crop losses with the accompanying depressing effects on our entire economy.

Mr. Speaker, the Council of California Growers is a fine organization composed of about 20,000 operators of both large and small farms in our State. The council has followed a reasonable and dispassionate course throughout the controversy regarding the farm labor problem during recent months. The current issue of the council newsletter, dated June 7, 1965, is a particularly cogent commentary on administration efforts to recruit students for farmwork.

Mr. Speaker, under unanimous consent, I include at this point the full text of the council newsletter for the benefit of my colleagues and other interested persons:

A-TEAMS: AGRICULTURAL LABOR OR A SOCIAL EXPERIMENT?

There is mounting evidence that planners in Washington are intesifying efforts to impose their ideas of socioeconomic programs upon agriculture; that they are out to remove any vestige of independence; that they seek to convert agriculture into a dependent, easily managed creature—a docile cow which can be milked at will for the benefit of the Great Society.

The most recent indication of this relentless drive to create a subservient agriculture is the action upon recent requests for supplemental labor; action by Secretary of Labor Willard Wirtz' farm labor panel; action designed to bend agriculture further to the will of Government by edict regardless of cost, regardless of the possible danger of catastrophic losses, and wholesale bankruptcies.

Faced with a request to live up to the Secretary's promise that "no crops would be lost due to a shortage of labor," the panel heard evidence which indicated genuine labor shortages—claims which are substantiated by State figures. Instead of granting the request for relief, the panel ordered the growers to participate in a new social experiment.

Growers were told there are 5,000 students—members of the administration A-teams in Colorado, Kansas, Texas, and New Mexico—all eager to come to California and all of whom must be employed before consideration can be given to further requests for foreign supplemental workers.

These A-teams—according to the plan—are high school athletes between the ages of

16 and 18 years, organized into groups of 20 to 30, under the supervision of an adult, hopefully a coach.

Not only must growers employ these young people, but they must guarantee $1.40 per hour, give them written contracts, pay transportation both ways, pay the salary of the supervisor, guarantee a minimum number of work hours, and provide adequate housing and food. Transportation alone for some of the Texas crews will run $45 to $50 per person—one way.

Texas, at the present time, appears to have more of the teams ready than any other State and when Texas Congressman HENRY GONZALEZ wrote Secretary Wirtz to protest against (1) the use of the teams at all in farm labor and (2) the transportation of youngsters "hundreds and even thousands of miles," Wirtz replied that the youth recruitment programs "will be used merely as supplements if the adult recruitment program does not fulfill all the needs," and added, "I am certain you will agree that this plan is infinitely preferable to resorting to the importation of farmworkers to fill unmet needs."

It doesn't take much interpretation to read into the Secretary's response that he is going to insist upon the use of these teams regardless of their ability or of the cost to the growers or inconvenience to the youngster and his family.

The seeming disregard for facts is nowhere more apparent than in the California panel's report to Secretary Wirtz. The panel praised the growers in the Blythe area for their outstanding effort at recruiting, for the pioneering efforts at training foremen, for housing, recreational facilities, and other efforts, and then the panel recommended that the grower request for 494 supplemental workers be denied.

Why? The panel said the growers should conduct more aggressive recruiting and, that to grant them the supplemental workers requested, would retard efforts at recruiting additional domestic workers.

The panel spoke righteously of the Department of Employment estimate that domestic farm employment was up 19,000 in May over the same month last year, but conveniently overlooked the fact that the total number of workers was down 12,000. It ignored the fact that these 12,000 jobs are the ones which may mean survival or disaster for many growers.

Despite their concern over the costs and the feasibility of using the youth teams, grower groups in California are participating in the program. Twenty teams have been offered jobs by growers in Blythe, Stockton, Salinas, and the citrus industry. The first of these teams arrived last week.

Growers expressed the hope that these young people will be a valuable source of labor, and pointed out that local youth always have been employed. Growers hope, though, the Secretary will permit quick action on supplementary workers if the youth groups are inadequate and avoid repeating the serious losses that have occurred in strawberries and asparagus because of Government procrastination.

The very existence of this unique farm panel—the departure from normal, and proven, channels—leads to some interesting speculation.

Under Public Law 78, there was an established method of determining farm labor shortages. The State department of employment—with trained personnel, and statewide offices—was the agency designated to certify to needs. During the first few months of this year, this procedure was maintained—there was close cooperation between State and Federal agencies in determining need and recruiting workers.

Suddenly the Secretary switched. Without explanation, he abandoned the services of the established factfinders—and named three college professors, none of whom have any extensive experience in farm labor, to a factfinding panel.

By inference, the Secretary indicated he believes three professors know more about farm labor problems than experts in the State agency * * * experts with knowledge and impartiality established over a period of years.

The panel appears still to use carefully selected facts from the department of employment when convenient—such as the reference to the 19,000 increase in employed domestics—ignoring shortages indicated in the same set of statistics.

It seems that the panel was appointed—not to improve the efficiency of determining grower needs—but, instead, to extend the long arm of Washington directly onto the farm. The State government appears to have been bypassed in favor of strong central control.

In an effort to clarify the situation, Newsletter asked a series of question of one of the panel members—Daniel G. Aldrich, chancellor of the University of California at Irvine.

Here are the questions and the answers.

What, in your opinion, is the responsibility of the panel which was set up by Secretary Wirtz?

Answer: "The responsibility of the panel is to advise the Secretary of Labor on the appropriateness of the requests for foreign supplemental workers that are submitted to him, that is the appropriateness of the number that are requested. Secondly, for the panel to continue to review the agricultural labor situation in California to determine whether the criteria which the Secretary of Labor established for requesting supplemental labor is being met."

In the light of the panel's recommendations to Secretary Wirtz last week, after review of the supplemental labor requests from Blythe and Salinas, is it the opinion of the panel that the so-called A-teams can fulfill all the needs of California agriculture in the foreseeable future?

Answer: "It is the view of the panel that the A-teams should be utilized in California. There are 5,000 A-team workers ready to come to California, and, since requests before us for braceros was a very small portion of the number of A-team workers available, this source of labor should be explored first."

With a shortage of 12,000 workers in California at the moment, it is hard to understand how a request for fewer than 2,000 could be considered inappropriate—yet apparently the panel did.

If this is the pattern to be followed, it will be a long, hard summer.

H.R. 8496

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. SAYLOR. Mr. Speaker, a bill (H.R. 8496) was introduced last week to extend a provision of the Atomic Energy Act that exceeds all bounds of rightful and reasonable authority on the part of the Federal Government. Under that provision the Atomic Energy Commission may "indemnify and hold harmless the licensee and other persons indemnified, as their interest may appear, from public liability arising from nuclear incidents which is in excess of the level of financial protection required of the licensee."

Therein is a shocking violation of the inherent rights of the individual, the community, the State, and the general public, and I ask my colleagues to study every word of this legislation before the House comes to decide upon whether to prolong the injustice here constituted.

In drawing a line against the amount of damages that can be claimed by a victim of a nuclear incident, it sets a dangerous precedent that Congress should never tolerate, for the potential victims of a nuclear incident may never have consented to expose themselves to the proximity of a reactor. In other words, as the present act is interpreted the AEC may arrogate to itself the decision as to where an atomic electric plant is to be located regardless of protests by the neighborhood, community, or State. Thus ensconced, operators of the nuclear device are protected by a no-recourse provision from claiming damages over and above those arbitrarily set by the Commission.

I cannot in conscience accept this kind of unfair legislation. When its implications are properly interpreted by my colleagues, I cannot believe that you will say, in effect, to your constituencies:

"I believe that the Atomic Energy Commission should be empowered to permit an electric company to construct and operate an atomic powerplant wherever it chooses whether or not you are willing to live in the vicinity of that facility. Furthermore, I feel that the AEC should have authority to limit the liability of the company, thus leaving residents of the community involved to collect damages only in the amount that is set by the AEC. For these reasons I am supporting H.R. 8496 and whatever other provisions of the act that are necessary to vest this power in AEC."

If, on the other hand, Congress rejects H.R. 8496 and thereby removes the no-recourse provision of the act, we are not going to subject our citizenry to any more of the hysteria that prevailed in Long Island and the Bodega Bay area of California when AEC announced that licenses for atomic reators at those sites had been applied for. Mass protests by residents of the respective locations finally prevailed and plans were withdrawn, but the threat never should have been permitted from the start. I for one do not want residents of Pennsylvania's 22d Congressional District to be forced to march in opposition to a situation made possible through the unwise acquiescence by Congress to an illogical, irresponsible, and inequitable proposition set forth by the Atomic Energy Commission.

There is yet another unjust feature in H.R. 8496. In providing for a portion of the insurance coverage on atomic plants, the Federal Government would continue to subsidize premiums by assuming the obligation for a good part of the cost. As a Representative of a State whose economy depends to an important extent upon a vibrant coal industry, I protest the subsidization of a competitor. I have never objected to the use of Treasury funds for research into civilian and commercial use of the atom, but America and the world have long since passed the laboratory and pilot plant stages. Full-size reactors have for a long time been providing the heat to turn turbines that turn generators and produce electric power.

Western and central Pennsylvania have for too long experienced exceedingly high percentages of surplus labor, and we do not relish the idea of using Federal appropriations to dim the encouraging prospects now developing. Our new Keystone and Conemaugh generating stations, which will provide electricity for markets as far away as Philadelphia and New York, are being constructed without financial assistance from the Federal Government, and I see no reason for setting up a subsidized competitor. Those powerplants will use a lot of coal, thus opening new jobs for miners, equipment manufacturers, and suppliers.

There is another giant generating plant planned for Pennsylvania that will have an important impact on the economy of our area. Pennsylvania Power & Light Co. recently announced that a third new 750,000 generating unit would be constructed at the Brunner Island steam-electric station below Harrisburg. To carry the coal from mines in Cambria and Centre Counties, 136 hopper cars are being built at the Johnstown Plant of Bethlehem Steel Corp.

These projects mean jobs that can result in the economic resurgence we have been awaiting for years. Congress must not appropriate funds or continue an unreasonable and unrealistic law supporting and protecting a rival business.

OFFICE OF URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mrs. DWYER. Mr. Speaker, yesterday, I called the attention of the House to the fact that the Committee on Rules had, in granting a rule for H.R. 6927, the administration bill to create a Department of Housing and Urban Development, made it in order to consider as a substitute bill, H.R. 8822, which would establish in the Executive Office of the President an Office of Urban Affairs and Community Development.

In an effort to familiarize our colleagues with the substance and objectives of our alternative proposal, I included as a part of my remarks the text of the bill and the text of my testimony before the Rules Committee.

As the House has been informed, H.R. 6927, the Department bill, has been scheduled for consideration by the House next week. We shall have the opportunity, therefore, for the first time, to vote for a measure which will do more than change the name and elevate the status of an existing agency, a measure which will provide the means of bringing direction, coordination, efficiency, and consistent administration to the jungle of Federal programs intended to help with the problems of our urban areas.

At a time when the confusion and contradiction and duplication which have resulted from the lack of any overall policy and coordination in the field of urban affairs threaten to undermine the objectives of Congress in approving urban area programs, I suggest that we should not content ourselves with a bill which promises only prestige while it avoids action on the real issue.

Twenty-four of our colleagues, Mr. Speaker, have joined in sponsoring bills virtually identical to H.R. 8822. They include, in addition to my earlier bill, H.R. 5173, the following:

H.R. 6082, introduced by Hon. FRANK J. HORTON, of New York.

H.R. 6098, introduced by Hon. GARNER E. SHRIVER, of Kansas.

H.R. 6144, introduced by Hon. CHARLES MCC. MATHIAS, JR., of Maryland.

H.R. 6151, introduced by Hon. ED REINECKE, of California.

H.R. 6203, introduced by Hon. JOHN B. ANDERSON, of Illinois.

H.R. 6204, introduced by Hon. ALPHONZO BELL, of California.

H.R. 6205, introduced by Hon. LAURENCE J. BURTON, of Utah.

H.R. 6206, introduced by Hon. JAMES C. CLEVELAND, of New Hampshire.

H.R. 6207, introduced by Hon. SILVIO O. CONTE, of Massachusetts.

H.R. 6208, introduced by Hon. ROBERT F. ELLSWORTH, of Kansas.

H.R. 6209, introduced by Hon. PETER H. B. FRELINGHUYSEN, of New Jersey.

H.R. 6210, introduced by Hon. CHARLES E. GOODELL, of New York.

H.R. 6211, introduced by Hon. ROBERT P. GRIFFIN, of Michigan.

H.R. 6212, introduced by Hon. JAMES HARVEY, of Michigan.

H.R. 6213, introduced by Hon. ROBERT MCCLORY, of Illinois.

H.R. 6214, introduced by Hon. CLARK MACGREGOR, of Minnesota.

H.R. 6215, introduced by Hon. WILLIAM S. MAILLIARD, of California.

H.R. 6216, introduced by Hon. F. BRADFORD MORSE, of Massachusetts.

H.R. 6217, introduced by Hon. CHARLES A. MOSHER, of Ohio.

H.R. 6218, introduced by Hon. ALBERT H. QUIE, of Minnesota.

H.R. 6219, introduced by Hon. DONALD RUMSFELD, of Illinois.

H.R. 6220, introduced by Hon. RICHARD S. SCHWEIKER, of Pennsylvania.

H.R. 6221, introduced by Hon. HENRY P. SMITH III, of New York.

H.R. 6261, introduced by Hon. STANLEY R. TUPPER, of Maine.

Our bill to establish an Office of Urban Affairs and Community Development has a long and honorable history. Born in the minds of scholars and administrators who have understood the urgent need to bring together all the disparate parts of the Government's vast effort in the field of urban affairs, the need for a top-level coordinating office has become almost universally recognized.

In their authoritative study of "The Federal Government and Metropolitan Areas," published in 1960, Professors Connery and Leach stated:

> There is reason to believe that Federal programs are piling up on each other faster than metropolitan areas can digest them. Each is planned separately, and there is no correlation among them. Programs are launched in isolation, without reference to their impact on the areas to which they are directed. As a consequence, Federal programs are badly coordinated so far as metropolitan areas are concerned, both among themselves and in terms of State and local programs in the same areas. Federal programs having a bearing on metropolitan problems should be reexamined in order to assure better coordination and to provide the maximum flexibility and a minimum of standardization as to detail and procedure.

Earlier, in 1957, the Bureau of the Budget identified 21 major programs which affected metropolitan areas, and the Eisenhower administration, through Presidential Assistant Robert Merriam, undertook an informal effort to provide needed coordination and policy direction.

Today, those 21 programs have grown to anywhere from 45 to more than 60, depending on how one defines an urban program, and the problem has magnified in scope, complexity, and significance.

In 1960–61, the Advisory Commission on Intergovernmental Relations at my request conducted a detailed study of governmental structure, organization, and planning in metropolitan areas at all levels of Government. It urged, among other things "that steps be taken within both the executive and legislative branches of the National Government to bring together in better coordination and interrelationship the various Federal programs which impact upon orderly planning and development within the large urban areas."

The Commission, which includes representatives of all levels of government—Federal, State, county, and municipal—among its members, unanimously emphasized that intergovernmental relations with respect to urban affairs are being unnecessarily impaired because of inadequate coordination of Federal programs.

Mr. Speaker, hundreds of individual examples could be cited to demonstrate how the failure of coordination has produced waste, duplication, and inefficiency in the operation of many Federal programs. The same inefficiency has tended to obstruct the efforts of State and local governments to solve their urban problems. All levels of government, therefore, have a deep and immediate interest in devising mechanisms which will assure proper coordination.

The issue, I believe, is clear. Our bill, H.R. 8822, will do this. The committee bill, H.R. 6927, cannot do it.

AMENDMENT TO NATIONAL LABOR RELATIONS ACT

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. **GREEN** of Oregon. Mr. Speaker, there is an issue of considerable import that should be considered—an issue of conscience that touches the lives of many of our citizens who must work to support themselves and their families in an age of greater concentration of power in both labor and management.

If and when section 14(b) of the Taft-Hartley Act is repealed—and, in my judgment, the sooner it is the better—the rights of workers to organize will be enhanced. For many, however, as sympathetic as they might be toward the goals for which many of our finest labor organizations have worked for years, their religious beliefs do not permit them to join labor unions or any secret organizations.

We should take special note of their problem and I wish, today, to introduce a bill to amend the National Labor Relations Act that persons who have religious convictions against joining or participating in a labor organization under a union security collective bargaining agreement should not be required to join or pay dues.

In this Nation, among the Seventh-day Adventists, the Amish, the Mennonites, the Plymouth Brethren, and the National Association of Evangelicals and other groups there are those who cannot in good conscience belong to any sort of labor organization because of basic religious convictions and the teachings of their churches. My bill is designed to protect these individuals in their employment and to save them from having to violate their faith for economic reasons.

These are not persons trying to escape the honorable obligations of unionism—they are not free riders or freeloaders. Sums equal to the dues and initiation fees would be paid to the Treasurer of the United States or perhaps to charitable enterprises.

As an alternative, the bill permits a voluntary agreement between the individual and the union as to conditions of employment, but these in no way would infringe upon the religious convictions of the employee.

Now is the time to meet this issue. It in no way infringes on the rights of union organization. What it does do is enhance the personal rights and liberties of all of us as we recognize in law that minority rights and beliefs have a sacred meaning, too, as we try to build a new age in America.

The bill reads as follows:

H.R. 8962

A bill to amend the National Labor Relations Act to provide that individuals with religious convictions against joining or participating in a labor organization under a union security collective bargaining agreement shall not be required to join or contribute to the support of that labor organization

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Labor Relations Act (29 U.S.C.) is amended by adding at the end thereof the following new section:

"INDIVIDUALS WITH RELIGIOUS CONVICTIONS

"SEC. 19. No individual who has religious convictions against joining or financially supporting a labor organization may be required to join or financially support any labor organization as a condition of employment if such individual pays to the Treasurer of the United States a sum equal to the initiation fees and periodic dues uniformly required as a condition of acquiring and retaining membership in a labor organization which is representative of the employee unless said individual and said labor organization mutually agree upon some other condition of employment."

JUSTICE FOR TRANSYLVANIA

Mr. **PHILBIN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **PHILBIN**. Mr. Speaker, on June 1 it was 408 years ago that the Diet of Torda in Transylvania, became the first European legislative body to pass an act granting religious tolerance to its citizens. This was a Diet dominated by Protestants, but the Queen who had signed this act into law was a Roman Catholic, Queen Isabella.

> Each person—

The act said—

> may hold whatever religious faith he wishes, with old or new rituals, while we at the same time leave it to their judgment to do as they please in the matter of their faith, just so long, however, as they bring no harm to bear on anyone at all, lest the followers of a new faith be a source of irritation to the old profession of faith or become in some way injurious to its followers.

By today's standards, this was yet a modest statement. But even this statement represented a revolution in men's thinking. I must be remembered that at the time it was enacted, religious intolerance was ripe in most European countries, and that the concepts of human dignity and personal freedom which are supported by the Bible were frequently honored in their abuse. The date is also preceding the outbreak of the Thirty Years War by 61 years, the peace of Westphalia by 91 years.

It must be also remembered that at that time Transylvania and Hungary were the battlegrounds between the West and the Mohammedan East. The peoples of Transylvania have seen what slavery meant, as they were harassed, both by the Turkish armies and the Habsburg mercenaries in turn. The fear of slavery was mixed with the bitter pill of humiliation as the Kingdom of Hungary, of which Transylvania was a part, had been a dominant power in the area until 30 years before the Diet of Torda.

In the words of the former head of the Unitarian Church in Hungary, Bishop Alexander St. Ivanyi, now a distinguished, beloved devine in Lancaster, Mass.:

> Freedom was the most designed summum bonum in Hungary, no matter what the "dominant ideas" of the age were elsewhere. This freedom they sought to establish in Transylvania, the only free part of war-torn Hungary. * * * These Transylvanians were wise enough to discover that freedom begins with the freedom of conscience, the "better part" of which is religious freedom.

The act of 1957 became the foundation for the more comprehensive Act of Religous Liberty and Freedom of Conscience, which was evolved by subsequent sessions of the Diet between 1557 and 1571, and which remained the basic law of the Constitution of Hungary until the Communists took over the country in the recent postwar period.

In the four centuries that have intervened, it has become universally recognized that freedom and religious tolerance are inseparable. It is not surprising, therefore, that whenever Hungarians in Transylvania or elsewhere have been confronted with the need of fighting for their political and economic freedom, one of their first actions has been to reassert the Acts of the Diet of Torda between 1557 and 1571.

Today Transylvania is part of Rumania and is under Communist domination. Religious freedom is a thing of the past, ministers of several faiths are still in prison despite the amnesty of 1963–64, and there is only one Roman Catholic bishop instead of three, and he is not even completely free to exercise his ecclesiastical functions.

Political freedom of elections and parties are nonexistent for any of the nationalities in the province. But the Hungarian minority which, together with the German Saxons were the implementers of the Acts of Torda, is particularly harassed and persecuted. Their schools are increasingly merged with Rumanian schools, the use of Hungarian in public is dangerous at best, forbidden in many areas, the Hungarians who succeed in receiving diplomas are involuntarily transferred to areas outside of Transylvania, or into overwhelmingly Rumanian districts of Transylvania, while local autonomy has been a sad joke, even in the so-called Mures-Magyar autonomous region, ever since 1961. Street brawls about the use of Hungarian in public resulted in large-scale arrests of Hungarians last summer after the amnesty, and the psychological situation of the persecuted 1.75 million Hungarians in Transylvania may be best summed up as being that of one fact and one opinion.

The fact is that 133,000 Transylvanian Hungarians signed up for emigration to equally Communist Hungary. Thus even Kadar's regime is preferable to them than the Rumanian Communist order. The second is the letter of a Hungarian professor of languages, at the merged Babes-Bolyai—Rumanian-Hungarian—university at the capital of Transylvania Kolozsvar—Cluj:

> I would rather be a simple member of a collective farm in Hungary, than a professor at this university. The psychological burden of seeing the persecution of my fellow Hungarians proves to be too much for my nerves.

Mr. Speaker, on March 24 and 25, nine of my colleagues, led by my distinguished friends, Congressmen MICHAEL FEIGHAN and SEYMOUR HALPERN, introduced resolutions calling for the condemnation by this House of the discriminatory practices of the Rumanian Communist Government against its Hungarian minority in Transylvania. I think it is only fitting to call the attention of the House Foreign Affairs Committee and its European Subcommittee to these resolutions which in my opinion are called for and proper. I am happy to hear that hearings on this matter are being scheduled and hope that the resolution will soon come before the House.

I must say that this Nation cannot move too speedily or too vigorously to repudiate and act to check the outrages and abuses against the basic rights, freedoms, and privileges of an ancient and honored people like the Transylvanians.

Deprived of their birthright by force, brutality, and a cynically ruthless dictatorship, they still have the spirit and the courage bravely and gallantly to resist the calloused mistreatment and persecution of their tormentors and persecutors, fearlessly standing for and working for their own liberation, and for that of the millions of other helpless people behind the Iron Curtain in all parts of the world, who are being denied their God-given right of freedom and self-determination.

I think that this House can no longer delay in holding out the hand of help and support to these afflicted people, and others like them throughout the world.

It is up to this great Nation, born in freedom, and dedicated to its preservation at all costs, to do something to encourage and help these oppressed peoples.

It is fitting that we should pause in this great deliberative body to evidence our deep interest in and close fellowship with the aims and aspirations of these helpless, defenseless, persecuted peoples, and to reaffirm our unswerving purpose and determination to do everything we can to uphold their spirit and extend them succor and assistance in their hour of trial, tribulation, and dire need.

It is clear that the Transylvania people are being visited with a wide range of discriminatory and repressive actions by their Soviet masters, and that these relate not only to their human rights, but to their heartfelt spiritual beliefs, their rich culture and their proud way of life.

I am dismayed, Mr. Speaker, to think that this great Nation, by silently acquiescing throughout the years to the many instances of persecution like those to which Transylvanians today are being subjected, by inertia and inaction is appearing to condone and tolerate the perpetration of these unspeakable outrages that shock the conscience of just men the world over and cry to heaven itself for redemption.

For our own sake, as well as for the sake of these oppressed gallant peoples, in the name of our own heritage, yes, in the name of the living God who binds us together in human brotherhood, let us move to come to the defense, the relief, and the liberation of these worthy human beings, whose only offense is that they worship God and love freedom so much that they are willing to suffer, sacrifice, and die for it.

COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I have checked this with the minority and it is satisfactory. I ask unanimous consent that the Committee on Banking and Currency may have until midnight tomorrow night to file a report on the bill H.R. 8926, the coinage bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

WILLIAM McCHESNEY MARTIN, CHAIRMAN, FEDERAL RESERVE BOARD, CANNOT STAND PROSPERITY—HE SHOULD RESIGN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 40 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this is the story of a man who cannot stand prosperity. Let me modify that statement—this is the story of a man who cannot stand prosperity for the many—it is A-OK for the few. This is the story of the Federal Reserve Board's Chairman, William McChesney Martin, who believes that it is more important to restrict the money stock and credit of the Nation, and increase interest rates, than it is to keep America prosperous. This is the story of a man who is defying the President of the United States by singing a siren song of pending disaster unless we take measures that run counter to the President's, which will in fact insure the reality of that disaster.

An important part of this story has to do with the remarkable advances of the economy under President Kennedy, and continued under Lyndon Baines Johnson. No apology is needed for 52 months of uninterrupted prosperity.

Despite this 52-month record of unprecedented prosperity, the longest peacetime period of well-being in the Nation's history, with 75,100,000 employed in this country, with our gross national product for the first quarter of 1965 running at an annual rate of $648 billion a year, compared to $622 billion for all of 1964—with all of this magnificent achievement rolling along, from out of the woodwork comes the Chairman of the Federal Reserve Board to "cry havoc."

AMERICA'S INCREDIBLE ECONOMIC RECORD UNDER PRESIDENT JOHNSON

In the first 50 months of our record-breaking prosperity, our output of goods and services rose by more than $147 billion, an increase of almost 30 percent. Our growth in the last 4 years was greater than that of the entire 9 years previously. Unemployment fell from 6.8 percent in the first 3 months of 1961 to 4.8 percent in the first 3 months of 1965. Last week, President Johnson was able to announce that it went down to 4.6 percent in May, the lowest level since October of 1957.

But, William McChesney Martin of the Federal Reserve Board, in his powerful position, cries havoc—he cannot stand prosperity.

Let us look further at the economic state of affairs under Lyndon Baines Johnson. Inventories remain remarkably low in relation to sales. Price stability is as firm as a weight lifter's muscle. There are no signs of excessive demand or inflationary prices. We are still using only about 89 percent of our productive capacity and while wages have gone up slightly, unit labor costs are lower today than a year ago, according to the President's chief economic adviser, Gardner Ackley.

The tax cut of 1964 provided a major fiscal stimulus for the economy, and in the offing is the excise tax cut which can only help our economy. Thanks to President Johnson's strong campaign to reduce waste in Government, and the increased revenues which continued business expansion has brought, the administration's budget deficit for this fiscal year will be only about half of last year's deficit. The deficit in our national income budget for the first 3 months of this year is only $100 million.

For Chairman Martin of the Federal Reserve Board, all this has been too good. He is the man who cannot stand prosperity.

Mr. Martin said earlier today that he advocated safe driving and has been accused of causing all the accidents.

It appears to me that he ought to have his driver's license revoked. He got us in a ditch three times under Ike, and now he is trying to do it under Lyndon Baines Johnson. He is too dangerous a driver to be on America's financial and economic highway.

CHAIRMAN MARTIN'S OPEN MOUTH POLICY

In a speech delivered at Columbia University in New York recently, where Chairman Martin noted some similarities between the economic situation now and during the period preceding the great depression, he may have unwittingly brought about the beginning of the end of his public career. He frightened the daylights out of not only the stock market community, but business and some important financial circles around the country as well.

I am inclined to go along with Leon Keyserling, who says that in many respects, Mr. Martin is an "estimable man" and "is not wrong in all respects." Then Mr. Keyserling calls attention to an expansion in consumer debts, which is probably too rapid, that Mr. Martin complains about. But Keyserling notes that Mr. Martin does not tell how the consumer debt situation came about. Mr. Martin carefully avoids mentioning that it is due to a decade under the impact of Federal Reserve Board policies approved by Mr. Martin, which took a heavy toll in unconscionable interest rate rises that are paid by homeowners, farmers, small businessmen, and American families generally.

While Martin noted a few points of vulnerability that need correction in the American economy, he ignored, as economist Leon Keyserling said, the "manifold points of strength that tower above these—points of vulnerability—like Pike's Peak above the plains."

What Martin did was to give some sensation-generating comparisons between the economic situation now and during the late 1920's. He likened some current conditions to those pertaining to the late 1920's, and he played up the idea that now, as just prior to the 1929 crash, the clear dangers to our domestic well-being lie chiefly, though not altogether, in our balance-of-payments difficulties, the monetary policies of France, and our longstanding deficit in international balance of payments.

This is the theory of those who look upon Herbert Hoover as primarily a victim of wicked European forces that brought upon him the great depression. This theory is totally discounted by such eminent economic scholars as Senator PAUL DOUGLAS, who wrote a study called "Controlling Depressions," and the first John Galbraith work, "The Great Crash." These economic realists saw clearly that the crash was due primarily to domestic maladjustments, "which caused our productive powers to get more and more out of line with distribution and consumption at home," and which, as I will point out later, were accentuated by the Fed's tight-money policies in the late 1920's.

Speaking of maladjustments, during the Hoover depression, things got so bad down in east Texas that the folks were forced to go out and catch cottontail rabbits, something we never ate before. They were called "Hoover hogs." If William McChesney Martin keeps up his drive toward disaster, we may call them "Martin hogs."

That the real danger to our economic progress lies in implementing policies that have been discredited because they have time and again brought about manmade depressions and recessions never seems to enter William McChesney Martin's mind. That the very monetary policies which he espouses and puts into practice are what causes national economic distress is totally imperceptible to the thinking mechanism of a man who is so completely Hoover oriented, and who is a believer in the trickle-down money theory. A prominent Washington writer, who knows him well, told me that he believes that Martin would buy a Hoover collar if the haberdasheries still stocked them. The cogs in his head click one way—tight, tight, tight money, high, high, high interest rates; ignore increasing the money stock even when economic activity demands it.

A further note on the Hoover trickle-down policy, which funneled money to the top and mighty little of it to the bottom. There were supposed to be two cars in every garage and two chickens in every pot, according to Hoover. But what the policy really trickled down to was that the car or cars were repossessed by the finance company and there were no chickens, and not even a pot to cook them in. But there were at least two mortgages on all homes that had not been foreclosed.

To return to the matter of money supply, so vital to the economy of every country, let's see how Mr. Martin and the Fed have blundered. In mid-May, our money supply was $159.2 billion. Believe it or not, last December it was a little higher, $159.4 billion. But in the same period, our gross national product increased to where it is now almost $650 billion, and between the fourth quarter of 1964 and the first quarter of 1965, it went up almost $14 billion. I repeat, our money stock remained the same.

The man who cannot stand prosperity has not been able to grasp that money supply, credit, and interest rate policies right here at home bring on depressions and recessions. Every single depression and recession that we have had, which put the country through a wringer each time—three under Eisenhower—was preceded by a curtailment of the money supply—a failure to keep the money supply abreast of the expanding economy—a tightening of credit and an increase in interest rates. This is precisely Martin's policy today—it was the same yesterday, and the day before, and the day before.

Martin's policy could bring us trouble, but not a depression or a re-do of the horrible Hoover days, because of the great things that have happened under Franklin Roosevelt, Harry Truman, John Kennedy, and Lyndon Johnson. I shall only mention a few facts that will show how dissimilar 1929 is from 1965. To those who still get nerve tremors thinking of the Hoover days, let them take courage from the following.

SOME REASONS WHY 1965 IS NOT 1929

In 1929, the Government did not have a budget of $100 billion a year. This in itself is a cushion against any major collapse of the total American economy.

During the Hoover depression, the old folks had lost their life savings and had nothing to fall back on. Today, we have the social security system which provides some income to 19.9 million of our citizens.

During the Hoover depression, and for the 5 years preceding it, the farmer had been not a second-class citizen but a fifth-class citizen economically. His income had been shrinking since the midtwenties. Prices of things he had to buy were going up, up, up. Interest rates were also going up, up, up, so that when he went to the bank to borrow money to produce crops or to raise cattle and hogs—when he wanted to borrow money for any of these things, he was looked upon as a very bad risk and paid through the nose, if he could get any money at all out of his banker.

Today, most farmers are protected by farm programs, and while the farmer's income might not be as high as the farmer would like, he cannot conceivably be as bad off as he was when he had nothing but Hoover's famous crack about "prosperity" being "just around the corner" to lean upon.

Mr. Martin, with his Hoover depression mentality, ignores the fact that we have insurance for our unemployed workers. Besides, we have programs that President Johnson is implementing designed to curtail poverty and bring improvement to the worst areas of distress in America, to aid the bottom layer of our wage earners so that the whole economy will not have a continuing drain upon it.

President Johnson is trying to help people to help themselves. Herbert Hoover, best known for his great depression, spurred people all along the road to misery. Chairman Martin, the man who cannot stand prosperity, appears to want to pick up where Herbert Hoover left off.

MARTIN DISCREDITS HIMSELF WITH THE BUSINESS COMMUNITY

The business community, the last to turn against Herbert Hoover during his great depression—and what names businessmen called him—was in sheer panic due to the Hoover administration mismanagement and lack of foresight in the years preceding the depression and during it—actually up until Roosevelt's reminder that the only thing Americans "have to fear is fear itself."

I have felt all along that Martin fears prosperity. He is trying to frighten people because we are prosperous. The very businessmen and financial leaders who have supported Martin in his debate with me through the years over the alleged independence of the Federal Reserve System are now beginning to scratch their heads and wonder whether perhaps I have not been right.

My telephone calls from all over America have been very heavy lately, saying: "What is this 'blank, blank' Martin trying to do?" "Who's back of him?" "What can we do to stop him from ruining our economy?" "Why doesn't he let well enough alone?" "Who's he trying to frighten, a few stock market manipulators or the American people?" "Is it right for an American official to have the authority to make our economy plummet?"

MARTIN'S POLICIES MUST STOP

The really disquieting similarities between our present time and the period immediately preceding the great depression is the fact that for the past 6 months the Federal Reserve has been carrying on a squeeze it policy, that is, they have tightened, tightened, tightened credit. That is what happened prior to the Hoover depression.

Besides, interest rates have been going up as they were before the big crash in 1929. Bankers then and now were asking big business, small business and consumers to pay more and more for money. While rates today have been going up moderately, except on short-term governments where they have been soaring, if a businessman wants to borrow money for a legitimate project, frequently he is asked to pay points to someone in order to obtain the loan. This is a subterfuge employed to collect more than the advertised or announced rate of interest. Points are even asked sometimes in order to obtain a home loan.

Another way to increase the interest rate works as follows: The businessman goes to his bank and says he needs a hundred thousand dollars. The banker tells him, "We'll let you have it provided your account never goes below $15 or $30 thousand." This has a nice name—it is called a compensating balance. Through this practice, the bank collects interest on a hundred thousand dollar loan, but actually loans the borrower anywhere from $70 to $85 thousand.

Banks are getting bolder and bolder in carrying on this kind of shenanigans. William McChesney Martin is making it easier for them to make these demands on businessmen, large and small, and homeowners, and farmers, and laborers, and other consumers—he is encouraging this type of usury by tightening credit and ever seeking higher interest rates. Have you ever heard of Chairman Martin or any Federal Reserve official protecting the people against injustices caused by extortionate interest rates? The answer is a resounding "No."

Probably the worst practice that is going on in banking is when they find a businessman in distress, they move into his business, in its direction and its ownership. They get their pound of flesh. And the more William McChesney Martin tightens credit and increases interest rates, the more distress there will be in the business community and the more banks will muscle into it, particularly business in distress.

THE FED IS THE ROOT OF ALL FINANCIAL EVIL

Mr. Martin's Fed has caused every single depression and recession in our time, and always by tightening credit and increasing interest rates, and cutting down on the money supply. For the past 6 months, the money supply of the Nation has failed to increase. It has remained constant. The one way to assure economic trouble is to cut off an orderly increase in money supply necessary for the needs of an expanding economy.

Despite everything that Martin has been doing to curtail our economic progress and well-being, he cannot do away with the mighty pillar of strength erected to avoid disaster to our banking structure. The Federal Deposit Insurance Corporation makes it possible for everyone who has money on deposit in practically all of our commercial banks and savings and loan institutions to know that their accounts are insured up to $10,000. Last year I attempted to make the insurance $20,000, but the banking lobby defeated my proposal. William McChesney Martin may do the country wrong economically, but he cannot hurt the basic strength the FDIC represents.

I have enumerated several similarities between what went on in Hoover's day and today, some of them worrisome, that stem from the action of the head of America's central banking system.

Well, you will say, this is another one of PATMAN's diatribes against William McChesney Martin—we have been hearing the same for many years. My colleagues, I do not wish to rub it in, but there are none so blind as those who will not see. If you have not had evidence to back up what my contention has been for a long, long time; namely, that Martin's tight money and higher interest rate policy, and his mouthings concerning it, are detrimental to the forward movement of the American economy, then Martin's supporters are absolutely right—PATMAN is just carrying on a feud without substance.

BUSINESSMEN ARE ASKING QUESTIONS

But the American businessmen, both large and small, who call me on the phone today know differently. They ask, "What can you do to shut this fellow up?" "What can you do to counteract the evil that he is doing?" "What can you do to make the Federal Reserve responsible to the President of the United States?" "What can you do to mesh monetary policy with fiscal and economic policy?" "How can you have the Fed going one way and the Government the other and come out whole?" "Must we have two governments in Washington—one elected and the other carefully selected by a few bankers?"

If you seriously want to know the answers to these questions that have all been asked me in recent days, then I say to you gentlemen, it is high time that we do what I have suggested we do for a long, long time—bring the money power back to the highest elected official of the U.S. Government and the Congress. No longer permit the spokesmen for great banking vested interests to govern the direction the American finance and economy should take.

Think hard, think long, my colleagues, I am not making a plea for a pet peeve of WRIGHT PATMAN's. I am talking about the hard core of our economic life, our central banking system. The Federal Reserve is to the American economy what a generator is to a lighting system. If the generator functions properly, light is with us; if it falters, we're in darkness.

The forebodings of depression-minded Martin are those of an unhappy man, whose hand is at the switch of the generator. Or perhaps there is a better analogy. The chairman of the Federal Reserve is like the undertaker in the depression days who had not had a funeral for 6 months. He had the longest face in town. There had to be a cadaver somewhere or he would continue in his misery. William McChesney Martin hopes to find the cadaver—the American economy.

To sum up Mr. Martin's speech at Columbia University in New York takes but a few words—he came not to praise the economy, but to bury it.

SIR WILLIAM PETTY IN 1682 KNEW MORE THAN CHAIRMAN MARTIN IN 1965

I wish to discuss a bit more about money supply, which is one of the keys to whether American businessmen and consumers have adequate credit for their needs.

In 1682, Sir William Petty, one of the first great economic geniuses to appear, wrote an essay called, "Questions and Answers Concerning Money." In answer to a question, "Is there any way to know how much money is sufficient for any nation?", he answered to the effect that the amount of money has to be in relationship to the national income of a country.

What Petty knew in 1682, Martin has not learned to this day. I might add that Sir Samuel Pepys said of this early economist, William Petty:

> He was the most rational man who I ever heard speak with a tongue.

Another question in Sir William Petty's essay was, "What remedy is there if we have too little money?" The answer:

> We must erect a bank, which will computed, doth almost double the effect of our coined money: and we have in England materials for a bank which shall furnish stock enough to drive the trade of the whole commercial world.

MR. MARTIN AS HISTORIAN

In a memorable Washington Post editorial following the Fed Chairman's speech, called "Mr. Martin as Historian," the writer notes that:

> Mr. Martin dilated on many of the factors that converted a stock exchange crash into the worst depression in our history. There are many references to collapse of the gold exchange standards, to speculation, to the lopsided distribution of income, and to loose banking practices. But nowhere in his chronicle does the Chairman mention the money supply, the central element in any monetary history. What Mr. Martin failed to tell his Columbia audience is that the stock of money declined by a third between 1929 and 1933, and that the Federal Reserve policy was directly responsible for that devastating shrinkage. This point is relevant because the Fed has of late been pursuing a policy of increasing monetary restraint. Their stock of money is now no larger than it was 6 months ago, and unless it is permitted to grow, the economic expansion will grind to a halt.
>
> If Mr. Martin's selective history has any moral, it was stated by Santayana who wrote: "Those who cannot remember the past are condemned to repeat it." Congress, which under the Constitution is charged with the regulation of the Nation's money supply, can avert a repetition of the baleful past by instructing the Federal Reserve authorities to follow a consistent policy, one that will provide the stock of money required to sustain economic growth.

This editorial is, I believe, accurate in its summation and I shall have it printed in its entirety following my remarks. I wish to point out one fact that the editorial writer omitted; namely, that from early 1928 on, the money stock not only did not grow but actually declined slightly, which played a large part in undermining the economy prior to the 1929 stock market crash.

As an aside, I wish to state that the morning paper carried a story that I also wish to put in the RECORD at the end of my remarks. It is a dissenting view to Chairman Martin's from Federal Reserve Board member, J. L. Robertson. It seems that there is at least one convert among Mr. Martin's coterie. There may be more, because anyone in his right mind has to agree with Mr. Robertson, who said, according to the UPI story:

> Tight money is not now an appropriate prescription for our domestic economic prob-

> lems. We are not suffering from domestic inflation.

Board member Robertson concludes with this pungent paragraph:

> I would not favor higher interest rates here unless and until it seemed likely that higher rates would either be needed to contain or curb inflation at home or would significantly improve the balance of payments without jeopardizing our domestic economy—which, of course, is the real source of our strength.

What the man who could not stand prosperity seems to be doing is emulating the disastrous monetary policy that led to the 1929 crash. This is the most disquieting similarity that can be documented. This is not a myth or a distortion of maladjustments, 1929 to 1933, vis-a-vis 1965. Mr. Martin's speech makes it clear that he has learned little, that he is prepared to repeat the mistakes of the late 1920's and early 1930's, and of the 1950's. This is truly a disquieting similarity.

REPRESENTATIVE JOHN RANDOLPH OF VIRGINIA WAS A WISE MAN

Mr. Martin has been called the king-emperor of America's money system. In other days the title was bestowed upon such men as Nicholas Biddle, Morgan the First, Morgan the Second, and, of course, Andrew Mellon. Certainly, early in American history, statements and debates over America's money power were as commonplace as they are today.

In 1811, during the debate over the renewal of the charter of the Bank of the United States, Representative John Randolph of Virginia expressed his opposition to the charter. The following statement is attributed to Representative Randolph:

> Charter a bank with $35 million of capital, let it be established and learn its power, and then find, if you can, means to bell the cat. It will be beyond your power, it will overawe your Congress and laugh at your laws.

The particular cat of Randolph's time, symbolizing the aggressive character of the money trust, is still very much alive. I am sorry to say that, to this day, we have not belled the cat. Today its name is the Fed cat. Its immediate parents are the fat cats of the banking community that inhabit an alley of Lower Manhattan Island, known as Wall Street.

In 1818, a committee of the New York State Legislature reported as follows:

> Of all aristocracies, none more completely enslave a people than that of money; no system was ever better devised so perfectly to enslave a community as that of the present mode of conducting bank establishments. Like the siren that entices to destroy.
>
> They hold the purse strings of society, and by monopolizing the whole of the circulating medium of the country, they form a precarious standard by which all the property of the country—home, lands, debts and credits, personal and real estate of all descriptions—are valued, thus rendering the whole community dependent upon them; proscribing every man who dares to expose their unlawful practices.

AN AWESOME BURDEN OF RESPONSIBILITY

Such is the power of money power, those who are in controlling position have a responsibility so heavy and awesome that it is almost too much for any man to assume.

One thing about this matter I do know, certainly the country cannot afford, even as prosperous as it is, a man at the helm of our monetary system who is so afraid of prosperity that he has to end it. Certainly, we cannot afford to have a monetary course set one way and a fiscal and economic policy set another. Assuredly, we cannot have President Johnson responsible for the well-being of the country and have Chairman Martin, who is not responsible for its well-being, put the brakes on the President's program for economic prosperity.

Eliot Janeway, the noted business economist, stated very clearly the situation when he said:

> Any test of Presidential power is bound to be disturbing to business confidence which has come to rest on teamwork between the President, Congress, and the executive agencies.

And Mr. Janeway noted that the Fed's Chairman "has created such a disturbance by challenging President Johnson's policy of keeping the banking system supplied with reserves adequate to meet loan demand in an expanding world economy."

Mr. Janeway continues:

> The present upset in the stock and money markets recalls the trouble which the Martin administration of the Federal Reserve Board caused during the Eisenhower and Kennedy years. But Johnson is not likely to permit Chairman Martin to involve him in any kind of stock market break or business slump. The prognosis is not for a muddle-along market in Johnson's name but under Martin's management.

PRESIDENT JOHNSON WILL NOT PERMIT MISMANAGEMENT OF OUR MONEY SYSTEM

Knowing President Lyndon Baines Johnson from the time he was 12 years old, having followed his brilliant career, I can assure you that he will not permit the American economy to go to pot. He will not stand idly by and permit any arrogance on the part of a Federal Reserve Board Chairman, nor will he permit any ineptness to continue for long. Certainly, he will not have the show under his name and somebody else's management.

I have pointed out that the Fed has gone one way and the administration another, insofar as fiscal, economic, and monetary matters are concerned. This is a fact no matter how hard reactionary columnists, who support Martin and the Fed, are attempting to fool the public into believing otherwise.

Would Martin agree with Gardner Ackley, Chairman of the President's Council of Economic Advisers, who said recently:

> We saw in the late 1950's what fiscal and monetary restrictions did to jobs, to profits, to investment and to productivity. It is in the interest of all of us to avoid falling back into that trap. If we do maintain reasonable stability of costs and prices, we can continue the expansionary, monetary, and fiscal policies that have contributed so much to our present prosperity.

Or would Martin agree with Secretary of the Treasury Fowler, who said:

> To raise interest rates, not only conflicts with our need to maintain our domestic expansion, but would not solve the (balance-of-payments) problem. An interest rate increase large enough to have a significant effect would almost certainly bring a recession. A recession, in turn, would severely damage the climate for foreign investment in the United States and would also create a strong movement to reduce interest rates immediately.

Mr. Martin would disagree with both of these—in fact, he did when he said in his Columbia University speech:

> Our common goals of maximum production, employment, and purchasing power can be realized only if we prevent orderly expansion from turning into disorderly boom. If an occasion arose when we could preserve the international role of the dollar only at the expense of modifying our favored domestic policies, even then would we need to pay attention to the international repercussions of our actions.

As Frank Porter said, in an astute news analysis in the Washington Post, the Fed Chairman "directly questioned the view of top administration economists that 1929 is not 1965 and that the present 52-month expansion demonstrates the Nation is capable of sustained economic growth." The very able Mr. Porter pointed out that no matter what the intent, Martin's words have had a "depressing effect." Most objective observers will agree.

PATMAN'S SOLUTION

I believe I have the solution. In view of the fact that Chairman Martin has challenged our President; in view of the fact that the stock market dropped 14 points in 2 days following his gratuitous speech; in view of the fact that many business leaders are concerned lest his words cause the end of our 52-month prosperity; in view of the fact that Martin is advocating tight-money, high-interest-rate policies that will bring about the disaster he seems eager to foster—I suggest that the present Federal Reserve Board Chairman has outlived his usefulness as a public servant in charge of America's central banking system. I suggest that he ease himself out of his present occupation and permit President Johnson to name a Board Chairman of his own choosing.

Many, many times on the floor of this House, I have pointed out that it is only every 4 years that a President has the opportunity to name the Board Chairman of our Federal Reserve System, and then he must choose him from the seven Board members holding office. President Kennedy reappointed Mr. Martin, who had held the office for some time. But my colleagues, do you remember that it was Chairman Martin, reappointed by President Kennedy, who announced that if he felt it necessary, he would tighten money and raise interest rates if the tax cut suggested by President Kennedy overheated our economic system by permitting people to buy things with the money they didn't have to pay in taxes. He just could not stand prosperity for the ordinary American citizen.

It is apparent that the Federal Reserve Board Chairman, no matter who he is, under the existing law has too much power. Last year, the majority of the Domestic Finance Subcommittee of the Banking and Currency Committee, of which I am chairman, offered some recommendations which would alter the situation that nearly arose when Martin indicated he would, if he felt like it, challenge President Kennedy. Today, the unfortunate situation has actually arisen through the challenge to President Johnson by Mr. Martin.

I not only call upon Mr. Martin to do the decent thing and resign, but I ask that the Congress seriously consider H.R. 11, which was put together after extensive hearings, the most extensive in the 50-year history of the Federal Reserve System. H.R. 11 embodies the recommendations of the subcommittee and would alter most of the defects that now exist in the Fed. It would no longer permit a Federal Reserve Chairman and his Board to operate monetary policy contrary to the economic and fiscal policies of the President and Congress of the United States. It would make the Fed responsible to the President and Congress, who are elected by the people and who can be removed by the people if their policies do not meet with the people's approval.

Now, Martin and the Fed are responsible only to the banking interests that have been clamoring for tight money and high interest rates.

It is my notion that the American people would prefer to have as head of our central banking system someone who is responsible to them, rather than a man who has been so responsive to the wishes of those who believe in the divine right of money kings.

Federal Reserve Aid Disputes Martin View

Pittsburgh, Pa., June 9.—A member of the Federal Reserve Board took issue tonight with recent statements by Board Chairman William McChesney Martin, Jr., regarding the U.S. economy and balance of payments.

J. L. Robertson told a meeting of bankers that higher interest rates would be bad medicine both for business at home and for the dollar abroad.

"Tight money is not now an appropriate prescription for our domestic economic problems, given the current slackening in the rate of business expansion and our sizable remaining margins of unutilized resources—both human and material," Robertson said.

As for the dollar outflow, Robertson said that "our balance of payments is not suffering from the 'traditional' ailments for which tighter money has come to be regarded as the 'traditional' solution."

"We are not suffering from domestic inflation, with a resulting excess of imports over exports and accompanied by a flight from the currency," he said in a speech prepared for delivery to a meeting sponsored by the directors of the Federal Reserve Bank of Cleveland.

Martin had compared the present prosperity to the roaring twenties which preceded the great depression. He said the Government must remain "willing and able to prevent orderly expansion from turning into disorderly boom."

Raising U.S. interest rates to make them more competitive with European rates would simply drive up European rates, too, Robertson said.

"Consequently, I would not favor higher interest rates here unless and until it seemed likely that higher rates would either be needed to contain or curb inflation at home or would significantly improve the balance of payments without jeopardizing our domestic economy—which, of course, is the real source of our strength," Robertson said.

Mr. Martin as Historian

Many professional historians would like to change the course of contemporary events, but in the end it is only the amateurs who have any chance of success. The other day at Columbia University, Chairman William McChesney Martin of the Board of Governors of the Federal Reserve System courted Clio with an address entitled, "Does Monetary History Repeat Itself?" But before the words could be uttered on Morningside Heights, Wall Street was reeled by what it regarded as the bearishness of the advanced text, and the Dow-Jones average fell by 9.51 points.

There are those who will argue that the market was already jittery, that the effects of Mr. Martin's muscle-flexing excursion through history are trivial. But they are wrong. Mr. Martin, by virtue of his prestige, both within the Federal Reserve System and outside, can indeed alter the course of contemporary events. And that is why his reading of past events, in this instance the great depression, is important.

It is tempting to subject Mr. Martin's remarks to a deep analysis, to find in them a veiled desire to boost interest rates in this country to the higher levels prevailing in Europe. But before moving into the subterranean realm of conjecture and imputation, one ought first to explore what is palpable and above the ground. There is an instructive parallel between Mr. Martin's very selective view of monetary history and the monetary policy now pursued by the Fed.

Mr. Martin dilated on many of the "factors that converted a stock exchange crash into the worst depression in our history." There are many references to collapse of the gold exchange standards, to speculation, to the lopsided distribution of income, and to loose banking practices. But nowhere in his chronicle does the chairman mention the money supply, the central element in any monetary history. It is as if had rewritten "Hamlet" without the Prince.

What Mr. Martin failed to tell his Columbia audience is that the stock of money declined by a third between 1929 and 1933, and that the Federal Reserve policy was directly responsible for that devastating shrinkage. This point is relevant because the Fed has of late been pursuing a policy of increasing monetary restraint. There stock of money is now no larger than it was six months ago, and unless it is permitted to grow, the economic expansion will grind to a halt.

If Mr. Martin's selective history has any moral, it was stated by Santayana who wrote: "Those who cannot remember the past are condemned to repeat it." Congress, which under the Constitution is charged with the regulation of the Nation's money supply, can avert a repetition of the baleful past by instructing the Federal Reserve authorities to follow a consistent policy, one that will provide the stock of money required to sustain economic growth.

THE TEENAGER—AMERICA'S FUTURE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 1 hour.

Mr. FEIGHAN. Mr. Speaker, throughout our great Nation this week thousands of our young people are graduating from high schools and colleges. After years of diligent studies and good behavior, they have finally attained their goals and receive their much coveted diplomas. The years of work and learning were for one main purpose, to prepare themselves for a better and fuller life as Americans. Their proud families after years of sacrifice and concern watch with expressions of pride and joy their young ones, in cap and gown, receiving their reward and recognition. This scene is repeated over and over during this graduation week. However, these proud events, wherein lies the future and greatness of America, are soon forgotten. The happy news stories disappear and are replaced by the glaring headlines of the small minority of teenagers who commit crimes and other acts of civil disobedience which attract attention and headlines. The long years of study and good behavior are forgotten. I therefore wish to take this opportunity to acclaim and publicize and give recognition to those teenagers who are a credit to their families, themselves, and their country.

On April 28, 1965, the Boston Globe, in the middle of the front page, carried an AP photograph which contained the following caption:

> Youth Lends a Hand—Young people were enlisted to help build a new levee as Mississippi River floodwaters flooded Rock Island, Ill. In several other cities young people were doing all they could to help.

I discussed the article entitled, "Students Battle Raging Floods," with the Speaker of the House, the Honorable John W. McCormack, and pointed out to him the ending of the article which reads:

> A tired Red Cross worker said, "Year after year it's the kids that save these towns up and down the valley, simply because us old folks can't take it. We'd be lost without them." A gray-haired man standing at a dike added, "You consider the things you hear about kids today and you figure give or take a little, that maybe 10 percent of them aren't worth a damn and never will be. Then you take a look at the 90 percent up there in the dike, and it makes your belly crawl. They've just saved the Quad Cities, that's what they've done. I hope I never hear about the rotten 10 percent again, any of them. I just want plenty of time to think about this 90 percent."

I had to agree with this anonymous individual that too long have we heard and too much have we read of the juvenile delinquent and the teenage criminal, because this is what is called news and sensationalism. The good "kid" or honest teenager is not news and his story will not sell copy. He is not the subject of a story. Oddly enough, he is the real story, the story of success, the story of a good citizen, the story of a great American. The criminal teenager goes to prison or reformatory, the honest teenager goes to high school and college and becomes a doctor, a scientist, a successful businessman, a good American. He is the basis of our society, he makes this country great, he is the citizen and American of tomorrow, yet he is not the news which the newspapers see fit to print today on their front pages. This is indeed a strange paradox.

The Boston Globe of April 28, 1965, had on the same front page which I previously referred to, a line of photographs strung along the top of the page, with a headline over the eight photographs which read, "Fifty-One Bay State Students Win National Merit Scholarships." In contrast, the front page of the Washington, D.C., newspapers ran a series describing teenage gangs, muggings by youth, and other sordid descriptions of crimes by teenagers. Perhaps this sells more newspapers, but I refuse to believe this, and I would be more inclined to agree with the approach taken by the Boston Globe, which praises instead of degrading our young Americans.

Therefore, today I wish to speak for, and of, the good teenagers, the future leaders of our country, those young people of whom we can be justly proud. Recent examples have come to me of other teenagers that roam our Capitol area, but never make the front pages. For example, one night during a driving rainstorm, a motorist and his family had a flat tire on Route 50, in Arlington. He attempted to change the tire, but one of the tire nuts was frozen. When he was about to give up, a car with two teenagers, in raincoats, pulled up and they said, "Can we help, sir?" When the trouble was explained to them, they went into the trunk of their 1955 model car and brought out a large tool chest. With a special wrench they loosened the nut and changed the tire. The grateful motorist reached for his billfold, but he was startled by the response from the two young men, when they said, "Oh, no sir, we can't take money. Our 'hot rod' club sends us out on nights such as this to rescue and help stranded motorists. We will be expelled and fined if we accept a cent." They then handed him a card which stated that he had been assisted by the members of an Arlington "hot rod" club.

These roving young samaritans never make the headlines, but the Arlington police can attest to their character and efficiency. They are expert mechanics and strictly behave themselves. A member caught speeding or breaking their club rules and regulations, which are more stringent than the Virginia Motor Code, is punished by his colleagues. These are the leaders of tomorrow that we should praise to the sky.

In my own files I have records of commendations issued to outstanding boys and girls, highlighting their accomplishments. From my own district, the 20th District of Ohio, I have commended the following students this year:

First. On January 15, 1965, I congratulated Miss Joyce Ann Barrett, 3855 West 160th Street, Cleveland, Ohio, for being 1 of 40 students selected from 22,692 high school seniors in the annual Westinghouse science talent search.

Second. On March 8, 1965, congratulations were extended to Miss Christine Krysiak, 3410 Russell Avenue, Parma, Ohio, for being the top winner in a national teen guest editor contest sponsored by the Extension magazine. This award brought a $500 college scholarship.

Third. Again, in March 1965, Miss Janet Marie Rutkowski of 2716 Tuxedo Avenue, Para, Ohio, was recognized in the honors group of 300 in the field of science, her project was "Determination of the Source of Excess Ammonia Production in the Potassium—Depleted and Acidotic Kidney."

Fourth. On March 16, 1965, I congratulated Mr. James Dickinson, 16604 Westdale Avenue, Cleveland, Ohio, for being 1 of the 12 State winners of the American Legion essay contest on Americanism and Government programs.

Over the years teenagers from my district have received scholarships, awards, and other citations for scholastic ability and accomplishments in the fields of science, athletics, oratorial ability, and writing. I have followed the careers of these outstanding young people and they have grown up to become leaders and outstanding citizens of our community.

We should all point with great pride to the splendid young men we have appointed to the service academies who are now serving their country with pride and distinction. My nominees and their subsequent graduations have always been a source of great pride and satisfaction, both to me and their families. Many of my nominees are now serving our country in Vietnam and other trouble areas. They make it possible for me to stand up today before this great body and praise their loyalty and service to our country. Of this I am justly proud.

The President's youth programs and the war against poverty are designed to assist the unfortunate minority that, because of environment, lack of opportunity, and poverty, fall into a life of crime and juvenile delinquency. After World War II many of the great cities of Europe were overrun by gangs of homeless children and what they called "street urchins." These countries solved their problem of homeless, parentless waifs, by establishing boy towns and other similar organizations. I am sure with our combined efforts and support for the President's program against crime, we could solve this problem with speed and efficiency.

Recently, the children of a local high school in Fairfax County were challenged on a school prayer which they had written and voted upon, almost unanimously to recite before their noon lunch. When an effort was made to stop the prayer, the boys and girls of the W. T. Woodson High School reacted with anger and determination. They had composed the prayer, the student council approved it, and the student body voted almost unanimously to recite the prayer and post it on the wall of their cafeteria.

The realization that some outside source wanted them to stop praying had a sharp reaction. The prayer is now recited with much more reverence and meaning. Many of them vowed to go to jail before they would cease saying the prayer. The principal and school board sided with the students. They still recite their prayer, now with much more pride and joy. They fought and won and kept their prayer, and every day give their thanks out loud to their God. These are examples of our teenage citizens of tomorrow who recognize their moral responsibilities and will bow before no man in order to exercise their freedom of speech and religion. This is the moral fiber of our great Nation.

I have cited only a few cases of the good teenager. Since he and she are not, as the news media interprets, sensational news, I plead with all of my colleagues to make them sensational news. I implore you to follow this speech with example after example of the fine accomplishments, deeds, and positions attained by the teenagers from each of your districts. We should encourage these fine young people by recognizing their accomplishments and making them part of the CONGRESSIONAL RECORD. Too long have we stood back and let our youth be tainted and smeared by the acts of a small minority. It is high time we recognize the great majority of wonderful young men and girls who are a source of pride and honor to all of us.

Mr. Speaker, under leave previously granted, I insert in the RECORD examples of the accomplishments and actions of the youth of America, who deserve recognition for achievements and I sincerely hope other Members of Congress will take similar action.

[From the Boston Globe, Apr. 28, 1965]

STUDENTS BATTLE RAGING FLOODS

The swirling water was up to their knees and the muddy Mississippi on the other side of the dike was higher than their heads. They could have been killed by a wall of water at any moment, but none of them gave up.

It was Bettendorf, Iowa, on a spring afternoon when most teenagers would have been out of school and free from care. But 75 youngsters were fighting one of the most important battles of their lives.

The flooding river had suddenly poked a hole through the 6-foot-high sandbag wall along Duck Creek, and the geyser of water shot out like a rushing mountain stream.

"It's comin' through," one shouted, and they ran to the spot from all sections of the dike. "We need some bags, hurry," another yelled, and they began tearing the green sacks of sand from atop a stronger section of the wall.

Then a flat-bed truck loaded with bags pulled in, and in seconds the youngsters had formed three lines and were heaving the bags along a brigade line to the bubbling water.

"More, more—get some more sand in here—get down off that dike—get those girls out of the line * * * faster." And the shouts were louder than the rushing water. But the river would not give up either.

A National Guard jeep bounced down the road and two soldiers hopped out, ordering everyone out of the area. The boys and girls climbed on the truck, some soaked chest high with water, one grade school boy barefoot and one coed with a raw and bleeding hand.

They watched almost reluctantly as trucks began to dump the first of several loads of broken rock that eventually saved the dike.

This was Bettendorf, but the scene was repeated in La Crosse, Dubuque, Sabula, Winona or any of the hundred other places which have fought the Mississippi in its angriest spree of the century. In every front line it's "the kids" who carry the load.

At Rock Island, Ill., Army Engineers called for a miximum effort from hundreds of weary floodworkers today as the mighty Mississippi rode down on the Quad Cities area with its highest crest in history.

The river early today tore a 150-foot hole in a dike south of Quincy, Ill., about 140 miles downstream from here, and swept inland across rich farmland. Civil Defense officials said no injuries were reported. However, they said 60 homes and 14 industrial facilities were endangered in a 6,000-acre area.

A cold, wind-swept rain drenched the scores of soldiers, students, city and State workers locked in a tense struggle to save Rock Island and Moline, Ill., and East Moline and Davenport, Iowa, from the runaway river.

The kids come from college and high school and grade school and their cowboy boots and tennis sneakers and Beatle boots slosh in the muddy water. They wear ski jackets and fraternity sweatshirts and old sweaters with jeans, pedal-pushers and shorts.

In the lots they shovel sand, tie bags, toss them on trucks and swarm about the Salvation Army truck when it's time for soda pop and ham sandwiches. Trucks rumble through the streets packed with shouting, laughing youngsters on their way to another dike.

They come because they've been asked to, or because the gang is going, or because, after all, it might be fun.

One night during a bleak hour when most people were short on humor, a young man stopped Rock Island, Ill., Mayor Morris Muhleman along a dike to say "there wasn't any need for us to come out here at all, mayor."

"What do you mean?" the mayor asked.

"Haven't you heard? The flood has been called off." The remark brought a laugh from everyone.

A tired Red Cross worker said, "Year after year it's the kids that save these towns up and down the valley, simply because us old folks can't take it. We'd be lost without 'em."

A gray-haired man standing at a dike added:

"You consider the things you hear about kids today and you figure give or take a little, that maybe 10 percent of them aren't worth a damn and never will be.

"Then you take a look at the 90 percent up there on the dike, and it makes your belly crawl. They've just saved the Quad Cities, that's what they've done. I hope I never hear about the rotten 10 percent again, any of them. I just want plenty of time to think about this 90 percent."

[From the Boston Globe, Apr. 28, 1965]

FIFTY-ONE BAY STATE STUDENTS WIN NATIONAL MERIT SCHOLARSHIPS—COMPOSER, DESIGNER INCLUDED

An outstanding group of 51 Massachusetts students, including the designer of an electronic computer and the composer of a choral mass, won 4-year awards today in the 10th annual merit scholarship competition.

They were among 1,900 students nationwide named merit scholars by John M. Stalnaker, president of the National Merit Scholarship Corp.

More than 11,000 merit scholars have been appointed in the 10-year history of the program—which seeks out the very top fraction of 1 percent of students throughout the country.

The talents of the merit scholars go far beyond the purely academic, though excellence in high school studies is a must.

For instance, Nicholas D. Humez, of Lexington High School, has composed a choral mass and 20 shorter pieces during the past 4 years, has won a scholastic art competition, and is an accomplished photographer. He plans to study French literature at Harvard and then go into teaching of languages.

Stanley M. Cole, of Newton South High School, has won six awards with an electronic computer which he designed and built by himself. He was also active in student politics and was editor of the school newspaper. Cole earned three 800 scores (the highest score you can receive) on his college entrance exams.

He will go to Harvard and plans a career as a research physicist.

The inclination to teaching and research was not unique to these two scholars. In fact, the majority of the Massachusetts merit scholars indicated that they plan careers in one of these two general areas.

[From the Cleveland (Ohio) Plain Dealer, May 3, 1965]

GIRL'S POSTER WINS AMERICAN AUTOMOBILE ASSOCIATION AWARD

Concern for the safety of young children has won a Colinwood High School student a top award in the American Automobile Association poster contest.

Marilyn Halstead, 18, daughter of Mr. and Mrs. Edward R. Halstead, 931 East 150th Street, also will receive $150 for her poster, "Help Your Safety Patrol."

Sixteen other Greater Cleveland students won cash prizes totaling $490. The Cleveland Automobile Club sponsored the AAA's 21st National School Traffic Safety Poster Contest locally.

Miss Halstead's poster depicts a youngster mimicking the safety signal of a student patrol boy. The poster will be reproduced by the AAA for distribution in schools throughout the Nation.

Other Greater Cleveland winners are:

Senior division: $75 first place, Dwayne Michaels, South High; $50 second place prizes, Ricardo Duhart, East High, and Linda Holliday, Lakewood High; $20 third place, Linda Sherry, South High; honorable mention, Barb Hallisy, Parma High, and Florence Grzelka, South High.

Junior division: $15 third place, Carol Dickey, Horace Mann Junior High.

Elementary division: $25 first place, Pamela Kikeli, St. Monica School; $10 second place prizes (joint entry), Jerry Hackey and John Belter, Nathaniel Hawthorne, and Matthew Sejnowski, St. Casimir; $5 third place, Brian Plachan, Nathaniel Hawthorne; honorable mention, Cordell Silvey, Louis Agassiz; Cynthia Domen, Steve Matyas, Marla Simpson, and Douglas Moltz, all of Nathaniel Hawthorne, and Beverly Carter of Robert Fulton.

* * * * *

[From the Catholic University Bulletin, Apr. 2, 1965]

IN SCHOOL FESTIVAL—NOTRE DAME GIRL REPEATS AS BEST ACTRESS

For the second successive year Charlene Corr, of Notre Dame Academy, was named best actress in the Cleveland Catholic Drama Festival at John Carroll University. Sharing honors with her last weekend was Gerald Fasko, Our Lady of Lourdes High, named best actor.

Fasko also received a scholarship to John Carroll as high-ranking eligible senior boy. An Ursuline College scholarship for an eligible high-ranking senior girl was awarded to Ann Anzic of St. Augustine Academy.

Miss Corr, daughter of Mr. and Mrs. Leo E. Corr, 2221 Coventry Road, Cleveland Heights, won with her portrayal of Lady Macbeth in "Macbeth." She is a senior.

Fasko's winning role was Henry Drummond in "Inherit the Wind." He is the son of Mr. and Mrs. Jack Fasko, 14612 Tokay Avenue, Maple Heights.

The role of Maggie in "Overtones" won the scholarship for Miss Anzic. She is the daughter of Mr. and Mrs. Joseph Anzic, 5818 Prosser Avenue.

For the first time this year the Cleveland Unit of the National Catholic Theater Conference, sponsor of the festival, presented the Order of St. Genesius Jewel to a director for outstanding service. It was given to Mrs. Charles Bill, drama coach at St. Joseph Academy, a past chairman of the unit.

Scholarships to a summer drama workshop at Kent State University, given to high-ranking nonseniors, were awarded to Joseph Bonczek, Elyria District Catholic High School, for his leading role in "Cyrano de Bergerac," and to Marry Anne Haskin, Magnificat, for her performance in "A Midsummer Night's Dream."

Mary Gallagher, Regina High School, received a season pass to Musicarnival as the first gold medal winner.

Other gold medal winners were LaRae Bundy and Janice Golub, St. Augustine Academy; Jane Cauldwell, Beaumont School, and Virginia Kubrak, Lourdes Academy.

Silver medals were given to Jeanette Holly and Margaret McEntee, St. Stephen High; Charlene Thompson and Eileen Burke, St. Joseph Academy; Betty Gottemoeller, Magnificat; Rosemary Eliason, Lourdes; Dorothy Macholl and Bryce Farrinacci, Regina, and Buzz Brossman and Tom DeChant, St. Ignatius.

Dr. Reuben Silver, director of Karamu, was critic-judge.

[From the Chicago Sunday American, May 2, 1965]

TWO KINDS OF TEENAGERS

BEACH TOUGHS

Beach patrols were increased along the lakefront in both Chicago and suburbs over the weekend in the wake of two attacks Friday night by teenage toughs.

In Winnetka, advertising executive Paul J. Steffen, 50, of 330 Willow Road, was beaten and choked when a gang of about 15 boys and girls invaded Steffen's private beach. Steffen, his wife, and two of their children were attacked when the youths were ordered to leave the property.

Mrs. Steffen said one of the girls in the group shouted obscenities and struck her in the face. Two of the Steffens' sons, who ran to help their parents, also were attacked. Paul Jr., 18, had his glasses knocked off. None of the Steffens, however, required medical attention.

Two Evanston youths were arrested by police as they fled from the scene.

CIVIC AIDS

More than 800 Northwestern University coeds and fraternity men took up mops, brooms, paint brushes, hammers, and other tools yesterday to do their bit for Evanston in the national clean-up, paint-up, fix-up campaign.

The girls, from 14 sororities and 9 dormitories, were assigned to wash, clean, and paint walls and windows at 15 agency centers, churches, private homes, and garages throughout the suburb.

The young men, from 11 fraternities, cleaned out garages, repaired window screens, painted parking lot lines, and repaired bicycles for the Chicago Boys Club.

It was the 13th annual Operation Evanston sponsored by the Northwestern juniors and seniors, chiefly in the suburb. But this year freshmen and sophomores were enlisted because of calls from Chicago.

The Chicago squadrons worked chiefly in boys' clubs.

[From the Catholic Universe Bulletin, Feb. 26, 1965]

TOP EXTENSION TEEN EDITOR—NAZARETH GIRL WINS $500 WRITING PRIZE

Christine Krysiak, Nazareth Academy junior, is the top winner in a national teen guest editor contest sponsored by Extension magazine.

She will receive a $500 college scholarship, a 1-week trip to Chicago and will have her prizewinning work published in Extension.

The daughter of Mr. and Mrs. Emanuel Krysiak, 3410 Russell Avenue, Parma, Christine is the recently named editor of her school paper, the Nazareth Echoes.

Four finalists in the contest were selected on the basis of an essay on "Land of the Free—a Myth?" They were then given certain assignments.

Each wrote a personality sketch of a local, national or international figure. Miss Krysiak's selection was Anthony Celebrezze, Secretary of Health, Education, and Welfare.

Second assignment was a detailed report of some school or outside activity in which the student participated, including photographs to illustrate it. Miss Krysiak's report was on "Junior Achievement."

Each student was required to edit a pro-and-con discussion between two classmates on a timely subject. "To change or not to change nuns' habits" was the discussion edited by Christine.

Each contestant also wrote an autobiography and listed five famous people who would be interesting interview subjects from the teen viewpoint. Choices made by the Nazareth student were Dr. Jacques Yves Cousteau, Katherine Cornell, Martin Luther King, George Szell, and Stan Musial.

Miss Krysiak entered the contest at the suggestion of St. Joseph Sister Mary Judith, Echoes moderator, who had selected her as the school's representative to Extension.

Miss Krysiak also is active in the National Honor Society, Future Teachers, and Homemakers of America and the mission club.

[From the Catholic Universe Bulletin, Mar. 26, 1965]

Two Tie for Second—Seven Diocese Students Science Fair Stars

Seven of twelve prizes in last weekend's Creative Chemistry Fair were awarded to diocese high school seniors.

Barbara Jean Spakowski, Magnificat sophomore, and Joyce Ann Barrett, Lourdes Academy senior, tied for second place. Each will receive a $50 cash award.

Miss Spakowski also received a special award from the Electro-Chemical Society for the outstanding entry in electrochemistry. She made a model of a solar cell and used an electric fry pan to simulate intense heat conditions which affect the cell.

She is the daughter of Mr. and Mrs. Adolph Spakowski, 26580 Butternut Ridge Road, North Olmsted.

Miss Barrett, 1 of 40 finalists in the 1965 Westinghouse Science Talent Search, is the daughter of Mr. and Mrs. Francis J. Barrett, 3855 West 160th Street. Her project was a study of the cell which produces a substance related to gastric ulcers and mental disease and effects of two drugs on the cell.

In last year's Creative Chemistry Fair, Miss Barrett tied for third place.

Third place in this year's fair was a three-way tie between John Danko, Benedictine senior; Patricia Anne Fraser, Regina junior, and Brian Wozny, Parma High sophomore. Each will receive $25 cash prizes.

Danko won a $100 first prize in last year's competition. This year's top winner was Don Haberkost, Valley Forge senior. Miss Fraser won an honorable mention last year.

Diocese students winning $10 honorable mentions were Nancy Dorr and Pat Harrison, Magnificat and Gregory Kramer, St. Mary, Lorain.

The fair is sponsored by the Cleveland Chapter of the American Chemical Society. Prizes will be awarded at the chapter's May meeting.

[From the Catholic Universe Bulletin, Mar. 26, 1965]

Student Best in Newman Art Show

Dennis Zaborowski, 4899 East 97th Street, won the first place $200 purchase prize in the 10th annual Newman Religious Art Show which closed yesterday at the May Co.

Zaborowski, a student at the Cleveland Institute of Art, won with a 5-foot oil painting, "Christ Resurrected."

Second prize, a $100 Fred Epple Award was given to Charles Henry, 11322 Hessler Road, also an institute student. His winning entry was a bronze sculpture, "Prophet Number Two."

A $50 third prize was awarded to Eugene Pawlowski, 4067 East 56th Street, for his oil painting, "Appropriation."

Awards were presented to the winners at a tea Saturday by Auxiliary Bishop Clarence E. Elwell, diocese superintendent of schools.

First place purchase prize winner becomes part of the Newman Apostolate collection at Newman Hall.

Honorable mention winners were Maurice Patrick Hintz, 1906 East 120th Street, oil painting, "Stations of the Cross"; Blanche Vanis, 3380 Milverton Road, sterling and enamel chalice; Linda Woehrman, 3211 Daisy Avenue, enamel, "Twelve Apostles"; Fern M. Giorgi, 12720 Triskett Road, sculpture, "Cross," and Donald B. Bins, 1690 East 117th Street, oil painting, "Annunciation."

Geraldine Rini was chairman of the 1965 show.

[From the Catholic Universe Bulletin, Mar. 26, 1965]

Four Diocese Students High in State Speech—Two Win Scholarships

Four diocese students were among the top contestants in the Ohio High School Speech League State championships last weekend at Ohio State University, Columbus.

Thomas Spalding, a senior at Akron Archbishop Hoban High, won second place in the humorous declamation category. His winning presentation was a cutting from "Teahouse of the August Moon." Spalding is the son of Mr. and Mrs. Ross Spalding, 1133 Grant Street, Akron.

Juniors Mary Anne Haskin, Magnificat, and Lee Walczuk, St. Edward, received scholarships to the Summer Center of Communicative Arts at Ohio State. The scholarships are awarded to the outstanding and highest ranking nonseniors in the final round.

Seven students are selected for the final round in each category. Only the first-, second-, and third-place winners are named in order.

The only other diocese student among the top seven was Jane Caldwell, a senior at Beaumont School.

Miss Haskin and Miss Caldwell competed in humorous declamation. Miss Haskin presented a cutting from the musical, "The Unsinkable Molly Brown," and Miss Caldwell one from "The Madwoman of Chaillot."

Miss Haskin is the daughter of Mr. and Mrs. Dayton W. Haskin, 22660 Detroit Road, Rocky River. Miss Caldwell is the daughter of Col. and Mrs. Ross R. Caldwell, 2452 Edgehill Road, Cleveland Heights.

Walczuk's entry was in dramatic declamation. He used a cutting from "Hamlet" to win. He is the son of Mr. and Mrs. Leo Walczuk, 4324 West 208th Street, Fairview Park.

POETRY WINNERS

First-prize winners of $5 in the Court Cleveland, Catholic Daughters of America, were Carolyn Teare, St. Michael School, Independence, division 1 (grades 4, 5, and 6); Cynthia Yanosh, St. Philomena, division 2 (grades 7, 8, and 9) and Linda Staniszewski, Holy Name High, division 3 (grades 10, 11, and 12). Other winners: Division 1, Mary Jane Carpenter, St. James, second, and Steven Vatovec, St. Michael, Independence, third; division 2, Kathy Batya, St. Philomena, and Anne Ribar, Lourdes Academy; and division 3, Sally Briggs, Magnificat High, and Daine Melbar, Holy Name.

[From the Plain Dealer, Cleveland, Ohio, June 3, 1965]

West Suburban Schools To Give Diplomas to 3,689

Ten of fourteen high schools in the western suburbs report this year that their graduating classes are the biggest ever.

Those who will receive their diplomas this month were born in the high birth rate years immediately after World War II.

In all, the western suburbs have 3,689 boys and girls graduating. Here is a listing of times and places of graduations, with the name of each speaker.

Bay Village: June 10, 8:15 p.m., Lakewood Civic Auditorium, student speakers.

Berea: June 10, 8 p.m., Baldwin-Wallace College gymnasium, speakers to be announced.

Midpark (Berea): June 11, 8 p.m., Baldwin-Wallace College gymnasium, student speakers.

Brooklyn: June 10, 8 p.m., high school auditorium, Robert S. Gilchrist.

Fairview Park: June 8, 8:15 p.m., Lakewood Civic Auditorium, George H. Baird.

Lakewood: June 14, 8:15 p.m., Lakewood Civic Auditorium, student speakers.

North Olmsted: June 12, 8:15 p.m., Lakewood Civic Auditorium, student speakers.

Olmsted Falls: June 9, 8 p.m., Baldwin-Wallace College gymnasium, J. Calvin Reid.

Parma: June 9, 8 p.m., Public Hall, student speakers.

Valley Forge (Parma): June 11, 8 p.m., Public Hall, student speakers.

Rocky River: June 16, 8 p.m., high school, student speakers.

Strongsville, June 8, 8 p.m., High school gymnasium, student speakers.

Westlake: June 10, 8 p.m., high school, student speakers.

[From the Cleveland Press, June 1, 1965]

Graduating 814 at 5 Area High Schools

The high school march for diplomas continues tomorrow in five areas of Greater Cleveland.

Getting their diplomas will be 814 more boys and girls.

These are tomorrow's commencement ceremonies:

Avon: School gym, 8 p.m.; 124 graduates. Bertram W. Gorman of the Kent State University faculty will speak on "Dedicated to the Proposition."

Lourdes Academy: At Lakewood Civic Auditorium, 8:30 p.m.; class of 136. Speaker will be Msgr. Joseph A. Spitzig of St. Mary Seminary.

Magnificat: At Music Hall, 8:30 p.m.; class of 251. Speaker will be Rev. Father Hugh E. Dunn, president of John Carroll University.

St. Peter: At St. Peter Church, 8 p.m.; class of 118. Speaker will be Rev. Father Edward J. Camille, assistant director of Catholic Charities.

Warrensville Heights: School auditorium, 8 p.m.; 185 in class. Speakers will be five top graduates.

Mary Ludwig, 17, is tied for top honors in the class of 222 at Nordonia High School. She wants to teach, will go to Valparaiso University. Her parents are the Reverend and Mrs. Dan R. Ludwig, 160 Northfield Avenue, Northfield.

Diane O'Rourke, 18, had perfect grades at Nordonia High, where she is tied for top honors. She will go to Wellesley College. She is the daughter of Mr. and Mrs. Russell O'Rourke, 9581 Akron-Cleveland Road, Northfield.

[From the Cleveland Press, May 29, 1965]

Vivian Malone, the young girl who walked past Gov. George Wallace to integrate the University of Alabama 2 years ago, graduates from the school tomorrow with a B-plus average. The 22-year old coed said she thinks integration at the school has worked all right. Sarah Healy, dean of women, said, "We are all proud of her."

[From the Cleveland Press, May 31, 1965]

Parma Youth Wins High Scholastic Honor

When Mrs. Evelyn Schenke and her son, Richard, 17, came home Saturday, a neighbor told them they had a special delivery letter in the mailbox.

The letter was from President Johnson, informing them that Richard had been chosen among 121 high school seniors from all over the country to be honored as a Presidential scholar.

Richard is covaledictorian at Parma Valley Forge High School.

Next Tuesday he and his mother will go to the White House where the President will present Richard with a bronze medallion as one of the Nation's brightest high school students.

Richard, one of three winners from Ohio, has been a straight-A student at Valley Forge. Last November, he was chosen to attend a National Youth Conference on the Atom in Chicago and last summer he won highest honors at a National Science Foundation engineering institute at Northwestern University.

He likes bowling and swimming, sings in the school choir, is a member of the Key Club, a service organization, and is active in the youth fellowship group at Ridgewood Methodist Church.

Richard will enter Carnegie Tech next fall to study engineering, having won a 4-year, full-tuition scholarship.

His father, Theodore, who was a design engineer, died last summer. Richard lives with his mother and sister, Carolyn, 22, a secretary, at 7711 Essen Avenue, Parma.

The other Ohio winners are Dale Fogle, the son of the Reverend and Mrs. Maurice W. Fogle of Elyria, and Marilyn Ann Mount of Columbus. Dale is a student at Elyria High School.

[From the Cleveland Press, June 4, 1965]

PARMA YOUTH FIRST IN ESSAY CONTEST

Mark Peyton, 7335 York Road, Parma, a student at Holy Family School, won first place in an essay contest sponsored by Catholic Knights of Ohio. His prizes are a portable television set and a religious painting.

First prize in the Cleveland Catholic diocese in the contest went to Claire Knoblauch of St. Clement School, Lakewood. She won a wristwatch.

THE SCHMALTZ AROUND "GEMINI 4"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 15 minutes.

Mr. MICHEL. Mr. Speaker, the latest in television spectaculars—our manned space shots—are fast becoming drenched in emotion. Unfortunately, it now appears that even the President of the United States will be continually making an appearance on these soap-opera-type programs. For a bipartisan program as large as these NASA programs one would think that the President would restrain his political nature and not participate publicly in each of these presentations on a partisan basis.

It is my opinion that we should publicly display our efforts in a more factual manner. We should attempt to emphasize the scientific value and its importance to world peace in a logical fashion. Certainly, our concern for the human lives participating in each venture into space should continue to be emphasized, but emotionalism is not the proper vehicle for conveying this message to the world. The scientific diligence, the care taken by technicians during construction, the accurate research techniques that are employed, the extensive testing by determined engineers, the hours of engineering design, the practiced management of our free-enterprise system and the NASA space management—presenting these should be the proper vehicles for conveying our concern for the men who dare to travel with the stars. The greatest benefit television might provide would be to help us better understand the coming age of science. Unless more men grow to understand the everyday uses and needs of the coming advances in science we will not be able to cope with population growth or the required complex systems of automation.

Mr. Speaker, an editorial in the Peoria Journal Star on June 9 clearly illustrates the importance of *Gemini 4*'s mission and it reads as follows:

THE SCHMALTZ AROUND "GEMINI 4"

The *Gemini 4* space flight was a tremendous success.

That is the essential point to keep in mind in considering the 62-orbit flight of Astronauts White and McDivitt.

There is a danger of missing this essential point in all the hoopla, schmaltz, and downright corn which surround those space flights.

We think NASA officials are ill advised to submit to having these billion dollar projects turned into television spectaculars in which emotion is more important than fact.

While it may be cute to know what the wives say to the astronauts, the danger is that we will lose sight of the fact that this isn't a show, that it is an historic flight—indeed the one that may prove most critical to putting man on the moon.

When Ed White walked in space it was interesting, in a way, to know what he said, but it was a thousand times more important to realize the significance of the fact which was being proved—that man could operate in space independent of a space craft.

While to some apparently (or at least television thinks so), it is worth noting that the fifth backup man on the *Wasp* recovery ship has two kids who are pulling for dad to make the pickup, it is a million more times important to grasp the significance of White and McDivitt's not falling unconscious when they got out of the craft as many medical experts had direly predicted.

What the astronaut's mother says about hoping her son gets home cooking, how the astronaut's son makes out in a Little League game, and the admonitions of the astronauts' wives should be kept in perspective. This is the trivia.

The significant facts are as large as those of Columbus' first voyage. McDivitt and White took the biggest steps yet to—what? A new universe?

Schmaltz, as we understand it, comes from a Hebrew word meaning melted fat. The danger in schmaltz on a daring adventure like this, is that the melted fat will so cover it that its true and tremendous significance will be obscured.

These astronauts and the army of technicians and scientists behind them have successfully accomplished a tremendous feat, which dispelled many fears about outer space and made moon landings only a matter of time. That's the significant point which must emerge from a welter of excessively sentimental trivia presented in the 4-day coverage of this event.

RECENT SPEECH OF WILLIAM McCHESNEY MARTIN

The SPEAKER pro tempore (Mr. BOGGS). Under previous order of the House the gentleman from Pennsylvania [Mr. JOHNSON] is recognized for 10 minutes.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I rise to comment on the recent speech of William McChesney Martin. I have read his speech. It contained many truths and was very factual about the current economic situation. It pointed out what he honestly thought were the danger signals. He also at great length went out of his way to point out the very favorable factors extant today working against a crash.

Mr. Martin is one of the outstanding economists in the country. I think we can be thankful that we have a man of his stature running our Federal Reserve System. Almost every day the White House issues a glowing economic statement. For the most part the facts bear out the conclusion made. On the other hand, a democracy calls for someone to state a responsible contrary conclusion if one is in order.

I think Mr. Martin has come forward with just the admonition the country needed. It gives us time to put on the brakes. It is that other voice crying in the wilderness.

I might point out the rumor is that Mr. Martin's remarks were shown to persons in high authority of the Government before they were made. That is all quite a possible situation.

Much is now being said about destroying the independence of the Federal Reserve Board.

First. The independence of the Federal Reserve System in my opinion must remain and continue.

Second. The Nation needs an independent voice to speak up when it is thought necessary.

Third. The policies of the Federal Reserve Board have given this Nation the strongest and most prosperous banking system in the world.

In my opinion, one speech by a governmental official will not cause financial unrest.

I believe the unrest in the country is caused by the following:

First. Loss of our gold reserves to the lowest amount in modern times.

Second. Unfavorable and critical balance-of-payments position.

Third. Taking the 25-percent gold coverage from bank deposits, and the plan to substitute a Federal non-interest-bearing note for the $37 billion in Federal bonds owned by the Federal Reserve System.

Fourth. A long series of unbalanced Federal budgets.

Fifth. Drastic tax reduction one week, and raising the Federal debt ceiling the next week by an almost like amount.

Sixth. Removing the silver from our coins.

Seventh. Anxiety of businessmen caused by the prolonged Kennedy round trade negotiations.

Eighth. An almost complete cessation of expansion by our businessmen abroad, as a result of so-called voluntary agreements.

I personally consider William McChesney Martin one of the ablest, most fearless, and loyal persons in our Nation today.

I do not think he should be asked to resign, any more than, let us say, the President should resign if he makes an unpopular statement.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. Yes, I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. If I remember the figures correctly, in the last year or year and a half there have been more bank failures in Texas than any other one State in the United States.

Does the gentleman not think that it could be possible the Chairman of the Federal Reserve Board, Mr. Martin, may be speaking out now in an effort to save the east Texans from again eating jackrabbits?

Mr. JOHNSON of Pennsylvania. I thank the gentleman.

THE CIVIL RIGHTS ACT AND THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER pro tempore. Under previous order of the House the gentleman from New Jersey [Mr. WIDNALL] is recognized for 15 minutes.

Mr. WIDNALL. Mr. Speaker, the newspaper reports of June 6 that the future of the John F. Kennedy Center for the Performing Arts has been assured by gifts by the Governments of Germany, Italy, Denmark, Japan, and Norway, testify to the growing international recognition of the importance of this cultural project. Since the trustees of the Kennedy Center are seeking gifts from other nations the President should take a good, hard look at the activities of the Center's trustees and make sure that this presidential memorial is not irreparably harmed by activities which apparently ignore the Civil Rights Act. Under title IV of the Civil Rights Act the President is required to withhold all Federal funds from the trustees if they ignore the Civil Rights Act, inasmuch as this act covers all performances in the Kennedy Center as well as all performances, programs, and companies financially aided or sponsored by the trustees.

The time has arrived for the President to establish a firm art policy for the John F. Kennedy Center for the Performing Arts, which will leave no doubt in anyone's mind that it will truly reflect the views of our country at large; such a policy will unite our people and advance our foreign policy. The Metropolitan Opera Co., after many years in which it insisted that it could find no qualified Negro singers, finally opened its doors to Marian Anderson, Leontyne Price, George Shirley, and other Negro singers to the great benefit of our country. The fight made by the American people to force open the doors of the Metropolitan Opera Co. in New York City, the National Theater and Constitution Hall in the Nation's Capital, in which the integrated Actors' Equity Association took a prominent part, is a proud chapter in our Nation's history. A new chapter must now be written.

I include as part of my remarks a letter signed by Roger L. Stevens, Special Assistant on the Arts to the President, and Chairman of the Board of Trustees of the John F. Kennedy Center for the Performing Arts. Also included are newspaper articles and related items:

THE WHITE HOUSE,
Washington, D.C., June 8, 1965.

Mr. THOMAS A. WAGGONER,
Washington, D.C.

DEAR MR. WAGGONER: The Metropolitan Opera National Co., referred to in your letter of June 7, is under the complete control and management of the Metropolitan Opera Association.

I am forwarding your letter to Miss Rise Stevens and Mr. Michael Manuel who are general managers of the company.

This is the first time I have heard any objections to the policies of the Metropolitan Opera because as far as I know talent is the foremost consideration in any selections they make.

Sincerely yours,
ROGER L. STEVENS,
Special Assistant on the Arts.

WASHINGTON, D.C.,
June 7, 1965.

The CHIEF, WASHINGTON BUREAU,
New York Times,
Washington, D.C.

SIR: The weekend reports in Washington, D.C., newspapers that the future of the John F. Kennedy Center for the Performing Arts has been assured by the gifts of five nations, Germany, Italy, Denmark, Japan, and Norway is most welcome news. We must now prove to the world that we are deserving of these gifts, since similar gifts are sought from other nations by the trustees of the Kennedy Center.

With its future assured, and with the eyes of the world upon us, it is now up to the trustees of the Kennedy Center to bring their practices into line with the things President Kennedy stood for. No performing arts company should be financially aided and sponsored by the trustees of the Kennedy Center until satisfactory proof is furnished that it has a nondiscriminatory hiring policy. Such proof is urgently needed, and should be required of the New York City-based Metropolitan Opera National Co., the parent company of which is the Metropolitan Opera Co. itself.

The reason for this is that the trustees of the Kennedy Center and the President's Cabinet sponsored the company's debut performance May 3 at the new State Department auditorium in Washington before an invited audience which included members of the President's Cabinet, Supreme Court Justices, Members of Congress, and other dignitaries. This company was also entertained at the White House by Mrs. Johnson on May 4. It was revealed at this time that the trustees, from interest earned on gifts, would give $300,000 to this company, and that the trustees are sponsoring the company on a tour of 70 cities in the United States and Canada. A flat fee of $10,000 is demanded for each of the 240 performances on this tour. This new company, with its assured future, did not have a single Negro singer in its Washington appearance. Inquiry has since revealed that only 1 Negro is in the company of 63 singers, and this lone Negro singer is in the chorus. It has been reported that the management of the company maintains that the lack of Negroes in the company is due to the fact that there are no Negro singers in our country of the quality deemed necessary to be members of this company.

In view of President Johnson's great speech at Howard University on the American Negro problem, he should demand that proof be furnished him that this company has a nondiscriminatory hiring policy where Negroes are concerned before 1 penny of this $300,000 is made available to it by the trustees of the Kennedy Center. He should also require the trustees to comply with the Civil Rights Act before any Federal funds are released to them. Whatever opera companies the trustees sponsor should be integrated, as required by the Civil Rights Act in Federal installations, and those trustees not in sympathy with such a policy should be replaced.

In view of the painful and humiliating experiences with Constitution Hall and the National Theater in matters of racial segregation, these are the minimum steps which the President should take at this time. A Presidential memorial which pays only lip service to the concept of racial equality is unthinkable.

Sincerely,
THOMAS A. WAGGONER.

[From the Washington (D.C.) Star, June 6, 1965]

FIVE NATIONS' PLEDGES ASSURE KENNEDY CENTER FUNDS—BEAT JUNE 30 DEADLINE FOR PRIVATE GIFTS

(By Roberta Hornig)

Pledges of generous gifts by five nations have made it sure that the John F. Kennedy Center for the Performing Arts will meet its June 30 deadline for raising $15.5 million from private sources.

Under the terms of the bill approving the center, the Federal Government would donate $15.5 million only if it were matched by private contributions in either money or gifts. Another $15.5 million came in the form of a deferred loan from the Treasury.

The foreign gifts, estimated to be worth more than $2 million, are:

Germany: Bronze doors to be placed at the center's entrance.

Norway: Chandeliers and glass fixtures for the concert hall.

Italy: All the marble to be used in the building, estimated at about $1 million.

Denmark: Furniture for the grand foyer.

Japan: Silk fabric to be used as the curtain in the opera hall.

These gifts are considered assured, with only minor arrangements pending.

The arrangements include diplomatic notes from each of the countries to the State Department to serve as evidence of the gifts. The gifts themselves will be delivered after the deadline date.

Other gift offers from foreign nations also are being worked out.

With money problems over, bids for construction of the $46.5-million center, designed by architect Edward Durrell Stone, will be taken late this summer. Construction should start sometime this fall.

The center's groundbreaking ceremony was held last December on the shores of the Potomac with President Johnson officiating.

[From the Washington (D.C.) Evening Star, May 4, 1965]

NEWS OF MUSIC: MET NATIONAL GROUP MAKES PUBLIC BOW

(By Irving Lowens)

Last night at the State Department, an invited audience witnessed the debut of the Metropolitan Opera National Co. No fewer than 13 of the 31 principal singers in the company were heard during the course of the concert, an event in the Cabinet's distinguished artists series. Secretary of Health, Education, and Welfare, Anthony J. Celebrezze was the host for the occasion.

The Met's National Co. was organized about 2 years ago after some 15 years of dreaming and planning. It is now a repertory touring company with a staff of approximately 125 persons, and it will soon begin to operate on a year-round basis. Its first national tour (four operas are to be presented in 70 United States and Canadian cities) gets underway September 20 with a production of Carlisle Floyd's "Susannah" at Butler University in Indiana, and the company will rehearse these for 8 weeks before opening night.

The idea of a first-rate touring opera company, providing employment for our excellent singers at home and bringing live performances to parts of the country where a fully staged, fully professional production has never been seen, is an excellent one. It deserves every opera-lover's wholehearted support, and cosponsorship, by the Kennedy Center (its sole commitment to any program to date) is thoroughly merited.

Curiosity about the company and its personnel has been mounting steadily in musical circles, and this was no doubt reflected by the larger than usual fashionable audience on hand last night to sample its work.

Unfortunately joy in the materialization of the National Co. must be somewhat tempered by the imperfections of its initial public appearance.

The singers and the company's management cannot be held responsible for the wretched acoustics of the handsome but highly sound-absorbent State Department auditorium. Without some kind of shell, it is simply impossible to project the voice in the hall. Tones, instead of floating, drop limply to the floor as if they had been squeezed out of a toothpaste tube. The place is a model of low fidelity. The sound of music in it reminds me of that produced by one of the Victor Talking Machines during the preelectrical recording era. To expect anything by way of a musical experience from voices in such a sound-killing environment is asking for the moon.

Because of this, any attempt to evaluate the work of the 13 singers is futile. I can only say that they were very pleasant to look at. I will assume that they are unusually gifted, since they were chosen from among more than 1,300 candidates by competent judges of operatic talent. When the company mounts a production in Washington (the schedule calls for a May 2, 1966, opening in the National Theater), I hope to be more specific in my comments.

But if Washington served the company poorly with such a wretched showcase for such a dazzling array of talent the company's management served Washington (and the Nation) just as poorly with the wretched program that it brought here. It has been a long time since quite so many overworked standard arias have been piled higgledy-piggledy one on top of another in a rather short concert. Surely something less provincial was called for on such a potentially important occasion.

There were other shocks also. Some mildly inoffensive posturings during the arias (expected from opera singers in concert) led to an incredible finale, with the 12 singers draped across the stage while Ron Bottcher essayed the "Toreador Song." I haven't seen such ham and corn since I was in high school. No respectable college opera workshop couldn't do better.

In his introductory remarks, Secretary Celebrezze spoke of President Johnson's concern about the "quality of American art," something shared by all intelligent Americans. If yesterday's sorry gala represents the artistic quality the Metropolitan Opera National Company expects will "create more and exciting opera for an increasingly large and interested audience across the country," it is due for a rude awakening. It badly underestimates the sophistication and the intelligence of the non-New Yorker.

[From the Washington (D.C.) Post, May 4, 1965]

BRIGHT NEW STARS TWINKLE IN ARIA-SPACE

(By Dorothy McCardle)

The flow of golden American voices to Europe was stemmed last night as the fledgling Metropolitan Opera National Company showed what it can do for U.S. culture at a Cabinet evening at the State Department Auditorium.

A dozen of the top singers with the brand new company won an ovation from a top echelon audience when they ran the gamut of virtuosity in arias from Puccini to Bizet to Gershwin.

Met star Rise Stevens, has ditched singing temporarily to become comanager of the new company, heralded the event as a part of President Johnson's program to encourage art in this country.

"With this company, we hope to arrest the flow of American talent to Europe," said Miss Stevens in a curtain speech before the concert.

"As you know, President Johnson takes a dim view of travel abroad until we explore all parts of this country. There is enormous natural talent in this country."

Host for the evening, Secretary of Health, Education, and Welfare Anthony J. Celebrezze accented this same motif as he introduced Miss Stevens.

It was explained that the evening's concert with the singers in evening clothes instead of stage costume was a preview of things to come when the new company opens officially on September 20 in Indianapolis. The 126-member troupe begins 7 weeks of rehearsals on August 1. After its opening in Indiana, it will then travel 25,000 miles giving performances in 70 cities.

The new company has been formed under the joint sponsorship of the Metropolitan Opera Association and the John F. Kennedy Center for the Performing Arts. Miss Stevens predicts that it will eventually attain the same fame as the parent Metropolitan Opera Co.

The audience agreed with her.

Secretary of Labor and Mrs. W. Willard Wirtz, Secretary of the Interior and Mrs. Stewart Udall, and former Secretary of the Interior and Mrs. Oscar Chapman were all thrilled by the charm, talent, and good looks of the dozen singers on stage.

The new Secretary of the Treasury and Mrs. Henry Fowler underwent their ordeal by kleig lights as attention focused on them right after White House Press Secretary and Mrs. George Reedy had arrived.

Mrs. Lyndon B. Johnson, who returned yesterday from Texas, sent her congratulations to the young singers, plus an invitation to the White House, where she will receive them at 11:30 a.m. today.

At the end of the performance, the audience gave the stars a standing ovation. Likewise, the stars applauded the audience.

Since Indianapolis was very much in the spotlight, Senator and Mrs. Vance Hartke, of Indiana, played hosts after the concert at a reception for the cast, a contingent from Indianapolis, and most of the audience in the State Department's eighth-floor reception suite.

Senator HARTKE, in a brief speech, said "Make sure that America takes its place in opera throughout the world."

Anthony Bliss, president of the Metropolitan Opera Association, in a brief talk told the group that "I am thrilled to see young singers starting out on their careers."

[From the Washington (D.C.) Post, June 6, 1965]

JAPAN TO GIVE CURTAIN FOR J.F.K. OPERA HOUSE

The magnificent red silk curtain, handwoven with gold, which will hang from the proscenium of the opera house at the John F. Kennedy Center for the Performing Arts will be a gift from the Government of Japan.

In the Land of the Rising Sun, a curtain raiser like this one would come, commercially speaking, to about 15 million yen, or $150,000. If it had been produced in the United States, it would go higher—a $300,000 item.

The curtain was being discussed at the party given last week by Ralph Becker, trustee, general counsel, and one of the founders of the Kennedy Center for the Performing Arts, and Mrs. Becker.

Genichi Akatani, Counselor at the Embassy of Japan, said his country had been working closely with Edward Durrell Stone, architect of the Kennedy Center, to be sure the color of the opera theater curtain would be a perfect match for the decor of the theater walls and seat coverings.

The Norwegian Government is giving all of the crystal chandeliers and all of the glass fixtures for the concert hall. Germany is giving the bronze doors for the Center's main entrance. Italy is furnishing all the marble for the interior and exterior and Denmark is contributing $150,000 to the Center.

Becker said that by June 30, the Center must be able to match the U.S. Government's contribution of $15½ million toward its construction. He declared he had no doubt but that the committee for the Center would be able to do this, but, he added, "This is the hardest work I have ever done in my entire life."

Pakistan Ambassador Ghulam Ahmed soloed to the party, explaining that Mrs. Ahmed is now in South Africa attending the meetings of a world federation of women's clubs. Also at the party from embassy row were the New Zealand Ambassador Mrs. George Laking, and the Japanese Counselor Mrs. Akatani.

The event was one in a series of two given by the Beckers. Unlike the first on Wednesday evening, guests weren't rained-in. Most everyone stayed outdoors in the garden.

[From the Evening Star, Washington (D.C.), May 4, 1965]

A FUN EVENING FOR SINGERS

(By Ruth Dean)

It was a case of who had the most fun last night—the guest artists, all 13 of them, or the guests?

The evening began with a concert and ended with one—the last an impromptu songfest that was the hit of the evening and which put Indiana's Mrs. Vance Hartke on the list of Capital hostesses whose parties are fun.

Things got off on a formal footing in the State Department auditorium when Secretary of Health, Education, and Welfare and Mrs. Anthony J. Celebrezze were hosts at another in the Cabinet's distinguished artist series.

STIR ENTHUSIASM

Last night's performers, principals from the new Metropolitan Opera National Company, were distinguished in their artistry. They brought "bravos" and cries of "more, more" from the VIP audience of diplomats, Supreme Court Justices, White House officials, the Cabinet, and Members of Congress.

Their youthful verve also made an impression for certainly, as the evening wore on, it had a more informal note, particularly at the reception in the eighth floor reception rooms where Senator and Mrs. Hartke entertained the Celebrezzes, Met officials including former opera diva Rise Stevens, Presidential Fine Arts Adviser Roger L. Stevens, and Senator and Mrs. Birch Bayh.

The artists were there, too, of course, and it was their presence and youth—they have looks to go with those golden voices—that gave the evening its zip. They were excited about having had such a distinguished audience as their first before whom to perform; top that with the chance to meet and talk with the President's Cabinet, and finally today at 11:30 to shake hands with the President himself, and Mrs. Johnson at the White House.

No wonder Enrico di Gisuseppe found his way over to the grand piano and burst into song. His strong powerful tenor brought the guests flocking in from the terrace, and soon his fellow performers were egging each other to "go on next," and the fun was on.

Miss Stevens, cogeneral manager of the company with Michael Manuel, was even serenaded when baritone Ron Blitcher sang to her to say "Just the Way You Look Tonight."

Postmaster General John Gronouski so enjoyed himself, he told Mrs. Hartke as he and his wife were leaving, "you've given the best party I've been to in Washington."

FIRST TIME TOGETHER

For Miss Stevens and the other Met officials, including Anthony A. Bliss, chairman of the Metropolitan Opera Association's board of directors, the evening was more than a musical triumph, for it also marked the first time the young people had met and worked together. Judging from their camaraderie at the party this should be no problem when they begin 8 weeks of intensive rehearsing in July for their opening in Indianapolis in September.

Among those present last night were Indianapolis music patrons Mr. and Mrs. George A. Kuhn, and the president of Butler University, where they'll be doing much of their rehearsing and Mrs. Alex Jones.

The Indianapolis opening will be the start of a 70-city tour which will take the group 25,000 miles. The company, cosponsored by the Metropolitan Opera Association in New York and the John F. Kennedy Center for the Performing Arts in Washington, has a total of 31 artists who were chosen from 1,300 heard in Europe, the United States and Canada.

In a short speech before last night's concert audience Miss Stevens explained it is the purpose of the company to stimulate audiences through its youthful verve and attractiveness and to discover the stars of tomorrow.

She also expressed the hope the company will "arrest the flow of young American talent who find it necessary to go to Europe for operatic training. As you know," she added, "President Johnson takes a dim view on traveling abroad—especially before we explore all our possibilities at home."

Later at the party, Bliss, for whom creation of the company fulfills a long-cherished dream, said he hoped the company "will become a catalyst to stimulate formation of regional Metropolitan companies" that would be supported by several cities and thus be able to carry the expense of a full opera season.

OFFICIALS PRESENT

Cabinet officials attending both the concert and reception included Secretary of the Treasury Henry Fowler who complimented soprano Janet Pavek on singing "way out of this world;" Secretary of Interior and Mrs. Stewart Udall, Secretary of Agriculture and Mrs. Orville Freeman, and Secretary of Commerce and Mrs. John Connor.

Senator and Mrs. Frank Church also were there, along with Utah Senator and Mrs. Frank Moss, Presidential Assistant and Mrs. Hobart Taylor, Civil Service Commissioner John Macy, Assistant Secretary of State and Mrs. Harlen Cleveland, Senator RALPH YARBOROUGH, WALTER MONDALE, and STROM THURMOND, Mrs. Morris Cafritz, and Miss Stevens' husband, Walter Suroby.

Presidential Press Secretary George Reedy was seen at the concert. Also there were Swiss Ambassador and Mrs. Zehnder, Burmese Ambassador On Sein, Pakistan Ambassador and Begun Ahmed and Philippine Ambassador and Mrs. Ledesma, as well as Mrs. Jouett Shouse, Mrs. Robert Low Bacon and Assistant Secretary of State and Mrs. G. Mennen Williams.

[From the Washington (D.C.) Post, May 4, 1965]

A NEW ROLE FOR RISE

(By Marie Smith)

Rise Stevens, as sparkling and glamorous as ever, appeared here yesterday in a new leading role, but not a singing one.

She was starred—as comanager of the new Metropolitan Opera National Co.—at a luncheon given by Senator VANCE HARTKE, Democrat, of Indiana, at the Capitol to announce the company's first season, which opens September 20 in Indianapolis.

Miss Stevens told about the new company with great enthusiasm emphasizing that she's stepping off the opera stage to leave the spotlight for aspiring young Americans whom she hopes won't have to go abroad to win fame and acclaim.

Over the past year, the brunette soprano has traveled throughout the United States, Canada, and Europe, auditioning aspiring young opera singers for the company that she anticipates will give them greater advantages than they could acquire abroad.

Out of the 1,300 auditioned, by her and two other participants in the new company, 31 principal singers, 31 chorister-dancers and 45 orchestra members were chosen.

"We think we've chosen wisely—and they represent every State in the Union except North and South Dakota," she said.

Their world premiere will be in the new Clowes Memorial Hall at Butler University in Indianapolis.

Four operas will be presented during the first ten performances. The first, "Susannah," is an American opera by Carlisle Floyd, a contemporary composer. Others will be "Carmen," "Cinderella," and "Madame Butterfly." All will be presented in English and the latter two will be presented also in Italian and French, respectively.

Miss Stevens said they hope to determine whether Americans listen to opera in a language they can understand or just to the beauty of the music, whatever language.

Miss Stevens suspects they prefer a language they understand and that is why each opera will be performed in English. And that is as it should be, she added. In other countries opera is sung in the language of the country.

Although she has gone into opera management, Miss Stevens plans to continue singing, by devoting about 10 percent of her time to concerts.

She shared the head table spotlight yesterday with another Stevens—Roger—who is chairman of the board of trustees for the John F. Kennedy Center for the Performing Arts. He said if the new company "works as well as we hope it does it should very nearly break even in its 70-city tour.

But to help launch it, the Center has given an undisclosed amount of financial assistance. "We're not using any of the building funds, it comes out of a special fund," he explained.

Other head table guests included Reginald Allen, special assistant to Anthony A. Bliss, president of the Board of Directors of the Metropolitan Opera Association and special assistant to its general manager, Rudolph Bing, and Richard Lockton, Indiana businessman who has donated time and money for the Metropolitan Opera National Co.'s premier.

The new company will appear at the National Theater here May 2 to 7, 1966.

SUMMER YOUTH EMPLOYMENT

The SPEAKER pro tempore. Under previous order of the House the gentleman from Minnesota [Mr. QUIE] is recognized for 15 minutes.

Mr. QUIE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, last week a reporter for the Minneapolis Tribune asked me if I had gotten a call from the Post Office Department, from Mr. Fred Belen, asking me to name some young people to work for the Post Office Department this summer under President Johnson's youth employment campaign. I had not been contacted by the Department, but later on that afternoon I was contacted by the Minneapolis Tribune office and told I would be able to suggest names. No numbers were given, the numbers I could suggest, or whether these should be young people from poor families, or any of the details that had been given to the majority.

These questions were in my mind, and I wondered why Members of Congress should be suggesting names. Perhaps my concern comes from the fact that I doubt the wisdom of Members of Congress continuing to have a hand in the naming of postmasters or rural carriers. I think this should be left to the Civil Service Commission.

I have received letters from young people who want jobs. What intrigued me were two letters from girls in my district who are now attending school in Minneapolis.

They contacted the Minneapolis post office for information on securing jobs. They did not know about it. Then they contacted the Minnesota Employment Bureau, and they seemed to know nothing about it. Then they contacted the Members of Congress from that area. They could not find out much there. So they wrote to me.

I have a number of questions I would like to have answered from the Postmaster General as to what they are really attempting to do. I sent a telegram to them today in which I stated as follows:

> I would appreciate receiving an explanation of the policy being followed by your Department in making available summer jobs

under President Johnson's youth employment campaign. Also please answer the following questions:

Why were certain Senators and Congressmen given specific quota numbers of jobs to be filled while others were simply told that they could submit a list of names when personnel directors are not supposed to indicate to the postmasters, who are supposed to make the final decision, whether an applicant has been endorsed by a Congressman or Senator?

If the 6,000 jobs to be filled do not involve political patronage, why do the regional offices have authority to advise local postmasters which applicants are to be appointed after Executive Assistant Monroney stated to the press that individual postmasters would assist with the hiring?

Why were members of the majority contacted by high officials of your Department concerning these choice available appointments, while members of the minority were contacted by lower echelon personnel days later and only after the press began asking questions? What happens to the qualified applicants already on the civil service eligible register who are waiting for summer jobs in post offices throughout the country?

If this program is not being operated on a political patronage basis, why in many cases are county Democratic committees consulted for recommendations and clearances?

Why did high officials of your Department, in soliciting patronage appointments for certain Members of Congress, fail to point out that the President had designated these jobs as being created for economically and educationally disadvantaged young people?

Why is the Post Office Department not working through State employment offices when other agencies are supposedly following such procedure?

Will qualified young ladies be given appointments as well as young men?

I shall appreciate your early reply.

Mr. Speaker, we need some answers to these questions because we are embarking upon an effort to provide summer jobs for young people. When I first heard the President's recommendation this was to be done I thought it was a wise move, but I surely hope it does not develop into the chaos that we see operating in connection with the poverty program. This would be a misfortune, and would put a bad name on the whole operation if it was ever tried again.

NEW YORK CITY IN CRISIS—PART XCIV

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the poverty program in New York City and appeared in the New York Herald Tribune of April 21, 1965.

It is part of the series on "New York City in Crisis" and follows:

New York City in Crisis: Antipoverty War Called Fraudulent

The dean of the New York University Graduate School of Social Work yesterday criticized the Federal antipoverty program as a partial "fraud" which attacks the effects of poverty rather than the cause.

Dr. Alex Rosen, long-time social worker who has headed the NYU school for 5 years, said at a State regional welfare conference in Patchogue, Long Island, that the program is aimed at the individual rather than the condition in society.

"To give this program the attitude, that all we have to do is to change the poor, is a fraud," he said.

After his speech, Dr. Rosen said he wished he had used some word other than "fraud," since he had no intention of questioning the motives of those who inaugurated the program.

"But there has been so much bland acceptance of what's being done that I thought somebody ought to call a spade a spade," he said.

Dr. Rosen said that 40,000 jobs are being lost each month to the automation process and those jobs must be matched by Government and private industry if there is to be any effective attack on poverty.

"It is a myth—at best a half-truth—that people are unemployed only because they are uneducated and untrained," he said. "It is the characteristics of the economic structure that have been changed rather than the characteristic of the youth. Industry no longer needs the unskilled and semiskilled."

He called Secretary of Labor W. Willard Wirtz "very honest but very incorrect" in his recent statement that Newark was solving its poverty problem by signing up hundreds of young people for jobs.

Dr. Rosen said the basic problem involved the number of these young people who could follow basic instructions to hold the jobs. He said most could not and that there was no curriculum in today's schools that could give adequate training to high school dropouts.

As an example of lack of official understanding of the problems, he cited an official who gave 10 high school dropouts enrollment forms for the Job Corps during inauguration of the organization in New York and discovered to his surprise that 8 of them could do no more than sign their names to the form.

In Washington, a spokesman for the Office of Economic Opportunity, which is conducting the war on poverty, said Government and industry already are teaming up through "blue ribbon" committees to study the problems of providing the jobs for which the young people are being trained.

He said opportunities in the service fields appear to offer at least as many opportunities as those being lost through automation.

"The auto industry tells us 100,000 more mechanics will be needed within a year to take care of the increased number of autos on the road," he said. "The oil companies say there are thousands of service stations which can't get the proper kind of help. Hotels and travel agencies have formed a special committee to organize training for their job openings."

NEW YORK CITY IN CRISIS—PART XCV

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MULTER. Mr. Speaker, the following installment of "New York City in Crisis" appeared in the New York Herald Tribune of April 22, 1965.

The article concerns the rising crime rate in New York and follows:

Crime Up—The Mayor's New Tactics

Here is the quarterly crime report based on the FBI uniform crime reporting system:

Crime	1965	1964	Percent
Murder and nonnegligent manslaughter	137	139	−1.4
Forcible rape	275	258	+6.4
Robbery	2,384	2,226	+7.1
Assault	3,400	3,402	−.1
Burglary	12,910	12,735	+1.4
Larceny or theft, $50 or more	17,043	16,718	+1.9
Auto theft	7,575	7,501	+1.0
Total	43,724	42,979	+1.7

(By Edward J. Silberfarb)

On the eve of an expected dramatic announcement by Mayor Wagner, on fighting crime in the streets new figures revealed that crime in the city is up 1.7 percent for the first 3 months of the year.

Meanwhile, squadrooms buzzed with a report that Commissioner Michael J. Murphy will order detectives into uniform and onto the street to work overtime possibly 7 days a week, to try to stop the growing danger.

Police officials would not confirm the report, but it was understood that this would be part of stage II in Mayor Wagner's war on crime. According to the report, traffic patrolmen, who normally work the day shift, will be pressed into service at night also to strengthen the army of police during periods of highest crime incidence.

The mayor will make his second television appearance on the subject at 6:15 tonight. His first, 2 weeks ago, dealt with crime in the subways, and, at that time, he announced a program to put a policeman on every train. Tonight, he will deal with crime in the streets.

The details of his announcement are not known, but he is expected to announce a plan to beef up police forces and deploy more troops in areas where the crime rate is highest.

An announcement yesterday by Commissioner Murphy revealed a crime increase for the first quarter of the year compared to the same period last year. He reported that major crimes, ranging from rape to aut theft, rose from 42,979 to 43,724, or 1.7 percent for the period.

The statistics were reported under the Federal Bureau of Investigation's uniform crime reporting system, whereby each city, using a common basis for categorizing crime, compiles quarterly totals and submits the figures to the FBI.

FEDERAL EMPLOYEES SALARY BILL

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. GILBERT. Mr. Speaker, I have today introduced a bill which I feel will adjust the pay of postal and Federal employees realistically and fairly.

I would like to say at the outset that I am proud that our President, Lyndon B.

Johnson, has himself made recommendations for a general pay raise for all Federal and postal employees. This action, unique in the administrations of the late President John F. Kennedy and President Lyndon B. Johnson, is a wholesome contrast to the approach of the White House in past years which has been to oppose all pay increases whatsoever, and to veto pay raises when Congress has approved them.

However, I do feel very strongly that the administration's pay recommendations are somewhat inadequate and, therefore, my bill differs from those recommendations in some important respects.

In the first place, the administration's recommendation of a flat across-the-board 3-percent pay increase is simply not sufficient. It may be sufficient for those postal and Federal employees in the rarified atmosphere of the higher echelons of the pay structure, but it is not adequate down in the middle and lower echelons where the vast majority of our employees live and work. My bill will give a 7-percent increase to those employees in level 4 of the postal field service and in grade 5 in the classified service and will be somewhat more generous to the other levels and grades than would the administration's bill. I feel that the administration's proposal would not grant true comparability with private industry. I feel that my bill would do this.

I have also inserted in my bill a provision that the pay structure of State governments, county governments, and city governments cannot be used in the computing of comparability for Federal and postal employees' salaries are far too low. Certainly, they are far too low for valuable employment as a nationwide yardstick. It is obviously unfair to take the low-level wages that are paid in some communities and even in some State governments and make them a norm by which postal and Federal salaries should be measured.

My bill, Mr. Speaker, also deletes from the administration's proposal the provision that would make the President's recommendations for a pay adjustment automatic, unless the Congress were specifically to disapprove it. I feel this is an entirely wrong approach. The construction of pay scales should be a positive process, not a negative one, and it should be a prerogative of the Congress. I feel that we as Members of the Congress have an intimate and realistic picture of the economic conditions of postal and other Federal employees.

If our Government offices are to be run efficiently, we must provide sufficient pay to attract and keep capable and dedicated employees. Trained postal employees are forced to leave the postal service each year because they are unable to meet their obligations on their inadequate salaries. Many of the letter carriers hold two jobs, and a large number of wives must work to supplement their husband's salaries. I have many postal and other Federal employees living in my congressional district and I have received a large volume of mail from them and their families telling me of their financial plight—how impossible it is for them to meet increased living costs on their present salaries.

Also, Mr. Speaker, in my bill I would make the effective date January 1, 1965, not January 1, 1966. The figures on which the administration relied for its recommendations were compiled early last year. To make the pay raise based on those figures effective on January 1 next year would create no comparability whatsoever. It would bring the pay of postal and Federal employees up to where comparable wages in private industry were 2 years ago. I feel that the intent of the Congress in the Federal Pay Reform Act of 1962 was to give postal and Federal employees contemporary comparability with private industrial workers and my bill will do this.

My bill will also adopt, in principle, the so-called Dulski amendment which my colleague from New York [Mr. DULSKI] tried so hard to have enacted into law in the last Congress. This proposal is a just one and will permit postal and Federal employees to retain time credits which now are lost to them.

Mr. Speaker, my bill finally will delete from the existing law that a Federal employee must meet acceptable standards of work if he is to get his step-in-grade promotion. This business of meeting acceptable standards of work sounds all very well, but we must remember that the determination must be made by an employee's supervisors. At the moment the wording of the law creates a loophole through which many an injustice could penetrate the fabric of personnel management. A personality clash between a supervisor and an employee could result in the employee's being deprived of his in-grade promotion unjustly and arbitrarily. I think this acceptable standard of work provision makes many unhealthy conditions possible in the post offices and Government offices of the country and that the best way to meet the situation is to eliminate the provision and make the promotions automatic.

After all, if an employee is not meeting acceptable standards of work he can be separated as incompetent. If the supervisor takes this route, the employee can defend himself through the appeals procedure. Under the wording of the law as it now stands, the employee has no real means of defending himself from vindictiveness and injustice.

If we wish to retain good, loyal workers in the Government—if we are to preserve employee morale and maintain a high level of efficiency in our postal service and in other Government offices—we have a definite responsibility to provide them with adequate pay and fair and equitable work standards and promotion schedules.

Mr. Speaker, I feel that the improvements imbedded in the bill I have introduced should receive favorable attention from the Members of this House and I strongly urge that it be given the consideration I think it deserves.

FPC RECORD DEFECTIVE ON STORM KING

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. OTTINGER. Mr. Speaker, on March 9 of this year, the Federal Power Commission granted the Con Edison Co. of New York a license to build a pumped storage hydroelectric power station at the foot of Storm King Mountain on the shores of the Hudson River at Cornwall, N.Y.

This was obviously a heaving blow to the citizen forces and the conservationists who had been battling for more than 2 years to prevent the desecration of the Hudson Gorge and Highlands. But I can assure you that it was by no means the end of the fight. The citizens are now preparing to bring the entire matter in the open for judicial review.

One fact that stands out with shocking clarity: the utter inadequacy of the record upon which the FPC based its decision. One member of the Commission, Charles Ross, recognized this is his perceptive dissent from the majority. In fact, the Commission itself tacitly acknowledged that the record was seriously defective in remanding two of the most important aspects of the project for further hearings after the license was granted.

Mr. Speaker, in an effort to set this deplorable record straight, I would like to bring to the attention of this House and the American public some of the evidence of the inadequacy of the record. It would not be feasible to cover the entire range of error, but I would like to draw primarily from the words of Con Edison's own president, Mr. Charles E. Eble, in a speech at the dedication of New England's first extra high voltage line. It should be noted that this speech was made on November 23, 1964, after the FPC hearings had been closed, but months before the license was issued.

Commissioner Ross in his dissent warned that the record was deficient on the subject of alternate sources of power. In particular, he noted that the question of power available from interconnections had not been fully explored and that the record did not show that abundant power would be available to Con Edison from interconnections opened since the record was compiled. The FPC majority, in its haste to advance Con Edison's project, chose to ignore this.

But Mr. Eble, the Con Edison president, said on November 23:

> The pattern of interconnecting and pooling resources has extended far beyond tying isolated systems into one company system. With increasing sizes of generating units and advances in transmission technology, the interconnection of companies, and indeed regions, has become highly desirable. This type of development has been proceeding at an accelerating pace over the past decade,

> and our presence here is testimony to the most recent step that has been taken in this effort—the first extra-high voltage interconnection between the New York and New England companies. Today we have seen the physical evidence of this interconnection.
>
> Over these wires may come power from a steam station in New York City or from a pumped storage project at Cornwall-on-Hudson to help serve New England. Through them may come power from the Yankee Atomic or Connecticut Yankee plants to help meet New York City's needs. Interconnections such as this enable our industry to achieve the economy and reliability of service unimagined by the pioneers of our industry.

Mr. Eble added:

> This link to New England is with much more than just with the New York companies. It connects New England firmly with the interconnectioned companies known as the Canadian-United States Eastern group. This group is already tied to the Pennsylvania-Jersey Maryland pool. P.J.M. is building a new transmission line in connection with large minemouth plants being built or planned in western Pennsylvania and West Virginia. That interconnection will be extended to connect with Con Edison and thus with you here in New England.

In a November 24, 1964, press release on the power available through the new interconnection, four major New England utility companies were even more specific. This release, issued jointly by the United Illuminating Co., the Hartford Electric Light Co., the Connecticut Light & Power Co., and the Western Massachusetts Electric Co., said:

> The new line is capable of carrying 345,000 volts of electricity, the largest capacity of any transmission facility in New England. It will become the backbone of the region's power system and will enable large blocks of power to be exchanged between the CONVEX companies and the Consolidated Edison Co. of New York, providing an additional source of economical electricity and increasing the high dependability of service already provided * * *.
>
> CONVEX, from its system operation center, located in an underground nuclear fallout-proof structure in Southington, uses skilled load dispatchers and computers to determine which of the four companies' generating units can produce most efficiently the electricity needed at a given time in the areas served by the utilities.

Mr. Speaker, surely a full and complete record would not dismiss this rich source of power, just one of many available to Con Edison, as unworthy of consideration. Yet this is, in substance, what the FPC did in their decision of March 9. I hope that this cavalier attitude will receive the kind of review and treatment that it deserves.

CIVIL RIGHTS

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. BINGHAM. Mr. Speaker, on Friday, June 4, 1965, President Johnson made a vitally important speech on the subject of the plight of our Negro citizens and the problems that cannot be solved by Federal legislation to effectuate the 14th and 15th amendments.

In a large sense, the President has called for a moral crusade in the most meaningful terms yet proposed by a Chief Executive of the United States of America. The goal is equality and the call is for a mobilization of millions of our citizens in and out of government at every level.

The New York Herald Tribune carried an article on the President's speech which reflected one audience's reaction. I think that our colleagues and other readers of the Record may be interested in this article, which follows:

[From the New York (N.Y.) Herald Tribune, June 6, 1965]

Johnson Spoke for History

(By Douglas Kiker)

Washington.—The Nation was watching its two Gemini astronauts whirl through space Friday and thus did not pay much attention to President Johnson's Howard University address on the American Negro problem.

But it may be that history will remember that speech as the more important of the two events, because it marks an important historical turning point in this Nation's agonizing attempt to adjust national principles with national realities.

Mr. Johnson stunned a Negro audience of 14,000 by speaking of the Negro problem as no President ever has spoken before, but as a result it is doubtful that any future, serious discussion of the problem ever can be attempted without consideration of what he said.

The President said that, with the certain passage of the new voting rights bill this session, about all now has been done that can be done through legislation to assure Negroes of their civil rights.

The time now has come, he said, to begin the full, true assimilation of the Negro into the mainstream of U.S. society. But, he added bluntly, this is going to be the most difficult social task in the Nation's history.

He spoke forthrightly of the differences and voids which separate black and white in America. They live in cities within cities, he said. They almost constitute a nation within a nation. The color of their skin is a factor, and an important one, he said. Negro poverty is different from white poverty, he said.

And, most important of all, he said that "despite the court orders and the laws, the victories and the speeches," the grim fact is that the Negro slowly is losing—not winning—his fight for equality in modern America, and drastic revolutionary steps must be taken if that trend is to be reversed.

Mr. Johnson said that part of the reason for this is the fact that Negroes are "trapped in inherited, gateless poverty," but that there is a "second cause more desperate in its force," which stems from the fact that the black man is exiled in a separate America.

Perhaps the greatest shocker of all was Mr. Johnson's frank statement that there is a dangerous breakdown of the Negro family structure. "This is not pleasant to look upon, but it must be faced," he said, and then he quoted statistics.

One answer to this problem, he said, is "welfare and social programs better designed to hold families together." Sources yesterday said Mr. Johnson has in mind the possibility of making drastic changes in current welfare laws to provide economic incentives for more Negro fathers to stay with their families.

Current laws, this source said, more often than not provide opposite incentives, since fatherless families receive more relief.

The new plan, if adopted, would provide for family allowances, payable only when mothers and fathers are living together with their children.

This is only one idea currently being considered, however. In fact, the administration at the moment really is groping for new programs to deal effectively with the Negro problem, and the White House conference, called for this fall, is an attempt to find new answers.

Mr. Johnson's address was eloquently worded, but the eloquence was supported by strong, undeniable new statistics compiled by the Department of Labor.

The speech was made for a variety of causes. There is a growing interest among intellectuals and Negro leaders as to the best future course in the civil rights march. Mr. Johnson has been speaking mostly on foreign policy lately and wanted to return to domestic problems.

It was a rare thing: a Johnson speech without many built-in applause lines. Mr. Johnson delivered it straight away, at times riding over tentative applause, which also is unusual for him to do.

His Negro audience was one accustomed to hearing national political leaders speak in traditional ways about civil rights, and the reaction was interesting. At first they applauded the traditional lines. Then they sat in stunned silence. And finally they applauded out of shock and self-identification.

LET AMERICANS SEE "YEARS OF LIGHTNING, DAY OF DRUMS"

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Grabowski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. GRABOWSKI. Mr. Speaker, I rise to add my voice to those of so many of my colleagues who have offered concurrent resolutions, along with my own, to permit the American people to view the USIA documentary on the life and death of President Kennedy, "Years of Lightning, Day of Drums."

I know that it is not the function of the USIA to make domestic propaganda, but surely that is not involved in this case. John F. Kennedy is now a man for the ages. He is above party. What he did, and how he did it, and how America reacted to his tragic death is now part of history, American history, the experience of the present and the inheritance of future generations.

John Kennedy was a man of our time, of our generation. He matured in the fires of World War II, and in the cold war that followed it, as have so many of us in this House. Perhaps because our lives coincided in time and in certain shared experiences, we all lost a part of ourselves when he was cut down. However that may be, the fact remains that in his almost 3 years in office John F. Kennedy came to grip the hearts of the people as have few Presidents in modern times. He gave to the Presidency a certain syle, wit, youth, gaiety, while underneath this smiling exterior there was strength, purpose, and determination.

What he might have achieved had he lived is not for us to know, but that the potential for greatness had already been revealed by the time of his assassination is patent.

When that assassination took place, the shock was felt around the world. The sorrow was felt around the world—so deeply that in some areas weeks later men and women would break down at the mere mention of the tragedy. For President Kennedy had made an impact abroad, a deep and a lasting impact, and to the people of the world he represented the best in America, and the hope that they have always had in America.

It was only natural, therefore, for the U.S. Information Agency to make a documentary of President Kennedy's administration, and of the funeral which so many of us saw in person. It was a documentary of the highest quality, praised around the world for its moving account of the problems, trials, and triumphs of the presidency, as well as of the final tragedy. I could consume the rest of my time merely quoting favorable comment from foreign critics. Certainly this film, which has been called the best documentary ever made by the USIA, has had a tremendous impact wherever it has been shown, and has probably done more to enhance the impression of America held abroad than any other single piece of informational material we have ever produced.

My concurrent resolution, No. 281, and those of my colleagues, proposes that the American people, to whom this film should mean the most of all, have an opportunity to see it. This could be done through simply making it available for public showing. As matters now stand, this cannot be done, for the USIA was not set up to inform or propagandize the American people, and its materials are not, and quite properly should not, be available for domestic distribution. The fear has been expressed that were Congress to authorize an exception in this case a bad precedent would be set, and that the foot would be in the door for the future showing of productions, or the future distribution of material at home as well as abroad.

But I do think that such fears are misplaced. I do think that rather than establishing dangerous precedent we will simply be creating an opportunity for the American people to view a motion picture which can only deepen and augment their feeling for their country, and contribute to their understanding of the problems we all face in common. I think it would be salutary for Americans to realize how efficiently and beautifully a civilian agency of their Government can function on occasion. "Years of Lightning, Day of Drums" can make us all proud to be Americans. I hope this House will approve it for domestic showing, so that each of us may have the opportunity to renew that pride.

BILL AMENDING EXPORT CONTROL ACT

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Grabowski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. GRABOWSKI. Mr. Speaker, outwardly, the bill before us does not give the appearance of a formidable and important piece of legislation. Yet on closer inspection, it reveals itself to be a reflection of the very principles on which the United States always has been and still is basing its foreign policy. It is a reflection of the uncompromising commitment to stand against the aggression with which the Communist colossus aims to envelop the entire world; it is, likewise, a reflection of the steadfast opposition to prejudice, conspiracy, and blackmail in international relations.

I am happy to see that the bill, first of all, extends the life of the Export Control Act of 1949 for an additional period of 4 more years. Ever since the onset of the cold war, the strict limitations placed on the exportation of the products and technical know-how of the American economy to Communist countries and watchful control over export trade with our friends, have been a powerful and effective tool of American foreign policy for peace. In cooperation with our allies, these controls have restricted the flow of strategic goods to the Communist countries, and thereby impeded to some extent their capacity to pursue more aggressive paths in the world.

The menace of the Red dragon is by no means over, and the continued use of every means restraining its expansion is of vital importance to our country and to the entire world. The extension of the Export Control Act is precisely such an instrument of restraint.

Another gratifying aspect of the bill amending the Export Control Act is the provision authorizing additional administrative penalties for the violators of the export control legislation and regulations. I have felt for some time that the two types of penalties currently authorized by the act do not afford sufficient flexibility of sanction to make the administration of the act meaningfully fair. The currently applicable civil penalty of suspension or revocation of export privileges may occasionally be too severe and again, depending on circumstances, too lenient. The choice afforded by the present amendment; namely, the imposition of a fine not exceeding $1,000 instead of, or in conjunction with, the export privilege suspension or revocation, adds much needed flexibility to the system of penalties for the violators of the export control procedure in cases in which the much more severe criminal penalties are not appropriate.

In my opinion the most important and significant provision incorporated in the amendment before us, however, is the declaration of policy opposing discriminatory and malicious boycotts imposed by foreign countries on other countries friendly to the United States and the forcible involvement of American businessmen in such boycotts.

Mr. Speaker, it is certainly no secret that for 15 years the member nations of the Arab League have been waging a war against the young State of Israel, a war which occasionally took the form of direct armed aggression, but also a war in which by subtler, yet no less malicious, means of persistent economic boycott, they have hoped to sap the economic fiber of that country and bring it to its knees. In this treacherous discrimination they have attempted to embroil every other nation of the world, and unfortunately they have in part been successful. In their attempts they have not even stopped short of plain, though highly organized, blackmail. For, Mr. Chairman, what other name than that of organized blackmail can be given to the establishment of a special office whose only purpose is to compile blacklists and use them as a club over the businessmen of the world who, true to the principles of nondiscriminatory trade, wish only to serve all comers with the goods and services at their disposal? Is it not blackmail of the vilest sort to say, in effect: If you trade with Israel, you cannot trade with us, or even worse: If any Jews are involved in the financing, ownership, management, or operation of your firm, you cannot trade with us? Is it not humiliating blackmail when an American firm is asked to answer questions about itself, questions that have nothing whatever to do with the business at hand, but are instead fraught with prejudice and malice? Is it not humiliating blackmail when the same American firms are told that even a refusal to answer such questions will disqualify them from the trade with their customers in Arab countries? Is it not humiliating blackmail when American firms are being pressured into answering questions, the asking of which as well as the answering, has been illegal in the United States for quite some time?

Mr. Speaker, it is high time to put a stop to this nefarious practice and serve a notice on its practitioners that it will no longer be tolerated. The amendment to the Export Control Act now before us does just that. It unequivocally declares that the United States is unalterably opposed to the underhanded practices of boycott, blackmail, and bias in international trade. It protects the American businessman from being used as a pawn of international politics. It lends to the American exporter the full support and backing of the United States in his resistance to this reprehensible practice. It tells him, in effect: When you are asked an impertinent question, do not answer, and send the fellow who is asking it to see me.

Only in this way, Mr. Speaker, by solidly standing together, we can hope to counteract this plague which has been afflicting the commercial relations of the world for some 15 years. Only in this way, we can let the blackmailer know that we will not be blackmailed, and that by any further attempts at blackmail and by insistence on his treachery, he will only succeed in denying himself the access to the richest and largest supply of goods and services in the world. The sooner this realization sinks into his mind, the better chance there is for his giving up his blackmailing pursuits.

If the past history of the disdainful response of some courageous American firms to the attempts at involving them in the anti-Israel boycott is any indication, the Arab League will indeed find the way to discard its blackmailing sandals as soon as they start pinching.

Mr. Speaker, I wholeheartedly support the amendment to the Export Control Act in its entirety and urge all my colleagues to do likewise.

CREDIT TO SPACE AGENCY AND ASTRONAUTS

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Thomas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. THOMAS. Mr. Speaker, too much credit cannot be given the top management of the Space Agency, headed by the able Administrator, James E. Webb, and his capable assistants, Dr. Hugh Dryden, Dr. Robert C. Seamans, Jr., Dr. George E. Mueller, Dr. Robert Gilruth, Dr. Wernher von Braun, Dr. Abe Silverstein, Dr. William H. Pickering, Dr. Kurt Debus, Dr. Harry J. Goett, Dr. Floyd L. Thompson, Dr. Smith J. DeFrance, and many others.

To this group of distinguished gentlemen, must go the credit of spending some $17 billion without the slightest breath of scandal attached to the many thousands of transactions. In addition, they have mobilized industry and brought into this brandnew field of endeavor one of the most magnificent performances ever achieved in any area of industry.

The top management has also assembled in their midst some of the most outstanding and distinguished scientists in the world. They have plowed in a virgin field and the results they have accomplished have been almost miraculous.

We cannot give enough recognition to our dedicated astronauts who have performed beautifully under splendid leadership. It is no small task to assemble and train such a group of men. In addition, the top management has assembled many thousands of scientists and technicians, who have turned in some of the most outstanding scientific feats the world has ever known.

These able managers have performed the most capable job I have seen in my 28 years in government. May their efforts continue and bring to the world more knowledge, world peace, and universal happiness.

KAMEHAMEHA THE GREAT

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the political consolidation of the Hawaiian Islands was the most significant development in the 40 years of Hawaiian history that followed the visits of Captain Cook. In achieving that consolidation, the role played by Kamehameha the Great was crucially important. He dominated this period of Hawaiian history. He is universally recognized as the most outstanding of the Hawaiian chiefs of his own era and of all the periods that preceded and followed his.

He was a fearless leader of powerful physique, skilled in the arts and practices of war and government. He was highly intelligent, filled with the accumulated learning of his race, and curious about new things and new ideas. He was a good judge of men, and, as do most great leaders, had the ability of inspiring loyalty in those who followed him. He was the first chief to have an understanding of the advantages to be gained by friendly relations with foreign visitors to the islands, but he was far too sagacious to fall into their power.

This great chieftain did not invent a new system of government. He made use of the system already existing, with such modifications as were required by new circumstances or were suggested to him by his own experience. Essentially, the government was autocratic; the king's will was the supreme authority, but Kamehameha did not exercise this power capriciously. He governed his kingdom in accordance with the traditions of his people.

Even in his last years, Kamehameha evoked praise from such men as the Russian naval officer Golovnin, who wrote of him in 1818 that:

> He is still strong, active, temperate and sober. His honesty and love of justice have been shown in numerous cases. He will always be considered as an enlightener and reformer of his people. One fact which shows his good sense is this. None of the foreigners visiting his country enjoy any exclusive privileges, but all can trade with his subjects with equal freedom.

During his long and brilliant reign, Kamehameha the Great wisely managed the internal affairs of his kingdom in a way that minimized the danger of insurrection or revolution. His relations with other chiefs, his disposition of lands, and his general administration of the government all tended to thwart disruptive influences, to weld discordant elements into union, and to create national feeling and national pride.

Kamehameha maintained the ancient religion of his people with great strictness. To one man who told him that his gods were not true gods, he is reported to have said:

> These shall be my gods, for they have power, and by them I have become possessed of this government, and through them I have come to my throne.

Secure in his religious faith, honored by all of his people, Kamehameha the Great died at Kailua, Hawaii, on May 8, 1819.

June 11 is celebrated as Kamehameha Day in Hawaii where the citizens of the 50th State observe with songs, dances, pageants, luaus, exhibitions of ancient Hawaiian art, water sports, and parades the memory of this great Hawaiian leader. The pride of all Hawaiians in the tradition and achievement of Kamehameha is thus displayed for all the world to see. The greatness of Kamehameha has also been recognized by the U.S. Government; it has named a Polaris submarine the *Kamehameha*.

Hawaii, the newest State of the United States, and all Hawaiians will continue on Kamehameha Day as on all the other days of the year to express their joy in their unique traditions and their pride in being Americans.

SENATOR BREWSTER'S MEMORIAL DAY SPEECH

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Craley] may may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. CRALEY. Mr. Speaker, on Sunday, May 30, I had the honor and privilege of introducing to the people gathered in Gettysburg for the purpose of participating in Memorial Day services the Honorable Daniel B. Brewster, senior Senator from the Free State of Maryland.

Gettysburg has become nationally known and recognized for these Memorial Day services, traditionally held in the National Cemetery dedicated in 1863 by President Lincoln, and has always been privileged to attract outstanding leaders and speakers from throughout the Nation.

Senator Brewster certainly belongs to this group. The Senator was born in Baltimore County, Md., in 1923.

In 1942 Senator Brewster enlisted in the U.S. Marine Corps. He rose from the rank of private to captain, serving 2 years in the South Pacific. During campaigns he was wounded, decorated with the Bronze Star, the Purple Heart, and the Gold Star in lieu of a second Purple Heart. Senator Brewster has remained active in the U.S. Marine Corps Reserve and now holds the rank of lieutenant colonel.

The Senator attended Princeton and Johns Hopkins Universities and received a law degree from the University of Maryland in 1949. In 1950 at the age of 27 he was elected to the Maryland House of Delegates from Baltimore County and was reelected in 1954.

In 1958 Senator Brewster was elected to the U.S. House of Representatives from the second district of Maryland and was reelected to the 87th Congress in 1960. For those two terms he served on the House Armed Services Committee.

In 1962 Senator Brewster was elected to the U.S. Senate where he now serves on the Armed Services, Commerce and Post Office and Civil Service Committees.

Senator Brewster has also been active as a former president and a present director of the Maryland State Fair and Agricultural Society at Timonium, and as a member of the YMCA, the Veterans of Foreign Wars, the Disabled

American Veterans, the American Legion, the Reserve Officers Association, and in behalf of his church—St. John's Episcopal.

By virtue of Senator BREWSTER's extensive and exemplary military service and by virtue of his association with the congressional Armed Services Committees, he was in an excellent position to address those gathered at the recent Memorial Day observance in Gettysburg.

I am pleased to include as part of my remarks today the text of his speech which follows:

REMARKS BY SENATOR DANIEL B. BREWSTER, DEMOCRAT, OF MARYLAND, DELIVERED AT THE GETTYSBURG BATTLEFIELD NATIONAL CEMETERY, GETTYSBURG, PA., MAY 30, 1965

From Bunker Hill to Gettysburg's field, from Guadalcanal's jungles to Korea's bloody ridge, and now in Santo Domingo and Vietnam generations of Americans have seen the ugly face of war. They defended freedom in its hour of danger.

We pause on this Memorial Day to honor those who gave that last full measure of devotion. We recognize that the real monuments are not the marble tablets we see in these fields, or in U.S. military cemeteries around the world—the lasting monuments are the legacies of liberty and freedom that have been passed on to us.

On a cold raw November day in 1863, President Abraham Lincoln came to dedicate this cemetery. He quietly spoke those 10 beautifully constructed sentences which have become one of the hallmarks of our heritage. When Lincoln spoke here, our young Nation was torn by the cruelest of all human conflicts, civil war.

The courage and sacrifice of brave men, some of whom rest in this beautiful Pennsylvania countryside, helped preserve our Union.

I am sure that Abraham Lincoln would be proud today of the Nation which he helped so much to sustain; but were he with us now, he would recognize, as he did in his time, that the struggle to preserve our Union is never ending. Each succeeding generation of Americans has faced new challenges to the unity which binds us together as a nation.

Today the United States is beset by hostile influences both from without and from within.

There are those among us who would belittle our efforts to protect freedom in faraway and unknown villages and hamlets. These same detractors would have us ignore new frontiers, strifle and obstruct opportunity and stall our growing prosperity.

These irresponsible voices seek to divide our country—socially, economically, and racially. In recent years, these voices have grown louder. Surely as any foreign foe, they threaten the very structure of our democratic process, they would ignore the lessons from the greatness of our past and prevent the fulfillment of the promise of our future.

In his inaugural address delivered in our Nation's Capital on January 20 of this year, President Johnson said, "Let us reject any among us who seek to reopen old wounds and rekindle old hatreds. They stand in the way of a seeking nation. Let us now join reason to faith, and action to experience, to transform our unity of interest into a unity of purpose. For the hour and the day and the time are here to achieve progress without strife, to achieve change without hatred, not without difference of opinion, but without the deep and abiding divisions which scar the Union for generations. Under this covenant of justice, liberty, and Union, we have become a nation; prosperous, great, and mighty."

It has been 189 years since the Founding Fathers signed the Declaration of Independence. The course of events which followed their action has led this nation from a loose confederation of a few States to a solid Union of 50 States, with a population approaching 200 million. Ours is a proud record.

Never in the history of the world have a people settled so vast a land in so short a time.

Never before has a nation opened its borders to so many immigrants and drawn its strength from so many divergent elements.

Never has a truly democratic government so long prevailed, or power passed so peacefully from generation to generation and between different political philosophies.

Never before has such a large measure of a people's ingenuity, resolve, and resources been devoted to the cause of freedom beyond their own borders. Our contribution of our time, our talent, our people, to the interests of other nations is unique in the history of the world.

We have been blessed through our history in many respects. The men who have led our country have met the tests of their times. Abraham Lincoln led us through the agony of Civil War; Franklin D. Roosevelt rallied our people in the struggle to overcome the great depression and defeat the Axis; the indomitable and courageous Harry Truman saw us through nuclear war and the Korean crisis. General Eisenhower, your neighbor, served in both war and peace—the war was won and the peace preserved; John Kennedy brought to the presidency a brilliant mind, a dynamic personality, and dedication to an ideal—a great student of history, he fully understood the lessons that lie therein. Our present leader, President Lyndon Johnson, is a forceful, wise, and compassionate man, who has demonstrated his ability to meet crisis with calm judgment.

I remember John Kennedy's inaugural address at the Capitol on January 20, 1961 as he called upon us to join in the struggle against the common enemies of man: Tyranny, poverty, disease, and war. Here are his words: "In your hands, my fellow citizens, more than mine, will rest the final success or failure of our course. Since this country was founded, each generation of Americans has been summoned to give testimony on its national loyalty. The graves of young Americans who answered the call to that service, surround the globe."

The soldiers of yesterday, who we honor today, call us to the colors. We, the living, have the job to carry on their fight.

As Disraeli said many years ago, "The youth of a nation are the trustees of its posterity." Our young people are the trustees of the freedoms preserved for us by the men we remember today.

Our people, and particularly our young citizens, are charged to achieve the highest level of their capacity. This they must do as this Nation meets its increasingly complex economic, social, and international challenges.

Abraham Lincoln's words on these very grounds remind us that we can have government of the people and for the people only so long as we have government by the people.

Our Government cannot function unless dedicated men and women, by the tens of thousands, work to make it function. New ideas, new concepts, new programs and new laws depend on the willingness of our citizens and our leaders to apply them and to improve them.

We honor our commitment to the dead. They made it possible for us to live in liberty.

I know of no more appropriate day, nor no more fitting place, to remind all of the glorious heritage of America. Let us join in the pledge President Johnson made in his state of the Union message to the Congress: "In 1965, we begin a new quest for union. We seek the unity of man with the world he has built—with the knowledge that can serve or destroy him—with the cities which can stimulate or stifle him—with the wealth and machines which can enrich or menace his spirit.

"We seek to establish a harmony between man and society which will allow each of us to enlarge the meaning of his life and all of us to elevate the quality of our civilization."

The creation of the Great Society is a challenging task. It will not be finished in my generation, nor in yours. But it cannot be begun less each of us does our share—and a little more.

Today, at this hallowed place, at this time, "let us begin."

ARE THE WORKERS IN THE COTTON TEXTILE INDUSTRY SHARING IN THE BENEFITS OF THE SUBSIDY PROGRAM?

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. JOELSON. Mr. Speaker, when the cotton subsidy bill was considered in the 88th Congress, the claim was widely made that its passage would result in the cotton textile industry passing along to its employees a large part of the financial benefits in the form of wage increases and fringe benefits. Actual experience has indicated that those who hoped that this would be done have been sadly disappointed.

The large cotton textile mills of the Nation which are mostly situated in the Southern part of our Nation continue to pay substandard wages and provide substandard fringe benefits. I might also add that they continue to resist legitimate unionization fiercely.

Despite the fact that they have been crying poverty for years, the giants of the textile industry are earning high profits, and the industry is increasingly becoming the property of the giants of the textile world.

The average wage in the cotton textile industry ranges between $1.75 and $1.85 an hour while the national average is in excess of $2.50 an hour. In one major mill, the workers earn $1,500 a year less than the average factory worker across the Nation.

Such fringe benefits as exist are grossly inadequate. Employees in the southern cotton textile industry generally have received only one paid holiday a year, that being Christmas Day. Likewise the hospitalization and pension benefits when contrasted with those existing in other industries in other sections of the country are meager, to say the least. I think that these facts must be kept very much in mind by the Congress when we are called upon to determine again whether the cotton textile industry is entitled to subsidies from the Federal Treasury.

THE PRESIDENT HAS REVIVED THE SPIRIT OF THE MONROE DOCTRINE, DECLARES THE SALISBURY, MD. TIMES

The SPEAKER. Under previous order of the House the gentleman from Delaware [Mr. McDowell] is recognized for 5 minutes.

Mr. McDOWELL. Mr. Speaker, the Salisbury, Md., Times declared editorially on May 11 that President Johnson "revived the spirit of the Monroe Doctrine" when he stated that the United States would not stand for establishment of "another Communist government in the Western Hemisphere."

I am pleased to include the text of this editorial in the Congressional Record for the information of my colleagues.

[From the Salisbury (Md.) Times, May 11, 1965]

BACK TO MONROE DOCTRINE

When President Johnson declared on May 2 the United States would not stand for establishment of "another Communist government in the Western Hemisphere," he revived the Monroe Doctrine.

It would be better to say he revived the spirit of the Monroe Doctrine. The doctrine, itself, has been a dubious international instrument.

But the spirit of the doctrine—that the Western Hemisphere shall be dominated by the New World and not subjected to the blood feuds and ideological infections of the Old World—has been and can be again a powerful point of view.

It was at issue in the Cuban missile crises, when the United States learned that a potentially hostile government had strongly armed an offshore island and had dominated the island's government.

Many U.S. citizens thought the Monroe Doctrine should have controlled policy in the Cuban crisis. They were shocked when Soviet Premier Khrushchev said he thought the doctrine had "outlived itself."

It is of historic interest that one of the prime reasons for the enunciation of the doctrine in 1823 was fear of Russian encroachment on the west coast of the United States. No one would have dreamed of encroachment in Cuba in 1823.

Perhaps a third of Dominican Republic industry is owned by Americans. The Government controls another third. The Republic is the third largest producer of sugar in the Western Hemisphere. It also has large deposits of bauxite ore, which have attracted the Aluminum Co. of America. The United Fruit Co. enjoys the island nation's tropical wealth.

Since the overthrow of the Trujillo dictatorship, U.S. business interests, through the Business Council for International Understanding, have done a truly remarkable job of management counseling and assistance. American diplomats have advised Dominican officials patiently and intimately.

The United States committed itself to Dominican democracy in 1961 when we sent warships to within sight of Santo Domingo to influence reversal of an army takeover.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Zablocki, for 2 weeks, on account of official business.

Mr. Kornegay (at the request of Mr. Albert), for June 10, on account of illness in family.

Mr. Dyal (at the request of Mr. Albert), from June 10–June 15, on account of official business.

Mr. Bray (at the request of Mr. Arends), through June 21, on account of official business as member Subcommittee on Armed Services reviewing matters pertinent to military situation in Vietnam.

Mr. Chamberlain (at the request of Mr. Gerald R. Ford), through June 21, on account of official business as member Subcommittee on Armed Services reviewing matters pertinent to the military situation in Vietnam.

Mr. Fountain (at the request of Mr. Albert), for today, after 4 p.m., on account of official business in Scotland, Neck, N.C.

Mr. Purcell (at the request of Mr. Friedel, for today, June 10, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan, for 60 minutes, on Tuesday next.

Mr. Michel (at the request of Mr. Burton of Utah), for 15 minutes, on June 10; and to revise and extend his remarks and include extraneous matter.

Mr. Quie (at the request of Mr. Burton of Utah), for 15 minutes, on June 10, and to revise and extend his remarks and include extraneous matter.

Mr. Johnson of Pennsylvania (at the request of Mr. Burton of Utah), for 10 minutes, on June 10; and to revise and extend his remarks and include extraneous matter.

Mr. Widnall (at the request of Mr. Burton of Utah), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. McDowell (at the request of Mr. Roncalio), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Nedzi to revise and extend his remarks made today in Committee of the Whole and to include certain newspaper articles and editorials.

Mr. Hicks to revise and extend remarks made by him in Committee of the Whole today and include an editorial.

(The following Members (at the request of Mr. Burton of Utah) and to include extraneous matter:)

Mr. Hosmer.

Mr. Ayres.

(The following Members (at the request of Mr. Roncalio) and to include extraneous matter:)

Mr. Ottinger.

Mr. St. Onge in three instances.

Mr. Murphy of New York in two instances.

Mr. Rooney of New York.

Mr. Powell.

Mr. Vivian.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1000. An act to amend the act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions.

ADJOURNMENT

Mr. RONCALIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, June 14, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1212. A letter from the President, Board of Commissions, District of Columbia, transmitting a draft of proposed legislation to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia; to the Committee on the District of Columbia.

1213. A letter from the Chairman, U.S.-Puerto Rico Commission on the Status of Puerto Rico, transmitting a draft of proposed legislation to amend the act establishing the U.S.-Puerto Rico Commission on the Status of Puerto Rico; to the Committee on Interior and Insular Affairs.

1214. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of funds of the National Aeronautics and Space Administration to provide additional research laboratory space at the University of Minnesota, pursuant to 78 Stat. 310, 311; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 400. Concurrent resolution to provide for printing of additional copies of House document entitled "Documents Illustrative of the Formation of the Union of the American States";

with amendment (Rept. No. 492). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 415. Concurrent resolution authorizing the printing as a House document of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, and of additional copies thereof; with amendment (Rept. No. 493). Ordered to be printed.

Mr. BURLESON: Committee on House Administration. House Concurrent Resolution 428. Concurrent resolution authorizing the printing of a revised edition of "History of the House of Representatives", and for other purposes; without amendment (Rept. No. 494). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 411. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y., Area," 88th Congress, 1st session; with amendment (Rept. No. 495). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 412. Concurrent resolution authorizing the printing of additional copies of House Report 1739, 88th Congress, 2d session, entitled "Annual Report for the Year 1963, Committee on Un-American Activities"; with amendment (Rept. No. 496). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 413. Concurrent resolution authorizing the printing of additional copies of "Violation of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States, Parts 1 Through 5," with amendment (Rept No. 497). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 414. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area," 88th Congress, 2d session; with amendment (Rept. No. 498). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 390. Resolution authorizing the printing of additional copies of "The Communist Party's Cold War Against Congressional Investigation of Subversion—Report and Testimony of Robert Carrillo Ronstadt," 87th Congress, 2d session; with amendment (Rept. No. 499). Ordered to be printed.

Mr. HAYS: Committee on Foreign Affairs. H.R. 4170. A bill to provide for adjustments in annuities under the Foreign Service retirement and disability system; with amendment (Rept. No. 500). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIELS: Committee on Post Office and Civil Service. H.R. 432. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 and the Civil Service Retirement Act with regard to filing designation of beneficiary, and for other purposes; without amendment (Rept. No. 508). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONOHUE: Committee on the Judiciary. H.R. 2871. A bill for the relief of Dorota Zytka; without amendment (Rept. No. 501). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 2678. A bill for the relief of Joo Yul Kim; with amendment (Rept. No. 502). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 3345. A bill for the relief of Mrs. Marie Meneshian; with amendment (Rept. No. 503). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 3505. A bill for the relief of Beverly Helen (Smith) Bowers; without amendment (Rept. No. 504). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 4032. A bill for the relief of Carlo Antonio DeLuca; with amendment (Rept. No. 505). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. House Joint Resolution 504. Joint resolution to facilitate the admission into the United States of certain aliens; with amendment (Rept. No. 506). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6442. A bill for the relief of Rocky River Co. and Macy Land Corp.; without amendment (Rept. No. 507). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 8948. A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation to reflect the increase in the cost of living and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GLENN ANDREWS:

H.R. 8949. A bill to amend the National Labor Relations Act to delete those provisions which permit employers to discriminate in regard to hire or tenure of employment to encourage union membership; to the Committee on Education and Labor.

By Mr. ANDREWS of North Dakota:

H.R. 8950. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CLEVENGER:

H.R. 8951. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLSWORTH:

H.R. 8952. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 8953. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. GREIGG:

H.R. 8954. A bill to amend the Safety Appliance Acts to require railroad cars to be equipped with certain luminous markings; to the Committee on Interstate and Foreign Commerce.

By Mr. KREBS:

H.R. 8955. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on the Post Office and Civil Service.

By Mr. MACKIE:

H.R. 8956. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. QUIE:

H.R. 8957. A bill to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures; to the Committee on Science and Astronautics.

By Mr. SCHEUER:

H.R. 8958. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. SCHMIDHAUSER:

H.R. 8959. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. SICKLES:

H.R. 8960. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

By Mr. ADDABBO:

H.R. 8961. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Commission on Post Office and Civil Service.

By Mrs. GREEN of Oregon:

H.R. 8962. A bill to amend the National Labor Relations Act to provide that individuals with religious convictions against joining or participating in a labor organization under a union security collective bargaining agreement shall not be required to join or contribute to the support of that labor organization; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.R. 8963. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. BURTON of California:

H.R. 8964. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. CAMERON:

H.R. 8965. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. COHELAN:

H.R. 8966. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. CORMAN:

H.R. 8967. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. DYAL:

H.R. 8968. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. EDWARDS of California:

H.R. 8969. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. HAGEN of California:

H.R. 8970. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. HANNA:

H.R. 8971. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. HAWKINS:

H.R. 8972. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. HOLIFIELD:

H.R. 8973. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. JOHNSON of California:

H.R. 8974. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. KING of California:

H.R. 8975. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. LEGGETT:

H.R. 8976. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. McFALL:

H.R. 8977. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 8978. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. MORRIS:

H.R. 8979. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. MOSS:

H.R. 8980. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. ROOSEVELT:

H.R. 8981. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 8982. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. SISK:

H.R. 8983. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. TEAGUE of California:

H.R. 8984. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. TUNNEY:

H.R. 8985. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. VAN DEERLIN:

H.R. 8986. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. CHARLES H. WILSON:

H.R. 8987. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. RESNICK:

H.R. 8988. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. O'HARA of Michigan:

H.R. 8989. A bill to promote health and safety in metal and nonmetallic mineral industries, and for other purposes; to the Committee on Education and Labor.

By Mr. MORTON:

H.R. 8990. A bill to provide for the control and progressive eradication of certain aquatic plants in the States of Maryland, Virginia, New Jersey, and Tennessee; to the Committee on Public Works.

By Mr. TALCOTT:

H.R. 8991. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. BOB WILSON:

H.R. 8992. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. EVANS of Colorado:

H.R. 8993. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 8994. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 8995. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. QUIE:

H.R. 8996. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. ROSENTHAL:

H.R. 8997. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. ROOSEVELT:

H.R. 8998. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. REID of New York:

H.R. 8999. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. DOWDY:

H.R. 9000. A bill to amend the Fire and Casualty Act of the District of Columbia to provide for the financial protection of certain persons suffering injury as a result of the operation of a motor vehicle by uninsured motorists; to the Committee on the District of Columbia.

H.R. 9001. A bill to strengthen the Motor Vehicle Safety Responsibility Act of the District of Columbia; to the Committee on the District of Columbia.

By Mr. ROYBAL:

H.R. 9002. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts; to the Committe on the Judiciary.

H.R. 9003. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General; to the Committee on Ways and Means.

H.R. 9004. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers; to the Committee on Interstate and Foreign Commerce.

H.R. 9005. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabilitation of drug abusers; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHMIDHAUSER:

H.J. Res. 506. Joint resolution to adopt a specific version of "The Star-Spangled Banner" as the national anthem of the United States of America; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 507. Joint resolution requesting the President to proclaim the last week in October of every year as National Student Council Week; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 9006. A bill for the relief of Ora Fux; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 9007. A bill for the relief of Karen Maloney; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 9008. A bill for the relief of Guiseppe Adamo; to the Committee on the Judiciary.

H.R. 9009. A bill for the relief of Venanzio Falzetti; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9010. A bill for the relief of Mrs. Ismay Paulina Mack; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 9011. A bill for the relief of Dr. Iraj Assefi; to the Committee on the Judiciary.

H.R. 9012. A bill for the relief of Miss Isil Feride Engin; to the Committee on the Judiciary.

H.R. 9013. A bill for the relief of Miss Dobrila Makic; to the Committee on the Judiciary.

H.R. 9014. A bill for the relief of Mr. Pasquale Provenzano; to the Committee on the Judiciary.

H.R. 9015. A bill for the relief of Dr. Hyung Je Yeon, Dr. Woon Bok Rhee, and En Chu Yeon; to the Committee on the Judiciary.

By Mr. RODINO (by request):

H.R. 9016. A bill for the relief of Dr. Abraham Ruchwarger; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 9017. A bill for the relief of Houry Der Sarkissian; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 9018. A bill for the relief of Hossian A. Meshkati; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

227. The SPEAKER presented a petition of the president, International Union of the United Plant Guard Workers of America, Detroit, Mich., relative to repealing section 14(b) of the National Labor Relations Act, which was referred to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

Tribute to the Guard Force at Electric Boat

EXTENSION OF REMARKS
OF
HON. WILLIAM L. ST. ONGE
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 10, 1965

Mr. ST. ONGE. Mr. Speaker, a word of praise to those who help protect our defense industries is always timely. I am sure many of my colleagues who have such installations in their district have had occasion to observe the devoted service and the loyalty of those entrusted with the task of watching and guarding over these installations.

We are very fortunate to have in my district of eastern Connecticut the Electric Boat Division of General Dynamics, located at Groton, Conn. Nearly 18,000 people are now employed there, working on the design and construction of Polaris and nuclear attack submarines, on the overhaul and repair of such ships, as well as on other ships for use in the Nation's defenses. They are not only loyal citizens, but skilled men, hard working and industrious. They point with a great deal of pride to the long history in the construction of submersible ships, including pioneering in the early perfection of diesel engines.

The record also shows a long and happy relationship with the U.S. Navy in the production of underseas craft of various classes and nuclear-powered ships, both Polaris and attack vessels. The quality of these vessels, I am sure the U.S. Navy will testify, is incomparable. An Electric Boat designed and constructed submarine has never been lost due to faulty construction.

At this time, I want to specifically pay tribute to the guard force, the men who watch and guard over these installations at Electric Boat. In 1923 there were only two watchmen during the day, Dan Sullivan and George Patton, stationed at the main gatehouse. There were four watchmen at night. In those days watchmen worked 12 hours. The watch force increased as the contracts for U.S. submarines awarded to Electric Boat grew in number. From 1932 to 1939 the watch force increased very slowly. From 1940 on, the force increased to a peak of almost 300 men and women in the 3 shipyards producing submarines.

At peak wartime construction, Electric Boat was turning over to the Navy a completed submarine every 2 weeks—an unprecedented record. In 1944 the workmen voted by secret ballot to join the American Federation of Labor union. The guards were charter members, in joining the AFL. They were given their own charter signed by the then Secretary George Meany, of the AFL, today president of AFL–CIO. The Metal Trades Council then was formed uniting all the workers. Again the guards were charter members in joining the Metal Trades Council.

After World War II was over, submarine building was drastically curtailed and the guard force was reduced in size, to approximately 50 people. Then came the Korean conflict of 1950 and the start of nuclear-powered submarines.

Under the leadership of its vice president and general manager, Mr. O. P. Robinson, Jr., Electric Boat, working in close cooperation with the U.S. Navy and Adm. Hyman J. Rickover, the U.S.S. *Nautilus* was designed, constructed, and launched. The results are history; the United States produced the world's first atomic-powered submarine.

In conforming with the Security Act of 1950, Electric Boat appointed Capt. Eric L. Barr, U.S. Navy, retired, as its security director. As a former submarine officer, Captain Barr had an outstanding record, and under his supervision at Electric Boat adequate security measures were introduced and are still in effect today. The record will show that they are faultless.

The Electric Boat guard force has the distinction of guarding Presidents of the United States, their wives, dignitaries from foreign countries, top military men, Members of the U.S. Senate and House of Representatives, and other VIP's during their visits to Electric Boat. They have handled many a would-be crisis, including pacifisits, sabotage, espionage, subversive activities, fires, thefts, and also handled various other duties pertaining to the protection of this defense installation.

The quality of work turned out at Electric Boat is known throughout the world and takes first place among leaders of workmanship in the submarine field today, in both design and craftsmanship. The skill of the labor force has been cited time and time again. They have responded to do a better job for their country on many occasions. This is the reason why I am pleased to commend the force which is responsible for the protection of these programs and all the various duties connected with them.

The versatility of the Electric Boat guard is numerous; he performs in the background quietly, but effectively; it is security at its best and the record proves it. They are proud of their record and proud of the part they are playing in their country's efforts to protect its citizens.

A few facts about the guard force at Electric Boat:

First. Average age 37 years.

Second. Three-fourths of the force have military service for their country—World Wars I, II, or Korea.

Third. No discrimination of race, color, or creed.

Fourth. No great turnover; all are cleared for secret or higher clearance.

Fifth. Well trained.

Sixth. Belong to State and local law-enforcement agencies.

Mr. Speaker, it is with pride and pleasure that I commend these men of the Electric Boat guard force for their untiring and unselfish efforts, their constant vigilance in protecting the U.S. Polaris and nuclear weapons, programs, designs, and personnel, in the highest traditions of our country. As Representative of the Second Congressional District in Connecticut, it gives me great pleasure to have men of this caliber in my district. I want to thank them for a job well done and to urge them to continue their relentless loyalty toward the United States of America and the company with which they are associated.

Philippine Independence Day

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 10, 1965

Mr. POWELL. Mr. Speaker, on June 12, 1898, the great and distinguished patriot of the Philippine Islands, Gen. Emilio Aguinaldo, declared the independence of his country from Spanish rule. The historic day is honored and celebrated by the people of the Philippines as a national holiday. On this important anniversary, I would like to extend warm congratulations to His Excellency, the President of the Republic of the Philippines, Diosdado Macapagal, and to His Excellency, the Ambassador of the Philippines to the United States, Oscar Ledesma.

The Philippines is located in one of the most troubled parts of the world. Not far from its shores are the crisis areas of southeast Asia: Vietnam and Laos. Its neighbors, Indonesia and Malaysia, are embroiled in a bitter feud with each other. The Philippines is one of the few stable and serene features in a landscape of conflict and confusion. What is the explanation for this phenomenon?

There are many contributing factors, but none are as important as the long history of responsible democratic government in the Philippines. The United States can afford to show some pride in this achievement, because its administration of the Philippines was from the first declared to be temporary in nature. We had as our goal the development of institutions which would permit and encourage the eventual establishment of a free and democratic government.

That momentous occasion arrived on July 4, 1946, the day the Philippine Islands became the independent Republic of the Philippines.

Ever since then, the Philippines has been a valued friend and ally of the

United States. Our country has a profound interest in the welfare of the people of the Philippines because of our long and close association with them. While minor irritants have arisen occasionally—as between all good friends—the underlying mutuality of outlook on the important matters has kept the basic fabric of our friendship intact.

I know that all Americans join me in saluting the people of the Philippine Islands on the anniversary of their independence.

How To Avoid a Coinage Crisis While Reducing the National Debt

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. HOSMER. Mr. Speaker, for the information of the public I have asked that the letter I have today addressed to my colleagues be reproduced in this RECORD:

House of Representatives,
Washington, D.C., June 10, 1965.

DEAR COLLEAGUE: In almost no time the bill to remove silver from dimes, quarters and half dollars will be on the floor for action. The haste in enacting this legislation is understandable because changing the people's money is a touchy business. When it has to be done action should be expeditious. The world shortage of silver makes such action necessary.

The issue here is not whether the new coinage legislation should be enacted. It should be.

Rather the issue is what provisions it should contain to manage wisely the transition period from our old silver coinage to the new nonsilver coinage.

Gresham's law that good money is driven out of circulation by bad money has not been repealed. It will go into full operation when these new coins of nominal intrinsic value start circulating side by side with present silver coins which are intrinsically valuable. People will start to hoard the coins and we are headed for one of the most drastic coin shortages this Nation has ever faced. You are seeing the beginnings of it already.

The mint cannot possibly keep up with the demand for new coins and the consequent public inconvenience will be politically explosive. The only remedy being asked by the administration is standby authority to issue regulations against melting down coins for the purpose of selling their silver content at a profit when the price of silver eventually goes up. Shortage of U.S. silver stocks will not permit sale of silver for long at the Treasury's $1.29 per ounce price. Thereafter the price could climb as high as $2.50 according to monetary experts.

To avoid the impending coin shortage crisis—or to ameliorate it when it comes—I will offer two amendments to the bill giving the Secretary of the Treasury discretionary authority as follows:

1. To add a small quantity of very rare metal (to be selected by him) to the new coins and to establish a monetary price on this rare metal equal to the value of the silver in existing coins. This will keep the old and new coins at parity in intrinsic value and tend to avoid the operation of Gresham's law.

2. To issue paper fractional currency in 10 cents, 25 cents, and 50 cents denominations if needed for the public convenience in carrying out daily transactions under conditions of a coin shortage.

The bill before us also neglects to provide for another important subject—the matter of seigniorage. This is the profit the Government will make on the difference between the face value of the new coins it issues and its cost of making them. This profit will be at least 80 percent of the face value of each coin and probably more.

The value of present coins in circulation is $2,230,100,000. Thus the seigniorage—profit—on replacing them will be about $1,780,080,000. During the estimated 3-year replacement period, increasing needs for new and additional coins will amount to around $1,150 million for another $920 million profit. Total profit: $2,700,080,000.

Thereafter the Treasury should continue to make around one-quarter billion dollars a year profit on additional new coins it issues.

In fairness to the citizen public whose money is being tinkered with I think these seigniorage profits should be applied against the national debt rather than allowed to be sublimated into a mass of Treasury statistics, the net effect of which would be to make the administration budget look $2.7 billion better. I will offer an amendment for this purpose also.

I surely hope you may agree that these three amendments will assist us to handle a difficult situation in a better way and that you will support them when offered.

Thank you for your courtesy and consideration.

CRAIG HOSMER,
Member of Congress.

Let Us Speak Loud and Clear in Support of the War Action of Our Overseas Forces

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. AYRES. Mr. Speaker, four servicemen from my district have lost their lives in Vietnam. I am certain that my district is not unique in this regard.

Still there are many, even in the highest governmental posts who will not admit that we are in a shooting war. Now we are told that the American forces are sometimes to be considered as combat troops in Vietnam.

The Vietcong and their Chinese Communist supporters have shown no doubt about this being a shooting war. Our American troops have been their targets. The casualty lists show that they are intensifying their efforts.

This is war. Those members of our armed service who survive should be regarded as war veterans. Our Government has refused to so consider them. This is an injustice that should be immediately rectified.

On January 12, 1965, I introduced a bill (H.R. 2364) titled the "Overseas Veterans Readjustment Benefits Act of 1965." This measure would have given the discharged servicemen of Vietnam and the Dominican Republic some of the benefits that other veterans of shooting wars have received.

I am of the belief that the Veterans' Affairs Committee should give consideration to legislation that would place the veteran of Vietnam or other combat areas on an equal footing with the veterans of other wars. I shall ask the committee to expedite this subject.

I must take exception with the Defense Department on this matter. In a letter to me, they have stated that they do not favor such proposals as mine "during a so-called peacetime-cold war period."

I say that we should not deny our fighting soldiers their full rights and privileges under the subterfuge that the battlefields that they have just left, or are fighting on, are of a peacetime-cold war nature.

It had been my hope that the Commander in Chief of our Armed Forces might personally endorse a measure that would give adequate protection of rights to these veterans. Certainly such action would benefit the morale of our fighting men.

Action on this matter should be taken at this session of the Congress. I will work toward this end.

I am pleased to see that the Republican policy committee has fully endorsed action that would give adequate protection to our men serving on the firing line.

Just last week, I attended the funeral of a fine, patriotic citizen of my congressional district. He had lost his life in Vietnam. I am speaking of the late Air Force pilot, Capt. Andrew Kea. I had known him for many years. His father was a good friend. Captain Kea was a brave man. He had made the supreme sacrifice for his country. Now at the early age of 35, he was dead.

Can we tell his brave widow and two young children that their father died as a fighting soldier or must we say that he was just an observer?

As I followed the caisson bearing Captain Kea's body to its resting place in Arlington Cemetery, I could but feel that I was attending the funeral of a casualty of war. It would be degrading to him and to those others who have lost their lives in Vietnam to think anything less.

I would not disguise from you, Mr. Speaker, that I, too, had concern for my own son, serving in the Far East. While the fortunes of war have spared him, every parent must know that death can come to anyone in the armed services.

Death in combat has come to four boys from my 14th Ohio District. The first to go was Pfc. Paul Heltsley III, who was killed by a Vietcong sniper in July of last year.

Within the past week, two other members of the Armed Forces in Vietnam have been killed. They were Sgt. George Howard Frazee, Jr., and Corp. Frank Wilson. Both of these men were killed in helicopters.

Thus, in this one congressional district, four servicemen have been destroyed. Let us recognize their great ultimate contribution to their country by giving full recognition to them and their surviving comrades in arms.

I cannot close, Mr. Speaker, without urging that we all speak out on our unification of purpose in combating our Far Eastern Communist foes.

Let us speak loud and clear in support of the war action of our overseas forces. Let us drown out the voices of those who serve the interests of our enemies by attempting to mislead our people.

As I returned last week from the burial of the hero who gave his life for us, I passed the White House. Here, in full view, was a group of beatniks who were picketing the President of the United States. In their eyes, he was the warmonger and our enemies were in the right. I was sickened.

I certainly hope that Captain Kea's widow and children took a different route back from the funeral and were spared this disgraceful sight.

Recent Books on Major U.S. Policies

EXTENSION OF REMARKS

OF

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. OTTINGER. Mr. Speaker, I should like to take this opportunity to call to the attention of our distinguished colleagues two books which have recently been published by Oceana Publications of Dobbs Ferry, N.Y. These books, which deal with separate but vital aspects of our present foreign and domestic policies, are "Breakthrough to the Great Society" by David Cushman Coyle, and "Vietnam: A Diplomatic Tragedy," by Victor Bator.

Mr. Bator, an international lawyer and former diplomat, documents the history of the U.S. involvement in Vietnam from the policies of President Eisenhower and Secretary Dulles in the mid-1950's. He points out that we must now live with the policies which were promulgated at that time. Mr. Bator contends that patient diplomacy should have been utilized in this area instead of the military action which was actually employed and which has continued.

In "Breakthrough to the Great Society," with forewords by the distinguished Senators from Illinois and Pennsylvania, Messrs. DOUGLAS and CLARK, David Coyle analyzes the Federal Government's basic responsibility to take action to meet the needs of the country and to recommend ways of using national economic power to meet those needs. The author delves particularly into the impact of automation on the American economy and examines the use of education as a solution to the technological unemployment caused by automation.

Mr. Coyle, author of several works on national and international affairs, has skillfully utilized the testimony before various congressional committees on the war on poverty in discussing many of the problems which confront the United States today. He treats creatively subjects of vital domestic importance such as the rehabilitation of the handicapped, conservation of natural resources, and public finance.

Mr. Speaker, I am certain that many of our colleagues would find these books both timely and of interest.

U.S. Policy in Vietnam

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address which I delivered on Saturday, June 5, 1965, on the occasion of the 10th anniversary of the founding of Post 10004, Veterans of Foreign Wars, at Jewett City, Conn., in my district. In this address I discussed the situation in Vietnam and I emphasized the fact that our Government is pursuing the right policy there.

The text of my address follows:

ADDRESS BY CONGRESSMAN WILLIAM L. ST. ONGE

Commander Kowalski, officers, and members of post 10004, friends, it is a great pleasure for me to be here with you on this occasion when you celebrate the 10th anniversary of your post in Jewett City. I am very happy that Henry Pincherra, past State commander who originally installed this post 10 years ago, is here today. I am sure he is very proud, as we all are of your post and its accomplishments over the past decade. As a member of the VFW and as one who is almost a neighbor of yours, I am familiar with some of your activities and, therefore, wish to take this opportunity to commend you for all you have done.

I should like to devote my remarks to a discussion of the situation in Vietnam, where we are presently embroiled in a war. Naturally, it is very much on our minds to keep this war to a limited basis, not to let it get out of hand and become another world conflagration. Most of all, we are interested in bringing the conflict to an early termination, so that the bloodshed may cease and our men may return to their families.

This possibility, of course, is easier said than done. We are dealing with a ruthless and fanatic enemy—and let me say at the very outset that the real enemy in this case is not the Vietnamese people, but Communist China which stands in back of the North Vietnamese and is egging them on to wage their attack on South Vietnam. In other words, Communist China is merely using the North Vietnamese as a tool against the free world. As a matter of fact, North Vietnam could not wage this war, except on a very limited basis, were it not for the substantial help it has received and is receiving from Communist China.

The situation in Vietnam has during the past year assumed large proportions all over the world and has become a matter of universal concern because of the grave threat it poses to world peace. I have received letters from people who want to know why we are there, why don't we get out of Vietnam, and why don't we enter into peace negotiations with the Communists, and similar questions.

The official reason given by our Government for U.S. presence in Vietnam is that we were invited to help that Republic, created by the Geneva Accord of 1954, to organize and defend itself. It is also obvious, however, that we are in Vietnam because we think it is in our best interests and for the security of our country and the whole free world to see that the Communists do not gain control over it. Our military and economic assistance to Vietnam is almost certainly the major factor which has prevented that country from falling victim to Communist guerrilla warfare directed from the north. Consequently, it is perfectly clear that our presence in Vietnam is abhorrent to Red China and its stooges in North Vietnam.

Let me emphasize the point that the conflict in Vietnam cannot be separated from, or viewed apart from, the context of the balance of power in the Far East and the larger scheme of world affairs. Communist China would very much like to have a free hand to exercise its influence and power in southeast Asia. Indeed, its leaders have already called for "a war of liberation" against Thailand. They did not, of course, bother to ascertain whether the people of Thailand want to be liberated, Communist style.

It is perfectly obvious that the fall of Vietnam to the Communists would be followed shortly thereafter by a similar conflict and the establishment of Communist dominion over Thailand.

Malayasia's position would become untenable. Burma and India, and possibly Pakistan and other countries in that part of the world, would find themselves outflanked and at the mercy of a hostile power which has already seized a number of strategic mountain passes leading to those countries. With a situation of this sort developing in the Far East, how long do you suppose it would be before Australia and New Zealand were confronted with this threat? Or Korea, Japan, and Formosa? Or the Philippines? Or even Hawaii?

The basic questions being asked by the American public are these: Is it in our best interest to assist the Republic of South Vietnam maintain its identity? Is it in our best interest to frustrate Communist Chinese designs on southeast Asia? For the past decade the judgment of our national administrations under both political parties has been and still is "Yes" to both questions. Moreover, we have by treaty solemnly committed ourselves to this course—and the United States has not made a habit of breaking its international treaties.

The fact of the matter is that the United States cannot and will not enter into negotiations at the point of a gun. It has not done so with any adversary throughout its nearly two centuries of existence, and it will certainly not do so with the Communist who openly advocate our destruction. When peace negotiations are to be undertaken, we must enter into such negotiations from a position of strength and in the interest of world peace.

We have always been and still are a peace-loving people. We do not wage aggressive wars for conquest. We stand for peace, we want peace and we want it very badly. Yes, the United States will negotiate and President Johnson has stated on several occasions that he is willing to go anywhere and anytime to discuss matters of world peace. We shall not do so at the point of a gun or when the terms are set in advance.

In this connection, I think it would be wise for us to recall the words of the late President Kennedy who said: "Let us never negotiate out of fear. But let us never fear to negotiate."

I am convinced that the Chinese Communists would like to take us on eventually in an aggressive war in southeast Asia. That is why they are constantly spreading hatred of America and presenting us in the image of imperialists in the eyes of other nations in Asia. Therefore, it should be clear to all of us that the closer we keep our line of defense to Red China, the better off we shall be in the long run.

In February, when the United States started bombing North Vietnam, the war entered into a new phase. The United States is showing that it means business, that we are taking our commitments seriously, that we have adequate power to maintain our position and the moral courage to persevere and we are not a "paper tiger," as the Chinese believe us to be. The United States is also making it as clear to the Chinese as possible that we are not going to accept their terms, and that we are not going to retreat from that part of the world and give Communist China a free hand to extend its domination. Furthermore, the United States is showing the Red Chinese that they cannot get away with aggression against their neighbors and against the free world.

I am in favor of President Johnson's policy in Vietnam because I believe it is right and it is in the interest of our country. It is most unfortunate that we have to bomb those places and that we have to send our men to fight there, but we have no other recourse. War is always dirty, but then again, guerrilla warfare of the type in operation in that country is the most hellish and the dirtiest imaginable. The Communists are using force, terror, persecution, cruelty, and deception of every kind in their efforts to gain control over Vietnam because this would open the gates for them to eventually establish their domination over all of southeast Asia.

Whether we like it or not, we are faced with a bad situation—a situation that cannot be handled with kid gloves. We have had to retaliate, we have had to bomb them, we have had to send in our men to do the job. Certainly, we are losing some of our men there, certainly, there is great danger of escalation of the war. But we are doing our best under the circumstances to keep the number of casualties down and to keep the danger of escalation at a minimum. For this reason we are concentrating primarily on bombing military targets, railroad facilities, depots, bridges, and the like. We have avoided bombing the North Vietnamese capital of Hanoi. We stopped our bombing recently for nearly a week in the hope that the Communists would show some sign of willingness to sit down and neogtiate with us. But it was all in vain—not the slightest indication that they want to talk peace.

Under those circumstances, it would be a very grievous mistake on our part to pull out of Vietnam. For one thing, it would immediately be interpreted by the whole world, by friend and foe alike, as a sign of weakness on our part. The nations of the free world would see it as a sign of our unwillingness to defend the free world and, in turn, they would be reluctant to support us. The Communists would interpret it as a sure signal to go ahead with their plans to subjugate other nations and to take over one country after another. I believe that within a year or a year and a half we would be facing the same situation in the Philippines as we are facing today in Vietnam. If we gave in there, the next step would be Hawaii, and then the Western Hemisphere.

So you see that much depends on the outcome in Vietnam where our whole southeast Asia policy is at stake. But it is not merely southeast Asia alone, it is also our own defense that is at stake. This is not a matter to be easily dismissed or ignored. It is for this reason that I say to you today—and believe me that much thought has gone into it over these many weeks—that our Government is doing the right thing in Vietnam. It is pursuing the right policy there, because to do otherwise would be almost suicidal for us.

Now, I know that we are not a very patient people. We would like to see this situation over with as soon as possible. But this is exactly what the Communists are trying to exploit for their purposes. In addition to fighting men, modern weapons, and wise diplomacy, we also need a considerable amount of patience to match the patience of the Chinese. By now it should be clear to all that the conflict in Vietnam is not going to be resolved overnight, or in a few months, or even in a year. Experts are talking in terms of 5, 6, or 7 more years. We cannot afford to waiver, we cannot afford to weaken, but we must see this thing through.

It is worth remembering too that our intervention in Vietnam began about a decade ago under the Eisenhower administration, although the buildup in manpower did not start until about 4 years ago. President Johnson is anxious to reach a settlement in Vietnam, but we cannot simply pull out or surrender. The President has stated on several occasions that the United States will "not grow tired" in Vietnam and it will "not be defeated." At the same time, he has made it clear that the United States has no desire to conquer North Vietnam, and that "there is no purely military solution in sight for either side." In other words, the Communists must realize that fighting is no longer profitable, that North Vietnam is being shot up and gradually destroyed, and that it is becoming more and more a drain on Red China. When they realize that, then they will be ready to talk peace.

Thus, they are hanging on because they believe we are weak, we are decadent capitalists, we are exhausted, and our patience is about gone. They believe that our people are divided and are clamoring for peace and for getting out of Vietnam. I believe they are mistaken. Germany made the same mistake in both World Wars. Japan made the same mistake, and so did Communist China during the Korean conflict. They are repeating the same mistake today.

I believe with the President that the United States will not weaken, it will not grow tired. I believe it will see this thing through, no matter how long it takes. We have much more at stake here than mere honor or glory. The whole future of the American people and of the entire free world is at stake. The sooner and the better the whole world understands our position, the more hopeful this position will become and the greater will be the chances for ultimate victory.

George Washington once said:

"Let us raise a standard to which the wise and honest can repair; the rest is in the hands of God."

I believe that the American people are wise enough and honest enough to see the standard that has been raised and what it represents for us now and in the future, and I think they will rally to this standard. For the rest, we must trust in God.

And so, in conclusion, I want to leave with you the thought expressed so well by a modern-day American poet, Russell Davenport, who in his epic poem, "My Country," says as follows:

> "Freedom is not to limit but to share,
> And freedom here means freedom everywhere."

Wilbur J. Cohen

EXTENSION OF REMARKS

OF

HON. WESTON E. VIVIAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. VIVIAN. Mr. Speaker, today you administered the oath of office to an extraordinary public servant: Wilbur J. Cohen, who today became Under Secretary of the Department of Health, Education, and Welfare. Wilbur Cohen is a man who has served his country for many years, devoting to it his incisive mind, his unrelenting determination, his inexhaustible energy—and most of all, his love of and respect for people.

When in 1961, Wilbur Cohen was appointed Assistant Secretary for Legislative Affairs of the Department, by President Kennedy, he was serving as a professor of public health at the University of Michigan, in Ann Arbor. But teaching was only a part of Wilbur Cohen's lifework. In the early 1930's, after graduation from the University of Wisconsin, he came to Washington to enter the fight for social decency that during that period drew so many young men and women into the Government or into the labor movement. He was one of the drafters of the original legislation establishing the Social Security Act, and remained with the social security agency, in a number of policy positions, for over 20 years.

But as anyone who knows Wilbur Cohen is well aware, Mr. Speaker, the most impressive thing about this man is not his background—it is the man himself.

Even now, at his most productive years, Wilbur Cohen has retained the idealism and energy of youth. To Wilbur, the issues have not dulled, the zest for challenge has not faded, and his drive continues to provide others opportunity to achieve greater dignity and security.

His record as chief legislative architect, and advocate, for the Department is to me unsurpassed in the Federal Government. Prior to the beginning of this 89th Congress, he and his associates had succeeded in creating and piloting through Congress over 40 important bills. During the first 5 months alone of this 89th Congress, Wilbur Cohen has guided through this House such major legislative acts as the Elementary and Secondary Education Act, the Older Americans Act, and the Water Resources Planning Act; and, after years of attempts, he has seen adopted by this House, the Social Security Amendments Act which provides hospital and medical care for the elderly under social security—an act often called the Medicare Act.

Earlier today, Mr. Speaker, you presented to Wilbur the gavel you used on April 8 of this year, the day the medicare bill passed the House. Wilbur Cohen's work day on that day of April 8th is indicative of the unrelenting energy that this man devotes to his work. April 8th was the 27th wedding anniversary of Wilbur and his wife Eloise. Early on that day, we, in my office, received an unscheduled but much enjoyed visit from the then Assistant Secretary, who had come by to see his "bride", Mrs. Cohen, who was helping my office staff. He then went to the committee rooms of the House for the entire day and early evening, staying with the legislative leaders for the bill, until the bill was passed. He had waited for this day for over 30 years. Then, he and an aide rushed to the Senate to work out a sticky problem on the water pollution bill, remaining until 10:30 in the evening. Returning, Wilbur stopped in to pick up his understanding wife and go out to a quiet dinner to celebrate the day.

Our colleague, Mr. King, of California, recently praised Wilbur Cohen by describing him as "one of those Government officials ready to risk their reputations and their professions to do their duty as they see it." As most of the Members know, Wilbur Cohen is an articulate and aggressive advocate for the ideas and programs in which he believes. Those of us who have had the opportunity to observe him know he is invariably well informed and eager to educate or be educated.

But Wilbur Cohen's extraordinary energies, talents, and good spirits are not conserved for just legislators and administrators. The Cohen's home nearby is located on almost three acres of rolling wooded land—a touch of citybound wilderness, a land of fascinating diversions for the very young. To watch Wilbur Cohen dig and explore; race and chase; trek off with youngsters to track the wildest of imagined lions and tigers, is a happy experience. On Sunday, little boys with balls and bats and toy guns can absorb the total attention of this fine man, and stir all the abilities that we on the Hill have learned to expect and appreciate from him on the other 6 days of the week.

Mr. Speaker, I am sure it pleases all who know him, that President Johnson has promoted Wilbur Cohen. It would be difficult for me to bring to mind recognition more deserved. I was proud and happy to attend today, with other Members of the Michigan congressional delegation, the ceremony in which you, Mr. Speaker, administered his oath of office. I would surmise that seldom have you performed that task for a man who brought greater talent, experience, and energy to public office.

The 50th Anniversary of the Ordination of Josef Cardinal Mindszenty

EXTENSION OF REMARKS

OF

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. ROONEY of New York. Mr. Speaker, on Saturday, June 12, the Roman Catholic primate of Hungary, Josef Cardinal Mindszenty, and his admiring friends will observe the 50th anniversary of his ordination into the priesthood. This devoted and dedicated prince of the church will not, however, be allowed to take part in person in this rare celebration because he is not free to do that in his native Hungary. Godless Communists who rule there have been harassing him even in his sanctuary in the U.S. legation in Budapest.

Since his elevation to the college of cardinals in 1946, this kind and peace-loving servant of the church has been at odds with the Communists who rule Hungary. He has been fighting for the restoration of freedom, human rights, and the guarantee of the basic rights of his church. He is one of the greatest leaders of resistance to communism and, at the same time, one of the greatest of all freedom fighters. However, since 1949 he has not been free. For a while in the abortive October revolution of 1956, he was freed, but before he could celebrate his first mass as a freeman, he was forced to flee to the American legation for his safety. And there he has been since then, enjoying all the privileges the legation is in a position to grant him, though it unfortunately cannot grant him freedom from persecution by the Hungarian Government.

Mr. Speaker, on the 50th anniversary of his ordination let us all hope and pray for the release and safety of the 73-year-old freedom fighter, Josef Cardinal Mindszenty, the Roman Catholic primate of Hungary, and for the fulfillment of his crusade for a Hungary in which the whole fabric of society would be permeated with the spirit of Christianity.

Traffic Relief Contest

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. MURPHY of New York. Mr. Speaker, a most interesting public service program is being developed in New York by Robert Joseph, a prominent real estate executive, in cooperation with the United Taxi Owners Guild, and many leading New York citizens.

The program seeks to develop new suggestions aimed at traffic relief. Inasmuch as the problem of growing traffic congestion relates to all of our urban areas, I would like to have the following material placed on record detailing some of the efforts of private individuals to curb mounting traffic congestion.

Traffic congestion threatens to strangle the economic life of New York and something practical must be done about it—with this in mind, a group of prominent real estate executives, public officials, civic and business leaders have organized a traffic relief contest to be run on an annual basis.

Robert Joseph, chairman of Robert Joseph & Co., Inc., a real estate firm, conceived of the contest and helped organize it. His company is posting $500 in prizes to help stimulate specific and imaginative solutions to the traffic dilemma. Cosponsor of the contest is the 2,000-member United Taxi Owners Guild.

The contest will be open to any licensed real estate broker or salesman and to licensed taxicab drivers and owners. The entrant must submit in writing a description of his idea on how to help ease the traffic problem. The idea can involve a limited intersection or traffic artery, or may span a large geographic area.

The entries must be submitted on or before June 15. They must be no more than 500 words in length, and must pertain to any or all of the five boroughs of the city.

The entries are to be submitted to Assemblyman Alfred A. Lama, 395 Pearl Street, Brooklyn. Mr. Lama has accepted the position of secretary of the committee.

The first prize will be $300 in cash; the second prize, $200, and both will be presented at a luncheon.

Members of the panel of judges include: State Senator Thomas J. Mackell, Democrat, of Queens; State Senator Frederic S. Berman, Democrat, of Manhattan; City Councilman Thomas J. Cuite, Democrat, of Brooklyn; Assemblywoman Aileen B. Ryan, Democrat, of Bronx; Congressman John M. Murphy, Democrat, of Brooklyn-Staten Island; Herman B. Glaser, president of the New York State Association of Trial Lawyers; Leon Teuch and Salvatore Baron, president and executive manager respectively of the United Taxi Owners Guild; and State Senator Guy James Manago, Democrat, of Brooklyn.

The traffic suggestions will be offered to the city as a public service in an effort to focus attention on the problem and in an attempt to develop worthwhile ideas that could lead to an improvement in traffic control.

The city, under Commissioner Barnes, has done a heroic job and the committee feels that the citizens who have a stake in seeing that traffic congestion is eased, can offer much in terms of good concepts.

The cabdriver and the real estate man live with this problem everyday, and their attention to the problem may prove extremely rewarding to the city.

Education in the Modern World

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. ST. ONGE. Mr. Speaker, under leave to extend my remarks, I wish to insert into the Record the text of an address which I delivered at the commencement exercises of the Mairanapolis Preparatory School, Thompson, Conn., in my district, on Sunday, June 6, 1965. My son, William H. St. Onge, was one of the graduates of this very fine school. Needless to add, I felt quite proud to participate as guest speaker on this occasion.

The theme of my address was education, and I emphasized particularly the accomplishments of the U.S. Congress in the field of education during the past few years.

The address was as follows:

COMMENCEMENT ADDRESS OF CONGRESSMAN WILLIAM L. ST. ONGE

Your Excellency Bishop Hines, Father Petrauskas, reverend clergy, honored faculty, members of the graduating class, ladies, and gentlemen, I am delighted to be here on this very happy occasion. I am very grateful to Father Petrauskas for inviting me to address you today because I have more than just a passing interest in this celebration. My presence here today is not merely as a public official and as one who is deeply interested in the Marianapolis School, but also as a proud parent.

First, let me say that I shall try to keep my remarks as brief as possible. I am reminded of the experience which a colleague of mine in Congress from a neighboring State had on Memorial Day last week. When he arrived at the meeting, the chairman handed him a note which said:

"Our Memorial Day program includes a talk by the mayor, a recitation by a student, then your speech, and then the firing squad."

No doubt it has been emphasized to you that Marianapolis is a preparatory school, as its name states. But it would be erroneous for you to think that your preparation ends today. On the contrary, it begins today. The more preparation you have, the more basic knowledge you acquire, the better you will be able to meet the challenges of the future. You have reached a good starting point, you are on the threshold of a new and wonderful life ahead—a life that holds much promise for you. You are now about ready to face the world.

Marianapolis has given you an excellent start, I am sure. By modern standards, this is not considered a large school. But it is intensive, it seeks to develop both body and soul, it aims to sharpen the mind and to mold the character of its students. Above all, it encourages them to think clearly in accordance with Catholic principles and with their own conscience as Catholics. All of this should enable you to continue with your studies on the college and university level in the years ahead. When you get to the college or university next fall you will first then begin to appreciate what Marianapolis has done for you and how well it has prepared you to face the world.

You may find that the world is rather a complex thing, the requirements are many, the challenges are almost insurmountable. At times it may not even make sense to you. Let me quote to you a brief passage from the opening paragraph in Charles Dickens' "A Tale of Two Cities." Surely, you have read it and will recall how Dickens describes that period in human history. It reads as follows:

"It was the best of times, it was the worst of times; it was the age of wisdom, it was the age of foolishness; it was the epoch of belief, it was the epoch of incredulity; it was the season of light, it was the season of darkness; it was the spring of hope, it was the winter of despair; we had everything before us, we had nothing before us."

How much like the present is the period which Dickens describes. We, too, in our day, are faced with the dilemma of having everything before us, or nothing before us. Upon our efforts, our will, and our actions today and in the years ahead will depend whether we and future generations will have everything before us—and by that I mean freedom, justice, human dignity, and genuine peace—or whether we shall have nothing before us, which in this instance means enslavement, human degradation, a godless society, and the destruction of our civilization and our way of life.

Russell Davenport, in the last two lines of his epic poem, "My Country," says as follows:

"Freedom is not to limit but to share,
 And freedom here means freedom everywhere."

The people of America have long ago recognized the importance and the value of freedom. We have sought to share it with other nations. We have fought hard to maintain it in our own country. We have realized that before a man can be a good scientist, a good engineer, a good teacher, or whatever he may aspire to be, he must first be a rational human being, believe in the ways of God, cooperate with his fellow men, and be able to find his proper place in society. It is the concept of freedom which makes the difference between life in a democracy and life under a Communist dictatorship.

A major part of the concept of freedom is the acquisition of knowledge, the education of our youth. In recent days we hear much about the war on poverty and the use of education to fight poverty. For too many Americans, poverty is still a bar to the education of their children. But today we are well aware of the fact that poor educational attainment goes hand in hand with poor economic, social, and cultural achievements. Small wonder, then, that the war on poverty is putting so much stress on education.

Actually, this is not a very new idea. The need for education in a democratic society was recognized by Daniel Webster, who stated 140 years ago:

"Education should be universally diffused. Open the doors of the schoolhouse to all the children of the land. Let no man have the excuse of poverty for not educating his children."

Since the days of Daniel Webster the need for education for all Americans has become greater and more urgent. Congress has recognized this fact and in recent years has enacted a series of measures to bolster our educational system and to attain a goal for which all of us are striving, namely, quality education for every American child from kindergarten on, including those who are seeking higher education.

A similar thought was expressed earlier this year by President Johnson who said:

"I wish to see an America in which no young person, whatever the circumstances, shall reach the age of 21 without the health, education, and skills that will give him an opportunity to be an effective citizen and a self-supporting individual."

As many of you undoubtedly know, I first came to Congress in January 1963—less than 2½ years ago. Much important legislation has been adopted in this short space of time, but to my mind the most important of all is in the field of education. More has been done to advance education and to achieve our goal of quality education for all American children in these past few years than ever before. As yet, it is too early to visualize the great impact this legislation will have on our educational process, our youth, our whole Nation, but its effects will surely be felt more and more in the years to come and, I am certain, for the good of all concerned.

Let me just enumerate some of the more important measures adopted by Congress in these last few years. Unfortunately, time will not allow me to discuss them in greater detail.

The Higher Education Facilities Act of 1963, which provided $1.2 billion for the construction of college classrooms, laboratories, and libraries over a 3-year period to help meet the population explosion now hitting the American colleges and universities.

By 1970, enrollment in our colleges is expected to reach 7 million—which is twice as many as we had in 1960. This act will enable hundreds of thousands of young people to enter college, who would have otherwise been deprived of such an education.

The Health Professions Educational Assistance Act of 1963: This is also a 3-year program which makes available $175 million in grants for the construction and expansion of medical, dental, and related health school. The purpose of this act is to ease the increasing shortage of doctors and dentists, and to assist young people in entering these fields.

The Vocational Education Act of 1963: This is a 4-year program which authorizes $956 million for vocational education. We now have some 4 million young people in the country receiving vocational education, and by 1968 their number will also reach 7 million. The purpose of this legislation was to shift the emphasis away from outdated job skills into teaching these people new, modern, and up-to-date job skills needed in the rapidly changing American economy.

The National Defense Education Act: This act was greatly improved in 1964 and extended for another 3 years. It provides loans for needy college students, fellowships for college teaching, as well as certain benefits to private schools and teachers in private schools. You may be interested to know that under the loan program a total of 318,000 students borrowed $170 million to help pay for their college education during the current school year, 1965, and it is estimated that by 1968 some 450,000 students will obtain about $265 million in such assistance. This merely shows how helpful the program is, and the extent to which it is aiding our college youth.

And allow me to say a brief word about the programs which provide aid to school districts in the so-called federally impacted areas. These are the areas where there are Government military and civilian installations which brought in many families and children. The local school districts were not able to cope with this influx and Congress voted some years ago to extend help to these school districts. In round figures, about $250 million a year is provided annually which benefits nearly 2 million children. Connecticut has been receiving about $4½ million under this program, and the number of children in our State who benefit by it is around 14,000. Incidentally, the first bill I introduced when I came to Congress in 1963 was to extend this program for another 2 years because I had discovered that it was due to expire at that time.

There are many others that I should like to discuss, but time won't suffice. I shall only mention such programs enacted by Congress in the last few years as the Library Services Act to build more libraries, the Nurses Training Act to provide more nurses and nursing schools, education for the blind and the deaf, educational assistance to children of disabled veterans, education for handicapped and crippled children and the mentally retarded, and others.

There are, however, two other programs I cannot omit. One is the Higher Education Act of 1965 which is now under consideration in the House Education and Labor Committee. This is planned as a 5-year program of approximately $250 million a year to provide loans and scholarships to college students, work-study programs to give such students part-time employment, improved college libraries, adult education, and other programs. This legislation which is intended as a further step in meeting the constantly growing enrollment in the colleges, will come up in Congress in the near future.

The other is the Elementary and Secondary Education Act of 1965 passed by Congress this year and signed into law by the President on April 11. There is no question about the fact that this act represents the greatest single commitment ever made by the Federal Government for the improvement of the Nation's schools—and that means all of our schools, public and private, including Catholic schools. This is the first time that religious schools will benefit directly from Government assistance, and I regard it as a gain for education in the whole country and as a further sign of growing toleration.

It is estimated that some 5 million children in the Nation, particularly from low-income families, will benefit under this program. Actually, there are five different programs under this act, the most important of which is aid to children of low-income families. This is a 3-year program which will cost about a billion dollars annually and will provide funds for school districts for many purposes, beginning with more teachers, more books, and more programs; to health and food services; transportation; and even clothing and shoes to needy children.

The other four programs will help the States obtain more school libraries, textbooks, communitywide educational centers, training of teachers and other school personnel, and expansion of State departments of education.

All of this, taken together, represents a major breakthrough in the advancement of education. The measure on Federal aid to education is now the law of the land, and before many months the entire school system, public and private, will derive many benefits. Millions of schoolchildren will enjoy full educational opportunities which they would not have had otherwise.

With the costs of education spiraling to ever greater heights, it has become very difficult for church schools and other private religious schools to provide all the necessities of present-day education. While this new law does not provide direct funds to such schools for teachers, or the construction of buildings, or certain equipment, it will be helpful in other ways which will save the religious schools some of their expenditures. Thus students in church schools will be able to take some of their classes in the public schools where they can use their science laboratories and other educational equipment, they will be able to use their facilities for shop courses and physical education, they will be entitled to use the afterschool study centers, they will be able to participate in educational television and in the special Saturday and summer programs, they will be eligible for health services, the school breakfast and lunch programs, the guidance and counseling services, funds for the purchase of textbooks, library books, and various teaching materials, etc.

You can readily understand how all this will be helpful to the religious schools. The Right Reverend Monsignor Frederick G. Hochwalt, who is the director of the Department of Education of the National Catholic Welfare Conference, expressed the view that this constitutes not only a revolutionary new concept of cooperation between public and private schools, but that the new Federal aid program will spur "monumental changes" in the Catholic school system in the United States.

I am inclined to the view that the most significant fact about this new law is that it recognizes the Catholic schools as a part of the American educational system. As such, it encourages a new respect for the contributions of the Catholic schools, which today provide an education for about 5½ million children.

What is also important is that through this aid from the Federal Government we shall now have a full opportunity to raise the level of education all over the country. It is likewise important to emphasize that our Nation as a whole is, through this aid, assuming greater responsibility for the proper education of all children to become decent and useful members of society. Thus, not only the children themselves, but the entire Nation will be the beneficiary of this legislation.

In looking back over all this legislation of the past few years, you can see why the last and the present Congresses are known as "education Congresses." You can also appreciate why I, as a Member of these two Congresses, feel so proud over the achievements and the fact that I supported every one of the measures I have enumerated. I know that all of you graduating today, your brothers and sisters still at school, and all the young people coming into our schools and colleges now and in the years ahead will derive great benefits from all this legislation which will provide them with fuller opportunities to develop their talents, to pursue the right profession or vocation, and to be better Americans and more informed citizens.

As you say farewell to this school, I want you to know that we are proud of your achievements. Your teachers have given you more than mere knowledge—they have given you part of themselves. That is why we recognize teaching as a valued and honored profession. Your parents have provided you with the material assistance and with the love and care which enabled you to pursue your education until now. I can assure you this assistance and love will continue in the future, too. I hope you are as proud of them on this memorable day in your life for their help and patience over the years, as they are of you.

Above all, let us be grateful that we live in a free America, where we have the opportunity to acquire an education in accordance with our principles, where we can partake of the bounty of this great land of ours, and where we can contribute to its welfare and its way of life according to our talents and ability.

The great American Poet Carl Sandburg, in a poem entitled "A New America," wrote:

> "I see America, not in the setting sun of a black night of despair ahead of us.
> I see America in the crimson light of a rising sun fresh from the burning, creative hand of God.
> I see great days ahead, great days possible to men and women of will and vision."

To you, my young friends, I say: Be men of will and vision, and you too will see America as Carl Sandburg sees it—not a land of despair, but a land created by God. We have built this land, we have made it what it is today. Let us together continue to preserve it, to guard over it, to maintain it as a happy land—for us and for all future generations.

I congratulate you and wish all of you the fullest measure of success in all your endeavors in the years ahead.

New York State Osteopathic Society and the Osteopathic Society of the City of New York

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1965

Mr. MURPHY of New York. Mr. Speaker, the osteopathic profession has long been in the vanguard of progress designed to improve the health and well-being of our citizens. In New York, the New York State Osteopathic Society and the Osteopathic Society of the City of New York have for over half a century been dedicated to the goal of the best possible total health care for our citizens.

Last month, both of these respected societies elected new officers and directors for the coming year—men of proven ability, wisdom and supreme devotion to their profession and to those they serve.

In connection with the New York State Osteopathic Society's 66th annual convention last month in New York, Vice President HUBERT H. HUMPHREY commended the organization for its efforts in "strengthening the healing arts." Both the NYSOS and OSCNY are engaged in programs which are indeed worthy of the Vice President's tribute.

Of special importance is the profession's efforts with regard to the persistent shortage of physicians in our country. The societies are working closely with high schools and colleges with a view to encouraging greater numbers of qualified men and women to pursue careers in osteopathy and thereby make an invaluable contribution to their community.

Osteopathy is a school of medicine whose most distinctive quality has been and is the constant development of techniques for releasing man's natural abilities to combat stress and strain which could conceivably result in disease.

Osteopathic physicians and surgeons integrate all accepted methods of treatment of disease and injury, including manipulation, drugs, operative surgery, and physical therapy, as dictated by diagnosis of the individual patient.

Health is held to be a total condition of the entire body; moreover, the focus of osteopathy is upon treating the man, not just his disease. Osteopathic physicians favor those treatments which stimulate or assist man's natural abilities to maintain or return to a state of health.

Osteopathy contends that early symptoms of functional disease may be projected in the musculo-skeletal system of the patient. The osteopathic physician in his examination of this system often discovers these irregularities and can apply corrective treatment. Thus, stress and strain may be removed, preventing a more serious condition from developing. The appreciation of the interrelationship of the structure and function of the human body is basic to understanding osteopathy. Emphasis is placed upon the maintenance of health through prevention of disease by osteopathic management.

The preprofessional requirement for a career in osteopathy include at least 3 years in college. The professional education and training given in each of the approved osteopathic colleges requires a minimum of 4 years' study and training in all branches of medicine and surgery. This basic 4-year course is designed to train and educate physicians and surgeons qualifying for the D.O. degree—doctor of osteopathy. Graduates then participate in the intern and resident training programs of the profession.

I think it is significant to point out that osteopathic physicians serve our country in a variety of ways—in departments and agencies of State and Federal Governments and as officers in the Medical Corps of the Armed Forces. The Nation's health is one of its most essential resources. The presence of these resources and the conquering of disease and suffering are the goals of the osteopathic profession and I believe that the men who serve in this profession are to be saluted for their manifest devotion to these admirable goals.

I would like to commend the new officers of the NYSOS and OSCNY. The

State officers are: Dr. Phillip E. Greenman, president; Dr. Ben C. Scharf, vice president; Dr. C. Fred Peckham, secretary; Dr. C. Gorham Beckwith, treasurer; and Dr. Arthur Prestine, sergeant at arms.

NYSOS directors are: Dr. Floyd Boshart, Dr. Harold S. Goldberg, Dr. Wendell Bizzozero, Dr. Morton H. Rothstein, and Dr. Max L. Kamen.

The new officers of the city society are: Dr. William D. Miller, president; Dr. Melvin Weiss, president-elect; Dr. Jerry Rosenblatt, vice president; Dr. Harry Teplitz, secretary; and Dr. Viola C. Kreuner, treasurer. Directors are: Dr. Stanley Schiowitz, Dr. Albert Heyman, and Dr. Aaron Weintraub.

SENATE

FRIDAY, JUNE 11, 1965

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, amid the confusion of this clamorous world, we would wait in quietness, that the roiled waters of agitated discussions may become clear; and our disturbed spirits, tranquil pools of prayer and peace.

In the midst of events so colossal on the confused world's stage, O God, who sitteth above the flood of man's insanity, lift us into the only greatness we can ever know, by using us as the channels of Thy purpose and intent. Solemnize those who in this Chamber bear the burdens of the Nation with the consciousness that beyond the appraisals of men regarding what is done and said, there falls upon the record here made the searching light of Thy judgment.

Whatever the future holds, may we face it calmly and in confidence, with the assurance that there live truth and beauty that man cannot kill. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 10, 1965, was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Rules and Administration was authorized to meet during the session of the Senate today.

BANK MERGER ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 287, S. 1698.

The PRESIDENT pro tempore. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 1698) to amend the Bank Merger Act so as to provide that bank mergers, whether accomplished by the acquisition of stock or assets or in any other way, are subject exclusively to the provisions of the Bank Merger Act, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment to strike out all after the enacting clause and insert:

That subsection (c) of section 18 of the Federal Deposit Insurance Act is amended by adding after the seventh sentence the following: "The Comptroller, the Board, or the Corporation, as the case may be, shall immediately notify the Attorney General of the approval of any merger, consolidation, acquisition of assets, or assumption of liability pursuant to this subsection, and such transaction shall not be consummated until thirty calendar days after the date of approval: *Provided, however,* That, if an antitrust suit to enjoin such transaction is instituted within said thirty-day period, the merger shall not be consummated until after the termination of such antitrust suit and then only to the extent consistent with the final judgment in such antitrust suit: *Provided further,* That when the agency finds that it must act immediately in order to prevent the probable failure of one of the banks and reports on the competitive factors involved may be dispensed with, the transaction may be consummated immediately upon approval by the agency: *And provided further,* That, when an emergency exists requiring expeditious action and reports on the competitive factors involved are requested within ten days, the transaction may not be consummated within less than five calendar days after approval by the agency. When a transaction is consummated pursuant to the above procedure, no proceedings under the antitrust laws, including the Sherman Antitrust Act (15 U.S.C. 1–7) and the Clayton Act (15 U.S.C. 12–27), shall thereafter be instituted concerning the transaction. Notwithstanding the above provisions, any merger, consolidation, acquisition of assets, or assumption of liabilities involving an insured bank, which was consummated prior to the enactment of this amendment pursuant to the then appropriate regulatory approval or approvals, State or Federal, and where the resulting bank has not been dissolved or divided or has not effected a sale or distribution of assets or has not taken any other similar action pursuant to a final judgment under the antitrust laws prior to the enactment of this amendment, shall be exempt from the antitrust laws including the Sherman Antitrust Act (15 U.S.C. 1–7) and the Clayton Act (12 U.S.C. 12–27)."

Mr. ROBERTSON. Mr. President, the bill has the endorsement of practically all the bankers in the United States. The American Bankers Association preferred the bill as the junior Senator from Virginia originally introduced it. But that bill was objected to by some members of the Independent Bankers Association, who preferred the provision suggested by the Federal Reserve Board as an alternative in case the Congress did not choose to support my bill; namely, that there would be a brief waiting period after all the State and Federal banking agencies had approved a merger to give the Justice Department a time in which to go to court to seek an injunction against the merger if it wished to do so.

So in the interest of speedy action, and in the nature of a friendly gesture, in executive session the amendment suggested by the Federal Reserve Board and favored by the Independent Bankers Association was offered by the distinguished Senator from Wisconsin [Mr. PROXMIRE] and agreed to. In its amended form the bill was unanimously reported to the Senate. It now has the endorsement of the American Bankers Association, even though they still prefer my original bill.

The proposed legislation met the only substantive objection that was raised before our committee on the bill. Everyone agrees that the present situation is undesirable. It is a real mess. Over 2,000 banks have merged since 1950; over $15 billion of assets are involved. The banks want to know what the situation is because there is no statute of limitations.

So the bill would do three things:

First. It would give a clearance to all past mergers.

Second. It would require all future mergers to wait for 30 days after approval before actually consolidating, in order to give the Justice Department an opportunity to go to court while the two banks were still separate. Generally there is a period of 6 months, perhaps 8 months before the approval is granted. I know of a Virginia case in which the State took a year and a half to act on a merger application. And in every case the Department of Justice has 30 days to review the application and report on the competitive factors involved in the merger, even before the banking agency approves the merger. So the Justice Department would have 60 days in every case. There are some exceptions for emergencies, such as cases where a bank is about to fail, but there is no problem about these, as far as I know. The Department would then have 1 additional month.

Third. If the Department had not acted within this 30-day period after the agency approval, they may merge and be free from attack under the antitrust laws. Remember that these are mergers that have the full approval of all the banking agencies—if it is a State bank, the bank must first get by the State authorities; the application is dead if it does not; and then the Federal agencies.

So I am pleased that the Senate has agreed to consider the bill by unanimous consent. The hearings have been printed. They are on the desks of Senators.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point excerpts from the committee report which go into more detail.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

WHAT THE BILL WOULD DO

The bill would require that future bank mergers should not be consummated until 30 days after the date of approval by the appropriate banking agency under the Bank Merger Act. If the Justice Department did not institute a suit under the antitrust laws during this 30-day period, the merger could be consummated and would thereafter be exempt from the Sherman Act and the Clayton Act. If a suit were started, the merger could not take place until the suit had been concluded, and then only if consistent with the final judgment in the suit.

The bill would exempt from the Sherman and the Clayton Acts all mergers consummated before its enactment, unless action such as splitting the bank in two had in fact been taken pursuant to a final judgment in an antitrust suit.

GENERAL STATEMENT

The Bank Merger Act of 1960 was the result of many years of legislative efforts following the enactment of the Celler-Kefauver amendment to section 7 of the Clayton Act, which made the restrictions of section 7 applicable to asset acquisitions by corporations subject to the jurisdiction of the Federal Trade Commission.

Two approaches were taken.

The Justice Department and a number of Senators and Representatives recommended that section 7 be made applicable to bank mergers. A bill to accomplish this purpose, H.R. 5948, 84th Congress, passed the House in 1956, but did not become law. Several other bills to the same effect were introduced in the Senate and in the House.

The banking agencies and a number of Senators and Representatives recommended that the Federal Deposit Insurance Act should be amended to provide that the banking agencies should review mergers by insured banks on the basis of competitive factors as well as banking factors. This suggestion appears to have been proposed first by the Federal Reserve Board in its letter of March 21, 1945, to the House Judiciary Committee in connection with H.R. 2357, 79th Congress (hearings on S. 1698, pp. 329–330, 345), and in a committee print of that bill dated June 8, 1945 (hearings on S. 1698, pp. 331–344). Bills along these lines were passed by the Senate in 1956 and 1957, but did not become law.

The Bank Merger Act was passed by the Senate in 1959. It was amended by the House in 1960, and the Senate accepted the House amendments.

The congressional understanding of the bank merger bill was clearly and succinctly stated at the time of its passage by the majority leader, Senator Johnson of Texas, in the following words: "This bill establishes uniform and clear standards, including both banking and competitive factors, for the consideration of proposed bank mergers. It eliminates a number of gaps in the statutory framework, which now permit many bank mergers to occur with no review by any Federal agency. It provides for a thorough review by the appropriate Federal bank supervisory agency, under these comprehensive standards, and with the benefit of any information which may be supplied by the Department of Justice in the report required from them, of the bank mergers by asset acquisitions and other means which are now and will continue to be exempt from the antimerger provisions of section 7 of the Clayton Antitrust Act."

Following the enactment of the Bank Merger Act, suits under the antitrust laws were brought against several bank mergers effected pursuant to the approval of the Comptroller of the Currency and the Federal Reserve Board under the Bank Merger Act. In the Philadelphia bank case, *U.S.* v. *Philadelphia National Bank et al.* (374 U.S. 321 (1963)) the Supreme Court held that section 7 of the Clayton Act was made applicable to bank mergers by the 1950 amendment to that section and that the proposed merger would violate that section. In *U.S.* v. *First National Bank and Trust Co. of Lexington, Ky.* (376 U.S. 665 (1964)) the Supreme Court held that a merger which had already been consummated violated section 1 of the Sherman Act. Subsequently the district court directed that the merged bank be split into two separate banks, and efforts are being made to accomplish this.

Four other suits against merged banks are pending in various U.S. district courts, but none have proceeded to final judgments. In all, 765 mergers were approved during the 5 years since the enactment of the Bank Merger Act on May 13, 1960, and 1,435 in the 10 years from 1950 to 1960. Since there is no statute of limitations on antitrust cases, these 2,200 mergers are subject to attack under the antitrust laws. In addition, no future merger can be consummated pursuant to approval under the Bank Merger Act without risk of attack at some future date under the antitrust laws.

The uncertainty created by this situation is harmful to the banking industry and to its customers. The committee, in reporting out in 1959 the bill which became the Bank Merger Act, made it clear that it wished to avoid the situation: "The advance approval feature is important in halting bank acquisitions before they are consummated and in preserving the depositors' confidence in an institution which might otherwise be destroyed by an attempt to unscramble assets after an acquisition has been completed" (S. Rept. 196, 86th Cong., p. 22, hearings on S. 1698, p. 270).

In order to clarify this situation S. 1698 was introduced on April 5, 1965. It would have amended the Bank Merger Act so as to provide that bank mergers approved under that act would be subject exclusively to the provisions of that act, and it would have exempted from the antitrust laws all mergers heretofore or hereafter approved under the Bank Merger Act and all mergers consummated before May 13, 1960, the date of enactment of the Bank Merger Act.

Extensive hearings were held on S. 1698, on May 19, 20, 21, and 27, 1965. There was unanimous agreement by all the witnesses that the present situation was undesirable and should be changed. In particular there was unanimous agreement that the uncertainty hanging over the 2,200 mergers approved since 1950 should be removed and that future mergers should not take place until their status under the antitrust laws had been made clear, either by failure to file suit within a reasonable period of time or by litigation. There was, however, disagreement among the witnesses as to the desirability of a complete exemption from the antitrust laws for future mergers.

THE PROXMIRE AMENDMENT

In view of the importance of prompt action to clarify the present situation, the committee agreed, without dissent, to report a substitute bill proposed by Senator PROXMIRE embodying the elements on which there was unanimous agreement. As amended, the bill would clear up the status of all past mergers as to which final action pursuant to an antitrust decree had not yet been taken, and in the case of future mergers it would provide the Justice Department 30 days in which to institute suit before a merger could be effected; but if a merger had been consummated after the expiration of the 30-day waiting period, then the merger could not later be attacked.

THE BANKING INDUSTRY

In reporting the Bank Merger Act to the Senate in 1959, the Banking and Currency Committee discussed the special situation of the banking industry and the need to balance competition with sufficient regulation to protect against the evils which have resulted in the past from unregulated competition:

"BANKING IS VESTED WITH A PUBLIC INTEREST AND MUST BE REGULATED LIKE PUBLIC UTILITIES AND MONOPOLIES

"Banks are an integral and essential part of the Nation's fiscal and monetary system. The Government has a vital interest in the Nation's banks as suppliers of funds, as depositories, and as fiscal agents. Commerce, industry, and private citizens have a vital interest in banks as a source of credit needed for development and growth. Depositors have a vital interest in the safety of their deposits.

"Vigorous competition between strong, aggressive, and sound banks is highly desirable; lack of competition, restraints on competition, and monopolistic practices are undesirable. Competition in banking takes many forms—competition for deposits by individuals and corporations and by personal and business depositors; competition for individual, business, and governmental loans; competition for services of various sorts. Competition for deposits increases the amounts available for loans for the development and growth of the Nation's industry and commerce. Competition for loans gives the borrowers better terms and better service and furthers the development of industry and commerce. Vigorous competition in banking stimulates competition in the entire economy, in industry, commerce, and trade. There is no question that competition is desirable in banking, and that competitive factors should be considered in all aspects of the supervision and regulation of banks.

"But it is impossible to require unrestricted competition in the field of banking, and it would be impossible to subject banks to the rules applicable to ordinary industrial and commercial concerns, not subject to regulation and not vested with a public interest.

"Ever since the days of the first and second Banks of the United States and *McCulloch* v. *Maryland* (4 Wheat, 316, 1819), it has been generally accepted that banking is a field subject to special regulation by virtue of its effect upon and relation to the fiscal and monetary policies of the Federal Government under article I, section 8, of the Constitution of the United States.

"This Federal control over banking long antedated the antitrust laws. The first and second Banks of the United States, the National Bank Act of 1864, and the related tax on notes issued by State banks represented early efforts in the field. The Federal Reserve Act of 1913, the banking legislation of the 1930's, and the Bank Holding Company Act of 1956 are more recent reflections of the Federal interest and concern.

"Time and again the Nation has suffered from the results of unregulated and uncontrolled competition in the field of banking, and from insufficiently regulated competition. Rapidly depreciating State and Continental paper money was an important factor in the adoption of the Constitution. After the termination of the first Bank of the United States, excessive State bank note issues, among other causes, led in 1814 to the suspension of specie payments by all the State banks in the country except those in

New England. Wildcat banks and uncontrolled note issuance played a large part in bringing about the panic of 1837 and the panic of 1857. The rapid increase in the number of small weak banks, to such a large number that the Comptroller could not effectively supervise them or control any but the worst abuses, was one of the factors which led to the panic of 1907.

"The banking collapse in the early 1930's again was in large part the result of insufficient regulation and control of banks, in effect the result of too much competition.

"The reform legislation of 1913, while removing many of the defects of the banking system as a system, did very little to strengthen the individual commercial bank. * * * The country continued to be served or disserved by thousands of small, weak, independent banks having inadequate capital, incapable executives, and poor outside connections.

"The banking collapse did not begin in 1931, but was really underway throughout the period of the 1920's. During that decade * * * thousands of banks failed, but the appalling weakness of the banking structure was not immediately realized, because most of the failures occurred in isolated agricultural communities.

"The following tables of bank suspensions from 1921 to 1936, and from 1946 to 1958, show the weakness of the banking system of the 1920's and the comparative strength of the system now.

"Bank suspensions in the United States, 1921–36 [1]

"Year	All banks	National banks	State member banks	State nonmember banks	Total deposits (thousands of dollars)
1921	505	52	19	434	172, 188
1922	366	49	13	304	91, 182
1923	646	90	32	524	149, 601
1924	775	122	38	615	210, 151
1925	618	118	28	472	167, 555
1926	976	123	35	818	260, 378
1927	669	91	31	547	199, 329
1928	498	57	16	425	142, 386
1929	659	64	17	578	230, 643
1930	1, 350	161	27	1, 162	837, 096
1931	2, 293	409	107	1, 777	1, 690, 232
1932	1, 453	276	55	1, 122	706, 188
1933	4, 000	1, 101	174	2, 725	3, 596, 698
1934	57	1	0	56	36, 937
1935	34	4	0	30	10, 015
1936	44	1	0	43	11, 306

"[1] Including private banks but excluding mutual savings banks.

"Source: Federal Reserve Bulletin, September 1937, pp. 868–873.

"Commerciql bank suspensions because of financial difficulties, United States and other areas, 1946 through 1958 [1]

"Year	All banks	National banks	State member banks	Insured nonmember banks	Noninsured nonmember banks	Deposits (thousands of dollars)
1946	2	----------	----------	1	1	494
1947	6	3	----------	2	1	7, 207
1948	3	1	2	----------	----------	10, 674
1949	9	2	----------	3	4	9, 108
1950	5	2	----------	2	1	5, 543
1951	5	1	----------	1	3	6, 097
1952	4	----------	----------	3	1	3, 313
1953	5	----------	1	3	1	45, 101
1954	4	----------	----------	2	2	2, 947
1955	5	2	----------	3	----------	11, 968
1956	3	1	----------	1	1	11, 644
1957	3	1	1	----------	1	12, 502
1958	9	1	----------	3	5	10, 412
Total	63	14	4	24	21	137, 010

"[1] Includes private banks but excludes mutual savings banks. Includes insured banks placed in receivership or insured banks with deposits assumed by another insured bank with the financial aid of the Federal Deposit Insurance Corporation, and 3 insured bank suspensions that reopened or merged without financial aid of the Federal Deposit Insurance Corporation.

"Source: Federal Deposit Insurance Corporation.

"The decline in the total number of banks from approximately 31,000 in 1921 to the present level of just over 14,000 must be viewed in the light of the contrast between suspensions in the 1920's and early 1930's, and recent suspensions.

"It was in the light of this background that section 6 of the Federal Deposit Insurance Act was written, requiring consideration of the following factors before granting insurance to a bank: the financial history and condition of the bank, the adequacy of its capital structure, its future earnings prospects, the general character of its management, the convenience and needs of the communities to be served by the bank, and whether or not its corporate powers are consistent with the purposes of the act.

"The basis for handling banking through banking laws, specially framed to fit the particular needs of the field, instead of relying on unrestricted competition and the antitrust laws, is set forth in 'Banking Under the Antitrust Laws' 55 by A. A. Berle (49 Columbia Law Review (1949) 589, at p. 592):

" 'Operations in deposit banking not only affect the commercial field, but also determine in great measure the supply of credit, the volume of money, the value of the dollar, and even, perhaps, the stability of the currency system. Within this area considerations differing from and far more powerful than mere preservation of competition may be operating under direct sanction of law. It is the theory, in ordinary commercial fields, that competition is the desirable check on price levels—the process by which the efficient are rewarded by survival, and the inefficient eliminated by failure. The price of business failures is not regarded as too high for the community to pay in view of advantages to consumers, stimulus toward greater efficiency, and freedom of enterprise. But it is doubtful (to say the least) whether any such assumption is indulged in with respect to deposit banks; certainly the theory is not there accepted to the full extent of its logic. A bank failure is a community disaster, however, wherever, and whenever it occurs. While competition may be desirable up to a point in deposit banking, there is a clear bottom limit to its desirability. So long as 90 percent of the monetary needs of the country are supplied through bank credit, deposits, and checks, under a system which contemplates many thousands of banks and also a uniform, smooth, free flow of bank checks, a high degree of cooperation among banks is essential. So long as certain kinds of banking paper are accepted as a basis for currency through the operations of the Federal Reserve rediscount, a high factor of uniformity is needed. The economic and social premises of the Sherman Act in respect of other businesses are not fully accepted by the Congress, the States, or the public as the only considerations applicable to deposit banking.' " (S. Rept. 196, 86th Cong., pp. 16–19, hearings on S. 1698, pp. 264–267.)

PAST MERGERS

The bill would remove the cloud hanging over the mergers effected since 1950, including both the 1,435 mergers between 1950 and 1960 and the 765 mergers approved under the Bank Merger Act. The bill would apply to mergers against which suits have been brought by the Justice Department, and would free the banks involved in such suits from further proceedings under the antitrust laws. Some mergers have been approved but have not been consummated, either because of a court decree against the merger or because the banks abandoned the proposal. These would not be resurrected. So also, the bill would not undo actions taken pursuant to a final decree. For example, if a merged bank had in fact been split into two banks or had in fact sold some of its branches to another bank, these actions would not be disturbed.

The committee recognized that the bill would affect cases pending in the courts. Ordinarily the committee would be hesitant to do this. However, in view of the general understanding of the state of the law at the time the Bank Merger Act was passed—an understanding common to the committee, the Congress as a whole and the Justice Department and the banking and legal professions—the committee felt that good faith required that all past bank mergers, whether approved by the appropriate Federal banking authority under the Bank Merger Act or approved by the appropriate Federal or State authority before the enactment of the Bank Merger Act, should be treated equally.

The authority of Congress to provide such relief, even for cases pending in court, has been clearly recognized by the courts. *Hamm* v. *City of Rock Hill*, 379 U.S. 306, 312–317 (1964), involving the Civil Rights Act of 1964; *149 Madison Avenue Corp.* v. *Asselta*, 331 U.S. 199 (1947); modified in 331 U.S. 795; 79 F. Supp. 413 (S.D.N.Y. 1948), involving the Portal to Portal Act.

FUTURE MERGERS

The committee recognizes that the bill as reported involves a substantial change from the procedures contemplated when the Bank Merger Act was adopted. At that time it was clearly expected that the decision of the responsible Federal banking authority, based on its own investigation and on reports on competitive factors from the other two banking agencies and from the Department of Justice, would be final and conclusive. The Attorney General's report was expected to be advisory only.

The amended bill would postpone the effectiveness of the banking authority's approval for 30 days, recognizing that section 7 of the Clayton Act and sections 1 and 2 of the Sherman Act have now been interpreted to apply to bank mergers, so that the Justice Department can bring a suit under the antitrust laws without the problems involved in trying to break up a bank which has already merged.

At the same time the bill would impose a brief but reasonable limit on the time for the Justice Department to make this decision, 30 days was considered to be a reasonable period. The Justice Department would have had at least 30 days before the approval to look into the application and would have had the benefit of full information about the merger from the banking authorities and from the banks involved.

The committee recognized that the bill places in the hands of the Justice Department a considerable measure of authority which the committee expects will be used with care and discretion. The committee is aware that many banks proposing to merge under an approval by the Federal banking authorities might feel compelled to abandon their merger plans at the mere threat of a suit by the Justice Department, however insubstantial the basis for such a suit might be. The opportunity afforded to the Justice Department by the 30-day waiting period must be used with a full understanding and appreciation of the special circumstances applicable to the field of banking and with due consideration for the authority vested by the Congress in the Federal banking authorities to approve or disapprove mergers on the basis of their expert knowledge of the banking field and the judgment on which they base their decision that a merger is in the public interest.

EMERGENCY CLAUSES

The bill makes special provisions for emergency cases. Under the present law the Attorney General is given 30 days to report on the competitive factors involved in a proposed merger. A further provision is made that, if an agency finds an emergency exists, it may advise the Attorney General of it and may shorten the period for the Attorney General to report to 10 days. In a case of this sort the bill would limit the waiting period to 5 days before the merger can be consummated.

A second proviso in the existing law authorizes the banking agencies to dispense entirely with reports if "an emergency makes necessary immediate action in order to prevent the probable failure of one of the merging banks." In such a case the bill would authorize immediate consummation of the merger.

The committee expects that these special procedures will be used only for the most serious emergencies.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The question is on agreeing to the committee amendment.

Mr. HART. Mr. President, I offer an amendment to the committee amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Michigan will be stated.

The CHIEF CLERK. Beginning with the word "notwithstanding" in line 18, page 3, in the committee amendment, strike out all to and including line 4, page 4, and insert in lieu thereof the material endorsed in quotation marks.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan to the committee amendment.

Mr. HART. Mr. President, the amendment, in effect, would strike out that section of the bill which would nullify legal proceedings already in progress in five bank merger cases. In two of these cases the court has already determined that the mergers are illegal under the antitrust laws.

I offer this amendment with somewhat mixed emotions because of the committee amendment to the proposed legislation. As this bill was introduced and later reported to the full Banking and Currency Committee, it made bank mergers immune from the antitrust laws. As now reported out to the Senate it keeps the banking industry within the antitrust laws with one exception. Certainly this is an improvement. But the exception is, in my opinion, a serious flaw in the legislaton.

It gives, in fact, amnesty to any antitrust violations occurring prior to the bill. And this amnesty attaches whether or not antitrust suits are in progress. Indeed, it gives amnesty to two cases where the courts have found the antitrust laws to have been violated.

To me, there is a fatal inconsistency here. On one hand we say that future mergers shall be subject to antitrust prohibitions; on the other we say all past violations are wiped clean.

Certainly anticompetitive effects of prior mergers—especially when in litigation—can be just as dangerous to our competitive economy as future ones.

We have by this legislation set up a double and inconsistent standard based on a point of time.

By subjecting future mergers to antitrust jurisdiction and nullifying decisions against past mergers, the bill gives the mergers already declared to be illegal under the antitrust laws a preferential status over all future mergers. There is no rational basis for this discrimination. If it is desirable to subject bank mergers to antitrust suits, as the bill presently assumes, it is plainly unjust to give antitrust immunity to a few mergers which have already been held to be illegal or which may be so adjudged in the course of pending antitrust litigation. Those litigating banks will receive a windfall of immunity at the expense of the far greater number of banks who have held off merging pending clarification of the law.

We are told that the different treatment is necessary because of the difficulty of untangling mergers already consummated; that to do so is not in the public interest. Yet in the five cases immediately affected, the banks in question were aware that suits would be started if approval were given to their mergers. And these cases were filed within days of notification by the regulatory agency to the Justice Department that the mergers had been approved. Certainly the banks knew that Justice intended to file cases and the result might be divestiture.

Yet the banks made the decision to take the chance. Having gambled and in two cases—so far—lost, it is difficult to understand their pleas of hardship. It was in their power to avoid the hardship by waiting for the culmination of the lawsuit before commingling the assets.

One bank, the Philadelphia National, did just that—it waited. As a result of its cooperation and good faith agreement with the Justice Department, it is being penalized because it did not commingle assets. Those that chose to go ahead are relieved of the consequences of their conscious actions by the provisions of this bill.

It is also argued that this bill is a good deal better antitrustwise than if it had been reported in original form; that a half dozen bank mergers more or less are a small price to pay for this improved version.

Possibly so. But what we are talking about here today is not price. It is equity, fairness, effective competition, and future enforcement procedures.

The provision of the bill I would strike is inequitable and unfair because although requiring an antitrust standard for future acquisitions, it wipes out the standard for past ones. It strikes at effective competition because the courts have already decided in two of the affected cases that antitrust violations are involved. It will set back future antitrust enforcement because it will long delay the precedents which guide the Antitrust Division in its work and businessmen in their operations. It often takes years for these cases to get before the appeals courts so that guidelines can be established. Now this bill proposes to wipe possible precedents off the books; to require Justice to begin again—in part. The certainty the banking industry says it wants must await a new beginning.

Another point missed is that the bill, even with my proposed amendment, is one which I am sure the banking industry will applaud. Under present law, the banking industry, like most industries, is unqualifiedly subject to the antitrust laws. This means—as all corporate executives are acutely aware—that no statute of limitations applies. Cases may be brought years after mergers have been consummated.

This bill imposes a 30-day statute of limitations for the banking industry—the shortest in the law of which I am aware. If no action is taken within 30 days after notification to Justice by the appropriate agency of approval, the merger is home free forever. This is a situation at which most other industries will look with envy. It is no small concession to the banking industry. They may sleep serenely where others may toss and turn.

It seems to me that the forgiveness of past violations—particularly those in litigation—is an extra bonus that makes little sense.

We in Congress are sensitive—as we should be—to courts usurping the functions of Congress. We should also be sensitive to Congress usurping the functions of courts.

With this proposed amendment, we will have a workable bill—one which will be beneficial to the banking industry and one with which the Justice Department can live.

Without it, the public interest in a competitive economy and the integrity of the legal process suffers at the expense of too much for too few.

I hope that the amendment will be agreed to.

Mr. PROXMIRE. Mr. President, as the author of the amendment to which the Senator from Virginia has referred, I should say, in rebuttal to the statement of the distinguished Senator from Michigan [Mr. HART], chairman of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, that that amendment to the bill in its present form would keep the Department of Justice in the ball game in bank merger cases. It would provide that banks shall still be subject to the Clayton Antitrust Act. Incidentally, they were not, in the view of most Members of the Congress, after the 1960 bank merger bill was passed. It seems to me that in accepting my amendment, the distinguished chairman of the Committee on Banking and Currency has gone much more than halfway toward those who feel that the Clayton Act should still be in force. From now on, in perpetuity the Justice Department can act under the antitrust laws to prevent bank mergers if they can prove in court that the mergers violate the antitrust laws.

If the amendment of the Senator from Michigan were adopted, it could work a serious injustice, it seems to me, in some of those five cases. Consider the situation in New York City. Under the bill as originally drafted and under the bill as it would read if the Hart amendment were adopted, there would be no prospect of action by the Department of Justice against the Chase Manhattan Bank, a bank having $11.4 billion in assets; or against the First National City Bank, having $10.8 billion in assets; but it would be possible—in fact, the Department of Justice would be encouraged—to proceed against the Manufacturers Hanover Bank, a much smaller bank, a bank having $6 billion in assets. This is what the Hart amendment would do. And I ask—as a practical matter, does that make any sense?

Under these circumstances, it seems to me that in all equity and fairness the bill as presently drafted and as reported by the Committee on Banking and Currency is a sensible, equitable bill.

I point out that in all cases the Department of Justice would be required to file a report expressing its expert opinion on the effect of each bank merger on competition with the regulatory body which would decide whether or not the merger could be approved. Second, within 30 days after the approval of the merger, it would be possible for the Department of Justice to bring court action to stop the merger. Thirty days is ample time; in most cases, actions are filed within 3, 4, or 5 days. Thus, it seems to me that the Department of Justice is fully protected.

Under the circumstances, the two most difficult merger problems confronting the banking industry would be solved: First, the hanging over their heads, ad infinitum, of the possibility of suits by the Department of Justice to divide merged banks; second, the terrific problem once the suit is in effect of trying to dissolve mergers that have already been accomplished. The attempt to dissolve bank mergers that have been consummated works very serious hardships on depositors, borrowers, and stockholders, almost all of whom have had no really decisive, responsible part to play in the mergers themselves.

The bill as now approved by the American Bankers Association and by the Independent Bankers Association, and reported unanimously by the Committee on Banking and Currency, all Democrats and all Republicans approving, makes sense. I hope it will be passed.

Mr. JAVITS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I served on the Committee on Banking and Currency when the 1960 act was passed. I had something to do with the very technique which was employed under that act, an act which it was thought would answer one of the great objections of businessmen to dealing with the Government; that is, the proliferation of approvals required by various elements of the Government establishment, each able to contradict the other, leaving businessmen completely uncertain.

The question I wish to ask the Senator from Wisconsin is important: Is there in the bill anything which would inhibit or stop the Department of Justice from starting an antitrust suit under the Clayton and Sherman Acts against any merged bank if actually the merger resulted in a successful restraint of competition within the language of those acts? The exemption would apply, as I understand, to protect a merger itself from attack as a possible prospective restraint of competition; but if it should appear from the operations of the merged bank that there were monopolistic factors or factors contrary to the antitrust laws, there would be nothing to stop the Department of Justice from pursuing the results of that merger, although the Department might not be able to upset the merger—that is, to dissolve what had already been put together.

Mr. PROXMIRE. I am not sure that I fully comprehend what the Senator from New York is trying to ascertain. The Senator from New York agrees with me, does he not, that specifically with respect to the five cases that are now in the courts, as to which mergers have been accomplished, the Department of Justice would not, in the present form of the bill, be in a position to take further action? If the amendment of the Senator from Michigan were adopted, then the Department would be able to proceed in those five cases.

Mr. JAVITS. Exactly; to seek to undo mergers which have already taken place.

Mr. PROXMIRE. Correct.

Mr. JAVITS. What I am now pursuing as a further point is this: If at a later date it should appear that a bank was violating the antitrust law, there is nothing in the bill to prohibit the Department from acting in such a situation?

Mr. PROXMIRE. No, indeed.

Mr. JAVITS. That is a concession to the so-called liberal side. Under the amendment, it is recognized that the antitrust laws are applicable to banks.

Mr. PROXMIRE. Yes. The Department of Justice could act to prevent a merger if it acted within 30 days after the approval of the regulatory agency—the Comptroller of the Currency, the Federal Reserve, or the Federal Deposit Insurance Corporation.

In addition, if a bank engaged in activities which were in restraint of trade, conspiracy and, so forth, it would, of course, be subject to antitrust action.

If a merged bank engaged in conspiracy in restraint of trade, it would be subject to the antitrust laws.

Mr. JAVITS. The one thing which we sought to do when we enacted the statute was to provide businessmen, bank officers, stockholders, and depositors certainty of obtaining immediate approval of a Federal agency.

The complaint made against the Manufacturers Hanover merger was that they moved so quickly that the regulatory agency did not have an opportunity to restrain them. That is really the complaint. That is being corrected in the bill by the fact that a 30-day waiting period will be required. That is an admirable provision.

The question of public policy then arises: Shall the Government upset what was not enjoined and what was consummated? It seems to me that in a private-enterprise society, it is elementary that we must go with the proposition of certainty. If it is found that a merger has not worked out to the Government's satisfaction, the situation should then be corrected. But to attempt to reverse what has already been done jeopardizes the fundamental good-faith and credit upon which all relations in business are conducted. The Government itself does that. It is extremely upsetting to the economy to act otherwise.

The Committee on Banking and Currency has reached a good solution, one which deals exactly with the single factor which experience shows was weak, namely, the waiting period. If an attempt is made to unscramble eggs that have already been scrambled, we tremendously jeopardize the confidence of business in the Government. Confidence will be impaired with respect to anything else which requires Government approval, because when an attempt is made to do other things that requires Government approval, business will be strongly against the Government. With justice, I think I could also say that anything which seeks to immobilize business while Government makes up its mind is harmful to business.

Mr. PROXMIRE. I thank the Senator from New York. The bill provides specific limited periods for the Department of Justice to bring suit. After that 30-day period they can be confident that they need not fear dissolution or destruction.

Mr. JAVITS. With respect to the social phases, we must not seek to do anything which would be harmful to mergers which were consummated within the spirit and intent of the law. I was a member of the committee which wrote the present law. I believe we should let the operation be prospective, especially with respect to the validity of the concept of the antitrust laws as they apply to mergers, as well as to the future actions of merged banks.

Mr. TOWER. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from Wisconsin and to note that I was prepared to offer a similar amendment in committee had he not done so. I strongly support the bill as amended.

Mr. President, I believe this is a fair and equitable arrangement which clears up a matter that has required clarity for some time. It is my fervent hope that the amendment offered by the distinguished Senator from Michigan will be defeated.

I believe we have arrived at legislation that all elements of the banking community can and do agree upon.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Mr. President, is the Senate operating under a 3-minute limitation?

The PRESIDING OFFICER. No. The Senate is proceeding under a unanimous-consent agreement to consider the bill.

Mr. TOWER. I thank the Chair.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold that request?

Mr. DIRKSEN. I withhold the request. However, I wish to make an explanation. The distinguished Senator from Kentucky [Mr. COOPER] is now engaged in a hearing before the Committee on Rules and Administration. He has something to say before action upon this measure is consummated.

One of the mergers that is involved, a very difficult merger, involves banks in the State of Kentucky.

I believe that a quorum should be present.

Mr. ROBERTSON. Mr. President, before the Senator asks for a quorum, I give assurance to the Senator from Kentucky that the bill would apply to the merger in Kentucky until the merged bank has been split in two. It has not yet been split up. Therefore, the bill, as of now, would give relief to the bank in Kentucky.

Mr. SALTONSTALL. Mr. President, so far as I know, our banks in Massachusetts—and we have a number of banks in sound and good condition—are in favor of this legislation.

I hope that the bill of the Senator will go through in the form in which it now is.

Mr. ROBERTSON. I thank the Senator. I had already been informed that the banks in Massachusetts were in favor of the bill.

Mr. KENNEDY of New York. Mr. President, I support the amendment which has been offered by the Senator from Michigan. I do so because I do not see the justification for giving preferred treatment to mergers which, upon their approval by the relevant regulatory agencies, were promptly challenged by the Department of Justice and were nevertheless consummated in a context of full awareness by the banks that the litigation might result in an unfavorable decision.

The anomaly of this preferred treatment is emphasized by the fact that all five of the cases affected by the bill as it stands were brought within the 30 days following approval by the regulatory agencies. In fact, the longest interval between regulatory approval and time of suit was 4 days. In other words, if these cases had been brought at a time when the rest of the provisions of S. 1698 were in effect, the Justice Department's action would have been timely and wholly proper.

What happened is that the banks involved in these five cases simply took a calculated risk. Three of the five cases were actually filed before consummation of the mergers, and the other two were filed the same day. The banks well knew that the Justice Department thought their mergers violated the Sherman and Clayton Acts, and nevertheless proceeded to merge. Indeed, in at least one of the cases, the banks actually speeded up their final action to merge so as to consummate the merger hours before the Justice Department could file its suit.

These antitrust suits, it must be remembered, were not just brought because of some technical violation of the law. Just one paragraph from the Supreme Court's holding in the Philadelphia National Bank case illustrates the kind of danger to the consumers of banking services that can be presented by a bank merger:

> There is no reason to think that concentration is less inimical to the free play of competition in banking than in other service industries. On the contrary, it is in all probability more inimical. For example, banks compete to fill the credit needs of businessmen. Small businessmen especially, are, as a practical matter, confined to their particular locality for the satisfaction of their credit needs. If the number of banks in the locality is reduced, the vigor of competition for filling the marginal small-business borrower's needs is likely to diminish. At the same time, his concomitantly greater difficulty in obtaining credit is likely to put him at a disadvantage vis-a-vis larger businesses with which he competes. In this fashion, concentration in banking accelerates concentration generally.

And the following paragraphs from the Supreme Court's Lexington National Bank decision demonstrate the danger to competition in the banking field which can be posed by a bank merger:

> We think it clear that significant competition will be eliminated by the merger. There is testimony in the record from three of the four remaining banks that the consolidation will seriously affect their ability to compete effectively over the years; that the "image" of "bigness" is a powerful attraction to customers, an advantage that increases progressively with disparity in size; and that the multiplicity of extra services in the trust field which the new company could offer tends to foreclose competition there.
>
> We think it clear that the elimination of significant competition between First National and Security Trust constitutes an unreasonable restraint of trade in violation of Section 1 of the Sherman Act.

These were, therefore, actions brought to protect the banking competitors involved, and really to protect the people as a whole. And the Supreme Court and other courts have found that at least two of the mergers affected by the present bill will have most undesirable effects on the interests of consumers and on the competitors of the banks involved.

In one of these two cases—the Lexington National Bank case—final judgment has actually been entered against the merger, and the bank has not complied. I find it most anomalous that Congress is now singling out this bank and nullifying its obligation to comply with a court order based directly on a judgment of the Supreme Court of the United States, a judgment that its merger is in violation of the antitrust laws—that the interests of consumers and competitors alike demand the unscrambling of the merger.

In another case, the Manufacturers Hanover litigation, the merger has also been adjudged illegal, although final judgment has not been entered since the course of appeal has not yet been completed.

Thus, S. 1698 overrules the carefully considered decisions of the courts that the interests of consumers and competitors require the undoing of these mergers. These defendants took a calculated risk and consummated their mergers despite the fact that they were fully on notice that the mergers might be undone by litigation which had already started or which they knew would be filed forthwith.

I therefore think that congressional action specifically approving these mergers regardless of their anticompetitive effects is wholly unwarranted. That is why I support the amendment which has been offered by the Senator from Michigan.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan to the committee amendment in the nature of a substitute.

The amendment to the committee amendment in the nature of a substitute was rejected.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment to the committee amendment in the nature of a substitute was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. COOPER. Mr. President, may I direct a question to the chairman of the committee?

I take it, from reading the report, that the bill has been developed because of certain decisions of the U.S. Supreme Court. One of them was concerned with a merger in Lexington, Ky. The case was United States against First National Bank & Trust Co. of Lexington, Ky.

I have received letters from banks and individuals who favor the bill and from other banks and other individuals who do not, but because of the situation that has arisen respecting this particular case in my own State, I think it would be helpful to know what effect, if any, the bill would have upon the situation in Lexington, Ky.

Mr. ROBERTSON. Mr. President, prior to the arrival on the floor of our distinguished colleague, in response to a question of another Senator as to the effect of the bill, the chairman of the committee expressed his personal belief that the relief afforded under the bill applied to all cases which had been handled by the Department of Justice, including the two banks in Lexington, Ky., until they are actually split asunder and divided, which has not yet occurred. Therefore, the chairman expressed his belief that the relief afforded under this bill would apply to the Kentucky case.

Mr. COOPER. I thank the Senator.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill was passed.

The title was amended so as to read: "A bill to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes."

Mr. ROBERTSON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign government at rates differing from those applicable to domestic depositors;

H.R. 7847. An act to amend the Small Business Act; and

H.R. 8439. An act to authorize certain construction at military installations, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign government at rates differing from those applicable to domestic depositors;

H.R. 7847. An act to amend the Small Business Act; to the Committee on Banking and Currency.

H.R. 8439. An act to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

CONCURRENT RESOLUTION OF OKLAHOMA LEGISLATURE

Mr. MONRONEY. Mr. President, I send to the desk enrolled Senate Concurrent Resolution 70 of the Oklahoma State Legislature, for appropriate referral, and ask that the text of the resolution be printed in the body of the Record.

The resolution recognizes the importance of the agricultural conservation program to this great country of ours. It points out that, in addition to the economic benefit to our Nation that has accrued because of good soil and water management, the soil conservation program has added to the beauty of rural America. In this I concur.

The question that we as representatives of our people must ask and answer is: "Are we spending too much on conservation?" The answer must be obvious to all—to the Senators from the metropolitan areas, as well as to the Senators from the rural areas. As for me, I am convinced that the best investment we are making in America is in our conservation programs to properly conserve, develop, and utilize our natural resources.

When we accomplish this objective, we upgrade our human resources and make even a better place, a better environment, in which to rear our children.

There being no objection, the concurrent resolution was referred to the Committee on Appropriations, as follows:

Senate Concurrent Resolution 70

Concurrent resolution memorializing the Congress of the United States to continue the agricultural conservation program by supporting the annual appropriation measure for such program; noting and recognizing the merits of the agricultural conservation program; and directing distribution of this resolution

Whereas the preservation of the soils, water, forests, and wildlife of this Nation, and in particular the topsoil, is necessary; and

Whereas the preservation of these resources is a responsibility of all people; and

Whereas farmers and landowners through conservation practices have made Oklahoma a far more beautiful State for both rural and urban people to enjoy; and

Whereas for the past 30 years the U.S. Department of Agriculture, through the agricultural conservation program, has done much to maintain and improve these resources, and make landowners and society in general more conscious of the need for such preservation; and

Whereas during the past 5 years some 100,000 Oklahoma farmers and landowners have put to good use the many conservation practices of the agricultural conservation program; and

Whereas in carrying out these practices Oklahoma farmers and landowners are now more than matching Government funds; and

Whereas through the medium of agricultural conservation program farmer-elected committeemen throughout the State, farm leadership has been developed to a most helpful degree; and

Whereas farmers will be forced to exploit their soil in the overproduction of food and fiber, unless adequate funds to continue the operation of the agricultural conservation program are appropriated: Now, therefore, be it

Resolved by the Senate of the 30th Legislature of the State of Oklahoma (the House of Representatives concurring therein:

Section 1. The 30th Oklahoma Legislature does memorialize the Congress of the United States to continue the agricultural conservation program by supporting the annual appropriation of $250 million for such program.

Sec. 2. A duly authenticated copy of this resolution shall be forwarded to the President of the United States, the Vice President of the United States, the Speaker of the House of Repreesntatives, the chairmen of the Senate and House Committees on Appropriations, the Secretary of Agriculture, and to the members of the Oklahoma congressional delegation.

Adopted by the senate the 25th day of May 1965.

John Massey,
Acting President of the Senate.

Adopted by the house of representatives the 1st day of June 1965.

J. D. McCarty,
Speaker of the House of Representatives.

RESOLUTION OF MASSACHUSETTS HOUSE OF REPRESENTATIVES

Mr. SALTONSTALL (for himself and Mr. Kennedy of Massachusetts) presented a resolution of the House of Representatives of the State of Massachusetts, which was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the Record, as follows:

Resolution of the Commonwealth of Massachusetts

Resolution memorializing the U.S. Senate to ratify the Genocide Convention of 1948

Whereas in this year of 1965, our fellow citizens of Armenian extraction join their brothers throughout the world in commemorating the 50th anniversary of the initiation by the Turkish Government of a plan to destroy the Armenian minority in Turkey; and

Whereas this first modern genocide was to result in the massacre of over 1 million innocent Armenian men, women, and children in the brief period of several months and was to leave another million displaced, ill, maimed, and starving, torn forcibly from their homes; and

Whereas the massacres and deportations of the Armenians were accompanied by enormous cruelties, by torture, and by the abduction and forced conversion to Islam of countless children; and

Whereas the failure of the world to provide either justice for the Armenians or punishment for the Turkish war criminals provided encouragement to other would be mass murderers; and

Whereas Adolph Hitler himself, in ordering massacres in Poland in 1939, remarked "Who speaks nowadays of the extermination of the Armenians"; and thereby embarked upon the systematic mass murder of some 6 million Jews, shocking again the conscience of civilized men throughout the world; and

Whereas the absence of justice for the Armenians motivated Prof. Rafael Lemkin to coin the term "genocide" and to work toward the development of an international treaty outlawing mass destruction of a minority; and

Whereas American leadership and encouragement did in 1948 result in the adoption by the United Nations of the Genocide Convention, with the United States as a signatory; and

Whereas the Genocide Convention declares that genocide murder with intent to destroy a national, ethnic, racial, or religious group; causing the groups' members serious bodily or mental harm; creating conditions calculated to bring about the group's destruction in whole or part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group—is a crime in international law; and

Whereas President Harry S. Truman transmitted the Genocide Convention to the U.S. Senate in 1949, asking for its consent on ratification; and

Whereas today—after almost 16 years—the Genocide Convention still remains in the Senate Foreign Relations Committee with three other human rights conventions—on forced labor, slavery, and women's political rights—transmitted to the Senate by the late President John F. Kennedy; and

Whereas American failure to ratify the Genocide Convention, when 67 other nations—including even West Germany and Turkey—have done so, contradicts the U.S. role as a champion of human rights, and as a leader in fostering the principle of rule of law and contradicts especially the U.S. role as a leader and signatory in relation to the convention itself; and

Whereas thousands of Armenians, as well as Greeks, Jews, and others, have found in the Commonwealth of Massachusetts a refuge from the horrors of genocide: Therefore be it

Resolved, That the Massachusetts House of Representatives respectfully urges the Senate of the United States to give evidence of American commitment to the principles of universal human rights and justice by ratifying the Genocide Convention in this commemorative year of 1965; and be it further

Resolved, That a copy of this resolution be sent by the secretary of the Commonwealth to the President of the United States, the Ambassador to the United Nations, the Secretary of State of the United States, and the Members of the Senate of the United States.

Adopted by the house of representatives, May 25, 1965.

WILLIAM C. MAIERS,
Clerk.

Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Armed Services, without amendment:

H.R. 214. An act to amend section 2104 of title 38, United States Code, to extend the time for filing certain claims for mustering-out payments, and, effective July 1, 1966, to repeal chapter 43 of title 38 of the United States Code (Rept. No. 316).

By Mr. CANNON, from the Committee on Armed Services, without amendment:

H.R. 7762. An act to amend titles 10 and 37, United States Code, with respect to the Reserve Officers' Training Corps (Rept. No. 315).

By Mr. ROBERTSON, from the Committee on Banking and Currency, with an amendment:

S. 2080. A bill to provide for the coinage of the United States (Rept. No. 317).

By Mr. CLARK, from the Committee on Labor and Public Welfare, with an amendment:

S. 1566. A bill to extend the Juvenile Delinquency and Youth Offenses Control Act of 1961 (Rept. No. 318).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE:

S. 2126. A bill for the relief of Sook Ja Kim, Ai Ja Kim, and Min Ja Kim; to the Committee on the Judiciary.

By Mr. TALMADGE (for himself and Mr. SMATHERS):

S. 2127. A bill to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones; to the Committee on Finance.

(See the remarks of Mr. TALMADGE when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 2128. A bill for the relief of Mrs. Carmela Melisi De Nisi; to the Committee on the Judiciary.

By Mr. GORE:

S. 2129. A bill for the relief of Bonnie Ann Lowrie, Mark Wayne Lowrie, and Paul Cameron Lowrie; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2130. A bill to amend the International Organizations Immunities Act; to the Committee on Finance.

(See the remarks of Mr. BARTLETT when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 2131. A bill to provide awards and other benefits to aliens supplying information with respect to Communist activities; to the Committee on the Judiciary.

(See the remarks of Mr. EASTLAND when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S.J. Res. 91. Joint resolution establishing a national shrine commission to select and procure a site and formulate plans for the construction of a permanent memorial building in memory of the veterans of the War Between the States or the Civil War; to the Committee on Public Works.

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "THE SOVIET EMPIRE—A STUDY IN DISCRIMINATION AND ABUSE OF POWER"

Mr. EASTLAND submitted the following concurrent resolution (S. Con. Res. 38), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary 5,000 additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power", prepared by the Legislative Reference Service, Library of Congress, at the request of the Internal Security Subcommittee.

RESOLUTIONS

RETURN OF FLAG FLOWN AT THE ALAMO TO STATE OF TEXAS

Mr. TOWER submitted a resolution (S. Res. 112) urging negotiations toward return from Mexico of a flag flown during the siege of the Alamo as a further symbol of present good-neighbor relations between the Republic of Mexico, the United States, and the State of Texas, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. TOWER, which appears under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF HEARING ENTITLED "COMMUNIST FORGERIES"

Mr. EASTLAND submitted the following resolution (S. Res. 113), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on the Judiciary four thousand three hundred additional copies of the hearing entitled "Communist Forgeries", held by its Internal Security Subcommittee during the Eighty-seventh Congress, first session.

AMENDMENT OF RULE XXII OF STANDING RULES OF THE SENATE

Mr. BENNETT submitted a resolution (S. Res. 114) to amend rule XXII of the Standing Rules of the Senate, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. BENNETT, which appears under a separate heading.)

SPECIAL INDEMNITY INSURANCE FOR MEMBERS OF ARMED SERVICES SERVING IN COMBAT ZONES

Mr. TALMADGE. Mr. President, the bill which I am introducing for myself and my distinguished colleague, the Senator from Florida [Mr. SMATHERS], would provide a special indemnity insurance for members of the Armed Forces serving in combat zones. Any person on active duty with the Armed Forces in a combat zone would be automatically insured by the United States without cost to such person against death in the principal amount of $10,000.

This indemnity would apply retroactive to January 1, 1962, and before such date as may be determined by Presidential proclamation.

It is my feeling, Mr. President, and I am sure this feeling is shared by all patriotic Americans that members of the Armed Forces of the United States who are assigned to hazardous duty in a combat zone anywhere in the world are entitled to insurance benefits in the event of their death in order that the economic security of their families, their wives, and their children may be made more secure.

American soldiers, sailors, and marines now fighting in the jungles of Vietnam, or who fought in the Dominican Republic, or who may be called upon to fight for the cause of freedom anywhere in the world, are no less entitled to this security than were the American fighting men who served their country in Europe or the Pacific in World War II, or in Korea.

Since December 12, 1961, more than 400 Americans have made the supreme sacrifice in an effort to bring freedom and democratic government to Vietnam. Just since May 10, more than 50 American soldiers have died in battle with the Communist Vietcong. This very moment, as I stand here on the Senate floor, a U.S. command of special forces is fighting to regain their positions overrun by several thousand Vietcong. Although no official estimates have been released, it is reported that more than 30 American lives have been lost in this single engagement alone which began Wednesday night.

Although the fighting in Vietnam is not a declared war of the United States, it is a hot and bloody war nonetheless, as the thousands upon thousands of American servicemen who are risking their lives daily to help stem the tide of communism in southeast Asia can testify.

Certainly, the Government of the United States and the worldwide cause of freedom which they are defending owes them no less than some measure of security for their families.

I send the bill to the desk and ask that it be referred to the appropriate committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2127) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, introduced by Mr. TALMADGE (for himself and Mr. SMATHERS), was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. SMATHERS. Mr. President, the proposal introduced by my distinguished colleague [Mr. TALMADGE] and myself, to provide benefits to those of our Armed Forces personnel fighting to protect our own national interest, as well as for freemen throughout the world, is long overdue.

We are engaged in a cold war that brings about the loss of life, as well as injury, to our Armed Forces personnel to the same extent as if we were engaged in a hot war declared by Congress.

These fathers and sons should be provided for by a grateful country, and I feel confident that the people of America, the Congress, and the President are anxious to provide indemnity protection for their families and for them in the event of death resulting from enemy action.

The prosperous economy which we enjoy today is to a great extent attributable to those who sacrificed and continue to sacrifice their lives for the cause of freedom. Their sacrifices are as great as those who have given up their lives or sustained injury in combat in our Nation's past wars.

I sincerely trust that the Congress will take prompt and favorable action on this proposal. Knowing that we care at home about the future welfare of our Armed Forces personnel certainly will do much toward bolstering their spirits at times when many of us too often forget and take for granted the freedoms which we enjoy today as a result of their services to our country.

AMENDMENT OF INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill to amend the International Organizations Immunities Act—59 Stat. 699; 22 U.S.C. 288–288f—to include the European Space Research Organization with those organizations given certain privileges and immunities under the act. Enactment of this measure is necessary to accommodate the objectives of the European Space Research Organization in establishing a proposed satellite telemetry command station near Fairbanks, Alaska.

It is my understanding the chairman of the Science and Astronautics Committee in the other body, Hon. GEORGE P. MILLER, has introduced an identical bill, H.R. 8210. The House bill, I am told, is now pending in the Ways and Means Committee.

Mr. President, the European Space Research Organization ESRO—was established to "provide for, and to promote, collaboration among European stations in space research and technology, exclusively for peaceful purposes." The following countries are members of ESRO: Belgium, Denmark, Federal Republic of Germany, France, Italy, the Netherlands, Spain, Sweden, Switzerland, and the United Kingdom.

Because the United States is not a member of ESRO that organization cannot be afforded the immunities and privileges set out in the International Organizations Immunities Act. As a result, ESRO cannot proceed with the necessary negotiations preliminary to establishing its proposed tracking station in Alaska.

The bill I introduce today would bring ESRO in under the International Organizations Immunities Act and allow them to proceed with construction of this vital station in Alaska. The construction season is very short in my home State and for this reason I hope for swift action by the Congress on the legislation I propose today. This would allow ESRO to at least begin construction of its Fairbanks station this year.

It is my understanding, Mr. President, that ESRO's request for an Alaskan station has been cleared not only by the State Department but also has been coordinated with the Federal Communications Commission, the Defense Department, and the Director of Telecommunications Management, Office of Emergency Planning. All of the agencies contacted have agreed that it is desirable to accommodate the ESRO request in every way proper in order to reciprocate in part for the fine and favorable reception which NASA has received in response to its request for tracking stations abroad.

The proposed Alaska station would constitute one element in the planned ESRO network, with other stations located at Spitzbergen, Falkland Islands, and Brussels. The telemetry data would be recorded on magnetic tapes at the Fairbanks and other stations and flown to the ESRO control center at Delft, Netherlands.

While it is not intended at present to use the ESRO station at Fairbanks in support of NASA programs, I am told such support would be technically feasible since the equipment planned to be installed at the ESRO stations is compatible with that of the NASA minitrack stations.

The report I have concerning the Fairbanks station indicates that a great portion of the proposed site is on State-owned land which the government of Alaska is willing to lease to ESRO on a long-term basis.

ESRO representatives have been briefed on U.S. communications law which requires that a transmitting facility within the United States be operated only by a U.S. individual or organization. ESRO understands that such intergovernmental agreements as may be reached in connection with the tracking station must satisfy this legal requirement. Operation of the Fairbanks station, according to present ESRO plans, will be through a U.S. contractor and no difficulty is anticipated. It is my understanding this station will require the presence of some 30 technical personnel during periods of 24-hour operation.

Mr. President, the customs and tax privileges with respect to both official property and personal property of ESRO personnel, which ESRO is seeking is the same kind of special treatment afforded NASA with respect to its tracking stations abroad and personnel abroad. I think it is very important that we do at least as much to encourage ESRO as the many nations around the world who cooperate with us in our space program have done for us.

Mr. President, so my colleagues will know something about the International Organizations Immunities Act, which I would amend with my bill, I ask unanimous consent to have a section-by-section analysis of the act as well as the text of my bill printed in the RECORD at this point.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 2130) to amend the International Organizations Immunities Act, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288–288f) is amended by adding a new section 11, to read as follows:

"SEC. 11. The European Space Research Organization shall be deemed to be an international organization for the purposes of this Act."

The section-by-section analysis presented by Mr. BARTLETT is as follows:

SECTION-BY-SECTION ANALYSIS OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT (59 STAT. 669; 22 U.S.C. 288–288f)

This analysis is derived largely from a summary of the provisions of the legislation included in the report of the House Committee on Ways and Means when the legislation was reported out on November 12, 1945. For the full text of the committee's report, see United States Code Congressional Service, 79th Congress, 1st session, 1945, page 946. The act has not been amended since its original enactment.

Section 1 of the act defines the term "international organization" to mean a public international organization in which the U.S. participates pursuant to any treaty or under the authority of any act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designed by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities provided under the act.

Section 1 also provides for the revocation, by the President, of the privileges from any organization in the event of their abuse or for any other reason.

Section 2 of the act recognizes that international organizations shall, to the extent consistent with the instrument creating them, possess the capacity to make contracts, to acquire and dispose of real and personal property, and to institute legal proceedings.

Section 2 also sets forth certain general exemptions which would be extended to international organizations (if otherwise covered under the act), including immunity from suit, search, and confiscation, and inviolability of their archives. With respect to the specific matters of customs duties and internal revenue taxes, imposed upon or by reason of importation, and procedures for collection and enforcement of these duties and taxes, the privileges, exemptions, and immunities extended to international organizations are those accorded foreign governments under similar circumstances. Similarly, with respect to the registration of foreign agents, and the treatment of official communications, international organizations are put on the same basis as foreign governments.

Section 3 of the act provides exemption from customs duties and internal revenue taxes, imposed upon or by reason of importation, with respect to the baggage and effects of alien officers and employees of international organizations, aliens designated by foreign governments to serve as their representatives in or to such organizations, and the families, suites, or servants of such officers, employees, or representatives. In order to receive the exemption, baggage and effects must be imported in connection with the arrival of the owner in this country.

Section 4 of the act provides for amendments of the Internal Revenue Code in order to extend exemptions from Federal taxation to international organizations and their officers and employees.

International organizations are put on the same basis as foreign governments with respect to the exemption of income from sources within the United States.

Similarly, exemption from income tax is extended to alien officers and employees of international organizations but not to American citizens. In this respect the exemption is similar to the exemption provided for employees of a foreign government. The exemption is limited to wages, fees, or salary received as compensation for official services to such international organizations so that the beneficiaries of the exemption are not relieved by the act from taxes on income derived from commercial activities in the United States, speculation in securities, or other sources within the United States.

International organizations and all of their employees, including U.S. citizens as well as aliens, are exempted from social security taxes and the collection of tax at the source on wages. International organizations and their employees are thus placed in precisely the same position with respect to these taxes as the U.S. Government and foreign governments.

International organizations are also exempted from the Federal communications taxes and taxes on transportation of persons and property but neither they nor their officers and employees are exempted from any Federal excise or tax not specifically referred to in the act.

Section 5 of the act amends the Social Security Act to remove from covered employment, services performed in the employ of an international organization, paralleling the employment-tax exemptions accorded by section 4.

Section 6 of the act provides that international organizations shall be exempt from all property taxes imposed by or under the authority of any act of Congress, including such as are applicable to the District of Columbia, and also that they shall have the same exemptions from State and local taxes as does the U.S. Government. Since these exemptions are not extended to individuals, administrative difficulties in connection with local sales taxes will be kept to a minimum.

Section 7 of the act provides that alien officers and employees of international organizations and representatives of foreign governments therein shall enjoy the same privileges as officials of foreign governments in respect of laws regulating entering into and departure from the United States, alien registration and fingerprinting, registration of foreign agents, and selective training and service. The immigration laws are amended accordingly and, under section 7(d) and 8(b), the same procedure for deportation is made applicable to alien officers and employees of international organizations as in the case of officials of foreign governments.

Under section 7(b), all officials of international organizations, including American citizens, and representatives of foreign governments therein, would be granted immunity from suit and legal process for acts performed in their official capacity. It should be noted that under this provision and section 8(c) there would not be extended full diplomatic immunity from judicial process as in the case of diplomatic officers.

Section 8(a) of the act provides the procedure for notification to and acceptance by the Secretary of State of the persons to be entitled to the benefits of the legislation. Section 8(c) provides that no person shall by reason of the provisions of the legislation, receive diplomatic status or be entitled to any of the privileges incident thereto except as set forth in the act.

Section 9 of the act provides that the benefits of the legislation shall be granted notwithstanding the fact that similar privileges and immunities granted by the United States to a foreign government may be conditioned upon the extension of reciprocity by that government. This provision is included to make it clear that the privileges and immunities may be extended to international organizations even though such organizations are not in a position to accord similar treatment to the United States; in substance the effect is to state that the reciprocity provisions which are contained in certain laws providing for privileges and immunities to foreign governments would not be applicable in this situation. However, this section also provides that the Secretary of State shall not be precluded from withdrawing privileges and immunities from nationals of any foreign country which fails to provide corresponding privileges to the citizens of the United States.

Section 10 of the act provides that it may be cited as the "International Organizations Immunities Act."

INCENTIVES FOR PROSPECTIVE DEFECTORS FROM COMMUNIST COUNTRIES WHO FURNISH CERTAIN VALUABLE INFORMATION

Mr. EASTLAND. Mr. President, I introduce, for appropriate reference, a bill to provide incentives for prospective defectors from Communist countries who may come over to our side with information of value to the United States.

The bill authorizes admission of such defectors for permanent residence in this counrty, and also authorizes the payment of annuities to insure the ability of each such defector to maintain a decent standard of living for himself and his family. Such annuities would be adjusted to take into account income of the defector from other sources; but during the period of adjustment which would be necessary in the case of any defector, these annuities would insure the ability of the defector to maintain himself and his family in reasonable security.

Their purpose is just as I have described, to assure a prospective defector that in addition to being received as a permanent resident of the United States, he will have reasonable security for himself and his family during the difficult period of adjustment to life in a new country.

This bill is in line with recommendations which have been made by the Internal Security Subcommittee. Its enactment should do a good deal to counter Communist propaganda against defections, which has as one of its strongest points the argument that a defector, by coming over to our side, sets himself and his family adrift in an unfamiliar society with which he may not be able to cope and without any assurances that he will be able to make a living for himself and his loved ones. Often a defector has to leave all his property behind him, and in such a case it is naturally a serious problem, which he must consider, how he and his family are to get along until he can establish himself in his new surroundings.

My bill provides for administration of the program of defector awards by a Board to be composed of the Secretary of State, the Attorney General, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, and the Chief of the Intelligence Branch of the Department of Defense. The Secretary of State is placed on the Board because of the possible impact of defections upon our foreign relations. The Attorney General is placed on the Board because of his supervision of immigration, and his general overall supervision of law enforcement on the Federal level. The reason for inclusion in the Board of the members connected with the intelligence services needs no explanation. It may be the Board should be expanded to include others, and this can be considered when hearings are held on the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2131) to provide awards and other benefits to aliens supplying information with respect to Communist activities, introduced by Mr. EASTLAND, was received, read twice by its title, and referred to the Committee on the Judiciary.

RETURN OF FLAG FLOWN AT THE ALAMO TO THE STATE OF TEXAS

Mr. TOWER. Mr. President, the story of the Alamo is known to all Americans. It was here that some 183 men died in the name of independence and liberty. Their story is the story of valor, of courage, of sacrifice.

The men who gathered at the Alamo were from many States. They rallied under a number of flags, but all their flags proclaimed a single purpose—liberty and independence.

For many months Texas had chafed under the excesses of Santa Ana's military dictatorship, which had been established in violation of and in violence to the liberal Mexican Constitution of 1824. Because their position had become intolerable, these men were willing to face the might of Santa Ana's army.

Historians record that there were probably several flags at the Alamo. Mr. Walter Lord, in his book "A Time To Stand" says:

> These men, like the rest of Texas, had their improvised flags. The New Orleans Greys carried their azure blue. Travis' regulars had the $5 flag bought en route to San Antonio—no description remains. Seguin's nine men might well have carried a Mexican tricolor with two stars standing for Coahuila and Texas as separate states.

But Mr. Lord also notes that "judging from Colonel Almonte's diary, only one Texan banner was taken on March 6; and judging from the Mexican archives, this was the azure emblem of the New Orleans Greys."

Mr. President, a flag means many things to different people. Our own wonderful Stars and Stripes evokes a feeling of patriotism in the hearts of all Americans. It sums up our feeling for our country; it is our symbol of unity, of greatness, and of our liberty.

But there are other flags, other banners, under which men have fought and died for liberty. And it is important that we approach Flag Day, that day when we pay special honor to our own Stars and Stripes, we consider another flag, of another day, but also of our own people.

That flag, Mr. President, is the flag of the Alamo. When the last of the Alamo's defenders died on March 6, 1836, the flag of the Alamo was sent to Mexico City by General Santa Ana as a trophy of war. It remains there to this day, enshrined now in the Mexico National Archives at Chapultepec Castle.

Mr. President, with the passing of time there has also been a passing of the bitterness of the past. Now the people of our two countries, Mexico and the United States, are good and peaceful friends. Mexico has also had its own revolution, and now proudly champions the idea of liberty and freedom. We stand together, Mr. President, in the field of seeking human betterment through peaceful means. In short, Mr. President, a new day has long since dawned in the relations between our two countries.

It is fitting at this time, Mr. President, and in light of present goodwill between the people of Texas and the people of Mexico, that the flag of the Alamo be returned to its home, to rest in honored glory forever.

According to Mr. William Gardner, the distinguished political writer for the Houston Post, and a man who has done much research on this subject, the flag of the New Orleans Greys accompanied a band of volunteers that came to Texas in late 1835. The company was organized in New Orleans. They took their flag with them to the Alamo, and it was this banner, from available evidence, around which the defenders rallied. At any rate, it was considered the chief flag of the defenders by Gen. Antonio Lopez de Santa Ana, for he sent it by special messenger to Gen. José Maria Rornel, the Secretary of War and Navy with the message of victory at the Alamo.

The flag was of azure blue, with the inscriptions "1st Company of Texas Volunteers from New Orleans," and "God and Liberty."

Mr. President, we do not know what flag would have been adopted had the azure blue flag of the New Orleans volunteers not been captured. Eventually, as all the world knows, the struggle for independence was successful, and our flag in Texas proudly became the flag of the Lone Star. But regardless of that, it was the banner of the Alamo under which the defenders of the Alamo fought, and gave up their lives for liberty. I believe all Americans will agree, Mr. President, that it is time for the flag to come home.

Mr. President, the Texas Legislature recently passed a resolution calling for friendly negotiations with Mexico aimed at returning the flag to its home. This resolution was the result of news stories both in Mexico and in the United States suggesting that perhaps the time is now ripe, in view of the mutual esteem with which our two peoples hold each other, to return the honored flag to the people of Texas.

However, Mr. President, there is some division of opinion in Texas as to the propriety of a State conducting negotiations, however friendly, with a foreign nation. Because of that, and because I believe this to be a matter of importance for the long-range friendly relations between our two countries, I will submit a resolution asking that the Department of State join in this effort, that it use its good offices with the Government of Mexico in order that the azure blue flag of the Alamo, the banner of the 1st Company of Texas Volunteers from New Orleans, be returned to its home in Texas.

Mr. President, I ask that the text of my resolution be printed at this point in my remarks.

In addition, I ask that the text of articles about the Alamo flag, by the distinguished political affairs editor of the Houston Post, William H. Gardner, and by Larry Allen of the Fort Worth Star-Telegram be printed at this point in the RECORD, along with excerpts about the flag from the book "The Romantic Flags of Texas" by Mamie Wynne Cox.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution and articles will be printed in the RECORD.

The resolution (S. Res. 112), submitted by Mr. TOWER, was referred to the Committee on Foreign Relations, as follows:

S. RES. 112

Whereas the epic of the Alamo has stirred the imagination of generations and has remained a touchstone for courageous men everywhere; and

Whereas the deeds of the men who died at the Alamo in defense of liberty and independence have inspired bravery in men struggling against tyranny around the world; and

Whereas men from many States in our Union made up the band that fell at the Alamo; and

Whereas the standard of that valiant few, the azure blue banner of the 1st Company of Texan Volunteers from New Orleans with the inscription, "God and Liberty," is now enshrined in the Mexico National Archives at Chapultepec Castle; and

Whereas the Texas Legislature has passed a resolution calling for negotiations with our sister Republic and good neighbor, Mexico, aimed at returning the flag of the Alamo to Texas; and

Whereas the Senate of the United States believes that such a move would further cement the friendly relations now existing between our two countries: Now, therefore, be it

Resolved by the Senate of the United States, That the Department of State is urged to lend its good offices in this effort, keeping in mind the high respect and admiration with which we regard our sister

Republic, in order that the flag of the Alamo may be returned to its home, to rest in honored glory.

Mr. TOWER. Mr. President, this matter is especially appropriate for the attention of this Senate because men from 19 of the United States were among the heroic Alamo defenders. Represented were: North Carolina, Tennessee, Kentucky, Arkansas, Missouri, Mississippi, Alabama, Virginia, New York, South Carolina, Louisiana, Pennsylvania, Maryland, New Jersey, Massachusetts, Indiana, Georgia, Ohio, and Illinois.

The articles presented by Mr. Tower are as follows:

Historians Puzzled: Mystery of Alamo Flag

(By William H. Gardner)

What flag flew over the beleagured Alamo, and flapped in the north wind on that cold morning of March 6, 1836, when Santa Ana's battalions stormed the walls to overpower the defenders?

The question is a minor one in the long vistas of history, but it has remained an exasperating little puzzle to historians over the generations.

Now it has popped up again as a matter of timely concern, and the answer is again being sought.

A handsome mural portraying the panorama of Texas history has just been completed in the State Library and Archives building in Austin and will be dedicated in the near future. The Alamo, of course, occupies a prominent position in the mural, and the question arises of what flag is to be painted on the staff above the fortress.

Dr. Dorman H. Winfrey, State librarian, is naturally desirous that the proper flag be shown in the painting, and he has asked members of the Texas Library and Historical Commission to help determine the matter. A decision will be made soon.

But what flag should be shown?

Should it be the red, white and green Mexican flag with the figures 1824 painted on the white bar, signifying adherance to the Mexican Constitution of that year? This flag has been accepted as the Alamo banner by many historians over the years.

Should it be the Mexican tricolor with two stars in the white bar, representing the twin States of Texas and Coahuila?

Should it be the blue flag, with a white star and the word "Independence," that Capt. William Scott provided for his company of Texas volunteers, and which might have found its way into the Alamo in the knapsack of one Thomas Bell?

Or should it be the azure blue banner of the New Orleans Greys (or Grays), a gallant company that came to Texas to "fight for their rights." About half of them perished in the Alamo—the others had marched to Goliad where they met a similar fate with Fannin 3 weeks later.

Obviously the Alamo flag would not be the Lone Star of Texas, for the 187 defenders of the mission-fortress died without ever knowing that independence had been declared at Washington-on-the-Brazos only 4 days earlier.

It could have been the flag which Col. William B. Travis bought with $5 of his own money when he set out for the Alamo with 30 men in late January 1836, but if so nobody knows what it looked like, for no description of it remains.

The artist, Peter Rogers, first put the 1824 Mexican flag in the mural. However, some authorities, among them State Archivists James M. Day and Robert E. Davis, historian and owner of the Texian Press at Waco, contended that the Alamo flag was the silk banner of the 1st Company of New Orleans Greys.

Accordingly, Artist Rogers changed his flag to that of the Greys, but again there were protests, and he reverted to the 1824 flag. The Library and Historical Commission will make a final decision, together with Librarian Winfrey, and the flag in the mural may well be changed again.

The 1824 flag has the virtue of familiarity since it was the standard depicted in H. A. McArdle's famous painting, "Dawn at the Alamo," which has hung in the senate chamber of the Texas Capitol since 1905.

However, Davis researched the old controversy in recent weeks and is convinced that the New Orleans Grays' flag is the right one. Archivist Day agrees.

One of their most telling arguments is that the Grays' flag is now in the Mexican National Museum at Chapultepec Castle, in Mexico City, sent there by Santa Ana when he captured the Alamo. This flag, its silk in shreds and its bright blue color faded to a yellowish gray, is now undergoing renovation and repairs in a basement workroom at Chapultepec. Mexican women, working from a photograph taken about 30 years ago, when the flag was in fairly good shape, are carefully piecing it together, resewing the scraps of silk onto the original cotton domestic base, which is in reasonably good condition. Museum officials estimate the repair work will take at least 3 months.

When the flag was rediscovered, wrapped in brown paper and tucked away in the museum files by the then director, Dr. Luis Castrillo Ledon, in 1934, it had a letter from Santa Ana attached. This letter also is being "reconditioned" by the museum.

This letter, or note, dated at Headquarters, Bexar, March 6, 1836, read as follows:

"To His Excellency, the Secretary of the War and Navy, General Jose Maria Tornel.

"Most Excellent Sir: Victory belongs to the army. The bearer takes with him one of the flags of the enemy's battalion captured today. The inscription of it will show plainly the true intention of the treacherous colonists and of their abettors who come from parts of the United States of the north.

"God and liberty.

"Antonio Lopez de Santa Ana."

It is cruel irony that the Mexican dictator in his triumphant message borrowed a phrase from the captured flag.

The blue silk flag was presented to Captain Breece's company of the Grays when they reached Texas late in 1835, by a pretty Texas girl. It bore the inscription: "1st Company of Texan Volunteers from New Orleans. God and liberty."

The museum file card referring to the flag of the Grays says: "This flag was captured at the fortress of the Alamo, March 6, 1836, by Gen. Antonio Lopez de Santa Ana." A description of the flag is given. On another museum card is the text of Santa Ana's message.

Walter Lord, in his book on the Alamo, "A Time To Stand," thinks that the only flag flying over the Alamo on the morning of the assault was the azure emblem of the New Orleans Grays, though he acknowledges there may have been other flags in the fortress. At least five Mexicans, including Lt. Jose Maria Torres and Lt. Damasco Martinez of the Zapadores battalion, were shot as they tried to pull it down, but eventually none was left to defend it, and it was taken to Santa Ana.

The best available evidence, therefore, is that the flag of the Alamo was the blue banner a Texas girl had handed to the Grays as they crossed the Sabine 3 months before, their drums beating out the lively tune, "Beer in the Mug."

Weavers Finish Task—Restored Flag of Alamo Ready for Return to United States

(By Larry Allen)

Mexico City.—The flag which Mexican historians say flew over the Alamo and fell into the hands of Gen. Antonio Lopez de Santa Ana as he wiped out the fortress' defenders is ready for return to Texas if the Lone Star State Legislature so requests and Mexico's Congress approves.

Thread by thread, two expert weavers, Miss Carmen Velaso Abrego and Mrs. Maria de la Luz Peredo de Vazquez, tediously piecing together the tattered bits of the banner, substantially achieved its reconstruction after 4 months of careful work daily.

The words: "1st Company of Texas Volunteers from New Orleans" which appeared on a light blue background in the Alamo flag have been restored sufficiently that each can be fairly well read although some letters, or parts of letters, are missing. Only a minor part of the design of an eagle with spreading wings and the words "God and Liberty" which formed the center of the emblem are visible.

Nevertheless, the diligent women weavers working doggedly at Chapultepec Castle's Museum of National History are generally credited by North Americans and Mexicans alike with having done a "remarkable job" in putting together a flag from powder-like bits and threads.

Santa Ana, who branded the Alamo flag as the "banner of treason," sent it down to Mexico City after the Alamo fell on March 6, 1836. It was furled and wrapped only in heavy brown paper.

In a note sent to Government authorities in Mexico City, Santa Ana indicated it would be better if the flag were never unfurled and put on public display.

Apparently, his wishes were respected, and the flag gradually disintegrated as it reposed in museums or elsewhere for decades.

Chapultepec Museum officials constantly finding new historical objects and restoring and cataloging them, came across the wrapped bits of the Alamo flag late in 1964 as preparations were being made to dedicate a new "Sala de Banderas" (Room of Flags).

Museum Chief Antonio Arriaga Ochoa immediately put the women weavers to work to see what they could do to reconstruct the emblem.

Day after day, week after week, they ran their hands through tattered silken bits "just like powder," trying to find the right piece for the right spot in the reconstruction work. To guide them in putting pieces together like a jigsaw puzzle, they had a photograph of the Alamo flag as it supposedly looked on the morning it fell into Santa Ana's hands.

The Texas Legislature now has before it a resolution to create a special commission to negotiate with Mexico for the return of the banner.

If the measure is adopted and a commission comes to Mexico City, there appears no doubt but that Mexico would graciously turn over the reconstructed banner with its identifying words in blue on a light blue background with gold-tasseled edges.

In support of that view, Mexicans and United States citizens here cite the "never better" United States-Mexico relations which would be still further improved with the Alamo flag's return to Texas.

The Texas Scene: Alamo Flag Will Stay in Mexico

(By William H. Gardner)

Austin.—The flag of the Alamo may remain in a Mexican museum for another 130 years, if its return depends on any official action by the State of Texas.

If the hallowed banner captured by Santa Ana when he stormed the Alamo on March

6, 1836, is ever brought back to Texas, it probably will have to be through the efforts of the U.S. State Department, with the Texas government interested, but aloof.

Both Gov. John Connally and House Speaker Ben Barnes have indicated they would not comply with a resolution (H. Con. Res. 15) passed by the house and senate directing them to appoint two members each to a State commission to negotiate with the Republic of Mexico for the return of the flag, now in Chapultepec Castle at Mexico City.

On the other hand, Lt. Gov. Preston Smith promptly appointed his two members to the commission—Senators Charles Herring of Austin and Jim Bates of Edinburg.

Governor Connally allowed the resolution, by Representative W. H. Miller, of Houston, to become law without his signature and threw a bucket of cold water on it by saying he had serious doubts as to its constitutionality.

He commended the "sincere motives of the sponsors," but added that any effort to return the flag fell into the delicate field of international relations and should be handled by the State Department.

Speaker Barnes a few days ago echoed the Governor's opinion that the approach should be on the Federal, rather than the State, level and strongly implied that he would not make his two appointments to the commission.

Barnes told newsmen he understood Mexican newspapers had expressed violent opposition to relinguishing the flag to Texas.

When the flag question was first raised there was a news story out of Mexico City by United Press International that the Texas proposal had stirred up a "hornet's nest," but the facts provided in the story failed to bear out that assertion. Only one voice was quoted in opposition—that of Columnist Barrios Gomez, writing in the newspaper Novedades, who called the request "inopportune." And Gomez' principal peeve seemed to be the John Wayne movie on the Alamo, "glorifying the losers there."

The columnist was grossly confused on his facts and his history, reporting that "the old and peaceful Mission of San Antonio de Valero had been converted * * * into a slave center where black women, men, and children worked under the whip of white masters."

There were a few slaves serving the defenders of the Alamo—one of whom was spared by Santa Ana to accompany Mrs. Almeron Dickenson to take the word of the disaster to Sam Houston—but to describe the Alamo as a slave pen is, of course, the height of absurdity.

In contrast to the Gomez blast, the UPI story quoted Prof. Victor Medal Matamoros of the museum staff as saying: "With the silk fibers of the flag, have also gone the bitterness of the past."

A later story from Larry Allen, Mexico City correspondent for several Texas newspapers, reported that the tattered Alamo flag had been restored in the workroom of Chapultepec Castle by expert women weavers, "and is ready for return to Texas if the Lone Star State Legislature so requests and Mexico's Congress approves."

Allen said if a Texas commission comes to Mexico City with an official request for return of the flag, "there appears no doubt but that Mexico would graciously turn over the reconstructed banner."

Glenn E. Garrett, executive director of the Texas Good Neighbor Commission, who is deeply interested in the return of the flag, said such an act of international friendship would doubtless require the approval of the Mexican Congress, but he was optimistic that such approval could be obtained.

It is admitted by all concerned that the assistance of the State Department, and perhaps the influence of President Lyndon Johnson, should be sought in making the request to President Diaz Ordaz and the Mexican Government. The current wave of anti-American feeling among segments of the Mexican populace because of the Dominican intervention may raise some doubts that this is the most propitious time to enter into the flag negotiations, but even if a delay is indicated, the idea should not be allowed to die. It has a good chance of ultimate success.

The Romantic Flags of Texas

(By Mamie Wynne Cox)

CHAPTER XII: THE FLAG OF THE NEW ORLEANS GRAYS

"The tender hand of a fair Texan gave us, in the name of a number of beauties of the land a beautiful blue silk flag on which the following inscription appeared: 'First Company of Texan Volunteers, From New Orleans, God and Liberty.'" Thus Herman Ehrenberg, native of Germany, youngest member of the company of 64 volunteer soldiers from New Orleans, La., wrote in his diary. This most interesting and valuable history of the activities of the New Orleans Grays is preserved in the archives of the University of Texas and has recently been translated.

Thus, another company flag was added to the romantic flags of Texas, and this one proved to be one of the most important, witnessing one of the greatest tragedies of the war—the fall of the Alamo, on March 6, 1836.

There was excitement and enthusiasm in New Orleans over enlistment in the cause of Texas independence and the first volunteers from the United States were the two companies of New Orleans Grays, organized in November 1835. These troops were raised by Adolphus Sterne, of Nacogdoches, Tex., and some other citizens of the city who generously outfitted the men with many army supplies.

A short time previous Edward Hall, of New Orleans, had arrived at San Felipe as a representative of a committee in New Orleans and reported $7,000 was raised for Texas in a short time, and detachments of the New Orleans Grays were then on their way to join Austin at San Antonio. This news served to hearten the Texans.

One company of volunteers from New Orleans, La., came on the *Ocean*, a fighting vessel commanded by Captain Grayson who had previously commanded the *San Felipe*. The *Ocean*, a gift from Mobile, Ala., citizens, was a completely equipped fighting vessel and was filled to the guards with soldiers ready for a clash of arms. They had espoused the Texan cause wholeheartedly. A prominent seafaring man was Harwell Walker, a distinguished member of the New Orleans Grays who took a conspicuous part in the capture of San Antonio de Bexar. He was later commissioned a sailing master of the schooner of war *Invincible*.

The other company of New Orleans Grays organized in November 1835, came by the Mississippi River into the Red River, thence by land through Nachitoches, La., at length crossing the Sabine River into Texas. Herman Ehrenberg[1] who graphically chronicled their march, in his diary, states that as soon as the Grays arrived on the Texas side of the river Captain Breeze knelt and "kissed the soil and received the holy ordinance of citizenship." He also accepted a beautiful blue silk flag presented by Texas young ladies and to "some extent expressed to the ladies our unexpressible thanks." On the line of march the blue flag led the way to San Augustine. Although the soldiers met a typical Texas norther, they were said to have found the march swift and enjoyable.

Arriving at San Augustine Herman Ehrenberg wrote of their reception: "Three small cannons roared us a welcome, but what pleased us the most were the really gigantic beefsteaks and roast beef which were awaiting our arrival."

After being thus physically heartened, and encouraged by the enthusiasm of the citizens, the Grays, led by their flag, again set out. Their next stop was in Nacogdoches at the hotel of Adolphus Sterne, where the entire company and many citizens sat down at a banquet table 150 feet long. Among other good things to eat was a barbecued bear. The chairman of the entertainment committee said, "Gentlemen, the men of Nacogdoches have prepared this banquet for the New Orleans Grays." Speeches were made and the causes of the war were discussed.

The soldiers left the next morning and the townspeople turned out in great numbers and cheered them lustily as they marched off—and leading the way was their bright blue flag.

The hospitable citizens of Nacogdoches urged them to remain a few days, but the New Orleans Grays and Captain Breeze were eager to push on to San Antonio and take part in the proposed siege. They arrived in good time for the council of war, which was held at the Texans' San Antonio headquarters, at which an assault was determined upon. The army was paraded and Col. William H. Jack made a stirring speech, then called for volunteers. Four hundred and fifty men, including the New Orleans Grays, stepped forward and enrolled.

Both companies of New Orleans Grays were there, one commanded by Maj. R. C. Norris and Capt. William C. Cooke; the other by Captain Breeze whose men carried the bright blue silk flag given them by the Texas ladies on the banks of the Sabine River, when they had entered Texas.

The men were divided into three divisions and the attack was successfully made, and the Alamo opened to the Texans. They hoisted the independent flag—supposed to be the McGahey Flag of Independence—and took possession.

The evacuation of San Antonio was ordered on the 13th and the New Orleans Grays and their flag were sent to Goliad. There, the men under Fannin and Frank Johnson, there was much "marching up the hill and then marching down again," for they were sent down to San Patricio, then back up to Refugio, where Grant, according to Ehrenberg's record, tried to get them to join him in an attack on Matamoras by night. This they refused to do; and with one cannon the New Orleans Grays marched back to tell Fannin that Johnson and Grant would not join Fannin. The New Orleans Grays determined to go back to Bexar, but Fannin insisted that they remain with him, which they did.

Sad to relate this brave company of New Orleans Grays volunteers who had carried aloft their bright blue flag from the banks of the Sabine River through Texas and had fought so fearlessly for possession of the Alamo, were surprised by an overwhelming number of Mexican soldiers, captured, and led away as prisoners of war.

Most of the New Orleans Grays were massacred at Goliad on Palm Sunday, March 27, 1836. Those who escaped that debacle, again joined the Texan army and most of the remainder were with Old Ben Milam at the fall of the Alamo.

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[1] From Clarence Wharton's writings in the Dallas News, May 21, 1936.

Herman Eherenberg, to whom we are indebted for much detail during his stay in Texas, remained here for 6 years and went to the Far West in the gold days.

He became a mining engineer of much prominence and was killed by Indians in the Mojave Desert 15 years later.

Eherenberg's memoirs were published in German in 1842 and have within the year for the first time been rendered in English.

It is odd that Eherenberg and Mordical, the only two Jews with Fannin, escaped the massacre and that both of them were afterward killed by Indians.

With the tragic fall of the Alamo we are all familiar, but it is well that from time to time we should recount the deeds of our heroes. It is well that we should keep their memories fresh and ever hold before ourselves the ideals for which they stood, ideals for which they fought, ideals for which they died.

Twelve days the 4,000 Mexicans bombarded the Alamo garrisoned by 178 Americans. By the 12th day, March 6, 1836, through strength of numbers, after having been thrice repulsed, the Mexican Army entered the Alamo, where they found only five of those heroes alive. Brutally, they were dispatched by order of Santa Ana.

In the "Adventures of Davy Crockett, Mostly by Himself," Charles Scribners Sons, is found a supposed record of events at the Alamo as he saw them:

"We concluded to withdraw to the fortress of Alamo and defend it to the last extremity. We have had a large national flag made; it is composed of 13 stripes, red and white alternately on a blue ground with a large white star of five points in the center, and between the letters 'Texas.'

"As soon as our little band of 150 in number, had entered and secured the fortress in the best possible manner, we set about raising our flag on the battlements on which occasion there was no one more active than my young friend, the Bee Hunter. He had all along been sprightly, cheerful and spirited, but now notwithstanding the control he usually maintained over himself, it was with difficulty that he kept his enthusiasm within bounds. As soon as we commenced raising the flag, he burst forth in a clear, full tone of voice, that made the blood tingle in the veins of all who heard him:

" 'Up with your banner, freedom,
Thy champions cling to thee;
They'll follow where'er you lead 'em
To death or victory;
Up with your banner, freedom.'

"This song was followed by three cheers from all within the fortress, and the drums and trumpets commenced playing.

"The enemy marched into Bexar, and took possession of the town, a blood-red flag flying at their head, to indicate that we need not expect quarter if we should fall into their clutches."

We know without doubt that floating from the highest point of the Alamo building was the bright blue flag of the New Orleans Grays of our sister State, Louisiana. Señor Luis Castillo Ledon, director of the National Museum of Archeology of Mexico D. F. writes me:

"The flag was a light blue and placed at the highest point of the Alamo when the Mexicans attacked the fort. Three men of the Jiminez Battalion were shot down while attempting to tear the flag of the New Orleans Grays down from the topmost point of the Alamo and set the Mexican flag in its place. The fourth Mexican soldier succeeded because there was not one man left in the Alamo who could fire a shot.

"As to the names of these Mexican soldiers, history is silent; lost too, is the name of the man who successfully placed the Mexican flag where this one of the New Orleans Grays had waved."

The flag was photographed by Senor Ledon at it shows in the museum in 1935. Thus there is no question that the flag of the New Orleans Grays carried by those brave soldiers from Louisiana was on the Alamo when it fell. In further evidence we have the note sent at once to Tornel by Santa Ana:

"To His Excellency the Secretary of the War and Navy, Gen. Jose Maria Tornel.

"Most Excellent Sir: Victory belongs to the army. The bearer takes with him one of the flags of the enemy's battalion captured today. The inscription of it will show plainly the true intention of the treacherous colonists and of their abettors who come from parts of the United States of the north.

"God and liberty.

"Antonio Lopez de Santa Ana.

"Headquarters, Bexar, *March 6, 1836*."

There are Mexicans in high positions who criticize Santa Ana's methods at the Alamo and condemn in no uncertain terms the actions of Tornel as unjustifiable butchery. Santa Ana, the dictator, and not the Mexican Government and people is held to blame.

Mr. TOWER subsequently said: Mr. President, I ask unanimous consent that the resolution (S. Res. 112) I submitted during the morning hour today may be allowed to lie on the table for 7 days, for additional cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOAN INSURANCE—AMENDMENT TO HIGHER EDUCATION BILL (S. 600)

AMENDMENT NO. 265

Mr. JAVITS. Mr. President, I submit, for appropriate reference, an amendment to the Higher Education Act (S. 600). This amendment is a substitute for the administration's proposal for insurance of reduced-interest loans to college students and would give Federal assistance on an even-matching basis to State and private, nonprofit student loan guarantee funds; would pay up to 2 percent of the interest on guaranteed student loans; would provide a one-time grant of up to $25,000 to individual States to establish a State loan guarantee program if the State does not already have one; and would provide loan forgiveness of up to 50 percent for low and moderate-income students who maintain scholarship in the upper half of their classes.

The administration program, in contrast, establishes the Federal Government itself as the guarantor of student loans in competition with State and private, nonprofit guarantee programs, has no loan forgiveness feature and gives no encouragement to States to establish their own student loan-guarantee programs. Both the administration and my proposals feature payment of up to 2 percent of the interest rate on guaranteed student loans.

There are other differences between the two proposals. Principal among them are the 6-percent interest ceiling on student loans set by my amendment—under the administration bill, the Commissioner of Education establishes an interest ceiling administratively—a requirement that repayments begin no sooner than 6 months after the borrower's studies have been completed—the administartion provides 1 year—and a stipulation that student loans may be guaranteed for not less than 90 percent of their full amount—the administration requires a 100-percent guarantee.

My amendment authorizes $15 million for the first year, $20 million for the second year, and $25 million for each of the 3 consecutive years.

The continuing 5-percent annual rise in college costs and heavier enrollments are placing greater financial burdens on students and their families and account for the growing reliance upon low-cost loans to pay for a higher education. My amendment will more effectively meet this need than the administration proposal because it strengthens individual State and private, nonprofit loan guarantee plans across the Nation and encourages the establishment of new ones rather than setting up a Federal loan-guarantee system which would displace these efforts.

Nineteen States could today be aided by the provision in my amendment for subventions to State programs. They are Colorado, Connecticut, Hawaii, Illinois, Louisiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and Wyoming. Other States would benefit as they qualify.

State plans have already guaranteed more than $100 million in student loans this school year; further growth is anticipated.

A word needs also be said of the private, nonprofit loan guarantee programs. The principal one among these is the United Student Aid Fund which operates in all the States except Alaska. It receives its funds from private philanthropy and from the colleges attended by the students who are benefited. Thus, in aiding such a nonprofit private fund, Federal dollars are in even partnership with donations from individual citizens and with the Nation's colleges. Attesting to the popularity of this approach is the fact that while the United Student Aid Fund guaranteed its first loan as recently as February 1, 1961, by February 1, of this year, it had endorsed 68,379 loans totaling almost $40 million with the participation of 5,522 banks and 685 colleges. Loans are now being guaranteed at a rate of $30 million annually and the rate is growing. All this is done with a staff of less than 20. Could the Federal Government match this?

The fact that the appropriate House subcommittee has rejected the administration's loan guarantee proposal gives me great hope for the enactment of my plan. It merits success.

One final word. My amendment does not affect the National Defense Education Act student loan program established during the Eisenhower years which is expanded and extended by S. 600, the administration's higher education bill. I will, however, at an appropriate time later propose amendments to strengthen the National Defense Education Act loan procedures which have come under criticism.

I ask unanimous consent that the amendment be printed in the Record.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 265) was referred to the Committee on Labor and Public Welfare, as follows:

On page 45, beginning with line 16, strike out all through line 4 on page 68 and insert in lieu thereof the following:

"Sec. 421. (a) For the purpose of enabling the Commissioner to make grants to eligible insurers, as defined in section 426, in order that they may insure increased amounts of loans to students pursuant to this part there is authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1966, $20,000,000 for the fiscal year ending June 30, 1967, $25,000,000 for the fiscal year ending June 30, 1968, $25,000,000 for the fiscal year ending June 30, 1969, and $25,000,000 for the fiscal year ending June 30, 1970.

"(b) In addition to amounts authorized pursuant to subsection (a), where are authorized to be appropriated for the fiscal year ending June 30, 1966, and succeeding fiscal years such amounts as may be necessary to make interest and other payments pursuant to section 125.

"APPORTIONMENT OF FUNDS AMONG STATES

"SEC. 422. (a)(1) From the sums appropriated pursuant to section 421(a) for any fiscal year, the Commissioner shall apportion an amount equal to not more than 15 per centum of such sums among Puerto Rico, Guam, American Samoa, and the Virgin Islands according to their respective needs for assistance under this part, and among such of the States as he determines will best achieve the purposes of this part. The remainder of the sums so appropriated shall be apportioned among the States as provided in paragraph (2).

"(2) The sums apportioned under this paragraph shall be apportioned by the Commissioner among the States so that the apportionment to each State will be an amount which bears the same ratio to such sums as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States.

"(3) For the purposes of paragraphs (1) and (2) of this subsection—

"(A) the term 'State' does not include Puerto Rico, Guam, American Samoa, and the Virgin Islands, and

"(B) the number of persons enrolled on a full-time basis in institutions of higher education shall be determined by the Commissioner on the basis of the most recent satisfactory data available from the Department of Health, Education, and Welfare.

"(b) If the total of the sums determined by the Commissioner to be required under section 423 for any fiscal year for eligible insurers in a State is less than the amount of the apportionment to that State under paragraphs (1) and (2) for that year, the Commissioner may reapportion the remaining amount from time to time, on such date or dates as he may fix, to other States in such manner as he determines will best assist in achieving the purposes of this part.

"ALLOCATION OF APPORTIONED FUNDS TO ELIGIBLE INSURERS

"SEC. 423. (a) The Commissioner shall from time to time set dates by which eligible insurers in any State must file applications for allocation, to such insurers, of funds from the apportionment to that State (and of any reapportionment thereto) for any fiscal year pursuant to section 422(a), to be used for loan insurance pursuant to his part. Such allocations shall be made in accordance with equitable criteria which the Commissioner shall establish and which shall be designed to achieve such distribution of such funds among eligible insurers within a State as will most effectively carry out the purposes of this part.

"(b) Payments shall be made from allotments under this section to eligible insurers as needed.

"AGREEMENTS WITH ELIGIBLE INSURERS—CONDITIONS

"SEC. 424. An eligible insurer which desires to obtain funds for insuring loans under this part, shall enter into an agreement with the Commissioner. Such agreement shall—

"(a) provide that funds received under this part will be used by it only for the purposes specified in, and in accordance with the provisions of this part;

"(b) provide that such insurer will match amounts supplied by the Commissioner pursuant to this part, and that the total of such amounts supplied by the Commissioner and supplied by the insurer as matching funds in any fiscal year will be used as a reserve to insure loans representing an increase in the amount of loans insured by such insurer over the total amount of loans to students in eligible institutions insured by such insurer during the previous fiscal year;

"(c) provide that such a reserve established pursuant to this part will be used to insure a loan only if—

"(1) insured to not less than ninety per centum of the amount thereof;

"(2) it is not in excess of $1,500 in the aggregate to any student in any academic year or its equivalent, and if the aggregate unpaid principal amount of all loans so insured to such student does not exceed $6,000, or $9,000 if he is a graduate or professional student (as defined in regulations of the Commissioner), and including any such insured loans made to such student before he became a graduate or professional student, and such annual insurable limit shall not be deemed to be exceeded by a line of credit under which actual payments in any year are not in excess of the annual limit;

"(3) made to a student who (A) has been accepted for enrollment at an eligible institution or, in the case of a student already attending such an institution, is in good standing there as determined by the institution, and (B) is carrying at least one-half of the normal full-time workload as determined by the institution, and (C) has provided the lender with a statement of the institution which sets forth a schedule of the tuition and fees applicable to that student and its estimate of the cost of board and room for such a student; and

"(4) evidenced by a note or other written agreement which—

"(A) is made without security and without endorsement, except that if the borrower is a minor and such note or other written agreement executed by him would not, under the applicable law, create a binding obligation, endorsement may be required;

"(B) provides for repayment of the principal amount of the loan in installments during a period of not less than five years (unless sooner repaid) nor more than ten years beginning (i) not earlier than six months following the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload as determined by the institution, or (ii) if sooner, and if agreed upon between the borrower and the lender, not earlier than one year following the date on which the student completes or ceases to pursue the study program in which he was enrolled or had been accepted for enrollment, except that the period of the loan may not exceed fifteen years, and the note or other written instrument may contain such provisions relating to repayment in the event of default in the payment of interest or in payment of the cost of insurance premiums, or other default by the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made;

"(C) provides for interest or the unpaid balance of the loan at a yearly rate, not exceeding six per centum (including any premiums charged), which interest shall be payable in installments over the period of the loan except that, if provided in the note or other written agreement, payment of interest may be deferred until not later than the date upon which repayment of the first installment of principal falls due, in which case interest that has accrued during such period may be added on that date to the principal (but without thereby increasing the insurance liability);

"(D) provides that the lender will not collect or attempt to collect from the borrower that portion of the interest and other amounts which are payable by the Commissioner pursuant to section 425:

"(E) entitles the student borrower to accelerate without penalty repayment of the whole or any part of the loan; and

"(F) contains such other terms and conditions, consistent with the provisions of this part and with the regulations issued by the Commissioner pursuant to this part, as may be agreed upon by the parties to such loan;

"(d) provide that such insurer will submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make pursuant to section 425 with respect to that loan;

"(e) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part and as are agreed to by the Commissioner and the insurer; and

"(f) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out this function under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"FEDERAL INTEREST PAYMENTS AND PRINCIPAL PAYMENTS FOR MAINTAINING HIGH SCHOLASTIC STANDING

"SEC. 425. (a) Each student who has received a loan which is insured with reserves pursuant to this part, and each student who has received a loan which—

"(1) is insured by an eligible insurer who has entered into an agreement made pursuant to subsection (b),

"(2) meets the requirements of this part for a loan insured with reserves pursuant to this part, and

"(3) was contracted for after the effective date of that agreement and was paid to the student either prior to July 1, 1970, or prior to July 1, 1974, in the case of a loan made (or a loan installment paid pursuant to a line of credit) to enable a student who has obtained a prior loan so insured to continue or complete his educational program.

shall be entitled to have paid on his behalf and for his account to the holder of the loan, over the period of the loan—

"(A) a portion of the interest on the loan which shall be determined pursuant to regulations of the Secretary in effect at the time the loan is paid, and shall not equal more than 2 per centum of the unpaid principal (excluding interest which has been added to principal) of the loan, and

"(B) if such student is from a moderate or low income family, as determined in accordance with regulations established by the Commissioner, and is not taking a major portion of his courses in a school or department of divinity, 50 per centum of the amount of any loan, including interest on such per centum, for any academic year in which such student maintained a standing in the upper 50 per centum of his class, as determined in accordance with regulations established by the Commissioner.

The holder of any loan shall be deemed to have a contractual right, as against the United States, to receive payments pursuant to this section from the Commissioner. The Commissioner shall make such payments to the holder of the loan on behalf of and for the account of the borrower at such times as may be specified in regulations in force when the applicable agreement entered into pursuant to this part was made.

"(b) Each holder of such a loan shall submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of payments which he must make with respect to that loan.

"(c) Any eligible insurer which insures loans, other than loans insured with reserves pursuant to this part, to students in eligible institutions, may enter into an agreement with the Commissioner for the purpose of entitling students who receive loans which are so insured to have made on their behalf the payments authorized in subsection (a). Such an agreement shall—

"(1) provide that the holder of any such loan will be required to submit to the Commissioner, at such time or times and in such manner as he may prescribe, statements containing such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to determine the amount of the payment which he must make with respect to that loan;

"(2) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part and as are agreed to by the Commissioner and the insurer; and

"(3) provide for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his function under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"DEFINITIONS

"SEC. 426. As used in this part—

"(a) The term 'eligible insurer' means any State agency or instrumentality wholly owned by the State, or any nonprofit institution or organization.

"(b) The term 'eligible institution' means either—

"(1) an institution of higher education; or

"(2) a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left secondary school, (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designated to fit individuals for useful employment in recognized occupations, and (C) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause: *Provided, however,* That if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools of that category, which shall prescribe the standards of content, scope, and quality which must be met by those schools in order for loans to students attending them to be insurable under this part and shall also determine whether particular schools meet those standards.

For the purpose of clause (2) the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

"(c) The term 'line of credit' means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years."

FOREIGN ASSISTANCE ACT OF 1965—AMENDMENTS

AMENDMENT NO. 266

Mr. HICKENLOOPER (for himself and Mr. SPARKMAN) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 267

Mr. DIRKSEN submitted an amendment, intended to be proposed by him, to Senate bill 1837, supra, which was ordered to lie on the table and to be printed.

CONSTRUCTION OF THIRD POWERPLANT AT GRAND COULEE DAM, COLUMBIA BASIN PROJECT, WASHINGTON—AMENDMENT

AMENDMENT NO. 268

Mr. ALLOTT submitted an amendment, intended to be proposed by him, to the bill (S. 1761) to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. BIBLE. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 1938) to amend the Indian Long-Term Leasing Act, the name of my colleague, the junior Senator from Nevada [Mr. CANNON] be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT TO THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961—ADDITIONAL COSPONSORS

Mr. AIKEN. Mr. President, I submit for the RECORD the names of additional cosponsors to S. 1766, a bill to amend the Consolidated Farmers Home Administration Act of 1961 so as to establish a program of rural water systems.

I wish to have the following Senators listed as additional cosponsors to the bill: CANNON, CURTIS, DODD, ERVIN, GRUENING, HAYDEN, MCCLELLAN, PASTORE, PELL, SALTONSTALL, THURMOND, TOWER, SIMPSON, MORTON, and MCNAMARA.

Mr. President, I ask that at the next printing of the bill the names of all cosponsors be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Mr. President, could the Senator state the number of cosponsors on the Aiken bill?

Mr. AIKEN. The number of cosponsors at the present time is 93. I believe that indicates the interest in this legislation which is shown by the constituents of the 93 Senators.

Mr. President, I ask unanimous consent to have the bill (S. 1766) printed at this point in the RECORD, with a complete list of the cosponsors as of today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1766) with the complete list of cosponsors was ordered to be printed in the RECORD, as follows:

S. 1766

A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 306(a) of the Consolidated Farmers Home Administration Act is amended to read as follows:

"(1) The Secretary is also authorized to make or insure loans to associations, including corporations not operated for profit, and public and quasi-public agencies to provide for the application or establishment of soil conservation practices, shifts in land use, the conservation, development, use, and control of water, and the installation or improvement of drainage facilities, and recreational developments, all primarily serving farmers, ranchers, farm tenants, farm laborers, and other rural residents, and to furnish financial assistance or other aid in planning projects for such purposes.

"(2) The Secretary is authorized to make grants aggregating not to exceed $25,000,000 in any fiscal year to such associations to finance specific projects for works for the storage, treatment, purification, or distribution of water in rural areas. The amount of any grant made under the authority of this paragraph shall not exceed the lesser of (i) 40 per centum of the development cost of that portion of the facility necessary to enable the project to serve the area which can be feasibly served by the facility and to adequately serve the reasonable foreseeable growth needs of the area, (ii) that portion of the development costs which are above the probable ability of the association to repay a loan for such purposes from income or assessments levied at a rate or charge for service within the ability of a majority of the users to accept and pay for such service and maintain a reasonable standard of living, or (iii) that part of the development cost of a facility constructed by a public body which is in excess of the costs which can be financed within the amount of obligations or levies permitted by law for which alternate revenue financing is not available.

"(3) No grant shall be made under paragraph 2 of this subsection in connection with any facility unless the Secretary determines that the project (i) will serve a rural area which is not likely to decline in population below that for which the facility was designed, (ii) is designed and constructed so that adequate capacity will be or can be made available to serve the present population of the area to the extent feasible and to serve the reasonable foreseeable growth needs of the area, or (iii) is necessary for orderly community development consistent with a comprehensive community water development plan of the rural area and not inconsistent with any planned development under State, county, or municipal plans approved as official plans by competent authority for the area in which the rural community is located. Until October 1, 1968, the Secretary may make grants prior to the completion of the comprehensive plan, if the preparation of such plan has been undertaken for the area.

"(4) The term 'development cost' means the cost of construction of a facility and the land, easements, and rights-of-way, and water rights necessary to the construction and operation of the facility.

"(5) No loan shall be made under this subsection which would cause the unpaid principal indebtedness of any association under this Act and under the Act of August 28, 1937, as amended, together with the amount of any assistance in the form of a grant to exceed $4,000,000 at any one time.

"(6) The Secretary may make grants aggregating not to exceed $5,000,000 in any fiscal year to any public body or such other agency as the Secretary may determine having authority to prepare official comprehensive plans for the development of water systems in rural areas which does not have funds available for immediate undertaking of the preparation of such plan.

"(7) Rural areas, for the purpose of water systems, shall include any area not included within the boundaries of any incorporated or unincorporated city, village, or borough having a population in excess of five thousand inhabitants."

Sec. 2. Section 308 of the Consolidated Farmers Home Administration Act of 1961 is amended by—

(1) striking out "$200,000,000" and inserting in lieu thereof "$450,000,000";

(2) in clause (a) striking out "except that no agreement shall provide for purchase by the Secretary at a date sooner than three years from the date of the note"; and

(3) striking out clause (b) and inserting in lieu thereof "(b) may retain out of payments by the borrower a charge at a rate specified in the insurance agreement applicable to the loan".

(b) Section 309(e) of such Act is amended by striking out "such portion of the charge collected in connection with the insurance of loans at least equal to a rate of one-half of 1 per centum per annum on the outstanding principal obligations and the remainder of such charge" and inserting in lieu thereof "all or a portion, not to exceed one-half of 1 per centum of the unpaid principal balance of the loan, of any charge collected in connection with the insurance of loans; and any remainder of any such charge".

(c) Section 309(f)(1) of such Act is amended by striking out "$25,000,000" and inserting in lieu thereof "$50,000,000".

Sponsors of S. 1766

Senators Aiken and Mansfield, Allot, Anderson, Bartlett, Bass, Bayh, Bennett, Bible, Boggs, Brewster, Burdick, Byrd of West Virginia, Cannon, Carlson, Church, Clark, Cooper, Cotton, Curtis, Dirsken, Dodd, Dominick, Douglas, Eastland, Ellender, Ervin, Fannin, Fulbright, Gore, Gruening, Harris, Hart, Hartke, Hayden, Hickenlooper, Hill, Hruska, Inouye, Jackson, Javits, Jordan of North Carolina, Jordan of Idaho, Kennedy of Massachusetts, Kennedy of New York, Kuchel, Lausche, Long of Louisiana, Long of Missouri, Magnuson, McCarthy, McClellan, McGee, McGovern, McIntyre, McNamara, Metcalf, Miller, Mondale, Monroney, Montoya, Morse, Morton, Moss, Mundt, Murphy, Muskie, Nelson, Neuberger, Pastore, Pearson, Pell, Prouty, Proxmire, Randolph, Ribicoff, Russell of South Carolina, Saltonstall, Scott, Simpson, Smathers, Smith, Sparkman, Stennis, Talmadge, Thurmond, Tower, Tydings, Williams of New Jersey, Williams of Delaware, Yarborough, Young of North Dakota, and Young of Ohio; total, 93.

Mr. AIKEN. Mr. President, the need for this legislation is getting more apparent every day.

The cities are showing a concern over their water supply. However, the situation in rural areas is becoming even more acute than it is in the cities. In some cases, it reaches the proportion of a crisis.

I hope that we may have early action on this legislation. I realize that some States wish to participate in the program on a State basis. Therefore, early action is very highly desirable.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Mr. President, would it be advisable for the Senator to have the bill lay over for 3 or 4 days so that the reluctant 7 might make it a clear 100?

Mr. AIKEN. No. I think that the seven Senators who are not cosponsors have very good reasons for not joining in cosponsoring the bill. Therefore, I believe that we shall have to be satisfied.

The Senator from Montana, the distinguished majority leader, was an original cosponsor of the bill with me. I believe that we shall have to be satisfied with 93, and hope for early action.

ADDITIONAL COSPONSORS OF AMENDMENT NO. 264

Mr. LAUSCHE. Mr. President, on yesterday I offered an amendment to the Foreign Assistance Act. The amendment contemplates reducing the amount of the foreign loan program that might be used for multilateral purposes from 20 percent to 12 percent.

Mr. President, I ask that the names of the Senator from Illinois [Mr. Dirksen] and the Senator from Alaska [Mr. Gruening] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of May 26, 1965:

S. 2045. A bill to amend the Antidumping Act, 1921: Mr. Bartlett, Mr. Curtis, Mr. Fannin, Mr. Jackson, Mr. Miller, Mr. Morse, Mr. Murphy, Mr. Symington, and Mr. Thurmond.

Authority of June 3, 1965:

S. 2078. A bill to promote the general welfare, foreign policy, and security of the United States by regulating petroleum imports: Mr. Curtis, Mr. Eastland, Mr. Fannin, and Mr. Simpson.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. McINTYRE:

Commencement address delivered by Representative Hastings Keith, of Massachusetts, at Mount Vernon Seminary, in Washington, D.C., on June 7, 1965.

OPPOSITION TO S. 1483, A BILL TO ESTABLISH A NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. THURMOND. Mr. President, yesterday the Senate passed, by voice vote, S. 1483, a bill to provide for the establishment of the National Foundation on the Arts and the Humanities. I was opposed to enactment of this bill, primarily because there is absolutely no constitutional authority for it. I desire for the Record to show this.

The bill establishes a National Foundation on the Arts and the Humanities consisting of a National Endowment for the Arts, a National Endowment for the Humanities, and a Federal council to coordinate the two endowments.

The National Endowment for the Arts provides matching grants for States, to private nonprofit or public groups, and to individuals engaged in the creative and performing arts for the whole range of artistic activity. The National Endowment for the Humanities would provide grants and loans for research, award fellowships and grants to institutions for training, and would support the publication of scholarly works. There is authorized to be appropriated for each endowment $5 million for each of the fiscal years 1966, 1967, and 1968.

The bill this year is broader than that brought before the Senate in previous years, in that the section on the humanities has been added. The sum involved, $10 million per fiscal year for both the arts and humanities program, is relatively small compared with many of the proposals brought before the Congress. However, it is no less important, because it injects the Government into an entirely new field of endeavor, a new field for which there is no constitutional authority for the National Government to enter.

The proponents of the bill should be put to the test of justifying this measure on the basis of the Constitution. However, neither the committee report nor the Senate debate discloses any serious attempt to do so. In my judgment, it would be impossible to find constitutional authority for this bill, even under the most liberal construction of the Constitution.

Mr. President, I recognize the need for increased emphasis in both the arts and in the teaching and studying of the humanities. I am certain, nevertheless, that both these fields are best developed by private effort. In this great country of ours it is not necessary or advisable to subsidize every worthy endeavor in order to give it the proper recognition which it deserves. The danger is that Government intervention will eventually result in Government control and bring about stereotyped art forms and lessened imagination. In this eventuality, the stated purpose of the bill, "to promote progress and scholarship in the humanities and arts in the United States," will not have been accomplished. A contrary result could very well be experienced if Congress were to enact S. 1483.

The **PRESIDING OFFICER**. Is there further morning business?

Mr. **BIBLE**. Mr. President——

The **PRESIDING OFFICER**. The Senator from Nevada is recognized.

Mr. **MANSFIELD**. Mr. President, will the Senator from Nevada yield for a short calendar call?

Mr. **BIBLE**. I am glad to yield to the Senator from Montana for that purpose, provided that in doing so I shall not lose my right to the floor.

The **PRESIDING OFFICER**. Without objection, the Senator from Montana is recognized.

AMENDMENT OF RETIRED EMPLOYEES HEALTH BENEFITS ACT

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 294, H.R. 1782.

The **PRESIDING OFFICER**. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. H.R. 1782, to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act—reported without amendment.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. **JAVITS**. Mr. President, may we have an explanation of the bill?

Mr. **MANSFIELD**. I ask unanimous consent to have printed in the RECORD excerpts from the reports on bills to which there is no objection, and which have cleared both sides.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

THE PURPOSE OF H.R. 1782

To relieve a budgetary and administrative problem encountered by the Civil Service Commission in administering the Retired Federal Employees Health Benefits Act of 1960. The organic act provided that administrative expenses would be paid by an amount not to exceed 2 percent of the Government's contribution to the program. The limitation became effective during fiscal year 1963, after the program was successfully established.

For a variety of reasons, the retired employee's health program fell short of Congress and the Commissions' expectations. Annuitant participation is about 60 percent of the eligible whereas it was expected to be at least 95 percent.

Mr. **JAVITS**. Mr. President, I thank the Senator from Montana for the explanation.

The **PRESIDING OFFICER**. The bill is open to amendment. If there is no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 307), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

This bill is an administration proposal first introduced in the 88th Congress. The present administration recommends enactment of H.R. 1782.

This legislation would relieve a budgetary and administrative problem encountered by the Civil Service Commission in administering the Retired Federal Employees Health Benefits Act of 1960. The organic act provided that administrative expenses would be paid by an amount not to exceed 2 percent of the Government's contribution to the program. The limitation became effective during fiscal year 1963, after the program was successfully established.

For a variety of reasons, the retired employee's health program fell short of Congress and the Commission's expectations. Annuitant participation is about 60 percent of those eligible, whereas it was expected to be at least 95 percent. Consequently, the Government's contribution, from which funds to pay administrative expenses are derived, was less than planned. Relations and communications with the annuitants have proven difficult. Participants include only those retired prior to July 1, 1960. The experience of dealing with thousands of elderly people on a subject which was new and sometimes complex has shown a high level of activity.

For fiscal year 1965, the Commission expects to spend $283,687. The 2 percent of Government contribution will equal $281,574. The deficit will be (and has been since 1961) made up by direct appropriation by Congress. For fiscal year 1966, the Commission estimates that Government contributions will decline slightly, and expenses will rise by approximately 10 percent. The Commission believes that as time passes and the group of participants grows both older and smaller in number, the proportional expense of administering the act will increase, and the Government's contribution will necessarily decrease in amount.

To resolve this problem and eliminate the necessity of paying expenses from two sources (the 2 percent of Government contribution and supplemental amount appropriated annually by Congress), the Commission recommends that the 2-percent limitation be repealed and that the limitation on expenditures be set annually by Congress in enacting appropriations.

Public hearings were held on similar legislation before the Subcommittee on Health Benefits and Life Insurance on February 10, 1964. All testimony favored enactment.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the next two bills on the calendar be considered in sequence.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ALLOTMENT AND ASSIGNMENT OF PAY TO COVER THE GOVERNMENT PRINTING OFFICE

The bill (H.R. 1732) to extend the act of September 26, 1961, relative to allotment and assignment of pay to cover the Government Printing Office, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 308), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

This bill would amend the Advance Pay and Allotment Act of 1961 to include the Government Printing Office in the group of Federal departments and agencies subject to that act.

Existing law provides that the heads of the Federal departments and agencies can authorize advance pay for Federal employees during emergency evacuation periods, and can authorize the withholding from an employee's salary of certain allotments designated by the employee. Standard policy for implementing the authority granted by the 1961 act is established by the Civil Service Commission (Executive Order No. 10982).

Although the 1961 act was aimed primarily to serve the interests of agencies and employees within the executive branch of the Government, the act also included the General Accounting Office and the Library of Congress (both of which are part of the legislative branch), the judicial branch of the Government, the municipal government of the District of Columbia, and corporations wholly owned or controlled by the Federal Government. The omission of the Government Printing Office appears to have been inadvertent.

The purpose of this amendment is to extend the rights and privileges of the law to the Government Printing Office and its employees. The Office and most of its employees are located in the District of Columbia. By coming under the Advance Pay and Allotment Act, employees who live in nearby Maryland and Virginia could request the Public Printer to withhold from their salaries biweekly deductions for State income taxes, employee organization dues, and organized charity contributions. Federal employees in almost all other agencies presently enjoy this convenience.

The committee is aware that by regulation the Civil Service Commission has restricted the kind of allotment which an agency can approve. At the present time, employees located within the continental limits of the United States can assign their pay only for payment of State income taxes, union dues, and organized charity contributions. The regulations promulgated by the Civil Service Commission are not binding on agencies outside the executive branch of the Government, but the committee recommends that the administrators of such outside agencies follow the policy established by the Commission. The committee does not intend to authorize the assignment of any employee's salary (such employee being located within the continental limits of the United States) for the benefit of a creditor or for any organization or association other than those which have been approved by the regulations established by the Civil Service Commission.

DETAILING OF FIELD EMPLOYEES INTO THE DISTRICT OF COLUMBIA

The bill (S. 1496) to repeal the provisions of law codified in title 5, section 39, United States Code and for other purposes was announced as next in order.

Mr. THURMOND. Mr. President, I should like an explanation of the bill.

Mr. MANSFIELD. This is an administration proposal to repeal certain provisions of law which prohibit the detailing of employees from field positions into the District of Columbia except for the performance of duties in connection with their respective field offices.

Congress in 1882 enacted a law—22 Stat. 255—to prohibit an agency from detailing its field employees from their positions outside the District of Columbia to positions in the agency physically located in the District of Columbia. At that time, appropriation acts specified funds for the payment of personal services of employees located in field offices and a separate amount for employees located in the District of Columbia. By detailing field employees into the District, an agency could, in effect, augment its appropriation for personal services in the District of Columbia.

The bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of August 5, 1882 (22 Stat. 255), as amended, and section 6 of the Act of June 22, 1906 (34 Stat. 449), as amended (5 U.S.C. 39), which prohibit the detail of field personnel to duty in the District of Columbia except for the performance of duties in connection with their respective field offices, are hereby repealed.

SEC. 2. Section 1 of the Act of August 5, 1882 (22 Stat. 255), as amended (5 U.S.C. 40), and section 525 of the Act of June 17, 1930 (46 Stat. 741), as amended (19 U.S.C. 1525), which provide exceptions to the Treasury Department from the restrictions imposed by title 5, section 39, United States Code, are hereby repealed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 309), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

This is an administration proposal to repeal certain provisions of law which prohibit the detailing of employees from field positions into the District of Columbia except for the performance of duties in connection with their respective field offices.

Congress in 1882 enacted a law (22 Stat. 255) to prohibit an agency from detailing its field employees from their positions outside the District of Columbia to positions in the agency physically located in the District of Columbia. At that time, appropriation acts specified funds for the payment for personal services of employees located in field offices and a separate amount for employees located in the District of Columbia. By detailing field employees into the District, an agency could, in effect, augment its appropriations for personal services in the District of Columbia.

The Classification Act of 1923 applied only to Federal employees located in the District of Columbia, and the practice of specifying appropriations continued. The Classification Act of 1949, however, applied to Federal employees both within and without the District. Subsequently, the Administrative Expenses Act of 1950 (64 Stat. 985) repealed the requirement for specific authorization in appropriations for personal services in the District of Columbia. Justification for the prohibition, therefore, no longer exists. The Comptroller General has ruled, however, that the 1882 law has not been repealed by implication (B–140939, Oct. 28, 1959). The administration believes that this prohibition serves as an unnecessary and undesirable deterrent to efficient management.

Mr. MANSFIELD. Let me express my thanks to the Senator from Nevada [Mr. BIBLE], who yielded to me for the purpose of calling the calendar.

AMBITIOUS AND PROMISING GOLD MINING OPERATION IN NEVADA

Mr. BIBLE. Mr. President, it was my pleasure last week to participate in the dedication of an ambitious and promising gold mining operation in Nevada. I refer to the Newmont Mining Corp.'s Carlin Mine in Elko County.

This new industry, which is a benefit to my State and to the Nation, is the second largest working gold production operation in the Nation and the fourth largest in North America, I am informed. It is also one of the first open pit gold mines.

More than all this, however, this operation is living proof that enterprising miners can overcome all obstacles—even hostile Government policies—to help keep this Nation in the gold mining business.

Despite the discouraging price our Government maintains on gold—and even despite the fact that the Carlin property has what used to be prohibitively poor ore—this company is producing gold and even making a profit from it.

I bring this to the Senate's attention simply to point up a position I have long supported—that the United States has a mining industry that is ready, willing, and extremely able to put this Nation back into gold and silver production. To those who say there is no significant amount of gold and silver remaining, I point only to what is going on in Elko County, Nev., today. I point to how much more might be going on in Nevada and many other States if there were proper encouragement.

If a mining company can produce gold in the hostile price climate perpetuated by the Federal Government today, we can easily see what will be possible in mining tomorrow if the climate were improved.

My argument has always been this: Only a free market on gold and silver and the resulting establishment of a realistic price on these metals will generate a mining recovery. Is that not the logical answer to all the cries of silver shortages and gold drains?

Eliminating silver from minor coins will not solve the silver shortage any more than it will solve the coinage shortage. If anything—unless there are drastic precautions—the shortages will only become worse.

As I stated earlier when the President's message on coinage was received by Congress, I can support a reduction in the silver content of our coinage but never an elimination. We must not debase our coins in the forlorn hope that this will somehow preserve both our silver reserves and our ability to impose an unrealistic and punitive price on silver. Instead, we must preserve the integrity of silver coinage. To do this, I again recommend effective legislation such as that which I have introduced, to prohibit hoarding, speculating, and profiteering in silver coins. I again recommend a critical reexamination of our silver certificate redemption policies. I again urge the creation of a silver reserve in the Treasury for defense. Above all, I again recommend a free market on silver to revitalize domestic production and end the chronic shortage of this increasingly valuable mineral.

Mr. President, I ask unanimous consent to have printed in the RECORD an article on the Carlin Gold Mine published in the American Metal Market of June 2, together with an editorial regarding this gold mine published in the Elko Daily Free Press, May 28.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Elko Daily Free Press, May 28, 1965]

POURING A GOLD BRICK

The roar from the small furnace was intense. Flames shot from the cylindrical furnace, propelled under pressure and 2,000° heat. A finger was applied to a switch. The noise stopped. It was a dramatic moment as newsmen and officials of Newmont Mining Corp. awaited the pouring of the gold brick, which would mark the dedication of the Carlin gold mine.

President Plato Malozemoff touched a button. The furnace turned and molten metal, blood red, was poured into a mold about the size of a loaf of bread. When filled with gold to the top it represented about $45,000. This gold bar today went, like the others which follow it, into the Nation's gold reserve which never needed bolstering more than now.

Thus a Nevada mine is writing a new chapter in history. The mine itself is the second largest in the United States, fourth in size in North America. The application of modern machines and automation is a far cry from the days when miners panned gold in the

Lynn mining district, where the mine is located, about 28 miles north of Carlin.

Mining officials and newsmen arrived in Elko for the occasion on Wednesday. Some of the marvels of the mine were explained to the newsmen Wednesday night; one of the most impressive facts being that the gold in the ore is so fine that it cannot be seen with the naked eye, that a ton of ore contains only a third of an ounce of gold.

Roland Merwin, Newmont's general superintendent, and now a resident of Elko, pointed to two piles of earth at the mine yesterday. He said, "This is gold ore and that isn't. I know because there is a line between the two piles and both have been assayed. The ore is so fine you can pan it all day and never find a thing."

One of the most significant and most important facts as far as Carlin and Elko is concerned is that the life of the mine is 15 years. It is no flash in the pan but a lasting industry of great value to the welfare of the country as well as being a lasting boon to the economy of the State, particularly this area. It could well be the start of further rewarding activities upon the part of the company whose explorations continue, along with others seeking new mineral discoveries.

Production at the mine will be 2,000 tons of ore a day and from this 200,000 fine ounces of gold will be recovered annually.

One of the most interesting facts pointed out to the visitors is that the entire milling operation is controlled from three central points. If trouble develops in any part of the operation a red light flashes, showing its location. This does not mean the plant must shut down. Auxiliary machines are used until the trouble is corrected. The job of recovering gold from the great mass of earth continues without interruption.

Steps have been taken to improve the road to the mine. It will be oiled and will lessen the wear and tear on cars as well as workers, who commute to the mine daily, either from Elko or Carlin. We sincerely hope this road will not be delayed, but built as soon as possible. Homes are not being built at the mine and mill site and this very fact contribute materially to the welfare of Carlin and Elko.

This area will receive wide publicity because of the presence of newsmen at the scene yesterday. One of the first stories we have seen was in the Salt Lake Tribune this morning, written by Robert H. Woody. It is extremely well done.

He quoted Mr. Malozemoff as observing, and this is one of the most significant things about the operation: "Its addition to the U.S. gold reserve will be about one-seventh of all U.S. production and will contribute to the solution of one of our Nation's problems, the shrinkage of our gold reserve."

Another significant remark was made yesterday at the luncheon attended by about 200 invited guests. Senator ALAN BIBLE declared: "It is high time the United States reexamined its monetary policies with respect to gold and silver." We hope he will use his position in making this a reality. We were promised silver dollars but this move has been blocked. None of the opponents of silver seem to realize the boon it would be to our Nation to put silver mines back into production. This could very well be the answer to hoarding. If more and more silver becomes available and if more and more silver dollars are minted they would lose their value to hoarders.

Nothing, and we mean nothing, does more good for the economy of our Nation than mining, yet we have knuckleheads in Washington who oppose it. What we need in Washington is legislation to help mining, not to hinder it.—C.

[From the American Metal Market, June 2, 1965]

NEWMONT'S CARLIN MINE RESERVES OF GOLD ESTIMATED AT SOME 3,500,000 OUNCES

CARLIN, NEV.—One of the biggest gold mines to begin production in the United States in the last half century, second only to Homestake, was dedicated here last week in special ceremonies attended by Federal, State, and local officials.

Carlin Gold Mining Co., a wholly owned subsidiary of Newmont Mining Corp. of New York, owns and operates this open-pit mine and has built a cyanidation plant of 2,000 tons a day nominal capacity for the treatment of the ore mined. A preliminary estimate of the presently drilled-out reserves indicates 11 million tons of ore containing 0.32 ounces of gold per ton. A recovery process has not yet been worked out for a small part of this reserve. Drilling continues and is adding to the reserves.

At a luncheon in Elko, Nev., Newmont President P. Malozemoff said that "this discovery and development of a significant new gold mine in the United States * * * will contribute to the solution of one of our national problems, the shrinkage in our gold reserve." The mine's entire output of over 200,000 fine ounces of gold per year will be shipped to the U.S. mint in San Francisco. Total U.S. mine production of recoverable gold in 1963 (the latest year for which figures are available) was 1.5 million fine ounces.

That there might be gold near Carlin was first recognized by Newmont geologists in late 1961 while studying reports of the U.S. Geological Survey on the Robert Mountain Fault system. They concluded that further exploration of the area known as the Lynn Creek mining district was indicated, where sporadic small lode and placer mining operations were conducted since 1900.

Teams of Newmont geologists began exploratory drilling in July 1962. The third hole yielded evidence of gold. In all, hundreds of holes, totaling a half million feet, were drilled.

Last spring a contract to construct the cyanidation plant was awarded to the Bechtel Corp., of San Francisco, while the Isbell Construction Co., of Reno, was assigned the task of removing 2,350,000 tons of overburden to uncover part of the main ore body for mining. The entire preproduction mine preparation and construction were completed within 11 months.

OPEN-PIT MINING

Carlin's gold ore is removed by shallow, open-pit mining. Gold occurs in its natural state in the form of tiny particles unseen by the naked eye, enclosed in the otherwise worthless rock. The ore as mined is trucked to the crushing plant, reduced to about 1 inch in size, then ground to a fine sand in a large ball mill. Cyanide solution is added to dissolve the gold, a process conducted in four agitator tanks.

The "pulp," a mixture of suspended solids and solution is piped to five large thickener tanks, where the cyanide solution containing dissolved gold is separated from the waste solids called tailings. After passing through clarifying filters, oxygen is removed from the gold-bearing solution, and small quantities of zinc dust are introduced to precipitate gold in the form of a black sludge. The gold sludge is collected in large precipitate presses, from which it is removed once a week, mixed with suitable fluxes and melted in a small furnace. The recovery process concludes with the pouring of molten gold into 1,200-ounce ingots, which are stored in the mine's vault and ultimately airfreighted to the San Francisco Mint.

With its combination of low operating costs and high productivity, the Carlin property has been described by Mr. Malozemoff as "a miner's dream."

BUREAU OF LAND MANAGEMENT—NEVADA COUNTY COOPERATION

Mr. BIBLE. Mr. President, last year, Congress enacted the Classification and Multiple Use Act which had as its principal purpose improving the way in which public lands of the West are used for the benefit of the Nation.

Even before the act was passed, the Bureau of Land Management, working closely with the American Municipal Association and the National Association of Counties, was developing prototype areas for studies of ways to increase local cooperation in charting a course for public land development.

Clark County in the Las Vegas Valley area is one of the pilot project areas. There are additional study areas in Oregon, California, Wyoming, Montana, and Colorado.

I am pleased to place in the RECORD a brief article entitled "Pattern for Land-Use Planning," which describes the cooperative work underway with the commissioners of Clark County and the Bureau of Land Management. This article aptly shows what can be done and what is being done when local and Federal officials work together.

Mr. President, I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PATTERN FOR LAND-USE PLANNING

(By Robert E. Wilber, resource utilization specialist, Reno, Nev.)

Spanish explorers called it Las Vegas, meaning the meadows. Tourists have called it "the entertainment capital of the world." But Bureau of Land Management officials have called it communities in quandaries because of its fantastic growth and past lack of land-use planning.

The population of Clark County's Las Vegas Valley has been increasing at phenomenal rates, sometimes as high as 85 percent in a year. In addition, more than 13 million people visit the area each year. Schools, parks, hospitals, and other public facilities are overloaded. Urbanization invades the flat desert plain like a tropical jungle taking over a clearing—and with about the same lack of order.

Communities in the valley are typical of many growing metropolitan areas in the West. They are surrounded by a sea of public lands—lands which have remained in the public domain because they are unsuitable for agricultural land settlement. Under various public land laws, fragments of these "satellite lands" have been disposed of for a multitude of uses; but, until recently, little regard was given to the orderly growth and development of the area.

In 1963, the Bureau began discussions with the American Municipal Association (now the National League of Cities) and the U.S. conference of mayors about the growth crisis in western cities. They arrived at two main conclusions: (1) Greater coordination between BLM and municipal authorities was essential; and (2) a pilot study should be made to explore means of achieving this vital coordination.

PILOT STUDY LAUNCHED

Secretary of the Interior Stewart L. Udall agreed with both points and, in October of 1963, a Las Vegas pilot project was launched. Later, the National Association of Counties conferred with municipal representatives and worked with BLM to establish six more prototype studies in five States—California, Oregon, Wyoming, Montana, and Colorado.

First, the Las Vegas study teams traced Clark County's long and turbulent growth, which began about 1905. In that year, the Los Angeles-Salt Lake Railroad (now part of the Union Pacific Railroad system) was completed. The Las Vegas area grew in population from 800 people to nearly 2,300 by 1920. After 1930, the area expanded further after construction of Hoover Dam on the Colorado River.

Early in World War II, army camps and training centers came to the valley. The town of Henderson was built in conjunction with the basic magnesium project, which was designed to produce vitally needed magnesium from low grade ores.

Storage and testing areas for nuclear materials in southern Nevada brought further expansion after the war. However, the really significant growth period coincides with the development of the gambling and entertainment industry from the late 1940's up to the present time. The population of Clark County is now more than 230,000.

Land promoters and speculators began to take an interest in the area early in the 1950's, capitalizing on the valley's abundant sunshine and year-round mild temperatures. They also capitalized on the public's lack of knowledge of the public lands and public land laws. Promoters and so-called land locaters advertised all over the country about 5-acre lots near Las Vegas, offering to file applications for a fee.

FLOOD OF APPLICATIONS

Thousands of applications for small tracts of Federal land poured into BLM's Reno land office. In 1954, the office received more than 6,000. The following year the figure practically doubled, with more than 90 percent of them coming from out-of-State residents. Most of the applicants knew nothing about the lands, including the fact that water and public services were unavailable or very expensive to obtain.

Similar promotional schemes were carried out under the mining laws. Las Vegas Valley was blanketed with sand and gravel mining claims in the early 1950's. Some of the claims went into sand and gravel production, but many were located merely to acquire lands for subdivision and sale as home and business sites.

To further complicate the picture, mining claims and small tract applications were often filed for the same tract of land.

In order to curb activities of unscrupulous operators, the Secretary of the Interior closed southern Nevada to the filing of small tract applications in 1955. The same year, Congress passed a law that removed sand, gravel, and other similar common materials from location under the mining laws.

But the damage had been done. The landownership pattern near Las Vegas was fragmented, and much of the land was unavailable for development because it was being held for speculation. It became painfully apparent to both the Federal and local governments that the public land laws were not adequate to cope with the land-use problems of growing communities.

Various attempts had been made to help the situation in Clark County. One approach was special acts of Congress. In 1956, Congress passed a law conveying 6,859 acres of public land at fair market value to the city of Henderson. A similar act in 1963 gave Henderson the right to purchase an additional 16,000 acres for urban expansion.

BLM made an offer to provide for some of the valley's land needs for public use by transfers under the Recreation and Public Purposes Act. Secretary Udall made this easier by authorizing the sale of lands for school and recreation sites to State and local governments for $2.50 per acre. BLM has sold 2,341 acres under this act and leased another 3,455 acres to local government agencies in the valley.

These, of course, were only piecemeal approaches to the land problems. The full solution, it is hoped, will come from pilot studies now underway.

WHAT HAS BEEN DONE

Since the Las Vegas project started, State Director Russell Penny and District Manager Dennis Hess have held dozens of meetings with city administrators and planners, county commissioners, school officials, public works directors, city and county engineers, local recreation planners and directors, various civic organizations, and other groups. At these meetings, it is stressed that people of Las Vegas Valley now have an opportunity to determine their own future by working out a comprehensive land-use plan.

When this is completed, BLM will coordinate its program of land transfers with the valley's plans.

There are several indications that this approach to land-use planning has captured the fancy of local officials. Clark County is making a comprehensive plan for the entire 7 million acres comprising the county, and is serving as the coordinating agency for land-use planning. Meanwhile, local agencies have formed the Las Vegas Valley Area Planning Council, which is serving as a clearinghouse for information and coordinating local efforts.

Citizen groups are helping in many areas, including outdoor recreation. When the several thousand acres of desert area at Spring Mountain near Las Vegas was identified as a recreation area by BLM, many groups became interested. To form a plan for developing the area, community leaders formed a recreation subcommittee, including local and State planning and recreation agencies, the League of Women Voters, Sierra Club, scouting organizations, and many others. They have worked on a plan which includes a natural amphitheater, several miles of scenic one-way drives and picnic grounds intermingled with areas of archeological interest. This past April, they organized a "war on junk" and began a cleanup campaign in the area.

To aid the planning groups, BLM has prepared land status maps of the valley which show landownership and some of the prospective values and uses of the lands. As local agencies determine their present and future land needs, this information is correlated with other known local interests and the lands are identified for a potential use, such as a school site or an industrial park.

WHAT HAS BEEN LEARNED

Already, the Las Vegas and other prototype studies have led to six important conclusions in public land planning:

1. Creative federalism will work in land planning and management.

2. Bureau programs are more effective when citizens take part in the decisionmaking.

3. County government is willing and able to serve as a central planning body.

4. Local government should take the lead in planning for use of Federal lands to be transferred out of Federal ownership.

5. BLM should take the lead in planning for management of public lands to be retained in Federal ownership.

6. Communities can plan adequately for much of their open space and other public needs through effective use of the Recreation and Public Purposes Act.

"We are greatly encouraged by the reception these pilot studies have received," says Charles H. Stoddard, Director of BLM. "Commissioners of Clark County, as well as other public officials, have seized the initiative since the very beginning of the Las Vegas project. And on a wider front, the National Association of Counties featured the pilot studies recently at its Public Land Management Conference in Reno.

"With the West's population booming, the public domain land adjacent to population centers is under tremendous pressure from urban and industrial expansion, recreation, and other uses. We feel that local governments and organizations should participate in discussions concerning the future of this land."

Stoddard points out that such projects are the very essence of President Johnson's program of "creative federalism," calling for new concepts of cooperation between the Federal Government and local leaders.

"This approach to land use planning requires foresight and political courage," Stoddard said, "but it will lead to better communities and a better America."

VARIATION OF THE 40-HOUR WORKWEEK OF FEDERAL EMPLOYEES FOR EDUCATIONAL PURPOSES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 297, S. 1495.

The **PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1495) to permit variation of the 40-hour workweek of Federal employees for educational purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with an amendment.

Mr. LAUSCHE. Mr. President, according to the description given on the bill on the calendar, the inference might be drawn that the bill contemplates changing the 40-hour workweek under Federal law. There is in progress a movement to establish by law a 35-hour week.

Mr. MANSFIELD. Let me quickly inform the Senator that this bill would not do that.

Mr. LAUSCHE. My question is, Would the bill in any manner change the present law fixing what the workweek shall be of Federal employees?

Mr. MANSFIELD. Not in any manner, shape, or form.

The **PRESIDING OFFICER.** The clerk will state the committee amendment.

The **CHIEF CLERK.** It is proposed to strike out all after the enacting clause and insert:

> That section 604(a) of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 944(a)), is amended by adding a new paragraph to read as follows:
>
> "(3) Notwithstanding the provisions of paragraph (2) of this subsection, the head of each such department, establishment, or agency and of the municipal government of the District of Columbia may establish special tours of duty (of not less than forty hours) without regard to the requirements of such paragraph in order to enable officers and employees to take courses in nearby colleges, universities, or other educational institutions which will equip them for more effective work in the agency. No premium compensation shall be paid to any officer or employee solely because his special tour of duty established pursuant to this paragraph results in his working on a day or at a time of day for which premium compensation is otherwise authorized."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 310), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

This bill is an administration request to provide discretionary authority to establish special tours of duty for certain employees of the Federal Government for educational purposes.

Present law (5 U.S.C. 944(a)(2)) sets out the general rule to be followed in establishing the Federal employment workweek. The head of each department or agency establishes a 5-day workweek, preferably Monday through Friday, consisting of 8 hours not to be interrupted by more than 1 hour (lunch hour) during the workday.

The Government Employees Training Act of 1958 (5 U.S.C. 2301) permits employees to attend schools as an official part of their prescribed duties when such training is directly related to their work. This authority does not extend to permit employees to attend school for general educational purposes, however, even though such training will generally improve efficiency for their positions.

The present bill will provide discretionary authority for the head of any agency to establish special tours of duty so that an employee may attend school at his own expense in order to improve education and professional qualifications for employment. Some Federal employees, particularly scientists and engineers, can substantially improve their usefulness and proficiency by taking courses at nearby colleges or universities. The school attendance will not be considered part of his official tour of duty and he will in all cases be required to perform at least 40 hours' work in each workweek.

The purpose of the bill is merely to authorize arranging the employee's work schedule so that he can conveniently schedule classes if the head of the agency determines that such training will be in the best interests of the employee and the agency.

EXECUTIVE SESSION

Mr. **MANSFIELD.** Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The **PRESIDING OFFICER.** If there be no reports of committees, the nominations on the Executive Calendar will be stated.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the nominations of postmasters will be considered en bloc; and, without objection, they are confirmed.

DEPARTMENT OF DEFENSE

The Chief Clerk proceeded to read sundry nominations in the Department of Defense.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The **PRESIDING OFFICER.** Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

THE AIR FORCE AND THE NAVY AND MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Air Force, in the Navy and Marine Corps, which had been placed on the Secretary's desk.

The **PRESIDING OFFICER.** Without objection, these nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

TOO MANY GENERALS AND ADMIRALS IN TOP CIVILIAN JOBS

Mr. **YOUNG** of Ohio. Mr. President, Gen. Maxwell D. Taylor, U.S. Ambassador to Vietnam, is in Washington for consultation. He is one of the very highest paid officials of our Government. His salary as Ambassador, combined with his retirement pay as a general of our Army, ranges between $35,859 and $39,859. In other words, in the executive and legislative branches of our Government his salary is exceeded only by the salaries we pay to the President of the United States and the Vice President of the United States.

I cite this fact to indicate the high salaries paid to retired officers of our Armed Forces, who have been appointed, for example, as ambassadors, or who serve in other high offices in the executive branch of our Government.

Another example is Gen. Herbert B. Powell, our Ambassador to New Zealand—and New Zealand is not a very critical area—who receives a combined yearly salary that ranges between $35,000 and $39,000.

Should the nomination of Gen. William F. McKee as Administrator of the Federal Aviation Agency be confirmed by the Senate and should the bill that is now on the calendar be enacted, to waive the requirement that only a civilian may hold this position, General McKee will be the highest salaried official in the executive and legislative branches of the Government, with the exception of the President of the United States and the Vice President of the United States. It is my hope that I shall have an opportunity to vote on a yea and nay vote against the confirmation of the nomination of General McKee.

I have previously voiced in this Chamber my view that Gen. Maxwell D. Taylor was a bad choice to be our Ambassador to South Vietnam. The situation there has gone from bad to worse. It appears to me that Averell Harriman, our Ambassador at Large, would be an ideal representative of our Government as Ambassador and Minister Plenipotentiary to this troubed area of southeast Asia. Our Founding Fathers, who were the architects of the Constitution, wisely provided that in the United States civilian authority must always be supreme over military authority. It appears to me—and I say it regretfully, as a Senator who desires to support the administration of President Lyndon B. Johnson—that this administration has become topheavy with officials who are former generals and admirals and who are recipients of high retirement pay in addition to their civilian pay.

Appendix B of the report and minority views of the Committee on Commerce on the appointment of General McKee sets forth the retired regular generals and admirals reported to the Civil Service Commission as employed as Federal civilians.

I ask unanimous consent that the table may be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD.

APPENDIX B

Retired Regular officers, grades O–7 through O–10, reported to Civil Service Commission as employed as Federal civilians

EMPLOYED ON NOV. 30, 1964

	Agency	Position	Civilian salary	Gross retired pay [1]	Combined pay [2]
Taylor, Gen. Maxwell D. (Army)	State	Ambassador to Vietnam	$26,000.00–$30,000.00	$17,719	$35,859–$39,859
Powell, Gen. Herbert B. (Army)	do	Ambassador to New Zealand	26,000.00– 30,000.00	16,065	35,033– 39,033
Haislip, Gen. Wade H. (Army)	Soldiers' Home	Governor	18,935.00	[3] 15,300	34,235
O'Connell, Lt. Gen. James D. (Army)	OEP	Assistant Director	26,000.00	14,175	34,088
McNinch, Maj. Gen. Joseph H. (Army)	VA	Chief Medical Director	28,500.00	12,758	35,879
Ryan, Maj. Gen. Cornelius E. (Army)	Defense	Director, Infrastructure Division	22,500.00	12,150	29,575
Hinds, Brig. Gen. Sidney R. (Army)	do	Inspector General Administrator	15,150.00	[4] 9,518	24,668
McKee, Gen. William F. (Air Force)	NASA	Assistant Administrator for Management Development.	24,500.00	[5] 16,065	40,565
Barnes, Lt. Gen. Earl W. (Air Force)	CIA	Member, Board of National Estimates	24,000.00	13,500	31,750
McClelland, Maj. Gen. Harold M. (Air Force)	do	Director of communications	24,500.00	12,150	31,575
Holzman, Brig. Gen. Benjamin G. (Air Force)	NASA	Assistant to Associate Administrator	22,000.00	11,394	28,697
Hull, Brig. Gen. Harris B. (Air Force)	NASA	Special Assistant to Administrator	20,500.00	11,115	27,058
Mundy, Lt Gen. George W. (Air Force)	Army	Special Assistant to Director of Civil Defense	21,445.00	[4] 14,175	35,620
Curts, Adm. Maurice E. (Navy)	Defense	Director, Telecommunications Policy	23,695.00	[4] 16,065	39,760
Wright, Adm. Jerauld (Navy)	State	Ambassador to China	26,000.00–30,000.00	16,065	35,033–39,033
Boone, Adm. Walter F. (Navy)	NASA	Deputy Associate Administrator	24,500.00	[5] 16,065	40,565
Rose, Vice Adm. Rufus E. (Navy)	NASA	Director, Policy Planning Division	23,000.00	[5] 14,175	37,175
Anderson, Adm. George W., Jr. (Navy)	State	Ambassador to Portugal	26,000.00–30,000.00	17,719	35,859–39,859
Harllee, Rear Adm. John (Navy) [6]	Maritime Commission.	Chairman	28,500.00	7,166	33,083
McMillan, Brig. Gen. Hoyt ((Marines) [7]	Post Office	Postmaster	8,625.00	6,279	12,765
Fojt, Brig. Gen. Robert E. (Marines) [7]	Interior	Public utilities specialist	12,495.00	[4] 8,688	21,183
Nelson, Maj. Gen. Ralph T. (Army)	Army	Consultant (w.o.c.)		[8] 12,758	12,758
Lansdale, Maj. Gen. Edward G. (Air Force)	Agriculture	do		[3] 12,150	12,150
Nichols, Maj. Gen. Kenneth (Army)	Defense	Consultant (w.a.e.)	[9] 94.24	9,720	
DeCoursey, Maj. Gen. Elbert (Army)	Army	do	[9] 50.00	[3] 12,758	
Simon, Maj. Gen. Leslie E. (Army)	Defense and Army	Consultant (w.a.e.) (3 positions)	[9] 68.00 [9] 83.04 [9] 94.24	12,150	
Lindquist, Maj. Gen. Roy E. (Army)	Defense	Consultant (w.a.e.)	[9] 50.00	[3] 12,758	
Morris, Maj. Gen. Sewell I. (Army)	do	do	[9] 50.00	12,780	
Fenn, Brig. Gen. Clarence C. (Army)	Army	do	[9] 83.04	10,575	
Mattingly, Brig. Gen. Thomas W. (Army)	do	do	[9] 50.00	11,104	
Samford, Lt. Gen. John A. (Air Force)	CIA	do	[9] 94.24	14,175	
O'Hara, Maj. Gen. John J. (Air Force)	Defense	do	[9] 50.00	[3] 12,758	
Summerfelt, Brig. Gen. Milton F. (Air Force)	State	do	[9] 78.64	11,115	
Witherington, Rear Adm. Frederic S. (Navy)	Army	Advisory Board member (w.a.e.)	[9] 74.16	12,758	
Colclough, Rear Adm. Oswald S. (Navy)	AEC	Member, AE Labor and Management (w.a.e.)	[9] 100.00	12,150	

APPOINTED SINCE NOV. 30, 1964

Shaw, Brig. Gen. Samuel R. (Marines)	U.S. Senate	Professional staff member	$15,000.00	$11,115	$26,115
Raborn, Vice Adm. W. F. (Navy)	CIA	Director	30,000.00	14,175	38,088
Tyson, Brig. Gen. Robert N. (Army)	VA	Program planning specialist	16,460.00	11,115	23,018
Grantham, Rear Adm. Elonzo B., Jr. (Navy)	State	Senior evaluation officer	21,020.00	13,100	28,570
Beardsley, Vice Adm. George F. (Navy)	Navy	Consultant (w.a.e.)	[9] 83.00	14,175	
Bogart, Lt. Gen. Frank (Air Force)	NASA	Special Assistant to Associate Administrator	23,000.00	[5] 14,529	37,529

[1] Except as indicated in footnotes 3, 4, 5, 8, retired pay is subject to reduction under sec. 201(a) of the Dual Compensation Act.

[2] Annual civilian salary plus gross annual retired pay, reduced where appropriate under sec. 201(a) of the Dual Compensation Act. Does not allow for reductions from gross pay for survivorship benefits, etc.

[3] Elected to remain under exemption from 1932 Dual Compensation Act.

[4] Exempt from reduction in retired pay because of combat disability.

[5] Exempted from reduction in retired pay, NASA action under sec. 201(e) of the Dual Compensation Act.

[6] Honorary rank under 10 U.S.C. 6150, retired pay based on active duty rank of captain.

[7] Honorary rank under 10 U.S.C. 6150, retired pay based on active duty rank of colonel.

[8] Not subject to reduction.

[9] Per day.

Source: Prepared by the Civil Service Commission.

Mr. YOUNG of Ohio. Mr. President, it is unfortunate that the military should have such great influence and be in so many high positions in civilian agencies of the Federal Government. It is to be regretted. I hope I shall have an opportunity this week or next week, along with other Senators, to vote against the confirmation of the nomination of General McKee.

PROGRESS BEING MADE BY REPUBLIC OF ISRAEL

Mr. TALMADGE. Mr. President, there appeared in today's edition of the Washington Post an excellent editorial column by Roscoe Drummond concerning the great progress being made in the Republic of Israel.

As Mr. Drummond so appropriately states, the Israelis "are intent on building the promising land," and the remarkable achievements which already have been accomplished indicate that they are well on their way to the attainment of expanding economic prosperity.

Despite aggressive policies directed against Israel by the Arab nation, the Israeli people have continued to grow and prosper. As Mr. Drummond concludes:

> The Israelis have performed an economic and social miracle in half a generation—and more is in the making.

Mr. President, I ask unanimous consent that this editorial column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

VISIT TO ISRAEL: A DREAM COME TO FRUITION

(By Roscoe Drummond)

JERUSALEM.—Now I can see why 100 million Arabs feel afraid of 2½ million Israelis.

I am convinced that they have no valid reason to be fearful.

The reason: The Israelis have performed an economic and social miracle in half a generation—and more is in the making.

They have transformed the most sterile and resource-poor tiny slice of the Middle East into a promising land.

Israel is here to stay. President Habib Bourguiba, of Tunisia, now dares say this openly and other Arab leaders may be saying the same thing before long.

Israel is a threat to none of its neighbors, if the Arabs wish to live in peace—and let Israel live in peace. Israel has too much to do to make war on its neighbors and is doing it too successfully to do so. This is the strongest reason why the Arab nations have no valid cause to be fearful.

The Israelis are unquestionably tough and strong, tenacious and determined. It would be unsafe to molest them and I suspect that President Gamal Abdel Nasser knows it just as well as President Bourguiba.

And Israel is not going to molest anybody else. They are intent on building the promising land.

It is only 17 years since the United Nations put the scepter of rulership in the hands of these modern Jewish pioneers and they, like Moses, have built on faith—plus work and wit and will.

The Israelis were given a barren soil woefully short of water and in 15 years increased their arable land by 360 percent.

They have generated a dynamic economy which has had an average growth rate of 10 percent per year—never under 8 percent, never over 12. This has outdistanced Japan, the European Common Market, the United States, and the Soviet Union.

These achievements would have been impossible without extensive capital from abroad—large annual contributions from the affluent Jewish community of the United States and elsewhere, German reparations ($800 million) and restitution, and foreign investment. This flow is tapering off and Israel is now covering 60 percent of its imports with its expanding trade and tourism.

Israel is today a dream come to fruition at a breathless pace—and there is no evidence that it is slowing down.

JOINT RESOLUTION OF LEGISLATURE OF MAINE

Mrs. SMITH. Mr. President, on behalf of myself, and my colleague, the junior Senator from Maine [Mr. Muskie], I present a joint resolution of the Legislature of the State of Maine, which I ask unanimous consent to have printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

Resolution of the State of Maine

We, your memorialists, the Senate and House of Representatives of the State of Maine in the 102d legislative session assembled, most respectfully present and petition your honorable body as follows:

Whereas the Federal Government has properly assumed responsibility for construction of a national system of interstate and defense highways as vital to its economy and security; and

Whereas the existing program terminating in 1972 was planned in years past; and

Whereas it is now evident that U.S. Interstate 95 as now programed will not serve adequately the County of Washington, State of Maine; and

Whereas in the interests of a common defense by the United States and Canada a primary highway system should link the two nations; and

Whereas the economy of Washington County, Maine, has long been recognized as demanding a stimulus; and

Whereas there is need for a short, direct route from the center of the State of Maine to the western boundary of New Brunswick—connecting thereby with St. John, New Brunswick, and Halifax, Nova Scotia, and being the logical interchange between defense bases in Labrador and Newfoundland in Canada; and Cutler Naval Station, the world's largest radio defense system, Bucks Harbor, the vital Air Force Radar Defense Installation, and Dow Field, Bangor, in the United States; and

Whereas the county of Washington desperately needs an expeditious access route to serve its industrial and recreational components in order that the region shall not be isolated from the mainstream of such business: Now, therefore, be it

Resolved, That we, your memorialists, recommend and urge to the Congress of the United States, in order to promote the defense of the Nation and upgrade the economy of the depressed areas of Washington County, Maine, that appropriate action be taken to require the Department of Commerce, through its Bureau of Public Roads, to locate, plan, and construct as a part of Interstate System 95 a highway suitable for defense and economic requirements through Washington County; and be it further

Resolved, That a copy of this memorial, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the Senate and House of Representatives in Congress and to the Members of said Senate and House of Representatives from this State.

In senate chamber: Read and adopted; sent down for concurrence, May 27, 1965.

Edwin H. Pert,
Secretary.

House of representatives: Read and adopted in conference, May 28, 1965.

Jerome G. Plante,
Clerk.

COMMENCEMENT ADDRESS BY THE VICE PRESIDENT AT ST. OLAF'S COLLEGE

Mr. MONDALE. Mr. President, on May 30, 1965, Vice President Hubert H. Humphrey delivered a memorable commencement address at St. Olaf's College, in Northfield, Minn. In that speech, Vice President Humphrey eloquently argued the case for education and its importance in our society. I am reminded by his speech of something that Alfred North Whitehead said in 1916, and it is no less true today—that we face a solemn challenge:

> In the conditions of modern life, the rule is absolute: The race which does not value trained intelligence is doomed. * * * There will be no appeal from the judgment which will be pronounced on the uneducated.

Therefore, I ask unanimous consent that Vice President Humphrey's address be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Vice President Hubert H. Humphrey, St. Olaf's College, May 30, 1965

Last week, in Minneapolis, I participated in a television program. As I spoke, my voice and my image were transmitted simultaneously to living rooms of men and women on the European continent.

There was a time-lag of only a split-second in that communication.

Two months ago, at Cape Kennedy, I watched as two men left earth in a space capsule. They knew their course and their destination far better—and were, I might add, in less danger—than Columbus and his men when they ventured west a relatively short time before in history.

And, on that occasion at Cape Kennedy, I observed too that it had been only some 61 years before that Wilbur and Orville Wright had kept their 170-pound aircraft aloft for 12 seconds over a distance of 120 feet.

Read the advertising headlines:

"Language Barriers Are No Longer a Business Problem."

"New Capabilities To Make You Forget the Old Ones."

"Cut Seat Reservation Time From 2 Minutes to 34 Seconds."

"Never Before So Many Instant Answers Available to So Many."

"Is Man Obsolete?"

And only 30 years ago the most exciting then of human experiences was described by Carl Sandburg:

"* * * riding on a limited express, one of the crack trains of the nation * * * hurtling across the prairie into blue haze and dark air go 15 all-steel coaches holding a thousand people.

"* * * I ask a man in the smoker where he is going and he answers 'Omaha'."

Thirty years ago man's aspiration was Omaha. Today it is the moon.

I have heard it said that the everyday life of the average man has changed more in the last 65 years than in the 2,000 years before. If you examine these changes, it becomes clear that they rest on new transportation and communication, sources of power, new knowledge—almost all connected with the growth of modern technology.

There are more scientists and engineers alive today than all previous scientists and engineers taken together. (And I sometimes think they all live in Washington.)

And, in this technological society, we have almost invented the technique of invention. Today, being able to clearly state a technological problem or define a technological need is almost tantamount to a solution to that problem or that need.

The fact is that our knowledge is becoming so extensive that its very sine and complexity can cause problems. We almost know too much. In some fields today it is easier to rediscover something than to search existing literature to find it.

Americans of all people are known for their technological efficiency. In fact, we are often criticized as being so materialistic that we spend all our time and energy in pursuit and manufacture of objects.

I think the great part of that criticism is unjustified. But, in midst of our technological progress, we must ask questions:

Is technology desirable for its own sake?

What changes is it creating in our society?

How do we harness it?

As the advertising headline says, "Is Man Obsolete?"

I personally have no intention whatever of becoming obsolete.

Technology has brought us tremendous good. It has made life longer and better for millions of men and women.

But, in recognizing technology's benefits, we must not allow it to become our master.

We must recognize technology's effect on our society and insure that it continues to serve us, and not itself.

There is only one certain way we can achieve this. It is through education. Technology has made education the central need of 20th-century America.

Curriculums have changed from grade school through graduate school. Changing technology has, in fact, made it a necessity that all of us make education a lifelong activity. What was true yesterday may not be true tomorrow.

This administration has recognised this necessity for educational excellence. And this Congress is passing historic legislation which makes long-range investments in that excellence.

But no amount of government investment will be enough if all of us as citizens do not recognize our responsibility to make education—in our own homes, in our children's schools, in our libraries—our first priority.

In this age, what kind of education shall it be?

First of all, there is of course the need to educate people to utilize and develop technology per se.

It is a reality that, if we expect to benefit from technology, there must be those who can operate it.

In the past 10 years, for instance, a new industry has come into being in the United States: the computer industry.

This industry requires those who can design, develop, manufacture, maintain, and use its products. Over 20,000 general-purpose computers are now installed in the United States alone. By 1970, another 500,000 additional computer programers will be needed in this country. That number will multiply many times over during your lifetime. Computers are multiplying and so is the need for people trained to use them.

Secondly, we must educate people so that they may find useful work in life.

It is quite apparent that, in this age of technology, the man with little skill has difficulty finding a job. Only 5 percent of the entire American labor force is unskilled. But even 5 percent is too much.

Today, one out of every three unemployed never went beyond grade school. Two out of three unemployed do not have a high school diploma. Jobs for the unskilled are disappearing. They will continue to disappear.

Then, we must recognize that technology—beyond reducing the need for the unskilled worker—has made basic changes in our patterns of employment.

Today, workers in the service-producing industries number 10 million more than workers producing goods. And the white-collar worker is far more numerous than the blue-collar worker. This pattern will perpetuate itself.

In the future it will not be enough, then, even to possess a skill—if that skill is not needed in great number. There were thousands of bankrupt carriage shops and unemployed blacksmiths when we entered the automobile age.

Yes, we need education to provide the people who can operate the instruments of technology. We also need education to prepare people for the changing occupational patterns which technology has thrust upon us.

But finally—and most importantly—we need men and women who can look beyond technology.

We need education to produce those who can indeed see more than the pursuit and manufacture of goods and objects.

There are those today who worry because many of our schools and universities still carry such a high percentage of liberal arts in their curriculums.

Why, they say, study literature or language? Why study ancient history? Why a major in the theater arts? Haven't you heard, this is the new technological world? It is the world of plastics, heat-shields, solid-state, and the Great God Transistor.

To these, I give my answer: Let us not confuse means and ends.

What do we seek for man on this planet? Human dignity, personal expression and fulfillment, freedom, and justice.

Technology in itself is not the end of our aspirations.

No, I am not among the Luddites—those who in past times destroyed technology so as to remove a threat they did not understand.

I say that we, as a nation, must continue to develop a technology second to none in the world. We must offer the best possible education in technology and for technology.

But those who lead technology are the first to say that it is no more than a tool.

The value of that tool depends on the intelligence, judgment and creativity of man himself.

The value of that tool depends on the resources of intellect and spirit of our Nation and its citizens.

These resources can only be developed by education which involves man in ideas as well as things, in ethics as well as engineering.

Technology, despite its achievements, is today only coming into early maturity.

If we are prepared to engage it wisely, it can indeed help us toward our ultimate ends.

Physical well-being will not make all men philosopher kings.

More rapid communication will not make men more wisely communicate.

But these things can someday ease man's everyday burden so that he may one day lift himself beyond his search for food, shelter, and material comfort.

John Stuart Mill said the worth of a nation "Is the worth of the individuals composing it."

Let us then, today, in this generation produce men and women who, as individuals, will build a society of compassion as well as comfort, of humanism as well as hardware, of freedom as well as Frigidaire.

REPORT ON MIGRATORY LABOR BY ASSOCIATION OF BAR OF CITY OF NEW YORK

Mr. JAVITS. Mr. President, the Association of the Bar of the City of New York has recently issued a report strongly supporting additional legislation in the migratory labor field. Much of this proposed legislation is now pending before the Committee on Labor and Public Welfare, of which I am the ranking minority member; and I have cosponsored some of the pending bills, including one to extend to agricultural laborers the coverage of the Fair Labor Standards Act.

I ask unanimous consent that the association's report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT ON MIGRATORY LABOR, THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, COMMITTEE ON LABOR AND SOCIAL SECURITY LEGISLATION

Migratory agricultural workers are one of America's most depressed groups. They have not shared in the progress of recent decades achieved by others in our society. They are excluded from the elementary protection of the Fair Labor Standards Act, the National Labor Relations Act and other protective Federal and State legislation. It is little wonder that the status of this group has in recent years become a subject of increasing concern.

We recommend amendment of the Fair Labor Standards Act to eliminate the existing exclusion of agricultural labor (29 U.S.C. 213(a)(6)) and to provide for phased increases in an agricultural minimum wage, applicable at least to larger farm employers, reaching the level of the industrial minimum wage over a 4-year period.

We further recommended amendment of the National Labor Relations Act to eliminate the existing exclusion of agricultural labor (29 U.S.C. 152(3)) and further study to determine whether other amendments to the Act and special procedures are necessary for meaningful protection under the law.

Finally, we recommend further intensive study of the problems of migratory labor, including coverage under unemployment insurance, workmen's compensation and Social Security, provisions for better housing, health, safety and education, and extension of the franchise by limitation of residence requirements for voting.

We support the recommendations of the Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare in these respects (S. Rept. No. 115, 89th Cong., 1st sess., Apr. 8, 1965).

In making these recommendations, we act both on the basis of the demands flowing from our traditions of equal justice under law, and on the basis of the demands of our conscience as citizens in the face of the conditions of migratory labor.

I. GENERAL FACTUAL BACKGROUND

The 400,000 to 500,000 of our fellow citizens who work as migratory farm laborers comprise one of America's disadvantaged groups.[1]

In the United States today there are approximately 1,400,000 unemployed farmworkers.[2] The migrants are drawn in significant part from the ranks of these unemployed farmworkers. Unemployment among farmworkers is caused in great measure by the failure of smaller farms to survive the competition of the larger more modern mechanized farms.[3] But even the most mechanized farm requires the work of farm laborers for short periods of time each year.

Starting in the spring of each year, three groups of migratory workers seek to fill this need.[4] The first group starts in Florida and wends its way through the old South, the Middle Atlantic States and ends up bringing in the late harvest in the northeastern section of our country. The second group starts from Texas and works its way through the heartland of the United States. The third group starts in California and moves through that State, Oregon and Washington. When winter comes and there is no work for the migrant he generally returns to the starting point for his group.

The risks of the migrant farmworker

As discussed in greater detail below, the average income of the migrant farmworker is far below minimum standards.[5] Many workers migrate to obtain farm employment without having a definite job commitment. If, for any reason the work does not materialize, the migrant may be stranded without funds or any means of returning home. So also there is a loss of earning opportunities when there is delay in the need for the migratory farmworker. The causes of delay or total failure in obtaining work are numerous. They include weather conditions which can destroy a crop or unexpectedly accelerate or retard its ripening; a transportation breakdown on route; inaccurate information or no information as to where and when employment opportunities exist.[6]

The farmer who engages a migratory laborer is also susceptible to risk. There is the uncertainty whether enough workers will be available to harvest his crops and, even if sufficient workers are available, the labor turnover is often high and the farmer cannot be sure of retaining an adequate work force until the harvest is completed. His efforts to assure sufficient labor by advancing transportation expenses are sometimes insufficient but they also involve the risk of financial loss if the workers do not arrive or do not stay on the job long enough to earn or repay the amounts advanced.[7] To lessen some of these risks to the farmer and the migratory laborer, there has evolved a system of "farm labor contractors" or crew leaders.

The role of the crew leader

The individual migrant cannot individually contract for work throughout the area in which he travels. The contracts of labor are made generally by a crew leader who recruits, transports, supervises and handles pay arrangements for the migratory worker and otherwise acts as an intermediary between the worker and the farmer.

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[1] The Bureau of Census, 1959 report, enumerates approximately 500,000 migrant farmworkers. The number of farmworkers has consistently dropped since that period. ("Farm Labor Market Developments," U.S. Department of Labor, January 1964.) The Senate Subcommittee on Migratory Labor now estimates that there are about 400,000 migrant farm laborers (S. Rept. No. 167, 88th Cong., 1st sess., 1963).

[2] S. Rept. No. 167, 88th Cong., 1st sess., 1963, p. 17.

[3] "Farm Labor Market Developments," U.S. Department of Labor, January 1964.

[4] Levine, "The Migratory Worker in the Farm Economy," 12 Labor Law Journal, 622, 626 (1961).

[5] In 1959 migratory workers averaged only $710 income per year. (The Migratory Worker in the Farm Economy, supra, at p. 627). In 1961 the average annual wage was estimated at $902. U.S. Department of Agriculture, "Advance Report: The Hired Farm Working Force of 1961" (1962). See also S. Rept. No. 155, 89th Cong., 1st sess. (1965), p. 25.

[6] S. Rept. No. 167, 88th Cong., 1st sess., 1963, at p. 17.

[7] S. Rept. No. 167, 88th Cong., 1st sess., 1963, at p. 16.

Many of the crew leaders are fair and responsible; however, because of their dependency on the crew leader, the migratory workers are particularly vulnerable to exploitation and abuse at the hands of an unscrupulous crew leader. The abuses most frequently attributed to crew leaders as reported by the Department of Labor are as follows:

"(1) Overcharging workers for transportation advances, collecting for travel expenses from both employers and workers, collecting advances from employer and failing to report to work or reporting with a crew smaller than for whom travel advances had been made;

"(2) Underpaying workers by giving them a short count or short weight on units produced and overcharging employers by giving them inflated production figures on piece rate activities;

"(3) Abandoning workers without paying them; failing to pay agreed upon wage rate, wages earned, or bonus collected from employers, and making improper deductions from workers' earnings;

"(4) Overcharging for meals, groceries, and crew leaders' services; and

"(5) Illegal sale of liquor and dope, gambling and similar illegal activities."[8]

In an attempt to curb these abuses, eight states and Puerto Rico have enacted laws requiring the registration of farm labor contractors or crew leaders.[9] Basically, the state laws applying to crew leaders include requirements for payment of wages when due and prohibitions against certain undesirable employment practices such as giving false information relating to the terms, conditions or expenses of employment. An additional state, Texas, has a law which is primarily designed to control the recruitment activities of agents and also includes requirements for agents who recruit agricultural workers for out-of-state use.[10]

The Congress, effective January 1, 1965, enacted and on September 7, 1964, the President approved the Farm Labor Contractor Registration Act of 1963.[11] The Act prohibits acting as a crew leader without first obtaining a certificate of registration from the Secretary of Labor and maintaining it in full force and effect. In order to qualify for a certificate, a crew leader must satisfy the Secretary of Labor that he is financially responsible or insured against damages arising out of ownership or operation of vehicles for the transportation of migrant workers; must file a set of his fingerprints with the Secretary; must not have given false or misleading information to migrant workers concerning the terms, conditions or existence of agricultural employment; must not have unjustifiably failed to perform agreements with farm operators or migrant workers; must not have recruited or used the services of anyone he knows to be violating the provisions of the immigration and naturalization laws; must not have been convicted of certain named crimes under state or federal law; must have complied with the rules and regulations of the Interstate Commerce Commission applicable to his activities in interstate commerce; and must have complied with all the provisions of the Act or any regulations issued by the Secretary under it.

A crew leader is required by the Act to carry his certificate of registration with him at all times while engaging in crew leader activities and exhibit it to those he intends dealing with; must disclose to each worker at the time he is recruited the area of employment, the crops and operations on which he may be employed, the transportation, housing and insurance to be provided him, the wage rates to be paid him and the charges to be made by the crew leader for his services; must post at each place of employment a written statement of the terms and conditions of employment; must post the terms and conditions of occupancy of any housing facilities he controls; and, if he pays migrant workers on his own behalf or as an agent, must keep payroll records and give the migrant worker a statement of sums paid him and withheld from him.

Employees of crew leaders are required to have in their possession identification furnished by the Secretary showing them to be employees of a registered crew leader, and crew leaders may not knowingly employ persons who do not meet the conditions (other than those of financial responsibility and filing fingerprints) of certification as a crew leader.

Crew leaders and their employees who willingly and knowingly violate any provision of the Act or regulation under it are subject to a fine of not more than $500.

The Secretary of Labor is authorized to issue regulations under the Act and did so on December 22, 1964.

The Act recites that it is not intended to excuse compliance with appropriate state law and regulation.

Those opposed to the legislation argued principally that federal regulation was unnecessary as a supplement to state controls; that growers' associations hiring workers for employment by their own members, on whose part there was little or no evidence of abuse, might to some extent be covered by the Act; and that a broad interpretation of the Act by the Department of Labor might result in a reduction in work opportunities for migratory workers.

With the Act having been in effect only since January 1, 1965, it is too early to determine the degree to which it is effective in curbing the abuses which prompted its passage or the degree to which it will have the consequences feared by its opponents.

The Interstate Commerce Commission has also established certain requirements with respect to the transportation of migratory farm workers. These requirements apply to the carriers in the case of transportation of migratory workers for a total distance of more than seventy-five miles or across the boundary line of any state. The regulations list qualifications of the drivers of the vehicles and place a limitation on the drivers' hours of work. They also require protection of passengers from cold, meal stops at least every six hours and rest stops.[12]

Housing

After the migratory workers arrive at a farm they often find substandard housing for themselves and their families. Often this housing is merely tar paper shacks. Housing, whether used for one week, one month, six months or year-round is costly and agricultural income is low, thus forcing some farmers to meet only the minimum standards for housing migrants.[13]

Because of this thirty states have enacted mandatory laws and regulations that apply to labor camps used by migratory agricultural workers.[14] This, however, has only acerbated the financial dilemma of some farmers. To help the farmer finance adequate housing Federal legislation has been proposed to amend the Federal Housing Act so as to guarantee commercial loans for these purposes and to directly grant low-interest loans.[15]

Health and sanitation

Directly connected with the need for adequate housing is the need for proper sanitary facilities. If a third of our rural homes do not have complete sanitary facilities[16] it follows that an even greater percentage of housing for migratory farm workers lack proper sanitary facilities. The migrant worker is faced with inadequate water supplies, poor toilet and privy facilities, and inadequate sewage disposal.[17]

Many states have sanitation codes which should cover this problem but often they are inadequately enforced. An example given by the U.S. Senate Subcommittee on Migratory Labor will suffice to prove this:

"Minnesota, for example, has an excellent code, but only 1 sanitarian to inspect 1,000 camps. In 1959, this inspector was able to check only 118 camps; yet in those he found 729 violations."[18]

This is in marked contrast to the enforcement of its law by New York State where in 1962 the State health department and the State police conducted over 7,000 inspections of health and housing facilities at the 1,000 labor camps which house migratory farmworkers in that State.[19]

But the fact remains that sanitary facilities at most migratory farm labor camps are far below any minimum safe standards. This lack of proper sanitary facilities is one of the major reasons for the disease and disability of the migrant farmworkers. The repeated serious outbreaks of diarrhea among the children of migratory farm workers is caused in part by this lack of sanitary conditions.

Farm work is inherently dangerous. Of the 13,800 workers killed on the job in all industries in 1960, 3,300, or approximately one-quarter of the total were engaged in farm labor.[20] The constant interstate movement of migratory farm laborers and their families prevents them from utilizing public health services generally available to other citizens. The community services migrants receive are not planned with their needs in mind and are not coordinated with the services they may receive elsewhere.[21]

The migrants generally also have little knowledge of good dietary and food handling practices. They also lack understanding of health needs, or proper health maintenance practices.[22]

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[8] S. Rept. No. 167, 88th Cong., 1st sess., 1963, at p. 11. See also U.S. Department of Labor "Survey of Farm Labor Crew Leaders Practices" (1960).

[9] U.S. Department of Labor "Coverage of Agricultural Workers under State and Federal Laws," Bulletin 264 (1964).

[10] Ibid.

[11] 7 U.S.C.A. 2041 et seq.

[12] U.S. Department of Labor "Status of Agricultural Workers Under State and Federal Labor Laws" (1964).

[13] Williams, Proposed Legislation for Migratory Workers, 12 Labor Law Journal 630 (1961). Typically, the migrant worker lives by the side of the road in "Grapes of Wrath" style or in wretched farm labor camps such as the one found at Indio in the Coachella Valley in southern California. Operated by a county housing authority, it consists of several acres of thin-walled, one-room shacks dating to World War II. The New York Times, Sunday, Jan. 17, 1965, p. 77.

[14] U.S. Department of Labor, "Status of Agricultural Workers Under State and Federal Labor Laws" (1964).

[15] S. Rept. No. 934, 88th Cong., 2d sess. (1964), p. 48 et seq.

[16] Ibid., p. 49; see also message of President Johnson accompanying the administration's housing program, Jan. 27, 1964.

[17] U.S. Senate Subcommittee on Migratory Labor "Interim Report on the Status of Program Activities Under the Migrant Health Act." See also S. Rept. No. 155, 89th Cong., 1st sess. (1965), pp. 6–11.

[18] S. Rept. No. 167, 88th Cong., 1st sess. 1963, p. 15.

[19] New York State Interdepartmental Committee on Farm and Food Processing Labor "A Helping Hand" (1963), p. 5.

[20] U.S. S. Rept. No. 167, supra, at p. 26.

[21] U.S. Senate Subcommittee on Migratory Labor, "Interim Report on the Status of Program Activities Under the Migrant Health Act" (1964), pp. 1–2.

These conditions brought about the enactment of the Federal Migrant Health Act of 1962.[23] The act authorizes the Public Health Service to make grants to public or nonprofit agencies to pay part of the cost of establishing and operating family health service clinics, and other special projects to improve health services and conditions of domestic agricultural migratory workers and their families. The Public Health Service is also authorized to encourage and cooperate in programs aimed at improving migrant health services and conditions.

Many of the migrants health and sanitary problems could be alleviated by proper education but the migrant generally lacks any educational opportunities.

Education

The educational opportunities for migratory farmworkers are low. They have been called the most educationally deprived group in our Nation.[24] A 1961 study of migratory children in Colorado found that out of 345 children ages 6 through 11, 67 percent were retarded. Thirty-six percent of these children were retarded by two years or more. These figures typify the results of many surveys.[25]

The low educational attainment of migrant children is directly related to the large number of these children who do not attend school on a full time basis during the regular school year. Many of the migratory children enter school in November and leave in the spring, four to six weeks before school closes. There are few, because of constantly shifting from area to area, who stay in any one school for more than brief periods of six to eight weeks. While all states have mandatory school attendance laws, these laws appear to be laxly enforced, if at all, with relation to the children of the migratory farmer. It is highly impracticable to expect rural communities to provide adequate education for children of transient, low income families who do not contribute to the local tax system or otherwise help to defray the cost of educating their children.

This lack of educational opportunities is tending to repeat the cycle whereby the children of migratory farmers are trapped to a life of poverty the same as their parents.

In short, the depressed status of the migrants is beyond question.[26] Public awareness of it, while not widespread, has been increasing, thanks to such efforts as that of CBS Reports' Harvest of Shame, narrated by Edward R. Murrow and broadcast on November 25, 1960.[27] Lack of additional action to remedy the plight of the migrants to date may stem both from insufficient public awareness of the conditions they face and from their lack of effective political representation, resulting from inability to vote under existing residence requirements for exercise of the franchise.

II. THE IMPLICATIONS OF DISENFRANCHISEMENT

The obligation to assure fairness to our migratory workers is particularly compelling because they are generally barred from voting by residence requirements,[28] and hence can exercise little political influence on their own behalf. The disenfranchisement of the migrants was specifically alluded to by the Supreme Court in *Edwards* v. *California*, 314 U.S. 160, 174 (1941), striking down a State law prohibiting the entrance of migrants with insufficient funds into the State as violative of the commerce clause. The Court said:

"* * * The * * * nonresidents who are the real victims of the statute are deprived of the opportunity to exert political pressures upon the * * * legislature in order to obtain a change in policy * * *."

The importance of such an opportunity to exert political pressure in our structure of Government was recognized by Chief Justice Marshall in *Gibbons* v. *Ogden*, 22 U.S. (9 Wheat.) 1, 195–96 (1824) when he said of the Federal commerce power:

"The wisdom and discretion of Congress, their identity with the people, and the influence which their constituents possess at elections, are, in this, as in many other instances * * * the sole restraints on which they have relief to secure them from its abuse * * *." See also *McCulloch* v. *Maryland*, 17 U.S. (4 Wheat.) 316, 433–34 (1819). For this reason, "other rights, even the most basic, are illusory if the right to vote is undermined." *Wesberry* v. *Sanders*, 376 U.S. 1, 17 (1964). And see *Williamson* v. *Lee Optical Inc.*, 348 U.S. 483, 488 (1955) quoting *Munn* v. *Illinois*, 94 U.S. 113, 134 (1876); Stone J. dissenting in *United States* v. *Butler*, 297 U.S. 1, 78 (1936); Dowling, *The Methods of Mr. Justice Stone in Constitutional Cases*, 41 Colum. L. Rev. 1160 (1941).

Where such restraints have been absent, as in the case of State regulation affecting interests beyond the State, the courts have recognized the profound difference in circumstances:

"To the extent that the burden of State regulation falls on interests outside the State, it is unlikely to be alleviated by the operation of those political restraints normally exerted when interests within the State are affected." *Southern Pacific Co.* v. *Arizona*, 325 U.S. 761, 767–68 n. 2 (1945); see also *Nippert* v. *City of Richmond*, 327 U.S. 416, 434 (1946); *McGoldrick* v. *Berwind-White Coal Mining Co.*, 309 U.S. 33, 46 n. 2 (1940); *South Carolina State Highway Dep't* v. *Barnwell Bros.*, 303 U.S. 177, 184–85 n. 2 (1936); Givens, Chief Justice Stone and the Developing Functions of Judicial Review, 47 V. L. Rev. 1321 (1961).

These reasons for exacting scrutiny of the fairness of legal distinctions against the disenfranchised, pointed out by the courts in cases where relevant to judicial decision, are applicable to us as citizens as well. It is the duty of each of us to do what we can to assure that those who are unable to vote for any reason are not subjected to what has been called in another context "* * * irrelevant and invidious * * *" distinctions. *Steele* v. *Louisville & Nashville R. Co.*, 323 U.S. 192, 203 (1944).

In this spirit, we must approach the task of remedying the legal disadvantages suffered by our migratory workers.

III. COVERAGE UNDER THE FAIR LABOR STANDARDS ACT

The Fair Labor Standards Act was originally passed in 1938 and provided for minimum hourly wage rates for employees of employers engaged in interstate commerce. Title 29, United States Code, Section 213, provided certain exemptions to the overall minimum wage legislation. Included in the 15 exemptions, number 6 is directed towards the committee's problem and reads in part as follows:

"(a) (6). Any employee employed in agriculture * * *".

Even from the very beginning of legislation looking towards a minimum wage, President Roosevelt called for such legislation to cover both "* * * those who toil in factory and on farm." Since 1938, the Fair Labor Standards Act has been extended to numerous other workers not originally covered. Nonetheless, farm employees have never been included in this legislation. S. 528 of the 88th Congress would have amended the Fair Labor Standards Act to provide for minimum wages for agricultural employees. This bill, over a 4-year period, would bring the wages of agricultural workers in line with those of other employees covered by the Act. The wage paid to an agricultural employee would include the reasonable costs as determined by the Secretary of Labor of board, lodging, or other facilities customarily furnished the employees. In addition, the piece rate system would be protected by a provision approving any piece rate that yields, for at least 90 percent of the employees working at such piece rate, actual wages equal to the minimum hourly wage.

Coverage under the bill would extend to all employees performing hired farm labor for an employer who used more than 560 man-days of hired farm labor in any one of the four preceding calendar quarters.

Exempted from the minimum wage requirement would be members of employers' immediate families, sharecroppers, or members of sharecroppers' immediate families working on or in connection with the sharecroppers' tracts of land. An identical bill was introduced in the House (H.R. 4521).

The Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare has recommended a similar proposal in the present Congress (S. Rept. No. 155, 89th Cong., 1st Sess. (1965), p. 25). Although this legislation may not solve all the migratory worker's problems, which include poor housing ofttimes proffered by the employer, and the fact that some small farms might use less than the 560 man-day minimum—especially where migratory workers are employed for a day or two to harvest a fruit crop—nonetheless, it is a step forward which should be taken by Congress.

The low compensation of the migratory worker has become increasingly evident to the American people since the enactment of the Fair Labor Standards Act. Some of the pertinent statistics bear repetition. Of the approximately two million individuals who worked in agriculture 25 days or more during 1962, the average income amounted only to $1,164 during the entire year. Migrants who were employed over 25 days during 1962 earned $874, for an average of 116 days of work. They averaged $249 from their off-farm work for total earnings of $1,123, for the entire year. Moreover, migrants generally must pay their own transportation expenses and their living costs are higher while working away from home.

In 1963, the average cash hourly wage of all domestic farmworkers, including the 25 percent who operate machines often requiring substantial skill, was less than 90 cents per hour.

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[22] Ibid.

[23] 42 U.S.C.A. 242h.

[24] U.S. S. Rept. No. 167, supra, at p. 7; S. Rept. No. 155, 89th Cong., 1st sess (1965), p. 11.

[25] Ibid. at pp. 7 and 8.

[26] See generally, S. Rept. No. 155, 89th Cong., 1st sess. (1955); Migratory Labor in American Agriculture: Report of the President's Commission on Migratory Labor (1951); Report of the President's Committee on Migratory Labor 3–4 (1960); First Progress Report (1956); Hearings before the Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare on S. 1085 (1959); Report on Farm Labor: Public Hearings on the National Advisory Committee on Farm Labor (1959); Levine, "The Migratory Worker in the Farm Economy," 12 Labor L. J. 622 (1961); Greene, "The Education of Migrant Children (1954); Sutton, "Knowing and Teaching the Migrant Child" (1962); Lowry, "They Starve That We May Eat: Migrants of the Crops" (Council of Women for Home Missions, 1940). For historical background, see, e.g., "Interstate Migration," H. Rept. No. 369, 77th Cong., 1st sess. (1941); Neuberger, "Refugees From the Dust Bowl," 50 Current History 32 (1939).

[27] Transcripts, not for reproduction, may be obtained from CBS.

[28] See generally hearings before the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary, 87th Cong., 1st sess. (1961); Schmidhauser, Residency Requirements for Voting and the Tensions of a Mobile Society, 61 Mich. L. Rev. 823 (1963); Note, 77 Harv. L. Rev. 574 (1964).

The lowest average pay—68 cents per hour—prevailed in the South where more than half the farm workers are employed and the greatest surplus exists. The highest rate—an average of $1.30 per hour—was paid in the Pacific Coast States. It is noteworthy that, even if these most fortunate farmworkers were lucky enough to be hired year-round, their average annual earnings would have been less than $3,000.

In hearings before the Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare (86th Cong., 1st sess. on S. 1085 (1959)), the committee heard from representatives of organizations opposed to this kind of legislation. Basically, their objections were as follows:

1. No consideration was made in the legislation for the high costs borne by the employer of furnishing housing, recruiting, transportation expenses, and various insurance policies peculiar to migrant workers. (It should be noted that some of these objections are avoided by the currently proposed bill which provides that the cost to the employer of lodging and other facilities can be deducted.)

2. Minimum wage rates eliminate incentive payments for production which would, therefore, result in lower efficiency. (The current legislation also obviates this objection by preserving the piece rate system.)

3. Such legislation was also objected to on the grounds that it would put the Federal Government in a position of preempting what ought to be a power reserved to the States, force farmers to mechanize and do away with this source of income for the many migrant workers who depend upon it for their livelihood, and would create undue hardships for employers when the weather was bad, because in inclement weather the farmer would have to pay a minimum wage regardless of whether or not the migrant workers could perform their services.

Despite these objections, it would seem that the legislation is much needed and worthy of enactment.

We do not consider at this time whether the hours provisions of the Act should be extended to cover agricultural labor, or whether additional child labor restrictions are needed, confining ourselves to the recommendation as to the minimum wage for the present.[29]

IV. COVERAGE UNDER THE NATIONAL LABOR RELATIONS ACT

The migratory agricultural worker is subjected to impersonal, brief and transitory periods of employment at below subsistence level wages. His condition has, as might have been expected, produced serious labor disputes in our agricultural economy in recent years. Yet neither Federal or State laws provide meaningful collective bargaining rights for the nation's agricultural labor force.[30]

Section 2(3) of the National Labor Relations Act specifically exempts agricultural labor from coverage. Conditions, however, have changed since the exclusion was originally included in the N.L.R.A. in 1935. Collective bargaining is no longer new and experimental as part of our national labor policy. And conditions in farming have changed, with greater mechanization and the use of large farms employing many persons. Thus, while the characteristics of our nation's modern industrialized agricultural economy and the plight of the agricultural worker require the development of mutually beneficial collective bargaining our national labor policy lags behind. The need for corrective legislation is manifest.

Bills to amend the N.L.R.A. to make its provisions applicable to agriculture were introduced into the 87th and 88th Congresses. S. 529 was introduced in the 1st Session of the 88th Congress by Senator Harrison Williams of New Jersey for himself and other sponsors.[31] It is similar to S. 1128 introduced into the 87th Congress. A companion bill to S. 529 (H.R. 4516) was introduced in the House by Representative J. Cohelan, of California.

Here also the Subcommittee on Migratory Labor of the Senate Committee on Labor and Public Welfare has recommended such legislation in the present Congress (S. Rept. No. 155, 89th Cong., 1st sess. (1965) p. 34).

The Senate bills would amend the N.L.R.A. to make its provisions applicable to agricultural workers. They also take account of the seasonal nature of agricultural labor by according to this class of workers the same privileges regarding, among other things, precontract representational status and union security arrangements now applicable to workers in the building and construction industry under Section 8(f) of the Act.

We strongly recommend amendment of the N.L.R.A. to extend the coverage to agricultural labor, including migrants. It may also be necessary to develop special jurisdictional standards and other procedures under the Act to meet the special problems of agriculture.

CONCLUSION

In order to assist in dealing with the urgent problems faced by migratory workers, a depressed and dispossessed group in our society, we recommend:

1. Extension of the minimum wage provisions of the Fair Labor Standards Act to agricultural, including migratory, labor.

2. Extension of the National Labor Relations Act to cover agricultural, including migratory, labor.

3. Continuing study of the problems of migrant labor, including additional protections under the National Labor Relations Act, coverage under unemployment insurance, workmen's compensation and Social Security; better provisions for housing, health, safety, and education, and extension of the franchise by limitation of residence requirements for voting.

Respectfully submitted.

William J. Isaacson, Chairman, Jerome H. Adler, Albert X. Bader, Harold Baer, Jr., Aaron Benenson, Laurence G. Bodkin, Jr., William Joseph Brennan, III, Samuel J. Cohen, Kevin T. Duffy, Richard A. Givens, Alex J. Glauberman, Bernard D. Gold, Robert C. Isaacs, Isadore Katz, Samuel M. Kaynard, Arthur Mermin, Francis A. O'Connell, Jr., Herbert Semmel, Michael I. Sovern, Burton B. Turkus, Stephen C. Vladeck, John W. Whittlesey, Benjamin Wyle, William A. Ziegler, Jr., Max Zimmy.

THE BOBBY BAKER REPORT

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the body of the Record an article entitled "Backs Down Six Democrats—Williams Gets Way on Baker Report," and an editorial entitled "After the Dirty Work Was Done." They were published on June 10, 1965, in the Chicago Tribune.

There being no objection, the article and the editorial were ordered to be printed in the Record, as follows:

Backs Down Six Democrats—Williams Gets Way on Baker Report

Washington, June 9.—Senator John J. Williams, Republican, of Delaware, backed down the six Democrats of the Senate Rules Committee today. They yielded to his demand that they keep all derogatory comments about him from their report on the committee's investigation of the Bobby Baker scandal.

Williams has been accusing the Democrats in Senate speeches for days of smearing him in a secret report, and challenging them to repeat their accusations against him in the presence of the Senate or publicly repudiate them.

With a few exceptions, the Democrats have absented themselves while Williams has spoken, or sat mute while he told them that where he comes from men "put up or shut up" when confronted with accusations they have made.

DEFENDS THEIR RIGHTS

He has gone further—defended their right to refuse to talk, and then infuriated them by defending the right of witnesses to invoke the fifth amendment. The fifth amendment plea is that truthful answers to questions might tend to incriminate.

With Williams ready for weeks more of challenges, the Democrats approved today a report that the Republicans conceded does not attack Williams' character, veracity, or judgment, as the Republicans said the first report did.

The three Republicans of the committee nevertheless refused to endorse the report, which they charged does not make a true representation of Baker's outside dealings while he was secretary to the Senate Democratic majority and the protege of President Johnson.

PROMISE THE TRUTH

The Republicans promised to tell the truth about Baker and Don B. Reynolds in a minority report. Reynolds is the agent who sold Johnson $200,000 worth of life insurance before falling from grace with Baker when Baker was exposed and Reynolds began telling of the dealings of Democratic higher-ups.

The Republicans charge that the new Democratic report, like the old one, is an effort to destroy the credibility of Reynolds.

Reynolds was riding high as insurance agent to Johnson, as business partner of Baker, and as friend of Matthew McCloskey until it became known that Baker had made $2 million from outside dealings while a Senate employee.

WILLIAMS STARTED PROBE

Williams, who is not a member of the committee, instituted the investigation and persuaded Reynolds to talk. Reynolds charged that McCloskey, former Democratic national treasurer, made him a $35,000 overpayment, of which $25,000 was earmarked for the Kennedy-Johnson campaign of 1960.

The overpayment, which has been called a payoff, was for the performance bond on the $20 million District of Columbia athletic stadium, which McCloskey's construction firm built. Reynolds had arranged the bond.

As fears arose that Reynolds might involve more Democratic big-wigs, the administration agencies began leaking to the press derogatory information about Reynolds.

Williams charges that the administration also set out to destroy him, with such ammunition as the first Rules Committee report, which like the slurs on Reynolds was leaked.

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[29] See generally Kantor, Problems Involved in Applying a Federal Minimum Wage to Agricultural Workers (U.S. Department of Labor 1960).

[30] A description of labor disputes affecting the agricultural labor force and coverage of these workers under State collective bargaining statutes is set forth in the Third Report of the Committee on Labor and Public Welfare of the U.S. Senate made by its Subcommittee on Migratory Labor pursuant to S. Res. 273, as amended, p. 20 (1963). S. Rept. No. 167, supra.

[31] The bill was also sponsored by Senators Clark, Humphrey, Douglas, Metcalf, Inouye, McCarthy and Young.

After the Dirty Work Was Done

Democrats of the Senate Rules Committee yesterday buried the Bobby Baker scandal with a perfunctory report which Republican minority members promptly said was inadequate and left most questions unanswered. The Democrats shelved a longer report written by their partisan counsel, Lennox McLendon, but as its substance had been previously leaked, they could fancy they were having the best of two worlds.

The McLendon document, a slanderous attack upon Senator John J. Williams, of Delaware, a Republican whose diligence uncovered Baker's lucrative moonlighting activities when he was occupying the influential post of secretary to the Senate Democratic majority, was an attempt to discredit Williams and the witnesses and documents he produced.

It is an old courtroom trick that when the defense lawyer has no case, he tries the prosecutor, and that was what McLendon sought to do. Senator Williams properly termed this insulting brief the "most damnable attempt at character assassination ever witnessed in the Senate." Nevertheless, the Democrats and their kept lawyer would probably have persisted in releasing the McLendon screed as an official document had it not been for the widespread and outraged reaction of the press to this transparent coverup. This newspaper, for one, expressed its indignation.

But, having reaped the benefits of the smear, the Democrats now proceed to brush Baker's kinky operations aside with an innocuous statement attesting their virtue and the virtue of their party and its leaders. There has never been the slightest doubt from the beginning of the committee's hearings that the Democrats were determined to put the lid on the truth in the interest of self-preservation.

A Democratic President, Lyndon Johnson, was no peripheral figure in the Baker scandal. He was Baker's sponsor and mentor. When Johnson took out life insurance, the policy was written by Baker's partner in the insurance business. Baker persuaded his associate, Don B. Reynolds, to give Johnson an expensive hi-fi set as a kickback out of the commission, and Johnson's administrative assistant, Walter Jenkins, pressured Reynolds into buying $1,200 worth of time on the Johnson family television station in Austin, Tex. With his business in Washington, Reynolds could gain no advantage advertising himself in Austin.

There was also testimony that a Democratic bigwig, Matt McCloskey, a contractor and former treasurer of the Democratic national committee, had Jenkins write his performance bond for construction of the $20 million District of Columbia Stadium, and thereafter concealed $25,000 in the commission as a kickback which passed through Baker's hands and into the Kennedy-Johnson campaign fund in 1960.

But, despite all this and the fact that Baker cashed in through his connections to the tune of more than $2 million, he is viewed as a rose by his party protectors. The fact that in two appearances before the committee he took the fifth amendment 163 times on a plea that to tell the truth would incriminate him is swept under the rug.

We trust that the Republican members of the Rules Committee will tell the people bluntly what a deadly offense against public morality has been committed by their Democratic colleagues.

ACHIEVEMENTS OF LeROY COLLINS

Mr. CHURCH. Mr. President, in an article published on June 9 in the Washington Star, Max Freedman wrote some worthwhile things about the steps needed in order to eliminate discrimination against Negro-Americans in our northern cities.

In the article, Mr. Freedman pointed out:

> An absolutely indispensable contribution is being made by the Community Relations Service, under the leadership of former Gov. LeRoy Collins, of Florida.

I ask unanimous consent that this excellent article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Star, June 9, 1965]

Ending the Northern Negro Ghettos

(By Max Freedman)

All of us have been taught in recent months by the civil rights movement that the struggle for equal rights, for rights that are more than a pallid promise on parchment, must be waged in our northern cities as well as in our Southern States.

If you take a map and stick pins in it to represent the concentration of Negro neighborhoods in northern and southern cities, you will be surprised by the results. In Boston, for example, the Negro ghettos are far worse than in Atlanta; and that is generally true in any comparison between northern and southern cities. There are large areas in southern cities where Negroes have congregated, but this is less common than is usually supposed.

It is in fact rather easier to grapple with the southern racial problem than with the northern problem. The President and Congress and the Supreme Court have all been able to do something about second-class citizenship. The difficulties were dramatic and easy to define—segregation in the schools, separate and unequal facilities, public accommodation, equal voting rights. We have still a long and difficult journey to complete before all these grievances and injustices are removed but at least we are on our way.

In the North, however, most of the problems are invisible. White people, unless they are doctors or social welfare workers or policemen or rent collectors, rarely see the northern Negro ghettos. The great mass of citizens try to forget that these slums even exist. If they saw these horrible conditions every day, they would do something to end this festering poverty, this wreckage of human lives, this tragic denial of hope to children caught in a repulsive web of suffering and illiteracy. But we do not see these tragedies and so we forget about them.

All the same, we are paying heavy bills every day for the conditions we have tolerated too long in these slums and ghettos. We are paying for them in the relief rolls, in juvenile delinquency, in spreading crimes of violence, in dope addicts, in the broken vicious lives spawned by the slums.

The first and most urgent task, in dealing with these northern slums, is to awaken the generous but indifferent majority to the realization that these tragic and explosive ghettos do in fact exist and are growing worse all the time. The next and almost equally important task is to persuade the young people in the slums that they do not have to possess rare and memorable gifts in order to make their way to a more abundant life. Banishment of apathy in the general community, the awakening of some hope of better things in the slums—these are the twin methods for breaking down the cruel imprisoning walls of the Negro ghettos.

A major effort to destory these walls is being made, as we all know, by the poverty program under the direction of Sargent Shriver. But poverty in our northern cities is deepened and embittered by racial prejudice and discrimination. In meeting these problems, and in forestalling grievances which might explode in violence and the most serious disorders, an absolutely indispensable contribution is being made by the Community Relations Service under the leadership of former Gov. LeRoy Collins, of Florida.

Without any self-seeking on his part, the work of Collins and his staff in promoting a spirit of compliance in the South has become widely known and respected. Yet they are giving equal prominence to their work this summer and the following months to the challenge of the northern ghettos.

Once again they are avoiding the mistake of parading the power of the Federal Government or of posing as experts on human rights.

They are trying to enlist the most generous instincts of northern communities in a cooperative effort to bring the problems of the ghettos before civic leaders so that united action of a remedial kind can be taken. Since these problems have been allowed to accumulate for decades, and the spirit of protest is now rising visibly and ominously, there is a degree of urgency to this whole effort far surpassing anything previously done in this field.

We are fortunate, indeed, in having the leadership in this campaign directed by a man like Collins, who has instilled his own sense of instructed idealism and responsibility among the members of his staff. And they will need all the help they can get from the rest of us.

TRIBUTE TO DAVID E. BELL, ADMINISTRATOR OF AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. McGEE. Mr. President, I take this time to salute a great man, a great public servant, and a distinguished gentleman, David E. Bell, Administrator of the Agency for International Development.

On June 12, Mr. Bell will have the distinction of serving in that post longer than any of his predecessors. By all he has done, he has earned the respect and the confidence of this Congress in one of the world's most difficult and most thankless jobs.

The task of running the foreign assistance program is indeed a challenging one. Its friends are often retiring and its foes are always vociferous. Snipers wait around every corner, those who would absolve our country of responsibility, and risk the security of our shores.

For this reason, the position is also a dangerous one for a young man in the midpoint of a successful career. But David Bell has never run from challenge. He has accepted responsibility and turned adversity to advantage. In 1942, with a master's degree from Harvard behind him, he chose to enlist as a private in the Marine Corps. His calmness and intelligence won him a commission and a place in the intelligence section of the corps.

Again, in 1954, after serving President Truman as an aide and assistant for 4 years, Mr. Bell went off to Pakistan as head of an advisory group recruited by Harvard and financed by the Ford Foundation. For 3 years his group assisted in mapping the economic future of Pakistan.

Today Pakistan is rapidly shucking the adjective "underdeveloped" while David Bell is still taking on mammoth problems.

He had just barely been installed as head of the Bureau of the Budget, when President Kennedy tapped him for the top position in AID.

Today, 2 years, 5 months and 22 days later, AID's operations bear the Bell brand. They are pragmatic and intelligent. They are calmly calculated to do a job.

The foreign aid program is challenging countries to help themselves, challenging them to do everything in their power to bring a better life to their people. Our goal is to make these countries strong and stable and reduce the refuse in which communism breeds.

Today the Agency for International Development is a taut ship. It reflects the eye of an economist who wants results. More than two-thirds of our aid today is in loans not grants. And much of our aid goes to stimulate the private sectors—the businesses, cooperatives, trade unions—which will give these countries a broader base of power.

The task of foreign aid in the days of the Marshall plan was a relatively more simple one than what faces this Nation today. Then our goal was to reconstruct countries that already had the most important resource—educated and trained leadership.

The task today is a longer and more difficult one—to build up the economies of countries that do not as yet have even the leadership necessary for success. But, if we value our heritage and accept the responsibilities of power we cannot shirk this duty to ourselves and our fellow man.

Today the initials AID are better known in distant villages overseas than in our prosperous American suburbs. These are villages beginning to come alive with hope, villages where death is no longer a daily ration or disease a constant companion, villages where people have just a little more and cleaner water or a little more food.

We are indeed fortunate to have a man of the caliber and the ability of David Bell administering the program for this Nation. In my opinion, David Bell fits closely with the words of George Washington when he said:

> It is in the trying circumstances * * * that the virtues of a great mind are displayed in their brightest luster.

NORTHEASTERN MINNESOTA—PROGRESS REPORT

Mr. MONDALE. Mr. President, Austin C. Wehrwein, of the New York Times, recently reported the rising tide of optimism that is now surging across northeastern Minnesota, as that section of my State emerges from the darkest decade in its history. He correctly pointed out that from a peak employment of 10,200 jobs in 1954, in Hibbing, Minn., employment fell to only 4,500, with the exhaustion of the high-grade iron ore, once so plentiful in northeastern Minnesota.

Today, technology permits us to utilize low-grade iron ore, by converting it into taconite pellets, composed of 60 to 70 percent iron ore.

Over $1 billion in investments have been committed, or soon will be, to the construction and expansion of taconite facilities in northeastern Minnesota. Already four new plants are being built, and an existing one is in the process of expansion; and we have high hopes that additional plants will be constructed in coming years.

I commend Mr. Wehrwein's report to the attention of the Senate, and request unanimous consent that his article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Boom in Ore Stirs Minnesota—Investments and Jobs Rise in Taconite Industry

(By Austin C. Wehrwein)

Hibbing, Minn., May 21.—After a decade of decline, optimism is rising in the Minnesota iron ranges. The optimism is based on three factors: taconite, new technology, and taxes.

Technological advance has made it possible to process taconite, a gray, very hard magnetic rock that is ground to the fineness of cake flour and rolled into small black lumps the size of a schoolboy's marble.

The processed taconite pellets consist of 60 to 70 percent iron.

The development of taconite has come as the area slumped through a decline in natural ore.

The tax factor was the passage last November of a long-debated State constitutional amendment that prohibits for 25 years the assessing of the taconite mining industry at a level higher than that imposed on other businesses. As soon as it was passed the expansion began in earnest.

UNRESTRAINED OPTIMISM

James Abate, president of the Hibbing Chamber of Commerce, described the mood as one of "unrestricted optimism."

The more cautious persons are looking ahead to the period after the construction boom and predicting a leveling off. They foresee better payrolls than those of the bad years, but they expect a drop below the peak of 1953, when 80 million tons of ore were shipped.

Last year the ore shipment totaled just under 50 million tons, of which 30 million tons was natural ore. The decline came because the high grade natural ore, of which Minnesota once had a monopoly, had dwindled.

Within the next 3 years it is expected that taconite capacity will reach 30 million tons and in the next 15 years there are signs it could reach 54 million tons.

ONE BILLION DOLLARS IN INVESTMENTS

Already investments totaling more than $1 billion have been made or committed. Four new taconite plants are under construction and a fifth is being expanded. Another plant is likely to be built within 3 years.

Even the least optimistic concede that one substantial benefit will be year-round employment in the plants, which are essentially manufacturing operations. In the natural iron mines, employment is seasonal.

Hibbing is in the heart of the Mesabi Range, the largest source of Minnesota ore. Near Hibbing is the largest open pit mine in the world—3 miles long and a mile wide.

Both iron ore and taconite are dug out of the ground rather than being mined in shafts. As a result, huge gaping open pits that resemble canyons in the Far West have been scooped out of the forested countryside.

Because there was no hard rock above the ore here it was simple to strip the sand, clay, and boulders from the surface. This material in turn has been piled into great heaps so that there are both canyons below the surface and manmade hills above.

PLEASANT COUNTRYSIDE

Away from the pits and piles, the country is as pleasant as any in the North, heavily forested, with some farms in the clearings.

The range itself is not in the vacation area, but in the summer it shares the good sleeping nights enjoyed by the northern resort areas. In winter, while it is not the coldest place in Minnesota, a temperature of −40° F. is not unknown.

Just north of the iron range country the Superior National Forest begins, and to the northeast in that forest lies the canoe area, the only wilderness of any size east of the Rockies.

The Hibbing region is linked by road to Ely, the jumping-off place for the wilderness.

There are more people working than there were a year ago. They are buying more, and real estate is rising in value. Rental property is unavailable.

A shortage of skilled construction labor is already reported and at the peak of the construction period a payroll of more than 8,000 workers is expected at plant construction sites alone.

In 1954 when the going was good there were 10,200 jobs in Hibbing. At the bottom this fell to 4,500. Now there are hopes that it will rise from the present level of 5,200 to 7,500 this year.

Not everybody is benefiting; older unskilled workers continue to face a bleak future. The mining companies, however, are retraining some employees for the more skilled work in the taconite plants, where 75 percent of the work is, in effect, maintenance.

The expansion of the steel industry in the Chicago-Gary region promises a sustained and growing market for taconite pellets. Although it is more expensive to produce the pellets than to mine natural ore, the pellets make blast furnaces at least twice as efficient.

PAST SUCCESS POINTS TO PRESENT NEED FOR NEW GI BILL

Mr. YARBOROUGH. Mr. President, the GI bills of World War II and the Korean conflict proved to be the most successful education legislation ever enacted by Congress. The American economy has received billions of dollars in return for our investment in the intellectual development of the millions of capable men and women who served their country with dedication and devotion to the ideal of liberty for mankind. Renewal of this highly beneficial program of educational assistance is needed now, if our Nation is to cope with the demands and complications of the future. It is the duty of Congress to pass promptly the cold war GI education bill, S. 9.

I ask unanimous consent that an article published in the June 1965 issue of VFW magazine be printed at this point in the Record. The article, entitled "GI Bill Finishes School With Honors," skillfully indicates the successful precedent for enactment of a new GI bill.

There being no objection, the article was ordered to be printed in the Record, as follows:

GI Bill Finishes School With Honors—After 20 Years, Educators Call It "Finest Investment the Government Ever Made"

On February 1, 8,798 former servicemen sharpened pencils and took another searching look at their budgets.

Midnight had wiped away educational and training benefits under Public Law

550—the popularly termed Korean GI bill. The students could continue in college—but at their own expense. Except for January checks, no further benefits would come from the Veterans' Administration, which directed this program since its inception in September 1952.

The cutoff, however, did not affect 1,574 veterans who sustained wartime disabilities and were still in training. Congress set a more liberal limitation to fit them for taking their places in the American economy.

Termination of Korean readjustment training was no surprise to the trainees who had been apprised of the deadline when they entered school. As a whole, the closeout also affected only a comparative handful of the total who profited.

As the time for cutting off these benefits neared, the VA received some inquiries on why the program ended when it did.

VA's answer has been that the temporary nature of the educational benefits were consistent with the purposes of the law—to provide readjustment assistance immediately following wartime service.

Korean servicemen normally received a discharge soon enough to complete their educational program if they began schooling promptly. However, when a veteran elected to remain in the service longer, or chose first to enter the Nation's work force, it was assumed that he was not in need of readjustment assistance.

In the more than 12 years while these benefits were effective, 2,390,700 veterans entered the program. This was approximately one-third the number who went to college or learned technical skills under the predecessor World War II GI bill, which established a new national concept of federally sponsored education to compensate for opportunities lost in wartime.

The total cost of direct benefits to Korean veterans will approximate $4,521 billion.

The Korean bill reached its crest in March 1957, with 764,200 veterans enrolled.

A number completed 20 years or more active military service—in both World War II and in the Korean conflict—and came late into the program, using the Korean benefits to set the foundation for the new careers.

A 41-year-old retired Army major is typical. He receives $297 monthly from military retirement, but will miss the $160 educational benefits check. The GI bill paid his monthly rent and tuition.

One veterans' adviser explained that remaining students had no problems other than financial, and all who chose could stay in school.

"We"ll take care of them on loan programs," he said, adding that many would be eligible under the National Defense Act.

Veterans interviewed about expiration of benefits agreed on one point. All felt that the GI bill is one of the finest investments the Government has made.

Reports from college officials expressed similar viewpoints.

Some veterans enrolled and dropped out because of increased responsibilities, said Gene Monson, assistant coordinator at the University of Utah. Yet enough stayed and completed their education to make it evident the program was a good investment.

"Not only have the individuals and their families benefited," observed Monson, "but the community and the country have benefited and will continue to do so. Thousands who would not otherwise have received an education have been trained and prepared to assume more responsibility in our society."

The Korean veterans were generally above the average of nonveterans scholastically on the University of Hawaii campus, pointed out Edward F. Green, veterans' counselor.

Green cited a 12-year veteran of the Air Force who had the highest average in the 1963 graduating class, received a Phi Beta Kappa key for his distinction, and now is teaching in the College of Guam.

Some who started earlier with partial college-level training now occupy top positions in education, business and science across the Nation.

Dr. Frank Lakin, administrative assistant to the president of Colorado State College, fought with the 1st Marine Division in Korea. Discharged in 1953, he finished his 2 years of undergraduate work, then acquired a master's degree and doctorate under the GI bill.

Another 1st Division marine is dean of students at Colorado State. He is Dr. Norman T. Oppelt, who received a disability discharge in 1952 after being injured in battle and received the Bronze Star. He completed his last 2 years of undergraduate work and finished academic training under Public Law 894, applying to service-disabled veterans.

Oberlin, Ohio, College reported that most of its arts and sciences veterans received degrees in business; its conservatory graduated more college professors of music than any area and ministers outnumbered others in the graduate school of theology.

Oberlin followed up some of its veterans and their post college successes. One graduate is a member of the board of directors of a New England insurance agency. Another is the feature editor of a widely circulated magazine. Another is a college history professor in Kentucky and a fourth is a psychologist.

The Korean bill closeout marked the end of a federally sponsored mass education program that began with the signing of the original GI bill of 1944.

W. B. Gundlach, associate director of VA's Compensation, Pension, and Education Service, looked back and appraised nearly 21 years of veterans' assistance.

The 1944 GI bill, he said, was particularly timely in providing more, well-trained professional and skilled workers. The VA Administrator pointed out that 20 percent of World War II veterans and 9 percent Korean soldiers had 8 years or less of school experience when they enrolled.

Calling attention to the apprehension which had greeted each proposal for Federal participation in education, he summed up the last 20 years of joint responsibility:

"I feel that representatives of States and we in the VA, as representatives of the Federal Government, have demonstrated dramatically, cooperative Federal-State relationships that have risen above petty bickering. We have truly fulfilled the purposes of the GI bills.

"Interested persons in the Federal Government and organizations and agencies outside it view our 20 years' experiences together as a classic illustration of success," he concluded, "in what was originally viewed with great apprehension."

SUPPORT OF SENATE BILL 1993, TO ELIMINATE UNNECESSARY AND UNREASONABLE RESTRICTIONS TO THE FREE FLOW OF MILK PRODUCTS IN INTERSTATE COMMERCE

Mr. MONDALE. Mr. President, recently I introduced Senate bill 1993, designed to eliminate unnecessary and unreasonable restrictions to the free flow of milk products in interstate commerce.

Some days ago, I was extremely pleased to receive a thoughtful letter of support for this proposed legislation from Stanley Olson, vice president of the General Drivers, Helpers, and Truck Terminal Employees, a trade association directly involved in the interstate traffic in dairy products.

I request unanimous consent that Mr. Olson's letter be printed in its entirety at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GENERAL DRIVERS, HELPERS AND
TRUCK TERMINAL EMPLOYEES,
LOCAL UNION NO. 120,
St. Paul, Minn., May 20, 1965.

Hon. WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: We are highly in favor of your bill to guarantee free movement of milk in interstate commerce and congratulate you for taking the initiative on this much overdue legislation.

Our organization has been aware of the restrictions placed on the Minnesota dairy farmers by present policies.

Your bill will result in greater utilization of the milk-producing potential of this area thereby creating more jobs and raising the income of our dairy farmers who have suffered great financial loss because of the unreasonable boycott of their products.

We are also writing to other members of the Minnesota delegation to express our interest in this legislation.

Sincerely yours,

STAN OLSON,
Vice President.

JUSTICE GOLDBERG'S UNITED NATIONS ADDRESS

Mr. CHURCH. Mr. President, on May 2, Associate Justice Arthur J. Goldberg, of the U.S. Supreme Court, delivered an excellent speech at the inaugural dinner of the Jewish Center for the United Nations, in New York City. I ask unanimous consent that the address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ARTHUR J. GOLDBERG, ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES

I am very much pleased to participate this evening in the inaugural dinner for the Jewish Center for the United Nations. This dinner appropriately takes place on the 60th anniversary of the Sutton Place Synagogue. Thus it both commemorates the Sutton Place Synagogue's venerable history of religious service and marks the extension of that worthy tradition through the creation of a center, which will serve both local and international Jewish communities.

On an occasion such as this one, it is fitting to renew our dedication to the United Nations. The United Nations quest for peace has been based upon the theory that "since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed." I, together with millions of Americans and hundreds of millions of men and women throughout the world, would restate our conviction that the United Nations is not only a useful but also a necessary tool for building those defenses of peace, and that the United Nations is today and will be throughout the centuries to come the world's best hope for a lasting peace.

The crises—both diplomatic and financial—currently faced by the United Nations hover like a specter over the arena of international politics. Before giving way to pessimism, however, we should remember the numerous achievements of the United Nations in the 20 short years since its foundation. Only 2 years after its creation, the withdrawal of Russian troops from Iran was arranged through the United Nations. It played a part in the creation of Israel. Aggression was contained in Korea by the United States working through the United Nations. Within the past few years we have seen potential sparks that in other times might well have set off major conflicts extinguished by United Nations activity in Suez, the Congo, and Cyprus. And, we have witnessed the unprecedented transfer of political power from European nations to newly independent states—a transfer that could hardly have taken place so peacefully, had the United Nations not been in existence. Moreover, the work of the United Nations in providing economic aid and technical assistance to the emerging nations, its role in facilitating international cooperation in such areas as the peaceful uses of atomic energy, and its undertakings to assure greater respect for human rights are all well known.

The failures which have resulted in the crises through which the organization is now passing are not those of the United Nations. The United Nations is not responsible for the consistent exercise of the veto by the Soviet Union in the Security Council, which has so often paralyzed effective peacekeeping action. The United Nations is not responsible for its members who refuse to pay the assessments which legally and morally they owe. Rather member states of the United Nations, not the organization itself, are at fault. Sir Alexander Cadogan once pointed out that "a Stradivarius violin is nothing more than an assemblage of wood and catgut. It takes a musician to get harmony out of it. But if the player is at fault, there is no sense in blaming the instrument—still less in smashing it to pieces." I believe that the problems facing the United Nations can be overcome provided that each member nation, and its citizens, base their actions upon a patriotism in the best sense of that word—this, as Lord Cecil once remarked, is "the patriotism by which a man instinctively sets the highest standard for his nation's conduct. The new patriotism will not be different in kind from the old, but it will be larger and more free from the sordid jealousies and suspicion which now defile international life." As we enter into International Cooperation Year we must rededicate ourselves both to support of the United Nations and to this ideal of a patriotism that will allow the United Nations to attain its goal of a lasting peace.

The Jewish Center for the United Nations, like the Catholic and Protestant centers, is itself a reaffirmation of faith in the United Nations. Moreover, it is a reaffirmation of confidence in religious liberty, tolerance and that freedom of the human spirit which the United Nations organization, as well as its Secretaries General, continually seek. We have learned that religious tolerance is the touchstone of all freedom, for freedom of body means little without freedom of the mind and soul. It is no accident that the first amendment to our Constitution—an amendment that was necessary to obtain the Constitution's ratification—guarantees the free exercise of religion. The founders of our Nation were victims of discrimination and religious oppression and were determined in the New World not to repeat the errors of the Old.

America is indeed a shining example of the benefits of religious liberty and tolerance. Under our Constitution there is a wholesome neutrality by the Government toward all religions; the ideal of our Constitution as to religious freedom is one of absolute equality before the law of all religious opinions and sects; the Government, while protecting all, prefers none, and its disparages none; our constitutional policy does not deny the value or necessity for religious training, teaching or observance; rather it secures their full exercise without helping or hindering any particular religion. The recent spirit of the Ecumenical Council of which so much is heard in fact reflects the spirit of our Constitution: freedom for all religions, preferment of none.

It is appropriate to note that the United Nations Universal Declaration of Human Rights expresses a similar ideal. Article 18, adopted by the General Assembly on December 10, 1958, states:

"Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance."

It is significant that freedom of religion is given a prominent position in this Declaration of Human Rights—a declaration which Dag Hammarskjold called "the universal expression in the field of human rights of the aims of our world today, a world where the memory is still fresh of some of the worst infringements of human rights ever experienced in history, and a world which is also facing the problem of human rights in new and increasingly complicated form."

As a reading of any newspaper amply shows, today the attention of the world is focused upon denials of racial equality. My remarks this evening emphasize religious liberty, not because I would denigrate the importance of racial equality, but because of the nature of this occasion, and because I believe that the ideals of religious liberty and racial equality are equally important. Both ideals spring directly from enlightenment concepts of the natural rights of man. Both of these ideals must be energetically and consistently pursued if they are not to be lost. In a world made up of people of all races, and religions, a harmonious and peaceful world society is impossible so long as men are ill treated either because of their race or their religion.

For these reasons I believe it most important that the United Nations adopt the draft declaration on religious intolerance currently being considered by the Human Rights Commission. I am particularly pleased that the United States, along with India and the United Kingdom, played a major role in the drafting of this convention, and urging its adoption.

The adoption of this convention is, in my view, particularly important because of the unhappy fact that religious discrimination exists in many parts of the new world. This discrimination is partcularly notable in the Soviet Union, where hostility to Jews has reached the point where it might be classified as an openly anti-Semitic campaign. The American delegates to the Human Rights Commission, obviously referring to the Soviet Union, stated the following:

"Since the defeat of Nazi Germany no state has pursued an overt and declared policy of genocide against an ethnic group. But we must recognize that some states where laws forbid discrimination in the most forceful terms nevertheless carry on policies which are designed to have the effect of obliterating an ethnic group. The biological differences of race cannot be exterminated by cultural deprivations, but ethnic differences, and sometimes nationality differences, are absolutely dependent on language, schools, publications, and other cultural institutions in order to survive. Cut an ethnic or national tradition off from these, and it will die, however nourished the body of the citizen is by food, clothing, and shelter.

"We must deal with anti-Semitism even when it takes the forms of deprivation of the religious and cultural heritage which makes this group unique. We should make it clear that a state which makes provision for German language schools for that ethnic group should not deny Yiddish or Hebrew schools to its Jews; that a state which can permit national and regional organizations of some ethnic groups should, under the principle of nondiscrimination, permit the same for Jews; that a state which permits recognized leaders of every other group to travel abroad to conferences and holy places should not be able to deny that right to Jewish leaders; that a state that finds facilities to publish textual materials in the language and traditions of some groups should not be able to deny this right to Jewish groups; that a state which is able to tolerate the differences in 100 nationalities should have no right whatever to extinguish those differences in the 101st."

The Soviet Union has consistently denied the Jews are mistreated or discriminated against within its borders. I believe that if the Soviet Government is sincere in its professed desire to eliminate anti-Semitism, it surely ought to vote for the convention on the elimination of religious intolerance; it ought not to slow down consideration of this convention and hinder its adoption. Moreover, I should like to see the Soviet Union adopt the proposal of Mr. Morris Abrams, the U.S. expert member of the Human Rights Commission, that a subcommission be formed, which would meet in various parts of the world; including the Soviet Union, to "check fact against claim and hope against reality" in determining the extent to which religious discrimination exists. Such a subcommission, of course, would deal with discrimination against any minority and would meet in any part of the world where discrimination was alleged. By providing such a neutral factfinding body, the United Nations might well destroy much discrimination by exposing it to the cold light of world public opinion.

Lord Acton, in the last century, said that "the most certain test by which we judge whether a country is really free is the amount of security enjoyed by minorities." In my opinion there can be no more worthwhile task for the United Nations, or for us, its supporters, than to work for an end to discrimination of all sorts and complete security for all minorities in every part of the world. Only by providing a world environment in which differences are tolerated and such security is provided can we hope to provide the world with a foundation for a lasting peace.

In the meantime all men of good will should endorse and support the adoption by the United Nations of convention on religious liberty. The existence of a Jewish Center for the United Nations and its counterparts will exist as an important symbol of the value to all men everywhere of freedom of religious exercise. Bringing religion to bear upon moral and ethical problems means helping all nations go forward realizing the just society and the better world which is the hope and aspiration of all men everywhere.

SENATOR FRANK CHURCH, CONSERVATIONIST

Mr. METCALF. Mr. President, those of us who serve with him in committees and engage in debate with him on the Senate floor appreciate the immense contributions and the incisive opinions of the senior Senator from Idaho [Mr. CHURCH]. The people who sent him to the Senate to represent them also recognize Senator CHURCH's talents.

One of them, Mrs. Ethel Kimball, recorded her impressions of Senator CHURCH at work on conservation matters in the State. Her comments appeared in a June 6, 1965, column in the Salmon Recorder-Herald.

Speaking also for her husband—and for many other Idahoans—Mrs. Kimball wrote:

> Neither Frank nor I vote a straight ticket—we vote for the man we think most capable of handling the job. But both of us are mighty glad that Idaho has a man like Senator FRANK CHURCH to represent it.

Those of us who have watched Senator CHURCH guide the wilderness bill and other important conservation measures through the Senate would add: We agree, and we are pleased that Senator CHURCH's diligent and careful work is appreciated back home.

I ask unanimous consent that Mrs. Kimball's article be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Salmon (Idaho) Recorder-Herald, June 6, 1965]

(By Ethel Kimball)

They say if you have a tough problem that you badly need help with, don't take it to someone with lots of time on their hands—take it to the busiest person you know because they are the ones that get things done. And that's just what I did when I wrote to Senator FRANK CHURCH and asked if he would meet with members of the Save the Upper Selway Committee while he was in our area this past week.

Promptly and very courteously he wrote back that he regretted he wouldn't be able to get to Salmon this trip, but that he had arranged with Mrs. Kathleen Markle to have us meet with him in her home at Challis. He was scheduled to address the Challis graduation class the night of May 21, and would try to arrive early so he could talk to us that afternoon.

Now, that in itself doesn't sound like much of a feat, but consider the rest of his itinerary—he drove to Challis from Boise where he had been conducting public hearings on the wild rivers bill; was to speak at Challis Friday night; had two separate speeches to deliver the next afternoon on the campus at Pocatello, and was slated to address the Idaho Falls graduating class the night after that. Actually, he barely had traveling time to get from one place to another—but, by golly, he squeezed us in.

WARM WELCOME

What's more, when Frank and I, Mrs. Doris Milner, who is chairman of the committee; her husband, and Mr. and Mrs. G. M. Brandborg (all from Hamilton, Mont.) arrived, we got a warm welcome. There was none of this furtive, bored, well-if-I-have-to-let's-get-it-over-with stuff. He was genuinely friendly; honestly interested—and so was his lovely wife, Bethene. To top it off, Mrs. Markle graciously served us coffee and the best homemade cookies you ever ate; put everyone at ease, and really set the scene for a relaxed discussion.

The Hamilton people have worked long and hard to save this beautiful section of the Selway. They also know the country like the backs of their hands—in fact, Mr. Brandborg was supervisor of the Bitterroot National Forest for 20 years prior to his retirement. They were equipped with pictures, maps, letters, and heads full of information; ready to present many aspects that had heretofore been obscured by bureaucratic redtape.

And I'm glad they were, because I sure wasn't much help. I got so engrossed watching the man they were talking to that I almost forgot to hear the project they were talking to him about. He was concentrating so intensely on the map; comparing pictures with landmarks; firing questions; appraising answers. Occasionally his dark eyes would glance up and lock with those of whatever person was speaking at the time, and I had a feeling that it was a good thing we were sincere because he would surely have penetrated and discovered any subterfuge. There was certainly no nonsense about this man, nor was there any doubting his sincere interest in the issue.

But even more than that, there was a certain quality about him that made a deep impression on me, as I'm sure it did the rest of our delegation. It's hard to describe, but maybe "quiet humility" would come close to it. There was none of the high-handed, arrogant, superiority complex thing that you find in so many political figures and government officials today.

NO QUESTIONS LEFT

The interview didn't end until the Senator was certain he fully understood each point the delegation was making. And then he didn't make any rash, high-sounding promises. He simply stated that he really appreciated learning these details of their protests; that it would be a rough go to stop the program now, but that he felt their cause was worthwhile and would do his best to help.

And that was all the committee wanted. They—like us—have the utmost confidence in this Senator from Idaho. If anyone can help, he is the man.

Now, if you think I'm just a dyed-in-the-wool Democratic climbing on a soap box to hit the campaign trial for the party's choice, you are dead wrong. Neither Frank nor I vote a straight ticket—we vote for the man we think most capable of handling the job. But both of us are mighty glad that Idaho has a man like Senator FRANK CHURCH to represent it.

We also think that saving the upper Selway is very important, even though at first glance it may seem strange that we asked Montana people to present a problem to an Idaho Senator. It is much bigger than that. A State boundary line doesn't mean much when a section of land lies in two States. Montana mills would get whatever timber was taken from the area, (and there isn't enough timber to pay for the roads to get at it) but Idaho would get the gutted stumps; the tangled slash; the road-scarred land, and the erosion. And the whole Nation would be footing the bill for this terrific project, which plans to include an entirely new ranger station to help the Forest Service with their empire building program. That Nation also would lose a fabulous section of wilderness that had been set aside for 27 years before the big ideas began to rear their heads.

Conservation is becoming more than important—it is essential. The need is well-expressed by the closing statement of Senator CHURCH on the wild rivers bill before the Senate Interior and Insular Affairs Committee. He quoted from the words of Sigurd F. Olson, Minnesota woodsman and author, on why we need wilderness and wild rivers.

"Because man's subconscious is steeped in the primitive, looking to the wilderness actually means a coming home, a moving into the ancient grooves of human and prehuman experience."

It may well be—that the wilderness we can hold will become the final bastions of the spirit of man. Unless we can preserve places where the endless spiritual needs of man can be fulfilled and nourished, we will destroy our culture and ourselves.

MINNESOTA'S SMALL BUSINESSMAN OF THE YEAR

Mr. MONDALE. Mr. President, I call to the attention of the Senate the recent award, in my State, of Minnesota's Small Businessman of the Year. This award, made by the Small Business Administration, and presented by Minnesota's Gov. Karl Rolvaag, designated John C. Enblom, of Rochester, Minn., as having contributed much to the economic well-being of that city and our State.

The Nation's 4.7 million small business firms have brought to their respective communities a great fund of knowledge. They have increased employment, and have insured the continued growth of our Nation's economy. I salute Mr. Enblom and his firm, Crenlo, Inc. I ask unanimous consent that an article from the Rochester Post-Bulletin of May 27 be printed in the RECORD, following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Rochester (Minn.) Post-Bulletin, May 27, 1965]

ENBLOM NAMED TOP SMALL BUSINESSMAN IN STATE FOR 1965

John C. Enblom, 53, president of Crenlo, Inc., of Rochester, has been named Minnesota's Small Businessman of the Year by the Small Business Administration.

He will be awarded a citation tonight by Gov. Karl F. Rolvaag in the Governor's office in St. Paul.

The honor comes to the Rochester businessman during Small Business Week, proclaimed by President Lyndon B. Johnson in honor of the Nation's 4.7 million small business firms.

Mayor Alex Smekta also has urged the citizens of the community to honor the city's small business firms which have contributed so much to the economy of the city.

Enblom was born in Minneapolis and was graduated from the University of Minnesota. Before coming to Rochester in 1951 as one of four men who formed Crenlo, he was president and general manager of the Donaldson Co., Inc., a firm with which he became associated after his graduation from college.

In the 14 years since Crenlo's founding, the firm's sales have increased 20 times to the present level of $4.5 million a year. Crenlo sells its products to some of America's leading companies such as Caterpillar Tractor Co., IBM, Deere & Co., and Minnesota Mining & Manufacturing Co. The firm employs some 350 persons.

The company manufactures cabs and other components for tractors and heavy-duty equipment, air filters, business machine and prescription file cabinets, tanks, Fiberglas components, and other assorted metal specialties.

Other founders of the company besides Enblom were Roger Cresswell, present executive vice president; Stuart Haessly, vice president-engineering; and William Lowther, who left the firm in 1953.

Since the inception of Crenlo Inc., Enblom has served as president, treasurer, and board chairman of the firm. Active in community affairs, he has held directorships in the United Fund, Junior Achievement, Industrial Opportunities, Inc., Rotary Club and the Echo Corp. of Rochester. He also is a member of the YMCA, Zumbro Lutheran Church, and the Society of Automotive Engineers. He is married and has four children. The family resides at 612 10th Avenue SW.

Upon learning of the award Enblom stated, "It is indeed an honor to be selected as the outstanding small businessman in Minnesota. However, the credit should rather go to my family, business associates, Crenlo employees and people in the community who have been so helpful in meeting the problems of a small business.

"Crenlo, Inc., was formed as a Minnesota corporation in 1951 by four men who had some ideas, a lot of desire, and limited capital. We quickly discovered that an un-tried business venture does not qualify for usual credit accommodations. Through our association with the Olmsted County Bank, we were able to learn about the Small Business Administration in providing long-term business loans for just such a situation as ours.

"Now some years later, we have reached the maturity and stability that enables us to finance our expanding operation through private sources. But the financial assistance and management guidance received from the SBA was an important factor in bringing us to this point. We feel sure that the economic contribution that Crenlo, Inc., makes to the city of Rochester and the State of Minnesota speaks well for the SBA program," Enblom concluded.

PRESIDENT'S APPOINTMENT OF CAREER EMPLOYEES LAUDED

Mr. CHURCH. Mr. President, President Johnson and the highly able Chairman of the Civil Service Commission, John Macy, have done a fine job in finding competent career employees for top Federal jobs. The fact that a great many of these persons are already working for the Federal Government has too often been ignored. I am glad this administration is considering and choosing such persons, and that this fact was recognized in an editorial published on June 9 in the Washington Star. I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Star, June 9, 1965]

Every new President pays lipservice as a matter of course to the qualities of the civil servant. Lyndon Johnson has gone much further than that. More than any Chief Executive in recent years, he has looked to career employees to fill high Federal posts. And it must come as something of a shock to him to hear that some critics are now condemning him for it.

Their argument, as the Wall Street Journal's Alan Otten noted in an article the other day, is that Mr. Johnson is overdoing the career bit—to the point that the administration soon may lack "the constantly needed infusion of new ideas and new talent from the outside world."

It is not, the critics say, that career people who move up the ladder are not able, conscientious administrators. The problem, they say, is that these people, who are the products of the system they grew up in, are all too apt to lack a fresh approach, to be unimaginative, to refrain from speaking their minds, to stay in the old ruts rather than to blaze new trails.

Well, it is an interesting argument, and in an academic debate, we suppose, one could make at least a respectable defense on this side of the question.

But it is certainly not the side we would choose to defend. The best personnel policy is to select top-drawer Federal employees from a variety of sources, and this is precisely what Mr. Johnson has done. According to John Macy, the President's personal recruiter, the major Johnson appointments have been almost equally divided between career employees and those from "outside." This assures an adequate supply of fresh blood. But more important, in our opinion, it makes the proper use, in about the proper proportions, of a rich reservoir of vigorous, articulate men and women of demonstrated ability who already know their way around the Federal Establishment. Experience is no disadvantage to holding high Government office; it is a tremendous asset. Nor are the career "veterans" tapped from this pool hidebound old fogies—of the type who so often rise to power under the seniority system in Congress.

The critics of the President's admitted "bias in favor of the career service" also overlook another point. For the fact is that the Federal service has been undergoing some important changes in recent years. Much of the emphasis today is aimed at making the Government competitive enough with private enterprise to attract bright young people at all levels—and to hold them. This can be done partly through pay scales which are competitive with industry. But it is no less important to recognize merit, and to reward it with the opportunity for advancement.

Looking over the career workers, Mr. Johnson has promoted from the ranks, it is very doubtful that he could have done better by going "outside."

"THE RIGHT TO WORK"

Mr. ROBERTSON. Mr. President, I ask permission to have printed at this point in the Record a statement by my warm friend and valued constituent, Hon. Edward H. Lane, chairman of the board of the Lane Co., Inc., of Altavista, Va., opposing the repeal of section 14(b) of the National Labor Relations Act.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Edward H. Lane, Chairman of the Board of the Lane Co., Inc., of Altavista, Va., Opposing the Repeal of Section 14(b) of the National Labor Relations Act

When Senator Taft and Congressman Hartley proposed the Taft-Hartley Act to the Congress, they and their supporters realized that the pendulum of power had swung too far toward giving the labor unions greater power than they should have. Congress over the years had been trying to create a fair balance between the powers of the labor unions and the powers of the employers, and the Taft-Hartley Act was designed to bring about a better balance. This was conceived as much for the protection of the members of the union against power mad, and in many cases unscrupulous, union leaders as it was to protect the general American public.

Our Federal Union was founded on the theory that the Federal Government would be one of delegated powers, and all other powers not so delegated to the Central Government or prohibited to the States should be reserved to the States.

The repeal of section 14(b) of the Taft-Hartley Act will be another serious blow to States rights and, in my judgment, would be ruled unconstitutional by any fairminded court or courts.

I do not know of anything that has been proposed in recent years more completely un-American than to withdraw from the free workers of this country their right to choose a union or not choose a union. This will be just another step in taking away from the people of this country one of their freedoms, for which they have fought so hard.

The heads of the labor unions today already have too much power. The balance of power between the unions and employers is swinging very heavily in favor of the labor union leaders, and I think if the Congress of the United States should repeal section 14(b) of the Taft-Hartley Act they would be taking away from the people of this country another one of their precious freedoms, the right to work.

Nationwide polls conducted on compulsory unionism (including one by the Gallup organization) show that 67 percent of the people of the United States are opposed to compulsory unionism.

No leading Western World democratic government has yet seen fit to adopt a national policy of compulsory unionism. The consequences of such a policy are clear—it would be a terrible and tragic mistake for our country. The individual—the little man—would have no choice under compulsory unionism, and would lose any and all effective control over his union organization.

I prayerfully hope that there will be sufficient Members of the Congress of the United States who recognize that this is another grab for power by the labor union leaders, and that they already have too much power for the good of their members and the people of this country.

Respectfully submitted.

E. H. Lane.

STUDY OF FEASIBILITY OF ADOPTING METRIC SYSTEM IN THE UNITED STATES

Mr. PELL. Mr. President, an editorial entitled "Joining the Metric Club," published on May 31 in the Washington Evening Star, noted the recent announcement by the British Government that Great Britain officially planned to convert to the metric system. The editorial called attention to the proposed legislation—sponsored by Representative George P. Miller, of California, and myself—advocating a study of the feasibility of adopting the metric system in this country.

I recognize that some persons have doubts about adoption of the metric system in the United States; but I can conceive of no clearer means of resolving such doubts than a comprehensive study which will show us the advantages and the disadvantages that adoption will engender. Those who fear studies, apparently fear the truth. Representative Miller and I merely want to ascertain the facts; and Britain's action makes this all the more imperative.

I am informed that the Canadian Government plans to initiate such a study soon. To my mind, this makes a conclusive case for action on our part. I ask unanimous consent that the Star editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Star, May 31, 1965]

Joining the Metric Club

Britain's announcement of plans to convert to the metric system is a long step forward in that insular nation's effort to integrate with the European economy.

Though the changeover will not be completed for a decade, the thought of England abandoning her ancient yards and pints and stones—some of the terms dating back to Roman times—is startling news on both sides of the Atlantic.

The development has generated new interest in Washington in a long-contemplated study of metric conversion by the United

States. Senator PELL, of Rhode Island, and Representative MILLER, of California, have been reintroducing identical bills for years to prepare the way for this, and surely the time has come to give their proposal a fair shake.

The Pell-Miller legislation would merely be exploratory, authorizing a 3-year study by the Commerce Department to determine the feasibility of a changeover to metric measurements.

More than 90 percent of the world now operates on the metric system, as do certain American industries. Dr. Edward Teller has warned that the Soviet Union, which adopted it in 1927, is talking a common language of measurements with neutral nations while we remain in splendid isolation.

It is of historic interest that both Thomas Jefferson and John Quincy Adams advocated such a simplified decimal system a century and a half ago. It is now of economic and political importance that we get in step with the rest of the world.

No one argues the change will be easy. France had to threaten her citizens with prison sentences back in 1840 to force a switch. Japan required from 1921 to 1958 to complete her transition from other measurements.

But there is surely no excuse for Congress to stall any longer on a formal study of the matter.

USE OF ALLIANCE FOR PROGRESS FUNDS UNDER THE AID PROGRAM

Mr. PELL. Mr. President, as I have done for the past 3 years, I report on the overall manner in which our foreign aid funds are spent under the Alliance for Progress. As in the past, my concern is to monitor the degree to which our assistance is used to invest in productive, long-range development, and not be squandered on short-range, stopgap support to plug local budgetary deficiencies.

I am happy to report that the trend continues to be favorable, with increasing emphasis on long-range development assistance. Balance-of-payments assistance, which in 1962 stood at 33 percent of our total commitment under the Alliance, is scheduled to reflect a drop to 3 percent in the fiscal year 1965—the lowest level since the Alliance was brought into being. Similarly, direct budget support, which in 1961 stood at 12 percent of the total commitment, is scheduled to drop to 1 percent in the fiscal year 1965—again the lowest level in the history of the Alliance.

On the other hand, our commitments for long-range development assistance indicate a shift toward loans keyed to long-range development programs. Commitments under this category increased from $115 million, or 18 percent of the total, in the fiscal year 1964 to $230 million, or 41 percent of the total, in the fiscal year 1965. Two major commitments accounted for this total: $150 million to Brazil and $80 million to Chile.

Assistance to separate projects not necessarily tied to long-range development programs dropped, in the fiscal year 1964, from $465.9 million, or 72 percent of the total, to $305.2 million, or 55 percent of the total in the current fiscal year. In part, this apparently reflected an absolute reduction in our overall commitment to the Alliance from $641.3 million in the fiscal year 1964 to $558.7 million in the fiscal year 1965.

Mr. President, it seems to me that this is encouraging evidence of good stewardship by the Alliance, and I congratulate AID for its continuing good work in this regard. I ask unanimous consent that a tabulation, prepared by AID, reflecting these trends be printed at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

AID assistance to Latin America, by function, fiscal years 1959–65

[Dollar amounts in millions]

	Fiscal year 1959		Fiscal year 1960		Fiscal year 1961		Fiscal year 1962		Fiscal year 1963		Fiscal year 1964		Projected, fiscal year 1965	
	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total
Development project assistance	$103.5	84	$87.2	83	$210.6	83	[1] 300.0	63	[1] $383.0	68	[1] $465.9	72	[1] $305.2	55
Development program assistance—Loans under long-range plans									[2] 95.0	17	[3] 115.0	18	230.0	41
Balance-of-payments assistance	7.3	6	8.4	8	11.6	5	154.7	33	[4] 70.8	12	50.3	8	15.2	3
Direct budget support	12.2	10	9.5	9	31.5	12	19.5	4	17.4	3	10.1	2	8.3	1
Total	123.0	100	105.1	100	253.7	100	474.2	100	566.2	100	641.3	100	558.7	100

[1] Includes Alliance for Progress funds for nonregional projects directly benefiting Latin American countries, and the amount of grants to Trinidad in exchange for base rights.

[2] $60,000,000 to Colombia and $35,000,000 to Chile.

[3] $60,000,000 to Colombia and $55,000,000 to Chile.

[4] Including $23,750,000 grant to Dominican Republic.

SENATOR NELSON PROPOSES HIKING TRAILS

Mr. CHURCH. Mr. President, the matchless conservation record of Senator GAYLORD NELSON springs naturally out of his intimate knowledge of beautiful Wisconsin. He has hiked over many of the still uncluttered miles of his lake-studded State; and it is perhaps from this experience that he has focused attention on one neglected aspect of our resource conservation: a hiking-trail system. While other nations long ago turned hiking into a national pastime, we have often let only concrete and asphalt pathways carry us past much that is superbly worthwhile.

Today, Senator NELSON says:

> Hiking, camping, sightseeing, and nature study attract broader interest than any other outdoor activity; yet there has been very little coordinated development of hiking trails.

For that reason, he has proposed an exciting, 3,000-mile network of hiking trails for Wisconsin.

At a recent forestry and forest recreation land use conference in Madison, Senator NELSON set out a proposal which could serve as a model for other States, and perhaps even for the National Government. I, for one, hope the conservation-minded State of Wisconsin will follow his lead.

I ask unanimous consent that Senator NELSON's remarks be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR GAYLORD NELSON AT THE GOVERNORS' CONFERENCE ON FORESTRY AND FOREST RECREATION LAND USE IN MADISON, WIS., MAY 14, 1965

The topic of this conference is forestry and forest recreation land use. It is a timely subject. Wisconsin's general share of lake and woodland and her location near this Nation's center of population make possible a very bright future for forest recreation in the State.

But if the development of outdoor recreation in Wisconsin is to be successful it must be wisely and imaginatively planned. We have already made important strides in this direction. We must continue to move. This conference, certainly, is a recognition of the need.

Today I want to suggest to this conference what I think is an exciting proposal—a 3,000-mile Wisconsin hiking and camping trail system. It will match the famous Appalachian Trail that runs from Maine to Georgia in the scope and variety of the recreation opportunity it affords.

It is a trail system that would take us from the mouth of the Brule at Lake Superior all the way to the headwaters of the Brule and the St. Croix, and then down the St. Croix to the Mississippi and along the Great River Road, all the way to the Wisconsin-Iowa line; it would take us up the shores of Lake Michigan and across northern Wisconsin through the Chequamegon and Nicolet National Forests; it's a trail that would show us our forests and hills, the beautiful watersheds and shorelines of our finest rivers and lakes and the lovely terrain of the ice age reserve.

Almost everyone in our State would live within less than an hour's reach of some part of the trail system. It will offer a far greater opportunity for varied recreation for many more people than any other comparable investment we could make.

The opportunity is here now and so is the need. As our resource base is rapidly diminishing, so is our population pressure rapidly increasing against that resource base. Within 35 years our population will double. What we fail to do now we will be unable to do then.

The history of resource conservation has proved again and again that little steps made too late have tragically failed to meet tomorrow's needs.

As we glance over the map of Wisconsin, the opportunities for trails, long ones and short ones, fairly shout their claims for recognition.

Without the expenditure of any moneys for acquisition, we could plan and develop several hundred miles of trails and campsites on lands already in public ownership—Federal, State, and county.

The State, for example, already owns both sides of the magnificent Brule River from Lake Superior to its headwaters near Solon Springs. If the St. Croix River bill passes Congress, that will afford the opportunity for a hiking and camping trail over 200 miles long from Lake Superior to St. Croix Falls. Numerous other opportunities abound on public lands all over the State.

The U.S. Forest Service with 2.4 million acres in the Chequamegon and Nicolet National Forests is prepared to cooperate in the development of a comprehensive Wisconsin trail system.

I have discussed at length the idea of a statewide system of hiking trails in the State with the Secretary of Agriculture, Orville Freeman. He was most enthusiastic. Let me quote a little from his letter to me some 3 months ago on February 18.

"In response to our conversations in the last 2 months I want to assure you we will be pleased to cooperate with the State of Wisconsin in the planning and development of a comprehensive hiking trail plan for your State.

"I am requesting the Forest Service to cooperate with your conservation department in the development and implementation of a trail plan."

CONSTRUCTION AND MAINTENANCE

Building the trails need not be expensive. On a cold weekend last October, I hiked over a fine new trail running through the Chequamegon National Forest that had been built by undergraduates from Stevens Point College. A 7-mile stretch of trail cost less than $40 in out-of-pocket expenses.

Groups that would be eager to help construct or maintain a trail include:

1. Job Corps conservation camp boys: Secretary Freeman goes on to say in his letter that the young men to be assigned to the camp near Clam Lake in the Chequamegon will cooperate with the State of Wisconsin in the development of a trail system. Boys going to the camp near Blackwell in the Nicolet can work on the trail through that forest. Anywhere that a hiking trail runs through publicly owned land, Job Corpsmen will provide excellent help. Besides the two camps already announced, we expect that Wisconsin will be assigned at least two more.

2. Young people working at the Wisconsin State conservation camps will provide another source of help.

3. Volunteer workers of many sorts: Youth groups like the Boy Scouts and the Girl Scouts, college hiking and outdoor clubs, adult conservation and social clubs would be eager to help. The 40-year success of private clubs in maintaining the 2,000 miles of the Appalachian Trail demonstrates the soundness of the concept of private group volunteer work. People are eager to find practical ways to serve the conservation movement. Maintenance of a hiking trail system would generate tremendous support and enthusiasm at the grassroots. I have no doubt that local groups would quickly volunteer to maintain their section of the trail just as local volunteer clubs maintain their section of the Appalachian Trail and take great pride in it. I can think of no way to secure broader public participation in resource education and preservation; no way to provide a more fruitful opportunity for old and young alike to make a useful and satisfying contribution to the public welfare.

THE PROPOSED WISCONSIN HIKING TRAIL SYSTEM

The system includes the following proposed trails:

The Great River Road and Mississippi Ridgeline Trail along the State's western boundary.

A trail along the eastern shore and up around the shoreline of Door County.

The St. Croix and Brule River trail along the ancient route of the fur traders.

A tristate trail across Wisconsin's northernmost tier of counties.

The Apostle Loop route around the Bayfield Peninsula and the proposed Apostle Island National Park.

River trails along the Wisconsin, the Wolf, the Chippewa, the Fox, the Baraboo, and the Flambeau.

The Kettle Moraine State forests—north and south—through the Ice Age National Scientific Reserve.

These trails need be only a partial listing, only a beginning. Wherever there is a bit of publicly owned land there ought to be a limited access hiking trail, carefully laid out, planned and maintained, especially on bits of wild land within easy access of metropolitan areas.

In order to complete a statewide trail plan it will be necessary to acquire easements on private holdings much in the same way we have acquired them along the Great River Road.

KINDS OF TRAILS

The Wisconsin hiking trail system would provide a great variety of trails. Trails designed to bring the delight of the wild world close to every citizen would be constructed.

Long hiking trails—like the trail from the mouth of the Brule to the great portage at Solon Springs and on down the St. Croix—would appeal to the hardy outdoorsman and to Scouting groups. The trail would require campsites every 7 miles or so, as on the Appalachian Trail, with campsites or lean-to shelters for spending the night.

Short trails, perhaps of only 4 or 5 miles, within easy access of our great cities where weekend family groups and church groups can get away from the city for a few hours to the calming solitude of the woods.

Very short trails in and near our urban areas to make hiking trails readily available to schoolchildren. Large tracts of public land are not necessary. Preserving, and using, small pieces of land near great concentrations of population is important.

Nature study trails. The most obvious candidate for such a trail is the Ice Age National Scientific Reserve that will include the Kettle Moraine State forests. The reserve will boast outstanding glacial formations in the Nation.

Small, especially planted groves of trees—with every variety of tree in Wisconsin represented, would be helpful in nature study for children. The Forest Service has worked out very attractive ways of arranging nature study trails so that young people—and older students of nature as well—are led to a deeper understanding of the natural environment.

Trails designed with the motorist in mind would provide Wisconsin with a singular attraction and a new dimension for pleasure driving, the single most popular outdoor recreation in the country. Well marked and publicized trails would provide an opportunity to leave the dust and fumes of the highway for a more than just visual acquaintance with the natural world.

TELLING ABOUT THE TRAILS

To be a success it is necessary that the trails be widely known.

Brochures, pamphlets, and detailed maps should be available wherever tourists seek information.

The detailed maps should include contours as do the Appalachian trail maps, and include relevant geological and historical background information.

CONCLUSION

Wisconsin is well prepared to go ahead now with the detailed planning for the trail system. We are nearing completion of the finest comprehensive recreation plan in the Nation.

The unique job of identifying "corridors of quality" in Wisconsin done by Phil Lewis, Jr., professor, landscape architecture at the University of Wisconsin, is earning him a richly deserved national reputation. It also gives us in Wisconsin a unique knowledge of the resources and potentials of our countryside.

A 5-year plan for the completion of the trail system ought to be our goal.

When the trail has been designed it will not be a serious problem to get it built. The help of the boys in the conservation camps, and on the campuses, the help of the scouting and conservation groups will not only make the hiking trail system a success, but the system will provide a focus for these groups that can enrich their activities.

Hiking, camping, sightseeing and nature study appeal to all who seek outdoor recreation.

The Wisconsin trail system will give us a tourist attraction and a recreation asset unmatched by any other State.

SMALL COAL MINES MUST REMAIN OPEN

Mr. COOPER. Mr. President, I have vigorously opposed, in committee and on the floor of the Senate, proposed amendments of the Federal Coal Mine Safety Act which would place title I mines—those employing 14 or fewer men—under the jurisdiction of that act and of the Federal Coal Mine Safety Board.

In the 85th and the 86th Congresses, after hearings before the Senate Committee on Labor and Public Welfare, of which I was then a member, the committee and the Senate refused to take action which would have caused the great majority of these small mines to close without careful reason.

The proposed amendment of the act is not truly a safety bill, but it is one which would place a terrible and unnecessary economic burden on these little mines and could drive them out of business. The provisions that would be applied to title I mines under proposed amendments are inapplicable to small mines, because the measures which would be required are those needed for the larger, deeper, and highly mechanized type of mines which employ more than 14 men.

The record shows that overall safety conditions in the small mines of this country are better than in the larger, highly mechanized coal mines. If small mines are driven out of business under this guise, not only will the operators shut down their mines, but thousands of men who work to support many thousands of families will be thrown out of work. The amendment of the act to include title I mines under its jurisdiction would be another step toward destroying the economy of eastern Kentucky and of other similar areas throughout regions to which much attention has been directed.

On Sunday of this week, in the June 6, 1965, edition of the Louisville Courier-Journal, there appeared an editorial about the effect which this so-called safety bill would have on our small mines. The editorial expresses the situation accurately and fairly, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SAFETY BILL SHOULDN'T RUIN SMALLER MINES

The mine safety bill just passed by the House is better than most of its predecessors, but its effect would be about the same. It would, in the long run, put most small mines out of business, and for this reason Kentuckians must regard it with the gravest reservations. The welfare of small mines is of utmost importance to the depressed economy of eastern Kentucky.

Briefly, the bill would extend Federal safety regulations and inspection to small mines having fewer than 15 employees, mines now exempt from Federal standards, and would in return give small-mine operators two representatives on the Federal Coal Mine Safety Board. It would require small mines to install the same equipment and abide by the same safety regulations as large mines because, as one administration witness put it, small mines have not been "outstanding for safety practices."

The trouble is that Federal inspectors are oriented to the big, well-financed mines with modern, costly safety equipment, and naturally would want to require the same equipment in small mines. But the small mine extending only a few hundred feet under a hill does not often need the safety installations of a big mine. And the small family mine that yields a few tons of coal a day can't afford the safety equipment that is not only desirable but necessary in a large mechanized operation.

This does not mean that the small mine is necessarily the deathtrap that sponsors of safety legislation describe. It is true, as administration witnesses pointed out before the House, that on the basis of coal tonnage produced, small mines have more accidents and more fatal accidents than large mines. But this reflects the fact that these unmechanized mines produce far less coal per employee than do the large mechanized operations.

On the other hand, on the basis of man-hours worked, the small mines have a decidedly better safety record than do the large ones. And it is an ironic fact that agitation for the current legislation began when a series of accidents, killing 37 men in Pennsylvania, 22 in West Virginia, and 30 in Utah, took place—all in mines employing more than 15 men.

There are convincing arguments why the small mines should be put of business. Most hire a few men at low wages, work them under harsh conditions, and produce little wealth for their region. The big mines pay better, provide better working conditions and still make more profit. It would probably be better for the national economy if only the big mines survived.

But for Kentucky, where the small mines provide between 55 and 65 percent of all mining jobs, the death of the small mines would be a real calamity. And unless the Federal Government is ready to expand its relief and public works programs radically to take care of the hundreds of thousands of people thus affected, and to make up with an expanded Appalachian program for the economic blow that the mountain counties would suffer, it had better go slow with any safety bill that would wreck the small mine.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PELL. Mr. President, on behalf of my senior colleague from Rhode Island [Mr. PASTORE] and myself, I submit for the record a resolution of the General Assembly of Rhode Island memorializing Congress in relation to the closing of Veterans' Administration facilities and commending Congress on our decision to postpone the closing of Veterans' Administration hospitals and regional offices.

Mr. President, I am completely in sympathy with this action of Congress. It has been factually demonstrated that more of our veterans are in need of medical and hospital services and that to close down some of these facilities and consolidate others would not only greatly limit services, but in many cases place an undue burden on our veterans and their families.

I ask unanimous consent that this resolution be printed in full in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS MEMORIALIZING CONGRESS IN RELATION TO THE CLOSING OF VETERANS' ADMINISTRATION FACILITIES AND COMMENDING THEM ON THEIR DECISION TO POSTPONE CLOSING VETERANS' ADMINISTRATION HOSPITALS AND REGIONAL OFFICES

Whereas the Veterans' Administration hospital system in the United States provides hospitalization for patients with both acute and chronic illnesses; and

Whereas there is now a 125,000 hospital bed limit in the United States under which the Veterans' Administration operates; and

Whereas studies of Congress have stated that there is a need for these and other facilities to care for our veterans; and

Whereas the average daily patient load of the 168 Veterans' Administration hospitals throughout the Nation is 110,000; and

Whereas other Veterans' Administration regional facilities are undoubtedly necessary to provide services to our veterans; and

Whereas there are approximately 132,000 veterans in Rhode Island: Now, therefore, be it

Resolved, That the Members of the Congress of the United States be and they are hereby commended on their decision to postpone the closing of certain Veterans' Administration facilities and respectfully requested to indefinitely postpone any such action; and be it further

Resolved, That the secretary of state be and he is hereby requested to transmit to the Senators and Representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution in hope that each will use every endeavor to have favorable action taken by Congress upon this special matter.

ARTS AND HUMANITIES FOUNDATION

Mr. PELL. Mr. President, the Arts and Humanities Foundation bill which was passed by the Senate yesterday will, if passed by the other body, become one of the very real monuments of this Congress and of the administration.

I rise to say quite publicly that without the immense help, imagination, attention to detail, hard work, and continuous touching of bases of my special assistant and old friend, Livingston L. Biddle, I do not believe that this legislation would have come to fruition at this time. I am grateful to him and commend him in this regard.

TRIBUTE TO DAVID BELL, ADMINISTRATOR OF AID

Mr. FULBRIGHT. Mr. President, I rise to pay tribute to David Bell, Administrator of the Agency for International Development. On June 12, Mr. Bell will have held his critically important position for a longer time than any other Administrator of the Agency, and under his leadership the foreign aid program has progressively gained the high regard of the people of this Nation and the people of the world.

I, for one, salute Mr. Bell, realizing the problems that he has faced, and conquered, since coming into office.

Our foreign aid program has had a profusion of names. Counting only the formal names given the program, we ran through a good many of the letters of the alphabet, with ECA, MSA, FOA, ICA, and now AID.

But David Bell put firm hands on the wheel of the AID ship, and has navigated with skill through a lot of craggy rocks and shoals.

When Mr. Bell took office, President Kennedy sent him the following telegram:

> I'm sure my troubles with AID are over, and I hope that yours will never begin.

David Bell has had troubles, but nothing he cannot handle. His has been called a case of David's taming the AID Goliath.

When David Bell was sworn into office on December 21, 1962, he accepted his new responsibility with words worth recalling. His comments could have been confined to pretty phrases; but in the light of what has happened, three points which he made on that day bear repeating now.

He said:

> Any assistance from outside has meaning and significance and can achieve results only if the people of the country and its leaders have the desire and the willingness to commit themselves and their energies to make the sacrifices necessary to reach their goals.

Out of this observation, there came the present-day rule of no aid to nations that choose to make their own development a minor concern, and waste substance badly needed for the welfare of their own people. David Bell was saying that we will not help nations who refuse to help themselves; and the AID record proves that he meant it.

He said, on the day when he took office:

> In order to conduct effective programs of U.S. assistance to the growing strength and security of other free countries, we must engage the wisdom, resources, and the talents of agencies throughout the Federal Government and of institutions throughout our country.

Under David Bell, reservoirs of skill and know-how throughout the Nation have been tapped. Today American colleges, universities, and business and professional firms have contracts for technical assistance work in 76 countries. Private American engineering and construction firms are now at work in over 50 countries, supervising the building of irrigation systems, power dams, factories, and other worthwhile capital projects. Under David Bell, emphasis on the development of cooperatives and thrift institutions overseas has increased sharply. Through more extensive contracts with land-grant universities and broader use of Department of Agriculture experts, AID is increasing emphasis on agricultural development throughout Asia, Africa, and Latin America.

On the day when he was sworn in, Dave Bell said:

> Any enterprise of the Federal Government, involving the use of public funds, ought to be managed with the highest prudence and frugality.

Since then, the money requests from AID have been steadily reduced. Decisions were reached to tighten up some programs and to terminate others. Cuts and consolidations have been the order of the day. A higher proportion of AID funds is going to fewer countries. Many countries receive some kind of aid; but 95 percent is going to 31 countries, and half of our economic aid and two-thirds of our development assistance are going to just 7 countries. This year's aid budget is the lowest in history, a product of the prudent frugality encouraged by Dave Bell since the day when he took office.

While Dave Bell has been leading the attack on poverty, hunger, disease, and despair in the poorer nations, he has unfortunately been subject to the counsel of despair from some who feel that the job can never be finished. Some persons have argued that self-sustaining economic growth is impossible in many of the less developed countries.

David Bell does not agree. He has seen how a determined nation can build itself up from poverty to thriving prosperity. Taiwan is an example. Fifteen years ago, Taiwan looked as though it would be permanently dependent on economic support from the United States. Today, the Taiwanese are off and running toward a dynamic economy. U.S. assistance—which made this possible—ends this month.

David Bell is soft spoken, but hardheaded. He has never tried to deceive Congress about his purposes or his method of doing business. He has never said the AID program is a recipe for instant paradise. He has concentrated on doing a good, thorough, thoughtful job; and I, for one, hope he is around for many years to come.

THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Mr. DOMINICK. Mr. President, recently this body passed, without amendment of any kind whatsoever, what has been hailed by the administration as a milestone in educational legislation. I refer specifically to the Elementary and Secondary Education Act of 1965, which we debated all too briefly in the Senate in April.

As a member of the Education Subcommittee of the Labor and Public Welfare Committee, which considered the measure, I participated actively in the hearings held by that subcommittee. During both the subcommittee hearings and the meetings later held by the full committee, both of which I attended faithfully, I joined some of my colleagues in repeatedly trying to make constructive changes, so that the bill might more nearly fulfill the object for which it was designed.

When the measure came to the floor of the Senate, I joined, once again, in the conscientious effort of many Senators to bring this act more nearly into line with its stated purpose, which was to provide educational assistance to those classified in the poverty category. These efforts were in no way willy-nilly, partisan approaches, nor were they designed to kill, dilute, or impede the provisions of the act. As a matter of fact, the principal amendment for which I fought so hard would have increased the total cost of the bill by some $133 million.

Yet, the leadership was having no amendments of any sort, regardless of their logic, need, importance, or effect. Word had come from 1600 Pennsylvania Avenue that the Senate must give its unquestioned, unqualified, and unamended, rubberstamp approval to the measure as passed by the House. We were told, in effect, that while we were obliged to fulfill the letter of our constitutional role as a legislative body in approving the act, we were not competent to pass judgment upon the merits of proposed legislation bottled and packaged by the executive branch.

Mr. President, I bring up this matter today because of an interesting and ironical twist of fate that has just come to light in connection with this act. It appears that in their haste to steamroller the Elementary and Secondary Education Act of 1965 through Congress, its engineers had forgotten a valuable piece of cargo. They had been very careful to provide Texas with more than two and one-half times as much money as Mississippi, even though Texas has less than twice as many children falling into the poverty category. They also managed, somehow or other—and this, in itself, was a major achievement—to provide for the 10 wealthiest counties in the Nation more funds than for those of the poorest counties, having almost exactly the same number of poverty-stricken children. And, of course, they provided a precedent-shattering, open-ended bill authorizing the Federal Government to assist, if not actually direct, in the evaluation of many of the programs sponsored by the bill, thereby setting the stage for eventual full-scale intervention into our traditionally locally controlled elementary and secondary school systems.

What, then, did they leave behind? Surely no one can accuse this administration of consciously leaving any group out of a spending program. The simple fact of the matter is that they left the most eligible of all Americans out of the act—the one group that claims no nationality outside the United States; the one group that has had the longest claim on the natural resources and riches of this Nation: the American Indian. Yes, in their haste to ram this act through without so much as a "by your leave, sir," they left the Indians sitting at the station. If any group ever deserved the title of the forgotten American, this amazing blunder has cinched the case for the American Indian—forgotten, not because the administration is reluctant to include them, but because in their haste the engineers of the bill refused to consider any additions, changes, or deletions, regardless of their individual or collective merits.

Here is a classic example of government by fiat. Here we see a classic example of the true arrogance of power. Here is what happens when one branch of government dictates to another, which has apparently grown weary of performing its constitutional obligations to legislate, or leery of invoking the wrath of Lyndon Johnson. Here is a chilling vignette of what happens when opposition is forcibly muted by a power elite.

I remind Senators that each one of us is held accountable to the citizens of our constituencies, not to the faceless power elite operating out of the White House.

Small recompense though it may be, it is pleasant to know that we shall have a chance to rectify the exclusion of the American Indian, at least in this instance. The opportunity will present itself when the Senate votes on House bill 5874, which amends the lower education act before the latter has even had time to go into effect.

I hope the President will not prevent us from amending what had heretofore been touted as unamendable. I think the American Indian deserves the same educational assistance that any other citizen does; and I regret only that the American Indian has been so rudely overlooked.

There is no telling how many other errors, loopholes, inadequacies, and shortcomings in this act may one day come to light.

Perhaps if we in Congress would put a little more emphasis on the merits of specific proposed legislation before us, and a little less on abdicating our responsibilities to the executive and judicial branches, many of these problems could be nipped in the bud. At least, the American Indian would not be left behind, in the mad dash to the Great Society.

RECENT DEVELOPMENTS IN HIGHER EDUCATION AT PURDUE UNIVERSITY

Mr. BAYH. Mr. President, two recent developments in higher education at Purdue University deserve special mention. Last month the Krannert Graduate School of Industrial Administration was dedicated. This impressive new facility, which was made possible mainly by the generous contributions of Mr. and Mrs. Herman C. Krannert, of Indianapolis, will permit a greatly enlarged and improved program of instruction in industrial management.

The second noteworthy achievement is in the field of methodology. A novel audio-tutorial system of instruction in botany has proved to be extremely successful. This three-stage system fosters individual initiative and study, even with sizable classes, yet requires less laboratory space than do regular techniques. The results over the last 3 years have been most encouraging.

I ask unanimous consent to have printed in the RECORD two articles describing these important achievements in higher education. The articles were published in the Indianapolis Star Sunday Magazine of May 2 and the Indianapolis Times of June 3.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Indianapolis Star Sunday Magazine, May 2, 1965]

New Era in Training Industrial Executives

(By Edward W. Cotton)

A new landmark on the Purdue University campus, a stately, high-rise tribute to the institution's past and a gleaming, stone and steel pledge to an even more illustrious future, will be dedicated this week.

Ceremonies celebrating completion of the Krannert Graduate School of Industrial Administration, a $5 million, nine-story structure, will be held Thursday afternoon, but a special series of dedicatory programs will continue for the next 12 months.

Designated as the "year of emphasis" programs, the special series of events not only will honor the Hoosier philanthropist for whom the new building and the graduate school itself are named, but promise to launch a new era of educational strength and leadership on the West Lafayette campus.

Long top rated in the fields of engineering, agriculture, and home economics, the additional classroom, study and research facilities for both graduate and undergraduate students will enable the university to achieve full recognition for its work in the industrial world.

Until now, both the school of industrial management, established in 1958 for undergraduate students of economics and industrial management, and the Krannert Graduate School of Industrial Administration, formally organized in 1962, have been handicapped by the lack of space and facilities.

The new home of the two schools, a principal feature of which is one floor of behavioral laboratories, augmented with an elaborate computer control system, offers almost unlimited opportunity for exploration, experimentation, and expansion.

Space in the towering 160,000 square feet of building, seven floors above the ground and two below, provides a total of 244 faculty and administrative offices, 81 rooms for study, conference, research and laboratory use; 13 classrooms, the combination of which can seat more than 650 students at one time; two floors of library facilities; some 7,100 square feet of lounge area, and a 150-seat auditorium, all air conditioned and tailor designed for their specific purpose.

The behavior laboratories alone termed by Dr. Emanuel T. Weiler, dean of the Krannert School, "the finest in the country," represents 3 years of planning.

Dean Weiler, who has headed both the undergraduate and graduate schools since they were organized, also points out that the libraries, one a general facility and the other offering open-stack access to the books, is "one of the best social science libraries in the world."

The new, ultramodern, totally functional school headquarters was made possible by the intensive interest and generous contributions of Indianpolis industrialist Herman C. Krannert and his wife, Mrs. Ellnora D. Krannert.

In addition to being the founder and chairman of the board of Inland Container Corp., a firm he developed from a small, Hoosier-based box company, largely serving Midwest industry, into the third largest manufacturer of corrugated shipping containers in the world, Krannert is a visiting professor at the school which bears his name. He will maintain an office in the newly completed building to visit with both students and faculty members.

The monetary gifts of Mr. and Mrs. Krannert, together with grants from the National Science Foundation and contributions made by other interested donors, erected and equipped the new building without cost to the State's taxpayers.

The Krannerts' purpose in making the largest single donation was twofold: "To further the development of technically and scientifically trained talent for management level positions in business or for advanced teaching careers, and to give the industrial Midwest another outstanding center of technically oriented management research and knowledge."

It was a previous contribution from Mr. and Mrs. Krannert that led to the founding of the graduate industrial administration school, at first only an extension of the undergraduate school, 3 years ago.

Although there will be a reception following Thursday's dedication ceremonies, the occasion will not be the first public view of the new building. The graduate and undergraduate schools, plus the School of Agriculture's department of agricultural economics which will share a portion of the structure, began moving in during spring vacation, March 28 to April 5.

There also have been conducted tours of the new facilities and an open house was held Friday, in conjunction with Purdue's annual gala week.

Touring the building from bottom to top: The basement floor (second underground level) contains seven group study rooms, a spacious audiovisual workshop and a student lounge, equipped with vending machines and game tables.

The 13 classrooms, 6 of which are of arena, "discussion core" type for up to 59 students, as well as smaller, standard classrooms and a 134-seat lecture hall, are located on the ground floor (first underground level).

This floor connects directly with an underground walkway to the university's new Graduate House, immediately to the rear of the Krannert School, and both the Memorial Union building and a new self-parking garage, across the street from the main entrance.

Pointing out that students are seated in the large classrooms (a modification of facilities at Harvard University's School of Business) at three U-shaped tiers of tables, with the instructor standing at the lowest level, Associate Dean John S. Day explains, "This arrangement, with swivel chairs so students can talk with each other, provides three-way communication—student to student, student to teacher and teacher to student."

Both Dr. Day and Dean Weiler say, "We can handle 59 here with more personal attention than 25 to 30 in a standard classroom."

The dean calls the large, comfortable, decorative lounge, which is the front, street-floor entrance, "the center of our home." He says it's the place "where students and faculty can mix—we need more of this."

In addition to giving a casual visitor his first impression of the building, the lounge also is the major area for welcoming and entertaining large groups of businessmen and industrial leaders who will hold seminars or be special guests of the graduate and undergraduate schools.

The lounge, trimmed in a light blue, which is the basic interior decor, has large windows looking across State Street toward the Memorial Union and across the landscaped courtyard toward the Graduate House.

On the same floor is an administrative suite of offices, which includes accommodations for the dean, associate dean, R. B. Stewart, former university treasurer who now is a professor of finance, and Krannert.

The school's libraries occupy the second and third floors, the second-floor service desk being accessible either from a spiral staircase in the lounge or by one of three automatic elevators. Special features of the third-floor stacks are study stalls, glass-enclosed study booths, with sound-conditioning for typewriter use, and 51 study carrels (small rooms for individual study).

Faculty offices and small and large conference facilities are on the next three, aboveground floors. Most of these offices are in groups of four to six, arranged around a central bay so that one secretary-receptionist can aid several professors simultaneously.

Although there are a few offices on the top level, the so-called seventh floor principally is devoted to the 2,900 square feet of human behavior laboratories, which Dean Weiler calls "our working floor." It has a series of various sized rooms for research into individual and group decisionmaking behavior.

The group behavior layout is centered around a one-way, glass-enclosed observation deck from which experimenters and observers can watch and hear, through stereophonic sound systems, groups ranging from 14- to 44-person experimental groups.

There also are 12 booths, some separated by sliding partitions, available for studies of individual behavior. Plans call for eventual closed-circuit television observation.

The elaborate electronic control system, due to be completed yet this year, will permit feeding of instructions and information to participants in an experiment and then processing of decisions fed back. The computer not only will be capable of transmitting, receiving, and processing information, but it can be used as the mechanical partner of a person in an experiment.

Some anticipated experiments of the laboratories are "business games," decisionmaking for hypothetical firms; interaction patterns in problemsolving groups; price movements in competitive markets, and how personalities affect decisions in international affairs.

Associate Dean Day announces, "Already we have demands for the laboratory. This will be university research space, useful not only for our schools, but also for psychology, sociology, political science, and agricultural economics departments."

In describing the two schools, which he heads, Dean Weiler calls the School of Industrial Management one of the most difficult undergraduate programs in the country.

"It is a broad, exacting type of business education which requires 14 of the 18 hours of the basic mathematics required by Purdue's engineering schools," he points out. "The program is a bridge from Purdue skills in other schools to the apprenticeship period in business."

Of the graduate school program, the dean says "we seek to prepare men for eventual top management jobs, stressing broad management concepts instead of narrow specialization."

This is done in two ways, a combination of business education concepts, according to Dean Weiler.

1. "We stress the trend toward statistical, quantitative methods, using computers as

aids in mathematical and economic problems, such as the Carnegie Tech and Massachusetts Institute of Technology business schools."

2. "Through business policy courses, we use the case method, as at Harvard, in developing a businessman's intuition, his capacity to step up to a decision and make it, even when some of the facts are not available. Machines can't make some of these decisions, but the machine-man link can provide the analytical approach to them."

Some examples of research already underway at the industrial schools include that of Dr. John M. Dutton, seeking to find out how humans solve a problem and then duplicating their solutions in a computer, and the study of Dr. Stanley Reiter, who uses the opposite approach and sets up a theoretical model and then applies it to specific problems, using a computer.

Those are only samples of current research projects, carried on mostly under foundation grants.

The present enrollment of the undergraduate school, which opened 7 years ago with a mere 10 students, is 1,262. Of the 235 students in the still younger graduate school, 85 are studying for Ph. D. degrees, 50 in economics, 25 in industrial administration, and 10 in industrial relations.

This is one of the largest Ph. D. programs in the Nation.

Purdue, even in the short time that it has been in the business school "science" and despite cramped quarters and lack of facilities, has built a national reputation.

An independent newspaper survey, in 1962, for example, classed the university within the top 10 best, based on a consensus of educators and successful alumni. A national business magazine, in 1963, compared both the school, its dean, Dr. Weiler, and his staff, to the educational goals of more famous schools and faculties.

Those appraisals were made while graduate work still was an extension of the undergraduate school.

Some 20 deans of business schools, including all of the other Big Ten universities, have accepted invitations to attend the dedication program, at 2:30 p.m. next Thursday. They, together with an impressive list of nationally known industrialists, will participate the following day, Friday, in a symposium on "Modern Entrepreneurship."

The list of distinguished guests at the latter program includes Edwin P. Vanderwicken, vice president of Motorola Corp.; Donald E. McKee, vice president of International Business Machines Corp.; Lyle H. Fisher, vice president of Minnesota Mining & Manufacturing Co.; James G. Miles, vice president of Control Data Corp.; Roy L. Ash, president of Litton Industries; James A. Singmaster, vice president of Monsanto Chemical Co., and Edward G. Uhl, president of Fairchild Hiller Corp.

Dean George Baker of the Harvard Graduate School of Business Administration will give the keynote address, "Business Education in America."

Then, after turning over the keys to the new building to Purdue President Frederick L. Hovde, Krannert will make his fourth annual lecture to faculty and students of the Krannert School.

That will mark the beginning of a year of emphasis, a year in which Purdue seeks to inform the Nation of its new program of "engineering managerial entrepreneurship with industrial technology."

[From the Indianapolis Times, June 3, 1965]

Senate Committee Hears How They Learn Better at Purdue

(By John V. Wilson)

Washington, June 3.—Freshman botany students at Purdue University are learning more and making better grades in a novel learning laboratory program.

Dr. Samuel N. Postlethwait described his audiotutorial system and its results to the Senate Education Subcommittee yesterday.

Postlethwait said the "new dimension to learning" is one answer to the problem of mass education as more and more students flood college campuses.

The three-stage program, relying heavily on the student's initiative, involves general class sessions, smaller instruction groups and individual study in a learning center.

A key result of the pilot program, begun in the fall of 1962, has been a rise in grades "at all levels," Postlethwait reported.

Under the new system, 20 to 25 percent of the students are making "A" grades and 6 percent or less are failing freshman botany.

Under the conventional method of mass lectures and laboratory periods, only 7 percent of the students made "A's" and 18 to 20 percent failed.

Morecver, Postlethwait said, students are receiving 50 percent more information and saving an average of an hour and a half in the classroom.

An additional—and important—benefit to schools facing major building programs, Postlethwait added, has been space saving.

The audiotutorial system requires only one laboratory for 500 students instead of two under the conventional method.

"Most important of all," Postlethwait said, "we now have meaningful contact with our students and instructors are freed of such routine."

Because freshmen vary greatly in background, interest, and capacity, and conventional teaching methods offer little opportunity for the individual, Postlethwait said he decided to totally restructure his botany course.

What he came up with was a general assembly session of 500 students, where the senior instructor sets the intellectual tone and guest lecturers and films are used.

The class divides into groups of 30 students, where they can ask questions, identify with an instructor, take quizzes and take part in research projects.

The third stage presents individual study in a learning laboratory of 28 to 30 booths. It is open from 7:30 a.m. to 10:30 p.m. and the student goes when he wishes.

Each booth is equipped with a tape player, film projector, microscope, live specimens and other materials of the week's work.

"Since the student has full control of the rate of study, he is able to spend his time in the classroom actually learning the material rather than 'information collecting' for future learning," Postlethwait explained.

More than 90 percent of the 2,500 who have been taught by the new method "have indicated a preference for this approach over the conventional system," the professor said.

Postlethwait said the learning system has the potential of being packaged and offered to other schools.

He participated in a panel discussion of the 1965 higher education bill, which may offer more Federal aid for teaching devices and laboratories.

Participants said the bill is fine as far as it goes.

Senator Wayne Morse, Democrat, of Oregon, the subcommittee chairman, and Senator Ralph Yarborough, Democrat, of Texas, expressed keen interest in the Purdue botany program and praised Postlethwait's presentation.

MISSOURI RIVER NAVIGATION

Mr. MUNDT. Mr. President, the U.S. Corps of Army Engineers has recently completed studies on the feasibility of extending Missouri River navigation from Sioux City northward to Yankton, S. Dak., and has filed a favorable report on this important project. It is presently before the Rivers and Harbors Review Board, awaiting confirmation.

Some indication of the importance of completing this important navigation link can be found in the attitude expressed in a recent editorial published in the Sioux City Journal, of Sioux City, Iowa. We look forward optimistically to winning congressional support for this addition to our national transportation system. I ask unanimous consent to have this encouraging and informative editorial from the Sioux City Journal printed in the Record, at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Reservoir Payoff

Missouri River Basin residents have become so used to observing at first hand, and reading and hearing about, the progressive steps toward flood protection that the significance of that reality may have escaped many of them in a season when devastation could have broken all previous records.

Successful harnessing of the third largest and longest river in the Nation has become possible by reliance on the tremendous holding power of six main stem dams, the last completed in 1963. These dams currently are providing reservoir insurance for a record volume of water, 49,608,000 acre-feet, the potential for destruction shuddering to contemplate.

In this major flood threat year, the buttoned-up Missouri provides sharp contrast with the recent conduct of the Mississippi River when havoc prevailed from St. Paul, Minn., to Hannibal, Mo. And the current record water impoundment in dams built and operated by the Army Corps of Engineers is only the beginning of the holding action story for this season. Late runoff promises a June total approaching 60 million acre-feet in the basin reservoirs.

History, topography and the complexities of civilization gave to the Missouri River Basin first honors and a pilot project role in total river control. The Mississippi River, committed to major navigational use at an early stage in the Nation's development, and coursing through heavily populated regions in a basin less adaptable to the building of dams, remains a flood threat while the major river of America's frontier has been subdued.

Reflection on the irony of progress now, in the wake of Mississippi devastation and Missouri passiveness, should also include grateful recognition of massive engineering vision and the good fortune of living in the Missouri Basin.

MONTHLY LABOR REVIEW REPORTS ON EDUCATIONAL LEVEL OF AMERICAN WORKERS

Mr. YARBOROUGH. Mr. President, an important study of the educational attainment of American workers appears in the May 1965 Monthly Labor Review. The study shows that impressive gains have been made since 1940. The proportion of workers age 18 to 64 who have completed 4 years of high school or more has risen from 32 to 57 percent, while the percentage for those with 4 years of college or more has advanced from below 6 percent to over 11 percent.

Gains have been especially impressive among nonwhites. The percentage of nonwhites 25 to 29 years of age with at least 4 years of high school has quadrupled during the period, while the proportion finishing at least 1 year of college has more than tripled. The increases among whites have been 76 and 88 percent, respectively.

Nevertheless, despite these impressive gains, the study shows that much remains to be done. A large percentage of American workers still have little schooling, and the gap between whites and nonwhites remains large. As of March 1964, about 25 percent of the white workingmen 18 years of age and older, and nearly half of the nonwhites, had completed no more than 8 years of school. At the upper end of the scale, only 13 percent of white males and 6 percent of nonwhite males had completed 4 years or more of college.

The picture painted by this report is a fervent argument for increasing the resources devoted to education. It reveals that more needs to be done at all levels of education. The one proposal presently before Congress which will accomplish this goal of aiding education at all levels is the GI education bill, S. 9. The GI education bill is tailored to the needs of the individual. If he needs to finish high school, it will enable him to finish high school. If he needs to go to college, it will assist him in doing so. If his need is for a trade school or a community college, he may attend either.

Senate bill 9 is now on the Senate Calendar, after having been reported favorably from the Committee on Labor and Public Welfare. I urge early consideration of this vital measure.

I ask unanimous consent that the article entitled "Educational Attainment of Workers, March 1964" written by Denis F. Johnston and published in the March 1965 Monthly Labor Review, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EDUCATIONAL ATTAINMENT OF WORKERS, MARCH 1964

(By Denis F. Johnston, Division of Population and Labor Force Studies, Bureau of Labor Statistics)

The continuing increase in the educational attainment of American workers reflects both the growing supply of better educated entrants into the labor force and the rising demand for workers with high levels of technical skill and training.

This article is an account of the educational level of American workers as reported in March 1964, together with a description of postwar trends in their education in relation to their employment status and occupational distribution. The report includes some analysis of the relation between education and labor force participation and between education and income.[1]

TRENDS IN EDUCATIONAL ATTAINMENT

Impressive gains have been made in the educational attainment of workers since 1940. The proportion of workers age 18 to 64 who have completed 4 years of high school or more has risen from 32 to 57 percent, while the proportion with 4 years of college or more has increased from below 6 to over 11 percent (table 1). These gains have not been restricted to the younger workers; every age-sex group has shared in the general educational upgrading that has taken place during this period.

TABLE 1.—*Educational attainment of the civilian labor force 18 to 64 years old, by age and sex, selected years, 1940–64*

Age group and year	Percent completing 4 years of high school or more			Percent completing 4 years of college or more		
	Both sexes	Male	Female	Both sexes	Male	Female
18 to 64 years:						
March 1964	57.3	54.8	61.9	11.2	12.1	9.5
March 1962	54.9	51.9	60.6	11.1	11.9	9.7
March 1959	50.9	47.8	57.0	9.7	10.5	8.2
March 1957	48.5	45.3	55.0	9.2	9.6	8.4
October 1952	44.5	41.2	51.4	8.1	8.3	7.7
April 1940	32.0	27.8	44.0	5.7	5.4	6.6
18 to 34 years:						
March 1964	68.6	65.9	73.5	11.5	12.5	9.7
March 1962	66.1	63.0	72.0	11.7	12.8	9.5
March 1959	61.9	58.3	69.2	10.2	11.5	7.4
October 1952	55.8	51.5	63.8	8.1	8.7	7.1
April 1940	40.5	35.5	51.3	5.4	5.2	5.9
35 to 44 years:						
March 1964	58.7	57.4	61.3	13.1	15.3	8.6
March 1962	57.4	55.4	61.4	12.7	14.4	9.5
March 1959	53.6	52.0	57.0	10.4	11.4	8.5
October 1952	46.0	44.4	49.4	8.8	9.0	8.4
April 1940	27.3	24.6	36.3	6.7	6.4	7.9
45 to 64 years:						
March 1964	45.6	42.5	51.2	9.7	9.7	9.8
March 1962	42.6	39.1	49.2	9.6	9.3	10.0
March 1959	38.0	34.5	44.9	8.9	8.9	8.8
October 1952	30.5	28.2	36.0	7.5	7.3	8.0
April 1940	21.6	19.5	30.8	5.5	5.1	7.2

Most recently, however, there has been evidence that the upgrading in education may be leveling off to some extent among women. Although the proportion of women completing 4 years of high school or more has continued to rise, the proportion with 4 years of college or more did not change significantly between March 1962 and March 1964. The recent slowing of the pace of educational upgrading among women workers may reflect the changing pattern of labor force participation of adult women. In the postwar period, the continuing rise in the number of college-educated workingwomen has been overshadowed by the even greater increase in the number of less-educated women workers, so that the overall educational level of working women has shown little change. This stability, together with the continuing rise in the educational levels of working men, has meant that the educational attainment of male workers has been approaching that of the women. Between 1940 and 1964, the proportion of workers with at least 4 years of high school nearly doubled among the men, while increasing by only about 40 percent among the women.

Young adults

In March 1964, two-thirds of the younger working men (age 18 to 34 years old) and nearly three-fourths of the younger working women had completed at least 4 years of high school. Further increases in these proportions can be anticipated in view of the greatly expanded efforts aimed at encouraging high school students to continue in school until graduation.

This upgrading reflects the long-term increases in the educational attainment of young adults in the population as a whole. In 1940, only two-fifths of the white population 25 to 29 years old had completed 4 years of high school or more, and only 14 percent had completed at least 1 year of college. By 1964, the former proportion had risen to nearly three-fourths, and the latter had nearly doubled. Even more rapid than the overall change has been the increase in the educational level of white men, who, in the 1940–64 period, increased their lead over white women in the proportion with some college education by a substantial margin. The men have also had sharper gains in the proportion completing at least 4 years of high school, so that the two sexes were about equal in this respect by 1964.

White and nonwhite workers

The gains in education have been even more striking among nonwhites. The proportion of nonwhites 25 to 29 years old completing at least 4 years of high school has quadrupled during the 1940–64 period, while the proportion completing at least 1 year of college has more than tripled. The corresponding increases among whites have been about 76 and 88 percent, respectively.

As impressive as these percentage gains may be, they should not obscure the fact that large numbers of American workers still have very limited amounts of formal schooling, and that the differences between whites and nonwhites in this respect are still large. In March 1964, about one-fourth of the white working men 18 years old and over and nearly half of the nonwhite working men had completed no more than 8 years of school. Among working women, the corresponding proportions were less than one-fifth among the white women and over one-third among the nonwhites (table 2). The disparity between whites and nonwhites was equally great at the upper end of the educational scale. Among the whites, 13 percent of the male workers and 10 percent of the females had completed 4 years or more of college. The corresponding proportions among the nonwhite workers were only 6 and 5 percent, respectively.

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[1] This article is based primarily on information from supplementary questions in the March 1964 monthly survey of the labor force, conducted for the Bureau of Labor Statistics by the Bureau of the Census through its Current Population Survey. The data relate to the civilian noninstitutional population 18 years old and over (unless otherwise specified) in the calendar week ending March 14, 1964. Data for 1959 and earlier years exclude Alaska and Hawaii.

Previous survey findings were published in the Monthly Labor Review for February 1960, pp. 113–122, and May 1963, pp. 504–515. These reports were also reprinted with additional tabular material and explanatory notes as Special Labor Force Reports Nos. 1 and 30. Reprints of all articles in the series are available while the supply lasts upon request to the Bureau or any of its regional offices.

The results of earlier surveys on this subject were published by the Bureau of the Census in its Current Population Reports, Series P–50, Nos. 14, 49, and 78. Data on the educational attainment of the population in 1959 and 1962 appeared in Current Population Reports, Series P–20, Nos. 99 and 121. Similar data for March 1964 will be published in a forthcoming issue in the same series.

TABLE 2.—*Educational attainment of the civilian labor force 18 years old and over, by color and sex, selected years, 1952–64*

[In percent]

Years of school completed and year	Both sexes			Male			Female		
	Total	White	Nonwhite	Total	White	Nonwhite	Total	White	Nonwhite
Elementary—8 years or less: [1]									
March 1964	24.5	22.6	40.8	26.9	24.8	44.7	20.2	18.1	35.1
March 1962	27.0	24.7	45.2	29.6	27.2	50.5	21.8	19.5	37.6
March 1959	30.5	27.7	53.8	33.2	30.4	58.1	24.9	21.7	47.1
March 1957	33.4	30.5	57.6	(²)					(²)
October 1952	37.9	34.9	66.5	41.2	38.7	69.5	31.0	26.5	62.3
High school—4 years or more:									
March 1964	56.2	58.9	34.6	53.7	56.2	30.8	61.0	64.2	39.7
March 1962	53.8	56.6	31.5	50.8	53.5	27.3	59.4	62.7	37.6
March 1959	49.8	52.6	25.0	46.6	49.4	21.7	55.9	59.8	29.9
March 1957	47.3	50.1	22.7	(²)					(²)
October 1952	43.3	46.1	17.4	39.9	42.1	15.1	50.6	55.1	20.4
College—4 years or more:									
March 1964	11.1	11.8	5.8	12.1	12.7	6.0	9.5	10.1	5.2
March 1962	11.0	11.8	4.8	11.7	12.6	3.6	9.5	10.0	6.7
March 1959	9.7	10.3	4.0	10.5	11.2	3.6	8.0	8.6	4.7
March 1957	9.1	9.8	3.5	(²)					(²)
October 1952	8.0	8.6	2.6	8.1	8.6	1.9	7.7	8.3	3.6

[1] Includes persons reporting no school years completed.

[2] Not available.

Source: U.S. Bureau of the Census, Current Population Reports, Series P-50, Nos. 49 and 78 for 1952 and 1957 data, respectively; Special Labor Force Reports Nos. 1 and 30 for 1959 and 1962 data, respectively.

TABLE 3.—*Median years of school completed by the population 18 years old and over, by employment status and sex, selected years, 1952–64*

Month and year	Both sexes					Male					Female				
	Population	Labor force			Not in labor force	Population	Labor force			Not in labor force	Population	Labor force			Not in labor force
		Total	Employed	Unemployed			Total	Employed	Unemployed			Total	Employed	Unemployed	
March 1964	12.0	12.2	12.2	10.9	10.9	12.0	12.1	12.1	10.3	8.7	12.1	12.3	12.3	11.9	11.5
March 1962	11.9	12.1	12.1	10.6	10.7	11.6	12.0	12.1	10.0	8.7	12.0	12.2	12.3	11.5	11.2
March 1959	11.4	12.0	12.0	9.9	10.5	11.1	11.5	11.7	9.5	8.5	11.7	12.2	12.2	10.7	10.9
March 1957	11.0	11.6	11.7	9.4	10.2	10.7	11.1	11.2	8.9	8.5	11.4	12.1	12.1	10.4	10.7
October 1952	10.6	10.9	10.9	10.1	10.0	10.1	10.4	10.4	8.8	8.5	11.0	12.0	12.0	11.5	10.4

EDUCATION AND EMPLOYMENT STATUS

Between October 1952 and March 1964, the median years of school completed by men in the civilian labor force rose from 10.4 to 12.1 (table 3 above). In the same period, the median for men who were not in the labor force failed to rise significantly, and remained below 9 years. This growing disparity reflects the retirement of older workers, among whom are concentrated a higher proportion of the less-educated workers.

The trends among women are the reverse of those among the men. As noted earlier, growing numbers of less-educated women have been entering the labor force during the postwar period. This inflow has been sufficient to hold the average educational attainment of all working women at a nearly stable level between 1952, when the median was 12.0 years, and 1964, when it was 12.3 years. In contrast, the median rose by about 1 year among all women in the population and also among those women who were not in the labor force. Thus, by 1964, the educational level of working women was not very much higher than that of women who were not in the labor force.

The educational gap between whites and nonwhites, as shown in the rise in median years of school completed, has narrowed perceptibly among males both in and out of the labor force, and among workingwomen. However, among women not in the labor force, the difference between the two races was about as large in 1964 as in 1952.

The disparity between the employed and the unemployed with respect to the median years of school completed has not shown an even trend. It rose sharply between 1952 and 1957 and since has narrowed perceptibly. A similar movement can be observed among both men and women workers. This trend cannot be interpreted fully without considering changes in the characteristics, and composition of the employed and the unemployed, particularly their age and educational distribution. Nevertheless, it is apparent that since 1957 the average increase in the educational attainment of the unemployed group has been sharper than that of the employed. One factor in this rise is the growing number of unemployed younger workers who would tend to have more schooling than their older counterparts. However, among the men at least, it is also possible that growing numbers of older unemployed workers with minimal amounts of education have been withdrawing from the labor force.

An examination of recent changes in the educational distribution of the employed and the unemployed sheds light on this question. Among white males, the educational distribution of the employed and the unemployed has remained practically unchanged between 1962 and 1964. Nearly 60 percent of the employed had completed at least 4 years of high school, while less than 40 percent of the unemployed had this much schooling (table 4).

A similar pattern is seen among white women; two-thirds of the employed and only about half of the unemployed had completed at least 4 years of high school. However, a noticeable increase is apparent between 1962 and 1964 in the proportion of unemployed white women who have had some college education.

Among nonwhite workers, the difference in education between the employed and the unemployed is not nearly so pronounced as among the whites. Only one-fourth of the unemployed nonwhite males had completed 4 years of high school or more in 1964, and the corresponding proportion among the employed was not much higher, barely one-third. The proportion with 8 years or less of elementary schooling was about the same for both employed and unemployed nonwhite males, and was actually higher among employed nonwhite females than among the unemployed. These findings suggest that the risks of unemployment are not reduced as sharply with rising educational levels among nonwhites as they are among whites.

It has been commonly recognized that unemployment declines as the level of education rises. In 1964, this pattern was clearly evident among white workers of each sex; the unemployment rate among college graduates was only about one-sixth as high as among those with less than 8 years of schooling (table 5). A similar pattern prevailed among white workers in all age groups. Among nonwhites, however, the rates of unemployment are generally found to be as high or higher among workers with intermediate amounts of formal schooling (i.e., 1 to 3 years of high school) as they are among the least educated. One of the reasons for this is that workers with somewhat more education may feel dissatisfied with unskilled and semiskilled occupations, but experience difficulty in finding and qualifying for more desirable work.

TABLE 4.—*Educational attainment of employed and unemployed persons 18 years old and over, by color and sex, March 1962 and 1964*

[Percent distribution]

Years of school completed and sex	White				Nonwhite			
	Employed		Unemployed		Employed		Unemployed	
	1964	1962	1964	1962	1964	1962	1964	1962
MALE								
Total:								
Number (thousands)	39,086	38,397	1,944	2,106	4,143	3,935	427	573
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Less than 4 years of high school	42.9	45.6	61.7	63.9	68.5	71.7	75.1	79.6
Elementary:								
Less than 8 years	10.8	12.5	19.1	20.6	33.0	38.2	32.4	35.1
8 years	13.5	14.1	19.0	18.5	11.6	12.3	13.3	15.5
High school: 1 to 3 years	18.6	19.0	23.6	24.8	23.9	21.2	29.4	29.0
4 years of high school or more	57.1	54.4	38.3	36.1	31.5	28.3	24.9	20.4
High school: 4 years	32.7	30.2	26.2	24.5	19.3	18.6	17.7	16.9
College: 1 year or more	24.4	24.2	12.1	11.5	12.3	9.8	7.2	3.5
1 to 3 years	11.2	11.1	8.5	8.2	5.9	5.8	4.4	2.8
4 years or more	13.2	13.1	3.6	3.4	6.4	4.0	2.8	.7
FEMALE								
Total:								
Number (thousands)	20,034	18,916	1,148	1,032	2,802	2,691	342	338
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Less than 4 years of high school	35.2	36.5	47.5	51.9	60.0	62.3	62.4	62.4
Elementary:								
Less than 8 years	6.9	7.7	11.6	11.0	24.6	27.1	21.2	19.8
8 years	10.8	11.5	11.9	12.2	11.4	11.1	7.9	12.4
High school: 1 to 3 years	17.5	17.3	24.0	28.7	24.0	24.1	33.2	30.2
4 years of high school or more	64.8	63.5	52.5	48.1	40.0	37.7	37.6	37.6
High school: 4 years	43.2	40.8	40.3	39.6	26.4	24.3	28.5	29.3
College: 1 year or more	21.6	22.6	12.2	8.4	13.6	13.3	9.1	8.3
1 to 3 years	11.1	12.3	9.0	6.2	7.7	6.1	9.1	5.3
4 years or more	10.5	10.4	3.2	2.2	5.9	7.2	----------	3.0

TABLE 5.—*Unemployment rates of persons 18 years old and over, by age, color, sex, and years of school completed, March 1962 and 1964*

Color, sex, and years of school completed	Total, 18 and over		18 to 24 years		25 to 34 years		35 to 44 years		45 years and over	
	1964	1962	1964	1962	1964	1962	1964	1962	1964	1962
WHITE MALE										
Total	4.7	5.2	10.4	11.2	3.6	4.9	3.5	3.9	4.3	4.5
Elementary:										
8 years or less [1]	7.2	7.5	19.4	18.6	9.0	9.8	6.8	6.9	6.1	6.4
Less than 8 years [1]	8.1	8.3	16.8	21.0	9.5	10.1	8.4	7.7	7.0	7.2
8 years	6.5	6.7	21.4	16.7	8.6	9.5	5.4	6.2	5.4	5.5
High school:										
1 to 3 years	5.9	6.7	11.3	15.3	4.5	6.5	5.1	5.7	5.1	4.4
4 years or more	3.2	3.5	8.8	8.5	2.4	3.3	1.8	2.1	2.4	2.6
4 years	3.8	4.3	9.0	9.9	3.0	4.0	2.6	2.3	2.6	3.1
College:										
1 to 3 years	3.6	3.9	8.8	6.0	2.3	4.5	1.5	3.2	3.1	2.7
4 years or more	1.3	1.4	8.0	5.0	1.2	1.2	.6	1.0	1.1	1.4
WHITE FEMALE										
Total	5.4	5.2	8.6	9.2	6.1	5.6	5.2	4.7	4.0	3.6
Elementary:										
8 years or less [1]	7.1	6.2	16.0	17.4	7.8	8.4	10.6	6.7	5.3	5.0
Less than 8 years [1]	8.9	7.2	(2)	(2)	8.1	10.2	15.4	4.0	6.2	6.7
8 years	6.0	5.5	14.2	13.9	7.6	7.0	7.3	8.4	4.7	3.9
High school:										
1 to 3 years	7.3	8.3	17.0	17.3	7.4	9.2	7.4	7.5	3.9	5.1
4 years or more	4.5	4.0	6.6	7.0	5.6	4.3	3.2	3.5	3.3	2.2
4 years	5.1	5.0	7.2	8.2	6.4	5.2	3.6	4.1	3.9	3.2
College:										
1 to 3 years	4.5	2.7	6.8	5.5	5.8	3.7	3.1	1.8	3.1	1.4
4 years or more	1.7	1.2	2.3	.9	2.5	1.8	1.2	2.6	1.4	.1
NONWHITE MALE										
Total	9.4	12.7	15.1	18.3	9.8	11.2	8.3	12.5	7.3	11.6
Elementary: 8 years or less [1]	9.6	12.8	16.3	19.2	12.7	7.5	10.3	13.4	7.5	13.0
High school: 1 to 3 years	11.3	16.6	22.0	23.4	11.5	19.2	4.6	14.1	7.8	8.6
4 years of high school or more	7.6	9.5	8.8	12.7	6.9	8.0	8.5	9.9	6.3	8.0
NONWHITE FEMALE										
Total	10.8	11.2	25.8	24.0	11.3	12.0	6.8	8.9	6.1	6.0
Elementary: 8 years or less [1]	8.9	9.6	(2)	(2)	12.8	13.6	9.2	10.0	6.7	5.1
High school: 1 to 3 years	14.4	13.6	31.9	26.7	13.5	15.4	8.4	10.2	7.3	5.1
4 years of high school or more	10.2	11.1	23.2	19.2	9.6	9.2	3.6	6.8	3.8	9.3

[1] Includes persons reporting no school years completed.

[2] Percent not shown where base is less than 100,000.

There is no clearly discernible trend in the persistent gap between the unemployment rates of white and nonwhite workers. The nonwhite rates are about twice as high as the white rates for each sex, in most age groups, and at most educational levels. On the whole, both white and nonwhite male workers had some reduction in unemployment between 1962 and 1964. The sharp decline in the unemployment rate of nonwhite male high school graduates 18 to 24 years old was not matched in the corresponding group of whites. It is apparent that employment opportunities for the better educated young nonwhite males are improving. The employment situation has been less encouraging among women workers. The fluctuation in their rates of unemployment between 1962 and 1964 does not reveal any significant improvement, and the overall rates for both white and nonwhite women showed little change.

EDUCATION AND OCCUPATION

The workers in every major occupation group have shared in the substantial upgrading in educational levels which occurred in the 1952–64 period. Furthermore, the changes observed in the brief 1962–64 period suggest that this pervasive upgrading is continuing at present. In general, the proportion of employed male workers with 8 years of elementary school of less has declined from about 41 to 26 percent in the 12-year period, while the corresponding decline among employed women has been from 31 to 20 percent (table 6).

By March 1964, a majority of the workers employed in every major occupation group had completed at least 9 years of school, with the sole exception of those in farm occupations, where a slight majority had completed only 8 years or less. Workers in the farm occupations were also unique in showing a slight decrease in their educational attainment between 1962 and 1964. The continuing decline in the number of farm workers is undoubtedly a factor in this downturn, since movement off the farms occurs more frequently among younger, more highly educated workers.

TABLE 6.—*Educational attainment of employed persons 18 years old and over, by sex and major occupation group, October 1952 and March 1962 and 1964*

Major occupation group	Male						Major occupation group	Female					
	Percent completing 8 years of elementary school or less [1]			Percent completing 4 years of high school or more				Percent completing 8 years of elementary school or less [1]			Percent completing 4 years of high school or more		
	March 1964 [2]	March 1962 [2]	October 1952 [2]	March 1964 [2]	March 1962 [2]	October 1952 [2]		March 1964 [2]	March 1962 [2]	October 1952 [2]	March 1964 [2]	March 1962 [2]	October 1952 [2]
All occupations	26.2	28.8	41.0	54.7	52.0	40.1	All occupations	19.9	21.7	31.2	61.8	60.3	50.8
Professional and managerial workers	9.7	10.9	16.5	81.4	78.4	71.1	Professional and managerial workers	5.3	6.6	10.4	87.8	86.0	81.3
Clerical and sales workers	10.9	11.7	17.2	75.1	74.2	65.8	Clerical workers	4.2	5.4	5.9	84.6	81.9	80.6
Craftsmen, foremen, and kindred workers	29.0	31.3	41.3	46.1	43.4	34.0	Sales workers	16.4	20.8	23.1	60.1	55.0	53.1
Operatives and kindred workers	33.5	38.7	50.4	37.8	33.5	24.3	Manual occupations [5]	39.6	40.8	46.2	31.2	30.3	26.3
Service workers [3]	38.3	39.7	53.3	40.0	37.2	27.3	Service workers [3]	37.2	40.2	53.9	35.5	34.5	25.1
Laborers, except farm and mine	47.4	51.5	67.4	26.5	25.0	16.6	Farm occupations [4]	50.5	52.5	71.7	28.9	30.4	14.6
Farm occupations [4]	57.9	57.8	67.1	26.5	27.7	20.7							

[1] Including persons reporting no school years completed.

[2] Data for 1952 include only persons 18 years old and over reporting on years of school completed; in 1962 and 1964, data for persons not reporting years of school completed were imputed according to the pattern for similar individuals who reported on this item.

[3] Including private household workers.

[4] Includes farmers, and managers, foremen, and laborers on farms.

[5] Includes craftsmen, operatives, nonfarm laborers, and kindred workers.

The increase between March 1959 and March 1964 in the general educational level of white male workers is evident in all broad occupation groups, with the greatest relative gain occurring in the service occupations (table 7). On the other hand, among nonwhite males, the increase in the proportion of workers with 4 years of high school or more was heavily concentrated in the blue-collar occupations, where it nearly doubled in this brief period. The proportion of nonwhite males with this much education has actually declined in both the service and farm occupations, and has risen only slightly in the white-collar occupations.

Among white women, the proportion of workers with 4 years of high school or more has increased in all broad occupation groups except farming, with the sharpest rise occurring in the service occupations. Among nonwhite women, the overall increase in the proportion of high school graduates was relatively greater than among the white women, and was spread among all of the broad occupation groups.

The nonwhite males are still at a considerable educational disadvantage in all of the broad occupation groups as compared with white males. In contrast, white and nonwhite women workers in white-collar occupations have about the same proportions with at least 4 years of high school. In the blue-collar occupations, nonwhite women are substantially ahead of white women in this respect, while lagging behind only in the service occupations.

Although the proportion of workers with relatively little schooling (8 years or less) is declining rapidly in all occupation groups except the farm occupations, these less-educated workers are still widely distributed among all of the broad occupation groups. Between 1959 and 1964, there was little change in the occupational distribution of white male workers with 8 years or less of schooling. About three-fifths of these workers were in blue-collar occupations in both years. The proportion of nonwhite males in the service occupations with 8 years or less of schooling increased substantially, while declining in the blue-collar occupations.

TABLE 7.—*Employed persons 18 years old and over, by color, sex, occupation group, and years of school completed, March 1959 and 1964*

[Percent distribution]

Color, sex, and years of school completed	Total employed		White-collar occupations [1]		Blue-collar occupations [2]		Service occupations [3]		Farm occupations [4]	
	1964	1959 [5]	1964	1959 [5]	1964	1959 [5]	1964	1959 [5]	1964	1959 [5]
WHITE MALE										
Total:										
Number (in thousands)	39,086	37,230	16,600	14,793	17,524	16,941	2,372	2,034	2,590	3,462
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Elementary: 8 years or less [6]	24.3	29.7	9.8	13.0	32.1	37.4	34.6	40.3	55.3	57.5
High school:										
1 to 3 years	18.6	19.9	10.3	12.4	26.6	26.9	20.9	23.2	15.5	15.8
4 years or more	57.1	50.4	79.9	74.7	41.4	35.7	44.5	36.4	29.2	26.8
NONWHITE MALE										
Total:										
Number (in thousands)	4,143	3,597	700	453	2,395	2,150	685	495	363	499
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Elementary: 8 years or less [6]	44.5	58.3	17.0	19.9	45.9	64.3	51.1	45.6	76.3	79.7
High school:										
1 to 3 years	24.0	19.7	14.4	12.8	27.7	22.0	24.5	23.8	16.5	11.8
4 years or more	31.4	22.1	68.5	67.3	26.4	13.8	24.4	30.7	7.2	8.4

See footnotes at end of table.

TABLE 7.—*Employed persons 18 years old and over, by color, sex, occupation group, and years of school completed, March 1959 and 1964*—Continued

[Percent distribution]

Color, sex, and years of school completed	Total employed		White-collar occupations [1]		Blue-collar occupations [2]		Service occupations [3]		Farm occupations [4]	
	1964	1959 [5]	1964	1959 [5]	1964	1959 [5]	1964	1959 [5]	1964	1959 [5]
WHITE FEMALE										
Total:										
Number (in thousands)	20,034	17,539	12,550	10,764	3,437	3,004	3,618	3,212	429	559
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Elementary: 8 years or less [6]	17.7	21.2	6.0	7.9	39.9	41.5	33.3	41.3	47.1	52.6
High school:										
1 to 3 years	17.5	17.9	11.4	12.2	29.8	30.3	26.6	25.6	21.2	15.9
4 years or more	64.8	60.9	82.6	79.8	30.3	28.2	40.0	33.0	31.6	31.6
NONWHITE FEMALE										
Total:										
Number (in thousands)	2,802	2,426	613	431	439	358	1,701	1,553	49	84
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	(7)	(7)
Elementary: 8 years or less [6]	35.8	47.3	5.9	13.2	36.4	44.7	45.2	55.2		
High school:										
1 to 3 years	24.1	22.1	10.3	9.5	24.8	29.6	29.2	24.5		
4 years or more	40.0	30.6	83.9	77.2	38.8	25.7	25.5	20.3		

	March 1964					March 1959 [5]				
	Total employed	White-collar occupations [1]	Blue-collar occupations [2]	Service occupations [3]	Farm occupations [4]	Total employed	White-collar occupations [1]	Blue-collar occupations [2]	Service occupations [3]	Farm occupations [4]
WHITE MALE										
Total	100.0	42.5	44.8	6.1	6.6	100.0	39.8	45.4	5.5	9.3
Elementary: 8 years or less [6]	100.0	17.1	59.1	8.7	15.1	100.0	17.4	57.1	7.5	18.0
High school:										
1 to 3 years	100.0	23.5	64.2	6.8	5.5	100.0	24.8	61.4	6.4	7.4
4 years or more	100.0	59.4	32.5	4.7	3.4	100.0	58.9	32.2	4.0	4.9
NONWHITE MALE										
Total	100.0	16.9	57.8	16.5	8.8	100.0	12.5	59.6	13.8	14.2
Elementary: 8 years or less [6]	100.0	6.4	59.6	19.0	15.0	100.0	4.2	64.7	10.6	20.5
High school:										
1 to 3 years	100.0	10.2	66.9	16.9	6.0	100.0	8.3	68.3	17.1	6.4
4 years or more	100.0	36.8	48.4	12.8	2.0	100.0	38.7	37.9	19.6	3.8
WHITE FEMALE										
Total	100.0	62.6	17.2	18.1	2.1	100.0	61.3	17.1	18.4	3.2
Elementary: 8 years or less [6]	100.0	21.5	38.8	34.1	5.7	100.0	22.9	33.5	35.7	7.9
High school:										
1 to 3 years	100.0	40.7	29.2	27.5	2.6	100.0	42.0	29.0	26.2	2.8
4 years or more	100.0	79.8	8.0	11.2	1.0	100.0	80.5	7.9	10.0	1.6
NONWHITE FEMALE										
Total	100.0	21.9	15.7	60.7	1.7	100.0	17.7	14.6	64.2	3.5
Elementary: 8 years or less [6]	100.0	3.6	15.9	76.5	4.0	100.0	5.0	13.8	75.1	6.1
High school:										
1 to 3 years	100.0	9.3	16.1	73.5	1.0	100.0	7.6	19.4	70.9	2.0
4 years or more	100.0	45.8	15.2	38.9	.2	100.0	44.6	12.3	42.6	.5

[1] Includes professional, technical, managerial, clerical, and sales workers.
[2] Includes craftsmen, foremen, operatives, and laborers, except farm and mine.
[3] Includes private household workers.
[4] Includes farmers and farm managers, foremen, and laborers.
[5] Excludes persons not reporting years of school completed.
[6] Includes persons reporting no school years completed.
[7] Percent not shown where base is less than 100,000.

The chief differences in the occupational distribution of less-educated workers are seen among women workers. About three-fourths of the nonwhite women with 8 years or less of schooling were concentrated in the service occupations in 1964. In contrast, only about one-third of the white women with this much schooling were in service occupations, while nearly two-fifths were in blue-collar occupations. One-fifth of the white women were in white-collar occupations, as compared with only 4 percent of the nonwhite women with this much schooling.

The most important changes in the last 5 years in the occupational distribution of the better educated workers (those with 4 years of high school or more) have occurred among nonwhite workers, particularly the men, where the proportion of high school graduates in the service occupations has declined sharply, while rising very sharply in the blue-collar occupations. As a result of these movements, the difference in educational distribution between white and nonwhite workingmen has been reduced considerably in the blue-collar occupations, whereas it has increased in the service occupations and remained about the same in the white-collar occupations.

LABOR FORCE PARTICIPATION

The increased labor force participation of women has been a major factor in reshaping the composition of the labor force in the years since World War II. Between 1947 and 1964, the number of men 14 years old and over in the total labor force increased by about 15 percent, while the corresponding gain among women amounted to over 50 percent. In numerical terms, a net gain of 6.4 million male workers was accompanied by an increase of 8.9 million workingwomen.

Between 1959 and 1964, the increases in women's labor force participation rates have been concentrated among the married group, where gains have occurred at every educational level. The highest rates of labor force participation are found among single women (never married) followed by women of other marital status (widowed, divorced, or separated), with married women (with husband present) having the lowest rates. The increased participation of the married women, together with the slight reduction in the rates for women in the other marital status categories, has reduced these differences somewhat, particularly among the less-educated women.

At the same time, some divergence is apparent in the participation rates of women who are at opposite ends of the educational scale. This is most apparent among women in the "other marital status" group where the rates for the least educated declined by 6 percentage points and those of the most educated rose by 3 points between 1959 and 1964. Since the less-educated women in this group would tend to be older, the decline in their labor force participation may be a reflection of normal patterns of retirement.

The rise in the participation rates of the "married—husband present" group may reflect in part the growing expenses related to the education of children approaching high school and college age.

Recent trends in the labor force participation rates of white married women (with husband present) suggest the importance of such factors as presence and age of children, husband's income, and wife's education in promoting or inhibiting labor force activity. (See table 8.) The presence of children under 6 is clearly an inhibiting factor, regardless of the wife's education or her husband's income. However, the better educated mothers are more likely to enter the labor force if the husband's income is low, despite the presence of young children. This would occur, for example, when the husband is still in school. Higher labor force activity is also generally associated with greater education among married women at all income levels. This association is weaker where the husband's income is relatively high ($6,000 and over) and children under 18 are present. The husband's income appears to exert a significant downward pull on the labor force participation of the wife, unless there are no children under 18.

TABLE 8.—*Percent of white married couples with wife in paid labor force, by presence and age of own children, husband's income in preceding year, and education of wife, March 1959 and 1964*

Presence and age of children and husband's income in preceding year	Education of wife					
	Elementary, 8 years or less [1]		High school, 1 to 4 years		College, 1 year or more	
	1964	1959	1964	1959	1964	1959
No children of their own under 18 years:						
Less than $3,000	13.6	19.3	37.4	41.5	50.0	49.7
$3,000 to $5,999	24.7	29.0	43.9	49.4	56.6	55.1
$6,000 and over	21.9	16.7	40.8	34.0	47.0	34.7
Children of their own 6 to 17 years only:						
Less than $3,000	29.8	39.1	48.8	54.3	([2])	([2])
$3,000 to $5,999	41.6	31.2	45.6	45.8	60.9	60.8
$6,000 and over	26.8	27.2	35.1	28.3	35.3	30.8
Some children of their own under 6 years:						
Less than $3,000	19.4	17.4	24.5	26.3	37.4	([2])
$3,000 to $5,999	25.6	12.7	23.9	18.1	29.1	27.7
$6,000 and over	15.4	6.2	14.2	11.2	18.0	11.8

[1] Includes wives reporting no years of school completed.
[2] Percent not shown where base is less than 100,000.

The major change which has taken place in the working activity of the men has been the continuing decline in labor force participation among older men. Some withdrawal of older men from the labor force is particularly apparent among the less educated between 1957 and 1964. The rates of labor force participation have declined among the less-educated men 45 to 64 years old, while remaining constant among the more-educated men in this age group. The rates among men 65 years old and over have declined markedly at all educational levels, suggesting that the overall drop in their labor force rates cannot be attributed to educational deficiencies alone. But in this group also, the sharpest decline in rates occurred among the least educated. The rate for those with less than 5 years of schooling declined by 13 percentage points, while the decline among the college graduate group was only 6 percentage points from 1957 to 1964.

Very different trends are apparent in the labor force rates of women. Among older adult women (45 to 64 years old), the substantial increase in labor force participation has extended throughout the educational spectrum, with the notable exception of women with less than 5 years of schooling.

However, the increase among women with 5 to 8 years of schooling has been much less impressive than the gains among women with more schooling. It is too early to determine whether the leveling of the rate between 1962 and 1964 for college graduate women in this age group represents a temporary stabilization or an approach toward a relatively fixed upper limit, determined by the competition of continuing household responsibilities and other noneconomic interests which many of the women in this age group share. The rates for women 65 years old and over have fluctuated near the 10-percent level throughout most of the postwar period without showing any significant trends.

In summary, there is some evidence that persons with minimal amounts of schooling have been withdrawing from the labor force during the 1952–64 and 1957–64 periods; however, the bulk of these withdrawals has been concentrated among older males, where the operation of other factors, such as disability and voluntary retirement, must also be given weight.

EDUCATION AND INCOME

Recent trends in the median annual income of persons with different amounts of schooling indicate the very wide range of monetary reward that is associated with educational differences. In both 1958 and 1963, the median income of males with less than 8 years of schooling amounted to only 33 percent of the median for males with 1 year or more of college (table 9). A similar ratio can be observed among women workers, although the less-educated women appear to have made a slight improvement relative to the more educated women during the 1958–63 period.[2]

The position of the less-educated white male worker did not change significantly between 1958 and 1963 relative to the more educated white. Both groups showed about the same rise in income. Among nonwhites, however, the least educated group registered a slight gain relative to the most educated. Among women workers, an opposite trend is evident: the percentage increase in income for less-educated white women was greater than for the most educated, but among nonwhite women, the opposite was true.

The median income of nonwhite males, expressed as a percentage of the medians for white males with corresponding amounts of formal schooling, shows little change between 1958 and 1963. Nonwhites had about two-thirds as much income as whites, on the average, in both 1958 and 1963.

There is no discernible pattern to these white-nonwhite income differentials; their fluctuation does not reveal any clear-cut tendency for the relative income of nonwhites to improve either over time or at higher levels of education.[3]

TABLE 9.—*Median income of males 14 years old and over with income, by color and years of school completed, 1958 and 1963*

Color and year	Years of school completed				
	Elementary		High school		College, 1 year or more
	Less than 8 years [1]	8 years	1 to 3 years	4 years	
Total:					
1958	$1,905	$3,214	$3,594	$4,548	$5,702
1963	$2,194	$3,610	$3,902	$5,482	$6,674
Percent change, 1958–63	15.2	12.3	8.6	20.5	17.0
White:					
1958	$2,076	$3,276	$3,774	$4,654	$5,810
1963	$2,408	$3,749	$4,150	$5,600	$6,829
Percent change, 1958–63	16.0	14.4	10.0	20.3	17.5
Nonwhite					
1958	$1,447	$2,328	$2,224	$2,994	$3,679
1963	$1,731	$2,740	$2,459	$3,821	$4,070
Percent change, 1958–63	19.6	17.7	10.6	27.6	10.6
Nonwhite as a percent of white:					
1958	69.7	71.1	58.9	64.3	63.3
1963	71.9	73.1	59.3	68.2	59.6

[1] Includes persons reporting no school years completed.

Source: U.S. Bureau of the Census, "Current Population Reports," Series P–60, No. 33 (1960), table 26 and No. 43 (1964), table 21. All income data are expressed in current dollars.

Data from the 1960 Census of Population permit a closer look at these differentials. The median earnings of white and nonwhite males in six selected age-education-occupation categories are shown in table 10. These comparisons show that the median earnings of nonwhite males appear to average close to 70 percent of the white medians. However, the relative position of nonwhites is again quite similar at different levels of education and age, and only approaches the white level among the older clerical group, where the number of men is quite small. The lower relative earnings of older nonwhites in the professional and technical occupations may reflect the greater concentration of these men in the less remunerative occupations, such as social work, teaching, and the ministry.[4] In general, these comparisons suggest that education exerts a strong upward force on the earnings of both nonwhites and whites, but it does not reduce the gap between the two color groups. In absolute dollars, this gap widens from about $700 among younger laborers to about $1,600 among younger professional and technical workers, and from $1,000 to $3,000 among older workers in the same occupation groups.

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[2] The estimated lifetime earnings of men display a similar range, from $143,000 for a man with less than 8 years of schooling to $247,000 for the high school graduate, and $417,000 for the man completing 4 years or more of college. See Herman P. Miller, "Education: An Advantage for a Lifetime," Occupational Outlook Quarterly, December 1963, pp. 1–4. Cf. Miller's article in Economics of Higher Education (U.S. Office of Education, 1962), ch. 9, pp. 129–146. The limitations of this kind of estimate are aptly summarized in H. S. Houthakker, "Education and Income," Review of Economics and Statistics, February 1959, pp. 24–28.

[3] These comparisons must be viewed with caution, because they reflect a host of factors whose influence is indeterminate. These would include differences in hours worked, in the amount of income other than earnings, to age and job experience, in the quality of schooling received, plus individual differences in ability, motivation, and the like. A recent study of the significance of same of these factors in explaining observed income differences between whites and Negroes is Alan B. Batchelder, "Decline in the Relative Income of Negro Men," Quarterly Journal of Economics, November 1964, pp. 525–548.

[4] In 1960, 35 percent of the nonwhite male professional, technical, and kindred workers in the experienced civilian labor force were clergymen, social workers, or teachers below the college level, compared with 16 percent among the corresponding white males.

TABLE 10.—*Median earnings of men in the experienced civilian labor force, by color, for selected ages, occupation groups, and levels of educational attainment, 1959*

Occupation group and educational attainment	25 to 34 years			45 to 54 years		
	White	Nonwhite	Nonwhite as percent of white	White	Nonwhite	Nonwhite as percent of white
Professional, technical, and kindred workers with 1 year of college or more	$6,209	$4,573	73.7	$8,877	$5,725	64.5
Clerical and kindred workers with 4 years of high school	5,071	4,117	81.2	5,689	4,969	87.3
Craftsmen, foremen, and kindred workers with 4 years of high school	5,715	4,174	73.0	6,072	4,412	72.7
Operatives and kindred workers with 1 to 3 years of high school	4,736	3,339	70.5	5,169	3,886	75.2
Service workers, including private household, with 8 years of elementary school	3,659	2,434	66.5	3,964	2,924	73.8
Laborers, except farm and mine, with less than 8 years of elementary school	2,878	2,164	75.2	3,340	2,395	71.7

Source: U.S. Bureau of the Census, 1960 Census of Population, "Educational Attainment," PC(2)-5B, tables 9 and 10.

EDUCATION AND LABOR DEMAND

The impressive rise in the educational attainment of American workers in the postwar period has been accompanied by a rise in the demand for highly skilled workers and less demand for the least skilled and educated. This has given rise to considerable speculation as to the relation between the supply of educated workers and demand factors. One approach to this question has been to determine whether the overall rise in educational attainment has been uniform in all major occupation groups, or whether it has been concentrated in those occupations which require the highest levels of training. In their study of employed white males 35 to 44 years old, Nam and Folger found strong evidence in support of the view that the increases have been widely distributed among the several occupations.[5] It was estimated that about 85 percent of the rise in the educational attainment of these workers between 1940 and 1960 occurred within occupations, while only 15 percent reflected a movement of workers into occupations requiring more formal schooling. This finding suggests that much of the upgrading in workers' education has been a reflection of rising educational levels in the population as a whole. Although anticipated demand for highly skilled workers in specific occupations undoubtedly motivates many students and adults to undertake special courses of study, the major impact of mass education is exerted on the population prior to particular career choices.

Whether or not the changing demand for workers has provided impetus and direction to the pursuit of education, the tremendous rise in educational levels has had a profound effect upon our educational expectations. According to Nam and Folger, the proportion of men with 4 years or more of college in 1960 was nearly as large as the proportion with 4 years of high school or more in 1910. It is difficult to gage this change in expectations, but it is apparent in the increased proportions of young people who remain in school through high school and in the rapid rise in the proportions of high school students who express a desire to pursue higher education.[6]

The possibility that this change in expectations is affecting the labor market gives rise to a further question: To what extent does the rising demand for highly educated workers reflect growing needs for specific skills, and to what extent does it reflect a general upgrading of standards apart from specific job performance requirements? The evidence bearing on this question is far from conclusive; one careful study of occupational trends in the 1950 decade suggests that the college-educated males are tending toward a greater concentration in the professions while those with less schooling are being more widely dispersed among nonprofessional white-collar and blue-collar occupations.[7] Although the magnitude of these shifts is generally quite small, they suggest that the educational expectations of employers may be rising with the general upgrading of educational levels. Given a growing supply of better educated workers, employers may adjust their own expectations upward.

An estimate of the actual need for additional highly educated workers resulting from shifting occupational demands during the 1940 decade was made by R. S. Eckaus. While the author is keenly aware of the limitations of the data available for this kind of study, he estimated that the rise in the proportion of college graduates in that decade about kept pace with the growing need for workers with that much education, but the proportion with 4 years of high school or more increased considerably faster than the actual need for workers with that amount of schooling.[8]

These strands of evidence suggest that an individual's job prospects, assuming that he possesses some basic minimum of formal education, depend more upon his relative educational attainment than upon his absolute level of schooling. The high school dropout may encounter difficulty in finding a job not because the job he seeks requires the training implied in the completion of high school, but because a growing proportion of his fellow jobseekers have their high school diplomas in hand.[9] To the extent that the rise in educational levels is accompanied by a parallel rise in educational expectations, the plight of the less-educated unemployed workers is bound to worsen.

JOHN DEMPSEY, GOVERNOR OF CONNECTICUT

Mr. RIBICOFF. Mr. President, yesterday the New York Times published a biographical profile of Connecticut's able and effective Governor, John Dempsey.

The Times headlined its article "Jovial Governor." John Dempsey is that; but he is far more. I have known Governor Dempsey for many years. I have worked closely with him, during his many years of public service. He has always been deeply concerned with the people of Connecticut and their problems. Governor Dempsey is a warm and friendly man, dedicated to the welfare of Connecticut and its people.

I ask unanimous consent that the New York Times article, entitled "Jovial Governor—John Noel Dempsey," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOVIAL GOVERNOR—JOHN NOEL DEMPSEY

A few days ago, Gov. John Noel Dempsey, of Connecticut, commented that a friend had told him he was moving from a small town in the southeastern corner of the State to Stamford to take a job as an assistant vice president at $41,000 a year. "Gee," said the Governor, "I didn't know they paid salaries like that in plants around here." The statement was typical in its openness and its mild naivete and good humor of the 50-year-old Democrat's easy way of talking. The preface is one of his favorite terms—"Gee."

But apart from that, the sentiment of the remark may have come straight from the hip pocket, which is where the Governor keeps his wallet.

In the eyes of many that wallet has not been oversupplied by the State. But yesterday, the State assembly voted a raise in the Governor's pay, from $15,000 to $35,000 a year, effective January 1, 1967. Mr. Dempsey signed the bill, but he will have to win another term to get the money.

Then, to take one step up politically, he took three steps down financially. Governor RIBICOFF asked him to run for Lieutenant Governor. He did, and won, and his reward was a $10,000 a year pay cut. The Lieutenant Governor's salary was $5,000 a year.

The chief key to Mr. Dempsey's personality and manner seems to be that he is a man who likes to be liked fully as ardently as he despises to be disliked.

"He is a worrier," one capital observer said. "He doesn't want to make people unhappy, and he worries when things are controversial."

At his plainly furnished office, the Governor sits with his back to a high window, looking across his desk and over a conference table with seven leather chairs just in front of his desk.

MARK TWAIN ADVICE

In one corner of the office there is a bust of John F. Kennedy on a pedestal. On Mr. Dempsey's desk there is a small, gold-lettered plaque bearing 14 words of advice by Mark Twain:

"Always do right," it reads. "This will astound some of the people and gratify the rest."

Mr. Dempsey is a warm, very outgoing, sometimes self-effacing man. He stands 5 feet 10 and looks robust at 178 pounds. He has dark hair, hazel eyes, and a strongly figured countenance that suggests his Irish origin. He was born January 3, 1915, in the town of Cahir in County Tipperary. He went to Putnam, Conn., as a boy of 10.

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[5] John K. Folger and Charles B. Nam, "Trends in Education in Relation to the Occupational Structure," Sociology of Education, fall 1964, pp. 19–33.

[6] Some of the implications of this revolution in educational expectations are traced in Martin Trow, "The Democratization of Higher Education in America," to be published in a forthcoming issue of the European Journal of Sociology.

[7] James A. Davis, "Higher Education: Selection and Opportunity," the School Review, autumn 1963, pp. 249–265.

[8] R. S. Eckaus, "Economic Criteria for Education and Training," the Review of Economics and Statistics, May 1964, pp. 181–190.

[9] A brief discussion of the impact of professionalization on the educational expectations of personnel managers, and its effect on employment opportunities, is Oscar Ornati, "Affluence and the Risk of Poverty," Social Research, autumn 1964, pp. 333–346.

There is a bit of Irish jocularity in him yet, and aids say that no matter how much tension and pressure are on him, he is always able to lighten it with a quip, usually something extraneous to the matter at hand.

One observer says he is never crochety, never angry, and about like a "friendly parish priest type." He is a work-at-it Roman Catholic who attends mass at the Cathedral of St. Joseph in Hartford and likes to take strolls with his wife, Mary, after the service. His oldest son, Edward, 23, is a seminarian in his last year at St. Sultice Seminary in Issy, just outside Paris, France, studying for priestly orders. His daughter, Margaret, 18, graduated last night from the Northwest Catholic High School. The Governor likes to go duckpin bowling with his two younger boys, John, 19, and Levin, 16.

Mr. Dempsey has a long-time interest in the Boy Scouts. His father, the late Edward Dempsey, was a sergeant major in the British Army in the Boer War under the command of Lord Baden-Powell, founder of the Boy Scout movement, and he kept in touch with the founder after his Army service. On 1 busy week during the legislative session that ended yesterday, Mr. Dempsey went out and made speeches at two Boy Scout functions.

The Governor attended public schools in Putnam, Conn., but did not finish the bachelor's course at Providence College, choosing instead to run for alderman when he was 22 years old. He won and was reelected four times. In 1947 he became mayor of Putnam, a small manufacturing city in the northeastern part of the State, and was elected six times.

He played baseball, football, and soccer in school and later played semiprofessional basketball and professional soccer. For years he kept in shape by running up and down court as a referee at high school basketball games. In 1959 he injured a leg when he attempted to play the game again and hobbled through most of the legislative session that year.

END OF A GREAT AGE—FAREWELL TO 327 YEARS

Mr. RIBICOFF. Mr. President, it is a pleasure to read an article with a special flavor that catches a time, an era, or an event. This is very well demonstrated in an article written by Jack Zaiman, one of Connecticut's leading political reporters, and published in the Hartford Courant, of June 10, 1965.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

END OF A GREAT AGE—FAREWELL TO 327 YEARS

(By Jack Zaiman)

There was a touch of Auld Lang Syne, of remembrances of things past, of the glories of a great colonial era, as a memorable age came to an end at the State capitol Wednesday night.

As the 294 members of the house of representatives, amid scenes of emotion, nostalgia, and goodbyes, walked out of the huge, high-ceilinged, steaming hot chamber, out with them, hand in hand, went the end of the oldest form of continuing government in the United States and perhaps the world.

This was the last regular session of the general assembly under a system that began in 1638 with the writing of the Fundamental Orders of Connecticut, the first constitution written by freemen anywhere in the world.

OLDTIMERS AGHAST

No wonder, then, that history looked on as town-by-town representation in the assembly which started with the fundamental orders in the three original towns of Hartford, Windsor, and Wethersfield, came to a dramatic end. It was no wonder that oldtimers, and even young-timers, just stood around and looked as if they had lost their world. For they had.

The towns are out, and the districts are in. The king is dead—long live the king. The 294 representatives from the towns are being reduced to 177 representatives from districts. Many of those who left the capitol Wednesday night walked away, not only from their seats, but from politics and government. They are through, reapportioned out of existence by the U.S. Supreme Court.

"How can you miss not having a sense of nostalgia?" asked State Representative L. Richard Belden, of West Hartford, who has been on the scene for 35 years. He was executive secretary to the late Gov. James L. McConaughy, and former Gov. James C. Shannon, back in 1947 and 1948.

In 1931 Attorney Joseph P. Cooney was a State senator. He, too, was filled with memories as he marched up and down the capitol corridors. He was sorry to see the 327-year system go. "Grassroots democracy is at an end," he said. "The representatives now will be far removed from representing their neighbors and friends."

So it went up and down the old capitol building.

There were oldtimers like Representative Morris Hogan, of Burlington, the crusty, sharp-tongued spokesman for the small towns. And Representative Benjamin L. Barringer, of New Milford, another of the smalltown leaders. Representative Claude Watrous, of Chester. Representative Rubin Cohen, of Colchester. It made no difference whether they were Republicans or Democrats. They all felt the same.

WHO WILL SURVIVE

What would the new era be like? Who would come back? Who would survive when the 294 fell to 177? How strange would be a house of representatives controlled regularly by Democrats, as is possible under the new system?

Who would be the new leaders? For the top men on both sides of the house are not expected to be running again. The men as well as the system are changing.

In the senate, things weren't as bad as downstairs in the house. But nostalgia crept all over the upper chamber, too. Who would survive in the changing of the 36 district lines? Hartford's three senators would become two. Who was out?

John M. Bailey, the Democratic State and National chairman who has been on the legislative scene since the early 1930's talked about old times, too.

Bailey refers to politics as a "ball game."

Again he used the term Wednesday night as he watched, and had a hand in, in the windup.

"It's a new ball game," he said.

They were in no hurry Wednesday night to adjourn the house and the senate.

They were exhausted, perspiring, emotional, sad, talkative, reticent, tearful, unhappy. Take your pick. Each had his own private world.

Tired and worn as the lawmakers were, they were going through a great mass experience as the legislative windup came. They were all in this together, and together they were going down. The obituary was being written, but they were dying hard.

"If I don't see you," said one of the tear-stained women lawmakers, "I'll see you some time."

It didn't make sense, but everybody knew what she meant.

So came the end of 317 straight years of Connecticut's smalltown system of house representation. The gavels came down, as they always do at the end of a legislative session. This time they came down to end not only a session, but a system, an era, and an age, 1638–1965.

GILL ROBB WILSON HONORED IN WEST VIRGINIA—WOOD COUNTY AIRPORT DEDICATED TO ONE OF AMERICA'S FINEST AIRMEN

Mr. RANDOLPH. Mr. President, Gill Robb Wilson is a West Virginian who has devoted his entire life to the field of aviation. For 40 years he has been at the forefront of those who seek to extend man's dominion over the skies and space. Today at the age of 72 he continues to be a significant factor in the development of aviation thought and policy, and is a successful and respected member of the business community.

Now editor and publisher of Flying magazine, Gill Robb Wilson flew with the famous Escadrille 66 during World War I, and later with U.S. Second Army Day Bombardment.

As a close friend of Gen. Billy Mitchell, he shared the belief that airpower was to be the key to future military success. He has pursued that belief during subsequent years of challenge and growth.

A brief glance at his achievements reveals a man of boundless energy and amazing capacity.

He chaired the first aeronautics committee of the American Legion; sparked the first national airport survey; was four times president of the National Aeronautics Association; a member of the committee that formed the civil pilot training program; a cofounder of the Aircraft Owners & Pilots Association; member of the Congressional Aviation Policy Board; founder and organizer of the Civil Air Patrol. He has delivered more than 4,000 lectures on airpower in the United States and abroad. His participation in special missions and projects, both military and civil, are multitudinous. He has been consultant to the Air Force, to the Department of Commerce, and he was State director of aviation of New Jersey for 15 years.

Gill served as World War II correspondent for the New York Herald Tribune covering every area of conflict from Europe and Africa to Australia and New Guinea. He has worked in 67 different countries and has friendships with airmen throughout the world.

Mr. Wilson has served as a member of the Board of Visitors of the Air University, as president and chairman of the board of the Air Force Association, and vice president of the Air Force Historical Foundation. He is one of two permanent lecturers at the Air Command and Staff School, and is chairman of the board of the Space Education Foundation.

Among awards and citations, Mr. Wilson holds the French Croixe de Guerre, the Distinguished Service Medals of the States of New Jersey and West Virginia; the Distinguished Service Award of the Air University and the Exceptional Service Award of the Air Force.

Mr. President, I am gratified to report that on Wednesday, June 2, 1965, the citizens of Parkersburg, W. Va., gave appropriate recognition to the contributions of a true aviation pioneer by rededicating the Wood County Airport as Gill Robb Wilson Field. It is my distinct privilege to deliver the principal address and to join with others in a tribute to one who has achieved much for aviation in the United States and the world.

The invocation was offered on that date by Robert I. Baker, associate minister of the First United Presbyterian Church, who, in his prayer, said:

> Almighty God, in an age when we can fly hundreds of miles per hour, we would remember that You have created the very time in which we live. At a period of history when we are performing spectacular and incredible feats in space, we need to remind ourselves that You have constructed the entire universe and are not limited in any way by the phenomenon which we call space. In a day when we are so impressed by human accomplishments, we need to realize that You have fashioned man himself from the dust of the earth by a power which makes our largest rockets seem utterly feeble by comparison.

Master of ceremonies at the dedication was the chamber of commerce president, Richard S. Cotterman, who introduced the Honorable Hulett C. Smith, Governor of West Virginia. In his official welcome of the guests to Parkersburg and to West Virginia, Governor Smith said in part:

> The citizens of Parkersburg and Wood County could have chosen no finer tribute than to name this airfield after one of our own pioneers in aviation.
>
> And there could be no more appropriate time for us to see the meaning of this occasion than today * * * as this country stands on the eve of another venture into the sea of space above us.
>
> Gill Wilson's active leadership in aviation covers a span from the time men like his friend, Billy Mitchell, had to fight to get others to even consider the potential of aircraft * * * to today's times, when all men are eagerly awaiting the next achievement of this Nation's spacecraft.
>
> His belief in the future of aviation is matched only by his lifetime of deeds supporting that belief.
>
> America is fortunate in having Gill Robb Wilson * * * and men like him * * * always in the cockpit of progress, looking in new directions and piloting new achievements for all of us.

Following an eloquent introduction by Mr. Cotterman, Gill Robb Wilson gave a moving response to those who were gathered in his honor. He said:

> This is a very nostalgic moment for me. I came as a boy into this State; home is where the heart is, so I have come home.

Mr. Wilson continued:

> This honor is very dear to me because of the investment of a lifetime my father and mother made in this community and in West Virginia. I was never able to pry them away to join me in my travels over the face of the earth; they wanted to stay here.
>
> I feel that I have met and known people all over the world but have not had friends and neighbors; to be called a "home-town" boy and be given a welcome like this touches me very deeply, Wilson said.
>
> Wherever we have been, our hearts and minds turn back to Parkersburg, Wood County, and West Virginia. God bless you for this confidence.

Also present at the dedication were former aviatrix Jacqueline Cochran, Col. S. K. Everest, second man to safely fly through the sound barrier; and Joe Walker, chief pilot of the X-15 rocket. Colonel Everest is a native of Fairmont, W. Va.

Mr. President, it was then my pleasant responsibility to speak regarding the importance of the aviation industry in today's changing world, and to pay homage to my cherished friend of many years, Gill Robb Wilson.

I pointed out that more and more individuals, businesses, and communities have come to be dependent on speedy and economical transportation in order to keep pace in a highly competitive society.

As Justice Cardozo once said:

> The city that is without the foresight to build the ports for the new traffic may soon be left behind in the race of competition. Chalcedon was called the city of the blind because its founders rejected the nobler site by Byzantium lying at their feet. The need for vision of the future in the governance of cities has not lessened with the years. The dweller within the gates, even more than the stranger from afar, will pay the price of blindness.

During the course of my remarks I stressed the following:

> The Parkersburg-Marietta area needs the stimulus of a fully modernized airport facility to insure that it redeems its promise of growth in the space age. This admonition in no way detracts from the very significant progress made since work began August 8, 1940 under the WPA project and continued through September 1, 1944, when the old Civil Aeronautics Administration took it over as a national defense project. A cost tag of $5 million was set on completion.
>
> Additional improvements included a $375,000 instrument runway extension in 1960, a $55,000 high intensity runway lighting system in 1962, and a $58,000 taxiway extension in 1964.
>
> I recall that the first commercial carrier to utilize this airport was American Airlines as of September 1, 1946, followed by Allegheny Airlines in May of 1949, Piedmont Airlines in March 1955, and Lake Central Airlines on March 1, 1961.
>
> The present terminal building was completed in 1952 and is used by three scheduled airlines and the restaurant. The Federal Aviation Agency Flight Service Station utilizes part of the hangar annex building, as do fixed base operations, Rambar Aviation, the pilots' lounge, and the airport manager's office.
>
> An important aspect of this airport is that it is relatively self-supporting. Funds furnished by the Wood County Court are for capital improvements only, either directly on a small project basis or on a participating basis under Federal Aviation Agency airport aid for large projects.
>
> Your efficient airport manager, Wallace Bennon, has told me that projects for this year include improved runway lighting, air conditioning of the terminal building, complete lighting of the ramp and terminal area with mercury vapor lights, construction of a new building for airport equipment, and effectuation of a resealing of the runway joints and a painting of the instrument runway.
>
> This facility is 186th out of 946 civil and military airports in the Nation for instrument approaches.
>
> Our commercial carriers provide 16 daily flights. Total air carrier operations in 1963 equalled 10,084—400 more than in 1964. Both enplaned and deplaned passenger volumes during the first 4 months of this year are substantially better than they were for the same periods of both 1963 and 1964.
>
> Meanwhile, civil transient, military transient, and local operations utilization in 1964 gained substantially over the 1963 totals, and the same categories, excepting possibly air express, were well ahead of prior volumes in January through April 1965.
>
> These are manifestations of airport utilization and they are signs of the improved economic development of this valley of the future—served by this vital facility.

In concluding my address, I quoted the following lines from the poem "No Words Are Born," by Inez George Gridley:

> Beyond the parapets of outer space
> Some young Magellon of the future skies
> Will steer a course in that incredible voyage
> Past doldrum seas of purple nothingness
> While constellations flare and new suns rise.
> His canvas filled with opalescent flame
> Will ride the hurricane, the cosmic fire
> To unimaginable lands without a name.
> Vasco da Gama, straining eyes to see
> The first faint line of thin and wind-lashed
> coast.
> Was dauntless kin to this explorer, who
> Will bring his brave and battered hull to rest
> In that far harbor, on that chartless sea,
> In worlds so foreign that no words are born
> Lucid enough to tell the tale to me.

Mr. President, that evening Gill Robb Wilson was the guest of honor at the 56th annual meeting of the Greater Parkersburg Chamber of Commerce. A loyal friend of aviation and an outstanding personality of the entertainment world was to have introduced Gill. Unfortunately, Arthur Godfrey was unable to appear.

Mr. Godfrey has sent me the text of his speech prepared for the occasion. I ask unanimous consent that excerpts from his comments be printed in the RECORD at this point.

There being no objection the material was ordered to be printed in the RECORD, as follows:

REMARKS OF MR. GODFREY

As editor of Flying magazine, Gill Robb Wilson has faithfully recorded the progress of personal, commercial and military aviation through the years.

Through his genius Gill firmly established this great periodical as the entertaining, informative and authoritative chronicle it is today, and for which we all have great respect. As a contributor of inspired eloquence, however, he has succeeded not only in capturing the quintessence of the beauty and the thrill and the art and the science of flying, but also, he thus affords us, his friends, a privileged, intimate glimpse of the true depth of his own soul.

No one need speak for Gill Robb Wilson. He speaks for us—all of us who fly. For years I have called him the poet laureate of aviation.

It is altogether fitting, even if coincidental, that we should be honoring Gill on this the eve of the Gemini flight. Had it not been for men like him, there would have been no orbiting astronauts—nay, not even in Russia. For Gill is one of the true pioneers of powered flight, giving the word "pioneer" Webster's full definition: "One of those who first settle or explore a region, thus opening it for occupation and development by others." Those words surely describe the man we honor tonight. Were it not for his ilk, Gemini would still be just one of the signs of the zodiac, and the flight itself probably just a wild dream in some Jules Verne novel. It is a great privilege to give recognition to the man who has done so much to help make that dream a reality—Gill Robb Wilson.

The PRESIDING OFFICER (Mr. BIBLE in the chair). Is there further morning business? If not, morning business is closed.

FOREIGN ASSISTANCE ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. FULBRIGHT obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me without losing his right to the floor?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 264

Mr. LAUSCHE. Mr. President, I call up my amendment (No. 264) and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. On page 3, line 22, it is proposed to strike out "20" and insert "12".

Mr. LAUSCHE. Mr. President, I ask that the figure "12" as now written in the amendment be changed to "15."

The PRESIDING OFFICER. The Senator has the right to modify his own amendment. The figure "12" is changed to "15."

Mr. LAUSCHE. Mr. President, the amendment embodies practically the identical issue that was involved in the Gruening amendment, which was adjudged on the floor of the Senate yesterday to be unacceptable. The Gruening amendment contemplated reducing the amount of the loan fund which the administration would be allowed to use from 20 percent to 10 percent. My amendment contemplates reducing the 20 percent to a new level of 15 percent. The arguments that were made in support of the Gruening amendment are equally applicable to mine.

I can very briefly state why I believe the amendment is sound and ought to be adopted.

For a period of about 5 years, I would say, constant efforts were made on the floor of the Senate and in the Foreign Relations Committee to impose restrictions upon the State Department in the allocation of moneys to the recipient nations of the world under the foreign assistance program. Repeatedly we had brought before us instances of money being given or loaned to foreign countries under circumstances which on their very face seemed to be objectionable and not supported by reason. As a consequence of those repeated experiences, there came into development an approach that would place restrictions in the foreign assistance program on how, when, and under what conditions the grants and loans might be made.

To illustrate, the property of American citizens was being confiscated by various nations of the world. The beginning of the confiscation occurred in Cuba. Castro decided to seize the property of American citizens without tendering due compensation for the property taken. Our country was supposedly helpless to do anything about it. Castro conceived the very generous and bountiful idea that as payment for the property expropriated, he would give bonds payable in 25 or 30 years.

Manifestly that proposal was highly unacceptable. I do not know whether anything was done by the Cuban Government even as a gesture to compensate for the confiscation of the property of American citizens.

When Castro got away with his expropriation—his theft of property of American citizens—other nations began to do the same thing. The other nations include the ones that were the beneficiaries of our bounty under the Foreign Assistance Act. I can well understand the thoughts that ran through their minds: "Castro did it and got by with it. Why can we not follow the same course? Take the property without due compensation, and we shall thus improve our economy and our life."

The confiscation of property is justified neither by morality nor by international law.

It is theft of the worst type. It is of the worst type because it is taken by duly constituted governments, which ought to adhere to ethics and to international law. This problem faced Congress.

The Senator from Iowa [Mr. HICKENLOOPER] conceived the principle that at least in one field we could help in stopping the expropriation. He offered an amendment to the Foreign Assistance Act which provided that if and when a beneficiary of the Foreign Assistance Act unlawfully confiscated property without making due compensation within a reasonable time, that country would be barred from further help under the Foreign Assistance Act.

The amendment of the Senator from Iowa was adopted and is now a part of the law of the land. The House Members and the Senate Members declared the principle under which the Senator from Iowa moved to be sound. That is example No. 1 of the imposition of restrictions upon the State Department in the granting of aid.

We now come to the second instance. Under the loan program operations of AID, our Government was lending to foreign nations money at three-fourths percent, frequently without any repayment being required for a period of 35 years. In the making of those loans, the United States, of course, had to borrow from its citizens and was paying them up to 4 percent interest. The loans made by AID were known as soft loans. But they did not produce for our country the good that was anticipated. When we made such a loan, it had the attributes, practically, of a gift.

The Senator from South Dakota [Mr. MUNDT] and I offered an amendment to the Foreign Assistance Act to provide that loans should be made—if and when the amendment were adopted—on the basis of 2 percent interest, with a grace period of 10 years, as I recall, in which no payments had to be made either of principal or interest; and thereafter, each year, the borrower had to begin to pay interest on the principal. That amendment was adopted by the Senate and the House, and rightfully so, on the basis that some aspect of sound business principles ought to be applied when the loans were made.

A third instance of restrictions placed upon the State Department in the management of the foreign assistance program is in the shipment of goods to Cuba. It was provided in one of the laws—I am not certain that it was in the Foreign Assistance Act—that denials shall be made of consideration by the U.S. Government of countries that deal with Cuba.

A further provision was made in another field. All shipments of goods under the Foreign Assistance Act had to be divided on the basis that at least 50 percent of such shipments would be in American bottoms. That is, the shipper of foreign aid goods was not allowed to hire the cheap services of foreign navigation companies, but was obliged to hire American bottoms, even though the cost was much more.

A further restriction was imposed upon the State Department with respect to the amount of money that would be allowed to be loaned to those foreign companies. The restriction was that when we lent money, a condition had to be attached to the loan to require the borrower to spend the money in the United States for the buying of materials and labor. That was a good provision. It was intended to keep our workers employed.

There may be other situations in which we have tried to impose restrictions, but I believe that I have identified the main ones.

When those amendments were adopted, the State Department, in my judgment, felt itself tied up. It wanted to be emancipated from the restraints that we had imposed upon it. It conceived the idea that it could get around the restrictions by having our money go to a multilateral agency and to have that multilateral agency make the loans. A number of multilateral agencies are in existence. The principal one is the World Bank. Its membership is made up of all nations—perhaps not all, but practically all. They contribute to the capital fund of the institution, and that institution then makes its loans. But it does not impose any tie-in restrictions which require the borrower to spend the borrowed money in the United States. Our money that goes to the World Bank can be lent to Yugoslavia, for instance, and Yugoslavia can buy goods with that money wherever she wills. She can buy in Cuba. She can buy in China or in Russia, if she wishes.

Under the restrictions that I previously mentioned, the money which the United States lends directly under the Foreign Assistance Act must be spent in this country. The bill as it is pending before the Senate, and as the President well understands, contemplates allowing the administration to send 20 percent of the $780 million allocated for loan purposes to the multilateral agencies, where complete emancipation will be enjoyed with respect to restrictions which we impose upon the use of that money.

The Senator from Alaska [Mr. GRUENING] yesterday sought to reduce the 20 percent to 10 percent. My amendment contemplates reducing the amount from 20 to 15 percent. I have made that change in my amendment.

I believe that the proposal is sound. I shall now give my main reason for the predicate of my sponsorship of the bill.

One of our gravest problems is the outflow of American gold into foreign countries. We look upon that problem indifferently. Warnings have been given to us. However, the citizen pays little attention to it, and many Members of Congress pay still less attention.

The gold reserves are dwindling every day. They may soon reach the point at which they will not be adequate to support the paper dollars that are outstanding in our Nation. Three months ago, we had to modify the gold reserve law and remove the gold which supported the deposits in the Federal Reserve system and make it available to meet the demands of our foreign creditors.

I believe that we have approximately $12.5 billion in gold reserves. Five years ago we had $25 billion. Of that gold reserve, $8.5 billion is needed to support the paper dollars which every citizen may have in his pocket. We have approximately $25 billion of claims of foreign creditors against a balance of $4 billion.

If anyone were to try to tell me that foreign creditors, the moment they believe that our condition is shaky, would not demand payment of their debts in gold, I would be shocked.

The proposal contained in the pending bill contemplates loosening the ability of the gold of our Nation to flow into other countries. Twenty percent of $780 million would be $156 million, which would be freed for spending in Cuba, China, Russia, or any other country in the world.

When we spend money in other countries, they have our paper dollars. They would be able to say to the U.S. Government: "We do not want your paper dollars. We are afraid that they will depreciate in value. We want glittering yellow gold."

The time may come—and I have a feeling that it will come, unless something is done about it—when the nations of the world which, as I have said, have $25 billion of claims against us will say: "We want payment in gold."

What does my amendment propose? It contemplates, in a measure, insuring that the money which we loan to foreign countries for the purchase of material and goods shall be spent in the United States. It would make it certain that the money would be spent in the United States if the amendment were adopted. If the amendment were rejected, the money might be spent in the United States, but not with any certainty.

The argument is made, and was made, against the Gruening amendment, that "It is only a small amount. It does not mean much."

Twenty percent of $780 million is $156 million. That means a great deal in connection with the gold problem that confronts our country.

I have heard that argument before, Mr. President. "It does not mean much. It is an inconsequential wrong. It is trivial. Pay no attention to it." However, an accumulation of inconsequential and trivial wrongs finally create huge problems. Those huge problems have already developed and confront our country on the basis of many trivial and inconsequential wrongs.

In my judgment, and if it were within my power, I would direct my attention now, fully and wholly, to protecting the gold reserves of our country. The bill, as now drawn, is indifferent to that problem. It proposes to do nothing about it. That can only produce harm.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GRUENING. Mr. President, I commend the distinguished senior Senator from Ohio for his effort to bring additional sanity and restraint into some aspects of our foreign aid bill.

Does the Senator feel that, for any reason, a standard of three-fourths of 1-percent interest rate, with no repayment of principal for 10 years, and a 50-year period for payment can be considered a loan?

Mr. LAUSCHE. I am grateful to the Senator from Alaska for reminding me of that situation. That is the soft loan window of the World Bank.

It is my understanding that if this money were to go to that institution, it could make a 50-year loan at three-fourths of 1 percent, with a 10-year period of grace during which there would not have to be any payments on principal. I do not believe that is sound. That is one of the things that we tried to protect against in the Lausche-Mundt amendment.

Mr. GRUENING. Does the Senator believe that the American people realize that concealed in the so-called loans is a substantial grant by which during the years of no repayment, and, indeed, during the entire life of the loan, the American people are being taxed on the difference between what they must pay for money, at the rate of approximately 4 or 5 percent, and the negligible three-fourths of 1-percent interest which we allege that we will collect from the borrower?

Mr. LAUSCHE. The Senator from Alaska was not present when I discussed the reasons for adopting the Mundt-Lausche amendment. The amendment was adopted because we believed that the procedure which the Senator has mentioned is not sound. It did not contribute to the betterment of relations with foreign countries when we made these loans on the basis, and under the name, of a loan, when, in fact, they were practically a gift.

Mr. GRUENING. Mr. President, does the Senator recall what became of the Mundt-Lausche-Morse amendment after it had passed the Senate by a very substantial vote?

Mr. LAUSCHE. The Senator will have to refresh my memory.

Mr. GRUENING. It was taken out in conference. That is so frequently the fate of good amendments which have been agreed to by a substantial vote in the Senate.

It strikes me as one of the undemocratic aspects of Congress, by which procedure, a small group of men disregard the mandate of an overwhelming vote of one of the two bodies of Congress and work their own will in a closed conference.

I believe that is one of the undemocratic aspects of our congressional procedure. It would seem to me that the confereees should have respect for and pay some substantial attention to the wishes of the body which they represent in conference. However, that unfortunately is often not the case.

Mr. LAUSCHE. Mr. President, my recollection is that the Lausche-Mundt amendment provided for a 2.5-percent interest rate, with a less than 10-year period of grace, and with an earlier time within which payments had to be begun.

The conference committee cut it down to 2 percent, and I think gave a 10-year period of grace and a longer time of maturity in the repayment of the debt.

Mr. President, how much time have I left?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. LAUSCHE. Was the total allocation 30 minutes?

The PRESIDING OFFICER. The Senator is correct; 30 minutes to each side.

Mr. LAUSCHE. I will yield the floor. I hope the opponents of the amendment will not make the argument that it is only a small matter, that it is inconsequential, and therefore no attention should be paid to it.

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. Mr. President, does the Senator from Ohio wish a yea-and-nay vote on the amendment?

Mr. LAUSCHE. Yes.

Mr. FULBRIGHT. There are not enough Senators present at the moment to order the yeas and nays. I wonder if we had not better ask for a quorum.

Mr. President, how much time have I left?

The PRESIDING OFFICER. The Senator has 30 minutes.

Mr. FULBRIGHT. I have the time.

Mr. MORSE. Mr. President, will the Senator yield on a procedural matter?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I think it ought to be understood that as the one who helped produce the time limitation, I proposed it on the understanding that there would be record votes.

Mr. FULBRIGHT. That is what we are doing.

Mr. MORSE. I understand. On that basis, a time limitation was imposed. Of course, the understanding was that if Senators desire yea-and-nay votes, they should have them.

Mr. LAUSCHE. Will the Senator suggest the absence of a quorum so that more Senators will be present?

Mr. FULBRIGHT. Yes. Let us get them on the floor and have the yeas and nays ordered, and I will speak only a few moments, because I spoke on the same issue just recently.

Mr. President, I suggest the absence of a quorum. If we get enough Senators present to have the yeas and nays ordered, we shall be ready to proceed.

The PRESIDING OFFICER. Does the Senator wish to have the time for the quorum call taken out of his time?

Mr. FULBRIGHT. Yes.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I shall take only a few minutes on the amendment. It involves exactly the same principle on which the Senate voted the other day on the Gruening amendment. If the Senate followed the rule of substance rather than form, the amendment would be subject to a point of order, but since the Senate does not follow the rule of substance, it is not subject to a point of order.

The only difference between this amendment and the Gruening amendment is that the Gruening amendment deleted the full increase of the 10 percent. The pending amendment deletes half of it. Precisely the same principle is involved.

The Senate was entirely correct the other day in voting to reject the Gruening amendment. I see no reason for it to change its vote on this amendment. The principle involved is whether the funds should be available; it is not mandatory. Under the action of the Appropriations Committee, nothing has been done under the 10 percent power of allocation.

I am not at all sure or sanguine that it will be done, but the principle involved is a matter of policy on the part of the Senate that we should move toward greater utilization of the international organizations affiliated with the Bank.

One last word about AID and the Bank itself. The Bank has perhaps stricter standards for making loans than does the AID agency. It will never make a loan to a country which is in default on loans. It has refused to lend to Greece because that country has been in default on a relatively small loan contracted in 1929.

So I do not believe there should be any question with regard to the matter of confiscation. In my opinion the bank will be as careful as, if not more careful than, AID, in the discouragement of any kind of confiscation.

If the Senator is willing to yield back his time, I will yield back my time, and the Senate can vote.

Mr. LAUSCHE. Yes.

Mr. FULBRIGHT. I will yield back my time——

Mr. LAUSCHE. The only thing I wish to say is that I look with dismay upon the shortness of time taken by the Senator from Arkansas, because it indicates that he attaches such little strength to the cause of my argument that no further debate on his part is necessary.

Mr. FULBRIGHT. No. We debated the same principle the other day. It is exactly the same. I see no reason to expect that the Senate will vote differently or for me to speak longer on it.

Mr. MORSE. Mr. President, will the Senator yield me 30 seconds for a comment? The Senator from Ohio has a great misunderstanding of the position of the Senator from Arkansas. The Senator from Arkansas happens to stand in a position where he has the votes, so why talk?

Mr. FULBRIGHT. No; I have confidence that the Senate is not going to change its stand on principle within 3 days. It is usually consistent for a week, at least.

Mr. LAUSCHE. On the other hand, the shortness of the comments of the Senator from Arkansas is subject to the interpretation that he does not have enough confidence in the argument to do more talking.

Mr. GRUENING. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield.

Mr. GRUENING. As a former college president, does not the Senator believe in the value of education? Does not the Senator believe it is of benefit?

Mr. FULBRIGHT. Not particularly in the Senate.

Mr. LAUSCHE. Mr. President, I yield back my time.

Mr. FULBRIGHT. I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on the amendment (No. 264), as modified, offered by the Senator from Ohio [Mr. LAUSCHE] for himself and other Senators.

The yeas and nays have been ordered, and the Clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Oklahoma [Mr. HARRIS], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Maryland [Mr. TYDINGS], the Senator from Arizona [Mr. HAYDEN], and the Senator from Michigan [Mr. MCNAMARA] are absent on official business.

I also announce that the Senator from Tennessee [Mr. BASS], the Senator from Maryland [Mr. BREWSTER], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Washington [Mr. MAGNUSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Maryland [Mr. BREWSTER] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Oklahoma [Mr. HARRIS]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS], the Senator from Hawaii [Mr. FONG], and the Senator from Kansas [Mr. PEARSON] are absent on official business.

The Senator from California [Mr. MURPHY] is necessarily absent.

The Senator from Kansas [Mr. CARLSON], and the Senator from Iowa [Mr. MILLER] are detained on official business.

If present and voting, the Senator from Nebraska [Mr. CURTIS], the Senator from Hawaii [Mr. FONG], the Senator from Iowa [Mr. MILLER], the Senator from Kansas [Mr. PEARSON], and the Senator from California [Mr. MURPHY] would each vote "yea."

The result was announced—yeas 42, nays 39, as follows:

[No. 117 Leg.]

YEAS—42

Aiken
Allott
Bartlett
Bennett
Bible
Boggs
Cannon
Cotton
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Gore
Gruening
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
Morse
Mundt
Prouty
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—39

Anderson
Bayh
Burdick
Byrd, W. Va.
Case
Church
Clark
Cooper
Douglas
Fulbright
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morton
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smathers
Williams, N.J.

NOT VOTING—19

Bass
Brewster
Byrd, Va.
Carlson
Curtis
Fong
Harris
Hayden
Long, Mo.
Magnuson
McClellan
McNamara
Miller
Murphy
Muskie
Neuberger
Pearson
Sparkman
Tydings

So Mr. LAUSCHE's amendment as modified (No. 264) was agreed to.

Mr. LAUSCHE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GRUENING. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRUENING. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 4, line 4, strike out the period and in lieu thereof insert a comma and the following:

> *Provided*, That with respect to any dollars herein authorized the voting power of the United States shall be exercised for the purpose of disapproving any loan by the Association for any project, enterprise, or activity in any country, during any period for which the President has suspended assistance to the government of such country because of any action taken on or after January 1, 1962, by the government of such country or any government agency or subdivision within such country as specified in paragraph (A), (B), or (C), of subsection (e)(1) of section 620 of the Foreign Assistance Act of 1961, as amended, and the failure of such country within a reasonable time to take appropriate steps to discharge its obligations or provide relief in accordance with the provisions of such subsection.

Mr. GRUENING. Mr. President, during the last 2 days, in connection with the increased authority which would be given to the President to transfer U.S. dollars to the International Development Bank, there has been considerable discussion of the fact that through this device Development Loan Fund dollars transferred to the IDA escape the restrictions which the Congress has written into the Foreign Assistance Act.

One of those restrictions is the so-called Hickenlooper amendment, which provides that no aid shall be furnished to nations found by the President to have expropriated U.S.-owned property.

During the consideration earlier this year of a bill authorizing an increase in funds for the Inter-American Bank, the Congress adopted an amendment offered by the able and distinguished senior Senator from Oregon [Mr. MORSE] instructing the U.S. representative on that Bank to vote against any loan to any nation found by the President to have expropriated U.S.-owned property.

The amendment which I now offer would do exactly the same thing with respect to loans by the International Development Association.

Both the Inter-American Development Bank and the International Development Association should be treated alike. The Congress has already decided that the Inter-American Development Bank should be subject to the restrictions of the Hickenlooper amendment. The International Development Association should be subject to the same restrictions.

That is all my amendment would do.

Mr. FULBRIGHT. Mr. President, I have studied the amendment. I am prepared to take it to conference. It is a direction to our representative on the International Development Association to comply with the same regulations that apply to the Inter-American Development Bank. I am willing to take the amendment to conference. I believe it is all right.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. FULBRIGHT. I yield back the remainder of my time.

Mr. GRUENING. I also yield back my time.

The PRESIDING OFFICER. All time has been yielded back and has expired. The question is on agreeing to the amendment offered by the Senator from Alaska.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 244

Mr. MORSE. Mr. President, I call up my amendment No. 244.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 11, lines 20 to 22, strike out "and to engage in other activities helpful to the economic and social development of friendly countries."

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, this is one of my minor amendments, but nevertheless an amendment of significance and import. I shall not take anywhere near my 30 minutes on the amendment. The amendment would strike from the bill the language "and to engage in other activities helpful to the economic and social development of friendly countries."

This deals with what is commonly called civic action programs.

Nowhere does the law define what is meant by civil action. The sentence I amend states that the military may be used to construct public works, and then there follows some interesting verbiage which might give rise, in my judgment, to great abuses in th exercise of unchecked discretionary power on the part of the administrator of the program.

My amendment would strike out the words "and to engage in other activities helpful to the economic and social development of friendly countries." My amendment would leave the words "public works," and eliminate the remainder as being civic action.

Who knows what might be done in activities helpful to the economic and social development of a country? Who will determine it? What will be the standards or guidelines?

This is a good example of how a sleeper clause can get into Federal legislation to permit unchecked power by way of exercise of discretion.

There is no effective check in this language on those who will proceed to spend money in accordance with their discretion and judgment as to what will be helpful to the economic and social development of a given country.

Who knows what the military junta in Bolivia, for example, will consider to be in the interest of the economic and social development of their country?

They might consider the planning of a coup, the rigging of an election, the raiding of religious institutions or anything else which, in accordance with their discretion, would be in the interests, as they see it, of the economic and social development of the country.

When I think of the exact language that we require for the expenditure of Federal funds in our own country in connection with the operations of the Army Engineers, I am at a loss as to why we are willing to give unchecked power to a military junta or, for that matter, the military of any other country.

We have a pretty clear idea of public works, but we are in the domain of the unknown when we start talking about giving discretionary power to those in charge of the military power in some other country and in which the recipients of the military aid determine what is in the economic and social interest of the country. There will be plenty of public works that will keep those military forces busy for a long time in any one of the underdeveloped countries to which American aid goes.

Senators would never vote to permit the use of the military forces in the United States "to engage in activities helpful to the economic and social development of the United States." That is one way in which we are turning over more and more control of U.S. assistance to military personnel at home and abroad. It is loose, blank-check language of that kind that is always getting us into trouble in the administration of our foreign aid program.

While I do not intend to discuss the subject in connection with the present amendment, I shall do so at some length in connection with another.

I have on my desk the devastating reports of the Comptroller General of the United States in regard to the shocking waste and inefficiency of the foreign aid group in the administration of our foreign aid program. I cannot read those reports without recognizing that some of that waste could have been prevented administratively if we had tied down with some clear definitions of authority the extent to which discretion could be used by those in charge of the program.

Until Congress makes up its mind what exactly is to be done under "civic action," the term should be restricted to public works.

Note what we are doing. The existing language encouraging the use of military aid for "public works and other activities helpful to economic development" is stricken from the committee bill and even more vague language is substituted.

I close by saying that all I am asking to do is to put the period at the end of "public works." For years in connection with my work in Latin America I have urged that we try to encourage our Latin American countries to follow the example of the U.S. Army Engineers in using their military forces for the building of dams, for the building of roads, for the building of flood control projects, and reclamation projects. They are all subject to specific identification. No question of ambiguity develops over the application of the words "public works."

What I wish to stress to the Senate is that we would not possibly, if we devoted all of our money by way of aid to any Latin American country to be used for the construction of public works, have enough money. We do not have to have this ambiguous, undefinable language added to the bill at this point. All I am doing by the amendment is to put a period after "public works." That would be a great incentive to those groups to develop the kind of program that we have in the United States for our Army Engineers.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. RIBICOFF. Will the Senator be good enough to give me an example of the type of abuse that the Senator seeks to eliminate by his amendment?

Mr. MORSE. As I said in my statement, when we leave it up to the military and the government—and many of these are military junta governments or dictatorships—to make use of the money as they see fit to construct public works and to engage in other activities helpful to the economic and social development of friendly countries, we give them too broad a scope. What would they use it for? They might spend money in connection with rigging an election or in connection with carrying on a controversy with a group in their country that is challenging them. That is in the public interest and would be for the social development of the country. I do not want the money used for any other purpose under that part of the bill than the construction of public works. I do not want them to use their army for political purposes. I do not want them to be able to use the money, directly or indirectly, to build up military power in the administration of a government.

They might say that that is for the social and economic development of their country. I do not believe the American taxpayer should help to finance such a program. But I am for spending money on public works through their army because that would develop what the Senator from Connecticut has heard me say so many times. That would develop, in spite of themselves, seedbeds of economic freedom in that country. Every dam, every road, and every public works ends by strengthening the cause of economic freedom in a country.

Mr. RIBICOFF. Mr. President, would the Senator consider under the definition of what he seeks to achieve a schoolhouse or a health facility?

Mr. MORSE. Public works. Certainly. A schoolhouse is a public work; a hospital is a public work; a city hall is a public work; a public building is a public work.

I wish to tie it down to a concept of a physical body; namely, a dam, a hospital, a school, a road. We do not have enough money to go around for all that they would like to do. If we encourage that type of action, from the standpoint of the charges that are made, that we are pouring out a great deal of military aid in some countries to build up a military oligarchy, they would be reduced.

Mr. RIBICOFF. Does the Senator believe that his amendment would eliminate a considerable amount of waste in the utilization of foreign aid?

Mr. MORSE. I believe it would eliminate the temptation to waste. No one knows yet what is to be done under this language, because we are authorizing utilization of military aid for civic action for the first time. I merely want to see the language of the authorization confined to known elements.

Mr. RIBICOFF. I thank the Senator for the information.

Mr. MORSE. That is all I have to say on the amendment.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

I believe the Senator is unduly concerned when he says that these things might happen. I do not believe he is able to provide any instances in which those countries have used the money to rig an election. Many things might happen to any of the programs if the people administering them pay no attention to them and do not supervise them. The waste I am familiar with has been with regard to the supplying of military hardware. I have seen no report which stated that the countries have wasted money on the rigging of an election. Nonmilitary activities resulting in civic progress have been accomplished at our instigation. We have urged the military forces in a number of countries to go into that field in the hope that we could keep their minds off coups, the rigging of elections, or anything of that kind. We desire to encourage them.

I am for public works, but the activities are broader than that and include such things as establishing dispensaries for mobile medical units and providing facilities for technical training. Many of those best qualified to train people are in the military. Many of them have had that kind of training.

These programs include assistance during epidemics; and not only epidemics, but action that may be required for the prevention of epidemics. If an epidemic should occur, it seems to me that it would be perfectly proper that the help of the army should be enlisted. If the army is properly organized, it can move in. It could use modern medicines, perhaps, better than many other agencies.

Mr. RIBICOFF. This is the key to the colloquy in which I engaged with the senior Senator from Oregon. It becomes important in the interpretation of "public works." I am inclined to favor what the Senator from Oregon is trying to do, yet I recognize that in the case of an epidemic or an earthquake in many countries, only the army could come in and give temporary relief.

Mr. FULBRIGHT. The army is trained to do that.

Mr. RIBICOFF. That is what I have been trying to have clarified in the colloquy with the Senator from Arkansas and the Senator from Oregon.

Mr. FULBRIGHT. I would not object. The major part would be classified as public works. I see no point in trying to tie hands. That always raises doubt as to whether the army could function; as to whether or not the interpretation of "public works" includes a particular activity.

Our own people work with those people. We have been trying to encourage them to do something besides sitting around the barracks, plotting to overthrow the government. Because of the experience of our own Army Engineers, our own Government has been encouraged in the belief that the armies of other countries could enter into such activities in the hope that it would have a more civilizing effect upon their armies.

Mr. RIBICOFF. Will the Senator from Arkansas be good enough to give me information about or to explain some of the projects that are being developed and to tell how some of the money is being spent and for what type of projects outside the definition of public works that the Senator believes the Senator from Oregon has mentioned?

Mr. FULBRIGHT. I did not anticipate this specific question. Many projects could be carried on under the existing provisions of the law, such as forestry service projects, mapping, coastal surveys, education, sanitation, and hygiene, assistance during epidemics, assistance to medical schools, and assistance during earthquakes.

I was thinking of one possibility. A barge might be supplied to the naval forces of an area. That barge could be used, under the existing language, perhaps for a ferry, which would not be a public work.

I see no point in trying to restrict the army, unless it is assumed that the administration of the program be in a conspiracy to defraud the American people or to do something that would be entirely out of order.

This is the kind of discretion that is entirely proper for the military people. I think it is good for the military itself; it gives it a sense of participation in peacetime activity and enables it to make a contribution to the welfare of the country.

Mr. RIBICOFF. Would the Senator be so good as to explain the amount of funds involved that the amendment seeks to restrict?

Mr. FULBRIGHT. That has never been broken down. A specific appropriation is not provided. It is merely a limitation upon assistance to the defense or military forces which we support. We might supply them with a barge to use for the movement of people or livestock. It might be used in a broader way than purely as a public work. Some discretion would be given. There is no breakdown, so far as I know, in dollars as to this activity. We merely provide we may supply certain equipment and assistance to the forces we support.

Mr. RIBICOFF. I believe I understand what the Senator from Oregon is driving at, and I sympathize with his motive. The dilemma in which I find myself is that the limitation on public works might include items like transportation of agricultural products, mapping, coastal survey, forestry service, dispensary, mobile medical units, education, sanitation, and hygiene—assistance needed during epidemics.

I am wondering whether an amendment could not be drawn to achieve what the Senator says the funds should be used for and as to which the distinguished Senator from Oregon seeks to restrict their use.

I recognize that "public works" is a broad term, one that might very well not include assistance in time of epidemic or disaster. That is what bothers me. Otherwise I think I would be inclined to support the Senator from Oregon.

In the light of the colloquy between the distinguished chairman of the committee and the distinguished Senator from Oregon, I am wondering if they could not establish their meaning with respect to the use of these funds, so that U.S. authorities who have to do with the dispensing of the funds would be in a position to make certain that they are restricted for public works in the wider sense and not the narrower sense of merely using them for roads, dams, and such works.

That is the dilemma with which I find myself faced as I listen to the discussion.

Mr. MORSE. Mr. President, I yield myself 5 minutes. There really is no dilemma at all. The point that is being overlooked is that there is nothing to which the Senator from Arkansas has referred—epidemics, health programs, sound social welfare programs—which would not continue to be done under the bill, if the country wished to develop that kind of ability. That goes with the economic aid program in the bill. In time of emergency or epidemic, the civilian government can make use of the military forces, as a matter of national security and assistance.

My amendment would make perfectly clear that we will not give discretion to the military, under the bill, to proceed to carry out programs for which, in accordance with its judgment, it wishes to use the military forces. If my amendment were adopted, there would be nothing to stop the military junta government of Bolivia or the free government of Venezuela from engaging in a social welfare program of the type the Senator from Connecticut [Mr. Ribicoff] and the Senator from Arkansas [Mr. Fulbright] have been talking about.

I merely say that so far as the military aid sections of the bill are concerned, over and above the hardware features, and the supplying of weapons, to which the Senator from Arkansas has referred, there are a number of ways that these other programs will be carried out by the government of the country.

Take any country as an example. Suppose an epidemic should break out. The economic aid program contains a fund for health. Any group of the country's citizenry could come to the country's aid. The amendment does not mean that the army could not be used. I am merely trying to limit the operations of the military in those countries to defense matters, internally and externally, and have them used as the Army Engineers are used in this country for the development of public works.

I want to try to clear up this point of confusion. I am not trying to stop a country, by my amendment, from engaging in hospital or health programs. I merely say that we should not give the authority to the army; we should give it to the civilian government. One of our great problems under our military aid program is that we are building military oligarchies and military authorities in various countries, oligarchies which, in my judgment, are making Communists rather than free men and women.

Mr. RIBICOFF. Mr. President, would the Senator consider adding to his amendment, "public works or projects having to do with health and conservation"?

What I have in mind is that back in 1955, during the period of floods in Connecticut, when I was Governor, the Army Engineers did outstanding work. The Army Engineers were there not only to construct dams, but also to help the State of Connecticut with health and conservation facilities.

I believe that what the Senator is seeking to accomplish would be a good end, but I understand the feeling of the distinguished chairman that we should not have soldiers sitting around in barracks or in village squares with nothing to do.

I can well imagine the reports in the press at a time of earthquakes, tidal waves, floods, or any of the problems which come to many of these countries in Africa, Asia, or in South America. At such times the Army could probably do the best job with health and conservation.

I would just as soon see some of these funds used for those purposes.

If the distinguished Senator would consider adding those few phrases to the amendment, I should be pleased to vote in support of his amendment.

Mr. MORSE. In time of emergency, my language would not stop the government from using its army for those very purposes.

Mr. RIBICOFF. It is a question of using the funds. They may have some funds for economic growth problems, whereas the military aid funds would be available for this purpose.

Mr. MORSE. I want to make certain that it is the government, and not the military, that directs the expenditure.

I would be inclined to accept the amendment, "public works," or "government declared public emergency." I would be willing to accept that language, if that were acceptable. Otherwise, I shall leave it as it is.

Surely Senators do not believe the United States commands these armies. We do not. They can be ordered to do anything their government wants them to do.

They can even work on something financed from U.S. economic aid funds. But the language I am concerned about are the military aid funds. I think it is shocking that we should be using military aid now for "economic and social development" as determined by the Pentagon, because that is what the committee amendment provides.

Mr. FULBRIGHT. Mr. President, the Senator cannot modify his amendment without unanimous consent. He has already asked for the yeas and nays.

Mr. MORSE. I do not think that it is very important.

Mr. FULBRIGHT. I do not think it is very important. I believe that it is too bad that we are attempting to restrict what I thought was one of the civilizing efforts that we were trying to accomplish.

Mr. MORSE. There is no government restriction, but there is restriction on the military. I am seeking to stop strengthening the control by the military in the underdeveloped parts of the world. We have plenty of means by which to help the government do the thing that the Senator from Connecticut has in mind. However, I shall not support a bill which has the effect of weakening government control over the military.

I yield back the remainder of my time.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Oregon. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Oklahoma [Mr. Harris], the Senator from Arizona [Mr. Hayden], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Tennessee [Mr. Bass], the Senator from Maryland [Mr. Brewster], the Senator from Indiana [Mr. Hartke], the Senator from Maine [Mr. Muskie], the Senator from Oregon [Mrs. Neuberger], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Oklahoma [Mr. Harris], the Senator from Washington [Mr. Magnuson], the Senator from Virginia [Mr. Byrd], and the Senator from Alabama [Mr. Sparkman] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Kansas [Mr. Carlson], the Senator from Hawaii [Mr. Fong] and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from California [Mr. Murphy] is necessarily absent.

If present and voting, the Senator from Nebraska [Mr. Curtis], the Senator from Hawaii [Mr. Fong], the Senator from Kansas [Mr. Pearson], and the Senator from California [Mr. Murphy] would each vote "nay."

The result was announced—yeas 10. nays 71, as follows:

[No. 118 Leg.]

YEAS—10

Clark
Cotton
Ellender
Gruening
Lausche
Morse
Ribicoff
Stennis
Talmadge
Thurmond

NAYS—71

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Case
Church
Cooper
Dirksen
Dodd
Dominick
Douglas
Eastland
Ervin
Fannin
Fulbright
Gore
Hart
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel

Long, La.
Mansfield
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Smathers
Smith
Symington
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—19

Bass
Brewster
Byrd, Va.
Carlson
Curtis
Fong
Harris
Hartke
Hayden
Long, Mo.
Magnuson
McCarthy
McClellan
Murphy
Muskie
Neuberger
Pearson
Sparkman
Tydings

So Mr. MORSE's amendment (No. 244) was rejected.

PROPOSED AMENDMENT TO RULE XXII—CLOTURE

Mr. DIRKSEN. Mr. President, there is a matter of clarification under the Civil Rights Act——

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. That will be on the bill.

Mr. DIRKSEN. There is a matter of clarification under the Civil Rights Act, which should be settled, because of certain confusion at the other end of the avenue. To that end, I yield 10 minutes under the bill to the Senator from Utah [Mr. BENNETT].

The PRESIDING OFFICER. The Senator from Utah is recognized for 10 minutes.

Mr. BENNETT. Mr. President, we have just finished our work on the voting bill which again involved a decision by the Senate to invoke cloture. Fortunately, there were comparatively few amendments to be voted on, after cloture, and they could be handled in an orderly manner. The fact that they were, reminded me of the completely different situation that prevailed when the Senate a year ago was voting, after cloture, on amendments to the civil rights bill.

On 2 days, June 16 and 17, 1964, there were 56 rollcall votes on amendments which were properly before the Senate. Those 56 votes proceeded in an atmosphere of complete chaos because most of the Senators offering amendments had already used up so much of their allotted hour of debate that there was barely time available to call up many of the amendments and no time to discuss them. This resulted in action by the Senate without the creation of any legislative history. Thus, the Senate failed in its responsibility to give sufficient guidance to those in the executive branch and elsewhere to those who must interpret and apply the amendments adopted.

As an example of what has occurred because of the confusion and near chaos that prevailed on those days, I find myself today under the necessity of trying to create legislative history that should have been created then.

I offered an amendment to the Civil Rights Act of 1964 before cloture was invoked, but when I called up my amendment after cloture the Senate was driving toward final passage of the bill. Though my amendment was acceptable both to the Senator in charge of the bill, the then Senator from Minnesota, and to the minority leader, I was urged by these gentlemen not to take any time to explain the amendment. I followed their recommendations, the amendment was adopted, and now my purpose is being questioned.

That part of the bill represented by my amendment was the subject of a law review article which questioned the intent of the amendment. That article contains this statement:

> Neither title VII nor its legislative history sheds any light on this problem.

Now I find myself, nearly a year later, with the responsibility of clearing up the confusion thus inadvertently created.

In order to do that, Mr. President, I ask unanimous consent to have printed in the RECORD both the appropriate excerpt from the law review article, which raises the question, and a brief prepared by my staff which contains an explanation that should have been made last June.

There being no objection, the excerpt and brief were ordered to be printed in the RECORD, as follows:

EXCERPT FROM "EQUAL EMPLOYMENT OPPORTUNITY UNDER THE CIVIL RIGHTS ACT OF 1964," 31 BROOKLYN LAW REVIEW 62

(By Richard K. Berg, Esq.)

The final provision of section 703(h) does appear to effect a substantive change in the title. It provides: "It shall not be an unlawful employment practice under this title for any employer to differentiate upon the basis of sex in determining the amount of the wages or compensation paid or to be paid to employees of such employer if such differentiation is authorized by the provisions of section 6(d) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 206 (d))."

Section 6(d) of the Fair Labor Standards Act was added to that act by the Equal Pay Act of 1963, 77 Stat. 56, prohibiting discrimination in wages on account of sex. The quoted provision of section 703(h) was added by amendment on the Senate floor for the purpose of providing "that in the event of conflicts, the provisions of the Equal Pay Act shall not be nullified." This purpose seems reasonable enough. However, it is not clear exactly what conflicts Senator BENNETT, the sponsor of the amendment, intended to resolve. The Equal Pay Act does not affirmatively authorize any differentiation in compensation on the basis of sex. It does contain exceptions for differences in compensation based on a seniority system, a merit system, a system measuring earnings by quantity or quality of production, or any other factor other than sex. This is merely clarifying language similar to that which was already in section 703(h). If the Bennett amendment was simply intended to incorporate by reference these exceptions into subsection (h), the amendment would have no substantive effect.

Another interpretation of the Bennett amendment seems more plausible. The Equal Pay Act was an amendment to section 6 of the Fair Labor Standards Act, and its coverage is dependent on that of section 6. The provisions of section 6 are applicable to employees "engaged in commerce or in the production of goods for commerce" and to employees of certain enterprises which are "engaged in commerce or in the production of goods for commerce." These are narrower concepts than an "industry affecting commerce," the standard for title VII, *Kirschbaum Co.* v. *Walling*, 316 U.S. 517, 520–23 (1942). In addition, section 13 of the Fair Labor Standards Act, 29 U.S.C. 213, contains numerous specific exemptions from the coverage of section 6, some involving significant numbers of employees. Consequently, there are numerous employers covered by title VII who are wholly or partially exempt from the coverage of the Equal Pay Act. This is the only significant conflict which appears to exist between the two, and if the Bennett amendment is to be given any effect, it must be interpreted to mean that discrimination in compensation on account of sex does not violate title VII unless it also violates the Equal Pay Act.

This creates an anomalous situation with respect to employers affected by the Bennett amendment. They may not refuse to hire a person because of his (or her) sex, but they may discriminate with respect to compensation. Suppose the difference in compensation is so great as to make the job undesirable to members of the sex discriminated against. Arguably, this could be considered a constructive refusal to hire and not covered by the Bennett amendment. Neither title VII nor its legislative history sheds any light on this problem.

RELATION OF TITLE VII TO THE EQUAL PAY ACT: AN EXPLANATION OF THE BENNETT AMENDMENT

Section 703(h) of the Civil Rights Act of 1964 states: "It shall not be an unlawful employment practice under this title for any employer to differentiate upon the basis of sex in determining the amount of the wages or compensation paid or to be paid to employees of such employer if such differentiation is authorized by the provisions of section 6(d) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 206(d))."

The amendment speaks in terms of a "differentiation * * * authorized by the provisions of section 6(d) of the Fair Labor Standards Act."

Section 6(d) authorizes two things:

1. Wage differentials as between exempt male and female employees doing the same work; and

2. Wage differentials on equal jobs made pursuant to (i) a senority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex.

The amendment therefore means that it is not an unlawful employment practice; (a) to differentiate on the basis of sex in determining the compensation of white collar and other employees who are exempt under the provisions of the Fair Labor Standards Act; or (b) to have different standards of compensation for nonexempt employees, where such differentiation is not prohibited by the equal pay amendment to the Fair Labor Standards Act.

Simply stated, the amendment means that discrimination in compensation on account of sex does not violate title VII unless it also violates the Equal Pay Act.

Mr. BENNETT. Mr. President, to prevent this kind of situation occurring in the future, I send to the desk a resolution proposing an amendment to Senate rule XXII. It provides that each Senator who calls up an amendment after cloture and in addition to the 1 hour overall that he now has under rule XXII, the author of the amendment shall have up to an additional 5 minutes to explain that amendment. In addition, the majority leader or another Senator designated by him shall also have an additional 5 minutes to speak in opposition to each amendment called up.

This proposed change in rule XXII will not change the requirement that any amendments may be introduced after the cloture vote is taken and to prevent the use of this additional time for dilatory purposes my proposed amendment includes this language:

> No dilatory motion, or dilatory amendment, or amendment not germane shall be in order.

Admittedly, this language is not a complete answer to possible delays, but I believe that it is better to err on the side of sound legislative procedure than to operate under a rule which permits and, under some circumstances, even recognizes amendments to be voted on by the Senate with no possibility of any discussion on the proposals of the amendment or its merit or lack of it.

Mr. President, I hope that the Senate Rules Committee will take early and favorable action on this proposed amendment to rule XXII.

The PRESIDING OFFICER. The resolution will be received, printed, and appropriately referred.

The resolution (S. Res. 114) was referred to the Committee on Rules and Administration, as follows:

S. Res. 114

Resolved, That the last paragraph of clause 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, except that each Senator who offers any amendment to the same which has been presented and read before the vote to bring the debate to a close shall have five additional minutes to explain that amendment and the Majority Leader or another Senator designated by him shall have five additional minutes in which to speak in opposition to that amendment. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. DIRKSEN. Mr. President, if there is any time left, will the Senator from Utah yield?

Mr. BENNETT. I am happy to yield to the Senator from Illinois.

The PRESIDING OFFICER. Six minutes remain to the Senator from Utah.

Mr. DIRKSEN. Mr. President, without commenting on the proposal to modify rule XXII, I am somewhat surprised that the question arose with respect to the amendment.

First, it was carefully examined by me, and also by my staff, whom I deem to be competent and quite schooled in the entire 1964 Civil Rights Act.

Second, it was submitted and carefully examined by the then Senator from Minnesota and now the Vice President of the United States. We accepted it as indicated, on the basis of the intent which was in the mind of the Senator from Utah when he submitted the amendment.

I trust that that will suffice to clear up in the minds of anyone, whether in the Department of Justice or elsewhere, what the Senate intended when that amendment was accepted.

Of course, we were under great pressure at the time to try to complete action on the bill and to get it over to the other body.

I hope that the Senator from Utah will understand why we showed what might be regarded as unseemly haste, but at the time I thought it had to be done.

However, let me emphasize and pinpoint the fact that we had in mind precisely the point made by the Senator from Utah when the amendment was submitted, and I believe that the language speaks for itself.

Mr. BENNETT. Mr. President, my intention is represented by the statement I have inserted again in the Record today.

I thank the minority leader for giving me this opportunity to try to straighten out the situation, even if it is 1 year late.

Mr. DIRKSEN. Of course it is not strange that questions with respect to the intent of Congress arise from time to time. I examined a court decision, not too long ago, from one of the Circuit Courts of Appeals, which started out, I believe, with the statement, "The intent of Congress is a fiction."

Congress intends "what the court says it intends," and unless we make it abundantly clear on the floor of the Senate, and do provide legislative history from time to time, I can readily understand how the judicial branch will get so wide of the mark that we should be a little more careful. Not even speed, under the circumstances recited with respect to the 1964 Civil Rights Act, will quite condone our haste and the oversight in making legislative history.

Mr. BENNETT. I thank the Senator from Illinois for assisting me in making the record clear today.

Mr. President, I yield back the remainder of my time.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CHURCH. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 11, lines 13 and 14, it is proposed to strike out "$1,170,000,000" and insert in lieu thereof "$1,055,000,000."

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the time for the quorum come from the time of the Senator from Idaho?

Mr. CHURCH. Yes. The time may be charged to me from the time allotted on the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. CHURCH. I yield myself such time as I may require within my limitation.

I have prepared, for the convenience of Senators, a brief summary of the amendment. I do not intend to speak at length on it. It is perfectly clear what is intended by the amendment. Simply stated, it would hold the level of military assistance at $1.055 billion, which is the present level of the military assistance program. It would strike out the proposed increase of $115 million, which is now contained in the bill.

I would emphasize, first of all, that the amendment really has no effect on Vietnam. In the first place, the bill contains an allocation of money for Vietnam; the reduction involved in the amendment can be easily absorbed elsewhere in the overall program. Fifty-eight countries are scheduled to receive grant military assistance in fiscal 1966 under the projected program covered by the bill.

In the second place, Congress has amply demonstrated its willingness to vote whatever the President may request for the war in Vietnam, such as the extra $700 million appropriation recently approved for military operations in that country; and the extra $89 million which the Senate has added to the pending bill for economic development along the Mekong River. Vietnam is not really affected by the amendment.

In addition, I might point out, by way of further evidence, that if, in the future, the President should determine that more money is required for Vietnam, the bill contains two provisions by which the President could divert additional money into southeast Asia. The first provision is the President's own contingency fund, which he may use for this purpose; the second provision is the $300 million annual transfer authority by which Defense Department stocks can be drawn upon to enlarge military assistance to any country above authorized limits, when the President finds such action "vital to the security of the United

States." For these several reasons, Vietnam is not an issue here.

The purpose of the amendment is twofold. First of all, it seeks to avoid new increases in routine military assistance to countries where the existing programs are subject to serious question.

For example, the bill, as it now stands, would enlarge military assistance to both Greece and Turkey, although both countries have been on the verge of going to war with each other for the past year in the crisis over Cyprus. The bill would provide increased sums to enlarge our military assistance to both India and Pakistan, although both of those countries are now engaged in border skirmishes against each other, and the problem of a serious war between them is very imminent and real.

These countries have been using American-supplied arms and equipment, in direct contradiction of their pledges to the United States not to use American-furnished arms for purposes other than resisting Communist aggression.

Yet, despite the fact that these countries are poised on the point of war with one another, despite the fact that American equipment is being used in direct violation of pledges to the United States, we propose not only to sustain the program of arms assistance supplied to both sides, but to reward the offenders by increasing the size of the military aid we propose to give them.

How can this kind of action possibly serve the best interests of the United States?

To avoid it, to hold the program at its present level, and to preclude any reward being conferred upon countries that have violated their pledge in the use of this equipment, by increasing the program in the coming year—these constitute the first reason for the amendment.

Second, and more generally, the amendment, if adopted, would help to hold the line against the trend toward an ever-larger foreign aid expenditure by the United States. It is commonly believed that the aid program is diminishing by virtue of certain cuts that the Congress has effected in the bill in recent years. But the bill forms only part of our aid. It is a smaller part of the total program than is generally understood. So, in order to get some idea of what the overall trend has been, embracing all forms of aid given by this country, I asked the members of the Foreign Relations Committee to gather the totals for the most recent years for which the complete figures are available. Those years turned out to be fiscal years 1960, 1961, 1962, and 1963. If Senators will refer to the table that they will find on their desks, they will observe that the total aid program has been going up from $5.2 billion in 1960 to $5.8 billion in 1961, to $6.6 billion in 1962, to nearly $7 billion in 1963.

So, the second effect of the amendment would be to stem the trend toward a continually increasing general expenditure for foreign aid by the United States.

Mr. President, I ask unanimous consent that the table prepared for me by the staff of the Foreign Relations Committee be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. assistance—Net obligations and loan authorizations, fiscal years 1960–63

[In millions of dollars]

Agency	Fiscal year—			
	1960	1961	1962	1963
AID and predecessor agencies [1]	1,866	2,012	2,508	2,296
Social Progress Trust Fund			224	125
Food for peace	1,106	1,325	1,576	1,790
Export-Import Bank	305	962	535	572
Other economic programs [2]	97	88	234	363
Military	1,845	1,462	1,526	1,834
Total	5,219	5,850	6,603	6,980

[1] Includes escapees and refugees, Intergovernmental Committee for European Migration, ocean freight, voluntary relief agencies, strategic materials, American schools abroad, U.N. technical assistance, U.N. Relief Works Agency, U.N. Children's Fund, Indus Basin Development Fund, U.N. Emergency Forces, malaria eradication (WHO), North Atlantic Treaty Organization, U.N. for Congo (technical assistance), International Atomic Energy Agency, medical research (WHO), FAO world food program, community water supply (WHO).

[2] Includes civilian supplies, United Nations loans, Inter-American and related highways, Peace Corps, Philippine war damage claims, development and support (trust territories), Libyan special purpose funds, administrative area development, migration and refugee assistance, European Atomic Energy Commission, IDA, Inter-American Development Bank.

Mr. CHURCH. That, briefly, represents the argument for the amendment. I point out that it was carefully considered in the committee. It was once adopted in the committee. Then, after considerable pressure from downtown, the question was brought up for reconsideration, and in a very tight vote, the committee rejected the amendment. As I recall, the vote was 10 to 8, but it is fair to say that in that vote the majority of Senators who actually heard the testimony offered in justification of increasing the military assistance program in such places as India, Pakistan, Greece, and Turkey, voted in support of the amendment. It was finally defeated only on the strength of some proxy votes which were cast for Senators who had not had the full benefit of the testimony.

I believe the amendment is a good amendment. I hope that it will be adopted. I urge it upon the Senate with all the vigor and conviction that I possess.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. SALTONSTALL. Is the $300 million annual transfer authority which the Senator mentioned in the third paragraph of his memorandum in the military assistance program, in the foreign aid program, or in the general defense appropriation? I am not sure.

Mr. CHURCH. I shall check to be certain, but my impression is that the provision is contained in the foreign aid bill, for it permits an enlargement of military assistance over and above the limits of the bill, to the extent of $300 million, which can be taken from the stocks of the Defense Department, whenever the President determines that such additional money is vital to the security of the country.

Mr. SALTONSTALL. It is in the foreign aid bill?

Mr. CHURCH. Yes.

Mr. GRUENING. Mr. President, will the Senator yield 5 minutes?

Mr. CHURCH. I am happy to yield 5 minutes to the distinguished Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 5 minutes.

Mr. GRUENING. I rise to support the amendment. My only reservation about it is that the amount it seeks to cut is much too small. It is positively shocking that when we have been ladling out vast sums of money, for the proper purpose of aiding nations along the boundaries of Communist Russia and Communist China to resist any possible aggression that may come from those Communist nations, they are using those moneys and arms to fight each other.

The distinguished Senator from Idaho has mentioned the case of Pakistan and India—a very flagrant case. About a year ago, when it was apparent that at that time, at least, none of the nations in the Southeast Treaty Organization were coming to our assistance in Vietnam, I called attention in a Senate speech to the fact that Pakistan, which is one of the seven allies associated with us in the Southeast Treaty Organization, had received $800 million in military aid, to say nothing about $800 million in economic aid. After I had put the speech in the RECORD, I received a letter from the Ambassador of Pakistan to the United States. He wrote me in part as follows:

> You must be aware of the danger of our security posed by India, particularly as a consequence of recent developments. India is, as it has always been in the last 16 years, in an aggressive mood. Recently her military buildup has proceeded at an alarming rate. The pretext for this, as proclaimed by India, is the possibility of a clash in the future with China, even though the chances of such a clash are now regarded as negligible by all competent observers.

The Ambassador went on to say that the money which we are giving his country as a safeguard against aggression from a Communist country would necessarily be used to protect his country from possible aggression from India. At the same time we are giving India similar military aid. Since that letter was written, clashes between Pakistan and India have actually broken out. There is fighting on the border between India and Pakistan with our U.S.-supplied arms. Yet the bill would commit the folly of increasing the military allowance to both countries.

We saw a similar situation in the case of Greece and Turkey, which are likewise lined up geographically against the Communist bloc, and presumably are to use our military aid to repel communism. The bill now before us requires it. Yet when they got into a fight over Cyprus, they were using the U.S.-supplied arms against each other.

Recently, in a third case, we increased our military aid to Jordan, which at one time not so long ago was considered to be a sort of buffer state designed to soften the tension between the Arab States and Israel and not completely in the Arab bloc. But since that time Jordan has committed acts of aggression against the friendly nation of Israel.

I believe by all means that the modest reduction proposed, which would merely return the amount of military aid to the present level, should be adopted.

I also approve the comments of the senior Senator from Idaho on the fact that the overall amount of aid is steadily increasing. We were told last year and we are told again this year that the bill be a "barebones" bill. On that basis we are not supposed to cut a dollar from it. But as the Senator from Idaho has pointed out, though the amount authorized by the bill before us is $3.3 billion, we see that as recently as 1963 a total of foreign assistance of virtually $7 billion was authorized through various other agencies and that amount is now even larger. There are listed in the memorandum which the Senator has presented a number of additional agencies through which aid is funneled through additional spigots in our foreign aid program.

The distinguished senior Senator from Idaho has not listed all of the kinds of aid. I know it is rather difficult to find all of it.

Mr. CHURCH. We have made a conscientious effort to list all of it, and I am somewhat appalled that we fell short of the mark.

Mr. GRUENING. I assure the Senator that as I study the foreign aid program, I am constantly discovering new spigots previously not apprehended. I hope that the amendment will be adopted. What we should do to those nations is to serve peremptory notice on them that if they use the arms furnished to resist Communist aggression, against each other again, aid to them will be cut off completely That would be kind of vigorous, appropriate action requested in the circumstances.

So the Senator's amendment, while very helpful and one which I am happy to support, is only a slight tap on the wrist to the offending nations.

Mr. CHURCH. I agree with the Senator. I am only attempting to hold the line against further increases in programs which at best, are very dubious.

Mr. MORSE. Mr. President, will the Senator yield 3 minutes to me?

Mr. CHURCH. I yield 3 minutes to the distinguished Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. I ask unanimous consent to have printed at this point in the RECORD a brief statement I have prepared on the Church amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

Section 505 of the Foreign Assistance Act defines the utilization of military assistance. It may be used for: "(a) Military assistance to any country shall be furnished solely for internal security, for legitimate self-defense, to permit the recipient country to participate in regional or collective arrangements or measures consistent with the charter of the United Nations, or otherwise to permit the recipient country to participate in collective measures requested by the United Nations for the purpose of maintaining or restoring international peace and security."

Certain provisos that follow restrict military aid in Latin America and authorize military aid to countries for so-called civic action purposes.

Section 506 outlines conditions of eligibility. (a)(1)(C) says they shall not use or permit the use of such articles for purposes other than those for which furnished; and (a)(3) requires that the recipient "will, as the President may require, permit continuous observation and review by, and furnish necessary information to, representatives of the United States Government with regard to the use of such articles."

And finally section 506(d) states: "Any country which hereafter uses defense articles or defense services furnished such country under this act, the Mutual Security Act of 1954, as amended, or any predecessor foreign assistance act, in substantial violation of the provisions of this chapter or any agreements entered into pursuant to any of such acts shall be immediately ineligible for further assistance."

The world knows that Pakistan and Turkey are in violation of section 505(a), which was added to the law in 1963. Under section 506(d) they are no longer eligible for military assistance. Pakistan has and is using American military aid in its border war with India; Turkey has and is using American military aid in its hostilities over Cyprus. Under the law, both countries must permit American review and observation of their use of our equipment and services.

Instead of enforcing the law, the Pentagon chooses to even matters up by arming the other side. So we send more military equipment to Greece and India. I cannot understand why this administration and the Congress proceed to arm these countries in violation of our own laws.

Mr. MORSE. Mr. President, the Senator from Idaho has stated accurately what occurred in the Committee on Foreign Relations. The amendment was adopted by an overwhelming vote in the first instance. Then the Pentagon went to work with its lobbying activities. Senators who are members of the committee were visited by the "brass," and subsequently there was some change of viewpoint on the part of some Senators. On the second vote in committee, the amendment was rejected by a vote of 10 to 8.

However, in my judgment, the lobbying impression has worn off, and I believe that if we were to vote on this matter in the Committee on Foreign Relations now, the vote would be overwhelming in support of the Church amendment. I voted for the amendment then; I shall be pleased to vote for it in the Senate. I supported a similar amendment last year, as the Senator from Idaho knows. I agree with the Senator from Alaska [Mr. GRUENING]. I wish the cut were greater than it is.

Mr. President, I wish to read three paragraphs from the statement I just placed in the RECORD. I wish to speak a moment about the eligibility for military aid under the law, a law which is being winked at by our Government in place after place around the world.

Section 506(d) states:

"Any country which hereafter uses defense articles or defense services furnished such country under this Act, the Mutual Security Act of 1964, as amended, at any predecessor foreign assistance act, in substantial violation of the provisions of this chapter or any agreements entered into pursuant to any of such acts shall be immediately ineligible for further assistance."

The world knows that Pakistan and Turkey are in violation of section 505(a), which was added to the law in 1963. Under section 506(d) they are no longer eligible for military assistance. Pakistan has and is using American military aid in its border war with India; Turkey has and is using American military aid in its hostilities over Cyprus. Under the law, both countries must permit American review and observation of their use of our equipment and services.

But do not worry; such permission will not be granted, and we shall again wink at a violation of the law.

Instead of enforcing the law, the Pentagon chooses to even matters up by arming the other side. So we send more military equipment to Greece and to India. I cannot understand why this administration and the Congress proceed to arm these countries in violation of our own laws.

I wanted to cite these examples of clear violations of the law in regard to military aid, violations which I think give support to the desirability of our going at least as far as the Senator from Idaho would go. I consider it to be a most inadequate saving, but at least it would be some saving. It might set a precedent that could be used at a later date in really doing the foreign aid job that needs to be done.

Mr. CHURCH. I thank the Senator from Oregon. I yield 1 minute to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I heartily support the amendment. It would cut $115 million from the military assistance provisions of the bill. It has been curious to me that whereas Congress has indicated for many years—several years, anyway—that it wanted to phase out a large part of military assistance, we find the Pentagon, under cover of the Vietnamese crisis, and with the approval of the administration, which has absolutely nothing to do with this amendment, seeking to increase military aid by $115 million over the amount which was asked for and received last year. The excuse is that the reduction was greater than the amount that was approved last year.

Having heard all the testimony that was brought before the Committee on Foreign Relations, I am unable to agree with that contention.

As the Senator from Idaho [Mr. CHURCH] says, we are giving Greece money to fight Turkey; Turkey, money to fight Greece; Pakistan, money to fight India; and India, money to fight Pakistan. I cannot approve of that. Any increases in amounts under this program should be in the economic portions, not the military. So I shall support the amendment.

Mr. CHURCH. I thank the Senator from Pennsylvania.

Mr. President, I reserve the rest of my time, so that Senators who are opposed to the amendment may state their case.

Mr. MORSE. Mr. President, have the yeas and nays been ordered on the amendment?

Mr. CHURCH. The yeas and nays have been ordered.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To whose time is the quorum call to be charged?

Mr. SMATHERS. Mr. President, I ask unanimous consent that the time for the quorum call be charged to neither side.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield myself 3 minutes to speak in opposition to the amendment offered by the distinguished Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER. The Senator from Montana is recognized for 3 minutes.

Mr. MANSFIELD. Mr. President, I should like to point out to the Senate that the committee went into the military assistance program in great detail during its hearings and markup sessions.

The committee rejected a motion to cut military assistance by this amount, or approximately this amount. At one point the committee did agree to cut military assistance to $1,055 million, the amount authorized last year, the amount which the Senator from Idaho seeks to have as the amount this year. However, upon reconsideration and after urgent representations by the Secretary of Defense, the committee voted to restore the cut.

Unfortunately, it is necessary that much of the detailed information concerning this program is classified. But, if any Senator is interested, that information is available in the transcript now in the Foreign Relations Committee room downstairs.

There are a few general points to be made.

First. Of the total amount, more than half is proposed for only five countries—Vietnam, Korea, Turkey, Nationalist China, and Greece. A substantial cut of the total program would almost certainly have to be reflected in one of those countries, or, as an alternative, the fund would have to be transferred to other countries in order to take up the slack.

Second. The amount proposed by the amendment is equal to the lowest annual appropriation that has been made for military assistance since the program began.

In fiscal year 1964, the appropriation was also $1 billion. This accounts, in part, for the increased request this year, because it made it necessary to postpone meeting several requirements. Certainly the world is no more stable now than it was last year or 2 years ago.

I hope that this amendment will be defeated.

Mr. SMATHERS. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 3 minutes.

Mr. SMATHERS. Mr. President, at the time that this amendment was proposed in the committee, the committee had agreed to the cut.

Representation was then made to the committee members by the Secretary of Defense, Mr. McNamara, and very strenuous recommendation was made by Under Secretary George Ball—because, at that time, Secretary Rusk was out of the country—as to the essentiality of placing this money back into the program.

They pointed out that if 85 percent of this particular money were to go to countries in the periphery of the Communist empire, if at this particular stage we were to begin cutting our military program with respect to Greece, Turkey, Pakistan, and India, what we would have to do, in effect, would be to increase our own military effort sooner or later. Certainly this is no time for us to say that the world is quieting down. This is no time for us to say to the Communists "We are not on the move." This is no time for us to say logically that we should decrease our own military forces or the forces of any other friendly nation.

With that kind of representation made, as I say, by Mr. McNamara, and by Under Secretary George Ball, the committee voted to restore this amount of money.

I had hoped and expected to get by this time certain statistical information which I have not thus far received.

I am no longer a member of the committee. Therefore, I have not given to the matter the same continued interest or support that I naturally could have been expected to give had I remained on the committee. However, I well remember when the leaders of this Nation said:

> This is not the time to cut our military efforts. This is not the time to cut aid to Greece, Turkey, or Pakistan.

Every one of us thoroughly understands that if we have received any threat from the Communists up to and including the past few years, it is at this point greater than it has ever been before.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. SMATHERS. Mr. President, I yield myself 2 minutes so that I may yield to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, the Senator from Rhode Island has listened attentively to what the distinguished Senator from Florida has said. I agree with him. We need Turkey, Greece, Pakistan, and India. But, are we not deluding ourselves a little when we presume to say that if Turkey is to fight Greece or Cyprus, they will all join hands to fight the Russians?

That is logic that I cannot quite understand. If Pakistan is going to fight India, are they going to join hands and fight Russia or China?

Mr. SMATHERS. Mr. President, does the Senator want an answer?

Mr. PASTORE. Yes. The answer is very simple. It is "No." We cannot expect that two nations warring against each other will join hands because there is a threat from a third party, which party seems to be the main threat to the United States.

The only fault that I find with the amendment——

Mr. SMATHERS. The Senator is talking on my time. Does he want to ask me a question?

Mr. PASTORE. The Senator gave me the time. It is my time.

Mr. SMATHERS. Did the Senator already have the answer to the question, or did he want to ask me a question? I am happy to yield to him.

Mr. PASTORE. Mr. President, I shall vote against the amendment. I do not believe it would accomplish the purposes it seeks to accomplish.

If this were an amendment providing that we do not intend to increase aid to nations within an alliance that are fighting one another, I should vote for the amendment. But this is an overall cut.

In the kind of world in which we live today, how can we say now, on this day in June 1965, what the situation will be 4 or 5 months from now?

We would be making a horrible mistake which would endanger our own security if we were to begin to cut down on military aid. It is a meat-ax cut. There is nothing to prevent the Defense Department from putting in all the money for this purpose, up to the tune of the cut, for Greece, Turkey, or Pakistan.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Mr. President, may I have an additional 2 minutes?

Mr. SMATHERS. Mr. President, I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I thank the Senator from Florida.

There is nothing that would prevent this money from going to Pakistan or India. If this measure were amended to read that in no instance would we increase military aid to nations or alliances that are fighting one another, I should vote for the amendment. But to cut it down promiscuously—and I use that word advisedly, not knowing what the threat is going to be tomorrow—I could not support the proposal.

I hope that if my distinguished friend from Florida—if I may have his attention—disagrees with what I said, he will give me the answer.

Mr. SMATHERS. I would dislike to yield 5 minutes to the Senator to hear his speech again, but I regret to say to him that I did not hear what he said.

Mr. PASTORE. I said it loud enough.

Mr. SMATHERS. When the Senator from Rhode Island said he was going to vote against the cut, I thought that whatever he had to say after that was superfluous, that he was on the right side, and that he would make the right choice.

Regrettably, Senators who believe that this is no time to cut this particular military budget were caught a little off guard. As I said, I am no longer on the committee. The amendment came up and I was alerted while I was having lunch downstairs. I made the motion to restore the cut in committee, for the reason which the Senator from Rhode Island well expressed. He did not particularly like some of the arguments I made, but he finally got around to agreeing with me, which again proves the great judgment of the Senator from Rhode Island.

In any event, I recall very well the great concern expressed by the Secretary of Defense and the Secretary of State with respect to this cut. This was one cut they did not want, because, as the able Senator from Rhode Island has said, this was not the time to cut. If ever our Nation has been threatened, if ever the world was in turmoil, it is now.

If we bring about a sizable cut of this particular nature, all it means is that the United States will have to increase demands on its own young men. It would have to increase its own military expenditures.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MORTON. In order to vote intelligently on the amendment, I would like to get some information as to what the pipeline consists of. A $115 million cut is involved. Only 10 years ago, as I recall, back in about 1954, there was about $6 billion in the pipeline, and it has gone down to about a billion and a quarter dollars.

It is called the pipeline. It means military goods that are on order or under shipment, and so forth.

If the pipeline were substantially large, this cut would represent a relatively small percentage. However, if the pipeline were down to a minimum, because we had appropriated relatively nothing in the past 2 or 3 years, I would be inclined to vote against the amendment.

Can the Senator from Florida enlighten me as to the pipeline situation?

Mr. SMATHERS. Only to the extent that when the Secretary of Defense appeared, apparently he thought the pipeline was not good because of the fact that we have been engaged in activities in South Vietnam. The pipeline, therefore, has been depleted to a major degree. But he was sure that if we followed this particular cut, it would, in time, and apparently sometime in the near future, require the United States to make an additional request to use its own manpower and ask for additional sums of money for ourselves.

Mr. MORTON. I appreciate the reply of the able Senator.

Will the Senator from Idaho yield some time to me for elaboration of this subject?

Mr. CHURCH. I have only 4 minutes left.

Mr. MANSFIELD. Mr. President, I yield the Senator some time.

Mr. CHURCH. May I answer the question raised by the Senator from Kentucky?

As the Senator knows, there are many figures that appear in this document that are secret, but I understand the total is not. As I read the total in the pipeline, to which this bill would add additional money, the amount is just under $2 billion.

Mr. MORTON. What was it a year ago? Is that figure available?

Mr. CHURCH. I shall be glad to check again and supply the figure.

Mr. MORTON. In 1954, as I recall, there was $6 billion in the pipeline. During the next 3 or 4 years it was reduced to a total of $2 billion. During those years the administration asked for fewer funds because it was using the pipeline. If the pipeline has been reduced to an irreducible minimum, I would be inclined to oppose the amendment of the Senator from Idaho.

Mr. CHURCH. The pipeline has been running in the $2 billion plus range since 1960. I show the Senator the exact figures. The Senator can review them for himself.

Mr. MORTON. I understand that the totals are not secret. Apparently these totals are available. In 1961 the pipeline had $2,597 million. Next year it was $2,784 million. Then it was $2,421 million. The latest figure is $1,922 million. That is not too much of a drop, but it is a decided drop from what it was, because when the figure of $2 billion is reached, to me the amount is irreducible, and I shall be constrained to vote against the amendment.

Mr. SMATHERS. Mr. President, I yield myself 1 minute to read from the statement which came from the Defense Department. Let me read just two sentences:

> Thus, a cut in military assistance would result in severe reductions in Turkey and in other major countries on the Sino-Soviet periphery. Very simply, in order to maintain the vital support of our efforts in South Vietnam at the proposed level, the United States would be forced to reduce military aid to such countries as Taiwan, Pakistan, Greece, and Turkey to unacceptable levels.

Mr. FULBRIGHT. Mr. President, will the Senator yield me 1 minute?

Mr. CHURCH. I yield 1 minute to the Senator.

Mr. FULBRIGHT. This statement was made before the committee while we were appropriating with enthusiasm $700 million to pursue the war in Vietnam.

In committee I voted for this figure, which maintains it at the current level. The Senator from Rhode Island said he would be inclined not to grant military assistance to countries that were fighting each other. One of the principal reasons I voted for it in the committee was that such a cut, except in emergencies, would be assessed against those countries. That was what influenced me and some of my colleagues. It seemed rather futile to increase appropriations to countries which are more interested in fighting themselves than others. That is a part of the reason I did it.

All the turmoil around the world is not attributable to the paucity of our military appropriations. If anything, the reverse might be true. I am not convinced that it does not contribute to the turmoil.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Rhode Island.

Mr. PASTORE. That is exactly the point I make. Does the Senator from Arkansas agree that if we make the proposed cut, there is nothing under the law that would prevent the Department of Defense from putting the money wherever it might be needed?

Mr. FULBRIGHT. There are certain restrictions. It would not affect aid for Latin America. But in the overall military assistance program, which is given to us in secret—and I think there are good reasons for that—it is not set out in the law how much each country receives. That has never been the practice. There is good reason for it. But in the presentation books, they tell us how much is intended for these countries. They would be forced, it seems to me, to make a choice. Perhaps they could shift between Turkey and Greece, India and Pakistan. I am not at all sure that I am in a position to say that any certain number of dollars must come from one or the other country. All of it is in the form of a cut. I am not too particular whether it should be one or the other. There is great dissension among these countries—much jealousy among them that one country is getting more than the other. I would not tie our hands on each country. It would be bad precedent, but I would like to maintain it at approximately what it is now.

They never have lacked for military money. If they needed more, they would probably come and get another $1 billion before the end of July.

Mr. PASTORE. I am one of those who believe in the military program. I am one of those who because they are unfamiliar with the intimate facts involved must leave it to the administrators of the Government to cope with the problem. I hope that they are giving us information which is trustworthy. I am perfectly willing to accept whatever figure they suggest. I quite agree with the argument made by my distinguished colleague who is sponsoring the amendment that I believe it is absolutely fallacious in every way for us to be giving money to two nations who are warring against one another. It is idiotic.

All I am saying is that if we could write that specifically into the law, I could subscribe to it, but I cannot subscribe, at the same time, to an overall cut of a program in which I believe. All I am saying is that if we do make the cut today, there is absolutely nothing to prevent the Defense Department from allotting whatever money it wishes, either in Turkey, Greece, in Pakistan, or in India, no matter what they have been saying.

Mr. FULBRIGHT. They cannot do it all. They have to make some choices. About half of the reports from the General Accounting Office relate to waste and maladministration of the military hardware part of the program. The most distressing reports from the General Accounting Office have been those reports setting out the facts where we have supplied a substantial amount of hardware to countries which are not equipped to use them. The equipment just sits in their warehouses. It is never used. It is this kind of thing which has influenced my opinion as to whether they could absorb some reasonable cut. Anyway, it is not really a cut, it is continuing the same level as this year. It is only a cut from the increase.

Mr. GRUENING and Mr. MORSE addressed the Chair.

Mr. CHURCH. Mr. President, how much time remains to me?

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Three minutes remain to the Senator from Idaho.

Mr. CHURCH. I yield 30 seconds to the Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 30 seconds.

Mr. MORSE. I wish to say to the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Rhode Island [Mr. PASTORE], as I pointed out a few moments ago that Pakistan and Turkey are already in violation of the law itself. They are not entitled to anything, if the Government would enforce it, because they are using their military aid for purposes that are prohibited under law and so the issue that the Church amendment, I believe, takes for granted, is that it will strengthen at least the determination of our Government to take the money from Turkey and Pakistan.

Mr. GRUENING. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. Mr. President, I yield 1 minute to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 1 minute.

Mr. GRUENING. Mr. President, the basic fact is that Pakistan and India have been using money given them for defense against Communist invasion and aggression to fight each other. They have expended ammunition and used up machinery. It would seem to me not only would this cut be a distinct warning to them, but a useful instrument to deter them from military combat. We should say to them, "Look here, you have got to stop fighting each other or we are not going to give you the additional money which is intended for another purpose."

That is why I believe the amendment is extremely important and should be enacted.

Mr. CHURCH. I thank the Senator very much. I wish to point out that the provisions for which the Senator from Rhode Island has made such an eloquent plea, already exist in the law under section 620(i) in the present foreign aid bill. There is now a prohibition against giving military assistance to any country engaging in aggression, and a Presidential determination is required in that regard. The language is perfectly clear.

Mr. President, I ask unanimous consent that this section of the bill be printed here in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> (i) No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against (1) the United States, (2) any country receiving assistance under this or any other Act, or (3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954, until the President determines that such military efforts or preparations have ceased and he reports to the Congress that he has received assurances satisfactory to him that such military efforts or preparations will not be renewed. This restriction may not be waived pursuant to any authority contained in this Act.

Mr. CHURCH. Mr. President, the difficulty is that there is no effective way to enforce this kind of provision, because it necessarily must rest upon Presidential discretion. Therefore, if we are to reach this problem, we can only reach it through our control of the purse strings. If we pull back on the purse strings, we force a reassessment of priorities and accomplish our purpose.

The consistent experience of the committee has been one of continuing frustration in attempting to establish standards of the kind the Senator from Rhode Island advocates. These now exist in the law; yet, military assistance goes on.

Mr. PASTORE. Mr. President, will the Senator from Idaho yield me 30 seconds?

Mr. CHURCH. I yield 30 seconds to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 30 seconds.

Mr. PASTORE. Is it not a fact that the law specifically states that none of this money shall be given to any nation which is warring against another nation which is receiving money from the same fund? Does not the Senator believe that enforcement of the law would be an inducement to these nations to bring their aggression to a halt?

Mr. CHURCH. In reply to the Senator from Rhode Island, let me read the law. Section 620(i):

> (i) No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against (1) the United States, (2) any country receiving assistance under this or any other Act, or (3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954—

The PRESIDING OFFICER. All time of the Senator from Idaho has now expired.

Mr. CHURCH. Mr. President, I ask unanimous consent that I may proceed for 3 minutes on the bill to complete my argument.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHURCH (continuing):

> until the President determines that such military efforts or preparations have ceased and he reports to the Congress that he has received assurances satisfactory to him that such miltiary efforts or preparations will not be renewed. This restriction may not be waived pursuant to any authority contained in this Act.

Mr. President, I cannot imagine finding words that would be more definite in expressing the intent of Congress on this question. But words are not enforced. The only way Congress can influence the program is through the purse strings.

All my amendment seeks to do is to hold the military assistance program at its present level, in order to avoid increases to those very countries which are now violating their pledge to the United States by using military equipment which we have supplied to them in warring against one another.

If this does not make sense, I do not know what does.

The only way Congress can reach this matter—as the language of the present law proves—is by cutting down the amount of money available to the program. I believe that the case for my amendment is very good. Those who heard the testimony in the committee, when it came to a final vote, were in favor of the amendment.

The PRESIDING OFFICER. All the time has now expired——

Mr. PASTORE. Mr. President, is there any time left?

The PRESIDING OFFICER. The Senator from Florida [Mr. SMATHERS] has 6 minutes remaining.

Mr. SMATHERS. Mr. President, I yield 2 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 2 minutes.

Mr. PASTORE. Mr. President, the problem is a little bigger than the sponsor of this amendment has defined it.

What we are trying to prevent is giving an increase to the nations warring in violation of the intent of our aid. If I understand the law, they should be cut off from all funds.

The problem is bigger than what we are stating here. The problem which confronts us is the enforcement of the law.

Someone is derelict in his duty if we are giving out money prohibited by law. Someone positively is in dereliction of his duty if that is so. There is no question in my mind at all that it is a violation of law. I believe that what we should do if we have this problem is to come to grips with it. I do not believe that this amendment is the way to do it. We are making some kind of legislative history in the Senate today that does involve the security of the United States of America. We argue cutting down these funds. We would not be cutting down funds alone for India, for Pakistan, for Turkey, or for Greece. We would be cutting these funds down for the entire panorama of those who are on our side in our fight against communism.

I believe that it would be wrong to inflict a meat ax cut at this point. If we have a problem of violations, I hope that the Foreign Relations Committee would get together to obtain an inquiry and find out why we are giving money to nations who are violating the law.

Mr. SMATHERS. I yield myself 2 minutes.

Mr. President, I do not believe the Communists have given up their hope of someday taking Greece. I do not believe they have given up their hope of someday taking Turkey. I do not believe that whether or not Greeks or Turks happen to be fighting with each other lessens the Communist interest in taking over either one of them. We started a program in 1947 to let those countries build themselves up to the point where they could at least resist or hold the line against Communist aggression in the event it started. I do not believe that the Communists have given up their desire to take Pakistan or India. It is unfortunate that Pakistan and India are embroiled in some measure with each other. However, if we deprive them of what they need to defend themselves until we can get there if the Communists move against them, we are inviting Communist aggression and are urging them to come in. This was the argument of the Secretary of Defense and the Assistant Secretary of State before our committee.

Under the conditions as they exist throughout the world today, I believe it would be a most inopportune time to make this cut.

I yield 1 minute to the Senator from Kentucky.

Mr. MORTON. Mr. President, the statement has been made that the adoption of the Church amendment would hold the expenditures in this area of military equipment, supplies and ammunition at present levels. I point out that that statement is not correct. In the past 5 years we have made a reduction in the pipeline of $700 million. This means that the delivery of military goods amounted to the appropriation plus the diminution in the pipeline. The pipeline is at the point where it cannot be cut any more. Therefore this proposal in effect, would be a cut. How much, no one can tell, but it is an actual cut against the present level.

Mr. CHURCH. Mr. President, I yield back whatever time remains to me.

Mr. SMATHERS. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Oklahoma [Mr. Harris], the Senator from Arizona [Mr. Hayden], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Tennessee [Mr. Bass], the Senator from Maryland [Mr. Brewster], the Senator from Indiana [Mr. Hartke], the Senator from Maine [Mr. Muskie], the Senator from Oregon [Mrs. Neuberger], the Senator from Alabama [Mr. Sparkman], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Ohio [Mr. Lausche], the Senator from Washington [Mr. Magnuson], and the Senator from Alabama [Mr. Sparkman] would each vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Oklahoma [Mr. Harris]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Hawaii [Mr. Fong], and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from California [Mr. Murphy] is necessarily absent.

If present and voting, the Senator from Hawaii [Mr. Fong] and the Senator from California [Mr. Murphy] would each vote "nay."

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Kansas [Mr. Pearson]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 38, nays 43, as follows:

[No. 119 Leg.]

YEAS—38

Aiken
Allott
Anderson
Bartlett
Bayh
Bennett
Bible
Burdick
Carlson
Church
Clark
Cotton
Douglas
Ellender
Ervin
Fulbright
Gore
Gruening
Hart
Hruska
Kennedy, Mass.
Long, La.
McGovern
Montoya
Morse
Moss
Nelson
Pell
Prouty
Proxmire
Randolph
Robertson
Saltonstall
Simpson
Symington
Williams, Del.
Yarborough
Young, Ohio

NAYS—43

Boggs
Byrd, W. Va.
Cannon
Case
Cooper
Dirksen
Dodd
Dominick
Eastland
Fannin
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Mansfield
McCarthy
McGee
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Morton
Mundt
Pastore
Ribicoff
Russell, S.C.
Scott
Smathers
Smith
Stennis
Thurmond
Tower
Tydings
Williams, N.J.
Young, N. Dak.

NOT VOTING—19

Bass
Brewster
Byrd, Va.
Curtis
Fong
Harris
Hartke
Hayden
Lausche
Long, Mo.
Magnuson
McClellan
Murphy
Muskie
Neuberger
Pearson
Russell, Ga.
Sparkman
Talmadge

So Mr. Church's amendment was rejected.

Mr. SMATHERS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 241, AS MODIFIED

Mr. MORSE. Mr. President, I offer a modified version of my amendment No. 241, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated.

The Legislative Clerk. (d) At the end thereof, it is proposed to add the following new section:

> Sec. 649. Limitation on Aggregate Authorization for Use in Fiscal Years 1966 and 1967.—Notwithstanding any other provision of this Act, the aggregate of the total amounts authorized to be appropriated for use during each of the fiscal years 1966 and 1967 for furnishing assistance and for administrative expenses under this Act shall not exceed $3,000,000,000 for each such year.

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, as many Senators know, I had planned to propose an amendment that would cut the bill by $500 million. But the Senate added $89 million to the original committee bill, and $2 million in an amendment by Senator Pell. So I have picked the round number of $3 billion, which means that we would cut the bill as amended by the Senate by $443 million. Let me make clear again that instead of $500 million cut as I originally proposed, I am now proposing a cut of $443 million, leaving a round figure of $3 billion as the foreign aid figure.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. YARBOROUGH. I ask the distinguished Senator from Oregon what the amount authorized for foreign aid 2 years ago was. What was the total?

Mr. MORSE. The figures are as follows:

Total foreign aid appropriations

	Billions
1963	$3.9
1964	3.0
1965	3.25
1966 (in this bill)	3.44

Comparisons of foreign aid requests, authorizations, and appropriations

[In millions of dollars]

Year	Requested	Authorized	Appropriated
1963	4.78	4.57	3.90
1964	4.53	3.60	3.0
1965	3.52	3.51	3.25

Mr. President, the case for my amendment is found in 11 inches of condensed evidence piled on top of my desk. I know that Senators have not read these reports, but I say most respectfully that I am at a loss to understand how Members of the Senate can vote on a foreign aid bill without familiarizing themselves, at least in general, with the nature of the reports.

These are the reports of the Comptroller General of the United States. They are devastating reports of the watch dog of the expenditure of funds appropriated by Congress, by the agency that the Congress has set up to "watch dog" the expenditure of appropriated funds. These reports show the shocking waste, inefficiency, and the cause of corruption of American foreign aid around the globe.

Listen to the testimony of the Comptroller General before the Foreign Relations Committee when asked a question by the Senator from Pennsylvania [Mr. Clark]. It appears on p. 346 of the hearings:

> Senator Clark. I am not quite sure I know what you mean when you say "you can't compare." Do you mean AID is so much worse?

That is, speaking of AID in comparison with other agencies.

> Mr. Campbell (the Comptroller General). I think the AID problem of waste is greater than it is in any other civil agency.

I ask unanimous consent that the entire colloquy of Senator Clark and Mr. Campbell on this point be printed at this point in the Record.

There being no objection, the colloquy was ordered to be printed in the Record, as follows:

COMPARISON OF AID ADMINISTRATION TO OTHER GOVERNMENT AGENCIES

Senator Clark. Mr. Campbell, in the course of the very able work done by the very fine people in your agency, you range pretty far and wide across the executive branch of our Federal Government.

I am wondering if you could give us your view as to whether the administration of this AID agency is any worse than the others you audit in terms of waste or inadequate handling of the money which is appropriated to this Agency?

Mr. Campbell. Senator Clark, this, of course, is a very unusual program as you know.

Senator Clark. Fraught with unusual difficulties.

Mr. Campbell. Great difficulties: The program has serious personnel problems and my prediction is that it will have more problems because it is becoming more difficult every day to persuade capable people, in sufficient numbers, to live in the countries in which we are attempting to help out in the economic as well as the military assistance programs.

Senator Clark. Particularly when they tend to become "whipping boys."

Mr. Campbell. Well, even with our own staff, we have a great difficulty today in getting young men to live abroad as compared with 10 years ago when foreign assignments were quite popular. This takes me to the answer to your question: As far as I know, let us put Defense agencies aside, in the civil area, in which the economic assistance program would logically fall. I don't think that you can compare the problem of waste in other agencies with the problem in AID.

Senator Clark. I am not quite sure I know what you mean when you say "you can't compare." Do you mean AID is so much worse?

Mr. Campbell. I think the AID problem of waste is greater than it is in any other civil agency.

Senator Clark. Do you mean any other civil agency that you audit?

Mr. Campbell. We see them all, with the exception of a very few which are exempt from our surveillance.

Senator Clark. How about USIA?

Mr. Campbell. That would generally be comparable to the State Department's problem, as contrasted with AID's problem.

Senator Clark. You would say, of course, there is an enormous State Department establishment overseas outside of AID. Would it be your opinion that the waste in AID would be substantially greater than the regular State Department activities?

Mr. Campbell. I am not so sure. I think that from where I sit, the reports coming to me would indicate that the percentage of saving of waste is greater than it is in the State Department proper.

Senator Clark. Well, they have more money to spend.

Mr. Campbell. There would be more money to spend.

Senator Clark. I am not trying to press you for an answer you are unwilling to give.

Mr. Campbell. No, but——

Senator Clark. This program has been in the doghouse of the Congress for goodness knows how long. It is awfully easy for individuals to whom the program is unpopular to talk in generalities about waste and inefficiency and ineffective personnel. I am asking for a specific answer to a question which may not be susceptible to a specific answer. In your opinion, is that an Agency that is badly run and which Congress——

Mr. Campbell. I am glad you said it that way, Senator, because we are talking about waste. You might also be talking about an agency that is well run and in which there could be substantial waste.

Senator Clark. That is true.

Mr. Campbell. Because by the nature of its activity——

Senator Clark. And because of the individuals with whom they must deal; take the Philippine situation.

Mr. Campbell (continuing). Waste is a fundamental part of it. It may well be. But I say that the AID program is in a class by itself with respect to prospective waste.

Senator Clark. Is this not equally true of the defense program overseas?

Mr. Stovall. Except the defense purposes seem to be a little more definable.

Senator Case. You mean not military assistance?

Senator Clark. I am not talking about defense support. I am talking about the actual deployment of American troops overseas with all the attendant problems which that raises and which are not so very different from the problems which affect AID. I am seeking an answer from you as to whether you think the Defense Department and the military do a better job in eliminating waste and running an efficient shop than AID does. That is value judgment.

Mr. Campbell. In my judgment I would say the military does a better job.

Mr. MORSE. I cannot read to the Senate the confidential reports of the Comptroller General, but Senators can read them. After they leave my desk they will go back to the Foreign Relations Committee and be available to Senators there. I suggest that Senators read those so-called confidential reports. I have checked and found that I am free to read their titles. If Senators will read those confidential reports, they will know why the senior Senator from Oregon for the past several years has been urging Congress to revise and reform the foreign aid program and stop the clipping of American taxpayers out of hundreds of millions of dollars that they ought to be protected in seeing to it that they are not wasted.

Listen to some of these titles: "Inadequate Planning, Programing, and Contracting for a Fixed Communications System for the Government of Indonesia Under the Military Assistance Program." The Comptroller General went into Indonesia and came forth with his findings of shocking waste in connection with that program. Do not forget that these are examples. This is not an exhaustive, all-inclusive survey of the expenditure of hundreds of millions of American taxpayers' dollars. Do not forget that we are dealing with a program which, since 1946, has resulted in the spending of more than $111 billion of American taxpayer largess in the foreign aid program.

Listen to the title of the next secret report: "Report on Review of Military Assistance Provided to the Republic of the Philippines." It is a nice, thick volume, in which the Comptroller General found one waste after another, plus inefficiency, in the administration of the program.

One cannot read these reports and not form, reluctantly, as I have reluctantly and sadly formed, the opinion that the administration of foreign aid is honeycombed with wastrels. The administration of aid is honeycombed with personnel who are given to inefficiency because of shocking incompetency on the part of too many of the people in the administration of foreign aid.

Mr. President, one cannot read these reports of the Comptroller General without concluding that our foreign aid administration is overstaffed in one part of the world after another. The record is against foreign aid, so far as its administration protects the interests of the American taxpayer.

All that the senior Senator from Oregon has been trying to do in the years that he has been pleading for reform of foreign aid is to try to clean out the inefficiency and waste. One cannot read these reports without discovering that the Comptroller General has found out that the way foreign aid has been administered in some areas of the world has led to corruption on the part of the foreign governments that we are aiding.

It is sad to relate that the word "secret" appears on every one of these reports. In a free society, which we call a democracy, the American taxpayers, who pay the bill, ought to have this information by way of a full public disclosure. Why in the world should the American taxpayers be denied access to the evidence of the shocking inefficiency and waste of a branch of their Government called the foreign aid administration? Why should they not be told the ugly facts that exist in the administration of foreign aid? We ought to clean house with respect to foreign aid. That is all I have been asking for.

Mr. President, there is no reason why the American taxpayers should have concealed from them such vital facts as are brought out by the Comptroller General. Do we really believe in government by secrecy? Does Congress really want to support government by concealment? I say, most respectfully, that this is the way to establish a government of executive supremacy. This is the way to break down our system of checks and balances, constitutionally guaranteed to the American people, a system of three coordinate, coequal branches of government.

I know that some Senators do not like to hear what I am relating; but I say, most respectfully, that so long as Congress puts its stamp of approval upon the device of operating the Government by secrecy, the American people will lose their freedom to the extent that they are denied the protection to which they are entitled; namely, in a democracy, a full public disclosure of the public's business. So long as Congress supports the doctrine of government by secrecy, we who are in the minority have our lips sealed, because we all know that we cannot violate the doctrine of secrecy and not find ourselves in violation of the rules that are binding upon us as Senators.

I will tell the American people where they can correct this situation. They can correct it in the voting booths. They ought to start correcting it in 1966 and finish the job in 1968.

I say to the American people: You ought to make clear between now and the election of 1966 and the election of 1968 that you want government by secrecy in this country stopped, and that, therefore, you will hold to an accounting those who ask that you place your trust in them, and see whether or not they will join with those of us who want government by secrecy in this country stopped.

Let me read another title: "Waste of Funds in Construction of Shahabad Depot in Iran Under Military Assistance Program." I ask Senators to read that report and then tell me if they are so sure they were right when they voted against the motion of the senior Senator from Oregon to try to do something to reduce the amount for military aid. So many millions of dollars are being wasted in the military aid program that it is shocking that we cannot bring about the type of cuts that the Senator from Oregon, the Senator from Alaska, and other Senators have been trying to get in connection with the foreign aid program.

Let me read another title: "Inadequate Consideration Given to Utilizing Reserve Fleet Ships in Lieu of Providing New Ships to Iran Under the Military Assistance Program." If Senators will read that report, they will find another devastating report against the administration of the American foreign aid program.

Let me read another title: "Review of Military Assistance Program for a Far East Country." They will not even mention the name of the country in this one. It is awful. Read it. They even keep the name of the country a secret in the title of the document.

I am not privileged to name the country. I am privileged only to name the titles of the report. This is another example of the shocking waste of American taxpayers' dollars in connection with that report, found by our own watchdog, our own agent.

For the past several years Congress has been walking out on one of the most dedicated public spirited servants we have ever had—the Comptroller General of the United States, Mr. Campbell. In committee and on platforms across the country, I have praised him. I praise him again on the floor of the Senate. Here is a man who dares to speak the facts as he finds them. Here is a courageous public servant.

We have treated him in a very shabby fashion. Congress ought to be thanking him and not, in effect, repudiating him. That is what we are doing when we refuse to adopt amendments that would bring about reforms that he finds are called for.

Listen to the next title. "Deficiencies in the Military Assistance Program for the Spanish Army." Read it and one will have a hard time to justify our failure to vote for the necessary cuts in military aid and the clearing up of the foreign aid program.

"Review of Military Assistance Program for Indonesia." We cannot even get stopped the foreign aid program for that little military tyrant in Indonesia without putting a so-called presidential escape clause in it. When I think of the millions of dollars of the taxpayers' money that Congress has wasted by supporting that reprehensible character, the head of the Indonesian Government, I am at a loss to understand why we have not cut out, with no escape clause at all, but as a matter of principle, further aid to that tyrant.

Listen to the next title. "Furnishing of Military Assistance to Ethiopia in Excess of the Country's Ability To Effectively Utilize the Equipment." Read it and one will find a great waste of the American taxpayers' money that we have been guilty of in connection with our foreign aid in Ethiopia as to its military weapons.

Listen to the next title. "Inefficient Utilization of Personnel To Administer the Military Assistance Program in Advanced Western European Countries." Our European allies would not like to hear that one. However, for some years I have pointed out that we have been throwing away American taxpayers' money in connection with NATO.

Listen to the title of the next one. "Unnecessary or Premature Procurement of Sidewinder Missile Training Systems and Their Delivery to Foreign Countries Under the Military Assistance Program." Read it. It represents another shocking waste of the taxpayers' money.

Listen to the title of the next one: "Inadequate Administration of Military Budget Support Funds Provided to Pakistan Under the Foreign Assistance Program." Read it, and one will find again that we have been pouring down the rathole of waste millions of dollars of the American taxpayers' money. And yet some Senators plead to clean house on foreign aid. We plead to try to stop the shocking waste. What are we faced with? The waving of the flag into tatters. The argument is, "This is not the time."

Let me say for those apologists that the time will never be appropriate, for they will always find an alibi and rationalization for not proceeding to protect the American taxpayers in connection with the foreign aid program.

That is why the Senator from Oregon has been trying to bring to an end the entire program by means of the Morse amendment, the amendment that came from the committee, and other means. I would be less than honest if I were to say that I am not the most surprised man that it survived the committee, and I hope that it survives in the Senate.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Does the Senator from Oregon yield to the Senator from Maryland?

Mr. MORSE. I yield.

Mr. TYDINGS. Mr. President, how much would the amendment reduce the aggregate authorization for the fiscal year 1965–66?

Mr. MORSE. $443 million. That is my revised amendment.

Mr. TYDINGS. There would be a figure of $3 billion?

Mr. MORSE. $3 billion. That would involve a saving of $443 million.

The Senator from Maryland knows that I previously stated that I would try to cut the bill by $500 million. However, that was before the Senate added another $89 million. I thought I had better take a round figure of $3 billion. That would make a saving, as I said, of $443 million.

I am glad that the Senator asked the question. I have tried to be fair to the administration and leave it to their discretion as to where to make the cut. They will not have any difficulty. They will have no difficulty making a cut of $443 million. If they take only 10 percent of the Comptroller General's findings they will find that they can save many times $443 million within that 10 percent.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. RANDOLPH. Mr. President, I call attention to an individual case which I think reflects on the administration, or rather the mechanics, of foreign aid. I am not sure of the answer, and perhaps my senior colleague from Oregon [Mr. MORSE] has comment on the following distressing development in distribution of food in Latin America under our aid program.

I have a friend who part time lives in Iquitos, in the country of Peru. My distinguished colleagues, Senators HOLLAND and SMATHERS, who are in the Chamber, should know that my friend is from the State of Florida. I believe his family is well known to my colleagues.

He has provided me within recent days a card removed from certain foodstuff, which are being given out in that country. On the label it states, "Donated by the people of the United States of America. Not to be sold or exchanged."

This young man points out to me that the natives cannot read English, that they, of course, read Spanish—some of them read Spanish. Many cannot read any language. The label should be in the language of the country. Yet he says that the people there do not know that what we are giving them comes from the United States of America. He states further and indicates that much of our gift material is being sold in Iquitos, Peru.

This is a perplexing problem. I call it to the attention of the Senate today, not to argue for or against the pending amendment, but to caution the citizens of our country that this misuse of our largess should be eliminated.

Mr. MORSE. That goes on all over the world in connection with this program. I cannot mention the country, but one of the reports points out that we made available a large sum of aid money to a country, and they took the money and bought wheat from Australia, while, at the same time, we had wheat rotting in American storage bins in surplus.

Our Government does not like to have the Comptroller General point out those sordid facts, but this dedicated public servant, in report after report, has given the Senate and the House evidence that justifies them in making savings on the foreign aid bill.

But what are we doing? We are yielding to pressure and arm twisting. We are yielding to the greatest lobby in this country; namely, the lobby of the Pentagon, the State Department, and the AID officials. Those are the most important and powerful lobbies in the country, supported by the White House. I put the responsibility where it rests—on the front step of the White House, because it has the responsibility for cleaning up the foreign aid program.

I am at a loss to understand how these devastating reports showing shocking waste in the administration of the foreign aid program could continue to exist and the White House not insist on cleaning it up.

I read the title of the next report:

> Ineffective Programing, Delivery, and Utilization of Aircraft and Related Equipment Furnished to the Portuguese Air Force Under the Military Assistance Program.

Read it and tell me how a Senator can justify his vote in opposition to cleaning up the foreign aid program.

The next one:

> Ineffective Maintenance and Utilization of Equipment Furnished to Iran Under the Military Assistance Program.

Read it and tell the American people how Senators can justify their votes against efforts seeking to clean up the foreign aid program.

I read the next title:

> Inadequate Administration of Military Budget Support Funds Provided to Iran Under the Foreign Assistance Program.

Read that one and tell me how Senators can justify their votes against amendments of the senior Senators from Idaho and Oregon and other Senators, who have been offering amendments in good faith, trying to eliminate some of the shocking waste in the administration of the foreign aid program.

I read the next one:

> Ineffective Programing, Delivery and Utilization of Aircraft and Related Equipment Furnished to the Portuguese Air Force Under the Military Assistance Program.

Read that one and tell me if Senators are so sure of the way they voted when they cast votes against amendments trying to save the American taxpayers from the shocking waste in the administration of the military assistance program.

The next one reads:

> Review of Programing, Delivery, and Utilization of Selected Missile System Equipment Delivered to European Countries Under the Military Assistance Program.

Read that one and tell me if Senators do not believe they should have done something about supporting amendments that seek to save the American taxpayers from the shocking waste in the administration of the military assistance program.

The next one:

> Review of License Fees Being Charged the U.S. Government for the Right To Produce SS-11 Antitank Guided Missile Mutually Developed by France and the United States.

Read that report and tell me how enthusiastic Senators are about having voted against amendments that would have saved taxpayers from some of the shocking waste in the administration of the military assistance program.

The next one:

> Review of the Utilization of Army Equipment Furnished Under the Military Assistance Program for Thailand.

Senators know that if they read that one and read the other reports on Thailand they could not justify their refusal to do something about cleaning up the administration of the Foreign Aid Act. Most Senators do not know that we really finance Thailand as far as the military is concerned. We supply her additional funds for supporting assistance, which is nothing more than another military assistance program under an economic label.

I am always amused when I hear the bleeding hearts for freedom talking about freedom in southeast Asia, for in southeast Asia we do not support freedom. We support totalitarianism. In Thailand we are not supporting freedom; we are supporting a monarchy. In Thailand we are not supporting a free society; we are supporting a society that lives under a form of totalitarian government. We are pouring great sums of the American taxpayers' money into it. Yet when a few of us try to clean up the foreign-aid program, we are considered somewhat strange in some quarters for trying to stop some of the shocking waste in the administration of the foreign-aid program.

Let me read the next one:

> Review of Payments Made by the United States for Construction of Airfields in France.

Let me read the next one:

> Ineffective and Overly Costly Aspects of Military and Economic Assistance Provided to Thailand.

More waste. Let me read the next one:

> Unnecessary Dollar Grants to Iran Under the Foreign Assistance Program.

More waste.

The PRESIDING OFFICER. All the time of the Senator has expired.

Mr. MORSE. I yield myself time under the bill. I expect to use all the time in opposing the bill. I do not believe any other Senator will be opposing the bill.

Mr. FULBRIGHT. Mr. President, so far as I am concerned, there are 4 hours on the bill, which some Senators will be using. I see no reason why the Senator should not use time on the bill.

Mr. MORSE. I yield myself 10 minutes under the bill.

The next report is titled:

> Review of Economical Assistance Provided to the Republic of the Philippines for Development Purposes.

That is an account of more waste.

Now we come to a group of reports in blue. They deal with economic matters. They are not secret, but there is no more reason why these should be open to the public than the others.

The title of the first one is:

> Overprocurements Resulting from Ineffective Supply Management in Korea Under the Military Assistance Program.

The next one is:

> Unofficial Use and Overstated Needs of Commercial Type Vehicles by the Military Assistance Advisory Group and the Headquarters, Support Activity, Taipei, Republic of China.

The next one is titled:

> Review of the Local Currency Military Budget Support Program for Korea.

The matter of local currencies and the misuse of the objectives of our foreign aid program thereunder is pretty shocking.

The next one is titled:

> Questionable Aspects of Budget-Support Loan Made to the Government of Ecuador.

In reading it, Senators will find further evidence of the need to clean up the foreign aid program.

The next one is titled:

> Summary of Deficiencies Related to the Inadequate Administration of Military Budget Support Funds Provided to Certain Countries Under the Foreign Assistance Program.

The next one is titled:

> Excessive Costs Incurred for Rehabilitating to Original Appearance and Serviceability Military Equipment Donated to Foreign Nations Under the Military Assistance Program, Department of Defense.

Mr. President, I ask unanimous consent, because the reports are all of the same type, that the titles of the remaining reports be printed at this point in my remarks.

There being no objection, the titles of the reports were ordered to be printed in the RECORD, as follows:

> Unnecessary Payment by the United States of Costs Properly Chargeable to Japan for Administrative and Related Expenses of the Military Assistance Program for Japan.
>
> Followup Review of Department of Defense Action To Obtain Reimbursement From Foreign Countries for Administrative Expenses Under the Military Assistance Program.
>
> Followup Review of Department of Defense Action in Canceling Excessive Procurements and Redistributing Aircraft Spare Parts Programed for or Delivered to Portugal Under the Military Assistance Program—Department of Defense.
>
> Summary of Reviews of the Maintenance and Supply Support of Army Equipment Furnished to Far East Countries Under the Military Assistance Program.
>
> Weaknesses Involving Primarily the Disposition of Surplus Nonfat Dry Milk—Commodity Credit Corporation, Department of Agriculture.
>
> Unnecessary Costs Resulting From an Inflexible Policy of Donating Flour Instead of

Wheat to Voluntary Relief Agencies for Distribution Abroad Under the Agricultural Act of 1949, as Amended—Department of Agriculture, Agency for International Development.

Improper Payment of Port Charges on Shipments to Colombia of Food Donated Under Title III of the Agricultural Trade Development and Assistance Act of 1954—Agency for International Development.

Improper Payment of Colombian Port Charges for Surplus Agricultural Commodities Sold Under Title I, Agricultural Trade Development and Assistance Act of 1954 (Commonly Known as Public Law 480)—Department of Agriculture.

Followup Examination on Certain Aspects of U.S. Assistance to the Central Treaty Organization for a Rail Link Between Turkey and Iran—Agency for International Development, Department of State.

Inadequate Controls for Determining Compliance by Foreign Governments With Restrictions Placed on the Disposition of Agricultural Commodities Made Available Under Title I, Agricultural Trade Development and Assistance Act of 1954 (Commonly Known as Public Law 480)—Department of Agriculture, June 1963.

Understatement of Claims Against the United Arab Republic and the Federal People's Republic of Yugoslavia for Recovery of Excessive Ocean Transportation Costs Financed by the Commodity Credit Corporation Under Title I, Agricultural Trade Development and Assistance Act of 1954 (Commonly Known as Public Law 480)—Department of Agriculture.

Excessive Ocean Transportation Costs Incurred for Shipments Until Title I, Agricultural Trade Development and Assistance Act of 1954—Department of Agriculture.

Unnecessary Dollar Costs Incurred in Financing Purchases of Commodities Produced in Brazil—Agency for International Development, Department of State.

Ineffective Utilization of Excess Personal Property in the Foreign Assistance Program—Agency for International Development, Department of State.

Failure to Effectively Utilize Excess U.S.-Owned Foreign Currencies To Pay International Air Travel Ticket Costs Being Paid in Dollars—Department of State, Department of Defense, Agency for International Development, U.S. Information Agency, and other Government Agencies.

Improper Retention of Dollar Collections on Loans Made by Corporate Development Loan Fund—Agency for International Development, Department of State.

Additional Interest Costs to the United States Because of Premature Releases of Funds to the Social Progress Trust Fund Administered by the Inter-American Development Bank—Treasury Department and Agency for International Development.

Loss of Interest on U.S.-owned Foreign Currencies in the Republic of China (Taiwan)—Treasury Department, Department of State, and Agency for International Development.

Review of Certain Problems Relating to Administration of the Economic and Technical Assistance Program for Vietnam, 1958-62—Agency for International Development, Department of State.

Review of the Administration of Assistance for Financing Commercial Imports and Other Financial Elements Under the Economic and Technical Assistance Program for Vietnam, 1958-62—Agency for International Development, Department of State.

Examination of Economic and Technical Assistance Program for Turkey—Agency for International Development, Department of State, Fiscal Years 1958-62.

Undercollections of Interest and Principal in Foreign Currencies on Certain Loans to Foreign Governments—Agency for International Development, Department of State.

Ineffective Administration of U.S. Assistance to Children's Hospital in Poland—Agency for International Development and the Department of State.

Deficiency in Administration of the Earthquake Reconstruction and Rehabilitation Program for Chile—Agency for International Development, Department of State.

Examination of Certain Economic Development Projects for Assistance to Central Treaty Organization, Agency for International Development, Department of State.

Review of Economic Aspects of Loan for Construction of Water Supply System in Saigon, Vietnam, Development Loan Fund (Succeeded by Agency for International Development, Department of State).

Examination of Economic and Technical Assistance Program for Korea, International Cooperation Administration (Succeeded by Agency for International Development)—Department of State, Fiscal Years 1957-61, Part I.

Examination of Economic and Technical Assistance Program for Korea, International Cooperation Administration (Succeeded by Agency for International Development)—Department of State, Fiscal Years 1957-61, Part II.

Review of Administration and Utilization of U.S.-owned Foreign Currencies in Selected Countries.

Mr. MORSE. Mr. President, I use these titles as my argument. I do not know what more can be said than what I have said for 3 years, year after year, as I have sought in the Senate to provide a cleanup of the foreign aid program. If these reports will not move the Senate, I hope the voters will move the Senate, because that is the only way there will be a cleanup of inefficiency and waste in the Government. But I also hope that if the people who elected us to this office really want it, Senators will take the necessary steps to clean up the waste, inefficiency, and corruption.

I spoke a moment ago about the fact that this year, for the first time, in the Foreign Relations Committee I received favorable consideration of the so-called Morse amendment on foreign aid. It was modified somewhat, but I believe members of the committee at least left the heart of it there and the arteries attached to it.

Accordingly, I accepted the modification. The Morse formula on foreign aid seeks to bring to an end the present program of foreign aid from the beginning of fiscal year 1967, that we start all over with a new foreign aid program.

I am for foreign aid. I know that I am represented across the country as being some kind of neo-isolationist, that I am against all foreign aid, when exactly the opposite is true.

I happen to be for good foreign aid, not corrupt foreign aid. I am for foreign aid that will really help the United States export the greatest weapon for foreign aid it has; namely, the weapon of economic freedom to the underdeveloped areas of the world.

Thus, Mr. President, I am glad that the Morse formula is in the Senate bill. I hope that it will stay there. I wish the Senate to know that the second major feature of the Morse formula, if it becomes law, provides for a new foreign aid program at the beginning of fiscal 1967, which would be limited to 50 countries rather than to the 90 countries we are now aiding. We cannot justify spending millions of dollars of the American taxpayers' money on 90 nations.

That is the heart of the Morse formula on foreign aid.

Mr. President, I close by saying that I believe I am asking for a bare minimum when I ask for a $443 million cut in the bill, leaving $3 billion, and leaving it up to the President and his assistants to decide where the savings will be made.

I wish the Senator from New Hampshire were in the Chamber, because he and I had a talk a few moments ago concerning the pipeline. I advise Senators not to be fooled by pipeline statistics. The Senator from New Hampshire is a member of the Appropriations Committee. He said—and I believe I am quoting him correctly—that he never has been able to get an accurate account of what is really in the pipeline in view of all the confusing language used.

In my judgment, the $3 billion ceiling on this aid would leave, over, and above the $3 billion, so much money for the administration to carry on its foreign assistance program, that I am ultraconservative in asking for only a cut of $443 million, because the total foreign assistance program of this Government is nearer $7 billion than any amount which the administration talks about.

We must take into account all the other foreign aid programs which semantically are not labeled foreign aid. They are labeled foreign assistance of one kind or another. It is all American taxpayers' money. The poor taxpayers are the ones being clipped, sheared, and fleeced. I happen to believe that although it is long overdue, we should start now to carry out what I consider to be our trust, and clean up the foreign aid program—for it is a stinking mess.

Mr. President, I yield the floor.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. FULBRIGHT. With regard to the reports, I do not wish the RECORD to stand that the committee gave the Comptroller General shabby treatment, or that we ignored his reports. On the contrary, he appeared for a full day before our committee, and we adopted four or five of his suggestions, which are now incorporated in the bill, to cut down the very kind of abuse—if that is the proper word—which has taken place. We went far in accepting the suggestions of the Comptroller General as to how to deal with the abuses which are recorded in the reports which the Senator from Oregon has described. Therefore, I do not believe it is correct to say that the Comptroller General, Mr. Campbell, was given shabby treatment and that no one paid any attention to him. We paid a great deal of attention to him. The members of the Foreign Relations Committee have the greatest respect for him and believe that he is a most outstanding public servant, and has done an excellent job in supervising and trying to keep up with this extremely difficult program all over the world.

Another point I should like to make is that it is generally said—and I have seen the figures before—that $111 billion have been distributed—I believe the Senator says in foreign aid largess, leaving the impression that the foreign aid bill which is now under consideration, and its predecessor bills, have distributed $111 billion.

This is not so. There is nothing like that amount of money, according to the best figures which could be prepared for me by my staff. The AID program and its predecessor agencies—it has had two or three names—have distributed $38.2 billion of which $29.3 was in grants, and $8.8 billion was in loans.

These figures are difficult to break down into clearcut categories, but one explanation of the difference is in the food for peace program under Public Law 480, which is not the AID program which we are dealing with today, which accounts in that $111 billion for $12.1 billion. That is one example of a large item which is not in AID, but comes under the primary jurisdiction of the Committee on Agriculture and Forestry, and has at least a dual role.

One of the principal reasons for that program is to assist domestic agriculture. It was of course, incidentally, very valuable to foreign countries. There is no denying that fact, but that legislation comes under the jurisdiction of the Committee on Agriculture and Forestry.

Take the Export-Import Bank—included in the $111 billion total—which is $8.7 billion. These are loans made for the promotion of American exports and are repayable in dollars. The Export-Import Bank has been very successful. It has a large surplus.

Then there are such things as the Social Progress Trust Fund, and so forth. Many different items are involved. There are other economic programs, for example, which include some 30 separate programs, such as the British loan and subscriptions to certain international financial organizations.

For example, a subscription to the International Bank is not largess by foreign aid. That bank is extremely successful. It has a surplus of nearly $1 billion in earnings and is making substantial profits every year.

The large total of $111 billion includes all sorts of items in the area of foreign aid. It creates an entirely erroneous impression to use that figure in connection with the pending bill, because the pending bill is only one segment of the overall activities in this field.

Take the Marshall plan, for example. Of the grants of $29.3 billion which I mentioned in the AID and predecessor agencies, $13 billion was for the Marshall plan.

I believe that one clear mistake we made as a matter of policy—and the Senate is as much responsible as anyone—was that entirely too much was in grants, because we were dealing with countries which had already demonstrated their capacity for rehabilitation.

It is well, at least, to keep this general perspective in mind.

For the RECORD, I might mention that of that $111 billion, $33.6 billion consisted of straight military assistance grants, primarily for hardware.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself 5 minutes more.

Again, this is somewhat like Public Law 480. It also has a dual purpose; that is, it is in the interest of the foreign country, but it has also been presented and justified and offered year after year by the Pentagon's representatives as being in our own interest. Year after year Defense Secretaries and Chiefs of Staff have said that a dollar spent in foreign military assistance for weapons is as important to our own defense here as a dollar spent on our own forces.

Here again there is a mixed motive. It is true that it helps protect the foreign country, but it is also in our own interest.

The one point I make is that there is a large amount in that category; $77.6 billion was for economic aid. Of that $77.6 billion, $47 billion was in grants, and $30 billion has been in loans. There has already been returned, as of the end of the fiscal year, $10.3 billion. This has not all been a "rathole" operation, so to speak, as one would gather from reading the newspapers.

The credits outstanding as of June 30, 1964, were $12.1 billion. It is anticipated, based upon past experience and on what is coming due, that in calendar year 1965, $929 million will be repaid; in 1966, $931 million; 1967, $915 million; in 1968, $860 million.

While this has been a loosely administered program, nevertheless, it is nothing like a $111 billion giveaway program, about which we so often read in the newspapers, as I have said. It is something less than that.

Many other things are involved. I do not need to go into them now. There are contributions to international organizations, and so forth. I believe Senators get the picture.

According to our arithmetic, the Senator from Oregon proposes to cut $441,170,000 across the board, without any allocation as to any item. The previous amendment specifically cut a specific item, and it related to certain programs that were presented in justification of those items by the Defense Department.

The proposed cut is a cut across the board. It is not specified where the cut is to be made. That is left to the administration.

In the first place, this is a very poor way to attempt to deal with a bill as complex as this one is. The senior Senator from Oregon has complained bitterly about Congress abdicating its function. He has told how we are giving up our power to the executive department. Now he comes along and would turn over to the Executive a free rein to cut the program anywhere he wishes to cut it. The Executive could pick out the way to do it. This is not a good amendment. I believe that if he wishes to cut the program, this is not the way to cut it, with a meat-ax approach. That is a poor way to do it. If he wishes to reach this total—I am not suggesting that he do it this way, because I would be against it anyway—but if he wishes to make a cut, he should take so much out of each item. That is what the previous amendment would have done, and I favored it. I hope the Senate will reject the amendment.

Mr. MILLER. Mr. President, will the President yield?

Mr. FULBRIGHT. I yield.

Mr. MILLER. What troubles me about the bill and the pending amendment is the recent action by the Senate in appropriating $700 million for the war operations in South Vietnam, and then the other day adding another $89 million in authorizations for development of the Mekong Delta.

We have been advocating and requesting and urging our allies to join us in the operations in South Vietnam, and up to this time with very limited success. It seems to me that an argument can be made, so long as we are now involved in a fight for freedom in southeast Asia, and as long as we found it necessary only within the last few weeks to ask the taxpayers of the country to spend $789 million more in that effort, that it would be a good idea to cut back $300 million or $400 million in our foreign aid program for this year, and let our friends know that we are sorry, but since some of them are not joining us in fighting the war in South Vietnam——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself 1 more minute.

Mr. MILLER. Because some are not joining us in the fight in Vietnam, the next best thing they can do is to take a little less foreign aid. I ask the Senator from Arkansas. What is wrong with that argument? Would he respond to that argument? We are in a multimillion-dollar deficit anyway, and this would be one way to help finance the war in South Vietnam without straining our own financial resources too much.

Mr. FULBRIGHT. Does the Senator suggest that this ought to be conditioned upon no aid to those who are not helping us in South Vietnam? Is that his argument?

Mr. MILLER. Not necessarily, but it would be one approach.

Mr. FULBRIGHT. It would be a possible approach. Perhaps the Senator could tie his argument to that approach better than to nothing at all; but what we have before us is a proposal of the administration, and it deals with a great many things besides Vietnam. For example, South America is heavily involved.

I do not believe that any of us seriously believes that those countries are capable of making any contribution to the war effort in South Vietnam. We are helping them. Should we say to them, "We will give you $10 million to help yourself, but you must give us back $5 million to help South Vietnam"? That is the kind of situation in which we would find ourselves. I regret that there are not many countries helping us in South Vietnam. What they are doing is merely helping in a token fashion. I do not believe we can tie all these troubles to foreign aid. Foreign aid must stand on its own bottom. It is based on the justification and reasons that have been offered, and it must stand on that justification or on nothing at all. I do not believe we can use it as a lever for extraneous objectives. I have always objected to trying to use the bill as a means of opening the Suez Canal, for example, or to try to make somebody be good. I do not believe in that approach.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield myself 1 more minute.

I am sympathetic with the idea that we ought to have more help. Some countries will not help because they question whether we are entirely in the right in South Vietnam. Some countries, like France, have said as much. They think we are in the wrong, and therefore they will not help us. We have had differences of opinion in the the Senate, as the Senator has seen, when votes have shown a 50-50 difference of opinion on some amendments. The Senator will admit that there is argument for a difference of opinion here. There is certainly a good deal of it with respect to South Vietnam.

Mr. MILLER. Mr. President, will the Senator yield I more minute?

Mr. FULBRIGHT. I yield 1 more minute.

Mr. MILLER. I believe that if the amendment were adopted, it would not be a case of the President saying that all foreign aid to a certain country is terminated. It seems to me that he might say even to Latin American countries that we regret it very much, but due to the war in South Vietnam we shall have to ask them to sacrifice a little along with us. Our boys are dying in South Vietnam; and certain Latin American countries could well get along with a little less foreign aid. That is what he could say to those countries. I believe there would be merit to that approach. I do not understand why there would be objection to such an approach.

I thank the Senator from Arkansas.

Mr. FULBRIGHT. This is an authorization bill. If the President finds that he does not wish to give a certain amount to any of these countries, because they have not acted right, he has the authority to do so. That is why the bill does not set a specific amount for each country. It leaves that to the President's discretion. He has the discretion to make arrangements. The Senator's proposal would cut the total below what those who presented the facts to us have justified, at least in the judgment of a majority of the committee. All this will come back again and will be gone over again in the Appropriations Committees.

Whether or not the judgment of all the committees and the Congress together is infallible I shall leave for the Senator to answer. I presume there is some room for doubt about that, but that is the best I can do.

Mr. MILLER. I know I am asking the indulgence of my good friend the Senator from Arkansas and his patience, but I should like to ask one further question, and that will be all. I am advised that there is $7,340 million in the foreign aid pipeline. If the Morse amendment should be adopted, would it be the judgment of the Senator from Arkansas that there would necessarily be any particular reduction in foreign aid in the coming year in view of that pipeline?

Mr. FULBRIGHT. A moment ago when military assistance was discussed quite a statement was made on that subject. The Senator from Kentucky made an impassioned plea. He said that the pipeline was down to rockbottom, and that the proposal would be taking the very meat out of the bones or the bones out of the meat if we cut that a little more than $100 million.

Mr. MILLER. Yes. That was in relation to military assistance.

Mr. FULBRIGHT. That is a third of the program. The Senator has already gone over that, so I shall not do it again. If the Senator will wait a moment, I shall determine what the pipeline is.

The timelag on supply equipment, and so on, is a slippery area. I believe the overall pipeline has been going down. In the economic program, unexpended balances at the end of June are estimated at $3,957,339,000. That is spread over all kinds of items. For example, there are development loans. Often there is a longtime lag between the negotiations and the actual expenditure of funds. Those are the estimated unexpended funds. They may not be unobligated, but the total is the unexpended balance. It is impossible for me to say that there are so many dollars in the pipeline. The amount I have stated is not an unduly large pipeline in view of the history; and I believe it is about as low as it has ever been. This is a very slippery area.

Mr. MILLER. I thank the Senator for his response. I recognize that it is not easy to pinpoint something like that.

Mr. FULBRIGHT. It is difficult to say the exact amount.

Mr. MANSFIELD. Mr. President, I yield 10 minutes on the bill to the Senator from Oregon [Mr. MORSE].

Mr. FULBRIGHT. I have time available. I shall be glad to yield my time to the Senator if he desires it.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. MORSE. Mr. President, I should like to reply briefly to the Senator from Arkansas. First, I wish to make a correction in the figures stated in my amendment. I said that the amendment would save $459 million. The exact figure is $443 million. I shall make the correction in the RECORD. There has been a great deal of discussion of what is in the pipeline. Before I comment on what the Senator from Arkansas has said, some time ago I received from AID the figures as of March 31. That, of course, was 2½ months ago. We are close now to the end of the fiscal year, so the sum in the pipeline now is probably less.

Mr. President, I ask unanimous consent that the table I hold in my hand be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Mutual defense and development programs—Unexpended balances (*as of latest dates available*)

[In millions of dollars]

	Unliquidated obligations, Feb. 28, 1965	Unobligated balances, Mar. 31, 1965	Total unexpended balance
Economic assistance:			
Development loan	1,826.1	369.4	2,195.5
Technical cooperation and development grants	247.3	111.9	359.2
Alliance for Progress:			
Development loans	784.6	158.6	943.2
Technical cooperation and development grants	[1] 456.0	28.1	[1] 484.1
Supporting assistance	283.3	163.3	446.6
Contingency fund	65.6	[2] 51.8	[2] 117.4
International organizations and programs	32.4	16.8	49.2
American schools and hospitals abroad	13.2	3.3	16.5
Surveys of investment opportunities	.7	1.9	2.6
Administrative expenses, AID	7.8	16.0	23.8
Administrative and other expenses, State	2.1	.6	2.7
Total, economic assistance	3,719.1	921.7	4,640.8
Military assistance: Appropriated funds [3]	2,305.5	195.0	[4] 2,500.5
Total, mutual defense and development programs	6,024.6	1,116.7	7,141.3

[1] Includes $356,700,000 IDB Social Progress Trust Fund.

[2] Excludes $50,000,000 possible transfer to "Military assistance."

[3] Estimated as of Mar. 31, 1965.

[4] Includes $50,000,000 possible transfer from "Contingency fund."

Unexpended balances, foreign assistance program, military and nonmilitary[1] *including Alliance for Progress but excluding investment guarantees*

[In billions]

1950	$3.5
1951	7.1
1952	9.9
1953	10.1
1954	9.6
1955	7.9
1956	6.4
1957	6.1
1958	5.3
1959	4.8
1960	4.8
1961	6.0
1962	6.6
1963	6.8
1964	6.3
1965 (estimated)	5.9

[1] Excludes $200,000,000 public debt funds and fees for the investment guarantee program.

Mr. MORSE. Mr. President, nothing was said by the chairman that causes me to modify one iota a single word set forth in my previous speech. I stand on every word of it. Since 1946, $111 billion has been made available by the United States around the world for foreign aid and foreign assistance programs. If I correctly understand the Senator from Arkansas, he does not dispute that figure. That also is a staff figure. He points out that the money has been used for a variety of purposes.

A considerable amount of it is in loans. There are two types of loans. I did not hear any discussion from the Senator from Arkansas about the millions of dollars of so-called loans that are not loans at all but are really grants with the word "loan" describing them. They are 40- and 50-year loans at three-quarters of 1 percent interest with 10 years of a grace period in which nothing is to be paid. Then when the obligation is paid, it is to be paid in soft currency.

It is true that in recent years that type of soft loan has been shied away from, but for many years that was the common loan in the undeveloped areas.

I repeat that those loans are 40- to 50-year loans with three-quarters of 1 percent interest and a 10-year grace period with nothing at all to be paid. If payment is ever to be made—and we might as well forget about it; it never will be paid—it would be made in soft currency, which in many instances is not worth the sheets of used paper on my desk.

The chairman has said, "Of course, we made a mistake in connection with the Marshall plan. We granted them many millions of dollars under the Marshall plan without any repayment requirement."

The Senator is correct. I think we made a mistake. That is not what I am pointing out. I am pointing out what we did for our alleged allies and what our alleged allies have no intention of doing for us.

Under the Marshall plan, out of the largess of the taxpayers' money—and some of the reports of the Comptroller General show shocking wastes in that program—we built the greatest steel mills in the world. The greatest steel mills in the world do not exist in the United States today; they exist in Europe. Under that aid program we bought the greatest chemical plants in the world. They no longer exist in the United States; they exist in Europe. Under that program we built the greatest plastic plants in the world. They do not exist in the United States; they exist in Europe. In other places of the world we have built industrial plants now in competition with the United States. I am not begrudging that. But I am highly critical of the attitude of our alleged allies, including not only France, but Great Britain, and including not only France and Great Britain but the lowlands, and including not only the lowlands and France and Great Britain but all of our beneficiaries under the aid program into which we have poured millions of dollars either by way of grants or by way of soft loans or by so-called hard loans—and the hard loans are at a surprisingly low rate of interest.

Where are those allies in this time of crisis? Senators have heard me say many times during the past year that they will avoid us in Asia. They give us words but not help. Where are they in this hour of big crisis in trying to exercise their obligations of leadership to bring to an end the present growing serious threat to the peace of all the world, including themselves if the war in Asia continues unchecked?

No, Mr. President; $111 billion is the figure. Much of that $111 billion was in the form of grants; much of it was in the form of loans. We shall never see a cent of it. It will never come back to the United States.

Take a look at the record of our collection of loans. I believe we shall collect most of our hard loans, but I am talking about the aid that we have provided. I am talking about the benefits we have provided.

The time has come, after we have rehabilitated a good many of those countries, to start drawing the line.

The chairman argues about military hardware. It was to our benefit to provide some military hardware. Without it, those nations would be Communist nations today, because we stood in the way of Russia. Had we not had that courageous fight by the independent from Independence, Mo., and his predecessor, the incomparable Roosevelt, all Europe today would be Communist territory. I am a little disappointed by the short memories of many of our so-called allies in this hour of crisis.

It is all on our side of the ledger, so far as what we have done with $111 billion is concerned. What I am pleading for is that we start to taper off. The American taxpayers have a right to have the program tapered off. They have the right to expect Congress to taper it off to the very small amount of $443 million, as provided by my amendment.

As the Senator from Iowa [Mr. MILLER] has pointed out, this would have a salutary effect on our allies. It would have a salutary effect in demonstrating to the world, at long last, that there is a limit, a bottom, to the pockets of the American taxpayers, and how much we can spend on others in trying to keep communism from their shores.

I shall argue on Monday in connection with Latin American and African programs, as to which I shall offer two amendments. Representatives of African countries have spoken about their right to have foreign aid from the United States. That is what is happening. We had better put a check on that—and quickly. Now is the time to taper off. In its present form, the bill is an increase, and not a tapering off at all.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes. I do not wish to delay the vote. I hope I shall not precipitate a longer debate.

I desire to have the RECORD show that these repayments and interest from 1946 to 1964, as carried in the official summary, which I believe to be correct, amount to $11,154 million from the various so-called aid programs.

We are quibbling about what constitutes aid. I do not consider that the Export-Import Bank provides aid. We pay that ourselves. I agree with much of what the Senator from Oregon says; but he paints entirely too black a picture. One thing I detest about the foreign aid bill is that it is always a vehicle for many speeches which I think are grossly insulting to many of our allies. It is the kind of bill to inspire that kind of argument.

I do not believe that our allies are blameless. I regret that they do not agree with us more. But one of the reasons why they may not be enthusiastic about helping us in southeast Asia is that they have listened to the Senator from Oregon state to the world, for months and months, that the United States is entirely in the wrong there; so he has persuaded them that they have no business being there, and they do not take as much interest in that area as they might. But that has not much to do with this particular bill.

The effect of foreign aid would not be nearly so greatly exaggerated if we had a sensible interpretation of what aid is.

I do not consider that it is aid for me if a bank makes me a loan and charges me a reasonable rate of interest. That is what has happened in many cases. The Export-Import Bank does that. What I consider aid might be called is a grant or a soft loan. It is aid that could not be obtained under any other circumstances. It has the element of a gift or a grant or a subsidy, even though it may not be wholly a grant.

I am only trying to keep the picture in perspective. I do not deny that the United States has done more than any other country has. I do not deny that we have received shabby treatment from a few countries—not all, but a few.

That is the only point I wished to make. I am ready to vote. I do not believe the picture should be completely one sided. I do not expect to convince the Senator from Oregon; I merely want the RECORD to show that I do not accept his conclusions.

Mr. MORSE. Mr. President, will the Senator yield me 30 seconds?

Mr. FULBRIGHT. I yield the Senator 30 seconds.

Mr. MORSE. I have not convinced our alleged allies that we are wrong in southeast Asia, but——

Mr. FULBRIGHT. The Senator has done a mighty good job of it.

Mr. MORSE. I think that our illegal course of action there has convinced them that they have a good opportunity to make further economic cleanings, as is evidenced by the fact that British ships are still going into North Vietnamese ports.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment of the Senator from Oregon. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Oregon [Mrs. Neuberger], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Tennessee [Mr. Bass], the Senator from Maryland [Mr. Brewster], the Senator from Indiana [Mr. Hartke], the Senator from Montana [Mr. Metcalf], the Senator from Maine [Mr. Muskie], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Connecticut [Mr. Dodd], the Senator from Ohio [Mr. Lausche], and the Senator from Washington [Mr. Magnuson] would each vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Oklahoma [Mr. Harris]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Hawaii [Mr. Fong], and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from California [Mr. Murphy] is necessarily absent.

The Senator from Pennsylvania [Mr. Scott] is detained on official business.

If present and voting, the Senator from California [Mr. Murphy] would vote "yea."

On this vote, the Senator from Nebraska [Mr. Curtis] is paired with the Senator from Hawaii [Mr. Fong]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Hawaii would vote "nay."

On this vote, the Senator from Kansas [Mr. Pearson] is paired with the Senator from Pennsylvania [Mr. Scott]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 26, nays 54, as follows:

[No. 120 Leg.]

YEAS—26

Allott
Bible
Boggs
Burdick
Cannon
Cotton
Dominick
Eastland
Ellender
Ervin
Gruening
Hruska
Jordan, Idaho
Miller
Morse
Mundt
Proxmire
Robertson
Simpson
Stennis
Symington
Thurmond
Tower
Williams, Del.
Young, N Dak.
Young, Ohio

NAYS—54

Aiken
Anderson
Bartlett
Bayh
Bennett
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Dirksen
Douglas
Fannin
Fulbright
Gore
Hart
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Mondale
Monroney
Montoya
Morton
Moss
Nelson
Pastore
Pell
Prouty
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Smathers
Smith
Sparkman
Tydings
Williams, N.J.
Yarborough

NOT VOTING—20

Bass
Brewster
Byrd, Va.
Curtis
Dodd
Fong
Harris
Hartke
Lausche
Long, Mo.
Magnuson
McClellan
Metcalf
Murphy
Muskie
Neuberger
Pearson
Russell, Ga.
Scott
Talmadge

So Mr. Morse's amendment was rejected.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I shall offer one additional amendment today. On Monday, I shall have a series of money amendments.

I am very much interested in seeing how my colleagues feel about providing money on a country-by-country basis. We have heard talk about doing something on an individual country basis. I might get some support in this way. I shall offer this amendment first because some of my colleagues suggested that if I were to offer to cut off $200 million, they would support it.

REPUBLICANS URGE HEARINGS ON U.S. ECONOMIC POLICY CONTROVERSY

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from New York under the bill.

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed at this point in the Record an exchange of correspondence with the chairman of the Joint Economic Committee, in which I and Representative Curtis, as ranking minority members of the committee, called for a public hearing by the Joint Economic Committee, to explore the fundamental issues raised by Chairman Martin, of the Federal Reserve, in his June 1 speech before the Alumni Federation of Columbia University concerning U.S. economic policy under present economic conditions.

This request has been refused for the moment by the chairman, Representative Patman. However, we shall press the request further.

I believe that the Senate should be informed as to what has occurred.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

June 2, 1965.

Hon. Wright Patman,
Chairman, Joint Economic Committee,
House Office Building,
Washington, D.C.

Dear Mr. Chairman: William McChesney Martin's speech of June 1 before the alumni of Columbia University has forcefully brought into the open a fundamental disagreement on the future course of economic policy which exists within the executive branch. It is essential to our welfare as a nation that Chairman Martin's informed and timely warning about the economic perils which may lie ahead should be given the careful and thorough consideration which it deserves.

In the present economic context, the disagreement basically arises over whether the administration can continue to push expansionary fiscal and monetary policies without courting the dangers of a serious overheating of the economy marked by inflation and a further weakening in the international position of the dollar. The implication of Mr. Martin's speech is that such a chain of events might well lead to an economic collapse at home and throughout the free world that would be reminiscent of the 1930's.

We believe that the fundamental issues raised by Chairman Martin require immediate consideration by the Joint Economic Committee in pursuit of its responsibilities under the Employment Act of 1946. Therefore, we urge that you call hearings at the earliest possible time at which Chairman Martin, appropriate members of the administration and private witnesses might testify. We envision that such hearings would explore not only the basic issues raised by Mr. Martin about the differences and similarities between our situation today and in the 1920's, but also the outlook for the economy over the next year and the appropriate policies to deal with it.

You may recall that in August 1962 the minority of the JEC requested similar hearings in the face of mounting interest in a quickie tax cut, which many deemed necessary because of the fear of impending recession. Those hearings served a highly useful purpose in clarifying the issues and in laying to rest proposals for an emergency tax cut, which events proved unnecessary. We believe that hearings today such as we suggest would serve an equally valid and important public purpose.

With the best regards.

Sincerely,

Jacob K. Javits,
U.S. Senate, Ranking Minority Member.
Thomas B. Curtis,
Member of Congress, Ranking House Minority Member.

Congress of the United States,
Joint Economic Committee,
June 9, 1965.

Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: Your letter of June 2 raises a question that comes up in this committee every year; namely, whether to hold hearings on the economic outlook and its implications for public policy. Of course, it has the added feature this time that certain issues have risen about the situation through a speech by Chairman Martin of the Federal Reserve.

As you doubtless know, we have sometimes held hearings either in midyear or in the fall on the economic situation and outlook. When we have not it has been because either hearings were not relevant to immediate legislative purpose, or else because the congressional schedule, including the schedule of our own committee, was so heavy that it was impossible to hold hearings at a time when members could attend.

After studying the situation, it appears to me that the legislative schedule at present is so heavy that it would be extremely difficult to have such hearings in the very near future. You may be sure, however, that the suggestion which you and Congressman CURTIS made will be given further sympathetic consideration as the schedule unfolds and we know a little better whether or not this can be done without interfering with legislative schedules.

Meanwhile, I have instructed the staff to exercise unusual care to keep thoroughly apprised of economic developments and of the opinion of of outside experts so that, should there seem to be developing a strong current of opinion that the economic situation is changing, we can again review the desirability of an inquiry. The staff can apprise the committee of such developments in the situation by memorandum.

Sincerely yours,
WRIGHT PATMAN,
Chairman.

Mr. MILLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. I yield 1 minute to the Senator from Iowa.

Mr. MILLER. Mr. President, I want merely to add that I join the Senator and Representative in calling upon the Joint Economic Committee with reference to this timely and important statement.

Mr. SALTONSTALL subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD a speech by William McChesney Martin, Jr., entitled "Does Monetary History Repeat Itself?" made at the commencement day luncheon of the Alumni Federation of Columbia University on June 1, 1965, in order that the speech may be available for the full discussion that obviously will take place.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DOES MONETARY HISTORY REPEAT ITSELF?

(Address of William McC. Martin, Jr., Chairman, Board of Governors of the Federal Reserve System, before the Commencement Day Luncheon of the Alumni Federation of Columbia University, New York City, June 1, 1965)

When economic prospects are at their brightest, the dangers of complacency and recklessness are greatest. As our prosperity proceeds on its record-breaking path, it behooves every one of us to scan the horizon of our national and international economy for danger signals so as to be ready for any storm.

Some eminent observers have recently compared the present with the period preceding the breakdown of the interwar economy, and have warned us of the threats of another great depression. We should take these warnings seriously enough to inquire into their merits and to try to profit in the future from the lessons of the past.

And indeed, we find disquieting similarities between our present prosperity and the fabulous twenties.

Then, as now, there had been virtually uninterrupted progress for 7 years. And if we disregard some relatively short though severe fluctuations, expansion had been underway for more than a generation—the two longest stretches of that kind since the advent of the industrial age; and each period had been distorted in its passage by an inflationary war and postwar boom.

Then, as now, prosperity had been concentrated in the fully developed countries, and within most of these countries, in the industrialized sectors of the economy.

Then, as now, there was a large increase in private domestic debt; in fact, the expansion in consumer debt arising out of both residential mortgages and instalment purchases has recently been much faster than in the twenties.

Then, as now, the supply of money and bank credit and the turnover of demand deposits had been continuously growing; and while in the late twenties this growth had occurred with little overall change in gold reserves, this time monetary expansion has been superimposed upon a dwindling gold reserve.

Then, as now, the Federal Reserve had been accused of lack of flexibility in its monetary policy: of insufficient ease in times of economic weakness and of insufficient firmness in times of economic strength.

Then, as now, the world had recovered from the wartime disruption of international trade and finance, and convertibility of the major world currencies at fixed par values had been restored for a number of years.

Then, as now, international indebtedness had risen as fast as domestic debt; recently, in fact, American bank credits to foreigners and foreign holdings of short-term dollar assets have increased faster than in the closing years of the earlier period.

Then, as now, the payments position of the main reserve center—Britain then and the United States now—was uneasy, to say the least; but again, our recent cumulative payments deficits have far exceeded Britain's deficits of the late twenties.

Then, as now, some countries had large and persistent payments surpluses and used their net receipts to increase their short-term reserves rather than to invest in foreign countries.

Then, as now, the most important surplus country, France, had just decided to convert its official holdings of foreign exchange into gold, regardless of the effects of its actions on international liquidity.

Then, as now, there were serious doubts about the appropriate levels of some existing exchange rate relationships, leading periodically to speculative movements of volatile short-term funds.

And most importantly, then as now, many Government officials, scholars, and businessmen were convinced that a new economic era had opened, an era in which business fluctuations had become a thing of the past, in which poverty was about to be abolished, and in which perennial economic progress and expansion were assured.

If some of these likenesses seem menacing, we may take comfort in important differences between the present and the interwar situation.

The distribution of our national income now shows less disparity than in the earlier period; in particular, personal incomes, and especially wages and salaries, have kept pace with corporate profits, and this has reduced the danger of investment expanding in excess of consumption needs.

Perhaps related to that better balance, the increase in stock market credit now has been much smaller.

Instead of a gradual decline in wholesale prices and stability in consumer prices, there has now been stability in wholesale prices though consumer prices have been creeping up.

The worst defects in the structure of commercial and investment banking and of business seem to have been corrected—although we are time and again reminded of our failure to eliminate all abuses.

The potentialities of monetary and fiscal policies are, we hope, better understood—although the rise in Government expenditures even in times of advancing prosperity threatens to make it difficult to be still more expansionary should a serious decline in private business activity require it.

In spite of the rise in the international flow of public and private credit and investment, business abroad appears in general to be less dependent upon American funds. The recent restraint on the outflow of U.S. capital has had little effect on business activity abroad, in contrast to the paralyzing effect of the cessation of U.S. capital outflows in the late twenties.

While the cold war makes for sources of friction absent in the twenties, we are no longer suffering from the cancer of reparations and war debts.

We have learned the lessons taught by the failure of trade and exchange restrictions, and of beggar-my-neighbor policies in general, although the temptation to backslide is ever present.

We have become aware of our responsibility for helping those less developed countries that seem willing and able to develop their economies—although the poor countries still are not becoming rich as fast as the rich countries are becoming richer.

The International Monetary Fund has proved to be a valuable aid to a better working of the international payments system.

A network of international, regional and bilateral institutions and arrangements has reduced the danger of lack of international financial communication.

And finally, the experience of the twenties has strengthened the resolution of all responsible leaders, businessmen, and statesmen alike, never again to permit a repetition of the disasters of the great depression.

But while the spirit is willing, the flesh, in the form of concrete policies, has remained weak. With the best intentions, some experts seem resolved to ignore the lessons of the past.

Economic and political scientists still argue about the factors that converted a stock-exchange crash into the worst depression in our history. But on one point they are agreed: the disastrous impact of the destruction of the international payments system that followed the British decision to devalue sterling in September 1931. At that time, sterling was the kingpin of the world payments system, exactly as the dollar is today. While changes in the par values of other peripheral currencies affected mainly or solely the devaluing countries themselves, the fate of sterling shook the entire world.

This is not wisdom of hindsight. Only a few weeks before the fateful decision was taken, the most eminent economist of the day stated that "for a country in the special circumstances of Great Britain the disadvantages [of devaluation] would greatly outweigh the advantages" and he concurred with his colleagues in rejecting the idea. His name was John Maynard Keynes.

And soon afterwards, another great British economist, Lionel Robbins, declared that "no really impartial observer of world events can do other than regard the abandonment of the gold standard by Great Britain as a catastrophe of the first order of magnitude." This was long before the final consequences of that step had become apparent—the political weakening of the West which followed its economic breakdown and which contributed to the success of the Nazi revolution in Germany, and thus eventually to the outbreak of the Second World War and to the emergence of communism as an imminent threat to world order.

As if neither Keynes, the founder of the anti-classical school of economics, nor Robbins, the leader of the neo-classical school, ever had spoken, some Keynesian and neoclassicist economists—fortunately with little support at home but with encouragement from a few foreign observers—are urging us to follow the British example of 1931 and to act once more in a way that would destroy a payments system based on the fixed gold value of the world's leading currency. In doing so, they not only show that they have have not learned from monetary history; they also impute to our generation even less wisdom than was shown in the interwar period.

The British Government in 1931, and the U.S. administration in 1933, can rightly be accused of underestimating the adverse international effects of the devaluation of the pound and the dollar. But at least they had some plausible domestic grounds for their actions. They were confronted with a degree of unemployment that has hardly ever been experienced either before or after. They were confronted with disastrously falling prices, which made all fixed-interest obligations an intolerable burden on domestic and international commerce. They were confronted with a decline in international liquidity, which seemed to make recovery impossible.

Neither Keynes nor Robbins have denied that, from a purely domestic point of view, there was some sense in devaluation. In the United States of 1933, one worker out of four was unemployed; industrial production was little more than half of normal; farm prices had fallen to less than half of their 1929 level; exports and imports stood at one-third of their 1929 value; capital issues had practically ceased. In such a situation, any remedy, however questionable, seemer better than inaction.

In the Britain of 1931, things were not quite as bleak as in the United States of 1933; but fundamentally, the economic problems were similar. Ever since 1925, the British economy had failed to grow, and by 1931, one out of five workers had become unemployed, exports—far more important for the British economy than for our own—had declined by nearly one-half, and most observers believed that overvaluation of the British pound was largely responsible for all these ills. Can anybody in good faith find any similarity between our position of today and our position of 1933, or even the British position of 1931?

In 1931 and 1933, an increase in the price of gold was recommended in order to raise commodity prices. Today, a gold price increase is recommended as a means to provide the monetary support for world price stability. In 1931 and 1933, an increase in the price of gold was recommended in order to combat deflation; today it is recommended in effect as a means to combat inflation. In 1931 and 1933, an increase in the price of gold was recommended as a desperate cure for national ills regardless of its disintegrating effect on world commerce; today it is recommended as a means to improve integration of international trade and finance. Can there be worse confusion?

True, most advocates of an increase in the price of gold today would prefer action by some international agency or conference to unilateral action of individual countries. But no international agency or conference could prevent gold hoarders from getting windfall profits; could prevent those who hold a devalued currency from suffering corresponding losses; could prevent central banks from feeling defrauded if they had trusted in the repeated declarations of the President of the United States and of the spokesmen of U.S. monetary authorities and kept their reserves in dollars rather than in gold. To this day, the French, Belgian, and Netherlands central banks have not forgotten that the 1931 devaluation of sterling wiped out their capital; and much of the antagonism of those countries against the use of the dollar as an international reserve asset should be traced to the experience of 1931 rather than to anti-American feelings or mere adherence to outdated monetary theories.

But most importantly, no international agency or conference could prevent a sudden large increase in the gold price from having inflationary consequences for those countries that hoarded gold, and deflationary consequences for those that did not. And the gold-holding countries are precisely those whose economies are least in need of an inflationary stimulus since they are most prosperous—not prosperous because they are holding gold, but holding gold because they are prosperous; in contrast, those that do not hold gold are most in need of further expansion. Hence the inflationary and deflationary effects of an increase in the price of gold would be most inequitably and most uneconomically distributed among nations.

If we were to accept another sort of advice given by some experts, we might repeat not the mistakes of 1931–33 but those of earlier years. We are told that a repetition of the disaster of the great depression could be averted only, or at least best, by returning to the principles of the so-called classical gold standards. Not only should all settlements in international transactions between central banks be made in gold, but also the domestic monetary policy of central banks should be oriented exclusively to the payments balance, which means to changes in gold reserves. Whenever gold flows out, monetary policy should be tightened; whenever it flows in, it should be eased.

This is not the place to discuss whether this pure form of gold standard theory has ever been translated into practice. I doubt that any central bank has ever completely neglected domestic considerations in its monetary policy. And conversely, we do not need to adhere to an idealized version of the gold standard in order to agree that considerations of international payments balance need to play a large role in monetary policy decisions. But even strict adherence to gold standard principles would not guarantee international payments equilibrium. As a great American economist, John H. Williams, put it in 1937:

"For capital movements, the gold standard is not a reliable corrective mechanism. * * * With capital the most volatile item in the balance of payments, it is apt to dominate and to nullify any corrective effects which might otherwise result from the gold standard process of adjustment. * * * It is surely not a coincidence that most booms and depressions, in the 19th century as well as in the 20th, had international capital movements as one of their most prominent features."

Even countries that advocate a return to gold standard practices do not practice what they preach. Gold reserves of some continental European countries have been rising strongly and continuously for many years, and according to the rules, these countries should follow a clearly expansionary policy. But in order to offset inflationary pressures, they have done exactly the opposite—and who is there to blame a country that wishes to assure domestic financial stability even at the expense of endangering equilibrium in international payments?

But obviously, if we permit one country to violate the rules of the gold standard in order to avert domestic inflation, we must also permit another country to violate those rules in order to avert domestic deflation and unemployment. In other words, we must agree that a country may be justified in avoiding or at least modifying a tightening of monetary policy even though its gold reserves are declining, if otherwise it were to risk precipitating or magnifying a business recession.

True, this deviation from gold-standard rules could be carried too far. Domestic developments might be taken as a pretext to avoid an unpopular monetary move, although the payments situation would seem to demand it and although the action would be unlikely to be damaging to the domestic economy. But the possibility of abuse and error is inherent in all human decision, and just as no sane observer would ascribe infallibility to the decisions of central bankers, neither should he ascribe infallibility to a set of rules. Few experts today would want to argue that it was right for the German Reichsbank in 1931, in the middle of the greatest depression that ever hit Germany, to follow the gold-standard rules by raising its discount rate to 7 percent merely in order to stem an outflow of gold; or that it was right for our own Federal Reserve to take similar restrictive action, for the same reason, in the fall of 1931.

And just as the success of monetary policy cannot be guaranteed by an abdication of discretion in favor of preconceived gold-standard rules, it cannot be guaranteed by following the advice of those who would shift the focus of policy from national agencies to an international institution. Surely, international cooperation should be encouraged and improved whenever possible. And the functions of the International Monetary Fund might well be enlarged so as to reinforce its ability to act as an international lender of last resort and as an arbiter of international good behavior.

But no institutional change can exclude the possibility of conflicts between national and international interests in specific circumstances. Moreover, there is no reason to believe that such conflicts would necessarily be resolved more wisely, more speedily, and with less rancor and dissent if they were fought out in the governing body of some supranational bank of issue rather than by discussion and negotiation among national authorities.

It is true that such discussion and negotiation may prove fruitless and that inconsistent decisions may be taken on the national level. But similarly, lack of consensus within a supranational agency may result in a paralysis of its functions, and the effects of such paralysis could well be worse than those of inconsistent national actions.

If then we doubt the wisdom of the three most fashionable recent proposals—to increase the dollar price of gold, to return to pure gold-standard principles, or to delegate monetary policy to an international agency—what should be our position? And what is the outlook for solving present and future difficulties in international monetary relations, and thus for avoiding a repetition of the disasters of 1929–33?

In my judgment, it is less fruitful to look for institutional changes or for a semiautomatic mechanism that would guarantee perennial prosperity than to draw from interwar experience some simple lessons that could save us from repeating our worst mistakes.

First, most observers agree that to a large extent the disaster of 1929–33 was a consequence of maladjustments born of the boom of the twenties. Hence, we must continuously be on the alert to prevent a recurrence of maladjustments—even at the risk of being falsely accused of failing to realize the benefits of unbounded expansion. Actually, those of us who warn against speculative and inflationary dangers should return the charge: our common goals of maximum production, employment, and purchasing power can be realized only if we are willing and able to prevent orderly expansion from turning into disorderly boom.

Second, most observers agree that the severity of the great depression was largely due to the absence of prompt antirecession measures. In part, the necessary tools for this were not then available nor were their potentialities fully understood. Today it is easy to understand where observers went wrong 35 years ago. But it is less easy to avoid a repetition of the same mistake; we always prefer to believe what we want to be true rather than what we should know to be true. Here again, we need most of all eternal vigilance. But we must also be ready to admit errors in past judgments and forecasts, and have the courage to express dissenting even though unpopular views, and to advocate necessary remedies.

Third, and most importantly, most observers agree that the severity of the great depression was due largely to the lack of understanding of the international implications of national events and policies. Even today, we are more apt to judge and condemn the worldwide implications of nationalistic actions taken by others than to apply the same criteria to our own decisions.

Recognition of the close ties among the individual economies of the free world leads to recognition of the need to maintain freedom of international commerce. This means not only that we must avoid the direct controls of trade and exchange that were characteristic of the time of the great depression. It means also that we must avoid any impairment of the value and status of the dollar, which today acts—just as sterling did until its devaluation in 1931—as a universal means of international payment between central banks as well as among individual merchants, bankers, and investors.

If the dollar is to continue to play its role in international commerce, world confidence in its stability must be fully maintained; the world must be convinced that we are resolved to eliminate the long-persistent deficit in our balance of international payments. The measures taken in accordance with the President's program of February 10, 1965, have so far been highly successful. But some of these measures are of a temporary character, and these include the efforts of the financial community to restrain voluntarily the expansion of credit to foreigners. We should not permit the initial success of these efforts to blind us against the need of permanent cure.

Some observers believe that our responsibility for maintaining the international function of the dollar puts an intolerably heavy burden on our monetary policy; that this responsibility prevents us from taking monetary measures which might be considered appropriate for solving domestic problems. I happen to disagree with that view. I believe that the interests of our national economy are in harmony with those of the international community. A stable dollar is, indeed, the keystone of international trade and finance; but it is also, in my judgment, the keystone of economic growth and prosperity at home.

Yet even if I were wrong in this judgment, and if, indeed, an occasion arose when we could preserve the international role of the dollar only at the expense of modifying our favored domestic policies—even then we would need to pay attention to the international repercussions of our actions. We must consider these international effects not because of devotion to the ideal of human brotherhood, not because we value the wellbeing of our neighbors more than our own. We must do so because any harm that would come to international commerce and hence to the rest of the world as a result of the displacement of the dollar would fall back on our own heads. In the present stage of economic development we could not preserve our own prosperity if the rest of the world were caught in the web of depression. Recognition of this interdependence gave rise to the Marshall plan—in my judgment the greatest achievement of our postwar economic policy.

It should not have taken the great depression to bring these simple truths home to us. Today, as we approach the goal of the Great Society—to make each of our citizens a self-reliant and productive member of a healthy and progressive economic system—we can disregard these truths even less than we could a generation ago. By heeding them instead, we will have a good chance to avoid another such disaster. If monetary history were to repeat itself, it would be nobody's fault but our own.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. HICKENLOOPER. Mr. President, a point of order.

The PRESIDING OFFICER (Mr. Montoya in the chair). The Senator will state it.

Mr. HICKENLOOPER. I wonder if we could avoid conferences in front of the Vice President's rostrum so we can hear what is going on.

The PRESIDING OFFICER. Senators will please return to their seats.

The bill is open to further amendment.

Mr. MORSE. Mr. President, I call up my amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The Legislative Clerk. On page 22, between lines 20 and 21, it is proposed to insert the following new subsection:

(d) At the end thereof add the following new subsection:

"Sec. 649. Limitation on aggregate authorization for use in fiscal years 1966 and 1967.—Notwithstanding any other provision of this Act, the aggregate of the total amounts authorized to be appropriated for use during each of the fiscal years 1966 and 1967 for furnishing assistance and for administrative expenses under this Act shall not exceed $3,243,000,000 for each such year."

The PRESIDING OFFICER. How much time does the Senator from Oregon yield himself?

Mr. MORSE. Such time as I need, within my time limitation.

First, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, what this amendment does is to reduce the amount of money to be authorized by $200 million from not only the figure sent to the floor by the Foreign Relations Committee but the figure modified by the additional $89 million and the $2 million that the Senate voted the other day. So it is a reduction of $200 million.

Every argument I used in support of my other proposed cut this afternoon is equally applicable to this proposal.

One could take almost any one of the major Comptroller General's reports and find evidence of shocking waste in individual countries. This amendment would effect a saving of more than $200 million.

In view of the figures we have been shown involved in the pipeline, plus the report of the Comptroller General's Office, showing great waste in the administration of the foreign aid program, it is almost impossible for me to believe that the Senate would not want to join me in saving $200 million.

I rest my case.

Mr. SPARKMAN. Mr. President, I yield myself 5 minutes.

This amendment is exactly the same as the other except as to the amount. The chairman of the committee, the Senator from Arkansas [Mr. Fulbright], has quite fully discussed the merits and demerits of the amendment, as has the Senator from Oregon. I see no need for protracted debate. Therefore, if the Senator will yield back his time, I will yield back my time.

Mr. MORSE. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

All time has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Tennessee [Mr. Gore], the Senator from Oklahoma [Mr. Harris], the Senator from Arizona [Mr. Hayden], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mrs. Neuberger], the Senator from Virginia [Mr. Robertson], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Tennessee [Mr. Bass], the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. Cannon], the Senator from Indiana [Mr. Hartke], the Senator from Maine [Mr. Muskie], and the Senator from Georgia [Mr. Talmadge] are necessarily absent.

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Tennessee [Mr. Gore]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Tennessee would vote "nay."

On this vote, the Senator from Washington [Mr. Magnuson] is paired with the Senator from Connecticut [Mr. Dodd]. If present and voting, the Senator from Washington would vote "yea" and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Virginia [Mr. Robertson] is paired with the Senator from Oklahoma [Mr. Harris]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Oklahoma would vote "nay."

On this vote, the Senator from Maryland [Mr. Brewster] is paired with the Senator from Ohio [Mr. Lausche]. If present and voting, the Senator from Maryland would vote "yea" and the Senator from Ohio would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Curtis], the Senator from Hawaii [Mr. Fong], and the Senator from Kansas [Mr. PEARSON] are absent on official business.

The Senator from Colorado [Mr. DOMINICK] and the Senator from California [Mr. MURPHY] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is detained on official business.

If present and voting, the Senator from Colorado [Mr. DOMINICK] and the Senator from California [Mr. MURPHY] would each vote "yea."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Hawaii [Mr. FONG]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Hawaii would vote "nay."

On this vote, the Senator from Kansas [Mr. PEARSON] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 40, nays 35, as follows:

[No. 121 Leg.]

YEAS—40

Aiken
Allott
Bartlett
Bible
Boggs
Burdick
Carlson
Church
Cooper
Cotton
Eastland
Ellender
Ervin
Gruening
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
McIntyre
Miller
Morse
Mundt
Nelson
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Simpson
Stennis
Symington
Thurmond
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—35

Anderson
Bayh
Bennett
Byrd, W. Va.
Case
Clark
Dirksen
Douglas
Fannin
Fulbright
Hart
Hickenlooper
Inouye
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Mansfield
McCarthy
McGovern
McNamara
Metcalf
Mondale
Monroney
Montoya
Morton
Moss
Pastore
Pell
Saltonstall
Smathers
Smith
Sparkman
Williams, N.J.

NOT VOTING—25

Bass
Brewster
Byrd, Va.
Cannon
Curtis
Dodd
Dominick
Fong
Gore
Harris
Hartke
Hayden
Lausche
Long, Mo.
Magnuson
McClellan
McGee
Murphy
Muskie
Neuberger
Pearson
Robertson
Russell, Ga.
Scott
Talmadge

So Mr. MORSE's amendment was agreed to.

Mr. MORSE. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. HOLLAND. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. McGOVERN. Mr. President——

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator from South Dakota is recognized.

Mr. McGOVERN. Mr. President, I have an amendment at the desk on behalf of myself, the Senator from Missouri [Mr. SYMINGTON], the Senator from Wisconsin [Mr. NELSON], and I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 11, after line 2, insert the following:

CHAPTER 6—FOOD AND NUTRITION ASSISTANCE

SEC. 110. The sum of $50,000,000 annually is authorized to be appropriated to provide (a) $15,000,000 for protein supplements and fortification of foods, and (b) $35,000,000, for the purchase of domestically produced beef, poultry and other meats and meat products, dairy products, fish and fish products, rice and other high protein foods, in adequate supply in the United States, for donation to school lunch and similar programs in foreign countries eligible for assistance under this Act.

Mr. McGOVERN. Mr. President, I shall take only a few moments to explain the amendment. Before I do so, however, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McGOVERN. Mr. President, I ask unanimous consent to have added as cosponsors of the amendment the two Senators from Minnesota [Mr. MONDALE and Mr. MCCARTHY], the Senator from New York [Mr. KENNEDY], the Senator from Michigan [Mr. HART], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Connecticut [Mr. RIBICOFF].

Mr. DIRKSEN. Mr. President, I am wondering whether the amendment of the Senator from South Dakota is germane to the bill. We made exceptions for only two amendments, and I do not believe that his is one of them.

Mr. McGOVERN. Mr. President, my amendment relates to the condition of high protein foods to our overseas school lunch programs, and I believe that it relates to the general subject matter of the pending bill.

Mr. DIRKSEN. Mr. President, I will reserve the point.

Mr. SYMINGTON. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. I yield.

Mr. SYMINGTON. Let me say to the able minority leader that the Senator from South Dakota offered this same amendment last year in the foreign aid bill, and it was accepted by the Senate.

Mr. DIRKSEN. That does not make it germane, however.

Mr. SYMINGTON. I thought perhaps it would soften the objection of my good friend from Illinois.

Mr. DIRKSEN. It would be in a moment of generosity to let it go over, or to overlook it.

Mr. McGOVERN. Mr. President, my amendment is the same amendment which was adopted by the Senate last year in its deliberations on the foreign assistance bill.

The amendment would add authorizations for the expenditure of $50 million for the purchase of high protein foods which can be utilized in our overseas school lunch programs, and in other food programs of that kind.

At the present time, the United States is feeding some 40 million school children—boys and girls—every day in school lunch programs in approximately 80 countries.

Mr. KENNEDY of New York. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from South Dakota may proceed.

Mr. McGOVERN. I do not believe there is any single part of our overseas aid program which has returned greater dividends than the overseas school lunch efforts. The great limitation in the program to date has been in the shortage of high protein foods. We have ample supplies of cereals in our food for peace operations, and in our overseas aid programs, but there has been a critical shortage of bodybuilding foods such as beef, poultry, meat, dairy products, fish and fish products, rice, and other commodities of that kind which are included in the terms of my amendment.

Consequently, while the school lunch programs have been effective, they could be considerably more effective with the expenditure of this modest sum of money to purchase the high protein items which are available in this country and which could be made a part of our overseas school lunch effort.

Let me say again that last year the Senate adopted this amendment——

Mr. SYMINGTON. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from South Dakota may proceed.

Mr. McGOVERN. Mr. President, last year we adopted a similar amendment without any controversy. It was lost in conference. We are hopeful, on the basis of a strong showing on the yea-and-nay vote, that the Senate conferees will be able to retain it this year in the subsequent conference.

Therefore, I strongly urge the adoption of the amendment.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. ERVIN. Would the Senator's amendment increase the authorization of the amount to be appropriated by $50 million?

Mr. McGOVERN. Yes. It would have the effect of increasing the total authorization by $50 million. The funds would be expended in this country for the purchase of farm commodities which we have in great excess. The Senator knows that while there is a great humanitarian motive behind the amendment, it would also be of great value to our farm producers.

Mr. SYMINGTON. Mr. President, I shall be brief, and would associate myself with all that has been said by the distinguished Senator from South Dakota, a true expert in the field of agriculture. Anyone who is worried about the balance-of-payments problem, based on where beef purchases abroad are normally made, or anyone interested in the disposal of surplus agricultural products—aside from the appealing humanitarian aspects of the bill—would be in favor of the amendment.

Mr. BARTLETT. Mr. President, I intend to vote for the amendment of the Senator from South Dakota. It seems to me that the adoption of the amendment would serve humanitarian purposes as well as several other objectives.

I recall that approximately 2 years ago, with the acquiescence of the committee, fish was added to the food for peace program, and is now a part of the Foreign Aid Act. Fish furnishes protein that is badly needed in many places, in a highly concentrated form.

Regrettably there has been no implementation of that addition to the foreign aid law for reasons that are completely beyond me. The Bureau of the Budget has refused adamantly to make the amendment effective.

I recall that last year the Senator from Alabama and I engaged in a discussion on the floor on this subject, and he expressed, on behalf of the committee, the very strong hope that the Bureau of the Budget would clear away the barriers which have stood in the way of implementing the program and to make it effective.

This has not been done yet. I hope that soon it will be. In the meantime, because I believe that this is a very desirable and useful proposal in every way, I renew my assurance to the Senator from South Dakota that I shall vote for his amendment.

Mr. RIBICOFF. Mr. President, I commend the Senator from South Dakota, and I support him. I invite the attention of Senators to the fact that yesterday I introduced a bill of which the Senator from South Dakota is a cosponsor. It would do something for the hungry children of the United States.

At the present time our school lunch program is in effect for 9 months of the year. However, the children are hungry during the 3 months when the schools are in recess, as well as when the schools are in session. Approximately 1,600,000 youngsters get free lunch programs in the schools of our Nation for 9 months, but do not get them during the summer months.

Therefore, while we are voting $50 million for this program, it should be remembered that for a great deal less we can do something for our own youngsters, and it would, therefore, be my hope that Senators who give consideration to the amendment will also give consideration to my proposal. While we make this food available for children overseas, we should also do something for the youngsters in our own country. We can supply this additional free lunch program through recreational areas and day camps in the United States. I hope that I shall have the support of the Senator, and that other Senators and the Committee on Agriculture will give consideration to my proposal to feed the poor children in the United States as well as the children abroad.

Mr. McGOVERN. I commend the Senator for the initiative he displayed yesterday in trying to extend our school lunch program to 12 months of the year. There is a provision in the existing law to the effect that no food can be offered overseas under any of these programs until we have met all requests at home for domestic requirements. Therefore, in addition to being on sound legal grounds, the Senator is on sound moral grounds in wanting to take care of our youngsters at home. I agree that we should take care of them on a priority basis. I am happy to join him in that effort.

Mr. RIBICOFF. It is not a question of a condition. We have so much food that we cannot only feed our youngsters here at home, but also do something for those who are engaged in agriculture.

Mr. McGOVERN. I believe that anyone who is concerned about the long-range human development recognizes that protein shortages, particularly in the case of young children, do irreparable damage, both physically and mentally. Once that takes place, there is nothing that can be done to restore the youngsters to a normal mental and physical condition. They are permanently injured, and frequently must depend on aid from other sources. The school lunch programs, with balanced diets, in my opinion, will do more to strengthen the developing countries and the underdeveloped youngsters at home than anything else that we can do. It has the additional merit of doing something of value to our own farm producers here in the United States.

Therefore, I hope that the amendment will be adopted. I hope that the bill introduced by the Senator from Connecticut will be approved.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. GRUENING. Would the $50 million be in addition to the sum now authorized in the bill?

Mr. McGOVERN. Yes; it would be an addition.

Mr. GRUENING. I believe this is a very worthy project. I shall support it.

Mr. McGOVERN. I thank the Senator from Alaska.

Mr. AIKEN. I yield myself some time on the bill.

The Senator from South Dakota is making a worthy proposal, but he is making it at the wrong time and at the wrong place. The State Department is not in the least qualified to determine whether we have a surplus of a particular food, an adequate supply, or a shortage. This proposal would leave that determination to the wrong department. It should be left to the Department of Agriculture to determine the quantities of the various kinds of food that we have in this country, not to the State Department.

If the Senator from South Dakota were to make his proposal as an amendment to Public Law 480, when that comes before the Senate again, it would certainly have some merit and would be worthy of our consideration. However, it is unthinkable to leave it to the State Department to determine what is an adequate amount of food of each kind for our own requirements in this country.

Mr. SYMINGTON. If the Senator will yield. We do not leave the amount to the State Department. The Congress stipulates $50 million for excess foods surplus in the United States, to be used abroad.

Mr. AIKEN. I am not thinking of the $50 million I am thinking of transferring the work of the Department of Agriculture to the State Department.

Mr. SYMINGTON. The amendment states $50 million set by the Congress; and it would all be surplus agricultural products.

Mr. AIKEN. The amendment would permit the State Department to buy foods which are in adequate supply in this country. It would, as I read the amendment, give to the State Department authority to determine what foods are in adequate supply. I am sorry that no copies of the amendment are available to Senators, but I have been to the desk twice to read the amendment. As I read it, the State Department would determine what foods are in adequate supply. I realize that they would have good intentions. Perhaps, as the Senator from Connecticut has said, their intentions might be too good. We do not wish to take a chance. For example, we have been running into a shortage of powdered milk for the school lunch program. We have been running into a shortage of butter for the school lunch program. The shortage has been such that, since the 16th of March to the 2d of June, five carloads of oleomargarine have been shipped into the State of Vermont—at a time when we have been producing a surplus of butter in the State. I do not like that at all. The State Department might say that butter is needed for foreign countries. The Senator from Arkansas is happy about that movement of oleomargarine.

Mr. FULBRIGHT. It is good for people; it makes them strong and healthy.

Mr. AIKEN. The State Department is not qualified in any way to make a decision as to what foods are in adequate or surplus supply. We do not wish to take any steps that will remove the handling of Public Law 480 from the Department of Agriculture and turn it over to some agency that is so unqualified as is the State Department.

Mr. McGOVERN. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. McGOVERN. Would the Senator find the amendment more acceptable if we could obtain unanimous consent to add the words "adequate supply as determined in consultation with the Department of Agriculture?"

Mr. AIKEN. That language would certainly improve the amendment a great deal. But I would dislike to take the step of transferring to the State Department the task of determining surplus foods or foods said to be in adequate supply from the Department of Agriculture. I had thought of the wording which the Senator from South Dakota has suggested. It would certainly improve the amendment.

Mr. McGOVERN. Mr. President, if the Senator will yield further——

Mr. AIKEN. I yield.

Mr. McGOVERN. I ask unanimous consent that the amendment be modified to read, after the words "in adequate supply," "in consultation with the Secretary of Agriculture."

Mr. AIKEN. I would rather that the words be "as agreed to by the Secretary of Agriculture." "The words "in consultation" are bad words. I do not like them at all.

Mr. McGOVERN. I would accept the language proposed by the Senator from Vermont.

Mr. AIKEN. I am not proposing any language.

Mr. McGOVERN. I propose that the amendment be so modified. I had assumed that even with the existing language no foreign aid administrator would try to determine whether a commodity was in adequate supply without a conference with the Secretary of Agriculture. But I believe the language I have stated should be added if it would give further reassurance.

Mr. AIKEN. The proposal would modify the amendment, but I do not like the idea of giving authority to the State Department to do something after consultation with the Department of Agriculture, because such action would give the State Department the whip hand, and that Department should not have it when it comes to the handling of the food commodities of our country.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. HOLLAND. Mr. President, reserving the right to object, I should like to ask the Senator from Arkansas [Mr. FULBRIGHT] how much time I may have.

Mr. FULBRIGHT. I yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. I shall not object, because I wish the amendment to have whatever form the Senator from South Dakota desires it to have. But I strongly protest against the adoption of the amendment. The committee of which I happen to be a longtime member, though not the chairman—and I speak only because the chairman does not happen to be on the floor of the Senate—has jurisdiction over the school lunch program and the special school milk program, both of which are involved in the particular question under discussion. The subcommittee of which I happen to be the chairman, the Subcommittee on Agricultural Appropriations, has jurisdiction over appropriations related to those programs. We have just completed long and exhaustive hearings. We have not yet marked up the bill. We would never think of giving any jurisdiction of either of those programs to the Department of State. A long time ago we attempted it under Public Law 480. I shall cite a specific example. The question involved was rice for Japan. Serious trouble arose because of objections that the Department of State made to the completion of the contract for the supply of rice to Japan. There was a long continuing conflict which blocked the operation of Public Law 480 for a good long time.

I served on the committee which evolved Public Law 480 and on the conference committee which worked out the final form of the law. The amendment would go far to destroy the framework of Public Law 480 and the policy established by that law. I hope that the Senator will not insist upon enlarging the foreign aid program by an additional $50 million to put into it something which in effect would amend Public Law 480, delivering a most important program, which is a part of the Public Law 480 program, to the Department of State or one of its agencies—AID—for administration.

I have already said that I shall not object to the request of the distinguished Senator for a modification of his amendment, a modification which would permit the Department of Agriculture to come in as an adviser. That is a very different thing from having a program, as in every other feature of Public Law 480, and all the things in connection with it, as well as the school lunch program and the school milk program, a part of the agricultural program of this Nation.

I do not believe that this is the right time, the right place or the right bill for the injection of such an amendment. For that reason I strongly protest against the addition of the amendment to the bill on the floor of the Senate, an amendment which in effect, whether so worded or not, would amend Public Law 480, and take jurisdiction from the Department of Agriculture, which we have carefully provided for, and which controlling interest has proven highly desirable in many fields, and place it under the jurisdiction of the Department of State.

I hope that the amendment will be defeated. I withdraw my objection to the amendment requested by the Senator from South Dakota.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota to modify his amendment?

Mr. COTTON. Mr. President, reserving the right to object, I should like to make a parliamentary inquiry.

The PRESIDING OFFICER. Who yields time for that purpose?

Mr. DIRKSEN. Mr. President, under the bill I yield 2 minutes or 3 minutes, whichever the Senator desires.

Mr. COTTON. Mr. President, I do not desire 3 minutes. I require only a half minute.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for one-half minute.

The Senator will state his inquiry.

Mr. COTTON. I should like to know what is being requested. After prolonged colloquy, the distinguished Senator from South Dakota asked unanimous consent to insert language into the amendment. What language is proposed to be inserted in the amendment?

The PRESIDING OFFICER. The words "as agreed to by the Secretary of Agriculture." That is the requested modification of the amendment.

Mr. COTTON. I thank the Chair. I withdraw the reservation of objection.

The PRESIDING OFFICER. Is there objection to the proposed modification of the amendment of the Senator from South Dakota? There being no objection, the modification is agreed to.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield 1 minute to me?

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Delaware under the bill.

Mr. WILLIAMS of Delaware. I have been reading the amendment. It does not seem to me that it is germane to the bill which is now before the Senate. I make the point of order that the amendment is not in order.

The PRESIDING OFFICER. The Senator will explain his position on the germaneness of the amendment.

Mr. WILLIAMS of Delaware. I believe that the Chair will find that under the unanimous-consent agreement the amendment must be germane. I do not recall anything in the bill dealing with this particular subject. That is the reason I make the point of order that the amendment is not germane to the bill.

The PRESIDING OFFICER. Does the Senator from South Dakota wish to be heard on the point of order?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MANSFIELD. I should like to be heard, not so much on the point of order, but to point out that yesterday when unanimous consent was agreed to, two exceptions were made for the distinguished Senator from New York [Mr. JAVITS], and I would hope that that agreement will be taken into consideration at this late moment.

Of course, if we had known about it yesterday, we could have made an exception; but we did not know about it at that time.

The PRESIDING OFFICER. Does the Senator from Delaware insist upon his point of order?

Mr. WILLIAMS of Delaware. Yes.

Mr. McGOVERN. Mr. President, I should like to be heard. I cannot think of anything that comes more squarely within the field of foreign assistance than help for hungry children in underdeveloped countries, and of making available urgently needed food for undernourished children overseas. If that is not germane to the purposes of the bill, then I fail to understand the meaning of foreign aid.

I believe the amendment comes squarely within the context of the overall purpose of the proposed legislation. It makes a contribution to the development of human beings, which is the ultimate resource and is the most important resource in any country.

If we are truly interested in helping countries to get on their feet and move ahead, we ought to support the kind of language contained in my amendment. I believe it is entirely germane to the purpose of the bill.

Mr. WILLIAMS of Delaware. Mr. President, I do not question the intent of the amendment. It has merit. But it should be considered by the committee. It was not before the committee. It contemplates an entirely new program which has had no consideration whatsoever. It relates to a subject that has not been dealt with in the bill.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Chair is ready to rule.

In view of the unanimous-consent agreement requiring that no amendment that is not germane to the provisions of the bill shall be received, except the two amendments to be offered by the Senator from New York [Mr. JAVITS]; and in view of the further fact that the bill under consideration is S. 1837, the title of which is "To amend further the Foreign Assistance Act of 1961, as amended, and for other purposes," including its different parts and chapters—chapter 1—Policy; chapter 2—Development Assistance, title 1 of which relates to the Development Loan Fund; title 2, to Technical Cooperation and Development Grants; and title 3, to Investment Guaranties; chapter 3—International Organizations and Programs; chapter 4—Supporting Assistance; chapter 5—Contingency Fund; part II, chapter 2—Military Assistance; part III, chapter 1—General Provisions, which does not encompass any of the subject matter of the amendment; chapter 2—Administrative Provisions; chapter 3—Miscellaneous Provisions; part IV, Programs for Fiscal Years Beginning After June 30, 1967, including Termination of Existing Programs and Proposals for Future Programs, none of which relates to any subject closely akin to the subject of the amendment—the Chair is compelled to rule, reluctantly, that the point of order is well taken.

Mr. AIKEN. Mr. President, I wish to make it clear that I do not oppose the purpose of the amendment of the Senator from South Dakota [Mr. McGovern]. It is meritorious. However, I oppose the transfer of the distribution and handling of food products in this country from the Department of Agriculture to the Department of State. In my opinion, the Department of State is completely unqualified to carry on this work. Public Law 480 is administered by the Department of Agriculture. I believe it has done an effective job. I am not in a mood to agree to the transfer of the adminstration of that act to the Department of State, because it does not have the personnel or any other qualification that is required to do this work.

The PRESIDING OFFICER. The Chair has already ruled on the amendment.

Mr. MANSFIELD. Mr. President, I am about to appeal from the ruling of the Chair.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield before he makes his appeal? I should like to make a statement that may have a bearing on what the Senator is about to say.

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, I have conferred with the Senator from South Dakota. I have no understanding with him at all, but I give to him this assurance. Although the Senator from Louisiana [Mr. Ellender], chairman of the Committee on Agriculture and Forestry, is not in the Chamber, but since I am the chairman of the subcommittee which would consider such proposed legislation, I have told the Senator from South Dakota that if he will offer his proposal as an amendment to Public Law 480, I will assure him of an early hearing so far as the Senate committee is concerned. I feel certain that the Senator from Louisiana will stand back of my assurance given on the floor of the Senate.

I hope that the regular way of handling this proposal will appeal to the distinguished Senator from South Dakota as being the preferable manner, rather than to try to force the amendment into this bill in such a way as to be, in effect, an amendment of Public Law 480. I do not believe such an amendment would be proper in a bill of this kind because it has not been considered by the appropriate legislative committee.

I thank the majority leader for yielding time to me.

Mr. FULBRIGHT. Mr. President, I yield myself 1 minute. I very much favor the amendment. Last year I took a similar amendment to conference, it was impossible to hold the amendment in conference.

I think it is a fine amendment. I would hope that the Committee on Agriculture and Forestry would consider and favorably report such an amendment. It is entirely appropriate and ought to be included in Public Law 480.

I would have been glad to handle this kind of amendment, and I had hoped the Senate might be able to approve it. But in view of the Chair's ruling sustaining the point of order, I assume that the Senate would not approve the amendment at this time.

Mr. HOLLAND. Mr. President, I observe in the Chamber the ranking minority member of the Committee on Appropriations. He is also the ranking member of the subcommittee to which I have referred. I am sure that he, too, would cooperate in arranging an early hearing if the amendment were offered in the form I have suggested.

Mr. MANSFIELD. Mr. President, I had considered appealing from the ruling of the Chair, not because I disagreed with what the Chair had ruled—he is on solid ground; not because I disagree with the objective of the distinguished Senator from South Dakota, because I agree with him 100 percent; not because I disagree with what the senior Republican in this body said as to where the responsibility for the disposition of surplus products should lie, whether in the Department of State or the Department of Agriculture. I think it should be in the Department of Agriculture, so there is no argument in that respect.

I would hope, on the basis of assurances made, that the distinguished Senator from South Dakota would consider the possibilities of having his worthwhile proposal attached to Public Law 480 when it comes before the Senate. I think that on the basis of the case he has made, he could expect, without doubt, support from both sides of the aisle, because most of the statements made were not against the idea advanced, but against the peculiar and particular circumstances in which it was encased.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. AIKEN. Mr. President, in my opinion, it will not be necessary, for the Senator from South Dakota to wait until Public Law 480 expires next year in order to make his proposal. The Committee on Agriculture and Forestry will start hearings next Wednesday on general agricultural legislation. The hearings will probably continue for 2 weeks. There is no reason why the Senator from South Dakota cannot make his proposal before the Committee on Agriculture and Forestry, of which he is a member. I am sure that some of us, at least, will give his proposal a sympathetic hearing.

I do not want to start the business of transferring agricultural work and the disposal of agricultural commodities to the tender mercies of the Department of State. Perhaps that Department is good intentioned; but I feel certain that it lacks the qualifications which the Department of Agriculture has.

Mr. McGOVERN. Mr. President, I appreciate the assurances of counsel for the majority leader and the distinguished Senator from Vermont [Mr. Aiken]. I also appreciate the consideration of the Senator from Florida [Mr. Holland] with regard to his indication that early consideration can be given to the proposal. I appreciate, further, the consideration of the Senator from Arkansas [Mr. Fulbright]. I am sure that my cosponsors will agree that, in view of the peculiar parliamentary limitations that we are facing, we should not appeal the ruling of the Chair. We shall proceed to secure consideration through other channels.

The PRESIDING OFFICER. The bill is open to further amendment.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, there will be no further action taken on amendments tonight.

It is the hope of the leadership that it will be possible to complete consideration of this measure on Monday, and, if it is at all possible and means staying a little late, I would advise Senators to be prepared for such a possibility.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTRUCTION OF CERTAIN SCHOOL FACILITIES FOR CHILDREN IN PUERTO RICO, WAKE ISLAND, GUAM, OR THE VIRGIN ISLANDS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business (S. 1837) be laid temporarily aside and that the Senate proceed to the consideration of Calendar No. 298, H.R. 5874.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 5874) to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare with amendments on page 2, after line 11, to insert a new section, as follows:

SEC. 2. The fourth sentence of section 6(a) of the Act of September 30, 1950, as amended (20 U.S.C. 241 (a)) is amended to read as follows: "For the purpose of providing such comparable education, personnel may be employed and the compensation, tenure, leave, hours of work, and other incidents of the employment relationship may be fixed without regard to the Civil Service Act and rules (5 U.S.C. 631 et seq.) and the following: (1) the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.); (2) the Annual and Sick Leave Act of 1951, as amended (5 U.S.C. 2061 et seq.); (3) the Federal Employees' Pay Act of 1945, as amended (5 U.S.C. 901 et seq.); (4) the Veterans' Preference Act of 1944, as amended (5 U.S.C. 851 et seq.); and (5) the Performance Rating Act of 1950, as amended (5 U.S.C. 2001 et seq.)."

And, on page 3, after line 2, to insert a new section, as follows:

SEC. 3. The last sentence of section 203(a)(2) of the Act of September 30, 1950, as amended, is repealed.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An Act to amend Public Law 815, Eighty-first Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education, to amend section 6(a) of Public Law 874, Eighty-first Congress, relating to conditions of employment of teachers in dependents' schools, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report, No. 311, explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE BILL, AS AMENDED

H.R. 5874 passed the House of Representatives on March 15, 1965. It was considered by the Senate Committee on Labor and Public Welfare on June 8, 1965, and ordered reported favorably to the Senate with two amendments. Section 1 of the reported bill contains unchanged the language of H.R. 5874 as it passed the House of Representatives. The committee-added amendments, discussed below, appear as sections 2 and 3 in the reported bill.

Section 1, if enacted, would permit the Commissioner of Education to construct minimum school facilities necessary for the education of children residing with a parent employed by the United States, though not residing on Federal property in Puerto Rico, Wake Island, Guam, or the Virgin Islands, under certain conditions. These conditions are, that the Commissioner determine, after consultation with the appropriate State educational agency (1) that the construction or provision of such facilities is appropriate to carry out the purposes of this act (Public Law 81-815), (2) that no local educational agency is able to provide suitable free public education for such children, and (3) that English is not the primary language of instruction in schools in the locality. Section 1 of H.R. 5874 would therefore amend section 10 of Public Law 81-815.

CONSOLIDATION OF TWO JUDICIAL DISTRICTS OF THE STATE OF SOUTH CAROLINA

Mr. RUSSELL of South Carolina. Mr. President, I ask unanimous consent that the pending business (S. 1837) be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 292, S. 1620.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1620) to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. RUSSELL of South Carolina. Mr. President, I send an amendment to the desk on behalf of myself and the senior Senator from South Carolina [Mr. THURMOND] and ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment is as follows: Beginning with line 3 on page 5, strike out through line 13 on page 6 and substitute the following:

SEC. 3. When the term of office of either the United States attorney for the eastern district of South Carolina or the United States attorney for the western district of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States attorney for the district of South Carolina as provided by section 501 of title 28 of the United States Code. Until the United States attorney for the district of South Carolina has been appointed as herein authorized and has qualified, the United States attorney for the eastern district of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the district of South Carolina, and the United States attorney for the western district of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the district of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized, and qualification of a United States attorney for the district of South Carolina, the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

SEC. 4. When the term of office of either the United States marshal for the eastern district of South Carolina or the United States marshal for the western district of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States marshal for the district of South Carolina as provided by section 541(a) of title 28 of the United States Code. Until the United States marshal for the district of South Carolina has been appointed as herein authorized and has qualified the United States marshal for the eastern district of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States marshal and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the district of South Carolina, and the United States marshal for the western district of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United marshal and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the district of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized and qualification of a United States marshal for the district of South Carolina the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1620

An act to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 121 of title 28 of the United States Code is amended to read as follows:

"§ 121. SOUTH CAROLINA

"South Carolina constitutes one judicial district comprising ten divisions.

"(1) The Charleston Division comprises the counties of Beaufort, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Georgetown, and Jasper.

"Court for the Charleston Division shall be held at Charleston.

"(2) The Columbia Division comprises the counties of Kershaw, Lee, Lexington, Richland, and Sumter.

"Court for the Columbia Division shall be held at Columbia.

"(3) The Florence Division comprises the counties of Chesterfield, Darlington, Dillon, Florence, Horry, Marion, Marlboro, and Williamsburg.

"Court for the Florence Division shall be held at Florence.

"(4) The Aiken Division comprises the counties of Aiken, Allendale, Barnwell, and Hampton.

"Court for the Aiken Division shall be held at Aiken.

"(5) The Orangeburg Division comprises the counties of Bamberg, Calhoun, and Orangeburg.

"Court for the Orangeburg Division shall be held at Orangeburg.

"(6) The Greenville Division comprises the counties of Greenville and Laurens.

"Court for the Greenville Division shall be held at Greenville.

"(7) The Rock Hill Division comprises the counties of Chester, Fairfield, Lancaster, and York.

"Court for the Rock Hill Division shall be held at Rock Hill.

"(8) The Greenwood Division comprises the counties of Abbeville, Edgefield, Greenwood, McCormick, Newberry, and Saluda.

"Court for the Greenwood Division shall be held at Greenwood.

"(9) The Anderson Division comprises the counties of Anderson, Oconee, and Pickens.

"Court for the Anderson Division shall be held at Anderson.

"(10) The Spartanburg Division comprises the counties of Cherokee, Spartanburg, and Union.

"Court for the Spartanburg Division shall be held at Spartanburg."

(b) The existing district judgeships for the Eastern District of South Carolina, the Western District of South Carolina, and the Eastern and Western Districts of South Carolina heretofore provided for by section 133 of title 28 of the United States Code shall hereafter be district judgeships for the District of South Carolina and the present incumbents of such judgeships shall henceforth hold their offices under section 133, as amended by this Act.

(c) In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this section in the number of districts in the State of South Carolina, such table is amended by striking out the following:

"South Carolina:

Eastern	1
Western	1
Eastern and Western	2"

and inserting in lieu thereof the following:

"South Carolina .... 4".

SEC. 2. In compliance with section 132 of title 28 of the United States Code the District Courts for the Eastern and Western Districts of South Carolina are hereby consolidated into, and shall henceforth constitute, a single District Court for the District of South Carolina. No loss or interruption of the jurisdiction of the consolidated District Court for the District of South Carolina over cases and controversies heretofore decided by or now pending in the District Courts for the Eastern and Western Districts of South Carolina shall result from such consolidation. The District Court for the District of South Carolina shall appoint a clerk who shall supersede the clerks of the District Courts for the Eastern and Western Districts of South Carolina and who shall maintain his office at Columbia until the court otherwise directs pursuant to sections 457 and 751(c) of title 28 of the United States Code. The presently existing records of the District Courts for the Eastern and Western Districts of South Carolina shall be placed in his custody.

SEC. 3. When the term of office of either the United States attorney for the Eastern District of South Carolina or the United States attorney for the Western District of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States attorney for the district of South Carolina as provided by section 501 of title 28 of the United States Code. Until the United States attorney for the district of South Carolina has been appointed as herein authorized and has qualified, the United States attorney for the Eastern District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the district of South Carolina, and the United States attorney for the Western District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States attorney and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the district of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized and qualification, of a United States attorney for the district of South Carolina the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

SEC. 4. When the term of office of either the United States marshal for the Eastern District of South Carolina or the United States marshal for the Western District of South Carolina, holding office on the date of enactment of this Act, has expired, the President is authorized to appoint a United States marshal for the District of South Carolina as provided by section 541(a) of title 28 of the United States Code. Until the United States marshal for the District of South Carolina has been appointed as herein authorized and has qualified, the United States marshal for the Eastern District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States marshal and to perform the duties of such office in the Charleston, Columbia, Orangeburg, Florence, and Aiken divisions of the District of South Carolina, and the United States marshal for the Western District of South Carolina holding office on the date of enactment of this Act shall continue to serve as a United States marshal and to perform the duties of such office in the Greenville, Rock Hill, Greenwood, Spartanburg, and Anderson divisions of the District of South Carolina. In the event a vacancy, other than a vacancy resulting from expiration of term, arises in either of such offices prior to the appointment as herein authorized and qualification of a United States marshal for the District of South Carolina the incumbent of the other such office shall also perform the duties of the office in which the vacancy occurs until such appointment and qualification.

SEC. 5. All deputy clerks, clerical assistants, and other employees of the clerks, all court reporters, all probation officers and their clerical assistants, all referees in bankruptcy and their clerical assistants, all United States commissioners and all other presently serving officers and employees of the United States District Courts for the Eastern and Western Districts of South Carolina shall henceforth be officers or employees, as the case may be, of the United States District Court for the District of South Carolina and shall hold their offices or employment under and perform their duties for that court. All presently serving assistant United States attorneys and clerical assistants of the United States attorneys and all presently serving deputy marshals and clerical assistants of the United States marshals appointed for the Eastern or Western District of South Carolina shall henceforth hold their offices or employment for the District of South Carolina.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. RUSSELL of South Carolina. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. RUSSELL of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 304), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to amend (a) section 121 of title 28 of the United States Code, to provide that South Carolina constitutes 1 judicial district comprising 10 divisions. This measure would consolidate the eastern and western districts of the State of South Carolina into a single judicial district and would upon enactment achieve a measure of economy in the operation of the U.S. district court within the State and contribute to a more efficient administration of court business.

STATEMENT

This proposed legislation has the approval of the congressional delegation of South Carolina, the Fourth Circuit Judicial Council, the Judicial Conference of the United States, and the late Honorable Olin D. Johnston, who urged and introduced this measure on March 25, 1965.

MASSACHUSETTS RESIDENTS CALL FOR ENACTMENT OF GI BILL

Mr. YARBOROUGH. Mr. President, public demand for enactment of the cold war GI education bill increases with each passing day. I ask unanimous consent that a petition calling for passage of the GI bill signed by several hundred residents of the Commonwealth of Massachusetts, and the signatures themselves, together with a letter of transmittal from Mr. Arthur E. Waite, of Foxboro, dated June 5, 1965, be printed in the RECORD at this point.

There being no objection, the petition, together with the letter of transmittal and signatures thereto, were ordered to be printed in the RECORD, as follows:

FOXBORO, MASS.,
June 5, 1965.

Hon. Senator YARBOROUGH:

Enclosed are a few hundred signatures of residents of the Commonwealth of Massachusetts who are in favor of bill S. 9, the cold war GI bill, 1965.

I recently read in the newspaper that the bill has just been approved by the Labor and Public Welfare Committee on an 11 to 5 vote. Congratulations.

As a member of the Marine Corps League, I am seeing to it that your proposed bill (S. 9) is brought to the floor of our State convention which takes place next weekend and given an endorsement of the Massachusetts Marine Corps League.

I would certainly appreciate it if you could tell me of the procedure this bill must go through before being brought to the floor of Congress for the vote, and the approximate time you think it will get there.

Yours truly,

ARTHUR E. WAITE.

PETITION FOR PASSAGE OF BILL S. 9

The undersigned residents of the Commonwealth of Massachusetts request immediate action and passage of bill S. 9.

This act, known as the Cold War Veterans Readjustment Assistance Act, proposed in the 89th Congress, 1st session, is now in the Committee on Labor and Public Welfare.

We urge immediate action and passage as it would be an additional benefit to the country as well as the veterans who served it.

Arthur E. Waite, Arthur A. Levesqeue, Foxboro; Frank F. Miller, Walpole; Margaret Gecewicz, John Gecewicz, Norwood; Lawrence P. Morcer ET, ISS U.S. Navy (Ret.); Debra A. Moran; Kevin L. Van Den Bergh, Foxboro; Beverly Johnson, Ruth Johnson, Edward F. Carberry, Barbara A. Carberry, Walpole; Paul E. Kelly, Marguerite S. Kelly, Ronald C. Jurgens, Carol A. Jurgens, Donald E. Mackie, Jane Mackie, Foxboro; Epke R. Mackie, Walpole; Robert J. Cunningham, Norwell; James Simpson, Cambridge; Anthony P. Meninn, Canton; Eileen P.

Roche, Edward E. Mackie, Phyllis M. Jones, Anna F. Ellis, Frank Cassidy, Margaret Cassidy, Judith A. O'Rourke, Audrey J. Caskie, Richard A. Koffinkey, William J. Ruff, Richard E. Funch, Walter R. Angus, Norman G. Desprey, Walpole.

Louis Spada, Dedham; Joseph E. Guewz, Canton; Edwin Ahola, Norwood; Warren Johnson, Stoughton; John Fernandes, Duxbury; J. N. Armand Montembault, New Bedford; Raymond Ferrone, George P. Wyende, Brockton; Thomas J. Costi, Fall River; Milton Creiger, Mattapan; Salvatore J. Romanelli, Canton; Lenwood Savage, Stoughton; David Leverson, Mattapan; Ernest M. Gillis, Brockton; Lucius D. Mendes, South Easton; John Barbos, Sharon; Joseph Gonahue, Hyde Park; Joseph Powers, Sharon; Charles Green, Roxbury.

David S. Conner, Joan H. Conner, Donald F. Barradas, Doris M. Barradas, William R. Buckley, Rosemarie A. Buckley, Antoinette Donnelly, Harold H. Donnelly, Jr., Richard Sullivan, Nancy B. Sullivan, Harold T. Crossley, George A. Rau, Foxboro; Daniel Antonelli, Jr., John J. Flagg, West Newton; Robert LeBlanc, Billingham; Ann Waite, Canton.

Millicent Cherry, William W. Cherry, Walpole; Rafel L. Keyes, Fall River; Clifford R. Nelson, Needham; Alfred S. Ferguson, Ruth P. Ferguson, Walpole; Howard S. Freedman, Sharon; James S. Wright, Winchester; Joseph E. Smith, Greenfield; Eugene E. Elmes, Westwood; Charles T. Booth, Paul J. Bruneau, South Walpole.

Salin S. Zilfi, Mrs. Helen Zilfi, Sami Zilfi, Norwood, Mrs. Mildred Johnson, Elizabeth O. Miller, Lawrence M. Hewins, Eva H. Hewins, Walpole; Mrs. Dorothy M. Waite, Foxboro; George S. Johnson, Emma F. Kamp, Mrs. Mary Lawson, Walpole; Elin E. Johnson, Mrs. C. P. Johnson, Norwood; Kenneth R. Towle, Evelyn R. Towle, Walpole; Francis E. Johnson, Norwood; Mary S. Pearson, Foxboro.

Tony Borros, Stoughton; Roland Roussel, Fall River; Fred Nelson, Stoughton; M. Aguior, Plymouth; Alex J. Epick, Canton; Frank Ippalito, Brockton; Edward Alves, Fall River; John Polavanchi, Stoughton; Coleman Cuman, Canton; Douglas Estabrook, Taunton; Donald Estabrook, Canton; Joseph L. Biron, Fall River· Legio Benassi, Plymouth; Clinton M. Curtis, Canton; Charles Andrews, Brockton; Harris Drake, Roxbury; Manuel Mendes, Canton.

Francis E. Pino, Canton; John Tucker, Randolph; Joseph Mender, Brockton; Gerald Deas, Hanson; Shirley Satterfield, Fannie S. Johnson, Samuel D. Grisson, John L. Andrews, George P. Cryendes, Norma E. Andrews, Brockton; Mary Ann Pina, Vivian Lindo, Canton; Manuel R. Mendes, Zulmira Mendes, Buzzards Bay; Rita Thomas, Manuel Mendes, Jr., Canton; Harry Da Silva, Roxbury; Barbara Mendes, Brockton.

Manuel T. Costy, Jr., New Bedford; Donald Paxhard, Dedham; Harold Thomas, Mansfield; Francis DeBenedictis, Norwood; Ronald Young Nicholas J. Papayno, Kenneth T. Gill, Brockton; Raymond Belanger, Fall River; Wilson Bell, Boston; David Bryant, Stoughton; John Barron, Canton; Ernest R. Berry, Jr., Barbara M. Berry, Foxboro; George C. Murphy, Kathleen A. Murphy, Walpole; Robert H. Phillips, Janice M. Phillips, Medway; George B. Loring, William C. Mackie, Frances L. Weaver, Floyd M. Brayman, W. D. Lovett, Dorothy Merlin, Marjorie S. Tappen, Walpole; Agnes C. Van Den Berghe, Frank J. Van Den Berghe, Foxboro; Dean A. Swift, Shirley Gooch, Norwood; Karl A. Ross, Virginia G. Ross, Walpole; Charles D. Wilson, Ruth Wilson, Bridgewater.

Ruth M. Hentschel, Patricia R. Castionovo, Marguerite M. McNamara, Hugh Martin, Jr., Helen M. Martin, Norwood; Walter J. Marr, Medfield; Charles L. Balzarini, Hyde Park; Dominic A. Vaccaro, Norwood; Doris Sawyer, Walpole; Charles W. Gooch, Norwood; Bruce Parker Waite, Walpole.

Alyce E. Elmes, Westwood; Marion Adams, Norton; Eleanor R. Walker, Florence Walker, James F. Walker, Terrence P. Kelly, Denis O'Sullivan, Norwood; Paul J. Whittemore, Watertown; Carl R. Queander, Lexington; Jonathan K. Pearsan, Newburyport.

Vincent J. Valin, Sr., Canton; Ronald E. Joseph, New Bedford; Fred Jerl Ippso, Mansfield; James Calcagno, Brockton; Richard Schiffer, Stoughton; Paul A. Lund, Walpole; Rolf W. Wagner, Foxboro.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate adjourned, under the previous order, until Monday, June 14, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 11, 1965:

POSTMASTERS

ALABAMA

Erban E. Wakefield, Jr., Columbia.

ALASKA

Leolla M. Roelle, Platinum.
Charles L. Hermens, Skagway.

ARIZONA

Lawrence A. Lippert, Florence.
James Kennedy, Jr., Williams.

ARKANSAS

William R. Jennings, Lakeview.

CALIFORNIA

Herman G. Whitham, Auburn.
George R. Mitchell, Clearlake Oaks.
Michael E. Neish, Crescent City.
Isadore J. Trigueiro, Edwards.
John A. O'Guin, El Centro.
Roscoe J. King, Indio.
Ora G. Knudson, Lakewood.
Elsie L. Lindner, Lemoncove.
Lucius D. Davis, Morongo Valley.
Lewis N. Hanson, Rio Linda.
Joseph J. Morabito, San Martin.
Emeret M. Beltrami, Soulsbyville.
Ruby M. Willoughby, Stevinson.
Albert J. Hoyt. Topanga.

CONNECTICUT

Marie B. Reid, Amston.

FLORIDA

Walter A. Pfirman, Cape Canaveral.
Harvey F. Baker, Citra.
Leroy Renfroe, Dover.
Everett W. Driggers, Laurel.

GEORGIA

Dolores W. Pearman, Chula.
Roberta I. Barton, Georgetown.
Monterie C. Brewer, Lumber City.
Bernard Knowles, Jr., Stockbridge.

ILLINOIS

Robert W. Mowbray, Bradford.
Kenneth M. Mosher, Dahinda.
Elizabeth F. Parsley, Malta.

INDIANA

Raymond P. Spurgeon, Brownstown.
Edith C. Gamber, Economy.
Rose M. Darling, Guilford.

KANSAS

Earl A. Drake, Garfield.
Roger K. Perry, St. Marys.
Raymond Patterson, Washington.

KENTUCKY

James N. Logsdon, Lewisburg.

LOUISIANA

Aline F. DePrima, Berwick.
Ned L. Arceneaux, Lafayette.

MAINE

Clayton E. Adams, Solon.

MASSACHUSETTS

Robert O. Montgomery, Brewster.
Mary E. Lee, Middleton.
Francis P. Shea, Plymouth.

MICHIGAN

Jack H. Gillow, Milford.
Roy M. Skinner, Rockwood.
Elaine C. Anderson, Sagola.

MINNESOTA

Walter O. Grotz, Delano.
Ronald E. Sebenaler, Mentor.
Walter S. Seline, Mora.
Patricia M. Arnold, Young America.

MISSISSIPPI

Mahala A. Ferriss, Bentonia.
William E. Peets, Brookhaven.
Julian K. Allison, Cascilla.
Julian W. McLeod, Pascagoula.
Mattie C. Kyzar, Ruth.
Cecil B. Jones, Sherard.

MISSOURI

Helen H. Bagbey, Bertrand.

MONTANA

Alice R. Bellamy, Dutton.
Adele M. Coughlin, Helmville.

NEBRASKA

Neal C. Thompson, Dalton.
Glenn D. Fraass, Lodgepole.
Evelyn M. Fees, Miller.
Anastasia M. Vrchlavsky, St. Columbans.
Edward V. Sis, Stratton.

NEW HAMPSHIRE

Bruce M. Bottomley, Melvin Village.

NEW JERSEY

James A. Marley, Westville.

NEW MEXICO

James N. Tinnin, Farmington.
Albert A. Ortega, Grants.
Thomas T. Knight, Tesuque.

NORTH CAROLINA

James D. Scroggs, East Flat Rock.
William W. Tarkington, Manteo.

NORTH DAKOTA

Carrol G. Jorgensen, Haynes.
Eliot C. Runquist, Jamestown.

OHIO

Dorrill D. Bounds, Litchfield.
Maynard B. Pelton, Medina.
Clinton E. Miller, Oak Hill.

OKLAHOMA

William W. Tripp, Blair.
Virginia M. Cantrell, Hooker.
Aaron D. Howell, Manitou.
Jerome H. Hodgens, Jr., Moffett.
Harold G. Brown, Nicoma Park.

OREGON

Russell K. McCullough, Dufur.

PENNSYLVANIA

Jeanne Z. Sampsell, Laurelton.
Monroe J. Stavely, Littlestown.
James Y. Schelly, Orefield.
C. Levi Scheidy, Shartlesville.
Justin J. Shook, Spring Mills.
Salvadore J. Sposato, Weatherly.

TENNESSEE

J. Addison Bringle, Covington.
Jake L. Gilreath, Kodak.
William C. Garner, Madisonville.

TEXAS

Lloyd E. Raburn, Valley Mills.

VIRGINIA

Clayborne H. Phillips, Burgess.
James A. Threewitts, Dendron.
Luther W. Swift, Hopewell.
Bine C. Cross, Occoquan.

WASHINGTON

Donald E. Ringhouse, Clearlake.
John G. Iafrati, Du Pont.

WEST VIRGINIA

James E. Matthey, Bristol.

WISCONSIN

George M. Loomis, Sr., Brooklyn.
Louise M. Gross, Brule.
Clark W. Clary, Hustler.
H. Paul Howard, Spring Valley.

DEPARMENT OF DEFENSE

W. Brewster Kopp, of New York, to be an Assistant Secretary of the Army.

U.S. ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant generals

Maj. Gen. Marshall Sylvester Carter, O18359, U.S. Army.

Maj. Gen. George Robinson Mather, O18696, U.S. Army.

Maj. Gen. Frank Thomas Mildren, O21992, Army of the United States (colonel, U.S. Army).

U.S. NAVY

To be vice admiral

Vice Adm. Harold T. Deutermann, U.S. Navy, when retired, for appointment to the grade indicated, pursuant to title 10, United States Code, section 5233.

To be a senior member of the Military Staff Committee of the United Nations in accordance with title 10, United States Code, section 711

Vice Adm. John S. McCain, Jr., U.S. Navy, for appointment as indicated.

To be vice admiral

Rear Adm. Charles K. Duncan, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

The following-named officers of the line of the Navy for temporary promotion to the grade indicated subject to qualifications therefor as provided by law:

To be rear admirals

Thomas D. Davies
Fillmore B. Gilkeson
John R. Wadleigh
Burton H. Shupper
Frederick E. Janney
Robert B. Erly
Valdemar G. Lambert
Frank C. Jones
Ben B. Pickett
Leslie J. O'Brien, Jr.
George C. Bullard
William N. Leonard
Walter L. Small, Jr.
Lucien B. McDonald
Leroy V. Swanson
Frank W. Vannoy
Thomas J. Rudden, Jr.
Charles D. Nace
Paul A. Holmberg
Lloyd R. Vasey
Ernest W. Dobie, Jr.
Dick H. Guinn
Maurice F. Weisner
Roy M. Isaman
Frederick H. Michaelis
Roy G. Anderson
William E. Lemos
Gerald E. Miller
Isaac C. Kidd, Jr.
Donald M. Showers
James F. Calvert
Elmo R. Zumwalt, Jr.

IN THE AIR FORCE

The nominations beginning Walter L. Abbott to be lieutenant colonel, and ending Henry C. Wolk, Jr., to be lieutenant colonel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 5, 1965.

IN THE NAVY AND MARINE CORPS

The nominations beginning Nilo J. Baldasari to be chief warrant officer (W-4), in the Navy, and ending John C. Livingston to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 2, 1965.

EXTENSIONS OF REMARKS

Commencement Address by Representative Hastings Keith, at Mount Vernon Seminary

EXTENSION OF REMARKS
OF
HON. THOMAS J. McINTYRE
OF NEW HAMPSHIRE
IN THE SENATE OF THE UNITED STATES
Friday, June 11, 1965

Mr. McINTYRE. Mr. President, last Monday, June 7, it was my good fortune to attend the graduation ceremonies at Mount Vernon Seminary, here in Washington, as a proud parent of a graduating daughter.

The graduation ceremonies on Monday, like the baccalaureate service on Sunday, at the Metropolitan Memorial Methodist Church, were carried out in an atmosphere of academic dignity which did credit to Mount Vernon's President Pelham.

My New England colleague, Hon. HASTINGS KEITH, of the 12th District of Massachusetts, who also was a proud parent of a graduating student, delivered an excellent commencement address, full of wise advice and counsel for the graduating class.

Representative KEITH, whose district includes Cape Cod, where I have spent some of the most memorable summers of my life, addressed the group on the subject of planning. Planning and preparation, he pointed out, are the essential factors in a rewarding adult life; and the responsibilities and challenges of leading such a life are faced squarely by every graduating class. As he pointed out:

> The door you step through today will close behind you and lock irrevocably. You cannot go back to the past. But you can learn from it, if you try.

This is the central fact facing graduating classes throughout our Nation today.

Mr. President, I believe that the address deserves the wider reading which publication in the RECORD will bring. Therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

> When I accepted President Pelham's invitation to talk to you today, I determined that I would try to avoid some of the worst features of other commencement addresses I have heard over the years. I also hoped to shun some of the errors I have made in my own right, from time to time, in various private, perhaps even a bit pompous, speeches to a much smaller Mount Vernon audience—my daughter Carolyn, or Carrie, as students have come to call her.
>
> Should I come to you here today, I pondered, and speak of the path that lies ahead, or of the trials you will face? Should I say that "A commencement is a beginning," and that now you are about to set out on the greatest adventure of life? Should I bemoan the fate of the world, and regret that I and my generation could not have presented the future to you on a silver platter? Should I begin a crusade, and launch you on your way toward the horizon?
>
> The possible choices seemed endless: Some of them, I am sure, guaranteed to make you sigh deeply, and say "Oh, no. Not again." But I hoped that some of the thoughts which came to my mind would catch your attention, and that after the festivities were concluded, you'd take them home and mull them over.
>
> I think a little vanity was mixed in with my trying to make up my mind. After all, a speaker likes to think that his words will be remembered. You know, planned obsolescence may be fine for the automobile manufacturers, but immortality, in however small a way, is, frankly, the secret dream of most men.
>
> So, when I had accepted your invitation, I sat down to plan out what I was going to say. I swiveled my chair around to the window, looking for some inspiration from outdoors, and thought to myself: "I must prepare this speech very carefully: First of all, because Carolyn will be among the graduates, and, out of affection, will be gently critical, to say the least, of her father's contribution to this day which is so important to her. But also because in whatever we do, whether it is preparing a speech, scheduling a vacation or drafting a program for the future, planning, itself, should be an integral part of living.
>
> Living and making a living involve taking chances. But those who conduct their business and the business of life, with a minimum of worry are the people who minimize the possibility of adverse chance by planning ahead.
>
> In the business world, and in life generally, there are some people who stake their capital, their talent and their energy upon the caprice of circumstance. Others use their talent to direct their capital and their energy in an ordered way so as to gain the greatest chance of success.
>
> Thus, most success results from two things: Planning and preparation.
>
> Planning is the process of charting a course toward a goal, whether it be general, such as gaining an education, or particular,

such as to become proficient in a particular skill or profession.

Preparation, on the other hand, is the work we do to achieve a desired goal. It is sort of planning in action.

Speaking of preparation, there is an old saying I heard once to the effect that "Opportunity knocks only when you are ready for it; otherwise it was merely a chance you did not deserve."

The singer or dancer who fills in at the last moment for a star who is ill; the officer who comes up with the answer to an impossible situation during battle, the lawyer or businessman tapped out of the blue for a government or diplomatic post—pure luck did not give them their chance. They were prepared for the opportunity when it arrived, and they were equal to the assignment given them. They had prepared themselves. Their planning may not have envisioned such luck, but their preparation allowed them to take advantage of it.

You will all remember the story of the apple which fell on Newton's head, and suddenly he had discovered the theory of gravity. Was it magic? Luck? An accident? Not at all. Apples had fallen for centuries without anyone's coming up with the concept of gravity. But Newton's years of dealing with science and mathematics enabled him, at the moment when the apple collided with his head, to put together the many scraps and facts he already possessed, and to crystalize a concept that had eluded men for centuries.

As with most great inventions and discoveries, his flash of creative genius was based on a long period of planned and painstaking research. He wasn't looking for the law of gravity when he found it. But the individual who has planned his or her course, and is going in the right direction, can set up a group of circumstances which will, in the end, contribute to his success. He is then in a position to turn every incident, and even most every accident, into something for his good. The lucky man, as we call him, is usually the man who knows how much to leave to chance, but who realizes that it is a mathematical certainty that chance is no respecter of persons but is absolutely impartial. And unless there is planning based on information and preparation, the chances of success are minimal and you can find yourself helpless before the impact of an unexpected problem or turn of events. When you provide for known eventualities, you are left free to deal with the unforeseen probabilities.

As I said previously, there is a bonus value in planning: it avoids worry. The wise man, although he will not buckle under preventable misfortunes, will see to it that he is not forced to waste time and emotion upon those problems which can be avoided by careful forethought. The vast majority of things which give you happiness and a sense of accomplishment are the things that are within your control.

This is true not only for an individual, but also for our country. Preparations for the future need to be made by considering first what is necessary and important now, and then, what will be necessary in 2, 5, 10, or more years hence. The leaders of our Nation thus must consider the present state of world affairs and make treaties and alliances for the purpose of preserving the peace, and thereby, the future of our country.

The United States at the present time is a partner in several international organizations or alliances designed primarily to preserve this peace and prosperity for the free world; for example, the United Nations, SEATO, and the OAS. One of these alliances, which has the particular objective of trying to halt the spread of Communist power, is the North Atlantic Treaty Organization, more commonly called NATO.

NATO was on my mind as I was preparing this speech, because I am leaving later this week on a factfinding visit to its European headquarters.

This organization was set up, as you will recall, a few years after we had fought and won our battle against the powers of fascism in World War II. A new age was emerging from the chaos of that conflict. We visualized ourselves at the threshold of a peaceful era. At the same time, the explosion of an atomic bomb had ushered in the possibility of a total war. And this was, to alter Hamlet's phrasing slightly, a "consummation devoutly to be avoided." The combination of nuclear power and the space age had brought the world's struggles at last to the door of our own country. It now became apparent that whenever the bell should toll it would toll for us, even though the seas might separate us from the scene of battle. In John Donne's words, we had become involved in all mankind.

At that time we could have ignored the lengthening shadows cast by the rising red sun in the east, turned our backs, and gone home; or, as we did, we as a nation could plan for the future of the free world; for the free European nations were, and continue to be, most important to us, both politically and economically, for the simple facts are that were the Soviet bloc to gain control over Western Europe, it would possess a productive capacity and a military strength which would be vastly superior to that of the free world. So we must plan and prepare for the possibility of any reversal of the existing balance. We must, then, recognize and deal with the problems—both internal and external—which face the NATO alliance today.

In our NATO treaty we have recognized the importance of a unified approach to the military problems of the free world. And the countries of Western Europe, which have a common heritage of a Judeo-Christian ethic and culture, should recognize that, in the long run, we must remain united, not only militarily, but to a larger degree, economically and politically, against the encroachment of communism. In this way, we shall be working effectively for the preservation of freedom.

But what has all that I have just said to do with you who sit before me so patiently, today?

Let me remind you that, the door you step through today will close behind you and lock irrevocably. It is a similar door to that through which your country and the world stepped following the last war. You cannot go back to the past. But you can learn from it if you try. And you are prepared for stepping through that doorway. There will be other educational doorways later on. Although, at this point, you have had far more formal training than Abraham Lincoln ever obtained. But, whether you go on to college or not, the process of learning will stay with you all your life. You are quite well trained already to deal with the problems of living. You are not going to believe me, I'm sure. But the process of thinking logically which you have learned through your science, math, and language courses will really serve you well. This ability to think is one of the major goals of education and you have learned it well at Mount Vernon.

No one argues, of course, that young people need a formal education. It is a universally accepted proposition. Here and there disagreements crop up, however, as to what education really means, what its goals are and, of course, what methods should be used.

Two ideas, however, are not debatable. One is that young people have to learn, and do learn, the habits and customs of the society to which they belong and into which they grow. They have to assimilate the religious, moral, and political traditions of their elders, not word for word, or prayer for prayer, or even party for party, but, rather, what we refer to—all too lightly sometimes—as their heritage. These constitute the canvas and the black and white outlines of the final portrait we call an adult.

Your parents and teachers have attempted to fill in the colors of this portrait by helping to prepare you for your later lives and for the specific tasks which you will shoulder by choice or by necessity.

So you have been prodded and pushed and helped up the first set of steps—whether willingly or not can best be remembered by your parents and teachers.

What you have learned is yours to do with as you will. You are now the masters of your fates and the captains of your souls.

These are not idle words. That is why they have been said so often. You have been given the tools for dealing with what lies ahead. Part of what we have tried to give you is the individuality and the confidence that will enable you to lead when you should lead and yet the strength of character to follow when you must follow. We have tried to instill a feeling of patriotism: Not the casual statement of fact that allows you to put U.S.A. in the blank labeled "country of birth," but a true feeling of respect and love for the land to which it is your privilege to belong. Because a person is not strong in the defense of what he owns unless he loves and understands it. The honor and knowledge of your country, and the national self-respect you take with you wherever you go, make you a better representative of this country abroad, and a better defender at home.

But most of all, we have tried to make you capable of grappling with events and at the same time keeping your heads, so that you will be able to solve the problems as they come along.

More of the realities of life are about to confront you. College has long been known as a time of mental warfare. Much of what you have learned, scholastically, morally, and even politically, will be called to question and mercilessly examined. Truth and life will suddenly become words with capital letters taller than the eye can see, and they will loom before you at every turn. And those of you who stay through the next few years to achieve an A.B. or B.S. degree after your name—or that much coveted degree in front of your name, a Mrs.—you will be discovering that living is something beyond the utopia of class assignments and nagging parents, rules of residence or making an agonizing choice of what to wear. Decisions on such things as "yes or no" to another drink, a second pack of cigarettes, or cutting a curfew, will be fought through only to find yourselves confronted with the agonies of choosing a career, finding a job, helping a husband make his way, or raising a family.

We need people who can face life squarely: People who have been trained as you have to understand the interrelationships and transitions through which the world moves, and to have the courage to face what the future holds and the vision to mold it. The country and the world cry out for young people who have been educated to a sympathetic understanding of situations not ordinarily recognized as being interrelated. Many of the Nation's greatest economic and political problems stem from the inability of leaders to comprehend and interpret the significance of events coming from more than one direction. Never before has a liberal education been more essential to social, political, and commercial progress. But this demands individuals who have come to terms with the world and found themselves.

You have been trained by the teachers and faculty of Mount Vernon. You have been guided by your parents and friends. You have been tested by the trials and tribulations of final examinations and college boards. Your diploma is indicative of the confidence that all of us have in you.

Recognize that you have the basis upon which to build a future. With the knowledge that you now have, you can aspire to any heights of learning. Believe this work with it in mind, and there will be nothing for which you cannot strive. Just keep in mind this old Scottish saying: Grasp a thistle firmly: For if you hesitate or touch it timidly, a thistle stings. But grasp it firmly, its spines crumble harmlessly in your hand.

So, in life. Each of us must bear one burden or another. But face the problem boldly, come to grips. And, strangely, the thorns that might have hurt, lose the power to sting.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 14, 1965

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. ALBERT].

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

JUNE 14, 1965.

I hereby designate the Honorable CARL ALBERT to act as Speaker pro tempore today.

JOHN W. MCCORMACK.

The Reverend A. Reid Jepson, minister, Charleston, W. Va., offered the following prayer:

Almighty God, Thou holy One of Israel, Father of Jesus Christ, and of all who trust Him: On this day of opportunity, at this hour of crisis, in this moment of quietness, we bring to Thee each heart in this House. Who is not in need of cleansing of mind and soul? Each needs wisdom and righteousness from God to solve the problems, to bear the burdens too great for man alone.

We thank Thee for the inspired word oft neglected: "Come now, let us reason together, saith the Lord, though your sins be as scarlet, they shall be as white as snow"—by Thy grace. Since each shall give account to God for his deeds, may we act in the fear of God and for the good of His people.

Through Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 10, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1732. An act to amend the act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes; and

H.R. 1782. An act to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5874. An act to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 16. An act for the relief of Eugeninsz Lupinski;

S. 68. An act for the relief of Mehdi Heravi;

S. 130. An act for the relief of Felicidad Caletena;

S. 207. An act for the relief of Dr. Jose S. Lastra;

S. 248. An act for the relief of Violet Shina;

S. 358. An act for the relief of Vladimir Gasparovic and Dragica Rendulic Gasparovic;

S. 372. An act for the relief of Antonio Jesus Senra (Rodriquez) and his wife, Mercedes M. Miranda de Senra;

S. 374. An act for the relief of Dr. Guillermo Castrillo (Fernandez);

S. 454. An act for the relief of Lee Hyang Na;

S. 517. An act for the relief of John William Daugherty, Jr.;

S. 521. An act for the relief of Maria Gioconda Femia;

S. 550. An act for the relief of Patrick Anthony Linnane;

S. 551. An act for the relief of Richard Bing-Yin Lam;

S. 573. An act for the relief of Dr. Sedat M. Ayata;

S. 614. An act for the relief of Evangelia Moshou Kantas;

S. 653. An act for the relief of George Paluras (Georgios Palouras);

S. 678. An act for the relief of Lee Hi Sook;

S. 703. An act for the relief of Kimie Okamoto Addington;

S. 778. An act for the relief of Nicola Moric;

S. 857. An act for the relief of Mrs. Stylliani Papathanasiou;

S. 1281. An act for the relief of Sister Maria Clotilde Costa;

S. 1483. An act to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes;

S. 1495. An act to permit variation of the 40-hour workweek of Federal employees for educational purposes;

S. 1496. An act to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes;

S. 1620. An act to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto; and

S. 1698. An act to establish a procedure for a review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes.

COMMITTEE ON APPROPRIATIONS

Mr. DENTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report on H.R. 6767, the appropriation bill for the Department of Interior and related agencies.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALL OF THE HOUSE

Mr. DENTON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 136]

Abbitt
Andrews,
  George W.
Ashbrook
Ayres
Baring
Battin
Bingham
Bonner
Bow
Brademas
Bray
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Cahill
Callaway
Chamberlain
Clawson, Del
Cleveland
Clevenger
Collier
Conte
Corman
Craley
Cunningham
Curtin
Devine
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Evins, Tenn.
Fascell
Findley
Fino
Fisher
Fogarty
Ford,
  Gerald R.
Ford,
  William D.
Fraser
Frelinghuysen

Fulton, Pa.
Giaimo
Gilligan
Grabowski
Green, Oreg.
Grider
Gurney
Hall
Halleck
Halpern
Hanna
Harsha
Harvey, Ind.
Hays
Hébert
Hicks
Holifield
Holland
Horton
Hull
Ichord
Jennings
Johnson, Okla.
Keith
Keogh
King, N.Y.
Langen
Latta
Lindsay
Long, Md.
McDowell
Macdonald
Machen
Mackie
Madden
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Miller
Mink
Mize
Moeller
Morris
Morrison
Morton
Mosher

Nedzi
Nelsen
Nix
O'Hara, Mich.
O'Neill, Mass.
Passman
Philbin
Pickle
Pike
Pirnie
Powell
Price
Pucinski
Randall
Reid, Ill.
Reifel
Resnick
Rhodes, Ariz.
Ronan
Roosevelt
Rostenkowski
Roybal
Ryan
St Germain
Saylor
Scheuer
Selden
Senner
Shipley
Smith, Iowa
Smith, N.Y.
Stafford
Talcott
Thompson, Tex.
Toll
Tuck
Udall
Vivian
Walker, Miss.
Watkins
Willis
Wilson, Bob
Wilson,
  Charles H.
Wright
Younger
Zablocki

The SPEAKER pro tempore. On this rollcall 297 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TO ESTABLISH A DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. YOUNG, from the Committee on Rules reported the following privileged resolution (H. Res. 419, Rept. No. 511) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the text of the bill (H.R. 8822) as an anmendment in the nature of a substitute for the bill (H.R. 6927). At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PROVIDING ASSISTANCE TO STATES OF CALIFORNIA, OREGON, WASHINGTON, NEVADA, AND IDAHO FOR RECONSTRUCTION OF AREAS DAMAGED BY RECENT FLOODS AND HIGH WATERS

Mr. YOUNG, from the Committee on Rules, reported the following privileged resolution (H. Res. 420, Rept. No. 512) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AUTHORIZE ADDITIONAL TRAVEL AUTHORITY TO COMMITTEE ON GOVERNMENT OPERATIONS

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 110 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 110

Resolved, That rule XI(8) (d) of the Rules of the House of Representatives, relating to the Committee on Government Operations, is amended by inserting "or outside" immediately following the word "within".

With the following committee amendment:

On page 1, strike out all after the word "*Resolved*" in line 1 and add the following language: "That the Committee on Government Operations is authorized to conduct full and complete studies and investigations with respect to matters within its jurisdiction, and for the purpose of carrying out this resolution the committee, or any subcommittee thereof, is authorized to sit during the present Congress at such times and places either within or without the United States, whether or not the House is in session, has recessed, or has adjourned, and to hold such hearings and take such other actions as are authorized under rule XI(8) (d) of the Rules of the House of Representatives relating to the Committee on Government Operations.

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Government Operations of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith] pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 110 is a travel resolution involving the Government Operations Committee of the House of Representatives. It has been made necessary by a Federal court ruling in Puerto Rico involving the Committee on Un-American Activities which cast some doubt on a similar type of wording in the current travel resolution for the House Committee on Government Operations. It is the same resolution as was voted last year.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. I yield to the gentleman.

Mr. GROSS. As a matter of curiosity, noting the language on line 10, that this committee may "sit during the present Congress at such times and places either within or without the United States," am I to understand from that that a committee of Congress may hold hearings in a foreign country?

Mr. YOUNG. Yes; I think that is correct.

Mr. GROSS. I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, may I say simply that my understanding of House Resolution 110 is identical with that of the gentleman from Texas [Mr. Young]. I concur in his remarks and I urge the adoption of the resolution.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

The title was amended so as to read: "Resolution to authorize additional travel authority to the Committee on Government Operations."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND ON BILLS FROM VETERANS' COMMITTEE TO BE CALLED TODAY

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that each Member have 3 legislative days to extend his remarks in the Record on each of the veterans' bills which will be called up today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I should like to state for the information of the House that there will be a detailed explanation of each bill that is passed, included in the Record.

INCREASE FOR WAR ORPHANS' EDUCATIONAL ASSISTANCE PROGRAM

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 205) to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

H.R. 205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1732(a) of title 38, United States Code, is amended by striking out "$110", "$80", and "$50" and by inserting in lieu thereof "$140", "$105", and "$70", respectively.

(b) Section 1732(b) of such title is amended by striking out "$90" and by inserting "$115" in lieu thereof.

Sec. 2. Section 1742(a) of title 38, United States Code, is amended by striking out "$110", and "$35" both times it appears, and "$3.60" and by inserting in lieu thereof "$140", "$45", "$45", and "$4.60", respectively.

SEC. 3. The amendments made by the first section of this Act shall take effect on the first day of the second calendar month following the date of enactment of this Act.

With the following committee amendments:

On page 1, beginning line 5, strike out "$140, $105, and $70" and insert "$130, $95, and $60", respectively.

On page 2, line 2, strike out "$115" and insert "$105".

On page 2, beginning on line 5, strike out "$140, $45, $45, and $4.60" and insert "$130, $41, $41, and $4.25", respectively.

On page 2, beginning on line 8, insert—

"SEC. 3. Paragraph (1) of subsection (a) of section 1701 of title 38, United States Code, is amended by striking out the third and fourth sentences and inserting in lieu thereof the following: 'The standards and criteria for determining whether or not a disability arising out of such service is service connected shall be those applicable under chapter 11 of this title.' "

On page 2, line 15, strike out "3" and insert "4".

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I should like to say simply, on behalf of myself and the gentleman from California [Mr. TEAGUE] who is one of the senior minority members of the subcommittee that considered most of these veterans bills now being discussed, that we have no objection to them. We think they are good, they are warranted, and should be enacted into law.

I should like to ask unanimous consent to extend my remarks following those of the gentleman from Texas [Mr. TEAGUE] on each of these bills.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER pro tempore. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, Public Law 634 of the 84th Congress, which subsequently became chapter 35 of title 38, United States Code, provided assistance to the children of individuals who lost their lives as a result of service in one of the branches of the Armed Forces during the Spanish-American War, World War I, World War II, or the Korean conflict, and, under certain conditions, periods of service thereafter.

The assistance provided is in the form of a monthly payment which ranges from a high of $110 a month for a full-time education course to $50 a month for a half-time course. The age limitations generally are 18 to 23, and in effect this program authorizes assistance during a 4-year college course, since the payments authorized run for a maximum of 36 months—the equivalent of 4 school years.

Public Law 88–361 extended this same program to the children of living veterans who are totally disabled from service-connected causes.

There has been no increase in the rates indicated above since the program was first proposed in March of 1956. Since that date, there has been an increase in the cost of living of 16.6 percent.

The rates proposed in this bill are $130 a month for a full-time course, $95 for a course being taken on the basis of three-quarter time, and $60 a month for a half-time course. These rates reflect the cost of living since 1956.

Existing law for war orphan eligibility requires a disability arising out of service during the Spanish-American War, World War I, World War II, and Korea, or the induction period. For service during a period of war the criteria for a determination of service connection for purposes of disability compensation apply. For service during the induction period, however, it must be shown that the disability occurred as a direct result from the performance of active military, naval, or air service or have resulted from first, armed conflict; or second, from an injury or disease while engaged in extrahazardous service. The amendment proposed by section 3 of this bill removes the restrictions on the individuals serving in the induction period by providing the same basis for determination of service connection as is applicable to a veteran suffering a disability during a period of war. Basically, it would cover those individuals who served and who are service connected beginning with February 1, 1955, and continuing so long as the draft is in effect.

Hearings were held on this proposal before the Subcommittee on Education and Training on June 1, 1965.

The cost of the increases in the educational assistance allowances provided by the bill as reported is:

Fiscal year:	
1966	$5,704,000
1967	5,892,000
1968	6,392,000
1969	6,629,000
1970	5,690,000
Total	30,307,000

The Veterans' Administration favored lesser rates but supported the objective.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 205. This bill will increase the educational assistance allowance provided to war orphans who are pursuing courses of education and training under Public Law 634 of the 84th Congress, the War Orphans Educational Assistance Act. At the present time the law provides an allowance of $110 monthly for those pursuing full-time training; $80 monthly for three-quarters time and $50 monthly for half time. These rates were established at the time the legislation was first enacted in 1956. There has been no increase since that time. Meanwhile, cost of living has risen approximately 16.6 percent since that date. You will note from the statistics furnished by the Office of Education contained in the committee report on this bill that the total cost of attending college has risen in the case of public schools from $1,260 annually in 1956–57 to $1,560 at the present time. The increase is even greater in the case of private colleges. This bill will increase the educational allowance rates already mentioned to $130, $95, and $60, respectively.

In addition, the bill will eliminate the requirement that the veteran's death or total disability must have occurred as a result of first, armed conflict; or second, from injury or disease while engaged in extrahazardous service; or third, have arisen out of the performance of active duty in the case of those veterans with service after January 31, 1955. I urge that the bill be passed.

Mrs. HANSEN of Washington. Mr. Speaker, it is with great pleasure that I join today in support of the six veterans' bills on the Consent Calendar reported to the House by the Committee on Veterans' Affairs after weeks of careful and thoughtful consideration. At this time I should like to compliment Chairman TEAGUE for the leadership he has given during his years in Congress to legislative matters concerning all phases of veterans' legislation.

I had the great privilege of serving for a short time on Chairman TEAGUE's committee, and a member cannot help but be impressed there by his disposition to our veterans and his conscientious work on their behalf.

A grateful nation has built our unique system of veteran benefits, and these bills on our calendar today strengthen and improve this benefit system which recognizes the magnificent service our men and women have given this Nation. No one needs more the additional benefits today than the children of those men who lost their lives for our country.

In H.R. 206 and H.R. 208 there is a recognition of improved vocational rehabilitation training allowances, which are long overdue. Again, on all these bills it is a privilege to give support and to again thank the committee for their recognition of our veteran needs.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes."

A motion to reconsider was laid on the table.

INCREASE FOR SERVICE-CONNECTED TRAINEES

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 206) to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training and to the sons and daughters of deceased or permanently and totally disabled veterans pursuing a program of education under the war orphans' educational assistance program.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1504 of title 38, United States Code, is amended by deleting subsection (c) thereof, redesignating subsection "(d)" as "(c)" and by amending subsection (b) to read as follows:

"(b) The subsistence allowance of a veteran-trainee is to be determined in accordance with the following table, and shall be the monthly amount shown in column II, III, or IV (whichever is applicable as determined by the veteran's dependency status) opposite the appropriate type of training as specified in column I:

"Column I	Column II	Column III	Column IV
Type of training	No dependents	One dependent	Two or more dependents
Full-time institutional training	$110	$150	$175
Institutional on-farm, apprentice or other on-job training	95	125	150

Where any trainee has more than two dependents and is not eligible to receive additional compensation as provided by section 315 or section 335 (whichever is applicable) of this title, the subsistence allowance prescribed in column IV of the foregoing table shall be increased by an additional $5 per month for each dependent in excess of two."

(b) Section 315 of title 38, United States Code, is amended by deleting "(a)" and subsection (b) thereof.

(c) Any veteran-trainee receiving subsistence allowance on the date of the enactment of this Act while pursuing a course of vocational rehabilitation authorized by chapter 31 of title 38, United States Code, shall not have such allowance reduced by reason of the amendments contained in such Act.

SEC. 2. (a) Subsection (a) of section 1732 of title 38, United States Code, is amended by striking out "$110," "$80," and "'$50" and inserting in lieu thereof "$140," "$105," and "$70," respectively.

(b) Subsection (b) of section 1732 is amended by striking out "$90" and inserting in lieu thereof "$115".

(c) Subsection (a) of section 1742 of title 38 is amended by striking out "$110," "$35" both times it appears, and "$3.60" and inserting in lieu thereof "$140," "$45," and "$45" and "$4.60," respectively.

SEC. 3. The foregoing provisions of this Act shall became effective on the first day of the second calendar month which begins following the date of enactment of this Act.

Amend the title so as to read: "A bill to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training."

With the following committee amendments:

Beginning on page 3, line 1, strike out down to and including line 10.

On page 3, line 11, strike out "3" and insert "2".

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, Public Law 16 of the 78th Congress, enacted in 1943—subsequently codified as chapter 31, title 38, United States Code—authorized vocational rehabilitation—education and training—for veterans in need thereof to overcome the handicap of a service-connected disability.

Under this program, the Veterans' Administration gives the veteran certain tests to determine the type of training which he needs to overcome his disability. Thereafter, he is afforded an opportunity to take this training, with the Veterans' Administration paying the full academic or training cost in addition to a subsistence allowance, which is paid on a sliding scale, depending on the degree of his disability and the number of dependents that he may have. This present payment varies generally from $75 to $120 per month. There is a floor on the combined rate of subsistence allowance and disability compensation which varies from $105 per month for an unmarried veteran with a disability rated less than 30 percent to $135 per month, with additional amounts for dependents, in cases of veterans with disabilities rated 30 percent or more and who have dependents. The subsistence allowance is paid in conjunction with the veteran's service-connected compensation.

The current basic rates of vocational rehabilitation subsistence allowance have been in effect since April 1, 1948. Since that time, the cost of living has increased approximately 30 percent. Obviously, these subsistence allowances have not kept pace with the rise of living cost and do not now furnish anything like the same degree of assistance which was furnished immediately after World War II, or even during the period of the Korean conflict.

Nearly 700,000 veterans have been trained under this program, and in March of 1965 there were approximately 1,500 veterans taking this sort of training under the auspices of the Veterans' Administration.

In order to simplify administration and to provide for a greater degree of equity, subsistence payments have been simplified and increased to the level shown in the table which follows:

Col. I—Type of training	Col. II—No dependents	Col. III—1 dependent	Col. IV—2 or more dependents
Full-time institutional training	$110	$150	$175
Institutional on-farm, apprentice, or other on-job training	95	125	150

These amounts are above and beyond the amount of disability compensation payable to the veteran.

The cost of this bill, as reported, is estimated to be:

Fiscal year:	
1966	$2,200,000
1967	1,800,000
1968	1,600,000
1969	1,300,000
1970	1,200,000
Total, 1st 5 years	8,100,000

Hearings were held on this proposal before the Subcommittee on Education and Training on June 1, 1965.

A favorable report of the Veterans' Administration indicated support of the need to increase the rates but to a lesser degree.

Mr. ADAIR. Mr. Speaker, I support the provisions of H.R. 206. As you know, a program of vocational rehabilitation to overcome occupational handicaps created as a result of service-connected disabilities has been in existence since World War II. Under that program, the Veterans' Administration pays for the disabled veteran the full academic or of the program he is pursuing. In addition, they pay to the veteran a subsistence allowance on a sliding scale depending upon the degree of disability and the number of dependents that he has. The monthly payment varies generally from $75 to $120 per month.

The present basic rates of subsistence allowance for vocational rehabilitation have been in effect since April 1, 1948. Despite the rising cost of education and the cost of living, these subsistence allowances have lagged far behind. H.R. 206 proposes to increase these monthly payments by approximately 30 percent. It is estimated that the cost of living has increased to this same degree since 1948. The new rates will range from $95 monthly to $175.

I support this legislation as it being in the best interest of the Nation's service-connected disabled veterans and urge my colleagues to vote affirmatively thereon.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

The title was amended so as to read: "A bill to provide a realistic cost-of-living increase in rates of subsistence paid to disabled veterans pursuing vocational rehabilitation program."

A motion to reconsider was laid on the table.

TIME OF TRAINING FOR TOTALLY DISABLED VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 208) to amend chapter 31 of title 38, United States Code, to extend to all totally disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87-591, and to clarify the language of the law relating to the limiting of periods for pursuing such training, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 31 of title 38, United States Code, is amended by adding after section 1502 thereof the following new section 1503:

"§ 1503. Periods of eligibility

"(a) Unless a longer period of eligibility is authorized pursuant to subsection (b) or (c) of this section, vocational rehabilitation may not be afforded to a veteran after nine years following his discharge or release; except vocational rehabilitation may be afforded to any person until—

"(1) August 20, 1963, if such person was discharged or released before August 20, 1954, or

"(2) October 15, 1971, if such person is eligible for vocational rehabilitation by reason of a disability arising from service before October 15, 1962, but either after World War II, and before the Korean conflict, or after the Korean conflict.

"(b) Where a veteran is prevented from entering, or having entered, from completing vocational rehabilitation training within the period of eligibility prescribed in subsection (a) of this section because—

"(1) he had not timely attained, retained, or regained medical feasibility for training because of disability;

"(2) he had not timely met the requirement of a discharge or release under conditions other than dishonorable, but the nature of such discharge or release was later changed by appropriate authority; or

"(3) he had not timely established the existence of a compensable service-connected disability,

"(c) A veteran who is found to be in need of vocational rehabilitation to overcome the handicap of blindness, or other total disability, resulting from a service-connected disability which affords basic eligibility for vocational rehabilitation under section 1502 of this title may be afforded such vocational rehabilitation after the termination date otherwise applicable to him, but not beyond ten years after such termination date, or June 30, 1975, whichever date is the later, if—

"(1) he had not previously been rehabilitated (that is, rendered employable) as the result of training furnished under this chapter, or

"(2) the total disability (whether blindness or otherwise) has developed from, or as a result of, the worsening of his service-connected disability since he was declared rehabilitated to the extent that it precludes his performing the duties of the occupation for which he was previously trained under this chapter."

Sec. 2. Chapter 31 of title 38, United States Code, is further amended by—

(1) deleting in the table of sections at the head thereof:

"1502A. Blinded veterans"
"1503. Training and training facilities"

and inserting in lieu thereof:

"1503. Periods of eligibility"

and adding to the end of such table the following:

"1511. Training and training facilities".

(2) deleting subsection (c) of section 1502 (except paragraph (4) thereof), and changing "(4)" immediately preceding "Vocational rehabilitation" in such section to "(c)";

(3) deleting section 1502A;

(4) redesignating section 1503 "Training and training facilities" as section 1511 and transferring that section, as so redesignated, to the end of the chapter.

Sec. 3. Any veteran entitled to vocational rehabilitation training under chapter 31 of title 38, United States Code, until July 25, 1965, pursuant to section 1502(c)(2) of such title, prior to the amendment made by this Act, shall continue to have the right to receive such training until such date, notwithstanding the amendments made by sections 1 and 2 hereof.

Amend the title so as to read: "A bill to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87–591, and to clarify the language of the law relating to the limiting of periods for pursuing such training."

With the following committee amendments:

On page 3, line 6, strike out "total" and insert "serious".

On page 3, line 16, strike out "the total" and insert "such serious".

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, chapter 31 of title 38, United State Code, originally enacted as Public Law 16 of the 78th Congress, authorized vocational rehabilitation and training for veterans who have incurred service-connected disability during their period of service. As the program now exists it covers all veterans beginning with World War II and it is a permanent program for the service-connected veterans of present service. There is no initiation date, but, generally speaking, vocational rehabilitation may not be afforded after 9 years following the date of his discharge or release from active service.

A special exception to this general delimiting date is found in the case of a blinded veteran who has until June 30, 1975, or 10 years after the general termination date, where it is determined that he has not been previously rehabilitated as a result of his training or where his disability has worsened to such a degree that the training which was originally given him no longer fits him to perform the duties for which he was trained. This bill, as introduced, proposed to extend this special provision, applicable only to blinded veterans, to all veterans who are totally disabled. As reported, it covers all seriously disabled service connected.

The cost of this legislation, as reported, is estimated at less than $1,400,000 for fiscal year 1966 and approximately $16 million for the first 5 years.

It is favored by the Veterans' Administration.

Some examples of seriously disabled veterans are:

First. A veteran with multiple sclerosis in fairly good state of remission is trained as an electronics technician whose disability has now progressed to the point where digital dexterity has been greatly affected and requires retraining.

Second. A veteran with osteomyelitis rated 20 percent was trained as a linotype operator. Osteomyelitis flared up and required amputation of forearm and he must be retrained.

Third. A veteran with 30 anxiety reaction was trained as a salesman where he has to meet the public. The condition progresses to 80-percent evaluation and contact with the public is no longer compatible with his condition.

Fourth. An epileptic with condition completely controlled by medication, which carries a 10-percent rating. The condition has deteriorated to a point where he experiences one or more compulsive seizures on the job in spite of medication. While his evaluation may only have progressed to 30 percent or 50 percent, his job is no longer feasible and he requires retraining.

Fifth. A veteran rated 60 percent for amputation of left forearm, has prosthesis to which he adjusted and was trained as turret lathe operator. The condition worsened and required amputation at the shoulder, where prosthesis is no longer applicable and retraining is required.

Sixth. Veteran with 30 percent rating for arthritis. He was rehabilitated as an office worker, requiring a minimum amount of moving about. Now his condition has worsened to a point where he requires a static job, such as bookkeeper or accounting, where no movement at all is required, and this would require further training.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 208. This bill will extend to all totally disabled and other seriously disabled veterans the same time limits for pursuing vocational rehabilitation training as was extended to blinded veterans by Public Law 87–591. Generally speaking, service-connected disabled veterans who are entitled to vocational rehabilitation must complete their participation in this program within 9 years following discharge or release from active service. In the case of blinded veterans, however, this general time limitation is extended until June 30, 1975, or 10 years after the general termination date. H.R. 208 will continue the extension for blinded veterans but will broaden it to afford similar extensions to all individuals having a serious disability resulting from a service-connected disease or injury which creates an occupational handicap.

I believe this extension of time is warranted and urge that it be passed.

The bill was ordered to be engrosed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87–591, and to clarify the language of the law relating to the limiting of periods for pursuing such training."

A motion to reconsider was laid on the table.

WAR ORPHAN BENEFITS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 227) to amend title 38 of the United States Code to entitle the children of certain veterans who served in the Armed Forces prior to September 16, 1940, to benefit under the war orphans educational assistance program, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1701(a)(9)(A) of title 38, United States Code, is amended by striking out "the period beginning September 16, 1940, and ending December 6, 1941," and inserting in lieu thereof the following: "the period beginning July 5, 1902, and ending December 6, 1941, but not including any period of war,".

SEC. 2. In the case of any individual who is an "eligible person" within the meaning of section 1701(a)(1) of title 38, United States Code, solely by virtue of the amendment made by this Act, and who is above the age of seventeen years and below the age of twenty-three years on the date of enactment of this Act, the period referred to in section 1712 of title 38, United States Code, shall not end with respect to such individual until the expiration of the five-year period which begins on the date of enactment of this Act.

With the following committee amendment:

Strike lines 3 through 8 on page 1 and insert in lieu thereof the following:

That (a) the first sentence of section 1701(a)(1) of title 38, United States Code, is amended to read as follows:

The term "eligible person" means a child of a person who—

(A) died of a service-connected disability, or

(B) has a total disability permanent in nature resulting from a service-connected disability, or who died while a disability so evaluated was in existence,

arising out of active military, naval, or air service after the beginning of the Spanish-American War and prior to the end of the induction period, but only if such service did not terminate under dishonorable conditions.

(b) Such section 1701(a)(1) is further amended by deleting the second sentence thereof and by striking "during the induction period" in the fourth sentence and inserting in lieu thereof: "other than during a period of war".

(c) Paragraph 9 of such section 1701(a) is amended by deleting therefrom the following: "(A) the period beginning September 16, 1940, and ending December 6, 1941, and the period beginning January 1, 1947, and ending June 26, 1950, and (B)".

(d) Section 1701(d) of such title 38 is amended by deleting "during the Spanish-American War, World War I, World War II, the Korean conflict, or the induction period," and inserting in lieu thereof: "after the beginning of the Spanish-American War and prior to the end of the induction period,".

The committee amendment was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, the purpose of this bill is to make war orphans' educational assistance, authorized by chapter 35 of title 38, United States Code, available to the sons and daughters of those veterans who died or were totally and permanently disabled from a service-connected disability which directly resulted from the performance of active duty, or was incurred while engaged in extrahazardous service, during peacetime periods after the Spanish-American War and prior to September 16, 1940.

It appears to the committee that this is indeed a reasonable extension of the basic purpose of the war orphans' education assistance program. In view of the fact that this benefit is available generally only to individuals between the ages of 18 and 23 and for higher education, its application would be extremely limited.

The total cost of this proposed bill will not exceed $400,000.

Mr. ADAIR. Mr. Speaker, at the present time war orphans educational assistance is available to the sons and daughters of veterans who died or were totally disabled as the result of military service during time of war. In addition, the benefit is available to the sons and daughters of veterans who served during peacetime periods after September 16, 1940, and were disabled or died as the result of the performance of active duty or while engaged in extra hazardous service. This bill, H.R. 227, will extend the benefit of war orphans educational assistance to the sons and daughters of otherwise eligible veterans who served during peacetime after the Spanish-American War and prior to September 16, 1940.

Because of the low rate of military pay during earlier peacetime years, we can assume that it would have been difficult for veterans to have accumulated adequate savings to insure the education of their children in the event of death or total disability due to the performance of military duty. It seems reasonable, therefore, to extend this benefit in this manner. Because the benefit is available generally only to individuals between the ages of 18 and 23 for higher education, very few individuals would qualify under the liberalization. In fact, the Veterans' Administration has estimated that the total cost of this bill would not exceed $400,000.

I urge H.R. 227 be passed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEAL OF CHAPTER 33, TITLE 38, UNITED STATES CODE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 235) to amend title 38 of the United States Code to repeal the provisions relating to education of Korean conflict veterans, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. TEAGUE of California. Mr. Speaker, reserving the right to object, as the gentleman from Indiana [Mr. ADAIR] correctly stated, all of these bills under consideration today came out of the appropriate subcommittees and the full Committee on Veterans' Affairs by unanimous vote.

However, in the interests of clarification, I would like to ask the chairman of the committee, the gentleman from Texas [Mr. TEAGUE], whether or not it is true that these bills which we have so far considered, including this one, are involved with cost-of-living increases in monthly allowances for service-connected veterans pursuing vocational rehabilitation courses and for war orphans pursuing educational programs?

Mr. TEAGUE of Texas. The gentleman is exactly correct. These bills deal with our very seriously service-connected disabled veterans and basically provide cost-of-living increases for veterans taking vocational rehabilitation or war orphans.

Mr. TEAGUE of California. I thank the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, if the gentleman will yield further, I would like to tell the Members of the House that the next bill is one that repeals the so-called Korean GI bill which expired January 31, 1965. It does not cost anything. It merely keeps title 38 of the United States Code up to date.

Mr. TEAGUE of California. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. HALEY. Mr. Speaker, further reserving the right to object, I do this to ask the chairman, the distinguished gentleman from Texas [Mr. TEAGUE] if in these bills anywhere there is provision made for the soldiers now serving in Vietnam?

I understand that they are entitled to a good many of the privileges and prerogatives of veterans of other wars. However, there are some places where they do not receive the benefits to which veterans of other wars are entitled.

I would like to ask the gentleman from Texas [Mr. TEAGUE] if in the Veterans' Affairs Committee at this time there is any bill pending to give those benefits to these boys who are actually fighting the war and to whom I believe all of these benefits should be given?

Mr. TEAGUE of Texas. Mr. Speaker, if the gentleman will yield, I will say to the gentleman from Florida, who does a wonderful job on the Committee on Veterans' Affairs, and who has sat through all of the hearings on the various hospital proposals, that we have a number of bills along that line now pending in the committee.

We have advised the executive branch of the Government we expect to hold hearings and try to work out the problem of the men in Vietnam and other places around the world. These bills apply to the men in Vietnam, they will only apply to a service-connected disability. The men in Vietnam are not entitled to nonservice pension or nonservice hospitalization, but H.R. 205 and

H.R. 206 bills do apply to the men in Vietnam. Under unanimous consent I include a résumé of benefits available to men of service in South Vietnam:

Benefits Available to Veterans of Service in South Vietnam

The following broad range of benefits are available to veterans of service in South Vietnam:

COMPENSATION

Service in South Vietnam is considered as extrahazardous service under conditions simulating war. For this reason a veterans suffering a service-connected disability while serving in South Vietnam is entitled to compensation at wartime rates ranging from $20 per month for 10-percent disability to $250 for total disability; and from $340 to $725 for more severely disabled.

Dependency and indemnity compensation is payable to the qualified survivors of servicemen now serving, where death resulted from a service-connected disease or injury. The formula is $120 per month plus 12 percent of the base pay of the person who served—payable to widows; other amounts payable to children and dependent parents.

SOCIAL SECURITY

All individuals serving after January 1, 1957, are covered on a contributory basis. Examples of possible benefits under this program follow:

A man in pay grade E–3 (private, first class) with more than 2 years and less than 5 years' service, dies. He is survived by a widow and two children. The widow will receive a monthly payment of $128 until the older child reaches age 18, when the payment drops to $113. It remains at this level until the younger child is 18, at which time payment stops. Upon reaching the age of 62, the widow will begin to receive payments of $62 per month for the rest of her life if she does not remarry.

A man in pay grade E–5 (sergeant or petty officer), with more than 8 and less than 10 years' service, dies. He has been making a contribution to social security for 8 years. He is survived by a widow and two children. The widow will receive a monthly payment of $202 until the older child reaches age 18, when the payment drops to $143. It remains at this level until the younger child is 18, at which time payment stops. Upon reaching the age of 62, the widow will begin to receive payments of $78 per month for the rest of her life if she does not remarry.

A man in pay grade O–3 (captain), with more than 8 and less than 10 years' service, dies. He has been making a contribution to social security for 8 years. He is survived by a widow and two children. The widow will receive a monthly payment of $254 until the older child reaches age 18, when the payment drops to $191. It remains at this level until the younger child is 18, at which time payment stops. Upon reaching the age of 62, the widow will begin to receive payments of $105 per month for the rest of her life if she does not remarry.

Disability payments are made to a veteran with sufficient coverage when total disability is found by social security standards and this benefit would be in addition to Veterans' Administration compensation.

HOSPITALIZATION

Medical care and treatment, inpatient and outpatient, for any service-connected disability. Inpatient medical care if discharged for a service-connected disability or entitled to compensation.

EDUCATION

A veteran of current service is entitled to vocational rehabilitation training if he has a compensable service-connected disability of 30 percent or more, or if less, can show clearly that he has a pronounced employment handicap resulting from a service-connected disability, and the Veterans' Administration determines a need for vocational rehabilitation.

War orphans' education assistance is payable ($110 per month for full-time courses for 3 calendar years between ages 18 and 23) to a qualified beneficiary of a veteran whose death or total disability of a permanent nature is service incurred while serving in South Vietnam, based on the same criteria as is applied to a veteran of wartime service.

HOUSING

Assistance in the purchase of specially adapted housing through a grant of up to $10,000 is available where the veteran has a service-connected disability entitling him to compensation for permanent and total disability due to loss or loss of use of both lower extremities or blindness plus loss or loss of use of one lower extremity.

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT

While serving and for 2 years thereafter, the premiums and interest on eligible commercial life insurance policies not exceeding $10,000 on the life of the serviceman may be guaranteed by the Government under the Soldiers' and Sailors' Civil Relief Act. This same act provides protection in meeting financial obligations.

REEMPLOYMENT RIGHTS

This right is identical in coverage and purpose to that provided World War II and Korean conflict veterans.

INSURANCE

Available to veterans with service-connected disabilities. Application must be made within 1 year from date of determination of service connection.

UNEMPLOYMENT COMPENSATION

Covered by a program similar to that provided for Federal civilian employees.

SIX MONTHS' DEATH GRATUITY

This benefit ranges from a minimum of $800 to a maximum of $3,000 based on rank and is payable to widow, children, parents, brothers, or sisters.

BURIAL BENEFITS

Reimbursement for burial expenses is provided for in the case of any veteran of current service if he was in receipt of service-connected compensation at the time of his death or was discharged or retired for disability incurred in line of duty and the next of kin is entitled to a burial flag if the deceased veteran had served one enlistment or was discharged for a service-incurred disability. Any veteran whose last period of service terminated honorably is entitled to burial in a national cemetery and a headstone or grave marker.

Mr. HALEY. May I say that I hope the Congress and the committee will proceed as rapidly as they can to give to these men of ours who are fighting the war—we do not have to kid ourselves about that, because they are dying every day—these benefits, and I hope we can proceed to give them all of the benefits that the veterans of World War I, World War II, and the Korean war are entitled to.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 33 of title 38, United States Code, is repealed.

(b) The analysis of part III of title 38, United States Code, is amended by striking out

"33. Education of Korean conflict veterans.......................... 1601".

(c) The analysis of title 38, United States Code, is amended by striking out

"33. Education of Korean conflict veterans.......................... 1601".

Sec. 2. (a) Chapter 31 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1511. Advisory Committee

"(a) There shall be an Advisory Committee formed by the Administrator which shall be composed of persons who are eminent in their respective fields of education, labor, and management, and of representatives of the various types of institutions and establishments furnishing education and training to veterans enrolled under this chapter and under chapter 35 of this title. The Commissioner and the Director, Bureau of Apprenticeship, Department of Labor, shall be ex officio members of the Advisory Committee. The Administrator shall advise and consult with the committee from time to time with respect to the administration of this chapter and chapter 35 of this title, and the committee may make such reports and recommendations as it deems desirable to the Administrator and to the Congress."

(b) The analysis of chapter 31 of title 38, United States Code, is amended by adding at the end thereof the following:

"1511. Advisory Committee."

(c) Until changed by the Administrator of Veterans' Affairs or by resignation, the membership of the Advisory Committee provided for in section 1511 of title 38, United States Code, as added by subsection (a) of this section, shall be made up of the membership, as of January 31, 1965, of the Advisory Committee provided for in section 1662 of title 38, United States Code, which is repealed by the first section of this Act.

Sec. 3. (a) Section 102(a)(2) of title 38, United States Code, is amended by striking out "Except for purposes of chapter 33 of this title, dependency" and by inserting in lieu thereof "Dependency".

(b) Section 102(b) of such title is amended by striking out "chapters 19 and 33" and inserting in lieu thereof "chapter 19".

(c) Section 111(a) of such title is amended by striking out "33 or".

(d) Section 211(a) of such title is amended by striking out "784, 1661, 1761" and inserting in lieu thereof "784 and 1761".

(e) Section 1711(b) of such title is amended by striking out "or 33" and by inserting immediately before the period at the end thereof the following: "or under chapter 33 of this title as in effect before February 1, 1965".

(f) Section 1734 of such title is amended by striking out (1) "(a)", (2) "or 33", and (3) all of subsection (b) thereof.

(g)(1) Section 1735 of such title is repealed.

(2) The analysis of chapter 35 of such title is amended by striking out

"1735. Approval of courses."

(h) Section 1736 of such title is amended by striking out (1) "(a)" and (2) all of subsection (b) thereof.

(i) Section 1771(a) of such title is amended by striking out "after the date for the expiration of all education and training provided for in chapter 33 of this title. Such agency may be the agency designated or created in accordance with section 1641 of this title".

(j) Section 1776(a) is amended by striking out "1653 or".

(k) Section 3013 of such title is amended by striking out "chapters 31, 33, and 35" and inserting in lieu thereof "chapters 31 and 35".

SEC. 3. Nothing in this Act or any amendment or repeal made by it, shall affect any right or liability (civil or criminal) which matured before the effective date of this Act; and all offenses committed, and all penalties and forfeitures incurred, under any provision of law amended or repealed by this Act, may be punished or recovered, as the case may be, in the same manner and with the same effect as if such amendments or repeals had not been made.

SEC. 4. The amendments and repeals made by this Act shall take effect on February 1, 1965.

With the following committee amendments:

On page 2, line 5, strike out "(a)".

On page 4, line 16, strike out "3" and insert "4".

On page 5 strike out lines 1 and 2.

The committee amendments were agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, Public Law 550 of the 82d Congress, which subsequently became chapter 33 of title 38 of the United States Code, provided education and training for veterans of the Korean conflict. Over 2,390,000 veterans were provided educational assistance under this law.

All eligibility for training under this program ended on January 31, 1965. The purpose of this bill is to repeal as obsolete the provisions of chapter 33 of title 38, United States Code, in order to keep this title of the United States Code up to date and uncluttered by provisions of law which are no longer applicable.

There would be no cost as a result of the enactment of this proposal.

The GI bill of rights has had a very interesting history. January 31, 1965, marked the termination of all education and training under the Korean GI bill. That law, enacted in the summer of 1952 as the Veterans' Readjustment Assistance Act of 1952, provided a range of benefits to assist the returning serviceman in making a satisfactory readjustment to civilian life. In principle, it was similar to the earlier Servicemen's Readjustment Act of 1944, under which more than 7,800,000 World War II veterans trained; however, the Korean GI bill took advantage of experience under the earlier act and established a concept of a package payment, in which the assistance furnished the veteran was in the nature of a scholarship grant to assist the veteran in meeting expenses of tuition, books, subsistence, and so forth.

As of the time the program terminated, 2,390,700 Korean veterans had taken training under the act, and $4,519,600,000 had been expended for direct benefits. Since there will be some retroactive payments made for persons under training prior to the termination of the program but who have not received all allowances to which they are entitled, it is estimated that the entire cost will be in the neighborhood of $4,521 million.

The final breakdown of training provided is not available. As of June 30, 1964, 1,217,560 had trained in institutions of higher learning; 859,454 had trained in schools below college level; 214,863 had taken on-job training; and 95,494 had taken on-farm training. The veterans who have trained under this program pursued courses leading to their chosen objectives in thousands of varied types of educational institutions and training establishments. As a result, many teachers, doctors, lawyers, engineers, scientists, nurses, and men and women trained to other professions or trades have been added to the manpower of each State.

The effect of these educational programs has reached, directly or indirectly, into practically every American home. This program, together with the World War II program for veterans' education, has been called the largest mass adult education and training program ever undertaken, and the full impact on the economy of the country in increased earnings, the value of the increase in the number of skilled and professional manpower, reduced unemployment, and other benefits has not been fully measured.

Mr. ADAIR. Mr. Speaker, H.R. 235 will repeal as obsolete the provisions of chapter 33 of title 38 of the United States Code, which is commonly referred to as the educational benefits of the Korean GI bill. Inasmuch as the education program under the Korean GI bill terminated January 31, 1965, there is no reason for the continuation of this obsolete law as a part of title 38. Those provisions of the law which remain in effect are, under provisions of this bill, transferred to other chapters of title 38. There is no cost attached to the bill and the Veterans' Administration recommends its adoption. I urge its approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIZE OF FLAGS FURNISHED BY VETERANS' ADMINISTRATION

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 2656) to amend subsection (a) of section 901 of title 38, United States Code, to prescribe the size of flags furnished by the Administrator of Veterans' Affairs to drape the caskets of deceased veterans, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 901 of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "Each such flag shall measure five feet in width and nine and one-half feet in length."

Mr. TEAGUE of Texas. Mr. Speaker, this bill will prescribe as the size of the flag, given by the Veterans' Administration to drape the caskets of deceased veterans, as 5 feet in width and 9½ feet in length.

In 1963, an administrative decision was made to reduce the size of the flag to 4½ by 7 feet. This decision was approved by the Administrator of General Services under date of May 27, 1963, and flags of this size are now being used by the Veterans' Administration.

There have been numerous complaints from veterans' organizations and recipients of the flag as to its size, that the present size does not actually cover the entire casket at the time of the funeral.

This legislation would require the Veterans' Administration to revert to its former practice of issuing the flag of 5 by 9½ feet and it is estimated it would cost 40 cents additional for each of the 180,000 flags issued each year for a total cost of $72,000 per year.

Mr. ADAIR. Mr. Speaker, the bill, H.R. 2656, will prescribe the size of flags furnished by the Veterans' Administration to drape the caskets of deceased veterans.

Until 1963, the flag in use for this purpose was 5 by 9½ feet. A flag of this size was adequate to cover the casket. In 1963 the Veterans' Administration arbitrarily reduced the size of the flag to 4½ by 7 feet. Complaints have been received by Members of Congress from veterans' organizations and the next of kin of deceased veterans that the flag being used was entirely too small to adequately cover the casket. I concur in these complaints and believe that the slight additional cost of the larger flag is most certainly warranted. I therefore recommend the passage of H.R. 2656.

Mr. ROUDEBUSH. Mr. Speaker, I strongly support H.R. 2656, a bill to prescribe the size of burial flags. For many years the standard size of the burial flag was 5 feet by 9½ feet. This size is also used by the military and experience has shown this is the size needed to carry out the proper burial ritual by veterans organizations.

In 1963 the size of the flag issued by the Veterans' Administration was arbitrarily reduced to 4½ by 7 feet. Hundreds of complaints have been received from veterans organizations.

In the 88th Congress I introduced legislation to correct this action by the Veterans' Administration. Again in the 89th Congress I introduced H.R. 1725, a bill similar to H.R. 2656 in text, that will amend the code and provide a 5- by 9½-foot flag for burial purposes.

I strongly support this needed change as incorporated in H.R. 2656.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHICAGO'S RECEPTION TO ASTRONAUTS HITS ALLTIME RECORD

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, this is a day in history. Chicago is doing honors to Astronauts Edward White and James McDivitt in a celebration that probably sets an alltime record in the number of persons participating and depth of enthusiasm. From the Congress of the United States goes warmest congratulations to Mayor Richard J. Daley and the people of Chicago.

PERSECUTION AND HARASSMENT OF RELIGIOUS GROUPS BEHIND THE IRON CURTAIN

Mrs. KELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY. Mr. Speaker, the news that persecution and harassment of religious groups exists behind the Iron Curtain within the U.S.S.R.—Russia—and Eastern European countries comes as no surprise to Americans, Members of Congress, and to all free people. This persecution in varying degrees of intensity is continuing to Christian, Jewish, and Muslim citizens. The harassment and infringing upon the inherent rights of religions through confiscatory taxation and closing of religious institutions, deliberate suppression of religious education, interference with religious and related cultural practices, denial of regular contacts between religious bodies in their countries with similar bodies in other parts of the world must be admitted.

As chairman of the Subcommittee on Europe of the House Committee on Foreign Affairs, I would like to state that this committee has just completed hearings on this very subject. We had extensive testimony from members of all faiths, Jewish, Muslim, Orthodox, Protestant, and Catholic on the manner in which religious persecution, both overt and covert, continues in Communist countries. The purpose of these hearings was not to be just a reminder of lest we forget nor that we thought we might be able to stop such persecution—but my reason, personally, was to expose the hypocrisy of Communist guarantees by proving that the leaders of Communist governments do not live up to their guarantees. If they would match the words of their constitutions which guarantee religious freedom to all peoples, hearings such as ours would not be necessary. They try to deny persecution exists by pointing to "showcases" of churches and synagogues being opened while all the time the countless persecution of religion goes on.

Your Subcommittee on Europe passed a resolution unanimously on this subject. It is now pending before the full Committee on Foreign Affairs of the House of Representatives and I hope action will be taken on this shortly. It is my hope that the governments of the Soviet Union and the governments of the eastern European countries will grant the exercise of religious rights and related cultural pursuits to all the people living within their nations.

I hope our small action will alert the governments behind the Iron Curtain that we only seek the guarantee of the rights of all peoples.

I have requested unanimous consent to insert in the RECORD an article which appears in the New York Times of June 14, 1965, with which I take issue. I regret that an outstanding member of the Jewish faith, Dr. Nahum Goldmann, has disagreed that persecution is taking place. I insert this article from the New York Times in the RECORD:

ZIONISTS DISAVOW GOLDMANN'S POSITION ON SOVIET

(By W. Granger Blair)

JERUSALEM (ISRAEL SECTOR), June 14.—The Jewish Agency for Israel has disavowed remarks made on Soviet Jews by Dr. Nahum Goldmann, president of the World Zionist Organization.

Dr. Goldmann contended last week that public criticism and appeals for a change in Soviet treatment of Jews were ineffective, "too often being distorted" and sometimes harmful. He advocated "quiet diplomacy."

A Jewish agency spokesman said that the opinions, expressed at a news conference in New York last Thursday, were "personal and did not reflect the policies of the World Zionist Organization. The agency and the WZO have overlapping functions and aims in the promotion of Zionism.

The Jewish agency was particularly upset that Dr. Goldmann at his news conference had not repeated his statement of a month ago that all his political statements were made in a private capacity and in no way committed the World Zionist Organization.

LEADERS REPORTED UPSET

It was understood that Premier Levi Eshkol and Foreign Minister Golda Meir and their associates were also upset over the Zionist leader's comments that accusations against the Soviet Union's treatment of its Jews were often distorted.

A Jewish agency official bemoaned the fact that "the good relations that we had built up" between the agency and key Government ministries on foreign policy questions had received a setback with Dr. Goldmann's statements.

However, this was not the first time that Dr. Goldmann has been at odds with Israel's leaders over a foreign policy question. When David Ben-Gurion was Premier the two men frequently and publicly disagreed. Under the Eshkol regime these frictions have been reduced.

Four of the five Israeli newspapers that devoted editorials today to Dr. Goldmann's New York statements took him to task. The only paper that supported his advocacy of "quiet diplomatic action" was the organ of the ultra-orthodox religious political party Agudat Israel.

One paper called his statements "most surprising and in part damaging and harmful." Another asked if "it was necessary to put a weapon into our enemies' hands by declaring that unjust accusations are being leveled against Russia."

A third asserted that "we cannot understand why at this particular time when the Jewish organizations in the United States—largely against the will of the State Department—have come out into the open to win over public opinion Dr. Goldmann comes along to stick a spoke in the wheel."

The fourth critical newspaper held that "coming in the wake of President Johnson's recent public appeal to the Soviet Government in behalf of Russian Jewry, Dr. Goldmann's statements clearly were unfortunate in their timing."

In its campaign to arouse world opinion and Jewish opinion in particular to the restrictions placed on Russian Jews the Israeli Government has always emphasized the right of Soviet Jewry to emigrate freely to Israel.

Close observers of the Israeli scene believe this emphasis reflects the desire of this country's authorities to offset the rapidly expanding backward and poorly educated Oriental Jewish communities with more progressive and better educated Jews from the West and from the Soviet Union.

WATERGATE CONCERT SHELL

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, on this day of the Festival of Arts at the White House, it seems particularly appropriate to introduce a bill for the construction of a new shell for the Watergate and other concerts on the Potomac.

As a former staff employee of the late Senator Joseph C. O'Mahoney, of Wyoming, I am a Watergate concert fan of long standing, and as a member of the House Interior and Insular Affairs Committee, I share the concern regarding the deterioration of the present facility.

If Washington is to remain a fitting Capitol for this great Nation, it seems imperative that we not let the Watergate tradition die. In behalf of all who are interested in a more beautiful Washington, I am happy to introduce the following bill:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated out of any money in the Treasury not otherwise appropriated, to the Secretary of the Interior, a sum not exceeding $342,500 to construct a new and larger concert shell, with either a barge or piling foundation, for the Watergate and other concerts in Washington, D.C.

LAND ACQUISITION POLICIES SHOULD CHANGE

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I rise once again to protest the land acquisition policies of the Army Corps of Engineers. The so-called negotiation policy is one which should receive a complete and immediate review. It is a policy which is doing more to create distrust of the Federal Government in certain areas of the country than anything I know. The citizen is never told what the Government's appraisal is. If he is shrewd in the ways of business, he will avoid taking the first offer. He will argue and resist and the Government will gradually come up and they might get together. But those who deserve the most protection get the least protection under this policy. The old and tired, the inexperienced in business affairs, the weak and gullible—all are taken advantage of by this policy. And then, too, Mr. Speaker, in my area of Indiana, the Government has been stingy and reluctant in their offers. In certain instances I feel quite sure that the Government will get trounced in the courts by those whose determination has taken them into the courts. Appraisals are in the hands of affected property owners giving values twice as high as that the Government has offered. These are appraisals by competent local appraisers who know better than any outsider the value of lands being bought and sold in the area. It bothers me to know that these people are taken advantage of but most of all I am disturbed by the fact these highhanded tactics are creating such bitter and resentful feelings against the Federal Government. It is understandable that the people being displaced are disturbed and distressed because the Government is interfering with their lives and in some instances their livelihood but when it is all done they should at the least have respect for the Government and its processes and be able to say, "The Government treated me fairly."

IMPROVEMENT IN OUR LABOR LAWS

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am today introducing a package of five labor bills which anticipates the repeal of section 14(b) of the Taft-Hartley Act and provides for appropriate improvement in labor laws to further safeguard the public interest and bolster union democracy.

Four of these measures are designed to strengthen the collective bargaining process; provide for a secret ballot in union representation cases; further equal employment opportunities and improve machinery to deal with national emergency strikes. The fifth bill would increase the minimum wage under the Fair Labor Standards Act from $1.25 to $1.50 per hour.

Parallel measures are being introduced in the other body by my distinguished colleague, Senator JACOB K. JAVITS, ranking Republican on the Senate Labor and Public Welfare Committee.

I have long been on record against proposals which seek to abolish or diminish labor's right to self-organization and collective action. Unions have largely been a force for good in our society. But no objective person can fail to recognize the need for keeping union responsibility abreast of union authority.

Mr. Speaker, the first of the bills I am introducing today would amend the Labor-Management Relations Act to give the Federal courts jurisdiction to enforce provisions of collective bargaining agreements containing no-strike, no-lockout clauses, provided that such jurisdiction is specifically accepted in the contract and the contract contains a clause providing for the arbitration of disputes. The Supreme Court has held that the Federal courts are deprived of jurisdiction to enforce no-strike clauses regardless of what the parties themselves have negotiated.

The second bill amends the National Labor Relations Act to insure, when requested, a secret ballot election in union representation cases in lieu of a card check.

The third bill would amend the Equal Employment Opportunity title, title VII, of the 1964 Civil Rights Act to improve its coverage of unions and employers, to strengthen the enforcement and investigatory powers of the Equal Employment Opportunity Commission—similar to New York State's Commission on Human Rights—and to stress equal opportunity access to apprenticeship and other training programs.

Testimony before the House Education and Labor Committee still indicates that only about 2 percent of those engaged in apprenticeship training programs throughout the United States are Negro. Further, Negro unemployment rates are at least double those of others; and the Commission should be given the power to issue cease and desist orders, go to court, and deal more urgently with the opportunities of apprenticeship training for those who are qualified.

The fourth bill would give the President new powers to protect the public health and safety in national emergency strike situation. The powers would include appointment of a board of inquiry to make public recommendations for a settlement, a 30-day freeze during which both parties would be required to bargain on the recommendations but neither party would be required to accept them, and authority for the President to seek in Federal Court the appointment of a receiver to operate struck facilities to the extent necessary to protect the national health and safety.

Mr. Speaker, it is increasingly clear that the Nation cannot sustain crippling and grave national emergency strikes resulting in massive layoffs and serious disruption of the economy. This legislation would certainly enhance the powers of the bargaining table and require—for at least 30 days—the parties to the dispute to bargain within the framework of responsible recommendations.

The final bill would amend the Fair Labor Standards Act to increase the minimum wage of $1.25 to $1.50 per hour. The present minimum wage of $1.25 provides a wage below that which is considered minimal in the Economic Opportunity Act and the Elementary and Secondary Education Act. I believe that it is far better for the free enterprise system to provide a living wage than the Federal Government to institute makework programs.

REVISION OF COPYRIGHT LAWS

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, a bill is presently pending in the Judiciary Committee of this body to provide for revision of our copyright laws. As one whose district includes the home of Samuel Clemens, Reinhold Niebuhr, and Jimmy Lunceford, as well as many other artists and authors of considerable reputation, I am intensely concerned with this problem.

Therefore, I should like to introduce into the RECORD at this point an article from Variety, by a close friend and well-known New York attorney, Richard Wincor, which I think delineates the rough edges of this dilemma.

[From Variety]

A PROPOSAL TO ABOLISH COPYRIGHT

(By Piraticus)

At a time when American education is undergoing its most severe test in the world leadership syndrome, a small but monopolistic group of authors is agitating for an extension of copyright. The socioeconomic implications of this phenomenon menace scholarship itself.

Accordingly, I propose that universities, foundations, libraries, motion picture companies and others dedicated to the advancement of learning unite in sponsoring a bill in Congress to abolish copyright.

American youth must not be taxed for the privilege of learning from great books through new photo-duplicating processes or great shows available now through educational television. In a democracy these things must be free to all, unfettered by the dead hand of monopoly. Copyright means paying royalties; this constitutes a thrust at the heart of the intellectual community.

Authors are very quick to cry private property but they are known as a group to include many unfortunate persons sympathetic to or duped by atheistic communism. Many of them, moreover, are persons of questionable morals who consort with actors.

Private property will be recognized by any Freudian as a mask for greed impelled by an insecurity syndrome and guilt feelings. This perplex, on a gestalt basis, is sui generis. True authors write for the advancement of learning and to enrich human values. Acceptance and popularity should be their own rewards; people who want money can get plenty of foundation grants, or even go into business or one of the professions.

Must an American child pay Shakespeare's family for the right to read "Hamlet"? One shudders at this notion; yet the enemies of culture demand payment for the works of Rex Stout and Elizabeth Janeway. Nothing could be further from the spirit of intellectual liberty and the free exchange of ideas.

Authors like to draw false analogies between their scribblings and other forms of property. One celebrated writer, whose lack of the ability to relate and fragmented orientation generally make his views suspect, exemplifies this gaucherie. He suggested (seriously, I think) that because manufacturers of hockey sticks are paid for the sale of their products to schools and universities, the author should be similarly treated. He mentioned, too, payment by libraries for their mops and pails.

Hockey sticks indeed. Mops and pails, to be sure. The analogy affronts intelligence. Making hockey sticks requires skill; mops and pails are useful things in any library. The writings of an author comprise a nexus of intangibles; they come within a different category. Anybody can write.

For that matter, atheistic communism is rampant in hockey-stick circles and many mop and pail manufacturers are known deviates. It may be that in time they too may be requested to surrender their monopolistic practice of exacting payment. Whether the public welfare requires it must be the test.

For the time being, however, authors are the main obstruction to a free society. Abolish copyright and the true artists will go on writing anyway. This is a time to separate the wheat from the goats.

It may be argued that this whole proposal is unrealistic, and it may well be so, in view of the power of author's lobbies in world capitols. As a compromise I would suggest a copyright term limited to 1 year. If the author has anything worthwhile he can "clean up" in that period. Thereafter his writings ought to be free as the air we breathe, without taxes, without levies, without conditions, without restrictions, without anything that impedes drinking deep from the cup of knowledge.

Only in this way can we maintain intellectual leadership. Only by abolishing copyright entirely can we expose future generations to the best things, and save writers from false values and the depraved blandishments of a materialistic society. (© 1965 Piraticus; all rights reserved; no portion of this article may be reproduced anywhere by anyone without the written permission of the copyright owner.)

POLITICAL CATACLYSM DESIGNED BY THE SUPREME COURT—ADDRESS BY REPRESENTATIVE RICHARD DeCOSTER IN THE MISSOURI GENERAL ASSEMBLY

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I would like to call the attention of the House of Representatives to the remarks of the distinguished member of the Missouri General Assembly, Representative Richard DeCoster of Lewis County, Mo., which I think aptly describes the political cataclysm the Supreme Court has designed for us.

ADDRESS OF REPRESENTATIVE RICHARD DECOSTER IN THE MISSOURI GENERAL ASSEMBLY

Mr. Speaker, this may be, it is in fact, the beginning of the end for a large number of us here. Therefore, Mr. Speaker, I would ask that you and our colleagues bear with me for just a few minutes in this monologue in futility.

Mr. Speaker, I am genuinely alarmed at my own realization of the futility of the remarks I am about to make. But I shall make them, Mr. Speaker, because I believe every citizen of Missouri should be awakened and likewise alarmed. And further because, Mr. Speaker, I want no member of this assembly to be able to say in future years, "I didn't realize what we were doing" or to say, "I had no idea it could lead to this."

And, Mr. Speaker, because a task may seem insurmountable, does not necessarily mean that it is impossible. And, even if impossible, this is no excuse for us to surrender without a fight, where the stakes are life or death. In all sincerity, Mr. Speaker, it is my fearful belief that we may today be taking a turn down the road of destruction for Missouri's Representative Assembly.

This Republic and its unique form of representative democracy was founded, nourished, sustained, and has endured on basic principles of checks and balances so well understood by every American as to need no elucidation here. At various times through our history our people have been alerted to the fact that these checks and balances have been endangered, and that attempts have been made to throw the system out of balance.

Always our people, and usually the other two branches of the Government, have reacted promptly and with definitude to prevent any one branch from exceeding its traditional and constitutional limitation. Likewise it has been the branch upon whose prerogatives encroachments are threatened, that has been first to sound the warning and lead the charge in its own defense. Today, I am utterly bewildered by the apparent apathy—even reluctance, of Federal and State legislative branches and of our people themselves to recognize and rise up and defend against the usurpation of legislative powers by the judicial branch of our Government.

A few discriminating, alert and courageous men like yourself, Mr. Speaker, and our former Speaker, Congressman ICHORD, have tried dramatically to awaken our people to what is happening. But your dramatic charges and pronouncements, instead of having their intended effect, have produced public criticism and personal ridicule. This, of course, is not without precedent in the lives of patriots of our past.

Today, Mr. Speaker, at this hour, we are about to send to the State Senate of Missouri a plan for the reapportionment of our own districts. The plan which we now offer is a radical departure from the principle upon which the apportionment of the legislative body closest to the people in all of the States of the Union, historically have been based. I shall vote for this plan today with mixed emotions.

First, I am proud that we have proven to the skeptics, especially those in the judicial and executive branches, that we, as a responsible and capable legislative body can face up to the onerous and highly distasteful task of reapportioning ourselves. In doing this we have taken a significant stand to uphold the integrity of the legislative branch of the Government, and have stanchly refused to surrender more of our legislative responsibilities to the executive branch. Come what may, Mr. Speaker, it is my sincere hope, indeed, my fervent prayer, that this house shall never call upon or voluntarily permit the executive or judiciary to draw the lines and choose the territories within which our people shall join together to select their policymaking—their lawmaking—their tax-levying representatives.

Yet, with all my heart, with my deepest convictions, I want to vote against this bill, as I want to vote against any bill that fails to take into consideration distances and other geographical, economical and social factors that I believe are essential ingredients of fair and equal representative democracy. (And if I may digress, I should like to point out that should the Representative from my new district reside in the most populous town in the district, 90 percent of the people would have to pay a toll to even telephone their Representative. If he comes from any other place in the district, the percentage would be higher. And may I ask, Does anyone here seriously contend that the 26,000 people of the large outstate districts will, under this plan, have equal representation with those 26,000 living within a district composed of a few blocks or of a single county?)

When I was a boy on the farm, we all liked fried chicken and baked hen. But like most other good things in life, there was a drawback—someone had to cut the head off of the chicken. Well anyway, the tastiness of the chicken had to outweigh the distastefulness of the beheading. We had no choice. If we wanted to eat chicken, someone had to cut the head off.

I cannot help but reflect upon the analogy with the situation which I have found myself faced this session. As I have indicated, and as you know, I am a devoted disciple of the school that believes that the apportionment of the legislature is exclusively a legislative function. It is not a proper function of the courts as demonstrated in Oklahoma and as is threatened by some of us here today; it is not a function of the executive as has been advocated to us, and as is indeed practiced in what was once called the upper house of this State.

If then, I am to enjoy the luxury of standing for this conviction, that apportionment is a legislative responsibility, and for my further conviction that legislatures are strengthened by facing and accepting their responsibilities, and that they are weakened by abdicating and retreating from them, then I must accept the responsibility of earnestly working out a plan of reapportionment that will forestall the courts from doing it for me. This I have attempted to do. Many members have worked long, hard, and painstakingly at this job, but none more than I.

But—I want to know, Mr. Speaker, I want the members of this house to know—I want the people of the State of Missouri to know, that I did not do it willingly or freely, but that I did it under the implied threat and coercion of the Federal courts of these United States. In reapportioning the Missouri House of Representatives, I certainly am not exercising the wishes of the majority of the people of my county, nor of my area. This is not to say that I am opposed to reapportionment. I wish it clearly understood that I recognize periodic reapportionment as both necessary and desirable. But—I do not believe the courts should decree reapportionment until the legislature has failed and refused. To my knowledge this legislature has not had a reapportionment amendment even offered, much less turned down. This is some indication that those bringing the suit hold their legislature in such contempt as to completely bypass it. May it be true that these kind of people would just as soon see no legislature at all? And I do not believe that equal vote is synonymous with equal representation.

Mr. Speaker, I should like to vote against this bill (although I worked hard to perfect it. And I will say that if such a bill must be passed, this is as good as we can expect to do, and a whole lot better than a court or Governor's committee could be expected to do).

I want to vote against the bill as a vote of protest, a futile act of defiance if you will, against the courts that have usurped the legislative authority by the power of the positions which they hold.

Mr. Speaker, to those from the populous areas I would say—today—insofar as representative government is concerned—today—my people die that yours may live. It is my prayer that they shall so live that we shall not have died in vain. For I fear, that just like the fried chicken—where now no one even thinks about the beheading—our people may come to care less about how or who, if anyone, is representing them, as long as the chicken is there.

I was going to close by saying that rural legislators do not die, they just dwindle away. But they do die, Mr. Speaker. They die today, and in 1971, and in every 10 years thereafter. They die at the hands of the narrowly blinded lord high executioners. I have helped to prepare the graves Mr. Speaker. Now I must be a party to filling them. Today we inter the victims of a misguided judiciary, and with them the rights and the confidence of thousands of now skeptical Missourians.

PERSONAL ANNOUNCEMENT

Mr. McVICKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. McVICKER. Mr. Speaker, earlier last week I was unavoidably absent from this Chamber to attend the graduation exercises at the U.S. Air Force Academy of which our State is very proud.

Had I been present I would have voted for the appropriations for the legislative branch for fiscal year 1966, H.R. 8775. Also I would have voted for H.R. 7105 to provide for continuation of authority for regulation of exports.

Had I been here Wednesday, I would have supported passage of H.R. 8464 to permit a temporary increase in the public debt limit, and House Concurrent Resolution 285 to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums."

PRESIDENT JOHNSON'S COMMENCEMENT ADDRESS AT HOWARD UNIVERSITY

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, recently President Johnson delivered the commencement address at Howard University. I feel sure that this speech will come to be regarded in history as one of the greatest statements ever made by a President of the United States about the desperate struggle of Negro Americans to achieve their rightful place in American society. With the moving eloquence of a great leader, President Johnson made it crystal clear that the voting rights bill of 1965—soon to come before the House and soon to become the law of the land—is not the end of the struggle for equal rights. In fact it is not even the beginning of the end, but really just the end of the beginning.

The President reminded us that the vote is only a means to an end—the guarantee of justice and dignity for every American. But as hard as we are working in the war on poverty, aid to education, and for all the other increased community services to the needy citizens of this country, we are still far from achieving the American dream of equality for all men. The unemployment rate for Negro workers is increasing and particularly with regard to Negro youth. Segregation in urban housing is increasing, and the median income of Negro Americans is falling behind the overall rise in income. These statistics and many others all point to one inescapable conclusion—even though both Negro and white Americans are benefiting from an increased standard of living, Negro Americans are steadily losing, not gaining ground, in the struggle to achieve true equality.

And why? The various explanations can be traced back in the past to the devastating effects of the legacy of slavery and in the present to the black ghettos in the cities of America from which only a relatively few ever escape. As President Johnson stated, Negro Americans in the ghettos are in another world—a hopeless world.

President Johnson analyzed the plight of black America in a straightforward and moving way. I urge upon my colleagues to join in his call for action for these reasons.

I sincerely commend this magnificent address to the attention of every Member of the House and ask that it be printed in the RECORD immediately following my remarks.

[From the Washington Post, June 5, 1965]

PRESIDENT'S ADDRESS AT HOWARD UNIVERSITY

Our earth is the home of revolution.

In every corner of every continent men charged with hope contend with ancient ways in pursuit of justice. They reach for the newest of weapons to realize the oldest of dreams: that each may walk in freedom and pride, stretching his talents, enjoying the fruits of the earth.

Our enemies may occasionally seize the day of change. But it is the banner of our revolution they take. And our own failure is linked to this process of swift and turbulent change in many lands. But nothing, in any country, touches us more profoundly, nothing is more freighted with meaning for our own destiny, than the revolution of the Negro American.

In far too many ways American Negroes have been another nation: deprived of freedom, crippled by hatred, the doors of opportunity closed to hope.

In our time change has come to this Nation, too. Heroically, the American Negro—acting with impressive restraint—has peacefully protested and marched, entered the courtrooms and the seats of government, demanding a justice long denied. The voice of the Negro was the call to action. But it is a tribute to America that, once aroused, the courts and the Congress, the President and most of the people, have been the allies of progress. Thus we have seen the high court of the country declare that discrimination based on race was repugnant to the Constitution, and therefore void. We have seen—in 1957, 1960, and again in 1964—the first civil rights legislation in almost a century.

As majority leader I helped guide two of these bills through the Senate. And, as your President, I was proud to sign the third.

And soon we will have the fourth new law, guaranteeing every American the right to vote.

No act of my administration will give me greater satisfaction than the day when my signature makes this bill too the law of the land.

The voting rights bill will be the latest, and among the most important, in a long series of victories. But this victory—as Winston Churchill said of another triumph for freedom—"is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning."

That beginning is freedom; and the barriers to that freedom are tumbling. Freedom is the right to share, fully and equally, in American society—to vote, to hold a job, to enter a public place, to go to school. It is the right to be treated, in every part of our national life, as a man equal in dignity and promise to all others.

FREEDOM NOT ENOUGH

But freedom is not enough. You do not wipe away the scars of centuries by saying: Now, you are free to go where you want, do as you desire, and choose the leaders you please.

You do not take a man who, for years, has been hobbled by chains, liberate him, bring him to the starting line of a race, saying "you are free to compete with all the others," and still justly believe you have been completely fair. Thus it is not enough to open the gates of opportunity. All our citizens must have the ability to walk through those gates.

This is the next and the more profound stage of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and a result.

Thus the task is to give 20 million Negroes the same chance as every other American to learn and grow—to work and share in society—to develop their abilities—physical, mental, and spiritual, and to pursue their individual happiness.

To this end equal opportunity is essential, but not enough. Men and women of all races are born with the same range of abilities. But ability is not just the product of birth. It is stretched or stunted by the family you live with, and the neighborhood you live in—by the school you go to, and the poverty or richness of your surroundings. It is the product of a hundred unseen forces, all playing upon the infant, the child, and the man.

This graduating class at Howard University is witness to the indomitable determination of the Negro American to win his way in American life.

The number of Negroes in schools of high learning has almost doubled in 15 years. The number of nonwhite professional workers has more than doubled in 10 years. The median income of Negro college women now exceeds that of white college women. And these are the enormous accomplishments of distinguished individual Negroes, many of them graduates of this institution.

These are proud and impressive achievements. But they only tell the story of a growing middle class minority, steadily narrowing the gap between them and their white counterparts.

But for the great majority of Negro Americans—the poor, the unemployed, the uprooted and dispossessed—there is a grimmer story. They still are another nation. Despite the court orders and the laws, the victories and speeches, for them the walls are rising and the gulf is widening.

THE FACTS OF FAILURE

Here are some of the facts of this American failure.

Thirty-five years ago the rate of unemployment for Negroes and whites was about the same. Today the Negro rate is twice as high.

In 1948 the 8 percent unemployment rate for Negro teenage boys was actually less than that of whites. By last year it had grown to 23 percent, as against 13 percent for whites.

Between 1949 and 1959, the income of Negro men relative to white men declined in every section of the country. From 1952 to 1963 the median income of Negro families compared to white actually dropped from 57 percent to 53 percent.

In the years 1955–57, 22 percent of experienced Negro workers were out of work at some time during the year. In 1961–63 that proportion had soared to 29 percent.

Since 1947 the number of white families living in poverty has decreased 27 percent while the number of poor nonwhite families went down only 3 percent.

The infant mortality of nonwhites in 1940 was 70 percent greater than whites. Twenty-two years later it was 90 percent greater.

Moreover, the isolation of Negro from white communities is increasing, rather than diminishing as Negroes crowd into the central cities—becoming a city within a city.

Of course Negro Americans as well as white Americans have shared in our rising national abundance. But the harsh fact of the matter is that in the battle for true equality too many are losing ground.

We are not completely sure why this is. The causes are complex and subtle. But we do know the two broad basic reasons. And we know we have to act.

First, Negroes are trapped—as many whites are trapped—in inherited, gateless poverty. They lack training and skills. They are shut in slums, without decent medical care. Private and public poverty combine to cripple their capacities.

We are attacking these evils through our poverty program, our education program, our health program, and a dozen more—aimed at the root causes of poverty.

We will increase, and accelerate, and broaden this attack in years to come, until this most enduring of foes yields to our unyielding will.

PREJUDICE MUST BE FOUGHT

But there is a second cause—more difficult to explain, more deeply grounded, more desperate in its force. It is the devastating heritage of long years of slavery, and a century of oppression, hatred, and injustice.

For Negro poverty is not white poverty. Many of its causes and many of its cures are the same. But there are differences—deep, corrosive, obstinate differences—radiating painful roots into the community, the family, and the nature of the individual.

These differences are not racial differences, they are solely and simply the consequence of ancient brutality, past injustice, and present prejudice. They are anguishing to observe. For the Negro they are a reminder of oppression. For the white they are a reminder of guilt. But they must be faced, and dealt with, and overcome, if we are to reach the time when the only difference between Negroes and whites is the color of their skin.

Nor can we find a complete answer in the experience of other American minorities. They made a valiant, and largely successful effort to emerge from poverty and prejudice. The Negro, like these others, will have to rely mostly on his own efforts. But he cannot do it alone. For they did not have the heritage of centuries to overcome. They did not have a cultural tradition which had been twisted and battered by endless years of hatred and hopelessness. Nor were they excluded because of race or color—a feeling whose dark intensity is matched by no other prejudice in our society.

Nor can these differences be understood as isolated infirmities. They are a seamless web. They cause each other. They result from each other. They reinforce each other. Much of the Negro community is buried under a blanket of history and circumstance. It is not a lasting solution to lift just one corner. We must stand on all sides and raise the entire cover if we are to liberate our fellow citizens.

One of the differences is the increased concentration of Negroes in our cities. More than 73 percent of all Negroes live in urban areas compared with less than 70 percent of whites. Most of them live in slums. And most of them live together; a separated people. Men are shaped by their world. When it is a world of decay ringed by an invisible wall—when escape is arduous and uncertain, and the saving pressures of a more hopeful society are unknown—it can cripple the youth and desolate the man.

There is also the burden a dark skin can add to the search for a productive place in society. Unemployment strikes most swiftly and broadly at the Negro. This burden erodes hope. Blighted hope breeds despair. Despair brings indifference to the learning which offers a way out. And despair coupled with indifference is often the source of destructive rebellion against the fabric of society.

There is also the lacerating hurt of early collision with white hatred or prejudice, distaste or condescension. Other groups have felt similar intolerance. But success and achievement could wipe it away. They do not change the color of a man's skin. I have seen this uncomprehending pain in the eyes of young Mexican-American schoolchildren. It can be overcome. But, for many, the wounds are always open.

Perhaps most important—its influence radiating to every part of life—is the breakdown on the Negro family structure. For this, most of all, white America must accept responsibility. It flows from centuries of oppression and persecution of the Negro man. It flows from the long years of degradation and discrimination which have attacked his dignity and assaulted his ability to provide for his family.

This, too, is not pleasant to look upon. But it must be faced by those whose serious intent is to improve the life of all Americans.

Only a minority—less than half—of all Negro children reach the age of 18 having lived all their lives with both parents. At this moment, today, little less than two-thirds are living with both parents. Probably a majority of all Negro children receive federally aided public assistance during their childhood.

The family is the cornerstone of our society. More than any other force it shapes the attitude, the hopes, the ambitions, and the values of the child. When the family collapses the child is usually damaged. When it happens on a massive scale the community itself is crippled.

Unless we work to strengthen the family—to create conditions under which most parents will stay together—all the rest: schools and playgrounds, public assistance and private concern—will not be enough to cut completely the circle of despair and deprivation.

NO EASY ANSWER

There is no single easy answer to all these problems.

Jobs are part of the answer. They bring the income which permits a man to provide for his family.

Decent homes in decent surroundings and a chance to learn are part of the answer.

Welfare and social programs better designed to hold families together are part of the answer.

Care for the sick is part of the answer.

An understanding heart by all Americans is also part of the answer.

To all these fronts—and a dozen more—I will dedicate the expanding efforts of my administration.

But there are other answers still to be found. Nor do we fully understand all the problems. Therefore, this fall, I intend to call a White House conference of scholars, experts, Negro leaders, and officials at every level of government.

Its theme and title: "To Fulfill These Rights."

Its object: to help the American Negro fulfill the rights which—after the long time of injustice—he is finally about to secure.

To move beyond opportunity to achievement.

To shatter forever, not only the barriers of law and public practice, but the walls which bound the condition of man by the color of his skin.

To dissolve, as best we can, the antique enmities of the heart which diminish the holder, divide the great democracy, and do wrong to the children of God.

I pledge this will be a chief goal of my administration, and of my program next year, and in years to come.

I hope it will be part of the program of all America.

For what is justice?

It is to fulfill the fair expectations of man.

Thus, American justice is a very special thing. For, from the first, this has been a land of towering expectations. It was to be a Nation where each man would be ruled by the common consent of all—enshrined in law, given life by institutions, guided by men themselves subject to its rule. And all—of every station and origin—would be touched equally in obligation and in liberty.

Beyond the law lay the land. It was a rich land, glowing with more abundant promise than ever man had seen. Here, unlike any place yet known, all were to share the harvest.

And beyond this was the dignity of man. Each could become whatever his qualities of mind and spirit would permit—to strive, to seek, and, if he could, to find his happiness.

This is American justice. We have pursued it faithfully to the edge of our imperfections. And we have failed to find it for the American Negro.

It is the glorious opportunity of this generation to end the one huge wrong of the American Nation—and in so doing to find America for ourselves, with the same immense thrill of discovery which gripped those who first began to realize that here, at last, was a home for freedom.

All it will take is for all of us to understand what this country is and what it must become.

The Scripture promises: "I shall light a candle of understanding in thine heart, which shall not be put out."

Together, and with millions more, we can light that candle of understanding in the heart of America.

And, once lit, it will never again go out.

WATER QUALITY ACT

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KUNKEL. Mr. Speaker, the Senate passed a Water Quality Act on January 28. The House passed a Water Quality Act on April 28. The two versions of the legislation differ, but this is nothing unusual. What is unusual is that the Senate, whose turn is next, has gone this long without indicating whether it accepts the House version or whether it wants a joint conference to work out the differences.

I believe the House bill is an excellent one. Acceptance of it would do credit to the Senate. However, we in the House are not so arrogant as to think that our bill is sacrosanct. The experience of 176 years of free debate in this great Congress has taught us that reasonable men, coming together from the two

Houses, can produce a third version eminently satisfactory to both and suitable to the needs of the Nation.

If there is a sense of urgency in my remarks, it is because I am more and more impressed, as each day goes by, that we are not doing enough to halt pollution of our streams and rivers. We have the desire to halt it. Our States and local communities have the desire to halt it. All they need, in the final analysis, is the financial wherewithal.

Mr. Speaker, we are not going to get very much pure water by promulgating pollution standards, or by standing in the road of progress, or by sitting on the riverbank counting the bacteria floating by. The job of cleaning up our rivers and streams is going to be accomplished by building treatment and disposal works to divert, cleanse, and properly dispose of waste matter. The outstanding virtue of the House bill is that, for fiscal years starting July 1—less than a month away—it increases by 50 percent the amount of money available to the States and local communities for just that purpose. I say let us get the show on the road.

THE LATE HONORABLE BERNARD J. MORAN

Mr. SCHISLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHISLER. Mr. Speaker, the State of Illinois and the 19th District, which I represent, were greatly saddened by the death of Mr. Bernard J. Moran, Democratic committeeman for the 19th Congressional District. "Barney" Moran was my close friend and I deeply feel his loss.

He was a lawyer in the finest tradition. Educated at St. Ambrose College, Davenport, Iowa, and Georgetown University Law School, he served as associate editor of the Georgetown Law Review. He studied also at the University of Illinois and the University of Michigan.

He began his law career as a legal secretary to Justice Loren E. Murphy of the Illinois Supreme Court and then moved to his childhood home of Rock Island where he founded the law firm of Moran, Klockau, McCarthy, Schubert & Lousberg.

Barney Moran was a faithful member of the Democratic Party. In 1948 he defeated a four-term incumbent for the Democratic nomination for State's attorney. He went on to defeat the Republican nominee and compiled the largest majority for a county office since the early 1930's. He was renominated to the State's attorney's post and in 1952 was the leading Democratic candidate on the ticket. He won reelection again in 1956.

That same year he gained national attention because of his painstaking investigation which led to the release of Mr. Roy E. Eaton, who had served 16 years on a kidnap-robbery conviction. The climactic testimony of two men who admitted participation in the crime exonerated Eaton. The Illinois Legislature appropriated $48,000 as compensation for Mr. Eaton's time spent in prison. The case was the subject of a national television program.

Although he had retired from holding public office himself, Barney Moran continued to work hard on behalf of Democratic candidates. I was grateful for his guidance and untiring efforts during my campaign.

I would like at this time to insert the resolution introduced by the Honorable Paul J. Rink, State representative from Rock Island, Ill., as he paid tribute to Barney Moran on behalf of the Illinois State Legislature, and in doing so express my grief at the loss of this outstanding American.

HOUSE RESOLUTION NO. 196

Whereas in the inscrutable designs of the Almighty, death came to Bernard Moran, Democratic committeeman for the 19th Illinois Congressional District, and his son, Terry, in the crash of their plane en route to Indianapolis, Ind.; and

Whereas Bernard Moran during his lifetime was a devoted servant of humanity possessing unusual qualities of leadership and was a recognized leader of the bar; and

Whereas in his humble desire to serve the people of his community and the State, Bernard Moran served three terms as State's attorney of Rock Island County from 1948 to 1960, during which he became well known for his prosecutions of the horsemeat scandals and pinball cases; he was president of the Illinois Association of State's Attorneys in 1957, and in 1961 was named a special assistant to the attorney general in addition to the duties of his law practice and the insurance company he headed; and

Whereas the dignity of conduct, and integrity of principle which characterized his entire professional and private life merited the undying esteem and admiration of all who were privileged to associate with him: Therefore, be it

Resolved, by the House of Representatives of the 74th General Assembly of the State of Illinois, That we express our profound sorrow at the death of this eminent lawyer and citizen, Bernard Moran, and his young son; that to his bereaved family we extend our heartfelt sympathy, and that a suitable copy of this resolution be forwarded to Elinor Moran, widow of the deceased.

A LITTLE UNITED NATIONS—IMPORTANCE OF CREDIT UNIONS IN WORLD AFFAIRS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, last month in San Francisco, I was privileged to attend the 31st annual meeting of CUNA International, Inc., the worldwide association of credit unions. I was honored to deliver the major convention address and to become the second individual in history to receive CUNA International's Distinguished Service Award.

I wish to reflect not on my remarks to the convention nor on the award I received, but on an event at which I was a mere bystander. I refer to the opening ceremony of the CUNA International Board of Directors annual meeting May 14.

What I witnessed was a session that to me represented a "little United Nations." But where discord and antipathy are often characteristic of United Nations meetings in New York, the tenor of CUNA International's little United Nations session was one of harmony and cooperative self-help. I am sure that all of the more than 250 directors and the many delegates and guests attending the session would agree with me.

At the outset—with everyone on the convention floor standing in respect to the nationalities represented—the colors of all nations whose credit unions have banded together in leagues affiliated with CUNA International were presented to the convention. I think you can imagine the beauty and splendor I watched and the awe I experienced as the Travis Sabres, the drill team of Travis Air Force Base, trooped forward to the accompaniment of each country's national anthem and placed a flag before us.

The nations so honored were the United States, Australia, Bolivia, Brazil, Canada, Columbia, Costa Rica, Ecuador, Ireland, Jamaica, Korea, the Netherlands Antilles, Panama, Peru, the Philippines, Tanzania, Trinidad, and Tobago, part of the West Indies Confederation, the Fiji Islands, British Honduras, and Venezuela.

So often expressing the virtues of freedom and peace, the words of these national anthems, in my mind, tend to reflect the way the credit union movement has proceeded at home and abroad—especially in recent years.

At home, credit unions have turned to the pockets of poverty—both independently and with the cooperation of the Office of Economic Opportunity—to bring the spirit of self-help to the individuals and families who need it most. To these people, credit unions have brought an appreciation of thrift through saving, a source of loans that can be obtained for provident and productive purposes at fair interest rates, and an outlet for consumer information that aims to improve buying habits. Credit unions, in short, have given these people an opportunity to grow out of poverty—not to be lifted out.

Abroad, credit unions providing the same kind of services have spread into more than 70 nations of the free world—including those honored at CUNA International's annual meetings for having affiliated credit union leagues representing many individual credit unions.

Much of CUNA International's oversea work has been done through cooperative programs with the Agency for International Development and the Peace Corps. The major emphasis has been in Latin America, where in the last 2½ years 250,000 new credit union members brought the total credit union membership in that area to 400,000. But wherever you look in the free world, it seems the credit union movement is on the march—in Africa, in free Asia, in the Pacific. And the most important factor in this development is that the American presence and day-to-day influence is temporary. CUNA International representatives, at the request of a foreign government, move in to offer technical assistance in establishing and operating credit unions. Once the credit unions are on firm footing, these representatives move out, leaving the native countrymen to make the credit union idea work.

Does it work? Yes, indeed. In Latin America during the last 2½ years, for instance, credit union savings climbed from $4.2 million to $16.2 million as a result of investments made by people who earn an average yearly—yes, yearly—income of only $80 to $100. And because of the low interest rates on credit union loans, these people managed to boost their purchasing power by more than $3.5 million in 1964 alone. All this happened without a single U.S. dollar being used to finance the start of an oversea credit union. Only the small cost of sustaining a CUNA International representative while he completes his technical assistance is involved.

With that kind of a performance record behind them and with greater plans before them, you can appreciate the pride the many CUNA International directors and delegates must have felt witnessing the presentation of colors, hearing the national anthems, and then listening to congratulatory messages from many United States and foreign dignitaries.

How the administration and officials of foreign governments appreciate the progress of what I term the "little United Nations," can best be summarized by a portion of President Johnson's message related to the board of directors of CUNA International during the ceremony. Said the President:

> Few tasks are more important to our Nation and to the world than that of helping extend to the poor and the underprivileged their fair share of the world's abundance. Credit unions play a vital role in our efforts to accomplish this task. * * * And they are performing the same invaluable service for the needy abroad through the Peace Corps and the Agency for International Development. I extend my best wishes and my sincere hope that you continue to build upon your good work in every way you can and that our Nation and the world will always benefit from your responsible service.

Under unanimous consent, I include the full text of messages addressed to the CUNA International Board of Directors annual meeting in the RECORD. These consist of the President's message, plus those of the Vice President, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, the President's Special Assistant for Consumer Affairs, the Agency for International Development's Assistant Administrator for Material Resources, the Prime Minister of Canada, and the Acting Prime Minister and Minister of Finance of Jamaica.

I also include excerpts of the national anthems of nations whose flags were presented to the convention be printed in the RECORD:

CONGRATULATORY MESSAGES TO CUNA INTERNATIONAL'S BOARD OF DIRECTORS ON THE OCCASION OF ITS 31ST ANNUAL MEETING, MAY 14, IN SAN FRANCISCO

REMARKS OF PRESIDENT JOHNSON

Few tasks are more important to our Nation and to the world than that of helping extend to the poor and the underprivileged their fair share of the world's abundance.

Credit unions play a vital role in our efforts to accomplish this task. In countless cities of our land they provide for people of little or modest means a way of saving at ample interest, as well as a source of loans at low interest. Under the Economic Opportunity Act of 1964, credit unions also serve as a powerful weapon in our war against poverty. And they are performing the same invaluable service for the needy abroad through the Peace Corps and the Agency for International Development.

To the board of directors of CUNA International, I extend my best wishes and my sincere hope that you continue to build upon your good work in every way you can and that our Nation and the world will always benefit from your responsible service.

REMARKS OF VICE PRESIDENT HUMPHREY

My congratulations and my best wishes for the success of your annual meeting and for continued great services.

REMARKS OF ORVILLE L. FREEMAN, SECRETARY OF AGRICULTURE

I consider it a privilege to have this opportunity to send a message of greetings and good wishes on the occasion of your annual meeting.

Having been intimately associated with credit unions for a long time, I am well acquainted with the services volunteered by millions of devoted credit union leaders. I am proud to say that I am a member of the Agriculture Federal Credit Union in Washington, D.C., which serves employees of the Department of Agriculture around the world.

Although credit unions have grown phenomenally, the challenge of poverty, especially in rural area, points clearly to the need for still greater growth. According to the latest data available, less than one-half of 1 percent of the rural people in the United States belong to a credit union—yet rural people need these services fully as much as people in the cities.

Credit unions are sprinigng up also in the less developed countries of the world, but here again the need far exceeds the services provided. It is with a sense of real urgency that I encourage you to extend the reach of this movement as rapidly as possible so as to make your services available throughout the United States and the entire free world.

REMARKS OF ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

I am pleased to send greetings to the members of the CUNA International on the occasion of your annual meeting. I share your pride in the accomplishments of credit unions in the United States, Canada, and throughout the free world.

Credit unions are both effective weapons against financial adversity and constructive tools for helping people achieve economic security.

My best wishes for a highly successful convention and for the continued progress of your important endeavor in the years ahead.

REMARKS OF MRS. ESTHER PETERSON, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS

As the board of directors of CUNA International, Inc. convenes for the 31st annual meeting of your association, I should like to extend my best wishes that your work be fruitful. My travels throughout the country have brought me in close contact with many good credit union members and I am sure some of them are with you in San Francisco. To them I send my warm regards; to the credit union members I have not yet had the pleasure of meeting I wish to express the hope that I shall have the opportunity to see you before long. I am especially pleased about the efforts of your association to bring benefits of credit unions including consumer education to persons of limited means in the U.S. Activities of credit unions and other consumer oriented groups are showing clearly that education in economic facts of life is a vital element in the War on Poverty. Please be assured that I am following your work with great interest.

REMARKS OF HERBERT J. WATERS, ASSISTANT ADMINISTRATOR FOR MATERIAL RESOURCES, AGENCY FOR INTERNATIONAL DEVELOPMENT

CUNA is a success story of people working together. CUNA now represents more than 23 million people in 70 countries who have learned how to put many small savings to work so that together there are enough resources to do the big jobs. You have pioneered in helping others to help themselves through the principles of brotherhood, individual self-help, and democracy. You have helped implement cooperative savings among the small people of the world. AID is now working with CUNA to help millions of people overseas to organize more credit unions. You are to be congratulated not only on what you have done, but more importantly, on what you propose to do. May your deserved success continue.

REMARKS OF LESTER B. PEARSON, PRIME MINISTER OF CANADA

It is a pleasure indeed to extend cordial greetings on behalf of the Government of Canada to all participants in this year's CUNA International annual meeting in San Francisco.

I am pleased that Canadians are well represented in these international conferences of credit unions. I am also confident that they will contribute to your deliberations, as well as gaining significant guidance in furthering the welfare of the very large credit of credit unions. I am also confident that birthplace of the credit union movement in this hemisphere, Canada has a friendly interest in the expansion and growth of the benefits to be derived by underdeveloped countries through development of these self-help societies.

To credit union members everywhere, I extend my best wishes for continued progress and success.

REMARKS OF D. B. SANGSTER, ACTING PRIME MINISTER AND MINISTER OF FINANCE, JAMAICA

On behalf of the 30,000 credit union members, and indeed of all Jamaica, I am very happy to send warmest greetings to the more than 1,000 credit union leaders representing over 70 countries, who will meet in San Francisco for the 31st annual meeting of the members and of the board of directors of the Credit Union International Association and similar meetings of its affiliates—CUNA Supply Cooperative and CUNA Mutual Insurance Society.

This year's meeting will be of special significance, since, for the first time, the 250-member board of directors, besides meeting together to discuss common problems, to receive reports and to elect officers for the ensuing year, will also meet in three separate forums to discuss problems which are peculiar to national representatives constituting the forum. This change has, no doubt, been dictated by the tremendous growth in membership and consequently in representation over the years. I feel sure that the forum meetings will prove quite profitable, particularly for members who are attending the meetings for the first time.

I have observed with a great deal of interest the major topics that will be up for discussion during the week. I know it will not be easy to find solutions or to get unanimity on how to attack the many problems confronting the credit union movement today. Share insurance and central banking facilities for credit unions, credit union development and expansion around the world, delinquency and stabilization programs for liquidating credit unions, legislative issues, member-education programs and other matters of interest to the credit union movement are not topics for which easy answers can be found. The most effective solution, however, will be found if delegates are prepared to enter their deliberations in the spirit of good will and cooperation, which should be so much in evidence when credit unionists get together to do business.

I wish you every success in the years that lie ahead.

Excerpts of National Anthems of Nations Whose Flags Were Presented to Cuna International's Board of Directors Annual Meeting May 14 in San Francisco

United States: "Oh, say, can you see by the dawn's early light what so proudly we hailed."

Australia: "Let us rejoice, for we are young and free; we've golden soil and wealth for toil, our home is girt by sea."

Bolivia: "Here, where freedom, our freedom, is found * * * ever from bondage we celebrate release. After all the martial clamor that aspires to the clash of warfare's hideous insanity, now in contrast hear the music of humanity."

Brazil: "We with breasts bared defy, oh Freedom, death itself for the equality you taught us, striving fiercely here in your bosom to be worthy of this precious gift you brought us."

Canada: "May peace for ever be our lot, and plenteous store abound; and may those ties of love be ours, which discord cannot sever; and flourish green o'er freedom's home."

Colombia: "Oh unfading glory, oh immortal joy, in furrow of pain good is already germinating."

Costa Rica: "Noble country, the life of your people is revealed in the flag that you fly; for in peace, white and pure, they live tranquil 'neath the clear limpid blue of your sky."

Ecuador: "We salute e'er again this our homeland. Glory be to you, your radiance bestowing, who exceeding the sun, brightly shine."

Ireland: "Soldiers are we, whose lives are pledged to Ireland; some have come from a land beyond the wave. Sworn to be free, no more our ancient sireland shall shelter the despot or the slave."

Jamaica: "Eternal Father * * * Teach us true respect for all, stir response to duty's call, strengthen us the weak to cherish, give us vision lest we perish."

Korea: "Tong-Hai Main and Pakdoo Mountain, though they may drain and wear, may God bless our land Korea for ever and ever."

Netherlands Antilles: "Among the nations our country is little known for the immense sea is there to hide it. Yet we love it above all nations. We sing its glory with all our heart."

Panama: "Home of progress, and blessed by endeavor, see, to measure of music sublime, at your feet roar two oceans, whicn sever, for your mission, away for all time."

Peru: "We are free; let us always be so and let the sun rather deny its light than that we should fail the solemn vow which our country raised to God."

The Philippines: "Ever within thy skies and through thy clouds and o'er thy hills and sea do we behold the radiance, feel the throb, of glorious liberty."

Tanzania (Tanganyika's anthem): "God bless Africa, bless its leaders. Let wisdom, unity, and peace be the shield of Africa and its people."

Trinidad and Tobago: "Side by side we stand, islands of the blue Caribbean Sea. This our native land, we pledge our lives to thee. Here ev'ry creed and race find an equal place."

United Kingdom (representing part of the West Indies Confederation, the Fiji Islands, and British Honduras): "God save the Queen: send her victorious, happy and glorious, long to reign over us."

Venezuela: "Glory to the nation which shook off the yoke, yet kept respect for honor, virtue and the law."

SMALL COMMUNITIES GETTING MANY FEDERAL AIDS AS PART OF URBAN DEVELOPMENT, SAYS REGIONAL ADMINISTRATOR W. W. COLLINS, OF FORT WORTH, TEX.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER prc tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Housing and Home Finance Agency is one of the most effective organizations in the Government, and its Regional Administrator at Fort Worth, Mr. W. W. Collins, known throughout his eight-State area as Bill Collins, is one of the most effective employees in the Federal service. A typical product of his scholarly knowledge and sympathetic interest is the following article published in the May 1965 issue of Journal of Housing:

Small Communites—Getting Many Federal Aids as Part of Urban Development

(By W. W. Collins, Regional Administrator, Housing and Home Finance Agency, Fort Worth, Tex.)

In his message on the cities delivered to the Congress March 2 this year, President Johnson recognized the magnitude of the growing population problems that urban areas will face in the next few years. With respect to small communities, he said, "We do not intend to forget or neglect those who live on the farms, in villages, and in small towns."

During the next few years, small communities will have unprecedented opportunities for healthy growth and orderly development. They can play a vital role in helping meet the need for good neighborhoods and communities that will be generated by the Nation's staggering population increase. They can be very effective in relieving the larger cities of some of the awesome burden that will be imposed by the requirements of an additional 30 million people in the next 15 years. But to take advantage of these opportunities, they must be willing to do their part in the development of good environments and suitable housing. President Johnson has clearly indicated that while the the Federal Government can and will assist in many ways, the vast bulk of resources and energy, of talent and toil, will have to come from State and local governments, private interests, and individual citizens."

Many of the opportunities and problems resulting from our fast-growing population and the need for better living environments are similar for both large and small communities, differing only in magnitude. On the other hand, small communities have some opportunities and problems that larger places do not have. In order to get the maximum benefits from the population increase and to make the greatest contribution to the job of accommodating this increase, every community should give special attention to comprehensive planning, zoning and code enforcement, slum clearance, conservation and rehabilitation of neighborhoods, capital improvements with emphasis on basic public facilities, open space, beautification, suitable housing for all income groups, and proper coordination of all improvement and development efforts. Federal assistance offered through the Office of the Administrator and the constituents of the Housing and Home Finance Agency can be used by communities to minimize the problems that arise in carrying out these activities. All of these assistance programs are available to small communities, and some are especially designed for them.

SPECIAL SMALL COMMUNITY AIDS

Legislation providing for Federal assistance in connection with housing and urban development gives special consideration to those communities of less than 50,000 population. For example, in these "smaller communities," the Federal contribution is three-fourths of the net cost of an urban renewal project rather than two-thirds, as in the larger communities. Likewise, communities of under 50,000 population are eligible for long-term, low-interest-rate public facility loans through the Community Facilities Administration, whereas larger cities are not. The urban planning assistance program administered by the Urban Renewal Administration makes special provision for smaller communities. Places of less than 50,000 can obtain planning assistance from appropriate State planning agencies, with two-thirds of the cost being borne by a Federal grant.

There are many communities with far less than 50,000 population that are benefiting from HHFA programs. There is no statutory or administrative minimum population below which a community automatically is not eligible for assistance. But there must be reasonably good evidence that the assistance can and will be used to achieve the intended objective and that, in terms of this objective, it is a sound investment. For example, a public facility loan can be made only when there is good reason to believe that the facility is needed and that the loan can be repaid. Similarly, public housing assistance can be justified only when there are reliable indications of a long-term need for such housing by low-income families in the community and equally reliable indications of financial feasibility. Likewise, the Federal Government can participate in an urban renewal slum clearance project only if there is reasonable assurance that there will be a market for the cleared land.

ECONOMIC CONSIDERATIONS

In all three of these examples, it is obvious that the economic future of a community is a highly important factor. It is for this reason that population trends and projections are given so much weight in determining the feasibility of a public facility loan or a public housing project or an urban renewal project. Growth potential—or the absence of it—can be one of the serious problems that a small community has to face, even though the Federal assistance programs administered by HHFA and its constituents provide for various special considerations for economically distressed small places.

By and large, however, these programs are intended to help the small communities meet their problems resulting from growth rather than the problems resulting from economic deterioration. On the other hand, properly used Federal assistance can often stimulate the economy of a small community and reverse a downward trend. Occasionally, calculated risks are justified in the administration of these programs, particularly if there are convincing indications that the community itself is determined to utilize its own resources to the maximum extent possible and to make a sincere effort to prove that the Federal assistance is a good investment.

Obviously, not all places classified as small communities have the same economic characteristics. For example, small communities that are in or near urbanized areas and those that are included in metropolitan areas have economic characteristics different from those that are more isolated. In the southwest, practically all metropolitan and urbanized areas are experiencing population increases ranging from moderate to dramatic and the smaller satellite communities are sharing in this growth. But not all of the isolated communities are growing. A recent study of 563 Texas communities with populations of less than 20,000 in 1950 and located outside of metropolitan areas revealed that less than one-half of those with populations under 2,500 showed a population increase in 1960, while 96 percent of those with populations between 10,000 and 20,000 experienced an increase.

The industrial, technical, and financial revolutions have moved many of the sources of employment and income from the rural areas and small communities to the larger places, taking with them people, particularly young people. The outlying small community now typically has a population of increasing median age and decreasing median income. One of the reasons for declining populations is the lack of employment opportunities.

Federal assistance programs, such as public housing, public facility loans, urban renewal, and home mortgage insurance, contribute to increased employment and income in small communities. The increased direct employment is often only for the duration of construction but the long-range benefits to the community include increased secondary employment and a permanent increase in the wealth of the community. HHFA programs are generally not sufficient within themselves to induce substantial economic growth but, coupled with the full local efforts, accomplishments can be dramatic. Many small communities have much to offer industry, particularly small industry.

WORKABLE PROGRAM

The workable program for community improvement, which is a statutory prerequisite for several types of Federal assistance for housing and urban development, can be especially helpful to small communities, since they generally have no other formal plan of action for the most effective use of all resources, private and public, to combat blight and to encourage orderly development. Many people whose primary interest has been the promotion of urban renewal, public housing, or FHA section 221(d)(3) moderate-income projects, without regard to how these projects might fit into total improvement programs, have been guilty of disservice to the communities by failing to emphasize the importance of a good workable program.

One of the most serious problems associated with HHFA programs is the refusal of promoter-type consultants and architects to accept workable program objectives and their failure to advise communities of the benefits that can be derived from working toward these objectives. This problem is especially troublesome in small communities, where local officials, who must ration their time between personal and public responsibilities, depend heavily upon the advice of consultants. The unfortunate result has been gross misunderstanding about the workable program, delays in housing and urban renewal projects, and poor coordination of community improvement efforts. Consultants and architects advising small communities on Federal assistance programs can render valuable service to their clients by accurately explaining workable program objectives and requirements at the earliest possible time and by urging them to develop, and follow, effective workable programs.

There is a prevalent misconception that workable program requirements are designed for large places and are not practical for small communities. Each requirement is, in fact, sufficiently flexible to permit compliance by any sincere communinty—regardless of size—with reasonable effort and cost. Take code enforcement, for example. While small places certainly do not have the same resources as the large ones, many small communities have found practical ways to carry on an effective code enforcement program. Competent people have been recruited from various sources and trained to handle the technical and administrative aspects of the operation. These are people who can spare some time for such activities. They have been found among community officials, schoolteachers, retired persons, and members of the citizens advisory committee. In some cases, two or more small communities have agreed to share a qualified inspector and, in others, full-time inspectors employed in nearby larger places have agreed to work for the smaller communities during off-duty hours.

Consider also the requirement for comprehensive planning. Every community, no matter how small, that is genuinely interested in improvement and development, should engage in comprehensive planning on a continuing basis—not just for the sake of planning, but to insure orderly development. The scope of this activity obviously varies with the size of the community, although admittedly there is a minimum amount of work involved for the smallest place. The cost of good planning often presents difficulties for small communities, even though the job is proportionately smaller than it is for a larger place. Two-thirds of the cost, however, can be met by a Federal grant under the Urban Renewal Administration's urban planning assistance program. As a matter of fact, officials of smaller communities should be aware of the substantial assistance that is available under the program in connection with other workable program requirements.

URBAN RENEWAL

Federally assisted slum clearance and rehabilitation urban renewal projects are not just for big cities. Of the nearly 800 places now engaged in urban renewal, about 70 percent have populations of less than 50,000. In 1961, Harrison, Ark., with a population of only about 7,000, became eligible for immediate urban renewal assistance through a flood disaster that virtually destroyed the downtown area. The town began rebuilding, with the Federal Government paying three-fourths of the net project cost. Rejuvenation of the prime shopping area brought about a sense of civic pride, and stimulated the economy. Harrison building permits totalled $5,430,000 for 1963 and 1964. The downtown tax base was increased and fire insurance premiums were decreased.

Small communities have essentially the same major problems in planning and carrying out urban renewal projects as the large places but there are other problems, such as recruitment and retention of adequate staffs, that are usually less serious in large communities. Small places generally will have only one or two projects. The lack of permanency makes the local urban renewal agency a relatively unattractive employer. This, in addition to the fact that the salaries of executive directors must be in line with those for comparable positions in the locality, is often a serious deterrent to obtaining competent administrators. The answer could be better long-range planning by the small communities, so that continuing improvement and development programs could be justified, sustained, and financed.

PUBLIC FACILITIES

Almost universally, small communities have deficient capital improvements programs and wholly inadequate basic public facilities, such as water and sewer systems, to accommodate substantial development. The community facilities administration's public facility loans and public works planning advances are designed to help this situation, since the major obstacle is generally financing. There are other problems, however, connected with the administration of these programs in small communities. For example, there is seldom a local official who is familiar with all facets of municipal finance. Also, the relatively small size of the typical project does not always attract the best engineering, architectural, legal, or construction talent. Despite these problems, many public facility loans are made in small communities. Within the limits of financial feasibility, these places are encouraged to plan and construct facilities that will accommodate future growth. In what is often false economy, some small communities choose to construct the minimum facilities necessary to meet existing requirements, with little or no capacity to meet future needs of a growing community. Reluctance of community leaders temporarily to raise local taxes or utility rates generally accounts for such action.

PUBLIC HOUSING—DEVELOPMENT

Federally assisted housing programs, which are designed to afford people at all income levels maximum freedom of choice in suitable housing can and do play a very important role in small communities. About 85 percent of the 2,000 localities participating in the Public Housing Administration's low-rent public housing program have populations of less than 25,000. Many of these places are under 2,500 and some have less than 1,000 inhabitants.

One of the problems frequently encountered in the development of public housing in small communities is the financial inability of the locality to provide the facilities and services that are required to be furnished under the terms of the cooperation agreement. While the community is obligated to do no more for a local housing authority than it customarily does for any other developer and operator, the cost of meeting this obligation is often considerably larger than the community has previously experienced. Generally, however, arrangements can be made under which the local housing authority finances the cost of installing or constructing the necessary facilities, such as streets or utility extensions, and is reimbursed out of payments in lieu of taxes or the proceeds of bond sales. Greater use of scattered sites in locations where streets and utilities are already in place would minimize this problem. It would also serve to erase the "project" stigma that has given public housing a bad image in some quarters. In most small communities there are plenty of suitable vacant lots, or lots with substandard structures, that can be used for this type of development.

Another common problem in connection with public housing in small communities—although it is by no means confined to them—is the failure of the community to consider the public housing as an integral part of a total improvement and development program. Many times the principal motivation for public housing in a small place is the economic stimulation to the local economy that will result from construction of the housing. And often people from outside the community sell the idea of a public housing development to local officials on this basis rather than on the basis of the long-term benefits and the relationship of low-rent housing to other community development. This approach too frequently results in a feeling by local people that the public housing is not really a part of their community.

PUBLIC HOUSING—MANAGEMENT

There are also some management problems involved in public housing in small communities. Income from rents, which must generally cover all expenses of operation and maintenance, is not usually sufficient to permit employment of full-time experienced management people. While this problem has been overcome by small communities in many ways, it is a fact that PHA staff personnel have to devote considerably more time to these places than to the larger communities. This, however, is just another example of the special consideration given by the Federal agencies to small communities.

PRIVATE HOUSING

The Federal Housing Administration's programs of mortgage insurance, particularly for single-family homes, are becoming increasingly important for adequate housing in small communities. FHA has recently been engaged in a campaign to create more interest among mortgage lenders in the small community housing market. As a part of this campaign, FHA has relaxed standards to permit the acceptance of many properties situated in areas where it is not practical to obtain conformance with the requirements considered essential for the insurance of mortgages on houses in built-up urban areas. In addition, FHA insuring office staffs are now working more closely with city officials and civic leaders in small communities, offering whatever assistance they can on housing and development matters. Through these contacts, FHA people point out that, while building and site standards have been relaxed for small communities, there are definite long-term advantages to be derived from the development of stable subdivisions through such activities as comprehensive community planning, proper site planning, good street construction, and adequate utility installations.

Recently, lenders have become more interested in the small community market because of the good supply of mortgage money. In the past, they have not needed this market and have avoided it because loan servicing costs are usually higher in small places. They are finding, however, that this additional cost is offset by the quality of the loans. Generally, borrowers in small communities are substantial people whose way of life is to meet all financial obligations. Perhaps the fact that financial difficulties soon become common town knowledge helps to sustain this sense of responsibility.

And, perhaps, this is just another reason why special efforts to preserve the small communities are justified. It could be that small communities have a real contribution to make to our moral standards—and their preservation. Perhaps the sociological benefits that small communities can contribute to the Great Society are as important as their contributions to the Nation's economy and housing supply. And it is conceivable that these sociological benefits in themselves far outweigh the cost of helping small communities in their fight for survival.

SMALL COMMUNITY ADVANTAGES

Regardless of how small communities are motivated to participate in the job of providing adequate housing and good environments for our rapidly increasing population—whether by their fight for survival or by their eagerness for maximum economic development or simply by their desire to improve housing conditions, with no other objective—the results are beneficial. These places enjoy some advantages that larger communities do not have but they also experience some problems that generally do not bother the larger places. For example, the small community often has stronger motivation for improvement and development and can, therefore, more easily muster local support. And, because of their size, they are sometimes in a better position to undertake a total-job approach than larger communities, where a piecemeal approach is the only practical way.

SMALL COMMUNITY PROBLEMS

But competent leadership with adequate time to devote to improvement programs is usually more difficult to find in small places than in larger ones. In addition, the migration of younger people from small communities to urban centers frequently results in a remaining population that resists change, especially if their homes—no matter how dilapidated—or if their taxes—no matter how low—are likely to be affected.

Most of the problems that are particularly troublesome in small communities are common to all Federal assistance programs for housing and urban development—all of the programs administered by the Housing and Home Finance Agency and its constituents. Notable among these problems are the present economic position and future economic potential of the community; the lack of adequate local public financing capacity; the difficulty in obtaining competent technical and administrative personnel; the misunderstanding—or lack of understanding—about programs; the necessity for depending too heavily on consultants and architects; the tendency toward "projectitis," rather than a total-job approach; and the lack of adequate coordination of all improvement and development programs.

To overcome these problems, field offices of the Federal agencies need adequate staffs and travel funds to permit closer working relationships with small communities. Perhaps this is part of the answer to ever increasing problems of a rapidly urbanizing America.

HIGHLY RESPECTED NATIONAL INDUSTRIAL CONFERENCE BOARD JOINS LONG LIST OF MARTIN CRITICS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas.

There was no objection.

Mr. PATMAN. Mr. Speaker, following is an item from the Washington Post of June 12 that disputes Federal Reserve Board Chairman Martin's observations of June 1 of "disquieting similarities between today and 1929," by Martin R. Gainsbrugh, vice president of the prestigious National Industrial Conference Board. The writer rightly refers to a series of protective measures that has been developed to deal more directly with the basic causes of recession and depression. These include, as the article recites, the Employment Act of 1946, which I actively supported, as well as deposit insurance, unemployment insurance and many others.

The NICB is another among a long list of critics of Chairman Martin's unfortunate and erroneous doomsday message and serves as further proof that Martin's speech was intended to pave the way for further credit tightening by the Federal Reserve. Such a move would benefit short-term profits for money market banks, but would certainly have grave consequences for the continuation of our unprecedented business prosperity. The article follows:

GAINSBRUGH COUNTERS MARTIN WARNINGS: U.S. ECONOMIC STRENGTHS CITED

SYRACUSE, N.Y., June 11.—National Industrial Conference Board Vice President Martin R. Gainsbrugh today listed some comforting dissimilarities between the Nation's economy today and in 1929.

Gainsbrugh's speech, before the Syracuse Rotary Club, was the latest of a series of economic statements by industry and Government leaders to counter the effect of Federal Reserve Board Chairman William McC. Martin's observations last week of "disquieting similarities" between today and the 1920's.

Martin said the overwhelming impression of recent comparison of the economic scene in the two periods "is that the current situation closely parallels that of 1929 with all the ominous overtones such a conclusion might imply."

He said, however, that as a result of the great depression, a series of protective measures has been developed designed to deal more directly with the basic causes of recession and depression. These include the Employment Act of 1946, which commits the Nation's full resources to whatever action might be required to create high-level employment, margin controls for securities trading, bank guarantees and deposit insurances, and amortized mortgages.

Gainsbrugh also noted that sweeping changes in the structure of industry also provide bulwarks against depression and recession that were nonexistent in the twenties.

He said today's business executives are drawn more from professional talent "trained in the discipline of business decisionmaking at graduate schools of business and through executive seminars."

Gainsbrugh noted that investment decisions today "reflect far more organized deliberation and determination of future market potential than was possible in the 1920's, and that American enterprise today is more multiproduct and multinational in that, should demand fall off in one sector, such diversification would mitigate against as sharp a curtailment of employment and production as took place after 1929."

CONTINUED ILLEGAL SOVIET CONTROL OF THE THREE BALTIC NATIONS—LITHUANIA, LATVIA, AND ESTONIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. DERWINSKI], is recognized for 1 hour.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include resolution adopted by the Baltic States Committee for Congressional Action; also that all Members may have permission to revise and extend their remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, my purpose in requesting the hour of time this afternoon is to permit Members to join me in a discussion of the continued illegal Soviet control of the three Baltic nations, Lithuania, Latvia, and Estonia.

On June 16, 1940, the Soviet Union seized the three Baltic nations, and a year later, on June 13, 1941, thousands of government, business, and religious leaders of these lands were seized and shipped to slave labor camps in Siberia.

The peoples of the three Baltic States were victims of the Stalin-Hitler deal in the early days of World War II, and their illegal incorporation into the U.S.S.R. remains one of the major unresolved world problems.

The failure of the United Nations to investigate the basic denial of fundamental human rights of the Baltic peoples indicates the paralysis that the Soviet Union and other Communist states have caused in the international organization, since the United Nations should be working to protect the right of all peoples to self-determination and freedom to pursue their own economic, social, cultural, and religious development.

The denial of the rights of self-determination of the peoples of Latvia, Lithuania, and Estonia is a matter that should be on the agenda of the United Nations, and the U.S. Ambassador to the U.N., Adlai Stevenson, should without hesitation raise this question in order to direct the attention of the world to the Communist enslavement of the Baltic peoples.

Mr. Speaker, one of the most active organizations working toward the restoration of freedom to the people of the Baltic States is the "Americans for Congressional Action To Free the Baltic States." I place in the Record at this point as part of my remarks a resolution adopted by that organization entitled "Twenty-five years in the Communist Russian Slavery."

Twenty-five Years in the Communist Russian Slavery—Soviet Genocidal Practices in the Baltic States

Since June 15, 1940, the Baltic States have been suffering in the Soviet captivity. The Soviet Union took over Lithuania, Latvia, and Estonia by force of arms.

The Baltic States have never experienced in their long history through centuries such an extermination and annihilation of their people as during this Soviet occupation since June 15, 1940. During the last 25 years the countries lost more than one-fourth of their entire population. Hundreds of thousands of Lithuanians, Latvians, and Estonians were murdered by the Kremlin despots or died in exile in Soviet slave-labor camps and prisons in Siberia and other places of Communist Russia. At least 20 percent of the present population of Soviet-occupied Lithuania, Latvia, and Estonia are not the Balts, but the Soviet colonists. The genocidal operations and practices being carried out by the Soviets continue with no end in sight. Bearing in mind that all of the murdered and deported people have been the most educated, courageous, industrious, comprising the strongest elements of the countries, the losses in population become more terrible and almost fatal to the survival of the Lithuanian, Latvian, and Estonian nations.

But let us now return to the details of the Soviet occupation of Lithuania. At the same time that the forces of occupation were entrenching themselves and the mock elections were being carried out in 1940, leaders and active members of all non-Communist political parties and thousands of public officials were arrested. This was but a prelude to one of the most despicable acts of modern times; namely, the mass deportations that ensued. Interrupted only by a temporary Nazi occupation of Lithuania from 1941 to 1944, when the Soviets reoccupied Lithuania, these deportations went on for about a decade. People from every walk of life, even old and dying people, were put on cattle freight cars for the 3-week journey to Siberia or remote areas near the Arctic Ocean. The number of all the deportees amounted to about 20 percent of the population, or 600,000 Lithuanians. In 2 nights alone of June 1941, 34,260 Lithuanians were deported to the horribly miserable conditions of the slave-labor camps. The consequent death toll of these deportees was very high.

With the increase of physical terrorization by the Soviets, a strong Lithuanian underground resistance organization was formed and fought the Soviets. It was a heroic and widespread resistance movement, but it was a costly one: after the war about 30,000 died in battles with Russian Communists.

The Baltic States are more than 700-year-old nations and they have the same right to be free and independent as any new state in Asia or Africa. We should have a single standard for freedom. Its denial in the whole or in part, any place in the world, including the Soviet Union is surely intolerable.

Mr. Speaker, the United States, as the moral as well as military leader of the free world, recognizes its responsibility to bring about a world of complete peace and true freedom. We will not have complete peace and true freedom until all the peoples now subject to Communist control are given an opportunity to pursue their own legitimate national goals. It is especially important that we recognize the legal and moral basis on which the Baltic peoples ask for their independence.

The leaders in exile of the Baltic States are maintaining very effective and practical programs, working to restore freedom to their homelands. Wherever peoples of the Baltic States have recongregated in the free world, they zealously, progessively, and effectively are working to restore freedom to their homelands. A special point that they emphasize, in addition to the natural demand to place the Baltic States question on the U.N. agenda, is to appeal to the conscience of the world by their activities to recognize the strong moral, legal, and political cause that is theirs.

One of the proposals they are now considering is the feasibility of having a "free Baltic radio ship" which would move in international waters in the Baltic Sea and beam radio messages of truth to the peoples of the Baltic States who are held in bondage by Soviet Russia. As you know, the Voice of America broadcasts to the Baltic States leave much to be desired. They are lacking in practical reports on world conditions. Radio Free Europe does not beam broadcasts to the Baltic States.

Mr. Speaker, at this point I ask leave that the following Members be permitted to revise and extend their remarks: Representatives Schisler, Stanton, Friedel, Adair, Gerald Ford, Ottinger, King of New York, Todd, Daniels, Dulski, Cleveland, Kluczynski, Halpern, Rodino, Bray, Frelinghuysen, Garmatz, Schneebeli, Murphy of Illinois, Bob Wilson, Flood, Joelson, Nelsen, Farbstein, Daddario, Albert, Fallon, Pucinski.

It is my hope that Americans who are participating in the various programs to restore freedom to the Baltic States will be heartened by this tremendous display of interest and concern on the part of the Members of the House.

GENERAL LEAVE TO EXTEND

Mr. Speaker, I also request that the Members be given 5 legislative days during which to place their comments on the Baltic States question in the Record.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Albert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALBERT. Mr. Speaker, June 15 marks the 25th anniversary of Soviet aggression against the Baltic States. A quarter century ago the Red army poured into Lithuania, Estonia, and Latvia, and unseated their legitimate governments. From these lands she commenced her westward march against Europe. The Baltic States were the proving grounds for her doctrine of expropriation, exploitation, enslavement and pauperization.

The problems which have created international tension and endanger world peace today were forecast by the Soviet Union's assault against her Baltic neighbors. The breaking of the peace, the violation of nonagression treaties, the disregard for human rights, are issues basic to world conflicts today.

At issue today is not territory, not resources, but the right of self-determination, the right to hold free elections, the right to assemble, the right to form trade unions, the right to worship according to individual conscience, the right to be secure against loss of life and loss of property, against arbitrary arrest and forced labor. As long as these rights—the bedrock of man's freedom and fulfillment, are suppressed or limited, there can be no peace in the world.

On this 25th anniversary of Soviet aggression against the Baltic States, we pay tribute to the courage and dedication of her people who continue to pray and work for the opportunity to rejoin the community of free men. We must support their liberation by our condemnation of all crimes against civil liberties, and by maintaining peaceful efforts to restore human rights in Estonia, Latvia, and Lithuania and in all parts of the globe.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Daddario] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DADDARIO. Mr. Speaker, on this 14th of June, 1965, 25 years after the Russian seizure of the three Baltic States of Lithuania, Latvia, and Estonia, it is appropriate that all Americans recall the extensive imperialism of the U.S.S.R.

and communism and reassert their determination to prevent further Soviet aggression and to restore the governments of all lost lands to their rightful inhabitants.

This incursion on their self-rule was bravely resisted by the people of these states, and the hope of regaining their independence and democracy is still alive in those who still live in their native country and in those who reside outside of it.

Today is Baltic Freedom Day, commemorating the massive deportation of the inhabitants of these Baltic States to the far corners of the Soviet Empire. America expresses her deepest sympathy to these people, many of whom are in concentration camps and none of whom enjoy the right of independence for their homeland.

The United States has sought to live in peaceful coexistence with Russia, but her people will continue to object to such obvious violations of the integrity of a nation. America hopes that the Baltic Nations Committee will continue its efforts and will, in the not too distant future, be able to realize its goals of three free and democratic Baltic States.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DANIELS. Mr. Speaker, 25 years ago this week the Soviet Union without any provocation invaded the territory of the Republics of Latvia, Lithuania, and Estonia, and forcibly brought these sovereign nations into the Soviet slave orbit.

Despite the fact that the Soviet Union has formally agreed to respect the territorial integrity of these nations on four separate occasions, at Brest-Litovsk—the treaty between the Soviets and Imperial Germany which ended Russian participation in World War I was signed on March 3, 1918, in the peace treaty of April 12, 1920, which was held to solve the boundary question, as part of the nonaggression pact of September 28, 1926, the terms of which were to last until 1945 and as part of the mutual assistance pact of October 10, 1939, these freedom loving nations were absorbed by the Soviet tyranny.

Despite these solemn pledges to respect these independent nations, the Soviet Union has for 25 years consistently denied the legitimate national aspirations of these ancient peoples and used every imperialistic device to Russify the people of Latvia, Lithuania, and Estonia.

In the spirit of our great President Woodrow Wilson, the United States has always insisted upon the right of self-determination for all people. And, in fact, it was in part through the good offices of this country that many of the now enslaved nations of Eastern Europe were granted independence during the all too brief period between two great World Wars.

The United States has never recognized the Soviet conquest of the Baltic States as we have never wavered in our position that these unfortunate people have become part of the Soviet Union only over their most violent protests. The Soviet persecution of those who stood for freedom in these tragic nations is a dark stain on the pages of history.

On this day as we consider the tragic plight of the people of the Baltic States, let us rededicate ourselves to the proposition that we shall not rest until all the people behind the Iron Curtain enjoy the opportunity to direct their own destinies.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DULSKI. Mr. Speaker, June 15 marks a tragic anniversary in the turbulent history of the Balkan nations.

At the end of the First World War, Lithuania, Latvia, and Estonia had regained their liberty after years of Russian rule. They began a new era of freedom and established their own democratic governments. All three became members of the world family of nations. They rebuilt their war-ravaged countries and endeavored to raise their standard of living. None had an abundance of natural resources, but through self-determination and hard work they succeeded in making an admirable record. Agricultural reforms were initiated and large estates broken up, which resulted in a period of agricultural prosperity.

Unfortunately, in 1940 these three republics were again menaced by a totalitarian monster. In the middle of 1940 they were occupied by the Red army, deprived of their independence, and then made part of the Soviet Union. Over 60,000 Estonians, 34,000 Latvians, and 45,000 Lithuanians were either executed or arrested and forcefully deported from their homelands to distant corners of the Soviet Union on the charge that they were "politically unreliable."

This happened 25 years ago, and today the kinsmen of these peoples all over the free world are observing the anniversary of this sad event.

We have denounced this crime of aggression. We have never recognized the forceful incorporation of these three countries by the U.S.S.R. In the passage of the captive nations resolution by the Congress in 1959, we reaffirmed our policy of nonrecognition.

Although freedom was short lived in these tiny Balkan nations, their yearnings for liberty have not subsided and remain deeply entrenched in the hearts and minds of the Baltic people.

Early in this session of Congress I again sponsored a measure, House Concurrent Resolution 76, which calls upon the Congress to request the President to bring up the Baltic States question in the United Nations, and to ask the United Nations to request the Soviets to withdraw from Latvia, Estonia, and Lithuania, return Baltic exiles, and provide for free elections under the supervision of the United Nations. This resolution reaffirms a basic principle of U.S. foreign policy—self-determination of all peoples, the right of people to select their own form of government.

It is important not only to the Baltic people but to the free world that we continue to strive diligently for the freedom of these peoples, and I urge the Congress to approve this resolution.

It is well that we pause here today and remember the tragic history of the Baltic people. We hope and pray for their eventful liberation, and look forward to the day when they will once again enjoy precious freedom under their own government.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, today is Flag Day, when we honor our flag and the principles for which it stands. It is especially fitting that also we take this occasion to discuss and commemorate the brutal seizure of the Baltic nations, Latvia, Lithuania, and Estonia, which was carried out 25 years ago by the Soviet Union, in violation of treaties and international law.

Our flag was created to rally our forces in our Revolution against colonialism. It remains today a symbol of freedom from foreign domination. The fight for freedom continues around the world and our flag and our country will remain in danger until the last threat of foreign domination is abolished from the earth.

Have the Soviets changed since the seizure of the Baltic nations? The answer clearly is "No." These small, proud, and ancient lands are still oppressed. Unlike the other Communist satellite countries, there is no attempt to maintain even the fiction of independence through the operation of native-born Communist puppets. The Baltic nations were seized directly and incorporated as part of the Soviet Union. Iron control is maintained by the Red army. Hundreds of thousands of their citizens have been carried off to slave labor camps deep within the Soviet Union. The stricken peoples left behind are denied all those elements of personal liberty—freedom of religion, press, speech—that we take so much for granted.

The terrible condition of the Baltic States, which continues unabated despite the moral condemnation of the world, is proof positive that Soviet goals have not changed and that international communism continues to represent forces that would enslave the world.

These violated countries stand as a warning to those who would have us barter the fates of others at the negotiating table. The sworn pledges of the Communists are worthless and, to the extent that they are relied upon by still trusting nations, they are dangerous.

Let us take these moments in this Chamber of free government to remember that the battle for freedom is far from won; that we have a long, arduous, dangerous road to travel. Let us renew our resolves to see this fight through, regardless of the perils along the way. Let us pause in tribute to the enslaved peoples, not only in the Baltic States, but throughout the world and let us pay special hómage to the spirit of the Baltic States that never will be crushed no matter how savage the oppressor is.

I wish to commend the gentleman from Illinois [Mr. DERWINSKI] for reserving this time. It is an important demonstration of continuing American concern and of our dedication to the cause of freedom.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, it is with a sad heart that I join my colleagues in this Chamber in commemorating the 25th anniversary of the seizure of the Baltic States by the Soviet Union.

We have every reason to be sad on this occasion because it marks not only the destruction of the independence and freedom of a great and heroic people, but it also marks the beginning of the Soviet thrust into eastern Europe that in the closing days of World War II brought Soviet power deep into central Europe.

Sad though we may be, Mr. Speaker, still it is well for us to derive what lessons that are possible from this infamous seizure of the Baltic States; for such lessons can be a reliable guide as we move forward into the uncharted waters of the 1960's.

Obviously, when we reflect upon this event we are surely inclined to count our own blessings as freemen living in a free society.

But what is more important for the purposes of the cold war, this conquest reveals the awful might of raw Soviet power in action. If any of the so-called neutral states of the world today have any thoughts upon the "generous" nature of the Soviet Union, particularly its attitude of not wishing to interfere in the internal affairs of independent states—if there are any neutrals who delude themselves into feeling this way, and I am sure there are many, then I say, look at this case study of the Baltic States. They will find little assurance for their folly from this tragic example of Soviet power engaged for expansionist purposes. Let them consider this incident of infamy before they make any firm conclusions concerning the fidelity of the Soviet Union in its pledges not to interfere in the internal affairs of other states.

Yes, Mr. Speaker, there are many lessons to be learned from the tragedy of the Baltic States, and it is well for us to contemplate them as we stand now at the mid-1960's in the cold war. There is, after all, a durability in Soviet attitudes and conduct that should induce caution among the careless and concern among the unwary.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HALPERN] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HALPERN. Mr. Speaker, all wars cause death and desolation to countless innocent people. But some suffer more than others and for a longer period. During the last world war the Baltic peoples suffered more than many other combatant nations in that war. These peoples, the Estonians, Latvians, and Lithuanians were among the first victims of the war, and unfortunately their suffering is not over yet.

These hardly, rugged workers, justly proud of their robust and distinct individuality, these dauntless fighters for freedom, had regained their independence at the end of the First World War and were enjoying their richly deserved freedom in their historic homeland under their chosen forms of democratic government. For two decades they worked hard, made all kinds of sacrifices to make their respective countries safe havens for themselves. They were quite content with their lot. But the Second World War brought on a period of misery and misfortune which has become part of their unenviable lot for a quarter of a century.

Early in the war the Soviet Government took full advantage of the weakness and helplessness of these peoples, and imposed by force its tyrannical Communist system upon them. First the governments of these countries were forced to sign mutual assistance pacts with the Soviet Union. Then they were compelled to allow Russian garrisons to be stationed in these countries. Finally, in June of 1940 the Red army became master of these countries. Thus the Baltic peoples were robbed of their freedom and independence, and had become prisoners of the Red army. At the same time Soviet agents instituted a veritable reign of terror in all these countries. Estonians, Latvians, and Lithuanians by the tens of thousands were arrested, imprisoned, and then deported to the eastern part of the Soviet Union. The terror continued until several hundred thousand people were deported from their homes, while the rest were subjected to the ruthless regimentation of the newly established Communist regimes.

It is sad and tragic that we have to solemnize the 25th anniversary of this tragedy while the fate of its victims, some 5 million Baltic peoples, is still unsettled and uncertain. We all ardently hope and pray that sometime soon these people will regain their freedom and live in peace. America has not, and will not, forsake or forget these first victims of Soviet imperialism.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODINO. Mr. Speaker, during this month of June we commemorate the 25th anniversary of the conquest of the Baltic States by the Soviet Union.

On this particular occasion I wish to call to the attention of the Members of this Chamber to House Concurrent Resolution 41 which I had submitted in January of this year. This resolution portrays in a forceful way the present condition of the Baltic States as being one of total loss of freedom and independence. In clear and unequivocal terms it refers to the enslavement of the Baltic peoples and to the deportation of great numbers of law-abiding persons from their native lands to imprisonment in slave labor camps throughout the Soviet Union.

The resolution then declares that it is the sense of Congress that the President should continue the American policy of nonrecognition; that the President should take steps as may be appropriate through the American delegation in the United Nations to raise the question of the forced incorporation of the Baltic States in the Soviet Union; that the United Nations investigate conditions in the Baltic States; that Soviet authority be withdrawn from the area and that the exiled peoples be returned in freedom at which time free elections will be held under United Nations supervision.

If the Soviet Union were confident that the Baltic peoples would opt for continued Soviet domination, they would have nothing to fear from the intention of this resolution. But, the fact is that the Soviet Union knows that the Baltic peoples are an oppressed people; that they would seek genuine freedom if they had the opportunity; and that the Soviet Union and its Communist allies, not the United States and its western allies, constitute the real force of imperialism and colonialism in the modern era.

On this occasion, Mr. Speaker, I believe it necessary to remind this Chamber again of the intention of my resolution, for it is a resolution that speaks from the deep-rooted sympathy that Americans have for peoples who are oppressed by communism.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BRAY. Mr. Speaker, Latvia, Estonia, and Lithuania have much in common. Each was forced to become a part of Russia by czarist military force during the 18th and very early 19th centuries. Each gained its independence from Russia in the closing days and immediately after World War I, and as free countries made great progress socially and economically. Russia by treaty guaranteed to respect the freedom and independence of each of these countries.

Each of these countries was betrayed by the infamous Hitler-Stalin secret treaty of August 23, 1939, whereby Hitler agreed that Stalin could take over any of them at will. Soon after this secret treaty, Russia demanded that these countries allow her to establish bases and place Russian troops in each country, in each instance guaranteeing freedom and political integrity.

Each country objected strongly to the surrendering of bases to Russia and to the placing of Russian troops on her territory. Russia massed troops and made threats of military invasion unless her demands were met, repeating again and again solemn promises not to interfere with the internal affairs of these countries. Latvia, Estonia, and Lithuania finally succumbed to Russian pressure and threats and allowed Russia the bases. In each instance Russia violated her pledge and followed her estabished pattern of persecutions and executions and by force and subversion overthrew the government and installed puppet governments.

It might be well to outline very briefly Russia's course of action against each of these countries:

Latvia: The Latvians revolted against the czars in 1905 and, although defeated, were given representation in the Russian Duma. At the time of the Russian revolution in 1917, the Russian democratic provisional government granted Latvia independence; however, on December 5, 1918, Soviet troops invaded Latvia and executed, according to Russian figures, 3,632 Latvians. Latvia drove out the invaders and, by the Treaty of Riga in 1920, gained independence. On February 4, 1932, Russia and Latvia entered into a nonaggression treaty which on April 4, 1934, was extended to December 31, 1945. In article I of this treaty each country promised to "refrain from any act of aggression directed against the other and also from any acts of violence directed against the territorial integrity and inviolability of the political independence of the other."

Russia taking advantage of the terms of the Russian-German secret treaty of August 23, 1939, practically forced Latvia to sign a mutual assistance pact on October 8, 1940, which gave Russia control of the Gulf of Riga, as well as military bases and airfields, and allowed the quartering of 30,000 Russian troops in Latvia. The Soviet legation flooded the country with Soviet propaganda, threatening the government and advocating its overthrow. Then followed the Russian pattern of conquest that became common during the next 8 years. By intimidation, force, and subversion the Russian puppet government was placed in control.

On July 6, 1940, the Latvian puppet Prime Minister announced to the Latvian people that:

> The Red Army is assisting us in the defense of our freedom and the defense of our state—once again I salute the freedom and independence of the Latvian Republic. We are still and will remain free, for we believe in the promises of Stalin, the highest authority of the Soviet Union.

Fifteen days later, against a background of Red flags and a large picture of Stalin and Lenin, the puppet parliament—its members virtually unknown to the people—proclaimed the "Latvian Soviet Republic" and requested permission to admit "Soviet Latvia as a part of the Soviet Union." It was difficult to lower the Latvian high standard of living to that of Russia, but by murder, pillage, and deportations Russia succeeded.

Estonia: The Estonians, a Fino-Ugrian people, having no racial or linguistic heritage in common with the Slavs, the Germans or their neighboring Baltic people, were conquered by imperialistic Russia in 1710. At the close of World War I the Soviet forces were driven out of the country and a constituent assembly was formed in April 1919, which guaranteed civil rights and liberties. On February 2, 1920, a peace treaty was signed at Tartu, whereby Russia recognized Estonia as an independent state and renounced "voluntarily and forever all rights of sovereignty formerly held by Russia over the Estonian people and territory."

Estonia enjoyed freedom until after Hitler and Stalin negotiated their infamous treaty of August 23, 1939, whereby Russia was free to take over the Baltic States at will. On September 15, 1939, Russia amassed a quarter of a million troops with artillery, tanks, and planes adjacent to Estonia and demanded that Estonia's Foreign Minister come to Moscow where he was told to agree to a mutual assistance pact granting Russia the right to station 35,000 troops, together with airplanes, at selected strategic points. Molotov assured the Estonian Foreign Minister that:

> We want to confirm that the Government of the Soviet Union has no desire to force upon Estonia communism or Soviet regime, nor in general to infringe in the slightest degree the sovereignty of Estonia and the independence of Estonia. The entire social system and public regime with its own government and parliament, foreign representations, etc., remains unalterably in force as an internal matter of the Estonian state.

On September 26, 1939, this mutual assistance pact was signed. The New York Times on the following day prophetically said:

> The little Baltic republic passed under the full domination of the Soviet Union.

This proved to be true.

A puppet parliament was illegally elected, its 80 members having been picked by the Communist Party to confirm decisions already made in Moscow; and it began its sessions on July 21, 1940. Soviet troops and tanks ringed the Parliament Building. The resignation of President Pats, who was already a prisoner of the Russians, was accepted. Estonia was duly admitted to the U.S.S.R. on August 6, 1940. The usual murders and arrests and robberies took place. About 40,000 were sent to slave-labor camps and about 150,000 were deported to Russia. So the Russian Bear swallowed up another free people.

Lithuania: Lithuania is neither Slavic nor German in language or race. It came under czarist rule in the 18th century. The Lithuanian people have fought four unsuccessful revolutions against Russian control, one of them being led by Kosciusko, later a great hero of the American Revolution. These revolutions have been put down by the Russians with great cruelty, but apparently this in no way dampened the Lithuanian desire for freedom. After the successful Communist revolution during and at the end of World War I, Moscow recognized the independence of Lithuania. On January 5, 1919, a Soviet government again recognized "the sovereignty and independence of the State of Lithuania * * * and voluntarily and forever renounced all sovereign rights possessed by Russia over the Lithuanian people and territory."

On September 28, 1926, a nonaggression pact was signed by Lithuania and Russia whereby each agreed to "respect each other's sovereignty and territorial integrity and to refrain from any act of aggression against the other."

On April 4, 1934, on the occasion of the extensions of the treaty to December 31, 1945, Mr. Litvinov, Minister of Foreign Affairs of Russia, said:

> The whole world must know that our proposal is not of a temporary character, has not been caused by incidental conjectural circumstances, but is an expression of our constant, termless policy of peace, of which the fundamental element is preservation of independence of the young states which you are representing here.

Lithuania's turn as one of the subjects of the secret Hitler-Stalin pact came on September 26, 1939, when Russia asked for a mutual assistance pact whereby the Russians would place 50,000 troops in Lithuania. Lithuania violently objected, stating that this would reduce her to a vassal state. Stalin was adamant, and said:

> We consider the creation of military bases on Lithuanian territory as a symbolic gesture * * * whereas we respect the independence of the Lithuanian state. We are disposed to defend its territorial integrity.

By October 10, 1939, Russia had concentrated forces on the Lithuanian border; and Lithuania signed the pact Russia demanded.

For 6 months after the Russian bases were established in Lithuania all went well; but as soon as the Soviet-Finland peace was signed in 1940, the Soviet attitude changed, and they began to attack and to undermine the Lithuanian Government. Many in Lithuaina were naive enough to believe that Russia was sincere in stating that she would respect the integrity of the Lithuanian Government. The Deputy Prime Minister went to Moscow to complain to Molotov that the Soviet legation and the Red army were interfering in internal affairs of the Lithuanian state. Molotov quickly pointed out to him the true Russian intent by saying:

> Your Lithuania along with other Baltic nations, including Finland, will have to join the glorious family of the Soviet Union. Therefore, you should begin now to initiate your people into the Soviet system which in the future shall reign everywhere, throughout all Europe—put into practice earlier in some places, as in the Baltic nations—later in others.

In the usual manner Lithuania was accepted into the Soviet Union. Although all of the Baltic States remained plainly hostile to Russia, the Lithuanians were especially so; and when the German-Russian war began in June 1941, the Lithuanians, including many who were in the Russian Army, rebelled against Russia. Between June 14 and June 21, 1941, more than 34,000 persons were deported to Siberia and the Arctic. In 1948 and 1949, about 10 percent of the Lithuania population was deported to Siberia.

The Russian bear had again gorged himself.

Russia's forceful subjugation of the Baltic States should be kept ever before the world. This is one of the principal reasons that there should be established a House Committee on Captive Nations. Many of us have been working toward getting such a committee established for several years.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. FRELINGHUYSEN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, I would like to take advantage of the opportunity presented today to make a statement for the RECORD on the 24th anniversary of the deportation by the Soviet Union of thousands of Estonians, Latvians, and Lithuanians from their countries. In many cases those deported have never been heard from again. Those Baltic peoples remaining in their countries have been denied freedom of speech, religion, press, and other basic rights. Additionally, they have been forced to abandon their native languages for Russian, and have been compelled to live under communism.

Today's anniversary allows us to pay homage to those who have been so shabbily treated by Soviet Russia. The people of the Baltic nations have historically shown a great love of freedom, and have demonstrated a spirit of liberty and a continued willingness to resist oppression. Their time of travail has been watched with sadness by all the free world, and particularly by the United States, where so many of their friends and relatives have become valued citizens. I cannot allow this anniversary occasion to pass without saluting the people of the Baltic states, and protesting once again the illegal seizure of their homelands by the Soviet Union.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GARMATZ] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GARMATZ. Mr. Speaker, the continued enslavement of the Baltic countries of Lithuania, Latvia, and Estonia by the Soviet Union, in defiance of world opinion and the dictates of humanity, is contrary to all the principles of justice and freedom upon which our country was founded. Such continued enslavement is a particularly heinous crime, the enormity of which must be impressed again and again upon the world through the United Nations, so many of whose members, while demanding full exercise of national and individual freedom for themselves, choose to ignore the tragedy which Soviet lawlessness has foisted upon the splendid peoples of these once proud Baltic nations.

In wholehearted support of my resolution, House Concurrent Resolution 14, and of the many similar resolutions sponsored by Members of Congress from all sections of this great country, I urge that your committee take up the cudgels in behalf of these enslaved peoples. We cannot, as a Nation, continue to remain silent in the face of such wanton disregard of all international usage. Our representation at the United Nations must be persuaded to present to that international body the crimes that have been inflicted upon these three once-prosperous and proud nations.

I recall that, in commenting upon a similar resolution in 1963, the Department of State reported that it "believes that it is preferable to continue to focus world attention on the injustices suffered by the Baltic and other captive peoples as the occasion arises during the course of debate in the General Assembly and the Security Council."

Statements were made on the subject, we were told, in 1961 and 1962, and our late lamented President took the issue before the General Assembly in his address there on September 25, 1961.

However, the Soviets do not wait for opportunity to arise when they want to accuse the United States of alleged crimes. They make the opportunity. Here we have clear cause for shocking the conscience of the world with irrefutable charges of Soviet injustice and brutality—of deportations, prison and slave camps, and woes of every description, visited upon peoples of the highest types. There are many persons of Lithuanian birth or ancestry in my own State of Maryland, and I can say, from my long and close association with them, that they, as a group, are as cultured, loyal, and industrious as the best of our citizenry anywhere. And the same applies to the fewer persons of Latvian or Estonian birth or ancestry in our State.

The illegal absorption of their mother countries into the U.S.S.R., with the accompanying repression, deportations, and ruthless military rule, was a crime that must not be allowed to endure for lack of attention to it. If the United States is to remain loyal to its own basic principles, it must not hesitate to proclaim to all the world just what occurred in these three Baltic countries.

The Soviet action in these countries was a brazen instance of coldblooded, brutal contempt for human rights and international principles of conduct. Our country must not hesitate to seek justice for these peoples because "the time is not appropriate." Any time is appropriate for seeking redress of human rights that have been outraged as have the rights of citizens of these three countries.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHNEEBELI] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, during the modern history of the three Baltic countries their peoples have undergone a great amount of misfortune and suffering. Actually, they have been allowed to enjoy freedom and happiness in their historic homelands only for the two-decade period between the World Wars. After having to bow to foreign rule for centuries, the Estonians, Latvians, and Lithuanians regained their independence at the end of World War I, rebuilt their war-torn countries, and were enjoying their freedom. They wanted nothing more than to be let alone, to work out their own salvation in their own way. This choice was not permitted them for very long. Their neighbor, the Soviet Union, seemed bent on putting an end to their freedom and independence. This was accomplished in early 1940 when the three countries were attacked and occupied by the Red army.

After arresting and exiling all the leaders and prominent citizens of the countries invaded, the once-free democratic Republics were annexed to the Soviet Union. The saddest part of this treacherous maneuver was the cruel and inhuman way in which the arrests and deportations of thousands of Baltic nationals were carried out by the Russian officials. The innocent and helpless people were herded into freight cars and carried to distant parts of the Soviet Union, there to remain for a quarter century. After years of suffering, a small percentage of them have found their way to their former homes but most died in exile. Even those who have returned home are not free to live the way they would like but continue in bondage. It is our earnest hope that soon these brave peoples of the Baltic nations will regain their much loved and deserved freedom.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MURPHY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MURPHY of Illinois. Mr. Speaker, today we commemorate the 25th anniversary of the Soviet seizure of the Baltic States, Lithuania, Latvia, and Estonia.

This is a tragic occasion in the annals of Baltic history; for it was during these trouble-ridden months in the summer of 1940 that the freedom and independence, once so precious a possession of the Baltic peoples, had been destroyed by the Soviet Union.

In the autumn of 1939 the Soviet Union had imposed upon these nations the so-called pacts of mutual assistances. By these pacts the Soviet Union began to put into operation a series of events that led finally to the destruction of Baltic independence. Within a very short time the Soviet Red Army conquered the Baltic States. The freedom and independence that those nations had cherished now came to an abrupt end. Never again were these peoples to enjoy their natural right of self-determniation.

These are the tragic facts of history, Mr. Speaker.

The Baltic peoples are today a captive people.

The Baltic States enjoy neither freedom nor independence in any realm of their lives. Theirs is an other-directed existence.

The destiny of the Baltic peoples is a destiny determined not by themselves but rather a destiny determined solely by the Soviet leadership in Moscow.

On this occasion of commemorating the 25th anniversary of the Soviet seizure of the Baltic States it is fitting that we pay tribute to those heroic peoples, the Lithuanians, the Latvians, and the Estonians.

Yet, this is also an occasion from which the world today can well take note, for in this tragic event there lies a lesson to be learned by all free peoples and that lesson is the threat that Soviet communism holds for all freemen and all free institutions.

The Soviet Union has no just claim to possession of the Baltic States. These peoples share no common heritage with the Russians. Their cultures, their languages, their religions have little in common with the ways of the Russians. Yet, the Soviet Union conquered the Baltic States, and the purposes underlying their conquest were the singular desire to expand communism and to enlarge the power of the Soviet state.

This is a lesson we can learn from this tragic occasion of 25 years ago and on this anniversary it is well that we bear this lesson in mind.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Todd] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TODD. Mr. Speaker, I would like to commend my distinguished colleague, Mr. Edward J. Derwinski, for being so thoughtful to take the time this afternoon to recognize the plight of the citizens of the Baltic nations. As one who knows many natives of these countries who have fled to the United States, and who have settled here, may I express my sympathy to them and to their families left home overseas.

I am certain that loss of freedom is especially felt by these people, because of their traditions of independence and individuality. In this country, they have become leading and responsible citizens and have greatly enriched our society.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, today we commemorate the people of the Baltic States of Latvia, Lithuania, and Estonia who saw the national independence of their governments destroyed and their lands occupied by the Soviet Union 25 years ago this month. They remain to this day under the boot of Red Russia.

These small nations, created out of the hopes and dreams of the Allied Powers at the conclusion of the First World War, had only 20 years to practice the demanding ways of self-government. But even this small experience gave to them a sturdy and abiding taste for the vigorous progress possible in states affording freedom to its citizens. And so, when the Russians moved against them, and the Allies, preoccupied with the menace of Hitler, did not help them, the brave people of the Baltic resisted in spite of the overwhelming odds.

As a result, massive, incredibly cruel deportations took place during 1940 and 1941. Twenty-four years ago tonight, for example, about 10,000 Estonian men, women, and children were arrested and shipped in cattle cars to Siberia and northern Russia. From Latvia, 15,600 were similarly shipped off to forced labor, enslavement, ruination. Lithuania, during the week of June 14–21, lost 34,260 compatriots to the Red wastelands. The survivors of these and the other great deportations were few.

Let the people of the Baltic and their heirs in this country know that the people of the United States have not forgotten them, nor the injustices done to them. Let them know we recognize their present oppression, understand that free speech, press, assembly, and religion are still systematically denied to them. Let them know the people of America support their liberation, as we have always supported the principles of national independence, the self-determination of peoples, and individual freedom upon which human dignity must rest.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Fallon] may extend his remarks at this point in the record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FALLON. Mr. Speaker, the peoples of the three Baltic countries—Estonians, Latvians, and Lithuanians—had their ups and downs in the course of their long and turbulent history. They enjoyed their happiest years during their independence subsequent to World War I, and unfortunately the saddest period in their national history began soon after the outbreak of the Second World War.

After suffering under foreign rule, and particularly under the autocratic regime of Russian czars, the brave and gallant peoples of these three Baltic countries regained their national independence at the end of the First World War, set up their own democratic governments, diligently rebuilt their war-ravaged countries, and were leading a relatively prosperous and contented life. These Latvians, Estonians, and Lithuanians felt that in freedom and independence they had attained their national goals, and their task was to maintain and safeguard these goals.

With the aid and encouragement of their friends abroad, and under the guidance of their patriotic and wise leaders, the peoples of these three countries succeeded in doing this; they managed to maintain their independent status until late 1939. Then with the deterioration of the international situation, and with the loss of the backing of their friends in the West, they found themselves in danger of losing their freedom. Unfortunately their worse apprehensions proved correct.

Early in 1940 Stalin's ruthless henchmen imposed upon them totalitarian communism and then annexed these countries to the Soviet Union. At the same time Stalin's minions caused the arrest of several hundred thousand Baltic nationals and these were exiled to distant parts of Asiatic Russia. This mass deportation, this inhuman act, was carried out in mid-1940 under abominable and indescribable misery. People were uprooted from their homes and in freight cars shipped off to perpetual exile. All this was done 25 years ago, and today the anniversary of that event is being observed with due solemnity. On this occasion we pay tribute to the memory of those who suffered and died in exile, and pray for the freedom of those who still endure hardships in Soviet prison camps.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Pucinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I join my distinguished colleague [Mr. Derwinski] in commemorating today the 25th anniversary of Soviet aggression against the Baltic States.

This is an anniversary of extraordinary significance to the entire free world, and certainly one that we in the United States should commemorate in a particularly meaningful manner.

For, Mr. Speaker, the free world has forgotten that the major powers of the Western democracies to this day refuse to recognize the illegal seizure of the three Baltic nations—Estonia, Latvia, and Lithuania—by the Soviet Union.

As a matter of fact, to this day the United States recognizes here in our country the official diplomatic mission of prewar Estonia, Latvia, and Lithuania.

It would appear to me that we have not paid sufficient notice to the diplomatic missions in the United States from these three nations for these ambassadors are a living reminder of the treachery perpetuated upon their respective countries by the Soviet Union. It would be my hope that our Government would give these three brave representatives of these three prewar Baltic nations greater recognition and greater stature so they could become a more eloquent voice in reminding the world how their three nations were wiped off the map by Soviet deceit. It would be my hope that the United

States would enlist the help of these diplomatic missions to go to some of the uncommitted nations of the world as spokesmen for the cause of freedom and in these nations, many of whom today are flirting with communism, let these representatives of the Baltic States describe their own experience at the hands of Soviet deception.

Mr. Speaker, it would also be my hope that on this 25th anniversary, the United States would rededicate itself to the proposition that there can be no lasting peace in this world so long as an Iron Curtain separates the free world from the captive nations, including the three Baltic States which we honor today.

Mr. Speaker, the Baltic States Freedom Council has issued a scathing manifesto which lays bare the depth of Soviet infamy in destroying the institutions of freedom in these three Baltic States. I believe the Baltic States Freedom Council has performed a significant service to all of us by documenting the case against the Soviet Union. I should like to take this opportunity to reprint the manifesto in its entirety at this point. Following the manifesto, which describes so eloquently the injustice committed against the Latvians, the Estonians, and the Lithuanians, I should like to include a brief memorandum prepared by the Lithuanian American Information Center describing the Soviet seizure and occupation of Lithuania.

Both these documents belong to history for they describe not only the illegal occupation of the Baltic States by Soviet forces 25 years ago, but they also tell of the inhuman mass deportations from the Baltic States of Latvia, Estonia, and Lithuania to Siberia which was started by the Communists in June of 1941.

Mr. Speaker, to this day the Soviet Union has not dared tell the world what has happened to the hundreds of thousands of citizens from the Baltic States which were taken by the Soviets to Siberia. Where are the voices of those who profess to be concerned with human dignity in regard to demanding an explanation of these monstrous crimes committeed by the Soviets against the people of these three Baltic States? It would be my hope that even at this late date the free world would demand that whatever Baltic State nationals are still alive in Soviet concentration camps, they would be liberated immediately.

Mr. Speaker, the two documents I mentioned follow:

MANIFESTO—THE 25TH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES BY FREE ESTONIANS, LATVIANS, AND LITHUANIANS

Twenty-five years ago, in connivance with Hitler's Germany, the Soviet Union attacked the Baltic States. Some 300,000 Red army troops poured into Lithuania on June 15, 1940, and into Latvia and Estonia, on June 17, 1940. With the assistance of the occupation army, the emissaries of the Kremlin—Dekanozov, Vishinsky, Zhdanov—unseated the legitimate governments of the Baltic States. The Baltic countries were robbed of their independence and transformed into colonies of the Soviet Union.

The Soviet Union's assault against its Baltic neighbors initiated the Soviet westward march against Europe. The beginnings of today's international tension and threat to peace may thus be found in the Soviet aggression against the Baltic States in 1940.

By its aggressive acts against Estonia, Latvia, and Lithuania, the U.S.S.R. broke the peace and nonaggression treaties it had signed with those states as well as other international agreements.

Expropriation, exploitation, pauperization, slave labor, suppression of human rights and fundamental freedoms, Russification, terror, murder, mass deportations—these are the marks of the Soviet occupation in the Baltic States. In committing and continuing these acts, the Soviets violated the United Nations Declaration, the Atlantic Charter, the United Nations Charter, the Convention on the Suppression of Crimes of Genocide, and the Universal Declaration of Human Rights—all these documents bearing the signature of the U.S.S.R.

The Estonian, Latvian, and Lithuanian peoples, historically and traditionally Western in orientation and outlook, have consistently placed their hopes in the Western World. Their trust in the West was strengthened by the declaration of the U.S. Department of State of July 23, 1940; the statement of the President of the United States on October 15, 1941; the Atlantic Charter, the Yalta Declaration on Liberated Europe; the repeated statements by the U.S. Government about nonrecognition of the Soviet annexation of the Baltic States, the continued recognition of free Baltic diplomatic representatives by the United States as well as many European and South American Governments; and the proclaimed aims and principles of the United Nations.

At the same time the hopes of the Baltic peoples have been strengthened by the global process of decolonization and the universal acceptance of the right of self-determination of nations. The liberation movement of the colonial peoples in Africa and Asia has helped to expose Soviet colonialism as well and has raised the hopes of captive Estonians, Latvians, and Lithuanians. They are convinced that the tide of emancipation from colonial rule will not stop at the borders of the Baltic countries.

The Baltic peoples have given active expression to their determination to regain freedom, and have resisted their oppressors, thus contributing greatly to the continuing struggle for freedom and justice being waged by all captive peoples enslaved by the Soviet Union. Despite heavy setbacks and trials, our peoples maintain their faith in the restoration of their freedom and independence.

This summer the Soviet enslavers will unveil a macabre spectacle—a festive celebration of the 25th anniversary of the enslavement of the Baltic States during which the captive Baltic peoples will be coerced to appear grateful to their conquerors.

We—free Estonians, Latvians, and Lithuanians—are conscious of our responsibility toward our nations and to history. At this 25th anniversary of Soviet aggression, we feel dutybound to give voice to the will and the aspirations of our captive peoples:

We accuse the Soviet Union of committing and continuing an international crime against the Baltic States;

We demand that the Soviet Union withdraw its military, police, and administrative personnel from the Baltic countries;

We request that the governments of the free world, especially those of the great powers, use all peaceful ways and means to restore the exercise of the right to self-determination in the Baltic countries and in the rest of east-central Europe;

We further request that the United Nations De-Colonization Committee immediately fulfill its overdue duty and take up the case of Soviet colonialism in the Baltic States;

We appeal to the conscience of all mankind to perceive the magnitude of the injustice perpetrated upon the Baltic peoples and to support the efforts toward the restoration of liberty to these countries;

We convey to our people at home our pride in their resolute resistance against the endeavors of the oppressor to destroy their national and personal identity;

We share with our captive compatriots their view that the recent Soviet economic, political, and ideological setbacks—inherent in the structure of their totalitarian system—have considerably weakened the Soviet Union and thus raised the hopes of the captives for deliverance;

We pledge to intensify our joined organized activity in the free world to promote the cause of liberty for the Baltic countries;

We finally declare to the free world and the Communist-dominated world, including the U.S.S.R., that, once free again, the Baltic Nations will do all in their power to insure the best possible relations with their neighbors on the basis of mutual respect for national sovereignty and territorial integrity.

BALTIC STATES FREEDOM COUNCIL

Chairman: Vaclovas Sidzikauskas, president, Supreme Committee for Liberation of Lithuania, chairman, Committee for a Free Lithuania.

Deputy chairman: Aleksander Kütt, chairman, Committee for a Free Estonia.

Deputy chairman: Vilis Hazners, chairman, Committee for a Free Latvia.

Members: Mrs. Gundega Michel, chairman, Latvian Student World Association; Dr. Peter Lejins, Jr., chairman, Latvian Free World Federation; Olev M. Piirsalu, president, Estonian World Council; Peep Rebassoo, president, Estonian Student Association in the United States; Juozas Bachunas, president, Lithuanian World Congress; and Algis Zaparackas, chairman, Lithuanian Students Association.

NEW YORK, N.Y., *June 1965*.

SOVIET SEIZURE AND OCCUPATION OF LITHUANIA

History: The Lithuanians have inhabited their territory on the eastern shore of the Baltic Sea since time immemorial. With a population of over 3 million, Lithuania's area is 25,160 square miles—larger in size than Switzerland, Belgium, or Denmark. Bounded by east Prussia, Poland, Russia, Latvia, and the Baltic Sea, prior to World War II Lithuania had no common border with the U.S.S.R. because Poland had invaded and occupied the Vilnius area, including the capital city of Vilnius.

In the year 1251 Pope Innocent IV crowned Mindaugas King of Lithuania, the ancient country adopted Christianity and was thereafter ruled by grand dukes until, at the end of the 18th century, czarist Russia conquered and ruled Lithuania. The Lithuanian nation then had to endure 120 years (1795–1915) of Russian subjugation, during which there were two major Lithuanian uprisings.

Restoration of independence: As World War I was ending and coincidental with U.S. President Wilson's proclamation of the right of all nations to self-determination, the Lithuanian National Council, as the representative body of the Lithuanian nation, on February 16, 1918, proclaimed Lithuania a free and independent democratic republic.

Between 1918 and 1922 Lithuania was recognized de jure by all the great powers including the United States (on July 28, 1922), as well as the other nations of the world, and on September 22, 1921, became a member of the League of Nations.

Following the revolution in Russia in 1918 Soviet Russian troops tried to invade and occupy Lithuania, but the Lithuanian volunteer army repulsed all the Bolshevik attacks.

Treaties: On July 12, 1920, the Soviet Union signed a Treaty of Peace with the

Republic of Lithuania, by which the Soviets solemnly agreed:

"Russia, without any reservation whatsoever, recognizes Lithuania as a self-governing and independent state with all juridical consequences that follow from such a recognition and in a spirit of free and good will renounces for all time all sovereignty rights of Russia concerning the Lithuanian nation and the Lithuanian territory."

Then on September 28, 1926, the Republic of Lithuania and the U.S.S.R. entered into a treaty of nonaggression which among other things stipulated:

"The Republic of Lithuania and the Union of Soviet Socialist Republics mutually undertake to respect in all circumstances the sovereignty and territorial integrity and inviolability of each other."

In April 1934 this agreement was extended until December 31, 1945.

Another agreement to which Lithuania and the Soviet Union were signatories was the Convention for the Definition of Aggression signed in 1933, which set forth that:

"An aggressor in an international conflict, without prejudice to the agreement in force between the parties in conflict, shall be recognized as the state which shall first commit any one of the following acts:

"1. Declaration of war against another state.

"2. Invasion by its armed forces, even without declaration of wai, of the territory of another state.

"3. Attack by its land, naval, or air forces, even without a declaration of war, against the territory of another state.

"4. No considerations of a political, military, economic, or any other order shall serve as an excuse or justification for any aggression * * *"

Finally, when Soviet Russia and Nazi Germany had partitioned Poland shortly after the outbreak of World War II, the Soviet Union on October 10, 1959, imposed upon Lithuania a mutual assistance pact which included the right for the U.S.S.R. to establish military bases and the entry of unlimited numbers of Red army troops in Lithuania, even though the pact specifically stated:

"The realization of this treaty must not infringe the sovereign rights of the contracting parties, especially the structure of their state, their economic and social systems, military instruments and altogether the principle of nonintervention of one state in the internal affairs of the other state."

All of these treaties and pacts provided for peaceful coexistence, nonaggression against one another, noninterference in one another's affairs, and guaranteed each other's independence and territorial integrity. By these treaties and agreements, the Soviet Union recognized and guaranteed Lithuania's independence and territorial integrity. On her part, Lithuania implicitly abided by these agreements and always maintained friendly relations with Soviet Russia.

The Communist Party was not a legal political party in Lithuania and, as facts later disclosed, consisted of between 600 to 1,000 members, who received their instructions and directives from the Party center in Moscow.

Soviet-Nazi conspiracy: Despite the apparently friendly relations, the Soviet Union was secretly plotting the seizure and annexation of the Republic of Lithuania. Military maps of the Soviet Russian General Staff published in 1939 already showed Lithuania as a Soviet Republic.

Preparing for its attack on Poland, Nazi Germany on August 23, 1939 signed a nonaggression pact with Soviet Russia, then 1 month later, on September 28, 1939, after partitioning Poland, amended this pact with a secret protocol agreeing to have Lithuania fall completely into the Soviet sphere "as soon as the Government of the U.S.S.R. shall take special measures on Lithuanian territory to protect its interests" (State Department bulletin, Nazi-Soviet relations 1939–40).

The military invasion and occupation of Lithuania and the supression of all freedoms by the Soviets were a direct consequence of the secret agreement between the Soviet Union and Hitler Germany (the Ribbentrop-Molotov pact) signed in 1939.

Ultimatum and military invasion: Before carrying out its preplanned occupation and annexation, the Soviet Union accused the Government of Lithuania of various trumped-up unfriendly acts. Finally, on June 14, 1940, Soviet Commissar for Foreign Affairs V. Molotov presented a Soviet ultimatum to the Lithuanian Government making the following demands:

(a) To bring to trial the Minister of the Interior, K. Skucas, and the Director of Department of Security, A. Povilaitis.

(b) To form a new government in Lithuania, satisfactory to the Soviets.

(c) To assure free entry into Lithuania of unlimited numbers of Soviet Russian armed forces.

The deadline for the reply of the Lithuania Government was set at 10 a.m. of June 15, allowing scarcely 10 or 11 hours for consideration of the ultimatum.

On June 15, 1940, at 2 in the afternoon, Lithuanian's Minister of Foreign Affairs J. Urbsys sent a telegram from Moscow explaining that the Soviet Chairman of the Council of People's Commissars and Foreign Commissar Molotov had presented a detailed plan as to how the Soviet Army units, with the purpose of occupying Lithuania, would proceed.

About 12 complete divisions, from 200,000 to 250,000 soldiers, swamped Lithuania whose peacetime armed forces totaled only about 28,000 soldiers.

Imposition of puppet regime: Once the Red army was in Lithuania, "revolution by the army" was an accomplished fact. The first step was the formation of a Soviet-puppet government. Soviet Vice Commissar for Foreign Affairs V. G. Dekanozov came by plane to Kaunas, set up headquarters in the Soviet Legation, and assisted by Soviet Envoy Pozdniakov, began to rule the country in accordance with the orders he had brought with him from Moscow.

Dekanozov's first task was the formation of a "new government," one obedient to Moscow. He dictated the names of new ministers to the Acting Prime Minister, A. Merkys. Justas Paleckis, who had previous contacts with the Soviet Union, was to be named President of the republic. To allay the fears of Lithuania's people, several prominent Lithuanian patriots were purposely included in the list of new ministers.

Order elections: Pursuing Moscow's plan for Lithuania's subjugation, the Kremlin agents made Paleckis' government proclaim on July 6, 1940, a law governing the elections to the so-called People's Diet to be held on July 14.

A July 7 order by the Director of the State Security Department dissolved all non-Communist Parties, and ordered the arrest of most of their leaders and active members.

The Communist Party was the only recognized party, assuming the name, "The Union of Working People of Lithuania," to mislead the people. Only this union was allowed to nominate candidates for the elections.

Seventy-nine members were to be elected to the People's Diet, and 79 candidates were nominated by the Communist Party and its affiliated organization exclusively. Thus Communists and their sympathizers, some of them persons of no repute or standing, were listed. A few well-known Lithuanians became candidates against their will as their names were listed without their knowledge or consent, again in order to mislead the voters.

The fictitious Union of Working People proclaimed to the Lithuanian nation its political platform which, among other promises, said:

"On this historic day, July 14, we must go to the polls in united and closed ranks and elect the worthy candidates able to express the real will and aspirations of the people and to strengthen the true friendship with the great Union of Soviet Socialist Republics, which is the one and only guarantee for the prosperity and free development of our country."

Mockery of the people's will: Supported by Red army units, Russian agents staged mock Communist-style "elections" on July 14 and "elected" a new Diet (National Assembly) which on July 21 as its first order of business voted to petition the Kremlin to accept Lithuania as one of the republics of the U.S.S.R. Supreme Soviet in Moscow on August 3 decreed that Lithuania was to be "accepted" into Soviet Union.

Still following the friendly secret agreement of 1939, the Soviet Union in the early part of 1941 paid Hitler $7,500,000 for his "share of the loot" (Lithuanian territory).

Lithuanian revolt: With the outbreak of the Soviet-Nazi war on June 22, 1941, the Lithuanians spontaneously revolted against the Soviet occupants and, even as the Bolsheviks were being driven out of Lithuania, proclaimed the restoration of the Independent Republic of Lithuania and the formation of a provisional government. Nazi Germany, however, being a harsh aggressor, had no intention of allowing such a situation to exist and after 1 month disbanded the Provisional Lithuanian Government and imposed its own occupation regime.

True facts of incorporation: Once the country was cleared of the Bolshevik occupants, former members of the Soviet-formed puppet "people's diet" made a public statement which explained how the Bolsheviks had by force and subterfuge "enacted" Lithuania's "incorporation" into the U.S.S.R.:

"Meeting at Kaunas on August 30, 1942, we, members of the former Soviet Lithuanian Government and the people's diet, publicly state:

"1. In violation, by use of force and threats, of the solemn pledges given to the Republic of Lithuania to respect, in all circumstances her 'sovereignty and territorial integrity', the Government of the Soviet Union, on June 15, 1940, occupied Lithuania by its armed forces:

"2. The Lithuanian Government which was created according to the demands of the Moscow ultimatum and which had obtained the assurances that the independence of Lithuania would be respected, under new pressure from Moscow, was later reorganized, without the knowledge or consent of the Acting Prime Minister, Prof. V. Kreve-Mickevicius, securing its majority for the Communists, headed by M. Gedvila, making it a tool in Moscow's hands.

"3. Moscow ordered the 'reorganized' Lithuanian Government to carry out elections to the 'People's Diet' which was to later request the incorporation of Lithuania into the U.S.S.R.

"4. The 'People's Diet' could not and did not proclaim the will of the Lithuanian people because:

"(a) The 'People's Diet' was made up in advance by the Communist Party, as directed by Moscow's representative V. G. Dekanozov and Soviet Minister to Lithuania N. G. Pozoniakov. Only the Union of Working People of Lithuania was allowed to nominate candidates selected by the Communist Party. The number of candidates was exactly the number of members to be 'elected' to the People's Diet.

"(b) In order to enhance the effect of 'unanimity' it was stated that 95.51 percent of the electorate had voted; actually, as confirmed by the Supreme Election Commission and by statements made by the former People's Commissar, M. Gedvila, and President of the L.S.S.R. Supreme Soviet J. Paleckis, at secret meetings, only 16 to 18 percent of valid voting cards were submitted at the polls.

"(c) A number of members of the 'Diet', not members of the Communist Party, were compelled by threats to agree to become members of the 'Diet' and to vote for incorporation into the Soviet Union.

"(d) When the voting on the incorporation into the Soviet Union took place the votes of the members were not counted; all strangers present at the session voted along with the Diet.

"5. Not a single member of the People's Diet could express a protest against the use of force as, under the circumstances, such a protest would have involved danger to his life. Moscow's representatives and officials of the Soviet Legation openly threatened all those members of the Diet and their families who would have dared to announce their intention to vote against incorporation in the Soviet Union.

"6. We, former members of the People's Diet, publicly protest against the violence and falsifications directed by the Bolshevik Government against the Republic of Lithuania and the Lithuanian nation during the elections to the Diet as well as during its session. Neither we nor the other members of the Diet could express nor did we express the will of the Lithuanian nation for incorporation into the Soviet Union.

"7. The People's Diet itself stated in its declaration of July 21, 1940, 'Now the people, helped by the mighty Red army * * * established a Soviet Government in their own country. If the people have been able to establish in their own country the only just system, the Soviet system, it is all due to the Soviet Union.' In this way the People's Diet itself admitted the Red army's influence in its decisions and the decisions of other government agencies.

"Former members of the People's Diet: Dr. A. Garmus, L. Dovydenas, H. Kacinskas, B. Juknevicius, V. Birzietis, P. Mickus, Mrs. S. Vaineikiene, Miss P. Milanciute, the former Acting Prime Minister and Minister of Foreign Affairs of the People's Government, Prof. V. Kreve-Mickevicius, the former Commissar for Social Care and Forest Industry of the L.S.S.R., Jurgis Glusauskas."

Soviet plan to exterminate Lithuanians: After they had gained complete control of Lithuania, the Bolshevik occupants put into operation their plan for the systematic extermination of the Lithuanians. Soviet documents captured after the Soviets fled from Lithuania in 1941 show that the instructions for the gradual extirpation of the Lithuanian nation had been prepared in Moscow in advance of the seizure of the country.

In the 1940–41 period the Soviets imprisoned and deported to Siberian concentration camps approximately 40,000 Lithuanians as was factually documented by the Select Committee on Communist Aggression of the House of Representatives, 83d Congress.

Even though it is difficult to obtain information through the Iron Curtain, on the basis of data published by the Soviets, interviews with persons recently arrived from occupied Lithuania, information contained in letters received abroad, and other sources, it has been possible to learn that during the period from 1944 to 1952, in combat with the Lithuanian partisans (the Soviets admit they killed about 20,000 partisans in pitched battles), by deportations to Siberia, and other means, the Soviet occupation regime has removed or liquidated an estimated 400,000 of Lithuania's inhabitants. These figures would probably be much higher if it were possible to make a thorough and accurate investigation.

Religion: Lithuania is predominantly a Catholic country. The freedom of religion of which the Soviets boast is a parody, since persecution of the priests and the faithful, the closing of churches and priests seminaries, the ban on religious instruction, and the intense antireligion campaigns have been the rule ever since the Bolsheviks occupied Lithuania.

Economics: Life in Soviet-occupied Lithuania—which was often called "Little America" during its independence—has since the occupation become austere and drab. The prosperous and highly productive farms were nationalized, collectivized into Kolhozes, and agricultural production has fallen to low, typical Soviet levels. Privately owned enterprises and properties have also been confiscated and nationalized, without any compensation to the former owners. The end result of this Sovietization has been the same as in all of Sovietdom—shortage of food and consumer goods. Now hardship and misery are the lot of the people in occupied Lithuania.

Travel restrictions: The Communist occupants do not permit free entry into or exit from Lithuania, nor free travel in the country, nor even free conversation with relatives and/or friends by tourists. The traveler who gains permission to enter Lithuania is automatically assigned a "guide." Most visitors are allowed only a few days' stay in Vilnius; their relatives are brought from their villages to Vilnius to see and talk with them. In the rare exceptions where a person is allowed to travel into the provinces to see his relatives, each such visitor has been accompanied by an official guide companion.

On the whole, the mood of the Lithuanians in Soviet Communist occupied and oppressed Lithuania is one of depression, as they live in the hope of, and anxiously await the time of liberation from the onerous Soviet yoke. They are grateful to the Government and the people of the United States for the just and firm stand of nonrecognition of the illegal Soviet grab of their country, and the continued recognition of independent Lithuania and its diplomatic and consular representatives. The Lithuanians in Lithuania look hopefully and with confidence to the United States and the free Western World for aid in their struggle to again be free and self-governing in their own independent State of Lithuania.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OTTINGER. Mr. Speaker, since 1940 the Baltic States—Lithuania, Latvia, and Estonia—have suffered under the oppression of Soviet rule. Hundreds and thousands of these valiant people have been sent to the cruel Soviet slave-labor camps while others have died at the hands of their Bolshevik masters.

This despotic captivity was not accomplished peacefully but by the force of arms and in violation of numerous international agreements. In 1920, for example, a peace treaty was signed between Lithuania and the Soviet Union in which the latter relinquished all territorial claims on Lithuania and extended its recognition to the National Lithuanian Government. This, theoretically, put an end to the efforts of establishing a Soviet regime in Lithuania. A further ruse was attempted by the Soviets in the signing of a nonaggression treaty with Lithuania in 1926.

The fate of Lithuania, as well as of the other Baltic States, was sealed in 1939, however, with the signing of the Molotov-Ribbentrop pact. Shortly thereafter the Soviet Union imposed upon all the Baltic States pacts of mutual assistance which gave Russia the right to establish various military bases in Estonia, Latvia, and Lithuania. This was accomplished under the threat of direct military action. It was from this time that the cancer of Soviet despotism began to grow in these lands.

The final step was taken on June 15, 1940, when the Red army invaded Lithuania and surrounded the Lithuanian troops.

Under Russian control, elections were then held in the three Baltic States. The purpose of this was to provide Soviet control of these nations, under the cloak of legality, and thus pave the way for Russian annexation.

Apart from Nazi occupation between 1941 and 1944, these valiant people have suffered under the domination of their Soviet despots for 25 years. Every attempt has been made by the Russian propaganda machine to explain that the Soviet control and annexation of the three Baltic countries had been peacefully accomplished by legal means. The nations of the free world, however, have been able to see through this subterfuge and know full well that this is simply another sham in a continuing campaign of deception.

Shortly after the Soviet forces took control of these freedom-loving people, underground resistance organizations were formed and guerrilla action was taken against the Russians. This was a heroic and extensive resistance movement but the Russians mercilessly beat them with a loss of almost 30,000 Lithuanian patriots, not to mention countless others who died in the other two countries.

Mr. Speaker, since the end of the Second World War we have been concerned with the self-determination of the peoples of Africa, Asia, and Latin America. It would sometimes seem, however, that we have forgotten the hopes and aspirations of the heroic people of Latvia, Estonia, and Lithuania. Their fight against the forces of Communist oppression and domination should be our fight. These nations must be able to throw off the yoke of Soviet tyranny and take their rightful places as full members of the family of free and sovereign nations. As the leader of the free world, it should be our duty to lend whatever assistance we can to these people.

Therefore, I have today introduced a concurrent resolution calling upon the Congress to request the President to bring the Baltic States question before the United Nations and requesting this international body to have the Soviet Union withdraw all Soviet troops and other forces from Lithuania, Latvia, and Estonia, as well as to return to their homes all Baltic exiles and deportees now being held in various Soviet prisons and slave-labor camps.

While there is no overt action we can take, we must make it fully clear to all freedom-loving peoples that our conscience will not be clear until these nations have regained their free and sovereign status.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Adair] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ADAIR. Mr. Speaker, I am happy today to associate myself with the remarks of my colleague from Illinois [Mr. Derwinski] concerning the unhappy plight of the Baltic nations of Latvia, Lithuania, and Estonia.

It is very important that we in the Congress continue to publicize the plight of these people. As far as the Kremlin is concerned, these three nations have ceased to exist as separate entities. Today, in spite of supposed Soviet concern for self-determination, they continue to carry on a ruthless program of "Sovietization" in the Baltic States.

We need only recall that these states were the first victims of the cynical Nazi-Soviet nonaggression pact of 1939. The deportations of the Baltic peoples to Stalin's forced labor camps started in 1940. A conservative estimate would place the number of people so deported at 100,000, during the period 1940–41.

After World War II, the repressions were much worse. From Latvia alone, more than 100,000 people were deported. However, these people did not sit idly by and await their destruction. They fought back from the farms, fields, and woods of their native lands. Savage fighting took place from 1944 to 1950, which took the lives of thousands of Balts as well as uncounted Soviet secret police soldiers.

To this day, the Soviets have continued their policy of trying to break up the ethnic unity of these nations. They have moved in thousands of Great Russians, and resettled still more Balts in the remote reaches of Kazakhstan. Travelers to the Baltic States have noted the large numbers of Russians who are seen in the streets of the larger cities.

Many of us have sponsored resolutions that this Congress request the President of the United States to instruct our United Nations Ambassador to place the question of the Baltic States on the agenda of the United Nations in order that free elections and self-determination be permitted these people. We should continue in this effort. These people desperately need to know of our concern. Some of these people are still in forced labor camps. In spite of some 20 years of Soviet indoctrination, they have not lost their loyalty to their nation. They search in vain for some small ray of hope. It behooves those of us who live in a free America to do what we can to provide that ray of hope.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, as sponsor of House Concurrent Resolution 399, I very much appreciate this opportunity of presenting my reasons for having introduced this measure. The resolution requests the President of the United States to bring the Baltic States question before the United Nations and asks the United Nations to request the Soviet Union to withdraw its troops, secret police, and all controls from Lithuania, Latvia, and Estonia. It also seeks the return to their homes of all Baltic exiles and deportees from Siberia, prisons, and slave-labor camps in the Soviet Union.

It is altogether fitting and proper that the Congress adopt this resolution. The annals of our history are replete with instances where expressions of our concern for peoples in foreign lands, who were the victims of persecution and harassment, were voiced.

It was upon the initiative of the United States that the United Nations came into being. Our advocacy of the cause of justice, freedom, and democracy illumine the pages of history. The resolution which I have introduced would implement and utilize one of the functions of the organization of the United Nations. I should like to point out that the Charter of the United Nations stands for the principle of equal rights and self-determination of peoples.

I believe we should take the lead in placing the plight of Lithuania, Latvia, Estonia—the Baltic States—and the suppression of their freedom before the United Nations. It would be an important help in forming world public opinion, which expressed in this way, could materially assist in bringing about steps toward the achievement of independence for these nations.

As is well known, the Baltic States of Lithuania, Latvia, and Estonia have been suffering in Soviet slavery since June 15, 1940. For the past quarter century the people of those unhappy countries are under the Communist yoke. They were robbed of their freedom and independence by Russian imperialism in its forward thrust toward hoped-for world domination.

As a result of the relentless drive of the Reds, almost 100 million peoples in all the "captive nations" were deprived of all human rights and fundamental freedoms. Alien regimes were imposed upon them and maintained solely by the presence or threats of intervention by the cruel hordes of the Communist armies. A total war is being waged against the cultures of the captive peoples with a view to distorting or destroying their individual and national identity.

Centuries ago on the eastern shore of the Baltic the Lithuanians, Estonians, and Latvians first founded their kingdoms and lived in peace with their neighbors. Now those countries are darkened under the shadow of foreign military might and their people, whose heritage has maintained the cause of freedom and liberty for centuries, are the enslaved victims of Soviet aggression.

The evil forces of atheistic communism are pushing the colonization and Russification of the Baltic States through deportation of the natives from their respective homelands, denial of cultural freedoms, and by Russian control of the political life and government.

The late Winston Churchill in his great work entitled "The Second World War" stated:

> We have never recognized the 1940 frontiers * * * They were acquired by acts of aggression in shameful collusion with Hitler. The transfer of the * * * Baltic States to Soviet Russia * * * would be contrary to all principles for which we are fighting this war and would dishonor our cause.

In recognition of the right of a free people to national self-determination, the U.S. Government has firmly and consistently stood by its declared policy of nonrecognition of the forcible incorporation of the Baltic States into the Soviet Union.

The United States thereby not only accords recognition to the Baltic States people's devotion to the cause of freedom and national independence, but expresses its firm confidence that their cause is just and will ultimately prevail.

In considering the resolution I introduced, one should remember that the suffering of the people of the Baltic States since the early part of World War II marks one of the grimmest chapters of modern times.

It is indeed difficult for us to fully comprehend the enormity of outrages inflicted upon the innocent people of Lithuania, Latvia, and Estonia. The flights of families before the Communist and Nazi invading armies, the vengeance of the conquering military might against their patriotic resistance, the mass deportations of helpless men, women and children, the mass executions and murders—these and a thousand cruel inhumanities were all heaped upon the peoples of these small Baltic countries. I will not take up the time of this body to repeat what is already well known regarding the tortures, imprisonment, and tyranny of the ruthless Red taskmasters who obey the mandates issued from Moscow.

Our own country was founded upon Judean-Christian ideals of justice, freedom and self-determination. We, therefore, cannot—we must not—with a clear conscience turn our backs on the serious plight of our fellow human beings in the Baltic countries.

In this connection the words of President Lyndon B. Johnson are of particular significance; he said:

> The American covenant called on us to help show the way for the liberation of man. That is still our goal. Thus, if as a nation there is much outside our control, as a people no stranger is outside our hope.

We here in the Congress can show to the world that we do more than just hope for the less fortunate peoples of enslaved nations. We can do this by the adoption of House Concurrent Resolution 399, which I introduced.

BALTIC STATES: A COMMEMORATION

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. STANTON] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STANTON. Mr. Speaker, on this 25th anniversary of the seizure of the Baltic States by the Soviet Union two indisputable facts should be kept in mind. One fact is that we should never forget that the Baltic States were once free and independent nation-states. And secondly, we should never forget that the Baltic States were the victim of brutal Soviet aggression.

During the interwar period the Baltic States had enjoyed the international status of independent nation-states. World powers recognized these states and carried on normal diplomatic relations with them. Baltic statesmen played important roles in international affairs; they conducted diplomacy for their governments; and in so doing they concluded diplomatic agreements with many nations of the world. In a word, the Baltic States assumed their responsibilities to the international community of nations, and within the measure of their power they performed their tasks nobly hoping always to achieve their national interests while at the same time striving to build a new world order of peace.

On the domestic scene the Baltic States peoples had built strong and vigorous economic and social orders. They developed and expanded their cultural interests, and in the realm of religion recognized the important democratic principle of religious freedom. In the political realm all had built political institutions to suit their own national purposes.

Baltic independence came to an end in June 1940, just 25 years ago. It came to an end when the Soviet Union dispatched its army across the borders, occupied the area, established puppet regimes, and finally annexed the territories to the U.S.S.R. as constituent republics.

That the Soviet Union is guilty of aggression in this entire undertaking goes without saying. In a most brutal manner the Soviets destroyed every contractual engagement that existed between the Soviet Union and the Baltic States. And, Mr. Speaker, it is important to note that in many of these important agreements the Soviet Union acknowledged and reaffirmed the national independence and territorial integrity of the Baltic States.

On this 25th anniversary of the Soviet seizure of the Baltic States the world is reminded once again of the great misfortune that had befallen these truly heroic people. Let us, therefore, pay special tribute to these Baltic peoples, and let us hope that their national tragedy can be a lesson for all freemen who fail to evaluate properly the goals and purposes of world communism.

THE RAPE OF THE BALTIC REPUBLICS BY THE SOVIET UNION

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SCHISLER] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHISLER. Mr. Speaker, the date of June 14 has special significance. It was 25 years ago today that three Baltic nations were illegally seized and occupied by the Soviet Union.

Russia has been the curse of her neighbors during its modern history. And the Russian government, both czarist and Communist, has been particularly harsh to the peoples of Estonia, Latvia, and Lithuania.

For more than a century, prior to the First World War, these peoples suffered under the czarist Russian rule. In 1918, when the detested regime of the czars ended, they regained their cherished and long-deserved independence. In a relatively short time during the inter-war years, they became a progressive and decisive force for peace and prosperity in northeastern Europe. They worked hard, rebuilt their war-ravaged countries, and were more prosperous than their Russian neighbor to the East. Soviet leaders were not only jealous of their prosperity and democratic governments, but they were resolved to put an end to the independence of these peoples, by force if necessary.

Very early in the last war the Soviets, in violation of both treaty and international law, carried out their threat. In mid-1940 the three republics were attacked and overrun by the Red Army. All three were annexed by the Soviet Union. Since 1960 the Soviet Union has claimed these countries as her own, even though the free world refuses to recognize a government which has been illegally seized.

I am happy to say that we have stood firm in our feelings. The United States of America refuses to admit the seizure of these countries as legal and continues to extend diplomatic recognition to the former democratic governments of these countries.

Today, 25 years later, the people of this country reaffirm the Wilsonian principle of self-determination and condemn the annexation of Estonia, Latvia, and Lithuania by the Soviet Union.

LITHUANIAN TRAGEDY IN 1940

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. JOELSON. Mr. Speaker, the Lithuanian people had enjoyed freedom and independence in their homeland for only two decades, during the interwar years, when they were robbed of their most precious possessions and enslaved by the Soviet Union. These vigorous and intelligent people who had bravely withstood many ruthless adversaries in the course of their long history, were in no position to face the ferocity of Communist Russia's Red army in 1940. And the men in the Kremlin knew this. They also knew that while the Lithuanian people had friends and supporters in the West, most of them were involved in the war and unable to help the Lithuanians.

Early in 1940 Lithuania was attacked by the Red army, and in a short time independent Lithuania had ceased to exist. The country was quickly overrun, and many Lithuanian leaders who could not escape were arrested by Soviet authorities. These arrests and imprisonments extended to all ranks and classes of the people, and before long Lithuanians by the tens of thousands were imprisoned. Then all those apprehended and under arrest were placed into freight cars and deported to Asiatic parts of the Soviet Union. Thus began, early in 1940, the illegal seizure of Lithuania by the Soviet Union, and the enslavement and deportation of Lithuanians 25 years ago.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FLOOD. Mr. Speaker, the three Baltic states, Estonia, Latvia, and Lithuania, constitute a distinct unit in Europe, and their citizens are distinguished for their ruggedness and bravery, and possessing the tenacity for clinging to certain ideals. Their time-honored national traditions, their Christian faith, and the spirit of freedom have for centuries been the sinews of their spiritual sustenance.

Both in the days of their independent existence, and during long periods of subjugation to foreign rule, they held fast to these ideals. Under the czarist Russian regime they were the most progressive, the most enlightened, and among the most democratic ethnic elements in that heterogeneous empire. Their sound local economy, their zeal for advancement, and their superior educational institutions and attainments were envied not only in Russia, but also in many parts of Europe. These countries were for more than 100 years Russia's show windows in the West.

At the end of the First World War all three countries broke away from the shattered Russian empire, and proclaimed their independence. In a relatively short time, all three became respected members of the world community of nations. Their loyal and industrious citizens began to rebuild their war-torn countries, and in the course of two decades, these three Baltic democratic republics became a definite force for progress and peace in northeastern European affairs. Though on the east there was the new Communist giant, and on the south there emerged the saber-rattling Nazis, for two decades the leaders in these small countries managed to stave off all impending dangers, and kept their independent status, even when they were almost completely isolated from the powerful democracies in Western Europe. In the late 1930's, however, it was evident that alone they could not cope with the dangers threatening their independence and their existence as free nations. It was clear that neither Communist totalitarianism nor Hitler's nazism would tolerate the democratic luxuries represented in these three small countries.

It is to the credit and everlasting glory of the leaders of these small countries that they withstood all sorts of blandishments and blackmail tactics of their ruthless adversaries, until early in the last war they were physically overwhelmed by brute force. Early in 1940 the Red army overran and then occupied these countries, and finally all three were annexed to the Soviet Union. Then began the enslavement of these peoples under Soviet communism. Since those tragic days there have been world-rocking changes in diplomacy. But during all that time, for 25 years, the fate of the Baltic peoples has been most tragic.

When the Red army swooped over these countries, hundreds of thousands of innocent and inoffensive people were rounded up, packed in freight cars and shipped off to the distant parts of the Soviet Union. The rest were regimented under the Communist system and led a miserable, unenviable life. Today the Soviet Union holds these countries by force and their citizens are held down by all the brute strength at its disposal. There some 5 million innocent and helpless people suffer under Communist tyranny. And that tyranny shows no mercy for those who are suspected of dreaming of freedom and independence. These are instantly seized, tried, and found guilty of counterrevolutionary charges, and, of course, then shipped off to Siberia. Even under such constant harassment, arrests and tortures, imprisonments and exile from their homelands, these Baltic peoples have tenaciously clung to their ideals; they have kept up their hope for freedom.

I am happy to state that the illegal seizure and forced captivity of these Baltic nations by the Soviet Government have never been admitted by the Government of this country, and we continue officially to ignore that illegal and criminal act of the Soviet Government. We are most earnestly and seriously concerned with the fate of these Baltic peoples. We would like to help them in every possible way. I personally have shown my keen interest in their fate by urging, through House Resolution 14, the establishment of a Special House Committee to study the fate of all captive nations. On the 25th anniversary observance of the enslavement of these captive peoples, I once more urge the setting up such a committee, in the fond hope that its work will prove an effective factor in bringing about the liberation of these peoples.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, today, June 14, marks an anniversary of infamy. It is an appropriate time for all of us to think about the world situation, to think about what we in the United States are doing and what we should be doing to preserve freedom in the world, and to restore freedom to those once free.

Just 25 years ago, the godless hordes of communism seized the Baltic countries of Lithuania, Latvia, and Estonia. They marched in, in violation of international law, in violation of specific treaties with each of these nations.

Since then, there has been brutality, suppression of freedoms, and oppressive forcing of Communist teachings on the people of these countries. Many have been moved to Soviet slave camps; Russians have moved in to take over their property.

This is communism at work. It makes one wonder about the mental capacity of those who urge that we appease this atheistic, cancerous ideology and its ruthless practitioners. It makes one wonder just what a cease-fire treaty in Vietnam would buy, except a worthless promise from an unscrupulous foe, who has demonstrated that treaties are only devices to gain time and advantage.

Perhaps, at this moment, we cannot rescue those brave people now under the heel of communism in the Baltic lands. But we can and must prevent those not now under communism from falling into its iron maiden grasp. On this 25th anniversary of perfidy and international dishonor, we as free Americans should renew our determination to meet our obligation to freedom, and pay no heed to those who advocate tolerance and acceptance of Communists as responsible world citizens.

The record has shown that they have not earned the respect of mankind. As long as any people remain in servitude, the rest of the world is in danger; for the aim and the goal, the intent and purpose, the methods and means, will always remain the same for Communists. Deceit is a weapon that we cannot afford to give them the luxury of utilizing when dealing with the fate of millions of people.

The present administration has accepted the dismemberment of the Balkans as an irreversible fact. It should not be so. The defeat of communism in Asia will serve to hasten the disintegration of communism in Europe. To that end, we should at this time rededicate our national purpose and individual resolve.

SOVIET SEIZURE AND CAPTIVITY OF THE BALTIC NATIONS

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DENT. Mr. Speaker, the three ethnic groups with a total population of about 5 million constitute the Baltic nations—the Estonians, Latvians, and Lithuanians. All three had been subjected to Russia's czarist regime since the late 1880's, and they all had retained their love of freedom and independence for more than a century. After the First World War they proclaimed their freedom and reconstituted themselves as independent, sovereign nations. Soon they were admitted into the family of nations, and for two decades they became progressive, democratic republics, a real force for peace in northeastern Europe. They worked hard at the risk of rebuilding and strengthening their respective countries and, considering the relatively short time and the difficult circumstances, they accomplished wonders. In every field of human activity they made startling advances, and in many ways they were regarded as model democratic states.

During all that time their inveterate and implacable foe was watching their progress and prosperity with jealousy and envy. The power-hungry rulers in the Kremlin had their evil designs on these nations. They wanted to put an end to democracy there, annex these countries, and enslave their innocent but helpless inhabitants. The men of the Kremlin attained their goal very early in the last war. First the governments of these countries were forced to sign mutual defense agreements with the Soviet Union. Then Soviet forces were stationed in all strategic points of these countries. Then, under the flimsy pretext that the governments of these countries were hostile to the Soviet Government, the Red Army attacked Estonia, Latvia, and Lithuania, overran them, eliminated the democratic governments there, and instituted Soviet-type governments. Finally, in mid-1940, all three countries were annexed to the Soviet Union, and thenceforth ceased to be independent entities.

Thus began the enslavement of these stouthearted but helpless Baltic peoples by the Soviet Government. Besides imposing Soviet communism upon these peoples, several hundreds of thousands were arrested and exiled to distant prison-labor camps in the Soviet Union. To this day the fate of these unfortunate souls is unknown. Perhaps a few thousands of them still linger on, but it is not likely that many of these will ever see their once free homeland. On the 25th anniversary observance of Soviet Union's treacherous and illegal seizure of the Baltic countries, and the enslavement of the Baltic peoples, we ardently hope for the freedom of these peoples.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, at this moment in history when the United States and other free world nations are engaged in fighting Communist aggression, it is particularly timely to commemorate the illegal seizure by the Soviet Union of the Baltic nations 25 years ago.

Violating specific treaties with Lithuania, Latvia, and Estonia and flouting international law, the Soviet Union seized these lands. The act is a blot on the conscience of the free world, which must be dedicated to the goal of eventually restoring freedom in the captive Baltic nations.

The United States should provide the leadership in restoring freedom of speech, religion, press, and other basic rights for the captive people of these courageous countries.

The determination, strength, and will of our enslaved world neighbors to rid themselves of the Communist yoke should provide dynamic inspiration for free nations which must contain an enemy ideology that threatens freedom almost everywhere in the world.

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KING] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KING of New York. Mr. Speaker, 25 years ago thousands of helpless Estonians, Latvians, and Lithuanians were taken from their homes, torn from their families, and deported by the Soviet Union to slave-labor camps behind the Iron Curtain. These people were among the first victims of the Second World War; and unfortunately, their suffering and hardship are not over yet.

We, as Americans, have not forgotten the tragedy of those dark days. We cannot forget that the spirit and desire for freedom can never be conquered; and in the hearts of the Baltic people still burns the love of, and desire for, liberty from oppression.

The United States has always been the symbol of freedom to the rest of the world and we have advocated and encouraged the establishment and maintenance of freedom for everyone. We do not intend to deviate from this policy and hope that we will never be lulled into a false sense that all is well in the captive nations just because there appears to be some lessening of tension between our country and the Communist-dominated nations.

I am pleased to join with my colleagues in paying homage to the memory of the Baltic people who suffered and died for their righteous cause and pray for the freedom of those who still survive.

BALTIC STATES: A TRIBUTE

Mr. ROOSEVELT. Mr. Speaker, the summer of 1940 was a summer of discontent for all mankind.

In June of this year we are commemorating the 25th anniversary of the Soviet seizure of the Baltic States. For the peoples of that distant region this was the death knell of their independence. For them the summer of 1940 was a time for national disaster and tragedy.

And the rest of the world? It was on the edge of an abyss. France had fallen. Nazi forces enveloped Scandinavia. Britain was left alone to fend off for herself the enemy that was coming. In the Far East, Japan moved relentlessly from one aggression to another. And while all this turmoil beset this terribly troubled world, we in the United States—at least some of us, and happily the great majority—sought desperately to prepare ourselves for the test of arms that was looming on the horizons.

Yes, Mr. Speaker, the summer of 1940 was, indeed, a summer of discontent for all of us; and who is there to tell us that this summer of 1965 will bring to humanity assurances that the world will ever be spared the turmoil and trouble we have beheld in these last 25 years. The world is consumed by crises that offer no solace to us. Yet, we Americans are men of hope and men of reason; we are creatures of the age of enlightenment. We cannot despair of man's condition; nor can we despair of man's capacity to resolve the problems that overwhelm him. And if ever there was a source of encouragement to us all, that source is the example of the Baltic peoples who, after 25 years of the most oppressive tyranny, still hold fast to their national values and hold fast to the expectation that one day in the future freedom will once again come to their land.

Mr. CONABLE. Mr. Speaker, it has been 25 years now since the Soviet Union broke its treaties with the Baltic nations of Latvia, Lithuania, and Estonia and seized them by force of arms. During this period the Communists have pursued a ruthless policy to destroy systematically the identity of these areas. At first the leaders of the countries were brutally murdered, and since then hundreds of thousands of the people have been deported to labor camps in Siberia and have been replaced by Russians sent into the Baltic areas. Accompanied by political deceit and deception, the Sovietizing of the Baltic States has been a classic example of the Communist pattern for annihilating another nation.

The peoples of these little states have never accepted this conquest of their homelands, and exiles from the Baltic States have remained united behind efforts to restore their countries to freedom. To our credit, our Government has never recognized these seizures of the Baltic States by the Soviet Union and continues to maintain diplomatic relations with representatives for the former governments of these countries.

But in an era when we have aided and urged freedom and independence for scores of small nations throughout the world, our Government should be doing more about the plight of the Baltic States. These are peoples of countries existing for 700 years, and their claims of self-determination are as strong and valid as any in the world. I have introduced a concurrent resolution in this Congress setting forth the steps we should take. The resolution declares "the suppression of freedom is an invitation to violence and a threat to peace," and "involuntary enslavement cannot be encouraged or sanctioned by the United States and other nations subscribing to principles of freedom."

The resolution continues that it is the sense of Congress that the President should instruct the U.S. mission to the United Nations to bring up the Baltic States question before the United Nations and urge that the Soviets withdraw all Soviet troops, colonists, and controls from the Baltic States, return all Baltic exiles from Siberian prisons and slave labor camps, and agree to free elections in the Baltic States under superivsion of the United Nations.

I believe this is an issue on which the Congress should urge the administration to act and I hope the Committee on Foreign Affairs will soon give consideration to this resolution.

TWO TRAGIC ANNIVERSARIES

Mr. ZABLOCKI. Mr. Speaker, next Monday and Tuesday the world will observe two tragic anniversaries. They are the 25th anniversary of the illegal Soviet occupation of Lithuania on June 15, 1940, and the 24th anniversary of the first mass deportations from Lithuania and the other Baltic States on June 14, 1941.

Since I will be out of the United States on official business on those dates, I wish to take this opportunity to express some thoughts on those days of infamy.

Our hearts go out to the freedom-loving people of the Baltic Republics—Lithuania, Latvia, and Estonia—when we recall the terrible bondage into which they were delivered through the hostile acts of their neighboring nation, the Soviet Union.

These people have been subjected to the iron rule of Soviet imperialism. Their countries were forceably incorporated into the U.S.S.R. and their individual freedoms were denied by the alien philosophy of communism.

But despite their tragic fate, the people of the Baltic States have never lost their fierce desire for liberty and are hopeful that the yoke of Communist oppression will one day be lifted from their homelands.

It is my belief that the political, religious, and cultural freedom of the Baltic peoples should be a continuing objective of the U.S. foreign policy.

One way in which we implement this objective is by retaining official diplomatic recognition of those countries as sovereign nations, with the representatives of the people of exile.

A second is by continuing to bring the Soviet Union before the bar of world opinion at every opportunity—in the United Nations and elsewhere—to answer for the subjugation of these independent states.

A third way of calling attention to this sorry situation is by recalling such days of infamy as June 15, 1940, and June 14, 1941. In doing so we remind all Americans—not simply those whose ancestors or who themselves came from those unhappy countries—that the Baltic States once enjoyed those freedoms which we so cherish.

Today, Mr. Speaker, I wish to once again add my voice to the growing chorus of those who support courses of action designed to roll back the floodwaters of communism which have inundated three small, but sovereign, nations.

Someday, we know, freedom will again dawn over the Baltic for these oppressed peoples. The Baltic Republics once again will take their rightful places in the family of free nations.

This is our devout wish and our earnest prayer to the Almighty.

Mr. BELL. Mr. Speaker, for 25 years the people of the Baltic nations of Estonia, Latvia, and Lithuania have lived without freedom. At a time in history when national self-determination is vigorously expressed the world over, it is imperative that we recognize the profound injustice that has been perpetrated upon the courageous peoples of the Baltic States.

The determination of these nations to wrest freedom from their Soviet captors is expressed in a resolution of the Baltic States Freedom Council which I bring to the attention of the House Members today. Their 25-year effort should be an example for all nations of the world that time will not erode the relentless pursuit of freedom by a resolute people:

MANIFESTO: THE 25TH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES BY FREE ESTONIANS, LATVIANS, AND LITHUANIANS

Twenty-five years ago, in connivance with Hitler's Germany, the Soviet Union attacked the Baltic States. Some 300,000 Red army troops poured into Lithuania on June 15, 1940, and into Latvia and Estonia, on June 17, 1940. With the assistance of the occupation army, the emissaries of the Kremlin—Dekanozov, Vishinsky, Zhdanov—unseated the legitimate governments of the Baltic States. The Baltic countries were robbed of their independence and transformed into colonies of the Soviet Union.

The Soviet Union's assault against its Baltic neighbors initiated the Soviet westward march against Europe. The beginnings of today's international tension and threat to peace may thus be found in the Soviet aggression against the Baltic States in 1940.

By its aggressive acts against Estonia, Latvia, and Lithuania, the U.S.S.R. broke the peace and nonaggression treaties it had signed with those states as well as other international agreements.

Expropriation, exploitation, pauperization, slave labor, suppression of human rights and fundamental freedoms, Russification, terror, murder, mass deportations—these are the marks of the Soviet occupation in the Baltic States. In committing and continuing these acts, the Soviets violated the United Nations Declaration, the Atlantic Charter, the United Nations Charter, the Convention on the Suppression of Crimes of Genocide, and the Universal Declaration of Human Rights—all these documents bearing the signature of the U.S.S.R.

The Estonian, Latvian, and Lithuanian peoples, historically and traditionally Western in orientation and outlook, have consistently placed their hopes in the Western World. Their trust in the West was strengthened by the Declaration of the U.S. Department of State of July 23, 1940; the statement of the President of the United States on October 15, 1941; the Atlantic Charter; the Yalta Declaration on Liberated Europe; the repeated statements by the U.S. Government about nonrecognition of the Soviet annexation of the Baltic States, the continued recognition of free Baltic diplomatic representatives by the United States as well as many European and South American Governments; and the proclaimed aims and principles of the United Nations.

At the same time the hopes of the Baltic peoples have been strengthened by the global process of decolonization and the universal acceptance of the right of self-determination of nations. The liberation movement of the colonial peoples in Africa and Asia has helped to expose Soviet colonialism as well and has raised the hopes of captive Estonians, Latvians, and Lithuanians. They are convinced that the tide of emancipation from colonial rule will not stop at the borders of the Baltic countries.

The Baltic peoples have given active expression to their determination to regain freedom, and have resisted their oppressors, thus contributing greatly to the continuing struggle for freedom and justice being waged by all captive peoples enslaved by the Soviet Union. Despite heavy setbacks and trials, our peoples maintain their faith in the restoration of their freedom and independence.

This summer the Soviet enslavers will unveil a macabre spectacle—a festive celebration of the 25th anniversary of the enslavement of the Baltic States during which the captive Baltic peoples will be coerced to appear grateful to their conquerors.

We, free Estonians, Latvians, and Lithuanians, are conscious of our responsibility toward our nations and to history. At this 25th anniversary of Soviet aggression, we feel dutybound to give voice to the will and the aspirations of our captive peoples:

We accuse the Soviet Union of committing and continuing an international crime against the Baltic States;

We demand that the Soviet Union withdraw its military, police, and administrative personnel from the Baltic countries;

We request that the governments of the free world, especially those of the great powers, use all peaceful ways and means to restore the exercise of the right to self-determination in the Baltic countries and in the rest of east-central Europe.

We further request that the United Nations' Decolonization Committee immediately fulfill its overdue duty and take up the case of Soviet colonialism in the Baltic States;

We appeal to the conscience of all mankind to perceive the magnitude of the injustice perpetrated upon the Baltic peoples and to support the efforts toward the restoration of liberty to these countries;

We convey to our people at home our pride in their resolute resistance against the endeavors of the oppressor to destroy their national and personal identity;

We share with our captive compatriots their view that the recent Soviet economic, political, and ideological setbacks—inherent in the structure of their totalitarian system—have considerably weakened the Soviet Union and thus raised the hopes of the captives for deliverance;

We pledge to intensify our joined organized activity in the free world to promote the cause of liberty for the Baltic countries;

We, finally, declare to the free world and the Communist-dominated world, including the U.S.S.R. that, once free again, the Baltic nations will do all in their power to ensure the best possible relations with their neighbors on the basis of mutual respect for national sovereignty and territorial integrity.

Mr. RYAN. Mr. Speaker, during June of this year we are commemorating the anniversary of the conquest of the Baltic States. Twenty-five years ago Soviet armed forces moved across the frontiers of the Baltic States, conquered the area, staged Soviet-style one-slate elections, and formally absorbed the Baltic States into the Soviet Union as constituent republics. All of these events took place within a few short weeks during the summer of 1940. The Baltic peoples were forced to submit to conquest. Many Baltic people were killed and many thousands more were deported to distant areas in the U.S.S.R.

Once the conquest was complete, the process known as Sovietization took place. The Baltic nations were reshaped according to the model of the Soviet state itself. Private property was brought under the authority of the state; farmlands were collectivized; all aspects of economic life were socialized. The political life of the nation was reshaped along the lines of the classic Communist model. Freedom of dissent was denied, and all autonomous authority, except that permitted by the state, was dissolved.

These were troubled days for the Baltic peoples, and the postwar era has brought no relief to this much disturbed land. The vital national life of the Baltic peoples is now even more seriously threatened by a declared nationality policy that seeks the fusion of all peoples.

On this 25th anniversary of the Soviet conquest of the Baltic States, let us, therefore, pay special tribute to a truly heroic people, a people who look forward to the day when freedom will once again reign in their land.

Mrs. KELLY. Mr. Speaker, to join the Estonian, Latvian, and Lithuanian people in commemoration of the 25th anniversary of the occupation of their homelands by the Soviet Union and in memory of the deportations of the citizens of the Baltic countries from their homelands, is an occasion for both sorrow and gratification. The sadness of the occasion is manifest. It is, however, with gratification that we pay tribute to the spirit of the Baltic countries which endures.

Estonians, Latvians, and Lithuanians the world over have maintained their identity. More than that, they have maintained their ideals and their reputation for a quality of thought, of customs, and traditions which have long helped to lead the civilized world.

This well-deserved reputation is the more remarkable because it has survived hundreds of years, and many of them have been marked by the utmost tribulation. Their centuries-old history of advanced culture is also one of repeated victimization by their neighbors. Despite, however, political, economic, and attempted social ravaging, which has reoccurred countless times during their long history, the people of the Baltic countries have remained ethnically, culturally, and spiritually indomitable.

Mr. ST. ONGE. Mr. Speaker, I want to join with my colleagues in this sad observance and commemoration of the illegal seizure of the Baltic States just 25 years ago by the Soviet Union.

A quarter of a century has passed since the freedom and independence of those three small states, Lithuania, Latvia, and Estonia, were so ruthlessly snuffed out by force of arms. It was on June 15, 1940, when the Soviet Union, in connivance with Nazi Germany, sent its Red army hordes into the three defenseless states, unseated their legitimate Governments elected by the people, converted them into colonies of the Soviet Empire, and has kept them subjugated ever since. This was the beginning of the Kremlin's penetration into Europe, which subsequently led to the spread of Communist domination over all of Eastern Europe and parts of central Europe.

During the past 25 years the peoples of the three Baltic States were subjected to extermination and deportation of hundreds of thousands who were sent to slave labor camps. There was continued suppression of religious life in the three countries, the denial of basic human rights, and a systematic policy of Russification aimed to stamp out all cultural life associated with the heritages of the Baltic peoples.

In the United States we have many hundreds of thousands of people of Lithuanian, Latvian, or Estonian descent, who are loyal and devoted Americans. They are a religious element, strong supporters of democracy, and patriotic citizens. They live in peace with their neighbors, are tolerant of other people's views and beliefs, and contribute their share toward America's growth and greatness.

On the occasion of the observance of this tragic event in their history, I join in prayer for the early realization of their dream to see their ancestral homeland free from the yoke of Communist domination. May this long nightmare soon end for the Baltic peoples.

Mr. BUCHANAN. Mr. Speaker, the plight of the three nations, Latvia, Lithuania, and Estonia, which comprise the Baltic States, is of deep and heartfelt concern to all Americans. The tragic fate of these courageous peoples who have been by force incorporated into the Soviet Union in spite of their efforts to overthrow the yoke of Soviet domination, is a constant and continuing challenge to the free world. It is not enough to sympathize with the peoples of the Baltic States in their enslavement by Soviet Russia. It is time that some concrete effort be made to restore national freedom to these countries and to return the right of self-determination to the peoples of the Baltic States.

At the request of many of my constituents in Birmingham who join with me in the belief that the restoration of freedom to those nations now under the domination of communism must be accomplished by active national protest rather than passive words, I introduced House Concurrent Resolution 421 which asks that the President of the United States bring the Baltic States question before the United Nations to demand that the Soviet Union withdraw all Soviet troops, secret police, agents, colonists, and all controls from Lithuania, Latvia, and Estonia; and to return to their homes all Baltic exiles and deportees from Siberia, prisons, and slave labor camps in the Soviet Union; and to request that free elections be conducted in the Baltic States under international supervision to return the right of self-determination to the peoples of these states.

The United States has continuously maintained diplomatic relations with the Governments of the free Baltic Republics of Lithuania, Latvia, and Estonia and has refused to recognize their seizure by force by the Soviet Union.

By passage of a resolution as outlined, the Congress of the United States will again proclaim to the world that this Nation and its people are determined that all peoples everywhere who are seeking release from Communist oppression and tyranny must attain the right of self-determination, and that those nations which so desire must be given an opportunity to freely choose whether they will remain a part of the Soviet bloc, or become again a part of the free world.

Mr. STRATTON. Mr. Speaker, I want to join my colleagues here today in pausing to remember the events which began 25 years ago in the Baltic States and I wish to commend the gentleman from Illinois [Mr. DERWINSKI] for reserving this time today for this purpose.

It is appropriate that we here in this Congress take note of these events because we are sometimes tempted, I think, to take for granted the democratic institutions with which we are blessed. The events which took place in the Baltic States 25 years ago and which led to the enslavement of millions of freedom-loving peoples make it vividly clear that all of us in the free world must constantly and jealously protect our own liberty.

The illegal occupation of the Baltic States by the Soviet Union is a tragic example of how quickly and devastatingly a free government can be destroyed. It shows that while a man's freedom may be an inalienable right, it is not a right which can be taken for granted or maintained without effort and struggle on our part.

The establishment of puppet governments in the Baltic States and the replacement of officials of the independent governments with Communist dupes was an affront to the freedom-loving peoples of those countries and to every citizen of the free world.

The horrible mass deportations to slave labor camps in Siberia and the separation of families was followed year after year, for these 25 years, by assaults on the human dignity of every Baltic citizen.

We cannot undo the acts of the past years. The horrible events are at best permanent scars on all freemen. But we must resolve to put an end to these denials of liberty. That is why I have joined in introducing a resolution calling for action through the United Nations to regain the independence of these states. I have also introduced a resolution to establish a Committee on Captive Nations here in Congress that would continually focus attention on this serious problem and study the best ways to achieve the goal for which all freemen strive—to regain the independence and sovereignty of the Baltic States.

We learned a lesson 25 years ago. This lesson becomes more firmly impressed with each passing day and year. That lesson is that the Communist governments will take every square foot of free land that is unprotected. The cost of this lesson was high and is still being paid by the suffering of the Baltic peoples.

In Vietnam and the Dominican Republic we are showing today that we did learn this lesson and that we must stand up to the Communists. The cost we pay in defense of free nations is also high, but I would ask those critics of our policies today if the cost of appeasement is not higher. The cost of human suffering in the Baltic States; 25 years of executions, deportations, slave labor, and the degrading indignities involved in and perhaps the worst part of each.

That cost is too high for any freeman to pay. Men have died in the past and die today because they would rather pay their lives than lose their freedom.

Our fight for freedom would not be finished by victories in Vietnam and the Dominican Republic. It must and will continue until all men are free including those courageous people of the Baltic States.

Let us continue to work with renewed strength and determination to make certain that another 25 years do not pass before we can once again speak of Lithuania, Latvia, and Estonia as fellow members of the family of free nations. We must work to make them free, because no country is an island. While their freedom remains impaired, ours is diminished, too.

Mr. IRWIN. Mr. Speaker, on this, the 25th anniversary of the Soviet Union's illegal seizure of the Baltic nations, it is important that we demonstrate to the people of Latvia, Lithuania, and Estonia, now living under Soviet domination, that we have not forgotten their plight and will not rest until their freedom is restored.

Therefore, I would like to bring to the attention of my colleagues the following manifesto by free Estonians, Latvians and Lithuanians:

MANIFESTO: THE TWENTY-FIFTH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES, BY FREE ESTONIANS, LATVIANS, AND LITHUANIANS

Twenty-five years ago, in connivance with Hitler's Germany, the Soviet Union attacked the Baltic States. Some 300,000 Red Army troops poured into Lithuania on June 15, 1940, and into Latvia and Estonia, on June 17, 1940. With the assistance of the occupation army, the emissaries of the Kremlin—Dekanozov, Vishinsky, Zhdanov—unseated the legitimate governments of the Baltic States. The Baltic countries were robbed of their independence and transformed into colonies of the Soviet Union.

The Soviet Union's assault against its Baltic neighbors initiated the Soviet westward march against Europe. The beginnings of today's international tension and threat to peace may thus be found in the Soviet aggression against the Baltic States in 1940.

By its aggressive acts against Estonia, Latvia and Lithuania, the U.S.S.R. broke the peace and non-aggression treaties it had signed with those states as well as other international agreements.

Expropriation, exploitation, pauperization, slave labor, suppression of human rights and fundamental freedoms, Russification, terror, murder, mass deportations—these are the marks of the Soviet occupation in the Baltic States. In committing and continuing these acts, the Soviets violated the United Nations Declarations, the Atlantic Charter, the United Nations Charter, the Convention on the Suppression of Crimes of Genocide, and the Universal Declaration of Human Rights—all these documents bearing the signature of the U.S.S.R.

The Estonian, Latvian and Lithuanian peoples, historically and traditionally Western in orientation and outlook, have consistently placed their hopes in the Western World. Their trust in the West was strengthened by the Declaration of the U.S. Department of State of July 23, 1940; the statement of the President of the United States on October 15, 1941; the Atlantic Charter; the Yalta Declaration on Liberated Europe; the repeated statements by the U.S. Government about non-recognition of the Soviet annexation of the Baltic States, the continued recognition of free Baltic diplomatic representatives by the United States as well as many European and South American Governments; and the proclaimed aims and principles of the United Nations.

At the same time the hopes of the Baltic peoples have been strengthened by the global process of decolonization and the universal acceptance of the right of self-determination of nations. The liberation movement of the colonial peoples in Africa and Asia has helped to expose Soviet colonialism as well and has raised the hopes of captive Estonians, Latvians and Lithuanians. They are convinced that the tide of emancipation from colonial rule will not stop at the borders of the Baltic countries.

The Baltic peoples have given active expression to their determination to regain freedom, and have resisted their oppressors, thus contributing greatly to the continuing struggle for freedom and justice being waged by all captive peoples enslaved by the Soviet Union. Despite heavy setbacks and trials, our peoples maintain their faith in the restoration of their freedom and independence.

This summer the Soviet enslavers will unveil a macabre spectacle—a festive celebration of the 25th anniversary of the enslavement of the Baltic States during which the captive Baltic peoples will be coerced to appear grateful to their conquerors.

We—free Estonians, Latvians and Lithuanians—are conscious of our responsibility toward our nations and to history. At this 25th anniversary of Soviet aggression, we feel dutybound to give voice to the will and the aspirations of our captive peoples:

We accuse the Soviet Union of committing and continuing an international crime against the Baltic States;

We demand that the Soviet Union withdraw its military, police, and administrative personnel from the Baltic countries;

We request that the governments of the free world, especially those of the great powers, use all peaceful ways and means to restore the exercise of the right to self-determination in the Baltic countries and in the rest of east-central Europe;

We further request that the United Nations' De-Colonization Committee immediately fulfill its overdue duty and take up the case of Soviet colonialism in the Baltic States;

We appeal to the conscience of all mankind to perceive the magnitude of the injustice perpetrated upon the Baltic peoples and to support the efforts toward the restoration of liberty to these countries;

We convey to our people at home our pride in their resolute resistance against the endeavors of the oppressor to destroy their national and personal identity;

We share with our captive compatriots their view that the recent Soviet economic, political, and ideological setbacks—inherent in the structure of their totalitarian system—have considerably weakened the Soviet Union and thus raised the hopes of the captives for deliverance;

We pledge to intensify our joined organized activity in the free world to promote the cause of liberty for the Baltic countries;

We, finally, declare to the free world and the Communist-dominated world, including the U.S.S.R., that, once free again, the Baltic nations will do all in their power to insure the best possible relations with their neighbors on the basis of mutual respect for national sovereignty and territorial integrity.

Mr. BATES. Mr. Speaker, I welcome this opportunity to join my distinguished colleague, the gentleman from Illinois [Mr. DERWINSKI], and other Members of the House in saluting the valiant subjugated people of the Baltic nations of Lithuania, Latvia, and Estonia, who have endured the yoke of communism since it was imposed upon them by the Soviet Union just 25 years ago.

Since those countries fell victim to illegal seizure by an alien power, we in the United States have ourselves come to understand better what communism means. We have had Korea, where the spread of communism is being held in check; we more recently have seen tiny Cuba on our Nation's very doorstep taken over by this modern scourge of mankind; and now we are losing the lives of fellow Americans in the struggle to save South Vietnam, and, yes, even in the Dominican Republic and the rest of the Western Hemisphere we are striving to protect freemen from further Communist conquest and tyranny.

So, as we recall what the Soviet Union did in 1940, seizing those three Baltic countries in flagrant violation of specific treaties and international law, our sympathies for the people of Estonia, Latvia, and Lithuania are greater than ever. It is entirely appropriate that we in this Congress should remind the world of how a nation can be forcibly occupied by another in post-World War II days, and how thousands of persons can be deported from their own lands to Communist slave camps—as has been the case of these brave and beleaguered.

If those people had been fortunate enough to have had assistance from the United States such as we have since been able to give to others in widely separated parts of the world, they might still be free today. They and other captive peoples of many nations look to us for their ultimate deliverance and restoration to freedom. We must never allow them to lose hope, nor must we ever stand idly by when the Communist threat hovers over free peoples anywhere.

May God continue to sustain our efforts to regain peace and freedom in this world, and may He give those who are oppressed like the Estonians, Lithuanians, and Latvians the strength and courage to withstand ruthless dominations so that one day they may again enjoy the privilege of self-determination and the more abundant things in life which they are now denied.

Mr. BOLAND. Mr. Speaker, 24 years ago, in June 1941, the Soviet Government launched a tragic wave of deportations from the helpless Baltic nations of Lithuania, Latvia, and Estonia unparalleled in its brutality and unmitigated in its heartlessness. In a single night over 15,000 Latvians were exiled to slave labor camps in Siberia. More than 34,000 Lithuanians were deported in 1 week, and 60,000 Estonians were forcibly driven from their homeland in a 1-year period. Many of these people never saw their homelands again. Families were broken up. Thousands were enslaved by the ruthless totalitarian methods of the Soviet Government.

Those who were left behind were little better off, for their native lands were destined to languish under the harsh yoke of Communist domination. It was not the first time that the brave little Baltic republics had been subjected to foreign domination, but this time the loss of liberty was particularly bitter for it was achieved through betrayal of a solemn pledge.

After the First World War the Baltic countries had regained their sovereignty following nearly two centuries of Russian domination and a German takeover during the war period. Under the German-Russian Peace Treaty of Brest-Litovsk, signed on March 3, 1918, and a supplementary agreement of August 27, Russia renounced her sovereignty over the Baltic States. The brave Baltic peoples still had to fight for their independence, however. After Germany's military collapse, the Soviet Union declared the treaty null and void. Only after the Baltic countries fought a successful war of independence against the Red army did the Soviet Union, in 1920, sign peace treaties with each of the Baltic States renouncing "forever" all Russian rights over the Baltic republics.

As is so poignantly proven by the bitter tragedy of the Baltic republics, treaties are mere "scraps of paper" to the Soviet Government, to be disposed of at will when the circumstances are propitious. Even during the peaceful thirties, when the Baltic nations enjoyed a golden age of prosperity in which democratic institutions thrived, art and literature flourished, and economic progress abounded, dark threat of renewed Soviet aggression hovered over them. Several Communist coups were attempted, and there were numerous frontier incidents between the Soviets and the Baltic nations.

Then, as the storm clouds thickened over Europe, in the middle 1930's the Soviet Union began exerting pressure for a protectorate over the Baltic republics, allegedly to secure them from German aggression. The next act in the tragedy was Soviet imposition of mutual defense pacts on the Baltic countries in 1939, the prelude to occupation by the Soviet armies in 1940 and finally "incorporation" of the Baltic republics into the U.S.S.R. Thus, the recognition of independence pledged by the Soviets in 1920 was forgotten 20 years later. The betrayal was insidious and complete.

With incorporation into the U.S.S.R. the cherished liberties of the Baltic peoples vainshed. All the sinister symbols of Communist dictatorship—nationalization of the economy, abolition of individual freedoms, repression of political dissent—became apparent in the once proud and independent republics of Lithuania, Latvia, and Estonia. Tragedy upon tragedy followed—terror, arrest, and finally deportation. The spirit of less courageous peoples would have snapped under the burden of their fate, but the Baltic peoples have never given up hope that they may live to see their countries once again become proud and independent nations dedicated to the goals of democracy and world peace.

The Government of the United States has never recognized the Soviet incorporation of any of the three Baltic countries. All Americans share the hopes of the Baltic peoples that one day they will again be free. On this tragic anniversary, we commend their courage and offer our heartfelt prayers for their deliverance from the yoke of Soviet tyranny.

Mr. O'NEILL of Massachusetts. Mr. Speaker, the first 2 days of this week are days of solemn memory in the history of the freedom-loving peoples of the Balkan States. For it was 25 years ago that the Soviet Army swept across the borders of the three neutral Balkan nations and brought them under the yoke of Communist tyranny.

On the 15th of June, Lithuania was overrun; on the 16th Latvia fell; on June 17 Estonia yielded to the barbarian aggressors. In 3 short days, 6 million people lost their cherished independence.

Within a month the Soviet Union established puppet governments which still rule today. From that time terror and crime have been the watchword of the reign of the Soviet oppressors. Countless thousands of citizens in all three states were executed to prevent a resurgence of patriotism, justice, and freedom. One hundred and forty thousand were deported to isolated regions of Russia. Some fortunately were able to flee to Western Europe and forge for themselves new lives in freedom.

Today, when the first objective of citizens of the free world is to keep other nations from falling within the paralyzing influence of the Communists, we must never forget the gallant freedom-loving peoples of the Baltic States who are ever striving to rid themselves of their Communist oppressors.

Let us pray that we might see in our day the liberation of Lithuania, Latvia, and Estonia—that one day soon these peoples may once again live under the skies of freedom.

Mrs. BOLTON. Mr. Speaker, I believe it is vitally important that we take note of the continuing struggle for freedom and justice being waged by the peoples of Lithuania, Latvia, and Estonia, who were enslaved by the Soviet Union 25 years ago. There is no statute of limitations that applies to the crime committed by the Soviet Union in robbing these countries of their independence.

We must remind ourselves and all freedom loving people that the suppression of human rights and fundamental freedoms of speech, religion, press, and so forth, in the Baltic States stands out as a model of Communist aggression. While we are using our national power directly to support the Vietnamese in defending themselves against such a happening there, we must not abandon the Baltic people who look to us for leadership in the eventual restoration of their freedom.

We are dutybound not to let the passage of time deter us from the repeated assurances by our Government that we support the aspirations of these captive nations. There is a very wide acceptance of the right of self-determination of people and we see in rapid succession former colonial people becoming independent. This gives hope and encouragement for eventual deliverance of the captive nations. The Soviet Union is being exposed—while she is depicting herself as the great anticolonialist she continues to subjugate the Baltic nations to the most brutal colonial oppression.

I fully concur with my colleagues that on this 25th anniversary, when the Communists are planning to celebrate what they choose to call the liberation of the Baltic nations we let the world know that their seizure of these lands in violation of specific treaties and international law can never be condoned or considered permanent. The obstinate refusal of these subjugated people to accept tyranny inspires all of us. Let us resolve to use all peaceful ways and means to right the wrongs perpetrated upon the Baltic people and support the efforts toward restoration of their liberties. Surely this should be a continuing objective of U.S. foreign policy.

Mr. O'HARA of Illinois. Mr. Speaker, the woes and sufferings of the Baltic peoples, the peaceful and liberty-loving inhabitants of once independent Estonia, Latvia, and Lithuania, are known throughout the free world. The free world also knows that their misery and misfortune was brought on by the deliberate machinations of the power-hungry men in the Kremlin. In 1940 all three Baltic republics were forcibly annexed to the Soviet Union and many hundreds of thousands of their inhabitants were uprooted from their homes. These innocent and helpless victims of the Soviet Union's treacherous seizure in 1940 are still suffering in some distant and desolate corner of the Soviet prison empire.

Since then, for nearly 25 years, the free world has heard practically nothing about these unhappy deportees except bits of information obtained from those few who have had the extraordinary luck to escape. And the fate of some 5 million Estonians, Latvians, and Lithuanians in their homeland has not been an enviable one. Even though they were not deported, they also suffered much privation and hardship during the war, and are still suffering under the unrelenting tyranny of Soviet communism. We have even heard that the native population of the coastal areas of these countries were moved to the interior in order to settle Asiatic peoples there. Outrageous and almost inhuman as this may sound, yet the deliberate policy of the Soviet Union seems to be to colonize these frontiers exposed to the West with peoples who have had no contact with the West.

We in the free world are fully cognizant of these heartbreaking facts. We are well aware of the sad fate that befell to those deportees and of the unbelievable lot of those who are living in the three Baltic countries today. I sympathize wholeheartedly with their lot, and on the 25th anniversary observance of their loss of freedom and independence, I ardently hope for a quick liberation of these peoples from Communist tyranny.

It is high time, Mr. Speaker, that this body should take positive action in the creation of a select committee to go thoroughly into the tragedy of all the captive nations and the formation of sound plans for their liberation from cruel bondage.

Mr. FARBSTEIN. Twenty-five years ago this month the Soviet Union seized the Baltic States. During this period of time the Baltic peoples have suffered enormously under the weight of Soviet totalitarianism. They have suffered from every conceivable type of oppression.

Politically, the Baltic peoples are deprived of their right to self-determination. They have no control over their own political destiny. Their political institutions have not been fashioned by themselves, but rather they have been fashioned by their rulers in Moscow.

Economically, the Baltic peoples have no control over the organization of their economic life. Again, their economic institutions are structured according to the Communist norm.

In the religious realm, there is no freedom. The Soviet rulers have carried on the most vicious sort of antireligious campaign.

Similarly in the cultural realm, the Baltic peoples have no control over the determination of content in their literature, music, or theater.

In a word, Mr. Speaker, the Baltic peoples are a colonial peoples.

Their relationship with the leadership in Moscow is no different from that relationship that exists according to the classic definition of colonialism.

Yet, there is a great difference. At least according to the old order of things peoples in a colonial status had hopes that in time they would be liberated. Under the British colonial system the process was by and large carried out in an orderly manner. Peoples, formerly economically backward, were in effect essentially living in a period of preparation for their emergence to modernity. This has been true of the old colonialism, but it is by no means true of the new Communist colonialism. The Baltic peoples are in no state of preparation for emergence into a new form of freedom. They are a people oppressed by the most intolerable form of tyranny, a tyranny that consumes the whole of their national lives.

On this occasion in which we commemorate the 25th anniversary of the Soviet seizure of the Baltic States it is well for us to contemplate the plight of these unfortunate peoples, but it is also well to point to this tragic case as an example of Soviet colonialism and in so doing caution those peoples in the newly emerging states to be wary of the ominous threat of Soviet power and the power of its allies in the Communist world.

Mr. GILBERT. Mr. Speaker, today marks the 25th anniversary of the Soviet occupation of the three Baltic countries of Lithuania, Estonia, and Latvia. Since 1940, when the Soviet Army poured into their countries, the Baltic people have been trapped behind the Iron Curtain. They were robbed of their independence and transformed into colonies of the Soviet Union. Since that date, the relatives of these enslaved countries, scattered throughout the free world, have been striving to rectify this injustice and to return freedom, democracy, and independence to these occupied areas.

The brave people of the Baltic States have our admiration and esteem. We know that during the short period they enjoyed independence, their progress in all fields of endeavor and their many splendid achievements earned them respect of democratic peoples everywhere. It is a tragedy that they were again brought under Russian rule.

The U.S.S.R. by its aggressive acts against Estonia, Latvia, and Lithuania, broke the peace and nonaggression treaties it had signed with those states. The people of these little Baltic States, historically and traditionally Western in orientation and outlook, have continued to place their hopes in the Western World. They have given active expression of their determination to regain freedom. Despite heavy setbacks and trials, they continue to strive for freedom, democracy, and independence. We commend them for their bravery and for maintaining their faith in restoration of their freedom.

Free Estonians, Latvians, and Lithuanians are conscious of their responsibility toward their captive peoples and feel duty bound to give voice to their will and aspirations to again be free.

Mr. Speaker, we must keep in mind that the captive nations have not lost their desire for freedom and independence. We must not allow the spirit of captive peoples to succumb to despair. With this in mind, I joined other Members of the House early this year in introducing a resolution to establish a Special Committee on Captive Nations. I take this occasion—the sad occasion of this anniversary—to call attention to the resolution. Once again I want to urge my colleagues in the House to join efforts to nourish the hopes of enslaved people and to do all we can toward the ultimate goal of a world based on freedom, justice, and peace.

Mr. SCHMIDHAUSER. Mr. Speaker, I would like to take this opportunity to join with many of my fellow colleagues in the House of Representatives to point out the awesome injustice that has been perpetuated on the freedom loving peoples of Lithuania, Latvia, and Estonia. Twenty-five years ago in 1940 these Baltic countries were seized by the Soviet Union in flagrant violation of the principles of self-determination. That action by the Soviet Union pointed out the hollowness and hyprocisy of the oft-uttered cries against imperialism by the rulers of that country. That hyprocrisy has been consistently demonstrated since that time by the conduct of the Soviet Union in Hungary, Greece, Cuba and in many other countries throughout the world.

The seizure of the Baltic nations of Lithuania, Latvia, and Estonia was particularly pernicious and it has not been forgotten by the freedom loving peoples of this world. That action repudiated the work of President Woodrow Wilson to advance the principle of self-determination in the Treaty of Versailles. Further, that action undermined the total efforts made by the peoples of the United States in World War I to insure self-determination for all peoples.

Today in the twilight of colonialism, we are even more sensitive to the demands of all people for the right to determine their political fortunes. The justice of the claim of self-determination on the part of Lithuania, Latvia, and Estonia stand clearly before us. To be blind to the necessity of all people, who have won the right to rule themselves, to be forever vigilant.

Mr. DON H. CLAUSEN. Mr. Speaker, today I would like to make some remarks about an event which took place 25 years ago, and which was the first treacherous act of the Soviet Government early in the last war against the three small, independent Baltic republics. In the middle of 1940 the peaceful and innocent inhabitants of these countries—the Estonians, Latvians, and Lithuanians—were robbed of their independence, their countries were annexed to the Soviet Union, and they were enslaved by the Communist regime imposed upon them by the Kremlin.

The modern history of these sturdy, stouthearted, and industrious peoples is compounded with much misfortune and national tragedy. Their national histories are older than that of czarist Russia, for they had their own independent states long before the rise of the Russian empire. Late in the 18th century, however, all three were absorbed by Russia and so for more than a full century, until the First World War, these peoples lived under the oppressed yoke of Russia's czarist regime. Then, toward the end of that war, as the autocratic regime of the Russian czar was overthrown by the Russian revolution, the Estonians, Latvians, and Lithuanians regained their freedom and proclaimed their independence. They established their own form of democratic governments and institutions, and lived for two decades happily in their historic homelands. Their governments were duly recognized by other sovereign governments, their sovereignty and territorial integrity was guaranteed by treaties signed with the Soviet Government, and all three countries became members of the world community of nations.

During the period of their freedom and independence, which they enjoyed for about two decades, they rebuilt their war-ravaged country, and were quite content with their lot. Unfortunately, however, in the larger world of international politics and diplomacy they were not masters of their own fate; in that sense they were not complete masters of their destiny. With the rise of totalitarian government in Germany and the consolidation of the Soviet Union the Baltic people found themselves in a very precarious position. Nevertheless they succeeded in maintaining their independence until the outbreak of the last World War and then brute force, treacherously used by the Soviet authorities, became the sole arbiter of their destiny. Early in 1940 Soviet forces attached the three Baltic countries, overran and occupied them, enslaved the peaceful inhabitants there and then all three countries were incorporated into the Soviet Union. Meanwhile Estonians, Latvians, and Lithuanians by the tens of thousands, mostly helpless and innocent victims of Soviet aggression, were summarily arrested, placed in freight cars and literally carted away to distant and desolate parts of Asiatic Russia. Such was the sad fate of these Baltic peoples in the hands of the Soviet government in 1940.

Subsequent wartime events did not alter the lot of these unfortunate peoples. During 1941–44 Communists were forced out of these countries and the Nazis took their place, but that did not improve conditions in any degree. Toward the end of the war, Soviet forces and their Communist followers once more overran these countries, and they still maintain their firm control there. Under the unrelenting Soviet rule, Estonians, Latvians, and Lithuanians live in their homeland as prisoners. They do not enjoy any of the freedoms which we in the West consider our birthrights, and their lives are rigidly regimented. Under their callous Communist masters they must work, and work hard in order to keep the body and soul together. They are completely cut off from the free West, and of course they are not allowed to travel in any part of the free world. Though they have our wholehearted sympathy, and our Government has done its utmost to bring about their freedom, we have not been able to do that. On the 25th anniversary observance of their enslavement by the Soviet government, we hope and pray for their deliverance from Communist totalitarian tyranny.

Mr. GREEN of Pennsylvania. Mr. Speaker, June 15, 1965, marks the 25th anniversary of the brutal Soviet seizure of the Baltic States—Latvia, Estonia, and Lithuania—which led to the enslavement of those three gallant nations behind the Iron Curtain.

The Baltic nations, with noble histories going back at least 700 years, had emerged from enslavement by the old Russian empire at the end of World War I. They had begun a new era of freedom, and established their own Western-oriented governments. Despite a lack of natural resources, all three were working industriously to raise their standards of living.

But as the brief interwar period drew to a close, in the fall of 1939, the Soviet Government imposed on her Baltic neighbors the so-called pacts of mutual assistance. By the terms of these pacts, the Soviets assumed, under conditions of duress, certain political and territorial rights in the Baltic region. The significance of these pacts lies in the fact that they constituted the first breach in the wall of Baltic territorial integrity and national independence. For within less than a year, the Red army invaded the Baltic States. By June 16, 1940, the U.S.S.R. had occupied the region and forcibly annexed the three states to the U.S.S.R.

A year later, the Soviets initiated widespread deportation of the government, business, and religious leaders of these lands to slave labor camps in Siberia. Over 60,000 Estonians, 34,000 Lativans, and 45,000 Lithuanians were either executed or forcibly deported from their homes to distant corners of the U.S.S.R. on the charge that they were "politically unreliable."

Today we commemorate the anniversary of the Soviet conquest of Lithuania, Latvia, and Estonia. On this occasion, we pay our respects, Mr. Speaker, tc a truly gallant and heroic people who have in this quarter century suffered enormously from the tyranny of their oppressor.

Let us pray that justice will one day be done in the Baltic region.

Mr. MADDEN. Mr. Speaker, the Lithuanian American citizens of Lake County, Ind., in a mass meeting held on Sunday, June 6, 1965, condemned the Soviet Communist tyranny for the aggression and enslavement of their people 25 years ago.

Lithuania was forcibly robbed of its freedom and self-government at that time. Through mass murders, wholesale transportation to slave labor camps and other barbarous methods, the Soviet Union took control of a freedom-loving nation.

The Lithuanian people of the Calumet region of Indiana will continue, along with free Lithuanians everywhere, the fight until self-government and liberty are restored to their homeland.

The following resolution was unanimously adopted at the meeting in East Chicago, Ind., on June 6, 1965:

RESOLUTION ADOPTED BY THE AMERICAN LITHUANIAN COMMUNITY BRANCH OF EAST CHICAGO, IND.

Gathered in a mass meeting sponsored by the American Lithuanian community, branch of East Chicago, Ind., on June 6, 1965, at the Lithuanian Parish Hall, in East Chicago, Ind., to recollect the mass deportation of the Lithuanian people and condemn aggression of the Soviet Union which Lithuania has placed at the mercy of ruthless imperialistic power which stops at no means to achieve its end of turning Lithuania into a phantom nation saturated with Russian settlers and spies. The American Lithuanian community unanimously adopted this following resolution:

"Whereas in spite of the compulsory isolation of Lithuania and the overwhelming might of the occupying power, Lithuanians continue to resist fiercely the alien rule. They have not accepted and never will accept Soviet slavery; and

"Whereas the free powers are aware that without a world order of law and justice they would be forced to live a precarious life of threats, brinks, and anxieties; and

"Whereas recent decades have demonstrated again and again that the estrangulation of small nations poses a knife of extinction at the throat of the entire free world.

"*Resolved,* That this meeting respectfully asks the Government of the United States in their future meetings with the Soviet Union, to avoid any agreements about peaceful coexistence and to reaffirm on every suitable occasion the inalienable rights of the Lithuanian people to national independence and individual freedom; be it further

"*Resolved,* That the United Nations Special Committee of 24, charged with the implementation on the granting of independence to colonial countries and peoples extend its concern and investigation to Lithuania, as well as the other Soviet Union subjugated countries on the agenda of the United Nations; be it also

"*Resolved,* to remove Soviet and military and police forces from occupied Lithuania."

This resolution will be forwarded to the President of the United States, and copies thereof sent to the Secretary of State, the Senators, and Representatives of the State of Indiana, and to the press.

LITHUANIAN INDEPENDENCE DAY COMMITTEE,
KAZYS VALEIKA, *Chairman.*
GARY, IND.
TADAS MECKAUSKAS, *Secretary.*

Mr. RUMSFELD. Mr. Speaker, today, we take occasion to remind the free world again of the tragic fate that befell the once proud and free people of Lithuania, Latvia, and Estonia who, in June 1940, were attacked and invaded by the forces of Communist Russia in violation of nonaggression treaties it had signed with those nations. We have heard the story, which must be recounted again and again, of the despotic and ruthless means by which the Soviet Union entrenched its rule and consolidated its power over these Baltic States. The suppression of individual rights and fundamental freedoms, exploitation and mass deportations characterized the Soviet occupation of these nations. For 25 years the people of these countries have endured the tyranny of communism, but their hope for eventual deliverance still remains strong. We know that they continue to resist their oppressors and maintain their faith in man's birthright of freedom.

Let those who say there is no great issue between the free world and the Communist world take heed of the fate of the Baltic States and the means by which they were subordinated to the power-hungry Communist aggressors. The cause of liberty and peace in the world will not be furthered unless we clearly distinguish between the oppressed and the oppressors and stand fast on the principle that the rights of man are inalienable. The free world today must identify itself with those who have become the unwilling subjects of self-imposed rulers and must continue to work for the right of self-determination. Let there be no doubt that our fate as a free people is inextricably involved in this global struggle against Communist aggression and tyranny. Modern conditions have not changed the eternal truths of individual liberty and justice. Our age is marked by a new awareness of the rights of man and his desire for freedom. It is to our peril to deny these truths and to turn our eyes and minds away from the aspirations of man anywhere in the world for freedom and justice.

On this occasion of the 25th anniversary of Soviet aggression against the Baltic States, let us rededicate ourselves to the cause of freedom and reaffirm our faith that in the end liberty and justice will prevail.

Mr. HANLEY. Mr. Speaker, on February 16, we in the Congress observed the 47th anniversary of Lithuanian independence—a brief independence. Today we recall the dates of June 15, 1940, and June 14, 1941, days of Soviet aggression on and occupation of Lithuanian soil.

Lithuania, one of the first countries to experience the aggression of both Hitler and the Soviet Union, attempted to maintain a state of absolute neutrality during World War II. However, a mutual assistance treaty between Lithuania and the Soviet Union was imminent when Klaipeda was yielded to Germany. This treaty, signed on October 10, 1939, required Lithuania to admit Soviet garrisons and provide airbases for the Soviets.

After months of discontentment and ill feelings toward the Soviets, Lithuanians were again coerced by the Soviet Union. On June 14, 1940, after deposing the legitimate Lithuanian Government, the Russian Government demanded the immediate formation of a friendly government. To successfully implement and insure this demand, 300,000 Soviet soldiers overran Lithuania. On August 3, 1940, Lithuania, a player on the Soviet stage, speaking from the Soviet script, requested to be a constituent republic of the U.S.S.R. As a result of this action, many Lithuanians fled their homeland. Countless others were arrested or deported thus noticeably decreasing the population by 45,000.

To add to the already intolerable situation imposed by the Russians, 30,000 members of the Lithuanian intellegentsia were forcefully deported to Siberia. When Soviet forces retreated from a German attack on June 14, 1941, 5,000 political prisoners were executed.

Russian aggression murdered the peace and the nonaggression treaty. The fact that Russia committed and continued to commit these dastardly acts created horrendous violations of the United Nations Declaration, the Atlantic Charter, the United Nations Charter, the Convention on the Suppression of Crimes of Genocide, and the Universal Declaration of Human Rights. Ironically, all of these documents were signed by the Russian Government.

Today let us join with the free world Estonians, Latvians, and Lithuanians on the 25th anniversary of Soviet aggression and in concerted voices protest past and present Soviet national and personal atrocities.

Mr. FINO. Mr. Speaker, 25 years ago Soviet troops, in violation of the Soviet Union's pledged word, poured into Lithuania, and snuffed out freedom in that progressive country. A puppet government was established, and an independent Lithuania disappeared from the map of Europe. The same fate befell her Baltic brothers, Latvia and Estonia.

But the Soviet Union could not rest content with this. She was determined to break down any will to resistance, and any perpetuation of Lithuanian national traditions. Thus deportations of Lithuanian intellectuals, professionals, and so forth, commenced at once, but they reached their peak a year after the Soviet occupation, when on June 15, 1941, over 30,000 individuals were deported to Siberia.

Shortly thereafter the Germans declared war on their Soviet allies, and they quickly occupied Lithuania. Three years later the Soviets were back, and this time their deportations were to be even more ferocious. Ever since, Lithuania has been part of the Red empire, and the Russians have been trying to convince the rest of the world that this is the way the Lithuanians want it. But their hypocrisy fools no one.

Lithuania and the Baltic States were the Soviet rehearsal for the occupation and seizure of so much of Eastern Europe in the wake of World War II. Just as we have never acknowledged the justice of those seizures, so we do not recognize any shred of justice to the Soviet domination of Lithuania. We in the West know what true self-determination is. We know that the Soviet Union does not permit it. In calling attention to the anniversaries of Soviet depredations against Lithuania and her Baltic neighbors, we can serve notice once again of America's commitment to freedom, and we can rekindle the flame of hope in the hearts of our many true friends who are caught behind the Iron Curtain.

Mr. PATTEN. Mr. Speaker, the years following World War II were a time of world flux and transition. New alliances were formed and the precarious balance of power teetered as wartime conferences desperately attempted to find some solution to the problem of world realinement.

From these conferences arose an awesome phoenix, hovering ominously over genuine attempts at peace and threatening to again plunge the world into another war. Our triumph in 1945 was, in reality, a Pyrrhic victory, for with it came the emergence of the Soviet Union as a world power as deadly as the Fascist-Nazi specter had ever been.

But there was ample precedent for the atrocities the Soviet Union was to commit. The free world, indeed, had been warned that Russia's menacing power could be directed at an independent nation to crush and destroy it. In 1940 the Soviet Union marched ruthlessly on Lithuania, Latvia, and Estonia and illegally seized control of those nations. Since then she has retained hold of these nations and denied them their individual sovereignty.

In the 25 years since Russia has assumed control, there has been an inexorable erosion of human freedom and independence in the three Baltic States. The peoples of Latvia, Lithuania, and Estonia are denied a free press, a free assembly and access to free worship—under the fraudulent guise of Soviet "Republicanism." There is no excuse for such a subversion of the word "freedom" to exist any longer.

The people of these nations have always been freedom-loving, dedicated, and persevering. However, the question arises as to how much longer a people can exist in an enslaved land, submitting against their will to a torturing form of totalitarianism. We have nothing but admiration for the people of these nations and for the esprit de coeur and esprit de corps they have shown in the face of nearly insurmountable odds over the past quarter century.

The Baltic States situation must be put into its proper historical perspective. As the nations of Asia and Africa emerge and as they begin to play a larger role in the affairs of the world, we must remember what happened 25 years ago in northern Europe.

Although self-determination is seldom as efficient as colonialism, it is a requisite for independent national development. The emerging world must hold free elections, just as free elections should be held in the Baltic Nations. We cannot afford nor allow another set of captive nations to wither in the Eastern Hemisphere.

Then, two things must be done at once. First, Congress must approve the resolution calling for creation of a special Captive Nations Committee. This will serve as the necessary factfinding group to keep the American people and the rest of the free world informed as to what is really happening behind the Iron Curtain. In truth, little is known of what happens from day to day in Estonia or Latvia or Lithuania. Formulation of such a committee would open the eyes of millions of Americans to what really transpires in Soviet-dominated countries.

Secondly, we must make optimum use of the United Nations. We must ask the U.N. to put pressure on Russia to live up to the purposes of the original charter and to let the Baltic States have their freedom. In this way and in this way only will the real purpose of the United Nations be served.

Today we salute the people of the Baltic States for their courage and their fortitude. If no other good has come of their enslavement let it be a warning so that a similar tragedy is not repeated in the future.

Mr. KREBS. Mr. Speaker, in the history of relations between neighboring nations there are many examples of friendship, cooperation, and peaceful relations. The United States has long unfortified land borders on the north and south, and friendly relations with our neighbors Canada and Mexico. The nations of Western Europe appear to be in a state of peaceful relations with diminishing barriers quite unprecedented in the turbulent history of that area.

But, unfortunately, opposite examples seem to be more numerous, both in the past and in the present. There are scores of examples of aggression, subversion, and treachery which serve as a constant reminder that national liberty and independence cannot be taken for granted.

This month we commemorate the 25th anniversary of one of the most treacherous acts of aggression ever committed. The Soviet Army simply moved in and took possession of Latvia, Lithuania, and Estonia by force. This put an end to the steady progress that these peoples had been making toward freedom, prosperity, and social advancement.

And the Soviets were not satisfied merely with total control of these small Baltic States. With ruthless inhumanity they proceeded to liquidate and deport thousands of people from their historic homeland. Families were broken up and men and women were put into forced labor camps, often in the distant wastelands of Russia.

But the Soviet efforts to reconstitute the population of these countries inevitably failed to extinguish the powerful national sentiments of the people. Our observance of this tragic anniversary is ample testament to the failures of the Soviet Communists to persuade the world that these nations have ceased to exist.

Mr. CUNNINGHAM. Mr. Speaker, all nations and peoples suffered during the last World War, and many small nations suffered more, even though they were not directly involved in it. The three small nations of the Baltic countries were victimized only because of the aggressive and treacherous policy of the Soviet Union.

Early in the war the Soviet Government accused the Governments of Estonia, Latvia, and Lithuania of anti-Soviet plots. Such charges were made without any perceptible evidence, and proceeding on these charges, the Red army invaded and occupied these three small countries, and then in mid-1940 made them part of the Soviet Union. Thus the sovereign and independent Estonian, Latvian, and Lithuanian Republics not only ceased to exist, but their helpless citizens were enslaved by Stalin's callous agents. Hundreds of thousands of innocent and helpless people were arrested and deported to distant parts of the Soviet Empire, while those left behind were regimented and forced to work for their Communist overlords. This is what these once proud and gallant souls have been doing in their homelands during the last 25 years.

On the observance of the 25th anniversary of the Soviet Government's illegal seizure of these countries, let us hope that soon these peoples will regain their freedom.

Mr. CLARK. Mr. Speaker, the seizure and outright annexation of Lithuania by Soviet Russia constitutes one of the most flagrant violations of long-established and well-recognized international law. And the subsequent enslavement of the Lithuanian peoples was an outrageously inhuman act.

Lithuanians had regained their freedom and independence at the end of the First World War. Thenceforth they were fully occupied with the task of rebuilding and recreating their homeland in their own image. And in this they had done remarkably well. In the course of two decades they had made their small country a haven for themselves, and their only desire and goal was to be allowed to work out their salvation in peace. But peace was denied to them by their inveterate enemy, the Soviet Government. In violation of its solemnly signed treaty, the Soviet Government broke the back of the Lithuanian Government by force, until that Government had to submit to the Soviet dictate. Early in 1940 the country was invaded by the Red army, occupied, and then made part of the Soviet Union. Thus the young and strong Lithuanian Republic was robbed of its existence, and its helpless people enslaved by the agents of the Soviet Government. Today, on the 25th anniversary of Lithuania's illegal seizure by the Soviet Union, we all hope and pray for its liberation.

Mr. MATSUNAGA. Mr. Speaker, I rise to pay tribute to Lithuanians, Latvians, and Estonians throughout the world who have kept the spark of freedom alive for a quarter of a century.

Millions of helpless and innocent people died during World War II, and many millions more suffered indescribable misery and hardship. In Europe, the war's most innocent victims were the peoples of the three small, peaceful, independent republics in northeastern Europe—the Lithuanians, Latvians, and Estonians. The tragedy of these peoples was brought on by the deliberate and evil designs of the men in the Kremlin.

These peoples had endured czarist Russia's autocratic yoke for more than a century, and had regained their independence at the end of the First World War. In their historic homelands they had instituted their own democratic governments, with all variety of institutions under freedom. But as the international situation in Europe became tense late in the 1930's, and clouds of war began to darken the skies in 1939, these peoples realized their precarious status and were apprehensive of their own fate. The government officials in all three of these countries were fully aware of the dangers threatening them, but they were helpless to avert the impending tragedy.

Soon after the outbreak of the war, the leaders of these governments were ruthlessly bullied by the Soviet Government. They were forced to sign mutual defense and assistance pacts with the Soviet Union. Then early in 1940, under some flagrant pretext, the governments of Lithuania, Latvia, and Estonia were accused by the Kremlin of anti-Soviet activities. Soon the Red army moved into these countries, and many of the government officials of these countries fled for the safety of their lives. In June Soviet occupation of these countries was complete, and a few weeks later all three were incorporated into the Soviet Union.

Thus was brought about the seizure of the three Baltic countries by the Soviet Union and the enslavement of some 5 million peoples in these countries. Of these innocent peoples, several hundred thousands were summarily arrested and deported to distant parts of the Soviet Union, most of whom have probably died in prison-labor camps. I am happy to say that the Government of the United States and the people of this country have never recognized the seizure of these countries by the Soviet Union as valid. We still recognize the old, legally elected governments of these countries and continue to extend them diplomatic recognition. And, of course, we all hope, as do freedom-loving Lithuanians, Latvians, and Estonians all over the world, that some day, and soon, these countries will be able to resume their rightful places in the family of independent nations.

Mr. SMITH of California. Mr. Speaker, today marks the 25th anniversary of Soviet Russia's captivity of the Baltic States. It was on June 15, 1940, that the Red army moved into Lithuania, Latvia, and Estonia and took over these free and independent nations by force of arms.

During these 25 years, the three countries have lost more than one-fourth of their populations. Hundreds of thousands were murdered by the Soviet despots or died in exile in Russian slave-labor camps.

But Lithuanians, Latvians, and Estonians are proud and courageous peoples. They will never give up in their prayers and hopes for the day of liberation from tyranny nor in their search for help from the governments of other freedom-loving peoples.

Mr. Speaker, with the help and leadership of the United States and the United Nations, many new free and independent nations have been established in Asia and Africa since World War II. But what of formerly free and independent nations that no longer enjoy that status but are now bearing the yoke of oppression imposed by the Kremlin?

In the name of consistency, the United Nations can and should do no less than champion the cause of freedom for these peoples as well. It was with that goal that I introduced earlier this year House Concurrent Resolution 295, which declares it to be the sense of Congress that the President should instruct the U.S. mission to the United Nations to bring up the Baltic States question in that body.

Under leave to extend my remarks in the RECORD, I include House Concurrent Resolution 295 at this point:

H. CON. RES. 295

Whereas the United States has consistently recognized and upheld the right of the Baltic States to national independence and to the enjoyment of all independent rights and freedoms; and

Whereas the Charter of the United Nations declares as one of its purposes the development of friendly relations among nations based "on respect for the principle of equal rights and self-determination of peoples"; and

Whereas the Union of the Soviet Socialist Republics has by force suppressed the freedom of the peoples of Lithuania, Latvia, and Estonia and continues to deny them the right of self-determination by free elections; and

Whereas involuntary enslavement cannot be encouraged or sanctioned by the United States and other nations subscribing to principles of freedom: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should instruct the United States mission to the United Nations to bring up the Baltic States question before the United Nations and ask the United Nations request the Soviets—

(1) to withdraw all Soviet troops, agents, colonists, and controls from Lithuania, Latvia, and Estonia; and

(2) to return all Baltic exiles from Siberia, prisons, and slave-labor camps in the Soviet Union.

SEC. 2. It is further the sense of the Congress that the President should instruct the United States mission to the United Nations to request the United Nations to conduct free elections in Lithuania, Latvia, and Estonia under its supervision.

Mr. BURKE. Mr. Speaker, the three Baltic countries, Estonia, Latvia, and Lithuania, constitute a natural unit by themselves, and they have been united by their common interest in peace and by their desire to maintain their independence. But being relatively small and weak, they have not always been successful in warding off dangers which have threatened their independence.

Late in the 18th century they could not withstand the czarist Russia's aggressive expansion, and all three were conquered and made part of the Russian Empire. For more than a century these stout and sturdy fighters had to submit to the cruel and callous agents of the czars, for they were in no position to challenge Russia's colossal armed forces. Toward the end of the First World War, however, they had their golden opportunity. Russia's oppressive regime was shattered. The peoples in the Baltic countries felt free and proclaimed their independence.

Thenceforth, for two decades these energetic and industrious peoples remade their war-ravaged countries, strengthened their democratic institutions, became members of the sovereign community of nations and were quite content with their lot in their respective countries. All this was to their liking while there was peace in Europe. But the outbreak of the last war changed everything, bringing on disaster and tragedy to them.

Early in the war the Soviet Government wanted to put an end to the independent status of these countries and annex them to the Soviet Union. While the friends of the Baltic peoples in the West were in the throes of war, Soviet leaders forced the Governments of the Baltic countries to submit to humiliating terms. Mutual assistance pacts were signed, strategic parts of these countries were occupied by Soviet forces, then the Red army overran and occupied all three countries, and finally, in mid-1940 they were made part of the Soviet Union.

By treacherous acts and illegal means the Soviet Government thus robbed the Baltic peoples of their freedom and put an end to their independent existence. To this day this illegal seizure of the Baltic countries by the Soviet Government constitutes a cruel international crime committed against the innocent and inoffensive Estonians, Latvians, and Lithuanians. On the 25th anniversary observance of this international robbery we once more condemn it, and pray for the deliverance or these peoples from Soviet totalitarian tyranny.

Mr. DONOHUE. Mr. Speaker, I desire to join with my colleagues here this afternoon in recognition and remembrance of the heroic people of Lithuania and the other Baltic States on this occasion of the 25th anniversary of Soviet aggression against them.

Twenty-five years ago, on June 15, 1940, the Russian troops overran Lithuania, Latvia, and Estonia, took away their independence and transformed them into colonies of the Soviet Union.

It was, indeed, a black and treacherous day in the history of mankind. The peaceful people of the progressive Baltic States were practically forced into slavery by the Russian dictators and from that dark day until this very moment they have been truly isolated from the rest of the free world.

Although the people of the Baltic States have been subjected to these terrible persecutions through the years we have no cause to despair that they will never regain their liberty. In fact we have great cause to think just the opposite. For the history of these states reveals that even in their worst times of trials and tragedies they demonstrated again and again that they have retained their faith and trust that divine providence would always return their bright promise and destiny to them.

From our own knowledge of their history and personal observation of the Lithuanian-Americans and the other peoples of the Baltic States we know they have an unabiding faith that the Communists can never destroy.

We know they have a high courage that the Communists can never vanquish.

We know that they have a Christian character and culture that will survive when all the fraud and the hypocrisy of atheistic tyrants have vanished from the face of the earth.

It is to this objective that we and all the other friends of the Lithuanian and Baltic peoples must continue to dedicate our efforts.

To this end I, early last January, introduced House Concurrent Resolution 75 which calls upon the Congress to request the President to bring up the Baltic States question in the United Nations and to ask the United Nations to urge the Soviet Union to withdraw from Lithuania, Estonia, and Latvia, return the Baltic exiles to their homes and provide for free elections under the supervision of the United Nations. This resolution is designed to reaffirm a basic principle of U.S. policy—self-determination of all peoples and the right of all peoples to choose their own form of government. I most earnestly hope the Congress will see fit to approve this or a similar resolution in the near future.

It is most fitting that we pause here this afternoon to recall to the world the tragic history of the Baltic people. It is further fitting that we also solemnly pledge that both as Members of Congress and private citizens we will never cease our united efforts until the gallant people of Lithuania, Estonia, and Latvia and all other subjugated peoples have been restored to freedom in a world at peace.

Mr. TOLL. Mr. Speaker, the brave but unfortunate peoples of the Baltic countries—Estonians, Latvians, and Lithuanians—have had long and difficult histories. They have had their ups and downs, but fate was most cruel to them in 1940. In the middle of that year these northeastern democracies were overrun by the Red army, their inhabitants enslaved and then all three countries annexed to the Soviet Union. Thus these strong and brave people, who had withstood the oppressive and callous regimes of the czars for more than a century, and had regained their national freedom at the end of the First World War, had to submit to the treachery of Stalin's Communist agents.

Mid-1940 marked the end of freedom in these Baltic lands, and since then these unhappy souls have been suffering under Soviet totalitarian tyranny. Besides enslaving some 5 million Estonians, Latvians, and Lithuanians in these countries, at the time hundreds of thousands innocent people were arrested, imprisoned and then deported to inhospitable regions of Asiatic Russia. During the war there was some hope for their return after the war, but not many of these people survived the hardship and misery that was their lot in their prison labor camps.

Today, in observing the 25th anniversary of their tragedy, we ardently pray for the deliverance of these Baltic peoples from Communist totalitarianism.

Mr. GALLAGHER. Mr. Speaker, 25 years ago the freedom loving peoples of the Baltic States were thrust under the yoke of Communist oppression. These sovereign nations were subjected by brute force, both physical and psychological. At the time of this flagrant aggression these states were sovereign and independent deserving of all the rights that any other state in the world community of nations possessed. This was in 1940. Now the year is 1965 and the Baltic States are no longer sovereign.

The memory of this oppression, which has perhaps never been equaled in history for brutality and utter disregard for human rights, has slipped into the dim past. We have for the most part forgotten. Since June 1940 the Baltic States—Estonia, Latvia, and Lithuania—have suffered to lose almost one-fourth of their populations. The Soviets have employed subversion, slave labor camps and even liquidation in their ruthless capture of these peoples.

The events which took place in the Baltic States during these tragic months of 1940 were repeated throughout Eastern Europe and the Far East in the period after World War II. None of us needs to be reminded of the manner in which communism was imposed upon Poland and the other states of East Europe. All forces of dissent were silenced by terror and death. Communist authority was thrust upon a large sector of the European population that had hoped for a new era of democracy and freedom. Instead, their reward for surviving the Nazi conquest was another more enduring and oppressive type of tyranny, communism.

We must cast aside the illusion that East Europe and the Baltic States are solidly Communist. The increasing demonstrations in recent years attest to the fact that the people of these supposedly sovereign nations yearn for real freedom and true independence. We cannot with any rationality cross off the 30,000 persons who died after World War II attempting to stem the tide of communism in the Baltic States. We can gain perspective by remembering that only 4,000 died for American independence during the Revolutionary War.

Now a new revolution is upon the world, the revolution of rising expectations. Nations throughout the world are gaining independence and freedom. In Africa and Asia the United States is backing attempts of colonies to gain independence. The United States has fought long and hard to help the causes of these nations, and rightly so. But our task is far from completed. World opinion is now against the concept of colonialism. Now is the time for the United States to sponsor in the United Nations the cause of freedom and independence for the Baltic States and indeed all of the Eastern European nations that now suffocate under the yoke of Soviet oppression.

Without our help I can scarcely imagine these nations gaining their independence. In 1775 it took a shot that was heard around the world to free our Nation. The annals of the Revolution ring with the names of volunteers from East Europe. Now in 1965 we are strong. Let us now speak the words that will be heard around the world and demand the freedom that the peoples of the Baltic States so richly deserve.

Mr. RHODES of Arizona. Mr. Speaker, for the last 25 years the Baltic States—the brave states of Lithuania, Latvia, and Estonia—have suffered under the occupation of the Soviet Union. Their people have been murdered, deported, terrorized by the Russian Communists. Although they have fought and withstood these onslaughts against their peoples and nations with courage and strength, they are still under Soviet enslavement. They want and deserve their freedom and independence. In an attempt to assist them to receive these rights, I, along with many other Members of Congress, have introduced the following resolution which I sincerely hope will receive prompt and favorable action in the Congress:

H. CON. RES. 40

Whereas the greatness of the United States is in large part attributable to its having been able, through democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere; and

Whereas so many countries under colonial domination have been or are being given the opportunity to establish their own independent states, on the other hand, the Baltic nations having a great historical past and having enjoyed the blessings of freedom for centuries are now subjugated to the most brutal colonial oppression; and

Whereas the Communist regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic processes; and

Whereas the Soviet Union took over Lithuania, Latvia, and Estonia by force of arms; and

Whereas Lithuanians, Latvians, and Estonians desire, fight and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the free Republics of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced "incorporation" into the Soviet Union; and

Whereas no real peace and security can be achieved in the world while Lithuania, Latvia, and Estonia remain enslaved by the Soviet Union: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President of the United States should take such steps as he may deem appropriate to bring before the United Nations the question of Soviet action in the Baltic States for the purpose of urging the United Nations to request that the Union of Soviet Socialist Republics—

(1) withdraw all Soviet troops, agents, colonists, and controls from Lithuania, Latvia, and Estonia; and

> (2) return all Baltic exiles from Siberia, prisons, and slave labor camps in the Soviet Union.
>
> Sec. 2. The United Nations should conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish Soviet Communists who are guilty of crimes against the peoples of the Baltic States.

H.R. 8629 WILL INJURE ILLINOIS INDUSTRY

The SPEAKER pro tempore (Mr. Albert). Under previous order of the House, the gentleman from Illinois [Mr. Michel] is recognized for 15 minutes.

Mr. MICHEL. Mr. Speaker, my attention has been called to a provision in H.R. 8629 which, I feel, would injure Illinois industry and Illinois farmers by subsidizing wheat for industrial uses at the expense of corn.

I understand the bill has been reported to the House Agriculture Committee by the Wheat Subcommittee. The proposed subsidy in H.R. 8629 would injure the entire corn industry, as well as the grain sorghum industry, since both corn and grain sorghums are used to produce starch which goes into glue and adhesives for industrial purposes.

At present, the processors of wheat which is made into flour must purchase a certificate for each bushel of wheat processed. H.R. 8629 would exempt flour clears, a flour product, when not used for human consumption, from the certificate payment. This would mean that flour clears used for industrial consumption would be processed from wheat which, at present market prices, is not too far from the price of corn. The flour clears would be exempt from the 75 cents a bushel certificate payment under present law and around $1.25 a bushel in the proposed bill. Thus, wheat would be directly competitive with corn, and also grain sorghums, in the industrial starch market.

The estimated immediate effect under the proposed bill is approximately a $3 million exemption under the program. The long-range potential effect is $50 million and a replacement of corn by wheat of some 40 million bushels. Who is going to pay for this? First the corn producer will lose markets by legislative action; and secondly, the wheat farmer will have received less than his cost of production or the taxpayer will bear the burden.

Price relationships between agricultural products are very complicated. But to understand this situation we have only to look at the historical price relationship between corn and wheat. The latter product has been consistently higher in price. It was higher before the Federal farm programs and the programs recognized the disparity by higher supports for wheat and, when wheat supports were lowered, by higher payments to the wheat farmers than to corn farmers. In other words, the Congress and the Executive branch of the Government have sought, through the programs, to see to it that the return to the wheat farmer per bushel is substantially higher per bushel than the return to the corn farmer.

Furthermore, the price differential which has prevailed between wheat and corn is recognized in the parity figures for both commodities. As House Members know, parity is supposed to represent the fair market value of an agricultural product. Today, the parity price of corn is about $1.58 a bushel, the parity price of wheat around $2.57 a bushel, or a difference of almost $1 per bushel.

The primary reason for the difference in price between corn and wheat is the former's much higher yield per acre, and, in consequence, lower production costs for corn. Wheat costs of production are around 70 cents a bushel higher than for corn. The national average cost of production is roughly 85 cents per bushel for corn and $1.55 for wheat.

The argument most frequently put forward in support of the subsidy for wheat is that it simply would enable both the domestic processors of corn and wheat to buy at the world market price. But the world price has no relationship to the corn and wheat bought here to be turned into starch for industrial purposes. Both domestic processors pay domestic prices. We establish the world price of corn here because of our tremendous output; wheat processors do not have access to foreign wheat because of an import quota which limits imports to only a few thousand bushels annually. Insofar as I can see the world price contention is completely irrelevant.

Mr. Speaker, let us, in an effort to simplify this matter, assume that no Federal program existed. Both wheat and corn would be sold in a free market and, inevitably, wheat would go to the buyer at a price substantially higher than that for corn. When he sold the wheat, the farmer would not reduce the price because a part of it, when milled into flour, would be flour clears, some of which might not be used for human consumption. He would balk at giving processors, who wanted to turn wheat starch into glue and adhesives, a subsidy. Similarly, the Government should balk at a subsidy and that is what, after this question is analyzed, is proposed in H.R. 8629—the subsidization of wheat to replace corn and grain sorghums.

More than 300 million bushels of corn are bought annually by the wet and dry corn milling industries, which make most of the starch used in industry. Comparatively little wheat is made into industrial starch, because the price is and has been higher than the price of corn. The corn milling industries have built their plants and developed their markets on the price relationship which H.R. 8629 now proposes to upset. The grain sorghum processors who make industrial starch also have built their business on the historic price relationships. Now, we propose to subsidize one agricultural product at the expense of others. If we exempt flour clears not used for human consumption in H.R. 8629 and keep that exemption, we can expect, over the years, to find the industrial starch market dominated by wheat. For, if this subsidy does not enable wheat to take the market, the Congress—if it follows the line of reasoning embodied in H.R. 8629—will increase the subsidy until the objective is accomplished.

I think the entire Illinois delegation should vigorously oppose the subsidy proposed in H.R. 8629. Illinois is the leading commercial corn State and, in 1963, Illinois commercial corn sales approximated one-third of the total commercial corn sales. While my State probably has more corn processing plants than any other State, the industry is very important in other States and the processing of grain sorghums into starch for industry is becoming increasingly important.

The subsidy for wheat would be established by amending section 379d(d) of the Agricultural Adjustment Act of 1938. At present section 379d(d) is as follows:

> As used in this subtitle, the term "food product" means flour, seminola, farina, bulgur, beverage and any other product composed wholly or partly of wheat which the Secretary may determine to be a food product.

The amendment, as charged by H.R. 8629 reads:

> As used in this subtitle, the term "food product" means flour, excluding flour clears not used for human consumption as determined by the Secretary, seminola, farina, bulgur, beverage and any other product composed wholly or partly of wheat which the Secretary may determine to be a food product.

I see no reason for the disruption and unemployment in Illinois and other States which would follow the subsidy proposal in H.R. 8629. It would not increase the consumption of agricultural products at all, since we merely would be substituting one agricultural product for other agricultural products.

To repeat, the central issue is whether the Government will subsidize wheat to replace corn and grain sorghums in industrial products. Mr. Speaker, I think the answer should be a loud and resounding "No."

MORALITY IN PUBLIC SERVICE

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks in the body of the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, too often we in this country accept as uncontested fact that our system of government will automatically prevail over everything and will not be seriously challenged, at least from within.

It is well that we be reminded that self-government has failed on other occasions, and might still be considered as experimental from the standpoint of history.

In this connection I call attention to the following portion of an article by Mr. N. S. Meese appearing in the New Age magazine for June 1965:

> Benjamin Franklin's long life, wide experience, and extensive study had convinced him that republics had a history of enjoying only short lives. It was doubtless this

that prompted him to answer an inquiry following the Philadelphia Convention as to what kind of government was in store for the country by saying, "We have given you a republic—if you can keep it." He knew only too well that under the new Constitution the people gave to those they elected to govern them dangerous power, and he, with Washington and others, had misgivings.

Now, two centuries later, those who have the most to lose seem to have become the least vigilant in guarding the fundamental freedoms for which over the years thousands have died ingloriously to gain. They are threatened now to an even greater degree than when Senator Borah warned of the danger to them by attrition. They can never be kept safe by being inscribed on a sheet of parchment preserved in our archives. They can be preserved only when they are held deep in the hearts of men and women who are aware of their cost in blood and treasure and who know what their loss would mean.

The Great Charter of our liberties as signed in the summer of 1787 and amended subsequently in accordance with the provisions contained in it is a valid contract between the people of this Nation and their Government. Being such it is the duty of both parties to that contract to see that it is fully and faithfully observed in both letter and spirit rather than interpreted in a manner dictated by the whims of men.

The greatest need in this country today is for a resurgence of morality in public service—a new and honest respect for the spirit and meaning of the Constitution of the United States and a firm resolve by those who have sworn to protect and defend it to abide by that oath. They would do well to remember Gen. Robert E. Lee's observation that "Duty is the sublimest word in our language. You cannot do more; you should never wish to do less."—N. S. Meese.

CIA OPERATIONS REMAIN SECRET

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DENT. Mr. Speaker, I would like to commend the following article, from the Washington Post of June 3, to the House for consideration. The article was written by Mr. Harry Ferguson and concerns the Central Intelligence Agency.

It is often distressing to me to hear severe criticism of the CIA by citizens—including Members of Congress—who have only limited knowledge of its functions and activities. How many times have we heard indignant protests about the CIA being an all too powerful, fourth branch of the U.S. Government? A recent publication, "The Invisible Government," pictures the CIA as some sort of power-hungry, aggressive, and irresponsible organization. For some strange reason, the CIA's most vocal critics seem to attack the nature of its secrecy. I wonder if these critics can imagine how effective an intelligence apparatus could be were it required to respond to ever ounce of criticism and skepticism. I daresay were that the case, we might as well close up shop.

Mr. Speaker, I am not among those Members privy to appraisal of the CIA's scope. I do know, however—as we all should know—that a congressional committee does exist to insure that the CIA does not exceed its bounds. I can appreciate, therefore, that there are those among us who are privy to such information and who have a great knowledge of the activities of this organization; and I might add that I have not heard protest from any of these Members about the CIA being irresponsible or power hungry or anything.

Mr. Speaker, from what I know of the CIA, I can honestly say that I heartily approve; and of what I do not know, I can hastily add that it is quite obviously none of my business. I am grateful and proud that we have men and women in our country who are willing to make sacrifices to provide us with information we desperately need for our own defense and the defense of all freemen. I am likewise grateful that the CIA stands above its critics and therefore protects the very secrets it needs to survive and to render effective service to our country.

The article follows:

[From the Washington Post, June 3, 1965]

CIA's Operations Remain a Secret to All but a Few

(By Harry Ferguson)

A story is going around that one day a top official of the Central Intelligence Agency (CIA) needed some information on the manager of a factory in the Soviet Union. He called for the files and, somewhat to his surprise, found all possible information about the man, including the fact that his mistress had dyed her hair three times. Different color every time.

It could be true, for the CIA has information about Russia that would shock Moscow. Each month the CIA buys or otherwise obtains 200,000 pieces of literature from Russia, the European Communist bloc, and Red China. It has a translating computer that turns Russian into English at the rate of 30,000 words an hour. Nothing from Russia is too small to interest the CIA—railroad timetables, the pig population in the Ukraine, what movie is being shown in Kiev.

The CIA operates in a highly unorthodox fashion. It lists its number in the telephone book and everybody knows that its headquarters are at Langley, Va. But the CIA has plenty of secrets and keeps them well.

BUDGET KEPT SECRET

There are perhaps a dozen men in Washington who know how much the CIA spends annually, but the best guesses are between $400 million and $1 billion. Nowhere in the Federal budget will you find any money allotted to the CIA.

Each year the CIA Director appears before small panels made up of senior members of the Senate and House Appropriations Committees. He tells them how much money he needs, but doesn't have to explain how he is going to spend it. After the Congressmen OK the expenditure, the money is broken up into small items and salted and hidden throughout the Federal budget. An item for 1,000 monkey wrenches in the Air Force budget could well be CIA money.

People who work for the CIA are divided into "overts" and "illegals." The overts work in open, keep regular office hours and the only restraint they are under is that they are forbidden to discuss the type of work they do. The illegals fan out across the world and operate in the full knowledge that if they are caught, they may forfeit their lives. One of the big battlegrounds of espionage is Berlin, and the West German Government estimates there are 12,000 Soviet intelligence agents there. Nobody has any precise figures on the CIA strength in Berlin, but it can be assumed the situation is well covered.

BECOMES A NEW MAN

The first thing that happens to a man when he becomes a CIA illegal is that he loses his identity. He gets a new name, a new birthplace, and a new family. If he is going to operate in Italy, he not only must learn to speak flawless Italian, but in the precise accent of the province where he will be working.

Then he is papered. He is equipped with every sort of document he could conceivably need in his new environment and he is taught how to manufacture new ones if the need arises.

The next thing is to arrange a drop, a place where the agent can leave information and be sure it will wind up in Langley, Va.

The CIA's enemies see it as a sort of anonymous branch of the U.S. Government that is going around meddling in the internal affairs of both friendly and unfriendly nations. It is accused of helping make a complete botch of the Bay of Pigs invasion in Cuba and the events leading up to the present crisis in South Vietnam. Some persons even profess to see a threat to our own Government from an organization maintaining a sort of private army and operating in secrecy.

Allen Dulles, former CIA Director, denied all this in a recent television interview. He said the CIA never had jumped into a situation without getting the consent of the President. He also defended the necessity for secrecy by pointing out that Russia and Red China were pushing their espionage battles strongly and that you had to fight fire with fire.

PROJECT HEAD START

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. William D. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, the Christian Science Monitor of Friday, May 21, published an article on Project Head Start which vividly and expertly explained the need and value of this program. The article spells out clearly the crux of the problem, which it terms "the tragic circle of poverty-ignorance in which so many Americans are caught.

Mr. Speaker, every Member of Congress and every American interested in this pressing problem should read this article. For this reason, I include it in full as part of the Congressional Record:

A Head Start

Few scenes are filled with greater promise or disappointment than that of the young child hunched over his school desk. If all goes right, the child is on his way to the mastery of knowledge which will help make his life happy and meaningful. But if things go wrong, sorrow, tragedy, and waste are too often the result.

The United States is about to invest $112 million to see if some 530,000 young children from poverty-stricken or cultureless homes can be helped make the important right first step in education. This is "Project Head Start," whereby these children will gather in thousands of preschool centers for a 6 to 8 weeks' practical training program. In general, only those children who will enter kindergarten this fall will attend.

The purpose of the program is short, sharp, and crucial. It is to provide these children with the outlook, training, and encouragement which will give them a better chance to benefit from the precious years of education which lie ahead. For experience has shown that all too often the children from these homes are unequipped to cope with the stern demands of education, fall behind, and eventually fall out.

The ability to speak coherently, the use of sanitary facilities, the knowledge of how to get on with their fellows, these and many more such fundamentals are often lacking among such pitifully deprived children. When these are learned, the child's ability to profit from education is immeasurably heightened.

As of the moment, this is a "one-shot" affair. Washington apparently wishes to weigh the results of this summer's effort to see whether the project should be continued, altered, or dropped. Many questions remain unanswered. Will 6 to 8 weeks' training be enough? Where will the special-knowledge teachers come from? How much larger should the effort be to have a sure hope of ending the tragic circle of poverty-ignorance in which so many Americans are caught?

But we rejoice to see this start. We wish it well wholeheartedly. We agree with President Johnson that we must keep in mind that the "5- and 6-year-old children are the inheritors of poverty's curse and not its creators." He is right in declaring that unless we act, these children will pass these burdens on to future generations.

Although Washington has taken the first step in this program, if there is anything that the Federal Government cannot do alone, it is to lift this burden of cultural deprivation from millions of children. Only united community efforts in cities, towns, and villages all over the land can get to the real roots of the problem. This requires determination, organization, and inspiration. Yet we can think of few efforts which can do more to guarantee a happier tomorrow than this.

REFORM OF FEDERAL RESERVE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Minish] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MINISH. Mr. Speaker, it is very heartening to a Member who represents thousands of workingmen to read that the administration has taken a firm stand against the alarmist remarks last week by the Chairman of the independent Federal Reserve Board. The Fed, of course, controls the cost and availability of credit for all Americans, and its tight money policies have caused more recessions than I like to recall.

Mr. Martin, as you know, just last week suggested that we were on the verge of 1929 all over again. Naturally, his remedy would be to yank hard on the credit reins.

But on June 8, before a congressional committee, Secretary of the Treasury Fowler, speaking for the Johnson administration, reassured a nervous business community that he was not at all fearful of another 1929 crash and stressed that the American economy is expanding in a healthy, balanced way.

Mr. Speaker, I feel strongly that this incident underscores the urgent need for thorough reform of the Federal Reserve System.

JOHNSON ADMINISTRATION SEEKS SAFEGUARDS AGAINST CONFLICT OF INTERESTS OR FAVORITISM

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. YOUNG. Mr. Speaker, there have been few administrations in the history of this country that have not found it necessary to cope with problems of waste and scandal in their respective administrations.

Mr. Speaker, every President has been aware of the necessity of excluding such matters from his administration but I think no one more than the present incumbent of that high office, President Lyndon B. Johnson.

Mr. Speaker, there was an article on this subject in the Corpus Christi Caller-Times, the daily newspaper of my hometown in Texas, on May 12, 1965, which I include at this point in the Record:

JOHNSON SEEKS SAFEGUARDS AGAINST FEDERAL SCANDALS

President Johnson has been in public life long enough to know that there is no absolute protection against wrongdoing in the executive department. But he is determined to go as far as he can to protect himself and the Government against scandal.

He has issued an Executive order, going considerably further than those of his predecessors, requiring within 90 days a full statement of financial interests by 200 officials who are subordinate only to him. An additional 2,000 others in important policymaking offices will be required to make financial statements to their agency or department heads.

"We cannot tolerate conflicts of interest or favoritism—or even conduct which gives the appearance that such actions are occurring—and it is our intention to see that this does not take place in the Federal Government," the President said in issuing his Executive order.

The President went to the heart of the matter when he said that officials must avoid even the appearance of evil. It is a principle that businessmen entering Government may find harsh. But the evil as well as the appearance of evil must be avoided by those who accept the privilege of serving in Government.

LAGGING MONETARY GROWTH FORCES BANKS INTO QUESTIONABLE PRACTICES—FED SHRINKS MONEY SUPPLY BY $1.2 BILLION IN MAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Federal Reserve's failure to permit growth in the money supply adequate to accommodate the legitimate needs of business and commerce has forced many banks to resort to unusual and questionable practices in order to relieve their tight reserve positions. In fact, the Federal Reserve actually reduced the money supply by $1.2 billion in May alone. Not only are member banks indebted to their Federal Reserve banks to the tune of approximately $150 million, but a number of them have found it necessary to aggressively seek time and savings deposits so that they can make new loans. While I certainly admire their initiative, I am deeply disturbed by official reports that several recent cases of bank newspaper advertising have involved a misrepresentation of facts, possibly in violation of the Federal securities laws. These cases arose with respect to the promotion of certificates of deposits to appeal to the general public.

Furthermore, Chase Manhattan and First National City Bank in New York just last week sold over a half billion dollars in debentures to raise quick cash needed to serve their customers. It is not entirely clear that the issuance of debentures or capital notes by national banks is provided for by law. What effects these sales will have on the reserves of other banks is uncertain, but unless the Fed loosens up on the credit reins, other banks may wake up and find that hundreds of millions of their own reserves have disappeared—stolen, if you please. While there is a growing scarcity of money that only the Fed can cure, I am very hopeful that our monetary managers will reverse their stubborn determination to hold down a healthy growth in the money supply. By their so doing not only would our commercial banks be relieved of pressures to pursue extreme measures to improve their lending capabilities, but also the prospects will be much better for continuation of the orderly expansion of business and economic activity we have all enjoyed during the past several years.

FLAG DAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, today is Flag Day and throughout America the Elks and many other patriotic and civic groups hold parades and ceremonies to observe this day in honor of Old Glory.

I think it would be well for the Members of Congress to dedicate ourselves according to the highest ideals of those Americans who gave their lives to save the flag for us. As for myself, as I think of the bills that the Congress will have to consider in the next 2 months, I promise that I will always think of our

Government first and decide all questions in the best interest of our country—not to be provincial or selfish.

It would be well for all Members of the Congress to bear that in mind because our flag and our country are still the best.

SELWAY-BITTERROOT AREA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, because of the controversy that has developed over the classification of the Selway-Bitterroot area as a wilderness area, I am submitting for the Record a very edifying article by Ferris Weddle of the Lewiston Morning Tribune. I heartily recommend the reading of this article to any of my colleagues who are interested in the Selway-Bitterroot area or the preservation and conservation of wilderness areas.

[From the Lewiston Morning Tribune, May 23, 1965]

Storm Clouds Swirl Over Upper Selway

(By Ferris Weddle)

The Upper Selway has become the new battleground in the old conflict over wilderness versus multiple-use.

Thousands of plain and prominent citizens have become involved in the controversy. Dozens of regional and national conservation organizations have entered the picture—including the Wilderness Society, the Sierra Club, the National Wildlife Federation, and the Federation of Western Outdoor Clubs. The Upper Selway is not merely an Idaho-Montana problem, but a national problem which touches upon a major public resource—wilderness.

This case also has become a test, in the view of some wilderness supporters, of the integrity of the U.S. Forest Service in the management of wilderness areas.

Geographically, the Upper Selway (including Upper Bargamin Creek) is 260,000 acres of semiprimitive country in the Bitterroot National Forest lying between the Selway-Bitterroot Wilderness Area and the Salmon River Breaks Primitive Area. It is also known as the Magruder Corridor and as Area E on Forest Service maps.

From 1936 until January 11, 1963, the Upper Selway was a protected part of the Selway-Bitterroot Primitive Area. On January 11, using the authority of a Department of Agriculture regulation, Secretary Orville L. Freeman reclassified the primitive area as a wilderness area.

In the reclassification, over 400,000 acres, including the Upper Selway, were deleted from the original primitive area. The final boundary changes had not been made public by the Secretary or the Forest Service. Although many of the recommendations of the conservation groups given in public meetings in 1961 had been heeded, the inclusion of the Upper Selway had not.

Wilderness supporters felt that they had been betrayed and that Secretary Freeman had acted hastily to forestall further discussions of the Upper Selway and other changes in the Selway-Bitterroot boundaries. Thus the stage was set for the controversy.

Why had the Upper Selway been declassified? Neal M. Rahm, regional forester for the northern region at Missoula, explains it this way: "The presence of a road system in area E strongly influenced the Secretary's final decision. Wilderness standards do not permit such road development."

The road system Rahm refers to is the Magruder Road, extending from Darby, Mont., to Elk City, Idaho, bisecting the disputed area. The road and three short spur roads were built in the 1930's by the CCC for fire protection and administrative purposes. They are slow-speed, poor quality roads, suitable for wilderness travel only. They have provided access to parts of the larger wilderness area.

Wilderness supporters have not accepted the presence of this road system as sufficient reason to leave the Magruder Corridor unprotected. They had earlier proposed another solution: Use the Magruder Road as a boundary between the wilderness area on the north and the newly created Salmon River Breaks Primitive Area on the south. Exclusions from wilderness status could be set up on each side of the spur roads. Primitive camp and picnic spots could be built along the Magruder Road without impairing the wilderness values of the Upper Selway.

It became apparent to conservationists that the Forest Service had many plans for the Upper Selway, and that the road system was only one reason for the exclusion of the area.

"Other information available indicated that area E was more logically suited for general multiple use," according to Rahm. "The multiple-use plan will provide for the protection of the streams and it will also include road betterment and, of course, some road construction. Timber harvesting is planned on only part of the area. The Forest Service believes that recreation has a very important value in the Upper Selway and the management program fully recognizes this."

Road improvement has already begun on the Montana side of the Upper Selway. A contract for a 6½-mile stretch, to the Nez Perce Pass, has been let with $350,000 estimated as the cost.

Planned for improvement is the section from the pass to the Magruder ranger station, and eventually to Elk City. This road will also serve as the main route for logging operations. Other roads will be required to reach the timber harvest areas.

A JEWEL OF A RIVER

Because the Upper Selway holds the headwaters of the Selway River, the region represents to many people the heartbeat of the wilderness area. Of all the rivers now under consideration for a national wild rivers system, the Selway is the jewel—one of the few true wilderness streams remaining in the United States outside of Alaska. It is increasingly used by white-water enthusiasts, by fishermen and wilderness campers.

At the moment, only about 45 miles of the Selway is protected. The Forest Service has said the Selway and other streams will be protected. How will this be done? According to Harold E. Andersen, supervisor of the Bitterroot National Forest, a riverbreak zone, averaging a mile in width, will be set up on each side of the river and along important feeder streams.

This looks good on paper, but will it keep the Selway safe from the effects of erosion? Conservationists do not think so.

Stock grazing and mining are not factors in the multiple-use plans, according to Rahm. The recreational potential of the Upper Selway will be utilized in a number of ways. Road improvement is the most important, but semi-primitive picnic and camping sites will be set up as well as outlying hunter camps. Identification signs for scenic views and some historical, interpretative signs will be erected. Roadside, streamside, and lakeside viewing areas will be provided.

These plans have considerable appeal to a great many people, but not to those who dislike overcrowded managed areas with "canned" recreation features.

"Must we have superhighways leading into our wilderness areas?" asks Mrs. Doris Milner, chairman of the Save-the-Upper Selway Committee, at Hamilton, Mont. "The present road system is ideal for edge-of-wilderness travel. Forest Service plans, if carried out, will make the Upper Selway a carbon copy of other overmanaged recreation areas. We need such areas; but even more, we need the unique qualities found only in wilderness areas."

Mrs. Milner points out that travel in the Selway-Bitterroot and other wilderness areas is increasing each year. This travel is by foot, by horseback, and by canoe—wilderness travel.

Mrs. Milner's committee is only one of several regional groups organized to counteract Forest Service plans for the Upper Selway. Another is the North Idaho Wilderness Committee at Lewiston, with Morton R. Brigham as chairman.

"It's the logging and the road building which has us really worried," says Brigham. "The Upper Selway has soft, thin soil and steep hillsides—so you can't escape erosion. At best, logging in the area will be costly and a marginal operation. The Forest Service has said the allowable annual cut will be 12-million board feet. This would keep a small sawmill busy only a fraction of a year."

According to Rahm, from 117,600 to 173,000 acres has commercial timber totaling a possible 1 billion board feet. He maintains that most of the logging will be some distance from the Selway River and that cutting units will conform to soil and watershed needs.

A Forest Service brochure explains, "Travelers on the Magruder Road, fishermen and floating parties will be remote from timber harvests."

The brochure does not mention that logs must be hauled out over the Magruder Road.

In an editorial in the Western News of Hamilton, Mont., Publisher Miles Romney said: "If this unreasonable project would provide a crutch to an ailing lumber industry it might be understood and condoned. Such a timber cut would not pay for the construction of the road already built. It is unbelievable that the rank and file of forestry people approve."

"Siltation caused by logging and roadbuilding will certainly affect efforts to restore salmon runs in the Selway," Brigham said.

One of the most eagerly observed fishery projects in the Northwest is the attempt of the Idaho Fish and Game Department with Federal assistance, to reestablish chinook salmon runs in the Clearwater River and its tributaries.

The program has been in progress for 5 years, and to date more than $1 million has been spent or allocated. A large share of this amount has gone to build the Selway Falls tunnel, which will provide a safer, easier passage for spawning salmon and steelhead.

The department has not made an official stand on the Upper Selway, but department fishery biologists have been kept closely informed of Forest Service plans. This is natural, since the Selway River is the most important link in the success of the project.

James Keating, area fishery biologist, has observed that "logging, primarily the roadbuilding associated with logging, can and has had in other areas a substantial, harmful effect on stream trout habitat. Effects can range from minor to catastrophic."

He said logging roads have caused severe damage in the South Fork of the Clearwater, where the department has been trying to reestablish the steelhead run. Crowding of streams by logging waste often create migration blocks, preventing fish from reaching spawning areas. Fish pools are filled in or destroyed through flooding.

Said Keating: "Erosion of silt from logging roads, and other sources, results in highly turbid water. Silt particles settle out in the calm-water spaces beneath the surface of the streambed. Eggs deposited by salmon and steelhead trout are buried in the gravel of riffle areas and silt deposits prevent the development of eggs and/or the emergence of fry—if they survive to that stage.

"The overall effect of these roads on the steelhead, salmon, and trout production will be a matter of degree, related to just how well the Forest Service can plan their roads and control erosion."

The Upper Selway and the million-acre-plus wilderness area is a wildlife paradise. One of the Nation's largest elk herds roams this immense and diverse country. Mule deer and whitetail are plentiful, and there are mountain goats, bighorn sheep, bears, and increasing numbers of moose. Abundant, too, are small game, furbearers, and predators such as the cougar and the bobcat.

The Selway is a sportsman's dream—a place to try real wilderness hunting.

Browse is needed for the elk herds, particularly winter browse, according to Elmer Norberg, Idaho Fish and Game Department game biologist. Much of the country which was burned over by forest fires in the 1920's and 1930's has now been overgrown with young conifers.

"Any effort to provide browse for the major elk herds will have to be elsewhere than in the Magruder district," Morton Brigham states. "Logging would be mainly on the northern slopes and the elk don't use these slopes for winter range. And winter range is what is needed. If the Forest Service sets up buffer zones along the Selway and other streams—as they say they will do—no logging will take place in the zones. Therefore, no browse will be provided in areas where elk concentrate in the winter."

Brigham based his conclusions on personal observations—he's hunted the Selway for years—and on the 1956–57 winter survey of big game made by Norberg. Almost 7,000 elk were counted in the Selway drainage, and fewer than 600 of these were above White Cap Creek and only 186 above the Magruder Ranger Station. Logging is proposed for these areas.

Roadbuilding and logging could also be a disturbing influence on the bands of mountain goats and bighorns. Present access roads are more than adequate, Brigham believes, for entry into the wilderness area. At any rate, roads become snowed in early in the Selway country, so they can be used only during the early part of the big game season.

A large number of western Senators and Representatives have taken an active interest in the Upper Selway problems, including Representative ARNOLD OLSEN of Montana, Senator MAURINE NEUBERGER, of Oregon, and Senator FRANK CHURCH, of Idaho.

In a recent letter to this reporter, Senator CHURCH wrote: "I have just completed writing a long letter to the Secretary of Agriculture asking for a detailed explanation as to why the area was left out by the Forest Service and also asking for some definite answers as to Forest Service plans for the Upper Selway. I have, as you know, had the wild river designation for the Selway extended from the Magruder Ranger Station to Thompson Flat, which I think will afford the area some added protection.

"I stressed to the Secretary that the effectiveness of the wild river category for the Selway could be impaired unless proper conservation methods are applied in the watershed."

Are proposed Forest Service plans "proper conservation methods?" The economic returns of the dribble of timber in the Upper Selway do not seem to justify the great risks to other more important resources in the area. The deletion of area E from wilderness protection in the first place is highly questionable.

Like any Government bureau with large responsibilities, the Forest Service is subject to pressure from all sorts of conflicting interests. And even within the Forest Service itself, opinions as to what should be done with the Upper Selway are by no means unanimous. The decisions being made at the administrative level are privately opposed by some Forest Service people down the line.

That is not unusual; what is surprising is the Forest Service's apparent reversal in this case of a time-honored policy. The concept of wilderness preservation has been a part of Forest Service tradition since 1924, when a wilderness type unit was established in New Mexico's Gila River National Forest. It was a long step forward in the history of conservation, for few people then shared the Forest Service's view of the need to retain a part of primitive America.

Today the Forest Service has a tremendous responsibility in the guardianship of 54 wilderness areas and 34 primitive areas—plus the entire national forest system. Within 10 years the primitive areas must be reclassified under the Wilderness Act. Other Upper Selway situations will arise—in fact, there are many of them throughout the West right now.

Over in northeastern Oregon, the Minam River Canyon is a storm center; and in Montana the Middle Fork of the Flathead River, among other areas, is embroiled in controversy. These are not purely State or regional problems; they are national problems, for they involve the public lands and rivers which belong to all of the people of the United States.

These lands belong to future generations, too. We have to keep that in mind as the destiny of each area is decided. In the case of the Upper Selway, conservationists feel that too many questions remained unanswered. Time, they say, is needed for impartial surveys of the area's economic and recreational resources and for public discussion of the issues.

THE BALTIC STATES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, for nations which have existed for centuries, a span of 25 years in their history is a very short period, indeed. But that period is excessively long when foreign elements illegally impose their will upon a helpless people and take over the functions of government.

Such is the fate of the Baltic States of Estonia, Latvia, and Lithuania which had solemn treaties with the Soviets that their borders and national independence would not be violated.

In spite of the pledged words of the Soviets, the Baltic countries were absorbed into the Soviet sphere 25 years ago this week. The first to fall was Lithuania when it was occupied by the Soviets on June 15. Latvia and Estonia fell into the hands of the Soviets 2 days later, June 17.

This action was accomplished through force of arms and illegal political acts, which the people of these countries could not overcome with objections and vigorous protests.

The illegal character of all governmental acts in these annexed Baltic States, after the occupation of them by the Soviet military forces was understood and officially noted by other governments, most resolutely and explicitly by the Government of the United States. On July 23, 1940, the Under Secretary of State, Sumner Welles, in an official statement said that the independence and territorial integrity of the Baltic States was "deliberately annihilated" by "devious processes." On the basis of these principles as outlined in this statement, the United States continues to recognize these Baltic States as independent nations and refuses to recognize the forceful annexation of them by the Soviet Union.

The attitude of the United States, with respect to this forced annexation into the Soviet Union of these Baltic States, was again restated by the then Secretary of State, John Foster Dulles, when on November 30, 1953, he said:

> The United States, for its part, maintains the diplomatic recognition which it extended in 1922 to the three Baltic nations. We continue to deal with their diplomatic and consular representatives who served the last independent governments of these states.

The peace-loving people of these Baltic States, like those of any other nation in the world, have the inherent right of self-determination. This has been denied to them through the continued occupation of their homeland by the Soviet aggressor, but they are continually striving to oust the oppressors and once again restore a government of their choice to power.

The present generation of the Baltic States knows no other ruling force except that of the Soviet. It is the fathers and mothers of the present generation who are the leaders in the fight to restore national liberty to the country and individual freedoms to its citizens.

In this fight for their self-determination we must continue to take an active role and take such action which will restore freedom and liberty to the people of Estonia, Latvia, and Lithuania.

We are, at present, determined that Communist forces do not occupy and dominate countries and areas on both hemispheres of this earth. Why then cannot we give greater impetus to free the Baltic States from Soviet occupation and rule?

Survival as a nation is the theme that dominantly runs strong through the hearts of the people of these Baltic nations.

The sacrifices and the tragic fate of these nations shall not have been in vain if this would sound to the free nations a warning of imminent danger of international communism and take action through the United Nations to discuss the Baltic States question. We, as Americans, believe that each nation and its people have the inherent right to a government of their own choice and we should put forth every effort to obtain a frank and open discussion as to the fate of these forcibly annexed nations.

We are fully aware of the importance of the Baltic States in the common struggle to eliminate Soviet aggression of independent nations. Let us rededicate ourselves to the restoration of liberty and self-determination of these illegally annexed nations and join with them in prayer that their just cause will be realized sooner than expected.

FISHING FLEET SHAKEDOWN

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, the other body today has overwhelmingly voted to amend the foreign aid bill in a manner highly important to our American fishing fleets.

By a vote of 59 to 24, the Senate adopted an amendment proposed by my fellow Californian [Mr. Kuchel]. It would withhold future aid from any nation illegally interfering with our fishermen on the high seas.

I strongly supported Senator Kuchel in this effort, Mr. Speaker, and I hope the amendment will be sustained when the foreign aid bill goes to House-Senate conference. I do not favor attaching strings to our foreign assistance; I do not even insist that recipient nations say "thank you." But neither do I think we should continue playing the chump with nations that continue to harass American fishermen in acts of official piracy.

Within the past 2 weeks, four tuna clippers have been apprehended by Peruvian warships while operating well outside the 12-mile limit. One of them, the San Diego-owned *Sun Jason*, was proceeding to shore to seek help for a sick crewman.

The latest assault on our fishing fleets comes almost exactly 2 years after similar difficulties in the waters off Ecuador. If Peru is permitted to use fines and license fees to shake down our boat owners, other Central and South American nations may be tempted to follow suit.

At the first sign of trouble last Friday, I asked my administrative assistant, Siegmund W. Smith, to fly to Peru and investigate the situation personally. Mr. Smith has already learned that our problems may stem from a change in Peruvian law which took effect April 30 of this year. It permits individual port commanders to keep a percentage of all fines and other penalties assessed within their jurisdiction. This, clearly, invites abuse in a manner similar to our own justice of the peace system, now happily outmoded.

As is well known, Mr. Speaker, our domestic fishing industry has suffered severe setbacks in recent years because of rising competition from other fish-producing countries. If that industry must add to its burdens the payment of tribute to competing nations without protection or assistance from Government, then we may quickly see its demise.

For the record, let me list the annual U.S. aid now channeled to Peru. That nation receives $28.6 million in general economic aid, $10.5 in military assistance, $14.7 in food for peace, $5.3 in emergency relief—and $3.7 from voluntary American relief agencies. Further, Peru is the recipient of a long-term loan of $28.2 million through the Export-Import Bank.

It must be made perfectly clear and binding, Mr. Speaker, that American generosity does have its limits—limits imposed by self-respect.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. Cunningham (at the request of Mr. Gerald R. Ford) for today on account of death in the family.

Mr. Macdonald (at the request of Mr. Boggs) for the remainder of the week on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Michel for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Barrett.

Mr. Cabell.

Mr. Michel.

(The following Members (at the request of Mr. Grover) and to include extraneous matter:)

Mr. Utt.

Mr. Cramer.

(The following Member (at the request of Mr. Boggs) and to include extraneous matter:)

Mr. Roybal.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 16. An act for the relief of Eugeninsz Lupinski; to the Committee on the Judiciary.

S. 68. An act for the relief of Mehdi Heravi; to the Committee on the Judiciary.

S. 130. An act for the relief of Felicidad Caletena; to the Committee on the Judiciary.

S. 207. An act for the relief of Dr. Jose S. Lastra; to the Committee on the Judiciary.

S. 248. An act for the relief of Violet Shina; to the Committee on the Judiciary.

S. 358. An act for the relief of Vladimir Gasparovic and Dragica Rendulic Gasparovic; to the Committee on the Judiciary.

S. 372. An act for the relief of Antonio Jesus Senra (Rodriquez) and his wife, Mercedes M. Miranda de Senra; to the Committee on the Judiciary.

S. 374. An act for the relief of Dr. Guillermo Castrillo (Fernandez); to the Committee on the Judiciary.

S. 454. An act for the relief of Lee Hyang Na; to the Committee on the Judiciary.

S. 517. An act for the relief of John William Daugherty, Jr.; to the Committee on the Judiciary.

S. 521. An act for the relief of Maria Gioconda Femia; to the Committee on the Judiciary.

S. 550. An act for the relief of Patrick Anthony Linnane; to the Committee on the Judiciary.

S. 551. An act for the relief of Richard Bing-Yin Lam; to the Committee on the Judiciary.

S. 573. An act for the relief of Dr. Sedat M. Ayata; to the Committee on the Judiciary.

S. 614. An act for the relief of Evangelia Moshou Kantas; to the Committee on the Judiciary.

S. 653. An act for the relief of George Paluras (Georgios Palouras); to the Committee on the Judiciary.

S. 678. An act for the relief of Lee Hi Sook; to the Committee on the Judiciary.

S. 703. An act for the relief of Kimie Okamoto Addington; to the Committee on the Judiciary.

S. 778. An act for the relief of Nicola Moric; to the Committee on the Judiciary.

S. 857. An act for the relief of Mrs. Styliani Papathanasiou; to the Committee on the Judiciary.

S. 1281. An act for the relief of Sister Maria Clotilde Costa; to the Committee on the Judiciary.

S. 1483. An act to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

S. 1495. An act to permit variation of the 40-hour workweek of Federal employees for educational purposes; to the Committee on Post Office and Civil Service.

S. 1496. An act to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

S. 1620. An act to consolidate the two judicial districts of the State of South Carolina into a single judicial district and to make suitable transitional provisions with respect thereto; to the Committee on the Judiciary.

S. 1698. An act to establish a procedure for a review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 58 minutes p.m.), the House adjourned until tomorrow, Tuesday, June 15, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1215. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 28, 1965, submitting a report, together with accompanying papers and illustrations, on an interim report on the Lincoln, Clifty Creek, and Patoka Reservoirs, Wabash River

Basin, Ind., and Ill., in partial response to resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 6, 1958, and April 20, 1948 (H. Doc. No. 202); to the Committee on Public Works and ordered to be printed with four illustrations.

1216. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 28, 1964, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Bayou Bodcau Reservoir, Bayou Bodcau, and Red Chute, Loggy, Black, and Cypress Bayous, Ark., and La., requested by resolutions of the Committee on Public Works, House of Representatives, adopted June 13, 1956, and May 23, 1957 (H. Doc. No. 203); to the Committee on Public Works and ordered to be printed with eight illustrations.

1217. A letter from the Comptroller General of the United States, transmitting a report of negotiation of noncompetitive fixed-unit-price contracts for procurement of helium-bearing gas without adequate determination of reasonableness of prices, Bureau of Mines, Department of the Interior; to the Committee on Government Operations.

1218. A letter from the Attorney General, transmitting a report relative to consenting to the renewal of the interstate compact to conserve oil and gas, pursuant to Public Law 88-115; to the Committee on Interstate and Foreign Commerce.

1219. A letter from the chairman, board of directors, Future Farmers of America, transmitting a report on the audit of the accounts of the Future Farmers of America for fiscal year ended June 30, 1964, pursuant to Public Law 88-504; to the Committee on the Judiciary.

1220. A letter from the Secretary of Commerce, transmitting a draft proposed legislation to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

1221. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports of visa petitions approved, pursuant to section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1222. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system, and for other purposes; to the Committee on Merchant Marine and Fisheries.

1223. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report relative to the transfer of $1,196,000 of fiscal year 1965 research and development funds to the construction of facilities appropriation, pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for fiscal year 1965 (78 Stat. 310, 311); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 10, 1965, the following bill was reported on June 11, 1965:

Mr. PATMAN: Committee on Banking and Currency. H.R. 8926. A bill to provide for the coinage of the United States; with amendment (Rept. No. 509). Referred to the Committee of the Whole House on the State of the Union.

[Submitted June 14, 1965]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: From the U.S. House of Representatives delegation to the 10th Conference of Members of Parliament From the NATO Countries. Report of the U.S. House of Representatives delegation to the 10th Conference of Members of Parliament From the NATO Countries, held in Paris, November 16–20, 1964 (Rept. No. 510). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 419. Resolution for consideration of H.R. 6927, a bill to establish a Department of Housing and Urban Development, and for other purposes; without amendment (Rept. No. 511). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 420. Resolution for consideration of S. 2089, an act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters; without amendment (Rept. No. 512). Referred to the House Calendar.

Mr. DENTON: Committee of conference. H.R. 6767. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 513). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 9019. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. DAWSON:

H.R. 9020. A bill to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel cost for applicants invited by a department to visit it for purposes connected with employment; to the Committee on Government Operations.

By Mr. FARBSTEIN:

H.R. 9021. A bill to amend title I of the Housing Act of 1949 to require that any rental or cooperative housing constructed in the redevelopment of an urban renewal area shall be designed for low- and middle-income groups; to the Committee on Banking and Currency.

By Mr. WILLIAM D. FORD:

H.R. 9022. A bill to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 9023. A bill to provide a uniform period for daylight saving time; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 9024. A bill to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9025. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MORGAN:

H.R. 9026. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H.R. 9027. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. NATCHER:

H.R. 9028. A bill to provide for retroactive awards of the Army's Combat Infantryman and Medical Badges and for awards of the Bronze Star Medal; to the Committee on Armed Services.

H.R. 9029. A bill to establish a 2-year period during which certain decorations may be awarded for acts or service performed during World War I, World War II, or the Korean conflict; to the Committee on Armed Services.

By Mr. OLSEN of Montana:

H.R. 9030. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. QUIE:

H.R. 9031. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. RONCALIO:

H.R. 9032. A bill to appropriate funds for a new shell for the Watergate and other concerts; to the Committee on Appropriations.

By Mr. TEAGUE of Texas (by request):

H.R. 9033. A bill to amend section 601 of title 38, United States Code, to provide that veterans in Alaska may be hospitalized for non-service-connected conditions in private facilities for which the Administrator contracts; to the Committee on Veterans' Affairs.

By Mr. FULTON of Pennsylvania:

H.J. Res. 508. Joint resolution relating to U.S. diplomatic relations with Republics of Ukraine and Byelorussia; to the Committee on Foreign Affairs.

H.J. Res. 509. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. POLANCO-ABREU:

H.J. Res. 510. Joint resolution reaffirming faith in, and support to, the United Nations; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H. Con. Res. 435. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H. Con. Res. 436. Concurrent resolution to grant relief for people of Baltic States; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

309. By Mr. HATHAWAY: Joint resolution of the 102d Maine Legislature urging upgrading of economy of Washington County; to the Committee on Public Works.

310. By the SPEAKER: Memorial of the Legislature of the State of Arizona, opposing

the passage of H.R. 8147 relating to reducing the existing tariff schedules; to the Committee on Ways and Means.

311. Also, memorial of the Legislature of the State of Connecticut, relative to the donation of Federal surplus property to State civil defense agencies; to the Committee on Government Operations.

312. Also, memorial of the Legislature of the State of Hawaii, relative to requesting that the Morrill Act be amended so as to enable States to invest their grants in corporate equities; to the Committee on Agriculture.

313. Also, memorial of the Legislature of the State of Louisiana, expressing opposition to the proposed elimination of the U.S. Army Reserve and reorganization of the National Guard; to the Committee on Armed Services.

314. Also, memorial of the Legislature of the State of Maine, relative to construction of a highway through Washington County, Maine; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 9034. A bill for the relief of Michael Buscemi; to the Committee on the Judiciary.

H.R. 9035. A bill for the relief of Anna Mastrangelo; to the Committee on the Judiciary.

By Mr. DORN:

H.R. 9036. A bill for the relief of J. M. Pendarvis, Jr.; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 9037. A bill for the relief of Barbara H. Jefferson; to the Committee on the Judiciary.

H.R. 9038. A bill for the relief of Herman James Young; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 9039. A bill for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation at the Columbia Basin project, Washington; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 9040. A bill for the relief of Mr. Ioannis Grimbilas; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 9041. A bill to restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

228. By the SPEAKER: Petition of Shasta County Board of Supervisors, Redding, Calif., relative to repeal of right-to-work laws; to the Committee on Education and Labor.

229. Also, petition of Henry Stoner, Fishing Bridge, Wyo., relative to the creation of a National Boxing Commission; to the Committee on the Judiciary.

SENATE

Monday, June 14, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. Metcalf).

Rev. Alexander Veinbergs, president, the Federation of Latvian Evangelical Lutheran Churches in America, Washington, D.C., offered the following prayer:

Dear Father, Creator of heaven and earth, on this day of 14th of June, when the three Baltic nations commemorate in sorrow the dreadful wave of violence against thousands of innocent people who were taken from their homes and loved ones and deported to mass slavery and mass graves in a far and unkind land, we thank Thee, O Lord, for the freedom we all enjoy here. We pray Thee, Lord, to protect this country and its people. Teach us to comprehend and accept Thy grace, which descends each new day upon us. Bless this Government—by the people, for the people, of the people. Guide with Thy gracious hand the work of this legislative body.

Help us to do more than to feel pity or sympathy for the oppressed: Help us to keep for ourselves, and help us to help others keep, faith—faith in Thee, faith in human dignity, faith in freedom and justice for all, through Thee. Help us to do the works of faith.

We pray with ardent hearts, O Lord: Save the world from hate. It was the ideology of hate, and the brutal force behind it, which robbed the three courageous, freedom-loving Baltic nations of their national independence 25 years ago this week and this summer. In the spirit of the One who first prayed "Father, forgive them," we pray for those who cause malice and suffering—then and there or now and everywhere. If it is done, and may still be done tomorrow, in the name of false gods, help us and help the world to overthrow those gods. Help us to witness with words and deeds:

"How great are Thy works, O Lord!
Thy thoughts are very deep!
The dull man cannot know, the stupid cannot understand this:
That, though the wicked sprout like grass and all evildoers flourish,
They are doomed to destruction forever,
But Thou, O Lord, art on high forever."

Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 11, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on June 11, 1965, the President had approved and signed the act (S. 800) to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 400. Concurrent resolution to provide for printing additional copies of House document entitled "Documents Illustrative of the Formation of the Union of the American States";

H. Con. Res. 411. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y., Area," 88th Congress, 1st session;

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House report No. 1739, 88th Congress, 2d session, entitled "Annual Report for the Year 1963, Committee on Un-American Activities";

H. Con. Res. 413. Concurrent resolution authorizing the printing of additional copies of "Violation of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States," parts 1 through 5;

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area," 88th Congress, 2d session;

H. Con. Res. 415. Concurrent resolution authorizing the printing as a House document of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, and of additional copies thereof; and

H. Con. Res. 428. Concurrent resolution authorizing the printing of a revised edition of "History of the House of Representatives," and for other purposes.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 400. Concurrent resolution to provide for printing additional copies of House document entitled "Documents Illustrative of the Formation of the Union of the American States";

H. Con. Res. 411. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y., area," 88th Congress, 1st session;

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House Report No. 1739, 88th Congress, 2d session, entitled "Annual Report for the Year 1963, Committee on Un-American Activities";

H. Con. Res. 413. Concurrent resolution authorizing the printing of additional copies of "Violation of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States," parts 1 through 5;

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area," 88th Congress, 2d session;

H. Con. Res. 415. Concurrent resolution authorizing the printing as a House document of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, and of additional copies thereof; and

H. Con. Res. 428. Concurrent resolution authorizing the printing of a revised edition of "History of the House of Representatives," and for other purposes.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar under rule VIII was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON LOAN TO LOWER COLORADO RIVER AUTHORITY, AUSTIN, TEX.

A letter from the Acting Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, on the approval of a loan to the Lower Colorado River Authority of Austin, Tex., in the amount of $12 million, to finance certain generation facilities (with an accompanying paper); to the Committee on Appropriations.

CLARIFICATION OF RESPONSIBILITY FOR MARKING OF OBSTRUCTIONS IN NAVIGABLE WATERS

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to clarify the responsibility for marking of obstructions in navigable waters (with accompanying papers); to the Committee on Commerce.

PROPOSED LEGISLATION RELATING TO DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON ADMINISTRATION OF FOREIGN AGENTS REGISTRATION ACT OF 1938

A letter from the Attorney General, transmitting, pursuant to law, his report on the administration of the Foreign Agents Registration Act of 1938, as amended, for the calendar year 1964 (with an accompanying report); to the Committee on the Judiciary.

S. SGT. ROBERT E. MARTIN

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired) (with an accompanying paper); to the Committee on the Judiciary.

CONCURRENT RESOLUTION OF ARKANSAS LEGISLATURE

The ACTING PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Arkansas, which was referred to the Committee on Armed Services, as follows:

HOUSE CONCURRENT RESOLUTION 3

Resolution condemning the termination or appreciable reduction in the Army Reserve program

Whereas the maintenance of well-trained professional Armed Forces supported by such civilian components as the Army Reserve and the National Guard has proven wise throughout the history of this country; and

Whereas although our standing professional Armed Forces are the best in the world today, the people of this country will not tolerate, and it is not economically feasible, to maintain full-time professional Armed Forces adequate to meet any crisis that might arise; and

Whereas our standing professional Armed Forces can provide this country with an adequate defense only when supported by well-trained civilian components such as the Army Reserve and the National Guard; and

Whereas the Secretary of Defense of the United States has recently instituted a program which, if carried into effect, may result in abolishing the Army Reserve and in a substantial reduction of the National Guard program; and

Whereas it is believed that the termination of the Army Reserve program and the National Guard program would seriously endanger the defense of this country: Now, therefore, be it

Resolved by the house of representatives of the 1st extraordinary session of the 65th General Assembly of Arkansas (the senate concurring therein):

SECTION 1. The Arkansas General Assembly hereby expresses its sincere opposition to any action which will or may result in the termination of the Army Reserve program and/or any action which will result in any appreciable reduction in the National Guard.

SEC. 2. The secretary of state is hereby directed to transmit a certified copy of this resolution to the Secretary of the Senate of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2176. An act to authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes (Rept. No. 322).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 24. A bill to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes (Rept. No. 319);

S. 1576. A bill to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Mo., and for other purposes (Rept. No. 320); and

H.R. 3165. An act to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes (Rept. No. 321).

By Mr. SIMPSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 1065. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes (Rept. No. 327).

By Mr. HAYDEN, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1285. A bill to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926 (Rept. No. 323).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, with amendments:

S. 1582. A bill to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of August 16, 1962, 76 Stat. 388) (Rept. No. 326).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 8371. An act to reduce excise taxes, and for other purposes (Rept. No. 324).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S. 998. A bill to extend the term during which the Secretary of the Interior is authorized to make fisheries loans under the Fish and Wildlife Act of 1956, and for other purposes (Rept. No. 325).

EXECUTIVE REPORTS OF COMMITTEE ON FOREIGN RELATONS

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in Foreign Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER (Mr. BASS in the chair). Without objection, it is so ordered.

The nominations are as follows:

Burnett F. Anderson, of the District of Columbia, and sundry other persons, for appointment in the Foreign Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS:

S. 2132. A bill to amend section 301 of the Labor-Management Relations Act, 1947, so as to make the Norris-La Guardia Act inapplicable to certain injunctive proceedings;

S. 2133. A bill to amend section 9(c) of the National Labor Relations Act so as to provide for the holding of representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence;

S. 2134. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; and

S. 2135. A bill to amend the Labor-Management Relations Act, 1947, and the Railway Labor Act with respect to emergency labor disputes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bills, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 2136. A bill to amend section 3 of the John F. Kennedy Center Act to provide for relocation payments to certain displaced persons, business concerns, and nonprofit organizations; to the Committee on Public Works.

By Mr. CASE:

S. 2137. A bill to amend the rules pertaining to the display and use of the flag of the United States by requiring the display thereof whenever the flag of a State, or of a political subdivision thereof, or the flag or pennant of a society is displayed; to the Committee on the Judiciary.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY (for himself and Mr. Mondale):

S. 2138. A bill to consent to an agreement between the State of Minnesota and the Province of Manitoba, Canada, providing for an access highway to the Northwest Angle in the State of Minnesota, and to authorize the Secretary of Commerce to pay Minnesota's share of the cost of such highway; to the Committee on Foreign Relations.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

Mr. MAGNUSON (by request):

S. 2139. A bill to amend section 202 of the Federal Power Act, as amended, to encourage and facilitate the construction of extra-high voltage electric transmission lines in the public interest; and

S. 2140. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under a separate heading.)

S. 2141. A bill to amend section 204 of the Communications Act of 1934 in order to place the burden of proof upon the carrier to justify revised tariff schedules in the manner now provided for new tariff schedules, and to extend from three to nine months the period during which the Commission may suspend such new or revised schedules; and

S. 2142. A bill to simplify the admeasurement of small vessels; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. McCARTHY (for himself and Mr. Mondale):

S. 2143. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 2144. A bill to establish Cedar Breaks National Monument as Cedar Breaks National Park; to the Committee on Interior and Insular Affairs.

RESOLUTIONS

DECLARATION OF EASTERN ORTHODOX CHURCH AS A MAJOR FAITH IN THE UNITED STATES

Mr. CASE (for himself and Mr. Javits) submitted a resolution (S. Res. 115) declaring the Eastern Orthodox Church to be a major faith in the United States, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. Case, which appears under a separate heading.)

COMMENDATION OF MARGARET CHASE SMITH OF MAINE FOR HER DEVOTION TO DUTY AS SENIOR SENATOR FROM THAT STATE

Mr. DIRKSEN (for himself and Mr. Mansfield) submitted a resolution (S. Res. 116) commending Margaret Chase Smith of Maine, for her devotion to duty as senior Senator from that State, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Dirksen, which appears under a separate heading.)

AMENDMENT OF U.S. FLAG CODE

Mr. CASE. Mr. President, I introduce, for appropriate reference, a bill to amend the U.S. Flag Code.

It is particularly appropriate that this bill should be introduced at this time, because today, June 14, is Flag Day. All over the country, the Stars and Stripes will fly from porches and in front yards, as citizens honor their Nation's flag. I am sure that it will be flown by patriotic Americans in Alabama, as in every other State. But it will not fly from the top of the State capitol building in Montgomery.

During the civil rights march from Selma to Montgomery, many citizens were shocked to note on television that no U.S. flag flew over the Alabama State capitol. Instead, the building was crowned by a Confederate flag and an Alabama State flag. The U.S. flag was relegated to a separate pole elsewhere on the capitol grounds. Some sources inform me that the U.S. flag is flying below the State and Confederate flags.

This affront to our national flag prompted numerous letters to my office, urging corrective legislation. After some study, I am today introducing a bill to amend the U.S. Flag Code, which lists rules and customs pertaining to the display and use of the U.S. flag.

The amendment provides that no flag of a State or other political subdivision and no flag or pennant of a society shall be flown or displayed unless it is flown or displayed with the U.S. flag, and reemphasizes that no such flag may be placed above or to the right of the U.S. flag.

This simple change will make it clear that the American people expect the Stars and Stripes to have the position of honor at all public gatherings and in all public places.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2137) to amend the rules pertaining to the display and use of the flag of the United States by requiring the display thereof whenever the flag of a State, or of a political subdivision thereof, or the flag or pennant of a society is displayed, introduced by Mr. Case, was received, read twice by its title, and referred to the Committee on the Judiciary.

AGREEMENT BETWEEN THE STATE OF MINNESOTA AND THE PROVINCE OF MANITOBA, CANADA

Mr. McCARTHY. Mr. President, for myself and my colleague from Minnesota [Mr. Mondale], I introduce a bill to provide consent to an agreement between the State of Minnesota and the Province of Manitoba, Canada, providing for an access highway to the Northwest Angle in the State of Minnesota, and to authorize the Secretary of Commerce to pay Minnesota's share of the cost of this highway.

For a number of years, the State of Minnesota and the Province of Manitoba have worked to establish an access route to the geographically isolated section of land in Minnesota, known as the Northwest Angle. This section of land, 150 square miles, is divided from the rest of the State by the west end of Lake-of-the-Woods and the southeast corner of Manitoba. It contained the most northern point in the United States, until the time of Alaska's entry into the Union.

Because of its geographic isolation, travel to the Northwest Angle has been difficult, restricted to boat, plane, or over ice of the Lake-of-the-Woods in winter.

To meet this restrictive problem, the State of Minnesota and the Province of Manitoba, in negotiations authorized and approved by Congress, and by the State of Minnesota, have agreed upon the joint construction of a 32-mile highway from the Minnesota-Manitoba border, north of Warroad, Minn., around the west end of the Lake-of-the-Woods to the western boundary of the Northwest Angle.

The agreement specifically states that its provisions shall not be binding on the State of Minnesota without the approval of Congress. The bill, Senator Mondale and I are introducing today requests approval and seeks authorization of an appropriation to pay Minnesota's share of the cost of the highway.

It is proposed that this road would in time be connected with the Great River Road along the Mississippi River and thus link this highway running the full length of the United States from south to north with our neighbor, Canada.

The Northwest Angle Road will not only serve the growing population of the Upper Midwest by providing a normal route for safe travel but it will permit convenient access for travelers from any part of the Nation to utilize this unique area for recreational purposes.

The proposal to construct the Northwest Angle Road as an extension of the Great River Road was endorsed by the representatives of the 10 States bordering the Mississippi River who serve on the Mississippi River Parkway Commission, at the meeting of the commission in St. Louis last September 27–30.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2138) to consent to an agreement between the State of Minnesota and the Province of Manitoba, Canada, providing for an access highway to the Northwest Angle in the State of Minnesota, and to authorize the Secretary of Commerce to pay Minnesota's share of the cost of such highway, introduced by Mr. McCarthy (for himself and Mr. Mondale), was received, read twice by its title, and referred to the Committee on Foreign Relations.

PROPOSED AMENDMENTS TO FEDERAL POWER ACT

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, two bills relating to the construction of extra high voltage electric transmission lines and for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce. I ask unanimous consent that the letter of the Chairman of the Commission requesting the proposed legislation and statements concerning Federal Power Commission jurisdiction over extra high voltage transmission lines be printed in the Record.

The **PRESIDING OFFICER.** The bills will be received and appropriately referred; and, without objection, the letter and statements will be printed in the Record.

The bills, introduced by Mr. Magnuson, by request, were received, read twice by their titles, and referred to the Committee on Commerce, as follows:

S. 2139. A bill to amend section 202 of the Federal Power Act, as amended, to encourage and facilitate the construction of extra-high voltage electric transmission lines in the public interest; and

S. 2140. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce.

The letter and statements presented by Mr. Magnuson are as follows:

Federal Power Commission,
Washington, D.C., April 16, 1965.

Re draft bills to amend the Federal Power Act with regard to the construction and operation of extra-high-voltage transmission lines.

Hon. Hubert H. Humphrey,
President, U.S. Senate,
Washington, D.C.

Dear Mr. President: I am transmitting herewith for consideration by the appropriate committee of the Senate 20 copies each of two draft bills, accompanied by supporting statements, which would amend the Federal Power Act with regard to the construction and operation of electric transmission lines designed to operate at a voltage higher than 200 kilovolts, commonly referred to as "extra high voltage" or "EHV" lines.

The draft bills are designated as A and B for convenience in identification. Draft A is recommended by Commissioner O'Connor and me, and draft B is recommended by Commissioners Black and Ross. Both draft bills are intended to enable the Federal Power Commission to make a positive contribution to the coordination and guidance of EHV construction. They differ in that draft A confers upon the Commission a responsibility for advice and guidance but leaves final decision in the hands of the constructing agencies, public and private, while draft B confers final authority upon the Commission. We hope that submission of these alternative drafts, based upon somewhat different viewpoints, will contribute to congressional consideration of this important problem.

Respectfully,

Joseph C. Swidler,
Chairman.

Statement of Chairman Swidler and Commissioner O'Connor in Support of Proposed Bill (Draft A) Concerning Federal Power Commission Jurisdiction Over Extra-High-Voltage Transmission Lines

The past decade has seen remarkable improvement in the technology of extra-high-voltage (EHV) electric power transmission, making it possible to transmit larger quantities of electric energy with greater economy and for greater distances. As a result, economical long-distance transmission over EHV lines of as high as 750 kv is today a reality. As the Commission pointed out in the national power survey report "EHV transmission has thus enlarged the marketing area for large blocks of low-cost generation and has also increased the long-standing advantages of interconnecting power systems into power pools covering ever broader geographical areas" (p. 1).

The need for governmental review and coordination of the proposed EHV transmission lines was first brought to the attention of Congress during the 87th Congress when companion bills were introduced by Representative Moss and the late Senator Engle to provide that EHV lines could not be constructed by public utilities subject to FPC jurisdiction until they were certificated by the Commission.

Since the introduction of the Moss-Engle bills this Commission has given the subject a great deal of study both independently and in conjunction with the national power survey. The need for legislation to accelerate the construction of EHV lines has been highlighted recently by the recommendation of the legal advisory committee to the national power survey composed of leading attorneys from all segments of the electric power industry. The committee stated that:

"Consideration should be given to amending the Federal Power Act to provide that an entity desiring to participate in the construction of an interstate transmission line for the purpose of power pooling, or interchange, could secure a license for such a line from the Federal Power Commission which would permit such an entity to condemn the necessary rights of way (National Power Survey Report, vol. II, p. 386).

We are submitting a draft bill which we believe meets the regulatory needs without inhibiting construction of EHV lines in the public interest. In substance the proposal would empower the Commission to serve as a forum to coordinate EHV construction in the public interest. To accomplish this objective the draft bill would authorize the Commission to subject all EHV proposals to critical comments by all interested persons and to scrutiny by the Commission before construction commences but would not subject proposals to the delays inherent in full certification powers. The bill would thus be an extension of the Commission's existing authority under section 202(a) of the Power Act to encourage the voluntary interconnection of power systems.

Under the draft bill any person constructing EHV lines, or lines which could thereafter be converted to EHV, would be required to file with the Commission plans and specifications for the lines. Interested persons would be notified of the filing and they would be afforded the opportunity to comment upon the proposed lines. Hearings or informal conferences could be held by the Commission where the proposal could be publicly examined in light of the views and needs of all interested parties. Within a maximum period of one year the Commission and interested parties could scrutinize the proposals and suggest changes before construction could be commenced, unless the Commission sooner approved the project as being best adapted to serve the public interest.

An applicant whose plans received Commission approval could exercise the right of eminent domain in the Federal district courts to condemn rights-of-way needed for such lines, and if desired could utilize the declaration of taking procedure (under which title passes upon the filing of the declaration, subject to later judicial determination of the amount due as just compensation). This provision would carry out the recommendation of the Legal Advisory Committee to the National Power Survey, mentioned earlier. At the end of the one-year period an applicant could proceed with construction even if no Commission approval had been granted, but in such case without benefit of Federal condemnation authority.

Even if a public utility were to decide to proceed with the construction of an EHV line without Commission approval, the draft bill provides a means to enable the Commission to assure that all parties would share equitably in its benefits through interconnections with the power pool at appropriate voltage levels. The proposed bill would authorize the Commission to order interconnections "on its own motion," subject to the limitations in section 202(b) which assure fair treatment to all parties. This proposed amendment to section 202(b) would authorize the Commission to take the initiative in the public interest not only with regard to EHV lines but also to interconnection of any electrical facilities. The proposal is adopted in its entirety from a prior unanimous legislative recommendation of the Commission.

The essence of the draft bill, therefore, is to encourage EHV construction which meets the public interest standard set forth therein, to allow a period of time to work out satisfactory arrangements among all the interested parties, to continue the present system under which primary service responsibility rests with the respective electric enterprises, to provide assurance that construction can proceed on a fixed timetable and without undue delay in order to meet the growing demand for electricity, and to provide the Commission with authority to assure access to low-cost power by all power systems large or small.

The cooperative procedures we propose would permit Federal participation in the early planning stages of proposed EHV transmission lines and would give all interested parties a public forum for considering the merits of the proposal. At the same time the regulatory delays and uncertainties inherent in certification proceedings would be avoided.

The bill would confer exclusive jurisdiction on the Federal Power Commission over the matters within its scope, thus encouraging construction of EHV lines by simplifying and clarifying such regulatory procedures as may be necessary and by fixing ultimate regulatory responsibility in the hands of a single regulatory agency. Consistent with this objective the draft bill would make EHV lines located within public lands or reservations subject only to such reasonable supplemental conditions as may be adopted by the department supervising the lands and approved by the FPC.

We have considered the alternative of forbidding the construction of any EHV line unless they are approved by the FPC and have concluded that such compulsory authority is not needed at this time. We believe the recent history of progress in EHV construction provides a sound basis for assuming that the public interest can best be served by principal reliance on a cooperative responsibility to be vested in the Commission and an inducement by way of Federal condemnation rights for approved projects. While we cannot be sure that the voluntary approach will prove adequate, we think it should be tried first because it offers far more promise of benefits to consumers by accelerating the construction of EHV lines.

We are of the view that compulsory authority at this time might well retard rather than encourage construction of needed EHV lines because of the danger of extended delays while the Commission attempted to resolve the complex and controversial issues in these cases and while the courts reviewed the Commission's decisions.

While great advances have been made in EHV technology in the past few years, we are still witnessing spectacular advances. Such rapid technological progress poses difficult problems in trying to arrive at informed technical judgment. For example, the Commission is not equipped to determine whether a particular line should be a.c. or d.c., whether it should be one voltage or another, and at what particular locations and to what extent new loads may be anticipated. We believe the final responsibility for making these judgments should be left to the enterprises in each of the regional systems which will make the necessary investments, after consultation under Commission auspices with all the power suppliers which may be affected. This is a situation which calls for compromise and cooperation, under public scrutiny and encouragement, but without destroying the responsibility of the parties.

EHV lines are the key to system growth and a veto power over their construction could seriously affect the relative growth of the various segments of the industry. In the absence of evidence of damage to the public interest, the power to effect such institutional changes should be left to the parties, to the communities which are involved, or to Congress and State legislatures.

It is important to remember that the bill does not apply to transmission lines below the specified voltage, but only to facilities which are normally parts of interstate networks. The needs for added increments of power capacity year by year are so insistent that many companies, faced with the prospect of indefinite delays under a certification procedure, might well be forced to build facilities at lower voltages in order to gain exemption from certification requirements, even though at substantially higher costs. To force such a choice would not be in the interest of power companies or their consumers.

We believe the legislation we propose will permit concentration of our efforts on the broad public interest aspects of new EHV lines, working in cooperation with all the parties concerned. It will encourage the construction of EHV facilities which this country needs, under conditions of public scrutiny and control which we believe are likely to prove adequate to protect the public interest.

JOSEPH C. SWIDLER,
Chairman.
LAWRENCE J. O'CONNOR, Jr.,
Commissioner.

Statement of Commissioner Black in Support of Proposed Bill (Draft B) Concerning FPC Jurisdiction Over EHV Transmission Lines

I am in accord with the objectives of H.R. 2072 and S. 1472 (89th Cong.), which would provide the Federal Power Commission with certificating authority over extra-high-voltage transmission lines operating in interstate commerce.

We are now witnessing the development of vast electric system interconnection, coordination and pooling. This expanding integration of electric systems in the United States can, if planned and carried out with the public interest a prime consideration, save the electric consumers billions of dollars a year by 1980. If this desirable result is to be achieved, however, it is essential that the Federal Power Commission or some disinterested public agency be provided with the necessary authority to assist the electric power industry toward its accomplishment. I consider it essential in order that the public interest be fully protected that the law provide the Commission with meaningful authority to issue or deny certificates of public convenience and necessity for proposed EHV construction as set forth in the attached draft bill. This bill adopts the basic approach of the legislation introduced by Representative Moss and Senator METCALF with certain changes.

Chairman Swidler and Commissioner O'Connor have suggested legislation providing essentially for a voluntary type of certificating authority. Their approach would permit any person to construct EHV transmission lines in interstate commerce whether or not best suited to the public interest.

Without the authority to certificate or refuse certification of EHV transmission facilities operating in interstate commerce, we have nothing but the appearance of regulation. While the exercise of the Commission's powers of persuasion, which my colleagues' suggested draft contemplates, might well be effective in some instances to bring together differing interests and produce a desirable result which would otherwise not be accomplished, there is no reason to believe that in many cases an applicant is going to substantially alter its plans merely because this Commission holds meetings and conferences and expresses its wishes. Nor do I believe that granting or withholding the power of eminent domain under Federal law would, by itself, provide sufficient inducement, or leverage, or what have you, to produce a different plan than the applicant had previously decided upon.

My colleagues' approach is objectionable for an additional reason. They suggest that the Commission lacks the ability to make the difficult determinations involved in a decision to grant or deny a certificate. Yet they would require the Commission to exercise the same degree of expert judgment and to perform substantially the same duties that compulsory certificating authority would entail, but without any meaningful authority to translate these efforts into the result the Commission deems appropriate and best adapted to serving the public interest. We will, under their suggested legislation, be expected to commit ourselves as an administrative agency to endorsing plans for the construction of EHV transmission lines or come up with a plan of our own. If we are competent to do this, the Commission is competent to take the necessary action to assure the construction of the facilities we have determined to be consistent with the public convenience and necessity and on the terms and conditions which will best advance the public interest. We have conducted rather a futile exercise if we must go through all the steps of passing upon a proposal for a major transmission facility and then must sit idly by while our recommendations are ignored.

Chairman Swidler and Commissioner O'Connor assert that delays attributable to the formal administrative process might retard the construction of needed EHV lines and that this Commission's power to veto such construction could adversely affect the relative growth of the different segments of the industry. In order to avoid this result, my colleagues would vest final authority over decisions relative to EHV transmission line construction in the sole discretion of utility management. It is suggested that such an approach constitutes abdication of this agency's fundamental public service responsibilities. The arguments with which Chairman Swidler and Commissioner O'Connor support their proposal can be, and frequently are, advanced by those who oppose regulatory control altogether. The concern expressed that exercise of regulatory authority over development of EHV construction might effect changes in the institutional makeup of the industry is not supported. Surely, our colleagues would not argue that the exercise of our existing licensing jurisdiction over hydroelectric projects, for example, has damaged the orderly development of the electric power industry or that delays attributable to the administrative process have inhibited the construction of such projects and the development of our water power resources.

Neither the judgment of management nor that of the Federal Power Commission is sacrosanct or infallible. But this agency exists solely to advance the public interest. Our judgment, as an independent and disinterested entity, is not influenced by the considerations and interests which necessarily and properly motivate the utility industry—considerations and interests which may, however, not always be entirely consistent with the public convenience and necessity. In this era of rapidly expanding technology, the Nation needs assurance that EHV transmission grids will not become vehicles of discrimination between areas of service and classes of customers, nor tools to effect fundamental changes in the organizational makeup of the electric power industry. We need more than inducement and persuasion to provide the necessary safeguards.

I feel that S. 1472 and H.R. 2072, modified as hereafter outlined would more nearly meet the objectives expressed by my colleagues than the draft legislation which they offer as a substitute. A principal purpose of these proposed changes is to define the bill's applicability to all segments of the industry, public and private. These changes are essential if the bill is to achieve its intended purpose of encouraging the orderly development of effective, efficient, and economic transmission systems and interconnections. Further, it is appropriate to afford developers of certificated facilities the advantages and flexibility which can be achieved through the expeditious process of Federal condemnation and the declaration of taking powers.

The proposed changes would: (1) Reduce the voltage capacity of facilities encompassed from 230 kilovolts to 200 kilovolts; (2) make the bill applicable to modification of existing facilities into EHV capacities; (3) specify the filing requirements and eliminate the requirement that such be under oath; (4) establish a legislative standard for certificating such facilities to insure that all transmission needs of an area would be served; (5) extend its applicability to public bodies; and (6) grant certificate holders the Federal condemnation rights, including declaration-of-taking proceedings. In all other significant aspects the legislation proposed by Congressman Moss and Senator METCALF would remain unchanged.

I attach a draft bill incorporating these suggested changes.

DAVID S. BLACK,
Commissioner.

Statement of Commissioner Ross in Support of Proposed Bill (Draft B) Concerning FPC Jurisdiction Over EHV Transmission Lines

I concur with the remarks of Commissioner Black supporting draft B and disagree with my colleagues that the voluntary approach is satisfactory.

In discussing the issue of certification of extra-high-voltage transmission lines, it is useful to determine first the present statutory requirements and their history and analyze whether such laws adequately protect the public interest.

The first real recognition of the problems arising from the construction of extra-high-voltage transmission interstate grids and the implications thereof is set forth in Gifford Pinchot's message of transmittal with the report of the Giant Power Survey to the General Assembly of the State of Pennsylvania in February 1925. In essence, Pinchot suggested that the vast interconnections he foresaw must be controlled by the public if the growing needs of humanity are to be served. As he said, "The question is whether we shall regulate it or whether it shall regulate us."

It was not until 1935 that this problem was squarely presented to Congress. At that time, an attempt was made to require certification of transmission facilities by the Federal Power Commission. However, the state of the art had not, at that time, progressed to the point where the Congress saw fit to enact such legislation.

It should be remembered, however, that by 1960 many States (40) had insisted upon the right not only to authorize interconnections, but 29 States possessed the authority to require interconnections. Thus, we see that already many States have certification legislation of the type now proposed. The mere existence of such State legislation admittedly is not a good precedent for advocating Federal certification power unless such laws have served a useful public purpose in their limited sphere, and unless such laws are inherently incapable of effectively protecting the public when vast interstate connections are involved. It is to be noted, however, that State certification has apparently been something under which the industry could live.

The snowballing growth of power pools with the EHV interconnections is a new phenomenon. Prior to this time, the power of the States to authorize interconnections and to require them has been extremely useful. Among the beneficial results have been the elimination of duplication, the provision of an opportunity to standardize voltages, insurance of the fullest utilization of existing rights-of-way, the settlement of conflicts between electric systems desiring to interconnect, the identification of uneconomic lines before funds were committed and the granting of a forum to the public in which the necessity of such lines and the route could be determined before the right of eminent domain was granted. In addition, there were growing demands within the States to insist upon a joint-use concept in order to minimize the unnecessary taking of land and in order to make the greatest economic use of the land already taken.

While there have been some instances of delays in seeking such certification, the utilities have long ago adjusted their planning so as to take this into consideration. Furthermore, any arbitrary bureaucratic abuse of such power has been rare. Even in that event, the decisions are appealable to the courts of law.

Thus, we see that the very thing sought for here has been a way of life in the utility field for years. It has been accepted in the public interest and the results were generally considered good even though in many cases, the State Commissions were and still are understaffed.

Bearing this in mind, what possible reasons can there be given to justify a Federal statute? Federal intervention should be a last resort under our system of government. There are certainly those who will quarrel with the necessity of this type of bill.

However, upon reflection, it should be apparent that the changing character of the electrical industry poses almost insurmountable problems to effective State regulation. This is no indictment of State control but rather a recognition that interstate networks are no longer local problems. Nor are such problems regional. As the National Power Survey has pointed out, not only are regions interconnecting within their own areas but regions themselves are becoming increasingly reliant upon their neighbors. The very benefits sought and achieved to a substantial extent under State regulation now become the goals of interstate regulation. The people of Vermont, for example, are interested in the transmission networks of New York and the rest of New England. Their rates directly and indirectly depend upon the development of adequate interstate pools. The most efficient development of these pools demand that the interests of adjoining States be considered. Let us also not forget the experience of the Pacific coast. The intertying of that area necessitated a regional interstate approach. A network for Oregon is not necessarily the best network for the Pacific coast.

Very bluntly, as most people in the power business realize, it is no longer the parties who control generation that controls the industry—it is the parties who control the transmission, the arteries of the industry, that control the destiny of the millions of ratepayers of this Nation. With the ever-threatening rivalry between public, private, and Federal transmission systems, it should be obvious that there should be some instrumentality to referee the building of the proper interconnections and to insure against a needless duplication of facilities. Furthermore, there has to be some method under which the retail sellers, whether private, public, or Federal, can be guaranteed the right to use these facilities at a reasonable cost. Otherwise, these very same retail sellers will be at the absolute mercy of the owners of the transmission systems. If there is any justification at all for the maintenance of the status quo in the current lineup of public, private, and Federal systems, which I believe there is, then such a bill as this is necessary. See also the reasons listed in the Commission's report on the Holland-Smathers bill, S. 218.

The very complexities of interties militate for Federal supervision. In my opinion, if there is to be a choice as to voltage or route or whether there should be an interconnection at all or the timing thereof, only an independent agency such as the Federal Power Commission can adequately weigh the public interest factors and determine the resulting impact on the affected areas and the consumers therein. In fact, that is the very thing this Commission is doing in the Consolidated Edison case, project No. 2338. Our jurisdiction in that case stems from the fact that the transmission lines are primary lines and thus a part of the licensed project which requires our approval. In this connection, these are the important factors to be considered in ordering an interconnection under present law if an interested party requests a hearing.

There is another factor not to be overlooked, namely, the right of the interested parties, including the public at large, to a hearing on the record with the right of intervention in determining the proper feasibility and location of EHV lines. In most situations the case will probably be decided quickly and expeditiously without a hearing, as we do in many gas certificate hearings. The engineering testimony of the company will often serve as an adequate basis for such a certificate. However, in the big case, the controversial case, the Commission can then serve as the umpire. The parties will be able to present their own views. True, this may delay the proceeding but who are we to say that delay should outweigh the inherent rights of the public to a forum. This is the time when the matter should be settled in the open, not informally between staff and the company.

With the acquisition of right-of-way becoming increasingly difficult to secure, with more and more local and State governing bodies such as zoning and planning agencies becoming involved, and with the local homeowners increasingly fearful of arbitrary taking under the guise of electrical interstate needs, the necessity of a forum becomes indisputable. The Federal right of condemnation is either helpful or it is not. If it is, then the quid pro quo would be the approval of the Federal Power Commission, the agency most capable of judging the public interest, not an operating body, private, public, or Federal.

In conclusion, the construction of EHV transmission lines in order to adequately interconnect adjoining utility systems with the resulting savings to the consumer as projected by the National Power Survey is so impressed with the public interest, that either this Nation will regulate them on a public interest basis or the evils resulting from a laissez-faire approach will ultimately lead the Nation itself to build, own and operate all extra-high-voltage transmission lines.

CHARLES R. ROSS,
Commissioner.

AMENDMENT OF SECTION 204 OF COMMUNICATIONS ACT OF 1934

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 204 of the Communications Act of 1934 in order to place the burden of proof upon the carrier to justify revised tariff schedules in the manner now provided for new tariff schedules, and to extend from 3 to 9 months the period during which the Commission may suspend such new or revised schedules. I ask unanimous consent that a letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the proposed amendments, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 2141) to amend section 204 of the Communications Act of 1934 in order to place the burden of proof upon the carrier to justify revised tariff schedules in the manner now provided for new tariff schedules, and to extend from 3 to 9 months the period during which the Commission may suspend such new or revised schedules, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation, presented by Mr. MAGNUSON, were ordered to be printed in the RECORD, as follows:

FEDERAL COMMUNICATIONS
COMMISSION,
Washington, D.C., May 21, 1965.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted, as a part of its legislative program for the 89th Congress, a proposal to amend section 204 of the Communications

Act, to extend from 3 months to 9 months the period for which the Commission may suspend proposed tariff schedules and place the burden of proof on the carrier to justify all new or revised tariff schedules (47 U.S.C. 204).

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that from the standpoint of the administration's program there would be no objection to the presentation of the draft bill to the Congress for its consideration. Accordingly, there are enclosed six copies of our draft bill and explanatory statement on this subject.

The consideration by the Senate of the proposed amendment would be greatly appreciated. The Commission would be happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Yours sincerely,

E. WILLIAM HENRY,
Chairman.

EXPLANATION OF PROPOSED AMENDMENTS TO SECTION 204 OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

The Federal Communications Commission recommends to the Congress the consideration of legislation to amend section 204 of the Communications Act of 1934, as amended, with respect to two matters:

1. To extend from 3 months to 9 months the period for which the Commission may suspend proposed tariff schedules; and
2. To place the burden of proof on the carrier to justify all new or revised tariff schedules rather than just those involving increased charges.

With regard to the extension of the suspension period for tariffs, the amendment is recommended because it is generally impossible to complete a hearing and decision on tariff schedules under the present time intervals involved in the various procedural steps required by the Administrative Procedure Act and implementation in the Commission's rules. Under the Administrative Procedure Act, the Commission is required to give reasonable notice (generally interpreted administratively as 30 days) of the time and place for hearing. Following the close of hearing and prior to issuance of an initial decision, the Administrative Procedure Act requires that parties be given "reasonable opportunity" to file exceptions to initial fact and conclusions or "reasonable opportunity" to file exceptions to an initial decision. The Commission's rules provide a 20-day period for the filing of proposed findings of fact and conclusion after the close of the record (which is often inadequate and must be extended); and a 30-day period for the filing of exceptions to an initial decision (which is also often extended at the request of the parties). Considering the time required to hold the hearing itself and to prepare the initial and final decisions, it is readily apparent that the present statutory suspension period of 3 months is now an inadequate length of time in which to reach a determination on a tariff in issue.

Two major tariffs filed by A.T. & T. during the fiscal year 1961 requiring commission determination of tariff issues illustrate the difficulty in certain cases of rendering an initial decision, much less a final one, within the 3-month period presently provided in section 204 for tariff suspensions.

For example, in docket 15241, a tariff was filed providing for volume private line rates (TELPAK). A notice of hearing was issued on September 7, 1961, and the tariff was suspended to December 8, 1961. On March 20, 1964, the Commission issued an initial decision. Oral argument was held on September 11, 1964, and a final decision is being prepared.

In docket No. 14154, a developmental tariff was filed that will provide a Wide Area Data Service (WADS). On June 7, 1961, the Commission ordered the tariff suspended until September 8, 1961. Again, more than a year passed between suspension of the tariff and the initial decision, which was issued March 19, 1963. After further proceedings a final decision was rendered on July 24, 1963.

Even though the Commission has always attempted to complete tariff hearings in as short a time as possible and will continue to do so in the future, it is apparent from the foregoing examples that the Commission needs the flexibility its legislative proposal will give it in dealing with the more complex and lengthy cases where a 3-month suspension period allowed under present law has proven to be inadequate.

Although none of the Commission's recent cases involving tariff suspensions have been completed in 9 months, it is believed that this is a reasonable target period. Improvements in procedures, together with an expanded staff assigned to rate matters, should shorten the time between tariff filing and final decision in hearing cases. Also discussions have been initiated with some of the principal carriers for the purpose of developing methods of obtaining cost information relating to the various services more expeditiously.

Other Federal regulatory bodies dealing with utilities or carriers have suspension periods ranging from 5 to 7 months. The Natural Gas Act [1] and the Federal Power Act [2] provide for suspension periods of 5 months. The Civil Aeronautics Act [3] provides for a 90-day suspension period with an additional period of 90 days if the proceeding has not been concluded. The Interstate Commerce Act,[4] on which this part of the Communications Act is based, provides for a 7-month suspension period.

Two basic types of suspension statutes are commonly used by the States. The majority of State commissions may only suspend an application for a designated period of time.[5] This may range from 60 to 270 days.[6] Illinois [7] and New York,[8] for example, may suspend increases for 120 days plus 6 months. When all States with fixed suspension periods are tabulated, a median suspension period of 9 months and an average of 8.18 months results.[9] A large minority of jurisdictions has provisions preventing any rate increase from being put into effect without first being approved by the Commission. California,[10] Ohio,[11] Wisconsin,[12] and the District of Columbia [13] have this type of statute.

Finally, we point out that a large number of our rate proceedings involve new or reduced rates where the question presented is whether an unlawful discrimination or preference will exist. When such rates are suspended and become effective upon the expiration of the suspension period but before any decision regarding their lawfulness, the accounting and refund provisions of section 204,[14] being applicable only in rate increase situations, provide no remedy at all. Meanwhile, many customers may have made major changes in their communication and other operations based on the availability of a rate schedule ultimately found to be unduly preferential or discriminatory and therefore unlawful. An order of the Commission directing cancellation of the unlawful rate schedule, in these cases, will cause serious dislocation of the users business operations. The adoption of the proposed 9-month suspension period should enable the Commission to avoid this situation.

The present wording of section 204 places the burden of proof on the carrier in the case of increased charges, but is silent with respect to tariff proposals not involving an increase. However, it is clear that new tariff filings may be unlawful even though they do not involve increased charges; for example, they may create unlawful discriminations. In any case, the facts pertaining to the justification for any tariff proposals are peculiarly within the knowledge of the carriers proposing them. Therefore, the Commission believes that in the interest of more effective regulation, the carriers should have the burden of proof in all cases involving new tariff proposals. In this connection, it should be noted that a similar provision in the Interstate Commerce Act, from which our provision was taken, had been construed to impose the burden of proof on the carrier only in the case of increased rates (*Anchor Coal Co.* v. *U.S.*, 25 F. 2d 462 (1928)). In 1940, the Interstate Commerce Act was amended to place the burden of proof on the carrier in any hearing involving a change in a rate, fare, charge, or classification, or in a rule, regulation, or practice (49 U.S.C. 15(7)).

This proposal is identical to that introduced in the 88th Congress as S. 2051 and H.R. 8013. Hearings were held on the House bill by the Subcommittee on Communications and Power of the House Committee on Interstate and Foreign Commerce, on April 9 and 10, 1964.

Adopted: December 23, 1964.

SIMPLIFICATION OF ADMEASUREMENT OF SMALL VESSELS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to simplify the admeasurement of small vessels. I ask unanimous consent that the letter and analysis from the Secretary of the Treasury requesting the proposal be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and analysis will be printed in the RECORD.

The bill (S. 2142) to simplify the admeasurement of small vessels, introduced by Mr. MAGNUSON, by request was received, read twice by its title, and referred to the Committee on Commerce.

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[1] 15 U.S.C. 717c(e).

[2] 16 U.S.C. 824(e).

[3] 49 U.S.C. 1482(g).

[4] 49 U.S.C. 15(7).

[5] Six State commissions, Alaska, Colorado, Idaho, Louisiana, Texas, and Utah, do not have any suspension power.

[6] Alabama Code Ann. title 48, sec. 54 (1958); North Carolina Stat. Ann., sec. 62–134(b), sec. 62–135 (1963 Supp.). North Carolina has provisions allowing the rates, under certain circumstances, to go into effect at an earlier date.

[7] Stat. Ann. 111⅔, sec. 36 (Smith-Hurd, 1963 Supp.).

[8] Public Service Law Ann., sec. 29 (McKinney 1955).

[9] A complete list of State statutes may be found in the Oct. 22, 1964, Public Utilities Fortnightly.

[10] Public Utilities Code Ann., sec. 454 (West 1956).

[11] Code Ann., sec. 4909.17 (p. 1954).

[12] Stat. Ann., sec. 196.20 (West 1957).

[13] Code Ann., sec. 43–401 (1961).

[14] In those cases where it is clear that some increase in rates is warranted and only the amount of the increase is in question, the Commission may, and has on one occasion, suspended rates for only 1 day, thereby permitting the carrier to collect the increased rates without delay, subject to being ordered to refund any amounts not found to be justified.

The letter and analysis presented by Mr. **Magnuson** is as follows:

The Secretary of the Treasury,
Washington, May 22, 1965.

Hon. **Hubert H. Humphrey,**
President of the Senate,
Washington, D.C.

Dear Mr. President: There is transmitted herewith a draft bill "to simplify the admeasurement of small vessels."

The purpose of the draft bill is to substitute for the present intricate system of tonnage computation based on detailed physical measurement of the hull and deck structure a simplified method, at the owner's option and for pleasure vessels only, which would permit the assignment of tonnages on the basis of the products of a vessel's length, breadth and depth, and appropriate coefficients. The draft bill would also eliminate the statutory prescription for the form and execution of certificates of admeasurement and give the Secretary of the Treasury authority to prescribe how evidence of admeasurement shall be prepared and to eliminate unnecessary admeasurment data from vessel documents. The provisions of the draft bill are more fully set forth in the memorandum accompanying this letter.

Simplifying the measurement of pleasure vessels in the manner proposed will, since the tonnage assignment can be made on the basis of measurements readily obtainable by the ship's builder or owner, speed up the documentation of pleasure vessels, free admeasurement personnel for faster handling of commercial vessels, and save yacht owners the expense of reimbursement of an admeasurer's salary and travel expenses incident to admeasurement outside a customs port or station.

The draft bill is identical with a bill introduced at this Department's request in the 88th Congress as S. 2793.

It will be appreciated if you will lay the draft bill before the Senate.

There is enclosed for your convenient reference a comparative type showing the changes in existing law that would be made by the draft bill.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,
Henry H. Fowler.

Analysis

Subsection 1(a) provides for the admeasurement of vessels generally, permits a consolidation of the pertinent provisions of 46 U.S.C. 71, 73, and provides that a vessel need not be readmeasured to obtain another document unless it is one assigned a formula tonnage which is to be documented for use other than exclusively for pleasure.

Subsection 1(b) provides for the admeasurement of pleasure vessels by means of assigning tonnage based on a formula. This subsection also preserves to the owner the right to choose formal admeasurement under subsection 1(c).

Subsection 1(c) provides for the admeasurement of vessels now or henceforth to be used for other than pleasure purposes, and of pleasure vessels whose owners so choose, by the procedure for formal admeasurement heretofore applicable.

Subsection 1(d) adds a new provision to existing law so as to provide for tonnage adjustments in accordance with existing administrative practice.

Subsection 1(e) gives the owner of a vessel which has already been formally admeasured the option of retaining his present tonnage outturn or of requesting a formula tonnage assignment if his vessel is a pleasure vessel. Thus any change in the tonnage of existing vessels will depend on the owners' option.

Subsection 1(f) grants regulatory authority to the Secretary superseding the authority formerly contained in section 4 of the act of March 2, 1895 (46 U.S.C. 79), which is repealed in subsection 5(f).

Section 2 eliminates the statutory prescription for the form and execution of a certificate of admeasurement and substitutes authority in the Secretary of the Treasury to prescribe how and by whom evidence of admeasurement shall be given.

Section 3 gives the Secretary of the Treasury authority to eliminate unnecessary admeasurement data from the vessel document. This is particularly necessary in the case of vessels to be covered by formula admeasurement, which will use dimensions more readily ascertainable by owners and builders than register dimensions. This overrides specifications in 46 U.S.C. 25, 259 as to dimensions to be shown in vessel documents.

Section 4 restates at the beginning of 46 U.S.C. 77 the location of the "tonnage deck" and the requirement that measurements be taken in feet and decimal fractions of feet, both from 46 U.S.C. 74 as it stood before amendment by section 3.

Section 5 repeals those parts of existing law superseded by the bill. They are:

(a) 46 U.S.C. 76—Admeasurement limited to documented vessels or others specially provided for. Covered by section 1.

(b) 46 U.S.C. 77—Second and third paragraphs and first sentence of last paragraph following paragraph (1)—Statutory requirements for specific admeasurement data on vessel document repealed to permit regulation by Secretary under section 3.

(c) 46 U.S.C. 73—Provision for admeasurement of recorded vessels. Covered by section 1.

(d) 46 U.S.C. 273—Authority for admeasurement of 5–20 net ton licensed vessels superseded by section 1.

(e) 46 U.S.C. 78—Provisions for readmeasurement required by 1895 act. Now obsolete.

(f) 46 U.S.C. 79—Existing regulatory authority superseded by subsection 1(f).

Section 6 provides for an effective date 90 days after enactment.

While it is certain that adoption of the bill would result in substantial savings of admeasurers' time, it is impossible to project the budgetary effect with any precision.

Comparative Print Showing Changes in Existing Law Made by Proposed Bill

Changes in existing law proposed to be made by the bill are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is in italic):

SECTION 4148 OF THE REVISED STATUTES (46 U.S.C. 71)

Sec. 4148. [Before any vessel shall be registered, she shall be measured by a surveyor, if there be one, or by the person he shall appoint, at the port or place where the vessel may be, and if there be none, by such person as the collector of the district within which she may be shall appoint. But in all cases where a vessel has before been registered as a vessel of the United States, it shall not be necessary to measure her anew, for the purpose of obtaining another register; unless such vessel has undergone some alteration as to her burden, subsequent to the time of her form registry.]

(a) Before a vessel is documented under the laws of the United States or issued a certificate of record it shall be admeasured by the Secretary of the Treasury as provided in subsection (b) or (c) of this section. A vessel which has been admeasured need not be readmeasured solely to obtain another document, unless it is a vessel admeasured under subsection (b) which is required to be readmeasured under subsection (c); but a vessel which is intended to be used exclusively as a pleasure vessel may at the owner's option be readmeasured under subsection (b).

(b) Subject to the owner's option to have his vessel admeasured under subsection (c) of this section, a vessel which is intended to be used exclusively as a pleasure vessel shall be assigned gross and net tonnages which are the product of its length, breadth, and depth in feet and appropriate coefficients. The Secretary of the Treasury shall prescribe the manner in which the length, breadth, and depth shall be measured and the appropriate coefficients to be applied, taking due account of variations in vessel construction, to the end that, taken as a group and so far as practicable, the resulting gross tonnages shall reasonably reflect the relative internal volumes of the vessels admeasured and the resulting net tonnages shall be in the same ratio to the corresponding gross tonnages as the net and gross tonnages of comparable vessels if admeasured under subsection (c) of this section.

(c) A vessel not admeasured under subsection (b) of this section, or a vessel admeasured under subsection (b) which is thereafter to be documented for use other than exclusively as a pleasure vessel, shall be admeasured as prescribed in sections 4150, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 74, 75, 77).

(d) Whenever a vessel documented under the laws of the United States undergoes a change affecting tonnage, or its owner or the Secretary of the Treasury alleges error in its tonnage, it shall be readmeasured to the extent necessary and its tonnage redetermined under this section.

(e) The tonnage of a vessel for which a document or certificate of record has been issued before the effective date of this subsection need not be redetermined solely because of amendments to Federal law enacted at the same time as this subsection; but if it is eligible for admeasurement under subsection (b) of this section its owner shall have the option of having it readmeasured under that subsection.

(f) The Secretary of the Treasury shall make such regulations as may be necessary to carry out the provisions and intent of this section and of sections 4149, 4150, 4151, and 4153 of the Revised Statutes, as amended (46 U.S.C. 72, 74, 75, 77).

* * * * *

SECTION 4149 OF THE REVISED STATUTES (46 U.S.C. 72)

Sec. 4149. [The officer or person by whom such measurement is made shall, for the information of and as a voucher to the officer by whom the registry is to be made, grant a certificate, specifying the build of the vessel, her number of decks and masts, her length, breadth, depth, the number of tons she measures, and such other particulars as are usually descriptive of the identity of a vessel, and that her name, and the place to which she belongs, are painted on her stern in manner required by this Title; which certificate shall be countersigned by an owner, or by the master of such vessel, or by some other person who shall attend her admeasurement, on behalf of her owner or owners, in testimony of the truth of the particulars therein contained; without which the certificate shall not be valid.]

The Secretary of the Treasury shall prescribe how evidence of admeasurement shall be given.

* * * * *

SECTION 4150 OF THE REVISED STATUTES (46 U.S.C. 74)

Sec. 4150. [The registry of every vessel shall express her length and breadth, together with her depth and the height under the third or spar deck, which shall be ascertained in the following manner· The tonnage-deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage-deck. The length from the fore part of the outer planking on the side of the stem to the after part of the main stern-post of screw-steamers, and to the after part of the rudder-post of all other vessels measured on the top of the tonnage-deck, shall be accounted the vessel's length. The breadth of the broadest part on the outside of the vessel shall be accounted the vessel's breadth of beam. A measure from the under side of the tonnage-deck plank, amidships, to the ceiling of the hold, (average thickness,) shall be accounted the depth of hold. If the vessel has a third deck, then the height from the top of the tonnage-deck plank to the underside of the upper-deck plank shall be accounted as the height under the spar-deck. All measurement to be taken in feet and fractions of feet; and all fractions of feet shall be expressed in decimals.]

A vessel's marine document shall specify such identifying dimensions, measured in such manner as the Secretary of the Treasury may prescribe.

SECTION 4152 OF THE REVISED STATUTES (46 U.S.C. 76)

[SEC. 4152. The provisions foregoing relating to the measurement of vessels shall not be deemed to apply to any vessel not required by law to be registered, or enrolled, or licensed, unless otherwise specially provided.]

SECTION 4153 OF THE REVISED STATUTES, AS AMENDED (46 U.S.C. 77)

SEC. 4153. *The tonnage deck, in vessels having three or more decks to the hull, shall be the second deck from below; in all other cases the upper deck of the hull is to be the tonnage deck. All measurements are to be taken in feet and decimal fractions of feet.*

The register tonnage of every vessel built within the United States or owned by a citizen or citizens thereof shall be her entire internal cubical capacity in tons of one hundred cubic feet each, to be ascertained as follows:

* * * * *

[The register or other official certificate of the tonnage or nationality of a vessel of the United States, in addition to what is now required by law to be expressed therein, shall state separately the deductions made from the gross tonnage, and shall also state the net or register tonnage of the vessel.]

[But the outstanding registers or enrollments of vessels of the United States shall not be rendered void by the addition of such new statement of her tonnage, unless voluntarily surrendered, but the same may be added to the outstanding document or by an appendix thereto, with a certificate of a collector of customs that the original estimate of tonnage is amended.]

* * * * *

[The register of the vessel shall express the number of decks, the tonnage under the tonnage deck, that of the between decks, above the tonnage deck; also that of the poop or other inclosed spaces above the deck, each separately.]

SECTION 4181 OF THE REVISED STATUTES (46 U.S.C. 73)

[SEC. 4181. The collector shall cause the vessel so built to be surveyed or measured, and the person by whom such measurement is made shall grant a certificate thereof, as in the case of a vessel to be registered, which certificate shall be countersigned by the builder, and by an owner or the master or person having the command or charge thereof, or by some other person being an agent for the owner thereof, in testimony of the truth of the particulars therein contained.]

* * * * *

SECTION 4331 OF THE REVISED STATUTES (46 U.S.C. 273)

[SEC. 4331. Before any vessel, of the burden of five tons, and less than twenty tons, shall be licensed, the same measurement shall be made of such vessel, and the same provisions observed relative thereto, as are to be observed in case of measuring vessels to be registered or enrolled; but in all cases, where such vessel or any other licensed vessel shall have been once measured, it shall not be necessary to measure such vessel anew, for the purpose of obtaining another enrollment or license, unless such vessel shall have undergone some alteration as to her burden, subsequent to the time of her former license.]

* * * * *

SECTIONS 2 AND 4 OF THE ACT OF MARCH 2, 1895, C. 173, 28 STAT. 743 (46 U.S.C. 78, 79)

[SEC. 2. That this Act shall not be construed to require the measurement of any American vessel duly measured before April first, eighteen hundred and ninety-five; but upon application by the owner of any such vessel collectors of customs shall cause such vessel, or the spaces to be deducted, to be measured according to the provisions of this Act, and if a new register is not issued the statement of such remeasurement shall be attached by an appendix to the outstanding register or enrollment with a certificate of the collector of customs that the original estimate of tonnage is amended pursuant to this Act.]

* * * * *

[SEC. 4. The Secretary of the Treasury shall make regulations needful to give effect to the provisions of this Act.]

ASSISTANCE TO CERTAIN STATES BORDERING THE MISSISSIPPI RIVER IN THE CONSTRUCTION OF THE GREAT RIVER ROAD

Mr. McCARTHY. Mr. President, for myself and my colleague from Minnesota [Mr. MONDALE], I introduce, for appropriate reference, a bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road.

I ask unanimous consent that the bill remain at the desk for 10 days so other Senators who wish to join in sponsoring this measure may have an opportunity to do so.

Mr. President, this proposal is not a new one. More than 15 years ago, Congress requested the Bureau of Public Roads and the National Park Service to conduct a survey of the route of the Great River Road. At nearly the same time, there was developed a new plan for highway construction, the Federal-aid highway. This plan recommended close cooperation between the Federal and State authorities and use of the existing road system in planning the Great River Road.

The purpose and need for the Great River Road differs from that of the Interstate Highway System. The Great River Highway is intended to provide a historic and scenic route nearly 2,500 miles in length along the banks of the Mississippi River from Minnesota through Louisiana.

The bill which we are introducing today would provide incentives to the States to acquire lands along the Mississippi River for public recreation, as well as to help preserve the natural beauty along the existing highways in the Great River Road proposal.

The bill authorizes an appropriation from the general revenue of $2 million for the fiscal year of 1966 and a like amount for the fiscal year of 1967. These funds would be used for purchase of rights-of-way to construct roads, recreational facilities, rest areas, parking areas at historical sites and to construct roads and facilities so that they may be improved to meet parkway specifications and standards.

This measure to advance the Great River Road was endorsed by the Mississippi River Parkway Commission of Minnesota at its meeting in the State Capitol at St. Paul, Minn., on February 16, 1965.

At the meeting of the National Mississippi River Parkway Commission last September, the representatives of Arkansas, Illinois, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Tennessee, and Wisconsin, voted unanimously to approve this measure.

The PRESIDING OFFICER. The bill will be received and appropriately referred, and without objection, the bill will lie on the desk, as requested.

The bill (S. 2143) to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road introduced by Mr. McCARTHY (for himself and Mr. MONDALE), was received, read twice by its title, and referred to the Committee on Public Works.

DESIGNATION OF THE EASTERN ORTHODOX CHURCH AS A MAJOR FAITH IN THE UNITED STATES

Mr. CASE. Mr. President, on behalf of myself and Senator JAVITS, of New York, I submit, for appropriate reference, a resolution to designate the Eastern Orthodox Church as a major faith in the United States.

In view of the size and growth of the Eastern Orthodox churches in this country, I find it surprising that we did not long ago formally recognize these churches as a major religious faith.

The most recent figures available show a membership over 3.2 million in the Eastern Orthodox family of churches in this country. In the United States, it is surpassed in membership only by the Protestant, Roman Catholic, and Jewish faiths.

Only four among the great non-Christian religions of the world have more members than the Eastern Orthodox faith: the Moslems, Hindu, Confucian, and Buddhist beliefs. There is universal recognition that Eastern Orthodoxy, with over 140 million members throughout the world, ranks as a major faith.

To those who may fear that the precedent here set may open the door to similar claims by numerous other faiths, it may be pointed out that Eastern Orthodox membership in this country far exceeds that of any other faith not now recognized as a major faith by the Government of the United States.

The proposed resolution does not envisage any expenditure of money, or any action in support or preference of the Eastern Orthodox faith. It is intended as public recognition of the fact that the

American citizens of Eastern Orthodox faith constitute a substantial segment of our community, separate from the three major faiths hitherto recognized, which is justly entitled to courteous consideration in any Federal action or statement related to religious matters.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 115) was received and referred to the Committee on the Judiciary, as follows:

Whereas the Eastern (Greek) Orthodox Church is a major faith in the United States and throughout the world; and

Whereas Senate bill 106, Eighty-fourth Congress, led to the designation of the Eastern Orthodox faith as a separate religious faith in the Armed Forces of the United States; and

Whereas several Federal agencies have omitted Eastern Orthodoxy in projects which Protestant, Catholic, and Jewish faiths have been invited to participate; and

Whereas more than half of the States in the United States through their legislators have passed resolutions recognizing Eastern Orthodoxy as a major religious faith; and

Whereas the Eastern Orthodox faith has millions of communicants throughout the world including several million in the United States; and

Whereas where anything is said concerning the major faiths, usually the Protestant, Catholic, and Jewish faiths are referred to; and

Whereas it therefore follows that a religious distinction is being made in omitting the Eastern Orthodox Church, which is contrary to the prevailing principle of democracy and freedom of religion in this country: Now, therefore, be it

Resolved, That the Eastern Orthodox Church is a major faith in this country; and that all references by Federal agencies to major faiths now limited to Protestants, Catholics, and Jews include the Eastern Orthodox Church.

EXTENSION OF FAIR LABOR STANDARDS ACT TO ADDITIONAL EMPLOYEES—AMENDMENTS

AMENDMENT NO. 269

Mr. JAVITS submitted amendments, intended to be proposed by him, to the bill (S. 1986) to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes, which were referred to the Committee on Labor and Public Welfare and ordered to be printed.

(See the remarks of Mr. Javits when he submitted the above amendments, which appear under a separate heading.)

EXCISE TAX REDUCTION ACT OF 1965—AMENDMENT

PASSING THE TAX CUT ON TO THE CONSUMER

(AMENDMENT NO. 270)

Mr. NELSON. Mr. President, on May 17 in a message to the Congress, President Lyndon Johnson urged us to cut excise taxes by $3.5 billion. In support of that proposal he said:

> The proposed program of excise tax cuts and revisions will spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power.

He followed up that statement by saying:

> It will also lower prices to consumers.

This amendment will make it possible for Congress and for the consumer to determine how effectively the excise tax cut has in fact achieved its purpose. It will allow us to see if the tax cut is reflected in the final sales price.

This amendment would simply direct the President's Council of Economic Advisers to undertake a thorough study each year to determine to what extent the excise tax is being passed on to the consumer.

By focusing public attention on the issue, it is my hope that the study will encourage manufacturers to pass the excise tax cut on to the consumer. This amendment will not force anyone or any firm to do anything. There are no requirements for the manufacturer or retailer to keep any additional records.

One of the principal purposes of this tax reduction is to stimulate the economy by putting more purchasing power into the hands of the consumers. We need to know whether this purpose is being fulfilled. This can only be done if we have an expert study of the results of our action.

I think we should be certain that the consumer is getting the benefit of that reduction. This amendment will spur the retailer and manufacturer to reflect the excise tax cut in his prices.

As an example, it will be very useful to determine whether the initial reduction from 10 percent to 3 percent in the excise tax on telephone service and long-distance calls is passed on to the consumer. This can easily be done by the Council of Economic Advisers. They can determine what a $1 call is costing the consumer and if he is getting the reduction. This would be reflected by a cut in the current price of $1.10 to $1.03 effective as of January 1, 1966.

During the first year of the tax cut it will not be difficult to determine whether the reduction is being reflected in retail prices. As prices increase in the future however, the reduction could very easily become obscured unless we follow price changes with care.

Again, when we cut the manufacturers excise tax on autos we should be in a position to determine whether the reduction is or is not being passed on to the consumer.

We can determine this very easily. The Council of Economic Advisers can readily check whether, for example, a two-door sedan that has a net factory retail price of $2,148 is being sold to the consumer at a price that reflects the tax cut. Today that car is being sold with an excise tax of 10 percent of the wholesale price, or a tax of $173. The total price now is $2,231. If the tax reduction is passed on, the tax, during the first stage of the cut, would be only $121, a reduction of $52, and the price of the car would be $2,269.

If the housewife goes out and buys a $15 handbag the price to her should no longer reflect the present 10 percent retail excise tax of $1.50. The Council of Economic Advisers by undertaking an annual study could determine this, especially in subsequent years as costs change and it becomes possible to obscure the tax cut.

If husband and wife go out to buy a new refrigerator or freezer, they should know whether they are getting the full benefit of the 5 percent excise tax reduction. In other words a $200 refrigerator should be purchased for $10 less than it is today.

Or if that same family decides to buy a $135 television, they should know whether or not the 10 percent reduction, $13.50 in this case, is being passed on or if the full benefit of the tax cut is not evident.

Mr. President, my amendment would make it possible for us to determine these things with very little effort.

One of the major objectives of this legislation is to put more purchasing power in the hands of the consumer. If we do not guarantee that the tax cut will be passed on to the consumer the action of Congress will be a farce.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

ADDITIONAL COSPONSORS OF BILL

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the names of Mr. Douglas, Mr. Pell, and Mr. Clark be added as cosponsors of the bill (S. 1781) to prohibit and make unlawful the hiring of professional strikebreakers in interstate labor disputes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that, at its next printing, the names of Mr. Kennedy of New York, and Mr. Javits be added as cosponsors of the joint resolution (S.J. Res. 79) to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF AMENDMENT NO. 263 TO SENATE BILL 2080

Mr. SIMPSON. Mr. President, I ask unanimous consent to have the name of the junior Senator from Utah [Mr. Moss] added as a cosponsor of my amendment No. 263, to the President's bill on silver coinage, S. 2080.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of June 1, 1965:

S. 2067. A bill to amend chapter 35, relating to war orphans' educational assistance, of title 38, United States Code, so as to increase the educational assistance allowances paid under such chapter: Mr. Aiken, Mr. Allott, Mr. Bartlett, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Church, Mr. Cooper, Mr. Dominick, Mr. Ervin, Mr. Fulbright, Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Jackson, Mr. Long of Missouri, Mr. Mansfield, Mr. McCarthy, Mr. McGovern, Mr. Montoya, Mr. Moss, Mr. Pastore, Mr. Ribicoff, Mr. Scott, Mr. Simpson, Mr. Sparkman, and Mr. Williams of New Jersey.

Authority of June 3, 1965:

S.2084. A bill to provide for scenic development and road beautification of the Federal-aid highway systems: Mr. Clark and Mr. Scott.

NOTICE OF HEARING ON SENATE BILL 1766

Mr. AIKEN. Mr. President, I announce that the Committee on Agriculture and Forestry has set a hearing for S. 1766, to amend the Farmers Home Administration Act of 1961 for Friday, June 18, 1965, at 3 p.m. It is suggested that Senators who desire to submit statements on the bill be prepared to submit them to the Committee on Agriculture and Forestry.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

William J. Andrews, of Georgia, to be U.S. marshal, northern district of Georgia, for a term of 4 years. (Reappointment.)

Floyd M. Buford, of Georgia, to be U.S. attorney, middle district of Georgia, for a term of 4 years. (Reappointment.)

Carl W. Feickert, of Illinois, to be U.S. attorney, eastern district of Illinois, for a term of 4 years. (Reappointment.)

Milton J. Ferguson, of West Virginia, to be U.S. attorney, southern district of West Virginia, for a term of 4 years, Vice Harry G. Camper, Jr. (Resigned.)

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday, June 21, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. YOUNG of North Dakota:

Poem entitled "A Salute to Old Glory," written by the late Robert H. Kutschenreuter, of Fargo, N. Dak.

FLOYD M. RIDDICK: SENATE PARLIAMENTARIAN

Mr. ERVIN. Mr. President, our kind friend and patient mentor, Floyd M. Riddick, was recently honored as the subject of an article appearing in the alumni magazine of his alma mater, Duke University.

No one knows better than we the great ability and dedication which "Doc" brings to his job. However, many of us are not aware of the background which brought him to us. For instance, the article points out that "Doc" originally planned to pursue a career in the law. As all of us here know, such a career often leads to public office; and Everett Jordan and I are both grateful that "Doc" chose a different route in coming to the Senate. But no matter what the route, we are all grateful and fortunate to have him with us in his present capacity.

My only regret is that as one of our self-effacing and unsung heroes "Doc" has not yet achieved such fame that has put the name of his place of birth, Trotville, N.C., on the map. As a matter of fact, the post office which was at Trotville has since been moved to Hobbsville, and Hobbsville is not on most maps. It grieves me that while any American readily knows where to find Everett Jordan or me at our hometowns of Saxapahaw and Morganton, it is more difficult to seek out Floyd Riddick at his good Gates County home.

Mr. President, in order that my colleagues may be more aware of the antecedents of our good and brilliant friend, I ask unanimous consent that the article, "Floyd Riddick: Senate Parliamentarian," appearing in the April 1965 issue of the Duke Alumni Register be printed at this point in the Record as another tribute to a fine product of a proud university and a proud State.

There being no objection, the article was ordered to be printed in the Record, as follows:

Alumni Profile—Floyd Riddick: Senate Parliamentarian

What is it like to be Parliamentarian of the U.S. Senate? "It's like keeping store—it may be quiet for a long time, then all hell breaks loose," says the new Senate Parliamentarian Floyd M. Riddick, 1932, Ph. D. 1935.

Sitting in his quiet office on the ground floor of the Capitol's Senate wing, Dr. Riddick talked easily about his new position. And there was every reason that he should. He had served a 13-year apprenticeship as assistant to Charles L. Watkins, the Senate's first Parliamentarian, before taking over the job with the opening of the new session of Congress in January. Mr. Watkins, a Senate employee for more than half a century and Parliamentarian since 1937 when the post was created, had retired at the last session of the Senate.

Explaining in his mild, soft-spoken way the job of the Parliamentarian, Dr. Riddick pointed out that the Senate has its own standing rules which differ in many respects from conventional parliamentary procedure. In addition, numerous amendments and revisions have been made over the years. The result is a complex body of rules which require a great deal of time to become thoroughly familiar with. Since the Presiding Officer of the Senate has many other duties, it isn't practical for him to spend all his time with rules.

In his official capacity, the Parliamentarian is the servant of the Senate. When the Senate is in session, he sits on the dais in front of the Presiding Officer. He must be ready whenever he is called upon to advise the Presiding Officer. The Parliamentarian, Dr. Riddick emphasized, does not make decisions. He simply advises the Presiding Officer as to what the rule is. All decisions are made by the Presiding Officer.

The Parliamentarian also advises the Senate leaders and the individual Senators whenever they have questions about procedure. This often eliminates controversies on the floor and expedites the business of the Senate. The Parliamentarian also indicates the references to committees of all bills and resolutions introduced as well as those passed by the House and transmitted to the Senate.

It is obviously a tough and demanding job, and one that allows not the slightest hint of partisan preference. During the heat of debate the Parliamentarian must have his wits about him every minute, and he must immediately produce the right answer at the right time.

But in addition to a wealth of scholarly knowledge, the job requires stamina. During a filibuster in 1954, Dr. Riddick remembers putting in 86 hours in the Senate Chamber. Mr. Watkins was ill and he had to remain by the Presiding Officer straight through, never able to leave for more than a few minutes at a time. "I would doze in my chair," Dr. Riddick recalls, "but I never got a chance to lie down."

It is obvious that this is one of the toughest jobs on Capitol Hill. But how does one get to be Senate Parliamentarian?

"When I started out," says Dr. Riddick, "I had no idea in the world of becoming Parliamentarian of the U.S. Senate."

Born in Trotville, N.C., he grew up on the family farm in Gates County. He didn't care much for farmwork which he considered too hard, but became interested in the law by observing the district solicitor perform in Gates County Superior Court. So he decided to become an attorney, and with this objective he entered Duke.

At Duke, however, he became a student of Dr. Robert S. Rankin's and soon changed his mind in favor of an academic career. After receiving his bachelor's degree in 1932, he went on to Vanderbilt where he earned a master's degree in political science before returning to Duke to work on his doctorate.

In 1935 he received his Ph. D. His dissertation was almost a forecast of the future, it dealt with parliamentary procedure in the House of Representatives.

After graduation he worked as a statistical analyst for the Government, and spent a year at the University of Berlin on an international fellowship. His research paper on local institutions in Germany was later used by the U.S. occupation forces after World War II.

After his return from Germany, Dr. Riddick did some teaching at American University and, for a summer session, at Duke. Then he took a job as legislative analyst for a private research organization known as Congressional Intelligence, Inc. He edited their publications for several years, and published articles in scholarly journals. As a result he came to the attention of scholars in the field and his reputation as an expert in congressional procedures began to grow.

He is the author of "Congressional Procedure" (1941) and "The U.S. Congress: Organization and Procedure" (1949), and the coauthor of "Congress in Action" (1948) and "Senate Procedure" (1958).

In 1947 he went to the Senate to inaugurate the publication of the CONGRESSIONAL RECORD's Digest. This publication is now recognized as an indispensable tool for readers of the RECORD.

As he relaxes in his spacious office, which he shares with his assistant and his secretary, Dr. Riddick is obviously a proud and happy man. He is proud of the Senate, "the world's greatest deliberative body," and he is proud of his association with it.

Upon his appointment to the post, he was praised by a number of Senators as a worthy successor to the esteemed Charles Watkins. Senator RUSSELL of Georgia, whose own deep knowledge of the rules is outstanding, said he was confident Floyd Riddick "will live up in every respect to the kind of service demanded of a successor to Charlie Watkins."

Senator MIKE MONRONEY, of Oklahoma, pointed out that Dr. Riddick knew the history and traditions of the Senate well, and observed:

"He is also well aware that the Parliamentarian, like Caesar's wife, must be above suspicion on all accounts, because in the Senate many parliamentary decisions are more important than votes."

BILLS OF ATTAINDER

Mr. ERVIN. Mr. President, during the debate upon the so-called voting rights bill, I called attention to the fact that the bill condemned five Southern States and parts of two other Southern States without a judicial trial, and punished such States and parts of States by denying them the power to exercise their constitutional rights to maintain literacy tests as prerequisites for voting, and for these reasons constituted a bill of attainder, which Congress was forbidden to pass by section 9 of the first article of the Constitution of the United States.

On June 7, 1965, the Supreme Court of the United States handed down a decision in the case of United States against Archie Brown, in which the majority of the Court adjudged that section 504 of the Labor-Management Reporting and Disclosure Act of 1959 constitutes a bill of attainder because it condemns members of the Communist Party without a judicial trial, and punishes them by barring them from union offices.

The decision in United States against Archie Brown will require the majority of the Supreme Court to adjudge that the voting rights bill constitutes a bill of attainder unless the majority of the Court reaches the strange conclusion that the constitutional rights of the officials and people of Southern States are inferior to those possessed by Communists.

On June 11, 1965, the Washington Post carried an editorial entitled "Legislative Punishment" which comments upon the decision in United States against Archie Brown.

Since this decision and this editorial indicate there is some legal and logical substance to the argument I made that the voting rights bill constitutes a bill of attainder, I ask unanimous consent that they be printed at this point in the body of the RECORD as a part of my remarks.

There being no objection, the decision and editorial were ordered to be printed in the RECORD, as follows:

UNITED STATES, PETITIONER, *v.* ARCHIE BROWN

(Supreme Court of the United States, No. 399.—October Term, 1964, on writ of certiorari to the United States Court of Appeals for the Ninth Circuit, June 7, 1965)

Mr. Chief Justice Warren delivered the opinion of the Court.

In this case we review for the first time a conviction under § 504 of the Labor-Management Reporting and Disclosure Act of 1959, which makes it a crime for a member of the Communist Party to serve as an officer or (except in clerical or custodial positions) as an employee of a labor union.[1] Section 504, the purpose of which is to protect the national economy by minimizing the danger of political strikes,[2] was enacted to replace § 9 (h) of the Taft-Hartley Act, which conditioned a union's access to the National Labor Relations Board upon the filing of affidavits by all the union's officers attesting that they were not members of or affiliated with the Communist Party.[3]

Respondent has been a working longshoreman on the San Francisco docks, and an open and avowed Communist, for more than a quarter of a century. He was elected to the Executive Board of Local 10 of the International Longshoremen's and Warehousemen's Union for consecutive one-year terms in 1959, 1960, and 1961. On May 24, 1961, respondent was charged in a one-count indictment returned in the Northern District of California with "knowingly and wilfully serv[ing] as a member of an executive board of a labor organization * * * while a member of the Communist Party, in wilful violation of Title 29, United States Code, Section 504." It was neither charged nor proven that respondent at any time advocated or suggested illegal activity by the union, or proposed a political strike.[4] The jury found respondent guilty, and he was sentenced to six months' imprisonment. The Court of Appeals for the Ninth Circuit, sitting en banc, reversed and remanded with instructions to set aside the conviction and dismiss the indictment, holding that § 504 violates the First and Fifth Amendments to the Constitution. We granted certiorari, 379 U.S. 899.

Respondent urges—in addition to the grounds relied on by the court below—that the statute under which he was convicted is a bill of attainder, and therefore violates Art. I, § 9, of the Constitution.[5] We agree that § 504 is void as a bill of attainder and affirm the decision of the Court of Appeals on that basis. We therefore find it unnecessary to consider the First and Fifth Amendment arguments.

I

The provisions outlawing bills of attainder were adopted by the Constitutional Convention unanimously, and without debate.[6]

"No Bill of Attainder or ex post facto Law shall be passed [by the Congress]." Art. I, § 9, cl. 3.

"No State shall . . . pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts . . . ." Art. I, § 10.

A logical starting place for an inquiry into the meaning of the prohibition is its historical background. The bill of attainder, a parliamentary act sentencing to death one or more specific persons, was a device often resorted to in sixteenth, seventeenth, and eighteenth century England for dealing with persons who had attempted, or threatened to attempt, to overthrow the government.[7] In addition to the death sentence, attainder generally carried with it a "corruption of blood," which meant that the attained party's heirs could not inherit his property.[8] The "bill of pains and penalties" was identical to the bill of attainder, except that it prescribed a penalty short of death,[9]

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[1] 73 Stat. 519, 536, 29 U. S. C. § 504 (1958 ed., Supp. IV). The section, which took effect on September 14, 1959, provides, in pertinent part:

"(a) No person who is or has been a member of the Communist Party . . . shall serve—

"(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization.

* * * * *

"during or for five years after the termination of his membership in the Communist Party. . . .

"(b) Any person who wilfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both."

[2] In *American Communications Assn.* v. *Douds*, 339 U. S. 382, 388, this Court found that "the purpose of § 9 (h) of the [Taft-Hartley] Act [was] to remove . . . the so-called 'political strike'." Section 504 was designed to accomplish the same purpose as § 9 (h), but in a more direct and effective way. H. R. Rep. No. 741, 86th Cong., 1st Sess., p. 33; H. R. Rep. No. 1147, 86th Cong., 1st Sess., p. 36.

[3] 61 Stat. 136, 146, amending the National Labor Relations Act of 1935, 49 Stat. 449. Section 9 (h) provided:

"No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, no petition under section 9(e)(1) shall be entertained, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless there is on file with the Board an affidavit executed contemporaneously or within the preceding twelve-month period by each officer of such labor organization and the officers of any national or international labor organization of which it is an affiliate or constituent unit that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or supports any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods. The provisions of section 35A of the Criminal Code shall be applicable in respect to such affidavits."

Section 9(h) was repealed by § 201(d) of the Labor-Management Reporting and Disclosure Act of 1959, 73 Stat. 519, 525.

[4] Evidence that the executive board had never called a strike was, upon the motion of the Government, stricken from the record, and a defense offer to prove that the union had not been involved in a strike since 1948 was rejected by the court.

[5] Respondent first raised the bill of attainder argument in his motion to dismiss the indictment.

[6] Madison, Debates in the Federal Convention of 1787, p. 449 (Hunt and Scott ed. 1920).

[7] E. g., 3 James I, c. 2; 10 & 11 William III, c. 13; 13 William III, c. 3; 9 George I, c. 15.

[8] 3 Coke, First Institute (on Littleton), p. 565 (Thomas ed. 1818); Chafee, Three Human Rights in the Constitution of 1787, p. 96 (1956). Cf. U.S. Const., Art. III, § 3, cl. 2.

[9] 2 Wooddeson, Laws of England, p. 638 (1792); 2 Story, Commentaries on the Constitution of the United States, p. 210 (4th ed. 1873); see, e. g., 13 Charles II, St. I, c. 15; 9 George I, c. 15.

e. g., banishment,[10] deprivation of the right to vote,[11] or exclusion of the designated party's sons from Parliament.[12] Most bills of attainder and bills of pains and penalties named the parties to whom they were to apply; a few, however, simply described them.[13] While some left the designated parties a way of escaping the penalty, others did not.[14] The use of bills of attainder and bills of pains and penalties was not limited to England. During the American Revolution, the legislatures of all thirteen States passed statutes directed against the Tories; among these statutes were a large number of bills of attainder and bills and pains and penalties.[15]

While history thus provides some guidelines, the wide variation in form, purpose and effect of ante-constitutional bills of attainder indicates that the proper scope of the Bill of Attainder Clause, and its relevance to contemporary problems, must ultimately be sought by attempting to discern the reasons for its inclusion in the Constitution, and the evils it was designed to eliminate. The best available evidence, the writings of the architects of our constitutional system, indicates that the Bill of Attainder Clause was intended not as a narrow, technical (and therefore soon to be outmoded) prohibition, but rather as an implementation of the separation of powers, a general safeguard against legislative exercise of the judicial function, or more simply—trial by legislature.

The Constitution divides the National Government into three branches—legislative, executive, and judicial. This "separation of powers" was obviously not instituted with the idea that it would promote governmental efficiency. It was, on the contrary, looked to as a bulwark against tyranny. For if governmental power is fractionalized, if a given policy can be implemented only by a combination of legislative enactment, judicial application, and executive implementation, no man or group of men will be able to impose its unchecked will. James Madison wrote:

"The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny." [16]

The doctrine of separated powers is implemented by a number of constitutional provisions, some of which entrust certain jobs exclusively to certain branches, while others say that a given task is not to be performed by a given branch. For example, Article III's grant of "the judicial Power of the United States" to federal courts has been interpreted both as a grant of exclusive authority over certain areas, *Marbury* v. *Madison*, 1 Cranch 137, and as a limitation upon the judiciary, a declaration that certain tasks are not to be performed by courts, e. g., *Muskrat* v. *United States*, 219 U.S. 346. Compare *Youngstown Sheet & Tube Co.* v. *Sawyer*, 343 U.S. 579.

The authors of the Federalist Papers took the position that although under some systems of government (most notably the one from which the United States had just broken), the Executive Department is the branch most likely to forget the bounds of its authority, "in a representative republic . . . where the legislative power is exercised by an assembly . . . which is sufficiently numerous to feel all the passions which actuate a multitude; yet not so numerous as to be incapable of pursuing the objects of its passions . . . ." barriers had to be erected to ensure that the legislature would not overstep the bounds of its authority and perform the functions of the other departments.[17] The Bill of Attainder Clause was regarded as such a barrier. Alexander Hamilton wrote:

"Nothing is more common than for a free people, in times of heat and violence, to gratify momentary passions, by letting into the government principles and precedents which afterwards prove fatal to themselves. Of this kind is the doctrine of disqualification, disfranchisement, and banishment by acts of the legislature. The dangerous consequences of this power are manifest. If the legislature can disfranchise any number of citizens at pleasure by general descriptions, it may soon confine all the votes to a small number of partisans, and establish an aristocracy or oligarchy; if it may banish at discretion all those whom particular circumstances render obnoxious, without hearing or trial, no man can be safe, nor know when he may be the innocent victim of a prevailing faction. The name of liberty applied to such a government, would be a mockery of common sense." [18]

Thus the Bill of Attainder Clause not only was intended as one implementation of the general principle of fractionalized power, but also reflected the Framers' belief that the Legislative Branch is not so well suited as politically independent judges and juries to the task of ruling upon the blameworthiness of, and levying appropriate punishment upon, specific persons.

"Every one must concede that a legislative body, from its numbers and organization, and from the very intimate dependence of its members upon the people, which renders them liable to be peculiarly susceptible to popular clamor, is not properly constituted to try with coolness, caution, and impartiality a criminal charge, especially in those cases in which the popular feeling is strongly excited,—the very class of cases most likely to be prosecuted by this mode." [19]

By banning bills of attainder, the Framers of the Constitution sought to guard against such dangers by limiting legislatures to the task of rule-making. "It is the peculiar province of the legislature, to prescribe general rules for the government of society; the application of those rules to individuals in society and would seem to be the duty of other departments." *Fletcher* v. *Peck*, 6 Cranch 87, 136.[20]

II

It is in this spirit that the Bill of Attainder Clause was consistently interpreted by this Court—until the decision in *American Communications Assn.* v. *Douds*, 339 U.S. 382, which we shall consider hereafter. In 1810, Chief Justice Marshall, speaking for the Court in *Fletcher* v. *Peck*, 6 Cranch 87, 138, stated that "[a] bill of attainder may affect the life of an individual, or may confiscate his property, or may do both." This means, of course, that what were known at common law as bills of pains and penalties are outlawed by the Bill of Attainder Clause. The Court's pronouncement therefore served notice that the Bill of Attainder Clause was not to be given a narrow historical reading (which would exclude bills of pains and penalties), but was instead to be read in light of the evil the Framers had sought to bar: legislative punishment of any form or severity, of specifically designated persons or groups. See also *Ogden* v. *Saunders,* 12 Wheat. 213, 286.

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[10] 2 Wooddeson, Laws of England, p. 638 (1792); see, e. g., 19 Charles II, c. 10; Proceedings Against Hugh and Hugh Le Despencer, 1 State Trials 23 (1320).

[11] E. g., 11 George III, c. 55.

[12] 21 Richard II, c. 6.

[13] E. g., 26 Henry VIII, c. 25 (priv.), 3 Statutes of the Realm, p. 529; 8 William III, c. 5.

[14] See note 32, infra.

[15] Van Tyne, The Loyalists in the American Revolution, apps. B & C (1902); Thompson, Anti-Loyalist Legislation During the American Revolution, 3 Ill. L. Rev. 81, 147; Reppy, The Spectre of Attainder in New York, 23 St. John's L. Rev. 1. See *Respublica* v. *Gordon*, 1 Dall. 233; *Cooper* v. *Telfair*, 4 Dall. 14.

[16] The Federalist, No. 47, pp. 373–374 (Hamilton ed. 1880).

[17] The Federalist, No. 48, pp. 383–384 (Hamilton ed. 1880) (Madison); see generally Federalists 47 (Madison), 48 (Madison), 49 (Hamilton), 51 (Hamilton) and 78 (Hamilton).

[18] 3 (John C.) Hamilton, History of the Republic of the United States, p. 34 (1859), quoting Alexander Hamilton. James Madison expressed similar sentiments:

"Bills of attainder, ex post facto laws, and laws impairing the obligation of contracts, are contrary to the first principles of the social compact, and to every principle of sound legislation. The two former are expressly prohibited by the declarations prefixed to some of the state constitutions, and all of them are prohibited by the spirit and scope of these fundamental charters. Our own experience has taught us, neverthless, that additional fences against these dangers ought not to be omitted. Very properly, therefore, have the convention added this constitutional bulwark in favor of personal security and private rights. * * * The sober people of America are weary of the fluctuating policy which has directed the public councils. They have seen with regret and with indignation, that sudden changes, and legislative interferences, in cases affecting personal rights, become jobs in the hands of enterprising and influential speculators; and snares to the more industrious and less informed part of the community." The Federalist, No. 44, p. 351 (Hamilton ed. 1880).

[19] 1 Cooley, Constitutional Limitations, pp. 536–537 (8th ed. 1927). To the same effect, see *Calder* v. *Bull*, 3 Dall. 386, 389; *United States* v. *Lovett*, 328 U.S. 303, 317–318; 2 Story, Commentaries on the Constitution of the United States, p. 210 (4th ed. 1873); 3 Hamilton History of the Republic of the United States, p. 31 (1859); Pound, Justice According to the Law II, 14 Col. L. Rev. 1, 7–12. Macaulay's account of the attainder of Sir John Fenwick is particularly vivid:

"Some hundreds of gentlemen, every one of whom had much more than half made up his mind before the case was open, performed the office of both judge and jury. They were not restrained, as a judge is restrained, by the sense of responsibility. * * * They were not selected, as a jury is selected, in a manner which enables a culprit to exclude his personal and political enemies. The arbiters of the prisoner's fate came in and went out as they chose. They heard a fragment here and there of what was said against him, and a fragment here and there of what was said in his favor. During the progress of the bill they were exposed to every species of influence. One member might be threatened by the electors of his borough with the loss of his seat. In the debates arts were practiced and passions excited which are unknown to well-constituted tribunals, but from which no great popular assembly divided into parties ever was or ever will be free." 9 Macaulay, History of England, p. 207 (1899).

[20] The same thought is reflected in the writings of Thomas Jefferson: "173 despots would surely be as oppressive as one. . . . [L]ittle will it avail us that they are chosen by ourselves. . . . [T]he government we fought for [is] one which should not only be founded on free principles, but in which the powers of government should be so divided and balanced among several bodies of magistracy, as that no one could transcend their legal limits, without being effectually checked and restrained by the others. For this reason that convention which passed the ordinance of government, laid its foundation on this basis, that the legislative, executive and judiciary departments should be separate and distinct, so that no one person should exercise the powers of more than one of them at the same time. . . . If . . . the legislature assumes executive and judiciary powers, no opposition is likely to be made; nor, if made, can be effectual; because in that case they may put their proceedings into the form of an act of assembly, which will render them obligatory on the other branches. They have accordingly, in many instances decided rights, which should have been left to judicial controversy. (Jefferson, Notes on the State of Virginia, pp. 157–158 (Ford ed. 1894).)

The approach which Chief Justice Marshall had suggested was followed in the twin post-Civil War cases of *Cummings* v. *Missouri,* 4 Wall. 277, and *Ex. parte Garland,* 4 Wall. 333. Cummings involved the constitutionality of amendments to the Missouri Constitution of 1865 which provided that no one could engage in a number of specified professions (Cummings was a priest) unless he first swore that he had taken no part in the rebellion against the Union. At issue in Garland was a federal statute which required attorneys to take a similar oath before they could practice in federal courts. This Court struck down both provisions as bills of attainder on the ground that they were legislative acts inflicting punishment on a specific group: clergymen and lawyers who had taken part in the rebellion and therefore could not truthfully take the oath. In reaching its result, the Court emphatically rejected the argument that the constitutional prohibition outlawed only a certain class of legislatively imposed penalties:

"The deprivation of any rights, civil or political, previously enjoyed, may be punishment, the circumstances attending and the causes of the deprivation determining this fact. Disqualification from office may be punishment, as in cases of conviction upon impeachment. Disqualification from the pursuits of a lawful avocation, or from positions of trust, or from the privilege of appearing in the courts, or acting as an executor, administrator, or guardian, may also, and often has been, imposed as punishment." 4 Wall., at 320.

The next extended discussion of the Bill of Attainder clause[21] came in 1946, in *United States* v. *Lovett,* 328 U.S. 303, where the Court invalidated § 304 of the Urgent Deficiency Appropriation Act of 1943, 57 Stat. 431, 450, which prohibited payment of further salary to three named federal employees,[22] as a bill of attainder.

"[L]egislative acts, no matter what their form, that apply either to named individuals or to easily ascertainable members of a group in such a way as to inflict punishment on them without a judicial trial are bills of attainder prohibited by the Constitution. . . . This permanent proscription from any opportunity to serve the Government is punishment, and of a most serious type. . . . No one would think that Congress could have passed a valid law, stating that after investigation it had found Lovett, Dodd, and Watson 'guilty' of the crime of engaging in 'subversive activities,' defined that term for the first time, and sentenced them to perpetual exclusion from any government employment. Section 304, while it does not use that language, accomplishes that result." Id., at 315–316.[23]

III

Under the line of cases just outlined, § 504 plainly constitutes a bill of attainder. Congress undoubtedly possesses power under the Commerce Clause to enact legislation designed to keep from positions affecting interstate commerce persons who may use such positions to bring about political strikes. In § 504, however, Congress has exceeded the authority granted it by the Constitution. The statute does not set forth a generally applicable rule decreeing that any person who commits certain acts or possesses certain characteristics (acts and characteristics which, in Congress' view, make them likely to initiate political strikes) shall not hold union office, and leave to courts and juries the job of deciding what persons have committed the specified acts or possess the specified characteristics. Instead, it designates in no uncertain terms the persons who possess the feared characteristics and therefore cannot hold union office without incurring criminal liability—members of the Communist Party.[24]

Communist Party v. *Subversive Activities Control Board,* 367 U.S. 1, lends support to our conclusion. That case involved an appeal from an order by the Control Board ordering the Communist Party to register as a "Communist-action organization," under the Subversive Activities Control Act of 1950, 64 Stat. 987, 50 U.S.C. § 781 et seq. (1958 ed.). The definition of "Communist-action organization" which the Board is to apply is set forth in § 3 of the Act:

"[A]ny organization in the United States . . . which (i) is substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement referred to in section 2 of this title, and (ii) operates primarily to advance the objectives of such world Communist movement . . . ." 64 Stat. 989, 50 U.S.C. § 782 (1958 ed.).

A majority of the Court rejected petitioner's argument that the Act was a bill of attainder, reasoning that § 3 does not specify the persons or groups upon which the deprivations set forth in the Act are to be imposed, but instead sets forth a general definition. Although the Board had determined in 1953 that the Communist Party was a "Communist-action organization," the Court found the statutory definition not to be so narrow as to insure that the Party would always come within it:

"In this proceeding the Board has found, and the Court of Appeals has sustained its conclusion, that the Communist Party, by virtue of the activities in which it now engages, comes within the terms of the Act. If the Party should at any time choose to abandon these activities, after it is once registered pursuant to § 7, the Act provides adequate means of relief." 367 U.S., at 87.

The entire Court did not share the view of the majority that § 3's definition constituted rule-making rather than specification.[25] See also *Garner* v. *Los Angeles Board,* 341 U.S. 716, 723. However, language incorporated in the majority opinion indicates that there was agreement on one point: by focusing upon "the crucial constitutional significance of what Congress did when it rejected the approach of outlawing the Party by name and accepted instead a statutory program regulating not enumerated organizations but designated activities," 367 U.S. at 84–85, the majority clearly implied that if the Act had applied to the Communist Party by name, it would have been a bill of attainder:

"The Act is not a bill of attainder. It attaches not to specified organizations but to described activities in which an organization may or may not engage. . . . The Subversive Activities Control . . . requires the registration only of organizations which, after the date of the Act, are found to be under the direction, domination, or control of certain foreign powers and to operate primarily to advance certain objectives. This finding must be made after full administrative hearing, subject to judicial review which opens the record for the reviewing court's determination whether the administrative findings as to fact are supported by the preponderance of the evidence." Id., at 86–87.[26]

In this case no disagreement over whether the statute in question designates a particular organization can arise, for § 504 in terms inflicts its disqualification upon members of the Communist Party. The moment § 504 was enacted, respondent was given the choice of declining a leadership position in his union or incurring criminal liability.

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[21] In 1872, in *Pierce* v. *Carskadon,* 16 Wall. 234, the Court voided as a bill of attainder a West Virginia statute conditioning access to the courts upon the taking of an oath similar to those involved in Cummings and Garland. In *Dent* v. *West Virginia,* 129 U.S. 114, this Court upheld a West Virginia statute requiring that physicians obtain a license in order to practice. Appellant argued, inter alia, that the statute was a bill of attainder because the granting of a license was conditioned upon graduating from medical school, practicing for 10 years, or passing a special examination. The Court rejected the argument on the ground that the statute set forth general qualifications applicable to all persons who wanted to practice medicine, id., at 124, and did not single out a specific person or group for deprivation. See also *Drehman* v. *Stifle,* 8 Wall. 595.

[22] Section 304 provided:

"No part of any appropriation, allocation, or fund (1) which is made available under or pursuant to this Act, or (2) which is now, or which is hereafter made, available under or pursuant to any other Act, to any department, agency, or instrumentality of the United States, shall be used, after November 15, 1943, to pay any part of the salary, or other compensation for the personal services, of Goodwin B. Watson, William E. Dodd, Junior, and Robert Morss Lovett, unless prior to such date such person has been appointed by the President, by and with the advice and consent of the Senate: *Provided,* That this section shall not operate to deprive any such person of payment for leaves of absences or salary, or of any refund or reimbursement, which have accrued prior to November 15, 1943."

[23] Although it may be that underinclusiveness is a characteristic of most bills of attainder, we doubt that it is a necessary feature. We think it clear from the Lovett opinion that § 304 would have been voided even if it could have been demonstrated that no one other than Lovett, Watson and Dodd possessed the characteristics which Congress was trying to reach. The vice of attainder is that legislature has decided for itself that certain persons possess certain characteristics and are therefore deserving of sanction, not that it has failed to sanction others similarly situated.

[24] We of course take no position on whether or not members of the Communist Party are in fact likely to incite political strikes. The point we make is rather that the Constitution forbids Congress from making such determinations.

[25] See 367 U.S., at 146 (Black, J. dissenting).

[26] "It need hardly be said that it is upon the particular evidence in a particular record that a particular defendant must be judged, and not upon the evidence in some other record or upon what may be supposed to be the tenets of the Communist Party." *Noto* v. *United States,* 367 U.S. 290, 299.

It is argued that § 504 is not a bill of attainder because prior to its enactment there had been an administrative adjudication (by the Subversive Activities Control Board) of "the nature of the Party." Compare *Hawker* v. *New York,* 170 U.S. 189; *DeVeau* v. *Braisted,* 363 U.S. 144, 160. Even leaving aside the fact that the legislative history of § 504, see note 2, supra, indicates that Congress was acting in reliance on the findings it had made in 1947 rather than on those made by the Board in 1953, we think that this argument misses the point of the Court's opinion in the Communist Party case, where the Court stressed that the Subversive Activities Control Act did not name the Communist Party but rather set forth a broad definition, which would permit the Party to escape the prescribed deprivations in the event its character changed.

The Solicitor General points out that in *Board of Governors* v. *Agnew*, 329 U.S. 441, this Court applied § 32 of the Banking Act of 1933, which provides:

"No officer, director, or employee of any corporation or unincorporated association, no partner or employee of any partnership, and no individual, primarily engaged in the issue, flotation, underwriting, public sale, or distribution, at wholesale or retail, or through syndicate participation, of stocks, bonds, or other similar securities, shall serve the same time as an officer, director, or employee of any member bank except in limited classes of cases in which the Board of Governors of the Federal Reserve System may allow such service by general regulations when in the judgment of the said Board it would not unduly influence the investment policies of such member bank or the advice it gives its customers regarding investments."[27]

He suggests that for purposes of the Bill of Attainder Clause, such conflict-of-interest laws[28] are not meaningfully distinguishable from the statute before us. We find this argument without merit. First, we note that § 504, unlike § 32 of the Banking Act, inflicts its deprivation upon the members of a political group thought to present a threat to the national security. As we noted above, such groups were the targets of the overwhelming majority of English and early American bills of attainder. Second, § 32 incorporates no judgment censuring or condemning any man or group of men. In enacting it, Congress relied upon its general knowledge of human psychology, and concluded that the concurrent holding of the two designated positions would present a temptation to any man—not just certain men or members of a certain political party. Thus insofar as § 32 incorporates a condemnation, it condemns all men. Third, we cannot accept the suggestion that § 32 constitutes an exercise in specification rather than rule-making. It seems to us clear that § 32 establishes an objective standard of conduct. Congress determined that a person who both (a) held a position in a bank which could be used to influence the investment policies of the bank or its customers, and (b) was in a position to benefit financially from investment in the securities handled by a particular underwriting house, might well be tempted to "use his influence in the bank to involve it or its customers in securities which his underwriting house has in its portfolio or has committed itself to take." 329 U.S., at 447. In designating bank officers, directors and employees as those persons in position (a), and officers, directors, partners and employees of underwriting houses as those persons in position (b), Congress merely expressed the characteristics it was trying to reach in an alternative, shorthand way.[29] That Congress was legislating with respect to general characteristics rather than with respect to a specific group of men is well demonstrated by the fact that § 32 provides that the prescribed disqualification should not obtain whenever the Board of Governors determined that "it would not unduly influence the investment policies of such member bank or the advice it gives its customers regarding investments." We do not suggest that such an escape clause is essential to the constitutionality of § 32, but point to it only further to point up the infirmity of the suggestion that § 32, like § 504, incorporates an empirical judgment of, and inflicts its deprivation upon, a particular group of men.

It is argued, however, that in § 504 Congress did no more than it did in enacting § 32: it promulgated a general rule to the effect that persons possessing characteristics which make them likely to incite political strikes should not hold union office, and simply inserted in place of a list of those characteristics an alternative, shorthand criterion—membership in the Communist Party. Again, we cannot agree. The designation of Communists as those persons likely to cause political strikes is not the substitution of a semantically equivalent phrase; on the contrary, it rests, as the Court in *Douds* explicitly recognized, 339 U.S., at 389, upon an empirical investigation by Congress of the acts, characteristics and propensities of Communist Party members. In a number of decisions, this Court has pointed out the fallacy of the suggestion that membership in the Communist Party, or any other political organization, can be regarded as an alternative, but equivalent, expression for a list of undesirable characteristics. For, as the Court noted in *Schneiderman* v. *United States*, 320 U.S. 118, 136, "under our traditions beliefs are personal and not a matter of mere association, and . . . men in adhering to a political party or other organization notoriously do not subscribe unqualifiedly to all its platforms or asserted principles."[30] Just last Term, in *Aptheker* v. *Secretary of State*, 378 U.S. 500, we held § 6 of the Subversive Activities Control Act to violate the Constitution because it "too broadly and indiscriminately" restricted constitutionally protected freedoms. One of the factors which compelled us to reach this conclusion was that § 6 inflicted its deprivation upon all members of Communist organizations without regard to whether there existed any demonstrable relationship between the characteristics of the person involved and the evil Congress sought to eliminate. Id., at 509–511. These cases are relevant to the question before us. Even assuming that Congress had reason to conclude that some Communists would use union positions to bring about political strikes, "it cannot automatically be inferred that all members shar[e] their evil purposes or participat[e] in their illegal activities." *Schware* v. *Board of Bar Examiners*, 353 U.S. 232, 246. In utilizing the term "members of the Communist Party" to designate those persons who are likely to incite political strikes, it plainly is not the case that Congress has merely substituted a convenient shorthand term for a list of the characteristics it was trying to reach.[31]

IV

The Solicitor General argues that § 504 is not a bill of attainder because the prohibition it imposes does not constitute "punishment." In support of this conclusion, he urges that the statute was enacted for preventive rather than retributive reasons—that its aim is not to punish Communists for what they have done in the past, but rather to keep them from positions where they will in the future be able to bring about undesirable events. He relies on *American Communications Assn.* v. *Douds*, 339 U.S. 382, which upheld § 9(h) of the Taft-Hartley Act, the predecessor of the statute presently before us. In Douds the Court distinguished Cummings, Garland and Lovett on the ground that in those cases

"the individuals involved were in fact being punished for past actions; whereas in this case they are subject to possible loss of position only because there is substantial ground for the congressional judgment that their beliefs and loyalties will be translated into future conduct." Id., at 413.

This case is not necessarily controlled by Douds. For to prove its assertion that § 9(h) was preventive rather than retributive in purpose,[32] the Court in Douds focused on the fact that members of the Communist Party could escape from the class of persons specified by Congress simply by resigning from the Party:

"Here the intention is to forestall future dangerous acts; there is no one who may not, by a voluntary alteration of the loyalties which impel him to action, become eligible to sign the affidavit. We cannot conclude that this section is a bill of attainder." Id., at 414.

Section 504, unlike § 9(h), disqualifies from the holding of union office not only present members of the Communist Party, but also anyone who has within the past five years been a member of the Party. However, even if we make the assumption that the five-year provision was inserted not out of desire to visit retribution but purely out of a belief that failure to include it would lead to pro forma resignation from the Party which would not decrease the threat of political strikes, it still clearly appears that § 504 inflicts "punishment" within the meaning of the Bill of Attainder

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[27] 48 Stat. 162, 194, as amended, 49 Stat. 709, 12 U.S.C. § 78 (1964 ed.).

[28] A similar example is furnished by provisions forbidding state officers or employees from concurrently holding certain other types of positions, such as positions with the Federal Government. See, e.g., Cal. Const., Art. IV, § 20; cf. N.Y. Const., Art. III, § 7; U.S. Const., Art. I, § 6, cl. 2

[29] The command of the Bill of Attainder Clause—that a legislature can provide that persons possessing certain characteristics must abstain from certain activities, but must leave to other tribunals the task of deciding who possesses those characteristics—does not mean that a legislature cannot use a shorthand phrase to summarize the characteristics with which it is concerned. For example, a legislature might determine that persons afflicted with a certain disease which has as one of its symptoms a susceptibility to uncontrollable seizures should not be licensed to operate dangerous machinery. In enacting a statute to achieve this goal, the legislature could name the disease instead of listing the symptoms, for in doing so it would merely be substituting a shorthand phrase which conveys the same meaning.

[30] To the same effect, see *Noto* v. *United States*, 367 U.S. 290, 299–300; *Wieman* v. *Updegraff*, 344 U.S. 183, 190.

[31] We rely on the "overbroadness" cases only to buttress our conclusion that § 504 cannot be rationalized on the ground that membership in the Communist Party is merely an equivalent, shorthand way of expressing those characteristics which render likely the incitement of political strikes. We of course do not hold that overbroadness is a necessary characteristic of a bill of attainder.

[32] The Court's opinion in *Communist Party* v. *Subversive Activities Control Board*, 367 U. S. 1, 88, also referred to the fact that the members of the class affected by the statute could extricate themselves from the class at will. However, whereas the factor of escapability was considered in Douds to be probative of whether or not the statute was punitive, in the Communist Party case it was considered only as one factor tending to show that the Act in question was not directed at a specific group of persons but rather set forth a generally applicable definition. See note 26, *supra*. We do not read either opinion to have set up inescapability as an absolute prerequisite to a finding of attainder. Such an absolute rule would have flown in the face of explicit precedent, *Cummings* v. *Missouri*, 4 Wall. 277, 324, as well as the historical background of the constitutional prohibition. A number of ante-constitutional bills of attainder inflicted their deprivations upon named or described persons or groups, but offered them the option of avoiding the deprivations, *e. g.*, by swearing allegiance to the existing government. See, *e.g.*, Del. Laws 1778, c. 29b; Mass. Act of September 1778, c. 13; 3 Hamilton, History of the Republic of the United States, p. 25 (1859); see generally Note, 72 Yale L. J. 330, 339–340.

Clause. It would be archaic to limit the definition of "punishment" to "retribution." Punishment serves several purposes: retributive, rehabilitative, deterrent—and preventive. One of the reasons society imprisons those convicted of crimes is to keep them from inflicting future harm, but that does not make imprisonment any the less punishment.

Historical considerations by no means compel restriction of the bill of attainder ban to instances of retribution. A number of English bills of attainder were enacted for preventive purposes—that is, the legislature made a judgment, undoubtedly based largely on past acts and associations (as § 504 is)[33] that a given person or group was likely to cause trouble (usually, overthrow the government) and therefore inflicted deprivations upon that person or group in order to keep them from bringing about the feared event.[34] It is also clear that many of the early American bills attainting the Tories were passed in order to impede their effectively resisting the Revolution.

"In the progress of the conflict, and particularly in its earliest periods, attainder and confiscation had been resorted to generally, throughout the continent, as a means of war. But it is a fact important to the history of the revolting colonies, that the acts prescribing penalties, usually offered to the persons against whom they were directed the option of avoiding them, by acknowledging their allegiance to the existing governments.

"It was a preventative, not a vindictive policy. In the same humane spirit, as the contest approached its close, and the necessity of these severities diminished, many of the states passed laws offering pardons to those who had been disenfranchised, and restoring them to the enjoyment of their property . . . ."[35]

Thus Justice Iredell was on solid historical ground when he observed, in *Calder* v. *Bull*, 3 Dall. 386, 399–400, that "attainders, on the principle of retaliation and proscription, have marked all the vicissitudes of party triumph."

We think that the Court in Douds misread *United States* v. *Lovett* when it suggested, 339 U.S., at 413, that that case could be distinguished on the ground that the sanction there imposed was levied for purely retributive reasons. In Lovett the Court, after reviewing the legislative history of § 304 of the Urgent Deficiency Appropriation Act, 328 U.S., at 308–313, concluded that the statute was the product of a congressional drive to oust from government persons whose (congressionally determined) "subversive" tendencies made their continued employment dangerous to the national welfare: "the purpose of all who sponsored § 304 * * * clearly was to 'purge' the then existing and all future lists of government employees of those whom Congress deemed guilty of 'subversive activities' and therefore 'unfit' to hold a federal job." Id., at 314. Similarly, the purpose of the statute before us is to purge the governing boards of labor unions of those whom Congress regards as guilty of subversive acts and associations and therefore unfit to fill positions which might affect interstate commerce.[36]

The Solicitor General urges us to distinguish Lovett on the ground that the statute struck down there "singled out three identified individuals." It is of course true that § 504 does not contain the words "Archie Brown," and that it inflicts its deprivation upon more than three people. However, the decisions of this Court, as well as the historical background of the Bill of Attainder Clause, make it crystal clear that these are distinctions without a difference. It was not uncommon for English acts of attainder to inflict their deprivations upon relatively large groups of people,[37] sometimes by description rather than name.[38] Moreover, the statutes voided in Cummings and Garland were of this nature.[39] We cannot agree that the fact that § 504 inflicts its deprivation upon the membership of the Communist Party rather than upon a list of named individuals takes it out of the category of bills of attainder.

We do not hold today that Congress cannot weed dangerous persons out of the labor movement, any more than the Court held in Lovett that subversives must be permitted to hold sensitive government positions. Rather, we make again the point made in Lovett: that Congress must accomplish such results by rules of general applicability. It cannot specify the people upon whom the sanction it prescribes is to be levied. Under our Constitution, Congress possesses full legislative authority, but the task of adjudication must be left to other tribunals.

This Court is always reluctant to declare that an Act of Congress violates the Constitution, but in this case we have no alternative. As Alexander Hamilton observed:

"By a limited constitution, I understand one which contains certain specified exceptions to the legislative authority; such, for instance, as that it shall pass no bills of attainder, no ex post facto laws, and the like. Limitations of this kind can be preserved in practice no other way than through the medium of the courts of justice; whose duty it must be to declare all acts contrary to the manifest tenor of the Constitution void. Without this, all the reservations of particular rights or privileges would amount to nothing."[40]

The judgment of the Court of Appeals is *Affirmed.*

UNITED STATES, PETITIONER, *v.* ARCHIE BROWN

(Supreme Court of the United States, No. 399.—October Term, 1964, on Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit, June 7, 1965)

Mr. Justice White, with whom Mr. Justice Clark, Mr. Justice Harlan, and Mr. Justice Stewart join, dissenting.

"A bill of attainder is a legislative act which inflicts punishment without a judicial trial." *Cummings* v. *Missouri*, 4 Wall. 277, 323. When an enactment is challenged as an attainder, the central inquiry must be whether the disability imposed by the act is "punishment" (i.e., is directed at an individual or a group of individuals) or is "regulation" (i.e., is directed at controlling future conduct). *Flemming* v. *Nestor*, 363 U.S. 603, at 613–614; accord, *Trop* v. *Dulles*, 356 U.S. 86, 95–96 (Warren, C.J., announcing judgment). Whether a punitive purpose would be inferred has depended in past cases on a number of circumstances, including the nature of the disability, whether it was traditionally regarded as punishment, whether it is rationally connected to a permissible legislative objective, as well as the specificity of the legislature's designation of the persons to be affected. See generally *Kennedy* v. *Mendoza-Martinez*, 372 U.S. 144, 168–169.

In this case, however, the Court discards this meticulous multifold analysis that has been deemed necessary in the past. Instead the Court places the burden of separating attainders from permissible regulation on an examination of the legislative findings implied by the nature of the class designated. The Bill of Attainder Clause, the Court says, was intended to implement the separation of powers by confining the legislature to rule-making and preventing legislative invasion of a function left exclusively to the courts—fact-finding connected with applications of a general rule to individuals or groups. Section 504 is therefore a bill of attainder because in pursuit of its purpose of preventing political strikes, it has specified the persons—Communist Party members—who are to be disqualified from holding union office, rather than excluding all persons who might engage in the undesirable conduct. The vice in § 504 is that it does not set forth a rule generally applicable to "any person who commits certain acts or possesses certain characteristics (acts and characteristics, which, in Congress view, make them likely to initiate political strikes)" but has instead designated "the persons who possess the feared characteristics," members of the Communist Party. Ante, at —.

At this point the Court implies that legislation is sufficiently general if it specifies a characteristic that makes it likely that individuals falling within the group designated will engage in conduct Congress may prohibit. But the Court then goes on to reject the argument that Communist Party membership is in itself a characteristic raising such a likelihood. The Court declares that "[e]ven assuming that Congress had reason to conclude that some Communists would use union positions to bring about political strikes '* * * it cannot automatically be inferred that all members shar[e] their evil purposes or participat[e] in their illegal activities.'" Ante, at —. (Emphasis added.) This sudden shift in analysis—from likelihood to certainty—must mean that the Bill of Attainder Clause proscribes legislative action with respect to any group smaller than the total class possessing the characteristic upon which legislative power is premised whenever the legislation is based only on a finding about the average characteristics of the subgroup. The legislature may focus on a particular group or class only when the group designation is a "shorthand phrase" for the feared characteristic—i. e., when it is common knowledge that all, not just some, members of the group possess the feared characteristic and thus such legislative designation would require no legislative fact-finding about individuals.[1]

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[33] *American Communications Assn.* v. *Douds*, 339 U.S. 382, 389; see note 2, *supra*.

[34] See *Ex parte Law*, 15 *Fed. Cas.* 3, 9–10 (No. 8126) (D. C. S. D. Ga. 1866). Professor Chafee has pointed out that even the death penalty was often inflicted largely for preventive purposes:

"There was no good middle ground between beheading and doing nothing. If the ousted adviser were left at liberty, he could readily turn his resentment into coercion or rebellion and make a magnificent comeback to the utter ruin of those who had driven him from his high place. Therefore, the usual object of Parliamentary proceedings against an important minister was to put him to death." Chafee, Three Human Rights in the Constitution of 1787, pp. 103–104 (1956).

The preventive purpose of the "Act of Attainder of the pretended Prince of Wales of High Treason" of 1700, 13 William III, c. 3, is demonstrated by the parliamentary declaration that anyone corresponding with the Prince or his followers would be subject to prosecution for treason. See also Chafee, supra, pp. 109–113 (impeachment and attainder of the Earl of Strafford), 115–118 (bill against the Earl of Clarendon).

[35] 3 Hamilton, History of the Republic of the United States, p. 25 (1859); see e.g., Mass. Act of September 1778, c. 13 ("An Act to Prevent the Return of Tories"); cf. Md. Laws February 1777, c. 20 ("An Act to punish certain crimes and misdeameanors, and to prevent the growth of toryism"); see also 2 Story, Commentaries on the Constitution of the United States, p. 211, n. 1 (4th ed. 1873); authorities cited note 15, supra.

[36] Nor do the deprivations imposed by the two statutes differ in any meaningful way. Section 304 cut off the salary of the specified individuals, thereby effectively barring them from government service, 328 U.S., at 316; § 504 provides that specified persons cannot serve as officers of, or engage in most kinds of employment with, labor unions. Compare Del. Laws 1778, c. 29b; *Cummings* v. *Missouri*, 4 Wall. 277, 317, 320; *Ex parte Garland*, 4 Wall. 333, 374.

[37] E.g., 12 Charles II, c. 30; 19 George II, c. 26; 11 George III, c. 55.

[38] Note 13, supra.

[39] See also *Ex parte Law*, 15 Fed. Cas. 3, 8 (No. 8126) (D. C. S. D. Ga. 1866); *United States* v. *Lovett*, 328 U.S. 303, 327 (Frankfurter, J., concurring).

[40] The Federalist, No. 78, pp. 576–577 (Hamilton ed. 1880).

In the Court's view, therefore, § 504 is too narrow in specifying the particular class; but it is also too broad in treating all members of the class alike. On both counts—underinclusiveness and overinclusiveness—§ 504 is invalid as a bill of attainder because Congress has engaged in forbidden fact-finding about individuals and groups and has thus strayed into the area reserved to the judiciary by the Constitution.

I

It is not difficult to find some of the cases and statutes which the necessary implications of the Court's approach will overrule or invalidate.

American Communications Assn. v. *Douds,* 339 U.S. 382, which upheld the predecessor statute to § 504 is obviously overruled. In that case the Court accepted the congressional findings about the Communist Party and about the propensity of Party members "to subordinate legitimate trade union objectives to obstructive strikes when dictated by Party leaders, often in support of the policies of a foreign government." 339 U.S., at 388. Moreover, Congress was permitted to infer from a person's "political affiliations and beliefs" that such persons would be likely to instigate political strikes. 339 U.S. 391–392. Like § 504, the statute there under consideration did not cover all persons who might be likely to call political strikes. Nevertheless, legislative findings that some Communists would engage in illegal activities was sufficient to sustain the exercise of legislative power. The Bill of Attainder Clause now forbids Congress to do precisely what was validated in Douds.

Similarly invalidated are statutes denying positions of public importance to groups of persons identified by their business affiliations, commonly known as conflict-of-interest statutes. In the Douds case the Court found in such statutes support for its conclusion that Congress could rationally draw inferences about probable conduct on the basis of political affiliations and beliefs, which it considered comparable to business affiliations. The majority in the case now before us likewise recognizes the pertinency of such statutes and, in its discussion of *Board of Governors* v. *Agnew,* 329 U.S. 441, strenuously—and unsuccessfully—attempts to distinguish them.

The statute involved in Agnew § 32 of the Banking Act of 1933, 48 Stat. 194, as amended, 12 U.S.C. § 78 (1964 ed.) forbade any partner or employee of a firm primarily engaged in underwriting securities from being a director of a national bank. The Court expressly recognized that the statute was directed to the "probability or likelihood" that a bank director who was also a partner or employee of an underwriting firm "may use his influence in the bank to involve it or its customers in securities which his underwriting house has in its portfolio or has committed itself to take." 329 U.S., at 447. (Emphasis added.) And, as we noted in *Douds,* 339 U.S., at 392, "there was no showing, nor was one required, that all employees of underwriting firms would engage in such conduct." See also *Agnew,* 329 U.S., at 449.

In terms of the Court's analysis of the Bill of Attainder Clause, no meaningful distinction may be drawn between § 32 of the Banking Act and § 504. Both sections disqualify a specifically described group, officers and employees of underwriting firms in the one case and members of the Communist Party in the other. Both sections may be said to be underinclusive: Others besides underwriters may have business interests conflicting with the duties of a bank director and others than Communists may call political strikes. Equally, both sections may be deemed overinclusive: Neither section finds that all members of the group affected would violate his obligations to the office from which he is disqualified; some members would and perhaps others would not. Both sections are based on a probability or likelihood that this would occur. Both sections leave to the courts the task of determining whether particular persons are members of the designated groups and occupy the specified positions.

In attempting to distinguish the two sections, the Court states that in enacting § 32 of the Banking Act Congress made no judgment or condemnation of any specific group of persons. Instead, the Court reasons, "Congress relied upon its general knowledge of human psychology, and concluded that the concurrent holding of the two positions would present a temptation to any man—not just certain men or members of a certain political party." Ante, at —. But § 32 disqualified only partners and employees of underwriting firms, not other businessmen with conflicting interests. And § 504 applies to any man who occupies the two positions of labor union leader and member of the Communist Party. If based upon "its general knowledge of human psychology" Congress may make findings about a group including members and employees of underwriting firms which disqualify such persons from a certain office, why may not Congress on a similar basis make such a finding about members of the Communist Party? "Because of their business connections, carrying as they do certain loyalties, interests and disciplines," § 32 disqualified members and employees of underwriting firms as posing "a continuing threat of participation in the harmful activities. . . ." *Douds,* 339 U.S., at 392. The same might be said about § 504, as was said about its predecessor: "Political affiliations of the kind here involved, no less than business affiliations, provide rational ground for the legislative judgment that those persons proscribed by section 9(h) would be subject to 'tempting opportunities' to commit acts deemed harmful to the national economy. In this respect, section 9(h) is not unlike a host of other statutes which prohibit specified groups of persons from holding positions of power and public interest because, in the legislative judgment, they threaten to abuse the trust that is a necessary concomitant of the power of office." Id., at 392.

Conflict-of-interest statutes are an accepted type of legislation.[2] Indeed, our Constitution contains a conflict-of-interest provision in Art. I, § 6, cl. 2, which prohibits any Congressman from simultaneously holding office under the United States. If the Court would save the conflict-of-interest statutes, which apparently it would, it is difficult to understand why § 504 is stricken down as a bill of attainder.

Other legislative enactments relevant here are those statutes disqualifying felons from occupying certain positions. The leading case is *Hawker* v. *New York,* 170 U.S. 189, which upheld a provision prohibiting convicted felons from practicing medicine against a claim that, as applied to one convicted before its enactment, it was an ex post facto law. The Court noted that a legislature may establish qualifications for the practice of medicine, and character may be such a qualification. Conviction of a felony, the Court reasoned, may be evidence of character:

"It is not open to doubt that the commission of a crime . . . has some relation to the question of character. It is not, as a rule, the good people who commit crime. When the legislature declares what whoever has violated the criminal laws of the State shall be deemed lacking in good moral character it is not laying down an arbitrary or fanciful rule—one having no relation to the subject-matter, but is only appealing to a well recognized fact of human experience . . . .

"It is no answer to say that this test of character is not in all cases absolutely certain, and that sometimes it works harshly. Doubtless, one who has violated the criminal law may thereafter reform and become in fact possessed of a good moral character. But the legislature has power in cases of this kind to make a rule of universal application, and no inquiry is permissible back of the rule to ascertain whether the fact of which the rule is made the absolute test does or does not exist." 170 U.S. at 196–197.

Accord, *De Veau* v. *Braisted,* 363 U.S. 144, 159–160 (Frankfurter, J. announcing judgment) (bill of attainder and ex post facto challenges).

Like § 504, the legislation challenged in Hawker was both overinclusive and underinclusive. Felons were not the only persons who might possess character defects making them unsuitable practitioners of medicine; and, as the Court expressly noted, not all felons would lack good moral character. Nevertheless, the legislature was permitted to disqualify all members of the class, rather than being required to delegate to the courts the responsibility of determining the character of each individual based on all relevant facts, including the prior conviction. The legislative findings that sustained the legislation attacked in Hawker were simply that a substantial number of felons would be likely to abuse the practice of medicine because of their bad character. It is just such findings respecting the average propensities of a given class of persons to engage in particular conduct that the Court will not now permit under the Bill of Attainder Clause. Though the Court makes no attempt to distinguish the Hawker type laws it apparently would save them, see *Trop* v. *Dulles,* 356 U.S. 86, 96–97 (Warren, C.J., announcing judgment), and with them the provision of the statute now before the Court which disqualifies felons from holding union office.[3]

The Court apparently agrees that the Subversive Activities Control Act was not a bill of attainder with regard to the Communist Party because, as the Court pointed out in *Subversive Activities Control Board* v. *Communist Party*, 367 U.S. 1, the finding that the Party was a Communist-action organization was not made by the legislature but was made administratively, after a trial-type hearing and subject to judicial review. But this apparently does not settle whether the statute is a bill of attainder with respect to Party members; for under today's approach, a finding about the Party and about some of its members does not cure the vice of overinclusiveness. The Subversive Activities Control Act attaches certain disqualifications to each Party member following the administrative-judicial finding that the Party is a Communist-action organization. Among other things, each Party member is disqualified from holding union office, almost the same disqualification as is involved here. Subversive Activities Control Act of 1950, § 5(a)(1)(E), added by Act Aug. 24, 1954, § 6, 68 Stat. 777, 50 U.S.C. § 784(a)(1)(E) (1958 ed.). I don't see how this and the other consequences attached to Party membership in that Act could survive examination under the principles announced today.

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[1] An overbroadness challenge could also be made under the First Amendment on the ground that in § 504 Congress has too broadly and indiscriminately visited disabilities on a class defined in terms of associational ties. See *Aptheker* v. *Secretary of State,* 378 U.S. 500. But the Court expressly disavows decision of First Amendment claims, and I likewise put such questions aside.

[2] See, *e.g.,* § 10 of the Clayton Act, 38 Stat. 734, 15 U.S.C. § 20 (1964 ed.) (requiring competitive bidding for certain transactions between a common carrier and other corporations when there are common directors), *United States* v. *Boston & M. R. Co.,* 380 U.S. 157; § 16(b) of the Securities Exchange Act of 1934, 48 Stat. 896, 15 U.S.C. § 78p(b) (1964 ed.) (providing that profits made by directors, officers, and principal shareholders through short-swing transactions in corporation stock shall inure to benefit of corporation), *Blau* v. *Lehman,* 368 U.S. 403, 411–413; § 310(b) of the Trust Indenture Act of 1939, 53 Stat. 1157 (making certain conflicting interests grounds for disqualification of indenture trustees).

[3] For a partial listing of similar statutes, see *De Veau* v. *Braisted,* 363 U.S. 144, 159 (Frankfurter, J., announcing judgment). *De Veau* v. *Braisted* itself sustained against a bill of attainder challenge, without dissent on this issue, a state statute disqualifying felons from holding office in waterfront labor unions.

On the other hand, if the statutes involved in Hawker and Agnew are not bills of attainder, how can the Subversive Activities Control Act be an attainder with respect to members of the Communist Party? In the Communist Party case, the Board found that the "[Party's] principal leaders and a substantial number of its members are subject to and recognize the disciplinary power of the Soviet Union and its representatives. This evidences domination and control over [the Party] by the Soviet Union, and a purpose to advance the objectives of the world Communist movement." Modified Report of the Board, December 18, 1956, in Record, No. 12 OT 1960, p. 2538. That finding was expressly sustained by this Court. 367 U.S. 1, 57. Certainly, if Hawker and Agnew are to be followed at all, these nonlegislative findings establish a sufficient probability or likelihood with regard to Party members—a sufficient temptation to Party members who are also union officers—to permit the legislature to disqualify Party members from union office as it did in the Subversive Activities Control Act.

And if the disqualification of Party members in the Subversive Activities Control Act is not a bill of attainder neither is § 504. If it is § 504's specific designation of the Communist Party and its members which concerns the Court—if the Court would have the same concern if the statute in Agnew had disqualified the members of a particular underwriting firm—it seems to me that at this point this vice is no vice at all; for the Congress has provided in another statute, the Subversive Activities Control Act, for an adjudication about Communist-action organizations, the nature of the Party has now been adjudicated and an adequate probability about the future conduct of its members established to justify the disqualification which Congress has imposed. Compare *Schware* v. *Board of Bar Examiners,* 353 U.S. 232, 244 (absent findings respecting nature of Communist Party at time of bar applicant's membership, membership in Party 15 years prior to application provides no rational ground for disqualification).

This, of course, is not the path the Court follows. Section 504 is said to imposed punishment of specific individuals because it has disqualified all Communist Party members without providing for a judicial determination as to each member that he will call a political strike. A likelihood of doing so based on membership is not enough. By the same token, a statute disqualifying Communists, or authorizing the Executive Branch to do so, from holding sensitive positions in the Government would be automatically infirm, as would a requirement that employees of the Central Intelligence Agency or the National Security Agency disclaim membership in the Communist Party, unless in each case it is proved by evidence other than membership in the Communist Party, the nature of which has already been adjudicated, that the individual would commit acts of disloyalty or subordinate his official undertakings to the interests of the Party.

But how does one prove that a person would be disloyal? The Communist Party's illegal purpose and its domination by foreign power have already been adjudicated, both administratively and judicially. If this does not in itself provide a sufficient probability with respect to the individual who persists in remaining a member of the Party, or if a probability is in any event insufficient, what evidence with regard to the individual will be sufficient to disqualify him? If he must be apprehended in the act of calling one political strike or in one act of disloyalty before steps can be taken to exclude him from office, there is little or nothing left of the preventive or prophylactic function of § 504 or of the statutes such as the Court had before it in Hawker and Agnew.

Examples of statutes that will now be suspect because of the Court's opinion but were, until today, unanimously accepted as legitimate exercises of legislative power could easily be multiplied. Such a catalogue in itself would lead one to inquire whether the Court's reasoning does not contain some flaw that explains such perverse results.

II

One might well begin by challenging the Court's premise that the Bill of Attainder Clause was intended to provide a general dividing line between legislative and judicial functions and thereby to operate as the chief means of implementing the separation of powers. While it must be conceded that our system of government is based on the separation of powers and that the prohibition on bills of attainder is a judicially enforceable restraint on legislative power and therefore constitutes one among the many mechanisms implementing the separation of powers, that conclusion is the most that can be gleaned from the authorities cited by the Court. Some, like the statement quoted from Chief Justice Marshall, *Fletcher* v. *Peck*, 6 Cranch 87, 136, reflect views concerning "whether the nature of society and of government does not prescribe some limits to the legislative power," id., at 135, rather than an analysis of the bill-of-attainder provision. None assigns a pre-eminent position to that provision as compared with other restraints on the legislature.

On the other hand, there are substantial reasons for concluding that the Bill of Attainder Clause may not be regarded as enshrining any general rule distinguishing between the legislative and judicial functions. Congress may pass legislation affecting specific persons in the form of private bills. It may also punish persons who commit contempt before it. So too, one may note that if Art. I, § 9, cl. 3 immortalizes some notion of the separation of powers at the federal level, then Art. I, § 10 necessarily does the same for the States. But it has long been recognized by this Court that "[w]hether the legislative, executive and judicial powers of a State shall be kept altogether distinct and separate, or whether persons or collections of persons belonging to one department may, in respect to some matters, exert powers which, strictly speaking, pertain to another department of government, is for the determination of the State." *Dreyer* v. *Illinois,* 187 U.S. 71, 84; accord, e.g., *Reetz* v. *Michigan,* 188 U.S. 505, 507; *Carfer* v. *Caldwell,* 200 U.S. 293, 297; *Sweezy* v. *New Hampshire,* 354 U.S. 234, 255 (Warren, C.J., announcing judgment), 256–257 (Frankfurter, J., concurring), 268 (Clark, J., dissenting).

III

The basic flaw in the Court's reasoning, however, is its too narrow view of the legislative process. The Court is concerned to separate the legislative and judicial functions by ensuring that the legislature does not infringe the judicial function of applying general rules to specific circumstances. Congress is held to have violated the Bill of Attainder Clause here because, on the one hand, § 504 does not encompass the whole class of persons having characteristics that would make them likely to call political strikes and, on the other hand, § 504 does single out a particular group, members of the Communist Party, not all of whom possess such characteristics. Because of this combination of underinclusiveness and overinclusiveness the Court concludes that Communist Party members were singled out for punishment, thus rejecting the Government's contention that § 504 has solely a regulatory aim.

The Court's conclusion that a statute which is both underinclusive and overinclusive must be deemed to have been adopted with a punitive purpose assumes that legislatures normally deal with broad categories and attack all of an evil at a time. Or if partial measures are undertaken, a legislature singles out a particular group for regulation only because the group label is a "short hand phrase" for traits that are characteristic of the broader evil. But this Court has long recognized in equal protection cases that a legislature may prefer to deal with only part of an evil. See, e.g., *Railway Express Agency, Inc.* v. *New York,* 336 U.S. 106; *Semler* v. *Oregon State Board of Dental Examiners,* 294 U.S. 608; *Bryant* v. *Zimmerman,* 278 U.S. 63; *Patsone* v. *Pennsylvania,* 232 U.S. 138. And it is equally true that a group may be singled out for regulation without any punitive purpose even when not all members of the group would be likely to engage in the feared conduct. "[I]f the class discriminated against is or reasonably might be considered to define those from whom the evil mainly is to be feared, it properly may be picked out." *Patsone* v. *Pennsylvania,* 232 U.S., at 144. That is, the focus of legislative attention may be the substantial greater likelihood that some members of the group would engage in the feared conduct compared to the likelihood that members of other groups would do so. This is true because legislators seldom deal with abstractions but with concrete situations and the regulation of specific abuses. Thus many regulatory measures are enacted after investigation into particular incidents or the practices of particular groups and after findings by the legislature that the practices disclosed are inimical to the public interest and should be prevented in the future. Not surprisingly, the resulting legislation may reflect in its specificity the specificity of the preceding legislative inquiry. See *United States* v. *Boston & M.R. Co.,* 380 U.S. 157, 161–162. But the fact that it does should not be taken, in itself, to be conclusive that the legislature's purpose is punitive. Admittedly the degree of specificity is a relevant factor—as when individuals are singled out by name—but because in many instances specificity of the degree here held impermissible may be wholly consistent with a regulatory, rather than a punitive purpose, the Court's per se approach cuts too broadly and invalidates legitimate legislative activity.

IV

Putting aside the Court's per se approach based on the nature of the classification specified by the legislation, we must still test § 504 against the traditional defintion of the bill of attainder as legislative punishment of particular individuals. In my view, § 504 does not impose punishment and is not a bill of attainder.

We have said that "only the clearest proof could suffice" to establish that Congress' purpose was punitive rather than regulatory. *Flemming* v. *Nestor,* 363 U.S. 603, 617. A punitive purpose has been found when it could be said that a statute passed amid the fierce passions aroused by the Civil War bore no rational connection to any permissible legislative purpose. *Cummings* v. *Missouri,* 4 Wall. 277, 319, 322; see *Dent* v. *West Virginia,* 129 U.S. 114, 128; *Hawker* v. *New York,* 170 U.S. 189, 198. The imposition of a particularly harsh deprivation without any discernible legitimate legislative purpose has similarly been characterized as penal. *Trop* v. *Dulles,* 356 U.S. 86 (Warren, C.J., announcing judgment). Similarly a punitive purpose has been found when such a purpose clearly appeared in the legislative history. *Kennedy* v. *Mendoza-Martinez,* 372 U.S. 144, 169; *United States* v. *Lovett,* 328 U.S. 303, 308–314. In other cases the analysis is more difficult. We summarized the relevant considerations in *Kennedy* v. *Mendoza-Martinez, supra:*

"Whether the sanction involves an affirmative disability or restraint, whether it has historically been regarded as a punishment, whether it comes into play only on a finding of scienter, whether its operation will promote the traditional aims of punishment—retribution and deterrence, whether the behavior which it applies is already a crime, whether an alternative purpose to which it may rationally be connected is assignable for it, and whether it appears excessive in relation to the alternative purpose assigned are all relevant to the inquiry, and may often point in differing directions." 372 U.S., at 168–169.

An application of these criteria to § 504 compels the conclusion that it is regulatory rather than punitive.

Congress' concern with the possibility of political strikes is not simply a fictional concern advanced to mask a punitive purpose. Congress has sought to forestall political strikes since 1947, when it adopted § 9(h) of the Taft-Hartley Act, which was sustained as a reasonable regulation in *American Communications Assn.* v. *Douds,* 339 U.S. 382. Section 504 was adopted as a fairer and more effective method of dealing with the same evil. H.R. Rep. No. 741, 86th Cong., 1st Sess. (1959), p. 33; 1 Leg. Hist. LMRD 791. Section 9(h) had proved ineffective because many Communists would take the prescribed oath, which meant the only sanction available was a perjury prosecution that presented serious difficulties of proof. See Hearings before the House Committee on Un-American Activities, Communist Infiltration of Vital Industries and Current Communist Techniques in the Chicago, Illinois, Area, 86th Cong., 1st Sess. (1959), pp. 519, 576; Hearings before a Subcommittee of the Senate Committee on Labor and Public Welfare, Communist Domination of Unions and National Security, 82d Cong., 2d Sess. (1952), p. 54. Moreover, the oath requirement created inequities both because the disqualification imposed was visited on the whole union membership and because the taking of an oath was exacted of all union leaders, many of whom resented the requirement. See *American Communications Assn.* v. *Douds,* 339 U.S., at 434–435 (Jackson, J., concurring and dissenting); S. Rep. No. 187, 86th Cong., 1st Sess. (1959), pp. 7, 9; 1 Leg. Hist. LMRDA 403, 405. It was obviously reasonable for Congress to substitute § 504 for § 9(h) of the Taft-Hartley Act, and no punitive purpose may be inferred from such congressional action.

Nor can it be denied that § 504 is reasonably related to a permissible legislative objective. In *American Communications Assn.* v. *Douds,* we held that "Congress could rationally find that the Communist Party is not like other political parties in its utilization of positions of union leadership as means by which to bring about strikes, . . ." 339 U.S. at 391, and therefore Congress could rationally infer that members of the Communist Party were likely to call political strikes. See also *Communist Party* v. *Subversive Activities Control Board,* 367 U.S. 1, 93–94, 112. In 1956 the Subversive Activities Control Board found, after a trial-type hearing, that the Party's principal leaders and a substantial number of its members recognize the disciplinary power of the Soviet Union. Without question the findings previously made by Congress and the Subversive Activities Control Board afforded a rational basis in 1959 for Congress to conclude that Communists were likely to call political strikes, and sufficiently more likely than others to do so that special measures could appropriately be enacted to deal with the particular threat posed.

In view of Congress' demonstrated concern in preventing future conduct—political strikes—and the reasonableness of the means adopted to that end, I cannot conclude that § 504 had a punitive purpose or that it constitutes a bill of attainder. I intimate no opinion on the issues that the Court does not reach.

[From the Washington (D.C.) Post, June 11, 1965]

Legislative Punishment

History is replete with the record of legislative efforts to proscribe, or otherwise punish, individuals or groups whose political opinions are abhorrent to a majority. Even on this continent, in its revolutionary period, punitive measures were adopted against Tories and, in the aftermath of the Civil War, harshly retributive laws were passed against rebels and Copperheads. The extreme anxiety about communism which prevailed during the decade after the Second World War found expression in similar legislation aimed at members of the Communist Party.

A legislative act which inflicts punishment on an individual or on a class of individuals without a judicial trial is a bill of attainder. Such legislative acts are expressly forbidden by the Constitution because of a recognition, as Alexander Hamilton wrote, that "nothing is more common than for a free people, in times of heat and violence, to gratify momentary passions, by letting into the government principles and precedents which afterward prove fatal to themselves. Of this kind is the doctrine of disqualification, disfranchisement, and banishment by acts of the legislature."

Mindful of the constitutional prohibition of bills of attainder, Congress, even when it was striking hardest at Communists in the 1940's and 1950's, refrained from identifying them by name or by party affiliation and contented itself with proscribing them under some such rubric as persons who "teach or advocate * * * the overthrow of the Government by force and violence." The distinction may seem somewhat niggling and technical but it served to make a good deal of anti-Communist legislation acceptable to the Supreme Court.

In 1959, however, Congress ignored this hazard and made it a crime for anyone "who is or has been a member of the Communist Party" to serve as an officer or employee of a labor union. It could hardly have been altogether surprising to the congressional sponsors of this legislation that on Monday the Supreme Court struck it down as unconstitutional.

Even in its treatment of membership in an organization advocating overthrow of the Government under the terms of the Smith Act, the Supreme Court has long said that there must be a showing of conscious participation in the conspiracy or enterprise. In the act which the Court upset on Monday, there was no room left at all for judicial discrimination or discretion; the disability to hold union office was imposed upon all Communists indiscriminately without the requirement of any showing that the persons affected were likely to inflict the injuries which Congress may have properly sought to avert. The Chief Justice wrote:

"We do not hold today that Congress cannot weed dangerous persons out of the labor movement. * * * Rather, we make again the point * * * that Congress must accomplish such results by rules of general applicability. It cannot specify the people upon whom the sanction it prescribes is to be levied. Under our Constitution, Congress possesses full legislative authority, but the task of adjudication must be left to other tribunals."

Four members of the Court joined in an exceptionally well-reasoned and telling dissent written by Mr. Justice White. He pointed out, among other things, that the majority view is irreconciliable with the Court decision of 15 years ago in *American Communications Association* v. *Douds.* That decision, he said, "is obviously overruled," although the majority did not acknowledge overruling it. The majority seems to us indisputably right, however, in holding invalid as a bill of attainder an act which selects and designates the persons who are to suffer its penalties.

RESOLUTION OF NORTH CAROLINA GENERAL ASSEMBLY RELATING TO SOIL AND WATER CONSERVATION

Mr. ERVIN. Mr. President, on April 30, 1965, the General Assembly of North Carolina adopted a resolution asking Congress to reject the proposed drastic reduction in appropriations for technical assistance to soil and water conservation districts. My position on this matter is identical to that expressed by the resolution of the North Carolina General Assembly, and I ask unanimous consent that a copy of this resolution be printed at this point in the body of the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

H.R. 569

Joint resolution memorializing the Congress to oppose the proposed drastic reduction in technical assistance to soil and water conservation districts

Whereas the Bureau of the Budget proposal provides for a reduction of $20 million in funds to USDA Soil Conservation Service for the provisions of technical assistance to landowners in the application of the soil and water conservation district program; and

Whereas this proposal also embraces a change in the traditional method of financing the cost of technical assistance through soil and water conservation districts to landowners thus increasing costs and problems to both districts and landowners; and

Whereas such a reduction would mean the virtual elimination of all technical assistance to some districts and some reduction of assistance to all districts, thus causing a sharp decrease in amounts of conservation work applied on the lands of North Carolina; and

Whereas this program has been exceedingly successful and popular in our State, and significant progress in conservation has been made in a democratically organized and operated program; and

Whereas the State and many local governmental units in North Carolina have participated financially and otherwise to supplement the assistance furnished by the Federal Government to soil and water conservation district activities: Now, therefore, be it

Resolved by the house of representatives (the senate concurring):

SECTION 1. That the Members of the U.S. Congress from North Carolina are urged to strongly protest these changes and lend their efforts to the restoration of these funds to the level of the needs of local districts in the 1966 and future budgets of the U.S. Department of Agriculture.

SEC. 2. That a copy of this resolution be forwarded to all Members of Congress from North Carolina.

SEC. 3. That this resolution shall be in full force and effect from and after its adoption.

In the general assembly read three times and ratified, this the 30th day of April 1965.

ROBERT W. SCOTT,
President of the Senate.
H. P. TAYLOR, Jr.,
Speaker of the House of Representatives.

FLAG DAY STATEMENTS FROM POSTAL RECORD AND THE ELKS MAGAZINE

Mr. MUNDT. Mr. President, today, as we observe the birthday anniversary of the Stars and Stripes, I think it appropriate to bring to the attention of the Senate two excellent articles on Flag Day contained in the June issue of two publications.

The first article is from the Postal Record, a monthly journal published by the National Association of Letter Carriers. The editor is James H. Rademacher. I call attention to the closing comments in the Postal Record's excellent editorial:

> Unfortunately, in this sophisticated age, too many Americans are inclined to be afraid of being called superpatriotic or flagwavers. This is most unfortunate. The flag of the United States is a symbol of the greatest government ever devised by the mind of man. It is a symbol of a way of life that our forefathers carved out for us, and which we are determined to improve upon.
>
> No American should be ashamed to grow emotional over his country's flag. No American should hesitate to exhibit the flag on all occasions.
>
> Flag Day is a great institution and a fitting remembrance of a great heritage. It is too bad it is necessary. In the United States of America, every day should be Flag Day.

In connection with Flag Day, Robert G. Pruitt, grand exalted ruler of the Benevolent and Protective Order of Elks of the United States of America, has written for the Elks magazine a stirring article on patriotism.

I shall quote a paragraph or two from Mr. Pruitt's article; and I would add that what he says about the Elks is certainly applicable to the members of our other many and fine patriotic organizations.

I read from his article:

> Patriotism is a word that has a deep meaning for all Elks. Its meaning permeates everything that we do. It embraces everything that we stand for. At every Elk gathering we make known our love of country and its beautiful flag.
>
> Our patriotism is as uncomplicated as it is rugged—a basic, simple, direct, unreserved love of our country. We think this is the greatest Nation on earth, and we say so unabashedly and without reservation.

Mr. President, how direct and how clear that statement is, and how true. Yet there are those who deride and attack patriotism, perhaps because it is so uncomplimented, and does spring from deep conviction, and is so easily understood.

But I submit that had it not been for the patriots of this country, today's critics of patriotism would not even have the privilege of voicing their objections to a display honoring our country or to tributes of devotion to our Nation.

Before submitting these two fine articles for printing in the RECORD, I wish to call attention to a series of events on the Capitol Grounds during the summer: Our service bands—the Navy Band, the Army Band, the Air Force Band, and the Marine Band—present concerts, in the evenings, on the east front of the Capitol; and I consider these programs and their setting particularly inspirational. It is, and always has been, a thrilling sight, to me, to look up at Old Glory over the Capitol, proudly waving over the heads of these fine musicians as they present their concerts; and I call these concerts to the attention of all Senators, in the event they may wish to note them for their constituents who are visiting in Washington.

I request consent to have these articles printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Postal Record]

"OLD GLORY": FLAG DAY—A FITTING REMEMBRANCE

June 14 is Flag Day. It is so designated because on that date, in 1777, the Continental Congress adopted the resolution which officially established the Stars and Stripes as the official flag of the emerging colonies.

The day was officially established on August 3, 1949, when President Harry S. Truman signed a bill into law which called for the annual observance of a day commemorating the birth of our flag. (Only in Pennsylvania is June 14 a legal holiday. It should be a holiday in every State.)

Flags, or national insignia, are as ancient as civilization itself. The armies of the Egyptian and Roman empires carried distinguishing devices into war. The Bible has many references to flags, perhaps the most famous being in the Song of Solomon 6: 10: "Who is she that looketh forth as the morning, fair as the moon, clear as the sun, and terrible as an army with banners?"[1] There is indication in Numbers 2: 2 and 10: 14 that each of the tribes of Israel had its own distinctive banner.

The origins of the flag of the United States are obscure, although it is almost certain that Betsy Ross had nothing to do with them. (The legend was first publicized by a grandson of Mrs. Ross, 93 years after the flag's adoption.) It was probably selected from the many designs that the Revolutionary forces displayed during the early days of the war because of its practicability: it was simple to manufacture, easy to distinguish, and intrinsically beautiful.

The American flag approved by the Continental Congress was (probably) first flown in the face of the enemy during August 1777, when a valiant band of Americans defended the crucial Fort Stanwix (now Rome, N.Y.) against a numerically superior British force. Legend has it that the new flag was hastily improvised from the blue and white of the uniforms, with the red coming from the undergarments of a female camp follower whose name has been lost to history.

Up until 1818 a stripe and a star were added to the flag whenever a new State was admitted to the Union. (During the War of 1812, for instance, the flag had 15 stripes.) When Vermont and Kentucky were added in 1818, however, it became apparent that the design was becoming unwieldy, so the Congress decreed that the stripes should be limited to 13 in honor of the original colonies, and that a star be added on the July 4 following the admission of each new State. This has been the rule ever since.

The flag of the United States was first termed "Old Glory" by William Driver, master of the brig *Charles Daggett*, when he raised the flag at the masthead on August 10, 1831. The Pledge of Allegiance first appeared in August 1892 in the Youth's Companion, a popular magazine of the day, and it was first used officially on Columbus Day of that year. (By a curious coincidence, it was written by a native of Rome, N.Y.: Francis Bellamy.) The words "under God" were added to the Pledge by Congress in 1954.

Through carelessness or ignorance, the flag of the United States is often displayed improperly, perhaps a recapitulation of some of the regulations can cause some reduction in errors in the future.

Citizens are encouraged to display the flag every day of the year. However, they are especially encouraged to display the flag on holidays. It is customary to take down the flag at sunset, although it may be flown at night on certain occasions. It is flown day and night at several historically-significant sites, such as the grave of Francis Scott Key. The flag, however, should not be flown in stormy weather.

The flag should always be handled reverently, and it should never be permitted to touch the ground. When hung over a sidewalk, the union should be away from the building from which the flag is flown and it should hang flat, not draped. When flown from a rope across a street, the union should be to the north (if the street runs east-west) or to the east (on a north-south street).

No other flag may be flown above that of the United States. (Two exceptions: at United Nations' Headquarters, the U.N. flag may be flown above the flags of all member nations; and the flag announcing religious services on board ship may be flown at the top of the mast.)

When two flags are displayed on a platform, the U.S. flag should be on the right of the speaker as he faces the audience. A flag should not cover a speaker's desk nor be draped in front of a platform. (If a flag is hung in a hall somewhere other than on the platform, it should be on the right of the audience.)

When carried in a parade, the U.S. flag should be either on the marching right of all other flags or in front, at center, of a line of other flags.

When flown at half staff, the flag should first be raised to the peak of the staff and then lowered.

The flag should never be dipped to any person or thing. It should always fly aloft and free, and never carried horizontally. The union should never be on the bottom, except when the flag is being flown as a signal of dire distress. It should never cover a ceiling. It should never be a receptacle for anything. It should never be used in conjunction with an advertising medium.

Patriotic bunting may, of course, be used on platforms, etc. It is strictly proper for the blue to be on top and the red on the bottom. (This has been true ever since the Flag Code was revised in 1923.) However, Americans have been singing "Three cheers for the red, white, and blue," in that order, for so long that the red is still usually shown on top.

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[1] Other references include Numbers 2: 10 Numbers 10: 14; Psalms 20: 5; Psalms 10:4; Isaiah 5: 26, 10: 18, 9: 19, and Jeremiah, 4: 21.

Unfortunately, in this sophisticated age, too many Americans are inclined to be afraid of being called superpatriotic or flag-wavers. This is most unfortunate. The flag of the United States is a symbol of the greatest form of government ever devised by the mind of man. It is a symbol of a continuing tradition of gallantry and freedom. It is a symbol of a way of life that our forefathers carved out for us and which we are determined to improve upon.

No American should be ashamed to grow emotional over his country's flag. No American should hesitate to exhibit the flag on all occasions.

Flag Day is a great institution and a fitting remembrance of a great heritage. It is too bad it is necessary. In the United States of America, every day should be Flag Day.

[From the Elks Magazine, June 1965]

PATRIOTISM

(By Robert G. Pruitt, Grand Exalted Ruler)

Patriotism is a word that has a deep meaning for all Elks. Its meaning permeates everything that we do. It embraces everything that we stand for. At every Elk gathering we make known our love of country and its beautiful flag. Every time that we open our Elks lodge we renew our pledge of loyalty to our country and pay special tribute to our flag. We do the same every time we close our lodge.

Our patriotism is as uncomplicated as it is rugged—a basic, simple, direct, unreserved love of our country. We think this is the greatest nation on earth, and we say so unabashedly and without reservation or hesitation. What makes our Nation great is the American people, the finest on earth, and we have no hesitation in saying that, either. Our feeling for the United States of America was nobly expressed in 1816 by that great patriot, Stephen Decatur, in these words:

"Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong."

Thus spoke a patriot of conviction and commitment to high ideals and purposes. We need that sort of patriotism today, and Elks give it in so many ways throughout the year. One of the finest ways in which we encourage the patriotism of commitment is our special Flag Day observances during this month in our lodges all over America. We are constantly aware of our patriotic duty and always prepared to manifest our love of country, but June 14 is a time for special emphasis on the meaning that underlies our dedication to our flag. Our Elk brand of patriotism is simple. We are for our country. We believe in our country. We will defend our country against all others under any circumstances.

As Americans, we are proud of our Elk beliefs. As Elks, our love of America is limitless. There is never any doubt where we stand.

That is the message that our Flag Day observances should speak to all our fellow citizens, loud and clear, a patriotism of commitment to America in which we invite all lovers of freedom to join.

JOINT RESOLUTION OF LEGISLATURE OF THE STATE OF CONNECTICUT

Mr. RIBICOFF. Mr. President, I ask unanimous consent to have printed in the Record a joint resolution of the Legislature of the State of Connecticut, relating to the donation of Federal surplus property to State civil defense agencies.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

House Joint Resolution No. 9

Resolution memorializing Congress concerning the donation of Federal surplus property to State civil defense agencies

Whereas the Congress of the United States has seen fit to authorize the donation of Federal surplus property to the several States for purposes of education, public health, and civil defense; and

Whereas the Congress has also recognized the importance of strong local civil defense programs in promoting national security; and

Whereas much Federal surplus property would be put to effective use by the several civil defense agencies in the implementation of their programs for the safeguarding of the Nation and its citizens if this property were made available to them: Now, therefore, be it

Resolved, That the Legislature of the State of Connecticut memorialize the Congress of the United States to take such steps as would provide the local civil defense agencies with a priority in the selection and receipt of Federal surplus property; and be it further

Resolved, That the clerks of the house and senate cause copies of this resolution to be sent to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and to the Members of each of these bodies from the State of Connecticut.

David Gill Proctor,
Clerk of the Senate.
John L. Gerardo,
Clerk of the House.

ANNIVERSARY OF RUSSIAN OCCUPATION OF LITHUANIA, LATVIA, AND ESTONIA

Mr. CASE. Mr. President, the world has changed a great deal in the last quarter century. In 1941, very little was known about the Soviet Union. Some considered the Russians our friends, opposed to a common enemy. Few foresaw the deviousness and callous behavior of the Soviet Government.

But the small, defenseless Baltic States were already aware of the Soviet scheme. By June 14, 1941, the Soviet Government had already been occupying Lithuania illegally for nearly a year; and on that date began the first mass deportations from Lithuania, Latvia, and Estonia. Thus, these formerly independent nations were among the first to know Communist oppression.

Large numbers of these people are still imprisoned in Soviet labor camps; many others died while imprisoned. On this tragic anniversary, it is appropriate for us to remind ourselves of their fate, and to renew our dedication that justice will surely triumph over tyranny, and that someday these small countries will again be free.

INTERNATIONAL ASSOCIATION OF STUDENTS IN ECONOMIC AND COMMERCIAL SCIENCES

Mr. MUSKIE. Mr. President, the efforts of private organizations to advance international development and understanding are not sufficiently recognized. Their activities reflect the vitality of an open, pluralistic society. One of the most enterprising organizations in this field is AIESEC, the International Association of Students in Economic and Commercial Sciences.

AIESEC is a nonprofit, nonpolitical, international students' organization, represented through national committees in 38 countries, on 6 continents. AIESEC is active on over 60 major university and college campuses throughout the United States, including Bowdoin College in the State of Maine. Each year, these committees solicit from local leading corporations management-training positions for advanced students in Europe, Latin America, Africa, and Asia. These traineeships are exchanged reciprocally at an international congress. Over 4,500 bilateral exchanges were made this year. This summer, Bowdoin will send three students abroad, under this program: Douglas C. Bates, class of 1966, Cape Elizabeth, Maine; William Bradford III, class of 1965, of Wilmington, Del.; and Robert C. Porter, Jr., class of 1966, of Summit, N.J.

Founded in western Europe after the Second World War, AIESEC has expanded rapidly, serving the need for practical international business education, creating a corps of international executives, and contributing to international cooperation. Responding to the urgent task of closing the gap between the rich nations and the poor nations, the United States National Committee is directing its efforts toward increased exchanges with Asia, Latin America, and Africa.

With the support of farsighted American corporations, AIESEC offers rigorous managerial training to students from less developed countries, and sends highly qualified students of business and economics to participate in the process of development. In an effort to broaden its participation in this essential task, AIESEC is working out a program with the African American Institute. AIESEC will offer to African students graduating from U.S. colleges and universities, traineeships for 6-month periods with leading corporations. Funds raised through administrative fees will be used in support of travel grants to developing countries.

I commend AIESEC for these constructive private efforts to strengthen international concord.

ANTITRUST SUITS

Mr. ROBERTSON. Mr. President, in view of the interest now being taken by the public in antitrust suits, and especially in actions by the Justice Department against some large banks, with a large degree of uncertainty as to what action will ultimately be taken against banks that are still larger, I ask unanimous consent to have printed at this point in the Record an article—from the June 4, 1965, issue of the Bawl Street Journal—entitled "Justice Department

Sues to Separate J. P. Morgan From Guaranty Trust Co."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JUSTICE DEPARTMENT SUES TO SEPARATE J. P. MORGAN FROM GUARANTY TRUST CO.

(By a staff reporter of the Bawl Street Journal)

WASHINGTON, D.C., June 4.—Attorney General Robert B. Katzenbach threw a bombshell into banking circles today with a court action to order the separation of J. P. Morgan from the Guaranty Trust Co.

Members of the "resistance group"—former officers of the Guaranty Trust who had been fighting for years from cellars, doorways, Bache board rooms, and the Bowery flop houses—emerged hundreds strong behind their leader, Frank P. Smeal, to drag protesting screaming flannel-suited Morgan Guaranty officers from their desks. Their hair shorn from their heads, they were paraded up Broadway by resistance forces shouting "Vichyites," and greeted by ticker tape and a cable from General de Gaulle.

Pictures of J. P. Morgan, "pere et fils" were burned on the steps of 23 Bawl Street, and an attempt was made by Fred D. Stone, Jr., to steal the chandelier.

Attorney General Katzenbach, when asked how he proposed to split the bank into two pieces, replied: "Right down the middle through the desk of the former Defense Secretary Thomas Gates (Republican) and let the chips fall where they may."

William S. Renchard, dapper president of Chemical Bank New York Trust Co., when asked his opinion on the riot said, "That could never happen here. Every officer of the old Corn Exchange Bank is in our employ with three squares a day. The fact that the three squares are his wife and two kids has nothing to do with it."

Mr. Jacob Stone, prominent Williams alumnus and trustee, was equally succinct, "A pox on both their houses. There ain't (Williams slang) a 100-share order in the bunch unless youse went to Harvard."

Rockefeller of the First National City Bank, in denying that Mr. Katzenbach could attack his bank on separation, stated, "It is not within my recollection that the City Bank has ever merged with any other bank."

David Rockefeller of the Chase Manhattan Bank was his usual calm, collected, urbane self and said, "At Chase we are prepared for anything. We built a building and struck water, which, had we built in Odessa, Tex., would have been a great discovery. We have a crack in the building resulting from the first high wind when we moved in, and the windows blew out. This crack is in a most fortuitous place running as it does between Mr. Champion's office and my own, right through a Picasso of his blue period. We should have no difficulty expanding this crack as far as Mr. Katzenbach would like."

"Of course, when dividing the bank, there is the question of who gets the egg. Whether Mr. Champion or I would get the egg is of course a matter that would have to be negotiated. After the length of time the egg has been lugged around on that chain, I would hesitate to recommend that it be broken. Perhaps we could give it to Mr. Katzenbach, preferably dropped from the top of the building."

Mr. Roth, well-known country farmer of the Franklin National said, "Mr. Shapiro and I will be glad to extend credit to either of the two institutions that result from a separation of Morgan Guaranty. We already have a dozen or so former Guaranty officers in our Hicksville branch."

"SECOND GENERATION COMMUNISTS"

Mr. HRUSKA. Mr. President, our Nation's college campuses, long a forum for the free exchange and expression of ideas, have recently served as focal points for debate on national issues of individual rights, and on international issues of foreign policy in both hemispheres. Student demonstrations for free speech and for world peace have proliferated.

It is, indeed, a requisite of our representative government that freedom of expression shall be available to all citizens. It is also proper that those who stand in discord with particular policies of the Government be afforded opportunity to remonstrate, allowing others to weigh their views. It is a matter of concern, however, that our students may unknowingly fall prey to organized enemies of the very system which guarantees such free expression of ideas.

The Omaha World-Herald has published a timely series of articles—written by Vera Glaser, and distributed by the North American Newspaper Alliance—concerning the activities of "second generation Communists" who infiltrate student organizations, in order to promote demonstrations. Many of these instigators are sons or daughters of identified Communists. Their activities range from candid disapproval of American institutions to announced refusal to bear arms for their country.

The hard core activists find ready followers in unknowing college students who are quick to carry a sign for what they think to be forthright causes. Few movement-joining students recognize that the leaders may well seek, not to improve our American way of life, but to overthrow it.

In commenting editorially on Mrs. Glaser's articles, the World-Herald emphasized the responsibility, incumbent upon legislators, academic officials, and parents, to make certain that our college students are not being duped by ill-doers who employ our constitutional freedoms to subvert those very freedoms.

I ask unanimous consent that this series of articles and the editorial be printed in the RECORD.

There being no objection, the articles and the editorial were ordered to be printed in the RECORD, as follows:

[From the Omaha (Nebr.) World-Herald, May 23, 1965]

CHIPS OFF THE OLD RED BLOC—KIN OF COMMIES STIR UP COLLEGIANS

(By Vera Glaser, North American Newspaper Alliance)

WASHINGTON.—A new generation of radicals, many of them sons and daughters of hard-core Reds, is carrying the torch of communism in the United States.

Word is spreading that Moscow-inspired agitators have fastened like evil parasites on the civil rights and Vietnam controversies.

But few know that the peddlers of discredit on U.S. policies often are kith and kin of identified Communist Party members.

The young fry do not carry cards. They deny they are Communists. But a teenage Red learns to lie from mom and dad, who may be doing the same to escape prosecution under the Smith and McCarran Acts.

The current explosion of the left on U.S. campuses offers Communists a tailor-made vehicle. When Communist Henry Winston, who served a 3-year prison term for his views, spoke recently at the University of California at Berkeley, it was apparent from audience questions that his ideas were considered old hat.

The scions of the Communist power structure, needless to say, find the present far out campus atmosphere warm and welcoming. In it they can pursue their aims, glibly describing themselves as progressives, Socialists or Marxists.

But try talking politics to a youthful Socialist. His reactions may be revealing:

Watch his gorge rise at the tiniest criticism of Soviet Russia.

Listen to his across-the-board denunciations of American society.

Wait for a favorable word about the United States or its institutions.

But don't hold your breath.

Whatever name they give it, the new generation is continuing its parents' devotion to Communist aims. Many candidly say they are working for fundamental changes in the capitalist system.

One New York group of Peiping-oriented Marxists practices karate (a death-dealing form of hand-to-hand combat) and maintains an arsenal, presumably for terrorism. Some of its members were involved in the Harlem civil rights riots.

Others, including military-age offspring of certain Communists, have signed a pledge not to fight on the U.S. side in Vietnam. They agitate openly against U.S. "aggression" in southeast Asia.

"The youth will determine the future. Therefore we Communists must help determine the future of American youth," was the gospel spelled out by Eugene Dennis, Communist Party general secretary.

GENE, JR.

Dennis is dead, but dark-haired Gene, Jr., a 22-year-old radical, and his wife Elizabeth are busy pushing the line at the University of Wisconsin in Madison. They work through the W. E. B. DuBois Club, described as "Communist spawned" by J. Edgar Hoover, Director of the Federal Bureau of Investigation.

In America it is not unusual for young persons to challenge their parents' beliefs. The pattern of revolt, however, is much less marked among Communists, according to Charles Fox, a former Oakland, Calif., language instructor.

For the past 4 years Fox has published Tocsin, an anti-Communist weekly.

At its peak in 1945 Communist Party membership ran about 90,000. Today's best estimates place it at 40,000 with a circle of sympathizers extending to some 100,000.

Who are the second-generation radicals? Where and how do they operate?

LIMA

Margaret Clara Lima, petite 22-year-old brunet history major at the University of California, is the daughter of Albert J. (Mickey) Lima, chairman of the Communists northern California district.

Margaret, whose daddy has been in and out of courtrooms for failing to register under the McCarran Act, is a seasoned agitator who has been arrested at least three times. She has written for the Communist People's World and attended the 1962 Helsinki Youth Festival where hatred of America was a central theme.

The festival was sponsored by the International Communist Youth Organization and promoted here by the Communist Party's national youth director.

Margaret was tossed into jail again recently as a demonstrator in the free-speech movement which shook the Berkeley campus.

WILKINSON

Frank Wilkinson, who served a year's time for refusing to testify on his affiliations, has given two sons to the cause, 22-year-old Jeffrey, an Oakland City College student, and 20-year-old Anthony, a 6-foot-4 bespectacled giant studying at San Francisco State College.

Jeff protested U.S. "intervention" in Cuba in 1961, picketed for the Communist-riddled Fair Play for Cuba Committee, protested the McCarran Act and worked to kill off the House Committee on Un-American Activities.

Anthony demonstrated against "police brutality" in Los Angeles and picketed for the Committee to Preserve American Freedoms, listed as subversive, of which his father is an official.

Many of the new breed are refugees from the old Labor Youth League, self-styled "Socialist" group which was labeled an arm of the Communist Party by the Subversive Activities Control Board.

JEROME

One such is Fred L. Jerome, 26, son of Victor J. Jerome, Communist Party leader who served a prison sentence for Smith Act violation. A slender, intense graduate of New York's City College, Jerome currently edits Challenge, voice of the Progressive Labor Movement.

Founded recently as a new U.S. Communist Party, PLM has pledged a "struggle on whatever level and with whatever forms are necessary (against) the gaschamber plans of this country's ruling class."

Jerome, whose mother also is a PLM stalwart, has said he expects a revolution within the next few years.

Phillip Abbott Luce, twice indicted for violating the State Department's travel ban to Communist Cuba, recently revealed that PLM keeps a secret arms cache, a discovery he said caused him to abandon the group in disillusionment. He said his fellow members had "conducted target practice on Long Island shortly before the Harlem riots."

In January Larry Wilford Phelps, who had also visited Cuba illegally, was murdered in PLM headquarters in Harlem and the alleged killer awaits trial.

PLM claimed the arsenal, target practice, and karate training are necessary to defend themselves against police and other enemies.

TILLOTSON

Operating in the Middle West is John Howard Tillotson, 22, grandson of Rose Tillotson Renaud, a congressional witness who refused to answer 170 questions about her alleged activities as Minnesota-Dakota district secretary of the Communist Party.

While a student at the University of Minnesota, Tillotson was elected chairman of the Student Peace Union which called on the late President Kennedy to reject testing of nuclear weapons and shut down missile bases in Turkey and Italy. The group tagged the U.S. civil defense program essential useless.

Tillotson also attended the Communist-backed Helsinki Festival and helped organize the DuBois Clubs.

APTHEKER

Perhaps the best known of the young redhots is Bettina Fay Aptheker, 20, of whom the Senate Internal Security Subcommittee reported:

"Miss Aptheker is the daughter of Herbert Aptheker, Communist Party, U.S.A., theoretician and national committee member. She has been the teenage director of the New York Communist youth group Advance. Miss Aptheker recently transferred her Communist Party membership to California, where she is attending college."

Plainly dressed, with long brown hair in an unkept pony tail, Bettina has been a prime fomenter of the student revolution on the Berkeley campus of the University of California. She was among 814 demonstrators arrested in the free speech movement.

University President Clark Kerr said FSM's hard-core leadership came from Communists.

Bettina, however, calls herself a Marxist Socialist and says:

"At present the Socialist world, even with all its problems, is moving closer than any other countries toward the sort of society I think should exist. In the Soviet Union it has almost been achieved."

[From the Omaha (Nebr.) World-Herald, May 24, 1965]

REDS' MAJOR AIMS UNCHANGED—COMMUNISTS PUSH DRIVE TO UNDERMINE THE UNITED STATES

(By Vera Glaser, North American Newspaper Alliance)

Washington.—Operating in secret or in the open, U.S. Communists have never ceased their fanatical push toward three major aims:

Get the United States to disarm.

Use the race problem to stir hatred and violence against U.S. authorities and discredit the United States abroad.

Overthrow democracy for "socialism," a term used by Reds to avoid prosecution under the Smith and McCarran Acts.

A new crop of ideological dead-end kids, many of them sons and daughters of old-line Communists, soaked up the gospel at mother's knee. Now they are old enough and disciplined enough to carry the torch.

"Get Out of Vietnam!" their placards shriek in front of the White House. "Stop U.S. Aggression!"

With the world's eyes riveted on U.S. actions in the Dominican Republic, Federal intelligence sources predict a new stream of vituperation from the Nation's campuses. They expect the theme to be carried out by speakers scheduled to address the DuBois Clubs, Communist-oriented campus groups, many of whose members idolize Fidel Castro.

OPEN DOOR POLICY

Domestically, moderate civil rights leaders wince as Communists attach themselves to the drive for Negro equality. The open door policy toward Reds pursued by the Student Nonviolent Coordinating Committee, they fear, may discredit the entire movement.

"There is evidence that Moscow supports the (Vietnam and civil rights) demonstrations. People go from one college to another. They are known," Representative Gerald Ford of Michigan told this reporter. He said the evidence is of "a highly classified nature."

Mr. Ford revealed that a university he would not identify was notified 3 months ago that a trio of students would enroll for the purpose of agitating on campus.

The university president, according to Mr. Ford, checked his admissions department and learned the individuals had entered. A month later demonstrations erupted with the three newcomers carrying the ball.

Congressman Ford favors publicizing the operatives' names "because these young college kids don't realize this is an organized operation," but said the FBI believed it might expose their sources.

He has predicted also that the mass demonstrations to get the United States out of Vietnam "may lead to a dangerous miscalculation by the enemy of our Nation's course of present and future action."

Recently Dr. James M. Nabrit, Jr., president of Howard University, said he recognized at least two Communists in a student protest group on the Negro institution's campus.

"They do not believe in civil rights for anyone," he fumed.

NOT RED CONTROLLED

The ferment is in many instances triggered by sons and daughters of old-line Communists. Many make no bones about their aim: Fundamental changes in U.S. institutions.

No responsible authority suggests that the civil rights effort is Communist controlled. Nor can every thinking citizen who opposed U.S. Asia policy be tagged a Red.

Nevertheless, Moscow and Peiping, through their U.S. apparatus, are riding both vehicles with a single objective—to weaken, divide, and discredit the United States.

"Not since the Korean war has the Communist Party, U.S.A., aided and abetted by its fronts, sympathizers, and dupes, seized upon an issue with such vehemence as the current Vietnam crisis," declared a Justice Department official.

As these issues boil up, names of the first families of communism rise to the top of the pot.

While flag-draped caskets were arriving from Vietnam, for example, sons of California Communists were among 650 military-age youths who signed a petition to refuse to fight on the U.S. side in Vietnam.

According to Tocsin, a factual west coast anti-Communist weekly, the signers included Joe Brodsky, son of party leader Merle Brodsky; Richard Healey, son of southern California Communist Party Chairman Dorothy Healey; Dennis Beltram, son of Communist Elsie Beltram; David Mandel, son of Communist William M. Mandel; and Denis Mosgofian, son of Levon Mosgofian of San Francisco.

Levi Laub, national student organizer for the Communists' most militant branch, the Progressive Labor Party, which maintains a secret New York arms cache to defend itself against the police and other enemies, also took the pledge.

PARALLEL AIMS

Using other organized groups with parallel aims to carry the Red torch is an ancient Communist technique often spelled out in the Worker.

Students for a Democratic Society describes itself as "not Communist but radically leftist." On Easter weekend, calling for an end of war in southeast Asia, 16,000 students organized by SDS picketed the White House. They were joined by civil rights workers, members of "Women Strike for Peace" (two members of which were recently found guilty of contempt of Congress), and others.

Some young idealists cooperate consciously. Sidney Stapleton, a member of the steering committee of the University of California's disruptive Free Speech Movement, put it this way:

"The basic issue is fighting for our constitutional rights. If our methods help this so-called international Communist conspiracy every one alludes to, we don't care."

EYE ON THE BALL

While the Stapeltons look the other way, the Moscow-liners keep their eye on the ball.

Michael Eisenscher, 21, a slender 6-footer, helped write recent DuBois Club resolutions condemning U.S. foreign policies in Vietnam and the Congo, indorsing civil rights activities and condemning "redbaiting." He is the son of Sigmund Eisenscher, member of the Wisconsin Communist Party Committee.

Leon Wofsy, son of the late Isidore Wofsy, long-time Communist Party leader, is a Yale Ph. D. and bacteriology teacher at the University of California. The Worker cites Mr. Wofsy as a high-ranking official of the old Labor Youth League, a subversive effort which fizzled out in the midfifties paralleling a general decline in outward Communist Party activity.

Asked in Washington if he were a Communist, Mr. Wofsy, as reported in the Worker, said, "Yes, and proud of it."

[From the Omaha World-Herald, May 25, 1965]

Theme Song of Young Radicals—Our Country Is a Liar, and It Is Very Sick

(By Vera Glaser, North American Newspaper Alliance)

Washington.—"Our country is very sick. It is a pathological liar in the eyes of the world."

That message, centered on page 1 of a recent newsletter distributed by the W. E. B. DuBois Clubs of America, is the theme song of a new generation of young radicals toiling to junk the U.S. system for something more like Soviet Russia's.

"The Berkeley, Calif., DuBois Club, on its recent snow trip, carved a life-size snowman of Lenin and recorded it photographically," the newsletter continues, telling members how to send for their copy of the Soviet hero.

Spreading swiftly from its California base, the DuBois Clubs in just 1 year have attracted about 1,000 college men and women in 35 chapters. About 200 members are active in New York and 250 in San Francisco.

Although the campus youth group calls itself socialist it is named for a noted Communist and holder of the U.S.S.R.'s Lenin Peace Prize.

RIGHT TRACK

"The Soviet Union and the whole Socialist bloc are on the right track," was the way Robert Heisler, 19-year-old City College sophomore and New York club coordinator, put it.

Heisler's youthful henchmen are building up a real head of Communist steam as chapters erupt in Newark, Los Angeles, Buffalo, St. Louis, Albuquerque, Philadelphia, Minneapolis, Chicago, Detroit, Portland, Pittsburgh, Boston, and Madison, Wis.

Sons and daughters of hardcore Reds helped organize the clubs and hold many top positions. Touring Communist speakers find the welcome mat out at the clubs. Members are invited to use the services of the Institute of Marxist Studies in New York.

DuBois headquarters in San Fransciso is a messy basement at 1853½ McAllister Street. The mimeograph machine spews tracts for favorite Communist causes—get the United States out of Vietnam, build up civil rights tension, and repeal antisubversive legislation.

On the wall of the Philadelphia DuBois headquarters hangs a magazine cover picturing Barry Goldwater and Senator Everett Dirksen, Republican, of Illinois. It is used for a dartboard. Reprints of Pravda editorials clutter the shabby garage quarters at 1426 West Bristol Street.

EXPLOSION OF LEFT

The DuBois clubs sometimes team up for demonstration with Students for a Democratic Society, the Northern Student Movement, the Student Nonviolent Coordinating Committee and smaller groups.

Together they are triggering an explosion of the left on the Nation's campuses. Their demonstrations can be rough, tough, and disruptive.

DuBois President Phil Davis, a 25-year-old Detroit Negro, refuses to say whether he is a Communist and insists the "Communist Party has no say over what we do."

The clubs' publication director, Carl Bloice, is a staffer of the Communist People's World. Among its founders were Archie Brown, admitted Communist; Douglas Wachter, a delegate to the 1959 National Communist Party Convention in New York, and Al Richmond, editor of the Communist People's World.

Children of well-known Communists are scattered through the club hierarchy. A few are: Eugene Dennis, Jr., and Michael Eisenscher at the University of Wisconsin; Margaret Lima at the University of California; Jeffrey and Anthony Wilkinson in the San Francisco area; as well as Bettina Aptheker, Steven James Kahn, John Tillotson and Rosanne Forest.

J. Edgar Hoover, Director of the Federal Bureau of Investigation, has issued repeated warnings about the clubs; and Gus Hall, Communist Party chief, reportedly has admitted that members will be recruited into the party.

ONLY WAY

At a secret meeting the St. Louis club recently heard Dr. Herbert Aptheker, top Communist official and director of the Institute for Marxist Studies. On the same speechmaking swing, Aptheker told Southern Illinois University students at Carbondale the only way the Negro can achieve equality is through Marxist socialism.

His 20-year-old daughter, Bettina, is a DuBois leader on the Berkeley, Calif., campus and helped foment the free speech movement, which landed more than 800 agitators in jail.

Other identified Communists featured on the Red speech circuit are Dorothy Healey, Pettis Perry, Gus Hall and Henry Winston.

The DuBois clubs are aggressively cooperating with a major Red objective, that of weakening U.S. resolve in Asia and creating citizenes' distrust of their Government.

The clubs' national headquarters wired support to the Communist Vietnamese Liberation Front and some members of military age have signed a pledge not to fight for the United States in Vietnam.

WARNING

Meanwhile, the FBI has warned that further efforts to weaken our internal security can be expected from the Communist Party, which went underground and seemed to fizzle out in the 1950's but which J. Edgar Hoover claims is as deadly as ever.

In the eyes of the world the United States represents wealth and "conservatism." By any standard American college students, who come mainly from middle-class homes, would be classed as affluent.

Rebellion, say sociologists, is a phase experienced by most young people on the road to maturity. Political dissent is part of the package.

Yet many of today's young radicals strike a new and disturbing note by categorically rejecting the system under which the United States has grown great, and scorning the obligation to bear arms for one's country.

As their drive to sovietize the Nation's campuses gains momentum, it appears that the next DuBois target may be the unemployed, following the old Communist pattern of capitalizing on discontent and poverty.

[From the Omaha World-Herald, May 26, 1965]

The Campus Reds

"The basic issue is fighting for our constitutional rights. If our methods help this so-called international Communist conspiracy every one alludes to, we don't care."

So said Sidney Stapleton, a leader of the Free Speech Movement at the University of California.

"These young college kids don't realize this is an organized operation."

So said Representative Gerald Ford of Michigan.

Both comments were on the same issue—the organized Communist infiltration of student peace, civil rights, and free speech movements.

Perhaps Congressman Ford is right, and most of the troublemaking students don't know that some of their leaders are hardline Reds.

Or maybe Mr. Stapleton speaks for many when he says the activist students don't care whom they follow as long as they think they are going somewhere.

In either case, the result is the same, and it all adds up to this:

Moscow and Peiping have found a strident voice in one of America's most sacrosanct places, its academic world.

The story of campus Communists has been told and documented with chill clarity in the series of three articles by Vera Glaser of the North American Newspaper Alliance which the World-Herald published in recent days.

The facts which she brought to light should be revealing to those who have shrugged off the new left as an irritating but harmless show of campus immaturity.

Her articles should be required reading for those who are in positions to counteract the Marxist infiltration of the American campus. We refer to Congress, which has the power to investigate and legislate in the field of un-American activity; and to academic officials, who are responsible for enrollment, faculty, and discipline at their institutions, and parents who should be aware of what their sons and daughters do at school.

This new tide of alien assault upon America's freedoms must be stemmed, and the license of those who seek to scrap this Nation's free institutions under the cloak of "popular dissent" must be revoked.

In the process, some professor may complain that his academic freedom is being wrinkled, or some sign carrier may screech that his freedom of speech is being abridged.

But we doubt that the great majority of Americans are going to stand idly by while stooges of international communism use the U.S. Constitution as an instrument to destroy that document.

FARMERS UNION PRESIDENT OPPOSES NOMINATION OF GENERAL McKEE TO FEDERAL AVIATION AGENCY

Mr. HARTKE. Mr. President, last Thursday, I took the floor to make a speech in opposition to the passage of Senate bill 1900, now on the calendar, which would waive present law in order to clear the way for the nomination of Gen. William McKee, to be Administrator of the Federal Aviation Agency. That speech—in which I stated at length the reasons which constrained me to prepare, with Senator Pearson, the minority views which appear in the Commerce Committee Report No. 264—appears on pages 13177–13189 of the Record, and includes support from the distinguished assistant majority leader, the Senator from Louisiana [Mr. Long], who engaged in colloquy with me.

In the course of my remarks to Senator Long, I noted that on the same day President James G. Patton, of the National Farmers Union, issued a statement in support of my position. I ask unanimous consent, Mr. President, that the statement by Mr. Patton be printed in the Congressional Record.

I also request unanimous consent that there be printed in the Record an article and an excerpt on the same subject, written by two nationally syndicated columnists, and published since my address of Thursday. One of these, by Marquis Childs, appeared in the Washington Post on Friday, June 11, under the caption, "The Drive To Build a Faster Aircraft."

The other, by Drew Pearson, appeared in the same newspaper on June 12.

I believe this is a most vital question; and I welcome the attention the question is beginning to receive in the Nation. I trust that when we consider the bill, I shall find a sufficient number of other Senators in agreement with Senator Long and myself to be able to prevent the passage of Senate bill 1900.

There being no objection, the statement, the article, and the excerpt were ordered to be printed in the Record, as follows:

STATEMENT BY JAMES G. PATTON, PRESIDENT, NATIONAL FARMERS UNION, JUNE 10, 1965

I am strongly opposed to having General McKee as Administrator of the Federal Aviation Agency.

For General McKee to take office, the Congress must turn its back on an important national law passed 7 years ago. That wise law designates the FAA as one of the small handful of civilian agencies required to be headed by a civilian.

In my judgment, all too few civilian agencies are required to have civilian leaders. The American Congress should not wipe out one of our tiny safeguards against military domination of the civilian side of our Government.

I was not one of General Eisenhower's most ardent admirers while he served as President of the United States. Looking back, I have, regretfully, not escalated my basic evaluation of his performance.

However, I am happy to admit that President Eisenhower did voice one trenchant thought during his 8 years in the White House that may well be his surest claim to immortality. Said General Ike, only 3 days before John F. Kennedy moved into the White House.

"We must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes."

I wish I had said that. No, I really don't. If I had, nobody would have paid any attention. But General Eisenhower made that statement after a half century of intimate association with the "military-industrial complex."

We shall ignore Ike's warning at our peril.

General McKee may be a fine man. I don't know him. To my knowledge, I have never even met him. Some of the elected officials for whom I have deep respect think he is able.

But, surely, there must be at least one civilian who can fill the job of FAA Administrator. Let's find him.

[From the Washington (D.C.) Post, June 11, 1965]

THE DRIVE TO BUILD A FASTER AIRCRAFT

(By Marquis Childs)

It would be hard to find a sharper illustration of the expanding power of big Government than the neat plan to put through the supersonic transport (SST) with the taxpayer picking up virtually all the bill. Although the SST is intended to carry passengers on commercial lines at speeds of 1,700 miles an hour or more it is largely thus far a Pentagon operation. A key figure in the plan unexpectedly kicked up a Senate controversy that is said to have annoyed the White House.

The President nominated Gen. William F. McKee, who upon his retirement from the Air Force was made Assistant Administrator of the National Aeronautics and Space Administration, to be head of the Federal Aviation Agency. As he demonstrated in the Air Force, McKee has extraordinary ability, rising to the rank of full general though he was not himself a flyer.

But the law creating the aviation agency says that the Administrator shall be a civilian. If McKee were to give up his retired status he would make a sacrifice particularly with respect to a pension for his widow. With NASA he gets $24,000 in salary plus full retired military pay of $14,808. The latter would be cut to less than half under the Dual Compensation Act passed for military men holding civilian posts.

President Johnson asked Congress for a law exempting McKee from the civilian requirement because of the importance of "implementing the decisions we will need to make on the supersonic transport." Reluctantly, noting the number of high-ranking officers being appointed to civilian jobs, most members of the Senate Aviation Subcommittee went along. But two Senators, Vance Hartke, Democrat, of Indiana, and James B. Pearson, Republican, of Kansas, issued a sharply dissenting minority report.

They noted the "danger of breaching the separation of military and civilian power in our National Government," quoting General Eisenhower's farewell words when he left the Presidency on the need to guard against the power of the "military-industrial complex." They pointed out that 94 retired and Active Regular officers currently have positions in the Federal Aviation Agency.

Since the White House gets just about everything it asks for, little chance is seen of holding to the requirement of the law that a civilian be FAA Administrator. With salary and retirement pay McKee will get $38,404, making him, according to the minority report, the third highest paid official in Government, following only the President and Vice President.

Behind the pressure to put through the McKee appointment, according to reports on Capitol Hill, is the release of a study by a committee headed by Secretary of Defense Robert S. McNamara. The study now on the President's desk will be the signal to go ahead on the supersonic transport.

If that is the outcome it will be something of a reversal. A year and a half ago Harold Brown, director of defense research, said in testimony on the Hill that there was no military requirement for the supersonic transport. He is believed to have had McNamara's approval for this statement.

Since then at least one high-ranking Air Force general has taken the contrary view. When the FAA conducted a series of tests on the effect of the sonic boom, using Oklahoma City as a guinea pig, the chamber of commerce urged citizens to mute their protests as unpatriotic. And, moreover, the Government might take reprisals which would be unfortunate, since Tinker Field has a payroll of 19,000 and the Aeronautical Center a payroll of 4,500. Nevertheless, the protests seem to have been louder than reflected in official polls and there is said to be smouldering resentment over the way claims for broken windows and cracked plaster were handled.

A rough estimate of the cost of one air frame and one engine is $1 billion. That would be for a test plane which after 100 hours would perhaps get a certificate of air worthiness. President Kennedy believed the Government should pay 75 percent of the cost, the aircraft companies 25. The companies said they could not afford anything like that share. Congress has provided $91 million for research since 1961.

The question being asked is: Who wants this plane? Prestige is at stake, since Britain and France have teamed up to build a supersonic transport. The aircraft companies want it and the airlines have come around to at least tentative approval, presumably with the Government helping out with a subsidy. But how many people want to get to London from New York in 2 hours and 25 minutes instead of 7 hours is highly debatable, especially since only 10 percent of American citizens fly at all.

[From the Washington (D.C.) Post, June 12, 1965]

EXCERPT FROM "THE WASHINGTON MERRY-GO-ROUND," BY DREW PEARSON

MILITARY ENCROACHMENT

Senator Vance Hartke, Democrat, of Indiana, digging through legislative reports that most Senators don't bother to read, has come up with some interesting figures regarding military encroachment on civilian branches of Government.

He has found 41 generals and admirals serving in high civilian positions, most of them at salaries higher than those paid to the Cabinet and in one or two cases higher than any other civilian except President Johnson and Vice President Humphrey.

Hartke has also found that on January 29, 1960, standby Executive orders were drawn up to transfer much of the civilian government over to the military in case of war.

Such vital civilian agencies as the Labor, Interior, Commerce, and Health, Education, and Welfare Departments would be taken over by the military under Executive orders already drafted and ready to be put into effect with the stroke of a pen.

During World War II not one civilian agency was taken over by the military except the Coast Guard, which was placed under the Navy. Despite the most devastating war in history, the civilian texture of Government was maintained.

Senator Hartke unearthed these facts while examining the White House proposal to set aside the law requiring a civilian to head the Federal Aviation Agency and permit Lt. Gen. William McKee to become FAA Administrator. General McKee is now with the National Aeronautics and Space Administration, drawing a salary of $40,565, slightly more than the third-ranking civilian, Chief Justice Warren.

ROLLCALL OF TOP BRASS

Here are some of the top generals and admirals occupying policy positions, with their salaries, as unearthed by Senator Hartke.

In the State Department, foreign policy is being directed by Gen. Maxwell Taylor, Ambassador to Vietnam, drawing up to $39,859; Gen. Herbert B. Powell, Ambassador to New Zealand, up to $39,033; Adm. Jerauld Wright, Ambassador to Nationalist China, up to $39,033; Adm. George W. Anderson, Ambassador to Portugal, $39,859; Brig. Gen. Milton Summerfelt, adviser to the State Department at $78.64 a day plus $11,115 retirement pay; Adm. Elonzo Grantham, senior evaluation officer, $28,570.

In NASA, besides General McKee, there are Brig. Gen. Benjamin Holtzman, $28,697; Brig. Gen. Harris Hull, $27,058; Adm. Walter F. Boone, $40,565; Adm. Fufus Rose, $37,175; Lt. Gen. Frank Bogart, $37,529.

In Central Intelligence, the head of the agency is Adm. W. E. Raborn, $38,088; also Lt. Gen. Earle W. Barnes, $31,750; and Lt. Gen. John A. Samford, consultant, at $94.24 a day plus $14,175 retirement pay.

Other top brass are scattered through the Veterans' Administration, Interior and Agriculture Departments, and the Atomic Energy Commission. Senator Hartke pays tribute to the caliber of these men, but points to the strict constitutional provision that ours is a civilian government.

ISRAEL'S ACCOMPLISHMENTS AND FUTURE

Mr. SCOTT. Mr. President, I call to the attention of Congress some important and eloquent remarks made recently before another parliamentary body—the address by the Prime Minister of Israel, Levi Eshkol, at the opening of the Knesset. Prime Minister Eshkol's statement would be of interest under any circumstances, because he addressed the Israel Parliamentary body on the 18th year of the existence of the State of Israel, and described his view of Israel's accomplishments and his hopes for Israel's future. But his remarks have added significance, since they follow the bold statement made by President Habib Bourgiba, of Tunisia, who suggested that the Arab States should reconsider some of their fanatical leadership and should look forward to the day when permanent peace with Israel might be negotiated.

Prime Minister Eshkol addressed himself to the question of peace in the Middle East, when he said in his speech:

> One way or the other, by all means let there be a mutual understanding to refrain from aggression, so that our justified apprehensions and their vain fears may be dissipated at one and the same time.

Then the Prime Minister described the fruits of peace, and did so in terms that are of interest, not only to the people in the Middle East, who would be the principal beneficiaries, but also to all the people of the world who yearn for peace and who very much want to see the achievement of a settlement of the difficult situation in Mr. Eshkol's part of the world.

I ask unanimous consent that Mr. Eshkol's speech be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE PRIME MINISTER OF ISRAEL, MR. LEVI ESHKOL, AT THE OPENING OF THE KNESSET TERM, MAY 17, 1965

Mr. Speaker, members of the Knesset, the summer term of the last session of the Fifth Knesset, which we are opening today, is also the first meeting in the 18th year, the 'Year of Life'[1] of the State of Israel. Eleven days ago we celebrated Independence Day with mass rejoicing and state ceremonial, and I cannot refrain from saying at least a few words about this Independence Day and its two main events.

The one was the central parade of the Israel defense forces in the capital, the first of its kind, which was held in Jerusalem in the presence of the entire diplomatic corps, with the participation of several high-ranking delegations from friendly African countries. Apart from the brilliant and symbolic character of the parade, the entire occasion was a sign of strength of the public covenant between the people and the State and Jerusalem, their eternal capital.

Secondly, there was the display of the might of the Israel defense forces at the parade which was held this year in Tel Aviv, and which was also viewed by 20,000 tourists. The strength we showed to the world will encourage our people and serve to discourage malicious intentions in the heart of the enemy. We all hope that a day will come when it will not be merely our physical strength that will be the decisive—and almost the only—guarantee for the maintenance of peace. But until that day of peace comes, we shall do all we can to preserve the power to crush any attack on our country's sovereignty and territory and the sources of its life.

One aspect of this attack, and I refer to the Arab diversion plan, is worthy of a few words here. Apart from the extreme spokesmen of the Arab camp, there is no one who supports the theft of the sources of our water.

Let me mention the attitude which has been expressed on this question by some great powers. On April 1, 1965, the Prime Minister of the United Kingdom, Mr. Harold Wilson, said in the House of Commons: "Anyone who has been there knows what water means to Israel. The diversion of the water would be a very serious matter."

Previously, the American attitude was expressed in conversations and various newspaper statements from authoritative sources; namely, that the unified water plan is regarded as agreed from the international point of view.

Perhaps it is fitting that I should repeat what I have said before: With all our hope that the entire united world will be able to isolate those who are plotting this act of robbery and dissuade them from this vile act of provocation, the duty of defending the sources of our waters rests first and foremost on ourselves.

As for the Lebanese President's visit to France, it will be remembered that a passage on the sanctity of the sovereignty and territorial integrity of all states was included in the joint statement issued by the Presidents of France and Lebanon. This is a recognition of an important principle on which the preservation of peace, in our area and in the world at large, depends.

Members of the Knesset, the last debate on international affairs, during the previous Knesset term, was connected with West Germany's proposal for the establishment of full and normal diplomatic relations between herself and Israel. A few days ago, this matter was settled between ourselves and the Government of Western Germany. This agreement has come at the close of a discussion and negotiations between the Governments, a dialog that has found expression in parliamentary discussion in both Jerusalem and Bonn.

The history of these negotiations, through its various stages, is still too fresh in any detail. As a result of this, and in all the subjects round which the negotiations revolved, there has been an awakening in German public opinion: the statute of limitations, the German scientists in Egypt, the absence of normal relations in compliance with Arab blackmail, subjects in regard to which there had been a stormy reaction in world public opinion and in Jewish opinion; the proposal for the establishment of normal diplomatic relations came from Chancellor Erhard and his Government.

There has also been progress in other subjects over which there have been exchanges of views. Let me mention, in particular, the awakening of the consciousness that Nazi criminals cannot be allowed to enjoy prescription for their crimes—though, indeed, what has been done in this connection does not fully satisfy the demands of justice. And let me mention here once again the burden of the past, with all its horror, which weighs upon the consciousness of our generation—and perhaps also on those of generations to come—in regard to everything that affects the relations between the two peoples. The Chancellor of Western Germany himself has referred to this matter again in his recent note.

A few words in evaluation of the establishment of relations.

The maintenance of normal relations between states is in itself a matter of course in our generation, and its advantages are self-evident. I went into this question at some length during the preceding debate. In this case it is of particular importance, because the Arabs have been taught that blackmail directed from Cairo does not pay. This lesson should also be heeded by powers and states in West and East. The world has seen the states of the Arab League themselves divided on this question. Chancellor Erhard's important step has been favorably received in the world, and has clearly demonstrated to anyone who required the demonstration that the anti-Israel attitude which Nasser seeks to force on all the Arabic-speaking countries is both reprehensible in its malice and unrealistic as well.

Indeed, the breaches in the Arab front in regard to Germany, when it set out to establish relations with Israel, have not been the only manifestation of a more realistic attitude among the Arabs. Voices have been heard—as is well known—rejecting the idea of war, openly calling for a settlement, for peace, for coexistence. As far as I am concerned, I believe that these manifestations are not isolated exceptions. Without giving way to premature optimism, we are entitled to assume that among the Arab public, and even among its political leadership, there are still thinking men and prominent personalities who accept in their hearts the inevitability of coexistence.

It may be assumed that any thinking and responsible man who lives in the world of our day and is sensitive to its pulse will reach the conclusion that war solves no problems and cannot give the nations anything but suffering and havoc; that we must live with each other as we are, and that the aspiration to uproot a nation from the map of the region cannot be realized in the world of our day—quite simply, we will not allow it and the world will not tolerate it. Any attempt to ignore this fundamental assumption carries the seeds of horror and destruction. A recognition of the curse inherent in war will ultimately lead to the recognition of the blessing that lies in cooperation between peoples and states.

These two elements—the inevitability of peace and the blessings of peace—are also the roots of our fundamental conception, a conception that has found expression in various statements, reactions and proposals throughout the years of our existence as a State. Even before that, our resurgence movement was accompanied, almost from the beginnings, by the conviction that there is room for a common road between itself and the Arab States achieving their liberation, and that a clash between the two is bound, ultimately, to be a passing episode in the annals of the nations.

If we try to sum up our peace plan as it has found expression in our statements, aspirations, and actions all through the years, let us say first of all that its foundation is full respect for the independence, sovereignty, and territorial integrity of all the states in the region.

From the juridical point of view, the effort for peace in the area is rooted in two international obligations, one general and the other specific. The general obligation is the duty accepted by all states members of the United Nations to live with each other in peace and good neighborliness, to unite their forces in order to maintain peace and security in the world, and to refrain from the threat of force or the use of force against the independence or territorial integrity of any state. These are quotations from the United Nations Charter, to which both we and the Arab States are signatories.

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[1] The number 18 is denoted, in the Hebrew system of enumeration, by the letters yod het which make up the word hai—"lives" or "alive."

In addition, however, there is an obligation in the armistice agreements of 1949. These agreements provide that they constitute a transition stage toward permanent peace. We, therefore, propose that direct negotiations be conducted between Israel and each of the countries that have signed armistice agreements with us, in order to replace these agreements by agreements on peace.

The peace settlement will be established on the basis of Israel as it is. Today, the states that signed the agreements have crystallized the patterns of their lives and their development undertakings behind the existing borders: the Arab-speaking states extend over an area of 11½ million square kilometers and, generally speaking, they are thinly populated; the four Arab States which have borders with us alone extend over an area of 1,200,000 square kilometers, and Israel has only a sixtieth part of the area in the possession of the four neighboring Arab States; in other words, slightly more than 1.5 percent—21,000 square kilometers. In this situation, there is neither sense nor justice in territorial changes to Israel's disadvantage, and there is neither the power nor the possibility—juridical or practical—to carry them out.

And this even before we have said a word on the fundamental and natural historic rights of the Jewish people to its land, to its only homeland, from which it was expelled by brute force. To this land it has lifted up its heart and its prayers during the years of exile. In every generation, throughout the tribulations of epochs and regimes, its sons have come forward, braving hardship and suffering, to settle on its soil; through that land it has preserved—alone among all the nations of those days—its distinctiveness and its existence. Never has the Jewish people abandoned its land, never has that land been devoid of a Jewish population. In recent generations, the Jewish people dedicated itself to the task of safeguarding its rights to its homeland under the law of nations. Through its toil and sacrifice and with the support of humanity's finest sons, after the most appalling of history's tragedies, the State of Israel has arisen in a partitioned land of Israel.

In this heritage and within these boundaries we shall do all in our power and more to ingather the scattered sons of our people and to reveal anew the light of our genius.

There may, indeed, be minor agreed mutual adjustments at certain points where there are hindrances to the daily life of our population.

But this is the rule: peace comes to change the relations between states, but not the states themselves.

First of all, this applies to the express obligation to refrain from all aggression. We warn against the aggressiveness of certain Arab rulers, and we can point to threats of aggression and planning for aggression on their side. On the other hand, any Arab who proclaims his fear of aggression on our part is only a victim of propaganda—if he is not one of those who, in the Talmudic phrase, "know the truth and seek to rebel against it." One way or the other, by all means let there be a mutual undertaking to refrain from aggression, so that our justified apprehensions and their vain fears may be dissipated at one and the same time.

Once peace is assured, we shall all be free to enjoy its fruits, and they can be very important in various fields. First of all, it should be pointed out that the State of Israel lies on the crossroads between Asia and Africa. If the entire region becomes an open area, dedicated to cooperation and mutual assistance, that will be a blessing to the peoples of both continents, and, among them, to ourselves and the Arab States as well.

Orderly land transport by road and rail; freedom of transit through airports; radio, telephone and postal communications; access to our ports on the Mediterranean in the form of a free area, under suitable conditions, in our ports, for the benefit of Jordan, which has no outlet to that sea; facilities for the sale of oil through the revival of the oil pipeline or the building of larger ones; the encouragement of tourism to all the countries of the area, free access to the Holy Places, with facilities for religious pilgrimage to centers sacred to all religions—all these are only part of the picture that will take shape as the outcome of the liberation of the Middle East from the oppressive atmosphere that prevails at present.

Orderly processes of trade will be instituted; patterns of economic cooperation will be worked out on the basis of the experience acquired in other parts of the world. There is room for the joint exploitation of raw materials, through extraction and marketing, for joint research on the problem of water desalination, which engages some of the countries in the area. Let us work together for the fructification of arid areas; let us cooperate in conquering disease, in medical and agricultural research; let us strive side by side for the exploitation of new sources of energy, for mutual cultural and scientific fertilization, in the broadest sense of the term.

And there is one further point that I must mention here. A climate of negotiation for peace will, of course, enable us to act together to restrain the arms race and cut down armaments in the region. All the states in the area can only benefit from reliable arrangements for the limitation of armaments under mutual control; all of them will be able to divert tremendous financial and human resources, now exploited for purposes of war, to the development of their economic and scientific potential and the diminution of the need for external aid.

The enormous resources which will be liberated in this way will also largely facilitate the completion of the resettlement and absorption of the refugees in their natural national environment; namely, the Arab countries, with their extensive territories and wealth of water resources, which are sorely in need of development and people to develop them who are their brethren in nationality, tongue, customs, outlook, and faith.

Israel is prepared to help financially to the best of her ability, and with the aid of the great powers, in this work of settlement and rehabilitation. Let it be remembered that the flight of the Arabs from Israel was planned by a leadership that fostered in their hearts the hope of returning after we had been destroyed by the invading armies. Nevertheless, Israel has never ignored the human needs of that population which uprooted itself from its former abode, whatever its motives might have been. The settlement of the refugees in the Arab countries is the only solution compatible with their true and basic interests, as well as ours.

In a similar way, in a natural national environment, Israel has absorbed Jewish refugees from the Arab countries in numbers not less than the number of Arab refugees who have left our territory, and from the legal point of view she has thus perhaps already fulfilled her obligations.

Such a peace program, members of the Knesset, is no fantasy. I do not imagine that the cooperation which exists today in Western Europe, for example, seemed less fantastic as little as 20 years ago. We are approaching the end of 20 years since the War of Independence. It can be done here too.

In these brief remarks, I have not touched on all the questions involved in a peace settlement. I have not enumerated all the blessings latent in such a settlement, or indeed all the problems that are liable to arise. The world of our day knows many forms of fruitful cooperation between independent and distinctive states, in mutual respect for their sovereignty and integrity. The debate that has openly arisen on the other side, the recognition that a readiness to think about coexistence, about life side by side, is beginning to take shape there, has led me to sketch a few basic principles and to express the hope that my words will find an echo sooner or later—I hope, not too late.

The beginning of wisdom is the courage to liberate oneself from the self-hypnosis of hate propaganda, to sit down at the conference table without prior conditions and in full mutual respect, to begin to spin the thread from the point where it was left by the armistice agreements; and the beneficial results will follow.

Honored Knesset, in the meantime—as I pointed out at the beginning of my remarks—we are not yet living in a situation that enables us to slacken in our security and political efforts. I am confident that so long as there is no basic change in this situation we shall be able to meet the obligations which it imposes upon us. For the time being, the arming of the Arab countries is intensifying; we must take the gravest view of it, and draw the conclusions in regard to the fostering of our own strength. When Arab countries, whoever they be, strengthen their military potential, whether with the express purpose of attacking us or in the desire to defend themselves against Nasserist domination, we must not ignore the possibility that in a certain political constellation any Arab force in the neighborhood of our frontiers is liable to be used to our detriment.

Arab apprehensions of Nasser are indeed legitimate, as the Yemen has proved. Nor has Nasser refrained from subversive activity in other countries of the area, if in a less open form. In Yemen itself, after 2½ years of war, there is, at the moment, no sign of an end to the struggle, through either military or political means. The Egyptians are preparing to continue. They are mobilizing extensive reserves in order to reinforce their hated occupation army in southern Arabia. They are continuing to seek a path to the heart of the local population through the use of poison gases.

In Iraq, Nasser is playing a double game. While talking about his aspiration for the conclusion of the war against the Kurds, he gives Aref's regime aid in men and material, thus directly helping him to conduct this war.

At the same time, Egypt renews the radio war against Saudi Arabia, interferes in the elections in Sudan, brings pressure to bear on Lybia, and conduct subversive activity in the areas of southern Arabia and the principalities of the Persian Gulf in pursuit of the scent of oil.

A day will come when the Arab countries which are a target for his stratagems will realize that the true division is not between Israel and the Arabs but between lovers of peace and aggressors, and when they realize this fact, they will draw the logical political conclusions.

Meanwhile, we must strive to consolidate our position on the international scene, side-by-side with our military potential and in support of it. Since the last session of the Knesset, I have had the opportunity of visiting Britain, and I am happy to note the understanding I found there for our problems and the closer relations that have been achieved with the leaders of the British people.

In my talks with the British Prime Minister and his colleagues, I saw that they are thoroughly conversant with the problems of Israel and the Middle East, and I found an attitude of respect for the independence and integrity of all the countries in the area, combined with a consciousness of the factors that are liable to undermine stability.

I appreciate the clear attitude of principle adopted by Prime Minister Wilson in regard to the need to maintain a reasonable arms balance, as well as his statement about our national water project, which I have mentioned previously.

I also had the opportunity of meeting leaders of the opposition and members of all parties in Parliament. Friendship with Israel prevails among all sections of the British public.

In Britain, there is a well-rooted and highly respected Jewish community, with great achievements to its credit in all spheres of action and thought. This Jewish community, especially the youth, cherishes affection and pride for the State of Israel. I was privileged to have moving meetings with the Jewish organizations, especially representatives and members of the Zionist movement, who have a great tradition of devotion, courage, and Jewish pride, a tradition by which they, we, and the entire Jewish people were upheld in the difficult days of the end of the mandate.

There has also been a certain improvement in our relations with the countries of the European Economic Community. No comprehensive solution has yet been found to this problem, and only a comprehensive solution can satisfy us. But we have met with understanding of the importance of the problems of citrus and the "European product" for us, and we hope that the Council of Ministers will draw a positive political conclusion from the sympathetic approach of the experts in these matters.

In conclusion, I cannot refrain from mentioning the impression of two events of recent days. One I have already briefly mentioned; namely, the African delegations who took part in the Independence Day celebrations. This is a welcome harvest of friendship from the seed we have sown and are still sowing in a sincere effort of cooperation in these and other developing lands. Our capacity to cooperate with African, Asian, and Latin American countries in their development is always a source of pride and satisfaction, and it also has political significance in days of trial.

The second event is, indeed, not political in nature. I refer to the opening of the Israel Museum. I cannot help feeling that this splendid edifice in Jerusalem, the capital, adds a dimension of depth to our cultural standing in the world, as the response of museums and governments who have cooperated in this great event have shown. Perhaps this is a suitable vein in which to conclude, as an indication that political affairs should not be understood in isolation from the total situation in which we exist—in matter and spirit as well; for who is better able than the Jewish people, through the lessons of its annals, to appreciate the decisive importance of spiritual factors.

In my remarks at the opening ceremony, I defined what the museum had done in three fields: an ingathering of the exiles in the realm of the spirit, the introduction of the beauty of Japheth into the tents of Shem, and the renewal of our covenant with the past. It is the distant and recent past that moulds our lives in the future. When we spoke of the devotion of the Jewish people to its land, and of its borders, we could not help beginning our enumeration with the days of the patriarchs, the days of the first and second temples, without ignoring the years of bitter exile until these days of holocaust and redemption. And if we come to speak about the renewal of our life—in Masada, which is now revealing its secrets, we shall find the roots of Israel's heroism, and more as well: the discoveries at Masada combine the heritage of sword and scroll, and the deeds of the fathers are characteristic of the sons.

I opened my remarks by noting the beginning of the 18th year of our State. This is a customary sign of blessing in Israel. But we shall keep before our eyes the more profound historic dimension of our experience: the thousands of years of the Jewish people, 2,000 years of freedom and 2,000 years of hope.

CONSUMER'S COUNSEL AIDS SPANISH-AMERICANS

Mr. MONTOYA. Mr. President, for many years, I have tried to bring to public attention the fact that many Americans are shut off from the mainstream of life in this country by the language barrier.

The problem has been that we in this country have not recognized sufficiently the value and importance of languages other than English.

Recently, I am happy to say, a change in this attitude has been evidenced in a number of ways. Our schools are teaching more and more foreign language, and the instruction is being given in earlier grades.

Another straw in the wind has just come to my attention from the office of Mrs. Esther Peterson, special assistant to the President for consumer affairs.

Mrs. Peterson's staff, in cooperation with the Department of Agriculture, has produced an excellent little pamphlet entitled "Consumer's Quick Credit Guide." So informative and useful has this guide proven to be that it has gone through a number of reprints. Until this moment, all these reprints have been in English, but Mrs. Peterson has wisely recognized that she can reach a huge new audience by printing a Spanish language edition, and that is what she is going to do.

I congratulate her on her leadership in this important area of communications.

Sylvia Porter, the distinguished financial columnist for the Washington Evening Star and other newspapers, had some interesting and enlightening comments on the pamphlet. I should like to have the column reproduced in connection with these remarks.

Mr. President, I ask unanimous consent that her column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

EASY CREDIT GUIDE FOR CONSUMER USE

(By Sylvia Porter)

Let's say you buy a refrigerator priced at $300 and arrange to pay for it by putting $12 down and committing yourself to making 18 monthly payments of $17.92 each.

This is a routine installment buying deal. The charge to you is $8 per $100 per year on $288—$300 minus your $12 down payment—or a simple annual interest rate of 14.8 percent. How do you figure the dollar cost of your credit?

Add your $12 downpayment; and

Your 18 monthly payments of $17.92 which total $322.56.

Your result is $334.56. Since you would have paid $300 in cash for your refrigerator, the dollar cost of your credit is $34.56.

One of the most concise, simplest guides to wise use of consumer credit I've ever seen has just been prepared for the President's Committee on Consumer Interest at the request of Mrs. Esther Peterson, special assistant to President Johnson for consumer affairs. A few thousand copies of the wallet-sized pamphlet have been printed by the U.S. Department of Agriculture to the test the reaction.

The response has been so excellent that the Agriculture Department is now planning to print 100,000 copies for general distribution and Mrs. Peterson has decided to permit anyone who wishes to reproduce the guide to do so for free.

Because it is so short and so simple, this little guide can make a valuable contribution to consumer education—and it can help you even though you may consider yourself a sophisticated buyer of goods on the installment plan.

Here, for instance, are typical credit charges translated into terms of the simple annual interest rates they represent.

Assume your charges are based on the initial amount you owe and are included in 12 equal monthly installments:

If your yearly charge is—	*Your simple annual rate (percent)*
$4 per $100 or 4 percent	7.4
$6 per $100 or 6 percent	11.1
$8 per $100 or 8 percent	14.8
$10 per 100 or 10 percent	18.5
1 percent a month	22.2

Or assume your charges are based only on the unpaid balance of your loan:

If your unpaid balance charge is—	*Your simple annual rate (percent)*
¾ of 1 percent a month	9
⅚ of 1 percent a month	10
1 percent a month	12
1¼ percent a month	15
1½ percent a month	18
2½ percent a month	30

A fundamental objective of the consumer organizations established in the White House in recent years is to upgrade consumer education, to help families the Nation over by publicizing the basic rules on sound buying, borrowing, building, saving and investing. As Mrs. Peterson says, one of "our missions is to find ways to reach and teach consumers, particularly those who must make every dollar count." This "Consumer's Quick Credit Guide" superbly fits in with the objective.

The truth in lending bill, which Senator DOUGLAS, Democrat, of Illinois, has been urging for years, is still stalled in Congress. There is no law which would force lenders to tell you the dollar cost of credit or the simple annual interest rate of finance charges.

With the help of this caliber of education material you can, though, do a good job on your own of finding out the "truth in lending."

By preparing this simple guide, by arranging to have it widely distributed and not attempting to sell it, Mrs. Peterson's committee will be performing a valuable service for millions of American families.

AMERICAN LEGION COMMANDER'S STATEMENT ON CLOSURE OF VETERANS' ADMINISTRATION FACILITIES

Mr. MUNDT. Mr. President, today I am in receipt of a memorandum from Herald E. Stringer, director of the national legislative commission of the American Legion. Mr. Stringer writes in connection with the decision to close certain facilities and to keep open other facilities of the Veterans' Administration; and he includes a thoughtful and most informative statement by the national commander of the Legion, Donald E. Johnson.

I believe Commander Johnson's statement is an important contribution to the continuing study and consideration of the Veterans' Administration actions, and is particularly noteworthy in warning that the problem of maintaining adequate facilities for our veterans is certainly not near solution.

Commander Johnson calls—and rightly so, in my opinion—for legislative action which will assure congressional consideration of any future such proposed closures by the Veterans' Administration.

Commander Johnson notes:

> It is clear that we must now seek legislation which will give to the veterans of this Nation who once offered their lives for their country, and to our servicemen who are being called upon even now to make that same sacrifice, assurance that precipitate and unsupportable closing of facilities will not occur again in the future.

On this point, I think it would be a fair assessment to say that this view is shared by most, if not all, Members of the Senate, or at least this was the prevailing view at the time when we considered my stop-order rider amendment which was given a strong vote of approval.

That amendment was not simply a delaying tactic, but it conveyed the Congressional intent that Congress rightfully should be called into consultation on these matters, and that fair and full hearings should be provided, so that all interested persons would have an opportunity to consider the impact of any closure proposals.

I think one thing clearly demonstrated in this controversy is the importance of holding such hearings and conducting such intensive study, for through these hearings it was determined that not all of the considerations that should have been taken into account by the Veterans' Administration were given the attention they deserved, and this was borne out by the special committee's report to the President.

Another point which concerns me is the statement by Commander Johnson on the number of beds available for veterans. The commander states:

> With reference to hospitals, the Special Committee stated that there are presently in existence 125,000 beds, the maximum number authorized. The Committee was misinformed on that essential fact.

Commander Johnson continues:

> As of March 31, 1965, the VA hospital system consisted of only 118,851 operating beds. This error is of great significance because, since the Special Committee believed that there were in existence all the beds authorized, it followed that under existing circumstances, certain hospitals would have to be closed before new ones could be opened.
>
> Actually, when the VA closes the six hospitals not saved by the Special Committee, it will have in operation only 117,121 beds, a figure far below the authorized capacity. The closings will inevitably add to the national waiting list, which now contains 18,000 eligible veterans.

Mr. President, that statement alone represents, in my opinion, a clear-cut reason why Congress and the appropriate congressional committees not only should, but must, retain the right of independent survey and consideration. It is my hope that out of this controversy we shall be able to enact the legislative remedies which will serve to prevent repetition of the disturbing events which have occupied the attention of the Members of this body for so many months.

I request permission to have printed in the RECORD Mr. Stringer's letter which contains Commander Johnson's excellent statement.

In connection with this matter, yesterday I had the privilege and opportunity of addressing the South Dakota convention of the Veterans of Foreign Wars at Hot Spring, S. Dak. During my address, I discussed the recent order of the President to keep open the regional facilities in South Dakota and North Dakota. I request permission that an excerpt from my address, dealing with the President's order, be made a part of the RECORD at this point.

There being no objection, the letter and the excerpt were ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D.C., June 11, 1965.

Memorandum to All Members of Congress:

Your attention is invited to the following statement by Donald E. Johnson, national commander of the American Legion, regarding the decision to close certain facilities of the Veterans' Administration:

"The American Legion is keenly disappointed over the decision by President Johnson to close six veterans hospitals, two soldiers home (domiciliaries), and eight regional offices. The hospitals being closed treated 11,500 patients last year. Since new facilities to replace these six hospitals are not available, thousands of sick and disabled veterans will be denied the prompt medical care to which they are entitled by law. The seriousness of the situation is demonstrated by the fact that, at present, there are 18,000 veterans who have been found legally and medically eligible for hospitalization but who cannot be admitted because there is no room in the hospitals. It is shocking to think that the Veterans' Administration would close any hospital under these circumstances.

"The 2 domiciliaries to be closed cared for 3,200 veterans last year. Generally, these men are aged and impoverished. They cannot be provided for in the 16 remaining facilities because, at present, there are 1,224 veterans on the waiting list for admission to these homes. The American Legion refuses to agree that these veterans should have to look for support to local welfare rolls.

"Regional offices are the installations where veterans' records are maintained and claims for benefits adjudicated. The 8 regional offices being closed have been serving 7½ million veterans and their families. All of those persons will now receive inferior service.

"Widespread public support and prompt, sympathetic congressional action brought about the developments which saved 15 of the facilities originally slated for closing. The American Legion and all veterans are deeply grateful for the help we received. Without that help an action, demonstrably wrong and unjust, might not have been reversed.

"It is clear that we must now seek legislation which will give to the veterans of this Nation who once offered their lives for their country, and to our servicemen who are being called upon even now to make the same sacrifice, assurance that precipitate and unsupportable closing of facilities will not occur again in the future. There is such legislation pending before the Congress.

"On June 8, the House Veterans' Affairs Committee reported out favorably H.R. 202, a bill introduced by Chairman OLIN E. TEAGUE, relating to the closing of VA facilities and the number of hospital and domiciliary beds which must be furnished by the Veterans' Administration. The American Legion strongly endorses the provisions of H.R. 202 and I call upon the Congress to take up the matter with the greatest possible dispatch. In addition, there are pending before the Congress Senate Concurrent Resolution 13 and S. 969, bills which express the disappointment of the Senate over the decision to close Veterans' Administration facilities. We will also give our full support to those proposals.

"The Special Committee, appointed by President Johnson, had under consideration three different types of VA facilities: hospitals, domiciliaries, and regional offices. With reference to hospitals, the Special Committee stated that there are presently in existence 125,000 beds, the maximum number authorized. The Committee was misinformed on that essential fact. As of March 31, 1965, the VA hospital system consisted of only 118,851 operating beds. This error is of great significance because, since the Special Committee believed that there were in existence all of the beds authorized, it followed that under existing circumstances, certain hospitals would have to be closed before new ones could be opened. Actually, when the VA closes the six hospitals not saved by the Special Committee, it will have in operation only 117,121 beds, a figure far below the authorized capacity. The closings will inevitably add to the national waiting list, which now contains 18,000 eligible veterans.

"The Special Committee made several strong statements in support of the veterans' hospital program. It agreed that veterans should receive the best obtainable medical attention, that hospitalization in the patient's home area frequently has definite therapeutic value, and that no segment of the veteran population should be left without reasonable facilities. In a significant passage of the report, the Committee said that the phasing out of old facilities should be coincident with the opening of new ones, thus supporting the Legion contention that beds should not be eliminated until they can be replaced by others.

"The Special Committee report does not at any time discuss the domiciliary program, why it recommended that only two be retained, or who would provide care for the veterans previously housed in the ones being closed.

"The effect of the Special Committee's recomemndation with respect to regional offices is to retain one such office in each State. The concept that each State is entitled, as a bare minimum, to one regional office is thus endorsed, in essence, by the Committee's action.

"The American Legion is gratified that the Special Committee on Veterans Facilities halted, at least to a degree, the Veterans' Administration's trend toward centralization and withdrawal of benefits for veterans. We must redouble our efforts to ensure that the VA will return to its essential mission of serving those who served this Nation."

On behalf of Commander Johnson and the millions of members of the American Legion and its Auxiliary, I express to you our thanks and appreciation for your splendid efforts in this matter. We are deeply grateful to each of you for your continued interest in and concern for the war veterans of America and their dependents.

HERALD E. STRINGER,
Director.

EXCERPT FROM ADDRESS BY SENATOR MUNDT, ON JUNE 13, 1965, TO STATE CONVENTION OF SOUTH DAKOTA VETERANS OF FOREIGN WARS

It would be a serious omission and unforgivable error on my part if I did not express my thanks to you, the South Dakota veterans and the leaders of all of our veterans organizations, for the effective and unified action you took earlier this year in connection with the administration's plan to close Veterans' Administration facilities, including the Sioux Falls and Fargo regional offices.

While I was successful last February in obtaining congressional approval of my amendment to put in effect a stop-order on the closings, this could not have been achieved without your help. Because you provided me, quickly and in abundant supply, the background information, I was able to make a convincing case to the Senate, and to achieve approval of my amendment. As a result, congressional hearings were held, a Presidential advisory board was appointed, the stop-order has been made permanent, and the regional facilities in Sioux Falls and in Fargo were kept open, as announced only a few days ago when the President rescinded the closing order. So we are all happy this has been a successful and united effort.

BIG BROTHER: FDA

Mr. LONG of Missouri. Mr. President, today's "Big Brother" item is correspondence to and from Mr. Burton L. Krone, who is in the pharmaceutical business in Springfield, Mo.

Mr. Krone has been in the pharmaceutical business for many years and is a very respected member of his community.

Mr. Krone's criticism of the Food and Drug Administration speak for themselves and his suggestion for a complete investigation of FDA should be taken most seriously.

When asking his permission to insert his letter in the CONGRESSIONAL RECORD, I suggested that he might want to "tone down" some of his manner of phrasing. As his reply of May 17, 1965, indicates:

> I'll rewrite the letter for you if you like. Actually, this letter was mild for me. It must be the Harry Truman influence.

Although Mr. Krone's statements are quite strong, I think they contain much very valid criticism of one of our most important Government agencies. Therefore, I ask unanimous consent that this correspondence be placed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SPRINGFIELD, MO.,
April 30, 1965.

HON. EDWARD V. LONG,
Member, U.S. Senate,
Senate Office Building,
Washington, D.C.

SENATOR LONG: Attached is a clipsheet from our local newspaper. We applaud your investigating the invasion of privacy in general and particularly your questioning of George Larrick, of FDA, and other pious members of this agency.

It isn't the Gestapo organization of the not-quite-dead-enough Nazis or the OGPU of the Russians we must fear but the Orwellian monster being created by the present rulers of the FDA. Some 2 or 3 years ago, Mr. Celebrezze ordered FDA to stop using recording devices when inspecting pharmaceutical plants in the eastern United States. He didn't say "public lectures, store demonstrations, or home spiels." So, they (FDA) are still at it.

In the view of FDA's current curious mentality, everyone in the drug trade is a crook. Well, they should recognize a crook because there are more than enough warped mentalities in that agency. The word "integrity" must be unknown to them. Consider the thalidomide incident. FDA knew 6 to 8 months before the news broke all about thalidomide. They waited to see how Kefauver's bill would fare. When the bill was licked, then they scared the Senate and Congress with thalidomide in order to secure passage of the bill the agency wanted. If FDA was so concerned about phocomelia (infants without normal appendigal development) why withhold news for 6 months? Where was integrity then?

This is the most ambitious agency in all U.S. Government. FDA wants to take over U.S. Public Health Service functions, such as water pollution and Treasury prerogatives such as narcotics. There is no known stopping place for these people who are grasping, grasping for power and more power.

No matter where their inspectors call or for what purpose, they seek to enforce fictitious laws and regulations, some of these laws and regulations made by the inspector on the spot. Also in this agency is the feeling that no one is competent to determine the intent of Congress except FDA. There is bullying, the veiled threat, and other pressures they think will work to obtain information not required by law.

It is reported in Drug Trade News this week that George Larrick says not more than 50 percent of investigational new drugs and new drug applications can be processed; clipsheet is attached. Well, why not? The reason is the 1962 law and regulations thereunder are so ponderous, it won't work. It'll never work in its present form. So what will pious George do? He'll ask for a larger appropriation; $55 million isn't enough.

No one but a total idiot would suggest abolition of FDA. This is an agency that has performed an essential function since 1906. Prior to the present era, FDA went about their job with no visions of grandeur and, above all, without a policeman complex. It is such a pity that this Agency has developed the attitude that only FDA is qualified to protect each U.S. citizen from the moment of conception until consigned to the grave. Life is fraught with hazards and it is unlikely that this group will have any great influence on mortality rates.

The drug industry in our beloved country has done a magnificent job. I wonder if any of these bureaucratic fools have ever considered the thousands of batches of drugs made and released each day in hundreds of laboratories with seldom even a minor error. Today we occupy the No. 1 drug position in the world. If FDA has their way, this shall not be true with the passage of a few years.

What I wish to say, Senator LONG, is that Congress should stop these fellows dead in their tracks. If ever an agency required full investigation by the Congress and a complete overhaul, it is FDA.

Yours respectfully,

BURTON L. KRONE.

MAY 10, 1965.

MR. BURTON L. KRONE,
Springfield, Mo.

DEAR MR. KRONE: Have read your recent letter regarding the Food and Drug Administration with extreme interest. You may be sure we shall do everything possible to clean up the mess at FDA, but it is a "big order."

Would like very much to have your letter printed in the CONGRESSIONAL RECORD, but would like your permission to do so. Thought you might like to change the language just slightly.

I sure agree with everything you say. Let me hear from you further.

Kind regards.

Sincerely,

EDWARD V. LONG.

SPRINGFIELD, MO.,
May 17, 1965.

HON. EDWARD V. LONG,
Member, U.S. Senate,
Senate Office Building, Washington, D.C.

SENATOR LONG: My sincerest thanks for your letter of May 10, relating to FDA. My daily prayers for several years past appear to be answered. A Senator is, at least, willing to listen.

Although I've never been one to imagine the Fascisti or Communists are nightly crawling under my bed, I'm deeply alarmed by the present attitudes of FDA. This is revealed by the field inspectors manner or manners.

Yes, I'm agreeable to insertion of my letter in the CONGRESSIONAL RECORD. Of course, you realize I'm a marked man with FDA from that moment on. Scarcely anyone wishes to invite harassment by this agency. The first time you are back in Missouri and can spare an hour, I'd welcome the opportunity to relate some of these FDA experiences.

I'll rewrite the letter for you if you like. Actually this letter was mild for me. It must be the Harry Truman influence. If you care to point out (in your view) objectionable language, I'll change it. Certainly some of the grammar could be improved.

There is more, much more regarding these FDA people. It is only possible to give it to you in small doses.

Again, my gratitude.

BURTON L. KRONE.

THE DOUGLAS JUNKED AUTOMOBILE AMENDMENT

Mr. DOUGLAS. Mr. President, the Senate Committee on Finance has approved an amendment I offered to the excise-tax-reduction bill. The amendment would help get rid of the growing number of junked automobiles which mar the beauty of our country; and it would retain 1 percent of the automobile excise tax, which would be diverted into a special fund to be used in disposing of junked cars. I first made this proposal 3 weeks ago. Since that time, the response has been overwhelmingly in favor of the amendment.

I ask unanimous consent to have printed in the RECORD a few of the letters I have received from the Nation's mayors and from other groups which support this amendment; and also an editorial, from the Washington Post of June 12, which likewise supports the use of the excise tax to help get rid of junked cars.

There being no objection, the letters and the editorial were ordered to be printed in the RECORD, as follows:

AKRON CITY PLANNING
COMMISSION,
Akron, Ohio, June 11, 1965.

Subject: Automobile junkyards.

HON. PAUL H. DOUGLAS,
U.S. Senator, Congress of the United States, Joint Economic Committee, Washington, D.C.

Your letter to the mayor of the city of Akron was given to the department of planning and urban renewal to answer.

We are very interested in seeing the problems of discarded automobiles and other motor vehicles solved. Akron has one of the highest per capita registrations of automobiles in the world, which as you have noted means more cars being junked.

Junkyard locations within the city limits are controlled by the zoning code. Automobile dismantling yards are allowed only in ordinary industry or heavy industry use classifications. New locations must have planning commission, board of zoning appeals and council approval.

The general operations of junkyards in the city are regulated by business regulation and licensing code. (Hours of operation, requirement of 7-foot-high fence, et cetera.)

Unlicensed motor vehicles are prohibited within a residence district by traffic code regulations. "No person shall park or store, or permit to be parked or stored, within a residence district for a period of more than 30 days, any unlicensed motor vehicle not in operating condition, except in an enclosed building or garage." Cars are subject to being towed away and disposed of according to the provisions of Ohio Revised Code. This ordinance serves to remove abandoned cars from yards and streets in residence districts, but does not provide funds to cover the cost of removing cars that have no value.

The regulations now in effect are totally inadequate to deal with the mounting problem of discarded automobiles. Most of the junkyards in this area were established before zoning laws were effective—therefore, they are practically impossible to control. As nonconforming uses they can continue on forever.

There are no figures available on the amount of acreage used in storing discarded automobiles or the number of automobiles stored on the lots. There are 30 automobile dismantling yards listed in the Akron Vicinity Business Directory, 18 of which are located in the city of Akron.

This department recently made a study of automobile and junkyards located on or in sight of major arterial highways in Akron. This study was made in connection with the highway beautification program, the data being assembled for the Federal Bureau of Roads. A copy of this map is being sent to you.

COMMENTS ON BILL

The bill, as written, relates to taxes on automobiles and trailers. The most unsightly junkyards in this area have in addition to discarded passenger cars, buses, truck and army surplus vehicles, stored in the yards. The persons responsible for bringing these materials into the area, do so on a purely speculative basis. Items not sold are allowed to accumulate into enormous yards of unsightly vehicle bodies.

Inasmuch as the excise tax levied on automobiles is not in effect on these materials, consideration should be given to establishing a fee at the time of purchase to assure the ultimate disposal of the valueless vehicles. The purchaser of passenger cars should not be expected to pay the entire cost of disposal of all types of motor vehicles.

We wish you success in your campaign to clean up and beautify America. When we can be of further service, please feel free to call on us.

JULIAN SUSO,
Director of Planning and Urban Renewal.
LOUISE MORRIS,
Librarian, Department of Planning and Urban Renewal.

OFFICE OF THE MAYOR,
Evansville, Ind., June 8, 1965.

Hon. PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR DOUGLAS: This will acknowledge receipt of your letter under date of June 4 explaining your position with reference to the growing problem covering the destruction of automobiles.

We in Evansville like other cities are experiencing the same problem and are really at loss to know exactly the proper procedure to follow with reference to disposing of discarded automobiles. The salvage dealers in Evansville have advised me that there is practically no market for junked automobiles, and therefore, they find it necessary to stockpile them until such a time as either the market improves, or until some other provisions can be made for their disposal.

This topic was discussed at great length at the recent U.S. Conference of Mayors, and I am very much interested in any solution that might possibly be worked out at the national level since I think that this is a universal problem, and therefore, should be the problem of the Federal Government. At the recent conference there were films shown with reference to the operation of automobile shredders, as well as baling machinery, but for a city the size of Evansville the cost of this machinery is prohibitive. Therefore, I am deeply appreciative of your interest, and want to pledge my full support and cooperation in any way that I might be of benefit.

Sincerely yours,
FRANK F. MCDONALD,
Mayor.

CITY OF PHILADELPHIA,
Philadelphia, Pa., June 8, 1965.

Hon. PAUL H. DOUGLAS,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR DOUGLAS: Thank you for your letter with respect to your bill which would save a portion of the existing excise tax on automobiles to be used for eliminating unsightly auto junk piles plaguing our communities.

This is a problem that has been discussed at some length by the mayors of the Nation's large cities, both in the National League of Cities and the U.S. Conference of Mayors, and it is a situation which must be faced before it overwhelms us.

In Philadelphia, for example, we are removing more than 10,000 automobiles a year which have been abandoned on the city's streets. These are piled in junkyards until they can be disposed. This is a slow process, because the scrap market is low. There appears to be renewed interest in this problem since the President's emphasis on urban beautification, and current proposals by contractors and fragmentizer firms are now being studied.

I will take up your correspondence with our officials who are now studying this problem and will be happy to keep you advised of additional developments.

With all good wishes and kindest personal regards, I remain,

Sincerely yours,
JAMES H. J. TATE, *Mayor.*

CITY OF AMARILLO, TEX.,
June 9, 1965.

Senator PAUL H. DOUGLAS,
Vice Chairman, Joint Economic Committee, Congress of the United States, Washington, D.C.

DEAR SENATOR DOUGLAS: Thanks for your letter of June 4, 1965. The disposal of junk automobiles has become a serious problem in our community. We find them not only in so-called junk car lots but stacked in our streets and alleys. The problem certainly needs some solution or we will find ourselves engulfed in junk cars.

I leave the merits of your proposed solution to more knowledgeable people. I wish you success for the solution of the subject.

Very truly yours,
F. V. WALLACE,
Mayor.

CITY OF ATLANTA,
OFFICE OF THE MAYOR,
Atlanta, Ga., June 9, 1965.

Hon. PAUL H. DOUGLAS,
Senator, Congress of the United States,
Washington, D.C.

DEAR SENATOR DOUGLAS: Thank you for your letter of June 4, 1965, addressed to Ivan Allen, Jr., mayor of Atlanta, together with a copy of your bill and statements pertaining to junk automobiles.

As you know, the junk automobile nuisance is plaguing all American cities and Atlanta is no exception. It is estimated that there are several thousand abandoned inoperative junk automobiles on the premises of private properties throughout our city. Actual experience has proven that a contractor cannot obtain enough monetary return from these junk automobiles to warrant his removing them for their salvage value only.

The situation has become so acute in Atlanta that a special ordinance was adopted on March 17, 1965 (copy attached), to cope with this problem along with other abandoned items of household appliances. We have also recently entered into a contract for removal of junk automobiles at the city's expense ($7.50 each) from private properties, upon written authorization of the owners of the automobiles or of the properties on which they are located.

We feel that the above measures are necessary in order to improve environment, safety, and health hazards caused by the junk automobiles, and that Federal action along the lines proposed by you is in order and very much justified.

Very truly yours,
R. EARL LANDERS,
Administrative Assistant.

CITY OF ALBANY,
OFFICE OF THE MAYOR,
Albany, N.Y., June 7, 1965.

Hon. PAUL H. DOUGLAS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOUGLAS: It was very good indeed to get your letter of June 4, in regard to the junk automobiles.

I have been working on this somewhat intensively at the State level with Assemblyman Russell Selkirk, and while certain State legislation has been introduced and more hopefully may become law, it only solves a portion of the problem.

Your plan for an excise tax on new automobiles is, to my way of thinking, the real solution.

The only suggestion that I would make is that possibly the States be brought into the Federal law so that where there is a good State program, it could be supported in whole or in part by the excise tax revenue.

Sincerely yours,
ERASTUS CORNING 2d,
Mayor.

OFFICE OF THE MAYOR,
Paterson, N.J., June 7, 1965.

Hon. PAUL H. DOUGLAS,
Vice Chairman, Joint Economic Committee, Congress of the United States, Senate Office Building, Washington, D.C.

DEAR SENATOR DOUGLAS: One of the most pressing problems in this municipality is abandoned vehicles. Hundreds upon hundreds are abandoned in our streets inviting trouble to children, offering a place to sleep for vagrants who seek them out, and in general creating a problem which is becoming a terrific expense to our municipality.

Countless police hours are given to see to it that these cars are removed from the street, when in reality these men could be used for better police protection throughout the city.

With every good wish, I remain,

Very truly yours,
FRANK X. GRAVES, Jr.,
Mayor.

Office of the Mayor,
Jersey City, N.J., June 7, 1965.
Hon. Paul H. Douglas,
U.S. Senator, Vice Chairman, Joint Economic Committee, Congress of the United States, House Office Building, Washington, D.C.

Dear Senator Douglas: Thank you for your recent letter, calling to my attention your bill to divert a portion of auto excise taxes into a special fund to help eliminate auto junkpiles.

I am wholeheartedly in favor of your basic proposal. Our country offers few worse eyesores than these made-in-Detroit mountains of rubble.

Unfortunately, I cannot be of much help in furnishing you with statistical data on the problem here. However, in the last 12 months Jersey City's Police Department has towed just over 3,000 junk autos off city streets where they had been abandoned by their owners.

These were held in city car pounds until being sold at auction—most of them going to scrap dealers, where they merely compound the present problem.

Your idea is the first constructive one I have heard in the search for a solution.

Again, thank you for writing.

Sincerely,
Thomas J. Whelan,
Mayor.

National Farmers Union,
Washington, D.C., June 8, 1965.
Hon. Paul H. Douglas,
U.S. Senate,
Washington, D.C.

Dear Senator Douglas: I appreciate your request for comments on the retention of part of the excise tax on automobiles to cope with the problem of automobile scrap and junkpiles.

We support you on this bill and offer our assistance in whatever way we can be helpful. We feel it will be especially helpful in disposing of scrap automobiles in rural areas where the cost of transportation makes disposal through crushing uneconomical. Too many of our rural hillsides are cluttered with junkpiles of worthless and ugly automobiles.

Sincerely yours,
Blue Carstenson,
Executive Director, Senior Member Council.

The American Institute
of Architects,
Washington, D.C., June 8, 1965.
Hon. Paul H. Douglas,
U.S. Senate,
Washington, D.C.

Dear Senator Douglas: The institute is indeed interested in your bill to get rid of the growing number of unsightly auto junkpiles. We will prepare comments and testimony to support this legislation.

Sincerely yours,
William H. Scheick.

State of Vermont, Executive Chamber,
Montpelier, Vt., June 11, 1965.
Hon. Paul H. Douglas,
Senator from the State of Illinois,
Senate Office Building,
Washington, D.C.

Dear Senator Douglas: It was with a great deal of enthusiasm that I read your letter outlining your plans to finance junkyard cremation.

I was even more encouraged to note in yesterday's New York Times that your proposal to save a portion of the existing excise tax for this purpose received support of the Senate Finance Committee.

I am delighted to go on record as fully endorsing your plan and am forwarding copies of this letter to Senators Aiken and Prouty and Congressman Stafford.

In the meantime, I have asked appropriate State officials to forward you statistical information concerning the automobile junk problem in Vermont.

We have a statute requiring fencing of auto junkyards which has proven largely unworkable.

Our major problem, however, is the unsightly littering of our rural areas with abandoned automobiles. This fact poses extreme economic problems because of distances involved.

This fact alone makes your plan particularly attractive to the State of Vermont.

If there is anything more I can do to be of assistance in this regard, I certainly shall be pleased to.

Very truly yours,
Philip H. Hoff,
Governor.

[From the Washington (D.C.) Post, June 12, 1965]

A Better Excise Tax Bill

By attaching sensible conditions to the scheduled reductions in the levy on automobiles, the Senate Finance Committee has greatly improved the excise tax cut measure that was passed by the House.

The House voted to eliminate the entire 10-percent auto tax in a series of reductions between July of this year and January 1969. But the administration argued that 5 percentage points of that tax should be retained to defray the costs which the automobile imposes upon society, costs that include decent burials for discarded vehicles, the elimination of air pollution, and measures to alleviate congestion and promote highway safety.

The amendments sponsored by Senators Douglas and Ribicoff and adopted by the committee would accomplish those ends. The Douglas amendment provides for a permanent 1-percent tax, the proceeds of which would be used to remove from the roadsides auto graveyards with their unsightly, rusting hulks. Mr. Ribicoff's amendment makes 4 percentage points of tax reduction contingent upon the auto manufacturers' willingness to install as standard equipment such safety devices as dual braking systems, padded dashboards and impact-absorbing steering columns.

Both proposals deserve the strongest support. The Douglas amendment could be broadened to include research into problems of highway safety. Senator Ribicoff's proposal has a precedent in legislation under which the General Services Administration has been instructed to establish safety standards for all vehicles purchased by the Federal Government. If the industry meets the standards which the GSA will soon announce, the Ribicoff provisions should not be onerous.

So long as 5 or 6 percentage points of the auto tax are eliminated by January of next year, the excise tax cuts will make their contribution to a more expansive fiscal policy. Decisions relating to the remainder of the automobile tax should be made in the light of the social costs imposed by the automobile and the user charges that are required to defray them.

INVESTMENT OF IDLE CASH BALANCES

Mr. MUSKIE. Mr. President, the investment of idle cash balances by our States and municipalities can play an important role in reducing the tax burdens borne by our citizens. This aspect of fiscal efficiency has been explored and promoted by the Advisory Commission on Intergovernmental Relations, of which I am a member, along with Senator Mundt and Senator Ervin. The role of Federal grant funds in the investment of idle balances is also treated in Senate bill 561, the proposed Intergovernmental Cooperation Act of 1965, which I introduced early in this session. The bill is now under consideration by the Subcommittee on Intergovernmental Relations.

I was particularly pleased, therefore, to note in the Wall Street Journal of June 8 an article indicating that State and local income from such investment may exceed $5 billion in 1965. This important article describes the methods of this type of investment and their use across the Nation. Therefore, I ask unanimous consent that the article be printed in the Record, so that those who are interested in our State and municipal finances may be better informed of the value of investing otherwise idle cash balances.

There being no objection, the article was ordered to be printed in the Record, as follows:

Help for Taxpayers—States and Local Units Reap Substantial Gains by Investing Idle Funds—Income May Increase to Over $1 Billion in 1965; New Laws, High Interest Play Roles—Any Fool Can Make Money

(By Joseph Mathewson)

Chicago.—State and local government officials are trying harder to give the taxpayer a break by putting idle dollars to work.

Los Angeles in the fiscal year ending June 30 expects to earn more than $5 million by investing temporarily unneeded funds. "It means taxpayers have that much less to pay," says Treasurer Robert Shadforth. In tiny Upper Moreland, Pa., (population 25,000) Township Manager J. Peter Braun figures that, without $6,500 or more in interest from investments this year, the town "probably would have had to increase taxes."

Across the Nation, money raised through taxes and bond issues which isn't needed immediately is being shifted from low-interest or no-interest bank deposits into Government securities, savings accounts and other investments producing significant revenue. These investments are apart from those made routinely for pension and insurance funds. The latter funds in a number of States include common stock and real estate investments as well as the relatively less risky investments into which governments are now putting temporarily unneeded cash.

The practice of investing idle cash is gaining momentum, spurred by expansion. High short-term interest rates currently obtainable are a further lure to investment. Many public agencies are turning a tidy profit by selling low-interest, tax-exempt municipal bonds and temporarily investing the proceeds at interest rates one percentage point or more higher than the rate they pay to borrow.

ILLINOIS EARNS 4.1 PERCENT

Investment of State and local government funds yielded an estimated $825 million in 1963, a sharp 17-percent rise from the previous year, and there was another large increase in 1964, according to the Census Bureau. The total probably will exceed $1 billion this year. Here in Illinois, State Treasurer William J. Scott is now shifting some funds into over 400 savings and loan associations, and he just negotiated an increased interest rate on State deposits in 6 Chicago banks. Through such moves Illinois soon will be earning 4.1 percent from its idle money, easing the burden on the State's taxpayers by about $24 million this year, compared with a benefit of only $12.1 million in 1962.

"There's no question about it, States are giving this increasing attention," says Charles Byerly, secretary of the National Association of State Budget Officers. L. Laszlo Ecker-Racz, assistant director of the Advisory Commission on Intergovernmental Relations, an organization created by Congress, says State treasurers "are taking a great deal of pride in making full use of their funds" and publicly listing the amounts of interest money earned. In local governments, "more and more finance officers are becoming more and more sophisticated about how to go about this," says Joseph F. Clark, executive director of the Municipal Finance Officers Association.

In 1957 only 13 of New York's 57 counties outside New York City invested their idle cash, and they earned only $396,000. In 1963, however, 47 of the counties collected nearly $3 million in interest.

Money raised through bond issues is an important source of investment income. New Trier Township, embracing several Chicago suburbs, in 1963 sold $8,750,000 in bonds at 2.9 percent for a second high school; it expects to earn nearly $770,000, equivalent to almost one-fourth of the bonds' $3.2 million interest cost, by investing the unneeded proceeds at about 4 percent until construction is finished next year.

MORE AUTHORITY TO INVEST

Laws are being altered to permit or even require more productive use of money which isn't immediately needed. Louisiana launched a modest investment program with a 1963 law, then in 1964 broadened it to include various State agency funds and increased the permitted interest rate. Just yesterday a bill cleared the legislature to enlarge further the amounts eligible for investment; the Governor is expected to approve the measure.

A 1963 Iowa law authorized local governments to put funds into interest-bearing bank deposits or, in some instances, U.S. Government securities. Minnesota enacted legislation in 1963 requiring that earnings from the State's endowment fund for schools be reinvested between the semiannual distributions to the schools. Buffalo in 1963 gave its comptroller authority to invest bond receipts as well as operating funds.

Though restrictions are being relaxed, many public officials are cautious about using their legal authority to invest. "Generally they have more authority than they use," says Mr. Ecker-Racz of the Advisory Commission on Intergovernmental Relations. "Some $50 million to $100 million of interest income is lost annually from failure of State and local governments to invest," he declares.

SAFEGUARDING INVESTMENTS

When officials do invest idle funds, they usually impose safeguards against loss. Illinois and Atlanta invest in savings and loan associations, but place no more than $10,000, the maximum covered by Government insurance, in each institution. Illinois and California require banks to post 110 percent collateral such as Government securities for all interest-bearing accounts. "We had $3.9 million in the San Francisco National Bank when it went out of business," says California Deputy Treasurer Richard C. Munden. "We got it all back."

If an unexpected need arises for money which has been invested, many governments have arrangements under which funds committed to bank deposits for several months or more can be quickly withdrawn, with the penalty of forfeiting the interest. Arlington County, Va., has invoked such an escape clause "two or three times" in recent years, says Treasurer Colin McPherson.

Some Government officials go to great lengths to wring more dollars out of idle cash. Many local laws require banks to bid competitively for deposits of public funds; in Illinois, though State law stipulates only an annual bidding, "I've been renegotiating our rates whenever there's been a change in the interest rate structure," or about four times a year, says State Treasurer Scott. Kentucky temporarily invests the Federal and local taxes it withholds from State employees until the funds have to be remitted to the proper authorities.

Occasionally governments borrow temporarily to avoid distributing high-yield investments. St. Paul recently borrowed $6.5 million for 4 months by selling tax anticipation notes at 2.01 percent so it wouldn't have to liquidate Government securities paying 4 percent. "This will save from $30,000 to $33,000," figures Comptroller Joseph J. Mitchell.

A principal method of boosting earnings is to cut the amounts usually kept in demand deposits, which draw no interest, and shift the excess into investments. New York State used to maintain over $60 million on demand in banks throughout the State, but "now about $35 million of that is invested," says Harry Harman, deputy commissioner of taxation and finance. Since early 1964 Los Angeles has reduced its demand deposits to $7 million from $31.5 million and now keeps 96 to 98 percent of its funds invested. Officials do strive to keep enough in demand accounts not only to meet current obligations but also to provide adequate compensation for the banks' service in handling the accounts.

DAY-TO-DAY CONTROL

A number of States and big cities keep a day-to-day watch over their cash needs so they can hold demand deposits down and invest every extra dollar. Wisconsin maintains a demand deposit in only one bank and thus can keep almost all its operating funds invested. "At 3 p.m. every day," says Hayden Jamieson, executive director of the State's investment board, "the bureau of finance tells us what the disbursements will be the next day, and we make that much available. We don't deinvest until the money is needed to pay out. None of our money remains idle at all."

One reason for these aggressive investment programs is that interest rates, particularly those for short periods, are high now. Treasury bills, a popular short-term investment for public funds, yield about 3.9 percent. Minnesota Treasurer Val Bjornson recalls bills returned less than 1 percent about a decade ago. "Any fool can make money in this market," he declares.

It's hard to measure precisely what idle-cash earnings mean to the individual taxpayer, but there's little doubt they help abate pressure for tax increases. Last month Ohio voters approved a $290 million bond issue whose debt service, State officials had promised, would not necessitate a tax boost. One reason: They figured that investing the proceeds until needed would earn enough to pay from one-quarter to one-half the debt service.

TREASURERS FEEL PRESSURE

With such benefits available, there's growing pressure on public officials to make the most of idle funds. "The city fathers are very aggressive or this now," says Arlington Treasurer McPherson. "They're always after me to get more out. In the old days they weren't too interested." In Kentucky, after a Governor's commission on governmental efficiency complained last fall about the State's laggard use of idle cash, the treasurer obtained a 3 percent interest rate on deposits that had been earning 1 percent or nothing at all. In April a Chicago newspaper trumpeted on page 1 that Cook County, which includes Chicago, was failing to invest large sums of idle money and had $26 million in one no-interest bank account alone. This led State legislators to introduce bills which would authorize Illinois counties to invest at least part of their idle funds.

Although no charges of political favors were made in this instance, such suspicions often are raised when an official deposits large sums of money at little or no interest. Past practice in Illinois, according to State Treasurer Scott, usually was that a Republican treasurer deposited large sums in a demand account in one Chicago bank and a Democratic treasurer did the same in a rival bank. At the same time "the bank would lend a revenue officer for the treasurer's office," says Mr. Scott. One bank, he declares, "had $100 million in a demand account when I took over" in January 1963.

COMPETITIVE BIDS FAVORED

Ohio Treasurer Herbert says competitive bidding by banks for State money "removes a great deal of pressure from the treasurer of the State in the awarding of inactive public funds."

Although officials are striving harder to invest idle cash at higher rates and with safety, these aren't their only objective in handling public money. California spreads out its time deposits in more than 160 banks, without competitive bidding. "Some areas in the State are depressed and others are booming, explains Deputy Treasurer Munden. "Banks in the booming areas can bid higher," and he says distributing the money widely "has a certain advantage in helping the economy."

The current transfer of funds into savings and loan associations in Illinois was undertaken in part to bolster the industry after several State S. & L.'s had failed, Treasurer Scott says. The failures were "beginning to shake peoples confidence in the whole industry," he says. He believes the announcement of State deposits in S. & L.'s stemmed a rash of withdrawals which had begun.

SETH KANTOR, IN EL PASO HERALD-POST, NARRATES GI BILL WOULD STRENGTHEN THE DEFENSES OF LIBERTY

Mr. YARBOROUGH. Mr. President, as this session of the 89th Congress continues, as the involvement of this Nation in armed conflict deepens, and as more and more cold war veterans are discharged into our society, the need for the cold war GI bill also increases.

Whether the defenses of liberty are carried on in the battlefield, or whether they are strengthened in the classroom, in either case the cold war veteran deserves a chance to serve his country as a civilian, as well as a serviceman.

Recently, a two-part series of articles were written by Seth Kantor, nationally known reporter for the Scripps-Howard newspapers. I ask unanimous consent that the two articles, as published in the June 3 and June 4, 1965, issues of the El Paso Herald-Post, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the El Paso (Tex.) Herald-Post, June 3, 1965]

YARBOROUGH FIGHTS FOR GI'S

(By Seth Kantor)

WASHINGTON.—The 89th Congress has no legislation on tap more controversial than the cold war GI bill of Senator RALPH W. YARBOROUGH, Democrat, of Texas. Forty Senators have joined Senator YARBOROUGH as formal sponsors of the bill, S. 9, which would provide the Nation's 3.5 million current military veterans since 1955 with benefits similar to those available to World War II and Korean veterans.

S. 9 is endorsed by a solid front of veterans' groups, a prominent array of educational leaders and organized labor. Last week, S. 9 was cleared for Senate floor action by the Labor and Public Welfare Committee.

But the Yarborough bill is in the midst of a hot war with Johnson administration opposition led by the Budget Bureau, Veterans' Administration, and the Defense Department.

The Pentagon says the Yarborough bill would lure young men out of the service and into colleges.

Senator ROBERT F. KENNEDY, Democrat, of New York, a member of Chairman YARBOROUGH's Senate Veterans' Affairs Subcommittee, finds the Pentagon attitude incredible. He told a Pentagon official:

"I could understand (your attitude) if we said we were going to offer them (the servicemen) girls or something, and if you then said you didn't want them to go out because they were going to have an immoral life.

"But what we are talking about is making it possible for young people to go to college, young people to go to school. We are talking about helping the United States."

During recent hearings on the Yarborough bill, Senator KENNEDY asked Brig. Gen. William W. Berg if "you would like to keep people who are ignorant in the service so they won't be lured outside by going to college?"

Replied General Berg, Deputy Assistant Defense Secretary for Manpower: "I don't see how we would be in a position to support anything the net effect of which is going to cause people to leave the service."

Senator YARBOROUGH explains that unlike the original two GI bills, the legislative language in S. 9 makes it possible for a military man to reenlist, stay in service for years and remain eligible for increasing veterans' benefits.

"Is it going to be an incentive to stay in, rather than an incentive to get out," says Senator YARBOROUGH of his bill. "It is not a bonus. There is no mustering out pay in this bill as in the GI bill of World War II."

Last year the Budget Bureau estimated the cold war GI bill would take $298 million annually for the Federal Government to operate.

The estimated annual cost now is up to $326 million. The Johnson administration believes there would not be enough return on that kind of outlay.

But Senator LEE METCALF, Democrat, of Montana, contends that World War II veterans educated under the original GI bill, enacted 21 years ago this month, are contributing "an extra $1 billion in Federal taxes each year due to increased earning power, gained through added education."

The Federal cost of the original bill will have been "paid back in full by 1970" in taxes by World War II vets, estimates Senator METCALF.

A lot of objections to S. 9 have been voiced by the VA, including the existence of high inservice educational advantages for today's military men and more favorable conditions awaiting him when he is discharged.

But Senator YARBOROUGH argues that "our cold war veterans are often lucky to get any jobs at all, and it is the Government itself which seems to block their path.

"In 1963 alone, more than 210,000 veterans received unemployment compensation in excess of $96 million—which was $2 million over the figure for 1962.

"The bill we have proposed aims to train today's veterans so that they can stay off the unemployment rolls."

[From the El Paso Herald-Post, June 4, 1965]

GI AID WHERE DO YOU STOP?

(By Seth Kantor)

WASHINGTON.—Senator RALPH W. YARBOROUGH, Democrat, of Texas, reflecting on his life as an officer in Europe in the waning days of World War II, said he knew of a U.S. Army replacement "who wore a glass eye" in the combat zone. "We were scraping the bottom of the manpower barrel," said the senior Texas Senator. "We were taking men who were mentally weak and physically weak. They don't do that any more."

Last winter, Senator YARBOROUGH toured military bases at Okinawa, Korea, and Japan. He said:

"Those men know what is happening to them. If you have enough money to go to school, you don't have to serve your country in the armed services. If you are too poor to go to college, you are the ones that go out on the front and defend liberty for everybody."

Veterans' Administration figures show that college tuitions have jumped 72 percent since 1948, making it that much tougher for bright but financially strapped young men to get to college.

The second and last of the Nation's two GI bills expired in 1955. Senator YARBOROUGH has been struggling since 1959, when he became chairman of the Senate Veterans' Affairs Subcommittee, to get a new GI bill passed into law.

Senator YARBOROUGH says the cold war GI bill is a lot tighter now than it was." For instance, a man would have to serve at least 180 days in the Armed Forces to be eligible for educational rights or a house-buying loan under terms of the Yarborough bill.

The Yarborough bill passed the Senate in the 87th Congress but died in the House where Representative OLIN E. TEAGUE, Democrat, of Texas., author of the Korean War GI bill, traditionally has opposed a similar package to peacetime veterans.

In the 88th Congress, the Yarborough bill never got to the Senate floor. "It was blocked by the leadership, acting in behalf of the White House," YARBOROUGH contends.

This year, the Johnson administration still opposes the bill which has graduated from committee as S. 9 and awaits Senate floor action. But S. 9 might wind up with administration backing after all because, as Senator YARBOROUGH puts it.

"The Republicans are pushing their timid little substitute to block my bill."

He is referring to S. 520, brought out by Senator LEVERETT SALTONSTALL, Republican, of Massachusetts. The Saltonstall bill and a handful like it from other GOP sources seek benefits only for veterans who have served overseas where "warlike conditions exist."

The Republican move has led House Chairman TEAGUE to advise President Johnson that the Teague committee "intends to hold hearings now" on S. 9, along with S. 520 and any other GI bill ideas.

"It would be idiotic to withhold veterans' benefits from Vietnam participants," said Chairman TEAGUE. "But where do we draw the line? There have been scores of fronts and potential fronts in the years of the cold war."

S. 9 would allow up to 36 months of educational funds for a veteran, providing him with a monthly cash allowance—$110 for a single man and up to $165 for a married man with two children—from which he pays his tuition and maintenance expenses at the school of his choice.

Backers of S. 9 say that the average draftee loses 2½ years from "the mainstream of American life," and it has become fashionable for Senators in support of S. 9 to quote a poem once stated by a onetime member of the Yarborough subcommittee.

The poem reportedly came from a sentry box at Gibraltar:

"God and the soldier all men adore
In time of trouble and time of war,
But when war is over and all things righted,
God is neglected and the old soldier
slighted."

And the onetime member of the Yarborough subcommittee who stated it was John F. Kennedy.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

FOREIGN ASSISTANCE ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to be taken out of the time allocated to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator yield 6 minutes to me?

Mr. MANSFIELD. Mr. President, I yield 6 minutes to the Senator from New York under the bill.

Mr. JAVITS. I am grateful to the majority leader for accommodating me in this way.

The PRESIDING OFFICER. The Senator from New York is recognized for 6 minutes.

PROPOSED LABOR LEGISLATION

Mr. JAVITS. Mr. President, the President's labor message to Congress has generated a good deal of reexamination of our labor laws because in calling for repeal of section 14(b) of the National Labor Relations Act—an action which I support—it has also refocused public attention on the problems which arise from the addition to union authority which repeal of 14(b) represents and the need for adequate regulation to insure that that power is exercised democratically and in the public interest.

I have long been on record against proposals which seek to abolish or diminish labor's right to self-organization and collective action. Unions have been largely a force for good in our society. But no objective person can fail to recognize the need for keeping union responsibility abreast of union authority.

I am therefore submitting today a series of proposed amendments to our labor laws which would insure that the enhanced authority which organized labor will derive from repeal of section 14 (b), with resulting elimination of State right-to-work laws, will continue to be exercised democratically and in the public interest. I deeply feel that this legislation will also strengthen the collective bargaining process.

I am putting forward these proposals as a tried friend of labor, and as one who believes that section 14(b) of the Taft-Hartley Act should be repealed because we should have one Federal policy of labor-management relations throughout the Nation and not different policies in the States which have enacted so-called right-to-work laws denying the opportunity for the union shop.

If section 14(b) is repealed, U.S. labor will gain increased authority and union statesmanship will be tested as never before. I believe that the approach contained in these bills—an approach designed to put a more timely floor under wages, to foster greater union democracy and equal opportunity and to strengthen the collective bargaining process—is the most effective answer to those who propose restrictive legislation in the labor field.

The labor legislation I am introducing today would:

First. Amend the Labor-Management Relations Act to give the Federal courts jurisdiction to enforce provisions of collective bargaining agreements containing no-strike, no-lockout clauses if such jurisdiction is specifically accepted in the contract and the contract contains a clause providing for the arbitration of disputes.

Second. Amend the National Labor Relations Act to insure, when requested, a ballot election in union representation cases.

Third. Amend the equal employment opportunity title, title VII, of the 1964 Civil Rights Act to improve its coverage of unions and employers, to strengthen the enforcement and investigatory powers of the Equal Employment Opportunity Commission, and to stress equal opportunity access to apprenticeship and other training programs.

Fourth. Give the President new powers to protect the public health and safety in national emergency strike situations. The powers would include appointment of a board of inquiry to make public recommendations for a settlement, a 30-day freeze during which both parties would be required to bargain on the recommendations, and authority for Government seizure of facilities in extremely grave situations.

Fifth. Amend the Fair Labor Standards Act to increase the minimum wage from $1.25 to $1.50 per hour.

1. ENFORCEMENT OF NO-STRIKE, NO-LOCKOUT CLAUSES

Mr. President, I submit, for appropriate reference, a bill to amend section 301 of the Labor-Management Relations Act to give the Federal courts jurisdiction to enforce all provisions of collective bargaining agreements, including no-strike, no-lockout clauses.

The President's labor message neglected an important area where our national labor policy is fragmented and inconsistent—the enforcement of labor agreements. Such enforcement has been made a matter of national labor policy by section 301 of the Labor-Management Relations Act, and the Supreme Court has held in the Lincoln Mills case that a single Federal substantive law of labor agreements governs suits for violation of such agreements under that section. Yet because of Congress' failure to allow injunctive relief in section 301 suits, the Supreme Court later held that the Norris- La Guardia Act deprives the Federal courts of jurisdiction to enforce no-strike clauses regardless of what the parties themselves have negotiated.

Thus, despite section 301, we now have 50 different State laws governing the subject—some permitting enforcement, some denying it, and each attaching special conditions and restrictions—all because the Federal courts have no jurisdiction over the subject, jurisdiction we thought we had given them when we enacted section 301.

Surely if our Federal labor policy is to encourage collective bargaining under a uniform Federal labor law, then at least we ought to have a uniform policy providing for enforcement of the bargain once it is made.

The bill I introduced today would not change the legal status of existing contracts. Instead, this bill would merely permit the parties to provide for enforcement, if they have specifically stated in their collective bargaining agreement that the Norris-La Guardia Act shall not preclude enforcement. Accordingly, if the parties make that provision a specific part of their bargain, it will be enforceable according to its terms.

This bill is designed to be evenhanded. The grant of Federal jurisdiction would provide employers with an effective remedy against union breaches of contract; but my bill makes that remedy available only if the agreement affords to the union an equally quick and effective—and inexpensive—remedy against employer breaches: binding arbitration of union grievances. Our national labor policy is to encourage grievance arbitration as a substitute for industrial warfare, as the Supreme Court has stated many times.

The tying together of the no-strike clause and the arbitration clause is nothing more than recognition of what is axiomatic in collective bargaining. As the Supreme Court once put it:

> Plainly the agreement to arbitrate grievance disputes is the quid pro quo for an agreement not to strike.

And it is a quid pro quo in practice as well as in theory. For example, the current labor agreement between the United States Steel Corp. and the United Steelworkers of America provides that one is a condition of the other; the arbitration clause states:

> SEC. 7K. If this agreement is violated by the occurrence of a strike, work stoppage or interruption or impeding of work at any plant or subdivision thereof, the board of arbitration shall refuse to consider or decide any cases concerning employees at such plant involved in such violation while such strike, work stoppage, or interruption or impeding of work is in effect.

To say that the arbitration clause is the quid pro quo for the no-strike clause and then make the no-strike clause unenforceable undermines the whole bargain, and makes it even more difficult to negotiate arbitration clauses in the first place.

This bill would therefore further two national labor policies: It would promote grievance arbitration as a substitute for industrial warfare by encouraging the parties to negotiate arbitration clauses; and it would help achieve a uniform national labor law, which was our purpose in enacting section 301 and will be our purpose in repealing section 14(b).

Legislation along the line of this bill was recommended in a report of the Association of the Bar of the City of New York earlier this year. I would point out, moreover, that the bar association report was signed by every labor union lawyer on the labor committee of the association—an action which clearly indicates that the best thinking in the American labor movement is willing to accept the responsibility of living up to the agreements it negotiates.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point first, the text of the bill I have just submitted; second, the report of the Association of the Bar of the City of New York; and third, a similar report of unaffiliated or "neutral" members of the labor section of the American Bar Association.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, and reports will be printed in the RECORD.

The bill (S. 2132) to amend section 301 of the Labor-Management Relations Act, 1947, so as to make the Norris-La Guardia Act inapplicable to certain injunctive proceedings; was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2132

A bill to amend section 301 of the Labor-Management Relations Act, 1947, so as to make the Norris-La Guardia Act inapplicable to certain injunctive proceedings

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301 of the Labor-Management Relations Act, 1947, is amended by adding the following new subsection:

"(f) The provisions of the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (29 U.S.C. 101–115), shall be inapplicable in any proceeding to enjoin the violation of, or to enforce an arbitration award arising out of an alleged violation of, a contract between an employer and a labor organization representing employees in an industry affecting commerce as defined in this Act, if the contract includes (i) a provision for submission to binding arbitration of any claim asserted by such labor organization alleging a violation of such contract by such employer, and (ii) a provision expressly stating that the provisions of such Act approved March 23, 1932, shall be inapplicable in any such proceeding."

REPORT CONCERNING (1) THE ROLE OF JUDGE AND ARBITRATOR IN LABOR ARBITRATION AND (2) INJUNCTIONS AGAINST STRIKES IN BREACH OF CONTRACT

(By the committee on labor and social security legislation)

PRELIMINARY STATEMENT

Recent proposals for legislation concerning (1) the relationships between the courts and arbitrators under collective bargaining agreements, and (2) injunctions against strikes in breach of no-strike clauses have focused attention on these issues. We recommend that the relationship between the courts and arbitrators be allowed to continue to evolve in the course of judicial decisions without legislative action at this time. We recommend, however, that the Federal courts be given jurisdiction to enjoin strikes in breach of collective-bargaining agreements under certain conditions as discussed below.

I. BACKGROUND

Prior to the enactment of the Taft-Hartley Act the enforcibility of labor arbitration agreements and awards was governed solely by State law. The decisions of State courts frequently reflected the ancient tradition of judicial hostility to arbitration as a forum rival to the courts. Agreements to arbitrate future disputes were generally held unenforcible except under specific statutes and were strictly construed. In 1947, section 301 of the Taft-Hartley Act conferred upon the Federal courts jurisdiction over suits between employers and unions in industries affecting commerce for breach of agreements between them. In *Textile Workers* v. *Lincoln Mills,* 353 U.S. 448 (1957), the Supreme Court held that section 301 contemplated the application of Federal substantive law to such agreements and empowered the courts to fashion it from the policies of our national labor laws. The Court said that arbitration agreements were the quid pro quo for agreements not to strike, and were judicially enforcible under section 301.

The Court found the Norris-La Guardia Act to be no barrier to specific enforcement of arbitration agreements. Three years later in three decisions known as the "arbitration trilogy"[1] the Court said that although arbitration was a matter of contract, enforcible only where the parties had agreed to it, in furtherance of the congressional purpose of promoting labor peace the courts should in general order arbitration and sustain resulting awards where an issue was raised as to the meaning of the contract and there was an arbitration agreement covering disputes as to the interpretation or application of the bargaining contract. This should be done, the Court indicated, unless there was forceful evidence of a purpose by the parties to exclude the issue from arbitration. In addition the Court, specifically rejecting the Cutler-Hammer[2] doctrine, said that judicial appraisal of the substantive merits of the dispute is irrelevant.

Section 301 contained no specific reference to injunctions for breach of the no-strike clauses. Based upon this fact the Court held in *Sinclair Refining Co.* v. *Atkinson,* 370 U.S. 195 (1962) that the Norris-La Guardia anti-injunction act enacted in 1932 remained fully applicable and prohibited Federal injunctions against strikes in breach of no-strike clauses. Whether the State courts, applying Federal law as they must under section 301 in suits under collective bargaining contracts in industries affecting commerce, remain free to enjoin strikes in breach of no-strike clauses has never been decided by the Supreme Court. Nor has the Court decided whether the decision of the New York Court of Appeals in *Ruppert* v. *Egelhofer,* 3 N.Y. 2d 576, 148 N.E. 2d 129 (1958) that a State anti-injunction act did not preclude the courts from enforcing an arbitrator's award barring a strike, will be absorbed as Federal law applicable under the Norris-La Guardia Act as well.

Subsequent to the "arbitration trilogy" and Sinclair Refining, the American Bar Association recommended an amendment to section 301 precluding enforcement of arbitration unless the agreement clearly made the dispute arbitrable, and providing for enforcement of arbitral awards only to the extent that the arbitrator conformed to the jurisdictional area permissible under the controlling collective bargaining agreement. In a second resolution, the ABA proposed that the Norris-La Guardia Act be amended to permit the Federal courts to enjoin strikes in breach of collective bargaining agreements after notice and hearing. The New York State Bar Association's Committee on Labor Law has made a similar recommendation regarding the Norris-La Guardia Act, but has taken no action to recommend disturbing the arbitration trilogy or the Supreme Court's other decisions regarding the enforcement of arbitration agreements and awards.

As previously noted, we recommend that the relationships between court and arbitrator be allowed to continue to evolve without legislative intervention at this time. We recommend, however, legislation granting jurisdiction to the Federal courts to enjoin strikes in breach of collective bargaining agreements in specified cases discussed below.

II. THE COURT'S APPROACH FAVORING ARBITRABILITY IN CASE OF DOUBT VERSUS THE PROPOSAL THAT ARBITRATION BE ORDERED ONLY WHEN THE AGREEMENT "CLEARLY" COVERS THE DISPUTE

Labor arbitration is an extremely widespread practice used in a vast variety of situations—so much so, that few, if any, generalizations about it are incapable of contradiction. We believe, however, that certain observations as to the Court's rules and the proposed legislation can legitimately be made on a broad level.

The Supreme Court has made clear that substantive arbitrability is to be decided by the judiciary. The resolution of the American Bar Association does not quarrel with this proposition. The extent to which courts will take evidence in deciding this question (e.g., parol evidence as to the bargaining history of a collective agreement) does not yet appear to have been resolved.

The Supreme Court has stated that, in deciding substantive arbitrability, the courts should follow a rule of thumb, viz., when in doubt, order abritration. The proposed legislation takes issue precisely on this point; it appears to advocate a contrary rule of thumb—when in doubt, stay arbitration. Under either rule, parties are free to agree upon their own particularized arbitration clauses which courts and arbitrators will observe and enforce.

Neither the present nor proposed rule provides a completely satisfactory answer to the apprehensions of the parties. Under the present rule, a substantial number of companies are fearful that an arbitrator will impose upon them conditions and costs which were far from management's contemplation—without the right, provided by court litigation, to correct error by appeal to a higher tribunal. In turn, a substantial number of unions are fearful that under the proposed legislation courts would too easily block ab initio a claim against management action which the union contemplated an impartial expert would decide. Neither fear is groundless; and each reflects a major consideration. Our views are therefore expressed with appreciation that opposite views reflect important concerns.

We believe the present rule is preferable to the proposed legislation.

It has been in effect as an express rule for more than 4 years. In this period the results reached by courts and arbitrators have been generally in keeping with the parties' agreements; although specific decisions may be subject to criticism, the broad trend of arbitration cases does not appear to have taken such a sharp turn from the parties' written expectations that corrective legislation should now be called for. Cf. Jones & Smith, "Management and Labor Appraisals of the Arbitration Process," 62 Mich. L. Rev. 1115 (1964).

The present rule comports more readily with the basic reasons for the widespread adoption of labor arbitration than does the proposed legislation. As contrasted to litigation, the function of arbitration is to provide a less time-consuming, less costly, and less formal resolution of disputes by a person more familiar with the subject matter. Although these benefits are not always achieved by arbitration, they are more likely to be produced by arbitration than by litigation. Under the proposed legislation, the courts would explore the claim more deeply than at present; in so doing, they would tend to increase the outlay of time and expense by the parties and to treat more of the merits of issues which are better handled by those more familiar with the field and the parties' expectations.[3] This is not to say that all arbitration decisions reveal informed wisdom or even rational train of thought. Nor, too, is this to say that courts are untrained or ignorant in interpreting contracts. Rather, the issue is one of degree of judicial involvement in a process which the parties (unless they have otherwise agreed) chose as the basic forum for resolution of their disputes at a time when courts were already available to them.

We see a special risk in the practical effects of the proposed legislation. It offers to the party against whom a claim is made the temptation to fight in court against arbitrability of the claim. Such temptation is strong, for the claimant would be required to convince the court of substantive arbitrability; even if the claimant won, it would appear that nothing would be lost, since the judicial decision would mean only that arbitration would then take place.[4] We believe that the purpose of labor arbitration would be ill-served if judicial screening of claims prior to arbitration or review of the merits of arbitration awards became commonplace.[5]

We find no cause for alarm in the fact that the rule evolved by the Court in the "trilogy" is a judicially developed one which differs from the approach followed by many State courts prior to Lincoln Mills. Judicial evolution of legal principles under general language is a traditional and frequently valuable feature of our legal system. Chief Justice Hughes once said concerning the Sherman Act, "As a charter of freedom, the act has a generality and adaptability comparable to that found to be desirable in constitutional provisions." *Appalachian Coals, Inc.* v. *United States,* 288 U.S. 344, 359–60 (1933). In the field of labor law as well, the courts have often had the occasion to develop principles whose precise content is not wholly fixed by the pertinent statutory language. An outstanding example is the duty of fair representation held to flow from the existence of a statutory exclusive bargaining agent in cases stemming from Chief Justice Stone's landmark ruling in *Steele* v. *Louisville & Nashville R. Co.,* 323 U.S. 192 (1944). And see generally Friendly, *In Praise of Erie—and of the New Federal Common Law,* 39 N.Y.U. L. Rev. 383 (1964), also in 19 Record of N.Y.C.B.A. 64 (1964). We also find no cause for alarm in the fact that the Court has considered labor arbitration to be sui generis and subject to considerations not fully applicable to commercial arbitration. Thus the Court may properly consider such differences between collective bargaining agreements and ordinary commercial contracts as the following:

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[1] *United Steelworkers of America* v. *American Mfg. Co.,* 363 U.S. 564 (1960); *United Steelworkers* v. *Warrior & Gulf Nav. Co.,* 363 U.S. 574 (1960); *United Steelworkers* v. *Enterprise Wheel & Car Co.,* 363 U.S. 593 (1960).

[2] *IAM* v. *Cutler-Hammer, Inc.,* 271 App. Div. 917, 67 N.Y.S. 2d 317 (1st Dep't 1947), aff'd, 297 N.Y. 517, 74 N.E. 2d 464 (1947), disapproved in *United Steelworkers* v. *American Mfg. Co.,* 363 U.S. 564, 567 (1960).

[3] For example, of those labor agreement cases which in recent years appear to have reached results rather clearly at variance with the exceptions of most labor law practitioners, one of the most outstanding is *Zdanok* v. *Glidden Co.,* 288 F. 2d 99 (2d Cir., 1961), a decision of the Court of Appeals for the Second Circuit. Ironically, the employer in that case had previously successfully urged that the subject matter should not be arbitrated; it is at least unlikely that many experienced arbitrators would have come to the court's conclusion.

[4] We note that many practitioners would advise avoidance of this temptation, at least in certain cases. A court can reject a claim of nonarbitrability in such manner that the arbitrator may deem himself foreclosed from considering not only that issue but also other issues (as to which the court has spoken in dicta) which in reality pertain to the substantive merits of the claim.

[5] As already noted, there is under the present rule, a legitimate fear that a far-fetched decision by an arbitrator cannot be judicially corrected. This can be allayed not only by specific agreement to increase the judicial sphere of authority. The parties are also free to agree to modify the usual arbitration practice by allowing appeals to appellate arbitrators in certain selected cases under special conditions.

(a) The parties are bound together in an involuntary continuing relationship which cannot be severed by either deciding not to do business with the other.

(b) One party, the union, acts as a representative for others, the employees.

(c) Disputes between the parties can powerfully affect the interests of third parties and the public.

Indeed, many have considered the collective bargaining relationship as a form of "industrial government" analogous to public government for at least some purposes. See, for example, Chief Justice Stone in *Steele,* at 198. Cf. *Wiley* v. *Livingston,* 376 U.S. 52 (1964). Arbitration and other contractual issues in this context naturally and logically take on further dimensions not otherwise before the Court. Cf. *Lewis* v. *Benedict Coal Corp.,* 361 U.S. 459 (1960).

In brief, we believe that experience under the rules being developed by the courts should be allowed to continue to evolve. If with time it becomes apparent that the purposes of labor arbitration are being thwarted, appropriate remedial legislation can be considered at that time. At the present time, we recommend that no legislation be enacted to disturb the relationship between the courts and arbitrators as now in the course of development under the Federal law in the process of being forged under section 301.

III. INJUNCTIONS AGAINST STRIKES IN BREACH OF CONTRACT

At least in many, if not all, instances, the remedy of arbitration is agreed upon as a substitute for resort to the strike weapon: the agreement to arbitrate is the "quid pro quo" of agreements not to strike. For this reason, remedies for strikes in breach of contracts are closely related to the hospital reception and full enforcement of arbitration agreements. See Isaacson, "The Grand Equation: Labor Arbitration and the No-Strike Clause," 48 A.B.A.J. 914 (1962). If arbitration clauses are to be more effectively enforced than prior to section 301, then is much to be said for more effective enforcement of no-strike clauses as well. In Sinclair Refining, the Court declined to permit injunctions against strikes in breach of contract solely because it felt such injunctions precluded by the plain meaning of the Norris-La Guardia Act, which Congress had not altered in this respect when it enacted section 301. The availability of injunctive relief may be considered in three situations: (1) Where an arbitrator has issued an award prohibiting the strike; (2) where the underlying dispute is arbitrable but the matter of the strike itself is brought to court in the first instance; and (3) where the underlying dispute is not arbitrable. We recommend that the jurisdictional bar of the Norris-La Guardia Act should be removed in the first two instances, leaving applicable traditional principles governing equitable relief, applied in accordance with the purposes of the developing national law of collective agreements under section 301.

1. In *Ruppert* v. *Egelhofer,* 3 N.Y. 2d 576, 148 N.E. 2d 129 (1958) the New York Court of Appeals upheld judicial enforcement of an award barring a strike despite the State anti-injunction act. We believe a similar result to be desirable under Federal law as well and consistent with the reasons underlying the Norris-La Guardia Act. The evil at which that act was aimed flowed in large part from injunctions granted during the period prior to the act by courts felt to be hostile to the interests of trade unionism. See generally Frankfurter & Greene, "The Labor Injunction" (1930); Wellington & Albert, "Statutory Interpretation and the Political Process: A Commentary on *Sinclair* v. *Atkinson,*" 72 Yale L.J. 1547 (1963). These objections to injunctive power do not apply to the enforcement of the award of tribunal voluntarily agreed upon by the parties themselves.

For this reason, as well as because enforcement of such awards barring strikes would form a logical part of the developing pattern of enforcement of arbitration decisions generally, it is possible that the Ruppert result may be permissible under Federal as well as State law even without statutory amendment. See Aaron, "Strikes in Breach of Collective Agreements, Some Unanswered Questions," 63 Colum. L. Rev. 1027, 1038–39 and n. 84 (1963); Givens, "Section 301: Arbitration and the No-Strike Clause," 11 Labor L.J. 1005, 1012–15 (1960); 58 Colum. L. Rev. 908 (1958). Under other circumstances, the literal terms of Norris-La Guardia have been held not to preclude injunctions required by the policies of other Federal statutes. That was so in *Lincoln Mills* and in *Brotherhood of Railroad Trainmen* v. *Chicago R. & I.R. Co.,* 353 U.S. 30 (1957). The same result can apply here. It is noteworthy that availability of relief of the Ruppert type enjoy support from union as well as management representatives and third parties, nothwithstanding the fact that the relief would be directed against labor's strike weapon. See 1963 "Proceedings," A.B.A. Section of Labor Relations Law, pages 238–239. There is obviously a special value to a legal rule which enjoys wide acceptance in a highly controversial area.

If the Supreme Court should hold that the Norris-La Guardia Act deprives the Federal courts of power in the Ruppert situation, we would support legislation to permit such jurisdiction.

2. A more difficult question is posed when additional widening of the equitable power of Federal courts is contemplated. For example, should they be free to enjoin a strike where the underlying dispute is made arbitrable by the parties' agreement but the union has refused to seek arbitration? We conclude that here also there should be no jurisdictional bar to relief. In view of Sinclair Refining, this clearly would require amendment of the Norris-La Guardia Act. In determining whether the underlying dispute was arbitrable, the courts would be performing their normal, limited function with respect to labor arbitration. In determining whether the no-strike clause was violated, the courts would, it is true, be directly interpreting the agreement; but such interpretation would be confined in the main to the meaning of a special provision which is less likely to require expert familiarity with the technical and intricate portions of the agreement or the "common law of the shop" not spelled out by the agreement. Moreover, an injunctions under such circumstances does no more than relegate the union to the prosecution of arbitration of the underlying dispute—a result in keeping with its agreement and the congressional purpose.[6] Finally, any injunction should be conditioned on the employer submitting to arbitration and the arbitration proceedings going forward without undue delay.

By the same token, the Federal courts should also have power to enjoin a strike in breach of contract when the union is simultaneously seeking arbitration of the underlying dispute. There is even more reason to allow for judicial power to enjoin a strike which protests an arbitrator's award.

We realize that there are risks in granting the Federal judiciary the power to enjoin strikes under the circumstances here discussed. In the heated atmosphere which may pervade attempts to secure temporary restraining orders and temporary injunctions, there are dangers that subtle arbitration and no-strike clauses may be misunderstood, especially as they may mesh with governing statutory law respecting safety of employees, unfair labor practices, etc.[7] These risks are substantial but they do not seem to us sufficient ground to continue to deprive Federal courts completely of the power to effectuate Federal policy favoring labor arbitration. Moreover, ordinary principles governing equitable relief would still apply. Under particular contracts, these might require reference of the dispute to arbitration as the claim of breach of a no-strike clause was referred in *Drake Bakeries, Inc.* v. *Local 50, American Bakery Workers,* 370 U.S. (1962). In such instances, only relief of the Ruppert type would be available, but this would result from the construction of the contract, not from an absolute jurisdictional bar by virtue of the Norris-LaGuardia Act. Unions may of course reduce risks of uninformed judicial error by bargaining for arbitration clauses which explicitly provide for exclusive as well as speedy arbitration of claims that the no-strike (or no lock-out) clause has been violated or is threatened.

3. We do not believe that the Norris-La Guardia Act should be amended to grant Federal courts power to enjoin a strike in such a situation where the underlying dispute is not covered by an arbitration clause. The national labor policy is to encourage arbitration as a substitute for economic warfare. Parties who do not agree to arbitrate should be deemed to have chosen to rely on economic strength (or damages litigation) to enforce the promises of the other. We believe that parties should be left entirely free to make this choice. The intervention of equitable relief on either side may too easily distort the bargaining relationship between them. Indeed, the experience of such parties, lying outside the area of arbitration and equity, may prove invaluable in future pol-

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[6] The same result would follow from judicial determination that the particular arbitration provisions implied a no-strike clause which was breached by the strike. We see insufficient reason to except such a situation from judicial injunctive power.

[7] We have considered the possibility of an additional safeguard: treatment of a strike under these conditions as an unfair labor practice, with the National Labor Relations Board the sole party entitled to seek, at its discretion, a Federal court injunction. This would have the virtue of providing a screening of cases, prior to judicial intervention, by a body somewhat more familiar with the subject matter than courts. We conclude, however, that such procedure would unduly delay equitable relief when time is of the essence.

icy judgments by legislators and courts. With Lincoln Mills and the arbitration trilogy the great bulk of the labor relationships throughout the country are and will be shaped by codes of behavior in which economic strength will play little role in the resolution of contract interpretation disputes; we believe it is quite important that a yardstick be preserved against which the efficacy of that code can be measured in coming years.

IV. CONCLUSION

For these reasons, we recommend that no legislation be enacted to disturb the developing relationships between the courts and arbitrators under collective bargaining agreements. Hospitable judicial reception of arbitration awards and ready enforcement of arbitration agreements, however, is logically closely linked to effective enforcement of the no-strike clauses which the Court has said are the quid pro quo of these arbitration pledges. We therefore recommend that the Norris-La Guardia Act's jurisdictional bar against injunctions in labor disputes be lifted to the limited extent of permitting injunctions prohibiting strikes and injunctions against strikes in breach of contract where the underlying dispute is arbitrable. This recommendation should not be considered as a criticism of the Court's decision in Sinclair Refining, since that ruling merely held that the statute would require amendment in order to bring about the result recommended here. Rather, this is an instance where the constructive work of the Court requires the assistance of the legislative branch in order to complete a balanced edifice of national labor policy under section 301.

Respectfully submitted.

William J. Isaacson, chairman; Harold Baer, Jr., Aaron Benenson, Laurence G. Bodkin, Jr., William J. Brennan, III, Samuel J. Cohen, Richard A. Givens, Alex J. Glauberman, Bernard D. Gold, Isadore Katz, Arthur Mermin, Herbert Semmel, Michael I. Sovern, Stephen C. Vladeck, Benjamin Wyle, Max Zimny.

REPORT OF THE NEUTRAL MEMBERS

On August 7, 1962, the following resolution was introduced at the annual meeting of the section of labor relations law:

"*Resolved,* That in view of the recent decision of the U.S. Supreme Court in *Sinclair Refining Company* v. *Atkinson* the section on Labor Relations Law of the American Bar Association urgently recommends that Congress enact a modification to section 4 of the Norris-La Guardia Act to permit the issuance of a restraining order, temporary or permanent injunction by a Court of the United States in any action brought therein pursuant to section 301 of the Labor-Management Relations Act of 1947, as amended, for the purpose of filling the inequitable gap which exists in the law relating to the mutual enforcement of collective bargaining agreements as provided by the Congress under section 301 of the Labor-Management Relations Act of 1947, as amended."

Thereafter, a special committee consisting of five neutral members and five representatives from management and labor, respectively, was appointed to consider the resolution. Upon careful consideration, the neutral members would offer the following comments.

I

According to the preliminary report from the management members, the principal purpose of the resolution "is to permit the granting of injunction relief by Federal courts to halt the violation by a labor union of its contractual pledge not to strike during the life of a collective bargaining agreement over issues or disputes which it has agreed will be decided by arbitration." The resolution itself, however, could be interpreted to go further and permit injunctive relief against strikes in breach of contract even where the underlying dispute is not subject to arbitration. The neutral members recommend that the resolution be amended to reflect more clearly the limited intention of its proponents.

II

All of the neutral members are agreed that injunctive relief should be available to the employer in cases involving strikes in breach of contract where the underlying dispute is arbitrable. The Supreme Court has declared that section 301 of the Labor-Management Relations Act embodies "the basic policy of national labor legislation to promote the arbitral process as a substitute for economic warfare."[1] The Court has also ruled that a strike over an arbitrable grievance undermines the effectiveness of the arbitral process.[2] Hence, a union which violates its no-strike pledge over a matter that is subject to arbitration not only violates the collective bargaining agreement but directly contravenes the basic policy underlying section 301.

Under existing laws, employers may maintain an action for damages resulting from a strike in breach of contract and may discipline the employees involved.[3] In many cases, however, neither of these alternatives will be feasible.[4] Discharge of the strikers is often inexpedient because of a lack of qualified replacements or because of the adverse effect on relationships within the plant. The damage remedy may also be unsatisfactory because the employer's losses are often hard to calculate and because the employer may hesitate to exacerbate relations with the union by bringing a damage action. Hence, injunctive relief will often be the only effective means by which to remedy the breach of the no-strike pledge and thus effectuate Federal labor policy.

Any proposal which would subject unions to injunctive relief must take account of the Norris-La Guardia Act and the opposition expressed in that act to the issuing of injunctions in labor disputes. Nevertheless, the reasons behind the Norris-La Guardia Act seem scarcely applicable to the situation under discussion here. The act was passed primarily because of widespread dissatisfaction with the tendency of judges to enjoin concerted activities in accordance with "doctrines of tort law which made the lawfulness of a strike depend upon judicial views of social and economic policy."[5] Where an injunction is used against a strike in breach of contract, the union is not subjected in this fashion to judicially created limitations on its freedom of action but is simply compelled to comply with limitations to which it has previously agreed. Moreover, where the underlying dispute is arbitrable, the union is not deprived of any practicable means of pressing its claim but is only required to submit the dispute to the impartial tribunal that it has agreed to establish for this purpose. For these reasons, it seems appropriate for Congress to make the Norris-La Guardia Act inapplicable to cases involving strikes over arbitrable grievances in the same way as it has limited the act in various other situations where the policies underlying the act no longer apply. (See e.g., sec. 10(h) of the National Labor Relations Act, as amended.)

In opposing the resolution, the union members have stressed the danger that courts may make erroneous rulings on issues of fact or law and thus may unfairly limit the right to strike. It is doubtless true that no-strike clauses sometimes give rise to difficult issues concerning the scope of the clause, the responsibility of the union for the walkout, etc. Nevertheless, the mere possibility of an erroneous ruling hardly justifies withholding what may often be the only practicable remedy to effectuate an important Federal policy. Moreover, the risk of error may be reduced, or at least made more tolerable, by the fact that the no-strike clause will often be interpreted and applied by an arbitrator of the parties' choice rather than a court. The Supreme Court has recently ruled that courts should forbear from passing upon alleged violations of the no-strike clause where the union has asked that the case be submitted to arbitration and where claims involving the no-strike clause are arbitrable under the contract.[6] It is true that this decision is inapplicable where the contract does not provide for arbitration of alleged violations of the no-strike clause. Even in these cases, however, union officials have an opportunity to counteract the danger of erroneous court rulings by seeking to amend the arbitration clause.

If the resolution is enacted into law, it seems clear that Federal courts will specifically enforce an arbitrator's decision holding a strike in breach of contract. It must also be anticipated, however, that courts will grant a temporary injunction in appropriate cases to restrain the strike pending a ruling by the arbitrator.[7] In cases where the alleged breach of the no-strike pledge must be resolved by arbitration, several days or weeks may elapse before an arbitrator is selected and an award handed down. In certain situations, an employer might be forced to resolve the underlying grievance of the union's terms if the strike were allowed to continue pending a determination by the arbitrator. Hence, the granting of equitable relief prior to the arbitrator's decision seems necessary in order to carry out the purposes of the resolution. It might be pointed out in passing that equitable relief of this kind may work to the benefit of the union as well as the employer, for a temporary injunction could presumably be granted in appropriate cases in order to forestall certain management decisions pending resolution of their contract validity by the arbitrator.[8]

To sum up the foregoing discussion, strikes that violate the contract and are precipitated by arbitrable grievances are especially repugnant to the Federal policy reflected in section 301. Injunctions against such strikes would plainly not offend the policies underlying the Norris-La Guardia Act and would provide what may often be the only effective remedy against the union's action. For these reasons, almost all of the impartial authorities who have commented on the question have concluded that the

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[1] *Drake Bakeries, Inc.* v. *Local 50, American Bakery & Confectionery Workers*, 370 U.S. 254, 261 (1962).

[2] Ibid.

[3] Under the law in New York, an employer may specifically enforce an arbitrator's order to terminate a strike in breach of contract. *Ruppert* v. *Egelhofer*, 3 N.Y. 2d 576, 148 N.E. 2d 129 (1958). In a few jurisdictions, the employer may sue in a State court to enjoin a strike in violation of the contract. See *McCarroll* v. *Los Angeles County District Council*, 49 Cal. 2d 45, 315 U. 2d 322 (1957).

[4] See Cox, "Current Problems in the Law of Labor Arbitration," 30 Rocky Mt. L. Rev. 247, 255 (1958).

[5] Cox, op. cit. at p. 2858.

[6] *Drake Bakeries, Inc.* v. *Local 50, American Bakery and Confectionery Workers*, 370 U.S. 245 (1962).

[7] Cf. *Johnson & Johnson* v. *Textile Workers*, 184 F. Supp. 359 (D.N.J. 1960). (Strike restrained by way of ancilliary relief to an order compelling union to comply with arbitration proceedings.) See also *American Smelting & Refining Co.* v. *Tacoma Smeltermen's Union*, 175 F. Supp. 750 (W.D. Wash. 1959).

[8] See *Brotherhood of Locomotive Engineers* v. *Missouri-Kansas-Texas Railroad Co.*, 363 U.S. 528 (1960).

Norris-La Guardia Act should be amended to permit equitable relief in these circumstances.[9] The neutral members are in accord with this conclusion.

III

While agreeing that injunctive relief should be available under the circumstances described above, a majority of the neutral members would express reservations concerning the wisdom of taking up in this fashion only one of the many related problems which might be considered in need of legislative reform. Knowledgeable commentators have already pointed out that the matter raised by this resolution is but one of many similar problems having to do with the current status of the Norris-La Guardia Act.[10] Moreover, it is difficult to resolve a single problem, such as the strike over arbitrable grievances, without also considering such closely connected questions as whether injunctive relief should be available where the underlying dispute is not arbitrable, whether a strike protesting an arbitrator's award should be enjoinable by a court, whether Congress should amend section 301 simply to repeal section 4 of the Norris-La Guardia Act or whether sections 7 and 8 should also be repealed, etc. In the view of a majority of the neutral members, such questions will have to be answered before the problem raised by the resolution can be finally resolved in a satisfactory manner.

Respectfully submitted.

DEREK C. BOK.
DEXTER DELONY.
J. KEITH MANN.
BERNARD D. MELTZER.
PAUL H. SANDERS.

2. RIGHT TO A REPRESENTATION ELECTION

Mr. JAVITS. Mr. President, I submit, for reference to the appropriate committee, a bill to amend section 9 of the National Labor Relations Act to insure the right to a secret ballot election to determine if employees want to be represented by a union.

If the power of an incumbent union is expanded—as it would be if section 14(b) were repealed—then it becomes even more important to insure that a recognized union is really the choice of a majority of the employees, for by that repeal the majority will be empowered to require the minority to join and to finance the union. The bill I am introducing today would amend section 9 of the National Labor Relations Act to insure the right to an election upon petition by an employer, when he is confronted with a claim of a majority asserted by a union and wishes to present his arguments to the employees as to why they should not be represented by the union; recognition would then follow, not precede, the election.

Under existing law, if a union presents an employer with cards signed by 51 percent or more of the employees, the employer is legally obligated to recognize and bargain with the union, unless the employer has a good faith doubt as to the authenticity of the union's showing of a majority. Under this rule, an employer can be effectively deprived of his right to present his arguments against the union and then have the employees decide. The employees likewise can be deprived of the right to a secret ballot, even though section 9 of the act provides machinery for conducting such a secret ballot election. A racket posing as a union has a much better chance to get in.

This bill, however, is not without safeguards. It provides that the NLRB may compel recognition if it can be shown that the union once had majority support and that subsequent employer unfair labor practices—other than merely insisting upon an election, which the NLRB now treats as an unfair labor practice—were so coercive as to dissipate that majority. Thus, this bill could not be used as a sanction for unlawful or coercive antiunion campaigns. It insures the right to a representation election, and that is all.

In the House committee hearings on the administration bill to repeal section 14(b), President George Meaney of the AFL–CIO was asked if he would object to revision of the NRLB's election procedures along these lines, and he replied that he would not—indeed, that he would rather see an election. So would I, so would most employers, and so would most employees, in my opinion.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the text of this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2133) to amend section 9(c) of the National Labor Relations Act so as to provide for the holding of representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2133

A bill to amend section 9(c) of the National Labor Relations Act so as to provide for the holding of representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9(c) of the National Labor Relations Act is amended by adding the following new paragraph:

"(6) In any case in which it is alleged in a petition filed by an employer pursuant to paragraph (1)(B), that a labor organization seeking recognition as the representative of the employees of such employer has presented evidence purporting to show that a majority of employees in the appropriate bargaining unit desires to be represented by such labor organization, and that such employer has a bona fide intention to seek actively to persuade his employees to vote in opposition to such labor organization in any election held under this section, it shall be the duty of the Board, if it determines in accordance with paragraph (1) that in all other respects a question of representation affecting commerce exists, to direct the holding of such an election. The consideration of the petition and the holding of the election, in any such case, shall not be delayed by reason of the pendency of an unfair labor practice charge based upon the refusal of the employer to bargain collectively with the labor organization, and no such unfair labor practice charge based upon a refusal to bargain prior to the election shall thereafter be considered unless the Board determines that the labor organization had once been authorized to represent a majority of the employees in the bargaining unit, but that as a result of unfair labor practices committed by the employer (other than unfair labor practices under section 8(a)(5)), such labor organization is no longer authorized to represent such majority."

3. EQUAL EMPLOYMENT OPPORTUNITY

Mr. JAVITS. Mr. President, I submit, for appropriate reference, a bill to amend the equal employment opportunity title, title VII, of the Civil Rights Act of 1964, to improve its coverage of unions and employers, to strengthen the enforcement and investigatory powers of the Equal Employment Opportunity Commission, and to stress equal opportunity and access to apprenticeship and other training programs.

Title VII of the Civil Rights Act of 1964, dealing with equal employment opportunity, was a step forward in this basic area of both moral obligation and labor-management relations. But civil rights advocates such as myself were under no illusions as to the workability of the compromise provisions ultimately worked out under the gun of the 3-month filibuster in the Senate.

The defects in the title VII mechanism are now even more glaring in the light of the imminent repeal of section 14(b). After repeal, thousands of employees who are Negroes will have to contribute to unions, yet the statistics show that, despite the magnificent civil rights leadership provided by labor at the national level, Negroes constitute only 2 percent of those enrolled in union apprenticeship programs. Moreover, with title VII about to become fully effective on the coming July 2, employers who are preparing to comply with its terms are baffled by its complexity and unworkability.

While it might be theoretically neater to wait until the title VII provisions had a period of testing before amending them, we are presented not with a theory but with a fact—the fact that title VII plainly presents great administrative difficulty, that the Nation cannot afford to waste much of the economic resources of its nonwhite work force any longer, and that the Congress cannot risk the disillusionment of the Nation, whose expectation is that we have really enacted a workable national fair employment practices code.

The bill I am now introducing would remedy four of the worst defects in title VII:

First. Immediately extend coverage of the title to all employers with eight or more employees and all unions with eight or more members—the standard recommended to the Senate by a large bipartisan majority of the Senate Labor and Public Welfare Committee in 1964, when it reported an FEP bill, S. 1937, after lengthy hearings and careful consideration. This would cover 700,000 employers employing 40 million employees, or 21 percent of the Nation's employers and 54 percent of employees, in contrast to the existing law which at its widest coverage (25 employees or more)—only beginning in July 1968—would include some 259,000 employers, or only 8 percent of the total, and 29 million employees, or only 40 percent of the total. The coverage of the existing law starts with 100 or more employees in the first year, beginning this July, 75 or more in the second year, 50 or more in the third year, and 25 or more in subsequent years.

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[9] See e.g., Cox, op. cit. supra note 3; Summers, "Role of Supreme Court in Labor Relations," 50 L.R.R.M. 94, 100–102 (1962); Mendelsohn, "Enforceability of Arbitration Agreements under the Taft-Hartley Section 301," 66 Yale L.J. 167, 179–183 (1956); note, 76 Harv. L. Rev. 205 (1962); 111 U. Pa. L. Rev. 247 (1962).

[10] See Aaron, "The Labor Injunction Reappraised," 10 U.C.L.A. L. Rev. 292 (1963).

Second. Strengthen the enforcement powers of the recently appointed Equal Employment Opportunity Commission so that, like most of the existing independent Federal regulatory agencies, it has the authority—after complaint, investigation, unsuccessful attempts at conciliation, and a hearing—to issue cease and desist orders, which it can enforce in the Federal courts or which can be appealed to the Federal courts by aggrieved parties. As now written, title VII permits the Commission to act only after a complex series of delays while the States are given time to do so, whether or not they have fair employment practices laws of their own. And even after the delays, the Commission is not empowered to enforce its findings. The jobless Negro complaining of a violation of Federal law—which the Commission has found to be a fact—is nonetheless relegated to a private suit—in which the facts have to be proved and determined all over again.

Third. Strengthen the investigatory powers of the Commission so that it has the same subpena authority over records of unions and employers as does the Federal Trade Commission in its field. This is an important facet of insuring, on a continuous basis, that both employers and unions are complying with the law.

Fourth. Specify that the Commission is to undertake a thorough study of compliance in apprenticeship and other training programs to safeguard equal opportunity in this critical area of preparation for entry into the work force. While title VII presently covers such programs, there is a vital need to stress the Commission's responsibility in monitoring their progress in view of the extremely poor showing such programs have been making in this regard up to now.

Mr. President, I ask unanimous consent to have printed in the Record at this point the text of this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2134) to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes, introduced by Mr. Javits, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2134

A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 701(b) of the Civil Rights Act of 1964 is amended—

(1) by striking out "twenty-five" and inserting in lieu thereof "eight",

(2) by striking out the first proviso, and

(3) in the second proviso, by striking out *"further"*.

(b) Section 701(e) of such Act is amended by striking out "(A)" and all that follows down to and including "thereafter" in the matter preceding paragraph (1) and inserting in lieu thereof "eight or more."

Sec. 2. Title VII of the Civil Rights Act of 1964 is amended by deleting Section 706 and inserting in lieu thereof the following:

"PREVENTION OF UNLAWFUL EMPLOYMENT PRACTICES

"Sec. 706. (a) The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any unlawful employment practice as set forth in section 703 or 704.

"(b) Whenever a written charge has been filed by or on behalf of any person claiming to be aggrieved, or a written charge has been filed by a member of the Commission, that any person subject to the Act has engaged in any unlawful employment practice, the Commission shall notify the person charged with the commission of an unlawful employment practice (hereinafter referred to as the "respondent") of such charge and shall investigate such charge and if it shall determine after such preliminary investigation that probable cause exists for crediting such written charge, it shall endeavor to eliminate any unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such endeavors may be used as evidence in any subsequent proceeding.

"(c)(1) If the Commission fails to effect the elimination of such unlawful practice and to obtain voluntary compliance with this Act, or in advance thereof if circumstances warrant, the Commission shall have power to issue and cause to be served upon the respondent a complaint stating the charges in that respect, together with a notice of hearing before the Commission, or a member thereof, or before a designated agent, at a place therein fixed, not less than ten days after the service of such complaint. No complaint shall issue based upon any unlawful employment practice occurring more than one year prior to the filing of the charge with the Commission unless the person aggrieved thereby was prevented from filing such charge by reason of service in the Armed Forces, in which event the period of military service shall not be included in computing the one-year period.

"(2) The respondent shall have the right to file a verified answer to such complaint and to appear at such hearing in person or otherwise, with or without counsel, to present evidence and to examine and cross-examine witnesses.

"(d)(1) The Commission or a member or designated agent conducting such hearing shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend its answer.

"(2) All testimony shall be taken under oath.

"(3) The member of the Commission who filed a charge shall not participate in a hearing thereon.

"(4) At the conclusion of a hearing before a member or designated agent of the Commission, such member or agent shall transfer the entire record thereof to the Commission, together with his recommended decision and copies thereof shall be served upon the parties. The Commission, or a panel of three qualified members designated by it to sit and act as the Commission in such case, shall afford the parties an opportunity to be heard on such record at a time and place to be specified upon reasonable notice. In its discretion, the Commission upon notice may take further testimony.

"(e) With the approval of the member or designated agent conducting the hearing, a case may be ended at any time prior to the transfer of the record thereof to the Commission by agreement between the parties for the elimination of the alleged unlawful employment practice on mutually satisfactory terms.

"(f) If, upon the preponderance of the evidence, including all the testimony taken, the Commission shall find that the respondent engaged in any unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person and other parties an order requiring such person to cease and desist from such unlawful employment practice and to take such affirmative action, including reinstatement or hiring of employees, with or without backpay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the discrimination), as will effectuate the policies of the Act: *Provided,* That interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the backpay otherwise allowable. Such order may further require such respondent to make reports from time to time showing the extent to which it has complied with the order. If the Commission shall find that the respondent has not engaged in any unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person and other parties an order dismissing the complaint.

"(g) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the case may at any time be ended by agreement between the parties, approved by the Commission, for the elimination of the alleged unlawful employment practice on mutually satisfactory terms, and the Commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

"(h) The proceedings held pursuant to the preceding subsections of this section shall be conducted in public sessions and in conformity with the standards and limitations of section 5, 6, 7, 8, and 11 of the Administrative Procedure Act.

"(i)(1) The Commission shall have power to petition any United States court of appeals or, if the court of appeals to which application might be made is in vacation, any district court within any circuit or district, respectively, wherein the unlawful employment practice in question occurred, or wherein the respondent resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court shall conduct further proceedings in conformity with the standards, procedures, and limitations established by section 10 of the Administrative Procedure Act.

"(2) Upon such filing the court shall cause notice thereof to be served upon such respondent and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission.

"(3) No objection that has not been urged before the Commission, its member, or agent shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

"(4) The findings of the Commission with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive.

"(5) If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or agent, the court may order such additional evidence to be taken before the Commission, its member, or agent, and to be made a part of the transcript.

"(6) The Commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and its recommendations, if any, for the modification or setting aside of its original order.

"(7) The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals, if application was made to the district court or other United States court as hereinabove provided, and by the Supreme Court of the United States as provided in title 28, United States Code, section 1254.

"(j)(1) Any person aggrieved by a final order of the Commission may obtain a review of such order in any United States court of appeals of the judicial circuit wherein the unlawful employment practice in question was alleged to have been engaged in or wherein such person resides or transacts business or the Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith served upon the Commission and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding certified by the Commission, including the pleadings and testimony upon which the order complained of was entered and the findings and order of the Commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Commission under subsection (i), and shall have the same exclusive jurisdiction to grant to the petitioners or to the Commission such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission.

"(2) Upon such filing by a person aggrieved the reviewing court shall conduct further proceedings in conformity with the standards, procedures, and limitations established by section 10 of the Administrative Procedure Act.

"(k) The commencement of proceedings under this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

"(l) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part an order on the Commission, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (29 U.S.C. 101–115).

"(m) Petitions filed under this title shall be heard expeditiously."

SEC. 3. Title VII of the Civil Rights Act of 1964 is amended by deleting section 710 and inserting in lieu thereof the following:

"INVESTIGATORY POWERS

"SEC. 710. (a) For the purposes of any investigation provided for in this title, the provisions of sections 9 and 10 of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Commission, except that the attendance of a witness may not be required outside of the State where he is found, resides, or transacts business, and the production of evidence may not be required outside the State where such evidence is kept.

"(b) The several departments and agencies of the Government, when directed by the President, shall furnish the Commission, upon its request, all records, papers, and information in their possession relating to any matter before the Commission."

SEC. 4. Title VII of the Civil Rights Act of 1964 is amended by adding at the end thereof the following new section:

"SURVEY BY COMMISSION OF APPRENTICESHIP OR OTHER TRAINING PROGRAMS

"SEC. 717. (a) The Commission shall conduct a continuing survey of the operation of apprenticeship or other training or retraining programs, including on-the-job training programs, to determine if the employers, labor organizations, or joint labor-management committees controlling such programs are engaged in unlawful employment practices with respect to the operation of such programs.

"(b) Notwithstanding any provision of section 709, in conducting such survey the Commission shall at all reasonable times have access to any records maintained by an employer, labor organization, or joint labor-management committee pursuant to (1) the regulations prescribed by the Commission under the second sentence of section 709(c), or (2) any fair employment practice law of a State or political subdivision thereof.

"(c) The Commission shall make a full and complete quarterly report to the Congress, containing the results of such survey during the preceding three months, and such report shall be made available to the public upon request."

4. NATIONAL EMERGENCY LABOR DISPUTES

Mr. JAVITS. Mr. President, I submit, for reference to the appropriate committee, a bill to amend the Labor-Management Relations Act and the Railway Labor Act to give the President new, and, in my opinion, critically necessary powers to assert the public interest in labor disputes of a national character which threaten to imperil the national health and safety.

The proposed legislation would:

First. Authorize the President to appoint a board of injury to make public recommendations for a settlement based on factfinding.

Second. Authorize the President to order a 30-day freeze, during which both parties would be under a duty to bargain upon the recommendations, even though neither party is required to accept the recommendations.

Third. Authorize the President to seek appointment by a Federal court of a special receiver to operate such struck facilities to the extent which, in the opinion of the court, is necessary to protect the national health or safety.

This legislation is designed to reflect a growing consensus that we must have an established procedure to assert the public interest in major and critical labor disputes—a consensus manifested only last month by the appointment of a special committee of the American Bar Association to investigate existing laws dealing with national emergency labor disputes.

The Taft-Hartley Act has proved to be an inadequate instrument for this purpose even where the national interest is seriously jeopardized. The administration was forced, in the 1963 railroad labor dispute, to rely on a procedure of inadequacy and improvisation—a procedure too close to compulsory arbitration to be really advisable. I believe we must give the President greater flexibility and new tools to safeguard more effectively the public interest while at the same time providing maximum freedom for collective bargaining.

There are certain labor disputes in which the national interest is so deeply involved that they just cannot be fought out to a conclusion. The people have to have some way to assert their interest through the Federal Government. It is for this reason that I believe the process of recommendations by a fact finding board appointed by the President, with a standstill period during which these recommendations must be considered, is the best plan. The element of compulsion is not involved except to the extent that public opinion—once advised of what constitutes a fair settlement—is able to bring its weight to bear on both management and labor to see that a settlement is made. When this is coupled with some ultimate seizure right—insuring that the economy cannot be paralyzed—we have, in my opinion, a plan to deal with major strikes that takes us about as far as we can go without inhibiting fundamental freedoms or takng punitive action against unions or employers.

The amendment providing for possible seizure authorizes the President to go into Federal court to seek appointment of a special receiver to take immediate possession in the name of the United States of any plant, mine, or other facility which is the subject of such labor dispute and to use and operate such plant, mine, or other facility in the interests of the United States; and if the court finds that the exercise of the power and authority provided by this section is necessary to preserve and protect the national health or safety, it shall have jurisdiction to appoint such a special receiver and to make such other orders as may be appropriate.

The bill leaves unchanged the 30-day injunction provisions of the Taft-Hartley Act, except for technical amendments. I recognize the pro and con arguments on the 80-day injunction, but it is consistent with my bill in that neither adopts the principle of compulsory arbitration.

The special law which was forced upon us on an ad hoc basis in the 1963 railroad crisis and which amounted to compulsory arbitration should not be allowed to become a precedent. Neither labor nor management could seek such a result. Yet if we fail to enact a workable law consistent with free collective bargaining now, we may very well be forced to follow the railroad precedent, satisfying no one and undermining our most basic concepts in labor relations.

It is with a desire to make our existing institutions function more adequately with a minimum of Government decisionmaking but a maximum of concern for the public interest that I offer this legislation.

Mr. President, the legislation I propose is along the lines suggested in a recent article by Prof. Murray M. Rohman appearing in the Labor Law Journal. I ask unanimous consent that the text of this bill and Professor Rohman's article be printed in the RECORD at this point.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the RECORD.

The bill (S. 2135) to amend the Labor-Management Relations Act, 1947, and the Railway Labor Act with respect to emergency labor disputes, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2135

A bill to amend the Labor-Management Relations Act, 1947, and the Railway Labor Act with respect to emergency labor disputes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Emergency Labor Disputes Act of 1965".

SEC. 2. Section 206 of the Labor-Management Relations Act, 1947, as amended, is amended to read as follows:

"SEC. 206. (a) Whenever in the opinion of the President of the United States, after consultation with the Director, a threatened or actual strike or lockout or other labor dispute affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, may, if permitted to occur or to continue, imperil the national health or safety, he may appoint a board of inquiry to inquire into the issues involved in the dispute and to make a written report to him within such time as he shall prescribe. Such report shall include a statement of the facts with respect to the dispute, including each party's statement of its own position, and shall, if the President so directs at any time, make recommendations in such report or in a supplemental report for the settlement of some or all of the issues in dispute. The President shall file a copy of such report with the Service and shall make its contents available to the public.

"(b) Upon receiving a report or a supplementary report from a board of inquiry which contains recommendations for the settlement of some or all of the issues in dispute, the President may direct that for a specified period not to exceed thirty days no change in the conditions out of which the dispute arose shall be made by the parties to the dispute, except by agreement. During such period the parties to the dispute shall be under a duty to bargain collectively with respect to the recommendations for settlement of the board of inquiry, but neither party shall be under a duty to accept in whole or in part any such recommendations."

SEC. 3. (a) Section 209(b) of such Act is amended—

(1) by striking out the words "a sixty-day" and inserting in lieu thereof "an eighty-day"; and

(2) by striking out the last sentence in such section.

(b) Section 210 of such Act is amended—

(1) by striking out the words "certification of the results of such ballot" and inserting in lieu thereof the words "expiration of such eighty-day period"; and

(2) by striking out the words "and the ballot taken by the National Labor Relations Board".

SEC. 4. Such Act is further amended by inserting after section 210 thereof a new section as follows:

"SEC. 210A. At any time after receiving a report with respect to a labor dispute from a board of inquiry under section 206(a), the President is authorized to direct the Attorney General to petition any district court of the United States having jurisdiction of the employer, for the appointment of a special receiver to take immediate possession in the name of the United States of any plant, mine or other facility which is the subject of such labor dispute and to use and operate such plant, mine, or other facility in the interests of the United States, and if the court finds that the exercise of the power and authority provided by this section is necessary to preserve and protect the national health or safety, it shall have jurisdiction to appoint such a special receiver and to make such other orders as may be appropriate: *Provided, however,* That (1) at any time before directing the special receiver to take possession of such plant, mine, or other facility the court may direct the parties to the dispute to make every effort to agree to continue or resume such part of the operations of such plant, mine, or other facility as in the opinion of the court is necessary to protect the national health or safety, and upon such continuance or resumption of operations may postpone the taking of possession by the special receiver so long as such operations continue; (2) such plant, mine, or other facility shall be operated by the special receiver only to the extent which in the opinion of the court is necessary to protect the national health and safety of the United States or of any material portion of the population or territory thereof; (3) the possession and operation of such plant, mine, or other facility shall not render inapplicable any State or Federal law concerning health, safety, security, or employment standards, and the special receiver while operating such facility shall comply with such laws as if it were privately operated; (4) the wages, hours, conditions, and other terms of the employment effective at the time of taking possession by the special receiver shall be maintained without change, except that the court may, if a board of inquiry appointed under section 206(a) shall have recommended changes in rates of pay, wages, hours, or other conditions of employment, direct the special receiver to make such recommendations effective in whole or in part in any plant, mine, or other facility which is being operated by the special receiver during such period of operation; (5) during the period of such possession by the special receiver and thereafter, the parties shall be encouraged to continue efforts to settle the dispute and the special receiver shall have no authority to negotiate a collective bargaining agreement with respect to rates of pay, wages, hours, or other conditions of employment; and the rates of pay, wages, hours, or other conditions of employment which have been made effective pursuant to the recommendation of a board of inquiry shall remain in effect for a period of ninety days after the possession or operation of such plant, mine, or other facility has been returned by the special receiver to the owner, unless in the meantime the parties concerned have entered into a collective bargaining agreement with respect to rates of pay, wages, hours, or other conditions of employment; (6) such plant, mine, or other facility shall be returned to the employer as soon as practicable, but in no event later than thirty days after the restoration of such labor relations in such plant, mine, or other facility that the possession or operation thereof by the special receiver is no longer necessary to insure the operation thereof required for the protection and preservation of the national health and safety; (7) such plant, mine, or other facility shall be operated by the special receiver for the account of the employer: *Provided further,* That the employer shall have the right to elect, by written notice filed with the court within ten days of such taking of possession, to waive all claims to the proceeds of such operation and to receive in lieu thereof just, fair, and reasonable compensation for the period of such possession and operation by the special receiver, to be paid by the United States as follows: (A) The President shall ascertain the amount of just, fair, and reasonable compensation to be paid as rental for the appropriation and temporary use of such plant, mine, or other facility while in the possession of or operated by the special receiver in the interest of the United States, such determination to be made as of the time of the taking hereunder, and taking into account the existence of the labor dispute which interrupted or threatened to interrupt the operation of such plant, mine, or other facility and the effect of such interruption or threatened interruption upon the value to the employer of the use of such plant, mine, or other facility; (B) if the amount so ascertained is not acceptable to the employer as just, fair, and reasonable compensation for the appropriation and temporary use of the property taken hereunder and as full and complete compensation therefor, the employer shall be paid 75 per centum of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided for by sections 1357 and 1491 of title 28 of the United States Code to recover such further sums as when added to the amount so paid shall constitute just, fair, and reasonable compensation for the appropriation and temporary use of the property so taken. In the event such notice of election is filed with the court, the special receiver shall pay over to the United States the proceeds of the operations of such plant, mine, or other facility while in his possession."

SEC. 5. The Railway Labor Act, as amended, is amended by adding after section 10 a new section as follows:

"SEC. 10A. At any time after receiving a report with respect to a labor dispute from a board appointed under section 10, the President is authorized to direct the Attorney General to petition any district court of the United States having jurisdiction of the carrier for the appointment of a special receiver to take immediate possession in the name of the United States of the equipment and facilities of any carrier which is the subject of such dispute and to use and operate such equipment and facilities in the interest of the United States, and if the court finds that the exercise of the power and authority provided by this section is necessary to preserve and protect the national health or safety or the health or safety of any substantial section of the country it shall have jurisdiction to appoint such a special receiver and to make such other orders as may be appropriate: *Provided, however,* That (1) at any time before directing the special receiver to take possession of such equipment and facilities, the court may direct the parties to the dispute to make every effort to agree to resume such part of the operations of such equipment and facilities as in the opinion of the court is necessary to protect the national health or safety, and upon such resumption of operations may postpone the taking of possession by the special receiver so long as such operations continue; (2) such equipment and facilities shall be operated by the special receiver only to the extent which in the opinion of the court is necessary to protect the national health and safety of the United States, or of any substantial section of the territory or material portion of the population thereof; (3) the possession and operation of such equipment and facilities shall not render inapplicable any State or Federal law concerning health, safety, security, or employment standards, and the special receiver while operating such equipment and facilities shall comply with such laws as if they were privately operated; (4) the wages, hours, conditions, and other terms of employment effective at the time of taking possession by the special receiver shall be maintained without change, provided that the court may. if a board appointed under section 10 shall have recommended changes in rates of pay, wages, hours, or other conditions of employment, direct the special receiver to make such recommendations effective in whole or in part with respect to the operation of equipment and facilities which are being operated by the special receiver during such period of operation, except that if no such board shall have been appointed, the President may in his discretion appoint a special board which shall be subject to the provisions of the first two paragraphs of section 10 and shall make such recommendations concerning changes in rates of pay, wages, hours, and other conditions of employment for the period of operation by the special receiver as it may deem appropriate and which the court may direct the special receiver to make effective in whole or in part with respect to the operation of any equipment or facilities which are being operated by the special receiver during such period of operation; (5) during the period of such possession by the special receiver and thereafter, the parties shall be encouraged to continue efforts to settle the dispute, and the special receiver shall have no authority to negotiate a collective bargaining agreement with respect to rates of pay, rules, or working conditions; and the rates of pay, rules, or working conditions which have been made effective pursuant to the recommendation of said board appointed under section 10 or said special board shall remain in effect for a period of ninety days after the possession or operation of such equipment and facilities has been returned by the special receiver to the owner, unless in the meantime the parties concerned have entered into a collective bargaining agreement with respect to rates of pay, rules, or working conditions, it being understood that in such negotiations between the parties concerned, involving proposals theretofore contained in any prior notices served pursuant to section 6 of this Act which resulted in the dispute, the parties shall be deemed to have complied with and have exhausted the procedures of the Act; (6) such equipment and facilities shall be returned to the carrier as soon as practicable, but in no event later than thirty days after the restoration of such labor relations between such carrier and its employees that the possession or operation thereof by the special receiver is no longer necessary to insure the operation thereof required for the protection and preservation of the national health and safety or the health and safety of any substantial section of the country; (7) such equipment and facilities shall be operated by the special receiver for the account of the carrier: *Provided further,* That the carrier shall have the right to elect, by written notice filed with the court within ten days of such taking of possession, to waive all claims to the proceeds of such operation and to receive in lieu thereof just, fair, and reasonable compensation for the period of such possession and operation by the special receiver, to be paid by the United States as follows: (A) The President shall ascertain the amount of just, fair, and reasonable compensation to be paid as rental for the appropriation and temporary use of such equipment and facilities while in the possession of or operated by the special receiver in the interest of the United States, such determination to be made as of the time of the taking hereunder, and taking into account the existence of the labor dispute which interrupted or threatened to interrupt the operation of such equipment and facilities and the effect of such interruption or threatened interruption upon the value to the carrier of the use of such facilities; (B) if the amount so ascertained is not acceptable to the carrier as just, fair, and reasonable compenation for the appropriation and temporary use of the property taken hereunder and as full and complete compensation therefor, the carrier shall be paid 75 per centum of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided for by sections 1357 and 1491 of title 28 of the United States Code to recover such further sums as when added to the amount so paid shall constitute just, fair, and reasonable compensation for the appropriation and temporary use of the property so taken. In the event such notice of election is filed with the court, the special receiver shall pay over to the United States the proceeds of the operations of such equipment and facilities while in his possession."

[From the Labor Law Journal, January 1962]

NATIONAL EMERGENCY DISPUTES AND SEIZURE

(By Murray M. Rohman)

Can the Federal Government avoid becoming involved in a dispute between labor and management when such dispute imperils the national health or safety? At the present time the answer, of course, is in the negative, predicated on the statutory provisions of the Labor Management Relations Act of 1947 (Taft-Hartley Act).[1] When it does become involved in such dispute, is it properly fulfilling its required role? In seeking an answer to this question, we need to investigate the alternatives which are available to a people under a democratic free enterprise system. It is, therefore, the purpose of this article to evaluate these alternatives and to suggest a possible solution. During the years, numerous writers have expressed their views on this subject.[2]

The hardening attitude of management as indicated in the 1959 steel dispute, the 1960 General Electric strike, the 1961 maritime industry strike, as well as the controversial automobile industry negotiations which have recently commenced, highlight this discussion. A multitude of problems have been and will be created by the second industrial revolution which is now in progress in this country. Coupled with the expressed intention of management to resist any further encroachment on its prerogatives, this Nation will need the proper tools to blunt the threat to its welfare. Only by a free and open discussion culminating in laws which are adequate to cope with the significance of this problem can we endeavor to maintain our leadership in world affairs. One of the paramount issues which thus confronts us is the necessity of exposing the problem so we may attempt to analyze it objectively. Unfortunately, our socioeconomic environment dissuades us from ferreting out a problem unless we are confronted with an immediate peril. We stave off grappling with intangibles until we are encircled by the dangers prevalent in a situation. Specifically, why has Congress shunted aside the need to amend the national emergency provisions of the Taft-Hartley Act? Despite the myriad of speeches and written material devoted to this topic preceding, during, and subsequent to the 1959 steel strike, Washington has been reluctant to face up to the facts.

UNIONS AND COLLECTIVE BARGAINING

Since 1935, when Congress passed the Wagner Act, bargaining between labor and management has been accepted as the law of the land.[3] Both parties have now reached a maturity in their relations which would have appeared incomprehensible 30 years ago. The most appropriate term to symbolize this relationship is professionalism. Each side has expended huge sums in training and educating its representatives to the point that ostensibly each is willing to listen to the other's point of view and respect is mutually accorded the adversary.

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[1] 61 Stat. 136 (1947), 29 U.S.C. 171–182.

[2] See Howard T. Colvin, "Mediation and Conciliation Under the Labor Management Relations Act of 1947," 1 Labor Law Journal 89, November 1949; Marceau, Leroy, and Musgrave, "Strikes in Essential Industries: A Way Out," 27 Harvard Business Review 287, May 1949; Harold S. Roberts, "Compulsory Arbitration of Labor Disputes in Public Utilities," 1 Labor Law Journal 694, June 1950; Robert R. France, "Seizure in Emergency Labor Disputes in Virginia," 7 Industrial and Labor Relations Review 347, 1954; Frank Elkouri, "Minimizing Production Loss From Critical Industrial Disputes," 6 Labor Law Journal 123, February 1955; George W. Gobel, "An Alternative to the Strike," 6 Labor Law Journal 83, February 1955; W. Willard Wirtz, "The 'Choice-of-Procedures' Approach to National Emergency Disputes," Emergency Disputes and National Policy, IRRA Publication No. 15, Harper & Bros., New York, 1955, pp. 149–165; Murray M. Rohman, "National Emergency Disputes," 8 Labor Law Journal 523, August 1957; George Taylor, "Any Answer to Strikes," U.S. News & World Report, Oct. 19, 1959, p. 70; John T. Dunlop, "The Settlement of Emergency Disputes," in Readings in Labor Economics and Industrial Relations, Joseph Shister, ed., J. B. Lippincott, Chicago, 1956, pp. 513–517; Archibald Cox, "The Taft-Hartley Act: An Evaluation of Experience," in Readings in Labor Economics and Industrial Relations, cited above, at pp. 500–513; Arthur J. Goldberg, "Suggestions for a New Labor Policy," the Reporter, Sept. 15, 1960, p. 27; Stuart Rothman, "Some Principles of Labor Law Administration," a speech before the Institute of Labor Law at the Southwestern Legal Foundation, Dallas, Nov. 18, 1960; Thomas J. McDermott, "Ten Years of the National Emergency Procedure," 9 Labor Law Journal 227, March 1958; Robert C. Crawford, "Government Intervention in Emergency Labor Disputes in Atomic Energy," 10 Labor Law Journal 414, June 1959; Jay Kramer, "Dealing With Strikes Which Imperil National Health and Safety," 11 Labor Law Journal 227, March 1960; Henry Mayer, "Myth of the Emergency Strike," 11 Labor Law Journal 753, August 1960; R. W. Fleming, "Emergency Strikes and National Policy," 11 Labor Law Journal 267, April 1960; Saul Wallen, "National Emergency Disputes," 12 Labor Law Journal 61, January 1961; I. R. Rothenberg, "National Emergency Disputes," 12 Labor Law Journal 108, February 1961.

[3] More specifically, since the U.S. Supreme Court in five decisions upheld the National Labor Relations Act on Apr. 12, 1937. *NLRB* v. *Jones and Laughlin Steel Corp.*, 301 U.S. 1 (1937), 1 LC 17,107; *NLRB* v. *Fruehauf Trailer Co.*, 301 U.S. 49 (1937), 1 LC 17,019; *Associated Press* v. *NLRB*, 301 U.S. 103 (1937), 1 LC 17,016; *Washington, Virginia, and Maryland Coach Co.* v. *NLRB*, 301 U.S. 142 (1937), 1 LC 17,016; *NLRB* v. *Friedman-Harry Marks Clothing Company, Inc.*, 301 U.S. 58 (1937), 1 LC 17,020.

Collective bargaining has advanced beyond the stage of a mere negotiational process. It is now a system of countervailing economic power, which requires striking a balance between two great forces; in our context, employers and unions. It operates on an assumption of stable labor relations whereby wages, hours, and working conditions are determined so that production of the employer's products may continue unhampered and unimpeded during the period of the contract. However, this stage can only be achieved through a process of persuasion—through face-to-face reasoned discussion concerning those aspects which affect both parties. Implied throughout this procedure is the assumption that both parties have agreed to discuss their relationship as equals. Each is willing to accept the other as a factor of production and each in turn is willing to delineate their share of control. This, of course, is the ideal—bilateral action. However, this goal all too frequently has merely received lipservice. There has been resistance to according unions the acceptance which flows from recognition. The framework begins to disintegrate when employees through their unions seek to implement the recognition clause by insisting upon expressing their views governing wages, hours, and working conditions.

At this juncture, we begin to witness the union's motivation in resorting to ultimate economic sanctions. One of the goals of the labor movement is to make strikes effective and, at the same time, unnecessary. Strikes are effective because they are expensive. Unquestionably, strikes involve an economic loss to the immediate parties and also to the community in general, regardless of their outcome. Because strikes inflict economic losses and arouse sentiments which are not confined to the immediate parties, they bestir the public to become the final arbiter when all else fails. Yet, the strike remains the only potent weapon, although a tragic one, whereby employees can exert ultimate pressure to compel an employer, or group of employers, to accede to their demands. It is only through the collective aspect of the strike that it derives its coercive power. When this collective aspect is dissipated, its weakness becomes apparent, as witness the 1960 General Electric strike at the Schenectady plant. The labor movement today, despite its problems of racketeering, bribery, high unemployment and those associated with organizing the white-collar workers, has evolved into a potent force in our democratic way of life. Responsibilities associated with a constructive labor movement dedicated to a free enterprise system and forming a natural bulwark against foreign political infiltration cannot easily develop in an atmosphere continually charged with unresolved disputes.

NATIONAL EMERGENCY PROVISIONS

In 1947, Congress intended to carry out the mandate of the people towards enervating the potentials of a strike on the public through two approaches. One was separating the U.S. Conciliation Service from the Department of Labor and establishing an independent Federal Mediation and Conciliation Service. Despite the small number of specialists—approximately 200—operating under its jurisdiction, this agency has made a worthwhile contribution toward maintaining a peaceful climate of labor-management relations. Nevertheless, its influence is limited to the extent that the parties themselves are willing to accept the proffered services. Furthermore, by the provisions which established the agency, its services are restricted. It may voluntarily offer its facilities if the threatened dispute will seriously affect interstate commerce, or the parties may request the assistance of the service, which may or may not be granted. In either event, the Commissioner assigned to the dispute can only adopt a role which is consistent with the attitude of the parties. Where the issues have reached the stage of principles, the impasse will then be broken only by the strike. Congress did not assign more power to the Service because it sought to surround the collective bargaining process with the greatest freedom possible. The prevalent belief at the time was—and to a large extent still is today—the fear that the parties would tend to rely more and more upon governmental intervention.

The second approach of Congress in 1947 was to pass the national emergency provisions of the Taft-Hartley Act—providing for an 80-day cooling-off period. Since its passage, the act has been invoked approximately 17 times, in several instances before a strike actually took place and in others after a strike had commenced.[4]

Briefly summarizing sections 206–210 of the act, it authorizes the President of the United States to take certain steps when he believes a threatened or actual strike or lockout imperils the national health or safety.

(1) He may appoint a factfinding board to investigate the issues and submit a written report, without recommendations, which is then publicized.

(2) He may then authorize the Attorney General to apply for an 80-day injunction. The granting of such an order lies within the discretion of the court whether the actual or threatened dispute imperils the national health or safety. In the 1959 steel strike Justice Douglas of the U.S. Supreme Court, in a dissenting opinion, rejected the contention that the strike imperiled the safety of the Nation. However, eight of the Justices supported the judgment of the district court granting the injunction.

3. During the injunction, which insures that the status quo is maintained, the parties are directed to resume collective bargaining in good faith and operations are resumed under the terms of the expired collective-bargaining agreement.

4. At the expiration of 60 days, if the dispute remains unsettled, the same board of inquiry reports to the President the current position of the parties and the efforts which have been made for settlement, as well as the employer's last offer. Again such report is made public.

5. During the next 15 days—between the 60th and 75th day of the injunction period—the National Labor Relations Board conducts a vote by secret ballot of each affected employee, to determine whether he desires to accept such offer.[5]

6. Within 5 days after the vote, between the 75th and 80th day, the results are certified to the Attorney General.

7. The Attorney General then moves to dissolve the injunction, which action the district court must take.

The die is now cast. Once the injunction is dissolved, the parties are again free to resume either the strike or lockout and the threat to the Nation is renewed.[6] The President is then required to submit a comprehensive report to Congress including his recommendations, for such action as the Congress might deem appropriate. At this stage of the proceedings it would be an exaggerated illusion to believe that Congress would be inclined to exercise the necessary degree of deliberation in its considerations. Any contemplated legislation would not receive the study requisite to such an important issue. Congress is accustomed to working in a slow and unhurried manner and it is questionable whether the interests of the parties or of the Nation would be sufficiently protected under these circumstances.

PUBLIC INTEREST

The primary interest of the Congress in enacting the 80-day cooling-off period as contained in the Taft-Hartley Act was twofold. One was to protect the public interest and the other was to create a climate so that the disputants would have another opportunity to reassess their positions. It was believed that when an impasse was reached after protracted negotiations, and resort was had to a strike or lockout to enforce certain proposals, a cooling-off period would tend to restore equilibrium and calm aroused tempers and frayed nerves. During this period, discussions would be renewed and exploratory talks continued with a view to eventually reaching a mutually acceptable agreement. Most importantly, the Nation would be receiving the goods and services it required.

However, the weakness inherent in these sections of the act is the failure to provide for a contingency where the parties decide to resume the strike or lockout after the injunction is dissolved. It should be recognized that the motives of Congress were laudatory in seeking to place the parties in a position to continue collective bargaining negotiations during the injunction period. Free collective bargaining is the cornerstone of labor-management relations and any action which interferes with this process must be eschewed. Basically, all authorities are agreed on this aspect. Nevertheless the issue which has received criticism is the failure of Congress to anticipate a breakdown of free collective bargaining and to provide for the necessary controls where such action impinges on the public interest. Therefore, the interests of the third party in a labor-management dispute requires consideration. The choice of free collective bargaining versus the public interest cannot be shunted into the background much longer.

Immediately following the 1959 steel dispute many voices were raised, both in and out of Congress, for remedial legislation. Yet, the statute books are bare of any new provisions to cope with this situation.

CHOICE OF PROCEDURES

President Kennedy in one of his pre-election debates with former Vice President Nixon made the following statements with regard to this matter:

"The President should be given other weapons to protect the national interest in case of national emergency strikes beyond the injunction provision of the Taft-Hartley Act.

"I would give him four or five tools, not only the fact-finding committee that he now has under the injuction provisions, not only the injunction, but also the power of the fact-finding commission to make recommendations, recommendations which would not be binding, but nevertheless would have great force and public opinion behind them. One of the additional powers I would suggest would be seizure. There might be others.

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[4] On June 26, 1961, a strike in the maritime industry caused President Kennedy to proceed to invoke the emergency provisions of the act by appointing a factfinding board as the first step toward securing an 80-day injunction. Thereafter, on July 3, 1961, a petition was filed in the Federal District Court by the U.S. Attorney General requesting such injunction. This is the 18th time the Government has been forced to resort to the injunction under the Labor Management Relations Act of 1947, to protect the health and safety of the Nation.

[5] Unions maintain that such an election is not legally binding on the grounds that a contract can only be executed by the union's duty designated officials. Pamphlet No. PR-112, "The 1959 Steel Strike," United Steelworkers of America, Pittsburgh, p. 52.

[6] On four occasions, strikes were resumed or occurred after dissolution of the injunction. U.S. Department of Labor, BLS Report No. 169, February 1961.

"To state my view precisely, the President should have a variety of things he could do."[7]

The choice of procedures or arsenal approach has been advocated by a number of authorities. In this group are those who favor Government intervention, but the nature of the intervention should not be clearly apparent to the parties involved. These endorse giving the President discretion as to when to intervene in the dispute, as well as alternatives between seizure or the injunction;[8] appointment of a board of inquiry with power to recommend a settlement. Another group advocates that labor and management agree on a method of settling the dispute themselves, with the Government acting as a catalyst in helping to set up procedures.[9] Voluntary arbitration is advanced by George Taylor (who headed the factfinding board in the 1959 steel strike). Secretary of Labor Goldberg, author of the labor-management committee plan, once suggested that it be given the job of settling national emergency strikes. However, when the panel met, it decided it would not function as a dispute settler, a collective bargaining agency, or a negotiating group in labor-management contract talks.[10]

There is no doubt that the arsenal approach, while possessing weakness, would appear to be superior to the present situation. It does attempt to encourage collective bargaining whereby final settlement would be achieved directly by the parties. I am not opposed to granting the President a choice of procedures. I am, however, disturbed by the lack of legislation, as of the present time, to protect the public interest in the event a strike or lockout is renewed following the dissolution of the 80-day injunction.

SEIZURE

During the 1952 steel dispute President Truman issued Executive Order 10340, which directed Secretary of Commerce Sawyer to seize the plants and facilities of the steel companies.[11] It might be significant to review some of the highlights of the ensuing court litigation.

In April 1952 three steel companies commenced proceedings against Secretary of Commerce Sawyer for a temporary restraining order and a declaratory judgment. Judge Holtzoff of the U.S. District Court for the District of Columbia ruled that in balancing equities, the gravity of the nationwide emergency problem did not justify the issuance of a restraining order. Therefore, the motion was denied.[12] The next move by the industry was to sue on April 29, 1952, for a preliminary injunction against the continued seizure and possession of their properties. This second motion was predicated on the threat that the Government intended to make certain changes in the terms and conditions of employment which would cause them irreparable harm. Judge Pine differentiated the original motion before Judge Holtzoff and the instant one as being in a materially different posture. He granted the injunction on the ground that there was no inherent power residing in the President which sanctioned the seizure. The following day, April 30, the Government appealed Judge Pine's ruling. In a closely divided decision the U.S. court of appeals stayed the lower court's preliminary injunction pending an appeal to the Supreme Court, but rejected a request to prohibit the Government from changing the prevailing terms and conditions of employment without the consent of the parties. On May 3, the companies appealed to the Supreme Court which court agreed to hear argument and at the same time ordered the Government to refrain from changing employment terms unless the parties mutually consented thereto.

Historymaking arguments echoed in the courtroom of the U.S. Supreme Court on May 12 and 13. Mr. Justice Black, speaking for a majority of six, stated that the President had no authority under the Constitution to seize private property of industry by Executive order on the premise that a work stoppage was imminent as a result of a labor dispute. Mr. Justice Black in his concurring majority opinion indicated that there did not exist any statutory authority for the seizure of private industries.[13]

It might be fruitful to briefly indicate the grounds on which the other four Justices relied for their ruling. Justice Frankfurter rested his decision primarily upon the legislative history of the Taft-Hartley Act. He indicated that Congress had considered the possibility of granting the President explicit power to seize at the end of the 80-day emergency period but had decided not to bestow such powers. Thus, he reasoned that Congress has explicitly legislated against the use of the seizure power by the President under such circumstances. It was logical to conclude, therefore, that the President could not seize in the face of a statute which, in effect directed him not to seize.

Justice Jackson was similarly impelled. In addition, he joined in opposing the President because he did not believe the emergency was sufficiently serious to warrant such drastic action. Justice Burton likewise concurred, but specifically added that his decision would have been different if the situation was comparable to that of an imminent invasion or threatened attack.

On the other hand, Justice Clark affirmatively stated that the President did have constitutional power to seize and that the emergency was sufficiently serious to warrant the use of such stringent powers. However, the remedy available was the statutory provisions of the Selective Service Act without resort to the constitutional powers. Thus, it can scarcely be said that the Presidents power to seize in futuro was foreclosed.

REMEDIAL LEGISLATION

The national emergency provisions of the Labor Management Relations Act of 1947 have been invoked by the President in 17 labor disputes, since its passage.[14] The industries which were involved included stevedoring, atomic energy installations, bituminous coal, meatpacking, communications, maritime, nonferrous metals, steel fabricating, and basic steel.[15] Will Congress wait until an emergency has actually ground the wheels of this Nation's industry to a complete halt before it will act? The interests of the public require serious consideration be given to this problem before we are confronted with appalling losses. Congress, as our elected representatives, cannot shirk this responsibility. Fourteen years have elapsed since the initial provisions were incorporated into the Taft-Hartley Act, and the time has now arrived to further implement its provisions in this respect. Must we only behoove ourselves to act when subversive aspects are involved?

As a nation we are dedicated to fostering free collective bargaining. However, when the parties are unable or unwilling to adjust their differences in a labor dispute, the public's interest is superior to those of the individuals directly involved in that dispute. Under such circumstances, the President must have weapons with which to control the impasse for the benefit of all the people.

In 1954, I urged such legislation be considered by Congress in the event the President was required to utilize it.[16] Again, in 1957, I proposed certain legislation be considered by Congress.[17]

The provisions which I advocate are designed to permit the parties to engage in free collective bargaining and to reach an agreement which is mutually acceptable to both parties. The need for Federal intervention perhaps may never be restored to, if the parties realize and are aware that the President has the power to implement the process. However, in the event mutuality of agreement is lacking, then legislation should be available to guide the parties in their search for a voluntary amicable resumption of negotiations.

I, therefore, propose legislation which includes both recommendations and seizure.[18] Basically, I would recommend that the Congress retain the main provisions of section 206–210 of the act. During the first 60 days, the factfinding board would continue its efforts to mediate the dispute. However, at the conclusion of this period, if the parties have failed in their efforts to compromise the issues, then the board would publicize its recommendations. Public pressure, through the various media of communications, as well as the influence of the President's office might at this juncture have an important impact. Nevertheless, in the event the parties at the conclusion of the 80-day period still retain their positions, the injunction would be dissolved and, under the revised provisions of the act, the Government would apply for a writ of seizure. Such seizure order, if granted, would direct the Government to take physical possession of the plants and facilities, without prejudice to the continuation of private negotiations between the parties. The order would also require employees to continue working under the same terms and conditions existing prior thereto. Any settlement subsequently achieved would be retroactive to the date of seizure. In the event of a prolonged failure to adjust their differences, such seizure would be continued with the right of adequate compensation as determined under due process of law.

CONCLUSION

It should be evident that this procedure would only be used under such circumstances where no other course of action would suffice. It is definitely an emergency situation wherein the negotiational process has become impaired. The only alternative is to permit the parties to carry out their economic sanctions to a point where the Nation would be the victim of its own free collective bargaining process. Such an event must never be permitted to occur. The public, through its government, does have a superior right to those of the disputants. When the occasion arises, this right must be exercised. It is hoped that Congress will arouse itself to the point that it will undertake to pass needed remedial legislation in this area of labor-management relations. Under these circumstances, it is also believed, that if such legislation did exist, the parties would strive to adjust their differences, so that it might never become necessary to implement its provisions.

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[7] Dallas Morning News, Oct. 14, 1960, p. 10.

[8] Cox, cited at footnote 1.

[9] Dunlop, cited at footnote 1. This view is supported by Walter Reuther.

[10] Wall Street Journal, Mar. 22, 1961, p. 1.

[11] 17 Federal Register 3139 (1952).

[12] Commerce Clearing House, Inc., "Steel Seizure Cases," A Special Report—Emergency Labor Law, June 3, 1952, p. 62.

[13] *Youngstown Sheet and Tube Co.* v. *Sawyer*, 343 U.S. 579 (1952), 21 LC par. 67,008.

[14] The 1961 maritime strike is the 18th time it has been invoked.

[15] BLS report, cited at footnote 6.

[16] Rohman, "The Influence of Wage Stabilization Boards on Collective Bargaining in the Steel Industry," University of Colorado, 1954.

[17] Rohman, cited at footnote 1. Once before, on Nov. 24, 1956, a Taft-Hartley Act injunction was secured by the Attorney General for an 80-day period in the maritime industry.

[18] See Max Rosenn, "State Intervention in Public Utility Labor Disputes" 12 Labor Law Journal 387, May 1961 at p. 395: "Compulsory arbitration has a tendency to discourage collective bargaining while seizure has a tendency to promote it. * * * Wages and working conditions are frozen. Labor is unhappy and since outsiders are operating the utility, [company] management is also unhappy. Strong pressures are thus exerted on both employees and employers to negotiate their differences, while at the same time, the public is not being deprived of its public utility service."

5. MINIMUM WAGE INCREASE

(AMENDMENT NO. 269)

Mr. JAVITS. Mr. President, I send to the desk, for reference to the appropriate committee, an amendment to S. 1986, the administration bill to amend the Fair Labor Standards Act. This amendment would raise the minimum wage under the act from $1.25 to $1.50 per hour.

I have already introduced a bill, S. 1770, which would have the same effect. The administration concedes that the present minimum wage is inadequate, but offers nothing in its labor message to Congress along these lines; it seeks only to bring 4,500,000 more workers under the minimum wage and this I am for but it is not the whole answer. I feel that the present minimum wage which, assuming full-time work, produces annual wages of only $2,500—earnings well below the poverty level—must be raised in accordance with cost of living and the needs of the times and to back up our national resolve to seek a decent living standard for all our citizens.

The **PRESIDING OFFICER.** The amendment will be received and appropriately referred.

The amendment (No. 269) was referred to the Committee on Labor and Public Welfare.

Mr. JAVITS. Mr. President, I ask unanimous consent that the bills and amendment which I have just introduced, be held at the desk for 1 week for additional cosponsors.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

THE 1965 ANTOINETTE PERRY "TONY" AWARDS

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the presentation last night in New York of the Antoinette Perry Awards, the so-called Tony Awards, to the most distinguished people in the theater today.

In the words of one of the recipients, Harold Prince, who is one of the Nation's most successful producers, these awards symbolize that New York is the home of the American theater.

A bill which passed the Senate a short time ago seeks to communicate the tremendous virtue and value of this art throughout the United States in a way which is impossible without the assistance of the States and the Federal Government.

I ask unanimous consent to have printed at this point in the RECORD a list of the winners of the "Tony" Awards, including the reference to a special award made to Gilbert Miller, dean of the theater producers of New York, who is 80 years of age.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

List of Award Winners

Special ward to Gilbert Miller, dean of theater producers of New York for the play, "The Subject Was Roses."

NOMINEES FOR THE 19TH ANNUAL (1965) AMERICAN THEATER WING "TONY" AWARDS

Play: "The Subject Was Roses," by Frank Gilroy.

Musical play: "Fiddler on the Roof."

Actor (dramatic star): Walter Matthau ("The Odd Couple").

Actress (dramatic star): Irene Worth ("Tiny Alice").

Actor (musical star): Zero Mostel ("Fiddler on the Roof").

Actress (musical star): Liza Minnelli ("Flora, the Red Menace").

Actor (dramatic featured or supporting): Jack Albertson ("The Subject Was Roses").

Actress (dramatic featured or supporting): Alice Ghostley ("The Sign in Sidney Brustein's Window").

Actor (musical featured or supporting): Victor Spinetti ("Oh What a Lovely War").

Actress (musical featured or supporting): Maria Karnilova ("Fiddler on the Roof").

Director (musical play): Jerome Robbins ("Fiddler on the Roof").

Producer (play): Claire Nichtern ("Luv").

Producer (musical play): Harold Prince ("Fiddler on the Roof").

Author (musical play): Joseph Stein ("Fiddler on the Roof").

Director (play): Mike Nichols ("Luv" and "The Odd Couple").

Author (play): Neil Simon ("The Odd Couple").

Composer and lyricist (musical play): Jerry Bock and Sheldon Harnick ("Fiddler on the Roof").

Scenic designer: Oliver Smith ("Baker Street," "Luv," and "The Odd Couple").

Costume designer: Patricia Zipprodt ("Fiddler on the Roof").

Choreographer: Jerome Robbins ("Fiddler on the Roof").

REFORM OF ELECTION PROCEDURES

Mr. JAVITS. Mr. President, a number of Senators have expressed concern over the need for reform of our election procedures. On May 14, the distinguished senior Senator from California [Mr. KUCHEL] inserted in the CONGRESSIONAL RECORD a Library of Congress expert's report on the constitutionality of Federal legislation to provide for uniform closing time for polling places in connection with national elections. On May 21, the distinguished senior Senator from South Dakota also commented on the subject of poll closings, and included in the RECORD interesting studies on the impact which information on election returns has upon voting behavior.

Last year, I introduced S. 3118, a bill to provide a uniform closing time for polling places in connection with Federal elections and am presently working to improve this measure. In this connection, I ask unanimous consent to include in the RECORD an enlightening and informative address made at commencement exercises at the California Institute of Technology by the able chairman of the Columbia Broadcasting System, Dr. Frank Stanton, on the necessity for reform of our election procedures. Dr. Stanton places great emphasis on the need for making fuller use of up to date instruments and techniques which science has made available to improve and modernize election procedures.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Science and Democratic Progress

(An address by Frank Stanton, president, Columbia Broadcasting System, Inc., made at the California Institute of Technology commencement exercises, June 11, 1965)

It is always a privilege to be allowed to join the graduates of a great institution in their commencement exercises. In the case of the California Institue of Technology, it is also a very great compliment. As one who has some California associations—an occasional neighbor of yours—I have come to know Caltech and to respect and admire its high standards.

You who are receiving degrees here today will be entering a company of educated men whose postcollegiate and postdoctoral careers reveal an exceptionally serious sense of purpose and breadth of interests. Of last year's degree recipients, a very impressive majority remained in academic work: 85 percent of the bachelors of science and 53 percent of the masters went on to further study, and 58 percent of the doctors returned to colleges and universities for teaching or research or both. And it is revealing of the wide scope of professional activities of the alumni that Professor Weir reported, in his survey last February, that "two-thirds of our alumni, all highly trained in engineering, science, or mathematics, are actually devoting a large portion of their working hours to problems of human and organizational relationships."

All this directs our attenion to a central reality of the scientific world today: profound and irresistible social forces have invaded the seminar room and the laboratory, and they never again are going to leave the scientist in the comfort and silence of a solitude that shuts out the day-to-day affairs of mankind. Ironically enough, the mainspring behind this permanent invasion was not the resolute action of outside intruders but the broadening and deepening concerns of the men of science themselves.

To bring higher education into accord with this overriding fact of modern life, the faculty and trustees of Caltech moved with boldness and imagination when they announced the new baccalaureate programs this spring. The construction of a curriculum leading to degrees in the humanities, but with an unusually strong foundation in the sciences, is a logical and highly useful counterpart of the growing purpose—advanced notably both here and at such sister institutions as the Massachusetts Insitute of Technology—of providing a scientific education with a strong foundation in the humanities. Caltech's action seems to me to reflect, in a most practical way, both the wisdom of the past and the promise of the future.

Higher education in America generally, and our political institutions certainly, have their roots in one of the great eras of mankind, the age of reason. I have never thought it an accident of history that the age of reason was concerned equally with the sciences and with society. It was David Hume, whose thought in many ways epitomized his times, who pronounced the scientists of all ages inseparable from the societies that bred them. In words which must be no less flattering, even if a little more disconcerting, to you today than to his Edinburgh contemporaries, he said: "Though the persons who cultivate the sciences with such astonishing success as to attract the admiration of posterity be always few in all nations and all ages—the mass cannot be altogether insipid from which such refined spirits are extracted."

Hume's brilliant contemporaries roamed the whole field of knowledge, inquiry and speculation, staking out the broad avenues, both of learning and of the social order, that we still follow and prize today. In the age of reason we had a common source of a new realism and a new freedom, a new philosophy of law and a new approach to government, a new scientific method based on analysis and experimentation, and a wholly new concept of mass education. In its renewed emphasis on the kinship of the sciences and the humanities, then, Caltech is, in a very real sense, reasserting its heritage. It is also looking realistically to the future. For one of the essential tasks of the generations ahead, as well as our own, is to put to broad social uses the scientific discoveries and technical innovations that have proliferated so fast in our time that their uses lag far behind their capacities.

Nowhere is this more apparent, I think, than in our basic political processes as a democracy. Political institutions and procedures exist for no other purpose than to administer the affairs and advance the interests of the members of the body politic and to make sure that ultimate power rests there. Yet, unlike the men of the Age of Reason, we are often inclined so to venerate political institutions and procedures for their own sake that, in our failure to improve their methods and to modernize their tools, they tend to deflect rarther than to fulfill their high purposes. Industry, the professions, business, even such an individualized field as the arts—all are eager to utilize the new methods, new materials and new instruments made possible by scientific knowledge today. But the political world is still peering cautiously around the corner of the 19th century, pausing only to look back over its shoulder occasionally to the eighteenth. It takes no social historian to observe that if we ran our factories, conducted our communications, and nurtured our health at the same rate of scientific and technical advance as we conduct our political affairs, we would still be taking weeks to make a pair of shoes, delivering the mail by pony express, and treating pneumonia by bloodletting.

The gap between scientific and technical progress on the one side and the fullest realization of our political capacities on the other is, in an age of vast, speedy and complex events, a growing and unnecessary threat to the inevitably precarious business of self-government. In the basic process of the self-governing society, the election of its leadership, our methods and procedures are, in most cases, substantially the same as when the chief tools of communication were the quill and a piece of paper.

In 1634, Massachusetts abandoned the old English system of voting by voice and adopted the paper ballot. In 1965, over 330 years later, it is possible to register the most complex information electronically and process it and store it in split seconds. But in 1965, the 2,038 voting precincts of Massachusetts' 351 cities and towns were, for the most part, still using the paper ballot. And so were the majority of the Nation's 175,756 precincts.

In 1800, communities and States were so isolated from each other that cumbersome voter registration procedures with, among other things, length-of-residence requirements, were introduced to prevent voting by undetected repeaters from other areas. In 1965, 165 years later, for income and social security tax purposes, a system of instant numerical identification of virtually every adult in the United States has been adopted. But in 1965, 1 State still requires a person to be a resident for 2 years before he can register to vote, 35 States require 1 year's residence, and 14 States require 6 months.

In 1845, "the Tuesday next after the first Monday in November" was chosen by Congress as election day, largely because public sentiment was against traveling on Sunday and it was necessary to allow an entire day and night for many voters to get, by horse and buggy, to the polls. In 1965, 120 years later, you can travel from California to New York in 4 hours. But in 1965, "the Tuesday next after the first Monday" is still election day.

The cost in time and money of these anachronistic practices has been made very clear by several counties in California that have adopted electronic voting systems. Orange County, for example, spent $235,869 on the June 2, 1964, primary, at which 273,756 ballots were cast and tabulated without the electronic system. On general election day, 1964, Orange County used an electronic system encompassing both the voting and counting. The cost, with 416,136 votes cast, was $118,428. The saving here was $117,441—cutting the bill in half, even without allowing for the greatly increased number of votes cast. Actually, the cost per ballot cast declined by over two-thirds, from 90 to 28 cents.

An operational comparison between the general elections of 1962, with paper ballots, and 1964, with an electronic system, shows that the advantages of using 20th-century tools go far beyond the financial. In San Joaquin County, in 1962, for example, 14,777 of the 88,921 voters—17 percent—failed to finish the ballot; in 1964, this dropoff was reduced to 4,753 of the 97,515 voting, or less than 5 percent. And although the polls did not close until 8 p.m. in 1964, as compared to 7 p.m. in 1962, the last precinct checked in with its vote shortly after midnight in 1964, as compared to 7:15 the next morning in 1962. The average closeout in 1964 was 2 hours after polling ceased, compared to nearly 8 hours in 1962. And the total man-hours of election workers were reduced from 27,015 in 1962 to 2,423 in 1964.

But the great tragedy of archaic and obstructive electoral practices, stubbornly turning their backs on scientific and technical progress, is in the sapping of the vitality and health of the democratic process itself in this country. No mists of self-deception, no blasts of political polemics, no maneuvers of mathematics can deny the result: a disgraceful record of participation in our general elections. The United States, whose literacy rate of 97.8 percent is excelled only by that of the Scandinavian countries, consistently has a worse turnout, a lower percentage, of citizens voting than any democracy in Europe.

Only 62 percent—roughly 3 out of 5—of those over 21 in this country voted in last year's election. Among European democracies, without compulsory voting, 87 percent voted in Denmark, 85 percent in Finland, 83 percent in Sweden, 79 percent in Norway, 77 percent in Great Britain, and 72 percent in France. The best of these records shows a 25 percentile point better turnout than ours, and even the worst is 10 percentile points better than we are.

In Asia, Japan had a 71 percent turnout, Israel, 81 percent, and Pakistan, 83 percent of whose people are illiterate, had a voting record of 80 percent for presidential electors last fall.

In off-year congressional elections our record is even worse, never even having reached 50 percent—a low to which the parliamentary elections of no other democracy on earth descends.

Now obviously, there is something drastically wrong with the way we are doing things here. What is wrong seems to me perfectly clear: from primitive registration procedures right down to the casting of the ballot, we make voting as difficult, vexatious and inconvenient for the citizen as we can. By a determined avoidance of any of the instruments or techniques or methods that science has brought about, we have done little to facilitate this basic democratic act and much to obstruct it.

We need to recast this decrepit, self-defeating system all along the line.

We need to do it soon and to do it thoroughly. There is no better time to start than right now, in a nonelection year, when no one can claim that his particular ox is being gored.

And we need to involve the scientific community as directly and as effectively as we have in the development of our weapons systems. For the security of our fundamental political institutions—the ultimate guarantors of our freedoms—is no less pressing than the security of our lives and property.

There may be some constitutional impediments, not susceptible of early correction, around which we will have to work. Voter registration and the administration of national elections are still State functions. But our ingenuity is not so bankrupt, nor our concepts so rigid, that we cannot, even without constitutional reform, achieve an enormous improvement. In voter registration, for example—wholly aside from any of the justly aroused concern over racial discrimination—it must be clearly apparent to anyone taking the trouble to look that the whole system is a hodgepodge of irrationalities, inconsistencies, anachronisms and harassments. Along with convicts, hundreds of thousands of Americans last year could not cast a ballot for President of the United States, just because they had moved from one State to another within the previous 2 years, or 1 year, or 6 months. Yet ours is an increasingly mobile society, and in a 2-year period nearly 12 million people in this country, most of them of voting age, move from one State to another. Many of these are young people who, in just beginning their careers, necessarily move about a great deal. Many are from the highest educational levels engaged in the kind of work that involves occasional changes of residence.

For national elections, we need and ought to have an interstate, permanent registration, making full use of modern electronic equipment. Moreover, we need to make voter registration easier, more automatic and more systematically inclusive. In Canada, registrars canvass every house—just as our census takers do—and register everyone eligible. Significantly, 4 out of 5 Canadians voted in their last general election compared to 3 out of 5 here. In Idaho, which follows the Canadian system, the proportion of citizens voting in 1964 was 75.3 percent, 20 percent higher than our national average.

There is convincing further evidence of the repressive effect of our obsolete registration procedures on voting. In the 1870's, for example, before intricate registration steps were generally required, 85.8 percent of eligible voters cast their ballots. But at the present time, while there is a population of 114 million over 21, there are only 87 million registered voters. As a matter of fact, the major reason why the U.S. voting record is so bad is that only 76 percent of adult citizens are registered. Thus, although official sources put the number of registered votes who voted at 81 percent and although a recent study revealed that the correct figure, after compensating for people still on the lists who had moved away or died, might be over 90 percent, the fact still remains that only 3 out of 5 of our total population over 21 voted—or were enabled by restrictive registration laws to vote—in 1964.

The most efficient voting system in the world, the most articulate and provocative candidates, the most acute sense of urgency about the issues—none of these are of any avail at all in stimulating voter interest if we persist in making registration difficult and often impossible. Automatic, permanent, nationally valid registration of voters in national elections is long overdue. Italy has it. West Germany has it. The United States ought to have it.

The second step of the electoral process, the casting of ballots, is no less antediluvian Polling places are grimy and inaccessible. Polling hours are too brief and end too soon. Ballots are long, confusing, and cluttered. Waiting lines are long and slow-moving. Check-in and check-out procedures are dilatory, fumbling, and snail-paced. Costs are unnecessarily high. Personnel is unnecessarily numerous. Processing time, both for polling and tabulating, is unnecessarily slow.

There is not a single one of these problems that cannot be solved by introducing the instruments and techniques that science has made available and that have become everyday apparatus in other areas of our national life.

Polling places, for example, have traditionally closed early to allow time for counting the votes. But computer ballots can be tabulated in a matter of seconds. Moreover, they eliminate human errors always likely in all-night counting sessions by unskilled election workers, and they minimize the possibility of fraud. Technically, it is entirely possible for all the polls in this country to be open for 24 hours and for the total result to be known within minutes of the closing. And because modern communications have wiped out all barriers of distance and time in the Nation, those 24 hours ought to be uniform and simultaneous across the country. The widely divergent time frames for voting in individual polling places and the widely divergent opening and closing hours create inexcusable inequities for our citizens.

The differences in time zones add to the chaos that has become a characteristic of our election day. If we had a common opening time everywhere, regardless of the clock hour in any one place, and a common closing time everywhere 24 hours later, we could have the real advantages both of nationwide, simultaneous balloting and of results becoming available on a nationwide rather than a regional or local basis. This uniform, real-time, 24-hour voting day would permit anyone anywhere to vote at any time of day and night.

And combining the uniform 24-hour voting day with the use of electronic vote-tabulating equipment would permit results to be known clearly and promptly—without turning every election into a cliffhanger. which in some cases has lasted for days and even weeks. The national uniform voting day should also be a national legal holiday. This would free thousands to vote at their convenience, rather than attempting to squeeze it in before work or at lunch time or on the way home. Absentee balloting could be standardized and made easy for those who cannot be at home on election day.

The social scientist of the future might well marvel at the reluctance of this most powerful democracy in world history to reform its backward electoral practices, to conform not only with the changed conditions of life but also with the remarkably applicable scientific advances of this age. The only explanations that he comes across will impress him more for their speciousness than for their persuasiveness.

A common complaint is that the use of modern scientific techniques would somehow distort the electoral process. We heard last year an insistence that the early reporting of election returns would influence late voters. Despite these claims, independent and authoritative surveys found no indication that voters changed their intentions to vote for one candidate or the other, nor did they find an indication that voters who planned to go to the polls stayed home, as a result of having heard returns on the balloting elsewhere.

Another familiar reaction is that the use of modern techniques in election proceedings is somehow unconstitutional—or that "there ought to be a law against it." In 1964, the best, the most accurate, and the promptest reporting of presidential election returns in American history was accomplished by electronic journalism making full use of computer equipment combined with disciplined reporting. Perhaps one of the most valuable byproducts of this operation was the light it threw, by way of contrast, on our electoral processes themselves. Far from bringing those processes up to date, the immediate reaction in some quarters was to exclaim that there ought to be a law prohibiting the use of such reporting techniques and forbidding electronic journalism to do its job until the last tired election workers closed the last remote poll and began the counting by hand of the paper ballots. If anything was unconstitutional in all this, according to a report that Senator KUCHEL asked the Law Division of the Library of Congress to make, it was the inverted legislative remedy of stopping the clock of scientific progress while the dilapidated old election machinery our great-grandfathers contrived for another age creaked on. There should be legislative concern and legislative action about the fundamental democratic processes in this country. But it should be directed not at preventing progress but at assuring it.

The third complaint we hear is that to bring our most basic self-governing function fully into the modern scientific age would cost too much, that to keep the polls open long enough for all to vote would cost too much, that to have a national uniform voting day would cost too much. Of course, it would if we merely extended the use of our antiquated systems. It would also cost too much to make an automobile if we used the methods and tools used to make the buggy. But if we make use of all the implements and methods that science has given us, we can not only improve greatly our electoral machinery but we can do it at no increase in cost—and probably at an ultimate saving. Estimates of the cost of elections per registered voter have ranged as high as $2.31. A major factor of this sum by far goes to personnel handling and tabulating paper ballots. In Los Angeles County, for example, about half the election costs of $3½ million goes to over 100,000 precinct workers. In other words, in order to conduct a paper ballot election, one out of every 68 people in Los Angeles County with its 6.8 million people is a paid worker of the election board on election day. By contrast, the Borough of Manhattan, using only voting machines and with a population of 1.7 million—one-quarter of Los Angeles County's—has only 4,584—or less than one-twentieth of its election workers.

An excellent case history, which wholly destroys the notion that elections employing electronic equipment for polling places open for 24 hours would be prohibitively costly, is that of Contra Costa County here in California. Contra Costa introduced an electronic voting and tallying system for the November, 1964, election. As a result, the county reduced the number of precincts from 1,164 to 720, election personnel from 7,384 to 2,880, the election payroll from $127,797 to $73,870, and the man-hours tabulating the vote from 52,573 to 5,871—all this despite the fact that the vote cast rose from 76 to 90 percent.

It seems to me obvious that the pennywise, pound-foolish refusal to bring the electoral process of this country fully into step with scientific progress because of allegedly high costs is without foundation.

Unless we do bring the democratic method and our scientific capabilities in league with one another, it is unlikely that we will have any major gain in citizen participation in elections. The only other approach—adopted by some other democracies—is compulsory voting, providing it could also overcome the difficulties of registration. But this goes entirely against the grain of the American people, and it violates our traditions, our values, and the nature of our institutions. On the other hand, applying every technical innovation and every scientific discovery to realize more fully our potential as a free and self-governing society fully accords with our present temperament and our historical genius as a people. Instead of dragging our feet on such an elementary democratic principle as using scientific methods to make the electoral system work better, we should be moving beyond that to thoughts of nationwide electronic plebiscites on grave questions of public policy for the guidance of our Government.

None of this, it seems certain, is going to come about spontaneously. The community of trained scientists—particularly those, like you, immersed in the humanities—will have to speak out with a strong voice and press it upon the awareness of our political leadership and upon public opinion. We may do well to reminder that in that distant, far-off day before atomic weapons, it was the letter of great scientist to a political leader that introduced us to the inevitability of a new and awesome era. On August 2, 1939, Albert Einstein wrote Franklin Roosevelt that he felt it "my duty to bring to your attention the following facts and recommendation." There are fewer higher duties to which you can commit yourselves than forcefully to call the attention of your National, State, county, and local political leadership to the pressing need and technical feasibility of modernizing our election procedures.

Toward the end of a long and uniquely productive life, a great mathematician who became a giant in the humanities, Alfred North Whitehead, said, "the techniques of living have changed faster and more between 1861 and 1944 than they did, going backward, between 1861 and 61 B.C. Furthermore the effects of these new techniques are interactive. Their alterations in our ways of daily living affect our moral ideas, and the alterations in our ways of thinking in turn react upon the uses to which we put our new techniques."

You have the power, the opportunity, and the urgent need to help turn the new techniques of our day to the highest social use known to man—the preservation and strengthening of the democratic process and, therefore, of his freedom. I know that you will achieve it.

A TRIBUTE TO MARTIN BUBER

Mr. JAVITS. Mr. President, a small but warm and bright light which has illumined the world has flickered and died. Yesterday, in Jerusalem, Prof. Martin Buber, Jewish philosopher and great human being, died at the age of 87.

One of the foremost religious philosophers of this era, Dr. Buber several years ago was nominated for the Nobel Prize by the late U.N. Secretary Dag Hammarskjold. His pursuit was the pursuit of peace and man's understanding of man. His stress was moral commitment.

Dr. Buber succeeded in weaving together the philosophy of an ancient faith with modern knowledge into a fabric and pattern of thought which will leave man to contemplation of his mortal role.

Dr. Buber's influence extended beyond the borders of his Jewish faith; he earned the respect of theologians of all persuasions throughout the world. He was considered a bridge between the faiths.

The small flame that was the life of Martin Buber has flickered and died. But the light he cast will long continue to illumine men's lives.

Mr. President, I ask unanimous consent to have printed at this point in the Record a tribute to Martin Buber, published in the New York Times today, June 14.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

[From the New York Times, June 14, 1965]

MARTIN BUBER, 87, DIES IN ISRAEL; RENOWNED JEWISH PHILOSOPHER

Jerusalem (Israeli Sector), June 13.—Prof. Martin Buber, the renowned Jewish philosopher and educator, died here today. He was 87 years old.

Professor Buber's health had been failing since he underwent surgery for a broken leg last April. Since his release from the hospital last month he had been confined to bed at his home in the residential quarter of Talbeih.

One of the great thinkers of this century, Dr. Buber had served as a professor at the Hebrew University since his arrival in Palestine in 1938 from his native Austria.

Since 1951, when he retired from teaching he had held the title of professor emeritus of social philosophy at the university.

A few weeks ago Jerusalem granted him the freedom of the city, the last of many honors accorded him. Several years ago he was nominated for the Nobel Prize by the late Dag Hammarskjold who rarely failed to visit Dr. Buber when his duties as Secretary General of the United Nations brought him to Jerusalem.

When Dr. Buber died this morning, President Zalman Shazar immediately went to the philosopher's home to present his condolences. Press tributes will not come until tomorrow but the lead item on all the lead items on all the Government-controlled radio and news programs was the death of Professor Buber.

His leading disciple and closest friend and associate, Prof. Shemuel Hugo Bergman, said that with Dr. Buber's death, "humanity has lost one of its greatest sons, Jewry has lost its greatest son, and Israel has lost her living conscience."

Professor Buber is survived by two children and several grandchildren.

VIEWS AFFECTED CHRISTIANITY

Martin Buber was a Jewish religious philosopher whose views on human and divine relationships had a fertilizing effect on the Christian world.

His philosophy of personalism was an amalgam of religious mysticism, Old Testament inspiration, modern psychology, and earthy commonsense. It contended that man could achieve an intimate relationship with God through an intimate interrelationship with his fellow man, and that each man's relationship with God and a fellow man was distinct.

He strove for "a dialog," between man and God, with man as "I" and God as "Thou." This concept was developed in his major philosophical work, "I and Thou."

Professor Buber's views influenced Protestant theologians. He impressed Reinhold Niebuhr as "the greatest living Jewish philosopher," and he was an inspiration in Dr. Niebuhr's thinking as well as in that of Paul Tillich, another leading Protestant theologian.

By his emphasis on dialog, Professor Buber was regarded as a pioneer bridge-builder between Judaism and Christianity. His views accented the nonformal aspect of religion as opposed to theological systems.

SAW RELIGION AS EXPERIENCE

Religion for Professor Buber was experience, not dogma. He doubted that man was made to conform with canon law, or with elaborately worked out plans for existence. On the contrary, Professor Buber's credo stressed individual responsibility.

A story that was told to illustrate this point concerned an aged pious man, Rabbi Susya, who became fearful as death drew near. His friends chided him, "What! Are you afraid that you'll be reproached that you weren't Moses?" "No," the rabbi replied, "that I was not Susya."

The responsibility to be oneself means, in Professor Buber's view, that there is no rigid fate; that man can improve his chances for happiness.

In fact, according to Professor Buber, man has an obligation to achieve an identity by refusing to abdicate his will before the monolithic power of party, corporation, or state.

Professor Buber pointed to the duality of things—love and justice, freedom and order, good and evil; but he did not suggest a happy middle way between them.

CONTRARIES HELD INSEPARABLE

"According to the logical conception of truth," he once explained, "only one of two contraries can be true, but in the reality of life as one lives it they are inseparable.

"I have occasionally described my standpoint to my friends as the 'narrow ridge.' I wanted by this to express that I did not rest on the broad upland of a system that includes a series of sure statements about the absolute, but on a narrow, rocky ridge between the gulfs, where there is only the certainty of meeting what remains undisclosed."

Professor Buber suggested two forms of relationships for man—an I-it relationship and an I-Thou. The first is impersonal and imperfect.

An example of the I-it relationship would be where one person treats another as a machine, or when lovers find only a projection of themselves in each other.

In religious matters, the I-it is expressed when man abstracts God, or regards Him as out of reach, or builds theological systems in which God is remote, or considers God too vast. Professor Buber, however, did not deny that God was the great mystery of the Old Testament, but he insisted that He was also personal.

PARADOX OF GOD NOTED

"Of course," Professor Buber wrote, "He [God] is the Mysterium Tremendum that appears and overthrows, but He is also the mystery of the self-evident, nearer to me than my I."

The I-Thou of Professor Buber's thinking stands for the kind of dialog—love or even hate—in which two persons face and accept each other as truly human. There is in such a dialog, he argued, a fusion of choosing and being chosen, of action and reaction, that engages man's highest qualities.

I-Thou meetings, he explained, are "strange, lyric and dramatic episodes, seductive and magical, but tearing us away to dangerous extremes * * * shattering security."

The I-Thou relationship, because it does away with pretension, permits man to meet with himself, Professor Buber said. And, ultimately, it brings man into contact with God, whom Professor Buber called the "Eternal Thou."

This supreme confrontation has been described by Prof. Maurice S. Friedman of Sarah Lawrence College, Bronxville, N.Y., one of the leading interpreters of Buberism. It is "perhaps best understood," Dr. Friedman wrote in his "Martin Buber, the Life of Dialogue," from the nature of the demand which one person makes on another if the two of them really meet. If you are to meet me, you must become as much of a person as I am. In order to remain open to God [man] must change his whole being.

IDEAL SOCIAL UNIT LIKE KIBBUTZ

Believing that man's earthly chore is to realize his distinctiveness through the dialog process, Professor Buber opposed both rigid individualism and collectivism. His social ideal was a small community unit somewhat like the kibbutzim of rural Israel.

Professor Buber also looked at Scripture in a special way. The Bible, in his view, was neither an infallible guide to conduct nor a mere collection of legends, but a dialog between Israel as Thou and God as I.

Because of this interpretation and because Professor Buber was casual in his observance of Talmudic law, many Orthodox rabbis looked upon him as a heretic. As for Reform Jews, some of them also criticized Professor Buber because they thought he had made too much of the metaphyscial Hasidic sect, from which he drew many of his ideas.

Many Jews also were dismayed by the application that Professor Buber made of his beliefs in calling for an improvement of Arab-Israeli relations. This attitude rested on Professor Buber's assertion that "the love of God is unreal unless it is crowned with love for one's fellow men."

HE WAS SMALL AND BEARDED

Professor Buber was a short plump man with a large paunch. He was bald with a fringe of hair that hung down to meet the luxurious growth of mustache and beard that virtually concealed the lower part of his face.

He lived in an old Arab stone house with red tile roof and garden in the section of Jerusalem that before Israel's independence was the quarter of the wealthy Arab merchants.

Dr. Buber's house had belonged to an Arab Christian family who left Jerusalem shortly before the war broke out in 1948.

He lived simply in the house. His study and bedroom were on the ground floor. The furniture was old and dark and heavy and looked as if it had been brought with him from Vienna. The house was filled with books, but neatly arranged on shelves, not thrown helter-skelter.

He lived with his granddaughter, Barbara Goldschmitt, who served as his housekeeper. His secretary was often there but did not live in the house.

For several years Dr. Buber had not been active outside his home because of periodic spells of illness and advancing age. But he loved to have visitors and to talk endlessly. When a caller phoned he would hear a click and then a quick sharp one word response: "Buber."

RECEIVED IN SHIRT SLEEVES

When receiving visitors in his study, Dr. Buber would be without tie, in shirt sleeves and slippers behind his desk. He did not like general questions and frequently prompted his questioner with "be specific."

He got angry with anyone who tried to ask him personal anecodotal questions, insisting that his personal life was just that.

In conversation he would rest his interlocked fingers on his paunch and then move them to his forehead as he considered his response. He weighed every word and when he finally answered it would be in a very slow low voice that seemed tinged with melancholy.

Professor Buber gave up lecturing at the Hebrew University in 1951, when he ended his active life as an educator. However it is recalled that some of his lectures on philosophy were reminiscent of the atmosphere that might have distinguished the Socratic dialogs. On other occasions, while lecturing, he showed the zeal and earnestness, even veneration, with which Hasidic students are said to follow the words and teachings of their rabbi.

On his 85th birthday in 1963, about 300 students of the university staged a torchlight parade to the philosopher's house to pay homage to him. They swarmed into his garden and in the darkness illuminated by the flames he waddled out onto his veranda, his face wreathed in smiles, deeply appreciative of the gesture.

The students sang to him and he talked briefly to them as they listened in silence, and then they all went into his house for cookies and soft drinks.

BORN IN VIENNA IN 1878

Martin Buber was born in Vienna February 8, 1878, of middle-class parents who were divorced when he was 3 years old. He spent much of his childhood in Lemberg, Galicia [now Lvov, Ukrainian Soviet Socialist Republic] with his grandfather Salomon Buber, a well-known Hebrew scholar.

While studying the Talmud with his grandfather, he also read poetry and novels and occasionally visited neighboring towns where he met Hasidic rabbis—holy men who could lead a community united by its love of God and its veneration for a wise man.

When he was 13 he began a drift away from formal Judaism, offering a bar mitzvah synagogue talk on Schiller, the dramatist, rather than on a scriptural subject. Later he gave up the daily prayer ritual, but not without misgivings that almost led him to suicide because of what he said later was "a mysterious and overwhelming compulsion" to visualize the "limiting brink of time—or its limitedlessness."

He was rescued, he said, by reading Immanuel Kant and perceiving, as a result, "an eternal far removed from the finite and the infinite."

He entered the University of Vienna at 17 and studied philosophy and the history of art there and at the Universities of Berlin, Zurich, and Leipzig. He received a Ph. D. from Vienna in 1904, but he did not use the title.

It was at the University of Leipzig, in 1900, that the scholar was caught up by Theodor Herzl's Zionism, in which he found not only a political movement that suited him but also a religious idea that helped to resolve his spiritual confusion.

EDITED ZIONIST JOURNAL

In 1901 he became editor of Die Welt, the Zionist journal, and the following year he helped to found Judischer Verlag, a Jewish publishing house.

One of the writers for Die Welt was Paula Winkler, a brilliant, aristocratic Roman Catholic. She subsequently has married Professor Buber, converting to Judaism, and remained at his side for 60 years. In her own right, Mrs. Buber was a novelist under the name Georg Munk.

Meanwhile, there was a split in Zionism. Professor Buber was one of those who believed that a spiritual revival was more urgent than political nationhood. Mr. Herzl favored a political solution. In the course of the division, Professor Buber dropped out of active Zionism and retired into solitude for 5 years.

He passed that time in remote Jewish villages in what was then Galicia (now Poland) living among the Hasidim and studying their literature and their zaddickim, or holy men.

JOY IMPRESSED HIM

At the time, this grassroots Judiasm was considered as bordering on the occult, but Professor Buber found in Hasidism an experience of direct communion with the Divine. He was also impressed by the joy—the ecstatic dance and the wordless song—with which they worshiped.

The Hasidic folklore, in its simplicity, was profound, he believed. One such story concerns the good Jew whose seemingly simple-minded son was set to herding sheep. On the Day of Atonement the boy, although unable to read the prayers, was brought to the synagogue.

It was a dark period, and Rabbi Israel ben Eliezer Baal-Shem, founder of the Hasidic sect, rocked before the Ark and the congregation prayed for hours. The young shepherd also wanted to participate in the ceremonies, so he took a reed pipe from his pocket and began to play.

The congregation turned on him in horror, but not the rabbi, who rebuked them, saying: "The boy's song has pierced the clouds of the Evil One and carried our prayers directly to heaven."

Professor Buber collected a number of these tales, and with his publication of them they became a part of Jewish and European culture.

ACTIVE AS JOURNALIST

Returning from his retreat among the Hasidim, Professor Buber was active in Jewish journalism, editing from 1916 to 1924 Der Jude, a periodical of the German Jews. From 1926 to 1930, in concert with a Catholic and a Protestant, he edited the journal, Die Kreatur.

At the same time he was professor of comparative religion at the University of Frankfurt, from 1923 to 1933. When the Nazis excluded Jewish students from institutions of higher learning in 1933, Professor Buber helped to set up adult education classes for them.

Dr. Buber was dimissed from his professorship. He spoke out, however, once lecturing on "The Power of the Spirit" in Berlin, although he knew that 200 S.S. (elite guard) men were in the audience. Utterly silenced in 1938, he went to Palestine, where he was professor of social philosophy at the Hebrew University until his retirement in 1951.

Professor Buber was a prodigious writer. More than 700 books and papers by him are listed in one "selected" bibliography. Many of them deal with aspects of the I-Thou philosophy. He was also a translator of renown.

In Israel, Professor Buber was not a conformist. For example he opposed the execution of Adolf Eichmann, the Nazi put to death by Israel for crimes against the Jews.

"For such crimes," he said at the time, "there is no penalty." He took the position that where the imagination cannot envision a suitable penalty for such horrendous crimes as Eichmann's, a death penalty was meaningless.

Professor Buber visited the United States in 1951. The lectures he delivered here were later published as "Eclipse of God" and "At the Turning." He received the Universal Brotherhood Award from the Union Theological Seminary and an honorary doctor of letters degree from the Hebrew Union College in Cincinnati.

[From the New York Times, June 14, 1965]

JEWS HERE MOURN DEATH OF BUBER: REPORT BRINGS AIR OF SORROW TO COMMENCEMENTS

(By Irving Spiegel)

From the young, newly ordained rabbi to the Talmudic scholar and heads of major Jewish seminaries came expressions of deep regret yesterday at the death of Martin Buber, the religious philosopher and interpreter of Hasidism.

A murmur of grief and shock ran through an overflow audience of 2,000 persons in the Hunter College Assembly Hall, Park Avenue and 68th Street, for the commencement exercises of the Jewish Theological Seminary of America when Alan M. Stroock, president of the seminary corporation, announced Dr. Buber's death.

Only a few had known before Mr. Stroock requested them to rise for a moment of silence in memory of a distinguished religious scholar, teacher, and philosopher. The murmur continued for several moments after the exercises had started.

Garbed in academic robe, Dr. Louis Finkelstein, Talmudic scholar and chancellor of the Jewish Theological Seminary of America, a major institution of conservative Judaism, remarked before the exercises:

"Professor Buber was one of the foremost religious philosophers of our time * * * the first of the great philosophers of the Hasidic movement, who was able to interpret this movement to western Jews and the world at large."

In paying tribute to Dr. Buber's scholarship, Dr. Finkelstein said it had "tended toward universalism * * * this universalism was exemplified in the ideals of the prophets." "He was," Dr. Finkelstein added, "one of the few philosophers who was extremely erudite, and who managed to weave into a single structure traditional Judaism and modern psychiatry."

Hasidism was a religious movement which began among the Jews of Poland in the 18th century in protest against religion intellectualism and formalized learning. Its founder was Israel Baal Shem Tov (the Master of the Good Name) who taught that sincere devotion, zeal, and heartfelt prayers were more acceptable to God than deep-rooted learning. The Baal Shem Tov believed in joyous expressions of prayer rather than intellectual utterances.

Waiting in the hallway, also garbed in academic robe, was 26-year-old Zachary I. Heller, of Brooklyn, about to become a rabbi.

[From the New York Times, June 14, 1965]

FROM THE WRITINGS OF MARTIN BUBER

The following are excerpts from "The Writings of Martin Buber," selected, edited, and introduced by Will Herberg and published by Meridian Books in 1956. On the concept of "I and Thou," Dr. Buber wrote:

"To man the world is twofold, in accordance with his twofold attitude.

"The attitude of man is twofold, in accordance with the twofold nature of the primary words which he speaks.

"The primary words are not isolated words, but combined words.

"The one primary word is the combination 'I-thou.'

"The other primary word is the combination 'I-it'; wherein, without a change in the primary words, one of the words 'he' or 'she' can replace 'it.'

Hence the 'I' of man is also twofold.

"For the 'I' of the primary word 'I-thou' is a different 'I' from that of the primary word 'I-it.'

"Primary words do not signify things, but they intimate relations.

"Primary words do not describe something that might exist independently of them but, spoken, they bring about existence.

"Primary words are spoken from the being.

"If 'thou' is said, the 'I' of the combination 'I-thou' is said along with it.

"If 'it' is said, the 'I' of the combination 'I-it' is said along with it.

"The primary word 'I-thou' can only be spoken with the whole being.

"The primary word 'I-it' can never be spoken with the whole being.

"There is no 'I' taken in itself, but only the 'I' of the primary word 'I-thou' and the 'I' of the primary word 'I-it.'

"When a man says 'I' he refers to one or another of these. The 'I' to which he refers is present when he says 'I.' Further, when he says 'thou' or 'it,' the 'I' of one of the two primary words is present.

"The existence of 'I' and the speaking of 'I' are one and the same thing.

"When a primary word is spoken the speaker enters the word and takes his stand in it."

In advocating what he described as Hebrew humanism as opposed to Jewish nationalism, "which regards Israel as a nation like unto other nations and recognizes no task for Israel save that of preserving and asserting itself," Professor Buber wrote:

"Israel is not a nation like other nations, no matter how much its representatives may have wished it during certain eras. Israel is a people like no other, for it is the only people in the world which, from its earliest beginnings, has been both a nation and a religious community. In the historical hour in which its tribes grew together to form a people, it became the carrier of a revelation. The covenant which the tribes made with one another and through which they became Israel takes the form of a common covenant with the God of Israel. The song of Deborah, that great document of our heroic age, expresses a fundamental reality by repeatedly alternating the name of this God with the name of Israel, like a refrain * * *.

"Israel was and is a people and a religious community in one, and it is this unity which enabled it to survive in an exile no other nation had to suffer, an exile which lasted much longer than the period of its independence. He who severs this bond severs the life of Israel."

In his essay "Teaching and Deed," Dr. Buber wrote:

"I repeat that in Judaism the true value of the deed has nothing to do with activism. Nothing is more remote from Judaism than the glorification of self-confident virtue. But Judaism knows that true autonomy is one with true theonomy; God wants man to fulfill his commands as a human being, and with the quality peculiar to human beings. The law is not thrust upon man; it rests deep within him, to waken when the call comes. The word which thundered down from Sinai was echoed by the word that is 'in thy mouth and in thy heart' (Deuteronomy, 14). Again and again, man tries to evade the two notes that are one chord; he denies his heart and rejects the call. But it has been promised that a time will come when the Torah will be manifest as the Scripture present in the hearts of all living men, and the word will fulfill in the harmony of heaven and earth. In Jewry, the way which leads to that promised time, the way of man's contribution to ultimate fulfillment, is whenever one generation encounters the next, whenever the generation which has reached its full development transmits the teachings to the generation which is still in the process of developing, so that the teachings spontaneously waken to new life in the new generation."

Mr. RIBICOFF. Mr. President, Prof. Martin Buber died yesterday in Jerusalem.

In the words of a close friend, "humanity has lost one of its greatest sons, Jewry has lost its greatest son and Israel has lost her living conscience."

Professor Buber was the most distinguished contemporary Jewish philosopher of our day. Religious scholar, teacher, and writer, he furnished inspiration to people of all faiths. He served as bridgebuilder between Judaism and Christianity in an era that abounds with divisive forces.

Professor Buber held out the promise of a better life in an age of uncertainty by stressing individual responsibility—the responsibility to be oneself. In his thought, this meant that no rigid fate exists—that man can improve his chances for a happier existence.

With deep regret we mark the death of Martin Buber. With sincere thanks we appraise his remarkable life.

Mr. President, I ask unanimous consent that an editorial about this great man, which appeared in today's New York Times, be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

MARTIN BUBER

Martin Buber was the foremost Jewish religious thinker of our time and one of the world's most influential philosophers. He was a theological bridgebuilder long before ecumenism achieved its present popularity. He served as a kind of patron saint for such towering Christian intellectuals as Paul Tillich, Reinhold Niebuhr, Jacques Maritain and Gabriel Marcel. For the Jewish community, the bearded old man in Jerusalem was the quintessential rabbi, the teacher, and exponent of a tradition that reaches back to the Biblical ages.

If today the ancient cold war between the faiths is being replaced by dialogue and friendly personal confrontation, much of the credit must be given to Martin Buber. It was he, with his doctrine of "I-Thou" personalism, who showed the way. For Buber, the God of Abraham was no icy abstraction or loveless Prime Mover but a Person, infinitely lovable and loving.

Love, he said again and again, is the key to the mystery of existence and points the way to divinity. "Every particular Thou is a glimpse through to the eternal Thou." Men find God by discovering each other; there is no other way. Yet, he was careful to distinguish between God and man—the difference between them, he said, is the difference between finitude and infinity.

Sometimes, Buber taught, men find God even when they believe they are escaping from Him or denying Him. "When he who abhors the name and believes himself to be godless, gives his whole being to addressing the Thou of his life, as a Thou that cannot be limited by another, he addresses God."

Because Martin Buber lived, there is more love in the world than there would have been without him. And for him that was the reason above all others for the gift of life.

THE 25TH ANNIVERSARY OF SOVIET ANNEXATION OF BALTIC STATES

Mr. DOUGLAS. Mr. President, we began our session this morning with a moving prayer by Dean Alexander Veinbergs, President of the Federation of the Latvian Evangelical Lutheran Churches in America. This was a particularly appropriate invocation for this week when we recall the brutal Soviet enslavement of Latvia, Lithuania, and Estonia 25 years ago.

These three beautiful countries, perched advantageously along the Baltic Sea, have suffered extraordinary hardships at the hands of neighboring aggressors throughout their history. Because of their strategic location and other desirable characteristics of the land and the people, these countries have a long, long history of suffering inhuman abuse. They were a bulwark against the Tartar invasions of Europe, and they suffered the continual aggressions of various neighboring states until, in the 18th century, Russia finally succeeded in extending her hegemony to the Baltic Sea. By annexing Lithuania, Latvia and Estonia Tzarist Russia gained the "window on the west" long sought by Peter the Great and his Imperial successors.

Over a hundred years of Russian subjugation did not extinguish the determination of the Baltic States to become independent and self-sufficient, even though severe restrictions were levelled against all religious and cultural activities that tended to generate national identity. Devotion to the customs, language, and loyalties of one's forbears always seems to intensify when its expression is denied. This tenacious loyalty to their own countries' heritage grew into self-conscious nationalism, the most potent ideological force of modern history. When Woodrow Wilson proclaimed the right of all peoples to self-determination in the closing days of World War I, it was as if a herald had sounded the note of freedom for the Baltic States. They promptly declared independence and established republican governments while still in a desperate war with Germany.

The following 21 years of independence were not peaceful and easy. The provocations of neighborly aggression increased with the domestic development of the three republics.

Nevertheless, Lithuania, Latvia, and Estonia blossomed. The Governments instituted truly remarkable land reforms and made brilliant economic progress. Advances were made in increasing foreign trade, in improving agriculture, and encouraging industry and transportation. And with all of this development, the needs of the people were not neglected. Laboring conditions, education, health facilities, and insurance, and other social services were carefully provided for. The progressive spirit and the enthusiasm of the people extended into all spheres of life.

In fact, these flourishing little countries gave the lie to Soviet communism. Russia's economy was in disastrous shape, and the people's lives were drab and severe. The comparison seems to have become increasingly intolerable with the passing years until, in June of 1940, the Soviet violations of nonaggression treaties began in full-scale horror. The tanks and the secret police moved into the Baltic Republics and thousands and thousands of innocent men, women, and children were deported to Siberian prison camps if not shot on the spot. By now, this nightmarish story is familiar to us all. The Lithuanian, Latvian, and Estonian Republics were devastated and false governments were superimposed upon them.

It began 25 years ago today. And countless families are still tortured by separation and the loss by death or prison of fathers, mothers, brothers or sisters. The ruthlessness of the invasion was perpetuated by continuing terror and, of course, by the denial of liberty and national recognition.

During World War II, additional thousands were executed when the Soviet Army retreated under German attack and later, in 1944, the Russians recaptured the Baltic States and continued the mass deportations. The unreasoning brutality of the Russians during the 1940's can never be whitewashed by time or propaganda.

The U.S. Government has never recognized the forceful incorporation of the Baltic States by the U.S.S.R. We have consistently denounced this crime and we continue to maintain diplomatic relations with the legitimate governments in exile. Our policy of nonrecognition was originally affirmed by President Roosevelt, and was reaffirmed by the Senate when it approved the Douglas resolution in 1954. In 1959 Congress passed my captive nations resolution enabling us each year to pay special tribute to the people of the captive nations.

Americans of Lithuanian, Latvian, and Estonian origin, many of whom came here during World War I to escape Russian bondage, have made impressive contributions to our country in industary, labor, music, and the arts. They are among our best citizens. Let us hope and pray that the day will soon come when freedom and democracy will be restored in their Baltic homelands.

THREAT BY DE GAULLE TO EUROPEAN ALLIANCE

Mr. DOUGLAS. Mr. President, Mr. William H. Stoneman, veteran correspondent for the Chicago Daily News, has written a series of articles on President Charles de Gaulle which were published on June 9, 10, and 11.

These articles seem to confirm the plans of President de Gaulle to pull out of NATO and to deny to the United States the right to use military lines of communications and military installations on French territory.

In addition, Mr. Stoneman writes of a whole series of hostile acts on the part of General de Gaulle toward the United States.

Mr. President, the United States does not deserve such treatment from General de Gaulle. First it saddened us, but I believe that its continuation has now led to a real sense of anger on the part of the American people.

As I have suggested a number of times since last February, the United States is not defenseless against De Gaulle's hostile acts. If such acts continue, in my judgment we should reinstitute our proper legal claim for payment by France of her World War I debts to us. In other words, if France continues to present to the United States dollars which she has accumulated because of our military expenditures in France and our foreign aid expenditures in previous French possessions and demand gold for them, we should raise our proper legal claims against France and take other steps to protect the American dollar.

Mr. President, I believe that Members of the Senate and of the public will be interested in Mr. Stoneman's articles. I ask unanimous consent that they be printed in the body of the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago Daily News, June 10, 1965]

THE MAN WHO SHOULD REMEMBER: STUBBORN DE GAULLE FORGETS FRIENDS

(By William H. Stoneman)

PARIS.—Americans can be excused for being outraged by the decision of President Charles de Gaulle of France to hamstring the North Atlantic Treaty alliance and leave it in 1969.

De Gaulle should be the first man to understand the importance of NATO in assuring the peace and tranquillity of non-Communist Europe.

A leakproof defensive military alliance with the United States, backed by the American nuclear umbrella, is the ultimate in life insurance. De Gaulle spent 4 years in exile during World War II, because France has enjoyed no such protection and had been conquered by Germany.

A taxi driver remarked the other day that "the general has no memory."

This may explain why an apparently honorable and loyal man like De Gaulle has set out to wreck an alliance that France demanded after World War II.

I bear personal testimony that France did demand an alliance that would be run for all practical purposes by the United States. Maybe De Gaulle doesn't know this, but he should.

In 1949, I was approached by Gen. (later Marshal) Jean de Lattre de Tassigny, France's leading soldier and, at that time, ground forces commander for the Western European Union, under the supreme command of Marshal Bernard Montgomery of Britain.

De Lattre was a good personal friend and he knew of my friendship with Gen. Joseph Lawton Collins, then U.S. Army Chief of Staff.

"The situation has become impossible," De Lattre said. "I can go on no longer. Montgomery is insufferable and I refuse to accept his insults any longer. It is impossible to work with him. The only solution is for the United States to appoint a supreme commander for the Allied forces in Europe. Please tell this to your American friends."

A few days later I discussed the matter with Collins when we met in Germany where he was on inspection trip.

Collins' first reaction was one of disgust that the French and the British were still fighting one another. His second reaction that the American people would never agree to the appointment of an American overall commander in Europe in peacetime.

Within a matter of months the brilliant soldier was proved wrong when Dwight D. Eisenhower took command of NATO forces in Europe.

This particular appointment also was a blow to De Lattre. He and Gen. Eisenhower had quarreled bitterly when De Lattre, with De Gaulle's backing, had refused to obey Ike's order to evacuate Strasbourg.

De Lattre had hoped Gen. Omar Bradley would get the NATO job. As it turned out, Ike refused to have De Lattre serve under him and the latter was sent to Indochina, "the cemetery of the generals."

Not only can Americans complain about De Gaulle's lack of memory; there is considerable justification for regarding him as an ingrate.

The official U.S. Government publication, "U.S. Foreign Assistance July 1, 1945–June 30, 1962," records that France received a total of $9,413,500,000 in economic and military aid since the war.

Of this sum, $5,181,900,000 took the form of economic aid while military assistance came to $4,231,600,000.

In 1953 and 1954, when France was battling bitterly to keep a toehold in Indochina, France received military aid totaling $1,107,900,000 and $683,500,000.

In the same 2 critical years, economic aid was granted to the tune of $398,700,000 and $86,400,000.

You would think the U.S. Information Agency might make a point of reminding French citizens of these figures when De Gaulle starts screaming about our own campaign in South Vietnam.

Let it be recorded that neither the U.S. Embassy nor the American mission to the Organization for Economic Cooperation and Development in Paris even has a copy of the official publication. Neither one was able to supply the figures when we asked for them.

It would seem, granted the circumstances, that this situation might require speedy correction.

[From the Chicago Daily News, June 11, 1965]

BIG QUESTION AND BIG STAKES: HOW CAN UNITED STATES BLOCK DE GAULLE?

(By William H. Stoneman)

PARIS.—What—if anything—can the United States and other members of the North Atlantic Treaty Organization do to keep President Charles de Gaulle of France from wrecking the alliance in his quest for French independence?

Early next year the general plans to deny the United States the right to use military lines of communication and military installations on French territory.

Later, by 1969, De Gaulle plans to pull France out of the alliance by refusing to renew the treaty, which was signed April 4, 1949.

The United States already has been outraged by other actions of De Gaulle:

His move, at the end of 1964, to convert a large percentage of French dollar holdings in gold at the expense of the American gold reserve.

His refusal to take an active part in the Southeast Asia Treaty Organization.

His high-and-mighty criticism of the United States for its military moves in Vietnam and the Dominican Republic.

These actions have provoked demands by ordinary Americans for some kind of counteraction against France.

But De Gaulle's new moves, which are still being smokescreened by government flunkies, will be infinitely more serious and far more worthy of preventive treatment if we can devise one.

The answer of most responsible American officials, including top men in the State Department, the Pentagon, and the U.S. diplomatic service is clear and emphatic:

"Nothing we can do will prevent De Gaulle from carrying out his plans. The best we can do is to avoid any action that might appear to be provocative and that might appear to justify his attitude."

A close examination of all the possibilities seems to support their contention that France is fairly invulnerable to any sanctions we might impose on her.

She buys twice as much from us as we buy from her: $1 billion to $500 million annually. So we would only be cutting off our own noses if we started a trade war.

Talk about stopping investments in France is futile if only because De Gaulle himself wants us to curtail capital investments in France.

Disengaging American capital and business interests from France would be as difficult as unscrambling a thousand omelettes.

American firms are inextricably involved in French economic life, right up to their ears and to their own extreme advantage. They produce 2.2 percent of the gross national product of France.

The U.S. Chamber of Commerce in France has just produced a list of 137 American companies that maintain manufacturing plants in France, but the full number is not known. It probably exceeds 200.

American firms exercise a virtual monopoly in some lucrative fields. They control 80 percent of the petroleum industry, about 60 percent of the biscuit business and a large share of the tire trade.

You couldn't expect these people to sit back and watch the U.S. Government try to squeeze France economically.

And, since France now has its foreign payments fully in balance and its foreign trade is booming, there is little likelihood that we could make a squeeze effective.

France, incidentally, is equally unlikely to exercise an effective squeeze against us despite the general's insistence upon converting dollar reserves into gold.

Latest figures show that French reserves include, as of May 13, $1,120 million in foreign currency—mostly in dollars—and $4,255 million in gold.

France must continue to hold $600 million to cover reconstruction loans granted by the United States in 1945–46. It must hold another $60 million to cover a Canadian loan. And France must hold another large block of dollars to cover normal trading requirements.

This takes us back to where we started, still wondering what to do to deter De Gaulle from his perilous course.

The answer may in fact be a fairly simple one, if only a partial one.

The least we could do, it is suggested, would be to ask De Gaulle for a straightforward statement of his intentions.

The demand would be supported by the obvious need to look ahead and to protect our alliance against all possible threats.

A good many people, including many important French citizens, feel that the mass of the French people would be thoroughly shocked if they realized what the general was up to—if they were allowed to understand that the United States was being driven straight into the arms of the Italians and the Germans because of De Gaulle's actions.

This, at least, seems to be the one sensible suggestion that has been heard. It surely seems worth a try.

[From the Chicago (Ill.) Daily News, June 9, 1965]

European Alliance Threatened; De Gaulle: Disaster for the Free World?

(By William H. Stoneman)

Paris.—President Charles de Gaulle of France is planning a series of steps that may prove disastrous not only to France and De Gaulle himself, but to the whole free world.

The French public is unaware of his plans. The United States and France's other allies have taken no steps to deter him.

De Gaulle hopes, in effect, to withdraw France from the North Atlantic Treaty and to supplant the ironclad comprehensive North Atlantic Alliance with a series of hodgepodge, bilateral defensive alliances of the same kind that failed to prevent either of the last two world wars.

This he cannot do legally before 1969, but in the meantime he plans steps that will threaten the military workings of the alliance.

One of these steps, planned for the period after the French elections late this fall, will be to tell the United States that it is no longer free to use 14 airdromes on French soil, except when France gives its specific approval. In other words, we could not count upon their use in case of hostilities.

The same action will be taken in regard to the line of supply we have built up between the ports of western France and our forces in Germany.

These installations and the material we have stored in depots are roughly valued at more than $2 billion.

But the financial loss would be nothing compared to the blow in strategic terms.

American and other allied military men have refused to admit that the withdrawal of France from the alliance, or the loss of French facilities, would necessarily mean the end of NATO. They may be right, to a certain extent.

But there can be no denying that the loss of French facilities would be a shocking blow, vastly increasingly the already colossal job of trying to defend Western Europe on the ground.

The first thing that has to be understood in this connection is our 90-day strategy.

It is our American view that we must be prepared, or seem to be prepared, to fight a protracted conventional war in Europe in order to escape defeat by ultimatum.

Unless we have this capability we risk being confronted by the choice of having an all-out hydrogen war or capitulating in an unlimited number of possible crises.

But even the theoretical possibility of fighting a 60- or 90-day conventional war depends upon our theoretical ability to fall back gradually in the face of overwhelming Russian attack. And this depends upon our having ammunition, fuel, and other supplies waiting for us as our troops fall back.

It also depends upon our ability to use a large complex of airdromes scattered over a large area behind our fighting front and a great collection of roads that cannot all be cut by enemy action.

It is impossible to comprehend the full implication of De Gaulle's willful brainstorm without understanding the following fact:

Generally speaking, our frontline units, which would go into action immediately in case of a Russian attack on the central front in Germany, carry 5 days supplies of ammunition and other vital supplies.

Supply dumps in the immediate rear contain another 10 days supplies.

We don't keep larger stores in the front area because the chances are we would lose everything we didn't use.

Our ability to go on fighting for several weeks after this first "frontier battle" depends on the supplies we have in France.

What can we do if France virtually kicks us out of her territory or lays down impossible restrictions on our continued presence?

One thing sure is that we cannot substitute either Western Germany or the low countries for France. Our principal lines of supply now go through ports in those countries, for reasons of economy. But they are certain to become unusable in wartime.

One fairly plausible solution would be to switch NATO headquarters and our supply bases from France to Italy. Italy has the advantage of being remote from the front line. We might conceivably be able to move supplies and men through the Brenner Pass or the Ljubljana Gap, in northwestern Yugoslavia.

This move, however unsatisfactory, at least constitutes a paper threat that prevents us from being completely at the mercy of De Gaulle.

The fact remains that it is an unsatisfactory solution that we would never contemplate if France behaved as a loyal ally.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask that the time for the quorum call to be charged to the time allocated to the bill.

The PRESIDING OFFICER (Mr. Clark in the chair). Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Bass in the chair). Without objection, it is so ordered.

The bill is open to further amendment.

AMENDMENTS NO. 262

Mr. CLARK. Mr. President, I call up amendments No. 262, and ask that they be stated.

The PRESIDING OFFICER. The clerk will state the amendments.

The Legislative Clerk. On page 25, strike out lines 9 to 13, inclusive. On page 25, line 14, strike out "(c)" and substitute "(b)". On page 25, line 21, strike out "(d)" and substitute "(c)". On page 25, after line 25, insert the following:

> (d) The proposals referred to in subsection (a) should be based on an analysis and estimate of the funds required by the developing nations of the world to close the widening gap between the economically privileged nations and those nations striving to achieve a developed economy. This analysis should examine the relationship between development requirements and the rising gross national product of the United States, assessing the percentage of gross national product that should be devoted to such development assistance. The proposals should include an assessment of the role that economic assistance by the United States and other developed nations can and should play in the economic and social development of the rest of the world, and carefully delineate policies and programs required to fulfill this role.

The PRESIDING OFFICER. The Chair inquires if the Senator from Pennsylvania would like to have the amendments considered en bloc.

Mr. CLARK. I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Under the agreement, the Senator from Pennsylvania will be recognized for 30 minutes, and the Senator from Arkansas for 30 minutes.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Mr. President, is not amendment No. 262 proposed by the Senator from New York [Mr. Kennedy] and me, rather than by me alone?

The PRESIDING OFFICER. The Chair is in error. The amendment is proposed by the Senator from New York, for himself and the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I yield to the Senator from New York as much time as he may require.

The PRESIDING OFFICER. The Senator from New York has control of the time.

Mr. KENNEDY of New York. Mr. President, I offer on behalf of the Senator from Pennsylvania [Mr. Clark] and myself an amendment to S. 1837, a bill to amend further the Foreign Assistance Act of 1961 as amended.

I think it is clear from the discussion that has occurred on S. 1837 to date that there are certain dissatisfactions with our foreign aid program.

At times our aid has seemed to support governments unwilling to undertake the basic reforms essential to economic development and the political and economic freedom of their people.

The foreign aid program has often achieved major successes.

But at other times, political considerations have seemed to compel assistance which did not contribute to real economic progress.

And results have sometimes appeared slow, so that the goals to which we have directed ourselves in certain countries seemed nearly as distant as they did 15 years ago.

As a result, many Americans—and some Senators—who are deeply committed to the principle that we should help the rest of the world, are nevertheless severely critical of our actual foreign aid program.

Clearly, it is time that we take full stock of where we are going, and how we will get there.

It may be that the entire method of administering foreign aid should be overhauled.

Many new approaches are possible—such as California's special relationship with Chile, or the people-to-people program carried out by Michigan State University.

The Alliance for Progress is currently attempting to direct economic development and assistance efforts for all of Latin America, through a cooperative planning council.

Our foreign aid in other areas might follow this example. We may work more through institutions such as the World Bank; other multilateral approaches to foreign assistance loans and grants, as recommended by the Foreign Relations Committee, may prove more effective than bilateral assistance programs.

All these approaches will be studied by the committee established by part IV of the bill.

The committee's study should point to the necessary reforms.

The amendment which we offer today would insure that the committee would also consider the basic question of the proper magnitude of the future U.S. assistance program.

The amendment would direct the committee to analyze the basic relationship between the needs of the developing nations and the resources of the United States and other advanced countries.

It would direct the committee to assess the proportion of our gross national product which should be devoted to the welfare of the rest of the world's peoples.

In so doing, it would affirm the sense of the Congress that the United States will fully meet its responsibilities in the decades ahead.

For we must recognize that two-thirds of the world's people live in poverty and hunger, with ignorance and disease their constant companions. And we must recognize that if help is to come to them from outside, we must play a major part.

The United States owns over half of all the world's wealth outside the Communist bloc and our present gross national product is increasing at a constant and impressive rate.

The disparity between our wealth and that of the underdeveloped countries of the world is even greater.

The U.S. gross national product is over $600 billion per year.

The dozen developed countries of Western Europe and Japan together have a gross national product of half that much.

The more than a hundred remaining countries of the non-Communist world—the countries with which this bill is concerned—share a total gross national product of another $300 billion.

This means that the income of the average Indian or African or Lybian is less than $75 a year.

It means that the average citizen of Paraguay or Indonesia or Iran has an income of only a little over $100 a year.

At the same time, our gross national product per person is over $2,500 per year and is rising far faster than is production or income in the less-developed countries.

But as our wealth grows—as the gap between us and the rest of the world increases—we have been doing less, not more, to meet our responsibilities.

Fifteen years ago, we contributed to economic development in the rest of the world fully 10 percent of our Federal budget, nearly 2 percent of our gross national product.

But to meet the challenges of the 1960's, we are spending only 3 percent of our Federal budget—one-half of 1 percent of our gross national product—less than one-third the effort we made 15 years ago.

In order to assist the two-thirds of the world that is struggling to overcome poverty that cannot see past the desperate need for tomorrow's food, the developed world must find better techniques and methods for stimulating economic growth.

The people of the United States were willing to make a commitment of 2 percent of our national income to foreign assistance in the post-World War II period.

As they make a further commitment to foreign aid, they want to know that our assistance is designed to do the job. They want to know that we will do more than merely meet consumption needs. They want to know that our goals are realistic and that means of achievement are available.

This amendment is designed to clarify the needs, our goals in relation to these needs, and our methods of achieving these goals.

The committee should therefore study and assess the magnitude of needed capital assistance efforts.

It should recommend policies and programs for the education, training, and employment of the necessary human resources from the United States and other developed nations.

And it should recommend ways in which we can assist less-developed countries to undertake the educational efforts which are necessary.

In Venezuela, 1 year's work by agricultural technicians has taught farmers to increase their cornfields from 1,100 to 2,300 kilograms per hectare; by next year, they should get 4,000 kilograms per hectare. But this has required a ratio of 1 technician for every 30 farmers. If we would duplicate or even approach similar results elsewhere, we must vastly increase the development of human resources.

We believe that the study called for by this amendment will be of great assistance in setting before the Nation the challenges which we will face in the coming years.

The Senator from Oregon [Mr. MORSE] has informed the Senator from Pennsylvania [Mr. CLARK] and me that he accepts our amendment.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. MORSE. Mr. President, the Senator has said that I accept the objective of the amendment. I accept the objective except for the part reading, "On page 25, strike out lines 9 to 13, inclusive."

I shall give my reasons for that shortly. However, I shall support the objective that the Senator has in mind. It was agreed that if the special committee should come forth and say that the figure of 50 should be 60 or 70, that would draw up the issue at that time.

As I shall develop on my own time later, I believe it is a great mistake to eliminate the figure "fifty" when it is agreed that this is not strictly binding. Therefore, I shall develop this point later.

Mr. KENNEDY of New York. The Senator from Oregon, on the debate on Friday, pointed out that he would very likely favor even greater foreign aid if the foreign aid program were developed properly and met the ideals in which we are interested.

As he has so often pointed out in his comments of our foreign aid programs, he is not against foreign aid, but rather against a poorly designed or administered program that does not accomplish what is is supposed to do.

This amendment is designed to insure that we examine our goals, and means to their achievement, in a critical and constructive manner.

I believe that the American people maintain a deep commitment to the goal of economic development for the two-thirds of the world's people who are poor—that we, who diet, have a responsibility to those who starve.

As President Kennedy said in 1961:

> To those peoples in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period is required—not because the Communists may be doing it, not because we seek their votes, but because it is right. If a free society cannot help the many who are poor, it cannot save the few who are rich.

This amendment will help us to determine how to meet this challenge.

Mr. CLARK. Mr. President, will the Senator yield me 5 minutes?

Mr. KENNEDY of New York. I yield 5 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. CLARK. Mr. President, the proposed amendment would add a new subsection to section 703, entitled "Principles To Be Taken Into Account in Proposals for Future Programs," which appears in part IV, on page 23 of the bill.

The purpose of the Kennedy-Clark amendment is to draw attention to the fact that the rich nations are constantly growing richer and the poor nations are constantly becoming poorer, and to indicate the course of action which we believe this situation makes necessary.

I can think of no greater menace to our peace and prosperity, and that of our children and grandchildren, than the ever-widening gulf between the "have" and the "have-nots" which exists in the world today.

Note well these rather frightening figures. The average inhabitant of Asia, Africa, or Latin America has an income of less than $100 a year.

This compares with $2,500 per person per year in the United States. That disparity is becoming greater and not smaller. So as long as our rate of growth is as rapid as it is, and theirs is as slow as it is today, the gap will increase to an even greater figure.

Our own self-interest, as well as our humanitarian traditions, require that we take strong, positive action to help speed up the rate of economic development in the poorer nations of the world.

The present $3.3 billion bill represents, in our joint judgment, far less than we could and should devote to this end.

Fifteen years ago, when we were in the Marshall plan, the United States was contributing 1½ to 2 percent of our gross national product to relieve and help countries abroad. Today it is down to 0.5 percent, and in these underdeveloped areas of the world, the need is substantially greater than it was then. This is because they have not made the economic progress we had hoped they would make in the interim, particularly since any economic progress they have made in increasing their gross national product has in many cases been more than offset by the population increase. We have been able to achieve "death control," through our public health programs, but we have not developed really effective methods of cutting down on the high rates of population growth.

In those earlier days we were putting up 10 to 12 percent of our Federal administrative budget into foreign aid. Today it is down to 3 percent.

The plain fact is that we can afford a foreign economic development program at least three times as big as the present one. Instead of a $3 billion program—which includes sizable sums for military and supporting aid as well, far more, in my judgment, than are warranted—we should be thinking in terms of a $10 billion foreign economic development program.

I hope that the legislative proposals which are to come out of the Foreign Aid Planning Committee will be as bold and as imaginative as they will have to be if this country is to meet its obligations in the field of world economic development.

I should like to paraphrase the language of the amendment by saying that the proposals referred to in subsection (a) of section 703 should be based on an analysis and estimate of the funds required by the developing nations of the world to close the widening gap between the economically privileged nations and those nations striving to achieve a developed economy. This analysis should examine the relationship between development requirements and the rising gross national product of the United States, assessing the percentage of gross national product that should be devoted to such development assistance.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. Will the Senator from New York yield me 2 additional minutes?

Mr. KENNEDY of New York. I yield 2 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 additional minutes.

Mr. CLARK. The proposals should include an assessment of the role that economic assistance by the United States and other developed nations can and should play in the economic and social development of the rest of the world, and carefully delineate policies and programs required to fill this role.

Let me say, to the Senator from Oregon, with reference to the part of the amendment which would strike out the provision which limits the foreign aid program to 50 countries, that there is no magic in the figure 50. It could be made 45, or more than 50. I am suggesting to the Senator from Oregon—I do not know whether the Senator from New York will agree—that if the Senator from Oregon strongly objects, we would be willing to delete from our amendment the language which would strike out the 50-nation provision. But I hope he will agree to the amendment because the Commission ought to be free to go into these problems, without any artificial 50-nation limitation. It seems to me that there is a virtue in having technical assistance missions in a number of smaller countries even though we may not have large aid programs in those countries.

Mr. MORSE. Mr. President, may I have 2 minutes?

Mr. KENNEDY of New York. I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. I shall speak more about this later, but with respect to what the Senator from New York and the Senator from Pennsylvania have said, let me say they had a right to rely on my approval of the amendments. The Senator from New York and I spoke about them and I told him I was for them, but I was thinking in terms of section (d). I did not realize, as I read the amendments hastily, that they would eliminate the reference to 50.

Let me briefly develop what transpired in the Foreign Relations Committee. This is a compromise that came out of the proposed Morse program. There was give and take in it. I am perfectly willing to state that there is nothing magical about the number 50, but the majority thought that in the Commission that was to be established there should be notice to the rest of the world that we are going to have a ceiling. The number may be 45, or it may be 80, depending on what is brought out factually.

But the AID people, in their testimony before us, say that they have been trying to reduce it. They agree that it should be reduced, but that it should be reduced on the facts. They testified before us with great pride as to the reduction in the number of countries they have already reached. But let me say to the Senator from Pennsylvania and the Senator from New York that I believe psychologically it would be a great mistake to adopt the amendment in its present form, with the sky as the limit in the interpretation which will be made around the world. It is important, as of now, that the countries of the world know that we intend to place a ceiling on the number of countries. We cannot continue to be giving aid to whatever the number is. The Senator from Pennsylvania knows that it is somewhere in the neighborhood of 90 at the present time. Whether it is 50 to 90—but let us say 90—that is too many countries on the basis of the present format of AID.

We can end with a foreign aid program which I can support enthusiastically far over 50—but that will be——

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. MORSE. But that will be building up hard loans, it will be building up the agreement that they are not going to be using our money, for example, to our disadvantage economically and to the advantage of others who are not willing to invest in a foreign aid program.

The other day, I used the example of one Middle East country which obtained a great deal of money from us and then proceeded to buy wheat from Asutralia with that money, when they knew that our Government wished them to help us with our own wheat surplus.

There are many facets to that situation, of course. But, that is only one of the problems.

Let me say to the Senator from Pennsylvania and the Senator from New York that they are on the verge of reaching a remarkable agreement in the Senate on the heart of the amendment, which is section (d) of the amendment. That is the way we have to go. I have never advocated that we take an economic isolationist policy in regard to our foreign policy. I wish to help those countries help themselves, but I wish to do it on an entirely different basis.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. KENNEDY of New York. Mr. President, I ask to modify my amendment, in accordance with the request of the Senator from Oregon [Mr. MORSE], by striking out line 1, which reads, "On page 25, strike out lines 9 to 13, inclusive."

The PRESIDING OFFICER. The amendment will be so modified.

Mr. KENNEDY of New York. I ask the Senator from Arkansas [Mr. FUL-

BRIGHT] if the amendment, as now modified, is acceptable to him.

Mr. FULBRIGHT. That was my objection. I conferred with the Senator from Oregon the other day. When I discussed it with other Senators, I had not even noticed that the first line was a part of the amendment. I would not have taken it without that modification.

I am prepared to accept the amendment as modified, and would like to propose this question: Page 2, line 4 shows the word "assessing," and line 6 shows the word "assessment." The word "assessing" is a word which could be interpreted in a way which could be misleading. I do not believe that the sponsors of the amendment meant that the Commission should try to determine the precise assessment of the percentage of the gross national product. I thought it would mean to assess the GNP in the sense of an evaluation, as I believe it provides in line 6, which clearly means that they are guidelines to be used by the Commission to be appointed under the Morse amendment for suggestions as to the proper way to approach foreign aid in laying down certain policies.

Whether it is possible or practicable to say that the United States should devote automatically, regardless of what that gross national product would be, 1 or 2 percent, is certainly a little premature, it seems to me. It would be perfectly proper for the Commission to devise some formula that possibly could be used in the OECD. If all the developed countries should agree to devote 1 or 2 percent, or whatever they believe is agreeable, and this should be the formula which we should try to induce other countries to abide by, it seems to me it would be a very good move and would be persuasive to others in showing our good faith.

I am hesitant to say now that I believe they should say that the United States should give so much. This is buying a pig in a poke. With that understanding, I am perfectly willing to accept the amendment as modified.

Mr. KENNEDY of New York. I accept that. We are interested in what the Senator from Oregon has just spoken about, what the Senator from Pennsylvania referred to, and what the Senator from Arkansas has just touched upon. We are a wealthy nation, which grows more wealthy. Many other nations whose gross national product continues to increase, because of the population explosion and because of food shortages instead of growing stronger economically, will grow weaker. What is the relationship going to be within the next 5 or 10 years?

Mr. FULBRIGHT. That is correct. I believe this question is constantly coming up in relationship to aid. It is very important and I hope that the committee can give thought to that.

As a guideline for study, I believe this is a very good amendment.

Mr. KENNEDY of New York. I thank the Senator from Arkansas.

Mr. MORSE. Mr. President, will the Senator yield me 30 seconds to straighten out some draftsmanship imperfection in his amendment?

Mr. KENNEDY of New York. I yield 30 seconds to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 30 seconds.

Mr. MORSE. If the two Senators from Pennsylvania and New York are modifying the amendment to eliminate line 1 on page 1, they should also modify the amendment on lines 2, 3, 4, and 5 accordingly, and also on line 7 on page 1, and I believe that the (d) should then be changed to (e).

Mr. KENNEDY of New York. That is fine; and I accept that.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY of New York. Mr. President, how much time have I left?

The PRESIDING OFFICER. The Senator from New York has 13 minutes remaining.

Mr. FULBRIGHT. Mr. President, I shall be glad to yield to the Senator from New York [Mr. JAVITS], if he needs time.

Mr. KENNEDY of New York. I am glad to yield to my colleague.

Mr. JAVITS. I like the amendment very much, and I hope that it will be included in the bill. I am pleased to note that the chairman of the committee has also accepted it. One other aspect of legislative history should be made clear, namely that the amendment does not contemplate solely the use of public funds as a contribution toward economic development, but also contemplates a relationship of what is used for foreign economic aid, in terms of the gross national product, both from public and private funds.

It is important to emphasize that, because the purpose and intent of the approach the Senator from Oregon and the committee have in mind is to draw upon new sources which have not previously been drawn upon.

Mr. KENNEDY of New York. What we have had in mind primarily is public funds for help and assistance which would be rendered in various forms, but certainly private funds would be an integral part of that effort. I would have no objection to having it understood, from debate on the floor of the Senate, that that kind of approach in the economy should be taken into consideration.

Mr. JAVITS. I thank my colleague. I hope that his amendment will be adopted.

Mr. DIRKSEN. Mr. President, I should like to direct an inquiry to the Senator from Arkansas. In this commitment we do not earmark——

Mr. FULBRIGHT. We do not. I have just made it clear that as I understand the amendment, these are guidelines for the instruction of the Commission to be appointed under the Morse amendment, which provides for a Commission of 12 members. In my view, this means that the Commission would examine into the possibilities of developing a formula which might be applied, for example, to all the nations of OECD, if they collectively—this is an example of how it might be properly interpreted—would agree that the industrialized countries, and not merely the United States, should be able to apply as a group some percentage of their gross national product. This is not unreasonable as a talking point, as a suggestion to the other industrialized countries that the bigger part had interpreted it to mean that they authorized the Commission to say, "We assess the United States so and so." These are suggestions as to what they should go into.

The relationship between the growth of industrial countries and the underdeveloped countries is an important matter. I am told—and we read daily—that the rich countries are growing richer and that the relatively poor countries are growing poorer. Something should be done about it. These are guidelines that are sought to be established. That is the type of question that is perfectly proper for the Commission to investigate.

Mr. DIRKSEN. Words sometimes mean different things to different people. The word "should" is used. The language reads: "This analysis should examine"——

Mr. FULBRIGHT. "Examine"; yes. That is not to be binding, however.

Mr. DIRKSEN. I continue to read:

> This analysis should examine the relationship between development requirements and the rising gross national product of the United States, assessing the percentage of gross national product should be devoted * * * the proposal should include an assessment * * * and should play in the economic and social development—

And so forth. Sometimes this has a way of hitting someone in the eye and he regards it as a commitment. I wish to know, for purposes of legislative history, right now, that we are not committing our country and not committing our gross national product to a percentage level for these purposes.

Mr. FULBRIGHT. This is clearly not a commitment. It may be that only 45 countries or 40 countries will be included, not 50 countries. These are suggestions; and it is hoped that the Commission will study the problem and come up with new ideas and better approaches with respect to our foreign aid program. This is one suggestion. I do not see any harm in it. The word "assessing" on line 4 of page 2 of the amendment does not mean that the Commission should make such and such an assessment. I think the proper interpretation of that word would be "evaluating."

Based on the facts, due to the terms of trade, in one important instance; that is, establishing reasonable prices for raw materials as opposed to industrial material, this has been working very much to the disadvantage of underdeveloped countries. That was a very important problem with regard to my own State as related to the industrialized northeastern area of our country. This is an important element in the effort to bring about a higher standard of living in the underdeveloped countries, because they are raw-material-producing countries, and are not industrialized.

This bears on the question of the relationship between the industrialized countries and the raw-material-producing countries. I regard this as an admonition or direction to the commission to look into these questions and come forward with some suggestion. These are to be suggestions made to influence the administration in presenting its next foreign aid bill. This is not intended to be binding on our country.

Mr. DIRKSEN. Realizing that we cannot redress all the grievances of the entire world, I do not want us to commit ourselves to a percentage of the gross national product, on which we might founder.

Mr. FULBRIGHT. I do not want to do so, either. I do not believe this is binding. I am sure the Senator does not mean to say that we should not consider these things, from the standpoint of our gross national product relative to other countries, and that that should not be taken into consideration.

Mr. DIRKSEN. I do not.

Mr. JAVITS. Mr. President, in accepting the amendment—and I agree with the amendment—I also believe that the gap between have and have-not nations is widening, and that the gap will widen further if the present forecast is borne out with respect to the industrial countries continuing to increase their economic growth rapidly while the underdeveloped countries continue their much more modest increase. Does the Senator agree that what we are talking about is both public and private funds, and that we are, hopefully, contemplating a burst of interest in the underdeveloped areas on the part of the private enterprise system?

Mr. FULBRIGHT. Certainly; if we can bring about some political stability in the underdeveloped countries, the private sector will blossom beyond all comprehension. What is holding back private investment in South America, for example, is the fear of political instability. This is a very difficult situation. If any progress could be made, the private sector in those countries may make tremendous progress.

Mr. JAVITS. We have been rather deficient in our ingenuity with respect to inducements, in that we have not been able to have the private enterprise system play a more effective role in underdeveloped countries, in trying to bring about a better climate for it.

Mr. FULBRIGHT. Not so far as this legislation is concerned. Many sections of this legislation are geared to this purpose. There are the guaranty programs, which have been developed in recent revisions of the act. We have gone just about as far as we could possibly go with respect to inducements. Where we have failed is in not knowing how to help countries bring about political stability. This is where the real harm has been done. Even with investment guarantees, there is a hesitancy to go into a situation that may blow up next week. That is where I believe we have failed. This legislation has not failed. I do not want to minimize the difficulty. I do not know whether it is possible for us to help a country achieve political stability. Perhaps the ony way would be in the field of education, and that type of endeavor. I believe it would help in terms of trade. I have in mind the sort of thing like the coffee agreement, even though that is minor.

Mr. JAVITS. It is a kind of chicken-egg proposition. Private enterprise brings about political stability.

Mr. FULBRIGHT. Yes; it is a kind of chicken-egg proposition. It is hard to influence the political situation, of course.

Mr. JAVITS. We have the extended risk guarantee proposition, which has gone by the boards. We have the tax-incentive idea, which has really not been put into effect except for Western Hemisphere trading corporations. There are many things which will be recommended by the Advisory Committee on Private Enterprise in Foreign Aid, which is due to make its report by the end of the month. There are some individual ideas, too, with respect to which I shall bring up a suggestion, such as the Peace-by-Investment Corp.

If we interpret the language as the Senator has interpreted it—and I agree with it—we should utilize everything we can to affect the political climate by the success with which investments can be built up in a particular country. I agree with the Senator.

Mr. MILLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Who yields time?

Mr. FULBRIGHT. I yield 3 minutes to the Senator.

Mr. CLARK. Mr. President, may we have the yeas and nays ordered before the Senator asks his question?

Mr. FULBRIGHT. I have accepted the amendment.

Mr. CLARK. We would like the yeas and nays.

The PRESIDING OFFICER. Is the request sufficiently seconded?

The yeas and nays were not ordered.

Mr. MILLER. I should like to ask the Senator from New York a question and then to make a comment. It seems to me that using the gross national product as he does in his amendment may not be as meaningful as we would like to have it. For example, I am sure I do not need to point out that if the gross national product rises because of a greatly stepped-up war effort on the part of the United States, that increase in the gross national product would hardly be considered as a basis for comparison with respect to what we ought to be doing in foreign aid.

Mr. KENNEDY of New York. I believe the Commission would take that point into consideration.

Mr. MILLER. We could perhaps be more meaningful and get at exactly what the Senator has in mind by referring to the economic growth of the United States. Perhaps we could include the gross national product. What we are really after is the economic growth of the United States in comparison with what our commitments might be. I do not believe that the gross national product meets the requirement. I have used the example of the war boost on the gross national product to bear out my statement. I believe the amendment would be a good one and could be even a much better one if we would have the amendment read "the economic growth, including the rise in the gross national product of the United States."

Mr. KENNEDY of New York. I would have no objection to such a modification, but I believe that if we establish here by debate and colloquy that it involves the economic growth and the gross national product in the way the Senator has described it, that is perfectly satisfactory to me.

Mr. MILLER. I feel that that is what the Senator had in mind. I would feel a great deal better about it if the Senator could modify his amendments so that on page 2, line 3, there would be inserted before the word "rising" the words "economic growth, including the," so that the clause would read, "and the economic growth, including the rising gross national product of the United States, assessing the percentage"—and then striking the words, "of gross national product" and inserting in lieu thereof the word "thereof," so that the entire sentence would read as follows:

> This analysis should examine the relationship between development requirements and the economic growth, including the rising gross national product of the United States, assessing the percentage thereof that should be devoted to such development assistance.

Mr. KENNEDY of New York. I have no objection to that proposed modification.

Mr. President, I ask that the amendments be modified as the Senator from Iowa has suggested.

The PRESIDING OFFICER. Will the Senator from New York advise the Chair how he wishes the amendments to be modified?

Mr. KENNEDY of New York. Will the Senator from Iowa restate his proposal?

Mr. MILLER. The amendments would be modified so that on line 3, page 2, before the word "rising" would appear the words "economic growth, including the," and then on lines 4 and 5, it is proposed to strike the words "a gross national product," and insert in lieu thereof the word "thereof."

The PRESIDING OFFICER. Do the proposed modifications stated by the Senator from Iowa conform to the recommendations and request of the Senator from New York?

Mr. KENNEDY of New York. Yes.

The PRESIDING OFFICER. The amendments will be so modified.

Mr. MILLER. I thank the Senator. I shall be happy to support his amendments.

The PRESIDING OFFICER. The Chair requests the Senator from New York [Mr. KENNEDY] to send to the desk a copy of the amendment as modified so that the clerks can properly report the amendment.

Mr. KENNEDY of New York. I shall be happy to do so.

The amendments as modified are as follows:

> On page 25, line 14, strike out "(c)" and substitute "(b)".

On page 25, line 21, strike out "(d)" and substitute "(c)".

On page 25, after line 25, insert the following:

"(d) The proposals referred to in subsection (a) should be based on an analysis and estimate of the funds required by the developing nations of the world to close the widening gap between the economically privileged nations and those nations striving to achieve a developed economy. This analysis should examine the relationship between development requirements and the economic growth, including the rising gross national product of the United States, assessing the percentage thereof that should be devoted to such development assistance. The proposals should include an assessment of the role that economic assistance by the United States and other developed nations can and should play in the economic and social development of the rest of the world, and carefully delineate policies and programs required to fulfill this role."

Mr. MORSE. Mr. President, will the Senator from New York yield?

Mr. KENNEDY of New York. I yield.

Mr. MORSE. I understand that the Senator from New York and the Senator from Pennsylvania share the point of view—and I agree—that it would be a good idea for conference purposes to have a yea-and-nay vote on the amendments.

Mr. CLARK. The Senator is correct.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. CLARK. Mr. President, I shall suggest the absence of a quorum.

The PRESIDING OFFICER. First, does the Senator from New York yield back his time? Out of whose time will the time necessary for the quorum call be taken?

Mr. FULBRIGHT. I shall be happy to yield the necessary time, but I believe a sufficient number of Senators are present so that perhaps the yeas and nays could now be ordered.

The PRESIDING OFFICER. Senators who are interested in seconding the demand for the yeas and nays will please raise their hands so that the Chair may count.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I am ready to yield back the remainder of my time.

Mr. MORSE. Mr. President, will the Senator yield me 3 minutes?

Mr. FULBRIGHT. I yield 3 minutes to the Senator from Oregon.

Mr. MORSE. First, I wish to highly commend the Senator from New York [Mr. Kennedy] and the Senator from Pennsylvania [Mr. Clark] for the amendments in their modified form. I do not believe that the Senate even begins to appreciate as yet the future significance of the amendments.

In my judgment, the amendments would bring together in the next 2 years on the floor of the Senate what many people think are irreconcilable conflicting groups—and it never has been true, and it is not true now. The amendments would help the country to see that what we all desire is for the United States to live up to its clear moral obligations in regard to helping the underprivileged of the world and the countries in this world that we refer to as underdeveloped countries.

It has never been my position that we should not aid those people. We are dealing with problems of procedure for aiding them. The Senator from New York [Mr. Kennedy] and the Senator from Pennsylvania [Mr. Clark] will recognize that. We are now dealing with what our guidelines ought to be. For example, we are dealing with a problem of hard loans and soft loans, the problem of grants versus loans. We are dealing with a problem as to how other countries that have the means with which to assist us ought to be of assistance to us in trying to bring—and I know the danger of using a term such as this, but it will spell out the difference between war and peace in the years ahead—the enjoyment of economic freedom to the "have nots" of this world, so that once they become economically free, they can really develop their political freedom under the principle of self-determination.

That is what the Senator from New York and the Senator from Pennsylvania are really doing by way of the amendments as I envision them. The amendment has many potentialities. Of course, we know that unless the countries to which they refer are ready and willing to do more themselves to further their economic growth, any additional sums spent by us in this endeavor will be totally wasted.

For the benefit of the Senator from Illinois [Mr. Dirksen], I should like to say that the amendments would not mean any commitments. It would not mean that under the word "assessing" or the word "assessment" used in the amendments there would be any commitment made as to any percentage of our national product that would be committed to foreign aid in the future. But, as the Senator from Arkansas [Mr. Fulbright] has pointed out, "assessing" would be interpreted by us to mean that we ought to evaluate now, through the work of the Commission, a percentage of the gross national product that we ought to make available by way of various loans, grants, and cooperative efforts with other countries to underdeveloped areas of the world. "Assessment" I interpret to mean evaluation, and not any binding commitment that a specific percentage will be committed to foreign aid in the future. That will be of great aid to the special Commission that would be established for a reevaluation of the entire foreign aid program.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I ask for 1 additional minute.

Mr. KENNEDY of New York. I yield an additional minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. MORSE. I wish to say a word to the Senator from New York [Mr. Javits]. In the opinion of the senior Senator from Oregon, the amendments would in no way restrict bringing the private segments of our economy into the administration of foreign aid. Quite to the contrary, when we are through with this kind of evaluation, he and I will be buttressed and supported in the work we have been doing, along with the Senator from Pennsylvania [Mr. Clark] and also the Senator from New York [Mr. Kennedy], in trying to get more of our foreign aid program administered and participated in by the private segment of the economy, not only here, but elsewhere in the world.

I wished the Record to show that legislative history. So far as I am concerned, I, as author of the so-called Morse formula in the bill as the bill was reported from the Foreign Relations Committee, state that the amendments would strengthen the bill; they would not weaken it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, will the Senator yield 1 additional minute?

Mr. FULBRIGHT. I yield a minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mr. MORSE. I thank the two Senators for their understanding of the position the Senator from Arkansas and the Senator from New York took when we told them the other day that we were for the amendments, but we did not understand that they would eliminate the so-called 50-nation ceiling. But I say again that that is not binding. It is a suggestion as a guideline to the special Commission, and we wish to hear their recommendations on that suggestion. That is what it amounts to.

Mr. KENNEDY of New York. Mr. President, I yield back the remainder of my time.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendments en bloc of the Senator from New York (No. 262), as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Virginia [Mr. Byrd], the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Missouri [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Minnesota [Mr. Mondale], the Senator from Utah [Mr. Moss], the Senator from Georgia [Mr. Russell], the Senator from Georgia [Mr. Talmadge], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I further announce that the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Virginia [Mr. Byrd], the Senator from

Connecticut [Mr. Dodd], the Senator from Wyoming [Mr. McGee], the Senator from Minnesota [Mr. Mondale], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Hawaii [Mr. Fong] is absent on official business.

The Senator from Kansas [Mr. Carlson], the Senator from New Hampshire [Mr. Cotton], and the Senator from Delaware [Mr. Williams] are detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from Kansas [Mr. Carlson], the Senator from Delaware [Mr. Williams], the Senator from Hawaii [Mr. Fong] and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 78, nays 1, as follows:

[No. 122 Leg.]

YEAS—78

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Curtis
Dirksen
Douglas
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NAYS—1

Thurmond

NOT VOTING—21

Brewster
Burdick
Byrd, Va.
Carlson
Cotton
Dodd
Dominick
Fong
Long, Mo.
McCarthy
McGee
Mondale
Moss
Neuberger
Pell
Russell, Ga.
Smathers
Talmadge
Tower
Williams, Del.
Yarborough

So the amendments, as modified, offered by Mr. Kennedy of New York and Mr. Clark were agreed to.

Mr. CLARK. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. FULBRIGHT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I send to the desk an amendment on behalf of myself, Mr. Murphy, Mr. Bartlett, Mr. Gruening, Mr. Jackson, and Mr. Magnuson and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The Legislative Clerk. On page 18, after line 22, insert the following:

(3) Add the following new subsection at the end thereof:

"(n) No assistance under the Alliance for Progress shall be furnished under this Act to any country which (1) has extended, or hereafter extends, its jurisdiction for fishing purposes over any area of the high seas beyond that recognized by the United States, and (2) hereafter imposes any penalty or sanction against any United States fishing vessel on account of its fishing activities in such area.

"The provisions of this subsection shall not be applicable in any case in which the extension of jurisdiction is made pursuant to international agreement to which the United States is a party."

Mr. KUCHEL. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 10 minutes.

Mr. KUCHEL. Mr. President, on Sunday, June 6, a week ago yesterday, two American tuna boats, flying the American flag, proceeded from the high seas into a Peruvian port.

An emergency situation had arisen with respect to the mechanism of each craft. One American tuna clipper, the *Sun Jason*, entered the port to discharge its chief engineer who was critically ill. The Peruvian Government immediately seized the vessel and levied a fine on its captain on the ground that the vessel was violating the jurisdiction claimed by Peru, reaching 200 miles out into the sea.

That craft was released finally when the captain agreed to purchase a license for $2,700. The second vessel, the *Clipperton*, entered port to repair a damaged boom. It, too, was seized by the Peruvian Government and a fine of $7,187 was levied.

The Peruvian Government made the further demand that a license be purchased to fish in the waters up to 200 miles seaward of the Peruvian coast.

On Friday of this week, another tuna clipper, the *San Juan*, flying the American flag, was fired upon by destroyer No. 68 of the Peruvian Navy while the American craft was 60 miles at sea. The American craft was escorted to port by the Peruvian naval destroyer and released after the captain had purchased a license at a cost of $5,000.

Yesterday, another tuna boat, the *Hornet*, flying the American flag, was 96 miles at sea when it was taken under escort by the same Peruvian naval craft. The conversation between the captain of the *Hornet* and the commanding officer of the destroyer was recorded by another American tuna boat, the *Day Island*.

At 4 o'clock yesterday afternoon, Peruvian time, the *Hornet* advised the destroyer that it was having engine trouble and could not proceed. The commanding officer of the destroyer advised that the *Hornet* proceed or that it would be fired upon.

The captain of the *Hornet* asked permission to remove the entire crew from his boat, and then he told the captain of the Peruvian destroyer to go ahead and fire. The commanding officer of the destroyer then asked the captain of the *Hornet* to come aboard the Peruvian naval craft. He did so, and after a considerable period of time they returned to his vessel with five armed guards to supervise repairs. When the repairs were completed, one armed guard of the Peruvian Navy remained aboard the American tuna craft, which then proceeded to port under escort, arriving there at 8 o'clock last night.

Over the weekend the skipper of the *Day Island* was buzzed by a twin-engine jet aircraft belonging to the Peruvian Air Force.

Mr. President, since I first came to the U.S. Senate, it seemed to me then, as it seems to me now, that the Government of the United States, particularly in this hemisphere, has not merely an opportunity, but a duty, to assist our neighbors; and thus I have supported not only mutual security; but I have supported the Alliance for Progress specifically.

I want my country to discharge her leadership in the cause of freedom in this hemisphere and beyond the seas, but perhaps I may be pardoned a bitterness and a resentment that representatives of any country in this hemisphere, but particularly one which receives substantial assistance from the people of the United States, should act in this fashion.

I believe it is generally conceded by us that a claim that the jurisdiction of a country extends 200 miles seaward is beyond comprehension. It is ridiculous. And when a boat belonging to fellow Americans is fishing 50 miles or 60 miles or 90 miles seaward, in open waters traditionally recognized under international law as the high seas, and then encounters armed resistance by the military of any other country, but particularly the military of a country which we are assisting with dollars, I believe it will be admitted it is time for the U.S. Senate to indicate its policy views on this question.

I wish to read once again, and then I shall be through, what this amendment would do. The amendment would provide:

No assistance under the Alliance for Progress shall be furnished under this Act to any country which (1) has extended, or hereafter extends, its jurisdiction for fishing purposes over any area of the high seas beyond that recognized by the United States, and (2) hereafter imposes any penalty or sanction against any United States fishing vessel on account of its fishing activities in such area.

The provisions of this subsection shall not be applicable in any case in which the extension of jurisdiction is made pursuant to international agreement to which the United States is a party.

I commented at considerable length 2 years ago on this subject, and I traced the history of international law with respect to freedom of the seas.

I ask unanimous consent that a copy of my comments made at that time be included in the Record at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Freedom of the Seas: An Honorable Tradition That Must Be Preserved

Mr. Kuchel. Mr. President, my colleague from California [Mr. Engle] and I have joined in coauthoring the amendment which is now pending before the Senate. Our amendment would amend section 620 of the Foreign Assistance Act of 1961, as amended, which relates to prohibitions against furnishing assistance to certain countries, by adding the following new subsection:

"(i) No assistance shall be furnished under this Act to any country which (1) has extended, or hereafter extends, its jurisdiction for fishing purposes over any area of the high seas beyond three miles from the coastline of such country, and (2) hereafter imposes any penalty or sanction against any U.S. fishing vessel on account of its fishing activities in such area. The provisions of this subsection shall not be applicable in any case in which the extension of jurisdiction is made pursuant to international agreement to which the United States is a party."

When my colleague from California and I originally submitted this proposal, I noted, on the floor of the Senate, the shabby and illegal treatment which had been given the American tuna fleet by those who should be our friends in Latin America.

A number of Latin American countries have extended their territorial jurisdiction to an untenable, unbelievable distance of 200 miles seaward. In the Declaration on Maritime Zones, issued in Santiago in 1952, Chile, Ecuador, and Peru proclaimed their exclusive "sovereignty" and jurisdiction over the ocean adjacent to their respective countries to a distance of 200 miles. Think of that, Mr. President. Following their ipse dixit and contention that they have, seaward, complete jurisdiction and complete sovereignity for 200 miles, what is to stop them, tomorrow, from claiming, "We have sovereign jurisdiction for 400 miles"—simply by suddenly making that announcement.

El Salvador, in its Constitution of September 7, 1950, had also made a claim out to 200 miles, but added that it only made this claim provided it did "not affect freedom of navigation in accordance with principles accepted by international law." Korea is the only non-Latin American country to make such a claim. Korea, under a Presidential proclamation of January 18, 1952, claimed "international sovereignty" over a zone from 20 to 200 miles in breadth for the protection, conservation, and utilization of the resources of the sea. Once again, however, it was specifically stated that the right of free navigation on the high seas would not be interfered with.

Mr. SYMINGTON. Mr. President, will the Senator from California yield?

THE ACTING PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Missouri?

Mr. KUCHEL. I yield.

Mr. SYMINGTON. I wish to say to the able Senator from California that I am much impressed with the position he is taking in behalf of American citizens thus discriminated against and injured; and I have also heard his colleague, our beloved friend the Senator from California [Mr. ENGEL], speak on the same subject. I know he will be interested in analyzing carefully the record the Senator from California is making here tonight, in the interest of his people.

Mr. KUCHEL. Mr. President, I appreciate that comment very much, because my friend and colleague [Mr. ENGLE] and I have gone into the background of this problem; and tonight I would be able to document literally almost a hundred cases in which South American countries have reached seaward much beyond the 3-mile limit to harass American vessels. They have taken American citizens off of their fishing boats. They have fined them. They have jailed them. All this in an attempt to prevent our citizens from using the high seas for completely legitimate purposes under every recognized principle of international law. I shall try to develop this argument, so that Senators will have an opportunity to view these facts before the Senate votes on this amendment.

Mr. SYMINGTON. As I understand the position of the able Senator from California, it is that some of the countries which have been conducting operations of this type and character against American citizens are relatively large recipients of the AID program. Is that correct?

Mr. KUCHEL. The Senator from Missouri is entirely correct. It makes no sense for us to say, on one occasion, to a South American country, "We are going to help you," only on another occasion to have the government of that country abrogate the historic doctrine of freedom of the seas and keep our fellow Americans from using the high seas and the open seas as places in which to fish.

Mr. SYMINGTON. I understand that the Senator from California is documenting the assertions he is making.

Mr. KUCHEL. I am, one by one.

Mr. SYMINGTON. I thank the Senator from California.

Mr. KUCHEL. I am very grateful to the Senator from Missouri.

Mr. President, right now the high seas are being interfered with, and they have been interfered with in this hemisphere for over a decade. The high seas are res communis, the common property of all nations. This is an historic doctrine for which American and the Anglo-Saxon communities have fought for centuries. A resort to unilateral action by any nation to change this rule which limits the breadth of the territorial sea is a threat to the fundamental doctrine of the freedom of the seas, and certainly has no place in a world which is growing increasingly smaller and in a world where more and more nations are dependent for their livelihood on the resources which come from the sea. It is granted that this doctrine has not always been the accepted rule of international law. In the 14th century, the combined Kingdom of Denmark and Norway endeavored to maintain the whole Norwegian Sea as a mare clausum, by claiming sovereignty over the North Atlantic between Norway and Iceland.

Similar claims were later asserted by Portugal and Spain over much of the Atlantic and Pacific Oceans. By the second half of the 16th century, however, Poland and England initiated the new trend, which has continued to the present day. They informed the Danes that the use of the seas was common to all. In 1580, Queen Elizabeth I, of England, flatly repudiated the complaint of Spain against the expeditions which had been undertaken by Sir Francis Drake—expeditions which, in part, resulted in his voyage to the Pacific coast of the United States and, more particularly, to California. Queen Elizabeth declared:

"The use of the sea and air is common to all; neither can any title to the ocean belong to any people or private man, forasmuch as neither nature nor regard of the public use permitteth any possession thereof."

In 1588, when the English defeated the Spanish armada, the pretentious Spanish claims were swept aside, and the potential of realizing freedom of the seas was well on its way.

By the beginning of the 19th century, the concept of the modern territorial sea, or 1-league limit, came into use by nation states. This was recognized by Mr. Chief Justice Marshall in the case of The Schooner "Exchange" against McFaddon, decided in 1812.

In 1793, the United States, based on a note the Secretary of State, Jefferson, sent to the British Minister, adopted for purposes of neutrality a zone 3 miles wide all along the east coast. This zone of uniform breadth was recognized by the act of June 5, 1794.

Not all nations accepted this standard at that time. Some never have; but, with the exception of the five nations previously noted, by and large the territorial claims of most nations have never amounted to more than 12 miles.

By the 20th century, the 1-league, or 3-mile limit had become established as the maximum breadth of the territorial sea under international law. The English, in particular, as a great seafaring nation, have advocated the 3-mile limit. The only exception England has made was in 1951, when she recognized the validity of the Norwegian claim to 4 miles. The Norwegians themselves noted that their 4-mile limit had preceded the 3-mile limit, and thus, had validity in its own right within the concept of the 1-league rule.

As I have stated, not all nations in the 19th century recognized the 3-mile limit, just as some do not now. Belgium, between 1848 and 1852, opposed British enforcement of the 3-mile limit against its fishing vessels. In 1879, France refused to recognize the right of Great Britain to impose penalties on its fishing boats for violating the English 3-mile fishing limit. Nevertheless, by 1900, the 3-mile, or 1-league, limit was the accepted standard by 20 of the 21 states which claimed a territorial sea. These 20 states included: Argentina, Austria-Hungary, Belgium, Brazil, Chile, Denmark, Ecuador, El Salvador, France, Germany, Great Britain, Greece, Honduras, Italy, Netherlands, Norway, Russia, Sweden, Turkey, United States.

Spain, the 21st state, claimed 6 miles of general jurisdiction.

In 1930, The Hague Conference for the Progressive Codification of International Law took place. Bernard G. Heinzen, writing on the history of the 3-mile limit in the Stanford Law Review for July 1959, noted that at this conference, "The merchant tonnage of the countries supporting the 3-mile limit without a contiguous zone was over 70 percent of the world's total in 1929."

In 1954, Congress enacted legislation encouraging American fishermen to fish up to 3 miles from any coast, when it directed the reimbursement by the U.S. Government for various fines which a coastal state might impose following the seizure of an American vessel "on the basis of right or claims in territorial water or the high seas which are not recognized by the United States" (68 Stat. 883 (1954), 22 U.S.C. 1972(a)). Thousands of dollars have been repaid those American fishermen for the actual fines imposed. Under that act, the Secretary of State is authorized to take such action as he may deem appropriate in order to collect from the foreign country the amounts expended by the United States in reimbursing its fishermen. The Department of State informs me that it has not been successful in its attempts to make any collection from a foreign nation to date, despite the thousands of dollars—$131,646.80, to be exact—which we have paid out.

In 1958, the Geneva Conference on the Law of the Sea took place. At that time, no more than 27 of the 73 coast states claimed a territorial sea in excess of 3 miles, or 1 league. Besides the five states I have previously mentioned which claimed zones up to 200 miles, the following countries made claims varying between 6 and 12 miles:

Six miles: Ceylon, Greece, Haiti, India, Iran, Israel, Italy, Libya, Spain, Yugoslavia.

Nine miles: Mexico.

Ten miles: Albania.

Twelve miles: Bulgaria, Colombia, Ethiopia, Guatemala, Indonesia, Rumania, Saudi Arabia, Union of Soviet Socialist Republics, United Arab Republic, Venezuela.

Forty coastal states, in 1958, claimed no more than 1 league as the breadth of their territorial seas. These states included: Argentina, Australia, Belgium, Brazil, Burma, Cambodia, Canada, China, Costa Rica, Cuba, Denmark, Dominican Republic, Finland, France, Germany, Ghana, Iceland, Iraq, Ireland, Japan, Jordan, Liberia, Malaya, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Philippines, Poland, Sudan, Sweden, Tunisia, Turkey, Union of South Africa, United Kingdom, United States, and Vietnam.

It is interesting to note that almost all of the major maritime countries still advocate the 3-mile limit and, thus, the freedom of the seas. Prior to the 1958 Geneva Conference, almost 87 percent of the world's merchant tonnage was registered in countries claiming no more than the 3-mile or 4-mile limit. The Geneva Conference failed to recommend an article dealing with the breadth of the territorial sea. It did reaffirm, however, the concept of the freedom of the seas, the concept of res communis. The Conference did reach agreement that new encroachment upon this concept would be tolerated only when the need was clearly evident, and then only by a grant of strictly limited jurisdiction, not by an extension of territorial jurisdiction. The Conference, by at least a two-thirds majority, agreed that, beyond the territorial sea of, say 3 miles or 4 miles, there could be an area, not more than 12 miles from shore, in which a coastal State could exercise a limited customs, fiscal, immigration, and sanitary jurisdiction. The Conference also agreed to the right of coastal states to exploit the resources of the Continental Shelf and to compulsory measures for the conservation of the living resources of the high seas. As Mr. Heinzen, who was a member of the U.S. delegation to the 1958 Conference and who wrote the excellent article I have previously cited, has stated:

"The net effect of the Conference was to undercut the arguments of those who maintain that they had the right to proceed unilaterally beyond the distance of 3 miles or 1 league."

It is also interesting to note the motivations that seemed to guide many of the participants at the 1958 Geneva Conference. The Soviet Union and its satellites supported the 12-mile limit. Why? Presumably because this would greatly increase the effectiveness of the vast Soviet submarine fleet, which in time of war would thus be able to seek sanctuary off neutral coasts up to 12 miles. The Arab bloc, which in 1958 included 10 countries, also supported the 12-mile limit. Why? Because a 12-mile limit would permit them to close the Gulf of Aqaba, which is less than 24 miles in breadth at its widest point. The next group favoring an increase in the existing territorial sea was composed of our friends in Latin America who wanted either an extension of the 3-mile limit or a contiguous zone for exclusive fishing control. In addition, there were some of the newly independent countries, members of the Afro-Asian bloc, who opposed the 3-mile limit merely on the basis that it had been established by the major maritime powers before their smaller and newer states had come into existence. This was shortsighted, to say the least, from their point of view, since they have the most to lose by attempts to harm the free flow of world commerce and economic development, and the most to gain by the capacity to fish freely the high seas.

At the 1958 Conference, the United States, in an effort to bring together conflicting interests, proposed a territorial sea of up to 6 miles, plus exclusive fishery rights in a zone extending up to 12 miles. Coastal states, however, could not exclude from the outer 6 miles of this 12-mile zone the fishing vessels of countries which had fished within those waters during the past 5 years, as long as these vessels observed reasonable conservation measures which might be imposed by the coastal state.

This American proposal did not secure the two-thirds majority which was necessary. Forty-five counties supported it; 33 were opposed; there were 7 abstentions. The Soviet Union proposed a territorial sea of at least 12 miles in breadth. This proposal was defeated, with 47 voting against, only 21 for, and 17 abstentions. The Canadian proposal for a 12-mile exclusive fishing zone received 35 favorable votes; 30 were against; and there were 20 abstentions. Thus, the 1958 Geneva Conference was unable to agree on any change in the customary 3-mile, or 1-league limit, and, in effect, by overwhelming majorities confirmed the existing rule of freedom of the seas. The United States made very clear, at the conclusion of the Conference, that its offer of a 6-mile territorial sea with a 6-mile exclusive fishing zone was merely an offer, and nothing more, and that its defeat left the preexisting situation, or the 3-mile limit, intact. The Department of State noted, in a statement of April 28, 1958, that the 3-mile rule—"is the principle giving the greatest opportunity to all nations, large and small, new and old, coastal and landlocked, because it is the doctrine most consistent with freedom of the seas * * *. Unilateral acts of the states claiming greater territorial seas are not only not sanctioned by any principle of international law, but are, indeed, in conflict with the universally accepted principle of freedom of the seas."

There can be no question but that the 3-mile limit should be preserved, since it is the safest for navigation, especially by smaller vessels. Many of the landmarks used by small craft are not visible at a distance of 12 miles. In fact, only 20 percent of the world's lighthouses can be seen beyond 12 miles. Certainly, landlocked states would lose the most by an extension of the territorial sea since the coastal nations would be taking from them part of the sea that was common to all. and getting nothing in return. This is, of course, particularly true, as I have mentioned before, of the newly independent states, whose economic and food resources for the future might depend on their capacity to gain access to good fishing grounds. With an extension of the territorial sea, the coastal state would assume an obligation and a duty to warn foreign ships of the dangers to navigation which exist within its territorial waters. Arthur H. Dean estimated that, in the case of our own country, an extension of our territorial sea to 12 miles would mean an initial capital outlay of $8 million and an increase in the annual operating cost of $1,500,000 for each 100 miles of coastline. This would mean an annual increase of $180 million for the continental United States alone.

The fact of the matter is that an extension of the territorial sea is unnecessary in order to preserve the interests of a coastal nation in fishing. The furtherance of conservation measures for a coastal state or any other state is something which can be recognized and accommodated within the existing laws of the high seas. The Geneva Conference made a great step forward in this regard. And, of course, it is obvious that there is a fundamental difference between a nation's right of self-defense in the age of intercontinental ballistic missiles and what it attempts to do under its police power in the limited territorial jurisdiction which it seeks beyond its coastline—12 miles or even 200 miles is little protection against the ICBM.

Mr. President, the 3-mile limit is a proud heritage and legacy to be preserved in international law in the conduct of this Government and the conduct of other governments in this increasingly shrinking globe. The freedom of the seas is even more important now than it was in the 16th and 17th centuries, when the smaller states fought some powers who sought to monopolize the seas, so that they could obtain equal rights and opportunities to engage in passage and in commerce.

Mr. President, I have before me a table, prepared by the Department of the Interior, detailing the number and type of seizures, detentions, and other harassments of our tuna vessels which have occurred between September 15, 1951, and June 28, 1963. A total of 77 American tuna clippers have been seized, boarded, or otherwise harassed. Many have been fined and held for weeks in custody.

Our men have been shot at. Some have been wounded. For example, back in 1955, on March 27, the *Arctic Maid* was stopped and shot at when 35 miles off the coast of Ecuador. The chief engineer, William Peck, was severely wounded. The vessel was impounded, and a fine of $43,481.20 was imposed on it. This fine was paid; and the owners have been reimbursed under Public Law 680, enacted on August 27, 1954. A claim has now been filed by our Government against Ecuador for this and two other seizures which totaled in fines $61,000. Of course, not a penny has been returned to the Treasury by Ecuador. The shocking thing, however, is that our Government has not filed claims against several other nations which have also imposed fines on our fishing vessels and whose owners have been reimbursed under the 1954 act. Section 5 of that act states:

"The Secretary of State shall take such action as he may deem appropriate to make and collect on claims against a foreign country for amounts expended by the United States under the provisions of this act because of the seizure of a U.S. vessel by such country.

That is a rather interesting act; it is now on the statute books. At the request of the administration, Congress passed a law authorizing the Department of State to reimburse an American fisherman if a foreign country violated the freedom of the seas, seized his fishing boat, and then required him to pay a fine. The statute empowers the Secretary of State, at his discretion, to request the offending nation—the country which violated international law—to reimburse the United States for the amount the Treasury under this act has paid to the fisherman.

On occasion, when American boats have been summarily taken by a South American country, and when, thereafter, the Department of State has made such payment to the owner of the boat, and thereafter a request has been made by the State Department to the South American country to reimburse the United States, what do you think happened, Mr. President? Obviously, we did not receive 1 penny back.

But, Mr. President, even when the Congress of the United States has generously provided that out of the Public Treasury shall be paid compensation to one who has thus been deprived of his property, that does not begin to compensate him for all the other indignities and, on occasion, jail sentences which have been meted out to him.

But, Mr. President, beyond all that, tonight we speak of the problems of our fellow Americans; and here is an opportunity to demonstrate to any nation, friend or foe, that the Government of the United States will not tolerate this treatment of any American citizen when he is utilizing in a legal fashion the high seas and the open seas; and we can particularly demonstrate that we will not provide any Alliance for Progress aid to any nation in this hemisphere which thus acts illegally against our citizens. That is the purpose of the amendment which my colleague, Mr. ENGLE, and I are offering.

I ask unanimous consent to have printed at this point in the RECORD a table of the seizures, detentions and other harassments

and similar actions, commencing in 1951, and continuing through the intervening years until only a few months ago. This tabulation was prepared by the Department of the Interior, based on the official business records of the American Tunaboat Association.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Seizures, detentions, and other harassments of tuna vessels

THE FOLLOWING INFORMATION IS BASED UPON OFFICIAL BUSINESS RECORDS OF THE AMERICAN TUNABOAT ASSOCIATION, UPON AFFIDAVITS OF MASTERS OF TUNA CLIPPERS, AND UPON VERBAL REPORTS RECEIVED BY THE ASSOCIATION FROM OTHER MASTERS AND MANAGING OWNERS OF TUNA CLIPPERS

Name of motor vessel	Date	Location	Remarks
Marico	Sept. 15, 1951	Puerto Bolivar, Ecuador	Seized by Ecuadoran frigate *Guayas*. Vessel was entering port because of repairs. Vessel was fined $5,500.
Tesoro del Mar	November 1951		Seized by Ecuadorans, vessel was of Panamanian registry, no information available.
Notre Dame	Nov. 4, 1951	5.1 miles west-northwest of Isla de la Plata, Ecuador.	Vessel seized while en route to fishing banks in high seas off Peru. Vessel fined $8,000, released after fine paid under protest.
Sun Pacific	July 30, 1952	1°52″ south latitude 81°4″ west longitude (18 miles off coast of Ecuador).	Vessel released Aug. 18, 1952, upon deposit of cash bond of $11,600.
Equator	July 31, 1952	0°52″ south latitude 81°3″ west longitude (12 to 13 miles off coast of Ecuador).	Vessel in possession of Ecuadoran fishing license issued in Panama. Vessel paid $1,000. Released after being in custody 3 weeks.
Venus	April 1952	Off coast of Colombia	Vessels seized and taken into port of Buenaventura. Reference: El Tiempo, newspaper in Bogotá, Colombia, dated July 25, 1952.
Cesare Augustus	do	do	
Jackie Sue	do	do	
Lina B	do	Off coast of Colombia beyond 3 miles	
American Beauty	Aug. 9, 1952	El Salvadore	Seizure of vessel, no other facts available.
Martin B	Oct. 21, 1952	Ecuador, 00° north latitude, 80°42″ west longitude.	Ecuadoran merchant vessel *Rio Guayas* attempted to stop and board vessel, but *Martin B.* did not stop or permit boarding.
Starcrest	May 20, 1953	Panama	Fine imposed and paid $3,000 for vessel and bail for crew in the amount of $2,000.
Conte Bianco	Mar. 1, 1954	Galapagos Islands, Ecuador	Vessel boarded by naval officers. Vessel had purchased Ecuadoran fishing license. Vessel charged with failure to clear vessel and vessel assessed penalty $8,848.50.
Santa Rosa	do	do	Assessed penalty $9,040.50. Same as above.
Helen Ann	do	do	$9,040.50. Same as above.
Bernadette	do	do	Vessel boarded and documents inspected by naval officers of Ecuadoran patrol vessel *Bae Manabi*. Fined $10,240.50.
Conte di Savoia	do	do	Abandonment of Ecuadoran waters without presenting for inspection of the captain of the port, the fishing license as well as other pertinent documents. $9,088.50.
Sun Beam	Apr. 14, 1954	In waters between port of Salinas and Santa Clara Island, Ecuador.	Seized by Ecuadoran patrol vessel *El Oro*; fine imposed (amount unknown). Vessel in distress at time of seizure.
Janus	June 1954	Ecuador	No further information.
Sun Streak	Sept. 4, 1954	3°15′ south latitude, 80°54′ west longitude (12 miles west of Santa Clara Island, Ecuador).	Seized by patrol vessel *Bae Manabi*. Fine imposed, $12,000.
Belle of Portugal	Sept. 25, 1954	San Cristobal, Galapagos Islands, Ecuador	Charged that in July this vessel was sighted 12 miles off Manta, Ecuador, during July. Vessel released after boarding by naval officers.
Portuguesa	Nov. 19, 1954	31 miles, 304° true from Foca Island, Peru	Peruvian cutter D-3 *Rodriguez* advised master to "come aboard immediately or we will sink you." Master refused, vessel continued to operate 3 miles off the coast.
Invader	Nov. 14, 1954	23 miles southwest of Foca Islands, Peru	Boarded by Peruvian naval vessel, and request for fishing license. Released and told to get license from Peruvian consul in Los Angeles.
Renoun	do	4°47′ south latitude, 81°28′ west longitude, about 15 miles off coast of Peru.	Boarded by Peruvian naval vessel D-2 *Aguirre*. Advised to proceed 200 miles off coast.
Seafarer	do	4°58′ south latitude, 81°37′ west longitude	Same as above.
Stanford	Feb. 18, 1955	Off the coast of Peru beyond 3 miles	Seized and fined $2,000. Taken into port of Talara.
E. S. Lucido	do	do	Do.
Miss Universe	do	do	Do.
Marsha Ann	do	do	Do.
Alaska Reefer	do	do	Do.
Sea King	do	do	Do.
Tony B	Jan. 18, 1955	Entered Port of Callao, Peru	*Tony B.* had engine trouble.
Western Clipper	do	do	Sick crewmember aboard the *Western Clipper*.
Arctic Maid	Mar. 27, 1955	35 miles off coast of Ecuador	Vessel stopped, shot at, Chief Engineer William Peck severely wounded. Vessel impounded. $43,481.20 fine imposed.
Santa Anna	do	do	Vessel seized. $5,881.10 fine imposed.
Magellan	Mar. 26, 1955	25 miles off the coast of Ecuador	Vessel boarded and inspected then released.
Western Pride	do	do	Do.
Katie Lou	Nov. 25, 1955	3°4′ south latitude, 80°43′ west longitude (18 miles from Santa Clara Island, Gulf of Guayaquil, Ecuador).	Seized and taken into port of Guayaquil. Released Nov. 28, 1955. Other vessels were boarded, but their names are unknown. Ambassador of Peru notified by letter from ATA dated Nov. 23, 1954.
Historic	Jan. 20, 1956	2°48′ south latitude, 80°40′ west longitude (about 18 miles from the coast of Ecuador).	Vessel stopped by Ecuadoran naval vessel *Atahualpa* ordered to proceed to nearest port. Ship's documents taken and then vessel released.
Santa Anita	do	2°48′ south latitude, 80°40′ west longitude (about 18 miles from the coast of Ecuador).	Vessel stopped by Ecuadoran naval vessel *Athualpa*, ship's documents taken and then vessel released.
Commodore	Jan. 29, 1956	32 miles, 280° true from Cape Pasado, Ecuador	Vessel stopped by Ecuador patrol vessel, *President Valasco*, detained 1 hour, boarded by armed personnel. Released after search indicated no bait. ATA sent letter dated Feb. 8, 1956, to the Secretary of State, outlining the above events.
Normandie	Dec. 13, 1957	19°45′ south latitude, 70°37′ west longitude (20 to 25 miles off the coast of Chile).	Chilean airplane shot across the bow of vessel, ordered vessel to go into port of Iqueque. Other vessels in vicinity, *Chicken of the Sea*, *Starcrest*, *Southern Pacific*, and *Excalibur*. Total fine imposed, $6,000.
Shamrock	Feb. 7, 1961	Off coast of Ecuador beyond 3 miles	Ecuadoran gunboat stops vessel, master of *Shamrock* leaves his vessel and shows documents to patrol boat.
Do	Mar. 21, 1961	11.9 miles off island in Gulf of Panama	Vessel seized, crew and master imprisoned by Panama. Paid $2,500 fine plus costs. At time of seizure vessel having mechanical problems and under repair.
Normandie	May 1961	11 miles off Manta, Ecuador	Vessel stopped, fishing activities interrupted, and master left and boarded Ecuadoran patrol vessel. License and other ship's documents inspected. Vessel permitted to continue fishing. 4 other vessels in vicinity.
Do	Nov. 29, 1961	15 miles west of Cape Pasado	Vessel stopped by Ecuadoran patrol boat while it was working on school of fish. Papers inspected and then vessel released.
Nautilus	Dec. 15, 1961	Salinas, Ecuador	Master required to pay port captain in Salinas, Ecuador, $300 to avoid trouble with authorities and fish off the coast. This vessel has paid $200 for annual registration fee and $4,884 for fishing license for trip commencing on Nov. 22, 1961.
Equator	Jan. 27, 1962	Sank approximately 40 miles off Gorgona Island, Colombia.	Crew used vessel's powerboat to escape to Gorgona Island. Crew denied opportunity to purchase fuel, and required to leave the small vessel at the island. After clearance from U.S. Embassy in Bogotá and Colombian authorities, MV *Cabrillo* went to Gorgona Island to pick up powerboat. At island, master of *Cabrillo* was told that powerboat would not be released. Commandant on island told him that unless the *Cabrillo* leaves, the vessel would be seized and fined. Powerboat was eventually removed from island after U.S. Embassy took further action.
San Joaquin	Feb. 12, 1962	Seized about 8 or 9 miles off the coast of Colombia.	Colombian patrol vessel *Arc Gorgona* seized the vessel, placed armed guards aboard. Vessel fined $2,318.20; vessel released.
Jo Linda	Feb. 23, 1962	4°10′ north latitude, 78°10′ west longitude (25 miles off the Colombian coast).	Colombian gunboat *No. 71* came on the vessel during early morning hours, fired 12 rounds. *Jo Linda* escaped into the darkness after a 30-minute chase.
Saratoga	do	4°10′ north latitude, 78°10′ west longitude	Same Colombian gunboat that shot at *Jo Linda* chased *Saratoga*, darkness prevented capture.

***Seizures, detentions, and other harassments of tuna vessels*—Continued**

THE FOLLOWING INFORMATION IS BASED UPON OFFICIAL BUSINESS RECORDS OF THE AMERICAN TUNABOAT ASSOCIATION, UPON AFFIDAVITS OF MASTERS OF TUNA CLIPPERS, AND UPON VERBAL REPORTS RECEIVED BY THE ASSOCIATION FROM OTHER MASTERS AND MANAGING OWNERS OF TUNA CLIPPERS—Continued

Name of motor vessel	Date	Location	Remarks
Western Ace	Mar. 28, 1962	Off coast of Ecuador beyond 3 miles	Vessel seized, held in port of Salinas for 3 days. No fine imposed.
Normandie	Apr. 3, 1962	00°08′ south latitude, 80°59′ west longitude (28 miles west of Cape Pasado, Ecuador).	Stopped by Ecuadoran patrol vessel. Master of *Normandie* left vessel, and showed logbook and other documents.
Constitution	Apr. 16, 1962	1°05′ north latitude, 80°21′ west longitude (20 miles northwest of Punta Galera, Ecuador).	Ecuadoran patrol vessel *President Velasco* stopped vessel and requested master to leave vessel. Vessel boarded by armed personnel, who checked papers and then released the vessel for fishing.
Normandie	Apr. 17, 1962	2°10′ south latitude, 81°08′ west longitude (8 miles west of Cape San Elena, Ecuador).	Vessel was setting net; armed men from Ecuadoran patrol vessel boarded and inspected the ship's log. Master of the vessel ordered into port of Salinas. Master paid captain of port $60 and left to continue fishing.
Lou Jean	Apr. 28, 1962	About 15 miles off coast of El Salvador	Vessel shot at, boarded, and seized while it was en route to San Diego with load of fish caught 80 miles off Costa Rica. No fine.
Mauritani Scapreme	June 1962	Peruvian coast	Vessel chased off fishing banks 25 miles off Peruvian coast by Peruvian patrol vessels.
White Star	Aug. 3, 1962	Beyond 3 miles off coast of Ecuador between Manta and Isla La Plata.	Vessel seized and taken into port and held for about 5 weeks. No fine imposed.
Cabrillo	Aug. 6, 1962	5 miles off Isla La Plata, Ecuador	Vessel boarded by armed soldiers and commandant of the island. Threatened to seize the vessel. Master gave whisky and tuna, then vessel permitted to continue fishing.
Larry Roe	Aug. 24, 1962	Galapagos Island, Ecuador	Vessel taken under custody on ground ship's papers irregular. Vessel released for fishing after a few days delay. No fine imposed.
Evelyn R	Sept. 10, 1962	do	Vessel held under custody on ground that it abandoned islands without proper clearance, and that it unloaded fish in Panama. Released Sept. 13, 1962. No fine on vessel but master fined.
Chicken of the Sea	Oct. 28, 1962	12 miles off Peru	Fined $5,000 for fishing without license.
Western Ace	do	do	Fined $10,000 for fishing without license.
Mayflower	Nov. 5, 1962	Peru	Seized and fined $4,000 for alleged fishing without license in Peruvian waters some 6 months earlier.
Nautilus	Nov. 14, 1962	do	Forced into port but released within 24 hours without any fines.
Royal Pacific	do	do	Do.
Elsinore	Nov. 18, 1962	Galapagos, Ecuador	Taken into custody but released without fines.
Larry Roe	do	do	Taken into custody and fined $150.
Cabrillo	November 1962	15 miles off Ecuador	Harassment by patrol boat but evaded seizure under cover of darkness.
Ecuador	do	do	Do.
Jeanne Lynn	do	do	Do.
White Star	May 25, 1963	5.5 miles off Ecuador	Fined $11,184 and charged license fee of $3,002.
Ranger	do	do	Fined $9,504 and charged license fee of $2,582. The *White Star* and *Ranger* were joined by 19 other vessels as a protest. The 19 vessels were not charged or held.
Espiritu Santo	June 12, 1963	Ecuador	Held temporarily pending issuance of a matricula.
United States	June 19, 1963	do	Boarded but released.
Ranger	June 28, 1962	Isla de la Plata, Ecuador	Do.

Mr. KUCHEL. Mr. President, I now read some excerpts from the certified reports of the masters of some of the many vessels which have been harassed, seized, or detained. Their accounts in the 20th century are simply unbelievable. This Nation underwent similar treatment by the Barbary pirates, but one would not think that the supposedly free, friendly countries of this hemisphere would undertake similar acts.

Listen to Joe Lewis, master of the American fishing vessel DV *American Boy*, who described the harassment of 20 or so American vessels by Peruvian patrol boat No. 69, which, ironically enough, is a former vessel of the U.S. Navy. Lewis describes how, during a fishing trip that started on October 15, 1962, and ended on January 16, 1963, he went into the Peruvian port of Talara to purchase a Peruvian fishing license. He knew that he would be fishing 10 to 30 miles off Peru, but he "knew of the chasings, boardings, and seizures of tuna vessels, and that forced me to buy a license because of the thought of my vessel being seized and taken into a Peruvian port and being delayed." Lewis states:

"Every day for a week a Peruvian patrol boat, cruiser type, No. 69 (ex-U.S. Navy vessel) would chase us, blinking his lights for us to stop. I would have to slow the vessel down, turn my boat around so the patrol boat could get a look at the name of the boat, and then the patrol boat would proceed on its way, and we would then continue our fishing. Sometimes this patrol boat would chase some boats two or three times a day, some days he would bother the vessels in the vicinity just once a day. I have been fishing for 23 years, and this is the first time a patrol boat chased me. I was never closer than 7 miles from the beach."

Listen to the sworn statement of George Zeluff, master of the American fishing vessel DV *Elsinore* describing events off the Galapagos Islands on November 18, 1962. Zeluff had purchased an Ecuadoran fishing license for approximately $2,400 in Panama on his way to the area. This permitted him to fish in Ecuadoran waters within the 3-mile limit. Off the Galapagos Islands, an Ecuadorian patrol boat stopped his vessel and asked him to bring his papers over for inspection. Zeluff did this. The Ecuadoran captain looked at his papers and then stated that he wanted the *Elsinore* to proceed immediately to Wreck Bay, San Cristobal Island. The captain kept the papers. However, before leaving the cabin, Zeluff noticed that his name was on a folder which the captain had before him. Zeluff presumed this was a list of the names of vessels and names of skippers that purchased licenses from the Ecuadoran Government. "He knew we had a license but wanted to go through the formality of clearance," wrote Zeluff.

At Wreck Bay, the commandant awaited them. "Unfortunately," he said, "they would have to wait until the patrol boat got into port since the captain had their papers." Again, the Ecuadoran vessel was a former U.S. vessel. The next morning the commandant told Zeluff that he would have to fine him $50 since he did not go directly into port for clearance. All this, despite the fact that the patrol boat had not yet arrived. Zeluff then charted graphically the direct course for the captain. The result was that no fine was paid and the papers were restored to him. Another example of delay in the ability of American citizens to earn their legitimate livelihood on the high seas. Concludes Zeluff:

"When I buy a license to fish off the Ecuadoran coast, I buy it because I am afraid of seizures outside of 3 miles. Fishing conditions off the Ecuadoran coast don't require us to fish within 3 miles."

Some would call this blackmail, Mr. President.

Listen to Tom Santos, the managing owner of the American fishing vessel DV *Ronnie S.* He states in his report describing harassment off of Ecuador:

"I also know that on the basis of what has happened to me in the past, nothing would be done by our Government to prevent the actual seizure; and I did not know what would be our Government's reaction after the seizure. And how long it would take our Government to get us released. I have to be constantly concerned about the high cost of operating my vessel, and you don't catch tuna in port, especially if you are under custody of a foreign government."

What a sad day for an American citizen when he feels his Government will not back him up.

I mentioned earlier that the only claims which have been filed under Public Law 680 were against Ecuador for incidents which occurred almost 8 years ago. Yet the incidents continue. So do the payments from the U.S. Treasury to reimburse the American fishermen. Through fiscal year 1963, our Government had paid out a total of $131,646.80 to American fishermen who had filed the appropriate claims. There are many other claims yet to be filed.

William T. Kuuse, master of the American fishing vessel *Cabrillo*, reports that on August 6, 1962, he was boarded by Ecuadorans. The captain of the port of La Plata was in charge of the boarding party. The Ecuadorans were in a regular fishing vessel, yet uniformed men were on board. Kuuse produced a radiogram indicating the existence of a valid Ecuadoran fishing license. The captain of the port claimed it was a restricted area and that he wanted to take the *Cabrillo* into Manta.

Now listen to this:

"He then acted and talked as though he was interested in a handout. He asked me about the payment of money to him. We told him that the vessel had no money, but we did offer him cigarettes and whisky. He accepted this offer * * *. We gave him nine cartons of cigarettes, and seven bottles of whisky. We also gave him 4 or 5 tons of tuna we had in the nets. There was no real inspection of the vessel by the captain of the port or the other Ecuadorans."

The harassment was over as a result of tuna, cigarettes, and whisky.

I have on file similar statements by the dozens.

The question now is what should be done about this and similar petty and major outrages?

On October 24, 1963, Under Secretary of the Interior James K. Carr replied on behalf of the Department of the Interior to a letter I had earlier written on this matter. He noted that his Department "is deeply concerned with the problem and the need for effective remedial action." The Under Secretary writes that Interior has worked closely with the State Department "over the years seeking solutions through customary diplomatic channels." He points out, however:

"These efforts to work out solutions through diplomatic channels, although in some cases useful, in general have not proved overly fruitful. The same may be said of attempts to find solutions in large multilateral international conferences, and it becomes increasingly clear that the United States must take perhaps more drastic action to protect its fishermen than it has taken before."

Mr. Carr states that the amendment which I have introduced on behalf of myself and my colleague from California [Mr. Engle] "is one such course of action." The Under Secretary adds, on behalf of the Department:

"It seems to us also that there is a question of the propriety of giving aid to governments which engage in such harassment."

He is absolutely correct. Now is the time for the elected and executive representatives of the American people to stand up and be counted on this question of the protection of American citizens' rights on the high seas. The freedom of the seas must be preserved. The Senate of the United States now has a historic opportunity to keep faith with a proud tradition and to reassert this doctrine so that all the world will know that freemen everywhere shall be able to continue to earn their livelihood by fishing beyond the recognized international territorial limits of any nation.

Mr. President, I ask unanimous consent that the letter to me from Under Secretary Carr, dated October 24, 1963, be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., October 24, 1963.
Hon. Thomas H. Kuchel,
U.S. Senate,
Washington, D.C.

Dear Senator Kuchel: Reference is made to your letter of October 17, 1963, regarding the harassment of U.S. fishing vessels off the coasts of various South American countries. The Department of the Interior is deeply concerned with the problem and the need for effective remedial action.

We have worked closely with the Department of State over the years seeking solutions through customary diplomatic channels. In this connection, you will doubtless recall that representatives of the Department have been active in the negotiations with Ecuador which have been underway almost continuously since June of this year.

These efforts to work out solutions through diplomatic channels, although in some cases useful, in general have not proved overly fruitful. The same may be said of attempts to find solutions in large multilateral international conferences, and it becomes increasingly clear that the United States must take perhaps more drastic action to protect its fishermen than it has taken before.

The amendment to the Foreign Assistance Act of 1961 which you and Senator Engle have proposed is one such course of action. The bill introduced in the Senate by Senator Engle (S. 1651) is another, as are those introduced in the House by Congressmen Van Deerlin and Pelly (H.R. 6656 and 7815). Our reports on these bills are in course of preparation. They illustrate approaches that merit serious consideration unless efforts through customary channels show striking progress. A most effective sanction, if other considerations warrant it, would be to deny to a country which harasses U.S. fishing vessels the privilege of marketing its fishery products in the United States. It seems to us also that there is a question of the propriety of giving aid to governments which engage in such harassment.

We appreciate the interest of Members of the Congress in this matter and their initiative in taking action which points the way to effective remedies. We are compiling a list of the violations of the rights of U.S. fishing vessels on the high seas off South America in recent years and will forward this to you in the next few days.

Sincerely yours,
James K. Carr,
Under Secretary of the Interior.

Mr. Kuchel. The letter in part reads as follows:

"We," meaning the Department of the Interior, "have worked closely with the Department of State over the years seeking solutions through customary diplomatic channels. In this connection, you will doubtless recall that representatives of the Department have been active in the negotiations with Ecuador which have been underway almost continuously since June of this year.

"These efforts to work out solutions through diplomatic channels, although in some cases useful, in general have not proved overly fruitful."

I repeat that statement. The Department of the Interior and the Government of the United States affirmatively state that our effort to work out the problems of illegal seizure of American tuna boats on the high seas has not worked out very well through the use of diplomatic channels.

The letter continues as follows:

"The same may be said of attempts to find solutions in large multilateral international conferences, and it becomes increasingly clear that the United States must take perhaps more drastic action to protect its fishermen than it has taken before."

I agree. I salute the Department.

I repeat:

"It becomes increasingly clear that the United States must take perhaps more drastic action to protect its fishermen than it has taken before."

Hallelujah, Mr. President. That is the basis on which two Californians offer the Senate an opportunity to deny any Alliance for Progress assistance if, in the language of our amendment:

"Such country as (1) has extended, or hereafter extends, its jurisdiction for fishing purposes over any area of the high seas beyond three miles from the coastline of such country, and (2) hereafter imposes any penalty or sanction against any United States fishing vessel on account of its fishing activities in such area."

That means that the amendment is prospective in character. It is not retroactive.

We then go on to say in our amendment:

"The provisions of this subsection shall not be applicable in any case in which the extension of jurisdiction is made pursuant to international agreement to which the United States is a party."

That language is in our amendment, so that there is a flexibility written into this provision of our amendment clothing the executive branch of our Government with the right to negotiate relative to international agreements with any country or group of countries with respect to the question of extending the territorial jurisdiction seaward of the traditional or historical 3-mile limit.

I ask unanimous consent to have printed at this point in the Record the resolution by the American Tunaboat Association, a letter from the Seafarers' International Union of North America, a letter from the Cannery Workers & Fishermen's Union, and sundry telegrams from interested citizens all favoring the pending amendment.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. KUCHEL. If my able friend will permit me one moment, I wish to yield first to my colleague from California.

Mr. MURPHY. Mr. President, I congratulate my esteemed colleague the senior Senator from California for bringing this matter to the attention of the Senate and for offering this amendment. I concur in it.

One of the problems has been that there have been elastic rules. Some countries claim jurisdiction 200 miles from their shoreline; some 12 miles; some 3 miles.

I sincerely hope that the action of my colleague in bringing this matter to the attention of this august body will bring this problem within the framework of action which will bring about a solution of the problem which has bothered many other countries as well as our own.

I am glad to be a cosponsor of his amendment.

Mr. KUCHEL. I thank my colleague. I am honored, as the people of California are, I am sure, that he has joined me in the amendment.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my friend from Washington, who, I am glad to note, is a cosponsor of the amendment.

Mr. MAGNUSON. What the Senator from California has stated probably points up more vividly than anything else the necessity of having some kind of international conference on conservation on the high seas and the rules of the game. It is interesting, in noting that Peru claims jurisdiction 200 miles out from her shores, to remember that the late President Roosevelt established a military line during World War II, to the effect that we would attack any enemy approaching 200 miles within the shores of our friends to the south.

The Peruvians have since used that distance as the line for fishing. It was never intended to be a line for fishing. We have had some troubles with Japanese fishermen. It is time to sit down and tell the other nations that we are going to have some definite rules of conservation for fishing on the high seas; and that if we do not, there will be no fishing left on the high seas.

Mr. KUCHEL. The Senator is eminently correct.

Mr. MAGNUSON. The Peruvians say, "If you buy a license, you can come to fish." That is a bit of legalized pressure, or even legalized blackmail.

Mr. KUCHEL. The Senator is correct.

Mr. MAGNUSON. Perhaps the Senator's amendment does not belong in this particular bill, but sometimes one's patience is exhausted and we are forced to do something once in a while to remind people, whether they be in South America, Japan, or operating in the Bering Sea, that we should sit down and draft some rules so that people can fish on the high seas and still conserve those fisheries.

There is no other answer to this problem. These people run all over us. Someone has suggested that this problem should be settled in a diplomatic way. The trouble is that it has not been settled in a diplomatic way. The Senator from California has no other choice, I have no other choice, the Senator from Alaska has no other choice, but to suggest this amendment to the bill. It is suggested that the representatives of the countries involved should sit down and reach a solution of these problems in a diplomatic way, but they do not want to do it. They run all over us, and use us for everything. I am like the Senator from California—I am becoming a little tired of people running over us.

That is why I join the Senator in supporting his amendment.

Mr. KUCHEL. I wish to thank my friend, the Senator from Washington. There is no U.S. Senator who is more intimately acquainted with these problems than the Senator from Washington. This problem is not going to be solved by acceding to another country attempting to claim jurisdiction 200 miles seaward.

Mr. MAGNUSON. This is not an isolated, new case. This has been going on for a long, long time.

Mr. KUCHEL. The Senator is correct.

Mr. MAGNUSON. It goes on and on and on. I have listened to the argument in Peru that President Franklin D. Roosevelt during World War II established the 200-mile line where we stated that it was not neutral territory. That, there, was good reason for it, but they have taken the line for fishing.

I believe that Ecuador is doing the same thing. Chile, also, in some respects; and I believe it is time——

Mr. KUCHEL. That is true.

Mr. MAGNUSON. It is time that we told these people that they had better sit down with us in an international conference and work out some decent, honest, sensible rules of the game for fishing on the high seas and to practice conservation, because if we do not do so, if this sort of thing continues as in the Bering Sea in Alaska, and south of the Aleutian chain, in 25 years' time there will be no fish for anyone to catch.

Therefore, I join wholeheartedly with the Senator from California [Mr. KUCHEL] in supporting his amendment.

The South American countries talk about their people having to make a living. Of course, we wish the Peruvian people to make a living by fishing if they wish to do so, but in San Pedro, Calif., there are literally hundreds of people who have to rely upon decent, honest fishing for tuna on the high seas. They also practice conservation. These other nations do not. But, if they purchase a license, they can get in on the act.

Mr. KUCHEL. I thank my friend the Senator from Washington.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Does the Senator from California yield to the Senator from Wisconsin?

Mr. KUCHEL. I am glad to yield to my friend the Senator from Wisconsin.

Mr. NELSON. I understand that a fishing boat from any country can go down to Peru and purchase a license and fish within the 200-mile area; is that not correct?

Mr. KUCHEL. The Senator is correct.

Mr. NELSON. Were all the American ships involved in the incidents the Senator has recited fishing admittedly within the 200-mile limit?

Mr. KUCHEL. The Senator is correct.

Mr. NELSON. In the case of the ship which brought the team in which came in with the sick engineer, were they charged with, and did they admit having fished within the 200-mile limit?

Mr. KUCHEL. There is no question about that. The answer is "Yes."

Mr. NELSON. What do we recognize for the purposes——

Mr. KUCHEL. Three miles, plus 12 miles historically in the gulf.

Mr. NELSON. In other words, any other country could fish within the——

Mr. KUCHEL. The Senator is correct. Four miles out constitutes international waters, and freedom of the seas.

Mr. NELSON. What is generally accepted as being international law?

Mr. KUCHEL. I would bow to the superior wisdom of the Senator from Washington on this question—but the general acceptance is a tendency toward 12 miles rather than to 3 miles. But, 3 miles is historic. To contend that one can assert jurisdiction seaward 200 miles is fantastic.

Mr. NELSON. Are there any other countries in the world which assert jurisdiction 200 miles seaward?

Mr. KUCHEL. There are.

Mr. NELSON. What countries would they be?

Mr. KUCHEL. Mainly in this hemisphere. Chile, Ecuador, and Peru are examples.

Mr. NELSON. That is 200 miles?

Mr. KUCHEL. The Senator is correct, but the major countries of the world have not tried to do this. The Senator from Washington put his finger on the basis on which our neighbors to the south have attempted to justify this jurisdiction, but the United States is not going to attempt to assert its jurisdiction 200 miles seaward. Neither are any of the other major maritime nations of the world. But the trend is dangerous. If this country were placed in the position of acquiescing to a fantastic claim of 200 miles seaward jurisdiction on the part of one country in this hemisphere, we would be doing more than ruining sound conservation, we would be doing more than damaging or failing to protect our fellow Americans. We would be damaging our own security interests.

Mr. MAGNUSON. We would be closing about 17 places in the world as to jurisdiction on navigation, but fishing would be a different thing, when we are trying only to suggest that we have fishing rules on the basis of a historic limit which has been in existence over the years.

Mr. KUCHEL. For centuries.

Mr. MAGNUSON. In New England and other places, but we never objected. We must sit down with those people and talk to them and attempt to reach an agreement.

Mr. NELSON. Can the Senator tell me whether the Japanese have ever made this assertion?

Mr. KUCHEL. The Japanese Government?

Mr. NELSON. Yes.

Mr. KUCHEL. No—not over 12 miles, in any event; as of 1963, the Japanese claimed 1 league.

Mr. NELSON. To refresh my memory, I remember listening to debate on this same question 2 years ago; and it was my understanding that the argument was made that this was not an appropriate amendment to include in a foreign aid bill; is my memory not correct?

Mr. KUCHEL. Two years ago.

Mr. NELSON. Two years ago. I recall that the argument made then was that this amendment was not an appropriate amendment to attach to the foreign aid bill. In any event, countries often negotiate settlement of this matter; was that not the argument made at that time?

Mr. KUCHEL. That argument was used by those who opposed my amendment. They did not prevail. They lost in the Senate.

Mr. NELSON. The amendment was adopted and was taken to conference and was later removed in conference.

Mr. KUCHEL. I regret that that was the fact.

Mr. NELSON. Is the Senator aware of our Government being connected with any negotiations on this specific problem in the past 2-year period?

Mr. KUCHEL. In the past 2 years?

Mr. NELSON. Since the amendment was adopted 2 years ago.

Mr. KUCHEL. Two years ago, it is quite fair to say, the State Department attempted to enter into an agreement with a number of our so-called South American neighbors. My recollection is that their attempts were unavailing. However, once again, this rash of arrests at gunpoint 96 miles seaward off the coastline of Peru have taken place. Let me say to the Senator that if the Senate adopts my amendment today—the same amendment which was adopted 2 years ago—in my judgment, it will strengthen the hand of the Government of the United States in any potential negotiations in the future, because the U.S. Senate will have ruled on the problem.

Mr. NELSON. One more question. I understood the Senator to say that any country could go to Peru and purchase a license. Why is the license fee different in the cases the Senator cited? Someone paid $9,000 and someone else paid $2,700.

Mr. KUCHEL. I suppose the tonnage of the craft involved was one of the criteria used. I do not know. But this rash of arrests and violent discrimination of the historic doctrine of freedom of the seas broke out a week ago yesterday.

Mr. NELSON. How much foreign aid did we give Peru last year?

Mr. KUCHEL. I believe it was $5 million plus.

Mr. NELSON. How much did the Export-Import Bank give? Does the Senator have any figures on that?

Mr. KUCHEL. I do not have any figures on that at the moment.

Mr. MAGNUSON. I believe the Senator will discover that the destroyers who did the shooting were built in the United States.

Mr. GRUENING. They were given to Peru as a part of foreign military aid, I believe.

Mr. MAGNUSON. I have not checked this—I wish to be sure—but I am rather sure that the destroyers the Peruvians used were ones which we built.

Mr. GRUENING. I believe the Senator is correct.

Mr. KUCHEL. Mr. President, I yield to my distinguished friend, the Senator from Alaska, who, I am glad to state, is a coauthor of the amendment.

Mr. GRUENING. I thank the distinguished Senator from California. I think the phrase, "This is where we came in," is very appropriate.

As has been pointed out in the colloquies during the past few minutes, there were, 2 years ago, similar flagrant violations and acts of ruthlessness on the high seas by several of the governments on the west coast of South America. At that time the Senator from California offered a similar amendment. It was opposed on the floor on the ground that we should not handle this problem in this way, that it should be handled by diplomatic approach, that the State Department should move in and negotiate a settlement. It was said in other words, that that was the way to do it.

What happened? When we went to conference, the opposing arguments of the State Department prevailed. They said they would handle the problem.

Two years have passed since then. The same offenses are being repeated. I am not hopeful, but I would hope that this amendment, if enacted, would not suffer the same demise in conference that the previous similar amendment suffered. History would not be repeating itself so often if we were firmer in these matters. The Senator's amendment is the way to stop these abuses. If we say we will leave it to diplomacy, but the other people do not heed our urgent pleas, then we do better by adopting such amendment.

I support the amendment. Several countries have committed outrageous acts. Countries which are receiving our bounty and are performing them should be rebuked by the simple method of not giving them any more funds.

I should like to see the amendment amended to provide that any fines which have been levied shall be refunded to the victims, so that the provisions of the amendment will apply not only to the future, but also to situations in which our citizens have been brutally treated and fined and humiliated, at gun point, and that they will not suffer the consequences of such indecent acts.

Mr. KUCHEL. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. HOLLAND. If the distinguished Senator from California will allow me to say a word, I point out that somewhat similar actions have occurred in the Gulf of Mexico and in the Caribbean, committed by friendly countries there. We have had continued troubles of this kind with respect to our quite large shrimp fleet from Florida and other States along the gulf.

I should like to make three comments, if I may.

The first is that the State Department has been exceedingly diligent, rather than otherwise, in trying to negotiate this matter to a settlement. I regret that it has been unable to do so. These countries do not claim a 200-mile expanse out into the Caribbean or the gulf, but they do claim a much longer distance than we are accustomed to claim. We generally claim 3 miles, except as to certain places in the gulf.

First. I wish to state that the State Department has been exceedingly diligent. It has been trying its level best to bring about a diplomatic settlement of this problem with the Republics of Mexico, Nicaragua, and Honduras, but has failed.

Second. I support the amendment, because it is only by voting for an amendment of this kind that we can show that here is a situation that should be terminated and that we do back the State Department in its urgent insistence that the problem be straightened out diplomatically.

However, I would prefer, so far as I am concerned, that two changes be made in the amendment.

First. I should like to leave out the words "under the Alliance for Progress," because the nations along the west coast and the east coast of Latin America are not the only ones in the world which now are claiming a great deal of further jurisdiction for fishing purposes. I do not wish to make it appear that we are making this apply only to these nations, which in general are our good friends.

Second. I would rather have a fixed mileage inserted in the amendment, whatever that might be, than to have it left as it is now, for several reasons; first, that we recognize two different mileages ourselves, one with respect to all maritime States except as to certain States along the gulf, and another as to certain States along the gulf. Second, this is a question which has come before the International Court, which that Court has found to be a very difficult matter to straighten out. In the case of the Norwegian boundary, for control of fishing, they ruled that in that case it extended, as I recall, 4 miles out beyond some outer islands, which are a considerable mileage themselves beyond the mainland of Norway.

The next reason why I think we should have a fixed mileage is that we have tried in the General Convention of the nations of the world to arrive at a fixed mileage greater than our 3-mile limit. We have supported a fixed mileage greater than that. We came within one or two votes, I believe, of achieving that purpose. The Senator from Washington [Mr. MAGNUSON] keeps up much closer with these matters, and he will correct me, I am sure, if I am in error, but I believe we lost by one vote in getting a required consensus, whatever it was, of bringing the nations of the world in this convention to reaching a common agreement on what mileage should be specified as international law.

If this amendment goes to conference—and I hope it will—I would like very much to have the conferees consider putting in there the mileage which we offered in this convention and came within an eyelash of having adopted, rather than the 3-mile limit.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, will the Senator from Arkansas yield me 2 minutes?

Mr. FULBRIGHT. I yield 2 minutes to the Senator. Then I shall wish to say a few words about it, and the Senator from California may engage in colloquy with me on it then.

Mr. HOLLAND. I believe the amendment can be strengthened and be made much less hostile in its application with respect to certain nations which in the main are friendly to us by adopting the two suggested changes I have offered. Of course I shall support the amendment because I find there is no other way to show our complete disapproval of the rugged treatment our boats have been getting, both on the west coast and on the east coast of certain Latin American nations.

Mr. KUCHEL. I thank my friend from Florida. I modify my amendment by striking out the words "under the Alliance for Progress." In that way we can provide a denial of assistance across the board.

I must decline to accept the second recommendation of the Senator from Florida. In the long run, if this amendment were to become law, it would still provide sufficient flexibility on behalf of our executive branch to reach an appropriate and reasonable decision with respect to this subject. I should like to accept his first suggestion, but not his second.

Mr. HOLLAND. I thank my friend. I made the suggestion because our country has taken a stand for a limit beyond the 3-mile limit, and came within one or two votes, I believe, of having that suggestion adopted as international law.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes.

I know that this amendment is well intended. Its purpose is good. However, it is the kind of amendment that has soured me on the foreign aid bill. It has nothing to do with the aid bill. It is the kind of amendment that casts discredit on the whole activity of AID, because it relates to diplomatic and perhaps even military matters. If the Senator wishes really to be effective, we could have the U.S. Navy go down there and sink that destroyer, whether or not it was supplied by us in the first instance. That would get action.

To make a small amount of aid dependent on these conditions is the worst kind of distortion of aid. It lends credence to one of the most general criticisms, namely, that we are trying to buy the subservience of the world by handing out a few dollars. I always regret that we are accused of that. This is the worst kind of dollar diplomacy.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. KUCHEL. If my able friend really means it when he suggests that the U.S. Navy proceed to Peruvian waters and intercept or otherwise interdict the movements of a Peruvian man-of-war, I do not doubt that he would have some groups cheering him. I am sure that he says that in jest. He has a hard enough task getting this legislation through the Senate. Here, I believe, the bill should be amended in this proposed fashion.

Mr. FULBRIGHT. It is not the proposed legislation. There are other ways to approach the question.

To refresh the minds of Senators, under the United Nations a conference was held on the law of the seas and methods that might be followed. Many countries which are involved were heard. As someone has said, that conference came within one or two votes of agreement.

Mr. President, that is the way to solve the problem. It still is the only way to solve it. Our efforts ought to be directed toward entering into an agreement on a general program to solve the problem. The proposal is a distortion of aid. It is a proposal to use aid to try to buy subservience to general principles and to what our idea of what international law should be. If that principle is applicable in the present case as to the law of the sea, it could be applicable to anything else. If we started that kind of program, I could request that no aid be given to any nation that does not accept Arkansas poultry tax free. Such a measure would be fine. My people would applaud it. It would make recipient countries buy Arkansas poultry. They would have to get it from us.

So there are all kinds of extraneous, ulterior purposes that we could achieve. I am as much for selling poultry as I am for helping the tuna fishermen. I am for the tuna fishermen. But the proposal is not the way to help them. It will only discredit the aid program. The proposal would make the bill a kind of catch-all for everyone's grievances. There are plenty of grievances to go around. The proposed amendment is not the way to solve them.

When we get to conference, I believe Congressmen will recognize that this is not the way to solve the grievances.

I do not think the proposal would help in the case of Peru in the slightest. A very small amount of aid is involved. Peru could live without it. This measure would probably infuriate the Peruvians. They would probably say, "Those big rich so-and-so's can't make us do this. They can go straight to—" which a number of countries have said.

I do not believe that we should put them in that position. There are other ways to go about handling the problem. It might be handled through the State Department, or if we should decide to be really tough, our approach ought to be through the Department of Defense. If we really desire that kind of approach, we ought to say, "No military assistance should be given to a country that takes in our boats." I do not advocate such a measure, but in any case I do not believe that the aid program should be made to bear the burden of all grievances that accumulate from all sources. Clearly the proposal is not a part of the aid program.

Mr. President, I ask, as a parliamentary inquiry, whether the amendment is germane to the aid bill? We are operating under a unanimous-consent agreement that no nongermane amendments may be considered. I believe that the amendment is alien to the aid bill. It is an effort to cure or to reach an affront that is a very legitimate affront. I do not deny that the Senator from California has a grievance. What we have heard is a very uncivilized thing to do to the tuna fishermen. It is an affront to the United States as a whole. But it does not have anything to do with the aid program. It is brought in here by the back door and an effort is made to attach it to the bill. The Senator has many precedents for the proposed action. The Senate has often done it. I do not complain about the Senators action, but I have always disapproved of that approach, as the Senator knows. I have never approved efforts to use the foreign aid bill to try to open the Suez Canal or to criticize someone for bigotry, as was done in the past year or so. These irrelevant matters should not be brought into the aid program. The foreign aid program has plenty of burdens of its own.

Mr. President, I should like to make the point of order——

Mr. AIKEN. Before the Senator makes his point of order, will he permit me to ask a few questions?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. Does the Senator from Arkansas understand that the boundaries which the amendment would establish for fishing purposes in other areas also apply to the coastal waters of the United States?

Mr. FULBRIGHT. These countries are asserting boundaries far different from ours.

Mr. AIKEN. However, would the same principle apply to the waters of the United States beyond the distance recognized by the United States?

Mr. FULBRIGHT. I am not sure I understand the Senator's question.

Mr. AIKEN. For example, if we should recognize a distance of 6 miles from the Peruvian shore as the proper limitation of Peruvian waters for fishing purposes, would we then expect that the same distance would be applicable for fishing purposes with respect to U.S. waters?

Mr. FULBRIGHT. I would assume that would be true.

Mr. AIKEN. What is sauce for the goose should be sauce for the gander—and in this case we would be the gander.

Mr. FULBRIGHT. I do not know that that is what the Senator was seeking. A reasonable interpretation—although we are not always reasonable—would certainly contemplate that we would apply to ourselves any restriction that we would try to place upon others.

Mr. AIKEN. My next question is as follows: Would a limitation established for fishing purposes apply also for other purposes, such as oil exploration or perhaps sponge fishing, if the fishermen go out that far for sponges? Would we have a different limitation for different commodities?

Mr. FULBRIGHT. We certainly assert rights in the field of oil exploration that we do not in others. As far as oil rights are concerned, we apply the principle of our rights extending to the Continental Shelf, not the territorial limits.

This is a complicated question which we cannot solve by the amendment. Many other questions arise. For example, why should we apply the proposal only to Latin America?

Mr. KUCHEL. I have now modified the amendment by striking out "under the Alliance for Progress."

Mr. FULBRIGHT. The amendment would apply to Africa, Asia, and everywhere else.

Mr. KUCHEL. We do not have any trouble with any African nation sending its gunboats 100 miles to sea and picking up American boats. The trouble that we are having is with Peru. That is what the amendment would seek to help remove.

Mr. FULBRIGHT. We might have it——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. On the point raised by the distinguished Senator from Vermont, I wish the record to show that at the most recent international convention a rule was adopted embracing as international law applicable to all nations the so-called Truman doctrine by which, out to the Continental Shelf, oil deposits and mineral deposits can be developed and controlled solely by the nation which owns the shoreline.

Mr. FULBRIGHT. That was agreed to.

Mr. HOLLAND. Yes; that was agreed to. But we lost by a close vote the other proposal relating to fishing limits.

Mr. AIKEN. Does that same limitation apply to all commodities?

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MAGNUSON. In Geneva we had a conference on what we call the law of the seas and whether we should extend our 3-mile limit. As I recall, the Russians and other nations desired a 12-mile limit. There was a long discussion. The conference lasted 3 weeks. A measure providing for a 12-mile limit was agreed to. The Defense Department opposed the proposal on the grounds that if we should extend the territorial jurisdiction of the nations to 12 miles, we would close many straits, such as Gibraltar and the Straits of Dover. There are 17 of them.

But all through the thread of the thinking of the conference was the fact that for fishing a different situation applied, and that nations should have the right or at least some equity in maintaining their historical fishing grounds. For example, I refer to the Grand Banks of New England. In relation to historical fishing grounds, we could not lay a line 3 miles or 12 miles out from the shoreline. In some cases the historical fishing grounds might go out 50 miles and turn. It depends on how the shelf of the ocean is located.

We tried desperately to get the conferees to discuss navigation and territorial legal rights and to remove fishing from those. I believe the consensus of the Geneva meeting was that we should do so.

Then 2 years ago the Senate, in the Trade Expansion Act, unanimously adopted an amendment which called upon the President of the United States to call an international conference on fishing rights, which would involve the Continental Shelf and historical rights. The conference has never taken place. Meanwhile, the Senator from California and I, since the conference has not taken place, have had to resort to all kinds of other ways to call attention to the problem. As I have mentioned before, one aspect of the problem is the 200-mile limit off of Peru. Two years ago I talked to the Peruvians about the problem. They said, "This is the line that the United States set." During the war we set a line concerning which we said that any enemy warship could not come within 200 miles of Peru, Chile, or Ecuador. Indeed, we established it all over the hemisphere, stating that the waters within those boundaries were not neutral waters.

They have been using this area for fishing. Their historic fishing grounds do not extend 200 miles. The shelf does not extend 200 miles. It happens that the two currents of the ocean, the Humboldt Current and the Japanese Current, meet at that point. That is where all the plankton and other small fish congregate. It is a huge fishing grounds.

The PRESIDING OFFICER. The 2 minutes yielded to the Senator from Washington have expired.

Mr. FULBRIGHT. I yield an additional minute to the Senator from Washington.

Mr. MAGNUSON. We lost the 12-mile limit by about two votes.

Mr. FULBRIGHT. The result was close.

Mr. MAGNUSON. But it was mainly on legal and military grounds, not on fishing grounds.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I wish to explore the exact meaning of the amendment. The amendment provides:

> No assistance shall be furnished to any country which hereafter extends its jurisdiction for fishing purposes over an area of the high seas beyond that recognized by the United States.

I construe that language to mean that the United States would take it upon itself to fix the area within which fishing might be done beyond its shores; and when it fixed such an area, the same mileage would become applicable to other nations in the Western Hemisphere.

Mr. FULBRIGHT. Everywhere.

Mr. LAUSCHE. If the United States has a right to say that the distance shall be, let us say, 15 miles, on what theory of reasoning can we deny to Peru or other nations the right to say that the distance shall be 30 miles?

Mr. FULBRIGHT. The only theory is that we are giving aid, and they are not. Therefore, they would have to comply in order to obtain aid. It is a bad theory. We are, in effect, saying, "We have set the rules, and you must comply; otherwise, you will get no aid." In my opinion, that is an improper use of the aid program.

Mr. LAUSCHE. The language of the amendment as it is now drawn would not provide for equal, mutual rights among nations of the Western Hemisphere. The United States would arrogate to itself the power to declare what the distance from shore shall be within which fishing could be done.

Mr. FULBRIGHT. That is true.

Mr. LAUSCHE. The other nations would have to abide by what we declared to be the rules.

Mr. FULBRIGHT. Or else not receive any aid.

Mr. LAUSCHE. That is correct. We do not follow that practice now, but the amendment seeks to establish such a practice. The language provides that "no assistance shall be furnished"——

Mr. FULBRIGHT. In other words, according to the language of the amendment, if other nations do not recognize what we say is the limit, they will receive no aid. We might just as well say, "If you do not recognize what we say, we will send a gunboat, for we have control over the seas."

To use the aid program in this manner is wrong. First, it is undiplomatic. If diplomacy fails, the traditional next method has been to use the Marines. But to follow the practice proposed by the amendment would be an improper use of aid. It would be beyond the scope of the aid program.

Mr. LAUSCHE. Based upon my knowledge of the Anglo-Saxon system of jurisprudence, I feel impelled to say that the basic principle underlying justice requires that rights and obligations be mutual. One cannot ascribe to himself a greater right than he is willing to give to another person who is jointly engaged in a common purpose with him.

Mr. FULBRIGHT. The Senator is correct. We tried to follow that procedure in the conference, as has been related. We came close to arriving at a mutual agreement. I hope we shall revive that effort and continue to try to reach an agreement. That is the proper way to proceed.

Mr. President, it is now 2:15 p.m. We spent an hour and a half on a noncontroversial amendment, and we have now spent an hour and a half on this amendment. I am ready to vote. We spent an hour on a similar amendment last year.

Mr. KUCHEL. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on agreeing to the amendment of the Senator from California [Mr. KUCHEL]. the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Minnesota [Mr. MONDALE], the Senator from Utah [Mr. MOSS], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Connecticut [Mr. DODD] is paired with the Senator from Rhode Island [Mr. PELL]. If present and voting, the Senator from Connecticut would vote "yea" and the Senator from Rhode Island would vote "nay."

I further announce that, if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Hawaii [Mr. FONG] is absent on official business.

The Senator from Utah [Mr. BENNETT] is detained on official business.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 59, nays 24, as follows:

[No. 123 Leg.]

YEAS—59

Aiken
Allott
Anderson
Bartlett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Gore
Gruening
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Magnuson
McClellan
McIntyre
Metcalf
Miller
Montoya
Morse
Mundt
Murphy
Muskie
Nelson
Pearson
Prouty
Randolph
Robertson
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—24

Bass
Bayh
Brewster
Cooper
Douglas
Fulbright
Harris
Hart
Javits
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, La.
Mansfield
McCarthy
McGovern
McNamara
Monroney
Morton
Pastore
Proxmire
Ribicoff
Tydings
Young, Ohio

NOT VOTING—17

Bennett
Byrd, Va.
Dodd
Dominick
Fong
Hayden
Long, Mo.
McGee
Mondale
Moss
Neuberger
Pell

Russell, S.C. Smathers Tower
Russell, Ga. Talmadge

So Mr. KUCHEL's amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GRUENING. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KENNEDY of Massachusetts. Mr. President, I share the concern of the Senator from California when fishing boats are seized on the high seas by other nations. I think it is imperative that all nations understand that we will not stand by as U.S. vessels and seamen are detained for fishing in waters that are historically international.

As a Senator from a State with long tradition in the fishing industry, I fully understand the economic difficulties and necessities that cause our fishermen to seek out their catch. The fact that one nation, or a group of nations, arbitrarily decides to exclude others from the coastal areas for hundreds of miles, adds one more burden to an industry that currently is attempting to overcome many hardships.

Despite my strong views on this matter, I voted against this amendment to stop our entire aid assistance to Peru or to any other nation that restricts international fishing rights. I can see no relationship between an assistance program designed to help developing nations to grow and prosper as partners in the free world and a diplomatic dispute over fishing rights. The adoption of this amendment in effect tells the people of Peru that they must alter their position on fishing limitations or we will not assist their growth into a strong and democratic nation. We are not calling for consultation or international discussion; we are simply refusing to assist them in eliminating their slums, improving their farms, or in their defense against communism, because they are fining our fishing vessels. It seems to me, Mr. President, that these are totally unrelated matters.

Mr. ELLENDER. Mr. President, I send to the desk amendments and ask that they be stated.

The PRESIDING OFFICER (Mr. HARRIS). The clerk will state the amendments.

The LEGISLATIVE CLERK. On page 3, line 12——

Mr. ELLENDER. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendments will be printed in the RECORD at this point.

The amendments offered by Mr. ELLENDER are as follows:

On page 23, line 12, after the word "or" insert "(except as required pursuant to agreements entered into prior to June 30, 1967)".

On page 24, beginning in line 9 with the comma, strike out all through the word "amended" in line 11.

On page 25, between lines 8 and 9, insert the following:

"(5) Assistance of the type now carried on under the Agricultural Trade Development and Assistance Act of 1954 through the use of surplus agricultural commodities. All proposals in this category shall be referred to the Committee on Agriculture and Forestry of the Senate and the Committee on Agriculture of the House of Representatives."

On page 25, line 12, after "(a)" insert "and assistance of the type now carried on under title I of the Agricultural Trade Development and Assistance Act of 1954".

On page 26, line 4, strike out "twelve" and insert "sixteen".

On page 26, line 13, strike out the period and insert a semicolon.

On page 26, between lines 13 and 14, insert the following:

"(4) Two members of the Committee on Agriculture and Forestry of the Senate, to be designated by the Vice President.

"(5) Two members of the Committee on Agriculture of the House of Representatives, to be designated by the Speaker of the House of Representatives."

Mr. ELLENDER. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, on June 8, I offered an amendment that would have had the effect of striking from the bill reference to the Agricultural Trade Development and Assistance Act of 1954. The amendments were not acceptable in that form.

In the meantime I discussed the matter with the distinguished chairman of the committee, who was interested in the amendment. This morning we arrived at the point at which the amendments are acceptable to the distinguished Senator from Arkansas [Mr. FULBRIGHT], as well as the distinguished Senator from Oregon [Mr. MORSE].

These amendments would:

First. Permit contracts entered into under the Agricultural Trade Development and Assistance Act of 1954 before June 30, 1967, to be carried out in accordance with their terms.

Second. Require legislative proposals with respect to matters covered by that law to be covered in a separate category of the President's proposals under sections 702 and 703 of the bill, and preserve the jurisdiction of the Committees on Agriculture over such proposals.

Third. Provide for appointment of two members from each of the Committees on Agriculture to the Temporary Planning Committee provided for by section 704 of the bill.

The Agricultural Trade Development and Assistance Act of 1964 now authorizes the sale of surplus agricultural commodities for foreign currencies, which then are to be devoted to uses specified by the sales agreement. Sales agreements can now be entered into through December 31, 1966, and section 109 of that act now provides that no transactions can be undertaken after that date "except as required pursuant to agreements theretofore entered into." Section 701 of the bill, by prohibiting any assistance being furnished pursuant to the Agricultural Trade Development Act after June 30, 1967, would prevent contracts under that act, or any extension of it, from being carried out in accordance with their terms and in accordance with that law. Passage of section 701 in its present form would cut across contracts which have already been entered into under the Agricultural Trade Development Act and prevent new contracts from being entered into in accordance with the terms of that act. The amendments would permit contracts entered into prior to June 30, 1967, under that act, or any extension of it, to be carried out in accordance with their terms.

The amendments would also require assistance of the type now carried on under the Agricultural Trade Development and Assistance Act of 1954 to be set up in a separate category of the President's legislative proposals under section 703. Section 703 now provides for four categories. The amendments would provide for a fifth category, and provide further that the proposals in that category be referred to the Committees on Agriculture. All proposals would still be included in a single package, but the proposals which fall within the jurisdiction of the Senate Committee on Agriculture and Forestry would be in a separate category within that package, and the jurisdiction of the Committee over that part of the package would be maintained.

The Temporary Planning Committee established by section 704 of the bill would make recommendations to the President prior to his sending legislative proposals to Congress. Under section 704 that Committee is composed of 12 members, 8 of whom would be members of the Foreign Relations and Foreign Affairs Committees. Since the Planning Committee would be considering matters within the jurisdiction of the Committees on Agriculture, there should be some representation of these Committees on the Temporary Planning Committee. The amendments, therefore, increase the membership of the Temporary Planning Committee to 16 and provide that the additional 4 members would be appointed; 2, from the Senate Committee on Agriculture and Forestry and 2 from the House Committee on Agriculture.

Mr. MORSE. Mr. President, I ask that the Senator yield to me 5 minutes.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the distinguished Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, the Senator from Louisiana [Mr. ELLENDER] has suggested certain changes in the language of the committee amendment as it relates to Public Law 480.

I know the Senator shares my objective in trying to bring the various forms of aid together in a package for individual countries so some policy direction can be extended that will apply to all forms of aid, whether it takes the form of agricultural commodities, military commodities, or manufactured commodities.

His amendment takes account of the fact that agreements under title I of Public Law 480 may call for delivery over a period of several years, but they are financed by the United States in a single year. In this sense, commodity agreements are different from other foreign aid commitments, which may be negotiated without the knowledge of the Congress, but on which we are called upon to make good for 3, 4, 5, or more years whenever a foreign aid bill or appropriation is before us.

A major purpose of the committee amendments was to serve notice upon the administration and upon all countries receiving assistance that whatever had been negotiated with them under existing law was not to be considered in effect after June 30, 1967. This was to wipe the slate clean, so to speak, so that Congress could take a fresh look at aid without the necessity of considering that all the on-going programs were to be continued, no matter what conclusions its temporary planning committee might reach about the value of the programs.

However, I recognize that title I contracts call for delivery over a period of years largely because the receiving country lacks storage space for the commodities if they were to be delivered all at one time. Since these contracts do not oblige Congress to continue providing money over the period of the delivery, I believe that the exception called for in the Ellender amendment is a reasonable one.

I hope it will be kept in mind that the Temporary Planning Committee is not to plan an end to foreign aid, but how it can reasonably and usefully be continued. It will, of course, make some findings and recommendations for the extension of food under Public Law 480, including title I, to follow after June 30, 1967. But let me stress that will in no way affect the jurisdiction of the Agriculture and Forestry Committee of the Senate.

So I hope there will be no misunderstanding that the Morse amendment contemplates that no more food will be sent abroad under title I. The purpose instead is to better organize it as a part of the total aid to a given country.

I hope, also, that there will be no hasty actions downtown in an effort to enter into a lot of long-term commitments prior to the June 30, 1967, date called for in the Ellender amendment. The fact that the commitments will be honored under this amendment will be no justification for an effort to undercut the work of the planning committee.

Mr. ELLENDER. I thank the Senator from Oregon. I assure him that under the present Public Law 480 any contracts must be submitted to the Committees on Agriculture of the House and the Senate.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, we have been in discussion with the Senator from Louisiana and other Senators in the course of preparation of the amendment. It is a good amendment, and it outlines what is intended to be accomplished.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. SPARKMAN. I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Does the Senator's proposed amendment on page 26 have the effect of enlarging the temporary planning committee to 16 rather than 12 members by adding 2 members each from the Agriculture Committees of each House?

Mr. ELLENDER. It would add 2 members from the House committee and 2 members from the Senate committee, and increase the total from 12 to 16.

Mr. AIKEN. Then the figure "12" should be changed to "16."

Mr. ELLENDER. That would have to be corrected. It can be done.

I understand that that change is included in the amendment.

Mr. AIKEN. It is taken care of, then.

The PRESIDING OFFICER. Does the Senator from Alabama yield back his time?

Mr. SPARKMAN. I do.

The PRESIDING OFFICER. All time on the amendments of the Senator from Louisiana is yielded back.

The question is on agreeing to the amendment.

The amendments were agreed to.

AMENDMENT NO. 266

Mr. HICKENLOOPER. Mr. President, on behalf of myself and the Senator from Alabama [Mr. Sparkman], I call up my amendment identified as No. 266, and ask unanimous consent that they be printed in the Record without being read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 266) ordered to be printed in the Record are as follows:

On page 18 amend section 301(e) as follows: (A) Between lines 13 and 14 insert:

"(1) Amend subsection (e)(1), which relates to expropriations and related matters, by inserting '(including the issuance of new investment guaranties)' after the words 'The President shall suspend assistance' and by inserting 'pursuant to procedures substantially equivalent to those set forth in the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States submitted to governments by the International Bank for Reconstruction and Development' after the words 'which may include arbitration'."

(B) Renumber subsections (1) and (2) as (2) and (4), respectively.

(C) Between lines 18 and 19 insert:

"(3) Add the following subparagraph to subsection (e):

"'(3) No assistance (including the issuance of new investment guaranties) shall be furnished in connection with any project if property used in, or concession rights relating to, the same or a substantially similar predecessor project are the subject of a bona fide claim by, or of a judgment or award in favor of, any United States citizen or any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens that such property or rights were, without consent, on or after the effective date of this Act, subjected to expropriatory or other similar acts as described in subparagraphs (1)(A), (1)(B), and (1)(C) of this subsection, unless the property or rights which are the subject of such claim, judgment, or award are restored to the claimant, pursuant to the mandate of a judgment or award or under terms agreed to by the claimant'."

Mr. HICKENLOOPER. Mr. President, the amendments proposed by the Senator from Alabama and myself are in the nature of expropriation amendments referring to the cessation of aid after expropriation.

In the law at the present time, or even as proposed in the bill, there is a question as to whether or not the cancellation of certain contracts is covered in the so-called Hickenlooper amendment adopted heretofore.

The amendments arise specifically because of the following situation: Some American companies received a concession and a development contract for some extensive bauxite deposits in Guinea.

In 1961 and 1962 the Government of Guinea canceled the concession after the American companies had spent several million dollars in the development of that concession. Thereafter, AID proposed to, and actually has, as I understand, issued an investment guarantee to another company subsequent to the cancellation of the first contract with American companies in connection with the development of the bauxite deposit.

The amendments provide that when a contract of this nature has been nullified by a foreign country, new investment guarantees to other American companies shall not be issued by AID.

Perhaps I had better read the three ways in which the amendments would change the existing law.

They would clarify the present law, first, by expressly declaring what is clearly already true—that suspension of assistance includes suspension of the issuance of new investment contracts.

The question of whether new investment guarantees are covered or not has been in some dispute. AID takes the position that the new investment guarantees are not covered by the Hickenlooper amendment. But this makes it clear that they are.

Second, by requiring that the arbitration procedures contemplated by the statute must be at least equivalent to those set forth in the Convention on the Settlement of Investment Disputes recently drawn up by the World Bank with the support of the United States and referred to governments for acceptance. The World Bank Convention provides for binding arbitration. Moreover, the Bank's ability to withhold future loans offers some promise that an award made under the standards of its Convention will be more likely to be complied with than otherwise might be the case.

Third, by expressly cutting off all forms of assistance to a successor project which involves the use of property or rights which are the subject of an expropriation claim by a predecessor concessionaire having the requisite American ownership, until these claims are satisfactorily settled. This suspension of assistance applies to expropriation cases in which the expropriatory acts occurred on or after the effective date of the Foreign Assistance Act of 1961.

Mr. President, this provision is not retroactive. Since AID has already gone forward and issued new investment guarantees to a new company on this same concession, which had been actually canceled by the Government of Guinea to other investors, since that has already been done by AID, this amendment would not attempt to go back and now deny this new investment guarantee, but it does affect investment guarantees in the future.

It would also affect the speedy settlement of claims for the seizures already effected.

I hold in my hand a memorandum on this particular subject, which I ask unanimous consent to have printed in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Memorandum on Expropriations of American-Owned Property in Guinea

A serious problem has arisen in Guinea where the Government of the Republic in 1961 and 1962 expropriated the concession contract as well as all the assets of American-owned companies engaged in developing the extensive bauxite deposits of Guinea. Thereafter, in 1963, Guinea entered into a new contract with another American-owned company to develop the same deposits. This second contract, which is held by Harvey Aluminum Co. of Delaware, was made expressly contingent on the issue to Harvey by the U.S. Government of investment guarantee contracts guaranteeing that company's investments in Guinea.

Representatives of AID on May 21, 1965, advised the American-owned members of the consortium, Reynolds Metals Co., Aluminum Co. of America, Aluminium, Ltd., and Kaiser Aluminum & Chemical Corp., that the United States, for reasons of policy, was seriously considering issuing a guarantee to Harvey simultaneously with approval by Guinea of a procedure for arbitration of the claims of the consortium. The American-owned members of the consortium, whose total investment in Guinea is approximately $25 million, have vigorously protested that such action by the U.S. Government would destroy or at the least seriously prejudice the interests of the American owners by depriving them of any prospect of securing specific performance of the obligations of the Government of Guinea and by relegating them to the uncertain prospect of an arbitration as to which there exists no means of enforcing an award if Guinea refused to recognize it, and no economic means of paying the award even if Guinea wanted to do so.

Despite these protests, on June 9, 1965, AID announced that it had issued specific risk guarantees to Harvey Aluminum Co. of Delaware covering investments of $16 to $20 million in the Boké project in Guinea.

Quite apart from the staggering losses faced by the American-owned members of the consortium, there is obviously at stake a larger question of public policy as to the administration of the AID program in general and of the investment guarantee program in particular. That larger question is whether the United States as a Government should do anything to assist a country which has engaged in confiscation of the interests of one group of American investors, to effectuate a similar arrangement for the same purposes with another investor. In principle, this question has already been answered by the Congress in enacting section 620(e) of the Foreign Assistance Act. It is believed that the issuance of an investment guarantee with respect to the successor concessionaire in Guinea violates both the spirit and the letter of the statute. However, since it appears that the executive branch has committed itself to go ahead, it must be assumed that it finds some ambiguity in the law.

Accordingly, it is proposed to clarify the existing language of the Hickenlooper anti-expropriation amendment in section 620 (e)(1) of the Foreign Assistance Act in two respects and to add a new subparagraph (3) to assure that U.S. investment guarantees will not be available for a project where one U.S. party to a concession agreement has been ousted and no satisfactory settlement has been made. The clarifying amendments in section 620(e)(1) make clear that an investment guarantee constitutes assistance within the prohibitions of that provision and that any arrangement for arbitrating an investment dispute that is to meet the requirements of that provision must meet the procedural standards for arbitrations set out in the World Bank Convention on the arbitration of investment disputes (including advance acceptance of the arbitration as binding). The new subparagraph 620(e)(3) insures that (in addition to the protections of an American investor provided under 620 (e)(1)), where a U.S. concession agreement has been repudiated without consent and without compensation, no assistance shall be given to the successor project unless there has been a satisfactory settlement of the rights of the predecessor concessionaire. This latter provision should discourage the repudiation of concession agreements and transfer of concession rights to a higher bidder and thus give U.S. holders of concession agreements some further protection against loss of their concession rights.

Mr. HICKENLOOPER. I have taken the amendment up with the chairman of the Foreign Relations Committee, and I would like to have it verified by the Senator from Alabama, the coauthor of the amendment, who was in the Chamber just a moment ago, that I correctly understand that the chairman of the Foreign Relations Committee and Senator in charge of the bill is willing to take the amendment to conference, so that we may inquire a little further into the details of the particular subject matter and present it to the conference.

If it is meritorious, we would hope to support it vigorously in conference. If there is some reason why it should not be taken to conference, that, of course, would have an effect on it. But we should take it to conference.

Mr. CHURCH. Mr. President, before the Senator from Alabama left the Chamber, I had an opportunity to check with him. The Senator is temporarily absent from the Chamber, but he advised me that he is perfectly amenable to taking the amendment. He is a cosponsor of the amendment. The chairman of the Foreign Relations Committee is also amenable to taking the amendment to conference.

Mr. HICKENLOOPER. I thank the Senator from Idaho. Therefore, we will examine it a little later, if that is satisfactory to the Senator.

Mr. President, I yield back the remainder of my time.

Mr. CHURCH. Mr. President, I ask unanimous consent that a statement which has been prepared by the group, which is an explanation of the amendment, may be printed in the Record.

There being no objection, the questions and answers were ordered to be printed in the Record, as follows:

Questions and Answers Regarding 1965 Amendments to Hickenlooper Amendment

Question. What is the basic purpose for the amendment?

Answer. The basic purpose is to clarify the original meaning of the Hickenlooper amendment and to correct certain misapprehensions which may arise as a result of the State Department's handling of the Guinea expropriation case in which a successor American-owned concessionaire has been awarded an investment guaranty contract covering the Boke' bauxite deposits before the claims of the prior American-owned concessionaire have been settled.

Question. What changes specifically does the proposed amendment make in the present Hickenlooper amendment?

Answer. It clarifies its purposes in three ways:

1. By expressly declaring what is clearly already true that suspension of assistance includes suspension of the issuance of new investment guaranty contracts.

2. By requiring that the arbitration procedures contemplated by the statute must be at least equivalent to those set forth in convention on the settlement of investment disputes recently drawn up by the World Bank with the support of the United States and referred to governments for acceptance. The World Bank Convention provides for binding arbitration. Moreover, the Bank's ability to withold future loans offers some promises that an award made under the standards of its convention will be more likely to be complied with than otherwise might be the case.

3. By expressly cutting off all forms of assistance to successor project which involves the use of property or rights which are the subject of an expropriation claim by a predecessor concessionaire having the requisite American ownership, until these claims are satisfactorily settled. This suspension of assistance applies to expropriation cases in which the expropriatory acts occurred on or after the effective date of the Foreign Assistance Act of 1961 (i.e., Sept. 4, 1961).

Question. Why was the Hickenlooper amendment disregarded by the State Department in the Guinea expropriation case?

Answer. It is said that lawyers in the Department ruled that the amendment did not apply timewise since it applies to expropriations taking place after January 1, 1962, whereas the expropriation decree in Guinea was dated in November 1961. However, that decree by its own terms did not become finally effective and irrevocable until February 1962.

Question. Does the State Department accept the policy of the Hickenlooper amendment?

Answer. Secretary Rusk appearing before the Foreign Relations Committee in 1963 clearly accepted the principle of the Hickenlooper amendment and stated that "our experience thus far has meant that that amendment has been a good thing."

Question. Does the proposed amendment invalidate investment guarantee contracts already issued to investors?

Answer. No, all outstanding guarantee contracts including those recently issued to Harvey Aluminum Co. remain unaffected by the proposed amendments. Whether the Harvey guarantee was legally issued under the present language seems open to question. The proposed amendment does not affect this situation.

Question. Does the proposed amendment impair any commitment as to investment guarantees already made to the Government of Guinea?

Answer. No, the sanctions of the proposed amendment operates prospectively only.

The outstanding commitments of the United States to Guinea with respect to investment guarantees for Boké are not impaired, since they have already been made.

Question. How much aid is Guinea receiving from the United States?

Answer. In addition to investment guarantees, Guinea is programed to get about $15.6 million from prior year authorized programs still in the pipeline. Figures for new authorization are still confidential.

Question. Would future programs be affected by the proposed amendment?

Answer. Yes, the proposed amendment would in effect prohibit further assistance in connection with the Boké project until settlement of the claims of the American-owned companies whose interests were expropriated.

Question. What is the total of these claims?

Answer. Approximately $25 million.

Question. What companies are interested in these claims?

Answer. The American-owned companies are: Reynolds Metals Co., Kaiser Aluminum & Chemical Corp., Aluminium, Ltd., and Aluminum Co. of America.

Mr. CHURCH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment of the Senator from Iowa [Mr. HICKENLOOPER]—No. 266.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to be charged to the bill.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 249 AND 250

Mr. MORSE. Mr. President, I call up my amendments Nos. 249 and 250. I shall offer a modification and ask that they be treated as joined together.

The PRESIDING OFFICER. The amendments will be stated.

The legislative clerk proceeded to state the amendments.

Mr. MORSE. Mr. President, I ask unanimous consent that the further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

"(f) At the end thereof add a new section as follows:

"SEC. 620A. (a) Notwithstanding any other provision of this Act—

"'(1) the total amounts obligated or reserved during fiscal year 1966 for assistance under part I of this Act to Pakistan shall not exceed an amount equal to 75 per centum of the amount specified for such purpose for such country in the presentation material submitted to the Congress during its consideration of the Foreign Assistance Act of 1963; and

"'(2) the total amounts obligated or reserved during fiscal year 1966 for assistance under part II of this Act to Pakistan shall not exceed 75 per centum of the respective amounts specified for such purpose for such country in such presentation material.

"'(b) The President shall determine the amounts by which the sums available for assistance to Pakistan are less than the sums which, but for the provisions of this section, would have been available for such purpose, and such amounts shall be deducted from appropriations or other funds available for such purpose and deposited in the general fund of the Treasury.'"

On page 18, after line 22, add the following:

"(f) At the end thereof add a new section as follows:

"'SEC. 620A. (a) Notwithstanding any other provision of this Act—

"'(1) the total amounts obligated or reserved during fiscal year 1966 for assistance under part I of this Act to India shall not exceed an amount equal to 75 per centum of the amount specified for such purpose for such country in the presentation material submitted to the Congress during its consideration of the Foreign Assistance Act of 1963; and

"'(2) the total amounts obligated or reserved during fiscal year 1966 for assistance under part II of this Act to India shall not exceed 75 per centum of the respective amounts specified for such purpose for such country in such presentation material.

"'(b) The President shall determine the amounts by which the sums available for assistance to India are less than the sums which, but for the provisions of this section, would have been available for such purpose, and such amounts shall be deducted from appropriations or other funds available for such purpose and deposited in the general fund of the Treasury.'"

The PRESIDING OFFICER. Does the Senator from Oregon wish his amendments to be considered en bloc?

Mr. MORSE. Yes. I wish to explain them. I yield myself such time as I need. Amendment No. 249 deals with Pakistan, and amendment No. 250 deals with India. I wish to have them considered together.

The PRESIDING OFFICER. Without objection the amendments will be considered en bloc.

Mr. MORSE. The problem I shall discuss involves a common problem with both countries.

As I pointed out, both amendments refer to "presentation material submitted to the Congress during its consideration of the Foreign Assistance Act of 1963." That wording should be changed to "Foreign Assistance Act of 1965" in each amendment.

The PRESIDING OFFICER. The amendments will be modified accordingly.

Mr. MORSE. Mr. President, these two amendments, which I shall now discuss as though they were combined in one amendment, would limit aid to Pakistan in fiscal year 1966 to 75 percent of the sum submitted in the briefing presentation. As we know, the figures showing the amounts expected to be extended to individual countries in the coming year cannot be published, so the language of my amendment calls for a percentage reduction in the total estimate, rather than a fixed dollar amount.

I am merely saying that whatever the figure is, instead of granting that figure, the figure to be granted should be only 75 percent of it.

My second amendment, No. 250 would similarly limit India to 75 percent of the estimate for the forthcoming fiscal year.

Both amendments apply to military and economic aid.

Mr. President, the administration will have no difficulty cutting out 25 percent to India and 25 percent to Pakistan. There are no "bare bones" connected with the proposal for Pakistan and India. In my judgment, they are not only covered with fat representing entirely too large a proposal, but they are also indicative of the type of waste, inefficiency, and also unsound military aid policies which the senior Senator from Oregon has been criticizing on the floor of the Senate for some years.

Nowhere in the world is American foreign aid being wasted more cynically than in these two countries. The purpose of our economic aid was being undermined by a war effort that threatens and endangers American security interests in that part of the world. And what other reason is there for American aid? Why else do we extend so much assistance, military and economic, to these nations?

If Pakistan and India would stop their warmaking efforts, if they would stop building up their military power so that if they come to war over Kashmir they will be able to fight a bloody war 100 percent equipped on each side with American military aid, then the Senator from Oregon would be urging more money for the development of economic freedom for the underprivileged people of India and Pakistan. But the time has come to call a halt to the type of military aid and wasteful economic aid that characterizes so much of the foreign aid program of both Pakistan and India.

We do it only because we thought at one time that American security interests would be preserved by the hundreds of millions of dollars that we have been pouring into Pakistan and India.

But programs that were started in the 1950's for this purpose have not been revised when the conditions that gave rise to them changed. And conditions between India and Pakistan have changed radically. For both countries; the primary foreign concern is for the contested border areas. Into that contest they are putting the military aid we extended both of them, and our economic assistance is subsidizing that war effort of India and Pakistan.

Through fiscal year 1964 we gave Pakistan $2,630 million in economic loans and grants. The date for her military aid remains classified.

That puts the senior Senator from Oregon in a delicate position. All I can say to the American people about it is that it is tremendous. It is huge. It ought to be cut. It is inexcusable that the present administration continues its policies of secrecy in connection with keeping concealed what it proposed to make available to India and Pakistan by way of military aid.

It is classified for only one reason—not to keep it from Russia or China or even the American people, but primarily to keep it from India. Obviously, if India knew how much U.S. military equipment had been sunk into Pakistan—and it works the other way, too, when it comes to Pakistan wanting to know how much India will get—she would demand even more from us than we have already agreed to give her in order to equalize her military forces with those of Pakistan.

In both countries, American aid takes the form primarily of loans to make possible a higher level of imports than either country could maintain out of foreign earnings. Despite the fact that both of them have for several years received large general loans, there is no indication that either India or Pakistan is reaching a point where these loans may be reduced.

The presentation shows that the minimum aid to both countries planned for fiscal year 1966 is the sum extended to them in fiscal year 1965. It is expected and anticipated that under this year's authorization, economic assistance to India and Pakistan will be increased over what it was last year.

In the case of India, an increase of some 14 percent is contemplated, and in the case of Pakistan, an increase of some 10 percent.

The major international activity of both countries in the last year has been their confrontation not only over Kashmir, but more recently over a border area on the Arabian Sea.

In the case of Pakistan, she is using the billions in military aid we have already furnished her, and she is using it in violation of the very law under which we are expecting to give her more military equipment in fiscal year 1966.

Do not forget that, as I pointed out the other day in my argument for a cut in military aid, no country has the right to use our military aid for the purpose of making war or planning to make war on a neighbor or another country. That is in violation of the law. But our Government winks at it. Our Government continues to pour out the money.

To compound the fatuity, under this bill, we are going to give her even more military aid than she received last year.

But now we plan to start giving India large-scale military aid. That is how the Pentagon figures to keep the peace of the world and to keep the peace between India and Pakistan. How silly can we be? It does not make commonsense. If the time ever comes when commonsense is the criterion in connection with developing a foreign aid program, then the senior Senator from Oregon will have won his battle.

I am hoping that the Morse formula in the bill will be retained in conference. I am hoping, as a result of the Morse amendments, that by the beginning of fiscal year 1967 we shall have a thoroughgoing reworking of our foreign aid program by the special committee or commission that is being provided for. I am satisfied that any study by any such group of impartial men will result in recommendations for drastic reforms in our foreign aid program, and that the Senate will be surprised how many of those recommendations will be down the line of the various amendments which the Senator from Oregon has been proposing on the floor of the Senate for the past several years.

But, of course, now we plan to start giving India large-scale military aid, too. That is how the Pentagon figures to keep peace between them. First, it winks at the provisions of the Foreign Assistance Act that require a nation to use our military aid only for purposes specified and makes them ineligible for any equipment used for other activities. The war with India is not one of the purposes for which our aid can be used. Yet the tanks and other mobile equipment we have so generously furnished to Pakistan have no value anywhere except on the borders facing India. Pakistan probably could not use it at all against Russia or China because her borders with those countries are mountainous. But it is just right to use on the plains where Pakistan adjoins India.

After winking at the clear provisions of the law, the Pentagon then evens up the imbalance it created in the first place by beginning to arm India. And to pacify Pakistan over the new arms aid to India, we sweeten the pot for Pakistan by increasing her arms aid over last year.

It is no wonder that all this also requires more economic aid to finance their two war efforts. The more military aid we furnish them to fight each other, or to get ready to fight each other, the more economic aid they will need to pay for the war effort. But they will get that, too, under the terms of the bill.

Are not conditions bad enough in Asia? Are we not already complaining of the lack of support for our war in Vietnam among the large nations of Asia? Is it not bad enough that neither Pakistan nor India supports the war in Vietnam, without our equipping and financing them in a war with each other?

Pakistan and India have no intention of supporting us in Vietnam. They have told us so over and over again. The Prime Minister of India is highly critical of American policy in Vietnam. It is interesting, is it not, that he was within a stone's throw of the United States only the other day on a visit to Canada? We are aware of the unfortunate diplomatic blooper that resulted in the Prime Minister of India bypassing the United States while he was on a visit to the Prime Minister of Canada.

We know what the Foreign Minister of Pakistan has said to us. He came to Washington to say it to us, and said it right into our teeth at the Press Club not so many months ago. Pakistan is one of the members of the SEATO Treaty, about which we have had so much to say in the past.

When a correspondent asked the Prime Minister of Pakistan, "Do you intend to be of any help to us in South Vietnam?" He replied, "No." He followed his "No" by saying, "That is the problem of the United States. Our problem is with India."

Yet we are pouring millions of dollars into India and Pakistan to enable them to prepare for war against each other. I do not understand the nonsense of it.

While I criticize Pakistan and India at this moment, there are those who do not want to go to the record, who get the idea that I am against the people of India and the people of Pakistan. Quite the contrary. To them I say, "Come along and support those of us who are trying to clean up the stinking mess in military and economic aid that we are financing to the extent of hundreds of millions of dollars of taxpayers' money every year. Help us who are trying to clean it up, and you will find the senior Senator from Oregon voting for more aid than is provided in the bill, but an entirely different type of aid: an aid that will not help the military oligarchs, an aid that will not help to prepare the world for war, an aid that will not make hundreds of thousands of Communists month after month."

Our aid program is the best propaganda that the Communists need in many an underdeveloped area in the world to drive people into the arms of the Communists.

Help us really to clean up aid, as my amendment proposes to do. It would do so to a small degree, I admit; but it is something. It says to India and Pakistan: "We are going to cut by 25 percent the amount of aid we give you." Perhaps that will cause them to do a little answering to their constituents, who will want to know, "How come?" That may help to cause a discussion in India and Pakistan of the facts and may result in a cleaning up of the AID program that we have been sponsoring in those countries for many a year.

This amendment is an approach that will help to bring to an end some of the abuses that have developed in the AID program in Pakistan and India. I cannot understand the concern of some Senators about cutting aid to Pakistan. Do they think that Pakistan is closer to us than she is to Red China? We know what the record of Pakistan is vis-a-vis Red China. The leaders of Pakistan have made it perfectly clear to us that they will not join us in our concern about Red China. Pakistan deals with Red China. It has entered into air arrangements and negotiations with Red China. Pakistan has entered into trade with Red China. Pakistan plays both sides of the street. But we pour millions of dollars of aid into Pakistan at the same time she is strengthening her rapport with Red China.

One of the arguments I hear from Senators is, "You will have Pakistan doing more business with Red China if you follow the proposal of the senior Senator from Oregon." I do not buy that argument of international blackmail. Pakistan is not the only country concerning which the argument of international blackmail is used. If there is any country that thinks it can shake down the U.S. Government with the threat, "If you don't give us what we ask for, we will go to Russia," my answer is, "Go quickly, and Godspeed. Go on in, go into the orbit of the Communists, and see how you like it."

I tell Senators that if those countries stewed in the juices of communism for awhile, they might recognize how important it is to get on the side of freedom.

I shall never adopt the blackmail argument: "If we do not do this or that, they will go into the embrace of the Communists." Pakistan has been hugging Red China for many months. I am not interested in her embraces on the basis of such a two-timing course of conduct on the part of Pakistan.

No; the time has come when the American taxpayers have a right to have Congress start cutting back on the wasteful program of aid to India and Pakistan. Let the program be changed into a good program, and it will then be a program that will help the poor people of India and Pakistan.

Judging by my trips to India and Pakistan, one can have nothing but deep sympathy for the millions of people of those two underdeveloped nations. I do not like to have the impoverished conditions of the people of India and Pakistan used as an excuse by my government for continuing the wasting of millions of dollars on so-called military aid to build up the military power of Pakistan and India to threaten the peace of that part of the world.

Senators know what will happen if those two countries get into a war. Of course, we shall not be able to stand by. We could not stand by and let a hot war develop in that part of the world. That is why I have said so many times that all our military aid, not only to India and Pakistan, but to Greece and Turkey, and other places, as well, does not strengthen the security of the United States. That is poppycock. That kind of military aid would not be of any help to us in case of a war with Russia. If we got into a war with Russia, we would not be making any use of the Indian or Pakistani troops, or the troops of Greece or Turkey. We would not be making use of any of their equipment. Such a war would be a nuclear war.

All the countries into which we have been pouring military aid are completely dependent on the United States for their own protection and security in case of a war with Russia. They live under the canopy of American nuclear protection. Their military power would be of no help to us in case of a war with Russia. Such a war would be fought, and fought quickly, with nuclear power; and, of course, out of it would come no victors—neither the United States nor Russia.

So long as Pakistan and India continue to receive U.S. aid in increasing amounts, even when it is being squandered in their private quarrel, they will continue to jeopardize the peace of Europe. They will do it with our money. Both India and Pakistan are a threat to peace in Asia. So long as they prepare for war against each other, they must be charged with being a threat to the peace of the world.

Of course, the response of the administration is what it always is in foreign aid matters. It will say that furnishing economic and military aid enables us to exercise some degree of influence over their policies.

That is more poppycock. That is always the purpose of our aid: to interfere in the affairs of other nations.

But the sad thing is that the officials who think they are influencing events are not influencing anything. They think they have accomplished something worthwhile when, in effect, they get Pakistan or India to do something useful to their economies in exchange for more U.S. aid. When they have paid India or Pakistan to do the right thing, they think that is exerting "influence."

That is more poppycock.

But when India and Pakistan want to fight each other, we have no influence. I say they should do it on their own. They should make their war out of their own national effort, and not out of ours.

As it is, my amendment would not reduce aid to India and Pakistan by 25 percent below current amounts because the program calls for increases next year in economic and military aid to both countries. The effect of my amendment would be to reduce their assistance levels by perhaps 10 to 15 percent from last year.

In my opinion, such a reduction will do more to stabilize the subcontinent than anything the United States has done yet. It will do more to forestall a new war in Asia than anything we have done yet. And it will have a salutary effect upon other recipients of aid who may think twice before diverting U.S. assistance to purposes other than that for which it is extended.

Mr. LAUSCHE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To whose time will the quorum be charged?

Mr. MANSFIELD. Mr. President, the time for the quorum may be charged to time allotted to the bill.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 10 minutes.

Mr. SPARKMAN. Mr. President, the Senator from Oregon has designed two amendments which relate to India and Pakistan. These amendments arbitrarily select those two countries, I feel, without giving full consideration to some of the conditions that prevail there.

We are all concerned by some of the things which the Senator from Oregon has set out. We do not like to see those countries quarreling between themselves. However, we must recognize that conditions exist in those countries which require a greater expenditure for the purpose of national defense than they would perhaps like to make.

Pakistan and India are not necessarily countries in which a reduction of this kind would be consistent with the interest of the United States.

The naming of specific countries in legislation, except perhaps in the case of Communist countries, is a bad practice. Such a practice would set a precedent and violate the procedures followed in both the Committee on Foreign Relations and the Senate.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SPARKMAN. Mr. President, we must remember that there has already been a $200 million cut in the amount that would be provided for in the bill. The impact of that cut, plus the 25-percent reduction proposed in the two pending amendments, ought to be kept in mind.

The Senate has rejected larger cuts, cuts across the board, and percentage cuts. I do not believe that it would be wise or advisable to select these two particular countries and agree to a percentage cut such as has been proposed here, in addition to the cut which has been made across the board.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, I preface my remarks with the statement that, during my service in the Senate, I have fought to introduce economy into the business management of our Government.

I yield to no one with respect to that issue in the fight which I have made. I have also fought for the reduction of the amount allocated under the Foreign Assistance Act. However, there comes a time when the reductions reach a point which endangers the very security of our country.

Last Friday the amount allocated to the foreign assistance program was reduced by $200 million. The reduction proposed by the pending amendments is classified. The exact amount cannot be identified.

The Senator from Oregon has stated that he chose the 25 percent reduction so as to maintain the secrecy of the true amount allocated to Pakistan and India. We must recognize that there are nations that are in a forefront position in the defense of the free nations of the world. A number of them have already been identified on the floor today. India and China are within the group which are on the perimeter of the massive strength of China and Russia.

In our approach to the problem of preventing the expansion of communism, and thus protecting the security of our country, all of the responsible persons in Government in the Truman administration, the Eisenhower administration, and the Johnson administration have taken the position that there are certain nations on the perimeter of Russia which must be strong so as to prevent the absorption of those countries by either Russia or Red China. I have already stated that India and Pakistan are two of those nations. Greece has been mentioned. Other countries are Turkey, Taiwan, Korea, Iran, Vietnam, Thailand, Pakistan, the Philippines, and other nations.

Let us take a look at the situation as it prevails in India, Pakistan, Afghanistan, Russia, and China. Red China invaded India. If India falls to the Communists, we have not a chance in the world of saving that area of the earth from Communist control.

The Senator from Oregon has made the statement that the money provided by us was being used primarily for the acquisition and implementation of military men with equipment to be used on the plains separating Pakistan and India. I beg to differ with that statement. A careful examination of the records will show that equipment is being used, and many men who have been placed in the military service are being equipped to fight in the mountains separating China and India.

Consider Pakistan. It is true that there is a critical, painful, and dangerous division between Pakistan and India; but the fact remains that the officials in our State Department and the military departments have kept that subject in mind and have provided aid on the basis of removing in the largest degree possible the danger of conflict between Pakistan and India. There has been no conflict. Those in our Defense Department and in our State Department are just as conscious of that fact as is the Senator from Oregon.

But we must go beyond that question. The countries involved are not only Pakistan and India. Afghanistan is allied with Russia; and it is a dangerous threat to Pakistan. The aid which we are giving to Pakistan in part is intended to maintain and secure Pakistan against any assault by Afghanistan.

Mr. President, I would like to go back to Ohio and tell the people I have voted for the reduction of the foreign aid program beyond the reductions already made. It probably would be a most popular position to take. But, my colleagues, and Mr. President, there is an aspect of service in the Congress that is more important than the invitation of popularity with the voters, and that important aspect is to maintain the security of our Nation and to make certain that the Communists shall not, bit by bit, conquer the various nations of the world.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. May I have 2 additional minutes?

Mr. SPARKMAN. I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Thereby we would be put in a dangerous position.

Do we at any time recognize the technique of the Communists? Their technique is to topple one nation after another. There is no purpose to make a mass assault upon all at one time. They know that if they take Laos today, Vietnam tomorrow, Thailand the next day, and Malaysia the following day, they will keep advancing toward conquest of the world.

The nations that are the objects of the cuts sought to be made by the Senator from Oregon are on the periphery of China and Russia. We should not cut that amount. I say this with the deepest respect for the Senator from Oregon. I know of his intent and sincerity of purpose in believing that what he is doing is right. However, I am of the judgment that what he now advocates, erroneously and innocently, would not be in the interest of the security and preservation of our Nation.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I had promised to yield first to the Senator from New York.

I yield 3 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, I find myself in the same position as does the Senator from Ohio with respect to the intentions and views of the Senator from Oregon. I, too, will welcome the opportunity to debate this question and to enlarge our views. I think this is a most constructive exercise. After all, the batting average of the Senator from Oregon has been rather high with many of his amendments, so I oppose this one because I deeply believe it is in the interest of our Nation to oppose it.

I happen to know something of those countries. I have been in them. I sponsored the first grain-aid-to-India measure, providing for 200 million bushels of grain, to save India from starvation. I know something of the governmental operations in Pakistan, from contacts with friends who hold high diplomatic and other positions. I have been there, as I have been in India.

Let us remember that we are dealing with the tremendous thrust of Communist China. When I was in India—and the Senator from Kentucky [Mr. COOPER], who will follow me, can verify this fact—economic progress in India was measured in terms of economic progress in Communist China. If India was not doing as well as Communist China, there was a tendency on the part of some to want to follow the lead of Communist China. The question of whether the Chinese worked harder than the Indians in making that economic progress did not seem to be considered too much.

Second, we are now engaged in Asia; and there are many American casualties there. The struggle is not only in South Vietnam, but it involves all of southeast Asia.

Though we may not be able to tell from the people of South Vietnam whether they want us to do what we are doing, we can tell from the great majority of the millions of people in southeast Asia that they believe in what we are doing. India is where the bulk of the population of that part of Asia is.

I do not believe that, if we cut off aid to India and Pakistan, the attitude as between Pakistan and India would change. There might be a change for the worse, because the situation might then be ripe for demagogs who would be urging a different policy. Bad as we may think the situation is, it could be a great deal worse, much as we may dislike something that Shastri or Ayub Khan have done. So it would be shortsighted and would be working against our own interests to make this cut, if we are to maintain any position whatever there.

If all of Asia is not to be overthrown by Communist China, it will be prevented only if this great population base is retained on the side of freedom. When that is compared to what is at stake in a cut of this character, I do not believe that it adds up at all. I hope very much that the Senate, particularly at this time, and in this crisis, will not take such an ill-advised action as to deprive us of all hope of a population balance in favor of freedom by jeopardizing it in any way whatever.

Mr. LAUSCHE. Mr. President, will the Senator from Alabama yield me 30 seconds?

Mr. SPARKMAN. I yield 30 seconds to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 30 seconds.

Mr. LAUSCHE. I emphasize the fact that the per capita income of India 6 years ago was $60. The per capita income of China was above that. Today, the per capita income in India is $83, which is above that of China. The Senator made mention of that fact concerning this parallel, to see which will produce the better economy.

Mr. JAVITS. Constantly. It was made a political issue in India. We would be serving ourselves most ill advisedly if we gave that advantage to those who would tear down any government which has anything whatever to do with the United States or the free world. There are millions of such people in India today.

I thank the Senator from Alabama for yielding to me.

Mr. COOPER. Mr. President——

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 5 minutes.

Mr. COOPER. Mr. President, let me say, first, that I have followed closely the amendments offered by the Senator from Oregon—as I did last year. I say now, as I said then, that I believe he has, more than anyone else, prompted a thorough debate upon the substantive question of the foreign aid program.

Speaking with respect to the pending amendment, let me say—as the Senator from Ohio has just said—that the material is classified and, therefore, I am in no position to say whether the amount of military aid furnished to India or Pakistan, is sufficient, or if it is inadequate; but I wish to touch upon a few general considerations.

During my service in the Senate, I have tried to be as objective as I can concerning the situation in India and Pakistan, because I served in India as Ambassador in 1955 and 1956.

There is no issue which touches more the emotions and interests of the peoples of India and Pakistan than the question of Kashmir. Unfortunately, this deep feeling has persisted since partition, which was accompanied by riots and bloodshed at the time of partition, and it has been exacerbated by the problem of Kashmir, which has not been settled. While I hope that the two countries will make every effort to reach a settlement, in my judgment, it may be years before that problem is settled.

I move to another situation which is more recent. We remember that in the early fifties Communist China made its first move into Tibet, and later swallowed up that country against its promises and commitments.

Later, Communist China without warning, and in breach of its agreement with India, invaded India, in the northwest and northeast. If it had pursued its attack for a distance of only 40 or 50 miles, it would have been able to cut off the northeast area of India entirely.

We must remember that India resisted that attack with bravery. Unfortunately, not many countries resist Communist aggression; but, India fought to maintain its territorial integrity and sovereignty. It had refused military aid from the United States until that time, and had chosen to purchase its equipment, both in the United States as well as in other countries. But when attacked, in dire straits, it called upon the United States for aid, which we furnished.

The Communist Chinese did not pursue the advantage which they first obtained, but the Chinese are now located upon the top mountains in the northeast looking down into the valleys of India posing the threat of attack, which sorely tries the economy of India. If the Chinese should attack against that area in India, it is possible they could cut off this northeast region; and it would be a matter of touch and go whether they would be able to conquer great portions of India.

It is certain that India would resist, but the ability to do so depends in large measure upon aid which the United States furnishes. Let us remember that India does defend itself, as it has fought with bravery in its own wars, and in World War I and II, as an ally.

While India does not agree with all our policies, and at times in my view has been unreasonable in its statements about United States policy, nevertheless, a compelling fact stood out in my experience in India. More than any other country in southeast Asia, India has deep seated democratic traditions, it practices democracy, not alone at the government level but at all levels of its population. Its people appreciate the same values which we appreciate—freedom of speech, freedom of the press, free elections, independent courts, and all the values which America holds dear.

There are more than 400 million people in India. If it should fall it could be the last blow to the flourishing of democratic government and democratic values in southeast Asia.

I am not qualified to speak about the situation in Pakistan——

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. COOPER. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

Mr. SPARKMAN. Mr. President, I yield 1 minute to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 1 additional minute.

Mr. COOPER. We do know that its people are brave people and brave fighters. It is my judgment that Pakistan would not succumb to an attack from the north without fighting.

I hope that a settlement can be arrived at between India and Pakistan. I do not believe it will be an easy settlement. I do not believe that the United States can force a settlement, although our good offices may help.

Let me make one further point. I commend the Senator for the initiation of a committee to reassess our foreign aid program. I believe it would be better to let this committee make its recommendations before taking such a drastic step as this amendment proposes.

The United States is making a great effort against aggression in South Vietnam, a situation which is one of concern, but with which we shall have to stick until some light is seen. I believe that it would be a great mistake to cripple our assistance to India which is trying to defend itself against the same basic aggressor, Communist China.

Mr. MORSE. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. There has been nothing attempted in defense of all the waste in India and Pakistan, but there is no denying the fact that waste is present—millions of dollars worth of it.

Last Friday, I read into the RECORD the titles of the reports of the Comptroller General of the United States.

If Senators will read those reports, my 25-percent proposed reduction will not even begin to cover the waste which the Comptroller General finds.

I do not know what more is needed in the way of evidence than the reports of the Comptroller General.

Do not forget that I am talking about a figure which is higher than the present level. I am talking about a figure of a 25-percent cut on a secret figure about which the Government will not inform the American people, and which is higher than the present level.

Let me respectfully say that there has not been one argument advanced in the Senate this afternoon which would justify an increase. My dear friend the Senator from Ohio [Mr. LAUSCHE] says that he would be proud to go back to Ohio and tell his people that he voted for it. He thinks that will make him popular. Let me say to the Senator from Ohio that that flag has been waved into so many tatters that if he thinks the position of the Senator from Oregon makes him popular, he could not be more wrong.

The Senator from Ohio is now riding the crest of popularity, but the people will catch up with him, and the people will want to know why he was not willing to stand up against this program and say it is dead wrong.

The Senator talked about the policymakers of the past. Let me say that I am interested in the policy because it is a wrong policy. I am not moved by the Senator's citing me to wrong policymakers. We have been following this wrong policy now for some time, and I believe we ought to change it and that we ought to proceed to adopt a policy that will protect the American people from this shocking waste.

To my good friend from Kentucky, let me say that he could not possibly explain away, by any language that he could concoct, the fact that Pakistan has been playing with our enemy, the fact that Pakistan has been supporting our enemy, the fact that Pakistan has been entering into deals with Red China. I do not propose to give Pakistan a sky-is-the-limit appropriation this year. I believe it would be psychologically a good thing to tell Pakistan, "We will not give you all this money. We will cut you back 25 percent."

Where is the Prime Minister of India? The Prime Minister of India has not been handing us any bouquets. The Prime Minister of India has been expressing disagreement with us. The Prime Minister of India has got himself into such a position by his criticism that——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 1 more minute.

The President of the United States decided to postpone the Prime Minister's visit to the United States. I believe that action was a diplomatic curve ball. But it was thrown. Nevertheless, we have not been getting from the Indian Government what we ought to be receiving, in terms of their being our allies. I do not yield to the Senator from Kentucky or the Senator from Ohio in the desire to do something for the masses of the Indian people and the masses of the Pakistani people. However, building up their potential to make war is not the way to do it.

The Senator from Kentucky says that the Kashmir issue is a highly emotional issue in India and in Pakistan. We take judicial notice of it. However, this kind of aid intensifies emotionalism and stirs up their adrenal glands and makes it a great danger to the peace of the world.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 1 more minute.

What we ought to be saying is that we are willing to consider a total revision of our program of economic aid and try to go in there and help those people economically.

I close by saying to my good friend from Ohio that he joined me 2 years ago in regard to aid for a steel plant. In my judgment he was right then.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. The Senator from Ohio is quite right in trying to cut back that amount, and we did cut it back. I wish he would recognize the fact that we should cut back this sum.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I am delighted to yield.

Mr. LAUSCHE. The only difference between the Senator from Oregon and me is—if I can for the moment say this arrogantly—that I was right 2 years ago and I am right today. The Senator from Oregon was right 2 years ago, and is wrong today.

Mr. MORSE. I believe the Senator has properly labeled it; it is arrogance, all right. I will accept his description of it.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. I am delighted to yield to the Senator from Kentucky.

Mr. COOPER. I agree with the statement the Senator has made. As we recognized the dire danger to India when it was threatened with invasion by Communist China, I think India could have been more understanding of the situation that we face in Vietnam.

Mr. MORSE. I close by saying two things. I will support my Comptroller General. I have heard no answer from anyone as to why we should walk out on our Comptroller General. We should stop this waste which has been found to exist around the world in foreign aid.

This is an important psychological weapon that we ought to use on the floor of the Senate this afternoon. We ought to serve notice on those countries that they cannot continue to use our military aid, in many instances illegally, and expect to continue to get support from us to the extent of the huge funds that they are seeking.

Mr. SPARKMAN. Mr. President, I yield 2 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, I commend the distinguished Senator from Oregon for the fight he has led during the hearings on the foreign aid bill and also on the floor of the Senate. I believe he is rendering a real service to Congress and to the people.

I shall not support him on his amendment, however; I rise at this time because we have been talking about funds that are classified. There are some funds that are not classified, and they are very substantial. I refer to the Cooley loan currencies that are available. The two countries that have the largest amount of such currencies are India and Pakistan. Together they lead all the countries in which we have Cooley loan currencies available. At the present time $30,806,000 of Cooley loan funds are available in India. The second largest amount is in Egypt, with $23,864,000. The third is in Pakistan, with $15,116,000. I mention this because the distinguished Senator from Oregon spoke about the recommendations of the General Accounting Office.

The committee report, on page 18, states that we supported the recommendation of the General Accounting Office in regard to section 301, which deals with these Cooley loan funds.

I ask unanimous consent that these two paragraph, dealing with the use of foreign currencies, be printed in the RECORD at this point.

There being no objection, the excerpts from the report (No. 170) was ordered to be printed in the RECORD, as follows:

USE OF FOREIGN CURRENCIES

Section 301(c) of the bill amends section 612 of the act, which relates to the use of foreign currencies, by redesignating subsection (c) as subsection (b). The latter was redesignated as section 104(t) of the Agricultural Trade Development and Assistance Act of 1954 by section 2 of Public Law 88-638.

The committee adopted two amendments relating to foreign currencies which were proposed by the General Accounting Office. One amendment (sec. 301(c) of the bill) contains substitute language for the second paragraph of redesignated section 612(b) of the act. It provides that all appropriate steps shall be taken to assure that, to the maximum extent possible, U.S.-owned currencies are utilized instead of dollars, and that no dollar funds shall be spent for goods and services when foreign currencies are available unless the administrative official approving the voucher certifies as to the reason for the use of dollars in each case. The amendment applies to all U.S.-owned currencies. Under present law, only foreign currencies which are determined to be excess to U.S. needs are required to be utilized in lieu of dollars.

The other amendment (sec. 301(d) of the bill) proposed by the GAO changes the heading of section 613 to read "Accounting, Valuation, Reporting, and Administration of Foreign Currencies," and adds a new subsection (d) which deals with interest rates on deposits of foreign currencies. It provides that in cases where assistance is furnished on a basis which will result in the accrual of foreign currency proceeds to the United States, the Secretary of the Treasury shall issue regulations requiring that the agreements governing the furnishing of such assistance include provisions for the receipt of interest income on the foreign currencies deposited in authorized depositaries at a rate "not less favorable than the highest interest rate lawfully obtainable from the recipient country or agencies thereof in the respective countries." Pursuant to the provisions of the amendment the Secretary of State may waive the interest income requirement if he determines it not to be in the national interest and promptly reports such determination to the Congress.

Mr. CARLSON. Mr. President, I also ask unanimous consent that a table showing the Cooley loan currencies available in foreign countries be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Cooley loan currencies available

Country	Unit of currency	Foreign	U.S. equivalent
		Thousands	*Thousand dollars*
Latin America:			
Bolivia	Peso	28,901	2,433
Colombia [1]	do	419	30
Paraguay	Guarani	61,626	489
Peru [1]	Sole	13,305	496
Far East:			
China (Taiwan)	New Taiwan dollar	308,189	7,705
Indonesia	Rupiah	902,586	1,746
Korea	Hwan	430,747	1,689
Philippines	Peso	4,389	1,125
Near East and south Asia:			
Cyprus	Pound	184	514
Greece	Drachma	116,324	3,877
India	Rupee	189,198	39,806
Iran	Rial	43,379	578
Israel	Pound	24,341	8,114
Pakistan	Rupee	72,634	15,116
Turkey	Lira	55,923	6,214
United Arab Republic (Egypt)	Pound	10,355	23,864
Africa:			
Congo	Franc	170,156	1,134
Ethiopia	Dollar	421	169
Guinea	Franc	583,376	2,367
Ivory Coast	Franc	112,526	459
Morocco	Dirham	9,962	1,986
Sudan	Pound	634	1,827
Tunisia	Dinar	1,373	2,635
Total			124,373

[1] Applications exceed funds available.

Mr. SPARKMAN. Mr. President, I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, there is no ill will between the Senator from Orgeon and myself.

Mr. MORSE. At long last we are agreed.

Mr. LAUSCHE. I love him and I admire him for the tenacity with which he fights for his cause. I marvel at his extensive knowledge of the many subjects that come before us. However, I cannot concede that he is always right. Sometimes he might be wrong.

Mention has been made about aid to India to build a steel plant there. That is the only reason for my taking the floor at this time. India wanted to borrow a billion dollars from us to build a steel plant. The plant was to be built and operated by the Government. My theory was—and the Senator from Oregon joined me—that if Russia keeps giving aid for the purpose of nationalizing industry, that system is intended to be helpful to Russia. In other words railroads, electric power companies, water supply companies, steel manufacturing companies, and all types of business are to be nationalized. When Russia gives aid it expects that result.

India wanted to borrow our money to nationalize the steel plants. I concluded, and I believe rightfully so, that even if nationalization is good for Russia, it is not good for the United States. Therefore when we grant money or lend money for a steel plant we ought to insist that it be privately operated.

The Senator from Oregon joined with me in that view. I think we were both right at that time. If the same issue were to come before us tomorrow I I would again take the same position that I did in 1962.

Mr. MORSE. Mr. President. I yield back the remainder of my time.

Mr. SPARKMAN. I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Oregon wish to have his amendments considered en bloc?

Mr. MORSE. I thought that was understood already.

The PRESIDING OFFICER. The Chair is not so informed. Without objection the amendments will be considered en bloc. All time on the amendments has been yielded back and has expired. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Wyoming [Mr. MCGEE], the Senator from Utah [Mr. MOSS], the Senator from Georgia [Mr. RUSSELL], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. MCGEE], the Senator from Rhode Island [Mr. PELL], and the Senator from Florida [Mr. SMATHERS], would vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Connecticut would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. DOMINICK] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Hawaii [Mr. FONG] is absent on official business.

If present and voting, the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 25, nays 63, as follows:

[No. 124 Leg.]

YEAS—25

Anderson
Bible
Byrd, W. Va.
Cannon
Curtis
Eastland
Ellender
Ervin
Fannin
Gruening
Hruska
Jordan, N.C.
McClellan
Montoya
Morse
Mundt
Pearson
Robertson
Russell, S.C.
Simpson
Stennis
Symington
Thurmond
Williams, Del.
Young, Ohio

NAYS—63

Aiken
Allott
Bartlett
Bass
Bayh
Bennett
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Douglas
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Morton
Murphy
Muskie
Nelson
Pastore
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smith
Sparkman
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—12

Byrd, Va.
Dodd
Dominick
Fong
McGee
Moss
Neuberger
Pell
Russell, Ga.
Smathers
Talmadge
Tower

So Mr. MORSE's amendments Nos. 249 and 250 were rejected en bloc.

Mr. MORSE. Mr. President, I am about to send to the desk another amendment with respect to Pakistan and India, because I should like to have another yea-and-nay vote on the issue. This amendment seeks to cut aid to India and Pakistan by 10 percent. It would still leave those countries more than their present allowance because, as I said earlier, the secret figure, the figure that the administration will not disclose to the American people, would increase by 10 to 15 percent the amount that India and Pakistan are presently receiving. This amendment seeks to hold the amount in the neighborhood of what they are now getting, but does not provide less than what they are now getting. They would receive a little more. This amendment seeks to cut aid to Pakistan and India by 10 percent.

I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, after line 22 add the following:

(f) At the end thereof add a new section as follows:

"SEC. 620A. (a) Notwithstanding any other provision of this Act—

"(1) the total amounts obligated or reserved during fiscal year 1966 for assistance under part I of this Act to Pakistan and India shall not exceed an amount equal to 90 per centum of the amount specified for such purpose for each country in the presentation material submitted to the Congress during its consideration of the Foreign Assistance Act of 1965; and

"(2) the total amounts obligated or reserved during fiscal year 1966 for assistance under part II of this Act to Pakistan and India shall not exceed 90 per centum of the respective amounts specified for such purpose for each country in such presentation material.

"(b) The President shall determine the amounts by which the sums available for assistance to Pakistan and India are less than the sums which, but for the provisions of this section, would have been available for such purpose, and such amounts shall be deducted from appropriations or other funds available for such purpose and deposited in the general fund of the Treasury."

Mr. MORSE. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I yield myself 3 minutes; then I shall be ready to vote.

I ask for the adoption of the 10-percent cut for the following reasons:

First. It would continue the allowances for Pakistan and India at an amount slightly more than they are presently getting because the program figure would give them between 10 and 15 percent more than they are now receiving.

In round numbers, this is what might be called a break-even amount. They probably would receive no more than they are getting now.

Second. I ask Senators to approve the amendment on the basis of the argument I made in support of the previous amendment, and because the Comptroller General finds in his report that there is plenty of room for a reduction in aid.

Mr. COTTON. Mr. President, a point of order. It is impossible to hear what the Senator from Oregon is saying.

The PRESIDING OFFICER. The point of order is well taken. The Senate will be in order.

The Senator from Oregon may proceed.

Mr. MORSE. Mr. President, if the Senator from New Hampshire did not hear me, I wish to repeat what I was saying, because he knows that I place great reliance on him to follow the facts.

This amendment, which would cut the amount of aid by 10 percent, would provide as much aid as India and Pakistan are getting at present, if not a little more.

Second. The 10-percent cut can be made, based upon the findings of the Comptroller General, because of the kind of waste that is taking place.

Third. This cut ought to be made for sound, psychological reasons, as a warning to India and Pakistan, because both countries are using American military aid illegally under the aid act. Some of the activities in which they are engaging with military aid are prohibited; but, as I said in my earlier speech, we wink at it. We ought not to wink at it. Moreover, their war efforts are eating up the aid we are giving them for development.

This is a fair amendment. It would have salutary effects not only in Pakistan and in India, but also in other parts of the world.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is the Senator proposing a cut across the board, or is his proposal concentrated on military aid?

Mr. MORSE. No; it cuts both economic and military aid by 10 percent each.

Mr. DOUGLAS. Does not the Senator from Oregon believe that the case for continuing economic aid is much stronger than the case for military aid?

Mr. MORSE. Oh, yes; but there will still be an ample supply for economic aid. The cut could be made in support assistance alone, for that matter. That is a form of military aid but is couched in economic language.

But what can I do? I cannot go through the book and say, "Cut an amount here, cut an amount there, cut somewhere else." I cannot give the Senator those facts.

It is fair to say to the administration that what we believe it should do is to cut economic and military aid by 10 percent from what they are scheduled to receive.

Mr. DOUGLAS. Then the Administrator would have discretion as to where the cut would apply?

Mr. MORSE. Yes.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes.

First, I object strenuously to any legislation that would pick out specific countries, particularly countries which, while they are misbehaving at the moment, are two of the strongest English-speaking countries in that part of the world. I see no reason to insult them, as this amendment would do, by picking on them specifically.

I voted the other day, together with a number of other Senators, to reduce military assistance generally. That would certainly have had an impact on those countries. But I will not vote for an amendment that picks out two of our allies and specifically cuts aid to them.

Next, India and Pakistan do not get supporting assistance, as the Senator from Oregon said they do. They receive development loans and economic assistance and, of course, military hardware.

Furthermore, the program for the coming year is presented within a range of magnitude. It is not clear whether this cut would be 10 percent of the top or the bottom figures of the range, although I do not think that is significant. But the lower figure of the range of the projected program for the coming year is the same as it is for the current year. The exact amount of next year's program has not been determined.

The main reason why I oppose the amendment is that it picks out two important countries and levels specific criticism at them, criticism which I am sure they would resent. The way to deal with their misuse of arms is through diplomatic channels, as we have done with Greece and Turkey. The same argument could be made with respect to Turkey and Greece. While we do not approve of the quarrel that now interrupts their relations, we do not, on the other hand, want to slap them in the face. We must do the best we can and hope that the difficulty may be solved in the traditional manner.

I do not believe that the amendment of the Senator from Oregon is the proper way to use the aid program. I hope the Senate will reject the amendment.

Mr. MORSE. Mr. President, I yield myself 1 minute.

My figure is taken from the briefing book. My figure, showing that these countries would receive about 10 percent more than they got last year, was given to me by a member of the staff after examination of the books.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. FULBRIGHT. Mr. President, if the Senator looks in the book, this falls within a range. If one were to take the highest possible figure and assume that is what they would get, that could be. However, the range between what they received last year and a higher figure would not be significant. I do not rely on that as the main reason. I have stated my main reason.

Mr. MORSE. Mr. President, the 10 percent figure that I am using would end up with Pakistan and India not getting less than they received this year. I think that they would end up, even with the 10 percent figure, receiving a little more than they did this year.

Mr. President, I yield back the remainder of my time.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment offered by the Senator from Oregon. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN (when his name was called). On this vote I have a pair with the senior Senator from Louisiana [Mr. Ellender]. If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Ellender], the Senator from Alabama [Mr. Hill], the Senator from Wyoming [Mr. McGee], the Senator from Utah [Mr. Moss], the Senator from Georgia [Mr. Russell], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] would each vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Wyoming would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick] and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Hawaii [Mr. Fong] is absent on official business.

The Senator from Kansas [Mr. Pearson] is detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick] and the Senator from Hawaii [Mr. Fong] would each vote "nay."

On this vote, the Senator from Kansas [Mr. Pearson] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 26, nays 58, as follows:

[No. 125 Leg.]

YEAS—26

Bible
Byrd, W. Va.
Cannon
Cotton
Curtis
Douglas
Eastland
Ervin
Fannin
Gruening
Hruska
Jordan, N.C.
McClellan
Montoya
Morse
Mundt
Murphy
Randolph
Robertson
Russell, S.C.
Simpson
Stennis
Symington
Thurmond
Williams, Del.
Young, Ohio

NAYS—58

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Boggs
Brewster
Burdick
Carlson
Case
Church
Clark
Cooper
Dirksen
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Morton
Muskie
Nelson
Pastore
Prouty
Proxmire
Ribicoff
Saltonstall
Scott
Smith
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—16

Byrd, Va.
Dodd
Dominick
Ellender
Fong
Hill
McGee
Moss
Neuberger
Pearson
Pell
Russell, Ga.
Smathers
Sparkman
Talmadge
Tower

So Mr. Morse's amendment was rejected.

Mr. JAVITS. Mr. President, I call up my amendments, and ask unanimous consent that they may be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendments will be considered en bloc.

The legislative clerk proceeded to read the amendments.

Mr. JAVITS. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with and that they be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. Javits are as follows:

S. 1837

On page 3, between lines 5 and 6 insert the following:

"(a) Amend section 201 (e), which relates to general authority, by inserting after the comma at the end of clause (1) the following: 'and that periodic progress reports will be made with respect to the self-help measures, public and private, planned and achieved in the recipient country.'."

On page 3, line 6, strike out "(a)" and insert "(b)".

On page 3, line 13, strike out "(b)" and insert "(c)".

S. 1837

On page 9, line 4, strike out "Section 252" and substitute "Title VI of chapter 2 of part I".

On page 9, between lines 6 and 7, insert the following:

"(a) Amend section 251(e), which relates to general authority, by inserting after the comma at the end of clause (1) the following: 'and that periodic progress reports will be made with respect to the self-help measures, public and private, planned and achieved in the recipient country,'."

(b) Amend section 252, which relates to authorization, as follows:

On page 9, line 7, strike out "(a)" and substitute "(1)".

On page 9, line 12, strike out "(b)" and substitute "(2)".

Mr. JAVITS. Mr. President, I call attention to the fact that the two amendments are designed to achieve the same objective; one relates to the Development Loan Fund, the other to the Alliance for Progress.

I yield myself 10 minutes.

Mr. President, the amendments seek to do one thing. They seek to pinpoint the fact that self-help measures taken by aid recipients—both public and private—are now essential elements of the foreign aid policy of the United States.

This could include anything ranging from invitation by a country to private foreign investment to reforms in the tax system.

An analysis of the 20 reports required under the Foreign Assistance Act of 1961, as amended, indicates that in none of them is there a specific requirement for progress reports on the self-help measures which are being taken by countries receiving aid.

These amendments are based on the idea which came from the Chamber of Commerce of the United States, that we should pinpoint, specify, and require specificity as to what countries are doing, on a country-by-country basis, in the way of self-help—public and private—for themselves. There should be a country-by-country report as to what is being done in the way of self-help measures and the progress made under those measures.

These amendments would write into law the current AID practice of taking stock of its efforts to encourage sound economic self-help reforms before spending good money after bad. I am aware that AID under the able leadership of David Bell, has made a special point to put development loan borrowers on notice that they cannot expect endless assistance from U.S. taxpayers without taking the sometimes painful steps necessary to cure their economic ills rather than simply treat the symptoms.

However, this body has taken the position over the last several years, rightly I believe, that administrative practices—or even regulations—cannot be considered adequate insurance against personal administrative whims of change. If the Senate has said one thing clearly about the aid program, it has said that it must be strictly accountable to Congress.

The fact is that this requirement—accountability—on the part of the receivers of aid is the heart and spirit of our entire aid effort as we now know it. We say to the developing countries of the world in effect, "Yes, we will help you to develop—provided you make the effort to use our aid wisely and well."

Sound economic reforms, of course, may vary from country to country. There is nothing in this amendment which would force a given set of criteria upon any proud less-developed nation.

The country development plan as it is now emerging in many of the aid-recipient countries, need not and does not lead to a so-called government planned economy. The country development plan, as it has been painstakingly outlined and drawn up for example, within the private sector oriented Inter-American Committee for the Alliance for Progress—CIAP after its Spanish initials—meets a number of the requirements of sound economic programing:

First, it objectively assesses the countries resources—natural, financial, and human.

Second, it conservatively projects the country's needs—not a shopping list for everything the country might like to have, but its minimum requirements to sustain a modest rate of growth.

Then it lays the one against the other to determine how much, and what kind of help it must have to reach minimum targets.

In this process, the private sector should and must be programed into the development plan. Its expertise must be tapped to get a true picture of where the country stands, economically, and where it has a logical basis to expect that it can go.

To get there, self-help and reforms are often required. The private sector, as well as the responsible government, should and must have a say as to what can and will be done.

These amendments merely further this effort I have been describing.

These amendments, Mr. President, will better help our AID officials do what they are now attempting to do on the authority of administrative practice.

Mr. President, it is extremely desirable that this be done. The way I have redrafted the amendments, I do not believe they impose an unreasonable burden in the making of reports. The idea as it originally came from the Chamber of Commerce of the United States called for reports by the aid-recipient government, after consultation with representatives of its private sectors. I felt that that was probably an onerous requirement because it would compel our Government to insist on reports from recipient countries, which might prove difficult in view of nationalistic pride or the way many governments operate.

By redrafting the amendments, the reports could come from AID itself, or it could get the reports from the recipient countries, but the important point is that there should be a report on the self-help program and the progress made under it and that it should be specified on a country-by-country basis. It is a desirable element which Congress should have, and is desirable in the administration of the foreign aid program.

I have submitted these amendments to the manager of the bill. I hope very much, because of the distinguished source from which the suggestion comes, the leading business organization of the country, and in view of the fact that, as they are redrafted, they are quite reasonable in their reach, that the Senator from Arkansas will accept them.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. With the understanding—and I think this is a perfectly reasonable interpretation—that the periodic reports could be included in the annual report made to the Congress, and that they need not be separate.

Mr. JAVITS. That is correct; the only requirement is that there be a country-by-country report, although that could be rolled into one report.

Mr. FULBRIGHT. But only as to the country in which there had been progress. In other words, the Senator would not want a report only as an empty gesture.

Mr. JAVITS. That is correct; it should be made on the negative side, but only as to the countries specified in which there had been progress in self-help.

Mr. FULBRIGHT. Under those circumstances, I am willing to accept the amendments.

The PRESIDING OFFICER. Do Senators yield back their time on the amendments?

Mr. JAVITS. I yield back my time.

Mr. FULBRIGHT. I yield back my time.

The PRESIDING OFFICER. All time on the amendments has been yielded back.

The question is on agreeing to the amendments of the Senator from New York en bloc.

The amendments were agreed to.

AMENDMENT NO. 230

Mr. JAVITS. Mr. President, I call up my amendment No. 230, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 230) offered by Mr. JAVITS is as follows:

PART V

Peace by Investment Corporation

General Purposes

SEC. 501. The recent establishment of the "Peace Corps" reflects growing realization that governments and diplomatic relations alone cannot bring enduring peace, without the consolidation and expansion of people-to-people relationships. Economic relationships are fundamental to human relationships, and private economic endeavors are inseparable from systems of human freedom. This measure is designed to establish and expand people-to-people relationships in the economic field; to encourage an expanded flow of private capital investment from the United States into economically sound enterprises in underdeveloped areas of the world in the interest of world peace through mutual economic progress; to enlarge the number of private investors participating in this flow of capital so as to forge more direct links among the peoples of the world; to reduce gradually thereby the need for

United States public investment and grants overseas; to help redirect the total flow of capital from the United States so that increasing portions of this total flow go to the underdeveoped areas, and thus be in better harmony with the domestic economic needs of the United States and the effective management of its international balance-of-payments probems.

Peace by Investment Corporation: basic functions

SEC. 502. There is hereby established a Peace by Investment Corporation (hereinafter referred to as the Corporation) with the following basic functions in accord with the purposes of this part:

(1) As an equity investment agency, to purchase the securities and obligations of, or make loans to (a) any underdeveloped country or political subdivision thereof, (b) any public agency or instrumentality of any such country, or (c) any private or semiprivate firm, corporation, or association doing or intending to do business wholly or mainly in any such country or countries for the purpose of financing or assisting in financing any undertaking to expand such industrial, mining, construction, or agricultural activity in such country or countries as will, in the judgment of the Corporation, further the purposes of this part;

(2) As an investment trust, to purchase minor stock interests in enterprises in the United States already in being under effective management and engaged substantially in investment in underdeveloped countries, to the extent that such purchases are clearly desirable in conducting the financial functions of the Corporation on a sound and prudent basis;

(3) To establish an insurance system, on an actuarially sound basis including such premiums as are required, designed to protect all or part of the outstanding investments under paragraph (1) of this section against loss arising from any cause, including but not limited to political or military events;

(4) To establish a second insurance system (distinct from that pursuant to paragraph (3) of this section), on an actuarially sound basis including such premiums as are required, designed to protect against loss for specified causes, not including mismanagement, all or part of the outstanding investments of private investors (other than the Corporation) in an undertaking eligible for financial assistance under paragraph (1) of this section.

Basic criteria for investment program

SEC. 503. In carrying forward the investment program pursuant to paragraph (1) of section 502 of this part, the Corporation shall be guided by these basic criteria, and shall make appropriate findings accordingly:

(1) That each specific investment is in furtherance of an undertaking which is economically sound, actually or potentially profitable, and consistent with the sound long-range economic development of the country in which it is located;

(2) That the country in which the undertaking is located shall have had full information with respect to it and opportunity to express a judgment as to its desirability;

(3) That the investment is not in competition with nor duplicative of other private investment programs or other public programs of the United States or of international agencies which give reasonable promise of accomplishing comparable results in accord with the purposes of this part;

(4) That each investment, taking into account the country in which it is located, is in accord with the general international economic and political policies of the United States;

(5) That the investment program in general is consistent with the short- and long-range policy of the United States to maintain maximum employment, production, and purchasing power within the domestic economy;

(6) That the investment program in general is consistent with the short- and long-range need of the United States to maintain a satisfactory balance-of-payments position;

(7) That the investment program in general, and in its specific applications, is mutually beneficial to the country to which the investment flows and country from which it emanates, taking into account not only purely economic considerations but also consideration of human improvement under free institutions.

Basic Financing of Peace by Investment Corporation

SEC. 504. (a) The Corporation shall have a capital stock consisting in part of fifty shares of par value of $1,000,000 per share of class A stock, which shall be the only stock of the Corporation having voting power so long as any of it is outstanding. This class A stock shall be subscribed to by the United States Government. The Secretary of the Treasury shall use the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, for the purpose of such subscriptions, and the purposes for which securities may be issued under such Act are extended to include such subscription. Payment under this paragraph to the Corporation for the subscription of the United States and repayments thereof shall be treated as public debt transactions of the United States. Certificates evidencing stock ownership by the United States shall be issued by the Corporation to the President of the United States or to such other person or persons as he may designate from time to time. Neither the provisions of the Securities Act of 1933, as amended, nor the provisions of the Securities Exchange Act of 1934, as amended, shall apply to the Corporation or to the original issue of its securities while class A stock is outstanding.

(b) The Corporation is authorized to increase its capital stock by offering for public sale five hundred million shares of class B stock at par value of $5 per share. This stock shall be placed on public sale to net the Corporation $5 per share, with an override not exceeding 30 cents per share to cover distribution costs: *Provided*, That not more than two hundred and fifty million shares of this class B stock in the aggregate, nor more than seventy-five million shares in any one year, shall be sold so long as the Corporation remains an agency of the United States as provided in section 505(a) of this part. The Corporation, with approval of the Secretary of the Treasury, shall by regulation determine the maximum amount of such class B stock which may be held at any time by any individual, and the maximum amount which may be held at any time by business enterprise and other organizations of various types and sizes.

(c) The Corporation is authorized to issue from time to time, for purchase by the Secretary of the Treasury, its notes, debentures, bonds, or other obligations: *Provided*, That the issue of such obligations shall not exceed $60,000,000 in any one year, nor shall the aggregate amount of such obligations outstanding at any one time exceed $300,000,000, nor shall any such obligations be issued more than six years from the date of the first issue, nor shall any such obligations be issued except so long as the Corporation remains an agency of the United States as provided in section 505(a) of this part. Such obligations shall have such varied maturities, not in excess of twenty years, as may be determined by the Corporation with the approval of the Secretary of the Treasury, with periodic retirement of each obligation commencing in the first year subsequent to its original issue: *Provided*, That any such obligations may be retired at the option of the Corporation before maturity in such manner as may be stipulated therein. Each obligation purchased by the Secretary of the Treasury shall, so long as the Corporation remains an agency of the United States, bear interest at a rate determined by the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such obligation; and when the Corporation is no longer an agency of the United States, as provided in section 506 of this part, each such obligation shall bear interest at the rate of 4 percentum per annum. The Secretary of the Treasury is authorized for the purpose of this subsection to use a public-debt transaction the proceeds of any securities issued after July 31, 1945, under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such purpose. Payment by the Treasury under this subsection of the purchase price of such obligations of the Corporation and repayment thereof by the Corporation shall be treated as public-debt transactions of the United States.

(d) One-fifth of the proceeds of the sale of class B stock issued under subsection (b) of this section shall be set aside by the Corporation in a special fund to be established by the Corporation. This special fund shall be utilized (1) to retire fully, within a period of six years or less from the initial issuance of such class B stock, the class A stock of the Corporation issued under subsection (a) of this section, and (2) to retire fully the obligations issued under subsection (c) of this section in accordance with the terms of retirement contained in such obligations. This special fund shall be invested or reinvested by the Corporation in interest-bearing obligations of the United States or in obligations guaranteed as to interest and principal by the United States: *Provided*, That when the class A stock of the Corporation and the obligations issued under subsection (c) of this section shall have been retired in full, any balance remaining in this special fund shall be merged with other funds of the Corporation obtained through the sale of class B stock and shall thereupon be available for the general purposes of this part.

(e) Except as otherwise provided in this section, all funds available to the Corporation pursuant to this section, and as earnings from its operations, shall be available for its general purposes under this part.

Initial management of Peace by Investment Corporation

SEC. 505. (a) Until the conditions set forth in section 506 of this part are fully met, the Corporation shall be an independent agency of the United States.

(b) The management of the Corporation during its existence as an agency of the United States shall consist of a Board of Directors (herein referred to as the Board), composed of (1) five members appointed from private life by the President with the advice and consent of the Senate, who shall collectively possess broad experience in various areas of economic endeavor; (2) the Secretary of State the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Labor, to serve ex officio; (3) four members to be appointed by the President from various United States agencies concerned with international economic development; and (4) a President and Executive Vice President of the Corporation, as set forth below, who may be appointed from private life or from public service. All members, except those serving ex officio, shall serve at the pleasure of the President.

(c) The Board shall elect a Chairman from among its members. Any vacancy in the Board shall not affect its powers, but shall be filled in the same manner as the original appointment. A majority of the Directors shall constitute a quorum, and action shall be taken only by a majority vote of those present.

(d) The Board shall designate an executive committee of seven members, not more than two of whom (exclusive of the President and Executive Vice President of the Corporation) shall be members appointed from private life. The executive committee shall perform the functions and exercise the powers of the Board at such times and to such extent as shall be provided in the bylaws of the Corporation.

(e) Members of the Board appointed from private life shall receive $100 per diem when engaged in the actual performance of their duties, plus reimbursement for necessary travel, subsistence, and other expenses incurred by them in the performance of such duties.

(f) There shall be a President of the Corporation, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary at the rate of $28,500 per annum, and who shall serve as chief executive officer of the Corporation, as a member of the Executive Committee, and as a member of the Board. The President of the Corporation shall, in accordance with the bylaws, appoint such officers and employees as may be necessary for the conduct of the business of the Corporation, define their duties, and fix their compensation.

(g) There shall be an Executive Vice President of the Corporation, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary at the rate of $27,000 per annum. The Executive Vice President shall serve as President of the Corporation during the absence or disability of the President thereof or in the event of a vacancy in such office.

(h) No director, officer, attorney, agent, or employee of the Corporation shall in any manner, directly or indirectly, participate in the deliberation upon or the determination of any question affecting his personal interests, or the interests of any government, corporation, partnership, or association in which he is directly or indirectly personally interested.

(i) The President may also appoint an advisory committee to the Board, composed of individuals drawn from private and public life outside the United States, who need not be citizens or residents of the United States.

Transfer of Peace by Investment Corporation to private ownership and management

Sec. 506. (a) When the class A stock of the Corporation has been retired in full within the period of six years or less provided in section 504(d) of this Act, the Board shall transmit to the President of the United States, for submission to the Congress, recommendations for such legislation as may be necessary to provide for the orderly transition of the Corporation from an agency of the United States to a corporation under private ownership and management, including (1) appropriate provision for transfer to the owners of the outstanding class B stock of the Corporation the assets and liabilities of the Corporation, (2) appropriate provision for vesting in such owners of class B stock the exclusive voting power of the Corporation originally vested in the owners of class A stock, with each owner of class B stock being thereupon entitled to one vote per share, and (3) such additional provisions as may be necessary to protect any outstanding investments in the Corporation by the United States: *Provided,* That the President, in connection with such submission to the Congress, shall also provide recommendations as to whether a sufficient portion of the obligations purchased by the Secretary of the Treasury pursuant to section 504(c) of this part have been retired to justify the transfer of the Corporation from private to private ownership and management.

(b) In connection with such transfer, a complete and final accounting shall be made by the Corporation and the Government, at which time the Government shall receive reasonable compensation for all Government services rendered the Corporation.

General corporate powers and duties

Sec. 507. (a) For the purpose of carrying out its functions under this part the Corporation shall have succession in its corporate name; may adopt and use a corporate seal, which shall be judicially noticed; may sue and be sued in its corporate name; may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised; may make and carry out such contracts and agreements as are necessary and advisable in the conduct of its business, and may purchase, discount, rediscount, sell, and negotiate (with or without its endorsement or guarantee) and guarantee notes, drafts, checks, bills of exchange, acceptances, including bankers' acceptances, cable transfers, and other evidences of indebtedness in carrying out its functions under this part; may appoint and fix the compensation of such officers and employees as may be necessary for the conduct of its business, without regard to the civil service laws or the Classification Act of 1949, define their authority and duties, delegate to them such powers vested in the Corporation as may be necessary, require bonds of such of them as may be desirable, and fix the penalties and pay the premiums of such bonds; may assign or sell at public or private sale, or otherwise dispose of for cash or credit, upon such terms and conditions as shall be determined reasonable, any evidence of debt, contract, claim, personal property, or security held by the Corporation in connection with the payment of loans or other obligations, and collect or compromise all obligations held by the Corporation; may set up or engage such subsidiary agencies in the United States or in underdeveloped countries as will facilitate the business of the Corporation and may enable such subsidiary agencies to sell class B stock or to sell their own stock for the purpose of buying class B stock; may acquire by purchase, lease, or donations such real property or any interest therein, and may sell, lease, or otherwise dispose of such real property, as may be necessary for the conduct of its business; shall determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this part, and provisions of law specifically applicable to Government corporations; may pay dividends on class B stock out of profits or other earnings; shall be entitled to the use of the United States mails in the same manner and upon the same conditions as may be applicable to the executive departments of the United States Government until such time as it ceases to be an agency of the United States; and shall be subject to Federal taxation from the time that it ceases to be an agency of the United States. The foregoing enumeration of powers shall not be deemed to exclude other lawful powers necessary to the purpose of the Corporation.

(b) Notwithstanding the provisions of section 955 of title 18, United States Code, any person, including any individual, partnership, corporation, or association, may upon proper authorization act for or participate with the Corporation in any operation or transaction engaged in by the Corporation.

(c) Section 101 of the Government Corporation Control Act, as amended (31 U.S.C. 846), is amended by inserting after "Saint Lawrence Seaway Development Corporation" the words "Peace by Investment Corporation".

Penal provisions

Sec. 508 (a) All general penal statutes relating to the larceny, embezzlement, or conversion of public moneys or property of the United States shall apply to the moneys and property of the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, makes false entry in any book of the Corporation, or makes false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $10,000 or imprisoned for not more than five years, or both.

Reports and studies

Sec. 509. The Corporation shall submit to the President, for transmission to the Congress at the beginning of each regular session, a complete and detailed annual report of its operations under this part.

Sec. 510. The Corporation, immediately upon its establishment, shall commence studies of additional measures, including tax measures, which would further promote the flow of private capital from the United States to underdeveloped areas of the world and be consistent with the economic and financial policies of the United States. Such studies shall be amplified in the light of the experience of the Corporation. As soon as practicable, and not later than three years after the establishment of the Corporation, it shall prepare for transmission to the Congress the initial results of such studies, including legislative recommendations.

Citation

Sec. 511. This part may be cited as the "Peace by Investment Corporation Act of 1965".

Mr. JAVITS. Mr. President, this amendment proposes to authorize the establishment of a private enterprise corporation to do in the foreign aid field what the so-called Comsat is doing in the communications satellite field—joining private effort and the national purpose. It would provide for a federally-chartered Corporation, functioning initially as an agency of the United States, but following a period of orderly transition, becoming a privately owned and managed business organization. The Government would help the corporation to get off the ground by initially subscribing to the stock of the corporation to enable it to go into business. For a period of years the Corporation would have a mixed Government-private board of directors; and when the operation was substantially financed by investors of the United States, it would become a strictly private corporation but with a very important part in the foreign aid efforts of the United States.

The Corporation contemplates a capital of $2,500 million through the sale of 500 million shares of stock at $5 a share.

The fact that this matter is brought up at all at this time is attributable to the success of Comsat and to the search which the amendment exemplifies, for some other way to deal with foreign aid. We know by now that not all foreign aid is infra-structure—roads, education, sanitation, sewers, and so forth—but that a great deal of foreign aid goes into those parts of the development of a country which could very well be accomplished by private investment.

There are many international agencies lending money. There are many private investment companies which are engaged in this effort; yet, the gap is large between what is needed to do the foreign aid job, and what is available.

Estimates are somewhere in the area of $6 billion to $11 billion a year. It seems desirable, for the reason that it is a person-to-person effort, to bring the American investor into the foreign aid concept and to let him buy a share in what by now has become so deeply established an element of the foreign policy of our country—namely, economic aid to the underdeveloped areas of the world.

This idea has been around for years. This is the third Congress in which I have introduced this measure. This time, I am very proud to say, it is sponsored not only by me, but also by the Senator from Indiana [Mr. HARTKE], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from Kentucky [Mr. COOPER], and the Senator from Pennsylvania [Mr. SCOTT]. It is very much a bipartisan effort. It has had interested comment and study by AID, Treasury, and Commerce. It has now come under the scrutiny of the Advisory Committee on Private Enterprise in Foreign Aid, which will make a historic report, in my judgment, by the 30th of June.

I am honored to have been the sponsor of the amendment which brought the Advisory Committee into existence. It has done a fabulous job under Arthur Watson of the International Business Machines Corp. as its chairman.

In view of the situation I have described as to the success of Comsat, plus the search for some new way to deal with major parts of the foreign aid program, I feel now that the idea is entitled to and deserves a thorough study and consideration by Congress.

I am by no means of the feeling that the amendment in the form in which I have submitted it, is final but I feel now—with the recommendation which has been made to the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], by the Administrator of AID—that perhaps the Senator from Arkansas could give the Senate some assurance—and I hope very much that he will—that this year through either an ad hoc subcommittee or some small organization within the Foreign Relations Committee which the chairman of the Foreign Relations Committee might authorize, this whole concept may be given appropriate hearing.

I have undertaken in turn, I may say to the distinguished Senator from Arkansas—and I make it publicly because I have already discussed it with him privately—to do my utmost—and I know that I can be successful—to work out with AID and private exports the mechanical details of the bill in such a way that when it comes before the Senate or the ad hoc committee of the Foreign Relations Committee, the details of the bill will be settled and the questions which it will be called upon to consider and advise the main committee about—and in turn I hope also the Senate—will be the desirability, timeliness, and the statesmanship involved in the basic idea.

We have talked a great deal about new ways to deal with the foreign aid program. This is a really new way—namely, by a mixed public and private enterprise program such as was tried and seems to be such a remarkable success as COMSAT. I hope very much that we may have assurances from the chairman of the Foreign Relations Committee, to whom I am eternally grateful for his cooperation and his sympathetic consideration of this matter.

Without his help I would not have reached this point. I hope that we may have hearings on this subject this year.

Mr. FULBRIGHT. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I am quite sure, in view of the fact that the AID bill itself has gotten along as far as it has to date, that there will be time for a hearing on the amendment.

I hold in my hand a letter from the Administrator of AID, who recommends a hearing on the amendment. It is before the committee, although it has not been there very long—it was introduced only on May 19—but I assure the Senator from New York that we shall do our best to have a hearing before we adjourn.

I anticipate that Congress will be in session until about August, so there will be ample time to hold the hearing. If Congress should adjourn on July the first—I cannot be so sure—but I believe that there would still be ample time for a hearing.

I am sure that the Senator does not expect the amendment to be adopted this year, but we shall have hearings and get it rolling. As the Administrator of AID says, he believes that the subject deserves exploration in depth. He believes that the idea has much possibility, but he cannot recommend its enactment at this time.

Mr. MORSE. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 3 minutes.

Mr. MORSE. Mr. President, I believe that we can have hearings on the amendment. I am a cosponsor of the amendment and share the views of the chairman of the Foreign Relations Committee. I believe that the foreign aid bill is the appropriate vehicle to incorporate this fine idea, and the amendment should go to a hearing.

The chairman of the Foreign Relations Committee has assured us that it will go to a hearing. The Senator from New York knows that I am disappointed that the State Department and the AID authorities have not given more favorable consideration in the past to the making of greater use or the private segment of the economy in two respects, both in connection with administering part of the foreign aid program, that they are better qualified to administer it than anyone in the AID organization and, second, because unless we make greater use of the private segment of the economy in connection with the foreign aid program, we can justifiably continue to be charged with rank hypocrisy when we talk about exporting economic freedom. We are not exporting economic freedom except in de minimis proportions. This is a vehicle for demonstrating the superiority of economic freedom over the policy of economic enslavement which goes along with communism.

I believe this is one of the most effective instruments we have for the defeat of communism, to defeat communism with economic freedom. We cannot defeat it with military aid or bombs.

Therefore, I am very glad that the Senator from New York has raised this question. I am as enthusiastic for his amendment as I have ever been, and I hope that it will go to early hearing. This hearing and the record made upon it will be of inestimable value to the special committee which we hope will be established for a complete study of foreign aid during the next 2 years.

Mr. JAVITS. Mr. President, I yield myself an additional 3 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 3 minutes.

Mr. JAVITS. Mr. President, we have the opportunity now to really work on new initiatives. I am always reminded of the great work accomplished by the Senator from Oklahoma in the International Development Association, a new idea which was developed in the Senate. I am proud of my sponsorship of the Adela Investment Corporation, which has become one of the most signal successes in aid in Latin America in the development of any kind in the private enterprise field. I am highly pleased at the openmindedness with which the Peace By Investment Corporation idea is being approached on the part of the chairman of the Foreign Relations Committee, and I hope also on the part of the Senate.

I agree that it is a matter of a unitary character, and should be a piece of legislation, probably coming from the committee or perhaps standing alone or perhaps as a part of the new concept of foreign aid which we shall ultimately see come into being in the not too distant future. In any event, it is an important effort to break through with new techniques of mixed public and private enterprise, of which Comsat is a very good example.

I am grateful to the chairman of the committee for his cooperation. I am sure this will turn out to be of inestimable value to our Nation. I am also grateful to the Senator from Oregon [Mr. MORSE] and the other Members of the Senate for their cooperation and stimulus.

In conclusion, I have a somewhat personal reason for being so pleased with this development. The author of the idea is my brother, Benjamin A. Javits, a distinguished New York lawyer and economist. He has been working on this idea for 20 years, and has been joined by Leon Keyserling, former chairman of the Council of Economic Advisers and has had the benefit of his expertise. They have developed this concept to its present form. Now they will have the help of Government departments in articulating it in a way in which it will make the most sense. I am highly pleased that we have finally come to this point.

With the gracious assurance of the chairman of the committee, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The bill is open to further amendment.

AMENDMENT NO. 248

Mr. MORSE. Mr. President, I send to the desk my amendment No. 248, which I have modified. It deals with aid to Greece and Turkey.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, after line 22, add the following:

(f) At the end thereof add a new section as follows:

"SEC. 620A. (a) Notwithstanding any other provision of this Act—

"(1) the total amounts obligated or reserved during fiscal year 1966 for assistance under part I of this Act to Turkey and Greece shall not exceed an amount equal to 75 per centum of the amount specified for such purpose for each country in the presentation material submitted to the Congress during its consideration of the Foreign Assistance Act of 1963; and

"(2) the total amounts obligated or reserved during fiscal year 1966 for assistance under part II of this Act to Turkey shall not exceed 75 per centum of the respective amounts specified for such purpose for such country in such presentation material.

"(b) The President shall determine the amounts by which the sums available for assistance to Turkey are less than the sums which, but for the provisions of this section, would have been available for such purpose, and such amounts shall be deducted from appropriations or other funds available for such purpose and deposited in the general fund of the Treasury."

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I shall be very brief on the amendment. What the amendment seeks to do is to reduce projected aid for Greece and Turkey by 25 percent below the figures submitted in the presentation.

We have no plans for economic aid to Greece in the forthcoming fiscal year, nor did we have any in the past fiscal year.

But contrary to all logic we are planning to increase military aid to both Turkey and Greece.

Both are using our military aid to threaten each other over the Cyprus issue. Here is an issue that has long smoldered in the Mediterranean area and will continue to smolder as long as both sides can count on the United States to furnish the military equipment they need for their confrontation.

Here, as in the case with Pakistan and India, we have justified our aid to Greece and Turkey as affording us an opportunity to exercise some influence over their relations with each other. But we have not exercised it in the only way it can be effective: by letting them know that we will not provide them with the tools to make war with each other.

Surely there is no security purpose to be served by war in the Mediterranean. The United Nations has managed to keep the lid on at least temporarily. But with the United States not only permitting the use of its military aid in the Cyprus situation, but planning to increase that aid to the conflicting parties, we are going to make the job of the U.N. much more difficult.

Neither Greece nor Turkey is under any threat of invasion from the Soviet Union. Neither is under any threat of invasion or attack from any country except the other.

It is madness to exacerbate their already bad relations by providing them with increasing amounts of military aid, and my amendment would cut back the planned sum for fiscal 1966 by 25 percent. However, that is not a cut of 25 percent from current levels, because an increase is planned for this year. This is what I said with regard to India and Pakistan also. I do believe that the adoption of my amendment would help immeasurably to bring a peaceful solution to the Cyprus issue, something we have not achieved with our huge quantities of military aid.

Mr. President, I again invite the attention of Senators to the reports of the Comptroller General. I know it is difficult for Senators to face up to these reports. However, the reports show shocking waste in past aid to both Greece and Turkey. Some of the reports to which I referred last Friday are devastating in regard to the waste and inefficiency in the use of our funds in Turkey.

Do Senators know where a good deal of this money for economic aid is going in Turkey? It is not being used to build up economic freedom—no matter how it is described—but is used in the nationalization of industry, which is a form of economic totalitarianism. It is not used to build up economic freedom, but to entrench the present Government of Turkey, which is anything but a democratic form of government.

The Comptroller General's reports show the use of our money for overemployment in nationally owned industries, operated by the Government.

I am a little weary of using taxpayer money to support totalitarianism around the world, while at the same time our Government, at least superficially, if not hypercritically—and I think hypercritically—talks about our supporting freedom. We ought to start supporting freedom. Here is a good place to start, in Turkey, by making clear that we will cut back on the aid to Turkey, and also on military aid to Greece.

Lastly I find it a little difficult to understand the pouring of our money into Greece and Turkey in view of anything but gestures of friendship which both governments have made toward us in recent months over the Cyprus affair. They do not want any intervention at all. They did not want the United Nations to come in at all. That was a subsequent development. When we finally got around to giving up our unsound position of trying to get NATO into Cyprus, and joined with others in support of having the United Nations go into Cyprus, we did not get any bouquets from Greece and Turkey, particularly not from Turkey.

I do not know how much longer we shall continue to pour out millions of dollars of taxpayer money to international insulters of American taxpayers. They insult American taxpayers when they insult the American Government.

Here again I believe that psychologically it is most desirable that we make clear to Greece and Turkey that we will not increase their military aid and will not continue to give them support in threatening the peace of the world in the Mediterranean.

Mr. FULBRIGHT. Mr. President, I yield myself 2 minutes. I do not believe it is necessary to repeat the argument that I made on the other two amendments. The amendment violates an important principle of legislation by picking out two countries, both of them our allies, and saying specifically that they shall not receive more than 75 percent of the presentation that has been made. It would be very bad policy for us to adopt the amendment. I hope the Senate will vote it down.

I am prepared to yield back the remainder of my time.

Mr. MORSE. The Senator has made what I call a blanket argument. In other words, we should keep all this program under the blanket and smother it under the blanket. That is the blanket argument. Why should not the Congress live up to its responsibility when we have the evidence on Greece and Turkey, and start cutting? Why should we accept the argument that we must not name the wastrel, or that we must not name those who are guilty of abuses. One of the best ways to end the inefficiency and waste is to proceed to pinpoint inefficiency and waste.

We ought to make the cut of 25 percent that I have asked for. Do not forget that it is proposed to give those countries more this year than they were given last year.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Oregon. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN (when his name was called). On this vote I have a pair with the senior Senator from Louisiana [Mr. ELLENDER]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Hawaii

[Mr. Inouye], the Senator from Louisiana [Mr. Ellender], the Senator from Wyoming [Mr. McGee], the Senator from Oklahoma [Mr. Monroney], the Senator from Utah [Mr. Moss], the Senator from Virginia [Mr. Robertson], the Senator from Georgia [Mr. Russell], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGee], the Senator from Oklahoma [Mr. Monroney], the Senator from Florida [Mr. Smathers], and the Senator from Hawaii [Mr. Inouye] would each vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Connecticut [Mr. Dodd]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Connecticut would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Hawaii [Mr. Fong] is absent on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 2, nays 80, as follows:

[No. 126 Leg.]

YEAS—2

Eastland
Morse

NAYS—80

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Douglas
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Montoya
Morton
Mundt
Murphy
Muskie
Nelson
Pastore
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Williams. Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—18

Byrd, Va.
Dodd
Dominick
Ellender
Fong
Inouye
McGee
Monroney
Moss
Neuberger
Pearson
Pell
Robertson
Russell, Ga.
Smathers
Sparkman
Talmadge
Tower

So Mr. Morse's amendment was rejected.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I yield myself time under the bill.

I should like, first, to query the majority leader about the program for the remainder of the day, and then to ask him, if he can respond, what is likely to be taken up after the morning business has been concluded tomorrow.

Mr. MANSFIELD. Mr. President, it is hoped that we shall be able to finish the pending bill at a reasonably early hour tonight; and as of now, the prospects look fairly good. We shall keep in mind the commitments which various Senators have, due to particular circumstances this evening, and try our best to accommodate them.

I have spoken with the distinguished chairman and certain other members of the Committee on Foreign Relations, including the ranking Republican members, the Senator from Iowa [Mr. Hickenlooper], and the Senator from Kansas [Mr. Carlson], and also the Senator from North Dakota [Mr. Young] with respect to making an explanation of a treaty to extend the International Wheat Agreement. I hope that following the explanation it will be possible to enter into a unanimous-consent agreement to vote on that treaty possibly at about 12:30 p.m. tomorrow.

Following that, the Senate will take up the excise tax bill, and following that, the debt limit bill. Somewhere in between, at the request of interested Senators, it is planned to take up the bill having to do with the labeling of cigarettes, and for other purposes. That will give the Senate a heavy schedule for the remainder of the week.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I believe I owe it to the majority leader as well as to the Senate to outline quickly what my plans are in regard to further amendments this afternoon.

Mr. MANSFIELD. We would appreciate hearing them.

Mr. MORSE. I feel bad because some Senators will be inconvenienced by reason of the fact that they will not be able to leave in time for the early planes they expect to take, at 6:20 and 6:30 p.m. I am sorry about that. But I shall not forgo what I consider to be my obligation to complete the record. I shall offer certain additional amendments. I shall not take anywhere near my full time, if I may have yea-and-nay votes on them. It is important to establish the position of the Senate by yea-and-nay votes because these will be matters of public concern, I am convinced, for some time to come.

I shall offer an amendment, without any debate other than to set forth the reasons I have heretofore stated, to cut by 10 percent the aid to Greece and Turkey because, as I have already said, reports from the Comptroller General convinced me that what is being supported in Turkey is state socialism of a most undesirable type in many state industries, and a large amount of shocking waste in connection therewith.

I shall offer an overall Alliance for Progress cut and shall give my reasons. I do not believe that will take me more than 5 minutes. I shall offer an amendment to reduce military aid to Latin America, not covered in the $25 million bracket which we have already approved for allocation to a hemispheric police force.

I shall offer one other amendment, which includes several countries in the Middle East area in regard to which the Comptroller General's report shows a shocking waste.

I shall lump them together in an amendment proposing a 10-percent cut. The purpose of the cut is psychological more than anything else.

I believe that we ought to go on record in opposition to the course of conduct that many of these countries are following. These amendments, in my judgment, are justified if we rely on nothing else than the Comptroller General's report.

The total number of amendments, so far as the senior Senator from Oregon is concerned, will not take 20 minutes of discussion on my part, if we can get a record vote on them.

Mr. MANSFIELD. Mr. President, I appreciate the statement of the Senator from Oregon. I assure him that I appreciate his cooperation and counsel in expediting this measure and he has been most helpful. I assure the Senator that he will have yea-and-nay votes.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Mr. President, the distinguished majority leader has not mentioned the silver coinage bill. When is it proposed that that measure be taken up?

Mr. MANSFIELD. Next week, likely.

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished senior Senator from Oregon how many amendments he has.

Mr. MORSE. Four.

Mr. DIRKSEN. I have other amendments that I have not had an opportunity to present. I wonder if other Senators have amendments.

Mr. GORE. Mr. President, I do not have an amendment. However, an amendment was agreed to earlier in the day by a voice vote. This action may lead me to ask for reconsideration of the vote.

I had left word with the Senator from Arkansas [Mr. Fulbright] that I wished to be notified and have a quorum call requested before amendment No. 286 was offered.

The Senator from Arkansas was at lunch. I left in order to meet some constituents. In the meanwhile, another Presiding Officer was in the chair.

The amendment was called up and agreed to by a voice vote.

The amendment is a very important one and would require reconsideration unless an agreement is reached by colloquy. It may not take very much time. However, I advise the distinguished minority and majority leaders that the matter may arise.

Mr. DIRKSEN. Mr. President, I inform the majority leader that probably rollcalls from perhaps 6 o'clock to 7:15 might be accumulated, because we expect to honor a Senator on the minority side and then return to the discussion, if that can be done.

Mr. MANSFIELD. Mr. President, I express the hope that the Senate will recognize the peculiar circumstances in this instance. Some Senators will be going to the White House for the Arts Festival. We have a special occasion here. I believe it would be reasonable to expect—I hope I am correct—that during this period of 1 hour, we might let the votes accumulate, so that we can go ahead and consider the amendments.

Mr. MORSE. Mr. President, I am perfectly willing, as the distinguished majority leader knows, to agree to any procedural arrangements that may be worked out which would in no way impair the obtaining of yea-and-nay votes.

Mr. MANSFIELD. The Senator will receive his yea-and-nay votes.

Mr. MORSE. Mr. President, for my own protection, and to portray a better understanding of my position—and the distinguished majority leader will verify this—in my judgment, we are saving, several days of debate on this subject.

I was the one who initiated the suggestion. I went to the two leaders and said, "I believe that the attitudes of Senators are pretty well crystalized as to where they will stand on foreign aid. They know the position that the two sides will take. I do not want to drag this debate out all this week and next week. I am perfectly willing to enter into a unanimous-consent agreement to limit the time to 30 minutes to a side on each amendment." I even suggested 2 hours to a side on the bill.

When we are through discussing amendments, we do not need any debate on the bill. I am willing to do that. But I want to have a gentleman's understanding—no one can guarantee it—that I will have yea-and-nay votes.

The record that is being made here is very important for future evidence. The general understanding was that there would be no objection on the part of the leaders, but that they could not guarantee yea-and-nay votes. However, they agreed to help to obtain them.

Mr. MANSFIELD. Mr. President, I assure the distinguished senior Senator from Oregon that he will have a yea-and-nay vote on any amendment he wishes.

Mr. MORSE. I thank the Senator.

TRIBUTES TO SENATOR MARGARET CHASE SMITH, OF MAINE, FOR HER DEVOTION TO DUTY AS SENIOR SENATOR FROM THAT STATE

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the pending business (S. 1837) be laid temporarily aside and that the Senate proceed to the consideration of Senate Resolution 116.

The **PRESIDING OFFICER.** The resolution will be stated.

The legislative clerk reads as follows:

> Whereas the senior Senator from Maine, MARGARET CHASE SMITH, has on this day cast her two-thousandth consecutive rollcall vote in the Senate of the United States; and
>
> Whereas this unbroken voting record is unparalleled in the history of the Senate: Now, therefore, be it
>
> *Resolved,* That MARGARET CHASE SMITH be hereby commended for her devotion to duty as senior Senator from the State of Maine.

[Applause, Senators rising.]

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The **PRESIDING OFFICER.** The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I yield myself 2 minutes.

The **PRESIDING OFFICER.** The Senator from Illinois is recognized for 2 minutes.

Mr. DIRKSEN. Mr. President, the other day I saw in one of the Washington newspapers an account of an outstanding record possessed by a lady who had not missed Sunday school on any Sunday in 20 years, I believe. That, of course, is a great record. However, I doubt whether it equals the record possessed by our distinguished colleague the senior Senator from Maine.

To me, it is almost terrible to contemplate 2,000 consecutive rollcalls without a miss. Think of the sacrifice involved, and the diligence and fidelity to her duty as a Senator.

If I may be so bold as to become a little familiar and say this as minority leader, MARGARET, this is an unequaled record, I presume, in the history of our country in either party in the Congress of the United States. Surely that is worthy of the accolade of the Senate, and I think Senators should rise and give our friend a great, standing ovation. [Applause, Senators rising.]

Mr. President, I yield 2 minutes under the bill to Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, if my plans of a year ago had been realized, the resolution just offered by the Senator from Illinois would have been completely unnecessary. But my hopes were not realized, and another family occupies the residence at 1600 Pennsylvania Avenue.

Had things worked out as I had hoped, Senator SMITH would have cast only 1,896 consecutive votes, because 104 of them were cast this year.

In the course of her career as a Member of Congress, she has collected 48 honorary degrees and 14 tons of roses. The rose she is wearing today was one sent to her from Philadelphia, and is not the yellow rose of Texas, although I am sure that Texas' leading citizen would enjoy being present here today to congratulate her.

I do not intend to congratulate her. I wish to compliment the State of Maine, the U.S. Senate, and the United States of America.

It has not all been so nice watching her pile up this consecutive record of 2,000 yea-and-nay votes. It has pricked the conscience of some of us, particularly mine. I have felt guilty if I missed a rollcall vote, with her example constantly before us.

I am not going to suggest that she miss the next vote or so, so that she may go fishing, but if she did so, I would feel that I myself could go fishing with a clear conscience.

Mr. DIRKSEN. Does the Senator believe that the repentant spirit on his part is contagious?

Mr. AIKEN. I can only say that the record of votes these days is more representative of full attendance than it used to be.

Mr. DIRKSEN. I yield 2 minutes on the bill to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I join the minority leader in the remarks which he has just made about our distinguished colleague, the senior Senator from Maine. It is a pleasure to join the one who nominated successfully the Republican nominee last year, and one who nominated a person who would have been a great addition to her party, but who did not succeed in that process.

I sometimes believe that the honor carried by the lady from Maine is a little too heavy a burden to carry. It is an honor not to miss a rollcall for so long, a record very few in the Congress, if any, have equaled. At the same time, it is a burden, but an honorable one, because that person worries whether he can go to this place or to that place or whether a train or plane schedule will allow him to make his objective within the designated time.

But it is a pleasure on this side of the aisle to join my distinguished colleagues on both sides of the aisle in extending congratulations and best wishes to the lady with the rose, the distinguished Senator from Maine, who has added so much to the dignity, prestige, and goodness of this body.

Mr. DIRKSEN. I yield 2 minutes on the bill to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, Maine separated from Massachuetts in 1819 and became a separate State after that. As a citizen of Massachusetts I think I can be proud of the fact that Maine was a part of Massachusetts and that it has produced a lady of this character, who has had a good, healthy consistency in carrying out her duties.

As one who goes to the State of Maine every summer, I know how her constituents think of her and know that she can remain in this body as long as she wishes.

As one who sits beside her on two committees, I know how valuable her assistance to the work of those committees is. As one who sometimes disagrees with her, I usually come around to her point of view. Because of her knowledge of affairs of the United States and her strength in the State of Maine, we are assured of her ability to carry on for many more years.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished minority whip [Mr. KUCHEL].

Mr. KUCHEL. Mr. President, a unique milestone has been achieved today, and everyone here in the Senate joins in hearty congratulations to the distinguished senior Senator from Maine, who graces this Chamber. Her devotion to duty is reflected in the resolution now before us, but I think far more may be reflected too.

I rise to say to my colleagues, and to my friend from the State of Maine, that, quite aside from devotion to duty, which this almost unbelievable record of yea-and-nay votes demonstrates, there are reflected here the courage and independence, Senator, which you have demonstrated to your colleagues, to your State, and to your country, time and again, in determining how the people's interest in your own view, is best served on every rollcall; and, having made your determination, you have acted in accordance with your own conscience, and cast your vote as you believe it ought to be cast.

For all those reasons I am honored to take this moment to salute a gracious woman and a handsome lady, whose labors in the Senate richly merit the tribute of the pending resolution.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from New Jersey [Mr. CASE].

Mr. CASE. Mr. President, I hesitate to speak in the presence of my distinguished senior. Yet I think I am, in a sense, entitled to make a remark or two because of the prestige which has fallen to my lot to enjoy as the seatmate of MARGARET SMITH of Maine. I came to this seat because our friend the Senator from New Hampshire [Mr. COTTON], who formerly occupied it, was never able to get his seat, and finally gave up in disgust, because although he had title to the seat he was never able to occupy it. But apparently I have scared Senators out of this seat and so I have enjoyed this propinquity to the Senator from Maine. It has been a great pleasure for me to have this seat. The fact that she is so faithful in her attendance in the Senate and on rollcalls has been a guide as to how other Senators should conduct themselves.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. President, there are many Senators who would like to join in congratulating the Senator from Maine, notably the Senators from the neighboring States of Vermont and New Hampshire.

Mr. President, when I came to the House of Representatives not quite 20 years ago, MARGARET CHASE SMITH was a Member of that body, rendering constant, faithful, and extremely effective service. It has been my privilege to serve with her for 11 years in the Senate, the latter part of it on the Committee on Appropriations.

The State of Maine is the only State in the Union that has only one neighbor. New Hampshire is that neighbor. As a Senator from New Hampshire and one who holds Senator SMITH in high regard and great respect, I join my colleagues in congratulating her on her unparalleled record of responding to 2,000 consecutive rollcalls.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Maine [Mr. MUSKIE].

Mr. MUSKIE. Mr. President, I am sure that the people of my State would wish me, on this occasion, to extend their congratulations to my distinguished colleague; and I would like to add my own to theirs.

I can recall an occasion when she marked the 1,000th consecutive vote, and I did not fully appreciate at that time how much of a burden it was to carry that kind of record.

Now, 1,000 consecutive votes later, I am delighted, with a fuller appreciation of what it means, to congratulate her once again upon this truly remarkable milestone.

Her record in Maine political history is well established beyond any question.

I appreciate this opportunity once more to add my personal good wishes to her.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Delaware [Mr. WILLIAMS].

Mr. WILLIAMS of Delaware. Mr. President, I am delighted to join my colleagues in paying tribute here today to a great American.

MARGARET SMITH has just completed her 2,000th consecutive rollcall vote, a record which never has been—and I doubt ever will be—equaled.

What is even more important, she has cast those votes as a statesman in what she conscientiously believed was in the best interests of her State and her country.

Senator SMITH, we salute you as one of the most respected Members of this body, we salute you as one whom we are proud to call a friend.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. President, my office suite adjoins that of Senator MARGARET CHASE SMITH, the reliable and dedicated lady legislator from the State of Maine. Often, as I hurry down the hall on the way to a vote or rollcall, I find this industrious gentlewoman, punctual as always, waiting for the elevator which will take us to the subway level. I am thus given the pleasure of her company to the Senate floor, and am invariably inspired by her air of purpose and energy. She is a good neighbor.

The record which MARGARET CHASE SMITH has compiled in the U.S. Senate will probably never be surpassed. Her 2,000 consecutive personal appearances for Senate rollcalls is an unprecedented accomplishment. Her fidelity in her Senate responsibilities brings honor to her State. And, it is entirely to her credit that her faithful attendance is matched by a constructive and cooperative manner as she serves the citizens of Maine and the Nation.

Mr. President, it will be my privilege on Sunday afternoon, June 20, the 102d anniversary of the birth of West Virginia as a State, to present Senator SMITH for an address she will give during an important civic program at Morgantown. I will embrace that opportunity to again focus attention on this achievement of my colleague.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I want to associate myself with the remarks of Members on both sides of the aisle in regard to the outstanding record of our distinguished colleague from Maine [Mrs. SMITH].

There is not a more conscientious, more dedicated and hard working Member of the Senate, the lady from Maine [Mrs. SMITH].

The State of Maine and our Nation are the beneficiaries of her outstanding service. I hope that we may for many years to come have the continued benefit of her service.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. President, I wish to join in congratulating the very distinguished Senator from Maine [Mrs. SMITH].

The record she has established does honor to the State of Maine, to this Congress, and to free government everywhere.

This honor does not come to Mrs. SMITH by accident. It is because of her devotion to duty, her loyalty, self denial and endurance and unselfish efforts.

We indeed congratulate America's most distinguished lawmaker MARGARET CHASE SMITH.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Idaho [Mr. JORDAN].

Mr. JORDAN of Idaho. Mr. President, I wish to join my colleagues in paying my congratulations to the distinguished senior Senator from Maine on this occasion which marks her 2,000th consecutive vote in this body.

Not only is this a record of unparalleled accomplishment but it serves as a true indication of the dedication, of the dependability, of the rugged health of our distinguished colleague.

I am privileged to serve with Senator SMITH on the Aeronautics and Space Committee where she serves very ably as the ranking minority member. Her wide experience in this field provides the background for a knowledgeable and highly respected judgment in a very technical field reserved generally to scientific experts.

The Nation is enriched by her membership in this body. The State of Maine is well represented and her constituents are to be congratulated on their sound judgment in sending her to Congress and in keeping her here. May her tenure be extended for as long as she wishes to continue in her present capacity.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, it is a pleasure to join with my colleagues on both sides of the aisle in congratulating Senator MARGARET SMITH, the lady from Maine, on her impressive record, established today, of having voted in 2,000 successive rollcalls without a single absenteeism.

Two thousands anniversaries is a most significant record, Mr. President, for any citizen and for any Senator. Seldom indeed does any individual in any walk of life achieve such a record. This achievement, unprecedented in American history, is a great tribute to the diligence and the devotion to duty of Maine's great Senator MARGARET SMITH. It demonstrates that her vitality and verve, her good health and her good judgment, are equaled only by her concern for the public good and her dedication to the position which she fills so ably.

It has been my privilege to serve both in the House and in the Senate with MARGARET SMITH. She demonstrates skillful concern on all public questions whether they involve our international developments, questions of national importance, on matters of primary significance and importance to the State of Maine. She represents her State faithfully and well and it is easy to understand why both political friend and foe consider her unbeatable.

On the Appropriations Committee where I sit as her immediate senior she demonstrates that thrift for which New England is supposed to be famous while at the same time insisting that her great State is not overlooked on programs where the public purse is being tapped for approved programs of a national character. From the peat beds of Maine to the power potential of Passamaquoddy, Senator MARGARET SMITH presents the needs and the desires of Maine in a persuasive and convincing manner. On this anniversary of her 2,000th consecutive vote without a single absence I congratulate her and extend best wishes for the reelection which she so amply deserves on the basis of her brilliant record here in Washington.

Mr. DIRKSEN. Mr. President, it is with unalloyed pleasure that I yield a moment to the distinguished lady from Maine.

Mrs. SMITH. Mr. President, I deeply appreciate what the majority leader and the minority leader have done today. Again I say "Thank you," in a very difficult time.

I am most grateful for such generous recognition by the Members of the U.S. Senate. I have been very fortunate because while the unbroken string of votes has required a considerable amount of scrambling on time to be back in Maine every month for 97 consecutive months without a miss, it has taken a lot of good luck.

I could not have done it without a number of kindnesses granted me. The Good Lord has granted me such wonderful health to be able not to miss a vote during this stretch. The people of Maine have extended such generous understanding to me when I have regretted that I could not accept speaking invitations back home when doing so might risk my missing a vote.

I have never asked that there be no rollcall votes at any particular time in order to save my record. But I owe a great deal of this record to a very efficient and thoughtful young man, William Brownrigg III, assistant secretary for the minority. Bill has very efficiently and very accurately kept me posted on the prospects of rollcall votes. Without his interest, I could not have made this record.

And I must give credit to my assistant, Bill Lewis, who many, many times has driven all night between Washington and Maine to either get me to Maine for a speaking commitment the next day after the Senate had rollcall votes late into the evening—or to get me back from an evening speaking engagement in Maine to be present and voting in the Senate the next morning.

On this occasion of such generous recognition, I want to convey my own respects to two other Members of Congress who have greater records than mine in some respects. Although my 2,000 consecutive rollcall votes without a miss is the longest consecutive rollcall record, Representative CHARLES E. BENNETT, of Florida, has the champion record on time for he has not missed a rollcall vote since June 5, 1951. He has a record of 1,357 consecutive rollcall votes for a continuing period of more than 14 years. Representative WILLIAM H. NATCHER, of Kentucky, has a perfect rollcall voting attendance record as he has not missed a one of the 1,137 rollcall votes had in the House of Representatives since he started his service there nearly 11½ years ago on January 6, 1954.

Again, Mr. President, I want to say "Thank you" to EVERETT and to MIKE, and to thank you all for your very generous recognition of what I have tried to do. [Applause, Senators rising.]

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

The preamble was agreed to.

FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill (S. 1837) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. LAUSCHE. Mr. President, what is the understanding concerning the current business of the Senate?

Mr. MANSFIELD. Between 6:15 and 7 o'clock the votes will accumulate, but the discussion will go on.

Mr. LAUSCHE. Between 6:15 and 7 o'clock? I thought it was between 6 o'clock and 7 o'clock?

Mr. MANSFIELD. Between 6:15 and 7 o'clock.

Mr. LAUSCHE. I thank the Senator from Montana.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 248

Mr. MORSE. Mr. President, I ask unanimous consent to have my preceding amendment called up and stated. It is the amendment on Greece and Turkey, to change the 25 percent to 10 percent.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. MORSE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. MORSE is as follows:

On page 18, after line 22, add the following:

"(f) At the end thereof add a new section as follows:

"'SEC. 620A. (a) Notwithstanding any other provision of this Act—

"'(1) the total amounts obligated or reserved during fiscal year 1966 for assistance under part I of this Act to Turkey and Greece shall not exceed amounts equal to 90 per centum of the amounts specified for such purpose for each country in the presentation material submitted to the Congress during its consideration of the Foreign Assistance Act of 1965; and

"'(2) the total amounts obligated or reserved during fiscal year 1966 for assistance under part II of this Act to Turkey and Greece shall not exceed 90 per centum of the respective amounts specified for such purpose for each country in such presentation material.

"'(b) The President shall determine the amounts by which the sums available for assistance to Turkey and Greece are less than the sums which, but for the provisions of this section, would have been available for such purpose, and such amounts shall be deducted from appropriations or other funds available for such purpose and deposited in the general fund of the Treasury.'"

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield for a moment?

Mr. MORSE. I am glad to yield.

Mr. MANSFIELD. Inasmuch as there are enough Senators in the Chamber at this moment, and in view of the fact that there will be no yea-and-nay votes undertaken between 6:15 and 7 o'clock, I ask unanimous consent that any amendments offered during that time—on the basis of asking for the yeas and nays—be given due recognition.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. There will be votes after we return at 7 o'clock.

Mr. MORSE. Mr. President, this is the same amendment except for the difference in percentage from 25 percent to 10 percent for Greece and Turkey. That would still give them as much money as they are getting at the present time, or more.

I make my points quickly.

First, I do not see how anyone can deny the soundness of my amendment based upon the findings of the Comptroller General. We can make these cuts and still not come within the savings which the Comptroller General reports indicate should be made.

Second, we are dealing with two countries which are threatening the peace of the world, and yet it is proposed that the United States build up more military power for them.

It does not "add up." It does not make sense. I believe that from a psychological standpoint, we ought to adopt the amendment, to demonstrate to the world that there is a limit to our granting money for economic aid when countries spend money illegally. Greece and Turkey spend theirs illegally when they use American military aid to threaten each other. I do not accept the argument of the Senator from Arkansas that we should not single out individual countries for making savings, because, as he claims, we supposedly would offend them. That is a blanket coverup argument. It tries to conceal the facts from the American people. We have a duty to single out countries which the Comptroller General has found are wasteful and inefficient. Ten percent is a fair minimum amount that we ought to cut.

Mr. FULBRIGHT. I yield four minutes to the Senator from New York.

Mr. JAVITS. Mr. President, it so happens that this is a subject in which I am deeply immersed. I do not believe that we could do anything less wise than to adopt this amendment. I am chairman of a committee of the NATO Parliamentarians' Conference, to which I am a delegate, appointed by the Senate, which is now trying to work out a great program of economic cooperation between Greece and Turkey.

We have had extraordinary success in persuading the business communities of Greece and Turkey, with the consent of their governments, to sit down and talk about how these countries could economically work together, notwithstanding Cyprus. I have raised money from foundations to finance these studies, and they are very well underway. We are already in the process of appointing a distinguished executive director for the project. It is expected that before these ideas were choate and ready to be implemented, about 6 months or a year would go by, with the expectation that by then Cyprus might be out of the way, and that this plan would immediately come into being.

There is tremendous disaffection with the United States in Turkey. She suspects that we have been too partial to Greece over Cyprus. This is the first flirtation that has ever taken place between Turkey and the Soviet Union. It has only recently occurred. It preceded a drastic change of government in Turkey.

Mr. President, Turkey will be having elections this fall, within the next few months. The government in office has gone back to the so-called Justice party period of the Menderes regime. Everyone knows the great upset in Turkey which occurred when Menderes was executed. This election will result in Turkey either looking toward a new era like that of the Venizelos-Ataturk accord, which lasted until the Cyprus situation arose, for well over 30 years, or it will result in demagogs taking over and possibly bringing about what was not done in the Truman days, a reorientation between Turkey and the Soviet Union.

There are a few other delicate and sensitive situations, like Vietnam and the Arab-Israel situations, but I do not know of any more delicate or sentitive situation anywhere in the world than here. Even if this proposal were never to become law—and I am confident that it will not become law—I do not know of anything that would be more of a thunderclap or shattering blow to everything that everyone has been trying to do in that area, than a development of this kind. Greece and Turkey are the two underdeveloped countries in NATO. NATO has been remiss—and that includes ourselves—in not doing more to shore up this situation.

Turkey has been considered the toughest rampart on the south flank of the Soviet Union. In the past 6 months this rampart has become a little shaky, because of the feeling on the part of the Turks that we have been too partial toward Greece with respect to the Cyprus situation.

The entire situation is delicately balanced. This subject is one I know about in great detail. I am hopeful of the possibilities that I have described. With all the good will which the Senator from Oregon is displaying, I hope and pray that in this particular instance the Senate will not rock the boat.

Mr. MORSE. We get the same old argument that we have just heard from the Senator from New York every time we try to do something about these things. Someone will always say that we are in the midst of negotiation and in conference. Whenever they see that there is developing in this country a determination on the part of some that a course of action being followed be stopped, we get the same apologists saying that things are getting better.

The record is against them. In Turkey the totalitarians are in control. We are not dealing with a free government. We are supporting shocking examples of socialism in Turkey. The Comptroller General's report shows a waste of American taxpayer money.

I am not interested in all the talk about being in the process of conversations with them. It is about time that representatives of the people of the United States make clear to these wastrels that we do not have any more money to waste.

Mr. FULBRIGHT. Mr. President, I yield myself 1 minute. I associate myself with what the Senator from New York [Mr. Javits] has said. I do not need to repeat his argument. In addition to that argument, it is wrong and bad practice to pick out countries, particularly friendly countries, and engage in this kind of effort to discipline them in connection with the pending bill. It is a bad practice from any point of view, whether it involves Turkey, Greece, or any other country.

Therefore I hope the Senate will not adopt the amendment.

I yield back the remainder of my time.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. Morse].

The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Arizona [Mr. Hayden], the Senator from Wyoming [Mr. McGee], the Senator from Oklahoma [Mr. Monroney], the Senator from Utah [Mr. Moss], the Senator from Georgia [Mr. Russell], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGee], the Senator from Rhode Island [Mr. Pell], and the Senator from Florida [Mr. Smathers] would each vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Oklahoma [Mr. Monroney].

If present and voting, the Senator from Virginia would vote "yea" and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Hawaii [Mr. Fong] is absent on official business.

The Senator from North Dakota [Mr. Young] is detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 6, nays 79, as follows:

[No. 127 Leg.]

YEAS—6

Eastland
Ellender
Gruening
Morse
Robertson
Young, Ohio

NAYS—79

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Douglas
Ervin
Fannin
Fulbright
Gore
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Montoya
Morton
Mundt
Murphy
Muskie
Nelson
Pastore
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough

NOT VOTING—15

Byrd, Va.
Dominick
Fong
Hayden
McGee
Monroney
Moss
Neuberger
Pearson
Pell
Russell, Ga.
Smathers
Talmadge
Tower
Young, N. Dak.

So Mr. Morse's amendment was rejected.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). The bill is open to further amendment. The Senator from Oregon is recognized.

AMENDMENT NO. 242

Mr. MORSE. Mr. President, I offer my amendment No. 242, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 9, beginning with line 7, it is proposed to strike out down to the semicolon in line 9 and insert in lieu thereof the following:

(a) In the first sentence strike out "1963, 1965, and 1966, not to exceed $600,000,000 for each such fiscal year" and substitute the following: "1963 and 1965, not to exceed $600,000,000 for each such fiscal year, for use beginning in each of the fiscal years 1966 and 1967, not to exceed $500,000,000 for each such fiscal year".

Mr. MORSE. Mr. President, I yield myself as much time as I may need.

Mr. President, it is with reluctance that as chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations I feel compelled by the record to offer this amendment. I still have great hopes for the Alliance for Progress; but the Alliance for Progress needs appraisal on the part of our Latin American allies themselves. If there were no other argument in support of my amendment—and there are many that I shall advance—the compelling argument is that the amendment would induce our Latin American allies to reappraise their part in the Alliance for Progress.

There was a time when we were beginning to get some cooperation from our Latin American neighbors in the Alliance for Progress. But, in my opinion, the trend is in the opposite direction at this time. They have a tendency to feel that the Alliance for Progress appropriations are "in the bag"; that we are so committed to the Alliance for Progress that we are going to give our Latin American allies substantial contributions under the Alliance for Progress, irrespective of what they do or do not do. Much of my criticism of the Latin American countries is in regard to what they do not do.

The Alliance for Progress was designed by President Kennedy as a cooperative program, a program of mutuality, a program of reciprocity. But I cannot escape the conclusion that most of the doing has been by the United States, by reason of too many Latin American countries believing that they have a right to be on the receiving end of the program.

I have before me an article entitled "Leftists Keep Eye on Ecuador Plum," published in my hometown newspaper, the Eugene Register Guard, under date of June 7, 1965. Ecuador is a good example of what I mean. I ask unanimous consent that the entire article be printed at the conclusion of my remarks in support of the amendment.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, Ecuador received $30 million in aid last year, $40 million in 1963, and $39 million in 1962. Yet now, as the article points out, Ecuador's economic problems are increasingly burdensome. The reason for the economic problems of Ecuador and other Latin American countries, some of which I shall mention in this brief speech, is that there has not been a real attempt on the part of Ecuador to put its economic house in order. The United States cannot continue to support political regimes in various countries in Latin America when all we get from them is talk and little or no action in regard to instituting the necessary economic reforms, as well as other reforms, that are so essential if the Alliance for Progress is to have any chance of succeeding.

It would be salutary to reduce the amount for the Alliance for Progress this year from that requested by the administration by $100 million, but making it perfectly clear at the time the reduction is made that we are willing to sit down and work out with any country in Latin America an Alliance for Progress program that will, in fact, be one in which they will cooperate and do something about making the necessary changes, so that it will be unnecessary to write, as the writer of this article does, about the increasingly burdensome economic problems of Ecuador. Thirty million dollars was provided for Ecuador in 1964, $40 million in 1963, and $39 million in 1962. But still there is no economic stability in Ecuador, due in large measure to the faults of the Government, due in large measure to the failure on the part of the Ecuadorian Government to adopt the necessary political and economic forms essential to stability.

We cannot continue to pour money into a country such as Ecuador if we are not going to get an effective attempt on the part of the Ecuadorian Government to institute the necessary economic changes that will remove the finding, as set forth in the article, that their economic problems today, in spite of our aid, are increasingly burdensome.

Ecuador is not alone. All I need do is to mention the Dominican Republic. What a mess. Yet we have poured into the Dominican Republic huge sums of money. There has been no attempt to democratize the Dominican Republic, an attempt so essential, in my judgment, to economic stability, and so essential to the economic relief of the mass of the people. The people will not receive economic benefits related to either political or economic democracy if we support totalitarian rulers. What we have done has been to aid and abet the destruction of constitutionalism in the Dominican Republic. What we have done in the Dominican Republic has been to help to bring about the chaos that exists there now.

More than a year ago this administration recognized the Dominican junta. Do Senators believe that pouring more millions of dollars into that military junta will result in more stability in the Dominican Republic? Such action will be conducive to causing chaos elsewhere in Latin America.

At the time the Johnson administration made the great mistake of recognizing the Dominican junta, I said that our Government would play right into the hands of military juntas throughout Latin America and would demonstrate again that when the chips of freedom are down in Latin America, the United States cannot be counted upon to support freedom in action. We can be counted upon to support freedom in Latin America with American propaganda, but not with action. We cannot possibly justify recognizing and supporting military juntas anywhere in Latin America.

Until that lesson is learned in Latin America, we ought to cut back on the aid program, because by constantly pouring money into those shaky governments, having strong totalitarian groups, either Communist or military, we are always standing in the wings to take over as a part of the cause of the great instability that is stalking so much of Latin America these days.

We have poured millions of dollars into Bolivia. Bolivia has been cited to the Committee on Foreign Relations as one of the shaky countries. Economically, conditions are growing worse. We shall pour more money in. What assurance have we that this money will not be wasted? Merely putting the stamp of Alliance for Progress on the program does not mean that it will bring about constructive benefit.

Not so many years ago, Colombia was one of the countries in Latin America which, in my opinion, showed the greatest hope for the development of democratic stability—both political and economic. Today, Colombia is in a turmoil and is not bringing about the necessary reforms that it should. I believe that cutting aid to the extent of $100 million, as I propose, would be exceedingly salutary throughout Latin America.

We might, at long last, indicate to Latin American government officials that our pockets have a bottom, that they cannot expect us to dip into our pockets or continue to pour out the hundreds of millions of dollars that they are asking for without their bringing about both economic and political reforms.

There are other countries that I probably should mention. There is nothing in Uruguay that gives us very much encouragement these days with regard to economic or political stability.

We cannot be very proud of the record that we have made in Guatemala, or that the Guatemalans have made in support of the objectives of the Alliance for Progress.

Anything but results have been accomplished in Argentina to warrant agreeing to the proposal that we should continue our policy there until there is more evidence of reform, in keeping with the mutual obligations that we all undertook when the Alliance for Progress was initiated.

Venezuela today is not the Venezuela of Betancourt. There is a considerable amount of confusion in Venezuela. I spoke last week, in a major speech on the floor of the Senate, in opposition to a new type of expropriation policy in Venezuela. The situation involved an insurance company. If they get by with their action, it will lead to other American investments being expropriated.

The House of Deputies and the Venezuelan Senate passed a bill that required the sale of at least 51 percent of the American-owned stock in an insurance company operating in Venezuela to Venezuelan investors. This is not a case of a government taking over an insurance company and paying a fair compensation to American investors. I would be against that, but, at least that would fall within the sovereign right of a country.

I did not like the expropriation of American oil by Mexico, but that was made the Mexican national policy. The national government took over the oil facilities. There were long negotiations which finally ended in the case going to the Mexican Supreme Court twice, with the Mexican Supreme Court both times holding that the Mexican Government had the sovereign right to follow this course of action as a domestic policy. Of course, the Mexican Supreme Court was right. The court was unanimous in each decision.

There followed the appointment of an international commission. Negotiations took place. Settlement was made. Some of our oil companies thought it ought to have been more. However, we had to admit that at least due process of law prevailed, and the expropriation was accomplished as a matter of governmental policy.

The Venezuelan tack is somewhat different, although it could still be argued, as they passed the law and the law was signed by the President, that they have made this the national policy. However, the matter of fair compensation is automatically excluded and eliminated. Under the expropriation, as a matter of government policy, if negotiations in an agreement on compensation, the presumption is that the finding will be that it was fair and adequate compensation and in keeping with the basic principle of eminent domain, under which doctrine, if we take something over in the name of government necessity, we pay adequate compensation for the takeover. That is what could happen in Venezuela.

This kind of expropriation creates a buyer's market. We own the stock. We sell it to the buyer. The Government does not fix what would be a fair price for the 51 percent of the stock. The stock must be sold. We will take what the buyer offers.

That is a shocking performance. I believe that there are shifts in Venezuela which give us great cause for concern. I believe that my proposal to cut the Alliance for Progress program $100 million will cause a great change in attitude in Latin America in regard to sitting down and trying, with us, to arrive at a better understanding than present criticism would justfiy.

In my judgment, there is nothing in Chile that would justify our taking the position that we should give Chile anything she wants. There are some movements in Chile that give me great cause for concern. I do not know how far Chile will go to the left. Do not tell me that she will go further if we do not pour American money in there.

That does not happen to be the history of our aid in Latin America. We pour in the money and it seems to have no effect on whether they go rightist or leftist, so far as developing totalitarian attitudes is concerned.

I am very much concerned about an attitude that has developed in Latin America on the part of officials of a great many countries in Latin America. They feel that they now are entitled to American aid as a matter of right.

It was reported to me that in Latin America, in a recent conference it was felt that they were entitled to American aid as a matter of right. Some of their speakers even argued that point of view.

I understand that our State Department was a little surprised and upset. To their everlasting credit, let me say that I have been advised that our State Department representatives made it perfectly clear that they rejected and repudiated such an idea. That does not end the idea. It is still held by too many.

There is a growing feeling in some quarters in Latin America that we have no other accord, that there is nothing we can do about it, so long as they can point to the specter of communism which they always claim is hovering just overhead. So they say we must aid them, whether or not they make good on their obligations.

In my judgment, we do not and must not. In my judgment, as a Congress we cannot justify spending the American taxpayers' dollars on the basis of that situation.

I will vote for the expenditure of an increased amount of money for the Alliance for Progress program, in the economic aspects of it, if we can get a better understanding than we had been able to reach. I believe it would be salutary and highly desirable if we reduced the Alliance for Progress amount from $600 to $500 million, making it perfectly clear to our Latin American allies that we are willing to enter into conversations with them for a future increase if they in turn are willing to bring about necessary reforms in the trouble spots.

I have not mentioned all the countries, but this is so much the pattern in Latin America, that this year, particularly in view of the needs of our country, particularly in view of what the United States is agreeing to do for those countries that we are not doing for ourselves domestically, I believe the amount should be decreased to $500 million.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes.

I agree to some of the general statements of the Senator from Oregon made about people believing they have a right to this money. I am glad he said that the State Department rejected that concept. But, on the whole, the Senator from Oregon has downgraded the performance of Latin American countries far more than they deserve. He included countries that are getting small loans. Uruguay, for example, receives only $900,000 for technical assistance, which is a small gesture. Whether it is too much is not for me to state at this time.

One of the large amounts goes to Brazil. Brazil is doing extremely well. She is doing so well in trying to reform her economy that she risks causing political trouble. In other words, the Government has exhibited great courage in reducing inflation. In the first 3 months of 1964 Brazil was suffering from inflation at a rate of 10 percent a month. In May of this year Brazil by courageous and vigorous action had reduced the inflation rate to 3 percent a month.

Brazil is by far the most important country in Latin America. So I do not believe we should overlook the favorable events that have taken place in Brazil.

Of the $600 million, only $70 million is in technical assistance, in the form of grants. The remainder is in dollar repayable loans. Some persons say, "They will never be able to repay it." We made that mistake in the Marshall plan. If things continue to go as they are going in Brazil and she can maintain political stability, there is no reason why she cannot pay this loan back, because Brazil has vast resources. All it needs is a period of political stability and some assistance. So I believe that in the case of Brazil this program is justified.

It is true that among the 19 or 20 countries there are spots that do not look favorable, but looking at Latin America as a whole, the situation is favorable and improving.

I hope the Senate will reject this restriction. It is another indication of lack of confidence in the administration. The administration does not have to make these loans. Most of the amount is for dollar repayable loans.

So I strongly urge that the amendment not be accepted.

Mr. MORSE. Mr. President, I yield myself 2 minutes.

I have not suggested that we do not carry out the Alliance for Progress program in connection with any Latin American country that submits a program. The Alliance for Progress program calls upon Latin American countries, as a condition precedent to their obtaining assistance from the United States, to come forward with a program. Brazil is doing that. If the amount were cut from $600 million to $500 million, it would not mean that the State Department would have to cut funds to a country that is complying with what was the spirit, intent, and purpose of the Alliance. It does not mean that Brazil would not get the full amount if she complies.

What I am saying is that there is no doubt—judicial notice can be taken of it—about the fact that there are so many countries in Latin America that are not holding up their end of the bargain that I could propose a cut of much more than $100 million.

I am merely proposing to the State Department and the AID administration, "You will have to work out your Alliance for Progress program on $500 million instead of $600 million." When a country is doing the job that Brazil is doing, I have not suggested that aid be taken away from that country. I have not suggested a prorated cut. To the contrary, I believe the time has come for us to buttress the State Department—in fact, to direct it—and to say, "We are not going to give you $600 million. We are going to give you $500 million. Take another look and take $100 million away from countries that you know on the record are not working on the basis of mutuality that is supposed to be a part of the Alliance for Progress program."

There are countries in Latin America that I believe are doing their share. I want to see that the $500 million is used for countries which are helping to strengthen the Alliance for Progress, and not for countries that are, in my judgment, following a course of action that is inconsistent with the purpose of the program.

Mr. FULBRIGHT. I yield back the remainder of my time.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the vote on the amendment will be deferred until 7 o'clock. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, my understanding of the agreement entered into is that it is desired that I make my argument on such remaining amendments as I have, and that the Senate then vote on them seriatim after the hour of 7.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. What the Senator has said is correct.

Mr. MORSE. Mr. President, I send my next amendment to the desk and ask to have it read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 14, between lines 13 and 14, it is proposed to insert the following:

(1) Amend section 511(a) which relates to restrictions on military aid to Latin America by striking out "1962" and "$55,000,000," and substituting "1966" and $40,000,000", respectively.

Mr. MORSE. Mr. President, as the Senate knows, in my capacity as chairman of the Subcommittee on Latin American Affairs, I have for years deplored the large amount of military aid the United States is sending to Latin America.

For a time the alibi of our Government was that it was necessary for hemispheric security reasons. That never was a sound argument. Latin American countries do not need the large quantities of military aid and the type of aid that we send to them for hemispheric security because they are completely dependent upon the United States for hemispheric security so far as any attack from outside the hemisphere is concerned. President Kennedy demonstrated that in the Cuban crisis of 1962.

If they wish to include hemispheric security and the possibility of war among themselves, we all know it would not be allowed either by the United States or by the Organization of American States. The fact is that we have been using millions of dollars over the years for military aid to Latin America to build up military classes in various Latin American countries and, in fact, to feed their national vanity with respect to their desire for prestige.

Latin American country A would compete with Latin American country B for American naval and military aid. Some of the requests for destroyers have taken on the aspect of high comedy. If country A was going to get a destroyer, country B would complain that it would be treated in a second-class way if it did not receive a destroyer. I use this as a hypothetical example, of course.

Our military aid has done a great deal in Latin America to strengthen military oligarchy. It has done a great deal to build a military clique which has been responsible, in my judgment, for the strengthening of juntas in the various countries which have been able to overturn constitutional government. We should stop it—and stop it now. It has had two very bad effects which I wish to mention, among other things which I could mention. It has helped to keep down the aims and aspirations of democratic groups seeking to establish a political order of freedom in Latin America. It has helped to delay and weaken the development of constitutionalism in Latin America.

I believe that is most unfortunate. It has played into the hands of the Communists. The symbol of American military might using the military oligarchy as a funnel through which to pour military aid into Latin America has made Communists and has strengthened the cause of Communists. It has stood in the way of the advance of economic freedom.

I hold to the view that we can never develop a system of economic freedom for the underprivileged of Latin America, for the mass of the people of Latin America, by depending upon the military to deliver it to them. We have compiled a sad record in regard to the results of some of our military aid in Latin America.

The United States must assume a large part of the responsibility for the years of repression and restriction in the denial of civil liberties, civil rights, and political freedom to the people of the Dominican Republic. Trujillo would never have been able to stay in power except for American military aid.

There is nothing in Honduras about which we can be proud, nor in Guatemala, or Ecuador, or Bolivia, all of which are suffering under military rule that was aided by our military assistance program.

On the question of the Dominican Republic, it is interesting that the military junta overthrew the Bosch regime, which was a constitutional regime—irrespective of the qualifications some of us have in regard to the shortcomings President Bosch may possess. He was elected, and he was honestly elected in a fair election—an election which was attended by United Nations observers. No one who knows the record of the election which resulted in the ascendancy of President Bosch raised any question about the honesty of the election.

There was an election also which brought into being a constitution in the Dominican Republic, which offered great hope. It was a constitution which provided for a congress. It was a constitution which was greatly influenced by the U.S. Constitution in its drafting.

When Bosch left the Dominican Republic, the Constitution did not leave with him. The laws provided for in the Constitution as to his successor did not flee with him. He was overthrown by a group of military junta leaders, trained by the U.S. Military Establishment.

We hear much in defense of our military aid program, about the training program and the technical assistance program that goes along with it. It sounds good, does it not?

But what it really means is that we have to assume responsibility for the training of men to develop a military state of mind. Unfortunately, a military state of mind is not consonant with respect for democratic ways of life.

Thus, it is interesting to hear the alibis made in behalf of the military tyrant in the Dominican Republic by the name of Gen. Wessin y Wessin.

He overthrew the constitutional form of government. There is no denying the fact that the controlling reason and concern for the uprising of this military junta was that President Bosch and the overwhelming majority of the Congress in the Dominican Republic proposed to bring the military under civilian control.

Latin American military oligarchies do not like that, because Latin American military oligarchies cannot dominate the government if the government is to be granted the constitutional authority to exercise civilian control over them. But, Mr. President, the people of the United States have always considered that to be a precious guarantee. Our constitutional fathers wrote it into the Constitution.

Concern has developed every once in a while during our history, when fear has taken root that perhaps the military is encroaching upon the basic right of the American people to control the military, rather than the military controlling the American people.

The Senate has heard me say time and time again in my many years in this Chamber that we must always be on guard against the men in the Pentagon. We always have to be on guard against the development of a military state of mind in the Pentagon. We can find militarists even in our own country who will develop insufficient regard for the precious principle that civilian control must remain inviolate. There is always a tendency in the Pentagon to encroach upon the precious rights of the American people by way of pleading in an emergency or in a crisis that they must have their way.

After we are through with debate, and before the Senate adjourns tonight, I shall have a few things to say about a penetrating article which was published in the New York Times this morning by Mr. Tom Wicker, in regard to the development of attitudes in this country concerning the war in southeast Asia.

I am greatly concerned by an article which was published in the Washington Post this morning, and in other newspapers, concerning a news curb which has been imposed on the current South Vietnam battle.

We had better watch out for the development of a military state of mind which always wishes to censor, which always wishes to control public opinion, which always wishes to keep from the American people vital facts to which they are entitled in regard to the military policy of this country.

I digress long enough from discussing my amendment to say this: The American people should rise up in a protest so vigorous against the administration's policy of news censoring in this country in regard to the war in Vietnam, that the administration will understand that it must either change its course of news control, or it will be headed for repudiation by the American people. We cannot remain free and have news on foreign policy, including military policy, concealed from the American people.

Mr. President, to get back to the Dominican Republic situation, the military men whom we have trained are destroying constitutionalism in the Dominican Republic. We are paying a ghastly price for that course of action.

Let me refer Senators to Honduras. The same thing is being done in Honduras. An election was held in Honduras. Ten days before the election, the leading candidate was so far ahead that there was no question about the outcome of the election. The American-military-trained officers in the military establishment of Honduras were greatly concerned, because this candidate was running on a major plank in his platform, to bring the military under civilian control. That was too much for the military. They overturned the government.

There is a pretense that since elections of a sort were recently held in Honduras that the country has returned to constitutionalism. But there is no more freedom today in Honduras than there was under the junta, since it has only legalized itself.

There are so many abuses in connection with military aid in Latin America that I am offering an amendment to cut it back somewhat. It will not be cut back nearly enough. However, the symbolism of an amendment such as this will have a powerful effect in Latin America. It is important for another reason, even though it does not contain the amount that I believe we should adopt. The amendment would strike out 1962 and $55 million and substitute 1966 and $40 million, respectively.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MORSE. I should like to finish first. Then I shall be happy to yield.

Mr. President, the bill in its present form provides—I wish counsel for the committee would check me on these figures—$75 million, in round numbers. We have already adopted an amendment, offered by the Senator from Arkansas [Mr. FULBRIGHT], which provides that up to $25 million of it could be used for assistance in the development of an Organization of American States international police force. The figures that were given to me by the staff mean that $55 million is the ceiling on articles of hardware, and the remainder can be in the form of training or credit sales.

I believe we ought to reduce the $55 million to $40 million. What was allowed for an Organization of American States International police force could come out of the $40 million, or only part would come from the $40 million, depending on whether training was contemplated under the OAS amendment.

What my amendment seeks to do—and counsel assures me that it would do so—is to go into the $55 million and reduce that by $15 million.

I believe that would be salutary. It would make perfectly clear to Latin American countries that we wish a deemphasis in their military program.

I shall yield to the Senator from Ohio in a moment.

It has been said for a long time that they need military aid for hemispheric security reasons. Then we shifted our ground, and today we talk about military aid for internal security. I have been heard to point out that military aid for internal security does not require tanks, and it does not require jet fighters. It does not require submarines. It does not require the large quantity of heavy military equipment that we have been pouring into Latin America for prestige and vanity-supporting purposes. If we wish to support internal security, we should send them machine guns, rifles, pistols, tear gas, helicopters, and vehicles that can transport their flying squadrons which are necessary to put down the threat of a Communist coup.

The proposed cut of $15 million is indeed small and reasonable, but very large in its symbolism, and very important in the message that it sends from the United States to Latin-America.

As I have said many times before, we ought to stop exporting bullets to Latin-America and that we should start exporting more bread. I use bullets and bread as descriptive terms, by bullets showing my opposition to so much military aid, and by bread showing my great support for the exportation of more economic freedom for Latin-America.

I now yield to my friend the Senator from Ohio.

Mr. LAUSCHE. Mr. President, what I am concerned about—and I know the Senator from Oregon is likewise concerned about it—is what we should do for the protection of the United States in the nations which occupy the perimeter of Russia and China. The Senator from Oregon has offered amendments to cut the aid to India, Turkey, and Pakistan.

Mr. MORSE. I did not offer an amendment to eliminate it.

Mr. LAUSCHE. To reduce it.

Mr. MORSE. We would still have more than we need to carry out the objectives of the Senator from Ohio.

Mr. LAUSCHE. Has the Senator offered a proposal to cut aid to Greece?

Mr. MORSE. Yes.

Mr. LAUSCHE. Is not the Senator from Oregon really proposing a course of action which would weaken the barriers that our administration wishes to build up against the expansion of communism beyond the peripheral nations of Russia and China?

Mr. MORSE. My answer is "No." My answer is that if we adopt the program I am supporting we shall be more effective through our aid program in checking communism in these peripheral areas, because we will have an opportunity to spend money that will do something about the economic well-being of people. The Russians and the Chinese cannot stand up in selling their propaganda to well-fed people, to well-clothed people, to people who enjoy what the Senator and I enjoy, the precious right of being economically free. They are not economically free today.

Mr. LAUSCHE. I do not wish to argue with the Senator from Oregon. However, is it not a fact that in the program of the administration there is an economic aid program coupled with military aid, with the joining of the two, at least in the opinion of the administration, being necessary for the improvement of our position so far as United States security is concerned?

Mr. MORSE. My answer is that I am leaving the administration with more than an ample amount of money for military aid. I am urging an intensification and a concentration on the economic aspects.

I shall not support the kind of economic aid in Turkey that builds up nationalized industry. I shall not support economic aid in Turkey that, as the Comptroller General has pointed out in some of his reports, has the American taxpayers permitting the leaders of the Turkish Government to employ in some of the socialized industries of Turkey many times the number of employees that are needed.

I wish to see that for every dollar we spend by way of economic aid, we get a dollar value. Moreover, I wish to see that dollar go to help expand the economy of that country. We cannot do that unless we increase the number of their people who are economically free.

Mr. LAUSCHE. I concur completely with the Senator from Oregon in his vigorous espousal of the proposal that we should not give our money to build up nationalized operations of industry.

Mr. MORSE. Mr. President, will the Senator permit me to interrupt?

Mr. LAUSCHE. Certainly.

Mr. MORSE. All the reports that we have show with all the money we have put into Turkey, she is not better off economically than she was at the beginning. That is where the waste lies.

Mr. LAUSCHE. I cannot answer that statement except to say that, so far as I have studied the subject, in every country where we have offered economic aid the per capita income of the people has been improved. Whether that is so in Turkey I cannot say.

Mr. MORSE. I should like to make a comment on that point.

The per capita income of a Turk who is kept on a time-wasting, nonproductive job has increased because before that he did not have any income at all. But there is a waste of money so far as the economic strength of Turkey is concerned. I wish to know, not whether or not thousands of their workers, for example, now have more money than when we started giving it away to them, but whether it is a wise expenditure of the money on those people from the standpoint of producing wealth.

If we wish to offer aid on the basis of charity to feed a man, I shall go along, as the Senator knows, with any humanitarian program. But that is not their alibi. Their alibi is that maintaining that kind of nationalized industry is good for Turkey. My judgment is that it is not good for Turkey. It represents a misexpenditure of taxpayers' funds, and we should stop it.

Mr. LAUSCHE. Having in mind the supposedly pointed conflict between the views of the Senator from Oregon and myself about 3 hours ago, I am deeply apprehensive that in our own country we are following what the Senator from Oregon has said and about which he complains in the program of Turkey.

Mr. MORSE. I am in complete agreement. We are not living in a free economy. The United States is not a free economy. That is one of my great protests. The United States economy is a defense economy. If we continue with that defense economy, we shall lose economic freedom, not in our grandchildren's time, but in our own time. We shall lose economic freedom in this country if we do not start putting some brakes on the Pentagon and the State Department.

Mr. LAUSCHE. I believe it goes beyond that. It goes into the field of believing that we are promoting the economy of a Nation in promoting the per capita income through programs of Federal spending.

Mr. MORSE. The subsidization of American industry through the defense economy does exactly that. There is not a businessman in this country who is not subsidized tonight by the defense program. I do not care whether he operates the corner grocery store or a popcorn stand. If we did not have a broad national defense subsidy in our country, we would soon find that those people would not be doing the things they are doing now. I wish to taper off that kind of economy and start developing the kind of spending program that will create wealth. It may be at that point economic wealth for a free economy. It may be that at that point the Senator from Ohio and I may develop a divergence. I do not know.

Mr. LAUSCHE. I should like to ask a final question. To which of the nations on the perimeter of China and Russia would the Senator from Oregon agree that we should give military and economic aid as recommended by the President, the Department of Defense, and the State Department?

Mr. MORSE. In the case of everyone of them I would drastically cut military aid. To every one of them I would increase the economic aid, but in relation to specific projects and a procedural guarantee that such aid would go to the benefit of the people themselves and not to the benefit of so many forces in both countries that keep the aid from getting down to benefit the masses.

Mr. LAUSCHE. I thank the Senator.

Mr. MORSE. Mr. President, I now subside.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I promised to yield to the Senator from Pennsylvania.

Mr. MANSFIELD. Mr. President, befor the chairman of the Foreign Relations Committee makes his argument against the pending amendment, I should like to yield 20 minutes under the bill to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. I thank my friend the Senator from Montana.

FOREIGN AID AND POPULATION CONTROL

Mr. President, I wish to devote my remarks today principally to a single aspect of the foreign assistance program. It is an aspect which has, I believe, been neglected in the past, and which, if it is not faced and considered now with the utmost seriousness, will make the remainder of our assistance program at best irrelevant and at worst self-defeating. I refer to the problem of overpopulation and the measures which must be taken to deal with it.

In his state of the Union address, the President made a courageous commitment.

He said:

> I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources.

The urgency of the President's language was not misplaced. The United Nations Population Commission has estimated that in 1964 world population increased by 2.1 percent, the largest increase in history. In the less developed countries the increase was approximately 2.5 percent, a rate which if it remains constant, will produce a doubling of population every 28 years. Present world population, at the latest reckoning, stood at something over 3 billion. The Population Commission has published its estimated projections for the rest of the century, based upon as comprehensive a consideration of relevant social and economic factors as is possible in the present state of statistics and the science of demography. The projection which the Commission considered the most plausible was predicated on the assumption that fertility would begin to decline in many developing countries within a decade or two, as a consequence of expected economic, social and cultural advances, and the increasing efforts of some governments to encourage family planning. According to this projection, world population will rise to 4.3 billion by 1980, and to over 6 billion by the year 2000. This expected doubling of world population in 40 years is frightening enough in itself. But within these figures there lies another set which should command even more apprehensive attention. It seems certain that of the total increase the share of the underdeveloped countries will rise substantially. During the 1950's their share was already about 75 percent of the increase. Between 1960 and 1980 it is expected to be 83 percent, and between 1980 and 2000, 86 percent. Stated differently, of the 1.3 billion increase in world population expected in the next 15 years, 1,079 million will occur in the poor and underdeveloped countries of the world, only 221 million in the rich and developed countries. With respect to the expected 1,700 million increase between 1980 and 2000, 1,463 million will occur in the poor countries, only 283 million in the rich countries. As a consequence of the differential growth rates, the less developed regions would increase their share of total population from 67 percent in 1960, to 72 percent in 1980, and 76 percent by the end of the century.

By the end of the century slightly more than three out of every four human beings will be living in countries which are today incapable of providing a standard of living adequate to feed, clothe and shelter their people in minimum decency.

These are the bare facts of the situation. They carry a message which has particular significance for the foreign aid program, and therefore for our deliberations today. For the quantity and value of the economic aid which we provide for the countries of Asia, Africa, Latin America and other parts of the world cannot be measured without reference to the number of people it has to serve. Our economic aid program is designed, among other purposes, to assist in the creation of viable political economies in parts of the world where they do not now exist, and where they are not likely to exist for many years to come. This will be a long and arduous process in the best of circumstances. If it is to stand a chance of success, the essential ingredients of any political economy—the population factor as well as the investment and productivity factors—must be viewed as a whole. It is not particularly encouraging, for example, to discover that in Venezuela, although the annual growth rate of gross national product in the last 6 years has been 4.5 percent, the population growth rate has been 3.8 percent—leaving a real, per capita gross national product growth rate of only 0.7 percent; and this is particularly disturbing when one considers that in this relatively rich South American country per capita gross national product today is only $765. A similar situation may be observed in many of the developing countries, with the growth of gross national product barely keeping pace with the growth of population, let alone achieving a real growth rate which offers the prospect of a developing economy in the foreseeable future. I ask unanimous consent to have printed in the RECORD at this point a table comparing the gross national product growth and population growth of less developed countries.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Less developed countries: Annual growth rate of gross national product, population, and per capita gross national product

[1957–58 average to 1963–64 average]

	Annual GNP growth rate [1] (percent)	Annual population growth rate [2] (percent)	Annual per capita GNP growth rate (percent)
LATIN AMERICA			
Argentina	0.6	1.7	−1.1
Bolivia	3.5	2.3	1.2
Brazil	5.3	3.1	2.2
Chile	3.3	2.3	1.0
Colombia	4.6	2.8	1.8
Costa Rica	4.1	4.0	.1
Ecuador	4.3	3.2	1.1
El Salvador	5.7	2.9	2.8
Guatemala	4.5	3.0	1.5
Honduras	3.6	3.1	.5
Jamaica	3.9	2.0	1.9
Mexico	5.3	3.1	2.2
Nicaragua	5.3	2.9	2.4
Panama	4.9	3.0	1.9
Paraguay	2.2	2.2	0
Peru	6.4	2.3	4.1
Trinidad and Tobago	6.0	3.0	3.0
Venezuela	4.5	3.8	.7
FAR EAST			
China (Taiwan)	7.1	3.1	4.0
Korea	4.7	2.9	1.8
Malaya, States of	5.9	3.1	2.8
Philippines	4.9	3.2	1.7
Thailand	7.4	3.0	4.4
Vietnam	3.5	2.8	.7
NEAR EAST			
Cyprus	3.6	1.2	2.4
Greece	6.2	.7	5.7
Iran	4.7	2.4	2.3
Israel	10.5	3.6	6.9
Jordan	9.5	2.9	6.6
Turkey	4.0	2.9	1.1
SOUTH ASIA			
Ceylon	3.5	2.5	1.0
India	4.4	2.3	2.1
Pakistan	4.5	2.5	2.0
AFRICA			
Ethiopia	4.5	1.4	3.1
Ghana	5.1	2.5	2.6
Kenya	3.5	2.9	.6
Malawi	2.1	3.0	−.9
Morocco	2.0	3.1	−1.1
Nigeria	3.3	2.0	1.3
Southern Rhodesia	3.6	3.3	.3
Sudan	4.5	2.9	1.6
Tunisia	4.7	2.6	2.1
Uganda	3.4	2.5	.9
Zambia	4.7	2.9	1.8

[1] GNP growth rates are AID estimates based largely on official national statistics.

[2] Population growth rates are based on AID country, U.N. and other source data.

Mr. CLARK. It is clear from these figures that, to be crystal clear, any discussion of foreign aid, and any application of a foreign aid program, which omits, or understates, or ignores, or tries to forget about the problems posed by overpopulation is quite unrealistic. And yet this speech comes near the end of the debate on the foreign aid bill and the subject of population control has still to be mentioned.

There are those who argue that overpopulation can be coped with by a better distribution of the world's resources, by the settling of vacant and fertile land, and by the rapid development of potential sources of food and production which have not yet been exploited. There are others who make their case against programs of population control by asserting that because manpower is a vital prerequisite of productivity, such control will have in the long term a detrimental effect on a country's economy. But when they are matched with the terrible fact that already nearly two-thirds of the world's inhabitants go to bed hungry each night, these contentions are sophistry of a peculiarly tragic nature. The fact is that the untapped sources of production cannot possibly be exploited fast enough—even supposing that their full exploitation would be sufficient to satisfy the needs of 6,000 million people by the year 2000, which is itself a dubious assumption. Immediate action is needed to curtail fertility in many areas of the world, but especially in those areas to which the bulk of the foreign aid in this bill is directed.

In an amendment to the Foreign Assistance Act of 1963, proposed by the Senator from Arkansas [Mr. FULBRIGHT], Congress gave its first express authorization for the expenditure of some aid money on research into problems of population growth—although this was not the first time AID had spent some money for this purpose. The Secretary of State and the Administrator of the Agency for International Development reported to the Foreign Relations Committee, during the hearings on the present bill, the extent of AID's activity in the field of population control. The Agency has, of course, long given assistance in the development of health services and the training of health personnel in many countries. Thus death control has speeded population growth. A few years ago the Agency began to help with the compilation of statistics and other data depicting population trends. It is now giving technical assistance in the training of family planning workers, and financial assistance for the purchase of vehicles and educational materials to be used in family planning programs where such assistance is requested. Each AID mission has been directed to assign one of its officers to become familiar with the problems of population dynamics and control programs in the host country. All these are welcome developments, and show some appreciation of the importance of the problem.

However, this is not nearly enough. These few gingerly taken steps are hardly a proper reflection in practice of the giant strides which have been made in the intellectual recognition of the problem or the need to move immediately to solve it before the deluge of unwanted babies overwhelms us. Certainly the progress which has been made to date on the question of birth control is only the small beginning of a fulfilment of the President's enlightened promise in the state of the Union address.

At present the Agency will not consider requests for contraceptive devices or equipment for the manufacture of contraceptives. The policy is based on the argument that this is one facility which a developing country can and should provide for itself. Perhaps we should leave manufacture and distribution of devices to free enterprise in the developing countries. Moreover the actual manufacture and distribution of contraceptives by AID would doubtless be strongly opposed by large sections of the American people. However, it is further stated by AID that the Agency "does not advocate family planning or any method of family planning." This was said in a recent speech by Dr. Philip R. Lee, the director of the Agency's health service, and it clarifies a point which remained somewhat obscure in administration testimony before the committee. The Secretary of State acknowledged that overpopulation was a serious problem, but the thrust of his testimony was that it would be improper for the U.S. Government even to go to the governments of aided countries and explain to them that, in the opinion of AID, their birthrates were too high to make effective the economic aid they were receiving. In my judgment, this is a dangerously timid approach. I believe that AID should be advocating the institution of voluntary family planning programs as a necessary condition to meeting the rising tide of unfed mouths and unfulfilled aspirations in these countries—and thus preventing American aid from being poured down a rat hole.

The health programs of AID as already noted have played a major part in the eradication of disease and the reduction of the death rate experienced in many parts of the world. This interference with the natural ecology of underdeveloped regions is, of course, a humanitarian act of unquestioned good. But it does create its own problems. In particular it compounds the dangers of a high fertility rate. Thus, the United States has itself contributed substantially to the world's poverty, through keeping alive children who can only be reared in hunger and squalor. This is an especially compelling reason for AID to take the lead in an immediate attack on the problem by advocacy of voluntary family planning.

I appreciate that no universally valid laws exist which govern the interaction of population growth and economic development. It is indispensable to study the demographic, economic, and cultural circumstances of each country and each society, because each country differs as to the degree of the problem, and the receptivity to family planning programs. I certainly do not advocate the compulsory imposition of family planning by the United States on any of the countries which we aid. It has been suggested that aided countries should be required to show evidence of serious attempts to check the population explosion as a precondition for receiving U.S. economic aid. But this would be unwise for two reasons. First, the principle which governs all our aid programs must continue to be sustained: the government of the host country must retain the final right of decision over the programs it wishes to accept. This should not be abrogated by what would be, in effect, an ultimatum. In an area which is as sensitive as family planning, it is especially important that the absolute rights of the host country be recognized. The second reason for rejecting the creation of a precondition is that it would not be the most efficient way, at this stage, of meeting the population problem itself. A blanket rule of that sort would inevitably disregard the real differences existing in the various countries, both as to the intensity of the problem and as to the nature of the best solution.

What is needed is a change of attitude on the part of Government agencies involved in aid to the developing countries. AID should now move on from its attitude of limited response to initiatives made by aided governments, to an attitude of active proselytizing of the cause of voluntary family planning, in the many countries where that would be appropriate. From my own discussions with AID officials in the field I know that many of them are very seriously concerned with the population problem, and are anxious to do as much about it as they can. But I question whether their urgency is matched by the directives they receive from their superiors in the State Department. Several ambassadors in the Latin American countries, for example, have not fully grasped the importance of the problem. Some of them seemed to take the view that this was hardly something for them to meddle in. There may have been a time when such a negative attitude was appropriate, but that time has long passed.

If the attitude is not changed, I repeat, the purposes of our aid program—and, indeed, our aspirations for a world of peace, stability, and universal comfort—will be placed in jeopardy. Our aid will become an even smaller drop in an even vaster ocean. The national economies which we seek to support will slip further and further behind in their struggle to achieve a solid base. As we well know, communism thrives on the unfulfilled expectations for a better life of the people of the underdeveloped nations. If we fail to do all we can to help them recognize and combat their population problems, their disappointments will be our responsibility—and we shall have to pay the penalty in increasing tensions between "haves" and "have nots," and perhaps, ultimately, war.

Visions of the world in 50 years' time as a place of famine, congestion, and deprivation of every sort, are speculative but not fictitious. They are so terrible that many people do their best to forget them, or to pretend that they do not exist. It is clear that this is an attitude of folly. We must look the specter in the eye and apply ourselves as best we can to the task of evorcising it. As the most powerful Nation in the world, and the Nation with the most pervasive influence, we have the greatest responsibility to encourage younger nations, with these pressing problems, to take the prudent path toward economic stability. One aspect of our encouragement lies in the programs of health, shelter, food, investment, education, and modernization. These will remain at the heart of our philosophy of economic aid. But a second aspect—one which is fundamentally unseverable from the first—is the need to encourage a drastic reduction in the level of fertility. I urge my colleagues and the Agency for International Development to give this greater emphasis than they have done hitherto.

Mr. LAUSCHE. Mr. President, will the Senator yield to me a half mintue?

Mr. MANSFIELD. I yield a half minute to the Senator from Ohio.

Mr. LAUSCHE. I subscribe fully to what the Senator from Pennsylvania has said.

Mr. CLARK. It is a great pleasure that my friend from Ohio and I are on the same side of this problem. It is a rare privilege.

Mr. FULBRIGHT. Mr. President, the proposed cut is 25 percent more than the ceiling on military assistance, which I think is much too large a cut at the present time. There are things that I have already mentioned that are going on in Latin America that are very encouraging—not in all of them but in many of them, particularly in the more important countries, such as Brazil and Chile. The military ceiling is already $55 million for those 20 countries. Twenty-five million dollars of the $55 million has already been authorized for the inter-American defense system, the OAS force. This is an authorization. It is not earmarked, but we have given permission for its use for that purpose. I hope it will be used for that purpose. A nucleus for such a force is already in being in the Dominican Republic.

If this amendment is adopted, it will leave only $15 million for the bilateral programs, which is really too small. The problem of internal security is still acute. We are fully justified in having the entire $55 million available for this purpose.

I hope the Senate will not agree to this amendment.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

Mr. FULBRIGHT. I yield back the remainder of my time.

EXHIBIT 1

INTERNAL ISSUES READY TO EXPLODE—LEFTISTS KEEP EYE ON ECUADOR PLUM

(Note.—Ecuador has received $30 million in aid last year, $40 million in 1963, $39 million in 1962, yet now its economic problems are increasingly burdensome.)

(By William L. Ryan)

QUITO, ECUADOR.—Communist attempts to capitalize on the Dominican Republic crisis flopped in Ecuador as in many Latin American countries. The extreme leftists hope for better luck with internal Ecuadorian issue.

The ingredients of an explosion exist in a combination of political and economic troubles in this chronically unstable country of 5 million. If the explosion comes, a jumble of issues could produce a chaotic situation in which opportunists on the extreme left could hope to stir violence.

The ruling military junta, which seized power in July 1963 is taking cautious steps in hopes of escaping a storm. Its life depends upon whether it can overcome dissensions in its own ranks and maintain sufficient unity to keep itself in power.

The threatening storm centers about Ecuador's small middle class and business elements. The sources of the storm would be frustration with increasingly burdensome economic problems and angry impatience with the junta's reluctance to surrender power to a civilian government.

Ecuador has been unstable since November 1961, when President Jose Maria Velasco Ibarra was overthrown and succeeded by his Vice President, unpredictable Julio Arosemena, himself overthrown 2 years later by a junta of army, navy and air force officers. Adm. Ramon Castro Jijon heads the delicately balanced junta.

The junta is credited with making serious attacks upon Ecuador's economic problems, but these are so complex that years would be required to make headway, and in this country there is a feeling among foreigners that no person or group can rule for long.

The junta outlawed the Communist Party, but it also suspended all electoral processes. In response, all political parties declared themselves opposed to the military rulers.

Now, political and economic problems are merging. If and when the storm breaks, the small but violent extreme left will try to provoke violence and drag in other issues, such as "Yankee imperialism" in the Caribbean, spreading the notion that Ecuador may become a second Dominican Republic.

On the political side, the junta wanted to hold off popular elections until 1967. All political parties, across the spectrum, demand a prompter return to constitutional government. The junta backed away cautiously, as it has done on other issues, and indicated it might bow to these demands.

Economic problems aggravate the political ones. Ecuador depends for income on her agricultural exports, 60 percent of which are bananas. It has just suffered a heavy blow in the complete loss of the Japanese market to a new banana industry on Formosa.

To preserve foreign exchange, the junta tried to restrict credit and cut down imports. Anticipating this, coastal merchants, mostly in Guayaquil, stocked up on inventories. Imports soared to new highs in April.

The junta's new restrictions were effective May 1, but this raised an uproar in which the business community of the coast—which is always in seething conflict with the highlanders of Quito—went on strike, and were supported by labor elements and others. During this period there developed a plot to overthrow the junta which was nipped in the bud.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Under the unanimous-consent agreement, the Senate will now vote on amendment No. 242, offered by the Senator from Oregon. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Wyoming [Mr. MCGEE], the Senator from Maine [Mr. MUSKIE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Georgia [Mr. RUSSELL], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I further announce that the Senator from Rhode Island [Mr. PELL] and the Senator from Florida [Mr. SMATHERS], are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. MCGEE] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Rhode Island [Mr. PELL]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Rhode Island would vote "nay."

On this vote, the Senator from Virginia [Mr. ROBERTSON] is paired with the Senator from Maryland [Mr. TYDINGS]. If present and voting, the Senator from

Virgina would vote "yea" and the Senator from Maryland would vote "nay."

Mr. KUCHEL. I announce that the Senator from Texas [Mr. Tower] is necessarily absent.

The Senator from Hawaii [Mr. Fong] and the Senator from California [Mr. Murphy] are absent on official business.

The Senator from North Dakota [Mr. Young] is detained on official business.

If present and voting, the Senator from California [Mr. Murphy] and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 8, nays 78, as follows:

[No. 128 Leg.]

YEAS—8

Bible
Curtis
Eastland
Hruska
Morse
Russell, S.C.
Thurmond
Williams, Del.

NAYS—78

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Ellender
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Nelson
Neuberger
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Simpson
Smith
Sparkman
Symington
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—14

Byrd, Va.
Fong
McGee
Murphy
Muskie
Pell
Robertson
Russell, Ga.
Smathers
Stennis
Talmadge
Tower
Tydings
Young, N. Dak.

So Mr. Morse's amendment (No. 242) was rejected.

Mr. SPARKMAN. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, what is the next vote on?

The PRESIDING OFFICER. The clerk will state the amendment.

The Legislative Clerk. On page 14, between lines 13 and 14, insert the following:

(1) Amend section 511(a) which relates to restrictions on military aid to Latin America by striking out "1962" and "$55,000,000," and substituting "1966" and "$40,000,000" respectively.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon. On this question the yeas and nays have been requested, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. Long of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Wyoming [Mr. McGee], the Senator from Maine [Mr. Muskie], the Senator from Virginia [Mr. Robertson], the Senator from Georgia [Mr. Russell], the Senator from Mississippi [Mr. Stennis], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from Rhode Island [Mr. Pell] and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. Smathers] would vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Wyoming would vote "nay."

On this vote, the Senator from Virginia [Mr. Robertson] is paired with the Senator from Rhole Island [Mr. Pell]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Texas [Mr. Tower] is necessarily absent.

The Senator from Hawaii [Mr. Fong] and the Senator from California [Mr. Murphy] are absent on official business.

The Senator from North Dakota [Mr. Young] is detained on official business.

If present and voting, the Senator from California [Mr. Murphy], the Senator from Hawaii [Mr. Fong], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 20, nays 67, as follows:

[No. 129 Leg.]

YEAS—20

Bartlett
Bible
Burdick
Church
Clark
Cooper
Cotton
Douglas
Ellender
Gruening
Hruska
McGovern
Morse
Nelson
Proxmire
Randolph
Symington
Williams, Del.
Yarborough
Young, Ohio

NAYS—67

Aiken
Allott
Anderson
Bass
Bayh
Bennett
Boggs
Brewster
Byrd, W. Va.
Cannon
Carlson
Case
Curtis
Dirksen
Dodd
Dominick
Eastland
Ervin
Fannin
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Neuberger
Pastore
Pearson
Prouty
Ribicoff
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Thurmond
Tydings
Williams, N.J.

NOT VOTING—13

Byrd, Va.
Fong
McGee
Murphy
Muskie
Pell
Robertson
Russell, Ga.
Smathers
Stennis
Talmadge
Tower
Young, N. Dak.

So Mr. Morse's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MORSE. Mr. President, I send to the desk the last amendment I shall offer.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. It is proposed, on page 18, to add the following:

(f) At the end thereof add a new section as follows:

"Sec. 620A. (a) Notwithstanding any other provision of this Act—

"(1) The total amounts obligated or reserved during fiscal year 1966 for assistance under Part I of this Act to Iran, Ethiopia, and Jordan shall not exceed amounts equal to 90 per centum of the amounts specified for such purpose for each country in the presentation material submitted to the Congress during its consideration of the Foreign Assistance Act of 1965; and

"(2) The total amounts obligated or reserved during fiscal year 1966 for assistance under Part II of this Act to Iran, Ethiopia, and Jordan shall not exceed 90 per centum of the respective amounts specified for such purpose for each country in such presentation material.

"(b) The President shall determine the amounts by which the sums available for assistance to Iran, Ethiopia, and Jordan are less than the sums which, but for the provisions of this section, would have been available for such purpose, and such amounts shall be deducted from appropriations or other funds available for such purpose and deposited in the general fund of the Treasury."

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. MORSE. Such time as I may need.

Mr. President, there are other amendments that ought to be adopted, but it is perfectly clear that the amendments I have offered represent a cross section group of amendments that attack the major weaknesses of this bill. The other amendments would really be cumulative in that they bear upon the particular weaknesses that have been brought out by the amendments which I have offered.

This amendment deals with the need for a warning to certain countries in the Middle East—Iran, Ethiopia, and Jordan. It deals with the record of countries in which great waste has existed, as I have said in connection with other amendments I have offered, as shown by the reports of the Comptroller General of the United States.

Congress should give support to the work of the Comptroller General of the United States. When he discloses the waste and inefficiencies that his reports do, we ought to adopt some modifications of the bill aimed at correcting and preventing a continuation of those wastes.

I am sorry the amendment is so worded that there is not included in it some other corrections that ought to be made.

For example, the recently announced proposal to sell $100 million worth of arms to Saudi Arabia is not covered by this amendment, but it amounts, in effect, to a form of aid to Saudi Arabia.

I do not know how in the world the Secretary of Defense, Mr. McNamara, can justify building up the military power of that dictatorship any more than the building up of the dictatorial power of Nasser or other dictators in the Middle East can be justified if we are going to sell arms to them when it is perfectly obvious that they cannot be counted on for carrying out peaceful intentions.

Those particular items are not covered by the amendment, but the three countries to which the amendment refers are covered. I do not believe we can justify continuing the amount called for as to Iran, Ethiopia, and Jordan. It is not going to bring about peace; it is going to endanger it. I read in today's newspaper, for example, an interesting story in regard to Ethiopia.

Let me repeat that the senior Senator from Oregon is in favor of helping economic progress in Ethiopia and each of the other countries that will benefit the great masses of the people, but it is not going to them to the degree it should. So I am offering a 10-percent cut to those countries. It is by way of a symbol, it is by way of a warning, it is for the purpose of having a salutary effect.

I do not believe we can continue to give any such amount or make available loans or grants in such an amount as is included in the bill, not only for Iran, Ethiopia, and Jordan, but also for other countries, whose waste, inefficiency, and downright corruption through use of the money, should be stopped or at least curtailed.

I propose to curtail it to the extent of 10 percent of the funds.

Do not forget, as I said in regard to the other countries, when there is a cut of 10 percent we would not slip very far below the level of what each country is presently allowed.

Mr. FULBRIGHT. Mr. President, I oppose the amendment on the same grounds that I opposed the other amendments on which the Senate has just voted.

I yield back the remainder of my time.

Mr. Morse. I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Wyoming [Mr. McGee], the Senator from Maine [Mr. Muskie], the Senator from Georgia [Mr. Russell], the Senator from Mississippi [Mr. Stennis], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from Rhode Island [Mr. Pell] is necessarily absent.

I further announce that if present and voting, the Senator from Wyoming [Mr. McGee] would vote "nay."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Rhode Island [Mr. Pell]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Texas [Mr. Tower] is necessarily absent.

The Senator from Hawaii [Mr. Fong] and the Senator from California [Mr. Murphy] are absent on official business.

The Senator from North Dakota [Mr. Young] is detained on official business.

If present and voting, the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 15, nays 74, as follows:

[No. 130 Leg.]

YEAS—15

Cotton
Curtis
Douglas
Eastland
Ellender
Fannin
Gore
Hruska
McClellan
McIntyre
Morse
Ribicoff
Robertson
Russell, S.C.
Simpson

NAYS—74

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Ervin
Fulbright
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Nelson
Neuberger
Pastore
Pearson
Prouty
Proxmire
Randolph
Saltonstall
Scott
Smathers
Smith
Sparkman
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—11

Byrd, Va.
Fong
McGee
Murphy
Muskie
Pell
Russell, Ga.
Stennis
Talmadge
Tower
Young, N. Dak.

So Mr. Morse's amendment was rejected.

AMENDMENT NO. 231

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 11, strike out lines 10 to 14 and insert in lieu thereof the following:

(b) Amend section 504(a), which relates to authorization, by striking out the first sentence thereof and substituting the following: "There is hereby authorized to be appropriated to the President to carry out the purposes of this part, for use beginning in fiscal year 1966 not to exceed $1,270,000,000, and for use beginning in fiscal year 1967 not to exceed $1,170,000,000, which sums shall remain available until expended. Of the funds made available to carry out the purposes of this part for fiscal year 1966, a sum equal to the amount programed for assistance to the Republic of China in the presentation entitled 'Military assistance programs, fiscal year estimates, 1966' plus $100,000,000 shall be available only for military assistance to the Republic of China."

Mr. DIRKSEN. Mr. President, in one sentence, what the amendment proposes to do is add $100 million to the military assistance provided in the bill for the Republic of China in Taiwan.

The amount of military assistance for China is manifestly a classified figure. I know what it is, but I am not at liberty to utter it on the floor of the Senate. To that figure I would add $100 million.

We have been in Vietnam for a long time. If the dispatch figures are correct, we now have 61,000 troops or advisers in that Asian country, to carry out our pledges and promises under the Geneva accord of 1954.

I believe everyone will admit today that Vietnam is a dangerous and serious business. There have been a myriad of reactions as to what we should do. Some counsel that we should retreat. Others counsel that we should leave the country. Still others think we should initiate negotiations for an ultimate settlement. Still others believe that we ought to conduct a holding operation at the 17th parallel, others believe that an escalation of our military effort would invite the Red Chinese to come into Vietnam.

We have been treated to sit-ins and teach-ins, including a teach-in here in the Nation's Capital. All of this, however, in my judgment constitutes a great deal of negative thinking about the problem that is before us and what we should do.

The dispatches from Hong Kong would indicate that Red China is preparing for war. There is talk that the Red Chinese militia is being expanded. There is talk, and there are dispatches to show, that they now have a camp-out program to train civilians for war. There is some word to the effect that Red China is now moving toward total conscription.

In the meantime we who support the President—and frankly I am one of them—are asked what we would do that is not being done. That is a question that comes to the minority, rather than to the majority.

Before us is a twofold bill, and it contains aid for free China on Taiwan. From the very beginning of foreign aid she has had a seat in the United Nations and on the Security Council. She has been a devoted ally. When Quemoy and Matsu were threatened, we adopted a resolution holding up the hand of the President. In the pending bill there is something that we can do about Vietnam.

On Taiwan are 600,000 troops. It has been several years since it has been my privilege to inspect them. When I did inspect them, and lived with them for 2 days in their field exercises, I thought they were among the finest troops I have ever seen. They have a constant turnover and they keep their army on the young side. They have fine leadership, and thus far there has been no hint of their utilization, if that time should ever come.

Mr. President, we hear endless rumblings from Peiping as to what the paper tiger of Red China is going to do. There is a constant growl.

In Formosa there is a real tiger in the symbol of 600,000 energetic young men with fighting hearts. It can be, probably, the greatest restraining force in all of Asia. One of the things that Red China fears more than anything else is her exposed sea flank in Fukien Province. All one has to do is to look at a map, and take account of the build-up that has occurred at Amoy, 2 miles across the straits from Quemoy, and also at Swatow. That is the soft underbelly of Red China.

The greatest restraining force in my judgment would be to make sure that the 600,000 troops on Taiwan, who represent the Republic of free China, if they are properly equipped, if they are properly weaponed, and if they are properly encouraged, will be the greatest deterrent and the greatest restraining force to the noise and threats to which we have been treated from Red China for many months.

I have been on Quemoy several times. I have had an opportunity, through a fieldglass, to examine that exposed sea flank. It is only 2 miles across the strait. However, free China must be adequately equipped.

Let me make it abundantly clear that I am not talking for one moment about so equipping the free China force as to have it become an invasion force. I like to have someone in the shadows if and when the time comes, for who shall say what the developments in Vietnam are likely to be?

As of now, I doubt whether anyone except the most knowledgeable military observer can give us a good idea of what might be in the wind in Vietnam.

I have said on the floor of the Senate on other occasions that I do not pretend to any expertise in that field. However, I have an idea, from the reports that have come to me, and only recently from a general of marines, now retired, who spent 6 months observing that situation, that this is one of the best things that we could do. This would be the answer to those who speculate about Red China.

I propose to withdraw the amendment. I merely wished to make the point. The reason I shall withdraw it is a very valid one. In the first place, I have discussed it with the Secretary of State. In the second place, I have discussed it with the Secretary of Defense. In the third place, I have talked with the White House about this subject. I have been assured from all sources that, quite aside from the $100 million that I propose, there are now funds and authority available to make certain that the army on Taiwan, representing free China, and our friends, can be and will be suitably weaponed in case eventualities should arise that make it necessary. That case has not been made, but I think we have overlooked it. So I believe the attention of the Senate should be directed to that fact.

I withdraw the amendment for only one reason, and that reason is that assurances have been given on this point, and I am content to accept those assurances, and let things stand at that.

But let us not forget what we have out there by way of a potential ally that can be in our corner if and when the time should come. So I withdraw the amendment.

The **PRESIDING OFFICER**. The amendment is withdrawn.

The bill is open to further amendment.

AMENDMENT NO. 267

Mr. **DIRKSEN**. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The **PRESIDING OFFICER**. The amendment of the Senator from Illinois will be stated.

The legislative clerk read the amendment, as follows:

> Section 604 of the Foreign Assistance Act of 1963, as amended, is amended by adding the following new subsection after subsection (d) of section 604:
>
> "(e) The Congress directs the Secretary of the Treasury or his designated representative to refuse to permit the flotation in the United States of new security issues of the International Bank for Reconstruction and Development or of the Inter-American Development Bank and to refuse to permit the proceeds of dollar borrowings of either of these two institutions from United States financial institutions to be exchanged for the currency of any other country until the United States has experienced a surplus in its balance of payments for four consecutive reporting quarters."

Mr. **LAUSCHE**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. Mr. President, I shall yield, but first I ask unanimous consent at this time that I may add the name of the distinguished Senator from Ohio [Mr. LAUSCHE] as a cosponsor of the amendment.

Mr. **LAUSCHE**. That is what I intended to ask.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MORSE**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. I yield.

Mr. **MORSE**. Will the Senator add my name also?

Mr. **DIRKSEN**. I am delighted to have the Senator's name added as a cosponsor of the amendment.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **DIRKSEN**. Mr. President, I do not propose to belabor the subject very long. I merely wish to point out to the Senate that one of the most menacing and threatening problems before our country is the imbalance in our payments in the international field.

If perchance—and I say this advisedly—Great Britain does not shake out of her difficulty so far as trade balances are concerned, which are running a deficit of $90 million a week, we may be headed for real trouble before we are through. A good many things have been done. We have had the interest equalization tax in the hope that we could diminish the flotation of foreign capital issues in the American market. We have had voluntary programs by banks in order to curtail long-term loans to the European market. But somehow we permit international organizations to come into our market, float their bonds and then, of course, to take dollars out of the country and so add to the imbalance-of-payments problem.

Mr. President, I shall put into the RECORD tables that show the security flotations by the World Bank on the U.S. capital market in millions of dollars. Table 1 begins in 1947 and runs to 1965. The total amount involved is more than $2 billion. If the statement is corrected for any of the ancillary matters that usually occur in connection with the flotation of a capital issue, we shall still be $1 billion "behind the 8 ball" because of the flotation of these international organizations in our market.

If we are to pursue a consistent course, including tax equalization, pressure upon the banking confraternity in order to keep money out of European markets, and a half a dozen other proposals that are in the wind, we might as well be consistent and say to the international organizations that their action is going to stop and they are not going to rob the capital market while our diplomats and financiers are making a Herculean effort in order to correct the balance-of-payments problem.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the tables and a statement I have prepared.

There being no objection, the tables and explanation were ordered to be printed in the RECORD, as follows:

TABLE 1.—*Security flotations by the World Bank on the U.S. capital market*

[Dollars in millions]

Issue date and maturity	Principal outstanding	Annual sinking fund requirements
January—		
1965: 25-year bonds	$200	1975, $6; 1980, $7.
1963: 2-year bonds	100	None.
1962: 2-year bonds	100	None.
1962: 3-year notes	5	None.
1962: 15-year bonds	5	1973–77, $1.
1962: 20-year bonds	100	1972–81, $5.
1961: 3-year notes	148	None.
1961: 3-year notes	110	None.
1960: 12-year bonds	120	None.
1960: 25-year bonds	125	1970–79, $3.8; 1980–84, $5.
1958: 10-year bonds	150	None.
1958: 15-year bonds	95	1965–73, $5.
1958: 21-year bonds	150	1968–77, $7; 1978, $5.
1957: 20-year bonds	86	1967–76, $5.
1957: 21-year bonds	100	1967–71, $4; 1972–77, $5.
1957: 23-year bonds	71	1968–79, $3; 1980, $1.5.
1954: 15-year bonds	67	1965, $3; 1966, $4; 1967–68, $5.
1952: 19-year bonds	44	1965, $2.
1951: 30-year bonds	100	1966–67, $2; 1968–73, $3; 1974–80, $4.
1947: 25-year bonds	124	1965, $2.7; 1966, $4.
Total	2,085	

TABLE 2.—*Security flotations by the inter-American Development Bank*

[Dollars in millions]

Issue date and maturity	Principal	Sinking fund requirements
October 1964: 20-year, 4½-percent bonds	$100	75 percent of issue repaid before maturity; amortization payments begin November 1970 at $5.4 through 1983.
March 1964: 20-year, 4½-percent bonds	50	75 percent repayable before maturity; amortization payments begin in 1970 at $2.7 a year.
1962: 20-year, 4¼-percent issue	75	Amortization payments begin in 1968 at $5 a year.

Explanation of Amendment to Section 604 of the Foreign Assistance Act of 1961, as Amended

To protect the U.S. balance-of-payments position, the President, on February 10, announced a number of measures aimed at curtailing the outflow of private capital. These included: (1) broadening and extending the tax on purchases of foreign securities to cover long-term bank loans and nonbank credit of 1- to 3-year maturities through the Interest Equalization Tax; (2) holding the total volume of bank credits to foreigners at a 5-percent increase of the 1964 volume of outstanding claims; and (3) initiating a voluntary program to enlist the cooperation of U.S. businessmen to temporarily limit their direct investments abroad.

At the same time, however, the U.S. permits the flotation of security issues by the World Bank (IBRD) and the Inter-American Development Bank (IADB) in the U.S. capital market. The securities of these two institutions are able to be floated successfully because they carry the guarantee of the U.S. Government that they will be repaid in the form of the U.S. subscriptions to the callable capital of these two institutions. However, none of the dollars so raised are tied to U.S. procurement.

It is patently inconsistent to attempt to correct the U.S. balance of payments problem by control of private bank lending and voluntary limitation of private investments while simultaneously encouraging the outflow of dollars by permitting the flotation of IBRD and IADB securities in the United States and assuring their successful flotation by placing the faith and credit of the United States behind these securities.

In his testimony before the Senate Foreign Relations Committee on December 4, 1963, former Secretary of the Treasury Dillon assured the Committee in discussing the impact upon the balance of payments of increased participation of the United States in the Inter-American Development Bank that bond flotations would be carefully assessed "so that the overall total (i.e., of World Bank and IADB bonds) would stay within the proper amounts." Nonetheless in 1964, $150 million of IADB bonds and in January 1965, $200 million of World Bank bonds were floated in the U.S. capital markets.

The fact is that our deficits and the European surpluses arise largely through transactions with less developed countries. As recently as March 25, 1965, Governor J. L. Robertson of the Federal Reserve Board stated this at a conference of Reserve bank directors in Washington:

"Actually, the main source of the persistent payments surplus of continental Europe, which is the counterpart of our payments deficient, are not the direct transactions between the United States and Europe—but indirect transactions. Continental Europe has a huge export surplus in relation to the less developed nations, which is being financed largely by the public and private funds that the United States pours into those countries. Hence, a curtailment of the continuous increase in the flow of U.S. funds to less developed countries is needed for a correction both of our own payments deficit and of the Continental European surplus."

Mr. T. Graydon Upton, Executive Vice President of the Inter-American Development Bank recognized the negative impact of untied IADB funds on the U.S. balance of payments as early as April 24, 1962, when he made the following statement in Buenos Aires at the plenary session of the third meeting of the Board of Governors of the Bank.

"The Inter-American Development Bank also has loaned significant amounts for local costs. Thus from its Social Progress Trust Funds it committed $80 million in 1961 for such purposes, while committing almost $36 million from its own resources to cover local costs. Indeed, it can be anticipated that perhaps 80 percent of all Social Progress Funds administered either by the Bank or by the Agency for International Development will be loaned for local costs. These loans mean in effect that dollars are being placed in the reserves of the recipient countries available for purchases wherever the country desires. That is, they represent untied dollars. In addition, as you know, the loans from the Inter-American Development Bank's own resources which it anticipates committing at the rate of $200 million (including local currency capital) a year are also untied.

"In the light of this continuing flow of untied dollars to Latin America, it is interesting to review the changes in the pattern of trade between Latin America and its chief suppliers. In 1948 Latin America imported $1.3 billion worth of goods from Western Europe, while importing $3.7 billion from the United States. By 1960, importation from Western Europe had increased to $2.5 billion, while imports from the United States had dropped to $3.5 billion. In other words, while Latin America still continues to secure the majority of its imports from the United States, the U.S. share of the Latin American market has dropped from 59 to 45 percent, while Western Europe's share has risen from 23 to 33 percent.

"On the other hand, Latin American exports to the United States rose from $2.5 billion in 1948 to $3.4 billion in 1960, or by 36 percent, while exports to Western Europe rose from $2.4 billion in 1948 to $2.5 billion in 1960, or by only 4 percent. This means that Europe is still increasingly benefiting from the flow of untied U.S. dollars into Latin America in which the loans of the IADB are a significant factor."

The magnitude of the balance-of-payments impact of the security flotations by international organizations can be seen in Tables 1 and 2. Table 1 shows that of the $2,085 million in security flotations by the World Bank on the U.S. capital market, fully $1.408 million was floated between 1958 and January 1965, when the U.S. deficits were critically large. The record of procurement of goods under IBRD loans indicates that about 35 percent of IBRD procurement has taken place in the United States. Thus, of the $1,408 million floated in the United States by this institution, about $915 million had an adverse impact on the U.S. balance of payments.

Table 2 shows the security flotations by the Inter-American Development Bank in our capital markets. Since 1962, the IDB has floated $225 million in our markets. Approximately 40 percent of Latin-American imports come from the U.S. and therefore, of the $225 million, about $135 million had an adverse impact on our balance of payments.

In summary, the flotations by the International Bank for Reconstruction and Development and the Inter-American Development Bank have cost the U.S. balance of payments over a billion dollars during the past 7 years. To plug this loophole in our efforts to control balance-of-payments deficits, the proposed amendment to section 604 should be passed.

This proposed amendment will be effective because the charters of the International Bank for Reconstruction and Development and the Inter-American Development Bank provide that these institutions must obtain the approval of the country in which they float their bonds and the approval of the member in whose currency the obligations are denominated; their charters also provide that when funds are borrowed directly, agreement of the member country where the funds are borrowed must be obtained so that the proceeds may be exchanged for the currency of any other country without restriction. (See art. IV, sec. 1 (a) and (b) of the articles of agreement of the International Bank for Reconstruction and Development and art. VII, sec. 1(i) of the agreement establishing the Inter-American Development Bank.)

Mr. DIRKSEN. Mr. President, I shall not ask for a record vote. I shall leave it to the Senate. I desired to bring the question to the attention of the Senate because ultimately if the Senate Finance Committee has jurisdiction, the question may come before our committee and then we can deal with it as we should.

Mr. MORSE. Mr. President, will the Senator yield 5 minutes to me?

Mr. DIRKSEN. I yield 5 minutes to the Senator from Oregon.

Mr. MORSE. The absolute need of the Dirksen amendment is indicated by recent history of my dealings with the Treasury Department. Furthermore, the perfidy of that Department in dealing with the Congress is clearly indicated by the items I have inserted into the RECORD in the past.

Last fall after the Secretary of the Treasury had assured me that he would be most cautious in authorizing any new Bank borrowings in the American market, he promptly authorized a borrowing of $200 million in January 1965.

Today the new Secretary of the Treasury, Mr. Fowler, asks that Congress reject the Dirksen amendment which would prohibit the World Bank from floating security issues in the U.S. market until our international payments show a favorable balance for four quarters.

And what does the Secretary argue? He says: "Trust me." He points out that no funds can be floated for the Bank without his permission.

This is the same position which Secretary Dillon took last winter—on October 13, to be precise—when I queried him on this same point.

He replied to me on October 27 in these words:

> An application by the Bank for bond sales in our market will be reviewed on its merits in the light of the concrete situation at the time, including our own balance of payments and the effect of any Bank borrowing thereon.

I took the Secretary at his word. Whereupon, in early January the Secretary of the Treasury announced that the Bank would be permitted to float a $200 million issue in the United States.

I realize this amendment may be rejected on a point of order, but I think the time has come to impress on the Treasury Department that the Congress, at least, takes this question of our international balance of payments most seriously. I, for one, do not intend to be misled by any statements from the Treasury Department that they do not think the Bank will borrow any more funds in the American market this year.

I think the administration will do just as it pleases, regardless of assurances they now give us. That is what they did last year.

I ask unanimous consent that my exchanges of letters with the Secretary of the Treasury on this point may be inserted in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OCTOBER 13, 1964.

Hon. C. DOUGLAS DILLON,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: I enclose a photostat of an article appearing in the September 14, 1964, issue of the Wall Street Journal which suggests that the World Bank will probably seek to raise $300 to $400 million of new capital in the next fiscal year. I have noted that you have urged that the bulk of these funds be raised in the European markets.

Inasmuch as article IV, section 1, of the articles of agreement seems to give a veto to the member "in whose markets funds are to be raised," I would be interested to know whether you will propose that this veto be exercised to protect our balance of payments.

Sincerely yours,

WAYNE MORSE.

THE SECRETARY OF THE TREASURY,
Washington, October 27, 1964.

Hon. WAYNE MORSE,
U.S. Senate, Washington, D.C.

DEAR WAYNE: Thank you for your letter of October 13, 1964, regarding possible World Bank borrowing of $300 to $400 million of new capital in private markets this fiscal year.

In Tokyo, as you know, I did point out that the World Bank will soon have to reenter the capital markets on a substantial scale. I emphasized that the Bank should intensify its efforts to develop more effective facilities for mobilizing private savings in the capital markets of industrial countries that are accumulating reserves. I feel that more adequate capital markets in such countries are very important and hope that our oft-repeated views on this subject will be helpful in speeding their development.

I did not mean to imply, however, that the United States should prohibit any and all attempts by the Bank to mobilize private funds for development through bond sales to U.S. residents. While significant progress has been made since my ABA speech in Rome in May of 1962, the development of more adequate European capital markets takes time. There will be circumstances in the meantime where some accommodation to the needs of the World Bank will be in our interest. An absolute prohibition at this time of Bank access to our market might well cripple this uniquely valuable institution's operations on behalf of the international development effort.

Any application by the Bank for bond sales in our market will be reviewed on its merits in the light of the concrete situation at the time—including our own balance of payments and the effect of any Bank borrowing thereon.

I can assure you that the World Bank management is fully aware of the necessity for utilizing European capital markets to the maximum extent funds are available on reasonable terms. I do not expect any relaxation in our pursuit of developing the capital markets of the other industrial countries.

With best wishes.

Sincerely,

DOUGLAS DILLON.

JANUARY 8, 1965.

Hon. C. DOUGLAS DILLON,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: I wish to recall my letter to you of October 13, 1964, in which I expressed concern over the prospect that the World Bank would seek to raise new capital in the U.S. market. In your response of October 27 you stated that the United States should not at present prohibit "any and all attempts by the Bank to mobilize private funds for development through bond sales to U.S. residents." There nevertheless was at least an implication that the bulk of the $300 to $400 million of new capital required by the World Bank might be raised outside this country. According to the New York Times of December 29, however, the World Bank has now announced it will float a $200 million bond issue in the United States beginning on January 18.

It seems to me that the key sentence in your October 27 letter was the following: "Any application by the Bank for bond sales in our market will be reviewed on its merits in the light of the concrete situation at the time—including our own balance of payments and the effect of any Bank borrowing thereon." Frankly, I am not aware of any measurable improvement in our balance-of-payments situation during the past 2 months; indeed, I would assume the contrary from the New York Times story of December 30, 1964, by Richard E. Mooney—a copy of which is attached. The article reports that the OECD annual review of the U.S. economy contains the advice "that more curbs on outflowing capital may be needed to put the country's international payments in better balance." Yet the proposed World Bank bond issue appears a dramatic move in the opposite direction.

In these circumstances, I would like very much to know just what sort of review of the Bank application took place within the U.S. Government. Specifically, was approval of the application given by the National Advisory Council on International Monetary and Financial Problems, and was the decision taken unanimously? How do you assess the impact on our balance of payments in concrete terms?

In short, I would appreciate learning the full story of this transaction and its implications; you need not be concerned about sparing me any details.

Sincerely yours,

WAYNE MORSE.

THE SECRETARY OF THE TREASURY,
Washington, D.C., January 22, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR WAYNE: I am happy to answer the questions raised in your letter of January 8 concerning the World Bank bond issue in the United States. This $200 million bond flotation was successfully launched last week. The Bank did this a few days earlier than contemplated in the report you cited, because market conditions were thought to be propitious.

The World Bank announcement on January 5 of the contemplated issue was made after the U.S. Government approved the Bank's request as required by its articles of agreement. You asked whether the National Advisory Council decision was unanimous. It was. I gave the proposal my closest attention, and let me also say that my own approval of the Bank's request was completely in accord with the considerations which I mentioned in my letter to you of October 27, 1964.

As I said in that letter, the World Bank management is fully aware of the need for utilizing European capital markets to the maximum extent funds are available on reasonable terms. I can reassure you, based on my conversations with the Bank management from time to time in the past 2 months in connection with the contemplated bond issue, that they have every intention to pursue assiduously this course. The Bank feels that it might be able to raise between $100 and $140 million in new money outside the United States for the remainder of its present fiscal year (which runs concurrently with our own). This amount is in addition to the $298 million of new and refinancing operations arranged by the Bank outside the United States earlier this fiscal year. Included in the latter was a private placement entirely outside the United States of a $100 million, 2-year, 4¼-percent bond issue with central banks and other Government institutions in 26 countries. The remainder was essentially a refinancing operation also involving a private placement of negotiable notes with an institutional investor outside the United States. A part of this transaction will be effected at the beginning of February. While the refunding transactions did not affect the total of the Bank's outstanding funded debt, in the absence of that financing an equivalent amount of matured debt would have been paid off net by the Bank, thereby adding to foreign exchange reserves abroad.

You asked about the effect of our balance of payments of the $200 million bond issue. While the World Bank needs to have these funds firmly available to maintain continuity of its financial operations, particularly its substantial lending commitments, it will not actually have to disburse these newly acquired funds for some time. Accordingly, the World Bank management intends to place in the United States the proceeds of the issue in time deposits or investments which have maturities in excess of a year. In terms of the U.S. balance of payments, the outflow of long-term capital represented by U.S. purchases of the bonds will be matched by at least an equal offsetting inflow of long-term capital, and thus, the entire transaction will in no way affect our balance-of-payments deficit this year. The manner and extent to which these funds will affect our balance of payments in 1966 or later will depend on a variety of factors when these funds are actually disbursed. I should point out in this connection, that the net effect of the World Bank's overall operations on the U.S. balance of payments since the inception of the Bank has been a favorable one. This has been particularly true in the period since 1958, which is the period of our most serious balance-of-payments problem.

Furthermore, dollar accruals of the World Bank are completely different in terms of potential calls on our gold stock from such accruals to the reserves of the surplus countries of Europe. Resort to the U.S. capital market in the latter case adds to their dollar reserves which, in turn, can readily be translated into calls on our gold. It was particularly in order to dampen the rapidly growing volume of such borrowings, with all that this implied, that the interest equalization tax was adopted. This tax proved effective in helping further reduce the regular deficit in the U.S. balance of payments in 1963 and the first three quarters of 1964. While all the results for the fourth quarter of 1964 are not in, as you said, it may not turn out as we had hoped. I am following these developments very closely.

Finally, I need hardly reiterate my views on the important role the development of European capital markets can play in alleviating international payments imbalance. The need of the World Bank to enter the U.S. market reemphasizes my conviction of the importance of further progress. The Bank recognizes the significance of such progress. The Europeans, too, are increasingly recognizing the need.

With best wishes.

Sincerely,

DOUGLAS DILLON.

Mr. LAUSCHE. Mr. President, will the Senator yield 5 minutes to me?

Mr. FULBRIGHT. I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. In my opinion the Senator from Illinois has discussed one of the gravest problems confronting our country. That is the outflow of gold from the United States, endangering the stability of our economy. On February 10 the President of the United States recommended in vigorous terms certain courses that ought to be followed in order to preserve the stability of the currency of our Nation. It is now the middle of June. Four months have passed. The recommendations made by the President have not brought about a condition which indicates that there is a stoppage of the outflow of gold.

The President called upon investment houses and American industrialists voluntary to discontinue sending dollars into foreign nations. That plea has not produced the result which the President anticipated.

The Congress also passed a bill imposing a special tax upon earnings in foreign investments. That bill has not produced anticipated results.

The amendment of the Senator from Illinois contemplates the prohibition of the American purchase of foreign bonds unless conditions are contained within the purchase that will prevent the outflow of American dollars into foreign countries. I believe the proposal is sound. My own judgment is that we have not been adequately conscious of the dangers that reside in the outflow of gold.

I do not agree with the Senator from Illinois that this proposal ought to be disposed of on a voice vote.

I ask the Presiding Officer: Is there any parliamentary prohibition against this proposal being voted upon by the Senate? Is it subject to a point of order? May I have an answer to my inquiry?

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Will the Senator from Ohio please restate his inquiry?

Mr. LAUSCHE. If a point of order is raised, can it be sustained by the Chair? I raise the point of order.

The PRESIDING OFFICER. The Senator from Illinois has the right to use all his time before the Senator from Ohio can make his point of order.

Mr. AIKEN. Mr. President, will the Senator from Illinois yield for a question?

Mr. DIRKSEN. How much time does the Senator require?

Mr. AIKEN. I merely wish to ask a question.

Mr. DIRKSEN. I yield 2 minutes to the Senator from Vermont.

Mr. AIKEN. Without pretending to be an expert in international monetary affairs, and without minimizing the seriousness of the outflow of gold from this country or the imbalance of international monetary arrangements, I should like to ask the distinguished Senator this question: Why is it that the World Bank invests all of its earnings and reserves in U.S. securities if we are on the brink of serious trouble? That has puzzled me for a long time.

Mr. DIRKSEN. It puzzles me, too. But we cannot fault the balance-of-payments problems before the World Bank. It is here. It threatens.

Mr. AIKEN. That is true. I do not know what the answer is. I was hoping that someone could tell me why the World Bank considers U.S. securities the best investments.

Mr. DIRKSEN. I believe I would feel the same way if I were connected with the World Bank, as I look over the rest of the world and see what the credit and money problem really is.

Mr. AIKEN. That means that although we may be in trouble ourselves with a gold problem and a monetary problem, the rest of the world is in worse condition than we are, and that the United States is the safest place to invest funds.

Mr. DIRKSEN. No. It now begins to appear, the way France is beginning to accumulate a gold stock, that she is getting herself into a better position than we are in. I do not believe that at the moment Germany is in difficulty. However, I believe that Great Britain is in serious difficulty. Heretofore the whole world——

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. DIRKSEN. I yield myself an additional 2 minutes.

Heretofore, the whole world was pretty well tied to the pound sterling; now it is tied to the dollar. Just think of the rumble one gets from Great Britain at the present time because the trade imbalance is running some $90 million a week. So far as we can learn from experts in this field, they believe that by the time we reach late September or October, there will be some real trouble in the international financial market.

Mr. AIKEN. We can always go back to beaver skins.

Mr. LAUSCHE. Mr. President, will the Senator yield so that I may request a yea-and-nay vote?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, a moment ago the Senator from Ohio suggested that a point of order might lie against the amendment. I believe it does, particularly with regard to the International Bank for Reconstruction and Development which is dealt with only slightly in connection with the matter of the amendment.

I wish to read to the Senate a letter addressed to me by the Secretary of the Treasury concerning the amendment. It makes clear what is fundamentally wrong with the amendment.

> DEAR MR. CHAIRMAN: I understand that an amendment, No. 267, was introduced to the foreign assistance bill (S. 1837) which would direct me to refuse permission to the IBRD or IDB to float new security issues in the United States, and to refuse to permit the proceeds of dollar borrowings by these institutions to be exchanged for any other currencies until the United States has experienced a balance-of-payments surplus for four consecutive quarters.

In effect, the Secretary is saying that the Senate is declaring that to some extent the dollar is no longer convertible. We treat the dollar to a considerable extent like the cruzeiro or the rupee. This is one of the main things we have for years struggled to prevent. That is what the Secretary means when he writes that the amendment would direct him to "refuse to permit the proceeds of dollar borrowings by these institutions to be exchanged for any other currencies until the United States has experienced a balance-of-payments surplus for four consecutive quarters."

I continue to read the Secretary's letter:

> While I certainly appreciate the overall objective that lies behind the proposed amendment, I believe an amendment of this type both unnecessary and undesirable. You may recall that Secretary Dillon, at the annual meeting of the World Bank in Tokyo last year, emphasized that the World Bank should intensify its efforts to develop more effective facilities for mobilizing private savings in the capital markets of industrial countries that are accumulating reserves. I share this objective with him. I feel, however, just as Secretary Dillon has pointed out in the past, that an absolute prohibition on access to our markets might well cripple these uniquely valuable institutions' operations.
>
> By their charters—

I invite especial attention to this.

> By their charters—

Of these two institutions—

> these important Banks cannot borrow on the U.S. market without the specific approval of the United States; in effect, the Secretary of the Treasury and the National Advisory Council. To carry out my responsibilities, I should have the flexibility to review each application for such borrowings on its merits in light of all of the circumstances.
>
> The managements of both the World Bank and the IDB are completely aware of the need to use European capital markets to the maximum extent funds are available on reasonable terms. The World Bank has raised a major portion of its borrowed funds abroad, and the Inter-American Bank has also carried out substantial borrowings abroad. When funds have been borrowed in the United States the proceeds have been held in a way that has a minimum effect on our balance of payments. Furthermore, I am reasonably confident that neither of these institutions has any intent of borrowing in this market the remainder of this year, and looking beyond, at such time as they do come in with a request, I would want to examine all the factors, including the effects on our own balance of payments before making a decision.
>
> I should point out also that the latter part of the amendment seems to be directly contrary to the charters of these two institutions to which all members have subscribed. It raises not only questions of policy but questions with respect to obligations firmly undertaken.
>
> I, of course, do not intend to relax efforts in pursuit of the development of capital markets abroad and, I need hardly say, do intend to take all appropriate steps to improve our balance of payments.
>
> With best wishes,
>
> Sincerely yours,
>
> HENRY H. FOWLER.

Mr. President, this amendment brings in a complex subject. If it should be treated at all—and I do not believe it should be—it certainly ought to receive hearings by the Committee on Finance and also, probably, by the Committee on Foreign Relations. The Committee on Foreign Relations has had no opportunity to consider the amendment. I think it is irrelevant to the objectives of the foreign aid bill.

These two great organizations are not really the subject of the foreign aid bill. But laying that aside, it seems to me it would be most improvident and foolish for us to undertake in this cavalier manner to force upon the administration an action of which it so thoroughly disapproves. The administration already has the power to disapprove of any borrowing, as the Secretary says.

If there is something so wrong with the Secretary of the Treasury, he ought to be impeached if he will not carry out his duties in the national interest.

We should not try to act on such an amendment to the foreign aid bill at this late hour, when Senators have had no opportunity to study the problem. It may call attention to the previous problem, which we all know about.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. Mr. President, can the Senator advise the Senate what proportion of what is in each of these great institutions is the property of the United States?

Mr. FULBRIGHT. The United States share of contributions, to my best memory, is approximately 25 percent.

Mr. LAUSCHE. It is more than that. It is 35 percent.

Mr. FULBRIGHT. It originally was about 37 percent. But, as we know, other States have joined and some have increased their contributions, while ours stayed approximately the same. Therefore, our percentage has gone down. On the IBRD it is approximately 42 percent.

Mr. HOLLAND. Does the Senator think we would be in a favorable position if we possibly precluded institutions of which we were the largest single proprietary owner, from doing business in our own country?

Mr. FULBRIGHT. I believe that it is absolutely improvident. It goes directly into the face of our policy—followed not alone by this administration, but by every administration ever since these institutions were created. It has a perfectly proper effect on this problem. The Senator said they can borrow without the specific approval of the United States. As the Secretary of the Treasury and the National Advisory Council have stated, this is not wide open. They must have the approval of our Government, whatever party is in power.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the distinguished Senator from New Mexico.

Mr. ANDERSON. Mr. President, I believe this is a matter that should come before the Finance Committee. The able and distinguished chairman of that committee was aware of this problem.

The matter is clearly not germane to the bill. A point of order ought to be made.

Mr. FULBRIGHT. I intended to do that. I did not think it was necessary. The Senator offered the measure. He said that he was not going to ask for a record vote. I thought he was making the point of emphasizing the importance of the balance of payments, on which we all agreed. But I did not think it would be carried this far.

I am prepared to make a point of order. However, I cannot make the point of order until the Senator has exhausted his time.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CARLSON. Mr. President, it appears that we have gotten ourselves into a rather difficult parliamentary situation. We have asked for the yeas and nays.

This is a delicate matter. I do not believe that we should act hastily on this matter. The monetary market of the world is in a very critical condition. Any vote had in this Chamber would perhaps be regarded as of far greater importance than it warranted.

Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded. I believe that would be helpful.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Kansas?

Mr. MORSE. Mr. President, reserving the right to object, I want to hear the ruling on the point of order before this unanimous-consent request is granted.

The PRESIDING OFFICER. The Chair rules that the point of order cannot be made until the Senator from Illinois yields back his 18 minutes.

Mr. MORSE. I do not want to consent to a unanimous-consent request until after we have reached the point at which we can have a ruling on the point of order. We already placed the bank in the foreign aid bill by action taken earlier in the debate.

Mr. ANDERSON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. ANDERSON. Mr. President, I ask unanimous consent that a parliamentary ruling on the point of order may be made at this time.

The PRESIDING OFFICER. Is there objection?

Mr. LAUSCHE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DIRKSEN. Mr. President, I have discussed this question with the chairman of the Committee on Foreign Relations several times. I believe he will agree that we discussed it.

I did not wish to press this issue to a record vote. I know that this is a delicate subject, coming at a very delicate time in our international monetary situation.

That is the reason I was not going to press the matter.

I only wanted to make the point that there is something in the balance-of-payments picture that we have overlooked, and it is current. Late in 1964 and in January of 1965, at least $350 million of these international capital issues were floated in the American market. Do not let anyone say differently.

Mr. FULBRIGHT. Not all by the Bank.

Mr. DIRKSEN. Two hundred million dollars was floated by the Bank. However, if they can come in and raid our market of dollars, how are we finally to close the payments gap? This problem should have had attention long before now. It has not had attention. It did not have attention when the interest equalization bill was before the Committee on Finance. It did not have attention when we were dealing with the problems of putting voluntary restraint upon the banking fraternity of the country.

Why was it not considered? The point of bringing the matter up now is to point it up, and, if anything, to make sure that this is not forgotten in the drive to close this payments gap. Therefore, I have not pressed for a record vote.

I am quite agreeable to the rescission of the order for the yeas and nays. I shall be glad to see this matter discussed in the Committee on Finance, where I think it probably belongs.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Mr. President, I should like very much to join the declared purpose of the Senator from Illinois that the order for the yeas and nays be rescinded.

I must, however, specifically state that for 5 years this problem has been discussed on this floor by my friend the Senator from Missouri [Mr. SYMINGTON] who has called attention to the grave danger to our monetary and fiscal policy.

In 5 years, nothing has been done. The proposal is now made: "Wait. Let Fowler, in his good judgment, pass upon these issues. Do not lose faith in Fowler. He will do that which is best for the country."

Dillon made those statements. Dillon quit and he quit at a time when the problem was most acute. Now we say, "Let Fowler take care of it. He will use good judgment."

The President in November of 1962 and February of 1963 recommended the three courses of action which I have described. Those three courses did not produce the result anticipated.

Fowler appeared before the Committee on Foreign Relations 2 months ago. I asked him: "Do you expect an improvement in the balance of payments?" He said that he did. I asked him what they were on the day that he appeared. He could not give the answer. The answer is now that the balance-of-payments problem is worse than it was. One should not fool himself into the belief that he will solve this problem without the adoption of austere conduct.

The Senator from Illinois, from his magnanimous heart, states: "Let us let the Secretary of the Treasury decide it." I listened to Dillon speak while he was working for Eisenhower. I listened to him speak while he worked for Kennedy and Johnson; and the tunes of his talk were different in 1958 and 1959 than they were in 1962 and 1963. Dillon quit. He quit at a time when the problem was most acute. I will not give unanimous consent that the order for the yeas-and-nays vote shall be rescinded.

Mr. MANSFIELD. Mr. President——

The **PRESIDING OFFICER** (Mr. TYDINGS in the chair). The Senator from Illinois still has the floor.

Mr. **DIRKSEN**. I say to my distinguished friend from Ohio that when I express an appreciation for the sensitivity and the delicacy of this whole world monetary picture, I point out to him that a man whom I esteem as a friend, who was born in St. Louis, who is 59 years old, a graduate of Yale, with a string of honorary degrees as long as one's arm, who for 14 years has been the sturdy Chairman of the Federal Reserve Board, makes a commencement speech at Columbia University, and the next day the Dow-Jones average drops 9 points, this is a sensitive atmosphere. I am cognizant of it.

I would prefer to see my friend from Ohio permit the order for the yeas and nays to be rescinded. I cannot force it, but it would be my desire.

I want to see this subject ventilated. Tomorrow we are to have Secretary Fowler before the Senate Finance Committee. We are going to take up the debt limitation.

We have a very strange situation. We are going to come down on the revenue side of the ledger, overall, by $5 billion. Tomorrow Mr. Fowler is going to ask us to raise the debt ceiling from $324 billion to $328 billion. Before we get through the balance-of-payments situation will be discussed. I shall ask Mr. Fowler about it tomorow, because he is familiar with this amendment. It was printed when I dropped it into the hopper. I think we shall have another dash at this question. So I do, in a way, entreat my friend from Ohio to consent to rescind the order for the yeas and nays.

Mr. **LAUSCHE**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. I yield.

Mr. **LAUSCHE**. No one in this era has made a more forthright and courageous statement than Mr. McChesney Martin made.

Mr. **DIRKSEN**. I agree.

Mr. **LAUSCHE**. He has been condemned. He has been called to task. He did nothing but tell the people of the truth of the dangers confronting us. Some may disagree with me. Probably the chairman disagrees. Of course no one, as a lawyer, can feel more lowered in his confidence than when a judge lacks confidence in what the lawyer says.

Mr. President, I have been requested to withdraw my objection to rescinding the order for the yeas and nays. The Senator from Illinois would want me to answer his question sincerely. He would want me to answer him on the basis of what is best for the country.

Mr. **DIRKSEN**. Yes.

Mr. **LAUSCHE**. I answer him, on that basis, "No."

Mr. **MANSFIELD**. Mr. President, will the Senator yield?

The **PRESIDING OFFICER**. The Senator from Illinois has the floor.

Mr. **DIRKSEN**. I yield.

Mr. **MANSFIELD**. In view of the fact that the distinguished Senator from Ohio has seen fit to object to the unanimous consent request which has the approval of the author of the amendment before us, it appears that the only alternative is to vote against the amendment of the Senator from Illinois.

Mr. **ANDERSON**. Mr. President, if the Senator will yield, a point of order lies against the amendment.

The **PRESIDING OFFICER**. A point of order may be made if the Senator from Illinois yields back his 10 minutes.

Mr. **MANSFIELD**. Before the Senator does so, I wish to take up the point that the Senator from Ohio has made when he referred to the Secretary of the Treasury, Mr. Dillon—who served well under Republican and Democratic administrations—as quitting. He said it not once, but four or five times. The Secretary of the Treasury resigned. He resigned a year, at least, after he wanted to resign. He has worked as an ambassador of this country to France. He has worked as Under Secretary of State. He has worked as an outstanding Secretary of the Treasury. I believe in giving to a man the credit that is due him; and Douglas Dillon was a good Secretary of the Treasury. I think Mr. Fowler also is a good Secretary of the Treasury, and I expect him to do a good job. I do not like to hear derogatory remarks about people who cannot answer back. I believe they are entitled to respect when they do their best.

Mr. **DIRKSEN**. Mr. President, I yield 2 minutes to the Senator from New York [Mr. JAVITS].

Mr. **JAVITS**. Mr. President, whether we adopt this amendment, or not, I wish to pay tribute to the statesmanship of the Senator from Illinois. I am sorry he is not having his will worked. We shall be worse off than we were with the interest equalization tax, because this will be a complete bar. We are enmeshed in many contradictions. The dollar is the best currency in the world. Everybody admits it. The International Bank carries its reserves in dollars, so they must be dependable. We seem to get the jitters when we have a $2 billion to $4 billion imbalance in payments, when we have an international trade of $36 billion a year. The difficulty is that we have gone at this problem by looking at it through the wrong end of the telescope. We have been much too timid. We fool around with precipitate action which would compound the results of our timidity. I hope very much—I implore my friend, because I know his heart is very good—to let it go now, because it will complicate an already very difficult situation and make it even worse. The Senator from Illinois has given us an ideal way to deal with it on a much more permanent basis.

Mr. **DIRKSEN**. Mr. President, before I yield back all my time, it seems that so often a person has to walk in an orbit to get attention in order to permit one to point out something that is vital to the present and future well being of the country. That is the reason I have brought it up. I shall yield back the remainder of the time. If the point of order is made, I am not going to labor it. I think it is a very fine point, in view of the existence of section 205 in the bill, but I shall not contest the point of order. I shall await the advise of the Parliamentarian and the ruling of the Chair.

The **PRESIDING OFFICER**. The Chair recognizes the Senator from Arkansas——

Mr. **ANDERSON**. Mr. President, may I make a point of order against the amendment?

Mr. **FULBRIGHT**. Mr. President, I yield 1 minute to the Senator from Ohio.

The **PRESIDING OFFICER**. The Senator from Ohio is recognized for 1 minute.

Mr. **LAUSCHE**. Mr. President, in spite of the emphatic "No" I gave the Senator from Illinois, I have concluded that the essential elements that the Nation should consider with regard to the imbalance in payments have been emphatically set forth tonight. On the basis of that final conclusion, I join in the unanimous-consent request that the order for the yeas and nays be rescinded.

Mr. **MORSE**. Mr. President, reserving the right to object——

The **PRESIDING OFFICER**. Does the Senator from Arkansas yield?

Mr. **FULBRIGHT**. If the Senator from Oregon is going to object, may I ask——

Mr. **MORSE**. I have a right to reserve my right to object and state my reservations.

The **PRESIDING OFFICER**. The request has not yet been put. The Senator from Arkansas has the floor.

Mr. **MORSE**. If the Senator does not have a request, then——

Mr. **FULBRIGHT**. Mr. President, the Senator from Ohio had, I believe, intended to ask unanimous consent——

Mr. **LAUSCHE**. No; I withdrew my objection.

Mr. **FULBRIGHT**. The Senator withdrew his objection to the request——

Mr. **MORSE**. If he has withdrawn his objection, the request is still before the Senate.

Mr. President, I reserve my right to object——

The **PRESIDING OFFICER**. Is there objection?

Mr. **MORSE**. Mr. President, by reserving the right to object——

The **PRESIDING OFFICER**. The Chair recognizes the Senator from Arkansas——

Mr. **ANDERSON**. No, no; the Senator is as wrong as he can be.

The **PRESIDING OFFICER**. Does the Senator from Oregon object to the withdrawal of the request?

Mr. **MORSE**. Yes. Reserving the right to object. We have got the parliamentary situation all muddied up. I do not know of any reason why we should not find out whether the amendment is in order. If the amendment is not in order and the Chair is sustained, that will take care of it. If the amendment is in order, I do not believe that we should leave the record in this situation with the Senate in effect walking out on rendering a decision on one of the most vital problems which confront us. There is no reason why we should pass the buck to the administration. Therefore, for the time being, I shall object to rescinding the order for the yeas and nays.

Mr. FULBRIGHT. Mr. President, I make the point of order that this amendment is not in order. The IDB is nowhere mentioned in the bill. The reference to the IBRD is slight in section 205. We have done this only to make a permissive authority available if there is such authority. It in no way attempts to deal with the charter or the power of the IBRD. It seems to me that a reasonable interpretation of the restriction is germaneness, and would hold that this is not germane in the Senate bill.

Mr. MORSE. Mr. President, may I be heard on the point of order, very briefly.

The PRESIDING OFFICER. The Senator from Oregon may proceed.

Mr. MORSE. When the Chairman of the Foreign Relations Committee had added to the bill the entire so-called multilateral provisions that sought to provide for part of the aid being handled through multilateral bodies, I say that the International Monetary Agency became a part of the bill. If we are going to start doing business through the Senate in connection with international monetary groups, we have the right to proceed to offer amendments in respect thereto. Now we have this organization in the bill, with the Senate having gone on record in the statement, so where are we going to send some of the foreign aid money in the future? If this procedure stands up in final passage through the international bodies, once we did that, the amendment relating to those international bodies would become germane and, in my judgment, the amendment is germane.

The PRESIDING OFFICER. The Chair rules that the Senator——

Mr. BENNETT. Mr. President, will the Senator from Illinois yield me 1 minute, in order to make a parliamentary inquiry?

Mr. DIRKSEN. If I can recover the remainder of my time.

Mr. FULBRIGHT. Mr. President, I yield 1 minute to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 1 minute.

Mr. BENNETT. Mr. President, if a motion is made to lay on the table the two points, does that dispose of both it and the point of order?

The PRESIDING OFFICER. That is correct. Tabling takes precedence and is not debatable.

Mr. FULBRIGHT. Mr. President, what was the Chair's ruling?

The PRESIDING OFFICER. The point of order has been made and the Chair rules that the point of order is well taken.

The pending amendment to S. 1837 is out of order because it brings in new subject matter not in order under the unanimous-consent agreement since no amendment that is not germane to the provisions of the said bill shall be received. There is nothing in the bill relating to the regulation of floating new security issues by the International Bank for Reconstruction and Development or in the Inter-American Development Bank, and therefore the amendment is out of order.

Mr. DIRKSEN. Mr. President, I am sorry to detain the Senate so long. I had intended to offer another amendment, but I presume that I shall not do so.

Let me say a word about what has been stated on the floor with respect to our problems in Asia.

We have an estimated 60,000 to 61,000 Americans in Vietnam. Anyone who is familiar with Saigon—and I have walked every street in that man's town several times—knows that other than Saigon, Vietnam is a dismal place. I know the "up" country as far as Hanoi and Haiphong.

In Saigon, a man there can find movies to see, he can visit the PX's, the USO, and whatever else is officially offered. But, in the jungle countryside, there are no such diversions. The only things marines and others have to depend upon are the instrumentalities of communication which we have built for military and civilian purposes.

Mr. President, it is fair to assume that programs can be relayed from Peking, China, from the Island of Hainan, in the Gulf of Tonkin, or from Hanoi, and they will hear them. They will be out there at night in probably the most dismal God-forsaken place that a human being can imagine. It is quite important what those boys may be hearing when they turn on those instrumentalities.

Let me read a few excerpts from an international broadcast which came out of Peking, a broadcast less than 3 weeks old. I am not going to read all of it, but enough at least to make the point:

> The Johnson Administration's military venture in Vietnam has set off disputes of unparalleled intensity within the ruling circles in the United States, while evoking strong censure among the people. Representative figures of the U.S. ruling class, including a number of Congressmen, have publicly complained that Johnson's escalation of the war has resulted in an escalation of reverses. They fear Johnson's war gamble might bring the country to an unprecedented disaster.

Mr. President, that broadcast was taped in English from Peking, and it was relayed. Here are our boys out there on the cold ground at night, or on the wet muddy soil in the monsoon season; and when there is nothing else to engage their attention, they can still catch the shortwave broadcasts.

Reading further:

> American newspapers and journalists have sounded the alarm that "the Vietnam war is coming to Washington," and "battle lines are already forming on Capitol Hill over the Vietnam problem" (Washington Evening Star, Jan. 2), and that "some of his own Democrats in the Senate opened fire on the President" and "Mr. Johnson is finding that the White House is a lonely place." (U.S. News & World Report, Mar. 15.)

I read only a little more. It talks about the Foreign Relations Committee and the chairman. I had forgotten whether the Senator had 19 members on his committee.

Mr. FULBRIGHT. Yes; we have 19, officially and technically.

Mr. DIRKSEN. Then they are correct. Here they say:

> Of the 19 members of the Senate Foreign Relations Committee, 11 are against the administration's present policy toward Vietnam.

This goes on to say:

> Quite a number of important Congressmen of the ruling Democratic Party and influential political figures and newsmen have joined those who are against Johnson's Vietnam policy.

It names Senators. But why should I go on? I merely conclude by saying that everything uttered on this floor is piped from Peiping, and the island of Hainan and from Hanoi. That is what some of our soldiers are hearing, because there is nothing else to turn to. That is a great business—to be out there, 12,000 miles away from home, and then to wonder whether the folks at home appreciate the sacrifice, the bilge water, the sweat, and the stink that they go through in a tropical country, to carry the flag of their country and to create a bastion for freedom from which to fight to retrieve the independence and the well-being of a little country to whom our administration, when Eisenhower was in the Presidency, and the Kennedy administration, and the Johnson administration have pledged their support.

It would appear to me, if it served any purpose, that the Senate could well write into the bill that it is the sense of Congress or, better yet, that Congress affirms and reaffirms its support of the Commander in Chief. For what else is there to do?

I shall not offer the amendment. I merely wish to go on record for myself to say that I am going to hold up the hand of the Commander in Chief in a distressing and tragic hour in the history of this Republic, when we do not know for sure what the ultimate outcome will be.

If there is no other reason for muffled tongues and disciplined talk and spiritual restraint in this deliberative body then perhaps the thought of those who are giving their all on the altar of their country would be a restraint.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. What is before the Senate?

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. FULBRIGHT. I yield 5 minutes to the Senator from Tennessee [Mr. GORE.]

Mr. GORE. Mr. President, earlier today the Senate adopted an amendment, offered by the distinguished and able senior Senator from Iowa, without a record vote and after very little debate.

I had intended to enter objection to the amendment. I have spoken to the distinguished chairman of the committee. Unfortunately he had to have lunch between 2:30 and 3, and through a series of circumstances the amendment was brought up while both the junior Senator from Arkansas and the senior Senator from Tennessee were away from the Chamber. I am sure that the amendment goes considerably farther than the distinguished author had intended. It undertakes to prohibit the guarantee of investments by the U.S. Government in certain instances. It has a good deal of merit in its thrust, but actually the result, if enacted, would be to undertake by denial of a guarantee to U.S. investors, the imposition of an obligation on foreign governments, in behalf of foreign corporations, rights which our own Constitution prohibits our own Government to grant to its own citizens.

I am sure it goes entirely too far. Moreover, the guarantee of investment by the U.S. Government goes only to U.S. business enterprises. This would give an unfair advantage to foreign corporations over U.S. concerns.

I do not wish at this late hour to discuss this matter in detail. It would take a considerable length of time. It is a very involved subject.

I hope that the distinguished chairman of the committee and the author of the amendment will indicate how seriously this amendment is to be pressed in conference. If it is to be seriously advanced, I must ask for a reconsideration.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. FULBRIGHT. The Senator has related accurately what happened. I regret that I was not present. I had intended to give notice to the Senator. It was lunch time, and I forgot about it.

It also came up while I was away from the floor, and no one else knew about our understanding.

I feel some responsibility for it. It is a very complicated subject. It grows out of a difficult situation in Africa, although this is a generalized statement, and does not specifically name the country.

I have read the memorandum which the Senator has received from the administration. It is very critical of some aspects of the amendment, although the views are sympathetic with the amendment's objectives. So am I and I believe the Senator is also. We have not had the amendment before the committee. I think it requires further refinement. All I can say is that if the Senator will leave it in I will give the administration and also the Senator from Tennessee every opportunity to discuss it.

I am not committed to it. As a matter of fact, my present feeling is that it goes too far. It certainly should be closely scrutinized. I doubt not that the House will insist that it be closely scrutinized. We could remedy the situation by deletion or by correction in conference.

Mr. GORE. What the Senator has said is very encouraging. As the Senator says, it arises out of an occurrence in a country in Africa. I became aware of the circumstances as chairman of the African Subcommittee. The country is Guinea. As I understand the amendment, it do not seek to deal with what has been done.

Mr. FULBRIGHT. No, that is not intended. I do not believe the amendment does that.

Mr. GORE. It does not deal ex post facto. The guarantee has been made in this case.

Mr. FULBRIGHT. It arises out of that situation.

Mr. GORE. The senior Senator from Iowa offered the amendment to deal with future situations.

Mr. FULBRIGHT. The Senator is correct.

Mr. GORE. May I inquire if this colloquy is agreeable to the distinguished Senator from Iowa?

Mr. HICKENLOOPER. The colloquy is satisfactory to me. I tried to make it clear at the time of the presentation of the amendment. I do not agree that the amendment goes too far. I must disagree with that statement. I do agree that the amendment should be looked into thoroughly. The Senator from Alabama [Mr. SPARKMAN] is a cosponsor of it. He is perhaps even more interested in it than I am. He is not on the floor now. He was here a moment ago. I had hoped that he would participate in this colloquy and agree with it.

Mr. FULBRIGHT. I discussed it with him. I am sure I speak for him when I say that he does agree.

Mr. GORE. I, too, have discussed it with him.

Mr. HICKENLOOPER. A case did arise in Guinea. The American company obtained a concession in Guinea. This is its claim in relation to the consortium. The company claimed that it spent some $25 million in a bauxite concession. Suddenly the Government of Guinea cancelled the consortium. A short time ago the AID Director proposed to give an investment guarantee to a comparatively small company in this country under a new development contract with Guinea without Guinea having settled for the expropriation or confiscation of the American property that had been invested in this venture.

I do not know the righteousness of the cause. I tried to make that statement earlier today. I think it is important. We should look into it. I agree that we should examine it carefully. We should examine it sincerely, leading up to a conference. I have no more pride of authorship on the question than has the Senator from Alabama. We collaborated in filing the amendment with the understanding that we would look into it.

Mr. GORE. With those understandings, I shall not press the motion for reconsideration.

Mr. President, I asked unanimous consent to have printed in the RECORD at this point a statement in respect to the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR GORE

The amendment proposed to be offered by Senator HICKENLOOPER to section 620(e) of the Foreign Assistance Act should be resisted on the following grounds:

(1) The amendment, by prohibiting new investment guaranties to U.S. investors in countries where assistance has been terminated under section 620(e), could be contrary to the interests of the U.S. business community and to the national interests of the United States. It is not necessarily in the U.S. interest to terminate private U.S. investment in projects unrelated to the expropriation.

(2) The amendment would indicate as the acceptable forms of arbitration as being substantively equivalent to the arbitration procedures recently proposed by the World Bank. This could introduce an unwarranted rigidity into the law. The World Bank procedures are new and many countries have some problems with this procedure. Many U.S. private investors have agreements with foreign governments which call for arbitration. These agreements should be respected. It would not engender respect for international law or for the sanctity of contracts if a foreign government were threatened with a termination of aid if it sought to invoke an arbitration clause to which the other party—the U.S. investor—had agreed.

(3) The amendment extends the Hickenlooper amendment beyond the requirements of international law. If a foreign government expropriates U.S.-owned property and the original owner of the property has a claim for compensation against the government, the amendment prohibits the issuance of a guaranty to a subsequent U.S. investor in the project to which the property relates, even if the foreign government were fully complying with its responsibilities toward the first owner under international law. Thus if a government exercises its eminent domain authority and seizes a piece of property, an investment guaranty could not be issued to another investor in the project while compensation of the first owner was still the subject of negotiation or was in litigation. This change represents an extension of section 620(e), which requires the termination of assistance only if the foreign government fails to live up to its responsibilities to the U.S. owner under international law. Such an extension would breed contempt rather than respect for the rights of U.S. investors under international law.

(4) The amendment would place the United States in the position of requiring foreign governments to give U.S. investors remedies which the Constitution prohibits the U.S. Government from granting to its own citizens.

Under the amendment, no new guarantees could be issued or aid given for a project unless the property seized were "restored to the original claimant". Such a provision, if directed against the States of the United States—and possibly the Federal Government—would be unconstitutional. In *Galveston Wharf Co. v. Galveston*, the Supreme Court refused to give effect to an agreement exempting property from the eminent domain power on the grounds that such power was an essential attribute of sovereignty of which a government cannot divest itself.

Even without the constitutional problem, the provision would, if applied in the United States, run against the restrictive policy of courts in permitting suits for specific performance against the United States. In *Larson* v. *Domestic & Foreign Corp.* the Supreme Court stated the reasons for this policy: "The Government, as representative of the community as a whole, cannot be stopped in its tracks by any plaintiff who presents a disputed question of property or contract right."

(5) The amendment to section 620(e)(1) will trap unwary U.S. investors. By its nature, an investment guarantee cannot be issued until the details of the investment are determined. But, by the time that the details are firm, the U.S. investor may be

committed and he relies upon the investment guarantee to protect him as soon as it is finally negotiated. This new amendment to section 620(e)(1) will leave such an investor entirely unprotected if any expropriation occurs in the country—even if the expropriation is entirely unrelated in any way to the investor's project.

(6) The amendment adding section 620 (e)(1) requires the U.S. Government to judge whether or not a claim is bona fide without having the parties before it. That is what arbitration or other procedures is for. Foreign governments will not present their case before the Department of State to ascertain whether or not a claimant has a bona fide claim (and the United States would not do the same if positions were reversed). Therefore, an impartial judgment upon the validity of the claim is difficult—if not impossible in ex parte proceedings.

(7) The impact of the new section 620 (e)(3) will be felt only by U.S. investors because U.S. investors are the only ones who may receive investment guarantees. The amendment would not discourage foreign corporations from succeeding to concessions formerly held by U.S. investors. Furthermore, the amendment would allow foreign corporations (often free of U.S. taxes) to place roadblocks in the way of American citizens' investments. It is difficult to perceive how U.S. policy is served by alluring others to block U.S. investment.

(8) The automatic prohibition of the added provision to section 620(e) is too harsh. A corporation beneficially owned by U.S. citizens may have a minor but bona fide claim against a country for damages arising out of a properly nullified contract with a foreign country. This amendment would hinder investment by U.S. citizens in such a situation.

The PRESIDING OFFICER. The bill is open to further amendment. If there is no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. FULBRIGHT. Mr. President, on the bill I yield 17 minutes to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, I share the concern which has been so well expressed, both in the Senate and elsewhere, with the apparent indirection of the foreign aid program.

It is generally recognized that there is a need for a foreign aid program, but it should be one of limited scope and over which Congress exercises a degree of control which is lacking at the present time. The size and complexity of the foreign aid program is now such that it virtually defies the congressional and administrative safeguards which would be necessary to give it a pattern and make it successful.

There is much in the pending bill with which I find myself in direct opposition, both as to the basic idea underlying the program and the performance with which it has been administered. I have long held the view that our foreign aid program is both improperly conceived and inefficiently implemented.

For example, in fiscal year 1965, the United States has been disbursing some type of foreign aid in 99 foreign countries and 8 territories. By resorting to a method of deobligating or reobligating previously obligated funds, it is estimated that the Agency for International Development has had, during the present fiscal year, unliquidated funds both old and new, totaling $11,027 million. These are funds which can be committed and disbursed this fiscal year for a multitude of purposes under innumerable programs.

Since the end of World War II, American aid has gone to at least 110 countries. The hard-pressed American taxpayer has provided, during that period of time, approximately $136 billion to send to foreign countries, including the interest which has to be paid by the United States on the borrowed funds. The enormity of this program staggers the imagination.

Foreign aid began as an effort on the part of the people of the United States to help other countries help themselves. It has since lost all sense of proportion and bears not the faintest resemblance to its meager beginning. There is every reason to question the effectiveness of the program. It is true that the aid was invaluable in assisting the Western European countries to get back on their feet. This could have been done with a minute portion of the $136 billion which has been spent. The remainder of the money has been of questionable value insofar as protecting the free world from the enroachments of communism. Rather than having won new friends, the United States finds itself maligned and attacked in many quarters of the world.

Unfortunately, it has become a common occurrence for the United States' maintained and operated libraries or embassies to be stoned, sacked, or burned, in foreign countries. This has occurred in countries which have been the recipient of generous amounts of U.S. taxpayers' money. Instances such as these have convinced the American public of the futility of the constant attempts to buy friends with aid dollars.

Not only has the stated purpose of the foreign aid program failed to materialize, but there have been further disastrous results directly flowing from the disbursement of such enormous amounts of aid money. No one will question the fact that the adverse balance-of-payments situation can be substantially attributed to the outlay of foreign aid. It would have been considerably worse had not the development assistance program been tied to 85 percent American purchases. Even with these restrictions, however, such enormous outlays of foreign aid have had a telling adverse impact on the balance of payments. This one factor alone should be enough to cause an immediate reevaluation of the foreign aid policy.

Mr. President, it is the duty and the responsibility of Congress to establish clear policy guidelines for the extension of American foreign aid to foreign countries. In this responsibility, Congress has failed. It is constantly asserted that the conduct of foreign relations lies within the sole purview of the President and the executive branch of the Government. To a considerable extent, this is true; however, the Constitution assigns to the Congress the responsibility for authorizing and appropriating funds from the Treasury of the United States. Thus, we have a dual responsibility of the legislative branch and the executive branch, in connection with foreign aid, and it is past time that Congress asserted its authority to the maximum. Congress cannot continue to give the executive branch a blank check and presume to be discharging its duties and responsibilities under the Constitution.

The aid program has reached the point where recipient nations all too often consider it the moral and legal duty of the United States and other developed nations to furnish them aid. This attitude should be dispelled. The United States owes no moral obligations to furnish aid to developing nations. The recipient countries are privileged to receive aid only to the extent that the U.S. Congress determines it necessary, and they do not receive such aid as a right to which they are unconditionally entitled.

Positive guidelines and standards should be set by Congress, and the lack of these is the fault of Congress. The failure of foreign aid to return to the American people results commensurate with the expenditures involved is largely attributable to congressional laxity.

It is somewhat encouraging to note that the Foreign Relations Committee has reported S. 1837 with the understanding that at the end of 2 years, the program in its present form will be terminated. This is long overdue and enthusiastically welcomed. Nevertheless, it is necessary to raise some danger signal as to the future direction of the foreign aid program.

The tendency in recent years has been toward a shift from the bilateral approach to a multilateral approach. This causes me a great deal of concern, because I think that it would be a step backward rather than a progressive step into the future.

Some improvements have been brought about in the foreign aid program, particularly in recent years, in the way of policy guidelines and standards. These have invariably been the result of congressional action and most, if not all of them, have been vigorously opposed by administration spokesmen.

The adoption of a multilateral approach in the foreign aid program would mean the circumvention of the carefully considered congressional controls and limitations which are now contained in the Foreign Assistance Act. The limitations which I have in mind are, among others: the Hickenlooper amendment, which has proved to be a successful deterrent to expropriation of U.S. property in foreign countries; the safeguards calling for 85 percent American purchases under the Development Loan Fund; the restrictions calling for the use of American ships; the restrictions on aid to Cuba, Poland, Yugoslavia, the United Arab Republic, Indonesia, and other countries; the restrictions on giving aid to other countries shipping goods to Cuba; the restrictions on aiding businesses abroad that ship goods into the United States in direct competition with our own businesses; and the restrictions preventing aid to economically developed countries.

All of these controls and limitations would be bypassed to the extent that a multilateral approach to foreign aid is substituted for the present bilateral approach. The Congress of the United States would no longer have the opportunity to investigate individual grants or loans, or to have an effective voice in the expenditure of American taxpayers' funds. In fact, no branch of the U.S. Government would have the opportunity to oversee the use of taxpayers' money.

One of the primary arguments advanced in favor of the multilateral approach is that it would prevent the resentment and hostility among the people assisted which is so prevalent at the present time under the bilateral foreign aid program. I fail to see where the adoption of a multilateral program would remedy this situation. Perhaps it would be better to withhold the aid from the countries which display such a distrust of our intentions.

If the United States is to continue assisting undeveloped nations and nations which need our financial assistance, then I believe it is much better to do it directly rather than circuitously through a multilateral agreement.

By directly granting aid, the United States can pinpoint the recipients and receive whatever amount of credit is forthcoming from the recipient country.

I regret that the amendment offered by the distinguished Senator from Alaska [Mr. GRUENING] was defeated. This amendment would have removed the policy statement calling for increased multilateral endeavors in foreign aid in the future, as well as eliminating the increased amount of development loan funds to be funneled through the International Development Association, the International Bank for Reconstruction and Development, and the International Financial Corporation. I was very happy to support this amendment, and I consider it crucial to the pending bill.

I think that it would be a mistake on the part of the United States to adopt a multilateral approach to foreign aid. I am in hopes that the reevaluation of the program called for in the present bill will not suggest such an approach.

Mr. President, the United States has, over the years, been more than generous to the peoples of the world. Our money has been instrumental in rebuilding Western Europe after the Second World War and in assisting the development of the so-called newly emerging nations. It is long past time that Congress show the same amount of generosity and thoughtfulness to the American taxpayer that has so consistently been shown to the other peoples of the world.

Mr. MORSE. Mr. President, will the Senator yield 3 minutes to me?

Mr. FULBRIGHT. I yield 3 minutes to the Senator from Oregon on the bill.

Mr. MORSE. I am sorry that the Senator from Illinois [Mr. DIRKSEN] has left the Chamber. I assure the Senator I shall tell him personally what I shall now say on the floor of the Senate. I shall not take any great length of time to answer him now; I shall answer him after the vote on the bill.

I am exceedingly sorry that the Senator from Illinois did not see fit to offer the amendment that he thought about offering calling for an additional vote of confidence being written in the bill for the U.S. undeclared war in Asia.

I wish to say to the Senator from Illinois that I shall never be a party to the Communist technique which, in my judgment, would be the very proposal that the Senator apparently was speaking in support of when he was apparently protesting protests in the United States against a Government policy.

Short of a declaration of war, here is one U.S. Senator who will continue protesting the killing of American boys in an undeclared war in Asia. I have the same concern for those boys as has the Senator from Illinois. We should either proceed to get this war on a legal basis or we should bring those boys into a situation where others will be over there joining them in helping to keep the peace in Asia rather than making war.

But, before the vote is cast on the bill, I wish to protest the rising tide within this administration that apparently desires to impose a censorship and a muzzlement on the news as to what the administration is up to in regard to conducting this shocking war in Asia. I completely repudiate every implication of the Senator from Illinois in regard to his apparently taking exception to those of us who protest. He will hear more protests from more people in this country if the Johnson administration continues to march down the road toward what, by 1968, will be its complete repudiation by the overwhelming majority of the American people.

Mr. FULBRIGHT. Mr. President, I yield 1 minute to the Senator from California.

Mr. MURPHY. Mr. President, the American people are the most generous people on the face of the globe. But neither their patience nor their resources are endless. Constituents during my campaign told me in no uncertain terms that they were tired of carrying the burdens of the world. This was particularly true when repeatedly the generous funds that flowed from our shores only resulted in daily newspaper reports of abusive remarks and belligerent demonstrations against the American people.

I told my constituents that I believed that the foreign aid program should be substantially reduced. Time and time again blue ribbon committees of the Congress have disclosed widespread waste in the foreign aid program. I do not feel that substantial reductions were realized.

I am, however, not opposed to foreign aid. The original purpose of the foreign aid program to rescue those nations from the destruction and despair of the aftermath of World War II and place them on a strong economic footing was most meritorious. In many cases the record shows the results of our efforts were remarkably successful. Although in passing, I would like to say that the memory of some of the recipients of U.S. assistance has been all too short. For even in these perilous times, some countries seem to delight in magnifying the difficulties of our country. It is clear, however, that the original purpose of the foreign aid program has generally been realized. Europe enjoys unprecedented prosperity. Japan's recovery has been remarkable. If we were to continue the foreign assistance program, it seems imperative to me that those nations which now are prosperous should also extend a helping hand to the other nations of the world. We cannot do it alone, and yet that is the case today.

Mr. President, like the chairman of the Foreign Relations Committee, I would have hoped that the military and economic provisions of the foreign aid program would have been separated. In today's troubled times, I realize that military support is vital and I strongly support this segment of the foreign aid program.

An added reason for my opposition is the provision extending the foreign aid program for a period of 2 years. Since first coming to Washington, I have observed a tendency on the part of Congress to abdicate its responsibilities to the executive branch. Most of the desirable policy changes have resulted from congressional action. The important so-called Hickenlooper amendment comes readily to mind. Where in today's world, events happen so rapidly, I strongly feel that the Congress should retain its annual review of the foreign aid program.

Mr. President, there are those in this Chamber who are most alarmed with the rising national debt and with our persistent balance-of-payments problem. The foreign aid program certainly contributes to these pressing problems.

The Congress has made changes in the foreign aid program with which I am in complete agreement. I am most pleased that it was decided to terminate the foreign aid program as it is presently constituted at the end of 2 years. Thereafter the Congress, after receiving the recommendations of the named committee, will be able to reshape a program that will more realistically reflect the needs of our Nation and the needs of other nations.

Mr. President, I would have liked to have been able to support this program. If some of the defects had been corrected, I would have done so. I am hopeful that the special committee established by this bill will make recommendations that will enable me to support the bill in the future. Consistent with my campaign pledge and the dictates of my conscience, I cannot support the measure in its present form.

Mr. COOPER. Mr. President, will the Senator yield 2 minutes to me?

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Kentucky.

Mr. COOPER. I wish to direct a question to the chairman with regard to section 214(c) of the bill, which authorizes the sum of $9 million to be used for financial assistance to hospitals and schools overseas. I understand that AID in its presention to the Foreign Relations Committee indicated various institutions which have made applications for funds under this section, but that AID had indicated that applications would be considered on their merits before approval. I have received inquiries chiefly from Methodists in this country regarding the application of Ludhiana Christian Medical College and Hospital in Kooth, India, for $450,000. I have consulted with officials of AID and I am informed that the application will be considered on its merits for the approval of funds.

Ludhiana Christian Medical College is located in one of India's fastest growing industrial centers. The Ludhiana hospital-school is known throughout that country as one of its finest institutions, and its service, which is associated with America, has won many friends in India for our people. Those able to pay seek care at Ludhiana because of its outstanding service, while the poor come in large numbers, knowing they will not be turned away if they cannot afford the fees.

An outstanding teaching staff lectures and demonstrates the latest medical knowledge to over 200 medical and 184 nursing students in this hospital-school. Ludhiana has been one of the most important sources for teaching staffs of the 65 new medical schools that have been built in India since 1947. As the only medical school in the country which offers a rural and community health program, it performs a vital service in a land desperately in need of rural health services. At present there is one doctor for every 6,000 people in India; only 15 percent of these physicians practice in the rural areas—where 85 percent of the population live.

All but 6 percent of the Ludhiana hospital's beds are in wards, and only 45 percent of the ward patients are able to pay the daily fee of $2.70. But no patient is refused emergency treatment or hospitalization because of his economic or social status, his race or religion. The staff and graduates of Ludhiana are also known for their profound commitment to improvement of preventive medicine in India. Ten physicians answered the Minister of Health's call last year for members of the profession to fill positions in leprosy communities—all were graduates either of the Ludhiana Christian Medical College or the Vellore Christian Medical College.

Hundreds of people have helped create this spirit of dedication, but I think it fair to say that much of the inspiration and support of Ludhiana's high-quality service is due to the efforts of a Kentuckian, Bishop J. W. Pickett. Often called the best known medico in the land, Bishop Pickett was a close personal friend of both Nehru and Gandhi, and these two great leaders thought highly of his work at Ludhiana.

The supporters, staff, patients, and board of governors of Ludhiana are widely representative of different nationalities and faiths. While the institution is associated with Christian principles in name and practice, it is truly interdenominational, being staffed and administered by followers of all the world's great religions and of many sects. The hospital and medical college's financial support comes primarily from international and domestic contributions, 28 percent of which are American.

Since 1957, Ludhiana has been upgraded academically and professionally, but its facilities and equipment remain for the most part pitifully inadequate and substandard. Some of the buildings are near collapse, and wasteful stop-gap repair work has been necessary in lieu of sufficient funds to continue the institution's $9 million construction program. I hope that the application for funds for construction of a new wing by the Ludhiana Christian Medical College and Hospital will be approved by AID.

I should ask the distinguished chairman of the committee, the Senator in charge of the bill, for an interpretation of section 214(c). Is it his view, assuming that Ludhiana Christian Medical College can convince AID of the merits of the application, which I believe it can do, that it will be eligible for approval and for allocation of the $450,000 or such sum as AID might find adequate?

Mr. FULBRIGHT. They certainly might apply. I believe the Senator said they had applied. The application will be examined on its merits, even as to the $2 million that was added that is not earmarked for the projects which were suggested. It is more, I believe, than even they might require.

But the college will have a fair opportunity to make its case on the merits. If it does so, I see no reason why the college would not be eligible.

Mr. COOPER. Mr. President, will the Senator yield for one additional question?

Mr. MORSE. Mr. President, will the Senator permit me to ask for the yeas and nays on the passage of the bill?

Mr. FULBRIGHT. I yield for that purpose.

Mr. MORSE. I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. COOPER. Mr. President, part IV of the bill before us would terminate the present Foreign Assistance Act in 1967 and establishes a new committee to study the subject and make recommendations to the President along guidelines prescribed in the bill. The committee and its chairman, Senator FULBRIGHT, and particularly Senator MORSE, deserve great credit for taking this initiative.

The establishment of this committee indicates a recognition by Congress that our foreign aid program must be reassessed, that new decisions and action to make it an effective program must be taken by our country and recipient countries if the foreign aid program is to continue. I hope that this committee will lay down the conditions upon which an effective program may be constructed.

I do not believe the foreign aid program will end. While I have learned that it cannot give assurance that every country we assist will be able to resist Communist subversion, it does provide assistance and encouragement to countries seeking economic development, higher standards of living, and true independence. These aims are just, human, and are in accord with our objectives, and a world system of law and order. We must continue to make this effort as one instrument of our foreign policy. I believe progress has been made and that the present Administrator, David Bell, is to be commended for his effective leadership. If the foreign aid program fails, it will do so because our country, the executive branch, and the Congress, will not take the hard, patient steps to make it as effective as is humanly possible. This, I understand, is the purpose of part IV.

These objectives were those I sought in the amendment that I proposed in 1962 and 1963 and which was adopted by the Senate in 1963. That amendment called upon the President to appoint a committee to evaluate the effectiveness of our foreign aid in each recipient country on a country-by-country basis.

In full response to this amendment as it appeared in the final bill, the President last March appointed a distinguished committee of 14, headed by President James A. Perkins of Cornell. It is called the General Advisory Committee on Foreign Aid Programs. Its membership includes: Mr. Dwayne O. Andreas, Mr. Eugene R. Black, Mr. Everett N. Case, Dr. Luther H. Foster, Mr. John W. Gardner, Gen. Alfred M. Gruenther, Dr. J. George Harrar, Mr. William R. Hewlett, Mr. Sol M. Linowitz, Prof. Edward S. Mason, Mr. George Meany, Dr. Franklin D. Murphy, Mr. Arthur K. Watson.

I have been informed by the Chairman and other members of the Committee that the General Advisory Committee on Foreign Aid Programs will, among its other duties, make country-by-country evaluations. Such evaluations of the effectiveness of AID projects in recipient countries are crucial. It is the only way, as I see it, that the good programs can be maintained and the bad ones eliminated or corrected.

I hope the Committee established by the bill will refer to the language of my concurrent resolution adopted by the Congress in 1963 in carrying out its studies, for they supplement the guidelines of the pending bill—and I believe, in their field are more specific.

The conditions of the resolution are:

> 1. Whether the recipient country: (a) has a practical national development program which affords a reasonable expectation that the objectives of such program will be attained, taking into consideration the human and natural resources and capabilities of the country, (b) is providing the maximum amount of self-help within its capabilities, and (c) has adopted the fiscal, administrative, and social reforms necessary to the success of such program;
>
> 2. Whether the specific projects to which U.S. aid is allocated will contribute materially to the fulfillment of the primary needs of the recipient country's development program, and to the purpose of the United States to assist in raising the standards of living of the people of the country.

The findings of this presidential committee, as they evaluate country programs, will undoubtedly be of great value. I hope that some arrangement can be worked out whereby cooperation can be achieved with the Foreign Aid Planning Committee proposed under S. 1837.

I would like to make some other recommendations to AID and to these two committees. I believe that the administration's recommendation that greater emphasis be placed on multilateral aid through the World Bank, the International Development Association, and the Inter-American Bank—to all of which we contribute—reflects the growing recognition that these professional organizations can make more objective judgments on the value of specific projects, and require self-help and reform on the part of recipient countries than can our Agency for International Development.

I want to recommend further, as I have in past years, that AID arrange consultations with the experts of the international lending organizations in connection with recipient countries' economic plans and certainly major development programs for which help is requested in order to better determine the long-term value and the feasibility of such proposals.

I believe that placing emphasis on multilateral aid has the dual purpose of making aid more effective and of providing aid on merit instead of trying to win friends with money. We will probably always give some aid because of political considerations, but I believe in the long run the best thing politically for the United States would be that our aid accomplish its main purpose—to strengthen countries and enable them to be independent. If they value and believe in their independence, they will not succumb easily to any Communist country.

We have the right to insist that our aid be used properly, and that our country's efforts in the field be treated with respect. My country has maintained a continuing interest in the aspirations of the developing nations—which I believe has not been matched in the world. But irresponsible leaders in other countries cannot misuse our aid to the detriment of the United States and their own people. There are ways in which it has been misused, by wasting our assistance, and by diverting it from economic development to aggressive purposes against other countries. Our program ought to be developed in such a way that it would be understood that we will withhold our assistance to such countries and from those who do not observe decent international standards in their relations with us.

I have been concerned lest we lose control of our honorable and helpful program of foreign assistance. Some countries expect it as a matter of right and if we suggest that their programs are not effective, they charge that we are placing "strings" on our aid, or interfering with their sovereign rights. We should say to them that we do not want to interfere with their sovereign rights but, on the other hand, our aid is provided by the hard-won earnings of our people and we cannot afford to provide their aid unless it will be used properly to achieve their economic development.

The leaders of some countries to which we have provided aid imply that some type of retaliation will be used against us if we should stop aid. This is the worst situation of losing control of our own foreign aid program. Others imply that they will seek aid from the Communist countries if we do not meet all of their demands. I think we should say to them, "Secure all the help you can from other countries, but our decisions will be made on our own judgments."

I have argued in the past and recommended to the President that excepting the aid furnished under the Alliance for Progress, the best way to regain control of our aid program would be to discontinue aid for a year or for such time as may be needed to reassess and revise the entire program. This would be fair to all countries, it could not be charged that we were making political decisions against specific countries, and most important, it would bring notice to countries we aid that they must formulate plans to achieve a better economic program and one which will reach their people.

As my recommendation to stop the program for a year was not approved, then the reassessment now required from the President's committee and by this bill is the best alternative.

I earnestly hope that the bill that we pass and the debate which we have had will produce a more effective foreign aid program, one that will be effective in the countries we assist, and in harmony with the fundamental and dearly held objectives of our own country.

ALLIANCE FOR PROGRESS

Mr. President, some time ago, I asked the Administrator for International Development to supply me with concrete facts concerning the success of the Alliance for Progress, announced by President Kennedy in March 1961.

The report is very encouraging, and I ask that this report be printed in the body of the Record at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

ACCOMPLISHMENTS OF THE ALLIANCE FOR PROGRESS

The concrete physical accomplishments of the Alliance for Progress that I have to relate are most impressive.

The Alliance is not principally an aid program. Its charter has as its cornerstone the principle that the vital task of achieving economic and social progress for Latin America is the responsibility of the Latins themselves. Our aid can provide a catalyst, an encouragement, the margin of necessary foreign exchange and capital, but only deep and complete Latin commitment can in the end perform the task of moving this great effort forward.

It is encouraging that more and more, the Latins are starting to take the hard steps necessary to create institutions that will bring about opportunity and stability.

I know that statistics are not conclusive but nevertheless they are significant.

By July 1962, 57,000 houses had been built with U.S. assistance, by July of this year, there will be approximately 327,000.

Between July 1961, and July 1963, 8,136 classrooms were constructed. During this year alone 11,300 are being constructed and by July 1966, a total of 38,490 will have been built, providing facilities for one and a half million children.

By July 1963, 3,230,000 textbooks had been produced in Latin America with United States assistance. By this summer, 2 years later, almost 12 million will have been made available to the schoolchildren of the continent.

By the end of fiscal 1963, 392 water systems had been constructed. By July 1966, there will be over 2,500 systems and 27.2 million people will have been benefited.

Today there are more than 23 times the number of savers in savings and loan associations than there were 4 years ago. Savings have increased from $1½ to $59 million. Nine countries now have savings and loan legislation. Eight of these countries now have active programs. The number of new homes financed through these savings and loan associations alone has jumped from 417 in 1961 to 24,810 in 1964.

Today, 15 countries have self-help housing programs.

Since 1963 the number of credit unions established has doubled. Membership has risen from 192,000 to over 500,000. Savings have increased from $7.6 million in July 1963 to an estimated $18 million by this summer with $25 million expected by July 1966.

Ten countries have submitted development plans for review by the OAS. Almost twice the number received just 2 years ago.

Over 6,000 miles of road will have been been built by July 1965.

Nearly 300,000 agricultural credit loans will have been extended.

Over 12 million schoolchildren are participating in school lunch programs. This is over three times the number 2½ years ago.

More than 75,000 teachers will have been trained.

No reform is politically and socially more difficult than tax reform. Nobody likes to pay more taxes. It took us over 2 years merely to determine to lower our taxes. Yet in Latin America significant advances have been made. Nine countries have undertaken major tax reforms, while three others have comprehensive administrative programs. In fourteen countries U.S. Internal Revenue Service teams are working with host governments on tax reform.

Increases in tax collections all over Latin America are most impressive. From 1962 to 1964 Mexico increased its tax collections by 20 percent. In Brazil tax collections increased 14 percent. Administrative improvements in Panama should increase tax revenues by some 8.10 percent in 1965. In Guatemala 1964 tax revenue was roughly 12 percent greater than in 1962. In Nicaragua the 1964 change was almost 30 percent. From 1960 to 1963 income tax revenues in Latin America increased $288 million from $2,357,000,000 to $2,645,000,000.

The nature of the change that is taking place is illustrated in the case of Ecuador, a country which has insisted upon paying for the technical help in tax administration which it receives from the United States. A five-man U.S. Internal Revenue Service team has been in operation in this country for almost 1 year. Before that time a taxpayer could underdeclare or falsefy his tax return while confidently assuming that his evasion would remain undetected. This situation is changing. In the past few months some 200 Ecuadoran tax auditors have received intensive training through AID-Internal Revenue Service advisers. The Tax Department is now prepared to examine tax returns in detail. As a result, substantial additional tax revenue is expected in Ecuador.

In 13 countries private or public development banks have been established or are in the process of being established.

In 1961 the nations of Latin America pledged at Punta del Este, Uruguay that the Alliance would be a cooperative effort. Furthering this pledge, in 1964 a new Committee for the Alliance for Progress, CIAP, was formed, headed by Carlos Sanz de Santa Maria of Colombia. The creation of CIAP helps shift the burden of urging self-help and reform to the Latins themselves. For CIAP sits in judgment on the efforts of the members of the Alliance, conducting annual reviews of self-help measures of each of the Alliance members. No longer is the United States alone urging self-help and reform. Latin Americans share the responsibility for the review and encouragement of each others efforts.

In addition to its review function, CIAP guides and promotes the flow of free world assistance to Latin America.

Life magazine recently commented on CIAP:

"Helpful too is the changing nature of the Alliance for Progress itself. No longer a one-way channel of U.S. handouts, the whole program and its management have been increasing 'Latinized.' The Latin leaders now realize, and are showing, that the way to 'emerge' is to take the chief responsibility for growth into their own hands."

One of the greatest achievements of the Alliance is the Central American common market. Realizing the benefits of a more closely integrated economic effort, the nations of Central America signed treaties in 1960 eliminating 95 percent of the tariff barriers between them. A schedule was also agreed to whereby all tariffs would be eliminated by June 1966.

Trade within Central America has increased from $30 million in 1960 to over $65 million in 1963.

This undertaking has extended beyond trade alone. Recently these countries agreed to the establishment of a Fund for Economic Integration.

The member countries created a Central American Bank for Economic Integration. This bank has extended loans of $18 million to foster private sector development which has included the initiation or expansion of some 63 manufacturing enterprises.

Another example of joint cooperative effort by these nations is the undertaking of a program to create a regional university system with uniform scholastic standards.

Other nations are contributing more to the success of the alliance. From 1961 to 1964 Europe doubled its annual contribution to the alliance while moving toward softer aid terms. Last January, Germany signed an agreement to lend Peru $20 million at 3 percent interest. In December, the Canadian Government agreed to make $10 million available to the Inter-American Development Bank for lending to Latin America with up to 50-year repayment time at three-fourths of 1 percent interest.

In 1964, the Adela Investment Co. was formed. One hundred and twenty-one companies in 15 countries have subscribed to shares. By January 1965, paid-in capital was already $31 million. As of February $10 million had been made available by Adela for intermediate financing in Latin America.

Preliminary figures indicated that U.S. investment in Latin America in 1964 was $145 million, over twice the 1963 total of $64 million.

The Alliance is a great deal more than a government-to-government program. On the one hand our public funds are used to provide the catalyst for the efforts of Latin American countries to help themselves, efforts which range up and down the line from a major road built by the Brazilian Army Engineers to seed capital for a central credit union required before an individual farmer can obtain a loan to start his own farm.

On the other, thousands of private citizens in the United States are contributing their own time and efforts to make the Alliance a success. Over 3,000 Peace Corps volunteers are working in Latin America. A vital task is being carried on by American voluntary agencies. CARE and Catholic Relief Services and many smaller agencies are distributing surplus agricultural products not only for relief but as part of food-for-work programs aimed at promoting long-term development. The Ford, Rockefeller and Kellogg as well as many smaller foundations are providing technical assistance to Latin America.

Because the Alliance for Progress is for the people, because of its depth and breadth, it is one of the most difficult programs ever to be launched. For the same reason, it is one of the noblest and most important. The evidence of progress proves that the Alliance, originally criticized by many as an idealist's dream, is becoming a reality for Latin Americans, a goal toward which a continent is moving. The path is long, and the road is not easy, but a good beginning has been made.

SECRETARY DILLON

Mr. COOPER. Mr. President, I do not see the distinguished Senator from Ohio present. I think he knows the regard in which I hold him. He is a man of conviction and a man of great courage. I agree with him that Mr. Martin made a needed and salutary speech; I hope that what he said is not true, but it might be true. While we might disagree with the policies of the former Secretary of the Treasury, from my long association in several administrations with him, I must say that I have found him to be a man of great courage, loyalty and patriotism. He would not run away from a job.

Mr. JAVITS. Mr. President, if the Senator will yield, I should like to join in the statement of the Senator from Kentucky [Mr. COOPER] about Douglas Dillon, whom I have known for years. I should like to stand with my colleague.

Mr. FULBRIGHT. I join the Senator in that statement. I thoroughly approve.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, the bill would amend section 620 of the act in relation to the "Sabbatino" amendment. I ask unanimous consent that a statement with reference to my interpretation of the amendment which would amend section 620 be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

"RULE OF LAW OR 'SABBATINS' AMENDMENT TO SECTION 620"—STATEMENT BY SENATOR HICKENLOOPER

Last year this committee added an amendment to section 620(e) of the act designed to provide additional protection to U.S. private investment abroad. Since the House Foreign Affairs Committee had not had an opportunity to consider the matter, a proviso was inserted at conference to insure that there could be further consideration before the amendment was made applicable to proceedings commenced after January 1, 1966. This year the Senate committee has again decided to recommend permanent extension of the amendment and deletion of the January 1, 1966 cutoff date.

This amendment, known as the "Rule of Law" or "Sabbatino" amendment makes clear that courts in the United States, both State and Federal, are to be free in cases properly before them and involving expropriations by foreign states to enforce principles of international law, including the traditional requirement for prompt, adequate and effective compensation. By insuring that the United States cannot become a "thieves' market" for the product of illegally expropriated foreign investments, the amendment will improve the climate for such investment and give the owners of such investment greater bargaining strength to get just compensation if they are expropriated.

The amendment was made necessary by an unprecedented application of the "act of state" doctrine by the Supreme Court in the Sabbatino case (376 U.S. 398 (1964)) to the effect that our courts may not consider the legality of acts of foreign states even where violations of customary international law are involved. Since the Supreme Court had expressly held that its application of the "act of state" rule was neither required by international law nor by any provision of the U.S. Constitution, and was a Federal matter to be handled as the "political branches" of the Government prefer, its decision laid a clear basis for the legislation. The result of the amendment is to bring the United States back into line with the judicial practice of the other major commercial jurisdictions of the world.

The amendment applies to any case pending at the time of its original enactment (Oct. 7, 1964) or brought since then, involving takings since January 1, 1959, the date Castro came to power. The amendment is so worded that it applies no matter what party to a suit (plaintiff, defendant, third party) invokes the act of state doctrine to prevent an examination of a claim of title or right to property based upon or traced through an expropriation in violation of international law.

A clarifying insertion of the words "to property" has been made at two points in the amendment to confirm that the provision prevents the act of state doctrine from being a bar to judgment on the merits only where the party seeking to use the doctrine has gained a claim of title or right to property, intangible as well as tangible, through a taking in violation of international law. The amendment does not and is not intended to prevent banks, insurance companies or other financial institutions from using the act of state doctrine as a defense to multiple liability upon any contract or deposit or policy of insurance in any case where such liability has been taken over or expropriated by a foreign state. In such cases, it is the intent of the Congress that any defenses otherwise available to such banking, financial, or insurance institution continue to be available to them.

American financial interests continue to be protected against the threat of multiple liability which is inherent in the expropriation of their establishments abroad. For example, the bill is not intended to, and it does not, impair the right of any American bank, insurance company, or other financial institution, to assert as a complete defense to any claim that the home office is liable in respect of a deposit maintained at a foreign branch (or an insurance policy written by and payable at a foreign branch or other contractual liability having its situs at an establishment abroad), the fact that the foreign establishment was expropriated and the liability in question transferred or satisfied in accordance with the applicable foreign law. It is well established that bank deposits, insurance policies, and other contracts made and to be performed in a foreign country, are subject to the laws of that country and, in a suit between private litigants, the obligor who is prevented by such foreign law from performing his contract is excused as in any other case of force majeure. The bill does not impair the force of such defenses.

The bill expressly provides that it has no application to cases in which no violation of international law principles, including the principles set out in subsection 620(e)(1), is found. Thus, our courts are protected from an influx of claims by persons who were nationals of the foreign state at the time such state took the action which is challenged.

The reference in the amendment to "principles of international law, including the principles of compensation and the other standards set out in this subsection" is intended to guide the courts in construing the references to "international law" in the amendment. The reference is intended (a) to incoroprate the earlier reference in section 620(e)(1) of the act to "Speedy compensation for such property in convertible foreign exchange, equivalent to the full value thereof" as a more precise definition of the "prompt, adequate, and effective" international law standard of compensation and (b) to incorporate the rule that repudiation or nullification of contracts or agreements between a government, government agency, or governmental subdivision, and a nonnational is to be treated as a violation of international law. This reference does not incorporate the purely technical provisions inserted by Congress in section 620(e)(1) to guide the executive branch in decisions about cutting off the foreign aid program to countries that expropriate U.S. property (i.e., the limitation to those U.S. business interests owned 50 percent or more by U.S. citizens, the requirement that "appropriate steps" be taken within 6 months and the provision for valuation by the Foreign Claims Settlement Commission).

Mr. CASE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from New Jersey 30 seconds.

Mr. CASE. Mr. President, several Senators have made comments on the remarks of the Senator from Ohio in regard to Secretary Dillon. I do not need to expand upon the remarks made except to join them fully. Knowing the Senator from Ohio, I know that his emotional nature and his excessive zeal for the cause to which he was addressing himself led him into an excessive statement about the Secretary which he would not repeat, I am sure. It has no basis in fact. The Secretary is one of the great public servants of our time and, as his Senator and friend, I am happy to say so.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 7750, to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. FULBRIGHT. Mr. President, I move to strike out all after the enacting clause of H.R. 7750 and to substitute therefor the text of S. 1837, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 7750) was read the third time.

Mr. MORSE. Mr. President, I ask for the yeas and nays on the passage of H.R. 7750.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time on the bill.

Mr. DIRKSEN. I yield back the remainder of my time on the bill.

The PRESIDING OFFICER. All time has been yielded back. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. On this vote, I have a pair with the Senator from Virginia [Mr. BYRD]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Wyoming [Mr. MCGEE], the Senator from Maine [Mr. MUSKIE], the Senators from Georgia [Mr. RUSSELL and Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH], are absent on official business.

I further announce that the Senator from Rhode Island [Mr. PELL] and the Senator from Oregon [Mrs. NEUBERGER] are necessarily absent.

I further announce that, if present and voting the Senator from Texas [Mr. YARBOROUGH] would vote "yea."

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from Georgia [Mr. TALMADGE]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Georgia would vote "nay."

On this vote the Senator from Rhode Island [Mr. PELL] is paired with the Senator from Georgia [Mr. RUSSELL].

If present and voting, the Senator from Rhode Island would vote "yea" and the Senator from Georgia would vote "nay."

On this vote, the Senator from Maine [Mr. MUSKIE] is paired with the Senator from California [Mr. MURPHY].

If present and voting, the Senator from Maine would vote "yea" and the Senator from California would vote "nay."

Mr. KUCHEL. I announce that the Senator from Texas [Mr. TOWER] is necessarily absent.

The Senator from Hawaii [Mr. FONG] and the Senator from California [Mr. MURPHY] are absent on official business.

On this vote, the Senator from Hawaii [Mr. FONG] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Hawaii would vote "yea" and the Senator from Texas would vote "nay."

On this vote, the Senator from California [Mr. MURPHY] is paired with the Senator from Maine [Mr. MUSKIE]. If present and voting, the Senator from California would vote "nay" and the Senator from Maine would vote "yea."

The result was announced—yeas 68, nays 20, as follows:

[No. 131 Leg.]

YEAS—68

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Dirksen
Dodd
Dominick
Douglas
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Nelson
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Smith
Sparkman
Symington
Tydings
Williams, N.J.
Young, Ohio

NAYS—20

Bennett
Bible
Cotton
Curtis
Eastland
Ellender
Ervin
Fannin
Hruska
Jordan, N.C.
Jordan, Idaho
McClellan
Morse
Robertson
Russell, S.C.
Simpson
Stennis
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—12

Byrd, Va.
Fong
Mansfield
McGee
Murphy
Muskie
Neuberger
Pell
Russell, Ga.
Talmadge
Tower
Yarborough

So the bill (H.R. 7750) was passed.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. SPARKMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FULBRIGHT. Mr. President, I ask that Senate bill 1837 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, Senate bill 1837 is indefinitely postponed.

Mr. FULBRIGHT. Mr. President, I move that the Senate insist upon its amendments to H.R. 7750 and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. RUSSELL of South Carolina in the chair) appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. MORSE, Mr. HICKENLOOPER, Mr. AIKEN, and Mr. CARLSON conferees on the part of the Senate.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the bill be printed with the Senate amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, just a word in conclusion. I thank the Senate for its prompt action. I believe this is the earliest and most expeditious action that the Senate has taken on a foreign aid bill in many years. The Senate voted extremely well. I appreciate the cooperation I have received. I thank the staff for its excellent work in the preparation and handling of the bill.

Mr. MANSFIELD. Mr. President, I join the distinguished chairman of the Committee on Foreign Relations in the approval he has just given, on such a wholesale basis. It is well-deserved tribute. None deserves credit more than the distinguished chairman of the committee who, as we all know, was not too eager to handle the bill this year.

We are also indebted to the distinguished senior Senator from Oregon who cooperated very closely in the consideration of this bill, and who advanced the idea that a time limitation might be worthy of consideration. I express my thanks to the senior Senator from Oregon for the courtesy, kindness, and consideration which he has shown.

Mr. MORSE. Mr. President, I thank the Senator.

ESTABLISHMENT OF A TERCENTENARY COMMISSION TO COMMEMORATE THE ADVENT AND HISTORY OF FATHER JACQUES MARQUETTE IN NORTH AMERICA

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 300, Senate Joint Resolution 53.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S.J. Res. 53) to establish a Tercentenary Commission To Commemorate the Advent and History of Father Jacques Marquette in North America, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (S.J. Res. 53) to establish a Tercentenary Commission To Commemorate the Advent and History of Father Jacques Marquette in North America, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment at the top of page 5, to strike out "SEC. 5. There are authorized to be appropriated such sums as may be necessary" and insert "SEC. 5. There is authorized to be appropriated an amount not to exceed the sum of $10,000"; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a commission to be known as the Father Marquette Tercentenary Commission, which shall be composed of twelve members as follows:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

(3) Four members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman and executive officer. The members of the Commission shall receive no salary by reason of their services as members, but the executive officer may reimburse them for reasonable and necessary expenses incurred by them in conducting Commission business.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 2. The functions of the Commission shall be to develop and execute suitable plans for the celebration of the three hundredth anniversary of the advent and subsequent history of Father Jacques Marquette, who came to New France in 1666. In conjunction with the development of such plans, the Commission shall investigate, in cooperation with the Secretary of the Interior, the desirability and suitability of establishing a permanent national monument or memorial to commemorate the historical events associated with the life of Father Jacques Marquette in the New World, and the Secretary of the Interior shall submit to the Congress the Commission's report thereon.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided,* That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with agencies of State and local governments; with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the termination of the celebration as prescribed by this joint resolution. The Commission shall terminate upon submission of its report to the Congress, unless the investigation authorized in section 2 of this joint resolution is incomplete and the report thereon has not been submitted to the Congress.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

SEC. 5. There is authorized to be appropriated an amount not to exceed the sum of $10,000 to carry out the purposes of this joint resolution.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a commission to be known as the Father Marquette Tercentenary Commission, which shall be composed of twelve members as follows:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

(3) Four members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman and executive officer. The members of the Commission shall receive no salary by reason of their services as members, but the executive officer may reimburse them for reasonable and necessary expenses incurred by them in conducting Commission business.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 2. The functions of the Commission shall be to develop and execute suitable plans for the celebration of the three hundredth anniversary of the advent and subsequent history of Father Jacques Marquette, who, came to New France in 1666. In conjunction with the development of such plans, the Commission shall investigate, in cooperation with the Secretary of the Interior, the desirability and suitability of establishing a permanent national monument or memorial to commemorate the historical events associated with the life of Father Jacques Marquette in the New World, and the Secretary of the Interior shall submit to the Congress the Commission's report thereon.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided,* That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with agencies of State and local governments; with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the termination of the celebration as prescribed by this joint resolution. The Commission shall terminate upon submission of its report to the Congress, unless the investigation authorized in section 2 of this joint resolution is incomplete and the report thereon has not been submitted to the Congress.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

SEC. 5. There is authorized to be appropriated an amount not to exceed the sum of $10,000 to carry out the purposes of this joint resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 313), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the joint resolution, as amended, is to create the Father Marquette Tercentenary Commission.

STATEMENT

The Father Marquette Tercentenary Commission created by this resolution will be composed of 12 members as follows:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

(3) Four public members to be appointed by the President of the United States.

The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman and executive officer.

The functions of the Commission shall be to develop and execute suitable plans for the celebration of the 300th anniversary of the advent and subsequent history of Father Jacques Marquette, who came to New France in 1666. In conjunction with the development of such plans, the Commission shall investigate, in cooperation with the Secretary of the Interior, the desirability and suitability of establishing a permanent national monument or memorial to commemorate the historical events associated with the life of Father Jacques Marquette in the New World, and the Secretary of the Interior shall submit to the Congress the Commission's report thereon.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business for the consideration of Executive B, 89th Congress, 1st session, the protocol for the extension of the International Wheat Agreement, 1962.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTOCOL FOR THE EXTENSION OF THE INTERNATIONAL WHEAT AGREEMENT, 1962

The Senate, as in the Committee of the Whole, proceeded to consider the following protocol which was read the second time, as follows:

PROTOCOL FOR THE EXTENSION OF THE INTERNATIONAL WHEAT AGREEMENT, 1962

The Governments signatory to this Protocol,

Considering that the International Wheat Agreement, 1962, expires on 31 July 1965, and

Desiring to extend the Agreement in accordance with the recommendations of the International Wheat Council under paragraph (2) of Article 36 of the Agreement,

Have agreed as follows:

ARTICLE 1. EXTENSION OF THE INTERNATIONAL WHEAT AGREEMENT, 1962

The International Wheat Agreement, 1962 (hereinafter called "the Agreement") shall continue in force between the parties to this Protocol until 31 July 1966.

ARTICLE 2. SIGNATURE, ACCEPTANCE, APPROVAL AND ACCESSION

(1) This Protocol shall be open for signature in Washington from 22 March 1965 until and including 23 April 1965 by the Governments parties to the Agreement, or which are provisionally regarded as parties to the Agreement, on 22 March 1965.

(2) This Protocol shall be subject to acceptance or approval by the signatory Governments in accordance with their constitutional procedures. Instruments of acceptance or approval shall be deposited with the Government of the United States of America not later than 15 July 1965.

(3) This Protocol shall be open for accession:

(a) until 15 July 1965 by the Government of any country listed in Annex B or C to the Agreement as of that date, in accordance with the conditions specified in the Agreement or prescribed by the Council before its accession to the Agreement, or

(b) as provided in paragraph (4) of Article 35 of the Agreement.

(4) Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America.

(5) Any Government which has not accepted, approved or acceded to this Protocol by 15 July 1965 in accordance with paragraph (2) or (3)(a) of this Article may be granted by the Council an extension of time for depositing its instrument of acceptance, approval or accession.

ARTICLE 3. ENTRY INTO FORCE

(1) This Protocol shall enter into force among those Governments which have deposited instruments of acceptance, approval or accession in accordance with Article 2 of this Protocol by 15 July 1965, as follows:

(a) on 16 July 1965, with respect, to Part I and Parts III to VII of the Agreement, and

(b) on 1 August 1965, with respect to Part II of the Agreement, Provided, that such Governments and the Governments which have deposited notifications in accordance with paragraph (3) of this Article by 15 July 1965 are Governments which held not less than two-thirds of the votes of exporting countries and not less than two-thirds of the votes of importing countries under the Agreement on that date, or would have held such votes if they had been parties to the Agreement on that date.

(2) This Protocol shall enter into force for any Government which deposits an instrument of acceptance, approval or accession after 15 July 1965 on the date of such deposit except that the Protocol shall not enter into force with respect to Part II of the Agreement earlier than 1 August 1965.

(3) For the purposes of entry into force of this Protocol in accordance with paragraph (1) of this Article, any signatory Government or any Government entitled to accede in accordance with paragraph (3)(a) of Article 2 of this Protocol or any Government whose application for accession has been approved by the Council on conditions established under paragraph (3)(b) of Article 2 of this Protocol may deposit a notification with the Government of the United States of America not later than 15 July 1965 containing an undertaking to seek acceptance, approval or accession to this Protocol as rapidly as possible in accordance with its constitutional procedures. It is understood that a Government which gives such a notification will provisionally apply the Protocol and be provisionally regarded as a party thereto for a period to be determined by the Council.

(4) If by 15 July 1965 the conditions laid down in the preceding paragraphs of this article for the entry into force of this Protocol are not fulfilled, the Governments of those countries which by that date have accepted, approved or acceded in accordance with Article 2 of this Protocol may decide by mutual consent that it shall enter into force among them, or they may take whatever other action they consider the situation requires.

ARTICLE 4. FINAL PROVISION

(1) For the purposes of the operation of the Agreement and this Protocol, any reference to countries the respective Governments of which have acceded to the Agreement on conditions prescribed by the Council in accordance with paragraph (4) of Article 35 of the Agreement shall include a country which has acceded to this Protocol in accordance with paragraph (3)(b) of Article 2 of this Protocol.

(2) The Government of the United States of America shall promptly inform each Government which is a party or is provisionally regarded as a party to this Protocol, or which on 22 March 1965 is a party or is provisionally regarded as a party to the Agreement, of each signature, acceptance or approval of, or accession to this Protocol, of each notification made in accordance with paragraph (3) of Article 3 of this Procotol, and of the date of entry into force of this Protocol.

In witness whereof the undersigned, duly authorized thereto by their respective Governments, have signed this Protocol on the dates appearing opposite their signatures.

The texts of this Protocol in the English, French, Russian and Spanish languages shall be equally authentic. The originals shall be deposited with the Government of the United States of America, which shall transmit certified copies thereof to each signatory and acceding Government.

Done at Washington this 22d day of March 1965.

For Argentina:
For Australia:
For Austria:
For Belgium and Luxembourg:
For Brazil:
For Canada:
For Costa Rica:
For Cuba:
For the Dominican Republic:
For Ecuador:
For El Salvador:
For Finland:
For France:
For the Federal Republic of Germany:
For Greece:
For Guatemala:
For Iceland:
For India:
For Indonesia:
For Ireland:
For Israel:
For Italy:
For Japan:
For the Republic of Korea:
For Liberia:
For Libya:
For Mexico:
For the Kingdom of the Netherlands:
For New Zealand:
For Nigeria:
For the Kingdom of Norway:
For Peru:
For the Republic of the Philippines:
For Portugal:
For Saudi Arabia:
For Sierra Leone:
For the Republic of South Africa:
For Southern Rhodesia:
K. H. TOWSEY, March 23, 1965.
For Spain:
For Sweden:
For Switzerland:
For Tunisia:
For the Union of Soviet Socialist Republics:
For the United Arab Republic:
For the United Kingdom of Great Britain and Northern Ireland:
For the United States of America:
ORVILLE L. FREEMAN, March 24, 1965.
For the Vatican City State:
For Venezuela:
For Western Samoa:

Mr. FULBRIGHT. Mr. President, the protocol which is now before the Senate extends for 1 year the International Wheat Agreement of 1962.

Members will recall that the first International Wheat Agreement came into force in 1949 and has been revised and extended from then to the present. The wheat agreement therefore has received the support of both Republican and Democratic administrations.

The general purpose of the wheat agreement has been to stablize international wheat prices by fixing both a maximum and a minimum price for wheat. The means by which prices are stabilized are by undertakings of importing and exporting countries respectively to purchase or to sell fixed quantities of wheat at prices within the price range. At present the range is $1.62½ to $2.02½ in terms of No. 1 Manitoba northern wheat in bulk in store Fort William/Port Arthur.

Each participating importing country is obligated to purchase from participating exporting countries a stipulated percentage of its total commercial imports of wheat in any crop year.

The exporting countries undertake to make wheat available for purchase by importing countries at prices within the price range in quantities sufficient to satisfy the commercial requirements of those countries. However, at the maximum price, the obligation of exporting countries is restricted to a specific amount—the "datum quantity" which the Wheat Council decides upon.

For the duration of the extension, countries are to retain their listed designations as either importing or exporting countries.

The Council is to keep records of all commercial purchases and sales.

The reason why this protocol is extended for only 1 year is because it is not yet known what the final effect will be of negotiations now underway on the Kennedy round of tariff reductions. Sometime prior to July 31, 1966, a further extension of the pending protocol or a renegotiation of the International Wheat Agreement will be required.

The report on the Wheat Agreement which is before the Senate describes the background of the agreement and committee action upon it. Testimony which was received by the committee has been printed as an appendix to the committee report.

During consideration of the agreement, the witness of the Department of Agriculture, Mr. John Schnittker, was asked by the chairman whether he knew of any domestic opposition to extension of the agreement. He stated that he did not know of any objection to a 1-year extension. He added that although some persons in the grain trade would prefer not to have any agreement at all, the farm organizations are for this extension.

The committee did not receive any indication of opposition to the 1-year extension and has without objection recommended approval of the protocol now before us.

The PRESIDING OFFICER. Without objection, the treaty will be considered as having passed through its various parliamentary stages up to and including the presentation of the resolution of ratification, which the clerk will read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol for the Extension of the International Wheat Agreement, 1962, which was open for signature in Washington from March 22 until and including April 23, 1965. (Executive B, Eighty-ninth Congress, first session.)

Mr. MANSFIELD. Mr. President, I have discussed this matter with the distinguished chairman of the Committee on Foreign Relations, with members of the Foreign Relations Committee on both sides, and Senators from wheat producing States.

With their approval, as well as with the approval of the distinguished minority leader and the distinguished acting minority leader, I ask unanimous consent that the yea-and-nay vote on the extension of the International Wheat Agreement, 1962, be held at 12:30 o'clock tomorrow afternoon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the 10 minutes previous to the vote be under the control of the distinguished Senator from Kansas [Mr. CARLSON].

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered, That the Senate proceed to vote at 12:30 p.m. on Tuesday, June 15, 1965, on Executive B, 89th Congress, 1st session, on extension of the International Wheat Agreement, 1962: *Provided, however,* That the time from 12:20 p.m. until 12:30 p.m. be allotted to the Senator from Kansas [Mr. CARLSON] for debate of the said treaty.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORTS OF COMMITTEES

The following additional reports of committees were submitted:

By Mr. CHURCH, from the Committee on Foreign Relations, without amendment:

S. Con. Res. 36. Concurrent resolution expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes (Rept. No. 328).

By Mr. MOSS, from the Committee on Interior and Insular Affairs, with amendments:

S. 26. A bill authorizing the esablishment of the Golden Spike National Monument in the State of Utah (Rept. No. 329).

ADDITIONAL BILL INTRODUCED

Mr. MOSS, by unanimous consent, introduced a bill (S. 2145) for the relief of Juan Miguel Apezteguia, which was read twice by its title, and referred to the Committee on the Judiciary.

EXCISE TAX REDUCTION ACT OF 1965—AMENDMENT

AMENDMENT NO. 271

Mr. WILLIAMS of New Jersey submitted an amendment, intended to be proposed by him to the bill (H.R. 8371) to reduce excise taxes, and for other purposes, which was ordered to lie on the table and to be printed.

REGULATION OF LABELING OF CIGARETTES—AMENDMENTS

AMENDMENTS NOS. 272 THROUGH 275

Mrs. NEUBERGER (for herself, Mr. KENNEDY of New York, and Mr. CLARK) submitted four amendments, intended to be proposed by them, jointly, to the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON S. 995, A BILL TO AMEND THE CLAYTON ACT BY MAKING SECTION 3 OF THE ROBINSON-PATMAN ACT, WITH AMENDMENTS, A PART OF THE CLAYTON ACT

Mr. HART. Mr. President, on behalf of the Subcommittee on Antitrust and Monopoly, I wish to announce that hearings have been set for June 21, 22, and 23 on S. 995, a bill to amend the Clayton Act by making section 3 of the Robinson-Patman Act, with amendments, a part of the Clayton Act, in order to provide for governmental and private civil proceedings for violations of section 3 of the Robinson-Patman Act.

Anyone wishing to express an opinion on this bill should contact the Subcommittee on Antitrust and Monopoly.

ENROLLED BILL SIGNED

The VICE PRESIDENT announced that on today, June 14, 1965, he had signed the bill (S. 1000) to amend the act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions, which had previously been signed by the Speaker of the House of Representatives.

COMMENCEMENT ADDRESS OF VICE PRESIDENT HUMPHREY

Mr. MANSFIELD. Mr. President, I should like to bring to the attention of the Senate the verbatim text of the commencement address as delivered by the distinguished Vice President, Mr. HUMPHREY, at Syracuse University on June 6, 1965. The address deals with the Congress, the nature of the legislative process, and role of the Congress in the system of freedom under which we live.

It is a warm and moving expression of the understanding of our former colleague of what the Congress is about and what it is all about. It reveals the lasting influence of the Senate on the former Senator from Minnesota who now presides over us. And in the idealism blended with realism, in the humor intertwined with wisdom, this statement of the distinguished Vice President is expressive of the lasting influence which he has left on the institution of the Senate.

Mr. President, I ask unanimous consent that the address previously referred to be included at an appropriate point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS OF VICE PRESIDENT HUBERT H. HUMPHREY, SYRACUSE UNIVERSITY, JUNE 6, 1965

Thank you, thank you, Chancellor Tolley. My thanks to you, Chancellor Tolley, deans of the many schools, colleges of this great university, members of the board of trustees, my colleagues in Government who share this platform with me today, Secretary Connor, a graduate of this splendid university, and Secretary Harlan Cleveland, a former professor and head of the Maxwell School of this great university, Congressman HANLEY, the graduates of this class of 1965, the parents who are here in pride and honor and my fellow Americans, and guests, this is, as I've been reminded once again, as you have, the 111th commencement ceremony, not for me but for this great university. I was saying to Chancellor Tolley how difficult it is these days to be the commencement speaker and try to find a topic that is worthy of the attention and the thoughtful consideration of the graduates. I suppose I should be concerned about the faculty, but in this instance I address myself primarily to the graduates.

The honor that you have done to me today is one that is deeply appreciated, particularly in light of the announcement that has just been made as to how I was selected. I'm especially delighted that the chancellor and the board of trustees extended their invitation to me as a result of the vote of the senior class. You see I've always been friendly to votes. And I'm particularly pleased when the votes and the voters are friendly to me. And what a refreshing experience, and what a way to renew the spirit of a public official, to be selected once again by votes. I might say to my friends of the graduating class, I have been on both ends of the voting spectrum, and the best end is the winning one. Now I of course have no way of knowing against whom I was running in this contest. But I trust that it was some worthy Republican, of which this State has all too many. I hope that I didn't inspire any fear or trepidation in the heart of the Congressman.

I do want to take just for this moment the opportunity to express, a little bit prematurely, but this is one way of assuring that the ceremony comes off, my thanks for the honor that will be bestowed upon several of us here today, the honorary degrees. Now having made the announcement, there is no way that anything can go wrong.

My presence here today is particularly satisfying to me because this year marks the 40th anniversary of the founding of the Maxwell School. Syracuse University has made many contributions to scholarship and to professional excellence in a wide variety of fields. I know that this great university encompasses most all of the disciplines of intellectual life. I'm well aware of the achievements and the high standards of your college of engineering, and I well recall that only last year the President of the United States was with you on the occasion of the dedication of your new communications building. I know the outstanding endeavors of this university in the field of social work and social welfare. These are but a few of your achievements in the field of scholarship and professional excellence.

But as one who has by purpose and design devoted his life to the public service, I want to express my personal thanks and gratitude of the U.S. Government for the work of the Maxwell School. Yes, I've mentioned already the Assistant Secretary of State for International Organization Affairs, a distinguished former dean of the Maxwell School, Harlan Cleveland, who serves his country well and faithfully and with brilliance, and the graduate of this great university, the Secretary of Commerce, who has brought new life to that Department and a new sense of purpose and direction. In addition to the outstanding contributions of the Maxwell School to social science scholarship and the upgrading of public service, its undergraduate course in public affairs and citizenship is world famous. And I would recommend it to every great university in our land. Your chancellor has told me that more than 20,000 Syracuse undergraduates have taken this course over the past generation. Think of it, 20,000 citizens who have been educated in their continuing personal responsibilities for the preservation and the extension of human freedom—and if ever there was a time that this Nation needed men and women who understand their personal responsibilities to the cause of freedom and social justice, it is now.

Our Nation, as never before, bears the mantle of leadership, and that mantle is not a luxury, but rather a responsibility, a burden and a duty. All the more reason then that citizens, not just the leaders, but citizens all be educated in their continuing personal responsibilities for the stewardship of human freedom. It is difficult to think of a more fundamental contribution which a university can make to free society. So my congratulations to this school. I know that it will continue to flourish and accomplish much in the years ahead.

Now, I am also a refugee from the classroom, a former university teacher. Because of the precarious nature of elective life, I like to mention this in the presence of trustees and deans of faculty. And I would care not to be judged entirely on the singular performance of today, but rather on a longer exposition by the applicant at a later time.

I am well aware, as a former teacher, of the pitfalls of commencement speeches. It's so easy to follow the time-worn formula, the world is in a mess (when wasn't it, by the way?), the older generation has failed (it generally has), and it's up to you of the graduating class to put things right, at least for a day or two. And then someday you'll be the older generation and you too can have the dubious honors that other commencement speakers would heap upon you. But platitudes rarely change attitudes. And baneful criticism and vapid exhortations are cheap substitutes for hard thought and analysis. I prefer, therefore, to take my stand on the proposition that the American people working through democratic institutions, changing institutions, have met, are meeting, and will continue to meet the most complex problems of our age. If we still have a long way to go, and we have in achieving human equality, in securing international and domestic tranquility, in extending the benefits of our technical genius to all citizens in the American republic and to all of mankind, let us at least glory in and be inspired by the magnitude of the unfinished agenda. Let us glory in the fact that we still possess the wit and the wisdom to continue making our American democratic system responsive to the terribly difficult and complex problems of this turbulent and rapidly changing age.

Winston Churchill once was reported to have said that democracy is the worst form of government, except all others. And I suppose there is more truth than humor in that analysis of the social structure. But it is our democracy that we mold and design to our purpose. And the glory of the democracy and of the democratic faith is the courage of it, the experimentation of it, and the willingness to try to begin anew, if we should fail, to rise once again, if we should falter, to try once again, remembering with profit that the longest journey is the first step, and the first step toward freedom we have taken, and further steps we will take.

I want to discuss with this graduating class the importance of one of the great constitutional instruments at the disposal of the American people in the business of making this democracy work. I want to discuss with you an institution that is frequently referred to with cynicism, all too often, may I say, by the media, and all too often held in disrepute by people who know all too little about it. I refer to the institution of the Congress of the United States. What I have to say I think needs saying, because too many of our citizens take an indifferent, cynical, and even hostile view toward the legislative branch. No one branch has a monopoly on wisdom or virtue, but surely each can make a contribution to the common good. This is not, when I speak of the Congress, to underestimate the need for strong and able presidential leadership, or for wise and humane judicial decisions. It is, however, once again to reaffirm the vital role of representative government, the vital role of the Congress in our constitutional system. Few persons can deal directly with either the President or the Supreme Court. But any person, personally or by mail or phone, can communicate with his elected representative in Washington. The Members of the Congress, the peoples' representatives, provide a direct link between the National Government, this huge structure that shows no signs of becoming smaller or less complicated, this huge structure and the almost 195 million persons who comprise this Republic, and a growing population it is. Surely this contact, this connection, is vital in keeping our National Government responsive to the needs and opinions of the American people.

I have found congressional service to be a remarkable form of higher education. It's a super graduate school in every discipline. My teachers have been presidents and department heads, constituents, press, radio, and television, and above all a group of wise and distinguished colleagues in both Houses. I cannot in the few minutes that I have convey to you all that I have learned from these teachers, but it is a rich and a rewarding experience. Perhaps I can suggest some lessons in democratic theory and practice which I've gained from my collegial experiences in the Congress. The first lesson has to do with the creative and constructive dimension to the process of compromise—compromise without the loss of principle or honor. There are 100 Members of the U.S. Senate and 435 Members of the House. They come from States and districts as diverse as Nevada and New York, Alaska and Alabama. No two States or regions of the United States have identical needs, backgrounds, interests or even prejudices. And one of the jobs of the Congress is to reconcile such differences through the process of compromise and accommodation. What sometimes seem to the naive and untutored eye to be legislative obstructionism, often are no more than the honest expressions of dedicated representatives trying to make clear the attitudes and the interests of their States and regions, sometimes trying to gain time for public understanding of vital issues. As Sir Richard Grenfell once observed: "Mankind is slowly learning that because two men differ neither need be wicked."

From the earliest days of this Republic—at the Constitutional Convention—the leaders of this Nation have maintained an unswerving commitment to moderation. Now if our Founding Fathers had not understood the need to overcome extremes in drafting our Constitution, this noble experiment of ours in the art of self-government would surely have foundered years ago on the rocks of dissension and discord.

As in the deliberations of the Constitutional Convention, the heart of congressional activity are skills of negotiation, of honest bargaining among equals. My willingness to compromise, and I have done so more times than I can count, is the respect that I pay to the dignity of those with whom I disagree. Yes, I have come to the conclusion that possibly all of my original suggestions may not have been right. There may be others, you know, who have solid and constructive views. Dogma and doctrine have little place in a society in which there is respect for the attitude and the opinion of others.

Through reasonable discussion, through taking into account the view of many, Congress amends and refines the legislative proposals so that once a law is passed it reflects the collective judgment of a diverse people. This is consensus, the word that is used so much in these days. Consensus is nothing but agreement, obtained by a constructive dialogue between persons of different points of view, based upon mutal respect and understanding. Surely this is a remarkable service for a people that aspire to orderly progress. Surely the habits of a combination and compromise are of universal consequence. These are the very skills and attitudes so desperately needed on the larger stage of world conflict, and possibly our difficulties on that world stage can be better understood when we recognize that where there are despotic forms of government or dictatorships, the art of negotiation and compromise has been sacrificed to power, to arrogance, and to the strong will of the man who knows he is right. We possibly have some teaching to do before the processes of peace may reach a maturity and an achievement.

World order and the rule of law will be secure on this earth only when men have learned to cope with the continuing conflicts of peoples and nations through the peaceful processes of bargaining and negotiation. And might I admonish my fellow Americans that we too need to be cognizant of the differences in other lands, that we seek no pax Americana, we seek no trademark "Made in the U.S.A." we seek above all to negotiate, to accommodate, to adjust so that peoples realize their hopes in their way.

A second lesson that I have learned from my congressional teachers is the importance of the congressional role of responsible surveillance. There are roughly 70 separate departments and agencies in the Federal Government. Now if you should notice two cabinet officers wince a bit, as I speak of congressional surveillance, may I say that I have not been long from the Chambers of the Congress. I am not fully purified as yet in the executive climate. There are roughly 70 departments, some are small, some are large. All are engaged, however, in doing what they believe is carrying out the will of the people as expressed by the Congress. In the interest of efficiency, economy, and responsiveness, these departments and agencies need, even if they don't want it, a continuing critical review, constructively critical it is to be hoped, by the committees and the Houses of Congress. The genius of our Founding Fathers is nowhere more in evidence than in that section or those sections of the Constitution which provide for checks and balances. Uncomfortable as those checks and balances may be sometimes to those who seek to administer, through its review of the executive budget, in the appropriations process, yet through committee and subcommittee investigations, through advice and consent on appointments and treaties, and through informal discussion. Congress seeks to improve and to support the executive branch of our Government. My fellow Americans, I know that this cross-examination can be interpreted in other lands as division in our ranks, but it appears to me that it is more important that the American people know what is being done in their country, that they have the opportunity to reflect upon the policies and the decisions that are to be made, than it is that we should always have the image abroad of having a sort of monolith mind. I am not that worried. Let those who feel that we may discuss too often and that we may argue too much, let them remember that freedom is hammered out on the anvil of discussion, dissent, and debate, which ultimately yields to a decision that can be supported by the public.

This exercise in congressional freedom protects and extends personal freedom. And that is our goal. If legislative voices are occasionally strident, and they are, citizens should take stock of what their world would be like if no legislative voices were heard at all.

Now we know what happens in countries without independent and constructively analytical legislatures.

Mankind invented a word for such systems centuries ago, and the word is as old as its practice—"tyranny."

There's one other lesson that I've learned from my congressional teachers: The creative joy of politics. I can say in personal testimonial that I would not give my life to it unless I found in it a sense of fulfillment and joy. Each Congress is devoted in substantial measure to the development of new public policies designed, as our Constitution says, to promote the general welfare and provide for the common defense, the national security of this Nation.

Congress is not a battlefield for blind armies that clash by night; it is a public forum operating in the light of day for men of reason. It is a place where national objectives are sought, where Presidential programs are reviewed, where great societies are endlessly debated and implemented. Oh yes, I know at times the congressional process exasperates and confounds us, it's clumsy, sometimes it's slow and unresponsive to what some of us believe is urgent need—its strength and its weakness is the fact that it is representative of our country, of our human institutions. It reveals in its conduct and makeup all of the crosscurrent of social, economic, and political forces. It is like a huge mirror suspended over the Nation, reflecting and revealing us for what we are—dirty face and all at times, our prejudices as well as our ideals, our fears and our hopes, our poverty and our wealth. There it is in the Congress representative of the people. Oh, to be sure we should seek to constantly improve its rules and its institutions of operating machinery, but ultimately, my fellow Americans, the Congress will behave as the Nation behaves, the Congress will represent the spirit of the American people.

It was Emerson who once wrote that Congress is a "standing insurrection." You don't need a revolution here; you have one built in. It is a standing insurrection against the ancient enemies of mankind; war and poverty and ignorance and injustice and sickness, environmental ugliness and economic and personal insecurity.

Now, the graduates of this class, few careers offer such remarkable opportunities for translating dreams into reality. Congressman HANLEY, I am not seeking opposition to you. I am merely encouraging this group of fine graduates to take a new interest in the affairs of state, in government, in public life. A new bill, a creative amendment, a wise appropriation, may mean the difference to this generation and generations ahead, between health and sickness, jobs and idleness, peace and war for millions of human beings.

And stemming from ancient parliamentary origins, the main job of Congress is to redress the grievances, to right the wrongs, to make freedom and justice living realities for all. What higher calling, I ask you, exists than this? This is the essence of politics: to translate the concerns and the creative responses of a vast citizenry into effective and humane laws. And, I submit, no country does it better than ours. Our competence in field of self-government is the envy of mankind.

I cannot conclude without a personal note. For almost 20 years, Congress has been my home. As Vice President, my relationships with my former colleagues are inevitably a bit more formal and more intermittent than in past years. Yet I can say unashamedly that I cherish them dearly. I have seen their weakness and they have seen mine.

I have been on occasion restive of delays and procedural anachronisms—and so have they. But I have seen in the Halls of Congress more idealism, more humaneness, more compassion, more profiles of courage than in any other institution that I have ever known. And like many of you today. I find in my heart to praise and to thank my teachers.

Perhaps some of these words of tribute to the institution of freedom known as the U.S. Congress may stay with you. I hope so; I know it well; I respect it greatly. As long as the Congress of the United States continues to function as a responsible and viable element in our constitutional system, the promise of American democracy will forever endure—the torch of freedom will forever light the path of our future.

Each of you, however, must also assume a personal responsibility for preserving freedom in these perilous times. This is not the business of someone else, it is your business. Freedom is the personal commitment and responsibility of each and every one. And the nature of this responsibility, I think, is best illustrated by John Adams' notion of the spirit of public happiness.

It was this spirit, said John Adams, that possessed the American colonists and won the revolution even before it was fought—a spirit which is reflected in delight in participation in public discussion and public action. It is a sense of joy in citizenship, in self-government, in self-control, in self-discipline, and in wholehearted dedication.

An important part of the mission of this great university has been to instill in each of you this spirit of public happiness. And it will be this dedication to the public service—found in the hearts of Americans alive today and the generations yet unborn—that will insure the ultimate victory of free men in their struggle against the forces of tyranny and oppression.

Your work is ahead of you. The time awaits no man. Seize this opportunity to serve the cause of mankind.

MOBILE, ALA., TIRE DEALERS PARTICIPATE IN ELIMINATING DECEPTIVE AND MISLEADING ADVERTISING

Mr. SPARKMAN. Mr. President, the Senate Small Business Committee has been concerned for many years for the welfare of the independent tire dealer. As long ago as 1953 the committee published, as a committee print, a staff study entitled "Problems of Independent Tire Dealers." As recently as last month, I rose in this Chamber to report to the Senate some data provided by the National Tire Dealers and Retreaders Association on "Improved Quality of Retreated Tires." My remarks on that occasion will be found on page 10364 of the Congressional Record for May 12, 1965. In 1959, a subcommittee of the Senate Small Business Committee held extensive hearings on dual distribution in the automotive tire industry and a report on those hearings was later published.

A recurring problem for tire dealers and for consumers alike has been the too frequent occurrence in tire retailing of misleading and deceptive advertising. Both as chairman of the Senate Small Business Committee and as the junior Senator from Alabama, I have, therefore, noted with considerable pride and pleasure an article appearing on page 2 of the June 7, 1965, issue of NTDRA Dealer News, the excellent weekly publication of the National Tire Dealers and Retreaders Association, Inc. The article is headed "Mobile Dealers Participate in Eliminating Deceptive and Misleading Advertising." It tells of a cooperative effort on the part of tire dealers, chain stores and the Better Business Bureau in Mobile, Ala., to bring the tire advertising of the participating companies into compliance with the Federal Trade Commission's tire advertising guides.

To Mr. Charles R. Thurber, executive vice president of the Mobile Better Business Bureau, and to all the participating dealerships and other tire merchandisers, I extend my compliments and best wishes.

Mr. President, I ask unanimous consent that the article from the NTRDA Dealer News to which I have referred may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Mobile Dealers Participate in Eliminating Deceptive and Misleading Advertising

Tire dealers and most chain stores in Mobile, Ala., are participating in a trade practice program to eliminate deceptive and misleading advertising and selling claims.

Participating dealerships and other tire merchandisers have been using only advertising claims that comply with the Federal Trade Commission's tire advertising guides. This industry effort in Mobile was organized and established by the better business bureau there last March.

Although not all the problems have been solved, a BBB report states that a few advertisements with insufficient information about discounts and savings claims from a manufacturer's list price, no trade offers, guarantees, unrealistic trade allowances, and half-price sales are still receiving bureau attention.

The report went on to say that "advertiser participation and restraint, combined with BBB vigilance and action, can extend the excellent first achievements that we have experienced."

Charles R. Thurber, executive vice president of the Mobile Better Business Bureau, commented, "Proof exists again that businessmen are willing and able to voluntarily regulate their own activities. A vast improvement is the result of the individual effort of each tire advertiser."

The program in Mobile is receiving public attention through press and television support.

THE OPEN SPACES PROGRAM

Mr. WILLIAMS of New Jersey. Mr. President, in 1961 the Congress approved the open spaces program, which, I am proud to say was one of the major proposals on my legislative agenda. Over the years I have gratefully watched the acceptance and expansion of this program. I think there has been a growing awareness throughout America of the necessity of providing for the future of our metropolitan areas by setting aside tracts of developed land which will give us beauty, rest, and relief from the frantic pace of most urban living.

I recently came across a most interesting article, written by Richard D. Goodenough, executive director of the Upper Raritan Watershed Association. Mr. Goodenough makes the compelling argument that, in addition to all the esthetic reasons for acquiring open space land, "parks are one of the best ways of building financially stable communities." Mr. President, I ask unanimous consent that this article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Open Space Land Today Offers Bargains in Taxes and Costs

(By Richard D. Goodenough, executive director, Upper Raritan Watershed Association, Far Hills, N.J.)

Evidence is mounting continually to show that land kept in open space is one of the best insurance policies against burgeoning local tax rates.

It is further shown that open space can save money for the hard-pressed taxpayer and at the same time provide him and future generations with the enjoyment of green areas for recreational, conservation, and enjoyment.

The benefits of open space are numerous. Saving open lands helps to replenish ground water levels. It provides areas for general enjoyment—a relief from encroaching urbanization. It provides areas for wildlife perpetuation. It provides areas for active forms of recreation.

And now we are seeing startling examples of how it can hold down taxes.

It must be realized that the "profit" to the locality from a piece of property is the income received minus the cost of services. Services include schools, garbage removal, water supply, sewage disposal, police, fire protection, roads and utilities. We must look at this from the standpoint that the alternative to open space is development. This cannot be emphasized too strongly.

In the comprehensive study outlined in, The Race for Open Space, the Regional Plan Association stated that "* * * if a community has a piece of vacant land which it is considering purchashing as a park, it should not assume that the alternative is the retention of that land on the tax roll as privately owned vacant land. In this rapidly growing region, it is much safer to proceed on the assumption that the land will be developed, and before long * * *." In amplification they continue, "* * * since residential development is by far the largest consumer of land, it is fair to assume further that the site will be built up with residences * * *."

A quick look at school costs alone shows that housing developments simply do not pay their way in New Jersey where education costs average $516 per student per year. It is easy to see that $15,000 to $20,000 homes on small lots of a subdivision are the type most often purchased by young couples—couples who will have children—children who must have schools. These are the homes paying $400 to $600 per year in taxes. The result is obvious.

One approach has been large lot zoning, and this has been successful to a degree. It should be pointed out, however, that zoning ordinances are subject to change and variances can be issued.

FACTS AND EXAMPLES

A planning firm completed a study for the town of Yorktown, Westchester County, N.Y., in 1958. It was found that each dwelling pays $100 less in real estate taxes than it receives in municipal services. Furthermore, it was calculated that the acquisition of a public park, including the loss of tax revenue from vacant land and the purchase and maintenance costs, would result in a 15 percent lower annual cost to the town than if the land were developed with houses.

Even back in 1939, Union County, N.J., realized that it had gotten a tremendous bargain by acquiring Warinanco Park. A study indicated that the value of properties adjacent to the park increased during the period 1922–1939 many times faster than the average rise in adjoining communities. These extra values produced more than enough taxes to pay the annual operating costs of the park as well as the interest and amortization of the park bonds. In only 5 years the incremented tax revenues equaled the $1,200,000 expenditure for acquisition and development of the park.

Not only does open space save the community from homes which simply don't pay their way, but it also increases surrounding land values considerably. People like to live near parks.

Another case shows that the Essex County, N.J., Park Commission, the first in the United States, found in 1916 that land adjacent to four of their parks in Newark, increased in value three times faster than the city average.

The study of open land made in the town of Lexington, Mass., by Roland B. Greeley, underscores the advantages to the taxpayer of retaining open space. Mr. Greeley found that if the town were to buy up, over a period of a few years, about 2,000 acres of undeveloped land, selecting the areas least accessible, least easy to service, least desirable for residences, the net saving over the cost of providing municipal services for the same areas would amount to $250,000 annually.

Assuming that the land would cost a million dollars, based on present land values, Mr. Greeley estimated that this sum spread over a 20-year period should not exceed $75,000 per year, including loss of tax revenue from the raw land.

PARKS COST LESS THAN CHILDREN

On the basis of Lexington's postwar experience, each new home pays about $400 per year in taxes. Assuming that such homes average only one and one-half school age children per family, the cost of schooling alone would be equal to or exceed the taxes paid during the first 15 or 20 years of the dwelling's existence. Add school construction, sewers, drainage, street maintenance and even some health and welfare expenses and the cost of servicing these homes, if they were built, would add up to far more than the $75,000 per year which the town would spend to keep the land undeveloped.

Or take the case of the State of New York announcing plans to purchase the 1,425-acre Marshall Field estate at Lloyd Harbor. Protests arose from local taxpayers. They pointed out that the loss of this ratable would surely push the tax burden way out of reach. The village board decided to hire an outside planning consultant to determine the economic impact of the proposal. The firm was told to assume that the alternative to a park would be $35,000 houses on 2-acre minimum lots. The results show that if the land went for a park the tax rate would rise from $14.33 to $16.91. But it also found that if the land went for this type of subdivision the tax rate would rise to $21.64.

Approximately 90 cents of the average tax dollar goes for schools. So this fact alone represents a tremendous consideration. The village of Mamaroneck, N.Y., found out the hard way that building a large garden apartment complex on vacant land resulted in higher taxes for all property owners. In 1960, for instance, the development paid $42,415 in school taxes. However, the board of education figures show that it cost $107,800 to educate the children living in those apartments.

All evidence points to the fact that parks are one of the best ways of building financially stable communities, in addition to all the other benefits they provide.

ADMISSIONS TO COLLEGES

Mr. WILLIAMS of New Jersey. Mr. President, in an automated society, we are constantly made mindful of the necessity to reevaluate and redefine many areas and procedures in our life for the full and most effective utilization of our human and natural resources. I would like to call your attention to one of these areas; namely, the abundance of first generation and socially disadvantaged youths attempting to enter our colleges and universities throughout the country.

Our society has placed the demands for higher education on the youth of our Nation and even made education a requisite for success in many professions, but at the same time, has failled to recognize this explosive potential by continuing arbitrary and inadequate criteria for admissions to these universities.

Dr. Frank M. Cordasco, professor of education at Monclair State College in Upper Montclair, N.J., has compiled a working memorandum which: Projects this new college population, presents other criteria for the acceptability of applicants, prescribes changes in college admissions, and proposes a plan for use at Montclair State College.

In order for us to be familiar with the work being done in this field, I ask unanimous consent that this memorandum, entitled "College Admissions at Montclair State College: A Working Memorandum for Viable Criteria for the Societally Deprived," be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

COLLEGE ADMISSIONS: A WORKING MEMORANDUM FOR VIABLE CRITERIA FOR THE SOCIETALLY DEPRIVED

(By Frank M. Cordasco)

I. THE NEW COLLEGE POPULATION

The continuing rise in the numbers of college applicants is not limited to New Jersey. As a national phenomenon, it illustrates an upsurge in the proportion of secondary school graduates wishing to go to college. These new applicants present varying abilities, backgrounds and aims: sociologists of higher education have discerned fundamental differences which distinguish these new applicants vis-a-vis the applicants of previous college generations, and it has been suggested that the "basic tenets of traditional higher education must be critically examined to test their appropriateness to the needs of this newly emerging and qualitatively different college-bound population." (See Association for Supervision and Curriculum Development, "Freeing Capacity to Learn." N.E.A., 1960; Richard L. Plaut, "Closing the Educational Gap," "Journal of Intergroup Relations," 3, Spring 1962, pp. 138–142; B. R. Clark, "Educating the Expert Society," San Francisco, 1962; National Urban League, "Equal Opportunity in Education," statement to the U.S. Commissioner of Education, New York, 1963.)

A new dimension has been added to college admissions in the unprecedented numbers of high school students now presenting themselves who have suffered social and economic distress in the home, community, or schools. Many of these applicants have been victims of social deprivation, or put another way, social disadvantagement. Concentrated for the most part in particular ethnic groups, these applicants have generally been the victims not only of cultural deprivation but have found themselves squarely in the center of the struggles over integration and slum schools. (See National Urban League, "Talent Bank U.S.A., 1958–61: A 3-year report on Tomorrow's Scientists and Technicians," New York, 1961; Board of Education of the City of New York, "Higher Horizons: Progress Report," 1963; Kenneth B. Clark, "Educational Stimulation of Socially Disadvantaged Children," "Education in Depressed Areas," ed., A. Harry Passow, New York, 1963, pp. 142–164; Martin P. Deutsch, "The Disadvantaged Child and The Learning Process," Ibid., pp. 163–180.)

II. ACCEPTABILITY OF APPLICANTS

For the most part, those fortunate students who demonstrate the highest potential for academic success are admitted to our colleges. Admissions officers and college administrators are aware that, generally, student achievements never quite measure up to expectations. (See John Summerskill, "Dropout From College." "The American College," ed. Nevitt Sanford, New York, 1962, pp. 631 ff.; current estimates place the rate between 40 to 60 percent of college entrants: see Bruce K. Eckland, "College Dropouts Who Came Back," "Harvard Educational Review," 34, summer 1964, pp. 402–420.) Equitable choice among competing students, and the desire to keep standards high, have led educators to use standards that are considered objective and fair; for the most part these criteria (college admissions tests and the records of high school achievement) for verbal and quantitative abilities have been found to be good predictors of success in the freshman year. But the interpretation of test scores does not allow for such factors as degree of motivation, rate of maturation, and other characteristics related to achievement in college and in later life. (See J. A. Fishman and P. I. Clifford, "What Can Mass Testing Programs Do For and—To the Pursuit of Excellence in American Education?," "Harvard Educational Review," 34, 1964, pp. 63–79; David A. Goslin, "The Search for Ability: Standardized Testing in Social Perspectives," New York, Russell Sage Foundation, 1963; Stanley E. Ballinger, "Of Testing and Its Tyranny," "Phi Delta Kappan," 44, 1963, pp. 176–80; Dean John U. Monro of Harvard College declared at the 1964 San Francisco meeting of the American Council on Education: "Much of our present testing fails to measure the intellectual ability of slum children." The American Council on Education has just begun the publication of a new journal which will concern itself with expanding opportunities in higher education for the societally disadvantaged: "Expanding Opportunities," vol. I, 1964—.) In many ways this realization helps explain why a continued reliance on the infallibility of quantitatively oriented criteria has led to the continued high rates of student attrition in the narrowly defined group now being admitted. (See Summerskill, op. cit.) Plainly, a newly emerging college population cannot be judged by the standards now employed alone: in no way does this diminish the importance of meeting the needs of those who meet the standard requirements of college admission. No compromise with excellence is intended; but as John Gardner has so forcefully noted, there are many kinds of excellence.

III. CULTURAL DEPRIVATION AND COLLEGE ADMISSIONS

It has largely been established that many students are barred from college for poor high school achievement or low admissions test scores: in many of these cases the unsuccessful applicant has been the victim of disabling socioeducational factors or of cultural disadvantages. It is not that the prospective student is without talent. The hopes of the culturally deprived for college admission are largely unsuccessful because of factors related to society's previous lack of provision for their proper educational care, growth and development. (See Miriam L. Goldberg, "Studies in Underachievement Among the Academically Talented," Association For Supervision and Curriculum Development; "Freeing Capacity To Learn," NEA, 1960, pp. 56–73; "Guidelines for Testing Minority Children," Journal of Social Issues, Supplement, 20, 1964.) In his latest educational analysis, James Bryant Conant has observed: "The influence of the socioeconomic situation, the lack of family and community interest * * * and above all the blocks to ambition, a consequence of the segregated policy of society, had so handicapped these youngsters from the start that only a very few could reach levels of accomplishment in academic subjects expected of students in a nonsegregated college." ("Shaping Educational Policy," New York, McGraw-Hill, 1964, p. 41.)

Clearly, attention must be drawn to the plight of these students if opportunity for higher education is to become truly equal.

IV. A PROPOSED PLAN AT MONTCLAIR STATE COLLEGE, AND THE NATION'S COLLEGES

Many experiments are being conducted to explore and assess convention college admissions practices with reference to the societally disadvantaged. Empirical data suggest that thousands of high school graduates now rejected by colleges, with special treatment and appropriate programs, could profit significantly from higher education. (See "Varia," Cooperative Program for Educational Opportunity, New Haven, Conn. This is a joint venture of the College Admissions Center, the Seven College Conference and the Ivy Group.)

It is proposed that Montclair State College appoint an ad hoc committee to explore the practicability (above and beyond its defined commitments) of admitting students by criteria other than those conventionally used, and specifically, that it study the following:

1. The definition of new criteria for societally disadvantaged students with particular attention to the role of recommendations by (a) guidance counselors, (b) principals, (c) teachers qua admissions and suspension of criteria normally structured.
2. A precollege enrichment program for those students admitted under new criteria defined in IV: 1, supra.
3. The structuring of a pilot project involving 15 to 20 students admitted under criteria defined in IV: 1.
4. Solicitation of foundation funds for the pilot project proposed in IV: 3. (Comparable projects suggested the need for a minimal grant of $40,000 to $50,000 to sustain the program.)
5. Extrapolation and assessment of all data pertinent to the continuation of the project in an expanded form.

If Montclair State College acts on the proposal, it cannot be too strongly emphasized that the project remains an experimental venture in keeping with projects comparably structured at many private and public colleges. (Most recently, e.g., in September 1964, with a grant of $145,000 from the Rockefeller Foundation to Brooklyn College, a pilot plan was structured which has allowed for the admission of 50 societally disadvantaged students not ordinarily eligible for matriculation.) The project in no way detracts from Montclair's commitments or prejudicially abjures criteria currently used in the admission of students who are outside the patterns which this memorandum defines.

FREEDOM FOR LITHUANIA

Mr. CURTIS. Mr. President, it is well for those of us who enjoy the fruits of freedom to pause, upon occasion, to ponder the fate of the millions upon millions of men and women who share this planet with us, but upon whom the bright sun of liberty does not shine. To think on these things is sobering to any freeborn American—and it is a saddening thing, as well.

It is in this spirit that I rise today to speak briefly of the fate of a proud and ancient people who once shared with us the blessings of hard-won freedom but who, today, have been tossed by a callous world into the pits of slavery.

It was 25 years ago that the people of Lithuania were brutally assaulted by their mighty neighbors, and were stripped of their freedom. A great war raged about them, and mighty armies tolled back and forth across their land. Their fair cities and lovely, wooded countryside were despoiled by the men-at-arms, and the people were taken brutally from their homes and forced to labor for the cause of tyranny, whereas their hearts beat—as they always have—for the cause of liberty.

On a certain day in May, 5 years later, the horror of World War II ended for most of Europe, but not for the people of Lithuania. In that country, there was no celebration of V–E Day; no joyous welcome was extended to peace, to prosperity, and to freedom, for there was no end to the bondage of the people of Lithuania. The sweet bells of freedom which chimed out over most of Europe on that great day, rang not for the people of Lithuania. Theirs was still the lot of the land subjected by the tyrant. And so it is today: The dark night of oppression still shades the people of Lithuania, and the whips of the Communist tyrant still sound in the streets of their cities and throughout the lovely and fertile land.

But, Mr. President, there is hope.

This is not a new estate for the people of Lithuania. From the very beginning of their history, these brave and gallant people have been the victims of greed and envy. First, they fought the Teutons, and drove them in disarray from their homes and fields; and then they fought, with equal valor, the Golden Horde of Tartary, to save their homes and hearths.

The eyes of Muscovy turned toward this land of theirs, and once again they fought valiantly and long to save themselves. But treachery and overwhelming strength of the aggressor finally wore them down; and for a century the people of Lithuania had to bow their heads under Russian tyranny.

But the fires of liberty and the thirst of freedom are hard to quench. The people of Lithuania would not abandon their hopes for the good life—the free life.

Their hopes were justified. Their prayers were answered. And in 1918 the people of Lithuania emerged once again as a proud and free people, worthy of their inheritance and their long and honored traditions.

This eventual victory of freedom and liberty gives us hope again, today. So long as one Lithuanian lives, that man or woman will cherish the thought that once again there will be a free nation on the Baltic, and the Lithuanian flag will once again fly over Vilna.

As Americans, as freemen, it must ever be our devout hope and our greatest desire that freedom will once again bless their land—as, indeed, it must ever be our ambition that freedom will shine for all men, everywhere, because until it does, freedom here at home is just a bit tarnished.

So long as one man, anywhere in the world, is not free, then to the extent that he is subject to tyranny, to that extent our freedom is lessened, as well. If tyranny rules anywhere in the world, then tyranny threatens all of the world. As Americans, as freemen, we must rededicate ourselves to this proposition. Our sights must never be lowered, our goals never abandoned.

Freedom is so precious that it must be shared with all, or else for all, sooner or later, it will disappear.

ADDRESS OF VICE PRESIDENT HUBERT HUMPHREY BEFORE WESTERN GOVERNORS CONFERENCE

Mr. MORSE. Mr. President, on June 11, 1965, the Vice President of the United States, Mr. HUBERT HUMPHREY, was a welcome guest in the State of Oregon. While in our State, he addressed the western Governors' conference.

I ask unanimous consent that the speech delivered by the Vice President of the United States to the western Governors' conference be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY VICE PRESIDENT HUBERT HUMPHREY, WESTERN GOVERNORS' CONFERENCE, PORTLAND, OREG., JUNE 11, 1965

It is always a pleasure to be in the West—and especially in Oregon.

My grandfather, John Humphrey, was a pioneer in this State and my father was born in Albany, Oreg. But the course of events took my family all the way back east to South Dakota. In any case, I feel I'm not a carpetbagger here today and that I have genuine credentials as a westerner.

The West is filled with the pioneer spirit. There is a vitality here that lifts men. There is a feeling of things being done, of challenges accepted. People look toward tomorrow.

The spirit of the West is the American spirit.

To the Governors here today, I say: Your States, among these United States, are leading those who are meeting the complex problems of this century with imagination and with action—on a State level, at the local level, and in cooperation with the Federal Government and with the private sector.

Our efforts to create a better America depend in great part on your actions to create a better State, a better city, a better citizen.

In our Nation, no Governor can afford to abdicate his responsibility in the hope that problems may be solved at some other level.

By the same token, this American Nation cannot afford to abdicate international responsibility in the hope that world problems will disappear—or that someone else, someplace will do the worrying and take responsibility for meeting these problems.

Today, all of us are concerned with Vietnam. For the past 6 months there has been a debate in this country concerning our role there and in southeast Asia. American universities particularly—including some in your States—have been filled with this debate.

I regard this debate as healthy. After all, lest we forget, this is a society which believes in free speech, in public debate, in an active role for its citizens. I would, in fact, be worried about this country if there were no debate.

My personal view is that much of this debate, however, has not been concerned with the central questions of our presence in Vietnam: Are we doomed to repeat the mistakes of the past? Are we willing to sacrifice a small nation to aggression in the false hope it will buy our own security?

And, make no mistake about it, it is open aggression we face in Vietnam.

Are we Americans going to meet our responsibilities in the world? Or are we going to again turn inward on ourselves—as we have in the past with such tragic result?

In this nuclear age, there is no place to hide.

Our action in Vietnam is a part of the continuing struggle which we must be prepared to wage if we are to preserve free civilization as we know it and resist the expansion of totalitarian power.

The breakup of the bipolar world and the easing of East-West tensions have changed the pattern of our involvement in world affairs, but they have not diminished it.

We retain our role as leader of the free world. And in that role our responsibilities remain worldwide. In that role our responsibility extend to Asia as well as to countries on our doorstep.

President Johnson has made it unmistakably clear that we intend to meet those responsibilities.

We originally made a commitment in Vietnam in 1954.

Three administrations have maintained that commitment.

Some may debate the wisdom of our original decision in 1954 to take up the responsibilities which the French relinquished. But this question has little relevance today.

President Johnson has spelled out the principles on which our policy today is based.

They are three:

First. In the face of armed conflict—in the face of continued aggressions—we will not withdraw; we will not abandon the people of Vietnam. We shall keep our word.

Our refusal to withdraw is based on our recognition that sudden withdrawal from Vietnam would only weaken the position of free societies in Asia. They would regard withdrawal as a loss of interest by the United States in Asia and as an enticement to accommodate themselves to Communist China.

We reject the belief that by some inevitable law China is destined to swallow up all of Asia.

And I find it curious that so many proponents of the inevitability theory also advocate the "Titoist" doctrine that Vietnam would become an independent neutral nation if we would withdraw our military forces. The arguments are absolutely incompatible.

We refuse to withdraw because withdrawal would mean betrayal of those who have opposed the spread of communism in southeast Asia, would mean certain death or exile.

Finally, in relation to the Sino-Soviet contest, our withdrawal would prove right the Chinese thesis that militancy pays—and discredit the Soviet thesis of peaceful coexistence.

Second. Recognizing that a political solution of the conflict is essential, we stand ready to engage in "unconditional discussions." We have no desire for further military escalation of the war.

We stand ready to consider any solution which would bring peace and justice to all of Vietnam, North and South.

I would like to make crystal clear who is in favor of a political settlement and who is opposed, who has offered the olive branch and who has rejected it. President Johnson has affirmed not only our willingness to hold unconditional discussions to end the war, but our ardent desire to do so.

What has been the response of the Communist governments in Hanoi and Peiping?

They have rejected every peace offer from any source. They have spurned the efforts of the U.N. to mediate. They have scorned the offer of the British. They have brushed aside the efforts of the Indian Government.

In short—the Communist governments in Hanoi and Peiping have rejected all efforts to restore peace and justice to the people of Vietnam.

Third. We recognize that the people of Vietnam must have a cause for which to fight. They must have hope of a better day.

We have made it clear to the people of Vietnam that to improve their lives and fulfill their hopes we stand ready to support a massive cooperative development effort—not only for Vietnam but for all of southeast Asia. It is our hope, as President Johnson has said, that "the works of peace can bring men together in a common effort to abandon forever the works of war."

These three principles—honoring our military commitment, a continuing willingness to seek a political solution, and a massive economic development program—remain the bases of our policy.

The struggle in Vietnam has a special significance for the United States as the defender of the free world because it confronts us with a bold new form of aggression—which could rank in military importance with the discovery of gunpowder. I refer to the "war of national liberation."

Vietnam offers a classic example of what can be accomplished by militant Communist forces intent on deliberate subversion of a country from within.

There we have seen a Communist state refuse to leave its neighbors in peace.

We have seen the infiltration of Communist cadres to strengthen and direct guerrilla warfare in violation of international accords.

We have seen the Communists who control and direct the war from Hanoi insist that the war in South Vietnam is internal because many of the Vietcong are South Vietnamese.

We have seen them portray the struggle as a civil war—in which the "popular forces" are arrayed against "American imperialism."

It is this new sophisticated form of warfare that is becoming the major challenge to our security, to the security of all free nations. This new warfare is often more dangerous than the old—a war in which the leaders cannot be located, in which the sources of supply cannot be easily cut off, in which the enemy forces are not outsiders but indigenous troops—in which signed truces do not halt the struggle.

The supreme challenge today is to prove to our foes and our friends that the new face of war is no less pernicious than the old that it can be defeated by those of strong mind, stout heart and a steel will.

We know now that most Communist regimes do not desire to blow the world to pieces. They prefer to pick it up piece by piece.

How do we successfully meet the challenge posed by "wars of national liberation?"

First, of course, we need balanced and flexible military forces able to respond rapidly to any situation.

But military power alone is not an adequate response to "wars of national liberation." These wars feed on seething social discontent.

To meet this discontent requires a subtle blending of economic aid, political expertise, educational efforts, information and propaganda programs—combined with military power.

Where "wars of national liberation" flourish, the military struggle is only one part of a larger social and political struggle.

These struggles will continue and revolutionary ferment will increase until governments come to power able to implement systematic social and economic programs designed to abolish shocking social and economic inequality between the privileged few and the impoverished masses * * * between glittering capitals and festering slums * * * between favored urban enclaves and primitive rural areas.

For the masses of the people in the developing countries of Asia, the status quo is no longer a burden to be patiently borne. It is an oppressor to be cast off.

The primary responsibility for preserving the independence and security of a country remains with the people and the government of that country.

If the people and their leaders have no will to preserve their independence, no outside force can save them.

If the government can provide the people with a cause for which to fight, with a program inspiring sacrifice and effort, that government can be capable of defending itself against Communists infiltration and subversion from within.

Where subversion from within is supported from outside, as is the case in Vietnam, outside assistance is needed if such a government is to achieve this capability.

As I have said, in overcoming "wars of national liberation" military response alone is not enough. In Vietnam there is a little-noticed side of the struggle—the struggle for a better life. It is the battle of the Vietnamese people not merely to survive, but to build, to make progress, to move forward.

In the past decade, rice production has been doubled. Corn output is expected to be four times as large next year as it was in 1962. Pig production has more than doubled since 1955.

The average Vietnamese can expect to live only 35 years. Yet there are only 200 civilian doctors. A new medical school we are helping to build will graduate that number of new doctors each year.

Meanwhile, we have helped vaccinate more than 7 million people against cholera and millions more against other diseases. More than 12,000 hamlet health stations have been built and stocked with medical supplies.

In Vietnam—as everywhere—"civilization is a race between education and catastrophe." Education is the foundation of any country's future. For it is impossible to run a government, local or national, to man factories or to enrich the national life without trained and educated people. Elementary school enrollment was 300,000 in 1955. It is five times that number today. Vocational school enrollment has quadrupled. The university population is increasing steadily.

This progress has been achieved against the most appalling odds. It has been made despite the carefully planned and executed program of terror and harassment carried out by the Vietcong.

There is a curious misconception abroad that the Vietcong is a great idealistic movement, a sort of "Indochinese wing of the American Populist Party"—to use Arthur Schlesinger's phrase. In reality, they are, he continues, "a collection of very tough terrorists whose gains have come in the main not from the hopes they have inspired but from the fear they have created."

In the countryside, agricultural stations have regularly been destroyed and medical clinics raided. Malaria control team members have been killed or kidnaped. Village chiefs, schoolteachers, and others who represent order and social service have been made special targets by the terrorists.

All told, it is estimated that 10,000 civilian officials have been killed or kidnaped since 1954. If one were to use comparable figures for the United States in relation to population, this would amount to 130,000 officials.

Yet the effort goes on despite these attacks and dangers. Brave and tireless Vietnamese continue to take seeds and fertilizer and farming know-how to the villagers.

Teachers continue to man the schools.

Medical teams go into the country despite the clear and always present danger.

And at their side—I am proud to say—go American civilian workers. And they, too, have been killed and kidnaped. These men and women, Vietnamese and American—and increasingly of other nationalities—are the unsung, unpublicized heroes of this phase of the struggle. So long as they persevere "wars of national liberation" cannot be defeated.

In assisting independent nations—whether in southeast Asia or in our own hemisphere—there will be required on our part patience as well as courage, "the will to endure as well as the will to resist."

But our willingness to meet our obligation to assist free nations should not be confused with a desire to extend American power or impose American ways.

We do not aspire to any pax Americana. We have no desire to play the role of global gendarme. Where multilateral organizations are ready and able to defend independent nations from Communist assault, of preventing internal rebellions from leading to chaos and anarchy, we welcome their interventions. As we know from recent history, international organizations like the U.N. are not always capable of stepping in quickly. When they are capable we welcome their presence.

Our stakes in southeast Asia are too high for the recklessness either of withdrawal or of general war. We need not choose between retreat or unlimited retaliation.

The stakes can be secured through a wise multiple strategy if we can sustain national determination to see the job through.

Our Vietnamese friends look forward to the day when national independence and security will be achieved, permitting the withdrawal of foreign forces. We share that hope and that expectation.

But we know that that hope cannot be achieved if the United States shirks its obligation—if we withdraw from the world, to retreat from its responsibilities.

If we refuse to share the burden of preserving the peace, who will take it on?

If we refuse to share the burden of defending free societies, who can guarantee their survival?

If we will not join in the defense of democracy, what are its future prospects?

In a complex world, we must practice patience and perseverance—patience to defend free nations in distant Asia as well as those close to home.

We must not be lured by quick and easy solutions.

We must not abandon our goals because of frustration.

We must continue to pursue the goal of peace and freedom—acknowledging both the prospects of success and the consequences of failure.

In this task, I ask your help.

Mr. MORSE. Mr. President, the speech of the Vice President was a speech, for the most part, in defense of the administration's undeclared war in South Vietnam. I would have the Record show that I thoroughly disagree with the major points of view of the Vice President of the United States, as well as with those of the President himself. Nevertheless, it was a great honor for us to have the Vice President of the United States as a guest in our State.

He not only spoke at the conference of western Governors, but he also spoke at two very important gatherings, partisan in nature, involving the Democratic Party in my State.

I want to say, as the senior Senator from Oregon—and I am sure I speak in behalf of all the party leaders of my State—that we are very appreciative to the Vice President of the United States for his speeches at those meetings, and, incidentally, for the campaign funds that he helped us to raise in both of those fundraising party affairs.

Mr. President, one of the things that I appreciate so much about the Vice President is that we can disagree with him and still have a high regard for him. I have always found that he reciprocates in regard to a mutuality of understanding that prevails between himself and those with whom he disagrees, and with those who disagree with him.

I thank the Vice President for going to Oregon. It was my privilege, several weeks ago, in behalf of the State chairman of the Democratic Party, as well as a good many of the county chairmen and members of the State central committee of the Democratic Party in Oregon to urge the Vice President to address the party meetings to which I have referred during his stay in Oregon. He accepted the invitation to go to Oregon in order to address the western Governors' conference.

I also thank him for participating in our annual Rose Parade, which was held last Saturday, one of the great fiestas of our country. I am sure all Oregonians appreciate the compliment the Vice President paid our people by his very presence there.

VIETNAM

Mr. MORSE. Mr. President, I turn now to another matter.

I ask unanimous consent to have inserted in the Congressional Record an article entitled "Johnson Policies: A Survey of Support," written by Tom Wicker and published in this morning's New York Times.

There being no objection, the article was ordered to be printed in the Record, as follows:

Johnson Policies: A Survey of Support at Home and Abroad

(By Tom Wicker)

Washington, June 13.—Eight months after his massive election victory, President Johnson is holding much of his support among the American people, but his leadership in foreign policy is being sharply questioned in Washington and abroad.

An uneasiness that began when the war in Vietnam was expanded last August has been increased by the intervention in the Dominican revolution and the decision to commit ground troops to fight in southeast Asia.

These actions appeared to have wide support among the public. Mr. Johnson's popularity remains high in all known polls, and last week the western Governors' conference adopted a resolution supporting his conduct of foreign policy.

Most indications are that the powerful business community and organized labor also remain squarely behind the President.

But the American academic world has made it plain—through speeches, teach-ins, and countless letters to newspaper editors—that it is intellectually and emotionally alienated from the President, to whom it gave such strong support in the election.

There also is increasing—and mutual—hostility between the President and many segments of the press, his most constant means of communication with the Nation and the world.

Criticism in official Washington has been muted, primarily because Members of Congress and administration officials have no wish either to offend Mr. Johnson or to give the world an impression of a divided Government—an impression that would be more apparent than real since there is as yet nothing approaching an open revolt against the President's leadership.

But intensive interviewing in Washington justifies the following conclusions:

Many Democratic Members of Congress are restive and unhappy, both over Mr. Johnson's Vietnamese and Dominican policies and over what they regard as his high-handed manner of making and carrying out decisions in foreign affairs. Some moderate Republicans share these feelings. Conservative members in both parties support the President strongly.

The State Department, theoretically the President's foreign policy arm, is shot through with dismay at a Dominican operation—centered in the White House—that many diplomats and Foreign Service officers regard as having lacked subtlety and finesse and as having exhibited both philosophical and operational confusion in the making of foreign policy.

Since the American President is the leader of the Western World, most foreign governments rooted unashamedly for Mr. Johnson to defeat Barry Goldwater, a candidate they considered reactionary and reckless.

Spot checks by correspondents of the New York Times disclosed that many of them now are apprehensive about Mr. Johnson's use of national power, and what it portends in crises to come, and disturbed by what they think is a lack of consultation and diplomatic courtesy in Washington.

Similar checks of opinion in the United States confirm that Mr. Johnson's support remains strong in this country, despite academic concern.

These checks also disclosed that many of those who supported Mr. Goldwater last year now admire Mr. Johnson's foreign policy and that some moderates and liberals are dismayed by it.

Here are some of the findings of the Times interviews and opinion checks, in Washington and elsewhere:

Members of Congress, particularly Senators closely interested in foreign affairs, privately voice fears that Mr. Johnson's skills in domestic politics have been shown to desert him when he looks abroad. This, they believe, is partly because foreign problems are not necessarily responsive to Presidential power and are not always reduceable to "solutions," and thus frustrate the President rather than satisfy what they think is his appetite for achievement.

These legislators also are disturbed that the President, who in domestic affairs habitually seeks advice from all sides, now seems to them to be relying on a tight group of foreign affairs advisers and giving little regard to the views of others—particularly critical views.

IRRITATED BY LECTURES

This group of Senators was encouraged recently, however, when a dominantly congressional initiative for increased emphasis on economic aid to South Vietnam was taken up by Mr. Johnson. As an almost direct result, he quickly announced and sent to Congress a request for an initial appropriation of $89 million to begin aid projects in South Vietnam.

These Members remain concerned by what they regard as signs of "tension and strain" in the President in recent anxious weeks, and they are irritated by his habit of lecturing them at length in private sessions. A typical meeting of that kind lasted 4 hours one morning recently, and on another occasion a leading Senator attempted to slip out unseen—only to be called back from the door by the President.

Some Senators also detect signs of impulsive action, which they do not ordinarily associate with the careful, shrewd, domestic politician they came to know so well when he was the Senate majority leader.

On the night of the Dominican intervention on April 28, for instance, Mr. Johnson brought a bipartisan group of congressional leaders to his White House office for a briefing. He passed around a statement that he said he was about to make on television.

One of the Members of Congress expressed surprise that there was nothing in the statement about the Organization of American States.

Mr. Johnson handed the document to Secretary of State Dean Rusk.

"Here, Dean," he said, "put in something about the OAS."

A leading Democratic Senator, who is highly critical in private, summed up his objections to the Dominican operation almost entirely in terms of hasty actions—too many troops sent too quickly and without proper notification to the OAS; too many peacemaking missions sent or encouraged; too much reliance on unconfirmed intelligence about Communist involvement.

Many Members of Congress also are annoyed at what they think are Johnsonian devices to mute or snuff out congressional criticism and debate. His request for a $700 million appropriation for Vietnam was widely regarded as a request for a "blank check" made under circumstances in which most Members could not afford to oppose it.

When the State Department and the White House made it clear last week that American group troops could fight side by side with the South Vietnamese, under certain circumstances, there was a brief outburst on the Senate floor. Many Members felt that such a commitment of American troops went beyond any authorization that had been voted for the President. They felt that the decision came dangerously close to involving the United States in a land war in Asia, without a declaration of war by Congress.

When Senators and others discuss these matters with Mr. Johnson in closed session, the President takes the attitude that since Members of Congress do not have all the information available to him they should stop criticizing his actions.

Many Members of Congress are also shocked at the vitriolic criticism Mr. Johnson has directed at the press, particularly over the reporting from Santo Domingo. Senator MIKE MANSFIELD, of Montana, the majority leader, recently spoke publicly in defense of the press and warned against "deprecating, in the name of national policy or of a superior governmental wisdom, the free press, which is one of the principal institutions by which freedom is maintained * * *."

To many in Washington, in and out of the press, Mr. Johnson's anger over unfavorable articles about his policies in Vietnam and particularly in the Dominican Republic, his vigorous pursuit of favorable articles, and his willingness to allow himself and his subordinates to spend hours in justifying their policies suggest defensiveness and an uneasy awareness that things are not going well.

Members of Congress believe that some of the lengthy and insistent briefings Mr. Johnson has held for their benefit also arose from his politician's sense of their growing restiveness.

At the State Department privately expressed concern and dismay are as apparent as in Congress.

When it was suggested to one official at the height of the Dominican crisis that a high State Department administrator should take steps to revive the morale of his staff, the reply was: "Who's going to cheer him up?"

During the Dominican operation even some high officials were dismayed by Mr. Johnson's long lectures, by all-night meetings that were physically taxing to him and others, by what they considered an excessive concern for domestic political repercussions and by a seeming unwillingness to hear criticism. They were also dismayed by what they thought was the overinvolvement of "the top of the Government"—the President, the Secretaries of State and Defense, etc.—in operational details to the detriment of broader strategical and policy concepts.

As a byproduct of this involvement—particularly the 10-day absence from Washington of the President's special assistant, McGeorge Bundy—there also were indications of a temporary drop in attention to the problem of Vietnam, which is universally considered in the State Department to be much more important.

RUSK ALSO CRITICIZED

Mr. Rusk also is criticized by his subordinates. Many of them believe he shares some of their feelings and point to indications that he sought to dissociate himself from some of the judgments in the Dominican operation. But they think his attitudes and actions were not strong enough to exert a correcting influence on events.

Various officials also point to what they think were sketchy and conflicting performances by the Central Intelligence Agency and the Federal Bureau of Investigation in the Dominican Republic, and they feel that Mr. Johnson accepted information from these agencies too willingly.

Interviews by Times correspondents abroad indicated rising concern in foreign capitals, too.

In Latin American, complaints were heard not only about intervention, per se, in the Dominican Republic, but also about the course it took.

Officials of various shades of opinion say the situation was made worse by the lack of a clear U.S. policy once the intervention was made. They felt it would have been better to carry the operation through forcefully than to vacillate between sides and let a deadlock develop.

JAPANESE FIND FAULT

In Tokyo, officials who have little to say about Vietnam—a situation closer to them—believe that in general Mr. Johnson is showing a "high posture," an opprobrious Japanese term to describe a manner of proceeding singlehandedly without regard to principles, support or advice.

In New Delhi, to some extent and in some quarters, the Johnson policies in Vietnam and in the Dominican Republic are compared with what is regarded as his clumsy handling of the postponement of Prime Minister Lal Bahadur Shastri's visit to Washington. Officials expressing this view fear a bullheadedness in Mr. Johnson's actions.

Bonn, London, Ottawa, and Rome reflect official support for the President, but an undercurrent of private concern. Officials in these capitals feel that Mr. Johnson acted in Santo Domingo on the basis of what seemed to them to be inadequate information. They are worried about his lack of consultation with them on that and other actions, and about the "quality" of his total performance in foreign affairs.

Thus, the staid Financial Times of London commented: "What is worrying in the [Dominican] situation is not so much that an error of judgment was committed, but that it was one which, because of his approach to foreign policy, the President may be liable to repeat."

AID TO DE GAULLE SEEN

In France, even officials disposed to closer ties with the United States are saying that the Vietnamese and Dominican actions vindicate President de Gaulle's contention that since the United States can use its power unilaterally, its allies are entitled to do the same.

Even in Moscow, a correspondent reported, some officials are in near despair as they look at the future of Soviet-United States relations. Mr. Johnson seems to these men to be acting more like Mr. Goldwater than like John F. Kennedy.

Spot checks in this country by correspondents confirmed the evident loss of support for Mr. Johnson in the academic world.

They also disclosed a feeling of frustration among Americans at the difficulty of understanding and getting information on complex foreign situations and the Nation's involvement in them.

Most noticeable was the shift of Goldwater supporters to Mr. Johnson's side and the drop in support among liberals and moderates.

The President lost Georgia in last fall's elections, for instance, but checks of opinion there now indicate an upsurge of support for him.

This apparently stems from a conviction that he is a "hard man" in foreign policy, tolerating little from Communists.

John M. Muse, a druggist in Decatur, said that "Johnson is doing some of the things Goldwater wanted to do." Mrs. Dorothy Hager, a secretary in Atlanta, said that sending the Marines to Santo Domingo had prevented "another Cuban crisis," and she added: "He's doing everything that Goldwater advocated."

MIAMIANS APPROVE

A Miami correspondent reported similarly that it was "difficult to find someone who does not approve of President Johnson's stand in the Dominican Republic."

In Los Angeles, divergent opinions were reported, particularly on whether there had been an active Communist threat in the Dominican Republic. Most Angelenos assume there was such a threat and support Mr. Johnson's actions.

Three sets of reactions were reported from San Francisco. The largest group of those interviewed indicated they were generally baffled by international affairs, but they said they believed "the President must know more than we know."

Another group, including former Goldwater voters and a number of Democrats, said Mr. Johnson was correct in getting "tough with those Communists."

But California's liberals, the San Francisco checks showed, are dismayed with Mr. Johnson and are searching for useful political means to attack him. As a result, former Republican Mayor George Christopher is saying that he sees a possibility of an even wider breach than is customary in the California Democratic Party.

A leading California liberal said he and others were particularly disturbed at reports that Mr. Johnson had relied heavily on FBI reports from Santo Domingo—reports that apparently raised the specter of McCarthyism in some minds.

BAY OF PIGS RECALLED

But from Seattle it was reported: "The sting of Cuba still smarts in most memories. Therefore, the vocal part of the public in this area not only supports the President in Santo Domingo, but also expresses satisfaction. That is a feeling that this is, in a forthright way, an atonement for the Bay of Pigs."

Chicagoans interviewed expressed overwhelming approval of the intervention, and a correspondent reported that "almost without exception they mentioned Cuba and the need to avoid a repetition of our troubles there."

In New York, spokesmen for major corporations said they had heard nothing to indicate that business executives were worried about administration policy. And a labor spokesman said that, with few exceptions, union leaders were supporting the President.

From Louisville, "an uneasiness among responsible members of this community" was reported. "This uneasiness, however," the correspondent continued, "is tempered by an indecision over just what course of action should be taken."

"We can't convince people that our way is right by using a pistol," said Lyman T. Johnson, a teacher in a downtown Louisville high school.

In Boston, even less support for Mr. Johnson was found. Phrases like "rash," "quick on the trigger," and "leaps without looking" were heard. The interviewer concluded that the "prevailing opinion appears to be a mixture of at least mild approval for what Mr. Johnson has done and some concern about the way he has done it."

A Boston lawyer, a Democrat, said he found in the President a "paradox between his style in foreign and domestic policies." "He has infinite patience, on the one hand, and a terrible lack of it in conducting foreign policy," he said, "but this is not something new, either as an American trait or for Johnson."

Mr. MORSE. Mr. President, it is a very objective analysis of the conflict in American public opinion that is developing over the Johnson program of making war, without a declaration of war, in Asia, sending increasing numbers of American boys to their deaths, and unjustifiably and unnecessarily so, in an undeclared war, following a course of action that is creating a great threat to the peace of the world and a course of action which, in the opinion of the senior Senator from Oregon, is headed straight toward a third world war unless the American public—and only the American public can do it—makes perfectly clear to the President of the United States that the policy he is following will end up, as I said a few moments ago, in his complete repudiation.

After the French suffered 290,000 casualties in Indochina, the French people made clear to the French Government that they rejected that Government and that Government fell, just as this Government is going to fall if it becomes responsible for leading the country into a third world war.

Mr. President, I ask unanimous consent to have inserted in the Congressional Record another article from this morning's New York Times entitled "Religious Issues Revived in Saigon—Buddhists and Catholics Vie for Power in New Regime," written by Seymour Topping.

The PRESIDING OFFICER (Mr. Mondale in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the Record, as follows:

Religious Issues Revived in Saigon—Buddhists and Catholics Vie for Power in New Regime

(By Seymour Topping)

Saigon, South Vietnam, June 13.—A new struggle for political influence developed today between militant Roman Catholic and Buddhist factions as military leaders sought to form a government.

Maj. Gen. Nguyen Van Thieu, acting as spokesman for the military leaders who took control of the Government yesterday promised the nation a war government dedicated to unity, discipline, and victory over the Vietcong.

His declaration, delivered in a broadcast, failed to dispel the malaise taking hold of the capital.

A new "political action committee," headed by the Catholic leaders whose pressure led to the resignation of Premier Phan Huy Quat, declared that it would fight any "religious monopoly." It also called for the establishment of a strong government, military or civilian, that would prosecute the war against the Communists vigorously.

In a warning to the military leaders, the committee said the Catholics would not tolerate any government that showed favoritism to the political militant Unified Buddhist Church.

The Catholics were joined in their declaration by the Cao Dai and Hoa-Hao sects and by southern Buddhists of the Vietnamese General Buddhist Church.

Militant Catholics, led by Rev. Hoang Quynh, take the position that they have attained only the initial objective of their program by toppling the Quat government.

Premier Quat had been accused of a multiplicity of offenses, including favoritism to Buddhists, discrimination against Catholics, and failure to press the war against the Vietcong.

SOME CHARGES VAGUE

The vagueness of some of the charges recalled the ones leveled by Buddhists against former Premier Tran Van Huong, who was unseated January 27. An interim period of military control followed until 4 months ago, when Mr. Quat became Premier.

As their next objective, Father Quynh and his organization, the Central Movement of the Catholic struggle, want to see the installation of a government sympathetic to their objectives. The organization is demanding a government that will assure the country's 1.7 million Catholics a voice equal in all respects to that of the larger number of Buddhists. Catholics make up about 10 percent of the population.

In the political consultations among military leaders, Catholics are trying to avert any bid for power by a group of young officers who are regarded as linked to Thich Tri Quang, controversial leader of the United Buddhist Church.

The officers are Brig. Gen. Nguyen Chanh Thi, commander of the army's I Corps area; Air Vice Marshal Nguyen Cao Ky, commander of the air force and Lt. Col. Pham Van Lieu, the Saigon police chief.

MILITARY DOMINANCE SEEN

The setup of Saigon's new government is expected to be one that will assure military dominance for a period.

U.S. officials have voiced hope that General Thieu, a Roman Catholic from central Vietnam who served as Defense Minister under Premier Quat, will be selected to head the new administration.

The 42-year-old general is regarded as a moderate who might be acceptable to all factions.

The Catholics are prepared to back him because of his religion, and the Buddhists are believed willing to accept him tentative since real power would reside in the young officers who command troops and who are sympathetic to them.

The Catholics say they are prepared for trouble, however, should the Buddhists come into the ascendency.

Within the last year, under the leadership of Father Quynh, a priest in his late fifties with a long record of anti-Communist struggle, the Catholic movement has been strengthened for direct action. Catholics have been organized into self-defense units in many parishes throughout the country.

PAGODA INFILTRATION

In 116 parishes in the Saigon area, youths are well organized, some with primitive weapons.

Father Quynh's organization has asserted that its agents have infiltrated the Saigon headquarters of the Unified Buddhist Church. They charge that the church, under Thich Tri Quang's influence, leans toward neutralism and may be willing to deal with the Communists.

Much of the Catholics' fear of a Vietcong takeover in South Vietnam is due to their harsh experience with Communists.

ABOUT 600,000 FLED IN 1954

About 600,000 of them fled to South Vietnam after the Geneva agreement of 1954, which accepted Communist control over the north. About half a million Catholics remain in the north, and many are prevented by the Communists from leaving, according to Catholics in the south.

Early in 1964, after the downfall and execution of President Ngo Dinh Diem, who was a Catholic, Catholic communities in central Vietnam came under attack, and about 17,000 Catholics became refugees. Catholics maintain that some Buddhists cooperated with the Vietcong guerrillas in repressing Catholics in central Vietnam.

The Central Movement of Catholic Struggle was formed June 7, 1964. It is a loosely organized group that gives parish priests a great deal of autonomy. Bishops and Vatican representatives have remained aloof from the political activities of the movement but have also quietly worked for it.

The movement's central committee publishes a biweekly newspaper, Greater Unity, with a circulation of 60,000—larger than that of any similar publication in the country.

Mr. MORSE. Mr. President, I have spoken on this topic a considerable number of times on the floor of the Senate. It is one of those subjects that most people do not like to hear discussed, but let me make the record clear again that we cannot exclude from the war in South Vietnam the religious issue. I happen to be one who believes that we cannot justify killing a single American boy in a war that has involved in it as one of the major issues the religious question. Let the South Vietnamese settle their own religious differences. Let the Buddhists and Catholics settle their own religious differences in South Vietnam. Here is one Senator who is not going to vote to kill a single American boy in South Vietnam over a civil war that involves in part a conflict between Catholics and Buddhists.

SANTO DOMINGO

Mr. MORSE. Mr. President, I also ask unanimous consent to have inserted in the Congressional Record another article appearing in this morning's New York Times, entitled "U.S. Aid Gloomy on OAS Mission—Vaughn Says Three-Man Team in Santo Domingo Has Made Little Progress," written by Richard Eder.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. AID GLOOMY ON OAS MISSION—VAUGHN SAYS THREE-MAN TEAM IN SANTO DOMINGO HAS MADE LITTLE PROGRESS

(By Richard Eder)

WASHINGTON, June 13.—A State Department official said today that the three-man mission of the Chief Organization of American States in the Dominican Republic had made little progress toward a political solution there.

In one of the gloomiest public assessments to date by an administration figure, Jack Hood Vaughn, Assistant Secretary of State for Inter-American Affairs, said that after 10 days of talks between the mission's members and the rival Dominican groups "We apparently aren't much closer to a coalition arrangement than we were when they arrived."

Mr. Vaughn added:

"It is going to take a long time to reach an understanding and perhaps even after an understanding is reached, it is going to be even more difficult to force it upon the Dominican people, which I think is going to be the last and perhaps the most difficult hurdle that we have to contend with."

CHANNEL FOR U.S. EFFORT

Reached by telephone later, Mr. Vaughn stressed that the lack of progress so far was a result of the complexity of the Dominican situation. "I believe that the Bunker mission is just getting started," he said.

The members of the mission are Ellsworth Bunker, of the United States, Ramon de Clairmont Duenes, of El Salvador, and Ilmar Penna Marinho of Brazil.

Although the peace mission was sent by the OAS, it also represented the major vehicle for U.S. diplomatic efforts to settle the Dominican crisis.

Officials here have been concerned over the last week about the mission's lack of progress. One official said that neither the junta nor the rebels appeared to feel under pressure to make concessions.

The rebels, led by Col. Francisco Caamano Deno, insist on a return to the 1963 constitution and a provisional government to serve out the remainder of the term of Juan Bosch, who was deposed from the Presidency in 1963.

The junta, headed by Brig. Gen. Antonio Imbert Barreras, insists on discarding this Constitution, which contains controversial provisions on education and control of subversive activities, in favor of a Constitution drawn up in 1962.

The two sides also disagree about the makeup of any provisional government and about the leadership of the armed forces.

Mr. Vaughn, who was interviewed on the American Broadcasting Co. television program "Issues and Answers," said that Dominican Communists were still active on the side of the rebels although some, he said, had left the rebel zone and moved into the interior. Some Communist leaders were still providing advice to the rebel leadership, he said, and others were commanding rebel military groups.

He expressed the belief that neither General Imbert nor Colonel Caamano had overwhelming popular support. He indicated that the United States would be reluctant to see either prevail.

BOTH SIDES OBDURATE

(By Juan de Onis)

SANTO DOMINGO, DOMINICAN REPUBLIC, June 13.—The United States is being frustrated in its search for a political settlement by the intransigence of the rival factions and its own inhibitions.

After 7 weeks of bloodshed, fear, and economic disruption, the Dominican crisis has settled into what appears to be an endurance contest between the junta and the rebels, with the United States in between to prevent any decisive new fighting.

"We don't want to impose a solution," said a U.S. official here. "We want the Dominicans to work out a settlement, with our help, that reflects national opinion."

Diplomatic observers believe that a protracted period of negotiations, subject to many pitfalls, lies ahead. One pitfall could be an outbreak of rebel action in the interior.

As these negotiations go forward under OAS auspices, the will, endurance, and cohesion of both factions will be tested. In the meantime, enforcement of the cease-fire will require the continuing presence here of U.S. military elements in the inter-American peace force, since little further support from Latin American countries is expected.

This is a prospect that does not please the 7,500 men of the U.S. 82d Airborne Division, who remain in the force manning the international zone in Santo Domingo and the security corridor dividing the city and separating the factions.

After more than 40 days here, the U.S. forces often reply with an affirmative "Si, Si" when a Dominican shouts "Yankee, go home."

Patience is the long suit of Ellsworth Bunker. The U.S. member of the OAS mission, who is 71 years old, devoted 7 months to the negotiations ending hostilities between Indonesia and the Netherlands over western New Guinea.

Mr. Bunker insists that the United States does not have a readymade formula for a settlement and he even refuses to "think out loud" about a formula at this time.

The mediators' exploratory talks with both factions and scores of civic leaders, businessmen, clergymen, and representatives of professional and labor groups have revealed that public opinion is deeply split.

There are pressures on both sides that may reduce the intransigence of both sides and strengthen moderate elements.

The junta, which is backed by the military and the police, survives on financial help from the United States, which pays military and civil service payrolls. The United States also provides free food for the 300,000 unemployed in the junta zone.

As for the rebels, they are pocketed in a corner of this capital. They are safe in the sanctuary provided by the inter-American peace force, and they have food, fuel, and armament for a long siege. But it is not a self-sustaining economic situation, and both the powerplant and the waterworks are under OAS control.

Mr. MORSE. Mr. President, before the week is over I shall speak at greater length in regard to the very unsound policy the United States has followed in the Dominican Republic, but for tonight I have inserted the Eder article, and I also ask unanimous consent to have inserted in the RECORD an editorial from this morning's New York Times entitled "While Santo Domingo Sleeps."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHILE SANTO DOMINGO SLEEPS

The Senate Foreign Relations Committee has chosen a proper subject and proper timing in deciding to review United States actions in the Dominican Republic. It has been clear almost from the beginning that Washington's policy was at least dubious if not gravely in error. The controversy is not over sending troops to protect and evacuate Americans, but over the role the United States played and is still playing in Dominican internal politics.

In the beginning, Senators were faced with a crisis they knew nothing about. They had no choice but to go along with President Johnson. Now that the situation in the Dominican Republic is in a state of paralysis, the Senate can investigate without fear that it may be obstructing a solution.

In Santo Domingo itself, the Organization of American States now has the task of picking up the pieces. Its Inter-American Force is keeping order; it is trying to find a political solution; it is handling the government's finances, feeding the public, investigating charges of torture, and even running a newspaper and radio station.

This unaccustomed role for the OAS is an important but confusing development in hemispheric affairs. There is no possibility of gaging whether the Dominican experiment will prove unique or whether it has set a precedent that will be followed in future crises. One problem is that some of the most important members—Mexico, Chile and Peru, for instance—do not favor the OAS role. Another is that many Latin Americans feel the OAS was called in belatedly to get the United States out of its self-induced predicament. A deep-seated objection to any outside interference in the internal affairs of a Latin nation is a third source of disquiet.

The Senate Foreign Relations Committee, through its inquiry, may help establish some useful guidelines for relationships between the United States and the OAS so that the likelihood of unilateral American military action in future crises will be reduced. The security of the Inter-American system will be enhanced by such guidelines.

NEWS CURB ON VIETNAM BATTLE

Mr. MORSE. Mr. President, I now ask unanimous consent that there be inserted in the RECORD an article from this morning's Washington Post, a similar article having appeared in a good many other newspapers today, entitled "News Curb Imposed on Vietnam Battle—Commitment of GI's Weighed as Fight Rages at Dong Xoai."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEWS CURB IMPOSED ON VIET BATTLE—COMMITMENT OF GI'S WEIGHED AS FIGHT RAGES AT DONG XOAI

(By Jack Foisie)

SAIGON, June 13.—The American Embassy and U.S. military commanders sought to black out all news of the renewed battle of Dong Xoai today, and asked correspondents not to report on American troop movements.

It was apparent that a major Vietcong threat remained at Dong Xoai, 60 miles north of Saigon—and that commitment of U.S. troops to the battle was being considered seriously.

[American paratroopers were flown to an airbase at Phuoc Vinh, 20 miles south of Dong Xoai, for offensive action against the Vietcong, United Press International reported.

[Units of the 173d Airborne Brigade were removed from their defensive positions at the Bienhoa airbase near Saigon and were reported to be digging in at Phuoc Vinh.

[U.S. Ambassador Maxwell D. Taylor returned to Saigon early Monday from a visit to Washington where he conferred with President Johnson and other officials on the course of the war, the Associated Press reported.]

Gen. William C. Westmoreland, the U.S. military commander, and Deputy Ambassador U. Alexis Johnson conferred about the battle tonight.

The Vietcong forces, after inflicting losses of 600 dead or missing on 2 government battalions, withdrew Friday. But they came smashing back Saturday, attacking part of a South Vietnamese airborne battalion in bivouac at a rubber plantation 2 miles north of Dong Xoai.

The fate of that paratrooper outfit was being withheld by American military spokesmen, other than to confirm that the situation became so critical that the unit's three American advisers were flown out by helicopter.

A spokesman said that the American command still had no estimate of the Vietnamese losses. However, he was able to report that American pilots had estimated Vietcong losses from air strikes alone at 250 dead.

Eight Navy Skyhawk jets raked the Vietcong assembly area today 6 miles west of Dong Xoai with cannon fire, rockets, bombs, and possibly napalm. An observation pilot estimated the dead at 250, reportely counted as he circled low over the target area.

Losses, on both sides, total at least 1,500 dead since Thursday, witnesses reported.

In the mopping-up action since the Vietcong abandoned the town Friday, several more bodies of U.S. personnel have been recovered. It was announced that at least 7 Americans were killed, 15 were wounded, and 11 are still missing.

Noncombat accidents swelled the U.S. casualty toll Saturday and today. Three American marines died in the explosion of a truck near Danang in the northeastern sector, and 18 were wounded in the same blast. Details were lacking.

Four American helicopter crewmen died when their craft crashed in a rainstorm late Saturday 30 miles east of Saigon.

Casualties suffered by Vietnamese paratroopers mauled in the renewed Vietcong attack near Dong Xoai were heavy, and only a score or so of the 500-plus men in the unit have straggled to their base in the town.

Saturday's attack was made by a reported force of 500 Vietcong, the spokesman said. He described the fighting as "heavy," and said American fighter-bomber aircraft were diverted from other missions to enter the fray.

The spokesman said an F-100 American jet was shot down by ground fire. Though the pilot was initially reported dead, he parachuted into a wooded area.

Two helicopter crewmen attempted a rescue but were driven off by heavy Vietcong fire.

They reported that they saw the pilot seized and carried off by the Vietcong.

From this point on, the U.S. military spokesman had no information about the Dong Xoia battle, and it appeared that an official news blackout had begun.

It has been apparent for some time that the American high command is not only grappling with their belief that the immediate situation requires censorship—but they are also worried about how to lessen the impact of casualties and defeats, as well as victories, when American troops go into action here.

Mr. MORSE. Mr. President, I want to use this article as the transition for a further answer on my part to the suggestion made by the Senator from Illinois, the minority leader [Mr. Dirksen], a few minutes ago on the floor of the Senate, about protesting the protesters.

The Senator from Illinois is entitled to his view. He is welcome to it so far as the senior Senator from Oregon is concerned. I am always delighted to dissociate myself from most of the views of the Senator from Illinois on most matters, but I particularly want to file a caveat of exceptions to the philosophy that was imbedded in the speech that the Senator from Illinois made a few minutes ago on the floor of the Senate.

When he was through waving that flag, there was not a shred left to it, which, as I have said so many times, is no way to respect the flag. He suggested on the floor of the Senate, by clear implication, if not by direct statement, that those of us who are protesting our Government's foreign policy in South Vietnam, some way, somehow, are disloyal to American boys, as he said, fighting in the muck and mire of the jungles of South Vietnam.

Who put them there? Not those of us who are protesting it. Who is to assume responsibility for it? Lyndon B. Johnson. He is the Commander in Chief. He is the one who is ordering an escalation of this war, without a declaration of war. He is the one who should be held responsible by the American people for the killing of American boys in South Vietnam. And he will be held responsible.

I say to the Senator from Illinois that the Communists forbid criticism of their government. That is a police state, totalitarian device, although the Communists do not hesitate to criticize other governments. Truly free men prove their freedom by criticizing their own government when they honestly believe it is wrong. Free men do not permit the kind of Communist tactics that is being advocated in this country by a good many people in our Government—namely, that the protesters in the United States should be silenced as the Communists silence protesters in their countries.

Here is one Senator who will take whatever action those who are attempting to silence us take, if the protesters prevail, but I will not be silenced.

The most dangerous and desperate men in the world are men connected with the U.S. Pentagon. History will record, long after we are gone, that it was the Pentagon, under the leadership of McNamara—assisted by Taylor and Henry Cabot Lodge and the Bundys and the Joint Chiefs of Staff, that wrote the blueprint that brought us to the midst of an undeclared, unjustifiable, unconstitutional war in South Vietnam.

The people are beginning to protest from coast to coast. The people are beginning to be heard.

I warn them that when those first 2,000 coffins with dead American boys in them come back to the States, they will know what a protest is. They are coming back. They are going to come back by the increasing thousands as this administration bogs an American military force down on the mainland of Asia.

Mr. President, the Senator from Illinois suggested that we ought to proceed now to appropriate $100 million preparatory to making use of Chiang Kai-shek's forces in Asia. Then he decided to withdraw the amendment because, as I understood him—and the Record will speak for itself—he did not think it was necessary because, he said, he had talked to McNamara, and he had talked to Rusk, and he had talked to others, and he said he was assured the amendment would not be necessary to achieve the desired course of action.

Then he gave high praise to the military forces of Chiang Kai-shek. On the basis of the information I have received, I do not want to see American troops put behind them.

If they get into war, a large number of those American troops will be trampled to death as Chiang Kai-shek's forces retreat and run for cover. That will be the record of his forces. That corruptionist, the head of an illegal government on Formosa so far as approximately 7 million native Formosans are concerned, has already shaken down the American taxpayers for hundreds and hundreds of millions of dollars, and has maintained in Formosa anything but freedom. Mr. President, for many years I have protested the course of action which the United States has followed in supporting this corruptionist. I intend to continue to protest the kind of proposal made by the Senator from Illinois this afternoon.

Put those Nationalist Chinese forces in Vietnam, and we will get the same reaction by an overwhelming majority of the South Vietnamese as if we put in the Communist Chinese.

South Vietnam is anti-Chinese. South Vietnam and the other countries of southeast Asia, but particularly South Vietnam, have fought the Chinese for a thousand years. We could not make a greater mistake than to believe that we would make it easier for the United States by sending the forces of our puppet on Formosa onto the mainland of China.

Of course, it might give the 7 million native Formosans an opportunity to recover their country, which the United States took away from them by putting the puppet Chiang Kai-shek in charge on Formosa.

As I said in 1955, together with Herbert Lehman, who led the fight with me on the floor against the Formosa doctrine, Formosa then did not belong to China. It did not belong to Chiang Kai-shek. It did not belong to the United States. The question of its national sovereignty was in suspension. That is the phrase I used over and over in that debate, as Senators will discover if they will go back and read the Record.

I said then that we did not claim Formosa by conquest. Japan held Formosa by conquest and was the last country to have any international sovereign rights over Formosa. When the allies defeated Japan, we must remember that we never got together on what the disposal of the sovereignty of Formosa would be. Eventually, it will have to go to an international tribunal for determination.

Tonight I repeat—because it needs to be repeated—my answer to the Senator from Illinois, that Red China does not have sovereign rights over Formosa. Chiang Kai-shek does not have sovereign rights over Formosa. The United States does not have sovereign rights over Formosa. Of course, Japan lost hers when she was defeated.

Mr. President, I am at a loss to understand how it can be seriously proposed, but this is the kind of desperation and irresponsibility which flows out of the Pentagon.

I am at a loss to understand how it can be seriously proposed that we try to make use of Chiang Kai-shek's forces to join us in fighting the undeclared war in South Vietnam.

Mr. President, I am very much concerned, not for myself, but I am concerned about the attitude which has developed in the administration, trying to squelch, to silence, to censor those who do not agree with it.

I am at a loss to understand how in our history we could finally be subject to an administration which was following a news censorship policy in connection with the war in Asia.

We have gone through wars before, and the record of the great war correspondents who wrote the stories of those battles and engagements stands to the everlasting credit of the guarantee of a free press under the Constitution of the United States.

Yet, we are now in a war in which already the administration must assume the responsibility for denying access to American public opinion of uncensored stories from the American war correspondents in Asia.

I am glad, as I found out last Saturday afternoon, what a great Democrat in California and a great newspaperman, too, talked to me at some length about, and that is the growing concern in the editorial offices of a good many editors in this country, who have not yet started their protests but are making clear in their conversations among each other that they have had just about enough.

Let me say to the American editors: You have some good examples which have already been set for you. You have got those courageous editors of the St. Louis Post-Dispatch who have told us over and over again from the beginning of the desperate course of action followed by McNamara and his colleagues, who finally got Dean Rusk to wilt and accede, after, to all intents and purposes, he had turned over the affairs of the Department of State to the Pentagon.

Secretary McNamara has been the Secretary of State for many months in Asia, so far as American foreign policies are concerned. Dean Rusk has been a "me-tooer" in regard to the course of action he has followed.

The editors of the St. Louis Post-Dispatch have had the courage to stand up and practice the guarantee of a free press under the Constitution of the United States. The New York Times, in editorial after editorial has refused to rubberstamp the propaganda of the administration in its shocking war in Asia. To the Knight papers I wish to express my deep appreciation for their courage in refusing to accept any muzzling by the administration.

There are other newspapers, too, including an editor of a small newspaper in York, Pa., the York Gazette. It is too bad that the editorial policy of the York Gazette does not have the same wide circulation as that of the St. Louis Post-Dispatch, the New York Times, or the Knight papers, because that courageous editor of the little York Gazette in York, Pa., has called a spade a spade. He has not hesitated to make clear to his President that he will be no party to the program of bloodletting in Asia, that the President's policy is causing not only Americans, but also a good many other children of God to be suffering in Asia in this inexcusable war.

Let me say to the newspaper editors of America that they have a great challenge upon their patriotism. There is no greater challenge upon their patriotism in an hour of crisis than to insist that the Constitution be followed. However, there is nothing patriotic about scuttling the Constitution. There is nothing patriotic about not living up to all the safeguards of liberty guaranteed by the Constitution and promised to the American people.

My experiences in regard to the war in Vietnam convince me more and more that the President is only fooling himself if he thinks the polls that he is reading represent the grassroots of America.

This afternoon a colleague in the Senate who has never voted with me in the position I have taken on the war in South Vietnam, who has gone along with the President on his votes, said to me—and he added that he had said it to a newspaperman, though I suspect that he said it off the record—that he was satisfied that an overwhelming majority of the Members of the Senate in private conversation make perfectly clear that they wish the President were not following the program that he is following in South Vietnam.

Speaking for myself, if all the colleagues who have come to me with great words of encouragement, telling me how much they appreciate the fact that I, along with the Senator from Alaska [Mr. GRUENING], have been making our protest now for almost 2 years in opposition to the men of desperation in the Pentagon, whose advice has taken over this administration, would vote as they encourage me in conversations, we would have stopped this course of action more than a year ago.

I do not give up hope that eventually Members of Congress will insist on a change in our country's foreign policy in Asia.

I commend the 28 Members of the House who have received deserved praise from Democrats who are protesting the policy of the Democratic Party, aided and abetted by the Republicans, with respect to the war in South Vietnam.

Senators should have heard the compliments that were paid them at a great mass meeting in Santa Monica last Saturday night by groups of organizations, a majority of which are Democratic Party organization groups, meeting in a huge rally in protest to the U.S. policy in Vietnam.

Mr. President, it will be interesting when the Republicans turn on the President. It is only a matter of time. They will find some basis, as they get nearer to 1966, to find themselves in disagreement with the President. In fact, we can see it coming now.

There is a little disappointment already that the President has not gone as far as they think Barry Goldwater would have gone.

In my opinion, he has already gone further than Goldwater would have gone. Goldwater would not have had the kind of rubberstamp support the President has had. He would not have had the kind of majority that the President has had. That would have placed a check on him.

Be that as it may, I close this speech tonight by again saying that I intend to continue to protest the President's course of action in the absence of a declaration of war. I intend to continue to tell the American people, whenever I have the opportunity to do so, "You had better regain your control over American foreign policy. You had better make clear to the President of the United States that American foreign policy does not belong to him, but to you, the people. You had better make clear to the President that he ought to change his course of action so that we can bring to an end this undeclared war and get this dispute before an international conference table for an honorable negotiated settlement."

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 9 o'clock and 54 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 15, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 14, 1965:

U.S. MARSHAL

William Marion Parker, Jr., of Alabama, to be U.S. marshal for the middle district of Alabama for the term of 4 years. He is now serving in this office under an appointment which expired May 22, 1965.

John E. Maguire, Sr., of Florida, to be U.S. marshal for the middle district of Florida for the term of 4 years. He is now serving in this office under an appointment which expired May 8, 1965.

James E. Byrne, Jr., of New York, to be U.S. marshal for the northern district of New York for the term of 4 years. He is now serving in this office under an appointment which expired May 5, 1965.

EXTENSIONS OF REMARKS

Concern Over the Situation on American Campuses

EXTENSION OF REMARKS
OF
HON. JAMES B. UTT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 14, 1965

Mr. UTT. Mr. Speaker, under unanimous consent to extend my remarks in the CONGRESSIONAL RECORD, I wish to include an editorial by Mr. Ed Delaney appearing in the Valley Times, North Hollywood, as well as in the Citizen News in Los Angeles, Calif., as further evidence of the general concern over the situation on our American campuses:

CONCERN OVER THE SITUATION ON AMERICAN CAMPUSES

(By Ed Delaney)

How long will our educational institutions supinely submit to the usurping of authority by bearded beatniks and callow creeps? Are universities and colleges to be centers for teaching, or hothouses for spawning maggot-minded malcontents? The disturbances we observed on the Berkeley campus and elsewhere across the Nation are said by our self-opinionated sociology sages to be signs of the times. They are—very definitely. Some supposedly erudite pedagogues endeavor to explain that the youths of today are emerging from the thralldom of fulsome and antiquated inhibitions which in the past have restrained the younger generation from wholesome expressionalism. What we are observing, according to the double domes, is visible evidence that the youth of today have escaped from the transcendentalism of the archaic eras, as manifested in their shattering of precedents and primordial codes of the past. Speaking in the vernacular, that is nothing but double-distilled hogwash.

The disturbances of students against some ruling of the college or university authorities, is positive proof that those authorities have been remiss in their duties. They failed to impress on the students that they came to the university to get an education, not to incite agitation. In every such institution, some students, by their exceptional abilities plus application to their studies, outdistance others in their classes. The same applies to those who excel in sports, art, or cultural fields. The well-earned acclaim given those students is irksome for the dullards. In an effort to focus attention on themselves, they take the lead in demonstrations against the faculty, the regents or in protest of some campus regulation. A hackneyed pretext for the troublemakers is their interpretation of what constitutes free speech.

The regents or those in authority should make unmistakably clear to the young anarchists just what their ground rules are in this regard. Those who refuse to abide by the rules should be summarily dismissed. If some faculty members support the insurgents, they too should be given the alternative of abiding by the rules or leaving. And the sooner the better.

If some cadets at West Point or Annapolis staged demonstrations against discipline or the established code of conduct, we would expect that, for the good of the Nation and society in general, they should be dismissed. It is no different at other institutions. The sporadic displays of instigated anarchy at educational centers, follows an alarming pattern of disregard for law and authority. J. Edgar Hoover has cited this repeatedly in recent months.

Mr. Speaker, there is an old saying that one rotten apple will destroy the whole barrel of apples, if not removed. There are some rotten apples in our universities today that could destroy not only our universities but our entire Republic. Why do we fail to learn a lesson from history? Student demonstrations and riots have destroyed many a country. In an Executive briefing this week, it was stated that every South American country was on the brink of disaster; and that the core and center of all of the trouble started and continues to be the student riots and demonstrations led by Communist-trained saboteurs.

The student demonstrations, which started on the university campus at Berkeley, are now spreading to most American universities. They are sponsored and financed by the International Communist Conspiracy. They are led by a hard core of professional revolutionaries trained in every form of subversion. Many of them have been trained in Cuba. The Communists have an unlimited, global solidarity fund to finance the Communist-led student agitation throughout the world.

The University of California was notified a year ago that the Berkeley campus was to be the first target in America. The Berkeley campus was chosen because the Communist apparatus considered the climate most favorable and thought it could be very easily exploited. Having been forewarned, it is amazing that no countermeasures were set up to meet this situation.

Many innocent but gullible students and professors are trapped by the misuse of the words "freedom," "self-determination," and "peace." The Communists are experts in taking our most cherished words and prostituting them for their own evil purposes. The so-called "free-speech movement" was not to promote free speech, but to promote license. The FBI has identified many Communists involved in this movement.

Dr. Roswell G. Ham, former president of Mount Holyoke College, speaking to the Commonwealth Club in San Francisco on May 14 of this year, stated, in part:

> Contemplate rather the day of the general strike. In one class a wildeyed Oriental stood up and called for a walkout, answered by another student who said she was there for an education. The room was well filled—but the professor adjourned the class. That phenomenon happened over and over, many professors wearing FSM (free speech movement, now called free student movement) armbands.
>
> No, I would not indict the students so much as the faculty. In the crucial December 8 meeting of the academic senate, 115 men of sense were lost in a vote 7 to 1 on measures submitted to the board of regents (and buried there). As in South America, the push here was the intermediate one, for faculty and student assumption of administrative power.

Student and faculty groups are so violently and vocally attacking the administration on its policy in South Vietnam and Santo Domingo that they make the world believe that a majority in this country is not supporting the administration. The nationwide TV teach-in on this subject was a disgrace. This was followed by two foreign-born fuzzy professors on "Meet the Press," telling the world how terrible our current policy is in Vietnam. This is a crucial time in our history when the President should have broad national support, and our fighting marines should know that they have the full backing of those of us at home. Tokyo Rose was a piker in comparison with these Communist-oriented groups in America.

These bearded beatniks and these fuzzy-wuzzy professors are a threat not only to our internal security but to our external security. They would not shed a tear or a drop of blood to preserve this Republic. I think Bob Hope made the classic statement when he said that the only four-letter word these beatniks did not know was "soap."

Let us demand that our regents and our Governors clean up this situation, expel the hard core involved and fire the professors involved.

Flag Day

EXTENSION OF REMARKS
OF
HON. MILTON R. YOUNG
OF NORTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Monday, June 14, 1965

Mr. YOUNG of North Dakota. Mr. President, today Americans throughout the world are observing Flag Day, in commemoration of the adoption by the Continental Congress of the original Stars and Stripes on June 14, 1777.

During the 188 years that have passed since that occasion, the flag has been a symbol of strength and freedom to untold millions. The observance of this day gives us cause to reflect on just what our flag means to each of us, personally.

Recently, I had a personal experience that very forcefully brought home to me just how meaningful a symbol of our Nation the flag is. On the occasion of his 83d birthday, last March, I arranged to have a flag which had flown over our Capitol sent to a close and personal friend, Robert H. Kutschenreuter, of Fargo, N. Dak. Since then, on May 26, he has passed away.

Always a humble man, Mr. Kutschenreuter came to this country in 1910, and became a citizen in 1916. For more than 50 years he served the people of his community as a blacksmith. Never blessed with personal wealth, and gaining his education by teaching himself to read and write, through studying the Bible, his life provided inspiration and an outstanding example for all who knew him.

Upon receiving this flag, Mr. Kutschenreuter was moved to write a verse which expresses so well the feelings of many of us toward the flag. I ask unanimous consent that this verse be printed as a part of my remarks in the RECORD.

There being no objection, the verse was ordered to be printed in the RECORD, as follows:

A SALUTE TO OLD GLORY

Old Glory, thou art so true, so dear—
Almost in part divine;
And under thy protecting care,
We'll sure contentment find.
May God so grant wherever thou goest—
In righteousness but stern—
That all the nations of the world,
Respect for thee will learn.

Beauty Abounds in Texas

EXTENSION OF REMARKS

OF

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1965

Mr. CABELL. Mr. Speaker, on May 27, 1965, an article appeared in the New York Daily News written by Mr. Ted Lewis critical of my home State of Texas. Mr. Lewis inaccurately claimed that Texas had only drab landscape and no spots of beauty. Mr. Speaker, I rise to take great issue with Mr. Lewis. In Texas, the home of our astute and capable President, Lyndon B. Johnson, and the homes of my 22 Texas colleagues in this Chamber, there are many, many spots of sheer beauty. Ranging from the rich, lush valleys in the south, the glistening coastal waters around Padre Island and the gulf coast, to the charming hill and lake country in central Texas and our State capital of Austin, to the inspiring mountain range in our western border. There are many places where we Texans sit, gaze in admiration at God's artistic flare and contemplate our good fortune to be so blessed with so much in our home State. I am sure everyone of my good colleagues from Texas can cite example after example of the places in his district which makes Texas a marvelous State to visit on vacation or in which to settle and to live.

In my own district of Dallas County, the farsighted people whom I represent have established, through vigor and a progressive spirit, a skyline of clean, modern structures which reflect the Texan's appreciation and concern for the esthetic and for beauty. Dallas' Theater Center, designed by Frank Lloyd Wright, her many city parks festooned with bright arrays of multicolored flowers, the lovely residential areas spread over my city through which gurgle brooks which twist and cavort as if frolicking in nature's own playground, certainly refute Mr. Lewis' erring remarks. In the countryside surrounding my district are fields and fields covered by our State flower, the bluebonnet, and by the colorful Indian paint brush with its many colored hues.

The wide open spaces of Texas abound with beauty, Mr. Speaker. The growing metropoli are well designed and well planned by men who appreciate and protect and even improve on nature's work. Texans are proud of Texas and rightly so. For this reason have I seen fit to disagree with the misguided opinions by Mr. Lewis.

Dempsey Was Prepared

EXTENSION OF REMARKS

OF

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1965

Mr. MICHEL. Mr. Speaker, I have today, as a followup to my previous resolution, introduced a bill to establish a Federal Boxing Commission. Much has been said recently about the need for congressional action into the various aspects of professional boxing which is threatened with extinction.

Mr. Joe McNaughton, in the June 10, 1965, issue of the Pekin Times, points up several areas the Harris committee would do well to explore during the course of their investigation. Mr. McNaughton discusses the preparation and conditioning of Jack Dempsey as compared to current boxers. The article and the text of my bill follow:

PROFESSIONAL BOXING

(By Joe McNaughton)

Professional boxing is threatened with extinction.

It is difficult for me to write objectively about boxing, for it is a sport in which I actively participated for years, and for decades took an avid interest.

Boxing, like Christianity and law, is part of our Greco-Roman heritage.

Pugilism is a vestige of the gladiatorial spectacles, shows in which the destruction of one's opponent was the object of the contest. Of course, in the Roman Colosseum, boxers wore spiked gloves. In A.D. 500, Emperor Theodoric banned this form of pugilism. In 1920, 1,420 years later, boxing was legalized in the State of New York.

In modern times, under the Marquis of Queensberry rules, an honest professional heavyweight bout, between skillful, well conditioned boxers, arouses contenders and spectators to the apogee of excitement.

Pugilism demands more conditioning than any of the other sports. This is a broad statement because each sport calls for a special kind of preparation. Still, because of the peculiar nature of boxing, which requires enormous stamina and toughness, plus lightning speed combined with Nijinsky's sense of balance, I will repeat that training for a professional bout is, or should be, most exacting.

I am a friend of professional boxing and wish to see the sport flourish, and yet, there are sound negative arguments.

The overwhelming majority of modern boxers do not have the necessary background of preparation. They are not really in condition. Ideally, every professional fighter should have first performed arduous physical labor as a boy, then trained and boxed for years before coming into the public eye. Jack Dempsey was a classic example of the "golden age fighter." When he was a youth, Dempsey worked at various common labor jobs. At age 17, he toured the West, making his living by entering saloons and offering to fight, for money, any man at the bar. Dempsey weighed 155 pounds and usually battled mature 200-pound opponents to a finish.

July 4, 1919, when Jack Dempsey finally met Jess Willard at Toledo in a struggle for the heavyweight championship of the world, he (Dempsey) was ready. A rock hard Dempsey was 6 feet 1 inch tall, and weighed 187 pounds. Willard was 6 feet 6½ inches tall, and weighed 243 pounds. In the first round, Dempsey broke Willard's jaw and four of his ribs. If Cassius Clay had been in Willard's shoes on that occasion, the question would not have been which was the better man, but whether Clay could have escaped with his life.

Boxing is also in disrepute because the hoodlum element has edged in and there is always the possibility, or even probability, of a "fixed fight."

Another question mark is brain damage. There is no question but that a high percent of professional fighters receive substantial brain damage. However, most professionals are not very smart to begin with, and this is their one chance of making a fortune.

I am in favor of cleaning up boxing and insisting that the fighters be in the best possible condition, or abolish professional bouts.

H.R. —

A bill to establish and prescribe the duties of a Federal boxing commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Federal Commission on Boxing (hereinafter referred to as the "Commission") which shall consist of three persons appointed by the President. Members of the Commission shall receive compensation as provided in the Classification Act of 1949. The President shall designate a member of the Commission to be its Chairman.

(b) The Commission may, in accordance with the Classification Act of 1949 and the civil service laws, appoint such staff as may be necessary to enable it to carry out its functions.

(c) The Commission shall have power to make such investigations as it deems necessary to carry out its duties under this Act. For the purpose of any investigation carried out by the Commission, the provisions of sections 9 and 10 (relating to the attendance of witnesses and production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Commission.

SEC. 2. The Commission shall exercise continuing surveillance over the field of professional boxing. Whenever the Commission determines that it is likely that a professional boxing event which is to be televised in interstate commerce, or an account of which is to be transmitted in interstate commerce by wire or radio (while such event is occurring) will be in any way affected by bribery collusion to effect the result, intentional losing, racketeering, including terrorism, extortion, organized use of threats, coercion, intimidation, or use of violence, it may issue an order prohibiting such interstate transmission or televising.

SEC. 3. Whoever violates an order of the Commission issued under section 2 shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

Self-Help and Self-Interest Through Foreign Aid

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1965

Mr. ROYBAL. Mr. Speaker, in any appraisal of our foreign aid program we should keep in mind that our basic objective is to help the developing nations of Asia, Africa, and Latin America establish themselves as independent, self-supporting nations, with the ability to make economic and social progress through free institutions.

History has taught us—sometimes painfully—that our own security and freedom depend to a large degree on the strength and security of other free nations, that one of the best guarantees of our own continued prosperity and security is helping other people obtain a more meaningful and abundant life for themselves.

Our foreign aid program has been, and remains, a major weapon in the free world's war against the most immediate enemies of its underdeveloped partners: poverty, hunger, ignorance, and disease—conditions described by President Johnson as the "grim recruiting sergeants of communism."

In the ever-shrinking world of today, we are convinced that the attainment of peace, progress, and prosperity depends ultimately on the degree to which the hopes and dreams people have of a better life for themselves and their families are capable of fulfillment.

The thread of humanitarianism running through the fabric of our foreign aid is no misstitch. It is there not by accident, but by purpose and design.

It has always been the American way to help others in need. As the richest and most powerful Nation in the world, we should do no less. Our aid program is a tangible expression of our concern for the welfare of others and of our belief that all mankind is entitled to a better world.

We are not trying to buy friends through our aid program, but I feel certain that we are winning them every day in the huts and villages of the developing nations through our programs which show that we do care about people.

Helping people to help themselves is the basic purpose of foreign aid. And the concept of self-help is part and parcel of our aid program today. Indeed, it is one of the few conditions of our foreign aid. We are letting the recipient nations know that our help is not "free", that we expect the recipients of our aid to not only share in the costs of development projects, but that they take positive steps to use their own resources better through improved administration, sound fiscal policies, fairer tax laws, and the like. And, we expect the people of the recipient countries to be willing to work shoulder to shoulder with American technicians in getting a job done.

In measuring self-help the U.S. Agency for International Development is concerned with performance that directly affects economic growth and social development. Assistance is not tied to political conformity or the way a country chooses to vote in the United Nations. But when countries divert their scarce resources into arms in order to mount political adventures against their neighbors, they waste substance badly needed for the welfare of their own people.

The minimum appropriations request for fiscal year 1966 reflects AID's determination to limit our assistance to those countries making the best use of it just as we are presently doing.

It is the self-help concept that is largely responsible for the present concentration of our foreign aid program. To make sure that we get the most for every dollar, AID is concentrating on those areas where our programs can do the most good, where there is effective leadership and action toward economic growth.

In fiscal year 1966, the aid program will be even more concentrated than in the past. Two-thirds of all development lending funds are planned for just seven countries, all of which are engaged in strong, self-help, development programs. They are: Brazil, Chile, Nigeria, Tunisia, India, Pakistan, and Turkey. Three-fourths of all military assistance will go to 11 countries now maintaining 3.5 million of their own men under arms in defensive forces rimming the Communist world. Four-fifths of all supporting assistance funds will go to just four countries: Korea, Vietnam, Laos, and Jordan.

In recognition of the priority the United States places on the progress of our Latin American neighbors and in response to the momentum already achieved under the Alliance for Progress, Latin America will again be the scene of our most intensive assistance effort. The $596 million planned for Alliance countries during fiscal year 1966 represents nearly a third of total AID country assistance and a per capita aid level of $2.73, by far the highest for any region.

The self-help concept is also reflected in the shift from grants to loans. Five years ago we provided most of our economic aid on a grant basis. Today, that is reversed and two-thirds of AID assistance to countries is financed by loans, payable in dollars, and these loans are increasingly changing from "soft" loans to "hard" loans. Most AID loans are made at 1 percent of the first 10 years and 2½ percent for the remaining 30 years, as set by Congress in 1964. But, as a country's economic growth and repayment capacity improve, AID raises the interest charges and shortens maturities. For example, recent loans to Iran and Israel have interest rates of 3½ percent and maturities of 15 to 20 years.

The repayment record on U.S. foreign loans has been excellent since World War II. We have lent approximately $30 billion since the end of the war, and have already received over $11 billion in principal and interest. Payments have been prompt, and in some cases, ahead of schedule.

What we are trying to do in Asia, Africa, and Latin America, is to help the less-developed countries there get started on an upward spiral of rising production, incomes, and living standards which will enable them, once started, to go ahead on their own, without outside help from anyone else. And we want to see them achieve this condition—what economists call "self-sustaining economic growth"—as we did in the United States, in a free and open society.

The success of our foreign aid can be demonstrated by those countries which have "graduated" from aid recipients to aid donors, and by the number of countries where the need for aid is now coming to an end. The countries of Western Europe, Lebanon, Japan, and Free China—Taiwan—have completed the transition from reliance on U.S. economic aid to self-support, and now have aid programs of their own. A group of other countries, including Korea, India, Pakistan, Brazil, and Chile, is making solid progress toward self-support.

There are now 26 countries where our economic assistance has been brought to an end. This list includes not only the countries of Western Europe, but several less-developed countries as well.

The increased emphasis on long-term development has also been accompanied by a sharp reduction in supporting assistance grants, used primarily to keep other countries afloat in an emergency, generally by paying for necessary imports. Supporting assistance has been reduced from a level of more than a billion dollars in 1960 to less than $400 million proposed for fiscal 1966. Since 1960, supporting assistance has ended in 18 countries, and will be discontinued in Morocco and Burma at the end of the current year.

The record speaks for itself. There is great evidence that our investment in the security of the free world is paying off. There are many signs of progress that the developing nations are achieving self-sustaining economic growth.

In the years since 1950, the countries of Asia, Africa, and Latin America which have been recipients of our aid, have: Increased total production at an average of over 4 percent a year; increased industrial output at an average of 8 percent annually—except for Latin America, which averaged 6 percent—and increased the value of their exports from $19 to $29 billion between 1950 and 1962, despite falling world prices for primary products.

Since 1958, the less developed countries have increased their investment in education an average of 15 percent annually.

Great strides have also been made in public health. By 1963, for example, 700 million of the 1.4 billion people who live in the less developed world's malarious areas were protected by malaria eradication programs; for more than 300 million of these the threat of malaria has been completely eliminated.

The most significant sign for the future, however, may well lie in the fact that for every dollar of U.S. assistance received today, the 20 major U.S. aid recipients in Asia, Africa, and Latin America are committing an average of $6 for development from their own limited resources.

Put another way, our foreign aid represents one half of 1 percent of our gross national product, which now exceeds $3,000 a year per capita. The contribution of the developing countries to their own progress averages 12 percent of the gross national product of nations whose per capita GNP averages only $145 per year.

It is important that we view our foreign aid program in perspective, that we assess its many accomplishments and successes against its few failures. There have been mistakes, but we have learned a great deal about foreign assistance since the days of the Marshall plan, and we have profited by most of our mistakes.

Our foreign aid program is a commitment to the free world. It is a long-term commitment, not one that is made in anticipation of quick or easy results. We are dealing with nations striving to solve the kinds of problems which took many decades to overcome in what we now regard as fully developed nations.

The evidence is conclusive that if we continue to put forth our best efforts, we have a reasonable chance to overcome the Communist assault on the underdeveloped countries, and to help them to take their places in a world of free and independent nations.

Through our foreign aid program, we are striving for all that is best in our own heritage—giving help to those who help themselves—spreading education and health to more and more people—and at the same time preserving our own freedom and expanding free institutions around the world.

As leader of the free world, this Nation cannot afford to relax its efforts toward these objectives. I believe we should continue to accept the challenge. I believe that we should pledge our full support to the President's foreign aid proposals for fiscal year 1966.

The President's Rent Supplement Program

EXTENSION OF REMARKS

OF

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 1965

Mr. BARRETT. Mr. Speaker, the New York Times carried an editorial in today's issue commenting on the housing bill, H.R. 7984. While it does not express complete satisfaction with the bill reported by the committee, largely on the grounds that the administration's "new towns" proposal was eliminated, it does constitute an endorsement of the bill.

The comments on the rent supplement proposal are particularly interesting. The Times notes that "For no valid reason the rental subsidy program has become the focus of controversy." The newspaper clearly endorses this section of the bill.

Today's issue also carries a letter to the editor which I wrote in rebuttal to an earlier article by Arthur Krock. His article had been based almost entirely on the now discredited minority report on the housing bill. Because of the partisan nature of that report, it is obviously an inadequate basis for understanding President Johnson's rent supplement program. In fact, the minority report was so distorted that the Committee on Banking and Currency felt it necessary to issue a special committee print entitled "Correction of Misleading and False Statements Concerning Rent Supplement Program Made in Minority Report on the Housing and Urban Development Act of 1965." I hope all of my colleagues will take the brief time to read that committee report so that they will have an accurate understanding of this proposal which President Johnson has called "the most crucial new instrument in our effort to improve the American city."

The editorial and my letter follow:

[From the New York Times, June 14, 1965]

The Housing Bill

The administration's housing bill, scheduled for action in the House this week and cleared by a subcommittee in the Senate, rates two cheers. Although it contains several solid and useful programs, its drafters were content with old answers to old problems. These answers are good but not sufficient.

In any housing bill several interests compete for supremacy. Since new housing starts are one of the chief props of the economy and since the Federal Government through its mortgage insurance and loan programs is deeply involved in the private housing industry, a strong interest—and as usual this year the dominant one—is to keep an important sector of the economy operating at a high rate.

A second interest is to clear slums and help low-income families find better housing. A third interest is the effort of cities to save their blighted downtown business districts and, through urban renewal, develop a new tax base. And, finally, in recent years there has grown up a strong if diffuse interest in making both cities and suburbs more livable by providing green spaces, better planning and coherent "new towns" rather than mere bedroom suburbs.

It is not astonishing that these interests are often in conflict. The present bill resolves this tangle in the usual way—everybody gets something, but the strongest interests get the biggest shares. The bill continues FHA operations without change. It steps up spending for urban renewal over the next 4 years. It provides for the construction of 35,000 units of public housing a year during the same period.

The original "new towns" proposal has been badly mangled, but survives in part. The cause of environmental conservation is modestly served (title 8) by permitting cities to participate in the existing open spaces program, restricted up to now to undeveloped areas. But not many parks and malls are going to be created if the present low limits of $500,000 per project and $20 million for this program are maintained.

For no valid reason the rental subsidy program has become the focus of controversy. Since housing of all kinds already receives innumerable subsidies, there is nothing novel or immoral about this proposal. It would merely enable the Federal Government to pay to nonprofit housing corporations—not private landlords—the difference between the true economic rent and the artificial rent, which would be set at one-quarter of the tenant's income.

The idea's chief merit is that it offers an alternative to public housing, which in many cities has become immobilized by local political quarrels. Since churches, unions, cooperatives and other private groups as well as private lenders would be involved in the formation of these limited-dividend corporations, this approach might win broader community support than public housing now enjoys. Such corporations would also be freer to experiment in new types of construction to get away from the ghettolike towers that prevail in public housing projects because of cost limitations.

But this bill makes little headway against the bulldozing of salvageable neighborhoods and the failure to rehouse all those who are displaced, which are the two bad sides of urban renewal. This bill, notwithstanding its public housing and rent subsidy programs, will leave tens of thousands of families in every large city still living in slums. Through its truncated "new towns" program and its modest extension of the "open spaces" program, the bill makes only the most tentative foray against urban sprawl and planlessness.

[From the New York Times, June 14, 1965]

Rent Supplement for Low-Income Groups

To the Editor:

The May 27 article by Arthur Krock of the Times was highly critical of President Johnson's proposed rent-supplement plan for low-income families. As chairman of the House Subcommittee on Housing, I feel an obligation respectfully to disagree with Mr. Krock so that your readers will have a balanced picture of this important new plan which the President has called "the most crucial new instrument in our effort to improve the American city."

Mr. Krock quotes extensively from the minority report on the housing bill signed by eight Republican members of the committee (two other highly respected Republicans, WILLIAM B. WIDNALL, of New Jersey and SEYMOUR HALPERN, of New York, voted for rent supplements).

The minority report is written quite frankly as an attack on this proposal and naturally gives a very one-sided point of view, one which I believe is unfair and misleading. As Mr. Krock himself noted, the irresponsible cry of "socialism" is "a doctrinal attack."

PRIVATE HOUSING

The rent-supplement plan is essentially quite simple. The housing would be privately built, privately financed, and privately owned. It would be rental and cooperative housing financed under Federal Housing Administration section 221(d)(3). The sponsors would be private nonprofit or limited dividend corporations or cooperatives.

The families to be aided would be those whose incomes are so low that they cannot afford decent housing by paying not more than one-fourth of their total income, and who are elderly or handicapped, displaced by Government action, or now living in slum housing. The aid would be the difference between one-fourth of their income which they would pay as rent and the fair market rental on the unit, and the supplement payments would end when the family's income rose to the point where it could pay the rent on its own.

There are too many distortions in the minority report to go into all of them here. As one example, it is charged that the proposal would "kill the incentive of the American family" to improve its circumstances. In support of this claim, the statement says that no family making $3,000 a year would aspire to purchase their own modest $7,500 home, but would instead seek to be a renter in a $100 a month apartment for which the Federal Government would pay $37.50 while the family paid only $62.50.

FALSE ASSUMPTION

The fallacy of this argument lies in the assumption that a $7,500 house is available for purchase by a family earning $3,000 in the same community where $100 a month is the rent required for a decent unit. In this hypothetical community where a good home could be bought for $7,500, no rent supplement would be available for families earning $3,000.

On the other hand, in communities where decent housing could only be obtained for $100 a month, the rent supplement program would enable the family to occupy a good unit with only 25 percent of its modest income instead of 40 percent.

I see nothing in this very promising proposal to justify the extravagant alarm of those who have singled it out for attack. It would add to the supply of decent housing available to low-income families. It would take advantage of the energy and imagination of public spirited citizens—churches, cooperatives, and the thousands of civic organizations—who are deeply concerned about slums.

And it would offer low-income families a healthy third choice to the alternative of slums or regular public housing.

William A. Barrett,
Chairman, House Subcommittee on Housing.
Washington, *June 1, 1965.*

Castro's Communist Hand in Dominican Revolt Documented

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 14, 1965

Mr. CRAMER. Mr. Speaker, an article in the Sunday Washington Star of June 13, over the byline of Jeremiah O'Leary, details the Communist infiltration in the Dominican Republic and the part Castro-trained groups played in the revolt.

Mr. O'Leary's article is based on an official U.S. paper compiled by U.S. intelligence sources expert in Communist activities. The paper overwhelmingly supports our action in sending marines into the Dominican Republic. It also substantiates my long-held contention that Castro poses a serious threat to the sovereignty of other Latin American nations.

In my May newsletter, I said the following:

> Castro's efforts to subvert other governments in this hemisphere were dramatically illustrated in the Dominican Republic and I predict that the festering troubles now besetting that Caribbean nation will erupt in much the same form in other parts of Latin America unless this country becomes determined to treat the disease as well as the symptoms.
>
> The disease is Communist Cuba where training in infiltration and subversion has become that island nation's major export. Thousands of Communists from throughout Latin America have been receiving schooling in subversive tactics in Cuba's training schools for many years now. After graduating, these trainees return to their own countries where they infiltrate labor unions, universities, and other groups in which they can stir up discontent and egg on revolutions.
>
> It is essential that short-of-war action be taken against the cancer in our hemisphere—Communist Cuba. There are numerous weapons available including a meaningful trade ban, the recognition of a non-Communist Cuban government-in-exile so that the refugees, with the encouragement of the United States, can win back their own freedom, and stopping the flow of Communist trainees and arms between Cuba and other Latin American nations, as examples.

In light of the documentation by U.S. intelligence sources of Castro's part in the Dominican Republic revolt, I am hopeful the administration will adopt meaningful measures to weaken Castro's hold on Cuba and his export of Communists and thereby prevent further Communist revolts in this hemisphere.

Following is the above-referred-to article by Mr. O'Leary which appeared in the Star, June 13, 1965:

U.S. Documents Red Attempt To Seize Revolt—Three Separate Groups Worked Together in Dominican Crisis

(By Jeremiah O'Leary)

The organized effort by three Communist Parties to capture the revolt in the Dominican Republic and seize power in that country has been documented in an official U.S. paper compiled by intelligence sources expert in Communist activities.

The report, chronologically and in narrative form, describes the day-by-day activities in Santo Domingo between April 24 and May 5 of 77 known Communists. Many of the 77 were previously identified as participants in the revolt by U.S. Government sources on May 6, but the new document gives intimate details of their participation before and after the American intervention.

The document, obtained last night, is the first disclosure of details of the Communist participation in the revolt from U.S. sources since a list of 58 leftists was disclosed.

At least 45 of the extremists had been deported from the Dominican Republic in May 1964, and most of them received guerrilla warfare training in Cuba before they started filtering back into the Dominican Republic last October, the document disclosed. Cuba's principal agency for promoting revolutionary activities in Latin America, the General Directorate of Intelligence (DGI), trained many of the Dominican rebel leaders, the document said.

THREE RED PARTIES LISTED

DGI has for some time provided financial support to two of the three Dominican Communist parties: the 14th of June Political Group (APCJ) and the Dominican Popular Movement (MPD). The APCJ party, according to U.S. sources, has between 3,000 and 5,000 members and has been Communist-run and pro-Castro since early 1963. MPD, which follows the Peiping line, has about 500 members. The other Dominican Communist group, which cooperated in the rebellion, is the Dominican Popular Socialist Party (PSPD) with between 800 to 1,000 members who follow the Moscow line.

The U.S. document said the parties acted in harmony in the current rebellion.

It said the largest department in the DGI is the one responsible for directing Latin American guerrilla warfare activities. Identified as the DGI officer who handles revolutionary operations for the Dominican Republic is Roberto Santiesteban Casanova, who was reported by the United States for engaging in espionage in 1962 while serving with the Cuban delegation to the United Nations.

The 26-page document is virtually a "white paper" on the Dominican revolt and reflects the official U.S. version of what transpired there. The following is a day-by-day account of Communist activities in the Dominican revolt as compiled by U.S. intelligence sources from April 24 to May 5:

APRIL 24

Elements of the Dominican Army, led by disaffected middle-grade and junior officers, revolted against the government of Donald Reid Cabral. They seized control of the 27th of February military camp, making prisoners of the army chief of staff and his deputy.

A group of civilians seized two radio stations in Santo Domingo and announced that Reid had been overthrown. The radio stations were retaken later in the day by Reid forces, but just before they were forced off the air the rebels called on the civilian population to join the anti-Reid movement and to go into the streets to support the rebellion.

Communist leaders of all three parties issued orders to their members to incite the civilian crowds gathering in the streets, and to stage rallies and demonstrations. The Communists began organizing their forces and assigning members to various functions throughout the city.

Among those Communists active in the first hours of revolt were: Narcisi Isa Conde, of the (PSPD), already armed with a submachinegun; Diomedes Mercedes Batista (PSPD), who was relaying instructions to party members to stand up for further orders; and Amin Abel Hasbun, APCJ member, engaged in organizing for Communist participation in the revolt, operating from a house on Elvira de Mendza Street.

The situation in Santo Domingo became increasingly confused. Senior officers of the Dominican air force and army informed Reid that they would not support him, and he resigned and went into hiding.

PSPD members carrying weapons gathered at Parque Independencia early in the morning and harangued civilian crowds in support of the revolt. Among these again were Diomedes Mercedes Batista and Narciso Isa Conde. Also active was Asdrubal Dominguez Guerrero, a student leader who received training in Russia in 1962. Throughout the morning, mobile loudspeaker units, including a white Volkswagen station wagon operated by Diomedes Mercedes Batista, patrolled the city urging the population to join the revolt.

In what later proved to be a key element of the revolt, rifles and machineguns seized by rebellious army elements were handed out to the civilian crowds during the day. One of the rebel officers, Capt. Mario Pena Tavares, arranged for distribution of several thousand weapons, including machineguns and hand grenades. Arms from the camp were loaded on trucks and sent to the downtown area of Santo Domingo where they were passed out to civilians. The following Communist leaders participated with army rebels in handing out arms and in some cases assumed control of the distribution:

Hugo Tolentino Dipp, PSPD leader who received guerrilla training in Cuba; Fidelio Despradel Roque, APCJ leader, trained in

Cuba and one of the chief figures in the guerrilla uprising in late 1963; Felix Servio Ducoudray Mansfield of the PSPD, former resident of the Soviet Union and Cuba and onetime employee of the Peiping Communist New China News Agency; Eduardo Houellemont Roques, APCJ, who was in Cuba in the 1963 guerrilla operation.

Other Communists who handed out arms were: Buenaventura Johnson Pimental, Juan Ducordray Mansfield, who once worked on Havana Radio broadcasts to the Dominican Republic, and Gerardo Rafael Estevez Weber, all of the PSPD; and Maximo Bernard Vasquez, of the APCJ, who worked with subversives in the Dominican military in the 1963 guerrilla movement.

Bottles and gasoline from tank trucks at several points in the city were distributed to civilians for making Molotov cocktails, MPD members being particularly active in this work.

A mob of several thousand civilians, armed with clubs and rifles, marched on the National Palace, responding to a call issued over a rebel-held radio station. Among them were armed Communists.

Rebels seized the National Palace and the rebel army officers gathered to assume control. Members of the Dominican Revolutionary Party (PRD) arrived with the intention of installing an interim government headed by PRD leader Rafael Molina Urena, pending return of the ousted former President, Juan Bosch. The PRD leaders and rebel army officers who were pro-Bosch prevailed and Molina became provisional President. But military officers who had not joined the rebellion declared they would attack the rebels unless a military junta were installed to prepare for national elections in September.

Many important Communists attended political meetings in the National Palace that day. Among those conferring with Molina was Facundo Gomez, a PSPD member and part owner of the *Scarlet Woman*, a boat used in the attempted landing of Cuban arms in the Dominican Republic in November 1963. Another, Alejandro Lajara Gonzales, an APCJ member who had been active in distributing arms to civilians, was appointed by Molina to be Deputy Director of Investigation (the Security Service).

Communist agitators began inciting the armed mobs to burn, destroy property, and seize additional arms. MPD members were told their party planned to kill any policeman found on the streets. Armed civilians roamed the city, many of them looting stores and private homes.

The offices and plant of the anti-Communist newspaper Prensa Libre were seized by an armed group which included Communists. They prepared immediately to publish propaganda leaflets.

The offices of three anti-Communist political parties, the democratic conservative Union Civica Nacional, the moderate rightwing Partido Liberal Revolucionista, and the moderate center Vanguardi Revolucionaria Dominicana, were broken into and sacked.

During the afternoon, Communist organizers continued to distribute weapons to groups regarded as reliable by the Communist parties, as well as to round up additional manpower for civilian militia units. Weapons depots and distribution points were set up.

Mercedes Batista and other PSPD leaders were observed leading a paramilitary force armed with submachineguns, rifles, and grenades.

Other armed Communist groups were observed on streets and in buildings, including one led by Manuel Gonzalez Gonzalez, Spanish civil war veteran and Cuban intelligence agent.

APRIL 26

Antirebel forces, which had been badly disorganized, now began to move against the rebel-held area of the city under command of Gen. Elias Wessin y Wessin, head of the Armed Forces Training Center. The Dominican Air Force bombed and strafed rebel-held installations. The ferocity of this and subsequent attacks consolidated public resentment and inadvertently presented the rebels with an effective propaganda weapon.

A large quantity of arms and ammunition had, by this time, fallen into the hands of the Communists. Teams of party members were fanning out through the central part of Santo Domingo organizing paramilitary groups.

Agitators from all three Red parties continued to exhort the mobs. They distributed mimeographed propaganda sheets calling on the people to fight and stating, in part, that "the hour has arrived to give arms to the working class * * * to form common units of soldiers and civilians and to organize people's combat units."

Additional Communist leaders were identified among the armed mobs and in the rebel military forces, including Juan Miguel Romman Diaz, of the ACPI, who participated in the 1963 guerrilla operation, and Jaime Duran Herando, Cuban-trained guerrilla expert.

Gustavo Ricart who returned from Cuba in 1963 bringing money to finance MPD activities, was identified as the commander of another rebel stronghold. Five other Communists were in charge of production of a considerable number of Molotov cocktails during the day.

The leaders of the various Communist parties were well equipped with weapons and became an increasingly important element in the rebel force. Rebel army officers and men, numbering about 1,000 at the outset, were soon greatly outnumbered by armed civilians who, in a state of disorganization, became easy prey for disciplined Communist leadership.

Efforts by the U.S. Embassy toward a cease-fire between the rebels and elements of the Dominican armed forces were unsuccessful. During the day, a large number of American citizens assembled in the Hotel Emmajador seeking safety. They requested assistance from the U.S. Embassy in evacuating them from Santo Domingo, which was under bombardment by the Dominican Air Force and was by this time the scene of widespread rifle and artillery fire between the opposing factions. The Embassy secured from the rebel leaders agreement to cooperate in evacuating Americans from the nearby port of Haina. Armed civilian groups, over which the Molina regime had lost control, paid no attention to this agreement.

APRIL 27

About 100 armed civilians, hearing over the rebel radio that a prominent Dominican newspaperman and broadcaster, well known as anti-Communist, was at the Hotel Embajador (actually he was not there) went to the hotel and fired several hundred shots. April 27 saw the complete breakdown of law and order. Molina, the so-called provisional president, went to the U.S. Embassy in apparent defeat, accompanied by rebel army leaders, Col. Miguel Angel Hernando Ramirez and Col. Francisco Caamano Deno. Shortly afterward, Molina abandoned office and took asylum in the Colombian Embassy.

During the day, Lajara Gonzalez of the APCJ arranged for additional arms to be passed to Communists. The offices and plant of the newspaper Listin Diario was taken over by armed PSPD Communists headed by Asdrubal Dominquez Guerrero and Jose Israel Cuello Hernandez, both carrying automatic weapons.

APRIL 28

The anti-rebel armed forces commanded by General Wessin established a three-man military junta headed by Col. Pedro Bartolome Benoit (air force), Col. Enrique Apolinario Casado Saladin (army) and Capt. Manuel Santana Carasco (navy). Early in the day, the junta seemed to make progress against the rebels but encountered heavier resistance in the afternoon and lost momentum.

The situation in the city was increasingly tense and confused. Junta forces, tired and disorganized, began to crumble. Armed mobs terrorized the city, firing on homes and other buildings, including the United States and other embassies. With collapse of the Molina government, PRD leaders abdicated their positions of leadership fearing their cause lost and their lives in danger. They left the rebel movement in the hands of politically immature army officers who had lost command over armed civilians who now far outnumbered the rebel army forces. Communist leaders, by then in control of the armed mobs, moved quickly into the political leadership vacuum in Santo Domingo.

Late in the afternoon, the junta and police authorities informed the U.S. Embassy they could no longer assure the safety of American lives. U.S. Ambassador W. Tapley Bennett recommended that U.S. marines be landed to establish a safety perimeter from which Americans and other foreign citizens could be evacuated. By that night, approximately 600 marines were landed and had taken positions around the Hotel Embajador.

APRIL 29

The rebels held the central part of the city and retained the military initiative. An armed mob under Communist MPD leaders began a full-scale assault on the remaining police stronghold, Ozama Fortress. The fortress fell next day. Another armed mob sacked the cathedral.

Communists among the university students were active in organizing the crowds.

House-to-house fighting continued. The United States and several other embassies remained under sniper fire. The U.S. Government ordered the landing of an additional 1,100 marines and, during the night of April 29–30, approximately 2,000 troops of the 82d Airborne Division landed at San Isidro. Reinforcements arrived on succeeding days.

Leaders of all three Communist groups met to discuss tactics in the light of new developments. They also met with rebel military officers.

APRIL 30

The official rebel radio broadcast instructions to armed mobs not to fire on U.S. troops but firing continued and a number of casualties were inflicted on U.S. personnel.

Two Communist commando groups were particularly active roaming the city looking for targets. Other Communists working closely with rebel army officers included two who received political and guerrilla training in Cuba in 1963.

MAY 1

A shaky cease-fire was achieved but snipers were active throughout the day, firing on the U.S. Embassy and U.S. troops. This was in keeping with propaganda emanating from the rebel-held area that the real purpose of the cease-fire was to permit junta forces to reassemble and attack from a sanctuary provided by U.S. troops.

About 50 Communists, probably a high command group of all 3 parties, met in one of the Communist strongpoints fortified with machinegun emplacements on the roof.

MAY 2

A shortwave radio transmitter in the home of a Communist broadcast instructions to the civilian mobs to shoot Americans on sight. A large crowd gathered in the Praque Independencia heard a violently anti-American speech from a Communist.

MAY 3–4

Rebel leaders began to consider how to give their movement the form and structure of a legitimate government. Communist leaders discussed among themselves the desirability of their top leaders withdrawing from open participation in the rebel movement in order both to support rebel claims that the movement was free of Communist influence and to afford protection to the principal figures of the Communist parties.

Colonel Caamano Deno, generally regarded as anti-Communist, had said on several occasions during the revolt that he was aware the Communists had been playing an increasingly important role.

MAY 5

It was the consensus at meetings of Communist leaders that, while rank-and-file members of the three parties should fight on, prominent Communists should begin withdrawing from the scene. Some went into hiding, others attempted to leave Santo Domingo for towns to the north. One of these was later captured by antirebel forces.

Some of the APCJ and PSPD leaders who left Santo Domingo were under instructions to attempt to organize local party members and sympathizers for eventual guerrilla action in the north. False identity cards were prepared for Communist leaders.

MPD leaders also agreed that the more prominent party figures should go under cover for the time being. They further decided that arms and ammunition in the hands of party members should be hidden for possible use in guerrilla operations. Orders were given to secure as many arms as they could and deliver them to party headquarters.

SENATE

TUESDAY, JUNE 15, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. Father Joseph L. Kerr, S.M., chaplain, St. Joseph High School, Cleveland, Ohio, offered the following prayer:

Unless the Lord build the house,
They labor in vain who build it.
Unless the Lord guard the city,
In vain does the guard keep vigil.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

O God of wisdom and goodness, who did inspire the Psalmist of old with this divine reminder of our dependence upon You in all that we undertake, grant that in all that we do, we may seek to conform ourselves to Your mind and will.

Inspire us with the deep consciousness of our responsibility to serve You in the discharge of our office and to serve the best interests of those, Your people, who have chosen us to lead them.

Give us the wisdom of vision by which we shall see the right and the good, in aspiring to the perfection of peace among men and nations which is the true reflection of Your glory. Guide us in the prudence of judgment that will enable us to employ the means most in keeping with Your love of mankind, in the accomplishment of our divinely delegated mission to realize the good order of society and the fulfillment of the ideals of our Nation. We ask this through our Lord, Jesus Christ.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 14, 1965, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 205. An act to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes;

H.R. 206. An act to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training;

H.R. 208. An act to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87–591, and to clarify the language of the law relating to the limiting of periods for pursuing such training;

H.R. 227. An act to amend title 38 of the United States Code to entitle the children of certain veterans who served in the Armed Forces prior to September 16, 1940, to benefit under the war orphans' educational assistance program;

H.R. 235. An act to amend title 38 of the United States Code to repeal the provisions relating to education of Korean conflict veterans; and

H.R. 2656. An act to amend subsection (a) of section 901 of title 38, United States Code, to prescribe the size of flags furnished by the Administrator of Veterans' Affairs to drape the caskets of deceased veterans.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1732. An act to extend the act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes;

H.R. 1782. An act to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act;

H.R. 2166. An act for the relief of Staiman Bros.-Simon Wrecking Co.; and

H.R. 6755. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 205. An act to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes;

H.R. 206. An act to provide a realistic cost-of-living increase in rates of subsistence allowances paid to disabled veterans pursuing vocational rehabilitation training;

H.R. 208. An act to amend chapter 31 of title 38, United States Code, to extend to seriously disabled veterans the same liberalization of time limits for pursuing vocational rehabilitation training as was authorized for blinded veterans by Public Law 87–591, and to clarify the language of the law relating to the limiting of periods for pursuing such training;

H.R. 227. An act to amend title 38 of the United States Code to entitle the children of certain veterans who served in the Armed Forces prior to September 16, 1940, to benefit under the war orphans' educational assistance program; and

H.R. 235. An act to amend title 38 of the United States Code to repeal the provisions relating to education of Korean conflict veterans; to the Committee on Labor and Public Welfare.

H.R. 2656. An act to amend subsection (a) of section 901 of title 38, United States Code, to prescribe the size of flags furnished by the Administrator of Veterans' Affairs to drape the caskets of deceased veterans; to the Committee on Finance.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Constitutional Rights of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Agriculture and Forestry was permitted to meet during sessions of the Senate up to and including June 29, 1965.

BUTTE, MONT., IS MANY THINGS

Mr. MANSFIELD. Mr. President, I shall ask unanimous consent to have printed in the RECORD an article by Mary Anderson appearing in the Butte, Mont., Standard of June 10, 1965. The title of the article is "Butte Is Many Things." Butte most certainly is. It is interesting to note that yesterday there was a 5-inch snowfall in Butte, Mont. We look forward to these quirks of nature. They mean good things at this time of the year. I believe the statement by Mary Anderson is so important and so significant of what Butte really is that the article should be printed in the Record.

I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Butte Is Many Things

Dear Sir—What is Butte?

Butte is a mile high, a mile deep, and miles wide on the hospitality side.

Is the biggest mining camp in the world and the richest hill on earth.

Is Berkeley Pit, the manmade chasm over 1,000 feet deep.

Is the Clyde E. Weed Concentrator grinding over 42,000 tons of ore daily.

Is the "World Museum of Mining," Montana Institute of Arts.

Is a national livestock sales center. Montana Stockyards. Fewer and fewer signs are left that were once common on backroads of western Montana reading, "To hell with Chicago; send your cattle to Butte."

Is a thousand-acre treasure chest of copper, gold, manganese, zinc, and lead.

Is home of the Montana School of Mines, known internationally as "The Heidelberg of the West."

Is Big Sky country where mild climate, clear skies, and pure air prevail.

Is Columbia Gardens, the Coney Island of the West, with the biggest dance floor in the Northwest.

Is a diamond drill, a gallows frame, a rock hound's paradise with the biggest mineral collection in the world.

Is high-heeled boots, rodeos, kids, cayuses, and dogs.

Is a Cousin Jack Pasty, Hilltop Gallery, and writer's paradise where the latchstring is always out.

Is split-level city, surrounded by outlandishly beautiful mountains and a shutterbug's delight.

Is a raw nugget to the first prospector and host to the mighty copper kings, Heinze, Clark and Daly.

Is a sportsman's paradise with big game and fish just a short drive away.

Is gaudy sunsets, wonderful picnic spots, lavish restaurants and night clubs.

Is new supermarkets, new airport, new banks, and a new highway center.

Is unparalleled for diversification as a mining city, wholesale, retail, educational, medical center, a transportation distribution center.

Is Beef Trail with three electronically powered ski tows, and home of international speed skating champions.

Is 47 churches, 18 public and 11 parochial schools, 14 hotels, 18 motels.

Is famous for its cosmopolitan food and nationalities vie with each other to serve tempting dishes.

Is Indian summer with invigorating air that intoxicates like rare wine.

Is something special where roots go deep as the mines and folks from all parts of the world rub elbows good naturedly on busy streets.

Is towering gallows frames decorated with red and green lights at Christmas.

Is a sedate thriving community of new homes and new buildings, still proudly retaining her glowing western heritage, freedom and friendliness.

Is spacious and gracious, with outdoors-loving folks, hospitable and kind, grateful for her tremendous resources.

Is capital of the mining world, a million dollar civic center and convention city.

Is neighbor to Victor Chemical Works, one of the largest chemical plants in the Northwest. Also is neighbor to Anaconda where the world's largest smelter stack towers 585½ feet, and could tuck the Washington Monument neatly inside.

Is "How are you," not "Who" land, an inviting, promising site for good business, good living, and thriving industry.

Is a miner, banker, trucker, cattleman, tradesman, engineer, and homemaker.

Is a tourist bonanza, strategically located midway between Glacier and Yellowstone National Parks, Lewis and Clark Caverns, Indian battlegrounds, Virginia City and Quake Lake, and the Gates of the Mountains.

Butte, restless teeming town of rare repute, your loot of hearts is greater than your copper.

Butte is my town and I like it. And, when the first Montanan lands on the moon, some Butte metals will help put him there. Copper for wiring and guidance systems and beryllium used as a re-entry heat shield.

—Mary Anderson.

THANK YOU, MR. PRESIDENT

Mr. MANSFIELD. Mr. President, on June 11, there was published in the Great Falls Tribune an editorial entitled "Thank You, Mr. President."

The people of Montana do thank the President for separating the facts insofar as the previously proposed closing of the Miles City hospital was concerned from the figments of the imagination of the Veterans' Administration.

The editorial commends the President for appointing a commission to determine the facts, and for making the decision which he did once he had the facts. The facts showed conclusively that the closing of the Miles City hospital was not warranted in terms of existing law and even in terms of the administrative criteria which the VA had itself established for closings. Once apprised of the facts, the President, with a considerate decency, acted to rectify an impetuous and overeager decision of his administrative subordinates. The President's decision, which will allow the Miles City VA hospital to continue in operation, is a decision which has the wholehearted support, approval, and thanks of all the people of Montana. I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Thank You, Mr. President

When the Veterans' Administration announced plans last January to close 11 VA hospitals, including the one at Miles City, a considerable number of generally calm Montanans went on the warpath.

They did not don warpaint. They knew the pen is mightier than a tomahawk so they wrote letters to Washington. But they implied that if pen was not effective, they would try tomahawks—at the next election.

A steady stream of letters from Montana pleaded with the President and the Montana congressional delegation to keep the Miles City VA hospital open. The letters pointed out the Miles City facility was one of the most modern in the Nation, having been built in 1951 at a cost of $4.6 million. Montanans wrote that veterans from a vast area were served by the Miles City hospital and that it would inflict a grave hardship on veterans and families to have the hospital closed.

Many letters with Montana postmarks emphasized that while closing a hospital would not cause more than a ripple of economic trouble to a metropolitan city that it would be worse than an angry mule's kick in the stomach to a community the size of Miles City.

Montanans were delighted when President Johnson ordered the Veterans' Administration in April to reconsider plans to close the hospitals. The President said he had some doubt in his mind about the closing program. Letters from Montana to the President and the Montana congressional delegation may have had a little to do with that Presidential change of heart.

The Veterans' Administration announced Tuesday the President had ordered it to keep open 5 of the 11 VA hospitals that had been earmarked out of existence. The Miles City hospital was one of the lucky five.

We say, "Thank you, Mr. President." Continued operation of the VA hospital in Miles City is highly important to the Miles City economy—a $1-million-a-year shot in the arm—and to many Montana veterans.

We hope the Montanans who were so disturbed at plans to close the hospital draw upon their spirit of western friendliness to take up their pens again to write sincere "Thank you, Mr. President" letters to the White House.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report on Research Laboratory Space at University of Minnesota

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the provision of additional research laboratory space at the University of Minnesota (with an accompanying paper); to the Committee on Aeronautical and Space Sciences.

Report on Loan to Brazos Electric Power Cooperative, Inc., Waco, Tex.

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, on the approval of a loan to the Brazos Electric Power Cooperative, Inc., of Waco, Tex. (with an accompanying paper); to the Committee on Appropriations.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on possible additional costs resulting from failure to competitively procure gasoline engines for the military 5-ton truck, Department of the Army, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

Amendment of Act Establishing the United States-Puerto Rico Commission on the Status of Puerto Rico

A letter from the Chairman, United States-Puerto Rico Commission on the Status of Puerto Rico, Washington, D.C., transmitting a draft of proposed legislation to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico (with accompanying papers); to the Committee on Interior and Insular Affairs.

Amendment of Title I, United States Code

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend title 1 of the United States Code to provide for the admissibility as evidence of the slip laws and the treaties and other international acts series, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

Report Relating to Renewal of Interstate Compact To Conserve Oil and Gas

A letter from the Attorney General, transmitting, pursuant to law, a report relating to the renewal of the interstate compact to conserve oil and gas (with an accompanying report); to the Committee on the Judiciary.

Amendment of Title 35, United States Code, Relating to Publication of Patent Applications

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

Report on Petitions To Accord First Preference Status to Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, petitions to accord first preference status to certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of Railroad Retirement Board

A letter from the Chairman, Railroad Retirement Board, Chicago, Ill., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Arizona; to the Committee on Finance:

"Senate Memorial 3

"A memorial urging the Congress of the United States to defeat H.R. 8147 which reduces the existing exemption on articles and other commodities from $100 to $50 of fair retail value

"To the Congress of the United States:

"Your memorialist respectfully represents:

"Whereas the existing Tariff Schedules of the United States permit residents of the United States returning from a foreign country to enter the United States with articles not over $100 in aggregate value, including other commodities; and

"Whereas this Tariff Schedule has been operating satisfactorily, particularly in the Arizona ports of entry; and

"Whereas H.R. 8147, 89th Congress, 1st session, has been introduced and passed by the U.S. House of Representatives; and

"Whereas H.R. 8147 reduces the existing Tariff Schedules from $100 to $50 and also limits the quantity of other commodities; and

"Whereas H.R. 8147 permits American Samoa, Guam, and the Virgin Islands of the United States, to have an exemption larger than other ports of entry in the United States.

"Wherefore your memorialist, the Senate of the State of Arizona, prays:

"1. That the Congress of the United States make every effort to defeat the provisions of H.R. 8147, or in any event, to grant the ports of entry in the State of Arizona the same exemptions granted to American Samoa, Guam, and the Virgin Islands of the United States.

"2. The secretary of state of Arizona is directed to transmit a copy of this memorial to the President of the Senate of the United States, the Speaker of the U.S. House of Representatives and to each member of the Arizona congressional delegation."

A joint resolution of the Legislature of the State of Connecticut; to the Committee on Government Operations:

"House Joint Resolution 9

"Resolution memorializing Congress concerning the donation of Federal surplus property to State civil defense agencies

"Resolved by this assembly:

"Whereas the Congress of the United States has seen fit to authorize the donation of Federal surplus property to the several States for purposes of education, public health, and civil defense; and

"Whereas the Congress has also recognized the importance of strong local civil defense programs in promoting national security; and

"Whereas much Federal surplus property would be put to effective use by the several civil defense agencies in the implementation of their programs for the safeguarding of the Nation and its citizens if this property were made available to them: Now, therefore, be it

"Resolved, That the Legislature of the State of Connecticut memorialize the Congress of the United States to take such steps as would provide the local civil defense agencies with a priority in the selection and receipt of Federal surplus property; and be it further

"Resolved, That the clerks of the house and senate cause copies of this resolution to be sent to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and to the Members of each of these bodies from the State of Connecticut."

A concurrent resolution of the Legislature of the State of Hawaii; to the Committee on Labor and Public Welfare:

"Senate Concurrent Resolution 49

"Concurrent resolution requesting that the Morrill Act be amended so as to enable States to invest their grants in corporate equities

"Whereas the Hawaii Omnibus Act (act of July 12, 1960; Public Law 86–624) authorized the appropriation of $6 million to the State of Hawaii, in lieu of a land grant, subject to the provisions of the Morrill Act (7 U.S.C. 301–308) and such funds were subsequently appropriated; and

"Whereas the Morrill Act, section 302, provides that the moneys derived from the sale of lands are to be invested in bonds of the United States or of the States or some other safe bonds, or that the proceeds may be invested by the States having no State bonds in any manner the legislature of such States agree to, provided that the funds yield a fair and reasonable rate of return as designated by such State legislature; and

"Whereas the provisions of the Morrill Act governing investment of funds do not provide a means whereby the capital may be protected from erosion due to inflationary tendencies or to benefit from increases in economic productivity; and

"Whereas most college and university investment portfolios include a combination of both variable and fixed-value securities, which provide protection against price increases and an opportunity to benefit from the growth of the economy: Now, therefore, be it

"Resolved by the Senate of the Third Legislature of the State of Hawaii, regular session of 1965 (the House of Representatives concurring), That the Congress and President of the United States be and they are hereby respectfully requested to amend the Morrill Act to enable States to invest their grants in corporate equities including mutual funds; and be it further

"Resolved, That certified copies of this concurrent resolution be transmitted to the Honorable Lyndon B. Johnson, President of the United States; the Honorable Hubert H. Humphrey, President of the Senate of the United States; the Honorable John W. McCormack, Speaker of the House of Representatives of the United States; Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, Representative Patsy T. Mink, and Anthony J. Celebrezze, Secretary of the Department of Health, Education, and Welfare."

A resolution adopted by the Business and Professional Women's Club, Ely, Minn., favoring delay in the enforcement of the order of the Secretary of Agriculture in regard to the Boundary Waters Canoe Area; to the Committee on Agriculture and Forestry.

A resolution adopted by the Officers' Wives Club of Tobyhanna Army Depot, favoring increased pay for personnel of the Armed Forces; to the Committee on Armed Services.

A letter in the nature of a petition from the Minutemen of America, Stuart, Fla., signed by Francis A. Adams, director general, relative to the activities of that organization; to the Committee on the Judiciary.

A letter in the nature of a memorial from the Veterans of Foreign Wars of the United States, Minneapolis, Minn., signed by Robert Drakota, post adjutant, protesting against the closing of 32 Veterans' Administration hospitals, domiciliaries, and facilities; to the Committee on Labor and Public Welfare.

The petition of Winona Paschal, of Oklahoma City, Okla., praying for a redress of grievances; to the Committee on Labor and Public Welfare.

Resolutions adopted by the Dayton, Ohio, Electrotypers' Union No. 114; the Rochester Typographical Union No. 15, of Rochester, N.Y.; the Passaic, N.J., Typographical Union No. 178; the Austin, Tex., Typographical Union No. 138; the Denver, Colo., Typographical No. 49; the Louisville, Ky., Typographical Union No. 10; the Spokane, Wash., Mailers' Union No. 91; the Ann Arbor-Ypsilanti Typographical No. 154; the Fort Worth, Tex., Typographical Union No. 198, and the Women's International Auxiliary No, 261, of the International Typographical Union No. 895, of Fort Lauderdale, Fla., favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 8464. An act to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act (Rept. No. 330).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 2146. A bill for the relief of Ljubomir Milich; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2147. A bill for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired); to the Committee on the Judiciary.

By Mr. KENNEDY of New York (for himself and Mr. Javits):

S. 2148. A bill to authorize the Secretary of the Interior to accept a donation of property in the County of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KENNEDY of New York when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

AMENDMENT OF SENATE RULES TO PROHIBIT THE SERVING OF ALCOHOLIC BEVERAGES IN THE PUBLIC ROOMS OF THE SENATE OFFICE BUILDINGS AND THE SENATE SIDE OF THE CAPITOL

Mr. MORSE submitted a resolution (S. Res. 117) amending the Senate rules to prohibit the serving of alcoholic beverages in the public rooms of the Senate Office Buildings and the Senate side of the Capitol, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

AUTHORIZATION FOR SECRETARY OF THE INTERIOR TO ACCEPT A DONATION OF CERTAIN PROPERTY FOR ADDITION TO THE FIRE ISLAND NATIONAL SEASHORE

Mr. KENNEDY of New York. Mr. President, I introduce on behalf of myself and my colleague, the Senator from New York [Mr. JAVITS] a bill to authorize the Secretary of the Interior to accept a donation of approximately 611 acres in Suffolk County, N.Y., known as the William Floyd estate, as an addition to the Fire Island National Seashore.

This bill, similar to H.R. 8035 introduced by Congressman OTIS PIKE, Democrat, of New York, in the House, would permit the Secretary of the Interior to add the William Floyd estate to the Fire Island National Seashore for preservation and recreational uses by the public.

Gen. William Floyd, signer of the Declaration of Independence and Revolutionary War hero, is well known to those familiar with this period of history. He served as a member of the New York delegation to the Continental Congress. After the war he served as a State senator and then as a Representative to the first Congress from 1789 to 1791. Subsequently he served several times as a presidential elector and again as a New York State senator in 1808.

General Floyd led the repulse of the first British descent on Long Island by the county militia. However, the British Army landed in force on Long Island in 1776 and seized the Floyd estate. General Floyd fought through the war, returning to the Floyd estate after the war.

This estate, formerly the property of Gen. William Floyd, is still largely in the condition in which Richard Floyd found it when he settled on Long Island in 1655. Old forest growth surrounds the 18th century house and the fields are marked by hedges and ditches laid out when the estate was first occupied.

I might note in passing that the original Richard Floyd, a Welshman, spent a brief period of his life in Massachusetts before moving down to establish Setaucket and the Floyd estate in 1655 and subsequently serve as a member of the Suffolk County militia and as a judge of Suffolk County.

The William Floyd house dates back to 1724, having survived hard usage as a cavalry barracks by the British during the Revolutionary War. Many of the original furnishings still remain in the house.

The present owners of the estate, wishing to preserve the house and the area in its original condition for the benefit of future generations, have generously offered to donate their property for inclusion in the Fire Island National Seashore. Under the provisions of the transfer, the Secretary will lease the house back to the present owners for 25 years. At the end of that period, the house and the land will become available for public use.

Although the plans for the preservation and use of the Floyd Estate cannot be worked out in detail at this time by the Department of the Interior, the house would be preserved for its historic value and interest and would be open for public inspection. The area would also provide an ideal area for hunting in season, camping, day use such as picnicking and hiking, and possibly boating.

The addition of the Floyd Estate to the Fire Island National Seashore is a particular welcome move in view of the rapid growth in Nassau and Suffolk County. Suffolk County in particular, perhaps the fastest growing county in the United States today, needs to identify certain areas for preservation and park purposes if we are to retain some of the original character of the land.

The public-spirited offer of the current owners of the Floyd Estate to transfer this land for inclusion in the Fire Island National Seashore is particularly welcome. I hope that the Senate will act quickly to approve this bill and preserve this land for future public benefit and use.

The PRESIDING OFFICER (Mr. BASS in the chair). The bill will be received and appropriately referred.

The bill (S. 2148) to authorize the Secretary of the Interior to accept a donation of property in the County of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes, introduced by Mr. KENNEDY of New York (for himself and Mr. JAVITS) was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF SENATE RULES TO PROHIBIT THE SERVING OF ALCOHOLIC BEVERAGES IN THE PUBLIC ROOMS OF THE SENATE OFFICE BUILDINGS AND THE SENATE SIDE OF THE CAPITOL

Mr. MORSE. Mr. President, I send to the desk my annual resolution in the interest of promoting sobriety in the Capitol, and I announce I am going to give it a parliamentary ride by attaching it to the next report of the Committee on Rules and Administration, which I think will be on the Bobby Baker case, which will be a very appropriate place for it.

I ask that the resolution be referred.

The PRESIDING OFFICER. The resolution will be received and referred.

The resolution (S. Res. 117) was referred to the Committee on Rules and Administration, as follows:

Resolved, That rule XXXIV of the Standing Rules of the Senate (relating to regulation of the Senate wing of the Capitol) is amended by adding at the end thereof the following new paragraph:

"3. The serving of alcoholic beverages shall not be permitted within any portion of the Senate side of the Capitol, or any portion of any office building set aside for the use of the Senate, other than a room or suite which is assigned for occupancy by a Member or officer of the Senate for the transaction of the business of his office. As used in this paragraph, the term 'alcoholic beverage' means any alcoholic beverage containing more than 24 percent of alcohol by volume."

AMENDMENT TO S. 2080, THE COINAGE ACT OF 1965

AMENDMENT NO. 276

Mr. PASTORE. Mr. President, I send to the desk an amendment on behalf of myself, the Senator from Maine [Mr. MUSKIE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Connecticut [Mr. DODD], the Senator from Vermont [Mr. PROUTY], my colleague from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Pennsylvania [Mr. CLARK] and ask that it be printed and lie on the desk until Friday, June 19, so that the many Senators who have evidenced an interest in the elimination of silver from the half dollar may become cosponsors.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed, and lie on the desk as requested by the Senator from Rhode Island.

Mr. PASTORE. Mr. President, this is an amendment to S. 2080, the Coinage Act of 1965. The bill calls for the elimination of silver from our dimes and quarters. These coins, henceforth, are to be made of a new material composed of cupro nickel clad on copper but our half-dollar piece will be made of coin containing 40 percent silver. My amendmen would eliminate silver from the half dollar.

This legislation was proposed to meet the crisis in coinage. But I believe that the provisions of S. 2080 are inconsistent with its dual purpose—to conserve the short supply of silver while increasing the supply of coins.

There may be a practical reason for the rentention of a fraction of silver in our half-dollar coin but it only aggravates the silver shortage and frustrates the relief otherwise provided by S. 2080.

I have studied the statistical evidence submitted to the Committee on Banking and Currency during the recent hearings. I am convinced that ultimately we will have to adopt completely non-silver subsidiary coinage. The absolute abandonment of silver for coinage is inevitable. The only question is how soon before we eliminate silver entirely from the half dollar.

Mr. President, the evidence cannot be refuted. Two hundred and fifteen million ounces of silver were produced in the free world during 1964, but 285 million ounces were consumed. The silver deficit last year soared to 70 million ounces.

The President understands this. In his message to Congress of June 3, 1965, he stated:

> There is no dependable or likely prospect that new workable sources of silver may be found that could appreciably narrow the gap between silver supply and demand. The optimistic outlook is for an increase in production of about 20 percent over the next 4 years. This would be of little help.

I agree with the President. Expanding mining facilities will do little to alleviate the shortage. The prognosis is poor. By 1968, we expect the annual silver deficit to be 87 million ounces.

But what does the deficit mean in practical terms? Let me tell the Senate very simply. The deficit must be met each year from Treasury stocks of silver or some industrial users will go out of business. At the present time, Treasury silver accounts for 25 percent of the silver used by manufacturers in this country.

Treasury stocks now amount to 1 billion ounces. We must subtract from this inventory the amounts of silver required for continued minting of present coins, for the redemption of silver certificates and for defense stockpile purposes. Then we will have on hand only enough silver to satisfy the industrial deficit for the next 4 years. If we continue to mint a silver half dollar, I believe that the Treasury inventory will be depleted within 3 years.

What then? When the Treasury stock of silver is wiped out, silver speculation and hoarding will be well underway and the Treasury will be in the market for silver. There is no substitute for silver in the photographic, electronic, defense, and silverware industries. Unemployment in these industries will climb as silver sources decline.

We must not allow this to happen. We in the Congress have a constitutional obligation to protect the coinage and the commerce. We must evolve a permanent solution to the coinage problem.

I have read estimates of the amount of silver which will be required to continue minting the silver half dollar. It would take from 16 million to 33 million ounces a year. This is almost as much silver as we mined last year.

We cannot chance half measures to meet this crisis. That is why I have introduced my amendment. It would provide for a half-dollar piece composed of a core of copper, clad with a copper-nickel alloy. This is the inevitable solution.

Why wait? If we do not adopt the amendment now, we will legislate silver from the half dollar within a matter of a few years.

What I am trying to do is to protect American jobs.

Mr. MAGNUSON. Mr. President, so that there will be no doubt about the position of the Senator from Washington, he is vigorously opposed to the amendment. I agree that there is no substitute for silver. I know that both sides of the subject will be discussed.

I want to go on record as being vigorously opposed to the amendment.

Mr. PASTORE. Mr. President, we are eliminating silver from the 10-cent piece and from the quarter. Why should it not be eliminated also from the half dollar? I realize that we must keep silver in the dollar, because the silver certificates must be redeemed. We are not taking it out of the cartwheels, the silver dollars. We are not suggesting that it be taken out of the silver dollar. I cannot understand why it should stay in the half dollar when we are taking it out of the dime and out of the quarter. There just is not enough silver available. It is inevitable that we eliminate silver from the half dollar.

Mr. MAGNUSON. I do not believe it should be taken out of the dime or the quarter. The truth is that there is plenty of silver and zinc and lead in the vast expanses of Alaska and the State of Washington and States of Idaho and Nevada and Utah.

It cannot be mined, however, at the present prices. There is plenty of silver for Rhode Island and for other places. They merely want to get it a little cheaper and depreciate the prestige of silver, which has been in our system of coinage for lo these many years.

Mr. PASTORE. It will be a pleasure to debate the issue at the proper time with my distinguished friend from Washington.

Mr. PELL. I agree with the views expressed by my senior colleague with respect to the silver content in the silver half dollar. My own hope is that some day silver will not be a basis in our coinage. It seems to me that this whole matter is like the lady who said she was partially pregnant. Mr. President, she is either pregnant or she is not pregnant. Having gone this far, I believe it might be a good idea to go a little further, and remove the silver content. I realize that this is not the view of all my colleagues in the Senate. But, in my State of Rhode Island this matter is of great concern, because more than 7 percent of our people use silver in their work. They should be able to get as much as they need. As the Senator from Washington has said, we are seeking to get it cheaply. I do not blame those who produce silver for thinking differently.

Mr. CLARK. Mr. President, I commend the senior Senator from Rhode Island for permitting me to become a cosponsor of his amendment. I shall support it because I think it is an excellent idea, notwithstanding the views of my friend from Washington.

Mr. DODD. Mr. President, the Senate Banking and Currency Committee has unanimously reported the bill (S. 2080) recommended by the President, to reduce the requirements for the use of silver in our coinage.

This prompt action—the President made his recommendations less than 2 weeks ago—is encouraging and augurs well for equally prompt approval by the Senate and the House.

The bill is an important one and I am all for quick action.

But I do think it can be improved and for this reason I am cosponsoring the amendment just introduced by the distinguished senior Senator from Rhode Island, Senator PASTORE.

At the present time, the Senate bill would abolish the requirement for silver in dimes and quarters.

Consistent with the President's recommendations, however, the committee has agreed only to reduce the silver content of half dollars from 90 to 40 percent.

I believe the silver requirement for half dollars should be repealed altogether, and the amendment introduced today would accomplish this.

I might add at this point that the House Banking and Currency Committee reported a bill repealing the requirement for half dollars.

The demand for silver by private users far exceeds not only our domestic production but also silver production throughout the world.

The figures cited in the President's message fully document this conclusion.

From 1960 through 1964, the average annual consumption of silver within the free world was 410 million ounces.

During the same period of time, new production has averaged just under 210 million ounces a year.

This deficit of 200 million ounces a year—it was as high as 300 million ounces in 1964—cannot be met by increased production of silver for the simple reason that there are not enough new sources of silver that we know we can count on during the next few years.

But we can decrease the demand for silver simply by reducing Government demands for it.

In 1964, the Treasury Department needed 203 million ounces of silver for coinage requirements.

This year, at the present rate of minting coins, the Treasury will need about 300 million ounces for coinage, unless legislation is passed.

The companies that use this metal to produce silverware, jewelry, photographic film, and for other industrial processes, need silver very badly.

Since silver in coins is not essential, and I think it is generally agreed that the substitutes provided for in the bill are satisfactory, there is no good and compelling reason why we should have to have silver in any of our coins.

It is realistic to take all silver out of dimes and quarters and it is just as practical and important to take it out of the half dollar.

If we do not take this step as part of the legislation we will consider this week, I am sure that it will have to be done separately, within the next few years.

Why should we postpone the inevitable, especially when there is a strong argument in favor of doing so now?

When the Senate Banking and Currency Committee met to vote on S. 2080 on June 9, I asked my colleague and good friend, the Senator from Maine [Mr. MUSKIE] to offer this amendment.

He did so and much to my regret the amendment was defeated.

I am hopeful that when it is brought up on the floor of the Senate, this committee decision will be reversed.

It is estimated that with repeal of the silver requirement for dimes and quarters and the reduction in half dollars the Treasury will need only 5 percent of the amount of silver it would otherwise need for 1 year.

At the rate of 300 million ounces for 1965, this means that 285 ounces would be released from coinage requirements.

Repeal of the requirement for half dollars will free an additional 14 million ounces.

These additional 14 million ounces may seem insignificant compared to the total amount of silver involved in the coinage problem.

But the amount is not insignificant in terms of the acute shortage of silver faced by the silver, photographic, jewelry, and other industrial users of silver.

EXCISE TAX REDUCTION ACT OF 1965—AMENDMENT UPDATING TIRE STANDARDS

AMENDMENT NO. 277

Mr. NELSON. Mr. President, the excise tax reduction bill of 1965 (H.R. 8371) contains a provision directing the automobile manufacturers to adopt as standard equipment the General Services Administration safety devices that were recently prescribed for all federally purchased cars in order to receive the final 4-percent tax repeal by 1969.

These safety features include a set of tire safety standards. The importance of safe tires cannot be overemphasized. The automobile industry equips more than 7 million cars per year with new tires.

Just yesterday four people were killed when a tractor-trailer had a blowout and crashed into another car in the Chesapeake Bay Bridge Tunnel.

Alarming evidence has been presented in two hearings, before the Federal Trade Commission and the Senate Commerce Committee, which indicates that many cars are being equipped with tires with inadequate safety margins—in some cases grossly inadequate safety margins.

There is no question about the need for tire safety standards. However, the standards contained in this bill are not adequate. They are based on data developed in 1952 and are long since obsolete.

The amendment which I am submitting today would correct this situation.

It would direct the Secretary of Commerce to revise the Government tire safety and performance standards for auto tires and develop a system of grading and labeling.

The Department of Commerce, which developed the first Government tire standards, recently testified on these standards, before the Senate Commerce Committee. They said:

> The original Federal specifications for tires and all the revisions have been based primarily on work done at the National Bureau of Standards prior to 1953. Since the Bureau tested only first-line tires in developing the Federal specification, its laboratory experience is incomplete for comprehensive tire standards, and is also, obviously, being 10 years old, dated.
>
> The Department of Commerce strongly favors national tire safety standards and an adequate system for tire grading and labeling. We believe the Federal Government has a public responsibility not only to provide for the construction of safe Federal highways but also increasingly for the safety of vehicles traveling on the highways to reduce the number of tragic deaths and injuries resulting from accidents * * *. Since tires * * * play a very important part in safety on the highways, it is essential that we have sound tire safety legislation, both Federal and State.

The General Services Administration, which is responsible for developing the safety standards for Government cars, gave similar testimony at the Commerce Committee hearings:

> We believe the specifications (Government) are antiquated. As you know, from the Department of Commerce testimony, these were based on certain tests conducted in 1952, and certainly are antiquated * * *. We are * * * totally dissatisfied with these specifications.

A revision of these standards would assure the motorist that the tires placed on a new car or station wagon by the auto manufacturers can carry the load of the vehicle and avoid blowouts and other tire failures.

Today misleading labels and a lack of standards make it virtually impossible for the individual driver to be responsible for the safety of the tires on his car.

For instance, some station wagon owners have been told by Goodyear Tire & Rubber Co. that they should have eight-ply tires. A tire executive said the same thing at the Federal Trade Commission hearings in January.

Yet most new station wagons have only two-ply tires "with a four-ply rating." Not only is the motorist confused, but there is much evidence to indicate that his life is in jeopardy when driving a station wagon fully loaded equipped with two-ply tires.

I think that the inclusion of the GSA safety standards in this bill is a very significant step. There is no doubt that their adoption will save thousands of lives every year.

But the standards as written now contain one very serious flaw which this amendment aims to correct. I would hope that Congress will review the evidence and adopt this amendment.

I ask that the amendment be received, printed, and lie on the table, and that it be printed in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 277) is as follows:

On page 5, beginning with line 21, strike out all through line 12, on page 6, and insert the following:

"(c) PASSENGER SAFETY DEVICES; SAFE TIRES.—Section 4061 (relating to imposition of tax on motor vehicles) is amended by adding at the end thereof the following new subsections:

"'(c) PASSENGER SAFETY DEVICES; SAFE TIRES.—For purposes of subsection (a)(2) (A), an automobile chassis or body shall qualify under this subsection only if it is a chassis or a body of an automobile which, at the time of the sale of the automobile by its manufacturer, producer, or importer, is equipped with—

"'(1) the passenger safety devices which (A) would be required, under the Act of August 30, 1964 (Public Law 88–515), if such automobile were purchased for use by the Federal Government and (B) conform with the commercial standards prescribed by the Administrator of General Services under such Act which are in effect on the day on which such automobile is sold by its manufacturer, producer, or importer; and

"'(2) tires which conform with the minimum safety and performance standards, and grading and labeling requirements, prescribed by the Secretary of Commerce under section 201(e) of the Excise Tax Reduction Act of 1965 which are in effect on the day on which such automobile is sold by its manufacturer, producer, or importer.'"

On page 8, after line 11, insert the following:

"(e) SAFETY AND PERFORMANCE STANDARDS, AND GRADING AND LABELING REQUIREMENTS, FOR TIRES.—

"(1) IN GENERAL.—For purposes of applying the provisions of section 4061(c)(2) of the Internal Revenue Code of 1954 (relating to standards and requirements for tires), the Secretary of Commerce shall prescribe and publish in the Federal Register regulations prescribing minimum safety and performance standards, and a grading and labeling system, for tires for automobiles which are taxable (or the chassis of which are taxable) under section 4061(a)(2) of such Code. Such regulations shall be designed to provide the public with safe tires so that motor vehicle accidents caused by tire failure can be kept to a minimum. Regulations first prescribed under this subsection shall be prescribed and published not later than one year after the date of enactment of this Act.

"(2) EFFECTIVE DATE OF REGULATIONS.—The standards and requirements first established by regulations prescribed under paragraph (1) shall take effect on such date as the Secretary of Commerce shall determine, but such date shall not be more than one year, nor less than 180 days, after the date of publication of such regulations in the Federal Register. If such standards or requirements as first established are thereafter changed, the standards or requirements, as so changed, shall take effect on such date as the Secretary of Commerce shall determine, but such date shall not be more than one year, nor less than 180 days, after the date of publication in the Federal Register of the regulations making such change."

On page 8, line 17, strike out "(e)" and insert "(f)".

NOTICE OF HEARING ON SBA LOANS TO SBIC'S AND DEVELOPMENT COMPANIES

Mr. PROXMIRE. Mr. President, I should like to announce that the Small Business Subcommittee of the Committee on Banking and Currency will hold a hearing on H.R. 7847, a bill to amend the Small Business Act by increasing the portion of the SBA revolving fund available for loans to small business investment companies and State and local development companies. The hearing is scheduled to be held on Friday, June 18, 1965, in room 5302, New Senate Office Building, at 10 a.m.

Any persons who wish to appear and testify in connection with H.R. 7847 are requested to notify Reginald W. Barnes, assistant counsel, Senate Committee on Banking and Currency, 5300 New Senate Office Building, Washington, D.C. Telephone: 225–3921.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 15, 1965, he presented to the President of the United States the enrolled bill (S. 1000) to amend the Act of July 29, 1954, as amended, to permit transfer of title to movable property to agencies which assume operation and maintenance responsibility for project works serving municipal and industrial functions.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6767) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 3, 7, 28, and 35 to the bill, and concurred therein.

ACTIVITIES OF THE FEDERAL JUDICIARY—ADDRESS OF CHIEF JUSTICE EARL WARREN

Mr. KUCHEL. Mr. President, last month, on May 18, the Chief Justice of the United States, Hon. Earl Warren, delivered an address before the American Law Institute. The address is of very real interest to the people of our country in and out of Government, because it reports generally on the conditions in and the current activities of the Federal judiciary.

I ask unanimous consent that the text of the address be printed at this point in my remarks:

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS DELIVERED BY EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES, AT THE ANNUAL MEETING OF THE AMERICAN LAW INSTITUTE, MAY 18, 1965

I am happy to welcome the members of the American Law Institute this morning. It is always a pleasure for me to attend this meeting and participate at least to some extent. I note that your agenda is once again a very full one. I am very pleased to see that it includes both a continuation of last year's discussions on the university of citizenship phase of the study on the division of the jurisdiction between State and Federal courts and the commencement of discussions on the Federal question jurisdiction. As I stated to you last year, the judicial conference and the entire judiciary should be very grateful to the institute for undertaking this monumental study. We look forward eagerly to its completion.

It has been my custom in the past in reporting to the American Law Institute to give you an overall picture of the workload in the Federal courts as we near the close of another court term.

The number of cases brought to the Supreme Court continues at approximately the same level. In fact, it is remarkable how constant the dockets and the work of the Court are. This year, for example, there are 2,520 cases as against 2,557 at the same time last year.

The Court's regular appellate docket has risen only from 1,129 last year to 1,176 during the current term. The miscellaneous docket, on the other hand, which is largely made up of applications by indigent prisoners seeking correction of what they consider unfair convictions, dropped from 1,428 cases to 1,344 cases.

The Court has thus far disposed of 1,918 cases on both dockets this term as against 1,915 as a comparable point at this date last year. It has heard arguments in 122 cases in a period of 177½ hours as compared with 144 cases in 225 hours last term.

The Court is well along with its work in this term. It has heard arguments in all cases which were ready to be heard and these cases will all be disposed of before the end of the term.

The criminal caseload in the district courts has remained fairly stable. During fiscal year 1964, 29,944 criminal cases were brought in the district courts as against 29,858 in the prior year. There was a slight increase last year in the number of prolonged criminal trials but criminal dockets, generally, are current.

The district courts are facing increasing difficulty in disposing of their civil litigation. During the first 9 months of the current fiscal year, ending March 31, 1965, the number of civil cases filed was 50,142 and the number terminated 47,815, leaving the pending caseload at the end of March as 74,522, the highest figure on record. These filings and terminations compare with 48,789 civil cases filed in the first 9 months of the last fiscal year and 45,714 terminated. Not since 1960 has the number of cases terminated exceeded those filed. In fiscal year 1960, 59,284 cases were filed and 61,829 were terminated, leaving the ratio of terminations to filings at 1.04. By 1963, this ratio had declined to 0.98. In that year, 63,630 cases were filed and 62,379 were terminated. The ratio for the first 9 months of the current year has dropped to 0.95.

A number of the courts of appeals are also facing increased difficulty in disposing of their current workload. The caseload for all courts of appeals on March 31 of this year was 20 percent higher than on the same date in 1964, with 4,711 pending as against 3,902 pending a year ago. During the first 9 months of this fiscal year, 4,945 cases were filed in the courts of appeals as compared to 4,459 in the comparable period of 1964 and 4,014 cases were terminated in both 9-month periods.

The heaviest number of filings in any circuit during the first 9 months of this fiscal year was in the already overburdened Fifth Circuit. Although nine judges are authorized in this circuit, one vacancy has existed for more than 13 months and another for over 6 months. Thus, seven judges have had to meet the fastest expanding caseload in the country. I am happy to say that their fellow judges in other parts of the country, despite their own crowded calendars, have been willing to serve in the Fifth Circuit for short periods of time to assist in carrying a share of the intolerable burden in that circuit. Over a 6 months' period in this fiscal year, 17 judges from other circuits sat in the Fifth Circuit. The Judicial Conference last September and again in March of this year took note of this situation and urged the Congress to create four temporary judgeships for the circuit.

Year after year, I have had to report to you the ever-increasing workload of our Federal courts and the backlogs which have accrued in the judicial process. It had been my expectation that with the authorization of 73 new judgeships in 1961, we would by this time have seen a substantial decline in these serious backlogs. I must admit to disappointment and grave concern, however, that we have made so little progress in conquering this situation. This is not a problem solely for the judges. Every member of the bar, every practitioner in our courts, share this responsibility.

This year, it has become necessary for the Judicial Conference of the United States to recommend to the Congress the creation of new judgeships. These 42 positions, which include the temporary judgeships recommended for the Fifth Circuit, were agreed upon only after most careful analysis of the statistics compiled for each district and for each circuit by the administrative office for the use of the Judicial Statistics Committee of the Conference. The Conference was satisfied with the demonstration of need, and for that reason has recommended this additional judgepower. I must, however, express to you my feeling of alarm that our solution to the mounting workload of the courts seems to depend so largely on the creation of additional judgeships.

The time has now come when we must probe more deeply than we have in the past and with a much higher degree of inventiveness into the diagnosis of the problems of judicial administration to assure that our system is responsive to the demands of the age in which we live. We must utilize the aids, devices, and techniques which this generation has developed, as do the other professions, so that we can assure to our people the prompt and effective administration of justice to which they are entitled. This is the responsibility of the entire legal profession—professor, practitioner, and judge. The need for action is immediate and urgent. I hope and urge that the bar associations of the country and the learned societies will devote their talents and efforts to seeking a solution to this critical problem. We cannot afford to go on pyramiding judgeships periodically without making our judicial system responsive to and part of the times in which we live.

Years ago—even a half century ago—before the advent of the judicial conference and before provision was made for circuit conferences of judges, it was not unheard of that a judge might serve his entire tenure without meeting a brother judge of a neighboring State or district in his circuit. The judicial conference and the circuit conferences broke down this isolation, and in recent years the seminars we have conducted for new judges have served a most useful purpose in this respect. The first of these seminars was held in 1962 in Monterey, Calif., and three have been held since that time. Another seminar for newly appointed judges will be held in June of this year in Denver, Colo.

The same problem which once existed among judges has until recently been true of our referees-in-bankruptcy. As a result, there has been a marked lack of uniformity of procedure among the referees. This lack of uniformity extended beyond the requirements of local conditions to all phases of administration. Last year we held our first seminar for referees-in-bankruptcy. These seminars are conducted by experienced referees who speak from practical experience and deal entirely with matters of procedure and administration within the framework of the Bankruptcy Act. This first seminar, followed by a second a month ago, has already begun to promote greater uniformity of administration. The published proceedings have been made available to all referees who have not yet attended these seminars, but it is our hope that in due time we will have an opportunity for the older and more seasoned referees to meet with the newer referees with the end result that better service can be afforded to the public in spite of variations in local laws and conditions.

Much work has been done by the Judicial Conference of the United States in the field of pretrial procedures, in the trial of complicated cases, the trial of multiple cases emanating from a common cause, statistics, court administration, the implementation of the Criminal Justice Act and Rules of Practice and Procedure by Chief Judges Biggs, Murrah, Johnsen, Hastings, and Senior Judge Maris, and their committees. But for most of them it has been a slow and hard grind in order to make progress. Really I believe the time has come when the bench and bar should join with vigor in finding ways and means to keep us current with our work. We do not want to change established principles of decisionmaking, but it stands to reason that if courts fail to keep pace with the workload, further inroads on the judicial process will be made through administrative procedures that will water down the rights of our citizens to their day in court.

I am pleased to be able to report significant progress on the part of several advisory committees which have been studying and working on revisions of the Federal Rules of Practice and Procedure. Five of the advisory committees have been working over a period of nearly 5 years on this important task and four of them are about to send the products of their labors to the Standing Committee of the Judicial Conference on the Rules of Practice and Procedure.

The Advisory Committee on Civil Rules and the Advisory Committee on Criminal Rules have made a thoroughgoing study of the existing Civil and Criminal Rules. Their recommendations were circulated, as were those of the other committees, at least twice to the bar generally and to scholars throughout the country, and the comments received have been given the fullest study and consideration by committee members.

The Advisory Committee on Admiralty Rules has prepared amendments to the civil rules designed to merge the admiralty procedure into the civil procedure.

A complete set of appellate rules has been prepared by the Advisory Committee on Appellate Rules and these rules are also designed to reach the standing committee when it meets this summer.

It is probable, therefore, that the reports of these four advisory committees will reach the Judicial Conference and the Supreme Court for consideration late this year.

At the close of the last session of Congress, legislation was enacted authorizing the promulgation of Rules of Practice and Procedure under the Bankruptcy Act. The Advisory Committee on Bankruptcy Rules, which has also held several meetings over the past years, now has a new charter for action which will require it to make a new start in some areas of its activities.

Earlier this year, at the request of the Judicial Conference, I appointed members to an advisory committee to study the possibility of adopting uniform rules of evidence in Federal courts. This committee, under the chairmanship of Albert E. Jenner, Jr., of Chicago, is, like the other advisory committees, broadly representative of the legal profession across the country. Prof. Edward W. Cleary, of the University of Illinois, will act as reporter for this committee. Their labors are certain to be long and arduous, but they are fortunate in having available to them the results of the studies of the American Law Institute in formulating its Model Code of Evidence and the subsequent work of the Commissioners on uniform State laws. A few States have also made extensive studies in this area, which will be available to the committee.

The bench and bar are deeply indebted to our colleagues on these advisory committees. They have given fully and conscientiously of their time and efforts to the work of the committees. This has involved many hours of controversy and long hours of study of the many comments which have been received from all parts of the country on the proposed revisions of the rules.

On August 20, 1964, the President signed the Criminal Justice Act, a statute which will have profound implications for the administration of justice in this country. There are two major innovations in this statute. First, when defendants are financially unable to employ counsel of their own, the court must appoint counsel for them as early in the proceedings as possible, which means in most cases when the defendant is first brought before the U.S. commissioner. Heretofore, counsel was rarely appointed in Federal criminal proceedings until arraignment in the district courts.

This will be a new burden on the U.S. commissioner and raises serious questions as to the ability of many commissioners to cope with this added responsibility.

The commissioner system is as old as the Republic. It was established by the First Congress. It has grown and developed differently as the Nation has expanded, so that today the functions and activities of the commissioner lack consistency, as do the qualifications of the commissioner himself. A recent survey showed that of the approximately 1,100 commissioners, only about two-thirds were lawyers.

Proceedings before a commissioner have generally been informal, conducted without a stenographic record, and without counsel being present. The commissioner's only compensation has been through small fees which he has collected. Once the Criminal Justice Act becomes operational, the question arises whether the proceedings before the commissioner will not have to become formal and be adequately reported and, if so, whether our commissioners are qualified and competent, especially the one-third who are not lawyers, to conduct formal hearings.

Undoubtedly, the passage of the Criminal Justice Act will bring to light many inadequacies in our commissioner system. I believe our experience may well demonstrate the need for a thoroughgoing study of the system not only to assure the effective administration of the act at the commissioner level but also to assure that the position of U.S. commissioner is a meaningful one viewed in the light of current needs.

The second major innovation of the Criminal Justice Act is the provision for at least partial compensation for assigned counsel in criminal cases. It also provides for the appointment and compensation of expert witnesses. The judges of each district have been required by the act to make appropriate plans for the disbursement of public funds for this purpose and the circuit councils are given supervision over the program. This requirement places a difficult administrative burden upon the courts and the successful discharge of this new function will require the active cooperation of the bar. The act must be administered in a manner that will be both fair and adequate to the defendant as well as equitable to the members of the bar. This act poses a real challenge to our profession because we have had no similar experience. It cannot be the problem of the courts alone. The local bar associations must participate both in the making and administration of the plans. The members of those associations must each accept a measure of responsibility, and it should not be delegated to those in our profession who are willing to accept the partial compensation because they find difficulty in making a living otherwise. To permit this would convert the objective of affording legal assistance to indigents to that of affording assistance to indigent lawyers.

Recently, the President sent to the Congress a challenging message calling upon the Nation for a renewed and increased effort to combat the problem of crime and delinquency. As lawyers, we should accept this challenge as being particularly directed toward us. The judicial branch of the Government is necessarily involved in every aspect of this effort because criminal cases are processed through the courts and because the judiciary is deeply concerned with effectiveness of our correctional system.

In furtherance of the President's message, the Attorney General and I discussed the desirability of reorganizing Federal corrections into an administrative system which would have jurisdiction over the entire Federal correctional process from beginning to end, including the training of all correctional personnel, both those in correctional institutions and those engaged in supervision in the community.

To me, this is a challenging idea and one that seems to offer an opportunity for a vast improvement for dealing with people convicted of crime in Federal courts. A correctional agency thus broadly organized should participate with other agencies in Government, including particularly the National Institute of Mental Health, the Vocational Rehabilitation Administration, and, of course, the U.S. judges through the Judicial Conference of the United States in continuous practical research and development in the correctional field.

More and more, modern legislation has been giving the sentencing judge opportunity to adopt flexible programs to meet the particular needs of the individual before him, programs which combine the facilities and techniques now under separate administrations.

More and more, institutional administrators and probation officers have felt that the ultimate success of their work depends upon their understanding of and coordination with what is done in other phases of the correctional process.

Perhaps most important, we are realizing that the hope for continued progress in corrections rests on the development of programs of research and evaluation which will create and test against alternatives a large number of techniques to be matched with the individual offender.

We are proud of the advances recently made in corrections. The Judicial Conference Committee on the Administration of the Probation System, the Bureau of Prisons, and the parole board have been imaginative in their response to the development of knowledge and technique. The steps which they have taken lead logically to the creation of a unified Federal correctional service.

Continuous research and development is the lifeblood of a successful correctional system. This requires continuous experimentation, constant research. It is important in any system which is created that the research and development be separately organized within the correctional system so that its personnel will not be diverted from their research functions and become involved in daily operations. Its work must, of course, be closely integrated with the system.

An important advantage which would result from a unified service would be the strengthening of the professional character of correction personnel. The new system would break down and eliminate the present administrative barriers and distinctions and it would require intensive basic training.

Proper training programs are a vital part of any correctional system. They would result in making the services of our probation officers of even greater usefulness to our district court judges.

By providing promotion from and to institutional and field positions and by transfers from one part of the country to another, new opportunities would develop for the infusion of knowledge, the gaining of experience, and the rewarding of excellence with responsibility equal to ability.

Another function which a unified service can uniquely perform is the administration of new correctional techniques which plainly cut across traditional lines. We have long known that the presentence investigation is invaluable to institutional classification and treatment and to the parole board in making its decision. We have also known, and acted on the knowledge, that prerelease planning and counseling are essential to community-based treatment. These simply illustrate the inevitable interdependence of the parts of the process. It is new programs, such as work release and halfway houses, which bring this interrelationship to the forefront. You can easily see how difficult it would be to place and administer these hybrids in a system which drew lines between the institution and the community.

It goes without saying that the services of all personnel now engaged in one or another part of the Federal correctional field would be needed in the operations of a unified system. The functions they now perform would be continued, and often expanded, but for the first time all functions would be conducted on a coordinated basis and within the concept of a career service.

The renewed interest of the Department of Justice in improving our corrections system has been most gratifying. I hope the judiciary will play its proper role in achieving these necessary and important changes.

We note a tendency today to blame the courts and the rulings of the courts for the vast amount of crime. Thinking persons, and especially lawyers, know that this is not the fact. They know that crime is inseparably connected with factors, such as poverty, degradation, sordid social conditions, the weakening of home ties, low standards of law enforcement, and the lack of education. The courts, law professors and lawyers everywhere have a deep responsibility, however, to see that the rules which guide our criminal trials are fair, adequate, and capable of efficient administration. We of the legal profession must consider this as one of our major responsibilities, as must every bar association, National, State, or local.

Every lawyer has taken an oath to dedicate himself to the preservation of the rule of law. He must, therefore, realize that it is his responsibility not only to perfect procedures in the law but as a citizen to see that the conditions that give rise to crime, vice, and violence are not permitted to exist in his community.

No nation, regardless of its general economic prosperity, can continue to prosper unless its citizens in all walks of life are dedicated to law observance, not merely by the other fellow, but by all. In a free society such as ours, this is the only secure foundation upon which we can build our home and business lives. Otherwise, we build upon sand.

There are other things that I could properly discuss with you, but time is precious and you have your own agenda to which I must now leave you, with the knowledge that your your discussions will, as usual, be purposeful. I hope they will also be satisfying to you and contribute to the better administration of justice throughout the land.

PRESENTATION OF THE FILES OF THE ANAHEIM GAZETTE TO THE UNIVERSITY OF CALIFORNIA, IRVINE, LIBRARY

Mr. KUCHEL. Mr. President, on Sunday, June 6, the members of my family and I were pleased and privileged to be together in our home county of Orange, on the occasion at which we gave to the new University of California at Irvine the files of the Anaheim Gazette. My late, beloved father was publisher of that newspaper for almost a half century. Those files, which commenced in 1870, reflect, year by year, the problems of the people of Orange County and the manner by which they dealt with them. On that occasion I had the honor to make some remarks.

I ask unanimous consent that the partial text of those comments be printed at this point in the Record.

There being no objection, the text was ordered to be printed in the Record, as follows:

Partial Text of Remarks by U.S. Senator Thomas H. Kuchel, on the Presentation of the Files of the Anaheim Gazette, to the University of California, Irvine, Library June 6, 1965

Chancellor Aldrich, distinguished guests, ladies and gentlemen, if you will permit me very briefly to speak for my family, I should like to say that we are very proud to participate in these ceremonies. We are honored to know that the archives of this splendid, new institution will house the files of a country newspaper, the Anaheim Gazette, founded nearly a century ago, which faithfully chronicled events as they unfolded here, and which courageously editorialized on the issues of bygone days. It fought the good fight. It was faithful to the community and to the Nation. It believed in freedom and it opposed intolerance. And into its struggles went almost the entire lifetime of the beloved husband and father of our family.

The stage was Anaheim and what was to become Orange County, which will now be profoundly enriched by this university.

The times, more than occasionally, were raucous, in the early-day traditions of the West. Now and then, disputes were settled by fists. From the days of the Civil War, on into this 20th century, with a unique blending of culture from the old world and the new, from the United States and Mexico, and Latin America in general, the growth of this area proceeded slowly but always constantly.

And now, in the aftermath of the Second World War, an explosion both in migration and population, here, and throughout our State, has catapulted California into a position of high importance to our country and, thus, into a responsibility for leadership, in which the widest knowledge, and the best judgment of all of us are most essential, and for which the processes of education are a must. That represents the challenge we and our schools face together. It points the way, I think, to the path which the University of California at Irvine must tread.

In 20th century America, as perhaps never before, a university has a multitude of grave and great obligations. One is certainly to serve as a storehouse and disseminator of knowledge. This is a university's ancient and continuing purpose. Of growing importance is the role of a university in advancing our knowledge and understanding, in seeking the truth, and in doing so free from bias or fear. Without this goal, a university would degenerate into an instrument of shallow purpose hiding behind a facade of ivied walls and buildings.

There have always been, and always will be, individuals, groups, and institutions who fear change and who will fight against it. They might as well try to turn back the tide. The ostrich approach is their guideline in avoiding trouble. Yet, change is sure to come tomorrow, exactly as it did yesterday—and at an ever-increasing pace. Consequently, no person, group, or university can or should long remain, in these times, an idle onlooker, aloof from society, turning away from all the new, daily wonders of science, or spurning the new challenges which are unfolding almost with each revolving of our globe.

The point is that we in America intend to keep what we have, and improve the lot of our people. We cherish our constitutional freedom, and we devoutly believe in our Republic. We are committed to the cause of a strong, dynamic, and educated America, where the processes of education will be geared to schooling the many, and not the few.

A university cannot become an insulated, isolated island in our society, or in the life of the Nation. Beyond that, it must ever pursue and study the convolutions of peoples among the states of the free, and of Communist imperialism as well. It must be a part of the community. It must offer an arena where knowledge may be pursued by growing numbers of our neighbors. Let no school educate merely for education's sake. Let it educate for service—service to help mankind, at home and across the seas. An environment—in the classroom, in the research laboratories, in the training institutes, and in lecture halls across a great urban State such as our own—ought to be maintained for men and women, young and old, representing all creeds and colors and walks of life, to advance their knowledge and understanding and to improve their capacity to reason. Thus, may a university fulfill its commitment to the future, as well as profit from its heritage of the past.

No university can—or should—attempt to do everything, or teach everything, but what it seeks to do, it must do with purpose and with quality. I suspect that, on occasion, intellectual rigor and responsibility in some of our Nation's public and private institutions may have taken second place behind a vain quest for the good relationship in order to advance toward some preconceived financial reward. But the function of a university is not to mirror what society and its major institutions want to hear or what its benefactors want to hear. The function of a university is to provide an environment in which good and evil may be pondered, where the student may learn to utilize what God has put into his head to think with. American institutions and American ideals come off very well when contrasted to the nonfree way of life to which large areas abroad are tragically subjected.

A liberal education in the broadest sense of the humane studies, to be meaningful in 20th century America, must be combined with an understanding of the scientific and technological age in which we live if today's graduate is to comprehend and contribute to tomorrow's world. The wonders of God's universe, bit by bit, come into focus. An educated American citizen must be able to understand the fields he has studied and he also needs to be able to communicate them and, incidentally, to communicate them in more than one language. Precise communication is as important for the student who desires to become a businessman, a farmer, a lawyer, a labor expert, a nuclear physicist, or a public servant, as it is for the student who desires to become a writer.

The information gap in science is only too well known. It is due not merely to the work of high-speed computers and productive research laboratories, but to large-scale support for the trained minds who guide the computers and work in the laboratories. The result has been an outpouring of knowledge which in a few years has overturned the concepts and scientific laws of centuries standing. But the information gap, though less publicized, also exists in the humanities, in the social sciences, and in all those fields devoted to man's relationship to man. Here the challenge is equally great, the methods far more inexact, and the educated manpower, needed to close the gap, inadequately financed by both private and public sources.

No greater task faces humankind than the seeking of peace with honor and in freedom. This has been the goal of many for centuries. Now it should be the concern of all for the future. Yet, in few areas of human learning is the gap between fact and value so apparent, and the working relationship between those who study and those who implement a nation's national security policy, so tenuous. Each university has a clear duty to do its utmost to remedy this situation. So do those who make policy in the government of our people.

Our world and our Nation have weathered many crises. With applied intelligence, we shall, with God's grace, weather many more. We also need to reach the harbor. If our countrymen are educated in the broadest sense, with balance and with perspective, free from hate and fear, then we may look forward with confidence.

Education for education's sake is not enough to prepare the citizen for today's world. It never has been. The times sorely require an education with purpose, with depth, and with usefulness. To educate does not mean to vegetate. It means, rather, brightening the torch by which man may be better guided in his journey toward universal freedom.

These are some random thoughts which I hope may not be wholly unacceptable on this happy and auspicious day when some of your neighbors from Anaheim are most proud to contribute to your library.

"The past is prologue," it is said, and perhaps the files of the Anaheim Gazette may be helpful in reflecting to your students and to those who care to see, the history of Orange County. At any rate, that is what we hope. And from that history, you will see that there were courageous leaders, living here before us, whose exertions were relatively unselfish and whose thoughts were largely on the morrow. History of any kind can be more than introductory. It can help us on our way.

EXTREMISM OF ANY KIND CAN FIND NO LIVING ROOM IN LINCOLN'S HOUSE

Mr. KUCHEL. Mr. President, last Thursday my fellow Republicans in the State of New York held an inspiring rally at the Waldorf-Astoria Hotel in New York City. The meeting was enthusiastic. Several thousand were in attendance. Many of the great Republican luminaries of New York State, including the distinguished senior Senator from New York [Mr. JAVITS], the distinguished Governor of that State, Nelson Rockefeller, former Gov. Thomas E. Dewey, an outstanding American, and others were present and participated in the program. Representative JOHN LINDSAY, one of the most attractive members of my party, was present and spoke. I, too, had the honor to address my fellow Republicans on that occasion.

I ask unanimous consent that a partial text of my remarks be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

PARTIAL TEXT OF REMARKS BY U.S. SENATOR THOMAS H. KUCHEL, BEFORE THE NEW YORK REPUBLICAN STATE COMMITTEE DINNER, WALDORF-ASTORIA HOTEL, JUNE 10, 1965

This meeting is devotedly addressed to a proud political heritage of 100 years' duration, and to a rededication to the doctrine of human freedom first enunciated in Lincoln's time.

The Republican Party came into being as the fire and flames of sectionalism and slavery engulfed our Nation. A martyred Republican President led the United States through the tragedy of Civil War; and in all the intervening decades, Republican gospel and Republican leaders gave impetus to the emergence of America as the world leader in the cause of freedom for humankind. All along the way, our party, pretty consistently, met the challenge of the times. The West was opened up to homesteading pioneers under Republican auspices, and later on, Republican reclamation law brought water to our semiarid desert lands. Our party early recognized the importance of education and began a program of Federal aid to schooling with Mr. Lincoln's land-grant college law. Intercontinental railroads were constructed and a super interstate highway became a fact under General Eisenhower. Legislation to help the workingman was a Republican goal. Antitrust legislation was written, and our natural resources were conserved under our party's sponsorship. We represented a truly national political party devoted to the national interest. We still do. And above all our other accomplishments, our party broke the chains of human slavery and stood for equality of opportunity and for the freedom of man. Tonight I am proud to say we still do.

At a time when men reach out toward the moon and beyond, our people at home—all of us—face a multitude of new challenges. This is an era of youth and vast urban growth. Next year 1 million more Americans will reach the age of 18 than this year. The average yearly increase in America's teenage labor force in the 1960's will be six times the average yearly increase in the 1950's. By the next presidential election, the age of the average American will have dropped from 33 years in 1960 to 25 or less. This is a time of greater educational and skilled job opportunities, of cultural development and racial enlightenment among all our 194 million, heterogeneous population. Altogether, this is the most challenging epoch the world has ever seen. There are enormous unresolved problems both at home and around the globe, and it will take the best in each of us successfully to grapple with them, to keep what we have, and to move forward in the path of progress. Good or evil continues to be our choice, but on a far grander scale. The secrets of nuclear energy can be used to exalt and uplift the human race, or destroy it. Across the seas small, new nations emerge and struggle for both survival and progress. And in every hemisphere, totalitarian, international communism continues its exertions to engulf mankind. As the leader of free peoples, the United States has a bounden duty it cannot shirk. And our political party, with its historic devotion to freedom, has a duty to America which it cannot cast aside.

Fellow Republicans, I firmly believe that freedom in America may best be preserved, and human well-being may best be advanced, by two vigorous, competitive, broad-range, forward-looking political parties, each creatively seeking to devise methods by which to gain the faith of the people and to win the prize on election day. The traditional two-party system has been, and continues to be, in some peril. Only one Republican has been elected President in the last third of a century. Only twice since 1932 have Republicans controlled Congress. Public opinion polls show that nationally one-quarter of our fellow citizens identify themselves with the Republican Party while three-quarters consider themselves Democrats or Independents. A persistent imbalance in political power in favor of a single political party poses a considerable danger to our system. It is conducive to one-party autocracy or worse. Yet that ominous potential continues after last November's debacle at the polls.

The two-party system must survive. That is the challenge that faces each of us. Republicans face a time of crisis. We cannot repeat exercises in futility or in blind opposition to 20th century needs. We must not permit the Republican Party to shrivel away into chronic political impotence, or to become the cat's-paw of a frustrated, anachronistic few. I do not want the Republican Party to become the captive of any special interest. We need to make it, once again, a courageous national party representing the needs of the many, and not of the few. We need to welcome men and women of all races and faiths, rich and poor, skilled and unskilled laborers, men and women from business and industry, from the farms and the cities, those who are retired and those who are young. We need to accomplish this through a rededication to our traditional doctrine of equality of all our people before the law, and a wholesome regard for the integrity—fiscal and otherwise—of our National Government. We need once again to preach the Lincoln philosophy: "The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or so well do for themselves, in their separate and individual capacities. In all that the people can individually do as well for themselves, government ought not to interfere."

Republicans do not believe that the Federal Government should turn its back on the problems which face our people, and do nothing about them. That is why the new Republican Coordinating Council was created. That is why Republican officeholders are trying—with success—to demonstrate, to the people, that we are looking forward, not backward, in our legislative goals. And that is why there is a direct challenge to every thoughtful, decent, reasonable Republican in our country to stand up and fight for the Lincoln philosophy of progress.

There is no room in the Republican Party for people who slander the Eisenhowers, the Chief Justice, or the late John Foster Dulles, to name a few. Our party opposes the ridiculous demands of the ultra-conservative that we repeal the income tax and that we leave civil rights to each State. The Republican Party objects to both the radical left and the radical right. We are a free American party, eternally rejecting both communism and fascism. They both are a danger to the Nation, to any American politcial party, and to the freedom of man. Extremism, of any kind, can find no living room in Lincoln's house.

Let the Republican Party raise a standard, as was said in the early days of America, to which the wise and honest may repair. Let the Republican Party demonstrate, once again, that we intend to take the lead in human progress, in health, in education, in housing, in transportation, in adequate recreation, in solving the problems of cramped and smog-filled cities, and of all too often violated constitutional and civil rights. These problems are not insoluble. We need not tolerate them. The need now, as never before, in New York, and all across the country, is for dedication, for constructive thought, for a decent consecration by our people to the public interest and to public affairs. Who can provide this leadership? Who can fill the vacuum? You can, my fellow Republicans, all of you. That was the Lincoln tradition when America almost broke in two. Like the Emancipator, let all of us "think anew—act anew."

LITHUANIA—AN ANNIVERSARY

Mr. PASTORE. Mr. President, at high noon on Sunday, June 13, 1965, down historic Connecticut Avenue in our Capital City of Washington there swept a cavalcade of hundreds of motorcars.

With no music—with no fanfare—under police escort the procession moved rapidly and yet almost noiselessly along.

It was an hour when churchgoers from the multitude of churches nestling on and near the avenue were pouring out from the services of Trinity Sunday.

Foot traffic and all other traffic halted as the motorcade passed. All eyes were turned on the procession. Each car flashed its headlights in the noonday sun. This was in the tradition of the funeral cortege. In a sense it did mark a death.

It marked the death of the independence of the Baltic States—the conquest by communism of the brave people of Lithuania, Estonia, and Latvia.

June 15, 1965, is the 25th anniversary of the death of legitimate government in those states as 300,000 Red army troops poured into Lithuania—and 2 days later into Latvia and Estonia.

Each car in that Sunday procession in Washington carried insignia to memorialize the rape of freedom on the Baltic States. Every passenger in every car was dedicated to making sure that the free world would not forget. Neither by them—nor by us—should the freedom-loving peoples of their homelands be forgotten.

There were banners and floats in that Sunday procession. As the eye followed and read—they told a continuous and complete story of the savage onslaught of that June of 1940—the terror, murder, and mass deportation. Giant photographs of the trains bearing a free people to slavery—and worse—moved into one's vision, and into one's heart.

That parade taught more than one lesson. The people who rode those cars are our fellow Americans—with blood ties to those tortured lands. They are our neighbors who have prospered through our common freedoms—but they are unhappy because people of their own flesh and blood and character and courage are cruelly enslaved against all the laws of God and man.

There was a lesson for the people on the sidelines—fresh from religious services in the churches of their choice. We could shudder at the contrast between the liberties of America and the lash of the Soviet domination.

And we could breathe another prayer for our freedoms—and we could feel uneasy in conscience—for the soul of America cannot slumber while our global doctrine of self determination is routed by the utter inhumanities of communism.

We are inspired by the undying courage of Lithuania and its neighbors whose will to freedom has never been vanquished. It is more alive than ever today.

Through all the troubles that beset the world on this June day of 1965 nevertheless we see a tide of truth and freedom arising above the horizon. The will to freedom burns high in hearts that never surrender.

The American conscience is committed to the liberties of little people everywhere—and we take the occasion of this anniversary to confirm the peoples of the Baltic States in their birthright of freedom under the law and the Lord.

We know only too well the fate that awaits us if we retreat from what is right. We know the price of peace is power—eternal vigilance—preparedness and perseverance.

We salute the lovers of liberty in the Baltic States—and we thank them for their lesson and their example.

May their courage never fail them.

May our conscience never desert them.

Let us never forget.

SOUTH VIETNAM

Mr. ROBERTSON. Mr. President, when I was a boy, my grandfather, A. G. Willis of Culpeper County, Va., for whom I am named, used to say:

> The tendency of everything is to be more so.

Unfortunately, that maxim is being fully proved in South Vietnam.

The bitterness in that country between the Catholics and the Buddhists is becoming more so; the instability of any civilian government is becoming more so. The determination of the Communists to destroy South Vietnam is becoming more so, and last, but unfortunately not least, our commitment to that unfortunate mess in the jungles of southeast Asia, where France suffered 290,000 casualties before admitting defeat is becoming more so.

Therefore, Mr. President, I was interested when the distinguished senior Senator from Oregon told me at breakfast this morning that a crowd of over 18,000 in Madison Square Garden in New York City recently cheered to the rafters his proposal that the proper solution of the unjustified Communist aggression against South Vietnam be referred to the United Nations.

I realize that Red China and Hanoi have in the past rebuffed efforts by U.N. Secretary General U Thant to act as a mediator, but I feel we would have nothing to lose by taking the issue of North Vietnam's aggression to the U.N., since our own efforts to start a peace negotiation have not succeeded. If the Communists vetoed U.N. action the world would know where to place the blame.

By a happy coincidence, a U.N. appeal would be in full keeping with observations on the general subject of international intervention made over a hundred years ago by a distinguished British economist and statesman named John Stuart Mill. In an essay entitled "A Few Words on Nonintervention," Mill said:

> The doctrine of nonintervention, to be a legitimate principle of morality, must be accepted by all governments. The despots must be bound by it as well as the free states. Unless they do, the profession of it by free countries comes but to this miserable issue, that the wrong side may help the wrong, but the right must not help the right. Intervention to enforce nonintervention is always rightful, always moral, if not always prudent.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from that John Stuart Mill essay, first published in 1859.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> There seems to be no little need that the whole doctrine of noninterference with foreign nations should be reconsidered, if it can be said to have as yet been considered as a really moral question at all. * * * Whoever attempts this, will be led to recognize more than one fundamental distinction, not yet by any means familiar to the public mind, and in general quite lost sight of by those who write in strains of indignant morality on the subject * * *.
>
> There is no difference of opinion among honest people * * * on the wickedness of commencing an aggressive war for any interest of our own, except when necessary to avert from ourselves an obviously impending wrong. The disputed question is that of interfering in the regulation of another country's internal concerns; the question of whether a nation is justified in taking part, on either side, in the civil wars or party contests of another; and chiefly, whether it may justifiably aid the people of another country in struggling for liberty * * *.
>
> It can seldom * * *—I will not go so far as to say never—be either judicious or right, in a country which has a free government, to assist, otherwise than by the moral support of its opinion, the endeavors of another to extort the same blessing from its native rulers. We must except, of course, any case in which such assistance is a measure of legitimate self-defense. If (a contingency by no means unlikely to occur) this country, on account of its freedom, which is a standing reproach to despotism everywhere, and an encouragement to throw it off, should find itself menaced with attack by a coalition of continental despots, it ought to consider the popular party in every nation of the Continent as its natural ally * * *.
>
> But the case of a people struggling against a foreign yoke, or against a native tyranny upheld by foreign arms, illustrates the reasons for non-intervention in an opposite way; for in this case the reasons themselves do not exist. * * * To assist a people thus kept down, is not to disturb the balance of forces on which the permanent maintenance of freedom in a country depends, but to redress that balance when it is already unfairly and violently disturbed. The doctrine of nonintervention, to be a legitimate principle of morality, must be accepted by all governments. The despots must be bound by it as well as the free states. Unless they do, the profession of it by free countries comes but to this miserable issue, that the wrong side may help the wrong, but the right must not help the right. Intervention to enforce nonintervention is always rightful, always moral, if not always prudent. * * *

VIETNAM CHRONOLOGY

Mr. MANSFIELD. Mr. President, this has been a sad week for South Vietnam and for the United States. Both the military and political events which have transpired portend a long and difficult summer.

The Government in Saigon has once again fallen. The latest change only serves to underscore the fact that the more things change the more they remain the same. It would be my hope that this latest reconstitution of the Government would stop the regional, religious, and other feuds which impair the purposes of the conflict and the decisiveness of its conduct.

According to the best count which I have been able to find, this represents the 19th coup or attempted coup or other change or attempted change in the Vietnamese Government in which the people of Vietnam have had little if anything to say.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a list, published in the New York Times of June 13, 1965, of the changes or attempted changes in the Saigon government since the deplorable assassination of President Ngo Dinh Diem.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

[New York Times, June 13, 1965]

SHIFTS IN VIETNAM SINCE 1963 COUP

YEAR 1963

November 1–2: Military junta led by Maj. Gen. Duong Van Minh deposed and executed President Ngo Dinh Diem, the country's controversial and autocratic leader since 1954.

YEAR 1964

January 30: Gen. Duong Van Minh, head of the military junta that ousted President Diem, was deposed in a swift bloodless coup d'état led by Maj. Gen. Nguyen Khanh.

August 16: General Khanh, by now a lieutenant general, was named President by the Military Revolutionary Council, which promulgated a constitution giving him wide emergency powers. The move touched off rioting by Buddhist groups.

August 27: The Revolutionary Council named a triumverate to head the government, with Generals Khanh and Minh, and Tran Thien Khiem in charge.

August 29: General Khanh resigned; Dr. Nguyen Xuan Oanh became Acting Premier.

September 5: General Khanh returned as Premier.

September 13: A bloodless coup led by Brig. Gen. Lam Van Phat was foiled by a group of young generals who became known as the Young Turks. They were loyal to General Khanh.

October 30: Saigon's mayor, Tran Van Huong, was appointed Premier, restoring a facade of civilian government.

December 20: The Young Turk generals dissolved the High National Council, a 17-man group serving as provisional legislature.

YEAR 1965

January 9: The armed forces announced the restoration of full power to the civilian government of Mr. Huong.

January 27: Premier Huong was deposed; Dr. Oanh became Acting Premier.

February 16: Dr. Phan Huy Quat, a former Foreign Minister, replaced Dr. Oanh as Premier, but General Khanh retained actual power. A 20-man advisory legislative council was named.

February 19: Col. Pham Ngoc Thao and a group of military men staged a coup, charging that General Khanh was a dictator.

February 20: General Khanh reasserted control as his troops returned to city.

February 21: Military leaders who had backed General Khanh now voted "no confidence" in him, and soon afterward he was sent abroad as an ambassador at large. Dr. Quat and Chief of State Phan Khac Suu remained in office under military control.

May 6: The Armed Forces Council returned "full power" to Dr. Quat's civilian government, announcing that it had "shown that it can be trusted."

May 21: Dr. Quat announced that a pro-Communist coup against his government had been crushed.

May 27: Roman Catholic charges of religious discrimination and Dr. Suu's refusal to approve Premier Quat's proposed cabinet changes touched off a political crisis.

June 9: Dr. Quat asked South Vietnamese military leaders to mediate the dispute with Dr. Suu.

June 12: A government spokesman announced that Dr. Quat had decided to "hand back the reins of government to the military."

Mr. MANSFIELD. Mr. President, I think it is evident, with this latest transition, that the practice is getting to be a habit, and a most unfortunate habit. In view of the comments of an anonymous spokesman in greeting the change with "cautious optimism," I think it is desirable to include also at this point a chronology of statements and comments on policy going back to 1959 which appeared in several newspapers—this one from the Baltimore Sun of June 6 and 11, 1965. It is another example of the kind of journalism which has made a most constructive contribution to the understanding of the American people in this perplexing situation.

I ask unanimous consent to have printed at this point in the RECORD a number of statements and comments on policy published in the Baltimore Sun of June 6 and 11, 1965.

There being no objection, the chronology was ordered to be printed in the RECORD, as follows:

VIET POLICY TURNS TRACED

NEW YORK, June 10.—The tide of the war in Vietnam has taken many political and military turns. Here is a chronology of statements by U.S. officials and of the war's escalation:

YEAR 1959

April 4: President Eisenhower, at Gettysburg College convocation: "Strategically, South Vietnam capture by the Communists would bring their power several hundred miles into a hitherto free region. The loss of South Vietnam would set in motion a crumbling process that could, as it progressed, have grave consequences for freedom. Military as well as economic help is currently needed in Vietnam."

YEAR 1960

May 5: U.S. defense authorities say United States is replacing about 350 civilians in South Vietnam with military personnel and by the end of the year the total is expected to reach 685.

YEAR 1961

May 5: President Kennedy, at a news conference.

Question: "There have been reports that you would be prepared to send American forces into South Vietnam if that becomes necessary to prevent Communist domination of that country."

Answer: "What we're going to do to assist Vietnam to obtain its independence is a matter still under consideration."

May 12: Vice President Johnson, on a visit to South Vietnam: "If we furnish support they will furnish manpower."

May 13: President Kennedy orders 100 specially trained jungle fighters to Vietnam, amid reports the United States plans to increase its officers and men there to total 1,650.

October 15: Gen. Maxwell D. Taylor, President Kennedy's military adviser, en route to Vietnam: "Nobody wants to send American troops anywhere."

October 31: Communist North Vietnam warns the United States that the dispatch of U.S. troops to South Vietnam could have "disastrous consequences."

YEAR 1962

February 9: The United States officially admits to only 685 military advisers in South Vietnam, but reports in Washington put the total near 4,000.

March 9: U.S. officials in Washington say American pilots are engaged in combat missions with South Vietnamese pilots but only to train them.

April 21: Robert S. McNamara, Secretary of Defense, returning from a conference to Pacific commanders: "The South Vietnamese face a long war, not of months but of years."

October 9: Gen. Paul D. Harkins, U.S. commander in Vietnam: "The Vietcong has been slowed down and there is growing effectiveness against insurgents."

YEAR 1963

January 26: Gen. Earle G. Wheeler, U.S. Army Chief of Staff, reports there are 12,000 U.S. military personnel in South Vietnam, mostly helicopter troops and advisers to the South Vietnam Army.

January 14: The State Department, commenting on reports that American officers would be given command over South Vietnamese troops: "The Vietnamese are fighting and directing their own war."

January 30: Adm. Harry D. Felt, commander of U.S. military forces in the Pacific, predicts victory in 3 years over the Communist guerrillas.

February 28: Secretary McNamara says U.S. pilots in South Vietnam are under instructions to fire only when necessary in the interest of their own safety.

July 25: Washington reports the number of U.S. military advisers in Vietnam has reached 14,000.

October 22: Secretary McNamara and General Taylor, Chairman of the U.S. Joint Chiefs of Staff, back from a Saigon visit, report to President Kennedy the end of the major part of the U.S. military task can be completed by the end of 1965 and that 1,000 American personnel probably can be withdrawn by the end of the year.

December 1: More than 1,000 U.S. servicemen stationed in South Vietnam prepare to leave for home. The United States has now close to 17,000 military advisers and men in Vietnam.

YEAR 1964

January 1: President Johnson, in New Year's message to South Vietnam's military chief: "We shall maintain in Vietnam American personnel and material as needed to assist you in achieving victory."

February 1: President Johnson says of neutralization policy advanced by President de Gaulle of France: "I see no sentiment favoring neutralization of South Vietnam alone, and I think the course we are following is the most advisable one for freedom at this point."

February 18: Secretary McNamara tells congressional committee the war in South Vietnam can only be won by the Vietnamese themselves and the United States will pull out most troops by 1965 even if the anti-Communist drive falters there. He says: "I don't believe that we as a nation should assume the primary responsibility for the war in South Vietnam. It is a counterguerrilla war, it is a war that can only be won by the Vietnamese themselves. Our responsibility is not to substitute ourselves for the Vietnamese, but to train them to carry on the operations that they themselves are capable of."

COUNSEL AND TRAINING

February 29: President Johnson tells a news conference "this country must rely on the South Vietnamese" to defend themselves and emphasizes that the U.S. support policy is limited to "furnishing advice, counsel, and training to the South Vietnam Army."

March 8: Secretary McNamara says: "There is no question of the United States abandoning Vietnam. We shall stay for as long as it takes."

June 1: President Johnson calls for more countries to support the war effort in South Vietnam. The United States now maintains about 16,000 military men there.

June 22: General Harkins says it would be "worth risking war with China to save South Vietnam from a Communist takeover."

June 22: Secretary McNamara: "We are prepared for any eventuality in southeast Asia."

August 2: Three North Vietnamese PT boats attack U.S. destroyer *Maddox* in Gulf of Tonkin.

August 5: U.S. warplanes on orders of President Johnson strike at Communist supply facilities in North Vietnam. President says: "We still seek no wider war."

October 1: General Taylor reports the Communists "are militarily further from success than ever and their men must know it."

December 24: The Pentagon says approximately 22,000 American military men are now serving in South Vietnam.

YEAR 1965

February 7: White House statement: "United States and South Vietnamese air elements were directed to launch joint retaliatory attacks against barracks and staging areas in the southern area of North Vietnam which intelligence has shown to be actively used by Hanoi for training and infiltration of Vietcong personnel into South Vietnam." The President directed "the orderly withdrawal of American dependents from South Vietnam."

February 8: President Johnson says the United States will meet any threat and pay any price "to make certain that freedom shall not perish from this earth."

March 3: The State Department says the United States is engaged in "collective defense against armed aggressions" in Vietnam but is not in a state of war with Communist Vietnam.

March 4: Dean Rusk, Secretary of State: "American troops in South Vietnam could come home tomorrow if the aggressors would go back north and stay at home."

SPEECH IN BALTIMORE

March 6: Two battalions of U.S. marines are enroute to Vietnam, bringing the total U.S. forces there to about 27,000.

April 17: President Johnson, in major speech in Baltimore: "Our objective is the independence of South Vietnam and its freedom from attack. We will do everything necessary to reach that objective. In recent months attacks on South Vietnam were stepped up. Thus it became necessary for us to increase our response and to make attacks by air. This is not a change of purpose. It is a change in what we believe the purpose requires.

"We do this in order to slow down aggression.

"We will never be second in the search for such a peaceful settlement in Vietnam. We remain ready for unconditional discussions."

In advance of settlement, Johnson proposed $1 billion of American aid for southeast Asia.

April 17: Secretary Rusk, commenting on suggestions to end air strikes on North Vietnam: "It would only encourage the aggressor and dishearten our friends who bear the brunt of battle."

April 17: President Johnson, in an Eastertime statement: "We are ready to begin discussions next week, tomorrow or tonight. I regret the necessities of war have compelled us to bomb North Vietnam."

April 26: Secretary McNamara says heavy Communist casualties in South Vietnam have forced North Vietnam to start sending Regular Army units into battle there.

May 22: Six other countries have sent between 4,000 and 5,000 men to Vietnam and U.S. strength rises to about 46,000.

June 5: Robert J. McCloskey, State Department spokesman, in a statement: "American troops have been sent to South Vietnam recently with the mission of protecting key installations there. In establishing and patrolling their defense perimeters, they come into contact with the Vietcong and at times are fired upon. Our troops engage in combat in these and similar circumstances.

"But let me emphasize that the Vietnamese Government forces are carrying the brunt of combat operations. Those U.S. forces assigned as advisers to the armed forces of Vietnam remain in that capacity."

COMBAT SUPPORT

June 8: McCloskey says U.S. military command in South Vietnam has been authorized to send American troops into combat alongside Vietnamese forces if such "combat support" is requested by South Vietnam. "I'm sure," he says, "it's been made clear in Saigon by American military commanders that American forces would be available for combat support together with Vietnamese forces as and when necessary."

June 9: George E. Reedy, Presidential press secretary, in statement: "There has been no change in the mission of U.S. ground combat units in Vietnam in recent days or weeks.

"The primary mission of these troops is to secure and safeguard important military installations like the air base at Da Nang. If help is requested by the appropriate Vietnamese commander, General (William C.) Westmoreland also has authority within the assigned mission to employ these troops in support of Vietnamese forces faced with aggressive attack when other effective reserves are not available and when, in his judgment, the general military situation urgently requires it."

June 9: About 2,500 U.S. combat engineers arrive in South Vietnam, raising U.S. military commitment there to about 53,500.

ORDER OF BUSINESS

Mr. CARLSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Kansas yield, without losing his right to the floor?

Mr. CARLSON. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator from Kansas yield further?

Mr. CARLSON. I yield.

FIXING OF FEES PAYABLE TO PATENT OFFICE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 289, H.R. 4185. The consideration of this bill has been cleared with the minority.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 4185) to fix the fees payable to the Patent Office, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "cases", to strike out "$50" and insert "$65"; on page 2, line 4, after the word "cases", to strike out "$75" and insert "$100"; at the beginning of line 13, to strike out "$50" and insert "$65"; in line 23, after the word "Appeals", to strike out "$25" and insert "$50"; on page 6, line 7, after the word "period.", to insert "In calculating the amount of a remaining balance, charges for a page or less may be disregarded."; in line 18, after the word "issue", to strike out "and maintenance"; after line 19, to strike out:

SEC. 6. Title 35, United States Code, is amended by adding the following new section after section 154:

"§ 155. Maintenance fees

"(a) During the term of a patent, other than for a design, the following fees shall be due:

"(1) a first maintenance fee on or before the fifth anniversary of the issue date of the patent;

"(2) a second maintenance fee on or before the ninth anniversary of the issue date of the patent; and

"(3) a third maintenance fee on or before the thirteenth anniversary of the issue date of the patent.

In the case of a reissue patent the times specified herein shall run from the date of the original patent.

"(b) A grace period of six months will be allowed in which to pay any maintenance fee, provided it is accompanied by the fee prescribed for delayed payment. When a response is not received to the notice provided by subsection (e) of this section, a subsequent notice shall be sent approximately sixty days after the due date of any maintenance fee.

"(c) The first and second maintenance fees may be deferred in accordance with subsection (f) of this section.

"(d) A patent will terminate on the due date for any maintenance fee unless, as provided for in this section, the fee due (including any fees previously deferred) is paid or a statement in accordance with subsection (f) of this section requesting deferment is filed. Such termination or lapsing shall be without prejudice to rights existing under any other patent.

"(e) Notice of the requirement for the payment of the maintenance fees and the filing of statements in compliance with this section shall be attached to or be embodied in the patent. Approximately thirty days before a maintenance fee is due, the Commissioner shall send an initial notice thereof to the patentee and all other parties having an interest of record at the addresses last furnished to the Patent Office. Irrespective of any other provision of this section, a maintenance fee may be paid within thirty days after the date of such initial notice.

"(f) Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the fifth anniversary of the issue date of the patent by a statement to the Commissioner request deferment of the first maintenance fee if the gross benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the fee, and the statement so specifies. The fee shall thereupon be deferred until the time the second maintenance fee is due and shall be paid in addition to the second maintenance fee.

"Any inventor to whom a patent issued (or his heirs) and who owns the patent may within six months of the ninth anniversary of the issue date of the patent by a statement to the Commissioner request deferment of the second maintenance fee (and further deferment of the first maintenance fee if such fee has been deferred) if the gross benefit received by the inventor or any other party having or having had any interest in the subject matter of the patent during the preceding four years, from, under, or by virtue of the patent or from the manufacture, use, or sale of the invention, was less in value than the amount of the second fee, and the statement so specifies. The second fee, or the first and second fees, as the case may be, shall thereupon be deferred until the time the third maintenance fee is due and shall be paid in addition to the third maintenance fee and with the same result if not paid. No deferment of any of the fees beyond the thirteenth anniversary of the issue date of the patent shall be permitted and the patent will terminate at the end of the thirteenth anniversary of the issue date unless all maintenance fees are paid in accordance with the provisions of this section.

"(g) An applicant or his assignee may elect, on or before the time of payment of the sum specified in the notice of allowance provided in section 151 of this chapter, to pay a fee of $75 and such payment shall constitute a complete satisfaction of the maintenance fees provided for in this section."

At the top of page 10, to strike out:

Sec. 7. The analysis of chapter 14 of title 35, United States Code, immediately preceding section 151, is amended to read as follows:

"151. Issue of patent.
"152. Issue of patent to assignee.
"153. How issued.
"154. Contents and term of patent.
"155. Maintenance of fees."

After line 3, to strike out:

Sec. 8. Subsection (a) of section 41 of title 35, United States Code, is further amended by adding the following:

"12. For maintaining a patent (other than for a design) in force:

"a. beyond the fifth anniversary of the issue date of the patent, $50;

"b. beyond the ninth anniversary of the issue date of the patent, $100; and

"c. beyond the thirteenth anniversary of the issue date of the patent, $150.

"13. For delayed payment of maintenance fee, $25."

After line 14, to insert:

Sec. 6. The analysis of chapter 14 of title 35, United States Code, immediately preceding section 151, is amended in the first item thereof by striking out the words "Time of issue of patent" and inserting in lieu thereof "Issue of patent".

At the beginning of line 20, to change the section number from "9" to "7"; on page 11, line 6, after the word "and", to strike out "sections 4, 6, and 8" and "section 4"; at the beginning of line 16, to change the section number from "10" to "8"; at the beginning of line 20, to change the section number from "11" to "9"; and on page 12, at the beginning of line 4, to change the section number from "12" to "10".

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 301), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 4185, as amended, is to increase the fees payable to the Patent Office so that a reasonable part of Patent Office costs may be recovered. The bill also seeks to expedite the prosecution of patent applications and thus make new technology available to the public at an earlier date.

The fees payable to the Patent Office are determined by statute and have not been revised since 1932. The income of the Patent Office has declined during this period from 90 percent recovery of costs down to an estimated recovery of 28.3 percent during the present fiscal year. If the fees provided for in this bill are approved, when these fees become fully effective, the Patent Office would then be recovering approximately 74 percent of its costs.

AMENDMENTS TO UNITED STATES CODE WITH RESPECT TO RESERVE OFFICERS' TRAINING CORPS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 303, H.R. 7762. This bill, also, has been cleared with the minority.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 7762) to amend titles 10 and 37, United States Code, with respect to the Reserve Officers' Training Corps.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 315), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill is intended to correct three technical deficiencies in the Reserve Officers' Training Corps Vitalization Act of 1964, Public Law 88-647.

EXPLANATION

Public Law 88-647 made several changes in the laws controlling the ROTC programs. Among these changes was authority for the Army and the Air Force to provide scholarship assistance to students in the 4-year ROTC program that is virtually the same as the so-called Holloway program successfully operated by the Navy for many years. The new authority provided that students receiving scholarship assistance must accept a Reserve status and agree to perform active duty as enlisted members if they fail to complete the course satisfactorily or if they decline to accept a commission when offered. The legislation approved last year did not contain a savings provision; however, for the Navy's Holloway plan students who had entered the program before the requirement for service as enlisted members if they fail to complete training or to accept a commission was approved. The first purpose of this bill is to exclude the midshipmen who were appointed before the effective date of Public Law 88-647 from the enlistment requirement.

Another purpose of the ROTC legislation enacted last year was to authorize a 2-year senior ROTC program that was intended to attract transfer students from junior colleges without ROTC units and students at 4-year colleges who have not had the basic course of the senior ROTC program. Before a student can be accepted in the new 2-year senior ROTC program, he must successfully complete a 6- to 8-week period of summer military training. The 1964 act authorized pay for applicants for the 2-year ROTC but it did not include a provision authorizing travel allowances to and from the summer military training. This omission was unintended and H.R. 7762 would provide authority for payment of these necessary travel allowances.

In the ROTC Act of 1965 the payments to ROTC students that had previously been designated as "subsistence pay" were changed to "retainer pay." The change in terminology was not intended to alter the nature or the purpose of the payment, which was to help students defray the cost of subsistence while in school and pursuing the ROTC program. Because of the change in terminology, however, it is possible that the recipients might incure income tax liability for the payments. Consequently, to avoid such liability this bill reverts to the old designation of "subsistence allowance" wherever the term "retainer pay" appeared in the ROTC legislation of 1964.

EXTENSION OF TIME FOR FILING CERTAIN CLAIMS FOR MUSTERING-OUT PAYMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 304, H.R. 214. This third bill, likewise, has been cleared with the minority.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 214) to amend section 2104 of title 38, United States Code, to extend the time for filing certain claims for mustering-out payments, and effective July 1, 1966, to repeal chapter 43 of title 38 of the United States Code.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 316), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill would (1) extend the time for filing claims for mustering-out payments, and (2) repeal the authority for mustering-out payments on July 1, 1966.

EXPLANATION

Section 2104 of title 38, United States Code, provides, with certain exceptions, that members of the Armed Forces who served on active duty during the Korean conflict and were discharged or released from active duty under honorable conditions are eligible for mustering-out payments in the amount of $100, $200, or $300, depending on the length and type of service. Claims for this pay must have been filed before July 17, 1959. A small group of officers who became members of Regular components after having first been members of the Army or the Air Force without specification of component had their entitlement of mustering-out pay established only as a result of a Court of Claims decision in 1962. Consequently, a relatively small number of officers are precluded from receiving these payments as a result of their failure to apply before July 17, 1959, although their entitlement was not decided until 1962.

This bill would extend the statute of limitations for this small group of officers and would repeal the authority for mustering-out payments on July 1, 1966, as the authority would be fully executed by that date.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

The PRESIDING OFFICER. If there be no reports of committees, the Senate will resume the consideration of the protocol for the extension of the International Wheat Agreement, 1962.

PROTOCOL FOR THE EXTENSION OF THE INTERNATIONAL WHEAT AGREEMENT, 1962

The Senate, as in Committee of the Whole, resumed the consideration of Executive B, 89th Congress, 1st session, the protocol for the extension of the International Wheat Agreement, 1962.

Mr. CARLSON. Mr. President, I shall support the pending measure before the Senate—the extension of the International Wheat Agreement for 1 year—but I shall support it with reservations.

This pact, which has operated for 15 years to stabilize world wheat quotas, expires on August 1 and the Foreign Relations Committee has recommended that the agreement be extended for 1 year. The past five agreements have run for 3 years each.

Had this extension been for more than 1 year, I would have opposed it.

I have reservations on the proposed extension.

First. Because the United States is the only wheat-producing nation that limits by legislative action the acreage of wheat that can be grown by our wheatgrowers.

Our competitors in the world wheat market not only produce without limitations, but in some instances are encouraged to expand their production.

Second. I do not believe that the United States should be carrying the burden of stabilizing the world wheat market in an ever-increasing competitive world market.

The wheat-exporting nations are engaged in an economic war for world markets which all of them need if they are to maintain a degree of farm stability at home.

The battle for world markets broke into the open in January of this year when Canada made a substantial reduction in the price of a consignment of wheat to Red China. Canada contends that its price cut was influenced in this particular instance by offers of wheat made to the Chinese by the French Government. Regardless of the cause, it forced the United States to reduce the price of export wheat and increase our export subsidy.

Following this price cutting on the part of our Canadian friends, the Secretary of Agriculture, Mr. Freeman, advised Canada, Australia, and Argentina that we would fight for our "fair share" of world trade in wheat, even if it meant price cutting.

The United States has been getting a declining share of the dollar market for wheat while shouldering an increasing burden of trading under Public Law 480 and other barter and food-for-peace programs.

Actual dollar exports of U.S. wheat are heading for a 10-year low in the current crop year, which ends June 30. Only 108 million bushels of wheat have been exported for dollars so far this season. This is down from 184 million bushels a year earlier, when Russia was buying from the United States.

Our exports of wheat, including dollar sales, Public Law 480 and other export programs, reached a total of 830 million bushels for the crop year 1963–64. Present indications are there will be a substantial reduction in these exports this crop year and that wheat exports will not exceed 685 million bushels.

It is my hope that during the 1-year extension of the International Wheat Agreement, arrangements can be consummated through the Kennedy round of trading with the European Common Market.

This year's extension of the International Wheat Agreement could and should be helpful in this instance.

The action taken by the European Common Market countries—France, West Germany, Italy, Belgium, the Netherlands, and Luxembourg—in establishing prices for their farmers which are expected to encourage increased production in those countries and reduce the future market for wheat producers in other countries will be followed with much interest by the wheat producers of the United States.

It is vital that whatever action is taken in the Kennedy round of trade agreements with the Common Market, agriculture be given its fair share of the market.

We should remember that five of the six European Economic Community nations are importers of wheat under the International Wheat Agreements, and only France is an exporter.

Under the International Wheat Agreements, the United States, Canada, and Australia are the largest exporters. Others on the export list are Argentina, France, Italy, Mexico, Spain, and Sweden.

It is interesting also to note that Great Britain as an importer of wheat participated under the International Wheat Agreements until 1953, when she withdrew because she felt participation was not in the interest of the country.

When considering the extension of the wheat agreements, we must ask ourselves whether it is in the interest of the United States to continue to support world wheat prices at levels which hold a price umbrella over our competitors at a time when our own commercial wheat markets are increasingly found in the dollar-short developing countries.

Mr. President, I wanted to make this statement in regard to the extension of the International Wheat Agreement because, frankly, I do not believe that a continuance of the program for any great length of time would be in the interest of the wheatgrowers. However, I do approve of the 1-year extension in order that we may have an opportunity to try to tie the program into the Kennedy round of trade agreements.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. YOUNG of North Dakota. Mr. President, the senior Senator from Kansas, who is an acknowledged authority on wheat questions, has pretty much answered my question by his last statement. Can the Senator indicate any great benefit which might come to the wheat producers of the Nation from the 1-year extension of the International Wheat Agreement?

Mr. CARLSON. I must state to the distinguished Senator from North Dakota [Mr. YOUNG], I do not believe that it has been of any value to us the last 2 or 3 years. However, I hope that we shall see it become of benefit in the next year under the Kennedy round of trade agreements.

Mr. YOUNG of North Dakota. That is the same impression that I have gathered from the wheatgrowers in my State. They have an indifferent attitude toward the program, but hope that it may be of some help.

Mr. CARLSON. Mr. President, I appreciate very much the statement of the Senator from North Dakota. He is a very important and most helpful Senator and member of the Senate Committee on Agriculture and Forestry. The Senator has introduced legislation that I hope will be helpful to wheat farmers in securing their fair share of the national income.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. ALLOTT. Mr. President, do I understand the Senator to say that his interest in the wheat situation is roughly that of the Senator from Colorado, that he feels that a continuation of the wheat treaty would not be to the best interest of the farmers of our country on a permanent basis?

Mr. CARLSON. I say to the distinguished Senator from Colorado that is exactly my view. We are now in a very competitive world market on wheat.

That has been evidenced on many occasions. The only way in which we can get into the world market is if the parties who are signatories to the International Wheat Agreement begin to cut prices, which has been done this year. It is not, in my opinion, in the interest of the future wheat market of this Nation.

Mr. ALLOTT. The Senator is also raising the alarm flag and saying that it is up to our negotiators in Geneva in the Kennedy round of trade agreements to see that the American farmer and the industrial people in the country are protected in those trade agreements and the agreements that result therefrom.

Mr. CARLSON. I think it is most important that our negotiators in Geneva—and we have some very outstanding and able men in this particular field at Geneva—use every effort to assure the American farmer and agriculture as a whole that it will be protected under this expansion of the wheat agreement. It will be easy to trade industrially, but it will be very difficult to get an expansion of agricultural exports in this area. I sincerely hope that they will keep in mind that we are depending on them to do that very thing.

Mr. ALLOTT. I have found less than a great deal of enthusiasm for a wheat treaty among the wheat farmers of my own State. It seems to me that the suggestion made by the distinguished Senator from Kansas—which is apparently acquiesced in by the distinguished senior Senator from North Dakota—is the best way to approach the matter at this time—by an extension of the agreement for 1 year in order to give the Kennedy round of trade agreements a chance to operate in this field. That is the best that we can do.

If we do not come up with something tangible for the protection of American agriculture, then at the end of another year, we would have to take a look at this matter from a completely different viewpoint.

Mr. CARLSON. The Senator from Colorado has expressed my views accurately. I assure the Senator that if we cannot get some commitment out of the Kennedy round that would be beneficial to agriculture and to the wheat farmer through this 1-year extension of the agreement, then I shall oppose an extension the next time.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. PEARSON. The Senator spoke of our country stabilizing the international wheat market. I should like to ask about the mechanism of this procedure. Is it true that, under the agreement, the United States has agreed to stay out of the international market until the price reaches a certain level?

Mr. CARLSON. We have agreed to sell wheat at the maximum and the minimum. We have agreed to furnish quotas of wheat under the International Wheat Agreement. However, the competition in this field has gotten so great that I am fearful that some of our cosigners forget that particular part of the International Wheat Agreement and go out and sell wheat in the world market at prices below these figures.

Mr. PEARSON. I thank the Senator for his statement. Actually, our domestic wheat consumption remains at a constant level, does it not?

Mr. CARLSON. Regrettably, it remains at 500 million bushels per year, generally speaking, and with the population increases, it seems as though wheat and flour products constitutes one group of commodities that does not get the benefit of an increase.

Mr. PEARSON. The only possibility of a greater utilization of the wheat production is in the export of wheat.

Mr. CARLSON. That is correct. The Senator from Kansas has taken a great interest not only in this particular piece of legislation but also in agricultural problems as a whole. I appreciate his comments.

Mr. PEARSON. With regard to the statement of the Senator concerning the exporting that we are now doing under Public Law 480 as compared with dollar sales, it constituted, in the years 1957–61, about one-third of our exports for dollars; and, in 1962, it constituted about 20 percent. In 1963, it was smaller, one-half. Then, in 1964, it was again down to about 20 percent. So our exports have dropped. That is what has caused our great concern.

I thank the Senator for his statement on this particular treaty. I know of his reservations. I doubt that, even with a 1-year extension, I could concur with my senior colleague in his feelings.

Mr. CARLSON. I appreciate very much the comments made by the distinguished Senator.

The PRESIDING OFFICER (Mr. BASS in the chair). Under the unanimous-consent agreement, the hour of 12:30 having arrived, the Senate will proceed to vote on Executive B, 89th Congress, 1st session, which is the extension of the wheat agreement of 1962. The question is on agreeing to the resolution of ratification, which will be stated.

The resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Protocol for the Extension of the International Wheat Agreement, 1962, which was open for signature in Washington from March 22 until and including April 23, 1965. (Executive B, Eighty-ninth Congress, first session.)

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays. I think they are mandatory.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Florida [Mr. HOLLAND], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE] and the Senator from Maryland [Mr. TYDINGS], are absent on official business.

I further announce that the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE] and the Senator from Georgia [Mr. RUSSELL] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. HOLLAND], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. KENNEDY], the Senator from Wyoming [Mr. MCGEE], the Senator from Virginia [Mr. BYRD], the Senator from Maine [Mr. MUSKIE] and the Senator from Maryland [Mr. TYDINGS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. MURPHY] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

If present and voting, the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The yeas and nays resulted—yeas 88, nays 0, as follows:

[No. 132 Ex.]

YEAS—88

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—12

Byrd, Va.
Fong
Holland
Kennedy, Mass.
Kennedy, N.Y.
McGee
Moss
Murphy
Muskie
Russell, Ga.
Scott
Tydings

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the action of the Senate in agreeing to the resolution of ratification.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

On motion by Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

SENATOR MARGARET CHASE SMITH

Mr. ALLOTT. Mr. President, I want to join my colleagues in praise of Senator

Margaret Chase Smith on the rare accomplishment of having achieved 2,000 consecutive votes.

Those of us who are privileged to work with her on committees know of her dedication to her work here.

It occurs to me that on this occasion it would not be amiss to call attention to the more significant aspect of this record.

In these days when demands for Senators to attend dinners, conventions, and so forth, are extremely great, it is significant that she has placed the work of the Senate above her own personal interests and has devoted herself completely to the job for which she came. Perhaps there is a lesson for all of us here: That the work of the Senate should go on uninterrupted; that a dedication to the work of the Senate is the basic reason for the election of Senators.

She has recognized this, and by this recognition reminded us all of our obligations here.

BIG BROTHER: MORE OPENING OF FIRST-CLASS MAIL

Mr. LONG of Missouri. Mr. President, although there are very stringent criminal statutes prohibiting the opening of first-class mail by anyone, including the Post Office Department, I continue to receive many examples of letters which have been opened and resealed by post office employees.

I have two rather interesting ones here today.

The first was sent to me by Dr. Donald O. Burst, M.D., 61 Trent Drive, St. Louis 17, Mo. His letter was "From the Study of Martin Luther King, Jr., 332 Auburn Avenue NE., Atlanta, Ga." It was opened before it was delivered to him and then resealed.

The second came from Mr. Normand M. Lague, 78 Belmont Street, Manchester, N.H. His envelope was mailed from "Post Office Box 2668, Los Angeles 23, Calif." As you can see, Mr. President, there is printed in large green letters on both sides of the envelope "first-class mail." An end of the envelope has been slit and it has been resealed by the Post Office Department. It was resealed in the post office in Manchester, N.H., and I have learned that Mr. Lague has had "difficulties" with the postal authorities on a previous occasion.

I have sent a number of such envelopes to the Post Office Department on previous occasions and have uniformly received replies indicating that the envelopes were opened by others than post office personnel.

Considering the volume of mail handled each day by the Post Office Department, I am certain that some mistakes do occur. However, these two cases would not seem to be examples of letters "opened in error."

As I do not know of anything that can be done about this matter, I shall return the material to the senders and only hope that the Post Office Department will redouble its efforts in instructing its employees not to tamper with the first-class mail of our citizens.

SOVIET AGGRESSION AGAINST BALTIC STATES

Mr. LAUSCHE. Mr. President, on June 15, 1940, the military forces of the Soviet Union occupied the territory of Lithuania, and 2 days later repeated the same attack against the Republics of Latvia and Estonia.

Following this unprovoked aggression, the Soviet Union forcibly incorporated the three Baltic States into its empire, and proceeded to suppress, persecute, and physically annihilate their peoples by mass executions and deportations to the Siberian wastelands. Various sources place the number of such victims at over 1 million.

On July 23, 1940, the United States denounced this aggression perpetrated against the Baltic States and to this day has refused to recognize the incorporation of the Baltic States into the Soviet Union.

During the present rise of many former Western colonies to new national independence for the first time in their histories, it is an outrage that Lithuania, which traces its kingdom back to the 13th century, as well as Latvia and Estonia, continues to bear the yoke of Communist colonialism.

It is with this tragic history of the Baltic States in mind that I had introduced on the floor of the Senate on February 11, 1965, Senate Concurrent Resolution 19, which calls for the President of the United States to take such action as may be necessary to bring before the United Nations for its consideration the question of the suppression of freedom in the Baltic States.

On this the 25th anniversary of Soviet aggression against the Baltic States, I ask unanimous consent that Senate Concurrent Resolution 19 be reprinted in the Record.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

[From the Congressional Record, Feb. 11, 1965]

S. Con. Res. 19

LITHUANIAN INDEPENDENCE AND THE UNITED STATES

Whereas the Soviet Union has occupied by force of arms, the countries of Lithuania, Latvia, and Estonia, and deprived such countries of their independence; and

Whereas an unparalleled system of political oppression and tyranny has been established in such countries; and

Whereas by deportations and dispersion of the native population to the wastes of Siberia, and by mass colonization, the Soviet Union threatens complete extermination of these peoples; and

Whereas despite such treatment, the spirit of the citizens of such countries is not broken and they remain overwhelmingly anti-Communist; and

Whereas the desire of the citizens of such countries for national freedom remains unabated; and

Whereas the United States of America has never recognized the occupation of the Baltic States and their incorporation into the Union of Soviet Socialist Republics and continues to maintain diplomatic relations with representatives of the former free governments of these countries; and

Whereas there exists a strong and undivided world opinion to eliminate all remnants of imperialism and colonialism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President is hereby requested to take such action as may be necessary to bring before the United Nations for its consideration the question of the suppression of freedom in the Baltic States, and a resolution declaring that—

(a) the Soviet Union shall withdraw all Soviet troops, agents, colonists, and controls from the Baltic States;

(b) the Soviet Union shall return all citizens of the Baltic States to their homelands from places of deportation in Sibera, and dispersion in prisons and slave labor camps;

(c) persons guilty of crimes against the peoples of the Baltic States be punished; and

(d) the United Nations should conduct free elections in Lithuania, Latvia, and Estonia under the direct supervision of the United Nations to establish as quickly as possible legal democratic government for those countries.

ADDRESS BY SENATOR LONG OF MISSOURI TO ASSOCIATION OF FEDERAL INVESTIGATORS

Mr. BURDICK. Mr. President, the Senator from Missouri [Mr. Long], the chairman of the Subcommittee on Administrative Practices and Procedures, of which I am a member, has performed very fine and important work in the field of citizens rights. I wish to call attention to a speech he made on February 25, 1965, before the Association of Federal Investigators. The speech was printed in the March 1965 issue of the publication of that organization.

I ask unanimous consent that the speech be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Senator Edward V. Long to the Association of Federal Investigators, February 25, 1965

It is both a pleasure and a great privilege to be with you today. I welcome this opportunity to speak to the many members and friends of this dynamic new organization, the Association of Federal Investigators. The great interest and activity of newly formed AFI chapters in two cities of my home State of Missouri, St. Louis and Kansas City, clearly demonstrates the potential for growth and influence by this organization throughout the width and the breadth of this Nation.

The Association of Federal Investigators is attempting to fulfill a need which has been lacking in the governmental investigative agencies up to recent times—a need for professionalization and a need for coordination. It is hoped that you are also attempting to bridge any gap which may exist between investigative practice and the legal rights of the individual.

In pursuance of these goals, the Association of Federal Investigators can proudly claim full credit for being the motivating force behind the Brookings Institution's scheduled series of conferences for Federal investigative officials—conferences which are expected to lead to a definite career development program for investigative and enforcement personnel.

The extent to which these three goals of professionalization, coordination, and respect for the legal rights of the individual are realized will be the extent to which the AFI will be providing a great service not only to its members and to the Government, but to the American citizen as well.

I have a confession to make. I accepted your kind invitation today because I need your help and I need it badly. I can't think of a better opportunity to ask for it.

Many of you are aware of the current investigation by the Subcommittee on Administrative Practice and Procedure into the use of eavesdropping techniques of the Federal Government.

It is in connection with this investigation that we very desperately need your help and your sympathetic understanding if we are to be successful without doing harm to our great law enforcement groups.

To my way of thinking, the Congress and the Association of Federal Investigators have many interests in common. Let me explain these common interests very briefly.

All of us recognize the necessity for internal security in these trying days of international tension. Equally, we realize the necessity for modern and effective law enforcement in a day of considerable domestic deferment. However, in protecting both our internal and external security, we must never lose sight of the object toward which all of our efforts are directed—the individual as a free human being with certain inalienable rights.

Among these many rights is that of the right of privacy.

In the early history of our Nation, the right of privacy was considered so important that extensive protection of it was included in the Bill of Rights.

This right has become even more dear to Americans as we have become an urbanized society and the areas in which a person can enjoy privacy have become increasingly limited.

While recognizing this right on the part of the individual, the conditions of the contemporary world confront all Americans with a serious question—be they the average man on the street, a law enforcement officer, or a legislator—where do the rights of individual privacy end and concern for the general welfare begin?

It is precisely to this question that attention of the Senate subcommittee has been directed. It is also a question which members of your organization must face.

Lest anyone mistake my position and that of the Senate subcommittee, let it be clear that we, like all good Americans, are concerned that those who violate the laws are apprehended and convicted. We are well aware that our investigators can't hunt tigers with a bean shooter. We must balance this view, however, with the realization that the price we pay for the apprehension of certain criminals may be too dear.

What we are dealing with here is clearly a problem of the balancing of interests: privacy of the individual on the one hand and law enforcement on the other. Obviously, neither of these interests can be satisfied entirely. What we must seek and attain is a middle road which can best resolve this dilemma.

Such a balanced solution will not be easy to achieve.

I harbor the same apprehensions as those of Justice Louis Brandeis when he stated: "Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficient. Men born of freedom are naturally alert to repel invasions of their liberty by evilminded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well meaning but without understanding."

It would be both ridiculous and insulting to attempt to outline to you gentlemen the multitude of insidious eavesdropping tools which recent technological revolution now has spawned.

These tools are equally available to the criminal element and the law enforcement groups.

They are available to and widely used by industrial spies.

And by labor spies.

And by "private eyes."

It is obvious that this proliferation of snooping paraphernalia is increasingly placing the constitutional right of privacy of the individual citizen in peril. Surveillance is becoming more and more pervasive in our lives, and privacy is becoming harder and harder to protect. Modern Americans are so exposed, peered at, inquired about, and spied upon as to be increasingly without privacy—members of a naked society and denizens of a goldfish bowl.

If we expect to have any privacy in 1984 or 1985, we must look ahead. We must examine probable advances in technology, and we must provide stringent laws against indiscriminate eavesdropping.

As incredible as it may seem, there are virtually no statutes, Federal or State, to protect against eavesdropping, indiscriminate or otherwise.

As all of you know only too well, the state of the law as to the admissibility of wiretapped or eavesdropped evidence is a shambles.

It would seem to me that it would be of much help to Federal investigators—as well as law enforcement groups generally—to have Congress study and legislate broadly in the field.

Then you would know what was legal and what was not, what was ethical and what was not.

The Association of Federal Investigators can be extremely useful in getting rid of the present legal "twilight zone."

The AFI can demonstrate a sympathetic awareness and understanding of what we in the Congress are seeking to prevent and trying to accomplish.

You can also give us your counsel and advice, both formally and informally.

Our doors will be open and we will welcome such assistance as you can give us in a complicated field to which you have devoted your lives.

It is certain that the laws which we pass will be infinitely better if we have the willing cooperation of law enforcement agencies and law enforcement agents.

However, if laws are not enacted soon, and if the penalties for violation of those laws are not stiff, we stand to lose completely our right of privacy.

If and when that day comes, we will have lost one of the main ingredients that have distinguished our free society from the totalitarian societies of both the right and the left.

The technology for a police state is in our midst today.

Let there be no question about this.

If we wish to avoid having a police state in America, we had better wake up and do something about it soon.

OBJECTION TO PROPOSED REDUCTION OF EXEMPTIONS FROM CUSTOMS DUTY AND INTERNAL REVENUE TAX

Mr. MONTOYA. Mr. President, many of us from the States which share a common border with Mexico are greatly concerned about some provisions of House bill 8147, which would change various exemptions from customs duty and internal revenue tax for U.S. citizens returning from Mexico.

Several of the proposed new regulations would place crippling restrictions on the very active international retail trade which is carried on by merchants on both sides of the border.

On June 8, the Nogales, Ariz., Evening Herald published an editorial which very clearly states this concern. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HANDS OFF THE BORDER

(By Hanson Ray Sisk)

One thing brings on another.

This experience which nations, as well as men, do not seem to comprehend.

For instance, the U.S. Government wants to reduce the amount of duty free goods purchased by Americans in foreign countries, including Mexico, and limit the amount to a maximum of only $50 unless customs duties are paid.

This would naturally reduce purchases in Mexico and Mexico would, no doubt, retaliate by similar laws and therefore border trade would be hurt.

In this we can see the influence of manufacturers of American goods behind the movement.

The U.S. Government also wants to limit the amount of liquor to only 1 quart (instead of a gallon) that Americans visiting in Mexico can bring back into this country.

Again, Mexico might invoke retaliatory laws which would also injure border trade and commerce.

In this we can plainly see the pressure of the American liquor brewers who want Americans to consume only American-made products.

These manufacturers and brewers don't seem to care whether Mexico retaliates or not, or the harm these regulations can do to border trade. They seek an advantage which would help only themselves.

Nogales is a perfect example of border trade and friendly trade relations because thousands of visitors come to the border each month for the express purpose of making purchases in Nogales, Sonora.

At the same time thousands of Mexicans cross the border into Nogales, Ariz., each day to make purchases of American-made goods to take back into Mexico.

Why can't the officials leave the border alone as present regulations seem beneficial to both of our countries?

The Arizona liquor dealers have attempted for years to get the State legislature to place a tax on Mexican liquor brought back into Arizona by Americans, thereby curtailing importation.

So far they have not succeeded and now the "Bourbon belt" of the United States has seemingly been encouraged to give its aid and assistance on a national level.

Border trade is vital to both the United States and Mexico.

Let it alone.

TRUCKING INDUSTRY SEEKS ONLY JUSTICE

Mr. MUNDT. Mr. President, at the present time the Senate is considering a bill which would substantially reduce excise taxes in various areas. This bill, H.R. 8371, came about as the result of a message from the President of the United States requesting such action and from a longstanding congressional demand for a change in some of these unfair and burdensome taxes. This movement toward excise-tax reduction is, therefore, a change of course in the right direction.

In the same message from the President, however, there was included a request to increase the already heavy and burdensome Federal taxes assessed against truck transportation. I question whether this is a move in the right direction and whether we shall be seeing justice done by increasing these taxes.

The problem of unjust or unfair taxation is not, unfortunately, unique with the trucking industry. Almost every industry or economic group has from time to time rightfully complained about the taxes it must bear. As a result, readjustments are periodically made, to equalize the burden. This has not been true of the trucking industry, however, as the readjustments have not brought equalization. Instead, the changes have brought only a greater tax load on an already overburdened industry.

History shows us that all motor-vehicle owners, including the truckers, have been paying excise taxes since 1917. During the period from 1917 to 1956, these special levies, assessed only against motor-vehicle owners, brought into the Federal Treasury a total of $25,407,472,000. During the same period, Congress allocated more than $16 billion of that total to nonhighway uses.

Beginning in 1956, the motor-vehicle owners, and especially the trucking industry, were called on to undertake a larger obligation. Congress, looking to the future, determined that the national welfare and the national defense demanded a significant increase in the Federal Government's roadbuilding activity. It was decided to substantially increase Federal contributions toward construction of regular ABC roads, and, in addition, to build a 41,000-mile, $27 billion National System of Interstate and Defense Highways.

To pay for the new road systems, Congress designated an increased portion of the special motor vehicle taxes for the new highway trust fund, but at the same time increased the motor vehicle taxes.

As the years passed, the cost of the new interstate and defense highways spiraled upward. In 1961, the estimate of $27 billion had grown to $41 billion. To take up the slack, Congress turned to the motor vehicle owners, especially the truckers, and increased their taxes. Now the cost estimate has gone up again, this time to somewhat in excess of $44 billion.

Congress should not ask the trucking industry alone to bear this latest increase, particularly if there is another reasonable alternative. The industry has estimated that by extending by 9 months the expiration date of the program, which is October of 1972, enough money can be collected to take care of this increased cost. In a letter to Representative MILLS, chairman of the Ways and Means Committee of the House, the industry had this to say:

> We see nothing sacred about a date fixed in 1956 when everyone thought the Interstate and Defense System would cost $27 billion. The truck operators of America are in a tough competitive field; they are asking no tax relief at a time when virtually everyone else is getting tax relief; they ask only that a few extra months be allowed to pay for a program which, from a cost standpoint, clearly has gotten completely out of hand. Nor are we alone in this position. All the other highway user and automotive interests which are a part of the National Highway Users Conference have taken the same stand.

Such an alternative sounds feasible; and if it is, I believe Congress should listen to their plea.

In closing, there is one other point that should be mentioned. In 1956, Congress instructed the Bureau of Public Roads to make a study of the fair distribution of the Federal road tax burden among the different beneficiaries. This report, which became final this year, shows that the actual tax payments by the trucks varied according to the method of determination used. Under one method, the differential benefit method, the trucks were found to be paying taxes substantially in excess of the benefits derived. Under the other method, the differential cost method, the result was just the opposite.

Congress, in 1961, when faced with the same dilemma, following the release of tentative findings by the Bureau of Public Roads, elected to follow the theory of Solomon. They decided that the fair and reasonable thing to do was to fix the truck taxes at a level between the results of the two methods.

The recent White House message, on the other hand, completely ignored the half of the Bureau's study under the differential benefit method—the one which found that trucks were paying taxes substantially in excess of the benefit derived. Instead, the message relied entirely upon the theoretical differential cost method, whose accuracy has been questioned in the first place.

Based on these reasons, Mr. President, I feel that Congress should take a long, hard look at this proposed increase, which could be ruinous to an industry in a highly competitive field. We are interested in moving forward; but we should not do so completely at the expense of one segment of our American industry. We should always remember that in seeking progress, we must never lose sight of justice, for no permanent progress has ever been constructed on a foundation of inequity.

REA CONTINGENCY FUND IS LOST IF NOT RELEASED BY JUNE 30

Mr. YARBOROUGH. Mr. President, the Bureau of the Budget is playing a little game with us this week. With an innocent smile on its face, the Bureau is sitting on $57 million, and is waiting for fiscal year 1965 to pass away. It is refusing to release funds authorized by the Senate for rural electrification loans.

Mr. President, I do not think the Senate should play the Bureau's little game. The situation with regard to electric-loan funds is critical. Only 2 weeks remain in fiscal year 1965; and at the REA there is a backlog of nearly $250 million in electric-loan applications.

The $57 million is nearly two-thirds of the contingency reserve of $90 million authorized by the Senate for fiscal year 1965. All of the regular loan funds—$275 million—are committed. The contingency funds are lost to the program if they are not released before June 30.

To hold up these funds can only aggravate this critical situation. The REA expects to have on hand, on July 1, $245 million in electric-loan applications. It expects to receive another $475 million in electric-loan applications during the fiscal year 1966.

But the administration and the House are requesting only $285 million in regular loan funds and a $65 million contingency reserve for the coming year. Rural-electric systems will be forced to wait at least 6 months, and perhaps as much as a year, to get an REA loan.

Mr. President, the REA asked for $390 million in regular loan funds for the coming year. The Bureau of the Budget must release the $57 million remaining in the contingency reserve, and the Senate must increase the fiscal year 1966 electric-loan ceiling, or else rural development in our Nation will lag. The rural economy is moving at a much slower pace than that of our general economy; and this freezing of its development loans will deny it sources of light and power which are sorely needed if it is to progress with the rest of our economy.

Congress expects contingency reserves to be used when the need is established. The dire emergency at the REA demands the use of this reserve. Loss of this money would mean only a greater burden on the REA, a longer wait by the rural systems during the fiscal year 1966, and a further slackening in the development of our already slowing rural economy.

THE 25TH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES

Mr. JAVITS. Mr. President, June 15 marks the 25th anniversary of Soviet aggression against the Baltic States. Independence for Estonia, Latvia, and Lithuania was short lived—they enjoyed a brief reestablishment of their independence in the wake of World War I, but the liberty-loving people of the Baltic States were caught up in the expansionist ambitions of the Soviet Union, and shortly after the outbreak of World War II, these nations were occupied by Communist forces. The Kremlin has deceived no one with its propaganda designed to smother the freedom of the Baltic States with Communist ideology and power. It is most fitting for us to pay tribute today to the brave people of the Baltic States by adding our voices in commemoration of this 25th anniversary of the illegal occupation of Estonia, Latvia, and Lithuania by the Soviet Union and to help keep alive the flame of freedom which continues to burn brightly in the hearts of the people despite harsh restrictions, deportation, imprisonment, and other repressive measures.

I ask unanimous consent that there be printed in the RECORD a manifesto of the Baltic States Freedom Council declaring the determination of free Estonians, Latvians, and Lithuanians to continue their fight for the freedom of their homeland.

There being no objection, the manifesto was ordered to be printed in the Record, as follows:

Manifesto: The 25th Anniversary of Soviet Aggression Against the Baltic States by Free Estonians, Latvians, and Lithuanians

Twenty-five years ago, in connivance with Hitler's Germany, the Soviet Union attacked the Baltic States. Some 300,000 Red Army troops poured into Lithuania on June 15, 1940, and into Latvia and Estonia, on June 17, 1940. With the assistance of the occupation army, the emissaries of the Kremlin—Dekanozov, Vishinsky, Zhdanov—unseated the legitimate governments of the Baltic States. The Baltic countries were robbed of their independence and transformed into colonies of the Soviet Union.

The Soviet Union's assault against its Baltic neighbors initiated the Soviet westward march against Europe. The beginnings of today's international tension and threat to peace may thus be found in the Soviet aggression against the Baltic States in 1940.

By its aggressive acts against Estonia, Latvia, and Lithuania, the U.S.S.R. broke the peace and nonaggression treaties it had signed with those states as well as other international agreements.

Expropriation, exploitation, pauperization, slave labor, suppression of human rights, and fundamental freedoms, Russification, terror, murder, mass deportations—these are the marks of the Soviet occupation in the Baltic States. In committing and continuing these acts, the Soviets violated the United Nations Declaration, the Atlantic Charter, the United Nations Charter, the Convention on the Suppression of Crimes of Genocide, and the Universal Declaration of Human Rights—all these documents bearing the signature of the U.S.S.R.

The Estonian, Latvian and Lithuanian peoples, historically and traditionally Western in orientation and outlook, have consistently placed their hopes in the Western World. Their trust in the West was strengthened by the declaration of the U.S. Department of State of July 23, 1940; the statement of the President of the United States on October 15, 1941; the Atlantic Charter; the Yalta Declaration on Liberated Europe; the repeated statements by the U.S. Government about nonrecognition of the Soviet annexation of the Baltic States, the continued recognition of free Baltic diplomatic representatives by the United States as well as many European and South American governments; and the proclaimed aims and principles of the United Nations.

At the same time the hopes of the Baltic peoples have been strengthened by the global process of decolonization and the universal acceptance of the right of self-determination of nations. The liberation movement of the colonial peoples in Africa and Asia has helped to expose Soviet colonialism as well and has raised the hopes of captive Estonians, Latvians, and Lithuanians. They are convinced that the tide of emancipation from colonial rule will not stop at the borders of the Baltic countries.

The Baltic peoples have given active expression to their determination to regain freedom, and have resisted their oppressors, thus contributing greatly to the continuing struggle for freedom and justice being waged by all captive peoples enslaved by the Soviet Union. Despite heavy setbacks and trials, our peoples maintain their faith in the restoration of their freedom and independence.

This summer the Soviet enslavers will unveil a macabre spectacle—a festive celebration of the 25th anniversary of the enslavement of the Baltic States during which the captive Baltic peoples will be coerced to appear grateful to their conquerors.

We, free Estonians, Latvians, and Lithuanians, are conscious of our responsibility toward our nations and to history. At this 25th anniversary of Soviet aggression, we feel dutybound to give voice to the will and the aspirations of our captive peoples:

We accuse the Soviet Union of committing and continuing an international crime against the Baltic States;

We demand that the Soviet Union withdraw its military, police, and administrative personnel from the Baltic countries;

We request that the governments of the free world, especially those of the great powers, use all peaceful ways and means to restore the exercise of the right to self-determination in the Baltic countries and in the rest of east-central Europe;

We further request that the United Nations Decolonization Committee immediately fulfill its overdue duty and take up the case of Soviet colonialism in the Baltic States;

We appeal to the conscience of all mankind to perceive the magnitude of the injustice perpetrated upon the Baltic peoples and to support the efforts toward the restoration of liberty to these countries;

We convey to our people at home our pride in their resolute resistance against the endeavors of the oppressor to destroy their national and personal identity;

We share with our captive compatriots their view that the recent Soviet economic, political, and ideological setbacks—inherent in the structure of their totalitarian system—have considerably weakened the Soviet Union and thus raised the hopes of the captives for deliverance;

We pledge to intensify our joined organized activity in the free world to promote the cause of liberty for the Baltic countries;

We, finally, declare to the free world and the Communist-dominated world, including the U.S.S.R., that, once free again, the Baltic nations will do all in their power to insure the best possible relations with their neighbors on the basis of mutual respect for national sovereignty and territorial integrity.

THE FOURTH ANNUAL AIR TRANSPORT CONFERENCE

Mr. NELSON. Mr. President, we in Wisconsin, and in fact throughout the Midwest, are concerned about the continued healthy growth of our local economics. An essential requirement is transportation and that includes air service provided by the local service airlines. In recent months significant communities in my State have been dealt serious setbacks by the Civil Aeronautics Board. This concerns me deeply. I feel there may be a serious adverse trend developing here while we are so concerned with other matters.

A few days ago a former resident of Wisconsin and constituent of mine made a thoughtful and perceptive analysis of this developing situation in an address at New York University. I think his remarks are worthy of careful attention by all who are genuinely concerned about the growing problem of inadequate air service to innumerable communities across the Nation.

Mr. President, I ask unanimous consent that this address by Mr. John Hoving be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Short Haul Air Service—Do We Really Want It?

(Remarks by John Hoving at the Fourth Annual Air Transport Conference, Division of General Education and Extension Services, New York University, Thursday, May 27, 1965)

The title of this paper is not as rhetorical as it sounds. Everyone seems to be in favor of short haul air service, but at the same time there is a developing suspicion that not everyone wants to do anything about it.

This is a very serious problem for many reasons. These include:

1. A great many Americans live in small or medium sized communities. They rely on continually improving transportation of all types if these cities are to compete effectively. This comes down to job opportunities for young and old.

2. As the trunk airlines have gotten bigger they have, quite understandably, concentrated on the hauls that are either at least half way across the country or even international. This means that many so-called intermediate cities have a shrinking air service in terms of trend if not always in absolute terms.

3. All of the Nation's regions are not economically equal, and there is reason to believe that a significant cause is inadequate transportation with a regional loyalty.

4. There is a national air service gap between the marvelous and efficient long-haul trunk airlines on the one hand and the subsidized local service airlines on the other.

5. Much of the discussion about short-haul air service has been concentrated on hardware, or the development of a perfect airplane. This is not only difficult to accomplish but tends to cloud the issue and distract rather than develop.

6. It is now only a cloud perhaps no bigger than a man's hand, but all signs point to a very serious squeeze on the subsidy for the local service airlines.

Let me just touch on the technology situation briefly. From all the experts there is a continuing series of reports that much could be accomplished if the Government financed and encouraged a considerable amount of research into the research and development of civilian aeronautics. Most people concentrate on the need for research into lighter and more powerful propulsion plants, noise control and improvements in aerodynamics.

This is endorsed in some measure by military as well as civilian experts. Probably because of the understandable emphasis placed on the space program there has been a relative slowdown on aeronautical research. Many argue that we should accelerate our efforts in this field. However, one thing is certain—we could not alter our path and increase our effort rapidly enough to deal with any of the immediate problems outlined above.

The basic obstacles from a technological standpoint as the answer for our current needs are as follows:

1. Much of the governmental effort has been to find the perfect aircraft through the meeting of committees from Government, manufacturers, and the carriers. In this area as elsewhere committees of this type are more likely to be used to bury projects rather than to advance them.

2. There has been a good deal of diverting chatter, based on little knowledge, about the operating cost level required, the initial costs, etc. A typical comment on the supposed financial difficulties was made by one

Government official. He said: "I am not rapturously hopeful because of these economics and the very healthy and difficult-to-overcome rates for autos, buses, and trains in these depth-market areas."

It is interesting to contrast that comment with the conclusion reached recently by William J. Hogan, executive vice president, finance, of American Airlines. Mr. Hogan pointed out that an important consideration would be any indirect savings that would result in reducing air traffic and terminal costs through the use of some kind of V/STOL aircraft. He went on to make this realistic, businesslike assessment of the economic requirements: "Trunklines in all probability would be willing, therefore, to begin operations with V/STOL equipment before their total cost of operations reached breakeven levels, if sufficient connecting revenues are generated by the service and there is a reasonable expectation that the service will ultimately return a profit. Present operation of piston equipment over short haul routes loses money. These piston operations are justified only by the fact that there is no more economic equipment available. The first goal of the V/STOL industry should be to produce a machine with total operating costs equal to or lower than these piston airplanes. The ultimate goal must be to produce a machine capable of yielding a profit on the basis of local revenue alone."

3. While many have fiddled there is a reasonable suspicion that Rome may be burning. Will there be an economically strong short haul airline system available to put these technologically advanced aircraft, whenever they might appear, into?

Clearly we have made considerable progress in the development of the local service airline system. As the former Chairman of the Civil Aeronautics Board Alan Boyd said recently, "the local service industry today is as big as the whole trunkline industry was at end of World War II."

Certainly the local service carriers, as well as the other U.S. short haul carriers in Alaska, Hawaii, and Puerto Rico, have a multitude of friends and supporters and have earned considerable goodwill over the years. I am personally optimistic that these carriers have the ability to anticipate and the capacity to organize the governmental assistance they need. This, I might emphasize, is half the battle so far as short haul air service is concerned because without economical, efficient, and functioning airlines you will not have the service.

Unfortunately there are a number of trends that could prove very serious unless properly dealt with. In addition, these trends are coming together almost as we discuss this problem and are steadily becoming more serious. You might say it is a cloud no bigger than a man's hand, but it is not to be ignored.

First let us look at the fact of subsidy. According to the CAB, since 1938 there has been a total of $1,344,715,000. Of this the trunks received $198,386,000; the helicopter carriers $49 million; Alaskan and Hawaiian carriers received $140,000,393; and local service airlines received $646,882,000—or a little more than half.

The subsidy specifically earmarked for the local service carriers reached a peak annual payment of about $69 million during fiscal year 1963, but this has now dropped off some and there are those who predict a steady but conservative reduction in the future. However, this does not really tell the full subsidy story. The short-haul segments of one trunk airline are subsidized to the tune of $3,700,000 a year and the carriers in our 49th and 50th States receive more than $9 million a year.

I do not mention these figures to explain my concern about the size. However, I do think it important that we do not pretend that they are invisible.

Let's take a look and see what is happening:

1. Most obvious are the galloping examples of subsidy squeeze: the maritime industry and the helicopter carriers. It should be obvious that the heat is on, and if not now, soon.

2. There's a more fundamental problem. In a very understandable way President Johnson has put his Bureau of the Budget to work shrinking older governmental programs in order to make new money available. There is no necessary conflict between fairly heavy Government spending and vigorous budget control. There is no security in budget seniority. The administration, in addition, is attempting to shift some subsidies from the taxpayer to the consumer.

3. But if that doesn't convince you, listen to this statement by Gordon Murray, a key staff member of the Budget Bureau: "The practical problem would appear to be how quickly transportation subsidies can be eliminated, not whether they should be."

That should resolve any doubts that exist among you.

The local service airlines are faced, therefore, with two grinding pressures. For one thing there is very little financial margin in the operations of these carriers. All of them are caught in the economic strangulation of a very short haul, static route system. The fundamental economic rule that applies says that unit line-haul operating costs only decrease as average stage and traffic haul distances increase. This situation is compounded by the inflationary pressures that beset all business operations.

This financial sensitivity tends to make these carriers unusually sensitive to the subsidy policy. And here is where a very serious problem develops.

What it amounts to is that at the very time these local service airlines need all the help they can get, the subsidy review process is cutting off their political legs. This results because all the incentives for the reviewers—the staff of the Bureau of the Budget, the staff of the Civil Aeronautics Board, and even the staffs of the airlines involved—are to reduce cost. In short, management policy is aimed at the reduction of expenditures rather than anything else. The inevitable result is reduction of service in terms of quantity, quality, and even location.

It can be stated as a solid fact: Never in history has a public utility gained the public support it requires by reducing the quality of the service it offers.

The deep and persistent concern expressed by Members of Congress is not only real but very meaningful. Senator BAYH, of Indiana, expressed it this way:

"It seems clear to me that this nationwide problem, accentuated by peremptory CAB rulings, will be solved only when we establish and maintain healthy local service airline systems. Subsidy policy should be set by the CAB based on transportation need, not a fixed formula applied to a predetermined budget. The CAB must look for ways to develop new patterns of air traffic to smaller communities to enable small cities to have adequate service along routes that are economically feasible to the carriers. Without adequate air transportation for small metropolitan areas, our Nation may be pockmarked by semidepressed, underdeveloped, dying communities. Then, partly as a result of shortsightedness, we will be faced with expensive crash programs to remedy a situation that we need not encounter if we try to comprehend the logical result of today's action."

It should be pointed out that no one is talking about an overnight slash below the present subsidy level. These local service carriers have been and remain sound credit risks. The law is clear on that and the record of these carrier managements and the Government provides a strong sense of confidence. However, the risk in a subsidized industry is that because of pressures and lack of support it is unable to keep improving the quality and type of service it provides. A major quality of the airline industry has been its financial ability to bring the fruits of technological progress to the traveling and shipping public. It is this pattern of progress that is now threatened and could well produce a very negative impact on the entire civil aviation program.

There have been some suggestions made for dealing with the general problem.

1. Drop off a large number of the smaller cities and at the same time speed up the consolidation of service into so-called regional airports.

2. Shift the subsidy to the consumer by increasing fares charged.

3. Shift the subsidy to the trunklines through a greater share for each ticket sold and other such methods. This approach has found some encouragement in Washington. Representative ALBERT THOMAS, chairman of the important House Appropriations Subcommittee on Independent Offices, made this comment as he led the successful fight to end the helicopter subsidies: "It is all taxpayers' money. It goes to the use and benefit of the big trunklines. Mr. Speaker, if we wind this up, the trunklines will work out this problem in less than 6 or 8 months, just as sure as shooting, in one form or another."

All of these suffer from being stopgap in nature and will tend to accentuate rather than end the possible downward service cycle that results from the present system for setting the budget.

The basic requirement is to provide as quickly as possible each short-haul airline with the routes and related commercial opportunities to become a self-sufficient, eventually unsubsidized, regional airline. Only in this way can we guarantee that the fruits of aeronautical technological progress will be made available to the small- and medium-size cities of America. Only economically healthy, profit-making airlines provide—now and in the future—the kind of progressive air service we require and deserve. Essentially, this is a most important recognition of the principle of internal subsidization. This all must be done on a case-by-case basis, for this is the only honest way to get at the problem. In addition, the Government agencies must develop a sense of urgency.

The individual airline companies, of course, have the responsibility of coming forward with specific plans. They have the responsibility to press hard to get these solutions accepted. In addition, they need to develop programs to overcome the psychological barriers that exist at the local level against the replacement of trunk by local service. The continuing studies prepared by the Routes and Agreements Division of the Bureau of Economic Regulation show that replacement of trunks by local service has been an important factor in upgrading the quality of service available at many intermediate cities.

The most recent report arrived at the following conclusion: "During 1964 the local carrier service offered had increased at 152 points over the last year of trunkline service. At 127 of these points, the increase in service was more than 50 percent. In passengers boarded the first year following the trunkline suspensions, the average increase for 132 points was a 134-percent increase. Of the 152 points where the passenger volume increased during 1964 over the year prior to trunkline suspension, all except 19 had increases of more than

50 percent. The average increase for the 152 points was 210 percent. The report shows that there were only 28 points at which traffic decreased during the year following suspension of the trunkline service. Twelve of these points in 1964 showed passenger increases ranging up to 183 percent over the comparable volume prior to trunkline suspension."

The executive branch should make its policy desires clear to the Bureau of the Budget and other agencies concerned.

The Civil Aeronautics Board has the most tedious part of the task in terms of day-in and day-out work but in policy terms it truly is the clearest. It is to state loudly and clearly, and then follow this on a vigorous case-by-case basis, that the most important policy of the CAB in the future is to reduce the subsidy bill. Since subsidy payments amount to better than three-quarters of the agency's annual budget, this would seem to be a worthy goal.

There is only one way to effectively reduce subsidy and that is to do what the Board has done in the past and see to it that carriers can become strengthened by route awards.

If the CAB had not done this during the fifties we would today have several trunks still in a subsidy posture. Now we have a system of long haul carriers, many even international, and it is time to create a class of regional lines.

There are those who will interject at this point that the Board does not have sufficient power to do the whole job and that it is up to Congress to provide it with the necessary authority in many areas. In truth this begs the question. If the CAB will set forth on the overall policy it will be able to make use of what power it has. When it runs out of power, there will undoubtedly be a favorable response from the Congress if the need can be proved.

What is most vital is that the Board recognize that half measures, overall studies, regulatory business as usual may not really do the job. There is a race against time, a race to reduce the subsidy effectively before the congressional and budget pressures catch up and make it impossible to move.

The need to reduce the subsidy is probably more important from a standpoint of national priorities than the encouragement of new and additional classes of air carriers or other policy activities.

Of course, the Board cannot carry on this fight alone. I have already mentioned the need for the carrier managements to make bold plans and to fight for them. The Congress itself, deeply concerned about the long range implications of the present system, will be in the final analysis the vital factor.

If the Congress will encourage a policy of growth and development, the benefits will be widespread. However, if the rest of the Federal Government drifts along, hopes for a technological miracle, or assumes that something will turn up, the communities, the regions, civil aviation and our Nation's capacity for trade and influence in the world will all suffer.

A BLESSING IN DISGUISE

Mr. BARTLETT. Mr. President, Alaskans have found themselves in an unhappy dilemma, as relations with our good friends, the Japanese, have drifted toward complete rupture over fish conservation practices in the North Pacific.

Perhaps, as in the case of many friendships which begin to drift apart, a drastic event was necessary in order to bring the parties together to discuss their differences. In the current controversy with Japan, a drastic event occurred last week when a Japanese ship, loaded with immature salmon, was caught fishing on the wrong side of the treaty line.

As the Anchorage Daily Times pointed out in a well-reasoned editorial on June 8, the seizure of the boat may be a blessing in disguise.

The seizure may be a blessing if it caused Japanese officials to take another look at the whole question of conserving salmon of U.S. origin, and if it could force the proper officials in Washington to realize that a serious problem exists.

The Daily Times concluded that if that happens, and if it leads to a solution, the Japanese vessel could turn out to be the most important fishing vessel in history. I agree, and I fervently hope the ship will find an important place in history. This controversy between good friends has already gone on too long.

For the edification of Congress and the public, I ask unanimous consent that the Anchorage Daily Times editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BOAT SEIZURE MAY BE BLESSING IN DISGUISE

The *Wakashio Maru* may turn out to be the most important fishing boat in history.

This 80-foot catcher boat was caught poaching in prohibited waters of the North Pacific. Its innards were stuffed with tons of not-quite-mature salmon, fish which scientists say almost certainly were Bristol Bay reds from Alaska's great western spawning streams.

. The seizure of the Japanese boat turned to ashes that country's assertions that ships of its high seas fleet never pierced the 12-year-old abstention line in the North Pacific, east of which no Japanese are permitted to fish by international treaty.

The *Wakashio Maru,* caught with the goods by the U.S. Coast Guard, armed the cannon of the American fishermen—whose cry for help and understanding had fallen for years on unimpressed ears in the State Department in Washington.

The Japanese Government must be horrified by the developments which have unfolded in the past few days in the North Pacific. The master of the gillnetter which was seized Saturday probably faces stern action by his government. No claim of faulty navigation seems likely to be sufficient to erase the embarrassment the incident has caused the Japanese fishing industry.

The arrest of the one Japanese boat—and the obvious merit to U.S. claims that companion vessels were equally guilty of treaty violations—knocks the pins from under basic Japanese arguments that it is rigorously observing the 1953 treaty. Tainted too, are Japanese claims that its high seas fishery operations cannot be blamed for any of the terrible decline of the salmon stocks of Bristol Bay, where fishing has fallen from great heights to a disaster level.

The proof now is overwhelming. And the Japanese admit at least this one treaty violation.

The seizure of the Japanese boat certainly must be a shock, also, to our own State Department. The diplomats now must know they can no longer ignore the pleas for help, the calls for support, which have gone out time and time again from Alaskan fishermen, from the fishing industry, from the State government and from Federal commercial fishery experts.

The treaty violations are now a fact. The critical situation, so long given second shift to other critical problems of international relations, has been so dramatized by an incident on the high seas that top-level Government solution cannot be put off.

All of this comes at a time when the protests of fishermen and the decline of the Alaska fisheries meld with an equally earnest desire to encourage Japan-Alaska trade and tourist relations.

We want to do business with the Japanese. We want to encourage travel by Alaskans to Japan and Japanese to Alaska. Americans have an inborn distaste for boycott and strife. We seek prosperity and friendship and mutual development of resources for sustained yield.

The *Wakashio Maru* may finally have made possible a solution to the troubled blister that threatened to disrupt the economic partnership that blooms in other fields between Japan and Alaska.

If it forces the Japanese to take another look at its previously hard line at the abstention area of the North Pacific, the incident may be worth the load of fish the *Wakashio Maru* carried. If this boat's seizure forces the State Department to acknowledge the plight of Alaska's western fisheries, the conflict over the mingling salmon stocks of the North Pacific may be resolved.

If this happens, the *Wakashio Maru*'s importance to Alaska's fisheries recovery will be immense.

SOVIET AGGRESSION AGAINST BALTIC STATES

Mr. SCOTT. Mr. President, June 15 marks the 25th anniversary of Soviet aggression against the Baltic States. Twenty-five years ago the armies of the Soviet Union occupied the territory of Lithuania, and 2 days later repeated the same attack against the Republics of Latvia and Estonia. The invaders inflicted a reign of terror in the Baltic States and forcibly incorporated them into the Soviet empire.

By mass executions and deportations to the Siberian wastelands, the forces of the Soviet Union suppressed, persecuted, and physically annihilated their victims. It has been estimated that more than 1 million people were murdered.

On July 23, 1940, the United States denounced this aggression of the Baltic States, and every administration to date has refused to recognize the Baltic States brutal incorporation into the Soviet Union.

Lithuania, Latvia, and Estonia continue to wear the heavy collar of Communist imperialism. To add insult to the prolonged period of injustice, the Soviets are planning large-scale celebrations on June 15 to commemorate the liberation from the capitalistic yoke.

We in the United States must counter this propaganda by proclaiming the truth to the world that the interests of the Soviet Union in the Baltic States lie, not in peace, but in tension and injustice; not in freedom, but in continued domination. The United States must encourage every effort to restore independence to the Baltic countries that once knew a day of freedom.

THE BALTIC STATES: A TRIBUTE

Mr. PROXMIRE. Mr. President, 25 years ago the Soviet Army crossed the frontiers of the Baltic States and destroyed the freedom and independence of their people.

By this singular act of aggression the Soviet Union demonstrated to the world its contempt for treaties and agreements. It is a matter of international record that the Soviet Union had concluded numerous agreements with Lithuania, Latvia, and Estonia during the interwar period of their independence. In a multitude of agreements the Soviet Government had pledged itself to respect the territorial integrity and national independence of the Baltic States.

However, 25 years ago the Soviet Union broke its pledged word and staged a massive military aggression that in one sweep destroyed the independence of these Baltic peoples and grossly violated their territorial integrity. Within a matter of weeks after the initial invasion the Soviets staged one-slate Soviet-style elections; they mounted a terrible reign of terror in which thousands were imprisoned, deported, or killed; and finally they forcibly annexed the three Baltic States to the U.S.S.R.

On this anniversary of the conquest of the Baltic States we pay tribute to a great and heroic people; and on this occasion it is well for all the free world to make note of the true dimension of Soviet duplicity and treachery as demonstrated 25 years ago.

THE 25TH ANNIVERSARY OF SEIZURE OF BALTIC STATES

Mr. ALLOTT. Mr. President, on this day, the world marks the anniversary of the seizure of the Baltic States, by the Kremlin despots, on a sad day 25 years ago. Subsequent to that day 25 years ago, Lithuania, Estonia, and Latvia lost more than 25 percent of their entire population. Hundreds of thousands of Lithuanians, Latvians, and Estonians were murdered by the spoilers of their lands or died in exile in Soviet slave-labor camps and prisons in Siberia and other places of Communist Russia.

In Lithuania alone over 600,000 people from all walks of life were deported en masse to Siberia or to remote areas near the Arctic Ocean. In just 2 nights of June 1941, 34,260 Lithuanians were deported to the horribly miserable conditions of slave-labor camps and the consequent death toll of these deportees was higher than it is presently possible for the human mind to conceive.

Since the end of World War II an additional 30,000 of these heroic people have died in battles with Russian Communists, and with every means at their command they continue to fight for their freedom. If we demand full freedom for the emerging nations of Africa, can we do any less than demand equally as much for the oppressed people of Europe?

On February 18 of this year, I introduced Senate Concurrent Resolution 22 and today, on this 25th anniversary of the tragic enslavement of the brave peoples of these Baltic nations, I ask my colleagues on the Senate Foreign Relations Committee to give early and favorable consideration to that resolution. I would hope that the day would come, and soon, when the Senate as a whole is given an opportunity to voice its feelings on this matter and I have every confidence that, given an opportunity to do so, they would express their feelings loud and clear by an overwhelmingly vote in support of the resolution.

MILITARIZING THE FAA

Mr. HARTKE. Mr. President, Drew Pearson has of late been performing a public service in his column by calling attention to a situation which much concerns me and on which I have spoken out in the Senate. That is the matter of the bill on the Senate Calendar, S. 1900, which would clear the way for appointment of General McKee as Administrator of the Federal Aviation Agency despite existing law requiring appointment of a civilian.

Yesterday I inserted a portion of one of Mr. Pearson's columns in comment, together with a column by Marquis Childs and a statement by President James G. Patton of the Farmers Union. Today I should like to request unanimous consent that there may appear in the RECORD a portion of the Pearson column which appeared in the Washington Post on Sunday, June 13, under the heading "Militarizing the FAA."

I ask unanimous consent that there may also appear an editorial published in the Lafayette, Ind., Leader on June 10 supporting my position, under the title "HARTKE Objects."

There being no objection, the portion of the column and the editorial were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 13, 1965]

MILITARIZING THE FAA

The closed door House debate over a special law to permit a military man, Lt. Gen. William McKee, to head the civilian Federal Aviation Agency didn't leak out to the public. But it was hot and heavy.

Seven Republicans voted against what they called "militarizing" the FAA. All Democrats voted for it except JOHN BELL WILLIAMS of Mississippi, who votes against all administration measures.

"This is a violation of the Federal Aviation Act, passed in 1958 to improve safety in the airways, and which forbids the appointment of a military man as FAA administrator," argued Representative WILLIAM SPRINGER, Republican, of Illinois. "General McKee should resign from his military rank and give up his military retirement pay while serving in this job, but he won't do it."

SPRINGER recalled a similar situation in 1958 when Gen. Elwood Quesada resigned temporarily from the Air Force and forsook retirement pay to become the first FAA Administrator. Looking at Democrats OREN HARRIS, of Arkansas, the committee chairman, and JOHN MOSS, of California, SPRINGER added:

"Some of you were then quite insistent that the FAA be headed by a civilian and agreed to approve Quesada only if he relinquished his military connections. Now you are, in effect, taking an opposite position."

HARRIS countered that circumstances sometimes justified a change of position. He contended that General McKee could not afford to waive his retirement pay. (If approved, McKee stands to get an FAA salary of $30,000 a year, plus $8,404 in adjusted retirement pay.)

"President Eisenhower wanted a provision in the law to protect the retirement pay of General Quesada, but when a White House aid asked me about it at that time, I refused to go along," said Representative SPRINGER.

GOP Representatives SAMUEL DEVINE, of Ohio, and ARTHUR YOUNGER, of California, vigorously supported SPRINGER. The only Democrat who seemed partially on their side was Representative JOHN DINGELL, of Michigan.

When the bill came up for a vote on the House floor, Representative H. R. GROSS, Republican, of Iowa, argued that it was ridiculous to maintain that McKee couldn't get along on a $30,000 salary—$5,000 more than a Cabinet salary. He and other Republicans were voted down.

[From the Lafayette (Ind.) Leader, June 10, 1965]

HARTKE OBJECTS

Senator VANCE HARTKE of Indiana, has expressed grave concern and open opposition to a recent Washington trend toward filling top civilian government jobs with retired military personnel. Says the Senator, "I have profound respect for military personnel in the conduct of military affairs, but I share the concern of a growing number of military men in civilian positions. This country became great because we have always had civilian control of our civilian government."

Senator HARTKE says he will oppose passage of a bill to permit retired Air Force Gen. William F. McKee to become Administrator of the Federal Aviation Agency. The bill was scheduled for a Senate vote this week.

According to a statement by the Indiana senior Senator, the Federal Aviation Agency has more than 90 former military officers in key executive positions, and more than 1,800 FAA employees are retired military officers and enlisted men. He also revealed that an estimated 30,000 employees of the Federal Government are former military career men.

In voicing opposition to the new appointment, HARTKE pointed out that appointment of a military man to head a civilian agency violates the intent of Congress. The Congress clearly spelled out in the 1958 Act setting up the FAA that a civilian in the strictest sense of the word was to be appointed Administrator.

"Civilian control of the military is, of course, at the foundation of our governmental structure," HARTKE said. "Any grade school student of the Constitution knows this. The present trend toward placement of military personnel in civilian positions is alarming."

The Indiana lawmaker said he has no personal objections to the appointment of General McKee and feels that the President made every effort to select a highly qualified candidate. "I cannot believe that there is not one civilian in the country who could do the job as well as General McKee. To preserve the intent of the Constitution and Congress, this man should be sought out."

With all due respect to President Johnson's judgment and efforts in filling top Government positions, Senator HARTKE has a very good point. The past history of this Nation is not one of government by military control—or control by military career men, retired or active.

After a career in military service, the thinking and viewpoint of retired military personnel is almost certain to follow fairly fixed patterns and despite good intentions the patterns do not always fit best into a civilian government. America has no shortage of talented and educated civilians in all lines and professions. Surely there must be a capable individual for each top civilian government position.

THE INCREASING IMPORTANCE OF VOCATIONAL EDUCATION

Mr. TALMADGE. Mr. President, the increasing importance of vocational education in our complex society today is becoming more and more widely recognized.

The State of Georgia, I am proud to say, has one of the most outstanding programs in the entire Nation in this vital area of education. Although relatively young in years, Georgia's vocational-technical training program has made remarkable gains, and contributed greatly to the well-being of the young people and the economy of my State.

There appeared in the Sunday, June 13, issue of the Atlanta Journal and Constitution an excellent editorial column, by Eugene Patterson, editor of the Atlanta Constitution, concerning the splendid and impressive record of the Athens, Ga., area Vocational-Technical Training School. It illustrates what can be achieved in these schools and what can be accomplished by students who avail themselves of the opportunity they afford.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Atlanta (Ga.) Journal & Constitution, June 13, 1965]

DIFFERENT STORY FOR GRADUATION SEASON

(By Eugene Patterson)

This is for noncollege men only. The papers are full enough of stuff telling young Georgians how to get along in college, which is all right. But this corner is reserved for those who need to know, for one good reason or another, how to get along without it.

A fellow in Athens named Robert G. Shelnutt likes to tell the story of what happened to 10 men last April.

None of them had gone to college. When Mr. Shelnutt first met the 10, they weren't making a very good living.

Their incomes ranged from a minimum of zero to a maximum of $4,800 a year.

Their average was $3,390—a pretty low annual wage to raise a family on.

Suddenly last April they all landed jobs that raised their average pay more than $2,000 a year. Their new annual salaries now range from a minimum of $5,800 up to $6,250 and their prospects for advancement are very good.

No gambling involved.

VACANCIES APLENTY

All 10 had simply gone to see Mr. Shelnutt. He had enrolled them in an evening electronics course at the school he directs in Athens. It wasn't expensive, it wasn't hard to get into, and there are many more schools like it in every area of Georgia. They are State-operated schools and they are hunting students to fill up their classes, not turning them away.

The bureaucrats call them (and may they all be boiled alive in alphabet soup for their turgid verbalism) area vocational-technical schools.

I'd prefer to call the school Mr. Shelnutt runs plain Athens Tech.

The 10 men had little or no experience in electronics when they went to see him 3 years ago. All had to hold fulltime jobs to make a living, but he said that was all right, too. Just come in the evenings after work, he said.

In April they completed their electronics course. They faced a problem immediately. Each one got from two to five job offers and had the problem of deciding which one to accept.

They shucked their old low-paying jobs and took their pick of skilled ones. One became a broadcast engineer. Others became instrument technicians, technical representatives, associate engineers. Three entered industry directly at the management level—one as maintenance supervisor of a closed circuit television system, another as electronics maintenance supervisor at a large factory, and a third as service manager of a retail outlet for electronic equipment.

UP $2,025

Their new average salary is $5,415 and their new skills equip them to go onward and upward just as far as their ambition drives them.

The experience of these 10 men shows, says Mr. Shelnutt, "that if any American wishes to better himself, the opportunity is available."

Somehow or other the word hasn't gotten around about those technical schools as it should have. Otherwise there surely wouldn't be any vacancies for students by now—but there are plenty. Anybody interested in knowing the one nearest him can write Jack Nix, State Department of Education, Atlanta, and ask.

Over at the Athens school Mr. Shelnutt has one frustration: Employers hire his people faster than he can train them. For 5 years he has been training skilled mechanics in a mechanical technology course and has managed to graduate only six. The others were snapped up by local industries offering them good jobs by the time they had completed three-fourths of the curriculum.

CITY AND TOWN ANNIVERSARIES BEING OBSERVED IN JUNE 1965

Mr. SALTONSTALL. Mr. President, during this month of June, several communities in Massachusetts are observing important historical anniversaries with appropriate festivities and ceremonies.

The town of Royalston, in Worcester County, was established on February 19, 1765; and its citizens commemorated this bicentennial anniversary on June 5.

The city of Leominster, in Worcester County, is celebrating two anniversaries this year. On June 23, 1740, Leominster was established as a town; and on May 13, 1915, it was incorporated as a city. A parade honoring Leominster's twin anniversary year is to be held on June 13.

During the week of June 19–26, the citizens of Lanesboro will observe the town's bicentennial anniversary. Lanesboro, located in Berkshire County, was established as a town on June 21, 1765.

On June 21, 1765, the towns of Becket and Williamstown, in Berkshire County, were established. Historical programs and festivities honoring these bicentennial anniversaries are planned for the summer months.

Hopkinton, in Middlesex County, is observing the 250th anniversary of its incorporation as a town. The major festivities honoring this important anniversary are planned for June 27.

To all of the citizens of these towns and cities, I extend my congratulations. They can take great pride in the development and growth of their communities. I know that all of the activities which have been planned will be enjoyed by all.

BRUCE JOLLY

Mr. JORDAN of North Carolina. Mr. President, today a most distinguished member of the press gallery is ending a 15-year career as the Washington correspondent for one of North Carolina's leading newspapers. Bruce Jolly, who over the years has worked very closely with Members of the Senate and Members of the House of Representatives, has resigned as the Washington correspondent for the Greensboro Daily News.

After a well-deserved vacation, Mr. Jolly will return to Washington, and will engage in the public relations profession.

In his years as a political writer and columnist, Mr. Jolly has covered every national political convention held by the major parties since 1952, with the exception of the Republican Convention in San Francisco in 1956. In his work, he traveled extensively with both Democratic and Republican presidential candidates, including whistlestops with former President Truman and candidates Dwight Eisenhower, Adlai Stevenson, and Lyndon Johnson. His assignments have also carried him to the South Pole, London, Warsaw, West Berlin, Vienna, Panama, Bermuda, and Cuba. He also distinguished himself in his coverage of the Hungarian refugees fleeing from Hungary into Austria, during the Hungarian revolution.

Mr. Jolly was also in the House press gallery on the day when the Puerto Rican nationalists opened gunfire in the Chamber of the House of Representatives.

Through the years, Mr. Jolly has won the high respect of all those with whom he has come in contact as a newspaper correspondent. I know I speak for all his friends in Congress when I say that we regret his leaving, but we wish him every success in his new career.

DETECTIVE DONALD B. STEVENS, OF BALTIMORE, MD.

Mr. TYDINGS. Mr. President, many weeks ago Detective Donald B. Stevens, of the Baltimore City Police Department, was shot twice while battling with a holdup man. He is still not well and has been recovering at home since his release from the hospital. There are few jobs in the security of today's world in which a man is asked to sacrifice his very life. The role of the law enforcement officer in today's society is more often thought of as enforcing the letter of the law, not as a protector for our citizens. Detective Stevens has showed his understanding of both of these principles. He has displayed a courage and selfless devotion to duty which is uncommon in this day and age. He risked his life for his fellow Baltimoreans with little thought of personal reward or public acclaim.

Mr. President, the Senate of the Maryland Assembly passed a resolution during its recent session honoring Detective Stevens. I have been informed that several of my colleagues have also written to him. I ask unanimous consent to place in the RECORD at this point the resolution of the Maryland Senate and to send to Detective Stevens the "get well wishes" of the entire U.S. Senate.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 54

Senate resolution wishing a speedy recovery to Detective Donald B. Stevens, of Baltimore City

On January 17, 1965, Detective Donald B. Stevens, of the Baltimore City Police Department, was shot twice while battling a holdup man.

After a prolonged stay in the hospital Detective Donald B. Stevens is now recuperating at home.

In risking his life in the performance of his duty Detective Donald B. Stevens showed those qualities of devotion and dedication to the protection of his fellow man which exemplify the highest degree of police work and has earned himself the undying gratitude of a grateful citizenry: Now, therefore, be it

Resolved by the Senate of Maryland, That every good wish be extended for a speedy and complete recovery to Detective Donald B. Stevens, of the Baltimore City Police Department; and be it further

Resolved, That a copy of this resolution be sent to Detective Donald B. Stevens, Box 496, Route 14, Baltimore, Md., 21220, and to Police Commissioner Bernard J. Schmidt, Baltimore City Police Department.

MARYLAND'S PART IN GEMINI 4'S SUCCESSFUL FLIGHT

Mr. TYDINGS. Mr. President, for the last week this country has been preoccupied with the flight of the Gemini 4 and with Astronauts McDivitt and White. Their successful flight was the culmination of the work of hundreds of technicians throughout the country. One such technician was Floyd St. Ours, 41-year-old Martin Co. engineer. Mr. St. Ours, a graduate of Maryland schools, was the chaperone of the Titan II rocket which carried the Gemini capsule into space. Mr. St. Ours, and many Marylanders like him, have devoted themselves to the success of this project.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article on Mr. St. Ours and the part in the space drama played by the Martin Co., in Baltimore, which appeared in the June 6 edition of the Baltimore News American.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPACE-FLIGHT ROCKET BUILT AND TESTED HERE

(By Peter Schneider)

Compared with the tumult and the shouting that accompanied the launching of Gemini 4 at Cape Kennedy Thursday, the birth of the Titan II rocket that bore Astronauts James McDivitt and Edward White into space was a pretty undramatic moment.

No reporters, photographers, cameramen, or commentators were present at the Martin Marietta Denver Division in November 1963 when the fuel tanks that form the missile's skeleton were welded together.

And few persons were aware or even cared when the tanks were loaded aboard a C–133 military transport the following March 4 for what was expected to be a routine, 4-hour flight to Baltimore.

But for Floyd St. Ours, 41-year-old Martin Co. engineer, it was the beginning of the project of a lifetime. It was to be his job for the next 2 years to chaperone the bird through its construction and testing.

Oddly enough, the supposedly routine flight proved to be the only hitch sustained in the rocket's development from a shapeless lump of metal to a powerful, sleek spaceship.

"It was a violent flight," Mr. St. Ours, of 101 Glenwood Road, Belair, recalled. "It was one of the roughest flights I've ever been through."

After being battered and buffeted across the country the plane with its precious cargo was forced to circle over Middle River for 90 minutes as fog shrouded the Martin airstrip.

Diverted to Dover, Del., the transport circled another hour over a foggy airport there. It finally landed at McGuire Air Force Base in New Jersey, and it was another 2 days before the fuel tanks could be brought to Baltimore.

Mr. St. Ours, a graduate of Baltimore Polytechnic Institute and the University of Maryland, babysat with the launch vehicle through every phase of its assembly and testing.

Upon the World War II Navy veteran rested the responsibility that this particular rocket perform as flawlessly as ultramodern technology would allow.

His job began when the first tiny part for the 90-foot booster was produced. And it won't end until every morsel of information is evaluated after the 4-day flight.

When the two fuel tanks were spliced into a single unit, he was there. He stood at the elbows of technicians who installed the mighty engines.

And so it went, from the horizontal tests in the cavernous green pad at Middle River to the simulated flight test on complex 19 at Cape Kennedy a few days ago.

"This is the most exciting and rewarding job I've ever had," enthuses Mr. St. Ours. "Nothing I've done can compare with being associated with a vehicle that carries men into space."

But Mr. St. Ours is quick to point out that he's a part of a team effort—a team composed of hundreds of Martin Co. employees every bit as enthusiastic as he is.

In explaining what the Martin Co. calls man-rating of the Titan II launch vehicle, Bastion (Buz) Hello, Gemini program director, says:

"Only intelligent, motivated people are selected to work on the bird. These are the type who, if asked to whittle a thousand clothespins, would make every one the same—and perfect."

Martin engineers like to represent its man-rating philosophy in the mathematical formula, $PCS=RLV+(1-RLV)RMDS$.

Translated, it means probability of crew survival equals reliability of the launch vehicle plus reliability of the malfunction detection systems. In other words: Make it safe.

"Our man-rating program is the success story of the Titan rocket," says Carroll Curlander, deputy technical director of the project.

Mr. Curlander listed four factors employed by the Martin Co. to insure the reliability and integrity of the two-stage launch vehicle:

Certification of personnel.

Addition of redundant, or backup, systems to safeguard against failures.

Exercising of "tender, loving care" in the selection of components for the rocket.

Through testing, rechecking and double-testing of the assembled Titan II.

Because man-rated quality is ultimately determined by the persons doing the work, special methods are used at the Martin Co. to guarantee that personnel on the Titan II program are completely qualified for their jobs.

TEACH-INS

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article entitled "Teach-Ins—New Force for the Times."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Nation, June 21, 1965]

TEACH-INS—NEW FORCE FOR THE TIMES

(By Arnold S. Kaufman)

(Arnold S. Kaufman, associate professor of philosophy at the University of Michigan, was one of the founders of the teach-in movement)

Perhaps we are witnessing the death throes of McCarthyism. The man has been dead for almost 10 years, but his spirit continues to frighten people and contaminate intelligence. Now, the main custodians of human intellect and its works in a society such as ours—the scholars and the teachers—are counterattacking. The teach-in movement is part of their effort to strengthen institutions without which freedom of inquiry and integrity of commitment cannot be preserved.

To suppose that the teach-ins are no more than a specific expression of opposition to administration foreign policy would be a fundamental error. The national teach-in at Washington was a step—perhaps a giant step—in the attempt to build a society which is free because its citizens are thoughtful and informed. A dream, perhaps; but a dream that is not alien to the traditions of this Nation. McGeorge Bundy, in the statement announcing that he could not attend the teach-in, put it as well as anyone:

"The American people know that the real danger will come when we are afraid of any unpopular minority, or unwilling to reply to to its voices. They understand what Communists cannot understand at all—that open discussion between our citizens and their government is the central nervous system of our free society."

But Mr. Bundy has not kept himself informed about the American people. It is precisely because too many Americans, some of them in high places, do not understand what Bundy credits them with understanding that academic communities are in motion. The main disagreement between Bundy and his critics is about the present and urgent need to repair and reinvigorate the "central nervous system" of American democracy. The basic conflict is between those who respect truth and understand the processes by which informed public policy must be pursued, and those who do not.

The issue has been joined over the Vietnamese disorder precisely because administration spokesmen have propagated a myth. Walter Lippmann makes the point with typical precision: "The essential fact about these disorders is that they are at bottom indigenous to the countries where the social order is broken down, not originally, not essentially, conspiracies engineered from the centers of Communist power." Lippmann concludes, "Surely it is time to grow up." (Newsweek, May 24.)

Most people know that more than 50 teach-ins have occurred around the country, and that the surge of activity culminated in Washington on May 15. Few realize just how deeply the teach-ins are reaching into campus life. Trouble is brewing in the most unlikely places.

Arizona was the only State in the Union outside the Deep South that gave Goldwater a plurality. Today, both of Arizona's State universities are in ferment, and the pronouncements being made would have been inconceivable a short time ago. Purists who insist on the distinction between protest and debate should bear in mind that when that which cannot be discussed is discussed, the debate is by its very content a protest. It is not surprising, then, that when, at the recent Arizona University teach-in, a member of the faculty remarked that the United States might be unable to prevent Asia from going Communist, political tempers shot up like rockets. The State senate appropriations committee and the State institutions committee summoned both university presidents and their respective governing bodies to the legislature for an accounting. The outcome is still in doubt.

And what more unlikely place for acts of political courage than the University of California branch at San Diego? Right-wing extremism flourishes in the area. When 23 students and teachers protested against intervention in the Dominican Republic, the San Diego Tribune furiously editorialized:

"San Diego has a large stake in the university. It has an even larger stake in the military establishments which it also brought here and to which it has given land, and in the atmosphere that has made service to country a high calling. If the university is to thrive in this area, it cannot be allowed to become the staging area for social and ideological resentments."

The Union made the threat explicit by announcing that if the regents do not put a stop to political shenanigans, "this newspaper will do everything possible to see that the State legislature does." The response? The faculty and students are organizing a teach-in; and the chancellor of the university, John S. Galbraith, has pressed the point home by reaffirming the university's commitment "to the great traditions of free inquiry and free expression * * *." This is heady stuff for San Diego.

Indeed, freedom is a heady business. No one understands this better than college administrators. As long as genuine freedom is celebrated by rhetoric rather than by public exercise, campuses remain quietly comfortable. But it appears that the peace that frustrates understanding is no more. The rhetoric of free expression is being translated into action relevant to power. It's enough to make the stomach of even the doughtiest administrator rumble. If the inevitable pressures to conform are resisted by those who run our universities, this society will have passed a milestone on the road to genuine democracy.

What has set into motion so many of those Americans who cherish the skills of the mind? There are many causes, and the precipitating one was clearly the administration's decision, contrary to all assurances given before the election, to enlarge the war in Vietnam. The opposition of those already opposed to U.S. policy was intensified; many others who had been teetering haplessly on the edge of indecision fell into opposition. And because they felt duped and manipulated, their reactions were correspondingly intense. The intensity of the reaction is very important. Dissent from official policy will not propel men into the sorts of actions that have been taken unless they feel intensely opposed.

Opposition to Vietnamese policy has been in large part inspired by general dissatisfaction with the main lines of American foreign policy. Many of us who endorsed the Marshall plan and the Truman doctrine, who supported U.S. action in Berlin, Korea and Cuba, are simply unwilling any longer to accept as valid the assumption that the threat communism poses is either monolithic or predominantly military. Nor are we willing any longer to credit the claim that all revolutionary disturbances are essentially "conspiracies, engineered from the centers of Communist power." We do not propose abdication of responsibility. We are not isolationist, neoisolationist or cryptoisolationist. And we will not be detracted by such vapid criticism.

Nor will we any longer accept the simpleminded litany about the fight between tyranny and freedom—between the forces of darkness and the forces of light. Far from being unwilling to acknowledge the existence of evil in the world, we realistically insist that these tendencies are as likely to be buried in the breast of the publisher of some Western news magazine as in the breast of the editor of Pravda. (That assumption, incidentally, is in keeping with the entire tradition of mature religious and secular thought.) Those who have inspired the teach-in movement believe that revolutionary movements must not be suppressed. Instead, this Nation must learn to respect revolutionary energies that are consistent with a genuine concern for liberty and social justice. In some places they may take the form of social democracy. In other places the situation may require an accommodation with Communist power. For once we stop viewing communism as monolithic, we are free to consider the possibility that accommodation may be preferable to endorsement of some equally or more oppressive regime which lacks even the degree of popular support that indigenous Communist movements enjoy. In any event, we are determined that de facto support of non-Communist tyrants shall not be concealed by the rhetoric of the American credo. What seems especially clear to us is that our policymakers have been neither resourceful nor always committed to the values of liberty and social justice in the making of American foreign policy.

And it becomes increasingly clear that they do not even pursue our vital national interests effectively. The wide range of criticisms has brought together strange bedfellows. Any protest movement that contains both A. J. Muste and Hans Morgenthau must have a broad base of support—to put it mildly. But widespread criticism of American policy does not alone account for the spectacular spread of the teach-in movement.

Nothing has aroused more irritation among thoughtful men than the administration's huckster approach to the problem of "selling" its policies to the American public. Nowhere is the aversion to being manipulated into consensus felt more strongly than on campuses. But academicians are not alone in this: One great ally has been the working press. Not long ago, a few of us, active in organizing the national teach-in, were interviewed by a reporter in behalf of a prominent magazine. After the article on which he worked had appeared, he wrote an apologetic note to me: "Unbelievable," he called it. "Almost a classic example of the old gag line: 'My mind is made up—don't bother me with facts'." The working press is sick of the deception and distortion that so many publishers and officials force it to accept. It is disgusted with news management that undermines respect for both the reporter and his craft. Newsmen are fed up with a process that converts honest work into a product indistinguishable in its fidelity to truth from the wares of the Daily Worker. The tacit support from members of the working press has made it possible for the teach-in movement to become effective.

Another motivation has been discontent with the functioning of our political institutions. In his book, "The Public Philosophy," Walter Lippmann complained about the intrusion by the legislature into what were properly the functions of the executive branch of Government. This difficulty he termed a "derangement of powers." One of the ironies of the present mess is that Lippmann has become one of the strongest critics of a policy the defects of which are due in no small measure to congressional abdication of constitutional responsibilities to the Executive. President Johnson seems bent on reducing congressional opposition to ineffective jabbering by portraying critics as mavericks and kooks. It is common knowledge that much political muscle has been applied in order to silence more "responsible" critics in Congress.

The teach-in movement is partly an effort to fill the resulting organizational vacuum. Democracy requires dissent. Dissent requires an effective and courageous opposition to Government policy. It is a reflection of the weakness of the American system that effective opposition has not been adequately voiced in our legislative assemblies. It is a reflection of the basic strength and adaptability of the system that substitutes for this lack are being provided by members of the academic community.

Many active in the Vietnam protest have been stalwarts in the civil rights movement and have participated in its impressive victories. The way in which "hard realities" have yielded to civil rights pressure has, along with President Kennedy's deliberate efforts to engage academic people in public life, lessened the intellectual's traditional sense of powerlessness. There is nothing like a good dose of fulfillment to strengthen a person's will to believe that possibilities can be converted into policy change. And few things will as effectively transform quiescence into activism as a strong will to believe. These background circumstances also partly account for the sturdy links between the civil rights movement and the Vietnam protest. The political implications of this relationship are explosive.

Finally, but perhaps most important in explaining the teach-in movement, is the condition of discontent and ferment that exists on our campuses themselves. This is not the place to analyze the condition, but a brief description of the events resulting in the first teach-in at Michigan, March 24, will illustrate its importance.

Our original plan had been to hold a one-day suspension of classes becaues we felt that the seriousness of the enlargement of the Vietnam conflict warranted a departure from work as usual. Though we pledged to make up missed work, we were not able to still criticism. Governor Romney denounced us, declaring that we had given "about the worst type of example professors could give to students. Professors and adults," he added, "have to set a good example of measuring up to their responsibilities." That, of course, was precisely what we were trying to do. But presumably in the world of governors and auto executives business is always business, and sacred. In any event, the State senate soon passed a condemnatory resolution and major newspapers in the State criticized our stand editorially. What hurt most, however, was the reaction of our colleagues. Their attention was diverted from the merits of our cause to discussing the responsibilities of teachers.

The issue of responsibility is very important, but not exactly what we were concerned about. So we decided to change our tactic. Instead of "failing to meet our teaching responsibilities," we decided that, in addition to our regular teaching duties, we would teach all night. Hence, "teach-in."

It is important to acknowledge the restraint and good sense with which the university administration handled the serious problems that our actions posed. An enormous public pressure had built up. Other administrations have crumbled like cookies under the impact of far less pressure. Berkeley was an example still vivid in the memories of all of us. Instead, our change of strategy was greeted with relief and gratitude by officials and colleagues alike. The gratitude was, I am sure, a considerable factor in the subsequent success of the first teach-in. Students worked unstintingly in an effort to assure success. I suspect that the cooperation between students and faculty was unprecedented in the history of Michigan University.

We anticipated an audience of about 700; more than 2,500 persons appeared. Reactions were mixed. One letter I received read: "Dear Professor, I hate to think of a man like you teaching our young people; you are either a fool or a mental case." But the reactions that meant most to me were those students who afterward claimed that the teach-in was the most meaningful educational experience they had ever had. For the first time they realized what a university might be. The letter I most cherish was one from four students which began: "We are encouraged and deeply moved by your participation in the recent demonstrations on Vietnam—because it indicates that you have seriously dealt with the question of responsibility and commitment." It would be interesting to have Governor Romney and these young people debate the responsibilities of educators.

The other relevant condition of our campuses is less spiritual, but not less important. Teachers are simply more secure than most people. Good educators get tenure quickly and are in a powerful bargaining position. No major university, no State legislature, can afford to act oppressively toward any portion of their faculty, for to do so might result in the alienation and prompt departure of many besides the main offenders. It is easier to be outspoken in behalf of convictions when doing so does not place one's job in jeopardy.

With certain exceptions, the National Teach-In has received a remarkably sympathetic hearing from press and public. All things considered, there has not been much redbaiting. Most of the criticism has consisted of the charge that we acted irresponsibly and unpatriotically. The main argument leveled against our activity is that we are giving aid and comfort to the Communists, postponing the day when they will be willing to begin negotiations, and thereby jeopardizing American lives committed to battle. Bipartisan voice has been given to this criticism—both Senator RUSSELL LONG and Representative GERALD FORD having made the charge in speeches. In our brochure, "The Meaning of the National Teach-In," we reply to this criticism at some length. Very briefly, the validity of the argument rests on the assumption that present Government policy will bring those who can stop the conflict to the bargaining table. But as that is one of the very points at issue, the criticism reduces to the claim that those who do not accept the administration reasoning are unpatriotic. A point of view more irresponsible, more subversive of genuine democratic commitment, can hardly be imagined.

Besides this bit of circular reasoning, we have been subjected to little more than Time's predictable adjectives ("cattiness and caterwauling"), and the normal sorts of misdescription that creep into reports of any complex event. The truly responsible press has described what went on at the National Teach-In with remarkable fidelity to fact, and with sympathy and respect. In an editorial, the New York Times commented: "the academicians on both sides conducted themselves with a dignity and respect for fact that contrasted favorably with the emotionalism that too often passes for discussion in foreign affairs." James Reston credited us with having "developed into a forum of national debate which could be of fundamental importance to the Nation." How have we managed to avoid most of the more contemptible forms of criticism? How have we managed to earn as much respect and sympathy as we have?

It would be nice to think that it is all due to the fact that our virtue shines through. It is undoubtedly true that we managed to convince some reporters that we meant what we said; that we were not being disingenuous when we claimed to have a concern for the quality of the democratic process. It is also true that the national teach-in received an immense, and unexpected, TV coverage. Millions of Americans could see for themselves that "cattiness and caterwauling" were hair-raising distorations of the reality of the event that took place in Washington. Moreover, our sponsors include men of unimpeachable integrity and commitment to scholarly inquiry. Ernest Nagel, sponsor and moderator of the afternoon confrontation, enjoys as much moral and intellectual prestige as anyone in academic life. Men like B. F. Skinner and Talcott Parsons, Richard Hofstadter and Abba Lerner, Kenneth Boulding and Hans J. Morgenthau hold secure places in the intellectual life of this Nation. Moreover, their names are known to those who have even a passing interest in the world of ideas. And having Benjamin Spock, Jonas Salk, Arthur Miller and Nobel Prize-winners Max Born and Albert Szent-Gyorgi on your side does not hurt.

But the prestige of one's sponsors is a thin reed on which to rest one's claim to legitimacy. Beside the latent sympathy of those newsmen who had been subjected to the same forms of manipulation and constraint that we were caviling against, there were other conditions. There is great public distrust of the administration's Vietnam policy. The latest Gallup poll (New York Herald Tribune, May 16) indicates that 48 percent of the population has yet to be convinced that the Government is handling affairs in Vietnam as well as one might expect. This does not mean that 48 percent of the population opposes present policy, but it does mean that anyone who develops reasoned criticism serves a very general need for greater understanding. Moreover, among those who support present policy and think the administration has done as well as can be expected, there are many who realize that they might be mistaken. They must, if they are sane, be fearful of potential miscalculation. They too must appreciate reasoned discussion and debate, if only because it reinforces their conviction that the administration's fateful decisions are correct.

Moreover, it is obvious to those who have even the most casual acquaintance with the teach-in movement, that we do not hew to a line. Our opinions vary from those who demand instant withdrawal to those who believe only that the decision to enlarge the war was wrong—and everything in between. What we have in common is a conviction that the administration has not leveled with the American people, and a determination to bring the disciplines of careful thought and scholarly inquiry to bear on the momentous issues of peace and war.

Another factor that has contributed to our good public image is that academic communities are, from the point of sheer size, a very significant part of the total population. More than 3 million students combine with approximately 500,000 faculty, and these are linked in an indefinitely large number of ways to persons in business, the professions, and public and political life. From a purely political point of view, it is not a group that can be ignored.

Our connection with persons in public life is the keystone in the arch. Had McGeorge Bundy not accepted our invitation we could hardly have attracted the attention we did attract. He is reported to have told friends, "These are my people; I must talk to them." Moreover, there is in his statement of regret a sentence that may yet prove to be of enormous importance. "I wholly disagree," he said, "with those who have argued that it is inappropriate for a Government official to take part in a discussion of this kind." This is an astonishing acknowledgment of the legitimacy of the national teach-in enterprise. We are not going to sit around, holding our breath, waiting to see whether Bundy really means what he says, or whether in saying it he speaks for the administration. But we are not, on the other hand, going to play the cynic in order to avert the charge of "naivete." We shall see. Ours are not the only credentials that must be certified by events.

It is also the case that thousands of academics who are presently alined against the President's policy were politically active in the last campaign. For example, among the sponsors of the Michigan teach-in were the past chairman of our local citizen's for Johnson-Humphrey committee (he received four different invitations to the inaugural ball and profuse thanks for his efforts), the only Democratic mayor Ann Arbor has had in more than three decades, one of the principal campaign managers for our successful Democratic candidate for Congress, and countless persons active in the precincts. Moreover, the local Democratic Party recently passed, by a vote of more than 2 to 1, a resolution condemning the administration's enlargement of the Vietnam conflict.

Finally, our relative immunity from vilification is in large part due to the fact that the public has a rather schizophrenic attitude toward colleges and universities. On the one hand, they typically view institutions of higher education as places to which children must go in order to acquire earning power and social status. On the other hand, they think of commitment to the life of scholarly inquiry as somehow sacred. And they regard members of academic communities as still predominantly committed to the search for truth and understanding. Most persons respect these pursuits as long as they do not encroach too severely on the conventional wisdom. Critical examination, self-examination, is acceptable as long as it does not penetrate beyond limits prescribed by genteel morality. The point is, the public is ambivalent. Respect for members of the academic community coexists with a crassly instrumental conception of the uses of universities; and both are hedged around by fear of, and a contempt rooted in envy for, the disciplines of intellect.

One illusion prevalent in every society is that those who possess power necessarily exercise it responsibly. Until and unless this claim is put to the test of criticism it is so much superstition.

After the clamor of war has died, what was achieved on May 15 will stand as a monument in the continuing effort to forge institutions that subject power to the test of reason in full view of the public. That such an event occurred at all will stand as a tribute to the resilience and adaptability of our institutions. It could not have occurred, nor probably can it occur again, without the cooperation of those in government who understand the conditions which permit "the central nervous system" of a free society to function.

An administration self-confident enough to permit such a process of confrontation to develop can go down in history as having made a fundamental contribution to the evolution of the democratic process. An administration wise enough to encourage this confrontation will go down in history as having shaped the democratic process in profoundly creative ways.

We have glimpsed only the potentialities. In a column in the New York Times, Jack Gould describes the TV coverage of the National Teach-In as an "important landmark in the evolution of communications." Whether or not this is a judicious estimate of our achievement, it is undoubtedly true that TV coverage has given us a glimpse of the way in which the medium can be used to inspire rather than stultify the intelligence and spirit of the people. The ability to grasp the opportunities that are available, to exploit in creative ways what has been achieved, depends to a very large extent on the response of government.

The administration should realize that it has a genuine interest not only in cooperating with, but in promoting, the teach-in movement. Apparently, the one criticism that makes those responsible for our foreign policy shoot off like firecrackers is the charge that they are Strangelove types. Assuming that they are not inflexibly committed to military action wherever and whenever trouble brews, they should greet with relief and enthusiasm any movement that opens to public inspection the full range of available policy alternatives. And they should respond in this way even if the attempt to explore alternatives comes in the garb of protest and debate. That is perhaps more than one can normally expect of human beings; but why shouldn't our policymakers be better than normal? Why shouldn't they even be statesmen?

For too long certain reasonable alternative policies have been irresponsibly ruled out of contention because of purely domestic political considerations. The issue of recognizing Communist China is a case in point. No doubt, recognition is not a panacea, but neither would it create a hole in the dam holding back the forces of evil.

More important, unfettered discussion of reasons for and against alternative policies has been restricted to inner sancta of one form or another—the inner sancta of the academies or the inner sancta of the White House and the Pentagon. The American people have been treated like children, and it is time to bring an end to manipulative paternalism in the conduct of foreign policy. Why shouldn't the American people be exposed to the thinking of Trotskyites as well as the thinking of Birchites? Why shouldn't we, as a nation, move closer to that theoretical ideal that has inspired so many of the builders of Western civilization—a true marketplace of ideas? Only remember, ideas are not there to be bought and sold like commodities. Ideas are there to be assimilated, rejected, treated seriously and with the respect due the premier productions of human organisms.

If a revolution in our national habits of public discussion could be brought about along the lines envisioned above, it would—far from inhibiting the making of American foreign policy—for the first time liberate it and permit it to conform to reason.

DEBATE OVER CHURCH CRITICISM OF U.S. FOREIGN POLICY

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Heated Debate Flares Over Church Criticism of U.S. Foreign Policy." The article was published on June 11 in The Oregonian.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Oregonian, June 11, 1965]

HEATED DEBATE FLARES OVER CHURCH CRITICISM OF U.S. FOREIGN POLICY

(By Marvin Callaway)

SALEM.—The Oregon Annual Conference of the Methodist Church exploded Thursday afternoon into a heated debate over whether the church is well enough informed to take a stand on social problems and whether it has the right to speak collectively for its members.

Principal players were Bishop A. Raymond Grant, presiding over the meeting, and Claire Miller, a Methodist lay member from Asbury Church, Eugene.

The battle opened when Watford Reed, a lay member from Lincoln Street Church, Portland, rose to offer an amendment to a proposed resolution on U.S. involvement in southeast Asia.

Reed urged, "cessation of hostilities" in southeast Asia, outside of South Vietnam. He specifically proposed that the United States end bombing of North Vietnam because it has "driven the Communist camp together."

Miller, who is an Oregon State auditor, rose to oppose the amendment.

He suggested that the church doesn't "have as much knowledge as a government" upon which to base such a recommendation. Also, he felt the church has no right to speak for its members on such an issue.

He suggested that it is already losing some members because of its social stands.

The vote was taken, the amendment lost. The resolution itself, proposed by a study section of Christian social concern, was adopted.

Then Bishop Grant, who is chairman of the denomination's commission on social concern, and therefore a leading national religious figure in the area of social action, took the platform.

"I am impatient to be told that no one outside Washington, D.C., has the knowledge to discuss these great issues," he replied.

WAY OUT SOUGHT

"I think that some of us know a lot about Vietnam, enough to form a judgment.

"As Christians, we have the right to make that judgment public.

"All I want the people in Oregon to know: I want to be able to say what I want to say about this hellish business."

Then, without breaking stride, he added, "The time will come when we will wish that years ago we had recognized Red China. We can't go on as if Red China doesn't exist. We had better find a way to sit down and talk things through in the spirit of Christ."

He received excited applause.

Then, he jokingly added, "They can go their way and I'll go God's way."

Many delegates laughed, but not Miller.

He rose to the microphone and accused the bishop of "whiplashing" him. He declared that he had "as much right to be heard" as the bishop.

NO ATTACK INTENDED

Bishop Grant said he hadn't meant it as a personal attack on Miller. He said he was replying to the type of comments he receives at meetings in Washington, D.C., and elsewhere.

The Thursday business session closed on this note. Several persons rushed over to shake Miller's hand; the bishop talked with him, trying to cool tempers.

Miller said he was "100 percent behind" Bishop Grant on issues of world peace and civil rights, but parted company with him on Vietnam.

The resolution on southeast Asia, adopted by the conference, urged the United States to continue to "initiate all possible, helpful, political alternatives" to continued war.

Specifically, it recommended either calling in the United Nations; or "reconstitution" of the Geneva Conference, which was responsible for the cease-fire and partition of Indochina following defeat of the French; or creation of a new commission, made up of representatives of several nations to explore and mediate a solution.

U.S. AID ASKED

It urged the United States to expand expenditure of money and effort on the Mekong Delta project, which it considered "more valuable than the $4 million plus spent daily by the Defense Department for military operations."

It also urged the United States to form a policy for southeast Asia which would "distinguish between the revolution of rising expectations throughout the world" and the "subversion of established political and economic order, without relevance to the improvement of human welfare."

Copies of the resolution will be sent to the President and other leaders.

In other action, the conference urged its local churches to send specific long-term monthly contributions, used clothing, and personnel to aid the Mississippi Delta Ministry of the National Council of Churches, the Council of Federated Organizations, and the Methodist Racial Justice Relief Fund.

It asked the Board of Pensions of the Methodist Church "to make the ethical and moral practices of business corporations, particularly in reference to fair hiring and employment of minority races, a prime consideration before pension funds are invested."

TAX STUDY URGED

It asked the bishop to appoint a committee to study the issue of taxation of church property and church-related retirement homes.

Another resolution said, "In support of our policy of separation of church and state, we oppose any official representation, such as an ambassador of the U.S. Government to the Vatican."

Also, on church-state relations, it expressed its continued opposition to "constitutional amendments which would permit devotional prayer and a Bible reading in our public schools, and to the use of Federal education funds for sectarian or parochial education."

About gambling, a traditional Methodist target, it urged that "county fairs, agricultural festivals, and similar worthwhile organizations, be supported from the general funds and not even in part by revenues from legalized gambling."

One official explained that Methodists find it hard to drum up support for eliminating parimutuel betting on dog and horse races as long as the fairs and others receive part of the support from it.

Three Oregon girls, who have been selected to take part in a short-term Methodist mission program, were introduced Thursday. They will serve 2 years in the United States.

They are: Loretta Clark, 21, of 2611 Northeast 35th Avenue, Portland, the daughter of Mr. and Mrs. Levine P. Clark. She is a 1965 graduate of Portland State College.

Karen Wood, 22, of 3415 Northeast 29th Avenue, Portland, daughter of Mr. and Mrs. Kenneth H. Wood. She is a registered nurse at Lewis and Clark College.

Carol Gustafson, 21, Lowell, the daughter of Mr. and Mrs. Paul F. Gustafson. She is a 1965 graduate of the University of Oregon.

"A WAR WARNING"

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "A War Warning," which was published in the Wyoming State Tribune, of Cheyenne, Wyo.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Cheyenne (Wyo.) State Tribune]

A WAR WARNING

Oregon's Senator WAYNE MORSE, a onetime Republican who turned Democrat, warns that President Abdel Gamal Nasser of the United Arab Republic is preparing to declare war on Israel as soon as he feels his military forces are sufficiently strong for such an eventuality. The seeds of World War III are being sown right now in the Middle East, Senator MORSE warned yesterday in a speech in California.

It is seldom this newspaper agrees with the Senator from Oregon, but this instance we feel he is correct in his estimate and probably right in his partial solution to the problem. For, adds Senator MORSE, the United States must cease providing foreign aid to the present regime in Egypt.

Unless Nasser can be controlled, says Senator Morse, World War III may find its germination in this burgeoning conflict and especially in Nasser's belief that once he begins the war, the United States and other Western nations will adopt a hands-off policy.

Senator Morse did not say, or at least the news story of his speech failed to cite it, but the Johnson administration continues to provide a modicum of aid for the United Arab Republic and for Nasser despite attempts to throttle it in Congress.

Within the past 2 months, at the specific request of the administration, a move to deny any foreign aid to the United Arab Republic has been cut out of pending legislation in Congress on the plea that the administration should be allowed to handle this situation as it saw fit. Thus far the only indicated course of the administration is to keep the aid funds going in the direction of Cairo.

THE IMPORTANCE OF COMMUNICATIONS FROM CONSTITUENTS

Mr. MORSE. Mr. President, one of the most helpful aids, as I am sure each Senator would agree, in our conduct of the public business is composed of the information and the views we receive from our constituents. Were it not for the fact that men and women take seriously their responsibilities of citizen-statesmanship, I feel that the legislation enacted by Congress might too often miss its intended mark. The petition for the redress of grievances, as the instrument through which the citizen exercises his part in our checks-and-balances system, has ancient roots, which is but one way of saying that this right and duty of the citizen is deeply imbedded in our constitutional fabric.

I should like to illustrate this point by referring to a concrete case. To do so, I ask unanimous consent that there be printed at this point in my remarks a letter signed by each member of the citizenship class at the Treasure Valley Community College, in Ontario, Oreg. This citizenship class is an extracurricular activity of the Manpower Development and Training Act program being carried on by that institution of higher education.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Ontario, Oreg.

Senator Wayne Morse,
U.S. Senate Office Building,
Washington, D.C.

Dear Senator Morse: We, the undersigned students, would like to have you do everything possible to see that our Manpower Development and Training Act classes continue. We are 30 ex-migrant workers who have established homes here in Treasure Valley. We have learned and are continuing to learn a lot about our county, our State and our country. We have learned to read and write English and now we are learning how to vote.

The farmers in this area seem pleased with what we have learned in our men's classes about the operation of farm machinery and have promised some of us year-around jobs. In our women's classes, we have learned something about nutrition and how to make our homes more comfortable. We are receiving on-the-job training in the local restaurants and expect to get restaurant jobs. In any event, regardless of your decision as to the future of Manpower Development and Training Act we wish to thank you for what we have already learned.

Sincerely,

Lydia Chavez; Manuel Marquez; Cruz C. Gallegos; Marcia Malonco; Estelle Taylor; Amelia Amaya; Lydia M. Mata; Manuel Apodaca; Fernandez B. Antonio; Consuelo Ybarra; Genovera Fuentes; Minerva Lopez; Mary Ann Ruiz; Maria De Los Angeles Valeco; Angelita Villanueva; Jacinto V. Gonzalez; Elpidio G. Ramirez; Jose V. Estrada; Arcadio Mendoza; Rita L. Ruiz; Juan de León; Casimiro Palomo; Andres Palomo; Jesus Forres Avitia; Manuel H. Valero, Jr.; Mario E. de Leon; Pedro Truegas; Robert M. Rodriguez; Epifanio L. Garza; George Mercaolo; Antonio Figueroa.

P.S.—We are only 2 of 12 similar Manpower Development and Training Act classes here at Treasure Valley Community College.

Mr. MORSE. Mr. President, the fact that the students in this class have learned an important lesson in civic responsibility, as a byproduct of vocational preparation, to my mind helps to justify our expenditure for the primary purpose. Therefore, I salute each and every one of the signers of the letter, and wish them well in their future endeavors.

THE ALLIANCE FOR PROGRESS IS IN DANGER OF BECOMING AN "ALLIANCE FOR REACTION"

Mr. MORSE. Mr. President, in an article published in the current issue of the Nation, Prof. Edmund Flores, a professor of agricultural economics at the National University of Mexico, and a visiting professor at the University of Chicago, has written that the Alliance for Progress, which got off to such a promising start 4 years ago, is in danger of becoming an "Alliance for Reaction." That is the title of his article.

Professor Flores writes, in part:

> The passwords are now military aid, counterinsurgency, civic action, and armed intervention.

In addition to the heavy emphasis upon military activity and the placing of more and more control over the civilian economy in the hands of military officers, as evidenced by the steady expansion of civic action into the domestic economic affairs of these countries, Professor Flores also indicates that much of the money is being spent under the Alliance for programs that ignore the basic difficulties of the countries of the hemisphere.

The material I have placed in the Record in recent days shows that in the Dominican Republic, in Ecuador, in Bolivia, and in Colombia, political conditions are extremely bad, because economic conditions are extremely bad. It would seem that the problems of economic expansion in these countries have not been helped by the Alliance; and Professor Flores believes they have not been helped in Brazil, either, by our massive aid to Brazil.

In further support of the amendments I offered yesterday to reduce military aid to Latin America, to cut the Alliance fund by $100 million, and to limit the definition of "civic action" to public works, I ask unanimous consent that this article be printed in full in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Latin America—Alliance for Reaction

(By Edmundo Flores)

(Note.—Edmundo Flores is a professor of agricultural economics at the National University of Mexico, and at present a visiting professor of the social sciences at the University of Chicago. Dr. Flores has frequently advised the U.N. and the FAO on matters of land reform and economic development.)

The Alliance for Progress, born a little more than 4 years ago, has undergone an ugly transformation and has entered a hard stage peopled by characters out of the Pentagon, the CIA and the Marine Corps. The passwords now are military aid, counter-insurgency, civic action and armed intervention. The Brazilian coup and the occupation of Santo Domingo are the two better known—but by no means the only—incidents of this hard stage.

What is the rationale behind the return to direct intervention and U.S. military power? What are the differences, if any, between President Johnson's "invade thy neighbor policy" and Theodore Roosevelt's "gunboat diplomacy"? How will Latin America react this time?

In 1960, Cuba demonstrated only too clearly that the pressures for social and economic reform in Latin America were formidable. The defensive response of many frightened American nations was the Alliance for Progress. In 10 years, with the magic of 10 billion U.S. dollars, the Alliance would streamline rigid social structures, revitalize economies and pave the way for political stability. The miracle of the Marshall plan would be repeated in Latin America and Communist expansion would be contained once more. There need be no more Cubas in the Western Hemisphere.

As originally envisaged at Punta del Este, the Alliance was to achieve the rapid economic and social transformation of Latin America essentially by parliamentary, peaceful, and gradual reforms. The key to the whole program was to create and maintain favorable incentives for foreign and domestic private investment. The monetary and fiscal systems of Latin America were to be improved along the lines of traditional banking orthodoxy. Efficient and equitable systems of land tenure were to be implanted through reforms which would encourage family farms. Effective systems of labor relations were to be institutionalized. Low-cost housing, educational programs, and improvements of public health and sanitation were the main goals on the social reform front. A general target was the annual increase of per capita income by 2.5 percent.

For the North American official mind the long-term, ideal sociopolitical model for all the lesser members of the Alliance was, of course, the United States—or, more accurately, the simplified, Sunday supplement stereotype which plain Americans and the State Department take to be the essence of the United States: free elections, free enterprise, free trade, free press, consumer sovereignty, balanced budgets, and the pursuit of happiness. However, no one suggested the outright adoption of this ambitious model. Instead, a more modest showcase was sought.

The first showcase was Puerto Rico. But though President Kennedy and his advisers seemed pleased with it, the Latin Americans were unambiguously upset by the colonial connotations which they, and many Puerto Ricans as well, associate with that island. North Americans finally caught on to the notion—though they did not understand it—that the prospect of having more Puerto

Ricos in the hemisphere is as obnoxious to Latin Americans, of whatever ideology, class, or income level, as the prospect of more Cubas is to the State Department. After Puerto Rico, therefore, Colombia became the showcase, but not for long either—not with the anarchy and violence of the last 15 years. After its military coup, Brazil captured the model country award, though by the time this had happened the search had been abandoned and the initial hopes of the Alliance had been replaced by a more realistic policy. By then, Teodoro Moscoso, the Puerto Rican bureaucrat who with some embarrassment had coordinated the initial stages of the Alliance, had been fired. Thomas C. Mann then had shouldered the burden of redirecting the Alliance toward the overt freezing of the status quo, even if this meant keeping more and more of the hemisphere under military control.

The Latin American oligarchies like the status quo. They are content with their lot and do not want change or development. They fear reform, revolution, and Castro. Although in unguarded moments they perhaps envy the stability and progress of Mexico, they despise its nonaristocratic, nouveau riche, anticlerical ruling classes. Not surprisingly, therefore, during the formative stages of the Alliance, the conservative Latin American governments disagreed with its goals and rhetoric. Loud opposition was voiced by governments, political parties, and private-interest groups. However, as soon as the Latin Americans cut through the unfamiliar pieties and torrid slogans that the North Americans were using so freely, and grasped the essentially conservative character of the enterprise called the Alliance, they gave their support. The Latins had been scared by the revolution of rising expectations because this vague cliché does not translate well into Spanish and carries connotations of revolución in its straightforward sense, not in its recent Madison Avenue usage. But once they realized that the North Americans were in no mood for change either, they promulgated with loud fanfare the legislation to start phony fiscal and land reforms—and to get dollar credits.

President Kennedy got from Congress funds to start operations and assembled a cumbersome international bureaucracy around the Organization of American States. The Inter-American Development Bank, capitalized at $850 million when it was founded in 1959, was put in charge of virtually all the finances of the Alliance and brought onto its staff a few good economists from Latin America. The Committee of Nine, dubbed the "Nine Wise Men," developed into a sort of Cecil B. De Mille spectacular in which nine local talents were charged with advisory attributions and billed as Latin America's Brain Trust. Recently, when it became obvious that the Alliance was on the verge of collapse, the Inter-American Committee ICAP, headed by the Colombian Carlos Sanz de Santa Maria, was improvised as an emergency booster to keep it alive until military reinforcements arrived.

The Alliance was not designed to put into effect real, fundamental, irreversible reforms. Its purpose was precisely the opposite: to devise technological and administrative improvements as a means of avoiding drastic shakeups. Insofar as the reforms of the Alliance fulfilled these conditions, great efforts have been made to carry them out. Thus, President Belaúnde, of Peru, an architect by profession, pushed for the construction of his pet project: a highway in the Amazon (instead of land reform); the Colombian Government began to build dams (instead of land reform); land-reclamation projects were launched in several countries (instead of land reform); and the construction of low-rent public housing mushroomed.

The Inter-American Development Bank and other agencies provided credits and conventional technical assistance. The United States, the Economic Commission for Latin America, FAO, the foundations and many universities also engaged in research and technical assistance. Foreign experts could be seen everywhere. Some were concerned with fiscal policies, others with industrial and urban schemes. There were specialists on farming, seeds, birth control, 4–H Clubs and all the measures which, under different guises, are commonplace in the advanced countries. However, these techniques seemed singularly incapable of developing their own momentum in most of Latin America. Some built-in mechanism that operates wherever there is widespread poverty, hunger, unemployment, illiteracy, religious fanaticism, and rigid social stratification seemed to reject innovation as rigorously as the human body rejects kidney transplants.

The foreign technicians and Peace Corps adolescents who were not corrupted and absorbed by the local elite or who were not immediately discouraged by the futility of their efforts gradually became aware of the enormous difficulties they were facing and realized the tragic inadequacy of their ethnocentric, feeble tools, and incantations. Thus they came to understand something that many Latin American nationalists who are really interested in the development of their respective countries had known since the inception of the alliance: that La Alianza para el Progreso was another case of too little, too late, and too damned superficial.

In the meantime, the economies continued to deteriorate. Inflation rose at staggering rates, food shortages and food imports increased, capital flight persisted, the exodus of peasants to the cities mounted, and the military share of the budgets kept growing. In Peru, Ecuador, Venezuela, and Colombia landless peasants occupied haciendas and challenged the army. Sometimes they were killed but at other times were left alone. In the mines of Peru, Bolivia, and Brazil miners went on strike and fought the army and the police. The plantations of tropical and equatorial Latin America were rocked by labor disputes. The men and women on the streets of Buenos Aires, Santiago, and Rio looked shabbier every season. Prostitutes proliferated. University students—the only opposition not in jail or exiled in the countries run by the military—went on strike, rioted, and battled the police and the army practically everywhere.

After the Bay of Pigs, U.S. military activities in Latin America were greatly intensified. The Defense Department expressed strong support for the "Military Civic Action" concept defined as "the use of preponderantly indigenous military forces on projects useful to the local population at all levels in such fields as education, training, public works, agriculture." Civic action is "a weapon against Communist-inspired subversion * * * a technique of guerrilla warfare and counterinsurgency.[1] The proposed total Latin American military assistance program for 1964 amounted to $77,262,000.

In June 1963, Defense Secretary Robert McNamara asserted:

"Until about 1960, military assistance programs for Latin America were oriented toward hemispheric defense. As it became clear that there was no threat of significant overt external aggression against Latin America, emphasis shifted to internal security capabilities for use against Communist-inspired subversion or overt aggression and to civic-action projects designed to promote stability and strengthen national economies."[2]

When Thomas C. Mann became the head of Alliance in 1964, he added to it this military dimension. All kinds of gimmicks were tried to improve the image of Latin American soldiers in the United States. College professors got grants to study their positive role in social innovation. The idiotic notion that the military is the only group on which the United States can rely because it is familiar with discipline and technology and is sincerely anti-Communist is being pushed in the mass media. Time recently called General Barrientos, the American Air Force-trained Bolivian usurper, "The Steve Canyon of the Andes."

Many Latin American officers are training in the United States. It is piously expected that through professional contacts with U.S. soldiers they will absorb apolitical attitudes and that as they become "more professional in outlook, they will by conviction and necessity eschew politics."[3] The obverse proposition—that increased contact may further politicize the U.S. military—should at least be considered.

Thus, the inadequacies of the Alliance, the anticipation of a spreading revolutionary wave, and the recognized incapacity of the local elites to defend even their own interests, resulted in hurried attempts by the United States to increase the political influence of the military in their respective countries. More ominously, it also brought the "no-nonsense" unilateral decision to intervene directly in order to avoid the threat of communism in any Latin American country. This attitude sooner or later would blast the Inter-American system, but North Americans knew from experience that the OAS could be intimidated and bought when the need arose.

After the army, of course, the carpetbaggers would follow. The external expenditures for military aid and counterinsurgency would be neatly brought home again by private U.S. enterprise. Freedom—and U.S. corporations abroad—would be protected. The differences between this policy and gunboat diplomacy or dollar diplomacy are matters of style. After Santo Domingo, there is not much difference in the Latin American mind between Theodore Roosevelt, Woodrow Wilson, or Johnson. At the receiving end, intervention is intervention.

The Brazilian coup was the biggest triumph for the hard policy. Gen. Castello Branco received instant recognition, extravagant praise, and quick Alliance aid. Brazilian humor is famous. The U.S. Ambassador has been proposed as a candidate in the future Brazilian elections under the slogan: "Avoid intermediaries: Lincoln Gordon for President."

If Castello Branco could cure the ills of Brazil with unconditional financial and technical aid from the United States, then, perhaps, the hard Alliance would find a way out. But his chances of success are negligible. It is more likely that as the pressures in favor of genuine radical reforms rise—and they will inexorably—local military repression and U.S. armed intervention will grow in scope and brutality. In addition to Brazil, many countries are under the tutelage of the Alliance-Pentagon-CIA axis. Primarily, they are the 14 countries that were corraled into the sad farce of giving retroactive legality in the OAS to the invasion of the Dominican Republic.

To believe that the pressures for reform in Latin America are created by Communist activities is childish. The turbulence that pervades the politics of most of the Latin American countries stems from the prevalence of ancient and rigid social conditions and institutions inimical to economic development and social change. As long as a handful of men own almost all the land, and a few foreign corporations control the mineral wealth, the public utilities and plantations, Latin America will be torn by violence and instability. The Communists are not responsible for these conditions; they only exploit them to their own advantage. Mr. Mann should have learned this basic lesson while he was Ambassador to Mexico.

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[1] U.S. Department of Defense, "Armed Forces Information and Education: for Commanders," "Civic Action: The Military Role in Nation Building," vol. III, No. 14 (Jan. 15, 1964). U.S. Department of Defense.

[2] "Military Aid to Latin America in the U.S. Congress," by Michael J. Francis; Journal of Inter-American Studies, July 1964.

[3] "The Military," by Lyle N. McAlister in Continuity and Change in Latin America, edited by J. J. Johnson (Stanford University Press).

Ironically, Juan Bosch is one of the few Latin Americans who understand and value the great democratic tradition which De Tocqueville admired; the tradition of which F.D.R. and his New Deal form part. The way Juan Bosch has been treated and the clumsy invasion of the Dominican Republic have created more hatred toward the United States in Latin America than the combined anticolonial propaganda of China and Russia.

BALTIC FREEDOM DAY

Mr. DODD. Mr. President, today, once again, people of Baltic descent throughout the world observe Baltic Freedom Day. In this observation they are joined by all men who love freedom. And it is to me a particular source of encouragement that, despite the passage of time, we in the Senate have participated in this observation by manifesting our continuing solidarity with the oppressed people of the Baltic States and our unwaivering commitment to their ultimate liberation.

The fact that this day is called Baltic Freedom Day is symbolic of mankind's unquenchable aspirations to the ideals set forth in our Declaration of Independence. For this is not the anniversary of the date on which the Baltic nations achieved their freedom. It is, on the contrary, the anniversary of that tragic day in 1940 when the Soviet Red army, in the wake of an ultimatum to the Baltic governments, invaded Lithuania, Latvia, and Estonia and instituted one of the most brutal reigns of terror in recorded history.

Hundreds of thousands of Baltic citizens were either murdered outright by the Soviet secret police or deported in cattle cars to Siberia.

There followed the forcible annexation of the Baltic States, which the Soviets sought to justify on the basis of fraudulent referendums, carried out under the supervision of the Soviet secret police.

The frequent complaints in the Soviet press about "bourgeois nationalism" in the Baltic countries gives eloquent testimony to the fact that the will to freedom has not perished and that the Baltic peoples still refuse to look upon themselves as Soviet subjects in perpetuity.

We may take justifiable pride in the fact that the U.S. Government, under both Republican and Democratic administrations, has refused to legitimize the Soviet rape of the Baltic States or to accept their annexation as a fait accompli. The flags of freedom still fly from the masts of the Lithuanian and Latvian and Estonian Embassies in Washington.

All this is to the good. But having made this initial commitment to the liberation of the Baltic States, it seems to me that there are other measures we can and must take, in order to be consistent.

Among other things, we should seek to raise the issue of the enslavement of the Baltic peoples and of the other captive peoples of Europe whenever the issue of colonialism is discussed in the U.N.

We should seek to raise the issue, again, at every appropriate diplomatic conference.

We should, through the USIA, constantly seek to remind the world of the tragedy of the Baltic peoples.

We should not compromise the principles on which we base our position, either through any careless spoken word, or through our silence, or through printed maps which recognize the annexation of the Baltic States when our official policy is to refuse such recognition.

Let us continue to keep faith with the Baltic peoples, as we have kept faith with them until now.

Let us continue to pray for their liberation in the not-too-distant future. And let us, in observing Baltic Freedom Day, take inventory of what we have done and what we have failed to do to help make this cherished goal a reality.

TWENTY-FIFTH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES

Mr. SALTONSTALL. Mr. President, today marks the 25th anniversary of Soviet aggression against the Baltic States. On June 15, 1940, violating solemn treaties with Lithuania, Latvia, and Estonia, the Soviet Union began invading these countries, put an end to their legitimate governments, and incorporated them into the Soviet Empire, thus beginning the Soviet-westward expansion into Europe.

The Baltic nations had ended years of oppression when they established democratic republics in November 1918. For 22 years, they progressed economically and socially as independent nations, under constitutions guaranteeing the basic freedoms of speech, assembly, and religion.

On June 14, 1940, the Soviet Union delivered to Lithuania an ultimatum for a complete change of government and permission for unlimited troops to enter that small nation. Lithuania, defenseless against its powerful neighbor, accepted the ultimatum. Soviet troops, ignoring this concession, entered Lithuania on June 15, 1940. Two days later, invasions of Latvia and Estonia were initiated.

The Russians deported citizens of these countries from all walks of life, with special emphasis on the intellectual elite—university professors, newspapermen, lawyers, doctors, clergymen, and political and community leaders. Total arrests, deaths, and deportations decreased the population of the Baltic States by 25 percent.

Resistance to the Soviet occupation was strong and widespread. About 30,000 Lithuanians working in the underground movement lost their lives, because of their efforts to thwart the Russians.

We cannot forget the heroic efforts of the Baltic peoples in their struggle for independence and freedom. The United States has not recognized the Soviet-occupation governments in Lithuania, Latvia, and Estonia.

While the Soviet Union celebrates their "liberation from the capitalistic yoke," the United States and the Western World must intensify their efforts to free the Baltic States. Now, in an era of increased concern for the freedom of peoples in all parts of the world, we renew our hope that independent status will be restored in Lithuania, Latvia, and Estonia, so that these brave people will once again be free to develop in their own way.

MR. SHRIVER'S STATE OF SHOCK

Mr. PROUTY. Mr. President, this morning in the New York Times I read an article headlined "Help for Older Poor Proposed; Shriver Sets Up a Study Group." The article reports that Sargent Shriver who—among other things—is the Director of the Office of Economic Opportunity, has established a 19-member study group to examine the nature and causes of poverty among middle-aged and older people, and to recommend ways of preventing and eliminating it.

I am glad that this administration has finally gotten around to realizing that poverty is a very real problem of our older citizens. I cannot, however, give this administration credit for taking much initiative in the matter.

A year ago, the Senate Subcommittee on Employment and Manpower issued a much-discussed report entitled "Toward Full Employment." The distinguished junior Senator from Idaho [Mr. JORDAN] and I were privileged to serve on that subcommittee and to submit our individual views with the subcommittee's report.

Senator JORDAN and I began our views on the war on poverty by focusing directly on the poverty problems of the aged. We said:

> Mr. Leon Keyserling, who was Chairman of President Truman's Council of Economic Advisers, severely attacked the President's war on poverty, declaring that the program omits an important segment of the population—the elderly. We wholeheartedly concur. Mr. Keyserling pointed out that 18 million of the population are over 65 and three-fourths of them live in poverty. "Unless it is related to all aspects of the economy," Keyserling warned, "the poverty program will be a frustration and a delusion."

Senator JORDAN and I then went on to say:

> We think this fight against poverty cannot be successful unless we examine critically the effectiveness of existing programs which are designed to prevent dependency. For our older citizen this program is old age and survivors' insurance—better known as social security. It is designed to keep our older persons off welfare by providing them a decent income in their retirement years. Their are some indications, however, that it is not doing the job as fully as it might and that some of its provisions are actually perpetuating poverty.

We then went on to make several specific recommendations for the inclusion of the needy elderly in the national war on poverty.

The first of our recommendations was to increase the level of social security benefits. We pointed out that the average retired worker and his spouse get about $1,236 a year in social security—far below the administration's so-called poverty level of $3,000 a year. We said that the scale of benefits should be liberalized, and that the income retirement test should be relaxed, so as to permit elderly persons to earn more, without losing their social security benefits.

The second of our suggestions was to make social security benefits available to all persons over 70 years of age who have no pension from any public source. Many persons now retired were not covered by the original social security law. Helping them would not put a permanent burden on the social security system or the Treasury, because recent amendments of the act have expanded the coverage, so that the number of persons in this category will be constantly decreasing.

Our third suggestion was to correct a serious injustice to elderly widows. As the law stands, widows in covered employment must contribute to the social security fund, like any other workers. But, due to a quirk in the law, it is unlikely that they can collect the benefits paid for by these contributions, because they are also covered by the provisions for aid to widows. Senator JORDAN and I recommended that these working widows be exempted from further contributions to the system—from which they most likely will never benefit—and that they receive a refund of contributions previously made.

The first two of these three recommendations are embodied in proposed legislation I have introduced, on which Senators will have an opportunity to vote at this session. These are Senate bills 349, 350, and 351, each of which is suitable as an amendment to the social security bill now before the Finance Committee.

Not long after we made these three specific recommendations for alleviating poverty among the aged, hearings opened on the administration's antipoverty bill. Scarcely had those hearings gotten underway when the distinguished Senator from West Virginia [Mr. RANDOLPH] asked Mr. Shriver:

> What does the program, as you see it, envisage for the elderly of the country? There has been the charge that this group is not adequately covered.

I note that the junior Senator from Vermont was one of those making the charge. Mr. Shriver replied that his program was not a handout program; that old folks homes could participate in community action programs—how, he did not say; and that elderly people could get jobs, under the program, as attendants in nursery schools, and the like. He concluded his reply with these words:

> This is not to gainsay the point that you have made, that there is no specific title in here specifically aimed at older people. The reason there is not is merely—

Merely, mind you—

> because of the fact that we could not figure out an economical and practical way in which to incorporate older people into this program under a separate title.

Mr. President, I could have suggested a very practical way to incorporate in the antipoverty bill programs to help the elderly.

In fact, I did: Just write up the three recommendations I discussed, and add them to the existing Social Security Act. I can only presume that Mr. Shriver's multifarious task forces somehow overlooked the individual views of Senator JORDAN and myself in the Employment and Manpower Subcommittee report.

Later in the same day of the antipoverty hearings, I asked Mr. Shriver what sections of the population his bill was aimed at assisting. After discussing how his bill would help the young poor and the general poor, he concluded by saying that "we are not eliminating any part of the poor population."

I then asked him:

> What provisions in the bill relate specifically to the aged?

And Mr. Shriver answered.

> None. None specifically; except for title II, where I think you will notice that under community action programs, those programs can accomplish efforts to help, wherever help is needed in our judgment.

When the Labor and Public Welfare Committee reported the antipoverty bill, last July 21, I strongly reiterated my belief that this bill would give little or no help to the poor who are living in poverty, and I repeated the recommendations that Senator JORDAN and I had made in the Employment and Manpower Subcommittee report.

So, Mr. President, I must say that I am somewhat gratified to learn from the morning newspaper that Mr. Shriver has finally gotten around to recognizing that something needs to be done for the elderly poor. Now, he says, it is "shocking that one of every three persons 65 or older is living in poverty."

Well, I, for one, am glad that Mr. Shriver is now shocked. I just wish he had been shocked when I stated, in my individual views on the antipoverty bill, almost a year ago:

> Using the $3,000 annual income test, 47 percent of the families headed by a person over 65 are impoverished. Even if the poverty yardstick is lowered to $2,000, there would still be 4,500,000 aged people who could be classed as poor. If single individuals with incomes under $1,500 are taken into account, the number of aged poor persons would be approximately 7 million.

I certainly hope Mr. Shriver will emerge promptly from his new state of shock, and that his task force will come up with an equally prompt recommendation that my three bills to help the aged poor should be passed as soon as possible by Congress.

GI EDUCATIONAL BILL NOW ON SENATE CALENDAR AND DRAWING ADDITIONAL SUPPORT

Mr. YARBOROUGH. Mr. President, the cold war GI education bill, S. 9, was reported to the Senate, from the Committee on Labor and Public Welfare, on June 1, and now appears on the calendar of the Senate under Order No. 258.

Of all the educational bills proposed to the Congress of the United States in recent years, this is the most urgent and most needed. It draws additional support day by day. On June 3, Andrew J. Biemiller, director of the Department of Legislation of the AFL–CIO, when testifying before the Subcommittee on Education of the Committee on Labor and Public Welfare, on Senate bill 600, the Higher Education Act of 1965, stated:

> There is another measure affecting higher education, not embraced by the present bill (S. 600), which we in the AFL–CIO have enthusiastically supported, and which we feel should be mentioned here. That is the so-called cold war GI education bill. We were pleased to note that it has again cleared the Senate Labor Committee, and we hope it will once again be approved, not only by the Senate, but also by the Congress as a whole.

May I ask unanimous consent that an excerpt from Mr. Biemiller's testimony be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM TESTIMONY OF ANDREW J. BIEMILLER, DIRECTOR OF LEGISLATION, AFL–CIO, ON S. 600, THE HIGHER EDUCATION ACT OF 1965

> There is another measure affecting higher education, not embraced by the present bill, which we in the AFL–CIO have enthusiastically supported and which we feel should be mentioned here. That is the so-called cold war GI education bill. We were pleased to note that it has again cleared the Senate Labor Committee, and we hope it will once again be approved, not only by the Senate, but by the Congress as a whole.
>
> The results of earlier GI bills make it unnecessary to give an extended argument for this one. Those who would benefit from it are no less worthy of the people's gratitude and no less able to profit from it.

WHITE HOUSE FESTIVAL OF THE ARTS ENCOURAGES INTEREST IN THE ARTS AND HUMANITIES

Mr. YARBOROUGH. Mr. President, last night, I was honored to attend the White House festival of the arts, which I consider to be one of the most impressive displays of America's cultural achievements that I have ever seen. Assembled for this one night was a most outstanding array of American artists in practically every line of artistic endeavor—a wonderful representation of the artistic talent which this Nation is proud to call its own.

In speaking to those of us who were fortunate to be gathered there, President Lyndon B. Johnson called attention to the fact that the bill to establish a National Foundation for the Arts and Humanities has passed the Senate. As a coauthor of that bill, I pay tribute again to the long, dedicated work of the junior Senator from Rhode Island [Mr. PELL], who—more than any other one person—has pushed this bill to its present high legislative status of passage by this branch of the Congress, and to its pendency in the other House.

I also pay tribute to the junior Senator from Alaska [Mr. GRUENING], the senior Senator from New York [Mr. JAVITS], the junior Senator from New Jersey [Mr. WILLIAMS] and the junior Senator from California [Mr. MURPHY] for their active work on the bill during this session.

By their steady and outspoken support, the President and Mrs. Johnson have stimulated interest in the arts in America by sponsoring an art festival in the White House that has called widespread public attention to our cultural achievements all over this Nation. The outstanding artists who exhibited there and performed there are, themselves, tributes to the national interest in the arts of America. It is hoped that the White House encouragement will aid in achieving the result of final passage of this bill to establish a National Foundation of the Arts and Humanities.

I ask unanimous consent that the remarks made by President Johnson last night at the White House festival of the arts, along with the program of artists and art works included in the festival, be printed at this point in the RECORD.

There being no objection, the remarks and the program were ordered to be printed in the RECORD, as follows:

REMARKS BY PRESIDENT LYNDON B. JOHNSON, WHITE HOUSE FESTIVAL OF THE ARTS, THE WHITE HOUSE, JUNE 14, 1965

Thomas Jefferson often spoke of America's good fortune in being distant from the Europe of his day. But in a letter, in 1785, he spoke of his great pleasure in the architecture, painting, sculpture, music, and other arts of Europe. "It is in these arts they shine," he said. And ne wrote: "It is the only thing which from my heart I envy them."

Well, I wish Thomas Jefferson could be here today. He would find that the last cause for envy had disappeared.

For most of our history we have bowed to that observation of Jefferson. We have had great artists. But the central flame of American art has been fed by the model of other invention, and fanned by the standard of other judgment. Almost unaware, in recent decades, we have realized this is no longer so. In every field we have produced artist after artist, equipped to stand in the front rank of creative talent. Our painting and music, architecture and writing have profoundly shaped the course of modern art. From jazz and folk singing to the most complex abstractions of word and image, few parts of the world are free from the spreading influence of American culture.

I do not pretend to judge the lasting value of these works. But if art is important to man, then American art is deeply important to mankind.

I know that much of this achievement is concerned with the search for universal, not national, values—that it flows from human, not just American, concerns—that many of our artists in their work, as the poet wrote, know "no nation but the nation that is art."

And that is as it should be.

But this art has been bred in American soil. It has flourished in American freedom. It has struggled to maturity in the streets of our towns, along the lakes and forests of our countryside, in the misery of our slums and the comforts of our universities. Although the artist may stand towering in isolation or proud in rebellion, he is American still. And his presence does honor to the Nation.

Today the Nation does honor to its artists.

No people can afford to neglect the creative minds among it. For they enrich the life of the Nation and reveal the farthest horizons of man's possibility. And government—as representative of all the people—should play a role in stimulating creativity.

First, and most important, it can leave the artist alone. Art is not a tender or fragile thing. It has kept alive in the habitations of cruelty and oppression. It has struggled toward light from the manifold darkness of war and conflict and persecution. Yet it flourishes most abundantly when it is fully free—when the artist can speak as he wishes and describe the world as he sees it without official direction. In no country in the world—east or west—is the artist freer than in America. There are pressures. But they come from inner desire—not external coercion.

Second, the Government can offer direct encouragement and even financial help to artists and artistic institutions. Many cannot sustain themselves without such aid unless they sacrifice standards and values. Without assistance they may shrink or perish. Most of this help will come, as it always has, from private and local sources. But the Nation has its own obligation. That is why I have proposed a bill to establish a National Foundation for the Arts and Humanities. That historic bill has already passed the Senate. I hope it will soon be law. And when it is, those funds will be administered without any Government effort to channel or direct the artistic life of the Nation.

Third, we can work to create an atmosphere for the arts to thrive. Fundamentally this flows from the values and thought and hopes of the Nation. It is shaped by our schools, by our surroundings and by the nature of our society. But Government, in this matter—as in so many others—can exert a powerful force. By honoring artists and their work, by recognizing the importance of their contribution, we not only reflect, but we help to mold, the values of this country.

Every President has known that our people look to this city, and this house not only to follow but to lead, not only to listen but to teach, not only to obey their will but to help design their purpose. The Presidency is not just a center of action and administration. It is, perhaps most importantly, a wellspring of moral leadership. We are, for example, using this great power to help move toward justice for all our people, not simply because I believe it, although I do, but because American freedom depends on it. And we are trying to stimulate creation, not because of our personal tastes or desires, but because American greatness will rest on it.

This is the true meaning of this occasion. Those of you who are participating in this day are not simply sharing an isolated event. You are sharing in an effort to enrich the life of this country and its people.

You have been asked to come not because you are the greatest artists of the land, although some of you may be. For that is a judgment no government is qualified to make. You have been asked because you have distinguished yourselves in the world of American art. By your presence, you help in the struggle to liberate all the talent and energy which this Nation has in such abundance. And you help us awake, in all our people, the knowledge and appreciation which can add so much to their lives.

Your art is not a political weapon. Yet much of what you do is profoundly political. For you seek out the common pleasures and visions, terrors and cruelties of man's day on this planet. You help dissolve the barriers of hatred and ignorance which are the source of so much pain and danger. In this way you work toward peace—not the peace which is simply the absence of war—but the peace which liberates man to reach for the finest fulfillment of his spirit.

Stephen Vincent Benet called upon the "American muse, whose strong and diverse heart—so many men have tried to understand." You are still reaching for the understanding beyond capture. But in that effort you not only explain a nation. The search itself enlarges America in heart and spirit, purpose and grandeur.

We have created an American culture. It is a great achievement. But with it comes responsibilities that can no longer be cast off on others; to lift and strengthen—in partnership or rebellion—a nation; in itself and for the dreams it shares with all mankind.

THE WHITE HOUSE FESTIVAL OF THE ARTS, JUNE 14, 1965

PROSE AND POETRY

Narrator, Mark Van Doren.

(Readings by Saul Bellow, Catherine Drinker Bowen, John Hersey, Phyllis McGinley.)

MUSIC

Narrator, Marian Anderson.

The Louisville Orchestra

(Robert Whitney, conductor)

The Louisville Orchestra achieved a singular status by its longtime program of commissioning works by young American composers.

"Studies for Eleven Players" (Ned Rorem).

(Prelude, allegretto, bird call from Tennessee Williams' "Suddenly Last Summer," invention for battery, in memory of my feelings after a poem by Frank O'Hara, fugato, epilogue.)

"Concertino" (Robert Whitney).

(Allegro, adagio, tempo di menuetto, allegro vivace.)

Roberta Peters

This beautiful coloratura star of the Metropolitan Opera has been acclaimed for her virtuosity both in this country and abroad.

"Glitter and Be Gay" ("Candide" by Leonard Bernstein).

"Summertime" ("Porgy and Bess" by George Gershwin).

DRAMA

"The Glass Menagerie" (Tennessee Williams).

(Producers, Claude Giroux and Orrin Christy, Jr.; director, George Keathley; George Grizzard, Pat Hingle, Piper Laurie, Maureen Stapleton.)

Narrator, Helen Hayes.

"The Subject Was Roses" (Frank Gilroy).

(Producer, Edgar K. Lansbury; director, Vlu Grosbard; Jack Albertson, Irene Dailey, Martin Sheen.)

"Death of a Salesman" (Arthur Miller).

(Mildred Dunnock.)

"Hard Travelin'" (Millard Lampell).

(Producer, Zelda Fichhandler; director, Edwin Sherin; Ronnie Cox, Ted D'Arms, Moses Gunn, Tom Ligon.)

THE MOTION PICTURE

Narrator, Charlton Heston.

The motion picture, a form of art indigenous to the United States, has taken many forms and themes. Through the years of this century Americans have expressed their hopes, fears, aspirations and dreams on the screens of the world. Today's presentation is composed of scenes directed by five men chosen by critics from around the country.

Scenes from the following:

"North by Northwest" (Alfred Hitchcock, director).

"On the Waterfront" (Elia Kazan, director).

"Shane" (George Stevens, director).

"The Best Years of Our Lives" (William Wyler, director).

"High Noon" (Fred Zinnemann, director).

(Produced by George Stevens, Jr.; script by James Silke.)

DANCE

Narrator, Gene Kelly.

The Robert Joffrey Ballet

Acclaim has come to this youthful and dynamic company not only from the critics and balletomanes of their native land, but from countries around the world where they have toured for the U.S. Department of State.

"Pas des Déesses" (choregraphy, Robert Joffrey; music, John Field).

"Sea Shadow" (choreography, Gerald Arpino; music, Maurice Ravel; piano soloist, Gilbert Kalish).

"Gamelon" (choreography, Robert Joffrey; score, Lou Harrison).

Music by the U.S. Air Force Band conducted by Maurice Peress.

Presented by the Foundation for American Dance, Alexander C. Ewing, president.

JAZZ

Narrator, Gene Kelly.

Duke Ellington

This Washington-born musician and composer has made probably the most unique contribution in raising jazz to the world's concert halls, without losing the ability to write songs enjoyed by everyone. All of the extended-form concert pieces and most of the popular songs the orchestra performs were composed by Mr. Ellington.

"Impressions of the Far East" (Duke Ellington and William Strayhorn).

"Black, Brown, and Beige" (Duke Ellington).

(Sound adviser, Philip Ramone; lighting, Masque and Bauble Club, Georgetown University.)

THE PAINTERS

1. Josef Albers (born 1888), Homage to the Square: "Yellow Echo," 1957.

(Oil, 40 by 40 inches; lent by the Wadsworth Atheneum, Hartford, Conn.; director, Charles C. Cunningham.)

2. Richard Anuszkiewicz (born 1930), Squaring the Circle, 1963.

(Oil, 84 by 54 inches; lent by the Corcoran Gallery of Art, Washington, D.C.; gift of Dr. and Mrs. Julius S. Piver through the friends of the Corcoran Gallery of Art; director, Hermann Warner Williams, Jr.)

3. Milton Avery (born 1893), Offshore Island, 1958.

(Oil, 46 by 56 inches; lent by the Nebraska Art Association's collection, the University of Nebraska Art Galleries, Sheldon Memorial Art Gallery, Lincoln, Nebr.; director, Norman A. Geske.)

4. Thomas Hart Benton (born 1889), Threshing Wheat, 1939.

(Oil and tempera on panel, 32 by 42 inches; lent by the Sheldon Swope Art Gallery, Terre Haute, Ind.; director, Francis W. Bilodeau.)

5. Blackbear Bosin (born 1921), Prairie Fire, 1955.

(Tempera on paper, 20 by 30 inches; lent by the Philbrook Art Center, Tulsa, Okla.; director, Donald G. Humphrey.)

6. Charles E. Burchfield (born 1893), The Sphinx and the Milky Way, 1946.

(Water color, 52⅝ by 56¾ inches; lent by the Munson-Williams-Proctor Institute, Utica, N.Y.; director, Edward H. Dwight.)

7. Stuart Davis (1894–1964), Semé, 1953.

(Oil, 52 by 40 inches; lent by the Metropolitan Museum of Art, New York, N.Y., the George A. Hearn Fund; director, James J. Rorimer.)

8. Willem de Kooning (born 1904), Woman No. IV, 1952–53.

(Oil, 59 by 46¼ inches; lent by the Nelson Gallery-Atkins Museum, Kansas City, Mo.; gift of Mr. William Inge; director, Laurence Sickman.)

9. Edwin W. Dickinson (born 1891), Ruin at Daphne, 1943–53.

(Oil, 48 by 60¼ inches; lent by the Metropolitan Museum of Art, New York, N.Y.; the Edward Joseph Gallagher III memorial collection; director, James J. Rorimer.)

10. Richard Diebenkorn (born 1922), Landscape No. 1, 1963.

(Oil, 60¼ by 50½ inches; lent by the San Francisco Museum of Art, San Francisco, Calif.; in memory of Hector Escabosa, Brayton Wilbur, and J. D. Zellerbach; director, George D. Culler.)

11. Sam Francis (born 1923), Summer, 1959.

(Mixed media on paper, 46⅝ by 36¼ inches; lent by the Baltimore Museum of Art, Baltimore, Md.; director, Charles Parkhurst.

12. Lee Gatch (born 1902), Night Gothic, 1957.

(Oil, 48¾ by 52¾ inches; lent by the Museum of Fine Arts, Boston, Mass.; director, Perry Townsend Rathbone.

13. Adolph Gottlieb (born 1903), Excalibur, 1963.

(Oil, 84 by 90 inches; lent by the Whitney Museum of American Art, New York, N.Y.; gift of the friends of the Whitney Museum of American Art; director, Lloyd Goodrich.)

14. Morris Graves (born 1910), Sea, Fish and Constellation, circa 1943.

(Tempera on paper, 19 by 53½ inches; lent by the Seattle Art Museum, Seattle, Wash.; gift of the late Mrs. Thomas D. Stimson; director, Richard E. Fuller.

15. Grace Hartigan (born 1922), Human Fragment, 1963.

(Oil 81¾ by 63¾ inches; lent by the Walker Art Center, Minneapolis, Minn.; director, Martin L. Friedman.)

16. Hans Hofmann (born 1880), "* * * and, out of the caves, the night threw a handful of pale, trembling pigeons into the light * * *," 1964.

(Oil, 84 by 60 inches; lent by the Hans Hofmann Collection of the University of California at Berkeley; Berkeley, Calif.; director, Erle Loran.)

17. Edward Hopper (born 1882), Early Sunday Morning, 1930.

(Oil, 35 by 60 inches; lent by the Whitney Museum of American Art, New York, N.Y.; director, Lloyd Goodrich.)

18. Peter Hurd (born 1904), Nito Herrera in Springtime, 1960.

(Egg tempera on board, 17½ by 22¾ inches; lent by the Denver Art Museum, Denver, Colo.; gift of Mrs. Alexander L. Barbour; director, Otto Karl Bach.)

19. Robert Indiana (born 1928), The Calumet, 1961.

(Oil, 90 by 84 inches; lent by the Rose Art Museum, Brandeis University, Waltham, Mass.; Gevirtz-Munchin Collection, director, Sam Hunter.)

20. Jasper Johns (born 1930), Target With Four Faces, 1955.

(Encaustic on newspaper over canvas, surmounted by four plaster faces, 29¾ by 26 inches; lent by the Museum of Modern Art, New York, N.Y.; gift of Mr. and Mrs. Robert C. Skull; director, René d'Harnoncourt.)

21. Ellsworth Kelly (born 1923), Red—Blue, 1962.

(Oil, 90 by 69½ inches; lent by the Washington Gallery of Modern Art, Washington, D.C.; gift of Mrs. H. Gates Lloyd in honor of Adelyn D. Breeskin; director, Gerald Nordland.)

22. Franz Kline (1910–62); Sun Carrier, 1961.

(Oil, 92 by 67¾ inches; lent by the Museum of Fine Arts, Houston, Tex.; director, James Johnson Sweeney.)

23. Jacob Lawrence (born 1917), Juke Box, 1946.

(Tempera on paper, 33½ by 25⅛ inches; lent by the Detroit Institute of Arts, Detroit, Mich.; director, Willis F. Woods.)

24. Jack Levine (born 1915), Medicine Show, 1955.

(Oil, 50½ by 55 inches; lent by the Pennsylvania Academy of the Fine Arts, Philadelphia, Pa.; director, Joseph T. Fraser, Jr.)

25. Loren MacIver (born 1909), Les Baux, 1952.

(Oil, 53 by 34 inches; lent by the Art Institute of Chicago, Chicago, Ill.; director of fine arts, John Maxon.)

26. John Marin (1870–1953), Maine Islands, 1922.

(Water color, 16¾ by 20 inches; lent by the Phillips Collection, Washington, D.C.; director, Duncan Phillips.)

27. Robert Motherwell (born 1915), Elegy to Spanish Republic No. LV, 1955–60.

(Oil, 70 by 76⅛ inches; lent by the Cleveland Museum of Art, Cleveland, Ohio; director, Sherman E. Lee.)

28. Georgia O'Keeffe (born 1887), Cow's Skull: Red, White, and Blue, 1931.

(Oil, 39⅞ by 35⅞ inches; lent by the Metropolitan Museum of Art, New York, N.Y.; the Alfred Stieglitz Collection; director, James J. Rorimer.)

29. Jackson Pollock (1912–56), The Cathedral, 1947.

(Oil and mixed media, 71 by 35 inches; lent by the Dallas Museum of Fine Arts, Dallas, Tex.; gift of Mr. Bernard J. Reis; director, Merrill C. Rueppel.)

30. Robert Rauschenberg (born 1925), Summer Rental Number 2, 1960.

(Oil, 70 by 54 inches; lent by the Whitney Museum of American Art, New York, N.Y.; gift of the Friends of the Whitney Museum of American Art; director, Lloyd Goodrich.)

31. Larry Rivers (born 1923), The Final Veteran, 1960.

(Oil, 81⅜ by 51 inches; lent by the Albright-Knox Art Gallery, Buffalo, N.Y.; gift of the Seymour H. Knox Foundation, Inc.; director, Gordon M. Smith.)

32. Mark Rothko (born 1903), Ochre and Red on Red, 1954.

(Oil, 90 by 69 inches; lent by the Phillips Collection, Washington, D.C.; director, Duncan Phillips.)

33. Tadashi Sato (born 1923), Submerged Rocks, 1962.

(Oil, 40⅛ by 50¼ inches; lent by the Honolulu Academy of Arts, Honolulu, Hawaii; director, James W. Foster, Jr.)

34. Ben Shahn (born 1898), Spring, 1947.

(Tempera on masonite, 17 by 30 inches; lent by the Albright-Knox Art Gallery, Buffalo, N.Y.; director, Gordon M. Smith.)

35. Charles Sheeler (1883–1965), Upper Deck, 1929.

(Oil, 29⅛ by 22⅛ inches; lent by the Fogg Art Museum, Harvard University, Cambridge, Mass.; director, John Coolidge.)

36. Mark Tobey (born 1890), The Avenue, 1954.

(Tempera on paper board, 40 by 30 inches; lent by the Norton Gallery and School of Art; West Palm Beach, Fla.; director, Evan Hunter.)

37. Andrew Wyeth (born 1917), Christina's World, 1948.

(Egg tempera on gesso panel, 32¼ by 47¾ inches; lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

THE PHOTOGRAPHERS

1. Berenice Abbott (born 1898), Daily News Building, 1935.

(Federal art project, "Changing New York"; lent by the Museum of the City of New York, New York, N.Y.; director, Ralph R. Miller.)

2. Ansel Adams (born 1902), Moonrise. Hernandez, N. Mex., 1941.

(Lent by the Art Institute of Chicago, Chicago, Ill.; director of fine arts, John Maxon.)

3. Richard Avedon (born 1923), Marianne Moore, 1958.

(Lent by the Metropolitan Museum of Art, New York, N.Y.; Pulitzer bequest income; director, James J. Rorimer.)

4. Margaret Bourke-White (born 1904), Louisville Flood Refugees, 1937.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

5. Harry Callahan (born 1912), Eleanor, 1948.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

6. Robert Capa (1913–54), Moment of Death, Loyalist Soldier, 1936.

(Spanish Civil War, Cadiz, Spain; lent by the Smithsonian Institution, Washington, D.C.; secretary, S. Dillon Ripley.)

7. Paul Caponigro (born 1932), Rock Wall No. 2, West Hartford, Conn., 1959.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

8. Imogen Cunningham (born 1883), Alfred Stieglitz at an American Place, 1934.

(Lent by the San Francisco Museum of Art, San Francisco, Calif.; director, George D. Culler.)

9. William R. Current (born 1923), Fall Trees, New Mexico, 1963.

(Lent by the Art Institute of Chicago, Chicago, Ill.; director of fine arts, John Maxon.)

10. Bruce Davidson (born 1934), Verrazano-Narrows Bridge, 1964.

(Lent by the Art Institute of Chicago, Chicago, Ill.; director of fine arts, John Maxon.)

11. Alfred Eisenstaedt (born 1898), Rev. Martin Cyril D'Arcy, S.J., 1951.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

12. Elliott Erwitt (born 1928), Palazzo Pitti, Florence, Italy, 1950.

(Lent by the Smithsonian Institution, Washington, D.C.; secretary, S. Dillon Ripley.)

13. Walker Evans (born 1903), Vicksburg, Miss., 1936.

(Lent by the Library of Congress, Washington, D.C.; Librarian of Congress, L. Quincy Mumford.)

14. Robert Frank (born 1924), London, 1952.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

15. William A. Garnett (born 1916), Plowed Field, Arvin, Calif., 1951.

(Lent by the George Eastman House, Rochester, N.Y.; director, Beaumont Newhall.)

16. André Kertész (born 1894), Mondrian's Doorway, 1926.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

17. Dorothea Lange (born 1895), From India Series, 1958.

(Lent by the San Francisco Museum of Art, San Francisco, Calif.; director, George D. Culler.)

18. Lisette Model (born 1906), Nice, France, 1938.

(Lent by the George Eastman House, Rochester, N.Y.; director, Beaumont Newhall.)

19. Barbara Morgan (born 1900), Martha Fraham—Letter to the World, 1944.

(Lent by the George Eastman House, Rochester, N.Y.; director, Beaumont Newhall.)

20. Eliot Porter (born 1901), Spotted Towhee.

(Lent by the Art Institute of Chicago, Chicago, Ill.; director of fine arts, John Maxon.)

21. Man Ray (born 1890), Rayogram, 1928.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

22. Charles Sheeler (1883–1965), Fuel Tanks, Wisconsin.

(Lent by the Library of Congress, Washington, D.C.; Librarian of Congress, L. Quincy Mumford.)

23. Aaron Siskind (born 1903), Celaya, Mexico, 1955.

(Lent by the Art Institute of Chicago, Chicago , Ill.; director of fine arts, John Maxon.)

24. W. Eugene Smith (born 1918), Spinner, Spain, 1950.

(Lent by the George Eastman House, Rochester, N.Y.; director, Beaumont Newhall.)

25. Edward Steichen (born 1879), Paul Robeson in "The Emperor Jones," 1933.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

26. Alfred Stieglitz (1864–1946), Portrait of Georgia O'Keefe in an Automobile, 1932.

(Lent by the Metropolitan Museum of Art, New York, N.Y.; with the permission of Georgia O'Keefe; director, James J. Rorimer.)

27. Paul Strand (born 1890), The Family, Luzzara, Italy, 1953.

(Lent by the George Eastman House, Rochester, N.Y.; director, Beaumont Newhall.)

28. Edward Weston (1886–1958), Nude on Beach, 1936.

(Lent by the Smithsonian Institution, Washington, D.C.; secretary, S. Dillon Ripley.)

29. Minor White (born 1908), Pacific, 1948.

(Lent by the George Eastman House, Rochester, N.Y.; director, Beaumont Newhall.)

30. Garry Winogrand (born 1928), Columbia University, Soph-Frosh Rush, 1950.

(Lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

THE SCULPTORS

1. Leonard Baskin (born 1922), The Seated Man With Owl, 1959.

(Laminated cherry wood, 30 by 16-15/16 by 17¾ inches; lent by the Smith College Museum of Art, Northampton, Mass.; director, Charles Chetham.)

2. Harry Bertoia (born 1915), Landscape.

(Welded metal, brazed, 4¾ by 7½ by 7¾ inches; lent by the North Carolina Museum of Art, Raleigh, N.C.; bequest of W. R. Valentiner; director, Justus Bier.)

3. Alexander Calder (born 1898), Whale II, 1964.

(Stabile: painted sheet metal, 68 by 69 by 45⅜ inches; lent by the Museum of Modern Art, New York, N.Y.; director, René d'Harnoncourt.)

4. Jose de Creeft (born 1884), Opulence, 1964.

(White Georgia marble, 22½ by 10¼ by 11 inches; lent by the Whitney Museum of American Art; New York, N.Y.; gift of friends of the artist; director, Lloyd Goodrich.)

5. Herbert Ferber (born 1906), The Apocalyptic Rider, 1947.

(Bronze, 44½ by 35 by 25 inches; lent by the New York University Art Collection, New York, N.Y.; curator, Ruth Gurin.)

6. Naum Gabo (born 1890), Linear Construction, Variation, 1942–43.

(Plastic and nylon thread, 24¼ by 9¾ inches; lent by the Phillips Collection, Washington, D.C.; director, Duncan Phillips.)

7. Chaim Gross (born 1904), Acrobatic Dancers, 1942.

(Ebony, 39¾ inches; lent by the Whitney Museum of American Art, New York, N.Y.; director, Lloyd Goodrich.)

8. Dimitri Hadzi (born 1921), Helmet V (Elmo), 1959–61.

(Bronze, 76¼ inches; lent by the Solomon R. Guggenheim Museum, New York, N.Y.; director, Thomas M. Messer.)

9. Raoul Hague (born 1905), Sculpture in Walnut, 1962.

(Walnut wood, 62 by 45 inches; lent by the Joseph H. Hirshhorn Collection, New York, N.Y.; curator, Abram Lerner.)

10. David Hare (born 1917), Moon and Sun, 1951.

(Welded bronze over copper with angle iron support and wood base 74 by 16 inches, base, 9½ by 11 by 4 inches; lent by the Isaac Delgado Arts Museum, New Orleans, La.; gift of Mrs. Muriel Francis Bultman; director, James B. Byrnes.)

11. Edward Higgins (born 1930), Untitled, 1960.

(Bronze and enameled plaster, 24½ inches; lent by the Solomon R. Guggenheim Museum, New York, N.Y.; director, Thomas M. Messer.)

12. Ibram Lassaw (born 1913), Cytherea, 1964.

(Various metals, 84 by 57 by 42 inches; lent by the Albright-Knox Art Gallery, Buffalo, N.Y.; gift of the artist and Seymour H. Knox; director, Gordon M. Smith.)

13. Jacques Lipchitz (born 1891), Mother and Child, 1941–45.

(Bronze, 50 by 51 by 23 inches; lent by the Philadelphia Museum of Art, Philadelphia, Pa.; director, Evan H. Turner.)

14. Richard Lippold (born 1915), Hommage à Farbergé, 1964.

(Gold, silver, copper and nickel, 17 by 11 inches; lent by the Virginia Museum of Fine Arts, Richmond, Va.; Payne Fund; director, Leslie Cheek, Jr.)

15. Seymour Lipton (born 1903), Ancestor, 1958.

(Nickel-silver on monel metal, 87 inches; lent by the Phillips Collection, Washington, D.C.; director, Duncan Phillips.)

16. Oronzio Maldarelli (1892–1964), Bianca No. II, c. 1952.

(Bronze, 27¾ inches; lent by the Metropolitan Museum of Art, New York, N.Y.; Fletcher Fund, 1953; director, James J. Rorimer.)

17. Paul Manship (born 1885), Dancer and Gazelles, c. 1916.

(Bronze, 32¼ by 35 by 11 inches; lent by the Metropolitan Museum of Art, New York, N.Y.; Lathrop Fund, 1959; director, James J. Rorimer.)

18. Reuben Nakian (born 1897), The Emperor's Bedchamber, 1954.

(Bronze, 70 inches; lent by the Philip M. Stern Foundation, Washington, D.C.; president, Philip M. Stern.)

19. Louis Nevelson (born 1900), Royal Game I, 1961.

(Gold wood, 69 by 50½ inches; lent by the Albright-Knox Art Gallery, Buffalo, N.Y.; gift of Seymour H. Knox; director, Gordon M. Smith.)

20. Isamu Noguchi (born 1904), The Cry, 1962.

(Bronze, 89 inches; lent by the Albright-Knox Art Gallery, Buffalo, N.Y.; director, Gordon M. Smith.)

21. Jose de Rivera (born 1904), Homage to the World of Minkowski, 1955.

(Chrome, nickel, and stainless steel, 14⅞ by 21½ inches; lent by the Metropolitan Museum of Art, New York, N.Y.; Fletcher Fund, 1955; director, James J. Rorimer.)

22. Theodore J. Roszak (born 1907), Cradle Song, 1955.

(Steel and bronze, 51⅞ inches; lent by the Solomon R. Guggenheim Museum, New York, N.Y.; director, Thomas M. Messer.)

23. Hugo Robus (1885–1964), Woman Combing Her Hair.

(Bronze, 16½ by 18 by 17 inches; lent by the Corcoran Gallery of Art, Washington, D.C.; director, Hermann Warner Williams, Jr.)

24. Julius Schmidt (born 1923), Untitled Iron, 1963.

(Iron, 62 by 10 by 10 inches; lent by the Detroit Institute of Arts, Detroit, Mich.; director, Willis F. Woods.)

25. Jason Seley (born 1919), Masculine Presence, 1961.

(Welded chromium-plated steel automobile bumpers and grill, 86⅞ by 48 by 12 inches; lent by the Museum of Modern Art, New York, N.Y.; gift of Dr. and Mrs. Leonard Kornblee; director, René d'Harnoncourt.)

26. David Smith (1906–1965), Lectern Sentinel, 1961.

(Stainless steel, 101¾ inches; lent by the Witney Museum of American Art, New York, N.Y.; gift of the Friends of the Whitney Museum of American Art (and purchase); director, Lloyd Goodrich.)

27. Heinz Warneke (born 1895), Wild Boars, 1929.

(Black granite, 12½ by 17 by 9½ inches; lent by the Art Institute of Chicago, Chicago, Ill.; Mr. and Mrs. Frank G. Logan purchase prize; director of fine arts, John Maxon.)

28. Peter Voulkos (born 1924), 5,000 Feet, 1958.

(Fired clay, 45 by 12 inches; lent by the Los Angeles County Museum of Art, Los

Angeles, Calif.; Art Museum Council Purchase Award; director, Richard F. Brown.)

29. William Zorach (born 1887), Affection, 1933.

(York fossil, 31½ inches; lent by the Munson-Williams-Proctor Institute, Utica, N.Y.; director, Edward H. Dwight.)

WAR ON DROUGHT—ADDED FEDERAL HELP NEEDED

Mr. JAVITS. Mr. President, this Nation has begun efforts on all-out war on poverty, on crime, and on removing social injustices. Many unsolved problems, however, still remain. For the urban and rural areas throughout the northeast and in other sections of the country, one such problem is the growing crisis over curtailed water supplies which is now reaching emergency dimensions. The danger area ranges from southwestern Maine into Virginia. Three days ago, Governor Hughes of New Jersey declared a state of emergency in 4 northern counties in that State whose water supplies had reached new lows. Six days ago, an Interior Department official declared that the current northeast drought, especially in southeastern New York and northern New Jersey had surpassed both in severity and duration the previous drought record in these areas during 1929 to 1932.

New York State, as has many other areas, has suffered substantially from drought conditions. New York City's reservoirs which hold approximately 476.5 billion gallons are at substantially lower levels than at the same time last year. They are 54.9 percent full, down to 261.7 billion gallons. Tighter regulations to restrict the use of water are being put into effect and city dwellers have been urged by the Water Commissioner D'Angelo to reduce their water use by one-third.

New York's rural areas have for the past 3 years suffered from parched crops and destroyed pasturage. As Federal officials have recently stated, the most widespread problem from the drought will be dried up supplies for farms and country residents who depend on shallow wells. For the past 2 years New York, as the second largest producer of fluid milk has felt the squeeze of blighted pasturage and resulting increased production costs of milk Dairymen from New York, New Jersey, and Pennsylvania last year sought drought relief on a number of occasions from the Department of Agriculture. In New York, four counties were designated eligible by the Department of Agriculture for Farmers Home Administration emergency loans. Twenty-two counties were authorized eligible for livestock grazing and hay harvesting on lands diverted from production and farmers in 27 New York counties were declared eligible by the Department for purchases of surplus feed at below the market price.

A powerful and prosperous Nation such as ours should not allow the enemy of drought to win even limited battles. It is up to the Federal Government in conjunction with State and local authorities to wage an all-out war on drought and to win it. Some improved weapons for Federal use against drought in rural areas have been provided under the rural water project loan program of the Farmers Home Administration Act of 1961. Under this program between January 1, 1961, and December 1964, the FHA made or insured more than $72 million in loans to finance work in 37 States.

On February 4, when the President's farm message was submitted to the Senate, I stated on the floor that I believed expanded authority for Federal aid for drought relief was urgently needed and that it was regrettable that the message did not include reference to improved programs in this area. This view was also contained in the minority views of the recent report of the Joint Economic Committee of the Congress.

Vital new weapons have recently been proposed by legislation introduced on April 13 by the distinguished senior Senator from Vermont [Mr. AIKEN], together with 93 Senators, of whom I am happy to be one, to expand the direct and insured loan program by the Secretary of Agriculture to public and nonprofit agencies for development of rural water systems and to make grants for facilities for distribution of water in these areas. The bill expands the eligibility of rural communities to cities and towns having a population in excess of 5,000 inhabitants. The increase from $200 to $450 million for the insured loan program for rural water systems is vitally necessary in view of the present $80 million backlog under this program. This legislation (S. 1766) is directed at overcoming one of the greatest handicaps to rural development—the shortage of water for thousands of communities for industrial and residential growth. It is important legislation and its prompt passage would contribute substantially to solving critical problems of drought in many rural areas. So is S. 24, now pending on the Senate Calendar, legislation to expand and accelerate the saline water conversion program of the Department of Interior.

Additional vigorous efforts are needed to solve problems of drought in both urban and rural areas by providing development of new supplies of water and converting previously unusable supplies of water for human consumption and industrial uses. This includes development of our existing water resources, rivers, and lakes, accelerated antiwater pollution resources and expanded efforts to uncover new sources such as by desalinization of salt water and use of artificial rain. I urge the Department of Agriculture and the Weather Bureau in the Department of Commerce responsible for the latter program to double its efforts in finding new ways to win the war on drought.

I ask unanimous consent to have printed in the RECORD recent statements in the New York Times and Herald Tribune of June 13 and 14.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, June 14, 1965]

A PERMANENT WATER EMERGENCY?

New York City's water supply system, so the planners said when they reached out to the distant Delaware River branches, would be adequate to the year 2000.

Yet there is an emergency right now. We have an enormously enlarged storage capacity—perhaps doubled since the celebrated 1950 shortage. But the reservoirs are half-empty. Again the whole Northeast suffers another year of drought.

Of course the planners couldn't have foreseen nature's failure to cooperate. Perhaps they didn't even calculate adequately on increased uses of water, what with industry's demands, air conditioning, swimming pools, and so on. And this only proves again that the best of plans can still fail in comprehension.

The immediate necessity is to make do with the existing water supply. This means stern conservation. Governor Hughes' crackdown in northern New Jersey makes sense. New York City is no better off; Commissioner D'Angelo ought to be tightening our own restrictions even further.

But is this enough? We believe not. For the whole business of rules, education and exhortation rests on the assumption that sooner or later the rains will come again. The city and indeed the entire metropolitan region ought to be planning as though the present emergency were here to stay.

What's to be done for the long pull? For one thing, New York City needs universal metering to enforce economical use of water. For another, repair those leaky mains that are forever bursting. And let's look to the Hudson River; surely this mighty resource pouring to the ocean is being wasted. It's a sad commentary on government and all of us that the Hudson has become an open sewer. Clean it up—not only for beauty but for service.

The drought that's been with us 4 years is warning enough. The water supply has got to be assured, by efficient use and by imaginative planning from the Hudson to that Long Island desalting program. The safe course is to insure against nature.

[From the New York (N.Y.) Herald Tribune, June 13, 1965]

DROUGHT AND PROPHECY: "DAY NEW YORK WENT DRY"

(By William G. Wing, of the Herald Tribune staff)

"This wasn't just a water shortage," the blurb reads, "—it was a whole city turning into a desert. A city surrounded by rivers that it couldn't drink.

"A handful of men were working like mules to head off the disaster. And every nut, fink, and faddist in town was working to foul them up.

"But they weren't the dangerous ones. The dangerous ones were the people who were just doing the usual.

"Sitting around waiting to drop dead of thirst. The way they had since 1964."

This is the preface to a novel, "The Day New York Went Dry," published in April. It was written in California, winter before last by Charles Einstein on the proposition that the drought that began in New York in 1961 continues to the point of disaster.

"I'm a little bit ashamed at the way things have been going in New York," Mr. Einstein said by phone from Marin County, just outside San Francisco.

He was talking about New York's graceful compliment in trying to follow his script. He spoke from a region where surplus drinking water is bubbling over the spillways. But Mr. Einstein, a native New Yorker, was in no mood to gloat.

"Some of the things happening are right out of the book," he said, "the fountains being cut off, no water served in restaurants."

"Every 10 years," Marlowe said to Bess, "New York has a water shortage. It's a part of the rigid art form."

"I added 2 and 2 and it looks like I came up with a 4. I'm not startled at what's happening but I'm not pleased.

FICTION

"This was supposed to be science-fiction, written to be believable, but not true in the end. My thesis is that the better a water system is, the more dangerous it can be because it invites complacent use. In a place that's congenitally short of water, the people are accustomed to using only a little. It's just the opposite in New York. As soon as they finished the first big conduit in the 1890's, everyone sat back and said, 'It ain't never going to be used up.'

"I'm not trying to knock the heads of the New York water system for not predicting this drought. They couldn't possibly predict it—no one did. * * *"

Doomed by its own greatness was the New York City water supply. And so Mayor Wagner and Commissioner D'Angelo and other top officials stood accused, in the abstract of that autumn in New York, of, if anything, doing their jobs too well.

There was water, and it was their job to make sure there would be more water, and they were doing their job, and the people knew it.

OVERUSED

(And the people used the water, overused the water, abused the water—that odorless, tasteless, transparent liquid that descends from the clouds in rain, and which, the Bible says, God can withhold by way of punishment.)

Mr. Einstein said the idea for his book came from the editor of Gold Medal Books, Knox Berger. The theme agreed on by author and editor was that, while "Fail Safe" and "Seven Days in May" hinged on crises controllable by man, Mr. Einstein's book would hinge on a crisis over which man has no control: lack of rain.

This is not only the theme of the book but the chief cause of anxiety in the municipal buildings' upper floors and in a skyscraper overlooking the East River at Wall Street. In these two sites are the offices of the department of water supply, gas and electricity, which operates the city water system, and the State-created board of water supply, which plans and builds the city's system. Last week, as the drought continued, engineers in both bodies were undergoing a basic revision of thinking for this reason:

New York is enduring the longest period of drought that has occurred in the three-and-a-half centuries since Henry Hudson went up the river.

EVIDENCE

This, at least, seems to be the evidence of records. New York's engineering records on rainfall, streamflow, and ground water go back only a century at the longest. Its social records, which might indicate unusual periods of weather, go back only a few centuries more. Apparently, there never has been a successful scientific effort at determining the recurrence of droughts over a good long time, like a millenium, by the study of such things as tree rings, pollen deposits, and geologic clues.

All water systems are built on records. Curves—"mass curves" they are called—are drawn of such things as rainfall, water consumption, and growth of population. Lines are drawn from peak to peak on the curve, bridging the valleys of past droughts, to discover how big the supply would have to be to keep from running dry in the worst drought that has ever occurred.

SAFE YIELD

The final result is a statement of capacity called by water engineers the safe yield. It is the key to all systems and the figure over which all the technical controversy about the city's present water plight will rage.

Members of the board of water supply freely concede events have proved that their safe yield figures was too high.

The worst drought of the past was a 2-year period in the thirties; this was long ago exceeded by the present 4-year drought. The board also points out, though, that the public couldn't have been asked to spend millions for reservoirs that couldn't be justified on the basis of experience.

New water systems are not only expensive but slow to develop. The average lapse from the time the idea is proposed until water runs through the mains is a quarter of a century.

New York's planners are faced, moreover, with a demand whose scale is rarely appreciated. The volume of water used by the city is more than one-twentieth of all the water supplied by municipal systems in the United States.

AWESOME

The city consumes, day in and day out, a volume of water equal to more than half the mighty Hudson River as it flows now past the gaging station near Albany. Demand on such a scale precludes almost all of the hasty solutions to water shortages put forward in crises.

For a quick solution, the best possibility is the one that occurs at the end of "The Day New York Went Dry." In the book, the city is in terrible straits when—aw, you might as well buy the book and find out.

[From the New York Times, June 13]

Reports From the Nation—Drought

PARCHED NORTHEAST

An Atlanta restaurant, advertising to New Yorkers in big black letters "all the water you can drink without request," brings home to them that, thanks to the drought, they must order water even when they aren't drinking bourbon.

New York fountains that use city water have been turned off. Watering lawn and gardens is restricted, use of private swimming pools banned. And city dwellers have been exhorted by Water Commissioner Armand D'Angelo to reduce their water use by a third.

The drought extends far beyond New York, however. It stretches from southwestern Maine into Virginia. In severe or moderate form it covers two-thirds of New York, all of New Jersey, and half of Pennsylanvia.

It's at its worst over the New York watershed in the Catskills and the Hudson Valley. That area, normally humid, has been in drought for 4 years, since the fall of 1961, according to Wayne C. Palmer, climatologist of the U.S. Weather Bureau.

The rain gages show that this drought, in intensity and duration, is the most severe in the region in 50 years. What caused it?

Apparently the prevailing pattern of upper-air currents has shifted more to the Northwest than normal, according to Mr. Palmer. That is, the air masses that move in the lower half of the troposphere—the lower 20,000 feet of the atmosphere—are coming from the Northwest rather than the West as they approach the east coast. As they approach the Appalachians traveling from West to East they tend to bulge into Canada.

The direction affects the motion. Normally, the airflow is upward. As air rises in the lower atmosphere it cools, its relative humidity increases and when it is cool enough it forms rain clouds.

But in the last 3 years the more northerly flow of the air currents has resulted in a phenomenon weathermen call subsidence, the air masses subsiding or sinking down toward earth.

Because the flow comes from a more northerly area, its temperature is lower. This flow halts warmer air masses, particularly in the ridge of air over the Appalachians.

What happens then is just the opposite of the direction of the churning motion needed to make rain. The cooler air masses sink down and are compressed by the ridge. The ridge warms them and dries the air, inhibiting precipitation. Normally, the upper air goes through a wringer that squeezes out moisture. Under subsidence they go through a process like a laundromat's drier.

The last time New York City's reservoirs were full—storing 476.5 billion gallons of water—was in 1961. Now, with the depletion period starting, they are 54.9-percent full—down to only 261.7 billion gallons.

Does this mean that New York could have a water famine in October? Yes, indeed, Water Commissioner D'Angelo holds. But they need not, he says. New Yorkers use about 75 gallons a person a day. If each New Yorker could cut his use to 25 to 50 gallons a day, Mr. D'Angelo estimates, the city will make out, without famine.

HEARINGS BY THE FOREIGN RELATIONS COMMITTEE ON THE SITUATION IN THE DOMINICAN REPUBLIC AND IN SOUTH VIETNAM

Mr. JAVITS. Mr. President, the Foreign Relations Committee has just announced its intention to hold factfinding hearings on the situation in the Dominican Republic. I welcome that announcement, for I have felt for some time—as others in the Congress and across the country have felt—that Congress should be a continuing party to the consideration of conflicts in which U.S. troops are taking part and other U.S. military action is undertaken. I believe that Congress should thus assert its interest and constitutional responsibilities in foreign policy.

But the United States is now involved militarily on two fronts: In the Dominican Republic and, heavily, in Vietnam. Congress, both as a whole and through the appropriate committees, should, therefore, be factfinding, not on just one of these fronts, but on both.

I suggest the Foreign Relations Committee undertake factfinding hearings on Vietnam, too. No less than hearings on the Dominican Republic, these would contribute enormously to a national understanding of the issues involved. Particularly at a time when the country seems to be about to embark on a major Asian ground war—which could entail the risk of greater U.S. casualties than at any time since the Korean war and which could escalate the Vietnam conflict onto a new and vastly more dangerous level—the holding of such hearings would be a service of inestimable value to the Nation.

Such factfinding hearings could form the basis for another resolution to bring up to date the joint resolution of August 10, 1964, in accordance with which the President is now acting, and which, as I have said many times before, is now getting out of date.

The Foreign Relations Committee could, like the United States, divide its forces for the present purpose into ad hoc committees on the Dominican Republic and on Vietnam. It could also explore the idea of joint hearings with the House Foreign Affairs Committee.

Among the questions which need to be answered are these:

First. What new responsibilities are our forces assuming in Vietnam?

Second. What extension of the nature and the area of the conflict is contemplated?

Third. What outside help is the Vietcong getting, and what assistance is North Vietnam receiving from other Communist countries?

Fourth. What is the situation in South Vietnam as concerns the desire of its people and government to have us there, especially in view of the tremendous instability of the South Vietnamese Government?

Fifth. What is the situation in southeast Asia and other parts of Asia—in Thailand, in Burma, in Malaysia, in India, in Pakistan, in Japan and the Philippines as concerns the desire to have us engaged in an escalated way in the Vietnam struggle?

Sixth. What help are we getting from our allies, such as those in the Southeast Asia Treaty Organization, and what is the likelihood of our getting more help?

Seventh. What are the practical possibilities of regional or United Nations action to maintain peace in Vietnam?

Mr. President, the country needs the answers to these and other questions concerning Vietnam fully as much as it needs answers about the Dominican Republic. I urge the Foreign Relations Committee to follow its praiseworthy action regarding the Dominican Republic by taking similar action with respect to hearings on Vietnam.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

EXCISE TAX REDUCTION ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 312, House bill 8371.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. Calendar No. 312, House bill 8371, to reduce excise taxes, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

Mr. MANSFIELD. Mr. President, I yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I favor the passage of the Excise Tax Reduction Act of 1965.

I do so with some misgivings, for even while this tax reduction bill is being debated here on the floor of the Senate, a bill to increase the temporary limit of the national debt to $328 billion is being processed by one of the Senate committees. There can be no more concrete evidence of the fact that deficit spending is still very much on the increase, thereby providing ever greater inflationary pressures.

It has become apparent that the majority of Congress, and certainly the executive branch, are determined to cut taxes while increasing spending.

If taxes are to be cut, the excise tax field is the most logical and sensible place for the cuts to be made. Excise taxes affected by this bill were in large part levied as wartime emergency taxes. They were designed as much for the purpose of limiting and discouraging certain selected types of commercial transactions as they were for raising revenues. Because of their selective nature, the excises contain many inequities which cannot be justified from the standpoint of fairness. In addition, many of the excises on relative inexpensive items cause reporting burdens on small businesses out of all proportion to either the revenue raised or the regulatory effects of the particular tax.

It is my sincere hope that this tax reduction and the reduced revenues which will flow from it will demonstrate to the Congress the vital necessity of reducing expenditures. It is elementary that the Government cannot continue forever to spend more than it takes in without paying the consequences.

Mr. GRUENING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Alaska [Mr. Gruening]?

Mr. MANSFIELD. I yield to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. GRUENING. Mr. President, I yield to the Senator from Wisconsin, with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NECESSARY FOR SOVIET-AMERICAN SPACE COOPERATION

Mr. PROXMIRE. Mr. President, yesterday in the New York Times, Harry Schwartz, of New York Times editorial board, wrote an article proposing a new, hard, closer look at cooperation between the Soviet Union and the United States in our space ventures. He argued that both President Kennedy and President Johnson have put themselves on record as favoring such cooperation.

He points out that as disparate voices as the Vatican and a Czechoslovakia newspaper have called for such cooperation.

One of the most cogent and authoritative responses to this proposal also appeared in the New York Times yesterday, in a letter to the editor by Mr. Donald Spero, School of Engineering and Applied Science, Columbia University, dated June 8, 1965. He writes:

> For the fact is that at present technical integration of the United States and (assumed) Russian lunar programs is out of the question. Hardware for every phase of the Apollo program has already been designed and built at least in mockup form. NASA has a herculean enough task coordinating the work of its thousands of contractors and subcontractors to produce a system which will perform with characteristic excellence.
>
> The integration, for example, of a Russian booster and an American capsule would be a technical impossibility. It would at very least require complete redesigning of both halves and would amount to totally new, and therefore more expensive programs for both countries.

Mr. Schwartz answered that contention quite convincingly. He said:

> The argument that cooperation will not mean significant savings is strongest for the immediate future, but its force weakens rapidly as one extends the time horizon of both nations' future space efforts. Even in the next year or two both countries could gain from a full pooling of space technology.

Then he went on to point out that the main saving is in the effect it might have in preventing a Soviet-American arms race in space. He concludes:

> A military space race, if it does develop, could make all past arms races on earth seem picayune. The time is past due for decision between space cooperation, or the extension of a rivalry that could cost both Soviet and American peoples dearly.

Mr. Schwartz makes a most persuasive argument. I hope the members of the Committee on Aeronautical and Space Sciences and other Senators will give it their close attention.

I ask unanimous consent that the brief article and a short letter be printed at this point in the Record.

There being no objection, the article and letter were ordered to be printed in the Record, as follows:

Why Not a Soviet-American Gemini?

(By Harry Schwartz)

Last week's flight of Gemini 4 and Luna 6 pointed to intensification of the Soviet-American moon race. At the same time an increasing chorus—ranging from a Vatican magazine in Italy to a Communist newspaper in Czechoslovakia—called for a halt to that race and its replacement by Soviet-American cooperation in space.

President Kennedy and later President Johnson put themselves on record for such cooperation but it is no secret that more than a few of those active in the American space effort regard the whole idea as a fantasy. They have silently applauded Russia's unresponsiveness to the Presidential pleas. Any signs of genuine Soviet interest, however, would activate these opponents quickly.

REASONS FOR DOUBT

The doubters usually give at least two reasons for their reserve. First, they note that the whole basis of space research now is the ability of powerful rockets to put heavy vehicles into orbit or to send them to the moon and beyond. Rockets, however, are also the basis of Soviet and American capability for sending nuclear-tipped missiles against each other. How, these skeptics ask, can there be cooperation in anything involving these major instruments for delivering mass death?

Second, the opponents deny that there could be any major economies even if Moscow and Washington decided tomorrow to join together in the space role. Both nations, it is argued, have already set up the vast complex research and development organizations needed to build the moon ships, and have already made their basic technological decisions on how to attempt the feat.

Unless one nation or the other agrees to scrap its entire effort—which is unlikely for propaganda and other reasons—it is too late now, the scoffers say, for even the most intimate Soviet-American cooperation to have much impact.

Plausible as these arguments seem, however, they are vulnerable to refutation.

On the rocket issue, it seems to be forgotten that the enormously powerful boosters required for manned space exploration of the moon are far beyond the range of what is militarily relevant on this small planet. Both the Soviet Union and the United States have long had the rocket capability to send enormously destructive hydrogen bombs upon each other's heads, but the far more powerful moon rockets are in another class entirely.

As between Washington and Moscow, the argument now for rocket secrecy must rest far more upon considerations of the space race than upon military needs on earth. The real issues relate to the advantages and disadvantages in the moor race itself—including, of course, its propaganda aspects.

The argument that cooperation will not mean significant savings is strongest for the immediate future, but its force weakens rapidly as one extends the time horizon of both nations' future space efforts. Even in the next year or two both countries could gain from a full pooling of space technology and knowledge because this would reduce the number of Gemini-type flights each would have to engage in. Thus, a major justification for the McDivitt-White 4-day flight was the information it would give on human reaction to extended weightlessness. Yet, Soviet Cosmonaut Nikolayev spent 4 days in space almost 3 years ago, while Cosmonaut Bykovsky took a 5-day jaunt in June 1963.

Major cost advantages can certainly be gained by agreement on a division of labor between the Soviet Union and the United States, if it is accompanied by a decision to send mixed crews on major missions. For example, a pooling of information and resources might permit one country to focus on the hardware needed for the moon trip, while the other concentrated on the equipment needed to send men to Mars, a project already in the early planning stage for accomplishment in the 1970's.

But the major savings from real Soviet-American cooperation in space might come from another direction entirely. In both countries influential voices are urging major military efforts looking to the creation of armed national space fleets. The chances of these counsels winning acceptance increase with every day that the present space race and existing political antagonisms continue.

WHAT LIES AHEAD

A clear hint of what may lie ahead was given in a recent House Government Operations Committee report. It argued that the Russians are far ahead of the United States in research aimed at the military utilization of space, and it pointed to the impressive Soviet Voskhod flights as evidence. The House committee wants an intensive effort to catch up with Moscow, and it sees the Pentagon's manned orbital laboratory project as a venture requiring top priority.

A military space race, if it does develop, could make all past arms races on earth seem picayune. The time is past due for decision between space cooperation, or the extension of a rivalry that could cost both Soviet and American peoples dearly—and perhaps not solely in terms of vast sums wasted.

Joint Moon Venture Declared Unrealistic

To the Editor:

It seems to me that at least once the Times could acknowledge the awesome achievements of our space program without also using the opportunity to criticize the present lack of Russian-American cooperation in space. [Editorial June 8.] Even as incredible a feat as the flight of Gemini 4 can apparently be discussed only in the context of an "expensive and wasteful space rivalry" and a "frenzied effort" to reach the moon.

No one can deny the desirability of some type of joint United States-Soviet space program. However, in its continuing campaign to stress this point, the Times has failed to explore the complex problems involved to offer constructive and realistic suggestions. For the fact is that at present technical integration of the United States and (assumed) Russian lunar programs is out of the question. Hardware for every phase of the Apollo program has already been designed and built, at least in mockup form. NASA has a herculean enough task coordinating the work of its thousands of contractors and subcontractors to produce a system which will perform with characteristic excellence.

The integration, for example, of a Russian booster and an American capsule would be a a technical impossibility. It would at very least require complete redesigning of both halves and would amount to totally new, and therefore more expensive programs for both countries.

The only plausible alternative for initial lunar exploration would be to include a Russian cosmonaut in the Apollo crew or one of our astronauts as a member of the Russian expedition. Even if problems of language and pilot training could be overcome, political and propaganda considerations eminate this alternative.

Realistic possibilities for cooperation lie in the areas of unmanned probes, communication and weather satellites, and eventually manned planetary exploration and establishing of lunar bases. Presidents Kennedy and Johnson both offered to explore these possibilities with the Soviet Union. But for the present we are committed to our existing programs by impelling political and unavoidable technical realities.

If the Russians do not have a corresponding lunar program, the idea of cooperation on a joint venture is meaningless. If they do have such a program, they can no more afford to stop and begin over again than we can.

It would therefore be well for the Times to modify its strident and inflexible call for a "joint moon venture," and at very least I would hope that this call would not be a mandatory part of all congratulations to our superb astronauts, NASA officials, and scientists for their astounding successes thus far.

Donald Spero.

BURKE MARSHALL ON FEDERALISM AND CIVIL RIGHTS

Mr. PROXMIRE. Mr. President, I have written a book review for the Kansas Law Review on a fine book by Burke Marshall entitled "Federalism and Civil Rights." Burke Marshall, as is well known, was President Kennedy's expert on civil rights. He was a principal adviser of the Members of Congress on civil rights. This is an excellent book, which many Cabinet officers and Senators have found most useful. It is very brief but it does a fine job of explaining why Federal administration of civil rights laws is so burdensome, so complex, but at the same time so necessary.

I ask unanimous consent that the review be printed at this point in the Record.

There being no objection, the review was ordered to be printed in the Record, as follows:

("Federalism and Civil Rights." By Burke Marshall. New York: Columbia University Press, 1964, pp. xi, 85, $3.50.)

"On June 18, 1963, in Itta Bena, Miss., 57 Negroes were arrested on charges of disturbing the peace, after they had made a night march to the home of a deputy sheriff to ask police protection for their voter registration work. The next day, every one of the 57 over 14 years old was tried in a group (there were 4 groups in all), found guilty, and sentenced. All four trials were completed in slightly over 1 hour. Each man was sentenced to 6 months in jail and a $500 fine. Each woman was sentenced to 4 months and a $200 fine. They were not represented by counsel. There was no evidence specifically linking any identified individuals to any particular disorderly acts." [1]

Outrageous?

Of course.

Burke Marshall, in this brilliantly written little book, explains why and how Federal action in such a case is agonizingly slow. The civil rights bill of 1964—far reaching as it was—will only become the law of the land after literally years of laborious progress through the courts. Even that most widely affirmed right—the right to vote—will only become a reality for many southern Negroes in the reasonably near future if Congress passes a new 1965 Civil Rights Act enabling Federal registrars to register those millions of southern Negroes who are kept by southern officials from voting now.

To those of us in the Senate who supported the 1964 Civil Rights Act in the months of discussion and debate in 1963 and 1964, Burke Marshall was considered the prime authority of the executive department on civil rights. Many times he came up to Capitol Hill to brief Senators. I recall attending one such briefing in Majority Leader Mike Mansfield's office. Marshall's quiet but clear and incisive answers to questions not only on the bill but on the administration of the Civil Rights Acts of 1957 and 1960 were deeply impressive. His briefings were not confined to civil rights advocates. He was trusted for his honesty and respected for his competence by Senators opposed to civil rights too.

Consider Burke Marshall's qualifications for writing this book: He was the top civil rights expert for both Presidents Kennedy and Johnson for the duration of the consideration of the civil rights bill. To Members of the Congress he was the leading authority on the Civil Rights Act of 1964 during its long, complex, and often dangerous trip through the House and Senate. Marshall was also the Department of Justice's "man on the firing line" in the administration of the previous civil rights acts for our Federal Government.

The civil rights conflict in America today is between a Federal Government that in the 1964 Civil Rights Act has formally accepted President Kennedy's decision to ask a total national commitment to end official or systematic racial discrimination, and some, not all, Southern States and local governments that are resisting step by agonizing step.

As the title of this book implies, the current civil rights conflict is between (1) the use by this segment of the South of the constitutionally enshrined principle of "federalism" (that is, the reservation by the States of the great universe of powers not specifically delegated in the Constitution to the United States) and (2) southern Negroes whose rights have been denied and who are relying on the Federal courts to affirm these rights.

How do these southern officials use this principle of federalism? Of all the reserved powers it is the police power—a virtually exclusive power of the States—that is the South's most potent weapon. "State police power and criminal processes have been used in retaliation against efforts to encourage Negroes to exercise their rights to vote and to protest the caste system." [2] Of course, the very visible presence of this police power in the Negroes' hometowns and cities, plus the hostility in many places of the entire white establishment—the newspaper, merchants, banks, and virtually all the town employers—profoundly discourage any southern Negro's efforts to register to vote or to shatter the established custom of segregation in local restaurants and stores. As Marshall points out, one or two landmark cases do not fracture the system. A Negro must assert his rights. He is arrested, fined, jailed. He must sue and appeal and appeal again. Months later, when the judicial process is finally resolved, he may be vindicated. He can register, but for another Negro seeking the vote the whole process must often start all over again. Rights must be asserted; the long legal process pursued over and over and over again.

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[1] Marshall, "Federalism and Civil Rights," 46 (1964).

[2] Id. at 9.

The Department of Justice itself moves with careful circumspection in seeking compliance, Marshall writes: "Since the beginning of 1961 the Department has not brought a case or demanded voting records without first attempting to negotiate the matter with the local officials. The assumption has been, even when there was very good reason to believe that it was not valid, that State officials would correct any abuses which could not be defended on the facts."[3] Marshall warns that this slow process has serious dangers: "vast problems have been created by police indifference to Negro rights in the South, and they will grow if the trend is not turned. The loss of faith in law—the usefulness of Federal law and the fairness of local law—is gaining very rapidly among Negro and white civil rights workers. The consequences in the future cannot be foreseen."[4] Marshall has skillfully selected vivid examples of the injustice and cruelty of the present denial of rights in the South.

If there is a weakness of this book, it is its brevity. Its 85 pages read briskly but with Burke Marshall's vast competence and experience, extending over so many controversial and exciting months, the book could have been richly expanded. An indication of the high esteem in which this remarkable book is held is the fact that many a Cabinet officer, U.S. Senator, or nationally known judge, faced with a speech on civil rights has shamelessly plagiarized the rich speech material this book offers and will continue to do so.

If you are one of the millions of admirers of the late President John F. Kennedy, you can contribute to the John F. Kennedy Memorial Library by buying this book. Burke Marshall has assigned all of his royalties to the library.

WILLIAM PROXMIRE.[5]

PRESIDENT JOHNSON'S HISTORIC OPPORTUNITY ON THE 20TH ANNIVERSARY OF THE UNITED NATIONS

Mr. GRUENING. Mr. President, it was most gratifying to learn that President Johnson intends to go to San Francisco personally on June 26 to participate in the ceremonies marking the 20th anniversary of the founding of the United Nations.

This will indeed be a memorable occasion.

President Johnson has a unique opportunity to make the occasion even more memorable by invoking the peacekeeping powers of the United Nations to bring the conflict in Vietnam to the conference table.

The very preamble of the Charter of the United Nations sets the stage for such action by the President. That preamble provides:

> We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind.

Many of us remember the high hopes that abounded throughout the free world 20 years ago—with World War II still not yet over—when the delegates gathered in San Francisco to bring into being the one bright hope for a peaceful future, the United Nations.

The ceremonies then were dignified—in keeping with the solemn and high purposes of the organization there being founded.

It is well to mark the 20th anniversary of the founding of the United Nations with ceremonies as solemn as those where President Truman shone 20 years ago.

For President Truman was the one who lifted the torch from the hand of President Franklin D. Roosevelt and carried on the concept of a world organization dedicated to peace throughout the world.

Twenty years later, judging the accomplishments of the United Nations, all the countries which have had a part in its activities can be proud of its record.

One of those accomplishments—an ideal toward which all nations must strive—is the Declaration of Human Rights, adopted in Paris in 1949. Chief among the architects of that declaration was Eleanor Roosevelt. Her steadfast support of the objectives of the United Nations and her tireless energies devoted wholeheartedly to promoting the purposes of the United Nations should be the subject of special ceremonies in San Francisco during the programs marking the 20th anniversary of that organization.

Since its founding, the United Nations has been called upon time and again to engage in peace-keeping functions in all remote corners of the earth.

It has performed those functions efficiently and with great credit to itself and to the nations supporting its efforts to stamp out the brush fires ignited by the feuds of the past.

The fact that, 20 years later, there are still brush fires in many parts of the world is not to say that they are any discredit upon the United Nations.

The world has a long history of wars and brush fires leading into war. To expect the United Nations to prevent them both in the relatively short period of its existence would be unrealistic.

The role of the United Nations in the Korean crisis, in the Congo, in Cyprus, and in the Middle East is greatly to its credit—and will long stand in recorded history as the greatest effort of the nations of the world to extricate themselves from the dreary routine of war after war after war.

But the United Nations has a still greater role to play.

And it can play that role if the United States will give it the opportunity.

The United States is now engaged in an undeclared war in Vietnam.

I have in the past been critical about our involvement in that undeclared war in Vietnam. I still am.

It is an undeclared war we should not have been in—it is an undeclared war which President Johnson inherited and from which he could, a year and a half ago, have disengaged himself. It was and is essentially a civil war with South Vietnamese fighting South Vietnamese. The war is escalating with our bombing of North Vietnam, with the North Vietnamese increasingly aiding the South Vietnamese rebels and with our fighting men going in, in ever increasing numbers

The fighting in Vietnam can end only in a stalemate. We have the troops, the men and materiel, to conquer South Vietnam and North Vietnam. There is no doubt on that score anywhere on the earth, though we would have to stay there indefinitely to hold it.

But our object is not to conquer; our object is and should be peace.

We may have started out by aiding the French in their effort to recolonize Vietnam. But our efforts now are to bring peace and stability to that part of the world.

And that effort can only be successful at the conference table.

I have urged, and I again urge, that President Johnson take the conflict in Vietnam to the conference table.

The ceremonies in San Francisco on June 26, 1965, offer an excellent opportunity for him to do so.

President Johnson, just a year ago on June 28, 1964, speaking at Minneapolis, paid high tribute to the peacekeeping functions of the United Nations and stated:

> And let any of those who might choose to criticize the United Nations always remember that where the United Nations has gone, from Iran to the Congo, the Communists have not conquered. This is not because the United Nations supports our cause or because it exists just to help us against our enemies. It is because the United Nations is on the side of national independence, on the side of peaceful justice, or self-determination, of human freedom, and that is the side we are on, too.

At San Francisco next week, President Johnson will have an opportunity to fulfill the pledge of the United States when it signed the charter 20 years ago to use the peacekeeping machinery of the United Nations and to forsake unilateral military action.

I have never for a moment doubted that President Johnson is a man who sincerely and earnestly loves peace. But there is a difference, a vast difference, between one who loves peace and one who actively seeks to bring about peace, through prescribed and available means, and brings it about.

The occasion of the 20th anniversary of the United Nations, in celebrating which President Johnson will join on June 26 in San Francisco, should be used by him to seek peace through the machinery established under the charter.

In fact, as I have pointed out repeatedly in the past, we have an obligation to do so—an obligation which we have so far failed to honor.

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[3] Id. at 23.

[4] Id. at 81.

[5] U.S. Senator, Wisconsin.

This obligation is imposed upon the United States by many articles of the Charter of the United Nations.

Paragraph 1 of article 1 provides:

> To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

This paragraph places an unequivocal obligation upon the United States and all other members of the United Nations to utilize collective measures to bring about by peaceful means the settlement of international disputes.

With respect to the fighting in Vietnam, the United States has not yet sought to fulfill its obligations under paragraph 1 of article 1 of the Charter of the United Nations. It should.

When 20 years ago we signed the Charter of the United Nations at San Francisco we assumed another obligation under paragraphs 3 and 4 of article 2 which provide:

> All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
>
> All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

With respect to the fighting in Vietnam, the United States has not yet sought to fulfill its obligations under paragraphs 3 and 4 of article 2 of the charter of the United Nations. It should.

A further obligation undertaken in San Francisco 20 years ago under the charter of the United Nations with respect to keeping the peace is contained in article 33, which sets forth various means which "shall" be undertaken by parties to a dispute short of armed conflict. Article 33 states:

> The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.
>
> The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

With respect to the fighting in Vietnam, the United States has not yet sought to fulfill its obligations under article 33 of the charter of the United Nations. We have not sought a peaceful solution to the fighting in Vietnam by negotiation, by enquiry, by mediation, by conciliation, by arbitration, by judicial settlement, by resort to regional agencies or arrangements, or by other peaceful means. Actually we are in violation of this article since it requires that these moves be made first of all.

The United States assumed a further explicit, unequivocal obligation under the charter of the United Nations. Article 37 of the charter provides:

> Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.
>
> If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Note that the obligation placed upon parties to a dispute to refer the matter to the Security Council is mandatory, not permissive. The parties to a dispute, this article provides "shall"—not "may"—refer the matter to the Security Council.

With respect to the fighting in Vietnam, the United States has not yet fulfilled its obligation under article 37 of the charter of the United Nations to refer the dispute to the Security Council. This the United States should do without delay.

In these perilous times, it is not enough to be a peace lover. The President should be a peace seeker and should invoke the machinery of the United Nations, machinery which the United States took the lead in forging, to bring about a peaceful solution in troubled Vietnam.

Some will say that bringing the Vietnam dispute to the Security Council will solve nothing, that the Soviet Union will veto any proposed action.

Are those who say so absolutely certain that the Soviet Union will veto such proposed action?

Are those who predict a Soviet veto in the Security Council so absolutely certain of such a veto that they would risk thermonuclear war rather than take the crisis in Vietnam to the Security Council?

We stand to gain, not lose, by a Soviet veto in the Security Council.

The Soviet Union would then stand before the world as a nation that does not desire to walk in the paths of peace; that prefers armed conflict to the peaceful settlement of international disputes.

And even if the Soviet Union should exercise its veto in the Security Council, there is then the General Assembly to which the matter can be presented under the uniting for peace resolution which provides:

> That if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression, the use of armed force when necessary, to maintain or restore international peace and security. If not in session at the time, the General Assembly may meet in emergency special session within 24 hours of the request therefor. Such emergency special session shall be called if requested by the Security Council on the vote of any seven members, or by a majority of the members of the United Nations.

Under that resolution, the armed conflict will be before the formum of the world, where it belongs, so that all the nations, working together can bring about a peaceful solution to a conflict which threatens to engulf them all.

When President Johnson appears before the United Nations on June 26 he can strengthen that organization immeasurably, he can become a true seeker after peace, if he there announces that the United States has called for an extraordinary session of the Security Council to meet without delay to consider the conflict in Vietnam and attempt to arrive at a peaceful solution to that conflict, preserving the rights and freedoms of all those involved.

The United States voted in the Security Council in favor of that body exercising jurisdiction over events in the Dominican Republic.

It can do no less with respect to the even greater conflict in Vietnam.

Nothing would serve to raise the flagging spirits of the strong supporters of the United Nations than for President Johnson to announce on the 20th anniversary of the founding of that body that the United States is prepared to use to the utmost its peacekeeping machinery.

Then the prophetic words of President Truman, uttered in San Francisco 2 years before, would truly become a reality:

> If we had this charter a few years ago—and above all, the will to use it—millions not now living would be alive. If we should falter in the future in our will to use it, millions now living will surely die.

President Johnson's actions would also carry out the words he uttered in his address to the Congress on November 27, 1963, after he had been in office only 5 days:

> I rededicate this Government to the unswerving support of the United Nations.

On this great occasion, with the eyes of the world focused upon it, here would be a dramatic opportunity to revitalize the sagging United Nations but even more important, by restoring to it its essential peacekeeping purpose, to secure an honorable way out of the U.S. dilemma in Vietnam.

THE SOONER, THE BETTER, AND OTHER COMMENTS ON VIETNAM

Mr. President, three recent leading editorials, dealing with the ever widening involvement of the United States in the conflict in Vietnam, indicate the growing concern of the people of the United States as to where the policies being pursued by the United States in that troubled spot will lead.

I ask unanimous consent that the editorial printed in the New Republic for June 19, 1965, entitled "The Sooner, the Better," the editorial printed in the Standard Times of New Bedford, Mass. on June 11, 1965, entitled "U.S. Role in Vietnam," and the editorial printed in the San Francisco Chronicle for June 11, 1965, entitled "Congress Should Debate Vietnam" be printed in the RECORD at the conclusion of my remarks.

In addition, the May 22, 1965, issue of the New Republic contains an excellent letter to the editor written by the honorable Henry W. Edgerton, senior circuit judge of the U.S. court of appeals in Washington, D.C. Judge Edgerton's thoughtful letter contains this sage observation:

> We have not and never had any good reason for killing southeast Asians and devastating their countries. It is hard to admit we have been wrong, but dogged perseverance in a mistake is not virtue. Getting out now is said to be unthinkable. To me, staying in is unthinkable. That it is more honorable to persist in slaughter than to stop it is a primitive idea.

I ask unanimous consent that Judge Edgerton's letter to the editor of the New Republic, appearing in the May 22, 1965, issue of that magazine, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorials and letter were ordered to be printed in the RECORD, as follows:

[From the New Republic, May 22, 1965]

VIETNAM POLICY

SIRS: President Johnson says his Vietnam policy is the same as President Kennedy's and was established by President Eisenhower. But President Eisenhower sent no combatants to South Vietnam. President Kennedy sent few, and he did not extend the war to North Vietnam. Shortly before his death he said: "In the final analysis it is their [the South Vietnamese] war. They are the ones who have to win it or lose it." President Johnson has turned a civil war in South Vietnam into an American war in all Vietnam.

President Kennedy and President Johnson have said we defend the freedom of the people of South Vietnam. Yet no one suggests that the people of South Vietnam chose Diem or any of the successors who, like him, have held brief authority in Saigon subject to the will of the local military. We are defending the efforts of these men to rule an unwilling people. If the people of South Vietnam had been willing to be governed by any one of these men, with our enormous help he could have extended his rule over the whole country. But the men in Saigon have made little progress since Walter Lippmann said: "The truth, which is being obscured for the American people, is that the Saigon government has the allegiance of probably no more than 30 percent of the people and controls [even in daylight] not much more than a quarter of the territory."

President Johnson says "Our one desire and our one determination is that the people of southeast Asia be left in peace to work out their own destinies in their own way." But North Vietnam as well as South Vietnam is in southeast Asia. No forces but ours prevent the people of southeast Asia from working out their own destinies in their own way.

The President says "we seek no more than a return to the essentials of the agreements of 1954." But he also says "we will finally settle for no less" than an "independent South Vietnam—tied to no alliances." In sharp contrast, the Geneva agreements of 1954 endorsed a unified Vietnam. The line they drew between north and south was not to be interpreted as constituting a political or territorial boundary; it was purely provisional, to last only until 1956 when a general election in the entire country was to be held under the supervision of an international commission. With our encouragement, Diem's Saigon government refused to take part in a general election because he would have lost it. Also, the agreements of 1954 prohibited introduction into Vietnam of foreign troops and military personnel as well as of all kinds of arms and munitions. Except to complain that North Vietnam violates this prohibition, we have always ignored it.

The President says we are "committed" and "America keeps its word." He says "We are there because we have a promise to keep. Since 1954 every American President has offered support to the people of South Vietnam." The implication that all promises should be kept regardless of consequences is of course merely rhetorical.

Our Constitution does not authorize a President to commit the United States to any policy, foreign or domestic, for a period of years or decades. It is easy to forget but important to remember that a President is not America and a President's word is not America's word. What lies behind President Johnson's rhetoric is that he will make America keep his word as long as he can.

Congress has supported the President's policy, but the President and Congress together cannot bind their successors. They cannot even bind themselves. Any policy may be reviewed, any law may be repealed.

Promises are made not only by someone but to someone. In Saigon there have been a number of different governments, most of them established by force, in the last 18 months. A promise to one of these is not a promise to the one that overthrew it and was in turn overthrown. As the President has said, "we have a very difficult situation there as a result of the instability of the governments and the frequent changes of them." As for the people of South Vietnam, most of whom have shown no liking for any Saigon government, they would probably be glad if the President would take his promises and go home.

The President says the "basic cause of the conflict in Vietnam is the attack by North Vietnam on the independent nation of South Vietnam." But it is too late to say the basic cause is not a civil war in South Vietnam. President Kennedy said in 1963 the civil war had gone on for 10 years. The Communist rulers of North Vietnam did not send substantial support to the Vietcong in South Vietnam until Diem had acquired American support and had repeatedly repulsed North Vietnamese efforts to have a general election. President Johnson calls the North Vietnamese aggressors. If the Saigon rulers were popularly elected or firmly established, and in control of the country, helping their Vietcong enemies might well be called aggression. Since none of those premises is true, if the North Vietnamese are aggressors, so are we, and if we are not aggressors, neither are they. Even this understates the case. The people of North Vietnam are ethnically, geographically, historically, and culturally close to the people of South Vietnam. We are remote.

Despite high-sounding slogans about keeping our word, defending freedom, and letting people work out their destinies, the fact is we are fighting to prevent an election that we think Communists would win. We are said to have a vital interest in containing Communist China. But we can no more contain China by waging war in Vietnam than China could contain us by waging war in Honduras. As Arnold Toynbee has said, Americans are "a bit paranoiac about communism." If Vietnam chooses some form of communism, it will not be choosing China, will not be increasing the power of China, and will not be harming us or capable of harming us. The Vietnamese, North and South fear and dislike the Chinese. And even if our effort to prevent southeast Asians from choosing their own government could promote some interest of ours, it would still be a sorry throwback to the day of the white man's burden and lesser breeds without the law. The suggestion of an analogy with Munich is groundless. When the Sudetenland was yielded to Hitler he had great power, had invaded Austria, and was a threat to the whole western world (Morgen die ganze Welt). The Vietnamese threaten no one but each other.

Our vital interest is in reducing the danger of nuclear war. By continuing and escalating the present war we only increase the danger. China and the Soviet Union have responded to our bombing of North Vietnam by threats to intervene.

Southeast Asians have had more than enough of rule by white men and will not voluntarily submit to rulers protected by white men. To most Asians and many others, we now appear to be the last colonial power except Portugal. The sooner we cease to act as a colonial power, the sooner we shall begin to recover some of the prestige it has cost us. The French began to recover some of theirs when they left Algeria.

We have not and never had any good reason for killing southeast Asians and devastating their countries. It is hard to admit we have been wrong, but dogged perseverance in a mistake is no virtue. Getting out now is said to be unthinkable. To me, staying in is unthinkable. That it is more honorable to persist in slaughter than to stop it is a primitive idea.

Shorter steps toward peace might be taken. Secretary General U Thant has well said "It is not possible for me to say what would be the best means * * * but I do feel very strongly that means must be found, and found urgently, within or outside the United Nations, of shifting the quest for a solution away from the field of battle to the conference table." U Thant suggested and the President rejected a revival of the Geneva Conference. Whatever else we do, we should at least propose a simultaneous cease-fire by all four parties to the war, North Vietnam, the Saigon Government, the Vietcong, and the United States. India, Canada, and Poland, as the International Control Commission might arrange the cease-fire and supervise it.

The President offers what he calls unconditional discussion. Yet on April 17, 1965, he said "we will finally settle for no less" than an "independent South Vietnam—tied to no alliance—free to shape its relations and association with all other nations." This puts what may prove to be a major issue of the war, unification of Vietnam, beyond the reach of ultimate negotiation, and therefore of meaningful discussion.

HENRY W. EDGERTON,
Senior Circuit Judge,
U.S. Court of Appeals, Washington, D.C.

[From the New Republic, June 19, 1965]

THE SOONER, THE BETTER

If the ally in Asia you have been advising and arming looks like collapsing, do you take over his war? For months, this question has lain in wait for the United States in Vietnam. Now it has to be answered. If the answer is yes, Americans will fight a ground war that earlier, when the French fought it, produced 75,800 dead or missing Frenchmen, and 65,100 wounded—and ended in French defeat and withdrawal. If the answer is yes, the victims will include thousands more Vietnamese whose principal desire is to survive and whose interest in political slogans is marginal. Win or lose, the Vietcong guerrillas will enhance their claim to be patriotic Asians fighting white imperialists for whom this or that Saigon government serves as cover. The administration repeatedly says that it wants a negotiated settlement. At the same time it speaks and acts as if to prove that the United States is the toughest kid on the block. The February decision to bomb North Vietnam was taken ostensibly to interdict military supply lines—Barry Goldwater's suggestion—but actually as a booster to sagging South Vietnamese morale. The effects of the booster shot quickly wore off. Four months later, the bombing had been extended to industrial targets. There are Soviet bombers and sites for Soviet missiles in the north. The infiltration of soldiers and arms into the south really has become serious and will become more so. The Vietcong announcement last week that American escalation of the fighting gives the Vietcong the right to call for "volunteers from the armies of North Vietnam and friendly countries" suggests as much. Russian help to North Vietnam will probably increase, notwithstanding President Johnson's soft answers in his Chicago speech and elsewhere to mounting Soviet criticism of the American military engagement in Asia. The government in Saigon has had another fit of political convulsions. The South Vietnamese army has suffered heavy losses in the first of the rainy season clashes and is showing ominous cracks in spite of ruthless executions of deserters, photographs of which have horrified the world.

Washington's latest declaration is that if South Vietnamese units request it, American troops will, for the first time officially, enter the jungle fighting. There are at present about 16,000 of our combat soldiers in Vietnam. The total, however, is 50,000, compared with 15,000 in March and 14,000 when President Johnson took office. There is talk of sending 100,000 or 300,000 Americans—and these figures assume that the enemy continues to be the 40.000 so-called hard-core guerrillas and their 100,000 militarily active sympathizers, not the Russians, not the 400,000-strong North Vietnamese Army, not the 2.5-million-strong Chinese Army. Even granted this perhaps too-optimistic assumption, what about the administration's famed 10-to-1 ratio, regarded as essential for success against guerrillas? If the South Vietnamese military forces crack and the United States takes over more and more of the fighting, it will take, according to the ratio rule, about 1.5 million Americans 5 to 10 years to win a war that will stay won only so long as the Americans stay.

Can this nightmare be avoided? The administration first thought its thump-pause-thump bombing might scare the North Vietnamese to a conference table. It didn't work. Then it thought that continuing the bombing while making a brisk show of preparation at Da Nang and elsewhere to funnel many more American troops into the South would furnish the Russians leverage to renew the Soviet proposal (abandoned by them under indirect Chinese pressure) for an international conference on Cambodia, at which Vietnam could be discussed. But the Russians, though they do not want the war to escalate, desire even less to risk burning themselves by pulling American chestnuts from this fire.

Mr. Johnson will countenance "unconditional discussions" only with other governments, thus helping reinforce the ties that bind the guerrillas to Hanoi. The probabilities are that the Vietcong have such high hopes of military successes that they are not yet prepared to talk anyway. Folly is not an American monopoly. Hanoi, with the Vietcong presumably echoing, says the Americans must leave the country, but must first recognize the National Liberation Front (the Vietcong in civvies) as the only true and legitimate government of South Vietnam. The administration retorts that it will withdraw its forces when South Vietnam is able without external interference to "determine its own future, including the right to work out its relations to the north by peaceful means."

This is not at all a bad riposte; the administration just hasn't done enough with it. These 18 words could be worked up into a formula for peace. They amount for all practical purposes to a neutralized south and do not preclude an eventually unified Vietnam. It is as much as the Vietcong can reasonably hope to get, whether by negotiating or by fighting. They may think that if they win most of the battles this summer, the Americans will go away. No doubt they would like this to happen; it is what their propaganda calls for. But it will not happen; the war will go on. Washington's line should be that the Vietcong aren't likely to win that many battles, and that the United States is ready to include the National Liberation Front in peace talks, preferably before any more large-scale battles are fought.

It is nonsense to object that such a public U.S. overture is impossible because it would undermine Saigon's morale. Since February, the United States has tried to improve Saigon's morale by escalating the war, and things have got worse. Moreover, our overriding concern cannot be the morale of whoever at the moment speaks for Saigon; it must be to end the war and to get on with whatever constructive development in southeast Asia then become possible. The United States should try to get through to the Vietcong, in a determined way. They may not respond immediately. But the door should be pushed open and kept open, and for more than the 5 days that were allowed for the pause in the bombing of the north. Sooner or later, an open door will evoke a response, among the Vietcong or in Hanoi or Moscow. The administration's mistake hitherto has been to point to a door marked unconditional discussion, which has also been marked, no admittance for the Vietcong, thus inhibiting a response from any quarter. To take down that inhibiting sign calls for political courage by President Johnson—almost as much as was displayed by General de Gaulle when he proposed entering into peace talks with the Algerians. But the alternatives now seem reduced to two: American withdrawal without parley as demanded by Peiping and Hanoi, or the commitment to South Vietnam of several U.S. fighting divisions which will bear the brunt of 5 or 10 more years of jungle war.

[From the New Bedford (Mass.), Standard-Times, June 11, 1965]

U.S. Role in Viet War

Some critics of the administration's policy in South Vietnam, stirred by White House confirmation that U.S. ground troops have been authorized to enter into combat to support Vietnamese forces against Communist attacks, are calling for congressional debate on our mission and purpose in southeast Asia.

In so doing, they suggest that the President is operating unilaterally, that he has fundamentally altered the character of the American involvement in Vietnam and should not have done so without the approval of Congress.

Senator Javits, Republican, of New York, declared "we have been moving in the direction of a massive * * * land struggle in Asia without any specific consent by Congress."

There is certain irony in the fact that Mr. Javits' contention was refuted by Senator Gruening, Democrat, of Alaska, consistent opponent of the American military role in South Vietnam. Mr. Gruening said the President was given sufficient authority to do what he is doing in a resolution adopted by Congress last August.

The Senator from Alaska is right, and it would be helpful if more of the complainants, in and out of Government, recalled what that resolve provides.

On August 7, 1964, the U.S. Congress approved a resolution giving Mr. Johnson its advance approval for any actions he might have to take in the southeast Asia crisis. The House vote was 416–0 and the Senate vote, 88–2.

The resolution, which had been requested by the President in a special message to Congress 2 days before, expressly authorizes all necessary measures the President might take to repel any armed attack against U.S. forces and to prevent further aggression.

The measure also approved in advance all necessary steps, including the use of armed force that the President might take to help any nation that requested aid in defense of its freedom under the southeast Asia collective defense treaty, of which South Vietnam is a signatory.

Surely, this authority covers the present situation in which, as the White House announced, "If help is requested by the appropriate Vietnamese commander, General Westmoreland (commanding U.S. troops) has authority within the assigned mission to employ these troops in support of Vietnamese forces faced with aggressive attack when other effective reserves are not available and when, in his judgment, the general military situation urgently requires it."

The President, more than 10 months ago, properly went to the Congress for support of the action he now is taking. Actually he did not take this action—specifically the commitment of U.S. troops to combat—until 8 months after Congress had given him the right to do so. Last March, he gave General Westmoreland such authority after major attacks on U.S. installations had produced casualties and heavy damage.

There is no point now in calling for the consent of Congress when it already has been given, and overwhelmingly.

[From the San Francisco Chronicle, June 11, 1965]

Congress Should Debate Vietnam

Public confusion about the American role in Vietnam is deepening. To many it appears a steady, irreversible descent into full-scale ground war. The semantically artful statement from the White House on Wednesday that "there has been no change in the mission of U.S. ground combat units in Vietnam in recent days or weeks" does not clear up the confusion or dispel concern.

What is really meant by the statement about General Westmoreland's having authority to employ U.S. troops "in support of Vietnamese forces" when urgently required? What are we up against?

The day's headlines describe calamitous reverses to the South Vietnamese, with the heaviest casualties of the war suffered in the week ended last Saturday. The South Vietnamese Government is apparently about to fold—once more. And so the condition expressed in the White House statement, namely, "if help is requested by appropriate Vietnamese commanders * * *" seems certain to be soon fulfilled.

In a dispatch published in the Chronicle 2 months ago, Jack Foisie reported that the buildup of American ground combat units was underway. It is now said that the number of U.S. troops in Vietnam is rapidly growing past 50,000 and toward at least 70,000. The majority of these are advisers, but the combat units are increasing in strength. Twenty-five hundred more GI's landed in Vietnam on Wednesday.

These facts all but confirm—despite the semantics of official statements—that we are headed for escalation on the ground as well as in the air.

Where is Congress as this irretraceable step is taken? It is charged by the Constitution with declaring war, a power which rationally presupposes discussion and debate. Yet only a few voices have been raised in this, notably those of Senators Morse, Gruening, and Church, and lately some others.

On Wednesday, Senator Javits of New York warned that "we have been moving in the direction of a massive, bogged-down land struggle in Asia without any specific consent by Congress or the people for that kind of war." He proposed that the President specifically ask Congress for a mandate. The grant of authority given to the President by Congress last August to take "all necessary steps" to assist South Vietnam to defend its freedom would be dubious authority for moving into full control of military operations there, which U.S. commanders will

> rightly demand if our forces are to be fully committed.
>
> Congress should hold a great debate on South Vietnam. The determination of whether the United States is to get involved in a full-scale land struggle in Asia is for Congress to make, or refuse to make; not the President.

Mr. PROXMIRE. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield with pleasure to the Senator from Wisconsin.

Mr. PROXMIRE. The distinguished Senator from Alaska has been courageous and outspoken on this matter. He knows that I vigorously disagree with some of his viewpoints on this subject. Nevertheless, I commend the temper, the thoughtfulness, and the constructive content of his speech. I should like to ask the Senator some questions about his speech.

Does not the Senator from Alaska agree that the President has indicated in every way that he could that he does want to negotiate, that he does seek peace? Has he not said that he places no conditions on his offer; that he will go anywhere with anybody at any time when there is any real promise of achieving a negotiated peaceful settlement of the situation in Vietnam?

Mr. GRUENING. Not wholly so. I think that is his purpose, and he has made that clear; but he has not yet included the actual fighting forces that we are opposing, and who are opposing us; namely, the so-called National Liberation Army, which, not being a government, apparently does not fall within the purview of the President's proposal.

The President has directed his proposal presumably at the capital of North Vietnam, Hanoi, on the assumption, according to his belief, that that is where the real enemy comes from. I do not share that belief. There is no question that Hanoi is aiding the South Vietnamese rebels, but I still maintain, as is now admitted that this is, or was—indeed President Kennedy said it—a civil war, and that despite infiltration from the North a large element of civil war still exists, in fact the major element.

It seems to me that directing his appeal to Hanoi only makes it difficult for the President to secure the kind of response to negotiate that he clearly desires, and that I have no doubt he clearly desires. It is clear that in the last few weeks he has become deeply disappointed that he has not had such a response. There has been no signal from Hanoi.

There are two changes in his approach that might make a response more likely. The first is to include the National Liberation forces in his offer; the second, to indicate receptivity to the problem of the unification of the two Vietnams.

In his Johns Hopkins speech, the President said, over and over again, that we must look forward to and insist upon an independent South Vietnam. But in the Geneva Agreement, to which he referred in another speech, the agreement to which he said we must return, it was clearly stipulated that the two halves, North and South Vietnam, would be reunited under a supervised election, supervised either by the International Control Commission created by the Geneva accords, or according to our suggestion, by the United Nations. I grant that that might be difficult to achieve now, but I feel that the President should hold open hope for future reunification after a referendum by which the people of both North Vietnam and South Vietnam can decide their political destiny.

I think that is not very far from the President's purpose. However, I believe that it does differ in a very essential aspect. I believe that those two things, including offering to negotiate with the National Liberation Army and holding out the hope for unification of the two Vietnams, would greatly strengthen his proposal.

Mr. PROXMIRE. Mr. President, will the Senator yield further?

Mr. GRUENING. I yield.

Mr. PROXMIRE. To take the second argument first, that the President has not lately indicated that he would favor unification of North and South Vietnam, the fact is that the President did not stipulate any hard, fast, or firm conditions upon discussion. It would seem to me that if the North Vietnamese felt that unification was essential to a peaceful settlement, there would be nothing in what the President has said that would bar such discussion or rule it out.

Mr. GRUENING. Mr. President, may I interrupt at that point?

Mr. PROXMIRE. Yes.

Mr. GRUENING. I believe that the Senator has been misled. If the Senator will reread the Johns Hopkins address, as I have done several times, he will find in the address repeated statements for an independent South Vietnam as a sine qua non. Never, at any place in that speech, is there any suggestion of a possible reunification. Having said that so emphatically, the President thereby really precludes and excludes the ultimate unification, according to his present thinking.

Mr. PROXMIRE. I think the Senator from Alaska may be reading something into what the President said. When the President said, "an independent South Vietnam" it makes sense to me that he thinks we should struggle, fight, and support South Vietnam so that they will have an opportunity to determine themselves, by free election, the nature of their sovereignty and the nature of the territory in which they live as a sovereign people.

When the President refers to an independent South Vietnam, I do not know how he could phrase it in a concise way without leaving it up to the people of South Vietnam to have the prime voice in what should be done. After all, they have done almost all the fighting and dying. For the President to make a statement which would seem to suggest that they might lose their sovereignty, for which they have struggled so hard and made such terrible sacrifices, it seems to me might be unwise.

Mr. GRUENING. Mr. President, I believe that the excellent thought presented by the Senator from Wisconsin would not preclude a statement or some future comments by the President that, ultimately, or at the appropriate time when the smoke of battle has cleared away, when the people of all Vietnam have a chance to express their views, that the chance of reunification—which was promised at the Geneva Conference—should not be precluded. I do not attempt to interpret anything more than is very clearly spelled out in the Johns Hopkins speech.

I believe that the Senator from Wisconsin should reread that address and note the repeated emphasis on an independent South Vietnam, with no thought whatever that, perhaps at some time in the future, the people of South and North Vietnam might want to get together. After all, they were one people and one nation for over 1,000 years. I think that should determine the situation. Certainly, no commitment need be made by the discussion. Therefore, I can see no harm in opening that window, and much benefit could flow from that prospect.

Mr. PROXMIRE. Perhaps that is true. However, it must be made perfectly clear that this is a decision that would not be made, in any sense, in a unilateral way by the United States. It would be made primarily by the South Vietnamese people themselves. If they should like to join with North Vietnam in a unified country, it would be my feeling that the President and the people who agree with him would certainly say that would be fine with us. However, it should be up to the South Vietnamese to decide. We should not negotiate away the independence of South Vietnam.

The other point that the Senator from Wisconsin is concerned about at this point is the argument by the Senator from Alaska that we should, in effect, recognize the Vietcong by agreeing to negotiate with them.

It would seem to me that this might very seriously weaken the military position of the South Vietnamese in their effort to stop aggression from the North. The number of people who have been active collaborating with the north, in their judgment, is a relatively small cadre in terms of the 14 million people living in South Vietnam. For us to recognize any group in Vietnam that has been making war in cooperation with, and so closely identified in every way, the North Vietnamese, it seems to me might have a tragic impact on the resistance of the South Vietnamese.

Mr. GRUENING. I refer to the words of the Senator spoken a few minutes ago when he said that the President on the subject of negotiation was willing to go anywhere, with anybody, at any time. Anyone, it would seem to me, should include the people doing the fighting.

Mr. PROXMIRE. Perhaps it should. However, if this were the situation, there would be nothing in the world to prevent the people in North Vietnam from saying so. There would be nothing to prevent North Vietnam from saying that they would negotiate, provided the Vietcong took part in the negotiations.

The President has gone far more than half way by saying that he would negotiate unconditionally. If the Vietcong has been ruled out by omission that may be wise for military and strategic reasons.

Now let me ask the Senator from Alaska about the main thrust of his speech.

Some of the leading people in Wisconsin, who support the position of the Senator from Alaska, have also argued that we should go to the United Nations with this tragic problem. However, when one assumes that the President can go to this U.N. conference on June 20, and make the kind of proposal which the Senator from Alaska has suggested and recommended, it would appear to me that we founder on technical difficulties. Taking these things ad seratim, in the order in which the Senator from Alaska suggested, first consider the suggestion of the Senator that we should refer this matter to the Security Council.

It is true that it may be possible that the Russians may not veto this kind of action. However, there is every indication that they would. When the Russians agreed, and, in fact, insisted, in the Tonkin Gulf episode that the Security Council take jurisdiction over our reaction against North Vietnam attack on our ship and our flag and when the Russians insisted that the North Vietnamese be present, the North Vietnamese made it clear then that they would have nothing to do with the Security Council, would accept no decisions of any kind by the Security Council, had no interest in anything that the United Nations would do, and would have no part in any kind of U.N. negotiation.

Under the circumstances, for us once again to go to the Security Council over our dispute with North Vietnam would very likely be fruitless and encounter stonewall opposition not only from the Soviet Union, but also from North Vietnam, which is our principal adversary.

Mr. GRUENING. When the Senator says, "Shall we again go to the Security Council," I point out that we have not yet gone to the Security Council. Even if this were to fail, how much more would it not strengthen President Johnson's position before the world. He would then have exhausted means that he has not yet tried.

I believe that our image in the world would be infinitely better than it is now. The President could make this dramatic proposal at the 20th anniversary of the United Nations. The whole world would be watching him. Then, if the proposal were blocked by the Russians, or anybody else, the President would be in a stronger position than he is now. But the proposal might work. Certainly, we should not overlook any action that might bring us closer to peace.

Mr. PROXMIRE. In the Tonkin Gulf episode, it was North Vietnam which blocked any realistic action by the Security Council. Yet this was not a great propaganda victory for us.

Some people in my own State consistently ignore the hard fact that the United Nations was stopped by North Vietnam, not the United States, from taking jurisdiction in that dispute. And consider the fact that our President has agreed to negotiate anywhere, any time and there has been no response, none from the other side. The Senator from Alaska should address his remarks to Red China or North Vietnam. They, not we, are the ones who will not negotiate.

Mr. GRUENING. I know and feel confident, as does the Senator from Wisconsin, that the President would like to find an honorable, peaceful, and just solution. Here are certain approaches which we have not tried as yet.

These approaches are here. They are written into the Charter of the United Nations. We subscribe to that charter. In fact, we were virtually the creator of the United Nations. It was as a result of our inspiration and our high hopes, and the support of President Roosevelt, and President Truman after him, that the United Nations was created. Yet, we have not as yet tried the specific prescriptions of the United Nations Charter.

I think this would be a great opportunity for the President to try it. If it does not work, he can say to the world, "I have tried one more thing." Consequently, we shall have to revise or maintain our policy accordingly. I believe no stone should be left unturned. I believe the 20th anniversary of the United Nations is a great opportunity to do so.

Mr. PROXMIRE. Let me make these other points——

Mr. LONG of Louisiana. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. Is the Senate operating under the germaneness rule?

The PRESIDING OFFICER. The rule is applicable.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that we may proceed for 5 minutes more.

Mr. LONG of Louisiana. I object to that. If the Senator asks a question, I will not make the point, if he does not take more than 5 minutes.

Mr. PROXMIRE. The Senator from Alaska contends that if there should be a veto in the Security Council the matter could be taken to the General Assembly. Is it not true that the General Assembly of the United Nations is now paralyzed? Is it not true that it has not done anything for months? Is it not true that there is no prospect of its being able to act until September or October, at the earliest?

In view of the fact that Russia and France have not paid their obligations to the United Nations, a meeting requiring a substantive vote in the Assembly, especially on something as controversial as Vietnam would be impossible. Russia is more than 2 years delinquent in her dues. We have, under the World Court decision, insisted she cannot vote until she pays. She will not pay. Other nations do not want to bar Russia, and yet they realize if she should be allowed to vote peacekeeping missions by the U.N. would very possibly be gutted. Until this dilemma is solved the Assembly is even less capable of action than the Security Council, which is blocked by the Russian veto.

Mr. GRUENING. I do not share the Senator's pessimism as to the paralysis of the General Assembly. In any event this would be one way to deparalyze it. This action I propose for the President would be an effort to bring it back to more vigorous life. That, per se, might be a desirable action. After all, September is not far away. It might be possible to do it sooner—or even if later, it is worthwhile trying.

Mr. PROXMIRE. The final point I would like to raise is this: Is it not true that this country did go to the United Nations, in a sense, by inviting the Secretary General—a third important institution of the United Nations, along with the General Assembly and Security Council—Mr. U Thant, to use his good offices in an attempt to achieve conferences between the United States and not only North Vietnam but also China and Russia? Is it not true that this has been an initiative on our part?

Mr. GRUENING. I am not aware that it has been done. If it has been done, it is not the equivalent of following the procedures specifically laid down in the United Nations Charter, to which I previously referred; namely, articles I, II, XXXIII, and XXXVII. Those are the ones we have not followed, and that I hope will be followed.

Mr. PROXMIRE. We feel we cannot act in the Security Council for the reasons stated; we cannot act in the General Assembly because it is paralyzed; we have gone to the third important institution in the United Nations, the Secretary General. We have taken the initiative by doing that, but all we have received in return is silence, the stillness of the deep from North Vietnam, China, and Russia.

Mr. President, I submit that whatever our shortcomings in this matter we have tried to negotiate within the very strict limits that are practical and available. We have gone to the U.N.

But what has North Vietnam done to negotiate? Nothing. What has Red China done? Nothing. What has Russia done? Nothing.

Any plea for negotiations should be directed to the Communists who have refused to negotiate, not to President Johnson who has asked again and again and again for negotiations.

Mr. GRUENING. We have not taken any of the initiatives that are clearly spelled out in the United Nations Charter. Mr. President, I yield the floor.

EXCISE TAX REDUCTION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

Mr. LONG of Louisiana. Mr. President, the enactment of H.R. 8371, the Excise Tax Reduction Act of 1965, is important to the continued prosperity of the country. Its enactment also is important in the drive to achieve a better tax system.

CONTINUED PROSPERITY

THE REVENUE ACT OF 1964

The bill now before the Senate will repeal a great many of the existing Federal taxes and will reduce the rates of still other excises. These actions will reduce Federal revenues by $4.6 billion when they become fully effective. Moreover, $3.4 billion of the overall cut will go into effect within the next 6½ months.

In considering the effect of such a substantial tax cut, we are fortunate to have the experience of the Revenue Act of 1964 before us.

That act, which we in the Senate approved in February of last year, reduced the tax liabilities of individuals and corporations by an estimated $14 billion—measured in terms of 1965 income levels. Roughly, two-thirds of the total reduction applied to 1964 liabilities. As we all know, the performance of the economy since then has been satisfactory in every way. Under the stimulus provided by carefully measured tax reductions, the economy has continued to move forward.

Today we are in the 52d month of continuous expansion from the low reached in February of 1961. The length of this expansion is a new peacetime record. It even exceeds all of the wartime expansions except the one which spanned World War II. The longest previous peacetime expansion was the 37-month expansion following the low of the great depression. At that time, it took 37 months of economic activity to reach the previous predepression peak level. This time the expansion has exceeded by 20 percent the previous peak level of the gross national product which preceded the recession of 1961.

The economy responded strongly to the Revenue Act of 1964. The Nation's gross national product has increased by $40 billion between the first quarter of 1964 and the first quarter of this year. The percentage gain—6.6 percent—is well in excess of the Nation's long-term growth rate. All factors of the economy have shared, and are continuing to share, in the prosperity generated by the 1964 tax cut. The April McGraw-Hill survey reported that businessmen expected to spend 15 percent more for plant and equipment this year than they spent last year. The May unemployment figure of 4.6 percent is the lowest since October of 1957. This statistic is particularly encouraging in view of the fact that the decrease in unemployment occurred at a time of rapid growth in the size of the labor force. Consumer spending has been particularly strong and businesses are recording record sales for many different types of commodities.

One of the most significant aspects of the Revenue Act of 1964 is the impact it has had on the Federal budget. Although this Revenue Act has been in effect throughout the entire fiscal year 1965, administrative budget receipts are expected to be at least $3.1 billion greater than in the preceding fiscal year. This is truly impressive when we consider the size of the tax cut. It is further evidence of the fact that the most important ingredient for a healthy Federal budget is a healthy economy. Moreover, the Treasury estimates that administrative budget receipts in the next fiscal year will be nearly $3 billion greater than receipts in the fiscal year 1965. Do not forget that this last increase is expected despite the fact that in the fiscal year 1966 revenues will be affected by the second stage of the 1964 tax reductions and much of the excise tax reductions provided by your committee's bill.

The budget deficit during the fiscal year 1965 is now expected to be $4.4 billion, or lower than any budget deficit since the fiscal year 1961. It will be almost 50 percent less than the deficit in the fiscal year 1964. Moreover, it is doubtful whether this deficit would have been smaller if the 1964 tax cut had been smaller. The unfortunate experience of 1959 demonstrates that recessions are the greatest breeders of deficits. Without the 1964 tax cut, the economy very well may have leveled off or decreased somewhat. Certainly its rate of advance would at least have slowed sufficiently so that revenues would not have reached the level of $92.6 billion.

While the Revenue Act of 1964 pushed the economy ahead, it did not push it into an inflationary spiral. The expansion occasioned by the tax cut has taken up much of the slack in the economy without producing any appreciable increase in prices. The wholesale price index in March was slightly below its level of one year ago. While the consumer price index has risen during the last year, the rate of increase is not markedly different than the rate of increase in the last several years. The high rate of capital spending generated by the tax cut and the increase in the size of labor forces has prevented any serious general squeeze on plant capacity.

Our balance of payments also is in a healthier state today that it was prior to the passage of the Revenue Act. While credit for success in narrowing the size of the deficit in our balance of payments must go largely to the Interest Equalization Tax and the voluntary program to restrain capital outflows abroad by U.S. firms, the record also suggests that our strengthened domestic economy has encouraged investments at home, rather than abroad.

H.R. 8371 AND THE ECONOMY

The bill before us will reduce excise tax revenues, on a full year basis, by $1.76 billion the day after the President signs it. A further reduction of $1.62 billion will occur on January 1, 1966, or just a little over 6 months later. A reduction of $281 million is then scheduled for January 1, 1967, to be followed by a reduction of $471 million on January 1, 1968, and a final reduction of $514 million on January 1, 1969. These reductions, of course, will not give the same boost to the economy as did the more substantial 1964 tax cut. A smaller reduction is appropriate at this time, however, for the economy is much closer to full capacity production. There is less idle equipment and less idle manpower. Indeed, to cut taxes now as much as they were cut in February 1964, is both unwise and unnecessary.

While the tax cut proposed here is not as large as the one proposed last year, it may be just as important to continued prosperity. Action must be taken to sustain the momentum generated a year ago. The recent decline in stock market prices is evidenced that professional investors have some doubts about our future rate of economic advance. Auto sales, too, have declined slightly from their record first-quarter level. Moreover, a sharp increase in the size of the labor force is in the offing as the postwar population increase reaches working age.

Federal fiscal policy can overcome these relatively minor sources of doubt. The tax cut proposed here will bolster prospects for the second half of 1965, as will approval of an increase in social security retirement benefits as provided in H.R. 6675, the Social Security Amendments of 1965. The second stage of excise tax reduction will offset the economic impact of social security tax rate increases scheduled for January 1, 1966. Thus, this bill will help to clear the way for many more months of continuous expansion.

As a result, the excise tax repeals and reductions provided in your committee's bill will quickly pay for themselves in the sense that Federal revenues will quickly expand in response to higher levels of economic activity. That is why the administration forecasts a deficit for the fiscal year 1966 that will be slightly below the deficit for fiscal year 1965 in the face of an increase of $700 million in expenditures, a two-stage reduction in excise tax revenues, and a further reduction in income tax liabilities.

The excise tax reduction proposed here is not inflationary. Increased expenditures by business for new plant and equipment mean that there will be more for consumers to buy. The sharp increase in the teenage population in the years ahead means that there will be more jobs which must be provided.

Furthermore, excise taxes are reflected directly in prices. Removal of the excises will, because of the forces of competition, if for no other reason, lead to price reductions on a large number of important commodities, including such articles as automobiles, refrigerators, television sets, radios, business machines, and telephone service, to mention only a few. The price reductions made possible by excise tax reduction will hold down the price level and increase the purchasing power of present incomes.

NEEDED REVISION OF TAX STRUCTURE

The Excise Tax Reduction Act of 1965, however, is more than just a bill to reduce taxes. It also is an important step in the reform of our tax system. The Federal excise tax system is a hodgepodge composed of selective excise taxes imposed at various times of emergency. Some were imposed in a desperate attempt to raise revenue during the depression of the 1930's. Others were imposed during World War II to raise revenue, stem inflation, and, in some cases, to divert scarce resources to wartime uses. Excise taxes were reimposed or increased during the Korean war for similar reasons. But the emergency conditions which gave birth to these taxes have long since disappeared. The taxes have remained, to become a source of discrimination among taxpayers.

This bill, as a general rule, repeals all excise taxes except those which are justified, on one of three clear-cut grounds. With few exceptions only those excises are retained which are—

First. User charges designed to collect a part of the cost of special services from those who benefit from the use of those services—such as the highway users taxes in the highway trust fund;

Second. The sumptuary excises on alcohol and tobacco; and

Third. The regulatory taxes such as those on marihuana, opium, and gambling.

The taxes to be repealed have a number of features which make them poor taxes for the Federal Government to impose. Many taxes put a greater relative burden on the poor than on the rich. This follows from the fact that the poor must spend a greater share of their income than the rich and the fact that Federal excises usually are levied on items which are essential in most households.

Many of the excises to be repealed are levied on items which are purchased for use by business firms. They distort business costs in an arbitrary fashion, burdening those firms which must use taxed products extensively. Moreover, they discourage the use of the most advanced management techniques.

The discriminatory effects of these excises are not limited to business firms. Consumers whose circumstances or habits induce them to spend a relatively large share of their income on the taxed products bear a heavier tax burden than those who, as a matter of preference, spend less on such products.

Furthermore, many of the excises produce so little revenue that the cost of tax compliance for the businessmen who must collect the taxes, and the administrative costs for the Government, are high relative to the revenue collected. The retail excise tax on jewelry, for example, requires that some 100,000 to 200,000 retail outlets concern themselves with tax collection, yet it produces revenue of only $220 million a year.

For the last several years, Congress, the President, and the Treasury have been concerned with important tax bills in the area of the individual and corporate income tax. A major effort was made in the Revenue Act of 1962 and the Revenue Act of 1964 to revise certain features of the income taxes to make them conform more closely to the ideal of tax equity. These efforts must be supplemented by excise tax reform. Otherwise, by reducing income tax liabilities while excise tax liabilities remain the same, would increase, relatively, the importance of that part of the Federal tax structure which imposes the most arbitrary, the most discriminatory, and the most regressive tax burdens. This bill reforms the Federal excise tax structure by restoring excises to a logical relationship with income taxes. This is a necessary and desirable corollary to income tax revision.

This bill also advances the cause of simplicity. It will eliminate annoying compliance burdens for thousands of retailers and manufacturers. It will sharply reduce a number of Federal tax forms which must be filed. It will remove a good deal of tax overlapping between the Federal Government, on the one hand, and the State and local governments on the other hand. It is very confusing for businessmen when they must follow one set of rules for the Federal Government and another set for State or local governments. An easier tax system for the businessmen will also mean a simpler administrative job for the Internal Revenue Service. The Service will be able to devote more of its efforts to those taxes which produce the most significant amounts of revenue.

DIFFERENCES BETWEEN THIS BILL, THE HOUSE BILL, AND THE PRESIDENT'S PROPOSALS

H.R. 8371, as amended by your committee, follows closely the excise tax proposals made by the President in his message to the Congress of May 17. Similarly, there are relatively few differences between the bill as amended by your committee and the House bill. A number of amendments added by your committee involve technical changes recommended by the staffs of the Joint Committee on Internal Revenue Taxation and the Treasury. These changes, which do not involve substantive issues, are listed and discussed in the report.

The principal amendments to the House bill approved by your committee concern the manufacturers' excise tax on passenger automobiles. The President proposed that the present 10 percent manufacturers' excise tax be reduced to a permanent rate of 5 percent in three stages. The House bill would eliminate the tax entirely in five stages extending to January 1, 1969.

Amendments adopted by your committee would retain 1 percentage point of the tax permanently to provide funds for the disposal of wrecked and abandoned automobiles. It would also make the last 4 percentage points of the reduction contingent upon the inclusion by the manufacturers of certain specified safety features in the automobiles they produce. Your committee's amendments do not simply represent a compromise between the President's proposal and the House version of the bill; they introduce important new features.

All of us are concerned with safety on the highway. Your committee's bill offers an opportunity for the Senate to promote greater safety in a positive way and thereby to help to reduce 48,000 traffic deaths which occur each year. Your committee's bill provides that the reductions in the excise tax on passenger automobiles scheduled for January 1, 1968, and January 1, 1969—2 percentage points each year—will go into effect only with respect to those cars which are built to include specified safety features. These features are not unreasonable. They have already been developed by the automobile industry—for the Federal Government plans to require that they be included in the cars it purchases beginning with the model year 1966. The General Services Administration will set the standards as it does now with respect to these features. Presently, they require 17 separate items. Included are "Specifications to prevent collisions," such as safety tires and rims, dual operation of the brake system, and glare-reduction surfaces; "Specifications to protect those involved in a collision," such as padded dashboards and visors, safety glass, safety door latches and hinges, and anchored seat belts and seats; and "Exhaust emission control systems."

The safety features your committee's bill would require will, of course, increase the cost of automobiles. This increase will be offset, however, so far as purchasers are concerned by the excise-tax reductions. Furthermore, the added cost will pay for itself many times through the injuries and deaths which it will prevent.

This feature of your committee's bill does not represent undesirable interference with the private sector. While the value of suggested safety devices is widely acknowledged, ours is a consumer-dominated economy. How many individuals will pay for these devices as optional equipment? Probably, those most likely to need them will be the ones least inclined to buy them. Your committee's bill encourages the automobile companies to make these devices standard equipment. In any case, it provides excise tax reductions to offset the added expense to the purchaser of the safety feature included in his car. This measure, therefore, will encourage manufacturers and the purchasers to achieve the maximum safety possible in the operation of automobiles.

Your committee's bill also provides that 1 percentage point of the existing automobile excise tax would be retained indefinitely to provide a fund to be used in the disposal of wrecked and abandoned automobiles. From this fund, the old and wrecked automobile disposal fund, appropriations will be made available for expenditures, at the direction of the President, in an effort to alleviate the blight which exists on many of the Nation's highways and in many of its open spaces, caused by the accumulation of aged and wrecked motor vehicles which have been abandoned or heaped in scrap piles. The President would be empowered to make payments to individuals, corporations, and others for this purpose. The President would be required to take into account the effect his action might have on the market price of scrap iron and steel.

As the President's recent message indicates, the problem of automobile graveyards is a serious one. Your committee's bill attacks this problem directly by assessing part of the cost of alleviating the blight so often caused by wornout automobiles to the owners and users of the automobiles. This will be a fair and equitable method of financing such a program. The tax will be an easy one to collect since there are so few manufacturers and, even with a very small rate, the tax will collect significant revenue.

The third major change in the House bill approved by your committee would advance the effective date of most of the reductions the House scheduled for July 1. The effective date in your committee's bill is the day beginning after the day the President signs the bill into law. If we can complete consideration of this bill today, or tomorrow at the latest, this new effective date will mean that the excise tax cuts could go into effect 10 days or so before the date scheduled in the House bill.

Enacting the bill 10 days earlier will make an important difference to businessmen across the country. As the details of this bill become better known throughout the country, potential customers will become more aware of the fact that an excise tax cut is in the offing. They will be under strong inducement to wait an extra 10 days or 2 weeks before purchasing any taxed items. Widespread deferral of consumer purchases for such a period would disrupt normal business relations. There is no reason why we should have any more deferral of purchases than necessary. It can be prevented by moving up the effective date of the repeals and reductions provided in this bill to the day beginning after the date of enactment.

In two special cases the House bill and your committee's bill provide what is called a consumer refund. The first is in the case of automobiles. Here, the 3-percentage-point tax reduction is such a significant amount of money that sales might well have been deferred from the time the President announced the reduction until it went into effect. If enough consumers deferred auto purchases, the effect on the whole economy might have been significant. Therefore, your committee's bill and the House bill provide for refunds to those who purchased passenger automobiles and took delivery on or after May 14, and before the effective date of the reduction provided in this bill.

The other case in which a consumer refund is provided is that of room air conditioners. Some 40 percent of the industry's sales of these units occur in May and June. Moreover, a potential customer who delays a purchase he would otherwise have made in one of these two months is likely to wait until the following year before purchasing such a unit. Consumer refunds are necessary in this case, then, to protect 1965 sales.

The House concluded that in none of the other industries affected by excise tax reductions was there a compelling reason for providing consumer refunds. Many of the industries concerned had previously indicated they did not want such a procedure, since they felt that the effect on their sales for many deferred purchases will be so slight that the administrative expenses of making such a refund would cost more than it was worth. In any event, it probably is too late now, in any case, to extend the consumer refunds to new products.

The other amendments to the House bill approved by your committee are listed in the report. Twenty-five of these amendments are purely technical in nature. They were suggested to your committee by the technical staffs of the Joint Committee on Internal Revenue Taxation and the Treasury Department to ease the administration of the tax laws, and to clear up certain problems which have arisen as a result of modern technology. The other substantive changes made by your committee are relatively few in number. They include repeal of the tax on smoking and chewing tobacco and snuff, provision of floor-stock refund for sporting goods, repeal the tax on certain small three-wheel vehicles and on farm feed, seed, and fertilizer equipment, and certain other changes.

OUTLINE OF A BILL

Because this bill is designed to restrict Federal excise taxes largely to first user charges, such as those connected with the Highway Trust Fund; second, sumptuary taxes on alcohol and tobacco, and third, regulatory taxes, H.R. 8371 repeals a good many existing excise taxes.

Effective on the day after the date of enactment, the bill repeals practically all of the retail excise taxes. It repeals the 10-percent taxes on jewelry, furs, toilet preparations, and luggage. Effective at the same time, the bill also repeals a large number of manufacturers' excise taxes. At that time, it repeals the 10- or 5-percent taxes on refrigerators, freezers, and air-conditioning units; electric, gas, and oil appliances; radio and television sets, phonographs, and records; musical instruments; sporting goods—except fishing equipment—photograph equipment; all business machines; pens, mechanical pencils, and lighters; and matches. This is practically all of the manufacturers' taxes except those which are user charges, such as the taxes going to the Highway Trust Fund.

The bill also repeals the tax on playing cards effective the day after enactment and, effective on July 1, it repeals the tax on safe-deposit boxes, coin-operated amusement devices other than those used for gambling and the tax on bowling alleys, billiard tables, and pool tables.

Effective the day after the bill is enacted will be a 3 percentage point reduction in the present 10 percent tax on the manufacturers' price of passenger automobiles. This reduction completes the first stage of excise tax reductions.

The second stage of excise tax reductions will take place on or shortly before January 1, next year. The documentary stamp tax on bond and stock issues and bond and stock transfers is repealed as of December 31. The tax on admissions including admission to racetracks and cabarets is repealed at noon on December 31. On January 1, the manufacturers' excise taxes on automobile parts and accessories and on electric light bulbs are repealed. Also, on that date, the tax on chewing tobacco, smoking tobacco and snuff is repealed.

From the revenue standpoint, the most significant action taken on January 1 is the 7 percentage point reduction in the tax on telephone service. Also on this date, the tax on private communication services, telegraph and wire equipment services are repealed. The tax on passenger automobiles is reduced from 7 percent to 6 percent on January 1, to account for a tax reduction of $190 million.

The third stage of excise tax reduction occurs on January 1, 1967, when the tax on telephone service is reduced from 3 percent to 2 percent, and the tax on passenger automobiles from 6 percent to 5 percent.

The fourth stage of tax reduction occurs on January 1, 1968, when the tax on telephone service is reduced to 1 percent, and the tax on passenger automobiles is reduced to 3 percent with respect to those cars which incorporate the required safety features.

The final stage of tax reduction occurs on January 1, 1969, when the tax on telephone service and the tax on conveyances of realty are repealed and the tax on passenger automobiles—which meet required safety standards—is reduced to 1 percent.

Your committee's bill also makes permanent certain tax rates which were scheduled to be reduced on July 1 of this year. These tax rates are some of the so-called temporary tax rates which we have been called upon to extend year after year. This bill extends indefinitely the 5-percent tax on transportation of persons by air and the existing tax rates on distilled spirits, beer, wines, and cigarettes.

I urge your support of this bill. It is needed to sustain the upward momentum of the economy. It is needed as a reform of the excise tax system. It will provide some logic for our excise tax structure. It will leave us essentially with a system which is limited to user charges, sumptuary taxes and regulatory taxes.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as so amended be treated as original text for the purpose of further amendment.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

The committee amendments, agreed to en bloc, are as follows:

On page 3, line 10, after the word "ending", to strike out "June 30, 1965" and insert "on the date of the enactment of the Excise Tax Reduction Act of 1965"; on page 3, line 13, after the word "period", to strike out "July 1, 1965," and insert "beginning with the day after the date of the enactment of the Excise Tax Reduction Act of 1965"; on page 3, after line 18, to strike out:

4 percent for the period January 1, 1967, through December 31, 1967.

2 percent for the period January 1, 1968, through December 31, 1968.

Effective for the period beginning January 1, 1969, the tax imposed under this paragraph shall cease to apply.

And in lieu thereof, to insert:

5 percent for the period January 1, 1967, through December 31, 1967.

3 percent for the period January 1, 1968, through December 31, 1968.

1 percent for the period after December 31, 1968.

Notwithstanding the preceding provisions of this subparagraph, in the case of an automobile chassis or body enumerated in subparagraph (B) which does not qualify under subsection (c), the rate for the period after December 31, 1967, shall be 5 percent.

On page 5, after line 20, to insert:

(c) Passenger Safety Devices.—Section 4061 (relating to imposition of tax on motor vehicles) is amended by adding at the end thereof the following new subsections:

"(c) Passenger Safety Devices.—For purposes of subsection (a)(2)(A), an automobile chassis or body shall qualify under this subsection only if it is a chassis or a body of an automobile which, at the time of the sale of the automobile by its manufacturer, producer, or importer, is equipped with the passenger safety devices which (A) would be required, under the Act of August 30, 1964 (Public Law 88-515), if such automobile were purchased for use by the Federal Government and (B) conform with the commercial standards prescribed by the Administrator of General Services under such Act which are in effect on the day on which such automobile is sold by its manufacturer, producer, or importer."

(d) Old or Wrecked Automobile Disposal Fund.—

(1) Establishment of fund.—There is hereby established in the Treasury of the United States an Old or Wrecked Automobile Disposal Fund into which shall be covered for each fiscal year beginning after June 30, 1965, amounts equivalent to so much of the taxes received by the Treasury after such date under section 4061(a)(2) of the Internal Revenue Code of 1954 (relating to tax on passenger automobiles and trailers) as is attributable to so much of the tax imposed on articles taxable under such section as does not exceed a rate of 1 percent. For purposes of the preceding sentence, amounts received during the fiscal year ending on June 30, 1966, shall be taken into account only to the extent attributable to liability incurred after June 30, 1965. The Secretary of the Treasury shall from time to time transfer from such fund to the general fund of the Treasury amounts equal to the amounts of credits or refunds (or the proper portion thereof) of the taxes under such section 4061(a)(2) allowed or paid under such Code.

(2) Expenditures from fund.—When duly appropriated therefor, moneys covered into the fund established under paragraph (1) shall be available for expenditure by the President for carrying out a program to alleviate the blight, existing along many of the Nation's highways and in open spaces, caused by the presently ever-increasing number of old or wrecked motor vehicles which have been abandoned or relegated to scrap or salvage. In pursuance of such program, the President may make payments to individuals, corporations, or other private entities, and to public bodies or instrumentalities, to carry out approved procedures for the alleviation of such blight. In carrying out the authority conferred upon him by this subsection, the President—

(A) shall take into consideration the effect of any action taken pursuant to such program on the market for iron and steel scrap;

(B) may prescribe such rules and regulations as may be necessary to carry out the provisions of this paragraph; and

(C) may delegate any power or authority conferred upon him by this paragraph to one or more officers or agencies of the Government.

(3) Appropriations to remain available until expended.—All funds appropriated pursuant to paragraph (2) shall remain available until expended.

On page 8, after line 11, to strike out:

(c) Technical Amendment.—The last sentence of paragraph (1) of section 4061(a) is amended by striking out "the chassis and of the body" and inserting in lieu thereof "a chassis and of a body enumerated in this paragraph".

And in lieu thereof, to insert:

(e) Technical Amendments.—

(1) The last sentence of paragraph (1) of section 4061(a) (relating to tax on truck chassis and bodies, etc.) is amended by striking out "the chassis and of the body" and inserting in lieu thereof "a chassis and of a body enumerated in this paragraph".

(2) Subsection (b) of section 4063 (relating to sales to manufacturers) is amended by inserting "chassis or" before "bodies" each place it appears therein.

At the top of page 9, to strike out:

Sec. 202. Lubricating Oil.

(a) Imposition of Tax.—Section 4091 (relating to imposition of tax) is amended to read as follows:

"Sec. 4091. Imposition of Tax.

"There is hereby imposed on lubricating oil (other than cutting oils) which is sold in the United States by the manufacturer or producer a tax of 6 cents a gallon, to be paid by the manufacturer or producer."

(b) Payment to Ultimate Purchasers.—Subchapter B of chapter 65 (relating to rules of special application) is amended by adding at the end thereof the following new section:

"Sec. 6424. Lubricating Oil Not Used in Highway Motor Vehicles.

"(a) Payments.—If lubricating oil (other than cutting oils, as defined in section 4092 (b), and other than oil which has previously been used) is used otherwise than in a highway motor vehicle, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such lubricating oil an amount equal to 6 cents for each gallon of lubricating oil so used.

"(b) Time for Filing Claims; Period Covered.—

"(1) General rule.—Except as provided in paragraph (2), not more than one claim may be filed under subsection (a) by any person with respect to lubricating oil used during the one year period ending on June 30 of any year. No claim shall be allowed under this paragraph with respect to any one year period unless filed on or before September 30 of the year in which such one year period ends. For purposes of this paragraph, in the case of lubricating oil used during the six-month period beginning January 1, 1966, the term 'one-year' shall be read as 'six-month'.

"(2) Exception.—If $1,000 or more is payable under this section to any person with respect to lubricating oil used during a calendar quarter, a claim may be filed under this section by such person with respect to lubricating oil used during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first calendar quarter following the calendar quarter for which the claim is filed.

"(c) Exempt Sales.—No amount shall be paid under this section with respect to any lubricating oil which the Secretary or his delegate determines was exempt from the tax imposed by section 4091. The amount which (but for this sentence) would be payable under this section with respect to any lubricating oil shall be reduced by any other amount which the Secretary or his delegate determines is payable under this section, or is refundable under any provision of this title, to any person with respect to such lubricating oil.

"(d) Applicable Laws.—

"(1) In general.—All provisions of law, including penalties, applicable in respect of the tax imposed by section 4091 shall, insofar as applicable and not inconsistent with this section, apply in respect of the payments provided for in this section to the same extent as if such payments constituted refunds of overpayments of the tax so imposed.

"(2) Examination of books and witnesses.—For the purpose of ascertaining the correctness of any claim made under this section, or the correctness of any payment made in respect of any such claim, the Secretary or his delegate shall have the authority granted by paragraphs (1), (2), and (3) of section 7602 (relating to examination of books and witnesses) as if the claimant were the person liable for tax.

"(e) Regulations. The Secretary or his delegate may by regulations prescribe the conditions, not inconsistent with the provisions of this section, under which payments may be made under this section.

"(f) Effective Date. This section shall apply only with respect to lubricating oil placed in use after December 31, 1965.

"(g) Cross References.—

"(1) For civil penalty for excessive claims under this section, see section 6675.

"(2) For fraud penalties etc., see chapter 75 (section 7201 and following, relating to crimes, other offenses, and forfeitures)."

(c) Technical and Conforming Amendments.—

(1)(A) Subpart B of part III of subchapter A of chapter 32 is amended by adding at the end thereof the following new section:

"Sec. 4094. Cross Reference.

"For provisions to relieve purchasers of lubricating oil from excise tax in the case of lubricating oil used otherwise than in a highway motor vehicle, see section 6424."

(B) The table of sections for such subpart B is amended by adding at the end thereof the following:

"Sec. 4094. Cross reference."

(2)(A) Section 6206 is amended—

(i) by striking out "6420 and 6421" in the heading and inserting in lieu thereof "6420, 6421, and 6424",

(ii) by striking out "6420 or 6421" each place it appears in the text and inserting in lieu thereof "6420, 6421, or 6424", and

(iii) by inserting "(or, in the case of lubricating oil, by section 4091)" after "4081".

(B) The table of sections for subchapter A of chapter 63 is amended by striking out "6420 and 6421" and inserting in lieu thereof "6420, 6421, and 6424".

(3)(A) Section 6675 is amended—

(i) by inserting "or lubricating oil" after "gasoline" in the heading;

(ii) by striking out "or" before 6421 in subsection (a) and inserting in lieu thereof a comma, and by inserting ", or 6424 (relating to lubricating oil not used in highway motor vehicles)" in such subsection after "systems)";

(iii) by striking out "or 6421," in subsection (b)(1) and inserting in lieu thereof "6421, or 6424,".

(B) The table of sections for subchapter B of chapter 68 is amended by striking out "certain gasoline" and inserting in lieu thereof "certain gasoline or lubricating oil".

(4) Sections 7210, 7603, and 7604, and the first sentence of section 7605(a), are each amended by inserting "6424(d)(2)," after "6421(f)(2),". The second sentence of section 7605(a) is amended by striking out "or 6421(f)(2)," and inserting in lieu thereof ", 6421(f)(2), or 6424(d)(2),".

At the top of page 14, to change the section number from "203" to "202"; on page 14, line 6, to change the section number from "204" to "203"; on page 14, line 12, to change the section number from "205" to "204"; on page 15, line 1, to change the section number from "206" to "205"; on page 15, line 7, to change the section number from "207" to "206"; on page 16, line 14, to change the section number from "208" to "207"; on page 18, line 3, change the section number from "209" to "208"; on page 19, line 9, after the word "before", to strike out "July 1, 1965, or" and insert "the day after the date of the enactment of the Excise Tax Reduction Act of 1965, or before"; in line 14, after the word "such", to insert "day or such"; in line 21, after the word "such", to insert "day or such date"; on page 20, line 2, after the word "the", to strike out "7th" and insert "8th"; in line 3, after the word "such", to insert "day or such"; in line 5, after the words "of the", to strike out "6th" and insert "7th"; in line 6, after the word "such", to insert "day or such"; in line 15, after the word "Taxes", to insert "and Tax on Playing Cards"; in line 16, after the word "before", to strike out "July 1, 1965," and insert "the day after the date of the enactment of this Act"; in line 19, after the numerals "4151" to insert "4161"; in the same line, after the numerals "4171", to strike out "or 4191" and insert "4191, or 4451"; in line 23, after the word "section", to strike out "4061(b), 4091(1), or"; in line 25, after the word "such" to insert "day or such"; on page 21, after the beginning of line 7, to insert "day or such"; in line 12, after the word "section", to strike out "4061(b), 4091(1), or"; in line 16, after the word "section", to strike out "4061(b), 4091(1), or"; in line 21, after the word "section" to strike out "4061(b), 4091(1), or"; on page 22, line 23, after the word "on", to strike out "July 1, 1965," and insert "the day after the date of the enactment of this Act"; on page 23, line 1, after the word "such", to strike out "date" and insert "day"; after line 3, to insert:

(C) In the case of an article subject to the tax imposed by section 4451 (relating to playing cards)—

(i) an article shall be treated as having been sold by the manufacturer before the day after the date of the enactment of this Act if it has been removed for consumption or sale before such day, and

(ii) if an article has been removed for consumption or sale, but has not been sold, by the manufacturer before such day, the manufacturer shall be treated as the dealer.

At the beginning of line 22, to insert "by the Secretary of the Treasury or his delegate"; on page 24, line 2, after the word "sections", to strike out "4061(b), 4091(1),"; in line 3, after the numerals "4151" to insert "4161,"; in the same line, after the numerals "4171", to strike out "and 4191" and insert "4191, and 4451"; in line 13, after the word "before", to strike out "July 1, 1965," and insert "the day after the date of the enactment of this Act"; in line 23, after the word "on", to strike out "July 1, 1965," and insert "such day,"; on page 25, line 16, after the word "prescribed", to insert "by the Secretary of the Treasury or his delegate"; on page 26, line 5, to change the section number from "210" to "209"; in line 15, after the word "the", to strike out "taxes" and insert "tax"; in line 16, after the word "under", to strike out "sections" and insert "section"; in line 18, after "etc." to strike out "and 4091 (tax on lubricating oil)."; in line 20, after the word "of", to strike out "any" and insert "the"; on page 27, line 9, at the beginning of the line, insert the word "and"; in the same line, after "(tax on gasoline)", to strike out the comma and "and 4091 (tax on lubricating oil)"; after line 10, to strike out:

(c) Section 209(f)(3) of the Highway Revenue Act of 1956 (relating to transfers from trust fund for gasoline used on farms and for certain other purposes) is amended as follows:

(1) by striking out the heading and inserting in lieu thereof the following:

"(3) TRANSFERS FROM TRUST FUND FOR GASOLINE AND LUBRICATING OIL USED FOR CERTAIN PURPOSES.—";

(2) by striking out "and 6421" and inserting ", 6421"; and

(3) by inserting after "transit systems)" the following: ", and 6424 (relating to amounts paid in respect of lubricating oil not used in highway motor vehicles)".

On page 31, line 21, after "(a)", to strike out "(b)(2)" and insert "(b)"; on page 32, line 12, after the numerals "4251", to strike out "if the charge for such telephone service" and insert "with respect to local telephone service, or with respect to toll telephone service if the charge for such toll telephone service"; on page 36, line 9, after the word "stock", to strike out "etc.)," and insert "etc.) and"; in line 10, after "etc.)" to strike out the comma and "and C (relating to conveyances)"; after line 13, to insert:

(b) CONVEYANCES.—Section 4361 (relating to tax on conveyances) is amended by adding at the end thereof the following new sentence: "The tax imposed by this section shall not apply on or after January 1, 1969."

After line 17, to strike out:

(b) TECHNICAL AND CONFORMING CHANGES.—Sections 4381 (relating to definitions), 4382 (relating exemptions), and 4383 (relating to certain changes in partnerships) are repealed and the table of sections for subchapter E of chapter 34 is amended by striking out the items relating to sections 4381, 4382, and 4383.

And in lieu thereof, to insert:

(c) TECHNICAL AND CONFORMING CHANGES.—Section 4381 (relating to definitions) is repealed and the table of sections for subchapter E of chapter 34 is amended by striking out the item relating to such section.

On page 38, after line 20, to strike out:

"(b) EXCLUSIONS.—The term 'coin-operated gaming device' does not include bona fide vending machines in which are not incorporated gaming features."

And in lieu thereof, to insert:

(b) EXCLUSIONS.—The "coin-operated gaming device" does not include—

(1) a bona fide vending or amusement machine in which gaming features are not incorporated; or

(2) a vending machine operated by means of the insertion of one cent coin, which, when it dispenses a prize, never dispenses a price of a retail value of, or entitles a person to receive a prize of a retail value of, more than 5 cents, and if the only prize dispensed is merchandise and not cash or tokens.

On page 42, after line 13, to insert a new section, as follows:

SEC. 502. REPEAL OF TAX ON TOBACCO OTHER THAN CIGARS AND CIGARETTES.

(a) REPEAL.—Section 5701 (relating to rates of taxes on tobacco, cigars, cigarettes, etc.) is amended by striking out subsection (a) (relating to tobacco) and redesignating subsections (b), (c), (d), (e), and (f) as subsections (a), (b), (c), (d), and (e), respectively.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) The heading of chapter 52 is amended by striking out "TOBACCO,".

(2) The table of subchapters for chapter 52 is amended—

(A) by striking out in the item relating to subchapter B "export warehouse proprietors, and dealers in tobacco materials" and inserting in lieu thereof "and export warehouse proprietors";

(B) by striking out the item relating to subchapter D and redesignating the items relating to subchapters E, F, and G as relating to subchapters D, E, and F, respectively; and

(C) by striking out in the item relating to subchapter D (as redesignated by subparagraph (B)) "export warehouse proprietors, and dealers in tobacco materials" and inserting in lieu thereof "and export warehouse proprietors".

(3) Section 5702 (relating to definitions applicable to the taxes on tobacco, cigars, cigarettes, etc.) is amended—

(A) by striking out subsections (a), (l), and (m) and redesignating subsections (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (n), and (o) as subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l), respectively;

(B) by striking out "manufactured tobacco, cigars, and" in subsection (c) (as redesignated) and inserting in lieu thereof "cigars and"; and

(C) by striking out subsection (d) (as redesignated) and inserting in lieu thereof the following:

"(d) MANUFACTURER OF TOBACCO PRODUCTS.—'Manufacturer of tobacco products' means any person who manufactures cigars or cigarettes, except that such term shall not include—

"(1) a person who produces cigars or cigarettes solely for his own personal consumption or use; or

"(2) a proprietor of a customs bonded manufacturing warehouse with respect to the operation of such warehouse."

(4) Section 5704 (relating to exemption from tax) is amended—

(A) by striking out subsection (c) and redesignating subsections (d) and (e) as (c) and (d), respectively; and

(B) by striking out subsection (c) (as redesignated) and inserting in lieu thereof the following:

"(c) TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES RELEASED IN BOND FROM CUSTOMS CUSTODY.—Tobacco products and cigarette papers and tubes, imported or brought into the United States, may be released from customs custody, without payment of tax, for delivery to a manufacturer to tobacco products or cigarette papers and tubes, in accordance with such regulations and under such bond as the Secretary or his delegate shall prescribe."

(5) The heading of subchapter B of chapter 52 is amended by striking out "Export Warehouse Proprietors, and Dealers in Tobacco Materials" and inserting in lieu thereof "and Export Warehouse Proprietors".

(6) Section 5711(a) (relating to requirement for bond) is amended by striking out "as an export warehouse proprietor, or as a dealer in tobacco materials," and inserting in lieu thereof "or as an export warehouse proprietor,".

(7) Chapter 52 (relating to cigars, cigarettes, and cigarette papers and tubes) is amended by striking out subchapter D and redesignating subchapters E, F, and G as subchapters D, E, and F, respectively.

(8) The heading of subchapter D (as redesignated) is amended by striking out "Export Warehouse Proprietors, and Dealers in Tobacco Materials" and inserting in lieu thereof "and Export Warehouse Proprietors".

(9) Section 5741 (relating to records) is amended by striking out "every export warehouse proprietor, and every dealer in tobacco materials" and inserting in lieu thereof "and every export warehouse proprietor,".

(10) The table of sections for subchapter E (as redesignated) is amended by striking out in the item relating to section 5753 "cigarette papers and tubes, and tobacco materials" and inserting in lieu thereof "and cigarette papers and tubes".

(11) Section 5753 (relating to disposal of forfeited, condemned, and abandoned tobacco products, cigarette papers and tubes, and tobacco materials) is amended to read as follows:

"Sec. 5753. Disposal of Forfeited, Condemned, and Abandoned Tobacco Products, and Cigarette Papers and Tubes.

"If it appears that any forfeited, condemned, or abandoned tobacco products, or cigarette papers and tubes, when offered for sale, will not bring a price equal to the tax due and payable thereon, and the expenses incident to the sale thereof, such articles shall not be sold for consumption in the United States but shall be disposed of in accordance with such regulations as the Secretary or his delegate shall prescribe."

(12) Section 5762 (relating to criminal penalties) is amended—

(A) by striking out "as an export warehouse proprietor, or as a dealer in tobacco materials" in subsection (a)(1) and inserting in lieu thereof "or as an export warehouse proprietor,"; and

(B) by striking out subsection (a)(2) and inserting in lieu thereof the following:

"(2) Failing to furnish information or furnishing false information.—Fails to keep or make any record, return, report, or inventory, or keeps or makes any false or fraudulent record, return, report, or inventory, required by this chapter or regulations thereunder; or".

(13) Section 5763 (relating to forfeitures) is amended—

(A) by striking out subsection (b) and inserting in lieu thereof the following:

"(b) Personal Property of Qualified Manufacturers, and Export Warehouse Proprietors, Acting With Intent To Defraud.—All tobacco products and cigarette papers and tubes, packages, internal revenue stamps, machinery, fixtures, equipment, and all other materials and personal property on the premises of any qualified manufacturer of tobacco products or cigarette papers and tubes, or export warehouse proprietor, who, with intent to defraud the United States, fails to keep or make any record, return, report, or inventory, or keeps or makes any false or fraudulent record, return, report, or inventory, required by this chapter; or refuses to pay any tax imposed by this chapter, or attempts in any manner to evade or defeat the tax or the payment thereof; or removes, contrary to any provision of this chapter, any article subject to tax under this chapter, shall be forfeited to the United States." and

(B) by striking out subsection (c) and inserting in lieu thereof the following:

"(c) Real and Personal Property of Illicit Operators.—All tobacco products, cigarette papers and tubes, machinery, fixtures, equipment, and other materials and personal property on the premises of any person engaged in business as a manufacturer of tobacco products or cigarette papers and tubes, or export warehouse proprietor, without filing the bond or obtaining the permit, as required by this chapter, together with all his right, title, and interest in the building in which such business is conducted, and the lot or tract of ground on which the building is located, shall be forfeited to the United States."

On page 48, after line 19, to insert:

(a) Section 6103(a) (relating to public record and inspection of returns) is amended by striking out "B, C, and D" in paragraph (2) and inserting in lieu thereof "B and C".

At the beginning of line 24, to strike out "(a)" and insert "(b)"; on page 49, at the beginning of line 7, to strike out "(b)" and insert "(c)"; on page 50, after line 11, to strike out:

(9) by striking out subparagraphs (N), (O), (P), and (Q) of subsection (b)(2) and by striking out the semicolon at the end of subparagraph (M) of such subsection and inserting a period;

And, in lieu thereof, to insert:

(9) by striking out subparagraphs (P) and (Q) of subsection (b)(2);

On page 53, after line 15, to insert:

(d) Section 6802 (relating to supply and distribution of stamps) is amended—

(1) by striking out "(other than the stamps on playing cards)" in paragraph (1); and

(2) by striking out paragraph (3).

(e) Section 6806 (relating to posting occupation tax stamps) is amended by striking out "Amusement and" in the heading of subsection (b).

At the beginning of line 24, to strike out "(c)" and insert "(f)"; on page 54, line 2, to strike out "(1), (4), and" and insert "(1) and (9)"; at the beginning of line 3, to strike out "(d)" and insert "(g)"; after line 4, to insert:

(h) Section 7272(b) (relating to cross references) is amended by striking out "4455,".

At the beginning of line 7, to strike "(e)" and insert "(i)"; at the beginning of line 11, to strike out "(f)" and insert "(j)"; in the heading in line 15, after the word "Effective," to strike out "Date" and insert "Dates of Titles I–VI"; in line 23, after the word "after", to strike out "July 1, 1965" and insert "the day after the date of the enactment of this Act"; after line 24, to strike out:

(2) Special Rules.—The amendments made by sections 201(b)(2) (relating to automobile parts and accessories) and 202(a) (relating to lubricating oil) shall apply with respect to articles sold on or after January 1, 1966. The amendments made by section 202 (b) and (c) (relating to payments with respect to lubricating oil) shall take effect January 1, 1966. The amendments made by section 203, insofar as they relate to the tax imposed by section 4131 (relating to electric light bulbs) of the Code, and the amendments made by section 208, insofar as they relate to the tax imposed by section 4061(b) (relating to automotive parts and accessories), section 4091 (relating to lubricating oil), or section 4131 (relating to electric light bulbs) of the Code, shall apply with respect to articles sold on or after January 1, 1966. The amendments made by sections 207 (relating to partial payments; sales of installment accounts) and 209(a) (relating to floor stocks refunds on passenger automobiles, etc.) shall take effect July 1, 1965. The amendments made by section 210 (relating to Highway Trust Fund) shall take effect January 1, 1966.

And, in lieu thereof, to insert:

(2) Special rules.—The amendment made by section 201(b)(2) (relating to automobile parts and accessories) shall apply with respect to articles sold on or after January 1, 1966. The amendments made by sections 202 and 207, insofar as they relate to the tax imposed by section 4131 of the Code (relating to electric light bulbs), shall apply with respect to articles sold on or after January 1, 1966. The amendments made by sections 206 (relating to partial payments; sales of installment accounts) and 208(a) (relating to floor stocks refunds on passenger automobiles, etc.) shall take effect on the day after the date of the enactment of this Act. The amendments made by section 209 (relating to the Highway Trust Fund) shall take effect on January 1, 1966.

On page 56, line 13, after the word "before", to strike out "July 1, 1965, or" and insert "the day after the date of the enactment of this Act or before"; in line 16, after the word "such", to insert "day or such"; on page 57, line 3, after the word "such", to insert "day or such"; in line 4, after the word "such", to insert "day or such"; in the same line, after the word "date", to insert "with respect to the article leased or sold"; at the beginning of line 7, to strike out "articles" and insert "an article"; in the same line, after the word "such", to strike out "date" and insert "day or such date, if the lessor or vendor establishes that the amount of payments payable on or after such day or such date with respect to such article has been reduced by an amount equal to the tax reduction applicable with respect to the lease or sale of such article."; after line 12, to insert:

(4) Electric light bulbs used in manufacture of articles upon which tax is repealed.—For purposes of applying section 4218(a) of the Code with respect to the use of an electric light bulb or tube by the manufacturer, producer, or importer thereof, and for purposes of applying section 4221(d)(6)(A) of the Code with respect to the sale of an electric light bulb or tube for use in further manufacture, an article which was taxable under chapter 32 of the Code on the date of the enactment of this Act shall, during the period beginning with the day after the date of the enactment of this Act through December 31, 1965, be treated as an article taxable under such chapter.

On page 59, line 25, after the word "after", to strike out "January 1, 1966" and insert "December 31, 1965"; at the top of page 60, to insert "(2) The amendments made by section 402 (relating to playing cards) and by subsection (c) of section 405 shall apply on and after the day after the date of the enactment of this Act."; in line 4, after the word "sections", to strike out "402 (relating to playing cards),"; in line 6, after the words "coin-operated", to strike out "(devices)," and insert "devices) and"; in line 8, after the word "and", to insert "by subsections (a), (b), and (d) of section"; in line 12, after the word "by", to strike out "title V" and insert "section 501"; in line 13, after "1965.", to insert "The amendments made by section 502 shall apply on and after January 1, 1966."; after line 18, to insert a new title, as follows:

TITLE VIII—MISCELLANEOUS STRUCTURAL CHANGES

Sec. 801. Motor Vehicles.

(a) Exemptions From Tax.—Subsection (a) of section 4063 (relating to specific articles exempt from the tax on automobiles) is amended to read as follows:

"(a) Specified Articles.—

"(1) Camper coaches; bodies for self-propelled mobile homes.—The tax imposed under section 4061 shall not apply in the case of articles designed (A) to be mounted or placed on automobile trucks, automobile truck chassis, or automobile chassis, and (B) to be used primarily as living quarters.

"(2) Feed, seed, and fertilizer equipment.—The tax imposed under section 4061 shall not apply in the case of any body, part, or accessory primarily designed—

"(A) to process or prepare seed, feed, or fertilizer for use on farms;

"(B) to haul feed, seed, or fertilizer to and on farms;

"(C) to spread feed, seed, or fertilizer on farms;

"(D) to load or unload feed, seed, or fertilizer on farms; or

"(E) for any combination of the foregoing.

"(3) House trailers.—The tax imposed under section 4061(a) shall not apply in the case of house trailers.

"(4) Small 3-wheeled trucks.—The tax imposed under section 4061(a) shall not apply in the case of—

"(A) an automobile truck chassis which—

"(i) has only 3 wheels,

"(ii) is powered by a motor chassis which does not exceed 18 brake horsepower (rated at 4,000 revolutions per minute), and

"(iii) does not exceed 1,000 pounds gross weight; or

"(B) a body designed primarily to be mounted on a chassis described in subparagraph (A)."

(b) Manufacturers' Price of Trucks in Which Used Parts Are Incorporated.—Section 4216 (relating to definition of price) is amended by adding at the end thereof the following new subsection:

"(g) Certain Trucks Incorporating Used Components.—For purposes of the tax imposed by section 4061(a)(1) (relating to trucks, buses, etc.), in determining the price for which an article is sold, the value of any component of such article shall be excluded from the price, if—

"(1) such component is furnished by the first user of such article, and

"(2) such component has been used prior to such furnishing."

(c) Rebuilding of Parts Not Considered Manufacturing.—Paragraph (6) of section 4221(d) (relating to tax-free sales for use in further manufacture) is amended by adding at the end thereof the following new sentence:

"For purposes of subparagraph (B), the rebuilding of a part or accessory which is exempt from tax under section 4063(c) shall not constitute the manufacture or production of such part or accessory."

(d) School Buses.—

(1) Tax-free sales.—Subsection (e) of section 4221 (relating to certain tax-free sales) is amended by adding at the end thereof the following new paragraph:

"(5) School buses.—Under regulations prescribed by the Secretary or his delegate, the tax imposed by section 4061(a) shall not apply to a bus sold to any person for use exclusively in transporting students and employees of schools operated by State or local governments or by nonprofit educational organizations. For purposes of this paragraph, incidental use of a bus in providing transportation for a State or local government or a nonprofit organization described in section 501(c) which is exempt from tax under section 501(a) shall be disregarded."

(2) Credits or refunds.—Subsection (b) (2) of section 6416 (relating to special cases in which tax payments are considered overpayments) is amended by adding at the end thereof the following new subparagraph:

"(R) in the case of a bus chassis or body taxable under section 4061(a), sold to any person for use as described in section 4221 (e)(5)."

(e) Effective Dates.—The amendments made by subsections (a), (b), and (d) shall apply with respect to articles sold on or after the day after the date of the enactment of this Act. The amendment made by subsection (c) shall apply with respect to articles sold on or after January 1, 1965.

Sec. 802. Gasoline.

(a) Definition of Gasoline.—

(1) In general.—Subsection (b) of section 4082 (relating to definition of gasoline) is amended to read as follows:

"(b) Gasoline.—As used in this subpart, the term 'gasoline' means all products commonly or commercially known or sold as gasoline which are suitable for use as a motor fuel."

(2) Casinghead and natural gasoline.—Section 4041(b) (relating to special motor fuels) is amended by inserting after "liquefied petroleum gas," in the material preceding paragraph 1) "casinghead and natural gasoline,".

(b) Repeal of Bonding Requirements.—

(1) Section 4082(d)(2) (relating to definition of wholesale distributors) is amended by striking out "and give a bond".

(2) Section 4101 (relating to registration and bond) is amended to read as follows:

"Sec. 4101. Registration.

"Every person subject to tax under section 4081 or section 4091 shall, before incurring any liability for tax under such sections, register with the Secretary or his delegate."

(3) Section 7103(d)(3) (relating to cross references) is amended by striking out the semicolon at the end of subparagraph (E) and inserting in lieu thereof a period, and by striking out subparagraph (F).

(4) Section 7232 (relating to failure to register or give bond, or false statement by manufacturer or producer of gasoline or lubricating oil) is amended—

(A) by striking out "or give bond" in the heading of such section;

(B) by striking out "or give bond" in the text of such section; and

(C) by striking out "and bonded" in the text of such section.

(5) The table of sections for subpart C of part III of subchapter A of chapter 32 is amended by striking out, in the item relating to section 4101, "and bond".

(6) The table of sections for part II of subchapter A of chapter 75 is amended by striking out, in the item relating to section 7232, "or give bond".

(c) Exception to Registration in Case of Vessels and Aircraft.—Section 4222(b) (relating to exceptions to registration) is amended by adding at the end thereof the following new paragraph:

"(5) Supplies for vessels or aircraft.—Subsection (a) shall not apply to a sale of an article for use by the purchaser as supplies for any vessel or aircraft if such purchaser complies with such regulations relating to the use of exemption certificates in lieu of registration as the Secretary or his delegate shall prescribe to carry out the purpose of this paragraph."

(d) Effective Dates.—

(1) The amendments made by subsections (a)(1), (b), and (c) shall apply with respect to articles sold on or after July 1, 1965.

(2) The amendment made by subsection (a)(2) shall apply with respect to casinghead and natural gasoline sold or used on or after July 1, 1965, except that such amendment shall not apply to a sale or use of casinghead or natural gasoline which was sold by a producer or importer before such date if tax under section 4081 of the Code (as in effect prior to the amendment made by subsection (a)(1)) was imposed with respect to such sale.

Sec. 803. Certain Transportation of Members of the Armed Forces While on Leave.

(a) Treatment as Uninterrupted International Air Transportation.—Section 4262(c)(3) (relating to definition of uninterrupted international air transportation) is amended by adding after subparagraph (B) the following new sentence:

"For purposes of this paragraph, in the case of personnel of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard traveling in uniform at their own expense when on official leave, furlough, or pass, the scheduled interval described in subparagraph (A) shall be deemed to be not more than 6 hours if a ticket for the subsequent portion of such transportation is purchased within 6 hours after the end of the earlier portion of such transportation and the purchaser accepts and utilizes the first accommodations actually available to him for such subsequent portion."

(b) Effective Date.—The amendment made by subsection (a) shall apply with respect to amounts paid for transportation beginning on or after July 1, 1965.

Sec. 804. Policies Issued by Foreign Insurers.

(a) Payment of Tax by Return.—

(1) Section 4374 (relating to affixing of stamps) is amended by adding at the end thereof the following new sentence: "Notwithstanding the preceding sentence, the Secretary or his delegate may, by regulations, provide that the tax imposed by section 4371 shall be paid on the basis of a return."

(2) The heading for section 4374 is amended to read as follows:

"Sec. 4374. Payment of Tax."

(3) The table of sections for subchapter D of chapter 34 is amended by striking out the item relating to section 4374 and inserting in lieu thereof the following:

"Sec. 4374. Payment of tax."

(b) Tax Imposed on Premiums Paid.—Section 4371 (relating to tax on policies issued by foreign insurers (is amended by adding at the end thereof the following new sentence:

"If the tax imposed by this section is paid on the basis of a return under regulations prescribed under section 4374, the tax under paragraphs (1), (2), and (3) shall be computed on the premium paid in lieu of the premium charged."

(c) Effective Dates.—The amendments made by subsection (a) shall take effect on July 1, 1965. The amendments made by subsection (b) shall apply with respect to policies, bonds, and contracts with respect to which the tax imposed by section 4371 of the Code is required to be paid on the basis of a return.

Sec. 805. Distilled Spirits.

(a) Return of Distilled Spirits to Bonded Premises.—Section 5008(d)(2) (relating to the return of spirits to bonded premises) is amended by striking out "; and no claim shall be allowed in respect of any distilled spirits withdrawn from the bonded premises of a distilled spirits plant more than 6 months prior to the date of such return".

(b) Exemption From Rectification Tax.—Section 5025 (relating to exemptions from rectification tax) is amended by redesignating subsections (k) and (l) as subsections (l) and (m), respectively, and by inserting after subsection (j) the following new subsection:

"(k) Other Mingling or Treatment of Distilled Spirits.—The tax imposed by section 5021 shall not apply to the mingling of distilled spirits of the same class and type, or to the treatment of distilled spirits in such a manner as not to change the class and type of the distilled spirits, on bottling premises of a distilled spirits plant under such regulations as the Secretary or his delegate may prescribe."

(c) Voluntary Destruction of Spirits.—The second sentence of section 5215(a) (relating to the return of tax-determined distilled spirits to bonded premises) is amended to read as follows: "Such returned distilled spirits shall immediately be destroyed, re-distilled, or denatured, or may, in lieu of destruction, redistillation, or denaturation, be mingled on bonded premises as authorized in section 5234(a)(1)(A), (a)(1)(D), or (a)(1)(E)."

(d) Redistillation of Spirits, Articles, and Residues.—Section 5223 (relating to the redistillation of spirits) is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and by inserting after subsection (b) the following new subsection:

"(c) Redistillation of Articles and Residues.—Articles, containing denatured distilled spirits, which were manufactured under the provisions of subchapter D, and the spirits residues of manufacturing processes related thereto, may be received, and the distilled spirits therein recovered by redistillation, on the bonded premises of a distilled spirits plant authorized to produce distilled spirits, under such regulations as the Secretary or his delegate may prescribe."

(e) Relanding of Exported Distilled Spirits.—Section 5608(b) (relating to the unlawful relanding of distilled spirits) is amended by striking out "intentionally" and inserting in lieu thereof ", with intent to defraud the United States,".

(f) Conforming and Clerical Amendments.—

(1) Section 5004(c) is amended by striking out "section 5223(d)" and inserting in lieu thereof "section 5223(e)".

(2) Section 5024(e)(3) is amended by striking out "or in rectification under subsection (f); or" and inserting in lieu thereof "or for blending under subsection (f), or for other mingling or treatment under subsection (k); or".

(3) Section 5025(f)(1) is amended by inserting ", differing as to type," after "whiskies".

(4) Section 5025 (f)(2) is amended by inserting ", differing as to type," after "brandies".

(5) Section 5025(f)(4) is amended by inserting ", differing as to type," after "rums".

(6) Section 5062(c)(1) is amended by striking out "within six months of their release therefrom".

(7) Section 5083 is amended by strking out paragraph (14) and inserting in lieu thereof the following:

"(14) Other mingling or treatment of distilled spirits, see section 5025(k).

"(15) Authorized addition of tracer elements, see section 5025(l)."

(8) The heading of section 5223 is amended by striking out "spirits" and inserting in lieu thereof "spirits, articles, and residues".

(9) The table of sections for subpart B of part II of subchapter C of chapter 51 is amended by striking out "spirits" in the item relating to section 5223 and inserting in lieu thereof "spirits, articles, and residues".

(10) Section 5223(d) (as redesignated by subsection (d) of this section) is amended—

(A) by inserting ", Articles, and Residues" after "Distilled Spirits" in the heading of such section; and

(B) by inserting ", or by the redistillation of the articles or residues described in subsection (c)," after "denatured distilled spirits" in the text of such section.

(11) Section 5234(a)(1)(B) is amended by striking out "or rectification under section 5025(f);" and inserting in lieu thereof ", or for blending under section 5025(f), or for other mingling or treatment under section 5025(k);".

(g) Effective Dates.—

(1) The amendments made by subsections (a), (c), (e), and (f)(6) shall take effect on July 1, 1965.

(2) The amendments made by subsections (b), (d), and (f) (other than paragraph (6)), shall take effect on October 1, 1965.

Sec. 806. Wine.

(a) Carbon Dioxide in Still Wines.—Section 5041(a) (relating to the imposition of tax on wines) is amended by striking out in the last sentence "0.256" and inserting in lieu thereof "0.277".

(b) Deletion of Wine Reserve Inventory Provisions; Provisions Relating to Use of Sugar.—

(1) Section 5383 (relating to amelioration and sweetening limitations for natural grape wines) is amended to read as follows:

"Sec. 5383. Amelioration and Sweetening Limitations for Natural Grape Wines.

"(a) Sweetening of Grape Wines.—Any natural grape wine may be sweetened after fermentation and before taxpayment with pure dry sugar or liquid sugar if the total solids content of the finished wine does not exceed 12 percent of the weight of the wine and the alcoholic content of the finished wine after sweetening is less than 14 percent by volume; except that the use under this subsection of liquid sugar shall be limited so that the resultant volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only.

"(b) High Acid Wines.—

"(1) In general.—Before, during, and after fermentation, ameliorating material consisting of pure dry sugar or liquid sugar, water, or combination of sugar and water, may be added to natural grape wines of the winemaker's own production when such wines are made from juice having a natural fixed acid content of more than five parts per thousand (calculated before fermentation and as tartaric acid).

"(2) Limitations.—

"(A) Ameliorating material shall not reduce the natural fixed acid content of the juice to less than five parts per thousand.

"(B) The volume of authorized ameliorating material shall not exceed 35 percent of the volume of juice (calculated exclusive of pulp) and ameliorating material combined.

"(C) Sweetening material, consisting of pure dry sugar or liquid sugar, may be added to ameliorated wine in an amount which shall not increase its volume by more than 0.0675 gallon per gallon of juice and ameliorating material combined.

"(D) Wine spirits may be added only if the juice or wine contains less than 14 percent of alcohol by volume.

"(E) The total solids content of the finished wine shall not exceed 17 percent by weight if the alcoholic content is 14 percent or more by volume, nor more than 21 percent by weight if the alcoholic content is less than 14 percent by volume."

(2) Section 5384 (relating to amelioration and sweetening limitations for natural fruit and berry wines) is amended—

(A) by striking out subsection (a) and inserting in lieu thereof the following:

"(a) In General.—To natural wine made from berries or fruit other than grapes, pure dry sugar or liquid sugar may be added to the juice in the fermenter, or to the wine after fermentation; but only if such wine has less than 14 percent alcohol by volume after complete fermentation, or after complete fermenation and sweetening, and a total solids content not in excess of 21 percent by weight; and except that the use under this subsection of liquid sugar shall be limited so that the resultant volume will not exceed the volume which could result from the maximum authorized use of pure dry sugar only.";

(B) by striking out paragraph (1) of subsection (b) and inserting in lieu thereof the following:

"(1) Any natural fruit or berry wine (other than grape wine) of a winemaker's own production may, if not made under subsection (a) of this section, be ameliorated to correct high acid content. Ameliorating material calculations and accounting shall be separate for wines made from each different kind of fruit.";

(C) by striking out the first sentence of subsection (b)(2) and inserting in lieu thereof the following: "Pure dry sugar or liquid sugar may be used in the production of wines under this subsection for the purpose of correcting natural deficiencies, but not to such an extent as would reduce the natural fixed acid in the corrected juice or wine to five parts per thousand.";

(D) by striking out subparagraph (B) of subsection (b)(2) and inserting in lieu thereof the following:

"(B) Juice adjusted with pure dry sugar or liquid sugar as provided in this paragraph shall be treated in the same manner as original natural juice under the provisions of section 5383(b); except that if liquid sugar is used, the volume of water contained therein must be deducted from the volume of ameliorating material authorized;"; and

(E) by striking out in subsection (b)(2)(C) "may be withdrawn from reserve inventory with" and inserting in lieu thereof "shall have".

(3) Section 5392 (relating to definitions) is amended—

(A) by striking out the first sentence of subsection (c) and inserting in lieu thereof the following: "For purposes of this subchapter the term 'pure sugar' means pure refined sugar, suitable for human consumption, having a dextrose equivalent of not less than 95 percent on a dry basis, and produced from cane, beets, or fruit, or from grain or other sources of starch."; and

(B) by adding at the end thereof the following new subsection:

"(g) Liquid Sugar.—For purposes of this subchapter the term 'liquid sugar' means a substantially colorless pure sugar and water solution containing not less than 60 percent pure sugar by weight (60 degrees Brix)."

(c) Conforming Amendments.—

(1) Section 5382(b)(2) is amended by striking out "made without added sugar or reserved as provided in sections 5383(b) and 5384(b)".

(2) Section 5384(b)(2) is amended by striking out "reserved" in the fourth sentence.

(3) The heading of section 5384(b) is amended by striking out "Reserve" and inserting in lieu thereof "Ameliorated".

(4) Section 5385(a) is amended by striking out "sugar solids content in excess of 15" and inserting in lieu thereof "total solids content in excess of 17".

(d) Effective Dates.—

(1) The amendment made by subsection (a) shall take effect on July 1, 1965.

(2) The amendments made by subsections (b) and (c) shall take effect on January 1, 1966.

Sec. 807. Exportation of Liquors to Possessions.

(a) Exportation.—Section 5002(a) (relating to definitions) is amended by adding at the end thereof the following new paragraph:

"(12) Export.—The terms 'export', 'exported', and 'exportation' shall include shipments to a possession of the United States."

(b) Conforming Amendment.—Section 5053(a) is amended by striking out "to a foreign country".

(c) Effective Date.—The amendments made by subsections (a) and (b) shall take effect on July 1, 1965.

Sec. 808. Tobacco.

(a) Use of Reconstituted Tobacco as a Wrapper.—Section 5702 (relating to definitions for purposes of the tobacco taxes) is amended by striking out subsection (a) and (b) (as redesignated by section 502) and inserting in lieu thereof the following:

"(a) Cigar.—'Cigar' means any roll of tobacco wrapped in leaf tobacco or in any substance containing tobacco (other than any roll of tobacco which is a cigarette within the meaning of subsection (b)(2)).

"(b) Cigarette.—'Cigarette' means—

"(1) any roll of tobacco wrapped in paper or in any substance not containing tobacco, and

"(2) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in paragraph (1)."

(b) Credit as Well as Refund of Tax Permitted.—

(1) Section 5705(a) (relating to refund of tax) is amended by striking out "Refund.—Refund of any tax imposed by this chapter shall be made" and inserting in lieu thereof "Credit or Refund.—Credit or refund of any tax imposed by this chapter or section 7652 shall be allowed or made".

(2) Section 5705(c) (relating to limitation on claim for refund) is amended by inserting "credit or" before "refund".

(3) Section 7652(a)(3) (relating to deposit of internal revenue collections on articles of Puerto Rican manufacture) is amended by inserting "(less the estimated amount necessary for payment of refunds and drawbacks)" after "transported to the United States".

(c) Clerical Amendments.—

(1) The heading of section 5705 is amended by striking out "Refund or" and inserting in lieu thereof "Credit, refund, or".

(2) The table of sections for subchapter A of chapter 52 is amended by striking out "Refund or" in the item relating to section 5705 and inserting in lieu thereof "Credit, refund, or".

(d) Effective Dates.—

(1) The amendments made by subsections (a) and (b)(3) shall take effect on July 1, 1965.

(2) The amendments made by subsections (b)(1), (b)(2), and (c) shall take effect on October 1, 1965.

Sec. 809. Income Tax Credit in Lieu of Payments With Respect to Certain Uses of Gasoline.

(a) Gasoline Used on Farms.—

(1) In general.—Section 6420 (relating to gasoline used on farms) is amended—

(A) by striking out "If" in subsection (a) and inserting in lieu thereof "Except as provided in subsection (h), if"; and

(B) by redesignating subsection (h) as (i), and by inserting after subsection (g) the following new subsection:

"(h) Income tax Credit in Lieu of Payment.—

"(1) Persons not subject to income tax.—Payment shall be made under subsection (a) with respect to gasoline used after June 30, 1965, only to—

"(A) the United States or an agency or instrumentality thereof, a State, a political subdivision of a State, or an agency or instrumentality of one or more States or political subdivisions, or

"(B) an organization exempt from tax under section 501(a) (other than an organization required to make a return of the tax imposed under subtitle A for its taxable year).

"(2) Allowance of credit against income tax.—

"For allowance of credit against the tax imposed by subtitle A for gasoline used after June 30, 1965, see section 39."

(2) Time for filing claims; period covered.—Subsection (b) of section 6420 (relating to time for filing claims; period covered) is amended to read as follows:

"(b) Time for Filing Claim; Period Covered.—

"(1) Gasoline used before July 1, 1965.—Except as provided in paragraph (2), not more than one claim may be filed under this section by any person with respect to gasoline used during the one-year period ending on June 30 of any year. No claim shall be allowed under this paragraph with respect to any one-year period unless filed on or before September 30 of the year in which such one-year period ends.

"(2) Gasoline used after June 30, 1965.—In the case of gasoline used after June 30, 1965—

"(A) not more than one claim may be filed under this section by any person with respect to gasoline used during his taxable year; and

"(B) no claim shall be allowed under this section with respect to gasoline used during any taxable year unless filed by such person not later than the time prescribed by law for filing an income tax return for such taxable year.

For purposes of this paragraph, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year."

(3) Technical amendment.—Subsection (d) of section 6420 (relating to exempt sales, etc.) is amended by striking out "paid" in the first sentence and inserting in lieu thereof "payable".

(b) Gasoline Used for Certain Nonhighway Purposes or by Local Transit Systems—

(1) In general.—Section 6421 (relating to gasoline used for certain nonhighway purposes or by local transit systems) is amended—

(A) by striking out "If" in subsections (a) and (b) and inserting in lieu thereof "Except as provided in subsection (i), if"; and

(B) by redesignating subsection (i) as (j), and by inserting after subsection (h) the following new subsection:

"(i) Income Tax Credit in Lieu of Payment.—

"(1) Persons not subject to income tax.—Payment shall be made under subsections (a) and (b) with respect to gasoline used after June 30, 1965, only to—

"(A) the United States or an agency or instrumentality thereof, a State, a political subdivision of a State, or an agency or instrumentality of one or more States or political subdivisions, or

"(B) an organization exempt from tax under section 501(a) (other than an organization required to make a return of the tax imposed under subtitle A for its taxable year).

"(2) Exception.—Paragraph (1) shall not apply to a payment of a claim filed under subsection (c)(3)(B).

"(3) Allowance of credit against income tax.—

"For allowance of credit against the tax imposed by subtitle A for gasoline used after June 30, 1965, see section 39."

(2) Time for filing claims; period covered.—Subsection (c) of section 6421 (relating to time for filing claim; period covered) is amended—

(A) by striking out "General rule.—Except as provided in paragraph (2)" in paragraph (1) and inserting in lieu thereof "Gasoline used before July 1, 1965.—Except as provided in paragraphs (2) and (3)";

(B) by striking out "If" in paragraph (2) and inserting in lieu thereof "Except as provided in paragraph (3), if"; and

(C) by adding at the end thereof the following new paragraph:

"(3) Gasoline used after June 30, 1965.—

"(A) In general.—In the case of gasoline used after June 30, 1965—

"(i) except as provided in subparagraph (B), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during his taxable year; and

"(ii) no claim shall be allowed under this subparagraph with respect to gasoline used during any taxable year unless filed by such person not later than the time prescribed by law for filing an income tax return for such taxable year.

For purposes of this paragraph, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year.

"(B) Exceptions.—If $1,000 or more is payable under this section to any person with respect to gasoline used during any of the first three quarters of his taxable year, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this subparagraph shall be allowed unless filed on or before the last day of the first quarter following the quarter for which the claim is filed."

(3) Technical amendment.—Subsection (e)(1) of section 6421 (relating to exempt sales, etc.) is amended by striking out "paid" in the first sentence and inserting in lieu thereof "payable".

(c) Credit Against Income Tax.—Subpart A of part IV of subchapter A of chapter 1 (relating to credits allowable) is amended by renumbering section 39 as 40, and by inserting after section 38 the following new section:

"Sec. 39. Certain uses of gasoline.

"(a) General Rule.—There shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the sum of the amounts payable to the taxpayer—

"(1) under section 6420 with respect to gasoline used during the taxable year on a farm for farming purposes (determined without regard to section 6420 (h)), and

"(2) under section 6421 with respect to gasoline used during the taxable year (A) otherwise than as a fuel in a highway vehicle or (B) in vehicles while engaged in furnishing certain public passenger land transportation service (determined without regard to section 6421(i)).

"(b) Transitional Rule.—For purposes of paragraphs (1) and (2) of subsection (a), a taxpayer's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year.

"(c) Exception.—Credit shall not be allowed under subsection (a) for any amount payable under section 6421, if a claim for such amount is timely filed, and under section 6421(i) is payable, under such section."

(d) Technical and Conforming Amendments.—

(1) The table of sections for subpart A of part IV of subchapter A of chapter 1 is amended by striking out the item relating to section 39 and inserting in lieu thereof the following:

"Sec. 39. Certain uses of gasoline.

"Sec. 40. Overpayments of tax."

(2) Section 72(n)(3) (relating to determination of taxable income for certain purposes) is amended by striking out "section 31" and inserting in lieu thereof "sections 31 and 39".

(3) Section 874(a) (relating to allowance of deduction and credits of nonresident aliens) is amended by inserting before the period at the end thereof "or the credit provided by section 39 for certain uses of gasoline".

(4)(A) Section 6201(a) (relating to assessment authority of the Secretary or his delegate) is amended by adding at the end thereof the following new paragraph:

"(4) Erroneous credit for use of gasoline.—If on any return or claim for refund of income taxes under subtitle A there is an overstatement of the credit allowable by section 39 (relating to certain uses of gasoline), the amount so overstated which is allowed against the tax shown on the return or which is allowed as a credit or refund may be assessed by the Secretary or his delegate in the same manner as in the case of a mathematical error appearing upon the return."

(B) Section 6213(e) is amended by adding at the end thereof the following new paragraph:

"(3) For assessment as if a mathematical error on the return, in the case of erroneous claims for credits under section 39, see section 6201(a)(4)."

(5)(A) Section 6211(b) (relating to rules for applying the definition of a deficiency) is amended by adding at the end thereof the following new paragraph:

"(4) The tax imposed by subtitle A and the tax shown on the return shall both be determined without regard to the credit under section 39, unless, without regard to such credit, the tax imposed by subtitle A exceeds the excess of the amount specified in subsection (a)(1) over the amount specified in subsection (a)(2)."

(B) Section 1314(a)(1)(A) (relating to ascertainment of amount of adjustment) and section 1481(b)(2)(A)(i) (relating to credit against repayment on account of renegotiation or allowance) are amended by striking out "(b) (1) and (3)" and inserting in lieu thereof "(b) (1), (3), and (4)".

(6) Section 6401 (relating to amounts treated as overpayments) is amended by striking out subsection (b) and inserting in lieu thereof the following:

"(b) Excessive Credits Under Section 31 and 39.—If the amount allowable as credits under sections 31 (relating to tax withheld on wages) and 39 (relating to certain uses of gasoline) exceeds the tax imposed by subtitle A (reduced by the credits allowable under subpart A of part IV of subchapter A of chapter 1, other than the credits allowable under sections 31 and 39), the amount of such excess shall be considered an overpayment."

(e) Transfers From Highay Trust Fund.—Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(6) Transfers from the trust fund for income tax credits allowed for certain uses of gasoline.—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the general fund of the Treasury amounts equivalent to the credits allowed under section 39 of the Internal Revenue Code of 1954 (relating to credit for cretain uses of gasoline) with respect to gasoline used before October 1, 1972. Such amounts shall be transferred on the basis of estimates by the Secretary of the Treasury, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess or less than the credits allowed."

(f) Effective Dates.—The amendments made by subsections (a) and (b) shall apply with respect to gasoline used on or after July 1, 1965. The amendments made by subsections (c) and (d) shall apply to taxable years beginning on or after July 1, 1965.

Sec. 810. Statute of Limitations on Assessment and Collection of Excise Taxes.

(a) Return Deemed Filed.—Subsection (b) of section 6501 (relating to time return deemed filed) is amended by adding at the end thereof the following new paragraph:

"(4) Return of excise taxes.—For purposes of this section, the filing of a return for a specified period on which an entry has been made with respect to a tax imposed under a provision of subtitle D (including a return on which an entry has been made showing no liability for such tax for such period) shall constitute the filing of a return of all amounts of such tax which, if properly paid, would be required to be reported on such return for such period."

(b) Substantial Omission of Tax on Return.—

(1) In general.—Subsection (e) of section 6501 (relating to limitations on assessment and collection where there is an omission from gross income) is amended by adding at the end thereof the following new paragraph:

"(3) Excise taxes.—In the case of a return of a tax imposed under a provision of subtitle D, if the return omits an amount of such tax properly includible thereon which exceeds 25 percent of the amount of such tax reported thereon, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within 6 years after the return is filed."

(2) Clerical amendment.—The heading for subsection (e) of section 6501 is amended by striking out "Omission From Gross Income" and inserting in lieu thereof "Substantial Omission of Items".

(c) Effective Date.—The amendments made by subsections (a) and (b) shall apply with respect to returns filed on or after July 1, 1965.

Sec. 811. Exchanges for Sale of Poultry.

(a) Exemption From Tax.—Section 501(c) (relating to list of exempt organizations) is amended by adding at the end thereof the following new paragraph:

"(18) A corporation, association, or organization organized and operated exclusively for the purpose of providing an exchange for the sale of poultry for the poultry growers of a particular locality, if—

"(A) such corporation, association, or organization has no capital stock and is not organized for profit,

"(B) no member of the governing body of such corporation, association, or organization receives any compensation from such corporation, association, or organization.

"(C) the net earnings of such corporation, association, or organization (except for reasonable additions to reserves for the operation of such exchange) are devoted exclusively to disseminating information as to the best methods of poultry culture and to other agricultural purposes, and

"(D) at all times on and after June 10, 1965, all of the net assets of such corporation, association, or organization must, on liquidation for any reason, be transferred to an educational organization which is exempt from tax under subsection (a) or which is an agency or instrumentality of, or is owned or operated by, a State."

(b) Effective Date.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1953, and ending after August 16, 1954.

Mr. KUCHEL. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. Nelson in the chair). Does the Senator from Louisiana yield to the Senator from California?

Mr. LONG of Louisiana. I am glad to yield to the Senator from California.

Mr. KUCHEL. Mr. President, as my able friend from Louisiana knows, several of us have long been concerned with the discriminatory rates which have been levied against naturally sparkling and artifically carbonated wines. The present rates have been in effect since 1951 and are $3.40 per gallon for the naturally sparkling wines and $2.40 per gallon for the artifically carbonated wines provided both contain not more than 14 percent of alcohol by volume. The $3.40 rate is 20 times the 17 cents per gallon rate which is levied on the same wine without the bubbles in it. This completely unreasonable formula goes back to the original levies in 1940 and has nothing to do with the excise taxes levied during the Korean war. The "20 times" formula has merely been continued with each successive tax increase with the resulting astronomical rate.

The wine industry, which is primarily located in California and New York, proposes that these rates be reduced from $3.40 to $1 per gallon for the naturally sparkling wines and from $2.40 to $0.50 per gallon for the artificially carbonated wines. In testimony before the House Committee on Ways and Means on July 31, 1964, Mr. Greyton H. Taylor, vice president of the Taylor Wine Co. in New York and then chairman of the Wine Conference of America, stated that the imposition of the $3.40 per gallon tax for naturally sparkling wines prevented normal sales growth, accounted for between one-third and one-half the price paid by the consumer for each bottle, exceeded the actual production cost by most producers, amounted to over 5 times the price the grower gets for his grapes and, as I have noted before, is 20 times the tax on light table wine which is substantially the same wine without carbonation. Sparkling wine sales represent less than 3 percent of the total United States wine sales. Mr. Taylor assured the House Committee on Ways and Means that "If the Congress sees fit to reduce the present tax of $3.40 to $1 as we are suggesting, the retail price per bottle could be reduced by approximately $1.

On June 1 my colleague from California [Mr. Murphy] and my colleagues from New York [Mr. Javits and Mr. Kennedy] joined with me in writing Senator Bryd regarding this arbitrary tax. I ask consent that this letter be included at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 1, 1965.

Hon. Harry F. Byrd,
Chairman, Senate Committee on Finance,
U.S. Senate,
Washington, D.C.

Dear Senator Byrd: It has come to our attention that the bill now pending in the House for general reduction of excise taxes does not, and will not, provide for any tax adjustments with regard to sparkling wines. These are nothing more than light table wines that have been made effervescent by natural or artificial carbonation.

The present rates on these products, in effect since 1951, are $3.40 per gallon for the naturally sparkling wines, and $2.40 per gallon for the artificially carbonated. The $3.40 rate is 20 times the 17 cents per gallon rate which is levied on the same wine without the bubbles in it.

The historical inequity of this wholly arbitrary "20 times" formula for sparkling wines has nothing to do with the Korean war excise tax levies. It goes back to the original levies in 1940. This discriminatory differential was merely continued when the special Korean war excise taxes were later placed on many commodities. This formula, repeatedly applied from 1940 through

1951, in successive tax increases, resulted in the present astronomical rates which are far higher than those of any other wine producing country, and exceed the cost of grapes, cellaring, packaging, and other production costs of these wines in this country.

The industry has proposed that the rates be reduced from $3.40 to $1 per gallon for the naturally sparkling wines, and from $2.40 to 50 cents per gallon for the artificially carbonated. We endorse this proposal for the following reasons:

1. The reduction would enable retail prices to be reduced by about $1 a bottle, resulting in a reasonable price structure of $1.50 to $2.50 per bottle for most brands instead of the presently prohibitive prices of $2.50 to $3.75 and even higher.

2. The new price structure will result in increased sales of a substantial amount and increased revenue to the Government. West Germany reduced its postwar sparkling wine tax of $3.60 per gallon down to $1.20 per gallon in 1952. Their revenue intake was completely restored in 2 years and by 1963 they were receiving more than four times the revenue they were getting in 1951. Thus the West German Government allowed its wine industry to create a new market for wine as well as a source of revenue for itself. Currently, sparkling wine accounts for between 15 and 20 percent of the sales of all wine in West Germany. The retail prices of sparkling wine there are about $1.50 to $2.50 a bottle.

3. In the United States, sparkling wine sales run only about 3 percent of the total. While they have increased to approximately 6 million gallons, this is only a fraction of their potential if the tax deterrent is removed. Retailer surveys here show that if the price of sparkling wine could be dropped by $1 per bottle (as the industry proposes) sales increases would restore the revenues in about 2 years. Since the sales in the United States for still light wines are definitely on the increase, this chance to allow the winegrowers to make a freer economic choice and to put a really substantial portion of their production into sparkling wines would shortly result in greater revenue to our Government.

The West German experience showed that by reducing the tax deterrent on these wines, the market for them was greatly expanded and any revenue loss which temporarily ensued was more than regained in a short period of time. The past and current tax policy of our country is an obvious deterrent to market expansion by our domestic wine industry in this particular area. Thus, we believe that the U.S. tax policy for naturally sparkling and artificially carbonated wines should be revised along the lines we have indicated and along the lines already taken with such success by West Germany. We, therefore respectfully urge you and the members of the Senate Committee on Finance to give this problem its careful consideration during the hearings which will soon begin on excise tax revision.

With kindest regards.

Sincerely yours,

Jacob K. Javits.
Robert F. Kennedy.
Thomas H. Kuchel.
George Murphy.

Mr. KUCHEL. Mr. President, we noted that in 1952 West Germany reduced its postwar sparkling wine tax of $3.60 per gallon down to $1.20 per gallon. The resulting revenue loss was completely restored within 2 years and by 1963 they were receiving more than four times the revenue they had been getting in 1951.

In 1964 6,542,675 gallons of naturally sparkling wine were sold in the United States, of this 5,347,077 gallons were produced in the United States and 1,195,598 gallons were imported. If we assume a reduction in the tax from $3.40 per gallon to $1.00 per gallon or a revenue loss of $2.40 per gallon, the result would be a loss of $15,702,420 this year. I think we can also assume, however, that this loss would be readily made up within a short time, as was true in West Germany, as costs were lowered and consumption was increased. The Department of the Treasury is uncertain as to the actual revenue loss. On June 10 I wrote Assistant Secretary Surrey asking for the appropriate figures. I ask consent that this letter be included at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

June 10, 1965.

Hon. Stanley S. Surrey,
Assistant Secretary of the Treasury,
Department of the Treasury,
Washington, D.C.

Dear Mr. Surrey: Senator Dirksen offered an amendment to H.R. 8371, the Excise Tax Reduction Act of 1965, to reduce the excise taxes on naturally sparkling wines including champagnes, containing no more than 14 percent of alcohol by volume, from the present rate of $3.40 per gallon to $1 per gallon and to reduce the excise tax on artificially carbonated wines containing no more than 14 percent of alcohol by volume from the present rate of $2.40 per gallon to $0.50 per gallon. Unchanged were the rates on either category when the wine contained more than 14 percent of alcohol by volume. The amendment would not take effect until after July 1, 1966. This amendment was offered on behalf of Senator Javits, Senator Kennedy of New York, Senator Murphy, and myself.

We would like to have the Department of the Treasury's estimate of the total effect on Federal revenues as a result of the changes proposed in this amendment.

With kindest regards.

Sincerely yours,

Thomas H. Kuchel,
U.S. Senator.

Mr. KUCHEL. Mr. President, as yet I have not received a reply, but I have heard informally that if we assume a decrease in the average price of wine of 30 percent and a resultant increase in sales of 60 percent, the revenue loss would approximate $13 million on the new tax base of $1 per gallon for the naturally sparkling wines. There is little production of artificially carbonated wines.

I regret that the Senate Committee on Finance did not accept the amendment offered by Senator Dirksen on our behalf, but I should like to ask the Senator from Louisiana if he does not think that the tax on naturally sparkling wines, which is 20 times the tax on light table wines, is an unreasonable tax and that the Committee on Finance should give very careful consideration to legislation which would revise it downward.

Mr. LONG of Louisiana. Mr. President, I personally agree with the Senator from California. I believe he is right. I studied his amendment and his statement. and I voted in favor of it in committee. The argument against it was based on two grounds. The first was that it would cost some revenue, to the extent of $18 million, I believe. That argument did not impress me. If it is right, it is right. In addition, however, to that, the Treasury stated that it would like to study the matter and make a recommendation.

The Senator's amendment has already attracted considerable support in the Senate. If the Treasury Department will bring its recommendations to us, so far as I am concerned, I assure the Senator I will see to it that this matter is considered as soon as possible. I realize that if we can upgrade the quality of our own wines it will help our balance of payments problem, and it will help a very meritorious industry. At the appropriate time I hope we can act favorably on the amendment, although I would like to reserve my judgment until the Treasury brings forth its recommendations.

Mr. KUCHEL. I am grateful to the Senator. I should like to state what he already undoubtedly knows. Some time ago the West German Republic was faced with a somewhat similar problem, as I have noted. It reduced its taxes on German-made sparkling wines. The tax deterrent having been eliminated, the consumption of wines by the German people and others through the exportation of the German wines markedly rose. A similar situation could well take place in this country were Congress to remove such inequities as exist today.

Mr. LONG of Louisiana. It was argued that the social pattern might be somewhat different in Germany than in this country, and that might make some difference. I do not know, but I have studied the Senator's proposal and the evidence in support of it, and I am convinced that the proposal is worthy of consideration. I hope that the Treasury Department will have some recommendations to make on this subject soon. There seems to be a great disparity between the way one wine is taxed and the way another wine is taxed.

Mr. KUCHEL. On behalf of my colleague from California and the Senators from New York I wish to express our gratitude to the Senator from Louisiana for the comments he has made. I do not intend to offer the amendment, as the Senator knows. I am delighted and grateful to have his own views and the official views that he has stated.

Mr. LONG of Louisiana. I thank the Senator.

Mr. CARLSON. Mr. President, I offer an amendment.

The PRESIDING OFFICER (Mr. Douglas in the chair). The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. CARLSON. Mr. President, I ask unanimous consent that the further reading of the amendment be dispensed with. I can explain the amendment very briefly.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the Record.

The amendment is as follows:

Sec. —. Gasoline Lost by Leakage or Spillage.—

(1) (a) Subchapter B of chapter 65 of the Internal Revenue Code of 1954 (relating to rules of special application for abatements,

credits, and refunds) is amended by adding at the end thereof the following new section:

"Sec. 6424. Gasoline Lost by Leakage or Spillage.

"(a) Payments to Dealers.—If gasoline held by a dealer is lost by leakage or spillage, the Secretary or his delegate shall pay (without interest) to such dealer an amount determined by multiplying—

"(1) the number of gallons of gasoline so lost, by

"(2) the rate of tax on gasoline under section 4081 which applied on the date such dealer purchased such gasoline.

"(b) Time for Filing Claims; Period Covered.—

"(1) General rule.—Except as provided in paragraph (2), not more than one claim may be filed under this section by any dealer with respect to gasoline lost during the one-year period ending on June 30 of any year. Except as provided in paragraph (3), no claim shall be allowed under this paragraph with respect to any one-year period unless filed on or before September 30 of the year in which such one-year period ends.

"(2) Quarterly period.—If $1,000 or more is payable under this section to any dealer with respect to gasoline lost during a calendar quarter, a claim may be filed under this section by such dealer with respect to gasoline lost during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first calendar quarter following the calendar quarter for which the claim is filed.

"(3) Gasoline lost prior to enactment of section.—In the case of gasoline lost during any one-year period ending on June 30 of the year in which this section is enacted, or of any prior year, the time for filing a claim under paragraph (1) shall not expire prior to 6 months after the date of the enactment of this section.

"(c) Definitions.—For purposes of this section—

"(1) Gasoline.—The term 'gasoline' has the meaning given to such term by section 4082(b).

"(2) Dealer.—The term 'dealer' means any person (other than a person who is a producer (within the meaning of section 4082(a)) or importer of gasoline) who holds gasoline for sale.

"(d) Exempt Sales; Other Payments or Refunds Available.—No amount shall be paid under this section with respect to any gasoline which the Secretary or his delegate determines was exempt from the tax imposed by section 4081. The amount which (but for this sentence) would be payable under this section with respect to any gasoline shall be reduced by any other amount which the Secretary or his delegate determines is payable under this section, or is refundable under any provision of this title, to any person with respect to such gasoline.

"(e) Applicable Laws.—

"(1) In general.—All provisions of law, including penalties, applicable in respect of the tax imposed by section 4081 shall, insofar as applicable and not inconsistent with this section, apply in respect of the payments provided for in this section to the same extent as if such payments constituted refunds of overpayments of the tax so imposed.

"(2) Examination of books and witnesses.—For the purpose of ascertaining the correctness of any claim made under this section, or the correctness of any payment made in respect of any such claim, the Secretary or his delegate shall have the authority granted by paragraphs (1), (2), and (3) of section 7602 (relating to examination of books and witnesses) as if the claimant were the person liable for tax.

"(f) Regulations.—The Secretary or his delegate may by regulations prescribe the conditions, not inconsistent with the provisions of this section, under which payments may be made under this section.

"(g) Effective Date.—This section shall apply only with respect to gasoline lost after June 30, 1962.

"(h) Cross References.—

"(1) For civil penalty for excessive claim under this section, see section 6675.

"(2) For fraud penalties, etc., see chapter 75 (section 7201 and following, relating to crimes, other offenses, and forfeitures)."

(b) The table of sections for such subchapter B is amended by adding at the end thereof the following new item:

"Sec. 6424. Gasoline lost by leakage or spillage."

Sec. 2. (a)(1) Section 6206 of the Internal Revenue Code of 1954 (relating to special rules applicable to excessive claims) is amended—

(A) by striking out "UNDER SECTIONS 6420 AND 6421" in the heading and inserting in lieu thereof "WITH RESPECT TO CERTAIN GASOLINE"; and

(B) by striking out "6420 or 6421" each place it appears in such section and inserting in lieu thereof "6420, 6421, or 6424".

(2) The table of sections for subchapter A of chapter 63 of such Code is amended by striking out

"Sec. 6206. Special rules applicable to excessive claims under sections 6420 and 6421."

and inserting in lieu thereof

"Sec. 6206. Special rules applicable to excessive claims with respect to certain gasoline."

(b) Section 6675 of such Code (relating to excessive claims with respect to the use of certain gasoline) is amended—

(1) by striking out "or 6421 (relating to gasoline used for certain nonhighway purposes or by local transit systems)" in subsection (a) and inserting in lieu thereof ", 6421 (relating to gasoline used for certain nonhighway purposes or by local transit systems), or 6424 (relating to gasoline lost by leakage or spillage)"; and

(2) by striking out "6420 or 6421" in subsection (b)(1) and inserting in lieu thereof "6420, 6421, or 6424".

(c) Section 7210 of such Code (relating to failure to obey summons) is amended by inserting after "6421(f)(2)," the following: "6424(e)(2),".

(d) Section 7603 (relating to service of summons), section 7604 (relating to enforcement of summons), and the first sentence of section 7605(a) (relating to time and place of examination) of such Code are each amended by inserting after "6421(a)(2)," and place it appears the following: "6424(e)(2),". The second sentence of such section 7605(a) is amended by striking out "or 6421(f)(2)," and inserting in lieu thereof ", 6421(f)(2), or 6424(e)(2)".

Sec. 2. Section 209(f)(3) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund) is amended—

(1) by striking out "and 6421" and inserting in lieu thereof ", 6421"; and

(2) by inserting after "systems)" the following: ", and 6424 (relating to gasoline lost by leakage or spillage)".

Mr. CARLSON. Mr. President, this amendment would permit the remission of taxes paid on gasoline that has been lost through leakage or seepage. While this amendment is general in nature I have in mind a man who had paid taxes to the extent of $2,100 on gasoline lost through seepage. The State of Kansas, through legislative action has refunded the State part of the taxes. This is an effort to refund the $2,100 in taxes that this man has paid on gasoline that has been lost through leakage. I hope the distinguished Senator from Louisiana will take the amendment to conference.

Mr. LONG of Louisiana. Do I correctly understand that this amendment is sufficiently closely drafted that it would relate only to this one person, or does it have a much broader impact?

Mr. CARLSON. It has a broader impact, but if there is any problem in conference, I shall cooperate with the Senator in working it out.

Mr. LONG of Louisiana. On that basis, I am perfectly willing to take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas.

The amendment was agreed to.

AMENDMENT NO. 270

Mr. NELSON. Mr. President, I call up my amendment No. 270.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. At the end of the bill insert the following:

TITLE VIII—REPORTS TO CONGRESS ON EFFECT OF EXCISE TAX REDUCTION

Sec. 801. Report by Council of Economic Advisers.

(a) Effect of Excise Tax Reduction on the Economy.—The Council of Economic Advisers shall study, and report to the Senate and the House of Representatives as provided in subsection (c), with respect to the effect on the economy of the repeal, or reduction, of the taxes imposed under chapters 31, 32, and 33 of the Internal Revenue Code of 1954 made by titles I, II, and III of this Act.

(b) Retail Prices.—In making the study required by subsection (a), the Council shall ascertain whether—

(1) in the case of articles upon which taxes applied under chapter 31 of the Code, retail prices have not been increased to offset the amount of the tax repealed,

(2) in the case of articles upon which taxes apply or applied under chapter 32 of the Code, retail prices have been reduced to reflect the amount of the tax repealed or reduced, and

(3) in the case of facilities and services upon which taxes apply or applied under chapter 33 of the Code, prices to users of such facilities and services have not been increased to offset the amount of the tax repealed or reduced.

(c) Time for Submitting Reports.—The Council shall submit its first report of the study required by subsection (a) to the Senate and the House of Representatives on or before June 30, 1966, and shall submit additional reports on or before June 30 of each year thereafter through 1970.

(d) Appropriations Authorized.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

Mr. NELSON. Mr. President, I shall make a very brief statement on the amendment. The objective of the amendment is to insure that the tax reduction provided for in the bill will be passed on to the consumer.

The amendment provides that the Council of Economic Advisers shall report to Congress 1 year from the passage of the bill and each succeeding year until 1970 on the effect of the tax reductions, and whether the tax reductions are being passed on to the consumer.

This is important, since the stated purpose and objective of the bill is to reduce consumer prices and thus place more purchasing power in the hands of the consumer and, as a consequence, induce an expansion of the economy.

The President in his message on the bill made this statement:

> The proposed program of excise tax cuts and reductions will spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power.

He followed up that statement by saying that it would also lower prices to the consumer.

This amendment would make it possible for Congress and for the consumers to determine how effectively the excise tax cut is in fact accomplishing this purpose. It would allow us to see if the excise tax cut is reflected finally in lower prices. It would direct the President's Council of Economic Advisers to undertake a thorough study each year to determine to what extent the reduction in excise tax is being passed on to the consumers.

Mr. President, unless the Congress and the public are kept informed, and unless in fact these tax cuts are passed on to the consumers, the action of the Congress will be merely a farce.

Mr. LONG of Louisiana. Mr. President, the committee undertook to do something along the lines advocated by the Senator from Wisconsin. The committee undertook to obtain assurances from major automobile manufacturers that they would pass on the proposed tax cuts to the consumers. The Senator seeks to go a step further and to have the Council of Economic Advisers check on the bill generally to see if the tax cut is being passed along to the consumers.

I would have no objection to the proposal, provided that it would not entail a substantial burden on business in order to render the reports contemplated by the amendment. But I think we could consider the subject in conference. What the Senator is seeking to do is parallel to what the committee hopes will happen. That being the case, I have no objection to the amendment. I hope that the Senate will accept the amendment so that we may confer on it.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Is there further discussion of the amendment?

Mr. MORTON. Mr. President, I should like to ask the Senator from Wisconsin a question. Would the amendment apply to retail excise taxes? Let us consider hand luggage. I believe the excise tax is 10 percent. Suppose I should buy a $60 suitcase. I now pay a $6 tax. After the proposed legislation becomes effective, I shall then pay the $60, but I shall not pay any tax.

Would the amendment require the monitoring group that would be established by the amendment to get into the whole field of prices on all items that are subject to excise retail taxes? Would it apply to every company that makes cosmetics, for example, to see that they do not make more money than they used to?

Mr. NELSON. Under the amendment the Council of Economic Advisers would be directed simply to make a report to the Congress on the effect of the tax reduction.

I had two amendments. One would eliminate the retail excise tax and the other would include that tax within the scope of the Council's report to Congress.

I submitted the amendment including retail sales because it seemed to me that the Council ought to take a look at all taxes involved. There is no possible way in which the Council could examine every little manufacturer of purses, leather goods, and so forth. But they ought to be able to take a look at the industry and render some judgment. The amendment would not impose any burden upon the manufacturer or upon the retailer. It would not require them to make any reports of any kind.

Mr. MORTON. It would involve not only the small manufacturer. It seems to me that every retail store that handles an item which is subject to retail excise tax under the terms of the Senator's amendment would be subject to some sort of policing or investigation by the monitoring commission.

Mr. NELSON. No. The Council of Economic Advisers under the amendment would have no policing power whatsoever. All we are asking is that the Council make a scholarly investigation and check and advise us as to what has happened as a result of the tax cut. We would direct the Council to make the study. It would be only a study. The amendment would give the Council no authority to interfere with any business. But I assume that the Senator from Kentucky would like to know, as would the Congress, whether the purpose stated by the President and the purpose endorsed by the Congress is in fact being fulfilled. That is all the amendment would do.

Mr. MORTON. I want to know that, as does the Senator from Wisconsin. But suppose that a drugstore shows a gross profit of 14 percent on sales, and after repeal of the excise tax for some reason—perhaps more people have moved into the neighborhood or perhaps there is more effective management of the business—the gross profit on sales goes up to 15 percent. Then someone comes along and says, "You made that extra 1 percent profit because we took the tax off on retail sales." The manager of the business would then have to prove that some other factor caused the additional profit.

Here is a man who is already beset by enough Government reports to choke a hog. Under the amendment he would be required to hire accountants, lawyers, and other experts to justify the fact that one year he made a little more profit than he did in the preceding year because of some other factor.

Mr. NELSON. I do not believe that is true at all. All we are asking is that if there are widespread violations, the Congress ought to be told so that if the Congress decides that it wishes to do something about it, it will able to do something about it. The amendment would not direct the Council to do any more than to make a study. A retailer could double his prices and the Council of Economic Advisers could not do anything about it.

There is no authority on the part of the Council to stop retailers from increasing their prices, or keeping as profit the full amount of the tax reduction. There is no law that could stop that action. But we ought to be told.

I can run my own business. I can announce to the public, "Tomorrow, you are reducing my taxes by 4 percent, or by 20 percent, but I am going to hold on to the 4 percent or the 20 percent because I want to make more money." There is nothing in the world that Congress, the proposed amendment, or the Council of Economic Advisers could do about that. But I believe that the public and the Congress ought to know whether that is what will happen.

All I am saying is that the Council ought to advise us as to whether the bill will have the effect that was sought. I do not believe that the automobile industry or the power companies ought to be able to sneak up and keep a part of the proposed tax reduction without the public being informed. That is all the amendment would take care of.

Mr. PASTORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. NELSON. I yield.

Mr. PASTORE. I applaud the distinguished Senator from Wisconsin for suggesting the amendment. First, it would have a policing effect, though not to the extent that anyone would be harassed or investigated. I do not believe that it would be very hard to determine the information.

The vital purpose that is involved in removing the excise tax is to stimulate more buying to give this break, if we may call it that, to the consumers of America. If within a year's time the retail price index goes up to the same percentage of increase as we are taking off in the excise tax reduction, we shall know that it is not being passed on to the consumer. It is as simple as that. I would assume that what the distinguished sponsor of the amendment means to do is to make an overall academic study of the question in order to give us a general idea as to whether or not the purpose of the act is being carried out.

There is no power under the amendment to put the excise taxes back on. That would have to be done by an act of Congress, if it is ever done. Second, no power would be given to stop a man from charging anything he desires. That question will have to be resolved in the competitive market.

I believe that the amendment would work.

Mr. LONG of Louisiana. Mr. President, one of the things to which the Senator referred in his prepared statement, which I read prior to the time I agreed to take the amendment to conference, was that which had to do with the cut of the tax on telephone service. That proposed cut involves a great deal of money. Since the telephone company is a regulated utility, regulated by the Federal Communications Commission and the State or local regulatory commissions, it is assumed that those bodies will insist that there be a reduction in telephone rates. A great deal of money is involved. That particular tax reduction involves about $1 billion.

If consumers in my State do not get the benefit of that tax cut, I shall want to know why. I shall want to know whose fault it was. Was it the fault of the Federal Communications Commission, the State commission, or both? Or do the companies have some excuse? Do they contend that they are now rendering better service? Why did not the people get the benefit of that $1 billion tax cut? That is the kind of thing that the Senator is talking about. He would like to highlight it. So someone has to look into it and tell us whether consumer prices have been reduced. They should be reduced as a result of the bill. On the whole, they should be reduced about $4 billion.

As I understand the Senator's amendment, it would not give the Council any power that it does not now have. I would assume that a great deal of the information which the Council would require is already available in the Bureau of Labor Statistics. The Council could get a great amount of information there. They have the ability to get other information if they need it, so that they can tell us whether the public is receiving the benefit of the bill or whether prices have remained the same because of other factors. If the prices stay the same, even then there might be justification for such action. Perhaps they can show us that they are delivering better quality or something of that sort. Perhaps the automobile industry can show that safety devices have been added to automobiles, and that the expense is offset in large measure by the tax reduction that we shall vote.

In any event, I would not wish to impose any additional burden worthy of mention on any manufacturer.

It seems to me that the committee has made some effort to see that the consumers get the benefit of the tax cut on automobiles, and it would not do any harm to have someone taking a look to see whether the consumers get the benefit of the rest of the cut in excise taxes.

Mr. MORTON. Mr. President, I should prefer to have the Senator's amendment apply to all who pay excise taxes other than the retailer. I think it is obvious that if I buy something for $100 and pay a $10 tax now, and if I go into the store the next day, after the repeal of the tax, the item will still cost $100 with no $10 tax. I believe that competition in the marketplace will take care of this situation. However, if the manager of the bill is willing to accept it as it is, I shall not press my objection.

The PRESIDING OFFICER (Mr. Montoya in the chair). The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. Nelson].

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, on behalf of myself, and Senators Curtis, Carlson, Bennett, Simpson, and Miller, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the proper place insert the following new section:

"Sec. —. Prohibition Upon Levies on Mail.

"(a) Section 6334(a) (relating to property exempt from levy) is amended by adding at the end thereof the following new paragraph:

"'(5) Undelivered and unopened mail.—Mail, addressed to any person, which has not been delivered to, and opened by or on behalf of, the addressee.'

"(b) Effective Date.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act."

Mr. WILLIAMS of Delaware. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I shall be brief. I do not believe there is any objection to the amendment. It might be asked why I have asked for a yea-and-nay vote if the amendment will be accepted. I wish to make certain that any future Secretary of the Treasury will know without any doubt that Congress did not intend that the Treasury Department should open taxpayers' mail.

This practice was first called to our attention several weeks ago. Under date of June 8, 1965, I received a report from Secretary Fowler stating that the Department had resorted to this practice on 27 occasions in the past 2 years.

The Secretary further stated in his letter, which I shall place in the Record, and also in a discussion with our committee this morning in executive session, that he did not approve of this practice and that he has issued an order, a copy of which I shall also place in the Record, instructing the Commissioner of Internal Revenue not to interfere any further with mail belonging to a taxpayer. I do not for a moment question Secretary Fowler's sincerity or his word that that practice will not be followed again. However, on some future occasion perhaps another Secretary of the Treasury might attempt to adopt the practice.

For this reason I am offering the amendment.

It is not the intention of the law, as I understand, or as any other member of the Committee on Finance understands, that the Secretary of the Treasury should ever, under any circumstances, have the right to intercept the mail of a private citizen for the purpose of collecting taxes. Speaking as a layman I believe there are laws against that practice now.

I know that the distinguished Senator from Missouri [Mr. Long] is holding hearings on this subject in his committee and is studying the situation as it relates to other agencies of the Government. But this particular amendment applies only to the practice as it was carried on by the Treasury Department and related to taxpayers' mail.

The amendment would amend section 6334(a) of the code, which provides certain exceptions concerning the authority of the Secretary of the Treasury to attach personal property in the collection of taxes. The law gives the Secretary the right to levy attachments against personal property, real estate, or cash that the taxpayer may have in a lockbox belonging to him for the purpose of collecting taxes.

In providing the Secretary of the Treasury with this authority, however, Congress spelled out in the law certain exceptions. These exceptions include the fuel a taxpayer might have for his home use, his wearing apparel and that of his family, school books, and a few other essential items. The law also sets the aggregate value of these exceptions at not to exceed $500. The exceptions may include a few chickens, provisions, groceries, tools of trade, and so forth. In other words, the Internal Revenue Service may not pauperize a person or take the clothes off his back.

Just because Congress did not include in the list of exceptions a person's mail, on December 11, 1963, the Treasury Department suddenly decided that if Congress had not told it not to intercept mail, it therefore had the right to do so. This was an arbitrary decision made by some bureaucrat who forgot that we are a government of laws, not of men. This practice had never before been followed in the history of our top bureau. The Treasury Department admitted it could find no precedent for such action. At any rate, on December 11, 1963, an order was issued by Mr. Harold E. Snyder, Director, Collection Division, Internal Revenue Service, that henceforth the department would reserve the right to intercept the mail of a taxpayer.

On September 22, 1964, the order was clarified in the Official Register with further instructions, giving the Internal Revenue Service the right to intercept a taxpayer's first-class mail.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LONG of Louisiana. So far as I know, there is no objection to the Senator's amendment. As he well knows, the Secretary of the Treasury, in our presence this morning, indicated that while there had been some screening of mail, he believed it had something to do with the efforts to fight organized crime. While that had been the practice on occasion, the Secretary himself did not like the practice, and he discontinued it and has no objection to the Senator's amendment.

Mr. WILLIAMS of Delaware. That is correct; except that a study of the cases he submitted—I shall not place them in the Record, but I have them for the information of the committee, together with the names—an examination of the mail which was intercepted in these 27 cases shows that in not one of those cases was the interception made in order to fight organized crime. Those interceptions were made for the purpose of the collection of taxes only and did not relate to organized crime. I repeat, those 27 cases of the interception of mail were for the collection of taxes. This interception does not involve the fighting of organized crime. The Secretary of the Treasury confirmed that in his letter and in the colloquy. On May 2, 1965, he issued the final order. I shall read the first sentence:

> Mail in custody of Post Office Department may not be levied upon under any circumstances.

Then he continued by saying that under no circumstances is the Treasury Department to open the taxpayers' mail for the purpose of helping to collect taxes.

I would defend the right of the Treasury Department to collect taxes; that is its responsibility. As a member of the Committee on Finance, I should say we want the Treasury to collect, but that responsibility does not extend to destroying the rights of individual citizens. To open his own mail first is a right that should be preserved in this country. It is a right that must be safeguarded. Under no circumstances should some bureaucrat, solely because Congress did not mention it, be permitted to set up what could in the future develop into a gestapo state in this country. The right of privacy of an individual must be protected.

Mr. President, I ask unanimous consent that the letter of June 8, 1965, from Secretary of the Treasury Fowler, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, June 8, 1965.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in further response to your letter of April 30, 1965, requesting that we furnish you a report showing (1) the names and addresses of all persons whose mail has been intercepted and opened by the Treasury Department within the past 10 years, (2) the dates on which the mail was intercepted, (3) number of pieces of mail intercepted, and (4) considerations which led to the decision to intercept such mail.

Within the past 10 years, there have been instances in which designated mail has been obtained from the Post Office Department by the Bureau of Customs, the Bureau of Narcotics, the Secret Service, Foreign Assets Control, and the Internal Revenue Service.

BUREAU OF CUSTOMS

No mail, to my knowledge, is intercepted and opened by the Bureau of Customs unless authorized by search warrant.

In cases where mail is believed to contain dutiable merchandise but is not endorsed with permission to open by a customs officer, as required by the Universal Postal Convention, the Post Office Department asks the addressee to furnish such permission. If the addressee declines, the letter or parcel is returned to the sender.

BUREAU OF NARCOTICS, SECRET SERVICE, AND FOREIGN ASSETS CONTROL

To my knowledge, no mail is intercepted and opened by the Bureau of Narcotics, Secret Service, or Foreign Assets Control unless authorized by search warrant.

INTERNAL REVENUE SERVICE

Alcohol and Tobacco Tax Division, Intelligence Division, Internal Security Division

To my knowledge, no mail is intercepted and opened by the Alcohol and Tobacco Tax Division, the Intelligence Division, or the Internal Security Division of the Internal Revenue Service, unless authorized by search warrant.

Collection Division

Attached is a list of 26 taxpayers whose mail has been levied upon for collection of delinquent Federal taxes in the period December 1, 1962, to date. These levies were intended to reach mail of the delinquent taxpayer for removal of remittances and application of the proceeds against the tax debt.

The proposition of levying upon mail as a means of collection came to the attention of the National Office of the Internal Revenue Service early in 1963 when the matter was presented to the National Office for consideration of the legal and policy aspects. We have no knowledge of any such levies prior to December 1, 1962.

Legal aspects: We believe that the statutory authority for the seizure of mail for the purpose of collecting delinquent Federal taxes is well established in the law. Section 6331 of the Internal Revenue Code provides authority to collect taxes by levy upon any property, or rights to property, real or personal, tangible or intangible, belonging to a taxpayer against whom an assessment of Federal taxes has been made. With certain minor exceptions not here material, the only property exempt from this broad authority is that enumerated in section 6334 of the code, which states that notwithstanding any other law, no property or rights to property other than the property specifically mentioned therein shall be exempt from levy. It was early established in the law that mail is property, *Searight* v. *Stokes*, 44 U.S. 151; that judicial seizures thereof may be made without violating constitutional guaranties, *Ex Parte Jackson*, 96 U.S. 721; and that statutorily authorized levy procedures do not deprive an individual of property without due process of law, *Springer* v. *United States*, 102 U.S. 586.

Policy aspects: We were much concerned from the beginning with the public interest aspects of mail levies, but, at the same time, we became aware, in the course of our considerations, of several specific cases where the taxpayer had demonstrated a flagrant disregard for his tax obligations, and all other administrative means of collection had been exhausted. One such case involved an attorney who was habitually delinquent in payment of his income taxes. For a period of years he incurred tax liabilities varying from $2,500 to $6,300. Distrainable property of any value was in his wife's name, and the nature of his business made it difficult to determine the sources of his income. He refused to cooperate with the district director, and, as a last resort, his mail was seized. This action persuaded the taxpayer to come forward with full payment of his outstanding tax liability.

In December 1963, written instructions were issued to Internal Revenue Service field personnel regarding seizures of undelivered mail in flagrant and aggravated cases of tax delinquency. See manual supplement 53G-10, copy enclosed. These instructions called for personal approval of the district director as a precaution against injudicious use of the levy authority in this area.

In August 1964, policy considerations led the Internal Revenue Service to review this entire matter. It was decided then that, as a practical matter, the Service ought to abandon its right to make such seizures. At the same time, the Service was reluctant to close the door completely on this means of collection in cases where the taxpayer refused to make payment but appeared to have means. Accordingly, new instructions (copy enclosed) were issued to field offices of the Service on September 22, 1964, requiring that levies on undelivered mail be approved in advance by the Commissioner of Internal Revenue. This, in effect, continued the then existing policy but further centralized control to avoid any possibility of unnecessary use or misuse of the authority to seize undelivered mail. The new instruction was expected to operate so as to leave the way open for further discussions with postal officials should any such case arise. No such case has arisen, and the practical effect of the new instruction has been to preclude levies on undelivered mail.

The instructions issued on September 22, 1964, were in implementation of an agreement between Secretary Dillon and the Postmaster General that mail levies would be discontinued. The Postmaster General and I have the same agreement, and on May 3, 1965, the Internal Revenue Service, in order to make its position crystal clear, issued instructions to all field offices flatly precluding levies on the mail (copy attached).

The list of 26 which I am attaching shows names, addresses, and dates on which levy action was taken.

We have furnished similar information to several other Members of Congress and to the Subcommittee on Administrative Practice and Procedure. We appreciate this opportunity to give you our comments on this important subject. If we can be of further assistance, please let us know.

Sincerely yours,

HENRY H. FOWLER.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the text of the first order, signed by Harold E. Snyder, Director of the Collection Division, who first initiated the practice in the Treasury Department to intercept mail, be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. NELSON in the chair). Without objection, it is so ordered.

The order is as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
December 30, 1963.

MANUAL SUPPLEMENT: NOTICE OF LEVY ON MAIL

In recent months instances have come to the attention of the national office where notices of levy have been served on local postal officials against taxpayer's mail in custody of the Post Office Department. Action in such cases is being taken under provisions of code section 6331 which provides authority to collect taxes by levy upon any property, or rights to property, real or personal, tangible or intangible, belonging to a taxpayer delinquent in payment of taxes. Property exempt from levy is enumerated in code section 6334 and mail is not included in property that is exempt. Section 6334 also provides that notwithstanding any other law, no property or rights to property other than the property specifically mentioned therein shall be exempt from levy. At least one regional postal office has issued instructions to their postmasters that notices of levy on mail in their custody may be accepted.

Notwithstanding the legal authority available for such levy on mail action, adverse public reaction is almost certain to follow. Therefore, this authority is to be invoked only in the most flagrant cases and only after other means of collection have been exhausted and then only when there is reasonable expectation that the taxpayer will be receiving remittances through the mail. Prior approval of the district director is required. Whenever mail turned over by the Post Office in response to a notice of levy is found to have no value for application to the taxpayer's tax liability, it will be promptly forwarded to the addressee. Opening and disposition of all mail received in response to a notice of levy will be witnessed by two Service employees.

Seizure of mail of a taxpayer received from the Post Office Department in response to a notice of levy as referred to above is not to be confused with mail addressed to a taxpayer received by Internal Revenue Service during the period the taxpayer's business is under seizure resulting from a levy form 668-B action.

HAROLD E. SNYDER,
Director, Collection Division.

(Issued originally as a telegram dated December 11, 1963, to all regional commissioners and district directors.)

(Effect on other documents: The provisions of this supplement will be incorporated in IRM 5320.)

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the directive dated September 22, 1964, published in the official manual under the titled of "Levy on Mail," be printed at this point in the RECORD.

There being no objection, the directive was ordered to be printed in the RECORD, as follows:

SECTION 5325.7—LEVY ON MAIL

(1) In flagrant cases of noncompliance, notices of levy may be served on local postal officials against the delinquent taxpayer's mail in custody of the Post Office Department. Action in such cases is taken under code section 6331 which provides authority to collect taxes by levy upon any property, or rights to property, real or personal, tangible or intangible, belonging to a taxpayer delinquent in payment of taxes. Property exempt from levy is enumerated in code section 6334 and mail is not included in property that is exempt. Section 6334 also provides that notwithstanding, any other law, no property or rights to property other than the property specifically mentioned therein shall be exempt from levy.

(2) Notwithstanding the legal authority available for such levy on mail, adverse public reaction is almost certain to follow. Therefore, such levy should be made only in the most flagrant and aggravated cases. In addition, all other means of collection must have been exhausted and there must be a reasonable expectation that the taxpayer will be receiving remittances through the mail. When it is determined that levy on the mail is appropriate, a memorandum, approved by the district director, should be forwarded to the national office. Attention: CP:C:DA. The memorandum should show the name and address of the taxpayer, amount and type of tax, age of account, taxpayer's payment record, his attitude toward tax liabilities, efforts made to collect, and any information which would indicate the degree of sensitivity. Approval of the national office must be obtained prior to initiation of the levy action.

(3) Whenever mail turned over by the post office in response to a notice of levy is found to have no value for application to the taxpayer's tax liability, it will be promptly forwarded to the addressee. Opening and disposition of all mail received in response to a notice of levy will be witnessed by two Service employees.

(4) Mail of a taxpayer received from the post office in response to a notice of levy as referred to above is not to be confused with mail delivered to a taxpayer and taken by the Internal Revenue Service while the taxpayer's business is under seizure resulting from a levy, form 668-B, action.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a directive dated May 3, 1965, issued by Deputy Commissioner of Internal Revenue Harding, rescinding the order and instructing all agents that in the future they are not to open such mail.

There being no objection, the directive was ordered to be printed in the RECORD, as follows:

MAY 3, 1965.

All Regional Commissioners, All District Directors, Internal Revenue Service:

(MSARD). Mail in custody of Post Office Department may not be levied upon under any circumstances. IRM section 5325.7 (1), (2), and (3) is rescinded. Moreover, in cases of type referred to in IRM section 5325.7(4), the post office may deliver the taxpayer's mail as addressed. If mail is delivered to the business premises under seizure and thus comes into possession of the service, it will be handled in accordance with usual procedures. However, if mail is not delivered to business premises, no action will be taken to secure such mail from post office. This means that form 668A, form 668B, form 2433, copies thereof, or any other form or written or oral communication will not be given to any postal official in connection with the mail of any taxpayer.

BERTRAND M. HARDING,
Deputy Commissioner.

Mr. WILLIAMS of Delaware. Mr. President, I have nothing further to add except to say that I hope the Senate will unanimously approve this amendment so that there will be no question in the minds of future Commissioners of Internal Revenue or Secretaries of the Treasury, as to what Congress intended. Let this be notice to all bureaucrats that Congress does not intend that they shall arbitrarily start to seize taxpayer's mail.

I believe that it would be well for the bureaucracy of this administration to remember that we are a government of law and not just a government of men. The mere fact that some bureaucrat develops a cockeyed idea that he has a little more power than his predecessor had does not provide him with this power. If he wants that power let him come to Congress and see whether we want to give it to him. If we do not wish to grant that power we should at least have the chance to refuse. In this instance an arbitrary decision was made without any reference to Congress.

There is nothing in the law that would give any tax agent jurisdiction or the right to intercept first-class mail. Solely because we did not mention it as an exception, presumably they took the attitude that they had the right.

By the same line of reasoning some bureaucrat could come along and say that we do not mention a man's children as an exception and, therefore, they can take them. By the same line of reasoning they may assume that since we do not specify that the Bureau of Internal Revenue cannot shoot a man who does not pay his tax that they have that power. It does not mean that they can do anything they wish just because it is not mentioned as an exception.

I hope the Senate will agree to the adoption of this amendment by an overwhelming majority and thus let it serve as a warning not only to this Department but also to any other agency or agencies which have been a little too overbearing in taking away the rights of American citizens.

INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATION BILL, 1966—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6767) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HAYDEN. Mr. President, as this bill passed the Senate it provided for appropriations totaling $1,230,802,770 for the agencies and bureaus of the Department of the Interior, exclusive of the Bureau of Reclamation and power marketing agencies, and the various related agencies, including the U.S. Forest Service.

The conference committee bill provides appropriations totaling $1,212,739,070 for the programs and activities of these agencies. This total is under the budget estimates of $1,241,549,500 by $28,810,430; over the House bill of $1,184,110,300 by $28,648,770; and under the Senate bill of $1,230,802,770 by $18,063,700.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. JACKSON. Mr. President, the conference report does not include the Senate amendment appropriating $100,000 for stone facing on the new day facility in Paradise Valley, Mount Rainier National Park. Does the Senator from Arizona believe this item would be considered favorably in a subsequent bill.

Mr. HAYDEN. Yes. The House conferees would not agree to the $100,000 for this purpose which was added by the Senate. It was indicated, however, that the funds could be approved in a subsequent bill. I feel certain that such a provision can be made—and especially there will be no question if a budget estimate is sent to Congress, perhaps in a supplemental bill which is almost certain to be passed before adjournment.

Mr. JACKSON. Mr. President, I thank the distinguished chairman of the committee. I am sure that, with this explanation, appropriate action will be taken by the Bureau of the Budget to request the funds before Congress adjourns.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have included at this point in the RECORD, a tabulation setting out the appropriation for the current year, the budget estimate, the House allowance, the Senate allowance, and the conference allowance for each appropriation in the bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Interior Department and related agencies appropriations bill, 1966 (H.R. 6767)

Item	Appropriations, 1965	Budget estimates, 1966	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimate	House allowance	Senate allowance
TITLE I—DEPARTMENT OF THE INTERIOR								
PUBLIC LAND MANAGEMENT								
BUREAU OF LAND MANAGEMENT								
Management of lands and resources	$40,222,000	$46,080,000	$46,080,000	$52,080,000	$49,080,000	+$3,000,000	+$3,000,000	−$3,000,000
Construction and maintenance	2,200,000	3,150,000	3,150,000	3,150,000	3,150,000			
Public lands development roads and trails (liquidation of contract authorization)	2,500,000	2,000,000	2,000,000	2,000,000	2,000,000			
Oregon and California grant lands (indefinite appropriation of receipts)	(18,625,000)	(8,545,000)	(8,545,000)	(8,545,000)	(8,545,000)			
Range improvements (indefinite appropriation of receipts)	(1,397,000)	(1,455,000)	(1,455,000)	(1,455,000)	(1,455,000)			
Total, Bureau of Land Management	53,922,000	51,230,000	51,230,000	57,230,000	54,230,000	+3,000,000	+3,000,000	−3,000,000
BUREAU OF INDIAN AFFAIRS								
Education and welfare services	97,965,500	106,895,000	105,761,000	106,448,000	105,846,000	−1,049,000	+85,000	−602,000
Resources management	41,421,000	42,956,000	42,756,000	42,796,000	42,796,000	−160,000	+40,000	
Revolving fund for loans	900,000							
Construction	53,919,000	69,675,000	32,855,000	36,296,000	34,513,000	−35,162,000	+1,658,000	−1,783,000
Road construction (liquidation of contract authorization)	18,000,000	16,900,000	16,900,000	17,605,000	17,445,000	+545,000	+545,000	−160,000
General administrative expenses	4,520,000	4,520,000	4,520,000	4,520,000	4,520,000			
Menominee educational grants	88,000	44,000	44,000	44,000	44,000			
Payment to the Seneca Nation	12,128,917							
Total, Bureau of Indian Affairs, exclusive of tribal funds	228,942,417	240,990,000	202,836,000	207,709,000	205,164,000	−35,826,000	+2,328,000	−2,545,000
Tribal funds (not included in totals of this tabulation)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)			
NATIONAL PARK SERVICE								
Management and protection	30,127,000	33,215,000	32,228,000	32,596,000	32,366,000	−849,000	+138,000	−230,000
Maintenance and rehabilitation of physical facilities	23,650,000	24,660,000	24,660,000	24,660,000	24,660,000			
Construction	42,986,600	26,827,000	26,077,000	26,368,000	26,177,000	−150,000	+100,000	−191,000
Construction (liquidation of contract authorization)	29,000,000	34,000,000	33,000,000	33,000,000	33,000,000	−1,000,000		
General administrative expenses	2,422,000	2,516,000	2,450,000	2,465,000	2,465,000	−51,000	+15,000	
Total, National Park Service	128,185,600	120,718,000	118,415,000	119,089,000	118,668,000	−2,050,000	+253,000	−421,000
BUREAU OF OUTDOOR RECREATION								
Salaries and expenses	2,750,000	3,398,000	3,398,000	3,398,000	3,398,000			
Land and water conservation (indefinite appropriation of receipts)	(16,000,000)	(125,000,000)	(125,000,000)	(125,000,000)	(125,000,000)			
Total, Bureau of Outdoor Recreation	2,780,000	3,398,000	3,398,000	3,398,000	3,398,000			
OFFICE OF TERRITORIES								
Administration of territories	25,345,000	14,579,000	14,579,000	14,579,000	14,579,000			
Trust Territories of the Pacific Islands	17,500,000	17,344,000	17,344,000	17,344,000	17,344,000			
Claims of inhabitants of Rongelap Atoll	950,000							
Limitation on administrative expenses, Virgin Islands Corporation	(156,000)	(100,000)	(100,000)	(100,000)	(100,000)			
Total, Office of Territories	43,795,000	31,923,000	31,923,000	31,923,000	31,923,000			
THE ALASKA RAILROAD								
Payment to the Alaska Railroad revolving fund	1,300,000	3,000,000	3,000,000	5,200,000	4,100,000	+1,100,000	+1,100,000	−1,100,000
Total, Public Land Management	458,925,017	451,259,000	410,802,000	424,549,000	417,483,000	−33,776,000	+6,681,000	−7,066,000
MINERAL RESOURCES								
GEOLOGICAL SURVEY								
Surveys, investigations, and research	70,384,000	72,826,000	71,100,000	72,480,870	71,680,870	−1,145,130	+580,870	−800,000
BUREAU OF MINES								
Conservation and development of mineral resources	31,198,000	31,625,000	31,541,000	31,891,000	31,891,000	+266,000	+350,000	
Health and safety	9,537,000	9,507,000	9,507,000	9,507,000	9,507,000			
General administrative expenses	1,469,000	1,529,000	1,529,000	1,529,000	1,529,000			
Helium fund:								
Borrowing authorization	(14,000,000)	(16,780,000)	(16,000,000)	(16,000,000)	(16,000,000)	(−780,000)		
Annual limitation on contract authorization		(12,500,000)				(−12,500,000)		
Appalachian region mining area restoration	16,000,000							
Total, Bureau of Mines	58,204,000	42,661,000	42,577,000	42,927,000	42,927,000	+266,000	+350,000	
OFFICE OF COAL RESEARCH								
Salaries and expenses	6,836,000	6,945,000	6,945,000	7,595,000	7,220,000	+275,000	+275,000	−375,000
OFFICE OF MINERALS EXPLORATION								
Salaries and expenses	850,000							
OFFICE OF OIL AND GAS								
Salaries and expenses	704,000	704,000	704,000	704,000	704,000			
Total, mineral resources	136,978,000	123,136,000	121,326,000	123,706,870	122,531,870	−604,130	+1,205,870	−1,175,000

***Interior Department and related agencies appropriations bill, 1966 (H.R. 6767)*—Continued**

Item	Appropriations, 1965	Budget estimates, 1966	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimate	House allowance	Senate allowance
TITLE I—DEPARTMENT OF INTERIOR—Con.								
FISH AND WILDLIFE SERVICE								
OFFICE OF THE COMMISSIONER OF FISH AND WILDLIFE								
Salaries and expenses	444,000	444,000	444,000	444,000	444,000			
BUREAU OF COMMERCIAL FISHERIES								
Management and investigations of resources	$19,107,900	$21,218,000	$21,218,000	$22,268,000	$21,838,000	+$620,000	+$620,000	−$430,000
Management and investigations of resources (appropriation of receipts)	(2,125,000)							
Management and investigations of resources (special foreign currency program)	300,000	300,000	300,000	300,000	300,000			
Construction	5,913,000	1,405,000	1,905,000	2,080,000	1,980,000	+575,000	+75,000	−100,000
Construction of fishing vessels	2,500,000	5,000,000	5,000,000	5,000,000	5,000,000			
Federal aid for commercial fisheries research and development		2,000,000	4,000,000	5,600,000	4,800,000	+2,800,000	+800,000	−800,000
General administrative expenses	704,000	674,000	674,000	674,000	674,000			
Administration of Pribilof Islands (indefinite appropriation of receipts)	(2,454,000)	(2,454,000)	(2,454,000)	(2,454,000)	(2,454,000)			
Limitation on administrative expenses, Fisheries loan fund	(302,000)	(309,000)	(309,000)	(309,000)	(309,000)			
Total, Bureau of Commercial Fisheries	28,524,900	30,597,000	33,097,000	35,922,000	34,592,000	+3,995,000	+1,495,000	−1,330,000
BUREAU OF SPORT FISHERIES AND WILDLIFE								
Management and investigations of resources	35,330,000	34,935,000	35,324,300	36,814,300	36,134,300	+1,199,300	+810,000	−680,000
Construction	9,257,800	2,992,000	5,115,500	7,943,700	7,077,200	+4,085,200	+1,961,700	−866,500
Migratory bird conservation account	8,000,000	7,500,000	7,500,000	7,500,000	7,500,000			
General administrative expenses	1,443,000	1,458,000	1,458,000	1,458,000	1,458,000			
Appalachian region fish and wildlife restoration projects	1,350,000							
Total, Bureau of Sport Fisheries and Wildlife	55,380,800	46,885,000	49,397,800	53,716,000	52,169,500	+5,284,500	+2,271,700	−1,546,500
Total, Fish and Wildlife Service	84,349,700	77,926,000	82,938,800	90,082,000	87,205,500	+9,279,500	+4,266,700	−2,876,500
OFFICE OF SALINE WATER								
Salaries and expenses	13,900,000	26,515,000	20,000,000	20,000,000	20,000,000	−6,515,000		
Operation and maintenance	2,250,000	2,485,000	2,485,000	2,485,000	2,485,000			
Total, Office of Saline Water	16,150,000	29,000,000	22,485,000	22,485,000	22,485,000	−6,515,000		
OFFICE OF WATER RESOURCES RESEARCH								
Salaries and expenses	3,450,000	5,890,000	5,890,000	5,890,000	5,890,000			
OFFICE OF THE SOLICITOR								
Salaries and expenses	4,393,000	4,479,000	4,425,000	4,487,000	4,487,000	+8,000	+62,000	
OFFICE OF THE SECRETARY								
Salaries and expenses	4,365,000	4,479,000	4,450,000	4,454,400	4,452,200	−26,800	+2,200	−2,200
Total, direct appropriations	708,610,717	696,169,000	652,316,800	675,654,270	664,534,570	−31,634,430	+12,217,770	−11,119,700
Total, appropriation of receipts	40,601,000	137,454,000	137,454,000	137,454,000	137,454,000			
Total, borrowing authorization	14,000,000	16,780,000	16,000,000	16,000,000	16,000,000	−780,000		
Total, annual contract authority		12,500,000				−12,500,000		
Total, title I, Department of the Interior	763,211,717	862,903,000	805,770,800	829,108,270	817,988,570	−44,914,430	+12,217,770	−11,119,700
TITLE II—RELATED AGENCIES								
DEPARTMENT OF AGRICULTURE								
FOREST SERVICE								
Forest protection and utilization:								
Forest land management	174,106,000	162,378,000	160,671,000	163,833,000	162,318,000	−60,000	+1,647,000	−1,515,000
Forest research	35,514,000	32,554,000	32,939,000	38,777,000	36,689,000	+4,135,000	+3,750,000	−2,088,000
State and private forestry cooperation	17,363,000	17,513,000	17,513,000	17,513,000	17,513,000			
Total forest protection and utilization	226,983,000	212,445,000	211,123,000	220,123,000	216,520,000	+4,075,000	+5,397,000	−3,603,000
Forest roads and trails (liquidation of contract authorization)	75,972,000	78,672,000	78,672,000	78,672,000	78,672,000			
Acquisition of lands for national forests:								
Wasatch National Forest	150,000							
Special acts (appropriation of receipts)	(70,000)	(70,000)	(70,000)	(80,000)	(80,000)	(+10,000)	(+10,000)	
Cooperative range improvements (appropriation of receipts)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)			
Assistance to States for tree planting	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000			
Timber development organization loans and technical assistance	1,000,000							
Total, definite appropriations	305,105,000	292,117,000	290,795,000	299,795,000	296,192,000	+4,075,000	+5,397,000	−3,603,000
Total, appropriation of receipts	770,000	770,000	770,000	780,000	780,000	+10,000	+10,000	
Total, Forest Service, Department of Agriculture	305,875,000	292,887,000	291,565,000	300,575,000	296,972,000	+4,085,000	+5,407,000	−3,603,000
FEDERAL COAL MINE SAFETY BOARD OF REVIEW								
Salaries and expenses	70,500	71,500	71,500	71,500	71,500			
COMMISSION ON FINE ARTS								
Salaries and expenses	120,000	123,000	123,000	123,000	123,000			

Interior Department and related agencies appropriations bill, 1966 (H.R. 6767)—Continued

Item	Appropriations, 1965	Budget estimates, 1966	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimate	House allowance	Senate allowance
TITLE II—RELATED AGENCIES—Con.								
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
PUBLIC HEALTH SERVICE								
Indian health activities	$62,940,000	$66,093,000	$66,193,000	$66,193,000	$66,193,000	+$100,000		
Construction of Indian health facilities	8,835,000	9,088,000	9,000,000	14,450,000	13,950,000	+4,862,000	+$4,950,000	−$500,000
Total, Public Health Service	71,775,000	75,181,000	75,193,000	80,643,000	80,143,000	+4,962,000	+4,950,000	−500,000
INDIAN CLAIMS COMMISSION								
Salaries and expenses	335,000	347,000	347,000	347,000	347,000			
NATIONAL CAPITAL PLANNING COMMISSION								
Salaries and expenses	696,000	1,000,000	800,000	888,000	800,000	−200,000		−88,000
Land acquisition, John F. Kennedy Center for the Performing Arts	2,175,000							
Land acquisition, National Capital park, parkway, and playground system	550,000							
Total, National Capital Planning Commission	3,421,000	1,000,000	800,000	888,000	800,000	−200,000		−88,000
NATIONAL CAPITAL TRANSPORTATION AGENCY								
Salaries and expenses		490,000				−490,000		
NATIONAL COUNCIL ON THE ARTS								
Salaries and expenses	50,000	150,000	50,000	50,000	50,000	−100,000		
PUBLIC LAND LAW REVIEW COMMISSION								
Salaries and expenses	350,000	1,000,000				−1,000,000		
SMITHSONIAN INSTITUTION								
Salaries and expenses	15,540,000	20,865,000	18,465,000	19,211,000	18,468,000	−2,397,000		−743,000
Archeological research and excavation (special foreign currency program)		1,300,000	1,300,000	1,300,000	1,300,000			
Construction and improvements, National Zoological Park	1,525,000	1,539,000	1,539,000	1,539,000	1,539,000			
Restoration and renovation of buildings		2,248,000	2,248,000	2,248,000	2,248,000			
Salaries and expenses, National Gallery of Art	2,227,000	2,465,000	2,465,000	2,465,000	2,465,000			
National Air Museum	1,364,000							
Remodeling of Civil Service Commission Building	1,000,000							
John F. Kennedy Center for the Performing Arts	15,500,000							
Total, Smithsonian Institution	37,156,000	28,417,000	26,020,000	26,763,000	26,020,000	−2,397,000		
CIVIL WAR CENTENNIAL COMMISSION								
Salaries and expenses	100,000	100,000	100,000	100,000	100,000			
CORREGIDOR-BATAAN MEMORIAL COMMISSION								
Salaries and expenses	25,000	35,000	25,000	35,000	25,000	−10,000		−10,000
VETERANS' ADMINISTRATION								
Construction, Corregidor-Bataan Memorial	100,000	1,400,000		1,400,000	1,400,000		+1,400,000	
Total, Corregidor-Bataan Memorial	125,000	1,435,000	25,000	1,435,000	1,425,000	−10,000	+1,400,000	−10,000
LEWIS AND CLARK TRAIL COMMISSION								
Salaries and expenses		25,000	25,000	25,000	25,000			
TRANSITIONAL GRANTS TO ALASKA								
Grants		6,500,000		6,500,000	4,500,000	−2,000,000	+4,500,000	−2,000,000
FEDERAL DEVELOPMENT PLANNING COMMITTEES FOR ALASKA								
Salaries and expenses		200,000		174,000	174,000	−26,000	+174,000	
ALASKA TEMPORARY CLAIMS COMMISSION								
Salaries and expenses	33,000							
COMMISSION ON THE STATUS OF PUERTO RICO								
Salaries and expenses	250,000							
Battle of Lake Erie Sesquicentennial Celebration Commission	13,553							
Battle of New Orleans Sesquicentennial Celebration Commission	25,000							
Total, direct appropriations	418,929,053	407,156,500	393,549,500	416,914,500	409,970,500	+2,814,000	+16,421,000	−6,944,000
Total, appropriation of receipts	770,000	770,000	770,000	780,000	780,000	+10,000	+10,000	
Total, title II, related agencies	419,699,053	407,926,500	394,319,500	417,694,500	410,750,500	+2,824,000	+16,431,000	−6,944,000
Grand total	1,182,910,770	1,270,829,500	1,200,090,300	1,246,802,770	1,228,739,070	−42,090,430	+28,648,770	−18,063,700
Consisting of—								
Direct appropriations	1,127,539,770	1,103,325,500	1,045,866,300	1,092,568,770	1,074,505,070	−28,820,430	+28,638,770	−18,063,700
Appropriation of receipts	41,371,000	138,224,000	138,224,000	138,234,000	138,234,000	+10,000	+10,000	
Borrowing authorization	14,000,000	16,780,000	16,000,000	16,000,000	16,000,000	−780,000		
Annual contract authority		12,500,000				−12,500,000		

The **PRESIDING OFFICER.** The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 856. An act for the relief of the estate of R. M. Clark; and

S. 2089. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

EXCISE TAX REDUCTION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

Mr. **LONG** of Louisiana. Mr. President, as I indicated previously, there is no objection, to my knowledge, to the proposal advanced by the Senator from Delaware.

It was my understanding that at some time there had been a more or less concerted effort within the departments to more or less wage war on organized crime, vice, racketeering, or anything of that sort which might be going on in the country. Where there was any interstate aspect, I suppose that included the use of the mails.

It is my impression that the Treasury Department efforts, insofar as the screening of mail was concerned, had to do with the overall departmental effort of resisting crime and vice.

Both the Secretary of the Treasury and the Senator in charge of the bill agree that there is merit to the proposal that mail of citizens should not be opened by the Treasury Department, and that there is not sufficient cause for the Treasury Department to justify intercepting and opening the mail of a citizen, even with a meritorious purpose such as that which the Treasury Department may have alleged. Accordingly, I do not resist the amendment. I shall vote for it.

Had the amendment been offered in the committee, I would have voted for it in committee. The Senator explained to me that he did not offer the amendment in the committee because he wanted a departmental response to his proposal before he offered his amendment. Of course, that is a good reason for not offering the amendment at that point.

I shall be perfectly content to support the amendment.

I hope the House will agree to it.

Mr. **WILLIAMS** of Delaware. Mr. President, I thank the Senator.

I could not bring the amendment up in the committee before because I had not been furnished with a list of the cases that were involved. I wanted to examine those cases.

I have a list of the cases before me. They were not cases involving organized crime. They were cases involving delinquent taxpayers, who should pay their taxes. It involved a 100-percent collection of taxes. It did not involve a question of anything related with organized crime.

Mr. **CURTIS.** Mr. President, I rise to speak on the Williams amendment, of which I am a cosponsor.

I want to make it clear that our Government has been guilty of rifling the mail of private citizens who were not delinquent in their taxes and were not engaged in any enterprise which placed their taxes in question. They were not criminals or suspected of being criminals.

The Government of the United States has intercepted mail between husband and wife, a personal matter which had nothing to do with the Government. Even if it had, it would be a violation of every American principle in our republican system of government.

I urge the approval of this amendment, of which I am cosponsor, to S. 1886. The amendment is designed to accomplish the same purpose—to end an evil which, until a few months ago, few Americans even realized existed—the nefarious practice of the U.S. Government breaching the privacy of our mail.

Hearings have been held by a subcommittee of the Committee on the Judiciary. At those hearings it was developed that the Internal Revenue Service and the Post Office Department were parties to such a practice.

Spokesmen for the executive attempted to leave the impression that this was a very select business, and that only a few letters had been opened, and then only when officials were convinced that a delinquent taxpayer was receiving money or negotiable securities through the mail. They offered this lame explanation as an excuse for their outrageous and unconstitutional invasion of privacy.

Mr. President, I now have evidence in my hand that this is not a limited practice, but a rather far reaching one. I have received letters dated May 2 and May 29, 1965, from a constituent in Nebraska detailing and documenting his own experience with the Post Office Department and the Internal Revenue Service.

He has supplied me with photostatic copies of an envelope which was opened by the Internal Revenue Service in Los Angeles, Calif., and then carefully scotch-taped and eventually forwarded to him.

The Internal Revenue Service claims the letter was misdirected. This hardly seems feasible. The address is most clear, and it even includes the post office zip code number. It was mailed in a city in California and addressed to a city in Nebraska. There is no possible excuse for saying that the letter might have found its way, by accident, to the Internal Revenue Service in Los Angeles. It was not mailed in Los Angeles or directed there.

My constituent complains—I think most justifiably—that the letter was held by the Internal Revenue Service for 10 or 12 days before it was finally sent on to him.

Mr. President, it is shocking that this Government agency should, first of all, have opened the letter; and, second, have held it so long. The letter, incidentally, was a personal one from the man's wife and could have had absolutely no conceivable interest to the U.S. Government or any of its agents.

My constituent wants to know "if there is a police state in the United States which violates the Constitution by destroying the privacy of the individual citizen like they do in Russia and other Communist countries."

My constituent, who is a retired businessman and is 72 years of age, offers this comment:

> I regard this opening as an effort to pry into my mail since I have been active in local and national politics and have often complained about the administration using power tactics.

Mr. President, this is a shocking allegation. From the very depths of my being I hope it is not the case. Despite the evidence, I prefer to believe that a series of mistakes occurred and that the letter did, by some freakish accident, wind up in the office of the Internal Revenue Service. I prefer to believe this because, if there is even the remotest chance that it was otherwise, a dangerous assault has been made upon American freedom.

In reality, however, this is no worse a charge than has been made against the Internal Revenue Service and its willing coconspirator, the Post Office Department. It has been charged that, upon the initiative of an individual, mail addressed to certain individuals has been diverted and this mail has been opened without permission—and without a court order or a warrant. These charges have been substantiated.

Is it any wonder, then, that a private citizen who has done no wrong, who has paid all of his taxes, whose conscience is at peace, should come to this drastic conclusion—the conclusion that, because he is of a different political faith than the men in office, his mail should be held and his most private and intimate personal correspondence between the taxpayer and his wife laid open to the perusal of alien and unfriendly eyes?

Such a conclusion, I believe, would be logical were we to put ourselves in his shoes.

It is up to Congress to take swift action to make sure that the people have no possible ground in the future for such a conclusion.

It is up to us as Members of the U.S. Senate to make positively certain that no such charge can ever again be leveled against the U.S. Government.

We can help insure the sanctity of personal privacy through enactment of this amendment, and thus guarantee to every individual in the United States, when he or she sits down to write a letter, that letter will be read only by the person for whom it is intended, and not by the minions of an all-powerful and all-prying government.

We are commencing to see the truth of the allegation that a government which is strong enough to give the people everything they want is strong enough to take everything they have away from them; and this Great Society, which will some day be known as a sad society, is taking away one of the most precious liberties of the American people—the right of a citizen to send his mail inviolate through the U.S. mails.

I appreciate the fact that there apparently is no objection to this amendment, but I believe the Senate should order the yeas and nays on it. I believe that we should, with a resounding vote, serve notice on these little people, who have such a poor conception of what freedom is and what America means, that we are not going to stand for any totalitarian tactics.

In closing I again urge prompt and favorable action on this most important amendment.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator from Nebraska for his support. I emphasize again that the mail which was opened had nothing whatever to do with the discovery of crime. While I am not going to put in the Record the names of the 27 persons or concerns—they have suffered enough—I merely note that one of them is an advertising agency in Michigan; one is a plastic company; one, a radio broadcasting company; one, a civic reading club; one, an electronic company; and one, a credit service.

There were various types of individuals and operations involved. Perhaps the taxpayers were delinquent or perhaps they were at least considered to be by the Treasury. If they were delinquent the Government should collect their taxes, but the opening of mail is one thing which Congress has never given the right to any public agency to do. If the practice is ever to be changed, it should be done by law and not by a bureaucrat's saying, "We are an all-powerful government, we can do whatever we want." As the Senator from Nebraska has pointed out, the rights of American citizens are paramount. We cannot afford a police state in this country.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COOPER. I do not know whether it was brought out in the debate, but I think it should be brought out because of the importance of this subject.

We know that the fourth article of the Bill of Rights in the Constitution provides for:

> The right of people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The practice which the amendment of the Senator from Delaware [Mr. Williams] is directed against, if similar practices are followed in other Departments of the Government, is in effect an attempt to circumvent the fourth article in the Bill of Rights.

Under law, we cannot take possession of a person's effects—which include letters—except by a search warrant; but if some person can obtain a letter and find information upon which some prosecution can be based without ever disclosing the fact that such letter has been seized, of course it is used to circumvent not only the letter of the law, but also the spirit of the law. The letter itself might not be used, but the facts gained would be used. It is, therefore, a palpable and inexcusable violation of law.

I am glad that the Senator from Delaware has brought this question before the Senate.

Mr. WILLIAMS of Delaware. Since Secretary of the Treasury Fowler has been in office this practice has not been followed. I respect him for that decision. The practice has been stopped. He has stated that under no circumstances would it be reinstituted even without law, although he has no objection to spelling it out in the law in the event at some future date someone should decide to try it again.

Mr. CARLSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I associate myself with the remarks of the Senator from Delaware and express my appreciation for the introduction of the amendment to the bill which deals with the opening of mail by the Internal Revenue Service.

The Committee on Post Office and Civil Service had already set hearings on a somewhat similar bill for next Thursday. The subcommittee, headed by the distinguished Senator from Texas [Mr. Yarborough]—and I happen to be a member of that subcommittee—expects to hold hearings.

I believe that this is an opportune time to take action on a matter which deserves the immediate attention of Congress.

I had looked forward to the hearings in the hope that we would get some action under the bill S. 1866, under the leadership of the Senator from Missouri [Mr. Long], who has held extensive hearings on the matter of the opening of mail by the Internal Revenue Service.

This is a dangerous situation, and one which should be stopped.

I sincerely hope that action will be taken this afternoon which will, once and for all, prevent the opening of the mail of our citizens by the Bureau of Internal Revenue.

Mr. WILLIAMS of Delaware. I thank the Senator from Kansas. I am in complete agreement with the purposes of the bill to which he has referred. That bill deals with the broad practice now being carried on by other agencies of the Government. What we are trying to deal with today is the one phase as to how the law was administered by the Treasury Department only. That would not lessen the importance of the committee continuing its hearings and actions, and I hope that eventually they will report the bill and that it will be passed by Congress.

In the meantime, adoption of my amendment today not only would cure this violation by the Treasury Department but also would serve as an adequate warning to other agencies of the Government as to how Congress feels about this subject.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. Williams].

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana: I announce the Senator from Florida [Mr. Holland], the Senator from Utah [Mr. Moss] and the Senator from Maine [Mr. Muskie] are absent on official business.

I also announce that the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Wyoming [Mr. McGee], the Senator from West Virginia [Mr. Randolph] and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. Holland], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from Wyoming [Mr. McGee], the Senator from Maine [Mr. Muskie] and the Senator from West Virginia [Mr. Randolph] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy] and the Senator from Pennsylvania [Mr. Scott] are absent on official business.

The Senator from South Carolina [Mr. Thurmond] is necessarily absent.

If present and voting, the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], the Senator from Pennsylvania [Mr. Scott] and the Senator from South Carolina [Mr. Thurmond] would each vote "yea."

The result was announced—yeas 87, nays 1, as follows:

[No. 133 Leg.]

YEAS—87

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Eirvn
Fannin
Fulbright
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—1

Gore

NOT VOTING—12

Fong
Holland
Kennedy, Mass.
Kennedy, N.Y.
McGee
Moss
Murphy
Muskie
Randolph
Russell, Ga
Scott
Thurmond

So the amendment of Mr. Williams of Delaware was agreed to.

Mr. GORE subsequently said: Mr. President, I did not realize on the last vote, taken a few moments ago, that when the roll was finally called, I would be the only Senator who had voted "nay." I do not mind being in such a position, but it does cause one to be an object of some curiosity.

I should like to take a moment to state some of the reasons why I considered the amendment of the Senator from Delaware unwise. First, I found it imprecisely and inexpertly drawn. In my view, the amendment goes far beyond the sanctity of the mail.

The amendment would prohibit a levy upon undelivered and unopened mail. But the amendment then goes further and provides a definition of "mail." The following is the definition:

> Mail, addressed to any person, which has not been delivered to, and opened by or on behalf of the addressee.

If I correctly understand the law and the obligation of the Post Office Department thereunder, the legal obligation of the Post Office Department ends upon the delivery of the mail to the addressee or his agent, to the home, to the office, to the address of the addressee. If the mail is delivered to the person or the address, that envelope, that parcel post package, is then the belonging of the addressee. But even after it is duly delivered and is then the property and responsibility of the addressee, the amendment would prohibit levy until such mail is "opened by or on behalf of the addressee." The mail may have been mailed to the addressee by himself, by an agent or by a third party, and it may be parcel post as well as letter. Moreover, the amendment contains no time limit.

The Government may very well under certain circumstances have a judgment against the addressee. The Government may know or have good reason to believe, that in a certain package or letter is a bundle of currency. Under present law, the Government has the right to levy upon such package or envelope. The amendment, if it becomes law, would seem to prohibit such levy even after due delivery until it has been "opened by or on behalf of the addressee." The only requirement of the amendment is that it be in undelivered or "unopened" mail. The tax collector is thus left powerless no matter what degree of cheat is involved. It may be that some other provision of law would mitigate or modify the effect of the amendment. Yet the amendment, if enacted, would become the most recent enactment. Thus, at the very least, grave doubts of due process are raised.

Second, this would prohibit a levy upon unopened mail, even under court order, whether in satisfaction of a judgment or in pursuit of a legitimate inquiry unless opened by or on behalf of addressee. I am not certain whether the amendment does not go so far as to protect one who mails to himself a bundle of currency and then, without opening such mail, delivers such to his lockbox.

A still further factor is involved: The fraudulent use of the mail for tax fraud or for tax evasion. Once again, even after the mail has been duly delivered, after it is duly in the possession of the addressee, but unopened, levy is foreclosed. It would seem to prohibit search and seizure of such mail by court order either for apprehension of tax fraud or for collection of duly rendered judgment. In this respect, the amendment would strip the Government of due process of law with respect to such parcels, packages, or envelopes sent through the U.S. mail but remaining "unopened."

So, in my judgment, the Senate acted hastily on an amendment inexpertly drawn. If I thought the amendment would stand up in conference, I would move that the vote by which it was agreed to be reconsidered. Since I do not think it will withstand close scrutiny, I only take the floor to indicate some of the reasons for my negative vote.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LONG of Missouri. Mr. President, I wish to express my appreciation to the Senator from Delaware for his courtesy in assisting in the investigation that is being made by my Subcommittee on Administrative Practice and Procedure. The subject matter of that investigation was covered by his amendment. We have been working on it for 2 or 3 months. Two or three other Senators and I have had bills pending before the Post Office Subcommittee, and that subcommittee was to hold hearings on the subject next week or the following week, beginning on the 25th, I believe.

I notice that the amendment the Senator offered was not a printed amendment, although there are two or three printed amendments before the Senate.

This is the first information I had that the Senator from Delaware would assist my subcommittee in furthering this project.

We do not know where this leaves us now with respect to the hearings. I wish to express my appreciation to the Senator for his assistance in handling this matter. I believe I would have extended to the Senator from Delaware the courtesy of discussing the matter with him first before offering an amendment, inasmuch as our subcommittee was working on the project.

Mr. WILLIAMS of Delaware. I will say to the Senator who was not present on the floor that this matter was discussed by the Senator from Kansas [Mr. Carlson]. I pledged my support to the bill which the Senator has introduced, and I congratulate him on the work he has done.

His bill deals with an entirely broader field.

This problem involves many agencies of the Government, as the Senator well knows. My amendment would deal only with the Treasury Department. That question comes under the jurisdiction of our committee. This morning the Secretary of the Treasury endorsed the amendment. The only agency with which the amendment would deal would be the Treasury Department, and the opening of mail by that Department.

I respect the position of the Senator from Missouri, but I point out that I, too, have been interested in the question of mail interception for several months for the reason that my mail was also being read by others. Sure, it was not involved in this particular case, but copies of my mail have been sent to other Members of the Senate by some of these same agencies of the Government. As an individual I did not like it. I wish to go on record against the practice.

It is a matter of record that copies of my mail were forwarded to others by the agency that I have mentioned in the amendment. That is the reason why I offered the amendment. I want the Treasury Department to be on notice that from here on my mail and the mail of any other taxpayer is his own business and no agency has a right to send copies of it to some Member on the other side of the Chamber; nor does anyone have a right to intercept such mail.

All we are doing here today is amending the Internal Revenue Code, which certainly comes under the jurisdiction of the Senate Finance Committee and not the Post Office and Civil Service Committee.

Mr. LONG of Missouri. I recognize that, but the bill sponsored by my committee happens to be before the Committee on Post Office and Civil Service. When my committee was investigating the question, I do not recall that the Senator from Delaware made any complaint to the committee or offered any evidence that his mail was being opened. We would have been glad to have received such evidence, and we would have investigated it. I appreciate the position which the Senator has taken. I appreciate his support of the bill. The bill deals only with the subject matter with which the amendment dealt. It deals with the opening of mail by the Internal Revenue Service. I believe the Senator from Texas [Mr. Yarborough] is the chairman of the subcommittee that will hold hearings on the bill.

Mr. YARBOROUGH. Mr. President, will the distinguished Senator yield?

Mr. LONG of Missouri. I yield.

Mr. YARBOROUGH. Hearings on the bill have been set for Thursday of this week, June 17. At that time we shall also hear testimony on the mail cover bill, which I have also cosponsored with the distinguished Senator from Missouri [Mr. Long].

Testimony on the mail cover bill will be heard, and if there is any segment of the bill that is not covered by the amendment adopted today, we shall have hearings upon that also. Personally I favor enacting laws that will lift the mail cover off our mail and eliminate the rifling of mail by any agency of the Government, be it the Internal Revenue Bureau or any other agency. Someone has said that the CIA needs the mail cover. Why? Have we a Gestapo government? I am for protecting the inviolability of mail.

Mr. President, the hearings will start on June 17. I compliment the Senator from Missouri on his leadership in the exhaustive hearings which he has held. Those hearings have revealed many of the present abuses that would lead to a Gestapo state and not a democracy. I shall try to stop that with the Senator's help. I congratulate the Senator on his leadership, and repeat that we shall begin hearings on June 17.

Mr. LONG of Missouri. I thank the Senator from Texas.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. LONG of Missouri. I yield.

Mr. CARLSON. During the debate on the amendment which the Senate has approved, I mentioned that the distinguished Senator from Texas had already called hearings on Senate bill 1886, which was introduced by the Senator from Missouri [Mr. LONG], and cosponsored by many other Senators. I said that we would hold hearings on it. It was a subject that was brought up during the debate.

As a member of the subcommittee, I look forward to the hearings.

I agree with the Senator from Texas [Mr. YARBOROUGH] that the time has arrived that we should do something about it. The Senator from Missouri is entitled to much credit for the fine work that he has done in holding hearings and calling attention to what has already been accomplished.

I wish to support also Senate bill 973, which is also approved by the Senator from Missouri [Mr. LONG]. I hope at the conclusion of the hearings we can recommend action that will eliminate some of these problems.

Mr. LONG of Missouri. I thank the Senator. I believe that if I had been in the place of the Senator from Delaware, I would have extended him the courtesy, if he had been inadvertently absent from the Chamber, to advise him that I was taking up an amendment that would affect the work that his committee was undertaking. The other amendment which the Senator had was printed. The amendment to which I now refer was not. We had no information on it until the bell rang for a vote.

REPEAL OF TAX ON THEATER ADMISSIONS

Mr. JAVITS. Mr. President, I wish to express my appreciation to the committee for the way in which it has handled the repeal of the taxes on theater admissions. I have tried for many years to bring about a repeal of this tax. It is now near completion. I have received a letter from the president of the League of New York Theaters expressing the industry's concern over the need for a system of flexible pricing which will now become possible and will permit the demands of all categories of ticket buyers to be more easily met. Better prices to the individual consumer, especially to the less favored consumer, such as schoolchildren and other people similarly concerned are anticipated. I ask unanimous consent that I may have printed in the RECORD excerpts from a letter of June 10, 1965, from Mr. Harold Prince, president of the League of New York Theaters, on that subject.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPT OF LETTER FROM MR. HAROLD PRINCE

I understand that you would like me to give you my views on the need for including these provisions in the tax repeal bill and the importance to the industry and public of establishing flexible ticket pricing which these provisions today effectively prevent. They may be summarized as follows:

Neither subsection (4) nor subsection (5) of section 4231 of the Internal Revenue Code of 1958 provide any meaningful benefits to the theatergoing public nor do they generate any tax revenues. Subsection (4) is simply an extension of the 10-percent excise tax contained in subsection (1) to the premium charged by ticket brokers and must stand or fall with the basic excise tax. Subsection (5) has in practice had no impact upon the price of tickets to the public and actually encourage rather than deters under-the-table scalping. Its primary effect is to hamstring the institution of flexible ticket pricing.

Subsection (4): This provision imposes a 10 percent tax on the amount charged for tickets by brokers in excess of the "established price." In form, it is payable by the broker. In practice, it has been universally passed on to the ticket purchaser. The net effect of this provision in conjunction with subsection (1) is to increase the total price of tickets purchased from brokers by 10 percent. It has no deterrent effect upon improper transactions whatsoever. It must, therefore, stand or fall on precisely the same basis as subsection (1)—the basic 10 percent excise tax provision.

Subsection (5): This provision imposes a 50 percent tax on box-office sales above the "established price." It apparently was intended to deter the collection of "ice" by box-office ticket sellers in sales to brokers with the expectation that the availability of lower cost tickets to brokers would result in lower prices to the public. Brokers, however, set their prices according to market demand—not at a standard markup above their cost. The fact that brokers obtain tickets without paying "ice" in no way insures that this "savings" will be passed on to the public. In fact, experience has proven the contrary. The "going rate" is charged the public regardless of what the broker paid to obtain tickets.

As a revenue measure, moveover, subsection (5) has a counterproductive effect. It drives practically all box office sales at "premium" under the counter where no taxes of any nature—neither excise nor income—are paid and thereby actually encourages improper practice. Income tax revenues would actually be substantially increased if subsection (5) were repealed and all such transactions conducted above the counter.

Beyond the lack of benefits to the public of subsection (5), this provision imposes extremely harsh restrictions on the sales potential of the theater which are flatly contrary to the public interest. As implemented by IRS regulations, subsection (5) has in effect outlawed flexible ticket pricing—pricing designed to meet the demands of all categories of ticket buyers, from the richest to the poorest.

To attain a healthy economic state and provide a wide variety of productions to meet all facets of public interest, it is clear that the theater industry must modernize its operations. It must be responsive to modern economic reality. Subsection (5), however, stands in the way of this goal.

Today's theater audience can be classified roughly as follows:

1. The advance purchaser who buys either in advance of opening or during the run weeks or months in advance of the ticket date.

2. The wealthy hit show audience who will pay almost any price to see the show they want, when they want, and at the last minute. These are the main customers of the ticket speculators.

3. The casual buyer who will attend a play on impulse and buy tickets just before the performance.

4. The regular theatergoer who is willing only to pay box office or modest broker prices and is content with what is available, when it is available.

5. The bargain hunter who waits until a hit begins to lose momentum when he usually can pick up two tickets for the price of one (twofers).

6. In addition, the industry would like to attract more young people by offering tickets at prices which they can afford.

Subsection (5), and the regulations which implement it, make it virtually impossible for theater owners and producers to adopt ticket policies which will best appeal to this entire spectrum of ticket buyers—which is a vital necessity if the theater industry is to progress. The industry must have the flexibility to offer tickets to "advance purchasers" at a lower price. They take the risk, after all, that a show may be a flop. It must also be able to charge the last-minute "hit" show purchasers a premium for this privilege. It is clear that there is a strong demand for such tickets and it would be in the best interest of all concerned if these transactions were legitimized and channeled above the board. The industry also should be able to offer tickets to "bargain hunters" at lower prices for waiting until the rush is over and to provide price incentives to encourage young people to attend the theater.

Mr. JAVITS. Also the Actors Equity Association and all the people in the entertainment business will be very much gratified by the effort to encourage patronage which is expected to result and thereby the development of the legitimate theater comes from repeal of the tax. There is a rather substantial understanding of the problems of that particular industry by the committee. I expressed my appreciation to them. I know that the whole theater and entertainment community throughout the country and the whole New York community will feel the same way.

EXCISE TAX ON CLUB INITIATION FEES

Mr. DIRKSEN. Mr. President, I offer amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments of the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 58, line 15, after "initiation fees" it is proposed to insert "(other than initiation fees to which clause (iii) applies)".

On page 58, line 17, it is proposed to strike out "and" and after line 17 insert: "(iii) initiation fees paid on or after July 1, 1965, to a new club or organization which first makes its facilities available to members on or after such date"; and

On page 58, line 18, it is proposed to strike out "(iii)" and insert "(iv)".

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the time on the Dirksen amendments be limited to 1 hour, to be equally divided between the minority leader and the Senator in charge of the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I shall be very brief. In the case of clubs that are being organized now, the organizers discover that prospective members are quite unwilling to pay initiation fees and to join on the ground that if they wait until January, there would be no tax. I believe that only a few clubs would be involved. The amendment was submitted and should have been accepted by the Ways and Means Committee of the House, but through some inadvertence it was not done. I have discussed the question with the Senator in charge of the bill, and he is quite agreeable to accepting the amendment. So I do not believe that it needs any belaboring beyond that point.

Mr. LONG of Missouri. Mr. President, I believe the amendment has merit. It would have very little, if any, revenue impact. I am willing to accept the amendment and take it to conference. Unless some other Senators wish to discuss it, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Illinois yield back the remainder of his time?

Mr. DIRKSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendments of the Senator from Illinois.

The amendments were agreed to.

EXCISE TAX ON CAMPER COACHES AND SELF-PROPELLED MOBILE HOMES

Mr. DIRKSEN. Mr. President, I submit another amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The legislative clerk read as follows:

> On page 61, it is proposed to strike out lines 1 through 6 and insert the following:
>
> (1) Camper coaches; self-propelled mobile homes.—The tax imposed under section 4061 shall not apply in the case of—
>
> (A) articles designed (i) to be mounted or placed on automobile trucks, automobile truck chassis, or automobile chassis, and (ii) to be used primarily as living quarters; or
>
> (B) a chassis on which a body described in subparagraph (A) is mounted or placed.

Mr. DIRKSEN. Mr. President, the Committee on Finance considered the amendment offered in the first instance by the distinguished Senator from Kansas [Mr. Carlson] relative to camper coaches and self-propelled mobile homes. I had intended to redraft it so as to make certain that the chassis as well as the body would be included; but through another inadvertence of the committee—and I feel certain that it was probably my fault—the amendment was not properly oriented so as to provide that the entire vehicle, including the chassis, if it were a mobile home, would be exempt from the tax.

The Senator in charge of the bill is quite familiar with the discussion that took place in committee. I believe it was the intent of the committee that this correction should have been made in the first instance. So I do not believe that I need to belabor the amendment any further. I shall leave it at that.

The PRESIDING OFFICER (Mr. Nelson in the chair). The question is on agreeing to the amendment of the Senator from Illinois.

Mr. LONG of Louisiana. Mr. President, I should like to speak with reference to the amendment for a moment. The amendment would remove the tax on the chassis of a trailer. If the trailer were drawn by a truck, the truck would be taxable; or if the trailer were drawn by an automobile, the automobile would be subject to tax until the tax on autos was phased out, as proposed in the bill.

Therefore, there would be objection on the basis that such a removal of a tax would tend to discriminate between the person who drew his house trailer by automobile or truck, on which he had paid a tax, as compared with a person who had bought the truck motor or steering column and chassis as a part of the overall unit. For that reason, I do not believe the amendment should be agreed to.

The revenue impact would not be great; I believe it is now $3 million. But there is some question as to whether, if the amendment were adopted, we might discriminate against other forms of transportation.

For that reason, I feel constrained to object to the amendment.

Mr. DIRKSEN. Mr. President, I point out to the distinguished Senator from Louisiana that all trailers will now be exempt from the tax. Where they are hauled by truck, obviously there are two separate units. But in the case of self-propelled mobile homes, the chassis and the body are one and the same unit. They are indivisible; they are inseparable; one is not of any value without the other. Therefore, I believe the owner is entitled to the benefit of the tax reduction on the self-propelled mobile home, because that is one entire unit.

Mr. ANDERSON. Mr. President, we should bear in mind that this proposal was carefully considered by the Committee on Finance. The committee turned it down because it would give a tax advantage to one particular group of manufacturers as against another. We have provided tax reductions on enough items in this particular bill to give advantages to enough people without giving undue advantages to others. The amendment should be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois. (Putting the question.)

Mr. DIRKSEN. Mr. President, on this amendment, I ask for a division.

On a division, the amendment was rejected.

AMENDMENT NO. 234

Mr. McINTYRE. Mr. President, I call up my amendment No. 234 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 23, after line 14, it is proposed to insert the following new section:

> Sec. 211. State-Conducted Sweepstakes
>
> (a) Section 4402 (relating to exemptions from the tax on wagers) is amended by striking out "and" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting ", or", and by adding at the end thereof the following new paragraph:
>
> "(3) State-conducted sweepstakes.—On any wager placed in a sweepstakes, wagering pool, or lottery—
>
> "(A) which is conducted by an agency of a State acting under authority of State law, and
>
> "(B) the ultimate winners in which are determined by the results of a horse race, but only if such wager is placed with the State agency conducting such sweepstakes, wagering pool, or lottery, or with its authorized employees or agents."
>
> (b) The amendment made by subsection (a) shall apply with respect to wagers placed after March 10, 1964.

Mr. McINTYRE. Mr. President, the purpose of amendment No. 234, offered on behalf of myself and my senior colleague [Mr. Cotton], is simple. The purpose of the amendment is merely to add one more exemption to the existing list of exemptions to the Federal wagering tax, an exemption for State-operated sweepstakes.

The amendment has become necessary because of the position of the Department of the Treasury that the State of New Hampshire is liable for the Federal wagering tax which the Treasury has imposed on the New Hampshire Sweepstakes. It is my opinion, and the opinion of counsel for the State of New Hampshire, that the Treasury is incorrect in its reading of the Internal Revenue Code. The Treasury has persisted in its efforts, however, so it has become necessary to offer this amendment today.

The New Hampshire sweepstakes is a lottery-type operation operated by the New Hampshire Sweepstakes Commission, an agency of the State of New Hampshire. Under the guidance of Gov. John W. King and Sweepstakes Executive Director Edward J. Powers, the New Hampshire Sweepstakes is an honestly run operation which has succeeded in keeping free from even the faintest touch of organized crime. Mr. Powers, formerly agent in charge of the Boston office of the FBI and the man responsible for solving the Brinks robbery case, has established operating procedures designed to keep the sweepstakes free from scandal.

The sweepstakes was established by a heavy bipartisan vote of both houses of New Hampshire's Legislature, each with a majority from the Republican Party, and was then signed into law by a Democratic Governor. Upon the enactment of the sweepstakes law, referendums were conducted in each town and city in New Hampshire to obtain approval of the operation. In the March 1964 referendum, the total vote cast was 108,110 votes for and only 34,440 votes against the sweepstakes. The sweepstakes question carried every county and every city, by huge margins.

Mr. President, the New Hampshire Sweepstakes has proved to be a real boon to the public school systems of our State. As of last year, after payment of expenses, prizes, and Federal wagering taxes, some 48.2 percent of the gross receipts went to education—to our school districts. If the amendment is accepted, some 58.4 percent of the receipts will go for educational purposes.

The adoption of this amendment will result in very little loss to the Treasury. Last year, the wagering tax paid by the State of New Hampshire amounted to $587,704.04.

I suppose that the strongest argument which can be made for the amendment goes straight to the unfairness of the present Federal wagering tax. This tax is now riddled through with exemptions and exceptions for many types of private gambling for profit.

Mr. President, rejection of this amendment, in the full context of the existing wagering tax, cannot help being interpreted as a policy decision by Congress to favor private gambling such as parimutuel betting and privately owned gambling casinos over State-operated sweepstakes operated exclusively for the benefit of public education. In a year when Congress has enacted an aid-to-education law providing incentives for greater State and local contributions to education, it would seem to me that Congress would wish to give all the assistance possible to this effort by the State of New Hampshire to increase its contribution to the educational system of New Hampshire.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. COTTON. I compliment my distinguished colleague from New Hampshire for offering this amendment. I wish to associate myself completely with all that he has said in its support. It is completely logical. It is impossible for me to understand how, in justice, the amendment could be rejected.

Incidentally, New Hampshire is one of the States which, under the formula of the Aid-to-Education Act, pays to the Federal Government more than it receives. New Hampshire is struggling to maintain its schools. Whatever may be said, pro or con, on the question of sweepstakes as a form of support, the fact that the sweepstakes are conducted by the State insures that there is not a single element of private gain.

Every cent derived from the sweepstakes is earmarked to the Department of Education in the State of New Hampshire. With all the existing exemptions on all kinds of private gambling devices, simple justice would seem to dictate that this amendment should be agreed to.

I associate myself fully with the Senator and urge adoption of his amendment.

Mr. McINTYRE. Mr. President, I thank my colleague, who has been of considerable assistance to me in the presentation of this amendment.

Mr. ANDERSON. Mr. President, I think it is important to bear in mind what the Treasury Department had to say on this subject. They were strongly opposed to it. I read from what Assistant Secretary Surrey said about it:

> Historically, Federal excise taxes have been levied on State and local activities when such activities fell within the taxable concept under which a particular excise is levied. As a result of this approach, the general admissions tax was levied on admissions to public parks and athletic games of public schools at a time when the admissions tax did not contain exemptions for private activities; a manufacturer's excise tax was levied on the sale of mineral water by a State-owned enterprise.

This is the whole story. Will they also have the advantage of this, or merely the State of New Hampshire?

I read further:

> The transportation taxes were levied on ferry charges of State-owned ferries; and the liquor occupational taxes are levied on State or municipally owned liquor stores. Furthermore, Federal excises have been paid on the alcoholic beverages which are sold by State or municipally owned liquor stores.

Shall we open this up with the logical argument and say that when the State owns a liquor store, no taxes would apply? I do not believe that we should.

I read further:

> Exemption of the New Hampshire Sweepstakes tickets has been supported as justifiable because of the public purpose (i.e., education) for which the profits are to be utilized. However, as just indicated, the historical approach in Federal excise taxation has been to look at the taxed activity without reference to the use to be made of the profits. To do otherwise could lead to a bias in favor of State and local governmental operation of business activities. The question of bias in favor of State and local business activities also has been considered in one case in connection with the State and local exemption from Federal income tax and decided in favor of taxation.

The letter continues in that vein all the way through. A school may own an office building, but it cannot claim exemption from taxation on such building.

I continue to read:

> In 1950, the Congress decided to impose the corporate income tax on the unrelated business income of certain private nonprofit organizations, including schools, because of the unfair competitive advantage they derived from income tax exemption of active business operations and leasebacks. In 1951, the Congress reviewed its 1950 action and made the unrelated business income tax applicable to colleges and universities which are an agency or instrumentality of a governmental unit because the Congress felt that these institutions had the same competitive advantage from the income tax exemption of any unrelated business they might carry on.

The same kind of statement is made all the way through. I could read through the report. That has been the whole story. If we were to start this process, we would have to go all of the way through. We are not prepared to go all the way through. I believe that the amendment ought to be defeated.

Mr. LONG of Louisiana. Mr. President, it is my understanding that only about $500,000 is involved in the amendment.

In the State of Louisiana we have parimutuels. The State closely regulates them. People can gamble legally at the racetrack. No Federal tax is paid on it. The parimutuel provides a substantial amount of income to the State of Louisiana and to the city of New Orleans. A similar situation exists in Baltimore. There are two racetracks there. They are very good racetracks. I regret to say that I have not had much success out there. However, they have had a good racing season.

In West Virginia they have a parimutuel. The parimutuel in West Virginia has been yielding a good amount of money to that State. The parimutuel is not taxed by the Federal Government.

In some ways this is similar to a parimutuel system in horse racing. When a person buys a ticket in a completely State-operated lottery, if he is fortunate enough in the drawing of the sweepstakes, he has a ticket which amounts to a bet on a horse in a parimutuel race.

It is an operation which exists in many of the States. The operation is not taxed. In view of the small amount of revenue involved in the measure, approximately $500,000, I would have no objection to taking the amendment to conference to see what the House would do with it.

I know that the Senator from New Hampshire feels very strongly about the subject. He has discussed it with me a number of times. I would be perfectly content to accept the amendment, if that is the will of the Senate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Mr. President, if we were to accept the amendment and exempt this kind of operation, what would eventually happen when demands were made upon us to exempt other kinds of operations such as those enumerated in the document from which the Senator from New Mexico has read?

I believe that we would be defenseless. We would be forced to go the whole way.

Mr. LONG of Louisiana. Precisely the same argument could have been made when the parimutuels were exempted from the wagering tax. It was felt then that a parimutuel was a clearly regulated type of wagering that was more widely separated from any aspect of corruption, vice, or anything of that sort, than ordinary gambling.

That being the case, Congress saw fit to exempt the parimutuel from a wagering tax. That is what we are speaking of here.

As I understand, this is an operation which has been completely State controlled. There is no question of corruption or anything of that sort.

Mr. LAUSCHE. The proposal would involve $500,000.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. What would the loss be if Senators were to start asking for exemptions for other operations? Would the Senator from New Mexico give his view of what the loss would be?

Mr. ANDERSON. It would be hundreds of millions of dollars.

The point that the Treasury Department makes is that this exemption would be contrary to the general approach of applying Federal excises to State and local operations falling within the general taxable concept as a means of maintaining uniformity of taxation as between private and public business operations and as between patrons of enterprises falling under various types of ownerships. It is an important principle for all of us to observe.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. McINTYRE].

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, I believe this tax bill will prove to be a real stimulus to our economy. It will end many of the inequitable excise taxes which were adopted at the time of the

Korean War. Although some may differ with some of the details, as a whole this bill deserves our wholehearted support.

I regret that once again the question of tax reform has been postponed. Various tax bills which have been approved in recent years have been tax reduction bills rather than tax reform bills. Estimates, which are reliable, have been made that if we could correct the various loopholes in our tax structure, we could raise the same amount of money with half the rate of taxation. The failure of Congress and of the administration to cope with these problems of tax reforms is regrettable. Once again we are faced at the last moment with a bill which we do not have time before July 1 to expand properly.

Secretary of the Treasury Dillon made a closing statement just before he left office which was startlingly similar to the farewell statement of President Eisenhower.

President Eisenhower, a former military man, warned the country that there was great danger to us from the military-industrial complex. He meant, of course, the large military contractors and the military brass who were jointly committed to a given policy of appropriations and expenditures for military purposes.

Secretary Dillon, in leaving and uttering his swan song, said that the next tax reduction to be made should be a tax reduction for the low-income people. I join most heartily in that opinion. This bill would remove some taxes on articles purchased by low-income families. However, it would not, on the whole, benefit the lower-income groups which now need tax relief more than any other group.

In committee I offered an amendment to provide that the 10-percent tax would still be paid on furs and jewelry worth over $250. I find it somewhat lamentable that a piece of jewelry which sells for $10,000 should have a tax of $1,000 removed. I would like to see the taxes on inexpensive jewelry and furs reduced, but I do not like to see the tax removed from royal pastel fur coats selling for $9,000, or to have the tax removed on diamond bracelets which sell at a cost of $10,000 or $20,000.

Nevertheless, I am going to vote for the bill, but I hope that tax reform and relief will be granted in the future to those who need it the most—the lower income families.

I would like, however, to call attention to an amendment which I offered and which was accepted by the Committee on Finance, and to which the able Senator from Louisiana [Mr. Long], who is managing the bill so skillfully, has referred.

The amendment would help get rid of the growing number of rusting automobile corpses which are disfiguring our countryside and city lots. It would retain 1 percentage point of the existing auto excise tax. The revenues from this 1-percent tax would be diverted into a special fund which could be used in an all-out attack upon the mounting scrap piles of used-up autos.

Mr. President, I have gone into this subject in some detail in a speech which appears on page 11338 of the Congressional Record for May 24. Today, I merely want to summarize the essential features of this proposal.

The basic problem of how to dispose of junked automobiles is economic. A few years ago most junked cars were processed into scrap and used by the steel mills in making new steel. However, the supply of junked cars is rapidly increasing, and due to technological developments in the steel industry, the demand for scrap made from old cars is decreasing. As a result, the price of scrap has fallen and does not always cover the cost of converting an old car into usable steel scrap. It is often cheaper to let an old auto rust away on a junk heap. It is also frequently cheaper to leave a broken-down wreck upon a highway or street than it is to tow it to a junkyard. Each year our cities are forced to cart away many thousands of abandoned cars. In some cities twenty to twenty-five thousand cars are now deserted on the streets each year.

There are approximately 15,000 auto junkyards scattered across the country, and estimates of the number of junked cars range from 10 to 40 million. Whatever the precise figure, it is clear that the number of junked cars is increasing each year by at least 1 million.

The proposed 1-percent excise tax is essentially a user charge for getting rid of these unsightly and unwanted autos. In effect, whenever a person buys a car, the cost of its ultimate disposal will be included in the purchase price. In this way we can be sure that every new car that rolls off the assembly line will eventually find a proper burying ground.

Mr. BASS. Mr. President, will the Senator yield on that point?

Mr. DOUGLAS. I yield.

Mr. BASS. I wish to associate myself with the idea of trying to get rid of junked automobiles, but I have not formulated in my own mind exactly how the money is to be spent and how we are to accomplish the objective, whether it is going to be a Government project, or exactly how we are going to accomplish it.

Mr. DOUGLAS. I call the attention of the very able Senator from Tennessee to page 7 of the bill. We did not try to enumerate every method, but we give the President broad authority. I would now like to refer to some of the ways in which the funds can be used to meet the problem:

First, by direct subsidy payments to facilitate the processing of old cars into usable scrap.

Second, to authorize payments to be made to create a better market for scrap made from junk cars.

Third, by grants to States which have developed their own program of junk auto disposal.

Fourth, by loans to business firms to establish more efficient scrap processing plants.

Fifth, by research into better processing methods and alternative uses of scrap.

Mr. BASS. I support the general idea, but I was wondering whether we are going to create such a wide-open range of involvement in trying to accomplish the purpose as to defeat the purpose or make the Government go into the scrap metal business. That is one of my concerns.

Mr. DOUGLAS. Let me point out that there will be an annual review by the Appropriation Committees of the House and the Senate. This is merely an authorization bill. The Appropriation Committees can designate as much of that 1 percent as it wishes, or as little, but it does open the way for the President to initiate such a program. He will probably delegate authority to carry out the provisions of this program to the Bureau of Public Roads or the Commerce Department. The bill also provides that this problem could be attacked through the governments of the States and possibly of municipalities.

Mr. BASS. I commend the Senator. I hope it works.

Mr. DOUGLAS. The only way to find out if it will work is to try it.

Mr. BASS. I thank the Senator for yielding.

Mr. DOUGLAS. Mr. President, we are not only concerned with preserving natural beauty. We also need to conserve our natural resources. Every ton of old scrap used in making new steel saves 3 tons of valuable raw materials such as iron ore, coke, and limestone. Therefore, the rusting junk heaps of old cars are not only an eyesore—they are a waste of natural resources as well.

The revenues from a 1-percent tax would produce approximately $190 million a year or about $25 per car. The President would be required to propose a program for getting rid of the junked autos. However, before any of the funds could be used they would first have to be appropriated by the regular appropriations process. Thus, we would have a double check upon the executive branch. Any unused portion of the tax would revert to the Treasury. This method of financing has been used in a number of other Government programs and has proven effective.

There are a variety of ways by which these funds can be used to meet the junked auto problem. Some of the possibilities are:

First. Direct subsidy payments to facilitate the processing of old cars into usable scrap,

Second. Payments to create a better market for scrap made from junk cars,

Third. Grants to States which have developed their own program of junk auto disposal,

Fourth. Loans to business firms to establish more efficient scrap processing plans, and

Fifth. Research into better processing methods and alternative uses of scrap.

Mr. President, I first introduced this proposal 3 weeks ago. Since that time it has gathered a large amount of support. The principle of using the excise tax to get rid of junked autos was endorsed by the recent White House Conference on Natural Beauty. Many organizations and conservation groups have supported the proposal. The industry most familiar with the problem—the Institute of Scrap Iron and Steel—has given their endorsement to this approach. Many mayors have written to me expressing their approval. I have been encouraged by the interest shown by the administration in this amendment to the bill.

Mr. President, I cannot think of a single action which would beautify America more than getting rid of our unsightly scrap heaps of junked automobiles. As President Johnson observed in his recent message on natural beauty:

> The skeletons of discarded cars litter the countryside. The same society which receives the rewards of technology, must, as a cooperating whole, take responsibility for control.

Every year, millions of cars are added to the junk pile. How long can we continue to pile car upon car in a towering heap of rust and scrap? Sooner or later we will run out of space. Eventually the sight will become unbearably ugly for even the most insensitive observer. By then we will have a full-scale crisis upon our hands.

Why not solve the junk auto problem now while we still have a chance? Let us get rid of the rusting scrap heaps that are a disgrace to our country. Let us beautify America.

Mr. President, I ask unanimous consent to have printed in the RECORD a number of letters which I have received from groups supporting the amendment, including a letter from the U.S. Conference of Mayors; a telegram from Walter Reuther, president of the United Auto Workers—the automobile companies are opposed to the measure, but the automobile workers are not opposed to it—also a letter from the National Consumers League; and last, but not least, a letter from Under Secretary of the Treasury Joseph W. Barr, in which, speaking for the administration, he expresses his support of this measure; also, a fact sheet, and a memorandum from the Panel on Junkyards, White House Conference on Natural Beauty.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONFERENCE OF MAYORS,
Washington, D.C., June 15, 1965.

Hon. PAUL H. DOUGLAS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: The mayors of America have long been concerned about the growing seriousness of the problem of disposing of junked automobiles. Your bill, S. 2019, promises the possibility of a workable, equitable and timely solution to this very vexing and ubiquitous problem.

We are, therefore, glad to support you in your efforts to secure congressional and administration approval of S. 2019.

Sincerely yours,

NEAL S. BLAISDELL,
Mayor of Honolulu, President, U.S. Conference of Mayors.

DETROIT, MICH.,
June 15, 1965.

Senator PAUL H. DOUGLAS,
Senate Office Building,
Washington, D.C.:

The UAW heartily endorses your amendment to the excise tax bill for the purpose of setting up a special Treasury fund derived from retention of 1 percent of the existing auto excise tax, to be used to rid the American landscape of unsightly auto junk heaps. This measure, along with the Finance Committee's amendment applying the last two stages of excise tax reduction only to cars embodying smog suppression and other GSA-approved safety devices, will help realize President Johnson's beautification program. Both amendments merit the full support of the Senate and the whole Congress.

WALTER P. REUTHER.

NATIONAL CONSUMERS LEAGUE,
Washington, D.C., June 14, 1965.

Hon. PAUL H. DOUGLAS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOUGLAS: As you might have anticipated, the National Consumers League will be glad to support your bill, S. 2019, which would reserve some of the present automobile excise taxes for use in getting rid of the ever-growing automobile junkyards. This seems to be a most propitious time to make a start in tackling this nationwide problem, since it comes just when the Congress is considering the abolition of many excise taxes, as well as the one on autos, and it should therefore not be too unpalatable to car buyers.

We shall do what we can in support of the measure.

Sincerely yours,

SARAH H. NEWMAN,
General Secretary.

P.S.—Glad to see the committee adopted your amendment to the excise tax reduction bill.

THE UNDER SECRETARY OF THE TREASURY,
Washington, D.C., June 15, 1965.

The Honorable PAUL H. DOUGLAS,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR DOUGLAS: I would like to indicate our position on your amendment to the excise tax bill which would allocate the revenue from 1 percentage point of the automobile tax to an old and wrecked automobile disposable fund beginning July 1, 1965.

We favor the retention of this provision in the bill.

Your amendment is basically consistent with the testimony given by the Treasury Department before the Senate Finance Committee with regard to the excise tax on passenger automobiles. At that time we stated that some part of the tax should be retained in order that we would have the funds available to deal with expenditure problems that might arise in the future, including expenditures related to the use of the automobile. The area of expenditures related to the automobile includes outlays to deal with the blight and other problems caused by abandoned cars and by automobile graveyards.

It is reasonable to provide for this problem through a fund, although the notion behind our testimony was that the problem could be handled through the general budget.

The administration will, of course, make every effort to carry out the objectives of the old and wrecked automobile disposable fund with the same economy in expenditure as would be applied to a regular budgetary program. If this does achieve the result of satisfactory solution to the problem without spending the full amount of the tax receipts allocated to the fund, it will, of course, be possible at any time to reexamine the legislation.

This proposed fund is a desirable commitment to carry out an important national objective and we therefore favor this step.

Sincerely yours,

JOSEPH W. BARR.

FACT SHEET ON JUNK AUTO PROBLEM

(Prepared by Kenneth A. McLean)

1. The nature of the scrap business: The total yearly sales of all scrap is about $3 billion. Of this amount, about $1.5 billion is iron and steel (ferrous) scrap sold mostly to steel mills or exported (primarily to Japan). The input into steel furnaces consists of 50 percent pig iron, 30 percent from scrap generated within the mill (home scrap) and 20 percent from scrap purchased from scrap processors (purchased scrap). Only about 15 percent of purchased scrap, or 3 percent of total steel furnace input, comes from old autos. The great bulk of purchased scrap comes from industrial plants, old ships, buildings or railroad cars, etc. In 1964, scrap processors sold or exported about 40 million tons of ferrous scrap. Of this amount, about 6 million tons came from old cars.

2. Converting autos to scrap: In 1964, about 5.6 million cars were junked. Most of these were taken first to junkyards (these firms prefer the term auto wrecker or auto dismantler). There are about 8,000 wreckers in the United States with about 15,000 wrecking yards. The wrecker makes about two-thirds of his income by selling the parts from old cars. When the car is stripped of parts, the wrecker normally sells the body to a scrap processor. There are about 1,500 processors.

Most processors will remove the remaining nonferrous material and compress the body into a cube about two feet by two feet by four feet. This is known as a No. 2 bundle and weighs about 1 ton. In 1964, over 5 million tons of No. 2 bundles were made from cars.

Two firms (the Proler Corp. and Luria Bros.) have developed a new method for making higher quality scrap from cars. The method can grind up a car into small steel chunks while removing nonferrous materials at the same time. Their product is known as shredded scrap.

3. The increasing supply of junk cars: With increased auto production, more cars are junked each year. From 1954 to 1959 an average of 3.9 million cars per year were junked. In 1964, 5.6 million cars were junked. Car production is now up to 8 million per year. Also, cars are not being kept as long. In 1960, life expectancy was 14 years; in 1964, it was down to 10 years.

4. Decreasing demand for junk cars: There are several reasons for the decline:

First, the growing integration of steel mills makes pig iron cheaper relative to scrap.

Second, technological improvements in existing blast furnaces have doubled their capacity for making pig iron and reduced the cost. Since pig iron competes with scrap as an input into steel furnaces, the demand for scrap is lower. Increased steel production will not absorb all existing pig iron blast furnace capacity until 1975. Thus the steel mills are more inclined to use up this excess capacity first before appreciably increasing their scrap purchases. The variable cost (excluding fixed costs) of making molten pig iron now ranges from $32 to $39 a ton in integrated mills.

Third, the growing use of the basic oxygen furnace (BOF) has reduced the demand for scrap. Because of construction characteristics, the BOF is limited to a scrap input of about 28 percent compared to an input of 40 percent for the open hearth furnace. In 1964, 12 percent of all steel was made in BOF furnaces. This is expected to rise to 55 percent by 1975.

5. The economics of the junk car problem: In the face of increasing supply and decreasing demand, the price for No. 2 bundles (into which most cars are processed) has fallen from $42.86 per ton in 1956 to $22.69 in 1964. Many steel companies are reluctant to buy any No. 2 bundles because of their low quality. It is difficult to remove all non-

ferrous material which can foul up an expensive furnace or produce unacceptable steel. This is particularly true for the BOF. Most mills will not put a No. 2 bundle into a BOF furnace.

No. 2 bundles do have a use in making low quality steel, such as reinforcing bars. They also can be used in smaller quantities if diluted with higher quality scrap. However, the price of No. 2 bundles must be sufficiently low to induce the mills to adopt this practice.

The mills will tend to buy more No. 2 bundles during periods of rapid expansion (e.g. in 1963 and 1964). However when production falls, the purchase of No. 2 bundles is the first to be cut.

The net effect is that prices of No. 2 bundles have not been high enough to draw forth all potential production. When prices are low, the scrap processor reduces his payment to the wrecker for junk car bodies. In many cases, the price offered by the processor is only $5 and is less than the wrecker's transportation and handling cost. As a result, the junks have been piling up in the wreckers' yards. The net increase in the junk car inventory (cars junked minus cars processed) has been estimated at about 900,000 a year for the last 7 years.

Urban and suburban wreckers tend to dispose of their junk cars quicker, even at a loss, since their space is limited and the cost of land is higher. Cars have a greater tendency to pile up in outlying rural areas. A survey in one rural New York county discovered 258 junk cars for every 1,000 persons.

There are no reliable figures on the number of junk cars or their locations. The Christian Science Monitor estimated 30 to 40 million. Commerce Department officials believe the figure is under 10 million.

Whatever the number, junk cars serve as a ready source of cheap scrap for steel mills in periods of rapid expansion. They also act as a depressant upon scrap prices. This may explain the general opposition of the steel industry to doing anything about the junk car problem.

6. New methods of processing junk cars: The new processes perfected by Proler and Luria produce about a million tons of high-quality scrap per year. Proler has four plants in Houston, Kansas City, Chicago, and Los Angeles. Luria has one plant in Los Angeles.

In these areas, junk cars are at a premium. Proler and Luria often reach out as far as 600 miles to obtain old cars. The scrap they produce sells for $35 a ton, compared to $22 for No. 2 bundles.

Both firms have patents on their processes and are somewhat secretive about their operations. Both plan to expand in the East. Proler usually combines with the bigger processor in town when he opens a new plant (e.g., in Chicago with Kaplan Bros.).

The Commerce Department thinks the new methods will ultimately solve the junk car problem. However, it may take a considerable amount of time. Some companies, such as United States Steel, will not buy any auto scrap regardless of how produced. Moreover, shredded scrap has yet to be used in quantity in the growing number of BOF furnaces which soon will be the main steel producers.

7. Features of the President's junkyard bill: This bill was introduced by Senator RANDOLPH as S. 2084. The bill would establish controls along the Federal interstate and primary highway systems. As a condition of getting Federal highway funds the States would have to:

(1) require new junkyards to be screened and set back at least 1,000 feet from the highway;

(2) require existing junkyards to be screened;

(3) remove by 1970 existing junkyards that cannot be screened. (Federal financial assistance would be available for this purpose.)

The limitations of the President's bill are:

(1) it fails to attack junkyards not on Federal-aid highways;

(2) by relying on screening or relocation, it does not solve the ultimate disposal problem. It merely hides it or shifts it elsewhere.

8. Features of the Douglas amendment:

(1) it retains 1 percent of the existing excise tax on new cars as a user charge to deal with the junk car problem. This would produce about $190 million per year or about $25 per car;

(2) the funds would still be subject to the appropriation process;

(3) the executive branch would propose a detailed program;

(4) revenues from the tax would still be part of the administrative budget. If not used, they would revert back to the general fund in the same year they were accumulated even though they are separately accounted for. Thus, any unused portion could be available for appropriation in subsequent years. In effect, the bill establishes a cumulative authorization which increases each year by 1 percent of new car sales.

9. Possible solutions: There are many programs the President could propose to use these revenues. Some of them are:

(a) Direct subsidies to facilitate the movement of cars into scrap. The subsidy could be to the steel mill per ton of auto scrap used, to the processor per ton of auto scrap processed, to the wrecker per auto delivered to the processor, or to the car owner per car delivered to the wrecker.

(b) Price supports: Establish a Government corporation like the CCC to buy scrap at "parity" and sell at market or export prices.

(c) Provide grants to States or cities with workable programs for relocating junkyards, screening junkyards, and/or defraying transportation expenses of junk cars.

(d) Loans to business firms to set up new plants and buy better equipment.

(e) Research into better processing methods and alternative uses of scrap.

Key statistics

Year	Steel ingot production (millions of short tons)	Percent by basic oxygen furnace	Scrap purchased (millions of short tons)	Scrap exported (millions of short tons)	Total scrap purchased and exported (millions of short tons)	Total [1] consumption No. 2 bundles (millions of short tons)	Price of No. 2 bundles per ton	Factory sale of cars (millions)	Cars junked (millions)
1954	88.1		25.8	1.7	27.5	(2)	$22.27	5.5	3.8
1955	116.8	0.3	35.7	5.2	40.9	(2)	31.34	7.9	3.7
1956	114.9	.4	36.7	6.4	43.1	(2)	42.86	5.8	4.3
1957	112.4	.5	30.4	6.8	37.2	(2)	37.63	6.1	3.7
1958	85.1	1.6	23.1	2.9	26.0	(2) 3.0	38.08	4.2	3.6
1959	93.3	2.0	28.8	4.9	33.7	3.8	27.90	5.5	4.6
1960	99.1	3.4	26.4	7.2	33.6	4.0	22.15	6.6	4.2
1961	97.8	4.0	25.4	9.7	35.1	3.6	24.72	5.5	4.4
1962	98.1	5.6	25.4	5.1	30.5	3.5	20.44	6.9	4.7
1963	109.1	7.8	29.7	6.4	36.1	5.9	19.84	7.6	5.3
1964	126.7	12.2	32.2	7.9	40.1	6.5	22.69	7.9	5.6
1970 estimate [3]	135.0	44.4	36.3	8.0	44.3				
1975 estimate	150.0	54.9	41.8	9.5	51.3				

[1] About 80 percent of total No. 2 bundles come from old cars.

[2] Not available.

[3] Forecast based on conservative estimate by Department of Commerce.

Source: "Iron Steel Scrap Consumption Problems," BDSA, Department of Commerce. "Proceedings of the National Conference on Auto Salvage," Institute of Scrap Iron & Steel.

Other examples of earmarking specific general fund revenues to finance specific programs

Title of fund	Purpose	Source of revenue	Fiscal year 1966 budget request	Citation
Land and water conservation fund	Acquire and develop recreation land	Admission fees in parks; sale of surplus lands; excise tax on motorboat fuel.	$125,000,000	78 Stat. 897.
Fish restoration fund	Grants to States for fish restoration projects	10 percent excise tax on fishing tackle	6,500,000	16 U.S.C 777 A-K.
Wildlife restoration fund	Grants to States for wildlife restoration projects	11 percent excise tax on firearms and ammunition.	16,500,000	16 U.S.C. 669-669j.
Migratory bird conservation fund	Establish migratory bird refuges	Sale of hunting stamps	11,500,000	16 U.S.C. 718.
Removal of surplus agricultural commodities.	Expand domestic and foreign outlets for farm commodities.	30 percent of custom revenues	311,700,000	7 U.S.C. 612C.
Mineral Leasing Act fund	Payments to States which contain federally leased land.	Receipts from mineral leases	53,000,000	30 U.S.C. 285.
National forests fund	Payments to States for public roads and schools in counties within national forests.	25 percent of national forest receipts	33,500,000	16 U.S.C. 500.

PANEL ON JUNKYARDS OFFERS SET OF 11 RECOMMENDATIONS

The Panel on Automobile Junkyards at the White House Conference on Natural Beauty today offered President Johnson a far-reaching set of 11 recommendations for helping to solve the problem of "abandoned cars and unsightly accumulation" along the Nation's highways.

Prof. Carles M. Haar, of Harvard Law School, the Panel chairman, described the auto junkyard as "a symbol of the entire subject of the conference."

"It is a symbol of what happens when an affluent and technological society fails to handle some of the problems it creates," he added.

Professor Haar, who drew the original blueprint for the natural beauty program as head of a special task force appointed by President Johnson, said the recommendations represented a consensus of the Panel thinking on the problem of coping with the ever-increasing numbers of junked autos which mar the countryside and pose costly disposal problems for many of the Nation's major cities. The Panel recommendations follow:

1. Private industry shall be given added impetus through tax, credit, and other incentives to invest in new equipment and technology, such as shredders, flatteners, and the like.

The Small Business Administration should authorize and set aside a special fund allowance of $25 million for companies unable to finance purchase of equipment or screening through their normal channels.

2. The Interstate Commerce Commission should adjust rates for the transportation of automobile scrap to remove any inequities.

3. Legal barriers to the scraping of abandoned or junk vehicles should be minimized. Model laws should be developed for:

(a) Special certificate of title laws where the vehicle can no longer be operated.

(b) Vesting of title to abandoned vehicles in the owner of the land on which they are located after 30 days and adequate notice.

4. Federal funds should be available to support a variety of State programs:

(a) To acquire and set aside suitable land for concentration and storage of processed hulks.

(b) To assist in financing of screening and other esthetic devices for enhancing the appearance of processors' yards.

(c) To assist municipal pickup and disposal of abandoned or unwanted vehicles as part of the solid waste disposal program.

5. The Federal Government should undertake specific programs in areas of special Federal concern or where direct or indirect Federal action is undertaken to remove unsightly automobile junkyards.

(a) Federal policing of approaches to national parks and monuments should provide for the screening or removal of any wrecking yards in the area.

(b) All unscreened wrecking yards should be removed along the sides of the limited access Interstate Highway System and the ABC system.

(c) As part of the general effort to beautify Washington, D.C., all wrecking yards near the city should be made compatible with neighboring land uses.

6. State and local governments should undertake effective land use planning for the auto dismantling industry. Case studies and model laws should be made available to the States and Federal financed support for the administration of these programs for:

(a) Planning and zoning laws to encourage appropriate locations for yards.

(b) Auto wrecking yards should be licensed, specifying a conduct of compatible processes with the local environment.

(c) State and local government should impose a personal property tax on current scrap market value of hulks held in inventory to encourage sale or movement of such hulks.

7. As a supplement to use of public State funds, transferrable disposal certificates that attach to the title and are refundable on disposal of the car should be employed.

8. A pilot program for "Cars for Peace," analogous to Public Law 480, should be inaugurated (old but still serviceable cars, and parts, would be provided to underdeveloped countries).

9. Federal grants should be made available to civic groups and industry associations for the purposes of a cleanup campaign and a national tree planting program.

10. The Federal Government should encourage and cooperate with an expanded program of Government-industry research seeking new uses and improvement in current uses for automobile scrap.

11. The problem of abandoned cars and unsightly accumulation of hulks is a consequence of the major role the automobile plays in American society. The costs of financing public programs to relieve this problem should be borne by all components of the production and automotive cycle and should in part be borne by the automobile user and manufacturer through user charges. A portion of the revenue resulting from the proposed removal of the excise tax should be preserved or a new tax be imposed on the industry to alleviate some of the public problems which arise from the use of the automobile.

Other members of the Panel on Automobile Junkyards:

Ray Abernethy, of Detroit, Mich., president of American Motors.

Harry Marley, of Syracuse, N.Y., president of the Institute of Scrap Iron & Steel.

Raymond E. Morris, of San Mateo, Calif., director of the National Auto & Truck Wreckers Association.

James Owens, of Washington, D.C., Director, Office of Metals and Minerals, Department of Commerce.

Richard Sentner, of Pittsburgh, Pa., vice president of United States Steel.

Paul Zimmer, of Washington, D.C., Assistant Director, Bureau of Mines, Department of the Interior.

SENATOR RANDOLPH, CHAIRMAN OF THE SENATE SUBCOMMITTEE ON PUBLIC ROADS, SUPPORTS SENATOR DOUGLAS' AMENDMENT

Mr. RANDOLPH. Mr. President, I support the amendment offered in the Finance Committee by the Senator from Illinois [Mr. DOUGLAS] to retain 1 percent of the excise tax to help banish junk automobiles.

I believe this to be a most sensible approach to the solution of a problem and does not conflict with S. 2084, a bill I introduced by request of the administration to regulate junkyards near Federally aided highways. This legislation which is pending in the Committee on Public Works, would encourage the States to screen junkyards along Federally aided highways as a condition of receiving Federal highway funds. It does not, however, dispose of junk cars.

The bill introduced by our able colleague would, as I understand it, provide a means for the ultimate disposal of junk cars. Screening is a desirable feature which junkyards ought to adopt. We must stop the mounting increase in the number of stripped and obsolete cars.

Mr. President, the proposal by Senator DOUGLAS to retain part of the excise tax to cope with this condition and which was referred to the Committee on Finance, is an effective complement to the measure which I introduced and on which the Subcommittee on Public Roads will hold comprehensive hearings.

SAFE-CAR AMENDMENT

Mr. RIBICOFF. Mr. President, the Senate has an opportunity today to help protect the lives and health of the American people—as surely as if we were being asked to appropriate funds to rid the country of an epidemic. There is a killer loose in this land of epidemic proportions which, unless we act, will kill or injure one out of every five Americans in the coming decade. That killer is the auto accident.

There are no magic serums—no miracle drugs—available to us to stop this carnage—this awful waste of life and suffering. The road ahead is hard and difficult, but we must begin.

We must improve the performance capability of the driver through expanded driver education and training programs.

We must reduce the difficulty of the traffic situation he faces through improved highway construction and design.

But no matter how trained the driver or safe the road, the traffic accident problem has become so great that some crashes are unavoidable and others inevitable. It is vital, therefore, that the machine itself be designed and safety features provided to protect the occupants against injury and death.

That is the purpose of the so-called safe-car amendment which was adopted by the Senate Finance Committee and is now part of the excise tax reduction bill now under consideration. I am gratified that the majority of the committee approved the amendment, which I introduced on June 7.

I also take this opportunity to commend the Presiding Officer, the Senator from Wisconsin [Mr. NELSON], for the work he has done to bring the public safe cars, safe tires, and safety in general, on our highways.

I also compliment the senior Senator from Illinois [Mr. DOUGLAS] for offering his amendment, which would help eliminate auto junkyards. There is a great opportunity today, in the adoption of the bill, to move ahead against these two basic problems which have long faced the American people—the saving of lives and the removal of the unsightly mess so often adjacent to the highways of the country. Both can be accomplished by the adoption of the bill before us.

Mr. President, the safety standards which are called for in the bill are those which would be required—under Public Law 88-515, passed August 30, 1964—if the automobile were purchased for use by the Federal Government and conformed with the commercial standards prescribed by the Administrator of General Services under Public Law 88-515. The safety specifications the GSA has proposed are designed both to help avert collisions initially and, if a collision does occur, to minimize the effect of the crash momentum and effect. In addition, exhaust emission control standards are established in conformance with California test procedure and criteria for motor vehicle exhaust emission control. The standards initially proposed to help prevent the collision are:

First. Dual operation of brake system.

Second. Safe tires and safety rims.

Third. Standard gear quadrant—PRNDL—park, reverse, neutral, drive, and low—for automotive vehicles equipped with automatic transmissions.

Fourth. Glare reduction surfaces—instrument panel and windshield wipers.

Fifth. Design of windshield wipers-washers.

Sixth. Backup lights.

Seventh. Outside rearview mirrors.

Eighth. Four-way flasher—hazard-warning signal light system.

To minimize the crash momentum and to protect the occupants, the GSA proposed standards also require the following:

First. Anchorages for seat-belt assemblies.

Second. Padded instrument panel and visors.

Third. Recessed instrument panel instruments and control devices.

Fourth. Impact-absorbing steering wheel and column displacement.

Fifth. Safety door latches and hinges.

Sixth. Anchorage of seats.

Seventh. Safety glazing materials—safety glass.

Eighth. Standard bumper heights.

These 16 specifications, plus the exhaust emission control system previously referred to, represent the first 17 safety features proposed by GSA. The GSA will, of course, be in a position from time to time in the future to require additional safety features on passenger cars if the 4 percentage points of the manufacturers' tax is not to apply. These safety-feature requirements, and the conditional excise tax reduction described above are to apply not only to domestically produced passenger autos, but to foreign vehicles as well.

Questions have been raised about this amendment. I intend to answer those questions—but first I would point out one common trait that all the questions share: They are never about safe cars. They are merely procedural—should not there be more time for more study, more hearings, to explore other means? We have had years of study and delay, and every day of delay is paid for directly in flesh and blood. If we delay further now, we only add to the toll of human misery and suffering.

Let us examine the questions individually:

First. Is the amendment punitive?

Critics have called the amendment punitive—they claim it penalizes the auto industry. Actually, it is no more punitive than any tax. It provides simply that an auto not equipped with GSA-approved safety features shall be taxed at the rate of 4 percent, while another automobile, properly equipped, would not be taxed after 1969. Just as we promote the use of safety matches over white phosphorous matches by imposing a higher tax on the latter than on the former, so can we promote safety in automobiles. After all, more Americans die as a result of automobile accidents than match accidents.

Think of the amendment in the positive, rather than the negative sense. Its purpose is to promote safety in automobiles. The manufacturer who produces a safe car is given a tax break. Those who do not, give up the benefit. It is voluntary—the choice is left to the taxpayer. The amendment does not make his act a crime, as other proposals do; it simply encourages the auto industry to provide safety features to the general public as it will to the Federal Government.

The taxing power has often been used to promote and encourage the Nation's general health, safety and welfare. The tax code is replete with such provisions. Taxation is not a sterile concept of revenue collection alone—it is a dynamic function of government to promote the good and discourage the evil in our society. Examples of this are to numerous to mention. Suffice it to say we tax gamblers to discourage gambling—we provide incentive credits to encourage production. We tax foreign securities to discourage the outflow of gold—we allow a deduction for contributions to promote charitable good works.

In short, let us look at the safe-car amendment for what it is: the use of the taxing power to promote the public good. Look to the tax-free, safe car to find the purpose of the amendment and not to its taxed, unsafe counterpart. The positive purpose of the amendment is to promote safety—not to penalize danger. The choice is left to the taxpayer.

Second. Will the amendment add to the cost of the car?

The argument is made that the GSA safety features will add considerably to the cost of the car.

First, let us keep in mind that by repealing the excise tax we realize an average saving of $225 per car. We hope this amount would be passed on to the consumer. I support Senator NELSON's proposal to help assure this result. The safe-car amendment would naturally affect the amount of this savings. The question is how much.

A recent U.S. News & World Report article on this subject quotes an auto industry official that the 17 safety features would add $200 to the price of a car. But that official was discussing the safety devices as optional equipment, not as standard equipment. It is only logical that the cost of these devices, is placed as standard equipment in over 8 million autos, would be lower than if they were mere options. By making these features standard it is not too much to expect that their cost could be cut in half when we consider the huge volume.

That brings us within range of UAW President Walter Reuther's estimate that these safety features would cost less than $100. And this figure of less than $100 begins to make even more sense when you consider the fact that the GSA already is within $115 of its statutory limit on new car prices and, even with the new devices just over the horizon, has not requested an increase in that limit.

I think the American people are willing to give up $100 in savings in order to save their lives. That is why my amendment withholds the last $90 of the excise tax repeal. I am confident that the automobile industry, with its vast resources of talent and know-how, will make every effort to bring these safety features to the American people at the lowest possible, reasonable cost.

Third. Is the amendment constitutional?

The route we take in this bill to curb the disastrous carnage on our highways is not new or unique. White phosphorous matches under present law are taxed more heavily than safety matches. Indeed, this very bill will remove the tax from safety matches altogether and leave untouched the tax on unsafe phosphorous matches.

As the Supreme Court said in *United States* v. *Sanchez,* 340 U.S. 42 (1950):

> It is beyond serious question that a tax does not cease to be valid merely because it regulates, discourages, or even definitely deters the activities taxed * * *. The principle applies even though the revenue obtained is obviously negligible, * * * or the revenue purpose of the tax may be secondary.

Further, it is not uncommon for the Congress to delegate to the executive branch responsibility for developing the details and standards necessary for carrying out its purposes and policies.

The pioneer case which recognized the right of Congress to lodge in another department the power to fill up the details of a statute arose out of authority given to Federal courts to establish rules of practice, providing such rules were not repugnant to laws of Congress. The Supreme Court, under Chief Justice Marshall, upheld this delegation in 1825 in *Wayman* v. *Southard,* 10 Wheat. 1. It has approved the delegation of authority to the Secretary of the Treasury to promulgate minimum standards of quality and purity for tea imported into the United States, *Buttfield* v. *Stranahan,* 192 U.S. 470 (1904).

In the area of taxation, there are more recent examples of delegation. The Interest Equalization Act of 1964 levies a tax on the purchase of foreign securities, but exempts from tax securities from those countries designated by Executive order of the President as economically less developed. Within the last few months, the President has acted to remove several countries from this category, in effect subjecting the purchase of securities from those countries to tax.

The President has long been delegated authority to change tariff rates. The Trade Expansion Act of 1962 gave the Chief Executive broad power to cut rates. He also has the power to raise rates in certain cases to protect domestic industries.

In the area of income taxes, the deduction provided by section 165 for disaster losses may be shifted to a more advantageous year if it occurred in an area designated a disaster area by the President.

Again, in the area of excise taxes, section 4854 of the Internal Revenue Code authorizes the Secretary of Agriculture to promulgate cotton standards. Cotton futures, to be exempt from excise tax, must, among other things state the standard of the cotton to be delivered and that standard must conform to the Department of Agriculture standards.

The Supreme Court has even upheld contingent legislation. As early as 1813, in the brig *Aurora*, the Court said:

> We can see no sufficient reason, why the legislature should not exercise its discretion in reviving the act of March 1, 1809, either expressly or conditionally, as their judgment should indicate.

Mr. President, I fail to see any reason why this Congress should not adopt this means—a method used so effectively many times in the past—to do something about the bloody carnage on our highways.

Fourth. Is the amendment "premature"?

The argument is made that the amendment is premature, because the GSA regulations have not as yet been published in final form. The facts are that the proposed standard recommending the initial 17 safety features was published in the Federal Register on January 26, 1965—30 Federal Register 801—for information and comment. For the past 5 months GSA has been discussing these proposals with industry officials, with Government experts, outside technicians, and other qualified individuals. The regulations are now in final form and under another review by the automotive industry. Their final publication on June 30—just 15 days from now—will come neither as a surprise nor shock to the automakers who have been diligent and cooperative in developing the standards. To reject the amendment on the grounds that the regulation is not yet final is inexcusable under this set of circumstances.

The argument is also made that the amendment should be rejected because no hearings have been held to consider it. As a matter of fact, the subject of automotive vehicle safety has had a most thorough consideration.

I have in my hand a 381-page volume of hearings conducted by a House subcommittee in 1961. It is entitled "Motor Vehicle Safety Standards." On the basis of these and subsequent hearings in 1962 and 1963 Congress finally enacted Public Law 88-515, authorizing the GSA to prescribe safety standards for motor vehicles purchased for use by the Federal Government. While that law is limited to 60,000 Government purchased autos the intent of Congress is clear, that, in the words of an even earlier 1959 House report:

> If these safety features are provided on Government vehicles, the result may well be, and the committee expects it will be, to hasten the day when such safety features become standard equipment on all passenger-carrying motor vehicles offered for sale to the public.

The subject of safety devices in autos has been studied for years. Let me quote the following from a 1959 report to Congress:

> Another objective is to study and report on the design features of automobiles. Improvement of the design and safety equipment of automobiles promises the greatest possibility for rapid reduction in the automobile injury and death toll. If it is estimated that the average life of an automobile is 10 years, it is apparent that a very considerable reduction in the severity of injuries and a marked reduction in fatalities could be accomplished in that time if more attention were devoted to providing safety rather than to increased horsepower, streamlining, color, and chrome.
>
> The engineers and designers of the automobile—a relative handful of men in the industry—virtually control the destinies of the American public on the highways. They are the men who decide which elements of safety design will be put into or left out of next year's new automobile.
>
> There is presently available an ample body of research data which clearly indicates the definite values of certain safety features of automobile design, construction, and equipment. Yet, these safety features, if available at all, are all too often offered as optional equipment at extra cost.
>
> The automobile industry can make a great contribution toward solution of this problem by consulting with physicians, anthropologists, psychologists, related biological scientists, and other scientific professions, and by giving realistic consideration to the wide range of physical characteristics of automobile drivers and riders and what happens to them in a collision.
>
> In the past the automobile industry has made many important contributions to safety. However, in recent years, safety has generally been ignored in favor of other developments. The following suggestions have been repeatedly advanced by physicians, researchers, and safety engineers with but little success:
>
> 1. Anchorage for seat belts should be standard equipment. The public also needs education in the value of seat belts. The only evidence so far presented against seat belts is in the number of deaths in sports cars during rollovers. This is not an argument against seat belts but against the design of such cars which do not provide rollover bars. It should be quite simple to incorporate such a bar in the windshield and a second one back of the seat.
> 2. Crash padding of the dash, roof, and other areas should be provided.
> 3. An improved steering wheel and recessed post; perhaps a collapsible assembly.
> 4. Safety door locks should be standard in all cars.
> 5. Removal of dangerous knobs, buttons, sharp edges, and other gadgets.
> 6. Seats should be securely anchored to the floor of the car and should be locked into positions. They should also be high enough in the center to protect the neck in a rear-end impact and prevent neck-snap injury (also called whiplash.)
> 7. Eliminate the deck behind the rear seat as a storage place for flying missiles or provide it with an effective retaining rail or construct it as a recessed pocket.
> 8. Eliminate sharp, pointed hood ornaments. These fill no functional need and are potentially lethal to pedestrians.
> 9. Eliminate other hazardous exterior design features such as sharp, pointed bumper ornaments.

The author of that statement was Dr. F. J. L. Blasingame, then executive vice president of the American Medical Association.

A review of the findings of the automotive crash injury research program conducted by Cornell University clearly shows the need for safety devices in autos.

To prevent ejection, which kills more car occupants than any other single injury source, Cornell recommends improved door latches and seat belts. Both are included in the GSA standards.

To minimize the effect of people striking the instrument panel, Cornell recommends instrument panel padding. This is included in the standards.

To cut down on steering assembly injuries Cornell is studying the steering wheel and column. Both are included in the GSA standard.

In describing the Cornell project, B. J. Campbell, who has played so large a role in the project, cited the following case studied by his group:

> A mother was driving with her infant daughter lying in the front seat. She glanced down to check the infant, and her car left the roadway; the human factor in the accident equation failed; and the first chance to prevent the accident was lost. The car continued a few feet, approached an abutment close to the road and unprotected by a suitable guard rail; and the road factor in the accident equation failed; and the second chance was lost. The last inch was traversed, the mother and child were thrown forward, the child struck the center panel area with her head, fell to the floor, and died. Thus, the vehicle factor in the accident equation failed, and the third chance for survival was lost.

Mr. Campbell concluded with a thought applicable to us as we consider this amendment. As we argue technical questions of whether or not the amendment is punitive or positive; whether hearings have been held or not; and other matters, let us keep this in mind:

> The vehicle is only one factor, and is probably not even the largest of the factors. But so great is the accident problem, that even the lesser elements are a matter of life and death to very many people. Thus, as we study cars, as we design and evaluate their interiors, their buttons, knobs, lines, and styles; as we consider cost, beauty, utility, and durability, and every other use test to which interior components will be subjected, perhaps the necessary sense of urgency would be maintained if we remember that these components will regularly be subjected to the test of being struck by an infant's head.

Fifth. Is the amendment detrimental to the excise tax cut bill?

Some critics have argued that my amendment does not belong in this bill—a bill, they say, designed to repeal old taxes and stimulate the economy.

First. The Senate Finance Committee believes the amendment belongs in the bill. It was incorporated by a 10 to 7 vote and reported out by 14 to 3.

Second. The administration supports the amendment. I received today a letter from Joseph W. Barr, Under Secretary of the Treasury.

In this letter Mr. Barr states:

> I would like to state our position on your amendment to the excise tax bill * * *.
>
> We favor the retention of this provision in the bill.

Your amendment is consistent with the general approach of our testimony before the Senate Finance Committee urging the retention of five points of the tax on passenger automobiles. At that time we stated that a portion of this tax should be retained so as to be available to deal with expenditure problems that might arise in the future including expenditures related to the use of the automobile.

The amendment would, so to speak, spend the equivalent four points of the automobile tax for the furtherance of automobile safety which is certainly a proper concern of the Federal Government.

The provision will thus carry out an important national objective and we therefore favor this step.

Mr. President, I ask the Senate to reject the stop arguments and give the go signal to this safe car amendment. The one in five Americans destined for injury or death on our highways in the next 10 years beseech you. Let us not fail them. For in doing so, we fail ourselves. Let us approve the safe-car amendment and give the American people a better chance to live in the decade ahead.

Mr. President, I ask unanimous consent to include at this point in the RECORD an article from the June 13 Bridgeport Post by Carey Cronan, entitled "RIBICOFF Wins Safety Round," an editorial from the June 12 Hartford Courant entitled "The Drive for Safety in Auto Equipment," an article from the current issue of Newsweek, an editorial "A Better Excise Tax Bill" from the Washington Post, an editorial from the New York Times, a letter from Joseph W. Barr, Under Secretary of the Treasury, and an editorial from today's Washington Star entitled "Back Door to Safety."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Bridgeport (Conn.) Post, June 13, 1965]

RIBICOFF WINS SAFETY ROUND

(By Carey Cronan)

Senator ABRAHAM RIBICOFF won another round in his battle for traffic safety when the Senate Finance Committee, of which he is a member, adopted tentatively his amendment tying in reduction of excise taxes on automobiles with inclusion of safety devices and antismog equipment.

As chairman of the Senate Subcommittee on Executive Reorganization, Senator RIBICOFF has been hitting out at the emphasis on speed in advertisements for new cars and has repeatedly called attention to the need for probable Federal intervention into the highway safety program beyond what is now in operation.

Warning that one in every five Americans is destined to be killed or injured in a traffic accident in the coming decade "unless we do something about it" Senator RIBICOFF said he believed in an amendment to the bill repealing or reducing excise taxes in order to encourage Detroit to provide 17 safety features as standard equipment on all future models.

He noted that the safety features he mentioned are now required by the General Services Administration on all 1967 cars purchased by the Federal Government.

Seventeen features: Senator RIBICOFF said the 17 safety features would help to avert the so-called first collision and minimize the effect of the second collision. He explained that the first collision, for example, is between the car and another car, a tree or some other part of the environment and to help the driver avoid this collision the GSA standards would require: dual operation of the braking system, safe tires and safety rims; standard gear quadrant (PRNDL); glare reduction surfaces; sweep design of windshield wipers and washers; back-up lights; outside rearview mirrors and four-way flasher.

If the driver, the road or the vehicle fail, then the crash momentum must be used up in the "second collision" when the body is either thrown from the car, suffering serious injury or death, or strikes against the buttons, knobs, lines and stylings of the auto's interior. To protect the occupant in the "second collision" the GSA standards would require an anchorage for seat belt assemblies; padded dash and visors; recessed dash instruments and control devices; impact absorbing steering wheel and column displacement; safety door latches and hinges; anchorage of seats; safety glass and standard bumper heights. The GSA would also require exhaust emission control systems in accordance with the Federal Clean Air Act, the Senator added.

NOT COMPLETE ANSWER

Senator RIBICOFF admitted that the 17 safety features "are not the final and complete answer to vehicle safety design by any manner or means but that they represent a beginning." He observed also that: "They give the American people, who today are little more than fugitives from the law of averages, a better assurance against serious injury or death whenever they are involved in a traffic accident."

He asked: "Does not simple justice and plain commonsense demand that these safety devices which the Federal Government will require on all 1967 model series it purchases be made standard equipment on all cars? In my mind it does."

The Senator said he hoped "that automakers would voluntarily make all these safety features standard equipment on future models, but history and present indications do not hold much hope for this."

He said, therefore, he felt that Congress should use the medium of the excise tax repeal bill to encourage manufacturers to cooperate for the public good.

He concluded by saying: "We must improve the performance capability of the driver through expanded driver education and training programs. We must reduce the difficulty of the traffic situation he faces through improved highway construction and design. But no matter how trained the driver or safe the road, the traffic accident problem has become so great that some crashes are unavoidable and others inevitable. It is vital, therefore, that the machine itself be designed and safety features provided to protect the occupants against injury and death."

[From the Hartford (Conn.) Courant, June 12, 1965]

THE DRIVE FOR SAFETY IN AUTO EQUIPMENT

The campaign for more safety features in automobiles deserves more public support than it appears to be receiving. In view of its expense, resulting in a small increase in the cost of cars, it is not surprising that manufacturers are not leading the way. What is harder to understand is the apathy of auto owners, who appear to be satisfied with their fast vehicles and indifferent to the 48,000 deaths a year on the highways.

The adequacy of tires is being taken up at hearings of the Senate Commerce Committee, but they are only one potential point of weakness. The public refused to support attempts to end the horsepower race. Next to that tires appear to be of greatest importance. Senators have accused the auto industry of economizing by putting too light tires on cars. One bill attempts to set load and speed standards for tires, and requires accurate labeling.

Senator RIBICOFF is continuing his efforts to promote safety devices in cars. So far it has been a thankless task. Neither the Government nor auto owners are interested enough to spend the time and money needed to get results. The excise-tax cut will save the companies money that might well be spent on such things as collapsible steering wheels, padded dashboards, better tires, safety door latches, rear flashing warning lights, safety glass on all windows, and dual braking systems to prevent loss of control if one system fails.

American drivers want hot cars with more power than they need for safe driving, and styling that adds to their pride of possession. Because of their temperament they habitually drive all vehicles, whether bicycle, motor scooter, motorcycle, or auto, at speeds beyond those that allow for the inevitable emergency. Senator RIBICOFF'S campaign ought to receive encouragement.

[From Newsweek Magazine]

EXCISE TAXES: RIBICOFF'S WRENCH

Behind the closed door of Room 2227 on the second floor of the New Senate Office Building, Senator ABRAHAM RIBICOFF, of Connecticut, last week told fellow members of the Senate Finance Committee: "I'd like to think that the automobile manufacturers would do this themselves, but they won't and you know they won't * * *. This fantastic carnage must be ended."

Outside, in the tan-marble corridor platoons of auto-industry lobbyists—including two former Congressmen and retired Ford Motor Co. vice president, Theodore Yntema—were buttonholing Senators entering or leaving the committee's executive session to find out what was going on. As it turned out, the answer was plenty.

For instead of voting to eliminate the entire 10-percent tax on autos as the House of Representatives had done earlier in approving a $4.8 billion cut in excise levies, the Senate Finance Committee last week astonished everyone by tying two big cans to the tail of the automobile cuts.

One amendment, offered by Democrat PAUL DOUGLAS, of Illinois and approved 9 to 8, would retain a 1-percent tax on cars. The $190 million in funds thus generated would be used to clean up the auto junkyards now proliferating in the Nation.

The real bombshell, though, was the rider offered by Democrat RIBICOFF, who is horrified by the steady rise in traffic deaths (1964 toll: 47,700). His amendment would impose a penalty tax of 2 percent in 1968 and 4 percent in 1969 (when current auto excises would otherwise expire) on all new cars that do not carry 17 specific safety devices. The items, soon to be required on the 60,000 cars which the Federal Government buys annually, include such fairly standard gadgets as front and rear directional signals and outside rear-view mirrors. But also included are the rarer impact-absorbing steering wheels mounted on breakaway columns and antismog devices on exhaust pipes (required by law only in California).

Auto lobbyists argued that RIBICOFF'S amendment was unconstitutional and, anyway, didn't give manufacturers enough time—the 1968 model introductions are less than 2½ years away. But RIBICOFF enlisted the support of such stanch conservatives as Republican JOHN WILLIAMS of Delaware, and Democratic committee chairman, HARRY BYRD, of Virginia, and his amendment passed 10 to 7.

With this impressive backing, passage by the Senate is considered certain. And observers give RIBICOFF's proposal a 50–50 chance of surviving the Senate-House conference on the bill. At the weekend, the stunned auto industry faced these alternatives: continue to fight and appear to be opposing traffic safety, try to water down the bill to something it could easily live with, or accept the measure as is.

[From the Washington (D.C.) Post, June 12, 1965]

A BETTER EXCISE TAX BILL

By attaching sensible conditions to the scheduled reductions in the levy on automobiles, the Senate Finance Committee has greatly improved the excise tax cut measure that was passed by the House.

The House voted to eliminate the entire 10 percent auto tax in a series of reductions between July of this year and January 1969. But the administration argued that 5 percentage points of that tax should be retained to defray the costs which the automobile imposes upon society, costs that include decent burials for discarded vehicles, the elimination of air pollution and measures to alleviate congestion and promote highway safety.

The amendments sponsored by Senators DOUGLAS and RIBICOFF and adopted by the committee would accomplish those ends. The Douglas amendment provides for a permanent 1 percent tax, the proceeds of which would be used to remove from the roadsides auto graveyards with their unsightly, rusting hulks. Mr. RIBICOFF's amendment makes 4 percentage points of tax reduction contingent upon the auto manufacturers' willingness to install as standard equipment such safety devices as dual braking systems, padded dashboards and impact-absorbing steering columns.

Both proposals deserve the strongest support. The Douglas amendment could be broadened to include research into problems of highway safety. Senator RIBICOFF's proposal has a precedent in legislation under which the General Services Administration has been instructed to establish safety standards for all vehicles purchased by the Federal Government. If the industry meets the standards which the GSA will soon announce, the Ribicoff provisions should not be onerous.

So long as 5 or 6 percentage points of the auto tax are eliminated by January of next year, the excise tax cuts will make their contribution to a more expansive fiscal policy. Decisions relating to the remainder of the automobile tax should be made in the light of the social costs imposed by the automobile and the user charges that are required to defray them.

THE UNDER SECRETARY
OF THE TREASURY,
Washington, D.C., June 15, 1965.

Hon. ABRAHAM RIBICOFF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RIBICOFF: I would like to indicate our position on your amendment to the excise tax bill which would make four points of the reduction in the tax on passenger automobiles conditional upon the incorporation of passenger safety devices required in automobiles purchased for use by the Government and prescribed by the General Services Administration.

We favor the retention of this provision in the bill.

Your amendment is consistent with the general approach of our testimony before the Senate Finance Committee urging the retention of five points of the tax on passenger automobiles. At that time we stated that a portion of this tax should be retained so as to be available to deal with expenditure problems that might arise in the future including expenditures related to the use of the automobile.

The amendment would, so to speak, "spend" the equivalent four points of the automobile tax for the furtherance of automobile safety which is certainly a proper concern of the Federal Government.

The provision will thus carry out an important national objective and we therefore favor this step.

Sincerely yours,

JOSEPH W. BARR.

[From the New York Times, June 12, 1965]

AUTO TAX

The struggle for a socially responsible tax policy has scored an unexpected victory in the Senate Finance Committee.

Instead of following the House Ways and Means Committee in the stampede to repeal the automobile excise tax entirely, the Finance Committee voted to reduce it from 10 to 5 percent. The automobile industry will be relieved of four-fifths of this remaining levy if it introduces as standard equipment on all cars the safety features which the Federal Government is requiring for all official cars, beginning with the 1967 models.

It would be preferable if Congress merely insisted on the auto safety features without tying them to the tax code. There is little reason to remove the auto excise tax at this time. But the automobile industry resists adding safety devices because they raise the cost of cars without increasing sales appeal. By taking the excise-tax route, Congress eliminates this cost argument and makes the introduction of safety features financially painless to auto buyers.

The remaining 1 percent tax would remain indefinitely, with the understanding that it would be used by the Federal Government to help clear up automobile junkyards and other forms of blight caused by cars. The growing seriousness of the auto graveyard problem cannot be wished away. In 1964 the Nation junked nearly twice as many cars as it had only 6 years earlier. Now that the oxygen converter method of making steel has replaced the old open hearth method, the steel industry's demand for automobile scrap has drastically declined. Since there is a diminishing demand for auto hulks as scrap, they are fast accumulating on the streets and highways as eyesores.

Senator PAUL H. DOUGLAS, the author of the tax proposal, pointed out that it would mean, in effect, that whenever a person bought a car, the cost of its ultimate disposal would be included in the purchase price.

While we think the auto excise tax should in principle not be removed, its elimination would at least serve a socially useful purpose if these proposals were to be adopted.

[From the Washington (D.C.) Star, June 15, 1965]

BACK DOOR TO SAFETY

The Ribicoff amendment, which makes part of the reduction of auto excise taxes contingent on the installation of a long list of safety and antismog devices as standard equipment on cars, is not the only way to achieve this desirable goal.

Congress, if it chose, could have required these improvements as a matter of law long ago. And it should have done so. The GSA has already shown the way by requiring manufacturers to install these devices on future vehicles it purchases for Federal use. The tax-bait approach, however, has practical advantages. It takes some of the wind out of the manufacturers' claims that they have been reluctant to add these devices because they would raise the cost of autos to the public. And it serves to pass along to buyers tangible benefits, which, as a matter of fact, they may or may not have received if no restrictions were tied to the manufacturers' tax cut.

Senator DOUGLAS' companion amendment, which would retain a tenth of the present excise tax to finance the disposal of junked autos around the country, is a more novel suggestion, the mechanics of which are far from clear. The purposes of both these amendments, however, are sound. The Senate Finance Committee, which has approved them, should now fight for their acceptance.

Mr. JAVITS. Mr. President, I invite attention to the fact that this bill represents the culmination of the longstanding struggle to eliminate two excise tax problems which have affected our people—first, one affecting the producers or manufacturers of luggage and handbags, and second, the fur industry. The excise tax has had a damping effect on those industries and an adverse effect on consumers.

It is gratifying that, at long last, the wisdom of these actions has been recognized. When former Senator Keating was in the Senate, he tried many times—as did I—to rid the industry of these depressing factors. It has now been done, and done completely—and I am pleased with it. I know that the removal of these excise taxes will be of great benefit to the industries involved and will help the Government's tax revenues much more by the stimulation it will give to the two industries than would result from the vexatious excise taxes which were imposed.

EXCISE TAXES ON CERTAIN WINES

Finally, I join the Senator from California [Mr. KUCHEL] in inviting attention to the discrimination which is now in effect against natural and artificial carbonated light table wines.

New York, as is California, is an important wine producer. Sparkling wine is a product within the reach of the great majority of the American people. Stimulation of the industry is consistent with the President's plea that we should be using domestic wines and favoring them. We should urgently bring about the reform in the tax imposed upon these wines, which would bring them within easy reach of the American people and thus materially improve consumption and also the market for an American sparkling wine.

Mr. President, I understand that the question of reducing such taxes is being considered by the committee and is being studied very carefully. I do not believe that it is exclusively a question of tax reduction, but also a question of removing discrimination in one aspect of the American wine industry.

I hope very much that these facts may be recognized, and that appropriate action will come very soon.

EXCISE TAX ON AUTOMOBILES

Mr. LAUSCHE. Mr. President, I should like to direct a few questions to the Senator in charge of the bill, the Senator from Louisiana [Mr. LONG], in order to elicit information about the tax on automobiles.

Do I correctly understand that under the bill as now pending, it is contemplated to continue the 10-percent tax up to the time of the enactment of the act of 1965? I am now reading beginning in line 7 on page 3 of the bill, which provides:

> (2)(A) Articles enumerated in subparagraph (B) are taxable at whichever of the following rates is applicable:
>
> 10 percent for the period ending on the date of the enactment of the Excise Tax Reduction Act of 1965.

Does that mean that when the bill is passed and signed by the President, the 10 percent tax will come to an end?

Mr. LONG of Louisiana. That tax would be repealed as of May 15. The 10 percent tax would end as of May 15, and from that day forward the tax would be 7 percent.

Mr. LAUSCHE. Where is the language, May 15, in the bill?

Mr. LONG of Louisiana. That is in the House bill. There is a section on consumer refunds, and it is in that section.

Mr. LAUSCHE. I am reading the language, "10 percent for the period ending on the date of the enactment of the Excise Tax Reduction Act of 1965."

Mr. LONG of Louisiana. There is a section on consumer refunds, and that is the section——

Mr. LAUSCHE. Which applies?

Mr. LONG of Louisiana. Which contains the May 15 date. If the Senator will wait just a moment I will tell him the page I have in mind.

It is on page 24, starting in line 12. There is a section there which provides for consumer refunds for those dates after May 14, 1965, and that includes automobiles and air conditioners.

Mr. LAUSCHE. Then, after May 15, 1965, the 7-percent tax would be applicable until December 31, 1965; is that not correct? I am reading from line 13 to line 16, in substance.

Mr. LONG of Louisiana. It would be reduced—I am referring to the committee report—it would be reduced to 6 percent on January 1, 1966. That is set forth in the table on page 5 of the committee report. I am reading from the same page on the bill which the Senator is reading; that is right.

Mr. LAUSCHE. So the first stage would be to bring to an end the 10 percent tax and reduce it to 7 percent?

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. Then the rate of 7 percent would continue until December 31, 1965.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. The next step in the reduction is to bring it from the level of 7 percent down to 6 percent.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. As of January 1, 1966, through December 31, 1966.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. The next step would be to bring it down to the 5 percent level for the period of January 1, 1967, through December 31, 1967.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. According to the material which I have thus far read, the reductions are in substantial conformity with what the President wished, a 5-percent reduction. It may not be in accordance with the schedule of his recommendations, but the amount is 5 percent; is that not correct?

Mr. ANDERSON. If the Senator from Ohio will allow me to answer that, the next step would be only a 1 percent reduction, but it would have been 2 percent under the President's program.

Mr. LONG of Louisiana. The bill we are presenting in that respect, follows the President's recommendation.

Mr. LAUSCHE. Up to this point.

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. Beginning at this point, the House and the Senate committees have gone beyond what the President recommended.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. The extent to which the committee has gone beyond the President's recommendations is that the tax shall be reduced from the present level of 10 percent to a level of 1 percent for the period after December 31, 1968, under certain conditions; and those conditions are that the reductions to 1 percent, which is 4 percent in excess of what the President recommended, shall be applicable only if and when the automobile manufacturers shall have introduced safety devices; is that not correct?

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. Will the Senator answer, if he can, what would have been the cost in revenues receivable under the President's recommendation?

Mr. LONG of Louisiana. The difference between the President's recommendation and the House bill, which proposes to phase out the last five points, is a difference of $950 million in revenue. The Finance Committee restored $190 million to be used to dispose of old and wrecked automobiles left around the countryside. Insofar as the $190 million might not be fully used, it would be remitted to the Treasury.

Mr. LAUSCHE. The House bill would increase the amount by $950 million. Is that correct?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. The committee's recommendation reduces it by $760 million.

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. Has there been pending before the Finance Committee a bill proposing an increase in the ceiling on the national debt?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. When will that bill come before the Senate?

Mr. LONG of Louisiana. The committee ordered that bill reported this morning.

Mr. LAUSCHE. We are reducing income by $760 million, while within a few days we will be asked to increase the ceiling on the national debt. Is that correct?

Mr. LONG of Louisiana. The excise tax reductions to which the Senator is now referring—the $760 million recommended by the Finance Committee and the $950 million recommended by the House Ways and Means Committee—are tax reductions that are to occur several years in the future. It may be that the increase in the revenue that this Nation has been experiencing as a result of the growth in the Nation's economy and the continuing expansion of our prosperity may very well cause us to receive additional revenue to the extent that there might be a surplus in some of those years.

Mr. LAUSCHE. Is there any other respect in which the Finance Committee recommendations would increase the loss in revenues through other tax measures? Thus far we have dealt with automobile taxes.

Mr. LONG of Louisiana. We have made minor tax reductions. For example, we have recommended repeal of the tax on pipe tobacco, chewing tobacco, and snuff. That amounts to about a $17 million loss.

Mr. LAUSCHE. What, in the opinion of the Senator from Louisiana, is the aggregate loss of revenue through the extension of the exemptions over and above what the President recommended?

Mr. LONG of Louisiana. Putting to one side the difference in the automobile tax, it works out to almost zero, because we gain some revenue by the action we took with regard to lubricating oil.

Mr. LAUSCHE. The loss would be about $760 million, and perhaps less if we do not spend the $100 million that is contemplated for the elimination of junkyards. Is that correct?

Mr. McCARTHY. It will depend on whether the automobile companies put the safety devices on the automobiles. If they do not do it, there will be no revenue loss.

Mr. LAUSCHE. Did the automobile companies urge these safety devices?

Mr. LONG of Louisiana. They did not. We hope that they will be reasonably content to comply with this provision. They have done a great deal of study on this subject themselves. The cost of installing the safety devices has been the major impediment. There are some safety devices that the Government will insist on with respect to the cars that it will buy after 1966.

Mr. LAUSCHE. Was an effort made in committee to restore the provisions that would make it conform to what the administration had recommended?

Mr. LONG of Louisiana. Yes; the effort was made. It was defeated. I voted for it.

Mr. LAUSCHE. What was the vote?

Mr. LONG of Louisiana. It was 10 to 7.

Mr. LAUSCHE. That is 10 votes against and 7 in favor?

Mr. LONG of Louisiana. Yes. The vote occurred prior to the vote on the Ribicoff and Douglas amendments, which would require the installation if safety devices and the disposal of junked autos. It was more or less a vote on the House provision as against the administration recommendattion. There were

10 votes to retain the full 10 percent reduction and 7 to support the administration's position.

I was one of those who voted with the seven to support the administration position, that we retain the extra five points of the tax as of this time. But I now accept the realities of the situation. The committee did not choose to vote that way. It would be my guess that it would be a rather useless gesture to try to restore the administration's recommendations in that respect. If we did it, we would lose the benefit of two good provisions, that of the Senator from Illinois to dispose of old, wrecked automobiles which are making our countryside unsightly, and the provision that the Senator from Connecticut added to the bill, which would condition the expiration of the last four points on the installation of safety devices.

Mr. DOUGLAS. Is it not true that the administration has come to support the Ribicoff and Douglas amendments, and that therefore the draft which is now before the Senate is sponsored by the administration itself?

Mr. LONG of Louisiana. Yes.

Mr. DOUGLAS. It would prefer to have the 1 percent and the 4 percent retained rather than have them eliminated.

Mr. LONG of Louisiana. The executive branch recognizes the realities of the situation, that Congress will not retain the remaining 5 points. If those 5 points are not to be retained, it would like to see 1 percent of the automobile tax used to dispose of old automobiles and the other 4 percent repealed on condition that safety devices are installed.

Mr. LAUSCHE. Mr. President, I send an amendment to the desk and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 4 strike the material on lines 1 through 10 and insert in lieu thereof the following:

Five percent for the period after December 31, 1966.

Strike the material beginning on page 5, line 21 through page 8, line 11.

On page 19, line 11, strike "1966, 1967, 1968, or 1969" and insert in lieu thereof the following: "1966 or 1967".

Mr. LAUSCHE. Mr. President, the amendment contemplates reforming the bill so that it will correspond with the recommendation made by the President when he sent to Congress his message on excise tax reductions, especially those applicable to automobiles. That is all the amendment would do.

I regret that it will also embrace the elimination of what is called the junkyard repeal and the safety device provision. It restores the bill to language which will correspond to what was in the bill before the changes were made.

Mr. DOUGLAS. Mr. President, in eliminating the Ribicoff and Douglas amendments, I take it the Senator from Ohio is aware that he is adopting a position which is contrary to what the administration now is advocating, because the administration has now declared itself in favor both of the safety devices and the antijunkyard provisions.

Mr. LAUSCHE. I do not believe that is correct. I followed very intently the words of the Senator from Louisiana when he said that after the administration learned there was a firm purpose to extension, it tried to recoup the best it could.

After it once learned of the supposed adamant purpose of cutting out the 9 percent, it felt that it might as well save a part of the loss, eliminate the junkyards, and introduce safety devices on automobiles.

I think it is more important to try to keep our Nation in a sound fiscal position than it is at this time to eliminate junkyards. It is the one against the other. I desire the elimination of junkyards. I wish to see the introduction of safety devices on automobiles. But it is also important to maintain a sound fiscal policy.

A moment ago the Senator from Louisiana [Mr. LONG] stated that it is anticipated that the stimulus of business by 1968 or 1969, whatever the last date was, will be of such a nature that the increased revenues will more than offset the losses. But in answer I should like to say that we reduced the income tax and it is now said that the stimulus from the income tax reduction is ended. We must find a new stimulus. That is the elimination of the excise tax.

My next query is what we shall do when the stimulus from the removal of the excise tax is gone.

Where shall we go then? Shall we cut more of the income tax? What is the end of the road? That is the problem that bothers me.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Kentucky.

Mr. MORTON. Take it off of whisky and tobacco.

Mr. LAUSCHE. That brings up a very interesting phase of the bill. Two years ago we reduced the income tax. During the debate on that bill the thought of a reduction in excise taxes began in New York. New York wanted to remove the excise tax from jewelry, furs, and luggage. Then came the Senator from Indiana, who wanted the excise tax removed from trombones and saxophones because they are manufactured in Indiana. Then came the Senator from Connecticut, who wanted the tax removed from ballpoint pens. I do not know that the Senator from Kentucky came forward—I do not believe he did—with a proposal to remove the excise tax on whisky and tobacco.

When the parade was in full sway, and when the band was playing, I jumped in and said, "If you are going to remove taxes to suit different States, I want you to remove the tax on automobile tires manufactured in Ohio." That is the genesis of the excise tax removal bill.

The process began 2 years ago and has been brought up to the present level.

Mr. DOUGLAS. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. DOUGLAS. The Senator from Ohio was not present earlier today, I believe, when the Senator from Connecticut and I both introduced letters from Under Secretary of the Treasury Mr. Barr, showing that the administration endorsed both the retention of the 4 percent, unless safety devices were installed, and the 1-percent retention for the removal of junkyards. The position of the administration is perfectly clear on that question. I do not believe that it is forced in any respect. I should like to show the Senator from Ohio the letter which I received. A parallel letter has been received by the Senator from Connecticut.

Mr. LAUSCHE. I am grateful to the Senator from Illinois for giving me this information. I join with him wholeheartedly toward a program that will remove junkyards. They are unsightly to travelers along highways. I frequently wonder why something is not done back home by way of State or local law.

How much is it envisioned will be spent on that project?

Mr. DOUGLAS. A 1-percent tax would yield approximately $190 million a year, but not all of that money need be spent. It would be subject to annual appropriation by the appropriate committees of both Houses of Congress. If the job can be done for less, less will be appropriated.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. McCARTHY. We have a growing problem with the abandonment of used-up automobiles. Each year 8 million automobiles are manufactured and sold, and it is estimated that 5 or 6 million automobiles will be junked each year. We have a growing problem as to what to do about junked automobiles.

Mr. LAUSCHE. How would the money be expended? Would some agency buy the junked automobiles?

Mr. DOUGLAS. A series of possibilities has been suggested for the ultimate decision of the President. We could arrange for subsidies either to steel mills or to junkyards for disposition of the automobiles. We could also arrange with State and municipalities to dispose of the cars.

While I am speaking on the subject, I should like to point out that the idea was suggested earlier, I believe, by the Senator from Minnesota [Mr. McCARTHY]; so this was not solely my idea.

Mr. LAUSCHE. Mr. President, I yield the floor.

Mr. BASS. Mr. President, I send to the desk an amendment which I ask to have read.

The PRESIDING OFFICER. An amendment is pending at present.

Mr. LAUSCHE. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. MANSFIELD. Mr. President, I call again for the yeas and nays. I believe a sufficient number of Senators are in the Chamber now.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I regret that the Senator from Ohio called up this amendment. In the committee, I personally voted for the position he is supporting. However, it is my judgment, and I believe the judgment of the administration, that Congress is not in the mood to retain the five remaining points of taxation on automobiles. That being the the case, we would do better to stay with the Douglas amendment and the Ribicoff amendment, to spell out conditions under which the five remaining points of taxation would be removed.

I voted for the position of the Senator from Ohio in committee; but I feel, under the circumstances, that I cannot support the amendment now.

Mr. HART. Mr. President, I welcome this long promised overhaul of our excise tax structure. In large part these taxes have grown like Topsy, without rhyme or reason, other than the need for meeting the exigencies of depression and war. Often they have been imposed on necessities, have been designed to hold down consumer demand, and have borne most heavily on those who are least able to pay them. They have outlived the causes which produced them. They have no place in an economy which must be oriented to growth, for they are a serious clog on the economic expansion we must have if we are to remain strong and the leader of the free world.

One of the worst examples of this kind of excise tax—indeed the worst in my opinion—is the 10 percent excise tax on passenger cars. Born in the depression, and increased in World War II and the Korean conflict to deter civilian buying and to channel production into the making of military goods, the tax has too long kept us from realizing the full contribution which the automobile can make to the American economy. What the railroad was to 19th century America, the automobile has been to the 20th. As the railroads opened up the continent, the automobile has made us truly mobile, has opened up undreamed vistas of opportunity for individuals and has created the biggest single industry in the Nation. But the auto excise tax remains as a burden on economic growth. Each new car buyer pays an average of $225 in tax to purchase his car, and part of that tax is built into the price of used cars which move in reasonable relation to new car prices. Used car buyers thus feel the effect of the tax as well. This is a singular and unwarranted burden to be placed on the greatest innovating force in our economy.

It is therefore easy to see why the Ways and Means Committee of the House concluded that it could not justify leaving any part of the automobile excise tax. I hope the bill which goes to the President will leave no remaining auto excise after the year 1968. It is a bad tax and deserves repeal for various reasons. Let me cite the principal ones.

The automobile excise tax is a bad tax because it is a tax on a necessity. Unlike many commodities for which complete excise tax repeal is proposed, the passenger car is a necessity of life for most people. More than 80 percent of car usage by the general public is for essential trips—to work, to the doctor, to church, to school, and to the store for food and clothing. Less than 20 percent of auto travel is for social and recreational purposes.

The auto excise tax is also a bad tax because it adds to the cost of all goods and services. At least one-fifth of the new cars sold are bought for business purposes, and the tax is passed along as part of the cost of doing business.

The tax is a bad tax because it is repressive. In its present form it was designed to make cars more expensive, to keep people from buying them, to reduce production and employment in the auto industry, and to raise emergency revenue. But times have changed and the tax is now an anachronism which hurts consumers and hinders the economy. The need today is not to depress automobile demand. Instead, the challenge is to create more employment and to keep the economy moving upward. We can no longer afford this outmoded restraint on economic growth.

The tax is a bad tax because it is discriminatory and unfair. The excise taxes on all forms of travel—except the auto—and on many other items have been reduced or repealed since the Korean conflict. Now it is proposed to repeal all comparable taxes, and even the excise taxes on cabarets, club dues, and admissions. To leave any part of the auto excise tax while these other excises are being wiped out will be to discriminate most unfairly against the automobile industry, its dealers, its suppliers, its workers and, most importantly, the some 25 million buyers of new and used cars each year. Why should those buyers be burdened with taxes which are not imposed on purchasers of other goods and services?

But, Mr. President, the case for repeal of the automobile excise tax does not rest simply on the fact that it is a bad and an unfair tax. Complete repeal is also called for because of the positive benefits which will be gained.

Repeal of the automobile excise tax, more than any other excise tax action, will contribute to growth and expansion of the economy. As I have mentioned, the automobile is a powerful force for innovation and investment, setting in motion a wide range of growth-producing actions, or multiplying effects, throughout the economy. The automobile is immensely productive to the owner—saving him time and broadening his opportunities for employment, for shopping and for all his other activities. It is a most important agent of economic opportunity and freedom for the individual American. As he avails himself of these opportunities, an ever widening circle of secondary effects ensues. Demands are created and filled for more and better homes, for auxiliary utilities, for schools, for shopping centers, for service industries, and for recreational facilities. The automobile is a powerful, active force for growth. It is not a passive consumer good like a pack of playing cards or a phonograph record.

Repeal of the auto excise tax will release $1.9 billion annually for the economy—for spending on cars and other goods and services. Auto excise tax reductions will be passed on to consumers in lower prices. The automobile manufacturers have reaffirmed to the Finance Committee their pledges previously made to the Ways and Means Committee of the House, that prices to dealers will be reduced by the amount of the tax cuts and fully reflected in suggested retail prices and in the price stickers which must by law be affixed to all new automobiles. There is no such certainty that other excise tax cuts will be passed on to consumers in lower prices. The release of $1.9 billion annually in increased purchasing power through repeal of the auto excise tax will generate an expansion of some $5 billion in the Gross National Product and will create hundreds of thousands of additional jobs.

Repeal of the auto excise tax will in particular increase production and employment in the auto and auto-related industries. One business in six is directly dependent on the manufacture, distribution, service, and use of motor vehicles. Automobile transportation represents nearly 10 percent of the gross national product. Twenty-two percent of all steel, 61 percent of all rubber, 38 percent of all zinc, 14 percent of all aluminum, and 50 percent of all lead is used for automotive purposes.

Repeal of the auto excise tax will produce other benefits, not the least of which is that it will contribute to price stability. The price of cars is an important element in the cost of living and in the Consumer Price Index. The lower prices resulting from repealing the auto excise tax will have a beneficial effect on these sensitive and critical guides.

Mr. President, in view of these and other reasons, I do urge the Senate to reject the amendment offered by the senior Senator from Ohio. Why should the automobile—with its uniquely pervasive stimulus to economic expansion—be singled out as the one commodity to be left taxed for general revenue? This would place an unfair and discriminatory burden on the automobile industry, its dealers, its suppliers, and its workers. It would be grossly unfair to car buyers. The 5 percent excise tax which would be retained amounts to $112 per new car on the average. This penalty, amounting annually to nearly a billion dollars, would have to be borne by the 25 million buyers of new and used cars each year, while purchasers of other goods and services would pay no such penalty. This penalty should be removed.

Mr. LAUSCHE. Mr. President, the only reason why I offered the amendment was to give myself the opportunity to go on record with respect to the important piece of business that is now pending before Congress. The Government is not in a healthy condition financially. I cannot reconcile my judgment with the proposition that, on the one hand, we should reduce revenue more than the President recommended by $760 million, at the most, and on the other hand, come before Congress and ask for the right to increase the debt. The two courses cannot be reconciled.

The national debt was $265 billion after the war. We shall be asked to lift the ceiling so that the debt can be brought up to $328 billion. While the debt is going up, while the gold is running out of the country, we are reducing taxes and increasing spending. I cannot reconcile my thinking and my concept of good government with that course of conduct.

I wish to repeat what happened 2 years ago. There was a comedy on the floor of the Senate. One Senator after another, searching his mind to ascertain what goods carrying excise taxes were sold in his State, came forth with a proposal to remove the excise tax—not on all items, but only on the items that were important to his State. I enumerated them a moment ago. They began with furs, jewelry, and luggage. Then the movement jumped to ballpoint pens, and then, in Indiana, to brass instruments, and then, in Michigan, to automobiles, and then, in Ohio, to tires.

The administration had trouble stopping the movement. Finally, it became laughable. It was obvious that each of us was trying to serve his own constituents; no one was thinking about what the ultimate impact, financially, would be upon the country. That was the beginning, that was the birth of the removal of the excise tax.

I am of the belief that when we are through this year, there will be another movement, either next year or the following year, to reduce further the revenues, increase the debt, and pass on the obligation to posterity, while we are enjoying what is supposed to be the music that comes from telling the people that taxes will be reduced.

I recognize the significance of this movement. I attended a luncheon today. About 200 women were present. It was at the Teamsters Union building. Some speakers told about the great good we are going to do for the people by eliminating excise taxes.

I am willing to go along with the President's program, but I do not want to go along with the proposals for expanded reductions that were made by the House and by the Senate Committee on Finance.

When the spokesmen were through today, saying, "You will no longer have to pay excise taxes on cosmetics, and on furs up to $10,000 in value," there was tremendous applause. Certainly there was. But no one thought of what will happen if our fiscal situation grows worse.

I shall be asked to make speeches for the sale of Government bonds. I made them in 1945, while I was Governor. We owe an obligation to the buyers of such bonds which I think we are not fulfilling when we follow a fiscal policy that is likely to lead to a further devaluation of the dollar.

It would be a mistake not to follow the original recommendation of the President. That is my view. I have placed my views on record. I will concede that efforts were made in committee to restore the President's recommendation, but failed. The Senator from New Mexico [Mr. ANDERSON] said he did the best he could. The Senator from Louisiana [Mr. LONG] tells us the same thing.

Therefore, this statement having been made, and my position having been placed in the RECORD, I ask unanimous consent that the order for the yea-and-nay vote on my amendment be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I ask that there be a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment was rejected.

Mr. BASS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 63, after line 22, add a new section, as follows:

FARM VEHICLES

Under regulations prescribed by the Secretary or his delegate the tax imposed by section 4061(a) shall not apply to a vehicle sold to any person to be used primarily in the operation of a farm or ranch.

Mr. BASS. Mr. President, this is a very simple amendment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. LONG of Louisiana. I should like to know two things. First, I should like to know if the Senator wants a yea-and-nay vote on his amendment, and, second, if he would be willing to have a limitation on time.

Mr. BASS. Mr. President, I definitely will not want a rollcall if the Senator accepts the amendment.

I should be happy to limit the time. I shall take only about 3 minutes.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the time be limited to a half hour, the time to be equally divided between sides.

Mr. BASS. That is agreeable.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BASS. Mr. President, I ask the distinguished Senator in charge of the bill if he would be willing to accept the amendment.

Mr. LONG of Louisiana. Mr. President, we voted on a proposal of this sort in the committee. The committee did not want to go that far. We did vote to provide such relief to equipment used for feed, seed, and fertilizer, and also to equipment of private individuals who furnish schoolbuses for the transportation of children back and forth to school.

Mr. BASS. I understand that. My amendment fits in back of the school amendment.

If any group of Americans have been subjected to higher costs in operating their business and in living, it has been the farm people of the United States. We refer, in all of our discussion of farm legislation, to the cost and price squeeze in which the farmers have found themselves. I believe that this is one instance in which we could give some relief to this very important part of our society.

I have heard it said by the Senator in charge of the bill that it is extremely difficult to determine or define exactly what vehicle will or will not be used for farm purposes.

Every State, to my knowledge, has a license plate which is sold to farmers for use on a piece of equipment primarily for farm use. This procedure would provide one way by which the vehicle could be defined and described by the Secretary in making a determination. Another way would be to provide that any vehicle used by a farmer cannot be used for a quasi-commercial purpose. Merely because we remove the tax from a farm vehicle, the vehicle is used for private purposes by the farmer.

Many of the farm people in my area—and I am sure that holds true throughout the Nation—use a joint-purpose vehicle. In other words, they use a pickup truck or some other vehicle to assist them in the farm operation or in the transportation of farm commodities from the farm to the market, and also for their private purposes—to go to church on Sunday, as an example.

If we can relieve people who buy private automobiles and vehicles for the purpose of their own personal use of the tax burden, we can relieve people of the tax burden for vehicles which are being used in the production of their food and fiber.

We have a Nation in which now fewer than 11 percent of our people are engaged primarily in the production of food and fiber. Yet, we continue to impose this tax upon the vehicles which they are using for this very important purpose. It might even reach the point at which we could eliminate some of the subsidies. Why tax a farmer for the vehicles he will use in production, and then come along and subsidize him for the price of his produce?

Why do we not remove some of his cost, which would in turn eventually reduce the cost of producing commodities, the price of commodities in the marketplace, and, in many cases, some of the support prices that are necessary for the farmer to make an adequate living?

I hope the Senate will vote for this amendment. I believe that it is a meritorious amendment. If the tax is to be taken off any vehicle used for private use, it should be removed from farm vehicles which are so important in farm operations.

Mr. President, at this time I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, the revenue that the Government receives from the tax on trucks is a large amount. It runs to approximately $400 million.

I have much sympathy with what the Senator is trying to do. All of us would like to help farmers. We know that farmers work very hard and, in many cases, make less income than do others. However, the difficulty with the amendment is that certain trucks may be used for almost anything. The Government receives over $400 million in revenue from the trucks. The trucks do a great deal more damage to the highways than do private automobiles. It is sometimes estimated that they do several times as much damage, on the whole, than do all the private automobiles put together.

A farmer could define any truck as being for farm use. It would be extremely difficult to administer a provision of this sort. Someone might persuade a farmer to buy a truck for him. The farmer might buy the truck and sell it to the other party. Such a procedure would save that party a large amount of taxes.

I fear that the amendment would be administratively impossible.

Mr. BASS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall yield in a moment.

A similar amendment was not offered, but it was proposed to be offered by the Senator from Georgia [Mr. TALMADGE]. However, when he was confronted with all the problems, the Senator concluded he would not offer the amendment in the committee. We would not know what the revenue estimate was. We would not know how to administer the law. I fear that we would be confronted with an administrative impossibility in trying to administer the law.

Under those conditions, we would be well advised, if we wanted to do so, to take the tax off trucks. The trucks do far more damage to the highways than they pay in taxes. Our refusal to agree to the amendment before us would be because of the difficulty in administering the law and the difficulty in keeping the entire trucking industry from receiving the benefit of something that is intended for the farmers.

I believe that we should reject the amendment, although I appreciate the fine sentiment of the Senator from Tennessee in wanting to benefit the farmers. I wish the Senator could change his amendment so as to prevent the entire trucking industry from indirectly receiving the benefit the Senator proposes to give the farmers through his amendment.

Mr. BASS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. BASS. Mr. President, I am not sure the Senator heard my explanation as to how the vehicles would be defined. It would involve a very simple process. Every secretary of state, at least to my knowledge, has a classification as to whether a vehicle should be issued a farm license, thus permitting the vehicle to be used on the farm, or whether a vehicle should be issued a commercial license, based on the use and tonnage of the vehicle, thus permitting the vehicle to be used on the public roads. Many farm vehicles on which farm licenses have been issued are never used on the highways at all. Many are used on farms and ranches, and many of them are used for dual purposes. Many are used as family cars to transport families as well as to do farmwork.

I cannot see where the definition of this kind should be any more difficult than the defining of whether a vehicle is to be used as a schoolbus. A person could buy a chassis today, put a schoolbus body on it, use it for 2 days, and turn around and sell it to somebody else, and a tax would not be paid on it. This is nothing but an equitable way of saying to the farm people that they are receiving the same treatment as others are.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Minnesota [Mr. MCCARTHY].

Mr. McCARTHY. Mr. President, the committee looked into a proposal very close to this proposal, which was raised by the Senator from Georgia [Mr. TALMADGE] with reference to pickup trucks, which, he said, were used primarily as passenger cars. They ought not to be taxed as trucks but classified as cars so they could get the benefit of the elimination of the excise tax on automobiles.

It was decided that it would not be feasible to do it. It was suggested that trucks used by circuses and carnivals spent most of their time on fair grounds or on the main streets of towns and used the highways only seldom. So it was proposed that the tax on them should be exempt. Then it was proposed that the trucks used in forests did not use highways, and therefore they should be exempt from the taxes. It was suggested that many trucks should be tax exempt because they are used only at stone quarries or at lumber yards, or only on factory grounds. In each case it was suggested that they should be exempted from the excise tax.

The committee concluded that it was impossible to lay down standards which would be proper in dealing with the question. In addition, it has been announced by the Finance Committee that it is going into the question of user taxes, which go into the highway funds, and that all such taxes will be given consideration. Under those circumstances, I respectfully submit to the Senate that the amendment should be rejected.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, it is true, as the Senator from Minnesota has said, that the committee considered this matter and concluded that administrative difficulties would be great. For that or for other reasons, the committee declined to grant tax exemptions on trucks used by farmers for their own use. But the committee proceeded to violate the very logic upon which it stated farm trucks should not be provided with this exemption by providing exemptions for trucks used by commercial haulers who transport children in schoolbuses.

As the junior Senator from Tennessee has said, a schoolbus is a truck with a schoolbus body placed on it. I know of no manufacturer that makes both the chassis and the body.

So the law would be difficult to administer in either case. How can the Internal Revenue Commissioner follow a truck upon which a schoolbus body has been placed and then removed? The truck used for schoolbus transportation uses the highways almost exclusively, perhaps exclusively. The farm truck may be in some instances used almost exclusively on the farmer's own property.

Mr. BASS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BASS. The automobile, on which we are removing the tax, uses the highways exclusively, does it not?

Mr. GORE. Yes.

Mr. BASS. So that argument does not hold water.

Mr. GORE. There is a provision in the bill, against which I voted in the committee, which is impractical and raises as many or more administrative problems than does the amendment offered by my colleague from Tennessee.

Mr. LONG of Louisiana. Mr. President, the amendment that has to do with drivers of schoolbuses who drive children to school is one that the Treasury Department tells us it anticipates little difficulty in administering. If it should run into difficulty and show us how it can be handled, this Senator will do all he can to correct the matter in conference. But it is a simple problem, so far as the Treasury is concerned, with respect to giving relief there.

Private school busdrivers, it should be kept in mind, are counterparts of drivers of buses owned by school districts, counties, or States. The buses furnished by the cities, counties, or States are not subject to truck excise taxes. They are tax-exempt.

There would be an exemption for a private schoolbus used almost exclusively to haul children back and forth from school. It is the same type of tax exemption that applies to those who are driving schoolbuses owned by counties, cities, or school districts, on which buses no taxes are paid.

The purpose of the provision is merely to put on the same footing all those who are in parallel endeavors.

But now as to the proposal the Senator from Tennessee has put before us, if it were adopted, there would be no truck tax on farm vehicles. There is no way of estimating what the revenue loss would be, because the Treasury officials are without sufficient information on it.

The Senator from Tennessee said that there is one license with respect to one vehicle, and another license when another is used in his State. That is not true of other States. So there would be difficulty in having any uniformity. What is to be done about that problem?

Mr. GORE. What is to be done about trucks that are used as schoolbuses? Suppose a man purchases one, holds it 1 week, and then sells it? What difference does it make?

Mr. LONG of Louisiana. We are told by the Treasury that they can handle it.

Mr. GORE. Both proposals are impractical.

Mr. LONG of Louisiana. The Senator believes it is as simple to take the tax off farm vehicles as it is to take it off schoolbuses. Experts from the Treasury tell us it is not feasible. I know the Senator from Tennessee believes the problem is the same. The Treasury officials think there is no problem with respect to schoolbuses. The number of schoolbuses is small as compared with the number of trucks used for farm purposes.

If the bill were opened to tax exemption for this type of vehicle, it would be open to a whole line of other users who would say that their vehicles were not used primarily on the highways. One group which operates trucks in rock quarries could say their vehicles do not use the highways. One group would say that vehicles are used in circuses, and are not on the highways except once in a while. If by degree, step by step, we took the tax off various type trucks, it would result in a loss of $410 million from the highway trust fund. The highway trust fund does not have enough money now to do what should be done. We are in the process of slowing down the construction of the highway system because there is not enough money in the trust fund to meet the demands.

There is a large revenue loss involved; no one can estimate how much because the people do not know how to administer it. They do not know to whom it would apply; therefore, it has all the possibilities for evasion and avoidance by a person who is not a farmer but who uses farming as a front in order to purchase a truck.

Therefore, in view of the problems involved, I hope that the Senate will not accept this amendment.

Mr. ALLOTT. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I am glad to yield.

Mr. ALLOTT. The bill provides for the removal of the manufacturers excise tax from cars, yet there is no group of people in the country hit harder by our present economic situation than the farmer and the rancher. Would not the Senator agree that they should receive consideration, when the only vehicle they own for their personal transportation is a truck? They are not provided for in this bill. This is true of hundreds of thousands of farm families throughout the country.

Mr. LONG of Louisiana. I have a great deal of sympathy with the Senator's argument. But it will cost the trust fund a great deal of money. In the judgment of those in the Treasury Department and elsewhere, it would be very difficult to determine who is going to use this tax exemption and who is not going to use it, and it would be hard to keep it from becoming a wide-open loophole to be used by everyone buying a truck.

The PRESIDING OFFICER. All time of the Senator from Louisiana has expired.

Mr. BASS. Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. BASS. How much time have I left?

The PRESIDING OFFICER. The Senator from Tennessee has 8 minutes remaining.

Mr. BASS. I shall be brief. I wish to say to my colleague, the Senator from Colorado, that he is eminently correct. Most farmers own only one bed truck, a pickup truck, or a small truck. It becomes the family car as well as the vehicle used generally on the farm.

In answer to my good friend, the Senator from Louisiana, in discussing the complications involved in collecting this kind of tax, I do not serve as a member of the Committee on Finance, but I have served on the Committee on Ways and Means in the House. I do not remember any great efforts being made on the part of the Treasury Department or the Collector of Internal Revenue to simplify the collection of taxes. Therefore, I am not worrying about complicating this already overcomplicated situation to any degree, because if the tax authorities can interpret all of the various regulations which they have in effect now, and make them sensible enough so that they can impose them upon the public and collect taxes, I am of the opinion that they can look at a truck and determine to what use it is being put. They can also tell by the licensing grade. The State licensing level is another way.

So far as the amount of revenue loss is concerned, it was my understanding originally that we were to have an excess tax cut this year. The first figure which was kicked around was something like $2.5 billion, and then it was cut back to $1.75 billion. Now, I believe it is around $4 billion. It has escalated to the point where no one knows exactly what we started with, or what we are going to wind up with.

I am, therefore, not worried about the amount of money, because it will be only an estimate. I do not believe that it will be any $200 million, which is the figure the Senator from Louisiana has kicked around, because he is using the tax figure collected for all trucks.

Mr. LONG of Louisiana. The figure for all trucks is $410 million.

Mr. BASS. Then the Senator is saying that half the tax comes from the farmers.

Mr. LONG of Louisiana. There is no way to tell.

Mr. BASS. Then I will use my own personal estimate. I believe that the Senator's estimate is too high. My estimate would be $40 to $50 million, and it would not increase the tax more than one-half of one-tenth of 1 percent. I hope that Senators will agree with me.

I now yield 2 minutes to the Senator from South Dakota.

TAXES ON FARM TRUCKS SHOULD BE REPEALED

Mr. McGOVERN. Mr. President, I rise in support of H.R. 8371, the Excise Tax Reduction Act of 1965. This measure, which represents a comprehensive overhaul of the Federal excise tax structure, will help sustain the expansion and growth of the American economy. By repealing today a substantial portion of the Federal excise taxes we will be removing an enormous economic and administrative burden placed on the consumers and small businessmen of our Nation. Many of these taxes were intended as temporary, wartime levies and have long outlived their original purpose. They have frequently been applied in a discriminatory manner. I have consistently in the past supported efforts to reduce and repeal Federal excise taxes. Senate passage of H.R. 8371 will greatly strengthen the economy of South Dakota and the entire Nation.

The tax on trucks is allocated to the highway trust fund and for this reason is not dealt with in this bill. It is my understanding that legislation proposing certain changes in the tax revenues which support the highway trust fund will be considered at some point in the near future by the Congress. At that time I intend to introduce an amendment to exempt farm trucks from the 10-percent manufacturers excise tax on the sale of new trucks. This tax is not repealed by the legislation we are considering today. Many of the farmers in my State depend on the use of small agricultural trucks. At a time when the income of many of our small, independent farmers is severely depressed, I feel that it is inequitable to maintain an excise tax on trucks used for agricultural purposes while at the same time repealing the major portion of the excise tax on automobiles. For many farmers in my State, a truck for use on the farm is more essential than an automobile.

I am also concerned that agricultural trucks be exempted from any possible increase in the highway use tax on trucks. In South Dakota many farmers use trucks to carry their own produce to and from the market. Frequently agricultural trucks are used for years solely on the farm itself and in the fields. I believe it is most important to recognize that farm trucks are an exceptional category and ought to be treated as such.

I intend to support the amendment of the Senator from Tennessee [Mr. BASS] designed to repeal the excise tax on farm trucks. If that amendment fails, I shall offer a similar amendment at the time the highway bill is before the Senate.

Mr. BASS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. BASS]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Florida [Mr. HOLLAND], the Senator from Michigan [Mr. McNAMARA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

I further announce that the Senator from Georgia [Mr. RUSSELL], and the Senator from Wyoming [Mr. McGEE] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Florida [Mr. HOLLAND], the Senator from Michigan [Mr. McNAMARA], and the Senator from Virginia [Mr. ROBERTSON] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG], the

Senator from California [Mr. Murphy], and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from Wyoming [Mr. Simpson], and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

If present and voting, the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], and the Senator from South Carolina [Mr. Thurmond] would each vote "yea."

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Kansas [Mr. Pearson]. If present and voting, the Senator from Wyoming would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 41, nays 44, as follows:

[No. 134 Leg.]

YEAS—41

Aiken
Allott
Bass
Bayh
Brewster
Burdick
Byrd, W. Va.
Church
Curtis
Dodd
Dominick
Ervin
Fannin
Gore
Gruening
Harris
Hartke
Hayden
Hickenlooper
Inouye
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Long, Mo.
Magnuson
McGovern
Metcalf
Miller
Mondale
Montoya
Mundt
Prouty
Proxmire
Randolph
Russell, S.C.
Sparkman
Talmadge
Tower
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—44

Anderson
Bartlett
Bennett
Bible
Boggs
Cannon
Carlson
Case
Clark
Cooper
Cotton
Dirksen
Douglas
Eastland
Ellender
Hart
Hill
Hruska
Jackson
Javits
Kennedy, Mass.
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McIntyre
Monroney
Morse
Morton
Nelson
Pastore
Pell
Ribicoff
Saltonstall
Scott
Smathers
Smith
Stennis
Symington
Tydings
Williams, Del.
Young, Ohio

NOT VOTING—15

Byrd, Va.
Fong
Fulbright
Holland
McGee
McNamara
Moss
Murphy
Muskie
Neuberger
Pearson
Robertson
Russell, Ga.
Simpson
Thurmond

So Mr. Bass' amendment was rejected.

Mr. MORTON. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 261

Mr. DIRKSEN. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. At the end of the bill insert the following new section:

Sec. 702. Deduction for Expenses of Transportation to and From Place of Business of Employment.

(a) Allowance of Deduction.—Section 162 (relating to trade or business expenses) is amended by redesignating subsection (f) as (g), and by inserting after subsection (e) the following new subsection:

"(f) Transportation to and From Place of Business or Employment.—

"(1) Treatment as trade or business expenses.—The deduction allowed by subsection (a) shall include the ordinary and necessary expenses paid by the taxpayer during the taxable year for transportation to and from his place of abode and his place of business or employment, to the extent such expenses do not exceed—

"(A) $100, in the case of a taxable year beginning in 1965,

"(B) $200, in the case of a taxable year beginning in 1966, and

"(C) $300, in the case of a taxable year beginning in 1967 or any year thereafter.

"(2) Property used for transportation not treated as property used in trade or business.—For purposes of this subtitle, property of the taxpayer used by him to provide transportation to and from his place of abode and his place of business or employment shall not, by reason of such use, be treated as property used in a trade or business."

(b) Adjusted Gross Income.—Section 62 (relating to definition of adjusted gross income) is amended—

(1) by inserting after "carried on by the taxpayer" in paragraph (1) the following: "(including the deduction allowed by section 162 for expenses for transportation to and from an individual's place of business)"; and

(2) by inserting after "employee" in paragraph (2)(C) the following: "(including the deduction allowed by section 162 for expenses for transportation to and from an individual's place of employment)".

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 1964.

Mr. LONG of Louisiana. Mr. President, would the Senator agree to limit debate on the amendment to one-half hour on each side?

Mr. DIRKSEN. I have no objection.

Mr. LONG of Louisiana. To 15 minutes on each side?

Mr. DIRKSEN. I have no objection.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that debate on the amendment be limited to one-half hour, the time to be equally divided between the minority leader and the Senator in charge of the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Illinois is recognized. How much time does the Senator yield to himself?

Mr. DIRKSEN. Mr. President, I yield to myself as much time as I may require.

First, I ask unanimous consent that the name of the Senator from California [Mr. Murphy] be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, the amendment is very simple. It is very important.

Mr. PASTORE. Mr. President, if the amendment is important, I should like to hear about it. May we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, in all fairness I must say to the Senate that I offered the amendment in the Finance Committee. I have forgotten whether I got two votes or three votes for the amendment. In any event, I did not get very many votes, so I shall not delude or fool the Senate as to what the proposal is. But it would have a great impact upon the country.

The Senate Chamber has fairly rung with pleas and entreaties to help the little fellow, to do something for the common man, to give the little fellow a tax break.

The amendment would give him a tax break. He would not get too much out of the reduction of excise taxes as that bill was reported from the committee. In 1964 there were approximately 65 million tax returns. There are only about 5-million-plus phonographs sold, so only 1, let us say, out of 14 or 15 would get some benefit if about the same number of units were sold in following years. That would be true of radios; it would be true of television sets.

In the case of dishwashers, probably only 1 in 60 or more would get any benefit, for the very good reason that people do not buy many dishwashers. Only 1 out of 65 would get some benefit from the tax bill, because only that many would buy a deep freeze. When it comes to air conditioners, probably it would be 1 out of 30 or 35. So those people would not get too much benefit from the bill.

So what can we do to give the little fellow a tax break? I will tell the Senate what we can do. We can pick up some of the expense when he starts from home in his car and goes to work and has upon him the necessity of putting new tires on his car every so often, of getting the engine tuned, and giving the old jalopy a little painting. After all, for the past 5 years an average of 20 million used cars has been sold every year. Many of those people go to work in used cars. Those cars must be maintained, conditioned, and kept up. So I propose that we give the owners of those cars a deduction on their expense when they drive from their homes to their places of employment. It is that simple. They would be entitled to a deduction. It would not be on depreciation but rather on expense.

A new situation prevails in this country. We have become rather diffused. I live 45 miles from town. Hundreds are on the highway every morning, driving, not 45 miles, but 60 or 70 miles in order to get to work.

In the southern end of my State, where coal mines have gone out of business and the people who worked in those mines have had to find jobs elsewhere, it is common for people to drive 75 or 80 miles in order to get to work.

I live close to the Caterpillar plant in East Peoria, Ill. I know people who drive 50 and 60 miles to get to work. That means tires; it means gasoline; it means oil. If they are in a car pool, they must pay their share of the car pool expense.

It would appear to me that if we desire to do anything for those people, we could allow them a maximum $100 deduction across the board for taxable year 1965, a $200 maximum deduction for taxable year 1966, and a $300 maximum deduction the third year and thereafter. I estimate that in the first year the cost would probably be about $500 million; it would cost $1 billion in 1966; and it would cost $1.5 billion in 1967.

We talk about giving the little fellow a break. The amendment suggests the way to do it. I do not have to belabor the question any further. I am fully conscious of the amount of money that is involved. But this morning we voted to report from the Finance Committee a bill which would increase the debt ceiling by $4 billion. At the present time there is before the Senate a bill which would provide a $5 billion reduction in excise and other taxes.

I merely wish to see the benefits diffused. One way that the 65 million people who file tax returns could get a share of the benefits would be to give them a break on the expense of operating their cars going to and from the jobs that they hold.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. Would the amendment take care of the char lady who must pay a quarter to take the bus?

Mr. DIRKSEN. It certainly would. It would take care of commuters who use buses and railroads as well. Anyone who commutes would be benefited. This is a commuters' amendment.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SCOTT. I was about to ask substantially the same question. In our cities we are encouraging the use of rail commuter traffic by joint city-State assistance in order to keep automobiles off the downtown streets. We have no more room for them. I wish to be reassured that the Senator's amendment would apply to those commuters who come in from out of town or the edge of the city and must travel every day by rail in order to accommodate the public policy which prevails; namely, the constant recurring request to keep cars out of the centers of our cities.

Mr. DIRKSEN. The amendment would take care of them.

Mr. SCOTT. I thank the Senator.

Mr. DIRKSEN. I wish to say one further word to the distinguished Senator from Rhode Island. I recall that years ago in the other body we fought out the battle of portal-to-portal pay. That meant the portal of one's home to the portal of the factory. Of course, the employees thought that they ought to be paid from the time they emerged from the portal of their domicile until they entered the portal of the factory where they were employed. The measure caused quite a stir in the country at the time. It looked for all the world as though the measure would prevail.

My amendment is a variation of that effort. The burden would not be placed upon the employer. We would say that from portal to portal the taxpayer would get a tax break of $100 the first year, $200 the second year, and $300 the third year.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PASTORE. The reason I asked the question of the distinguished Senator from Illinois is that I thought from the Senator's original explanation, one had to own a car.

Mr. DIRKSEN. Oh, no.

Mr. PASTORE. The amendment refers to anybody and everybody.

Mr. DIRKSEN. That is correct.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. NELSON. I did not hear the Senator recite the total cost of the tax reduction that would be involved.

Mr. DIRKSEN. One hundred dollars maximum the first taxable year 1965——

Mr. NELSON. What would the total be?

Mr. DIRKSEN. The first year it would be $500 million.

Mr. NELSON. And the third year?

Mr. DIRKSEN. The third year it would be $1.5 billion, roughly.

I wish to add one thing further. I do not try to cook these things up out of a hole in my head and then not have the rest of the story to go with it. The rest of the story is as follows:

If Congress saw fit to do something in this field, at the appropriate time, as soon as we could evaluate the totals of the appropriations bills, I would propose an across-the-board cut of 2 percent, 3 percent, or whatever was necessary, to hedge and to offset the loss in revenue which would result from the amendment. But I cannot figure a percentage, nor would there be any point in doing so. First, unless the Senate and the House approved this kind of amendment and, second, until we have had action on virtually all of the appropriation bills so that the proper percentage could be calculated, we would not be able to act.

Mr. LONG of Louisiana. Would there be a percentage cut in Federal spending?

Mr. DIRKSEN. That is correct.

I believe in putting the two together.

Mr. President, that is the whole story.

Mr. LONG of Louisiana. Mr. President, there are a number of reasons why the amendment should not be agreed to. First, we have tried to limit the bill to excise tax reductions rather than to make it an income tax bill. The amendment of the Senator from Illinois is an income tax amendment. It would provide that one could deduct the expense of traveling to and from work. As proposed, when in full operation, the amendment would cost the Government $1,500 million.

When people commute to work, it is usually to a job which requires traveling a long distance. If people decide to live in town, to be nearer the job, they make the decision to pay a higher cost for housing or a higher cost for renting so as to live near the job. Many people live in Greenwich, Conn., because they like to live there.

All things considered, renting or owning a home costs less there than similar housing in New York City. When they make that decision, they take unto themselves high transportation expenses.

If we are to adopt an amendment that would cost $1.5 billion for people who commute to and from work, or who merely take a streetcar or a bus to and from work, we should also consider the people who pay high rents or other high housing costs because they choose to live near their work. They entail the inconvenience of paying higher rent to do so.

There are more people who live near their work and pay higher rents than there are people who commute to and from work.

When all these matters are taken into account, we find that if we were to apply the principle embodied in the amendment equitably and extend it to all people who claim the benefit of the same principle, the cost to the Government would amount to $3 billion or more.

There is no place in the bill for this amendment, because the bill relates to excise taxes. At such time as we are in a position to consider a further reduction in income taxes, this proposal should perhaps be considered along with many other good proposals that could be made to reduce the income tax.

The junior Senator from Louisiana himself had a plan that he thought would simplify the income tax system and provide for equitable taxation. It would have cost less than the amendment we are now considering. But he is not offering it to the bill, because we are trying to keep income tax amendments out of the bill.

The Senator from Connecticut [Mr. RIBICOFF] had a proposal for tax credits for people who pay the college tuition of their children. He has agreed not to offer it as an amendment to this bill. We ought to limit this bill to excise tax reductions.

The Senator from Minnesota [Mr. McCARTHY] had an amendment that I was criticized by some sources for opposing last year, an amendment which would benefit single women over the age of 35, who cannot presently be taxed as the head of household. Fortunately, he has agreed not to offer his amendment to this bill.

I hope the Senate will not insist on attaching the amendment of the Senator from Illinois to this bill but will let such an amendment be considered together with many other good, meritorious income tax reduction amendments that can be offered at such time as the Senate considers an income tax bill.

As Senators know, particularly Senators who were here last year when the Senate voted on the Revenue Act of 1964, there is no limit to the number of ideas—and good ideas, too—that Senators can propose to justify a tax reduction for the benefit of someone who has a modest income or who, for some reason, has high personal expenses to contend with.

Mr. SMATHERS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. Would not the Senator agree that the adoption of this amendment would compound the difficulties of downtown areas in every large, cosmopolitan city of the United States?

Mr. LONG of Louisiana. Yes.

Mr. SMATHERS. Would not the Senator agree, therefore, that it probably would be necessary to curtail the increase in funds soon to be considered for the urban renewal program in order to take care of the exodus from the downtown areas that would result by reason of the adoption of this amendment?

Mr. LONG of Louisiana. That is one of the many problems that would confront us.

If we adopted the proposal of the Senator from Illinois, there are all sorts of other personal expenses that people have, including that of having large families, that we should have to deal with. For example, whenever we have an income tax measure before us for consideration, some Senator will have an amendment to increase the personal exemption from $600 to $800. There are all sorts of meritorious amendments proposed to reduce the income tax. There are proposals for more deductions, proposals for more exemptions, proposals for consideration for large families, proposals for consideration for poor families, proposals for consideration of business groups.

I hope the Senate will not go into this field. This amendment could cost the Government a large amount of money.

The distinguished Senator from Illinois, the minority leader, led the charge in the committee to make certain that we would not restore the 5 points of taxation, those last 5 points on automobile taxes, so that the automobile tax would go down to 1 percent throughout the United States, at a cost of nearly $760 million. Seven members of the committee wanted to maintain that revenue. But to increase further the revenue loss by this amendment would, in my judgment, be extremely irresponsible.

I believe it would open the gates. Other Senators who have meritorious amendments in the income tax field would want to submit their amendments and to require the Senate to vote on them, too.

Mr. DIRKSEN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Illinois has 5 minutes remaining.

Mr. DIRKSEN. Mr. President, I make only one response. First, the bill before the Senate is styled "to reduce excise taxes and for other purposes." If the Senate is going to draw a fine line, I invite attention to page 6 of the bill, where the old or wrecked automobile disposal lot is provided. That would be a beautification program. A tax will be earmarked for it.

In the bill, on page 5, will be found a section dealing with passenger-car safety devices. Manufacturers could not receive the last 4 percent of the 10-percent reduction in the income tax as of January 1, 1969, unless they installed the same safety devices that are installed by requirement upon Federal automobiles.

So far as I can tell—and I have made some inquiry about the cost—that benefit of the tax would almost be wiped out.

We talk about adding something to the bill. There are all sorts of items in the bill. The bill includes provision for an automobile graveyard to be paid for and filled by a handout from the Federal tax collector, a handout to induce people to bring in junked automobiles. That would be wonderful. The amendment was first styled a "beautification and burial amendment." That is wonderful. So the sky is the limit when it comes to putting things in the bill.

But I have offered a simple amendment for the "little fellow"—and there are millions of them—who would really get the benefit of my proposed reduction.

That is all I have to say.

Mr. LONG of Louisiana. Mr. President, everything in the bill relates to excise taxes except two amendments. I do not include in those two amendments the one offered by the Senator from Illinois and the one offered by the Senator from Connecticut.

There is excise tax legislation on the statute books sponsored by the chairman of the committee, the Senator from Virginia [Mr. Byrd], which provides how certain taxes shall be set aside in an earmarked fund, the highway trust fund, for use in funding highway construction.

The Ribicoff and Douglas amendments follow that precedent. They provide how certain excise taxes are to be spent.

The only two amendments that do not relate to excise taxes include one offered by the senior Republican member of the committee, the distinguished Senator from Delaware [Mr. Williams], an amendment which the Senate adopted by an almost unanimous vote, and which costs nothing. The other amendment relates to a matter as to which the revenue loss would be negligible.

Those are the only two amendments suggested which are not excise tax amendments.

I hope that the Senate will not insist on going far afield on this bill. To do so, as I have indicated on this amendment alone, would involve a tremendous revenue loss, starting with $500 million, then increasing to $1 billion, and then to $1.5 billion. It would also open the gate to other meritorious amendments which have been offered in the past and which have received very heavy support on the Senate floor, as Senators will recall.

Mr. DIRKSEN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Illinois has 2 minutes remaining.

Mr. DIRKSEN. Mr. President, on behalf of the Senator from California [Mr. Murphy], who is necessarily absent because he is attending a Senate Public Works Subcommittee on Air and Water Pollution hearing in the city of San Francisco, has asked me to have the following statement dealing with sparkling wines printed in the Record.

I ask unanimous consent that the statement of the Senator from California appear in the Record as if read.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Murphy

I am most disappointed that the Senate Finance Committee did not accept the amendment reducing from $3.40 to $1 per gallon the tax on naturally carbonated wines and reducing the tax from $2.40 to 50 cents per gallon the tax on artificially carbonated wines. The excise taxes which the Senate rightfully today is eliminating are clearly discriminatory, but I can think of no excise tax which is so oppressive and so unreasonable as the tax rates on sparkling wines.

This inequity in our tax structure has nothing to do with the Korean war tax levies. Having its origin in 1940, this discriminatory rate was continued when the Korean war excise taxes were added to many other commodities. Between 1940 and 1951 successive tax increases were applied to the sparkling wines producing the astronomical rates that currently exist.

Naturally coming from the wine-producing center, I resent this tax structure. In addition to being inequitable, it places a competitive disadvantage on American wines, and I believe it should be eliminated as soon as possible.

The experience of West Germany in reducing its postwar sparkling wine tax from $3.60 to $1.20 per gallon demonstrates that the Treasury will not lose revenue. As my colleagues know, after 2 years the loss of revenue in West Germany was completely restored and by 1963 the West German Treasury was receiving four times the revenue that they were receiving in 1951.

I am most encouraged that the distinguished majority whip has indicated that he will assist us in securing hearings on this most important matter, and I urge that the members of the Senate Finance Committee expeditiously act to end this inequitable tax, which is 20 times the tax levied on the same wine without bubbles.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Illinois. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the senior Senator from Louisiana [Mr. Ellender]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Louisiana [Mr. Ellender], the Senator from Arizona [Mr. Hayden], the Senator from Florida [Mr. Holland], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I further announce that the Senator from Wyoming [Mr. McGee], and the Senator from Georgia [Mr. Russell], are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd], the Senator from Florida [Mr. Holland], the Senator from Wyoming [Mr. McGee], and the Senator from Michigan [Mr. McNamara], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from Wyoming [Mr. Simpson] and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

If present and voting, the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], the Senator from Wyoming [Mr. SIMPSON], and the Senator from South Carolina [Mr. THURMOND] would each vote "yea."

The result was announced—yeas 27, nays 57, as follows:

[No. 135 Leg.]

YEAS—27

Aiken
Allott
Bennett
Boggs
Carlson
Case
Cooper
Cotton
Dirksen
Dodd
Dominick
Fannin
Hickenlooper
Hruska
Javits
Jordan, Idaho
Kuchel
Morton
Mundt
Prouty
Ribicoff
Saltonstall
Scott
Smith
Tower
Williams, N.J.
Young, N. Dak.

NAYS—57

Anderson
Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Curtis
Douglas
Eastland
Ervin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hill
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Nelson
Pastore
Pell
Proxmire
Randolph
Robertson
Russell, S.C.
Smathers
Sparkman
Stennis
Symington
Talmadge
Tydings
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—16

Byrd, Va.
Ellender
Fong
Hayden
Holland
Mansfield
McGee
McNamara
Moss
Murphy
Muskie
Neuberger
Pearson
Russell, Ga.
Simpson
Thurmond

So Mr. DIRKSEN's amendment was rejected.

VISIT TO SENATE BY DR. ERICH MENDE, VICE CHANCELLOR, FEDERAL REPUBLIC OF GERMANY

Mr. SPARKMAN. Mr. President, we are honored to have with us this afternoon in the Senate Chamber a distinguished visitor to this country, a colleague of ours in another parliamentary body. Several Members of the Senate have just had the pleasure of having a meeting and coffee with him in the Committee on Foreign Relations room.

I refer to Dr. Erich Mende, leader of the Free Democratic Party, and a member of the Federal Republic's Parliament, the Bundestag. He is recognized as one of the most influential political personalities of the Federal Republic of Germany. Together with the Christian Democratic Union, his party formed the present coalition government of Germany. When Chancellor Ludwig Erhard succeeded Chancellor Adenauer in 1963, Dr. Mende become Vice Chancellor and Minister for all German affairs in the new Cabinet.

The Vice Chancellor is visiting with us in this country. He is here this afternoon. I am glad to present to the Senate this distinguished visitor.

[Applause, Senators rising.]

Mr. SPARKMAN. Mr. President, I ask unanimous consent that a lengthier statement in the form of a biography of Dr. Erich Mende be printed at this point in the RECORD.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

BIOGRAPHY OF DR. ERICH MENDE, VICE CHANCELLOR, FEDERAL REPUBLIC OF GERMANY

Dr. Erich Mende, leader of the Free Democratic Party (FDP) and Member of the Federal Republic's Parliament, the Bundestag, is recognized as one of the most influential political personalities of the Federal Republic of Germany. Together with the Christian Democratic Union (CDU), his party formed the present coalition Government of Germany. When Chancellor Ludwig Erhard succeeded Chancellor Adenauer in 1963, Dr. Mende became Vice Chancellor and Minister for All German Affairs in the new Cabinet.

The FDP controls 67 seats in the Bundestag against 251 held by the CDU/CSU. Thus the two parties control a majority of the total of 521 seats in the Bundestag, 22 of which are held by deputies representing Berlin, which do not vote in plenary sessions.

Dr. Mende has been a member of the FDP since it was founded and organized in 1945. Though his party has been a member of previous coalition governments of the Federal Republic of Germany since it was established in 1949, Dr. Mende had never held a Cabinet post in any of these until the formation of the Erhard government.

The son of a schoolteacher, Dr. Mende was born on October 28, 1916 in Gross-Strehlitz, a town in Upper Silesia now under Polish administration. He graduated as an honor student from the humanistic tymnasium in Gross-Strehlitz. Although he had intended to go on to the study of law, at the outbreak of the Second World War, Dr. Mende decided to make a career of military service. He was combat officer throughout the war and served on the eastern front from 1941 to 1945. Twice he was wounded in action. He distinguished himself in battle and was repeatedly decorated. At the end of the war he held the rank of major.

In 1945 he took up the study of law and, for the first time, took an active interest in politics. In 1948 he was awarded the Doctor of Jurisprudence degree and continued to study political science at Cologne until 1949.

Dr. Mende has held the following offices in the FDP: in 1947, member of the executive committee for the British Zone of Occupation; since 1949, member of the federal executive committee; in March 1953, deputy chairman for North Rhine-Westphalia; in April 1956, deputy chairman and since January 1960, chairman of the federal executive committee of the FDP.

Since the Bundestag was constituted in 1949, Dr. Mende has held these positions: from 1950 to 1953, FDP whip and member of the executive committee of the FDP Parliamentary Group; in 1953, deputy chairman, and 1957, chairman of the executive committee.

EXCISE TAX REDUCTION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

Mr. YOUNG of Ohio. Mr. President, I have an amendment at the clerk's desk, which I ask be read and considered at this time.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 35, to strike out lines 4 through 12 (section 303 of the bill, relating to tax on transportation of persons by air).

On page 59, to strike out lines 14 through 18.

Mr. YOUNG of Ohio. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that debate on the amendment be limited to 10 minutes for the sponsor of the amendment and 10 minutes for the manager of the bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, my amendment proposes to repeal the excise tax of 5 percent on air travel. I want to make it clear at the outset that I represent no airline whatever. The fact is that airline officials would like to have the tax of 5 percent which is paid by passengers remain, because if the tax remains the Congress might not impose the requested 2 percent tax on fuel, which would have to be paid by the airline companies.

I have been distressed that the President did not want to have this tax repealed. It was imposed as a temporary tax back in World War II, when officials of our Government were discouraging air travel and the airlines were busy with war traffic. It was to be a temporary tax, but sometimes nothing seems to be as permanent as a temporary tax.

This is an irksome tax. Travel by air is no longer a luxury. It is a vital and fundamental part of our transportation system and our communications network. In most instances travel by air is a necessity. In the State of Alaska it is, of course, a necessity. To me it seems that air travel is an uninteresting way to travel, but it takes a Senator to his home and back to his job faster than any other way.

Air transportation 25 years ago, at the beginning of World War II, might have been considered a luxury, in many instances. Today, there are few who would question the fact that this is a necessity for millions of Americans. It is unconscionable to continue to levy the tax on air transportation. This tax like other sales taxes bears heaviest, frequently, on those least able to afford it.

It has been argued that at the present time the civilian users of our airways are not paying their full share of airway costs. Frankly, I do not believe that this is a valid argument. In the past, the Federal Government has subsidized the railroads. It is still subsidizing them. However, the tax on railway passengers was abolished some time ago. Many industries have been indirectly aided and subsidized by the Federal Government. Special taxes have not been placed upon them. At a time when we are eliminating taxes on playing cards, juke boxes, and other purely amusement devices, it seems to me to be indefensible to continue this added cost of air travel, which is substantial.

Therefore, I have introduced an amendment which would completely abolish the 5 percent tax on air transportation. I know that the heads of airline companies will invite attention to the fact that they are bringing in revenue to the Government because of the tax, hoping thereby to avoid the proposed additional 2 percent tax on fuel. However, they are not the ones who are paying the 5 percent excise tax. The people of the Nation will be paying this tax.

Mr. President, I urge the adoption of my amendment.

Mr. INOUYE. Mr. President, will the Senator from Ohio yield?

Mr. YOUNG of Ohio. I am glad to yield to the Senator from Hawaii.

Mr. INOUYE. I note that we have inaugurated a massive campaign to see America. Will the Senator's amendment somehow encourage the people of America to see America first?

Mr. YOUNG of Ohio. It will give them more money to see America. It will mean $2 to anyone going from Washington to Ohio—which is a good place to start out because it is a beautiful State. People will save $2 which they can spend in Cleveland or other Ohio cities. More important than that, however, the tax would amount to a substantial sum to anyone going from the east coast to the wonderful southwestern area of the Nation, or to the Mountain States, or the Pacific Coast States. Anyone traveling to Seattle or to Portland, Oreg., or to Honolulu would save a substantial amount of money and would be supporting our President in his effort to persuade the people of America to see America first, if the amendment were adopted.

Mr. INOUYE. Mr. President, will the Senator from Ohio yield for another question?

Mr. YOUNG of Ohio. I yield.

Mr. INOUYE. Is it not true that if I traveled to France, I would have to pay no tax, but if I traveled to Cleveland, I would have to pay an air transportation tax?

Mr. YOUNG of Ohio. The Senator is correct.

Mr. INOUYE. I thank the Senator from Ohio.

Mr. LONG of Louisiana. Mr. President, the message of the President on this point states as follows:

> AVIATION
>
> In 1961 the Congress took a major step forward in the area of aviation user charges. At that time it dropped the general excise tax of 10 percent on the transportation of persons. But it retained a 5-percent tax on the transportation of persons by air to serve as a user charge. I recommend:
>
> That this tax now be made permanent;
>
> That commercial aviation bear a larger share of its appropriate cost responsibilities through the enactment of a new user tax of 2 cents per gallon on jet fuels and by continuing the existing user tax of 2 cents per gallon on aviation gasoline;
>
> That a user tax of 2 percent be levied on airfreight waybills so that shippers by air as well as air travelers will bear some part of the cost of maintaining the Federal airways.
>
> At the present time general aviation contributes less than 4 percent of its fair share of developing and maintaining the Federal airways. To replace the present 2-cent tax on aviation gasoline used by general aviation, I recommend a modest user charge of 4 cents per gallon on all fuels used by general aviation. Under this proposal, general aviation would pay 9 percent of its share of total costs.
>
> All of these taxes should be made permanent, and aviation gasoline taxes now transferred to the highway trust fund should be retained in the general fund.
>
> Over the years the Federal Aviation Agency has provided the Congress with careful studies of the appropriate allocation of airways costs among military, commercial, and general aviation users. These studies show that even with these new user charges, the various classes of civil users will still be paying less than their full share of airways costs.

The amendment would cost the Government $140 million a year. As it stands now, the Nation's expenditures on airports and navigational aids greatly exceed the income from this tax as well as the gasoline tax, which the airlines pay.

So far as the airlines are concerned, if they had a choice between a user tax on fuel and the tax on tickets, they would much prefer the tax on tickets, because from their point of view the tax on tickets is something which is never charged into their revenues. It does not affect their rates. If they are subject to an increased tax on fuel, each one of them would have to go back to the Civil Aeronautics Board and justify a higher rate on service so that they could cushion into it the increased tax on fuel. Rather than go through all that, they would prefer to pay it as a tax on tickets.

So far as the consumer is concerned, the user of the airline, he is paying it in any event. He is either going to pay it as a taxpayer through general taxes, or he is going to pay it as a user of the service, or he is going to pay it as a part of the national debt, or in interest on the national debt in order to maintain the airport and navigational aids and to provide for the various requirements of the industry.

As much as I admire the airplane industry, why should they be treated better than the automobile industry? Why should users of the airlines be treated any better than a man who puts his wife and children into an automobile and drives across the Interstate System and pays the taxes which support the Interstate System? There is no real basis on which to burden the general taxpayers of the country in order to care for the airlines by reducing the tax burden on those who use that means of transportation.

The Federal Aviation Agency on an annual basis is spending $729 million a year. The Civil Aeronautics Board in subsidies is paying out $84 million a year. That works out to approximately $800 million a year that we are providing the airplane industry as it stands now.

Against that, it would seem to me that the industry which was born of subsidies, grew up on subsidies, and has been supported by subsidies until it has become the great and powerful industry which it is today should stand this small amount of tax which amounts to a user tax.

The House committee is in the process of studying additional user taxes such as a tax on jet fuel, and we shall know what the House judgment is when they send us proposed legislation on that subject. But the question is not whether this much tax is justified. So far as the airlines are concerned, we are going to have a user tax to help pay this $800 million a year. This is the way to do it. The question is not whether we should have the tax at all. The question is whether we should have additional taxes on users of the airlines such as a tax on jet fuel on jet airliners, and services of that sort.

I hope very much that the amendment will not be agreed to, because in this field the user is getting off as lightly as I believe any user has a right to expect.

Mr. LAUSCHE. Mr. President, what will the 2-percent fuel tax produce by way of revenue? If the Senator has the figure at his finger tips, all right; if not, I will forgo the question.

Mr. LONG of Louisiana. As I recall, it is small compared with this figure.

Mr. LAUSCHE. Small compared with the $800 million?

Mr. LONG of Louisiana. Small compared with the $140 million.

Mr. YOUNG of Ohio. Mr. President, the railroads, of course, as everyone knows, have been heavily subsidized, and are being subsidized at the present time. Passengers on the railroads have been relieved of the 10-percent tax that had been imposed on them.

I am not at this time expressing opposition to the proposed tax of 2 cents a gallon on the fuel to be used by the aviation industry. They are subsidized by the Government, and they are making money. The proposed 2-cent fuel tax would be in addition to the 5-percent excise tax on passengers. The ordinary people of this country, who must travel by air, should get some relief. In some of our States travel is almost exclusively by air. Every time people in these States travel they must pay a 5-percent tax. It does not seem to me to be fair that they should have to do so.

Here is an opportunity given to Senators to vote "yea" on the amendment, and thereby afford slight relief to the people of our country who must necessarily travel by air. Traveling by air is no longer a luxury. This is not a luxury tax. People find it necessary to use air travel. I hope favorable consideration will be given to the amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). All time for debate has expired.

The question is on agreeing to the amendment offered by the Senator from Ohio. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arizona [Mr. HAYDEN], the Senator from Michigan [Mr. MCNAMARA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Maryland [Mr. TYDINGS], the Senator from Florida [Mr. Holland], and the Senator from New Mexico [Mr. Anderson] are absent on official business.

I further announce that the Senator from Wyoming [Mr. McGee] and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd], the Senator from Florida [Mr. Holland], and the Senator from Michigan [Mr. McNamara] would each vote "nay."

Mr. **KUCHEL**. I announce that the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy] and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from Wyoming [Mr. Simpson] and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

If present and voting, the Senator from Hawaii [Mr. Fong], and the Senator from California [Mr. Murphy], would each vote "yea."

On this vote, the Senator from Wyoming [Mr. Simpson] is paired with the Senator from Kansas [Mr. Pearson]. If present and voting, the Senator from Wyoming would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 26, nays 58, as follows:

[No. 136 Leg.]

YEAS—26

Bartlett
Bayh
Brewster
Byrd, W. Va.
Cannon
Church
Cotton
Dominick
Fannin
Gruening
Hartke
Hickenlooper
Inouye
Jackson
Javits
Kennedy, N.Y.
Long, Mo.
Magnuson
Morse
Mundt
Prouty
Randolph
Russell, S.C.
Sparkman
Tower
Young, Ohio

NAYS—58

Aiken
Allott
Bass
Bennett
Bible
Boggs
Burdick
Carlson
Case
Clark
Cooper
Curtis
Dirksen
Dodd
Douglas
Eastland
Ellender
Ervin
Fulbright
Gore
Harris
Hart
Hill
Hruska
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Nelson
Pastore
Pell
Proxmire
Ribicoff
Robertson
Saltonstall
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—16

Anderson
Byrd, Va.
Fong
Hayden
Holland
McGee
McNamara
Moss
Murphy
Muskie
Neuberger
Pearson
Russell, Ga.
Simpson
Thurmond
Tydings

So the amendment of Mr. Young of Ohio was rejected.

THE WAR IN VIETNAM

Mr. **FULBRIGHT**. Mr. President, I regret to digress a few minutes to speak on another subject, but since we have been preoccupied with taxes, it will not hurt to pay attention to another subject for a moment. In addition, the precedent established during the last 8 days of the consideration of the foreign aid bill makes it legitimate to change the subject for a few minutes.

I wish to say a few words about Vietnam.

It is clear to all reasonable Americans that a complete military victory in Vietnam, though theoretically attainable, can in fact be attained only at a cost far exceeding the requirements of our interest and our honor. It is equally clear that the unconditional withdrawal of American support from South Vietnam would have disastrous consequences, including but by no means confined to the victory of the Vietcong in South Vietnam. Our policy therefore has been—and should remain—one of determination to end the war at the earliest possible time by a negotiated settlement involving major concessions by both sides.

I am opposed to an unconditional American withdrawal from South Vietnam because such action would betray our obligation to people we have promised to defend, because it would weaken or destroy the credibility of American guarantees to other countries, and because such a withdrawal would encourage the view in Peiping and elsewhere that guerrilla wars supported from outside are a relatively safe and inexpensive way of expanding Communist power.

I am no less opposed to further escalation of the war, because the bombing thus far of North Vietnam has failed to weaken the military capacity of the Vietcong in any visible way; because escalation would invite the intervention—or infiltration—on a large scale of great numbers of North Vietnamese troops; because this in turn would probably draw the United States into a bloody and protracted jungle war in which the strategic advantages would be with the other side; and, finally, because the only available alternative to such a land war would then be the further expansion of the air war to such an extent as to invite either massive Chinese military intervention in many vulnerable areas in southeast Asia or general nuclear war.

With the coming of the monsoons the Vietcong has undertaken expanded offensive action against the American-supported South Vietnamese Army. This new phase of the war has been going badly for our side and it is likely that the Vietcong offensive will be sustained until the end of the monsoons in October or November. As the ground war expands and as American involvement and American casualties increase, there will be mounting pressures for expansion of the war. For the reasons indicated, I believe that expansion of the war would be most unwise.

There have already been pressures from various sources for expanding the war. President Johnson has resisted these pressures with steadfastness and statesmanship and remains committed to the goal of ending the war at the earliest possible time by negotiations without preconditions. In so doing, he is providing the leadership appropriate to a great nation.

The most striking characteristic of a great nation is not the mere possession of power but the wisdom and restraint and largeness of view with which power is exercised. A great nation is one which is capable of looking beyond its own view of the world, or recognizing that, however convinced it may be of the beneficence of its own role and aims, other nations may be equally persuaded of their benevolence and good intent. It is a mark of both greatness and maturity when a nation like the United States, without abandoning its convictions and commitments, is capable at the same time of acknowledging that there may be some merit and even good intent in the views and aims of its adversaries.

The United States has made repeated efforts over the last 4½ years to reach reasonable settlements in southeast Asia. Continuous talks have been held at the ambassadorial level with the Chinese Communists in Warsaw without any indication that the Chinese are prepared to accept any settlement in southeast Asia short of the complete withdrawal of the United States and the establishment of their own hegemony. In 1962 the United States adhered to the Geneva Agreement for the neutralization of Laos; thereafter the United States withdrew all of its military personnel while North Vietnam has continued to support the Pathet Lao militarily against the other Laotian factions. In 1964 and again in 1965, the United States responded favorably to proposals for conferences on the neutrality and territorial integrity of Cambodia, clearly in the hope that such a conference would also provide an opportunity for informal discussions with the Communist powers on Vietnam; the Communist powers have thus far been unresponsive to this proposal.

In April 1965 the Secretary General of the United Nations proposed to visit Peping and Hanoi in order to discuss Vietnam; Communist China replied that "the Vietnam question has nothing to do with the United Nations" and North Vietnam replied that "any approach tending to secure United Nations intervention in the Vietnam situation is inappropriate." On February 20 of this year the United Kingdom, with American encouragement, proposed to the Soviet Union that Britain and Russia, as cochairmen of the Geneva Conference, explore the possibilities of a Vietnam settlement with all the Geneva signatories; the Soviet Union declined to participate in such an effort. The British Government then proposed to send former Foreign Secretary Patrick Gordon Walker to explore the bases of a Vietnam settlement with interested countries; both Communist China and North Vietnam replied that Mr. Gordon Walker would not be welcome.

The clearest and strongest, but by no means the first, American indication of support for a negotiated settlement came in President Johnson's now famous Johns Hopkins speech of last April 7. In this speech the President stated explicitly and forcefully that the United States was prepared to enter unconditional discussions for the termination of the Vietnamese war; Hanoi and Peiping, as we all know, rejected the President's offer out of hand. On April 8th, in reply to the appeal of 17 nonalined nations—and I congratulate them for it—for a peaceful settlement through negotiations without preconditions, the United States reiterated its willingness to enter unconditional discussions; the United States further indicated that it was prepared to withdraw its forces from South Vietnam as soon as conditions were created in which the South Vietnamese people could determine their future without external interference. In reply to an Indian proposal for the cessation of hostilities and the policing of boundaries by an Afro-Asian force, the United States expressed interest and undertook discussions of the proposal with the Indian Government; Communist China and North Vietnam have rejected and denounced the Indian proposal.

The United States suspended bombing operations against North Vietnam from May 13 to May 17 in the clear hope that the other side would respond to previous offers of negotiations. My own feeling is that the period of suspension of bombing was too short, but it must also be noted that the suspension elicited no response whatever from Hanoi and Peiping, who in fact denounced the suspension of bombing in harsh language. Finally, at the end of May the Canadian representative on the International Control Commission in Vietnam went to Hanoi to discuss the reaction of North Vietnam to the pause in American bombing; on the basis of the Canadian representative's report, Canadian Foreign Minister Martin has concluded that North Vietnam and Communist China are not receptive to peace overtures at this time.

The United States has been patient and remains patient in its efforts to bring about a negotiated settlement of the Vietnamese war. It cannot be denied that there have been mistakes over the years in our policy in Vietnam, not the least of which was the encouragement given in the mid-1950's to President Ngo Dinh Diem to violate certain provisions of the Geneva accords of 1954. Even when past mistakes are admitted, the fact remains that over the past 4½ years the United States has consistently sought to negotiate compromise settlements on southeast Asia. I believe that President Kennedy and President Johnson have been wise in their restraint and patience, that indeed this patience has quite possibly averted a conflict that would be disastrous for both the Communist countries and for the United States and its associates. I believe that continued restraint and continued patience, even in the face of expanded Vietcong military activities, are essential to avert a catastrophe in southeast Asia.

It seems clear that the Communist powers still hope to achieve a complete victory in South Vietnam and for this reason are at present uninterested in negotiations for a peaceful settlement. It would be a mistake to match Communist intransigence with our own. In the months ahead we must try to do two things in South Vietnam: First we must sustain the South Vietnamese Army so as to persuade the Communists that Saigon cannot be crushed and that the United States will not be driven from South Vietnam by force; second, we must continue to offer the Communists a reasonable and attractive alternative to military victory. For the time being it seems likely that the focus of our efforts will have to be on persuading the Communists that they cannot win a complete military victory; only when this has become clear is it likely they will respond to our proposals for unconditional negotiations.

The short-term outlook is by no means bright but neither is it without hope. It may well be, if we are resolute but also restrained in the conduct of the war, that when the current Vietcong offensive has run its course without decisive result the Communists will be disposed to take a different view of our standing proposal for unconditional negotiations. At such time as it becomes clear to all interested parties that neither side can expect to win a complete military victory, I would think it appropriate and desirable for the United States to reiterate forcefully and explicitly its willingness to negotiate a compromise peace and thereafter to join with other countries in mounting a large-scale program for the economic and social development of southeast Asia.

The possible terms of a settlement cannot now be foreseen or usefully speculated upon. As a general proposition, however, I think there may be much to be said for a return to the Geneva accords of 1954, not just in their essentials but in all their specifications. Should such a settlement be reached, it is to be hoped that both sides will recall the unrewarding consequences of their past violations of the 1954 agreements.

Looking beyond a possible settlement of the Vietnamese war, it may be that the major lesson of this tragic conflict will be a new appreciation of the power of nationalism in southeast Asia and, indeed, in all of the world's emerging nations. Generally, American foreign policy in Asia, in Africa and in Latin America has been successful and constructive insofar as American aims have coincided with the national aims of the peoples concerned. The tragedy of Vietnam is that for many reasons, including the intransigence of a colonial power and the initial failure of the United States to appreciate the consequences of that intransigence, the nationalist movement became associated with and largely subordinate to the Communist movement.

In the postwar era it has been demonstrated repeatedly that nationalism is a stronger force than communism and that the association of the two, which has created so many difficulties for the United States, is neither inevitable nor natural. In the past it has come about when, for one reason or another, the West has set itself in opposition to the national aspirations of the emerging peoples. It is to be hoped that we will not do so again; it is to be hoped that in the future the United States will leave no country in doubt as to its friendship and support for legitimate national aspirations. If we do this, I do not think that we will soon find ourselves in another conflict like the one in Vietnam.

Mr. SYMINGTON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield to the Senator from Missouri.

Mr. SYMINGTON. Let me commend the able chairman of the Committee on Foreign Relations for much of his analysis of the situation as it is today in South Vietnam. I was impressed by his detailing of the efforts of this administration with respect to all the efforts that have been made looking toward negotiation.

I ask the Senator, because of his knowledge and experience in this field, if he has any suggestions as to what additional could be done by the administration at this time?

Mr. FULBRIGHT. I referred to what must be done "at this time" because of developments connected with the current Vietcong offensive. The Vietcong believe they have an advantage under the inclement weather conditions of the monsoon season. I do not believe they are in a mood to seek an end to the war at present. I am reconciled to the prospect that they will not respond to any proposal between now and the end of the monsoons in November or December. Therefore, I approve of the President's efforts now to strengthen South Vietnam and to maintain its security through that period.

However, if this becomes an indecisive war, as I think it will, it will become quite clear that neither side is going to win a great victory, in spite of the experience of Dien Bien, when the French had 250,000 of their own troops and 200,000 plus of the Vietnamese troops. We know what happened there after 7 years.

I know that 1 American is equal to 10 Frenchmen, but that is not literally true when we have modern weapons. That is merely individually true with reference to other matters.

I do not believe that either side would have a great victory. I believe that when this becomes evident, it will clarify the situation. Peiping will not want to do anything to end the war. They feel that they will benefit by it. However, the people at Hanoi and the Russians will have a different attitude.

I believe that is quite possible. I approve of the efforts of the ground forces in South Vietnam in order to secure what we have possession of, but I am not anxious to expand the conflict or in any way to escalate the war. I think that then it would get out of hand. I do not know where it would then stop.

I am hoping we can control the situation, pending conditions that would allow of negotiations.

Mr. SYMINGTON. Mr. President, I thank the distinguished Senator. As to Dien Bien, I would suggest there is little comparison. Studying that battle, the two major mistakes the French made were in believing that nothing over a 75 millimeter gun could be moved over the jungle trails and their underestimating the valor of the Vietcong. The French were poorly led by Navarre, and placed themselves in a position from which they had no avenue for retreat in the event they met with severe reverses. They were completely surrounded. They fought with great courage, but had no chance.

Mr. FULBRIGHT. I agree with that statement. I am not suggesting that there be an escalation. I think that we can contain them. The French put in 5 years of fighting. They had 250,000 of their best troops, French troops, and in addition to that they had some 200,000 Vietnamese troops. The French are good fighters, as the Senator knows. However, this is a combination of jungle, weather, and people who have no idea of political organization. I do not want to go into all of that. However, this is a very difficult place in which to operate.

Mr. SYMINGTON. Mr. President, it would appear that the chairman is pointing out to the American people that, especially since air support is much more difficult in the monsoon season, they should expect some reverses during the coming months. The Senator does not believe the war should be escalated, but believes we should remain in South Vietnam, through the monsoon season, after which things would be better from the standpoint of possible successful negotiations.

Mr. FULBRIGHT. That is correct, so far as policy is concerned. The other part about the political effort that the administration has been making has, I think, been too little noticed in the press. There has been too little said about the real effort that we have made to end the war and too much said about the bombings. This creates a distorted view of policy. I do not believe that this has been done deliberately. However, the nature of news is that bombings are newsworthy and peaceful efforts are not.

I wanted to emphasize what we have tried to do.

Mr. SYMINGTON. I thank the Senator and commend him for his statement listing all the various efforts this administration has made to get negotiations underway.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. Mr. President, I have listened with a great deal of interest to what the Senator has said. I know the influence that the Senator has on the establishment of policies and the efforts in which we take part. I agree with the Senator in his statement about the war and its escalation, and the desire and importance of continuing to seek negotiations.

It seems to me that one of the great difficulties which we face is that there is no desire on the other side to negotiate. I believe that we are very clear on that. However, when we do negotiate and go back to Geneva or some other forum, the great weakness, it seems to me, will be that there must be an effort made in any negotiations to protect any treaty or understanding that we reach. We have seen understandings break down so many times. We must have some way to make it very clear that any understanding we reach on the cessation of hostilities will be lived up to. That is the great difficulty which we face, which, perhaps, the Senator did not describe very fully in his speech.

Mr. FULBRIGHT. Mr. President, I do not minimize the difficulties of reaching or enforcing an agreement. I know that they are very great. However, that would come at a much later date. I was trying to make the point, and the major point, that I do not want to expand this conflict into an all-out war, either of worldwide proportions or even as large as the war in Korea was. I do not think that the Korean war was beneficial to the world or to that country.

I do not believe that anyone with modern weapons could ever hope to come out of a war with any profit at all. Weapons are too destructive. We know that science has made modern war intolerable. War used to be a lot of fun for a lot of people. However, that is not the case any longer.

I believe that we ought to minimize the military and stress the political and diplomatic aspects of the situation. I cannot reconcile myself to the belief that the Russians are immune and unknowing about these.

They have not exercised a great influence yet. However, it is possible that they might. We are quite aware of what can be done. I have the feeling that the Chinese are goading us both in the hope that we will destroy each other.

Mr. SALTONSTALL. I believe that we have good evidence of the truth of that statement.

Mr. FULBRIGHT. Mr. President, I do not want to destroy the Russian people. They are great people. They have been coming along and making great progress in many ways. I am almost afraid to say this because the Chinese will blast them again as American lackeys, as they have before. However, the Senator has noticed what the Chinese have said about the Russians in the last few days. The same thing has happened in the case of the Yugoslavs and the Rumanians. The Rumanians came over and made friendly gestures and wanted to trade. Our Government accepted the gestures and was willing to trade. A most unfortunate circumstance then occurred. After Firestone had almost completed negotiations for the construction of synthetic rubber plants in Rumania, some sort of patriotic association bluffed them out with the threat of a boycott. How can we run a country when a group of youngsters can thwart the policy of the Government? This is a terrible situation.

Mr. SALTONSTALL. Mr. President, we must be optimistic and support the President. We must hope that any negotiations that are carried out will be lived up to.

Mr. FULBRIGHT. I hope that the Senator agrees with my statement. People who take one side or the other in a situation receive less criticism than one who tries to go down the middle. But a middle view is the best I can offer.

Mr. GRUENING. Mr. President, I should like to congratulate the Senator from Arkansas on a very constructive and helpful analysis of the situation. While I disagree with the policy of our past and present administrations in getting our Nation involved militarily in South Vietnam, I find myself in agreement with much that the Senator has said. I believe that he is most wise in urging that the war not be escalated further and avoid making it a major war. I believe that he is most wise in referring to the need of going back to the Geneva Agreements which provided for a reunified North and South Vietnam after supervised elections. The chairman of the Foreign Relations Committee has rendered a service in pointing to one of the errors which the United States committed when we encouraged Ngo Dienh Diem to break those agreements and refuse to have the elections. The United States and South Vietnam were not the only ones to break agreements, but we did break them, and that is not generally admitted in official pronouncements.

We are inheriting the consequences of our past mistakes.

Mr. FULBRIGHT. The Senator is correct.

Mr. GRUENING. That is one reason that it is so difficult to find an honorable and satisfactory solution of the Vietnam dilemma.

Mr. FULBRIGHT. The Senator is correct.

Mr. GRUENING. The Senator has helped this discussion immeasurably by his exposition this afternoon.

EXCISE TAX REDUCTION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

Mr. DOUGLAS. Mr. President, I do not want to interrupt the extraordinarily brilliant speech of the Senator from Arkansas, which should be carefully considered by the American public. He has steered a wise course between the two extremes. We will resist Communist aggression but we do not wish to so escalate the war as to lead to a nuclear holocaust.

But since the excise tax cut is underway, I hope I may be pardoned if I present an amendment which will not cost the taxpayer a penny or cost the Government a penny, but which will make uniform the time when taxes on tires are paid by manufacturers with integrated sales establishments and by independent retailers.

So I sent the amendment to the desk and ask that it be considered, that its reading be dispensed with, and then I will take only about 3 minutes to state the gist of the amendment.

The PRESIDING OFFICER. Without objection, the reading of the amendment will be dispensed with and it will be printed in the Record.

The amendment offered by Mr. Douglas is as follows:

At the end of the bill add the following new section:

"Sec. —. Dual Distribution in Tires.—(a) Section 4071 of the Internal Revenue Code of 1954 (relating to tax on tires and inner tubes) is amended by redesignating subsections (b) and (c) as (c) and (d) and by inserting after subsection (a) the following new subsection:

"'(b) Special Rule for Manufacturers Who Sell at Retail.—Under regulations prescribed by the Secretary or his delegate, if the manufacturer, producer, or importer of any tire or inner tube delivers such tire or tube to a retail store or retail outlet of such manufacturer, producer, or importer, he shall be liable for tax under subsection (a) in respect of such tire or tube in the same manner as if it had been sold at the time it was delivered to such retail store or outlet. This subsection shall not apply to an article in respect of which tax has been imposed by subsection (a). Subsection (a) shall not apply to an article in respect of which tax has been imposed by this subsection.'

"(b) The amendments made by subsection (a) shall take effect on the first day of the first calendar quarter which begins more than 20 days after the date on which this Act is enacted.

"SEC. 2. Section 4226 of the Internal Revenue Code of 1954 (relating to floor stocks taxes) is amended by adding at the end thereof the following new subsection:

"'(e) TAX ON CERTAIN TIRES AND TUBES.— On any tire or inner tube which, on the first day of the first calendar quarter which begins more than 20 days after the date of the enactment of this subsection, is held at a retail store or retail outlet of the manufacturer, producer, or importer of such tire or tube, he shall be liable for tax under section 4071(a) in the same manner as if such tire or inner tube had been sold by him on such first day. This subsection shall not apply to an article in respect of which tax has been imposed by section 4071 of the Internal Revenue Code of 1954. Such section 4071 shall not apply to an article in respect of which tax has been imposed by this subsection.'"

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. I ask unanimous consent that debate on the amendment be limited to 20 minutes, to be equally divided between the Senator from Illinois and the Senator in charge of the bill, or any Senator to whom they wish to yield time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LONG of Louisiana. May I ask unanimous consent also to limit debate on all future amendments to one-half hour, to be equally divided between the sponsor of the amendment and the junior Senator from Louisiana, with the understanding that future amendments must be revenue amendments, but need not be limited to excise taxes.

The PRESIDING OFFICER. Is there objection?

Mr. MILLER. Mr. President, reserving the right to object, I hope it may be understood by the Senator from Louisiana that the amendment I intend to propose with respect to social security and pension increase would come within the purview of the agreement.

Mr. LONG of Louisiana. Yes. When I referred to germaneness, I said it was to be understood that there were to be revenue amendments, but they need not be limited to excise taxes.

Mr. President, I specifically include the social security amendment of the Senator from Iowa in my request.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, I yield myself 5 minutes.

Under present law, when tires are sold by a manufacturer to a wholesaler or to a retailer, the 10 cents a pound tax on rubber applies to the sale of the time when it is sold to the wholesaler or retailer. But if the manufacture ships an identical tire to his own retail outlet, which is the case of many integrated rubber companies——

Mr. COTTON. Mr. President, may we have order? We cannot hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOUGLAS. Shall I start at the beginning again?

Mr. COTTON. If the Senator wishes to do so.

Mr. DOUGLAS. Under present law, when tires are sold by a manufacturer to a wholesaler or to a retailer, the 10 cents a pound tax on rubber applies to the sale at the time of the sale to the retailer or wholesaler. But if the manufacturer ships an identical tire to his own retail outlet—and some of the big rubber companies have their own retail outlets—no tax is applied until the tire is sold to the ultimate consumer.

This means that the little retailer must tie up a considerable amount of capital in taxes in stocking his tire inventory before he can recoup his expenses from his ultimate purchasers, while his vertically integrated manufacturer-retailer competitor can use all his capital for inventory and does not have to pay until the very end.

My amendment is simple. It would equalize the competitive situation by imposing a tax on the vertically integrated firm at the time tires are delivered to his retail outlet just as is the case with sales to the independent retailer.

The bill does not affect the amount of tax. It does not change the rate of the tax. It merely adjusts the timing of the tax due on tires sold by a manufacturer to its own retail outlet to a comparable basis to that on sales to an independent, and thus corrects a defect in the tax law arising out of the dual distribution system of marketing tires.

I hope the manager of the bill will be willing to accept the amendment.

Mr. LONG of Louisiana. Mr. President, I have looked at the amendment. The Senator told me that he had intended to offer it in committee but, through an inadvertence did not do so. I have looked at the amendment. I have discussed it with some senior members of the committee. They indicate they do not object to it. If any Senator cares to speak against the amendment, I will yield time to him, but I am willing to accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DOUGLAS].

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I wish to ask unanimous consent that the time on the bill be limited to 1 hour, with the junior Senator from Louisiana controlling one-half of the time and the minority leader controlling the other half.

Mr. RANDOLPH. Mr. President, I wish to ask the Senator a question.

Mr. CANNON. Mr. President, I did not hear the request.

Mr. LONG of Louisiana. I asked that the time be limited on the bill itself, to 1 hour, to be equally divided.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, may I ask the Senator a question?

Mr. LONG of Louisiana. I yield.

Mr. RANDOLPH. Could the Senator from Louisiana advise the Members of the Senate what is contemplated as to further consideration of the bill for the rest of the evening?

Mr. LONG of Louisiana. It is impossible for me to predict, but I believe there are three amendments. We have agreed to a time limitation on the amendments. I believe the time in opposition will not be fully consumed. So my guess is that we should be through on the amendments in the next 40 minutes. That is only a guess. I do not believe all the time allotted on the bill will be exhausted. I think we should be through by 8 o'clock, and perhaps by 7:30.

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. JAVITS. Mr. President, will the Senator yield me 30 seconds?

Mr. LONG of Louisiana. I yield 30 seconds to the Senator from New York.

Mr. JAVITS. Mr. President, when the nominations to the Equal Employment Opportunity Commission were before the Senate for confirmation on May 27, I stated on the floor that I had submitted to the new Chairman of the Commission, Franklin D. Roosevelt, Jr., certain questions the answers to which I believed would be important for the Senate to have for the record.

I ask unanimous consent that there be printed in the RECORD at this point in my remarks the questions which I submitted to Mr. Roosevelt on May 25 and the reply which I received on June 8.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

MAY 25, 1965.

Hon. FRANKLIN D. ROOSEVELT, Jr.,
Under Secretary of Commerce,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: In connection with your nomination to be Chairman of the Equal Employment Opportunity Commission, I would very much appreciate your answering the following questions at your earliest opportunity. The questions and answers will appear in the record of the hearing on the nomination.

1. What expertise do you bring to this new position? Do you consider it a permanent post for you?

2. Under title VII of the Civil Rights Act of 1964, which created the Commission, various enforcement provisions become effective on July 2, 1965, but a number of provisions (secs. 705, 709, 711, 713, and 715) became effective on July 2, 1964, the date of enactment of the act. The presently effective provisions relate to the creation of the Commission and its staffing, its cooperation with

State and local agencies, recordkeeping obligations of employers, notice-posting requirements, and the Commission's rule and regulation authority. In addition, section 716(c) specifically calls upon the President to convene one or more conferences to enable those affected by the title to become familiar with its provisions; the law says "as soon as feasible after the enactment of this title." Can you detail what has been done to date under this existing authority and what action you would propose to take under it between now and July 2, 1965, when the enforcement provisions become effective?

3. What will be your attitude toward the Commission's using the enforcement provisions of title VII in addition to using conciliation and negotiation as a means of preventing unlawful racial discrimination in employment? I would also like to join what I understand was Senator Clark's request to you at the hearing on your nomination, that you keep the committee advised on how title VII works in practice and what amendments may be necessary to make it operate better.

With best wishes.

Sincerely,

Jacob K. Javits,
U.S. Senator.

.June 7, 1965.

Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Jack: This concerns your letter of May 25, including several inquiries into the operation of the Equal Employment Opportunity Commission. Let me take the questions in order:

1. "Qualities" would probably be a better word than "expertise." However, you may remember that I was vice chairman of President Truman's Civil Rights Commission in 1946–47. The report of this Commission, "to secure these rights," became a foundation stone on which nearly all civil rights legislation in the last 18 years has been founded. In 1947 through 1949, I was the first chairman, appointed by Mayor William O'Dwyer, of the New York City Human Rights Commission with only conciliatory power. We were able to eliminate discrimination in public accommodations in New York City during this period. I resigned from that commission when elected to Congress, and I am sure you will recall the many bills that I introduced during my nearly 6 years in the House, which dealt with every phase of civil rights.

In addition you know of my legal and business background, both of which appear essential in handling the basic problems involved in the task of promoting and insuring equal job opportunity to all Americans. In addition, the confidence and friendship which exist in the minority group community as well as in Government, labor, and business circles should serve me and my associates well as we work to eliminate employment discrimination.

You asked me whether I consider this to be a permanent post for myself. The record of the Senate Labor and Public Welfare Committee hearing will show my answer to a similar question from Senator Prouty, of Vermont, which was asked when you were not present. In essence, I must tell you that I particularly requested only appointment to the 2-year term. This appointment will end on June 1, 1967, which carries me beyond that period in 1966, which, apparently, gives you and Senator Prouty some cause for alarm. I must tell you that I shall seek to conduct myself and the work of the Commission in an entirely nonpartisan manner, and I trust that no decision of the Commission will be viewed or considered through political glasses. I furthermore assure you that I consider that the work of this Commission and the administrative responsibilities of the chairman will require a total commitment of all of my resources and, so, I will have to leave day-to-day political activity to such eminent practitioners of the art as you, Congressman Lindsay, and Governor Rockefeller.

2. Concerning your second question, you are doubtless aware that until the Commission was appointed and took office, there could be no formal implementation of most of those provisions of title VII which came into effect upon the enactment of the Civil Rights Act. Consequently, no recordkeeping or notice-posting requirements or other rules and regulations have been issued or adopted. In the period between the passage of the act and the appointment of the Commission, a task force drawn from several agencies has studied the problems you mention, and the other Commission members and myself are presently examining its conclusions and recommendations. Personnel from such agencies have also cooperated with bar associations, civil rights organizations, and other private groups in conferences, seminars, and other means of disseminating information regarding title VII.

With respect to our agenda between now and July 2, 1965, first priority must, of course, be given to such indispensable housekeeping arrangements as finding office space and moving in, internal organization, staffing, and budget. We expect that by the end of June we will be well down the road toward staffing our regional offices. However, it will probably be late in the year before our staff is up to full strength. We hope within the next 2 months to hold at least one of the conferences called for by section 716(c), but we are still considering whether to hold a national conference, smaller regional conferences, or both.

3. You ask what will be my attitude toward the Commission's using the enforcement provisions of title VII in addition to conciliation and negotiation as a means of preventing unlawful discrimination in employment. In my view enforcement is not an alternative approach to conciliation but is part and parcel of it. While title VII undoubtedly has great value as a statement of national policy and as an educational tool for achieving broad voluntary compliance, familiarity with the law may breed contempt if experience should demonstrate that violators have little to fear from the enforcement machinery. Therefore, success in conciliation will in the long run depend on the knowledge of respondents that adequate machinery to compel compliance is available. As you know, the enforcement tools granted to the Commission in title VII are limited. But though the Commission can seldom act directly against violators once conciliation has failed, it can to some extent assist the preparations of a private suit and recommend intervention or the initiation of litigation by the Attorney General "when he finds a pattern or practice of resistance." It can also suggest action by State and local FEPC's, the President's Committee on Equal Employment Opportunity in the case of Government contractors, and possibly by other governmental agencies. In short, although we both would probably have preferred stronger enforcement machinery in title VII, I believe the act in its present form offers some possibilities for imaginative enforcement by the Commission. You can be sure I will recommend revisions to the legislation if, as, and when deficiencies appear.

In accordance with the request of Senator Clarke and yourself, you can be sure that I will keep the committee informed as we move along and also, we will be calling on you and your colleagues for help and guidance.

I hope you will call on me whenever the Commission can be of assistance in any way or whenever you have suggestions or ideas which you feel can help us in our work.

Sincerely yours,

Franklin D. Roosevelt, Jr.,
Chairman.

DONATION BY CARDINAL SPELLMAN OF COIN COLLECTION

Mr. JAVITS. Mr. President, secondly I call attention to a princely act by a prince of the church, Cardinal Spellman, of New York, in devoting an invaluable coin collection in order to save St. Francis Hospital in the Bronx, one of the most philanthropic acts I think New York has ever seen. Cardinal Spellman's action seeks to provide assistance for the construction of a new hospital but on the same site in an area where poverty is a looming presence. Under such circumstances, his action lends added point to the munificent effort.

I ask unanimous consent that newspaper comments on it may be printed in the Record as a part of my remarks.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, June 15, 1965]

Spellman's Coins Await a Buyer—Sale of Collection Valued at $500,000, To Assist Hospital

(By John Cogley)

Cardinal Spellman was waiting yesterday for a buyer to purchase his priceless collection of rare coins.

According to Msgr. Thomas J. McGovern, assistant director of the archdiocesan bureau of information, the Cardinal hopes to sell the collection, which he began to assemble 49 years ago, to an individual—perhaps a bank or a wealthy coin enthusiast—rather than to dispose of it, piece by piece.

Rare-coin experts say that the collection would bring in maximum revenue if it were sold auction-style. But the cardinal, like any coin enthusiast, would prefer it be kept intact. The collection has been valued by some appraisers at $500,000.

In an atmosphere of neighborhood festivity, which was occasioned by his announcement that a new 350-bed St. Francis Hospital would be built on property adjacent to its present site in south Bronx, the cardinal announced Sunday afternoon that he would kick off the drive for the $20 million needed by selling his collection.

COLLECTION IMPRESSIVE

Harvey Stack, a partner in Stack's on West 57th Street, the largest and oldest coin dealer in the Nation, said yesterday:

"I have seen part of the collection, and I can assure you that it is very impressive, with some of the individual coins worth from $15,000 to $20,000."

The cardinal's interest in rare coins goes back to the days when he was a poor seminarian at the North American College in Rome. As the decades passed and his career in the church flowered, he was able to add to the Roman flea-market purchases of his youth. A substantial portion of the collection came from gifts. Today, the Cardinal Spellman coin collection is the envy of some millionaire enthusiasts. It includes rare U.S. classical, and papal, coins and medals.

They range from a silver coin struck by Theodoric the Goth (A.D. 493–526) to three "short-snorters" signed by some of the leading figures of the last 50 years. He also has a collection of Vatican coins and medals, struck during the reign of 18 Popes, from the

16th-century Julius II to the reigning Paul VI.

Cardinal Spellman's gesture in giving up his coin collection was reminiscent of an action taken by Pope Paul last October when he placed his tiara on the altar and announced that as a symbol of the church's concern for the poor, he was contributing his triple crown to support charitable enterprises all over the world.

Cardinal Spellman, the day after his own generous act, was in a warm and happy mood yesterday. Posing with part of his collection of coins, he took orders from the photographers like a new curate.

"You be seated and hold these," one of them said.

"Yes, sir; aye, aye, sir," the prelate answered good-naturedly. When the photographers were finished, he asked in mock obedience whether he was now free to go.

Among the rare coins the cardinal posed with yesterday were: A set of all the U.S. $1 gold pieces issued until 1889, the last year they were minted; coins from the Vatican collection dating from the Roman emperors; a $10 gold piece minted in 1838; a set of U.S. $2½ gold pieces with Indian heads; a gold piece from Byzantium (A.D. 1320); and a raised silver four-drachma piece dating from the golden age of Athena (490–430 B.C.).

SPELLMAN ALTERS HIS STAND ON CLOSING OF BRONX HOSPITAL

Cardinal Spellman announced yesterday that St. Francis Hospital would remain open and that he would donate his personal coin collection—valued at $500,000 by some appraisers—toward the construction of a new St. Francis.

The cardinal had planned to close the south Bronx hospital on July 1.

The new hospital, which might cost $20 million, will be built on East 143d Street on a plot adjacent to the old hospital which has stood at 525 East 142d Street since 1905.

The closing had been planned, Cardinal Spellman said yesterday, because the hospital was not a going institution and to keep it open would require throwing good money after bad money.

The deficit had been about $500,000 a year in the last few years, according to the spokesman, and the cardinal had been influenced by a recommendation of the Hospital Review and Planning Council of Southern New York to close the 380-bed hospital.

But Sister Anthony Joseph, administrator of the hospital, "refused to take 'No' for an answer"—in her own words—and she and dozens of others in the hospital and in the neighborhood protested and pleaded for a reversal of plans.

Yesterday, standing on the red carpeted front steps of the hospital, Cardinal Spellman made his announcement. And to the hundreds of people gathered in the street and listening from the open windows of tenements across the street, it was clear that Sister Anthony Joseph's forces had been victorious.

The cardinal's coin collection is believed to be one of the rarest and finest in the Nation. It includes not only every coin minted by the United States, but also many classical coins, including papal and medieval coins.

He collected these with the aid of friends over the last 49 years, he said, but he suggested he had no use for the collection that could match its potential value toward starting the fund raising on the new St. Francis Hospital.

The collection is insured for $150,000, a spokesman said, but is regarded as irreplaceable.

Before the cardinal got to the hospital, just before 3 p.m., word of the reprieve had gotten around, and bells from the hospital tower clanged. There was a festival atmosphere in the whole neighborhood, which is now mostly Puerto Rican but which once was mostly Irish and German.

A big party was planned, and the hospital ordered 120 bottles of champagne and enough canapes for 1,000 people.

After the cardinal spoke, many broke from the crowds in front of the hospital to shake hands with Sister Anthony Joseph.

"How did you do it?" one man asked.

"It was a miracle," she said.

"Mozel tov, Sister," said David Lieberman, a policeman who was shot recently in the neighborhood and treated at St. Francis.

"Why didn't you take no for an answer, Sister?" another visitor asked.

"Because what we have here is the work of God," she said. "It's just as simple as that."

She was 33 years old yesterday—and no present could have made her happier.

In the crowd were City Council President Paul R. Screvane, Representative James H. Scheuer, and dozens of physicians and hospital employees.

On a wall of the hospital, which has 800 employees, was a sign reading: "Dear Sisters, Today is a day the Lord has made * * * rejoice, and again I say, rejoice!"

The hospital is run by the Franciscan Sisters of the Poor.

The Hospital Review and Planning Council of Southern New York had recommended the closing of the hospital because of, among other things, "serious deficiencies in physical plant, unavoidable lacks in professional staffing and depletion of financial resources."

Until the new hospital is built, the cardinal said yesterday, St. Francis will "continue as best it can, with heart and head" to care for the poor.

EXCISE TAX REDUCTION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

Mr. BIBLE. Mr. President, on behalf of my colleague [Mr. Cannon] and myself, I send to the desk an amendment, which I ask to have stated and considered.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. BIBLE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. Bible for himself and Mr. Cannon is as follows:

On page 34, immediately before line 12, insert the following:

"(d) Return of Portion of Tax Receipts to States Where Operation of Gaming Devices Is Legal.—The Secretary of the Treasury shall pay to each State in which the operation of coin-operated gaming devices (as defined in section 4462(a) of the Code) is legal an amount equal to 50 percent of the taxes collected, on or after July 1965, under section 4461(a) of the Code with respect to coin-operated gaming devices located in such State. There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to enable the Secretary of the Treasury to make payments under this subsection."

Mr. BIBLE. Mr. President, I wish to make a brief explanation. I have discussed this amendment with the Senator in charge of the bill. The explanation is very simple and is really contained in the first sentence of the amendment which was read. It would merely enable the State of Nevada to benefit from a portion of Federal revenues which leave the State each year. It proposes to rebate to the State 50 percent of the Federal taxes collected on coin-operated gaming devices within the State of Nevada. This would amount to approximately $3 million a year based on current collections.

Mr. President, this is not a tax reduction. It is not a tax forgiveness. It merely diverts to the State a small portion of those revenues which flow into the U.S. Treasury.

This is badly needed assistance to hard-pressed State finances, and it fits fully within the overall objectives of the excise reductions which the Senate is considering today.

I might add at this time, Mr. President, that there is an abundance of precedent for this particular form of revenue rebatement. I direct attention to several permanent and indefinite appropriations in which portions of moneys received from national forests, income taxes, land grant funds, grazing fees, public land sales, mineral leases, and national grasslands, are paid to States, to cite a few examples.

Mr. President, Nevada is a State of rapid population growth. Its rate of growth ranks among the highest of the 50 States. The tax burdens imposed by this unparalleled growth are, of course, vast. The amendment poses a realistic and beneficial solution to at least a portion of the problem.

Significantly enough, the question of additional financial assistance to States was raised just this past weekend at the Western Governors' Conference in Portland, Oreg. A resolution adopted by the group urged a greater portion of Federal tax revenues be made available to States. Because this is pertinent to my amendment, I ask unanimous consent to have printed in the Record an Associated Press article published in the Washington Evening Star of June 13.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, June 13, 1965]

Share of U.S. Taxes Asked by Governors

Portland, Oreg.—The Western Governors' Conference asked unanimously today that States be given a portion of Federal income tax revenues.

The resolution, adopted at the closing session of the 3-day meeting of 13 Governors, was sponsored by Gov. Edmund G. Brown, of California.

The proposal will be submitted to the National Governors' Conference in Minneapolis, Minn., next month.

Brown said that "while the well at the State and local level is in danger of going dry, the Federal well shows signs of running over. Most of the fallout from America's population explosion is landing on State and local government."

Gov. Robert E. Smylie, of Idaho, chairman of the Federal-State Relations Committee of the National Governors' Conference, said the resolution "is a gentle nudging to bring the proposal back to life in the Federal Government."

The Governors voted to create a Western States Water Council to try to reconcile the demands by Southwestern States for northwestern water.

The council will have to consider water needs of the States of origin in planning regional water resources development.

Each of the continental 11 Western States will have 3 members of the council, but each State will have 1 vote. All its actions will have to be unanimous in order to be approved.

Mr. BIBLE. Mr. President, I am glad to yield now to my distinguished colleague for such time as he may desire under the time limitation.

Mr. CANNON. Mr. President, I rise in support of the amendment which my colleague [Mr. BIBLE] and I are offering, which seeks to return a portion of Federal taxes collected under section 4461 (a) of the Internal Revenue Code to the State of Nevada.

The act which provided for such payments to the Federal Government contemplated the control of slot machines and their registration. It does not have as its objective the collection of revenues, nor does it seek to raise money for any general or specific purpose. As a matter of fact, Mr. President, the House Report No. 433 referred to this tax as one of the regulatory taxes.

The State of Nevada is the fastest-growing State in the Union, and the demand for public services of every description has placed a burden upon the residents of the State which makes this amendment necessary. The bonded indebtedness of the cities and counties has risen proportionately with the increase of population, which makes the amendment which my colleague and I seek extremely necessary.

The legislature of our State, by unanimous action earlier this year, requested that their delegation in Washington seek the return of a portion of the tax on coin-operated gaming devices. The lawmakers in our State were mindful of the regulatory character of the tax and recognize that in returning a portion of the collections the Federal Government regulatory objective still will be accomplished. The cost of policing and administering the act providing for this tax will remain far less than the portion of revenues which will be returned by the Treasury.

I hope that the Senator from Louisiana [Mr. LONG], the Senator in charge of the bill, will be willing to accept this amendment and take it to conference.

I thank my colleague for yielding to me.

Mr. LONG of Louisiana. Mr. President, the amendment was not considered by the committee. I know about the amendment, and I know about the problems at the time we enacted the tax. For the most part, it was aimed at illegal gambling operations around the country. Such a situation was investigated by the Kefauver committee. As a result of that investigation, we felt that higher taxes should be imposed upon gambling, which was illegal in all States except Nevada.

In Louisiana, we had parimutuel gambling at the race tracks and the State collected all the revenue available to the State government, but the Federal Government received none of it. We were exempt from the operation of the tax.

Senator Malone, a former Senator from Nevada, made a vehement fight against those measures which were aimed at the State of Nevada because he thought that Nevada was being singled out when actually, according to him, Nevada had no problem. In Nevada, the slot machines and the various games which existed were completely legal and within State law, and were closely regulated by State law.

Although the amendment was not considered by the committee, the committee members did think about it and did discuss it. I believe that there are some members who would be willing to vote for the amendment and others who are opposed to it.

Therefore, if any Senator wishes time to speak in opposition to the amendment, he is at liberty to do so now.

Mr. LAUSCHE. Mr. President, I wish to state my position.

With respect to slot machines in the State of Ohio, we declared it to be a crime to exhibit them. We provided injunctive relief to drive them out of institutions and all other places where they may have been exhibited.

The Federal Government imposed this tax as a regulatory measure. According to the two Senators from Nevada it was then stated that the Federal Government was not trying to collect a tax on gambling but was imposing a charge on the basis of regulation.

It is one thing to divide a tax imposed upon legitimate operations and a completely different thing to divide the loot.

I cannot morally subscribe to the proposition that we are going to begin to plan how we will divide the moneys obtained from regulatory measures.

The State of Nevada, if it so desires, can impose its own tax or its own regulatory measure, but I do not believe that the Federal Government should now begin to exercise its judgment that it is going to try to find out much of the moneys obtained from gambling houses will be given to the States and how much to the Federal Government.

Senators may wish to accept this amendment. I merely wish my thoughts to be on the record.

Mr. McCARTHY. Mr. President——

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. McCARTHY. Mr. President, I hesitate to oppose the amendment. This is a tax of limited consequence, but I believe that the authors of the amendment are asking the Senate to establish a precedent with reference to a refund of excise taxes imposed by the Federal Government.

A proposal of this kind was made by Walter Heller when he was Chairman of the President's Council of Economic Advisers, and it met with rather severe and general criticism both outside and inside Congress.

The suggestion was made that if we wished to repeal excise taxes we should simply go ahead and repeal them and then permit the States to take whatever course of action they might wish to take with reference to imposing excise taxes on the same articles from which they had just been withdrawn by action of the Federal Government.

It is true that the tax was imposed for regulatory purposes but the same could be said also for the liquor tax, since it has a mixed purpose, one being regulatory and the other of course being to raise revenue. But I can see that if we were to adopt this amendment, we would be opening the way to the States to come in and say, "Why do you not refund to us that part of the liquor tax which you have collected?" This has been suggested, with reference to some of the taxes we are repealing in the pending measure.

The Finance Committee, so far as I know, may have had the opportunity, but no consideration was given to the proposal in the committee. I do not believe that we were authorized to give acceptance for the committee.

In view of the precedent which might be established, I would therefore urge the Senate not to accept the amendment at this time.

Mr. CANNON. Mr. President, I wish to speak very briefly on the amendment. The Senator from Ohio alluded to illegal operations. The amendment does not concern itself with illegal operations, but with strictly legal operations.

So far as the reference to the establishment of a precedent is concerned, this situation is comparable to that of race tracks, particularly the parimutuel operations, which exist all over the country, and which Congress has exempted from the provisions of the Act. In all fairness, this is a regulatory tax, not a revenue measure. The liquor tax is strictly a revenue measure, and not merely a regulatory measure. Therefore, we have a clear distinction. I urge Senators to accept the amendment and to take it to conference.

Mr. McCARTHY. Mr. President, there is a difference. The parimutuel operations are exempt altogether. It is not a question of the Federal Government imposing a tax and then refunding it. A more appropriate comparison would be if the Federal Government were to reduce the Federal excise tax on slot machines so as to leave the regulatory function intact and allow the State of Nevada to impose an additional tax. The proposal before us is that we continue to impose the full Federal excise tax and refund a part of it to the State. There is a difference, I maintain. If we were to adopt the amendment, we would be doing something that we are not doing now.

I yield back the remainder of my time.

Mr. BIBLE. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada.

The amendment was rejected.

Mr. BIBLE. I ask for a division.

The PRESIDING OFFICER. The result has been announced.

Mr. MILLER. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The legislative clerk proceeded to state the amendment.

Mr. MILLER. Mr. President, I ask that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is, at the end of the bill to add the following:

TITLE IX—SOCIAL SECURITY AMENDMENTS

SEC. 900. This title may be cited as the "Social Security Amendments of 1965".

Increase in old-age, survivors, and disability insurance benefits

SEC. 901. (a) Section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following:

"TABLE FOR DETERMINING PRIMARY INSURANCE AMOUNT AND MAXIMUM FAMILY BENEFITS

"I		II	III		IV	V
(Primary insurance benefit under 1939 Act, as modified)		(Primary insurance amount under 1958 Act, as modified)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
-----	13.48	40	---	67	44.00	66.00
13.49	14.00	41	68	69	45.00	67.50
14.01	14.48	42	70	70	46.00	69.00
14.49	15.00	43	71	72	47.00	70.50
15.01	15.60	44	73	74	48.00	72.00
15.61	16.20	45	75	76	49.00	73.50
16.21	16.84	46	77	78	50.00	75.00
16.85	17.60	47	79	80	51.00	76.50
17.61	18.40	48	81	81	52.00	78.00
18.41	19.24	49	82	83	53.00	79.50
19.25	20.00	50	84	85	54.00	81.00
20.01	20.64	51	86	87	55.00	82.50
20.65	21.28	52	88	89	56.00	84.00
21.29	21.88	53	90	90	57.00	85.50
21.89	22.28	54	91	92	58.00	87.00
22.29	22.68	55	93	94	59.00	88.50
22.69	23.08	56	95	96	60.00	90.00
23.09	23.44	57	97	97	61.00	91.50
23.45	23.76	58	98	99	62.10	93.20
23.77	24.20	59	100	101	63.20	94.80
24.21	24.60	60	102	102	64.20	96.30
24.61	25.00	61	103	164	65.30	98.00
25.01	25.48	62	105	106	66.40	99.60
25.49	25.92	63	107	107	67.50	101.30
25.93	26.40	64	108	109	68.50	102.80
26.41	26.94	65	110	113	69.60	104.40
26.95	27.46	66	114	118	70.70	106.10
27.47	28.00	67	119	122	71.70	107.60
28.01	28.68	68	123	127	72.80	109.20
28.69	29.25	69	128	132	73.90	110.90
29.26	29.68	70	133	136	74.90	112.40
29.69	30.36	71	137	141	76.00	114.00
30.37	30.92	72	142	146	77.10	116.80
30.93	31.36	73	147	150	78.20	120.00
31.37	32.00	74	151	155	79.20	124.00
32.01	32.60	75	156	100	80.30	128.00
32.61	33.20	76	161	164	81.40	131.20
33.21	33.88	77	165	169	82.40	135.20
33.89	34.50	78	170	174	83.50	139.20
34.51	35.00	79	175	178	84.60	142.40
35.01	35.80	80	179	183	85.60	146.40
35.81	36.40	81	184	188	86.70	150.40
36.41	37.08	82	189	193	87.80	154.40
37.09	37.60	83	194	197	88.90	157.60
37.61	38.20	84	198	202	89.90	161.60
38.21	39.12	85	203	207	91.00	165.60
39.13	39.68	86	208	211	92.10	168.80
39.69	40.33	87	212	216	93.10	172.80
40.34	41.12	88	217	221	94.20	176.80
41.13	41.76	89	222	225	95.30	180.00
41.77	42.44	90	226	230	96.30	184.00
42.45	43.20	91	231	235	97.40	288.00
43.21	43.76	92	236	239	98.50	191.20
43.77	44.44	93	240	244	99.60	195.20
44.45	44.88	94	245	249	100.60	199.20
44.89	45.60	95	250	253	101.70	202.40
		96	254	258	102.80	206.40
		97	259	263	103.80	210.40
		98	264	267	104.90	213.60
		99	268	272	106.00	217.60
		100	273	277	107.00	221.60
		101	278	281	108.10	224.80
		102	282	286	109.20	228.80
		103	287	291	110.30	232.80
		104	292	295	111.30	236.00
		105	296	300	112.40	240.00
		106	301	305	113.50	244.00
		107	306	309	114.50	247.20
		108	310	314	115.60	251.20
		109	315	319	116.70	254.00
		110	320	323	117.70	254.80
		111	324	328	118.80	256.80
		112	329	333	119.90	258.80
		113	334	337	121.00	260.40
		114	338	342	122.00	262.40
		115	343	347	123.10	264.40
		116	348	351	124.20	266.00
		117	352	356	125.20	268.00
		118	357	361	126.30	270.00
		119	362	365	127.40	271.60
		120	366	370	128.40	273.60
		121	371	375	129.50	275.60
		122	376	379	130.60	277.20
		123	380	384	131.70	279.20
		124	385	389	132.70	281.20
		125	390	393	133.80	282.80
		126	394	398	134.90	284.80
		127	399	403	135.90	286.80
			404	407	139.90	288.40
			408	412	137.90	290.40
			413	417	138.90	292.40
			418	421	139.90	294.00
			422	426	140.90	296.00
			427	431	141.90	298.00
			432	436	142.90	300.00
			437	440	143.90	301.60
			441	445	144.90	303.60
			446	450	145.90	305.60
			451	454	146.90	307.20
			455	459	147.90	309.20
			460	464	148.90	311.20
			465	466	149.50	312.00"

(b) Section 215(c) of such Act is amended to read as follows:

"Primary Insurance Amount Under 1958 Act, as Modified

"(c)(1) For the purposes of column II of the table appearing in subsection (a) of this section, an individual's primary insurance amount shall be computed as provided in, and subject to the limitations specified in, (A) this section as in effect prior to the enactment of the Social Security Amendments of 1965, and (B) the applicable provisions of the Social Security Amendments of 1960.

"(2) The provisions of this subsection shall be applicable only in the case of an individual who became entitled to benefits under section 202(a) or section 223 before the date of enactment of the Social Security Amendments of 1965 or who died before such date."

(c) Section 203(a) of such Act is amended by striking out paragraphs (2) and (3) and inserting in lieu thereof the following:

"(2) when two or more persons were entitled (without the application of section 202(j)(1) and section 223(b)) to monthly benefits under section 202 or 223 for any month which begins after December 1964 and before the enactment of the Social Security Amendments of 1965, on the basis of the wages and self-employment income of such insured individual, such total of benefits for any month occurring after December 1964 shall not be reduced to less than the larger of—

"(A) the amount determined under this subsection without regard to this paragraph, or

"(B)(i) with respect to the month in which such Amendments are enacted or any prior month, an amount equal to the sum of the amounts derived by multiplying the benefit amount determined under this title (including this subsection, but without the application of section 222(b), section 202(q), and subsections (b), (c), and (d) of this section), as in effect prior to the enactment of such Amendments, for each such person, for such month, by 107 percent and raising each such increased amount, if it is not a multiple of $0.10, to the next higher multiple of $0.10, and

"(ii) with respect to any month after the month in which such Amendments are enacted, an amount equal to the sum of the amounts derived by multiplying the benefit amount determined under this title (including this subsection, but without the application of section 222(b), section 202(q), and subsections (b), (c), and (d) of this section), as in effect prior to the enactment of such Amendments, for each such person for the month of enactment, by 107 percent and raising each such increased amount, if it is not a multiple of $0.10, to the next higher multiple of $0.10;

but in any such case (I) paragraph (1) of this subsection shall not be applied to such total of benefits after the application of subparagraph (B) of this paragraph, and (II) if section 202(k)(2)(A) was applicable in the case of any of such benefits for any such month beginning before the enactment of the Social Security Amendments of 1965, and ceases to apply after such month, the provisions of subparagraph (B) shall be applied, for and after the month in which such section 202(k)(2)(A) ceases to apply, as though paragraph (1) had not been applicable to such total of benefits for such month beginning prior to such enactment."

(d) The amendments made by subsections (a), (b), and (c) of this section shall apply with respect to monthly benefits under title II of the Social Security Act for months after December 1964 and with respect to lump-sum death payments under such title in the case of deaths occurring in or after the month in which this Act is enacted.

(e) If an individual is entitled to a disability insurance benefit under section 223 of the Social Security Act for December 1964 on the basis of an application filed after enactment of this Act and is entitled to old-age insurance benefits under section 202(a) of such Act for January 1965, then, for purposes of section 215(a)(4) of the Social Security Act (if applicable) the amount in column IV of the table appearing in such section 215(a) for such individual shall be the amount in such column on the line on which in column II appears his primary insurance amount (as determined under section 215(c) of such Act) instead of the amount in column IV equal to his disability insurance benefit.

(f) Effective with respect to monthly benefits under title II of the Social Security Act for months after 1970 and with respect to lump-sum death payments under such title in the case of deaths occurring after such year, the table in section 215(a) of such Act (as amended by subsection (a) of this section) is amended by striking out all figures in columns II, III, IV, and V beginning with the line which reads:

	"109	315	319	116.70	254.00"

and down through the line which reads

		"465	466	149.90	312.00"

and inserting in lieu thereof the following:

	437	440	143.90	324.00
	441	445	144.90	326.00
	446	450	145.90	328.00
	451	454	146.90	329.60
	455	459	147.90	331.60
	460	464	148.90	333.60
	465	468	149.90	335.20
	469	473	150.90	337.20
	474	478	151.90	339.20
	479	482	152.90	340.80
	483	487	153.90	342.80
	488	492	154.90	344.80
	493	496	155.90	346.40
	497	501	156.90	348.40
	502	506	157.90	350.40
	507	510	158.90	352.00
	511	515	159.90	354.00
	516	520	160.90	356.00
	521	524	161.90	357.60
	525	529	162.90	359.60
	530	354	163.90	361.60
	535	538	164.90	363.20
	539	534	165.90	365.20
	544	548	166.90	367.20
	549	550	167.90	368.00"

	"109	315	319	116.70	255.20		
	110	320	323	117.70	258.40		
	111	324	328	118.80	262.40		
	112	329	333	119.90	266.40		
	113	334	337	121.00	269.60		
	114	338	342	122.00	273.60		
	115	343	347	123.10	277.60		
	116	348	351	124.20	280.80		
	117	352	356	125.20	284.80		
	118	357	361	126.30	288.80		
	119	362	365	127.40	292.00		
	120	366	370	128.40	296.00		
	121	371	375	129.50	298.00		
	122	376	379	130.60	299.60		
	123	380	384	131.70	301.60		
	124	385	389	132.70	303.60		
	125	390	393	133.80	305.20		
	126	394	398	134.90	307.20		
	127	399	403	135.90	309.20		
		404	407	136.90	310.80		
		408	412	137.90	312.80		
		413	417	138.90	314.80		
		418	421	139.90	316.40		
		422	426	140.90	318.40		
		427	431	141.90	320.40		
		432	436	142.90	322.40		

COMPUTATION AND RECOMPUTATION OF BENEFITS

SEC. 902. (a)(1) Subparagraph (C) of section 215(b)(2) of the Social Security Act is amended to read as follows:

"(C) For purposes of subparagraph (B), 'computation base years' include only calendar years in the period after 1950 and prior to the earlier of the following years—

"(i) the year in which occurred (whether by reason of section 202(j)(1) or otherwise) the first month for which the individual was entitled to old-age insurance benefits, or

"(ii) the year succeeding the year in which he died.

Any calendar year all of which is included in a period of disability shall not be included as a computation base year."

(2) Clauses (A), (B), and (C) of the first sentence of section 215(b)(3) of such Act are amended to read as follows:

"(A) in the case of a woman, the year in which she died or, if it occurred earlier but after 1960, the year in which she attained age 62,

"(B) in the case of a man who has died, the year in which he died or, if it occurred earlier but after 1960, the year in which he attained age 65, or

"(C) in the case of a man who has not died, the year occurring after 1960 in which he attained (or would attain) age 65."

(3) Paragraphs (4) and (5) of section 215(b) of such Act are amended to read as follows:

"(4) The provisions of this subsection shall be applicable only in the case of an individual—

"(A) who becomes entitled, after December 1965, to benefits under section 202(a) or section 223; or

"(B) who dies after December 1965 without being entitled to benefits under section 202 (a) or section 223; or

"(C) whose primary insurance amount is required to be recomputed under subsection (f)(2), as amended by the Social Security Amendments of 1965;

except that it shall not apply to any such individual for purposes of monthly benefits for months before January 1966.

"(5) For the purposes of column III of the table appearing in subsection (a) of this section, the provisions of this subsection, as in effect prior to the enactment of the Social Security Amendments of 1965, shall apply—

"(A) in the case of an individual to whom the provisions of this subsection are not made applicable by paragraph (4), but who, on or after the date of the enactment of the Social Security Amendments of 1965 and prior to 1966, met the requirements of this paragraph or paragraph (4), as in effect prior to such enactment, and

"(B) with respect to monthly benefits for months before January 1966, in the case of an individual to whom the provisions of this subsection are made applicable by paragraph (4)."

(b)(1) Subparagraph (A) of section 215 (d)(1) of such Act is amended by striking out "(2)(C)(i) and (3)(A)(i)" and inserting in lieu thereof "(2)(C) and (3)", by striking out "December 31, 1936," and inserting in lieu thereof "1936", and by striking out "December 31, 1950" and inserting in lieu thereof "1950".

(2) Section 215(d)(3) of such Act is amended by striking out "1960" and inserting in lieu thereof "1965" and by striking out "but without regard to whether such individual has six quarters of coverage after 1950".

(c) Section 215(e) of such Act is amended by inserting "and" after the semicolon at the end of paragraph (1), by striking out "; and" at the end of paragraph (2) and inserting in lieu thereof a period, and by striking out paragraph (3).

(d)(1) Paragraph (2) of section 215(f) of such Act is amended to read as follows:

"(2) With respect to each year—

"(A) which begins after December 31, 1964, and

"(B) for any part of which an individual is entitled to old-age insurance benefits,

the Secretary shall, at such time or times and within such period as he may by regulations prescribe, recompute the primary insurance amount of such individual. Such recomputation shall be made—

"(C) as provided in subsection (a)(1) and (3) if such year is either the year in which he became entitled to such old-age insurance benefits or the year preceding such year, or

"(D) as provided in subsection (a)(1) in any other case;

and in all cases such recomputation shall be made as though the year with respect to which such recomputation is made is the last year of the period specified in paragraph (2)(C) of subsection (b). A recomputation under this paragraph with respect to any year shall be effective—

"(E) in the case of an individual who did not die in such year, for monthly benefits beginning with benefits for January of the following year; or

"(F) in the case of an individual who died in such year (including any individual whose increase in his primary insurance amount is attributable to compensation which, upon his death, is treated as remuneration for employment under section 205(o)), for monthly benefits beginning with benefits for the month in which he died."

(2) Effective January 2, 1966, paragraphs (3), (4), and (7) of such section are repealed, and paragraphs (5) and (6) of such section are redesignated as paragraphs (3) and (4), respectively.

(e) (1) The first sentence of section 223 (a)(2) of such Act is amended by inserting before the period at the end thereof "and was entitled to an old-age insurance benefit for each month for which (pursuant to subsection (b)) he was entitled to a disability insurance benefit".

(2) The last sentence of section 223(a)(2) of such Act is amended by striking out "first year" and inserting in lieu thereof "year"; and by striking out the phrase "both was fully insured and had" both times it appears in such sentence.

(f) (1) The amendments made by subsection (c) shall apply only to individuals who become entitled to old-age insurance benefits under section 202(a) of the Social Security Act after 1965.

(2) Any individual who would, upon filing an application prior to January 2, 1966, be entitled to a recomputation of his benefit amount for purposes of title II of the Social Security Act shall be deemed to have filed such application on the earliest date on which such application could have been filed, or on the day on which this Act is enacted, whichever is the later.

(3) In the case of an individual who died after 1960 and prior to 1966 and who was entitled to old-age insurance benefits under section 202(a) of the Social Security Act at the time of his death, the provisions of sections 215(f)(3)(B) and 215(f)(4) of such Act as in effect before the enactment of this Act shall apply.

(4) In the case of a man who attains age 65 prior to 1966, or dies before such year, the provisions of section 215(f)(7) of the Social Security Act as in effect before the enactment of this Act shall apply.

(5) The amendments made by subsection (e) of this section shall apply in the case of individuals who become entitled to disability insurance benefits under section 223 of the Social Security Act after December 1965.

(6) Section 303(g)(1) of the Social Security Amendments of 1960 is amended—

(A) by striking out "notwithstanding the amendments made by the preceding subsections of this section," in the first sentence and inserting in lieu thereof "notwithstanding the amendments made by the preceding subsections of this section, or the amendments made by section 902 of the Social Security Amendments of 1965,"; and

(B) by striking out "Social Security Amendments of 1960," in the second sentence and inserting in lieu thereof "Social Security Amendments of 1960, or (if such individual becomes entitled to old-age insurance benefits after 1965, or dies after 1965 without becoming so entitled) as amended by the Social Security Amendments of 1965,".

Sec. 903. (a) Section 503 of title 38, United States Code, is amended by inserting "(a)" after "503", and by adding at the end thereof the following:

"(b) Notwithstanding the provisions of subsection (a), in the case of any individual—

(1) who for the first month after the month in which the Social Security Amendments of 1965 is enacted, is entitled to a monthly insurance benefit payable under section 202 or 223 of the Social Security Act, and

(2) who, for such month, is entitled to a monthly benefit payable under the provisions of this chapter, or under the first sentence of section 9(b) of the Veterans Pension Act of 1959, and

(3) whose insurance benefit referred to in clause (1) for any subsequent month is increased by reason of the enactment of the Social Security Amendments of 1965,

there shall not be counted in determining the annual income of such individual, so much of the insurance benefit referred to in clause (1) for any subsequent month as is equal to the amount by which such insurance benefit is increased by reason of the enactment of the Social Security Amendments of 1965."

2. Change the title of the bill to read as follows:

"An Act to reduce excise taxes, amend the Social Security Act, and for other purposes."

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, I yield myself such time as I may require.

The amendment is somewhat complex, but the proposal before the Senate is very simple. The amendment contains the social security pension increases as passed by the House.

I should like very briefly to read a portion of the House committee report on this part of the bill, which is now pending in the Senate Finance Committee. The committee said:

> Your committee believes that a benefit increase at this time is obvious. For the overwhelming majority of the 20 million people now getting social security checks—aged and disabled people and their families and orphaned children and their widowed mothers—the benefits are the major source of support; for a great many they are the only source. The last general benefit increase was enacted in 1958 and was effective with benefits payable for January 1959. Since that date there have been changes in wages, prices, and other aspects of the economy. For the aged, who generally are the most economically disadvantaged group, the combined effect of the 7-percent increase will be to provide a substantial improvement in levels of living.
>
> Under the bill monthly benefits for retired workers now on the benefit rolls who began to draw benefits at age 65 or later would range from $44 to $135.90, as compared with $40 to $127, under present law.

With respect to family benefits, the committee went on to say:

> The maximum amount payable to a family now on the benefit rolls would be $286.80, as compared with $524 under present law.

I recognize full well that the Finance Committee now has pending before it the medicare social security pension increase combination bill. I am also aware of the fact that we have before us an excise tax bill, and that there may be some reluctance to accept an amendment which relates to the social security benefits, because we are dealing with an excise tax bill.

However, I suggest that coupling the social security benefits increases to an excise tax bill is certainly no worse than coupling a medicare bill, which has many questionable features, to a social security pension increase feature which most Members of Congress agree upon.

The time is important. How long must these people wait for their social security pension increases. They should have had them last year. Even if we enact the 7-percent increase, the purchasing power of our social security pensioners will not only be not better, but it will not be as good as it was in 1954.

The House Ways and Means Committee was quite aware of this situation when it said:

> Effective date: The 7-percent increase would be effective beginning with benefits for January 1965. The increased benefits would be paid retroactively to the 20 million beneficiaries who were on the rolls in January 1965 and to beneficiaries who came on the rolls after January 1965 and through the month of enactment of the bill whether or not they are still on the rolls at the time of enactment. Lump-sum death payments based on deaths that occurred in the retroactive period would not be increased.
>
> This is the first time that a general increase in social security benefits has been made retroactive. The present situation may be regarded as somewhat unique. As your committee stated last July in its report on H.R. 11865, a general increase in social security benefits was needed at that time. H.R. 11865, as passed by both Houses last year, provided for a general benefit increase and, if the bill had been enacted, it would have provided increased social security benefits that would have been effective at about the beginning of 1965. For reasons not related to the question of whether benefits should be increased, H.R. 11865 failed of passage last year.

Of course, we remember that the reason was that, contrary to the warnings from the House, the medicare provision was tacked on in the Senate.

The report continues:

> Your committee therefore recommends paying the increased benefits retroactively to January, thus putting beneficiaries in the same relative position that they would have been in if H.R. 11865 had been enacted.

There is one further technical part to the amendment. These are technical portions, and they have nothing to do with unemployment compensation benefits. This relates to the computation and recomputation of benefits. I ask unanimous consent that the material appearing in the House committee report beginning at page 197 and running to page 200, as marked, be printed in the Record at this point in my remarks.

The **PRESIDING OFFICER** (Mrs. Neuberger in the chair). Is there objection?

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

Section 302. Computation and Recomputation of Benefits

Section 302 of the bill provides for automatic recomputation of benefit amounts under title II of the Social Security Act to take account of earnings after entitlement to benefits, and makes technical changes in the provisions for computation of benefits to facilitate automatic recomputation.

AVERAGE MONTHLY WAGE

Section 302(a)(1) of the bill amends subparagraph (C) of section 215(b)(2) of the act to exclude from an insured individual's computation base years (from which the years to be used in the benefit computation are chosen) the year in which he became entitled to benefits and to include in his computation base years (for purposes of survivors benefits) the year in which he died. As a result of this change, an individuals' computation base years are the calendar years occurring after 1950 (or after 1936, as provided in section 215(d)) and up to the year in which his first month of entitlement to a benefit occurs or the year after the year in which he dies.

Section 302(a)(2) amends section 215(b)(3) of the act to provide that the number of an individual's elapsed years (which determine the number of years to be used in the benefit computation) will be counted up to the year in which he reaches age 65 (age 62 for women) or dies whether or not he is fully insured in that year. Under present law, an individual's elapsed years are counted up to the year in which he is both fully insured and age 65 (62 for women). Since almost all insured individuals are now insured by the time they reach the required age, the deletion of the provision in present law results in a simplification of the computation provisions.

Section 302(a)(3) amends paragraphs (4) and (5) of section 215(b) of the act. Paragraph (4), as amended, makes the new provisions of section 215(b) applicable only in the case of an individual who dies or becomes entitled to benefits or to a benefit recomputation under section 215(f)(2), as amended by the bill, after December 1965. The requirement in present law that an individual have not less than six quarters of coverage after 1950 in order to have his average monthly wage determined entirely on his earnings after 1950 is omitted from the amended paragraph. Paragraph (5), as amended, preserves the present method of computing the average monthly wage for people who, after the bill is enacted and prior to 1966 (the effective date of automatic recomputation), become entitled to benefits or a recomputation of benefits.

PRIMARY INSURANCE BENEFIT UNDER 1939 ACT

Section 302(b) of the bill makes a minor conforming change and updates a reference in section 215(d) of the act, relating to computation of primary insurance benefits under the 1939 Social Security Act.

CERTAIN WAGES AND SELF-EMPLOYMENT INCOME NOT TO BE COUNTED

Section 302(c) of the bill amends section 215(e) of the act by striking out paragraph (3), which provides for a recomputation, for self-employed people who operate on a fiscal-year basis, to include earnings in the year of entitlement that were not available for inclusion in the original computation. This provision will not be needed, since these earnings will be taken into account under a automatic recomputation provisions which will be provided under section 215(f) as amended by the bill.

RECOMPUTATION OF BENEFITS

Section 302(d)(1) of the bill amends section 215(f)(2) of the act by providing for annual automatic recomputation of benefits, beginning in 1966.

The recomputation will take into account any earnings the person had in or after the year in which he became entitled to benefits (under present law, a recomputation to include earnings in a year after entitlement requires an application and is not available unless the person had earnings of more than $1,200 for the year). The bill would also delete the requirements in present law that the person have six quarters of coverage after 1950 in order to qualify for the recomputation. A recomputation under the amended section 215(f)(2) will be effective, in the case of a living beneficiary, with January of the year following the year in which the earnings were received, and in death cases it will be effective for survivors' benefits beginning with the month of death.

Section 302(d)(2) repeals paragraphs (3), (4), and (7) of section 215(f) of the act, thereby eliminating the provisions for a recomputation to include earnings in the year of entitlement to benefits or in the year in which an individual's benefits were recomputed on account of additional earnings, the provisions for a recomputation for the purpose of paying benefits to survivors of an individual who died after 1960 and who had been entitled to old-age insurance benefits, and the provision for recomputing at age 65 the benefits of an individual who became entitled to benefits before that age. All of these are replaced by the automatic recomputation provision.

RECOMPUTATION OF DISABILITY INSURANCE BENEFITS

Section 302(e) of the bill amends section 223(a)(2) of the act so that the provisions for computing disability insurance benefits will conform with the changed provisions for computing old-age insurance benefits.

EFFECTIVE DATES AND SAVING PROVISIONS

Section 302(f)(1) of the bill provides that the repeal of section 215(e)(3) of the act made by section 302(c) (pertaining to recomputations for certain self-employed people) will be effective for individuals who become entitled to benefits after 1965.

Section 302(f)(2) provides that in any case where an individual would, by filing an application prior to January 2, 1966, be entitled to have his benefit recomputed under the provisions of existing law, the individual will be deemed to have filed an application on the date of enactment of the bill or the earliest date of eligibility thereafter and prior to January 2, 1966. Thus anyone who would profit from a recomputation under the provisions of present law will have his benefit amount recomputed automatically as though he had filed an application for that recomputation. The new automatic recomputation provisions will take over for the future.

Section 302(f)(3) retains paragraphs (3) and (4) of section 215(f) of present law for the purpose of providing, for survivors' benefits, a recomputation of the primary insurance amount of an individual who was entitled to an old-age insurance benefit and who died after 1960 and before 1966 without having filed an application for a recomputation. The new recomputation provisions will apply to deaths occurring after 1965.

Section 302(f)(4) retains until 1966 section 215(f)(7) of the act, which provide for the automatic recomputation of benefits to take account of earnings a man who is receiving actuarially reduced benefits may have had after entitlement and through the year of death or attainment of age 65. After 1965, these recomputations will be made under the new automatic recomputation provisions.

Section 302(f)(5) provides that the amendments made by section 302(e) (relating to computations of disability insurance benefits) will apply to individuals who become entitled to disability insurance benefits after 1965.

Section 302(f)(6) retains the provisions for figuring the average monthly wage which were in effect prior to the Social Security Amendments of 1960 so that an individual who was eligible for old-age insurance benefits before 1961 but who became entitled to benefits or died after 1960 can have his average monthly wage figured over less than 5 years of earnings where such a computation will result in a higher primary insurance amount. (Generally, under the Social Security Amendments of 1960, at least 5 years have to be used in the computation of the average monthly wage.)

Mr. MILLER. Madam President, in conclusion, I do not believe there will be much controversy in the Committee on Finance over this portion of the social security pension increase.

It is long overdue. Some Members may find it difficult to vote for a combination social security pension increase and a medicare bill. Here is an opportunity to vote for something which the House would be sure to accept, because this represents exactly what passed the House on this portion of the social security system.

I yield the floor.

Mr. LONG of Louisiana. Madam President, as I understand the Senator's logic, the Senator is seeking to offer a social security bill containing those parts that he likes and leaving out the portions that he does not like in the House bill, because he would like to have a vote on the parts of the social security bill that he likes, without being compelled to vote on the part that he believes ought to be voted down.

The difficulty is that if we should accept this part of the social security bill, it would be completely in order for the Senator from New Mexico [Mr. ANDERSON] to bring up the King-Anderson amendment, which is the medicare part, and he would have to vote on the King-Anderson bill whether he wished to do so or not. We would wind up with the Senate voting on the whole thing, as he fears will happen and in the end he would still be deprived of an opportunity to vote only for the kind of social security bill he wants.

There is no way to do it. If the Senate wishes to vote on the question of social security and get into that general field, we might as well be prepared to vote on the King-Anderson amendment. I have an amendment to offer. Other Senators will have amendments. So we shall go round and round on social security. We would save time by permitting the Senate Finance Committee to report a bill to the Senate. We have been working on that bill ever since the House delivered it to the Senate. This Senator has been pressing for action on the bill. The Senator from New Mexico [Mr. ANDERSON] has been pressing for action. The Chairman of the Finance Committee has been pressing for the committee to act on the bill. Many of our senior Republican members have been pressing for action. We are working hard on the bill. We shall meet tomorrow morning at 10 o'clock to consider the social security bill.

As I have said, some Senators hope that the Senate will vote for an across-the-board increase in social security benefits and that they will not be required to vote also on medicare. But that is a forlorn hope. Last year I hoped to cut the King-Anderson amendment from the social security bill and tried to do so. I was disappointed. The Senate insisted on voting on the question and voted me down. That is the same situation in which the Senator from Iowa will find himself if we try to make a social security bill out of the excise tax bill. The amendment has no place in the pending bill. The distinguished minority leader tried to get us into the income tax field. Even though he had very substantial support, particularly on the part of Senators on his side of the aisle, the Senate did not see fit to make the excise tax bill into an income tax bill.

I hope the Senate will not take us into the field of social security. It would be unfair to ask the Senate to vote on a major social security amendment as a part of the pending bill. So when time has expired, I shall make a motion that the amendment be tabled because I do not think it belongs in the bill. I assure the Senator that he will have an opportunity to vote on the issue.

We shall report a bill from the Senate Finance Committee that will contain practically everything the Senator has in his amendment and more. If we take what the Senator has in mind and try not to vote on the "more" part of it, I assure him that other Senators will insist that the Senate vote on "more" than what the Senator has in mind.

Mr. MILLER. When I conferred with the Senator from Louisiana I did not know that he planned to move to table the amendment.

Mr. LONG of Louisiana. I did not know that the Senator from Iowa was planning to call up his amendment until he came over and told me that he would offer it. I appreciated his advising me.

Mr. MILLER. I at least gave the Senator notice of what I intended to do. I would appreciate it if the Senator would indulge me a few more comments before he makes his motion.

Mr. LONG of Louisiana. I certainly will.

Mr. MILLER. There is an answer to what has been said.

Is it terribly unfair to ask the Senate to vote on an amendment to the pending bill which would add an increase in social security payments?

How much more unfair was it last fall when the proponents of the medicare measure came along and hung on to the social security bill the medicare features, which lost the bill in conference as a result? The Senator from Louisiana went down the line with the Senator from Iowa on it. I am not criticizing the Senator from Louisiana because his position on that issue was fine. But I suggested to the Senator that it was extremely inequitable not only to other Senators, but to the 20 million social security pensioners who have waited up until now with no increase in their pensions which otherwise would have come to them.

Mr. LONG of Louisiana. Madam President, will the Senator yield to me on my time?

Mr. MILLER. I yield.

Mr. LONG of Louisiana. I voted in the same way last year on the medicare amendment to the social security bill. I opposed it. I spoke against it. I believe I controlled the time in opposition to the measure. It was the will of the Senate that if we were going to have a major social security bill, the medicare issue had to be met at that time. That is what the Senate did.

Sometimes I may disagree with the Senate, but I must respect it. If the Senate is determined to do that, there is no point in trying to avoid letting the Senate have its way, because the Senate must exercise its will, and that will has been made very clear.

I have told my doctor friends and people in the insurance business, as well as those who have conservative views which have caused them to be strongly against the medicare proposal, that an amendment providing medical care will be on the social security bill when it passes. There are not enough votes to defeat it. It is only a question of what kind of bill it will be—not whether there shall be a bill.

Mr. MILLER. I thank the Senator for being very forthright about the matter. He is a good soldier. This is his job, not only as a ranking member of the Finance Committee, but also as assistant majority leader. But I suggest to him that when he starts talking about how unfair the amendment is, the unfairness would not match the inequity that has resulted from what happened last fall when the medicare provision was tied in with the social security bill.

We now have an opportunity to make sure that there will be no delay in a social security pension increase. I do not know how long it will be before the medicare-social security bill will come from the Finance Committee. I do not know how much of a controversy will be engendered. No one knows with certainty whether it will pass. The issue is that simple.

If the Senator from Louisiana has concluded, I shall be happy to yield back the remainder of my time.

Mr. LONG of Louisiana. Madam President, I yield back the remainder of my time.

Mr. MILLER. Madam President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Madam President, I move that the amendment of the Senator from Iowa be laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana to lay on the table the amendment of the Senator from Iowa.

Mr. LONG of Louisiana. Madam President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLER. Madam President, I shall suggest the absence of a quorum unless we can have the yeas and nays.

Mr. LONG of Louisiana. Madam President, I again ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KUCHEL. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Is the motion a motion to table the amendment?

The PRESIDING OFFICER. Yes. The question is on agreeing to the motion of the Senator from Louisiana [Mr. Long] to lay on the table the amendment of the Senator from Iowa [Mr. Miller]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Arizona [Mr. Hayden], the Senator from Florida [Mr. Holland], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I further announce that the Senator from Wyoming [Mr. McGee] and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Florida [Mr. Holland], the Senator from Wyoming [Mr. McGee], the Senator from Michigan [Mr. McNamara], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from Wyoming [Mr. Simpson] and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

If present and voting, the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], and the Senator from South Carolina [Mr. Thurmond] would each vote "nay."

On this vote, the Senator from Kansas [Mr. Pearson] is paired with the Senator from Wyoming [Mr. Simpson]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Wyoming would vote "nay."

The result was announced—yeas 65, nays 21, as follows:

[No. 137 Leg.]

YEAS—65

Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Dirksen
Dodd
Douglas
Eastland
Ervin
Fulbright
Gruening
Harris
Hart
Hartke
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morton
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Smathers
Sparkman
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—21

Aiken
Allott
Boggs
Cooper
Cotton
Curtis
Dominick
Ellender
Fannin
Gore
Hickenlooper
Hruska
Jordan, Idaho
Miller
Morse
Mundt
Prouty
Scott
Smith
Tower
Williams, Del.

NOT VOTING—14

Brewster
Fong
Hayden
Holland
McGee
McNamara
Moss
Murphy
Muskie
Pearson
Russell, Ga.
Simpson
Thurmond
Tydings

So the motion to lay on the table Mr. Miller's amendment was agreed to.

AMENDMENT NO. 271

Mr. WILLIAMS of New Jersey. Madam President, I call up my amendment No. 271 and ask unanimous consent that it not be read but that it be printed in the Record.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). Without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 64, after line 5, insert the following:

"(e) CERTAIN LOCAL TRANSIT BUSES.—

"(1) TAX-FREE SALES.—Subsection (e) of section 4221 (relating to certain tax-free sales) is amended by adding after paragraph (5) (as added by subsection (d)) the following new paragraph:

" '(6) CERTAIN LOCAL TRANSIT BUSES.—Under regulations prescribed by the Secretary or his delegate, the tax imposed by section 4061(a) shall not apply to a bus (or bus chassis or body) sold to any person who, for the last 3 months preceding the sale (or for such other period as the Secretary or his delegate may by regulations prescribed for purposes of this paragraph), met the 60-percent passenger fare revenue test set forth in section 6421(b) (2) as applied to the period prescribed for purposes of this paragraph.' "

On page 64, line 6, strike out "(e)" and insert "(f)".

On page 64, line 7, strike out "and (d)" and insert "(d), and (e)".

Mr. WILLIAMS of New Jersey. Madam President, I understand that this may probably be the last amendment. My amendment is analogous to that offered earlier by the Senators from New Hampshire [Mr. MCINTYRE and Mr. COTTON] in that only a small amount of revenues is involved.

The amendment goes to the heart of one of the thorniest problems in the country. It deals with mass transportation and the excise tax that private transit companies must pay on the purchase of new equipment and on the purchase of equipment and parts for older vehicles.

Municipalities which are engaged in transit operations are exempt from the excise tax. Private companies are not. My amendment would bring both private and public transit systems under the excise tax exemption. This would have the meritorious effect of bringing tax parity into transit operations. It would encourage private bus companies to purchase better equipment; better equipment would encourage more people to use mass transit. The national policy is to try to develop improved mass transit alternatives.

I believe they will increase because of a reduction in the rate base and capital expenditure having a beneficial effect in keeping the lid on the fares that are charged. The amount involved is minimal when compared with the amounts involved in other amendments that have been offered here today.

It is estimated that the revenue loss would be between $2 million and $3 million. I know that the distinguished Senator in charge of the bill had an estimate from the Treasury Department that the amount of revenue loss would be $10 million. I can state with confidence that we have checked this out. I have talked with the Treasury people and they now accept our estimate of $2 million to $3 million.

I was encouraged that the Treasury people did not approach this proposal with the steely adamancy with which they have approached the other amendments.

I assure the Senator in charge of the bill that, while he has been magnificent today in leading the bill to final passage, I have had the opportunity to speak with many members of the Committee on Finance and have found a great deal of support for the amendment, including support from the distinguished minority leader.

Mr. LONG of Louisiana. Madam President, I yield 5 minutes to the distinguished Senator from New Mexico.

Mr. ANDERSON. Madam President, I hope the amendment will be rejected. This amendment would sweep away the highway trust fund. If we were to have local transportation bus companies getting the exemption, then other people would want to receive the same exemption.

I do not believe that the amendment is workable. The amendment states that if a company did not meet the 60-percent passenger fare revenue test, the tax would go off for all the buses that the company possesses.

Only a portion of the buses could be used in the type of commuter service that the Senator is talking about. However, the tax would go off on all of the buses. I believe this is a bad amendment. I believe that it should be rejected.

Mr. WILLIAMS of New Jersey. Madam President, a majority of the buses must be used in local service. There must be a pattern of transit operation which is different than that provided for in the schoolbus exemption that the committee, in my judgment, wisely placed in the bill.

Even though the amount of money is small, it would encourage many companies to buy new equipment.

Mr. ANDERSON. Madam President, these companies are subject to reorganization. They are allowed to earn money on a certain basis. If we should establish certain exemptions, it would not do much in the way of protection.

I point out that it is provided that if the company did not meet the 60-percent test, then all of the sales would be exempted. I believe that the amendment should be rejected.

Mr. LONG of Louisiana. Madam President, I yield back the remainder of my time.

Mr. WILLIAMS of New Jersey. Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was rejected.

Mr. HARTKE. Madam President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the proper place insert the following new section:

SEC. . EXPENDITURES FROM HIGHWAY TRUST FUND LIMITED TO INTERSTATE SYSTEM

Section 209(f) (1) of the Highway Revenue Act of 1956 (relating to expenditures from the Highway Trust Fund for the Federal-aid highway program) is amended by adding at the end thereof the following new sentence: "Notwithstanding the preceding sentence, amounts in the trust fund shall not be available for making expenditures after June 30, 1966, to meet obligations of the United States which are attributable to Federal-aid highways located on the Federal-aid primary system or the Federal-aid secondary system, and amounts to meet such obligations shall be appropriated out of the general fund of the Treasury."

Mr. HARTKE. Madam President, very simply the amendment would protect the integrity of the trust fund. A moment ago, the Senator from New Mexico indicated that he was interested in protecting this fund. So am I.

The truth of the matter is that we can protect that trust fund and keep the Interstate Highway System on its time schedule, and return the regular highway program back to its original status, the same status which existed prior to 1956. We can retain the Byrd amendment on a pay-as-you-go basis. I think that would be desirable.

We have seen that the Interstate Highway System is twice as safe as any other highway system in the United States. If we could complete the program on time, there would be an annual saving of at least 4,000 lives a year, avoid approximately 150,000 injuries, and effect a savings of $2 billion a year in property loss alone.

This is a tremendous saving for a very important program. The Interstate Highway System will have to be expanded. The Secretary of Commerce recently testified before the Commerce Committee that they are studying plans for expanding the system. This means that we would have more of these roads, rather than fewer of them.

We all know that at the present time the schedule is running behind time. About 23 percent of the highway system is now open for traffic. The program is scheduled to be completed by 1972.

At the present time there is not enough money in the trust fund to do the job. What I propose is a very simple solution. I propose that we take those funds which are controlled under the excise tax and designate them to the trust fund for the Interstate Highway System, to remove the present A-B-C program from the trust fund. This involves the secondary and primary roads which were first put into the highway program in about 1917. Up until 1956, the funds for such highways were appropriated from the General Treasury.

What I seek to do is to return the highway system to the level which existed prior to 1956, and to adopt for the Interstate Highway System a pay-as-you-go program out of the excise taxes.

It would be a very simple procedure.

When the amendment was presented to the committee, I had the support of the distinguished Senator in charge of the bill. It is a worthwhile project. I believe that this is a sensible approach to the problem. Otherwise, we must do something else at a later date. Now is the time to do it.

Mr. RANDOLPH. Madam President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. RANDOLPH. Madam President, I believe the able Senator from Indiana [Mr. HARTKE] inadvertently stated that the Interstate Highway System is 23 percent completed. The system is actually 48 percent completed at the present time. Of the 41,000 miles, we have constructed 19,000 miles which are open to traffic. In addition, there are some 6,000 miles which are under construction.

There are also about 8,000 miles on which engineering work has been done, and rights-of-way have been acquired. This leaves 8,000 miles, more or less, in what we call a prestatus situation. In other words, the work has been done.

I want the record to show that the program of the construction of the Interstate Highway System is moving along satisfactorily toward completion by October 1, 1972, in accordance with the mandate of Congress.

I believe it is important also to indicate that the earlier estimates are in error as to the total Federal funds needed for the construction of this fine System of Interstate and Defense Highways.

Today, it is estimated that we shall need more than $4 billion additional to finish this necessary program.

The estimate of 1961 was too low by the amount I have just stated. Rising costs across the board have contributed to this problem. The answer to the financial method is a difficult one.

Mr. HARTKE. My distinguished friend from West Virginia is correct on the deficiency in the amount of money needed to complete the Interstate Highway System. He would be correct on the 48-percent completion figure.

Mr. RANDOLPH. The Senator from Indiana and the Senator from Wset Virginia are both concerned with this situation; and we, as well as our colleagues, must of necessity come to grips with this reality. I feel that we can complete this gigantic effort, with the exception of special problem areas, by the autumn of 1972.

Mr. HARTKE. The Senator is correct, if we take into consideration the toll roads which are at the present time included in the present mileage. If we do not include the toll roads, the percentage of completion is only 23 percent of actual construction under the program.

It is satisfactory with me. I do not care which figures are used. However, we are short in the trust fund. We shall continue to be short. We must do something if we are to build the highways. If we do not do this, we will have to raise the gasoline taxes. We may as well face that problem.

Mr. LONG of Louisiana. I yield 5 minutes to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Madam President, this matter was rather thoroughly discussed in committee. It received three votes in committee. This is a proposal to revamp the highway system and its finances. It is a matter which deserves thoroughgoing consideration and long hearings before we undertake what is proposed in the amendment. If I am at liberty to do so, I move to table the amendment.

Mr. HARTKE. Madam President, will the Senator yield for 1 minute?

Mr. DIRKSEN. Yes.

Mr. HARTKE. Let me merely say to the distinguished minority leader, who is so eloquent and has such a wonderful mind, that the fact that the amendment received only three votes in committee should not deter a Senator from offering it on the floor. I am not going to ask for a yea-and-nay vote, because I am sure at the moment there is no possibility of having the amendment adopted, but I call attention to the fact that the measure which was submitted by the minority leader received only one vote in committee, and it would have cost $500 million, and that fact did not deter him from offering it on the floor.

Mr. DIRKSEN. I can only say to my distinguished and amiable friend from Indiana that when only 3 out of 17 on a jury agree with him, he has not made out his case.

Mr. HARTKE. I was pointing out that the persuasive powers of the minority leader were not any greater than mine.

Mr. DIRKSEN. I must disdain that remark, but I am willing to have it come to a vote.

Mr. ANDERSON. Madam President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. ANDERSON. One reason why the committee voted it down was the amendment of the Senator from Virginia [Mr. BYRD]. The Byrd amendment was adopted many years ago. The committee voted this amendment down in order to sustain the Byrd amendment.

Mr. DIRKSEN. And I can add that the Byrd amendment has worked very well.

Mr. LONG of Louisiana. Madam President, I yield to the Senator from Tennessee [Mr. GORE].

Mr. EASTLAND. Madam President, a point of order.

Mr. GORE. Madam President, have I been recognized? I yield for a point of order.

Mr. EASTLAND. A motion to table is not debatable.

Mr. DIRKSEN. I was not able to do it until I used up my time. That is why I said that, if I were at liberty, I would offer a motion to table, but I am not qualified to offer the motion at this time.

Mr. GORE. Madam President——

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. GORE. Madam President, as one who brought the highway bills to the floor of the Senate which twice led to the enactment of the Highway Acts of 1956 and 1958, I want to express the opinion that the distinguished Senator from Indiana has, in my opinion, received rather cavalier consideration of his amendment.

I hope he will not press his amendment. I am aware of the difficulty involved in the highway trust fund. I believe it deserves careful and full consideration. Therefore, I hope he will not press the amendment, but I do not want it dismissed as though it were without merit or without careful consideration on his part. It poses a real issue. There are, as he has said, inadequate funds in the highway trust fund to complete the highway system on time. More people are being killed on our crooked and inadequate highways than are being killed in Vietnam. We need to do something to complete the highway system on schedule.

What the Senator proposes is to relieve the trust fund and finance the highway system, and that alone, and to have the Federal matching part of the primary and secondary highway system financed from general revenues. That is what the Senator from Indiana proposes. It is not complicated. It is valid, and it makes sense. We either must replenish the highway trust fund with additional funds or relieve the highway trust fund of its burden. That is why I do not think the amendment should be dismissed so cavalierly. But under the circumstances and in view of the late hour, I hope the Senator from Indiana will not press his amendment.

Mr. HARTKE. I have no intention of calling for the yeas and nays. It is my intention, in view of the suggestion of the Senator, to withdraw my amendment, but I think the Senate should recognize the problem. Failure to recognize it is postponing trouble.

Mr. GORE. I have been succeeded on the Highway Subcommittee by the Senator from West Virginia [Mr. RANDOLPH]. I would like to inquire if he does not concur in the statement I have made.

Mr. RANDOLPH. Madam President, I concur in the statement made by the able Senator from Tennessee [Mr. GORE]. I also join in expressing the belief that this issue is very properly raised. The major point, the point on which we must focus very shortly in the Congress, is financing of the Interstate Highway System. The known deficit is formidable. I think it is important to my colleagues—and many members of the Subcommittee on Public Roads are present in the Chamber at this time—that we not be unmindful of the problem insofar as it affects the Committee on Public Works and the subcommittee over which I have the responsibility to preside.

There will be adequate hearings. As the Senator from Indiana and the Senator from Tennessee have indicated, it is a very important subject, and one that concerns the future of the United States and the well-being of our people. Both Senators have given constructive leadership in highway legislation. I thank the Senator from Tennessee for giving me this further opportunity to comment on the urgency of this development.

Mr. GORE. I yield back my time.

Mr. HARTKE. Madam President, I withdraw my amendment.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. CARLSON. Madam President, I know there are 30 minutes to a side on the bill, and I am not going to take much of that time, but I did not want the occasion to pass without expressing my appreciation to the chairman, the floor leader of the legislation, and the members of the committee for including two amendments in the bill that I have been trying to get approved since 1960.

I wish to make a statement on those two matters. One has to do with section 302, the telephone excise tax, and the other has to do with the tax on pickup coaches and campers.

Today the people of Kansas can join others in our Nation in the pleasant anticipation of being freed from the burden of an unfair tax. I refer, of course, to the telephone excise tax.

I have a great personal sense of satisfaction in seeing the demise of this unrealistic tax, for I have worked for years to eliminate it.

During the debate on the Tax Extension Acts of 1961 and 1963, I called attention of the Senate to the inequity of continuing this tax. And this last March I introduced a bill for the purpose of reducing this tax 2 percent each year until terminated at the end of fiscal year 1970.

While H.R. 8371 goes further than my bill and completely eliminates the tax earlier, that is, at the end of calendar year 1968, I fully support such earlier termination.

This tax is paid by the customer, the telephone user. And it has hit particularly hard in lower income groups. In addition to removing this discriminatory tax—the only one imposed on an essential service—this action by Congress will add a significant stimulant to our economy.

In my own State alone about $8 million will be released in additional purchasing power when the 10-percent tax is slashed to 3 percent next January 1. That $8 million is the amount of money Kansans will not have to pay in telephone excise tax for 1 year. Nationwide, some $700 million will be available to telephone customers in 1966 from this tax cut. This total can provide a most vigorous amount of stimulation to our economy. And this stimulation will continue in lesser amounts as the tax drops 1 percent a year until it is eliminated entirely on January 1, 1969.

Kansas is blessed with a great number of farmers and stockmen. Because of their locations—away from population centers—they have to rely on the telephone for business as well as normal social activities. In today's world such communication is just about as essential to them as good weather and water. Yet they have been penalized by this unjust tax.

I am certain this tax cut is most gratifying to millions of our citizens who have felt there was nothing so permanent as the temporary, emergency telephone excise tax slapped on during World War II.

Undoubtedly those who will be particularly grateful are the folks I mentioned with lower incomes.

Approximately 53 percent of the households with telephones—21 million of them—had annual incomes of less than $6,000, according to 1960 Bureau of Census figures. Since every telephone customer, regardless of income, pays the same rate of tax—10 percent—those in the lower economic levels have been paying a much larger percentage of their take-home pay. This reduction in excise tax leaves folks in the lower income groups with more money to spend on the things they need.

And it means shaving the expenses that make up the cost of basic living necessities. For businesses which pay the largest amount of telephone excise tax are those in the food and apparel industries. In 1963 these businesses paid almost one-fourth of the total telephone excise taxes.

Actually this tax has added to the cost of everything the American consumer—regardless of income—buys. The telephone tax enters into expenses of production in the same way as raw materials, wages and other such costs. It adds to the costs at each successive level of business activity and has a cumulative effect on the retail price.

Certainly this drop in the excise tax will be a great boon to the economic health of my own State of Kansas. It will mean more purchasing power for each one of the more than 650,000 telephone customers in the Sunflower State.

This action by the Congress is right and satisfying. It has been long overdue.

Prior to April 1, 1960, the Internal Revenue Service issued at least two private rulings stating that pickup coach bodies and campers were not subject to manufacturers excise taxes under the provisions of section 4061(a) of the Internal Revenue Code of 1954. The Internal Revenue Service issued Revenue Ruling 60-39, 1960-61 Cumulative Bulletin 406, wherein it was concluded that pickup coaches and campers were "automobile truck bodies" within the meaning of section 4061(a) of the Internal Revenue Code of 1954, and did not constitute "house trailers" within the meaning of the exemption provided in section 4063(a) of the Internal Revenue Code of 1954. This ruling acknowledged that it was inconsistent with the previous position of the Internal Revenue Service with respect to the taxability of these items, and accordingly the ruling was made applicable only to sales made on and after April 1, 1960.

This change of position by the Internal Revenue Service has caused a substantial amount of litigation, confusion, and controversy with respect to the taxability of these items. In *King Trailer Co.* v. *United States*, 228 Federal supplement 1013 (district court, California, 1964), the court, in a carefully reasoned opinion, refuted the position taken by the Internal Revenue Service in Revenue Ruling 60-39 and held that pickup coach bodies and campers were not "automobile truck bodies" within the meaning of section 4061(a) and in any event came within the "house trailers" exemption provided by section 4063(a). This case is presently on appeal to the court of appeals of the ninth circuit.

The Internal Revenue Service issued Revenue Ruling 58-487, 1958-2 Cumulative Bulletin 763, wherein it concluded that self-propelled mobile homes were subject to manufacturers excise tax. In *Frank Mobile Homes, Inc.*, v. *United States*, 230 Federal Supplement 782 (district court, Michigan, 1964), the court held that self-propelled mobile homes came within the "house trailers" exemption provided in section 4063(A). This case is presently on appeal to the Court of Appeals for the Sixth Circuit.

The purpose of the exemption of pickup coach bodies, campers and self-propelled mobile homes from manufacturers excise taxes provided in the Excise Tax Reduction Act of 1965 is to correct the positions taken by the Internal Revenue Service in Revenue Ruling 60-39 and Revenue Ruling 58-487, to clearly exempt these items from manufacturers excise tax. Although this exemption is to be effective with respect to sales of these items made after the adoption of the Excise Tax Reduction Act of 1965, it is not intended that the adoption of this exemption be construed as a congressional endorsement of the positions taken by the Internal Revenue Service in Revenue Ruling 60-39 and Revenue Ruling 58-487, with respect to sales made prior to the effective date of this exemption. It is intended that the adoption of this exemption will clarify the taxability of these items and will not jeopardize the positions taken by the taxpayers who are contesting the position taken by the Internal Revenue Service with respect to the taxability of these items prior to the adoption of the exemption provided in this act.

Mr. FULBRIGHT. Madam President, will the Senator yield to me?

Mr. LONG of Louisiana. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Madam President, I have two brief questions relating to the section of the report of the Committee on Finance on answering services. The report at the bottom of page 36 states:

> Questions have been raised as to the application of this exemption to so-called answering services where, when the subscriber is not at home, the telephone is answered for him by the answering service. In such cases, it is understood that the line running to the answering service together with the board on which the signal is flashed is usable only for answering the subscriber's telephone. Where this is true, this line and board provided in connection with it will be exempt from tax as a private communication service.

First, does the Senator understand that the term "at home" used in this report clearly refers to the location of the telephone?

Mr. LONG of Louisiana. Yes, the Senator is correct.

Mr. FULBRIGHT. My second question deals with the words "board" or "boards." I understand that this is a general term and includes the facilities used to conduct the answering service; am I not correct?

Mr. LONG of Louisiana. The Senator is correct. In this connection, we are dealing with the line, secretarial boards, and other services and facilities used to effect the answering service. The tax on these items will be removed effective January 1, 1966.

Mr. FULBRIGHT. I thank the Senator.

Mr. DIRKSEN. Madam President, I yield 3 minutes to the Senator from Utah.

Mr. BENNETT. Madam President, I am not going to take that much time.

I am going to vote against the bill.

Let me make it clear that I am not voting against any specific excise tax removal. I am not trying to suggest that one excise tax should be kept and another should be eliminated.

I find myself facing the problem—which I have faced many times on the floor of the Senate before—of a proposal to reduce the revenues of the Federal Government at a rate much higher than that recommended by the President in his state of the Union message, at a time when tomorrow the Senate will find it necessary to raise the debt ceiling limit in order to accommodate it.

The concept that we can make prosperity permanent by continually reducing taxes is implicit in many of the statements which have been made in support of the bill.

I do not believe in that concept.

The only way I can express my doubt is to vote against the bill.

As I have stated, in doing so I am not voting against any particular excise tax removal but express my concern at the situation in which we find ourselves.

Mr. DIRKSEN. Madam President, I yield 5 minutes to the Senator from Delaware [Mr. WILLIAMS].

Mr. WILLIAMS of Delaware. Madam President, last year when the administration had a tax-cut proposal before Congress, I supported an effort to eliminate all retail excise taxes. These retail excise taxes are more of a nuisance tax, and there were only about $500 million involved in their repeal.

I still favor the repeal of these retail excise taxes as a part of the administration's bill before us, but I strongly disagree with the administration that we should go further and cut another $4½ billion from our revenue at a time when we are still spending over $5 billion above our income and at a time when we are facing the possibility of a full-scale war in Vietnam.

This $4½ billion tax reduction can only be financed by a corresponding increase in our debt ceiling. We are borrowing the money to provide for the luxuries of today.

The total deficits during the 5 years of the Kennedy-Johnson administration exceed $30 billion. These 5-year deficits are about equal to the total expenditures of President Roosevelt during his first 5 years in office—1933–38.

Not only has our Federal Government been living far beyond its income during the past 5 years but it has also encouraged everyone else to do likewise.

In all the 175 years of history of our country, there has never been a more complete disregard for fiscal responsibility. Planned deficits are referred to as a virtue.

The point which the administration ignores is that the rising cost of living, which accompanies any tax cut financed by borrowed money, soon wipes out any savings to the taxpayers.

Already living costs are rising, and the anticipated reductions as the result of the elimination of many of these taxes will prove to be a mirage. None realizes this point better than the housewife, who watches the price of groceries rise each month.

The U.S. News & World Report in its June 14 issue carries some startling figures regarding the rapid increase in both public and private debt.

For the past 5 years under the Kennedy-Johnson administration, our national debt has jumped from $290 billion in 1960 to $318 billion in 1965.

During the past 20 years, the total of all private debt has jumped 530 percent, or from $139.9 billion in 1945 to $882 billion in 1965.

In the past 5 years, corporation debt has risen 42 percent, from $283.3 billion in 1959 to $401.7 billion in 1964.

Home mortgage debt rose 50 percent, from $124.3 billion in 1959 to $187 billion in 1964.

Consumer debt rose 49 percent, from $51.5 billion in 1959 to $76.8 billion in 1964.

Farm debt rose 55 percent, from $23 billion in 1959 to $35.7 billion in 1964.

State and local debt rose 48 percent, from $62.4 billion in 1959 to $92.2 billion in 1964.

Apartment and commercial mortgage debt rose 98 percent, from $36.5 billion in 1959 to $72.4 billion in 1964.

Total personal debt rose from $175.8 billion in 1959 to $263.8 billion in 1964, an increase of 50 percent.

Ten years ago, personal debt—consumer and home mortgage combined—were $104.4 billion. Today, these have jumped to $263.8 billion.

Today, the interest charges on our national debt exceed $11.5 billion annually. This is more than the total cost of running our entire Government in the year 1940.

The administration is now advocating another $4.8 billion tax reduction, and in the same week it is asking for another increase in our national debt.

They justify financing another tax cut on borrowed money on the basis that this year's estimated deficit has been reduced $4.5 billion as compared to the January 1 estimate of a $6.3 billion deficit.

Just what does this mean? In January of this year they estimated the deficit for fiscal 1965 at $6.3 billion, or a rate of $525 million per month. Now that the estimated deficit for fiscal 1965 is expected to be reduced to $4.4 billion, it still means that we expect to be spending at a monthly rate of $375 million per month above the income.

Furthermore, next year's deficit—even on the basis of a continued expanded economy above this year's level—is estimated to be around $4.3 billion.

How can they possibly justify cutting taxes in the face of this situation without inviting another round of inflation?

No effort is being made to cut expenses—quite the contrary, administration-approved expenditures are climbing every year and, based on the new programs recently enacted or now being recommended, next year's expenditures will surely reach another alltime high.

This planned deficit spending policy which the Great Society has been following for the past several months is laying the groundwork for another serious recession in this country.

To finance a tax cut on borrowed money at the peak of prosperity is inviting inflationary increases in wages and cost of living. A boom cannot be financed on borrowed money without inviting a catastrophe.

Last week, Mr. Martin of the Federal Reserve Board issued a warning that unless some control is placed over the inflationary and contradictory policies of the administration, there is serious danger of a repetition of what happened in 1929.

To check this inflation, it is suggested that interest rates may be forced higher. Would it not be far better just to reduce expenditures and thereby reduce the inflationary pressure before we have to resort to these corrective measures?

The interest on our $320 billion national debt today costs us nearly $12 billion annually. An increase of just 1 percent in the interest rates would cost another $3 billion annually just to finance our national debt, and this alone would completely wipe out any benefits under this pending tax cut.

Last week, the administration was before the Senate Finance Committee recommending this $4.8 billion tax reduction. Today the Secretary of the Treasury appeared before the Finance Committee recommending the passage of a bill to raise the ceiling on our national debt another $5 billion to enable them to borrow the money to finance this tax cut.

Last week, the Secretary of the Treasury appeared before the Senate Banking and Currency Committee in support of a bill to reduce the silver content of our coins. Under the administration's recent inflationary policies, the price of silver has risen to the point that unless we take immediate action there may develop a wholesale melting of our coins in order to sell the silver at the higher price.

Our gold supply in the past 10 years has dropped from $21.9 billion in 1956 to $14.3 billion today. This year's loss in our gold is far greater than last year's, and unless the rate of loss is checked soon, it will mean another devaluation of the dollar.

Devaluation of currency means the further pauperizing of our aged. Under inflation, it is those whose income is dependent upon pensions who suffer most.

This administration is shedding a lot of crocodile tears for the aged in this country, yet their planned deficit spending policies and the resulting inflation—or rising cost of living—has been forcing these retired people onto the welfare rolls at a rate never before visualized.

Surely, we all like to vote for tax cuts; but if our Government cannot live within its income during a priod when our country has been enjoying the highest level of prosperity then when will we balance the budget?

Why borrow money to cut taxes on automobiles when the automobile industry is in the midst of the highest level of sales it has ever experienced? Would it not be far better to hold this stimulant to our economy back until a period of lower sales?

The argument that this Great Society has now discovered a way to eliminate any future recessions is just as visionary as it was when the same theory was first advanced during the 1920's. The basic law of supply and demand is one law Congress has never been able to repeal.

However, the harsh lessons of history are forgotten. Instead of caution, heavy spending and tax cuts with no regard as to how they can be financed seem to be the fashion.

As much as I should like to vote for a tax cut, I shall not be a part of this reckless gamble with the stability of our American dollar.

I shall not vote for this inflationary tax cut, and I shall not support these many increased-spending programs which are a part of the administration's planned-deficit policy.

I sincerely hope that history will prove that I am wrong in my fears as to the ultimate effects of these deficit-spending policies, but in my opinion time for drastic action is running out. When these artificial stimulants—tax cuts and increased spending, financed with borrowed money—wear off and the boom collapses I wish the administration to take full credit for the catastrophic results and tell the American people they planned it that way.

One further, most important point; this administration seems to have forgotten that we have a war on our hands. Secretary of the Treasury Fowler, in testifying before the Finance Committee last week, referred to this period as a normal peacetime period. Have they forgotten that American boys are being drafted and sent far from home to fight a war?

Why make these men fight the war and then come home and work to pay for the luxuries which we are enjoying in their absence? Is not the least that we who are at home can do, would be to tighten our belts and pay our own way while they sacrifice their lives in defense of our country?

Would not the rejection of this tax cut be a solid warning both to the administration and to the Communist world that at least Congress recognizes that we have a war on our hands and that we are determined to win that war regardless of what sacrifice may be necessary.

Madam President, I shall vote against this tax cut. I did not come to the Senate to cast a vote for a financial policy which in my opinion so seriously jeopardizes the security of our country.

Mr. LONG of Louisiana. Madam President, I yield 4 minutes to the Senator from Rhode Island.

Mr. PELL. Madam President, it is with special satisfaction and enthusiasm that I rise to express my support for the Excise Tax Reduction Act of 1964.

This bill is, of course, of vast importance to the consuming public across the land, and the consumers of Rhode Island have been aware for all too long that 18 percent of all excise revenue comes from families with incomes under $3,000, while only 14.3 percent comes from families with incomes over $10,000.

But the people of my State have an even greater interest in this bill because it will have a double impact on our economy. In addition to benefitting consumers, it will have an especially beneficial effect on the productive capacity of our State because an especially high proportion of industries affected by excises are concentrated in our State.

In this connection, I have been especially impressed with a study prepared by the New England Council on effect of excise tax cuts on the New England economy. It shows that 46 percent of the Nation's employment in the jewelry and silverware industries is concentrated in New England, along with 39.2 percent of employment in the costume jewelry and notion industry and 17.5 percent of employment in the handbag and personal leather good industries. All of these items, according to the terms of the bill, will benefit from outright repeal, as of July 1, of the 10 percent retail excise tax.

I ask unanimous consent that this excellent analysis prepared by the New England Council be inserted in the RECORD as exhibit 1 at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. PELL. Madam President, turning to Rhode Island's part of this regional total, we can see that our State's economy has a proportionately substantial stake in the elimination of these taxes. Over 17,800 Rhode Islanders—or 15.6 percent of our State's work force in 1963—were engaged in the production of fine jewelry and silverware, costume jewelry, and notions. In that year, 599 establishments, with a payroll of $71.6 million, were engaged in producing these goods. In addition, another 31 firms employing 1,200 workers, with a total payroll of $4.9 million, were engaged in the manufacture of leather goods, such as pocketbooks.

It is, of course, difficult to predict exactly what the effect of repeal of the retail excises will be. But we have reason to hope that there will be a general expansion of activity in the industries affected and that in time many—perhaps hundreds—of new jobs will open up. One economist has estimated that increased sales resulting from the elimination of retail excises will make new jobs for as many as 15,000 to 20,000 workers nationwide.

Madam President, it is because of this special interest which my State has in the repeal of the excises that I have stood for such action since coming to the Senate. In 1963, as a member of the Joint Economic Committee, I joined wholeheartedly in the majority recommendation that these taxes be removed. In our report for that year, we made the following recommendation:

> The administration should amend its tax program to include reductions or eliminations of some present Federal excise taxes. Such changes should be promptly incorporated in pending tax legislation by the Congress.

Since then, there have been a number of opportunities for us in the Senate to show our determination to remove these burdensome taxes. Last year, in the second session of the 88th Congress, there were several amendments, both to the 1964 Revenue Act and to the excise extension bill, which sought to repeal various excises. I list at this point the amendments of particular interest to my State which I supported:

February 5, 1964: Dirksen-Morton amendment to 1964 Revenue Act, repealing retail excise tax on jewelry and furs costing less than $100 and repealing all excise taxes on luggage and cosmetics.

February 5, 1964: Hickenlooper-Dirksen amendment to 1964 Revenue Act, repealing 10 percent excise tax on mechanical pens and pencils.

February 6, 1964: Keating amendment to provide that the 10-percent excise on handbags shall not apply to those costing $50 or less.

June 25, 1964: Keating amendment to excise extension bill, exempting ladies' handbags from 10 percent retail excise tax.

June 25, 1964: Keating-Pastore amendment to excise extension bill repealing retail excises on handbags, and toilet preparations, and limiting retailers excise on jewelry and furs to those goods with selling price in excess of $100.

In addition, Madam President, I was happy to join with the distinguished Senator from Delaware [Mr. BOGGS] in sponsoring an amendment to H.R. 2855 in the 88th Congress and a separate bill, S. 1342, in the 89th Congress, both of which would repeal the manufacturers excise tax on tennis equipment, which is another major product of my State.

Finally, Madam President, I ask unanimous consent that I may insert in the RECORD as exhibit No. 2, at the conclusion of my remarks, an article by me which appeared in the February 1965 issue of the American Jewelry Manufacturer, entitled "To Exorcise the Excise—Why Congress Should Repeal the Excise Tax."

The PRESIDING OFFICER. Without objection, it is so ordered. See exhibit No. 2.

Mr. PELL. It seems to me, Madam President, that this material makes a convincing case for passage of this bill. The taxes which would be repealed or reduced have long since outlived their intended purpose. Their continued retention has resulted in an undue and inequitable burden on certain areas such as Rhode Island, and their repeal is therefore long overdue. I commend the administration for its initiative in proposing the bill and the Senate for its swift action. They have done a great service to Rhode Island.

EXHIBIT NO. 1

A BRIEF ANALYSIS OF THE POSSIBLE IMPLICATIONS OF THE FEDERAL RETAIL EXCISE TAX REDUCTION OR ELIMINATION ON CERTAIN NEW ENGLAND INDUSTRIES AND THE GENERAL NEW ENGLAND ECONOMY

SUMMARY AND CONCLUSION

1. The major impact on New England of Government action in the field of fiscal policy

will come from the stimulus to overall national economic activity, and particularly, consumer demand.

2. New England manufacturers whose products are subject to retail excise taxes represent a proportionately greater share of their national industry employment when compared to New England's share of total U.S. manufacturing employment. As a result, New England industries producing handbags, watches and clocks, jewelry, and silver products are likely to gain more than in other areas of the country from elimination of retail excise taxes. Reduction of manufacturing excise taxes on cars, excise taxes on travel and entertainment, telephone and other services, could have an equally favorable impact on New England, depending, of course, on the size of such reductions. The interests of all these industries along with those of consumers must be taken into account in determining the public interest of the region and its relation to Federal fiscal policy.

3. Retail and other forms of excise tax reductions or eliminations would be desirable from a New England point of view.

INDUSTRIES MOST AFFECTED

The following table shows the relative importance of the major New England industries that are faced at the retail level with excise taxes:

SIC	Industry description	New England employment	Percent of total New England manufacturing employment	U.S. employment	New England as a percent of United States
2844	Perfumes, cosmetics, and other preparations	1,666	0.12	29,464	5.7
316	Luggage	1,390	.10	15,856	8.8
317	Handbags and personal leather goods	6,214	.44	35,610	17.5
391	Jewelry, silverware, and plated ware	19,265	1.37	41,867	46.0
396	Costume jewelry and miscellaneous notions except precious metals	22,049	1.57	56,274	39.2
387	Watches and clocks	8,479	.61	26,157	32.4
	Total	59,063	4.22	205,228	28.8

NOTE.—New England manufacturing employment as percent of U.S. manufacturing employment in 1958 was 8.72 percent.

Source: U.S. Department of Commerce, Census of Manufacturers, 1958.

The table shows that in terms of employment, most of the major manufacturers whose products are subject to excise taxes at the retail level, are well represented in New England—more so than in the rest of the country. But one cannot infer from this data that employment in industries affected by other forms of excise tax reductions is less important to the region as a whole. For example, manufacturing excise tax reductions on cars could stimulate the sale of the New England machinery industry; a reduction of excise tax on travel could benefit the vacation travel industry in the region.

EFFECT ON MANUFACTURER, RETAILER, AND CONSUMER

There are a number of ways through which retail excise tax reductions could influence economic activity. If we were to assume that the elimination of the retail tax would lead to a reduction in price to the consumer, added sales for the retail outlets could be the result. In addition, it would mean added sales for manufacturers at the same profit margins except for those who are now operating at less than capacity. If, on the other hand, the eliminations would result in a compensating increase in prices by the manufacturer, no benefit would accrue to either the consumer or the retail stores. The retail stores, however, may gain through the elimination of the burdensome time involved in keeping records. Higher prices by the manufacturer would also not lead to an increase in employment. It could mean either higher dividends, debt reduction, new investments in plant and equipment, or higher wages. Supposing on the other hand, that the manufacturer were to reduce his prices, but the retailer would use this as an opportunity for extra markup, the same profit situation and the same possible uses of this profit would accrue to the retailer. In whatever way the benefits of tax reductions are spread, the net result will be higher total income for New England.

Because of this complex situation, it is difficult to predict what employment effects would be generated through reduction of retail excise taxes. This difficulty is compounded by the problem of retail outlets that sell both taxable as well as nontaxable items. Also, an increase in retail employment because of expanded sales of jewelry and silver or watches and clocks could lead to some reduction in the sales of nontaxable goods, or, putting it another way, to a shift in consumer expenditure patterns.

If we assume that the benefits of the retail excise tax elimination are all passed on to the consumer, and also that the consumer will take advantage of this benefit and buy primarily silverware, jewelry, luggage, handbags, watches, and clocks with the extra available purchasing power, New England would gain somewhat more than other regions of the country. This is so because major manufacturing industries whose products are subject to retail taxes represent a larger component of New England total business activity than in the rest of the country, as shown in the previous table.

The preceding brief analysis deals exclusively with the possible effects on New England of elimination or reduction of retail excise taxes. It does not seek to answer the question of relative merits of retail versus other forms of excise tax reductions on New England.

EXHIBIT 2

TO EXORCISE THE EXCISE—WHY CONGRESS SHOULD REPEAL THE EXCISE TAX

(By Senator CLAIBORNE PELL, Democrat, of Rhode Island)

There is little business that will come before the 89th Congress with more bearing upon the economic health of our Nation than the proposed removal of excise taxes.

In his "Dictionary of the English Language," published in 1755, Dr. Samuel Johnson defined excise as "a hateful tax upon commodities." Today, 210 years later, this ancient definition has an up-to-the-minute significance. For the excise taxes which were levied at the time of World War II and again at the time of the Korean conflict are, alas, still with us. And just as certainly as the exigencies of war demanded their imposition, the realities of peace demand their abrogation.

SOUND BASIS IN WARTIME

Excise taxes have traditionally served the dual purpose of raising special revenue on the one hand and of discouraging civilian consumption on the other. These objectives are legitimate in time of war, for revenue obviously must be raised and, to a certain extent, the market must be controlled. However, the system of priorities that excise taxes impose on those that could emerge privately in the free market, do not have such an easy justification. Therefore, it is high time we were rid of the excise.

It is true that a sociological case can be made for special excise taxes on alcohol and cigarettes. Gasoline taxes, too, are in a special category, since the revenue is used to pay for roads. However, the group of taxes with which I am particularly concerned are those so-called luxury taxes which were levied during the Korean war. These are the taxes which are called sumptuary to indicate their special characteristic of regulating consumption. They yield an estimated $517 million annually and are levied on sales of four groups of items; jewelry, luggage and handbags, furs, and toilet preparations.

There are many major objections to the continuation of these excise taxes. First and foremost they are a depressant to our economy. At the same time that they raise prices and cut sales on the retail level, they serve to curtail production and thus to limit employment on the manufacturing level.

For the retailer, the tax involves the most extraordinary amount of administrative burden. Decisions must constantly be made, such as whether candlesticks are being sold for general use, in which case they are subject to tax, or for religious use, in which case they are not taxable. Is a pharmaceutical product a sunburn cure and thus tax free, or is it a sunburn preventative and thus taxable.

But more important, the excise tax has been demonstrated to have cut into overall sales, and volume is clearly a most vital consideration in the success of a retail establishment.

REPEAL COULD CREATE JOBS

Even worse, however, is the effect of the excise tax on certain manufacturers. Probably nowhere in the country would the repeal of this tax have a more beneficial result than here in Rhode Island, where so much of our industrial capacity is involved in the production of goods now subjected to the tax. Of particular concern is the jewelry industry which is the second largest source of manufacturing employment in our State. In fact, the jewelry and silverware industry accounts for nearly 16 percent of our total manufacturing employment. One economist, Prof. Harley Hinrichs, University of Maryland, has estimated that increased sales resulting from the elimination of retail taxes would make jobs for 15,000 to 20,000 workers, all in the various industries now making products subject to these taxes. A real part of any such new employment would be in Rhode Island's jewerly industry. Ranking as we now do, as one of the Nation's labor surplus areas, such new jobs, both at the manufacturing and retail levels, could prove of solid help to our economy. It is difficult, of course, to make exact estimates, but the excise repeal would certainly mean a lot more work for the Rhode Island industry, a lot more buyers for Rhode Island stores. And what is true for the jewelry center in our State is equally true for luggage interests, and cosmetic and fur centers throughout the Nation.

NEGLIGIBLE REVENUE

Additionally, the excise tax is on weak ground even insofar as the amount of revenue it raises. Although it is true that excise collections are in the vicinity of a half a billion dollars, Professor Hinrichs has estimated that the administrative cost of collecting these funds is in the neighborhood of a quarter of a billion dollars. Therefore, the net revenue realized by the Government is relatively small.

Economics aside, the excise tax is an extremely discriminatory tax, unless there is a particular reason to penalize a certain industry. No basis has ever been put forward to justify this tax on the grounds that the four industries against which it is levied deserve penalty. If, in fact, the purpose of the levy is to tax luxuries, that term must be defined much more clearly than it is at present. For example, a wrist watch today is not a luxury, although a diamond-studded one may be. If luxuries are "those goods not necessary for a conventional standard of living" there is scarcely a woman alive who would place cosmetics in that category. Someday, women's dresses may come equipped with 13 pockets as my suits now do. At that time, perhaps the fair sex could make do without a handbag, but today it is asking too much to call a pocketbook a luxury.

Further, a true luxury tax should be progressive, not proportionate. One recent study found that all income brackets between $500 and $5,000 spent about the same proportion of their funds on jewelry and toilet preparations. This, of course, indicates that a tax on these items is proportional not progressive. An excise tax, however, does not lend itself to progressive rates, largely because of the immense difficulties of administration.

PENALIZES LOW-INCOME EARNERS

Finally, it has been demonstrated that 18 percent of all excise revenue comes from families with incomes under $3,000, while only 14.3 percent comes from families with incomes over $10,000. Approaching this from the other direction, families with incomes under $3,000 spend 4.5 percent of their incomes on excises, while families with incomes over $10,000 spend 1.9 percent of their incomes on excises. The inequities are too obvious to belabor the point.

Because the benefits of repeal are so clear and because these taxes have so long outlived their intended purpose, there is now a growing consensus in Washington that the excise tax structure must be revised. The President and the Secretary of the Treasury have indicated that the administration will propose reductions in federal excise taxes, probably to be enacted by July 1 of this year. Although details have been sketchy, it is gratifying that on November 11, Secretary Dillon announced that the repeal of the four 10-percent retailers taxes on jewelry, cosmetics, luggage, and furs will be proposed.

LEADERSHIP IN THE SENATE

Congress has, in fact, concerned itself with this problem during the last session. In January 1964 Senator DIRKSEN called up an amendment to repeal the excise tax. It failed, and another similar amendment was offered in June by Senator PASTORE and Senator KEATING. Thanks to the energetic leadership of Senator PASTORE, this amendment actually passed the Senate by a vote of 48 to 38, but was subsequently lost in an inter-House conference to reconcile differences between the Senate and House versions of the bill. Needless to say, I strongly supported and voted for both of these amendments.

Not only have the President and the Congress shown a new willingness to abolish the excise tax, but the entire national business climate seems to bode well for this kind of reform. Bankers predict that because of flourishing business conditions, the Federal budget will be close to balance by the middle of this year and that under those conditions the time will be ripe to repeal excises as a special stimulus to pockets of economic distress in the economy.

Edmund Burke once said, "Bad laws are the worst sort of tyranny." It is a tribute to the wisdom of our leaders that the excise tax, a bad law, seems destined for that oblivion which is the proper resting place of tyranny in America.

Mr. LONG of Louisiana. Madam President, I yield 2 minutes to the Senator from Florida.

Mr. SMATHERS. Madam President, the Senator from Louisiana has ably presented the case for this excise tax reduction. I want to express my support for the bill and indicate briefly some of the reasons I think it is a good bill—a bill deserving of swift passage today.

First, it is a fiscally sound reduction that is provided. Of the total $4.6 billion of excise tax reduction provided by this bill, only $1.8 billion will affect the 1966 budget. This estimate, of course, takes into account the stimulative effect the bill will have on our economy.

Second, it will reduce the cost of many, many consumer items and thereby enable our consumers to purchase more goods and services and to purchase them more cheaply, thus contributing to the continued prosperity our country has enjoyed for a recordbreaking 52 months.

Third, this bill will simplify our tax structure by eliminating the source of some of the most irritating features of our law—both technical and policywise. The excise taxes eliminated by this bill are difficult and costly to administer and still more difficult to justify. They are truly a hodgepodge, a patchwork put together erratically and haphazardly over a period of 50 years.

Fourth, this bill will reduce the cost of business of those concerns which of necessity must use taxable articles in their operations. By doing this, the bill will more nearly equalize these businesses with others which do not have to rely on taxed articles. Moreover, it will eliminate a substantial deterrent to modernization of business operations.

And fifth, repeal of the retailers excise taxes will substantially reduce the tax paperwork of literally millions of corner drugstores and crossroads shops all across our Nation. These taxes have truly been called nuisance taxes. They will not be missed.

Madam President, for these and other reasons, I commend the bill to the Senate and urge that it be adopted.

By moving the July 1 effective date up to the day following the day of enactment, prompt and speedy action on this bill by the Senate becomes imperative. By acting now, this bill can become law by the end of the week, providing immediate excise tax relief for our millions of citizens.

Mr. LONG of Louisiana. Madam President, I yield 5 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Madam President, I will vote for the excise tax bill but with considerable reluctance. I have serious reservations about the wisdom of reducing excises to this extent at this time.

The size of the excise tax cut package has grown like Topsy. At the beginning of the year Congress was told by the administration that the cut would total $1.75 billion. By the time the details of the proposal reached Congress, it had doubled to $3.5 billion in reductions in fiscal 1966, with an additional $372 million in cuts to come later. After the House finished with the bill, the total revenue loss had jumped to $4.8 billion. About the only items left for the Senate to work on were tobacco, alcohol and narcotics—politically a rather unpalatable list to consider for further reductions.

The repeal of excise taxes is being justified on the basis that this will be an effective means of stimulating the economy further. But at the same time we were told that the economy has done so well since January that the size of the excise cut could be doubled over that planned when the budget was submitted. This is rather persuasive proof that the economy is in a quite healthy condition. I will touch on this point further in a moment.

I seriously question whether the economy needs stimulating in this manner and at this cost in loss of revenues.

Last year the Congress passed a bill which reduced income taxes by $14 billion in a deficit situation. This new fiscal policy has lived up to Congress expectations. But that does not mean that taxes must be cut every year to spur on to greater heights an economy which is breaking new records every day. Prudence calls for restraint in using tax stimulants—to save them for the times when they are needed most and will be the most effective. We will end up this fiscal year with a deficit of $4.4 billion, according to Secretary Fowler. The Treasury Department's latest—and most optimistic—estimates for fiscal 1966 place the deficit at $4.3 billion. But the staff of the Joint Committee on Internal Revenue Taxation estimated recently that it would hit $5 billion in fiscal 1966, after taking into account the revenue reductions from the President's tax program. The Congress should think long and hard about giving up $4.7 billion in annual revenues without having any evidence that the tax cuts will generate sufficient economic activity to make up for the loss. Once the taxes are repealed, reinstatement is unlikely.

I am not opposed to deficit spending when necessary. I supported the tax bill and I have always supported deficit spending in times when it is needed to give the economy a shot in the arm. In submitting his tax program to the Congress, the President said that the tax cuts were needed to "spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power." But the economy does not need the stimulus of such a major slash in excise taxes now.

In addition, there is a point where the economy can be overstimulated and the Congress would do well to ponder the warning voiced by Federal Reserve Board Chairman William McChesney Martin a few days ago. Our economy is not yet so sophisticated that it is impossible for an orderly expansion to turn into a disorderly boom. We are doing quite well now and will continue to do so, according to Secretary Fowler's remarks to the Business Council. According to Secretary Fowler, "expansion shows no signs of flagging," and, he added, "on the contrary, it continues to forge ahead on all fronts." That does not sound like the kind of economy that badly needs the stimulus of a tax cut.

Let us take a look at a few signs of our economic well-being.

Gross national product is estimated at $660 billion this year—over $100 billion above what it was 3 years ago. In the last quarter, gross national product was up $14½ billion over the last quarter of 1964. Most of this increase came from consumer spending.

The upswing in economic activity has lasted for over 51 months—the longest period of uninterrupted economic expansion in peacetime history.

The unemployment rate last month was the lowest in 8 years.

After-profit taxes in the first quarter were $4½ billion above the same quarter of last year.

McGraw-Hill reports that business plans for capital spending show a 15-percent increase over last year. Businessmen, obviously, have confidence in the future.

Any way you look at it, the economy is booming. There are still pockets of unemployment and poverty and through new and improved Government programs, efforts are being made to take care of these problems. But problems caused by unemployment and poverty will in large measure be solved by education, training, and new opportunities—not by eliminating $4.7 billion in revenue which could be used to finance enlarged programs getting at the heart of the problem. The economy, if we are wise in our fiscal policies, will continue to expand without the repeal of all these excises.

Consumer spending certainly shows no signs of needing additional stimulation. In his excise tax message to the Congress, the President pointed out that consumer spending has risen by $28 billion since the tax bill was enacted a year ago. The consumer goods industry seems to be doing quite well without another tax cut. It is somewhat difficult for me to appreciate how complete repeal of the excise tax on automobiles, for example, is essential to either the industry or the consumer. In 1961, 5.8 million new cars were sold in the United States. The National Automobile Dealers Association estimates that 9.1 million will be sold this year, a 3.3 million, or more than one-third, increase in 4 years. A drive along any highway or byway in the land will provide ample evidence, on the road and in junkyards off the road, that new cars are being sold at a rapid clip. We cannot build roads fast enough to accommodate the increase. And older cars are being junked for new ones in such quantities that the Congress has been asked to pass legislation to finance ways to hide automobile graveyards. It seems to me that we should use more of the revenues generated by the automobile excises in taking care of the problems created by having so many new cars on our streets and highways before we eliminate this $2 billion source of Federal revenues.

Many excise taxes should be eliminated or reduced; they have outlived their usefulness as a source of significant revenue and as anti-inflation measures. But the Congress should use a scalpel rather than a meat ax in considering this question. Excise tax revision—not wholesale repeal—was called for under the circumstances. Tax reduction is a highly popular subject with the public and the Congress, and this bill is no exception. But the Congress should learn to temper its tax cutting enthusiasm with fiscal prudence. It has not done so with this bill.

Mr. LONG of Louisiana. Madam President, I yield 2 minutes to the Senator from Connecticut.

Mr. DODD. Madam President, this is a climactic day in the long campaign which I and a number of my colleagues have waged for years to repeal the Federal excise taxes which have so long and so heavily burdened the middle- and lower-income families in our Nation.

These taxes on silverware, luggage, billfolds, jewelry, automobiles, household appliances, sporting goods, entertainment, and the host of other consumer items which make life richer and more pleasant were, by and large, initially levied as emergency measures during the depression and the last two wars.

These taxes, flat rates of 5 or 10 percent, have been imposed on many of the items basic to our standard of living—telephone service, cosmetics, stores, refrigerators, cars, handbags, matches, radios, and television sets, and even on light bulbs.

These taxes have taken almost $5 billion a year from the hands of the American consumer.

These taxes have burdened the low-wage earner far more than the high-wage earner.

These taxes have retarded the growth of the economy.

And for these reasons I feel that these taxes must be repealed.

As one who has long advocated and worked for their elimination, I am happy today to join with my colleagues in voting overwhelmingly to eliminate almost all these taxes and to save the American consumer almost $5 billion a year by our action.

This repeal is good for the consumer, because it leaves more money in the hands of those who need it most, and will reduce the costs of everyday goods for all of us.

This repeal is good for the economy, because it frees billions of dollars for further consumer investment.

This repeal is good for the Government because the economic expansion it will further will make up the tax revenue loss it occasions.

So this is a great day for all of us.

But I must add this word of caution. Although a great number of the Nation's manufacturers and retailers are prepared to pass the benefits of this tax cut to their customers, I have seen disturbing reports that some businesses may add this tax cut to their profit margins, rather than pass it on to their customers.

This development would be a bitter ending to our long struggle to repeal these taxes. It bears our closest scrutiny in the months to come.

It is my great hope that the repeal of Federal excise taxes we vote today will fully benefit those whom we intend to benefit—the American consumer.

Mr. LONG of Louisiana. Madam President, I yield 3 minutes to the Senator from Alaska.

EXCISE TAX CUTS BENEFIT ALASKANS

Mr. BARTLETT. Madam President, I wish briefly to express my support of H.R. 8371, the Excise Tax Reduction Act of 1965.

The bill before us, passed by the House on June 2 and reported in slightly modified form by the Senate Finance Committee, substantially corresponds to the recommendations contained in the President's message of May 17. It strengthens the President's bill in providing for a reduction of automobile excise taxes to 1 percent by 1969, with an immediate reduction from 10 to 7 percent. In addition, the bill would phase out present taxes on telephone service and would repeal, by the end of the current year, excise taxes on admission to entertainments, on club dues, on telegraph service, and on bond and stock issues and transfers.

The act also would repeal, effective July 1, present retailers' excise taxes on jewelry, furs, toiletries, and luggage. Manufacturers' excise taxes on refrigerators, freezers, and air-conditioning units; electric, gas, and oil appliances; radios, television sets, and phonographs; musical instruments, photographic equipment, and sporting goods—all would be repealed immediately. Provision would be made for customer refunds retroactive to May 14 in the case of automobiles and air conditioners; sales of these items are subject to a wide seasonal variation and the retroactivity provisions would prevent the disruption of the normal market pattern.

The excise taxes which would remain are largely those which have a clear rationale and demonstrated purpose. Some, such as the taxes on wagering, gaming devices, marihuana, and opium are regulatory in nature. Others, like taxes on fishing equipment, certain firearms, shells and cartridges, air passenger travel, diesel fuel, and commercial automotive equipment are imposed in the theory that those who receive the benefit of special government services should bear their fair share of the cost involved. A third group of taxes which the bill retains are those on alcohol and tobacco products, which have traditionally been regarded as legitimate objects of taxation and sources of revenue.

The justifications for this legislation, Madam President, are many; I will review only a few. First and foremost is the relief it promises to the consumer. Alaskans will be in a particular position to appreciate the eventual repeal of telephone and telegraph levies, and they will share in the benefits passed along to purchasers of appliances, radios, phonographs, and television sets. Automobile and accessory retail sales totaled over $40 million for the State in 1963; I am happy to note that all major American automobile manufacturers have assured the Finance Committee that the full measure of the tax reductions we approve will be reflected in retail price cuts.

A second compelling reason for our approval of this bill is that stressed by the President in his message of May 17:

> We must continually adjust our tax system to assure that it makes a minimum contribution to our economic growth * * *. The proposed program of excise tax cuts and revisions will spur growth and move us closer to full employment by removing an unnecessary drag on consumer and business purchasing power.

Third, the passage of this bill will remove many of the inequities which presently burden our tax structure. These excise taxes were generally imposed during national emergency, often to divert resources to areas essential to the war effort. It is only fair that these burdens be lifted now, giving freer play to consumer preferences and competitive forces, enabling manufacturers and retailers to reduce prices and increase sales.

A fourth reason for excise tax reduction has to do with the regressive impact of this taxation. Excise taxes often apply to items that might be classed as necessities, and of course impose a relatively greater burden on persons of low income. Moreover, they tend to impose heavier tax loads on young families which must invest heavily in appliances and other taxed commodities.

The Excise Tax Reduction Act of 1965, Madam President, will simplify our tax structure, make it more rational and equitable, provide a stimulus to the economy, and pass along benefits to the consumer. I register again my wholehearted support and my hope for early enactment.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Madam President, I yield back the remainder of my time.

Mr. DIRKSEN. Madam President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Madam President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Madam President, I should like to inquire of the majority leader as to the program for tomorrow.

Mr. MANSFIELD. Madam President, in response to the question raised by the distinguished minority leader, on completion of the pending legislation, the Senate will turn to consideration of House bill 8464, the debt limit extension, which will be the pending business tomorrow at the conclusion of morning business.

That will be followed, if there is time, by S. 559, the cigarette labeling bill, and after that there will come, if we cannot finish S. 559 on Wednesday, probably on Thursday, the saline water legislation and other items which may be on the calendar.

Mr. DIRKSEN. Madam President, I thank the majority leader.

EXCISE TAX REDUCTION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

The PRESIDING OFFICER. All time on the bill has now been yielded back. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT (when his name was called). Madam President, on this vote I have a pair with the distinguished Senator from Kansas [Mr. Pearson]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG. I announce that the Senator from Arizona [Mr. Hayden], the Senator from Florida [Mr. Holland], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], and the Senator from Maine [Mr. Muskie] are absent on official business.

I further announce that the Senator from Wyoming [Mr. McGee], and the Senator from Georgia [Mr. Russell] are necessarily absent.

On this vote, the Senator from Georgia [Mr. Russell] is paired with the Senator from Wyoming [Mr. McGee].

If present and voting, the Senator from Georgia would vote "nay" and the Senator from Wyoming would vote "yea."

I further announce that, if present and voting, the Senator from Florida [Mr. Holland], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], and the Senator from Maine [Mr. Muskie] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], and the Senator from Kansas [Mr. Pearson] are absent on official business.

The Senator from Wyoming [Mr. Simpson] and the Senator from South Carolina [Mr. Thurmond] are necessarily absent.

If present and voting, the Senator from Hawaii [Mr. Fong], the Senator from California [Mr. Murphy], the Senator from Wyoming [Mr. Simpson], and the Senator from South Carolina [Mr. Thurmond] would each vote "yea."

The pair of the Senator from Kansas [Mr. Pearson] has been previously announced.

The result was announced—yeas 84, nays 3, as follows:

[No. 138 Leg.]

YEAS—84

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hickenlooper
Hill
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—3

Byrd, Va.
Lausche
Williams, Del.

NOT VOTING—13

Bennett
Fong
Hayden
Holland
McGee
McNamara
Moss
Murphy
Muskie
Pearson
Russell, Ga.
Simpson
Thurmond

So the bill, H.R. 8371, was passed.

Mr. SMATHERS. Madam President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Madam President, I move that the Senate insist on its amendments and ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to and the Presiding Officer appointed Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Williams of Delaware, and Mr. Carlson, conferees on the part of the Senate.

Mr. LONG of Louisiana. Madam President, I ask unanimous consent that the bill, H.R. 8371, be printed with the Senate amendments numbered; and that in the engrossment of the amendments, the Secretary of the Senate be authorized to make all necessary technical and clerical changes.

The PRESIDING OFFICER. Without objection, it is so ordered.

"MIRACLE OF ISRAEL"

Mr. ALLOTT. Madam President, Robert Gamzey, of Denver, Colo., has written a book entitled "Miracle of Israel." I have read his former books on Israel. Lawrence G. Weiss has written a review of his book in the Sunday Denver Post, and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Book Reviews: "Miracle of Israel" Next Best Thing to a Visit

(By Lawrence G. Weiss)

("Miracle of Israel," by Robert Gamzey. Herzl Press; $5.95.)

Through 22 years of hard and creative labor, Robert Gamzey, of Denver, has built his newspaper, the Intermountain Jewish News, into one of the best publications of its kind in the country. While increasing his circulation sevenfold and adding incalculably to his paper's prestige, he has also been building his own reputation as a faithful and perceptive reporter on Jewish affairs, in general, and on Israel, in particular.

Gamzey, a former staff member of the Denver Post, has visited Israel six times in order to understand it and report on it at firsthand. He has written of Israel, not as a pundit or political philosopher, but as a reporter. This was true in his first book, "Ingathering" as it is in his latest, "Miracle of Israel."

The new book—made up, like the first, largely of the reports he wrote for his newspaper—is a labor of love.

Gamzey explores at considerable depth the problem of accommodating hundreds of thousands of new Jewish immigrants from Arab countries in North Africa and the Middle East to the more educated and sophisticated Israelis who came earlier from Europe. The newcomers have become a poverty class, poorly equipped to compete with the older settlers. The Government of Israel is engaged in a mighty struggle to protect them from discrimination, to move them ahead, and to integrate them with the rest of the population.

As as American, Gamzey is struck by the policy in Israel of mingling church and state instead of separating them. He writes understandingly of the Orthodox rabbis who dominate much of Israeli life, of the young sabras and others who resist their influence, of the tens of thousands who are relatively indifferent to religion, and of the problems that arise when ancient rabbinic laws are applied too rigidly to modern situations.

He suggests that there will not be a major confrontation on the church-state issue as long as the danger from Israel's Arab neighbors remain so acute. But he also makes it clear that the confrontation will have to come sooner or later and that the disruptive effects on the nation could be serious.

Gamzey also reports on the problems of the kibbutzim—the cooperative settlements that played a major role in the building of Israel. He finds the cooperative movement failing to attract its share of the new immigrants, and failing to hold many of the young people raised in the kibbutzim. There are early signs that the cooperative movement may lose out to the new cities, to private industry, and to the semicooperative meshavim which provide for some private ownership.

Throughout the "Miracle of Israel," Gamzey tells his story in the words of the people he interviewed. His book is a fascinating account of the things individual Israelis say and think, of why they came to Israel, where they came from and how they got there. There are interviews with those who appear to be failing in Israel as well as those who appear to be succeeding, with those who are problems for the state as well as those who lead it.

The result is an illuminating and useful book. Reading it should provide an easy and rewarding experience for anyone who wants to understand the miracle of Israel.

ADDRESS DELIVERED BY SENATOR RUSSELL OF GEORGIA AT THE 30TH ANNUAL CONVENTION OF THE ASSOCIATION OF BROADCASTERS

Mr. LONG of Louisiana. Madam President, recently we welcomed back to his desk in the Senate the distinguished senior Senator from Georgia [Mr. RUSSELL], after a prolonged illness. It was indeed good to have him back with us and to again have his wise counsel on the many difficult problems which we are facing.

Last Sunday, in his home State, he addressed the 30th annual convention of the Georgia Association of Broadcasters. In this address he gave particular attention to the situations we face in the Dominican Republic and in Vietnam. I am certain that all Members of the Senate will wish to read his statements most carefully.

I ask unanimous consent to insert in the RECORD at this point excerpts from his speech.

EXCERPTS OF REMARKS BY SENATOR RICHARD B. RUSSELL

Earlier this month, all Americans thrilled as Colonels McDivitt and White achieved another historic milestone in man's relentless drive to expand his knowledge of science and his conquest of space. We marveled at the incredible technology and machines that enabled the astronauts to live for 4 days in space and to travel 1,600,000 miles in orbital flight at speeds above 17,000 miles an hour.

Someone has said that man has learned more about the physical nature of his world and universe in the decades beginning with World War II than during all previously recorded history of the human family.

This undoubtedly is true. Yet it is sometimes difficult to reconcile the giant steps of progress in the world of science and technology with the halting steps man has made in an even more critical area. For all his exploding knowledge of space, man has yet to learn how to live in peace with his fellows on the earth.

This fact is cruelly evident in the reports of strife, conflict, destruction, and death that make up so much of the daily flow of news from around the world.

I do not like to strike a somber note on this happy and festive occasion. Yet I cannot in good conscience stand before a group of outstanding leaders, as is assembled here tonight, without expressing my growing concern over events now unfolding.

At this hour, upward of 100,000 American soldiers, sailors, airmen, and marines stand armed and battle ready in two unhappy and explosive areas of the globe—in the Dominican Republic in our own hemisphere and in Vietnam in the Far East.

In Vietnam, as the climbing casualty rolls grimly proclaim, American boys are doing considerably more than standing on alert. They are fighting—and some of them are dying—in a mean and dirty war that surely must be among the most frustrating conflicts in which American forces have ever participated.

There has been considerable improvement in recent days and weeks in the highly dangerous situation that prevailed for a time in the Dominican Republic. We can take comfort in the fact that the threat to our security from that area has receded somewhat—though it has by no means disappeared.

The shooting and killing on that long-oppressed island was brought to a halt—and a Communist takeover probably averted—by the President's prompt action in sending in American forces. Had he failed to act when he did—and as he did—the story may have been tragically different. We might now be mourning the loss of American lives, and bemoaning the establishment of another Communist satellite under our very nose.

I have no sympathy for those editorialists and armchair generals who continue to disparage and criticize our intervention in the Dominican Republic. I am confident that the great majority of the American people approve and support the President's timely and decisive action.

The humanitarian objective behind that action was reason enough for sending in the marines and soldiers. But the possibility of the establishment of another Castro in the Caribbean was an even more compelling reason.

I believe the President's forthright action in the Dominican crisis has put the leaders of world communism on notice that the United States will not stand idly by and see another of their puppets take control in this hemisphere.

We have said in clear and unmistakable terms that the Monroe Doctrine means in 1965 what it meant in 1823—that we regard foreign interference in Latin America as a threat to our own peace and safety and that we do not intend to allow it. Above all, we have proclamed to the world that we want no more Castros off our shores.

The U.S. position in southeast Asia is considerably more complicated than it is in our own hemisphere. Our forces are in Vietnam at the request of a friendly government to help prevent a takeover by Communist rebels who are supported to a greater or lesser degree by Russia, China, and North Vietnam.

I can see why many Americans have difficulty understanding how our national interest is being served by the growing commitment of U.S. money, munitions and men in Vietnam. I thought, and so stated at the time, that it was a mistake to get involved there in the first place; I have never been able to see any strategic, political, or economic advantage to be gained by our involvement. Most of the military leaders whose knowledge and advice I most respect have warned repeatedly that it would be an incalculable mistake for the United States to engage in a full-scale land war on the Asian mainland.

The decision to go to the assistance of the anti-Communist government of Vietnam was made by President Eisenhower. The commitments he made was honored and even enlarged upon by both Presidents Kennedy and Johnson.

Whether or not the initial decision was a mistake is now moot. The United States does have a commitment in South Vietnam. The flag is there. U.S. honor and prestige are there. And, most important of all, U.S. soldiers are there.

No man can foretell with certainty what the future course of events in Asia will bring. The monsoon season is beginning, and for the next several months conditions in the jungles and rice paddies will be tailormade for the type of guerrilla warfare in which the Vietcong excel.

There are growing indications that the fighting may now be entering a new and perhaps decisive stage. Certainly the war is now entering its most dangerous stage—dangerous both from the likelihood of increased losses of American lives and from the possibility that Russia and China may intervene directly or under the guise of sending "volunteers" to fight along side the Vietcong. The American people must be prepared to face up to either or both possibilities.

I hope and pray that I am wrong, but we seem to be drifting toward a situation in Vietnam that is in many ways similar to the Korean war. But in the case of Vietnam, we are at an even greater disadvantage than we were in Korea. This is due to a variety of reasons, including logistical problems, the instability of the government, internal dissension and the generally unfavorable terrain.

A heavy and onerous burden rests upon the shoulders of the President and upon his military and civilian advisers.

It is unthinkable that we would now abruptly withdraw our forces from South Vietnam, as some critics of our policy there apparently would have us do. This would mean the virtual surrender of all of southeast Asia to the Communists—including such stalwart friends as Thailand.

But it would have even graver ramifications. A precipitant U.S. withdrawal from Vietnam would undermine the faith of our allies in American resolve and purpose. It would weaken resistance to Communist aggression and subversion the world over. And it would shake the free world coalition to its very foundations.

I am convinced that no one has yet come forward with the foolproof solution to the Vietnamese puzzle. The only thing that we know for certain is that there are no quick and easy answers.

In the absence of such a solution, I believe we have no choice but to support the course the President has charted—though recognizing, as we must, the gravity of the risks involved.

We can only hope that sooner or later the powers directing the Communist forces in Vietnam will be compelled to recognize the futility of their course of aggression, terror and subversion. Perhaps we may yet persuade the Communists by our determination, strength, and force that the road they are traveling will lead ultimately to their own destruction.

ONE MAN, ONE VOTE

Mr. DOUGLAS. Madam President, I ask unanimous consent to have printed in the RECORD an article written by Irving Dilliard, and published in Chicago's American of June 13, 1965.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TOPS IN POLITICAL FOOLISHNESS

(By Irving Dilliard)

A lot of nonsense is written and spoken about our system of government, but a special prize for political foolishness needs to be awarded to the current criticism of the Supreme Court because it handed down the "one-man, one-vote" decisions.

The basis of the argument runs like this: because the Supreme Court decided the reapportionment cases on the side of equal representation, the States have been thrown into a turmoil. Many legislatures are tied in knots. The Democrats and Republicans are wrangling at one State capital after another. Each party tries to outmaneuver the other for advantage. Meantime many pressing problems go not only unsolved, but unattended.

In some States special commissions are at work. In some States the matter is in the courts. In California the dispute over how the lines should be redrawn has reached such a pass that the State senate has even voted 27 to 12 to divide California into 2 separate States.

SOME REACT AS EXPECTED

Now isn't that just too bad. The adverse reaction to the one-man, one-vote decisions among some politicians is just what could have been expected. They want to keep things as they are, or to change them in their own favor, and to the disadvantage of the political opposition.

Many of them are not the least interested in equal representation. Indeed the more unequal the representation is in their favor the better they like it. And so they wring their hands and say what a misfortune it was that Chief Justice Warren and his colleagues ever put their foot in the "political thicket" of legislative and congressional redistricting.

In all honesty, does not the present situation prove how necessary it was for the Supreme Court to do just what it did? If there is all this weeping and wailing and gnashing of teeth at the State capitals in the wake of the "one man one vote" decisions what chance did unorganized voters have to persuade the intrenched legislators from the underpopulated areas to vote to reduce their own numbers and hence their own power?

INDEBTED TO TENNESSEE

The question answers itself. Here and there loss of seats forced reapportionment for Congress. But the State legislatures grew the worse out of line by the year. All the country owes a debt to the residents of Tennessee who took it as long as they could and then went to court.

And, we owe a debt to Kenneth Colegrove and his fellow Illinois citizens who fought a case to the Supreme Court nearly 20 years ago. They lost then, but they have the satisfaction of knowing that belatedly their position has been accepted in the Supreme Court as right.

The bleating about invading the domain of the States is unadulterated hooey. There would be no Supreme Court decisions or cases or even suits by citizens if the State legislators had been doing their constitutional duty all these years. A substantial number of States have already redistricted on the basis of fair population lines. Let the rest get busy and do likewise. If the States are so jealous of their authority, let them use it to guarantee equal votes to their taxpayers.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORTS OF COMMITTEES

The following additional reports of committees were submitted:

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 20. A bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes (Rept. No. 331); and

S. 32. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes (Rept. No. 332).

ADDITIONAL BILL INTRODUCED

Mr. SPARKMAN, by unanimous consent, introduced a bill (S. 2149) for the relief of Mrs. Kwong Yeat Ying DockOn and her minor children, Helen, Earline, Benjamin, and Raymond DockOn, which was read twice by its title and referred to the Committee on the Judiciary.

ADDITIONAL COSPONSOR OF BILL

Mr. BURDICK. Madam President, I ask unanimous consent that the junior Senator from Minnesota [Mr. MONDALE] be ordered as a cosponsor of S. 2087.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEMPORARY INCREASE IN THE PUBLIC DEBT

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 318, H.R. 8464.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8464) to provide for the period beginning July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ADJOURNMENT

Mr. LONG of Louisiana. Madam President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 16, 1965, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 15, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of the Scriptures: Ephesians 2: 14: *For the Lord is our peace, who hath made both one, and hath broken down the middle wall of partition between us.*

Almighty God, help us to learn the meaning of our days and may we see with a deeper insight and wonder that our beloved country has a distinct mission to break down the walls between us and to carve a new image in the arena of world history.

Give us a passionate involvement and attachment to the great spiritual reality that we all belong to the human race that is one in origin and destiny and that we are members of a universal fellowship of sympathy and service.

Gird us with wisdom and understanding to meet the wide-ranging issues and demands of mankind, bringing it new life, quickening it with a warmth of love and hope.

Grant that humanity may be truly a beloved community, having a sense of spiritual solidarity and a kinship, which adjusts human life, in all of its relationships to the ideals of our blessed Lord, in whose name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7750. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. MORSE, Mr. HICKENLOOPER, Mr. AIKEN, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes.

DANIEL WALTER MILES—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 204)

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 15, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 4 p.m. on June 14, 1965, and said to contain H.R. 1867, an act for the relief of Daniel Walter Miles, and a veto message thereon.

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 1867, for the relief of Daniel Walter Miles.

This legislation would authorize the payment of $1,000 to Daniel Walter Miles, of Brockton, Mass. The payment would be in full settlement of Mr. Miles' claim against the United States under the Philippine Rehabilitation Act of 1946 for compensation for certain property losses in the Philippine Islands during World War II as a result of Japanese bombing raids.

Mr. Miles' claim was evaluated by the Philippine War Damage Commission under the orderly procedures authorized by the Congress for the handling of such claims. There is no indication that the Commission failed to give this claim an adequate hearing or to follow the established procedures as it considered the case. In fact, the record shows that as the result of an appeal from the original decision, the Commission reconsidered the claim and rejected it a second time.

Mr. Miles was afforded still another opportunity to have his claim reviewed under Public Law 87–846 enacted in 1962 which, in effect, provided for further consideration of certain Philippine claims. However, he failed to file a claim under that statute prior to the deadline of January 15, 1965.

Under the Philippine Rehabilitation Act of 1946, awards aggregating almost $500 million were paid in settlement of those claims found to be meritorious from among the more than one million claims filed. Many thousands of awards were made in amounts substantially below those sought by the claimants, and some 91,000 claims were denied in their entirety.

I can see no basis for going behind the settlement made by the Commission in this case. The record here contains no evidence which was not known to and considered by the Commission.

Under these circumstances and at this late date, to set aside the judgment of the Commission would entitle other disappointed claimants under that program to seek similar relief through private legislation. The result could be the reopening of this vast claims program, a result which I strongly believe to be neither desirable nor justified. If the bill did not lead to this result, it would have the equally undesirable and unjustified effect of granting preferential and discriminatory treatment to Mr. Miles.

For the foregoing reasons, I cannot approve H.R. 1867.

LYNDON B. JOHNSON.
THE WHITE HOUSE, *June 14, 1965.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and message will be referred to the Committee on the Judiciary.

There was no objection.

CONFERENCE REPORT ON NASA AUTHORIZATION FOR FISCAL YEAR 1966

Mr. MILLER submitted a conference report and statement on the bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 137]

Ayres
Bonner
Bow
Bray
Brown, Ohio
Chamberlain
Clawson, Del
Corman
Dingell
Evins, Tenn.
Findley
Fisher
Frelinghuysen
Hagan, Ga.
Harvey, Ind.
Hébert
Holland
Huot
Ichord
Keith
Lindsay
Love
Macdonald
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mink
Moeller
Morton, Md.
Passman
Pike
Pirnie
Powell
Resnick
Rivers, Alaska
St Germain
Stafford
Toll
Vivian
Willis
Wilson, Charles H.
Zablocki

On this rollcall 387 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1966

Mr. DENTON. Mr. Speaker, I call up the conference report on the bill (H.R. 6767) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 513)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6767) "making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 17, 19, 20, 21, 46, 47, 50, and 52.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 6, 12, 14, 24, 30, 31, 36, 38, 41, 42, 44, 48, 49, 51, and 54, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,080,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$105,846,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$34,513,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$17,445,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$32,366,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$26,177,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: "one hundred and three passenger motor vehicles of which ninety-four shall be"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$84,377,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,883,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$17,300,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,100,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$71,680,870"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,220,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,838,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,980,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,800,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,100,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$36,134,300"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,077,200"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,452,200"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$36,134,300"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$36,689,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert: "one hundred and nine"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$13,950,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$4,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 7, 28, and 35.

WINFIELD K. DENTON,
MICHAEL J. KIRWAN,
JULIA BUTLER HANSEN,
JOHN O. MARSH, JR.
GEORGE MAHON,
BEN REIFEL,
JOSEPH M. MCDADE,
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
(except amendment No. 40),
JOHN L. MCCLELLAN,
ALAN BIBLE,
ROBERT C. BYRD,
KARL E. MUNDT,
MILTON R. YOUNG,
Managers of the Part of the Senate.

STATEMENT

The managers on the part of the House at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6767) making appropriations for the Department of the Interior and related agencies for fiscal year ending June 30, 1966, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

Public land management

Bureau of Land Management

Amendment No. 1: Appropriates $49,080,000 for management of lands and resources instead of $46,080,000 as proposed by the House and $52,080,000 as proposed by the Senate. The increase over the House bill is for soil and moisture conservation to be used for soil treatment, watershed management, and vegetation restoration in the Bureau of Land Management Districts in the States. Of this increased amount, $120,000 will be available for administration of the expanded program.

Bureau of Indian Affairs

Amendment No. 2: Appropriates $105,846,000 for education and welfare services instead of $105,761,000 as proposed by the House and $106,448,000 as proposed by the Senate. The increase over the House bill is to provide funds to the San Carlos Apache Indian Tribe for maintenance of law and order.

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

Amendment No. 4: Appropriates $42,796,000 for resources management as proposed by the Senate instead of $42,756,000 as proposed by the House.

Amendment No. 5: Appropriates $34,513,000 for construction instead of $32,855,000 as proposed by the House and $36,296,000 as proposed by the Senate. The increase provided over the House bill includes: $700,000 for the construction of the Lower Two Medicine Lake Dam on the North Fork of Two Medicine Creek; $400,000 for an agency office building on Pine Ridge Indian Reservation, South Dakota; and $558,000 for a school at Dunseith, North Dakota.

Amendment No. 6: Removes Wyoming from the restriction on the acquisition of land outside of Indian Reservations.

Amendment No. 7: Reported in technical disagreement. The House conferees will offer a motion to concur in the Senate amendment.

Amendment No. 8: Eliminates Senate language providing $450,000 to the Tularosa New Mexico School District No. 4.

Amendment No. 9: Appropriates $17,445,000 for road construction (liquidation of contract authorization) instead of $16,900,000 as proposed by the House and $17,605,000 as proposed by the Senate. The increase provided over the House bill includes: $320,000 for the construction of a road from Crystal, New Mexico, to connect with an existing road to Navajo, New Mexico; and $225,000 for the improvement of 16 miles of roads on the Colorado River Indian Reservation, Arizona.

The conferees are in agreement that in addition to the direct appropriation of $4,520,000 for general administrative expenses, $1,615,000 of program funds will be available for general administrative expenses.

National Park Service

Amendment No. 10: Appropriates $32,366,000 for management and protection instead of $32,228,000 as proposed by the House and $32,596,000 as proposed by the Senate. The increase provided over the House bill includes: $50,000 for natural science studies; $38,000 for land appraisal staff; and $50,000 planning funds for a park below Greers Ferry Dam, Arkansas.

Amendment No. 11: Appropriates $26,177,000 for construction instead of $26,077,000 as proposed by the House and $26,368,000 as proposed by the Senate. The increase provided over the House bill includes $100,000 for an addition to the present concession building at the Mt. Rushmore National Monument, South Dakota.

The conferees agree that within available funds, under construction (liquidation of contract authorization) $120,000 may be used for construction of an access road to the visitor center at the Lake Mead National Recreation Area, Nevada.

Amendment No. 12: Appropriates $2,465,000 for general administrative expenses as proposed by the Senate instead of $2,450,000 as proposed by the House. The increase over the House bill is for additional travel costs.

Amendment No. 13: Provides for purchase of not to exceed 103 passenger motor vehicles, of which 94 shall be for replacement only, instead of 94 as proposed by the House and 112 as proposed by the Senate.

Bureau of Outdoor Recreation

Land and Water Conservation Fund

Amendment No. 14: Allocates $1,440,000 for administrative expenses as proposed by the Senate instead of $1,400,000 as proposed by the House.

Amendment No. 15: Allocates $84,377,000 of the Land and Water Conservation Fund for assistance to States instead of $90,000,000 as proposed by the House and $79,576,350 as proposed by the Senate.

Amendment No. 16: Allocates $21,883,000 of the Land and Water Conservation Fund for the National Park Service instead of $21,600,000 as proposed by the House and $23,098,500 as proposed by the Senate. The increase provided over the House bill includes: $83,000 for Capitol Reef National Monument, Utah; and $200,000 for the Edison National Historic Site, New Jersey.

Amendments Nos. 17, 19, and 20: Deletes amendments proposed by the Senate in connection with the purchase of additional lands for the protection of Whooping Cranes and other rare and endangered bird species.

Amendment No. 18: Allocates $17,300,000 of the Land and Water Conservation Fund to the Forest Service instead of $12,000,000 as proposed by the House and $19,785,150 as proposed by the Senate. The increase provided over the House bill includes: $300,000 for Forest Service Wilderness areas in Idaho and $5,000,000 for the Sylvania tract in Michigan.

Amendment No. 21: Deletes Senate language on the condemnation of land in Wyoming.

The Alaska Railroad

Amendment No. 22: Appropriates $4,100,000 for payment to the Alaska Railroad revolving fund instead of $3,000,000 as proposed by the House and $5,200,000 as proposed by the Senate.

Mineral Resources

Geological Survey

Amendment No. 23: Appropriates $71,680,870 for surveys, investigations, and research instead of $71,100,000 as proposed by the House and $72,480,870 as proposed by the Senate. The increase provided over the House bill includes: $380,870 to expand the Federal program for obtaining and coordinating water resources data and for water resources research; $200,000 for removal of sediment in the Gila River, Arizona.

Bureau of Mines

Amendment No. 24: Appropriates $31,891,000 for conservation and development of mineral resources as proposed by the Senate instead of $31,541,000 as proposed by the House. The increase provided over the House bill includes $350,000 to continue the Bureau of Mines program in Alaska at its present level.

The conferees are in agreement that the laboratory at Boulder City, Nevada shall not be transferred to Reno during fiscal year 1966, pending a more thorough analysis of its effects and of the actual savings that would result from such transfer.

Office of Coal Research

Amendment No. 25: Appropriates $7,220,000 for salaries and expenses instead of $6,945,000 as proposed by the House and $7,595,000 as proposed by the Senate. The increase provided over the House bill includes $275,000 for the development of a method to use coal ash and fly ash for the manufacture of brick.

Fish and Wildlife Service

Bureau of Commercial Fisheries

Amendment No. 26: Appropriates $21,838,000 for management and investigation of resources instead of $21,218,000 as proposed by the House and $22,268,000 as proposed by the Senate. The increase provided over the House bill includes: $150,000 for initiating a study of increasing mortality of Pacific Coast Oysters; $270,000 for the establishment of an ocean engineering program, of which $180,000 is for refinement and development of techniques for exploiting midwater species and $90,000 is for the development of efficent harvesting devices for Alaska shrimp resources; and $200,000 to initiate research to revitalize the Great Lakes fishing industry.

Amendment No. 27: Appropriates $1,980,000 for construction instead of $1,905,000 as proposed by the House and $2,080,000 as proposed by the Senate. The increase provided over the House bill includes $75,000 to complete construction and installation of fish screens in the Salmon River Drainage, Idaho.

Amendment No. 28: Reported in technical disagreement. The conferees will offer a motion to concur in the Senate amendment providing that any unobligated balance as of June 30, 1965 of the amount appropriated for the construction of fishing vessels in the Supplemental Appropriation Act, 1965 shall be transferred to and merged with the 1966 appropriation under this head. The conferees are in agreement that this action shall not establish a precedent for future years.

Amendment No. 29: Appropriates $4,800,000 for Federal aid for commercial fisheries, research and development, instead of $4,000,000 as proposed by the House and $5,600,000 as proposed by the Senate.

Amendment No. 30: Allocates $300,000 for administration of Federal aid for commercial fisheries, research and development, as proposed by the Senate instead of $150,000 as proposed by the House.

Amendment No. 31: Allocates $400,000 under section 4(b) of Public Law 88–309 as proposed by the Senate instead of $100,000 as proposed by the House. The conferees agree that of this amount $100,000 will be available to continue the special cooperative study to develop a virus resistant oyster in the four middle Atlantic States.

Amendment No. 32: Allocates $4,100,000 under section 5(a) of Public Law 88–309 instead of $3,750,000 as proposed by the House and $4,900,000 as proposed by the Senate.

Bureau of Sport Fisheries and Wildlife

Amendment No. 33: Appropriates $36,134,300 for management and investigations of resources instead of $35,324,300 as proposed by the House and $36,814,300 as proposed by the Senate. The increase provided over the House bill includes: $20,000 additional funds for cooperative fish units consisting of $10,000 at the University of Georgia and $10,000 at North Carolina State College; $160,000 for the establishment of four cooperative fish units at $40,000 each for Virginia Polytechnic Institute, University of Hawaii, Oregon State University and Iowa State University; $45,000 for expansion of sport fishing research in the North Central Reservoir area; $350,000 for expansion of the program concerned with rare and endangered American wildlife species; $40,000 for the establishment of a fishery management project in Vermont; $195,000, consisting of $150,000 for the increased operation of the research vessel and $45,000 for the increased operation of the fish behavior tank, at the Atlantic Marine Game Fish Research Center, Sandy Hook, New Jersey.

The conferees are in agreement that, within the funds available for the predatory animal and injurious rodent control program, special emphasis shall be given to control of foxes and coyotes in areas where they are a significant hazard to sheep, and to the control of muskrats in Arkansas.

Amendment No. 34: Appropriates $7,077,200 for construction instead of $5,115,500 as proposed by the House and $7,943,700 as proposed by the Senate. The increase provided over the House bill includes: $150,000 for initiation of recreational development, Camp Cornelia, Okefenokee National Wildlife Refuge, Georgia; $400,000 for initiation of development and rehabilitation, Wichita Mountains Wildlife Refuge, Oklahoma; $20,000 for purchase of land, Northern Prairie Wildlife Research Center, Jamestown, North Dakota; $100,000 for planning of the marine game laboratory on the western Gulf of Mexico; $50,000 for repair of existing docking facilities, Atlantic Marine Game Fish Research Center, New Jersey; and funds for construction at the following National Fish Hatcheries: Lahontan, Nevada, $374,000; Bozeman, Montana, $100,000; Mammoth Spring, Arkansas, $122,000; Valley City, North Dakota, $100,700; Kooskia, Idaho, $255,000; Craig Brook, Maine, $210,000; and Gavins Point, South Dakota, $80,000.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the Senate amendment authorizing acquisition of land at the Wildlife Research Center, Jamestown, North Dakota.

Office of the Solicitor

Amendment No. 36: Appropriates $4,487,000 for salaries and expenses as proposed by the Senate instead of $4,425,000 as proposed by the House.

Office of the Secretary

Amendment No. 37: Appropriates $4,452,200 for salaries and expenses instead of $4,450,000 as proposed by the House and $4,454,400 as proposed by the Senate. The increase of $2,200 provided over the House bill is for part-time messenger service for the departmental office of congressional liaison and the budget office.

Amendment No. 38: Increases the limitation on consultants funds from $175,000 as proposed by the House to $200,000 as proposed by the Senate.

TITLE II—RELATED AGENCIES

Department of Agriculture

Forest Service

Amendment No. 39: Appropriates $162,318,000 for forest land management instead of $160,671,000 as proposed by the House and $163,833,000 as proposed by the Senate. The increase over the House bill includes: $122,000 for Blanchard Springs Caverns, Arkansas; $300,000 to accelerate the rate of reforestation; $400,000 to meet increased costs of applying and monitoring non-persistent pesticides; $50,000 for recreation planning, Trout Pond area, George Washington National Forest, West Virgina; $200,000 for recreation and development work, Monroe Reservoir, Wayne Hoosier National Forest, Indiana; $75,000 for recreation management, Boundary Waters Canoe Area, Superior National Forest, Minnesota; and $500,000 for fire protection and air tanker service.

Amendment No. 40: Appropriates $36,689,000 for forest research instead of $32,939,000 as proposed by the House and $38,777,000 as proposed by the Senate. The increase over the House bill includes: $425,000 for construction of a forestry services laboratory, Missoula, Montana; $390,000 for construction of a forest engineering laboratory, Houghton, Michigan; $1,280,000 for construction of headquarters, Rocky Mountain Forest Experimental Station, Fort Collins, Colorado; $250,000 for construction of a naval stores and timber production laboratory, Olustee, Florida; $190,000 for construction of a silviculture laboratory, Sewanee, Tennessee; $20,000 for preparation of design and specifications of a tree seed laboratory, State College, Mississippi; $35,000 for completion of greenhouse facilities, Great Plains Shelterbelt Laboratory, Bottineau, North Dakota; $150,000 for the Beaver Creek Project, Arizona Watershed Program; $450,000 for forest fire research to be divided evenly among the laboratories at Riverside, California, Missoula, Montana, and Macon, Georgia; $150,000 for increased research at Alexandria, Louisiana; $100,000 for forest fire and insect research, College, Alaska; $60,000 for additional research on timber, Watershed Management and Wildlife Habitat, Forest Research Laboratory, Rapid City, South Dakota; $90,000 for accelerated research on maple sap production in the Northeast United States; $75,000 for recreation research, Boundary Waters Canoe Area, Superior National Forest, Minnesota; $45,000 for staffing at the Forest Hydrology Laboratory, Wenatchee, Washington; and $40,000 for staffing at the watershed management laboratory, Parsons, West Virginia.

Forest Roads and Trails

(Liquidation of contract authorization)

The conferees are in agreement that during fiscal year 1966 the Forest Service shall design and plan from funds available for its national road program the section of the Lamoille Canyon, Nevada, road within the Humboldt National Forest.

Acquisition of Lands for National Forests—Special Acts

Amendments Nos. 41 and 42: Appropriate $80,000 as proposed by the Senate instead of $70,000 as proposed by the House. The increase over the House bill provides an additional $10,000 for use in Cache National Forest, Utah, to minimize erosion and flood damage.

Administrative Provisions, Forest Service

Amendments Nos. 43 and 44: Provide for purchase of not to exceed 109 passenger motor vehicles, including 101 for replacement, instead of 101 as proposed by the House and 114 as proposed by the Senate.

Department of Health, Education, and Welfare Public Health Service

Amendment No. 45: Appropriate $13,950,000 for construction of Indian health facilities instead of $9 million as proposed by the House and $14,450,000 as proposed by the Senate. The increase over the House bill is for the construction of a planned medical facility in Phoenix, Ariz. The conferees are in agreement that if an additional $500,000 is needed to complete this structure, such funds may be included in subsequent appropriations.

National Capital Planning Commission

Amendment No. 46: Appropriates $800,000 for salaries and expenses as proposed by the House instead of $888,000 as proposed by the Senate.

Smithsonian Institution

Amendment No. 47: Appropriates $18,468,000 for salaries and expenses as proposed by the House instead of $19,211,000 as proposed by the Senate.

Amendments Nos. 48 and 49: Approve technical clarification of language.

Corregidor-Bataan Memorial Commission

Amendment No. 50: Appropriates $25,000 for salaries and expenses as proposed by the House instead of $35,000 as proposed by the Senate.

Veterans' Administration

Construction, Corregidor-Bataan Memorial

Amendment No. 51: Appropriates $1,400,000 for construction of the Corregidor-Bataan Memorial as proposed by the Senate. The conferees are in agreement that the amount appropriated herein is the absolute maximum that will be made available for this purpose. In the event that it is later found that this amount is not sufficient to finance the structure as presently planned, the plans and specifications shall be revised accordingly. The conferees further agree that final plans for this structure shall be submitted to the Bureau of the Budget for approval by that agency to make certain that proposed construction can be accomplished within funds made available by this appropriation before any contract is let for such construction.

Lewis and Clark Trail Commission

Amendment No. 52: Deletes language proposed by the Senate to make this appropriation available January 1, 1965.

Transitional grants to Alaska

Amendment No. 53: Appropriates $4,500,000 for transitional grants to Alaska instead of $6,500,000 as proposed by the Senate.

Federal development planning committees for Alaska

Amendment No. 54: Appropriates $174,000 for salaries and expenses as proposed by the Senate.

Winifield K. Denton,
Michael J. Kirwan,
Julia Butler Hansen,
John O. Marsh, Jr.,
George Mahon,
Ben Reifel,
Joseph M. McDade,
Managers on the Part of the House.

Mr. DENTON. Mr. Speaker, in addition to the information contained in the statement of the managers on the part of the House, I wish to make this additional statement regarding the conference report:

The conference total is $1,212,739,070.

The conference report compared with:

Appropriations, 1965	+$134, 736, 800
Budget estimates, 1966	−28, 830, 430
House bill	+28, 648, 770
Senate bill	−18, 063, 700

In addition, the bill carries a borrowing authorization for the helium program of $16 million, a reduction of $780,000 in the budget estimate.

I would like to point out that included in the amount approved by the conference over the House bill are several items totaling approximately $6.7 million that undoubtedly would have been included in the House bill had they been in proper order at the time the House considered the budget estimate. This amount includes $4½ million for transitional grants to Alaska; $700,000 for construction of the Lower Two Medicine Dam; $174,000 for Federal development planning committees for Alaska; and $1,400,000 for the Corregidor-Bataan Memorial.

In addition, of the amount added in conference, approximately $7.1 million represents funding for construction projects for which planning funds had been approved by both Houses of the Congress in 1964 and the plans for these projects are now completed with construction ready to begin.

I believe I can properly state that all of the items in conference received the earnest and extensive consideration of the conferees and the conference report we present to you today while it provides the minimum funds essential for carrying out the various laws and programs approved by the Congress, provides sufficient funding for all of the agencies involved to discharge their obligations in a satisfactory manner.

I would like to further state that the majority of increases approved in the conference truly represents an investment in America. For example, the conference reports an increase of $3 million for soil and moisture conservation to be used for soil treatment, watershed management, and vegetation restoration in the Bureau of Land Management districts in the States. These are lands owned by the Federal Government and investment of these funds at this time cannot help but enhance their value in the future.

Likewise, $7 million of the increase approved by the conferees, the greater part of which is for construction of schools and medical facilities, represents continued fulfillment of our obligations to the Indians. A sizable amount of the increase over the House bill as approved by the conferees, is related to an investment in the forest products and fishery industry which cannot help but improve the economy of these industries in the future, and will undoubtedly also contribute to the welfare of our national economy if properly administered.

Unfortunately, all items are not included in the conference report that various individuals desired. We regret that we cannot please everyone, but of necessity we must draw a line somewhere. One of these items involved expansion of facilities at the McKinney Lake National Fish Hatchery in North Carolina. Our good colleague the gentleman from North Carolina [Mr. Jonas] presented a forceful plea in conference for approval of this item. However, the conferees followed a policy of approving only the so-called budget dropouts in this category. To have approved this item would have necessitated favorable consideration of many other items of equal priority.

Mr. Speaker, as I have stated previously, I believe the funding program as proposed in this conference report, will provide a well-balanced financial plan for the Department of the Interior and related agencies for fiscal year 1966, and merits the approval of the House.

At this point in the Record, with your permission, I would like to insert a summary tabulation of the action taken on the various items in this bill.

Summary tabulation, Interior Department and related agencies appropriation bill, 1966

	Budget estimates	Passed House	Passed Senate	Conference action	Conference action compared with—		
					Budget estimate	House	Senate
Title I—Department of the Interior:							
Public land management	$451, 259, 000	$410, 802, 000	$424, 549, 000	$417, 483, 000	−$33, 776, 000	+$6, 681, 000	−$7, 066, 000
Mineral resources	123, 136, 000	121, 326, 000	123, 706, 870	122, 531, 870	−604, 130	+1, 205, 870	−1, 175, 000
Fish and wildlife	77, 926, 000	82, 938, 800	90, 082, 000	87, 205, 500	+9, 279, 500	+4, 266, 700	−2, 876, 500
Office of Saline Water	29, 000, 000	22, 485, 000	22, 485, 000	22, 485, 000	−6, 515, 000		
Office of Water Resources Research	5, 890, 000	5, 890, 000	5, 890, 000	5, 890, 000			
Office of the Solicitor	4, 479, 000	4, 425, 000	4, 487, 000	4, 487, 000	+8, 000	+62, 000	
Office of the Secretary	4, 479, 000	4, 450, 000	4, 454, 400	4, 452, 200	−26, 800	+2, 200	−2, 200
Total, definite appropriations	696, 169, 000	652, 316, 800	675, 654, 270	664, 534, 570	−31, 634, 430	+12, 217, 770	−11, 119, 700
Total appropriation of receipts	137, 454, 000	137, 454, 000	137, 454, 000	137, 454, 000			
Total borrowing authority	16, 780, 000	16, 000, 000	16, 000, 000	16, 000, 000	−780, 000		
Total annual contract authority	12, 500, 000				−12, 500, 000		
Total, title I—Interior	862, 903, 000	805, 770, 800	829, 108, 270	817, 988, 570	−44, 914, 430	+12, 217, 770	−11, 119, 700
Title II—Related agencies:							
Department of Agriculture:							
Forest Service:							
Definite appropriations	292, 117, 000	290, 795, 000	299, 795, 000	296, 192, 000	+4, 075, 000	+5, 397, 000	−3, 603, 000
Appropriation of receipts	770, 000	770, 000	780, 000	780, 000	+10, 000	+10, 000	
Total, Forest Service	292, 887, 000	291, 565, 000	300, 575, 000	296, 972, 000	+4, 085, 000	+5, 407, 000	−3, 603, 000
Federal Coal Mine Safety Board of Review	71, 500	71, 500	71, 500	71, 500			
Commission of Fine Arts	123, 000	123, 000	123, 000	123, 000			
Department of Health, Education, and Welfare:							
Public Health Service, Indian health activities	75, 181, 000	75, 193, 000	80, 643, 000	80, 143, 000	+4, 962, 000	+4, 950, 000	−500, 000
Indian Claims Commission	347, 000	347, 000	347, 000	347, 000			
National Capitol Planning Commission	1, 000, 000	800, 000	888, 000	800, 000	−200, 000		−88, 000
National Capital Transportation Agency	490, 000				−490, 000		
National Council on the Arts	150, 000	50, 000	50, 000	50, 000	−100, 000		
Public Land Law Review Commission	1, 000, 000				−1, 000, 000		
Smithsonian Institution	28, 417, 000	26, 020, 000	26, 763, 000	26, 020, 000	−2, 397, 000		−743, 000
Civil War Centennial Commission	100, 000	100, 000	100, 000	100, 000			
Corregidor-Bataan Memorial Commission	1, 435, 000	25, 000	1, 435, 000	1, 425, 000	−10, 000	+1, 400, 000	−10, 000
Lewis and Clark Trail Commission	25, 000	25, 000	25, 000	25, 000			
Transitional grants to Alaska	6, 500, 000		6, 500, 000	4, 500, 000	−2, 000, 000	+4, 500, 000	−2, 000, 000
Federal development planning committees for Alaska	200, 000		174, 000	174, 000	−26, 000	+174, 000	
Total, definite appropriations	407, 156, 500	393, 549, 500	416, 914, 500	409, 970, 500	+2, 814, 000	+16, 421, 000	−6, 944, 000
Total appropriation of receipts	770, 000	770, 000	780, 000	780, 000	+10, 000	+10, 000	
Total, title II—Related agencies	407, 926, 500	394, 319, 500	417, 694, 500	410, 750, 500	+2, 824, 000	+16, 431, 000	−6, 944, 000
Grand total:							
Definite appropriations	1, 103, 325, 500	1, 045, 866, 300	1, 092, 568, 770	1, 074, 505, 070	−28, 820, 430	+28, 638, 770	−18, 063, 700
Appropriation of receipts	138, 224, 000	138, 224, 000	138, 234, 000	138, 234, 000	+10, 000	+10, 000	
Borrowing authority	16, 780, 000	16, 000, 000	16, 000, 000	16, 000, 000	−780, 000		
Annual contract authority	12, 500, 000				−12, 500, 000		
Total	1, 270, 829, 500	1, 200, 090, 300	1, 246, 802, 770	1, 228, 739, 070	−42, 090, 430	+28, 648, 770	−18, 063, 700

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 5, line 19, insert: "*Provided,* That not to exceed $85,000 of this appropriation shall be made available to the San Carlos Apache Indian Tribe for maintenance of law and order."

Mr. DENTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. DENTON moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7. Page 6, line 25, insert: "*Provided further,* That not to exceed $558,000 shall be for assistance to the Dunseith, North Dakota, Public School District No. 1, for construction of an addition to the Dunseith Public School."

Mr. DENTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. DENTON moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: Page 24, line 6, insert: "*Provided,* That in addition, any unobligated balance as of June 30, 1965, of the amount appropriated under this head in the Supplemental Appropriation Act, 1965, shall be transferred to and merged with this appropriation."

Mr. DENTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. DENTON moves that the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: "*Provided,* That lands or interests therein needed for the Wildlife Research Center, Jamestown, North Dakota, may be acquired by purchase, or by exchange of lands of approximately equal value."

Mr. DENTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. DENTON moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. DENTON].

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. DENTON. I yield to the gentleman from Texas [Mr. MAHON].

THE APPROPRIATION BILLS, 89TH CONGRESS, 1ST SESSION

Mr. MAHON. Mr. Speaker, this conference report represents the final action by the House and, we presume, by the other body on the first annual appropriation bill for the fiscal year 1966. This final agreement on the first such bill comes 2 weeks earlier this year than was the case last year.

The public works and defense appropriation bills are scheduled for consideration by our full Committee on Appropriations later this week and to be considered in the House next week. This will leave only two additional regular bills—foreign assistance and military construction—and the necessary supplementals. We are ready with the military construction bill but the related authorization bill has not yet cleared Congress so we cannot move the appropriation bill until that happens. We would also have been ready with the foreign assistance bill except for the fact that the foreign aid authorization bill has not cleared Congress.

The defense appropriation bill was ready for committee action in late April but has been delayed until next week on account of lack of authorization. Under the circumstances, we are moving along about as well as we can with these bills and we hope that all of them can be cleared through the House prior to the first day of the new fiscal year, July 1.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include a status report of action by the House and the Senate thus far this session in connection with the appropriation bills.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAHON. The table I am inserting reflects amounts approved in supplemental bills for the current fiscal year 1965 and the regular bills for fiscal 1966.

The House cut the budget requests on the eight regular bills for 1966 by $1,154 million in addition to reductions of $250 million from 1965 supplemental requests.

In the two regular bills for 1966 which the other body has cleared, and in which it considered substantial amendatory budget requests sent there after House action, $1,140 million was added to the House bills but the total of the two was held to about $61 million below the budget amounts.

As already indicated, the report on this first bill to clear conference carries total appropriations of $1,212,739,070 plus a loan authorization of $16 million. The appropriation total is $28,810,430 below the applicable budget estimates; $18,063,700 below the Senate total; and $28,648,770 above the original House bill.

The summary table follows:

The appropriation bills, 89th Cong., 1st sess., as of June 15, 1965

[Does not include back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Title and bill No.	House			
	Budget estimates to House	Date passed	Amount as passed	Compared with budget estimates
1965 SUPPLEMENTALS				
Agriculture, CCC (H.J. Res. 234)	$1,742,209,000	Jan. 26	$1,600,000,000	−$142,209,000
Second supplemental bill, 1965 (H.R. 7091)	2,226,456,933	Apr. 6	2,118,333,083	−108,123,850
Defense (H.J. Res. 447)	700,000,000	May 5	700,000,000	
Total, 1965 supplementals	4,668,665,933		4,418,333,083	−250,332,850
1966 APPROPRIATIONS				
District of Columbia (H.R. 6453)	(387,467,800)	Mar. 23	(356,300,500)	(−31,167,300)
Federal payment	53,122,000		44,122,000	−9,000,000
Loan authorization	(26,311,900)		(26,311,900)	
Interior (H.R. 6767)	1,240,849,500	Mar. 30	1,184,090,300	−56,759,200
Loan authorization	(16,780,000)		(16,000,000)	(−780,000)
Treasury-Post Office (H.R. 7060)	6,708,510,000	Apr. 5	6,604,404,000	−104,106,000
Labor-HEW (H.R. 7765)	8,293,814,000	May 4	7,964,034,000	−329,780,000
Independent offices (H.R. 7997)	14,531,023,000	May 11	14,109,908,000	−421,115,000
Agriculture (H.R. 8370)	5,815,134,000	May 26	5,717,832,000	−97,302,000
Loan authorizations	(787,000,000)		(787,000,000)	
State, Justice, Commerce, and the judiciary (H.R. 8639)	2,167,735,600	June 1	2,085,689,900	−82,045,700
Legislative (H.R. 8775)	204,872,222	June 8	150,589,107	−54,283,115
Total, 1966 bills to date	39,015,060,322		37,860,669,307	−1,154,391,015
Total, all appropriations to date	43,683,726,255		42,279,002,390	−1,404,723,865
Total, loan authorizations	(830,091,900)		(829,311,900)	(−780,000)

[Does not include back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

Title and bill No.	Senate			Compared with—		Final appropriation		Public law	
	Budget estimates to Senate	Date passed	Amount as passed	Budget estimates	House action	Amount as approved	Final action compared with budget estimates	No.	Date approved
1965 SUPPLEMENTALS									
Agriculture, CCC (H.J. Res. 234)	$1,742,209,000	Feb. 3	$1,600,000,000	−$142,209,000		$1,600,000,000	−$142,209,000	89–2	Feb. 11
Second supplemental bill, 1965 (H.R. 7091)	2,280,251,327	Apr. 27	2,257,869,415	−22,381,912	+$139,536,332	2,227,563,977	−52,687,350	89–16	Apr. 30
Defense (H.J. Res. 447)	700,000,000	May 6	700,000,000			700,000,000		89–18	May 7
Total, 1965 supplementals	4,722,460,327		4,557,869,415	−164,590,912	+139,536,332	4,527,563,977	−194,896,350		
1966 APPROPRIATIONS									
District of Columbia (H.R. 6453)									
Federal payment									
Loan authorization									
Interior (H.R. 6767)	1,241,549,500	May 26	1,230,802,770	−10,746,730	+46,712,470	1,212,739,070	−28,810,430		
Loan authorization	(16,780,000)		(16,000,000)	(−780,000)		(16,000,000)	(−780,000)		
Treasury-Post Office (H.R. 7060)	7,749,770,000	June 8	7,698,669,000	−51,101,000	+1,094,265,000				
Labor-HEW (H.R. 7765)									
Independent offices (H.R. 7997)									
Agriculture (H.R. 8370)									
Loan authorizations									
State, Justice, Commerce, and the judiciary (H.R. 8639)									
Legislative (H.R. 8775)									
Total, 1966 bills to date	8,991,319,500		8,929,471,770	−61,847,730	+1,140,977,470	1,212,739,070	−28,810,430		
Total, all appropriations to date	13,713,779,827		13,487,341,185	−226,438,642	+1,280,513,802	5,740,303,047	−223,706,780		
Total, loan authorizations	(16,780,000)		(16,000,000)	(−780,000)		(16,000,000)	(−780,000)		

NOTE.—Bills yet to be reported to the House: Public works; defense; military construction; foreign assistance; and necessary supplementals.

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[1] Permanent appropriations were tentatively estimated in January budget at about $12,300,000,000 for fiscal year 1966.

Mr. DENTON. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to speak out of the regular order.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I take this time to discuss another tragedy which occurred in the District of Columbia yesterday. This morning I was visited by a very fine lady who is a native of my home county. She is a registered nurse who has spent her life ministering to others. On yesterday she was the victim of a vicious rape and assault at a neighbor's home on Naylor Road SE., in the District of Columbia.

This lady responded to a call for help from the home of her neighbor, an elderly lady, 79 years of age. Her reward for this humanitarian effort was a vicious assault and rape.

The elderly lady, 79 years of age, to whose cry she responded, was pistol whipped and is today lying at the point of death in a hospital here in the District of Columbia. The husband of this 79-year-old victim was a longtime employee of the House of Representatives and is a bedridden invalid and was home at the time the criminal acts occurred.

I think that most of us have read with deep feeling of this assault and the tieing up of a laundryman and gagging him and robbing him of $275 while the misconduct was in progress. He had stopped by the home of the elderly couple in the course of his business.

Mr. Speaker, this fine lady, in talking to me, said, "Can't you folks do something about our laws?" Another statement she made was: "Are we women to be treated like animals here in Washington?"

I feel, Mr. Speaker, that the House of Representatives has undertaken to do something about local deplorable crime conditions by the passing of the omnibus crime bill on two occasions. I would hope that others in Washington and in the Congress would have the same zeal which we have displayed for the protection of people who live in this splendid community but who are today the victims of crimes such as this one, in their homes at 10:45 in the morning.

Final action on the omnibus crime bill is long overdue.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article reporting the incident.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The article is as follows:

MAN BEATS WOMAN, 79, RAPES HER NEIGHBOR

(By Alfred E. Lewis, Washington Post staff writer)

A daylight intruder pistol whipped a 79-year-old Anacostia woman in her home yesterday, raped a neighbor drawn by the moans, and robbed a laundry driver who happened by, police reported.

Investigators said the assailant, wearing a white straw hat, left the rape victim and driver tied in the home and the older woman bleeding and dazed.

Her 84-year-old invalid husband was in another room, unaware of what had happened, police said.

Officers were told the two women had seen the man walk by outside as they hung out clothing in the backyards in the Fairlawn section of Anacostia.

They returned to their homes and the older woman was standing in her dining room when she was struck on the head with a pistol about 10:45 a.m., police said. She turned around, seeing the same man she had noticed earlier, and was struck again.

The man took $45 from a change purse in her pocket. Then, police said, Ralph H. Jennings, 59, of 1 Beauford Road, Morningside, Md., a driver for Bergmann's Laundry, knocked on the door to tell the 79-year-old woman her draperies were not ready yet.

He was told to come in, Jennings said, then was robbed of $275 and trussed up in a bedroom with an extension cord and belt and gagged with a handkerchief.

Meanwhile, the next-door neighbor had heard the commotion and came to see what was wrong. When she saw a man leaning over the older woman, police said, the neighbor exclaimed, "My God, did she fall and hurt herself?"

Then the neighbor woman was ordered at gunpoint to undress and the man attempted to rape her on a living room couch, police continued. He then led her to a hallway and she asked her attacker, "Would you do this to your mother or sister?"

He answered, "Lady, I'm a narcotics addict, and I've got to have money for my contact," she said.

The older woman began to stagger toward them. The man pointed the pistol at her, but the neighbor begged him not to hurt her any more she said.

The man then raped the 54-year-old woman in the hallway, she added, and afterward tied her with a necktie and a belt and gagged her with her slip. Eventually Jennings worked himself free, untied the neighbor woman, and she called police.

The older woman was reported in serious condition at Casualty Hospital with head cuts and a concussion. The 54-year-old woman was treated by her physician.

Police described the intruder as a Negro, 30 to 40 years old, 5 feet 10 to 6 feet, 170 pounds.

Mr. DENTON. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3014, TO REGULATE THE LABELING AND ADVERTISING OF CIGARETTES

Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 421, Rept. No. 515), which was referred to the House Calendar and ordered to be printed:

H. RES. 421

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3014) to regulate the labeling and advertising of cigarettes, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MRS. NATHALIE ILINE

The Clerk called the bill (H.R. 1380) for the relief of Mrs. Nathalie Iline.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2924) for the relief of the Outlet Stores, Inc.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CHARLES MAROWITZ

The Clerk called the bill (H.R. 1445) for the relief of Charles Marowitz.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NORA ISABELLA SAMUELLI

The Clerk called the bill (S. 618) for the relief of Nora Isabella Samuelli.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ESTATE OF R. M. CLARK

The Clerk called the bill (S. 856) for the relief of the estate of R. M. Clark.

There being no objection, the Clerk read the bill, as follows:

S. 856

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of R. M. Clark, the sum of $39,567.67, representing the amount reported by the United States Court of Claims to the Congress in response to S. Res. 344, Eighty-fifth Congress (congressional number 10–58, decided July 17, 1964). The payment of such sum shall be in full satisfaction of the claim of the estate of the late R. M. Clark (an individual formerly doing business as Lenoir City Alcoa Bus Lines) against the United States for losses sustained as a result of the operation by the said R. M. Clark of motor buses for the necessary transportation of nonresident employees of the Clinton Engineer Works, between points in or about Lenoir City, Tennessee, and the Clinton Engineer Works reservation (subsequently the Atomic Energy Commission installation) at Oak Ridge, Tennessee: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Passed the Senate March 11, 1965.

Attest:

FELTON M. JOHNSTON,
Secretary.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EDWARD V. AMASON AND EMERITA CECILIA AMADOR AMASON

The Clerk called the bill (H.R. 1473) for the relief of Edward V. Amason and Emerita Cecilia Amador Amason.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ESTATE OF DONOVAN C. MOFFETT

The Clerk called the bill (H.R. 1481) for the relief of the estate of Donovan C. Moffett.

There being no objection, the Clerk read the bill, as follows:

H.R. 1481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of laws and regulations relating to national service life insurance, the late Donovan C. Moffett, of Cortland, New York, shall be deemed to have made timely payment to the Veterans' Administration of the March 1963 premium on his national service life insurance five-year level premium term policy (V–2414184), the said Donovan C. Moffett having been physically and mentally incapable of attending to any business matters from February 26, 1963, until the date of his death, April 16, 1963.

With the following committee amendment:

SEC. 2. Any insurance benefits paid under the authority of this Act shall be made from the national service life insurance appropriation, and the amount so paid shall be reduced by the amount of any unpaid premiums upon the policy referred to in this Act.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid laid on the table.

LT. THOMAS A. FARRELL, U.S. NAVY, AND OTHERS

The Clerk called the bill (H.R. 2913) for the relief of Lt. Thomas A. Farrell, U.S. Navy, and others.

There being no objection, the Clerk read the bill, as follows:

H.R. 2913

Be it enacted by the State and House of Representatives of the United States of America in Congress assembled, That the hereinafter named persons are hereby relieved of all liability to repay to the United States the amount listed opposite their names or such lesser amounts as may be outstanding on the date of enactment of this Act. Such amounts represent erroneous payments, through no fault of the payees, of temporary lodging allowances and overseas housing allowances incident to the change of permanent duty station of Patrol Squadron 4, United States Navy, from Naha, Okinawa, to Barbers Point, Hawaii, effective November 15, 1963:

Lieutenant Thomas A. Farrell, United States Navy, Medical Corps, $1,350;

Lieutenant James D. Guyle, United States Navy, $1,125;

Lieutenant Kenneth I. Bergstrom, United States Navy, $378;

Lieutenant William R. Broadwell, United States Navy, $292.50;

Lieutenant Commander Thomas R. Cate, United States Navy, $1,080;

Lieutenant (junior grade) Robert J. Danaher, United States Navy, $90;

Lieutenant Richard E. Dupree, United States Navy, $315;

Lieutenant Larry Hebert, United States Navy, $378;

Lieutenant Commander William E. Heyl, United States Navy, $711.10;

Lieutenant Donald C. Klein, United States Navy, $1,620;

Lieutenant Commander Henry P. Krienke, United States Navy, $945;

Lieutenant (junior grade) Vincent K. Olstad, United States Naval Reserve, $126;

Lieutenant (junior grade) Daniel L. Rush, United States Navy, $648;

Lieutenant William W. Turkington, United States Navy, $351;

Lieutenant Gary L. Wachter, United States Navy, $961.60;

Lieutenant Daniel D. Weber, United States Navy, $202.50;

Lieutenant Commander Robert Wunderlich, United States Navy, $1,485.

SEC. 2. In the audit and settlement of the accounts of all certifying and disbursing officers of the United States, full credit shall be given for all amounts for which liability is relieved by this Act.

SEC. 3. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to any person named in the first section of this Act, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JOANNE MARIE EVANS

The Clerk called the bill (H.R. 3103) for the relief of Joanne Marie Evans.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CERTAIN CIVILIAN EMPLOYEES AT TINKER AIR FORCE BASE

The Clerk called the bill (H.R. 3750) for the relief of certain individuals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each individual named in section 2 of this Act is relieved of liability to pay to the United States the amount set forth opposite his name, which amount represents an overpayment of compensation received by him from October 21, 1962, to July 5, 1964, both dates inclusive, while employed at Tinker Air Force Base, Oklahoma. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The individuals referred to in the first section of this Act and the amount of the liability of each of them, are as follows:

Name:	*Amount*
Hightower, Arthur O	$258.80
Fleming, Bettye J	298.88
Akin, Edward L	408.29
Brown, Evelyn D	354.76
Moore, Mary L	319.89
Cavener, Dorothy T	357.12
Azeltine, Lena L	318.42
Buswell, Mary L	356.08
Buchanan, Ancel L	474.40
Patrick, Lucille	316.80
Gray, Donald J	208.55
Ozeretny, Jerry E	255.29
Pettit, Alva F	493.60
Benson, Lloyd A	494.72
Skinner, Norman L	199.55
Carothers, J. C	511.92

SEC. 3. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual listed in section 2 of this Act an amount equal to the aggregate amount paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this section for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 6 and 7, strike "October 21, 1962, to July 5, 1964," and insert "October 14, 1962, through August 29, 1964,".

Page 2, in the list of names following line 3, after "Hightower," strike "Arthur" and insert "Artur" and after "Patrick," strike "Lucille" and insert "A. Lucille".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JONG WAN LEE

The Clerk called the bill (H.R. 3900) for the relief of Jong Wan Lee.

The **SPEAKER**. Is their objection to the present consideration of the bill?

Mr. **TALCOTT**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

CAPT. TED M. RICHARDSON, U.S. AIR FORCE

The Clerk called the bill (H.R. 4027) for the relief of Capt. Ted M. Richardson, U.S. Air Force.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **McEWEN**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

CAPT. RICHARD A. INGRAM AND CAPT. ARTHUR R. SPROTT, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 4028) for the relief of Capt. Richard A. Ingram and Capt. Arthur R. Sprott, Jr., U.S. Air Force.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **McEWEN**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

LT. COL. JOHN E. McROBERTS AND T. SGT. HAROLD C. FISHER, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 4029) for the relief of Lt. Col. John E. McRoberts and T. Sgt. Harold C. Fisher, Jr., U.S. Air Force.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **McEWEN**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

DEDRICK A. MAANUM

The Clerk called the bill (H.R. 4070) for the relief of Dedrick A. Maanum.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **TALCOTT**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

LT. COL. JOHN W. CASSELL, U.S. ARMY

The Clerk called the bill (H.R. 4324) for the relief of Lt. Col. John W. Cassell, U.S. Army.

There being no objection, the Clerk read the bill, as follows:

H.R. 4324

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Colonel John W. Cassell, O80642, United States Army, of Fort Riley, Kansas, the sum of $3,651.20 in full settlement of all claims against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed aboard the United States ship Alcoa Planter, a carrier under Government contract, which caught fire in the harbor at Bremerhaven, Germany, on February 1, 1963. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 3 and 4, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JOSEPHINE C. RUMLEY, ADMINISTRATRIX OF THE ESTATE OF GEORGE S. RUMLEY

The Clerk called the bill (H.R. 4719) for the relief of Josephine C. Rumley, administratrix of the estate of George S. Rumley.

There being no objection, the Clerk read the bill, as follows:

H.R. 4719

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $11,667.06 to Josephine C. Rumley, administratrix of the estate of George S. Rumley, which amount was fixed by the United States Court of Claims in its decision in congressional case numbered 4–61, decided January 22, 1965, as the sum due the estate in full settlement of its claims against the United States for amounts due by reason of performance of work on contract numbered DA–30–280–QM–12130 by the decedent, George S. Rumley, doing business as the George S. Rumley Shoe Manufacturing Company, but which was withheld by the Government. No part of the amount appropriated in this Act in excess of 30 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MRS. RUTH GORFAIN

The Clerk called the bill (H.R. 5206) for the relief of Mrs. Ruth Gorfain.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **TALCOTT**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

GORDON E. MARTIN

The Clerk called the bill (H.R. 5265) for the relief of Gordon E. Martin.

There being no objection, the Clerk read the bill, as follows:

H.R. 5265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Gordon E. Martin, San Diego, California, is hereby relieved of liability to pay to the United States the sum of $235.44, representing the amount paid by the United States for temporary storage of his household effects for the periods April 8, 1952, to October 7, 1952, and April 7, 1953, to October 7, 1953. The said Gordon E. Martin could have avoided such liability by having such household effects shipped, at a cost to the United States in excess of $1,500, to his new duty stations at the time of his changes of permanent duty stations during his active service with the United States Navy in 1952 and 1953. In the audit and settlement of the accounts of any certifying or disbursing officer, full credit shall be given for all amounts for which the said Gordon E. Martin is relieved of liability by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

WIDOW AND MINOR CHILDREN OF REV. DONALD AKSEL OLSEN

The Clerk called the bill (H.R. 5471) for the relief of the widow and minor children of the Reverend Donald Aksel Olsen.

There being no objection, the Clerk read the bill, as follows:

H.R. 5471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of determining the entitlement of the survivors of the Reverend Donald Aksel Olsen (social security account numbered 399–28–0634) to monthly insurance benefits under title II of the Social Security Act on the basis of his wages and self-employment income (and for purposes of determining the amount of such benefits), the said Donald Aksel Olsen shall be held and considered to have filed a valid waiver certificate under section 1402(e) of the Internal Revenue Code of 1954 on (and effective from and after) June 16, 1957.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JOHN HENRY TAYLOR

The Clerk called the bill (H.R. 5819) for the relief of John Henry Taylor.

There being no objection, the Clerk read the bill, as follows:

H.R. 5819

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Henry Taylor, of Columbus, Georgia, is relieved of liability to pay to the United States the sum of $923.51, representing the amount of salary overpayment received by him from the Post Office Department in the periods of January 1, 1953, through November 30, 1957, and January 11, 1958, through September 15, 1962, due to administrative error in the certification of service for longevity credit and without fault on his part. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to John Henry Taylor, of Columbus, Georgia, the sum certified to him by the Postmaster General as the aggregate of amounts paid to the United States by John Henry Taylor and amounts withheld by the United States from sums otherwise due him from the United States on account of the liability referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of the preceding sentence shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

WILLIAM RADKOVICH CO., INC.

The Clerk called the bill (H.R. 5613) for the relief of William Radkovich Co., Inc.

There being no objection, the Clerk read the bill, as follows:

H.R. 5613

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claims of William Radkovich Company, Incorporated, arising out of contracts numbered W–04–353–eng–2036 and W–04–353–eng–2050, against the United States for the reasonable value, computed as of the time when made, of any reasonable and necessary changes and increases beyond the terms of said contracts made at the direction of the contracting officer and also including any additional or increased costs incident to delays and difficulties encountered due to unusual construction problems and unusual weather conditions, for which the said William Radkovich Company, Incorporated, was not compensated because of the provisions of section 12 of the Military Appropriation Act, 1947 (60 Stat. 565), which precluded payment of more than $7,500 per unit for the construction of temporary family quarters: *Provided,* That the suit herein authorized shall be instituted within six months from the date of the approval of this Act: *And provided further,* That any judgment entered by the United States Court of Claims pursuant to the jurisdiction conferred by this Act shall not exceed $350,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

LT. COL. JAMES P. HUBBARD, U.S. ARMY

The Clerk called the bill (H.R. 5815) for the relief of Lt. Col. James P. Hubbard, U.S. Army.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SGT. DONALD R. HURRLE, U.S. MARINE CORPS

The Clerk called the bill (H.R. 5839) for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps.

There being no objection, the Clerk read the bill, as follows:

H.R. 5839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sergeant Donald R. Hurrle, United States Marine Corps, is hereby relieved of all liability for repayment to the United States of the sum of $129.49, representing the amount of compensation earned by him during the period July 30, 1963, through August 8, 1963, as an employee of the Bostonia station of the El Cajon, California, post office when, through a misunderstanding, he continued his employment at the post office while officially in the Marine Corps on advance leave.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sergeant Donald R. Hurrle, an amount equal to the aggregate of any amounts paid by him or withheld from sums otherwise due him by reason of the liability referred to in this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CECIL GRAHAM

The Clerk called the bill (H.R. 5902) for the relief of Cecil Graham.

There being no objection, the Clerk read the bill, as follows:

H.R. 5902

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Cecil Graham of Oklahoma City, Oklahoma, the sum of $3,673.21. The payment of such sum shall be in full settlement of all claims of the said Cecil Graham against the United States for refund of Federal income taxes which were erroneously paid by him from 1947 to November 1, 1955, on the erroneous advice of an agent of the Internal Revenue Service but which cannot now be refunded because the period of filing claim therefor (as prescribed by section 6511 of the Internal Revenue Code of 1954) has expired: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

That, notwithstanding the limitations of sections 322(b), 3774, and 3775 of the Internal Revenue Code of 1939, or of section 6511(b)(2) of the Internal Revenue Code of 1954, relating to the refund of excess income taxes or of any other statute of limitations, the claim of Cecil Graham of Oklahoma City, Oklahoma, filed with the Treasury Department within one year of the date of approval of this Act for the refund of Federal income taxes erroneously paid by him upon payments received from the United States Civil Service Commission, Bureau of Retirement and Insurance, from April 1, 1947 through November 15, 1955, shall be considered to have been timely filed and shall be further considered and paid in accordance with the provisions of otherwise applicable provisions of law.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MAJ. WARREN G. WARD, CAPT. PAUL H. BECK, AND CAPT. RUSSELL K. HANSEN, U.S. AIR FORCE

The Clerk called the bill (H.R. 5911) for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and Capt. Russell K. Hansen, U.S. Air Force.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LEE R. SMITH AND LEE R. SMITH III, HIS SON

The Clerk called the bill (H.R. 6318) for the relief of Lee R. Smith and Lee R. Smith III, his son.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lee R. Smith and Lee R. Smith III, his son, are hereby relieved of all liability to pay the United States the sum of $982.59, representing the cost of hospital and medical care rendered the said Lee R. Smith III as a cadet in the Civil Air Patrol, at the Brooke General Hospital, Fort Sam Houston, Texas, in the period April 22, 1959, through February 17, 1960, inclusive, for serious burns he received at the Chennault Air Force Base, Louisiana, on April 19, 1959, when as a member of the Lake Charles Squadron of the Civil Air Patrol, while engaged in repairing a public address system on a metal building, he came in contact with a low hanging high-tension line carrying thirty-three thousand volts of electricity: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ARTHUR C. BERRY AND OTHERS

The Clerk called the bill (H.R. 6441) for the relief of Arthur C. Berry and others.

There being no objection, the Clerk read the bill, as follows:

H.R. 6441

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the hereinafter named persons are relieved of all liability to refund to the United States the amounts listed opposite their names or such lesser amounts as may be outstanding on the date of enactment of this Act. Said amounts represent overpayments of retired or retainer pay resulting, through no fault of the payees, from erroneous computations of retired and retainer pay, due them from the Department of the Navy, or the amount of service on which such pay was based in the several amounts set opposite their respective names as listed herein:

Chief Yeoman Arthur C. Berry, United States Fleet Reserve, $1,801,72;

Chief Boatswain's Mate William W. Brewer, United States Fleet Reserve, $236.75;

Lieutenant Commander William R. Davis, United States Naval Reserve (retired), $90; Machinist's Mate First Class Rufino De Las Penas, United States Fleet Naval Reserve, $190; Chief Commissaryman Theodore E. Denno, United States Fleet Reserve, $44; Chief Boatswain's Mate Albert T. Diedrich, United States Fleet Reserve, $462.77; Chief Pay Clerk (W–3) Stephen Hruska, United States Navy (retired), $320.58; Lieutenant Junior Grade Thomas C. Ingle, United States Navy (retired), $123.60;

Lieutenant Junior Grade Bruce C. Jeppson, Medical Corps, United States Naval Reserve (retired), $37.02; Chief Machinist's Mate James L. Keppel, United States Fleet Reserve, $1,439.28; Commander Austin S. Kibbee, United States Naval Reserve (retired), $5,847.85; Chief Aviation Structural Mechanic Lee J. King, United States Fleet Reserve, $85.68; Lieutenant John J. Lowe, United States Navy (retired), $1,161.76; Chief Machinist Donald A. McFarland, United States Navy (retired), $1,395.64; Chief Boatswain Hugh F. MacNichol, United States Navy (retired), $9,686; Chief Machinist's Mate Everett Murphy, United States Fleet Reserve, $340; Chief Storekeeper Arthur V. Newell, United States Fleet Reserve, $1,839.21; Lieutenant Commander Benjamin D. Parish (Medical Corps), United States Naval Reserve (retired), $48.42; Chief Warrant Officer Opie G. Ray (W–2), United States Navy (retired), $742;

Ensign Nathan R. Sewell, Junior, United States Naval Reserve (retired), $549.18; Rear Admiral Kirby Smith, Civil Engineering Corps, United States Naval Reserve (retired), $4,400; Boatswain's Mate First Class Anastacio Torres, United States Navy (retired), $184.24; Chief Pharmacist James W. Walker, United States Navy (retired), $665.28; Lieutenant George A. Whitlock, United States Navy (retired), $1,783.92.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

E. F. FORT, AND OTHERS

The Clerk called the bill (H.R. 6527) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CERTAIN INDIVIDUALS

The Clerk called the bill (H.R. 7090) for the relief of certain individuals.

There being no objection, the Clerk read the bill, as follows:

H.R. 7090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each individual named in section 2 of this Act is relieved of liability to pay to the United States the amount set forth opposite his name, which amount represents an overpayment of per diem received by him while stationed at Fleet Air Western Pacific repair activity, Tokyo and Osaka, Japan. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The individuals referred to in the first section of this Act and the amount of the liability of each of them are as follows:

Wilson, Ruddy (2686566), United States Navy Fleet Reserve, $1,708.60.

Gilbert, William L. (2747774), United States Navy Fleet Reserve, $7,154.70.

Hoover, Russel D. (3132792), United States Navy Fleet Reserve, $6,783.20.

Floyd, Fretwell J. (8456082), United States Navy Fleet Reserve, $8,273.20.

The estate of Dahlen, Wallace A., deceased, formerly a lieutenant commander, United States Navy, $7,508.36.

Benson, Leonard R. (3933163), United States Navy Fleet Reserve, $11,218.75.

Raines, James C. (2952599), United States Navy Fleet Reserve, $6,953.80.

Ringstead, Richard G. (3286779), United States Navy Fleet Reserve, $3,821.85.

McKee, Benjamine A. (3466670), United States Navy Fleet Reserve, $6,471.45.

Coleman, Johnny R. (3603289), United States Navy Fleet Reserve, $4,280.85.

Hudson, William J., Jr. (2744556), United States Navy Fleet Reserve, $1,226.70.

Lindley, William R. (814054), United States Marine Corps Fleet Reserve, $10,232.80.

Gorski, William S. (507173), United States Marine Corps Fleet Reserve, $2,843.95.

Zidnak, Leonard G., 1772 Carlyle Street, Memphis, Tennessee, $5,261.55.

SEC. 3. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual listed in section 2 of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this Act for the payment of any one claim in excess of 10 percentum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 3, line 15, strike "one claim in excess of 10 per centum thereof" and insert "claim."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MAJ. LEONARD H. POTTERBAUM, U.S. AIR FORCE

The Clerk called the bill (H.R. 7137) for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MAJ. DONALD B. POWERS, U.S. AIR FORCE

The Clerk called the bill (H.R. 7138) for the relief of Maj. Donald B. Powers, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. FRANK D. SCHWIKERT, U.S. AIR FORCE

The Clerk called the bill (H.R. 7233) for the relief of Col. Frank D. Schwikert, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. CLAUDE E. TABOR, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 7355) for the relief of Lt. Col. Claude E. Tabor, Jr., U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. THOMAS O. LAWTON, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 7435) for the relief of Col. Thomas O. Lawton, Jr., U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection?

MR. AND MRS. CHRISTIAN VOSS

The Clerk called the bill (H.R. 7682) for the relief of Mr. and Mrs. Christian Voss.

There being no objection, the Clerk read the bill, as follows:

H.R. 7682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the national service life insurance (certificate numbered N. 881269) upon the life of the late Vernon A. C. Voss (Veterans' Administration claim numbered XC3099771), who died on October 29, 1942, shall be held and considered to have been in effect in the amount of $5,000 at the time of his death. The Administrator of Veterans' Affairs shall pay such insurance (including a lump-sum payment equal to the difference between the total of the installments which would have been paid had such insurance in the amount of $5,000 been in force at the time of death, and the total of the installments actually paid, between the date of death and the date of enactment of this Act) in accordance with the National Service Life Insurance Act of 1940, as amended, except that any payments made as a result of the enactment of this Act shall be made directly from the national service life insurance appropriation.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MARVIN D. NELLS

The Clerk called the bill (H.R. 7822) for the relief of Marvin D. Nells.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CPO JAMES J. GRIFFIN, U.S. NAVY

The Clerk called the bill (H.R. 5830) for the relief of CPO James J. Griffin, U.S. Navy.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

1ST LT. DAVID A. STAVER, U.S. AIR FORCE

The Clerk called the bill (H.R. 7439) for the relief of 1st Lt. David A. Staver, U.S. Air Force.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MAJ. VICTOR R. ROBINSON, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 7436) for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LT. COL. NICHOLAS A. STATHIS, U.S. AIR FORCE

The Clerk called the bill (H.R. 7437) for the relief of Lt. Col. Nicholas A. Stathis, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7437

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Colonel Nicholas A. Stathis, AO928980, United States Air Force, Norton Air Force Base, California, the sum of $7,164.70 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed aboard the United States ship Alcoa Planter, a carrier under Government contract, which caught fire in the harbor at Bremerhaven, Germany, on February 1, 1963: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CHIEF M. SGT. SAMUEL W. SMITH, U.S. AIR FORCE

The Clerk called the bill (H.R. 7438) for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. WILLIAM W. THOMAS AND LT. COL. NORMAN R. SNYDER, U.S. AIR FORCE

The Clerk called the bill (H.R. 7440) for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that further reading of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ASSISTANCE FOR AREAS DAMAGED BY RECENT FLOODS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 420 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 420

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 420 provides an open rule, waiving points of order, with 1 hour of general debate for consideration of S. 2089, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

S. 327 was passed by the Senate on April 23, 1965, and by the House on May 19, 1965, after being amended to contain the language of H.R. 7303 which had previously been enacted by the House. Thereafter the Senate agreed to the House amendment and the bill was vetoed by the President on June 5 because of what he termed "unwise and objectionable" language in section 5(a) of the bill.

The bill now before you, S. 2089, is identical to the bill formerly before you with the exception of that part of the bill which the President was against. That part of the bill has been deleted.

Because of the continuing emergency and the need to prevent further delay in bringing relief to the hard-pressed people and communities of the Pacific Northwest, Mr. Speaker, I urge the House Resolution 420 be adopted in order that S. 2089 may be acted upon forthwith.

Mr. Speaker, I reserve the balance of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the gentleman from California [Mr. SISK] has correctly stated the purpose of this resolution; to make in order the consideration of virtually the same piece of legislation that passed this House on, I believe, the 19th of May of this year, only to be vetoed by the President on the ground that the language contained in section 5(a) represented an intrusion on the powers of the Executive; this language provided that no appropriation should be made for any of the work to be done in connection with the stabilizing of the banks of the Eel River, unless the work was first approved by a resolution adopted by the Committees on Public Works of the House and the other body, respectively.

As the gentleman from California has said, the executive branch has labeled this provision and this language objectionable. Because of the emergency nature of this situation and the severe damage that was caused in the Pacific Northwest due to these floods, it was concluded by the Committee on Public Works of the House that to expedite passage of this legislation it would report out a bill deleting the language which has been called objectionable.

It is important to point out that in the report accompanying this bill the committee said that in utilizing this procedure of bringing out a new bill without language objected to by the President, the committee did not want this to imply any agreement with the position that the executive branch has taken with respect to the language in section 5(a). It is my understanding that the members of the Committee on Public Works will further discuss that very important and fundamental issue.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2089, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished member of the Committee on Public Works, the chairman of our committee [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I rise today in support of this legislation which is pending before us.

Just a few short weeks ago, on May 19, this House unanimously passed almost identical legislation. That bill was S. 327. It provided the needed and necessary relief to take care of the flood-stricken areas of the Pacific Northwest, including the States of California, Washington, Oregon, Idaho, and Nevada.

Last January when the reports of the devastation of these floods had reached Washington, I authorized a special subcommittee of the Committee on Public Works, headed by the gentleman from Alabama [Mr. JONES], to visit the flood-stricken areas and to report back to the committee as rapidly as possible what action should be taken to provide relief to these areas. After 4 months of extensive work, the committee reported out a bill which, I believe, was good legislation. The bill before us today, S. 2089, is the same previously passed legislation, H.R. 7303, minus four lines which were found to be objectionable to the executive branch of the Government.

Might I say at this point that I do not believe the language that was stricken from this bill is objectionable language.

I do not feel that now, at this time, when the need for this legislation is so paramount, an extraneous issue should be raised. I think the overriding point here is that the work the Committee on Public Works in both bodies did on this legislation and the need for this legislation justifies the fact that we should expedite its passage as soon as possible.

For the foregoing reasons, I trust that this body today will reapprove its action of May 19 by passing the present bill before us.

May I conclude by saying that I am a firm believer in the separation of powers in the three branches of our great Government—the legislative, the executive, and the judicial. I am proud to be a Member of this body, and I will at all times stand forth to uphold the rights of this Congress.

I urge you strongly to pass this legislation before us without, at the same time, conceding for one moment any of the rights given to this body under our Constitution.

Mr. JONES of Alabama. Mr. Chairman, this legislation which is before us today is needed and necessary legislation. It brings relief to flood-devastated areas of our great Nation.

It was my privilege to chair a special subcommittee of the Committee on Public Works and visit the Pacific Northwest to see at firsthand the horror and the havoc that can be wrought by uncontrolled waters. I saw whole villages destroyed, roads and rail lines uprooted, and a basic industry—one of the most important in our Nation—crippled.

I returned from the Pacific Northwest and, through the cooperation of the other members of the Committee on Public Works, we moved as expeditiously as we could to bring relief to that area. The legislation passed this Congress once and, due to a difference in interpretation of the language, was vetoed.

The basic legislation is before us today. Regardless of what each and every one of us may think about the so-called objectionable language, the overriding point here is the need for this legislation.

I recommend its passage.

The CHAIRMAN. The gentleman from Maryland [Mr. FALLON] has consumed 4 minutes.

The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are engaged in a very interesting exercise today, one which I have a great distaste for and one which, when acted upon, will in my opinion do great violence to the separation of powers between the executive and legislative branch of the Government and to the Constitution of the United States.

The Congress made a decision in its wisdom by unanimous vote in voting on this bill when it was before us in its original form. One of the most controversial sections was section 5(a) setting up a new type of program providing for revetments and support for a railroad along the Eel River which was admittedly needed for the economy of the area. It was a new program providing for a study by the executive, by the Office of Emergency Planning, to determine what kind of project was needed and how much money it would cost.

In doing that, which was a new program, and which unless Congress retained some authority relative thereto would amount in itself to an authorization of a project of an unknown nature, in the wisdom of the committee and the Congress, and rightly so, there was a provision, and I for one insisted upon it and it was written into the bill without question by the committee, that this being a new type of authorization or a new type of emergency program, without being based upon an existing authorized project, that along the Eel River, if this revetment and support for this railroad was to be provided for the railroad bed, that the Congress and the committees of the Congress, should have the right to look at the proposed project to determine whether the cost was reasonable and whether the project itself was of a nature of projects that we in the future might want to act upon. There is not any question about the constitutional authority of the Congress to do so, and in doing so we wrote into that section 5(a) the following wording after the President made the study and the Office of Emergency Planning decided along with the engineers the nature of the project that when it came to the appropriation, before such appropriation could be made:

> No appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committee on Public Works of the Senate and House of Representatives, respectively.

There is no constitutional question about the congressional authority to do so. I say that there is a serious constitutional question of right as to whether Congress should give up its admitted constitutional authority to the executive branch.

This veto amounts to an item veto by the President of the United States. If the Congress wants to approve an item veto concept, let it do so, but it shall not do so without me raising my voice in opposition to it.

This is not an unusual provision. This provision was written into law by the Congress in the last session. It was written into law not only under President Johnson but also under President Eisenhower. It was signed by both Presidents. Exactly the same language was signed in the Public Buildings Act of 1959, which the distinguished and capable gentleman from Alabama [Mr. JONES] drafted. I compliment him for it. It has done a great job in this field. I was privileged to have a small part in it.

That provided precisely the same language. The objective was to try to implement, on a long-range-plan basis, public buildings all over America without requiring that the full Congress act on every single project to be authorized. Thus the committees were given authority by the Congress to act through committee action. It is a good law and it has worked well. It has accomplished its objective.

This would have worked equally well. It required that a report be made back—and I read again—no later than June 30, and the committees of the House and Senate would have to act.

There is no question of delay involved in this. There is a question of what is right or wrong as it relates to the constitutional authority of the Congress of the United States, and whether the President should be given the right by this gimmick or by this method to institute an item veto and to usurp the prerogatives of the Congress of the United States.

Last week, on Thursday, those were the sounds and those were the thoughts which rang out in this Chamber. Those were the thoughts which prevailed in this Chamber. Those were the thoughts which prevailed on the question of a far more questionable nature than the one we have before us at the present time.

We heard cries from the gentleman from South Carolina, and properly so, as I reflected on Thursday afternoon, that this was a great day for Congress, that the Constitution was being observed, that congressional power was being retained. We marched up the Hill proudly.

We are marching down the Hill today, and not very proudly, so far as I am concerned, because there is no question about the right of the Congress to authorize specific public works projects and in so doing to reserve the right, after those projects have been studied by the executive, to actually authorize them through committee action.

The Public Buildings Act, signed by President Eisenhower, had the same language.

The Watershed Protection and Flood Prevention Act had similar language. That was signed by President Eisenhower.

The Water Resources Research Act of 1964, signed by President Johnson, had similar language. Oh, he said that he did not like the language, but the Act, in his opinion, apparently was of sufficient national importance that he did not dare to veto it because of this one phrase reserving the rights of the committee to approve the action of the Executive as set forth in the Water Resources Research Act of 1964.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. And that was not an emergency measure, the gentleman might emphasize.

Mr. CRAMER. No, it was not an emergency measure at all.

Here the President takes the position, on a bill involving $111,875,000 for the disaster stricken Northwest, where immediate assistance is needed—which is why we acted on it on an emergency basis—that he is willing for those people to be denied the relief that they must have and must have now, in order to exert his Presidential prerogatives, which I say are wrongly exerted in this instance, in order to dictate to the Congress of the United States that he, the President of the United States, does not believe even an authorization, for which we have power to make a study, should come back to the Congress for official authorization on a public works project. This is a position, I submit, wholly untenable, and which, in my opinion, fractures the constitutional concept of separation of powers between the executive and legislative branches of the Government.

Not only that, but the President dictated to the Congress stating:

> You do this. You take that bill back and within a few days bring me back that bill, and I will sign it, if this one clause to which I object in this $111.8 million bill is deleted relating to committee approval.

He told them to delete that one little section, that one little phrase in that one little section. That whole section only amounts to $3,875,000 out of the total figure of $111.8 million for relief. Now if that does not amount to an item veto I have never seen one.

After hearing all this debate last week with regard to congressional prerogatives, then we have this come up. We had a very burdensome issue last week as it relates to that congressional prerogative, and we know that there will be a similar issue relating to the closing of hospitals with reference to Veterans' Administration hospitals in the future. That does not relate to the initial authorization of a project but instead to whether the President can deauthorize a project. That is an entirely different question from this because this relates to the authorization of a project. After hearing all of those speeches last week and watching the vote in favor of holding the congressional prerogative, which passed by a very large majority telling the President that the Congress will preserve its prerogatives, we then marched up the Hill gallantly, honorably, and bravely, and today we come back and march down the Hill. We are doing that by taking this action here, saying, "Mr. President, you want an item veto. Well, you have the votes so we will give it to you. If you do not want Congress to exercise its proper prerogatives, you have the votes so we will buckle under to your command." That is precisely what the committee did. Let me be honest about the committee's attitude as such, but let me be equally honest as to the committee's attitude in retaining the language. The committee says in the report that it agrees with the Senate report on the same bill. The Senate in a couple of days took the President's version and struck out the clause and reported it to the House. In a few days we were following the President's demand, and we reported it out. Here is what the committee said in the report. The committee "would particularly emphasize the fact that it agrees strongly with that language in the Senate committee report which states: 'such consent' "—meaning by striking out the provisions—"however, does not necessarily imply committee agreement with the President's view that the objectionable language constitutes an improper encroachment by the Congress and its committees."

It says, "It does not necessarily imply." I happen to be personally convinced, and there is hardly a member on our committee who does not feel, that the President is wrong in this instance. Our distinguished chairman of the committee just said so. Where is the intestinal fortitude to stand up to the President? This is his first veto of a major measure, knowing that there is an emergency involved. Where is the intestinal fortitude necessary for the Congress to stand up and say to the President, "We will not permit a President to dictate to the Congress or to item veto this bill"? This should be so, particularly in view of the fact that he did not veto a similar bill because he said it was of such great national interest. I say there can be no bill of a greater interest to the people of the northwest part of the United States than this flood disaster relief bill. I, for one, have worked very hard in order to try to get this bill out and to make it an adequate bill which would not be controversial in nature. Then, lo and behold, the President vetoes it and brings controversy all over the Nation and here to the floor of this House unnecessarily because he wants an item veto in it. I say that is wrong.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I yield to the gentleman.

Mr. GROSS. Can this be the same President Johnson, who, in his first message to Congress after becoming President of the United States in November 1963 said, in effect: "I have served in the Congress and I will never be a party to interfering with Congress. I will never be a party to destroying the independence of the Congress"?

Is this the same President?

Mr. CRAMER. My recollection is that it is, I will say to the distinguished gentleman. But I do not recognize that it is the same one. I understand it, but I do not recognize this language as the language that the gentleman is discussing.

Mr. GROSS. I do not recognize it, either as coming from the same Lyndon Johnson. And so today, like the old cow, we are faced with swallowing our cud, then regurgitate and chew on it at some later time. We are told to tuck our collective tails between our legs and run on this issue. I am against running.

Mr. CRAMER. I will say to the gentleman that he is certainly speaking my sentiments.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman from California.

Mr. SISK. Mr. Chairman, I want to say to my distinguished colleague from Florida that I happen to be one of those who agrees basically with the position that the gentleman is taking with reference to the President's position here. I disagree very vigorously with the Presidential advisers and with the action that he took. But I do want to say this, in fairness to the committee of which he and many other distinguished Members of this House are members, I want to express my deep appreciation of the expeditious action here. I think my colleague from Florida would have to agree with me that we are faced with some practical political facts of life here, and in view of the emergency nature, and in view of the situation that exists with reference to the people out there, I commend the Public Works Committee on the action that they have taken.

I think that this is a basic issue on which we are going to have to choose our grounds on which to fight, and which I am sure the Congress will do, because, as the gentleman has indicated, there are many other pieces of legislation in which language such as was found to be objectionable here has been used and is today being applied. I think President Eisenhower, President Kennedy, and now President Johnson may have signed bills in each case with some reservation and, as I recall, back in 1957 or 1958 on Public Law 130 there were some reservations expressed.

Congress asserted its jurisdiction and we have maintained it. I agree with the gentleman, and I fight with him together on this basic principle. But I think we have to justify our grounds and I do not think this is an opportune time to do it. I would hope that the bill pass and the emergency be met in this instance.

Mr. Chairman, I appreciate the gentleman's yielding.

Mr. CRAMER. Mr. Chairman, I will say to the gentleman that everybody wants to provide relief and provide it now. But as one person in the United States that has prevented relief from going into the Northwest area a number of days ago—and that was not the Congress of the United States, that was the President of the United States—I would say to the gentleman that if we are going to have to try to fight our battle someplace else, the more battles we lose, the better the prospect that we are going to lose the war.

The war is to try to preserve the prerogatives of the Congress of the United States. Lose this little battle here and that little battle there and then do not worry about losing the war; do not worry about giving the President powers that belong to Congress, buckling under when he vetoes a bill, when he is trying to exercise powers that obviously belong to the Congress; lose a few battles, and you do not have to worry about losing the war. I say this is the battleground. Our committee should have so acted, should have so seen it so that we would not have to worry about losing the war later on.

And if, in fact, there are certain political realities to be recognized, I will ask the gentleman the question: Why did not the President recognize that there were certain political realities involved, certain needs involved of an emergency nature and yield on this, as he did on the other bill which he signed, the water resources research bill, knowing the emergency nature of this matter?

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I yield to the gentleman from California.

Mr. SISK. In answer to the gentleman's question, let me say that it has been my understanding that Presidents, as I indicated, going back to 1955 have had reservations about this language. I think there is probably room for disagreement.

Mr. Chairman, as I said to the gentleman earlier I happen to agree with the gentleman as to the position taken by the gentleman from Florida on the basic constitutional issue. I simply do not feel, however, that now is the time nor is this the place to fight this particular battle. I believe ultimately, yes, in the Congress we will have to fight it. But I believe here is a case where the Executive was being political from the standpoint of bringing to the attention of Congress the reservations which this administration and others I feel have had on the issue.

Mr. Chairman, I am not trying to justify him. As I said before, I vigorously disagree with the position, but I do think we are faced with the political facts of life and we know that sometimes we take advantage of the day and time to present our views. I believe this is what we have experienced in this case.

Mr. CRAMER. Well, I will say to the gentleman from California that no one is more concerned about the emergency nature of this problem than I. I just wish the President had been equally as concerned.

Mr. Chairman, I will say this to the Members of the House as well, that I know the problems existing in the Northwest and the need for immediate relief.

Mr. Chairman, it is my personal opinion that the President would not veto the bill a second time if this provision were written back into it. Of course, there is no guarantee of that, but that is my personal opinion.

Mr. Chairman, I say it is unfortunate that our committee did not have the intestinal fortitude itself to stand up on its two feet and preserve the prerogatives, constitutionally, of the Congress. But it is quite obvious that the majority side has enough votes to do anything it wants to do at this session and it is going to do this at this session whether we like it or not. It has got the votes to defeat an amendment if it were offered. It defeated my amendment in the committee and it would undoubtedly defeat such an amendment on the floor.

So, Mr. Chairman, in the interest of the emergency nature and knowing it would be futile to offer such an amendment, when the President has such dictatorial powers over the Congress, I am not even going to offer it. The result is quite obvious as to what would be done, but I say this issue must be discussed and we must not lose any more battles for fear of losing the war.

The CHAIRMAN. The gentleman from Florida has consumed 21 minutes.

Mr. CRAMER. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I intend to vote for S. 2089. I agree with the principle expressed by the gentleman from Florida [Mr. CRAMER], that there has not been a violation of the Constitution by this Congress in passing the original bill. However, we do have a situation in the Pacific Northwest which requires attention and requires attention immediately.

Mr. Chairman, there are many logging communities in northern California, Oregon, and Washington that depend for their livelihood upon the jobs in one timber plant in that community. That timber plant is dependent for its functioning upon the roads out of the National forests by which the logs are brought down to that plant.

Mr. Chairman, most of those roads were destroyed during this flood period. This bill contains the authorization for the funds required to reconstruct and restore those roads so that the lumber can again be brought down to those plants.

Until this reconstruction occurs those communities are being absolutely strangled economically. No matter how justified we may feel our position may be from a constitutional standpoint, I do not think it is fair to those communities to let them die while we continue this wrangle over who is right and who is wrong.

For the reasons I have stated, I therefore intend to vote for this bill, although I voted for the original bill with the original language. I feel, as the gentleman from Florida does, that the original language was fully justified. However, in fairness to the people of those small communities who are literally being starved economically because of this delay, I intend to vote for this bill to provide for relief and help to them just as soon as we possibly can do so.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of the legislation before us. There has been a considerable amount of wrangling over words. I am not in disagreement with the gentleman from Florida [Mr. CRAMER] and the chairman of our committee, Mr. FALLON. However, the fact before us is that we have a very serious and dire emergency in the Pacific Northwest. Most of this damage has occurred in my own congressional district. So the only thing we can ask of this committee is that it forget about the confrontation at this time, if it will. There is not anything I would enjoy more than to join with the gentleman from Florida in taking on the President and the executive branch on this issue, but right now we need to get on with our work. As the gentleman from California [Mr. BALDWIN], stated, many of these people who were affected will be dying on the vine, unless we take this important step and pass the bill so the job of rebuilding can go forward.

Today the Congress of the United States will make its second attempt to write into law a flood relief act of 1965 for the west coast.

The first attempt passed by both Houses of the Congress was vetoed last week by President Lyndon B. Johnson because he disagreed with one provision of the act.

I joined Congressman (BIZZ) JOHNSON, other Members, Senator WAYNE MORSE, and immediately reintroduced the flood relief legislation last week after the President's veto.

Senator MORSE's identical bill—S. 2089—before us today—passed the Senate in short order, passed the House Public Works Committee last Wednesday and the Rules Committee Thursday.

Passage by the House today will again put the legislation before the President for signature.

Many members of the Public Works Committee and the members of the Rules Committee—Democrats and Republicans alike—do not agree with the reasons given by the President for vetoing the original bill.

The reason given by him was that it was unwise and objectionable—an infringement on the prerogatives of the executive branch.

Our first bill provided that a study of flood repair work suggested in the Eel River canyon be reported back to the Congress after determining that which is in the public interest. The specific language covering this provision, to which the President objected is as follows:

> SEC. 5(a), line 1 of page 11 (H.R. 7303) as follows:
>
> ", but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively."

As a matter of fact, precedents for use of this language may be found in the Public Buildings Act of 1959 and in the Watershed Act, and I am disappointed that he vetoed the bill in view of these precedents.

Were it not for the emergency nature of the legislation, our strategy possibly would have been to move to override the veto. But with the press of other legislation and the number of people dependent upon the earliest possible passage of this legislation, we chose not to have the confrontation at this time.

Therefore, we have deleted the language which was objectionable to the White House in order to pass the legislation at the earliest possible date and assure the President's signature on the bill. We have had too much delay already, so I urge the immediate passage of this legislation.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I rise today in support of the bill, S. 2089, the Pacific Northwest Disaster Act. You will recall that the Congress earlier passed S. 327 for the same purpose. We were unable to convince the administration and its advisers that the bill should be signed. When we learned about the veto and received the veto message, we immediately introduced new legislation both in the Senate and in the House of Representatives.

The Senate bill cleared the Senate immediately. It was sent to the House of Representatives and assigned to the Committee on Public Works. That committee worked very hard so that a bill could be brought to the floor immediately, because we feel this is the only way in which we could get this emergency relief work underway.

Today we have the bill S. 2089 before us for consideration. The language objected to by the administration has been deleted.

We are legislating here for the relief of our people in the Pacific Northwest. This covers the damaged areas in five of the Western States. It is very important emergency legislation to finalize the authorizations and make available funds that will restore this area to normalcy.

Section 5(a) was a very controversial section, as the gentleman from Florida has explained. He worked very hard with us to iron out a suitable section in the way of language so that our committee could pass the original bill unanimously and bring it to the floor of the House. That section stated it is mandatory that the people making the studies, the President, the Office of Emergency Planning, and the Corps of Engineers, report their findings and recommendations to the Congress of the United States.

That is still in the section. I think that the form of the final language that is before you today is a very good compromise to give this relief. I, too, have some feelings that we do not want to give up our legislative prerogatives nor do we want to give up any of our jurisdiction to the other two branches of the Government. But I believe we have an emergency here. The transportation system of this whole area was damaged considerably. I am very happy to say to you people that this week the railroad will go back into operation. The railroad has been restored. In section 5(a) we ask for consideration for the revetment and the riprapping of certain areas along the Eel River adjacent to the railroad.

My good colleague, the gentleman from California on tomorrow will drive the golden spike that will put this railroad together again. I am sure that Congressman DON H. CLAUSEN is going out there for that occasion.

I do hope that today this House of Representatives and the Congress will consider this bill favorably and allow it to go back to the executive branch of the Government for the simple reason that our construction period is very short in this area of the United States and it relates solely to the public agencies—the Bureau of Public Roads has a great job to do there yet and the Forest Service has a big job. The railroad is already restored. The Corps of Engineers and the Office of Emergency Planning and the executive branch and the President himself will look into the need for riprapping in that area to give protection to the railroad that has been restored.

I might say this is a temporary measure and it runs through June 30, 1966. So I do ask for your favorable consideration today to allow us to restore this area.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMER. I yield 2 minutes to the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. Mr. Chairman and Members of the House, the record has been made, I believe, today on the question of separation of powers. To the gentleman from Florida [Mr. CRAMER] and those of like mind, I would like to express my thanks on behalf of the people of my district for permitting this matter to be handled so expeditiously. I would also like to pay tribute to the chairman and to all the Members of the House Committee on Public Works for the action they have taken under difficult circumstances originally and again here during the past few days.

My statement has already been made, prior to the previous vote, as to the great need that we have in the State of Oregon and particularly in my district because of the damage being suffered every day so far as our economy is concerned by reason of the access roads needing repair.

Again, Mr. Chairman, I thank the gentleman from Florida and urge the Members of this body to support again this much and desperately needed legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUNCAN of Oregon. Mr. Chairman, this is a difficult area in which to legislate. Not only are there questions of the relative prerogatives of the legislature—or more particularly the Public Works Committees thereof—vis-a-vis the executive, but there are also questions of the propriety of the Government assuming private losses and, if so, to what extent it should be done in time of loss, nature of loss, or extent of loss.

This bill does not solve any of these problems. It leaves them as it finds them. It neither adds to nor detracts from the weight of the philosophical arguments pro and con. It does give immediate assistance to restore private losses in the timber industry of the Northwest—stricken as it was so severely by last winter's unprecedented floods. It restores losses of such magnitude in an industry so important to everyone in the country, that the private losses have become a matter of public concern. The Congress acts wisely in approving this bill and in refusing to be deferred by arguments extraneous to the main issue.

We should, however, not use the passage of this bill as an excuse for forgetting the problem of recurring disasters and of the necessity of providing machinery which speedily and automatically can handle such tragic occurrences.

I suggest again that one logical answer is federally sponsored disaster insurance in this area where private coverage is largely unavailable and where the need is so great. The alternative is a case-by-case, bill-by-bill attack on the misery and pain of natural disaster which will be plagued by the same doubts we have today and which—by the delays and obstructions which, in spite of all our efforts, result from the very nature of the legislative procedure.

Mr. ROYBAL. Mr. Chairman, I would like to add my voice in support of S. 2089, the Pacific Northwest Disaster Relief Act of 1965, to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by last winter's floods and high waters.

As you will recall, these severe natural disasters struck the Pacific Northwest States during December 1964 and January and February 1965. The total damage amounted to many more millions upon millions of dollars than we will ever be able to replace.

But the proud and brave men, women, and children of these areas have made a tremendous effort to pick themselves up and rebuild their homes, their businesses, their farms, and their way of life, in the aftermath of one of the most violent and destructive series of natural disasters in the history of the West.

In addition, the local governments in these areas—the cities, the towns, the counties, and the special governmental units have all strained to the limit of their financial capabilities to carry on the work of repair and rehabilitation.

And, certainly, the States themselves have done a magnificent job in organizing this staggering effort, and in substantially increasing their taxes statewide in order to mount the all-out campaign necessary to overcome the physical and financial handicaps imposed by the caprice of an unpredictable nature.

In the last few years we have seen similar disaster strike in many parts of the country, and I am proud to say, the Federal Government has been among the quickest to respond to the call for help.

There have been tornados in Indiana and other sections of the Midwest, extreme flooding along the Mississippi River basin from Minneapolis to St. Louis, severe drought in several areas of the country, hurricane damage along the east and gulf coasts, and disastrous earthquakes in Alaska.

In each of these cases, the Federal Government has been ready, willing, and able to extend the hand of needed assistance to the unfortunate victims of nature's whim.

In view of this tradition of compassion for and aid to our citizens in their time of need, I am confident the House will again vote to authorize this important self-help assistance to the victims of last winter's disastrous floods in the States of the Pacific Northwest.

Mr. ROOSEVELT. Mr. Chairman, I rise to urge speedy passage of this legislation to provide assistance to the five States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent—December, January, and February—floods and high waters. The financial problems of those affected is desperate, and it behooves us to act quickly.

This bill would authorize from the general fund of the Treasury a sum not to exceed $50 million for fiscal year 1965 and not to exceed $20 million for fiscal year 1966 for the repair and reconstruction of highways, roads, and trails damaged.

The floods which occurred were a result of a most improbable combination of circumstances which left an incomprehensible path of death, damage, and destruction which no amount of money can ever replace. Forests, river banks, roadways, communications, fish, wildlife, towns, and industries were dealt a tragic, destructive blow which makes these floods some of the worst experienced in the history of the United States.

Although this occurred almost 6 months ago, that area and its people desperately need the aid provided in this bill to enable them to restore this great Northwest area. I urge its passage.

Mr. ULLMAN. Mr. Chairman, I do not think it necessary to tell my colleagues how important it is to the Pacific Northwest that this disaster relief bill be enacted and sent to the President for his signature. Nearly 6 months have passed since the first shock of record high water brought devastation to the valleys of Oregon, Washington, Idaho, and northern California. Vitally needed programs of recovery have languished because authority and funds are lacking.

The bill under consideration today provides the same needed authority to Federal agencies as was contained in the bill passed by this body on May 19, and I urge that it be enacted without delay.

The people of the flooded areas owe a great debt of gratitude to members of the Public Works Committee for the sympathetic consideration that has been given to these problems and particularly for the speed with which this new bill has been brought up for consideration in the House. My thanks to the distinguished chairman, the gentleman from Maryland, for his assistance in this matter, and to our colleague and member of the committee, the gentleman from California, for his diligent and effective work as the principal sponsor in the House.

Mrs. GREEN of Oregon. Mr. Chairman, we in Oregon are gratified that legislation to speed recovery from the disastrous winter floods in the Northwest is nearing final passage—though substantively for the second time because of the President's veto.

I am grateful to the gentleman from Alabama and the full committee for its prompt action.

Passage of this measure will go a long way toward giving Oregon and her neighbors the impetus to rebuild their damaged economies, their homes, the lives of their people. For many the assistance will help provide a reason for being again, hope having been virtually demolished along with all else as the angry rivers bled our lands of much of their value.

In retrospect, had not the floods left the indescribable wreckage and horror behind them as they roared through our land, we would be hard put to conjure images of the realities of this enormous washout. None would believe us. We would be accused of having fantasies, of daydreaming the impossible.

But it happened. Though Oregon is not new to flooding during early spring, the heavy runoff during the snow melt usually hits one or two or three watersheds at a time. But not this time.

As has been recounted many times, the entire Pacific Northwest from the Columbia River south into northern California was hit by near-record rainfalls in the period preceding and during Christmas week. Warm temperatures contributed additional waters to increase the flow of streams. Then it was as though nature had gone berserk. Every stream in the region went wild, turning into terrifying torrents that piled rushing water into the rivers and then onto the lands, crushing homes, burying roads, orchards, and fields.

In the morass of mud and wreckage that was left when the waters subsided, there were 18 persons dead and thousands of others left homeless and uncounted others without jobs or livelihood. Millions of dollars worth of roads and rail lines were destroyed. Perhaps $60 million in farm resources was destroyed. Damaged or ruined were 120 major and minor bridges and access roads to our rich forest lands. Our recreation areas and water sheds suffered severe damage that will take years to repair.

The foundation of Oregon's economy is its natural resources. My people are dependent on these resources—the timber, the water, the land itself. And countless numbers earn their bread from the processing of timber, its transportation and manufacture and from agricultural pursuits.

The floods, by affecting these vital resources, left my State with nearly $250 million in public and private losses, not to mention the present and future earnings and production involved. We sought this legislation—I previously introduced such a bill, not to seek preferential treatment from the Federal Government, but to help the Northwest United States back on its own economic feet.

Oregon has not sought special treatment and it is not doing so now. There have been other natural disaster areas such as the Alaska earthquake, the Ohio Valley flooding, the Pacific coast tidal wave, the Wichita Falls, Tex., and southeast Michigan tornadoes, the flooding in Montana and Idaho, and hurricanes that devastated portions of the east coast—Cleo, Dora, and Hilda. This is assistance parallel to that afforded in those terrible disasters. The legislation would also give hope to those in the Midwest who suffered this year from tornadoes and flooding.

What we have asked for is a helping hand. Now that this bill is finally being passed, there will be increased appropriations to the Bureau of Public Roads to allow that agency to furnish part of the funds required to reconstruct the access roads to our vital forests from which over 80,000 Oregonians derive their income and upon which 60 percent of our State's economy is based.

There will be an extended home loan repayment period to enable the homemaker to rebuild his home. This is necessary because many families had their financial resources wiped out in the storms and floods.

In this connection, let me say I am gratified that the Small Business Administration had decided to extend for 90 days to September 30 the time for filing and processing applications from Oregon so that small business concerns and homeowners will be able to apply for SBA disaster loans to repair flood damage.

The loans are for a maximum of 20 years at a reasonably low 3-percent interest rate. To make the loans more meaningful, a provision in the law will allow 30 years instead of 20 for maturity of these loans.

In addition the Secretary of Agriculture would be authorized to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected areas.

There will be increased highway appropriations to help restore the vital arteries of communication between the Northwest and the rest of the Nation.

Once again, I commend this legislation to my colleagues. We must get these programs underway. Our mills must be brought back to full production; our people brought back to full status as members of their communities and their State and Nation; our unemployed must be brought back to their jobs. It is now time to get to work. We have waited long enough this session. We of Oregon and the Northwest ask your hand to complete this mighty undertaking.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

Sec. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed $50,000,000 for the fiscal year ending June 30, 1965, and not to exceed $20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

Sec. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than $4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than $500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than $500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, $123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed $38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and $85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

Sec. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

Sec. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed $3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

Mr. JONES of Alabama (during the reading.) Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, a little while ago I called attention to the words of President Johnson in his first message to a joint session of the Congress, this being on November 27, 1963. I want to read verbatim from the CONGRESSIONAL RECORD of that day.

The President speaking:

> As one who has long served in both Houses of the Congress, I firmly believe in the independence and the integrity of the legislative branch. I promise you I shall always respect this. It is deep in the marrow of my bones.

How deep in the marrow of Lyndon Johnson's bones is his regard for the independence and integrity of Congress as evidenced by his veto?

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, pursuant to House Resolution 420, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on S. 2089, the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ESTABLISHING A DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND FOR OTHER PURPOSES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 419, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, and all points of order against said bill are hereby waived After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the text of the bill (H.R. 8822) as an amendment in the nature of a substitute for the bill (H.R. 6927). At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 419 makes in order the consideration of H.R. 6927, with 2 hours of general debate and waiving points of order.

Mr. Speaker, the bill H.R. 6927 has to do with the establishment of a new department at the Cabinet level. In view of the importance of this particular subject I would hope that the House would see fit to grant the rule here suggested and to permit the members of the Committee on Government Operations to present the case for this new department. Therefore, I urge the adoption of House Resolution 419.

I reserve the remainder of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, proposals to create new Cabinet departments are not novel. Indeed, since 1952 there have been 46 bills to establish a Department of Urban Affairs and scores of other bills to establish everything from a Department of Peace to one for Science and Technology. Although on August 28, 1961, the House Committee on Government Operations reported a bill to establish a Cabinet Department of Urban Affairs no action was taken in that session and in 1962 a reorganization plan to accomplish this objective was defeated 264 to 150.

It is being said, I note in some quarters, that the passage of this bill is needed to produce a renewed burst of enthusiasm for the Great Society program and to give a psychological uplift to the drive to enact the other programs. Mr. Speaker, I submit that before we pass a bill that may in years to come cost the taxpayers billions in administrative costs and expanded Federal programs—before we pass a bill that may have a further disruptive effect on the pattern of Federal-State relations we ought to seek far more substantial reasons than that.

Mr. Speaker, in 1961 the administration, through its Solicitor General, made the following statement in a brief filed before the U.S. Supreme Court urging that the Court direct reapportionment of State legislature in accordance with the Census:

> Urban governments now tend to bypass the States and to enter directly into cooperative arrangements with the National Government in such areas as housing, urban development, airports, and defense community facilities. This multiplication of national-local relationships reinforces the debilitation of State governments by weakening the State's control over its own policies and its authority over its own political subdivisions.

In hearings this year in the other body, Mr. Gordon, former Director of the Budget was questioned about the potential strengthening of State-urban relationships through the pending reapportionment. Mr. Gordon did not reply to this specifically, but one answer can be suggested. If the Central Government has already set up a department of urban affairs, and has already established an administrative pattern for Federal-urban practice, has already in operation coordinating machinery for Federal-urban programs and planning—what practical aid can reapportioned State legislatures be in this respect? Whatever ultimate effect reapportionment might have on intrastate responsible political power will come too late if legislation has already cemented the framework of Federal-urban operations.

This year in his state of the Union message, President Johnson said that a great society will not flower spontaneously from swelling riches and surging power. It will not be the gift of governments or the creation of Presidents.

Mr. Speaker, the elevation of HHFA to Cabinet status is not going to solve the problems of our cities either, even though it is an attempt to lead the people of this country to believe that a solution to the problems of urban development is a gift of government.

To avoid the obvious criticism that merely by elevating HHFA to Cabinet status you account for only about one-third of the total urban aid-impact programs of the Federal Government an attempt is made in the majority report to say that this new department will concern itself only with urban development not other urban affairs. Well, where does one end and the other begin? Where is the magic dividing line? What possible logic is there behind an attempt to establish this impossible dichotomy. I submit there is no such separation and the reason why important agencies with a vital affect on urban development are left outside this new Cabinet department is because to include them all would result in a bureaucratic monstrosity that would make even the administrative woes of the Department of Health, Education, and Welfare pale into insignificance.

This new Cabinet department will not coordinate—it will proliferate.

It might be well at this point to refer to the recommendation of the Hoover Commission task force on lending agencies dated February 1955. The task force recommended that the Housing and Home Finance Agency be discontinued and that its components be divided into three separate establishments. The purpose was to separate the economically sound businesslike functions of the Agency from the subsidy-type programs. One establishment would be organized around welfare programs such as urban renewal and public housing. The second would evolve around the Federal Home Loan Bank System because it was concerned primarily with a specialized segment of the private banking and credit field, and the third independent establishment would be the Federal Housing Administration, a mortgage insurance activity. Thus, the proposed bill not only violates a basic recommendation of the Hoover Commission report, but also a recommendation of the Commission's task force on lending agencies, a report which was submitted to the Congress by Chairman Herbert Hoover on February 5, 1955.

Mr. Speaker, there will be a substitute offered by the gentlewoman from New Jersey [Mrs. DWYER], whose bill, H.R. 8822, would establish an Office of Community Development in the Executive Office of the President. If you really want coordination of existing programs and not simply aggrandizement of Federal power herein lies the answer.

Instead of ignoring some 60 existing Federal programs concerned with urban metropolitan problems by leaving them outside the proposed new department you provide the head of this Office the kind of authority to coordinate across departmental lines all of these various urban-impact programs as stated in section 3(a) of the proposed substitute bill. The Director of the Budget has been called one of the most powerful three or four men in the Government, yet he holds no Cabinet rank. He coordinates the spending requests of all executive agencies to the tune of $100 billion a year. We submit that properly organized and staffed and given proper presidential interest and support an Office of Community Development can go far toward solving the problems the majority would seek to solve by setting up a supergovernmental agency.

Mr. SISK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Speaker, I reported this rule from the Committee on Rules to authorize the House to consider H.R. 6927 introduced by my distinguished colleague from Florida [Mr. FASCELL]. I am the author of a companion bill to H.R. 6927—H.R. 8771.

Mr. Speaker, in the strongest way I wish to identify myself with this rule and to urge its adoption and the enactment by the House of H.R. 6927.

Mr. Speaker, with 70-odd percent of the people of the United States living in urban areas H.R. 6927, is designed to meet the housing demands and the urban development requirements of the most populous areas of this country—areas most vital to the welfare and the progress of our country.

It is a bill which gives proper emphasis to the importance of housing and urban development, making the head of the Department a member of the Cabinet of the President of the United States.

It thus brings the head of this Department into close contact with the President and enables him to advise and counsel the President with reference to the execution and recommendation of national policies which would provide better facilities through which the U.S. Government can assist in meeting the housing and urban development needs of the people of this country.

Therefore, Mr. Speaker, I urge that the rule be adopted and that H.R. 6927 be enacted by the House.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 10 minute to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Speaker, under the rule by which the Committee on Rules has brought H.R. 6927 to the floor today, the House for the first time will be able to choose between two alternative ways of doing what virtually everyone agrees must be done—that is, provide consistent policy direction and program coordination for the dozens of different Federal programs, administered by several independent departments and agencies, which have a major impact on the Nation's urban areas.

To the best of my knowledge, Mr. Speaker, no one disagrees with this objective. On the contrary, everyone recognizes that Federal activities in urban areas are marked by confusion, contradiction and duplication.

Yet, for 4 straight years, Congress has refused to approve Presidential proposals for a new Cabinet-level department to deal with urban affairs and housing, whether by legislation or reorganization plan. In 1962, the House disapproved a reorganization plan by a vote of 264 to 150. And in 1961, 1963, and 1964, the House—despite Presidential requests—failed to bring similar legislation to the floor.

The principal reason, I suggest, is that proponents of a new department have not made a convincing case either that a department is needed to provide adequate service to our urban areas or that a department could effectively coordinate the multitude of programs operated by other departments and agencies in this area.

Under the rule, Mr. Speaker, I intend to offer at the appropriate time an amendment in the nature of a substitute for the committee bill. The amendment, which is the text of H.R. 8822, would establish in the Executive Office of the President an Office of Urban Affairs and Community Development. Such an Office, which would be equipped with the authority of the President and would function at his direction, would make possible the continuing policy and program coordination which is so notably absent today. For this reason, I believe my amendment warrants the support of all our colleagues, regardless of their convictions about the proper Federal role in meeting the needs of urban areas.

The central problem, Mr. Speaker, is to assure that the right hand of the Federal Government knows what the left hand is doing—and that both are working together. We need to make certain that the 50 or 60 or more urban area programs are administered as efficiently and as effectively as possible; that overall urban policies are consistent and that program goals are compatible; that one program or agency is not unduly hampering another; that waste and duplication can be eliminated; that the conflicting interests and views of the several departments and agencies in the field or urban affairs can be resolved in an orderly way; and that the goals determined by Congress can be achieved with a minimum of delay and redtape.

To illustrate this point more specifically, we need the kind of uniform policy and interagency coordination that will prevent a Federal highway from being built where an urban renewal project has already been located. We need to prevent the kind of situation where months grow into years while the Corps of Engineers and the Urban Renewal Administration try to decide how to share responsibility for a flood control project in an urban renewal area.

I am sure, Mr. Speaker, that our colleagues can recite hundreds of such real-life examples of what can happen to programs with desirable purposes when there is no way of keeping two agencies with related responsibilities moving in the same direction.

As the number and size and cost and complexity of urban area programs have grown, the problem has become increasingly severe. Congress, of course, cannot legislate every detail of program administration. It must leave to the agency concerned a rather considerable degree of discretion and flexibility. In exercising this discretion, experience has shown that agencies tend to concentrate on their own programs often to the virtual exclusion of related programs.

The effect of this tendency has been seriously harmful in many ways—as Governors, mayors, county officials, students of urban affairs, organizations in this field, and Federal officials themselves have reported time after time. The lack of coordination at the Federal level undermines the objectives of Congress. It disrupts relations between Federal, State, and local governments. It imposes unnecessary burdens on State and local officials and handicaps the operation of their own programs. It is wasteful of time and money.

The pending bill, Mr. Speaker, cannot achieve the kind of Government-wide coordination which is needed to correct this situation.

For this reason, at least 24 of our colleagues have introduced identical bills in this session of Congress, and similar bills have been introduced in the past three Congresses, to provide the coordination we find is essential. Our alternative would provide an effective mechanism for coordinating all urban area policies and programs at the only level where coordination can really work, the Executive Office of the President.

There are several important reasons why the bill to create a Department of Housing and Urban Development cannot provide the needed coordination.

First. There is nothing in the committee bill which would give the proposed new Secretary any power to coordinate urban programs outside his new Department which the present Administrator of the Housing and Home Finance Agency does not already possess or could not be assigned by the President.

Second. The new Department would have jurisdiction over less than 20 percent of the existing urban programs in the Federal Government.

Third. With the exception of the Federal National Mortgage Association, no programs, powers, or functions not now assigned to HHFA would go to the new Department or its Secretary.

Consequently, the new Department would simply be the old agency under a new name.

No less an authority than the late President Kennedy, however, stated the case for our proposed coordinating office in the most persuasive terms. In his message to Congress in 1962 proposing the establishment of an Office of Science and Technology in the Executive Office of the President, he said—and I quote:

> Science policies transcending agency lines need to be coordinated and shaped at the level of the Executive Office of the President, drawing upon many resources both within and outside the Government.

While the President credited the National Science Foundation with doing a good job of administering sizable scientific programs, he concluded that this operating agency could not do the coordinating job it had previously been assigned.

> The Foundation—

He said—and I quote him again—

> being at the same organizational level as other agencies, cannot satisfactorily coordinate Federal science policies or evaluate programs of other agencies.

This, in a nutshell, is our contention with regard to HHFA and the proposed new Department. In neither form can it successfully coordinate its equals.

As our colleagues will recall, Congress agreed with the President and approved his proposal for an Office of Science and Technology without opposition either in committee or on the floor of the House. The good judgment of this body has since been confirmed in the admirable way in which that Office has functioned.

What we are proposing today, Mr. Speaker, is that the House follow this successful precedent in a field—urban affairs and community development—where the circumstances are similar but the need for coordination is even greater than it was in the area of science and technology.

Our proposal is based solidly on experience and on the repeated recommendations of scholars and officials at every level of government. The Council of State Governments, the National Association of Counties, and the National League of Cities—formerly the American Municipal Association—have all, at one time or another, officially recognized the need and endorsed the approach followed by our bill. The Advisory Commission on Intergovernmental Relations, whose members include Cabinet officers, Senators, Representatives, Governors, mayors, county officials, State legislators and private citizens, has also strongly recommended the establishment of a unified policy for urban programs and the government-wide coordination of all such programs.

Mr. Speaker, to those of our colleagues who fear the ultimate growth of a new Cabinet-level Department into a mammoth organization embracing all urban area programs, I would urge support of our alternative as the best means of preventing such a development.

And to those who are truly concerned with the need for better service to our urban areas, for consistent policy and for efficient coordination, I also urge support of our alternative as the only effective means of achieving these tremendously important objectives.

I support the rule.

Mr. PEPPER. Mr. Speaker, I am unaware of any desire on the part of any of the Members on this side to speak on the rule. The gentleman from Illinois [Mr. Anderson] says that he has no further requests for time. So, Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 6927, with Mr. Boggs in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. Fascell] will be recognized for 1 hour and the gentleman from Illinois [Mr. Erlenborn] will be recognized for 1 hour.

The Chair recognizes the gentleman from Florida [Mr. Fascell].

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Rosenthal].

Mr. ROSENTHAL. Mr. Chairman, as a cosponsor of this bill and as a member of the Committee on Government Operations and of the subcommittee which held hearings on H.R. 6927—and as a Congressman from this Nation's largest city—I have a particular and pointed commitment to the passage of this legislation.

Life in American cities is not the good life. Over the past hundred years, we have built cities in which to live in health and happiness, only to discover that the resulting urban life is a major threat to those very goals. We are, in short, in danger of losing control over environment, in this case the environment where 135 million Americans live and work. I do not regard this as an exaggeration. It represents something close to a national crisis, and I am yet to be fully convinced that this country will have the imagination, skill, and commitment to overcome that crisis.

The measure before us today is long overdue. Yet it represents only a crucial first step in a project which has as its goal improvement in the lives of 70 percent of this country's population. It is my conviction that the debate and legislative history of this bill must record deep awareness of the enormous and intractable problems presented by the contemporary American city. It must be an occasion for us to weigh the gravity of our task, and the complexity of our goals.

The President's message on the problems of the city, sent to this Congress on March 2, was of historic significance. It documented, in simple and compelling terms, the extent of the American urban crisis. It reminded us, for example, that in less than 40 years the entire urban population of this country will double; urban land will double with it. We will need schools for an additional 10 million children; welfare services for 5 million more people over the age of 60; transportation facilities for the movement of 200 million people.

These projections would be of sobering impact even if our present cities were healthy and confident. But these new threats will be visited upon urban areas already subject to decay and dissolution.

In a society where technology and science accustom us to invention and innovation, it is hard for us to acknowledge the existence, let alone the threat, of social decay. And yet decay is the theme of the American urban crisis. There is the decay of buildings, of homes, of rooms, of plumbing—where there is plumbing. Nine million homes, most of them in our cities, are presently in urgent need of renovation. There is the decay of schoolrooms and other community facilities. And there is always the more vivid decay of pollution, in the air and water.

Such material decay breeds social, psychological, and often moral decay. The elderly, the poor, those discriminated against because of their race, those who are concentrated in ghettos of deprivation, all are subject to the more invidious demoralization which accompanies a loss of faith in one's environment—one's ability to change it. How can we expect our people to maintain their energies and spirit when their buildings, schools, and streets are in disrepair, with little hope of renewal? In the absence of hope, there develops a mentality of cynicism and alienation—and the life of the city is thus subjected to crime and violence.

What makes these problems all the more frustrating is the subtle interrelation and interpenetration of individual social problems. In projecting new programs of urban renewal, one must account for the demands of transportation. On relocating the residents of slums, one must be sensitive to the needs and attitudes of their new neighbors. The city, in other words, is a mechanism of such sensitivity that to tamper with one structure or one component, is to effect and often upset an unpredictable number of seemingly independent components. And this is all the more difficult because the political and jurisdictional definitions of the city are becoming less and less relevant to the problems of urban decay. The city projects appendages to itself, which we call suburbs. In one sense such units lie outside the purview and authority of the modern city. And yet the jobs of suburban citizens, and hence the entire quality of their lives, usually depend upon the health and vitality of the central city. The threats of pollution, and inadequate transportation, of course, ignore the artificial jurisdictions of municipalities.

With their problems rising geometrically and their jurisdictions growing increasingly irrelevant, our city leaders face still another difficulty—the absence of satisfactory economic resources. In 10 years municipal tax revenues have increased by nearly 50 percent, but local indebtedness has doubled. The demand for trained personnel is going unmet. For the conviction that the modern city is unmanageable often infects the representatives of the people, as well as the people themselves. Reliance upon Federal resources is already well-established. It is now clear, however, that the existing structure of the Federal Government, as well as, in my opinion, the existing spectrum of Federal programs, is totally inadequate if the city is to meet its crisis successfully.

The first need in meeting the crisis of our cities is for enlightened planning, equipped with the full influence and resources of Cabinet-level authority. I do not believe this country and this Government are presently prepared to solve the problems facing our cities, because I am not yet convinced that the necessary programs have been or are being devised and developed. For the urban problem is still an intellectual problem, which must be met with careful thought and creative reflection. The new Department will be a repository for metropolitan planning. It will present a forum for innovation and imagination. But, most important, it will be an agency of coordination where scattered and undisciplined efforts can create as many problems as solve them.

Let me stress that from the organizational point of view the need for coordination of urban efforts is paramount. This is not to say that all programs pertinent to the cities must suddenly be put under the jurisdiction of this new Department. The Department of Agriculture, for example, profits from the water conservation and development programs of the Department of Interior, and the Weather Bureau programs in the Department of Commerce, and the farm labor programs in the Department of Labor. The Treasury Department finds no need to incorporate the Bureau of the Budget, the Federal Reserve Board, the Export-Import Bank, or the Federal intermediate credit banks. A Department of Housing and Urban Development will see to it that the needs of the American city are represented in the planning, consultation and administration of all Federal programs. This requires no radical alteration of existing programs and agencies.

In conclusion, Mr. Chairman, I want to reaffirm my conviction that the measure before us today should represent the threshold of a New Deal for the American city. I believe the problems obstructing that goal are the most difficult, frustrating, and demoralizing problems facing this country. They will multiply geometrically in the absence of aggressive Federal response, a response which should be initiated, led, planned, and coordinated by a Department of Housing and Urban Development. But let me also say, in the interest of realism and sobriety, that these problems will persevere despite such a commitment. We must be prepared for that. For the issue, finally, is classic and fundamental: Will we be the masters or the victims of our social environment?

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield to me?

Mr. ROSENTHAL. I will be happy to yield to the gentleman from Illinois.

Mr. RUMSFELD. I quite agree with the gentleman that coordination is most important in the problems of urban areas. As he knows, I represent an urban area myself. However, of the items that the gentleman mentioned; namely, air pollution, water pollution, civil rights, crime, schools, streets, not one of these areas would be under the jurisdiction of this proposed new Cabinet rank Department of Housing and Urban Development. Housing, which was also mentioned, would be. For all practical purposes, the Secretary of Defense or the Secretary of State would have as much authority in the areas that were listed as would the new Cabinet rank Secretary of the Department of Housing and Urban Development.

As you know, I favor a different proposal which I am convinced would provide the coordination which you obviously, from your remarks, are so anxious to see happen here.

Mr. ROSENTHAL. Let me suggest two rebuttals to what the gentleman said. On page 3 of the bill, it indicates the various advisory capacities and responsibilities that the new Secretary would have and I might read it to the gentleman so he will realize the area of responsibility that the Secretary has.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FASCELL. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROSENTHAL. In the first instance, the responsibility of the Secretary is to advise the President with respect to Federal programs and activities relating to housing and urban development. Second, it is to develop and recommend to the President policies for fostering an orderly growth and development of the Nation's urban areas.

And third, to exercise leadership at the direction of the President in coordinating Federal activities affecting housing and urban development; to provide technical assistance and information, including a clearinghouse to aid State, county, town, village, or other local governments in developing solutions to urban and metropolitan development problems.

It goes on for other areas. The point that I am trying to make is that you cannot categorize and departmentalize and put in cubbyholes all of the problems that involve our cities and surround our cities. I believe that at one Cabinet level we can meet and solve and deal with, think about and initiate, all of the various programs and responsibilities that our urban areas have today. You cannot simply put one in one area and one in another area. This sort of umbrella approach will be a very real way of meeting the challenge.

The gentleman's alternative proposal would be to take on the 13,000 employees of the HHFA and make them part of the executive branch. I really doubt that that is what the gentleman and his cosponsors of the alternative really want. We do not want to build up the executive branch when their only responsibility is in the area of advising the President. This is a working department, not merely an advisory department. When both of them come under one roof, the administrative management functions and the advisory functions, I think then the first real step in meeting the urban needs will have been taken.

The CHAIRMAN. The time of the gentleman from New York [Mr. ROSENTHAL] has expired.

Mr. ERLENBORN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the opening paragraph of the minority views contained in the report of the Government Operations Committee on this bill rather cogently states the position of the minority; and I shall quote:

> H.R. 6927 is unnecessary, will not accomplish what its proponents represent, and is contrary to sound principles of Government organization. It should not become law.

Mr. Chairman, ideally the legislative process, the thing we are all involved in, should involve three determinations as to any issue that is before us. First of all identify a problem; that there is a problem that is crying for a solution. Second, to determine if there is the necessity of Federal involvement in the solution to this problem and, if so, then, of course, it becomes a subject matter for us to be concerned with. And third, to construct the best possible solution to that problem.

In my opinion, the first two steps in this legislative process can be agreed upon by both sides in relation to this question. There is a problem, the problem of orderly development of our urban areas; and secondly. I think we have long ago determined that there is a necessity of Federal involvement. Witness the many programs we have at the Federal level directed to providing solutions or aiding in the providing of solutions to the urban problems that face our urban areas throughout the country.

It is at the third step of this legislative process that we disagree. The majority, at the request of the President, have introduced this bill to solve the problem of the coordination of the urban problems and the Federal involvement in the solution of urban problems by the creation of a Cabinet-rank department. So we agree on one and two, and on number three we disagree, because the minority, or at least many Members of the minority, have sought and found what we consider to be a better solution. Admitting that we have many programs at the Federal level and that they need coordination, many Members on this side of the aisle have introduced similar bills for the creation of an Office in the Executive Office of the President to provide the overall coordination that everyone agrees is needed.

As I see the levels of the Executive Department we have certainly at the top level the President, and included therein the Executive Office of the President directly responsive to him.

Second, you have the Cabinet-rank departments; and third, the various agencies of Government.

Mr. Chairman, I submit that the direction which the minority takes in the solution of this problem is to put this right at the highest level in the ranks of the Executive responsibility, in the Executive Office of the President, and not at the second level, the Cabinet-rank department.

Mr. Chairman, this is why we state in the preamble to the minority views that the bill under debate is contrary to sound principles of law or of Government organization, because we are not seeking the solution at the highest level where coordination can best be provided.

The bill under consideration, H.R. 6927, in fact provides little or no coordination. It puts the emphasis entirely in the field of housing. In substance, all but one paragraph or one section of this bill is directed to the elevation of the Housing and Home Finance Agency to Cabinet-rank status.

What we really will do in the passage of this bill is to certainly agree and provide that the Federal Government has a permanent and an expanding role in the field of housing. This could be the only purpose in elevating HHFA to Cabinet status, and the only result.

In addition, Mr. Chairman, one of the constituent agencies of HHFA is the FHA. This particular agency which is one of the constituent agencies of HHFA, the Federal Housing Administration, is one of the most respected of all Federal agencies involved in the field of housing.

Mr. Chairman, the FHA has enjoyed excellent relations with the private mortgage bankers, the private mortgage market, and also with the individuals, the homeowners, who have sought help from FHA.

Mr. Chairman, it has been pointed out in the testimony before the subcommittee on this bill by the Mortgage Bankers Association that there is no clear-cut provision in the pending bill as to what the future of FHA will be and, in fact, during the full committee executive session considering this bill, I offered an amendment to the bill that I think would have vastly improved its appeal by specifically providing for the continuance of FHA, with the appointment of a Federal Housing Administrator by the President, instead of the new Cabinet head assigning these duties to some assistant secretary.

Mr. Chairman, as to the first two objections that are set forth in the minority report, we hold that this bill is unnecessary, not because of an unawareness of urban problems, but because there is no need to elevate the Housing and Home Finance Agency to a Cabinet-rank status. All of the witnesses who appeared before the subcommittee agreed that HHFA and its constituent agencies had done a good job. They had no complaint about the quality of the work of HHFA.

Mr. Chairman, there is no magic solution to the problems that face our urban areas, merely by raising to a Cabinet status this agency and giving it little or no new powers, and really no opportunity to coordinate the many programs that are presently engaged in by the Federal Government.

Secondly, the accomplishments that are claimed for this bill by the majority cannot really be accomplished by the enactment of this legislation.

The much-advertised, one-stop service for the mayors of our communities has been the appeal of similar legislation for the creation of a Department of Urban Affairs. Mayor Daley, of Chicago, in testifying before the subcommittee, admitted that the passage of this bill will in no way provide a one-stop service for the mayors of our communities in their dealings with the Federal Government. As I pointed out in a question put to Mayor Daley, of Chicago:

> I think it is interesting to note that although housing is one of the major concerns of our cities, there are many other problems that our cities face.
>
> If you have a highway construction program you go to the Department of Commerce; a flood control problem, you go to the Department of Agriculture.

I am speaking about after enactment of this bill, not at the present time.

> These same steps will be necessary for our urban areas. Improvement of rivers and waterways you go to the Corps of Engineers, water pollution, you go to Health, Education, and Welfare, disaster relief, you go to the Emergency Planning Board, the Executive Office of the President, civil defense you go to the Defense Department, employment problems you go to the Department of Labor, school lunch programs—certainly very important in our area—you go to the Department of Agriculture. We could go on and on.

In other words, the enactment of this bill does not put all of these programs in one place where they can be coordinated. The alternative solution is the creation of a new office in the Executive Office of the President where these programs can be coordinated at the top level. Even as to the one area, the only area that is really covered by this bill, the area of housing, the bill does not do what its sponsors claim for it.

The sponsors of the bill claim this will put the problem of housing at Cabinet status. In the testimony it appears only about one-third of the Federal Government funds involved in housing will be in this new Cabinet-rank department.

It was pointed out in the committee hearings that a full two-thirds of the funds of the Federal Government added to this program of housing and urban development would not be touched by the passage of this bill. I refer to our programs under our Office of Education, and under the Home Loan Bank Board, that control two-thirds of the funds of the Federal Government in Federal housing. This bill will not accomplish anything more than to raise the one-third of housing in HHFA to Cabinet rank. Therefore I think the bill should be defeated and the substitute should be adopted.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the bill, H.R. 6927, which would establish a new executive Department on Housing and Urban Development. This is a historic step that will put our Government in better position to aid our urban communities, to administer housing programs, and to aid and to improve the possible development of problems that are growing more difficult, as we all know.

Living as I do in an urban community, the county of Los Angeles, which has 7 million people in it, more than many of the States in the Union and more than several of the States added together, I am particularly cognizant of the problems that we in the cities face. Seven out of ten people in our Nation today live in urban areas. There are 125 million people living in cities and suburbs of this country. These people are concerned with housing, land use and planning services, mass transportation, and other public facility requirements. Eighty percent of our population in the next 35 years will live in cities or suburban areas.

When the Department of Agriculture was set up to look after the problems of agriculture, 70 percent of our people lived in the farm areas.

Now that condition is reversed and we face an emphasis on living in urban areas and, therefore, we believe this is a timely move on the part of the administration to focus attention on these basic problems of physical properties and physical property planning which are related to cities particularly.

Now I want to answer an argument which is frequently made and has been made here on the floor of the House today. That all of the matters pertaining to urban living should be in one department. Why God bless you, if we did this we would have 80 percent of all the Government functions in one department. That is why we cannot take the Department of Health, Education, and Welfare and put it in. We cannot take the Veterans' Administration and housing and services and put them into this bill. If we were to do just what has been said in the nature of criticism of what we are doing, the very people who are criticising us today for not doing enough would be criticising us for doing too much—for building up a great urban department concerned with urban affairs—a great ogre, a great bureaucracy. We would hear all of those terms used.

I say in all kindness to my friends who say that we are not doing enough, let us go ahead and do the basic things that have to do with housing in the cities, with mass transportation and with other development programs and plannings and services within the city. Let us set up this department. Then, if later on the Congress decides it wants to add some additional duties that are pertinent to the people of the city that are not receiving the emphasis they should receive, then there would be plenty of time to do that.

But let us legislate a basic foundation organization at the present time and get this new Cabinet-level position established so that the Secretary of Housing and Urban Affairs can speak at the same level as every other Secretary of a Cabinet-level department. So he can speak with the same authority and the same prestige and sit in on the councils of the President with the same prestige and with the same authority. What we are attempting to do is just to give to the Secretary of a Cabinet department, charged with the basic physical properties that are involved in housing and home finance and the public housing administration and the Federal National Mortgage Association and the programs for the elderly and the program for college housing and all of these things that we have mentioned, to put them together in one department where we will have one responsible head in the place of a number of heads created by statute which results in confusion in the contacts between local governments and the Federal Government in regard to the problems that they have on the urban level.

During our committee, the gentleman from Illinois [Mr. ERLENBORN], one of our respected members on the minority, offered an amendment. I do not know whether it will be offered again today, but I am going to call it the Erlenborn amendment because of its author. He sought to set up within this Cabinet position what amounts to a completely autonomous department inside a department. In other words, to transfer to the department the Federal Housing Administration and place within this Cabinet-level department all of the offices, employees, insurance funds, assets, liabilities, contracts, property records and obligations, together with all of the functions and powers of the Federal Housing Administration, which are now vested in the Housing and Home Finance Administration. The same transfer of properties and responsibilities now vested in PHA, URA, CFA, and FNMA is also made. Their statutory powers and responsibilities would be placed in the person of the new Secretary of Housing and Urban Development.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I gladly yield to the gentleman.

Mr. YOUNGER. Are there any agencies or departments that you have mentioned combined into this new Cabinet post that are not now under the Administrator of Housing and Home Finance?

Mr. HOLIFIELD. All of these functions I mentioned that have been created by statute by the Congress are under the Housing and Home Finance Administrator at this time.

Mr. YOUNGER. That is right and they are all under one boss already?

Mr. HOLIFIELD. That is right.

Mr. YOUNGER. And the only thing you are attempting to do is merely to give to that man who is now responsible, a Cabinet post?

Mr. HOLIFIELD. Well, not exactly. We are planning to set up a Cabinet level position and we are going to invest in a Secretary of the Cabinet the responsibilities which are now vested by statute in a half dozen different people.

Mr. YOUNGER. They are all vested now in the Administrator are they not? That is what I am trying to find out.

Mr. HOLIFIELD. I am sorry to say the statute gives the Administrator of Public Housing certain statutory authorities. They are under the Housing and Home Finance Administrator, but not under his authority. In other words, he cannot overrule the statutory powers given to the different administrators by the Congress.

We are trying to do what the Hoover Commission advocated. We are trying to coordinate related authorities, functions, and responsibilities which have been placed in several different administrators by statutes of Congress, taking away from them the authority and responsibility under the present statutes and placing that in the Secretary of the Department.

The Secretary of the Department is to be responsible for the functions of the different divisions of the Cabinet-level Department. Authority is to be vested in the Secretary, and not in the different administrators.

The Erlenborn amendment sought to put all these statutory responsibilities in what was to be called a Federal Housing Commissioner, though it did pay the concept of a Cabinet-level Department lip-service. It said, "under the supervision and direction of the Secretary." How could it be under the supervision and direction of the Secretary when the authority and responsibility was placed in another man?

If that amendment is offered, I want the Members to know exactly what is the issue. The issue is whether we will have divided authority in the Cabinet Department or whether we will have the authority and responsibility to answer to the Congress in one man at the top, as is now the case with respect to the Secretary of Agriculture, the Secretary of the Treasury, the Secretary of Defense, and all other Cabinet-level positions.

We seek to do exactly what we have done in the other Cabinet-level departments of Government.

I wish to address myself briefly, in the time remaining, to the substitute bill which I understand will be offered on a motion to recommit.

We considered all of the facets of this problem, I believe, during the past 2 or 3 years, when we had this and similar legislation before us.

The substitute bill seeks to place in the Executive Office of the President a considerable bureaucracy answerable to the President for the coordination of these programs which Congress has set up. This, of course, is ridiculous when one starts to think about it.

If Members will read Mrs. DWYER's bill, they will see the scope of function and the number of personnel involved in the proposal of Mrs. DWYER to locate this function in the Office of the President. We must remember that if this is done, the head of that commission will be answerable to the President.

Under the present arrangement a Secretary in the Cabinet is not only responsible to the President for implementation of the programs but is also responsible to the Congress of the United States. I am not in favor of building up the Executive Office of the President and putting functions in it which by statute have been put in Cabinet level secretaries, who have been answerable not only to the President but also to the Congress.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from New York.

Mr. ROSENTHAL. I should like to bring to the gentleman's attention the testimony of Mr. Bernard Boutin, formerly the Administrator of the General Services Administration, who testified in support of the bill. This is to be found on page 12 of the report. Mr. Boutin said:

> There is a vast difference between the standing in the councils of the executive branch of the head of an independent agency and the status of a member of the Cabinet. A very good example of this is the ability of a Secretary of Housing and Urban Development to talk as an equal with the Secretary of the Treasury on monetary policy, which is vastly important to the whole homebuilding industry.

Mr. HOLIFIELD. That is true. The National Association of Home Builders asked for special recognition to be given to the functions of the agency supporting the private mortgage market.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FASCELL. Mr. Chairman, I yield the gentleman from California 1 additional minute.

Mr. HOLIFIELD. Mr. Chairman, we do have a committee amendment which I advanced in the committee and which is found on page 4. It will give proper recognition to that function by placing it under one of the Assistant Secretaries. We believe this is all that is necessary. We do have a letter which will be read later from the Bureau of the Budget and will be put into the record, in regard to this matter, showing their approval of the amendment.

Executive Office of the President,
Bureau of the Budget,
Washington, D.C., June 14, 1955.

Hon. William L. Dawson,
Chairman, Committee on Government Operations, House of Representatives, Washington, D.C.

Dear Mr. Chairman: This is in reply to your inquiry as to whether the name "Federal Housing Administration" would be retained within the Department of Housing and Urban Development which would be established by H.R. 6927 and also as to whether the Bureau of the Budget has any comment with respect to the amendment adopted by your committee to section 4(a) of the bill, relating to the administration of mortgage insurance functions within the Department.

The Bureau is aware of the concern that has been expressed by segments of the homebuilding and mortgage banking industries that the Federal Housing Administration will be in some way downgraded as a result of the establishment of the proposed Department. This concern has led to a proposal, incorporated in your committee amendment, that one of the Assistant Secretaries of the Department shall be designated to administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market. It has also given rise to inquiries as to whether the name of the Federal Housing Administration would be retained for the departmental organization that handles mortgage insurance.

As you know, the administration bill, as introduced, was silent on matters of detail affecting these issues. However, there are no grounds at all for concern that the FHA and its programs will be downgraded. On the contrary, the Agency and its programs would for the first time be represented directly in the President's Cabinet. This is so because final responsibility for the functions would be vested in the Secretary who would, of course, be a member of the Cabinet.

With respect to your first question, the Bureau is fully aware of the value inherent in preserving the familiar terminology of the Federal Housing Administration and is confident that the Secretary of the proposed new Department, whoever he may be, will so organize the Department as to preserve the advantages of this well-known name. This is not to say that each and every function or internal organizational arrangement of the FHA will be indefinitely frozen within the Department. However, I do mean to indicate that the basic mortgage insurance functions will undoubtedly continue under the Department to be identified officially with the name "Federal Housing Administration."

The Bureau of the Budget has carefully considered the language of the amendment proposed by the committee to section 4(a) of the bill. In view of the importance of the private mortgage market programs for which responsibility would be assigned to an Assistant Secretary, I am confident that such an assignment would be made by the Secretary whether or not an amendment were adopted expressly requiring that this be done. Although the Bureau does not believe that such assignments should be made in the legislation itself, in this specific case, and in view of the considerations discussed above, the Bureau has no objection to the assignment of responsibility which your committee's amendment is designed to accomplish.

Sincerely,

Charles L. Schultze,
Director.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Griffin].

Mr. THOMSON of Wisconsin. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Seventy-nine Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 138]

Ayres
Bonner
Bow
Bray
Brown, Ohio
Cederberg
Chamberlain
Corman
Curtis
Dingell
Duncan, Oreg.
Evins, Tenn.
Farnum
Findley
Fisher
Frelinghuysen
Hagan, Ga.
Hamilton
Hanna
Harvey, Ind.
Hébert
Ichord
Irwin
Jacobs
Keith
McMillan
Macdonald
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mink
Morton
Passman
Pike
Pirnie
Powell
Resnick
Rivers, Alaska
Selden
Stafford
Steed
Toll
Vivian
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. Albert) having assumed the chair, Mr. Boggs, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6927, and finding itself without a quorum, he had directed the roll to be called, when 390 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. GRIFFIN. Mr. Chairman, I wish to assure my colleagues that I did not instigate the quorum call. However, I believe this measure is important. If this bill passes, it will have long-range, far-reaching effects, and it ought to have the attention and careful consideration of the full membership of the House.

The bill, by its title, would establish a new department of housing and urban development, but I believe it borders on being a legislative hoax. I say that because the title holds out an unfulfilled promise; it misleads people into believing that by creating a new department, the Federal Government will somehow solve all of the problems of the urban community when, in fact, this measure, psychologically at least, will tend to weaken State and local governments, and it will create greater unjustified dependence upon a new Federal department.

Our very able and distinguished colleague from California, [Mr. Holifield], whom I always find to be very candid and very fair, helped to put this issue into proper focus. He pointed out, quite correctly, that the bill does little more than to merely elevate the existing Housing and Home Finance Agency to Cabinet level, that the bill does not provide for the transfer of functions of many agencies of the Federal Government which now have a direct impact upon urban affairs—for example, that it will not transfer functions relating to civil rights, education, public health, air pollution, manpower development training, and so on. The gentleman from California pointed out how impractical it would be to make many of these transfers, and he said that if Congress were to transfer all of the various functions which have an impact on urban problems, fully 80 percent of the Federal Government's functions would be vested in such a new Department of Housing and Urban Development.

Obviously, we do not wish to transfer many of those functions. It would not make sense to do so. What is really needed and desired is better coordination of the many existing activities and functions as they apply to urban problems.

Incidentally, the gentleman from California indicated that the minority members were critical because many of these functions were not being transferred under the committee bill.

I want to assure him that we are not critical because these many functions are not transferred. But it is essential to an understanding of the bill to realize that many of the functions important to urban problems are not being transferred to the proposed new department. We would not want many of these functions transferred. The fact that they are not being transferred helps to point up what the real function and purpose of such a bill as this should be: to establish better coordination.

But what Cabinet officer, or which of the other members of the Cabinet, is relegated to the role of being a mere coordinator? Is this an appropriate function for the establishment of a whole new department of the Federal Government, or is it a function which could more appropriately be handled by someone operating in the office of the Presidency?

How could an official who does not have jurisdiction over education, public health, welfare, manpower development and training, do anything more than merely coordinate? It seems to me it borders on the ridiculous to set up a whole new department of Government, to establish a new Cabinet post, to carry out the function of a liaison man—to gather material and information about existing programs and agencies and to help coordinate the various agencies already established in to assist in the solution of urban problems. The approach of the committee bill just does not make sense.

Although the argument has not been expressed here today, it is sometimes indicated that a Department of Urban Affairs ought to be established in order to balance the establishment of the Department of Agriculture.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ERLENBORN. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. GRIFFIN. If there needs be, and ought to be, any kind of a counterpart to the Department of Agriculture, then it would seem to me that it is already established in the Department of Labor. Food, the production and distribution of which involves the Department of Agriculture is not of importance only to rural people; food is a concern of all people. People in the cities as well as the people on the farms and in the urban areas are interested in, and ought to be concerned about the problems with which the Department of Agriculture deals.

This proposal before us today to establish a Department of Urban Affairs, I suggest, is a divisive approach to the solution of problems. It suggests that departments ought to be established, not on the basis of functions or responsibilities, but rather as some kind of a representative of people who live in particular areas. It would be just as logical, I submit, to establish a Department of Western Affairs, or a Department of Great Lakes Affairs, or a Department of Southern Affairs. Should the Congress also establish a Department of Suburban Affairs, or is that to be a subdivision of the Department of Urban Affairs?

The substitute proposal which will be offered by the gentlewoman from New Jersey [Mrs. DWYER] to set up an agency within the office of the Presidency to coordinate existing programs which directly bear upon urban problems, offers a much better solution than the bill which the committee has reported. The Dwyer substitute would provide something that our mayors and our city officials really want. They do want a one-stop coordinating service. When they come to Washington, they would like to go someplace and be able to obtain information and to obtain answers to their questions about various existing programs related to urban problems.

The substitute bill would provide that one-stop coordinating service. The committee bill will not.

The committee bill would merely elevate the Housing and Home Finance Agency, which handles only about one-third of the housing problems of our Federal Government to the rank of Cabinet level.

So those Members—and that includes me—who are truly concerned about urban problems, who want to do something to help our cities, something that will be constructive and will not mislead, I urge you seriously and on a nonpartisan basis to support the substitute bill that will be offered.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, the case for a Cabinet-level Department of Housing and Urban Development is very simple. The problems of our cities—housing, urban renewal, community facilities, mass transit, open space—are so important that they should not be relegated to a low level sub-Cabinet agency.

Let me say I agree with the gentleman from Michigan [Mr. GRIFFIN] when he pointed out a few moments ago that problems like housing, urban renewal, mass transit, are not Democratic or Republican problems; they are national problems.

There will be an effort made to substitute for the pending bill a text introduced by the distinguished gentlewoman from New Jersey [Mrs. DWYER], to set up in the White House an Office of Community Development. As far as I am concerned, one more White House office of expediters and coordinators, this one devoted to urban affairs, might do no harm, and might well help. But it is simply no substitute for setting up a Cabinet-level department. You either believe that the affairs of our cities deserve Cabinet rank or you do not.

In view of the fact that the reaction from our minority friends to the suggestion of a Cabinet-level Department of Urban Affairs has been, to say the least, quite lukewarm, let me see if I can generate a little enthusiasm on the minority side for it. Let me take as my text a most moving article which appeared some years ago in This Week magazine. On the cover of This Week is a picture of our distinguished friend, then the ranking Republican member of the House Government Operations Committee, the gentleman from California [Mr. YOUNGER], who just got through a few minutes ago speaking against the bill today to make a Cabinet-level department out of the Housing and Home Finance Agency. The caption, over a picture of Congressman YOUNGER is, "What can we do to make our American cities better, cleaner, happier places to live in?" Representative YOUNGER of California has an exciting solution. Read this article. "Let us have a Department of Urbaculture."

In the article our distinguished colleague from California went on to say:

> I feel that a brandnew department of government with a Cabinet status should be created. Its job would be to deal with the problems of the new, forgotten man—the American who lives in the city or the suburbs. I am only suggesting that the Government give the city man the same consideration it now gives its country cousin. This is not a new revolutionary suggestion. Several countries have Cabinet-rank departments concerned with housing and urban affairs. I don't think we should waste 25 years debating its merits before establishing the Department of Urbaculture as we did with the Department of Health, Education, and Welfare. Right now is the time to begin making city living livable again. And it's also as good a time as any to give that underprivileged citizen, the city slicker, an equal voice in government with his country cousin.

That article appeared on August 5, 1956. In my first term here I was so taken with the logic and directness of the Republican leader of the House Government Operations Committee that from that day to this I have been an enthusiastic propounder of the theory that we ought to have a Cabinet-level Department of Urban Affairs.

Incidentally, Mr. Chairman, similar legislation to this was vigorously supported by President Eisenhower's two Housing Administrators, Mr. Albert Cole and Mr. Norman Mason. The Eisenhower Bureau of the Budget agreed with the position that the Housing and Home Finance Agency deserved Cabinet-level status.

Mr. Chairman, Republicans 9 years ago saw the need for a Cabinet-level department devoted to cities and ever since then every single problem of our cities has become more intense and the need for a Cabinet department is greater today.

Mr. Chairman, I hope that our friends on the Republican side will reconsider the course upon which they are apparently embarking and will at least catch up to where they were 9 years ago.

Mr. Chairman, speaking for myself, I am quite willing to call this new department a Department of Urbaculture much as the name distresses me, if we can get a little Republican held and support in doing justice to our cities and in saying that we have a Department of Urbaculture.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I am pleased to yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I too am pleased that the gentleman from Wisconsin has brought this matter to the attention of the House of Representatives, because I have a high personal regard for my colleague from California [Mr. YOUNGER]. I find myself in complete accord with his sentiments as expressed in 1956.

Mr. REUSS. I thank the gentleman from California.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman and Members of the Committee, a very long time ago Plato observed that "they have filled the city full of harbors and docks and buildings and all of that and have left no room for reason or justice."

What was true of Athens more than 2,000 years ago is true of the cities of the United States today.

We now take up an opportunity to restore to them both reason and justice; reason in that the cities and their environs are the home of the great majority of the people of the United States which we in Congress represent, and justice in that Congress should rectify the fragmented representation allowed our cities at the highest levels of the Federal Government.

Mr. Chairman, I first introduced a bill to establish a Department of Urban Affairs in 1960 and have introduced it in every Congress since then. One of the reasons that I authored and introduced the bill was my own personal view of the executive branch when I worked in it in 1955 and 1956. In those days I was in the Justice Department. One of my jobs was to work with the President's Cabinet.

I know perfectly well, Mr. Chairman, that some Presidents use the Cabinet to a greater extent or effect than do other Presidents. But it is always true that the Cabinet is the highest council in the executive branch of Government, and what is said or what is argued or fought for there may have a lasting impact upon the future course of national affairs.

I know also, Mr. Chairman, that no Cabinet officer is supposed to be just a lobbyist for the particular area that he represents. The Secretary of Agriculture is not necessarily just a spokesman for the farmer.

The Secretary of Labor is not supposed to be purely a lobbyist for members of the labor force.

The Secretary of Commerce is not supposed to be just a spokesman for business.

But the fact is that these various interests in the United States do get representation at the Cabinet level through Cabinet officers.

Meanwhile, what has happened to the consumers of the United States? What has happened to the long-forgotten person in our crowded cities, very often living alone, living by a wage check, trapped in the cost-of-living increases and all of the other pressures that surround him? He is at the mercy of every pressure.

Who is his representative at the highest council table of our Government? I think it is reasonable to assume that in some cases in modern history subjects such as housing in our cities have been shortchanged because of the absence of a voice at the Cabinet level. It is time that the interests of the consumers in our cities which have been unrepresented at the Cabinet level be now represented at the Cabinet level by a Secretary of Housing and Urban Development.

Agriculture, labor, and commerce all have a Cabinet-level voice in the executive department. But not the cities, whose aggregate interests certainly deserve equal attention and direction.

The troubles of the cities are increasingly susceptible to national solutions. The awareness of these problems and the design of programs by which the Government can ease or correct them should be placed regularly and forcefully upon the Cabinet table.

The Federal role in the affairs of our cities is most apparent along the Atlantic coast, where we already are witnessing the creation of a huge supercity, spreading irregularly from Boston to Norfolk. New York City, a part of which I represent, will be at the center of this formidable complex of power and, we hope, prestige. The problems inherent in this urban expansion pattern will not respect the traditional delineations of authority and responsibility along city, county, and State lines. Air and water pollution, to name just two examples, have for some time been recognized by Congress as interstate problems requiring Federal participation. There are many, many more.

I think that perhaps our most urgent responsibility is to plan the growth of our city complexes so that expansion is properly channeled. An urban outburst of the kind already underway cannot be properly directed by isolated, parochial committees and studies. The need is for comprehensiveness, and it should logically develop from the highest level of our Government.

It is for the reasons I have outlined that I support the establishment of a Federal Department of City Affairs, by whatever name it finally is assigned. The bill before us today closely parallels a bill I first introduced in 1960 to create a Cabinet office charged with furthering the interests of urban America. Its immediate value would be to pull together and raise the status of the proliferation of agencies concerned with cities. Congress accepted the principle several years ago in the social welfare field; the result was the Department of Health, Education, and Welfare.

The preamble to the Lindsay bill states in part:

> The rapidly increasing urbanization of the United States, with its accompanying social and economic changes, creates new and accentuates existing problems in fields such as housing, urban renewal, slum clearance, prevention and elimination of urban blight, air and water pollution, water supply, sewage facilities, transportation, and many others.
>
> As the proportion of the population of the United States living in urban areas increases, the needs of the urban population, especially in the field of housing, will become increasingly serious. The burdens placed on facilities and services in urban areas by their rapidly increasing population are such that existing facilities and services daily become more inadequate. Ever-increasing efforts are continually required in order to maintain such facilities at current levels, and still greater efforts are required to provide even minimal improvements therein.
>
> The needs of urban areas are so pressing, and have such an impact upon the Nation as a whole, that Federal action is required to assist in meeting the problems of urban areas through housing programs, and through education, research, technical services, and other programs designed to assist in meeting the needs of urban areas.

The passage of 5 years has not lessened, but intensified these needs.

My bill, like H.R. 6927 before us today, provides for the transfer of all functions of the Housing and Home Finance Agency—including the Public Housing Administration, the Federal Housing Administration and the Federal National Mortgage Association—to the new department of city affairs.

Enactment of this legislation will not add to the Federal budget; increased efficiency, in fact, may lead to some economies. The bill simply assembles under one roof the varied Federal functions dealing directly with cities, thus permitting a consistent and coordinated approach to the multitudinous problems of the cities and suburbs.

It has been argued by many including some of my closest colleagues—that the problems created by the exploding metropolis are not necessarily answered by placing Federal responsibility for urban matters in a single organizational unit—that it is a matter of emphasis, not method. The contention, however, also was directed against the inception of the Department of Health, Education, and Welfare. Yet the Department has formulated a philosophy which marks off more clearly than ever in the past the separate responsibilities in these fields of the Federal, State, and local governments.

It has also been argued that what the bill aspires to do can be accomplished through research. Research, however, can be wasteful and ineffective unless it is organized from top to bottom, not inversely. The Department of Health, Education, and Welfare has done this. It has been able to keep pace with the times, not by preempting local responsibility, but by determining the nationwide scope of social welfare problems.

Congress established the Department of Agriculture in 1862, when the United States was still a predominantly rural country. In 1953, the creation of the Department of Health, Education, and Welfare signified that the composition of the country was substantially urban. That was 12 years ago and now more than two-thirds of all Americans live in or near a city. Yet we spend more Federal money on potato research than we do on urban economics.

It is appropriate perhaps, to describe what Congress is attempting to do in creating a city affairs department from the viewpoint of a typical, but fictional, mayor.

The mayor is undertaking an urban renewal project in which some buildings will be torn down and others rehabilitated. Air pollution and sewage disposal demand attention—and money. An eight-lane expressway, part of the Interstate Highway System, is scheduled to cut through downtown business properties. The route alinement also strikes across a valuable park. The chamber of commerce is after the mayor to try to build a new airport. Rumor has it that an electronics firm holding remunerative Army Department contracts is looking for a site in town. Petitions are on his desk for more public housing. A veterans' hospital is scheduled to be closed down with a loss of hundreds of jobs. The high school constructed only 5 years ago is already overcrowded. The civilian defense organization needs help. The city's welfare expenses are increasing each year. The tax rates are a continuing source of complaints and the city's borrowing authority is almost exhausted.

The mayor decides to take his troubles to Washington, which at least gets him out of town for a while.

The mayor is uncertain about where to begin in the Capital. He does not know the Senators from his State, and his Congressman was elected to office by defeating the mayor's son-in-law. Consequently, he looks up some addresses in the telephone book and hails a cab.

A week later, the mayor has enduring memories of the ceilings of waiting rooms in the following Government offices: The Housing and Home Finance Agency, the Community Facilities Administration, the Public Housing Administration, the Sanitary Engineering Division of the Department of Health, Education, and Welfare, the Federal Aviation Administration, the Bureau of Public Roads, the Veterans' Administration, the Interior Department, the Army Corps of Engineers, the Defense Department, the Labor Department, the Office of Civil Defense Mobilization, and the Executive Offices of the White House.

The mayor returns home with referrals to a dozen other units and subunits of his Government, a briefcase crammed with regulations, forms and applications, and a notebook filled with telephone numbers and the misspelled names of Washington supernumeraries. He is discouraged and saddened—until he next attends a mayor's conference. There he learns that most other mayors have had the identical experience.

The activities of the Federal Government in assisting cities are administered by at least five major departments and independent agencies, and at least as many lesser ones. Each department or agency has several bureaus, divisions, or branches concerned with urban living. Many of the offices have conflicting rules or regulations.

I believe the bill before us represents a large step toward the effective consolidation of Federal functions concerning the Nation's cities and suburbs. It will not end all the logistical and procedural difficulties encountered by the fictional mayor, but it is a start. It should be passed.

The bill does not contain what I believe to be a valuable provision of my bill—the establishment of a Federal Urban Affairs Council. The Council would have been appointed by the President to advise on the programs and policies to be pursued by the new department. But I shall not quibble about this omission. I think this bill will do the job; it is important and necessary to those Americans who live in our cities and suburbs and also in considering this bill to those who do not. I would urge my colleagues to be mindful of something said of the city of Washington many years ago:

> What you want is to have a city which everyone who comes from Maine, Texas, Florida, Arkansas, or Oregon can admire as being something finer and more beautiful than he had ever dreamed of before; something which makes him even more proud to be an American.

The sentiment should not be restricted to the Nation's Capital. We have the opportunity today to contribute directly and substantially to the time when all Americans will take pride in all our cities. Reason and justice dictate that we do so.

Mr. FASCELL. Mr. Chairman, I yield 4 minutes to the gentleman from Pennsylvania [Mr. Moorhead].

Mr. MOORHEAD. Mr. Chairman, your Comimttee on Government Operations on which I have the honor to serve is charged under the Rules of the House of Representatives with the study of the operations of Government activities at all levels with a view to determining economy and efficiency.

Partly because of historical reasons the structure of the Housing and Home Finance Agency is not a model of efficient organization. When the Housing and Home Agency was first established 18 years ago its main purpose was to supervise and coordinate the various housing programs then in existence. Each subordinate agency kept its own identity and most of its autonomy. New programs established since then—such as community facilities, urban renewal, urban planning, mass transportation, college housing, and housing for the elderly, did not change the nature of the HHFA. It remained, as the Committee report notes, a kind of "holding company" in its organizational structure. For example, the powers and functions of the Federal Housing Administration and the Public Housing Administration have remained with the Commissioners of those agencies.

Now, this type of supervision goes directly contrary to the philosophy of the Government Reorganization Commission headed by the late Herbert Hoover.

In its very first report the Hoover Commission said that:

> Under the President, the heads of departments must hold full responsibility for the conduct of their departments. There must be a clear line of authority reaching down through every step of the organization and no subordinate should have authority independent from that of his superior.

By making HHFA a Cabinet-level Department we would be following directly the Hoover Commission precepts and philosophy. Existing "jumbled lines of authority" would be brought together in an organization with greater unity of purpose and objectives.

The Secretary of Housing and Urban Development would be more clearly responsible to the President and to the Congress.

It would provide in the executive branch also a center through which policies affecting housing and urban development are coordinated, correlated, and articulated at the highest level of Government. Just as other Cabinet officers speak for the President and exercise influence throughout the entire executive branch, so would the new Secretary of Housing and Urban Development exercise leadership in his field.

By recommending the reorganization of HHFA into a new streamlined Department, your Committee on Government Operations is complying in full measure with its mandate to study the operations of Government activities with a view to determining economy and efficiency.

I urge the enactment of H.R. 6927.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. Gurney].

Mr. GURNEY. Mr. Chairman and colleagues, I rise in opposition to the bill, H.R. 6927. Actually this is not a new idea, of course. It really is not a key piece of legislation of the Great Society like some of the bills we have considered here on the House floor this year. This idea has been kicking around in one form or another since, I understand, about 1950 and actually did not pick up much interest at all until the first year of the Kennedy administration. Then, of course, a bill came out of the Committee on Government Operations. It went to the Committee on Rules and was turned down. Then, the next year the President sent up an Executive order to see if he could do it this way, and this time this body rejected the idea by a vote of 264 to 150.

Now we have it back again. I think one of the interesting things about it is the change in the bill. The only change in the bill is in the title. It was known as the Department of Urban Affairs and Housing and now it is known as the Department of Housing and Urban Affairs. This is the only change in this idea that has been kicking around for, lo, these many years.

Now what does the bill do? This has been brought out again and again by the speakers and yet as the gentleman from Michigan said, it is an important bill and I think we might bring out again exactly what it does. What it will accomplish will be to elevate the Housing and Home Finance Administration to Cabinet status and include in the new Department the HHFA, the FHA, the Federal National Mortgage Association, and the Public Housing Administration and it puts a new hat on the man who runs these agencies and will make him a Secretary.

That is one thing it does. The other thing it does, and here is where a whole lot of people are being badly fooled and this has to do with the urban affairs part of it—all this does is to say that this new Cabinet officer will be a coordinator and an adviser to the President on urban affairs. It does not give him a single shred of authority or power to do anything about urban affairs. This thing came out again and again in the testimony presented before the committee.

Now it is always interesting, I think, in analyzing a bill to inquire what the bill does not do. In the first place, it does not put into a new Department the housing affairs of this Nation. As has been brought out here, about one-third of housing will be put into the new Department and two-thirds of the housing will remain out of the Department. The other thing it does not do, is that there is no change in status as far as urban affairs are concerned. It was brought out in the testimony in the subcommittee hearings that about 70 agencies of the Government now function in the various departments under other Cabinet officers and not a single one of these agencies is going to be changed. The new Secretary will not have a shred of authority or power over a single one of these agencies.

The sum and substance of this legislation, really, is what Mr. Staats, the Deputy Director of the Bureau of the Budget, who was the principal witness on behalf of the Government, said, as we questioned him. He said, "It will give this new man, this new Secretary, new prestige to let him function on a level with the other Cabinet officers."

I say to you that this is all it will do.

The point might be made: All right, perhaps it is a good idea to do this. Why not put a new hat of Secretary and Cabinet status on the Federal official in charge of housing?

Again and again it was brought out in the testimony before the Committee on Government Operations, that the present housing agencies were doing a good job. Mayor Daley, of Chicago, was among the witnesses. He was asked, "How are your relations with the FHA? How are your relations, as mayor of the city of Chicago, with the HHFA?" He said, "They are fine. They are doing a good job for us. We have no complaints."

We asked Mr. Keith, the president of the National Housing Conference, the same thing. His reply was the same, that they have fine relations with the present housing agencies of the Government, and they do not need to be changed.

We asked Mr. Boutin, the executive vice president of the National Association of Home Builders, this same question. I will quote this time:

> Is it not true that your relations with the FHA, your business building relationships with the FHA, have been good? It has been a good agency, it has done a good job?
>
> Mr. BOUTIN. It has done a good job. I pointed out in the statement, we think this has been one of the really great economic inventions of all time.

This is what was said by one of the men who represents one of the biggest organizations in the country dealing daily with housing in the Federal Government, all the time.

So the testimony went on.

I believe it was rather interesting that the point was made that these same witnesses who deal with the Federal Government in housing had severe reservations about what the status of housing would be in the new Department and under the new Secretary. For example, the same Mr. Boutin said:

> Yes, we favor this new Department as an organization, provided—

And here I quote his statement—

> provided primary recognition is given to the role of privately financed housing and proper safeguards are established to insure the continued high level of operations of the Federal Housing Administration and the Federal National Mortgage Association.

In other words, to use his words, they want language which would prevent the FHA from being relegated to a second-, third-, or fourth-rate position.

As a matter of fact, the Mortgage Bankers Association expressed in a strong statement the same reservation.

I received this morning a letter which I had intended to bring over and include in the RECORD. I had intended to read at least a portion of it. It came from the firm of Stockton, Whatley, & Davin, one of the largest mortgage dealers in the State of Florida, which has always had one of the largest home building activities in the United States. To paraphrase what they said, "For heaven's sake, do not put FHA and do not put mortgage financing over into this new bureau." They fear too that it is going to be downgraded. They fear too that it is going to take a second-, third-, or fourth-rate position and get lost in this new agency.

Let us turn for a moment to the urban affairs part of the bill. We have talked about housing. What is this going to do for urban affairs?

I believe that most of the people in this country, and I rather expect that most of our colleagues here in the House of Representatives, really feel this thing is going to do something for urban affairs.

I have pointed out that 70 of the urban programs are in other departments of Government.

We asked the chief witness, Mr. Staats, the Deputy Director of the Bureau of the Budget, what the legislation was going to do so far as urban affairs was concerned. Again and again he came back with the reply, "I am not talking about transferring any authority or any responsibility." He said, "The bill does not seek to modify or repeal existing programs or propose any new ones."

This is testimony from the Government witness. Again and again we asked what it was going to do so far as problems of cities were concerned, as we were talking about them. We never could pin him down that this bill was going to do anything for the cities of the Nation. The reason why we could not, is because it is not going to do anything, because there is no power and authority in the bill, as the Deputy Director pointed out himself, for this Cabinet officer to do anything about urban affairs, except to advise the President and tell him what is going on.

There is language in the bill about coordinating planning with the cities, but nothing is in there that gives this new Cabinet officer any new power. That again was the testimony. Now I go back to the witness who represented the county organization. When asked if he supported the urban affairs ideas in the bill, he said, "We frankly do not want this new Department to go any further than that, that is, to take over the housing programs." He said, "We are opposing and would be strongly opposed to putting all 60"—speaking of other urban programs—"into one department." I asked him, as far as other urban area programs are concerned, if they should be kept exactly where they are and his answer was one word: "Right." Of course, he thinks that is what will be in the bill. So, in short, nothing will be done in this area. Now let us look at it practically.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLENBORN. I yield the gentleman 2 additional minutes.

Mr. GURNEY. If this new Cabinet officer has no power as far as urban affairs are concerned, as a practical matter, what will happen? There is some precatory language in this bill that asks him to advise the President and to coordinate. What will happen if he goes over to HEW, which now administers about 50 programs having to do with urban affairs, and says to Secretary Celebrezze, "As far as your educational programs are concerned"—and as a matter of fact next year in the budget we have about $7 billion for educational programs—what will happen if the new Secretary says to him, "As far as your educational program X is concerned, I think you should do this about it." Now, as surely as Mr. Celebrezze has "brezze" in his name, believe me, there will be plenty of brezzy words coming over the phone to this new Secretary, because he will tell him where to get off.

That is precisely what one of the advocates of this program, the man who represented the counties, pointed out in his testimony. I will use his words because it is a very practical political answer. I asked him what this new Department would do. Would it take over departmental functions of others in the Government? Of course he said it will not do this and he said we are opposed to it. I asked him, "Do you not suppose over the long run, the new Department will reach in and take some of these programs?" His answer was, "Our officers and directors met last week with six Cabinet officers. We came away with the impression that they are pretty strong men and that there will not be a whole lot of transferring of functions away from these departments."

There you have it. That is exactly what is going to happen. The new Secretary is not going to cut any ice with any of these other departments from a practical operating point of view because he does not have any power and he does not have any authority. To come down to it, you have a bill here, and I do not see this bill as a Democratic or a Republican matter at all, or a matter of conflict in political philosophy, whether one is a liberal or a conservative, that is simply a very poor bill. When you come down to it, you have a bill here that will not do much of anything that it says it will do. It does not do anything for housing that is not being done very well today. It only encompasses about one-third of all the housing programs. It does not do a blessed thing for a Department of Urban Affairs and the whole area of our problems in urban affairs because under this bill the new Secretary has no power and no authority in this field.

I have used up my time. I wish I had time to talk about the Republican substitute. To me, it makes good sense because it will put under the Executive Office of the President a man who can truly coordinate these urban affairs which are so important to our Nation.

I would urge the House to reject H.R. 6927 and adopt the Republican substitute.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from New York, [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, I beg to differ with some of my colleagues on this side of the aisle who say that this is not a good bill. To the contrary, Mr. Chairman, I believe this is a superb bill that is long overdue, most desirable, and most justified.

Mr. Chairman, the need for a Department of Housing and Urban Development has grown with each year, and I feel very strongly that this need must be met, and must be met now. I heartily welcome the opportunity we now have to act on this long overdue proposal and want to commend the committee for its forthright action in reporting it favorably to the House.

As I have done in the three previous Congresses, in January of this year I again introduced a bill to provide such a Department and urged the committee to give priority to this long discussed important issue. When the present bill, H.R. 6927, was before the Committee on Government Operations, I urged that committee to favorably report the bill so that the House could face the issue squarely. Today, I am overjoyed and privileged to be associated with the legislation before us and to recommend that it be given the overwhelming approval it so clearly deserves.

This legislation is predicated on the congressional finding that the vast technological and sociological changes wrought by the increasing urbanization of 20th century America have created new problems in areas such as housing and urban renewal. There now exist over a score of Federal programs designed to help our local communities meet these problems. The bill before us seeks to establish a single Department of Housing and Urban Development, which will be responsible for the consolidation and coordination of many of these disparate efforts.

The urban areas which string across this country are not islands unto themselves; nor are the many difficulties they face unique. All too often, however, their efforts to alleviate their problems are undertaken without the benefit of the experience of other areas. Urban renewal programs which have proven to be most successful in meeting the slum clearance problems of a large eastern metropolis may never come to the attention of, for example, southern cities faced with the same problem. This situation would be greatly ameliorated by the creation of such a Department which will serve as a clearinghouse for information of this sort. In addition, however, the Department would also carry out independent studies on other problems which currently plague our cities. These studies would be made available to urban areas to assist them in their planning.

Aside from serving as a clearinghouse and a research center, this Department would also coordinate the implementation of the many Federal programs in force which provide assistance primarily to urban areas. The Federal National Mortgage Administration has one program, the Public Housing Administration has another, and the Housing and Home Finance Agency has a copious variety of programs to meet the growing housing problems which beset our cities. It seems to me that it would make eminently good sense to bring these closely related programs under one roof, and thereby to encourage a meaningful dialog among the experts who administer these programs.

This bill would also create a new and sorely needed Cabinet post—the position of Secretary of Housing and Urban Development. The function of the Secretary would correspond to that of other Cabinet officers: He would serve as the administrative head of one of the major functional divisions of the executive branch of Government, and he would serve as the spokesman for this phase of executive responsibility when broad issues are before the President and Cabinet. Seventy percent of our citizens live in and around urban centers; their needs should be attended to by an officer of Cabinet level.

There are no precise measuring rods for determining when an agency or agencies should become a department. But as the Committee on Government Operations correctly pointed out, the criteria normally employed are permanence, size, scope, interrelatedness, and the national significance of the programs to be administered by the proposed department. By any of these standards, I believe that the Housing and Home Finance Agency clearly warrants departmental status. This agency has been in existence since 1947, and the scope and importance of its work have grown tremendously, and promises to continue to grow to meet an ever-increasing need. I think we should accord to this collection of agencies, a legal status commensurate with its responsibility.

Mr. Chairman, in closing, let me emphasize the fact that I feel very strongly about this need for this legislation. Many of us have introduced similar bills in past years; the need we perceived then has grown. Clearly now, the time is ripe to translate the facts of American society into proper government purpose, and to do this by establishing a Department of Housing and Urban Development to enable the Federal Government to play a fuller role in America's growth and development.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, America's frontier is no longer on the prairie, no longer on the farm, but in our cities. President Johnson made this very clear in his message to Congress on March 2 of this year when he said:

> Our urban problems are of a scope and magnitude that demand representation at the highest level of government.

He pointed out "These problems are already in the front rank of national concern and interest. They deserve to be in the front rank of government as well."

Mr. Chairman, in order to bring urban problems to the "front rank of government," the message called for the creation of a new Department of Housing and Urban Development. I have sponsored a bill (H.R. 7108) to create a Department of Housing and Urban Development in this Congress and in past Congresses since I have been here, one to create a Department of Urban Affairs—H.R. 6065, 87th Congress; H.R. 4067, 88th Congress. I believe it is not really necessary to stress the urgency of congressional action to have at the Cabinet level a voice for the cities of America to deal with the manifold problems of urbanization. Congress has had this proposal before it for some 10 years. Hearings have been held in the House and in the Senate. Legislation has been introduced, and the matter has been debated during the course of the last decade. Since I have served in Congress I have testified three times in both the House and Senate in favor of this idea. Time moves on whether or not Congress acts.

During this period of time a whole new generation of children in slums have reached school age. During this period of time many of our senior citizens have died in the slums.

In the city of New York we have seen the slums expand while the Congress has hesitated to act. We have seen the Federal Government fail to expand public housing programs to meet adequately the need of our cities. We have seen the inability and unwillingness of both the city and Federal governments to launch a massive attack on the conditions which breed crime and the accompanying problem of drug addiction. We have seen the cities of our country become choked with automobile traffic and the Congress hesitate to encourage long-range planning for urban transportation. We have seen, while we have been debating this bill during the last 10 years, our cities move to the point where they face fiscal exhaustion.

Our cities are not coping adequately with the crucial issue of mid-twentieth America—urbanization.

All of these question are part of the growing urbanization of America. If we are going to deal realistically with these physical and social problems, Mr. Chairman, a Department of Housing and Urban Development is necessary.

I listened earlier this afternoon to the gentleman from Michigan [Mr. GRIFFIN]. He tried to dismiss the analogy to a Department of Agriculture by saying that the problem of food is everyone's concern. It seems to me, Mr. Chairman, that equally the problem of shelter is everyone's concern. Basic to our very existence is the question of shelter. This Department of Housing and Urban Development will be concerned primarily with shelter and the environmental factors which affect living conditions in our major cities.

This Department will focus attention on the problems of our cities—the crucial problems of our Nation—and provide coordination for the more than 100 Federal programs relating to our urban areas.

Governor Hoff of Vermont only a few weeks ago remarked to the National Housing Conference that: "Today we are very close to a full-blown emergency and the average person has no idea this is going on."

Present growth trends indicate that there will be some 350 million people in the United States by the year 2000. The interim increase will concentrate in urban areas if present trends are projected. The larger metropolitan areas in the United States will contain 70 percent of an anticipated population of 244 million by 1980 and 80 percent by the year 2000.

In the New York Metropolitan area, it is anticipated that there will be an increase from 16 million in 1960 to almost 21 million in 1975. By 1985, it is anticipated that 3 million more will be added to our metropolitan area population. Proper shelter and other environmental conditions are essential for these 24 million citizens.

The Department of Housing and Urban Development will consider the "outer ring" of our cities along with the "core" or "inner ring." In this way, problems of city and suburb may be viewed as problems of the entire region.

In New York's central city, for example, twice as many 16- and 17-year-olds are not in school, and twice as many people make less than $4,000 a year, than is the case in our suburbs. It is also notable that 89 percent of the nonwhite population of the area lives in the central city.

We may view the urbanization of America as a physical problem involving an increase in both the size and number of cities in America. It is a metropolitan problem and a regional problem. It is a problem of cities and suburbs, of towns and counties, and of urban cores.

But, as President Johnson so aptly remarked in his message on cities, "Numbers alone do not make this an urban nation."

John Friedman, of the Massachusetts Institute of Technology, an authority on regional development, wrote in the 1964 National Education Association Journal:

> Urbanization describes, first, a geographic fact: concentration of large numbers of people within a relatively small space. Second, it describes a social fact: the adoption of urban ways of living.

Urban ways of living will be the subject of utmost concern in the new Department. We must try, through this new Department, to focus on the quality of the lives of the individuals residing in our urban areas.

This will enable the Federal Government to exercise the same degree of attention to the problem of urbanization that it has toward rural problems of agriculture.

In the past one of the major problems facing the nation was the improvement of farming and farm life. Today we are faced with the even more gigantic task of adjusting our population to modern industrial production and urbanization. We can do no less today than we did in 1862 when the Department of Agriculture was created to put the Federal Government behind that effort.

Today we need to place our national attention squarely on the problems of our cities: On housing, education, employment, poverty, beauty recreation, and the whole question of discrimination. These, President Johnson said, "are, in large measure, the problems of American society itself."

Mr. Chairman, we do not pretend that this Department will be able to answer all of the questions or solve all of the problems associated with urbanization. But it can offer a coordinated start. It can offer an administrative base for "the enormous growth of interest and knowledge and intellectual ferment," to which the President referred.

In addition to concentrating attention on both the spectacular physical growth of our cities and the multitude of problems associated with the process of urbanization, the Department of Housing and Urban Development is designed to bring continuity of purpose to the many Federal activities that are now operative in our urban areas.

In section 2 of the proposed bill, Congress declares that the general welfare and security of the Nation and the health and living standards of its people require, as a matter of national purpose, sound development of the Nation's urban communities and metropolitan areas in which the vast majority of its people live and work.

Moreover, section 2 declares among other things that to carry out their purpose, Congress would find that establishment of an executive department is desirable to:

First. Achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities; and

Second. Assist the President in achieving maximum coordination of Federal activities which have a major effect upon urban, suburban, or metropolitan development.

The need for such coordination is evidenced by a recent MIT study on the effectiveness of metropolitan planning, which concluded on this point as follows:

> Better interagency coordination is also needed at the Federal level, to bring Federal programs, affecting urban development, in line with one another . . . It will be incumbent upon the Federal administrators to give careful and sympathetic attention to metropolitan plans and review recommendations. If these are subject to inconsistent interpretations by Federal officials, or if they are used primarily to insulate Federal agencies from local conflicts and promote increased program expenditures, the Federal Government will derive little long-range benefit from metropolitan planning.

Mr. Chairman, if we are going to deal with the problems which have been identified and which have been created through the rapid industrialization and urbanization of our country, then it is important that we have in the Cabinet at the front rank of our National Government, a spokesman for our cities, a spokesman who will be at the same level as other spokesmen who sit in that Cabinet. And by turning the national spotlight on the cities of America, on the cities which, after all, do house 135 million Americans, we will be able to move forward to deal with all of the manifold problems about which I spoke earlier.

Mr. Chairman, the President, in his message on the cities, asked us to act. He said:

> The modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans. For this is truly the time of decision for the American city.

The adoption of the bill before us will be a major step in the direction of remaking our cities to be the servant of the good life.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. McVicker].

Mr. McVICKER. Mr. Chairman, I rise in opposition to H.R. 6927 establishing a Department of Housing and Urban Development.

In registering my opposition to this proposed new Department I am certainly not unmindful of the problems and the future of the core cities and their suburbs that exist in every State in our Union. I must certainly agree that our national welfare is dependent upon the orderly growth and development of our urban areas. I recognize that well over two-thirds of our entire population today lives in our 220 metropolitan areas and that this trend will be magnified in the coming decades.

President Johnson has spoken directly to this point in his speech at Ann Arbor Mich., in the spring preceding the last election when he painted the picture of a mountain of work still left undone in solving the problems of modern living. In the face of our recordbreaking economic achievements the President added the perspective when he said:

> The challenge of the next half century is whether we have the wisdom to use our wealth to enrich the quality of American civilization.

"Ugly America" was the term the President used to describe the likely future unless something is done. And ugly America is becoming, more and more, the place where most of us live—in the urban areas where open space is being devoured by chaotic development, where rivers are polluted by industry and sewage, the air is dangerously poisoned by the teeming automobile, and the vistas are blanked out by billboards, used-car lots, and junk business. "In the next 40 years," the President said, "we must rebuild the entire urban United States."

In the face of our magnificent abundance and the wherewithal and resources to move on to a more tolerable world, a failure to move on and create a decent environment must certainly be read as a failure of capitalist society.

This must not be allowed to happen.

The shortcomings and failures are all too conspicuous. They are to be found in badly administered Federal urban renewal programs, in the inertia of cities where local governments have failed to revise old laws and tax structures that actually encourage and sustain slums and ugliness. Proposed Federal solutions—such as appropriations of more money—are sometimes oversimplified, while jealous and jumbled municipal sovereignties inhibit sound urban growth by their sheer complexity. A critical question in all this is how to reconcile the creative strengths of American free enterprise with the need for the kind of widespread and farsighted regional planning that possibly only Government can supply. Is such a reconciliation impossible? If it is, then the battle is lost.

The important thing in order to make sure the battle is not lost is to broaden and intensify the sense of general involvement. The general involvement at all levels by business, labor, and citizens groups, can be seen encouragingly in some places—in Philadelphia, for example, in Pittsburgh, in Boston, and, I am sure, in other cities in this country of ours.

Gladstone once said:

> Good ends can rarely be attained in politics without passion.

What we need is a righteous passion, an anger, an overwhelming concern about what is taking place in our urban areas—in our suburban growth.

A righteous concern about the environment we live in must seize a great number of Americans.

The basic question presented by this bill, as I view it, is whether or not our local urban areas are so structured and local leadership is effective enough to make itself felt as an equal partner with the States and the Federal Government in determining solutions to the urban sprawl. That now besets us.

Historically, our country has been a three-layered structure of government: Federal, State, and local.

Since World War II, it is apparent that the Federal Government is more than able to view the national interest and respond to the needs of our people at all levels—internationally, nationally, and locally. In this same period of time, State governments have more and more come into their own as a viable part of our historical tripartite, equal system of governing ourselves.

But the real question is what has happened to local government during the last decade and a half. Has it kept up with the 20th century? In my view, though admittedly with certain glaring and happy exceptions, the answer must be a resounding "No."

Believing as I do that local government is the mainstay of our system of personal involvement and self assertion in governing our own affairs, this unhappy answer dramatizes the main problem in determining how best we may govern ourselves. Let us make no mistake. In attempting to fulfill its historical and proper duties, local government must provide those services which can best be administered and controlled locally, in an efficient manner and at an economical cost.

If local government is incapable of so providing these services efficiently and at fair cost then the people will demand that someone else do the job. More often than not they will look to the Federal Government for this purpose. It will be a sorry day for us if and when the Federal Government takes over a major part of what has been historically local responsibility.

But this trend continues unabated. Not, I suggest, because there are ogres or designing people here in the Congress or in the Executive branch of our Government who are plotting this course; but simply because most of us who have taken part in local government in the past and those doing it today are not doing the job properly. We are not structuring its operation nor are we providing a viable tax base, so that our local urban government can do its job economically and efficiently.

Even though the fault as I see it lies principally at the level of local government, in fact the Federal Government does take over more and more responsibilities that belong to local government. The effect of this, if unabated, will surely mean a different America and one that I prefer not to see.

I believe in local government.

I believe that with the right prodding and leadership it can find for itself a place in the sun. But I do not believe that presents the facts today. What do we see today? Let me cite my own area because I am familiar with the situation there. In the Denver suburban area we have over 250 autonomous local units of government, each with the right to tax—mostly using the property tax—and to spend.

We have local politicians, of which I am one, who too often do not see beyond their own boundaries, or their own sources of power, or their own personal jealousies and interests. The effort, consequently, to restructure local government to provide a workable system or organization of metropolitanwide government to administer and make policy for services that are metropolitan in scope: to find an equitable tax base, again that is metropolitan in scope and does not discriminate against one class or group of people. This effort simply has not produced results to match the needs.

I have been in this fight in my own area. I know how difficult it is; and in the context of the large unmet requirements, I am not very proud of my own small accomplishment in helping to restructure local government into a workable metropolitan unit.

Yet, surely, all is not lost, for, if I did believe so, then I would have to admit that the game is over and we might as well have everything administered from Washington.

We have not come to this point yet. In the short time that I have been in the Nation's Capital as a Member of Congress, my experience leads me to believe that a new Department of Urban Affairs would quickly find new duties and tasks in filling the vacuum that now exists at the local government level.

This could be accomplished only at the expense of well-meaning but inefficient and expensive units of local government. Until local government itself is strong enough and viable enough to fulfill its proper role, the classic relationship between local, State, and Federal government will go begging.

I do believe that sometimes we almost have to face chaos in order to spur governmental entities to reorganize and do their job effectively and efficiently.

With all the feeling at my command, I prefer to keep the pressure on our urban groups of government—on the 250-plus units of autonomous government in the Denver metropolitan area, for example—to give them fair warning. Restructure yourselves: Give the people of your metropolitan area the right tools to work out their local problems on an efficient and economical basis, and do it soon for the problems increase with a rapid, also a geometrical, magnitude. If you fail the people themselves will demand a solution at another level of government and more likely than not that will be the Federal Government.

This warning must be clear and urgent. Local government must regain its place, by its own efforts, as a viable unit in our tripartite system of government.

I desire to give every possible basis and pressure to realize this goal. It is not the easy path. But, I believe it is the right path.

Mr. ERLENBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, I rise in support of the objectives of better management of Federal Government housing and urban affairs activities, but in opposition to the bill under discussion. I do not see any evidence that establishment of a new Cabinet-level Department of Housing and Urban Development will significantly contribute to worthwhile objectives.

All of us here today, and the country in general, will certainly support action which will provide the means of giving direction, efficiency, coordination, and consistent administration to the jungle of Federal programs intended to provide assistance in solving problems arising simultaneously with concentrations of population in metropolitan areas.

What we have today is a real proliferation of Federal programs in this area. The problem is serious. In 1960 an authoritative study called "The Federal Government and Metropolitan Affairs," found:

> There is reason to believe that Federal programs are piling up on each other faster than metropolitan areas can digest them.

The study goes on to conclude that each program is planned separately with little concern for what other programs are underway.

That study in 1960, Mr. Chairman, was undertaken before the vastly increased buildup of Federal involvement with local and State affairs beginning in 1961. Some experts estimate that today there are more than 60 Federal programs affecting urban development, all going at one time with little or no effort being made to coordinate them so as to maximize efficiency and effectiveness.

The committee bill, H.R. 6927, would fail to deal with the central problem, and, in fact, might work to compound that problem. The bill would elevate the existing Housing and Home Finance Agency to Cabinet-level status and change its name to Department of Housing and Urban Development. The bill would add to this new department the Federal National Mortgage Association. That is all it would do.

No other programs would be assigned to the new department. The new Cabinet Secretary would have no authority to coordinate urban area programs which the present administrator of the HHFA does not already have. The new department would have authority over less than 20 percent of existing urban programs.

Mr. Chairman, in his address of March 2, 1965 on this matter, the President first made eloquent reference to problems of metropolitan areas—housing shortages, air pollution, school needs, and water supply. But he made no reference whatever to what many feel is the greatest need of all—the coordination of existing programs.

In advocating the establishment of the Department of Housing and Urban Development the President said:

> It will be primarily responsible for Federal participation in metropolitan area thinking and planning.

This sounds like at least an effort toward coordination.

But in the same speech he advocates also the establishment of something he would call the Temporary National Commission on Codes, Zoning, Taxation, and Development Standards. I have not been able to determine if this new group, TNCCZTDS, would operate under authority of HUD, or HEW, or would be independent, or for what period of time its temporary nature would be intended.

I cannot conclude that the committee bill would do anything but add to the the vast lack of coordination. It would mean new alphabetical gymnastics and would complicate the task of community agencies in making their way through the Federal jungle of bureaucracy.

One of the arguments advanced in support of the White House plan is that city dwellers need an added voice in Washington. It is evidently felt that elevating the HHFA Administrator to Cabinet status would give needed prestige to the millions of persons living in metropolitan areas.

This, of course, is a specious argument. In talking about problems of the cities we are really talking about things like health, education, and welfare. So it would perhaps make more sense if the HHFA were to be transferred to the Department of Health, Education, and Welfare where programs in these fields are already underway, and where coordination might better be achieved.

And if I may undertake some levity for a moment, it would make just as much sense for us to establish a Department of Female Affairs with the justification that women need a Cabinet level voice in Government. And then, of course, we would need a Department of Male Affairs as a balance.

Perhaps the most serious of all problems with the proposal before us today is that it would further erode the integrity of State and local government. It would tend to lessen initiative for civic improvement programs by giving the impression that massive Federal Government assistance is on the way. If and when great new Federal aid programs would actually be channeled through the new department, local government would be subservient to Federal controls of various kinds. To a great extent the Federal Government would replace the city council. Federal money would inevitably be used for political purposes, and the voice of the citizen, so vital to matters of local government, would be stilled, with very little opportunity for repairing the damage. State lines would only be a formality.

I want to commend the work of the gentlewoman from New Jersey [Mrs. DWYER] on this issue. She has very adequately stated previously the inherent weaknesses and fallacies of the committee proposal. She and other Republicans have wisely advanced an alternative proposal which, I believe, will make sense to any concerned American citizen who takes the time to inform himself about it.

I support this plan, which would establish in the Executive Office of the President an Office of Urban Affairs and Community Development.

This is an honest proposal, Mr. Chairman. It is not intended to bestow prestige or status or vague hopes or political patronage on anyone. It is a proposal designed to accomplish the one thing we need in this area—coordination of Federal Government activities.

This is not a new concept. Rather, as the gentlewoman from New Jersey [Mrs. DWYER] has pointed out, it is a tested and effective method of obtaining results. Three years ago, when it was decided that we needed better coordination of Government programs in science, we created an executive office called the Office of Science and Technology. It has worked well as a coordinator.

The goal of coordination through a central office of Government programs in housing and urban affairs was vigorously supported by the Advisory Commission on Intergovernmental Relations.

The issue is clear. We can elevate an existing agency to Cabinet status and try to make that action appear to be a solution to problems which have been identified here this afternoon. Or, we can get to the heart of the matter, and produce what we really need, coordination of Federal Government housing and urban programs.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Chairman, I rise today in support of the substitute, H.R. 8822, and in opposition to the bill, H.R. 6927, which would create a Cabinet-rank Department of Housing and Urban Affairs.

Mr. Chairman, I must say in passing that the report which the members of the committee have before them on this bill is, in my opinion, disappointing.

If the members of the committee will look on page 3, they will see that the report is not much more than a collection of comments and quotes, beginning with some quotations by Mr. Staats, a Deputy Director of the Bureau of the Budget. He is quoted for 3, 4, or 5 pages. Then there are quotations by Mayor Daley of Chicago which go from pages 7, 8, and through 9, and it continues with quotations from others up to a discussion of the differences between this bill and previous bills which have been defeated, at which point there begins a brief chronology of the previous defeats of this type of legislation. At no point, I submit, does the committee make a valid case for H.R. 6927.

Further, Mr. Chairman, it seems to me if this legislation had been as important as the proponents indicate today, someone who is a Cabinet-ranking official of the Government could have testified.

I would like to ask the gentleman from Florida [Mr. FASCELL] if any Cabinet member testified in favor of this legislation this year?

Mr. FASCELL. This year?

Mr. RUMSFELD. The answer apparently is "No," that not one single member of the President's Cabinet appeared to testify in support of the bill.

Yet, Mr. Chairman, this bill, according to the proponents would create a Cabinet-rank Department of Housing and Urban Affairs which would then coordinate the other Cabinet-rank departments in the executive branch of the Federal Government insofar as urban problems are involved. Yet none of the Cabinet members came to the committee to request that this new Department be created to then coordinate Federal activities in the area of urban affairs, or to express their enthusiasm for this proposed new Department.

Mr. Chairman, I looked through the hearings and I could not find where one Cabinet-rank member of the executive branch of the Federal Government took the time to even submit a written statement, let alone testify on this piece of legislation.

I would also like to comment on some of the remarks appearing in the report. I want to quote Mayor Daley, of Chicago. He is, of course, the mayor of a great city who is well known for his eagerness to come to Washington and the Federal Government to receive assistance in solving urban problems. He says, according to the report:

> I believe that whatever resistance there is to this legislation stems from the use of the words "urban" and "housing," and their identification with big cities. There are some who still fail to refuse to recognize the obvious—that we live in an urban society and that the problems of urbanization directly affect the lives of most of our citizens and indirectly influence the lives of all of our citizens.

This is not correct, of course. The opposition here today to this legislation is not because of a failure to recognize the needs of our urban areas as the debate so clearly shows. On the contrary, it represents a sincere concern about our urban areas and about the multiplicity of Federal programs which exist today and the failure of adequate coordination. This bill does not provide a mechanism for coordinating the 60–70 existing Federal programs relating to urban affairs, contrary to what he or others may believe.

Furthermore, if you look at the testimony of Mr. Staats you see the words "status" and "recognition" as the basis for his support. These are the only valid arguments that have been made. In the report, in the hearings, as well as during the debate today, this is the only single valid argument in favor of the bill, that has been put forward; namely, that theoretically it would provide some sort of recognition to the very important urban areas of our country. I for one am considerably more concerned about solving urban problems than merely giving status to urban areas, particularly when by giving this status you defeat possibility of reasonable solution to the coordination problem.

There are many problems with the administration bill. If you refer to the report—page 46, I believe it is—we have listed the Federal programs which would fall within the jurisdiction of this new Cabinet-rank Department under the bill we are considering today. They are listed, as you will note, on but a few lines. If you will look at pages 47, 48, and 49 of the report you will see all of the various existing Federal programs that will not fall in this particular Department of Urban Affairs and Housing. It takes close to three pages to list the programs which are excluded.

The gentleman from Florida [Mr. GURNEY] brought out very vividly the problem of competition between the executive departments in the executive branch of the Government. This is a very real thing. We know it exists because we have seen conflicts in recent years between the various departments of the executive branch.

Further, what about highways and streets? Highways are one of the greatest users of the dollars allocated for urban problems. Look at any chart of the allocation of funds for urban problems by the various levels of government—Federal, State, local—and you will see that highway funds rank near the top. You will see this is one of the major areas competing for the use of money, along with housing, urban development, parks, recreational facilities, and other programs. Visit with professional planners across the country and you will find they are aware of this, and they are deeply concerned about it because they are the people on the firing line day in and day out attempting to help solve the problems of urban areas. To create an intelligent balance in the allocation of space—so precious within urban areas—the most important individuals who have to be dealt with are those in charge of the funds for highways and streets. Yet highways will be under the Department of Commerce, and not subject to the new Secretary. This would not be the case with an Office of Urban Affairs in the Executive Office of the President. Is the new Secretary of Housing and Urban Affairs going to call up the Secretary of Commerce and give him instructions as to how he should conduct his Department? I think not.

Mr. Chairman, H.R. 6927 is unfortunately not the most reasonable solution to this problem. In fact, it is a most misunderstood proposal.

Today I received a letter from the AFL–CIO which stated:

> The establishment of the Department of Housing and Urban Development would provide for economy, for more efficient administration and good government. It would facilitate representation of local community interests and would make possible fuller acceptance of local initiative through representations by local authorities before one coordinated agency of the Federal Government.

This is not the case. This is just not what is going to happen. It is not what the bill they are supporting even proposes to do. There will be no one agency coordinating urban problems. If this legislation cannot stand on its own feet, then it should not pass. I ask why the AFL–CIO, the report, the debate and the hearings continue to attempt to sell this legislation to the American people and the Members of this Committee on some basis other than the words contained in the bill.

Mr. ARENDS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. (After counting.) Fifty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 139]

Adams
Ashley
Ayres
Bonner
Bow
Bray
Brown, Ohio
Chamberlain
Clark
Corman
Dingell
Evins, Tenn.
Findley
Fisher
Foley
Frelinghuysen
Hagan, Ga.
Hanna
Harvey, Ind.
Hébert
Hicks
Ichord
Keith
Macdonald
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Meeds
Mink
Morton
Passman
Pike
Pirnie
Powell
Resnick
Rivers, Alaska
Stafford
Steed
Toll
Vivian
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOGGS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6927, and finding itself without a quorum, it directed the roll to be called, when 393 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. RUMSFELD. Mr. Chairman, I urge the Members of the Committee to study the views given on page 45 of the committee report. I am convinced that the proposal outlined in our additional views to establish a true coordinating Office of Urban Affairs and Community Development in the Executive Office of the President is a reasonable one. Contrary to what has been suggested earlier, our proposal, H.R. 8822, would not transfer the Housing and Home Finance Agency anywhere. It would leave it exactly where it is, and so, too, with FHA and the other agencies within the HHFA. It would provide a coordinating office under the President to bring order out of the confusion which exists in the Federal bureaucratic structure, and not just within the HHFA but throughout all Cabinet-rank departments which have jurisdiction over the 60 to 70 existing Federal programs involving urban affairs. It will clearly provide one-stop Federal service for State and local officials and result in a more balanced and reasoned handling of existing Federal participation in metropolitan development.

Before passing this bill, I think we ought to ask these questions:

How effectively are the present Federal programs meeting the problems? What are the criticism of FHA and HHFA? I have not heard any criticism of either the FHA or the HHFA. This forces one to ask, Why then must these on-going programs be submerged in a new Cabinet department?

Furthermore, what actually are the problems confronting the cities? Should not any coordinating office be equally concerned with highways, air pollution, water pollution, recreation areas, public facilities, airports, to mention but a few of dozens of Federal programs? Are they of less importance, or better, are they not important with respect to the problem of coordination?

Will urban problems be more susceptible of solution through department status for the Housing and Home Finance Agency? Is it status or coordination that is needed?

In my opinion, the committee report, the hearings and the debate today have not made a case for the passage of this bill. But what do the experts in this country say about this? Do they agree or disagree?

I have before me the report on "The Federal System as Seen by State and Local Officials," prepared by the other body's Subcommittee on Intergovernmental Relations of the Government ment Operations Committee during the 88th Congress.

The subcommittee sent out a questionnaire to 6,000 State and local officials, 50 Governors, attorneys general, budget officers, and State legislators, 800 school boards, 1,900 county officials, 1,600 city managers, and 900 mayors, and 400 professors, and other experts on intergovernmental relations.

They sent the questionnaires to the people of this country who are living with these problems. The responses coming back showed 183 favored a Department of Urban Affairs, whereas 189 specifically opposed the creation of such a department. When asked whether or not they favored an Office of Urban Affairs in the Executive Office of the President for the purpose of improved coordination of Federal urban programs, instead of a Department of Urban Affairs, they responded with 164 favoring such an office, and 130 opposed.

These are not lopsided figures. Obviously these individuals across the country who have the principal responsibility for dealing with urban problems are in some disagreement as to what is the best approach. The point is this is not a partisan matter, this is not a philosophical question. Rather the question is how can we best solve the problem? It is obvious from the report I have cited that a majority of these experts in this area are in opposition to the administration bill and favor our approach.

Why should the Congress pass a bill when a case has not been made, when a representative poll of experts across the country disagrees with this approach, when there is a more efficient, less costly, and tested approach; namely, an Office for Urban Affairs in the Executive Office of the President to coordinate these programs?

Mr. Chairman, no one is suggesting that the administration bill does not go far enough, or that all 70 Federal programs relating to urban affairs should be stripped from their departments and put in one new giant department. Proponents of this bill know this, contrary to their comments made here this afternoon. Our criticism rather is that their bill does not solve the problem of coordination, while our proposal would meet this problem.

Mr. Chairman, our urban areas have problems. There is no question on this. We have a great and growing Nation and it is proper that the Congress and this committee from time to time consider ways to better meet the needs of our Nation. But I submit that this bill H.R. 6927, is most assuredly not the answer and I urge the adoption of the substitute to be offered by the gentlewoman from New Jersey which I believe is a proper, responsible, and constructive approach to this problem.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FASCELL. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. Redlin].

Mr. REDLIN. Mr. Chairman, I thank the gentleman from Florida, Congressman Fascell, for yielding me a few minutes. I have observed the work of Congressman Fascell and several other of my colleagues from urban areas since I became a Member, and through them I have developed a greater sensitivity to urban problems.

As a lifelong grain and livestock farmer, I was only academically familiar with the urgent problems of city people until I took my seat in the House of Representatives last January.

In the past 6 months, from actually living in the city, I have come to realize the necessity for action on traffic snarls, housing, water and air pollution, and a host of other problems.

In 1862, the Department of Agriculture was created, in recognition of the vital relationship of agriculture to the national well-being. In 1889, the Department was elevated to Cabinet rank.

Today—with more and more Americans living in cities—it seems to me only fair and right that we should have a comparable department of Cabinet rank, in recognition of the increasing economic and social impact of urbanization.

Mr. Chairman, while I represent the most rural district in the Nation, I feel that as a U.S. Congressman, it is my responsibility to take a broad view of legislation affecting the entire Nation. I am pleased to support H.R. 6927, to create a Department of Housing and Urban Development and am particularly happy to see emphasis as well on small towns and cities and their needs.

Mr. ERLENBORN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. Michel].

Mr. MICHEL. Mr. Chairman, today we are taking up a bill which would set up a new Cabinet Department for Housing and Urban Development. I think it is very significant that this proposed legislation comes before the omnibus housing bill of 1965.

Within a few short days the House will be asked to vote on a multibillion-dollar housing bill. This bill would give the Housing and Home Finance Administrator tremendous life and death powers over very basic individual rights, responsibilities, and duties. It will permit the Administrator to set up a formula by which, at his whim, he can grant rent subsidies to millions of American families. He can give or deny these subsidies to families whose income limits are not even clearly set in the law.

The Administrator would also be given political power over the major cities in the granting of untold subsidies, grants, loans, and public works programs.

It is no wonder that the administration seeks to create a new department before it brings to the floor of this House its housing legislation. I say that if the housing bill is passed there is absolutely no necessity to create a new department with Cabinet rank, because the Administrator will have untold power. Such power, if supplemented by Cabinet rank for the head of the Housing Agency, would make the proposed new department the most politically powerful in the history of our Government.

I feel about this departmental bill as Ben Jonson felt when he said: "God gave women so much power that the law does not dare give them any more."

This bill to create a Department of Housing and Urban Development supposedly is to upgrade the importance of housing as well as to help our huge urban areas to solve some of their many problems. Yet, at the same time, it is highly ironical that the designers of this legislation, through some strange, bureaucratic reasoning, seek to downgrade the most single influential Government program in the housing field. I refer, of course, to the Federal Housing Administration.

The FHA currently accounts for approximately 64 percent of the employees and budget of the Housing and Home Finance Agency. The FHA Commissioner at present is paid at the Assistant Secretary level. For 31 years, the FHA Commissioner has been appointed by the President. For 31 years, the Congress has sought to give FHA the necessary prestige to help better house our citizens. For many, many years, FHA has been a household term. The FHA is the finest example of Government and private industry working together in this vital field of housing.

Now, what would this bill do to FHA? It would lower the relative position of the Commissioner and the agency by reducing the salary level of the Commissioner. It would put the FHA under an Assistant Secretary who would have many other duties and responsibilities other than just FHA. Only last year, the President of the United States asked Congress to enact an executive pay schedule which sought to substantially upgrade the salary of top Government officials. Now, in this departmental bill, they want to take the head of a constituent agency of the HHFA and substantially lower his salary. The same agency which, at the present time under existing law, handles approximately two-thirds of the entire personnel in the agency. Certainly, no one can expect to get top executive talent to head up this important agency if Congress, by its action today, would reduce the relative importance of this agency by downgrading it within the executive salary level of existing law.

I am at a loss to understand what is so bad about at least continuing to have the head of this agency appointed by the President with a rank of assistant secretary. Yet, this bill would give the power to appoint the FHA Commissioner to the Secretary of the Department. Apparently, not even the President of the United States is protected from this power grab and concentration of supreme authority in the Secretary of this new Department.

As I look around at our Government organizational charts, it occurs to me that the Treasury Department and the Internal Revenue Service are probably two of the best run departments in government. Certainly, I know of no one that could accuse the Internal Revenue Service of being hamstrung or inefficient. I think herein we have a good analogy of how the FHA should be set up if a Department of Housing is going to be established.

If the FHA Commissioner were appointed by the President and the FHA administration was placed within the Department of Housing and Urban Development en toto similar to the way the Internal Revenue Commissioner and Service is set up within the Treasury Department, this would in no way hamper the Secretary of the Housing Department in the performance of his duties. The FHA Commissioner would be assigned all duties and responsibilities by the Secretary. The Secretary could organize, reorganize, or make any other changes that he saw fit in the way of improving the administration of this agency. This type of organization within the new Department would enhance the FHA and enable it to continue to do an even better job of aiding homeownership.

I submit that the creation of a new Department with Cabinet rank and the new housing bill is a political power grab which should shock the conscience of the Members of this body.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MacGregor].

Mr. SHRIVER. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman.

Mr. SHRIVER. Mr. Chairman, once again the Congress is being called upon to expand the bureaucracy of the Federal Government. It was little more than 3 years ago that the House of Representatives rejected by a vote of 264 to 150 a similar plan to create a Cabinet-level Department of Urban Affairs and Housing.

Today, under a new name but with a similar purpose, we are asked to approve the establishment of a Department of Housing and Urban Development.

In my study of the bill, I find that it really will not include all housing programs nor will it encompass all those programs dealing with our urban areas. It will, however, create a new Cabinet member, a new Under Secretary, four Assistant Secretaries, a General Counsel and an Administrative Assistant Secretary plus more redtape for the municipal governments in cities across the country.

Although the present programs of the Housing and Home Finance Agency will be included in the proposed Department of Housing, these represent less than one-third of the Federal Government's housing activities.

The Veterans' Administration Loan Guaranty Service had guaranteed over 5.5 million home loans for a total of over $49.2 billion as of December 31, 1960. The Federal Home Loan Bank Board as of January 1, 1964, had advanced members $27.1 billion and had been repaid $22.3 billion. These two Federal agencies, not included under this proposed legislation, account for more than two-thirds of the housing financing activities conducted under auspices of the Federal Government.

A multitude of Federal functions would remain where they are now even if the administration proposal is enacted into law. For example, welfare and poverty programs, water pollution, sewage disposal, vocational education funds, elementary and secondary schools assistance, public health activities, the Federal highway program affecting access to municipalities and expressways, the food stamp program, airport planning and development—all would remain under their present jurisdictions in other departments and agencies.

It is clear to see that local and State officials who more and more are required to look to Washington for funds would still be dealing with many bureaus despite the new Cabinet-level department.

Local and State governments today are seeking coordination and assistance in their relationships with the Federal government. They do not want Federal domination.

I have joined in introducing legislation which would establish an Office of Community Development within the executive Office of the President. This alternative to the administration proposal would provide the needed coordination to the multitude of Federal programs in a single executive office. It would not increase Federal control nor would it lead to any significant increase in the growing bureaucracy.

Mr. Chairman, prior to coming to Congress nearly 5 years ago, I had the privilege of serving as chairman of the Committee on Municipalities in the Kansas Legislature for 12 years. I believe I am well aware of the complex problems faced by metropolitan areas. During my service in the U.S. House of Representatives, I have worked closely with local and State officials on many problems of Federal concern.

The real need, as I see it, is to make the know-how of the Federal government available to State and local governments without creating a new bureaucracy. There is need for better communication concerning the multitude of Federal programs and the results of Federal research.

The proposal which I have offered with many of my colleagues on this side of the aisle represents an economical and practical approach toward developing a coordinated national policy which will benefit urban and metropolitan areas across the United States.

Mr. MacGREGOR. Mr. Chairman, the debate this afternoon has made abundantly clear that there is a growing number of Members of the Congress who recognize the challenges of our fast expanding metropolitan areas. We have heard that approximately 125 million Americans and nearly 80 percent of our American productive capacity is now located within 212 metropolitan areas. We already know within 25 years these urban areas will increase by another 100 million people. With this phenomenal growth the problems of urban life—education, employment, housing, transportation, crime, air and water pollution, and discrimination, the need for open spaces, planning, and all the rest have become increasingly complex.

But despite all this, there is not a single American mayor or county official who would say that the State and localities do not have the primary responsibility for meeting these problems. The American system has made that responsibility theirs. Indeed, who can deal better with local problems than those who know them best? All levels of Government need to help provide community officials with the muscle that it takes to get the job done. And it is not merely bigness, or just money, or the juggling of Federal bureaus that are going to do it. All of us in this House know that. And not one of us, regardless of where he sits in this Chamber, would destroy or substantially alter our Federal system of government. Each of us, Republican and Democrat alike, believes that this country has benefited tremendously by our division of governmental responsibilities—National, State and local. Our aim is to revitalize that very system.

However, Mr. Chairman, this is not the aim of some of those who are the loudest proponents of the administration proposal. One of those proponents disclosed his true intent in supporting the administration bill when he testified at page 122 of the hearings as follows:

> I respectfully submit that we need to centralize responsibility and authority—and to enhance the power of the Federal Government, which must in turn establish and enforce national standards of excellence in planning and building our modern cities.

That witness was Mr. Frank D. O'Connor, a district attorney within the city of New York.

I say, Mr. Chairman, I am sure that this is not the aim of the author of this proposal or of the proponents from whom we have heard this afternoon, but it is the objective of many of those who will be around to see us next year and the year after with their expansion plans if the administration proposal is adopted.

Mr. Chairman, I represent a metropolitan area. My congressional district has added more than 100,000 people since 1960 and it will have increased by more than 100,000 additional persons by the time of the 1970 census. For 2 years I represented almost half the people who reside in the city of Minneapolis. My background is the city.

I believe sincerely, Mr. Chairman, that America needs the Office of Urban Affairs and Community Development in the Executive Office of the President. Nearly 30 Republican Members of the House have introduced legislation to accomplish that purpose. For even if we were to get a Cabinet-level Department of Urban Development tomorrow, the need for an effective office in the White House to coordinate the proliferating activities of the Federal Government, as they affect urban and suburban areas, would be no less necessary.

Here is why. By ignoring some 70 other Federal programs concerned with metropolitan problems and by simply elevating the Housing and Home Finance Agency to Cabinet rank, a Department of Housing and Urban Development cannot hope to achieve coordination, efficiency, or economy. Urban problems cut across departmental lines, and as urban life grows increasingly complex, more and more of the problems can be expected to cut across these lines. Badly-needed coordination can be achieved without any increase in Federal control, and without any significant increase in the burgeoning Federal bureaucracy through the adoption of the proposal to be offered tomorrow by the gentlewoman from New Jersey [Mrs. Dwyer].

The proposed Department of Housing and Urban Development would simply elevate the position of the Housing and Home Finance Agency. To understand why a mere change in the status of HHFA will not do what is needed, let us look at the relationships of some Federal programs today. Take the Federal Bureau of Roads, under the Commerce Department, and the HHFA, for example. Under the proposed Department, activities of the Bureau of Public Roads would not be included. Highway planners, as we all know, find their concern is often exclusively with traffic needs. On the other hand, local housing agencies have as their objective the avoidance of new slums and the replacement of existing ones. Clash for space, as each seeks to accomplish its own task, is often inevitable. The Federal Government through two separate agencies—the Bureau of Public Roads and the HHFA—provides funds for each, in cooperation with the States and localities.

But these objectives can and do clash. And, in some urban places in America, that clash can and does raise havoc with the dream of beautifying our country. Rather than elevating HHFA to Cabinet level, what we need is a referee. A White House office, such as we propose, would be an appropriate umpire. We have seen this particular approach work very well in connection with the Office of Emergency Planning and the Office of Science and Technology in the Executive Office of the President.

The proposed Johnson administration bill creates neither a Cabinet level department to coordinate the Federal programs geared to the needs of the urban communities nor a Cabinet level department to administer the principal programs of the Federal Government which provide assistance for housing. As speaker after speaker has pointed out, less than one-third of the Federal Government's housing activities would be encompassed in the new department.

I have already mentioned that the Bureau of Public Roads is not included. It will stay in the Department of Commerce. Water pollution and sewage disposal programs will stay in the Department of Health, Education, and Welfare. Vocational education funds, social security activities, welfare activities, disposal of surplus Federal properties to schools and hospitals and other municipal entities, Hill-Burton funds, activities designed to promote public health, all will remain right where they are now. And, the more than 40 separate programs of financial aid for urban development involve some 13 departments and agencies.

Mr. Chairman, we simply cannot divide responsibility and expect sound decisions for the most efficient use of the taxpayers' dollars in meeting overall community needs. This is precisely why many of us favor the establishment of an Office of Urban Affairs and Community Development in the Executive Office of the President. This Republican proposal, if adopted, would not discourage local and State initiative or direct the development of appropriate community solutions, but would provide local and State officials with a coordinating point of reference for all Federal programs. This coordination can be achieved with efficiency and economy through the adoption of the alternative proposal offered by the gentlewoman from New Jersey [Mrs. DWYER]. I urge Members on both sides of the aisle to carefully consider the issues at stake here and cast their affirmative vote when Mrs. DWYER presents her substitute bill.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if the general debate has indicated anything at all today, and I believe it has, it has indicated very clearly that most of us have the definite opinion that something needs to be done with respect to the problem of housing and urban development, and we might have a difference of opinion as to how to do it best. I would take sharp issue at a different time with respect to the substitute, which I think does less than what we now have, and presents no real or genuine improvement with respect to the situation. But as for now I shall limit myself to the affirmative presentation of the substantive legislation which is now before us. I think you could start out by simply saying, "Do you feel in your own mind, based on the knowledge you have of the urban growth of this country today and what is reasonably projected for the future, with 70 percent of our people living in urban areas, and with the problems that cross city lines, county lines, and State lines, and where on the eastern seaboard of the United States alone, you have a metropolitan area that stretches from Maine to Key West, and it is also true in other areas of the country, do you feel in your own mind that the situation, the problems, the interests, with respect to housing and urban development are sufficiently of a national interest so as to warrant the establishment of a Cabinet position?" I submit, based on the evidence, and based on the knowledge and experience I have had, not only here in the Congress but outside of the Congress, that the time has come in the year 1965 to answer that question in the affirmative.

And I submit it is the only reasonable way to answer it and the general debate today has proven that practically unanimously.

I would submit that taking the existing agencies of HHFA and putting them into a department, giving the department head Cabinet status is the logical way to start. I have been amused at the inconsistent presentation made that all of the urban problems and departments and agencies and programs are not included in this legislation. Well, of course, they are not. The committee considered that very carefully, and we decided that the substantive legislation is a reasonable, moderate, proper way to get this establishment organized and started. The remainder is up to the judgment of the Congress at any time subject to the study and the action of the legislative committees and the action of this House and the other body.

Those who use the argument to defeat this bill that it does not do enough, that they want to take care of all the problems today in one, big, integrated, bureaucratic organization will have the opportunity tomorrow under the 5-minute rule to submit to the judgment of this body whether or not those 60 or 70, or whatever the number of programs there are, ought to be included at this time. I would submit for myself that I would have to oppose those amendments. I would submit also that it is a very inconsistent position. Because in the substitute which is offered they even make the point that a long study of this matter should be made so that recommendations could be offered, so that something could be done in the future with respect to this problem. And they also make it clear by the nature of the substitute that the present start under their proposal will simply be a coordinating function.

The substantive legislation makes a definite affirmative start on what we all know in our heart is absolutely necessary to deal with the problem. It carries out a fundamental recommendation of the Hoover Commission with respect to lodging in the head of an agency all of the functions, the duties, the powers, and the responsibilities. It does not now exist. It does not now exist under the present organization.

You have an able administrator. He is doing a good job. But by reorganization plan adopted by this body and by legislative act you have functions, powers, and duties directed and specifically reposed in lesser officials.

One of the major functions of the substantive legislation before you will be to repose those functions, powers, and duties in a Secretary who will sit at the Cabinet level. Once that point is understood, I do not see how anyone can reasonably argue that in any way any of the functions which have been transferred over from any of the lesser offices now provided by either the reorganization plan or statutory law would in any way be downgraded. For goodness sake, the whole purpose of the legislation is to upgrade them, and the legislation makes that very clear.

For example, and to be specific, we have a Commissioner of FHA under the present situation. Under the substantive legislation that position would be an Assistant Secretary, to be appointed by the President and confirmed by the Senate, just as in the case of the Commissioner, except for the raise in rank and position. And if that does not improve an already very fine organization and a very fine operation then I will be sadly mistaken, based on my knowledge of the history of government.

But certainly it is logical and reasonable to realize that when you take a position that is now Commissioner, appointed with the advice and consent of the Senate, and raise that position to the level of an Assistant Secretary you have upgraded the function, power, and responsibility of that office.

Mr. Chairman, when you take the function now being carried out by an Administrator and repose them in a Secretary, you know full well from your own practical experience and knowledge that this is bound to upgrade the entire operation.

Mr. Chairman, we are talking about what? We are talking about housing and urban development.

Mr. Chairman, housing and its associated industries and related industries are fundamental to the entire economy of the United States: as basic as agriculture, as basic as steel, as basic as labor. Name any economic factor, and when you tie it into housing and urban development you cover the entire range of human activity and economic necessity in this country.

Mr. Chairman, when you add to that the fact that 70 or 80 percent of it is reposed in the urban areas of this country, and when organization after organization and individual after individual has recognized the fact today in 1965 that the only sensible way to solve these problems is in a partnership between the municipality, the county, the State, and the Federal Government, and without this we would not be able to even make a dent in these problems, then I think you must submit reasonably and logically that this legislation does the right thing.

Mr. Chairman, nowhere in this legislation can anyone find any language or any intent or any inference or any testimony that in any way states that the relationship between the city, the county, the State and the Federal Government is to be changed in one iota. The programs that now serve your cities and your counties and your States will be the same program. This legislation does not alter that or modify that or change it in any way. The responsibility to do that remains with you in your individual legislative committees or by action of this body. This is where that responsibility lies. This is admitted because in the argument by the opposition this very point was raised in an effort to detract from the nature of this bill. In other words, one of the speakers says, "Well, it does not really do anything."

Well, Mr. Chairman, it does do something. But we have to be explicit as to what it does, which we submit we have made on the RECORD and we are telling you why in our opinion it needs to be done.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I was interested in the statement of the distinguished gentleman from Florida with respect to the fact that to no single witness indicated that there would be any change in the existing relationship between National, State and local governments. I would call to the attention of the gentleman the testimony that I carefully read from the hearings, given by Mr. Frank D. O'Connor, in which Mr. O'Connor said:

> I respectfully submit we need to centralize responsibility and authority to enhance the power of the Federal Government which must in turn establish and enforce national standards of excellence in planning and building our modern cities.

Does the gentleman from Florida agree that that would effect a change in the relationship between our various levels of government with respect to their functions and community development and community affairs?

Mr. FASCELL. I will say this in response to the gentleman—and I listened to him very carefully when he made that point. I also listened very carefully to the testimony and reread very carefully what Mr. O'Connor said in his opinion of what he wants. But it does not mean anything having to do with this legislation, because it is completely irrelevant.

The principal point is that if you are going to make any change with respect to existing programs you have to legislate on them. This bill does not legislate on existing programs. This bill does specifically what we said it does. That is, to create a Department of Housing and Urban Affairs and provide for a Secretary at the Cabinet level; provide for four Assistant Secretaries, one of whom is specifically designated to deal with the private mortgage sector; provide for a general counsel; provide for an administrative secretary, and then for the necessary language to transfer to the new department the constituent agencies specifically named in the bill: To wit, FHA, HHFA, Fannie Mae, under the terms and conditions set forth in this legislation. To add anything to this is pure speculation. To infer or to impugn or otherwise detract is certainly within your prerogative, but not reasonable or logical, if you read the legislation. We can raise all kinds of specters and doubts as to the future, but as for me, I am willing to rest with the great judgment that has been exercised by this body and by the other body, and by the individual Members and by the Legislative Committees in responding to the needs of their people. This legislation responds to the needs of the great majority of all the people of this country. That is the reason the bill has come back here time after time.

I am hopeful that this body, this Congress, will respond finally to the needs of the urban areas of this country by adopting this legislation.

Mr. ROOSEVELT. Mr. Chairman, I rise in support of H.R. 6927, to establish a Department of Housing and Urban Development.

There is no doubt that the present problems of urban renewal, expansion, housing, air and water pollution, and public transportation, to name but a few, will become even more varied and complex in the future. As we all know, there have been in existence for many years various agencies working in one or more of the above-mentioned areas. This proposal in no way contemplates establishment of an additional agency, but rather the reorganization of already established agencies into one unified department. Coordination of activities, now so widely scattered, will permit far more effective and efficient operation.

In addition, I wish to remind you that citizens directly interested in agriculture, for example, are represented in the Cabinet by a department which serves to correlate their interests; the same is true of labor. By the same token, why should not the great majority of people who live in urban areas—now 70 percent of our population—have the prestige of representation through a department whose voice will be heard when overall national policy is being considered at the highest level.

Despite arguments to the contrary offered by opponents of this important measure, there is nothing therein which commits the Congress or the President to provide increased authority or power for the proposed new Department over that extent in agencies now functioning in this same field.

Nor will the rights of States or cities be violated by this legislation. The hollowness of such arguments is clearly demonstrated by the wide endorsement of the proposal at the community level. In fact, as long ago as 1962, when President Kennedy proposed Reorganization Plan No. 1 to create a Department of Urban Affairs and Housing, my own county of Los Angeles, the largest urban county in the United States, endorsed the proposal by vote of its board of supervisors.

As pointed out in yesterday's letter to all Members from the House leadership, the bill now under consideration would do the following:

First, meet a need emphasized by the President for a member of his own Cabinet who can both assist him and speak for him in connection with housing and urban development problems and programs.

Second, give the people and problems in our urban areas a badly needed voice at the Cabinet table.

Third, provide a focal point in the executive branch for officials of local, metropolitan area and State government to get more effective attention to problems of housing, community facilities, urban renewal, mass transit, and so forth.

Fourth, make available to Congress a more authoritative and responsible spokesman for the executive branch in these areas.

Fifth, save money, through stronger supervision over programs involving billions in public funds.

Sixth, improve the organization of the executive branch by providing a center of responsibility for a whole complex of problems which have been growing more rapidly than any other group in our domestic economy, and will continue to grow for the balance of the century, at least.

Seventh, fulfill a specific pledge of the Democratic platforms both in 1960 and 1964.

Many of you have received letters, as have I, which profess alarm at the so-called downgrading of FHA, but we have been assured there will be no such effect, and I am confident such assurances are meaningful.

This entire subject has been thoroughly studied for a long time by both the executive and legislative branches. All have reached the same conclusion—the creation of a Department of Housing and Urban Development is desirable, and the time for the establishment thereof is now.

Mr. GROVER. Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, I rise in opposition to H.R. 6927.

As chairman of the House Republican policy committee I am in complete accord with the stand taken by that committee in opposition to this unnecessary legislation.

There is no need for a Department of Housing and Urban Development. Under this bill the proposed Department would not even make any new contributions to the solution of the Nation's problems in the field of housing or urban affairs.

The bill makes no provisions for continuation of the Federal Housing Administration despite the fact that this agency is one of the best in the Government.

A careful study of the bill has convinced me that the real needs of these areas are ignored by H.R. 6927.

The bill should be defeated.

Mr. Chairman, I wish to place in the RECORD at this point my statement on this bill as released on May 25, 1965, following the action of the policy committee in opposing the bill:

STATEMENT BY JOHN J. RHODES

The large number of Federal programs designed to assist in the solution of the problems of urban communities would be more effective if properly coordinated.

We believe that consideration should be given to the separate views expressed in the report of the Committee on Government Operations on H.R. 6927, in which the establishment of an Office of Community Development to do this job is suggested. The multiplicity of Federal programs in this area should be coordinated and the medium of an office within the executive department is the best means for achieving this end. This is a constructive approach to a specific problem rather than a pork barrel approach, such as H.R. 6927, which uses that problem as an excuse to enlarge the Federal bureaucracy and Federal patronage.

"H.R. 6927 [Department of Housing and Urban Development] is unnecessary, will not accomplish what its proponents represent, and is contrary to sound principles of Government organization. It should not become law."

These are the opening words of the minority report on H.R. 6927. We concur with the attitude they express.

The bill would establish a new Cabinet-level executive department which would swallow up the Housing and Home Finance Agency, the Federal Housing Administration, and the Public Housing Administration. It would also transfer, as an entity, the Federal National Mortgage Administration to the new Department.

The bill provides for now new governmental functions. Moreover, it makes no provisions for the continuation of the FHA, a vital and effective agency that has functioned adequately for many years.

It does not establish either a Cabinet-level department to administer the principal Federal programs which provide assistance for housing or a Cabinet-level department to coordinate Federal programs geared to the needs of urban communities. Thus it is neither a Department of Urban Affairs, as those interested in urban problems have been led to believe, nor a Department of Housing as those interested in this field have been told.

Less than one-third of the Federal programs in housing would be encompassed by the proposed Department.

The great majority of urban affairs programs would remain outside the purview of the new Department.

The argument advanced by the bill's proponents that the new Department's Cabinet-level status will result in increased efficiency in the operation of the HHFA is rendered preposterous by the fact that this Agency has done and is doing its job well without any increase in prestige.

Another argument advanced in favor of this bill is of an equally ludicrous nature. It holds that urban dwellers are entitled to representation at the Cabinet level. Yet this would represent the first time a Cabinet-level department would be created merely to serve the people on the basis of their abode.

The President and his Cabinet serve all people—urban and rural. The Secretary of Agriculture serves urban dwellers in his concern with marketing and consumer interests. Commerce, Labor, Interior, all are concerned with matters which effect urban dwellers.

If this concept were to be pursued to its logical conclusion we would find ourselves with a need for Cabinet-level departments for nonagricultural rural dwellers and suburbanites.

Finally, the lack of any pressing reason for the establishment of this new Department necessitates that consideration be given to the ever-present dangers inherent in extending the Federal bureaucracy.

The minority report concludes with this appraisal of that problem: "Bureaucracies once established have a way of growing not only in size but in power. That is especially true with bureaucracies which handle vast sums of public funds. It may well be that the new Secretary of Housing and Urban Development may never be granted any constitutional power by the Congress to direct the affairs of a municipality. But it would be naive for anyone to suppose that conditions and criteria would not be established in the dispensation of loans and grants for municipal purposes which might induce hungry local officials, outbid in the taxation of the people by the huge take of the Federal Government, to surrender some of their autonomy and self-determination in exchange for Uncle Sams largess.

Money is power, and whatever may be said of the present Administrator, no one can be certain that some future housing czar will have the fortitude to oppose Parkinson's law and refrain from establishing a nationwide pattern for community development.

The Republican policy committee of the House of Representatives is opposed to enactment of H.R. 6927.

We endorse, H.R. 5173, introduced by Representative Florence Dwyer, Republican, of New Jersey, as a better and more effective means of helping to solve urban problems.

The CHAIRMAN. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read.

Mr. FASCELL. Mr. Chairman, I ask unanimous consent that the bill be considered as read and open at any point for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Housing and Urban Development Act".

DECLARATION OF PURPOSE

Sec. 2. The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of our people require, as a matter of national purpose, sound development of the Nation's urban communities and metropolitan areas in which the vast majority of its people live and work.

To carry out such purpose, and in recognition of the increasing importance of housing and urban development in our national life, the Congress finds that establishment of an executive department is desirable to achieve the best administration of the principal programs of the Federal Government which provide assistance for housing and for the development of the Nation's communities; to assist the President in achieving maximum coordination of the various Federal activities which have a major effect upon urban, suburban, or metropolitan development; to encourage the solution of problems of housing and urban development through State, county, town, village, or other local and private action, including promotion of interstate, regional, and metropolitan cooperation; and to provide for full and appropriate consideration, at the national level, of the needs and interests of the Nation's communities and of the people who live and work in them.

ESTABLISHMENT OF DEPARTMENT

Sec. 3. (a) There is hereby established at the seat of government an executive department to be known as the Department of Housing and Urban Development (hereinafter referred to as the "Department"). There shall be at the head of the Department a Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate. The Department shall be administered under the supervision and direction of the Secretary. The Secretary shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments.

(b) The Secretary shall, among his responsibilities, advise the President with respect to Federal programs and activities relating to housing and urban developments; develop and recommend to the President policies for fostering the orderly growth and development of the Nation's urban areas; exercise leadership at the direction of the President in coordinating Federal activities affecting housing and urban development; provide technical assistance and information, including a clearinghouse service to aid State, county, town, village, or other local governments in developing solutions to urban and metropolitan development problems; encourage comprehensive planning by the State and local governments with a view to coordinating Federal, State, and local urban development activities, and conduct continuing comprehensive studies, and make available findings, with respect to the problems of housing and urban development.

(c) Nothing in this Act shall be construed to deny or limit the benefits of any program, function, or activity assigned to the Department by this or any other Act to any community on the basis of its population or corporate status, except as may be expressly provided by law.

UNDER SECRETARY AND OTHER OFFICERS

Sec. 4. (a) There shall be in the Department an Under Secretary, four Assistant Secretaries, and a General Counsel, who shall be appointed by the President by and with the advice and consent of the Senate, who shall receive compensation at the rate now or hereafter provided by law for under secretaries, assistant secretaries, and general counsels, respectively, of executive departments, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time. One of the Assistant Secretaries shall be designated to administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market.

(b) There shall be in the Department an Assistant Secretary for Administration, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service, who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time, and whose annual rate of compensation shall be the same as that now or hereafter provided by or pursuant to law for Assistant Secretaries for administration of executive departments.

TRANSFERS TO DEPARTMENT

Sec. 5 (a) Except as otherwise provided in subsection (b) of this section, there are hereby transfererd to and vested in the Secretary all of the functions, powers, and duties of the Housing and Home Finance Agency, of the Federal Housing Administration and the Public Housing Administration in that Agency, and of the heads and other officers and offices of said agencies.

(b) The Federal National Mortgage Association, together with its functions, powers, and duties, is hereby transferred to the Department. The next to the last sentence of section 308 of the Federal National Mortgage Association Charter Act and the item numbered (94) of section 303(e) of the Federal Executive Salary Act of 1964 are hereby repealed, and the position of the President of said Association is hereby allocated among the positions referred to in section 7(c) hereof.

CONFORMING AMENDMENTS

Sec. 6. (a) Section 19(d)(1) of title 3 of the United States Code is hereby amended by striking out the period at the end thereof and inserting a comma and the following: "Secretary of Health, Education, and Welfare, Secretary of Housing and Urban Development."

(b) Section 158 of the Revised Statutes (5 U.S.C. 1) is amended by adding at the end thereof:

"Eleventh. The Department of Housing and Urban Development."

(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

ADMINISTRATIVE PROVISIONS

Sec. 7. (a) The personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, or other funds held, used, arising from, or available or to be made available in connection with, the functions, powers, and duties transferred by section 5 of this Act are hereby transferred with such functions, powers, and duties, respectively.

(b) No transfer of functions, powers, and duties shall at any time be made within the Department in connection with the secondary market operations of the Federal National Mortgage Association unless the Secretary finds that the rights and interests of owners of outstanding common stock issued under the Federal National Mortgage Association Charter Act will not be adversely affected thereby.

(c) The Secretary is authorized, subject to the civil service and classification laws, to select, appoint, employ, and fix the compensation of such officers and employees, including attorneys, as shall be necessary to carry out the provisions of this Act and to prescribe their authority and duties: *Provided*, That any other provision of law to the contrary notwithstanding, the Secretary may fix the compensation for not more than six positions in the Department at the annual rate applicable to positions in level V of the Federal Executive Salary Schedule provided by the Federal Executive Salary Act of 1964.

(d) The Secretary may delegate any of his functions, powers, and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties. The second proviso of section 101(c) of the Housing Act of 1949 is hereby repealed.

(e) The Secretary may obtain services as authorized by section 15 of the Act of August 2, 1964, at rates not to exceed $100 per diem for individuals.

(f) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; office space; central services for document reproduction and for graphics and visual aids; and a central library service. In addition to amounts appropriated to provide capital for said funds, which appropriations are hereby authorized, the fund shall be capitalized by transfer to it of such stocks of supplies and equipment on hand or on order as the Secretary shall direct. Such fund shall be reimbursed from available funds of agencies and offices in the Department for which services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and for depreciation of equipment.

(g) The Secretary shall cause a seal of office to be made for the Department of such device as he shall approve, and judicial notice shall be taken of such seal.

ANNUAL REPORT

SEC. 8. The Secretary shall, as soon as practicable after the end of each calendar year, make a report to the President for submission to the Congress on the activities of the Department during the preceding calendar year.

SAVINGS PROVISIONS

SEC. 9. (a) No cause of action by or against any agency whose functions are transferred by this Act, or by or against any officer of any such agency in his official capacity, shall abate by reason of this enactment. Such causes of action may be asserted by or against the United States or such official of the Department as may be appropriate.

(b) No suit, action, or other proceeding commenced by or against any agency whose functions are transferred by this Act, or by or against any officer of any such agency in his official capacity, shall abate by reason of the enactment of this Act. A court may at any time during the dependency of the litigation, on its own motion or that of any party, order that the same may be maintained by or against the United States or such official of the Department as may be appropriate.

(c) Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law, prior to the effective date of this Act, by any agency, officer, or office pertaining to any functions, powers, and duties transferred by this Act shall continue in full force and effect after the effective date of this Act until modified or rescinded by the Secretary or such other officer or office of the Department as, in accordance with applicable law, may be appropriate. With respect to any function, power, or duty transferred by or under this Act and exercised hereafter, reference in another Federal law to the Housing and Home Finance Agency or to any officer, office, or agency therein, except the Federal National Mortgage Association and its officers, shall be deemed to mean the Secretary. The positions and agencies heretofore established by law in connection with the functions, powers, and duties transferred under section 5(a) of this Act shall lapse.

SEPARABILITY

SEC. 10. Notwithstanding any other evidence of the intent of Congress, it is hereby declared to be the intent of Congress that if any provision of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances, but shall be confined in its operation to the provision of this Act, or the application thereof to the persons and circumstances, directly involved in the controversy in which such judgment shall have been rendered.

EFFECTIVE DATE AND INTERIM APPOINTMENTS

SEC. 11. (a) The provisions of this Act shall take effect upon the expiration of the first period of sixty calendar days following the date on which this Act is approved by the President, or on such earlier date as the President shall specify by Executive order published in the Federal Register, except that any of the officers provided for in sections 3(a), 4(a), and 4(b) of this Act may be nominated and appointed, as provided in such sections, at any time after the date this Act is approved by the President.

(b) In the event that one or more officers required by this Act to be appointed by and with the advice and consent of the Senate shall not have entered upon office on the effective date of this Act, the President may designate any person who was an officer of the Housing and Home Finance Agency immediately prior to said effective date to act in such office until the office is filled as provided in this Act or until the expiration of the first period of sixty days following said effective date, whichever shall first occur. While so acting such persons shall receive compensation at the rates provided by this Act for the respective offices in which they act.

Mr. FASCELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOGGS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, had come to no resolution thereon.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Monday, June 21, to file a report on the bill H.R. 9042.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House of additions to the legislative program. The gentleman from California [Mr. MILLER], chairman of the Committee on Science and Astronautics, will call up tomorrow the conference report on the NASA authorization bill.

Also on tomorrow, the gentleman from Maryland [Mr. FRIEDEL] will call up House Resolution 416.

May I further advise Members of the House that on Thursday there will be a recess of the House to receive Lieutenant Colonels McDivitt and White, the Gemini team.

THE ECONOMIC HEALTH OF THE UNITED STATES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, the fact that our great country has problems, particularly problems abroad, is something that all thoughtful Americans recognize, but those who spread fear and doubt about the economic health of our country, in my judgment, are certainly not reading nor reporting the facts. I take this time to report to the House the phenomenal record made by the American economy in the month just completed, May 1965. Let me recount some of the figures which show the health of the economy of our country.

To begin with, employment in industry and business reached the figure of 60 million for the first time in the entire history of the United States. Jobs increased in the month of May alone by almost half a million which, incidentally, was 150,000 more than anyone had anticipated and represented 2½ million more workers employed than in May 1964. Stated another way in May 1965 we had the lowest unemployment rate since October 1957.

At the same time the average factory worker's pay rose to $107.50 a week, a new alltime high, or $4.50 a week more than a year ago. Three out of every four workers were employed in a plant or factory or business which paid them more than $100 a week.

So, Mr. Speaker, to compare the events of today to 1929 is to ignore the facts. I hope that all of us will look at these figures and recognize that the American economy is healthy and moving ahead at a rapid and sound pace.

Here are some additional facts which show the growth and expansion of our economy:

First. The gross national product is now almost $650 billion; that is, at a seasonally adjusted rate. This represents a climb of almost $15 billion over the last quarter in 1964. Since early 1961, the gross national product has grown by about $150 billion per year, which is a climb of about 30 percent.

Second. The United States is now in its 52d consecutive month of a continuous peacetime economic expansion—the longest such peacetime growth in our Nation's history. This expansion began in February 1961.

Third. Since this expansion started, total employment has risen by 5.3 million people; and the number unemployed has dropped by 1.2 million. The unemployment rate has fallen to below 5 percent. The average unemployment rate in the first quarter of 1965 was 4.8 percent. This compares with 6.8 percent in the first quarter of 1961.

Fourth. The gross national product rise in the past 4½ years has resulted in many benefits: First, private consumption has grown by 27 percent; second, fixed business investment has expanded by 38 percent, thus showing the improved productive capacity of business; third, residential construction is up by 30 percent; fourth, manufacturing production has risen by 38 percent; fifth, output of utilities is up by 32 percent; sixth, agricultural output is up by 5 percent; seventh, total wages and salaries paid to workers and executives has grown by 28 percent, or a total of about $76 million—after taxes, and adjusted for changes in prices, the average weekly earnings of manufacturing workers are up by 16 percent; and eighth, corporate profits, after taxes, have risen by 87 percent; dividends are up by 38 percent; value of outstanding shares climbed almost $200 million.

Fifth. As a result of the Tax Revision Act of 1962, and the Tax Reduction Act of 1964, corporate, after-tax profits have reached about $37 billion—at a seasonally adjusted annual rate. This is close to $5 billion above the rate achieved in the last quarter of 1964; and more than $5 billion over that rate achieved in the first quarter of 1964.

Business and industry also are continuing to receive the benefits of the liberalization of depreciation allowances on plant and equipment, first initiated by the Treasury Department in 1962. The furthering of this liberalization will provide business and industry with another $700 million tax benefit in the current year 1965.

The personal income of citizens, since early 1961, has climbed by almost 20 percent—to an average—after taxes—of $2,315 in the first quarter of 1965.

From the Tax Reduction Act of 1964 alone, the Council of Economic Advisers notes:

First. Consumer spending increased an extra $9 billion.

Second. The gross national product in constant prices grew 4.5 percent in 1964, whereas in the absence of the tax cut it would have grown only 3 percent.

Third. Business investment in plant and equipment rose $6.5 billion.

Fourth. Almost 2 million new jobs were created.

Fifth. At present, the expenditures on new plant and equipment by business and industry are running at an annual rate of about $50.4 billion—an increase of more than $5 billion for the year 1964. The estimate for the year 1965 is that there will be a 12 percent or more rise in plant and equipment spending over 1964.

Sixth. At the present rate, the gross national product will rise to or will exceed $660 billion per annum in the year 1965.

The U.S. News & World Report, in its issue for June 14, 1965, said the following:

> Actually, today there are few real similarities to precrash 1929.
>
> Money now is managed, not rigidly tied to gold. Federal cash spending now accounts for 1 out of 4 dollars of national income, not 1 in 29.
>
> Government spending is geared to fast action, vast outlays in setbacks.
>
> Deposits of banks, savings and loans are insured, not subject to a sudden disappearance. Wage rates are supported by strong unions. Farm prices are bolstered by Government. Old people get pensions where there were few before.
>
> Mortgages are amortized, not callable each 3 or 5 years, precipitating a wave of foreclosures in hard times. Government, by law, is committed to use its powers to strive to bring about and sustain jobs for all.
>
> So, it is difficult to conceive a repeat of 1929 and its aftermath.
>
> Business itself never was better. People's incomes are at a record level. End of excise taxes on many products at retail on July 1 will have the effect of a price cut. Pension checks will go up in the autumn.
>
> Trade is sure to boom, with a record Christmas season.
>
> Steel strike, most probably, will be avoided. Wage rise is sure to be around 4 percent, with some price rises to follow. Carefully handled price increases are very unlikely to bring a repetition of the 1962 crackdown.
>
> The concern, as mentioned, is that the boom is starting to heat up a bit too much, that moves will be called for to tighten the supply of money. In the past, that has meant at least a pause, and usually some recession.
>
> Tax cut of about $4.8 billion is being speeded through Congress. Cuts and eliminations, when made, will come in stages over 3½ years.
>
> On July 1, excises will end on jewelry, furs, toilet articles, luggage. Also, on business machines, phonographs and records, musical instruments, TV sets, radios, freezers, refrigerators, most appliances, most sporting goods.
>
> Retroactive to May 15: Tax on air conditioners will be repealed, and auto tax will drop from 10 to 7 percent, be cut more later.
>
> Then on January 1, 1966, tax ends on club dues, admissions, private wires, and auto parts except for trucks. Tax on local and long-distance calls will go down from 10 to 3 percent. There should be quite an effect from it all.
>
> Tax cuts on incomes and affecting excises will add up to nearly $16 billion, centered mostly in 1964 and 1965. These cuts are credited with being a real factor in stimulating business.

FEDERAL RESERVE CHAIRMAN MARTIN FAILS TO READ HISTORY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, William McChesney Martin, who has been Chairman of the Federal Reserve System for 14 long years, is one of those men who simply cannot read history, and is therefore destined to repeat it. Indeed, Mr. Martin is the perfect example of the type of man that the philosopher Santayana wrote about in his oft-quoted aphorism about those who fail to read history. The pity is, however, that when a man acquires the crucial position held by Mr. Martin and fails to study history, the whole Nation suffers—the whole Nation is threatened with a new depression.

Not only does Mr. Martin fail to read history, he fails to heed those who have read history.

Now the Representative from Patman Switch and Texarkana, Tex., the First District of Texas, does not hold a degree in economics—neither does the gentleman from St. Louis, Mo., who occupies the awesome post of Chairman of the Federal Reserve System. But the Representative of the First District of Texas, who happens to be chairman of the House Banking and Currency Committee, does heed the advice of our most learned economists. He has attempted to benefit by the mistakes of the past, to avoid our past mistakes. It was for this reason that the Representative of the First District of Texas sponsored the Full Employment Act. It is for this reason that he has brought to the attention of this body and the Nation the facts about how the Federal Reserve System could and should be brought into line so that a forward looking monetary policy could be followed in this country.

But all the king's men and all of the economists of the Nation cannot teach Mr. Martin anything about the mistakes of the past. He would lead us down the same road we went in 1929. By tightening up on the money supply and boosting interest rates, he will push us into another depression.

FORMER MEMBER OF PRESIDENT'S COUNCIL OF ECONOMIC ADVISERS HAS GOOD ADVICE FOR MARTIN

Surely one of the reasons we are enjoying the greatest uninterrupted expansion in our history is traceable to the fine work done by the Council of Economic Advisers, established under the Full Employment Act which I sponsored. Many great economists have served on the Council, and the country has benefited immeasurably.

But as I have said time and time again, the Federal Reserve has always held aloof from the Council of Economic Advisers, cooperating only when it pleased the Chairman of the Federal Reserve. Mr. Martin goes it alone. He makes his own policy. He pays no heed to the well trained and well schooled who make up the Council of Economic Advisers. He pays no attention whatever to the Members of Congress who have devoted a lifetime of work to economic trends, working in the interest of all the people, and not just for the American Bankers Association.

If Mr. Martin would follow the advice of economists, he would have never made the speech which sent the stock market into a sharp decline. He displayed his ignorance to the lessons of the past. But it was not merely what Mr. Martin said that sent the stock market into a fit of selling. It is the power Mr. Martin wields as the Nation's central banker to tighten up monetary policy that the alert speculators on the stock exchange watch. It is not Mr. Martin's words, it is his deeds that threaten a new Martin depression.

I commend to all Members of Congress the reading of an article just published by Prof. James Tobin. Dr. Tobin is sterling professor of economics at Yale University and served as a member of the President's Council of Economic Advisers from 1961 to 1962. Dr. Tobin was the Council's specialist on monetary policy.

What does Dr. Tobin say about Mr. Martin's assessment of the great depression of the 1930's? Let me quote from Professor Tobin:

> A boon is a trying period for a central banker who believes, like Chairman Martin, that recessions and depressions are inescapable retribution for the maladjustments of prosperity. Should he let such excesses develop? Or should he administer a dose of tight money? This medicine itself may turn prosperity into recession. But the doctor will always assure his perplexed and involuntary patients that they needed it to forestall much worse suffering later.

Again Professor Tobin makes this telling comment:

> Chairman Martin views economic expansion as a potentially explosive chain reaction, which only the tightest control prevents from running away. Some booms may merit this metaphor. But the current one seems in more danger of ending with a whimper than with a bang. To keep it going has required a succession of carefully timed and gaged stimuli—increases in Federal spending, income tax cuts, and now excise reduction. "Leaning, against the wind," the favorite posture of the Federal Reserve, is not an appropriate stance when the problem is to keep the wind blowing.

Finally, in painstaking detail Dr. Tobin shows how Mr. Martin has misread the causes of the 1929–33 depression. As Professor Tobin expresses it:

> What is the lesson of 1929? Chairman Martin says, "to a large extent the disaster of 1929–33 was a consequence of maladjustments born of the boom of the twenties." More likely, the expansion of the twenties—noninflationary like the present expansion—simply ran out of steam. Instead of taking action to prolong it, Chairman Martin's predecessors tightened credit and raised interest rates. Like many contemporary observers and historians, they paid too much attention to a sideshow, stock market speculation, and too little to the main ring, the real economy.
>
> Certainly no maladjustments or overindulgences occurred in the twenties which preordained that a routine recession in 1929–30 should become a worldwide economic and political catastrophe. That took incredible sins of omission and commission, all justified in the name of fiscal and financial orthodoxy. In the monetary area, the worst overt sins were raising the discount rate in September–October 1931 (Chairman Martin agrees this was a mistake) and in February 1933. On both occasions, the Federal Reserve's purpose was to protect the international gold value of the dollar. Chairman Martin was telling history upside down at Columbia when he blamed the severity of the depression on insufficient concern for the external status of the dollar. Recovery did not begin in the United States until Roosevelt gave recovery higher priority than the gold standard.

MR. MARTIN CANNOT STAND PROSPERITY

As I have said, Mr. Martin simply cannot stand prosperity. He is wedded not only to the past, but to the mistakes of the past.

But to reiterate, it is not simply what Mr. Martin says that causes the stock market to experience such a terrific decline. It is what Mr. Martin does as the man who controls our monetary system.

If an engineer at the controls of a locomotive were always putting on the brakes every time the train got moving, we would see to it that we got a new engineer. The pity is, that even the President of the United States has his hands tied. Sure, he could probably fire Mr. Martin. But could he pick the best man available for the job? No indeed, he could only ask Mr. Martin to step down from the chairmanship and ask one of the existing members of the Federal Reserve Board to be Chairman. This is all wrong.

I recommend that every Member of this body read carefully the article by Professor Tobin pointing out the errors of Mr. Martin's ways, which I append to my statement:

[From the New Republic, June 19, 1965]

WHAT IS THE LESSON OF 1929?

William McChesney Martin, Jr., Chairman of the Federal Reserve System since 1951, has suffered professional attacks longer and more patiently than most officials. On June 1, he counterattacked at Columbia.

His main message—somewhat veiled but well enough understood in Wall Street—was that the country may need, soon if not now, tighter money and higher interest rates to protect its domestic economic health and its balance of payments. Here Chairman Martin takes issue with a host of critics, mainly academic, some of whom may even have infiltrated Washington. Many think that the current expansion needs further stimulus rather than sterner discipline and that the dollar's prestige abroad already receives too high priority in U.S. policy.

Chairman Martin reads the critics lessons from the history of the 1920's and the great depression. The irony is that before 1933 Chairman Martin's intellectual and official precursors were firmly in the saddle here and in Europe. Unlike him, they did not have to accommodate or even answer heretical financial views. The mistakes they made were all their own.

A boom is a trying period for a central banker who believes, like Chairman Martin, that recessions and depressions are inescapable retribution for the "maladjustments" of prosperity. Should he let such "excesses" develop? Or should he administer a dose of tight money? This medicine itself may turn prosperity into recession. But the doctor will always assure his perplexed and involuntary patients that they needed it to forestall much worse suffering later.

The current expansion is especially trying. It has been proceeding for 52 months without the degree of monetary discipline the Federal Reserve became accustomed to administer in the 1950's. Yet it is hard even for the hypersensitive antennas of the central bank to detect any maladjustments or excesses. Since February 1961, a $150 billion expansion in total annual public and private spending has reduced unemployment from 7 to 4.5 percent, without noticeably raising prices. In the spring of 1961, Chairman Martin told Congress that unemployment was structural, that it could not be reduced by more spending except at serious risk of bottlenecks and inflation. Similar warnings, similarly unfounded, have been repeated in orthodox financial circles at every step of the recovery. Had they been heeded, the country would have lost millions of jobs and billions of dollars in production and income.

Chairman Martin views economic expansion as a potentially explosive chain reaction, which only the tightest control prevents from running away. Some booms may merit this metaphor. But the current one seems in more danger of ending with a whimper than with a bang. To keep it going has required a succession of carefully timed and gaged stimuli—increases in Federal spending, income tax cuts and now excise reductions. "Leaning against the wind," the favorite posture of the Federal Reserve, is not an appropriate stance when the problem is to keep the wind blowing.

What is the lesson of 1929? Chairman Martin says, "to a large extent the disaster of 1929–33 was a consequence of maladjustments born of the boom of the twenties." More likely, the expansion of the twenties—noninflationary like the present expansion—simply ran out of steam. Instead of taking action to prolong it, Chairman Martin's predecessors tightened credit and raised interest rates. Like many contemporary observers and historians, they paid too much attention to a sideshow, stock market speculation, and too little to the main ring, the real economy.

Certainly no maladjustments or overindulgences occurred in the twenties which preordained that a routine recession in 1929–30 should become a worldwide economic and political catastrophe. That took incredible sins of omission and commission, all justified in the name of fiscal and financial orthodoxy. In the monetary area, the worst overt sins were raising the discount rate in September and October 1931 (Chairman Martin agrees this was a mistake) and in February 1933. On both occasions, the Federal Reserve's purpose was to protect the international gold value of the dollar. Chairman Martin was telling history upside down at Columbia when he blamed the severity of the depression on insufficient concern for the external status of the dollar. Recovery did not begin in the United States until Roosevelt gave recovery higher priority than the gold standard.

It is true that the position of the dollar as an international reserve currency today is analogous to the role of the pound sterling from 1925 to 1931. But the lesson of the analogy is the opposite of the one Chairman Martin draws. In 1925, through an excess of orthodox zeal and a Colonel Blimp conception of imperial prestige, Britain returned to the gold standard at the 1914 parity of sterling with gold and the dollar. This made British exports to expensive. The result, foreseen by J. M. Keynes, was unemployment, civil strife, and depression. Nor did the sacrifices imposed on the British people and their trading partners overseas save for long the gold value of the pound or London's financial prestige. Britain was forced to devalue in 1931, and then British recovery began.

Chairman Martin deplores the ensuing destruction of the international gold standard. But this was the result of the depression, not its cause. And the depression itself owed much to its severity to the British Government's previous determination to give the prestige of the pound sterling absolute priority over domestic prosperity.

It is worth noting in passing that then as now France had a strong currency because of previous devaluations, that then as now French threats to take gold forced deflationary policies on the United States and Britain, and that then as now France took gold anyway.

This is the history to which Chairman Martin appeals in asking us to place the international "value and status of the dollar" above all other considerations of economic policy. He excoriates "some Keynesian and neoclassical economists" for wishing the United States to follow the British 1931 example. But the issue is not really devaluation. The exchange value of the dollar in the sixties is by no means as unrealistically high as that of the pound in the late twenties. The issue is whether the maintenance of gold-dollar convertibility at the present rate has an absolute priority over all other objectives of U.S. domestic and foreign policy. Is "going off gold" such an ultimate catastrophe, like nuclear war, that we must avoid at all costs the slighest risk of its occurrence? And if, as Chairman Martin dubiously argues, the result would be worldwide depression, should we not expect more cooperation and forbearance from our allies than we are likely to receive so long as we define the problem, as he does, as a strictly American responsibility?

Both America and the world have more to gain from steady economic progress and sustained full employment in the United States than from timid obsession with foreign confidence in the dollar. Gratifying as it is, our long economic expansion has not yet restored full employment. The social costs of a persistent shortage of jobs can be observed daily in the streets of our cities and in the demoralization of those groups, notably Negroes and teenagers, who get jobs only when labor markets are tight. In a real sense these people—and the mayors, social workers, police and antipoverty warriors who must struggle with their problems—are the victims of the shortcomings of fiscal and monetary policy.

The identification of prosperity with imprudent self-indulgence may have an appealing Puritan ring. But it is wholly a vicarious Puritanism, like the austerity of the international financiers who in 1931 forced the Labor government to cut the dole of the unemployed and the salaries of teachers in a vain attempt to "save" the pound. It would be criminal folly to endanger our current economic growth either by an attack on conjectural maladjustments and imagined excesses or by subservience to gold-hungry foreign central banks. As Chairman Martin says, "If monetary history were to repeat itself, it would be nobody's fault but our own."

JAMES TOBIN.

THE OIL IMPORT PROGRAM AND SMALL BUSINESSMEN IN THE PETROLEUM INDUSTRY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Johnson administration is currently in the process of deciding in what form it will perpetuate mandatory oil import limitations. Because nothing less than the security of this Nation is involved—not to mention the survival of a healthy small business segment in the producing end of this Nation's petroleum industry—I believe the time has come to express the concern long held by many of us over the structure of the imports program inherited from the Eisenhower administration.

On May 20 last I addressed the House on the subject of "International Oil, Small Business, and the Balance of Payments." At that time I charged that "favored treatment to American international oil companies is a principal factor in the present balance-of-payments deficit" as well as "a primary cause of the distress in which the small domestic independent oilman now finds himself."

There is excellent reason to question whether the imports program, in the form devised by the Eisenhower administration, is properly responsive to the purpose of import controls. Accordingly, I have announced that hearings are contemplated in the early future—to be held by either the House Banking and Currency Committee or the Joint Economic Committee—at which the appropriateness of the present imports control machinery will be examined in some detail. I have concluded that so serious is this matter as to make hearings imperative at an early date.

In my May 20 remarks, it was noted that serious questions have arisen concerning the present oil imports program, and the quota-allocation procedure under it, including:

First. Is the present oil imports control arrangement fully effective in terms of the national security purpose?

Second. Is the present program the most suitable in terms of our balance-of-payments objective?

Third. Is the present import arrangement conducive to a concentration trend within the oil industry?

It should be recalled that the Kennedy administration was in the process of reexamining the appropriateness of the imports control mechanism at the time of the assassination. A Special Petroleum Study Committee appointed by President Kennedy had earlier pointed out that the present system "places the Federal Government in the role of distributing a considerable economic advantage. A distribution of an economic advantage of this magnitude is bound to bear upon the financial return of individual companies, the structure of the industry, the functioning of the economy, and other national objectives."

President Johnson, early in his administration undertook to entrust oil policy decisions primarily to the Secretary of the Interior. However, I am absolutely certain that the President, in delegating this responsibility, had no intention whatever of short-circuiting the movement toward developing an imports program which will function in terms of purpose. As a matter of fact, it was upon insistence of some of the President's closest advisers that Interior decided to hold comprehensive hearings into all aspects of the oil imports program, ostensibly looking toward major revisions in the control arrangement.

The hearings were held last March, 3 days of hearings at which all interested parties were accorded an opportunity to recommend improvements. But these hearings were characterized by an unusually high degree of self-serving pronouncements by individual importing interests, each recommending revisions in the quota allocations formula calculated to further its own quota position. The fundamental purpose of import controls seems to have been largely overlooked.

Although top Interior Department officials had billed the hearings as comprehensive reexamination of the program in terms of purpose, early in the hearings they made known their intention to make no basic changes in the program.

In this connection, it is noteworthy that there have been a constant barrage of declarations by Interior officials to the effect that the import program is working fine—and that the only weak spot in the picture is that we are not drilling enough exploratory wells to keep reserves in proper ratio to withdrawals.

Moreover, the recent Interior Department industry appraisal report cites a clear need for more than just reversal of downward trends in exploration. Tomorrow's demand calls for exploration rates greater than in past years. The report states:

> Even the most optimistic assumption regarding the exploitation of known deposits, however, falls short of the requirement for new domestic supply mentioned in chapter I, and there remains the certainty that sooner or later, new deposits must be found.
>
> For the most of the past 30 years, the ratio of proved reserves to annual production of crude oil has kept in a narrow range of between 12 and 14 to 1, although it has declined in recent years to slightly over 11 to 1 because additions to reserves have not kept pace with production.

Mr. Speaker, I consider this a highly significant revelation. Here we have officials at Interior declaring that the imports program is functioning satisfactorily—but that domestic producers are just not drilling enough wells. The reason I say this is significant and quite revealing, Mr. Speaker, is that the primary purpose of oil import controls in the first place was to assure conditions on the domestic scene which would enable independent producers to keep drilling for reserves essential to this Nation's security and economic well-being. The Executive order proclaiming mandatory oil import controls on March 10, 1959, incorporated the following statement:

> The new program is designed to insure a stable, healthy industry in the United States capable of exploring for and developing new hemisphere reserves to replace those being depleted. The basis of the new program, like that for the voluntary program, is the certified requirements of our national security which makes it necessary that we preserve to the greatest extent possible a vigorous, healthy petroleum industry in the United States.

Mr. Speaker, I am saying that the present program can be described as successful only if it is being evaluated by meaningless criteria. I am saying that the people at Interior seem to be doing exactly that.

IMPORTS VERSUS DOMESTIC GROWTH

What has been the record of imports under mandatory control since they were imposed in March of 1959?

Members of the Congress who took a lead in writing the 1958 Security Clause fully intended that this authority be used to prevent disproportionate growth of imports thereafter. The later Senator Kerr declared publicly that he had assurances from the Eisenhower administration that oil imports thereafter would be permitted to increase only in the ratio they then bore to domestic oil production in the United States. Let us see what has happened.

Since the imposition of mandatory controls in early 1959, the total U.S. market for oil has increased by about 1,090,000 barrels a day. How much of this did oil imports get and how much was left for domestic producers?

Imports got about 44 percent of this U.S. market growth, or some 480,000 barrels a day.

Domestic producers got the remaining 56 percent, or about 610,000 barrels per day.

But this does not tell the whole story—not by any means.

The fact is that domestic nonintegrated independent producers as a group got absolutely no part of the U.S. oil market growth since the imposition of import controls. As a matter of fact, they, along with the States in which independents are most predominant, have lost ground continuously under the control program—while the leading international oil companies have increased their share of production both at home and abroad.

	Increase or decrease over base period 1957–59	
	Peak reached during 1952–57	Latest year, 1963 or 1964
	Percent	*Percent*
Geophysical activity	+43.4	−32.9
Active rotary rigs	+25.5	−29.9
Exploratory wells	+24.5	−11.6
Total wells	+11.3	−13.5
Crude oil found	+13.7	−25.0
Total oil found	+16.6	−11.9
Employment	+3.1	−11.4
Crude oil price	+3.0	−3.7

Production in offshore Louisiana, mostly under Federal leases, has skyrocketed under the program. The result is that Louisiana crude condensate accounted for almost all the so-called domestic production growth—gaining some 49.3 percent of the U.S. market growth during the period of mandatory control, an increase in barrels of some 537,000 barrels daily.

Now remember that most of the increased Louisiana production of which I speak is from Federal offshore lands, subject to Interior Department jurisdiction. And it should be noted, also, that the Federal offshore production of which I speak is held almost entirely by the same international oil companies which produce abroad. The typical domestic independent producer—the individual operator who historically has discovered more than two-thirds of all our oil to date—is not financially equipped to compete in this big league for wells that regularly cost a million dollars or more each.

So what I am saying, Mr. Speaker, is that production under Interior Department jurisdiction—imported oil and Federal offshore production—got the lion's share of U.S. oil market growth, while production in the onshore areas of this Nation has been practically stagnant. As a matter of fact, production in the United States exclusive of Louisiana during the entire 6 years of mandatory controls has been allowed only about a 1-percent annual production increase—while imports have increased many times that rate.

So exclusive of Louisiana, total production has grown by only some 7 percent—or 73,000 barrels daily, throughout the entire period of mandatory import controls. And, since the leading major companies have increased their domestic onshore production far more than that, this can only mean that the rank and file thousands of independent oil producers in the Nation have enjoyed no production growth at all.

Now I submit that this is a far cry from what was intended by the Congress in authorizing mandatory oil import controls. I fail to understand why Interior officials, in the face of irrefutable evidence that the program is a failure, insist that it is successful and that no significant changes are in order.

OUTLOOK FOR NEW PROGRAM

Mr. Speaker, I have been given to believe that only minor revisions in this unsuccessful oil imports program are being recommended by the Interior Department for the period of controls beginning July 1.

If this is so, then I submit it is time that the President cancel the delegation of oil-policy matters to the Interior Department. His personal intervention may well be necessary to prevent further irreparable injury to a vital home industry.

The Interior Department held in March the comprehensive hearings called for by many of us in Congress and leading oil-State Governors, including the Honorable John B. Connally, Governor of Texas. But it appears from all published reports that the present Interior officials have no intention of using this opportunity to come up with a program which is suitable to the purpose and which will work.

There have been published reports that the Secretary of Interior, as well as his subordinates, have declared that they plan to make no reduction in oil imports at any point, and that they do not even concur in the need for freezing the present level until the domestic industry has a chance to get its breath.

As incredible as it seems to me, reports indicate Interior is recommending that the new import order reject proposals to link district V—west coast—imports with imports into districts I–IV, in such a way as to prevent runaway imports into any part of the Nation.

It is now known that the Secretary has reversed his earlier judgment in the matter of residual fuel oil imports, and has now publicly declared that his intention to decontrol some residual imports—thereby saving, he said, New England consumers some $400 million a year—was blocked by interference at the White House. Incidentally his $400 million figure, I am reliably informed, is as fictitious as a figure could be, apparently intended to garner favor with some at whatever expense to the security and well-being of the Nation.

We hear constantly of the concern being expressed for the equities between import sources. I am told that some Interior officials actually recommend a plan whereby imports of Venezuelan source will be graded upward in value, through the refinery input allocation system, theoretically to equalize their status with exempt Canadian imports.

I am informed also that the Secretary wants to give import quotas to petrochemical plants, so that they can import their feedstocks, on the theory that this helps them increase their export business.

There are reports that Interior officials are considering granting imports quotas to domestic wildcatters on the basis of footage drilled. This is clear evidence they recognize that the present import quota arrangement is not getting the job done.

One of the more significant developments to which I would bring attention at this time is the negotiation between Interior officials and officials of a certain international oil company having to do with the establishment of a $600 million petrochemical complex in Puerto Rico. To make this economic, they are going to be allowed to import some 50,000 barrels a day of gasoline via Puerto Rico. Now this obviously will either increase imports by that much, or will necessitate rolling back the product imports of other companies. My understanding is that Interior has promised to follow the latter course. I am sure this will be greeted with loud cheers from the competing companies having to give up their rights so that the company Interior has favored can enjoy its special imports privilege.

BASIC OBJECTIVES

Mr. Speaker, foremost among the witnesses at the March hearings on the oil imports program held by the Department of the Interior was the Governor of my State, the Honorable John B. Connally. He presented charts which clearly demonstrated that the imports program is falling seriously short of assuring adequate exploratory operations at home. Both the crude oil and natural gas reserves-to-production ratios are on the decline. Said Governor Connally to the Interior officials before whom he testified:

> The great time lag between exploratory planning and the actual flow of oil from new reservoirs—5, 10, 15 or even 20 years—is so great that the oil for the 1970's must be planned in the 1960's. To meet projected requirements in the face of the downward trend in reserve additions, development drilling, and exploratory effort of the petroleum industry, it is necessary that the Interior Department now critically review the effects of its past administration of the import-quota system, and set import levels that will comply fully with the objectives of the Presidential directive establishing the mandatory oil import program—to the end that the petroleum industry in the United States will regain its just level of economic health and that its exploratory vigor will be stimulated.

Governor Connally told Interior officials that "at the very minimum, freezing the present volume level of imports for a sufficient period of time until the downward trend in domestic exploration and reserve replacements are corrected" is necessitated by the present situation.

In response to the many published reports that certain Interior officials attribute industry problems to domestic inefficiencies, rather than an inadequate imports program, Governor Connally had this to say:

> Some say that the domestic producers' plight is due in large measure to the great number of unnecessary wells that have been drilled. By today's technological and economic standards, and to meet today's domestic demand for oil, there have been more wells drilled in the past in some reservoirs than are needed to produce today's restricted requirement from domestic reserves of oil. In times of emergency it is possible that many of these so-called unnecessary wells will prove to be extremely valuable to increase the availability of our oil reserves and consequently to help maintain the self-sufficiency of petroleum in the United States.
>
> Large numbers of wells in a specific reservoir contribute to the availability, or deliverability, of oil from the reservoir, but do not add materially to the oil ultimately recoverable from the reservoir. Since an oil reservoir shrinks a little bit every day from the time it is discovered until it is abandoned, the productive capacity of the reservoir declines in some relationship to its age, depending upon the recovery mechanisms at work.
>
> If the present downward trend in domestic exploratory activity is not halted now, it is possible that the excessive criticism of unnecessary wells will be changed to praise for the farsightedness of the industry in providing needed deliverability of oil from our domestic deposits at some time in the future.

Finally, with reference to the balance-of-payments situation Governor Connally said:

> The balance of payments of this Nation and our relations with many countries will be affected by what you do. But at this point let me remind you that since 1959 while production of oil has gone up 7 percent in the United States, oil production in Venezuela has increased 17 percent; oil production in Europe, including Russia, has increased 56 percent; oil production in the Middle East has increased 47 percent and oil production from Africa has increased 1,041 percent.

Free foreign oil production

[Thousand barrels daily]

	Eastern Hemisphere	Venezuela	Canada
1959	5, 540	2, 797	518
1960	6, 451	2, 873	541
1961	7, 047	2, 947	643
1962	7, 958	3, 230	737
1963	8, 996	3, 280	787
1964	10, 574	3, 415	845
Percent increase, 1964 versus 1959	+91	+22	+63

We hear now reports that Interior wants to change the program from one setting quotas on a semiannual basis to an annual basis. I very much fear the effect of this would be to delay consideration of whether the program is doing an adequate job. On this point I agree with Governor Connally that the effects of the mandatory oil import program should be assessed more often, not less often, and I fear that changing to an annual basis might be a step in the wrong direction.

Mr. Speaker, while I am on the subject of failure to evaluate the program in meaningful terms, I might note that some very strange reasons are being given for granting import quotas these days. Just last week a couple of shutdown refineries were given so-called hardship quotas under a provision allowing them to persons who do not meet normal standards. As absurd as it must surely seem to all us outsiders, the quotas were given on the basis in part "an allocation would be helpful to each petitioner in adjusting its creditor problems." Now I am not questioning the need of these companies for quota subsidies, and I am not saying they should not get them. But is it not rather strange when quotas can be arbitrarily handed out to people because they have creditor problems? If that is a proper basis, I am sure we all have a lot of friends who are equally qualified.

CONCLUSION

Mr. Speaker, this is admittedly a complex problem. I am under no illusions that answers come easy. What I am saying here today is that the present import allocation arrangement is politically unsuitable and eminently unsuccessful in terms of purpose.

In future weeks I intend to supplement these remarks with facts and figures showing exactly what is happening within the domestic petroleum industry, and particularly to the small businessman in this enterprise.

There is a serious monopoly trend in this industry, a matter which I plan to discuss at length in the days ahead.

At the appropriate time, committee hearings will be held, inquiring into the many facets of this and related problems having to do with the international oil companies and their balance-of-payments responsibilities.

My purpose here today is primarily to draw attention to what seems to be the dangerous course being pursued by the Interior Department in this oil imports matter. It is time for the executive branch of our Government to face up to a bad situation which requires correction. Present officials at the Interior Department do not seem disposed to do this.

If they fail to do so, then I predict corrective action will come from other sources. We are dealing with a national security matter. The interests of this Nation cannot safely be subordinated much longer to the interests of a few international oil companies.

Thank you.

CHAIRMAN WILLIAM McC. MARTIN IS NOT PRESIDENT LYNDON BAINES JOHNSON

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, throughout history, there have been men who think of themselves as God. Under no circumstances do I want you to think that I am referring to the Chairman of the Federal Reserve Board, William McChesney Martin. I know that he does not think he is God.

Then there are other men like Genghis Khan and Adolph Hitler who thought they were Caesar and set out to conquer the world. I would not put the Chairman of the Federal Reserve Board in this category either.

But there is a man abroad in the land in high position who thinks he is Lyndon Baines Johnson, the President of the United States. He takes the authority that belongs under our Constitution to the President of the United States and delegates it to himself. The Constitution states explicitly that, "The executive power shall be vested in a President of the United States of America," and that, "he shall take care that the laws be faithfully executed." The Constitution is again explicit on money power, for it states that "The Congress shall have power to coin money, regulate the value thereof."

Mr. Martin and his Open Market Committee are determining the interest rates of the country, whether we have adequate credit to meet our needs, and whether our money supply should grow with the economy or fail to do so, as it has in the last 6 months.

Mr. Martin is not responsible to the people—he is responsible to the bankers who control the Federal Reserve System.

On the other hand, Lyndon Baines Johnson is responsible to the people of the country, who elected him. By our Constitution, he is duty bound to execute the laws of the land, and the Congress when it set up the Federal Reserve Board had no intention to delegate all of its authority to the Chairman of the Federal Reserve Board.

Mr. Martin ignores this fact. He takes unto himself illegal authority and, as I said the other day, since his policies run counter to that of the President of the United States, who is responsible for the economic and fiscal policies of the country—the very well-being of the country—I say to you again, Mr. Martin should do the decent thing and resign. He has no business playing President.

Mr. Martin and his policies run counter to the Employment Act of 1946. The President is responsible for implementing that act:

> To coordinate and utilize all of the Government's plans, functions and resources * * * to promote maximum employment, production, and purchasing power.

If you do what the President is attempting to do, you will have prosperity in the country. If you do what Mr. Martin, who thinks he is President, wants done, you will have economic and financial trouble throughout the land.

Again I say, we have no room in this country for a man who holds high office, other than the Presidency, to act as though he were President.

Mr. Martin is obviously not a team man. Again and again and again, I shall ask that he remove himself from high office.

A NATIONAL OCEANOGRAPHY COMMISSION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, nowhere on our earth are the challenges available to man more formidable than at the depths of the ocean. Yet nowhere on our earth is there less direction and more confusion than that which exists in our programs to meet those challenges. It is with the hope of securing an evaluation of our present position and recommendation of our future posture that I am submitting legislation to set up a National Commission on Oceanography.

This legislation does not set up any new agencies. Nor does it seek to create any super agency to coordinate the great proliferation of programs which are currently being carried out in this field. Rather it authorizes the President to appoint a Commission which will investigate the current status of U.S. efforts in the field of oceanography and recommend a future course of action with respect to our national needs and development programs. The need for coordination of efforts and interchange of information and discoveries has long been recognized by both the people involved in our programs and the people responsible for the administration of them. What this bill does is to provide a suitable means of securing a review without creating another new agency to add to the proliferation.

The Commission would be composed of five people from the field of industry; five from government and five from the universities and laboratories participating in oceanographic work. This will insure that a complete study of the problem is obtained and also insure that no one segement of the oceanographic community will dominate the Commission. The need for this Commission can be illustrated when we see that over $44.7 million is being expended by the Federal Government in support of oceanographic research—yet this program is a splintered effort handled by the 18 departments and agencies.

It is problems such as the foregoing that must be answered if this country is going to keep ahead of the increased Russian efforts in the field of oceanography. They have even recently expanded their efforts in the Caribbean, using Cuba as a base for their operations.

The Commission which I have proposed has a job to do. When it finishes that job it will cease to exist. Its termination takes place 2 years after the enactment of the proposed legislation and 1 year from the date of passage it must submit an interim report to the President and Congress.

Mr. Speaker, the great plethora of proposals and suggested solutions which have been tendered to solve the problems of our oceanographic program are the best testimony for the need of this legislation. At this time the most important thing we need to know is where we currently stand—and where we should be going.

THE 25TH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, in June of 1940 the Russians overran Lithuania, Latvia, and Estonia, and conducted a mass deportation to Siberia which caused the death of hundreds and thousands of people. Today, the Lithuanian communities the world over are commemorating the 25th anniversary of this sad event.

The tragic plight of the Baltic nations has long been a matter of deep concern to me. One of my first actions upon becoming a Member of Congress was to introduce a resolution, House Concurrent Resolution 363, referring to the continuing enslavement of Lithuania, Estonia, and Latvia. The case for passage of such a resolution is clear.

It was over 25 years ago that the Soviet Union began to build its empire in Eastern Europe by the forceful annexation of the Baltic States. In all of that time, the hopes of the peoples of these captive nations for freedom and independence have remained alive. The struggle to break the chains of Russian tyranny, thought often to be a silent struggle, goes on. Free people everywhere have looked on with admiration as they witnessed the unmistakable evidence that the will of these brave men and women remains unbroken.

We in the free world have a profound moral obligation to our brothers trapped behind the Iron Curtain. No free man can fully enjoy the exercise of his liberties while his fellow men are still brutally deprived of the most fundamental human rights. We must keep the light of liberty shining so that they look to the West for inspiration will always know that they are not forgotten.

This responsibility lies particularly heavily on the United States. As the leader of the free world, we must point the way for our friends and allies. One obvious way in which we can meet our responsibilities in this field is to continue to stress the case for Baltic freedom in every available forum.

My resolution recommends to the President that the United States take this matter once more to the United Nations. We would seek a declaration of world opinion demanding that the Soviets withdraw all troops, agents, colonists, and controls from Lithuania, Estonia, and Latvia. In addition, the hundreds of thousands of Baltic exiles who still survive in Russian prisons and slave labor camps must be allowed to return to their homeland.

The final resolution of this question must include free elections through which the Baltic peoples may choose their own form of government.

Although we cannot expect the Communists to accede to these demands immediately, the repeated demonstration of our determination to defend this righteous cause will in the long run help to make Baltic liberty a reality.

STROUDSBURG, PA., HOLDS ITS SESQUICENTENNIAL CELEBRATION THIS WEEK

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, it is my pleasure today to call attention to the sesquicentennial celebration in Stroudsburg, Pa., one of the many charming and historic boroughs and cities in my congressional district.

In actuality, the community of Stroudsburg is much older than its 150 official years; this is simply the anniversary of the borough's formal incorporation in 1815. Its history goes back to the last months of 1799 when its founder, Jacob Stroud, began encouraging workers with skills to settle on land he had purchased in the area which lies at the confluence of three of the most beautiful small streams in Pennsylvania—the Brodheads, the Pocono, and the McMichaels Creeks.

Jacob Stroud's community grew and flourished on the slopes of the hills which rise gradually from the Delaware River. These are the world-famed Pocono Mountains and they have become one of America's most popular vacation lands.

Jacob Stroud was a gentleman of great determination. Although he began his life in the area which was to bear his name later as an apprentice to Nicolas

Depuy, the region's first white settler, and was forced to borrow the money he needed to make his initial purchase of land, Colonel Stroud left a susbtantial inheritance to his eleven surviving children when he died on July 14, 1806. In addition to 4,000 acres of land, he left a grist mill, a blacksmith shop, a number of large homes and, by way of diversification for the area's early economy, a distillery.

The Stroud family continued to play an important role in the evolution of the community. When Jacob's health failed, it was his lawyer son, Daniel, who returned home from nearby Easton, Pa., to take over guidance of the family and the town. It was Daniel's foresight that gave to the community the broad, tree-lined streets which now serve as its business center.

Although it is now a thriving, growing 20th century community, the Borough of Stroudsburg has retained much of the charm and character of its earliest times. Its people are friendly and hospitable. It is always an occasion of great joy for me to be able to visit Monroe County and Stroudsburg, for I know of no area outside my own native city of Bethlehem which tries more completely to make a visitor feel comfortable and "at home."

To celebrate this auspicious anniversary, the people of Stroudsburg have planned a magnificient calendar of events beginning with this past Sunday's "Religious Heritage" observation in its many wonderful churches. Last night, a series of sesquicentennial balls were held throughout the area and these were very well attended.

The ladies of the borough have become accomplished seamstresses overnight—those who were not before have demonstrated how brilliantly they can adapt themselves to the vicissitudes of sewing their own costumes. And I should add that they have given us all a far greater sense of the grace and charm of 19th century living with their attractive long dresses and sunbonnets.

There is a far greater assortment of beards, goatees, Van Dykes, mustaches, galways, and sideburns than is generally in evidence at celebrations of this sort—and that is due to the remarkable fact that most of the men in the entire county region have joined in the spirit of the festivities.

All in all, I think the sesquicentennial parade this coming Saturday evening, in which I will be privileged to participate, is going to be one of the largest and finest of its kind Pennsylvania has ever seen.

As the Representative of the 15th District of Pennsylvania, I point with excusable pride, today, to the extraordinary events which are now transpiring in Stroudsburg. I take this opportunity to invite those of my distinguished colleagues who would like to take a good, authoritative look back into the history of our Nation to visit the borough this coming weekend.

I know the people of Stroudsburg, as always, will welcome you and I am fully confident that you will have the time of your lives.

THE WORK AND RECORD OF JUDGE DEVANE

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, questions which have been asked in the Banking and Currency Committee of the House could be interpreted as a reflection on the character of a distinguished jurist, now deceased, of the State of Florida. During hearings on H.R. 7371, questions directed to Mr. Edward Ball of Jacksonville, a trustee for the Du Pont Estate, apparently were intended to infer a connection between a directed verdict favoring the Du Pont interests in a Federal case and the subsequent sale of property by Judge Dozier A. DeVane to the Du Ponts.

Judge DeVane, who served as U.S. district judge from 1943 until his retirement in 1958, was an outstanding and respected jurist. A longtime law partner of U.S. Senator Charles O. Andrews, he was highly regarded for his legal talent, and he served with distinction on the bench. He had a record of unquestioned integrity. He died on December 15, 1963.

I consider it most unfortunate and inappropriate to bring the name of Judge DeVane into the hearings. He could have sold his property to a hundred different persons. The price was in no sense unreasonable, but simply reflected the rapid increase in values for real property in the State of Florida. The fact that he continued to live on the property for a nominal sum as one of the considerations of the transaction is also inconsequential. It is normal procedure for major landholding companies when purchasing property to allow the property owner to continue to live in the home for a stated period or for the remainder of his life. This opens the door to purchases which could not otherwise be completed.

Throughout his lifetime, Judge DeVane's ability, his work, and his contributions to his community and State were very highly regarded. He was universally respected.

ARREST OF FREEDOM DEMOCRAT DEMONSTRATORS, IN JACKSON MISS.

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of California. Mr. Speaker and Members of the House, on June 14, yesterday, we again saw that American citizens were abused in their efforts to assert their constitutional rights of freedom of assembly and expression.

Mr. Speaker, in Jackson, Miss., some 472 members and supporters of the Mississippi Freedom Democratic Party, while engaged in an effort to peacefully protest the convening of the State legislature, were arrested, harassed, and beaten.

Mr. Speaker, I submit that this action underscores the urgency for the passage at the earliest possible date of the strongest possible voting rights legislation. We must enact a comprehensive voting law which includes a ban on the poll tax and provides for the protection of the rights of those engaged in the exercise of their constitutional rights.

What happened yesterday was shameful. I urge the Attorney General to use to the fullest the powers at his disposal to apprehend and to prosecute those responsible for the criminal acts which occurred in Jackson, Miss., and to invoke the full authority of the Federal Government to make reoccurrence of these acts impossible.

CIVIL RIGHTS IN JACKSON, MISS.

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAWKINS. Mr. Speaker, today I received the following telegram from Mr. John Lewis, chairman of the Student Nonviolent Coordinating Committee—SNCC—which reads as follows:

> ATLANTA, GA.,
> *June 15, 1965.*
>
> Congressman AUGUSTUS HAWKINS,
> *House of Representatives Office Building, Washington, D.C.:*
>
> Yesterday, June 14, in Jackson, Miss., 472 members and supporters of Mississippi Freedom Democratic Party, attempting to peacefully protest convening of undemocratically elected State legislature, were arrested, taken to Jackson State Fairgrounds. There men made to run gantlet, beaten by city policemen and State highway patrolmen with badge numbers covered. At least five were hospitalized as result of police brutality. Request you express indignation at this violation of constitutional rights and urge that action be taken to prevent reoccurrence.
>
> JOHN LEWIS,
> *Chairman, SNCC Mississippi Freedom Democratic Office.*

This type of brutality and violation of constitutional rights is repugnant to our American principles of justice and human dignity. This Congress must take all necessary steps to strengthen the Civil Rights Act, expand the antipoverty programs, full employment, and all other Federal laws to insure equal rights and protection of constitutional safeguards to all citizens.

I am also requesting the Attorney General to take new and more adequate steps in this situation which has obviously gone beyond the control of local law enforcement officials to the point where it appears they are actually involved in violating their oath of office.

MODEL WELFARE PROGRAM NEEDED FOR THE DISTRICT OF COLUMBIA

Mr. KREBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KREBS. Mr. Speaker, the newspapers on June 10 reported that the Senate District Subcommittee has requested that a model welfare program for the District of Columbia be prepared.

Three distinguished Members of the Senate, Senators MORSE, ROBERT KENNEDY, and RIBICOFF, it seems to me, have earned the quiet gratitude of every American citizen with a conscience by their efforts on behalf of the children who are the blameless victims in the District of Columbia of both economic deprivation and political discrimination.

I am led to comment on this development, which reflects as much shame on the Nation, as it does credit on the Senators who are speaking for the voiceless children of the city, by my own reflection on an accidental discovery I have made.

In a conversation with a District official I learned this week that children in the District of Columbia, if they are over 1 year of age, are not entitled to relief, even though their parents are residents of the District unless they are themselves residents of the city. This means that a child who has not lived in the District for a year is not entitled to relief.

Senator ROBERT KENNEDY'S distinguished brother, President John F. Kennedy, will be honored for many reasons, but many people especially cherish his memory because he introduced by his speeches and his example the word compassion into the national everyday vocabulary.

Neither the word nor the conception however seems to have penetrated to the District of Columbia Public Welfare authorities. Rules, whatever their justification, which encourage fathers to desert their families out of love for their children, which put a premium on deceit and misrepresentation, which pit professional investigators against families in need of food and shelter and clothing, which foster midnight raids on the poor, and which single out children who are not old enough to walk or to talk, to declare them officially ineligible for relief, these rules are bureaucratic madness, they are a form of legalistic brutality that has no place in the world, certainly not in the United States, and please God, most assuredly not in the Capital of the country.

I wish to express my personal appreciation to Senators MORSE, KENNEDY, and RIBICOFF for the truly noble work they are performing in a compassionate cause.

I would hope that in whatever welfare code they finally devise they will find a way to make compassion a tempering principle in the administration of welfare in the District of Columbia.

BRUCE JOLLY OF THE CONGRESSIONAL PRESS CORPS LEAVES HIS DUTIES AFTER 15 YEARS "ON THE HILL"

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, today a respected member of the congressional press corps is leaving his duties here after 15 years on the Hill.

I wish to pay tribute to Bruce Jolly, who for the past decade and a half has served as Washington correspondent for the Greensboro Daily News, my hometown morning newspaper. He is resigning this post, as of today. After a vacation, which he so richly deserves, he will join one of our major Southern firms in a public relations capacity.

This veteran newsman has been a familiar and welcome sight here in the Capitol and a genuine friend, especially to the members of the North Carolina delegation. He has covered every national political convention since 1952, with the exception of one. His duties have taken him on the campaign trail with most presidential candidates since then. His stories have taken him from the South Pole to the Arctic, to London, and to several points on the continent of Europe. He has chased hurricanes in Bermuda and has reported from the scene on Communist Cuba.

During his Washington tenure, Mr. Jolly reported accurately and fairly, two of the essential qualities of a good newspaperman. Those of us in Congress who know him will miss him. But, all of us will value a friendship which we hope will continue.

JACKSON, MISS.

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, I received a telegram this morning from Jackson, Miss., pointing out, I think, information that is generally well known to all of us by now. It has come in over the ticker tape, radio, and newspapers. It is about the unwarranted abuse by police action in Jackson, Miss., in arresting 472 citizens who were peacefully picketing in pursuance of their constitutional rights.

Not only were they arrested, but they were taken to the Jackson State Fair Grounds and made to run gantlets, were beaten by city policemen and State highway patrolmen with badges covered. Five of these people were hospitalized.

It seems to me, Mr. Speaker, that these are actions that no longer can we ignore, or read about and regret ruefully as the information comes to us. It seems we are called upon individually and collectively as legislators to require the Attorney General to investigate these allegations. We must make certain that in Jackson, Miss., and anywhere else in the South, and in the North as well, will the situation be permitted to take place where law officers and law enforcement agencies will be leading in the violation of the law, but will be protecting all citizens in their constitutional rights.

JACKSON, MISS.

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, the events of yesterday in Jackson should remove any lingering doubt any of us may have about the need, not only for a voting rights bill, but immediate Federal protection of citizens in the South who are exercising their constitutional rights to peaceably demonstrate.

I read the scanty news report this morning about people being taken to the hospital with head wounds. I have just been informed that the police made the participants in that peaceful demonstration run the gantlet, and that many blows were struck by officers who had covered their badge numbers. It makes no difference what the purpose of the demonstration was. We cannot tolerate deliberate police brutality in this country, and we cannot tolerate interference with the right to peacefully demonstrate.

NEW YORK VOTES FOR A STATE LOTTERY TO HELP PAY FOR EDUCATION

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I want to take this opportunity to extend my congratulations to the members of the New York State Senate for having the courage and the wisdom to vote last night for a State lottery to help pay for the education of our children. By a vote of 34 to 19 the New York State Senate took a big step toward adopting a lucrative source of income which is and has been the monopoly of the underworld crime syndicates.

I hope this Congress will show similar courage and wisdom by supporting and voting for a national lottery which could easily and painlessly pump $10 billion a year into our depleted U.S. Treasury.

THE UNITED STATES—SOURCE OF NASSER'S MILITARY POWER

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. **PELLY**. Mr. Speaker, our 3-year foreign-aid agreement with Egypt expires June 30, 1965. It should not be renewed. It has been a device under which Nasser has been able to sell rice and other food products produced by Egypt and to replace this food supply needed by the people of Egypt from the United States. Under this plan he disposed of most of this food to certain Communist countries and in return has been able to obtain military equipment to carry on his imperialistic activities in Africa and to build up his potential threat against Israel. He has been selling, among others, to Red China, Cuba, Indonesia, and the Soviet Union. We have been making this possible.

Why we should have entered into an agreement with Nasser on this basis is beyond me. In general, this points up the issue that has been debated and discussed over and over again in the House; namely, that Congress should spell out its wishes regarding foreign aid and not abrogate its authority, under the Constitution, to legislate as we believe in the public interest. Of course, often we hear Members in this House caution against trespassing on the prerogatives of the President; yet I have heard no one stand up and point to any place in the Constitution where foreign aid is solely under the jurisdiction of the executive branch. The fact is, Mr. Speaker, that the Constitution calls for administration of foreign policy by the President. But, as to the policy itself, I think it is clearly the responsibility of the legislative branch to establish programs and set forth laws as to how and where our money will be spent.

Mr. Speaker, to return to the point at issue, it may have shocked some people to learn from recent Cairo dispatches that Egypt has violated its agreement with the United States, but it shocked me more to think our Government was insipient enough to enter into the original agreement in the hope Egypt would live up to its part of the bargain. Meanwhile, our Government must have known Nasser has been cheating. Even worse is the naivete of our State Department. For example, we have been in the position of replacing rice sold to Cuba. Isn't this just like selling it to her directly? Under the agreement we have simply provided that Egypt was restricted in the amount of rice it could sell abroad, based on Egypt's total rice crop. In effect, we have been feeding Cuba and other Communist countries.

It seems to me that from now on Congress should investigate and stipulate the terms under which any shipments of grain could be made. Congress should spell this out. The Constitution says Congress has sole authority to regulate foreign commerce. Why should we delegate that power? In this connection, I am hopeful that when the foreign aid appropriation bill is considered by the House, a limitation can be added stipulating that funds cannot be used to administer any aid to Nasser. That would stop this foolishness. I am in favor of cutting out all aid to Nasser. As it is we have been indirectly the source of Egypt's military buildup and in no way, shape, or form have we contributed to the overall food supply of her people.

A SAD ANNIVERSARY

Mr. **HORTON**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **HORTON**. Mr. Speaker, today we observe the 25th anniversary of the illegal seizure by the Soviet Union of the Baltic nations of Lithuania, Latvia, and Estonia. In so doing, we voice our fervent dedication to the ultimate freedom of these three countries and all captive nations.

Twenty-five years ago, in connivance with the Nazi Germany of Adolf Hitler, the Red army poured into the Baltic nations and unmercifully attacked the peace-loving Estonians, Latvians, and Lithuanians. Thus ended nearly two decades of democratic governments which had brought them to full partnership in the family of nations.

Under Communist occupation and aggression these peoples have lost all freedom. All three countries were annexed to the Soviet Union. Soviet agents deliberately enslaved the Baltic people. Expropriation, exploitation, pauperization, slave labor, suppression of human rights and fundamental freedoms, Russification, terror, murder, mass deportations—these have been the marks of Soviet treachery and tyranny in the Baltic States.

This past weekend I spoke at a meeting of Lithuanian, Latvian, and Estonian groups in my congressional district. At that meeting, I stated:

> The enslavement of Lithuania, Latvia, and Estonia, which began with the most vicious and atrocious crimes against humanity, must never be forgotten in our dealings with the Communist camp. It is my firm belief that no meaningful accommodation with the Reds ever will be possible—or desirable—unless and until the Kremlin yields to the free world's petition that self-determination be restored to the Baltic States and other nations in Communist captivity.

Mr. Speaker, at this meeting, which it was my honor to address, the sponsoring organization, Americans for Congressional Action To Free the Baltic States, Rochester, N.Y., chapter, adopted a resolution pledging their continuing commitment to freedom for the Baltic States. I am so impressed by the vibrance and vitality of this declaration that I take pleasure in making it a part of the RECORD of this great legislative body:

RESOLUTION ADOPTED BY AMERICANS OF BALTIC ORIGIN LIVING IN ROCHESTER, N.Y.

Unanimously adopted by Americans of Baltic origin living in Rochester, N.Y., at a mass meeting to commemorate the 25th sad anniversary of Soviet occupation of Baltic States, held on June 13, 1965, at St. George's Hall, 555 Hudson Avenue, sponsored by Americans for Congressional Action To Free the Baltic States:

Whereas the liberty of Estonia, Latvia, and Lithuania was forcibly violated and suppressed by Soviet Russia in June 1940, notwithstanding solemn treaties and agreements of nonaggression; and

Whereas the Estonian, Latvian, and Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they had enjoyed for many centuries in the past; and

Whereas the Soviets have deported or killed over 20 percent of the Baltic population since June 1940; and

Whereas the U.S. Government on July 23, 1940, condemned such aggression and refused to recognize Soviet occupation of Estonia, Latvia, and Lithuania: Now, therefore, be it

Resolved, That we Americans of Baltic origin or descent reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That we urge the U.S. Congress to pass 1 of some 74 Senate or House Concurrent Resolutions, pending now before the Senate and House committees, requesting the President of the United States to bring up the Baltic States question before the United Nations, and to ask that the United Nations request the Soviets to withdraw from the Baltic States, to return all Baltic exiles from Siberian prisons and slave-labor camps and to conduct free elections in Estonia, Latvia and Lithuania under the United Nations supervision.

AMERICANS FOR CONGRESSIONAL ACTION TO FREE THE BALTIC STATES, ROCHESTER, N.Y., CHAPTER,
JOSEPH YURKUS, *Chairman*.
ALFRED NIEDOLS, *Cochairman*.
ABEL PINTSON, *Cochairman*.

I have sponsored and supported a resolution in Congress, House Concurrent Resolution 290, calling for official condemnation, through the United Nations, of the Soviet enslavement of the Baltic. I request that the United States go on record now in firm support of the principles of human rights which are now being denied to the peoples of the Baltic Nations. The search for world peace will never be ended until the American principle of self-determination is recognized by all nations, and the Baltic Nations are finally freed and their oppressors duly punished.

PROPOSED LEGISLATION TO EXTEND BENEFITS TO VETERANS SERVING IN SOUTH VIETNAM

Mr. **ADAIR**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **ADAIR**. Mr. Speaker, members of the Committee on Veterans' Affairs as well as other Members of the House of Representatives have been receiving an increasing amount of mail suggesting that servicemen who are exposed to the combat conditions currently existing in South Vietnam be entitled to the same benefits that were granted to World War II and Korean veterans. An analysis of the veteran's benefit program reveals that the survivors of men who were killed as a result of the action in Vietnam are already entitled to the same benefits as were the survivors of World War II and the Korean conflict servicemen who were killed in that action. One possible exception, of course, is the National Service Life Insurance that was afforded to World War II servicemen and the serviceman's indemnity that was furnished Korean conflict veterans. At the time these two programs terminated, however, a new system of dependency and indemnity compensation for survivors was established. The monthly payments created under this program were sufficient to replace the insurance or indemnity benefit which had been available.

Veterans who are injured or disabled as the result of action in Vietnam are similarly compensated in the same manner and to the same degree as were veterans of World War II and the Korean conflict. Vocational rehabilitation and hospitalization for the treatment of service-connected disability is also available to this group. The following broad range of benefits avaialble to veterans who serve in South Vietnam was prepared by the Veterans' Affairs Committee:

COMPENSATION

Service in South Vietnam is considered as extrahazardous service under conditions simulating war. For this reason a veteran suffering a service-connected disability while serving in South Vietnam is entitled to compensation at wartime rates ranging from $20 per month for 10-percent disability to $250 for total disability; and from $340 to $725 for more severely disabled.

Dependency and indemnity compensation is payable to the qualified survivors of servicemen now serving, where death resulted from a service-connected disease or injury. The formula is $120 per month plus 12 percent of the base pay of the person who served—payable to widows; other amounts payable to children and dependent parents.

SOCIAL SECURITY

All individuals serving after January 1, 1957, are covered on contributory basis. Examples of possible benefits under this program follow:

A man in pay grade E–3 (private, first class) with more than 2 years and less than 5 years' service, dies. He is survived by a widow and two children. The widow will receive a monthly payment of $128 until the older child reaches age 18, when the payment drops to $113. It remains at this level until the younger child is 18, at which time payment stops. Upon reaching the age of 62, the widow will begin to receive payments of $62 per month for the rest of her life if she does not remarry.

A man in pay grade E–5 (sergeant or petty officer), with more than 8 and less than 10 years' service, dies. He has been making a contribution to social security for 8 years. He is survived by a widow and two children. The widow will receive a monthly payment of $202 until the older child reaches age 18, when the payment drops to $143. It remains at this level until the younger child is 18, at which time payment stops. Upon reaching the age of 62, the widow will begin to receive payments of $78 per month for the rest of her life if she does not remarry.

A man in pay grade O–3 (captain), with more than 8 and less than 10 years' service, dies. He has been making a contribution to social security for 8 years. He is survived by a widow and two children. The widow will receive a monthly payment of $254 until the older child reaches age 18, when the payment drops to $191. It remains at this level until the younger child is 18, at which time payment stops. Upon reaching the age of 62, the widow will begin to receive payments of $105 per month for the rest of her life if she does not remarry.

Disability payments are made to a veteran with sufficient coverage when total disability is found by social security standards and this benefit would be in addition to Veterans' Administration compensation.

HOSPITALIZATION

Medical care and treatment, inpatient and outpatient, for any service-connected disability. Inpatient medical care if discharged for a service-connected disability or entitled to compensation.

EDUCATION

A veteran of current service is entitled to vocational rehabilitation training if he has a compensable service-connected disability of 30 percent or more, or if less, can show clearly that he has a pronounced employment handicap resulting from a service-connected disability, and the Veterans' Administration determines a need for vocational rehabilitation.

War orphans' education assistance is payable ($110 per month for full-time courses for 3 calendar years between ages 18 and 23) to a qualified beneficiary of a veteran whose death or total disability of a permanent nature is service incurred while serving in South Vietnam, based on the same criteria as is applied to a veteran of wartime service.

HOUSING

Assistance in the purchase of specially adapted housing through a grant of up to $10,000 is available where the veteran has a service-connected disability entitling him to compensation for permanent and total disability due to loss or loss of use of both lower extremities or blindness plus loss or loss of use of one lower extremity.

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT

While serving and for 2 years thereafter, the premiums and interest on eligible commercial life insurance policies not exceeding $10,000 on the life of the serviceman may be guaranteed by the Government under the Soldiers' and Sailors' Civil Relief Act. This same act provides protection in meeting financial obligations.

REEMPLOYMENT RIGHTS

This right is identical in coverage and purpose to that provided World War II and Korean conflict veterans.

INSURANCE

Available to veterans with service-connected disabilities. Application must be made within 1 year from date of determination of service connection.

UNEMPLOYMENT COMPENSATION

Covered by a program similar to that provided for Federal civilian employees.

SIX MONTHS' DEATH GRATUITY

This benefit ranges from a minimum of $800 to a maximum of $3,000 based on rank and is payable to widow, children, parents, brothers, or sisters.

BURIAL BENEFITS

Reimbursement for burial expenses is provided for in the case of any veteran of current service if he was in receipt of service-connected compensation at the time of his death or was discharged or retired for disability incurred in line of duty and the next of kin is entitled to a burial flag if the deceased veteran had served one enlistment or was discharged for a service-incurred disability. Any veteran whose last period of service terminated honorably is entitled to burial in a national cemetery and a headstone or grave marker.

It will be noted that educational benefits, home loan guarantees, and hospitalization for non-service-connected disabilities are not available to these veterans. It is my understanding that the omnibus housing bill now pending before this body contains provisions authorizing a liberal preference in housing under the Federal Housing Administration program. I am today introducing legislation that will authorize educational assistance on the same basis as that provided for World War II and Korean conflict veterans to any veteran who served for 10 or more days in Vietnam. Members will recall that the President recently designated Vietnam and certain waters adjacent thereto as combat areas for the purpose of income tax relief for persons serving therein. My bill establishes the same geographical boundaries and the same time limitations as the President's Executive order for entitlement. In summary, the bill will provide 1½ days of education for each day of military service performed between January 1, 1964, and the date Vietnam is no longer designated as a combat area to any veteran who served at least 10 days in Vietnam during this period. I respectfully urge my colleagues to support this legislation.

WE MUST MAKE A CHOICE

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, the Federal Diary column in the Washington Post disclosed June 8 that the Civil Service Commission's top-grade employees and officials have received invitations to the $100-a-plate Democratic congressional dinner here in Washington on June 24.

The column comments:

> Historically, employees and officials of the CSC have been bypassed by fundraisers of both major political parties. But it's different now.

The column further advises that these invitations were sent to their homes, and while no violations were involved "CSC people cannot help wondering who supplied the Democratic fundraisers with their names and addresses."

Previous Washington newspaper accounts over the last several weeks have divulged that political appointees in Federal jobs have been asked to illegally approach U.S. Government employees to buy tickets to this Democratic function.

Mr. Speaker, there is more than a little irony in all this. I have been badgering the Civil Service Commission and the Justice Department for months to act on cases involving illegal political shakedowns for campaign funds. The CSC has not acted, even though its investigation has been completed for 9 months. Now even its own employees are reaping the whirlwind.

Mr. Speaker, anyone who has read over the last several years of the increasingly brazen efforts of politicians holding Federal jobs to bring their civil service subordinates to political heel cannot escape the feeling that the entire Federal workforce is tragically threatened. We have a fine and decent group of citizens presently in the public service. They have been free to carry out their responsibilities fairly and judiciously because they have been protected by Federal law from any political pressure from any political quarter.

Are we preparing now to turn these millions of dedicated public servants over to the evils of the spoils system? Are we going to sit back and watch while all the careful protections constructed in their behalf are ruthlessly destroyed by men seeking cold political power? Is there anyone so foolish as to think that political manipulation of the entire Federal work force will result in better government? In fairer, nonpartisan, and less costly administration?

Mr. Speaker, as a former Rural Electrification Administrator, I personally received complaints from Federal workers in the REA who were under pressure from politicians holding Federal jobs. These workers were asked to contribute parts of their salaries to expensive political dinner parties and other political fundraising functions. Provisions of the Hatch Act and the Corrupt Practices Act clearly forbid this form of coercion, of course, and the penalties can entail fines and jail sentences.

Ever since these complaints were brought to me, I have sought justice for those subjected to these insidious shakedown attempts. I have been well aware how difficult it is to secure justice because too often civil service employees subjected to such intimidation fear speaking out, fear bringing charges. They fear jeopardizing their family's income through loss of jobs and they are reluctant to part with long-accumulated benefits. And so, with documentation finally at the Government's disposal, it is almost impossible to believe that no corrective action has yet been taken on these REA cases.

We can see now that failure to act is leading toward.

The time has come to ask this question: Are we going to have a government of the people, by the people, and for the people? Or are we going to have government of the politician, by the politician, and for the politician?

The choice may well be at hand.

AMENDMENTS TO THE FAIR LABOR STANDARDS ACT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, during the course of my subcommittee hearings on amendments to the Fair Labor Standards Act questions have been directed at the Department of Labor for written responses. Because I want to be absolutely fair to everyone interested in this major legislation, I promised that I would make public the responses of the Department insofar as this is possible. Some of the responses are so lengthy that they cannot be published in the CONGRESSIONAL RECORD, but where this is the case, I shall cite the document which will be available to Members from the Department of Labor.

We have received several responses to date and I request permission to have them placed in the RECORD at this point. The responses include answers to questions raised with respect to the following seven points:

First. Minimum wage in agriculture.

Second. The impact of increasing the present $1.25 minimum wage.

Third. Effect of minimum wage on foreign competition.

Fourth. Comparative costs of overtime pay and new hires.

Fifth. The extent to which the proposed legislation would be affected by raising the $250,000 enterprise test to $500,000.

Sixth. The authority of the executive branch to require Government contractors to pay minimum wages in the absence of a statute.

Seventh. The effects of the first phase of the 1961 amendments on retail trade.

The first response was to the question regarding the impact of a minimum wage in agriculture. In addition to the following tables, the Department submitted data pertinent to determining the scope and level of a minimum wage for hired farmworkers, entitled "Hired Farmworkers," dated January 1964, published by the U.S. Department of Labor.

1. MINIMUM WAGE IN AGRICULTURE

The most complete data relating to wages of hired farmworkers are for May 1963. In view of the relatively small change in farm wage rates since then, it is believed that the estimates based on these data are substantially the same today.

Tables 1 and 2 show the proportions of hired farmworkers in the United States and the South earning less than specified hourly wage rates and the increase in the hourly wage bill of employees which would result from raising the wages of workers earning less than the specified rates to those levels. Data are shown separately for all farms and for farms which use 300 or more man-days of hired farm labor in a peak quarter.

We are sending you a copy of the report on "Hired Farmworkers" prepared for the Congress in January 1964 in accordance with the requirements of section 4(d) of the Fair Labor Standards Act.

TABLE 1.—*Hired farmworkers—Number of hired farmworkers earning less than specified wage rates, and increases in wage bill required to raise workers earning less than specified wage rates to those rates, United States, May 1963*

Wage rate (cents per hour)	Workers earning less than specified rate		Percent increase in wage bill
	Number	Percent	
All farms:			
50	404,000	22	4
55	546,000	30	5
60	605,000	33	7
65	716,000	40	9
70	765,000	42	12
75	814,000	45	14
80	887,000	49	17
85	932,000	52	19
90	969,000	54	22
95	991,000	55	26
100	1,020,000	56	29
105	1,217,000	67	32
110	1,302,000	72	36
115	1,343,000	74	40
120	1,387,000	77	45
125	1,429,000	79	49
Total number of workers	1,807,000	------	------
Farms using 300 or more man-days in a peak quarter:			
50	176,000	23	4
55	215,000	28	5
60	237,000	31	7
65	258,000	34	8
70	279,000	37	10
75	294,000	39	12
80	311,000	41	14
85	318,000	42	16
90	334,000	44	19
95	339,000	45	21
100	354,000	47	23
105	396,000	52	26
110	467,000	62	29
115	490,000	65	32
120	516,000	68	36
125	539,000	71	39
Total number of workers	758,000	------	------

Source: Special tabulations of the 1963 enumerative survey, U.S. Department of Agriculture, prepared for the Wage and Hour and Public Contracts Divisions of the Department of Labor.

TABLE 2.—*Hired farmworkers—Number of hired farmworkers earning less than specified wage rates, and increases in wage bill required to raise workers earning less than specified wage rates to those rates, South, May 1963*

Wage rate (cents per hour)	Workers earning less than specified rate		Percent increase in wage bill
	Number	Percent	
All farms:			
50	340,000	37	8
55	469,000	51	12
60	506,000	55	16
65	592,000	64	21
70	625,000	68	26
75	655,000	71	32
80	704,000	76	37
85	728,000	79	43
90	748,000	81	50
95	754,000	82	56
100	765,000	83	62
105	820,000	89	69
110	829,000	90	76
115	840,000	91	83
120	847,000	92	90
125	856,000	93	98
Total number of workers	922,000	------	------

TABLE 2.—*Hired farmworkers—Number of hired farmworkers earning less than specified wage rates, and increases in wage bill required to raise workers earning less than specified wage rates to those rates, South, May 1963*—Continued

Wage rate (cents per hour)	Workers earning less than specified rate		Percent increase in wage bill
	Number	Percent	
Farms using 300 or more man-days in a peak quarter:			
50	156,000	42	10
55	195,000	52	14
60	207,000	55	18
65	227,000	61	23
70	245,000	66	28
75	258,000	69	33
80	272,000	73	38
85	277,000	74	44
90	288,000	77	50
95	291,000	78	56
100	298,000	80	62
105	313,000	84	68
110	321,000	86	75
115	330,000	88	81
120	335,000	90	88
125	337,000	90	95
Total number of workers	373,000		

Source: Special tabulations of the 1963 enumerative survey, U.S. Department of Agriculture, prepared for the Wage and Hour and Public Contracts Divisions of the Department of Labor.

The second response was in reply to a question relative to the impact of increasing the present $1.25 minimum wage. The subcommittee requested information to show the effect of raising the minimum wage up to $2 per hour. The response breaks this down into 5-cent and 10-cent intervals.

2. THE IMPACT OF INCREASING THE PRESENT $1.25 MINIMUM WAGE

Attached are four tables showing by 5- and 10-cent intervals the proportion of employees who would be required to receive wage increases if the minimum wage were increased. Data are also shown for the increase in the annual wage bill which would result from raising wages of workers earning less than the proposed rates to those rates.

The data are shown separately for coverage prior to 1961, coverage resulting from the 1961 amendments and for coverage under the present proposal.

INCREASE IN THE MINIMUM WAGE

TABLE 1.—*Employees covered prior to the 1961 amendments*

[Estimated number and percent distribution of employees earning less than specified hourly wage rates and increases in annual wage bills required to raise employees earning less than these amounts to those amounts, 1965]

Proposed minimum wage rate	Employees earning less than specified amounts		Increase in annual wage bill	
	Number	Percent	Amount	Percent
			Millions	
Under $1.30	1,885,000	7.6	$169	0.1
Under $1.35	2,311,000	9.3	383	.3
Under $1.40	2,760,000	11.1	640	.5
Under $1.45	3,195,000	12.8	942	.8
Under $1.50	3,533,000	14.2	1,282	1.1
Under $1.60	4,435,000	17.8	2,098	1.8
Under $1.70	5,177,000	20.8	3,072	2.6
Under $1.75	5,572,000	22.4	3,614	3.0
Under $1.80	6,001,000	24.1	4,197	3.5
Under $1.90	6,896,000	27.7	5,491	4.6
Under $2	7,664,000	30.8	6,955	5.8
Total	24,872,000	100.0	119,256	100.0

TABLE 2.—*Employees covered by the 1961 amendments*

[Estimated number and percent distribution of employees earning less than specified hourly wage rates and increases in annual wage bills required to raise employees earning less than these amounts to those amounts]

Proposed minimum wage rate	Employees earning less than specified amounts		Increase in annual wage bill	
	Number	Percent	Amount	Percent
			Millions	
Under $1.30	773,000	21	$70.8	0.5
Under $1.35	870,000	24	153.9	1.0
Under $1.40	1,030,000	28	250.6	1.6
Under $1.45	1,153,000	31	360.9	2.4
Under $1.50	1,276,000	35	483.7	3.2
Under $1.60	1,520,000	41	763.3	5.0
Under $1.70	1,728,000	47	1,088.1	7.1
Under $1.80	1,900,000	52	1,450.9	9.5
Under $1.90	2,046,000	56	1,845.5	12.1
Under $2	2,182,000	60	2,268.3	14.9
Total	3,666,000	100	15,218.6	100.0

NOTE.—Estimates are projections for the end of 1965, Employees covered by the 1961 amendments are not required to be paid at least $1.25 an hour until Sept. 3, 1965.

TABLE 3.—*Employees covered by the proposed 1965 amendments (H.R. 8259, May 18, 1965)*

[Estimated number and percent distribution of employees earning less than specified hourly wage rates and increases in annual wage bills required to raise employees earning less than these amounts to those amounts, 1965 (cash wages only)]

Proposed minimum wage rate	Employees earning less than specified amounts		Increase in annual wage bill	
	Number	Percent	Amount	Percent
			Millions	
Under $1.30	1,761,000	39	$996	6.4
Under $1.35	1,923,000	42	1,175	7.5
Under $1.40	2,055,000	45	1,365	8.7
Under $1.45	2,175,000	48	1,576	10.1
Under $1.50	2,351,000	52	1,796	11.5
Under $1.60	2,554,000	56	2,275	14.5
Under $1.70	2,778,000	61	2,794	17.8
Under $1.80	2,970,000	65	3,353	21.4
Under $1.90	3,119,000	68	3,951	25.2
Under $2	3,279,000	72	4,562	29.2
Total	4,561,000	100	15,659	100.0

TABLE 4.—*Employees covered by the proposed 1965 amendments (H.R. 8259, May 18, 1965)*

[Estimated number and percent distribution of employees earning less than specified hourly wage rates and increases in annual wage bills required to raise employees earnings less than these amounts to those amounts, 1965 (with an allowance for tips)]

Proposed minimum wage rate	Employees earning less than specified amounts		Increase in annual wage bill	
	Number	Percent	Amount	Percent
			Millions	
Under $1.30	1,591,000	35	$876	5.5
Under $1.35	1,765,000	39	1,043	6.6
Under $1.40	1,927,000	42	1,215	7.7
Under $1.45	2,079,000	46	1,331	8.4
Under $1.50	2,241,000	49	1,623	10.3
Under $1.60	2,450,000	54	2,081	13.1
Under $1.70	2,691,000	59	2,582	16.3
Under $1.85	2,851,000	63	3,127	19.7
Under $1.90	3,065,000	87	3,709	23.4
Under $2	3,215,000	70	4,319	27.3
Total	4,561,000	100	15,833	100

The third response was to the effect of the minimum wage on foreign competition. Supplementary to this response the Department submitted a study of "Foreign Competition in the Jewelry and Silverware Industry in the United States," dated February 1965, and published by the Department of Labor. As is mentioned in the response, this is a question which was considered in 1961. The Congress then amended the Fair Labor Standards Act to include a new section 4(e) which gives the Secretary of Labor authority to investigate into problems relating to minimum wage and foreign competition.

3. EFFECT OF MINIMUM WAGE ON FOREIGN COMPETITION

A question on the effects of a minimum wage on foreign competition was raised at the congressional hearings on the 1961 amendments to the Fair Labor Standards Act. In response to this question, section 4(e) was incorporated into the act. Thus, there is now machinery in the act to take care of the problems which were raised.

Section 4(e) provides that "whenever the Secretary has reason to believe that in any industry under this act the competition of foreign producers in the U.S. markets or in markets abroad, or both, has resulted, or is likely to result, in increased unemployment in the United States, he shall undertake an investigation to gain full information with respect to the matter."

The only complaint which the Secretary has received involving an industry under this Act came from the jewelry and silverware industry. Investigation by the Department showed that increased unemployment did not result from the competition of foreign producers in the U.S. markets or markets abroad. Enclosed is a copy of the report which was submitted to the Congress on February 18, 1964.

The fourth response shows the comparative costs of overtime pay and new hires. These are the facts upon which the calculation is made that an increase in the penalty overtime requirements to double time will create approximately 300,000 new jobs by deterring most of the presently scheduled overtime work.

4. COMPARATIVE COSTS OF OVERTIME PAY AND NEW HIRES

Attached are copies of pages 13 to 17 and of table 6 of the testimony presented by the Secretary of Labor before the General and Select Subcommittees on Labor of the House Committee on Education and Labor on H.R. 9802 on February 17, 1964.

Comparative costs of overtime pay and new hires

In recommending a bill to curtail excessive overtime work by increasing the overtime premium, no claim is made that this alone will solve the unemployment problem. There are many complexities in the overtime rate issue, and a reduction in overtime hours cannot be translated into an equivalent reduction in the number of unemployed workers. It is obvious that not all overtime work can be eliminated. Overtime may have to be scheduled in emergencies. In temporary rush work the plant may not have enough machinery and equipment for the employment of additional workers, or space to locate new machinery, or sufficient supervisory personnel. I am aware that some employers may balance the relative costs of scheduling overtime against the costs of training and of making new employees eligible for social insurance, supplemental unemployment benefits, pensions, vacations, and other fringe benefits.

Unless the employer assumes that the increased demand for his product will last over an extended period of time, he will be reluctant to add workers. Training and hiring costs are high if they are spread over a relatively few weeks of employment. If the employer has to lay off these workers after a short time, he runs the risk of increasing his unemployment insurance tax rate under experience ratings. In most companies with supplemental unemployment benefits the employers contribute to the supplementary unemployment benefits fund only when it is depleted below certain predetermined levels. The fewer workers laid off, the less chance there is that additional contributions to the fund will be needed. The deterrent effect of increased unemployment insurance tax rates and resumption of supplementary unemployment benefits contributions may be substantial since, if these costs increase, the increase applies to hours worked by all employees—not merely the hours worked to produce the increased output. If the employer hires or rehires workers, he must pay for vacations, holidays, and insurance for the new employees, whereas if his existing labor force works overtime, his costs for these supplementary benefits remain practically unchanged.

In view of these considerations, a substantial financial deterrent is needed to discourage overtime and encourage employers to hire workers. Such a deterrent was provided by the time and a half penalty rate under the Fair Labor Standards Act when it was enacted. However, the growth of supplementary benefit costs has substantially reduced the incentive, since the time and one-half rate is generally computed on hourly earnings, not on fringe benefit costs.

When the time and a half provision of the Fair Labor Standards Act was enacted in 1938, blue collar workers received relatively few supplementary benefits. Few blue collar workers were entitled to paid vacations, pensions, insurance, or even paid holidays. The social security system was in existence but social security taxes were lower and few States varied their unemployment insurance taxes with the experience of the individual employer.

Since that time, social security taxes have increased substantially. Paid vacations are now the rule, and a survey made in 1960 of workers covered by collective bargaining agreements disclosed that 60 percent were covered by pensions to which their employers contributed and 78 percent by insurance. Employer contributions to pension and deferred profit-sharing plans have increased from about $830 million in 1945 to $4.7 billion in 1962.

It is evident that when the time and a half provision of the Fair Labor Standards Act was enacted, employer expenditures on social security and supplementary benefits amounted to about 5 percent of the hourly wage rates. Today, while expenditures on supplementary benefits vary from company to company and industry to industry and tend to be greater in large than in small companies, they probably average about 20 percent. This increase in benefit expenditures has cut by 40 to 50 percent the effectiveness of the time and a half premium rate. If in the future expenditures on supplementary benefits continue to grow at the current rate, the deterrent effect of the present time and a half overtime rate will continue to shrink.

We have prepared a special tabulation comparing the hourly cost of rehiring workers with the cost of paying premium overtime at time and one-half or double time to employees already on the payroll (table 6).

The calculations on this table apply to employees who have previously been laid off but subsequently reemployed. If it were assumed that new workers were hired, the costs of fringe benefits would be somewhat lower since the costs of such items as vacations would be reduced, but except for unskilled workers these would probably be offset by costs of training and hiring.

To illustrate our approach, I refer to the figures for the automobile firm shown in table 6. It has been assumed that the rehired workers in this industry receive an average of $2.97 an hour in straighttime hourly earnings, but to this must be added the cost of supplementary benefits. If it is assumed that the subsequent layoff of these workers results in a substantial increase in the unemployment insurance tax rate paid by the employer as well as resumption of contributions for supplemental unemployment benefits, this can raise the ultimate cost of rehiring these workers to $4.71 an hour. This compares with an estimate of $4.51 for premium overtime at time and one-half and with $5.99 with premium overtime at double time. Even if the person hired were a new hire and not a reemployed worker, in the least favorable situation the cost would still be less than $5.99 an hour. It would be about $5.13 if training costs were as much as $1,000 per employee.

I should like to caution that the tabulation is included only for illustrative purposes. The calculations in the table are based on the best information available, but an individual company using detailed cost records might well calculate its costs somewhat differently. Drastic shifts in unemployment insurance tax ratings occur only slowly, although the possibility of increasing unemployment insurance tax costs by layoffs and of reducing them by stable employment records are clearly considered by employers in decisions whether to hire or not.

The tabulation does, however, serve to illustrate the fact that the difference between the cost of hiring or rehiring workers and the cost of paying time and a half for overtime is much smaller than would appear from simple comparisons of hourly earnings and the overtime rate.

TABLE 6.—*Estimated hourly costs of overtime versus rehiring workers in selected situations (assumes 20,000 hours in addition to regular production, either by rehiring 20 employees for 1,000 hours each or by having regular work force of 100 each working 200 hours of overtime)*

Item	Situations				
	Motor vehicles (Michigan)	Farm equipment (Illinois)	Basic steel (Pennsylvania)	Electrical equipment (Pennsylvania)	Cotton textiles (Massachusetts)
1. Straight-time average hourly earnings	$2.97	$2.67	$3.21	$2.38	$1.60
2. Cost if overtime is worked—					
At time and one-half and—					
SUB contributions are made	4.51	4.05	4.91	(1)	(1)
SUB contributions are not made	4.46	4.00	4.82	3.57	2.40
At double time, and—					
SUB contributions are made	5.99	5.39	6.52	(1)	(1)
SUB contributions are not made	5.94	5.34	6.42	4.76	3.02
3. Cost if workers are hired: [2]					
A. Assuming SUB contributions and unemployment insurance taxes are not affected by hiring and laying off and assuming company has—					
(1) Most favorable experience rating—					
Assuming SUB contributions continue whether or not workers are laid off	3.78	3.35	4.49	(1)	(1)
Assuming no SUB contributions are made whether or not workers are laid off	3.73	3.30	[3] 4.49	2.99	1.83
(2) Middle experience rating—					
Assuming SUB contributions continue whether or not workers are laid off	3.83	3.40	4.51	(1)	(1)
Assuming no SUB contributions are made whether or not workers are laid off	3.78	3.35	[3] 4.51	3.01	1.85
(3) Worst experience rating—					
Assuming SUB contributions continue whether or not workers are laid off	3.89	3.45	4.53	(1)	(1)
Assuming no SUB contributions continue whether or not workers are laid off	3.84	3.40	[3] 4.53	3.03	1.87
B. Assuming that layoff of workers hired for marginal hours results in resumption of suspended SUB contributions for workers remaining on payroll after marginal workers are laid off [4] and—					
No change in employer's experience rating for unemployment insurance [5]	3.99	3.56	(3)	(1)	(1)
Shifting unemployment insurance rating from—					
Middle to least favorable	4.40	3.91	4.62	3.13	2.05
Most favorable to least favorable	4.71	4.15	4.71	3.22	2.23

[1] No SUB plan.

[2] Assumes workers who are hired have 3 to 5 years' seniority but were previously laid off long enough so that company has ceased to pay for their insurance and other benefits and that they are subsequently laid off for an indefinite period. Unemployment insurance rates assume funds are in poor condition.

[3] Steel bargaining agreements do not provide for suspending SUB payments.

[4] Assumes that SUB costs are resumed for 6 months for all workers remaining on payroll after marginal workers are laid off.

[5] Assuming most favorable experience rating.

Source: Based on data from the Bureau of Labor Statistics.

The fifth response shows the extent to which the proposed legislation would be affected by raising the $250,000 enterprise test to $500,000. This answer will give the subcommittee information on the impact of reducing the annual dollar volume test for coverage from $1 million down to $500,000.

5. THE EXTENT TO WHICH THE PROPOSED LEGISLATION WOULD BE AFFECTED BY RAISING THE $250,000 ENTERPRISE TEST TO $500,000

The attached table indicates that a $500,000 enterprise test would extend coverage to about 3.3 million employees as compared with 4.6 million under H.R. 8259.

Estimated number of nonsupervisory employees who would be brought under the minimum wage provisions of the FLSA by using a $500,000 enterprise sales size test for section 3(s) and by eliminating certain exemptions

Industry	Employees added to minimum wage coverage by the proposed extension, total number
All industries	3,268,000
Retrail trade	1,155,000
Food services	80,000
Auto and farm equipment dealers	475,000
All other retail trade	600,000
Hotels	240,000
Restaurants	300,000
Laundries	150,000
Hospitals and nursing homes	775,000
Motion picture theatres	55,000
Local transit	7,000
Construction	
All other industries (3(s))	300,000
Agricultural processing within area of production	90,000
Cotton ginning	34,000
Small logging	87,000
Taxicabs	75,000

NOTE.—Retail, retail service, and laundry establishments with less than $250,000 in annual receipts would remain exempt.

In response to our sixth request the Department submitted the following statement regarding the authority of the executive branch to require Government contractors to pay minimum wages in the absence of a statute. I became aware of this problem recently when a constituent made a bid on a Government service contract assuming that the Government would require the payment of the Federal minimum wage. He was wrong. The answer, in brief, is that without specific statutory authority the Government cannot require the payment of the minimum wage for employees of employers providing a contract service.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SOLICITOR,
Washington, June 4, 1965.

Memorandum to: Clarence T. Lundquist, Administrator, Wage and Hour and Public Contracts Division.

From: Charles Donahue, Solicitor.

Subject: Authority of executive branch to require Government contractors to pay minimum wages in the absence of a statute.

I am attaching hereto copies of a memorandum, prepared in this Office, on the above subject for submission to the House General Subcommittee on Labor along with the other materials which I understand you are sending the subcommittee today.

Attachments.

AUTHORITY OF EXECUTIVE BRANCH TO REQUIRE GOVERNMENT CONTRACTORS TO PAY MINIMUM WAGES IN THE ABSENCE OF A STATUTE

I. BACKGROUND

In the course of FLSA hearings before the House Labor Subcommittee the chairman requested a memorandum on the authority of the executive branch to provide wage protections for Government service contract employees through administrative action.

II. CONCLUSION

A search of pertinent decisions of the Comptroller General indicates that wage requirements cannot be stipulated in Government contracts, in the absence of specific statutory authority. The major premise of these decisions is that wage requirements in contract specifications unnecessarily increase the contract price which the United States must pay for its goods and services.

III. DISCUSSION

A. Comptroller General decisions specifically relating to attempts to stipulate wage protections in Government contracts

1. Action by Contracting Agencies

In 19 Comp. Gen. 294 (1931)[1] the Comptroller General had occasion to rule on this precise point. He said:

"Conceding for the case that, as suggested by the Works Projects Administration, 'the policy of the Federal Government is to encourage the payment of fair wages in industry,' it is likewise the policy of the Federal Government, evinced and established by extensive enactments of the Congress to conserve public funds by obtaining supplies and services for Government needs at the lowest available prices, and it has been held consistently that in the absence of statutory provision therefor the insertion in Government contracts of any provision—not essential to the accomplishment of the purpose of the appropriation under which the contract is made—the necessary or probable result of which is to increase prices which the Government must pay is not authorized."[2]

2. Action by the President

The Comptroller General has applied the same restrictions to action taken by Executive order, or at the suggestion of the President.

See, for example, 10 Comptroller General 294, involving contract stipulations in Department of the Treasury contracts to establish prevailing wage protections and provide employment preference for citizens and exservicemen (inserted at the suggestion of the President); and 17 Comptroller General 700, holding "that the power [of the President through Executive order] to standardize Government contracts does not include the authority to prescribe for inserting in such contracts substantive provisions not required by law * * *."

B. Other significant decisions of the Comptroller General

Even outside the wage requirement cases the Comptroller General has followed the general rule that—

"Contract stipulations tending to restrict competition and to increase the cost of performance—and thereby the charges against the contract appropriations—are unauthorized unless reasonably requisite to the accomplishment of the legislative purposes of the contract appropriation, or unless such stipulations are expressly authorized by statute * * *." (18 Comp. Gen. 285, 295.)[3]

The seventh response was the submission of 2 reports totaling 348 pages on the effect of the 1961 amendments upon retail trade. These are: "Report Submitted to the Congress in Accordance With the Requirements of Section 4(d) of the Fair Labor Standards Act," January 1963, "Effects of Minimum Wage Rates Established Under the Fair Labor Standards Act in Retail Trade in the United States and Puerto Rico," November 1963. These two documents were published by the U.S. Department of Labor. The Government's conclusion is that the industry adjusted well to the 1961 amendments.

7. STUDIES OF THE EFFECTS OF THE FIRST PHASE OF THE 1961 AMENDMENTS ON RETAIL TRADE

The 1963 report to the Congress in accordance with the requirements of section 4(d) of the Fair Labor Standards Act shows hours and earnings in retail trade before and after September 3, 1961. The November 1963 report is a special study based only on a matched sample of retail establishments. It is limited to establishments in business in both 1961 and 1962 and does not reflect new businesses in the latter period.

SAN ANTONIO TO WELCOME ASTRONAUT WHITE WEDNESDAY, JUNE 16

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker and Members of the House, on tomorrow in the great queen city of the Southwest, San Antonio, Tex., which I have the honor of representing as the county seat of the County of Bexar which is located in the 20th Congressional District of Texas, we will have the great honor of hosting the great American hero, Astronaut White, who was born in San Antonio and is returning to his native city.

Mr. Speaker, on behalf of the city of San Antonio, I herewith extend a heartfelt welcome to each and every one to join us tomorrow for the day-long festivities honoring this famous American.

DOCTRINE OF DEMOCRATIC SOLIDARITY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, in this day of the cry of "Yankee go home" from our advisers and critics in this country, there are men of the caliber of Luis A. Ferré in Puerto Rico who are

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[1] A case involving an attempt by the Works Projects Administration to require Government contractors to pay equipment operators not less than the prevailing wage rates.

[2] Cf. 10 Comp. Gen. 294 (1931); and 20 Comp. Gen. 18 (1940).

[3] This general rule has been applied in a long line of decisions, including 17 Comp. Gen. 37 (1937) (authority to reject a bid because of the bidder's noncompliance with the National Labor Relations Act); 31 Comp. Gen. 561 (1952) (authority to reject the lowest bid because the low bidder may not employ union labor).

U.S. citizens first and Puerto Ricans second.

I recommend to my colleagues of the Congress the suggestion of Mr. Ferré for a "Doctrine of Democratic Solidarity" in our approach to the assistance for our emerging democracies.

Mr. Ferré's remarks follow:

DOCTRINE OF DEMOCRATIC SOLIDARITY

(Statement by Luis A. Ferré at seminar on government and politics held May 5, 1965, in the Americana Hotel, San Juan, for members for the Harrisburg, Pa., Chamber of Commerce visiting Puerto Rico)

The recent landing in the Dominican Republic of U.S. forces to protect American citizens and property and to prevent the Communist takeover of this young Republic has been criticized by those who would sacrifice the lives of many innocent people in order to stick to wornout cliches of pseudochampions of democracy. These people belong to two groups: Those who use such cliches and phrases as a smokescreen to induce paralysis of the defensive forces of democracy's friends, keeping the way open for the takeover of a Communist-protected tyranny, or those who have lost contact with the realities of the mid-20th century world, and continue dreaming of the conditions of the 19th century which gave birth to our present democratic systems.

The world has changed very radically since those days, and what were natural methods for young democracies during their formation periods, are not sufficient anymore to help them through that period. We need to think boldly of new approaches to meet new challenges. Today there is a worldwide conspiracy of Communist centers of power, perfectly organized, with well-trained cadres of men and unlimited amounts of military equipment, ready to seize upon the slightest opportunity within an inexperienced democracy, to move in at a moment of crisis and establish the tyrannical government of a well-organized minority, such as exists today in Russia, Cuba, and China.

It is against this reality that the true democracies of our time, and principally the United States with its greater experience in self-government and more military strength, must weigh their responsibilities. In the first place, let us study what are democracies' responsibilities. Democratic government is government by the people, with the consent of the people, for one prime purpose: the elimination of any form of tyrannical government that might endanger the respect to the dignity, the life or the freedom of all and every one of its citizens. I emphasize every one, because people have developed the mistaken notion that if a government has been elected by a vote of the majority, it is legitimately democratic, even if some of its citizens are viciously killed or arbitrarily deprived of their natural rights to freedom and the pursuit of happiness.

This is, of course, a false conception of democracy, and has led to the mistaken notion that when people are being killed and denied their natural rights under a government that is unable to establish law and order even if duly elected, the rest of the world should stand by and permit such crimes without raising a hand to prevent it, even if such situation leads to a Communist takeover and the institution of a tyranny.

Such selfish nationalistic notions are contrary to the spirit of a society which is integrated today into a world community where the more mature and wealthier nations, are being daily requested to help the emerging nations with their economic means. The nations of today, under what we might call a law of human solidarity, are responsible not only to their nationals, but also to humanity as a whole. They cannot pretend to commit crimes against innocent human beings within their boundaries unmolested, claiming that their territories are inviolable. Such concept of nationalistic freedom to violate the rights of man certainly is not in agreement with the concept of a world under the principles of a United Nations and a World Court. The American foreign aid program was a complete reversal of the old practices of a world where every nation was guided only by selfish interests taking advantages of other peoples through military conquest and a colonial policy of exploitation. It established what we might call a code of international moral responsibility under which the wealthier nations voluntarily assume the responsibility to help the emerging nations to solve their economic problem. It proclaimed our Christian set of values and our democratic standards, as the guiding principles of the world community. The United Nations with its four freedoms and its enunciation of a bill of rights protecting all men of all races, was the culmination of the U.S. efforts toward the establishment of a world under moral law, in which the human being is fully protected.

To achieve our objective, in the face of the present communistic conspiracy to destroy our democratic concept of life, we must be ready to extend our help with a three-pronged approach. Economic, cultural, and military under what we may call the doctrine of democratic solidarity. The democratic community must organize itself to help in extending economic and cultural aid to all emerging democracies. But we must also be ready to offer military protection to prevent the Communist conspiracy from destroying our efforts to help young democracies gain experience and maturity in involving their free societies. Such military actions which are not inspired by selfish motivation of territorial or economic gain and which conform to the spirit of the Declaration of Bogotá and Punta del Este, cannot be judged in the same light as the oldtime military interventions. They constitute our acceptance, and the acceptance of the democratic community together with us, of our responsibility for protecting the success of our efforts to extend economic and cultural aid to all emerging democratic societies.

BALTIC NATIONS FREEDOM

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, today marks the 25th anniversary of the occupation and oppression of the Baltic States by the Soviet Union. It was just a quarter of a century ago today that the Soviet Union by force of arms took over and occupied the proud but defenseless states of Lithuania, Latvia, and Estonia.

The Baltic States have never experienced in their long history such as extermination and annihiliation of their citizens as during this Soviet occupation. During the last 25 years these nations have lost more than one-quarter of their entire population. At least 20 percent of the present population of Soviet occupied Lithuania, Latvia, and Estonia are not Balts but are Soviet colonists.

Despite the terror of the oppression they experienced, these proud and cultured Baltic people still cry out for freedom, and as a member of the House Committee on Foreign Affairs I have been privileged to work closely with many leaders of endeavors to focus national and world attention upon the plight of the Baltic nations and the captive nations of Europe. On this tragic anniversary, it is proper for us to remind ourselves of this condition and to renew our dedication to the cause of freedom and to the principle that justice must triumph over tyranny.

I have introduced House Concurrent Resolution 416 to urge the President of the United States to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples. This resolution has been approved by the Foreign Affairs Subcommittee on Europe and I am confident of its prompt passage by the House.

With your permission, Mr. Speaker, I include at this point the text of the concurrent resolution as approved by the Subcommittee on Europe of the House Committee on Foreign Affairs:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

THE CALIFORNIA FARM LABOR FIASCO

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TALCOTT. Mr. Speaker, three very misleading comments regarding the farm labor fiasco in California have been resurrected recently by persons without knowledge, often some 3,000 miles away, or with a special personal interest.

First. Frank Valenzuela, a labor contractor in San Benito County, Calif., is still being quoted as having said in April 1965, that "domestic workers can do farmwork" and "that there are more workers than there is work." He is also quoted as saying "some growers are not making a sincere effort to employ locals."

Mr. Valenzuela is a farmer labor contractor—a farm labor broker—a broker of human beings. He gets a cut or a percentage based on the number of workers he digs up to work on farms. A labor demand situation is a boon to Mr. Valenzuela and other labor brokers. He can make no money off braceros nor off domestic workers hired directly by the grower. The Department of Labor requirements of recruitment are made to order for labor brokers and, of course, all the evils of the farm labor contractor system—so eloquently described by Dale Wright in his recent book entitled "Harvest of Despair"—are rapidly returning because of the labor shortage.

Those of us who have been battling to improve the conditions and welfare of the unfortunate migrant farm laborers deplore the renewal and revival of the boon for labor contractors who deal in the sweat, toil, and worry of the lowest skilled, most disadvantaged group in our country.

I have never said domestics will not do farmwork. They will. But there are not enough who are willing and competent at peak harvest times in certain areas. There are no unemployed farmworkers in California. Many more are needed now.

Mr. Valenzuela declined to respond to my written letter requesting the names and addresses of growers who were not making an effort to employ locals. There are none.

Second. The U.S. Department of Labor has reported that welfare cases during the months of April in Monterey County, Calif., were reduced from 313 families in 1964 to 77 families in 1965—because of the "farmworker recruitment" programs. This deduction is erroneous. The principle reason for the reduction in welfare cases was weather—we have experienced an early season, the best growing weather for strawberries in 10 years. Farmworkers obtained work in April rather than the usual later time in May. The people who know the true facts, who are on the scene, dispute the Department of Labor's conclusion.

Third. The Department of Labor has reported that the total seasonal force in California on May 15, 1965, was 139,400 compared with 120,000 the same date a year ago. In reality, few, if any, new domestic workers have been brought into the farm labor pool.

Most of the alleged increase in numbers of farmworkers are green carders, not truly local or domestic workers. Green carders are Mexicans who enjoy the good U.S. wages, but who usually prefer to live in Mexico where costs are cheaper and taxes nil, or who have usually lived and worked in Texas but who have been attracted away from the border States by the high wages in California.

I suggest that figures presented by the Department of Labor be thoroughly scrutinized. No matter how figures or percentages are construed or misconstrued, the Department of Labor has unfairly demanded that the strawberry growers make a conversion from a 75-percent nonlocal, competent, reliable labor force to grossly inadequate, inexperienced help in the short period of 1 crop year.

No other industry has been so shabbily treated or so completely misunderstood by a department of the Federal Government. But, wonder of wonders, another Federal agency is promoting the raising of strawberries in North Carolina with loans and other forms of assistance. The right hand of the Federal Government evidently does not know what the left hand is doing.

COMPLACENCY AND MONETARY REFORM

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. ELLSWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, several recent articles in the New York Times offer a striking contrast between the complacency of the Johnson administration toward international monetary reform and the urgency with which reform is viewed by the respected Bank for International Settlements in Basel, Switzerland.

On June 14, Edwin L. Dale reported that there will be no significant movement toward reform of the monetary system this year. By design, the United States and other key countries involved have decided to "permit the situation to drift a while longer." The U.S. position is that negotiations would not make sense until its payments deficit has been eliminated.

The Bank for International Settlements, which includes the ranking monetary officials of Europe, the United States, and several other countries, has warned of a breakdown of the international monetary system in its recent annual report. The Bank noted that the system would be heading for trouble soon after the United States eliminated its payments deficit and that the time for action on reform was now at hand. The Bank was also critical of the bias of the Johnson administration for low-interest rates and of European officials for high rates. It urged all countries—both those in surplus and deficit—to take more positive and fundamental steps to restore equilibrium.

The Johnson administration is courting an international financial collapse by its failure to move now on monetary reform. If we wait until our deficit is eliminated, the crisis foreseen by the Bank for International Settlements will be upon us before the long, difficult negotiations have even begun. As the New York Times commented in an editorial today:

> In the past, reforms have always followed crisis. Now, the major powers have an opportunity to act before crisis strikes.

Mr. Speaker, the administration must seize the unique opportunity which it has today to move on the monetary front and avert an international financial crisis that ultimately would mean high unemployment and loss of production both at home and abroad. The Republican members of the Joint Economic Committee, on which I serve, have long urged the administration to take the initiative in this area. While that advice has not yet been acted upon by the administration, it is clear that the national interest requires that it do so before much more time is allowed to slip by.

Under unanimous consent I insert articles from the Times of June 14 and 15, and an editorial from June 15, in the RECORD at this point:

[From the New York Times, June 15, 1965]

MONETARY DANGER SIGNAL

Another warning that the West faces a possible collapse of its monetary system has been issued—this time by the authoritative Bank for International Settlements. Its annual report calls for an international monetary truce; it insists that the major financial powers must agree on reforms of the international monetary system if serious trouble is to be avoided.

The BIS does not agree with those in Europe who fear that a monetary breakdown might come as a result of the chronic deficits being run up by the United States and Britain, the two key currency countries. Instead, it holds that the real danger lies in the shortage of liquidity that is likely to occur once Britain and the United States manage to erase their deficits. This is because the British and American deficits have been largely responsible for the increase in international liquidity—the amount of gold and currency reserves for settling international transactions. If the deficits are wiped out, there may not be enough liquidity to maintain the expansion of trade and economic development.

Yet even though the disappearance of the U.S. deficit may threaten a liquidity shortage, the BIS believes that Washington must press its campaign to reduce the outflow of dollars. It criticizes the Johnson administration for its predilection for low interest rates which spur an outflow of funds.

At the same time it condemns the European bias in favor of high interest rates, which act as a lure for funds. The BIS thinks that countries in deficit must move faster to correct their imbalances but that countries with a surplus must show greater willingness to make use of the funds that they gain.

In essence, the BIS wants both sides to exercise more responsibility toward each other. It fears that monetary history will repeat itself if they pursue the beggar-thy-neighbor tactics that proved so disastrous in the period between World Wars I and II.

The Bank rules out a revival of the gold standard, suggesting that it is preferable to build on the cooperative framework now in existence than to start all over from scratch. But it is clearly concerned that cooperation is less than it should be.

Those who are alarmed about the international monetary system are no longer voices in the wilderness. They have become a mounting chorus. Yet there are still few signs that their warnings are being heeded. In the past, reforms have always followed crisis. Now, the major powers have an opportunity to act before crisis strikes. There is a vital need to increase liquidity over the long term, but first they must see to it that no shrinkage in the liquidity presently available results from a shutting off of the dollar drain.

[From the New York Times, June 14, 1965]

Monetary Reform Is Slow by Design—Changes or Innovations in the International System Soon Held Unlikely—Urgent Tone Missing—U.S. Believes Talks Must Wait Until Payments Deficit Is Eliminated

(By Edwin L. Dale, Jr.)

Washington, June 13.—There will be no significant movement this year toward reform of the international monetary system. This is the widely held view of officials in close touch with the situation, both from the United States and other nations.

The schedule of events, and of negotiations, is designed to permit the situation to drift a while longer. Further, there seems to be little sense of urgency in official circles that early changes or innovations are needed.

The United States view is clear.

It is that no negotiations on changes in the world system make sense until its payments deficit has been eliminated.

SURPLUS DESIRED

In addition, the official view is that a payments surplus must be achieved not only for one or two quarters, but for longer than that.

Discussions on reform of the system—now based on gold, the dollar and, to a lesser extent, the pound—are taking place in two forums.

One is the "Group of Ten."

This unit comprises the United States, Britain, France, West Germany, Italy, Belgium, the Netherlands, Sweden, Canada, and Japan.

The group will soon produce a report—known as the Ossola Report for the chairman of a subcommittee, Rinaldo Ossola of the Bank of Italy—describing the various proposals for creating new world monetary assets in addition to gold and dollars and pounds.

INFORMATION REPORT

The committee was never supposed to make recommendations. Its report, as such, is expected to be a valuable addition to the information of treasuries and central banks, but little more. There is no indication now that the Group of Ten this year will go beyond publishing the Ossola Report.

The second forum is the International Monetary Fund. Its staff, headed by Pierre-Paul Schweitzer, the managing director, has produced several ideas by which the Fund itself could add to international assets and thus to world "liquidity."

The executive directors of the Fund, representing the member countries, have begun to debate these plans. It is reliably reported that the staff ideas have come under sharp criticism, though the criticism has varied according to country and according to the particular scheme involved.

Thus, it now appears highly unlikely that the annual meeting of the Monetary Fund here in September will be ready to tackle the world liquidity issue in any detail.

[From the New York Times, June 15, 1965]

Peril Seen in End of Payment Ills—Substitute Must Be Found for Outflow From United States, West Europe Warned—U.S. Policies Scored—Major Powers Advised by Monetary Group To End Fiscal Stalemate

(By Richard E. Mooney)

Basel, Switzerland, June 14.—The United States and Western Europe received an authoritative warning today that they were headed for monetary trouble and did not realize it.

The warning, in the annual report of the Bank for International Settlement, advised the major powers to break out of their present stalemate over future international monetary policy. The Bank said that there was likely to be a squeeze soon after the U.S. international payments were balanced.

The Bank, created 35 years ago to manage Germany's World War debt payments, is best known now for its monthly meetings of central bankers and for its annual commentary on world money affairs. The Bank's views have an unmatched respectability in the central banking community of the major powers.

The ranking monetary officials of Europe—East and West—as well as of the United States, Japan, and a few remote spots including Rwandi were here over the weekend for the annual meeting.

DIFFICULTIES FORESEEN

The main point of today's report was that the model monetary behavior that central bankers usually preach was going to lead to difficulties. In other words, when the U.S. outflow of dollars stops, the world will have to find a substitute to cover expanding demands for official reserves.

The point itself is not new, but after much debate it is still controversial. There remains a basic difference between governments that believe that there must be something more. Thus it is significant that the Bank should say that the need for something more is virtually certain.

The report also presented some blunt advice on current policy. Both the United States and Europe were found at fault for pursuing economic policies tailored too much to domestic political interests—Washington for its preoccupation with keeping interest rates down and Europe for putting them up too high.

The Bank said that the pattern of too much tightness in Europe and too little in the United States, combined with the U.S. curbs on loans and investments flowing out and European curbs on the same things flowing in, marked a dangerous retreat from the free convertibility of the dollar and other major currencies.

The report said that countries with balance-of-payments defiicits—more money flowing out than in—had the primary responsibility for restoring order, but that surplus countries must help.

Of the two major deficit countries, it said:

"The United States—last February's curbs on overseas loans and investments were evidently effective, but it was premature to say that the end of the deficit was assured. Moreover, the United States should aim for a surplus, not just a balance, now.

"Britain—without sounding any alarm, the report said that the British payments problem was still long range and that the end was not yet in sight. The Bank said that Britain's budget policy was probably not tight enough yet, and that its "incomes policy" for restraining prices and wages seemed unlikely to work in the present boom conditions."

But the essential point of the report was an assumption that these two countries would get back to balance somehow and that this would create new difficulties.

The report examined the problem itself, rather than the many proposals for reforming the monetary system. It analyzed only one reform idea in any detail—revival of the gold standard—and ruled it out. It predicted that reform would be evolutionary.

The report analyzed the monetary problem in two parts.

First, it analyzed the way countries attacked their payments problems. It found them mostly too slow and inadequate. "It is necessary for the pot to stop calling the kettle black," the Bank said, and for the major countries "to get down to realistic appraisal of their respective responsibilities to make adjustments."

Second, it examined the question of liquidity—official Government reserves of gold, dollars and pounds sterling. With the United States in deficit year after year, the outflow of dollars and U.S. gold had supplied expanding liquidity for other countries. But when this stops, as may be happening now, another source must be found.

The need for another source is not so immediately related to the need to expand international business, the Bank said, as to the natural tendency of all countries to try to build up their reserves when they can.

The report noted that there was generally less than $650 million of new gold available each year for the expansion of official Government reserves.

BATTLE FOR SURVIVAL

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Quillen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. QUILLEN. Mr. Speaker, to continue my story on Wilford Metcalf, a disabled veteran of Del Rio, Tenn., who lives deep in the heart of the Appalachia poverty area, I am inserting in the Record today a recent column by Ken Thompson, editorial staff writer of the Dallas Morning News.

It is a sad, sad story and Mr. Thompson has put his finger squarely on the problem.

I think it is a shame and a disgrace for this big Government of ours to prosecute Mr. Metcalf, who says that he is "poorer than poverty."

For the complete story on Mr. Metcalf, I refer you to my speech commencing on page 11682 of the May 26, 1965, Record, and also page 12943 of the June 9, 1965, Record.

In the meantime, the wheels of big government continue to spin and spin with this poor mountaineer caught in the steamroller.

If the President is sincere about his antipoverty program, I am sure he would intercede in this case to see that justice is carried out.

I compliment Mr. Thompson for his very excellent article entitled "Mountaineer—Real Poverty in Tennessee."

In closing Mr. Thompson states:

> We have not heard the Agriculture Secretary's reply.

Mr. Thompson, neither have I. The Secretary refuses to answer my letters personally or to accept my telephone calls.

He obviously is part of the web of big government and is pushing the lever of the steamroller, which is destroying Mr. Metcalf and his family.

The article follows:

[From the Dallas (Tex.) Morning News]

MOUNTAINEER: REAL POVERTY IN TENNESSEE

(By Ken Thompson)

If you want to hear a sad story, read the case of Wilford Metcalf, a disabled war veteran and Tennessee mountaineer who is currently engaged in a battle for survival with the Federal Government.

Shortly after World War II, Metcalf bought a small mountain farm for $800. The registered deed stated that his property went up "to the top of the mountain," so Metcalf has been farming and cutting timber up to that limit.

Now he has been informed that he is a trespasser on Government land. Recently he received two letters from Washington. One announced that 5 acres of the mountain land Metcalf thought he owned is actually government property, and ordered him to relinquish any claim to the land or face Federal action.

The other informed Metcalf that he would have to pay the Government $1,717 for the value of the timber he had cut down on the land. If he failed to pay within 30 days, the letter threatened, he would be sued by Washington.

Well, Metcalf is broke. His whole farm isn't worth what the Government claims he owes it for cutting a little timber. So he did the only thing that every little man about to be crushed by the Federal steamroller can do. He wrote his Congressman. The letter, phrased in the simple but hard-hitting language of a Tennessee mountaineer, is a classic:

"I read in the paper that the President was fighting poverty," Metcalf began. "That's good and I am for it, but tell the President if he has any poverty left over from some other place to please send it down here. It's better than us mountain folks has been used to.

"It has been hard but it has also been rewarding, as Preacher Pat Davis says. We ain't complaining as we raised our younguns and have et good as most mountain folks. We raised our hogs for meat and growed most of what else we had other than coffee, sugar, salt and the like. We ain't had to buy much so we don't need too awful much money til now that the Government is after us.

"There just ain't no way for a poor man like me to win when he laws with the Government. This big bill of $1,717 staggers me. Why whole farm ain't worth that much, less a little dab of timber that was cut. Sometimes I think the Government just surveys and uses what deeds and lines is to their best advantage.

"You have my permission to trade with the Government. I will take the $1,717 and give them my whole farm. I can take that and buy a better place out on the road. I don't have money to fight this case. Right now I ain't got the money to hardly buy clothes for my family, much less fight with the Government."

Metcalf's Congressman, Representative JAMES H. QUILLEN, has forwarded the letter to Agriculture Secretary Orville Freeman with the tart suggestion, according to the Chicago Tribune, that legal action against a poor mountain farmer is a funny way to carry out the antipoverty program.

"If you and I cannot work this small problem out," he bluntly told Freeman, "then we have betrayed our individual trusts. And we had better forget about winning any war against poverty."

We have not heard the Agriculture Secretary's reply.

BALTIC FREEDOM RALLY

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, this past Sunday Estonian, Latvian and Lithuanian Americans residing in the southern California area held a Baltic Freedom Rally in Los Angeles. The rally marked the 25th anniversary of the occupation of the Baltic States by the Soviet Army and the tragic events of June 1940 and June 1941 when the first mass deportations of the Baltic people were carried out by the Russian Communists. No person, anywhere in the world with any respect for freedom and liberty, can be satisfied until the injustices inflicted on these peoples have been corrected.

Those elements in the world which would accommodate the Communists in the international power struggle would do well to recall what happened a quarter century ago.

In June of 1940, the Baltic States were invaded and occupied by Soviet armed forces. Duly elected and popular governments were deprived of their constitutional rights and the leaders of democratic forces were arrested and sometimes executed. Moscow-appointed officials set up puppet governments which carried out orders from Russia. Deportations started in June of 1941. It is estimated that some 200,000 persons were deported to slave labor camps. The memories of these events are still vivid to those who escaped this fate.

Yet, in spite of the terror and enslavement experienced by the Baltic peoples, their desire for freedom has not been destroyed. They are waiting, with hope for better days, when their homeland will once again be free. The patience and perseverence of these brave peoples deserves the highest praise of all of us.

I think it would be useful, as we think about the fight of the Baltic people for freedom and human dignity, to remember the words of one of our most vigorous anti-Communist statesmen, the late John Foster Dulles. He said in November of 1958:

> There are some who seem to feel that, because international communism is a powerful and stubborn force, we should give way before it. Nothing could be more dangerous than to operate on the theory that, if hostile and evil forces do not readily change, it is always we who must change to accommodate them.
>
> Communism is stubborn for the wrong; let us be steadfast for the right.
>
> A capacity to change is indispensable. Equally indispensable is the capacity to hold fast that which is good.
>
> But let us make our opposition not just a barren negative but a postive alternative.
>
> Despotisms, with their iron discipline, their materialistic productions, their hard and glittering exterior, always seem to have the advantage over democracies, which advertise their differences to all the world and which often appear as about to fall apart.
>
> The fact is that the despotisms are always weaker than they appear and the free nations are usually stronger than they seem.

Sometimes it seems easier to yield to the stubborn wrong than to be steadfast with the right—this used to be true when, in dealing with international communism, the stubborn wrong is on the other side of the world.

In recent years, we have found that the stubborn wrong of communism has come into our own hemisphere, as it did in Cuba. When this happens the folly of placating the distant wrong is very evident.

I do not think there are any among the displaced peoples of the Baltic States who have any question about the inadvisability of yielding to Communist pressures. Such observances as the one held in Los Angeles are a way for us to tell the Communists that we are alert to what they are doing and what they have done. Our participation in and cooperation with the captive peoples in the world, and especially those people from captive nations who are now enjoying the freedom of our country, is a good way to express our feelings in this matter.

We should continue to support observances of this type as long as Communist Russia refuses to give freedom to the peoples it has enslaved.

In recent years, this country has observed a Captive Nations Week during which the plight of the nations behind the Iron Curtain is officially noted. A Presidential proclamation is made and ceremonies are held around the Nation.

The people from the captive nations have a better understanding of the truth about Soviet communism than anyone. They know from firsthand experience how the Russians overran their countries and denied the people their freedoms.

These exercises are intended to show this Nation's continuing commitment to the principles of national self-determination. I applaud them and commend the fine people from these nations who, in the face of discouraging events, continue their drive for freedom.

HOW LIBERAL IS CONGRESS?

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, the role of Congress in the policymaking process is a problem of increasing concern to both students and practitioners of politics. Congress itself is currently investigating the adequacy of its procedures in meeting its responsibilities to the Nation and in my judgment few questions merit greater attention and reflection. In an effort to suggest some theoretical guidelines for the discussion of the proper place of legislative institutions in contemporary government, I am inserting an article originally written for an ill-fated journal.

The American Congress, to an alarming extent, is on its way to becoming overly subservient to the executive branch. Congress can rely on the executive for information, initiative, and expert study of policy proposals only up to a point before the legislative branch, in effect, commits suicide. Current trends, about which there is far too little debate in the country, remind me of the old story about how the animal kingdom once held a summit meeting to discuss plans for peace in the world of nature: after all the other animals agreed to lay down their arms the bear smiled and said now let me embrace you in a fraternal hug. Hugs may be more pleasant than conflict and friction between the component parts of our governmental system but I would like to suggest that we reread the Federalist Papers before we unconsciously accept the quiet revolution currently taking place in our Federal system.

We may, after prolonged study and deliberation, decide that Congress should go the way of the British Parliament, the French National Assembly, the German Bundestag, and other once viable legislative bodies. But, Mr. Speaker, should such a development be allowed to creep up on us almost unnoticed?

The accompanying article, written with the assistance of John F. Manley, a political scientist from Syracuse University who worked for me as a congressional fellow of the American Political Science Association, and who is currently doing research for the association's study of Congress, briefly sets forth some of my ideas on this vital topic:

How Liberal Is Congress?

(By Congressman Thomas B. Curtis)

With Republicans outnumbered 294 to 141 in the House of Representatives and 68 to 32 in the Senate, can President Johnson get just about anything he wants out of the 89th Congress? This is supposed to be the most liberal Congress since 1936 and, assuming that the administration's program is "liberal," the pundits say that the combination of Johnson's bargaining skill and Democratic majorities may be unbeatable.

And if Johnson's power of persuasion and control of Congress were not enough, I read, the changes in the House rules insure a bumper crop for cultivators of liberal legislation. But what, precisely, do the words "liberal" and "conservative" connote when applied to legislation and to the activities of Congress? More important, what does the current imbalance in the American party system mean for the proper functioning of the Federal Government? Is Congress an institution from which the President gets something? Or does the role of Congress involve more than affixing the seal of legitimacy on policies formulated in executive agencies?

Obviously these questions cannot be fully discussed here but students and practitioners of government must pay more attention to them than to whether or not particular bills are run unscathed through the legislative machinery.

One student of American conservatism, Clinton Rossiter of Cornell University, writes that conservatives and liberals have different attitudes toward liberty: The conservative thinks of liberty as something to be preserved, the liberal thinks of it as something to be enlarged. "Historically," Rossiter continues, "the conservative has stressed the social nature of man and the primacy of the community, and the liberal has emphasized individual rights." Today, of course, we hear the conservative talking about individual liberty and the liberal about the needs of the community. Why the switch? Rossiter suggests, and I tend to agree, that the debate centers around the relationship between government and liberty; liberals believe that by and large government expands and protects liberty while conservatives are not so sure.

Conservatives, when asked what is necessary to insure the happiness and prosperity of the American people, answer with Jefferson who in his first inaugural said a "wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned." I, as a conservative, recognize that the Federal Government is properly supreme in the areas of national defense and foreign policy, but I am inclined to accept Jefferson's description of the proper scope of government in the social and economic spheres. The liberal, in my judgment, defines the scope of the Federal Government much more broadly than this.

Is the Government during the next 2 years likely to be wise, frugal and limited in its operations? The answer to this question depends, of course, on whether one is a conservative or a liberal, but looking at the lineup in Congress as a realistic conservative I fear that it will not be as wise, frugal, and limited as it ought to be.

In many ways the current situation resembles that in 1913 when Woodrow Wilson enjoyed strong majorities in both Houses. Of the 290 Democrats in the House, 114 had been elected in 1912. "Unusual circumstances", his biographer Arthur S. Link writes, "for a time enabled him to demonstrate conclusively that the President has it within his power not only to be the chief spokesman of the American people but also to destroy the wall between the executive and legislative branches in the formulation and adoption of legislative programs."

Not since Jefferson abandoned the custom of appearing before Congress had a President made a speech "from the throne", but this did not prevent Wilson from delivering his tariff message in person. Johnson's state of the Union message was hardly as dramatic as Wilson's break with tradition, but speaking to a nationwide audience during prime television time with Congress as a stage was a new, and regrettable, twist. Will Johnson carrying out the comparison with Wilson, also subordinate Congress to his will? Not if Republicans and like-minded Democrats work to maintain the autonomy and independence of the legislative branch.

Congressional Democrats are caught in a vise between two sometimes compatible but oftentimes contradictory loyalties: party loyalty and institutional loyalty. Theoretically, Congress is a deliberative body which is confronted by scores of problems and alternative solutions (ranging from inaction to countless forms of action) and which seeks, through study and debate, the most efficient means of promoting the common good. I will be the first to admit that Congress does not always live up to this ideal but it seems to me that unless we hold this conception of Congress as our goal we may as well stop calling ourselves legislators and adopt the title of "Ombudsman," the Scandinavian official whose primary task is to mediate and adjust constituents' complaints against the bureacracy.

If Congress should legislate then Congressmen should not be rated on a piecework basis, or on how fast we pass the President's program, or on how little we modify executive department proposals. Our job is to do what our constituents do not have time to do, namely, to analyze complex problems and the means offered to resolve them, and if our collective judgment differs from the President's desires we are dutybound to assert our will. Blind, unthinking party loyalty should neither obscure nor supersede the duty we owe to the House and to our constituents.

American political parties function within a framework of separated but not unrelated institutions and they do, as Woodrow Wilson noted, "hold the things thus disconnected and dispersed together and give some coherence to the action of political forces." But they must not, if our legislature is to avoid the fate of other legislative bodies, hold things together so tightly that Congress becomes a mere appendage of the executive branch. A certain amount of tension between the branches reflects the articulation of the diverse interests which exist in the American political system, a system that is quite different from Great Britain's and hence needs its own method of expressing itself.

Some political scientists, most notably James MacGregor Burns of Williams College who recently made his quadrennial plea to the President to restructure the American party system, argue that democracy is deadlocked in America because the parties are not cohesive, tightly organized, and rationally controlled organizations. But others, such as Austin Ranney of the University of Wisconsin, argue that the American people were exposed to the arguments in favor of "responsible" parties long before Burns and his associates grew impatient with diffused power, and that the people have remained unmoved by the appeal to change. As A. Lawrence Lowell pointed out many decades ago, "responsible" parties are ideal for a people who do not mind unlimited majority rule, but for the United States where the rights of the minority are every bit as sacred as the will of the majority our perplexing but popular parties are quite suitable. Indeed, democracy would really be deadlocked if the visions set forth by Burns ever materialized.

Against this background I suggest that the real question is not whether Congress will be more liberal this year than it has been in the past. The President will probably get a few more pieces of liberal legislation this year. The fundamental problem concerns the very nature of Congress itself: is it going to be a deliberative body, which involves much more than simply saying "No" to the President or holding up controversial legislation, or is it going to stifle the voice of the Republican minority and shirk its duty in the name of a misguided conception of party responsibility.

Indications so far are not very heartening. When the House considered changing its rules, for example, it did so under the 1-hour rule (controlled completely by the majority party) which severely constrained the debate and precluded all amendments. The proposed changes had not even been made available in written form to the Members of the House at the time of the debate so there was no opportunity to look beneath the general language to see whether the specific proposals carry out the objectives.

Some bills, including most of the major legislation reported by the Ways and Means Committee, are considered under closed rules which deny to both the majority and minority the right to propose amendments, discuss them, and let the House work its will.

Minority views are not permitted in House-Senate conference reports even though some of the issues and points of contention may not crystallize until the conference stage of the process.

Other examples could be cited, almost ad infinitum, but the basic point is clear: The majority of the House should have an opportunity to work its will but only after the minority has had a fair chance to assert its views, and there has been a meaningful discussion of the issues. Nothing short of this is fair. Indeed, anything less than full debate means that Congress is being derelict in its duty, both to itself as a legislative institution and to the people whom it represents.

The Republican Members of Congress constitute the loyal opposition whose job it is to review critically the policy proposals of the majority, make a case for any amendments which may improve legislation, and formulate alternative policies to be debated and judged in the Congress. In spite of the defects in the rules governing deliberation, is the Republican party equipped to perform these functions?

This is what the recent changes in House Republican leadership were all about. Republican programs conceived, and formulated, must be better presented if the party is to perform its role as the loyal opposition. More important, Republican policies, carefully thought through and ably articulated, must continue to be developed if the party is to remain something more than the loyal opposition and if the two party system is to endure. Becoming the majority party depends upon our ability to be an effective loyal opposition, our sensitivity to the needs of the time, and our creativity. The process of reconstruction is underway and with hard work and unselfish effort it will be completed. Nothing short of this will suffice.

WHY NOT HAVE HEARINGS ON VIETNAM?

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Speaker, the U.S. commitment to the people and government of South Vietnam remains unchanged. However, recent events make it obvious that the President is ready to commit the United States to a much deeper involvement in the continuing conflict that threatens to engulf that tragic nation than most of us have been realistic enough to anticipate.

The latest indication of this was the reluctant and round-about confirmation by the White House of the fact that at least some of the U.S. forces now in South Vietnam have been authorized—when requested by the Vietnamese military commanders—to assume a direct role in combat.

White House spokesmen went to some lengths in an effort to leave the impression that this would not represent any major change in U.S. policy—and, perhaps, for the time being at least, it does not. Nevertheless, I think we must accept the fact that the war in Vietnam has entered upon a new, and probably crucial, phase. Our military forces there have more than doubled since March, and there are evidently accurate reports that it will soon be necessary for us to still further and substantially increase the supply of men and war materiels now streaming into South Vietnam if we are to successfully preserve through the long summer months the precarious military and political balance now existing there.

Mr. Speaker, this is a matter of proper concern to every American. It is also, I believe, of special concern to those of us who serve in this body and who have strongly supported the President in the steps he has taken thus far in an effort to honor our commitment in South Vietnam, but who have grown increasingly troubled by the strong tendency on the part of this Congress to leave the conduct of our foreign policy—in Vietnam and elsewhere—wholly, and practically without question, in the hands of the President.

I am not at all sure that this is in accordance with our responsibility; nor am I sure that this is wise.

I am well aware of the questions that can be raised under our Constitution with respect to the part that Congress may properly play in helping to shape foreign policy. Prof. E. S. Corwin once described those provisions of our Constitution which are pertinent to this point as "an invitation to struggle for the privilege of directing American foreign policy."

With the passage of time it is true that that struggle has been quite generally resolved in favor of the Presidency, an Office which has, in the words of the Supreme Court, "the very delicate, plenary and exclusive power as the sole organ of the Federal Government in the field of international relations."

Perhaps this would have been the inevitable result, anyway, in the kind of age in which we now live—an age in which it is difficult to contemplate the spectacle of a Congress attempting to legislate a declaration of war while the Capitol was under nuclear attack.

Still, in the present situation, there are voices, some of which must be acknowledged as coming from critics of the President, who urge upon Congress the necessity for now examining into the nature of the course we have so evidently embarked upon in southeast Asia.

For instance, the New York Times in recent editorials, said:

> The country deserves answers * * *. It has been taken into a ground war by Presidential decision, when there is no emergency that would seem to rule out congressional debate. The duty now is for reassurance from the White House that the Nation will be informed on where it is being led and that Congress will be consulted before another furious upward whirl is taken on the escalation spiral.

And again:

> The time has come for the President to take the country into his confidence and to give the Congress time for a full debate before the war is escalated any further.

Similar expressions have been heard from other quarters. In the other body, the distinguished senior Senator from New York [Mr. JAVITS], recently urged the President—

> not to permit this new level of U.S. participation in the ground struggle to occur without obtaining the kind of mandate from Congress and from the people which, alone, can make such a policy feasible without grave divisions in the country.

My purpose here this afternoon, Mr. Speaker, is certainly not to debate our Vietnam policy—whatever it may be. I think that must perforce be left to those of us whose committee assignments or whose special responsibilities make them more qualified to do so than I.

My purpose, instead, is to ask my colleagues if they do not agree that the Committee on Foreign Affairs of this body, and the Committee on Foreign Relations in the other body, should now reconsider the possible usefulness of full-scale hearings on Vietnam at the present time.

I say "full scale" in the sense that such hearings—if they are to serve the purpose I envision—should include not just the anticipated administration witnesses in support of its policy, but should also provide a forum for the presentation of the views and the suggestions of broadly selected representatives of those other persons, outside the administration, who have had constructive criticism to offer concerning that policy. In view of the rapidly changing nature of the scene in southeast Asia, it would be essential that any such hearings move along as expeditiously as possible, so they might well be joint hearings, with the committees determining whether or not they should be open or closed.

At the conclusion of such hearings, it is possible that the committees might determine to report to Congress, for appropriate action, another joint resolution—similar to that of August 10, 1964, to which the President so often refers—but updated to reflect the changed circumstances stemming from the continuing intransigence and the escalation of the conflict by those who refuse to end their acts of aggression against South Vietnam, or to join with us in seeking the basis for an honorable and just settlement of that conflict.

Perhaps it may now be said by some of my colleagues that this course of action is unnecessary in view of the recent and near-unanimous congressional approval of the President's request for an additional $700 million appropriation with which to carry on our support of the South Vietnamese in their struggle for freedom. However, in response to that I think it must be said that, even in this brief period of time, the situation we now face in Vietnam is drastically different, and the prospects for the immediate future considerably more grim.

For it has by now become apparent that whatever hopes we had of making progress toward some sort of an acceptable political solution of the conflict, by the methods thus far applied, have at least had to be postponed through the long summer months that lie ahead, and that the President has therefore had forced upon him the necessity to review his policies and reconsider at least our short-term objectives.

Congress may well have only a supporting role to play in that kind of review and reconsideration—but it ought to play that role rather than sit idly by, content to subsequently criticize the President, perhaps, as President Truman was criticized, if the course on which we have seemingly embarked turns out to be a long-drawn-out and costly ground war similar to that in which we were involved in Korea.

Mr. Speaker, I am convinced that the country stands strongly united behind the President—though the people we represent have many unanswered questions and deep, unspoken concern about what lies along the road ahead.

As my colleague from New York, Senator JAVITS, put it, in those remarks of his to which I earlier referred:

> Once again I say the Congress will undoubtedly support the President. But, just as he could not forgo the salutary announcement of U.S. willingness to negotiate—although he felt he had said it many times before—so he cannot forgo the salutary effect of a congressional debate and action on this new and crucial U.S. policy in Vietnam.

I, too, am convinced that Congress will again indicate its support of the President—and, thus, the popular support of the President—in the new and dangerous circumstances in which we find ourselves.

And I, too, am convinced that this would be a salutary thing, for the kind of full-scale hearings and subsequent congressional debate I am suggesting would be a far cry from that sporadic type of "debate"—and I have put quotation marks around the word on purpose—now going on concerning Vietnam in the other body, and of infinitely more value that the kind of Vietnam "debate"—once again in quote marks—now going on in the syndicated columns and on the editorial pages of our newspapers, and which can do little more than add to such public confusion and uncertainty as exists over what is happening in Vietnam.

By comparison, too, to that congressional approval of the President's appropriation request, on which action was taken with unusual haste and an absolute minimum of committee consideration and floor debate, I think that the sharply focused, true debate that such full-scale hearings and subsequent congressional action would engender would not only be of great value to the American people but to our allies, as well, who need added reassurance that the American people do, indeed, understand the full dimensions of the challenge and willingly accept the risks inherent in the present situation we face in Vietnam.

And I further suggest that, in the same way, such a debate and subsequent congressional action in support of the President would also help to sweep away any remaining tendency on the part of those who are the aggressors in South Vietnam to miscalculate the depth of American resolution.

Finally, as one who has faithfully supported the President in the delicate and difficult course he has been following to bring this conflict to an honorable solution, I suggest that such a debate could also be of great value to him for, though his course may be both right and necessary, he may well begin to find in the weeks and months ahead as the going gets even rougher that the American people have not been psychologically prepared to accept the sacrifice and risk that course involves.

For, Mr. Speaker, it would be at that critical point that any semblance of wavering, any evidence of disunity on the part of the American people over what must be done in South Vietnam, would be most dangerous to our cause.

By comparison, whatever risks may be involved for the President in agreeing to such hearings and debate—and I know full well that without his consent they will not take place—would be minor; whatever distraction, inconsequential.

One can well appreciate the President's annoyance with some of his critics—his feelings that it should not be necessary for him to continually explain and defend his policies. However, always before in the history of our Nation when a President put his full trust in the strength and resolution of an informed citizenry—always before when a President who believed himself to be right patiently gave even his sharpest critics the hearing they sought—the American people have given that President the full measure of their support in return.

I am confident that they will do so again—and I am equally confident that this Congress is ready and anxious to play its proper part in helping to bring this about.

COMMUNIST ATROCITIES IN SOUTH VIETNAM

The **SPEAKER**. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 60 minutes.

Mr. **FEIGHAN**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **FEIGHAN**. Mr. Speaker, I rise on the floor of the House today with regret and sorrow in my heart. I wish to place before this House the facts of a situation which make all civilized men react with anger, disgust, and almost disbelief at a system which would allow crimes against humanity to be performed by their followers. I speak of the atrocities being committed in Vietnam, today, by the Communist Vietcong.

We as a nation are committed to uphold the dignity and worth of the human being. Criminal acts have been committed in Vietnam, by the Communists, which do violence to the basic principles of our civilization. This policy of organized terror, brutality, and assassination inspire horror and revulsion in any civilized mind. We as God-fearing and civilized Americans cannot allow these atrocities to go unchallenged or distorted from their true meaning by Communist propaganda.

The issue I bring before this House involves the honor and dignity of the great Vietnamese people, our own fighting men now in Vietnam and the integrity of U.S. policy in Vietnam. It is a subject which we in all honor cannot let rest and which we cannot avoid. It is not a pretty story. It is one of unspeakable moral degradation by an enemy and of atrocities almost beyond comprehension performed by this same enemy on the people of Vietnam and on our own soldiers. It concerns the activities of a Communist system which has shown no respect for the human person dead or alive, a system, the sole purpose of which is the progress of communism by any effective means, no matter how evil.

I trust that no Members in this Congress will tend to dismiss this story as without significance. Some may say that war is always the source and cause of brutal acts and those in Vietnam are no different. Such a view can only be one of despair, fear, or ignorance, without knowledge of the true facts. We have read in history of the frightful acts of Hitler, Stalin, and Ivan the Terrible, but this does not forgive Ho Chi Minh, Mao Tse-tung, or Brezhnev.

The sins of the past are no excuse for those of the present. We are the custodians of the present and of mankind's future while we live. The atrocities I will speak of today are those that go beyond the terrible demands of war. In our age, if we are to call ourselves civilized, an individual human life and an individual body are as sacred in war as in peace. We have been taught to respect the dead even in death. Adversely, the Communists as a conscious act of their policy, maim, torture, and mutilate, the living as well as the dead.

This record of atrocities in South Vietnam deserves our attention. Again in our lifetime we witness a frightening abandonment of respect for the laws and standards of humane and civilized conduct. We have lived through Stalin's bloody purges, Khrushchev's butchery, Hitler's gas chambers, atrocities against U.N. forces in Korea and now Communist atrocities in South Vietnam. I for one cannot get hardened to, or accept, such acts of horror and terror. The covenants or solemn agreements entered into by responsible nations signing the Geneva Convention which bind all belligerents in war have again been tossed aside by the Communist aggressor in South Vietnam.

The conduct of the aggressor is not the result of personal cruelty by isolated individuals or of Vietcong who, without authorization, express their ideological sadism, but a conscious act of Communist policy. The pattern proves that these atrocities are deliberate. They reflect a system which consciously and actively rejects, subverts, and destroys decent standards of conduct and the entire structure of humane values. This system denies that men are created in the image of God. They believe man is no more than an animal, and should be treated as such. This is the same system which displays by its acts, as Stalin said in words and deeds, "Terror is the supreme argument of any power."

President Johnson is being criticized in some circles for his firm stand in Vietnam. However, very little is being heard from these same outspoken critics on the terrible atrocities committed by the Communists.

In a news conference on April 27, 1965, President Johnson said:

> I do sometimes wonder how some people can be so concerned with our bombing a cold bridge of steel and concrete in North Vietnam, but never open their mouth about a bomb being placed in our Embassy in South Vietnam.

I agree with this practical observation and feel that these same people who scream so loud for free speech and the right to present both sides of the picture, when it suits their purpose, should begin to learn and speak the truth about events in Vietnam. Hardly a word is spoken of the war that the Communists are conducting on women and children in South Vietnam.

In the same press conference of April 27, 1965, President Johnson also said:

> As long as aggression continues, and as long as they bomb our sports arenas, and our theaters, and our embassies and kill our women and children and the Vietnamese soldiers * * * we think that we are justified in trying to slow down that operation and make them realize that it is very costly, and that their aggression should cease.

Secretary Rusk in a news conference on March 24, 1965, made the following statement:

> It is a mean, dirty, struggle, carried out without regard to ordinary norms of conduct by the Vietcong.
>
> Those who are concerned about tear gas, I would hope would be concerned about the fact that during 1964 over 400 civilian officials were killed, and over a thousand were kidnaped in South Vietnam * * * village chiefs, schoolteachers, public health officers. Among other civilians, 1,300 were killed, over 8,000 were kidnaped, but entire villages have been kidnaped and burned to the ground, when families of those who were in the armed forces were kidnaped and held hostage.

American soldiers are not immune to this savagery. U.S. servicemen and Government agents have been found dead after being tortured and shot to death. Shockingly reminiscent of the atrocities committed by the Chinese and North Korean Communists during the Korean war, American servicemen have been discovered with their hands tied behind their backs and shot in the back of the head. Their bodies were not given a decent burial, but thrown in jungle underbrush by their Vietcong captors.

South Vietnamese working for the U.S. military forces have been found floating in rivers and swamps with their arms, heads, and legs cut off. The Communist butchers use these methods to dissuade others from defending freedom in their homeland.

In another case the Communists used poison to kill more than 100 anti-Communist tribesmen fighting against them, and who had been captured in battle.

The atrocities recorded by U.S. authorities include the "beheading of village chiefs" and the "the cutting off of arms and legs of innocent women and children" whose fathers and husbands are serving in the South Vietnamese Armed Forces. The same inhumane treatment is applied to the families of those who refuse to desert to the Vietcong.

In a summary from a pamphlet printed in Saigon, July 1964, the following is extracted:

First. Summary of cases of victims of Vietcong terrorists acts during 1963:

Persons assassinated:	
Civil population	1,558
Local officials	415
Civil servants	100
Persons injured	8,375
Persons kidnaped	7,262
Total	17,710

Second. Communist atrocities and acts of terrorism in South Vietnam:

Vietcong terrorists, masquerading under the guise of the so-called front for the liberation of the south, continue their deliberate and indiscriminate attacks on the defenseless civil population and on institutions of social service. These criminal acts occur daily and result in serious damage to public and private property as well as cause a great number of deaths among innocent victims, including many women and children. Some specific instances are:

Acts of terrorism:

> The assassination of Mr. Tran-phuoc-Thanh, a civilian official by a band of armed Vietcong on the night of October 7, 1963, at Khanh-Hoi hamlet (Kian-Hoa Province). A written sentence of death was pinned to the victim's body.
>
> The assassination by some 20 Vietcong of Mr. Ngo-Tien, aged 58, a councilor of Phu-Hai hamlet (Thua-Thien Province) at about 8 p.m. on January 19, 1964, 400 yards from his house. A bill of Communist indictment was also discovered on the victim's body.
>
> The assassination of Mrs. Hoang-thi-Con and her 9-year-old daughter Truong-thi-Loi on the night of March 17–18, 1964, at Bach-Loc hamlet in the Trung-Luong district of Quang-Tri Province (demilitarized zone). The Vietcong had hacked the victims to death with knives.
>
> Mr. Nguyen-Phuoc-Dang from Phu-Thuan village in the Binh-Dai district of Kien-Hoa Province was decapitated by the Vietcong on the night of October 1–2, 1963. A written sentence of death was likewise pinned to the victim's body.

Acts of sabotage:

> On April 27, 1963, the UNESCO Basic Education Center at Tan-An in Long-An Province was attacked.
>
> On April 21, 1964, the maternity clinic of Long-Hoa Village in Long-An Province was destroyed and the medical supplies plundered.
>
> On May 3, 1964, a civilian bus was blown up by a mine on the road between Nhon-Hoa in Kien-Tuong Province. Fourteen persons, among them 2 children, were killed and 11 persons including 4 children were injured.
>
> On March 22, 1964, a bus operated by the Hiep-Huu Co., hit an electrically detonated Vietcong mine on the road between Tan-Tru and Long-An. A total of 22 passengers were killed, among whom were 1 pregnant woman and 6 children between the ages of 2 and 5.

So thorough is the Vietcong terror planning that no part of the social structure is passed by. A report by the World Confederation of Organizations of Teaching Professions compiled the following statistics:

> During 1962, 636 schools were destroyed, 250 teachers were kidnaped, and 30 were killed. This tactic of destruction of the educational system by elimination of the educators is continuing in an accelerated form today.

As in Korea, the Communists are now making reckless and wholesale violations of the provisions of the Geneva Convention. The Vietcong have clearly and flagrantly violated the following articles of the convention:

First. Article 13: Prisoners must at all times be humanely treated.

Second. Article 16: Prisoners must be treated without regard for political or other such factors.

Third. Article 120: The death of any prisoner, his identity, and the location of his grave must be reported to neutral authorities.

Fourth. Article 130: That willful killing or torture of prisoners, among other things, shall be considered grave breaches of the Convention.

The Communists' propaganda emanating from Moscow, Peiping, or Hanoi, all claim that they are reaching the perfection of our civilization and adhere to the principles of the Geneva Convention. If this is to be taken at face value by their followers and only savages commit atrocities, then these same followers must face the reality that the facts indicate a common dedication to wholesale brutality is part of the Communist system. It, therefore, can only be concluded that the violations occur on such a scale as to indicate that they reflect a conscious policy of Communist governments and their so-called perfect civilization.

No Communist has ever disavowed or is allowed to disavow Marx or Lenin. Their teachings on conscience and morality are consistent with their activities in South Vietnam. Karl Marx said:

> Social existence of men; that is, the economic class to which they belong, determines their consciousness.

As to morality, Lenin said:

> We do not believe in eternal morality, and we expose all fables about morality; at the basis of Communist morality lies the struggle for the consolidation and consummation of communism.

Modern interpretations of Lenin's teachings on morality are as follows:

> The basis of Communist morality, Lenin taught, is the struggle for strengthening and achieving communism. For the Soviet people everything is moral that serves the victory of the Communist order.

This is a clear indication that the Communists reject universally accepted moral values.

The forces against which we fight today in Vietnam and in the Dominican Republic all owe allegiance to a single political movement known as world communism.

That the atrocities being committed is due to a conscious policy is suggested by the following facts which follow the same pattern as we knew it in Korea:

Mass executions of civilians which include women and children, carried out under the authority of the North Vietnamese political officers and security agents.

Prisoners are subjected to political jargon, preaching hatred and violence, prior to being executed in cold blood.

In addition, we cannot ignore the following facts: That the top officials in the North Vietnamese Army and Government were largely trained in the Soviet Union and Communist China.

That Communist Chinese cadres and advisers are directing the operation.

That Soviet Russian troops in the thousands are present in North Vietnam. They are headed by Lieutenant General Sherbakov, Russian Ambassador to North Vietnam. This Russian is a guerrilla warfare expert. He headed Russian partisan units in the Ukraine during World War II. He recently left from the Central Committee of the Communist Party of the U.S.S.R. There he headed the National Liberation Movement Branch. He has earned the nickname, "The Assassin."

These facts indicate a common dedication to a system which encourages and practices brutality and terror as a basic instrument of policy. These acts are perpetrated by an authority which has a close bond with the Soviet Union and Communist China. Their actions reveal a vast, systematic, and deliberate assault upon universally accepted standards of conduct and morality. They are criminal activities which offend civilized conscience and attack those basic tenets which we consider essential to freedom and the survival of all civilization.

Mr. Speaker, there is an urgent need for an objective, systematic exposure of Communist atrocities in Vietnam. The American people are entitled to have the full facts on these atrocities so that they may be completely aware of the nature of Communist aggression in Vietnam. In my judgment Congress is the proper arm of Government to undertake this objective and systematic exposure of truth.

To that end I have written a letter to the able chairman of the House Armed Services Committee, the Honorable L. Mendel Rivers, urging him through his committee to undertake this inquiry. A copy of my letter to Chairman Rivers dated June 8, 1965, and copy of the letter of response by Chairman Rivers follows:

June 8, 1965.

Hon. L. Mendel Rivers,
Chairman, Armed Services Committee,
House of Representatives.

Dear Mr. Chairman: While the United States is committed to defense of human dignity and freedom in Vietnam, a situation has come to my attention that makes civilized men react with anger, disgust, and almost disbelief at the extent and manner of atrocities being committed by the Communists in Vietnam.

It is my hope that your committee will make a full and complete study and investigation of atrocities committed by the Communists in South Vietnam, particularly with respect to: (1) Atrocities committed against U.S. military and civilian personnel in Vietnam and Laos; (2) atrocities committed against Vietnamese military and civilian personnel; (3) the policies and practices of the Communists to determine whether or not this practice is an instrument of conscious policy; (4) whether these terroristic policies are also being applied to other countries and people of the world as a deliberate technique to further Communist expansion.

I am convinced that an investigation of this type will go a long way toward tipping the scale of justice and truth in our favor and thus bring more solid support for President Johnson's firm stand in Vietnam. Knowing your strong feelings about getting the truth before our people, I have brought this matter to your attention because I am confident you will take the required action.

Sincerely,

Michael A. Feighan.

House of Representatives,
Committee on Armed Services,
Washington, D.C., June 14, 1965.

Hon. Michael A. Feighan,
House of Representatives,
Washington, D.C.

Dear Mr. Feighan: I appreciate very much your letter of June 8, 1965, concerning the atrocities that have been committed by the Communists in South Vietnam.

As you may know, we have a special subcommittee that left for South Vietnam on Thursday, June 10, and I hope that they will receive full information with respect to some of the points raised in your letter.

In the meantime, I am writing to the Secretary of the Defense and asking the Department to be prepared to brief the full committee concerning these atrocities that have been committed by the Vietcong in South Vietnam. I agree that a full disclosure of these facts might do much to bring about more solid support for President Johnson's stand in South Vietnam.

Sincerely,

L. Mendel Rivers,
Chairman.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I am very happy to yield to my very able and distinguished colleague from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, I know of no one who has fought longer and harder against communism in all of its phases than my distinguished friend from Ohio. He has never let up in his attack upon that which is a menace to freedom.

Will the gentleman inform me, the Communists who are fighting in Asia now, are they respecting any of the rules of war?

Mr. FEIGHAN. I would say no, they certainly are not conforming to the Articles of the Geneva Convention which I have just outlined.

Mr. O'HARA of Illinois. I remember as a boy reading American history, and it would make one's blood run cold, about the early days of America when the Indians would come in and find some of the settlers, their wives and children, scalp them and kill them. Am I to understand that that is about what is happening over in Asia today?

Mr. FEIGHAN. The atrocities being committed by the Communists in South Vietnam are much more horrible than those that were committed by the persons to whom the gentleman has just referred.

Mr. O'HARA of Illinois. I saw a photograph, I think it was today or yesterday in one of the Washington newspapers of a soldier crying; he had just found that his wife and his children had been killed, murdered, while he was off fighting. Did the gentleman happen to see that?

Mr. FEIGHAN. I did not see that particular one, but I have seen many similar photographs.

There was one, particularly, in the recent issue of Time magazine, showing a man lying on the ground with his head decapitated about 5 or 6 inches from his neck, which represents a typical example of the terrorism and atrocities which are being, unfortunately, committed by the Communist Vietcong.

Mr. O'HARA of Illinois. Mr. Speaker, if the gentleman will yield further, I take it that all that the gentleman has told us in his talk today is well documented—the incidents which the gentleman has given of these atrocities in his talk today, all of that has been well proven?

Mr. FEIGHAN. There is no question about it; yes.

Mr. O'HARA of Illinois. Mr. Speaker, if the gentleman will yield further, of course the only thing that we Americans are interested in is peace—peace with security, peace with honor, peace with freedom. But until we reach that objective certainly we must keep our eyes open and we must not hide from our countrymen and from ourselves the atrocities that are being committed by the enemy which we are fighting.

Mr. Speaker, I congratulate the gentleman from Ohio on his remarks today.

Mr. FEIGHAN. I thank the gentleman from Illinois very much for his contribution. I share with all the Members of the House the high esteem for our colleague whose knowledge of and experience in world affairs stands as a bulwark of strength in the House.

TO CONSERVE THE WORLD'S WILDLIFE, WE SHOULD ASK THE UNITED NATIONS TO CALL A CONFERENCE AND UNDERTAKE AN ACTION PROGRAM

The SPEAKER pro tempore (Mr. Krebs). Under previous order of the House, the gentleman from Wisconsin [Mr. Reuss] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I am today introducing House Concurrent Resolution 440 expressing the sense of Congress that the Secretary of the Interior and the Secretary of State shall take steps to convene an international conference under the United Nations to further the worldwide conservation of wildlife.

I am pleased to state that the distinguished senior Senator from Texas, Mr. Yarborough, will soon introduce a similar resolution for an international wildlife conservation conference in the other body.

Such a conference is greatly needed to help revoke the sentence of doom that man has pronounced on some 250 species of animals and birds. Some of the most famous and interesting creatures the world has produced during millions of years of evolution will be wiped out in our lifetimes, unless we act to save them.

> Man—

Said Mark Twain—

> is the only animal that blushes or needs to.

Surely, we cannot look at the list of the 200 creatures already exterminated by man or the names of those earmarked for destruction without a sense of sorrow and shame.

MANY FAMOUS ANIMALS ARE THREATENED

The International Union for the Conservation of Nature and Natural Resources has recently published lists of rare mammals and rare birds. A relative handful among these rare creatures are safe because small but adequate breeding stocks are under continuing protection.

But the others are threatened with obliteration. There are many familiar names on the list: the orangutan, the mountain gorilla, the blue whale—the world's largest animal—the polar bear, the giant panda, several species of tiger, several species of rhinoceros, the pigmy hippo, and many more. Last July, the U.S. Fish and Wildlife Service listed 50 birds and mammals in the United States that are threatened with extinction. The whooping crane and the ivory-billed woodpecker, the grizzly bear, and the bighorn sheep were among those on the list.

But it is in Africa, known throughout history for the marvelous abundance and variety of its wildlife, that the threat is most acute.

Even animals which now exist by the thousands are doomed if man continues his present practices. Fabulous abundance by itself will not suffice to save a species. Great flights of passenger pigeons once darkened the sky over America. Yet by 1907, the last free passenger pigeon had been shot and 7 years later the last forlorn survivor of a species that had numbered in the billions expired in a Cincinnati zoo.

A similar fate seems in store for the leopard. The demand for leopard skins to supply the fad for leopard skin coats has brought a hoard of profit-seeking poachers into Africa. The leopard is ominously reduced in numbers and may be wiped out in a few years unless something is done to stop the slaughter. According to recent reports, the leopard population in Kenya is so low that Kenya has been importing leopard skins from Bechuanaland to allow sales to tourists.

Many of the famous animals of Africa which still roam the continent in huge herds are on the slippery downslide to oblivion.

These animals can be saved, as we in the United States showed when we came to our senses at the last moment and rescued the American buffalo. In 1900, only 541 buffalo were left of the millions that had lived on our Western Plains. Under a system of protection, substantial herds have again built up.

CONSERVATION ORGANIZATIONS ARE WORKING TO SAVE THE WORLD'S WILDLIFE

A valiant and dedicated band of private citizens and organizations is working to save endangered species and to promote sound wildlife conservation practices throughout the world.

The International Union for the Conservation of Nature and Natural Resources is one of the leading organizations in this effort. Its membership includes the Governments of Belgium, Cambodia, Dahomey, Denmark, Ecuador, the Federal Republic of Germany, Italy, Ivory Coast, Kenya, Luxembourg, Malagasy Republic, Malaya, Monaco, Morocco, the Netherlands, Senegal, the Sudan, Switzerland, Thailand, Zambia, Venezuela, and South Vietnam, and more than 240 organizations throughout the world.

A small professional staff collects and distributes information on wildlife preservation. The International Union for the Conservation of Nature and Natural Resources Survival Service Commission catalogs threatened species in its red book. International Union for the Conservation of Nature and Natural Resources studies have been the basis for action to save wild animals native to the Middle East and southern Asia and have led to the foundation of a group to preserve the remarkable animals of the Galapagos Islands.

With aid from the United Nations Educational, Scientific, and Cultural Organization, the International Union for the Conservation of Nature and Natural Resources has made country-by-country surveys of the status of nature protection in many parts of the world. In eight general assemblies of its members, the International Union for the Conservation of Nature and Natural Resources has focused attention on important world conservation needs.

The World Wildlife Fund, International is the sponsoring organization for national fundraising groups in six countries: the United States, United Kingdom, the Netherlands, Switzerland, Germany, and Austria.

Among the projects to which the World Wildlife Fund has contributed are the establishment of the Charles Darwin Research Foundation to preserve the giant tortoise, the penguin, the flightless cormorant, the flamingo, and the fur seal; an expedition to take into captivity a breeding stock of the Arabian oryx, a type of antelope; purchase of part of the famous Marismas at the mouth of the Guadalquivir in Spain to save the most important marshland wilderness in Europe; and the return of 28 Hawaiian geese, bred by the Wildfowl Trust in England, to a national park on Maui Island from which they disappeared some years ago.

The African Wildlife Leadership Foundation of Washington has devoted itself to the training of Africans in conservation and wildlife management. It has paid for the education of a number of African students studying conservation in American colleges and universities. Perez Malande Olindo, the first graduate in this scholarship program, has returned to his native Kenya and assumed the post of Deputy Director of Kenya National Parks. The foundation started and is supporting the first school in Africa to train middle and top level African conservationists, the College of African Wildlife Management at Mweka, Tanzania. The success of the college at Mweka has led to plans for a similar institution in West Africa.

The Food and Agricultural Organization of the United Nations has set up an office of wildlife management in Rome. It will provide limited technical assistance to developing countries in the use and protection of their wildlife resources.

UNESCO is also providing some aid in promoting training of scientists and in supporting technical assistance and research.

Other noteworthy international conservation organizations include the Conservation Foundation, the International Council for Bird Preservation, the Fauna Preservation Society, the American Committee for International Wildlife Protection, and the International Wildfowl Research Bureau.

Many other organizations whose activities are largely confined to a single country or region make important contributions to international conservation, such as National Wildlife Federation and the Wildlife Management Institute in the United States and the Canadian Wildlife Federation.

BUT THESE CONSERVATION ORGANIZATIONS NEED GOVERNMENTAL HELP

Despite these many organizations and their utmost efforts, the need for international conservation measures far exceeds the resources of these groups. The International Union for the Conservation of Nature and Natural Resources—IUCN—and other existing agencies are not capable of meeting the problem without much greater aid. The IUCN operates on an annual budget of about $100,000. The African Wildlife Leadership Foundation has been able to spend only about $80,000 a year for the last 3 years in its efforts to meet the enormous need for Africans trained in conservation.

Only a relative handful of the governments of the world, and only two major nations—West Germany and Italy—are fully involved in the conservation efforts of the IUCN.

The participation of the governments of the world is urgently needed. They control the conservation programs within their own borders. The governments of the developed nations have the experts and technicians, the information and experience that can be crucial to the programs of the developing nations. Governments control imports and exports. And they can provide the quite modest sums that are required to reap the great benefits of conservation and to avert the loss of world assets that are literally priceless.

House Concurrent Resolution 440 seeks an international conference called by the United Nations which would draw all world governments into a cooperative effort to conserve the world's wildlife. The survival of a species is in the common interest of men everywhere, and the activities of their governments should reflect this truth.

House Concurrent Resolution 440 proposes that the conference consider action in three major areas.

First. International trade in wildlife and its products must be controlled.

The United Nations conference should consider joint action by all countries to control international trade in wildlife and its products, especially rare or endangered species.

A large part of the threat to wildlife stems from deliberate killing to provide ivory, horn, skins, pelts, and other animal products for export.

Elephants are being killed for ivory for chessmen and billiard balls. Rhinoceroses are being slaughtered so their horns can be cut off, ground into powder and peddled in the Orient where the powder is believed to be an aphrodisiac. The tails of wildebeest and giraffes are in demand as fly swatters. Fashion fads have created a booming demand for leopard skins to clothe the fashionable ladies of America and Europe.

Only a fraction of the demand for these products can be satisfied within legal limits, even though the laws are unfortunately lax in some of the countries. The remainder is met by a well organized and highly profitable system of poaching.

Entrepreneurs from the developed nations, where most of the demand for wild animal products originates, descend upon the African bush in a search of quick profits. Typically, this type of white hunter hunts nothing more than an African or Asian middleman who in turn easily finds natives willing to poach for a paltry share of the profits. The African poacher runs no great risk anyway, for he is hard to catch and when caught faces very little real punishment. The authorities tend toward the view that he is doing what comes naturally. If they try to impose punishment at all, fines are virtually impossible since few natives have any money. A jail sentence is usually prized as a sort of paid vacation in which the government provides the food and lodging which are constantly struggled for in the bush.

So the native goes gladly about his poaching, with hair-raising cruelty. Wire loop snares are spread widely around the landscape, particularly at gaps in thorny barriers set up by the poachers. Wire of sufficient strength to hold even an elephant is cheap and readily available. One end is attached to a tree or a log. Zebras, wildebeests, antelopes, rhinos, and elephants are caught by the leg in these devices and suffer intense pain as their struggling causes the wire to cut deeply into their flesh. They die slowly in agony. The poachers visit the snares only infrequently, so as not to be troubled by arriving while the animals still live.

Arrows smeared with a poison that acts so slowly that the animal is subjected to long suffering are also much in favor among the poachers. Another weapon frequently used is the muzzle-loading gun, of which there are reportedly more than 100,000 in the hands of natives of Kenya and Zambia alone. These firearms, loaded with whatever miscellaneous hardware lies at hand, are fired into herds, maiming and wounding many animals. In some cases the wounded creatures may be more easily tracked and killed but often they die unnoticed in the bush. Of five rhinos caught recently by the Tanzania Game Department for transfer to a protected area, every one bore wounds inflicted by snares, arrows, or bullets.

Another poacher's device is the pitfall covered with branches and studded with pointed stakes. A lingering death awaits the animals falling into these pits, for they are seldom killed outright.

Sometimes the animals are used for meat which is shipped to nearby African towns by "bicycle boys." More often, only the horns, tusks, skins, or other wanted parts are removed and remains left to rot. Frequently, the animal blindly killed is not the one whose parts are currently in vogue and it is merely left where it fell. The illegal exports start their journey to America or Europe by long overland routes to places from which they may be exported without hindrance by tramp steamer or by air.

High profits for the poaching master are the rule in this grisly trade. For example, the native poacher in East Africa will probably get about 7 to 10 shillings—98 cents to $1.40—per pound for rhino horn which sells on the open market for 90 shillings—$12.60. Much of the difference is pocketed by the white entrepreneur. Some of them have boasted of earnings of $50,000 a year in their callously destructive undertaking.

The developing countries, with their limited resources, find it difficult to stop this illegal trade.

On the other hand, nations like the United States, with laws banning the importation of animal products illegally exported from their land of origin, find the laws virtually unenforceable since there is usually no way of telling whether a particular leopard skin or other animal part was exported legally or not.

International action to ban or limit imports of wild animal products would strike at the poachers' incentive to crime and put new difficulties in their way. But for import restrictions to be effective, they must be imposed by all importing countries.

It would be of little value to prevent the ladies of America from having leopard skin coats, for example, while their counterparts in England or Germany continued to buy them apace.

Joint actions by the developed and developing countries, which could be worked out at an international conference, could go a long way toward bringing the disastrous poaching of wildlife to an end.

Second. The economic value of wildlife must be demonstrated and developed.

The international conference should consider joint study by the developing and developed countries to demonstrate how wildlife conservation and management can increase tourist revenues for developing countries and increase their food production.

Wildlife is threatened by man's expansion into animals' habitats even more than by poaching.

The developing countries are bent on building modern nations. Their populations are growing rapidly. This adds up to great pressures to expand the areas available for agriculture and pasturage, for industry and hydroelectric projects. As man moves onto the land and transforms it for his own uses, the wild animals are left without food and hiding places.

African settlers of these lands regard the wild animals as threats to the safety of their domestic animals, crops, and villages. The nomadic tribesmen who drive great herds of scrubby cattle, which they use as money and measures of prestige as well as for food, look on wild animals as competitors for grazing land. Because modern veterinary practices have resulted in a vast increase in the number of sheep, goats, and cattle, the competition for pasturage is becoming more and more acute. Herds of Masai cattle have even invaded wildlife reserves and parks, causing untold damage to habitats.

Many Africans are inclined to conclude that wild animals stand in the way of progress.

This is not so. The cases of direct conflict between man's interest in developing the country and the conservation of wildlife are few. To the contrary, a sound program of conservation and recognition of wildlife as an important natural resource can aid significantly in the development of the emerging nations. The African is a realist. In the long run, conservation of wildlife can succeed only if its economic benefit can be shown.

Wildlife can produce a significant amount of foreign exchange earnings for developing nations. With proper game management, the developing countries can have a continuing supply of animal products to sell in world markets.

As urbanization and industrialization continue in Europe and North America, more and more people will want to enjoy a facility such as the Treetops in Kenya where visitors can spend a night in a tree shelter with the certainty of seeing a wide variety of wild animals going their way unaware of human presence. Incomes in Europe and America are going up and the cost of air travel is declining, so that trips to Africa will be within the reach of more people.

Already revenue from tourism is an important source of foreign exchange for some of the nations of east Africa. If the developing nations protect and use their wildlife resources wisely, this source of income can grow.

But they need the assistance of the developed nations in taking advantage of their opportunity. They need help in building roads and hotels and restaurants and other tourist facilities, and in creating a strong park system complete with films, guides, lectures, and information bureaus in the manner of our own national parks.

Through a sound program of game cropping, wildlife can be the best source of much-needed meat on much of Africa's land.

Undoubtedly, in some areas long roamed by wildlife, the animals will have to give way to settled agriculture. But large parts of Africa, particularly in the semiarid savanna belts, are not suitable for permanent cultivation or even continual grazing by domestic animals.

Attempts at farming run the risk that the land may deteriorate into desert when the covering vegetation is stripped off. Domestic animals tend to overgraze and trample the land. The former pattern of absorption of rainfall, subsoil percolation and year-round streamflow is supplanted by quick runoffs, flash floods, and reduced dry seasons stream flows. Parts of Africa are already suffering from this sort of deterioration of the environment as a result of unwise use of the land.

Wild animals can live off the same land without ruining it because they are perfectly adapted to the environment. Over centuries, nature has created animals to eat practically all of the different types of plants and leaves in a habitat. It is not unusual to find 20 or more herbivores, ranging from the 11 pound dik dik to the 5-ton elephant, inhabiting the same area and using it fully, but not harmfully.

The advantages of depending upon game ranching are also very great in areas where use of cattle or other domestic animals is barred by the presence of disease and pests.

Experts estimate that game ranching can produce much more meat per acre in many parts of Africa than domestic animals. The crops of domestic livestock, mostly cattle, on east African savanna are under 16,000 pounds per square mile. For wild animals, the figures are between 66,000 and 90,000 pounds.

Even though there is wide agreement that game ranching is a land use superior to agriculture or domestic livestock ranching on much land in Africa, the developing countries need aid in establishing sound programs to use their great resource.

A scientific program of game cropping must be devised. Systems for meat inspection, processing, and marketing must be set up. Market research is needed to determine what meats can be sold and at what prices.

Developed nations can help the developing nations in Africa and elsewhere to make the best possible use of their animal and fish resources.

An international conference, in which the governments of the world are represented at policymaking levels, can lead to the actions to develop the economic potential of wildlife which can be crucial in preventing the extermination of species.

Third. The developing countries need help in developing conservation programs.

The conference should consider increased assistance by the developed countries, either unilaterally or multilaterally through the United Nations or other international agencies, to establish and improve training schools for wildlife and conservation specialists, establish conservation departments in the developing countries, prepare model conservation laws, and give other assistance in establishing national or regional conservation programs.

There is a tremendous need for persons trained in wildlife conservation and management throughout the developing world. In the past, conservation and natural resource management have not been attractive fields for the citizens of the developing countries who have been fortunate enough to get high school and college training.

Most Africans employed in conservation programs have been at the lower levels, as scouts and rangers. With the pressure for Africanization of government posts, there is an urgent need for Africans trained to take middle- and top-level posts. The College of African Wildlife Management, which I mentioned earlier, is an excellent beginning. Besides the African Wildlife Leadership Foundation, it has received support from the Governments of Tanzania, the United Kingdom, Germany, and the United States through the Agency for International Development, and from the American Appeal of the World Wildlife Fund and the Zoological Society, of Frankfort, Germany.

The college will graduate 18 from the senior class in June and 32 from the junior class in September.

But this institution needs more money and equipment and teaching help to expand its enrollment and offer a stronger curriculum. Other similar colleges of wildlife management and the offering of conservation courses in existing institutions such as the University of East Africa, at Nairobi, are also required to meet the need for African conservationists.

THE REASONS FOR CONSERVING OUR WILDLIFE HERITAGE

One must acknowledge that many species have no significant economic value. Why, then, are they worth preserving?

We are the beneficiaries of the extraordinary richness of nature. We enjoy animals—by watching them free in their natural state or brought together for us in zoos. The exalted place that animals have in the world of children is evident from the stories that youngsters love best. Interest in the animals that cohabit the earth with us is simply part of our being. We diminish ourselves when we destroy species that can never be restored. Let us stop to imagine what it would be like if our grandchildren or great grandchildren have to ask: "What was a bear, what was a leopard?"

I hope we shall all take the words of King George VI to heart:

> Wildlife today is not ours to dispose of as we please. We hold it in trust and must account for it to those who come after.

THERE IS GROWING RECOGNITION OF THE NEED FOR AN INTERNATIONAL CONFERENCE

Mr. Speaker, House Concurrent Resolution 440 is similar to House Concurrent Resolution 107, 88th Congress, which I introduced on March 4, 1963.

The senior Senator from Texas [Mr. YARBOROUGH] also introduced a similar resolution in the 88th Congress, Senate Concurrent Resolution 60, submitted on October 3, 1963.

The need for an international conference was great then. It has become even more acute since. In the intervening 2 years, support has been growing for effective measures to protect the threatened wildlife of the world, and for an international conference for that purpose.

President Kennedy, in his memorable speech to the 18th General Assembly of the United Nations on September 20, 1963, said:

> A worldwide program of conservation [that] could protect the forest and wild game preserves now in danger of extinction for all time.

Secretary of the Interior Stewart Udall fully recognizes the seriousness of the threat to the world's wildlife. He has been expanding the U.S. efforts in international conservation. He was the leader of a substantial U.S. delegation to the Eighth General Assembly of the IUCN at Nairobi, Kenya, in September 1963.

The Agency for International Development, recognizing the economic potential of wildlife, has approved grants of $230,000 for the College of African Wildlife Management within the past 2 years.

The IUCN at Nairobi in 1963 adopted the following resolutions:

Resolution on a World Conference on the Survival of Animals and Plants Threatened With Extinction

> Whereas many animal and plant species and subspecies are at present threatened with extinction, the Eighth General Assembly of IUCN meeting at Nairobi, in 1963 recommends that IUCN through its Survival Service Commission in collaboration with the World Wildlife Fund, the International Council for Bird Preservation, the Fauna Preservation Society, the International Union of Directors of Zoological Gardens, Directors of Botanical Gardens, and other appropriate organizations, should call for a conference in 1965, to review the status of such animals and plants and to consider the general and particular steps to be taken to save them from extinction and to prevent other species and subspecies from becoming so threatened.

Resolution on Illegal Traffic in Wildlife Species

> Whereas many rare and vanishing species of wildlife are threatened with early extinction through illegal export from their native land and whereas such illegal export would be much less frequent if import into other countries where prohibited; recalling resolution 2.213 adopted by the General Conference of UNESCO at its 12th session and resolution 1931 (XVII) adopted by the General Assembly of the United Nations at its 17th session concerning economic development and conservation of natural resources, flora and fauna, the 8th General Assembly of IUCN meeting at Nairobi in 1963 recommends that the practical and political problems involved in illegal export be studied and that an international convention on regulations of export, transit and import of rare or threatened wildlife species or their skins and trophies be drafted and submitted for the approval of governments by the appropriate international organizations possibly on the occasion of a worldwide conference convened for that purpose.

In addition, the IUCN adopted a resolution inviting "all Governments to participate actively in the conservation of the World's Natural Resources."

Expressions of support for an international conference on wildlife conservation have been made by such leading conservationists as Judge Russell Train, president of the African Wildlife Leadership Foundation; Peter Scott, first vice president and chairman of the World Wildlife Fund, International; His Royal Highness Prince Bernhard of the Netherlands, president of the World Wildlife Fund; Lee S. Crandall, general curator emeritus, American Committee for International Wild Life Protection; Ira N. Gabrielson, president of the Wildlife Management Institute; Samuel H. Ordway, Jr., president of the Conservation Foundation; and S. Dillon Ripley, president of the International Council for Bird Preservation.

According to plans laid by Peter Scott, first vice president of the World Wildlife Fund, an expert study group comprised of representatives of the Survival Service Commission of the IUCN, the World Wildlife Fund, the International Council for Bird Preservation and the Fauna Preservation Society, will meet in London within the next few months to draw detailed plans for a conference agenda.

Secretary Udall, responding to Scott's initiative, wrote:

> Your proposal is especially timely. I am heartily in accord with it and shall be pleased to work with you to make it a reality. [W]e will be glad to have representatives of this Department attend if you think it desirable.

LEADERS OF DEVELOPING NATIONS WELCOME WORLD COOPERATION IN WILDLIFE CONSERVATION

Backing for effective measures for international cooperation in conserving wildlife is coming not only from the conservation groups and leaders like Secretary Udall. The need for a world effort is recognized also by many of the leaders of the developing nations of Africa and Asia.

As early as September 1961, the Government of Tanganyika issued the Arusha Manifesto in which it promised to conserve the Nation's wildlife resources for future generations.

THE ARUSHA MANIFESTO

> The survival of our wildlife is a matter of grave concern to all of us in Africa. These wild creatures amid the wild places they inhabit are not only important as a source of wonder and inspiration but are an integral part of our natural resources and of our future livelihood and well-being.
>
> In accepting the trusteeship of our wildlife we solemnly declare that we will do everything in our power to make sure that our children's grandchildren will be able to enjoy this rich and precious inheritance.
>
> The conservation of wildlife and wild places calls for specialist knowledge, trained manpower, and money, and we look to other nations to cooperate in this important task—the success or failure of which not only affects the Continent of Africa but the rest of the world as well.
>
> J. K. NYERERE,
> *Prime Minister.*
> A. S. FUNDIKIRA,
> *Minister, Legal Affairs.*
> T. S. TEWA,
> *Minister, Lands and Surveys.*

Two years later, in 1963, the Government of Kenya also issued a manifesto pledging its best efforts in conserving wildlife and inviting world assistance:

> The natural resources of this country—its wildlife which offers such an attraction to visitors from all over the world, the beautiful places in which these animals live, the mighty forests which guard the water catchment areas so vital to the survival of man and beast—are a priceless heritage for the future.
>
> The Government of Kenya, fully realizing the value of it natural resources, pledges itself to conserve them for posterity with all means at its disposal.
>
> We are confident of the cooperation of the other Government of East Africa in this important task but, at present, we are unable, unaided, to provide the specialist staff and money which are necessary. We therefore invite other nations, and lovers of nature throughout the world, to assist us in honoring this solemn pledge.
>
> JOMO KENYATTA,
> *Prime Minister.*
> L. G. SAGINI,
> *Minister for Natural Resources.*
> R. ACHLENG OKEKO,
> *Minister for Information, Broadcasting, and Tourism.*

The representatives of 28 African nations meeting at Lagos, Nigeria, in August 1964, at the International Conference on the Organization of Research and Training in Africa in Relation to the Study, Conservation, and Utilization of Natural Resources made recommendations which likewise evidenced an understanding of the need for wildlife conservation. Both the U.S. Interior Department and the United Nations Special Fund have had numerous inquiries from African nations about the possibility for greatly increased technical assistance in conservation programs.

Thus, Mr. Speaker, I believe there is very great and very widespread interest in an international United Nations conference to bring the world's governments more fully and more effectively into the cause of world wildlife conservation.

By taking the leadership, the United States can make a decisive contribution to the preservation of the world's wildlife, under the auspices of the United Nations.

The 20th anniversary celebration of the United Nation's founding at San Francisco later this month would be a good time and place to start.

The text of House Concurrent Resolution 440 follows:

> Whereas it is in the common interest of mankind to preserve the world's wildlife; and
>
> Whereas the United States and other countries have an obligation, pursuant to international agreements, such as the migratory bird treaties and the Inter-American Treaty on Nature Protection and Wildlife Preservation, 1940, to conserve and protect the species of wildlife; and
>
> Whereas more effective international measures for the protection of wildlife are urgently needed; and
>
> Whereas nearly two hundred fifty species of wildlife are in danger of becoming extinct; and
>
> Whereas many other species of wildlife are being dangerously reduced in numbers: Now, therefore, be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress that the United States shall promote the worldwide conservation of wildlife, particularly of species that are rare or threatened with extinction and that the United States, through the Secretary of State, in consultation with the Secretary of the Interior, shall take all necessary steps to convene an International Conference on the Conservation of Wildlife under the sponsorship of the United Nations.
>
> SEC. 2. The following countries should participate in such a conference:
>
> (a) Those developed countries, including, but not limited to, the member countries of the Organization for Economic Cooperation and Development, whose citizens furnish much of the demand for animals, fish, furs, skins, pelts, tusks, feathers, or other parts of wildlife; and
>
> (b) Those developing countries in which the major wildlife habitats of the world exist, including, but not limited to, the countries of Africa, Asia, and Latin America.
>
> SEC. 3. The Secretary of State and the Secretary of the Interior should cooperate with such international organizations as the Survival Service Commission of the International Union for the Conservation of Nature and Natural Resources, the World Wildlife Fund, the International Council for Bird Preservation, the Fauna Preservation Society, the Food and Agricultural Organization of the United Nations, and the United Nations Educational, Scientific, and Cultural Organization in developing an agenda which includes:
>
> (a) Action by each country to control international trade in wildlife and its products, especially rare or endangered species,
>
> (b) Studies by the developed and developing countries to determine how wildlife conservation and management in the latter can increase their production of food, make optimum use of marginal lands, and increase tourist revenues, and
>
> (c) Assistance by developed countries to developing countries, either unilaterally or multilaterally through the United Nations or other international agencies, to establish or improve training schools for wildlife and conservation specialists, to establish conservation departments in the developing countries, to prepare model wildlife conservation laws and regulations, and to carry out needed world conservation programs.
>
> SEC. 4. As used herein, the term "wildlife" means wild mammals, wild birds, reptiles, amphibians, fish, mollusks, crustacea, and all other classes of wild animals.

DEVELOPMENT OF GIANT RETAILING ENTERPRISE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, one of the most striking changes in our economy in the years since World War I has been the development of giant retailing enterprises. In the early decades of the century, it seemed possible that the producing units by their very size would come to dominate the whole of their particular fields. It was this fear, for example, that led to the antitrust proceeding against the major packers in 1920 and the entry of the consent decree that barred them from broadening their activities and becoming masters of the entire process of food distribution. Since the entry of that decree, however, the picture has changed. For a variety of reasons the small merchant has tended to disappear and be replaced by the great retail chains—selling food and drugs and even operating department stores in large groups. The pressures once exerted by the producer on the retailer are now exerted by the retailer on his producer-supplier. We hear a great deal of talk about protecting the consumer. Our laws can do this if fairly applied.

With all these changes, we remain devoted to the principle of keeping economic power as fairly distributed as possible and of preventing the growth of monopoly. We did not want the producers to devour the retailers over a generation ago; and we do not want the producers devoured by the retailers now.

On the surface there may appear to be some advantages in having an economy integrated from the field to the store counter, but they are more than offset by the dangers of having economic power held and exercised by a few hands. The concentration of such power is contrary to our traditional view of what is desirable in our society generally. This has been both in theory and fact a social and economic order with many competing powers. Our aim in much of our legislation has been to maintain those delicate balances which insure a relatively large degree of independence and personal freedom within our already highly organized society. The antitrust laws, of course, have been well-recognized legislation of this sort. They have been useful and have served well over the years. In the present circumstances, where producers and processors, especially of food, seem about to be overborne by the retail distributors, and the threat of an agricultural economy integrated and managed by a few retail chains has become very real, some changes in the antitrust laws may be called for.

I am, accordingly, introducing two bills today. One is an amendment to the antitrust laws, the text of which follows:

> Chapter 1 of title 15 is amended by adding a new section to be numbered section 14(a) and to read as follows:
>
> "Sec. 14. (a) It shall be unlawful for any person to market a commodity which has moved in commerce and is supplied him by more than one producer in such a way as to injure any such producer, either by discriminating between such producers in the pricing of their commodity for resale, or in any other way, where the effect of such discrimination may be substantially to lessen competition between producers of such commodity or to eliminate one or more of the producers of such commodity; provided that nothing herein contained shall prevent differentials in prices which make only due allowance for differences in the delivered costs of the commodity supplied by different producers.
>
> "For the purpose of this section, a person shall be deemed to have been supplied the commodity by two or more producers when he engages in the sale of a commodity produced by him, either directly or indirectly, and such commodity is supplied him by any other producer; and where such a person is a producer and supplies himself, the cost of such commodity supplied himself shall include a reasonable markup over the delivered cost of the commodity."

The other is an amendment to the Lanham Act regulating trademarks, the text of which follows:

> Section 1064 is amended by changing the period at the end of subsection (d) to a semicolon; by adding the word "or" immediately thereafter; and by adding a new subsection (e) to read as follows:
>
> "(e) Or at any time upon a finding that the mark has been, or is being, used to violate the antitrust laws of the United States."
>
> Section 1064 of title 15 is further amended by amending the proviso clause to read as follows: "*Provided*, That the Federal Trade Commission may apply to cancel on the grounds specified in subsections (c), (d), and (e) of this section any mark registered on the principal register established by this chapter and the prescribed fee shall not be required."

Mr. Speaker, taken together these amendments should, in my opinion, offer effective protection to many producers and processors whose independence has been increasingly threatened by the growing power of the great retail distributors.

The amendment to the antitrust laws would make it unlawful for a person marketing a product supplied from a number of sources to market it in such a way as to discriminate between the various suppliers in the pricing of the product for resale, or in any other way, with the effect of destroying the market position of the individual suppliers and eventually their economic independence.

The amendment to the Lanham Act would make the use of a trademark in conjunction with other marketing practices which tend to create a restraint of trade or constitute an unfair method of competition a ground for its cancellation. The act presently provides that a defendant in an action for infringement may defend by showing that the mark has been, or is being, used to violate the antitrust laws. The proposed amendment would be more effective, I believe, than this provision in deterring the owners of important and valuable trademarks from engaging in violations of the antitrust laws. Section 14 already provides for cancellation in certain circumstances so the remedy proposed by my amendment is in accordance with tradition in this area of the law.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may be permitted to extend their remarks in the body of the Record following the special order of the gentleman from Rhode Island [Mr. Fogarty].

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

TWENTY-FIFTH ANNIVERSARY OF SOVIET OCCUPATION OF THE BALTIC NATIONS

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Nedzi] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. NEDZI. Mr. Speaker, I welcome this opportunity to join my colleagues in observing and discussing the 25th anniversary of the illegal seizure of the Baltic nations by the Soviet Union.

Mass deportations, suppression of basic rights, and Russification has been imposed on the peoples of Lithuania, Estonia, and Latvia. And yet, regrettably, large segments of the world are unaware that this has even taken place. Indifference to their plight extends to much of the free world. Thus, they are forgotten people to too many.

Nevertheless, they refuse to be made over in a single generation, or in several generations. Despite enormous handicaps, sparks of culture, language and religion are maintained. Americans of Baltic background, and the U.S. Congress itself, are helping to preserve the sparks. In this, we find some comfort in the historical fact that roots of nationalism run deep, and that dedicated peoples can rise again after decades and centuries of suppression.

Regardless of the sober realities which shown no change in the Baltic States from year to year, we must continue to speak for the right of self-determination there as well as in Eastern Europe and, indeed, in the world. We must help inform the world that alien rule has been imposed on independent people.

This is more than practical politics, or good politics. It is a matter of international morality and law.

Some would seemingly prefer to forget this brutal example of Soviet colonial policy. Some would like to forget about it, or to ignore it, perhaps out of a feeling that "we should not be beastly" to the Russians, perhaps out of a feeling that the Baltic nations are irreversibly lost.

I believe we can reject both the view of violent liberation and the view of political realism that holds that Soviet Russia's old conquests should be accepted as irrevocable and no longer worthy of discussion.

Admittedly, the conditions of change which are from time to time emerging in Eastern Europe cannot easily penetrate the Baltic nations. Estonia, Latvia, and Lithuania have been absorbed by Russia, unlike their Polish neighbors, for example.

I do not feel it is our prerogative to ever dice away the hopes of human beings for freedom. While we can negotiate with Russia, while we can and should reduce tensions, there is no need to acknowledge the irrevocability of her occupation.

We can pursue our national policy of independence for all nations by enlarging our contacts with the people of Eastern Europe—almost all of whom are attracted to the West, and by refusing to forget that there are captive nations.

Moreover, it would be inconsistent, to say the least, to call for self-determination in Asia and Africa and ignore self-determination for East Europeans who have often demonstrated a far greater capacity for self-rule. In other words, one's espousal of freedom should not vary inversely with the indecency and power of the captors.

We can preserve memories and lend encouragement until that day when all nations will be free nations. I am glad to participate in this observance and in this cause.

RECOMMENDATIONS TO XIV CONFERENCE OF INTER-AMERICAN BAR ASSOCIATION

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Puerto Rico [Mr. Polanco-Abreu] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, the Inter-American Bar Association during the period of May 22–29, 1965, held its XIV Conference at San Juan, P.R. In this connection, the Inter-American Bar Association, which is celebrating its 25th anniversary, was honored by House Concurrent Resolution 349 of the current Congress, which resolution welcomed the association and wished it outstanding success in accomplishing its purposes.

Our distinguished colleague, Mr. Claude Pepper, represented the Third District of Florida, is an outstanding lawyer and a member of the Inter-American Bar Association.

A magnificent address, which our colleague prepared for delivery at the Inter-American Bar Conference, has recently come to my attention. It urges the conference to establish a committee to make studies and recommendations as to how the Organization of American States might effectively, on the part of the free American nations, meet the threat of Communist military and subversive aggression. The wisdom of our colleague's recommendations to the conference is so apparent, and his message is so eloquently set forth that I bring them to the attention of all of our colleagues and give them the widest possible distribution.

The Honorable Presiding Officer, gracious host, and members of the Inter-American Bar Conference meeting in San Juan, you will please accept my profound regret that the pendency of the foreign aid bill before the House of Representatives Monday and Tuesday and other important legislative matters coming thereafter prevent Mrs. Pepper and me from being with you as we had so keenly anticipated.

The gracious hospitality of the host members of the Inter-American Bar Conference of Puerto Rico and the importance of the issues confronting the free nations of the Western Hemisphere at this time assure that this will be a delightful and at the same time a challenging conference of the Inter-American Bar Association.

All of us recall with a thrill the letter which the great patriot and liberator, Simon Bolivar, in 1815 wrote to an Englishman in Jamaica of his dream for the Americas:

"How beautiful it would be for the Isthmus of Panama to be for our nations what the Corinthian Isthmus was for the Greeks. Would to God that some day we might enjoy the happiness of having there an august congress of representatives of the republics, kingdoms, and empires of America to deal with the high interests of peace and of war with the nations of the other three parts of the world."

Simon Bolivar realized part of his dream when he convened the first Pan American Conference in 1824. This noble Bolivar dream became a more meaningful reality when a permanent inter-American organization was established in 1890 in Washington. Since 1890 the Organization of American States has become one of the great institutions of the world through 13 inter-American conferences and many less formal assemblies. The Organization of American States has become the voice of the free American nations bound together in fraternal accord and by sense of common interest and destiny, standing indissolubly together against any threat to their security and to their freedom. We are helping one another to make life healthier and richer and happier for all of our people. We now know if we continue to work together and to stand firmly together against those sinister forces who would rob us both of our freedom and of a chance to realize our high hope, that the ancient dream of the good life shall become the common enjoyment of all free Americans.

Yet today, as we stand upon the threshold of our greatest victories of human ills and limitations and danger to our security, we face our greatest danger to our liberties in the fullness of our lives. This danger is of the same character as that which threatened the restoration of foreign tyranny over the liberated American states who achieved their freedom under the great Bolivar. But it takes a more subtle and a more sinister form today. External threats to overthrow the liberated American states could be resisted solely by navies and armies arresting the penetration of foreign military forces. Such defenses, while still effective against similar aggression, are no longer adequate to meet the subtle forms of Communist invasion by subversion which we have to face today. So the immediate and pressing challenge to all the free nations of the Americas at this hour is for the free American states to form the kind of a unity, an organization with all the necessary organs and entities required to resist military and subversive aggression.

This is a common problem for all the free nations of the Americas—not for any one state—for a threat to any American state is, of course, a grave danger to all and we must indeed stand together or risk falling separately.

Therefore, to this great organization of the members of the bar of the free American states, may I, as one of your members, urge you as leaders of the free Americas to set up a committee, if one does not exist, at this great conference to make an immediate study and recommendations as to how the Organization of American States may be strengthened so that it shall effectively meet the dangerous challenge of Communist military and subversive aggression with a common unity, a common effort, and a common purpose. Out of such a study may I respectfully suggest that you consider recommending the following:

1. An early Inter-American conference to discuss any necessary reorganization of the Organization of American States and any necessary amendments to the charter;

2. That the Organization of American States shall have a continuing Council which will be a constant organ of consultation and recommendations for necessary or desired action of the member states in respect to all matters pertaining to the progress and the security of such states; and such Council shall be the instrument of the Organization of American States for the peaceful settlement of disputes between or among member states and in the direction of the peace-keeping forces of the Organization of American States wherever danger to a member state appears.

3. At least semiannually the Foreign Ministers of the member states shall meet to discuss the purpose and the interest of the member states;

4. An Inter-American Court of Justice for the peaceful judicial settlement of disputes between or among the American states;

5. And most importantly of all the creation of an adequate ever-ready military force to protect the free American states or any member or members thereof against any external danger to the state or states threatened, whatever form such external aggression may take.

I believe we all agree that the Organization of American States faces its most supreme crisis—either it shall rise to the challenge of this crucial moment and master the danger and thereby build the enduring foundation for the realization of our hopes and dreams as we work and struggle together, or we shall fall apart into frustration and failure, tragically losing all that Simon Bolivar, and everyone who has followed in his illustrious footsteps, for one and one-half centuries put into the building of the noble edifice of the free and prosperous American states.

You and I know it is primarily the lawyer who is the architect of political institutions—let us as lawyers, in this critical moment, lead the way to a grand design of the American states so that we may achieve that for which Bolivar prayed—the happiness of having an effective organization of the Republics of the Americas to deal with the high interests of peace and of war among ourselves and with other nations of the world.

TO CREATE A DEPARMENT OF URBAN AFFAIRS

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Helstoski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, I rise in wholehearted support of the proposal to create a Department of Urban Affairs, convinced that its passage will answer a legislative need for a majority of our citizens.

Historically, this great Nation once was agrarian in nature, but has developed to the point where the city has taken its place as the focal point of our society. This trend has been reflected throughout the Western civilization as well.

Today, the majority of Americans live in cities and their suburbs. We have heard estimates—and some say they are conservative—that by the year 2000 more than 80 percent of what will be a 350 million population will live in large metropolitan concentrations.

This migration to cities has not developed without creating unique problems. Action on the highest possible level of government must be taken now, not only for correction but also for prevention of new problems which will be caused by this continuing growth and change within our society.

This is a vital problem, because the health of American society is linked directly with the well-being and progress of our cities and suburbs and the people who live in them.

Today, many of our cities and suburbs are in trouble, or are fast approaching such a state. In many places the corporate body that is the city is growing old. It is not keeping pace economically with its people in many places and with the suburban areas it serves and nurtures. In many urban areas transportation, sewage and utility systems are old and obsolete; housing is ravaged by age. These conditions create a plant—the city—which by most business standards is often too old and too overworked to be worth maintaining at today's costs.

The expense of municipal services is rising at an alarming rate. Local taxes this year are running about 140 percent higher than they were 15 years ago in many urban areas. And they are continuing to rise, Mr. Speaker. The burden on local government to meet the need for additional services grows daily. There is no end in sight. The growing complexity of living demands more services and increased dependence by individuals upon their municipal corporations. They need more and better schools, highways, hospitals, sewerage and water facilities, more and better programs to house our urban population and improve our communities.

We must begin at once to give greater impetus to this program. We must solve the problem of how to help local communities, large and small, to meet their urgent needs today and to prevent even greater burdens which loom on the horizon.

The first step we must take is to create an executive department to represent our urban population. The voice of the city and suburdan dweller and the expression of his needs must be heard at Cabinet level, so his problems can be considered at the proper level of government.

The existing agency—the Housing and Home Finance Agency—was created 18 years ago tc coordinate two programs, the mortgage insurance program of the Federal Housing Administration and the program of Federal aid to local communities to provide public housing for low income families.

Since then, a vast new range of programs has been given to the Housing and Home Finance Agency to administer, for Congress has not failed altogether to recognize some of the problems of urbanization and has made provision to solve many of them. But it has ignored the pressing need for the best possible administration of some 40 Federal programs for community development that are now available to urban areas. We must take the reasonable and logical step toward more efficient administration of this complex program. We must establish a department, which because of the importance of its mission, will be heard in the highest councils of government.

The President has reminded us that we cannot define urbanization in terms of numbers alone. We are talking about more than geography and numbers—we are concerned with a way of life. We must remember that the social facts are as important and more so than the numerical definitions. These urban ways of living will be the subject of utmost concern to the new department that is proposed.

Let us not forget, however, that we are not dealing with the problems of the city dweller alone, but with the problems of American society itself.

Regretfully, this proposition has been before the Congress for the past 10 years, without positive result. During this decade of deliberation a new generation of slum-bred children has reached school age. The pollution of water sources and the tons of smog poured into the air has increased daily and threatens our lives. Clogged city streets and approaches and inadequate transportation facilities still plague the commuter and downtown shopper. Roadside slum towns, junkyards, and esthetic nightmares disgrace us and even raise some question of how civilized we really are in comparison to the barbarian—who built his house separate, apart from all others.

This new department certainly will not be able to answer all the questions or solve all the problems associated with urbanization, but it does offer a start. It can become the coordinating agency for the enormous growth of interest and knowledge that the President has urged us to continue and expand "as we painfully struggle to identify the ills, the dangers, and the cures for the American city."

This new department would provide the best possible administration for principal programs of the Federal Government, providing assistance in housing and in development of our communities. It would aid the President by maintaining maximum coordination of the numerous Federal activities which have a major effect upon urban, suburban, and metropolitan development. It would encourage solutions to problems of housing and other areas of development through State, county, municipal, or other local and private action, including promotion of regional, metropolitan, and interstate cooperation.

It would guarantee full and appropriate consideration at the national level of the needs and interests of the Nation's communities and the people who live and work in them.

The Secretary of Urban Affairs shall, among his responsibilities, advise the President with respect to Federal programs and activities relating to housing and urban development; develop and recommend to the President policies to foster the orderly growth and development of the Nation's urban areas; exercise leadership at the direction of the President in coordinating Federal, State, and local urban development activities and conduct continuing comprehensive studies and make available findings with respect to the problems of housing and urban development. These are responsibilities which must be assigned and carried out at once.

Mr. Speaker, I urge my colleagues to add their support to this proposal so that we may start a new, coordinated effort to improve our cities.

LEGISLATION TO INCREASE FEDERAL ACTIVITY IN DEALING WITH WORLD POPULATION EXPLOSION

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, today I am introducing legislation designed to increase Federal activity in dealing with the complicated issue of the world population explosion.

This legislation was initially sponsored by two of our Democratic colleagues—the gentleman from Michigan, PAUL H. TODD, and the gentleman from Arizona, MORRIS K. UDALL. I am anxious to join with them in submitting this important measure.

In his state of the Union address, the President promised "to seek new ways to use our knowledge to help deal with the explosion in world population." The legislation introduced originally by Congressmen TODD and UDALL is intended to help implement that pledge.

My bill is designed to establish two new Assistant Secretaries in the Department of Health, Education, and Welfare, to coordinate information and activities of Federal agencies in fields pertaining to the population explosion. It would also authorize President Johnson to establish a White House Conference on Population Problems which would assist in bringing this critical issue before the public, and would promote informed and expert discussion of population problems. The measure is also designed to generate intense research programs.

It should be clear to all who have investigated the population problem that we are living with a time bomb. If present rates of population growth are not checked, the next 35 years will see world population doubled, and that figure will double itself again in less than another 30 years. By the year 2000, the United State will probably be subject to an increase of 150 million people. Facts which dramatize the serious threat of the population explosion are not hard to find. What will be hard, however, is the search for viable and effective solutions to that threat. That search must begin now, and it must begin with the resources of the Federal Government dedicated to a program of research and discussion. The measures introduced by Congressmen TODD and UDALL represent an important step forward. I am happy to join them in urging such action.

POVERTY FIGHT ROLE APPROVED BY LUTHERANS

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MOELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MOELLER. Mr. Speaker, on June 4, the Washington Star carried an account of the meeting of the Lutheran Maryland Synod. I ask unanimous consent to have inserted, immediately after my remarks, the article entitled "Poverty Fight Role Approved by Lutherans."

It has been most encouraging to see the enthusiastic participation of individuals and organizations in this fight to eliminate poverty. Church groups have been outstanding in their efforts. Even before the Economic Opportunity Act came into existence, the National Council of Churches had issued materials and directives in this field. Based on a consultation held in January 1962, this organization published a report on the problem of poverty entitled "The Churches and Persistent Pockets of Poverty in the U.S.A." Based on a later consultation in January 1964, this on the Church and youth employment, the National Council of Churches published "Jobs for Youth—A Concern of the Churches Today and Tomorrow."

Since the declaration of war by President Johnson, religious groups have endeavored through magazines and periodicals and booklets to arouse the conscience of their members. The United Church of Christ has recently put out a booklet on "The Church and Poverty." The Methodist magazine Concern devoted its May issue to "The Attack on Poverty." The other faiths have been just as active in making members aware of the need for participation. The National Catholic Coordinating Committee of the National Catholic Community Service has a publication "The War on Poverty: a Handbook." The Council of Jewish Federations and Welfare Funds, Inc. is putting out a series of reports on the participation of the Jewish Community in the war on poverty entitled "Progress Versus Poverty." The Union of American Hebrew Congregations through its Commission of Social Action of Reform Judaism will shortly publish a book on poverty—"There Shall Be No Poor."

Activities of religious groups, resultant from their great interest as well as through incentive from publications and meetings, have been most inspiring. The National Council of Catholic Women, the National Council of Jewish Women, United Church Women, and the National Council of Negro Women are working together in a newly organized group known as WICS (Women in Community Service). This group is assisting the Women's Job Corps in finding young women who want and need the Job Corps program. Through local chapters, they talk with these girls, encourage them to apply, interview and screen them, as well as assist them in various other ways.

Other groups have been set up through the cooperation of two or more faiths. The Michigan Migrant Opportunity, Inc., was organized by the Michigan Council of Churches and the Michigan Catholic Conference and has received a grant from the Office of Economic Opportunity to assist in their work with migrants. Religious leaders from the Jewish, Catholic, and Protestant faiths held a conference in March to discuss their participation in the VISTA program.

All of the activities are, of course, too many to even begin to talk about. There are the archdiocesan and diocesan conferences held by the Catholic Church with representatives of local organizations to plan how they can be more effective in the antipoverty program. The Jewish Vocational Service in Miami has submitted a program for job training and retraining, as well as vocational upgrading service, to both in- and outpatients of the South Florida State Hospital. The Jewish Vocational Service in St. Paul has submitted a proposal for work training program for unemployed youth. The Arizona Council of Churches and the North Carolina Council of Churches have received grants to carry on their work with the migrants. A unified field plan of the churches against poverty has been put into action by the National Council of Churches and its constituent denominations.

Added now to this impressive record of religious support for the crusade against poverty is the resolution adopted by the Lutheran Maryland Synod. It encourages its members to participate in government-sponsored programs against poverty, through its statement that "where feasible, synod's congregations, agencies, and combinations thereof, institute proposals and engage both urgency and discretion in approved programs, government-sponsored or other, for the alleviation of social and economic ills of people due to or related to poverty."

Through this innovation, this unprecedented action, the synod recognizes the appropriateness of such participation while, at the same time, maintaining the principle of separation of church and state.

The article from the Washington Star follows:

[From the Washington Star]

The Lutheran Maryland Synod yesterday approved a resolution permitting its congregations and agencies to participate in Government-sponsored programs against poverty.

The action, unprecedented in the history of the synod, declared that "where feasible, synod's congregations [sic], agencies, and combinations thereof, institute proposals and engage both urgency and discretion in approved programs, government-sponsored or other, for the alleviation of social and economic ills of people due to or related to poverty."

In the past, Lutherans have been exceedingly strict against any acceptance of money for government programs, Federal or other, as constituting a breach of the "separation of church and state concept."

The Reverend Obed Lundeen, pastor of Augustana Lutheran Church, in Washington, in proposing the resolution asserted "the church cannot be blind to the poverty in our land today. This church must be relevant and speak to the needs of man."

Claiming the Lutheran Church in America, to which the Maryland synod belongs, has affirmed "a separation of church and state doctrine that is not absolute," Mr. Lundeen insisted "the church should be free to act with the government and with government-sponsored programs."

One speaker, the Reverend Dixon Yaste, of Trinity Lutheran Church, Reistertown, Md., opposed the "entire idea of government-funded programs. To accept this new means the church is ready to get on the bandwagon (of obtaining funds)."

An amendment to strike out the phrase "government sponsored or other" was overwhelmingly defeated.

The more than 400 ministerial and lay delegates, representing 176 congregations having more than 118,000 members in Maryland, Delaware, and the District of Columbia, also approved a budget of nearly $1.5 million for the coming year.

Among the allocations were $70,000 for the National Lutheran Home for the Aged in Washington, $65,000 for the Gettysburg Theological Seminary, $50,000 for Gettysburg College, $12,500 for the Lutheran Inner Mission Society of Washington, and $12,000 for the Lutheran Student Foundation of Maryland and the District of Columbia.

A far-reaching program of cooperation by eight Lutheran churches of downtown Washington, to start this month, was announced at the meeting. Congregations involved in the proposed Cooperative Lutheran Parish of Washington are Reformation, Luther Place Memorial, Augustana, St. Peter's, Our Redeemer, Holy Comforter, St. Mark's-incarnation, and Keller Memorial Lutheran Churches.

The Reverend Daniel Pierotti, of Chicago, will head the program aimed at making the work of these congregations more effective, since together they can undertake ventures impossible for any single congregation to contemplate.

Dr. Robert E. Van Deusen, Washington secretary of the Division of Public Relations, National Lutheran Council, was elected a delegate of the Maryland synod to the national convention of the Lutheran Church in America in June 1966 at Kansas City, Mo. Charles De Vries, of St. John's Lutheran Church, Rockville, was chosen as an alternate delegate.

Dr. J. Frank Fife, of Baltimore, president of the Maryland synod, presided at the 3-day meeting, which closed yesterday, in Gettysburg Lutheran Seminary here.

MARINE IS AMAZED—QUESTIONS APPARENT LACK OF FLAG WAVING

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. William D. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, I would like to call attention to a letter which appeared June 9 in the Wayne Eagle, a weekly newspaper published in the 15th Congressional District, which I have the honor to represent. The letter, written by a Sgt. Tony Cavarno, of the U.S. Marine Corps, describes his amazement and dismay at the few flags which were displayed on private homes last Memorial Day. I think that all Americans can take inspiration from the patriotism of this American boy.

Marine Is Amazed—Questions Apparent Lack of Flag Waving

(By Sgt. Tony Cavarno, U.S. Marine Corps)

My children and I went outside of our home at 853 Carlson early in the morning of Memorial Day to raise our American flag. A few seconds later our neighbor raised their flag.

Suddenly, my 7-year-old son asked me where everyone else's flags were as he could not see any other flag proudly fluttering in the slight morning breeze.

I answered that I was sure many more would be put up in a little while.

Later that morning I had cause to drive from one place to another in the Wayne area and became increasingly aware of how few flags were being displayed by private citizens.

Could this be the case in other areas also, I wondered?

Curiosity finally got the better of me. I took a drive up and down some of the streets in Nankin Township, Wayne, and the Garden City areas to see if this really was the case throughout the general area.

Much to my amazement it was.

Having satisfied myself on this point, I found myself confronted with yet another question. Why? Why were so few flags being displayed by private homes on such an important national holiday?

A few answers flashed through my mind. Maybe the cost of purchasing a flag was too high. Maybe the people just didn't care anymore. Or could it be that patriotism and "flag waving" had become a dim spark in our American way of life? If these were not the answers, what was it then?

When one can purchase a flag complete with flagpole and mounting bracket for a little more than the cost of a carton of cigarettes, I found it hard to believe that the cost would be considered too high.

I hesitated to think that Americans just don't care anymore or feel that it just isn't important particularly when many of them have had fathers, sons, brothers, nephews, cousins or just plain friends who have died fighting for this country and what it stands for. I dispelled the thought that patriotism and taking pride in owning and displaying our beautiful flag was going out of style in our wonderful country.

True there are several things happening in this country of ours that we cannot take too much pride in, but on the whole it is a country of which every American should be proud, and of its symbol, Old Glory.

Why do we spend many hours, many dollars, incurring aching backs and arms, and blistered hands in trying to make our yards, recreation rooms and homes in general a nice place to live in and to look at? I believe it is because we take pride in our possessions.

To own and display our national flag enriches any home from within as well as out, and says of the home displaying it "America is my home and of this I am proud."

I am a recruiting sergeant for the U.S. Marine Corps in this area and like to remind residents our recruiting office has a beautiful booklet entitled "Our Flag" which is free.

I am sure schools, civic organizations and private citizens would be enlightened by this colorful booklet as it tells the history, growth, customs and proper ways to display the flag.

A postcard to the address below asking for the free booklet is all that would be needed, U.S. Marine Corps' Recruiting Office, Federal Building, Wayne 48184. Or call PA 2-9500.

I am proud to be one of the few who can be a U.S. Marine and equally as proud and fortunate to be an American, and the concern I feel for the lack of display of our national colors by private citizens on holidays stems from these reasons and not because I own or have any interest in a flag manufacturing concern, which I do not.

With the coming of Flag Day, on June 14, and the 4th of July, let us hope more Americans will display our flag with pride in our past, and hope along with a prayer for the future.

As Henry Ward Beecher once said: "A thoughtful mind, when it sees a nation's flag, sees not the flag, but the nation itself. And whatever may be its symbol, its insignia, he reads chiefly in the flag, the government, the principals, the truths, the history that belongs to the nation that sets it forth. The American flag has been a symbol of liberty and men rejoiced in it."

EXTENSION AND IMPROVEMENT OF IMPACTED AREA LEGISLATION

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. William D. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, on May 18, the General Subcommittee on Education, of which I am a member, initiated hearings on a number of legislative proposals with respect to the extension and improvement of the so-called impacted area legislation, Public Laws 815 and 874. During the course of these hearings, it has become increasingly obvious that there is a great need for expanding the provisions of this law to cover urgent school needs in disaster situations, to remove inequities occasioned by the lack of uniformity in eligibility requirements and in the denial of program benefits to school districts where there have been recent announcements of cessation of Federal activities.

H.R. 9022, which I introduced yesterday, would expand the provisions of Public Laws 815 and 874 to provide Federal assistance to public school systems in disaster areas. Under the provisions of this legislation, the Commissioner, upon finding of a need therefore by the Director of the Office of Emergency Planning, immediately could make available funds which have been previously appropriated in order to repair, restore, or rebuild public elementary and secondary schools seriously damaged by flood, drought, fire, hurricane, earthquake, storm, or other such catastrophe. In addition, this bill would authorize grants to local school districts affected by such disaster for current operating expenses of such schools on a reducing basis over a 5-year period in order to enable the affected school district to continue its educational program.

The bill specifically limits the amount of any Federal grant for school construction to the difference between the amount of funds reasonably available to the local educational agency from all other sources and the full cost of restoring or replacing the damaged facilities.

Under the provisions of the bill the local public educational agency would provide educational programs in which private school students could participate within the school attendance area if the operation of the private schools was impaired or disrupted due to the disaster, to the extent of such disruption or impairment.

The amount of any grant for operating expenses to local public educational agencies could not exceed the difference between the amount of funds reasonably available to such agencies from other sources and the cost of providing a level of education equal to that maintained in the schools during the last full year prior to the disaster including any reasonable costs for providing programs in which private school students also affected by the disaster, could participate.

The authority provided in this will provide funds immediately after a disaster and make it possible to resume normal school operations with a minimum of delay in areas affected by such catastrophes.

The source of funds to implement this disaster program would be regular appropriations, previously made, to carry out the purposes of Public Laws 815 and 874 and would enable the administering agency to request replacement of these funds through supplemental appropriations.

It would serve no purpose to elaborate fully on the consequences in many local areas of major disasters which have occurred in recent years because many Members of this body, who as representatives of these localities, are well aware of the suffering and great inconvenience occasioned by them. Briefly to recite some of these disasters, I will mention the earthquake damage in recent years to Montana, Alaska, and Seattle, Wash.—the expensive flood damage suffered within the last 12 months in Minnesota, Wisconsin, Iowa, Illinois, and Missouri. Many midwestern areas, including communities in my own congressional district, have suffered disasters by tornadoes. Schools seem to be primary targets for fire and other natural destructive phenomena.

In addition to the destruction of school buildings, these disasters—particularly the flooding, windstorms, and fire—destroy supplies, equipment, and teaching materials used in everyday instruction of students. In nearly all instances a school district affected by disaster has already established a budget and has no emergency funds available to put these facilities back into operation.

In addition to coping with disaster situations, the legislation that I have introduced would remedy inequitable situations created by the recent military base closing announcements in States where school districts were committed to the construction of facilities in anticipation of receiving grants under the school construction provisions of Public Law 815.

In addition, the legislation that I have sponsored would eliminate the inequitable requirement that large school districts must have at least 6 percent of the children in average daily attendance whose parents are federally employed. In the case of smaller communities the requirement is only 3 percent.

I am hopeful that immediate and favorable action can be taken on this legislation which will fulfill many unmet needs of our elementary and secondary schools.

BILL TO PERMIT FREE USE OF MAILS FOR REPORTING CERTAIN INFORMATION ON INTEREST AND DIVIDENDS TO TREASURY DEPARTMENT

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Pool] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. POOL. Mr. Speaker, the Federal Government requires, under a 1962 amendment of the Internal Revenue Act, thousands of form 1099 information returns to be mailed to individuals receiving $10 or more in interest or dividends. Unlike the individual taxpayer who spends a nickel sending in his tax return, the financial institutions and other corporations have to spend hundreds of thousands of dollars to send information to the Treasury Department in collection of taxes. This information benefits only the Treasury Department and must be sent at first class mail rates.

Unlike employers who send W-2 forms to the Government which may be sent in bulk, there is no employer or employee relationship between a depositor or saver and a bank or savings and loan. In other words, it has long been assumed that part of the responsibility of the employer is to withhold taxes and send W-2 forms to the Government as part of the employer-employee relationship.

Since the Treasury Department is the principal beneficiary of such information, and feeling they should pay the involved postage, I am today introducing a bill permitting the free use of mails for the sole purpose of informing the Treasury Department of the interest or dividends of $10 or more received by the depositor.

This bill requires the Treasury Department to pay the Postmaster General an amount equal to the postage for information returns as required under sections 6042, 6044, and 6049 of the Internal Revenue Code.

I would also like to point out that the actual postage is only a small part of the total cost of preparing these returns; computing the payments, filling in the forms, addressing the envelopes and sending them to the individuals with copies to the Treasury Department.

MASS TRANSIT IS A NATIONAL PROBLEM AND THE JOHNSON ADMINISTRATION INTENDS TO SOLVE THAT PROBLEM

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MULTER. Mr. Speaker, during the last Congress we enacted an urban mass transportation bill which was the beginning of the Johnson administration's attack on one of the most serious problems facing our Nation's cities.

That legislation, however, was only the beginning—the administration is acutely aware of the necessity for further action at the national level.

The following two articles appeared in the New York Journal-American on June 14, 1965, and are based upon a survey of mass transit problems in the current issue of Forbes magazine:

[From the New York Journal-American, June 14, 1965]

OVERHAUL FOR ALL U.S. TRANSPORT

The Journal-American presents these two important reports on the Nation's transportation crisis and the big city transit nightmare by special permission of Forbes magazine. The facts about the crisis and President Johnson's plans to deal with it and the big city transit mess are part of Forbes' current and extensive coverage:

A TEAM—NEXT A BLUEPRINT

President Johnson put together a team of top experts and directed them to draw a master blueprint for overhaul of the Nation's air, rail, maritime, and highway systems—and for modern rapid transit to cure the clogged and crumbling hearts of our big cities, New York in particular.

"This is the biggest thing we have on the back burner," the President is quoted as saying in a comprehensive article outlining goals in the current issue of Forbes magazine.

Heading the President's team is Commerce Secretary John T. Connor, assisted by Alan S. Boyd, former Civil Aeronautics Board Chairman recently named "transportation czar" as Under Secretary of Commerce for Transportation, and Lee C. White, assistant White House legal counsel serving as liaison between the President and the team.

Other members include Gen. William F. McKee, successor to Mr. Boyd as CAB Chairman; Maritime Administrator Nicholas Johnson, John C. Kohl, University of Michigan professor and authority on mass transit; Budget Director Charles L. Schultze, who worked on President Kennedy's transport legislation, and Arthur M. Okun, member of the Council of Economic Advisers.

Forbes calls the team "the most impressive group of men ever assembled in Washington to deal with transportation, none political appointees, none party hacks."

While opposing nationalization of any transit facilities, the President "makes no secret of the fact that he intends to represent the general public interest in transportation," the article states.

Slated for top priority handling in the program, according to Mr. Connor, are:

Keeping commuter services going.

Giving railroads more leeway in competing with their rivals.

Solving the labor problems that have crippled the U.S. merchant marine.

Financing the research and development for all forms of private enterprise transportation.

Secret report alarms experts

The magazine says a still-secret report by a Presidential task force on transportation headed by UCLA professor George Hilton has alarmed Mr. Johnson and his advisers and alerted them to two major dangers in the current transportation trend:

Spiraling transportation costs that threaten an inflationary trend with rising business expenses that add nothing to the intrinsic value of a product.

Gigantic traffic congestion, especially on the commuter level, that will offset gains made by the American people in increasing their leisure time.

"A crisis is already at hand for the 16 million people who live in the Greater New York area, stretching from Fairfield County, Conn., through 9 counties in New Jersey," the Forbes article states.

"Only the miserably overcrowded, crime-ridden subway systems and decrepit and nearly insolvent commuter railroads are preventing total collapse; the highways couldn't possibly solve the problem.

"But the subways are a drain—$35 million in the last fiscal year—on the city's empty purse. And of the four major commuter railroads, one is bankrupt, one is nearly so, a third is in the process of going into public ownership.

Traffic forcing factories out

"Eventually, public ownership for the whole system seems the only way out. The President and his aids agree that it is unfair to ask the railroads to continue to subsidize urban-suburban transportation.

"As things now stand, only those people who have to come into the city do so. Suburbanites are increasingly reluctant to come into the city to shop, because of the insane traffic problem; the stores have been forced to move out into the suburbs after them.

"What is true of New York's stores is also true of its factories. Loading and unloading have become a nightmare in New York traffic. One by one, the factories are moving out. The city is steadily losing factory employment.

"The Port of New York is losing business compared with other more efficient ports. For years the population of the city was decreasing. As things are going now, by 1970 New York no longer will be the biggest city in the Americas. The title may well go to Mexico City."

The article also cites New York's air travel headaches, explaining:

"Jets bring passengers from Los Angeles International Airport to John F. Kennedy International Airport, about 2,500 air miles in as little as 4½ hours; getting from Kennedy Airport to downtown Manhattan by cab in the rush hours may take as much as 2 hours.

"What good will it do to build a supersonic transport plane to cut 2 hours off the coast-to-coast run if the 2 hours will be lost in getting to and from the airport?"

Forbes says the President is committed to a major restructuring of transportation aimed at integrating national policy on mass transit to cope with the growing crisis.

"The bell that is tolling for New York will soon be tolling for at least a dozen other U.S. urban areas," the article states.

Forbes stressed that heretofore every Government office concerned with transportation has worked almost entirely for the interests of its particular mode—rails, roads, air or seaways.

The lobbyists—Public's second

And the powerful transport lobbies on Capitol Hill have worked zealously for legitimate private interests but not for the general public interests, it adds.

The magazine says the President's goal is to forge a strong Federal policy that will replace current "weakness and dispersion" that has fostered present conditions.

Pointing up Mr. Johnson's concern over the plight of the railroads, Forbes says:

"Quite clearly, President Johnson thinks that regulation has held back the railroads. So has public money lavished on highways and airports, the railroad's competitors."

The article cites as one of the first steps in the President's plan his proposal calling for some $500 million a year in new "user" taxes on the trucking, bus, and airline industries.

Stressing the President's determination to push his program to a successful conclusion, the magazine asserts:

"Anyone who thinks Johnson is merely putting up trial balloons or playing for urban votes is going to be surprised."

THE MESS IN THE CITIES

For Boston, Monday, December 30, 1963, was a preview of the 1970's. It was the day that Boston came to a stuttering halt. By 3:45 p.m., the central artery was clogged. By 4:45 p.m., not a car was moving in downtown Boston.

Not only were the outbound highways choked with traffic; the inbound highways soon became choked, too, because so many cars were attempting to get on the new southeast expressway that none could get off.

Not until 9 p.m., 5 hours and 15 minutes after the jam began, were the cars moving easily again.

The experience taught Boston a lesson: There's a limit to how many cars a city, any city, can stand.

If people are to come into a city from the suburbs, they cannot all come by car. Some other means of transportation must be provided for them.

Infuriated drivers started clamoring for a mass rapid-transit system, not to replace driving into Boston but to supplement.

Even a big gas and oil company, the Jenney Manufacturing Co., with about 650 outlets in New England, joined the cry. Robert M. Jenney, the president, ran full-page ads in the newspapers, showing Paul Revere stalled in traffic.

"Paul Revere," the ads proclaimed, "could make it only at midnight." Other ads depicted Boston as the "home of the bean, the cod, and the jam."

People thought Jenney was crazy, propagandizing for mass rapid transit. If fewer people commuted by car, wouldn't that hurt Jenney's business? they argued.

Jenney said no it wouldn't. People would still use cars for other purposes. What really would ruin his business, he said, would be the strangulation of Boston by car.

Less than a year later, the State legislature caved in. The legislature increased cigarette taxes by 2 cents and earmarked the money for a mass transit system.

A new agency was established to create such a system for Boston and 77 of its suburbs.

President Johnson is determined not to let the Boston nightmare become a commonplace in the 1970's.

Last year, he persuaded Congress to pass a mass-transit bill appropriating half a billion dollars to help cities build mass transit systems. In charge of the program is John Clayton Kohl, working under Dr. Robert C. Weaver, Chief of the Federal Housing and Home Financing Agency.

Rebuilding tab—$10 billion

Thirty cities already have applied to HHFA for seed capital to start mass transit cities. Another 370 have been in correspondence with HHFA.

"Right now," says Mr. Kohl, "we are on the threshold of new activities in mass transit, which could generate as much as $10 billion in investment in additional equipment and services in the next 10 years."

When President Johnson's transit advisers talk about mass transit, they are not talking about the kind of commuter lines that almost everywhere are going bankrupt—the New Haven Railroad, for example.

Nor are they talking about the kind of subway system New York City has, a horror that gets deeper into the red every year.

Nor are they talking about high-speed "corridor" railroads such as the projected Boston-Washington-New York project.

These, too, are on the administration's transportation agenda, and they are related, too, to urban congestion.

They are thinking, instead of a system like San Francisco is building—at a cost of $1 billion. When completed, this will be a 75-mile network of tracks radiating out from San Francisco and Oakland.

The trains will be driven by computers, eliminating the labor costs—and labor problems—that now plague the commuter lines and the subways.

A little utopia: speed, comfort

They will be air-conditioned and travel at a rate of 80 miles per hour.

Even counting stops at stations, they will carry a man to work at the rate of 50 miles per hour.

During the rush hours, a passenger will have to wait only a minute or two for a train. At each station, there will be a parking lot.

A man will be able to drive to his nearest station, board a train a minute or two later, and get to work in a twinkling—in comfort.

If Mr. Kohl's estimate that $10 billion may be invested in mass transit in the next 10 years is valid (and both he and his boss, Dr. Weaver, say it's a conservative estimate), this will prove a bonanza, for the companies which have been doing research and development on the problem, like Westinghouse Electric.

Mr. Kohl notes also that several aerospace companies have been coming into the mass transportation picture, including Boeing, Lockheed, North American and even tiny Aeronca.

Actually, mass transit will prove a boon to all U.S. industry. For no industry can operate efficiently with workers who have spent 3 hours getting to work. They're bushed before they get their work clothes on.

Even the airlines are very worried about the problem. So, interestingly enough, are the more thoughtful truckers.

"Good mass transit systems," says William A. Bresnahan, managing director of the American Trucking Association, "would help clear the way in and out of cities for trucks."

The railroads, of course, are even more vitally concerned. Some of the sickest railroads in the country are sick because they are being forced to carry commuters to work on antiquated equipment at a heavy loss.

Even the Chicago & North Western, which has made something of a success out of commuter hauling, is netting less than 1 percent on its commuter investment.

A more extreme case is the Erie-Lackawanna. If it were relieved of its commuter losses, it would probably be an acceptable merger partner for the Norfolk & Western—and the entire eastern merger pattern would evolve faster.

There is even more at stake than this.

The U.S. Bureau of Public Roads estimates that going to work by car costs the average driver up to 15 cents a mile, if he counts—as he should—depreciation on his car and tires. A good mass transit system can do the job at perhaps one-fourth the cost.

Things like this affect both the commuter's standard of living and the pressure on industry for higher wages.

Item: In Chicago, poverty program officials recently found that jobs were going begging on one side of town while willing jobhunters from the other side had no practical way of getting there.

Federal goal: aid, not control

The Johnson administration does not plan to put the Federal Government directly into the business of moving masses of people to work. This is the farthest thing from its thoughts.

Sad experience with the maritime problem has shown Washington that direct subsidies and direct controls only involve it in the whole wage-price mess.

Under the mass transit bill, local bodies will probably get capital grants, "demonstration" projects such as are already underway in San Francisco, Pittsburgh, and Philadelphia.

An outstanding candidate for help is the Long Island Railroad, which the State of New York is negotiating to buy and which offers possibilities for integration with the New York City subway system.

Basically, however, President Johnson feels Washington's job is to inspire, not simply to pump money in.

NEW YORK CITY IN CRISIS—PART XCVI

Mr. **WALKER** of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. **MULTER**. Mr. Speaker, the following article concerns the crime situation in New York City and appeared in the New York Herald Tribune on April 23, 1965.

The article is part of a series on "New York City in Crisis" and follows:

NEW YORK CITY IN CRISIS: 500 COPS ON OVERTIME FOR STREETS AT NIGHT

(By Edward J. Silberfarb)

Mayor Wagner's war on crime, which began in the subways 2 weeks ago, will move to the streets tonight with an emergency force of 500 uniformed police, working overtime on foot patrol.

The mayor revealed this as the first phase of a battle plan that also includes a permanent increase in the police force of 1,500 men, the release of another 564 able-bodied police from desk and laboratory jobs for crime fighting, and the addition of 175 radio cars for more intensive motor patrol.

In a special 15-minute television broadcast, his second this month on crime, the Mayor spelled out his plan to get more "men in blue—with gun, badge, and nightstick"—on the streets.

"I am determined that it shall be made as dangerous as possible for criminals to operate in New York City," he said. "New York must be made safe for New Yorkers. I am not going to rest until it is so."

He said the rising crime rate in New York is part of a national trend and, "the compelling fact is that there is fear in the hearts of our people, because of crime in the streets."

The mayor's statement came a day after Police Commissioner Michael J. Murphy had reported that major crime in the city had risen 1.7 percent for the first 3 months of this year over the same period last year. And it comes in the midst of a continuing uproar among residents, newspapers, city councilmen, and citizen groups over the city's crime rate.

In his first broadcast, April 5, the mayor dealt with crime in the subways and announced a plan to press into overtime service 1,000 city and 200 transit police. Of the total, 650 have been riding the subway trains and 350 patrolling the streets, all as a temporary measure until 800 more transit police can be recruited and trained.

Reporting on the results of this program, he said last night: "This has been successful beyond our hopes."

In the last 15 days, he said, there were 12 reported felonies in the subways as compared with 37 in a comparable period last month. And there were 42 arrests for misdemeanors as against 17 for a corresponding period last month.

Then, referring to the city's 6,000 miles of streets, 578 miles of river and ocean frontage, parks, skyscrapers, and apartment houses, he said:

"Policing this endless expanse, teeming with 8 million people in 87 communities, from the wide-open spaces of Staten Island to the canyonlike streets of lower Manhattan, is an undertaking of tremendous proportions."

The first point of his plan will put 500 uniformed men on foot patrol at night on an overtime basis, at the cost of $25,000 a day. Almost half of this force, as disclosed in Wednesday's Herald Tribune, will be drawn from the ranks of the detective division. The entire police force he said, will be mobilized, with each man giving a minimum of 2 days off a month to overtime duty.

These 500 will increase to 850 the number of overtime police patrolling the streets at night. These plus the 650 working overtime on the subways will bring the cost of overtime police patrol to $2,550,000 a month.

Point two of the mayor's plan will increase the total permanent quota for the police department by 1,500 men, to 28,228. The cost of the increase will be $12 million a year.

Commissioner Murphy, in his budget request last December, asked for money for 1,000 more police. In an interview following the broadcast, the mayor said his authorization for 1,500 more police includes the commissioner's request.

Commissioner Murphy could not say when all 1,500 will be mustered into service, but he gave a timetable that indicated the last 500 will begin training July 30. As the recruits take to the field, they will replace patrolmen on overtime.

The department's manning tables as of yesterday showed 26,121 police in service, or 607 below the present quota. To bring the department up to its new quota, Mayor Wagner vowed "to launch a major new recruitment drive."

And to strengthen further the army in blue on street patrol, the mayor announced he has authorized creation of 564 civilian positions in the police department to release that many able-bodied policemen for crime fighting. They had been doing the work of clerks, stenographers, fingerprint technicians, telephone dispatchers, telephone operators, and photographers. The price tag for this new civilian work force is $2,612,505 annually.

And lastly, Mr. Wagner said he will provide 175 new patrol cars, in addition to the 700 now on the streets, at a cost of $402,500, plus $75,000 more for two-way radios.

Of the new cars, 77 will patrol "newly established sectors through the city, cutting the size of present sectors for more intensive coverage." And the other 98 will roam through outlying residential areas such as North Bronx, East Queens, South Brooklyn, and Staten Island. These will be one-man motor patrols and will concentrate on bus routes. They will add 4 million miles of street patrol a year, he said.

NEW YORK CITY IN CRISIS—PART XCVII

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the poverty program's operation in New York and is part of the series on "New York City in Crisis" appearing in the New York Herald Tribune.

This article appeared in the Tribune on April 24, 1965, and follows:

NEW YORK CITY IN CRISIS: THREE-WAY TROUBLE—POVERTY PROBE, UNREST, WORKERS—HARYOU-ACT: AUDITING AHEAD

(By Barry Gottehrer and Alfonso Narvaez)

A team of Federal auditors has started the long-awaited probe of New York City's poverty program with special emphasis on Haryou-Act, the controversial Harlem project, the Herald Tribune learned yesterday.

Representatives of three Federal agencies—the Office of Economic Opportunity and the Departments of Labor and of Health, Education, and Welfare—have been quietly conducting surveys of the city's porverty program since midweek.

One of the auditors said the survey was to pinpoint possible problem areas and determine whether a full-scale audit—and complete investigation of the books and financial records—was warranted.

The Federal representatives refused to comment on their findings. One said that reports will be made to the proper Federal authorities "probably within the next 2 weeks."

Though the investigation was described yesterday as routine procedure and the first of a series of nationwide surveys, it is understood that Federal officials have been particularly interested in taking a look into the books of Haryou-Act.

After completing his survey in the offices of the city's antipoverty operations board yesterday, an Office of Economic Opportunity official said, "This is not part of any investigation and does not bear on the headlines that have appeared."

Asked if the "preliminary survey" of Haryou-Act might not lead to a full-scale investigation in the near future, an investigator smiled and said, "What do you think?"

Reports that this Federal investigation would take place were first reported in the Herald Tribune early last month.

Haryou-Act, which has been beset by internal conflict and external criticism since its formation last June, has been the target of increasing rumors and attacks during the last 2 months, from charges of padded payrolls.

The rumors have ranged from rolls and conflicts of interest, to questionable progress and reports that the entire project is controlled by Representative ADAM CLAYTON POWELL, the Harlem Congressman.

Both Representative POWELL and Livingston Wingate, executive director of Haryou-Act and a former aid to the Congressman, have denied these charges.

Mr. Wingate confirmed yesterday that an auditor had visited Haryou-Act Thursday but said he had not talked with him.

As chairman of the House Education and Labor Subcommittee, which is now studying possible changes in the Federal antipoverty act, Representative POWELL has bitterly opposed Mayor Wagner's plan to set up a private, city-controlled corporation to place New York City's poverty program all under one umbrella—Mayor Wagner's.

According to the Harlem Congressman, this would violate the Federal definition of community-action calling for the "maximum feasible participation" of the indigenous population in staffing, running, and programing the programs.

Representative POWELL has called on the Controller General's office to determine whether it is a violation and, if so, cut off $16 million in Federal funds the city has requested.

Though the Controller General's office is still studying the Congressman's charges, the Office of Economic Opportunity reportedly does not feel the corporation would violate the act.

A spokesman for the Federal poverty office said yesterday that the city's request—$1.5 million of which is slated for Haryou-Act—is "in the final stages of review" and the OEO is waiting for the city to set up the corporation.

City hall officials expect to have completed selection of the 6 community leaders for the corporation's board (the 11 others would be city officials) by the weekend and file the necessary papers of incorporation some time next week. To become a reality, the corporation must be approved by both legislature and Governor Rockefeller.

Earlier in the week, New York's two Senators both said they were interested in getting to the facts behind the rumors clouding the city's poverty program.

Senator JACOB JAVITS has called for an investigation by the minority staff of the Senate Education and Public Welfare Committee.

Senator ROBERT KENNEDY would not comment on the controversy but an aid said that their office was already conducting an investigation.

FIRST CONFERENCE OF FREE ASIAN AND AFRICAN NATIONS

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. POWELL. Mr. Speaker, in April 1955, the first conference of free Asian and African nations was held in Bandung, Indonesia.

It was my privilege then to be able to attend this historical and precedent-shattering conclave, not only as the sole member of any parliament in the Western world, but as an American and person of African descent. The House of Representatives in a generous gesture passed H.R. 239 commending me for my "statesmanship, patriotism, and forthright courage" at the Conference: One June 29 this year—10 years later—the same group of nations plan a second conference in Algiers, Algeria. While the comparable international amity, spirit of world brotherhood and feeling of common identity with past indignities of colonialism which prevailed at Bandung in 1955 are unfortunately absent today among these great nations, there is abundant evidence of human progress.

In 1955, there were 29 free Asian and African nations in attendance at the Bandung Conference. Today, there are 52 free Asian and African nations. Furthermore, the Afro-Asian bloc in the United Nations wields great influence and power in the cause of world peace.

As a personal aside, I was only a member of the House Education and Labor Committee in 1955. Today I am its Chairman. It is this fact with its attendant responsibilities for seven major pieces of legislation that prevents my attendance at Bandung II on June 29.

However, I am pleased to offer for the RECORD a preliminary record on Bandung II prepared by Dr. Homer A. Jack, former Associate Director of the American Committee on Africa and presently director of the Unitarian Universalist Association. A distinguished Unitarian minister, Dr. Jack is a well-known journalist and author who has acquired both a sympathetic and profound understanding of the problems of color at home and abroad. This report objectively outlines the issues in the conference at Algiers.

I also take this opportunity to extend to the delegates and participating nations my sincere best wishes for a meaningful and significant conference.

BANDUNG II: THE ASIAN-AFRICAN CONFERENCE IN ALGERIA

A PRELIMINARY REPORT

(By Dr. Homer A. Jack)

(NOTE.—Dr. Jack, director of the Department of Social Responsibility of the Unitarian Universalist Association, attended Bandung I as a journalist and the Belgrade and Cairo Conferences as an official observer.)

Two of the most important political events held since World War II were the Asian-African Conference at Bandung, Indonesia, in April, 1955, and the Conferences of the Heads of State of nonalined countries at

Belgrade in September 1961, and at Cairo in October 1964. The first gave dignity to the Asian-African world, consolidated the independence of the new Asian States, stimulated the independence of the African states, and helped establish the Asian-African group at the U.N. The Belgrade Conference gave substance to the concept of nonalinement and cemented a working relationship of nonalined states in the U.N. and elsewhere.

A year after the Bandung Conference was held, efforts were begun to call a second meeting. None developed until a preparatory meeting for Bandung II was held in Djarkarta, Indonesia, in April, 1964. This meeting agreed to hold a second conference in March, 1965, somewhere on the African continent. At the meeting of the Organization of African Unity in Cairo in August 1964, it was agreed to hold the second Asian-African Conference in Algeria. This was scheduled for March 10, then postponed until June 29.

PREPARATORY CONFERENCE

The Preparatory Conference for Bandung II was held in Djarkarta, Indonesia, from April 10 to 15, 1964. It was called upon the invitation of Dr. Subandrio, Deputy First Prime Minister of Foreign Affairs of Indonesia. Dr. Subandrio was elected chairman. The conference was held on a ministerial level. It was officially entitled the Ministerial Meeting of Asian and African Countries. Twenty-two states were represented, including 17 which attended Bandung I (see table I).

President Sukarno of Indonesia—one of the few "alumni" of Bandung I present—in his inaugural address enunciated the principle of Asian-African solutions for the settlement of Asian-African problems. He stated that this principle has been accepted and that Asia and Africa are determined to solve their problems in their own way despite strong opposition from outside. The Asian-African countries, he felt, must consolidate their own gains and eliminate any inferiority complex inherited from the colonial past. Pakistan's foreign minister, Zulfikar Ali Bhutto, suggested that the Second Conference should chart the course for attaining the goals and aspirations that have still eluded Asian and African nations since Bandung. Chinese Vice Premier and Foreign Minister Chen Yi asserted that a second conference was welcomed because the Asian-African peoples wanted to strengthen their solidarity and continue their fight against imperialism and old and new colonialism. They should strengthen their unity and cooperation in opposing imperialist policies of aggression and war and in defending world peace.

While the preparatory conference agreed upon the necessity for holding a second meeting along the lines of Bandung I, there were differences of opinion as to the date. Some delegates wanted it to be held in 1964, but others felt that the diplomatic calendar was crowded, since some of the participants were committed to attend the Second Conference of Nonalined Countries in October 1964. Some wanted the conference to be held on the 10th anniversary of Bandung I—April 1965—but in the end the month of March 1965, was chosen. It was agreed to hold the conference in Africa, at a site chosen by the Organization of African Unity.

A permanent Preparatory Committee was set up on the ambassadorial level to work out details at the site of the conference. This committee consisted of Algeria, United Arab Republic, Morocco, Ghana, Guinea, Ethiopia, India, China, Cambodia, Pakistan, Indonesia, Tanzania, and Iran, with two additional countries to be added which recently gained their independence. Malawi and Zambia were subsequently named to complete the committee. The group held its first meeting in Algiers on October 20.

INVITATIONS AND EXCLUSIONS

One of the most important questions confronting the Preparatory Conference and Preparatory Committee was to decide the countries to be invited and those to be excluded. Five categories were adopted at Djarkarta to determine the list of invitees: (1), countries participating in the first Bandung Conference; (2), countries becoming independent since Bandung I; (3), countries independent prior to Bandung I but which, for some reason, were not invited at that time; (4), countries which will become independent between April 1964, and the time the conference is held; and (5), national governments and movements which are still involved in a struggle for independence.

The above criteria indicate that, in theory, any independent state or national liberation movement on the continents of Asia or Africa would be eligible to attend Bandung II. There will be, however, exceptions in 1965 as there were in 1955. The Republic of South Africa is anathema to all because of her apartheid. She will not be invited to Bandung II any more than she was to Bandung I. However, several antiapartheid movements will be present—as in Bandung I. Israel is unacceptable to the Arab League States and other Asian-African States will go along with this boycott and so Israel will not be invited in 1965 as she was not involved in 1955.

There are less universal attempts at exclusion. China (backed by Pakistan, Indonesia, and Guinea) doesn't want the U.S.S.R. to be invited, although much of the Soviet Union is technically on the Asian Continent. India and Ceylon suggested Soviet participation, although the Soviets were not part of Bandung I. India also suggested Malaysian participation which is bitterly opposed by Indonesia.

A subcommittee composed of heads of delegations from all African countries present (with Afghanistan and Indonesia later added) deliberated in Djarkarta on these problems of the admittance of China and Malaysia for many hours. Reportedly, it was agreed that decisions would be taken by mutual agreement (unanimity) and thus the Soviet Union was at least tentatively turned down at Djarkarta. The invitation to Malaysia was deferred until "obstacles which prevented consensus at this Conference have been eliminated." On May 29, Japan reportedly urged the admission of Malaysia, but indicated that she would not cosponsor any movement in behalf of Malaysia's admission. Also Japan indicated that she opposed invitations to the National Liberation Front of South Vietnam and to the Pathet Lao of Laos on the basis that both are rebel movements against governments with which she maintains diplomatic relations.

Subsequent to the Djarkarta meetings, it appeared that some of the African states did not want to invite the Congo (Leopoldville) so long as Moise Tshombe is premier. Indeed, some African states may not attend, especially members of the 13-nation Inter-Agrican and Malagasy Organization. This group includes at least the Ivory Coast, Senegal, Chad, Niger, Togo, Gabon, Malagasy, Upper Volta, Dahomey, and the Congo. At a meeting on May 26, they voted not to attend the meeting of the Organization of African Unity in Ghana in September. Significantly, the Cameroon, Mauritania, Central African Republic, and Congo (Brazzaville) were absent from this meeting. These last four are perhaps the more sure to attend the Algiers meetings from this Inter-African Organization.

Shortly after the Djarkarta meetings ended in April 1964, Chinese Deputy Premier Chen Yi made a public statement justifying the exclusion of the Soviet Union since it was neither an African nor an Asian country. In an official statement released on April 30, 1964, the Soviet Government severely criticized this Chinese action of isolating her from the Asian-African countries on the ground that the majority of its population are whites. Claiming that two-thirds of its territory lies in Asia, the Soviet statement asked: "If the Soviet Union is not an Asian country and China is, how can they have a common boundary over 7,000 kilometers long, and in what continent does that boundary lie?"

China in a 2,000-word statement on May 30, 1964, asserted that "since the Soviet Union is a European country, it of course should not take part in such an (Asian-African) Conference." The statement added: "This is a matter of principle and we abide by principle." The Chinese stated that "the relations between China and the Soviet Union were very good in 1955, but we did not on that account stand for its participation in the first Asian-African Conference." The Chinese statement concluded: "And our objection to its participation in the second Asian-African Conference is by no means because the relations between China and the Soviet Union are at present not so good."

In still another statement, the Soviet Union on August 14, 1964, accused "some countries" —meaning China—of "not stopping at the use of the most unscrupulous means down to speculations on racial motives, gross distortions of the position of the Soviet Union, and all kinds of insinuations against it." The Soviet statement indicated its Asian relationship, asserting that "no subterfuges and exaggerations in politics and geography will be able to move the Ural Range which divides Europe and Asia to the shores of the Pacific." The statement concluded by suggesting that the Soviet Union "took no initiative in raising the question of its participation" and "cannot allow the question of its invitation to be embarrassing for these other Afro-Asian countries" which raised the question of its participation.

On May 19, official invitations to attend Bandung II were sent to 64 countries. In the first 12 days, 37 affirmative replies had been received. It is expected that about 60 nations will be represented, many by their heads of state or government. Among the nations invited is the Congo (Léopoldville), although it is reported that Algeria will not permit Congolese Premier Moise Tshombe to enter the country. (Congolese President Joseph Kasavubu would be acceptable.) It was also reported that the foreign ministers meeting preceding the conference may decide to admit Latin American observers. At this meeting final decisions will be made about admitting the Soviet Union and Malaysia.

DELAYS

After the second conference of nonalined countries was held in Cairo in October 1964, there were rumors of the postponement of Bandung II or at least of a change in site—to perhaps Ethiopia, Kenya, or Ghana. In January 1965, there were reports from Algeria of a delay in convening the conference, due to bad weather preventing the completion of constructing the conference buildings. Subsequently the conference was officially postponed to late May. Then on February 8, Algeria announced a second postponement until June 29. It was reported that Egyptian engineers were aiding 4,000 Algerian laborers in completing a 1,000-seat hall and 65 identical, four-room, two-story villas at the beach resort, Club des Pins, 13 miles west of Algiers.

DASAWARSA

With the second conference due to convene after the 10th anniversary of Bandung I—April 1965—President Sukarno went through with his plan to hold a 10th anniversary celebration in Indonesia. This he labeled Dasawarsa. About 35 countries were represented, including such personalities as Premier Chou En-lai and Foreign Minister Chen Yi of China, Princess Ashraf of Iran, Food Minister Subramaniam of India, Foreign Minister Thanat Khoman of Thailand, Prince Sihanouk of Cambodia, and Premier Pham Van Dong of North Vietnam. The Thai Foreign Minister retreated after hearing anti-Western attacks. Private talks were held especially by the leaders of China, Indonesia, and North Vietnam.

One purpose of Dasawarsa was President Sukarno's hope to promote CONEFO—Conference of New Emerging Forces. This would be composed of NEFOS—newly emerging forces. A cornerstone of the building to house CONEFO was laid during Dasawarsa. President Sukarno hopes that the building will be ready for the first meeting of CONEFO now scheduled for August 1966. Here it is expected that Indonesia and China will attempt with other nations to begin to build a rival to the United Nations.

POSSIBLE AGENDA

The ambassadors of certain Asian-African countries accredited to Algeria are working in Algiers as a preparatory committee. On June 24 the foreign ministers of all states attending will gather in Algiers to complete the agenda and the final invitation list.

The general procedure and agenda are not hard to predict. There will be an opening address by President Ben Bella of Algeria and perhaps by President Sukarno of Indonesia, the latter as host of the first Bandung Conference. Then there will be a period of general debate lasting several days, during which each head of state will discuss how the world looks to his country. Concurrently, several committees will meet, probably on a foreign ministers level, to work out language for the final Algiers communique. The areas of this communique will probably be the major items on the world's agenda, as seen from Asia and Africa, and not dissimilar to the items on the agenda of Bandung I or the Cairo Conference. Following are the subtopics in those two communiques:

BANDUNG I

Economic development.
World trade.
Cultural Cooperation.
Anticolonialism.
Human rights.
World Peace.
United Nations.
Disarmament.
Principles of Coexistence.

CAIRO CONFERENCE

Elimination of colonialism, neocolonialism, and imperialism.

Respect for the right of peoples to self-determination and condemnation of use of force.

Racial discrimination and apartheid.

Peaceful coexistence.

Respect for the sovereignty of states and their territorial integrity.

Settlement of disputes without threat or use of force in accordance with principles of U.N. Charter.

The United Nations.

Economic development and cooperation.

Cultural, scientific, and educational cooperation.

With every major item on the world's agenda up for discussion, Algiers will constitute a stage for sweeping ideological debate as well as for more parochial debates. The great debate is likely to be between expansion-minded China and peaceful coexistence-minded Soviet Union, except that the latter may be absent. The Soviet's place will be taken by India. In addition, the existing lesser battles will again be aired: Ethiopia versus Somalia, Tunisia versus United Arab Republic, Cyprus versus Turkey, India versus Pakistan, etc.

How could, for example, the disarmament debate shape up? China will come to Algiers as the first atomic power in Asia-Africa and with at least having made two detonations. India will come to Algiers as the next member of the atomic club. The Conference will begin just several weeks after the conclusion of the U.N. Disarmament Commission. China will reiterate her plan for a summit meeting of heads of state to prohibit the use and stockpiling of nuclear weapons. India will ask that all nations sign the partial test ban agreement on that, in effect, the Conference condemn China and France for not signing and testing or (in the case of France) preparing new tests. The United States will be condemned for continuing underground tests (although not prohibited by the partial test ban treaty). The United Arab Republic, Algeria, and other nonalined states will urge endorsement of the Cairo Conference proposal for a world disarmament conference under the auspices of the U.N. to which all nations (including China and West Germany) would be invited. China may resist this formula (preferring her own and not wanting to deal with the U.N. by the back door) and, for other reasons, so may India. In the end, the world disarmament conference proposal is likely to be endorsed as well as a general statement on next steps toward the nonproliferation of nuclear weapons.

TABLE I.—*Bandung, Cairo, Bandung II: The rollcall of states*

	Bandung	Preparatory, Bandung II	Cairo
Afghanistan	X	X	X
Algeria		X	X
Angola			(1)
Burma	X		X
Burundi			X
Cambodia	X	X	X
Cameroon		X	X
Central African Republic		X	X
Ceylon	X	X	X
China (Peiping)[2]	X	X	(3)
Congo (Léopoldville)			
Congo (Brazzaville)			X
Cuba			X
Cyprus	(4)		X
Dahomey			X
Ethiopia	X	X	X
Ghana	X	X	X
Guinea		X	X
India	X	X	X
Indonesia	X	X	X
Iran[5]	X	X	
Iraq	X	X	
Japan	X		
Jordan	X		X
Kenya			X
Kuwait			X
Laos	X		X
Lebanon	X		X
Liberia	X	X	X
Libya	X		X
Malawi			X
Mali			X
Mauritania			X
Morocco		X	X
Nepal	X	X	X
Nigeria			X
Pakistan[6]	X	X	
Philippines[6]	X	X	
Saudi Arabia	X		X
Senegal			X
Sierre Leone			X
Somalia			X
Sudan	X		X
Syria	X	X	X
Thailand[6]	X		
Togo			X
Tunisia			X
Turkey[6,7]	X	X	
Tanganyika and Zanzibar			X
Uganda			X
United Arab Republic	X	X	X
Vietnam, Democratic Republic[2]	X		
Vietnam, State of[2]	X		
Yemen	X		X
Yugoslavia			X
Zambia			X
Total	29	22	47

[1] The provisional government in exile.
[2] Nonmember of U.N.
[3] Premier Tshombe was barred, although his representatives were present.
[4] Arbishop Makarios was present as a petitioner.
[5] CENTO member (along with Pakistan and Turkey).
[6] SEATO member.
[7] NATO member.

HOW MUCH OF THE MINUTEMAN ARSENAL IS SUPPLIED BY THE DEFENSE DEPARTMENT?

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last weekend the Nation was shocked by the revelation of a cache and camp of the rightwing extremist Minuteman organization located a little over 20 miles from Washington, D.C. The discovery of this camp is further confirmation of the charges I have been making about this paramilitary group for well over a year.

But there is more significance to the recent discovery than has been yet brought out in the newspapers. That is, the extent to which the Minutemen is supported and subsidized by the Department of Defense.

It is well known by now, that more than 400,000 persons belong to private gun clubs throughout the United States receiving free guns and ammunition from the Federal Government. They receive this special dispensation through the National Board for the Promotion of Rifle Practice and the civilian marksmanship program, administered by the Department of the Army. Under this military weapons subsidy program the Army, from 1959 to 1964, gave away to private gun clubs 246.9 million rounds of free ammunition costing $7.2 million. In the same period the Army placed $2.3 million worth of guns on free loan to gun clubs. In other words, the American taxpayer has footed a $9.5 million bill run up by private gun clubs. These figures are the costs of only the ammunition and guns given away under the program. They do not include the costs of administration. The costs of administration alone, for the conduct of rifle matches and other activities, ran to $2.5 million during this period.

It is interesting to note the types of weapons and ammunition given away to private gun clubs by the Department of Defense. Over 4 million rounds of .45-caliber ammunition and 105 million rounds of .30-caliber ammunition was given away in 1964. In 1963 there were over 12,000 M–1 rifles on loan to private gun clubs. In the same year, there were over 4,000 .45-caliber pistols on loan to private gun clubs.

Now there are so few controls and the civilian marksmanship program is so sloppily regulated that it is quite easy for any group of 10 persons or more to form a gun club, affiliate with the National Rifle Association, and apply for their guns and ammunition. It is so easy to do this, in fact, that rightwing extremists groups, like the Minutemen, direct their members to form private gun clubs in order to obtain free guns and ammunition from the Defense Department. Furthermore, it is beyond dispute that rightwing fanatics have been taking full advantage of this opportunity to arm themselves.

It is required for membership to the Minutemen that persons supply their own weapons, M-1 rifles and .45-caliber pistols, and their own ammunition. These, it is seen, are precisely the kinds of small arms and ammunition handed out so haphazardly by the Defense Department through the civilian marksmanship program. Furthermore, at the site of the Minutemen secret mililtary camp, evidence of small-arms target practice, empty cartridges and ammunition boxes, and numerous bullet-punctured objects, littered the ground.

The question that needs to be answered, therefore, is this: How much of the ammunition, and how many of the weapons used at the Minutemen camp in Prince William County, Va., was actually supplied free of cost through the civilian marksmanship program of the Department of Defense?

We need an immediate answer to this question, as well as a review by Congress of this subsidy program. For I am of the opinion that there are more guns and ammunition in the hands of private persons than in any civilian law enforcement agency. There is some evidence that the Minutemen alone, with the small arms and ammunition obtained from the civilian marksmanship program and the heavy arms and automatic weapons, including mortars, submachineguns, and flamethrowers, obtained through the Defense Department scrap weapons program and through private sources, could completely overwhelm any State or local law enforcement authority. I consider the present situation to be critical, and one that could easily become a national emergency. The Minutemen are the potential "brown shirts" of America and it is fantastic and ironic that they are being aided and abetted by the Government they defy and would like to destroy.

With unanimous consent, I am inserting in the RECORD some of the news stories from the Washington Post and the Evening Star detailing the discovery of the Minuteman cache and camp of explosives and weapons in Virginia, a little more than 20 miles from the Nation's Capital:

[From the Washington (D.C.) Star, June 11, 1965]

MINUTEMEN'S CACHE OF DYNAMITE FOUND—FBI TIP LEADS TO RIFLE RANGE IN VIRGINIA

(By Jack Kelso)

A guerrilla warfare training school built by the superpatriot Minutemen and a cache of dynamite big enough to destroy a multistory building have been uncovered a little over 20 miles from Washington in Prince William County, Va.

The discovery was made yesterday by Prince William County authorities and the Virginia State Police, based on information supplied by the Federal Bureau of Investigation.

The FBI had no comment other than to say that it had furnished the information, which came from long and intensive investigation of the organization.

But Government sources would say that the close combat course was used by a newly formed unit of the Minutemen, and that the dynamite was hidden there by them.

The Minutemen are organized guerrilla groups pledged to spring into action in the event of what they fear is a Communist takeover of the United States.

CHIEFLY IN WEST

Activities of the group have centered chiefly in California and the Midwest, where heavily armed bands hold almost full-scale military maneuvers. Many of these groups have armed themselves with antitank guns, heavy mortars, machineguns, and similar weapons of war.

This Washington area unit, the first uncovered in this part of the country, was formed at the end of February and got underway fully by mid-March, sources said. It is believed to have 12 to 15 members.

The unit since has been training in deep woods, not far from heavily traveled Route 1 and, with another Minuteman unit, in mountains near Reading, Pa.

The Prince William site was raided yesterday by County Sheriff Ralph G. Shumate, Sheriff's Deputy Bobby Cornell, and Virginia State Police Lt. Charles E. Nicholls.

These authorities found the training site on 3,000 acres of second-growth hardwood timber on what is known as Bridge Road, just west of Occoquan.

Virginia Electric Power Co. power transmission lines cut through the forest nearby. Not far away is the new dam of the Occoquan Reservoir used by the Alexandria Water Co.

Just off Bridge Road, a dirt lane about one and a half lanes wide, the guerrilla warfare training course starts. Empty cartridges and ammunition boxes litter the ground.

Beer cans and trash cover the sides of what once was a logging road. The cans and the trash have been transformed into targets for combat drills.

Sources said the combat course is set up and used just as such courses are used in the U.S. Army.

SHOOT AT OLD CANS

The unit sets out down the old dirt logging road. The only other living things in the immediate area are deer, squirrels, and a few birds.

When the members of the unit spot a target—possibly an old can set on a stick, an old car door, a discarded refrigerator—they open fire. Half the trash along the road is torn apart by bullets. Some of the trees along the road are chewed half to pieces.

The Minutemen also have conducted exercises in surprise attacks, one man guarding a position on a hill while others attempt to sneak up and overpower him.

It was explained by sources familiar with the organization that each member must supply his own weapons—an M-1 Garand rifle and either a .38- or .45-caliber pistol—along with his own ammunition.

The M-1 rifle was the basic U.S. infantry arm during World War II and the Korean War. It is gradually being replaced by the M-14.

CARBINES FIRED ALSO

Among the spent cartridges found along the logging road were some fired from carbines, another military weapon. Both the carbine and the Garand rifle can be purchased from many outlets around the country.

It was obvious to the investigators that much training had gone on in the woods in the few weeks the local Minuteman unit has been in operation. It was explained that the training schedule calls for drills every weekend.

Sometimes the unit uses the Prince William County location and, now and then, travels to the mountainous country outside Reading, Pa., for their exercises, sources said.

The land that was being used by the Minutemen is private property and the use to which it was being put was not known to the owners.

FIND 36 STICKS OF DYNAMITE

Deep in the woods, off a series of weed-grown logging trails, the investigators found the cache of dynamite. A thin layer of dirt, tree limbs, leaves, and branches covered it.

There was a 2-pound coffee can, closed with a plastic lid, containing yards of fuse, 19 ordinary blasting caps and 6 electric caps used to set off the explosive.

Two 1-gallon plastic jugs and a plastic-wrapped cigarbox containing a total of 36 sticks of dynamite were nestled in the hole in the ground.

The investigators called for a team of Army explosives experts from Fort McNair. It could not be determined immediately how volatile the dynamite was—whether it had deteriorated to a dangerous state.

When they arrived the four demolition men, Sgt 1c. H. H. Lee, Sp5c. Lawrence Crawford, and Sp5c. H. E. Jackson, all of the 67th Ordnance Detachment of Fort McNair, and S. Sgt. Alexander Kaczmarek of the 57th Ordnance Detachment at Fort Belvoir, scraped carefully around the containers. They first removed the can containing the fuse and blasting caps.

STRENGTH OF 40 TO 65 PERCENT

Then they gingerly removed the containers of dynamite, carefully unscrewing the caps of the widemouthed jugs and tearing away the plastic covering on the cigarbox.

Some of the dynamite, they found, was of the standard 40 percent strength. Some was even more potent, a full 65 percent.

The demolition men looked over the brown sticks of explosive and made sure that dangerous crystals had not formed on the outside and that none of the nitroglycerine was leaking out.

When they were sure that the dynamite was safe to move, they carried it out in their hands over the deeply rutted paths, under tree limbs, around bushes, to their Army carryall truck. They planned to take it to a safe place and blow it up.

LEGAL STATUS NOT KNOWN

The authorities were continuing their investigation into what, if any laws were broken in connection with the dynamite.

It was known that the explosive was bought over the counter in West Virginia, where such purchases are common, and carried, along with the blasting caps, in the saddlebags of a motorcycle to the Washington area.

The dynamite was carried to the training site itself in a panel truck used by the Minutemen, sources said.

Many authorites have been aware of the existence of the Minutemen, as evidenced by recent testimony of FBI Director J. Edgar Hoover before a House Appropriations Subcommittee.

Hoover noted that the headquarters of the organization is situated at Norborne, Mo., and is headed by a man named Robert DePugh.

"Our investigation," Hoover said, "aims to determine the locations of units of the organization, the identities and backgrounds of the officers of each unit as well as the principal active members of each unit, whether the activities of the organization are in violation of any Federal statutes over which the Bureau has investigative jurisdiction, and whether the organization or its members pose a threat to the life of the President or other Government officials."

PURPOSE EXPLAINED

Hoover explained that the Minutemen organization "claims its primary purpose is to prepare its members to overthrow the Government of the United States in the event the Government is taken over by the Communists.

"DePugh has said that members of his organization are reading each issue of various 'leftwing' periodicals to obtain names of suspected Communists and fellowtravelers.

"In March 1963, the monthly newsletter of the Minutemen organization entitled 'On Target' referred to 20 U.S. Representatives in Congress as Judases and traitors because they had voted against increasing funds for the House Committee on Un-American Activities."

Commenting that some of the things DePugh says "are, indeed, hard to believe," Hoover pointed out that the Minuteman leader "avoids the responsibility of trying to prove that all he says of the Minutemen, their activities, or their size is true."

DePugh has placed the membership of the Minutemen at "more than 25,000," Hoover said. He told the subcommittee that "we have penetrated this organization, and our sources are keeping us advised of developments * * *."

LITERATURE OBTAINED

Copies of actual recruiting literature used by the Minutemen in the Washington area have been obtained by the Star.

These include a letter signed by DePugh, explaining the Minutemen's desire to work as individuals to turn the Communists (sic) own tactics against them.

The enclosed business reply envelope for the application for membership was addressed to "Biolab Corp., Norborne, Mo."

Two single-space typewritten pages enclosed contained what was headed: "A Short History of the Minutemen." The history explained how the organization started in June 1960 with a group of 10 sportsmen who were organizing a duck hunting club. Then, the history goes on, "someone mentioned the current international crisis and another man said jokingly, 'Well, if the Russians invade us, we can come up here and fight on as a guerrilla band.'" The joke became serious.

Another of the documents is two pages of practical security measures, advising members to use deceptive measures, such as putting some opaque material like tin foil or carbon paper inside an envelope to prevent your mail from being read by infra-red cameras.

One of the security strictures urges members to prepare telephone codes ahead of time for future protection.

Finally, literature addressed to prospective Minutemen advises that the newspapers and television have pictured the Minutemen as a bunch of crackpots running around shooting off their guns without any idea of why they were doing it.

"This," the document says, "is exactly the type of person we don't want in our organization.

"We cannot emphasize this point too strongly. The Minutemen are most active, the most completely dedicated, and most selective in their membership of all the many patriotic organizations in America.

"We are willing to make any sacrifice for our country. We fully expect that we will have to fight in one way or another before victory is achieved. Our very lives depend on each other.

"There is no place in this organization for bunglers, playboys, or lukewarm conservatives."

[From the Washington (D.C.) Star, June 11, 1965]

HE TRAINED MINUTEMEN, JUDO INSTRUCTOR SAYS

(By James M. Coram)

An Alexandria judo instructor said he has been teaching guerrilla warfare tactics to the first known unit of Minutemen in this part of the country.

Mario Garcia Kohly, Jr. said that as recently as 2 weeks ago, he conducted maneuvers for Minutemen at a close-combat course, which he said "may have been south of Washington."

He would not say whether this was the site in Prince William County, Va., where authorities uncovered a guerrilla warfare training school and a cache of dynamite Thursday.

Prince William County Deputy Sheriff Bobby Cornell said "there are no further leads to be investigated at this time" in connection with the discovery of the training site, and the FBI added that it did not plan to pursue the case further.

Cornell said that if any new leads should turn up "the investigation would be resumed." He also said that there are no grounds at present for filing criminal charges against anyone in the case.

ADMITS MEMBERSHIP

Kohly first denied knowledge of the Minutemen, a rightwing extremist group which encourages private ownership of firearms for possible use against Communists, saying the only Minutemen he knew of were those in 1776.

Later, however, he admitted membership but insisted he was not the leader of the 12 to 15 member cell which has been holding field exercises in deep woods near Occoquan, Va., and in the mountains near Reading, Pa.

A Reading newspaper editor, Jerry Kobrin of the Berks County Record, said contingents of Minutemen train every Sunday at three sites near the city. His paper published a story about the training locations Thursday.

But Pennsylvania State Police refused to confirm or deny the story or to answer any questions about it. "This is intelligence information," said Sgt. Robert Schuck. "What we know we're not at liberty to reveal."

Kobrin said the Minutemen have been training with mortars, bazookas, hand grenades, rifles, and dynamite.

An FBI spokesman said that it is not illegal to possess such weapons as bazookas, hand grenades, and mortars.

He said they are not covered in Federal firearms statutes, which do, however, prohibit private ownership of machineguns and any sawed-off firearm which could be concealed on the person.

CONVOY REPORTED

According to Kobrin, the Minutemen unit in Reading includes at least two members of the American Nazi Party. He said the men assemble on Sunday mornings at a suburban shopping center, then drive in convoys to the Blue Mountains, to an old limestone quarry within a mile of the city or to an abandoned strip-mining location in adjoining Schuylkill County.

Kohly opened his Alexandria judo school in February. The Minutemen unit was formed at the end of that month, Government sources said.

He said he taught hand-to-hand combat at both the Virginia and Pennsylvania sites to "interested young men." He said not everyone present was a member of the Minutemen, but "there may have been some Minutemen among them."

Asked about the dynamite removed from Prince William County, he said, "I don't know what use the dynamite may have or why Minutemen would want it."

Kohly said he conducts his "classes" in "wooded areas where guerrilla warfare could go on." He said the instruction consists of target practice, hand-to-hand combat, and techniques for disarming a man holding a knife or gun.

"SORT OF PICNIC"

He said there was no need for the public to get alarmed about the "combat" outings. He described a recent one as "sort of a picnic" in which five or six men went to a National Park near Quantico, Va., for training.

"The only thing we had along was a rubber knife," Kohly said.

An American-born Cuban citizen, Kohly said he became interested in the Minutemen while teaching judo to Cuban rebels in Miami. He joined the organization, he said, "to teach them what I knew and to learn what they knew."

Kohly said he does not offer free judo lessons to Minutemen who attend his judo-karate school at 3925 Mount Vernon Avenue in Alexandria, nor does he attempt to influence his customers about joining.

He lives with his Cuban wife and two sons at 1121 South 18th Street in Arlington.

MINUTEMEN EXPLOSIVES FOUND HERE—DYNAMITE CACHE BURIED IN WOODS IN PRINCE WILLIAM

A cache of dynamite has been found on a rural Virginia tract believed to have served as firing range and combat training range for a Washington area unit of the Minutemen.

Virginia State Police and Prince William County authorities were directed to the wooded spot 20 miles from Washington by the FBI.

The FBI was reported to have infiltrated the right-wing, paramilitary group. An FBI spokesman said yesterday no violation of Federal law was found, so the matter was turned over to local officials.

FBI, State and county officers went to the 3,000-acre tract, west of Occoquan and three-quarters of a mile off route 641 (Bridge Road) on Thursday and found the dynamite, shallowly buried and thinly covered with earth and brush.

DYNAMITE BLOWN UP

Army demolition experts from Fort McNair and Fort Belvoir were called in. They removed 36 half-pound sticks of dynamite, 60 blasting caps, and 50 feet of fuse from plastic-covered jars and boxes and blew up the lot later in the day at Fort Belvoir.

The investigators also found "some evidence at the scene of small-arms target practice," County Sheriff Ralph G. Shumate said. This evidence included spent cartridges, bullet-punctured refuse such as a car door and ripped tree trunks.

No sign of heavy weapon use was found, Shumate said. In other parts of the country the Minutemen have been known to gather weapons like machineguns, mortars, and recoilless rifles. Headquartered in Norborne, Mo., and particularly active in California, the Minutemen claim to be readying for guerrilla warfare in event of a Communist "takeover" attempt.

CORPORATION PROPERTY

Shumate said the tract on which the dynamite was discovered is owned privately by a corporation outside the county, but he would not identify the firm. He said the owners apparently were unaware of the cache or shooting.

The dynamite was said to have been purchased in West Virginia and Pennsylvania communities where the explosive is commonly sold for mining operations.

According to Army Capt. Frank W. Hackley, of Fort McNair, some of the dynamite was 40 percent filled with nitroglycerin and some 50 percent—both what he called "medium velocity." He said the dynamite was in good shape and would have to have been detonated with caps. The 18 pounds of sticks would have been sufficient to demolish a frame building or a reinforced concrete or brick wall, he added.

The Washington area unit of Minutemen was reported to have 15 to 18 members who allegedly divide training time between the Virginia site and another near Reading, Pa.

An FBI spokesman said interstate transportation of dynamite alone does not amount to a Federal offense. The transportation must be shown to be for the purpose of destroying a religious or educational institution, he said.

Senator Thomas J. Dodd, Democrat of Connecticut, chairman of a Senate juvenile delinquency subcommittee which has been investigating weapons traffic, said although activities of the Minutemen "have been thought to be concentrated on the west coast, our investigation has shown they exist nationwide and within 15 miles of the White House."

He said the Minutemen "have also been recruiting members from college groups in the East and also in this area. * * *" The subcommittee has scheduled further hearings next week, and a spokesman said the Minutemen will be discussed then.

He added that the subcommittee consultant previously reported to have infiltrated the Minutemen is in the Washington area unit. This consultant recently bought an assortment of heavy arms "with no questions asked" within 100 miles of Washington, Dodd reported.

The House Un-American Activities Committee also is investigating the Minutemen among other right-wing groups.

FBI Director J. Edgar Hoover told a House Appropriations subcommittee last March the size of more than 25,000 members estimated by Minutemen leader Robert B. DePugh "is probably greatly exaggerated."

[From The Washington (D.C.) Post]

Minutemen Could Give Lessons to James Bond in Supersecrecy

(By James C. Hyatt)

Houston—For techniques of supersecrecy, James Bond might take lessons from the Minutemen, the ultrarightists training for the day "when Americans will once again fight in the streets for their lives and their liberty."

A recent letter to their home office, P.O. Box 68, Norborne, Mo., brought this packet:

A plain outer envelope postmarked from Richmond, Mo., with no return address.

An inner assortment of material wrapped in a heavy gray sheet of mimeograph paper to prevent "your mail from being read by infrared cameras."

A membership application form, "Classification: Secret," and a return stamped envelope addressed to "Biolab Corporation, Norborne, Mo."

On a letterhead marked with the outline of a 1776 Minuteman with long rifle in one hand, Robert B. DePugh, National Coordinator, advised by form letter:

"Our members have long ago learned the futility of trying to wake people up and of writing to disinterested Congressmen. We are the only organization in America that is actively fighting communism right now.

"This is not a job for amateurs. It requires not only dedication to the cause of liberty but the willingness to study and train until we reach a degree of skill by which our members can compete with the Communists on their own terms."

By sending in the application and $5, applicants may expect to be accepted as "provisional members." Full members must complete a "correspondence training course in the scientific principles of underground warfare."

In a separate notice to prospective members the Minutemen advise:

"Newspapers and television have pictured the Minutemen as a bunch of crackpots running around shooting off their guns without any idea of why they were doing it. This is exactly the type of person we don't want in our organization.

"We fully expect that we will have to fight in one way or another before victory is achieved. * * * There is no place in this organization for bunglers, playboys, or lukewarm conservatives. If you join the Minutemen, there might easily come a time that your life would depend on how competely some other member had learned his job."

Dues are $2 per month. "Every member will be expected to buy his own gun, ammunition, and other equipment."

In "practical security measures," new applicants are told:

"Use deceptive measures," by subscribing to leftwing periodicals or getting on "peace movement" mailing lists. "This will keep the postal inspectors guessing as to which side you are really on." Search this leftwing literature "for names and addresses of fellow travelers and forwarding this information for our Central Intelligence files."

Use two envelopes in sending mail. Avoid a return address on the outer envelope. Use opaque material between envelopes to avoid infrared cameras.

Use mail boxes or post offices "where you are not known."

Avoid telephone calls to headquarters or other members. "Prepare telephone codes ahead of time for future protection."

In recruiting new members, "make sure he is not an infiltrator, before you identify youself as a member of the organization."

A "short history" of the group says:

"Our diplomatic war against communism has already been lost by bunglers or traitors within our own Government. * * *

"A pro-American government could no longer be estabilshed by normal political means.

"The minority vote blocks (sic), controlled labor unions, and corrupt political machines so completely monopolize the American political scene that there is no chance for the average American citizen to regain control of his own destiny at the ballot box."

They turned to guerrilla training, the history said, because guerrillas "can fight on for years, even for generations. Guerrilla bands can fight in the cities, country, forests, swamps, deserts, or mountains. They are everywhere and yet nowhere. They strike without warning and vanish without a trace. They take away with them the arms, food, and ammunition they will need to fight again another day."

JUDGE DeVANE WAS OUTSTANDING JURIST

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fuqua] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FUQUA. Mr. Speaker, the late Dozier DeVane was Federal judge for the northern district of Florida. At his passing, it was universally felt that the judiciary had lost one of its most outstanding members.

A brilliant attorney, Judge DeVane was noted for his fairness and impartiality. He was a dedicated member of the judicial system of these United States and I say categorically a man of integrity and honor.

It is for this reason that I am pained to see certain allegations and assertions made in a recent House committee meeting which tended to shed some doubt on the integrity of this honorable man, who is no longer able to defend himself.

It is often written that the good men do is interred with their bones. This is not so with Judge DeVane and I rise to defend his integrity.

It is unfortunate, regrettable, unfair, and unfounded that any such statements should be uttered and I share the opinion of my other colleagues who felt this was a most unfair thing to have happen.

I would say, however, that the record of Judge DeVane is an open book. It is a record of service and of integrity. No unfounded assertions are going to change that.

VICE PRESIDENT HUMPHREY DELIVERS SPEECH AT FORDHAM UNIVERSITY

Mr. WALKER of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. BINGHAM. Mr. Speaker, Vice President Humphrey was a Commencement Day speaker at Fordham University last week. His speech eloquently set forth the interrelationship between social justice at home and abroad. I thought that our colleagues and other readers of the Record might be interested in his remarks, which are as follows:

Address of Vice President Hubert H. Humphrey, Commencement Exercises, Fordham University, New York, N.Y., June 9, 1965

Woodrow Wilson once said that "every man sent out of a university should be a man of his nation as well as a man of his time."

A university graduate today who would be both a man of his nation and a man of his time must understand that the moral unity and interdependence of mankind, which has for centuries been the basis of Western civilization, has now become a physical fact of our lives.

We have long understood that the brotherhood of all human beings implies responsibility for our neighbor. But today, in an age where science and technology have shrunk our physical neighborhood, no crisis is wholly foreign to us, no curse or blessing is received in isolation. In this world, responsibility for our fellowman is inescapable.

In this contemporary era—where technology has led to a rapid multiplication of social relationships—interdependence has replaced solitary individualism as the central fact of our lives.

As Barbara Ward has noted: "In a world society in which hate is institutionalized in war and self-interest in our web of economic relations, we can hardly survive unless we also institutionalize the moral needs of man for community, for compassion, for dedication, and, let us not fear the word, for love."

Because the "greatness of our institutions" has not matched "the grandeur of our intentions," we are witnessing both in our Nation and in our world a revolution of peoples against what Emmanuel Mounier called the "established disorder." Everywhere we see populations caught between soaring hopes and immovable traditions.

In our Nation this has produced the Negro revolution, a revolution against centuries of indifference and neglect, of oppression and exploitation. It is a revolution that is not over—indeed it has only begun.

But it is a revolution that we know now is destined to succeed.

Its success is assured because the people of this Nation have realized that the perpetuation of a separate Negro nation in our midst, a nation whose people have been "deprived of freedom, crippled by hatred" in President Johnson's phrase—is morally intolerable.

While peaceful protest and legal redress of grievances have been important, in the end moral indignation has been decisive in bringing recognition of the validity of the Negro revolution in the United States.

Pursuit of justice has triumphed over narrow self-interest. Justice has triumphed because modern prophets—from John LaFarge to Martin Luther King—have aroused our consciences and incited our action against an "established" disorder based on racism, the most pernicious form of injustice to arise in our time.

In pursuing justice—the supreme virtue in the political order—an equally important challenge for a man of our time is that posed by the growing disparity between rich nations and poor, the widening gap between the affluent minority and the impoverished masses of the human race.

A central fact of this decade—which will loom larger and larger for graduates of the class of 1965—is that Western societies are exceedingly rich—and almost all others are exceedingly poor.

A small fraction of the human race living around the North Atlantic enjoys per capita incomes of $1,000 to $2,800 per year. Two-thirds of humanity subsists on a per capita income of less than $200 per year.

It may be accidental—but it is surely not irrelevant—that most of the first group are white and most of the second are colored.

Since 1960, the gap between the two groups has accelerated. To understand why it has been growing, one need only recall that in 1964 the United States added $30 billion to its gross national product—the equivalent of 50 percent of the total national income of Latin America and 100 percent of the income of Africa.

The relevance of this problem to the university graduate of today, and the obligation of nations that are rich and advanced toward those that are poor and undeveloped, was spelled out in bold language by Pope John XXIII in his encyclical "Mater et Magistra." He stated:

"The solidarity which binds all men and makes them members of the same family requires political communities enjoying an abundance of material goods not to remain indifferent to those political communities whose citizens suffer from poverty, misery, and hunger, and who lack even the elementary rights of the human person.

"This is particularly true since, given the growing interdependence among the peoples of the earth, it is not possible to preserve lasting peace if glaring economic and social inequality among them persist."

He concluded:

"We are all equally responsible for the undernourished peoples. Therefore, it is necessary to educate one's conscience to the sense of responsibility which weighs upon each and every one, especially upon those who are more blessed with this world's goods."

Just as our generation has inherited the responsibility for bringing to fulfillment the Negro revolution at home, it lies with your generation to insure the triumph of the revolution against crushing poverty around the world.

We who live in the Western World have a special responsibility for it was we who launched the technological revolution that has produced dazzling wealth in the midst of squalor.

We not only initiated the technological revolution but we have spread it to the world at large. And today we tolerate—by limited exertion if not by inaction—inconceivable disparities of wealth and destitution.

As we in the United States are among those "more blessed with this world's goods," to use the Pope's phrase, we have a special obligation to take the lead in reducing these inequities.

It is obvious that problems of poor nations will not be solved by external efforts alone. No transfer of resources from the rich nations to the poor will alone be sufficient.

It requires a massive effort by local leaders in a country to end the shocking inequality between privileged and impoverished, between glittering capitals and festering slums, between privileged urban enclaves and neglected rural areas.

It requires not only the availability of technical resources—but vision and will and determination on the part of those who would break the tyranny of poverty and bring to their peoples the wonders of the modern world.

But our recognition of this fact should not blind us to the compelling truth that nations that are poor and undeveloped stand little chance of success without the help of those which are rich.

It is not necessary here to engage in a detailed analysis of the process of development in undeveloped nations. Once we recognize the existence of a universal common good and of international social justice—and show a willingness to commit ourselves to it—the technical problems of assistance can be solved. Not without difficulty—but they can be solved.

Trade, aid, and private investment all will be needed to meet the requirements of developing nations—that is, if the poor nations of the world are to have a chance of breaking the ancient cycle.

Despite our efforts since World War II to accelerate economic and social development, we are just standing still.

During the past 3 years we have failed to progress at all, indeed we are slowing down.

Yet each day we learn anew that the disorder which persists cannot be ended by political maneuver or military power alone.

We learn anew of outbreaks of violence and turbulence, of peaceful revolutions turned into violent ones. We learn anew of disorder which invites communism—which so often comes as the scavenger of ruined revolutions.

We now know that peace can be threatened by other forces than armies crossing borders and bombs and missiles falling from the sky. Peace can be threatened by social and economic deprivation, by destitution and hunger. If we are concerned about "peacekeeping" in all its aspects, then we dare not ignore this explosive threat which can erupt at any time.

And it is time we learn that peacekeeping pertains not only to military forces and United Nations machinery. Peacekeeping pertains to every force that disturbs or threatens to disturb the peace of mankind.

We must strengthen every economic institution we have—and develop new ones if need be. If our existing financial and development institutions—all formed two decades ago with the establishment of the United Nations—need to be supplemented or modified, we should not hesitate to do so.

In our interdependent world, disorder due to economic deprivation and underdevelopment is the concern of all—the rich nations and the poor. When a crisis erupts—whether in the Congo or in Santo Domingo—the fate of all is affected.

Only by a massive assault—carefully planned and superbly orchestrated—can social and economic progress be made. Only by a massive assault can the burden of hunger and disease which brings disorder later be lifted from the peoples of mankind.

Congress must be convinced of this. The doubts about the foreign aid program in recent years must be replaced by a new insight into our obligation, a new resolution to do the job that needs to be done.

Our European friends—though they have expanded their programs during the past decade—still do far less than their capacity allows.

Similarly, unless we and the other wealthy nations of the northern hemisphere are willing to do our part to revise world trading patterns to take into account the problems of new developing nations, they stand no chance of achieving economic viability through peaceful means. And as we know better each day, if peaceful revolution is impossible, violent revolution is inevitable.

Once we recognize the dimensions of the problems we must then resolve to do the job that needs to be done—to expend the resources necessary. And we need to do this—not just because it is in our own interest, not just because of the Communist challenge—but as President Kennedy said in his inaugural message—"because it is right."

When one looks back on the landmarks of the Negro revolution in our time—such as the Civil Rights Act of 1964—some of the causes can now be clearly delineated. There can be no doubt that justice triumphed over injustice * * * the conscience of the present over the memory of the past because men and women with consciences formed by a Juda-Christian tradition took their convictions seriously and translated them into action. This in the end was the difference between failure and success.

If a peaceful revolution against world poverty and the chaos that follows from it is to be won, it will require the same aroused action from men and women of religious inspiration—and all developed countries. It will require men and women who are determined to lead the rich peoples of the world to fulfill their obligations to the poor.

It is the task of both the graduation class of 1965 and of our generation to convince the legislatures and the executives—not only of the United States but of Europe as well—that moral imperatives as well as physical security require a substantial commitment to long range economic and technical assistance to the developing nations of the world.

We must do this out of compassion—for we are our brother's keeper. And we also do it out of self-interest as well—for our lot is their lot, our future their future, our peace their peace.

In pursuing the global war on poverty, we must remember that it is not just a matter of satisfying physical needs and raising material standards of living. What is equally important is to inspire hope among both the leaders and the mass of the people, hope of a better day to come.

In approaching the problem of poverty and chaos in an interdependent world, we should be guided by the vision of a great man who died here in New York 10 years ago—Pierre Teilhard de Chardin.

Through this vision we can come to understand that the growing interdependence of mankind caused by the technological revolution can lead to a world civilization in which both persons and nations find their individuality enhanced, find their mutual dependence and mutual fate a condition to be welcomed rather than a threat to be feared.

Our concern about economic chaos and disorder, about world poverty and deprivation is a part of our larger concern about world peace. All men profess to seek peace. But peace is like a flower—it needs fertile soil to grow. It cannot grow in the rocks of bitterness and poverty, in the dry sands of backwardness and despair. It needs the fertile oil of education and food, of health and hope.

Peace is too important to be the exclusive concern of the great powers. It requires the attention of all—small nations and large, old nations and new.

> The pursuit of peace resembles the building of a great cathedral. It is the work of generations. In concept it requires a master architect; in execution, the labors of many.
>
> The pursuit of peace requires time—but we must use time as a tool and not as a crutch.
>
> We realize that the hopes and expectations which may be aroused cannot all be satisfied in the immediate future. What can be accomplished in a limited time will always fall short of expectations.
>
> This should not discourage us. What is important is that we be prepared to give some evidence that progress toward peace—progress in the gobal war on poverty—is being made, that some of the unsolved problems of peace can be met in the future.
>
> It is the challenge to your generation to convert the hopes for peace, the hopes for progress, the hopes for social justice for all into reality. With the benefit of 4 years in a great university. I am confident you will succeed.

THE 25TH ANNIVERSARY OF ILLEGAL OCCUPATION OF LITHUANIA

The SPEAKER pro tempore (Mr. Krebs). Under previous order of the House, the gentleman from Rhode Island [Mr. Fogarty] is recognized for 10 minutes.

Mr. FOGARTY. Mr. Speaker, once more it is my privilege to join with the many friends of the Baltic States in commemoration of the 25th anniversary of the illegal occupation of Lithuania on June 15, 1940, and the 24th anniversary of the beginning of the first horrible mass deportations from all the Baltic States on June 14, 1941. Free Lithuanians, Latvians, and Estonians have issued a manifesto on this occasion with which I am in hearty agreement. The preamble to this manifesto traces the history of the terrible assault and oppression on the Baltic people and continues with the following statement of principles:

> We—free Estonians, Latvians, and Lithuanians—are conscious of our responsibility toward our nations and to history. At this 25th anniversary of Soviet aggression, we feel dutybound to give voice to the will and the aspirations of our captive peoples:
>
> We accuse the Soviet Union of committing and continuing an international crime against the Baltic States;
>
> We demand that the Soviet Union withdraw its military, police and administrative personnel from the Baltic countries;
>
> We request that the governments of the free world, especially those of the great powers, use all peaceful ways and means to restore the exercise of the right to self-determination in the Baltic countries and in the rest of east-central Europe;
>
> We further request that the United Nations' De-Colonization Committee immediately fulfill its overdue duty and take up the case of Soviet colonialism in the Baltic States;
>
> We appeal to the conscience of all mankind to perceive the magnitude of the injustice perpetrated upon the Baltic peoples and to support the efforts toward the restoration of liberty to these countries;
>
> We convey to our people at home our pride in their resolute resistance against the endeavors of the oppressor to destroy their national and personal identity;
>
> We share with our captive compatriots their view that the recent Soviet economic, political and ideological setbacks—inherent in the structure of their totalitarian system—have considerably weakened the Soviet Union and thus raised the hopes of the captives for deliverance;
>
> We pledge to intensify our joined organized activity in the free world to promote the cause of liberty for the Baltic countries;
>
> We finally declare to the free world and the Communist-dominated world, including the U.S.S.R., that, once free again, the Baltic nations will do all in their power to insure the best possible relations with their neighbors on the basis of mutual respect for national sovereignty and territorial integrity.

Mr. Speaker, one of the items in this statement of principles is a pledge to intensify the organized activity of the free world in promoting the cause of liberty for the Baltic countries. Perhaps the best way in which this can be done, Mr. Speaker, would be for this body, the U.S. House of Representatives, to unanimously pass the bill which I introduced both in this and the preceding Congress, providing that the President of the United States bring the matter of the Baltic States before the United Nations.

As you know, my bill, House Concurrent Resolution 288, asks that the United Nations request the Soviets to withdraw all troops, agents, colonists, and controls from the Baltic States. It urges the United Nations to request that the Soviets return all Baltic exiles from Siberia prisons and slave labor camps. It further provides that the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish all Soviet Communists who are guilty of crimes against the people of the Baltic States.

Mr. Speaker, I am convinced that the most sincere affirmation and the strongest indication of our interest in the Baltic States would be for both Houses of Congress to speedily concur in the enactment of legislation of the type which I have introduced. I urge that such action be taken without undue delay.

Mr. REUSS. Mr. Speaker, today we mark the sad anniversary of the Soviet takeover of the Baltic States.

For 25 years the brave people of Lithuania, Latvia, and Estonia have struggled for freedom against insurmountable odds. Despite cruel oppression, they have not lost their determination to see that they may once again live as freemen.

All of us deeply admire their dedication to democratic principles, dedication which has not wavered through the 25-year night of tyranny.

The United States has never recognized the so-called annexation of Lithuania, Latvia, and Estonia by the Soviet Union. We share with the brave people of these countries the common faith that they will once again be free.

The gallant citizens of the Baltic States have kept alive their determination to survive and to be free. Today, we reaffirm our belief that they shall once again breathe the air of freedom.

Mr. LINDSAY. Mr. Speaker, today marks a sad anniversary for the peoples of the Baltic States and for freedom-loving people everywhere. Twenty-five years—a quarter of a century—have now passed since the peoples of Estonia, Latvia, and Lithuania were brought forcibly under the yoke of Soviet oppression.

Early in this Congress, I introduced a concurrent resolution, House Concurrent Resolution 25, which would urge the President to direct the attention of world opinion to the denial of the right of self-determination for the Baltic peoples, and to bring the force of world opinion to bear on behalf of the restoration of this right. I very strongly urge the support of my colleagues for such a resolution.

As a result of continued domination and exploitation by the Soviet Union, the peoples of Estonia, Latvia, and Lithuania have been deprived of their most fundamental human rights. The liquidation and deportation of some of the best educated, courageous, and industrious elements of these populations represents one of the blackest marks on human history.

World opinion must be focused on the plight of the Baltic peoples, to the end that these peoples may once again be permitted freely to pursue their independent political, social, and cultural development.

Mr. Speaker, I place the full text of House Concurrent Resolution 25 at this point in the Record:

> H. Con. Res. 25
>
> Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and
>
> Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, and cultural development; and
>
> Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Soviet Union; and
>
> Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and
>
> Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Now, therefore, be it
>
> *Resolved by the House of Representatives* (*the Senate concurring*), That the President of the United States is urged to—
>
> (1) direct the attention of world opinion, at appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and
>
> (2) bring the force of world public opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Mr. DINGELL. Mr. Speaker, since its rise and consolidation the Soviet Union has been an aggressive and expanding state. This aspect of Soviet communism may not have been apparent at first, and it was carefully concealed by its leaders. But whenever there has been a chance to seize a weak country and enslave its helpless people, they have not hesitated in carrying out their own designs. Their illegal seizure of the three Baltic countries and the enslavement of some 5 million Baltic peoples in 1940 clearly and unmistakably demonstrate this point.

These countries with their harmless and inoffensive governments were quite anxious to be on good terms with their neighbors and live in peace. Their sole desire was to be allowed to work out their own salvation. But it was the policy of the Soviet Union not to allow these democracies to thrive on its western borders, and it seems that the Soviet Government was determined to put an end to the free and independent status of these three Baltic Republics. They attained their goal in mid-1940.

Early in the last world war, when other democracies were involved in the war, Soviet Government took full advantage of the situation. The governments of these countries were ruthlessly bullied by Soviet authorities, first to sign mutual assistance agreements with the Soviet Union, then allow the stationing of Soviet garrisons in many parts of these countries, and finally not to oppose the occupation of these countries by the Red army. When the occupation was in effect by mid-1940, the three once free and independent Baltic States had ceased to exist. The Soviet Union had carried out its illegal seizure of these countries, and the enslavement of Baltic peoples.

Under Communist domination there was a reign of terror. No one felt safe, and wholesale arrests and imprisonment were carried out. In a systematic manner, all leading citizens in these countries, numbering hundreds of thousands, were arrested and exiled. That constituted the deportation of these Baltic peoples to the vast corners of Asiatic Russia. On the 25th anniversary of Soviet Union's illegal seizure of the Baltic countries, and the deliberate enslavement of some 5 million innocent inhabitants, let us all hope and pray for the liberation of these peoples from Communist tyranny.

Mr. DELANEY. Mr. Speaker, the month of June reminds us of two tragic anniversaries in the history of the noble people of Lithuania. Twenty-four years ago yesterday the Soviet Union began its inhumane policy of deporting innocent citizens from Lithuania and other Baltic States; and today marks the 25th anniversary of the infamous conquest of Lithuania by some 300,000 Red army troops.

The Soviet conquest was carried out with all the brutal manifestations of Soviet terror to which the world has become accustomed. People who desired no more in life than to be free were jailed, deported, or executed. In a few days in June thousands were driven into boxcars and shipped off to distant parts of the Soviet Union. This was Stalin's answer to the Baltic question.

We cannot and, indeed, we should not forget those tragic days, for it is important to remember that the destruction of Lithuanian and Baltic freedom marked the beginning of the march of communism into Eastern Europe. I know that my colleagues share my hope that one day these great wrongs to humanity can be rectified and that freedom will once again be restored to the people of Lithuania and the other Baltic States.

Mr. FEIGHAN. Mr. Speaker, 25 years ago this day the Red army of Imperial Russia invaded Lithuania and 2 days later invaded Estonia and Latvia for the purpose of imposing Communist puppet regimes upon those nations. These acts of military aggression were committed in violation of solemn treaties of peace, nonaggression, and mutual understanding between the three Baltic States and the Union of Soviet Socialist Republics.

After the Red army occupied the Baltic States the political commissars of Moscow immediately launched mass deportations in those nations. All the leadership elements in those three nations were subjected to a reign of terror the likes of which had not been seen since the days of Ivan the Terrible. Rump elections under the guns of the Red army paved the way for Moscow to install quisling regimes in Lithuania, Estonia, and Latvia. These 25 years later there are still Russian quisling regimes in control of those countries. That tragedy exists because the Russians have prohibited free elections in the Baltic States since their first rigged elections in 1940.

This is a proper occasion to recall the evil pact between Imperial Russia and Nazi Germany which opened the way to World War II as the original source of the tragedy which now besets the Baltic States. It will be recalled that a secret protocol to that evil pact gave Imperial Russia a free hand to invade and occupy the Baltic States. The international Communist conspiracy must never be allowed to shed its guilt for these crimes against nations and peoples. Nor should we ever forget that the Communists were allied with the Nazis in an effort to dominate and exploit all the peoples of the world.

Those who today may believe that it is possible for civilized nations to do business with or count on treaties entered into with Soviet Russia would do well to review the Communist rape of the Baltic States. That black chapter in the history of nations demonstrates that treaties entered into with Soviet Russia are valid only so long as such treaties serve the purposes of international Communism. There is no exception to that harsh rule of Russian Communist behavior.

As is well known, the United States has not recognized the illegal incorporation of the Baltic States into the Union of Soviet Socialist Republics. We continue to recognize only the diplomatic delegations from the once free and independent Baltic States as the only legal and legitimate spokesmen for the peoples of Lithuania, Estonia, and Latvia. This is as it should be and I trust as it shall remain until these three nations are restored to freedom and national independence.

The United States has demonstrated that we, as a people, have not forgotten the happy and constructive relations with the Baltic States in the era between the great wars. We have demonstrated that our hopes are undiminished for a return of that peaceful and constructive relation with the peoples of the Baltic States. There can be no question about our support for a return of freedom and national independence to Lithuania, Estonia, and Latvia. The Captive Nations Week resolution, known as Public Law 86-90, makes our postion on this vital issue crystal clear.

Twenty-five years of imposed tyranny and foreign occupation is a heavy burden for any nation or people to bear. What the Russians have done and are continuing to do in their efforts to contain and thwart the hopes of the Baltic peoples revolts the conscience of civilized men. It is to the everlasting honor and credit of the peoples of Lithuania, Estonia, and Latvia that they have not weakened their determination to regain their freedom, they have not been frightened by the loud propaganda talk of the Russian Communists, they have not compromised their love of God and country and they stand ready for the coming final test between freedom and the historic despotism of imperial Russia.

The peoples of the Baltic States are not alone in their hour of test and trial. They are cojoined in the common struggle against the ancient, corrupt and now corroding system of Moscow tyranny by several hundreds of millions of peoples in the other captive nations. There is an alliance, forged in the blood of common suffering, between all the captive nations of Europe and Asia. That alliance is the surest guarantee against world war III and the brightest promise that freedom and national independence will be restored to the people of all the captive nations.

Long live the freedom loving peoples of Lithuania, Latvia, and Estonia. We salute them on the 25th anniversary of their struggle against the imperial Russians. We reassure them that we shall not cease our efforts to emancipate them for the indignities and exploitation of reactionary Russian occupation rule.

Mr. PHILBIN. Mr. Speaker, I think it is appropriate that we should pause on the 25th anniversary of the illegal occupation of Lithuania—June 15, 1940—and the 24th anniversary of the beginning of the first horrible mass deportation from Lithuania and the other Baltic States—June 14, 1941—to demonstrate our interest and to reaffirm our intention of helping these afflicted peoples.

The terrible experiences to which these poor, helpless people have been subjected by ruthless Communist dictators is scarcely without precedent in world history and it was in direct conflict with many treaties, conventions, and the United Nations Declaration, the Atlantic Charter, the United Nations Charter, the Genocide Crimes Convention, and the Universal Declaration of Human Rights, all of which bear the official signatures of representatives of the Soviet Union.

The Estonian, Latvian, and Lithuanian peoples are freedom-minded and God-loving and all their hopes for liberation and freedom repose in our own great country and the community of the free world to restore their rights of self-determination and their status as free independent nations.

I think it would be in the interest of the Soviet Union as well as the oppressed nations, if they were accorded their rights as freemen, because it would eliminate one of the most substantial barriers to universal peace and I hope it is an end that will soon be consummated by the united efforts of this Government and other freedom-loving governments.

The Soviet Government itself would make a historic contribution to world peace if it would sympathetically listen to the appeals of these nations for self-determination and accord to them their full rights as members of the family of nations.

Be that as it may, this Nation must stand firmly with the oppressed peoples and grant them every encouragement and assistance in reaching their heartfelt goal of self-determination at an early date.

Mr. MULTER. Mr. Speaker, regularly in the course of history there are human atrocities that pain the sensibilities of man to the point of incredibility. Such an event took place in Europe, exactly 25 years ago this month; an event that caused untold human suffering. I am, of course, referring to the seizure of the three tiny Balkan nations of Estonia, Latvia, and Lithuania, by the Soviet Union, and it is this illegal possession to which I wish to direct our attention for a few moments today.

One of the principal objectives of Russian foreign policy has always been to seek a foothold, or an outlet, into the Baltic, by which Russia could establish a direct link by sea with Western Europe. This objective was evident as early as the middle of the 16th century. By the end of the 18th century, after a number of wars and treaties, and several shifts in the balance of power structure in Europe, Russian holdings in the Baltic became a reality.

There was no serious threat to these holdings until the end of World War I, when a series of events gave these peoples what appeared to be the beginning of self-rule. Following the Russian revolution of 1917, Russia and Germany terminated their hostilities, and according to the Treaty of Brest-Litovsk, Russia agreed to leave Poland, Estonia, Latvia, and Lithuania to the Germans. Thereafter, Germany lost the war, Russia was involved in a civil war and the Baltic States through turmoil and bloodshed emerged sovereign states for the first time in centuries. In 1920 the Soviets signed treaties with Estonia, Latvia, and Lithuania in which they agreed to recognize the independence and territorial integrity of these states. In the interwar period, and especially after Hitler came to power in Germany, Russia again recognized the independence of these three tiny states by signing nonaggression pacts with each of them.

The independence of these states was short lived, however, and the groundwork for reoccupation by Soviet forces was laid in the Soviet-Nazi pact of friendship and nonaggression of August 23, 1939, when it was agreed these countries would be under the sphere of Soviet influence. On June 14, 1940, Molotov presented the Lithuanian Government with an ultimatum demanding the Red army be given free access to the country, and that a new government friendly to Moscow be established. On June 15, 1940, 300,000 Red army troops marched into the country. On June 17, Latvia and Estonia were given their chance to "cooperate" with the Russians. The Soviets had again settled the "Baltic question."

Under the "kindly" tutelage of Russian commissars in each of the countries, puppet regimes quickly came into being. Within a month, elections were held for "people's parliaments," with a typical Communist tactic: only one slate of candidates stood for election. The citizens of these countries were not fooled, and prior to the elections certain patriots tried to get the people to vote for a list of independent candidates, persons opposed to Communist rule. These persons were quickly rounded up and put in jail. On the day of "elections" a great number of citizens protested by staying away from the polls, yet before the balloting was finished, the Russians announced to the world that the citizens of Estonia had elected a pro-Communist ticket with 92.8 percent voting; that 97.6 percent of the Latvians had voted; that 99.19 percent of the Lithuanians had voted. Indeed, Mr. Speaker, the results of the election were announced in London by the Russians before the votes could have been counted. What a mockery of the democratic process of government.

In the years that followed the peoples of these countries suffered as few peoples in history have suffered. The MVD raided homes in the middle of the night; the churches were placed under state control. The clergy mysteriously disappeared. Families were broken up when children were sent away like cattle in boxcars; fathers went out to work on state projects never to be heard from again; old people were beaten in public to teach others a lesson; the sick were left uncared for; and people by the thousands were sent to northern Russia and the wastes of Siberia. In 1 year alone, 62,729 Estonians, 64,250 Latvians, and 65,000 Lithuanians were executed. How many others were shipped out of the country to die elsewhere, we do not know.

The United States has never recognized the legality of Soviet annexation of the Baltic States, and for obviously good reasons. What happened there 25 years ago was not just a national issue, but also an international one; it did not affect only these enslaved peoples, but all of mankind. The cause of these peoples is not only their cause; it is our cause as well. Our Republic was founded on the belief that it is morally wrong to force people to live under a tyrannical form of government. In 1892, both the Republican and Democratic platforms condemned the Russians for their treatment of non-Russian peoples.

We recall today that the peoples of Estonia, Latvia, and Lithuania were conquered by unprovoked Soviet aggression, and that aggression made a mockery of human desires to live unmolested and free of foreign domination.

We express today to the peoples behind the Iron Curtain our conviction that the Soviet system will not endure, and that someday the children of these peoples will live in freedom as independent members of the international community.

We pledge today never to forget the illegal and brutal annexation of these Baltic States as part of the Communist system, and we further pledge to remind the world of past Communist crimes against non-Russian peoples.

We finally declare we are committed to the future independence and freedom of the Baltic countries and that their national identities will endure.

Mr. MINISH. Mr. Speaker, Lithuanians and their neighbors, the Estonians and Latvians, in the Baltic countries are rugged, robust fighters and hard workers. They have been brought up in the school of adversity, and they are inured to hardships and sufferings. But in modern times, especially during the last 25 years, they have had more than their share of misfortune.

Three million Lithuanians and about 2 million Estonians and Latvians constitute the hard core of progressive and prosperous Europeans in northeastern Europe. At the end of the First World War they regained their freedom, instituted democratic governments in their homelands, and rebuilt their ravaged countries in their own image. In a short time the Estonian, Latvian, and Lithuanian republics became model democracies, eliciting the admiration of their friends and the jealousy of their foes. For two decades the people there worked and enjoyed the blessings of freedom under free institutions. But this period could not be extended; and as the world situation deteriorated, war seemed inevitable, and these peoples knew that any war in Europe would spell disaster for them. Unfortunately their worst expectations came true.

Early in the war, in mid-1940, these countries were occupied and then made part of the Soviet Union. Thenceforth there could be no talk about independence and freedom. Independent Estonia, and Lithuania had ceased to exist, and their inhabitants were enslaved by Soviet agents. Their enslavement was made effective by the summary arrest, imprisonment and deportation of tens of thousands of prominent citizens in these countries. These arrests and deportations proceeded on a mass scale, and a week before the outbreak of Nazi-Soviet war on June 21, 1941, largest mass deportation of Baltic peoples took place, exiling many thousand innocent people to forbidding regions of Soviet Russia. To this day not much is known of the sad fate of these peoples. It is most likely that most of them are already dead and others are lingering on still in exile.

On the 25th anniversary of the mass deportation of the Lithuanians, Latvians, and Estonians by the Soviet authorities, and the enslavement of more than 5 million Baltic peoples, we all hope for better days for these peoples in the near future.

Mrs. GRIFFITHS. Mr. Speaker, today, we commemorate the 25th anniversary of the Soviet occupation of Estonia, Latvia, and Lithuania and the 24th anniversary of the start of the horrible mass deportations from these three Baltic countries.

In 1940 the governments of these states, acting under duress and force, submitted to the arbitrary, Machiavellian demands of the U.S.S.R. whose army had occupied the countries.

The barbaric treatment of these people by the Soviets was incredible in its atrocity. The history of the mass executions and mass deportations is a matter of public record. In the period immediately following the occupation, in Lithuania alone, resistance leaders estimated some 400,000 deaths and deportations by the Soviet secret police. The men, women, and children of Estonia, Latvia and Lithuania were slaughtered mercilessly, deported to Siberia en masse in cattle cars, or sent to other parts of the U.S.S.R. for "reconstruction work."

The Soviets had destroyed the great social and economic progress made by the Baltic States during their 20 years of independence between the two world wars.

This period of independence witnessed remarkable progress for these dynamic people. Many beneficial land reforms were instituted. By 1939, industrial employment had increased fivefold over 1913 figures in Lithuania. Grammar and secondary schools doubled. Domestic and foreign trade had developed steadily. Literature flourished. Achievements were made in opera and music.

Then the three Baltic countries were caught in the destructive vise of totalitarian aggression. The countries were crushed—20 years of progress and achievement in government lay shattered, splintered by Soviet inhumanity.

But we need not condemn the policy of the Soviet Union any longer. The glaring, cruel facts speak for themselves. These facts alone provide warranted vilification. The gross injustices perpetrated against the Baltic peoples are defamation enough on the character of the Soviet policy. These people, in spite of threats and attempts at liquidation, have courageously struggled to maintain their own languages, customs and religious beliefs—their very identity. The Soviets took away human liberties from these peoples, but they never broke their wills. Their wills have not faltered.

Certainly, Mr. Speaker, the peoples of Latvia, Lithuania, and Estonia will not bow under the awesome weight of Russian oppression. They will continue to strive resolutely toward their goal of becoming, again, sovereign, free nations.

We know that the brilliant blaze of hope that burns for freedom in the hearts of the millions of Baltic peoples now in bondage will never wane, even for a moment. The people of the United States of America will honor forever that fervid flame of faith that glows within each individual of the three lost Baltic nations, so that, someday, these peoples may regain their basic human rights. So that they may, again, benefit from the political, economic, and cultural freedom they once had known and enjoyed.

The fire that warms the souls of the stout, persevering Baltic peoples licks relentlessly. It burns so brightly that 25 years of savage oppression and unremitting travail has only tempered and strengthened their wills for self-determination.

Peoples of Estonia, Latvia, and Lithuania, we applaud you.

Mr. HOWARD. Mr. Speaker, for the many freedom-loving peoples throughout the world, today marks the 25th anniversary of a very sad occasion.

Since June 15, 1940, the Baltic States have been suffering in the Soviet captivity. The Soviet Union took over Lithuania, Latvia, and Estonia by force of arms.

The Baltic States have never experienced in their long history through centuries such an extermination and annihilation of their peoples as during this Soviet occupation since June 15, 1940. During the last 25 years the countries lost more than one-fourth of their entire populations. Hundreds of thousands of Lithuanians, Latvians, and Estonians were murdered by the Kremlin despots or died in exile in Soviet slave-labor camps and prisons in Siberia and other places of Communist Russia. At least 20 percent of the present population of Soviet-occupied Lithuania, Latvia, and Estonia are not the Balts, but the Soviet colonists. The genocidal operations and practices being carried out by the Soviets continue with no end in sight. Bearing in mind that all of the murdered and deported people have been the most educated, courageous, industrious, comprising the strongest elements of the countries, the losses in populations become more terrible and almost fatal to the survival of the Lithuanian, Latvian, and Estonian nations.

But let us now return to the details of the Soviet occupation of Lithuania. At the same time that the forces of occupation were entrenching themselves and the mock elections were being carried out in 1940, leaders and active members of all non-Communist political parties and thousands of public officials were arrested. This was but a prelude to one of the most despicable acts of modern times; namely, the mass deportations that ensued. Interrupted only by a temporary Nazi occupation of Lithuania from 1941 to 1944, when the Soviets reoccupied Lithuania, these deportations went on for about a decade. People from every walk of life, even old and dying people, were put on cattle freight cars for the 3-week journey to Siberia or remote areas near the Arctic Ocean. The number of all the deportees amounted to about 20 percent of the population, or 600,000 Lithuanians. In 2 nights alone of June 1941, 34,260 Lithuanians were deported to the horribly miserable conditions of the slave-labor camps. The consequent death toll of these deportees was very high.

With the increase of physical terrorization by the Soviets, a strong Lithuanian underground resistance organization was formed and fought the Soviets. It was a heroic and widespread resistance movement, but it was a costly one: after the war about 30,000 died in battles with Russian Communists.

If we demand full freedom from Portugal for Angola, full freedom for the black population of Africa, we should do exactly the same thing in Europe and elsewhere. The Baltic States are more than 700-year-old nations and they have the same right to be free and independent as any new state in Asia or Africa. We should have a single standard for freedom. Its denial in the whole or in part, anyplace in the world, including the Soviet Union is surely intolerable.

In this session of Congress there is a concurrent resolution urging that the House and Senate request the President to have the United States initiate discussions of the Baltic States question before the United Nations. My measure is House Concurrent Resolution 398. I urge my colleagues to introduce similar resolutions so that this cry-for-liberty legislation will be passed by the Congress.

Mr. ST GERMAIN. Mr. Speaker, the modern history of the Estonians, Latvians, and Lithuanians is marked by misery and misfortune. Centuries before the First World War they had lost their independence and lived under foreign regimes. But the end of that war ushered in a new era for these peoples. All of them regained their freedom, proclaimed their independence in 1918, and established their own democratic governments. These governments were duly recognized by other sovereign states. During their freedom of two decades they rebuilt their war-ravaged countries and were perfectly content with their lot. Then, very early in the last war, they were attacked, overwhelmed, and made part of the Soviet Union.

This treacherous act was committed by the Soviet Union in 1940 when the friends of the Baltic peoples in the West were involved in war. Stalin took full advantage of this situation, and had his henchmen resort to ruthless and barbaric methods to attain his goal. After these countries were occupied by the Red army, the Soviet authorities rounded up all those suspected of opposing communism in these countries and exiled them to the distant corners of the Soviet Union. Thenceforth there was no question of the sad fate of these Baltic peoples, whether living in their Soviet-dominated homelands, or in exile in Asiatic Russia. Neither during the war years nor since has there been any appreciable change in the status of these Estonians, Latvians, and Lithuanians. Today they are prisoners in their homelands and suffer under the Moscow-imposed Communist tyranny.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the world should pause today, if only for a brief moment, to commemorate one of the most flagrant examples of infamous betrayal in its modern history.

Just a quarter of a century ago, the demonic forces of Adolf Hitler's Nazi Germany conspired with the armed might of the Union of Soviet Socialist Republics to take by force the Baltic States which had lived honorably and peaceably as neighbors for many years.

The tragedy of that day 25 years ago is not in the loss of Lithuania or Latvia or Estonia alone. The destruction of freedom and representative government is always a tragic matter, of course. But, in this case, the beginning of what we have come to know as the "cold war" justifiably can be said to trace to this illegal and immoral occupation of a free land by its greedy neighbors.

Never before had the true nature of the Soviet hierarchy's plans for the future been more starkly demonstrated. There have been few occasions since that time which more effectively illustrated the gap between what the Soviet claimed as its aspirations and the practices of the Russian Government.

As free men in a free society, we can do no less than to look to a future when the men and women and children of Lithuania, Estonia, and Latvia may one day proudly proclaim their own independence once more.

Meanwhile, our prayers are with them for, even though they labor beneath the tyrant's yoke and struggle against the burdens others have placed upon them, they retain the dignity of all men who seek liberty.

Mr. WOLFF. Mr. Speaker, June 15 is the 25th anniversary of the subjugation of the people of Lithuania by the Soviet Union. Early in 1940 a reign of terror began in that unfortunate country after invasion and occupation by the Red army. Those suspected of opposition to the Soviet Government were arrested, imprisoned, and shipped off to virtual slavery in distant parts of Asiatic Russia. Hundreds of thousands of innocent victims of Soviet inhumanity were thus deported. Tens of thousands died in exile under conditions of indescribable misery and suffering. It is impossible to determine how many of these helpless people still survive thousands of miles from their homelands.

Mr. Speaker, the brave people of Lithuania are among the oldest known inhabitants of northeastern Europe, the marshes on the northeastern shores of the Baltic Sea having been their homeland for at least 1,000 years. As a distinct national group they trace their written history back to the 11th century. Threats from neighboring tribes to the north forced them to unite under one ruler, thus forming a unified state in the middle of the 13th century. In 1250 the chieftain Mindaugas was baptized and received the crown of King of Lithuania from Pope Innocent IV.

Though unified, the country was still under constant threat from the Teutonic knights and from other groups. During a century of fierce struggle the Lithuanians succeeded in maintaining their independence against powerful adversaries. Early in the 14th century the Grand Duke Gediminas, a daring and resourceful warrior, negotiated agreements and understandings with Lithuania's foes, thus bringing peace to his people. Under his successors Lithuania became a great power, stretching far to the east and south. In 1386 Prince Jagiello ascended the throne and soon after married Queen Jadwiga of Poland, thus uniting the Grand Duchy of Lithuania with the Kingdom of Poland.

This union and the act of Lublin in 1572 are two important dates in the history of Lithuania. From the late 16th century the fate of the Lithuanian and Polish peoples became intertwined. During the next 200 years Poland's gains and successes were shared by the Lithuanians, as well as Poland's reverses. Toward the end of the 18th century Poland was partitioned and ceased to be an independent state. Lithuania shared a similar fate. The country was overrun, occupied by the Russians, and became part of czarist Russia's empire. Thus came to an end the glorious days of Lithuanian independence. From then on the Lithuanian people were to know the cruel oppression of the czars and later the Communists.

Until World War I, the Lithuanians were subjects of the czar without losing their status as a distinct nationality. During that period they clung with uncommon determination to their cherished national ideals of independence and freedom. When the czarist regime collapsed in 1917, Lithuania seized this opportunity to assert her independence.

On February 16, 1918, a democratic republic was proclaimed. This event was the most joyous in Lithuania's modern history. The people began rebuilding their war-ravaged homeland and accomplished near miracles during the interwar period. The people became prosperous and national morale was high.

But it was not to last. Late in the 1930's the clouds of another great conflict began to darken the horizon. The worst fears and forebodings of the people of Lithuania came true.

Twenty-five years have slipped past since the dreadful events of 1940. The great catastrophe known as the Second World War has been over for 20 years. Yet misery, misfortune, hardship, and suffering are still the lot of the people of Lithuania in their Moscow-dominated homeland. They still suffer under unrelenting Communist tyranny.

On this anniversary of a quarter century of crushing oppression, mindful of the blessings of liberty we in America have come to take for granted, let us express the earnest hope that the time will come when the good people of Lithuania, and all subjugated peoples throughout the world, will regain the freedom and independence to which they are so richly entitled by their years of hardship and travail.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the Soviet Government has been guilty of violating, and at times has conveniently ignored in a flagrant manner, all solemn agreements which it had once signed in good faith. Through treacherous and illegal acts it has annexed many countries and enslaved many millions of innocent and helpless peoples. And the Soviet Government's seizure of Lithuania, along with the two other Baltic countries, early in the last war, and their outright annexation to the Soviet Union in mid-1940, constitute an international crime. And the enslavement of some 5 million peaceful and inoffensive Estonians, Latvians, and Lithuanians is a crime against humanity.

While the annexation of these countries was underway, hundreds of thousands of Baltic citizens were arrested and exiled to distant corners of the Soviet empire, dooming them to servitude in prison labor camps. This process of enslavement and deportation went on until mid-June 1941, when a huge mass deportation took place involving tens of thousands. On the 25th anniversary observance of Lithuania's seizure, and on the 24th anniversary of the mass deportation of Baltic peoples by Soviet authorities, let us all hope that these Baltic peoples once again regain their national freedom.

Mr. SMITH of New York. Mr. Speaker, the anniversary of the illegal occupation of Lithuania by the Union of Soviet Socialist Republics 25 years ago and of the beginning of the mass deportations by the Soviets of the peoples of the Baltic States, the following year, is a sad occasion. It is a heartbreaking remembrance; but it is tinged with happier feelings. With all of the reawakened memories of terror, of hardship beyond description, of injustice, of outrage, of physical and mental suffering, there is an exultation in the extent of Lithuanian perseverance.

That the spirit of Lithuania is alive today in many countries of the world, that the Lithuanian people have endured with vigor and determination and ethnic unity is indeed a basis for rejoicing.

The marking of this anniversary is, too, a reminder of the history of that endurance. The wonder would be great enough were it for the last quarter of a century only that that spirit had survived the violence and vicissitudes of the uprooted life of a nation.

Yet this is only one of a series of such outrages that the Lithuanian people have suffered in the course of a long history. Buffeted by neighboring tribes and nations from every side, literally wiped off the map, not once but many times, the Lithuanian people can nevertheless boast and rightfully claim a history that goes back to an early century in the Christian era. Their antiquity in the annals of Europe is rivaled only by the Basques. The persistence of their national tradition and of a culture unrivaled in modern history has withstood all attempts of their enemies to enslave them. Their language, their customs, their religion, their characteristics as a nation have weathered every effort of their adversaries to annihilate them.

The Lithuanian nation once extended from the Baltic to the Black Sea. In the 14th century it reached its maximum in area. In succeeding centuries it was repeatedly attacked by invading Poles, Germans, and Russians. Gradually reduced in size until it was completely overrun by succeeding generations of its enemies, it nevertheless endured in spirit and in personality as a nation. Repeatedly too it reemerged as a political entity. Its establishment after World War I as a "democratic republic" was a rebirth, a bursting from the bonds of tyranny of czarist Russia.

That it was to suffer again, at the hands of Soviet Russia, with the advent of World War II, was indeed a disaster. But the spirit of independence was all the stronger. During the intervening years the doughty little Republic had enhanced the reputation of its people for their strength of character, the quality of their culture, their recognition of freedom of the individual, and the maintenance of individuality as a distinct and surviving people.

It is for this endurance, this personality, this persistence in freedom, and the determination to remain independent in the face of all adversity that we honor the Lithuanian people today.

Mr. KEOGH. Mr. Speaker, at mid-June of this year the free world commemorates two anniversaries: One is the 25th anniversary of the Soviet seizure of Lithuania and her Baltic neighbors, Latvia and Estonia; the other is the 24th anniversary of the mass deportation of peoples from the Baltic States.

The Soviet invasion of Lithuania and the other Baltic States was an act of brazen aggression undertaken without just cause and carried forth with utter disregard for international law. During the period of Lithuanian independence the Governments of Lithuania and the Soviet Union had established a network of treaties and agreements governing their relations. Explicitly stated in a large number of these treaties was the Soviet declaration recognizing the independence of Lithuania and promising to respect Lithuania's territorial integrity.

For the Soviet Union this relationship under law was created solely as an expedient. During this period, as indeed today, the Soviets have accommodated themselves to the customs and general norms of international law not out of desire but out of necessity. For them acceptance of bourgeois international law was an unpalatable reality, but being a reality, they were determined to live with it only so long as this necessity prevailed. In general, the Soviets looked forward to the day when Communist domination of the world would require a new international law, a Socialist international law.

But, the Soviets did not have to await the workings of history according to their claims or their own conspiratorial activities in order to realize their goals at least in the Baltic region. The opportunity came in August 1939 when Stalin concluded an agreement with Hitler according to the terms of which the Baltic region was to be considered within the Soviet sphere of interest.

The first breach of Soviet promises came in the fall of 1939 after World War II had broken out. In the first step to realize the ultimate Soviet goal of control over the Baltic region, the Moscow government imposed upon Lithuania and her neighbors the pacts of mutual assistance. These were no genuine mutual agreements; they were pacts that the Baltic States had to accept, and at the great sacrifice of their integrity.

The final and complete breach of Soviet promises came in June of 1940. In a Soviet contrived artificial climate of crisis, the Red army moved across the frontiers of Lithuania, Latvia, and Estonia, occupied those countries, destroyed the legitimate governments, replaced them with their own puppet regimes, and forcibly annexed the three states to the Soviet Union as constituent republics.

The destruction of law had now been complete. The Soviets had shown themselves for what they are, a state whose ideological and power goals were and continue to be the expansion of communism until at long last communism dominates the world.

One of the most cruel devices the Soviets had used in order to assert their will over the Lithuanian people and their neighbors in Latvia and Estonia was the mass deportation of peoples. This is a device that the Soviets were to apply not only in the Baltic States but throughout other parts of the Soviet Union. Whole nations, as in the case of the Volga Germans and Chechen and Ingush, were uprooted from their historic lands and dispersed through Soviet Central Asia and Siberia. During the period 1940–41 the Soviets had imprisoned and deported to Siberian concentration camps approximately 40,000 Lithuanians. This figure has been documented by the Select Committee on Communist Aggression of the House of Representatives. This was the Soviet solution to the nationality problem, and what a diabolical solution it was. The suffering that had been wrought upon Lithuanians and others deported is incalculable. Even Khrushchev was appalled by the barbarity of deportation and in a display of extraordinary ridicule said that Stalin would have deported the entire Ukrainian nation if there were not so many Ukrainians.

On this anniversary commemorating the Soviet seizure of Lithuania and the deportation of Lithuanians we pay tribute to a great and courageous people. The hope of all free men is what they and their Baltic neighbors, the Latvians and Estonians, will one day know the joys of liberty that they all had shared during the golden years of their national independence in the interwar period.

Mr. HOSMER. Mr. Speaker, 25 years ago while the world's attention was focused on the Battle of Britain, Soviet troops moved into the Baltic States of Lithuania, Estonia, and Latvia. During 3 agonizing days, June 14, 15, and 16, 1940, over 100,000 people were deported to Soviet concentration camps in Siberia. The occupation of these three small, progressive, and independent nations took place under conditions of extreme cruelty and in complete defiance of international law and order.

In their long history through the centuries, the Baltic States have never experienced such extermination and annihilation of their people as during the Soviet's last 25 years of occupation. During this time, these countries have lost more than one-fourth of their entire population. Hundreds of thousands of Lithuanians, Latvians, and Estonians were murdered by the Soviets or died in exile in slave-labor camps and prisons in Siberia and other places of Communist Russia. At least 20 percent of the present population of Soviet-occupied Lithuania, Latvia, and Estonia are not the Balts but the Soviet colonists who are diabolically trying to repopulate and "Russify" the Baltic lands.

At the present time, the Soviet Union in its ruthless fashion carries on the pretext that the people of the Baltic States are content as members of the U.S.S.R. and also maintains the pretext that the Soviet Socialist Republics bearing their names gives their people recognition and autonomy.

The people of the Baltic States have displayed throughout their history the stamina and ingenuity necessary to withstand years of occupation. They courageously maintain their language, cultures, and religious beliefs, and their brothers in the free world strive to keep alive the spirit of freedom for which they stand. They look forward to the day when independence and legitimate governments may be restored.

The Baltic States, like all countries under Communist rule, belong properly to the community of free nations. The ideals of freedom and independence remain alive in the men, women, and children of Lithuania, Latvia, and Estonia.

If the United States is to retain its leadership in the struggle against communism, it must demonstrate courage, firmness, and an unequivocal stand for basic human rights. The yearning for freedom of these enslaved people and their continued devotion to the ideal of human liberty constitute a threat to the rule of the Communist oppressors. We must help keep that faith alive. For 25 years our Government has refused to recognize the legality of the Soviet occupation of these countries, but today the gestures toward accommodation with the Soviet rules are discouraging and frightening to the many friends of these Baltic States.

In observance of that day 25 years ago, we today pay tribute to the bravery and dedication of these people through an expression of our warmest affection and with the assurance of our continued efforts to return freedom and democracy to their countries.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. Pike (at the request of Mr. Addabbo) for June 15 through June 22, 1965, on account of official business.

Mr. Bonner (at the request of Mr. Albert) for the remainder of the week on account of illness.

Mr. Ichord (at the request of Mrs. Sullivan) for June 15 through June 22, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Reuss, today, for 30 minutes, and to revise and extend his remarks and include extraneous matter.

Mr. Herlong, for 30 minutes, on Wednesday.

Mr. Halpern (at the request of Mr. Grover), for 10 minutes, on June 16.

Mr. Callaway (at the request of Mr. Grover), for 60 minutes, on June 17.

Mr. Gross (at the request of Mr. Grover), for 30 minutes, on June 16.

Mr. Ashbrook (at the request of Mr. Grover), for 15 minutes, today.

Mr. FOGARTY, for 10 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. FULTON of Tennessee (at the request of Mr. WALKER of New Mexico), for 15 minutes, on June 23, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROOSEVELT to extend his remarks in the body of the RECORD and include extraneous matter following the legislative business of the day.

Mr. DENTON to revise and extend his remarks made today on the conference report on Department of Interior Appropriations and to include miscellaneous tables.

Mr. HOLIFIELD, the remarks he made in the Committee of the Whole today and to include a letter from the Bureau of the Budget.

(The following Members (at the request of Mr. GROVER) and to include extraneous matter:)

Mr. TALCOTT.

Mr. RUMSFELD.

Mr. CUNNINGHAM.

Mr. FINO.

(The following Members (at the request of Mr. WALKER of New Mexico) and to include extraneous matter:)

Mr. PICKLE.

Mr. HANNA.

Mr. COOLEY.

Mr. SCHMIDHAUSER in two instances.

Mr. MCCARTHY.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 53. Joint resolution to establish a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1732. An act to extend the act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes;

H.R. 1782. An act to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act;

H.R. 2166. An act for the relief of Staiman Bros.-Simon Wrecking Co.; and

H.R. 6755. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1732. An act to extend the act of September 26, 1961, relating to allotment and assignment of pay, to cover the Government Printing Office, and for other purposes;

H.R. 1782. An act to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act;

H.R. 2166. An act for the relief of Staiman Brothers-Simon Wrecking Co.; and

H.R. 6755. An act authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes.

ADJOURNMENT

Mr. WALKER of New Mexico. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 16, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications, were taken from the Speaker's table and referred as follows:

1224. A letter from the Director, Congressional Liaison, Agency for International Development, Department of State, transmitting the Agency's reply to the Comptroller General's report (B-132913) of February 17, 1965, on ineffective and overly costly aspects of military and economic assistance provided to a foreign country; to the Committee on Government Operations.

1225. A letter from the Chief Justice, Supreme Court of the United States, transmitting copy of the Report of the Proceedings of a Special Meeting of the Judicial Conference of the United States, held at Washington, D.C., March 18–19, 1965, pursuant to the provisions of title 28, United States Code, section 331 (H. Doc. No. 205); to the Committee on the Judiciary, and ordered to be printed.

1226. A letter from the Comptroller General of the United States, transmitting a report of possible additional costs resulting from failure to competitively procure gasoline engines for the military 5-ton truck, Department of the Army; to the Committee on Government Operations.

1227. A letter from the Comptroller General of the United States, transmitting a report of unnecessary costs incurred in the indirect procurement of selected aircraft subsystems for A-5 type of aircraft, Department of the Navy; to the Committee on Government Operations.

1228. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to provide for guarantee and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

1229. A letter from the Secretary of State, transmitting a draft of proposed legislation to amend title 1 of the United States Code to provide for the admissibility as evidence of the slip laws and the treaties and other international acts series, and for other purposes; to the Committee on the Judiciary.

1230. A letter from the Attorney General, transmitting the report of the Attorney General on the administration of the Foreign Agents Registration Act, for the calendar year 1964, pursuant to the requirements of the act; to the Committee on the Judiciary.

1231. A letter from the Attorney General and Secretary of the Treasury, transmitting a draft of proposed legislation to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER: Committee of conference. H.R. 7717. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of a marriage or remarriage which occurs after he or she attains age 62 (Rept. No. 514). Ordered to be printed.

Mr. DELANEY: Committee on Rules. House Resolution 421. Resolution for consideration of H.R. 3014, a bill to regulate the labeling and advertising of cigarettes, and for other purposes; without amendment (Rept. No. 515). Referred to the House Calendar.

Mr. BECKWORTH: Committee on Post Office and Civil Service. H.R. 242. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; without amendment (Rept. No. 516) Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 8620. A bill to amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965; without amendment (Rept. No. 517). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 8862. A bill to amend the act of August 7, 1935, to increase the authorized annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions; without amendment (Rept. No. 518). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Post Office and Civil Service. H.R. 6845. A bill to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act; with amendment (Rept. No. 519). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of Missouri: Committee on House Administration. House Joint Resolution 481. Joint resolution to amend the joint resolution of March 25, 1953, to expand the types of equipment and the number of electric typewriters furnished Members of the House of Representatives; with amendment (Rept. No. 520). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 9042. A bill to provide for the implementation of the agreement concerning automotive products between the Government of the United States of America and the Government of Canada, and for other purposes; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 9043. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans Affairs.

By Mr. ADDABBO:

H.R. 9044. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BATTIN:

H.R. 9045. A bill to provide for the establishment of a program under which foreign agricultural workers can be recruited for temporary employment in the continental United States; to the Committee on Agriculture.

By Mr. BENNETT:

H.R. 9046. A bill to specify the insignia of grade for certain enlisted members of the Army; to the Committee on Armed Services.

By Mr. BROOMFIELD:

H.R. 9047. A bill to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both; to the Committee on Armed Services.

By Mr. BURTON of California:

H.R. 9048. A bill to amend the Fair Labor Standards Act to extend its protection to additional employees, to improve its maximum hours standards, and for other purposes; to the Committee on Education and Labor.

By Mr. BURTON of Utah:

H.R. 9049. A bill to extend the provisions of the Dealer Reserve Income Adjustment Act of 1960 to certain financial institutions; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 9050. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 9051. A bill to amend title 18 of the United States Code with respect to criminal procedures and sentencing, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 9052. A bill to provide for the establishment of a program under which foreign agricultural workers can be recruited for temporary employment in the continental United States; to the Committee on Agriculture.

By Mr. DYAL:

H.R. 9053. A bill to amend title V of the National Housing Act to protect the equity of homeowners in areas adversely affected by the closing of Federal installations; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 9054. A bill to amend title II of the Social Security Act to eliminate dependency as a condition of entitlement to husband's or widower's benefits, and to provide that dependent parents of living insured individuals (as well as surviving parents of deceased insured individuals) shall be eligible for parent's insurance benefits; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 9055. A bill to establish in the Executive Office of the President an Office of Urban Affairs and Community Development; to the Committee on Government Operations.

By Mr. GRABOWSKI:

H.R. 9056. A bill to provide for the appointment of congressional pages or messengers from among young men and women between the ages of 17 and 22 who are attending college; to the Committee on House Administration.

By Mr. HUTCHINSON:

H.R. 9057. A bill to amend the Federal Unemployment Tax Act to provide an exemption for county fairs and other agricultural or horticultural fairs; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 9058. A bill to amend chapter 57 of title 39, United States Code, so as to authorize the free use of mails in making reports required by law of certain payments to others; to the Committee on Post Office and Civil Service.

By Mr. REID of New York:

H.R. 9059. A bill to amend section 301 of the Labor-Management Relations Act, 1947, so as to make the Norris-La Guardia Act inapplicable to certain injunctive proceedings; to the Committee on Education and Labor.

H.R. 9060. A bill to amend section 9(c) of the National Labor Relations Act so as to provide for the holding of representation elections upon petition of employers where labor organizations seek recognition on the basis of employees' authorizations or similar evidence; to the Committee on Education and Labor.

H.R. 9061. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

H.R. 9062. A bill to amend the Labor-Management Relations Act, 1947, and the Railway Labor Act with respect to emergency labor disputes; to the Committee on Education and Labor.

H.R. 9063. A bill to amend the Fair Labor Standards Act to provide for an increase in the minimum wage; to the Committee on Education and Labor.

By Mr. ROGERS of Florida:

H.R. 9064. A bill to establish a National Commission on Oceanography; to the Committee on Merchant Marine and Fisheries.

By Mr. ROSENTHAL:

H.R. 9065. A bill to provide for certain reorganizations in the Department of State and the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Government Operations.

By Mr. SAYLOR:

H.R. 9066. A bill to provide a uniform period of daylight saving time; to the Committee on Interstate and Foreign Commerce.

H.R. 9067. A bill to provide grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions; to the Committee on Public Works.

By Mr. SLACK:

H.R. 9068. A bill to amend the Employment Act of 1946 to require the Council of Economic Advisers to advise the President regarding the effect of the importation of petroleum and petroleum products on employment in the United States; to the Committee on Government Operations.

By Mr. TEAGUE of Texas (by request):

H.R. 9069. A bill to amend title 38 of the United States Code to provide for certain contracts between the Administrator of the Veterans' Administration and schools of medicine in order to improve the quality of medical care available to veterans in facilities of the Veterans' Administration; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARING:

H.R. 9070. A bill to amend the Indian Long-Term Leasing Act; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL of Virginia:

H.R. 9071. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain amounts paid for education or training above the 12th-grade level; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 9072. A bill to amend the Federal Unemployment Tax Act to provide an exemption for county fairs and other agricultural or horticultural fairs; to the Committee on Ways and Means.

By Mr. LOVE:

H.R. 9073. A bill to amend the Federal Employees' Group Life Insurance Act of 1954 to permit an employee subject to such act to be insured on the basis of the highest rate of compensation received by him in the course of his employment; to the Committee on Post Office and Civil Service.

By Mr. REID of New York:

H.R. 9074. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. RIVERS of South Carolina:

H.R. 9075. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BATES:

H.R. 9076. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. PHILBIN:

H.R. 9077. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. ARENDS:

H.R. 9078. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HÉBERT:

H.R. 9079. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. O'KONSKI:

H.R. 9080. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. PRICE:

H.R. 9081. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BRAY:

H.R. 9082. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. FISHER:

H.R. 9083. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BOB WILSON:

H.R. 9084. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HARDY:

H.R. 9085. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. GUBSER:

H.R. 9086. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BENNETT:

H.R. 9087. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CHAMBERLAIN:

H.R. 9088. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. BYRNE of Pennsylvania:

H.R. 9089. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. PIRNIE:

H.R. 9090. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HALL:

H.R. 9091. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CLANCY:

H.R. 9092. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. ICHORD:

H.R. 9093. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. STAFFORD:

H.R. 9094. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. SCHWEIKER:

H.R. 9095. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LENNON:

H.R. 9096. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. RANDALL:

H.R. 9097. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HAGAN of Georgia:

H.R. 9098. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LEGGETT:

H.R. 9099. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. IRWIN:

H.R. 9100. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. JOHNSON of Oklahoma:

H.R. 9101. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. EVANS of Colorado:

H.R. 9102. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LOVE:

H.R. 9103. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. HICKS:

H.R. 9104. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. MACHEN:

H.R. 9105. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. LONG of Louisiana:

H.R. 9106. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. WALKER of New Mexico:

H.R. 9107. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. DULSKI:

H.R. 9108. A bill to amend title 38, United States Code, to increase the amount payable on burial and funeral expenses; to the Committee on Veterans' Affairs.

By Mr. BURTON of California:

H.J. Res. 511. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mrs. HANSEN of Washington:

H.J. Res. 512. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. IRWIN:

H.J. Res. 513. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. ADAMS:

H.J. Res. 514. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. CELLER:

H.J. Res. 515. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. DERWINSKI:

H.J. Res. 516. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. KREBS:

H.J. Res. 517. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. MILLER:

H.J. Res. 518. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H.J. Res. 519. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. YATES:

H.J. Res. 520. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. FINO:

H.J. Res. 521. Joint resolution to ask the President to petition the United Nations to seek self-determination for Latvia, Lithuania, and Estonia; to the Committee on Foreign Affairs.

By Mr. LOVE:

H.J. Res. 522. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. DOW:

H.J. Res. 523. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. PATTEN:

H.J. Res. 524. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. IRWIN:

H. Con. Res. 437. Concurrent resolution that the United States reaffirm its determination to see the people of Lithuania, Latvia, and Estonia living in freedom once again; to the Committee on Foreign Affairs.

By Mr. YATES:

H. Con. Res. 438. Concurrent resolution expressing the sense of the Congress that the President should instruct the U.S. mission to the United Nations to bring the Baltic States question before that body with a view to obtaining the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia; the return of exiles from these nations from slave-labor camps in the Soviet Union; and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

H. Con. Res. 439. Concurrent resolution expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. REUSS:

H. Con. Res. 440. Concurrent resolution expressing the sense of the Congress with respect to the worldwide conservation of wildlife and the convening of an international conference on the conservation of wildlife under sponsorship of the United Nations; to the Committee on Foreign Affairs.

By Mr. ROSENTHAL:

H. Res. 422. Resolution providing for printing of the dedication ceremonies of the Committee on Government Operations hearing room in the Rayburn House Office Building; to the Committee on House Administration.

By Mr. TUPPER:

H. Res. 423. Resolution regarding Rev. Peter Powers as a Revolutionary War patriot; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

315. By Mr. MONAGAN: Resolution memorializing Congress concerning the donation of Federal surplus property to State civil defense agencies; to the Committee on Government Operations.

316. By Mr. PRICE: Petition adopted by House of Representatives in the 74th General Assembly of the State of Illinois supporting the implementation of the national forest program for the Shawnee Hills of southern Illinois, including the planning and development of the George Rogers Clark Recreation Way, the Kincaid, Lusk Creek, Eagle Creek and Little Saline Lakes; to the Committee on Agriculture.

317. By Mr. TUPPER: Joint resolution of the Maine Legislature urging upgrading of economy of Washington County, Maine; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 9109. A bill for the relief of Mrs. Goli Kiari (also known as Helen Chiari); to the Committee on the Judiciary.

H.R. 9110. A bill for the relief of Mrs. Tam Sui Lan and her two children, Wong Bo Yee and Wong Bo Kee; to the Committee on the Judiciary.

H.R. 9111. A bill for the relief of Eleni Sarandis; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 9112. A bill for the relief of Benedetto and Concetta Colombo; to the Committee on the Judiciary.

H.R. 9113. A bill for the relief of Justina Veronika Imre; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 9114. A bill for the relief of Mrs. Muriel Reta Davies; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 9115. A bill for the relief of Alfredo Pate; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 9116. A bill for the relief of Flory Benlolo; to the Committee on the Judiciary.

H.R. 9117. A bill for the relief of James F. Gittens; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 9118. A bill for the relief of Miss Margaret Gale; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 9119. A bill for the relief of Maria Adozinda de Barros Fernandes; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 9120. A bill for the relief of Mrs. Odete M. T. Lisboa Lima; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9121. A bill for the relief of Gloria Monica Mendes; to the Committee on the Judiciary.

H.R. 9122. A bill for the relief of Yvonne Charles Williams; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 9123. A bill for the relief of Felix Abikzir, his wife Yvette Abikzir, and their minor children, Clement Abikzir and Jeanette Abikzir; to the Committee on the Judiciary.

H.R. 9124. A bill for the relief of Jung Soon Lee, her daughter, Mrs. Kyong Hai Yun Wohn, and her son-in-law, Jong Kwon Wohn; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 9125. A bill for the relief of Lt. David Campbell; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 9126. A bill for the relief of Mr. and Mrs. Srini Srinivasan; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Honorable Mayor Richard G. Crenshaw

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1965

Mr. HANNA. It is my pleasure and honor today, Mr. Speaker, to bring to the attention of my colleagues in the Congress of the United States and the people of our Nation the testimonial dinner which will be held July 6 in honor of Richard G. Crenshaw, the former mayor of Buena Park, Calif.

Dick Crenshaw is and has been a leader during his entire life. He served two hitches in the U.S. Navy, including 4 years in a naval intelligence unit which operated behind enemy lines in China and Burma during World War II. He was honorably discharged at the conclusion of World War II with the rank of lieutenant commander.

At home, which has been southern California for the Crenshaw family for more than half a century, Dick Crenshaw has served many civic causes in innumerable capacities. Among these, he has been particularly active in YMCA and Boy's Club work, as a 32d degree Mason, and as a Shriner. Dick Crenshaw is a past master of the DeMolay's and holds honorary life membership in the California Congress of Parents and Teachers, an honor which was bestowed upon him for his valuable work with the youth of our great State.

In his adopted community of Buena Park, Calif., Dick Crenshaw has been most active in civic affairs. Since 1956, when he and Mrs. Crenshaw moved their family to Orange County, Dick has given unselfishly of his time and many talents to the city, and has contributed greatly to its rapid and orderly development. Dick served as president of the community coordinating council, as a member of the Buena Park Planning Commission, and was elected to the Buena Park City Council. Dick Crenshaw's hard work and leadership on the city council culminated in his election as mayor of Buena Park by his colleagues on the city council.

Surely no man, Mr. Speaker, is more deserving of the outpouring of gratitude by the people of his community, and State, and Nation than Dick Crenshaw. It will be my distinct honor to be the main speaker at the testimonial dinner planned for Mayor Crenshaw. At that time, Mr. Speaker, I will attempt to express what the service of Dick Crenshaw has meant to the people of Buena Park, Orange County, the State of California, and his beloved country. It will not be an easy task, Mr. Speaker, for the Honorable Mayor Richard G. Crenshaw has done a great deal for each of us.

The 20th Anniversary of the United Nations

EXTENSION OF REMARKS

OF

HON. JOHN R. SCHMIDHAUSER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1965

Mr. SCHMIDHAUSER. Mr. Speaker, I would like to take this opportunity to add my wholehearted support to House Concurrent Resolution 429 introduced by Congressmen Fascell, Fraser, Frelinghuysen, and Bolton to further strengthen the United Nations on its 20th anniversary. I feel that this resolution is doubly appropriate at this time as the year 1965 has been designated by the United Nations General Assembly as International Cooperation Year.

I strongly support the President's charge to those participating in the International Cooperation Year program to "search and explore and canvass and thoroughly discuss every conceivable approach and avenue of cooperation that could lead to peace." In my estimation, the United Nations has enjoyed 20 most successful years in its attempt to bring peace to our troubled world and to eradicate poverty, disease, and ignorance throughout this globe.

However, I feel that now is the time for us to evaluate and recommit ourselves to this vital world organization to make it more viable and responsive to our fast-moving and ever-changing world. Mr. Speaker, I feel that the worthwhile objectives of House Concurrent Resolution 429 would greatly strengthen the United Nations, and therefore I strongly support this resolution on the 20th anniversary of the United Nations.

Lack of Farmworkers Leaves Skilled Workers Unemployed

EXTENSION OF REMARKS

OF

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1965

Mr. TALCOTT. Mr. Speaker, for those who suggest that only the farmer is being penalized by the refusal of the Department of Labor to permit importation of temporary, supplemental farm labor, I insert the following telegram. I hope Members with large, vocal union membership will read it.

Union members on the scene who know the situation intimately urge me to help obtain adequate, competent, reliable farm labor so that the union members employed in industries allied with agriculture can go back to work.

King City, Calif.

Burt L. Talcott,
Congressman,
Washington, D.C.:

We have accepted all recruits available under the Department of Labor's State and interstate program. They leave as fast as they come. Some are too young. Some are too old. Some are skid-row types. As we have stated before, we were the first to go with the program last year and used no braceros in our carrot fields. The results were disastrous—this year we were forced to destroy 400 acres in Imperial Valley. Now we are facing the same thing in the Salinas Valley. Some recruited workers remain on the job but the wage cost is more than the selling price of the carrots, and the market is good. Please, please we beg you to do something about it. I do not want to destroy foodstuff that hungry people need. We have 250 union workers on our 3 packing sheds and practically all are drawing partial unemployment benefits because we cannot get sufficient carrots harvested.

ANTHONY MAGGIO,
President, Carl Joseph Maggio, Inc.

Can you imagine skilled agriculture shed workers being unemployed and drawing unemployment benefits when their employer is plowing under mature vegetables and valuable food is wasting in the fields? Well, it is true.

There is nothing to process, grade, box, package, refrigerate, transport, or sell if the carrots cannot be harvested. Only the Department of Labor can alleviate this monstrous disaster.

Amherst Young Republican Club Passes Resolution Stating Views on Repeal of Section 14(b)—Taft-Hartley Act

EXTENSION OF REMARKS
OF
HON. RICHARD D. McCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 15, 1965

Mr. McCARTHY. Mr. Speaker, the Amherst Young Republican Club recently passed a resolution stating their position on repeal of section 14(b) of the Taft-Hartley Act and has asked that I convey their views to the Members of Congress. I have spoken to this group, headed by my good friend, Jay Brett. While I found that our views on legislation do not always coincide, I did find our discussions enlightening and in the spirit of friendly, free, and open debate. Once again I find our views differing and I am attaching my statement on the legislation along with the resolution offered by the Amherst Young Republican Club.

The resolution follows:

AMHERST YOUNG REPUBLICAN CLUB RESOLUTION ON REPEAL OF SECTION 14(b), TAFT-HARTLEY ACT

Whereas the present administration has recommended to the Congress of the United States, that it repeal section 14(b) of the Labor-Management Relations Act, 1947 (Taft-Hartley Act); and

Whereas the said section 14(b) now permits each State to determine for itself whether union shop contracts shall be permitted within its borders; and

Whereas the retention of these right-to-work laws are in the best interests of all the people, both union and nonunion alike in that the freedom of the individual to join or not join a union or any other organization is part of our American heritage; and

Whereas even though the State of New York has not adopted and would not likely adopt such a right-to-work law: Now, therefore, be it

Resolved, That the membership of the Amherst, N.Y., Young Republican Club in its regular June meeting assembled does hereby express its strongest opposition to the repeal of section 14(b) as yet another unnecessary and dangerous incursion of the Federal Government into the area of the rights and powers which are or ought to be reserved to the States; and be it further

Resolved, That the U.S. Senators from New York and the Representative for the 39th Congressional District of New York be notified of this resolution and urged to oppose the repeal of section 14(b); and be it further

Resolved, That our said Senators and Representative be requested to spread these resolutions upon the CONGRESSIONAL RECORD to the end that the entire Congress may be made aware of the depth of feeling on this issue.

Certified a true copy of resolutions passed by the membership of the Amherst, N.Y., Young Republican Club at a meeting held at Amherst, N.Y., on Thursday, June 10, 1965.

JAY E. BRETT,
President.

Mr. McCARTHY. I have received many letters and it is apparent there are strong feelings for and against repeal of that section of the Taft-Hartley Act which permits States to enact these laws.

The Buffalo Evening News spelled out the controversy in this way:

> What the issue really comes down to is this: far from being a party issue, the outlawing of union-shop contracts is really a controversy that divides the strongly unionized industrialized States from those using the openshop as a lure to attract new industry. On those realistic terms, can see no reason why Republicans in Congress from this part of the country should be bashful about joining northern Democrats in amending the Taft-Hartley Act to ban State right-to-work laws in interstate commerce.

That was on November 8, 1958. In a May 20, 1965, editorial the News restated its earlier position and added that:

> New York and other industrial States which have achieved a measure of maturity in labor-management relations have little reason to take up the cudgels against some uniformity in national labor policy.

The distinguished, ranking Republican on the House Education and Labor Committee, Representative WILLIAM H. AYRES of Ohio, has said he favors repeal of section 14(b) without any strings attached.

While I am impressed with many of the points advanced by opponents of repeal, I represent 85 percent of Erie County and I want to make sure that nothing I do here helps other States pirate our industry. I wonder if we are consistent if we strive to bring new industry to Erie County but at the same time support a law that helps other States lure our existing industry?

Since the bill has not yet been reported out of committee, I am withholding my final decision on how I will vote until I read the bill and find out what else it includes.

Social Security Amendments

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 15, 1965

Mr. FINO. Mr. Speaker, today I have introduced legislation to amend the Social Security Act to eliminate dependency as a condition of entitlement to husband's or widower's benefits and to provide that dependent parents of living insured individuals—as well as surviving parents of deceased insured individuals—shall be eligible for parent's insurance benefits.

In keeping with the concept of equality between the sexes in business, I am introducing this legislation at the request of the New York League of Business and Professional Women to equalize dependency requirement in social security so that a husband may share in his predeceasing wife's benefits without a showing of dependency just as the wife would share in his. I also feel that dependent parents of living insured individuals ought to be eligible for parent's insurance even while the insured is living, total benefits not to exceed the allowable ceiling.

Texas Is a Land of Many Scenic Wonders

EXTENSION OF REMARKS
OF
HON. J. J. PICKLE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 15, 1965

Mr. PICKLE. Mr. Speaker, I have here a column written by Mr. Ted Lewis of the New York Daily News in which he makes the following statement:

> The Lone Star State is big but its landscape is drab and without one scenic beauty worth touting.

Since the New York Daily News reportedly has the largest circulation of any newspaper in the United States, I am taking this opportunity to call this awful absurdity and fantastic falsehood to the attention of my colleagues in the House of Representatives. As you and I know, every State in these United States has its scenic wonders worth touting. And Texas is certainly no exception, as all of those who have visited our great State can testify.

We Texans have long been a proud people—and justifiably so. We are proud of our glorious past, during which the flags of six nations—including that of our very own independent Republic—have flown over our vast lands. We are proud of our present, and the great political, economic, and scientific contributions we are making in this age of astronauts. And we are proud of our future, and the ever-growing progress and prosperity we Texans share with the rest of America under the dynamic and effective leadership of our native son President Lyndon B. Johnson.

And we are especially proud of the unique and infinite variety of natural and scenic attractions that stretch across our State.

People all over the world are suddenly learning that the so-called "tall tales of Texas" are filled with fact—and not boastful bragging. The 14 million Americans outside our borders who come to Texas as tourists each year—and the number is growing—are evidence of the enjoyable vacations to be had in the

Lone Star State. Some two-thirds of these tourists are paying us repeat visits.

There remain, however, those who either refuse to recognize the beauty within our borders, or else they are the ignorant few who have missed the marvels of our State's numerous scenic, historic, and cultural attractions.

Mr. Lewis is in such a category.

Fortunately, the New York Daily News columnist does not speak the sentiments of his fine fellow citizens of that wonderful State. We Texans feel close to the people of New York because they make up a very large percentage of our visitors.

During 1963, for example, some 400,000 New Yorkers came to see our magnificent mountains, our seashores and cities, our forests and lakes. Yes, and even our drab landscapes. But they must have seen these drab sights at a different time than Mr. Lewis did. Because they and others like them return each year to see the splendor of the Big Bend National Park, with its miracle of springs in the desert, and the colorful and shadowy gorges of the silent, towering mountains. Perhaps, they too saw the desert at sunrise, or at sunset, and absorbed the seldom-seen beauty of cactus blooms and prickly pear that paints the prairie yellow, red, and orange.

The people of New York think enough of the attractions of Texas to spend some $20 million a year as tourists in the Lone Star State, and we appreciate this. We are grateful not for this big payroll alone, but for the proud privilege we have to show off our State and provide relaxing, carefree, uncrowded good times to our fellow Americans who are not themselves blessed with the bountiful beauties of Texas.

Excluding the States that adjoin us, New Yorkers rank fourth in the number of out-of-State tourists to Texas. California, Florida, and Illinois rank first, second, and third—in that order.

This data is assembled by the Travel Division of the Texas Highway Department which maintains the best system of roads found anywhere in the world. We have some 63,000 miles of excellent Texas highways which are scenic wonders in themselves, because we take pride in maintaining more than 1,000 clean and attractive roadside parks and camping and picnicing areas. These are always found in the more scenic areas across the length and breadth of Texas—such as the hill and lake country of my congressional district in central Texas, and in the forest and park country of east Texas, the mountains and canyon country of west Texas, the 110-mile-long Padre Island and other Texas coastal areas, and the lush semitropical Rio Grande Valley of south Texas with its thriving and colorful citrus groves and Latin atmosphere.

Few non-Texans realize that our State has 54 mountain peaks over 6,000 feet in height. And next to Alaska, we have more surface water than any other State. Our lakes and streams are truly lovely—clear and sparkling, and a paradise for fishing and boating enthusiasts.

What better combination for scenic beauty is there?

Space does not permit me to adequately describe our numerous scenic wonders, Mr. Speaker. But in my central Texas district alone, one can find every ingredient that goes into the beauty of all Texas. We are famous for our many lakes and rushing streams and rivers—like the Pedernales that flows by the Texas White House on the L.B.J. ranch, and for the surrounding scenic hills, the dude ranches, the historical sights, including our magnificient, granite State capitol in Austin, with more than 400 room and 18 acres of floor space under its soaring dome, and we are equally famous for our abundant wildlife, our picturesque communities—like San Marcos, with its world-famous Acquarena.

And in historic old San Antonio, Mr. Speaker, we have the Alamo. Our heroes immortalized it—Travis, Crockett, Bowie, Bonham. In this cradle of Texas history, 200 courageous Texans fought to the death in a 13-day siege by Gen. Santa Anna and his 5,000-man Mexican Army. This and scores of other historic spots help explain our pride in Texas.

But the Alamo is not exactly a scenic wonder, Mr. Speaker. It may even appear drab to someone like Mr. Ted Lewis. It is simply a scarred and weathered old monument to courage and determination.

Yet, there is a strange bit of beauty the Alamo imparts—especially to Texans. Amidst the sadness, one can feel this beauty that seems to swell our hearts.

Texas, as I have explained, is truly a land of many outstanding scenic wonders. We invite all Americans to come see for themselves that our landscapes are far from drab. Rather, they are ensconced in nature's most magnificent setting.

And I especially invite Mr. Ted Lewis.

The West High School A Cappella Choir

EXTENSION OF REMARKS

OF

HON. JOHN R. SCHMIDHAUSER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1965

Mr. SCHMIDHAUSER. Mr. Speaker, I would like to take this opportunity to express my admiration for the musicianship of the a cappella choir of West High School from Davenport, Iowa. This fine group of young students sang at noon today in the rotunda of the Old Senate Office Building and their singing was indeed a delight to hear. I have heard many high school groups and it is rare to hear one of such quality. This choir, under the able direction of Mr. Calvin Hedegaard, has distinguished itself and brought honor to the people of Davenport and the First District of Iowa in this concert and the many others it has given during the past year. Their excellence had been noted in the National Music Educator's Journal and I am happy to make note of it again and commend them. The a cappella choir of West High School typifies the high standards of Iowa youth.

Address by the Honorable John N. Erlenborn Before Northern Illinois Air Force Academy Appointees on June 12, 1965

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1965

Mr. RUMSFELD. Mr. Speaker, on Saturday, June 12, 1965, my colleague the gentleman from the State of Illinois, the Honorable JOHN N. ERLENBORN, addressed the northern Illinois Air Force Academy appointees at the Colonial House in Morton Grove, Ill. Following is Mr. Erlenborn's speech, which I feel merits the attention of my colleagues:

ADDRESS BY MR. ERLENBORN

Air Force appointees, because this occasion is held for the new appointees to the Air Force Academy I will be directing my comments to them.

During the next 4 years—and we all trust and hope you will be graduated—you gentlemen will join 4,400 others who have been selected to attend the Nation's newest service Academy.

You are entering the Academy during the year of its 10th anniversary.

From this time forth you will carry with you a new responsibility as a citizen.

The responsibility that you are among that handful of young men who have been classified as the cream of this Nation's youth.

It is only our finest, most capable and honorable young men we send to our service academies.

You already stand tall among your peers.

You have already achieved and accomplished.

And you have been given the opportunity offered only to those believed to be the best.

Your Nation has placed a special faith in your ability, and your honor.

As I thought about what I would say tonight I could not help but recall the words of a great fellow countryman, a great leader, an outstanding soldier and an extraordinary American.

He was a graduate of a service academy. In his case West Point.

His life is an inspiration to all Americans, a special inspiration to those who select the military for their careers.

I am speaking of Douglas MacArthur—citizen, soldier, statesman.

I am recalling his final address to the cadets at the Point: "Duty, honor, country."

"These three hallowed words reverently dictate what you ought to be, what you can be, what you will be."

Those are General MacArthur's comments, not mine.

"What you ought to be."

"What you can be."

"What you will be."

A portion of what you ought to be, you already are—uncommon young men with an uncommon capacity for leadership, duty, honor, and responsibility.

"What you can be."

Your opportunities are limitless. You will be attending a U.S. service academy offering the finest education this Nation can provide.

In the jet age, the age of the atom, and that time when we may decide between liberty and slavery throughout the world, you will attend the academy of this age, the aerospace age.

I envy you.

Yours is the challenge to cross frontiers of time and space. The challenge that has dazzled the mind of man since man began.

"What you will be."

You will be men who accept responsibility, opportunity, and challenge.

Men in the service of their country.

Men who with them rides our Nation's hope for a better tomorrow, our determination for liberty and freedom, our pledge for peace.

Your guidepost in all your future endeavors will be duty, honor, country.

What are your duties?

They are all the obligations and opportunities of full citizenship—plus. Plus the fact that for the remainder of your lives you will be a symbol of Uncle Sam to all those you meet. A symbol of this, our Nation.

You will carry with you the traditions of the American military, a military set quite apart from men in uniform from other lands.

You will not be of the military that conquers for the sake of conquest.

You will not be of the military that lays waste to show mere might.

But you will be of a military that knows not defeat.

A military that knows not surrender.

A military that always, in times of need, accepts the challenge and does not turn back until victory is achieved.

All our military victories are not battlefield victories.

As much as for their valor in battle, our Nation's military men are known for valor in peace.

Our military has not been, and never shall be, the strength of the bully. For the bully is without honor.

Duty, honor, country.

We first honor you by offering you this opportunity.

You honor your Nation by accepting.

And your responsibility is a life to be lived on a foundation of honor.

Duty, honor, country.

Service to country is a high calling.

Many say they would sacrifice life for country.

Your testimony is unquestioned.

In our quest for liberty and freedom for all men, we pray you will never be called upon to lay down your life for your country.

But your clear acceptance of the willingness to pay this ultimate price for liberty, for freedom, and for country demonstrates your deep-seated love of liberty, freedom, right, justice, and country.

I salute you.

The conflict of battle need not come to earn that salute.

Service to country alone—far short of sacrifice of life—earns you honor.

While other men may choose to live narrow lives bounded by service to self, you have chosen to serve beyond self.

Duty, honor, country.

Are "duty," "honor," "country" but three empty words?

Is it but a slogan?

Something for the old soldier, Douglas MacArthur, to murmur when he returned that final time to his academy?

A flamboyant phrase?

I think not.

You shall prove not.

By the end of your 4 years it will mean much more to you than it does tonight.

It will become your way of life.

It will be a part of you.

If your heart doesn't quicken when the flag goes by today, it shall.

This is the greatest nation known to man.

Not because of its affluency, but because of its people—and the blessings of God.

It is a mighty nation.

Its arsenal is but a fraction of its might.

It is the people.

Their sense of, and for, justice.

A generous nation.

A kind nation.

Nowhere is man's opportunity greater.

Nowhere is man's achievement greater.

We have in this country what all the rest of the world is searching for.

And you are being given an opportunity to join our front line.

The front line for the defense of freedom.

The front line for the offense for freedom.

Whether after graduation you follow a career with the military or return to private life, you are in the front line.

All your life, everywhere you will go, you will be marked—marked as a man his nation trusted to hold a position of leadership.

Marked as a man who accepted the responsibilities of that leadership.

Leadership is not an easy thing accepted or executed.

It requires special qualities.

You must be trustworthy.

And so all your life you will be marked as a man of honor, as a man to be trusted.

I have known but a limited number of graduates of our service academies, probably because the number is limited. Upon meeting each one I have thought to myself—here's a guy who is OK.

He's on the ball.

He'll go places.

You've got to be top grade to get through one of those.

As a member of the Air Force Academy—a service Academy—as a graduate—your reputation preceeds you.

You will be known as a man with a sense of duty, with honor, with a love of country.

And never grow too old, too sophisticated to stand tall and say you love your country.

To be proud of your country.

To have faith in your country.

Right or wrong let this always be your country.

Our history is a legend of a neverending determination to be right, to be just. We may falter, but we will never fail. Our courage is a special kind of courage. It is a courage of action.

Today we fight confined frustrating battles to extend the boundaries of freedom.

Vietnam is an example. It takes a special kind of national courage to help others help themselves along the road to freedom.

We are not seeking the usual kind of military victory there.

At our command are devastating weapons of destruction, the might for conquest. It is not an easy thing for the most powerful among nations not to turn loose its full military might.

But our dedication is for freedom, our goal liberty.

It is neither destruction nor peace.

We could have peace tomorrow. All we have to do is stop fighting, halt our aid, end our advice.

We could have peace in Vietnam and peace today worldwide if we would surrender.

Peace is easy to achieve.

It takes courage not to succumb to its lure.

It takes continued courage to recognize the price of this available peace. The price is freedom, is liberty.

And it takes a special kind of courage not to succumb to the lure of conquest.

History does not tell of this record for any other nation, or any other people.

We are neither greedy nor cowardly.

There are some among us who would thrust us along the path of conquest.

There are those among us who would have us forsake our honor, shirk our duty and in doing so betray ourselves.

In Vietnam we have drawn a line to the enemies of freedom—I only wish we had been more firm earlier. And as we draw that line and pledge to turn back the invaders we must not become guilty of their crime.

It is an unusual nation with uncommon courage that accepts this responsibility. I pray we do not hesitate to keep our faith.

We are the Nation that keeps the light of liberty aglow. It shines for all men to see: They need but ask to share its light and we respond.

Be proud of your Nation and its heritage. Dedicate yourselves to keep alive its legends.

This does not mean we should endure insults or aid those who would destroy us. If we have a fault of national policy—it is our seemingly unending patience. But better patient than impulsive. And better patient than complacent.

You can still love and honor your Nation and be critical. I am critical of that thin line we draw between patience and complacency when we turn the other cheek to those who trample our flag.

"These are the times that try men's souls" is fitting to our worldwide role.

One hundred and ninety years ago the men lined up at Concord to draw a line against oppression, to fight for the responsibility of self-determination and the promises of freedom and liberty.

One hundred and ninety years ago the young Virginian asked his fellow assemblymen, "Is life so sweet as to be purchased at the price of chains and slavery?"

For 190 years these have been our inspirations. For nearly 10 generations Americans have fulfilled the destiny of the men at Concord, have answered the Virginian's question.

This is your heritage.

Remember it with pride.

It is worthy of your dedication.

We entrust you with the responsibility of leading us in the future. With the defense of freedom, that offense for freedom.

It will be no easy task. The crisis of past generations pale before your challenge.

I selected General MacArthur's words for more than one reason this evening. He was a vital part of an astounding experiment for our way of life, our national philosophy.

In 1941, the Imperial Japanese attacked Pearl Harbor in a daring sneak attack, even while their representatives were in Washington under the guise of peaceful talks concerning the war in China.

Our response is recorded in history.

Our entry into World War II led to the eventual victory of the forces for freedom.

We conquered Japan, after first defeating her allies.

Our cost can best be measured in the 400,000 Americans who died in service.

That was our price for freedom.

Has there ever been another victorious nation that once victory was achieved devoted its energies to establishing liberty, justice, freedom, and self-government for its former enemy?

And, in the case of Japan it was Douglas MacArthur who was first driven from Bataan and Corregidor, who returned to the Philippines a victor, who lead the Allies to victory in the Pacific, who accepted the Japanese surrender and then was sent to Japan to establish eventual self-government.

This record, too, is your national heritage.

We did not extend our own boundaries in the wake of victory.

We did not make the conquered subservient to our will.

We believe and practice what we preach.

There is little need to detail any comparison of records with the Soviet Union.

We have only one similarity. They, too, seek to practice what they preach. In their case it is world conquest.

You will be among the leaders of the Nation—these United States—that stands between communism and its goal.

Yes, the crisis of other generations pale before your challenge.

We pray that in the third century of our Nation's history your children and children's children are able to live without the cloud of oppression over any man.

This is your ultimate challenge.

You have been selected as leaders for the task.

An appointment to the Air Force Academy is not granted lightly.

You are among the finest of all our young men—the pride of any nation.

Your parents who have joined you tonight are proud of you too.

They will be prouder still when you are graduated.

I don't discount that between then and now you will have moments of concern, and they will have moments of concern.

It will not be an easy 4 years.

You aren't guaranteed that diploma and commission.

You will have to earn it.

I believe that your parents deserve praise too this evening.

Their sons do them proud.

You are their rededication of a love of country.

And so we send you on your journey. You will join the class of 1969 at the U.S. Air Force Academy.

Almost each day man records a new achievement of breathtaking proportions. As we thrust into outer space we are entering a new epoch in the history of mankind. We accept and conquer the challenge of boundless frontiers. You will become a part of those conquests.

Today we can hardly imagine some of the achievements of your generation.

But at the basis of every endeavor, every challenge, and every conquest, for you, from the moment you step onto the campus it will be duty, honor, country.

And that day of freedom for all, when the crusade for liberty ends in victory, and peace reigns, will be that day when duty, honor, country triumphs.

The Abominable "Cookie Tax"

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1965

Mr. COOLEY. Mr. Speaker, a little girl in my district in North Carolina has written to me complaining that we are about to raise the price of wheat and that will increase the cost of cookies, and crackers, and bread—cookies, especially.

A number of Members of the House, if not all, are receiving letters opposing the wheat legislation offered by the administration and now pending before the Committee on Agriculture.

Many of the letters call the legislation a "bread tax."

I shall not here discuss the nature of the assault upon the wheat section of the omnibus farm bill, but I have written to the little girl about her worries as to cookies; and it is my thought that by publishing her letter and my response, my colleagues here will have a better understanding of the problems that confront us now in the Committee on Agriculture. Therefore, with the permission of the House, I am submitting this correspondence for the RECORD.

JUNE 11, 1965.

Hon. HAROLD D. COOLEY,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN COOLEY: I'm only 13 years old and I don't know too much about politics, but I do know that I don't like this 50-cent tax being put on a bushel of wheat because it raises the prices of cookies, crackers, and bread.

Since I'm only 13 I love cookies. Also I'm skinny, so I can eat as many cookies as I want and not worry about a weight problem.

My family is not rich nor are we poor, but the price of potatoes is so high we are substituting rice for potatoes. That doesn't bother me too much because I like rice. So would you mind telling me how you can substitute cookies.

I demand you should do something about this. Please?

Sincerely yours,
DOROTHY.

—

JUNE 15, 1965.

DEAR DOROTHY: Thank you for writing to me so delightfully about cookies.

No, Dorothy, we are not about to place a tax on cookies or crackers or bread.

We are simply trying to find a way for the farmer to get a fair price for the wheat he produces so that he can buy his own little girls like you the things they desperately need, and perhaps some pretty things—and some cookies, sometimes.

I believe that you will agree that the children of farmers who produce our food should have the essential things, and the nice things, like the children in our towns and cities.

But that is not the way it is now.

At 13 years of age, you are well advanced in school, and you are certainly intelligent as your letter shows me. You will understand some facts and figures that set out what has happened to our farm people, as compared with other people in our country, during your young lifetime.

In 1952, that must be the year you were born, the income of our farmers throughout the country amounted to $14.4 billion. Last year the income of our farmers was only $12.6 billion, a drop of 12 percent.

The earnings per hour of all farm labor and management last year amounted to only $1.06, while the pay of employees in the food marketing industry averaged $2.25 an hour. The average wage in all manufacturing industries in the United States last year amounted to $2.53.

So you can see, Dorothy, that the fathers and mothers who live on farms have only about half the money to spend on needed things and nice things for their children like you, as do the fathers and mothers in our towns and cities.

I do not think this is good for these children on our farms, and I do not think it is good for our country.

In the Congress we are constantly trying to do something about this. We want our children on farms to have the needed things, and some nice things.

Now about the price of wheat.

In your letter you said: "I don't like this 50-cent tax being put on a bushel of wheat because it raises the prices of cookies, crackers, and bread."

I have figures before me comparing prices now with what they were in the years 1947 through 1949, just a little while before you were born. During this time the price farmers received for wheat has dropped 9 percent, while the prices of cookies, crackers, bread, and other bakery products have gone up by 45 percent. In terms of money, the price of a 1-pound loaf of bread was $12\frac{7}{10}$ cents on the average in the 1947–49 period, and the price of this loaf of bread today has risen above 20 cents, although farmers are getting considerably less for the wheat that goes into that loaf of bread. So you can see the price of wheat has very little to do with the price of bread, or of cookies.

We now are considering a bill which proposes to give the farmer a little better price for his wheat. In a 20- to 30-cent loaf of bread the farmer has gotten only about 2½ cents for the wheat it took to make that bread. We propose to give him just a fraction of a cent more for that wheat that makes a pound of bread.

Some people are saying that this fraction of a cent will be a "bread tax." These same people did not say things like that when the price of wheat was going down but the price of bread was being increased—almost doubled—so that the workers who make wheat into bread would get better pay.

So, Dorothy, we simply want to make it possible for fathers and mothers who are wheat farmers to get something near a fair price for their wheat, so they can have a decent American standard of living, and so that their children can be healthy and have the things that every American girl and boy should have.

I believe you will want to help us in this.

You tell me "I'm skinny, so I can eat as many cookies as I want and not worry about a weight problem." I assure you that you can always have plenty of cookies, and crackers and bread, too, and that what the farmer gets for his wheat never will make prices so high that you cannot have all that you want.

You are a lovely little girl.

With cordial good wishes, I am,

Sincerely yours,
HAROLD D. COOLEY,
Chairman.

The 50th Anniversary of the Ordination of Jozsef Cardinal Mindszenty

EXTENSION OF REMARKS

OF

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 1965

Mr. CUNNINGHAM. Mr. Speaker, June 12, 1915, was the date of the ordination to the Catholic priesthood of the man who, more than any other, has come to stand before the world as the symbol of religious liberty. Jozsef Mindszenty, that young Hungarian priest of 50 years ago, is now recognized by the free world as archbishop of Esztergom, primate of Hungary, and cardinal priest.

Living under Communist condemnation to life imprisonment, he has been in refuge in the American Embassy in Budapest since the brutal repression of the Hungarian revolt in 1956. It has been abundantly clear that the Communist tyrants who rule Hungary would permit him to exercise his religious functions in freedom—if he would leave Hungary and not come back; or would permit him some degree of personal freedom within Hungary—if he would consent to the abolition of his ecclesiastical authority. By his silent, stubborn refusal to submit, Cardinal Mindszenty bears witness, at once for the Catholic Church in Hungary, and for the essential freedom of each man to serve and worship God.

On the 50th anniversary of Cardinal Mindszenty's ordination, I join lovers of freedom everywhere in praying that God may continue to sustain him in his ordeal, and permit him to see the triumph of these principles for which he has long suffered.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 16, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with these words of Scripture: I Corinthians 16: 13: *Watch ye, stand fast in the faith, quit you like men, be strong.*

O God, our Father, in whom we find our faith for today and our hope for tomorrow, our pardon of sin and comfort in sorrow; draw us nearer to Thyself in fellowship and make us Thy worthy followers.

Grant that in the uncertainty and perplexity of these days we may have a more adventurous faith with nothing to destroy our sense of brotherhood or limit our personal and social realization of Thy mighty plans and purposes.

May the spirit of our Lord permeate and prevail in all our relations with mankind and in building a better world and a nobler civilization and may our Nation be governed by leaders and people who have the open mind, the fervent heart, and the will to enter into fellowship with all mankind without regard to race or rank.

Hear us in His name who is the only Great Teacher for a world with new outlooks, new demands, and new opportunities. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 214. An act to amend section 2104 of title 38, United States Code, to extend the time for filing certain claims for mustering-out payments, and, effective July 1, 1966, to repeal chapter 43 of title 38 of the United States Code; and

H.R. 7762. An act to amend titles 10 and 37, United States Code, with respect to the Reserve Officers' Training Corps.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4185. An act to fix the fees payable to the Patent Office, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8371. An act to reduce excise taxes, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Williams of Delaware, and Mr. Carlson to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6767) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes."

HON. ALBERT W. WATSON

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina, Mr. Albert W. Watson, be permitted to take the oath of office today. The certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WATSON appeared at the bar of the House and took the oath of office.

AUTHORIZING SPEAKER TO DECLARE A RECESS ON JUNE 17, 1965

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday for the Speaker to declare a recess for the purpose of receiving the *Gemini 4* astronauts, Maj. James A. McDivitt, U.S. Air Force, and Maj. Edward H. White, U.S. Air Force.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DEPARTMENTS OF TREASURY AND POST OFFICE, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND INDEPENDENT OFFICES APPROPRIATION BILL, 1966

Mr. STEED. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none and appoints the following conferees: Messrs. Steed, Passman, Addabbo, Mahon, Conte, Robison, and Jonas.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1966

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Thursday, June 17, to file a privileged report on the Department of Defense appropriation bill for the fiscal year 1966.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LIPSCOMB reserved all points of order on the bill.

PUBLIC WORKS APPROPRIATION BILL, 1966

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night, June 17, to file a privileged report on the public works appropriation bill for the fiscal year 1966.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RHODES of Arizona reserved all points of order on the bill.

SUBCOMMITTEE ON COPYRIGHTS OF COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Copyrights of the Committee on the Judiciary may sit while the House is in session today and tomorrow during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 140]

Abernethy
Ayres
Bonner
Bow
Bray
Brown, Ohio
Cameron
Chamberlain
Clausen, Don H.
Corman
Findley
Fisher
Green, Oreg.
Hagan, Ga.
Harvey, Ind.
Hébert
Holifield
Ichord
Keith
McEwen
Macdonald
Martin, Ala.
Martin, Mass.
Morton
Pirnie
Powell
Rivers, Alaska
Rivers, S.C.
Smith, N.Y.
Steed
Thomas
Toll
Willis
Wilson, Charles H.
Zablocki

The SPEAKER. On this rollcall 400 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GENERAL SUBCOMMITTEE ON LABOR, COMMITTEE ON EDUCATION AND LABOR

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the General Subcommittee on Labor of the Committee on Education and Labor may meet tomorrow, June 17, and Monday, June

21, in the afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 6927, with Mr. Boggs in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday it was agreed that the bill be considered as read and open for amendment at any time. The Clerk will report the committee amendment as printed in the bill.

The Clerk. Committee amendment:

Page 4, line 10, after the word "time." add a new sentence as follows:

"One of the Assistant Secretaries shall be designated to administer, under the supervision and direction of the Secretary, Departmental programs relating to the private mortgage market.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MRS. DWYER

Mrs. DWYER. Mr. Chairman, I offer an amendment in the nature of a substitute to the bill H.R. 6927.

The Clerk read as follows:

Amendment offered by Mrs. Dwyer: Strike out all after the enacting clause and insert in lieu thereof the text of the bill H.R. 8822, as follows:

"ESTABLISHMENT OF OFFICE OF URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

"Section 1. There is hereby established in the Executive Office of the President an office to be known as the Office of Urban Affairs and Community Development (hereinafter referred to as the "Office"). There shall be in the Office a Director and a Deputy Director to be appointed by the President. The Deputy Director shall perform such duties as the Director may designate, and during the absence or incapacity of the Director or during a vacancy in the office of the Director he shall act as Director. The Director shall receive compensation at the rate of $30,000 per annum, and the Deputy Director shall receive compensation at the rate of $27,000 per annum.

"PERSONNEL AND POWERS OF THE OFFICE

"Sec. 2. (a) The Director, with the approval of the President, may appoint in accordance with the civil service laws and the Classification Act of 1949 such additional personnel as he determines to be necessary to carry out the functions of the Office.

"(b) In the performance of the functions of the Office, the Director is authorized—

"(1) to procure by contract services as provided by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), at rates of compensation not exceeding $100 per diem for the personal services of individuals;

"(2) to appoint such advisory committees as he may determine to be necessary for the effective performance of the functions of the Office;

"(3) to designate such representatives as he may determine to be necessary or desirable to maintain effective liaison with executive departments and agencies, and departments, agencies, and instrumentalities of the States, which are engaged in activities related to the functions of the Office; and

"(4) to use the services, personnel, and facilities of executive departments and agencies and those of State departments, agencies, and instrumentalities, with the consent of such departments, agencies, and instrumentalities, with or without reimbursement therefor.

"(c) Upon the request of the Director, each executive department and agency shall furnish to the Office such information, suggestions, estimates, and statistics as the Director may determine to be necessary or desirable for the performance of the functions of the Office.

"(d) Subject to the approval of the President, the Director may—

"(1) promulgate such rules and regulations as may be required to carry out the functions of the Office; and

"(2) delegate to any other officer or employee of the Office authority for the performance of any duty imposed, or the exercise of any power conferred, upon the Director by this Act.

"COORDINATION OF FUNCTIONS

"Sec. 3. (a) Subject to the direction of the President, the Director shall take such action as may be appropriate to coordinate the programs of the various departments and agencies of the executive branch which have a major impact upon the Nation's urban areas. Such programs shall include Federal activities relating to housing, urban development and redevelopment, community facilities, highways and transportation facilities, civil defense, water and air pollution, and such other activities as the Director, with the approval of the President, determines relate primarily to urban needs and problems.

"(b) In carrying out his functions under this Act, the Director shall (1) establish and maintain close liaison with the departments and agencies referred to in subsection (a) and (2) consult with State and local officials, and with interested business, labor, and other groups, concerning urban problems and needs.

"INFORMATION ON URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

"Sec. 4. The Director shall establish within the Office a Division of Information on Urban Affairs and Community Development. Through this Division the Director shall compile and make available to State and local officials, and other interested persons, through such means as he determines to be appropriate, information concerning the Federal programs referred to in section 3. The service provided by such Division shall include assistance to State and local officials in relating such programs to specific urban problems or needs.

"RESEARCH AND STUDIES

"Sec. 5. The Director shall undertake research and studies with a view of determining what changes should be made (1) in the programs referred to in section 3 in order to achieve a more effective coordination of such programs with State and local programs designed to meet urban needs, (2) in the allocation of such programs among the various departments and agencies of the executive branch, and (3) in the administration of such programs in order to achieve increased economy and efficiency, to avoid duplication, and to coordinate more effectively the activities of such departments and agencies in the administration of such programs. The results of such research and studies shall be reported from time to time to the President for such action as he determines to be appropriate.

"FEDERAL URBAN AFFAIRS AND COMMUNITY DEVELOPMENT COUNCIL

"Sec. 6. There shall be in the Office an advisory council, known as the Urban Affairs and Community Development Council. Members of the Council shall be appointed by the President upon nomination by the Director from among persons with broad experience and interest in urban and related problems, and may include persons outside the Federal service. The following Federal officials are hereby designated as members ex officio of the Council; the Secretary of Labor, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of the Treasury, the Housing and Home Finance Administrator, and the Administrator of Veterans' Affairs. The President may designate other Federal officials as ex officio members of the Council. Members of the Council shall receive no compensation for their services, but shall be reimbursed for necessary travel and subsistence expenses as provided in the Travel Expense Act of 1949, as amended. The Council shall meet at the call of the Director, but not less than twice a year. The Council shall be concerned with all the urban problems mentioned in this Act, including air and water pollution, transportation, sewage, water supply, and urban renewal.

"COMMISSION TO STUDY TRANSFERS OF FUNCTION AND INTEGRATION OF ACTIVITIES

"Sec. 7. (a) (1) There is hereby established a special commission (referred to in this section as the "Commission") to study the feasibility of making transfers to and from the several departments and agencies mentioned in section 6 of this Act. The Commission shall consist of twelve members appointed by the President from among individuals in private life having substantial knowledge of and experience in housing, urban affairs, mortgage financing, and related fields.

"(2) The Commission may employ and pay the compensation of such staff as may be necessary to the performance of its functions.

"(3) Members of the Commission shall be compensated at the rate of $50 a day while actually engaged in the business of the Commission, and shall be paid travel expenses and per diem in lieu of subsistence in accordance with the provisions of section 5 of the Administrative Expenses Act of 1946 relating to persons serving without compensation.

"(b) The Commission shall conduct a thorough study and investigation of all functions relating to housing and urban affairs which on the date of the enactment of this Act are being performed by departments, agencies, and instrumentalities of the Federal Government, giving particular attention to (1) the distribution of such functions throughout the Government and the effectiveness with which they are being carried out by the departments, agencies, and instrumentalities in which they are respectively vested, and (2) the extent to which further coordination in the performance of such functions, with respect to each other, would serve to increase the overall efficiency and effectiveness of the programs of the United States in the field of housing and urban affairs. Upon the completion of its study and investigation, and in no event later than June 30, 1966, the Commission shall submit a full report thereon to the President together with its findings and recommendations.

"(c) The President, after receiving and considering the report of the Commission under subsection (b), shall prepare and submit to the Congress a reorganization plan (or plans) providing for the transfer to or from the Housing and Home Finance Agency, and other departments, agencies, and instrumentalities of the Government, of such additional functions relating to housing and urban affairs as he may deem necessary or appropriate to promote efficiency.

"REPORT TO CONGRESS

"SEC. 8. Not later than January 31 of each year, the Director shall submit to the President for transmittal to the Congress a report concerning the activities of the Office during the preceding calendar year."

Mr. FASCELL (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mrs. DWYER. Mr. Chairman, the amendment I have just offered is in the nature of a substitute for the committee bill. For reasons I shall mention, it is the conviction of those of us who have introduced similar bills that an Office of Urban Affairs and Community Development in the Executive Office of the President would be far superior to the creation of a Department of Housing and Urban Development—superior in terms of assistance to urban areas, superior in the coordination of Federal urban programs, superior in achieving consistent administration of expensive programs, superior in encouraging State, county, and local action in solving urban problems, and superior in mobilizing interest in and attention to the needs and interests of the Nation's communities and their people.

Under our alternative, Mr. Chairman, the Office of Urban Affairs and Community Development would be headed by a Director and a Deputy Director to be appointed by the President. The Director would be required to take appropriate action, subject to the direction of the President, to coordinate all the Federal programs which have a major impact upon urban areas, regardless of the department or agency which administers a particular program. The nature and degree of coordination would, of course, be left up to the President, but the amendment specifies several of the most important urban programs—including those which relate to urban development, housing, highways and transportation facilities, air and water pollution, community facilities, as well as other programs which the Director and the President determine relate primarily to urban needs and problems.

This provision is in sharp contrast to the committee bill which nowhere specifies urban programs other than those actually to be administered by the new Department.

To carry out this basic coordinating responsibility, our amendment would authorize the Director to maintain close liaison with executive agencies and with State agencies having responsibility for urban area programs; to consult with interested people in and out of government; to appoint necessary advisory committees; to utilize the services of and obtain information from executive agencies; to designate liaison representatives and/or committees of such representatives for purposes of maintaining liaison; and to procure the services by contract of outside experts and consultants.

Here, again, Mr. Chairman, our amendment improves upon the committee bill by expressly providing a whole range of tools with which the Director, subject to the President, can coordinate urban policies and programs.

Our amendment would also establish a Division of Information on Urban Affairs and Community Development which would compile and distribute information about urban programs to State and local governments and other interested persons, and assist State and local officials to relate existing programs to specific urban problems and needs.

While the committee bill also provides for a clearinghouse, I would suggest that it is more appropriate to locate such a service in a coordinating staff rather than in an operating agency which has primary interest in its own limited programs. The proposed new Department would not seem to be in a very good position to be completely objective about offering advice and information concerning programs which might differ or conflict with their own.

Mr. Chairman, our amendment would also require the Director to undertake studies and research, for the use of the President, in three principal directions: toward more effective coordination of Federal urban programs with those of State and local governments; toward a proper allocation of such programs among Federal departments and agencies; and toward the achievement of greater economy and efficiency, less waste and duplication, and more effective coordination in the administration of urban programs.

In undertaking such important studies, I think we can all agree with President Kennedy that the desired evaluation of urban programs cannot be done satisfactorily by an operating agency at the same organizational level as the agencies it is supposed to evaluate.

Finally, Mr. Chairman, our amendment would establish within the Office a Federal Urban Affairs and Community Development Council and a Commission to study transfers of function and integration of activities. The Council would be an advisory body composed of department and agency heads together with others in and out of Government with special experience in urban affairs. It would meet at least twice a year and concern itself with the whole range of urban problems. The Commission, however, would be made up exclusively of persons in private life having substantial knowledge of urban problems. It would be charged with conducting a thorough study of existing urban programs and reporting to the President on the effectiveness with which the programs were being administered and on the need for further coordination or transfer of functions.

As I have indicated, Mr. Chairman, our proposal has broad support among those most experienced in and concerned with the administration of urban programs. It would meet the primary need for coordination of Federal urban programs far more effectively than could the committee bill. It would create not a huge new Department but a small staff working with policylevel representatives of departments and agencies having urban area responsibilities.

It is somewhat ironic, Mr. Chairman, but very significant that almost all the arguments advanced by proponents of a new Department apply even more directly to our proposal for an Office of Urban Affairs and Community Development.

By way of example, I refer to the current, 1965, statement of policy adopted by the National League of Cities. Although this representative organization formally endorsed both a Cabinet-rank Department and a coordinating office in the Executive Office of the President, its major arguments would justify the Office rather than the Department.

Its policy declares—and I quote:

> No single individual or agency at the Federal level is concerned with the aggregate of the urban problem. Nowhere at the Federal level has it been sufficiently recognized that the many existing urban problems with which the Federal Government now deals—highways, airports, urban renewal, water pollution control, public facility loans, etc.—are interrelated and cannot be fully effective unless coordinated with one another.

This recognition, and this coordination, can only be achieved through creation of a small unit at the White House level expressly charged with the duty of helping agencies with related programs work together, toward consistent goals, and in full cooperation with States and localities.

Yesterday's debate, Mr. Chairman, raised two or three questions about our proposed substitute which I should like to clarify.

First. The major contention of proponents of a new Department seems to be that top-level attention to the needs of urban areas can only be assured through direct representation at the Cabinet table. The fact, however, is that top-level policy and action is not the job of the Cabinet, as such. Top-level decisions and coordination in the field of military and foreign affairs are achieved through the National Security Council. Major decisions about the administration's overall program are made through the Bureau of the Budget. Decisions on economic policy are reached through the agency of the Council of Economic Advisers. These staff arms of the President do not make the decisions by themselves, but they bring together the policymaking officials of the operating agencies for the purpose of hammering out agreement on basic policies within the limits of congressional authorizations.

This is what is missing in the field of urban affairs. And it is precisely what our substitute would provide.

Second. The Office of Urban Affairs and Community Development would not be a new bureaucracy. It would consist of a very small staff empowered by Congress and the President to bring together the policymakers in other agencies who, in turn, would do the actual coordinating of policy and programs. The Office, of course, would have no operating authority. Its sole function would be coordination and staff work—a function which could not be satisfactorily done by a single department or its Cabinet-level Secretary.

We recognize fully that for our proposal to be effective the President would have to use it. We assume that he would, just as he uses all his present coordinating devices in other fields.

Mr. Chairman, many of us, including myself, agree wholeheartedly with proponents of the administration bill about the needs of urban areas, about the importance of giving increased attention to their problems. The issue before us is how best to reach this objective.

We who favor the coordinating staff device contend that simply giving higher status to one agency is not enough. By itself, it is an empty gesture. What is most needed—and the committee hearings and floor debate show wide agreement on this point—is a means of making existing and future urban programs work more effectively regardless of which agencies administer them.

Our substitute amendment would do just that, and I urge its adoption.

Mr. CAHILL. Mr. Chairman, will the gentlewoman yield?

Mrs. DWYER. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, first of all I would like to compliment the gentlewoman from New Jersey for her continuing interest in the urban affairs of our Nation. I do not know whether the membership realizes it or not, but I certainly would point out that the gentlewoman now in the well of the House has had a continuing interest in all legislation beneficial to the city dweller. One of the principal cities of the State of New Jersey is Elizabeth, which is in the gentlewoman's district. No one in the Congress has worked harder to try to promote the welfare of cities than has the gentlewoman.

I would like to ask a question. Am I correct that the bill to which the gentlewoman has offered a substitute would limit the departments that would go into this Cabinet office basically to housing and transportation, and that, generally speaking, all other matters including, as the gentlewoman has pointed out, area redevelopment, water pollution, civil rights, education, accelerated public-works improvements, all of the myriad public agencies that have as their principal objective benefit to the city dweller are excluded?

Mrs. DWYER. I would say to the gentleman all other agencies are excluded, and other departments. I would not want them included in a Cabinet bill, but I feel our bill is the opportunity for the mayors and those interested in urban affairs to come to a coordinating place to get this help.

Mr. CAHILL. Is not the purpose of this type of legislation to provide assistance to municipal officials so that their problems can be handled in one place; so that a municipal official knows where to come at the Federal level to get the aid he wants?

Mrs. DWYER. That is correct and that is the purpose of this bill, and the mayors back home—at least the mayors I represent support this measure.

Mr. CAHILL. I would like to again compliment the gentlewoman.

Mr. GRIFFIN. Mr. Chairman, will the gentlewoman yield?

Mrs. DWYER. I yield to the gentleman.

Mr. GRIFFIN. I, too, want to commend the gentlewoman in the well of the House for her leadership in connection with this particular legislation and in bringing forth the substitute measure which, as I said yesterday, is much better than the committee bill. The gentlewoman's leadership has been particularly important in the absence of the ranking minority member of the Committee on Government Operations, the gentleman from Ohio [Mr. BROWN] who is in the hospital and who I understand is recovering. I know we all join in wishing him a speedy recovery.

The bill that the gentlewoman is offering as a substitute points up and puts in proper focus the appropriate role which a new agency in this field should perform, and that is the role of coordinating the existing Federal programs and activities already on the books which bear on urban problems.

Mrs. DWYER. That is correct.

Mr. GRIFFIN. It seems ridiculous to do as the committee bill suggests, to set up a whole new department of the Federal Government and create a new Cabinet post in order to coordinate existing programs that are already operating under the jurisdiction of other departments of the Government.

Surely, the substitute bill that the gentlewoman is sponsoring makes more sense by placing this coordinating function in the office of the President. After all, it is the President, or someone speaking for him and acting directly under him, who is in the appropriate and proper position to coordinate information concerning existing programs already established under the jurisdiction of various departments of Government.

Mrs. DWYER. I thank the gentleman.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

I have a deep respect and affection for the charming and brilliant gentlewoman from New Jersey [Mrs. DWYER] but I regret that duty comes before affection and I must oppose her amendment, because I believe it would torpedo the bill before us.

The Dwyer substitute amendment would forbid a Cabinet level Department of Housing and Urban Development. Thus it would prevent what our cities need most, which is a voice at the highest departmental level of the Federal Government.

The bill before us, which is sought to be substituted by the amendment, gives the coordinating power to the new Secretary of Housing and Urban Development. Under that bill his job would be to advise the President with respect to all the problems of housing and urban development, to recommend to the President policies for fostering the growth of our urban areas, to exercise leadership under the President to coordinate all Federal activities affecting urban development, to provide technical assistance to our local communities in developing solutions to these problems.

All of this Cabinet level stature would be wiped out if the substitute amendment were adopted. Not only this, but the substitute amendment also would wipe out the application of an excellent recommedation of the Hoover Commission that any agency head must have control over his subordinate agencies.

The bill before us, H.R. 6927, does exactly that. The substitute amendment would wipe out this great opportunity for economy and efficiency.

What it all boils down to is that if one is opposed to elevating the problems of our cities to Cabinet status, he should vote for the substitute amendment. But if he believes that cities are entitled to Cabinet rank, he should vote against the substitute amendment.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from New York.

Mr. FARBSTEIN. Is there any power or authority contained in the substitute amendment which is not presently in the Housing and Home Finance Agency?

Mr. REUSS. There is no such authority. The Hoover Commission recommendation to save taxpayers dollars, by giving authority to the head of the agency, would, if the substitute amendment were adopted, be lost.

The substitute amendment attempts to set up an Office of Community Development at the White House. The justification is that this would provide a one-stop service for the local officials who come to Washington. Let us take a look at this. If it really is going to provide a one-stop service, and if it really is going to put under one hat the functions now exercised by Agriculture for school lunches, Defense for civil defense, HEW, Labor, and almost every other department of Cabinet level, this would mean that the White House would have something like 200,000 officials and employees trying to make this one-stop possible.

Of course, this is not the intent. The intent is to set up a very small office at the White House. This would mean that the overburdened city official would have to make the rounds in Washington he already makes plus one additional, unnecessary and superfluous stop at the White House.

There may be a need for a White House specialist, in addition to a Cabinet office, on the problems of our cities, but this clearly is no substitute for a Cabinet level department.

I hope that the substitute amendment will be voted down.

Mr. GURNEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, it occurs to me that the issue is very clear as between the bill we have under consideration on the House floor and the substitute amendment offered by the gentlewoman from New Jersey. They serve the same coordinating function so far as urban affairs are concerned, except that the bill before us would do it by creating a new department and establishing a new secretary and the substitute amendment would accomplish it by setting up an Office of Urban Affairs in the Executive Office of the President. That is really the issue before us. Which is the better way to do it?

It occurs to us on our side of the aisle who are supporting the substitute amendment that it makes a great deal of sense to do this in the Executive Office of the President.

Let us first take a look at the problem if we did it by a department method. We would set up a department and create a secretary who would have no power and no authority so far as control over urban affairs was concerned.

If you will look in the committee report, there are about three pages of fine print setting out just a partial list of some of the functions of urban affairs that are now in the various departments. For example, there are about 50 in the Department of Health, Education, and Welfare alone. In the field of education alone, in the next fiscal year, there is about $6 or $7 billion that we are going to devote just to education alone, most of which or a good part of which goes into urban areas. Do you think the Secretary of the Department of Health, Education, and Welfare is going to give up any of its power or authority to the new secretary of Urban Affairs in this area? I ask you to look back to last year when we created the Office of Economic Opportunity, which we call the poverty war. Do you remember the currents of dissension that flowed around Capitol Hill and around the bureaus on the question of whether Mr. Sargent Shriver would take some of the power and authority away from some of the present departments of the Government such as the Department of Health, Education, and Welfare? There was all kinds of conflict which swirled around here.

Now, what I am trying to point out is that those heads of departments and those secretaries will be very jealous of the powers they have and they will not surrender them willingly. If you have in the Office of the President a person who is an extension of the President's right arm, if you will, as far as urban affairs are concerned, who is charged with the job of coordinating urban affairs and is charged with the job of amassing information and facts and figures about what is going on in the other departments of the Government as far as urban affairs are concerned, and with the mission of advising the President concerning plans in this urban area, and with the mission of consulting with the people from the cities who come to Washington and want information about this matter, do you not think that would be a far more effective way to accomplish this mission than by creating a Cabinet officer who is on a level with the other officers but who obviously cannot pick up the phone and say, "I am speaking for the President in this matter." He cannot, because when he does they will feel he is trying to usurp some of their authority and trying to do something which is within their own personal special prerogatives.

I think that is the reason why the idea which is in the bill will not work, and I also think it is the reason that we can put our finger on as to why the idea in the substitute amendment will work. So, I submit for the consideration of the House we should give serious thought to adopting the idea in the substitute amendment. I would sincerely hope that the House will support it and vote for it instead of the bill before us.

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, with due respect to the arguments that have been made by the preceding speaker and those who advocate supporting the substitute, it seems to me the substitute must be opposed. I say this because I think the problems of our cities are of the first rank. They are of such monumental importance to our way of life that they deserve and they require attention on the Cabinet level. One distinguished architect has rightly said that the salvation of civilization may lie as much in the development of America's cities such as Chicago, New York, Los Angeles, and other great metropolitan centers as in the sustaining of Berlin.

It was my responsibility, Mr. Chairman, during the first 14 years I was a Member of this House to be a member of the Subcommittee on Independent Offices of the Committee on Appropriations. In that capacity we reviewed the affairs of some 39 to 40 independent agencies, all of whom have very responsible functions to perform. I spoke frequently to the administrators of those agencies, to executives and officials, and if they had one complaint, it was that they were not on a sufficiently high level in Government to be given the attention that their problems deserved, and conversely, that the departments tended to downgrade them because they were on a lower Government level. They were impressed with the fact that although they dealt with critically important matters, more so, to their mind, than those in some of the departments, they could not get the same kind of attention for their problems as did those who occupied departmental stations. That is why I say, Mr. Chairman, it is important that a department be created that will be able to have the maximum effectiveness in dealing with the problems of the cities.

The second point of disagreement between the majority and the minority on this bill lies in the interpretation of what is meant by the phrase, "urban affairs." From their arguments, I have the impression that the minority believes that the phrase "housing and urban affairs" is to be considered as one phrase, as one unified activity, that urban affairs in this context relates almost exclusively and entirely to housing. I do not accept that interpretation and that is why I take this time now to interrogate the committee for an explanation of the meaning of the phrase. I should like to ask the distinguished gentleman from Florida, who is in charge of this bill, Does the phrase "urban development" as it is used in the bill and as it is used in describing the proposed Department and its functions, relate exclusively to housing, or does it apply as well to all activities and to all problems which make up the life of the city and the city dweller? My view is that it applies to the latter interpretation.

Mr. FASCELL. Urban development is a broad term; and the gentleman is correct. It applies to whatever may be properly and reasonably interpreted as relating to urban development problems. Housing is only one of them.

Mr. YATES. May I pursue the question further with the distinguished gentleman from Florida? I take it from the gentleman's answer that the proposed department and the Secretary would have responsibility for all activities of the people who live in the city and its environs. For example, does it apply to water and air pollution, also to highways, to health, to employment, to transportation, to civil defense, to recreation, to cultural development, and to social welfare problems, just to name a few of the vital matters which are of concern to those who live in urban communities.

Mr. FASCELL. They include all of those areas dealing with urban development. The language specifically says that the Secretary would have the duty and the responsibility, for example, of developing and recommending to the President policies for fostering the orderly growth and development of the Nation's urban areas. Housing is one of the particular items that has been mentioned. So this bears out exactly the gentleman's argument. It is to be read in the same context, so that it relates to all of the urban development problems.

Mr. YATES. Then I take it from the gentleman's answer—and I certainly agree with him—that the fundamental difference between the bill approved by the committee and the substitute that has been offered by the minority lies in the question as to whether or not there is to be a department to deal with these problems or whether there is to be a minor office to take care of such problems.

Mr. FASCELL. The gentleman is correct. And the gentleman from Florida made that point.

Mr. YATES. Yes, and I agree with him.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Illinois.

Mr. ERLENBORN. Since the gentleman has brought up the subject of the authority of the proposed Cabinet rank department in fields other than housing, may I ask the gentleman if he can point to any language in this bill that gives this new proposed department any authority outside of the field of housing, except some vague language as to advising the President?

Mr. YATES. Mr. Chairman, that was the question that I addressed to the gentleman from Florida in our colloquy a few seconds ago and he answered the question.

Mr. ERLENBORN. I would advise the gentleman that the only paragraph in this bill referring to anything other than housing or other than what is now in HHFA is subparagraph B of section 3 which relates only to advising the President.

Mr. YATES. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute .

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Chairman, as I stated before that was exactly the question I addressed to the gentleman from Florida. The gentleman from Florida in response to my question declared that the specific items to which I made reference were among those included in the term "urban affairs." He said that the proposed department would have an interest in all those fields, among others.

Mr. ERLENBORN. I would challenge the gentleman from Florida or the gentleman from Illinois to find any authority in this proposed department other than the authority to advise the President.

Mr. YATES. Again, may I say to the gentleman that the reply of the gentleman from Florida certainly met that challenge.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, the bill, particularly on page 3, is replete with authority to do a coordinating job.

It is true that the first responsibility mentioned is merely to advise the President. However, there are six other responsibilities: to develop policies for fostering the orderly growth and development of the Nation's urban areas; to exercise leadership; to coordinate Federal activities affecting housing and urban development; to provide technical assistance and information, including a clearinghouse service to aid local governments in developing solutions, and so on and so on.

Mr. YATES. I thank the gentleman from Wisconsin for his additional information.

Mr. Chairman, I cannot declare too strongly the need for approving this most important instrument for dealing with our mounting urban problems. We not only need to develop local institutions cognizant of planning for the orderly growth of metropolitan areas and the skilled manpower needed to work in this highly complex field, we must provide for the orderly channeling of Federal cooperation and assistance in the interstate relationship that exists today between the cities and the Federal Government. There are intergovernmental relations, problems of fragmented governmental authority, and uncoordinated Federal and regional programs. The problems of the aged, the young, the poor, the racial minorities, the poorly housed, all require attention. There are the financial problems arising from increased tax rates, from maximum budgets in State and local communities. There are the fiscal problems of growing congestion, the flight into the suburbs, polluted air and water, and antiquated and inadequate transportation systems.

Facilities built even recently to accommodate specific and projected numbers of people become obsolete almost as soon as they are constructed. Schools, housing, sewage, mass transportation, streets, all are jammed beneath the growing weight of the numbers of people using them. The problems are likely to become more rather than less acute, unless we plan and prepare for the future. A Department of Housing and Urban Development is necessary for that purpose.

At the present time, 70 percent of our population lives in urban areas. As our population grows, 80 percent of that growth will occur in the same urban areas. The Department of Housing and Urban Development would be of tremendous benefit not only to these urban dwellers but to all our citizens.

Few people in our country know the city's problems as thoroughly and as well as Mayor Richard J. Daley, of my own city of Chicago, who testified on behalf of this bill. He stated to the committee:

> Chicago—Like other central cities—is the core of a great metropolitan area with residents of suburbs, towns, and other cities—all with similar urban problems—all facing similar urban problems. I feel that I am here not only speaking for the people of Chicago, but on behalf of a much greater urban population.

The city is a set of interlocking systems—systems of residence areas, industrial areas, recreational spaces, commercial centers, and community facilities. Tying together these systems are webs of communications and transportation. A decision made in any one of these areas will affect circumstances in each of the others. A new industrial center will demand new transportation facilities, and the persons it employs will need housing, health, and recreational facilities, and community services.

Because every system is so related to all the others, it is essential that they be coordinated closely at the highest levels of municipal planning. The Federal Government, too, has a stake in their orderly planning.

The total estimated expenditures of the Housing and Home Finance Administration—the major Federal agency dealing with urban development—for fiscal 1966 are $1,074,435,000. This figure does not include the expenditures of the Federal Home Loan Bank Board, the Federal National Mortgage Association, the Federal Housing Administration, the Public Housing Administration, the Urban Renewal Administration, nor the Community Facilities Administration, all of which would be included in the Department of Housing and Urban Development. Clearly the number of agencies, the scope of their activities, and the scale of the funds they are handling make the administration of housing and urban development an operation of national dimensions.

Since 1947, when the HHFA was established to provide coordination for the housing programs then existing, new urban development programs—community facilities, urban renewal, mass transportation—have been established under its jurisdiction. However, in many respects the HHFA remains a holding company in its organizational structure. It should have full authority to accomplish the integration and reorganization of the functions of all these programs, an authority which it will derive from departmental status.

It should also have the authority and responsibility of planning for the future. This it cannot do as a loose federation of agencies. The quality of foresight and of planning today for future operations has always been a respected American attribute. This bill gives us the opportunity to create, today, the framework for dealing with increasingly complex and related problems.

Critics of the bill have asserted that the creation of a Department of Housing and Urban Development will siphon away from the localities the authority and the incentives which they have to initiate development projects for their communities, in violation of the basic principles of the American system of government. On the contrary, I believe that the creation of the Department should serve to stimulate local and metropolitan planning. Local determination is now being threatened by the rapid growth of State and Federal programs of aid without coordinated administration. If these programs were coordinated under a single Department, the channels of communication would be expanded not only between the Federal Government and the localities, but among the localities as well.

Other critics have said that there is no justification for the representation of a geographical entity such as the city. This criticism reveals a serious misunderstanding of the purposes and scope of the proposed legislation. First, the responsibilities of the Department of Housing and Urban Development would not be confined solely to the large metropolitan centers. As of January 1964, 646 out of a total of 1,402 reservations for projects under the jurisdiction of the HHFA were for cities with less than 100,000 residents, and fully a third of these 646 projects were for towns with populations between 10,000 and 25,000. There is no limitation on the size of communities which may benefit from the Department's programs.

Second, it is a serious error, I believe, to think that any program which aids our urban areas is limited only to these areas. This is a united nation. The city is not an entity isolated from rural areas. Both make up our great country. We of the cities are very much aware of the fact that policies which aid those who live on farms benefit city dwellers as well.

On the positive side, Mr. Chairman, and a repugnant point, the life of the cities helps set the tone for the life of the Nation. The comprehensive plan of Chicago makes this point clearly:

> The aims and aspirations of a great city must extend beyond merely assuring the basic necessities of life. The city is the source of new ideas of social progress and of artistic achievement, as well as industrial production. It contains art museums, orchestras, and public monuments and open spaces, as well as factories and offices. It is a place to live as well as to make a living.

As long as men live in communities, especially in the highly interrelated communities of today, legislation designed to improve the quality of that life will be of service to all our citizens.

I urge approval of the committee bill.

Mr. ERLENBORN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment which has been offered by the gentlewoman from New Jersey [Mrs. DWYER].

Mr. Chairman, I believe that the issue now before the House is where do we wind up after we have determined, as I believe most everyone in this body has determined, that something should be done to coordinate the proliferation of Federal programs aimed at aiding the urban areas of our country?

Mr. Chairman, the question really is before us as to whether the bill H.R. 6927 which is under consideration, or the substitute which is offered, being the substance of the bill H.R. 8822, which puts the greatest emphasis upon coordination and to solving the problems of the urban areas, should be adopted.

Mr. Chairman, as I pointed out in my remarks against the bill on yesterday, I believe there are levels within the executive department, starting with agencies at the lowest level and going to departments, Cabinet-rank departments at the next level and then, of course, I think we would all agree that the highest level in the executive is the President himself.

Mr. Chairman, I submit that the bill which has been offered as an amendment by the gentlewoman from New Jersey [Mrs. DWYER] puts the greatest emphasis and puts the solution of these problems at the highest level, in the Office of the President himself.

Mr. Chairman, prior similar legislation has been introduced over the years, legislation designed to create a Cabinet-rank Department of Urban Affairs. This year about the only change in this bill is a change in the title. In prior years it was referred to as the "Department of Urban Affairs and Housing." This year it is "Housing and Urban Development."

Mr. Chairman, as I pointed out, in the hearings in the committee, I am not certain whether it was the genius of the draftsman or the genius of the salesman that made this bill all things to all people. But apparently the mere change in the title, putting housing first, would satisfy those who are interested in housing, because many of these same people in prior years came here to testify against almost identical legislation. So those who are interested in public housing and private housing feel that this bill would do some good for them, merely because the title has been changed and the emphasis placed upon housing.

Those interested in urban affairs, such as our mayors throughout the country, feel that this in some way is going to help coordinate the various Federal programs available to them.

But, Mr. Chairman, I submit that there is no real coordination provided for in the bill which has been offered by the majority. However, real coordination can and would be effected if the substitute which has been offered by the gentlewoman from New Jersey [Mrs. DWYER] were adopted, because at the very highest level of the executive department the authority of the President himself, we would have the Executive Office of the President providing coordination among and between the various departments that have authority in the many, many areas of urban development and the problems which go with it.

So, Mr. Chairman, I support the amendment which has been offered by the gentlewoman from New Jersey [Mrs. DWYER] and I hope that it will be adopted as a substitute to the bill under consideration.

I feel that if this substitute is adopted we will then have a real opportunity to provide some direction to the proliferation of Federal programs for the urban areas.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I shall be glad to yield to the gentleman from New Jersey.

Mr. CAHILL. I wonder if the gentleman could tell us whether or not the committee was able to make any estimate of the comparative costs if the bill as presented as a substitute is adopted and then implemented?

Mr. ERLENBORN. There was no testimony in the committee concerning that; however, there was testimony as to the bill under consideration in the committee that there may be some savings of $50,000 possible if the bill were adopted. I think this was incorrectly stated as $50 million in the debate yesterday. The only testimony as to possible savings, and this would result from the elimination of one or two positions, was something like $50,000.

Mr. CAHILL. I thank the gentleman.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Illinois.

Mr. McCLORY. I commend the gentleman on the statement he has made. In addition, it occurs to me that a very weak argument in favor of this legislation is the fact that the proposal has been pending for a long time. However, the substitute about which the gentleman has spoken indicates a definite improvement over any proposal which has heretofore been made, and it appears clearly that a great deal of economy and usefulness could be accomplished by adopting the Republican substitute, H.R. 8822, and enacting this into law.

Are we going to place jurisdiction over subjects of education, health, highways, water and air pollution, and other subjects identified essentially with urban growth, in the proposed Department of Housing and Urban Development?

No, of course not.

Problems of education, health, and water and air pollution will remain with the Department of Health, Education, and Welfare.

Many other problems relating to our urban areas will remain with the existing Departments of Labor, Interior, Commerce, and others.

There is no suggestion that the authority or prerogatives of these Departments are to be diminished or superseded.

Accordingly, it seems to me that the proposed new Department of Housing and Urban Development will give status to the new Secretary and bureaucracy to be created—but not service, not economy, and not efficiency, which should be the aim and function of this legislation.

The Republican substitute, H.R. 8822, would fulfill the objectives sought by the Congress.

I urge adoption of the substitute bill as an amendment and the enactment of the substitute, H.R. 8822, as a useful and serviceable change in the law for the benefit of the citizens of the cities and metropolitan areas of America.

Mr. MORSE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have listened with great interest to the comments of those on the majority side in their attack on the substitute bill. The arguments they make in favor of the administration bill point out the merit of the substitute offered by the gentlewoman from New Jersey.

We can all agree that the Federal Government has made a commitment to assist the metropolitan areas of this Nation in the solution of the problems that a complex society has placed before them. The question is how the Federal Government might best help fulfill that commitment.

There is no mechanism today that would provide for coordination of the numerous Federal programs affecting urban areas. In fact, the administration bill demonstrates this. The fact that there is presently no coordination between Cabinet departments which have responsibility for urban programs demonstrates that the creation of another Cabinet-level department is not going to achieve the coordination which the administration bill seeks.

I have been in the bureaucracy, I have worked in the executive branch. Some of my colleagues have not. I think it is proper to say that a Secretary of a Cabinet-level department is not going to relinquish willingly an activity which has been within his jurisdiction simply because another department having a label which would seem to encompass it is created.

The administration bill would not achieve coordination. On the contrary, it would create even greater chaos, even greater confusion than now exists. We have, as you know, several dozen programs relating to metropolitan activities, to urban affairs, to urban development, whatever you choose to call it, which are now vested in practically all Cabinet departments and the independent agencies of the executive branch.

I think it is imperative to note that closely related programs vested in different departments are handled from entirely different perspectives. The only way to correct this is to create an authority outside all departments which will permit the bringing of all these elements under one effective whole. So when the gentleman from Wisconsin says that what we are seeking to create by the substitute bill is a minor office, I say to him that what we are seeking to create is an agency within the executive branch which can achieve coordination among the many activities that are presently spread among a plethora of Cabinet departments and independent agencies.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. MORSE. I yield to the gentleman.

Mr. REUSS. Coordination is great and I am all for it. But why does the gentleman oppose the Cabinet-level Department concerned with the problems of our cities? He can coordinate all he wants to either through ther departments themselves or through the special office of the White House, if that is what he wants; but why does he and others who press this point of view fight the Cabinet-level Department for our cities?

Mr. MORSE. I will say to the gentleman, if this bill proposed by the administration were in fact a Cabinet-level Department for urban affairs and for urban development, perhaps the opposition for which I speak today would not be present. But the bill that the administration has brought before this body is not a bill to create a Department of Urban Affairs. It is a bill which does little more than elevate those responsibilities now vested in the Housing and Home Finance Agency to Cabinet status. I think the gentleman's own admission that the 30 or 40 or 50 other activities relating to urban affairs would not be touched by the administration bill is evidence of the validity of the position which I and my colleagues take.

Mr. REUSS. Why then does the gentleman not seek to amend the administration's Cabinet proposal by adding to it whatever activities now exercised by other Cabinet-level departments he thinks belong in the domain of urban affairs?

Mr. MORSE. If the gentleman knew of the difficulty I had even to appear before the subcommittee, I think he might not ask that question.

I think it is imperative that the question which was posed by the gentleman from Illinois to the gentleman from Florida with reference to the other activities, which are admittedly not touched by the administration bill, and which the gentleman from Illinois indicated in response to an earlier inquiry would be properly coordinated by the administration be answered. I ask the gentleman from Florida just what would happen to the programs dealing with water pollution and so many other Government activities which affect urban affairs under the administration bill.

Mr. FASCELL. The same things that would happen under the substitute bill.

Mr. MORSE. I think the gentleman would do well to read both bills.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if I may have the attention of the gentleman from Massachusetts [Mr. MORSE] who just left the well of the House, I wish to call to his attention the language on line 10, page 3, of the bill. We assume that the Secretary will be the head of a cabinet. Other Secretaries are heads of other cabinets. The Secretary shall do certain things. On line 10, it says:

"Exercise leadership at the direction of the President"—

As you see, it says "at the direction of the President in coordinating Federal activities affecting housing and urban development."

What additional authority would you give under the substitute bill that could be exercised that would be greater than a Cabinet-level Secretary exercising leadership under the direction of the President for coordination?

Mr. MORSE. In response to the gentleman's question, I will say that it seems to me the concept of leadership as used in the administration bill would require personal initiative. It is not coupled with any specific legal authority vested in the Secretary to effect the kinds of things that would be accomplished under the substitute bill.

Mr. HOLIFIELD. The gentleman certainly does not say that when the Congress passes a law directing a Secretary to exercise leadership, under the direction of the President, he carries with him only the mandate of the Congress. He also is authorized to obey the mandate of the President to do the things provided for in section (b) on page 3.

Mr. MORSE. I am quite sure that the Secretary, under the proposed bill, would exercise that leadership. I have no such confidence that the other Secretaries of Cabinet rank would respect that leadership.

Mr. HOLIFIELD. The other Cabinet members are subject to serve at the will of the President. Certainly if the President designated one Cabinet officer to do a certain job of coordination the other Secretaries would have a responsibility either to coordinate with him under the direction of the President or to hand in their resignations.

Mr. MORSE. The gentleman has just described the kind of confusion I predict will occur if the administration proposal passes.

Mr. HOLIFIELD. I see no confusion involved.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. YATES. Does it not depend upon the interpretation given to the phrase "urban development"? That was the subject of the colloquy between the gentleman from Florida and myself.

Mr. HOLIFIELD. That is correct.

Mr. YATES. "Urban development" refers to all problems relating to the city and the city dweller.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the substitute amendment offered today by the gentlewoman from New Jersey [Mrs. DWYER]. I feel, as other Members have said, that it represents on her part, and on the part of more than a score of Members of this body who have put in companion pieces of legislation, a sincere effort to do something about the problem we have tackled in this bill.

I have been interested in the colloquy which has gone on between my friend from Illinois [Mr. YATES] and the gentleman from California [Mr. HOLIFIELD], wherein the gentleman from Illinois has sought to create the impression—I am sure in all sincerity—that this is going to be an all-encompassing department which is going to coordinate and handle all urban affairs as they affect city dwellers.

I am curious, therefore, why in at least two places in the committee report—on pages 13 and 15—there is language stating that the reason the proposed name of this department was changed from that of Department of Urban Affairs to Department of Housing and Urban Development was to make it clear "that the Department would be concerned with the development (but not other 'affairs') of all urban areas—large and small."

The reason I have asked for this time, in addition to raising this issue is to call the attention of Members of the Committee to the fact that we have had raised in the debate, I believe today and also yesterday, the very prestigious name of the Hoover Commission on Government Organization. People have sought to create the impression that this bill is a direct outcome of a recommendation of the Hoover Commission.

I point out that the Hoover Commission Task Force on Lending Agencies, dated February of 1955, recommended not that the Housing and Home Finance Agency be elevated to Cabinet status, as this bill would do, but the very opposite. It said that the Agency should be discontinued and that its components should be divided into three separate establishments. They recommended separating the economically sound, businesslike functions of the Agency from the subsidy programs. In other words they recommended putting the FHA into one department, because this is not a subsidized program on the part of the Federal Government. It has never cost the taxpayers a dime. They recommended putting that into one department, and putting public housing, urban renewal, and so-called welfare programs into another department entirely separate from the subsidy programs.

I should like to clear that up once and for all. The Hoover Commission has not recommended a new Cabinet Department of Urban Affairs, and never did.

As I said yesterday in the debate, I believe the real mischief in this bill is the effect it will have on the complete restructuring of our Federal Government. I listened this morning in the Rules Committee to some testimony on the poverty bill and the compound of chaos and confusion which has arisen out of the attempt, under title II of that bill, for community action programs, to interfere with traditional Federal-State relationships. I believe the seeds of incalculable mischief sown in that bill are going to flourish and grow to a mighty oak if we ever pass this bill and start the kind of bureaucracy which inevitably will result under a Cabinet Department of Housing and Urban Development.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from Illinois yield?

Mr. ANDERSON of Illinois. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I listened with interest and approval to the statements which were made yesterday and today on behalf of the substitute. It seems crystal clear to me that if we really want to do something of substance to help and to assist those who come from my district or from your district or other districts to untangle the maze they are confronted with when they come to Washington to seek a solution to an urban problem. If we want to untangle the maze the substitute is by far the better way to approach it. Under the substitute we will have a centralized operation in the Office of the President in the White House for those who seek information, those who seek help, and those who desperately need action for the solution of those problems that plague our metropolitan areas.

Mr. Chairman, I hope that the substitute is approved.

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the distinguished minority leader for his comments, and I would join him in the plea to this committee and to this House that in the honest and sincere effort that has emanated from both sides of the aisle to do something about urban problems. Rather than plunging headlong into the creation of a new Cabinet department with all of the difficulties it involves, let us try the proposal which has been suggested in good faith and in good logic, I think, by the distinguished Member of this body, the gentlewoman from New Jersey [Mrs. Dwyer]. Let us adopt the substitute and create an Office of Community Development within the Executive Office of the President.

Mr. FASCELL. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, first of all, let me quote very briefly from the Hoover Commission task force report dealing with departmental management and put in proper perspective what the principal recommendation of the Hoover Commission was with respect to departmental management:

> Legislative history since 1913 revealed a reluctance to create new executive departments and a disposition to establish many other types of administrative agencies. This tendency should be reversed in the interests of administrative efficiency. We believe that the Federal Government should now proceed to organize most, if not all, of its administrative activities within executive departments.

What we are talking about is strictly the organizational setup. We have never alleged that there was any specific recommendation with respect to a particular department. Obviously that is left to the judgment and to the discretion of the President to recommend and to the House and the other body to legislate on.

This is what we are proposing to do with the legislation before us. Comparing the substitute and the substantive bill before us, I think that the gentleman from Florida [Mr. Gurney] put his finger right on the issue, namely, do you want an aid in the office of the White House as a director to do the job which is suggested be done under the legislation in the Cabinet office. The proponents of the legislation feel the need is of such interest and of such widespread national importance that it should be done at the Secretarial level in the Cabinet. Those who oppose and are proponents of the substitute feel otherwise. As far as the difference is concerned, it is a difference without a distinction with respect to the authority that might or might not be created, because in the language on page 3 of the substitute it reads:

> Sec. 3. (a) Subject to the direction of the President, the Director shall take such action as may be appropriate to coordinate the programs of the various departments and agencies of the executive branch which have a major impact upon the Nation's urban areas.

It is no different than the language in the bill, but it gives the responsibility to the Secretary to coordinate these problems. Why is that? Because we all know it will either take a reorganization plan submitted by the President or it will take a legislative act to make any changes which are not now made in the legislation. The substitute makes no changes, it takes no functions, it takes no powers, or it takes no duties away from any department and transfers them to another department or to the office that they seek to create in the White House. So there is no transfer of authority in the substitute and it accomplishes no more than other language seeking to do with coordination which is in the bill.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I will be glad to yield to the gentleman from Florida.

Mr. GURNEY. Will the gentleman give any other example in Government today where a Cabinet officer is charged with the duty of coordinating other departments of the Government?

Mr. FASCELL. I believe the Department of Agriculture has that responsibility. We are providing in this bill that this responsibility rests in the Secretary of Housing and Urban Development established thereunder. Nevertheless in order to transfer any function or any duty or modify any program or change the organizational structure of any other department, this would have to be done by a reorganization plan or legislation. The problem with respect to this is no different in the bill under consideration. However, under the bill the Secretary would do the coordinating, advising, and recommending. Under the substitute this would be done by a director in the Executive Office.

Mr. GURNEY. May I pose this further question? I would agree with the gentleman; he is right. But the bill will not accomplish anything unless they send up an Executive order by the President transferring——

Mr. FASCELL. Neither does the substitute.

Mr. GURNEY. Transferring agencies, or unless legislation is passed to that effect.

Mr. FASCELL. Neither does the substitute.

Mr. GURNEY. Cannot the gentleman see a real Donnybrook as far as the Government is concerned, if this is to become law?

Mr. FASCELL. No, I do not see any real Donnybrook. I see an opportunity to bring this subject matter of urban development in proper perspective and begin by an orderly process. That is what the legislation seeks to do from the managerial standpoint. The Hoover Commission said, and that is what this bill says, that we should provide a managerial tool; namely, that the head of a department should be the repository of such duties, functions, and powers assigned by legislation. This is what the President wants. He could have it in the Executive Office, but obviously that is not the answer. We know that. Furthermore, the substitute provides a study and provides a lesser official to do the job, whereas under the bill that job is the responsibility of the Secretary.

But the substitute has this large failing. It does not transfer to the Secretary the powers, the duties, and the functions of the specific departments which are named in the legislation. So in that respect, the substitute is completely inadequate, completely deficient, and does a lot less than the legislation. In other words the substitute leaves the present organizational structure as it is.

I would submit to the gentleman that the issue is, do you want an officer of lesser power and importance to do this job, or rather part of the job, because the substitute does not do everything that the bill does—or do you want a Secretary at the Cabinet level to do it? The answer is obvious.

Mr. Chairman, I submit that the substitute ought to be defeated because it does less than its proponents claim.

Mr. RUMSFELD. Mr. Chairman, I rise in support of the substitute. Mr. Chairman, I do not intend to take the 5 minutes. I simply wanted to express the thanks of the minority party to the gentleman from Florida [Mr. Fascell] and the members of the Rules Committee for their cooperation and assistance in developing a situation where the rule would make in order the offering of H.R. 8822 as a substitute, and as a motion to recommit. I think it has helped to provide a most constructive discussion and debate on this important subject.

Mr. GROVER. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. Ellsworth] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLSWORTH. Mr. Chairman, I support the substitute amendment proposed by the gentlewoman from New Jersey to provide for the creation of an

Office of Community Development in the Executive Office of the President.

Unlike the administration's bill, which would incorporate existing agencies and administrations into one comprehensive department, the Dwyer substitute would encourage coordination and assistance between the Federal Government and the various local and State governments. This coordination would extend to all programs involving our urban and metropolitan area—not just those few now contained in the Housing and Home Finance Agency. It would include highways, air and water pollution, airports, education, juvenile delinquency and crime control, unemployment, public health, and a host of other programs that the administration bill would not reach. This cooperative approach would encourage, not discourage, local and State initiative. It would do this by providing these offices with a point of reference instead of a big brother dressed in redtape, for there would be no significant increase in bureaucracy but rather greater efficiency and economy. Mr. Chairman, there are now 60 programs dealing with urban matters. It would be administratively impossible for a Cabinet-level Department to coordinate the programs in coequal Cabinet departments.

The Dwyer amendment is a sound, logical approach to a uniform national policy which would benefit rural, urban and metropolitan areas across the United States. I urge its adoption.

The CHAIRMAN. The question is on the substitute amendment offered by the gentlewoman from New Jersey [Mrs. DWYER].

The question was taken; and on a division (demanded by Mr. ERLENBORN) there were—ayes 65, noes 91.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. ERLENBORN

Mr. ERLENBORN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ERLENBORN: Page 5, beginning in line 2, strike out "the Federal Housing Administration and".
>
> Page 5, immediately after line 14, insert the following:
>
> "(c) There is hereby transferred to the Department of the Federal Housing Administration, its officers and employees, its insurance funds, assets, liabilities, contracts, property, records, and obligations, together with all functions and powers of the Federal Housing Administration which are hereby vested in, and shall be exercised by, a Presidentially appointed Federal Housing Commissioner under the supervision and direction of the Secretary."

Mr. ERLENBORN. Mr. Chairman, the amendment that I am offering at this time was requested by the Mortgage Bankers Association of America. It has to do with the very important future status of the Federal Housing Administration.

As has been pointed out by many of those who have discussed the legislation under consideration, one of the most respected agencies in the Federal Government has been the Federal Housing Administration.

Mr. Chairman, this is an agency that does not cost the taxpayers. However, it has done more, in my opinion, than any other single agency of Government to promote home ownership, which has been and for many years has been, the goal of the average American citizen. FHA, I believe, has done more to promote this goal than any other agency of Government.

Mr. Chairman, the witnesses in the committee who were proponents of the bill, H.R. 6927, all agreed that the FHA had in the past done a good job. They were not saying that this legislation was needed to improve the status of FHA and no one claimed that the Federal Housing Administration needed to be at a Cabinet level in order to do a good job or to do a better job than it presently is performing. But many of the witnesses expressed concern, very real concern, for the future of the FHA.

In effect the bill, H.R. 6927, is silent as to what happens to the FHA in the future. Presently it is an independent agency. It is a constituent agency of the HHFA.

Mr. Chairman, the purport of my amendment would be to take out of section 5 the blanket transfer of FHA along with the other constituent agencies of the Housing and Home Finance Agency, and transfer the FHA specifically in a new subparagraph (c) to the new Cabinet-rank department, but to do this in an independent way in order to protect the integrity of the FHA.

This amendment also provides there shall be a Presidentially appointed Federal Housing Commissioner who will have supervision of the FHA in the future. So that the whole purpose of this amendment is to protect the integrity of FHA. If we do not adopt this amendment when we go back to our respective districts and discuss in future years with our constituents the position of FHA which will then have been merged into a Cabinet department and be thrown in with urban renewal, mass transportation, and other problems, we are going to have some very unhappy constituents, people who have in the past relied on the excellent service furnished by FHA to permit individual homeownership.

All of the Members of the House some time this week received a copy of a telegram such as I received in my office yesterday from the Mortgage Bankers Association of America, which reads:

> We urge you to vote for the comprehensive amendment we have been endorsing to protect the Federal Housing Administration within the Department of Housing and Urban Development if it is introduced from the floor.

This is the amendment referred to in that telegram, the amendment that has been requested by the Mortgage Bankers Association of America. This is an amendment that will protect the future integrity of FHA. I think we all would be much better off if this amendment were adopted. It would make this bill a better bill, and possibly against my own interests aid in the passage of the bill. However, it will protect the Federal Housing Administration as an independent agency.

Mr. Chairman, I urge adoption of the amendment.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, my colleague the gentleman from Illinois [Mr. ERLENBORN] offered this amendment in committee, and it was turned down by the committee by a vote of more than two to one.

Let me make this very plain. Mr. ERLENBORN's amendment would detract from the power and the responsibility of the Secretary in a Cabinet-level department. No other Cabinet-level department has this type of detraction and, because of the language of his amendment, the powers, the responsibilities and the functions would go through a subordinate of the Secretary. While it pays lipservice by using the words "under the direction of the Secretary," it puts the officers and employees, its insurance funds, assets, liabilities, contracts, property, records, and obligations, together with all functions and powers of the Federal Housing Administration which are hereby vested in, and shall be exercised by, a Presidentially appointed Federal Housing Commissioner under the supervision and direction of the Secretary.

How could the Secretary of a Cabinet-level position direct and supervise a man who had all of the authority vested in him on a subordinate level? That is what we are seeking to get away from at the present time by setting up a Cabinet-level department, because we are seeking to take statutory powers and functions which are in the Administrator of FHA, the Administrator of the Federal National Mortgage Association, the Administrator of the Public Housing Administration, the Administrator of the Urban Renewal Administration, and the Administrator of the Communities Facilities Administration, we are taking away their statutory power and putting those powers in the Secretary of the new Cabinet-level department, which is the principal reason for the bill.

So the gentleman's amendment destroys the purpose of the bill.

Let me point out to my colleagues in the House that on page 4 we have taken care of FHA, the integrity of it, by saying one of the assistant secretaries shall be designated to administer, under supervision and direction of the Secretary, departmental programs relating to the private mortgage market.

So, while we leave the authority in the Secretary, we do say that one of the Assistant Secretaries shall have within his division of the Cabinet-level department, the functions of supporting the private mortgage market which is administered at this time by the FHA and FNMA. Now, while the gentleman has said an organization supports his amendment, that is true. But among the organizations favoring the enactment of this bill and this amendment, which has already been adopted in the bill, were the United States Conference of Mayors, the National League of Cities, the National Association of Counties, the National Association of Home Builders, the National Housing Conference, the American Institute of Planners, the American Institute of Architects, the

American Federation of Labor and Congress of Industrial Organizations, the National Association of Housing and Redevelopment Officials, and the National Association of Mutual Savings Banks. Those are the organizations that endorse the committee bill and stand behind the committee amendment and, by inference at least, they are in opposition to the Erlenborn amendment or against the Erlenborn amendment. So I ask that the Erlenborn amendment be voted down.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUMSFELD. Mr. Chairman, I move to strike out the last word and rise in support of the Erlenborn amendment on FHA.

Mr. Chairman, I would like to ask the gentleman from California a question with reference to some remarks he made. Is the gentleman telling the Members of the Committee that all of these organizations which he just listed are supporting the Committee amendment—which I believe is what he said? Or does he mean to tell the Members of the Committee that, in fact, those are the individuals and the organizations that supported the original bill and not the amendment? Have they all been contacted again since the amendment was adopted.

Mr. HOLIFIELD. All of these organizations supported the bill and we have heard from none of them in regard to the FHA amendment which several of the organizations were concerned about, the FHA, and we were concerned about the FHA and we felt that we have taken care of the FHA.

Mr. RUMSFELD. The gentleman is not leaving the impression that all of these organizations have been recontacted since this amendment was adopted?

Mr. HOLIFIELD. No, but they are familiar with it. They were present when the amendment was offered by the National Housing Association. We heard from none of them in opposition to this amendment. We assume they are for it.

Mr. RUMSFELD. I thank the gentleman. I just wanted to have the RECORD clear on that point.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman.

Mr. ANDERSON of Illinois. Mr. Chairman, I would merely like to point out that the position which the majority party and my distinguished friend, the gentleman from California [Mr. HOLIFIELD], take today represents a complete reversal of the position they took in 1961 when at that time there was offered and we accepted within the Committee on Government Operations an amendment which would have the effect of doing what the gentleman from Illinois [Mr. ERLENBORN] seeks to do: to preserve what has become a household word, the FHA, and to preserve its independent status. I find it passing strange that today we see a complete reversal on this issue and that now, contrary—as I said in the well of the House a few minutes ago—contrary to the recommendations of the Hoover Commission in 1955 on lending agencies, they want to subsume in this huge new department the activities of the Federal Housing Administration.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield for a rejoinder?

Mr. RUMSFELD. I will be happy to yield to the gentleman in a moment. But I would like to leave just this thought and possibly the gentleman would like to comment on it.

The remarks of the gentleman from California in opposition to the Erlenborn amendment seemed to me to leave the impression that the amendment is an unusual one and that this would be a very strange situation indeed. Of course, you know we have the Internal Revenue Service, which is basically a separate entity, as I understand it, within the Department of the Treasury. We have the FBI in large part a separate entity within the Justice Department. I do not see that there is anything so unusual about an amendment which would leave the FHA basically as an entity within the new department.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I am glad to yield to the gentleman.

Mr. HOLIFIELD. I believe the gentleman will find that the statutory power in the case of the different agencies he has mentioned is vested in a Secretary to exercise at the department-head level.

Mr. RUMSFELD. Is the analogy not correct that Presidential appointees head the FBI and Internal Revenue Service and that they function, in large part, apart from the Department?

Mr. HOLIFIELD. But the powers of the Cabinet Department are vested in the Secretary of the Department and not in any of the subordinate people underneath.

Mr. RUMSFELD. Is that true with respect to the Internal Revenue Service?

Mr. HOLIFIELD. I am certain it is true.

Will the gentleman yield further, so that I may make a rejoinder to the comment of my friend, the gentleman from Illinois [Mr. ANDERSON]?

Mr. RUMSFELD. I am happy to yield further.

Mr. HOLIFIELD. As shown on page 13703 of the RECORD for yesterday, I submitted a letter from Charles L. Schultze, Director of the Bureau of the Budget. I will read only one sentence from the letter. It is close to the end:

> However, I do mean to indicate that the basic mortgage insurance functions will undoubtedly continue under the Department to be identified officially with the name "Federal Housing Administration."

So we are not going to lose the name of the FHA. We are not going to lose the good will of the FHA. We are not going to lose the name of the Federal Housing Administration. That will be continued, under the same name as now, and it will be concentrated under one of the Assistant Secretaries, who will have the sole responsibility for the FHA function and the Federal national mortgage insurance.

Mr. GURNEY. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment. I shall be brief.

It was very interesting to note the argument just made in opposition to the amendment by the gentleman from California, who pointed out the real dilemma in which the majority party finds itself on this bill. The gentleman said that the principal reason for the bill was to create a Cabinet position and to put Housing in charge of it. He said that is what the bill would accomplish, and the committee amendment accomplished just that, yet the closing arguments made by the gentleman from Florida, a few minutes ago, emphasized what the bill would do as to a Department of Urban Affairs. This is the dilemma. It is supposed to do one thing, but really would do another.

I should like to point out also to the gentleman from California what the gentleman from Illinois pointed out. In the hearings grave reservations were expressed about what the bill would do so far as the private mortgage market is concerned. I quote from the testimony of Mr. Boutin, who is executive vice president of the National Association of Home Builders. He said that "primary recognition" must be "given to the role of privately financed housing and proper safeguards" must be "established to insure the continued high level of operations of the Federal Housing Administration and the Federal National Mortgage Association."

So the witnesses were quite concerned about the role of the mortgage operations under the bill.

I submit that the testimony does not show at all that they are satisfied with the committee amendment.

Furthermore, the Mortgage Bankers Association of course registered, in its statement, stern opposition to the bill as a whole because of danger that mortgage activities of the present housing agencies would be in jeopardy. I would think, in order to satisfy these grave reservations, that the amendment offered by the gentleman from Illinois should be supported by the House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ERLENBORN].

The question was taken; and on a division (demanded by Mr. ERLENBORN) there were—ayes 74, noes 99.

Mr. ERLENBORN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ERLENBORN and Mr. FASCELL.

The Committee again divided; and the tellers reported that there were—ayes 101, noes 153.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WYDLER

Mr. WYDLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WYDLER: Page 1, lines 3 and 4, strike out "Housing and Urban Development" and insert "Urban and Suburban Development".
>
> Page 2, line 20, strike out "Housing and Urban Development" and insert "Urban and Suburban Development".

Page 2, lines 22 and 23, strike out "Housing and Urban Development" and insert "Urban and Suburban Development".

Page 5, line 20, strike out "Housing and Urban Development" and insert "Urban and Suburban Development".

Page 5, lines 23 and 24, strike out "Housing and Urban Development" and insert "Urban and Suburban Development".

Mr. WYDLER. Mr. Chairman, this is a very simple amendment, but it goes to the heart of the bill in a manner of speaking, because it would change the title of the proposed Department. I think the change that I am suggesting is a good change, a farseeing change that looks to the future and not back to the past. I wish the gentleman from Florida [Mr. FASCELL] would accept this amendment. I am a new member of the Committee on Government Operations. I would have offered this amendment in committee had I been a member of the committee at the time of the committee's consideration of the bill. I am not suggesting that the name being suggested is a bad one, but I believe the one I am suggesting is a much better one and a much more descriptive name for the proposed Department.

What I am suggesting is that the name, Department of Housing and Urban Development, be changed to the Department of Urban and Suburban Development. Why? Well, it is pretty obvious to me, if what I have heard in the debate here is true, that as the years go by this proposed Department is going to concern itself with the whole spectrum of urban affairs and suburban affairs relating to our cities and suburbs of this Nation.

Mr. Chairman, not too many years from now people are going to ask why is there so much concentration on the word "housing," when this Department is concerned with matters of air and water pollution, with matters of transportation, and so forth? They will ask, Why do we call it the Department of Housing and Urban Affairs?

Mr. Chairman, I believe that question is inevitably going to be asked and that sooner or later the name will be changed to make it more descriptive. I imagine this name was chosen to make it a little easier to get it through Congress in the first place by making it sound as if this was really a housing department. However, I do not believe that is really what is intended here for the future.

Mr. Chairman, I feel we should call the proposed Department by the name that will best describe its proposed activities. All of us know that the relative importance of housing with which this Department will concern itself is going to decrease over the years and the relative importance of the suburban part of the Department is going to increase.

Mr. Chairman, I represent a part of this Nation that is suburban in character, the Fourth Congressional District of New York. I do not mind the farmers having their department, the Department of Agriculture; and the cities having their department, if they want it, the Department of Urban Affairs. But we cannot ignore the fact that the trend today is for the people to move into the suburbs as the suburbs represent the rising, growing, and dynamic part of our Nation and are going to be the most important part of our Nation in not too many years.

Mr. Chairman, we should recognize that fact now. I am asking that we change this name at the present time, rather than waiting for the future.

Finally, Mr. Chairman, let me say this: There are differences between urban and suburban affairs. So, both are essential. There are some things in our part of the country, the New York metropolitan area, which should be done in concert and in cooperation with the city of New York. But there are other things that we should do independently, between the localities and counties concerned. There are affairs that are uniquely suburban and coordination should be county to county, municipality to municipality. They concern things which have nothing to do with the city of New York. And so it is across this Nation today. The suburbs are no longer satellites of the cities they surround.

Mr. Chairman, the name as proposed in the amendment which I have offered would truly describe the coming relationships that are going to exist with which this proposed Department is supposed to deal.

Therefore, Mr. Chairman, I would like to see the amendment adopted and the name of the new Department be the Department of Urban and Suburban Affairs.

Mr. ROSENTHAL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the committee and the subcommittee of which I am a member considered a number of different titles but they felt that considering the substantive legislation, the intent of the legislation, the title which we chose for the bill that is pending before the House today, the Department of Housing and Urban Development, most accurately describes the workings of the department and the intention of the administration as well as the intention of Congress.

To change this name to the name proposed in the amendment offered by the gentleman from New York would make no substantive change in the bill.

Therefore, Mr. Chairman, I urge the defeat of the amendment.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Illinois.

Mr. YATES. Does not the term "urban" include the core of the city and the surrounding areas?

Mr. ROSENTHAL. It surely does and throughout the bill there is the clear-cut statement that the entire metropolitan area is covered in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. WYDLER].

The amendment was rejected.

Mr. ERLENBORN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this opportunity to announce that a motion to recommit will be offered with directions to substitute the substance of the bill H.R. 8822, introduced by the gentlewoman from New Jersey, for the bill under consideration.

I hope that we will at the proper time, when the motion to recommit is offered, receive the support of the House in substituting the language within the Executive Office of the President rather than raising the matter to Cabinet status.

The membership should be advised that the motion to recommit will take that form.

Mr. GILBERT. Mr. Chairman, I rise in support of H.R. 6927, to establish a Department of Housing and Urban Development. I am one of the sponsors of this proposal and I see an urgent need for improved operation of the Federal Government's housing and urban development programs which would be provided under such a new, separate department.

The bill will place at the Cabinet level the major Federal-aid programs for coping with the problems arising from rapid growth of our urban areas.

President Kennedy sent the proposal for a Department of Urban Affairs and Housing to Congress in 1961. I have sponsored this legislation since then, and it has received intensive study by the Congress, the executive branch, and all concerned with and interested in housing and urban development activities.

Cabinet status for housing and urban development programs will give more ready access to the President for the purpose of advice and consultation, and will establish a liaison with other departments concerned with related programs and overall Federal economic and fiscal policy. The programs concerned are of the highest importance in terms of effect on the welfare of our people, on national economy, and on operations of State and local governments.

Our urban population has quadrupled in the past 60 years; almost 135 million. Our 220 metropolitan areas contain 135 million people—over 70 percent of our entire population. Thirty more million people will be added to our cities in the next 15 years.

By 1975, we will need over 2 million new homes a year; we will need schools for 10 million additional children, welfare and health facilities for 5 million more people over age 60, transportation facilities for the daily transportation of 200 million people and over 80 million automobiles.

Thus, in 40 years, when our urban population doubles, we will be faced with the task of duplicating our housing facilities, utilities, schools, recreation, and other urban facilities. Our cities are already in distress. Physical decay—from obsolete schools to polluted water and air, and lack of recreational facilities—breed social decay and this is reflected in the rise in crime rate, juvenile delinquency, and school dropouts. Our national welfare is dependent upon the orderly growth and development of our urban areas.

H.R. 6927 will centralize responsibility and authority of the Federal Government to establish and enforce national standards for planning and improving our cities. The new Department will serve as a clearinghouse and research center, and will provide local governments with a centralized resource of information and assistance concerning Federal programs affecting urban areas. The mayors of our cities and other local officials have testified and given strong support to this proposal, which will provide a focal point within the executive branch for city and State officials to receive more effective attention to the problems of housing, urban development, community facilities, and mass transit.

Mr. Chairman, it makes sense to have Government programs and activities of such magnitude and importance to our cities under one head and one department.

Several years ago, the Administrator of Housing and Home Finance Agency, Robert C. Weaver, pointed out the need to coordinate the greatly expanded Federal activities in the urban and housing fields, such expansion being caused by the mushrooming needs of our cities. He stated that the Housing and Home Finance Agency was an administrative monstrosity whose responsibilities have outgrown its capacities, and pointed out the necessity for consolidation and reorganization.

All of the housing and urban development functions now in the Housing and Home Finance Agency would be vested in the new Department. Housing, with its many related agencies, has become one of the prime economic interests of the Nation. We must provide policy direction and coordination for the dozens of different housing programs that extend assistance to urban areas.

Housing continues to be one of the major problems of the area I represent—the 22d District of New York. The shortage of housing and living conditions in many substandard dwellings have grown worse in recent years.

Mr. Chairman, the establishment of this new Department would make available to Congress a more authoritative and responsible spokesman for the executive branch in the areas of housing and urban development. It would not be costly; on the contrary, money would be saved through stronger supervision over programs involving billions of dollars.

The duties and responsibilities of the new Department, headed by a Secretary appointed by the President, would be first, to coordinate Federal activities affecting housing and urban development; second, to advise the President on Federal programs dealing with housing and urban development; third, to develop and recommend to the President policies to provide for orderly growth and development of urban areas; fourth, to conduct continuing studies of housing and urban development problems; fifth, to provide technical assistance and information, including a clearinghouse service, to assist local and State governments in developing solutions to urban development problems; and, sixth, to encourage comprehensive planning by State and local governments with a view to coordinating Federal, State, and local development activities.

Mr. Chairman, I urge the House to approve H.R. 6927, to provide a Cabinet-level Department of Housing and Urban Development, so we may have the needed and necessary leadership to coordinate and operate efficiently and effectively the many Federal programs in the fields of housing and urban development. Placing the functions of housing and urban development under a Cabinet-level Federal department will give proper recognition to the importance of urban problems in the social and economic advancement of our Nation.

Mr. OTTINGER. Mr. Chairman, I rise in support of H.R. 6927 because I am convinced that the establishment of a Cabinet-level Department of Housing and Urban Development is vital to the Nation.

Today, 70 percent of our people live in urban areas and by the year 2000 more than 80 percent of our population increase will occur in urban areas.

As the Representative of two counties in the New York metropolitan area, I know full well how urgent will be the need for homes and schools and public services. In just 10 years, urban areas will require more than 2 million new homes a year; schools for 10 million more children; health and welfare facilities for our senior citizens; and transportation facilities that will carry commuters in and out of the central cities quickly, efficiently, and economically.

In this latter regard, I would like to point out that Westchester County Executive Edwin G. Michaelian, in a statement before the Senate Committee on Banking and Currency in 1962, urged consideration for the establishment of a Department of Transportation within the executive branch, "to bring together all of the diverse elements in the complex picture of mass transportation."

No one will deny the need for coordination of Federal, State, local, and private efforts to improve mass transportation. But this is just part of the complex situation we face as a result of the massive expansion in urban population. The magnitude of problems faced by our urban areas and the great number of Federal programs designed to help solve them call for coordination and administration at the highest levels.

The bill before us today calls for no new programs, and it was endorsed by the Budget Bureau because it will enable the Federal Government to streamline and make more economical many existing programs. The new Department will not merely add another department to the Federal bureaucracy.

The establishment of a Department of Housing and Urban Affairs will provide effective direction, coordination, and management so that the Nation will realize the greatest possible benefits from Federal programs designed to develop and improve our urban areas. I strongly urge support for this legislation.

Mr. ASHLEY. Mr. Chairman, opponents of the legislation before us agree that our cities are faced with many problems but they point out that this bill does not authorize any new programs to deal with them. In the next breath they say that State and local responsibility in urban affairs would be discouraged by creating the new Department because it would somehow indicate that the Federal Government is going to do the whole job.

This is nonsense, Mr. Chairman, and there is no better evidence of this than the fact that the overwhelming majority of mayors throughout the country have endorsed the establishment of this new Department, as have the National Association of Home Builders and scores of other associations and groups closest to the urban scene.

An even worse argument against the bill is that the housing situation in the United States has been greatly exaggerated and that there simply is not the need for a Department concerned with urban development. This, of course, flies in the face of all known facts. The enormous growth of American cities in recent decades is a matter of record and no one yet has come forward to dispute the projections which show that in the next 40 years we will have to build the equivalent of all that has been constructed in America since the first colonists arrived. Must we wait, Mr. Chairman, until we find ourselves further mired in the chaos of unplanned urban sprawl before we begin to organize ourselves to the task ahead? Only those who are incapable of assessing the shifting demands and dynamic changes in modern-day America could recommend such a course.

With respect to the provisions of the bill before us, let me say that I was most impressed with recommendations made by the homebuilding industry that there be incorporated an express provision assuring that the programs of the FHA would be administered at an appropriately high level. The amendment proposed by the Government Operations Committee to section 4(a) of the bill carries out this recommendation. It provides that an Assistant Secretary shall be designated to administer, under the supervision and direction of the Secretary, departmental programs relating to the private mortgage market.

The National Association of Home Builders, which is the major organization representing the private homebuilding industry, has made it clear that it is entirely satisfied with this committee amendment, and that it strongly supports the legislation to establish the new Department. Witnesses on behalf of the NAHB have also made it clear that they view the basic mission of the new Department as being to help provide good homes in good urban neighborhoods, well served by public facilities, including sewer, water and recreational facilities and mass transportation. The industry thus recognizes that good housing development and good urban development are merely two faces of one coin, and not competing currencies.

Under the legislation as introduced, the functions of the FHA will in fact be upgraded. Because ultimate responsibility for these functions will be visited in the Secretary of the Department, they will at long last be represented at the Cabinet level. This is the level where overall economic governmental policy is made; and this is the level where the claims of housing and urban development should receive a fair hearing.

Under the committee amendment, the day-to-day administration of programs affecting the private mortgage market will be assigned to the level of an Assistant Secretary—this being a level as high as, or higher than, that at which the programs are now administered.

The Assistant Secretary will of course be an appointee of the President and confirmed by the Senate. For these reasons, it seems abundantly clear to me that the Federal functions with respect to private housing are assured by this bill of greater attention within the Federal Government than ever before.

It also seems clear to me that any move to place the legal authority for FHA programs in a subordinate official within the Department, rather than in the Secretary, would only serve to downgrade, and not to elevate, these programs. Certainly, nothing could be gained by such a departure from the principles of good public administration—or, for that matter, good business administration. Surely, the ultimate legal authority for a program should rest with the head of an organization, and not with a subordinate official who would, as all agree, be subject to his direction and supervision. Such an arrangement would merely create confusion by seeming to separate final responsibility from legal authority.

Mr. GRABOWSKI. Mr. Chairman, today we are considering what has recently been termed the most controversial piece of legislation to be introduced in this session of Congress.

It is indeed strange, Mr. Chairman, to consider the forces that have been mustered against the creation of a Department of Housing and Urban Development.

Whom do they represent?

Certainly there is no doubt that we are an urban nation. In his message on the cities, President Johnson noted that 70 percent of our present population is urban and pointed out that "a half century from now, 320 million of our 400 million Americans will live in such areas."

Is not the Federal Government obligated to structure itself in keeping with its shifting population? Do the opponents of a Department of Housing and Urban Development fail to see the significance of population as the bedrock of true democratic representation in a republican form of government?

I would suggest, Mr. Chairman, that the opponents of this bill represent an outmoded aristocracy that is determined to prevent the growth of democratic government in the United States.

They most decidely do not represent the little farmers and other rural folks who have long benefited from the programs of the Department of Agriculture.

No, Mr. Chairman, I would say that if they represent anyone it is the local oligarchy in many of our small and middle-sized towns who see the programs of the Federal Government as searchlights that will expose their domination of local affairs to the people.

The creation of a Department of Housing and Urban Development is favored by the vast majority of the people of the Nation, be they urban or rural.

The people favor the establishment of this new Department because they realize that we live in a new time, an urban era, that calls for fresh thinking and new institutional arrangements.

When the Congress created the Department of Agriculture, it did so because that was where the problems of our country manifested themselves most clearly. Today our problems are primarily urban problems and we can do no less than recognize this fact by creating a Department in the Federal Government to help deal with them.

Of equal importance is the coordination by this new Department of Federal assistance programs. By focusing attention on the city and its surrounding area, the new Secretary of the proposed Department of Housing and Urban Development can bring to policy-level meetings of the Cabinet a comprehensive overview of problems involving many Federal assistance programs administered by many Federal agencies.

Here at the Cabinet level, coordination can be worked out so that Federal policy is consistent with the desires and capabilities of both the Nation and the local communities involved.

Mr. Chairman, the lengthy debate on this proposal has given ample time for any real grassroots opposition to the creation of a Cabinet-level post for Housing and Urban Development to rise. None has been produced.

In the hearings recently held by a subcommittee of the House Committee on Government Operations, little opposition was found while witness after witness came to praise the much-needed and much-belated creation of a Department of Housing and Urban Development.

Evidence can be found that such a Department has been advocated as far back as the early 1900's and legislation to create a Cabinet post for urban representation has been introduced in every Congress since 1954.

Hearings have been held on such a concept five times in the House of Representatives alone, not to mention those held in the Senate.

Mr. Chairman, the time has come to act on this piece of executive reorganization.

Our urban population can wait no longer for relief.

I propose that H.R. 6927 be enacted without further delay.

Mr. ROYBAL. Mr. Chairman, I rise to offer my full endorsement and strong support for enactment today of H.R. 6927, to establish a Department of Housing and Urban Development in the executive branch of the Federal Government.

As the Representative of California's 30th Congressional District in Los Angeles, I have been acutely aware of the need for this legislation for a long time.

The city of Los Angeles has approximately 2.5 million residents at the present time, while the county exceeds 6 million, and both city and county are growing rapidly.

Taking southern California as a unit, experts now predict that it will more than triple in population from 10 million to over 30 million within the next 35 years.

With growth like this, it is vital that we take care of the pressing needs of our metropolitan centers for community public facilities, housing, educational development, mass transportation, recreation, and related necessities of urban life in the latter half of the 20th century.

The problem, of course, is not confined to my own State of California. But in the country at large, whereas more than half our citizens lived on farms or in rural areas at the turn of the century, today some 70 percent live in urban centers. By the year 2000, the Nation's population will have increased by 150 million persons—from 190 million to about 340 million. Of this increase, at least 80 percent will occur in urban and urbanizing areas, adding another 120 million to the present urban population of 133 million.

In my opinion, a widely scattered group of Federal agencies simply cannot deal effectively with such staggering growth of urban areas and massive population shifts.

We urgently need an efficient, unified, and coherent structure to coordinate and administer the many Federal housing and urban development programs, and I hope the Members will join with me in adopting this forward-looking and progressive legislation.

Mr. DANIELS. Mr. Chairman, I rise to support H.R. 6927. My district is one of the most completely urbanized areas in the United States. We in the New York-New Jersey metropolitan area have experienced for many years the problems which come with almost total urbanization.

We who reside in northern New Jersey live in almost the exact center of the unending city stretching from Boston to Norfolk, Va., which some call megalopolis.

In the last few years, having flown regularly over this great sprawling urban colossus, I have seen the last empty spaces between the great cities gradually filled with suburban developments. At night the lights stretch endlessly from National Airport to Boston.

Halfway up the Baltimore-Washington Parkway near Laurel, Md., the cities of Baltimore and Washington have merged in such a way as to form one great unified metropolitan area.

Philadelphia and Wilmington, Del., are growing closer and closer together. And then if you drive up the great New Jersey Turnpike it becomes evident that much of the Garden State is becoming one large bedroom community for Philadelphia on the south and New York City on the north.

We who live in Hudson County are part of the New York metropolitan area which now stretches far beyond the five boroughs up the Hudson River beyond Westchester County into Rockland, Orange, and Putnam Counties, far into Nassau, and Suffolk Counties in Long Island and almost to Hartford, Conn.

The problems which this rapid growth has posed are far beyond the powers of individual cities and towns, far beyond the counties and the growth pattern has also been no respecter of State boundaries. Truly, our urban problems can in no sense be considered local or statewide in nature. We are faced with problems which are national in scope and can in many cases only be solved at the Federal level. This is no longer a debatable proposition. Time and time again we have approved piecemeal-fashion programs intended to solve many of the problems which beset urban America.

What we are seeking today by the passage of H.R. 6927 is not any sweeping extension of Federal powers. No, Mr. Chairman, what we seek is a meaningful policy which commits the U.S. Government to the concept that our various programs to aid urban America will be best handled by a single unified agency.

When the Congress approved the Budget and Accounting Act of 1921 it was not done in order to facilitate massive Federal spending. Rather, it was a mature realization that Federal spending had become massive and that businesslike steps should be taken to insure an orderly fiscal program.

H.R. 6927 represents this same type legislation maturity. We must realize that for the rest of this century and for as long as this Nation exists urban problems are going to be with us. There is no way short of atomic catastrophe that the United States can go back to the essentially smalltime America that many older Members of this House can recall from their youth. Urbanization is a fact of life, and if we are going to pass—in every session of the Congress—dozens of bills which deal with problems having a common cause then we owe the taxpayers the duty of seeing that these programs are carefully administered and coordinated.

There are many who are hostile to the growth of urban America. I cannot argue with their right to this view and perhaps there is some merit to many of their contentions. This is not the issue today, however; we are not debating this question. We are deciding today whether we are to take reasonable steps to solve a problem which we know exists or whether we are to assume an ostrichlike stance with our heads in the sand hoping that if we do not notice the problems they will just go away.

Our urban problems are not just going to go away. We who are responsible for handling the public's business must insure that our Government operates in a businesslike way. For this reason I urge passage of this bill.

Mr. ROSTENKOWSKI. Mr. Chairman, the bill before us, H.R. 6927, is quite explicit in its purposes from its title, to establish a Department of Housing and Urban Development. It is not a new idea for it was suggested in 1961 by our late President John F. Kennedy when he said in his state of the Union message:

> Our cities are being engulfed in squalor—

And then in his message to Congress on March 9, 1961, when he said:

> Urban and suburban areas now contain the ovewhelming majority of our population, and a preponderance of our industrial, commercial, and educational resources. The new housing and urban programs as well as existing housing and community development programs, deserve the best possible administrative efficiency, stature, and role in the councils of the Federal Government. An awareness of these problems and programs should be constantly brought to the Cabinet table, and coordinated leadership provided for functions related to urban affairs but appropriately performed by a variety of departments and agencies.

President Johnson has reaffirmed these beliefs in requesting the establishment of a new executive department so that urban problems may have representation "at the highest level of Government" and that housing programs as well be in the "front rank of Government."

This bill has been carefully considered by the Committee on Government Operations under the guidance of one of Illinois' most outstanding members, Chairman BILL DAWSON, and their favorable recommendation for passage must not go unheeded. The bill makes a declaration that the general welfare and security of the Nation and the health and living standards of its people require, as a matter of national purpose, sound development of the Nation's urban communities and metropolitan areas in which the vast majority of its people live and work. A finding is announced that these can best be achieved through the establishment of a new Department headed by a Secretary.

When the United States began to develop it was dotted with small towns and villages linking vast areas of scattered population. People were carving the model of a great country out of the wilderness and the needs of the country at the time were greatest in the rural areas. But with development there was a need for centralized areas whereby these people from the wilderness could meet to barter for goods and the necessities of life. As these necessities became greater so did these small towns and villages grow. And with their growth we were faced with new problems of expansion.

We have now reached an era in which the urban communities have become the heart of our land with the rural areas as the arteries which feed the heart. One without the other cannot survive, and yet when the rural communities dominated our country's makeup, its problems did not go unheeded for the Congress of the United States established a Department of Agriculture to administer to these needs. So, it was true in the area of business with the establishment of a Commerce Department; in labor-management with a Labor Department; the development of natural resources with an Interior Department. And yet, quoting our great mayor of Chicago, Richard J. Daley, who represented the U.S. conference of mayors before the Committee on Government Operations:

> But nobody specifically represents the cities. And yet, the productive capacity—the purchasing power—the backbone of our economy—and the people who pay most of the taxes—live in urban communities.

The problems of urbanization become more complex, more intense with each passing day. So the need for a central point in Federal Government where cities, and I do not mean just the big cities, for this legislation benefits cities who may have a population of only 10,000, can come for help and information.

Congress has not turned a deaf ear to these urban problems, for we have been adopting programs of aid to urban areas. We have delegated the administration of these programs to the Housing and Home Finance Agency. But there is a need for stronger programs and more effective coordination of existing activities, and only through the establishment of a Cabinet-level unit which can provide the President the maximum assistance for guidance to the efforts of State, county, and municipal governments and private enterprise to improve the Nation's communities, can we rest assured that a maximum effort is being made to solve the Nation's problems in the expanding metropolitan complexes.

As this Nation grows, prospers, and expands, the burdens of decision facing our Chief Executive also expand, and if he is to effectively execute his duties he must rely on his Cabinet for advice in making these decisions. And as he has pointed out, in order to meet Federal responsibilities in assisting urban areas he needs a more effective executive tool; therefore, the establishment of a new Cabinet post is strongly recommended.

A Department of Housing and Urban Development can correlate present existing programs and specialize in resolving the needs in public housing, transportation, public works, urban renewal and planning, and open space and land preservation. It can take its place at the Cabinet table and voice opinion in other programs that indirectly affect the urban populace. As Mr. Robert L. Williams, executive director of the American Institute of Planners, stated:

> The establishment of a Department of Housing and Urban Development, if accompanied by appropriate means for stimulating local and metropolitan planning and if accompanied by a recognition of the fact that Federal aids should serve locally established objectives, will serve to strengthen rather than weaken our systems of local government.

This is a most important point to consider when deciding this issue. Congress has demonstrated its wisdom in the past through progressive legislation in strengthening all levels of government. Surely we, in this Congress, wish to continue along this path which can be demonstrated by approving this bill now before us. I urge that we vote to establish a Department of Housing and Urban Development.

Mr. WAGGONNER. Mr. Chairman, I have listened attentively for 2 days to this debate on the merits and demerits of creating a Cabinet-level Department of Housing and Urban Development. If this bill does nothing else, it does weaken State and local government, and it does increase dependence on the Federal establishment. It is a further trend toward centralization. And it will in the end cause the expenditure of not just millions but billions of additional dollars which cannot be justified. It is unnecessary, and I am opposed to it.

Mr. COHELAN. Mr. Chairman, in a few short decades we have passed from a rural to an urban way of life. In a few short decades more we shall be a nation of vastly expanded population, living increasingly in urban areas in housing that does not now exist, served by community facilities not yet built, and moving about by means of urban transportation which in all too many communities are inadequate.

Seventy percent of our population today is urban. In 35 years, 80 percent of a greatly expanded population will be. In the next 40 years we will need to build as many urban homes and related facilities as now exist in all of our cities.

This situation urgently calls for action. It calls for, among other things, a Cabinet-level Department of Housing and Urban Affairs such as this bill provides.

To this Department would be transferred all the housing and urban development functions now in the Housing and Home Finance Agency.

But how and why, we may ask, does this respond to an urgent call for action? The answer is quite simple and direct.

These several programs include an extraordinary range of diverse yet closely interrelated activities. All affect the lives and welfare of families in our cities and suburbs. All impinge in one degree or another on each other. None can or should stand by itself. The Department will bring a maximum degree of coordination and effectiveness to the planning and execution of them all.

The Secretary of the new Department will be in a much better position than the present Housing and Home Finance Administrator to coordinate effectively the programs under his charge. This means that the Secretary can be held more clearly responsible by both the President and by Congress.

The Secretary as a Cabinet officer, and the Department as an executive department, will clearly be in a better position to work out policies, programs, and problems with other related department chiefs and departments, such as Treasury, Commerce, Health, Education, and Welfare, and Interior.

The Secretary, finally, and his Department, will be able to speak out more forcefully and persuasively on the broad range of city interests. He will be able to better stimulate, coordinate, and mobilize the forces to wage effective war on the urban problems of our time.

Some opponents of this measure have suggested that a Department of Housing and Urban Affairs might siphon away from States and municipalities some of their present authority. This simply is not true.

The fact is that the creation of the new Department makes no changes at all in the substantive Federal law affecting housing and urban development. It, of course, makes no changes in State or local laws relating to urban development. It should be pointed out, furthermore, that all Federal programs enacted to date by Congress provide aid to private, State, and local programs which are carried out under State and local law. There would be no change in this arrangement.

Our cities and the people living in them, who after all represent the overwhelming portion of our population, need an adequate voice in the highest councils of Government.

The executive branch and the Congress need an adequate instrument to assist them in the formulation and execution of policy concerning urban affairs and housing.

States and local governing bodies need an agency at the departmental level to assist them in planning and carrying out their cooperative programs with the Federal Government.

All these needs can best be met through the adoption of this proposal. A scattered array of Federal agencies simply cannot deal effectively with the tremendous growth and staggering problems confronting our urban areas. In the interest of efficiency, economy, and just plain good government, a unified, coordinated structure at the Cabinet level is a necessity, and I urge that this bill be approved today.

Mr. McDOWELL. Mr. Chairman, I rise in support of the bill H.R. 6927, which would establish a new Department of Housing and Urban Development.

It seems to me that the need for this legislation is clear. The Department of Agriculture was created at a time when 70 percent of our population lived on farms or in rural areas. Today the situation is exactly reversed, as President Johnson pointed out in his housing message earlier this year. At that time he said that the housing bills—including the present proposal—he would send to the Congress were predicated on that fact that over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas.

During the next 15 years, 30 million people will be added to our cities, equivalent to the combined population of New York, Chicago, Los Angeles, Philadelphia, Detroit, and Baltimore.

The President's message declared:

> Our urban problems are of a scope and magnitude that demand representation at the highest level of Government. * * * These problems are already in the front rank of national concern and interest. They deserve to be in the front rank of Government as well.
>
> The new Department will consist of all the present programs of HHFA. In addition it will be primarily responsible for Federal participation in metropolitan area thinking and planning. This new department will provide a focal point for thought and innovation and imagination about the problems of our cities. It will cooperate with other Federal agencies, including those responsible for programs providing essential education, health, employment, and social services. And it will work to strengthen the constructive relationships between Nation, State, and city—the creative federalism—which is essential to progress. This partnership will demand the leadership of mayors, Governors, and State legislatures.

Let us calmly look at the facts behind the disorders in our great cities today, behind the crime, the riots, the human misery. What do we find? The President has pointed to some of the major core reasons for these, and has said:

> We have over 9 million homes, most of them in cities, which are run down or deteriorating; over 4 million do not have running water or even plumbing. Many of our central cities are in need of major surgery to overcome decay. New suburban sprawl reaches out into the countryside, as the process of urbanization consumes a million acres a year. The old, the poor, the discriminated against are increasingly concentrated in central city ghettoes; while others move to the suburbs leaving the central city to battle against immense odds.
>
> Physical decay, from obsolescent schools to polluted water and air, helps breed social decay. It casts a pall of ugliness and despair on the spirits of the people. And this is reflected in rising crime rates, school dropouts, delinquency, and social disorganization.

Millions of families and individuals live in substandard housing because their incomes are too low to permit them to afford adequate private housing. The Housing and Home Finance Agency has pointed out that "our existing housing programs cannot fully cope with the problem," and that there are some 13 million substandard homes in our country today. According to the 1960 census about 7.5 million of the 13 million families or individuals in substandard housing had annual incomes of less than $3,000. While I am reasonably certain that some slums will exist as long as poverty exists in our own country, I believe that the establishment of a new Department of Housing and Urban Development will provide new and effective tools to deal with slums—which I regard as a basic cause of the disorders in our great cities today.

Although slum housing is a central factor in the problems of our great cities, many of the families contributing to these problems are recent arrivals from our rural areas where much of the worst housing in the Nation exists today. Bad housing breeds bad situations in our cities, towns, and rural areas, and the new Department of Housing and Urban Development which H.R. 6927 would establish will enable us to deal with the problems which are, by all accounts, growing worse month by month and day by day.

The spectacular success of our national homebuilding industry to provide homeownership to millions of our citizens is one in which we can all take pride. We have failed, however, to solve the problem of providing homes within the reach of the poorer families. Public housing has failed to meet this need; new tools must be forged, tested, and perfected, so that in our time and for the future we, as a nation, can house all of our people in safe, sanitary, decent housing.

President Johnson has pointed out that it is possible to improve, rebuild, and rehabilitate existing homes with less cost and less human dislocation, and thus to meet our housing objectives without tearing people away from their familiar neighborhoods and friends, by encouraging property owners to improve and rehabilitate their own property so they do not have to move from the path of the bulldozers.

These are the directions in which the new Department of Housing and Urban Development should move, and I am pleased to say that in Wilmington, Del., a rehabilitation project along these lines is now under consideration.

Such a new Department should move forthrightly to solve the housing problems of our rural slums, and I would say that some of the rural slum housing in Delaware is quite as bad as it is in adjoining States and, in fact, is as bad as the housing in some of the rural areas in other nations which I have visited as a member of the House Foreign Affairs Committee.

The new housing bill recently reported by the House Banking and Currency Committee, provides many new tools and funds for this task, and the Department of Housing and Urban Development should thereby be enabled to make a major contribution to decent, safe, and sanitary housing for our urban and rural slum dwellers. I am very pleased that several of the provisions which I sponsored in my own housing bill have been included in the bill reported by the Banking and Currency Committee.

Mr. WELTNER. Mr. Chairman, the Housing and Home Finance Agency, under the excellent direction of its very capable Administrator, Robert C. Weaver, has made unquestioned progress in alleviating the problems of urban people. Programs of slum clearance, urban renewal, rehabilitation, open space, public housing, and others have been implemented with efficiency and imagination.

Even so, there exists a vast area of uncoordinated Federal programs dealing with housing and urban development. Among the most notable are activities concerning farmers' home loans, veterans housing, water and air pollution, waste disposal, aviation, and expressways. Obviously, the Congress should address itself to an honest and sensible reorganization of these many functions. We should provide direction and cohesion through a Cabinet level department.

This is what we need, Mr. Chairman. But this bill, H.R. 6297, nowhere approaches that need. Indeed, try as I might, I find within its pages little more than a change of name. There is no increased responsibility. There is no increased authority.

With its passage, our urban-directed programs remain as they were—uncoordinated, inefficient, and inadequate. For this reason I find it most difficult to support this bill. Rather than a mere change of name, let us develop a department with adequate power and unquestioned responsibility.

Mr. O'HARA of Illinois. Mr. Chairman, it seems to me fitting that the bill to establish a Department of Housing and Urban Development comes from the committee chaired by the distinguished gentleman from Illinois [Mr. Dawson].

For many years Chairman Dawson has been a vibrant factor in the life of Chicago in the period of its greatest growth and expansion. His contribution to the city of his adoption and his home during most of his adult years has been large.

No one understands the American city, the problems and the needs and the frustrations as well as the hopes of its people, better than Chairman Dawson. The enactment of the bill that has come to us from the committee of which he is chairman will climax his fight of many, many years to give to urban America the dignity of Cabinet status.

Mr. Chairman, we are making real progress in eliminating blight and slums from our cities. The day is not yet here when over every family will be a decent roof, and within the reach of every family playgrounds and the environment of comfortable and meaningful living, but that day is not far off. The progress in Chicago and in other large American cities has been large and it has been heartening.

It is as plain to envision as the hand held before the eyes that urban progress will be hastened mightily by the giving to us who live in cities the dignity and the availability to first sources that are inseparable from Cabinet representation. I am at a loss to understand why any American, no matter where he lives, should be in opposition to this bill. If the cities should fall into ruins, where, may I ask, would the farmer find his market, and the Nation the partner of its strength? I strongly urge a vote for this good bill.

From Edwin C. Berry, executive director of the Chicago Urban League, I have just received this telegram:

Representative Barratt O'Hara,
House Office Building,
Washington, D.C.:

I wish to indicate my wholehearted support for the necessity of a Cabinet-level position dealing with housing and urban affairs. Those of us, whose professional activities center around the massive problems in our city, know that it is past time for the Federal Government to recognize that we are an urban and not a rural nation, and that the health of our cities is synonymous with the health of our country.

Mr. PEPPER. Mr. Chairman, it has been my privilege to participate over many years in a number of significant developments in the structure of our Federal Government. These structural changes have been designed to reflect the great changes and advances that occur in the life of a dynamic country and a complex, progressive society. But few have given me greater satisfaction than the House's approval today of a new Cabinet Department of Housing and Urban Development.

By this action we have recognized the great shift in the life of our people from rural, largely farm areas to our great urban and suburban centers. In my State of Florida in my lifetime there has been a dramatic reversal of the urban-rural composition of the State's population. When I first came to the State, from the great State of Alabama, Florida was largely rural in character. But today nearly 8 out of every 10 residents of the great and growing State of Florida live in urban areas, and it is my privilege to share the representation of the State's largest population center with the very able chairman of the Subcommittee on Government Organization which brought this bill before us.

I particularly want to commend my distinguished colleague from the Fourth District of Florida, the Honorable Dante Fascell, for his authorship and sponsorship of this historic measure. His efforts in behalf of the creation of this new Department of Housing and Urban Development will be remembered gratefully by the residents of our area and by metropolitan and urban dwellers throughout this great land.

Mr. CLEVELAND. Mr. Chairman, today we are once more presented with a proposal to create a Department of Housing and Urban Development, a plan which was defeated by the last Congress. This bill, H.R. 6927, also should be defeated.

I speak as one who is well aware of the special problems of the cities. We are becoming increasingly an urban society and 70 percent or more of our population lives in or near large cities. Vast Federal programs and numerous agencies already exist for dealing with urban problems. These include: the Housing and Home Finance Agency, the Community Facilities Administration, Office of Transportation, the Public Housing Administration, the Urban Renewal Administration, the Federal National Mortgage Association, and the Federal Housing Administration, all of which would come under the new Department. Numerous other agencies affecting urban matters would be left out of this legislation. Among these are operations conducted by the Department of Agriculture, the Commerce Department, the Bureau of Public Roads, the Community Relations Service, the Department of the Army, the Department of Health, Education, and Welfare, the Department of the Interior, the Department of Labor, the Federal Aviation Agency, and the Office of Economic Opportunity.

CLEVELAND BILL WOULD DO BETTER JOB

There is no doubt that coordination of these programs is needed. For that reason I joined earlier this year with a number of my colleagues in sponsoring legislation—H.R. 6206—which would establish an Office of Community Development in the Executive Office of the President. This is a more comprehensive, less bureaucratic, and far less expensive approach. It would provide State and local officials and other concerned citizens with a central place in Washington to bring problems requiring Federal attention. It would save them from having to trek all over town to numerous different agencies seeking to penetrate layers of Federal officials with overlapping responsibilities.

This essential achievement will not be accomplished by the creation of a new Department of Housing and Urban Development.

There is no special magic in Cabinet status. There is no reason to believe, on the basis of past experience, that all these problems will fall into place once they have been elevated to Cabinet rank. The existence of a Department of Agriculture cannot be said to have solved the farm problem. There are some who say that it has actually created much of the problem.

The administration says this would draw under one roof all the many diverse agencies dealing with Housing and Urban Affairs. As I pointed out above, this bill would not do that. Numerous agencies would be left out. The administration further argues the importance of giving status of Cabinet rank to the official in charge. Status is a wonderful thing and much sought after but, as we see in the Department of Agriculture, it provides no solution. It is true that the head of this new office would be able to sit a few places higher at official dinner parties than he now does but it is not easy to see what this has to do with housing and urban affairs.

NEW DEPARTMENT WOULD BE EXPENSIVE

The administration further says that this new Department would not add to the payroll but would merely bring together existing agencies. The same was said of the Department of Health, Education, and Welfare. The fact is that HEW's payroll has gone from 36,613 in 1953, when it was created, to 83,928 in March of this year. Its budget has risen from an initial $1,987,000,000 to $6,985,700,000 in the current year, with another billion to be added next year.

Our Republican bill goes to the heart of the matter. It would be truly inclusive, it would be much more efficient, and it would have the status of the White House itself. It would be more responsive to the problems of Housing and Urban Affairs. It would also not have the built-in tendency to grow that we have seen in other departments.

Mr. Chairman, we need to get a job done not merely to add the tinsel of exalted rank to another Federal bureaucracy. Let us defeat this proposal as we did once before and adopt the Republican alternative in its place.

The **CHAIRMAN**. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Boggs, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, pursuant to House Resolution 419, he reported the bill back to the House with amendment adopted by the Committee of the Whole.

The **SPEAKER**. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mrs. **DWYER**. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentlewoman opposed to the bill?

Mrs. **DWYER**. I am, Mr. Speaker.

The **SPEAKER**. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Dwyer moves to recommit the bill (H.R. 6927) to the Committee on Government Operations with instructions to report the same to the House forthwith with the following amendment: Strike out all after the enacting clause and insert in lieu thereof the text of the bill (H.R. 8822), as follows:

"ESTABLISHMENT OF OFFICE OF URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

"Section 1. There is hereby established in the Executive Office of the President an office to be known as the Office of Urban Affairs and Community Development (hereinafter referred to as the 'Office'). There shall be in the Office a Director and a Deputy Director to be appointed by the President. The Deputy Director shall perform such duties as the Director may designate, and during the absence or incapacity of the Director or during a vacancy in the office of the Director he shall act as Director. The Director shall receive compensation at the rate of $30,000 per annum, and the Deputy Director shall receive compensation at the rate of $27,000 per annum.

"PERSONNEL AND POWERS OF THE OFFICE

"Sec. 2. (a) The Director, with the approval of the President, may appoint in accordance with the civil service laws and the Classification Act of 1949 such additional personnel as he determines to be necessary to carry out the functions of the Office.

"(b) In the performance of the functions of the Office, the Director is authorized—

"(1) to procure by contract services as provided by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), at rates of compensation not exceeding $100 per diem for the personal services of individuals;

"(2) to appoint such advisory committees as he may determine to be necessary for the effective performance of the functions of the Office;

"(3) to designate such representatives as he may determine to be necessary or desirable to maintain effective liaison with executive departments and agencies, and departments, agencies, and instrumentalities of the States, which are engaged in activities related to the functions of the Office; and

"(4) to use the services, personnel, and facilities of executive departments and agencies and those of State departments, agencies, and instrumentalities, with the consent of such departments, agencies, and instrumentalities, with or without reimbursement therefor.

"(c) Upon the request of the Director, each executive department and agency shall furnish to the Office such information, suggestions, estimates, and statistics as the Director may determine to be necessary or desirable for the performance of the functions of the Office.

"(d) Subject to the approval of the President, the Director may—

"(1) promulgate such rules and regulations as may be required to carry out the functions of the Office; and

"(2) delegate to any other officer or employee of the Office authority for the performance of any duty imposed, or the exercise of any power conferred, upon the Director by this Act.

"COORDINATION OF FUNCTIONS

"Sec. 3. (a) Subject to the direction of the President, the Director shall take such action as may be appropriate to coordinate the programs of the various departments and agencies of the executive branch which have a major impact upon the Nation's urban areas. Such programs shall include Federal activities relating to housing, urban development and redevelopment, community facilities, highways and transportation facilities, civil defense, water and air pollution, and such other activities as the Director, with the approval of the President, determines relate primarily to urban needs and problems.

"(b) In carrying out his functions under this Act, the Director shall (1) establish and maintain close liaison with the departments and agencies referred to in subsection (a) and (2) consult with State and local officials, and with interested business, labor, and other groups, concerning urban problems and needs.

"INFORMATION ON URBAN AFFAIRS AND COMMUNITY DEVELOPMENT

"Sec. 4. The Director shall establish within the Office a Division of Information on Urban Affairs and Community Development. Through this Division the Director shall compile and make available to State and local officials, and other interested persons, through such means as he determines to be appropriate, information concerning the Federal programs referred to in section 3. The service provided by such Division shall include assistance to State and local officials in relating such programs to specific urban problems or needs.

"RESEARCH AND STUDIES

"Sec. 5. The Director shall undertake research and studies with a view of determining what changes should be made (1) in the programs referred to in section 3 in order to achieve a more effective coordination of such programs with State and local programs designed to meet urban needs, (2) in the allocation of such programs among the various departments and agencies of the executive branch, and (3) in the administration of such programs in order to achieve increased economy and efficiency, to avoid duplication, and to coordinate more effectively the activities of such departments and agencies in the administration of such programs. The results of such research and studies shall be reported from time to time to the President for such action as he determines to be appropriate.

"FEDERAL URBAN AFFAIRS AND COMMUNITY DEVELOPMENT COUNCIL

"Sec. 6. There shall be in the Office an advisory council, known as the Urban Affairs and Community Development Council. Members of the Council shall be appointed by the President upon nomination by the Director from among persons with broad experience and interest in urban and related problems, and may include persons outside the Federal service. The following Federal officials are hereby designated as members ex officio of the Council: the Secretary of Labor, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of the Treasury, the Housing and Home Finance Administrator, and the Administrator of Veterans' Affairs. The President may designate other Federal officials as ex officio members of the Council. Members of the Council shall receive no compensation for their services, but shall be reimbursed for necessary travel and subsistence expenses as provided in the Travel Expense Act of 1949, as amended. The Council shall meet at the call of the Director, but not less than twice a year. The Council shall be concerned with all the urban problems mentioned in this Act, including air and water pollution, transportation, sewage, water supply, and urban renewal.

"COMMISSION TO STUDY TRANSFERS OF FUNCTION AND INTEGRATION OF ACTIVITIES

"Sec. 7. (a) (1) There is hereby established a special commission (referred to in this section as the "Commission") to study the feasibility of making transfers to and from the several departments and agencies mentioned in section 6 of this Act. The Commission shall consist of twelve members appointed by the President from among individuals in private life having substantial knowledge of and experience in housing, urban affairs, mortgage financing, and related fields.

"(2) The Commission may employ and pay the compensation of such staff as may be necessary to the performance of its functions.

"(3) Members of the Commission shall be compensated at the rate of $50 a day while actually engaged in the business of the Commission, and shall be paid travel expenses and per diem in lieu of subsistence in accordance with the provisions of section 5 of the Administrative Expenses Act of 1946 relating to persons serving without compensation.

"(b) The Commission shall conduct a thorough study and investigation of all functions relating to housing and urban affairs which on the date of the enactment of this Act are being performed by departments, agencies, and instrumentalities of the Federal Government, giving particular attention to (1) the distribution of such functions throughout the Government and the effectiveness with which they are being carried out by the departments, agencies, and instrumentalities in which they are respectively vested, and (2) the extent to which further coordination in the performance of such functions, with respect to each other, would serve to increase the overall efficiency and effectiveness of the programs of the United States in the field of housing and urban affairs. Upon the completion of its study and investigation, and in no event later than June 30, 1966, the Commission shall submit a full report thereon to the President together with its findings and recommendations.

"(c) The President, after receiving and considering the report of the Commission under subsection (b), shall prepare and submit to the Congress a reorganization plan (or plans) providing for the transfer to or from the Housing and Home Finance Agency, and other departments, agencies, and instrumentalities of the Government, of such additional functions relating to housing and urban affairs as he may deem necessary or appropriate to promote efficiency.

"REPORT TO CONGRESS

"SEC. 8. Not later than January 31 of each year, the Director shall submit to the President for transmittal to the Congress a report concerning the activities of the Office during the preceding calendar year."

Mr. FASCELL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. ERLENBORN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 141, nays 259, not voting 34, as follows:

[Roll No. 141]

YEAS—141

Abbitt
Adair
Anderson, Ill.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baldwin
Bates
Battin
Belcher
Bell
Berry
Betts
Bolton
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Cederberg
Clancy
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Fino
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Gettys
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hansen, Idaho
Harsha
Harvey, Mich.
Horton
Hosmer
Hutchinson
Johnson, Pa.
Jonas
King, N.Y.
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McMillan
MacGregor
Mailliard
Marsh
Martin, Nebr.
Mathias
May
Michel
Minshall
Mize
Moore
Morse
Morton
Mosher
Nelsen
O'Neal, Ga.
Pelly
Poff
Pool
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Robison
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tupper
Walker, Miss.
Watkins
Watson
Whalley
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—259

Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, George W.
Annunzio
Ashley
Aspinall
Bandstra
Baring
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Callan
Carey
Casey
Celler
Chelf
Clark
Clevenger
Cohelan
Conyers
Cooley
Craley
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dowdy
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Flynt
Fogarty
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Howard
Hull
Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDowell
McFall
McGrath
McVicker
Machen
Mackay
Mackie
Madden
Mahon
Matthews
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Poage
Powell
Price
Pucinski
Purcell
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Scott
Secrest
Selden
Senner
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Stalbaum
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Tenzer
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Willis
Wolff
Wright
Yates
Young

NOT VOTING—34

Abernethy
Ayres
Bonner
Bow
Bray
Brown, Ohio
Cameron
Chamberlain
Clausen, Don H.
Corman
Findley
Fisher
Hagan, Ga.
Harvey, Ind.
Hébert
Ichord
Kee
Keith
McEwen
Macdonald
Martin, Ala.
Martin, Mass.
Matsunaga
Pike
Pirnie
Rivers, Alaska
Rivers, S.C.
Staggers
Teague, Tex.
Thomas
Toll
Utt
Wilson, Charles H.
Zablocki

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Toll against.

Mr. Hagan of Georgia for, with Mr. Zablocki against.

Mr. Fisher for, with Mr. Corman against.

Mr. Brown of Ohio for, with Mr. Charles H. Wilson against.

Mr. McEwen for, with Mr. Rivers of Alaska against.

Mr. Abernethy for, with Mr. Macdonald against.

Mr. Bow for, with Mr. Kee against.

Mr. Findley for, with Mr. Cameron against.

Mr. Bray for, with Mr. Pike against.

Mr. Utt for, with Mr. Matsunaga against.

Mr. Don H. Clausen for, with Mr. Thomas against.

Mr. Keith for, with Mr. Rivers of South Carolina against.

Until further notice:

Mr. Teague of Texas with Mr. Ayres.

Mr. Bonner with Mr. Chamberlain.

Mr. Ichord with Mr. Martin of Alabama.

Mr. COLLIER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 217, nays 184, not voting 33, as follows:

[Roll No. 142]

YEAS—217

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Barrett
Beckworth
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Callan
Carey
Celler
Chelf
Clark
Clevenger
Cohelan
Conyers
Craley
Culver
Daddario
Daniels
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Downing
Dulski
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard

Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kelly
Keogh
King, Calif.
Kirwan
Kluczynski
Krebs
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDowell
McFall
McGrath
Machen
Mackie
Madden
Meeds
Miller
Mills
Minish
Mink
Minshall
Monagan
Moorhead
Morgan

Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Powell
Price
Pucinski
Purcell
Race
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal

Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scnisler
Schmidhauser
Senner
Sickles
Sisk
Smith, Iowa
Stalbaum
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Tenzer
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Willis
Wolff
Yates
Young

NAYS—184

Abbitt
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baldwin
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bolton
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Callaway
Carter
Casey
Cederberg
Clancy
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cooley
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn

Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Gathings
Gettys
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hansen, Idaho
Harris
Harsha
Harvey, Mich.
Henderson
Herlong
Hosmer
Hull
Hutchinson
Johnson, Pa.
Jonas
King, N.Y.
King, Utah
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McMillan
McVicker
MacGregor
Mackay
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matthews
May
Michel
Mize
Moeller
Moore
Morris
Morse
Morton
Mosher
Murray
Nelsen

O'Neal, Ga.
Passman
Pelly
Poage
Poff
Pool
Quie
Quillen
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Scott
Secrest
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Stephens
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tuten
Waggonner
Walker, Miss.
Watkins
Watson
Weltner
Whalley
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wright
Wyatt
Wydler
Younger

NOT VOTING—33

Abernethy
Ayres
Bonner
Bow
Bray
Brown, Ohio
Cameron
Chamberlain
Clausen, Don H.
Corman
Findley

Fisher
Hagan, Ga.
Harvey, Ind.
Hébert
Ichord
Kee
Keith
McEwen
Macdonald
Martin, Ala.
Martin, Mass.
Matsunaga

Pike
Pirnie
Rivers, Alaska
Scheuer
Staggers
Thomas
Toll
Utt
Wilson, Charles H.
Zablocki

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Zablocki for, with Mr. Hébert against.

Mr. Toll for, with Mr. Abernethy against.

Mr. Corman for, with Mr. Hagan of Georgia against.

Mr. Charles H. Wilson for, with Mr. Brown of Ohio against.

Mr. Rivers of Alaska for, with Mr. Findley against.

Mr. Macdonald for, with Mr. McEwen against.

Mr. Martin of Massachusetts for, with Mr. Fisher against.

Mr. Thomas for, with Mr. Keith against.

Mr. Pike for, with Mr. Martin of Alabama against.

Mr. Kee for, with Mr. Bray against.

Mr. Cameron for, with Mr. Utt against.

Mr. Matsunaga for, with Mr. Don H. Clausen against.

Until further notice:

Mr. Bonner with Mr. Ayres.

Mr. Ichord with Mr. Harvey of Indiana.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

ANNOUNCEMENT

Mr. SCHEUER. Mr. Speaker, I would like to clarify for the RECORD that on rollcall No. 142 on H.R. 6927 concerning the Department of Housing, I was present but did not vote, because I felt I had a possible direct personal interest in the legislation and, under rule 8 of the House, I was prohibited from voting.

I ask unanimous consent that these remarks be placed in the RECORD immediately after rollcall No. 142.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXCISE TAX REDUCTION ACT OF 1965

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 8371, an act to reduce excise taxes, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none, and appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, KEOGH, BYRNES of Wisconsin, CURTIS, and UTT.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House on the bill H.R. 8371 have until midnight tonight to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the bill to which the gentleman from Arkansas refers?

Mr. MILLS. If the gentleman will yield, the Excise Tax Reduction Act of 1965.

Mr. GROSS. The same bill?

Mr. MILLS. The same bill.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

NASA AUTHORIZATION FOR FISCAL YEAR 1966

Mr. MILLER. Mr. Speaker, I call up the conference report on the bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 514)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 7, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, and 36, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed to be inserted by the Senate amendment insert the following sum: "$5,190,396,200"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed to be inserted by the Senate amendment insert the following sum: "$4,536,971,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed to be inserted by the Senate amendment insert the following sum: "$43,700,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed to be inserted by the Senate amendment insert the following sum: "$62,376,350"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(2) Electronics Research Center, Cambridge, Massachusetts, $5,000,000";

And the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed to be inserted by the Senate amendment insert the following sum: "$591,048,850"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed to be inserted by the Senate amendment insert the following sum: "$57,376,350"; and the Senate agree to the same.

George P. Miller,
Olin E. Teague,
Joseph Karth,
Ken Hechler,
Joseph W. Martin, Jr.,
James G. Fulton,
Managers on the Part of the House.
Clinton P. Anderson,
Stuart Symington,
John Stennis,
Margaret Chase Smith,
Len B. Jordan,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Total appropriations authorized by the Senate amendments were $5,196,826,350. This represented an increase over the House bill of $12,981,500. As a result of the conference this figure was adjusted so that total appropriations authorized are $5,190,396,200.

Amendments Nos. 1 and 2: Amendments Nos. 1 and 2 are conforming amendments reflecting the total revised authorizations resulting from actions of the conferees.

Amendment No. 3: NASA requested a total of $2,997,385,000 to fund the Apollo program. The House reduced this amount by $30,000,000. The Senate amendment No. 3 restored $6,000,000 of this reduction applying the net Senate reduction of $24,000,000 specifically to the Apollo extension systems program. The Senate conferees receded and agreed to the amount authorized by the House. The total authorization is $2,967,385,000 for the Apollo program.

Amendment No. 4: NASA requested $172,100,000 for the physics and astronomy program. The House bill reduced this amount to $160,500,000 representing reductions in the orbiting astronomical observatory project and the orbiting geophysical observatory project. The Senate amendment No. 4 concurred in the reduction in the OAO project, but restored the full amount of the House reduction in the OGO project. The amount of the restoration was $5,400,000.

The House reduction in the OGO project was associated with the seventh spacecraft in the series, and constituted a deferral of funding for that spacecraft. The House position was based upon the belief that the present OGO launch schedule appeared overly ambitious, and that improved reliability of spacecraft should provide for longer operating lifetime in orbit and correspondingly fewer launches. The Senate restoration was based upon its belief in the importance of the OGO project to the Apollo astronauts, and the requirement that as much information as possible be acquired regarding the space environment between the earth and the moon prior to an attempt at manned lunar landing. The managers on the part of the House receded and agreed to the Senate restoration. The total amount authorized for the physics and astronomy program is $165,900,000, of which $31,700,000 is authorized for the OGO project.

Amendment No. 5: NASA requested a total of $63,600,000 for the launch vehicle development program, of which $4,000,000 was requested for supporting research and technology. The House reduced this $4,000,000 request by $3,000,000 on the basis that the activity appeared to be more properly within the province of NASA's Office of Advanced Research and Technology rather than the Office of Space Science and Applications. The Senate restored this $3,000,000 reduction in order that studies within the Office of Space Science and Applications might be continued so as to strengthen and improve the composition and capabilities of launch vehicles. Managers on the part of the House receded and agreed to the restoration of $3,000,000 in this category. The full amount of NASA's request is therefore authorized.

Amendment No. 6: NASA requested a total $194,500,000 for the launch vehicle procurement program. This request was reduced by the House bill in the amount of $15,000,000. This reduction represented a $15,000,000 across-the-board cut based up on unobligated balances remaining in this account at the end of previous fiscal years. The Senate bill concurred in this reduction.

In addition, the managers on the part of the House and Senate were in essential agreement on a further reduction of from $10 to $10.8 million within the Centaur project, although for different reasons. Based upon recent information received from NASA that advance procurement of Atlas-Centaur launch vehicles in excess of the number previously approved by the Senate is considered crucial to maintaining the Surveyor flight schedule, and that uprating of the Atlas SLV–3 to the proposed SLV–3X configuration is also considered essential to assuring success of the Surveyor missions, the managers on the part of both the House and Senate agreed that NASA should not be precluded from undertaking these activities, and that, therefore, the reduction of $10.8 million should be administered by NASA within the total Centaur procurement. Consequently, the total authorization for launch vehicle procurement is $178,700,000.

Amendment No. 7: The Senate reduced the amount authorized by the House for nuclear electric systems by $6,000,000. These funds were for the continuation of the SNAP–8 nuclear electric power system. The House has strongly urged NASA over the past years to maintain a vigorous program of research in this area, both for future nuclear electric rocket systems and auxiliary nuclear power devices. Nevertheless NASA had planned to terminate this project at a critical stage in its development. The House provided funds to continue the work. The managers on the part of the Senate agreed, however, to the restoration providing a total of $33,000,000 for nuclear electric systems. The conferees stipulated (1) that the SNAP–8 project shall be continued and (2) that the funds authorized for SNAP–8 shall be utilized for no other purpose.

Amendment No. 8: The Senate reduced the amount authorized by the House for Chemical Propulsion by $15,000,000. NASA had planned to terminate the development of the M–1 liquid-oxygen-liquid-hydrogen engine and had not requested funds for its continuation. The outstanding limitation to this Nation's ability to launch large payloads has been the lack of large boosters, both liquid and solid fueled. The House has continued to press for increased research effort in chemical propulsion to overcome this booster deficiency. The House bill provided $15,000,000 in the fiscal year 1966 authorization to continue the M–1 development since to terminate the project at this time would not take advantage of funds that had been expended to date. The managers on the part of the Senate agreed to the restoration of $7,500,000 for the continuation of the M–1 development. The managers on the part of the House and Senate stipulated that this amount shall be utilized only for the continued development of the M–1 engine. The total amount authorized for chemical propulsion is $43,700,000.

Amendment No. 9: The House bill authorized $242,321,000 for tracking and data acquisition. The Senate bill increased this amount by $3,879,000. The Senate conferees receded and agreed to the amount authorized by the House.

Amendment No. 10: The Senate bill reduced the amount authorized by the House for technology utilization by $250,000. The House conferees receded on this item and agreed to the amount authorized by the Senate. The resulting authorization of $4,750,000 sustains this program at the same level as last year.

Amendment No. 11: This amendment is a conforming amendment reflecting the total revised construction of facilities authorization resulting from the actions of the conferees.

Amendment No. 12: NASA requested authorization of $10,000,000 to fund construction at the Electronics Research Center. The House bill deleted this amount. The Senate amendment reversed the House action and restored the whole amount. Subsequent to the House action, new information has shown that considerable progress in the negotiations by which NASA would acquire the site for the Center could make the land available before the end of fiscal year 1966. The managers on the part of the House were not convinced, however, that the full amount of $10,000,000 should be restored in view of the fact that the negotiations would probably not be concluded until close to the end of the fiscal year. The managers on the part of the House, therefore, receded and agreed to authorize $5,000,000 for this item.

Amendment No. 15: NASA requested $8,595,000 for construction of facilities at the John F. Kennedy Space Center. The House bill reduced this amount by $740,600, all in the manned space flight area. The Senate amendment restored $340,600 for this item. The managers on the part of the House agreed that the House reduction was too severe and receded and agreed to the restoration of the funds recommended by the Senate amendment. The resulting authorization is $8,195,000.

Amendment No. 19: NASA requested $4,400,000 for construction of facilities at the Manned Spacecraft Center. The House bill reduced this amount by $446,700. The Senate amendment restored about 50 percent of this reduction, or $226,700. The managers on the part of the House agreed that the restored funds would be useful in supporting the manned space flight program and receded and agreed to the restoration of these funds. The resulting authorization is $4,180,000.

Amendment No. 21: NASA requested $4,776,000 for construction of facilities at the George C. Marshall Space Flight Center. The House bill reduced this amount by $484,900. The Senate amendment resulted in a further reduction of $1,981,650, by virtue of accepting a portion of the House reduction on certain projects and by eliminating two complete project proposals. The managers on the part of the House agreed to keep, to a minimum, the construction of additional facilities for engine testing, particularly in view of the operational status of the Mississippi Test Facility, and receded and agreed to the Senate amendment. The resulting authorization is $2,309,450.

Amendment No. 23: NASA requested $300,000 for the construction of a storm drainage system at the Michoud Plant. The House bill reduced this request by $30,500. The Senate amendment restored $15,250. The managers on the part of the House receded and agreed to the Senate restoration. The resulting authorization is $284,750.

Amendment No. 25: NASA requested $2,121,000 for the construction of facilities at the Mississippi Test Facility. The House bill reduced this amount by $215,400. The Senate amendment restored $4,850. The managers on the part of the House receded and agreed to the Senate restoration. The resulting authorization is $1,910,450.

Amendment No. 28: NASA requesed $21,694,000 for the construction of facilities at locations other than at NASA centers. The House bill reduced this amount by $1,822,600. The Senate amendment proposed the restoration of $311,300, or one-half of that part of the House reduction which was directed at projects for engine-testing facilities at three locations. The managers on the part of the House agreed to the desirability of maintaining a slightly higher level of engine testing capability and receded and agreed to the Senate amendment. The resulting authorization is $20,182,700.

Amendment No. 30: NASA requested $7,500,000 for Facility Planning and Design. The House reduced the request by $284,300, an adjustment made with regard to future construction in support of the Manned Space Flight Program. The Senate further reduced the request to $5,000,000.

During its initial review, the House recognized that the request included $2,050,000 for advanced design of facilities in support of programs which are not firm, but may become critical requirements during fiscal year 1966. Although the Senate amendment is $166,000 short of the authorization needed to meet firm requirements, the conferees agreed that sufficient flexibility is afforded NASA from prior years' unfunded authorization to meet critical requirements should the need arise. Accordingly, the managers on the part of the House receded to the Senate position, and agreed to a total authorization of $5,000,000.

Amendment No. 31: NASA requested an authorization of $609,400,000 for Administrative Operations. The House approved $586,048,850, amounting to a reduction of $23,351,150. The Senate amendment numbered 31 restored $10,051,150. The managers on the part of the House receded and agreed to limit the restoration to $5,000,000 making a net reduction of $18,351,150, and the total amount for Administrative Operations, $591,048,850.

Amendment No. 32: NASA requested a new provision (section 1e) to permit the award of service type contracts for maintenance and operation of facilities and other services for periods extending beyond the end of the fiscal year for which the administrative operations funds are authorized. The House agreed with the NASA request, but imposed a requirement on NASA for an annual report to assure that adequate controls are exercised. The Senate amendment imposed an additional restriction which limits the period of such contracts to 12 months. Since both measures are intended to preclude unwarranted use of this authority, the conferees agreed upon the further restriction contained in the Senate amendment.

Amendment No. 35: This amendment is a conforming amendment reflecting the total revised construction of facilities authorization, less facility planning and design, resulting from the actions of the conferees.

Amendment No. 36: The House bill contained language stating that it is in the national interest that consideration be given to the geographic distribution of research and development funds whenever feasible, and that NASA should explore ways and means of distributing its R. & D. funds to achieve this end. The Senate amendment modified the House language to avoid the implication that present Governmental procurement philosophy, derived as a result of years of experience, will be materially altered by an overriding consideration being given to geographic distribution of Government funds. The House recedes.

All other numbered amendments represent line changes only.

George P. Miller,
Olin E. Teague,
Joseph E. Karth,
Ken Hechler,
Joseph W. Martin, Jr.,
James G. Fulton,
Managers on the Part of the House.

Mr. MILLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the conference report before the House at this time represents the results of our conference with the Senate on H.R. 7717 to authorize appropriations to NASA for the next fiscal year.

The Senate amended the House bill by increasing the total authorization in the amount of $12,981,500.

Now, that is all we had in conference, about one-quarter of 1 percent of the total authorization.

As a result of the conference the Senate managers agreed to decrease this figure by a little over $6 million and thus the total authorization results in a figure of $5,190,396,200.

I think the statement of managers pretty well sums up the action of the conferees, but I would particularly like to mention two programs which the House was successful in keeping in the bill.

The House bill provided $6 million for the SNAP–8 nuclear electric power system program, but the Senate amendment did not authorize this program to be continued, and thus it would have had to be discontinued.

The House has strongly urged NASA over the past years to maintain a vigorous research program in this area both for future electric rocket systems and auxiliary nuclear power devices.

Nevertheless, NASA had planned to terminate this project at a critical stage in its development.

The managers on the part of the Senate agreed, however, to the restoration of sufficient funds to continue this project in the next fiscal year.

The M–1 liquid-oxygen-hydrogen engine is the second program that NASA wanted to terminate, and the Senate amendment had agreed with NASA by including no funds for this engine for the next fiscal year.

Now, I believe everyone here knows that the outstanding limitation to this Nation's ability to launch large payloads has been the lack of large boosters both liquid and solid fueled.

The House has continued to press for increased research effort in chemical propulsion to overcome this booster deficiency.

I am, therefore, happy to report that the Senate receded and agreed to restore $7.5 million for the continuation of the M–1 engine development program.

Therefore, there will be funds authorized to keep this development going for the next fiscal year.

I should next point out that the conferees agreed to authorize $5 million for construction at the Electronics Research Center.

NASA had originally asked for $10 million but the House bill deleted this amount.

The Senate amendment reversed the House action and restored the whole amount.

Subsequent to the House action new information has shown that considerable progress in the negotiations by which NASA would acquire the site for the center could make the land available before the end of fiscal year 1966.

Even recognizing that NASA has $13.9 million in unused authorization for construction at the Electronics Research Center, the House conferees agreed to restore $5 million.

The master planning and design is already completed for the Electronics Research Center, and as soon as title is secured NASA wishes to start construction at the earliest possible time.

We agreed with the Senate that we did not wish to take the chance of delaying the construction and, therefore, acceded to the Senate request to restore the $5 million.

The last matter I would like to discuss is the language which was in the House bill stating that it is in the national interest that consideration be given to the geographic distribution of research and development funds whenever feasible, and that NASA should explore ways and means of distributing its research and development funds to achieve this end.

The Senate modified this language to avoid any implication that present Government procurement philosophy derived as a result of years of experience will be materially altered by an overriding consideration being given to geographic distribution of Government funds.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. ROUSH].

Mr. ROUSH. Mr. Speaker, the chairman of our committee referred in the latter part of his statement to an amendment which was included in the House bill that I thought was a very gentle, nudging amendment, which would serve the national interest by causing the administration to explore ways and means of distributing our research and development contracts on a geographical basis. The Senate took the very substance out of that amendment by deleting the word "geographic", and if you will refer to the conference report, page 7, amendment No. 26, I believe I can show you what I am talking about by reading, rather than speaking:

> The House bill contained language stating that it is in the national interest that consideration be given to the geographic distribution of research and development funds whenever feasible, and that NASA should explore ways and means of distributing its research and development funds to achieve this end.
>
> The Senate amendment modified the House language to avoid the implication that present governmental procurement philosophy, derived as a result of years of experience, will be materially altered by an overriding consideration being given to geographic distribution of Government funds.

To me that is a ridiculous reason for rejecting this amendment.

First. It was not the intent of the amendment to cause this to become an overriding consideration but we did feel it should be a consideration when it came to the distribution of funds.

Second. The House amendment directed itself to research and development and not procurement. If we would look at the procurement figures themselves, it would be cause enough to say the path that we have been traveling has been the wrong path. When one State of this Union can receive 52.4 percent of procurement funds of one agency, then I say that something is wrong and it is about time we look after the national interest and see to it that other States receive the benefit of one of the greatest scientific programs that this Nation has ever seen. However, this was not directed at procurement. It was directed at the geographical distribution of research and development funds. This same State—one State—receives 38 percent of NASA's research and development funds. The research and development in a project is the very beginning of the procurement process. It is the very beginning of the development of hardware and the creation of factors and other instruments to implement the space program.

It seems to me that we could well pay attention to the distribution of research and development funds and help these research poor sections of the country develop the potential they have in their area of the country.

Mr. Speaker, to implement this belief, I am going to introduce in this House a joint resolution which will authorize a Government industry conference on the question of geographic distribution of Federal research and development funds. I hope it will receive the support of many of you who do represent research poor areas of the country in order that we might pay attention to what I believe is a growing national problem.

The SPEAKER. The time of the gentleman has expired.

LEGISLATIVE PROGRAM

Mr. MILLER. Mr. Speaker, I yield 1 minute to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I take this time only to advise Members of the House that the gentleman from Arkansas [Mr. MILLS] expects to call up tomorrow under unanimous consent the bill, H.R. 4260, the Real Estate Investment Trusts Act, which has been reported unanimously by the Committee on Ways and Means.

It is also expected that on tomorrow the conference report on the excise tax bill will be taken up.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I gladly yield to my distinguished friend.

Mr. GERALD R. FORD. Is it the intention of the leadership to conclude today with the two public works bills from the Committee on Interior and Insular Affairs and the bill from the Committee on House Administration?

Mr. ALBERT. We very much hope that we can consider those bills today.

Mr. GERALD R. FORD. I thank the gentleman.

Mr. MILLER. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. WYDLER].

Mr. WYDLER. Mr. Speaker, I am not unmindful of the difficulties that go into the making of a conference report and the give and take that must take place between the Members of the House and the Members of the other body. It is not my purpose here to criticize idly the compromise that must be made. But in reading this conference report, two matters stand out in my mind and they deserve some further explanation because of what I know about these matters since they were specifically discussed in the subcommittee on which I serve in the House.

The first of these matters concerns the compromise that was arrived at regarding the M-1 engine. The House contrary to the wishes of the President and NASA decided to place money back in the budget this year for the further development of the M-1 engine. When we were considering this in committee and having our hearings, we were told that the absolute minimum at which this program could proceed with any good results at all to the Government was at the level of $15 million and that anything less than that amount would produce a program that was in effect of no value. Now we have a program, as the result of this conference report coming to us, we have a program funded at the level of $7.5 million.

This appears to me to be a program of the type the country does not need, because it is likely to give us no good at all.

I should like to ask either the chairman of the subcommittee or of the committee how he can justify that type of compromise, in view of the testimony taken before our subcommittee?

Mr. MILLER. My position is exactly that of the gentleman from New York. I would have liked to have seen $15 million there. I would have liked to have seen more than that. Unfortunately, there is another body, and there are people just as potent as the people who serve here.

We took this, because it is enough to keep the program going for 1 year and not to dissipate the very fine group which is there or to lose the momentum and know-how. I regret the compromise as much as the gentleman does.

Mr. WYDLER. The difficulty with that is that with $15 million, we were told, we could get some good from the program. With $7.5 million, we are told we cannot get any good from the program. The question is, why put in $7.5 million at all? Why not drop it altogether or use the money where it will do some good?

Mr. MILLER. Because we can get some good out of it. There is still the need for this engine. Although this will slow down the engine and in the long run will cost us more, nevertheless, we will not scrap the $100 million or more we have in it. I am hopeful that next year we can get more money to do the job and to do it right.

Mr. WYDLER. I should like to discuss further a portion of the report in regard to the Electronics Research Center. I believe this is a most important matter.

Although I realize there is little time left to discuss this, I believe it should be discussed by the House.

The fact of the matter is that the Electronics Research Center program has slipped 1 year, yet in spite of that we are being asked to continue to appropriate money for it as though it were going on as originally planned. This is not a logical or rational way to approach the problem.

The House, after hearing the testimony, took out all the money for this project from this year's budget. The fact of the matter is that not $1 of this amount of money will be able to be spent in the next fiscal year, yet the Senate insists on putting it in.

I only want to make the point that the program has been handled in what I consider to be a very abnormal way since its inception—in this House, by the other body, and by the Congress in general. I have been preparing a report, which I hesitated to submit to Congress for numerous reasons, but which I have decided, after seeing another $5 million put in this program for what apparently is no valid reason, that I am going to make to the Congress in the very near future.

I should like to ask the chairman, in closing, what "new information," as described in the conference report the Senate gave the House to cause it to add the $5 million to the program this year.

Mr. MILLER. After the gentleman has rather severely criticized the committee and the chairman for his handling of this matter, I do not know, after all our discussion, that answering the question will salve the gentleman's conscience or help him any. I would say that the Senate had before us some information that the matter was coming along much faster and that they will be able to get into it much sooner than they previously believed.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. KARTH].

Mr. KARTH. Mr. Speaker, I rise in support of the conference report. I would agree with the gentleman from New York and perhaps with the gentleman from Indiana that the report is not as good as I would like to see it be but, after all, there are two Houses in the Congress of the United States. While the report, in my opinion, is not as good as the bill that passed the House, still it is a matter of a compromise which was made between the two Houses in an effort to reach an agreement so we could have a bill at all.

Mr. Speaker, the reason I asked for this time—and I thank the distinguished chairman for yielding this time to me—is to call to the attention of the House a very important program which may be subject to cancellation by NASA. As you will recall, both Houses authorized some $25.6 million for the Advanced Orbiting Solar Observatory, which is a very important program, and a second generation spacecraft which will give us a great deal of information that is extremely important to man's future space flights particularly as it relates to the 11-year sunspot cycle and the radiation effects of sun eruptions on man's space flights. It is my understanding now, however, that to take care of certain contingencies which might arise during the fiscal year, NASA is seriously considering cancelling this program out and using these funds for other purposes. Because there were no differences between the Senate and House bills, obviously, of course, no language could be put into the statement of the managers for fear of raising a point of order. Nonetheless I have discussed this with the distinguished gentleman from California, the chairman of the committee, and he has proposed to write a letter to NASA suggesting if the AOSO project is eliminated after the authorization and appropriation bills have given the agency some $25 million for that purpose, the money should not be spent for other purposes. So, just to inform the House that we do have this intention and that we hope this action will save a very important program, I make this statement.

I thank the gentleman from California for yielding this time to me.

Mr. MILLER. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Speaker, I would like to congratulate the chairman of the full committee, the gentleman from California [Mr. MILLER], and my fellow managers on the conference committee for this conference report.

As the gentleman from Minnesota [Mr. KARTH] so well pointed out, there are many features of this conference report which each one of us individually may not have liked. There are certainly some features of it that I felt definitely could have been improved. I, too, would have liked to have had $15 million in this conference report for supporting continuing development of the M-1 liquid-hydrogen-liquid-oxygen engine. Yet the fact remains, with $7.5 million, as the gentleman from California pointed out, we can keep the team together to work on this development. We can carry forward the component development of this very important project, admittedly at a low level, but the important point is we can continue. I am very pleased that the conferees decided to support the full $6 million for the SNAP-8 nuclear electric system.

I am also pleased that we did approve sufficient funds to authorize the 260-inch solid propellant motor, without limiting language. Congress displayed commendable initiative in exercising its independent judgment in support of these three vital projects. I believe that history will prove the correctness of our judgment.

All in all, I believe this conference report is the best that can be obtained under the circumstances to continue our Nation's strength in space.

I share the feeling that the gentleman from Indiana [Mr. ROUSH] has expressed on the need for better geographic distribution of study and research contracts as distinguished from hardware procurement contracts. I certainly hope that the House will pay particular attention to this issue in the future.

I must say that the brief references to this issue in the statement of managers do not accurately reflect an objective account of the legislative history of this item, in my opinion. The statement of managers contains the following sentence: "The Senate amendment modified the House language to avoid the implication that present governmental procurement philosophy, derived as a result of years of experience, will be materially altered by an overriding consideration being given to geographic distribution of Government funds." In the first place, Mr. Speaker, it is a gross distortion of the House position to state that the geographic distribution amendment unanimously adopted by the House came anywhere near stipulating that geographic distribution must be an "overriding consideration." There was nothing at all mandatory in the House language. It was a very mild and advisory provision, which merely stated that ways and means should be explored and action taken whenever feasible. It merely indicated that some thought ought to be given to this subject, and surely none of us should take a firm position against thought.

There was an excellent colloquy on this subject in the other body between the gentleman from New Mexico, Mr. ANDERSON, and the gentleman from Wisconsin, Mr. PROXMIRE, in which the gentleman from New Mexico, the chairman of the Committee on Aeronautical and Space Sciences stated:

> It is the intent of the committee to see that the handling of these funds for research by the NASA organization should involve attention to geographic distribution. There is no question about that.

This statement was made on June 2, 1965, at page 11816 of the temporary RECORD. I would hope that the above statement is read along with the statement of managers in reviewing the legislative history of this provision.

Mr. Speaker, we are making progress in this respect. I have no doubt that additional progress will be made along this line in the coming years. For in order to preserve the strength of the entire Nation in this area of increasing importance, it is inevitable that more serious consideration will be given to these matters which we are discussing.

Mr. MILLER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON], the ranking member or the acting ranking member on the committee, to close debate.

Mr. FULTON of Pennsylvania. Mr. Speaker, let us look at the budgetary record made by this Congress on the NASA authorization for fiscal year 1966:

	Budget request	House approved	Senate approved	June 10, 1965, conference committee approved
RESEARCH AND DEVELOPMENT				
Gemini	$242, 100, 000	$242, 100, 000	$242, 100, 000	$242, 100, 000
Apollo	2, 997, 385, 000	2, 967, 385, 000	2, 973, 385, 000	2, 967, 385, 000
Advanced missions	10, 000, 000	10, 000, 000	10, 000, 000	10, 000, 000
Physics and astronomy	172, 100, 000	160, 500, 000	165, 900, 000	165, 900, 000
Lunar and planetary exploration	215, 615, 000	213, 115, 000	213, 115, 000	213, 115, 000
Bioscience	31, 500, 000	31, 500, 000	31, 500, 000	31, 500, 000
Meteorological satellites	42, 700, 000	42, 700, 000	42, 700, 000	42, 700, 000
Communication satellites	2, 800, 000	2, 800, 000	2, 800, 000	2, 800, 000
Applications technology satellites	28, 700, 000	28, 700, 000	28, 700, 000	28, 700, 000
Launch vehicle development	63, 600, 000	60, 600, 000	63, 600, 000	63, 600, 000
Launch vehicle procurement	194, 500, 000	179, 500, 000	178, 700, 000	178, 700, 000
Space vehicle systems	35, 000, 000	35, 000, 000	35, 000, 000	35, 000, 000
Electronics systems	34, 400, 000	34, 400, 000	34, 400, 000	34, 400, 000
Human factor systems	14, 900, 000	14, 900, 000	14, 900, 000	14, 900, 000
Basic research	22, 000, 000	22, 000, 000	22, 000, 000	22, 000, 000
Nuclear-electric systems	27, 000, 000	33, 000, 000	27, 000, 000	33, 000, 000
Nuclear rockets	58, 000, 000	58, 000, 000	58, 000, 000	58, 000, 000
Solar and chemical power	14, 200, 000	14, 200, 000	14, 200, 000	14, 200, 000
Chemical propulsion	30, 000, 000	51, 200, 000	36, 200, 000	43, 700, 000
Aeronautics	42, 200, 000	42, 200, 000	42, 200, 000	42, 200, 000
Tracking and data acquisition	246, 200, 000	242, 321, 000	246, 200, 000	242, 321, 000
Sustaining university program	46, 000, 000	46, 000, 000	46, 550, 000	46, 000, 000
Technology utilization	5, 000, 000	5, 000, 000	4, 750, 000	4, 750, 000
Total	4, 575, 900, 000	4, 537, 121, 000	4, 583, 350, 000	4, 536, 971, 000

	Budget request	House approved	Senate approved	June 10, 1965, conference committee approved
CONSTRUCTION OF FACILITIES				
Ames Research Center	$2,749,000	$2,749,000	$2,749,000	$2,749,000
Electronics Research Center	10,000,000	deleted	10,000,000	5,000,000
Goddard Space Flight Center	2,400,000	2,400,000	2,400,000	2,400,000
John F. Kennedy Space Center	8,595,000	7,854,400	8,195,000	8,195,000
Langley Research Center	8,250,000	8,250,000	8,250,000	8,250,000
Lewis Research Center	867,000	867,000	867,000	867,000
Manned Spacecraft Center	4,400,000	3,953,300	4,180,000	4,180,000
George C. Marshall Space Flight Center	4,776,000	4,291,100	2,309,450	2,309,450
Michoud Plant	300,000	269,500	284,750	284,750
Mississippi Test Facility	2,121,000	1,905,600	1,910,450	1,910,450
Wallops Station	1,048,000	1,048,000	1,048,000	1,048,000
Various locations	21,694,000	19,871,400	20,182,700	20,182,700
Facility planning and design	7,500,000	7,215,700	5,000,000	5,000,000
Total	74,700,000	60,675,000	67,376,350	62,376,350
Administrative operations	609,400,000	586,048,850	596,100,000	591,048,850
Grand total	5,260,000,000	5,183,844,850	5,196,826,350	5,190,396,200

A summary of the conference results is as follows:

For research and development NASA asked for $4,575,900,000. The conference approved $4,536,971,000. This is $38,929,000 less than the NASA request, $150,000 less than approved by the House, and $3,621,000 more than approved by the Senate.

NASA asked authorization of $74,700,000 for the construction of facilities. The conference agreed to $62,376,350. This is $12,323,650 less than was requested by NASA, $5 million less than approved by the Senate, and $1,701,350 more than approved by the House.

For administrative operations, NASA requested authorization for $609,400,000. The conferees approved $591,048,850. This is $18,351,150 less than the amount NASA asked for, $5,051,150 less than approved by the Senate, and $5 million more than approved by the House.

The conference agreed upon a total fiscal year 1966 NASA budget of $5,190,396,200 which is $69,603,800 less than the NASA request of $5,260 million, and is $6,430,150 less than approved by the Senate, and is $6,551,350 more than approved by the House.

Mr. Speaker, I am very glad to report to the House that we of the House conferees stood firm as hard as we could. On some things, the House conference committee met with a stone wall. I think that is our chairman was trying to say. The only thing that could be done was to compromise.

On the Electronics Research Center at Cambridge, Mass., we arrived at a 50–50 compromise. Let us face it. The Senate gave half and we gave half.

On some of the things where we could not reach agreement, we stood up for the House side. We just had to say "All right. You give half and we will give half."

I would like to report to the House that we have arrived at a very acceptable figure. The House had approved $5,183,844,850. When we finished the conference we were only $6.5 million higher than the House figure.

Out of a total original NASA budget request of $5,260 million, we ended up with $6.5 million above the House figure. I must say to the Speaker, and to the gentleman from New York, who was questioning us, that when we can come up with a conference total that is one-tenth of 1 percent different from our figure, we are doing pretty well. When we are within one-tenth of 1 percent of the House figure out of a total of over $5,183 million, the House obviously did some pretty good fighting.

I would like to say again that the House committee total figure was accepted almost entirely. We were able to hold the research and development fund level. We on the House side cut administrative operations by $10 million.

We likewise reduced the facilities request about $12 million from the request of NASA. The amazing thing is that we were able to hold the research and development figure within $150,000 of what the House believed it should be. The research and development figures, to me, are the most important.

I would agree with the position of the gentleman from Indiana [Mr. Roush] and others that, without disturbing NASA's basic procurement policies, we must try to get better geographic distribution of space contracts. I know that NASA officials are working in that direction. There should be more pressure to get broader distribution.

Likewise on the matter of the geographical distribution of people who have masters' and doctors' degrees, we must see to it that they are not drained from certain areas of the country and centered in a few places which will then have the opportunity to advance and progress above other parts of the country.

One other thing I would like to say is that we must progress on propellants. On the House committee we emphasized research and development on propellants because the Russians admittedly have been ahead of us on the big boosters. The only way you can overcome that lead is by having the propellants to give the big push.

We had emphasized research and development on liquid and solid propellants, and the nuclear fuels as well. We in the House committee feel that we must look ahead 3 to 5 to 7 years or more and see that the basic research and development in propulsion is done, without a particular reference to specific missions. Otherwise, we will end up at a blank wall.

For example, none of us is using the same gasoline that we used in 1940 because we now have additives to give us high energy. In the space business, so far, we have been using mostly the fuels that were developed in 1936, or before, such as liquid hydrogen and liquid oxygen.

We badly need earth-storable and space-storable fuels. We likewise need upper stage fuels that are light, easy to carry, and will require no particular insulation for space. Unless we have this kind of a development, I am afraid we will fall behind.

I will include later a statement on di-boron and oxygen di-fluoride to show we are making substantial progress on some of the fuels that we had said to the House should be developed.

I say to the House that this is a good conference report. It is not all we want, but it is within one-tenth of 1 percent of what our figure was. That is pretty good.

Mr. WYDLER. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I shall be glad to yield to my colleague from New York.

Mr. WYDLER. I thank the gentleman from Pennsylvania.

I would like to associate myself with the remarks made a few moments ago by the gentleman from Minnesota [Mr. Karth].

I would like to ask the chairman of my subcommittee, the gentleman from West Virginia [Mr. Hechler], and perhaps the gentleman can enlighten the membership as to what the new information is that is discussed in the conference report regarding the Electronics Research Center which shows considerable progress. What is that?

Mr. HECHLER. If the gentleman from Pennsylvania will yield to me, I shall be glad to answer the question of my colleague, the gentleman from New York [Mr. Wydler].

The schedule is proceeding very well. I have a letter in my possession from Mr. William L. Slayton, Urban Renewal Commissioner, which incorporates a copy of the announcement of approval of a $401,200 Federal advance to enable the Redevelopment Authority at Cambridge, Mass., to begin a survey for preliminary activities.

Mr. WYDLER. If the gentleman will yield further, I am talking about new information, since the time the House acted. This is supposed to be since that time.

Mr. FULTON of Pennsylvania. In the conference, we found that NASA is moving ahead much faster and they are going to be able to begin construction on schedule. This was in doubt at the time this matter was pending before the House. This authorizes only $5 million for the Electronics Center at Cambridge out of $10 million that was asked.

The gentleman asked, "Why $7.5 million for the M–1 engine." This was the best we could do to keep the program proceeding on a technology development basis. The $15 million approved by the House was also based on a technology development program. That has not changed. The $7.5 million only means the pace of the program will be stretched out, and the research team and the technology already achieved will be kept intact.

The results of our conference with the Senate on H.R. 7717 are sound and are based upon intensive study and evaluation on the part of the House Committee on Science and Astronautics during its many weeks of authorization hearings.

NASA asked authorization of $5,260 million. The House reduced that request by $76,155,150, making a total House authorization of $5,183,844,850.

The Senate reduced the NASA authorization request by $63,173,650 for a total of $5,196,826,350.

The difference between the two bills was $12,981,500, with the House being that much lower than the Senate.

I am convinced that the House and Senate were so close in the amounts they were willing to authorize that the budget now available to NASA is the best one we could achieve.

A principal factor in the original submission by NASA was the elimination from the NASA programs of the SNAP-8 nuclear auxiliary power program, the M-1 liquid-oxygen-liquid-hydrogen engine program, and the 260-inch solid fueled program.

These three programs were begun by NASA based upon a need that was urgent and supported by technical logic that was accepted by the Congress.

Million of dollars have been expended already on these three programs.

They had been brought to advanced stages of completion, certainly 50 percent.

These were deleted by the administration. It is very difficult to understand the logic supporting this action.

The U.S. people have supported wholeheartedly our space program. The Congress over the past 7 years have supported the NASA program by substantial vote.

The House committee from its very beginning recognized that the key to future success and superiority in space depends upon vigorous research and development of chemical and nuclear energies.

Our continued inability to match the Soviet Union in orbiting heavy payloads—5 tons or more—is still a source of embarrassment to us.

It seems unthinkable that we should default in programs that were designed to match or exceed the Soviet Union's capability.

Hence the House authorized $15 million for the continued development of the M-1 engine; $6.2 million for the 260-inch solid engine; and $6 million for the SNAP-8.

In contrast, the Senate did not authorize in their bill money for the M-1 nor for the SNAP-8.

The conference report speaks for itself. The managers on the part of the House prevailed in their philosophy.

They achieved in conference an acceptance on the part of the Senate that these programs must be supported and carried on to a successful conclusion.

I know of no other way to maintain and preserve this philosophy than to be first in space, and the only way to be first in space is to have the propulsion power to meet our future requirements in space.

This requires research and development in propulsion, especially high-energy products such as boron, diborane, hydrazene compounds and many others, and to develop the engines to utilize these products to the best advantage.

Three years ago, when the committee was considering the fiscal year 1963 budget authorization, I proposed that $1 million for research in high-energy space-storable propellants, such as boron, flourine, and hydrazene compounds, and $3 million for research in solid rocket fuel technology be added to the NASA budget. The House Committee agreed. In conference, the Senate also agreed and $4 million was authorized for research in chemical propulsion to meet the requirements of future deep-space missions. I am advised that the Mars orbiter mission will require the best possible combinations of cryogenic space storable propellants. The most promising are oxygen difluoride-diborane and fluorine-hydrazene. Either will yield a 10- to 20-percent payload in orbit advantage over conventional earth storable propellants.

Further, recent tests conducted by the Air Force at the Arnold Engineering Development Center in Tullahoma, Tenn., on diborane and oxygen difluoride have been successfully completed. Preliminary analysis of the data showed that the performance attained was very high and checked very closely to the previously calculated values.

This success has increased the confidence factor in high-energy systems by many orders of magnitude.

The House Committee has made extensive and penetrating investigations on this subject. It is my strong conviction that the United States must push ahead on research into high-energy propellants. I have since the first days of the committee in 1959, repeatedly urged strong support for high-energy fuels. And I believe that the other members of our House Science and Astronautics Committee share with me that sense of urgency and conviction.

We have already cut the NASA authorization substantially. As a result of this conference I believe we have proceeded sensibly and carefully in providing funds to NASA.

I urge that the House adopt the conference report.

Mr. MILLER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE EACH MEMBER OF THE HOUSE OF REPRESENTATIVES TO EMPLOY ANNUALLY, ON A TEMPORARY BASIS, A STUDENT CONGRESSIONAL INTERN

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 416, with amendments thereto, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 416

Resolved, That (a) notwithstanding any other provision of law, each Member of the House of Representatives and the Resident Commissioner from Puerto Rico are authorized to hire for ten weeks during the period June 1 to August 31, inclusive, each year, one additional employee to be known as a "student congressional intern". For this purpose each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall have available for payment to such intern a gross allowance of $750, not to exceed $75 per week, payable from the contingent fund of the House until otherwise provided by law. Such allowance and such intern shall be in addition to all allowances and personnel made available to such Member or Commissioner under other provisions of law.

(b) No person shall be paid compensation as a student congressional intern who does not have on file with the Clerk of the House of Representatives, at all times during the period of his employment, a certificate that such intern was during the academic year immediately preceding his employment a bona fide student at a college, university, or similar institution of higher learning.

Sec. 2. The Committee on House Administration of the House of Representatives shall make such regulations as may be necessary to carry out this Act.

With the following committee amendments:

Line 4, strike out "ten weeks" and insert "two and one-half months".

Line 9, following "$750" insert "at the gross rate of $300 per month". Also line 9, strike out "not to".

Line 10, strike out "exceed $75 per week,".

Mr. GROSS. Mr. Speaker, will the gentleman from Maryland yield for a parliamentary inquiry?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Does the immediate consideration of this resolution require unanimous consent?

The SPEAKER. The Chair will advise the gentleman from Iowa that this is a privileged report from the Committee on House Administration.

The question is on the committee amendments.

Mr. GROSS. Mr. Speaker, I move to strike the requisite number of words on the amendments.

The SPEAKER. The Chair will protect Members who are on their feet. The Chair sees them. The gentleman from Maryland [Mr. FRIEDEL] has control of the time. Does the gentleman from Maryland yield to the gentleman from Iowa?

Mr. FRIEDEL. I yield to the gentleman from Iowa for a question; yes.

Mr. GROSS. Mr. Speaker, are not the amendments subject to the 5-minute rule?

The SPEAKER. The Chair will state that this is being considered in the House and not subject to the 5-minute rule.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa for a question.

Mr. GROSS. Let me ask the gentleman from Maryland this question: What is next on the horizon with respect to adding to the payrolls around here and the cost to the taxpayers?

Then let me ask this question: First of all, is there anything in this resolution that would require this intern to be in a congressional office in Washington, D.C.? Could this intern be in a congressional office in Puerto Rico?

Mr. FRIEDEL. If you will read section 2, page 2, it says:

> The Committee on House Administration of the House of Representatives shall make such regulations as may be necessary to carry out this Act.

It was considered in the committee whether they should have them in the Washington office or at the home office, but since a lot of Members are saying it should be in the Washington office, I will recommend that to the committee.

Mr. GROSS. If you intend the intern to be in an office in Washington, why did you not so stipulate in the resolution?

Mr. FRIEDEL. It will be in the regulations.

Mr. GROSS. How do I know, or any Member of the House know whether there will be any regulations? I was not aware of the fact a committee of Congress issued regulations.

Mr. FRIEDEL. This is part of the bill:

> No person shall be paid compensation as a student congressional intern who does not have on file with the Clerk of the House of Representatives, at all times during the period of his employment, a certificate that such intern was during the academic year immediately preceding his employment a bona fide student at a college, university, or similar institution of higher learning.

Mr. GROSS. That has nothing whatever to do with a mandatory provision that these interns will be in the offices in Washington.

Mr. FRIEDEL. I think that is a good question. I told the gentleman I would recommend that to the committee.

Mr. GROSS. That is no answer to the question of where these interns are going to be.

Mr. FRIEDEL. It is intended that they be in the Washington office. This is the first time that question was raised since the bill came out of the committee. The intent is that they be in the Washington office.

Mr. GROSS. How much is this going to cost?

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Indiana.

Mr. BRADEMAS. In the event that every Member of the House of Representatives, as well as the Resident Commissioner of Puerto Rico, did decide to hire a congressional student intern under this program—and, of course, there is no requirement whatsoever that every Member shall do so; if a Member such as the gentleman from Iowa did not choose to hire a congressional intern he would not have to do so—but if every Member did so the cost would be $327,000.

It seems to me that is a modest sum when one considers the cost of living here in Washington and the assistance which a congressional student intern could provide in the office of a Member of the House and, perhaps even as much to the point, considering the significant educational value to the student intern of having an opportunity to have some firsthand experience in the legislative process. I think the gentleman from Maryland may wish to provide some further assurance with respect to the very good question the gentleman from Iowa has been raising concerning where the student intern would work. I can say to the gentleman from Iowa, as the author of the bill, it is certainly my own intention that the intern should be working here in Washington in the office of a Member because it seems to me that is the place where he will learn the most and that is the place where he will be able to contribute the most.

Mr. GROSS. Apparently there is one congressional office functioning in Puerto Rico and I wonder how many more might be functioning in that area.

Mr. FRIEDEL. I assure the gentleman that the committee will recommend that the intern must be in Washington in the District of Columbia.

Mr. GROSS. Why could not the committee have brought out a bill providing for one additional employee in an office to be paid out of the clerk-hire presently available to each Member instead of loading another $300,000 plus on the taxpayers of this country?

Mr. FRIEDEL. That was considered in the committee and the committee decided on this extra money for the summer months.

Mr. GROSS. In other words, it is just money and it has got to be spent?

Mr. FRIEDEL. The committee felt that this is very, very good to give the summer intern an opportunity to get a real education. Naturally, if a Member is using all his clerk hire funds, he would not be able to take advantage of having a student intern.

Mr. GROSS. If a Member was using all of his clerk hire, he probably would have someone in the nature of an intern anyway.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. EDMONDSON. I would like to compliment the gentleman on this bill and state from personal experience that we have had interns in our office at various times and they have been tremendously helpful to the office. The student intern also, I think, has profited greatly from an experience standpoint as a result of the opportunity to be in the office. Up to this point, none of these interns that we have had have been on the public payroll in any way.

I think the opportunity to have them at no cost to the taxpayers is a splendid thing when it is available, but I think the benefits are so great and the opportunity for the education of young people in the Government career field is so great and it is such a fine opportunity, it is a splendid idea to make this program available to every Member through the use of public funds. I want to compliment the committee upon this bill.

Mr. THOMSON of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. THOMSON of Wisconsin. I want to inquire of the chairman whether or not your committee considered the effect that this program will have on the voluntary intern programs now being operated by many colleges and universities in the country where voluntary donations, or funds from sources that are nonpublic, are contributed to help pay the cost of the interns in governmental employment. The University of Wisconsin operates an intern program and they make possible the employment of interns in congressional offices and in other offices in Government and pay half of their salary out of these nongovernmental funds. Has your committee considered what effect your proposal today will have on these programs?

Mr. FRIEDEL. The committee went into that very thoroughly. Many schools and colleges do pay part of the interns salaries, but some do not. That matter was considered. This legislation provides one additional employee in a Member's office during the months of June, July, and August.

Mr. THOMSON of Wisconsin. Does the gentleman not think that this program will destroy the voluntary programs and eliminate the sources of funds, that is not taxpayers' funds, that are now available?

Mr. FRIEDEL. No, I do not think it will have that result.

Mr. ROBISON. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. ROBISON. I would like to answer the question of the gentleman from Wisconsin at least in part. While these voluntary programs, as he calls them, are being conducted under the sponsorship of various educational institutions that we know of, there are many, many other institutions of higher learning that do not have such programs.

I believe students who are following political science courses in such institutions should have an opportunity also to work here in the Capitol. I believe this proposal would help to equalize opportunity.

This proposal in House Resolution 416 is identical to a proposal I made earlier in this field, in H.R. 5674, though my proposal merely added, as the gentleman from Iowa suggested a moment ago, one to the number of clerks or staff assistants we are permitted in our office and did not include any additional money. I will support this bill but I still think it should be possible for us to pay an item out of our present staff allowance, as I am doing this year.

Mr. FRIEDEL. There many Members who are using all their funds, and they would not have an opportunity to utilize the student program. This is to be an addition to the clerk hire allowance. If a Member does not wish to use all his funds, he will not have to use all his funds.

We have also set up a regulation that a Member may have only one student on his payroll at any one time, and never more than two during one summer. In other words, it would not be possible to have a different student every 2 weeks, or every month. In this way they will be here long enough to learn how a congressional office operates and the varied duties of their Representatives.

I think this will be a wonderful opportunity for the students and is in line with the President's program to help create more jobs for college students to help them finance their education.

Mr. MACHEN. Mr. Speaker, I rise to speak in favor of House Resolution 416. Earlier this session I introduced a resolution providing for a summer intern program in congressional offices. Even though this resolution is not identical to mine, it most certainly conforms in objective and I am delighted to support it.

The benefits of such a program would be twofold. There are very few Congressmen who could not use the additional help in their offices. I am sure that we all feel that we could serve our constituents better if we had a few more hands. The type of person interested in temporary Hill work is able to make a significant contribution in many ways. A deep research project can be undertaken that the regular office staff does not have time to pursue. Mailing lists can be revised and expanded. New cross indexes can be established.

We realize with college costs as high as they are today almost every student must work during his summer vacation to carry him through the fall. Unfortunately, there is usually a shortage of jobs and particularly of those jobs that would contribute to the education of the young man or woman.

What better laboratory could be provided for a political science or history major than service in a congressional office? And the program, by no means, should be restricted to students in these fields. In order for the students to receive the most benefits, I would try to rotate the interns thus enabling them to learn all phases of congressional activity from case work to floor procedures.

We who are deeply involved in the political process ourselves have a responsibility to encourage the widest participation at all levels and especially among the youth of America. The enthusiasm and idealism of young people can be most constructive in providing a broad and informed base for political activity. It is in these ways that we provide insurance for the continuing operation of our democracy. The knowledge gained during a summer's work in a congressional office will more realistically equip a young person for academic pursuits, a political career or simply the duties of good citizenship.

After the introduction of my resolution I contacted the Members of this body requesting that they join with me in presenting testimony before the House Administration Committee and in support of an intern program.

I am pleased to report that I received letters of support from 16 colleagues. For the record, I would like to express my gratitude to the following Representatives: Brock Adams, William R. Anderson, Clair A. Callan, Tim Lee Carter, Thomas Curtis, William Jennings Bryan Dorn, Donald M. Fraser, John R. Hansen, Rodney M. Love, Richard L. Ottinger, Rolland Redlin, James H. Scheuer, Gale Schisler, Weston E. Vivian, E. S. Johnny Walker, and Charles Longstreet Weltner.

Additional support was received from the Capitol Hill Young Democratic Club, which unanimously adopted a resolution in favor of the summer intern program.

I would like to believe that the enthusiastic response from my colleagues to my resoloution and others had a great deal to do with the committee decision to report out this resolution to establish the congressional intern program. Certainly, passage of House Resolution 416 would be an historic step forward by the House of Representatives toward giving tomorrow's leaders a firsthand education in our legislative process.

Mr. BRADEMAS. Mr. Speaker, the purpose of this resolution is simple. It provides that each Member of the House of Representatives and the Resident Commissioner of Puerto Rico would be authorized to employ a student congressional intern during the summer months at a salary of $300 a month and for a period of 2½ months.

Mr. Speaker, I know that many Members of Congress receive letters from outstanding college students who are interested in serving in the office of a Congressman during the summer months. I have had a number of these students in my own office and have found them most helpful in getting work done in the office and I know that other Members have had similar experience.

The gentleman from West Virginia [Mr. Hechler], for example, has been a pioneer in arranging for students to work in a congressional office.

Equally important, the opportunity to serve in the offices of Members of Congress gives college students a firsthand look at the legislative process.

I realize that most of these summer internship programs in past years have been sponsored either by colleges or universities or on the basis of arrangements between the individual Congressman and the student.

It seems to me, however, that it would be wise at this point for Congress formally to recognize the value of these summer internship programs and, because of the increasing volume of requests for such positions, for Congress to provide some more uniform kind of program than is presently available. Needless to say, if this resolution passes, any Congressman would still be free to enter into any kind of arrangements that he cares to make outside this internship program.

To reiterate, this resolution would allow each Member of the House and the Resident Commissioner of Puerto Rico to hire a student intern for a period of 2½ months during the period from June 1 to August 31, inclusive. The compensation of the intern would be $300 per month or a total of $750 at the gross rate for the entire 2½-month period.

The allowance and the intern would be in addition to all allowances and personnel now available to Members of Congress so that the student intern would not be counted against the Member's present staff limitation.

Of course, no Member of Congress would have to hire a student intern if he did not choose to do so.

In order to qualify for the internship a student would have to have been attending a college, university, or similar institution of higher learning during the academic year immediately preceding his employment. Certification of this fact would have to be filed with the Clerk of the House before the student could receive compensation.

Mr. HECHLER. Mr. Speaker, I wholeheartedly support this resolution and commend the committee on bringing it out. As one who has had streams of college and high school summer interns working in my office, I can say without reservation that this proposal is a very sound one which deserves to pass.

Now here is a very important point, Mr. Speaker. As a national policy, the President of the United States, and the Vice President, have been urging the employment of students throughout the Nation. Under the Economic Opportunity Act, students are being put to work. President Johnson and Vice President Humphrey have been urging private enterprise to put on more students this summer, and they have been urging the executive branch and State and local governments to do the same. I think it is highly appropriate that the Congress do the same, as they are doing through this resolution.

This resolution will not only help the individual students by giving them practical experience. It will help the Congress. And it will help the country. That is why I hope it will pass by an overwhelming vote.

Mr. FRIEDEL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER** pro tempore (Mr. Albert). The question is on the committee amendments.

The committee amendments were agreed to.

The **SPEAKER** pro tempore. The question is on agreeing to the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 229, nays 153, not voting 52, as follows:

[Roll No. 143]

YEAS—229

Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Glenn
Andrews, N. Dak.
Annunzio
Ashmore

Barrett
Beckworth
Bell
Bingham
Blatnik
Bolling
Brademas
Brock
Brooks
Brown, Calif.
Broyhill, Va.
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Callan
Carey
Carter
Clevenger
Cohelan
Conable
Conyers
Cooley
Corbett
Culver
Curtis
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Denton
Derwinski
Diggs
Dingell
Donohue
Duncan, Oreg.
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Farnsley
Fascell
Feighan
Flood
Fogarty
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffiths
Gubser
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hathaway
Hawkins
Hays
Hechler
Helstoski
Holifield
Horton
Hosmer
Howard
Hungate
Irwin
Jacobs
Jennings
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Karsten
Karth
Kastenmeier
Kelly
Keogh
Kirwan
Kluczynski
Krebs
Leggett
Long, La.
Long, Md.
Love
McCarthy
McClory
McDade
McDowell
McFall
McGrath
McVicker
MacGregor
Machen
Mackay
Mailliard
Matsunaga
May
Meeds
Miller
Minish
Mink
Moeller
Moorhead
Morgan
Morris
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neal, Ga.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pool
Price
Pucinski
Purcell
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Stalbaum
Stephens
Stratton
Sullivan
Sweeney
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex
Todd
Trimble
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watson
Weltner
White, Idaho
Williams
Willis
Wolff
Wright
Wyatt
Wydler
Yates
Young

NAYS—153

Abbitt
Anderson, Ill.
Andrews, George W.
Arends
Ashbrook
Aspinall
Baldwin
Bandstra
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Boggs
Boland
Broomfield
Broyhill, N.C.
Buchanan
Burke
Byrnes, Wis.
Cahill
Callaway
Casey
Cederberg
Chelf
Clancy
Clark
Clawson, Del
Cleveland
Collier
Colmer
Conte
Craley
Cramer
Cunningham
Curtin
Dague
Davis, Wis.
Devine
Dole
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Fino
Flynt
Ford, Gerald R.
Fountain
Gathings
Gettys
Griffin
Gross
Grover
Gurney
Haley
Hall
Halleck
Hardy
Harris
Harsha
Harvey, Mich.
Henderson
Herlong
Hicks
Huot
Hutchinson
Jarman
Joelson
Jonas
Jones, Ala.
Jones, Mo.
King, Calif.
King, N.Y.
King, Utah
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lindsay
Lipscomb
McCulloch
Mackie
Madden
Mahon
Marsh
Martin, Nebr.
Matthews
Michel
Mills
Mize
Monagan
Morrison
Morse
Murray
Natcher
Nelsen
Olson, Minn.
O'Neill, Mass.
Passman
Pickle
Poage
Poff
Quie
Quillen
Race
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Rogers, Tex.
Roudebush
Satterfield
Saylor
Scott
Secrest
Selden
Shriver
Skubitz
Smith, Calif.
Smith, Va.
Springer
Stanton
Steed
Stubblefield
Talcott
Taylor
Teague, Calif.
Thompson, La.
Thomson, Wis.
Tuck
Tuten
Walker, Miss.
Watkins
Watts
Whalley
White, Tex.
Whitener
Whitten
Widnall
Wilson, Bob
Younger

NOT VOTING—52

Abernethy
Ashley
Ayres
Bolton
Bonner
Bow
Bray
Brown, Ohio
Cameron
Celler
Chamberlain
Clausen, Don H.
Corman
Dent
Dickinson
Dow
Farnum
Findley
Fisher
Fulton, Tenn.
Green, Oreg.
Hagan, Ga.
Hansen, Wash.
Harvey, Ind.
Hébert
Holland
Hull
Ichord
Kee
Keith
Landrum
McEwen
McMillan
Macdonald
Martin, Ala.
Martin, Mass.
Mathias
Minshall
Moore
Moss
Nix
Pike
Pirnie
Powell
Rivers, Alaska
Sikes
Staggers
Thomas
Toll
Utt
Wilson, Charles H.
Zablocki

So the resolution, as amended, was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Brown of Ohio.
Mr. Macdonald with Mr. Keith.
Mr. Bonner with Mr. Martin of Alabama.
Mr. Toll with Mr. Chamberlain.
Mr. Fisher with Mr. Moore.
Mr. Rivers of Alaska with Mr. Harvey of Indiana.
Mr. Dent with Mrs. Bolton.
Mr. Sikes with Mr. Pirnie.
Mr. Hull with Mr. Bow.
Mr. Abernethy and Mr. Dickinson.
Mr. Kee with Mr. Ayres.
Mr. Staggers with Mr. Findley.
Mr. Celler with Mr. Mathias.
Mr. Moss with Mr. Utt.
Mr. Hagan of Georgia with Mr. Martin of Massachusetts.
Mr. Thomas with Mr. Bray.
Mr. Cameron with Mr. Don H. Clausen.
Mr. Pike with Mr. McEwen.
Mr. Corman with Mr. Minshall.
Mr. Nix with Mr. Harvey of Indiana.
Mr. Ichord with Mr. Holland.
Mr. Landrum with Mr. Ashley.
Mr. Charles H. Wilson with Mrs. Hansen of Washington.
Mr. Powell with Mrs. Green of Oregon.
Mr. Fulton of Tennessee with Mr. Farnum.
Mr. Dow with Mr. McMillan.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD on House Resolution 416.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 7984, TO ASSIST IN THE PROVISION OF HOUSING FOR LOW- AND MODERATE-INCOME FAMILIES

Mr. O'NEILL of Massachusetts, from the Committee on Rules, reported the following privileged resolution (H. Res. 425, Rept. No. 524), which was referred to the House Calendar and ordered to be printed:

H. RES. 425

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7984) to assist in the provision for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed 6 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

GARRISON DIVERSION UNIT, MISSOURI RIVER BASIN PROJECT

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 398 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 398

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 237) to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. MARTIN], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 398 provides an open rule with 1 hour of general debate for the consideration of H.R. 237, a bill to make certain provisions in connection with the construction of the

Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior.

The purpose of H.R. 237 is to reauthorize the initial stage of the multiple-purpose Garrison diversion unit of the Missouri River Basin project. The plan of development for the initial stage calls for the irrigation of 250,000 acres, municipal and industrial water supply for 14 towns and cities in the project area, full development of the fish and wildlife and recreation potential in the project area, and minor flood control benefits. The physical works which would be authorized for construction, at an estimated cost of $207 million, consist of over 1,800 miles of canals and laterals, four regulating reservoirs, numerous pumping plants, and an extensive drainage system.

During the 20 years since Congress authorized a comprehensive program of development for the Missouri River and its tributaries, substantial Federal investments have been made in the overall project. In large measure, the planned flood control, navigation, and hydroelectric power benefits have been provided, and many outstanding recreational opportunities have been developed. However, irrigation development has lagged far behind the other project purposes even though in 1944 irrigation was recognized by the upper basin States, as it still is, as the most important benefit they will receive from the project and from the water which originates in these States.

The Garrison project will be of increasing importance to the future growth, economy, and well-being of the area.

Mr. Speaker, I urge the adoption of House Resolution 398.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, House Resolution 398 provides an open rule with 1 hour of debate to be divided equally between the chairman and the ranking minority member of the Committee on Interior and Insular Affairs. This resolution provides for consideration of the bill H.R. 237, which provides for the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior. This is a reauthorization project. It consists primarily of 250,000 acres of land to be irrigated from the project. It will provide an adequate water supply to 14 towns in North Dakota. It will provide recreation services and fish and wildlife services to residents of that area. In addition, there will be beneficial flood control benefits as a result of the project.

The total cost is estimated at $207 million. For this $207 million it is planned to construct 1,800 miles of canals and laterals, four regulating reservoirs, and pumping plants. The major changes in this bill from previous operations of the Bureau of Reclamation in the Missouri River Basin area are two. First of all, the bill provides for an increase in the wholesale cost of electricity generated by the various reclamation and power projects in the basin. An increase of 0.25 mills per kilowatt-hour. This was announced approximately a year ago and in my State of Nebraska, which is a portion of the Missouri River Basin, I am happy to announce, Mr. Speaker, I have not had one single letter of objection to this increase in the power rates in the Missouri River Basin area.

In addition to this, this bill will change the basic interest rate on money borrowed for power purposes, and reduce it to 2½ percent. This is a logical move. It simply makes the Missouri River Basin compatible with the other areas of the country and the interest paid in those areas. It has been true for some time that the Missouri River Basin has been more or less penalized in respect to interest rates. This brings it in line with interest rates of the various other reclamation areas of the country.

North Dakota, like many of our States in the Missouri River Basin, is a semiarid area. Some years we have plenty of rainfall and our crops are bountiful because the soil is rich. For many years we do not have enough rainfall and, as a consequence, we suffer economically.

North Dakota has not kept step with the rest of the United States in respect to gains in population. This has been due primarily to economic conditions over which the people of North Dakota have no control, because they could not get the rainfall and the moisture to make for bountiful crops. As a consequence of this fact, they have had very little industry come into the State because of unstable conditions created by the lack of rainfall. This project, which will irrigate 250,000 acres of land, will stabilize their economy, provide for increased earnings for farmers and ranchers and will also provide for increased economic activity from an industrial and commercial standpoint.

The reservoir which has been constructed in North Dakota on the Missouri River took out of production 548,000 acres of land. I think it is perfectly proper that these people should have this Garrison project to irrigate 250,000 acres which they so badly need because they did give up about 548,000 acres for the construction of the Garrison Reservoir with a consequent loss of local tax revenue.

Mr. Speaker, I support the rule and I support the bill. I am hopeful that we will have further developments in regard to reclamation projects in the Missouri River Basin and favorable approval by the distinguished committee that handles this legislation.

The SPEAKER. The time of the gentleman from Nebraska [Mr. MARTIN] has expired.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield 10 minutes to the gentleman from North Dakota [Mr. ANDREWS], at present a distinguished member of the Committee on Appropriations, formerly a member of this committee, and the author of this bill.

Mr. ANDREWS of North Dakota. Mr. Speaker, today is a red-letter day in the history of North Dakota. The diversion of water from the Missouri into central and eastern North Dakota has been actively sought by the citizens of North Dakota for many years. Such a diversion project was included as a part of the Missouri River Basin project authorized by Congress in the Flood Control Act of 1944.

My bill, H.R. 237, provides for the modification and confirmation of the authorization of this diversion project as the Garrison diversion unit. This legislation undoubtedly is the most significant piece of legislation affecting my State that Congress has had before it for many, many years.

I most sincerely request and urge my colleagues in the House of Representatives to support H.R. 237 and approve the Garrison diversion unit so that the citizens of my State will be in a position to beneficially use their share of the Missouri River water for a number of purposes.

The multiple-purpose Garrison diversion unit that is presently being considered for reauthorization by this House represents an economically feasible and engineeringly sound way to divert water from the existing Garrison Reservoir on the Missouri River into central and eastern North Dakota to serve a number of important purposes.

Its construction and development will fulfill a dream of citizens of the State that originated over 75 years ago. It represents that culmination of years of planning and years of hard work by many citizens. More important, it represents the most practical and effective way to stimulate and stabilize North Dakota's most important industry—its agriculture.

Although proposals for a Missouri River diversion in North Dakota were advanced as early as 1889, it was the drought of the 1930's that emphasized the importance of water to many of the State's citizens and stimulated their thinking and efforts to provide this essential need. These efforts were directed to developing a sound way of accomplishing a Missouri River diversion in North Dakota.

During this drought period, many of the State's rivers and streams practically dried up and the water supplies for cities and towns, as well as for crops and livestock, was practically nonexistent. Many times since that drought period, we have had severe shortages of moisture and our agricultural economy has been adversely affected.

To realize the importance of water to our State, one has but to look at the climate and weather data. First of all, North Dakota's rainfall is marginal for dryland farming with the average throughout the area to be served by the Garrison diversion unit approximately 17 inches each year. If our farmers could be assured of receiving 17 inches of precipitation each year when they needed it, many of our agriculture problems would be solved.

However, our rainfall varies widely from year to year and from month to month. Consequently almost every year our farmers face periods of drought that severely reduces crop production. Our farmers are limited in the kinds of crops they can produce and the income that they receive from such production. Even in years when the average, or a greater than average rainfall is received, it often does not come when needed, and crop failures result.

The Garrison diversion unit would help eliminate this problem over a wide area of North Dakota. The initial phase of the project would provide water for the irrigation of 250,000 acres of land that are presently being dry farmed. These irrigated areas would be integrated with one-half million to a million acres of dry farmed land.

Irrigation would provide our farmers an opportunity that they do not now have to change from the production of wheat and other small grain crops that are chronically in surplus, to the production of feed crops that would be utilized in the extended livestock industry that is expected to develop in the project area.

Production of other specialty crops that are in demand by consumers will be possible. Experts at our North Dakota State University have estimated that the development of 250,000 acres of irrigation under the Garrison diversion unit will result in a reduction in the acres devoted to wheat and small grain crops in the project area, of approximately 85,000 acres.

Lands proposed for irrigation development under the Garrison diversion unit are not new lands being brought into production but are lands that are presently being dry land farmed and are producing agricultural commodities much of which is in the surplus category. Irrigation development is expected to reduce the production of surplus crops in North Dakota and at the same time provide the farmers with the opportunity to stabilize and diversify their farm operation.

The development of irrigation as proposed under the Garrison diversion unit will go a long way in compensating the State of North Dakota for the loss it experienced when over 550,000 acres of fertile agricultural land was acquired by the Federal Government for main stem Missouri River reservoirs and consequently removed the production and the tax rolls of the State.

The removal of these acres from production has significantly reduced the economic wealth produced in North Dakota each year. Studies by our North Dakota State University indicate that the net losses resulting to the State from the acquisition of this land, approximates $15 million annually, based on the potential use of the land that was so acquired.

In addition, onetime losses are estimated to equal $38,650,000 in timber resources, and a loss of over 5,850,000,000 tons of lignite coal resources. These losses are significant. Their effect on the North Dakota economy are significant, and the most logical way to offset them is through development of irrigation that is possible through the Garrison diversion unit.

The multi-purpose Garrison diversion unit will serve several other important purposes besides irrigation. It will provide water for 14 municipalities and 4 industrial areas. Water will also be available for 36 major and 50 small fish and wildlife areas that will be used primarily for the production and preservation of our migratory waterfowl resources.

Nine new water-oriented recreation areas will be developed in the project area that will provide recreation opportunities in an area where such opportunities are now limited. Minor benefits associated with flood control, improved drainage, and streamflow improvement throughout the project area are important and will be significant. The annual monetary value of the total benefits that will accrue from the project, based on Bureau of Reclamation studies, is $22,373,000. The project has a benefit-cost ratio of 2.51 to 1.

The estimated Federal investment required for the Garrison diversion unit is $206,683,000 in new funds. Assigned costs from existing Missouri River main stem dams and reservoirs and other facilities, and funds that already have been invested in investigation of the project, will bring the total cost of the Garrison diversion unit to slightly more than $249 million.

The project will be constructed over a 10- to 15-year period, depending on the rate of development that Congress wishes to dictate for the unit. Of the total project costs, approximately 86 percent are assigned to reimbursable functions including irrigation, municipal and industrial water, fish and wildlife enhancement and recreation, and will be repaid to the Federal Treasury by the project beneficiaries or from surplus power revenues. The remaining 15 percent, approximately $35 million of the project investment, is considered nonreimbursable.

The Garrison diversion unit is urgently needed and its development has the strong support of the project beneficiaries who will be required to obligate themselves for certain of the project costs. The project has the support of many statewide, basinwide and local groups.

This is demonstrated by the action of the North Dakota Legislature in 1955 in establishing a 25-county conservancy district which consists of 45 percent of the State's area, containing 60 percent of the State's population, and represents 60 percent of the State's property valuation. This district has spearheaded the local efforts for the Garrison diversion unit. It has the authority to contract with the Federal Government for the construction and operation and maintenance of the Garrison diversion unit and has the authority to levy a general tax on all property within the district, both real and personal, city, and rural property, to finance its operations.

About 90 percent of its revenue comes from these beneficiaries that are properly classed as indirect beneficiaries. With the revenue from this tax, the district intends to assume certain of the repayment obligations for the Garrison division unit and finance certain other project costs.

In addition to the Garrison Conservancy District, the owners of the lands that can be irrigated under the project have voluntarily organized 10 irrigation districts that encompass about twice as much irrigable land as can be served under the initial phase of the Garrison diversion unit. These districts have the authority to levy special assessments against benefited lands for irrigation water costs. It will be through them that the farmers and landowners pay their water bills each year and meet their financial responsibilities for the construction and operation and maintenance of the Garrison diversion unit.

As a former director of the Garrison Diversion Conservancy District, I have had the experience in working in the establishment of one of the 10 irrigation districts that are in the Garrison diversion area. I can testify to this body that our farmers and our North Dakotans are very sincere in their desire for the Garrison diversion unit and will assume their responsibilities for the development and operation of this project.

Mr. Speaker, the Garrison diversion unit will have a definite salutary effect on the agricultural economy on the State of North Dakota. It will bring many benefits and have an impact on the business and economic growth of the State and the region.

Some of the impacts on the trade and business economy and the indirect benefits that will result from the project are:

Population increase in the project area	17,500
New retail business establishments	650
New service establishments	190
New wholesale establishments	185
New manufacturing establishments	51
New job opportunities	4,500
Annual increase in nonfarm income	$26,355,000
Annual increase in Federal income tax	$3,200,000
Annual increase in State income tax	$550,000

Other estimates indicate that the project will result in an increase in migratory waterfowl production habitat in this duck-breeding area of the United States of over 20 percent; an increase in regional fishing areas of over 700 percent; and a 1,100,000 visitor-day use increase in the recreation areas.

The Federal investment in the Garrison diversion unit will be repaid many times over. Studies indicate that over a 50-year period, the increased income to individual farmers in the project area would yield Federal income tax revenue that is $160 million greater than it would be under present conditions.

This amount combined with the approximately $35 million that would be returned to the Government from the irrigators, the conservancy district, the municipal and industrial water users, the fish and wildlife and recreation beneficiaries will nearly equal the entire reimbursable allocation. In addition, power revenues of approximately $180 million from the Missouri River main stem dams and reservoirs will be dedicated to assist in financing the Garrison diversion unit.

On behalf of North Dakota, I want to thank Chairman ASPINALL and his Interior Committee and all of my colleagues who have been so helpful in bringing this very important legislation to the floor.

Mr. Speaker, the Garrison diversion unit not only will compensate North Dakota for the loss the State experienced in giving up its land for main stem Missouri River reservoirs, but it will also fulfill a commitment made to the State when the Missouri River Basin project was authorized by Congress in 1944. Most important, it is truly an outstanding opportunity for a resources development program in a State where such a program is urgently needed.

I most sincerely and respectfully urge and request my colleagues to support the Garrison diversion unit and to approve H.R. 237 as it has been recommended by the House Interior and Insular Affairs Committee.

Mr. BURTON of Utah. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of North Dakota. I shall be glad to yield to the gentleman from Utah.

Mr. BURTON of Utah. Mr. Speaker, I do not wish to take anything away from our other colleagues who have done much to bring this bill to the point in history where it is now, but I want to congratulate the gentleman in the well on an excellent presentation and thank him for the leadership that he has provided in the authorizing committee during the first 2 years during which we have been here together. I am aware of the many hours and hours that he has devoted to the progress of this bill.

Mr. Speaker, I congratulate the gentleman from North Dakota on a job well done. I thank the gentleman for yielding.

Mr. ANDREWS of North Dakota. I thank the gentleman from Utah for those comments.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. Langen].

Mr. LANGEN. Mr. Speaker, this is the first time during the 6 years I have been in Congress that I have found occasion to register opposition to granting of a rule. For I have had great respect for the judgment of the Rules Committee and the manner in which they have so proficiently assigned to this House its work schedule. However, in the instance of this rule, I find the time provided for debate is so glaringly lacking that I would be negligent indeed were I not to call this matter to the attention of the House.

The Garrison diversion project is a very significant and important piece of legislation. It is a very complex bill and bears significance to some of the most controversial and important activities of our Government, our society, and this Nation's entire fiscal policy. It is almost unbelievable that we would consider only 1 hour of debate for a bill that has a direct relationship to farm surpluses, to farm prices, to water supplies, to game and fish habitat, to conservation of natural resources, to budget deficits and our national debt, and a good many others. Providing for 1 hour of debate on this bill, leaving only one-half hour for each side, hardly provides sufficient time to even identify the subjects that are in controversy and, in my judgment, will be adversely affected by the enactment of this bill.

The reason, of course, is obvious. This is a pork barrel bill, and therefore is not to be considered by this House on the basis of its merits or demerits, but rather to be enacted for the sake of expediency. It is the kind of a bill where you are asked to "look the other way and do not explore its contents or its consequences." I think it is important, however, to this House and to this Congress that we do provide at least adequate time in its consideration, for it is the enactment of legislation of this kind that gives rise to public criticism and articles such as appeared in Life magazine a little more than a year ago, entitled "Now See the Innards of a Fat Pig." It is a bill that aggravates the farm surplus problem, that contributes to the deplorably low farm prices, that adds to our budget deficit and our huge national indebtedness.

In fact, if we were to devote a little more time to this kind of legislation, it probably would not be necessary to allocate 4 hours of debate to deciding whether or not to increase the public debt every year by anywhere from $4 to $5 billion. It would not be as necessary for the Agriculture Committee to spend endless hours attempting to determine how we can best cope with the agricultural surplus and a farm income that is now back to the level of the depression days of the 1930's. It would not be nearly as necessary to provide adequate time to consider such programs as ARA, APW, and poverty programs, and the many other rural development programs that are designed to improve the economic dilemma that faces our rural communities—all of which have failed, incidentally, in rural areas, because we as a Congress have failed to direct sufficient time to the real cause of that economic dilemma which is further aggravated by the enactment of legislation of the kind that is before us under the provisions of this rule with 1 hour debate.

Yes; we could well save time needlessly expended by the many dedicated Members of this House were we to direct a little more time to legislation that creates as many problems and undesirable results as this bill does. It is the kind of a bill that has caused the downfall of a good many dedicated legislators, as was stated in the article in Life magazine, which said that no Member who opposes this kind of project can expect to grow very old in the Congress. In the light of these facts, of course, it would be much easier for me to look the other way as this bill asks, but frankly, I have too great an interest in the future of agriculture, in the future economic stability of this Nation, in the conservation of our natural resources, to sit idly by, even though it might well be expedient for me to do so. The time provided for debate will not even permit me, however, to state my case to this House, with any semblance of detail or documentation, with what little effectiveness my limited ability will permit. Yes; this is a gag rule by any interpretation, and can only serve to justify the criticisms that have been leveled against the Congress for its lack of consideration on pork barrel expenditures.

These are rather harsh words, I know, but they are made only in defense of 3½ million farm people throughout the Nation, the economic future of younger generations, and the actions of this Congress. Even the President of the United States has acknowledged the folly of producing additional Government surpluses on borrowed money, which he did at one of the briefing sessions that it was my privilege to attend as a Member of Congress. It would seem to me to be the very least we could do by way of exercising our full responsibility, to make sure that we had all of the facts before us, and arrived at a decision on the basis that such knowledge would provide. To do so, I am sure, would better preserve the interests of this Congress, of agriculture, of the consumer, the taxpayer, and the Nation.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUBURN-FOLSOM SOUTH UNIT, AMERICAN RIVER DIVISION, CENTRAL VALLEY PROJECT, CALIFORNIA

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 399, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 485) to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendment thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from California [Mr. Sisk] for 1 hour.

Mr. SISK. Mr. Speaker, I yield to the gentleman from California [Mr. Smith] 30 minutes, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 399 provides an open rule with 1 hour of debate for the consideration of H.R. 485, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws.

The plan of development for the Auburn-Folsom South unit is a part of the comprehensive basinwide plan for use of the waters of the American River. It is designed to maximize economic utilization of the remaining waters of the American River Basin for irrigation, flood control, hydroelectric power, municipal and industrial water supply, fish and wildlife, and recreation purposes. It provides additional flood control which will protect the Sacramento metropolitan area against all probable floods. It will firm up the water supplies for a large segment of the agricultural valley lands of Sacramento and San Joaquin Counties and it will substantially improve the water supplies of the foothill areas of Placer, Sacramento, and El Dorado Counties. It will provide greatly increased recreational opportunities for the exploding population of northern California. It will develop the remaining hydroelectric power capabilities of the American River to assist in meeting the ever-increasing demand for electric power and energy. The construction of the Auburn-Folsom South unit will go a long way toward achieving full economic water development of the American River Basin.

Mr. Speaker, I urge the adoption of House Resolution 399.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, in the interest of saving time, may I state I agree with the statement just made by the gentleman from California [Mr. Sisk]. I associate myself with the gentleman and in addition may I simply state, Mr. Speaker, that this proposed Auburn-Folsom South Unit of the Central Valley Project in California, as it is now constituted, is the culmination of 20 years of investigation, planning and formulation by local and State agencies and by the Bureau of Reclamation and other Federal agencies. The cost is estimated at $425 million.

Of this amount 91 percent is reimbursable and the remaining 9 percent is nonreimbursable. Flood control and a portion of recreation, fish and wildlife are functions considered to be national responsibilities and thus nonreimbursable.

I urge the adoption of the resolution.

Mr. SISK. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. McFall].

Mr. McFALL. Mr. Speaker, I rise in support of this rule and H.R. 485. This legislation is the final result of extensive study of a comprehensive basinwide plan for use of the waters of the American River which was developed as an integral part of the Central Valley project ultimate plan.

The benefits-to-cost ratio of nearly 4 to 1 means for every dollar spent on the development, almost $4 in benefits to the various project purposes will be returned to the Nation. Secretary of the Interior Udall has termed the unit, as planned, a "model of multipurpose developments."

Under the diligent supervision of the distinguished chairman of the House Interior and Insular Affairs Committee, the Honorable Wayne Aspinall, of Colorado, and the equally learned guidance of the chairman of the subcommittee, the Honorable Walter Rogers, of Texas, the proposal which I have the privilege of cosponsoring has been brought to the floor this afternoon.

Both Mr. Aspinall and Mr. Rogers have made on-the-scene inspection visits and have had an opportunity to talk with the people who are so vitally interested in the Auburn-Folsom South project. Careful examination of every facet of this project has been given by the committee during hearings and field studies over a period of several years.

Special tribute also should be paid to my colleague from California, Congressman Harold T. (Bizz) Johnson, who is a member of the committee and whose bill is under consideration at this time. "Bizz" is one of the hardest working Members of Congress and has played a major role in the advancement of the project.

The principal feature of the Auburn-Folsom South Unit, the $282 million Auburn Dam, reservoir, powerplant and appurtenant facilities will be situated in Congressman Johnson's district. But the benefits from the project, both immediate and future, will be shared by a large section of California's San Joaquin Valley.

Of particular interest to my district, comprising San Joaquin and Stanislaus Counties, is the Folsom South Canal feature of H.R. 485. It will be designed to carry 852,000 acre-feet of water annually along a 67-mile area. Nearly 400,000 acres of farmland in San Joaquin and adjoining Sacramento County will be served. The city of Stockton would receive supplemental municipal and industrial water, thus removing a threat to future growth which a shortage of water now represents.

Much of the agricultural acreage in the 15th Congressional District, which I represent, currently is supplied by deep wells. Many of them are at dangerously low levels because of the continually decreasing ground-water level. Without supplemental water, within a few years the agricultural economy of San Joaquin County can be expected to suffer great damage because of the forced reduction in irrigated acreage.

The wisdom of providing additional storage space, as Auburn-Folsom South will do, was further emphasized in our State last winter when devastating floods occurred. In addition to providing needed flood protection for the city of Sacramento, the project will furnish electrical energy to meet the demand resulting from California's continued population growth.

These are just a few of the benefits which make the Auburn-Folsom South unit a sound and feasible development from a physical and economic standpoint, as well as the most desirable and next logical addition to the Central Valley project. It is a privilege to ask your support of this extremely meritorious legislation.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INDEPENDENT PRIVATE POLL SHOWS NEW YORK CITY SOLIDLY BEHIND PRESIDENT JOHNSON'S HANDLING OF THE PRESIDENCY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection?

Mr. STRATTON. Mr. Speaker, it is with considerable pride that I rise to inform the Members of the House of a recent poll taken in New York City which discloses that more than 75 percent of the residents of New York City support President Johnson and approve of the manner in which he is handling the Presidency.

This professional and scientific polling of a representative cross section of the city's population conducted in the last week of May, which has just come to my attention, reveals that between March and May the percentage of New York City residents who believe the President is doing an excellent job increased from 14 to 24 percent and those that gave a generally favorable reaction to the manner in which the President is handling his job increased in that period from 68 to 76 percent.

Mr. Speaker, this exceedingly strong backing of the President—and especially the healthy increase during the past few critical months—constitutes persuasive demonstration that there is great support for the President's foreign and domestic policy actions. Unquestionably, the events currently taking place in the world pose, and will continue to pose, difficult problems creating very significant decisions which must constantly be faced by our President. The fact that such a large percentage of citizens approve of the manner in which the President has handled these difficult and delicate issues is most reassuring. In a democracy there is a continuing obligation for the President to consider the desires and the views of the Nation at large, but there is perhaps an even greater responsibility on the part of the President to provide strong and firm leadership in times such as these when we are almost constantly besieged with issues of critical importance.

We have great reason to be encouraged and heartened to know that at this time the conduct of our foreign affairs as well as the maintenance of an expanding and prosperous economy is in competent hands.

The same poll has indicated that New York City would support President Johnson over four prominent Republicans by overwhelming majorities. The poll shows that in a race against Governor Romney, the President would receive 79 percent of the vote; against former Vice President Nixon, 77 percent of the vote; against former Senator Goldwater, 78 percent of the vote and against Governor Rockefeller, 89 percent of the vote.

In short, Mr. Speaker, I can report to the House of Representatives that New York City is solidly behind President Johnson.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection?

Mr. GROSS. Mr. Speaker, I would like to add to the remarks just made by the gentleman from New York that the city of New York, which he claims is so strong for President Johnson, has another record—it has the highest per capita debt of any municipality in the United States—$413 for every man, woman, and child or a total of more than $3 billion.

Mr. Speaker, I yield back the balance of my time.

GARRISON DIVERSION UNIT, MISSOURI RIVER BASIN PROJECT

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 237) to make certain provisions in connection with the construction of the Garrison Diversion Unit, Missouri River Basin project, by the Secretary of the Interior.

The SPEAKER. The question is on the motion offered by the gentleman from Colorado.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 237, with Mr. GRAY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Colorado [Mr. ASPINALL] will be recognized for 30 minutes, and the gentleman from South Dakota [Mr. BERRY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. ASPINALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, before Mr. ROGERS, chairman of the Irrigation and Reclamation Subcommittee which handled this legislation, discusses the details of the Garrison diversion unit and the provisions of H.R. 237, I would like to give you a little history with respect to this project. In particular, I want my colleagues to understand why it is necessary that this unit of the Missouri River Basin project be considered in a different light than a project which has not previously been approved by the Congress.

Technically, the Garrison diversion unit was authorized in 1944, and H.R. 237 provides for reauthorization. It was authorized in the Flood Control Act of 1944 as a part of the comprehensive program of development of the Missouri River and its tributaries. In a single subsection comprising seven lines in that act, the Congress authorized works which today carry a cost estimate of almost $5 billion. As I have said so many times before, this was a serious mistake and has been the cause of untold problems ever since. I will not go further into that story, but it is something you need to understand in considering the Garrison unit. Suffice it to say that the Committee on Interior and Insular Affairs has called a halt to further construction of Missouri River Basin units by the Department of the Interior under the authority of the 1944 Flood Control Act until they have been reauthorized.

The point I want to make with respect to the Garrison unit is that it was authorized as a part of a comprehensive multiple-purpose development designed to provide irrigation, flood control, hydroelectric power, and municipal and industrial water, and recreation and fish and wildlife opportunities, and this overall Missouri River Basin project received the support of North Dakota because Garrison was a part thereof. Garrison diversion unit is North Dakota's most important benefit from the Missouri Basin development and without this unit the State will not only have not gained from the basin development but will have lost about 550,000 acres of fertile farmland inundated by the Missouri River reservoirs that have already been constructed—the Garrison and Oahe Reservoirs. These two dams and other mainstream structures, powerplants, and appurtenant works have been essentially completed by the Corps of Engineers at a cost of approximately $1.2 billion. In large measure, the planned flood control, navigation and hydroelectric power benefits have been provided. The principal beneficiaries of these purposes are the downstream States. Irrigation development, which is the most important benefit that upstream States will receive, has lagged far behind. To deny North Dakota the Garrison unit, after taking its fertile lands for the benefit primarily of downstream States, would be breaking faith, I believe, with the State of North Dakota.

The Garrison diversion unit is the key to the economic growth of North Dakota. It will partially offset the loss of land that has been flooded to provide mainstream storage. It will stabilize the agricultural economy of this area of the Great Plains where the weather and precipitation have been so undependable. The opportunity for a balanced and vigorous economic growth is locked in the fertile soil. Water supply is the key to this opportunity—water for the land, for industry, and for the growing towns and cities that will evolve. The Garrison project not only will not further aggravate the surplus crop production problem, but it will reduce crop surpluses in this area. Construction of the project will cause a shift away from dryland grain crops to row crops and forage and feed crops for livestock production. All the problems delaying its consideration have now been resolved and it should be approved by the Congress without further delay. North Dakota has worked hard and waited patiently for this project for a great many years.

There is one provision in H.R. 237 that I want to discuss. This is the provision which the committee placed in the legislation permitting a 2½-percent interest rate in repaying the present investment in power facilities constructed by the Corps of Engineers. This provision, in section 4(b), relates to the financial position of the overall Missouri River Basin project and is one of several actions required to place the project in sound position. Due to drought conditions that have prevailed in the Missouri River Basin in recent years and to power allocations that are higher than expected because of rising costs of construction, the Missouri Basin power system is not in a sound financial position.

About 3 years ago, the Department of the Interior was requested to study ways and means of placing the project in a sound financial position and to report its findings and recommendations to the Congress. "Sound financial position" means full repayment with interest where appropriate within a 50-year period. In response to this request by the committee, and after about a year's study, we received the Department's recommendations. The two major recommendations call for, first, an average increase in firm power rates of 0.25 mills per kilowatt-hour, and second, the use of a 2½-percent interest rate in amoritizing the commercial power investment associated with generating capacity constructed by the Corps of Engineers. The first recommendation with respect to a power rate increase will be implemented by the Department as soon as acceptance by the Congress of the second recommendation with respect to the interest rate is assured. Both recommendations must be implemented if the Missouri River Basin project is to be placed in a sound financial position.

The power system constructed by the Corps of Engineers in the Missouri River Basin is the only corps constructed power system built before adoption of the standard interest formula which bears an interest rate of more than 2½ percent. The Bonneville Power Administration System, the Southwestern Power Administration System, and the Southeastern Power Administration System all market power and energy under repayment schedules using 2½-percent interest on previous investments. Another justification for the 2½-percent rate is the fact that had the standard interest formula which is presently used for all Federal power investments been in effect during the period when the power facilities in the Missouri Basin were constructed, the average interest rate would have been very close to 2½ percent. I believe the interest rate provision in H.R. 237 is fully justified and should be approved. Then the power rate increase in the Missouri Basin can go into effect and the Missouri River Basin project will again be operating on a sound basis.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Illinois.

Mr. COLLIER. On page 14 of the report it says, for the various purposes, there is $12,099,000 for municipal and industrial water. Can the gentleman tell me how many municipalities would be involved under this particular provision?

Mr. ASPINALL. I yield to the gentleman from North Dakota [Mr. ANDREWS] for that answer because the project is in his area.

Mr. ANDREWS of North Dakota. Approximately 12 municipalities, Mr. Chairman, would be affected including the larger cities in North Dakota.

Mr. COLLIER. Can the gentleman tell me what the aggregate population is of those municipalities?

Mr. ANDREWS of North Dakota. I would guess close to 100,000 people. The city of Grand Forks which is our second or third largest city was rerefining its own sewage in the thirties with one-third of the present population and has not increased its water supply. The city of Fargo was in a similarly precarious situation. It is the largest city in North Dakota and it has not increased its water supply since those days. The only hope of getting an adequate supply of water is from the Missouri River.

Mr. COLLIER. Can the gentleman tell me whether the allocation is to provide for the construction of all or any part of the municipal water systems?

Mr. ASPINALL. The gentleman from Colorado will answer that question. There is no provision here to build water mains or distribution systems within the various towns and cities of the area. This is a part of the cost of construction that has been found to be allocable to municipal and industrial water uses. All of it will be repaid with interest at a rate that is now provided by law.

Mr. COLLIER. But it will not be for the actual construction of the municipal facilities; is that correct?

Mr. ASPINALL. The gentleman is correct.

Mr. COLLIER. I thank the gentleman.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I thank the distinguished Chairman for yielding.

Apropos of the point just made, will the gentleman from Colorado tell me if the allocation to fish and wildlife enhancement, paragraph (b) page 5, line 20, is likewise to be repayable in line with the recent legislation passed by this body allocating such funds to the Secretary of the Interior for reimbursement based on local municipal use?

Mr. ASPINALL. The gentleman is correct. We follow that format in the allocation of costs for reimbursable or nonreimbursable items. I would say to my colleague, to be perfectly honest, that we did go to conference on the legislation heretofore affirmed by the House and there is a conference report coming out and if it is adopted it may be necessary to change just a little bit of the language that we find in this bill when the legislation gets to the other body. At this time it would not be fair to burden this legislation with that operation.

Mr. HALL. I thank the gentleman. But generally this and the other user entrance fees for reimbursement are in line with our land and water use fund?

Mr. ASPINALL. Under the recreation and fish and wildlife formula legislation for study and planning purposes.

Mr. HALL. And, Mr. Chairman, if the gentleman will yield further, I understand that generally this 250,000 acres will be used in holding reservoirs or facilities from which water will be doled out for either municipal use or for irrigation or for the other purposes listed in the bill at a time of excessive flow and diversion from the Missouri River?

Mr. ASPINALL. The water will be held, if the gentleman from Missouri will bear with me, in the Garrison Reservoir which is already constructed. It will be taken by laterals or canals from that reservoir. There are two or three small reservoirs that are involved. There is also Devils Lake which is involved, because it is a large natural lake. But most of this money, of course, is for the construction of canals, in fact 1,800 miles of canals, in order to service this area, and the laterals leading from such canals.

Mr. HALL. Which is really a part of the obligation we assumed in the original Missouri Basin Act of 1944?

Mr. ASPINALL. That is the position that the committee takes.

Mr. HALL. Will the gentleman tell me, inasmuch as I have a letter here from the Governor of the great State of Missouri wherein he is concerned over the safeguards as to the present and future rights of the lower basin, as well as to their portion, and adequate portion, of the stream flow of the great Missouri and Mississippi Rivers, if that protection is written into this bill?

Mr. ASPINALL. Yes. It is the position of the committee that the protection for the lower users is present in the Missouri Basin project itself. This legislation does not take away from the lower basin users their rights and privileges under the project.

Mr. HALL. If the gentleman will yield further, in other words I am sure the distinguished chairman realizes that only in the last Congress we succeeded in finally completing the channel from St. Louis to Kansas City and beyond, even Omaha and Council Bluffs, authorizing funds to the Corps of Engineers within the limitation of the appropriation of this body for the 9-foot channel, and there will be adequate water in the flowable season to preserve this, if the water falls, and provision will be made, if necessary, to take from the Garrison diversion unit the necessary water in order to maintain the downstream flow and traffic?

Mr. ASPINALL. The gentleman is correct. The engineers advise us that this position of the gentleman is correct and that there is available water to profusely service the users in the lower basin.

Mr. ASPINALL. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. ROGERS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Texas. Mr. Chairman, the distinguished chairman of the full committee has given you the history and special circumstances surrounding the Garrison diversion unit. I would like to discuss briefly the project and the provisions of the bill.

First, I would like to make it clear that the Garrison diversion unit as reauthorized in H.R. 237 is a self-contained project and does not depend in any way on future expansion to make it physically or economically feasible.

By reference to up-to-date reports, section 1 of H.R. 237 provides for construction of this multiple-purpose development for the irrigation of 250,000 acres, a municipal and industrial water supply for 14 towns and cities, fish and wildlife development at 36 major areas and a number of smaller areas, recreation development at 9 major water impoundments, and flood control. The necessary water supply, estimated at 871,000 acre-feet annually, is diverted from the existing Garrison Reservoir. The amount diverted is less than 5 percent of the average annual flow of the Missouri River at the point of diversion and will not materially affect downstream project operations.

The principal project works include the Snake Creek pumping plant, which will pump water from the Garrison Reservoir into Snake Creek Reservoir, the 75-mile McClusky Canal, which will convey water from Snake Creek Reservoir to Lonetree Reservoir, and Lonetree Reservoir which will store and regulate flows of the McClusky Canal for distribution to the areas to be developed. The entire irrigation system includes 1,865 miles of canals and laterals, 4 regulating reservoirs, 141 pumping plants, and extensive drainage facilities.

Most of the 250,000 acres proposed for irrigation have been fully investigated by a detailed land classification survey. Under irrigation dryland grain will be replaced by row crops and feed crops for livestock production. This will stabilize and strengthen the economy of a State wholly dependent upon agriculture and will partially offset the loss of farmland flooded by main stream reservoirs.

The recreation and fish and wildlife benefits of the development are second only to the irrigation benefits. Relatively little additional construction is needed to provide the many waterfowl and recreation areas and in most cases the water supply comes from project waste water.

The most significant wildlife area and the most important recreation site will be at Devil's Lake which at one time was a fresh water lake covering 142 square miles. In recent times it has shrunk to less than 5 square miles with fish life disappearing and recreational uses abandoned. The Garrison unit plan of development calls for restoration of Devil's Lake to fit its original shoreline so that it will again become an important wildlife and recreational area.

The estimated cost of the Garrison diversion unit is $248,234,000, of which about $207 million is the cost of new works and the remainder represents amounts already spent for Jamestown Dam and that part of the Garrison Dam allocated to irrigation. About $213 million, which is more than the cost of the new works, will be repaid. Approximately $35 million, allocated to flood control, recreation, and fish and wildlife enhancement, will be nonreimbursable.

The benefit-cost ratio for the Garrison diversion unit is 2.5 to 1.

Section 2 of H.R. 237 establishes the policies and procedures for inclusion of recreation and fish and wildlife enhancement in the Garrison unit. The language of this section makes H.R. 237 consistent with the provisions of general legislation covering cost allocation and cost-sharing policies relating to recreation and fish and wildlife development in connection with water projects. The conference report on the general legislation, S. 1229, will be brought before the House within the next few days. Under the provisions of this section it will be necessary for the State or a local public body to enter into an agreement with the United States for the administration of those recreation and fish and wildlife areas not designated for Federal administration and to repay about $2.34 million of the cost of developing these areas.

Section 3 provides for physical and financial integration of the Garrison diversion unit with other works of the Missouri River Basin project. The need to conserve water is emphasized by the language directing the Secretary to give consideration to returning to the Missouri River, to the fullest extent practicable, water which is not required for project purposes.

Section 4(a) sets out the formula which is to be used in establishing the interest rate applicable to the repayment of the municipal and industrial water costs and the reimbursable recreation and fish and wildlife enhancement costs. This is the standard formula that is presently used for all water projects.

Section 4(b) contains the provision discussed by Chairman Aspinall relating to the overall Missouri River Basin project. It authorizes the use of 2½-percent interest rate in amortizing the present investment in power facilities constructed by the Corps of Engineers in the Missouri River Basin.

Section 5 prohibits for a 10-year period the delivery of project water for the production on new lands of any crop which is in surplus supply.

Section 6 limits the amount authorized to be appropriated for construction of the Garrison diversion unit to $207 million and authorizes the amounts necessary for operation and maintenance of the unit.

Mr. Chairman, the Interior and Insular Affairs Committee has had the Garrison project under active consideration since 1957. All the problems standing in the way of its authorization have now been resolved and the committee recommends that the Garrison diversion unit be reauthorized and constructed.

Mr. BERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of, and deep concern for, the passage of H.R. 237.

Mr. Chairman, I want to reiterate what our chairman has just so well said, that this is a reauthorization.

Mr. Chairman, because of my many years of work in the development of the Missouri River program I want to give just a little bit of the history back of this bill.

Mr. Chairman, the first interest that was shown was by the Bureau of Reclamation. We in the States of North Dakota and South Dakota had been very much interested in getting water from the Missouri River pumped over onto the divide between the Red River of the North and the James River and bringing it down a big canal, down the divide, using gravity from both sides for irrigation purposes. The Bureau of Reclamation had just about completed their surveys when the Corps of Engineers became interested. They were interested, if the gentleman from Missouri please, in seeing that floods were controlled in the lower portion of the river.

They were interested in seeing that navigation was maintained. So the Corps of Engineers came in with a plan for constructing these large dams, and the Pick-Sloan project was picked by the Corps of Engineers and the Bureau. The Pick-Sloan plan was devised. Instead of taking the water out near the Montana-Dakota line, they would construct these large dams in the main stem of the river, then by the power that was generated would permit the water from the Garrison Dam and the Oahe Dam up on the divide to irrigate from that area, but at all times preserving this water in the lower basin for navigation and protecting the country down there from floods.

Following the disastrous Missouri River flood in 1943, when the whole bottom from Yankton, S. Dak., south, including Iowa, Nebraska, and Missouri, was inundated, the Flood Control Act of 1944 was passed, which authorized the construction of these dams, and it authorized, as the chairman has said very briefly, the construction of these reclamation projects to replace land that is covered up, a million acres in the State of North Dakota and the State of South Dakota, the best land that probably existed is flooded forever for the protection of the lowlands in the States of Iowa, Nebraska, and Missouri.

The first step of this mammoth program has been completed and the dams have been built. A million acres of our country have been flooded.

The second step is the construction of this Garrison Dam. Then, when that has been completed, the third step will be the construction of the Oahe project.

As the chairman has so well pointed out, the question on the passage of this bill is simply this: Do we as Members of Congress honor commitments made to these people back in 1944 when the Flood Control Act was passed by completing the second phase of this program to replace a million acres of land that have been flooded forever to protect the property of people living in the Missouri River bottom below Yankton, S. Dak., and Sioux City, Iowa? It has been determined—and I think properly—that each of these projects should come before the Congress separately, and that each of them should be fully justified before Congress authorizes them.

This bill is fully justified, and I know this Congress is going to go through and complete the commitment that was made to these people in 1944 when the Flood Control Act was passed.

Mr. ASPINALL. Mr. Chairman, I yield 3 minutes to the gentleman from North Dakota [Mr. Redlin].

Mr. REDLIN. Mr. Chairman, I rise to urge support for the legislation to reauthorize the Garrison diversion unit. Our great Speaker, the Honorable John McCormack, and our distinguished floor leader, the Honorable Carl Albert, have been most cooperative in expeditiously moving this legislation toward action on the floor of the House. For this I am very grateful.

This project is an integral part of the multistate Missouri River Basin development, as set forth in the Flood Control Act of 1944.

A primary objective of that act was to prevent disastrous floods. Its success in that respect was noted in an article in the May 30, 1965, New York Times. I quote from that article:

> Despite heavy runoff, there has been no flooding on the Missouri River this spring * * * The difference is six huge dams on the Missouri * * * The corps of engineers estimates that in the last 11 months the six dams aided by levees have prevented $64 million in flood damage.

The ability to regulate the flow of Missouri River water has produced hydroelectric power, promoted navigation and provided recreational areas, as well as flood control benefits.

I am proud that my State of North Dakota contributed toward two of the six dams that made possible these benefits, principally for downstream States.

The Garrison diversion unit would give North Dakota its rightful share of the benefits from the Missouri River development by stabilizing agriculture and ensuring an adequate water supply for municipalities.

In this project, no desert land is being reclaimed, since all the land proposed for irrigation is under cultivation. Irrigation will simply provide supplemental moisture to maintain a constant crop production which over the years has been variable because of uncertain rainfall. I wish to call the attention of my colleagues to the fact that less than 1 percent of North Dakota's 25,781,756 acres of cultivated land is involved in the Garrison diversion unit.

In working my farm fields, I have discovered waterfowl nests, and I can personally attest to the fact that this area deserves to be known as the "waterfowl factory" of the Nation. The new development will provide substantial benefits for hunters and sportsmen all over the United States.

The Garrison diversion unit is one of the best planned irrigation projects ever presented to Congress. The reauthorization legislation has undergone the scrutiny of the House Interior Committee, whose illustrious chairman, the gentleman from Colorado [Mr. Aspinall], has a reputation for thoroughness. I can say with confidence that Garrison diversion is a sound, responsible project.

Mr. Chairman, Garrison diversion is in the national interest. I urge my colleagues to support the legislation.

Mr. Chairman, a point that deserves emphasis is that 21 years ago Congress authorized a diversion project, such as this, in the Flood Control Act of 1944 as an integral part of the comprehensive development of the Missouri River Basin.

A reauthorization is needed because later studies of the lands and the physical plan indicate that a more economical use of the water could be achieved by revising the project area.

The basic policy decision was made, therefore, by the 79th Congress in 1944. All the present legislation does is to make technical changes in the project plan.

Mr. Chairman, since 1944, the Missouri River development program has provided extensive benefits in flood control, navigation, and hydroelectric power to 10 States. An analysis of the efficiency of flood control on the Missouri River is contained in the May 30, 1965, edition of the New York Times under the headline, "New Dams Block Missouri Floods."

The story by Donald Janson reads as follows:

> OMAHA, May 25.—Despite heavy runoff, there has been no flooding on the big Missouri River this spring.
>
> This is in sharp contrast with the havoc wrought by the Mississippi, the rampaging water of which did tens of millions of dollars of damage from St. Paul, Minn., to Hannibal, Mo.

Mr. Chairman, I wish to interject here to raise the question of how much greater the damage would have been had the Missouri not been under control.

To continue with the article:

> The difference is six huge dams on the Missouri * * *. Before that Missouri River floods were among the worst in the country. In 1952, a major flood caused $179 million in damage on the river from Montana to Kansas.
>
> Only one of the six dams, Fort Peck in Montana, was in operation in 1952.
>
> This year Mississippi flood crests surpassed records set in 1952 from northern Minnesota nearly to St. Louis, but with five more dams in the Dakotas in operation the Missouri was effectively harnessed.
>
> The Army Corps of Engineers estimates that in the last 6 months the six dams aided by levees have prevented $64 million in flood damage.
>
> Maj. Gen. George H. Walker, engineer in charge of the Missouri River division of the corps, here, flew over the swollen Mississippi recently.
>
> "I couldn't avoid a sense of comfort," he said afterward, "that we no longer face a major flood disaster in the Missouri Valley because of the tremendous reservoir capacities of our mainstem dams."
>
> This week the reservoirs behind the six dams held a record 49,608,000 acre-feet of water.
>
> A year ago, the figure was 39,960,000 acre-feet. By the end of June, corps officials forecast, 59 million acre-feet of water will be impounded in the six reservoirs. Runoff into the Missouri extends through June because snow high in the Rockies is slow to melt.
>
> However, damage of major flooding on the Missouri is a thing of the past, the corps says, because the rate of flow of the river, regulated at the six dams, now is under the complete control of man.

Mr. Chairman, I am proud that my State of North Dakota has contributed toward two of the six main-stem dams that have brought a new sense of security to thousands of people along the Missouri River, as well as on the Mississippi River toward the Gulf of Mexico. Garrison Dam in North Dakota, in fact, has been providing flood control benefits since 1953 and producing electrical power since January 1956. Most of the benefits from flood control, navigation, and power, I wish to emphasize, have been received by downstream areas.

To make these contributions to the overall Missouri River development, North Dakota sacrificed more than 550,000 acres of good farm and ranch land for Garrison and Oahe Reservoirs, involving an estimated annual loss to the economy of between $5 and $10 million. Seven hundred farms and ranches were eliminated, 1,250 residents of towns and rural communities were displaced, and approximately 2,500 Indians were required to find new homes.

In fairness, North Dakota and the other upstream States have a right to their share of the benefits from the Missouri River development, as set forth in the Flood Control Act of 1944. The Garrison diversion unit would help redress balance by diversifying and stabilizing the agricultural economy through irrigation, providing municipal and industrial water supplies, recreation, fish and wildlife enhancement, flood control, and lake restoration.

The Garrison diversion unit provides for the irrigation of 250,000 acres, which comprise only nine-tenths of 1 percent of the 25,781,756 acres of cultivated cropland in North Dakota at the present time. In Garrison diversion, it is inaccurate to say that we are reclaiming desert land, because all of the land proposed for irrigation is under cultivation. Irrigation will simply provide supplemental moisture to stabilize crop production which over the years has been variable because of uncertain rainfall.

With irrigation, there will be impelling economic reasons for farmers to switch from wheat acreage to forage crops and feed for livestock production. A study by the North Dakota State University indicates that 85,000 acres currently devoted to the production of wheat and other small grains will be diverted to crops required for livestock. In this connection, it should be noted that the Nation's requirements for meat are increasing and are expected to increase further with population growth. The Department of Agriculture predicts a demand for 40 percent more food in 1975, with 50 to 60 million more people in the United States.

In evaluating the effects of Garrison diversion on food production, we must keep in mind that the project will not be completed for 25 to 30 years—by 1980, it will be only 20 percent complete. Clearly, the time schedule on Garrison diversion corresponds with the Nation's food demands in the future.

Accompanying this change in the agricultural pattern would be a much-needed diversification of the North Dakota economy. Adequate, low-cost water would build new industry, supplying 18 cities, towns, and industrial areas.

Mr. Chairman, having farmed in North Dakota for the greater part of my life, I can personally attest to the fact that we have the finest breeding grounds for waterfowl. Many times on my own farm I have discovered duck nests. Authorities agree that North Dakota is one of the two most productive waterfowl propagation areas in the Nation.

I am happy to say that the Garrison diversion project includes plans to improve and expand these resources. Thirty-six major areas and thirty minor areas containing more than 56,000 acres of water and marsh would be provided with a constant and controlled water supply for fish and wildlife. Nine recreation areas would be developed.

The sportsmen and hunters of the entire Nation stand to benefit from these phases of the Garrison diversion unit.

All of these developments will spur economic growth in North Dakota, including a population growth of an estimated 17,500 persons. Studies indicate that approximately $67 million of increased annual trade will result. Every State in the Nation will supply some of the needs of the expanding area economy. Federal tax revenues will register significant increases.

The value of Garrison diversion to the State and Nation is widely recognized in North Dakota, and our people have demonstrated a willingness to accept their responsibilities. In 1955, the North Dakota State Legislature created the 25-county Garrison Diversion Conservancy District, representing the areas that will benefit directly from the project. The district was granted the authority to levy a general tax over all property within its boundaries to finance the repayment obligations for the project.

In addition, nine irrigation districts, including about 420,000 acres of irrigable land have been formed by potential irrigators. These districts stand ready to contract with the Federal Government for their share of the project costs.

Mr. Chairman, the Garrison diversion unit has been studied in every detail over the past 20 years. Undoubtedly it is one of the best planned irrigation projects ever presented to Congress—one that will return $2.51 for every $1 invested. The reauthorization legislation, moreover, has undergone the scrutiny of the Interior Committee, whose illustrious chairman, the gentleman from Colorado [Mr. ASPINALL], has a reputation for thoroughness. I can say with confidence that Garrison diversion is a sound, responsible project.

Once again, let me emphasize that the Garrison diversion unit is an integral part of the multistate Missouri River Basin project. Located in the duck factory of the Nation, it would improve hunting and fishing opportunities for the Nation's sportsmen. Garrison diversion would strengthen the area economy, as well as the national economy, by stabilizing agriculture and providing a dependable water supply for industry.

Mr. Chairman, I urge the support of my colleagues for the Garrison diversion reauthorization bill.

Mr. BERRY. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. REIFEL].

Mr. REIFEL. Mr. Chairman and ladies and gentlemen of the committee, I want to express my appreciation to the distinguished chairman of this committee for arranging to have this bill come before us at this time.

Mr. Chairman, it is a pleasure to add my words of support for the authorization of the Garrison diversion unit.

I am hopeful that one day it will bring irrigation waters into Brown and Marshall Counties, S. Dak., as contemplated in the plan. I look forward to the time when South Dakota landowners will participate in this project to stabilize production on nearly 56,000 irrigable acres known as the Oakes unit.

We in South Dakota look upon the Garrison diversion unit as holding the key to the vast future potentiality of the Missouri River Basin. We look upon the Garrison diversion unit as the forerunner of similar progress in our State. We look upon it as the predecessor to the construction of the Oahe irrigation unit in east central South Dakota, another great link in the development of the Missouri River Basin.

We in South Dakota, like our friends to the north, have sacrificed hundreds of thousands of good farm and ranch acres, with the resultant loss of tax revenues, for construction of the great Missouri River reservoirs. As a result, the States downstream from us have enjoyed the benefits from improved flood control, navigation, and pollution abatement.

I would like to inject a word, Mr. Chairman, to say that I was superintendent of the reservation of the Fort Berthold Reservation in North Dakota at the time of the construction of the Garrison Reservoir and, as the chairman pointed out, the people in North Dakota lost something like 550,000 acres of some of the most fertile lands in the State. This tribe of Indians, the Fort Berthold Affiliated Tribes, lost something in the neighborhood of 152,000 acres of their most valuable lands. This body made adequate, I believe, financial restitution to these people for the loss of this land, but, because of their cultural background and their social orientation to our kind of money economy, there are now many of these same people who enjoyed a good life on these river bottomlands who have become to a great degree the charges not only of the Federal Government but of the State of North Dakota in welfare programs.

If we can have the Garrison diversion project in actual operation, it will bring irrigation waters and other benefits to some parts of North Dakota where Indians are now living, particularly in the Devils Lake Reservation, the Fort Totten Sioux Indians. They can be given opportunities for jobs within the State through the industries which could be brought in by this project and by the stabilization of agriculture through the water to be provided by this project.

Yet, Mr. Chairman, we in North and South Dakota have not yet realized the promise of irrigation development made to us when the Missouri River dams were constructed. But now we see the fulfillment of this long-overdue legacy with the beginning of the Garrison diversion unit in North Dakota.

The Garrison diversion unit has been very carefully studied and modified over a long period of time. It enjoys a favorable benefit-cost ratio of 2.5 to 1. Its construction will be a wise Federal investment that will be repaid many times over.

Agricultural diversification and economic opportunities will be increased materially in the project area. It will give farmers the opportunity to get out of the business of producing surplus crops, principally wheat, and it will place no new land in production. It will stabilize the entire economy of an area which has been subject to so many vacillations due to irregular rainfall.

Mr. Chairman, we in South Dakota are happy to lend our wholehearted support to this project, for it represents more than just a new beginning for the agricultural economy of our area—it represents a fulfillment of the long-nourished idea of controlling and using the vast waters of the Missouri River for the benefit of man.

I am hopeful that the members of this committee will see fit to give this bill their wholehearted approval. Again I thank the committee for bringing the bill before this committee for action.

Mr. BERRY. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. LANGEN].

Mr. LANGEN. Mr. Chairman, it is not my purpose to rise in opposition to the Garrison diversion project, the bill that is now before us, but it is rather my purpose to rise in defense of income and opportunity for 3½ million farmers throughout the length and breadth of this Nation, and to register some concern for the continuous expanding budget with consistent budget deficits and a national debt that has grown by more than $30 billion in the last 4 years. To do so is not an easy assignment, inasmuch as the Garrison diversion project involves a neighboring State and a congressional district that is adjacent to mine. It would have been much easier, I am sure, to look the other way, as I have been asked to do, but I find that I could not in good conscience possibly do this in view of the many statements that I have previously made in behalf of the deplorable agricultural economic conditions that exist throughout the Nation, and the extent to which I have voiced concern regarding this Nation's fiscal policies and problems.

The efforts and desires of the good people of North Dakota to improve their agricultural economy, to want additional recreational and wildlife facilities, and to provide water for their communities are highly commendable. But to do so in a manner that only creates further problems for and at the expense of other farmers throughout the entire Nation—yes, even in the State of North Dakota—and at a completely unwarranted expense and aggravation of our Nation's deficit and debt, raises some very grave questions indeed. My only problem today in discussing them with you is that, as I mentioned earlier during the discussion of the rule, we do not have sufficient time to consider even the more glaring fallacies that are contained in this bill. Let me attempt to do so as briefly as possible. The expenditure of over $248 million for the Garrison diversion unit, which might better be known as the Garrison irrigation project, is completely without merit and could have only the following results.

It would further aggravate the surplus problem. It would grant assurance that continued inadequate prices would prevail for agricultural products, add a quarter of a billion dollars to our national debt, place Government obligations on land that would have to be paid by a generation that is not even born yet, increase the cost of food to consumers, create further restrictions and regulations on agriculture throughout the Nation, create further Government expenditures through necessary curtailed productions to offset the production of the 250,000 acres to be irrigated in this project, create an unnecessary tax burden that will go on for the next 50 years, plus numerous other problems such as downstream water supplies, interest rates, power rates, Government acquisition of land, fish, and wildlife, many of which have been referred to so eloquently by the distinguished minority ranking member, the gentleman from Pennsylvania [Mr. SAYLOR].

With all of these suggestions, it should certainly seem that the wisdom of this House would dictate that the project should be turned down at this time. However, it is to be remembered that this is a "pork barrel" project, and so is not to be regarded on its merits, but is to be passed on the basis of expediency, so evidenced by the fact that there is not even permitted sufficient time to identify the many objections.

This is strictly an irrigation project, designed to irrigate 250,000 acres of questionable land, at a cost of almost $2 million, with 2 out of every 3 acres of land to be irrigated classified as class 3 land, the poorest possible land that is considered to be irrigable. Now this amounts to an expenditure of $796 per acre, and anyone who has been within a shadow of a farm knows that you cannot make that kind of a land investment and expect it to be a paying proposition, regardless of what commodities one might raise at the prevailing prices today. It is only a matter of a few weeks ago since the Governor brought a delegation of people from North Dakota here to Washington in order to call to the attention of the Secretary of Agriculture and the Congress the need for improved farm prices. Right at this moment, he is requesting permission to cut hay on soil bank land and to make diversion and wheat certificate payments to farmers who were not able to seed because of floods and continuous wet weather. Each of these objectives would be completely negated by this project.

Regardless of what has been said in favor of the project, there will be raised on this land agricultural products that are now in surplus. The arguments that have been made to the contrary might well be laughable except for the very seriousness of the subject. The committee report states, for instance:

> North Dakota officials and prospective water users are so confident that this unit will not add to the present agricultural surplus problem that they are willing to place in the legislation a provision that prevents the delivery of water for production on newly irrigated lands of any basic agricultural commodity which is in surplus as determined in accordance with the provisions of the Agricultural Act of 1938 as amended in 1949.

Let us look for a moment at what section 5 of the bill provides, and I quote as follows:

> For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity as defined in the Agricultural Act of 1949.

Now what does that mean? It means the basic commodities as provided in the Agricultural Act of 1949, which are tobacco, rice, peanuts, cotton—all of which are not raised within hundreds of miles of this area—leaving them only two; namely, wheat and corn. You will note that it places no such restrictions on oats, barley, potatoes, sugarbeets, dairy products, beef, or hay, all of which have been a part of Government expenditures in order to maintain a minimum price for the past many years and have cost the Federal Government billions of dollars to do so.

But the irony of the matter is contained in the very first line of section 5 of the bill, which as I quoted, says "for a period of ten years from the date of enactment of this Act." The Governor of North Dakota has stated in testimony before the committee that it will take from 25 to 30 years to complete the 250,000-acre initial phase of this project, and so this provision will expire even before any great irrigated production is anticipated. This is a typical example of how the bill has been misrepresented and constitutes a deliberate attempt to mislead the public. This, of course, is what truly characterizes it as a "pork barrel" project that cannot be approved on the basis of its merits. It, therefore, becomes perfectly obvious that the intention is to raise products that presently are in surplus. This has been true with Government irrigation projects throughout the entire Nation for the past many years.

I hold in my hand a report by the Bureau of Reclamation which provides the statistics for the production on the various projects throughout the country, and let me quote a few statistics from page 107 which identifies the volume as well as the value of these crops during the crop year of 1963. There was over 557,000 acres of barley produced, over 308,000 acres of corn, over 139,000 acres of oats, over 375,000 acres of wheat, over 1,801,000 acres of alfalfa hay, over 1 million acres of irrigated pasture, over 539,000 acres of sugarbeets, over 188,000 acres of potatoes, to name but a few of the crops that have been involved in this surplus production. I have taken occasion to add up the value of these kinds of surplus crops that have been produced on these projects over the last 12 years, and find that they total almost $8 billion, far greater than the total surplus inventory on hand in the country today.

Now let us see how this applies to the State of North Dakota, on farms literally across the road from those involved in this project. During this crop year of 1965, it will be required of the Government to make payments in excess of $20 million as diversion payments under the wheat and feed grains programs, with an additional $15 million in order to pay for the land still remaining under the soil bank program. This makes a total of $35 million of Government moneys that will necessarily be expended during the year 1965, in order not to produce wheat, feed grains, or cut hay on soil bank land. This is to say nothing about wheat certificates, soil conservation payments, price supports, purchases of dairy products, beef and lamb, sugarbeets and the many other economy get-well programs applicable to rural areas. Now, then, can anyone possibly justify an expenditure of $796 an acre in order to put land into production of these same identical crops? And while it has been said that there might be some wheat and feed grain acres that are converted into the production of hay and pasture, I need not remind you at this moment that these are the same identical crops that we are paying farmers not to cut or to raise on the diverted acres and the soil bank land. It is less than a year ago since the Secretary of Agriculture was almost denouncing the farmers of this Nation for having raised too much beef that resulted in the lower price of beef at that time. Yet we now are recommending these huge expenses in order to increase livestock production, in accordance with the testimony given before the committee.

Let us see what this expenditure amounts to on a per farm basis. On a 320-acre farm, which is the maximum amount allowed under irrigation regulations to a man and wife, this would require an expenditure of more than a quarter of a million dollars, or $256,000. This is enough money to make a direct grant to that farm operation of $6,000 a year for a period of 42 years, or you could make a grant of $8,000 a year for 30 years. Yet, you could save the Government money by doing this, because at least you would not have to pay other farmers not to produce the products that would be raised on this land on which these expenditures are being made. It is truly disheartening to think of these expenditures and then to also recognize that on other farms throughout the Nation, we are literally asking them to get along on poverty rations, and denying them the opportunity to produce in accordance with their own best judgment.

The fact that this is not a paying project to farmers, taxpayers, consumers, or anyone else, is best recognized by the fact that less than 15 percent of the cost is to be repaid by the irrigators, even though they do not pay interest on that money for the 50-year repayment figure. And I ask you to remember for just a moment, that even at 3½ percent interest—and the Government now pays more than that on our indebtedness—the interest alone would more than double the cost of the project for every 30 years. It follows, of course, that you cannot possibly raise food in this most uneconomical manner without substantially increasing the overall cost to the consumer, and so we see by just these few brief observations of how this project can only aggravate the very problems that your Agriculture Committee has been for the past several weeks trying to find some solution to. The fact that it costs an enormous amount of money to do so was evidenced by the House passing an appropriation bill only a few weeks ago in excess of $5,600 million providing for agricultural appropriations.

I should be the first to admit that there conceivably could be a time in our future history when this project could be one of merit, but that time is certainly not today.

What a shame it is for the same Government to be asking other farmers, literally across the road from those who are supposedly to benefit from this project, to reduce their production and live on meager incomes. I question that even the irrigators will benefit under today's prices, because you cannot raise these products, even under ideal conditions, on a profitable basis today, so how can one possibly expect that they are going to be able to do it with these added expenditures? But the point I want to make is that because of Government regulation and production restrictions, the income of farmers throughout the Nation is presently at the 1930 depression day levels, creating demands for huge Government expenditures, not only in price support programs, but also in other community development programs, such as ARA, APW, and the poverty program. It has been stated by the Secretary of Agriculture that over 2½ million of these farmers do not even earn the prevailing minimum wages, and it has been suggested that they be moved off the farms.

All these farmers are actually seeking is the privilege to produce food and fiber for this Nation at a reasonable market price at no cost to Government, and yet, by this project, we insist that they are not going to have that privilege. The many fallacies of this project could be enumerated for the rest of this afternoon, but let me just refer to one more before concluding.

The argument has been made that the justification for this project is to somehow replace the land that was taken out of production because of the original construction of the Garrison Dam. However, they have failed to tell you that the project will take an additional 149,000 acres of land out of production and off the tax rolls. But the interesting thing is why they are doing this. And I should quote to you a part of a statement made to the committee by Mr. James C. McBroome, Chief, Technical Services Division, of the Bureau of Sport Fisheries and Wildlife. I quote him as follows:

> The necessary things that have to be done to prepare land for irrigation would destroy thousands of acres of the finest waterfowl production habitat that we have left in this country. Therefore, we felt it necessary to work with the Bureau of Reclamation, pursuant to the authorization of Congress in the Fish and Wildlife Coordination Act, to develop the plan that is before me.

And so again we see where the project is actually going to destroy some of the very best waterfowl production habitat that we have in the country, thereby necessitating a further expenditure of over $21½ million in order to attempt to restore this habitat, which it is very doubtful that we are going to be able to duplicate. And so the project again becomes one of being destructive and harmful to some of the best natural resources that we have in this country, in order that Government can recreate them, all to the detriment of farmers, of consumers, of sportsmen, and the general economic condition of our country.

These are but a few of the many objections that are so prevalent and outstanding in this project that its proponents do not want to have them discussed. And I am fully aware of the futility of raising these items before the House today, for obviously the order is "pass the bill" for expediency purposes only.

But I should want to at this time remind by colleagues that I hope you may be as generous to the rest of our rural and farm population when that question comes before us. I hope that you will then remember that their income has dropped to the levels of depression days, while the rest of our economy has enjoyed a continuous increase, and that farm indebtedness has grown to a point of where it is 50 cents higher today when compared to the per dollar of income than it was in 1929 just before the great economic crash, and that these people too are entitled to equality of opportunity and income, and yes, I would include even those farms that are to be irrigated by this project, for even they will experience hardship under today's prices and today's many government restrictions and regulations, even added regulations that go with irrigation projects, which will not permit them to expand their operation and water supplies beyond the 320 acres allotted to a man and wife. I hope that you will then be consistent and remember that it is perfectly permissible to expend hundreds of millions of interest-free money that this Government does not have. I shall be disappointed indeed if I then hear any reference to accumulated surpluses and huge costs to Government for storage costs and production restriction programs. I hope that everyone will remember that we have truly helped to aggravate those problems today.

While I have stated that there are many more objections that we should do well to make note of today, I think that these I have raised are certainly of sufficient magnitude to warrant the serious consideration of this House in rejecting the project that is before us.

Mr. ASPINALL. Mr. Chairman, will my genial friend yield?

Mr. LANGEN. I am glad to yield to the gentleman from Colorado.

Mr. ASPINALL. The language with respect to the delivery of water for production on newly irrigated lands of any basic agricultural commodity has been placed in bills for such project authorizations, as my colleague knows, for some 12 years.

Mr. LANGEN. I am well aware of that, I say to the gentleman.

Mr. BERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. BATTIN].

Mr. BATTIN. Mr. Chairman, I had not intended to take the floor on this matter but after my friend from Minnesota made such an issue of reclamation generally, because this, I think, represents one of the fine reclamation projects in the country, I did not think it would be proper for me, coming from a State that is the headwaters of the great Missouri River, to sit by without stating our position. Certainly, there is always an argument as to whether or not what we do now is going to be of any benefit to those who live in the country at the present time or whether there will be future benefit from what we do now, and whether or not it will actually play an important role in history, whereby we will be judged.

I am certain that the bill as reported from the committee has been given a great deal of consideration. Most of the people on this committee come from areas that have a great deal of agriculture and who have concern for their farmers as much as I do. So I thought it would not be proper to let the record stand at this point without making some retort to the very hard-driving statement of the gentleman from Minnesota. Certainly, with the facts and figures that are given to us on almost a regular basis as to what the needs are going to be for food, not only in the short years ahead but in the eighties and nineties, I think it would be wise to consider the project on a basis, not of producing a surplus crop but of putting our Nation in a position where we will, in fact, be able to supply the needs of the people of this country, as well as meet our commitments overseas for food for those in need who are not able at this time, at least, to produce their own food supply.

Mr. BERRY. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. ANDREWS].

Mr. ANDREWS of North Dakota. Mr. Chairman, much has been said about the technical aspects of the Garrison diversion unit. I would like to take this time to point out the feeling of individual North Dakotans about this project and the spirit of cooperation which our entire State has shown in the endeavor to get this extremely important project underway.

North Dakota is a State that is proud of its individualism. Perhaps this springs from a feeling bred into those of us who live on the wide prairies. We have not approached this from a standpoint of getting something for nothing from the Government.

In 1944, as has been pointed out, the proposition was made to North Dakota that downstream States needed flood protection and that, by locating dams in North Dakota the reservoirs of which would inundate about half a million acres of our best farmlands, downstream States could be saved millions—yes, billions—of dollars in flood damage. The proposition was made that by doing this we would in turn get irrigation through diversion.

It was no fault of our people that the original point of diversion had been changed because of engineering and soil reasons. Our State has gone ahead, confident in the feeling that Congress would fulfill the commitment made in 1944 by reauthorization. Our legislature set up a conservancy district comprised of over 60 percent of the taxable valuation of our State, whose board of directors is elected by the people and which has the power to levy taxes on all real property in this part of our State. We did this because we realized that Garrison diversion would benefit all parts of our economy and felt the cost should be shared.

So, too, did our legislature set up the Carrington irrigation experiment station by spending State funds to set up a 640-acre establishment where field trials could be carried on so the information needed by our farmers would be available when irrigation began. Our cities and towns have built municipal water supply systems, dependent upon this water from Garrison but confident that Congress would reauthorize, thereby fulfilling its pledge to North Dakota.

Mr. Chairman, simply stated, without this water, North Dakota cannot grow. It is not to bring new lands into production, but rather to change the cropping system of lands now producing surplus crops. It is to provide water for cities whose population has grown threefold since the thirties but whose water supply—the same then as it is now—was down to the point of rerefining their own sewage in order to get enough water to fill the mains.

North Dakota has sincerely gone the full measure of meeting its share of the obligation incumbent upon developing this water project. We confidently hope that the House, in its wisdom, will recognize the need and approve this project.

Mr. ASPINALL. Mr. Chairman, the gentleman from Minnesota [Mr. LANGEN] has, of course, made a very good case for his position. I take issue with him on his statement, but certainly he has advised the House as to how he feels and in answer to his statement, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ASPINALL. Mr. Chairman, construction of Garrison unit will bring about a shift from dryland grain crops to row crops and forage and feed crops for livestock production. It is expected that the project will not only not further aggravate the surplus production problem but it will reduce crop surpluses in this area.

So much has been said about the relationship between the agriculture surpluses problem and the reclamation program you may be interested in the fact that agricultural production on lands reclaimed or protected by the Corps of Engineers has exceeded the production on reclamation projects and the crops on Corps-protected lands are those which contribute more to the surplus problem than crops grown on reclamation projects.

A few weeks ago, the House passed legislation authorizing some $263 million for continuing the construction program of the Corps of Engineers in 10 river basins. In one of these areas alone, the Corps' program provides for development and use of about 726,000 acres of rich agricultural land which in the past has been practically unused. This brings into cultivation almost 3 times as much land as the Garrison unit and this is only one area. I fully support the program of the Corps of Engineers but I just want my colleagues to know that if the agricultural surpluses problem is going to be an issue in the consideration of water resources development projects and programs—and I do not believe it should be—then the reclamation program is not the greatest offender.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the general plan for the Missouri-Souris unit of the Missouri River Basin project, heretofore authorized in section 9 of the Flood Control Act of December 22, 1944 (58 Stat. 887), as modified by the report of the Secretary of the Interior contained in House Document Numbered 325, Eighty-sixth Congress, second session, is confirmed and approved under the designation "Garrison diversion unit," and the construction of a development providing for the irrigation of two hundred and fifty thousand acres, municipal and industrial water, fish and wildlife conservation and development, recreation, flood control, and other project purposes shall be prosecuted by the Department of the Interior substantially in accordance with the plans set out in the Bureau of Reclamation report dated November 1962 (revised May 1963) supplemental report to said House Document Numbered 325.

Sec. 2. The Secretary is authorized in connection with the Garrison diversion unit to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the unit area such adjacent lands or interests therein as are necessary for present or future public recreation use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of unit lands, facilities, and water areas in a manner coordinated with other unit purposes. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and additional development of unit lands or facilities, or to dispose of unit lands or facilities to Federal agencies or State or local public bodies by lease, transfer, conveyance, or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation purposes. The Secretary shall notify the President of the Senate and the Speaker of the House of Representatives of any such proposed disposition to a State or local public body by transfer, conveyance, or exchange, or by lease for twenty-five years or more, and no such transfer, conveyance, or exchange shall be effectuated and no such lease shall be executed prior to sixty calendar days (which sixty days, however, shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three days to a day certain or an adjournment sine die) from the date of such notification. In connection with the foregoing undertakings and developments for the enhancement of fish and wildlife resources on the Garrison diversion units; (1) Federal costs incurred specifically for land and basic facilities shall be nonreimbursable; (2) joint costs allocated to recreation and fish and wildlife enhancement, other than those hereafter specified, shall in the aggregate be nonreimbursable to the extent they do not exceed the sum of $13,000,000 plus 4 per centum of the cost of joint-use land and facilities of the unit in excess of $100,000,000; (3) joint costs allocated to fish and wildlife enhancement which are attributable to migratory waterfowl production habitat benefits shall be nonreimbursable; and (4) other Federal costs, including separable joint costs, allocated to recreation and fish and wildlife enhancement shall in the aggregate be nonreimbursable up to a limit of $2,500,000. Provision shall be made for the reimbursement, for the contribution by non-Federal interests, or for the reallocation of costs allocated to recreation and fish and wildlife enhancement in excess of the foregoing limit under one or a combination of the following method as may be determined appropriate by the Secretary: (1) provision by non-Federal interests of land or interests therein or facilities required for the unit; (2) payment or repayment, with interest at a rate comparable to that provided in section 4 (a) of this Act, pursuant to agreement with one or more non-Federal public bodies; (3) reallocation to other project functions in the same proportion as joint costs are allocated among such functions. Costs of means and measures to prevent loss of and damage to fish and wildlife shall be treated as unit costs and allocated to the other unit purposes. For the purpose of this Act, "joint use land and facilities" shall mean land and facilities serving two or more unit purposes, one of which is recreation or fish and wildlife enhancement. Nothing herein shall limit the authority of the Secretary granted by existing provisions of law relating to recreation, development of water resource projects, or disposition of public lands for recreational purposes.

Sec. 3. The Garrison diversion unit shall be integrated physically and financially with the other Federal works constructed or authorized to be constructed under the comprehensive plan approved by section 9 of the Act of December 22, 1944, as amended and supplemented. The Secretary shall give consideration to returning to the Missouri River to the fullest extent practicable such of the return flows as are not required for beneficial purposes.

Sec. 4. (a) The interest rate used for computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the Garrison diversion unit as authorized in this Act shall be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

(b) From and after July 1, 1965, the interest rate on the unamortized balance of the investment allocated to commercial power in facilities constructed or under construction on June 30, 1965, by the Department of the Army in the Missouri River Basin, the commercial power from which is marketed by the Department of the Interior, and in the transmission and marketing facilities associated therewith, shall be 2½ per centum per annum.

Sec. 5. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b) (10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 6. There is hereby authorized to be appropriated for construction of the Garrison diversion unit as authorized in this Act, the sum of $207,000,000, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the unit.

Mr. ASPINALL (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read in full and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 7, strike out "May 1963" and insert "February 1965".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 9, strike out all of section 2 and insert the following:

"Sec. 2. (a) Subject to the provisions of subsections (b), (c), (d), and (e) of this section, the Secretary is authorized in connection with the Garrison diversion unit (i) to construct, operate, and maintain or provide for the construction, operation, and maintenance of public outdoor recreation and fish and wildlife enhancement facilities, (ii) to acquire or otherwise to include within the unit area such adjacent lands or interests in land as are necessary for present or future public recreation or fish and wildlife use, (iii) to allocate water and reservoir capacity to recreation and fish and wildlife enhancement, and (iv) to provide for the public use and enjoyment of unit lands, facilities, and water areas in a manner coordinated with other unit purposes. The Secretary is further authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and replacement of unit facilities, and to transfer unit lands or facilities to Federal agencies or State or local public bodies by lease or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

"(b) All costs allocated to fish and wildlife enhancement and incurred in connection with waterfowl refuges and waterfowl production areas proposed for Federal administration shall be nonreimbursable.

"(c)(1) If, before commencement of construction of the unit, non-Federal public bodies agree to administer for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the unit approved by the Secretary land and water areas which are not included within Federal waterfowl refuges and waterfowl production areas and to bear not less than one-half the separable costs of the unit allocated to either or both of said purposes, as the case may be, and attributable to such areas and all the costs of operation, maintenance, and replacement incurred in connection therewith, the remainder of the separable capital costs so allocated and attributed shall be nonreimbursable.

"(2) In the absence of such a preconstruction agreement recreation and fish and wildlife enhancement facilities (other than minimum facilities for the public health and safety at reservoir access points and facilities related to Federal waterfowl refuges and waterfowl production areas) shall not be provided, and the allocation of unit costs shall reflect only the number of visitor days and the value per visitor day estimated to result from such diminished recreation development without reference to lands which may be provided pursuant to subsection (e) of this section.

"(d) The non-Federal share of the separable capital costs of the unit allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the Secretary: (i) payment, or provision of lands, interest therein, or facilities for the unit; or (ii) repayment, with interest, within 50 years of first use of unit recreation or fish and wildlife enhancement facilities: *Provided,* That the source of repayment may be limited to entrance and user fees or charges collected at the unit by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than 5 years.

"(e) Notwithstanding the absence of preconstruction agreements as specified in subsection (c) of this section lands may be acquired in connection with construction of the unit to preserve the recreation and fish and wildlife enhancement potential of the unit.

"(1) If non-Federal public bodies agree within ten years after initial unit operation to administer for recreation and fish and wildlife enhancement pursuant to the plan for development of the unit approved by the Secretary land and water areas which are not included within Federal waterfowl refuges and waterfowl production areas and to bear not less than one-half the costs of lands acquired therefor pursuant to this subsection and facilities and project modifications provided for those purposes and all costs of operation, maintenance and replacement incurred therefor, the remainder of the costs of such lands, facilities, and project modifications shall be nonreimbursable. Such agreement and subsequent development shall not be the basis for any allocation of joint costs of the unit to recreation or fish and wildlife enhancement.

"(2) If, within ten years after initial operation of the unit, there is not an executed agreement as specified in paragraph (1) of this subsection, the Secretary may utilize the lands for any lawful purpose within the jurisdiction of the Department of the Interior, or may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

"(f) Subject to the limitations hereinbefore stated, joint capital costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable.

"(g) Costs of means and measures to prevent loss of and damage to fish and wildlife shall be treated as unit costs and allocated among all unit purposes.

"(h) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges."

Mr. ASPINALL (interrupting reading of amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Chairman, in support of the amendment, I would like to state that this amendment is the amendment to which the gentleman from Missouri [Mr. Hall] referred and which he called to our attention during the course of the general debate.

Mr. Chairman, this amendment brings this bill into compliance with the fish and wildlife and recreation allocation to which this House has already given its approval and to which the Senate has already given its approval and upon which the conferees have agreed. Therefore, the conference report will be before the two bodies next week.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Gray, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 237) to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior, pursuant to House resolution 398, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AUBURN-FOLSOM SOUTH UNIT, CALIFORNIA

Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 485) to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws.

The SPEAKER. The question is on the motion offered by the gentleman from Colorado.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 485 with Mr. McFall in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Colorado [Mr. Aspinall] will be recognized for 30 minutes and the gentleman from South Dakota [Mr. Berry] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado [Mr. Aspinall].

Mr. ASPINALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the legislation which the Interior and Insular Affairs Committee brings to the floor today authorizes the next logical extension of one of the outstanding reclamation projects of the Nation and the world—the Central Valley project of California—which moves great quantities of water from the Sacramento River Basin and the Trinity River Basin in northern California, where water has been plentiful, several hundred miles south to the San Joaquin Valley where water is scarce and is urgently needed.

Federal participation in the Central Valley project dates back to 1935 when the initial authorization for construction was included in the Rivers and Harbors Act for that year. The Folsom unit, American River division, was added in 1949 and the Sacramento Canals division was authorized in 1950. The Trinity River division was authorized in 1955 and the San Luis unit in 1960. The works authorized at the present time are estimated to cost over $1.3 billion of which just over $900 million, or more than for any other reclamation project, has been appropriated. The State of California is participating in construction of the Central Valley project and also is building its own Feather River project at a cost of over $2 billion to convey northern California water all the way to the Los Angeles area. The Auburn-Folsom South unit will add another $425 million to the cost of the Central Valley project, bringing the total cost to over $1.7 billion.

The Auburn-Folsom South unit is designed to make maximum use of the remaining water resources of the American River Basin for irrigation, municipal, and industrial water supply, flood control, hydroelectric power, fish and wildlife, and recreation purposes. This unit has been under consideration in the committee for more than 5 years. The first hearings on the unit were held in the 87th Congress and many members of the committee have visited the project area for an "on-the-ground" inspection of the proposed development. Since the committee initiated its consideration of the unit, the plan of development has been modified in order to make maximum use of the available water resources. The reservoir has been enlarged, and the powerplant capacity increased. Under the plan of development more than 400,000 acres will receive a firm irrigation water supply, the Sacramento Metropolitan area will receive additional flood protection and additional water for municipal and industrial purposes, and greatly increased recreational opportunities will be made available to a large part of California's ever-increasing population.

The Central Valley project is presently in a very sound financial position and it will remain so with the Auburn-Folsom South unit added. The unit meets every standard test of current reclamation doctrine and policy and for every dollar spent almost $4 in benefits to the various project purposes will be returned to the Nation. Full repayment of the reimbursable costs will occur within 50 years. The committee concluded that the Auburn-Folsom South unit is a sound and feasible development from every standpoint and that its construction is urgently needed. H.R. 485 to authorize this most meritorious project should be approved by the Congress.

Mr. ASPINALL. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. Rogers] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Texas. Mr. Chairman, I would like to discuss briefly the Auburn-Folsom South unit and the provisions of H.R. 485.

Section 1 of H.R. 485 authorizes the Auburn-Folsom South unit consisting of the Auburn Dam and Reservoir and powerplant, the Folsom South Canal, the Forest Hill Divide development, and the Folsom-Malby development. The works that would be authorized are designed to provide maximum economic utilization of the remaining waters of the American River Basin for irrigation, flood control, hydroelectric power, municipal and industrial water supply, fish and wildlife, and recreation purposes.

The 690-foot Auburn Dam on the American River will provide a reservoir with a total capacity of 2,500,000 acre-feet to serve the project purposes. The Auburn powerplant will have an initial installed capacity of 240,000 kilowatts, and language in section 1 gives the Secretary authority to increase the capacity to 400,000 kilowatts if the additional installation is determined to be feasible and is approved by the Congress.

The main water delivery feature of the unit is the 67½-mile Folsom South Canal which will provide supplemental water to some 400,000 acres of land in Sacramento and San Joaquin Counties.

The Forest Hill Divide development is physically separated from the remainder of the unit and would provide irrigation and municipal water service to a 5,000-acre tract between the North Fork and the Middle Fork of the American River.

The Folsom-Malby development involves the construction of facilities to deliver municipal and industrial water to an area of about 12,000 acres in eastern Sacramento County.

The investment cost of the Auburn-Folsom South unit, including interest during construction but not including the foundation and penstock for future power installation, is about $427 million. Of this amount, there is $48 million, or 11 percent of the cost, allocated to flood control, recreation, and fish and wildlife enhancement which would be nonreimbursable. The remaining 89 percent will be repaid, with interest on that part allocated to municipal and industrial water, commercial power, and reimbursable recreation and fish and wildlife enhancement.

Section 2 provides for the operation of the Auburn-Folsom South unit as an integral part of the Central Valley project. There will be both physical and financial integration. On this basis, all reimbursable costs of the project, including the Auburn-Folsom South unit, will be repaid within 50 years, and at the end of this period there will remain a surplus of about $462 million to assist in additional development or return to the U.S. Treasury.

Section 3 establishes the policies and procedures for the inclusion of recreation and fish and wildlife enhancement as unit purposes. The language of this section makes H.R. 485 consistent with the provisions of general legislation which was recently passed by the House. The conference report on the general legislation, S. 1229, will be before the House within the next few days. Under the provision of section 3 it will be necessary for the State or a local public body to enter into an agreement with the United States for the administration of the recreation and fish and wildlife areas and to repay with interest about $6.2 million of the cost of developing these areas.

Section 4 requires the Secretary to give consideration to the reports and plans of the State of California for developing its water resources, and to consult with local interests who are affected by the proposed development.

Section 5 contains language relating to the project water supply and makes it clear that this legislation does not authorize an allocation of water and that recommendations for the use of water in connection with the Auburn-Folsom South unit shall be in accord with State water laws.

Section 6 authorizes $425 million be appropriated for the construction of the Auburn-Folsom South unit. The amount can be adjusted to reflect ordinary fluctuations in construction costs applicable to the types of construction involved in the unit. Language in this section also authorizes the appropriation of such sums as may be required for operation and maintenance of the project.

Mr. Chairman, the Interior and Insular Affairs Committee has had the Auburn-Folsom South unit under consideration and study for several years and has determined that it meets all of the requirements for approval by the Congress. The committee believes that the services which this unit will provide will greatly benefit the economy of California as well as the entire Nation, and the committee recommends that the Auburn-Folsom South unit be authorized and constructed.

Mr. BERRY. Mr. Chairman, I would simply say that this bill was carefully and very fully considered both in the subcommittee and in the full committee. I know of no opposition to the bill.

Mr. Chairman, I have no requests for time.

Mr. ASPINALL. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Johnson] in whose district this project is situated.

Mr. JOHNSON of California. Mr. Chairman, I rise in support of the proposed Auburn-Folsom South unit of the Central Valley project in California, which as it is now constituted, is the culmination of 20 years of investigation, planning, and formulation by our local and State agencies and by the Bureau of Reclamation and other Federal agencies.

Auburn Dam, to be located on the American River near Auburn, Calif., would be a zoned earth, gravel and rock structure containing about 63 million cubic yards of material. The dam will rise 690 feet above the streambed. It will be the highest earthfill dam every built by the Bureau of Reclamation and stand as one of the world's highest earthfill dams. The crest of the dam will be approximately 3,200 feet in length or about five-eighths of a mile. At its maximum cross section, the base of the dam will be about 1 mile wide.

Auburn Reservoir, when filled to its 2½-million-acre-foot capacity, would have a shoreline about 143 miles long. The reservoir will extend 18 miles up the North Fork of the American River, and 24 miles up the Middle Fork. The surface area of the reservoir, at full capacity, is estimated at 10,400 acres. Auburn powerplant would initially contain three generators, of the semioutdoor type, with a total capacity of 240,000 kilowatts. Provisions have been made to allow enlargement to 400,000 kilowatts.

The importance of outdoor recreation to the well-being of the people of California is recognized in all Bureau of Reclamation planning. We have incorporated in our plans facilities designed to insure the maximum realization of the outdoor recreational opportunities provided by the construction of Auburn would be a zoned earth, gravel, and rock Dam. The National Park Service has recommended that 2,500 camping units and 1,500 picnic units, as well as water and sanitary facilities, roads and trails, beach and boating facilities, and landscaping be provided for the convenience and enjoyment of the public.

Water from Auburn Reservoir will be released through Auburn powerplant to the existing Folsom Reservoir where it will be reregulated as required before passing through Folsom powerplant to Lake Natoma. From Lake Natoma, the water will be diverted into the Folsom South Canal at the Nimbus diversion dam. The Folsom South Canal will extend southward from Nimbus Dam about 68 miles to San Joaquin County. The initial capacity of the canal would be 3,500 cubic feet per second at Nimbus Dam and the maximum capacity would be 7,000 cubic feet per second.

The Forest Hill Divide development, included as a feature of the Auburn-Folsom South unit, will provide water for irrigation and municipal and industrial use. It will assure the growth of the Foresthill community and provide living space for a growing population. The principal features of the Forest Hill Divide development at Sugar Pine Reservoir on North Shirttail Canyon Creek and a 13.7-mile pressure pipeline. Sugar Pine Reservoir will have a capacity of 16,500 acre-feet and a maximum surface area of 280 acres. A pipeline will convey the water from the reservoir to the 2,800-acre service area.

The Folsom-Malby development is also a part of the Auburn-Folsom South unit. Principal features of the plan are the 40,000 acre-foot capacity County Line Reservoir on Deer Creek; a 10.8-mile-long pipeline; and two pumping plants. This is a municipal and industrial water supply development designed to meet the needs of a growing population. County Line Reservoir also will offer a measure of flood protection along Deer Creek.

The cost of the Auburn-Folsom South unit is estimated at $425 million. Of this amount 91 percent is reimbursable and the remaining 9 percent nonreimbursable. Flood control and a portion of recreation, fish and wildlife are functions considered to be national responsibilities and thus nonreimbursable.

The potential benefits of the unit stem from so many functions that it is difficult to decide which to mention first. One of the most important functions is that of providing increased flood protection for the highly developed American River valley, which includes the capital city of Sacramento. The need for such increased protection through storage has become more evident since the plan of development was formulated, as three recordbreaking flood events in 9 years strained the storage capacity of Folsom Reservoir and local protective works to their capacities. Each time, disastrous flooding of Sacramento was narrowly averted by emergency measures. Just last Christmas California experienced one of these disastrous storms.

Folsom Reservoir on the American River was just a scant 12 hours from spilling over the top of the dam. If the rains had continued this would have happened and there was nothing that could have prevented Sacramento, the capital of the State of California, from a great amount of damage. At this point I would like to recommend that each of you read "One Day From Disaster," published by the Bureau of Reclamation, which outlines the outstanding work performed by the Bureau of Reclamation facilities in controlling flood damage in the Central Valley project area.

Of equal importance to the region and the Nation is the distribution and delivery of water to be stored in the proposed Auburn Reservoir for service to almost one-half million acres of very rich lands lying south of Sacramento. Irrigation in that area is essential to economic agricultural production. Essentially every drop of surface water is used during the irrigation season, and underground water is being pumped out faster than nature can replace it. The farmers are desperately in need of the water that could be furnished through the Folsom South Canal.

Water from the Folsom South Canal would be delivered to the city of Stockton and other population centers in the area for municipal and industrial uses. Here again the pattern is repeated—as population grows, water demand increases, and the ground water which now furnishes the bulk of the city's supplies is being increasingly overdrawn. In fact, it has been necessary already to abandon some of the wells serving Stockton because the quality of the water as the water level receded under pumping became too saline for municipal use. The service proposed to the Forest Hill area is the only practicable way of permitting this mountain community to grow. Similarly, the Malby area which is normally completely dry can become a valuable suburb of Sacramento by virtue of the water it would receive from the Auburn-Folsom South unit.

California's demands for electric power continue to require the construction of new generating capacity. The Central Valley project, particularly, is about to reach the point where power requirements for pumping project water will absorb all of the uncommitted project power, and, unless new power capacity is added to the Central Valley project system, it may soon be necessary to withdraw power from existing preference customers. Construction of the Auburn powerplant, with an initial installation of 400,000 kilowatts, would substantially relieve the power squeeze which is impending.

Recreation and fish and wildlife benefits are of major importance also. Folsom Reservoir has become a favorite water playground for many thousands of central California's people. Auburn Reservoir, in addition to being an important recreation center in its own right, will augment the usefulness of Folsom Reservoir by maintaining higher, more constant water surface levels. Thousands of additional acres of land and water surface will be provided for recreation opportunities. The new reservoir fishery will be a valuable asset to the area, and the benefits to the anadromous fish will be substantial.

Mr. Chairman, on behalf of the people of California I want to express my deep appreciation for the fine consideration given to this bill by the Committee on Interior and Insular Affairs, chaired by our outstanding colleague, the gentleman from Colorado [Mr. ASPINALL], and the subcommittee, under the chairmanship of the distinguished gentleman from Texas [Mr. ROGERS], both of whom I believe are among the most knowledgeable people in the Nation when it comes to the problems of irrigation and reclamation. May I urge that the House of Representatives on this day adopt the legislation which has been recommended so strongly by the Committee on Interior and Insular Affairs. This is an extremely important project, one which I am confident you will be proud to have supported in the Congress of the United States.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Arizona.

Mr. UDALL. As a member of the Committee on Interior and Insular Affairs and as one who believes in reclamation, I commend the author of this bill for a sound bill, which will help to build the West and to build the Nation. I enthusiastically support the bill and urge the members of the committee to do likewise.

Mr. Chairman, this is another example of the statesmanship that has prevailed through the years in drafting and enacting reclamation legislation. This is not just a California project; it is a project contributing to the reclamation of the arid Southwest. As an Arizonan, I might have been expected to oppose a project like this for California, since our States in years past have had differences on water matters. However, those days are past, and we find the States of California and Arizona working together now to solve their mutual water problems.

A further example of this cooperation is the Lower Colorado River Basin project bill, which has been introduced in the House by 33 members of the California delegation and the three members of the Arizona delegation. A comprehensive plan to finance long-range solutions to the water needs of the Southwest, this legislation will probably be the next major reclamation proposal to come before the Congress.

The reclamation idea has proved of inestimable value to this Nation, making the deserts bloom and providing a vital resource to the millions of Americans who have moved to the West in recent decades. I am pleased to see this idea being extended today in California and look forward to the day—hopefully soon—when we will extend it to the development of the Lower Colorado River Basin.

Mr. JOHNSON of California. I thank the gentleman from Arizona.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to my colleague from California.

Mr. SISK. I take this time to pay tribute to the great work, the patience, and the understanding of my colleague [Mr. JOHNSON] with respect to this project. Having worked with him over the years, I know the many problems he struggled with in pulling together various forces, finally coming to the Congress with a project on which we have unanimous agreement. I pay particular tribute to him, and I especially commend the committee over which the distinguished gentleman from Colorado [Mr. ASPINALL] so ably presides, for the good work they do, and commend the ranking Member as well as the Members on the minority side.

Mr. JOHNSON of California. I thank the gentleman from California.

Mr. ROYBAL. Mr. Chairman, I am happy to join with my colleagues from California in urging the adoption of H.R. 485, legislation which authorizes the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom south unit of the American River division of California's Central Valley project, under provisions of the Federal reclamation laws.

The Auburn-Folsom south unit is vitally necessary to meet our State's rapidly increasing needs and demands for water for domestic, agricultural, municipal, and industrial purposes, for electric power and energy, for additional flood protection, to enhance fish and wildlife, and to provide greater outdoor recreational opportunities.

This proposed multipurpose project is the culmination of some 20 years of investigation and planning by our local and State agencies and by the Interior Department's Bureau of Reclamation as well as other Federal agencies.

As such, it is part of a comprehensive basinwide plan to maximize the economic utilization of the remaining waters of the American River Basin, which has been developed as an integral part of the Central Valley project's ultimate plan.

The estimated cost of $425 million is 91 percent reimbursable to the Government, primarily from revenues derived from agricultural irrigation and electric power uses.

In view of the tremendous importance of the development of California's water and power resources to meet the needs of our fast-growing State, and because of the great contribution this project will make in the overall development of the Western States, I strongly urge the adoption of H.R. 485 for the full authorization requested.

Mr. ASPINALL. Mr. Chairman, I have no further requests for time and yield back the remainder of my time.

Mr. BERRY. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the principal purpose of increasing the supply of water available for irrigation and other beneficial uses in the Central Valley of California, the Secretary of the Interior (hereinafter referred to as the "Secretary"), acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain, as an addition to, and an integral part of, the Central Valley project, California, the Auburn-Folsom South unit, American River division. The principal works of the unit shall consist of—

(1) the Auburn Dam and Reservoir with maximum water surface elevation of one thousand one hundred and forty feet above mean sea level, and capacity of approximately two and one-half million acre-feet;

(2) a hydroelectric powerplant at Auburn Dam with initial installed capacity of approximately two hundred and forty thousand kilowatts and necessary electric transmission system for interconnection with the Central Valley project power system: *Provided,* That provision may be made for the ultimate development of the hydroelectric capacity (now estimated at approximately four hundred thousand kilowatts) and such installation may be made when the Secretary determines that it is economically justified and engineeringly feasible;

(3) the Sugar Pine Dam and Reservoir;

(4) the County Line Dam and Reservoir;

(5) necessary diversion works, conduits, and other appurtenant works for the delivery of water supplies to projects on the Forest Hill Divide in Placer County and in the Folsom-Malby area in Sacramento and El Dorado Counties;

(6) the Folsom South canal and such related structures, including pumping plants, regulating reservoirs, floodways, channels, levees, and other appurtenant works for the delivery of water as the Secretary determines will best serve the needs of Sacramento and San Joaquin Counties: *Provided,* That the Secretary is authorized to include in such canal and related operating structures such additional works or capacity as he deems necessary and economically justified to provide for the future construction of the East Side division of the Central Valley project, and the incremental costs of providing additional works or capacity in the Folsom South canal to serve the East Side division of the Central Valley project shall be assigned to deferred use for repayment from Central Valley project revenues. In the event that the East Side division is authorized, such costs shall be deemed a part of the cost of that division and shall be reallocated as the Secretary deems right and proper.

SEC. 2. Subject to the provisions of this Act, the operation of the Auburn-Folsom South unit, American River division, shall be integrated and coordinated, from both a financial and an operational standpoint, with the operation of other features of the Central Valley project, as presently authorized and as may in the future be authorized by Act of Congress, in such manner as will effectuate the fullest, most beneficial, and most economic utilization of the water resources hereby made available. Auburn and County Line Dams shall be operated for flood control in accordance with criteria established by the Secretary of the Army as provided for in section 7 of the Flood Control Act of 1944 (58 Stat. 887; 33 U.S.C. 709).

SEC. 3. The Secretary is authorized as a part of the Auburn-Folsom South unit to construct, operate, and maintain or otherwise provide for basic public outdoor recreation facilities, to acquire or otherwise to include within the project area such adjacent lands or interests therein as are necessary for present or future public recreation use, to allocate water and reservoir capacity to recreation, and to provide for the public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes. The Secretary is authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and additional development of project lands or facilities, or to dispose of project lands or facilities to Federal agencies or State or local public bodies by lease, transfer, conveyance, or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation purposes. The Secretary is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided,* That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. In connection with the foregoing undertakings and developments for the enhancement of fish and wildlife resources on the Auburn-Folsom South unit, (1) Federal costs incurred specifically for land and basic facilities shall be nonreimbursable, and (2) joint costs allocated to recreation and fish and wildlife exchancement shall in the aggregate be nonreimbursable to the extent they do not exceed the sum of $17,000,000 plus 2 per centum of the cost of joint-use land and facilities of the unit in excess of $200,000,000. Provision shall be made for the reimbursement, for the contribution by non-Federal interests, or for the reallocation of costs allocated to recreation and fish and wildlife enhancement in excess of the foregoing limit under one or a combination of the following methods as may be determined appropriate by the Secretary: (1) provision by non-Federal interests of land or interests therein or facilities required for the unit; (2) payment or repayment, with interest at a rate comparable to that provided in the Water Supply Act of 1958 (72 Stat. 319), pursuant to agreement with one or more non-Federal public bodies; (3) reallocation to other project functions in the same proportion as joint costs are allocated among such functions. Costs of means and measures to prevent loss of and damage to fish and wildlife shall be treated as unit costs and allocated to the other unit purposes. For the purpose of this Act, "joint-use land and facilities" shall mean land and facilities serving two or more unit purposes, one of which is recreation or fish and wildlife enhancement. Nothing herein shall limit the authority of the Secretary granted by existing provisions of law relating to recreation, development of water resource projects, or disposition of public lands for recreational purposes.

SEC. 4. In locating and designing the works and facilities authorized for construction by this Act, and in acquiring or withdrawing any lands as authorized by this Act, the Secretary shall give due consideration to the reports upon the California water plan prepared by the State of California, and shall consult the local interests who may be affected by the construction and operation of said works and facilities or by the acquisition or withdrawal of lands, through public hearings or in such manner as in his discretion may be found best suited to a maximum expression of the views of such local interests.

SEC. 5. Nothing contained in this Act shall be construed by implication or otherwise as an allocation of water, and in the studies for the purposes of developing plans for disposal of water as herein authorized the Secretary shall make recommendations for the use of water in accord with State water laws, including but not limited to such laws giving priority to the counties and areas of origin for present and future needs.

SEC. 6. There is hereby authorized to be appropriated for construction of the Auburn-Folsom South unit, American River division, the sum of $425,000,000 plus or minus such amounts, if any as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the project.

Mr. ASPINALL (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill may be considered as read in full, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, lines 17 and 18, strike out "the Secretary determines that it is economically justified and engineeringly feasible;" and insert "duly authorized by an Act of Congress:".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 18, add the following proviso: "*Provided further,* That no facilities, except those required for interconnecting the Auburn powerplant and the Folsom switchyard and those interconnecting the Folsom switchyard and the Elverta substation, shall be constructed for electric transmission or distribution service which the Secretary determines, on the basis of a firm offer of a fifty-year contract from a local public or private agency, can be obtained at less cost to the Federal Government than by construction and operation of Government facilities;".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 4, line 8, through page 6, line 18, strike out all of section 3 and insert the following:

"SEC. 3. (a) Subject to the provisions of subsections (b), (c), (d), and (e) of this section, the Secretary is authorized in connection with the Auburn-Folsom South unit (i) to construct, operate, and maintain or provide for the construction, operation, and maintenance of public outdoor recreation and fish and wildlife enhancement facilities, (ii) to acquire or otherwise to include within the unit area such adjacent lands or interests in land as are necessary for present or future public recreation or fish and wildlife use, (iii) to allocate water and reservoir capacity to recreation and fish and wildlife enhancement, and (iv) to provide for the public use and enjoyment of unit lands, facilities, and water areas in a manner coordinated with other unit purposes. The Secretary is further authorized to enter into agreements with Federal agencies or State or local public bodies for the operation, maintenance, and replacement of unit facilities, and to transfer unit lands or facilities to Federal agencies or State or local public bodies by lease or exchange, upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

"(b) Costs of recreation facilities at Sugar Pine Reservoir shall be nonreimbursable, and the provisions of subsections (c), (d), and (e) of this section shall not be applicable to such facilities.

"(c)(1) If, before commencement of construction of the unit, non-Federal public bodies agree to administer unit land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the unit approved by the Secretary and to bear not less than one-half the separable costs of the unit allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance and replacement incurred in connection therewith, the remainder of the separable capital costs so allocated shall be nonreimbursable.

"(2) In the absence of such a pre-construction agreement recreation and fish and wildlife enhancement facilities (other than minimum facilities for the public health and safety at reservoir access points) shall not be provided, and the allocation of unit costs shall reflect only the number of visitor days and the value per visitor day estimated to result from such diminished recreation development without reference to lands which may be provided pursuant to subsection (e) of this section.

"(d) The non-Federal share of the separable capital costs of the unit allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the Secretary: (i) payment, or provision of lands, interests therein, or facilities for the unit; or (ii) repayment, with interest, within fifty years of first use of unit recreation or fish and wildlife enhancement facilities: *Provided,* That the source of repayment may be limited to entrance and user fees or charges collected at the unit by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiation at intervals of not more than five years.

"(e) Notwithstanding the absence of preconstruction agreements as specified in subsection (c) of this section lands may be acquired in connection with construction of the unit to preserve its recreation potential, its fish and wildlife enhancement potential, or both.

"(1) If non-Federal public bodies agree within ten years after initial unit operation to administer unit land and water areas for recreation and fish and wildlife enhancement pursuant to the plan for development of the unit approved by the Secretary and to bear not less than one-half the costs of land acquired therefor pursuant to this subsection and facilities and project modifications provided for those purposes and all costs of operation, maintenance and replacement incurred therefor, the remainder of the costs of such lands, facilities, and project modifications shall be nonreimbursable. Such agreement and subsequent development shall not be the basis for any allocation of joint costs of the unit to recreation or fish and wildlife enhancement.

"(2) If, within ten years after initial operation of the unit, there is not an executed agreement as specified in paragraph (1) of this subsection, the Secretary may utilize the lands for any lawful purpose within the jurisdiction of the Department of the Interior, or may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purpose in conflict with the purposes for which the project was constructed, and in every case preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

"(f) Subject to the limitations hereinbefore stated, joint capital costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable.

"(g) Costs of means and measures to prevent loss of and damage to fish and wildlife shall be treated as unit costs and allocated among all unit purposes.

"(h) As used in this Act, the term 'nonreimbursable' shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges."

Mr. ASPINALL (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment may be considered as having been read in full, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Chairman, I wish to advise the committee that this is a similar amendment to the one adopted on the previous legislation, which brings the legislation up to date so far as the formula heretofore adopted in the fish and wildlife, and recreation allocation bill is concerned.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 7, line 15, strike out "$425,000,000," and insert "$425,000,000 (1965 prices)".

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. MCFALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 485) to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom South unit, American River division, Central Valley project, California, under Federal reclamation laws, pursuant to House Resolution 399, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may have 5 days in which to extend his remarks in the RECORD on the two bills just passed, H.R. 237 and H.R. 485.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

TRIBUTE TO DAVID E. BELL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I should like to pay tribute to a man who 2½ years ago undertook a truly herculean and thankless task and has proved to be one of the best administrators this country has produced.

I refer to AID Administrator David E. Bell who on Saturday reached a record both in tenure of his office and performance. As of Saturday, June 12, he had been running the U.S. foreign aid program for 2 years, 5 months, and 22 days. And that is longer than anyone else has been willing or able to sit in the AID hot seat.

When Bell first took over, his friends offered condolences rather than congratulations. His job, assigned to him by President Kennedy in December 1962, was generally viewed as the most unwelcome Christmas present of the season.

Bell took on the AID chore without political pipelines into Congress. He came to it via work in the aid field in Pakistan, the Littauer School at Harvard, and his success in the demanding role of Budget Director. The consensus at the time was that the best Bell could hope for was a soft landing.

Since then, he has been winning praise from friend and foe alike. As we all know, the House Foreign Affairs Committee has commended Mr. Bell for giving the program its most efficient administration to date.

Members of Congress, no matter what their philosophy on foreign aid, rarely quarrel with Bell's careful, patient expositions of his programs. His listeners invariably know that he is firmly in charge of a program that he thoroughly understands. President Johnson has served clear and unambiguous notice to talent-hunting corporation executives that Bell is definitely not for hire.

His successful tenure will exceed that of Paul Hoffman, who directed most of the expenditure of the $12 million Marshall plan in non-Communist Europe, which brought about the dazzling recovery of stricken Europe and halted the march of communism in that part of the globe.

The new aid program is devoted mainly to the developing nations. It is a long-term undertaking where spectacular results—much less a quick cure—cannot be expected. Mr. Bell firmly believes that American assistance by itself can do little, the secret of success, he says, "is to find projects where a margin of external help will release the energies and resources of the people of the country for their own betterment."

Mr. Bell is in charge of spending somethink like $2 billion a year.

By revamping the AID program, Mr. Bell, an eminent and hardheaded economist, insured that most money is spent here in the United States rather than overseas. As Bell argues the point, in 1962, approximately 60 percent of AID money was going overseas. Now less than 15 percent goes out of this country. The rest is spent inside the country to buy American goods and secure American services. Thus more jobs are created for Americans.

Mr. Bell has fostered many other changes in our economic aid methods. A major shift from grants to loans has taken place. Private business is increasingly participating in foreign aid, and technical assistance and loans have been used to encourage private enterprise in recipient countries.

As we review the growing evidence of AID's successes, we offer our sincerest congratulations to Mr. Bell on his long tenure. I am informed that he has termed his longevity in a post famous for fast turnovers as "a very minor distinction." He added that he "did not come here to outlast anybody but to try to do a job."

We all agree that David Bell has indeed done the job well—most ably directing programs which contribute immeasurably to the security of the Nation and to peace and prosperity abroad.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is interesting to hear that Mr. Bell has served as administrator of the foreign handout program for 2 years, 5 months, and 22 days, 7 hours, and 32 minutes, or whatever it was. In that short time he has dispensed to foreigners several billion of our dollars. I might add the wish they could get a personnel manager of the foreign giveaway program that could stay on the job for more than a year.

IMMIGRATION LAW TO BE MODERNIZED

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, I have called a meeting of the Subcommittee on Immigration and Nationality for 10 a.m. on June 17 for the purpose of continuing our consideration of the various proposals for immigration reform which are pending and for the purpose of marking up the administration bill. All major proposals now pending call for repeal of the national origins quota system. The issue to be resolved by the subcommittee is what system of immigrant admissions shall replace the present system. It is my hope and expectation that the subcommittee will resolve this matter without delay.

POLICE BRUTALITY IN JACKSON, MISS.

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on Monday, in Jackson, Miss., 472 American citizens were arrested; yesterday 203 more were arrested, making a total of 675 who have been jailed for exercising their constitutional rights, for peacefully demonstrating against the State legislature's special session. John Lewis, chairman of the Student Nonviolent Coordinating Committee, and Charles Evers, field secretary of the NAACP, were among those jailed.

There are reports of demonstrators being made to run a gauntlet. It has been admitted that State highway patrolmen covered their badges with adhesive tape to conceal their identities.

At least five were hospitalized; four had head injuries and scalp lacerations.

Mr. Speaker, this police brutality must cease. I call upon the Attorney General to investigate the conduct of the Mississippi officials. It is but another shocking example of police brutality in that State, another link in a long chain of attempts to deprive free citizens of their constitutional rights. Every day seems to bring another. Americans want an end to this reign of terror. When one constitutional right is denied, all rights are in danger.

Mr. Speaker, the latest brutalities show the need for Federal legislation to help protect these peaceful demonstrators—and all other citizens. Brutality by police officials should not be countenanced in our land.

In this session I reintroduced my bill (H.R. 5426) to protect civil rights by providing civil and criminal remedies for unlawful official violence. It would enact strict penalties for subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody. It would also provide punishments for other acts of misconduct so prevalent in Mississippi, such as official aid to private persons in carrying out acts of unlawful violence, and unnecessary force used in eliciting confessions. These vital measures are needed now. I urge the Judiciary Committee to hold hearings on this important measure and to report it out favorably. Clearly, if some are unsafe, none are safe. We must enact this bill to protect the constitutional rights so basic to our American way of life.

THE HAND THAT FEEDS HAS BEEN BITTEN AGAIN

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, the hand that feeds has been bitten again. Earlier this year the United Arab Republic came to us calmly and quietly—asked us to feed its starving, impoverished millions. Under the Public Law 480 program, this country agreed to send wheat. Gentlemen, Nasser has played us for a humanitarian sucker.

It has just come to light that he took our surplus wheat, and proceeded to export his domestic rice to China, Cuba, and other Communist nations. When the program was first initiated, it was agreed that Egypt would not export rice, a ready substitute for the proffered American wheat, unless a certain level of rice production had been reached in Egypt—and even then only a certain percentage of rice could be exported, and certainly not to the "Chicoms" or Cuba. The rationale behind these arrangements was obvious: we would not pour wheat into a nation which was selling or exporting an agricultural crop which could feed the populace just as well as our wheat.

This agreement has been blatantly violated: Egypt has exported more rice than the percentage agreed upon. In fact, we have been inadvertently guilty of trading with the enemy—we have been subsidizing by a circuitous route, Egyptian exports to Red China and Cuba. This is not only a threat to the rationality of our foreign aid program—it is a direct and dangerous attack on our national security. Egypt today deliberately attempts to foil and circumvent our foreign policy. Two countries we will not trade with because of their clear-cut belligerent attitudes are now receiving the benefits of our Public Law 480 wheat via the United Arab Republic.

Thus, not only do we innocently render aid to our most dangerous enemies; but instead of turning Nasser from communism, we entrench him more firmly within the Communist camp. Not only has Nasser abused us, burned our books, and fanned the flames of war in the Middle East—now he has aided our enemies by taking our wheat and in return sending his rice to China, Cuba, Indonesia, and the Soviet Union.

If an American did that we would call it treason—at the least, we can call it international treachery. Nasser has broken our agreements and now threatens our national security. Last March we voted on the extension of aid to Egypt and we agreed to give the President the discretionary power to control the flow of foreign aid funds in times of threat to our national security. I personally wrote the President of my concern lest he had any misconceptions of our vote giving him discretion on sales of wheat to Egypt. The President's letter in reply guaranteed that he "will be guided in any decision on these matters by our own national interest and our own national security."

It is obvious that our own national security now is at stake. We as a body must demand the immediate cessation of all further and pending aid to Egypt.

HONORARY DOCTORATES CONFERRED ON CONGRESSWOMAN EDITH GREEN

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, one of the most honored Members of this House is the distinguished gentlewoman from Oregon [Mrs. GREEN]. She has received during her public service many doctorates in many fields. In this year alone, and within the past week, she has received a doctor of laws degree from Hood College, Maryland, doctor of laws from Regis College in Massachusetts, doctor of laws from St. Xavier College, Illinois, doctor of laws from Yale University, and doctor of laws from Keuka College, New York.

She was also honored by a very great institution in Boston, Mass., Boston College. She was awarded a doctor of laws degree by that fine institution of higher education.

I would like to read the citation to the Members of the House:

EDITH GREEN

Now in her sixth term as Member of Congress, EDITH GREEN has won golden opinions as the cogent and compassionate voice for those functions of Government grouped under the term "general welfare." In the Halls of Congress, and even more effectively in the sessions of the Special Subcommittee on Education, of which she is chairman, Congresswoman GREEN's resourceful advocacy and statecraft have brought to successful enactment all manner of laws for the good estate of education and labor, for the protection of children and the aged, for the humane revision of public policy bearing on immigration, wages, and arms control.

Educated at Willamette University, the University of Oregon, and at Stanford, Mrs. GREEN was a teacher in the public schools of Salem, Oreg., for 11 years before engaging in radio broadcasting and in public relations. It was from the post of public relations director of the Oregon Educational Association that she went as a freshman Representative to the 84th Congress. From her first days in Government she has been known as the exceptionally well-informed, courageous, openminded servant of the good society. Today's honorary doctorate is the 10th which she has been awarded by universities from Alaska to Maryland.

Mindful of the power committed to them by the supreme authority in the Commonwealth of Massachusetts, the president and the trustees have enrolled the Honorable EDITH GREEN among the honorary doctors of Boston College, and now joyfully greet her as doctor of laws, honoris causa.

MICHAEL J. WALSH, S.J.,
President.

Congresswoman GREEN now adds these 1965 honorary degrees to many other distinguished honors she has received in the past, including the 1964 Distinguished Service Award of the American College Public Relations Association; Distinguished Achievement Award, National Association of Colored Women's Clubs, 1962; 1964 "Top Hat" Award of Business & Professional Women's Clubs of America; 1958 Woman of the Year, National AMVETS Auxiliary; Brotherhood Award, Portland B'nai B'rith, 1956; and the 1964 Outstanding Service to Handicapped Award, Goodwill Industries of America.

I know that one of Congresswoman GREEN's greatest personal satisfactions comes from the successful efforts that the Federal Government is now making in the many fields she so expertly, willingly, and zealously fostered in the Congress. Many of the bills she sponsored and shepherded through the legislation process have become law, including the Higher Education Facilities Act of 1963, the Juvenile Delinquency Prevention and Control Act of 1961, the Library Services Act, the Arms Control and Disarmament Agency, social security improvements, including medicare; hospital and nursing home care for the aged, equal pay for equal work for women, Nurses Training Act, aid to handicapped children, Alaskan and Hawaiian statehood bills, liberalized immigration laws, and improved minimum wage legislation.

As chairman of the Special Subcommittee on Education, and a member of the House Education and Labor Committee, Mrs. GREEN played a vital role in the enactment of many pieces of progressive legislation. She was a member of the 1962–63 President's Commission on Status of Women, the U.S. Commission to UNESCO, two commissions of National Council of Churches, the 1958 Parliamentary Conference at Clarens, Switzerland, the 1959 NATO Conference at London, and the 1964 UNESCO general conference at Paris, France.

Mr. Speaker, those of us who are members of the Boston College alumni are pleased to have Congresswoman GREEN as one of our honored alumni. We are proud that she joins a long list of distinguished Americans who have received honorary degrees from Boston College. And I know that I speak for all of my colleagues when I pay tribute to her intelligence and graciousness and congratulate her on receipt of honorary doctorates from Hood College, Regis College, St. Xavier College, Yale University and Keuka College, in addition to Boston College. Mrs. GREEN is one of the great women serving in Congress, and when these eminent institutions of higher learning honor her, they are, in a sense, honoring all of us who serve with Mrs. GREEN in this cherished parliamentary body.

TRIBUTE TO CONGRESSMAN ALBERT WATSON

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, today we have the opportunity to personally welcome back to Congress a great legislator and a great American, ALBERT WATSON, of South Carolina.

In an overwhelming victory yesterday the people of the Second Congressional District of South Carolina sent their Congressman back to Washington to sit on the opposite side of the aisle. Mr. Speaker, we are proud to have him there.

Both as a Democrat and as a Republican, Congressman WATSON has consistently shown the type of dedication and leadership necessary to this Congress and this Nation. He is unyieldingly committed to Americanism and all that that word stands for. I feel that we would be fortunate to have him on either side of the aisle, but I am particularly proud that he chose to sit on mine.

HEARINGS ON FEDERAL BOXING COMMISSION LEGISLATION

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, today I announced that on Tuesday, July 6, the Committee on Interstate and Foreign Commerce will begin hearings on legislation to establish a Federal Boxing Commission. The hearings will be held on two identical bills, H.R. 8635, introduced by myself on May 27, and H.R. 8676 introduced by our colleague from South Carolina [Mr. RIVERS]. Our first witness will be the Chairman of the Federal Communications Commission Mr. E. William Henry. He will be followed by several persons thoroughly familiar with various aspects of professional boxing who have advised me that they will appear at these hearings to place before the committee their experience and recommendations.

When I introduced H.R. 8635 following the Clay-Liston match I indicated that the Congress of the United States should find some way of restoring integrity to these exhibitions which are of such great interest to so many people in this country. About 15 years ago our committee dealt with a somewhat similar problem; namely, rigged quiz shows. At that time, millions of Americans who had watched these programs with great interest thought they saw a bona fide contest. Actually our investigation showed that these contests were rigged. Our committee recommended and the Congress passed legislation which laid down important ground rules in this area. It is my hope that a thorough study of the boxing situation likewise will result in remedial legislation and at last restore to their rightful place the exhibition matches which are such national favorites.

WHERE IS THE SPIRIT AND PATRIOTISM OF YOUTH DEFIANT OF THIS COUNTRY'S POLICIES IN A TIME OF CRISIS?

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, 20 years ago the last major battle of the Pacific in World War II was under way. On Easter Sunday, April 1, two corps of Army and Marine troops under Lt. Gen. Simon Bolivar Buckner, Jr., had invaded Okinawa after cleaning up on Iwo Jima at a cost of almost 5,000 dead.

In desperation, the Japanese launched about 6,000 kamikazes to stave off capture of Okinawa, and before organized resistance to the Allied invasion ended June 21, 1945, the suicide planes had sunk 36 vessels and damaged 332 others.

General Buckner died in the battle for Okinawa, and Allied casualties amounted to approximately 40,000. World War II was now almost over, but it had taken the lives of more than 405,000 Americans and wounded an additional 670,000.

The story for America's civilian fighting force in World War II began on October 16, 1940, when 16½ million men and boys went to a school house or other registration center in response to a provision of the selective service law which, among other things, required every male between the ages of 21 and 35 thereafter to carry a draft card regardless of his eligibility status.

America is engaged in another war today, or perhaps it should be termed an extension of the disorder that tyrants imposed upon the world more than a quarter century ago. Whatever the case, American boys are dying in Vietnam and in the Dominican Republic, and every member of our fighting forces taking part in that action deserves the same material and moral support and the same gratitude as those now honored in retrospect for their defense of the Stars and Stripes in past battles. A traitor or a slacker today is every bit as culpable and as contemptible as his counterpart during World War II.

Mr. Speaker, it is obvious that a good many of our citizens do not concur in President Johnson's policy that includes Indochina in this country's line of defense. At least half of our people opposed U.S. participation in World War II, but when our involvement became official men and boys went off in uniform regardless of their individual theories. There were exceptions, as in the case of conscientious objectors guided by religious convictions, but so far as can be determined none were excused because of political persuasion.

Where have all the soldiers gone? To Vietnam, the Dominican Republic, and wherever else their Commander in Chief directs them. But where is the spirit and the patriotism of the growing numbers of young people so openly defiant of U.S. policy as to echo the sentiments and the accusations that originate in Moscow and Peiping? The disgraceful demonstrations perpetrated by college students around the country are particularly disturbing at a time when so many other young men of college age are being exposed to the savagery of the Communist enemy in Asia.

When will they ever learn? Perhaps not at all if their arrogance is not challenged instead of tolerated. To permit hissing and shouting when U.S. Ambassador W. Averell Harriman spoke at Cornell University may be an accepted tradition of the American forum, but allowing the demonstrators to sit-in at the auditorium long after the program had been concluded would seem grounds for arrest.

Perhaps there will come a time when officials in the universities that have been beseiged by demonstrators will decide to reclaim the authority they have surrendered to unruly students. Whether they do or not, there is one current fad of the Communist-inspired movement that may require the immediate attention of the Congress. I have asked the Director of the Selective Service System what action has been taken against college students—or any others—who have deliberately destroyed their draft cards. If there has been a relaxing of the law requiring that these cards be retained in possession of all who have registered for selective service, an investigation would seem in order.

Mr. Speaker, within the past weeks I have attended two funerals of young men whom I appointed to the U.S. Military Academy. These West Point graduates were slain at the peak of their youth: Lt. Charles F. Hutchison, of Kittanning, lost his life in the Dominican Republic, and Capt. John C. Sigg, of Johnstown, was killed in Vietnam.

I just wish the people demonstrating throughout this country would have witnessed the shock and sadness on the faces of immediate family members, relatives, and friends. These fine Army officers gave everything they had for this country and to help save its citizens from Godless tyranny.

I am deeply disturbed and grieved to note these demonstrations which are vigorously expounding the Communist conspiracy at a time of national crisis. The participants are either willingly or unwillingly supporting a cause which is foreign to the American way of life.

AN AGREEMENT BROKEN—A PLEDGE BROKEN?

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, during the agriculture appropriations bill debate we had assurances from the Department of Agriculture that we would not release the $37 million worth of surplus commodities due to Egypt under Public Law 480. This agreement is due to expire on June 30. Press reports have been coming out of Cairo, claiming that President Johnson has decided in spite of these assurances, to release the $37 million of surplus commodities. I hope that these reports are rumor and not fact. The Department of Agriculture has said that it has no knowledge of such a decision from the White House.

The importance of discontinuing this aid has again been reemphasized by the exposure of Egypt's bad faith in keeping within the rice crop export quota as established by the present aid agreement between Egypt and the United States. Under terms of the 3-year trade agreement that expires June 30, Egypt is restricted as to the amount of rice it can sell abroad. The agreement specifies that if Egypt's total rice crop in a marketing year—November 1 to October 31—is as high as 1.4 million metric tons, it can export up to 455,000 metric tons. Any amount produced over 1.4 million tons may also be exported under this agreement. In the 1964 marketing year the rice crop was 1.465 million tons. This means that Egypt could have exported an additional 65,000 tons, plus the 455,000 tons, or 520,000 metric tons of rice. The Department of Agriculture has informed me that Egypt actually exported 589,000 tons, or in other words has exceeded the agreement by selling in excess of 69,000 metric tons.

This should help reinforce the President's previous apparent resolve to stop any further shipment of our surplus commodities to Egypt. We have filled many pages of the Record with debate on this issue. It is my hope that the President will honor his pledge with the American people and stop this futile attempt to bribe the Egyptian Government to restrain itself from interfering in the affairs of the emerging governments on the African Continent.

"MASTERY OF IDEAS: THE KEY TO THE FUTURE"

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, recently at Albion College, Albion, Mich., I had the opportunity of hearing the commencement address by Mr. Alvin C. Eurich, president of the Aspen Institute for Humanistic Studies.

I was impressed by his analysis and presentation which he entitled "Mastery of Ideas: The Key to the Future."

Under leave to extend my remarks, I include this address:

President Norris, honored guests, ladies, and gentlemen, change is in the air; it is fast becoming commonplace. Change in science, change in technology, change in customs and procedures, change in political and social systems—these are perhaps the most vital in our world. We cannot turn away from them or refuse to recognize their impact on our lives. Indeed this is the most exciting time in human history to be alive—a time in which every field of endeavor sees the dissolution of old notions and the lifegiving yelp of new ideas being born.

Yet change is not all. Change is not what guides our lives and gives them significance. There is something more stable than the dance of atoms which the scientists tell us is the ultimate reality or the dreamlike explorations into space. There is something more meaningful than the buzz of happenings which splash across the newspaper's front page each day.

In this world of rapid change, some basic ideas and ideals give us the stability we urgently need as individuals and as a society. These ideas give form to experience and direction to each of our lives. How can we continue throughout our adult lives to nurture, refine, and enhance the basic ideas which make us more than automatons? How, fully recognizing the achievements of science and technology, can we build upon them a superstructure of life-enhancing and soul-satisfying ideas and ideals? What this really comes to is: How, in the midst of the most advanced scientific civilization in the world, can we become more mature in our thinking about those ideas that have shaped our civilization? This is the principal concern of the humanities. Broadly conceived and concretely applied to human life, the humanities constitute the most potent subjects of study. They enlarge the character. They sharpen the capacity of anyone who dedicates himself to their discipline.

Among the aims of Albion College there is one especially admirable. The bulletin states that your education here has been designed to give you "familiarity with the major ideas that have molded history and which pervade present culture and its institutions." That is an exhilarating and stern goal. The bulletin makes clear that it can hardly be attained as part of a 4-year course of study. It is the job of a lifetime.

If we hope in the years ahead to grow as a nation rather than merely to advance, if we seek to become more broadly sensitive to the world around us and more deeply committed to the highest human values, if we strive not merely to accumulate but to become qualitatively better—if we aspire to these things then we must make the humanities a continuing part of our lives.

Perhaps I need to digress here briefly to make clear what I mean by "the humanities." The humanities are not simply words and books, nor are they just the humanistic fields of study such as philosophy, literature, languages, history, comparative religion, and the arts. Words and books are the invaluable records of the past. But they are dead unless they are interpreted and expressed in the lives of human beings today.

The humanities suggest man's ability to contemplate uncertainty, to resist dogmatism, to take delight in the differences between men, nations, cultures, and ages. The humanities reflect man's capacity to plan, to set goals, to work toward rational ends rather than being governed by instinctive urges. The humanities directly touch the life of man. They encompass our beliefs, our ideals, our highest achievements.

Any person with feeling, any person who is truly concerned with his conduct toward others; any person with ideals to achieve; any person who thinks about the basic ideas that make a difference in the lives of men; any person who creates something, whether in art, music, literature, or scholarship, that vitally affects the way people live; any person who is using his intellect in the interest of mankind—any such person is in a very vital way dealing with the humanities.

Understood in this way, humanistic study constitutes what Frank Jennings calls "one of the most profound, mind-shaping experiences in the life of man * * * (making) it possible for Plato and Christ to instruct us from thousands of years away. It joins minds and times together for the better management of our universe * * * it is through the record that others leave to us in fact and fancy that we as human beings live so richly in so short a time."

Most people today, from college onward, are caught up completely in the busyness of making a living rather than in the rewards and delights of living. The outcome of such preoccupation can be disappointing to us as individuals. The sum total could be disastrous to our Nation. For only as each of us strives to carry forward humane values can mankind understand and control the vast forces unleashed by technology and power.

Let me just say here among you who have shared these delights, what you already know: that he who is a stranger to any tongue but his own; he who believes what he likes and likes what he believes without ever having submitted his ideas to scrutiny; he who has never dwelt with Homer and Shakespeare; he who is deaf to the exaltation of music, blind to the eloquence of paint, marble, and metal—that man is so much the less a full human being.

I believe that we Americans of today are entering a society which is more and more conscious of these values of the humanities. It is no exaggeration to say that we are in the midst of a cultural renaissance in this country. Mr. Alvin Toffler in his recent book "The Culture Consumers" deserves the credit for bringing this trend to public attention. Consumer spending on the arts rose from 1953 to 1960 by about 130 percent, or considerably more than twice as rapidly as spending on all recreation, and better than six times as fast as outlays for spectator sports.

Take the visual arts as an example. One new gallery or museum opened every fourth day last year in the United States, and more people visited galleries and museums than went to baseball games. As a result of this growth, there are more galleries in New York City today than there were in the entire country in 1950.

Similar developments might be traced in the field of music. For example, here in Michigan the Detroit Symphony's attendance has risen from 300,000 to 700,000 in a decade. Or, we could examine the paperback revolution in publishing. It brings scholarly books, formerly passed from hand to hand by faculty members, into the possession of millions of students. In the past 5 years, book sales as well as library circulation have increased three times more rapidly than the population.

Even the mass media have contributed to the cultural explosion. A recent nationwide broadcast of "Hamlet" was seen by more people, in one evening, than the total number who have seen it performed since it was written.

Perhaps it may seem wrong to speak of the arts and the humanities in terms of dollar volume, attendance, and sales. Numbers, of course, are no indication of quality, and the fact that millions of people watched "Hamlet" over television tells nothing about what benefits, if any, each of those millions derived from the experience.

But in another sense these statistics are very significant. For there cannot be a great flowering of art or of the humanistic studies unless audiences, facilities, and resources are available. Just as students and scholars need books, so painters need galleries, dramatists need theaters, and musicians need orchestras. It is certainly clear that the great cultural epochs of the past were firmly rooted in certain material conditions. When we think of the greatness of Greek drama, we think automatically of the great theaters at Athens and Epidaurus. When we marvel at Shakespeare's achievement, we cannot overlook the challenge that shaped his art: the Elizabethan theater and its London audience avid for rich language and exciting action. The sculpture of Michelangelo and the music of Bach both drew their inspiration and their material support from the church, the great patron of the arts in that time.

In short, statistics and trends are important because they show whether or not a culture is ripe for certain kinds of development. The kinds of support and encouragement of the arts that these figures reveal are the lifeblood of a healthy cultural environment.

As a growing number of instances show, the economic prosperity of whole communities today is directly affected by their cultural climates. Communities and regions that formerly attracted new industry by advertising cheap labor or low-cost power now advertise orchestras, theaters, and universities. Business Week recently quoted the public-relations chief for a large Detroit manufacturer who summed up the new attitude of many corporations toward supporting culture. This executive said: "We have to be interested in the shape of the arts in cities where our plants are located, because if there are none, engineering and scientific people won't come."

Incidentally, the cultural explosion which I have described is having definite effects on the career opportunities. There is, for example, a need for managerial and executive ability in the whole cultural field. "As talent is needed to create and perform a work of art," wrote the recent Rockefeller Panel on the Performing Arts, "so equal talent—though of a different sort—is needed to create and govern the institutions that provide the settings for these arts."

Recognizing this need, the Ford Foundation has supported, over the past few years, an inservice program to train managers for arts organizations, as well as provided graduate fellowships (through Yale and New York Universities) to increase the supply of qualified museum curators and directors. But these programs meet only part of the need.

Arts centers of which there are at present 100 new ones under construction, need sensitive and imaginative administrators. Our museums and galleries must be managed. Orchestras and artists need to be brought to public attention and their careers carefully planned. The new repertory theaters being established in various cities, the educational television stations, the extension activities of colleges and universities—all these are generating unparalleled opportunities for young people who want to devote their skill and talent to the cultural field.

To return to the main theme, it is clear that the interests, tastes, and even the basic concerns of Americans are changing. Americans today have had a higher level of education, can look forward to more stable and rewarding careers, and can expect greater economic security than any generation that preceded them. In this generation there seems to be a resultant waning of purely economic motivations. The climb to the top was thrilling for us but perhaps today's young men and women care more about taking in the view—or in finding an entirely different kind of mountain to climb. At least, that is what is suggested by the success of the Peace Corps. In this new generation, America seems to be reaching a stage of national development that transcends, in many important respects, the purely material achievements of earlier generations. New needs are emerging that cannot be satisfied by material things alone. These needs cannot be met without understanding ourselves and our world. The preeminent means to understanding them is humanistic study.

How, then, can Americans strengthen their understanding of the humanities and of human values?

Perhaps they might focus on the objective in the Albion Bulletin. They might devote themselves to continuing and strengthening their "familiarity with the major ideas that have molded history and which pervade present culture and its institutions." Such a focus will make much of each individual's experience more comprehensible and valuable. It will also bring greater order and appreciation into our whole cultural life. As a people we will find ourselves able to pierce to the heart of many issues that seem confusing today. As individuals we will find that we can clarify and understand our own thoughts and emotions.

Let me give you a concrete example: Edward D. Myers recently conducted a study of how people at different stages of development vary in their thinking about one of these basic ideas of the humanities—freedom. He asked a group of elementary school children to write about freedom; he did the same with groups of high school and college students. Then he interviewed some college professors and professional men on the same subject and analyzed the papers and his notes from the interviews. Obviously the results are complex, but the trend runs generally as follows:

For elementary school children, the general response is "freedom is something we have. No one else has it." High-school students tend to say, "Freedom is something we have but the Russians don't." A bit more discriminating. College students go a step further, "Freedom entails responsibility." But the college faculty members and professionals are prone to say, "You can't really generalize about freedom. It is much too complex. You have to deal with it in specific situations." In effect, the professors threw in the towel on the complexity of thinking about freedom. To be sure, it is a difficult issue, but is this a valid reason to refuse to deal with it intellectually?

Let us look briefly at another key idea of the humanities that dominates our lives today: "Equality." Here we can draw from history, philosophy, literature, political science, anthropology, and other fields to develop a mature understanding. We might begin with Plato's "Republic," the classic Greek picture of a state based on the natural inequalities between men. For Plato, who assumed that men were unequal, the ideal state was one that organized men according to the true and most relevant order of inequality. Thus his utopia is realized when every man has been put in the place dictated by his nature. Aristotle, too, insisted that justice is proportional, and defended slavery on the basis of natural inequalities, in passages that were quoted widely in the American South before the Civil War.

Christianity injected a new idea of equality by changing the criteria of an individual's worth. Created in the image of God, each individual had an intrinsic worth despite any inequalities in his capacities. Thus spiritual equality superseded the Greek notion of natural inequality. This complete about-face was a chief turning point in Western history.

A further stage was reached when notions of political equality emerged during the enlightenment. This revolution against privilege emphasized a secular and activist equality that contrasted with the spiritual equality of the Middle Ages.

In the 20th century two concepts of equality took shape that still largely guide the world. In America the idea of equality of opportunity became a cardinal principle of social policy. In Russia the notion of economic equality was adopted from Marx and supposedly put into operation—though, as we now know, it quickly degenerated into another form of privileged hierarchy.

In our own country today we are on the verge of social cataclysm in some regions over this issue of equality. We have all seen the buttons distributed widely by civil rights groups—they consist merely of an equal sign. No one can understand the full historical significance of this movement without a firm grasp of the history of the idea of equality. Equally important are the insights contributed by philosophy, literature, psychology, sociology, economics, anthropology, and the other disciplines.

The study of the great generative ideas carries one into many fields. It is an endless but constantly rewarding pursuit. The important thing is not to finish but to start. Let each person select the ideas which most intrigue or stimulate him. Perhaps the idea of God, or justice, or education, or freedom, or equality. Let each person dip into what the great thinkers have said on this idea down through the ages. Let him trace its development through history, noting how it is reflected in contemporary literature, theater, movies, even television shows. He will find its reflection in the actions of people around him as well as in public actions and policies. He will discern consistent patterns emerging; he will see behind common misunderstandings. Then he will be able to apply what he has learned to his own life, to his appreciation of art and literature, to his response to public issues. Any American will find that his understanding of the basic ideas will give him a stability and power of mental functioning that few people readily attain without such discipline. In short, that continuing education in the humanities will go far to promote the intellectual, moral, and spiritual growth of our Nation.

Such growth has significance over and beyond each of us as individuals. If our civilization is moving into a phase in which questions of purpose will be paramount, then dealing with such questions will surely and swiftly become a prime duty of responsible citizens. The qualities of character and intellect which we have always tried to apply in our personal and family lives will be needed, more and more, in the public sphere as well. What August Heckscher has called the public happiness will become a concern of every one of us. The quality of our society, as measured by such standards as justice and beauty, will become a constant concern of the citizenry. The directions and goals we collectively pursue will be proper subjects for public debate—a tendency started a few years ago with the President's Report on National Goals. The state of the arts, of architecture, of music, and of philosophic thought, will engage the attention of more and more people. In short, we will move from a concern with necessities of life to a concern with ends, with purposes, with values—in short, with ideas. For this reason our continued growth toward maturity in dealing with ideas is not merely a personal matter, but an increasingly urgent demand of our society.

In his recent book on "Self-Renewal," the able president of the Carnegie Corp., said: "Instead of giving young people the impression that their task is to stand a dreary watch over the ancient values, we should be telling them the grim but bracing truth that it is their task to recreate those values continuously in their own behavior, facing the dilemmas and catastrophes of their own time. Instead of implying that the ideals we cherish are safely embalmed in the memory of old battles and ancestral deeds we should be telling them that each generation refights the crucial battles and either brings new vitality to the ideals or allows them to decay."

Both maturity in thinking and the vitality of ideas and ideals that have lived throughout centuries come through a reconsideration, a reappraisal and an adaptation to our times. This is the task of youth; this is the promise for the future.

Now the President has called upon us to lend our hands and our hearts to building the Great Society. This vision demands the reduction of the poverty, ignorance, and sickness which still blemish our affluent Nation. But it can and must mean something more. It must concern itself with the quality of American life, with our ideals, our ideas and with each of our personal lives.

In a real sense the cultivation of the humanities constitutes an integral part of any vision of a new America. To know what is best in ourselves we must know the best that has been thought and felt throughout human history. We must listen attentively to those scholars and artists who deal most directly with the matters that touch each of us most deeply. As we work toward President Johnson's Great Society—which, as he says, "must begin with learning"—let us keep in mind what Wordsworth wrote in "The Prelude.":

"There is one great society alone on earth:
The noble living and the noble dead."

NEW HAMPSHIRE GENERAL COURT VOTES VIETNAM SUPPORT

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, last month, the New Hampshire General Court adopted a resolution in support of our country's firm stand in southeast Asia. The legislature also expressed its gratitude on the part of the Granite State to the officers and men whose courage and professional skill is carrying out this policy. I concur with the resolution by the General Court of New Hampshire and offer for the RECORD an editorial from the Manchester Union-Leader which includes the text of the resolution itself. I am proud of my State and the general court.

SO PROUDLY WE HAIL

Both houses of the New Hampshire Legislature deserve great praise for their unanimous passage of the following resolution:

"Whereas our Nation is engaged in military action in support of the people of Vietnam; and

"Whereas this support calls for difficult decisions and actions by the Commander in Chief and his military and political advisers: Therefore be it

"*Resolved by the house of representatives* (*the senate concurring*), That we, the members of the 1965 General Court of New Hampshire, express our approval of such firm and fair action as may be necessary to fulfill our responsibilities in southeast Asia; and be it further

"*Resolved,* That we express our admiration and gratitude to the members of the Armed Forces and to those other American men and women who are facing dangers on our behalf; and be it further

Resolved, That a copy of these resolutions be forwarded to the President, to the Secretary of State, to the Secretary of Defense, and to Gen. William Childs Westmoreland."

As Senator English said, in speaking on behalf of the bill in the senate: "We must support our Government, for failure to do so may cost many lives and lead us into more and more serious situations."

Senator Paul Rinden said: "I am particularly interested, having been born and lived in south China for 10 years. I am impressed by President Johnson's stand there. I know that we shall have to face the Communists sooner or later. The question is whether it should start at Vietnam, Singapore, Australia or elsewhere. If we stand up to it now, we will be in a much better position to stop it than if we allow them to become more powerful."

Senator Louis Martel said: "It's high time that we Americans take a positive stand and face the atheist Communists throughout the world. We support any step that is taken by this administration or any party that takes a stand in this situation."

It would be a mighty encouraging thing if the other 49 States in the Union passed similar resolutions and sent them to the President, the Secretary of State, the Secretary of Defense, and to General Westmoreland.

Anyone knowing representatives in other States would do well to forward a copy of this paper to them and ask them to see that such resolutions are introduced into their own State legislatures.

It would not only assist President Johnson but it would impress our Communist enemies, who are apt to be misled by the raucous shoutings of the beatnik groups on our campuses into believing that they represent the true public opinion in the United States, where of course just the opposite is true.

As far as we know, this action by the New Hampshire Legislature is the first in the Nation, which is entirely as it should be. New Hampshire should always be first.

Proudly we hail our legislators for this constructive action.

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Publisher.

BALTIC STATES: A TRIBUTE TO FREEDOM-LOVING PEOPLE

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, since June 15, 1940, the Baltic States have been suffering under Soviet tyranny. The Soviet Union took over Lithuania, Latvia, and Estonia by force of arms.

The free world commemorates the loss of freedom of these three nations whose desire in their national existence was to live in peace and security. Geographically small and with limited power resources, the Baltic States fell within the sphere of Soviet influence when World War II broke out. The first breach of their independence occurred with the pacts of mutual assistance imposed upon the states by Moscow in the fall of 1939; the final and most total breach took place in the summer of 1940 when the three Baltic States, Lithuania, Estonia, and Latvia, were invaded by the Red Army and forcibly incorporated into the Soviet Union.

The Baltic States have never experienced in their long history through centuries such as extermination and annihilation of their people as during this Soviet occupation since June 15, 1940. During the last 25 years the countries lost more than one-fourth of their entire population. Hundreds of thousands of Lithuanians, Latvians, and Estonians were murdered by the Kremlin despots or died in exile in Soviet slave-labor camps and prisons in Siberia and other places of Communist Russia. At least 20 percent of the present population of Soviet-occupied Lithuania, Latvia, and Estonia are not the Balts, but the Soviet colonists. The genocidal operations and practices being carried out by the Soviets continue with no end in sight. Bearing in mind that all of the murdered and deported people have been among the most educated, courageous, and industrious elements of the countries, the losses in population become more terrible and almost fatal to the survival of the Lithuanian, Latvian, and Estonian nations.

Twenty-five years have passed since that fateful occurrence and this is the sad occasion we now commemorate. It is the fervent hope of countless millions of friends of the Baltic peoples that one day they will again enjoy liberty and freedom.

It is toward this end that I have introduced a Baltic States resolution, House Concurrent Resolution 26. It is my sincere hope that legislation along these lines will be approved by the Congress. The text of that resolution follows:

H. CON. RES. 26

Whereas the Communist regime did not come to power in Lithuania and the other two Baltic States, Estonia and Latvia, by legal or democratic processes; and

Whereas the Soviet Union took over Lithuania, Estonia, and Latvia by force of arms; and

Whereas the Baltic people, Lithuanians, Estonians, and Latvians, under Communist control were and still are overwhelmingly anti-Communist; and

Whereas Lithuanians, Estonians, and Latvians desire, fight, and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the Governments of the Baltic nations of Lithuania, Estonia, and Latvia and consistently has refused to recognize their seizure and forced "incorporation" into the Union of the Soviet Socialist Republic; Now, therefore, be it

Resolved by the House of Representatives (*the Senate concurring*), That the House of Representatives and Senate of the United States of America request the President of the United States to bring up the Baltic States question before the United Nations and ask that the United Nations request the Soviets (a) to withdraw all Soviet troops, agents, colonists, and controls from Lithuania, Estonia, and Latvia, (b) to return all Baltic exiles from Siberia, prisons, and slave-labor camps.

SEC. 2. It is further the sense of the Congress that the United Nations should conduct free elections in Lithuania, Estonia, and Latvia under its supervision.

A NEW COMMITMENT TO THE UNITED NATIONS

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I wish to bring to the attention of the Congress the following statement, issued today by myself and the gentleman from Kansas [Mr. ELLSWORTH], the gentleman from New York [Mr. HORTON], the gentleman from Massachusetts [Mr. MORSE], the gentleman from New York [Mr. REID], and the gentleman from Maine [Mr. TUPPER]:

A NEW COMMITMENT TO THE UNITED NATIONS

(Joint statement by Congressmen ROBERT F. ELLSWORTH, FRANK HORTON, CHARLES McC. MATHIAS, JR., F. BRADFORD MORSE, OGDEN R. REID, and STANLEY R. TUPPER)

On June 26, the world will celebrate the 20th anniversary of the United Nations Charter. Today, as 20 years ago, the United Nations is the only global machinery for peace. The political realities of the nuclear age have obscured the commitment that was made at the San Francisco Conference of 1945. If the United Nations is to survive the next score of years the dedication of its members today must match the dedication of those who signed the charter in San Francisco. For its part, the United States must give new testimony of its faith, a new declaration of belief and optimism in the capacity of the United Nations to serve the cause of peace—and of all men.

Those who suggest that the United Nations has not lived up to the full potential seen for it at the San Francisco Conference in 1945 are actually passing commentary on the inability of the five major powers to reach agreement on international crises. The United Nations is not an organization more perfect than man, nor was it intended to be. The fact that the veto for the major powers was included in the charter was tantamount to recognition that the United Nations could act effectively only when great power interests were not directly in conflict.

"The United Nations," wrote Arthur Vandenberg in 1947, "is neither an automatic nor a perfect instrument. Like any other human institution, it will make mistakes. It must live and learn. It must grow from strength to strength * * *. It must deserve to survive." Twenty years have shown the world that the organization deserves not only to survive but to expand its influence at a pace equal to the changes in the modern world community.

Rather than to discredit the United Nations by emphasizing that it has not built an irrevocably stable peace, we should all be grateful that for 20 years it has helped to prevent and limit international conflict. Wherever U.N. operations have been undertaken—in Korea, in Greece, in Kashmir, in the Middle East, in the Congo, in Cyprus—the United Nations has promoted peace, and in so doing has served the interests of the United States.

In a nuclear world, peace with freedom cannot be found in the illusion of isolation or in a retreat from reality. It can be found only in a blend of determination to resist aggression and determination to seek peace through communication, patience, and debate. As a forum for negotiations, as a focal point for communication between nations, and as a vital inducement to economic and social progress the United Nations is both a symbol of optimism for the future and a very practical instrument of peace.

In a large measure the effect of the U.N. on the national interests of the United States will be influenced by and depend upon the role the United States plays in the organization. As the great power most clearly and most consistently identified with the shared purposes of the U.N. membership, the United States is the greatest single influence on what the United Nations is, does, and can be. To talk about the future of the United Nations therefore, is in substantial measure to talk about the future of the United States participation in it.

This is the proper perspective from which to view the current crisis at the U.N. The United States, together with all members, must make a new pledge of faith to the United Nations and to the principles which we share in common.

Articles 43, 44, and 45 of the United Nations Charter authorize arrangements by which members can make national forces available to the Security Council. The establishment of a permanent internationalized United Nations police force is still far away because members are not yet ready to commit in advance their nationals to fight in a cause which has not yet been determined.

Operations in Korea, the Middle East, the Congo, Yemen, and Cyprus have all required the ad hoc formation of a United Nations force to carry out U.N. directives or recommendations. In some instances, particularly in Cyprus, the delay in being able to form and land a United Nations force may have contributed to the difficulties of restoring stability.

Many persons, notably Presidents Eisenhower and Kennedy, Prime Minister Lester Pearson of Canada, and U.N. Secretary General U Thant, have recommended that, without jeopardizing the potential of an internationalized force, members earmark contingents of their national forces for potential use by the United Nations in peacekeeping or peace-enforcing operations. At Harvard University on June 12, 1963, the Secretary General stated his case:

"We have already shown that, when the situation demands it, it is possible to use the soldiers of many countries for objectives which are not national ones and that the soldiers respond magnificently to this challenge. We have also seen that, when the situation is serious enough, governments are prepared to waive certain of the attributes of national sovereignty in the interest of keeping the peace through the United Nations. We have demonstrated that a loyalty to international service can exist side by side with legitimate national pride.

"And, perhaps most important of all, we have shown that there can be a practical alternative to the deadly ultimate struggle and that it is an alternative which brings out the good and generous qualities in men rather than their destructive and selfish qualities.

"Although it is perhaps too early to consider the establishment of a permanent United Nations force, I believe there are a number of measures which could be taken even now to improve on our present capacity for meeting dangerous situations. It would be extremely desirable, for example, if suitable units which could be made available at short notice for United Nations service and thereby decrease the degree of improvisation necessary in an emergency."

The forces either could be part of the national forces on ordinary defense assignment or could be kept as a separate unit of the national forces. In either case, until called for by the U.N. they would be paid by the member government. No such forces would ever be used without the full consent of the member.

Many nations have answered the call. Canada, Iran, Italy, and the Netherlands have all earmarked units of their national forces for U.N. use. The four Scandinavian countries (Denmark, Norway, Sweden, and Finland) are creating a special permanent Scandinavian standby force to be on call for U.N. operations. Britain has indicated its willingness to provide significant logistical support for U.N. operations.

The U.S. administration has applauded these steps by others but as yet has not taken similar action of its own. In an article for the New York Times magazine of April 27, 1964, over a year ago, the Deputy Assistant Secretary of State for International Organization Affairs, Richard N. Gardner, wrote:

"U.N. members, as Secretary General U Thant suggested last year in a speech to Harvard alumni, should earmark military units which they might be prepared to make available on request by the United Nations. Earmarking would be voluntary and, unlike a standing army, the earmarked units would be financed and controlled by their governments and made available to the U.N."

We understand fully that for obvious political reasons the United Nations should not and cannot utilize U.S. troops in most of the peacekeeping operations it undertakes. Nonetheless the experience in the Congo and elsewhere has indicated clearly that the major powers can make substantial contributions in the form of transport and technical support.

We do not wish to minimize the crucial nature of the difficult political and financial decisions facing the United Nations and the U.S. administration in its policies toward the U.N. But we do suggest that much more is required of the U.S. policy than only to find some answer to the current impasse which will conveniently allow us merely to continue. It is not enough just to find some way out of the current dilemma. In our view, the Nation must make a more meaningful pledge, a more tangible commitment to the future.

We propose that the United States make a twofold contribution to a standby U.N. force:

First, the services of the Military Air Transport System of the U.S. Department of Defense should be placed on permanent call to the United Nations for the transport of men and materiel in any U.N. peacekeeping operation. MATS has correctly been called the largest airline in the world. With 1,100 planes and 90,000 men operating out of nearly 100 bases around the world, it logged 1,066,325 flight hours in 1964 alone. It is responsible for the efficiency of the long-distance mobility of the Army—the capacity to put U.S. troops anywhere in the world before a crisis grows out of control.

MATS has served the U.N. before. In the Korean conflict, in the Lebanese crisis, and in the Congo it airlifted U.N. forces and supplies.

While the readiness of MATS to serve a U.N. mission might be assumed, a direct and public commitment through a policy declaration of the U.S. Government would give assurance to U.N. personnel and would alert MATS personnel to the vital nature of their U.N. functions.

Second, the United States should create a small volunteer unit of approximately 1,000 men to stand ready to meet a U.N. call for emergency technical support for peacekeeping operations. The unit could be designated the First Brigade of the U.S. armed services (Forces for International Relief on Standby). It should include a company of experts in the establishment and maintenance of communications in crisis conditions, a company of Army and Navy engineers trained in the rapid construction of bridges, roads, and buildings, compact and highly mobile medical teams, technical advisers from the Quartermaster Corps to provide rapid information on the supply needs of any peacekeeping operation, an advisory group from MATS to provide rapid information on long-range transportational needs, a sizable staff of multilingual interpreters. These are all technical skills at which the U.S. Armed Forces excel, and which might be the most useful and politically feasible contribution which the United States can make in actual U.N. peacekeeping operations.

The First Brigade should have a permanent headquarters. Its personnel should consist only of men and women from the armed services who have volunteered for assignment. They should be given the physical inoculations and equipment necessary for service anywhere in the world on short notice. The entire brigade should be given training in basic language skills in order to facilitate communications with all nationalities. With a separate military designation and insignia, the brigade should be encouraged to consider its service as a unique contribution to the preservation of peace.

The First Brigade might also be available to serve U.N. or other worldwide efforts to counter the effects of natural disasters anywhere in the world—earthquakes, volcanic eruptions, or floods.

Of course, neither the First Brigade nor MATS would be available to the U.N. in any case where the United States expressly prohibits their use. The forces would be paid by the United States until activated by the United Nations, at which time they would be paid for in accordance with the agreed-upon U.N. financial arrangements for the operation. Nonetheless, the United States should never deprive the U.N. of the use of MATS or the First Brigade merely because financial arrangements are not fully established or to our liking.

We know that the U.S. Armed Forces may be able to provide most of these services relatively quickly without a special unit. We know too that the American people and the administration are likely to respond favorably to any U.N. request for help, with or without a special unit. But we feel strongly that the creation of a new U.S. First Brigade for U.N. service can serve two vital needs:

First, it can maximize the efficiency of the technical personnel which the U.N. may need most urgently and thus give the U.N. officials confidence that the manpower and skills are available to do a difficult job.

Second, and even more important, the First Brigade would be a symbol of this Nation's faith in the United Nations and its most cherished principles. Let no nation and no leader doubt our commitment. Let all men, abroad and at home, see that this Government believes in the United Nations, in its purposes and in its capacities.

There is no more important contribution that any people can make to the United Nations and its purposes than a continued effort to rise above the crises of today and to think of tomorrow—to shape the future to the image of our dream.

IMMIGRATION BILL INTRODUCED

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MOORE. Mr. Speaker, today I have introduced an immigration bill designed: first, to bring immediate relief to the thousands of relatives of U.S. citizens and eligible aliens throughout the world in the oversubscribed countries who have been waiting for years for their opportunity to immigrate to the United States, and second, replace the national origins quota system with a worldwide quota, except for the Western Hemisphere, which will admit aliens without reference to the country of their birth on the basis of their relationship to U.S. citizens and permanent residents, and their ability to contribute needed skills to the United States.

For a number of years there have gone unused in excess of 50,000 quota numbers per year because some countries have failed to make full use of their immigration quotas while in other countries the backlog of persons registered and waiting their turn has grown larger and larger.

In 1964 some 55,317 quota numbers were not used; but at the end of the year a total of 831,881 registrations were pending in the oversubscribed countries. A total of 178,515 waiting registrants held preference status as relatives or urgently needed skilled persons.

My bill will immediately relieve the tremendous pressure of this huge backlog by the allocation of a 3-year period of the unused quota numbers to the oversubscribed countries, and retain in the Congress full responsibility for our immigration policy.

Additionally, my bill will immediately:

First. Admit parents of U.S. citizens as nonquota immigrants; second, remove the bar to the admission of epileptics since the ailment is now controllable by medication, and, third, overhaul and consolidate our refugee program permitting the admission of up to 10,000 victims of communism, persecution, and natural calamity, subject to rigid health and security conditions.

After an interim period of 3 years in which distribution of the unused quota numbers will permit clearing up the oversubscribed waiting lists, my bill will set a worldwide quota of 200,000 immigrants annually. The Western Hemisphere, from which some 140,000 were admitted in 1964, will remain nonquota. Without reference to the place of birth, immigrants will be granted visas on a first-come, first-served basis, with first preferences to relatives so that families may be reunited, and then to specially skilled persons whose services are urgently needed in our country. Immigration from any one country will be subject, however, to a maximum annual ceiling of 20,000.

This bill will make our immigration current in short order and provide an orderly system of immigration, free of discrimination, based upon the best interests of the United States.

QUOTABLE QUOTES FROM GOVERNOR BROWN

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one of the difficult issues in California at the present time is the farm labor problem caused by the shortsightedness of the Labor Department and the Congress in terminating the bracero program. Governor Brown is on the horns of a dilemma on this issue as he is a stalwart Democrat and therefore adverse to criticize Secretary Wirtz while at the same time mindful of his peculiar State problem.

When the press asked him if he believed Secretary Wirtz was doing a good job handling the farm labor problem, the Governor recently replied:

> I think he is doing a good job. Yes, I think it is very difficult. He's doing a different one from the one our department of employment thinks should be done, but it is not easy and he could be right. I think he's wrong but he could be right.

MAXIMUM OF BENEFICIAL TRADE

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. HERLONG], is recognized for 30 minutes.

Mr. HERLONG. Mr. Speaker, I am sure that everyone believes in a maximum of trade; but some of us would qualify this and say that we believe in a maximum of beneficial trade. Not all trade is necessarily beneficial. We have only to think of the traffic in opium to agree that not all trade is good simply because it is trade. Even speaking economically not all trade is necessarily good under all circumstances. Much depends on the competitive conditions and the fairness of competition.

In relation to many other countries the United States is a high-cost producer because of our high wages. While these wages may be offset by our higher productivity, as they are in some cases, the trend has been in the other direction in many products because of the great technological advancement of other countries in recent years. This has been phenominal, led in great part by aid from this country and a strong desire abroad to adopt our productive system. While wages have risen abroad they have in many cases not kept up with the advancement in productivity; also, wages have risen in this country. We must not forget that a 5-percent wage increase in this country is the equivalent of a 15-percent to 40-percent increase in other countries, in actual dollars and cents.

The adverse competitive position of many domestic industries has been reflected by the heavy outflow of capital from this country to other areas of the world, particularly to Europe. This outflow was not caused by mere romantic ventures but in search of lower costs, greater proximity to export markets, and so forth.

Mr. Speaker, it has been clear for some time that the Trade Expansion Act of 1962 does not fit the international economic developments of the past several years. That act calls for a further 50-percent tariff reduction at a time when many industries have found imports increasingly pressing and capturing heavier shares of our home market. We have heard a great deal about steel imports, the imports of woolen goods, beef, radios, tile, plywood, and so forth, but there are many other products that would be in distress if the tariff were cut at all, not to say 50 percent.

Also, there are instances in which a tariff is not a suitable instrument of import regulation. Imports from some countries are priced so low that unless a tariff rate of 100 percent or 200 percent were levied it would have little effect. Such high rates, however, would exclude imports from other countries where costs are higher because of higher wages. Under these circumstances import quotas are a much more suitable instrument for regulating imports. Import quotas have the further advantage of removing the pall of uncertainty that weighs so oppressively on domestic industries as they plan future development and expansion. The uncertainty produced by rising import competition readily dampens plans for expansion and employment of additional workers.

Mr. Speaker, I am introducing legislation today designed to be of assistance to American industry and agriculture without curtailing beneficial foreign trade. It is designed to avoid the damage that would result from the intemperate tariff reduction contemplated under the Trade Expansion Act of 1962. The very likelihood of such reductions as we approach the actual time of active negotiation will cause misgivings and discouragement among many of our industries.

The first part of my bill would remove the disabling language of the Trade Expansion Act as it relates to the adjustment assistance provisions. I am sure that we all now know that the help that was to be extended to industries and labor that were injured by imports under the 1962 act, did not materialize.

The Tariff Commission has processed 17 cases under the adjustment assistance provision of the Trade Expansion Act and in all cases but 1 found unanimously against the industrial and labor groups that made application. This record represents a complete shutout. If, after 2½ years and 17 cases, not a single cent of help has been extended to the injured parties, surely no further evidence is needed to demonstrate that this part of the legislation is a dead letter.

Most of the difficulty, it is said, stems from the word "major" used in the 1962 act in describing the kind of injury that would create eligibility for adjustment assistance. Not only must a previous tariff cut have been a major cause of increasing imports under that act but the increased imports must have been the major cause of the injury complained of.

My bill would delete the word "major" in both instances. This change, it is hoped, would improve the administration of the adjustment assistance provision.

Secondly, and more important, my bill would prevent further tariff reductions if the record shows that imports of particular products have already invaded the market quite freely, having increased as much as 75 percent since 1958 and having risen to a level of at least 7½ percent of domestic production. Obviously, if imports have demonstrated their capacity to reach such levels in this country no further tariff reduction would be justified to stimulate higher imports. To cut the tariff further in such circumstances would be an act of hostility to legitimate, useful, and often essential domestic industries to which we look for employment.

How would this provision of my amendment work? I shall explain it now. We would retain the function of the Tariff Commission but the Commission would merely certify to the facts.

Should the Tariff Commission, on direct application of an industry, trade, farm, or labor organization, find that imports had increased in the manner specified in the bill, it would so report to the President within 60 days and he must then forthwith delete the item from the list offered for further tariff reduction.

Several criteria are provided in the bill beyond the one I have just mentioned. For example, if imports had by 1958 already supplied at least 20 percent of the market, the product concerned would, on certification of the Tariff Commission, be taken off the list if imports since 1958 have increased more rapidly either in quantity or volume than the domestic production of the product. Such a trend would show that imports already enjoyed a competitive advantage and need no further tariff cut.

Also deleted would be items the imports of which have been limited in quantity or have had a rate of duty increase under section 7 of the Trade Agreements Extension Act of 1951, as amended.

Another reason for removing a product from the list would be a decline of at least 10 percent in the number of production workers employed since 1958 by the domestic industry while imports have increased actually or relatively to domestic production. Again, this trend would show that imports already have an advantage over the domestic producers.

Any farm product that is under price support or other agricultural program authorized by Congress causing an increase in cost, would also be eliminated. Increased imports would merely lead to higher domestic surpluses.

Any fishery product would be dropped from the list if there is in effect a research or conservation program under the Department of the Interior with respect to it. This would mean that higher imports would merely aggravate the difficulties of the domestic producers.

Lastly, any farm product that had been harvested during the 1960–64 period with the help of farmworkers brought into this country under Public Law 78 or 414 would, in the absence of a Federal statute providing for the adequate supply of such labor, be withdrawn from the list. Domestic costs would rise, and imports would be stimulated without the incentive of a further tariff cut.

In looking over these deletions it will be seen that items would be dropped from the list offered for further tariff reductions if their level of imports has already demonstrated that the present tariff is not too high or if domestic costs were boosted by domestic programs. This demonstration would be found in the trend of imports since 1958 and the share of the market already enjoyed by them. In addition there are the items, farm products, that are under some sort of governmental program or operation that would increase costs of production and thus make further tariff cuts contradictory and senseless.

There is nothing in these amendments that is unreasonable. In fact, it seems to me that it would be unreasonable to cut the tariff still more when imports have already invaded the market in growing volume.

The bill is also aimed at the containment of imports that are already doing damage at present tariff levels. This would apply to any product the imports of which have reached at least 7½ percent of domestic production and have increased at least 75 percent since 1958.

Here again the Tariff Commission would make a finding of fact upon application by an industry, labor or farm group, and if the facts sustained the action, it would so certify to the President who must then impose an import quota holding imports to the average level of any 3-year period since 1958; but future imports could grow in proportion of the growth of domestic production.

This provision would offer assurance to such industries that imports would not repeat what they have done in other instances; namely, rise steadily from supplying less than 5 percent of the market to 10 percent, 15 percent, 25 percent, and even more in the span of only a few years. This has happened in an uncomfortably high number of instances. In other cases some of our leading industries have shifted from a longstanding position of net exporter to that of net importer. This has happened with petroleum, steel, automobiles, textiles, typewriters, and other products; and these are not backward industries. They simply could not meet the low prices of their foreign competitors; and the end is not yet.

If our industries cannot have better assurance than has existed in post-war years against the import invasion by cheap goods they will invest more and more abroad to the detriment of the domestic economy. Investments that would be made here and that would provide greater employment would continue to go abroad.

In the case of vegetables we have already experienced a great deal of this even though agriculture is not generally so vulnerable to this type of competition. Mexico, the Caribbean Islands, and Central America offer temptation to our capital because of the cheaper labor available in those areas. If no restrictions are provided, the border States of California, Arizona, and Texas, as well as some inland States, and Florida will suffer severe damage in their farming operations.

Mr. Speaker, the bill is designed to meet the reasonable needs of American industry, its agriculture and its labor in their competition with foreign production that is free of our minimum wage legislation and other labor standards that are a part of the American system. It would not prevent further tariff reduction in those instances in which imports have not yet risen to highly menacing levels; nor would it automatically impose import quotas without administrative inquiry. It would pave the way for a more orderly expansion of our economy, not by setting aside competition but by regulating the foreign aspect of competition, even as we regulate domestic competition to the vast benefit of the system as a whole.

Mr. BETTS. Mr. Speaker, would the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Ohio.

Mr. BETTS. Mr. Speaker, I want to compliment the gentleman on his statement and associate myself with his remarks. I think he has dwelt on an area which deserves legislative consideration.

Mr. Speaker, I am happy to join the gentleman from Florida [Mr. HERLONG] in the introduction of legislation that would amend the Trade Expansion Act of 1962 to adapt it to the present-day realities of the international competitive position of this country.

The act of 1962 has not only failed to do what it was set up to do but now threatens many of our industries with more severe import competition than any experienced in the past. The proposed tariff reduction of 50 percent with a "bare minimum of exceptions," now under negotiation in Geneva, would pose a most serious threat to the economy of this country—a threat that cannot be lightly entertained. We have enjoyed an unprecedented period of prosperity in this country, with a few setbacks, since the end of World War II. There are those who now recklessly assume that we have nothing further to fear from recessions or depressions.

I very much fear that if we go through with the proposed tariff cuts in Geneva a very different outlook will soon confront us.

I do not have to tell Members of this body how many billions of dollars have already left this country in search of lower costs of production abroad. No such outflow would have occurred if there were no distinct competitive advantage to be gained by investing in Europe, Japan, and other countries. The investments were made for reasons of dollars and cents. If we were in good competitive position in foreign markets it would not be necessary to set up production abroad in order to sell in foreign markets. Yet, to repeat, we have been investing feverishly abroad in recent years. There is nothing wrong with this so long as the investments represent new developments abroad; but it is something else when they reflect lack of equally attractive opportunities in this country. Under the circumstances the investment outflow represents in a considerable part a lowering of the employment ceiling in this country.

What has developed is a combined lure of foreign investment hand in hand with discouragement of a comparable expansion at home. The domestic side has not kept up with its real potential for this reason. The perplexity thus engendered produced a dilemma for some of our leading industries. If they did not invest abroad they would run the risk of losing the foreign markets already enjoyed; but by expanding abroad rather than at home, the high tide of new workers seeking employment in this country could not be absorbed. Moreover, our exports would be destined to shrink the more we produced abroad. We would be selling those markets from within rather than from this country.

The difficulty, almost without exception, was found to lie in our higher costs of production, and this in turn was a result of the much higher wages prevailing in this country.

Any notion of reducing wages as a means of reducing costs in order to remain competitive against imports at home or abroad was out of the question; but there was an alternative. This was to increase productivity by modernizing plants or mills. It was a matter of installing the most productive machinery and equipment. Most of the investment on the domestic front has indeed been of this type. While no reduction of wage rates was involved, it produced the same effect by displacement of workers and therefore shrinking the payroll.

For example, the coal industry invested hundreds of millions of dollars in more productive machinery in order to keep alive, but in so doing cut the number of mineworkers in half. Thus was the total payroll reduced just as surely as if wages had been cut in half while retaining all the workers.

The steel industry has also been investing heavily in modernization and is employing few workers while producing much higher tonnages of steel than 10 years ago. From 1956 to 1964 the steel industry spent $11.8 billion for new plants and equipment. This was more than a billion dollars per year. In 1964 alone the outlay was $1.56 billion, a very considerable sum of money. Unfortunately, most of this money, nearly all of it, in fact, went into modernization. Expansion of capacity was not needed. The result for employment was far from reassuring. The number of production workers fell from 533,000 in 1956 to 476,000 in 1963. This was a decline of 57,000 workers, or over 10 percent.

Much of the investment impetus came from unsuccessful efforts to remain competitive with imports and to hold our exports. Up to 1958 this country was predominantly an exporter of steel. In that year the tide turned, and today we import about twice the tonnage of steel that we export.

It is clear that the great expansion in the outlay for new plant and equipment by the steel industry in 1964 and 1965 in conversion to oxygen furnaces and continuous casting does not assure greater employment in the steel mills.

The same trend has been visible in other industries.

When companies spend millions and even billions of dollars for modernization in order to hold their own against imports at home and in order to remain competitive in export markets, the effect on employment is inevitably depressing.

We have not yet learned that modernization does not breed jobs, as it is supposed to do, when it is resorted to as a means of meeting external, low-wage competition. The effect, in fact, is considered good when the modernization succeeds in holding the line against imports; but that does not replace the displaced workers. A much higher sales volume would be needed to call for additional workers; and holding the line against imports does not necessarily mean much higher sales, if any. Primarily the purpose is to avoid a sales debacle.

If an industry has to reduce its work force in order to reduce costs sufficiently to prevent being driven out of business by imports it is easy to see what must happen to domestic employment.

The steel industry, to repeat, has not been alone. The automobile industry offers another but a different example. It has succeeded up to now in warding off the import onslaught. Investment in new plant and equipment has been above the $1 billion level in recent years. The effect on employment of production workers has been typical. In 1955, a record year of automobile production, 740,000 production workers were employed. In 1964, a year that broke all previous production records, found employment of production workers down to 593,000, a decline of 147,000 despite the higher output of 1964. Even in 1965, with production reaching new and unprecedented peaks, the number of production workers was only 688,000 in April. This was still down 52,000 from 1955, even though production was well above the level of that year.

In those two industries, among the industrial leaders of this country, we find efforts to fend off imports leading to a lively investment pace in newer and more modern machinery and equipment. The result has been mixed. In the case of the steel industry, imports—despite the defensive efforts—have come to double exports, but domestic production has risen to record heights. Employment, as I have already noted, declined over 10 percent. Meantime, population and the number of workers has increased from 15 to 20 percent. Who then is to absorb these newcomers? Exports have fallen to about half of what they were. Certainly they will not come to the rescue.

In the case of automobiles, the domestic market was maintained successfully against imports by bringing out the compact car, but exports declined to a point of less than half of imports. Yet domestic production reached new heights; but, as in the case of steel, the heavy investment in modernization reduced the number of production workers sharply. Again, who is to absorb the oncoming horde of new workers, if all industries react in this fashion?

The point in common here, and from which a lesson may be drawn, is that feverish modernization and automation in efforts to avoid excessive penetration of imports leads inevitably to the sacrifice of production workers in the industries engaged in the struggle.

Since labor costs reflect not only the wages paid per hour but also the number of workers employed, the total payroll can be kept from going out of bounds by reducing the work force; and that is what has been happening. It is a wholly natural defensive step toward self-preservation.

Unfortunately, consumer purchasing power is heavily dependent only on employment, and consumer purchases represent the salvation of the mass-production system. We are dependent on good wages and high employment to absorb the great volume of goods produced by our producing plants. There is the rub. Higher productivity means yet more goods and therefore calls for higher, not lower, consumer purchasing power to move the goods from the warehouses and shelves.

In the past, while there was not much foreign competition to be concerned about, because of the tariff and because other countries lacked our technology, cost reduction in this country was the very means upon which we relied for reaching the mass of consumers. The lower prices then opened vast home markets for us, and the workers who were replaced by more productive machinery were soon reabsorbed; and in a few years, as the market expanded, yet more workers were needed. Today imports, produced by highly productive machinery abroad, are often in the position of trailblazers in the field of lower prices; and they rob us of the market bonanzas that in the past greeted our mass-production industries when they achieved sharp cost reductions and price slashes, as exemplified by Henry Ford.

Today, faced with imports offered at prices our industries cannot meet, the panicky installation of laborsaving machinery is a defensive struggle. The purpose is to hold the share of the market already gained, even if workers have to be sacrificed to avoid a yet heavier loss.

The result is that the laid-off workers stay laid off rather than being called back in a few months or in a year or two.

The upshot is that this country is operating under entirely different competitive conditions from those prevailing before the other countries adopted modern technology and our mass-production system as their own. The reaction of our business community was not only natural but beyond reproach, conisdering the absence of any reliable remedial recourse.

The new competitive developments of the past decade have a direct bearing on our tariff and trade policies. These have been unchanged for 30 years even though the past few years have witnessed a veritable economic transformation of the industrial world. Such a transformation could hardly occur without producing resounding repercussions on our competitive position.

When the other leading industrial nations adopted our technnology and system of production and reached for mass markets while their wages remained far behind, we were exposed directly to the shock waves.

It has been an inspiring sight to witness the rapid industrial development of Europe and Japan, and their creation of mass markets; but we should not be blind to the meaning that these great developments have in store for our economy.

We have indeed been slow in discerning the shock waves produced by the rising imports of finished manufactures on the future prospects of many of our industries. The natural effect of these revolutionary developments is to shake the confidence of our producers in the future of the American home market; and, when confidence is shaken, severe harm has been done. Plans for future expansion are curtailed while the foreign scene is scanned for substitute outlets. The pattern has become familiar.

Under the circumstances it would surely be an indefensible act to confront American industry with another round of extensive tariff cuts, the most far-reaching of all in the past 30 years. The experience of the steel and the automobile industries has been duplicated in many others. The latter do not all enjoy the vast resources of the two giants and are more easily ruined; and, even if the large industries save themselves as industries, the burden of employment falls elsewhere; and it falls where it cannot be borne. Domestic competition itself creates pressure for automation, and if the large industries disgorge their workers as in steel and automobiles, the outlook will become hopeless.

I would like to make it clear that the prospect of further tariff cuts, even as a prospect, may hold the seeds of catastrophe for many industries, especially for their workers.

Would it not be much better to give those of our industries that have already felt the effects of import invasion assurance that more of the same does not loom over the horizon?

That assurance is the purpose of this legislation. It would remove a threat that, if left to operate on the scene, will produce a deadening effect even before any contemplated tariff cuts are actually negotiated. It is not too late to lift this depressing prospect from our economic future.

I am happy to associate myself with the gentleman from Florida [Mr. HERLONG] in the introduction of this legislation.

JOINT COMMITTEE ON THE BUDGET

The SPEAKER pro tempore (Mr. GONZALEZ). Under previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, today I introduced a bill designed to create a Joint Committee on the Budget. The purpose of this bill is to put an end to wasteful, extravagant, and excessive appropriations, by studying in depth, the budgetary requests of the various departments.

This joint committee would have bipartisan membership from the two Appropriations Committees and a nonpartisan professional staff of budgetary experts. The need for this is clear; without the expert staff and concentrated efforts of a joint committee like this, the individual legislator, who is concerned with the growth of Federal spending, is simply overwhelmed by the staggering fiscal responsibilities of the Congress. The difficulty is not that the necessary information is unavailable; rather, so much undigested, unorganized material is dumped on the Congress that it is impossible to get a clear picture of which departments are carrying out their programs effectively and economically, and which are not.

The U.S. Government has undertaken tremendous responsibilities, both foreign and domestic, since the end of World War II. The Congress must take a more active role in financing these responsibilities, or risk the abdication of its prerogative to the executive with its enormous bureaucratic growth.

I would like to emphasize that this joint committee would not only provide a thorough check on every possible misuse of tax dollars, but would fully evaluate every budgetary request. These evaluations would contain reasonable but not burdensome detail, thus enabling every Congressman to have a complete and readable analysis of every appropriations bill.

This more complete understanding of the financial needs of the executive department will allow the Congress to provide the right amount of money for the entire fiscal year. Thus, a joint committee on the budget would be able to put an end to the practice of requesting supplementary appropriations.

In addition, the committee would recommend any changes in the statutory law, needed to bring about savings.

I submit to my colleagues in this House, that it is the job of the Congress—House and Senate working together—to scrutinize the requests of the executive branch. As the distinguished chairman of the Senate Government Operations Committee, Senator MCCLELLAN, said not too long ago, the Congress would be in a better position to proffer corrective criticism of Federal programs if the House and Senate cooperated and worked together on reviewing executive budget proposals and saw to it that their Members were more fully informed.

This creation of a joint committee is not a radical innovation. It has worked well in other cases, notably the Joint Committees on Atomic Energy and Internal Revenue Taxation. The joint committee on Internal Revenue Taxation has proven the effectiveness of a joint committee in coping with far-ranging and complex matters.

By avoiding the duplication of effort that occurs when there are two separate committees, this joint committee could make a more concentrated effort at studying the complexities of the Federal budget. In addition to these timesaving advantages, such a joint committee would also promote a fuller exchange of ideas among legislators of both Houses.

I introduced a similar bill in the 88th Congress, and last month I testified before the Joint Committee on the Organization of Congress, urging the fullest consideration of this proposal. I am happy to say that the Senate has been very strong in its support of legislation establishing this Joint Committee on the Budget. It recently passed just such a bill, which is now before the House Rules Committee. This marks the seventh time that the Senate has approved the concept of the Joint Committee on the Budget, and I think that House action is long overdue. I urge the Rules Committee to schedule hearings on these bills as soon as possible.

Time and time again, we are told by the executive branch that certain actions are taken to save money. Whenever veterans' hospitals or naval yards are closed, we are told that it is done to economize. But when we investigate these programs carefully, too often we find that these decisions are motivated by factors other than thrift, and that a program that is supposed to conserve the taxpayers' money, actually just blows it to the wind. For that reason I urge all my colleagues to support my bill.

L.B.J.'S MIDDLEMAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. Gross] is recognized for 30 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a magazine article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the June 1965, issue of Esquire magazine carries an interesting article concerning one of the principal stage managers in the play entitled "The Great Society."

He is Mr. Abe Fortas, a Washington lawyer, who emerged from the wings last fall as the go-between for Lyndon B. Johnson when the all but successful effort was made to squelch newspaper publication of the story that Walter Jenkins, the President's White House confidant, had twice been arrested on sex perversion charges.

Fortas is also the former counsel for Bobby Baker, onetime protege of the President and key figure in the scandals that have rocked Washington for the past 2 years.

It is also interesting to note that the newly designated Commissioner of Internal Revenue is Mr. Sheldon S. Cohen, a former member of the Fortas law firm, who is reported to have given Bobby Baker legal advice on tax matters.

It will be interesting to watch developments as further activities of the Johnson administration unfold.

The Esquire article follows:

Abe, Help—L.B.J.

(By Charles B. Seib and Alan L. Otten)

Politically, the law firm of Arnold, Fortas & Porter is the most powerful in Washington, D.C. The No. 1 partner, Thurman Arnold, was a famous New Deal trustbuster, and is now recognized as one of the wiliest old lawyers in the Capital. The third partner, Paul Porter, was in charge of price controls during most of World War II and is on a first-name basis with everybody who matters. And the man in the middle, Abe Fortas, an Under Secretary of the Interior in the Roosevelt era, is confidant, adviser, good friend and behind-the-scenes handyman to the President of the United States

Arnold is a presence. Porter is a hail fellow. Fortas is a dry, quiet, violin-playing legal craftsman. And today, in Johnsonian Washington, the greatest of these is Fortas. Any White House insider, when asked to name the men on whom President Johnson most relies for unofficial help and advice, will almost certainly put Fortas on the list, very likely at the top. But ask just what he does for the President and you'll get a mystifying variety of answers: he's a fixer, the man who takes on jobs too delicate to be done by anyone with official status; he's always close at hand, either actually or at the other end of the phone line, suggesting, reacting, developing; his contacts with the President are only occasional but consequential—a discussion of an important speech or message, a hashing over of candidates for a top appointment, the dissection of a proposed Great Society project.

The President and Fortas are on the telephone together at least once a day and often as many as three or four times. One top White House aid says, "He's as close to Johnson as Bobby Kennedy was to Jack" (an analogy Fortas rejects out of hand). According to another White House staff member, "There is very little of importance that affects Lyndon Johnson that he won't at some point talk over with Abe Fortas." Fortas himself maintains that the relationship has been greatly exaggerated, but members of his own firm report that he is constantly being called out of conferences to take White House calls. Neighbors say the President is a frequent evening guest at the Fortas home.

The mystery surrounding Johnson vis-a-vis Fortas is unreal, for there must always be a good deal that is secret or at least never revealed concerning the President and the men who do his personal bidding.

Assigning all the unreliable rumors and obfuscations to their proper place, the following emerges as a fair picture of the Johnson-Fortas relationship:

Fortas is respected by Johnson as an extremely intelligent man who is as knowledgeable as anyone in Washington in the technicalities of government and the law. He has the advantage both of a 30-year friendship with the President and the independence that his refusal to accept an official position gives him; he owes the President nothing and the President knows it. In this context, his advice is sought on important appointments; on administration policies, particularly in the domestic field; on the content and phrasing of speeches and messages. He is sought out in times of stress (as in the days immediately after the Kennedy assassination) and when there is a ticklish job to be done (as when the President needed a trust agreement that would disconnect the family television holdings from his high office).

This dependency extends beyond the President. It is clear that when an emergency arises in the Johnson official family, it's Fortas who is called first.

Nothing is more illustrative of this than the Walter Jenkins case. The sequence of events on the day it all came out is revealing.

That morning—Wednesday, October 14, 1964—the Washington Star, acting on a tip, sent a reporter to the records of the Metropolitan Police morals squad. There he found that a Walter Jenkins, on the basis of identifying data clearly the one in the White House, had been arrested once in 1959 and again just the week before in the men's room of the Washington YMCA, a notorious hangout for homosexuals. In both cases he had posted collateral, later forfeited, and been released. A Star editor called Mrs. Elizabeth Carpenter, Mrs. Johnson's press secretary (George Reedy, the President's press secretary, was out of the city with Mr. Johnson), told her the facts and asked if the White House knew about the arrests and had any comment. Choking down her shock, Mrs. Carpenter said the whole thing was ridiculous but she would look into it. A few minutes later she called back and said that she had talked to Jenkins and that he would be calling the Star to deny the story as a case of mistaken identity.

Jenkins never called. But within 15 minutes Abe Fortas was on the telephone to say that he was coming down to the Star at once.

The first edition was about to go to press, but the Star decided to hold out the story of the arrest until Fortas could have his say. And within minutes he appeared with Clark Clifford, another Washington lawyer and friend of the President. Jenkins, it developed, had rushed to Fortas' Georgetown home as soon as he had learned from Mrs. Carpenter that the Star knew of the arrests. He was distraught, Fortas said, in a state of emotional collapse, and asking for help.

Fortas himself was deeply shocked. He examined the Star's information and conceded that it appeared to be true. In a low exhausted voice he urged compassion—saying that this was a sick man, a man who had been working day and night ever since Johnson assumed the Presidency, a man so devoted to his boss and his job that his wife had to bring his dinner to his desk because he wouldn't take time out for meals. The night of the most recent arrest, Fortas said, Jenkins had gone to a cocktail party after a day of hard work and had a few drinks; he couldn't remember what had happened to him after that. (According to the police records, he went to the YMCA, a few blocks from where the party was held, and was there arrested by morals-squad officers in the men's room in the company of another man.)

Fortas urged the Star's editors to think carefully and humanely before they printed the story. He reminded them of Jenkins' wife and six children. He assured them Walter Jenkins would be hospitalized and stated flatly that his days as a White House aid were over.

The Star decided not to print the story—a decision consistent with the paper's policy in such morals cases—and Fortas and Clifford went on to present their case before Washington's other papers. As it turned out, United Press International finally broke the story of the arrests that evening, but by then Jenkins was a patient in a Washington hospital and the President, in New York, was about to "accept" his resignation.

The incident illustrates several things about Fortas. First, his role in the official family: when beset by the blackest trouble man can imagine, Jenkins literally ran to him. Second, his high status: although he had not been in touch with the President, he was able to say confidently in the conference with the Star editors that Jenkins was finished at the White House—and they knew his word had the stamp of authority.

A top-level White House staff member, thinking back over the Jenkins case recently, said it was easy to understand why the distraught man turned to Fortas when he found himself in deep trouble. "Walter had been with Lyndon Johnson for many, many years," he explained. "And he naturally thought of Fortas just the way the Presidents thinks of him—as the ablest, wisest counselor around." Johnson had this in mind when he offered Fortas—even urged upon him—the job of Attorney General of the United States when Robert Kennedy resigned in the summer of 1964. Fortas turned it down.

While he won't comment specifically on the offer of the attorney generalship, Fortas was willing in a recent interview to hold forth on the question of going back into the Government as a general proposition.

"I have made it clear to the President," he said, "that I'm simply not interested in returning to Government. I've been through all that. Now I'm 54 years old. I want to be able to give time to my music. I have a law firm with large interests. We've got a lot of fine young lawyers who marry fine young wives and have fine young babies. I have my responsibilities here."

As he spoke his eyes swept contentedly over the modern art and comfortable furniture that adorn his office in the high-ceilinged old mansion his firm occupies in the fashionable DuPont Circle area. It was clear that he likes his life's present rewarding course and that it will take something very special—perhaps the Supreme Court appointment for which he is frequently mentioned—to tempt him to change it.

There may be another contributing reason for his decision to stay out of Government. President Johnson is a notoriously difficult man to work for—insistent, demanding, hard-riding, sometimes brutal. By remaining with his law firm Fortas can avoid the rigors of a formal working relationship with Johnson and possibly, because of his independence, play an even more important role in national affairs than he could if he took a high administration position.

Although the Fortas-Johnson friendship began back in the Roosevelt days, it became considerably closer after President Kennedy's assassination. Johnson turned to Fortas for help almost immediately after his return from Dallas. On the plane to Washington, the President had considered the need for a blue-ribbon investigation of the assassination that would put to rest forever all questions and speculations. The next night at Les Ormes, his Washington home which he continued to use during the early days of his presidency, he asked Fortas to go to work on what was to become the Warren Commission. That was just one of the assignments Johnson gave his old friend during the period of transition. "You must remember," Fortas said recently, "that there was no functioning White House during that time directly after the assassination. President Kennedy's staff was in a state of shock. Ted Sorensen, who had been the key man on the Kennedy staff, was completely out of action. At the Justice Department, of course, it was somewhat the same thing."

Exactly what Fortas did for the President in that period is not known. But it is interesting to note that less than 2 weeks after Johnson took office the lawyer notified a Washington court that he was withdrawing as attorney for the President's one-time Senate aide, Bobby Baker, then under Senate investigation. The reason given: "In the crisis of transition, I have undertaken certain assignments" for the President. He expounded no further, but some of his later assignments are indeed known. For example, he took part in strategy conferences when the Democratic Convention in Atlantic City was thrown into a turmoil by the challenge of the Mississippi delegation by civil rights groups. Also, he and Clark Clifford and White House assistants Bill Moyers and Douglass Cater had weekly strategy luncheons throughout the presidential campaign. In fact, he was in and out of the White House all through the fall, checking on the flood of new scandal rumors released by the Republicans. "We were running a damn vice squad over there the last few weeks of the campaign," an associate recalls. "And Abe was squad leader."

After the election, he and Clifford were asked to suggest ways of streamlining the White House staff and to keep their eyes open for talent to fill a huge backlog of vacancies in key Government posts. One important job was filled, by the way, by a bright young lawyer from Arnold, Fortas and Porter—Sheldon Cohen, who became legal counsel and later Commissioner of the Internal Revenue Service.

Through it all Fortas continued to function as the President's personal attorney. Soon after Johnson became President, Fortas presided at a meeting at Les Ormes at which an agreement was drafted to put the Johnson television properties into a trust, at least, theoretically sealing them off from Presidential influence.

The meeting took place in the elegant second-floor sitting room. Two trustees-to-be, A. W. Moursund and J. W. Bullion, Texas lawyers long involved in Johnson affairs, were present. So were Leonard Marks, the Johnson lawyer on television and radio matters, and tax specialists from the Fortas firm. Mrs. Johnson, active head of the television interests, was there throughout, and the President drifted in and out of the sitting room.

The choices facing the conference were clear: the President and his family could keep the stations and operate them, which, in view of the close Federal control of broadcasting, would mean a highly embarrassing conflict of interests; they could sell the properties outright, paying a tremendous capital gains tax on the great increase in value since acquisition; or they could put them in a trust that would remove them from the family's control for as long as Mr. Johnson held public office. Practically all present favored the trust, and Fortas supervised its creation.

Today Fortas echoes the President's annoyance with criticism of the trust. He defends it as "the tightest, toughest trust arrangement ever drawn for a public official." To those who question the wisdom of appointing a close friend and associate of Johnson to head the trust he says snappishly, "Anyone who says anything like that just doesn't know Judge Moursund."

Despite this spirited defense, some influential voices have been raised against the agreement Fortas devised. The New York Times, for one, recently criticized the President because his assets are "in the hands of a trustee who is an old friend and business associate with whom he continues to maintain a close personal relationship," and because much of the fortune consists of television and radio stations, which depend on franchises issued by the Federal Communications Commission, whose members are appointed by the President.

Fortas is considered an expert on the Johnson financial position generally, although he is not inclined to talk about it. When the Washington Star was about to publish an exhaustive study of the family wealth, Press Secretary Reedy referred the newspapers to Fortas, who went over the proposed story, line by line, disclosing a tremendously detailed knowledge of Johnson's financial position. During the 1964 campaign, when news stories and Republican campaign speeches about his wealth began to get under Johnson's skin, the White House made public a formal accounting by the firm of Haskins and Sells. It was Fortas who made the arrangements with the accountants and gave them their instructions.

In January 1964 Fortas stepped into another delicate situation. The Washington Star uncovered details of the gift of a stereo record player in 1959 to Johnson, then Senate majority leader, by Don Reynolds, who had written several large insurance policies on Johnson's life. It was a touchy matter because the Bobby Baker story had just broken, and Baker was alleged to have solicited the stereo for Johnson. A copy of the Star's proposed story on the gift was taken to the White House and Andrew Hatcher, the assistant press secretary on duty, was asked if the President would care to comment. Hatcher glanced at the story, left the room with it for 10 or 15 minutes, and then returned to say that there was no comment.

But by the time the Star executive handling the story got back to his office, Fortas was on the phone to the paper's editor, urging that publication be withheld. When the full facts came out, he said, they would give a different picture of the whole incident. In this case, after a few minor changes, the story was published and proved correct in every essential detail.

On the face of it, Johnson and Fortas are an oddly matched pair, a big, driving Texan and a slight, restrained Memphis Jew. Fortas says that originally it was admiration for Franklin D. Roosevelt that brought them together. They met some 30 years ago, when Johnson was an assistant to Congressman Richard Kleburg, the King Ranch cattle baron from Texas, and Fortas was a Yale assistant professor of law getting his feet wet in the Washington bureaucracy on weekends and vacations. As Fortas recalls it, they were introduced by Arthur Goldschmidt, a Texan and a mutual friend. They soon developed a warm friendship cemented by their commitment to F.D.R. and the New Deal. As each man moved ahead—Fortas through a number of Government assignments and then into private law practice and Johnson up the political ladder—the relationship flourished.

One has to go below the surface to find the reasons for their similarities. Both are compulsive workers; Fortas puts in long days at the office, then works beside his phone evenings and weekends almost as feverishly as Johnson. And, as with Johnson, his magnolia-tinted charm does not completely hide the tension and drive.

It would be foolish to deny that self-interest, too, has kept them together. Johnson, as an ambitious politician, needed—and needs—trustworthy counsel. Fortas, first as a rising bureaucrat and later as a practicing lawyer, has not suffered from this important friendship. Finally, just as the New Deal drew them together, they still see eye to eye in their political philosophy.

Fortas subscribes completely to Johnson's Great Society approach and sees it as an extension of the pattern set by Roosevelt. "It is New Deal to the extent that it manifests itself in concern for people and in a readiness to put the Government to work where necessary to accomplish things for them," he says. "But there is a fundamental difference from the old New Deal philosophy, and it's most dramatically illustrated by the President's insistence on unity and consensus. This, I think, accurately reflects the fact that the country's posture today is such that it can and should move as a whole to do the things that need to be done. Back in the New Deal days some segments of society had lagged so far behind that it was necessary to take measures for them alone."

The first professional service Fortas remembers performing for Johnson was crucial to the Texan's political career. In 1948 Lyndon B. Johnson, then a Member of the House of Representatives, was trying to move to the Senate and was engaged in a bitter primary fight with Coke Stevenson, a former Texas Governor. The vote was close and was followed by charges and countercharges of fraud and vote stealing. The State Democratic executive committee finally decided—29 to 28—that Johnson had won the Democratic nomination, which was then tantamount to election, by 87 votes out of almost 1 million cast. But the Stevenson forces went to court with charges of fraud in Jim Wells County and threatened to keep Johnson from being certified as the Democratic nominee. A Federal district judge enjoined the State from printing ballots so designating Johnson, pending an investigation.

As he was later to do repeatedly, Johnson turned to Fortas for help. "I was in Dallas taking depositions in an antitrust case," Fortas recalls, "and suddenly I got a call from Alvin Wirtz [a close mutual friend]. 'Lyndon's here in Fort Worth and he's in trouble,' Wirtz told me. 'Come over right away'."

Fortas managed to extricate himself from his antitrust case and went to Forth Worth where he found a desperate situation. Johnson, at the end of his money and credit, was faced with the danger of having to go through another campaign. A strategy was devised by Fortas and the other lawyers that very night. An appeal from the district judge's ruling was filed in the fifth circuit court of appeals and then Fortas brought the case to Washington, going before Justice Hugo Black, the Supreme Court Justice charged with hearing emergency appeals from that circuit. After Fortas presented Johnson's case, Black ruled that the district judge had overstepped himself, and stayed the injunction.

Although the 87-vote margin won him the nickname "Landslide Lyndon," which he hates, Johnson easily won the election and his rise to power and the Presidency was advanced an important step.

Fortas continued to do chores for Johnson all through his career as Senate majority leader and Vice President, but his role only rarely came to public notice. Senate aids say he was an influential adviser on the two civil rights bills Johnson pushed through the Senate in 1957 and 1960—measures Johnson was to cite repeatedly as evidence that he had outgrown his southern background. Fortas proudly states that he backed Johnson's attempt to win the presidential nomination in 1960. "My liberal friends were startled," he says, "but I told them that I knew the man—that if he were to do only one-tenth of what he actually did but spend more time telling people about what he'd done and what he believed in, people would be falling all over themselves to get behind him. I had the advantage of knowing him and what he stood for."

When Johnson, as Vice President, was head of the Government's Equal Employment Opportunity Committee, seeking to reduce discrimination in hiring, Fortas unofficially supervised the early work on policies and regulations. "Any problems we had we were told to 'check it with Abe,' " a staffer recalls.

Fortas refuses to discuss his present work for Johnson. He considers the President as his client, and no good lawyer discusses his client's business. The silence that he—and the White House—observe gives rise to all sorts of conjecture. Early this year, for example, one Washington writer noted that the President's health message had failed to support any campaign to discourage cigarette smoking and suggested darkly: "It may be merely a coincidence that the President's personal attorney and close confidant is Abe Fortas, whose law firm represents Philip Morris cigarettes."

This is recognition in the Washington manner, and it is a sort of backhanded realization of the American dream for the Memphis cabinetmaker's son who began making his living at the age of 13 by playing the violin at dances and parties.

Fortas' family came to this country from England and went directly to Memphis, where his father's older brother lived. Abe was the last of five children, the second to be born in the United States. His childhood, he recalls, was "as poor as you could imagine," but with the help of his violin he put himself through Southwestern College in Memphis and Yale Law School.

Immediately on graduation from law school in 1933 he joined the Yale faculty, serving as an assistant professor under William O. Douglas, the present Supreme Court Justice. Before long, however, Douglas and other Yale colleagues were in Washington working for the New Deal. And soon they were calling on Fortas for special assignments on weekends and vacations at the Agricultural Adjustment Agency, Securities and Exchange Commission, and other alphabet agencies. By 1938 he was ready for full-time Washington work, and Douglas, then chairman of the SEC, installed him as assistant director of the Public Utilities Division.

Fortas' sharp legal mind and southern charm moved him steadily up the bureaucratic ladder. He became general counsel of the Public Works Administration, head of the Interior Department's Coal and Power Division, and eventually Under Secretary of Interior under Harold Ickes.

Soon after the war ended, he left the Government to form a law partnership with Thurman Arnold and two other former Government lawyers (Porter joined the firm a few years later). Today it is a high-powered operation of about 40 lawyers, most of them former Government officials or teachers, practically all chosen because of their intellectual capacity. Arnold, Fortas, and Porter lawyers tend to throw themselves into cases with distinctive fervor. "We're the Avis of the law field," says one partner. "We try harder. We're the firm people come to when they are looking for a miracle."

The business is almost entirely oriented to the Federal Government—cases involving taxes, antitrust suits, savings-and-loan regulation cases, proceedings before the Securities and Exchange Commission, and the like.

The reporter's attempt to link the absence of an anticigarette statement in the President's health message with Fortas' representation of Philip Morris illustrates the delicate position he occupies as a man with the President's ear and a lawyer doing business with the Government.

There are some who feel that Fortas could be a bit more like Caesar's wife when he gets into such activities as, for example, his work for the cigarette makers, who are wrestling with the Government over warnings against smoking on labels and in advertising.

Fortas has described himself as a "meticulous legal craftsman." An associate calls him "one of the most able legal machines I have ever seen." He is rated an outstanding appellate arguer, and one of the best brief writers in the business.

But he is considered a difficult man to work for—demanding, exacting, always after perfection. "Take it back and put some poetry into it," he once told a junior lawyer who had worked up an important brief. He meant the legal work was fine, but the thing needed polish and style.

He is almost unfailingly serious and businesslike. He has no small-talk topic other than his longtime love, music. "I wish he'd laugh more," a longstanding associate says. And another comments, "I can't imagine any better professional opportunity than to practice law with him, but he's the last guy I'd want to spend a weekend with."

In briefing new lawyers coming into the firm, Fortas declares, "We're not just guns for hire." The firm, he says, accepts its responsibilities to take cases in the public interest, even though no big fees are involved.

Though he is not a criminal lawyer, Fortas himself has won two trailblazing criminal decisions. Each was a feeless case assigned by the court, and the firm bore all of the considerable costs.

One, referred to as the Durham case, gave legitimacy to a psychiatric defense for persons charged with crimes. Fortas has been interested in psychiatry since the late forties. "I feel that a lawyer who doesn't know about the discoveries and art of psychiatry is not a complete lawyer," he says. Apparently aware of this interest, the U.S. Court of Appeals for the District of Columbia appointed him to represent a smalltime criminal, Monte Durham, in a case involving the question of criminal responsibility. Fortas won a new ruling from the court undoing the old right-from-wrong test of responsibility and substituting a broader rule that an accused is not responsible if his crime is the product of a mental disease or defect.

Fortas also was the hero in the 1963 Gideon case before the Supreme Court, recently described by the New York Times reporter Anthony Lewis in his book "Gideon's Trumpet." Clarence Earl Gideon, who had been convicted of burgling a Florida poolroom, claimed in a handwritten petition to the Supreme Court that he had been convicted illegally. He couldn't afford a lawyer, he said, and the Florida court had refused to appoint one for him. This denied his constitutional right to "due process of law."

In a proud exercise of American justice, the Supreme Court accepted Gideon's case and appointed Fortas to argue it. Characteristically, he threw himself into the assignment. "I want this to be a little jewel," he told the assistant working with him on the brief. The result was a historic decision that the "due-process" clause in the 14th amendment requires that each accused person be represented in State criminal trials by a lawyer whether he can afford one or not. For Gideon, it meant a new trial, with a lawyer, and acquittal.

Fortas has also been involved in a number of the early civil-liberties cases of the McCarthy era, defending government employees and others accused of disloyalty. One of these early cases involved Owen Lattimore, the State Department adviser, a prime McCarthy target. His experience with this case established for him the fact that association with a "cause" case does not necessarily scare away bread-and-butter clients.

The general counsel for Unilever, one of his firm's big accounts, arrived from Holland for a conference with Fortas just as Lattimore was called to testify on Capitol Hill. Fortas told the Unilever man that he wouldn't be able to meet with him since he had to go to the hearing. For lack of anything else to do with his time, the Dutch lawyer went along. There he became so enraged with the McCarthy technique and so impressed with the Fortas performance that he left more enthusiastic about the Fortas firm than ever. Some years later, when Fortas and Porter were on a European trip, they visited the Unilever man at his estate outside Amsterdam and while there noticed a trio of geese parading across the lawn. Their host and his wife informed them that the geese were named Arnold, Fortas, and Porter. They hastened to explain, however, that this was a compliment, since geese traditionally have warned of barbaric invasion, and the law firm was doing the same thing in handling civil-liberties cases.

Perhaps the firm's victories in "cause" cases have convinced businessmen that Arnold, Fortas, and Porter was an aggressive, sharp group of lawyers. Or perhaps the firm's deep roots in government service and impeccable political ties are its main selling points. Whatever the reasons, Arnold, Fortas, and Porter has clearly prospered. The firm represents a number of giant companies, and Fortas himself sits on the board of Federated Department Stores, Greatamerica Corp. and several banks and insurance companies.

Fortas and his wife, a small, dynamic woman who smokes cigars and is recognized as one of Washington's leading tax lawyers, lead a quiet life in Georgetown. They met when he was alternating between Yale's law faculty and the Department of Agriculture's legal staff. She was an economist at the department. After they married in 1935, he encouraged her to go to law school—so, of course, she went to Yale and graduated number two in a class of a hundred twenty-five. For many years she resisted joining her husband's firm, working instead in the Washington office of Adlai Stevenson's firm. But when that office closed in 1960 after President Kennedy siphoned off Stevenson and several of his partners for government assignments, most of the staff moved over to Arnold, Fortas, and Porter and she went along. Today she heads the firm's tax division.

The Fortases have broad cultural interests. He is a director of the Casals Festival in Puerto Rico and a trustee in the Carnegie Hall Corp., the Washington Gallery of Modern Art, and the John F. Kennedy

Center for the Performing Arts, the latter still in the planning stages. They generally shun the social circuit, however. Fortas explains that he developed a profound distaste for the standard Washington function back in his Interior Department days when he had to attend many as a stand-in for Secretary Ickes.

His greatest pleasure is his music. He plays the violin with near professional skill, and every week, without fail, he and three other musicians (two professionals and another amateur) devote an evening to playing string quartets. His cultural interests permit him to serve President Johnson as an occasional pipeline to the arts. Typically, he was chairman of the concert last inauguration eve which, with the help of his friends Isaac Stern, Van Cliburn, and others, brought a touch of class to the somewhat garish inaugural festivities.

For a week or two each summer Fortas takes the other members of his string quartet to his summer home in Westport, Conn., where, he says, "I spend the mornings hauling manure for my wife's garden and the rest of the time playing chamber music." He and Mrs. Fortas usually manage at least one trip to Canada every winter for skiing and skating.

Fortas has a longstanding friendship with Pablo Casals, growing out of ties to Puerto Rico which began when he managed the island's affairs as part of his Interior Department job. He helped arrange the Casals Festivals and also engineered the cellist's White House appearances during the Kennedy administration.

As the first Casals Festival was about to open in San Juan in 1958, Fortas found himself entrusted with a mission as delicate as any he has performed for the President. A seam split in Casal's precious cello, and the maestro would not let anyone repair it but an expert in New York. Fortas was called in. He booked two first-class tickets on a plane for New York, took the window seat for himself and propped the cello in the other, holding it in place by the seat belt. A very moderate drinker, he recalls that he ordered two martinis on that flight—one for himself and one for the cello—and drank both. "I was nervous," he explained. "Carrying a man's cello is like carrying his wife."

AN APPEAL FOR AMERICA'S SHEET GLASS INDUSTRY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 15 minutes.

Mr. EDMONDSON. Mr. Speaker, 2 years ago the President, under the escape-clause procedure, imposed additional duties on sheet glass imported into the United States as a measure of protection of the domestic glass industry.

Conditions in the industry at that time more than warranted this action. The domestic industry was struggling against adverse conditions, and was desperately seeking stability after a period of disastrous ups and downs over which the industry had little or no control.

While the industry was seeking to find its footing, Western European glass manufacturers had been shipping sheet glass into this country in large quantities, at prices 8 to 9 percent under the best prices the domestic industry could offer.

Last Friday, the U.S. Tariff Commission delivered to the President a report on sheet glass as a result of an investigation conducted under provisions of the Trade Expansion Act of 1962. On the basis of this report, the President will now decide whether to continue the escape-clause tariff on sheet glass, or whether there would be no adverse effects in the domestic industry if the tariff were lifted.

Mr. Speaker, this week I sent a telegram to the President urging that no reduction in duty on sheet glass be ordered. I would like to read this telegram to my colleagues:

> President LYNDON B. JOHNSON,
> *The White House,*
> *Washington, D.C.:*
>
> Strongly urge that no reduction in duty on sheet glass be ordered on basis of Tariff Commission report just filed. The impact of a reduction could be disastrous in areas now responsible for more than one half our domestic sheet glass production, including eastern Oklahoma where two plants are located in Okmulgee County. Your attention is respectfully called to commission finding that imports of heavy sheet glass were highest on record in 1964 despite tariff increases established on commission recommendation 3 years ago. Reduction in duty would almost certainly lead to further increases in imports and resulting unemployment in American glass plant areas. Surely there can be no sound justification for tariff cuts at this time. With great respect and confidence in your decision.
>
> ED EDMONDSON,
> *Member of Congress.*

I think it would be good to review, for a minute, the domestic glass industry and some of its problems, some of the conditions which greatly affect its welfare.

Almost all the sheet glass produced in this country is produced by 7 companies in 14 plants. Four of these plants are in areas of persistent unemployment in Appalachia, and two more are in areas of persistent unemployment in Okmulgee County in my district in Oklahoma. These six plants, four in Appalachia and two in Okmulgee County, employ about half of all the people employed in the United States in production of sheet glass. The President requested, and Congress has authorized, expediture of almost $2 billion to help put Appalachia on its feet, and the Public Works Committee is now considering another bill requested by the President which would extend this same effort into other lagging regions. More than 7,000 Americans work at producing sheet glass, and more than 3,500 of them are in these plants in areas of persistent unemployment. Continuation of these duties which already have helped stabilize the domestic glass industry certainly would seem consistent with economic development objectives put forth by the President and endorsed by the Congress.

The glass industry has experienced 15 years of fluctuation, and, because it is dependent upon the construction and automobile manufacturing industries which consume most of the product, it will continue to rise and fall as the welfare of these industries moves upward and downward. However, the sheet glass industry does not, even under the best of circumstances, fare as well as the economy as a whole. U.S. sheet glass consumption has moved irregularly upward during the years 1955 through 1964, but at all times the sheet glass industry has lagged behind the growth of the gross national product and behind industry in general, as reflected in the Federal Reserve index of industrial production.

The small but vital sheet glass industry is not an industry which can adjust easily to ups and downs. Successful and profitable production of sheet glass requires considerable technical knowledge, large capital investment, extensive marketing capacity, and, for the greatest efficiency, continuous furnace operation. Through technological advances, our domestic industry has increased its production capacity in all but two of the years between 1955 and 1964 without a corresponding increase in production. Last month only 22 of 33 sheet glass furnaces in the United States were in operation. The industry was running at two-thirds of capacity.

This is a picture of an industry which has had a 2-year breather from excessive and depressive competition from imported sheet glass.

What would happen if the escape action should be lifted at this time? Here are conclusions drawn by Tariff Commissioners Talbot and Sutton, and set forth in the report which has been submitted to the President:

> A reduction in duty would—
>
> 1. Exert a downward pressure on sheet glass prices;
> 2. Lead to an increase in the share of consumption supplied by imports;
> 3. Contribute toward a decline in employment and profits; and
> 4. Idle productive facilities.

These Commissioners also conclude that "one could expect that the actual repercussions would go beyond those which a narrowly focused price analysis would indicate. A less favorable price position of domestic versus foreign sheet glass reduces the opportunities of domestic producers to make the most of strong demand situations and to provide a defense against weak demand situations."

It is significant that the other Commissioners agree that adverse effects would follow a tariff reduction even though differing with Commissioners Talbot and Sutton as to the degree of harm likely to result.

Given these circumstances, and these conclusions drawn by Commissioners who have held hearings, conducted an investigation, and studied the facts intensively, it would appear to be grossly unfair to pull from under this industry the help it has received in finding its feet these last 2 years. It would seem grossly unfair to lift the escape action tariff which gives, at best, only a small measure of protection from low price foreign competition.

I hope and trust the President will reject the pressures for tariff reduction on sheet glass and continue the much-needed rates now in effect.

JUSTICE DENIED?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, for several years my attention has been called to manifest injustices resulting from abuses of power by the Alien Property Custodian under the Trading With the Enemy Act. The express purpose of that law was to sequester property of enemy aliens, not to confiscate it, and to hold it until war ended and then it could not possibly be of aid to the enemy, to return it.

Hundreds of such examples can be found in the hearings on bills providing for amendments to the act. I refer to those before the House Committee on Foreign Affairs—House Joint Resolution 272 and those that follow, 84th Congress, July 1 and 11, 1955; Senate Judiciary Committee—S. 34 and those that follow, 83d Congress, July 20–22, 1953; and S. 105, and those that follow, 86th Congress, June 18 and July 1959.

On January 26, 1948, one of the ablest Members of the House, Hon. Eugene Cox, of Georgia, characterized the 1948 War Claims Act as legalized robbery. Under it the Alien Property Custodian David Bazelon, a Chicago lawyer, confiscated the property of many thousands of persons. I should add in passing that this Custodian was later appointed to the Federal bench. The Alien Property Office has had a curious history even from its creation. I have in mind one of the first Custodians, Thomas Miller, whose difficulties are to be found in a Federal court decision reported in 24 F. 2d 353; certiorari denied, 276 U.S. 638, 48 S. Ct. 421. A U.S. court of appeals branded Custodian Miller "as unfaithful to a trust imposed upon him in high office, where his Government had the right to expected fidelity and conscientious performance of duty."

Two of the grossest miscarriages of justice pointed out to me are those of a natural born American citizen, Miss Christel Guessefeldt; and of a naturalized citizen of this country, Mr. John F. Hackfeld. I have introduced bills with respect to these cases, H.R. 8826 and H.R. 4030, respectively. I include these as part of my remarks.

Typical of the mistreatment of Miss Guessefeldt was the confiscation in 1950—long after the end of World War II—of her toy ukelele, dolls, child's spoons, pictures and her book, "Alice in Wonderland." She finally raised funds and bought them back from the APO. I quote from testimony before the Senate Judiciary Committee:

> Typical of the Government lawyers' attitude, was an inquiry whether her father could have come home (from Europe in 1941) on the Zeppelin *Hindenberg*. That airship had been destroyed 2 years before the Guessefeldts left Hawaii on vacation.

As to Hackfeld, the Government first returned cash, bonds, and securities it had seized. This was done on the orders of the President of the United States and the Attorney General. When he sought to expose the seizure and confiscation of other valuable property consisting of stock in his holding company, the Government persuaded a Federal judge to reopen the case and as a result a portion of his cash and securities were again taken from him on the ground the first return was a "mistake" and that he was an alien. But at the same time it happened to be in the interest of the Government to sue him for huge sums for taxes on the emphatic and insistent contentions by the Revenue Service that at all times since 1900 he was a naturalized citizen of the United States. My bill would require the Government to elect which course it intends to follow. In other words, as a Supreme Court Justice recently stated:

> The Government cannot have it both ways in the same case (373 U.S. 144, 195; 83 S. Ct. 554, 581).

The travail of these two individuals and their families at the hands of a Federal bureaucracy and in the courts is illustrated in the memoranda following my remarks. My bills in their behalf set no precedent. In fact the Congress has just returned a substantial sum of money to Dr. Walter Duisberg, a German who became naturalized in May, 1933. The return to Duisberg was accomplished by reference to the Court of Claims of bills for his relief. I include them and Private Law 675, 87th Congress, as a part of my remarks.

In sharp contrast to the unjustified court decisions adverse to Miss Guessefeldt and Mr. Hackfeld, I take this opportunity of calling attention of the Congress to an opinion by Federal Judge Linton Collins. It is in the finest tradition of the judiciary. He has just held that a claimant against the Government is not only entitled to recover damages for losses caused by the United States, but must be compensated for the delay in payment. The judge points out that the claimant had endured not one but "three extensive trials" over a period of "more than 20 years." I suggest that those having difficulties with the Government will take heart upon reading Judge Collins' conclusions that justice after all is available in the courts—certainly in cases before him—notwithstanding the suit is against the United States. Particularly significant is that the case was referred by simple house resolution to the court for its findings and recommendations under existing law.

I am hopeful that Congress will enact the Guessefeldt and Hackfeld bills and thus also end two outrageous injustices to America citizens which have already been endured too long.

POST OFFICE DEPARTMENT POLICIES OVERLOOK COMMUNITY NEEDS IN HEATH

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, at times it appears that the Post Office Department overlooks community needs in determining the fate of local post offices. We have two good examples in my own county in the village of Jacksontown and the city of Heath. It is with compassion that anyone studies the terrific responsibilities of Postmaster General Gronouski in directing the vast postal system. Yet, at the same time criticisms should be voiced on policies which are oblivious to community needs and overlook the value of a post office to a village or city.

In the case of Jacksontown, it was alleged that a saving of about $5,000 would be accomplished by closing the office and consolidating its postal service with a rural route operating out of Newark, Ohio. On close examination, this saving was superficial but, more importantly, it totally overlooked the value from a service a community standpoint in having a post office. This does not easily translate into dollars and cents but we should never become so materialistic that the human values in the postal service become unimportant. It is important to people of a town or city that they have their own post office, that they enjoy its services and gain the civic pride which comes from the identity of mailing to Jacksontown, Ohio, or to Heath, Ohio.

What the Department seems to overlook is the necessity to a community of having a post office. With the trend of bigness and toward centralization, it is thought that in schools, post offices, businesses—indeed, just about every facet of our economic and political life—we must consolidate and do away with the small, the old. Jacksontown would suffer a blight as a village if their office were to be closed. Civic pride, service, and many factors which do not appear on the ledger are really of prime importance and should be considered in any determination that a post office be closed. This is one of the real reasons that no one gets serious about a postal deficit. There should be one because it is essentially a service and not a profit and loss item.

As a side note, time and time again I have received letters from irritated constituents who wonder why junk mail from the multitude of Government agencies is sent airmail when regular delivery would suffice. Just yesterday, I received a bundle of mail which was sent via airmail to a Zanesville business concern at a cost of 56 cents when there was no urgency to it whatsoever. Many Government officials in Washington feel that as long as the taxpayer is footing the bill, it does not matter. Why then do they set such rigid standards for local post offices which, after all, perform a service function to a community far greater than the tens of thousands of dollars which are used in postage?

At the same time the economy argument was used to close the Jacksontown office and, fortunately we were able to have this order rescindeed, a curious argument is used to deny residents of Heath a new post office. As Bert Hoback, first mayor of Heath and now serving as chairman of the post office committee for that city, put it in a letter to me:

> We have moved along from 1,200 population to almost 7,000 in 10 years and it is predicted that we will have 10,000 in a few years.

Why, then, cannot Heath have a new post office instead of being serviced by their neighbor, Newark?

Let us go through the chain of events to see if there is rhyme or reason to this matter. I have been working on this matter for over 3 years and can recount in detail the stumbling blocks which have been thrown along the way. In 1963, the following letter was received from the Deputy Assistant Postmaster General:

POST OFFICE DEPARTMENT, ASSISTANT POSTMASTER GENERAL, BUFEAU OF OPERATIONS,
Washington, D.C., April 8, 1963.
Hon. JOHN M. ASHBROOK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This is in reference to postal service needs in the village of Heath (Licking County), Ohio, about which you had previously inquired. Residents and civic leaders of Heath indicated that a classified branch post office was needed to improve service and provide a community mailing address.

Our investigation shows that at the present time postal service is provided to every house and business place in Heath by foot, mounted or rural route. The Heath contract branch post office in the Southgate shopping center offers the usual financial services, stamps, money orders, etc. The area gets a collection after 5 p.m. and certain main boxes get a collection after 8 p.m. Special delivery service is given in the evening and on Sunday. In addition the community is less than 2 miles from the Moundbuilders classified station.

Apparently residents are unaware that they can use the address "Heath, Ohio" without including Newark. However, Heath is a bona fide address and is carried in State distributing schemes and the Directory of Post Offices.

The additional expense of establishing a classified branch in lieu of the Heath contract branch would amount to about $10,000 per annum more than the contract branch post office.

We are having our field officials give publicity to the fact that residents of Heath may use the name of their community as their mailing address and we are authorizing issuance of a Heath postmarking stamp for use on outgoing mail. Mayor Hitchcock will be contacted and the matter discussed with him. If there are specific instances of unsatisfactory service we would like to know about them and would welcome the opportunity to work out any problems that arise.

Sincerely yours,
A. C. HAHN,
Deputy Assistant Postmaster General.

At that time, Heath was not officially a city. Due to the efforts of many public-spirited Heath citizens and officials, a census was conducted and it was determined that Heath was entitled to become Ohio's 196th city with a population of 6,066. Our efforts were given a new boost since certainly a city should have its own post office. At least, this is what one would think. We started anew and sent a letter to the Postmaster General. His reply was brief and he turned the matter over to the Bureau of Operations.

His letter stated:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D.C., April 14, 1965.
Hon. JOHN M. ASHBROOK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This will acknowledge your letter of April 10 requesting a survey to determine the possibility of establishing a new post office in the city of Heath, Ohio.

Your letter has been directed to the appropriate officials under whose jurisdiction this comes, and a report will be sent to you just as soon as it is available.

With kind regards.

Sincerely,
JOHN A. GRONOUSKI,
Postmaster General.

A very descriptive and intelligent letter was drafted by the local Heath Post Office Committee and sent to Postmaster General Gronouski. Probably no one was better able to cite the orderly growth and potential of the Heath area than Bert Hoback who made this request. His excellent letter stated:

CITY OF HEATH,
Heath, Ohio, May 26, 1965.
Hon. JOHN A. GRONOUSKI,
The Postmaster General,
Washington, D.C.

DEAR MR. GRONOUSKI: We need help. The people of the city of Heath, Ohio, feel lost without at least a branch post office as a legal mailing address using the city name. The mail service in Heath, Ohio, is confusing and, no doubt, the confusion is increasing since the secretary of state has certified Heath a city.

Incoming mail addressed to Heath, Ohio, goes to the Newark Post Office and finds its way to the Moundbuilders Station for delivery, as that is the nearest station to the Heath area and since Heath does not have a branch office for the mails' destination. The Moundbuilders Station is a small station to serve the western residential section of the city of Newark. Since there is parking space for only two cars, this makes it inadequate for an additional area of 8 square miles and a population of almost 7,000 to properly use it. Heath has a valuation of $41 million and from the Ohio State survey may have a population of 10,000 by the year 1970.

A centrally located station with adequate parking space would be of great help, and it would be appreciated by all to be permitted to legally use the Heath mailing address without confusion. Heath has grown very fast and is still-growing. Probably no one has given a true picture of Heath to the Postal Department prior to this time.

Mail delivered in Heath, Ohio, has been stamped in red to notify your sender of the correct address. By that they probably mean everyone should notify the sender that the address should be Newark and not Heath. It is doubtful if this could ever be satisfactorily done, as there will always be mail addressed to the city of Heath and Heath, Ohio, residents. More residents every day are marking their return address as Heath, Ohio, and a city of 7,000 should feel that to be their correct mailing address.

We are not asking for an independent post office with additional expense to the Postal Department, as they, no doubt, feel there should be more consolidations made using one large independent post office with branch offices for the name of the city or village to which the mail is addressed. The intent of this letter is to inquire how soon the mail that is being addressed to Heath, Ohio, can be a legal address and all people concerned be notified of such to help stop the red stamping of the wrong address.

We would appreciate it very much if some of your people would join us to check the feasibility of securing a branch station and if all concerned may use the Heath, Ohio, mailing address rather than being in a divided situation such as now exists. No doubt, everyone concerned feels that the mail should move along safely and properly. The future potential of the city of Heath is predicted to be great, and it is believed that the Postal Department will lose no money by moving along with us.

Yours very truly,
R. B. HOBACK,
Chairman, Post Office Committee.

The same Mr. Hahn replied as he had in 1963 but this time placed more reliance on centralization than on adequacy of service. Again they overlook the value of a post office to Heath as a civic necessity and prerequisite to any fast-growing city:

POST OFFICE DEPARTMENT, ASSISTANT POSTMASTER GENERAL, BUREAU OF OPERATIONS,
Washington, D.C., April 22, 1965.
Hon. JOHN M. ASHBROOK,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: Thank you for your letter of April 10, to the Postmaster General, regarding your interest in having an independent post office established in the city of Heath, Ohio.

As you know, we must centralize mail handling activities throughout the Nation at a minimum number of key post offices in order to continue efficient and economical postal service to our rapidly increasing population. This has resulted in our decreasing, rather than increasing the number of independent post offices and where postal window service is needed, we operate either a contract or classified station or branch.

I have asked for a study of the postal service being provided by the Health Contract Branch post office to determine the adequacy of service. This is a service matter which is under the delegated authority of the regional director at Cincinnati, and I have asked that you be given a full report at the conclusion of his study.

Sincerely yours.
A. C. HAHN,
Deputy Assistant Postmaster General.

I naturally continued my fight for this local post office and had little doubt that the Post Office Department would gladly agree to establish a new one for a city. It was with amazement that I read the letter from Regional Director Nolan last week which indicated that "postal service for the Heath community is adequate and satisfactory at the present time."

His letter is as follows:

POST OFFICE DEPARTMENT,
CINCINNATI REGIONAL OFFICE,
Cincinnati, Ohio, June 4, 1965.
Hon. JOHN M. ASHBROOK,
House of Representatives.

DEAR CONGRESSMAN ASHBROOK: This has further reference to your letter of April 10 to the Postmaster General in relation to postal service for the city of Heath, Ohio. Pursuant to the Department's reply of April 22, we have given attention to the adequacy of service rendered by the Heath contract branch.

A report from postal service officers who conducted the study indicates that present service is adequate and meets the needs of the community. During the investigation discussions were held with the postmaster and other management officials of the Newark post office to which the Heath contract branch is attached administratively. The manager of Gray's Drugstore, in which the contract branch is located, was also contacted. Insofar as it could be determined no legitimate service complaints have been received from any patrons during the past several months.

In addition to the financial accommodations provided by the contract branch, every house and business place in Heath receives mail delivery by foot, mounted or rural route. Mail is collected from the area after 5 p.m., and there is a second collection after 8 p.m. from certain boxes located on main arteries. Special delivery service is given on Sunday as well as on other days of the week.

The name "Heath, Ohio" is carried in State distribution schemes and the "Directory of Post Offices" as a bona fide address. The fact that residents can use "Heath, Ohio" as their post office address was published in the Heath Herald in May 1963. This community identity, along with the present delivery and financial accommodations, is comparable to that which would be provided by an independent post office or a classified carrier branch.

While I feel our postal service for the Heath community is adequate and satisfactory at the present time, please be assured that appropriate changes in service will be undertaken as warranted by future requirements.

Sincerely yours,

J. P. NOLAN,
Regional Director.

Mr. Speaker, the Post Office Department may think the service at Heath is adequate but most Heath citizens do not; nor do I. This makes no reflection on the Newark postmaster or post office. They do their duty with no cause for complaint. Our argument is simple: a city of 6,066—now actually well over 7,000 and growing—should not be the victim of bureaucratic shortsightedness which fails to take into account a city's need for a post office. It matters not if the service is adequate from the Department's standpoint. The service will never be adequate to a city when they are without their own independent home post office and all of us will continue our fight until this goal is accomplished. I believe the Department is relenting somewhat in their rigid position and I predict that we will have a post office within the near future.

As a sidelight, I am reminded of how farfetched some of these new, advanced schemes are when they are worked out at the local level. It is one thing to sit in a Washington office and draw lines, work out boundaries, and suggest efficiencies but it is quite different to be out in the field and put these theories into practice. Two years ago, the publisher of the Utica Herald, one of Licking County's fine weeklies, received many complaints from some of their Knox County subscribers who formerly received that newspaper on Thursday but had begun to get it on Saturday or Monday. Of course, in the old and unenlightened days the mail used to go directly to the patrons. Then some hot shot figured out a beter way of doing it and to our query we received this blasé reply:

> Under the new improved system the mail now goes from Utica to Newark to Columbus to Mount Vernon to the patron.

Sounded great on paper but it did not work well in practice. In both Jacksontown and Heath we have vivid examples of theories which may sound well but in practice are not consistent with the long tradition of service for which our Post Office Department is known.

Mr. Speaker, Heath residents have a right to expect more consideration from their Post Office Department. They want, and they are entitled to, an independent post office for their city; let me repeat, city. We will never relent in this fight until the Post Office Department sees the merit and wisdom of their request.

NEW YORK CITY IN CRISIS—PART XCVIII

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. MULTER. Mr. Speaker, the following articles concern a large tract of undeveloped land on Staten Island and plans for its redevelopment and the crime situation in New York.

The articles are part of the series on "New York City in Crisis" and appeared in the New York Herald Tribune of April 25, 1965.

The articles follow:

STILL HOPE FOR A MODEL SUBURB IN THE CITY

(By Jerome Zukosky)

At next Wednesday's meeting of the city planning commission, Mayor Wagner's administration expects to do an about-face on an ambitious plan to make a model suburb within the city limits.

The site in question takes in 1,080 acres on the south shore of Staten Island, which still has some 15 square miles of vacant land in a city where big undeveloped parcels are scarce and rapidly getting scarcer.

The Annadale-Huguenot urban renewal plan, given up for dead a year ago, is perhaps the last chance to save the rest of those 15 square miles from the kind of chaotic catch-as-catch-can building that has already enveloped much of Staten Island, to say nothing of the city's other boroughs.

Even the borough president of Richmond, Albert Maniscalco, admits that the housing developments sprouting along the Lower Bay since the Verrazano-Narrows Bridge was started are among the ugliest, worst planned and most expensive in the city.

Without urban renewal, Annadale-Huguenot would be ripe for more of the same. Yet 2 years ago Staten Island citizens' groups and real estate interests forced Mr. Maniscalco to ask Mayor Wagner to kill the plan, and last year the mayor told the planning commission to administer the coup de grace.

THE LOOSE ENDS

The commission had been toying with the plan since 1961, when James Felt was its chairman. The chairman now is William F. R. Ballard, and he says it is premature to discuss the plan before its revival is formally announced by city hall. That announcement is expected Wednesday, but the mayor's housing coordinator, Milton Mollen, is still tying up loose ends and it could be delayed.

This leisurely attitude toward one of the city's last big stretches of prime building land had an unexpected result: the combination of official indecision, bureaucratic immobility, and the planning commission's reluctance to kill the plan gave a handful of Staten Island residents an opportunity to drum up, for the first time, solid popular support for renewal.

"There has been a very noticeable change in attitude toward the whole thing," Mr. Maniscalco mused in a telephone interview the other day, making it clear that he has no intention of opposing the mayor's decision to resuscitate the Annadale-Huguenot plan.

That puts matters back where they were 2 years ago, almost to the day.

Some 600 houses, many of them summer bungalows, dot Annadale-Huguenot's rolling woodland, where most streets are unpaved tracks or dirt paths. About 30 percent of the land is privately owned; the remaining 700 acres belong to the city. But when the planners began looking closely at Annadale, in 1961, they knew its future was firmly fixed in the mold of the developments to the north by the invisible blight that can be seen only on official city maps.

Over that land, covering it completely, is a massive gridiron of nonexistent streets designed like those that run across most of Manhattan. They divide the land into huge rectangular blocks, and they are wide enough to handle garment center truck traffic.

The grid obliterates ponds, woods, and hillocks right to the shore of the Lower Bay. It was laid down by land speculators during the last big land boom before the depression. For the most part the blocks themselves are divided into lots 40 feet wide by 100 feet deep.

AN EMBALMED PATTERN

Few homes or streets were built, but the pattern of land use was embalmed in official city maps. And just one privately owned lot on a block was enough to keep those invisible streets official.

If those maps were used as the framework for new housing, Annadale would be built just as it was laid out by the land speculators, although the grid system violates most of the planning rules for suburban housing that have emerged since World War II.

Providentially, however, the old maps were inaccurate. New ones were necessary before large-scale building could take place. In 1958, Mr. Maniscalco began supervising a remapping by private engineers. For the most part, the new maps laid out the land just as the old ones did, and late in 1960 Mr. Maniscalco got to Annadale.

The maps he submitted to the planning commission for approval are still there—unapproved. Mr. Felt, the chairman of the commission, obtained a "freeze" on the Annadale tract early in 1961, precluding further sale of city land or new homebuilding. Then the planners went to work.

In October 1962, in the supreme court building in St. George, the commission staff presented its general plan to Staten Island civic groups. In February 1963, the commission held a public hearing on the plan at city hall. On April 17, 1963, it designated the 1,800 acres near the old hamlets of Annadale and Huguenot as an urban renewal area, and gave its sanction to a general planning proposal that has since become known as the Annadale plan.

The planners proposed to start from scratch, wiping out lot lines, streets, utilities easements, and other legal clutter forever and effectively turning Annadale into virgin land. The only way to do it was to use the city's urban renewal powers to buy up the privately owned land and replan the entire tract.

After replanning, all the land not used for streets, schools, parks, libraries and other public facilities would be sold to private buyers, including any original property-owners who wanted to return.

The planners figured the city would recoup at least all it spent to acquire the private land in the first place, and no Federal renewal subsidies would be necessary. For one thing, at least 100 of the 357 acres mapped as "streets" in the gridiron were wasted: the planners, by using modern cul-de-sac streets, for example, were able to use the "found" land for extra parks and public utilities.

Groups of houses could be clustered and the clusters separated by strips of parks leading to the bay front, to schools or to stores; houses of different size and cost could be encouraged by pricing lots differently and making them different sizes. New York City could have, for the first time, a suburban community similar to the pioneering Radburn in Bergen County, N.J., and to dozens of "new towns," such as Reston, Va., now rising outside the major cities of the Nation.

But the planning commission's vision got nowhere. The housing and redevelopment board, which normally takes over after the commission approves a general scheme, failed to draw a detailed project. The housing and redevelopment board has never publicly given a reason for this, but the answer is not difficult to discover. On Staten Island, the citizens who did care about what was happening at Annadale did not like it.

AD HOC COMMITTEE

"Most of the people that came out, 98 percent of the people that came out, were against it," said Mr. Maniscalco, recalling the month after April 1963. At a public hearing called by the borough president to "test public opinion" some 250 people shouted down anyone favoring the project who did not live near the Annadale area.

On September 30, Mr. Maniscalco wrote to Mr. Mollen, then chairman of the housing and redevelopment board, to Mayor Wagner and to Francis Bloustein, acting chairman of the planning commission, requesting that the project be abandoned.

"You must have been aware—as we were at our public hearing last April—of the strange alliance of opposition to the proposal," Mr. Bloustein wrote back on October 15. The residents of the area, he said, "wanted everything to remain in its rural state," while their allies were "real estate interests who were vigorously opposed to renewal planning because they want to move in immediately and build as much as they can as fast as they can."

Mr. Bloustein asked Mr. Maniscalco to reconsider. "Failure to take advantage of this great opportunity will prove a mistake that will haunt not only Annadale but the entire borough for generations to come," he said.

The borough president was unmoved, and the following May, a brief press release handed out on a Friday afternoon at city hall, for suitable burial in the Saturday papers, said that Mayor Wagner had ordered the planners to drop the project. But he did it with a typical compromise that may have saved the plan.

The mayor told the commission to try to overcome the "invisible blight" without urban renewal. This proved an impossible task: "Any technician could have told the mayor that right away," said one staff planner for the commission. But for 8 months the commission tried to follow the mayor's orders. It was just enough time for it to be rescued by a handful of Staten Islanders.

Frank Duffy, a 36-year-old lawyer for Union Carbide Corp., and three friends—a newspaperman, a graphic arts designer and a Wall Street corporation lawyer—set up the "Ad Hoc Committee on Open Lands on Staten Island" last fall.

FINALLY, SUPPORT

The committee's first problem was to offset the fear and resentment that had welled up in 1962 and 1963 as the planners fruitlessly tried to allay the belief "renewal" was, among other things, a Communist plot, a foot in the door for Negroes and poor people or some other vague menace.

The second front was the courts. To gain time Mr. Duffy's group filed suit against the city in supreme court in Manhattan. The islanders argued that the planning commission could not abandon its plan without the kind of precise new land layout the housing and redevelopment board had never produced.

Lawyers from the city corporation counsel's office, the housing and redevelopment board, and the planning commission tried to have the petition dismissed, but Justice Irving H. Saypol disagreed. More important, opposing lawyers informally agreed that no city-owned land within the Annadale tract would be sold until the end of litigation, which seems nowhere in sight. The city has yet to file its answer to the complaint. This city land is a problem that has plagued the Annadale plan from the beginning. Real estate department officials, Commissioner Frank Lazarus and Budget Bureau Director William Shea have made no secret of their desire to auction it off as quickly as possible. The land is estimated to be worth at least $10 million.

The desire of the men who watch the budget to sell that land was made clear to the planning commission chairman, Mr. Ballard, at a meeting of the site selection board early in January. Within a few weeks, the commission picked its March 16 meeting to end the plan, release the maps it had been sitting on since 1960 and permit the sale of city land on the old grid.

But by then the planners had support on Staten Island.

"For the first time there came an uprising from people not only outside the area but inside it too, saying they wanted a plan," Mr. Maniscalco said of the March 16 hearing.

Now the planning commission is expected to vote against its own proposals of March 16, and authorize the housing and redevelopment board to apply for Federal funds to make a detailed plan of the Annadale tract. The board of estimate must approve the application, then the Housing and Home Finance Agency, and both the planning commission and the board of estimate must approve the product of the drawing boards.

This may take a year; the Annadale project is said by Federal renewal officials to be one of the few "open land" renewal ventures in the Nation. But if it succeeds, the Wagner administration, almost in spite of itself, will have started the first publicly planned modern suburban community in the city's history.

THE OVERTIME BEAT: QUIET IN CRIME AREA

(By Fred C. Shapiro)

Detective Thomas McGuiness, 34, tall and a little ill at ease, stood in ranks at the 17th Precinct stationhouse, 167 East 51st Street.

It was 7 p.m. and the first time in 8 years—except for election day duty—that Detective McGuiness had worn the blue, high-collared uniform of a New York City patrolman.

Besides that, he was out of place—geographically speaking. As a detective, he is assigned to the Charles Street station but Friday night when 500 New York City officers hit the streets on a special 7 p.m. to 3 a.m. shift to beef up the war against crime, Detective McGuiness was uptown.

His beat was Post 31, one of the 12 highest crime-rated posts among the 17th Precinct's 71 footbeats, from 42d to 44th Streets on Lexington Avenue.

With him on the special shift were eight men normally assigned to clerical duties and three other detectives from other commands.

This shift, Precinct Capt. Richard Di Roma told them at muster, was designed "to bring added protection to the people of the city of New York, to give the citizens a feeling of security by the presence of a uniformed conspicuous patrol."

How did it work?

Fine, on Lexington Avenue from 42d Street to 44th Street and halfway down each side street—but inconclusively at best elsewhere.

There was no official breakdown by police statisticians on the number of arrests made by men on the special shift, but in the reporting period beginning at 4 p.m. and ending at 3 a.m. yesterday, there were arrests for 19 felonies, 10 misdeameanors and 26 offenses.

This compared with arrests for 27 felonies, 22 misdemeanors and 50 offenses for the same period last week. But a check of police teletype slips showed 13 reports of violent crime throughout the city between 7 p.m. and 3 a.m., with robberies totaling $4,358.

Only one arrest was reported in connection with these cases, an assault and robbery of $93 from Jamaica, Queens, pedestrian. In addition, one of the other crimes of violence took place on the subways—less than three weeks after 1,200 other regular police and Transit Authority police were assigned to overtime duty on trains and platforms.

At 12:30 a.m. yesterday, IND subway change clerk Maxine Leacock, of 157 Warren Street, Englewood, N.J., was held up at the 163d Street and St. Nicholas Avenue station of the Eighth Avenue IND. She handed over $15 and the robber fled without attracting the attention of the patrolman on duty in another level of the station.

One possible tragedy was averted on the subway, however, when a patrolman arrested a knife-wielding truck driver on a Bronx-bound IRT White Plains Road express. Police said the driver, identified as Paul Glenn, Jr., 45, of 630 Lenox Avenue, had seized Marcial Blum, 18, who was going home to the Bronx from a night class at City College.

David Glover, 23, of 639 Jefferson Place, Bronx, intervened and Glenn, police said, drew a hunting knife. Miss Blum then ran through the cars until she found Patrolman Louis de Virgilio who took the knife away from Glenn at gunpoint.

Glenn was held in $1,500 bail by Criminal Court Judge Simon Silver who commended Mr. Glover for "the courage to try and protect this girl. It's about time people did care about their fellow citizens."

Outside of the subway, one of the crimes reported resulted apparently in the death of a 17-year-old City College honor student. At 12:10 a.m., the body of Richard Sachs, of 1225 Sherman Avenue, Bronx, was found in the backyard of his five-story apartment house.

Police said Richard, returning from the movies, found his apartment ransacked, and after notifying a neighbor, apparently started to chase a suspect up the five-story building's slippery, wet fire escape. Physicians said it appeared that the boy, the son of a U.S. customs inspector, apparently fell from a height of one to two stories.

But this was a long way from 42d and Lexington early yesterday morning, and, where the power of the law was being displayed, things were quiet.

Detective McGuiness didn't make an arrest all night, and wasn't even forced to resort to his newly drawn book of summonses. He walked up and back along the well-lit streets, trying building doors, and, during the early part of his shift at least, kept busy giving directions to theaters and hotels to out-of-towners who sought him out.

Later, after midnight, when the flow of pedestrian traffic had diminished, the detective-in-uniform continued, undiscouraged, on his way up and down the empty streets, a comforting figure in the chill April morning.

From time to time he would reach up and reposition his uniform cap. He had lost a good deal of his hair since the last time he had worn it, the officer explained, "and now it feels like it's going to knock my ears off."

Did he feel that the patrol was something of a comedown after 8 years of detective duty?

"I've got four kids," he said. "I can use the overtime."

NEW YORK CITY IN CRISIS—PART XCIX

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns subway crime in New York and is part of the series on "New York City in Crisis."

The article appeared in the New York Herald Tribune on April 26, 1965, and follows:

New York City in Crisis: Can Cut Subway Crime Further, Gilhooley Says

(By James W. Sullivan)

The 67.5-percent decrease in felonies on subways during the night hours still isn't good enough, Transit Authority Member John J. Gilhooley said yesterday.

"Our aim here is to get felony crime on the subways down to the irreducible minimum," Mr. Gilhooley said. "I certainly don't think that a reduction of 25 felonies in 15 days is the best that we can do. I think we can do a lot better."

The TA official was disagreeing politely with Mayor Wagner, who said last week that he was heartened by the decrease in felonies which had taken place when 800 extra policemen were assigned on overtime to subway trains and platforms during the night hours.

In the second phase of the city's war on crime, the police department announced yesterday that 500 extra patrolmen assigned to the streets had apparently held down the crime rate—or, at least, there were fewer arrests than the previous Saturday night.

From 4 p.m. Saturday to 3 a.m. Sunday, there were 23 arrests for felonies, 19 for misdemeanors and 35 for lesser offenses. In the same period of the previous week, there were 17 arrests for felonies, 28 for misdemeanors and 56 for lesser offenses.

PREMATURE

Mr. Gilhooley said the mayor's announcement of the decrease in subway crimes was premature, and that Mr. Wagner was putting "too much emphasis on experience which is too short for meaningful analysis."

"It's too early to crow," he said. "I don't think we have very much to crow about. The only fact that's relevant is that crime in the subways has gone up 123 percent in the last 2 years."

But he admitted that the program he proposed to the mayor appears to be having results.

"I have been out on the lines. I have seen the men operate, I have seen the passengers relax," he said on the WCBS radio program "Let's Find Out."

"I think the kooks and the punks are beginning to realize that the subways are being patrolled and that the subways are no longer for mugging."

At the same time, Joseph E. O'Grady, chairman of the transit authority and a Democrat, was continuing the long-standing polite disagreement with Mr. Gilhooley, a Republican, over the policing problem.

Mr. O'Grady said on the WOR–TV program, "New York Report," that crime in the subway is only a small part of the total crime picture in New York City, and blamed the rising crime rate in the subways on the general increase in crime throughout the Nation.

Both Mr. O'Grady and Mr. Gilhooley said the 15-cent transit fare will continue to the end of the year. Mr. O'Grady said the transit authority is conducting a study to determine whether it would be best to raise the fare at the risk of losing business or to continue with the 15-cent fare and retain passengers.

Mr. Gilhooley denied again that he is a candidate for mayor or expects to be one.

HOBART ROWEN, FINANICAL COLUMNIST, CRITICIZES CHAIRMAN MARTIN

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. PATMAN. Mr. Speaker, following is an article which appeared in the Washington Post of June 14 by the widely read financial writer, Hobart Rowen. Mr. Rowen makes the very good point that because of Federal Reserve Chairman Martin's high public position, his words and deeds should be of a highly responsible quality as well. After all, it is the Federal Reserve which has the great power to singlehandedly put us into recession and depression. Rowen rightly castigates Martin's Columbia University speech as being "badly timed, badly balanced, and a great exaggeration of reality." Rowen goes on to say that Martin's extreme words aimed to reestablish a tight-money, high-interest economy as we had during the Eisenhower days served to focus attention on the "curious and crucial role played by the Federal Reserve System." Naturally, Rowen is referring to the Federal Reserve's claim of independence of the rest of the Government and he says that "the Johnson administration's differences with Martin are sharp and severe."

I have no intention of abandoning my position that William McChesney Martin, Jr., should resign. Furthermore, I look forward to the Banking and Currency Committee hearings on H.R. 11, my bill aimed at complete reform of our monetary system, which Business Week magazine recently referred to as "anomalous." Recurring disputes between the Government and the Federal Reserve money managers are making us the laughingstock among industrialized nations.

[From the Washington (D.C.) Post, June 14, 1965]

Attack on the Hornets' Nest

Bill Martin can't be blamed for last week's stock market break: when the market is ready to slide, it looks for any excuse, and Martin's speech was convenient—just as President Kennedy's rollback of steel prices was convenient in what was called the "Kennedy market" in April 1962.

But even if this is not a "Martin market," the now-famous speech at Columbia University by the Chairman of the Federal Reserve was badly timed, badly balanced, and a great exaggeration of reality.

Probably anyone else could have made such a speech without creating a storm. But when the head of the Nation's central bank talks about "disquieting similarities" between the current business situation and the days before the great crash in 1929, few pay attention to the "differences" he specifies.

This is especially so when the "differences" are watered down by qualifying phrases, and he concludes: "With the best intentions, some experts seem resolved to ignore the lessons of the past."

Martin, moreover, holds a well-deserved and special reputation in the world of business and finance. He is a man of impeccable integrity, and in the financial markets, it's as if his words were chiseled in stone.

Thus, he had a great responsibility in making a speech like the one at Columbia. He has since said that he didn't expect it would "attract the attention it did." Privately, many of Martin's confreres in the Johnson administration are angry enough to suggest that he couldn't be that naive.

What is clear in any event is that Martin felt the Nation was becoming too euphoric in the face of real economic problems—and he was willing to risk administering shock treatment. He is concerned about the balance-of-payments problem—and worries that the "voluntary" program isn't enough to assure elimination of the deficit.

He argues we must make sure that what happened to the British pound in 1931 doesn't happen to the U.S. dollar in 1965. He is critical of former Treasury Secretary Douglas Dillon for saying in April, as he left his post, that the balance-of-payments problem was solved.

On the domestic side, Martin fears that prices may be edging too high—and that President Johnson and his team are too casual in their efforts to launch an advance attack on inflation. He would like to be more free than he is to tighten up interest rates.

With all this on his mind, Martin decided to swing hard at euphoria. But it was like a man going after a hornet's nest with a blowtorch: If you're not careful, you can bring the house down.

The whole affair has served to focus attention again on the curious and crucial role played by the Federal Reserve System. Despite President Johnson's attempts to disguise his differences with Martin, they are sharp and severe.

Martin believes there is a leading role in the current situation for tighter money. President Johnson doesn't. Martin believes that prices may be getting out of hand. Mr. Johnson doesn't. Martin believes that in trying to get unemployment closer to 4 percent, we risk a runaway expansion with a possible bust. Mr. Johnson doesn't.

No one knows better than the astute Federal Reserve Chairman that he can't go for long in one direction while the national administration moves the other way. He is independent within—not of—the rest of the Government.

Thus, the only rational explanation of Martin's worrisome speech is that he is risking a head-on collision with the Johnson administration on how to protect the U.S. dollar. If necessary, Martin feels, domestic expansion would have to give way—suffer under tight money, that is.

The Johnson administration believes that the way to protect the dollar is to assure that we have a strong and expanding economy—and that a tight-money route would be self-defeating.

It seems to me that unless Martin backs off, a showdown is inevitable. Against a determined President, that's a fight he can't win.

YALE UNIVERSITY AWARDS HONORARY DEGREE TO THE HONORABLE EDITH GREEN

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Giaimo] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. GIAIMO. Mr. Speaker, on Monday of this week, Yale University conferred its coveted degrees in its 264th annual commencement. By custom, the recipients of Yale's honorary degrees are not announced until the actual ceremonies. The list is carefully chosen and represents the highest tribute that can be paid by this university. Yale's reputation is virtually unexcelled and throughout the years, the recipients of its honorary degrees have reflected the meticulous attention and devotion which Yale University pays to excellence and the recognition of achievement.

It was with great pleasure, pride, and personal delight that I learned that one of these honorary degrees was awarded to our colleague, the distinguished Representative from Oregon, Mrs. GREEN. Throughout the years that I have known EDITH GREEN, I have never ceased to marvel at her ability, courage, and personal dignity and charm. She is without a doubt one of the finest Members of this body and it is a pleasure to have worked with her and to number myself among her many admirers and friends.

Yale University has once again shown its appreciation for ability and genius—and its honorary degree, given as it is by one of America's oldest and finest educational institutions, epitomizes, in fact, the appreciation of all American education for the contributions made by Mrs. GREEN. The entire list of recipients of this year's honorary degrees sparkles with achievement. It included: U Thant, Secretary General of the United Nations; Robert Ernest Marjolin, vice president of the European Economic Community; Wilmarth Shelden Lewis, of the class of 1918 in Yale College, fellow emeritus of the Yale Corp.; Owen Meredith Wilson, president of the University of Minnesota; Paul Codman Cabot, treasurer of Harvard University; Rev. John Coleman Bennett, president of Union Theological Seminary; Claude Levi-Strauss, professor of social anthropology at the College de France; Marshall Nirenberg, head of the Section of Biochemical Genetics, National Heart Institute, National Institutes of Health; Dr. Benjamin Spock, of the class of 1925 in Yale College, professor of child development, Western Reserve University School of Medicine; Rev. Roland DeVaux, O.P., director of the Ecole Biblique et Archaeologique Francaise, Jerusalem; Louis Isadore Kahn, professor of architecture at the University of Pennsylvania.

It is a pleasure to represent Yale in this Congress and to congratulate Mrs. GREEN on being honored by the university, and commend Yale for their selection. This was a well-deserved honor for a lovely and talented lady, and I wish to include in the RECORD at this point the citation which accompanied Mrs. GREEN's honorary degree.

EDITH STARRETT GREEN, U.S. REPRESENTATIVE FROM OREGON

Teacher, legislator, champion of women's rights, you have graduated from the classroom in Salem to the halls of Congress, where your grace and efficiency have been coupled with energy and stubborn courage. You have not hesitated to take an unpopular position in your defense of minority rights. Your vision and initiative have made it possible for the Government to assume the responsibility for investing in the education of oncoming generations without trespassing upon inherited constitutional values. As one of the legion of educational institutions in your debt, Yale confers upon you the degree of doctor of laws.

TWENTY-FIVE YEARS IN THE COMMUNIST RUSSIAN SLAVERY

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. POWELL. Mr. Speaker, since June 15, 1940, the Baltic States have been suffering in the Soviet captivity. The Soviet Union took over Lithuania, Latvia, and Estonia by force of arms.

The Baltic States have never experienced in their long history through centuries such an extermination and annihilation of their people as during this Soviet occupation since June 15, 1940. During the last 25 years the countries lost more than one-fourth of their entire population. Hundreds of thousands of Lithuanians, Latvians, and Estonians were murdered by the Kremlin despots or died in exile in Soviet slave-labor camps and prisons in Siberia and other places of Communist Russia. At least 20 percent of the present population of Soviet-occupied Lithuania, Latvia, and Estonia are not the Balts, but the Soviet colonists. The genocidal operations and practices being carried out by the Soviets continue with no end in sight. Bearing in mind that all of the murdered and deported people have been the most educated, courageous, industrious, comprising the strongest elements of the countries, the losses in population become more terrible and almost fatal to the survival of the Lithuanian, Latvian, and Estonian nations.

But let us now return to the details of the Soviet occupation of Lithuania. At the same time that the forces of occupation were entrenching themselves and the mock elections were being carried out in 1940, leaders and active members of all non-Communist political parties and thousands of public officials were arrested. This was but a prelude to one of the most despicable acts of modern times; namely, the mass deportations that ensued. Interpreted only by a temporary Nazi occupation of Lithuania from 1941 to 1944, when the Soviets reoccupied Lithuania, these deportations went on for about a decade. People from every walk of life, even old and dying people, were put on cattle freight cars for the 3-week journey to Siberia or remote areas near the Arctic Ocean. The number of all the deportees amounted to about twenty percent of the population, or 600,000 Lithuanians. In two nights, alone, of June 1941, 34,260 Lithuanians were deported to the horribly miserable conditions of the slave-labor camps. The consequent death toll of these deportees was very high.

With the increase of physical terrorization by the Soviets, a strong Lithuanian underground resistance organization was formed and fought the Soviets. It was a heroic and widespread resistance movement, but it was a costly one: after the war about 30,000 died in battles with Russian Communists.

If we demand freedom from Portugal for Angola, full freedom for the black population of Africa, we should do exactly the same thing in Europe and elsewhere. The Baltic States are more than 700-year-old nations and they have the same—or even more—right to be free and independent as any new state in Asia or Africa. We should have a single standard of freedom. Its denial in the whole or in part, any place in the world, including the Soviet Union, is surely intolerable.

THE COTTON SUBSIDY

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. DENT. Mr. Speaker, I take this time to again warn Congress of the serious matter of cotton subsidy.

As a freetrader in world goods based upon the ability of a nation to complete without subsidies for world trade I have consistently fought against unsound policies that weaken our own economy while jeopardizing the growth of other world nations that cannot compete with a subsidized trade policy.

This is true whether the goods are import or export.

We found out but would not admit that our two-price cotton system was detrimental to our domestic industry and its workers.

Instead of solving the problem of textile competition we have aggravated the situation to the tune of about $300 million more tax dollars into the neverending drain of unsound trade policies.

I believe we have the intelligence to resolve the trade problem but we have not the courage to say "No" at the right time.

I believe the cotton double subsidy plan is the forerunner of the time when every item we sell in the competitive export trade will be subsidized by U.S. taxpayers.

The fight to renew this Treasury raid has started and I believe the following analysis of the problem is important enough for all Members to read and study:

STATEMENT OF THE AMERICAN FARM BUREAU FEDERATION BEFORE THE HOUSE COMMITTEE ON AGRICULTURE WITH REGARD TO PROPOSED COTTON LEGISLATION

A review of the cotton situation shows the cotton problem has grown progressively worse since the basic philosophy of the Agricultural Act of 1958 was abandoned in 1961. Since that time cotton consumption has declined, production has continued to increase despite a cut in allotments of more than a million acres, carryover has shot upward from 7.4 million bales to an estimated 13.4 million on August 1, this year, manmade fiber consumption has continued to eat away cotton markets, the cost of the cotton program has grown higher and higher and farm income from the sale of cotton has weakened materially.

APPRAISAL OF THE RESULTS OF THE 1964 EMERGENCY COTTON LAW

It is now evident that the present law has failed to fulfill the claims made for it at the time of its passage by Congress last year. We recall that its proponents indicated that under the program consumption of cotton would increase, cost to the U.S. taxpayer would decline, consumer prices of cotton goods would be lowered, the upward trend in manmade fiber use would be halted, and farm income from cotton would be maintained.

As we now review what actually happened after a year of experience with the program we find:

1. Cotton consumption did increase domestically but much less than the increase shown by manmade fibers. Cotton's share of the fiber market actually dropped by more than a full percentage point.

2. Cotton exports this marketing year are now estimated to be down by a fifth from last year and indications are that the drop will be even greater.

3. Cost of the program ran up to more than $800 million, far exceeding the cost of the previous program.

4. Prices of cotton cloth did not decline; in fact the average price of 20 cloth constructions was 63.89 cents in April 1965 compared to 61.83 cents in April 1964.

5. Mill margins in April 1965, as reported for 20 major cloth constructions, averaged 36.49 cents compared to 26.19 cents in April 1964.

6. The combined value to farmers of cotton and cottonseed from the 1964 crop totaled $2,546 million, or more than 8 percent less than the value of $2,784 million from the 1963 crop. Yet the 1964 crop was equally as large as the 1963 crop.

From these facts it is clear that the accomplishments of the present cotton program during the last year were far from what the Congress was led to expect when the underlying law was passed just over a year ago.

THE COTTON CYCLE

Mill consumption of fibers runs in cycles. A chart showing the movements of the cycle from the year 1935 through the end of 1964 cannot be included in the RECORD.

Per capita mill consumption of cotton in calendar 1964 was slightly over 22 pounds. This was nearly a pound more than in 1963 when per capita cotton consumption was the smallest since 1934. Per capita manmade fiber consumption totaled about 16.5 pounds, up nearly 2 pounds from 1963.

Cotton's share of total fiber consumption declined slightly in 1964 to a record low of 54.5 percent. Manmade fibers' share in 1964 was about 41 percent—a record high. Wool use accounted for about 4.5 percent.

This chart shows that there is a constant up-and-down trend in cotton mill consumption and a very similar trend for manmade fiber. When changes in cotton consumption are considered, therefore, they should be looked at in relationship to what is happening to manmade fibers as well as where we are in the cycle of mill consumption.

You will also note that the proportion of total mill consumption has been increasing dramatically for manmade fiber and decreasing for cotton.

The following table shows by months for cotton and manmade fibers the domestic mill consumption for the year from April through March for 1963–64 and 1964–65. April was the month that the current cotton law became effective and therefore is the true starting point for judging what has happened during the first 12 months of the program.

You will note from this table that domestic mill consumption of cotton is up 8.4 percent during this period from a year earlier, and manmade fiber is up 11.9 percent. Since manmade fiber consumption has increased more than cotton consumption during the last year, it is obviously erroneous to conclude that the increase in use of cotton is due to the new mill subsidy.

Domestic mill consumption of cotton and manmade fiber by months, April–March 1963–64 and 1964–65

Month	Cotton		Manmade fibers (cotton system spindles)	
	1963–64	1964–65	1963–64	1964–65
	(*Running bales*)	(*Running bales*)	(*1,000 pounds*)	(*1,000 pounds*)
April	798, 901	822, 946	78, 573	89, 760
May	685, 608	680, 395	67, 001	73, 565
June	654, 787	676, 822	68, 817	73, 678
July	677, 629	735, 735	72, 790	80, 404
August	657, 697	705, 705	68, 962	77, 444
September	651, 702	695, 029	66, 929	75, 262
October	823, 449	872, 570	85, 395	94, 719
November	669, 305	716, 202	70, 678	76, 827
December	587, 982	791, 215	63, 554	84, 856
January	807, 610	722, 305	85, 387	76, 204
February	676, 325	733, 785	73, 265	78, 245
March	665, 196	905, 074	72, 758	96, 837
Total	8, 356, 191	9, 057, 783	874, 109	977, 801
Difference	701,592		103, 692	
Percent change	+8.4		+11.9	

From these data we see:

1. That domestic cotton consumption has not increased "800,000 to 1 million" bales but 701,592 bales.

2. That the relative gain in consumption of manmade fibers was 42 percent (11.9 to 8.4) greater than the gain in cotton.

Considering these facts it is clear that the increase in consumption of cotton over the last year was due to something other than the cotton program and that this "something" affected the synthetic fibers more favorably than cotton. Or to put it more simply, instead of gaining relative to synthetics under the new program, cotton has lost market position.

Senator ELLENDER, chairman of the Senate Agriculture Committee, and others have indicated that the cost of the current cotton program is in excess of $800 million annually. This high cost is in conflict with the claims made by the proponents at the time the law was passed. Because of its high cost and poor performance, the entire program has been highly embarrassing to the executive branch of our Government and a matter of concern to all people who are interested in solving the cotton problem at reasonable public cost.

Another claim of the proponents of the current cotton law was that consumer prices would be reduced. The ex-Secretary of Commerce, Luther H. Hodges, on January 31, 1964, wrote Senator ELLENDER the following:

"DEAR MR. CHAIRMAN: It is my understanding that during the course of your current hearings on the need for emergency cotton legislation, the question continues to arise as to whether or not a reduction of 8½ cents per pound in the cost of cotton to domestic mills would be reflected in savings to American consumers of cotton textile products. When similar legislation was being considered by the House Committee on Agriculture, Hickman Price, Jr., then Assistant Secretary of Commerce, testified in behalf of this Department that savings to consumers would amount to about $90 million for each cent of reduction. A reduction of 8½ cents per pound would thus result in a saving to consumers of more than $700 million. This saving, Mr. Price said, would come with a lag of from 3 to 8 months, the time from first consumption at the mill to ultimate consumer, and would be reflected in either lower prices or higher quality of the merchandise."

The following table indicates the effect of the present cotton program on the cost of raw cotton to the mills, the average mill selling price, and mill margins.

Cloth and raw cotton prices and mill margins by months beginning with 1962

[Cents per pound]

	Average for 20 constructions		
	Unfinished cloth prices	Raw cotton prices	Mill margins
1962			
January	60. 63	35. 78	24. 85
February	60. 76	35. 82	24. 94
March	61. 07	35. 98	25. 09
April	61. 23	35. 85	25. 38
May	61. 19	36. 13	25. 06
June	61. 24	36. 34	24. 90
July	61. 29	36. 19	25. 10
August	61. 12	35. 89	25. 23
September	60. 93	35. 23	25. 70
October	60. 71	35. 08	25. 63
November	60. 68	35. 10	25. 58
December	60. 67	35. 30	25. 37
1963			
January	60. 55	35. 45	25. 10
February	60. 47	35. 66	24. 81
March	60. 49	35. 95	24. 54
April	60. 26	36. 08	24. 18
May	60. 00	36. 16	23. 84
June	60. 11	35. 86	24. 25
July	60. 28	35. 57	24. 71
August	60. 60	35. 33	25. 27
September	60. 99	35. 19	25. 80
October	61. 34	35. 11	26. 23
November	62. 00	35. 27	26. 73
December	62. 29	35. 37	26. 92
1964			
January	62. 32	35. 47	26. 85
February	62. 37	35. 55	26. 82
March	62. 37	35. 58	26. 79
April	62. 00	35. 63	[1] 26. 37
May	61. 62	35. 67	[1] 25. 95
June	60. 87	35. 76	[1] 25. 11
July	60. 95	35. 60	[1] 25. 35
August	61. 00	27. 64	33. 36
September	61. 02	26. 82	34. 20
October	61. 25	26. 80	34. 45
November	61. 48	26. 98	34. 50
December	62. 58	27. 30	35. 28
1965			
January	63. 24	27. 30	35. 94
February	63. 28	27. 26	36. 02
March	63. 42	27. 26	36. 16
April	63. 89	27. 40	36. 49

[1] Does not include the 6.5 cents per pound cotton equalization payment made to domestic cotton users on all bales opened beginning 12:01 a.m., Apr. 11, 1964. USDA made no adjustment for these payments prior to August 1964.

Source: "Cotton Price Statistics," Cotton Division, Consumer and Marketing Service, U.S. Department of Agriculture.

It is obvious from the record that raw cotton prices were reduced by the amount of the mill subsidy; but instead of unfinished cloth prices declining a similar amount, they actually rose slightly and of course the mill margins widened by even more than the amount of the mill subsidy. This is all in direct conflict with the promises made for the current cotton program.

In addition to the fact that the promises of proponents of the current cotton program have not materialized, the industry itself from the producer to the consumer, including the marketing mechanism, has been badly disrupted by this program.

The compensatory payments paid to small allotment holders and to those who stay within their domestic allotments and the mill subsidy payments have proved to be extremely costly and of little value in alleviating the cotton problem.

PANAMA CANAL: NEW YORK SOCIETY'S 1965 RESOLUTION

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. FLOOD. Mr. Speaker, during the last decade, I have addressed this body on many occasions concerning key elements in the interoceanic canal problem, repeatedly emphasizing the absolute necessity for retention of our exclusive treaty-based sovereignty over the Canal Zone territory in perpetuity and strongly opposing its dilution through the salami process of piecemeal erosions. The overriding reason for my stand is that where there is responsibility there must be authority.

The magnitude of the discussions of the canal problem in recent years is shown in the comprehensive bibliography prepared by my distinguished colleague from Texas [Mr. THOMPSON] in the CONGRESSIONAL RECORD of September 2, 1964, under the title "Isthmian Canal Policy of the United States—Documentation, 1955–64."

Notwithstanding the extensive efforts made, the crucial canal subject has not been presented in the mass news media of our country forthrightly and comprehensively as it should have been. The result of such management of news has been that our people have been kept in the dark as to crucial facts, but such denials have not fooled members of the Panama Canal Societies in various parts of the United States.

The New York Society of the Panama Canal, an organization of which Gen. George W. Goethals was organizer and first president, at its 1965 annual meeting, passed a resolution calling upon our Government to retain exclusive U.S. sovereignty over the Canal Zone and the Panama Canal, and over any other interoceanic canal that might be constructed by the United States, and distributed it to key officials, including the President. The last, in turn, called upon the Department of State to reply to the society's letter.

A copy of the State Department's answer, signed by Assistant Secretary of State for Inter-American Affairs, Jack H. Vaughn, has come to me and I have studied it. In view of the objective clarifications that have been made of significant canal issues, especially that of U.S. sovereignty over the Canal Zone, in addresses in the Congress and in extensive correspondence with the executive departments, some of this letter's statements and conclusions are truly amazing.

In describing the rights, power, and authority of the United States under the 1903 treaty, Secretary Vaughn stresses that article III grants to the United States such rights, power, and authority over the Canal Zone "which it would have if it were sovereign of that territory." He neglects, however, to state that such grant was made to the "entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority." Nor does he explain that in addition to the grant of sovereignty over the Canal Zone, the United States obtained by purchase from individual owners a clear title to all land and property in the zone.

The Secretary then goes on to explain the effect of the article as giving the United States "the right to exercise powers in the Canal Zone while titular sovereignty over the zone rests with Panama." This statement is grossly misleading because he does not define the term, "titular sovereignty," which should be done. This expression merely means a reversionary interest of Panama in the zone in the sole event the United States should fail to meet its treaty obligations or decide to abandon the Panama Canal. In such event, the Canal Zone territory would revert to Panama or to a successor state.

Again, Secretary Vaughn stresses the long dissatisfaction by Panama with the sovereignty provisions of the 1903 treaty for alleged purposes "not directly related to the operation, protection, and sanitation of the canal" and with the lack of a fixed date for the termination of U.S. rights. He fails to reveal that President Taft by Executive order of December 5, 1912, pursuant to the 1903 treaty, proclaimed that "all land and land under water within the limits of the Canal Zone are necessary for the construction, maintenance, operation, protection, and sanitation of the Panama Canal." Nor does he show how the canal enterprise can be efficiently maintained, operated, and protected with less authority than that granted in the 1903 treaty.

It is appropriate at this point to add that the sovereignty and perpetuity provisions of the 1903 treaty were not accidental or the result of alleged machinations of foreign agents. They were in compliance with the 1902 recommendations of the Isthmian Canal Commission headed by Adm. John G. Walker. They were parts of the inducement for the United States to construct the canal at Panama instead of Nicaragua, which latter location was up to that time the preferred site of various U.S. boards and commissions.

Further on in Secretary Vaughn's letter, he quoted the President as stating that the United States is prepared to "recognize Panamanian sovereignty over the Canal Zone" and to provide for the termination of the treaty when a sea level canal comes into operation as meeting two major Panamanian objections to the 1903 treaty. Here, another time, Secretary Vaughn does not tell the whole story. He does not mention the fact that except for the provisions for perpetuity and sovereignty as set forth in the 1903 treaty, the United States would not have undertaken at its entire expense the construction of the canal nor its obligations to the entire world to maintain and operate it on equal terms for world shipping—whereas Panama has no such obligation whatsoever. Nor does he reveal of what such Panamanian sovereignty would consist.

In another place Secretary Vaughn states that the "United States believes that it has an obligation to guarantee the availability of an interoceanic canal." This is not a matter of belief or conjecture of an official not empowered to speak for the United States. It is a matter of fact. The United States is obligated under the Hay-Pauncefote Treaty of 1901 with Great Britain and the 1903 treaty with Panama to maintain and operate the Isthmian Canal in perpetuity for all nations on terms of equality with tolls that are just and equitable.

Secretary Vaughn also repeats the old gags that the "vulnerability to sabotage of the present canal" and the "relative immunity to sabotage" of a canal at sea level. He does not mention that the Department of State, in disregard of oft-expressed views in the Congress, brought about the employment of alien Panamanians as members of the Canal Zone police force charged with protection of the canal and the greater vulnerability of the central highland in a canal at sea level to closure through massive slides.

Of all times in the history of the Panama Canal, when the world is on the verge of nuclear war, this is the worst possible for the abrogation of the 1903 treaty on the questions of sovereignty and perpetuity. At this hour the tides of revolutionary communism are surging at the gates of every Latin American country with their utmost strength and they will break through the moment that U.S. rights, power, and authority with respect to the canal are abrogated or impaired.

In this connection, Mr. Speaker, I repeat what I have often said to this body: Except for the presence of the United States on the isthmus clothed with the treaty authority that Panamanian radicals complain of, the Republic of Panama, which was born out of the great movement for an Isthmian Canal, could not stand alone for a day. If U.S. authority over the Canal Zone is liquidated, Red revolutionaries would immediately take over Panama and all Latin America would share a similar fate.

It is, indeed, tragic that the State Department has adopted and is practicing a policy toward the Panama Canal enterprise of surrendering indispensable rights and authority guaranteed by treaty negotiated pursuant to law and seems bent on liquidating every vestige of such power and authority regardless of the consequences.

As a whole, Secretary Vaughn's letter is evasive, inadequate, and misleading. Moreover, it shows conclusively that he has not studied, does not comprehend, or care for what has been carefully presented on numerous occasions in the Congress. In these days of grave crises, our officials should not be discussing the reduction of our sovereignty over the Canal Zone but the extension of the zone to include the entire watershed of the Chagres River and the removal of all confusion that has been generated by our inept diplomacy over the last decade as to what nation is the sovereign of the Canal Zone and Panama Canal.

In order that the people of the Nation may know the considered views of the New York Society of the Panama Canal composed of survivors of the canal construction era and the reactions that they evoked from Secretary Vaughn, I quote the indicated resolution and letter together with the bill introduced by Representatives ANDERSON, Bow, and myself, mentioned in the society's resolution:

RESOLUTIONS ADOPTED AT THE 41ST ANNUAL REUNION HELD ON MAY 1, 1965, OF THE NEW YORK SOCIETY OF THE PANAMA CANAL

Whereas the press reports that the United States is now discussing with the Republic of Panama a revision of the Hay-Bunau-Varilla Treaty of 1903 which guaranteed to our country unrestricted sovereignty over the Panama Canal Zone so long as we continued to operate the canal; and

Whereas our country built the Panama Canal at the cost of several thousands of lives and with the expenditure of almost $400 million; and

Whereas we guaranteed in the above described treaty to operate and maintain the canal for the benefit of the commerce of all nations; and

Whereas we deem it essential that our country should retain complete sovereignty over the existing canal in order that we may continue to operate it in accordance with our promise for the benefit of the commerce of the world and for the defense thereof; and

Whereas it has been further reported in the press that the Commission recently appointed by the President pursuant to an act of Congress has been charged with the responsibility of examining into the needs and possibilities of improvements to the existing canal or to the building of another canal in some other place in Central America, or elsewhere: Now be it

Resolved, That our society, composed of members who participated in the construction and operation of the Panama Canal, petition the President and the Congress to insist upon retention of complete sovereignty over the existing canal in the event a revision of the 1903 treaty with Panama should be negotiated and approved; and further

Resolved, That we urge the President and the Congress to insist upon complete sovereignty over any new Isthmian Canal which we might agree upon with any one of the Central American Republics; and further

Resolved, That copies of these resolutions be sent to the President, to Congressman DANIEL J. FLOOD, of Pennsylvania, to Congressman WILLIAM R. ANDERSON, of Tennessee, and to Congressman FRANK T. BOW, of Ohio, who have introduced into Congress companion bills calling for the appointment of an "Interoceanic Canals Commission" to study and report upon improvements to the existing Panama Canal, the construction of a new Panama Canal or the construction and ownership by the United States of another canal connecting the Atlantic and Pacific Oceans.

DEPARTMENT OF STATE,
Washington, May 24, 1965.

MR. JOHN J. FITZPATRICK,
Secretary-Treasurer,
Brooklyn, N.Y.

DEAR MR. FITZPATRICK: President Johnson has asked me to reply to your letter to him of May 6, 1965, in which you enclosed a copy of the resolution adopted by the New York Society of the Panama Canal urging that the United States retain exclusive sovereignty over the Canal Zone and over any interoceanic sea level canal which might be constructed. I appreciate your interest in this matter and welcome the opportunity to comment on the resolution.

The rights and authority which the United States exercises in the Canal Zone were obtained under the General Convention between the United States and Panama of 1903. Article III of the 1903 convention gives to the United States all the rights, power, and authority in the Canal Zone which it would have if it were the sovereign of that territory. The effect of the article is to give the United States the right to exercise sovereign powers in the Canal Zone while titular sovereignty over the zone rests with Panama.

Panama has long been dissatisfied with certain provisions of the 1903 agreement, especially with the exercise of sovereign powers by the United States for purposes which are not directly related to the operation, protection, and sanitation of the canal and with the lack of a fixed date for the termination of U.S. rights.

On December 18, 1964, after careful study and frequent meetings between the United States and Panamanian special representatives who had been appointed to find ways to eliminate the causes of conflict between the two countries, President Johnson announced that the United States will proceed with plans for the possible construction of an interoceanic sea level canal. The President also announced that the United States is prepared to negotiate with Panama a new treaty for the Panama Canal which would recognize Panamanian sovereignty over the Canal Zone and would provide for its own termination when a sea level canal comes into operation—thus meeting two of Panama's major objections to the present treaty.

Nevertheless, the United States believes that it has an obligation to guarantee the availability of an interoceanic canal open to the ships of all nations and adequate to the needs of world commerce. Therefore, the President emphasized in his December 18 statement that the United States must retain under the new agreement all the rights necessary for the effective operation and protection of the canal.

The complexity of operation and the vulnerability to sabotage of the present canal do require the retention by the United States of certain rights and powers in the Canal Zone, and any new treaty with Panama must perforce provide for such necessary rights and powers. This is not to say, however, that changes in the existing treaty arrangements, consistent with basic U.S. and world commerce interests and requirements, cannot be made. As President Johnson said in his December 18 canal policy statement, "The canal is growing old, and so are the treaties for its management, which go back to 1903."

A sea level canal, because of its relative immunity to sabotage and ease of operation, could be operated under a very different arrangement than that required for the existing waterway. Therefore, although a treaty which would govern the possible construction and operation of a sea level canal has not yet been negotiated with any of the countries concerned, the United States does not believe that any cessation of sovereignty by the host country would be required. Furthermore, in this era of strong nationalism, it is quite clear that none of the countries involved would be willing to enter into an agreement which resulted in a loss of sovereignty over national territory. The United States does believe, however, that a treaty for the construction and operation of a sea level canal must contain satisfactory guarantees that access to the canal will not be restricted and that tolls for its use will be kept at reasonable levels.

I hope that the foregoing information has helped to explain U.S. policy regarding the Panama Canal and the possible construction of a sea level canal. If I can be of any further assistance in this matter, please do not hesitate to call on me.

Very truly yours,

JACK H. VAUGHN,
Assistant Secretary.

H.R. 4871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this act may be cited as the "Interoceanic Canals Commission Act of 1965".

SEC. 2. (a) A commission is hereby created, to be known as the "Interoceanic Canals Commission" (hereinafter referred to as the "Commission"), and to be composed of 11 members to be appointed by the President, by and with the advice and consent of the Senate, as follows: One member shall be a commissioned officer of the line (active or retired) of the United States Army; one member shall be a commissioned officer of the line (active or retired) of the United States Navy; one member shall be a commissioned officer of the line (active or retired) of the United States Air Force; one member shall be a commissioned officer of the Corps of Engineers (retired) of the United States Army; and seven members from civil life, four of whom shall be persons learned and skilled in the science of engineering. The President shall designate one of the members from civil life as Chairman, and shall fill all vacancies on the Commission in the same manner as original appointments are made. The Commission shall cease to exist upon the completion of its work hereunder.

(b) The Chairman of the Commission shall receive compensation at the rate of $30,000 per annum, and the other members shall receive compensation at the rate of $28,500 per annum, each; but the members appointed from the Army, Navy, and Air Force shall receive only such compensation, in addition to their pay and allowances, as will make their total compensation from the United States $28,500 each.

SEC. 3. The Commission is authorized and directed to make and conduct a comprehensive investigation and study of all problems involved or arising in connection with plans or proposals for—

(1) an increase in the capacity and operational efficiency of the present Panama Canal through the adaptation of the third locks project (53 Stat. 1409) to provide a summit-level terminal lake anchorage in the Pacific end of the canal to correspond with that in the Atlantic end, or by other modification or design of the existing facilities;

(2) the construction of a new Panama Canal of sea-level design, or any modification thereof;

(3) the construction and ownership, by the United States, of another canal or canals connecting the Atlantic and Pacific Oceans;

(4) the operation, maintenance, and protection of the Panama Canal, and of any other canal or canals which may be recommended by the Commission;

(5) treaty and territorial rights which may be deemed essential hereunder; and

(6) estimates of the respective costs of the undertakings herein enumerated.

SEC. 4. For the purpose of conducting all inquiries and investigations deemed necessary by the Commission in carrying out the provisions of this Act, the Commission is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Commission is given power to designate and authorize any member, or other officer, of the Commission, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Commission may deem relevant or material for the purposes herein named. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 5. The Commission shall submit to the President and the Congress, not later than two years after the date of the enactment hereof, a final report containing the results and conclusions of its investigations and studies hereunder, with recommendations; and may, in its discretion, submit interim reports to the President and the

> Congress concerning the progress of its work. Such final report shall contain—
>
> (1) the recommendations of the Commission with respect to the Panama Canal, and to any new interoceanic canal or canals which the Commission may consider feasible or desirable for the United States to construct, own, maintain, and operate;
>
> (2) the estimates of the Commission as regards the approximate cost of carrying out its recommendations; and like estimates of cost as to the respective proposals and plans considered by the Commission and embraced in its final report; and
>
> (3) such information as the Commission may have been able to obtain with respect to the necessity for the acquisition, by the United States, of new, or additional, rights, privileges, and concessions, by means of treaties or agreements with foreign nations, before there may be made the execution of any plans or projects recommended by the Commission.
>
> SEC. 6. The Commission shall, without regard to the civil service laws, appoint a secretary and such other personnel as may be necessary to carry out its functions, who shall serve at the pleasure of the Commission and shall receive compensation fixed in accordance with the Classification Act of 1949, as amended.
>
> SEC. 7. The Commission is hereby authorized to appoint and fix the compensation of such engineers, surveyors, experts, or advisers deemed by the Commission necessary hereunder, as limited by the provisions in title 5, United States Code, section 55a; and may make expenditures, in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations, for travel and subsistence expenses of members of the Commission and its employees while away from their homes or regular places of business; for rent of quarters at the seat of government, or elsewhere; for personal services at the seat of government, or elsewhere; and for printing and binding necessary for the efficient and adequate functions of the Commission hereunder. All expenses of the Commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Commission, or such other official of the Commission as the Commission may designate.
>
> SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act.
>
> SEC. 9. The Act entitled "An Act to provide for an investigation and study to determine a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans" (Public Law 88-609, 78 Stat. 990), is hereby repealed.

UNITED STATES REAFFIRMS ITS SUPPORT OF THE UNITED NATIONS

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. PEPPER. Mr. Speaker, I am very gratified and I thank those of my colleagues who have supported or introduced companion legislation to House Joint Resolution 499, a bill that says:

> That as the twentieth anniversary of the signing of the Charter of the United Nations approaches it is the sense of the Congress of the United States and the people of the United States that the United States reaffirms its faith in, and support of, the United Nations and the principles of the United Nations Charter and urges such reaffirmation of faith and support by all the members of the United Nations and peace-loving people everywhere.

I commend this proposal to the rest of my colleagues in the House of Representatives and the Senate in view of the forthcoming 20th anniversary of the signing of the United Nations Charter.

It is my firm conviction that this is a momentous time in the history of the United Nations and that in this crucial period of the U.N.'s life it is important that our great Nation reaffirm its faith in and support of the United Nations and the principles of the United Nations Charter.

When the United Nations was conceived in 1945, many had their doubts as to its prospects for success. It was feared that it might be another incomplete and inert amalgamation of national states which would suffer the fate of its predecessor, the League of Nations. But, after 20 years, we may pridefully say that the United Nations has become more than a collection of individual states. It has become a living organism, a living force in history, guided by many dedicated and expert men, of whom the late Secretary General, Dag Hammarskjold, was an inspiring example.

The United Nations has had its failure. It has not fulfilled all of our hopes for world peace and the construction of a world of justice, prosperity, and freedom for peoples. And, while the United States has not failed the United Nations in its financial need, other nations have seen fit to accept the benefits of its peacekeeping efforts without contributing their share of the support of these essential efforts.

I am sure we all agree that a failure to support the United Nations either financially or with the best of our hearts and minds would be a disastrous betrayal of man's hopes for peace through diplomacy and law. It would be a confirmation of the cynical belief that no good can come from the diplomatic dialog between and among nations.

The United Nations has also had its successes—far beyond, perhaps, our most optimistic early expectations. The U.N. has fostered the birth and development of many new nations, easing the transition from colonialism and strengthening the independence of these infant nations through its many specialized health and development services. It has helped to bring these young nations into the community of world affairs and inculcate the sense of international responsibility that must accompany the rights and privileges of nationhood.

Whether in peacekeeping efforts, in serving as a forum for international debate and discussion, or in presiding over the birth of nations and the changing world order, the United Nations has become the vanguard of hope for peace-loving men and nations. Because the United Nations exists we are spared direct knowledge of what the world would be without it; we can cite its faults and failings, because it sustains us in our aspirations for building a world of justice and peace.

The fact that the United Nations has survived for two decades makes it unique among the practical embodiments of man's ancient dream of an effective alliance of nations in the cause of world peace. This alone would make it incumbent upon us to mark its 20th birthday with an affirmation of our faith in its principles and of our support for its efforts to achieve the elusive goal of permanent peace.

I am delighted to join with so many of my colleagues in making specific for this forthcoming occasion our faith and hope for this instrument of the search for a world of happiness and peace.

SELECTION OF SITE FOR PARTICLE ACCELERATOR

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. VIVIAN. Mr. Speaker, yesterday, the 15th of June, was the deadline for the submission of State site proposals to the Atomic Energy Commission for a major scientific installation—a 200 Bev particle accelerator. During the months to come, the relative merits of these various proposals will be evaluated by the National Academy of Sciences, by the AEC, and eventually by the Joint Committee on Atomic Energy of this Congress.

One of the proposals submitted yesterday was one from my State of Michigan for the construction of this installation on a site in my district, the Second District of Michigan. Several of the top experimental nuclear physicists, geologists, and other specialists on the staff of the renowned University of Michigan in my district participated in the preparation and organization of this proposal.

Its authors informed me that the proposal should satisfy in every major respect the technical requirements posed by the Atomic Energy Commission. In addition, the nearby university community of Ann Arbor offers demonstrated scientific talent, and a vital human environment.

Beyond these essential considerations, however, lies one more important consideration: Of the eight major accelerators built in these United States to date, only one has been located in the Midwest—the accelerator at the Argonne Laboratory. Also, virtually all of the major nuclear development and production facilities have been located outside the Midwest—such as the plants at Hanford and at Savannah River, and the Los Alamos and Livermore Laboratories, to name a few. By comparison, however, the States of Ohio, Indiana, Illinois, Wisconsin, and Michigan alone, produced almost 30 percent of the doctorates in the natural sciences at work in this Nation in 1962. Furthermore, as is thoroughly documented in Government and Science

Report No. 4 of the Science and Astronautics Committee of the House of Representatives entitled "Geographic Distribution of Federal Research and Development Funds" prepared for the Subcommittee on Science, Research, and Development, chaired by the gentleman from Connecticut, Mr. Emilio Daddario, the Midwest has shared to a negligible degree in the massive flow of Federal funds into research and development.

Gentlemen, I think it is time that the Midwest receive fuller opportunity to put its demonstrated talent to work. I think it is time that the Midwest receive a far larger return of the enormous sums of money that it contributes to the national research programs.

When the time comes, some months in the future, to decide the location of this accelerator, I hope a satisfactory and advantageous site will be recommended in that region, and I ask all of its friends and Representatives here, irrespective of State or party, to support that choice.

PRAISE DUE CORPS OF ENGINEERS ON 190TH ANNIVERSARY

Mr. REDLIN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Rogers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, today is the 190th anniversary of the U.S. Army Corps of Engineers. The fine record of public service accorded to this agency deserves the praise of all Americans. Handling projects which contribute immeasurably to America's progress during peacetime, the Corps of Engineers has also established a record of distinction during time of war.

In Florida the Corps of Engineers has handled itself with real professionalism. The Florida landscape has changed immeasurably under the Corps' guidance, and construction continues on programs of flood control, waterways development, and beach erosion. In addition, the military construction carried out in Florida under Corps of Engineers' guidance includes not only Army and Air Force bases, but the Nation's space effort at Cape Kennedy.

It should be noted also that the Corps today celebrates its 120th anniversary in Florida. The same year the Corps established its first office in Florida our State was admitted to the Union.

Mr. Speaker, all Americans owe a debt of gratitude to the U.S. Army Corps of Engineers, and I am sure the Congress will join in voicing confidence in the fact that the Corps will continue to serve the Nation in time of war as well as peace with the same fine record it has established for itself.

EXCISE TAX REDUCTION ACT OF 1965—CONFERENCE REPORT

Mr. MILLS submitted a conference report and statement on the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Nedzi, for June 17, 21, and 22, on account of official Armed Services Committee business.

Mr. Wolff, for Monday, June 21, on account of official business.

Mr. Hardy, for June 17 through June 23, 1965, on account of official business.

Mr. Adams, for June 18–21, on account of official business.

Mr. Rivers of South Carolina, for June 17 through June 23, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ryan, for 60 minutes, on Tuesday next; and to revise and extend his remarks.

Mr. Reuss, for 30 minutes, on tomorrow; to revise and extend his remarks and to include extraneous matter.

Mr. Edmondson, for 15 minutes, today.

Mr. Ashbrook (at the request of Mr. Grover), for 15 minutes, today, and for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Carter (at the request of Mr. Grover), for 30 minutes, on June 23.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Dulski.

Mr. O'Brien.

Mr. Fino.

Mr. Reuss.

Mr. Fascell and to include extraneous matter.

(The following Member (at the request of Mr. Grover) and to include extraneous matter:)

Mr. Betts.

(The following Members (at the request of Mr. Redlin) and to include extraneous matter:)

Mr. Morrison.

Mr. Ryan.

Mr. Carey.

Mr. Morris.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 856. An act for the relief of the estate of R. M. Clark; and

S. 2089. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

ADJOURNMENT

Mr. REDLIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 14 minutes p.m.) the House adjourned until tomorrow, Thursday, June 17, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1232. A letter from the Secretary of the Army, transmitting a letter from the Acting Chief of Engineers, Department of the Army, dated July 11, 1962, submitting a report, together with accompanying papers and an illustration, on a survey of Taylors Bayou, Tex., authorized by the Flood Control Act approved July 24, 1946 (H. Doc. No. 206); to the Committee on Public Works and ordered to be printed with one illustration.

1233. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 18, 1965, submitting a report, together with accompanying papers and illustrations on a survey of El Paso, El Paso County, Tex., authorized by the Flood Control Act approved July 3, 1958 (H. Doc. No. 207); to the Committee on Public Works and ordered to be printed with five illustrations.

1234. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report to the Congress of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard and the Air Force Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1235. A letter from the Comptroller General of the United States, transmitting a report of excessive costs incurred by purchasing from commercial sources rather than utilizing General Services Administration supply sources, Panama Canal Company; to the Committee on Government Operations.

1236. A letter from the Comptroller General of the United States, transmitting a report of deficiencies in supply management procedures resulted in overstocking at supply depots, Veterans' Administration; to the Committee on Government Operations.

1237. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of August 31, 1964 (78 Stat. 751), relating to the satisfaction of scrip and similar rights; to the Committee on Interior and Insular Affairs.

1238. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

1239. A letter from the Secretary of Commerce, transmitting the annual report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1964, together with reports covering certain foreign-trade zones, pursuant to section 16 of the Foreign-Trade Zones Act, Public Law 81-566; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. S. 893. An act to amend the act of June 19, 1935 (49 Stat. 388), as amended, relating to the Tlingit and Haida Indians of Alaska; with amendment (Rept. No. 521). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 7466. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma and for other purposes; without amendment (Rept. No. 522). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRIEDEL: Committee on House Administration. House Resolution 416. Resolution to authorize each Member of the House of Representatives to employ annually, on a temporary basis, a student congressional intern; with amendment (Rept. No. 523). Ordered to be printed.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 425. Resolution for consideration of H.R. 7984, a bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities; without amendment (Rept. No. 524). Referred to the House Calendar.

Mr. MILLS: Committee of conference. H.R. 8371. A bill to reduce excise taxes, and for other purposes (Rept. No. 525). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GRAY:

H.R. 9127. A bill to extend the benefits of the Civil Service Retirement Act to former administrative and supervisory employees of the Works Projects Administration, classified a noncertified and nonrelief, to allow credit under such act for service in such capacity, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GURNEY:

H.R. 9128. A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., and for other purposes; to the Committee on Foreign Affairs.

H.R. 9129. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain expenses of higher education; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 9130. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. HERLONG:

H.R. 9131. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 9132. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

By Mr. HOLLAND:

H.R. 9133. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT:

H.R. 9134. A bill to establish a new program of grants for public works projects undertaken by local governments in the United States; to the Committee on Public Works.

By Mrs. MAY:

H.R. 9135. A bill to authorize the naming of the reservoir to be created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan; to the Committee on Public Works.

By Mr. MOORE:

H.R. 9136. A bill to amend the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 9137. A bill to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 9138. A bill to amend the Employment Act of 1946 to require the Council of Economic Advisers to advise the President regarding the effect of the importation of petroleum and petroleum products on employment in the United States; to the Committee on Government Operations.

By Mr. TUNNEY:

H.R. 9139. A bill to amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to dates to provide for paid advertising; to the Committee on Agriculture.

H.R. 9140. A bill to establish and prescribe the duties of a Federal boxing commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests; to the Committee on Interstate and Foreign Commerce.

H.R. 9141. A bill to provide assistance in training State and local law-enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. WALKER of New Mexico:

H.R. 9142. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 9143. A bill to allow the State of Texas to use certain funds for the improvement of National Guard armories; to the Committee on Armed Services.

By Mr. BERRY:

H.R. 9144. A bill to amend sections 13(b) of the acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CAREY:

H.R. 9145. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. CELLER:

H.R. 9146. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 9147. A bill to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee; to the Committee on Agriculture.

H.R. 9148. A bill to amend section 8(e) of the Soil Conservation and Domestic Allotment Act; to the Committee on Agriculture.

H.R. 9149. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

H.R. 9150. A bill to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work; to the Committee on Agriculture.

H.R. 9151. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for more effective security servicing, and for other purposes; to the Committee on Agriculture.

By Mr. DERWINSKI:

H.R. 9152. A bill to provide a uniform period for daylight saving time; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 9153. A bill to prescribe certain safety features for all motor vehicles manufactured for, sold, or shipped in interstate commerce; to the Committee on Interstate and Foreign Ccmmerce.

By Mr. LINDSAY:

H.R. 9154. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. LONG of Maryland:

H.R. 9155. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.R. 9156. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER:

H.R. 9157. A bill to amend the Federal Employees Health Benefits Act of 1959 with respect to health benefits of certain former Members of Congress and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 9158. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 9159. A bill to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 9160. A bill to amend the Employment Act of 1946 to require the Council of Economic Advisers to advise the President regarding the effect of the importation of petroleum and petroleum products on employment in the United States; to the Committee on Government Operations.

By Mr. BURTON of Utah:

H.R. 9161. A bill to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah, by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. CAREY:

H.R. 9162. A bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 9163. A bill to amend section 203(j) of the Federal Property and Administrative Services Act of 1949 to provide that certain surplus property which is not used in the donable property program shall be offered for sale to levee districts; to the Committee on Government Operations.

By Mr. ROSENTHAL:

H.R. 9164. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHITE of Texas:

H.R. 9165. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CHARLES H. WILSON:

H.R. 9166. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 9167. A bill to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; to the Committee on the Judiciary.

H.R. 9168. A bill to provide for the appointment of additional circuit and district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 9169. A bill to amend title 38, United States Code, to permit for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. LEGGETT:

H.J. Res. 525. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. ASPINALL:

H.J. Res. 526. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.J. Res. 527. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H.J. Res. 528. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. POWELL:

H.J. Res. 529. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. ROUSH:

H.J. Res. 530. Joint resolution authorizing a Government-industry conference on the geographical distribution of Federal research and development funds; to the Committee on Government Operations.

By Mr. PATMAN:

H. Con. Res. 441. Concurrent resolution authorizing the printing of additional copies of the study entitled "Comparative Regulations for Financial Institutions"; to the Committee on House Administration.

By Mr. FULTON of Pennsylvania:

H. Res. 424. Resolution declaring the Eastern Orthodox Church to be a major faith in the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

318. The SPEAKER presented a memorial of the Legislature of the State of Arkansas, relative to the termination or appreciable reduction in the Army Reserve program, which was referred to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 9170. A bill for the relief of Lee Bon Sheung; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 9171. A bill for the relief of Tai Sun Fat and Sezto Lai Sheung; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9172. A bill for the relief of Charles B. Murray and Maisie M. Murray; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 9173. A bill for the relief of Maria Coltabellotta; to the Committee on the Judiciary.

H.R. 9174. A bill for the relief of Giovanni Piraneo; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 9175. A bill for the relief of Mary Phillip; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 9176. A bill for the relief of Hai Ja Kim; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 9177. A bill for the relief of Mr. Rosario Vancheri; to the Committee on the Judiciary.

H.R. 9178. A bill for the relief of Mr. Chang Ming Wu; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 9179: A bill for the relief of Elio Pozzetto and his wife, Virginia Pozzetto; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 9180. A bill for the relief of Spyridon Korkovelos, his wife Helene Korkovelos, and their children, Kathrine Korkovelos, Soteros Korkovelos and Demetrios Korkovelos; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 9181. A bill for the relief of Miriam Odenia Bradshaw; to the Committee on the Judiciary.

H.R. 9182. A bill for the relief of Saleh (Charles) Ezra Sassoon and his wife, Valentine Sassoon, and their children, Ezra Sassoon, Ruth Sassoon, and Rachel Sassoon; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

230. The SPEAKER presented a petition of Edward Vieira, Jacksonville, Fla., relative to a memorial of the Legislature of the State of Florida, which was referred to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 16, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, who knowest the burdens we bear, the tasks we face, and the problems affecting so many, which confront those who belong to this exalted body of governance: Grant them, we pray, the royalty of inward content which comes only from uncompromising personal integrity and from the calm composure which is the reward of doing always the things which please Thee.

So, let the spirit of joyous service dwell in our hearts, that we may carry about the infection of a good courage, meeting all life's tests with gallant-hearted devotion and dedication to the highest we know.

As in Thy name we contend against the vile treacheries which today foul the earth and enslave so many of Thy children, make us the kind of persons fit to be the defenders of the regal and precious things which ennoble life and crown it with glory.

In the dear Redeemers' name, we pray, Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 15, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on June 14, 1965, the President had approved and signed the act (S. 435) to extend the boundaries of the Kaniksu National Forest in the State of Idaho, and for other purposes.

WITHDRAWAL OF A NOMINATION—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate a message from the President of the United States, withdrawing the nomination of William O. Gambill to be postmaster at Gallatin, Tenn.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1481. An act for the relief of the estate of Donovan C. Moffett;

H.R. 2913. An act for the relief of Lt. Thomas A. Farrell, U.S. Navy, and others;

H.R. 3750. An act for the relief of certain individuals;

H.R. 4324. An act for the relief of Lt. Col. John W. Cassell, U.S. Army;

H.R. 4719. An act for the relief of Josephine C. Rumley, administratrix of the estate of George S. Rumley;

H.R. 5265. An act for the relief of Gordon E. Martin;

H.R. 5471. An act for the relief of the widow and minor children of the Reverend Donald Aksel Olsen;

H.R. 5613. An act for the relief of William Radkovich Co., Inc.;

H.R. 5819. An act for the relief of John Henry Taylor;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5902. An act for the relief of Cecil Graham;

H.R. 6318. An act for the relief of Lee R. Smith and Lee R. Smith III, his son;

H.R. 6441. An act for the relief of Arthur C. Berry and others;

H.R. 7090. An act for the relief of certain individuals;

H.R. 7437. An act for the relief of Lt. Col. Nicholas A. Stathis, U.S. Air Force; and

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 1481. An act for the relief of the estate of Donovan C. Moffett;

H.R. 2913. An act for the relief of Lt. Thomas A. Farrell, U.S. Navy, and others;

H.R. 3750. An act for the relief of certain individuals;

H.R. 4324. An act for the relief of Lt. Col. John W. Cassell, U.S. Army;

H.R. 4719. An act for the relief of Josephine C. Rumley, administratrix of the estate of George S. Rumley;

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H.R. 7090. An act for the relief of certain individuals;

H.R. 7437. An act for the relief of Lt. Col. Nicholas A. Stathis, U.S. Air Force; and

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Banking and Currency, the Committee on the District of Columbia, and the Subcommittee on Constitutional Rights of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

MEMORIAL TRIBUTE TO THE LATE SENATOR OLIN JOHNSTON

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated by title.

The legislative clerk read as follows:

Resolved, That on Tuesday, June 22, 1965, at 2 o'clock p.m., the legislative business of the Senate be suspended to permit the delivery of memorial addresses on the life, character, and public service of Honorable Olin D. Johnston, late a Senator from the State of South Carolina.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the resolution was considered and unanimously agreed to.

RECESS TOMORROW FROM 12:30 P.M. TO 1 P.M.—LUNCHEON FOR ASTRONAUTS

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is anticipated that the Senate will stand in recess tomorrow from 12:30 p.m. to 1 p.m.—perhaps even earlier, depending upon the morning business—for the purpose of paying our respects to the two astronauts, Lt. Cols. White and McDivitt, who will be in Washington tomorrow and who will honor us by attending a luncheon in room S–107 at 1 o'clock.

I merely wish to serve that notice.

NARCOTIC ADDICT REHABILITATION ACT OF 1965

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting a draft of proposed legislation to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, which, with an accompanying paper, was referred to the Committee on the Judiciary.

CONCURRENT RESOLUTION OF LOUISIANA LEGISLATURE

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Louisiana, which was referred to the Committee on Agriculture and Forestry, as follows:

HOUSE CONCURRENT RESOLUTION 327

Concurrent resolution to go on record as opposing H.R. 8149 presently being considered by the U.S. Congress, and to call upon the Louisiana delegation in Congress to actively seek its defeat

Whereas the U.S. Congress now has before it for consideration H.R. 8149 relating to cotton; and

Whereas H.R. 8149 provides for a reduction in the national cotton acreage allotment from 16 million to 14 million acres; and

Whereas the reduction in acreage allotment proposed in H.R. 8149 is excessive and would reduce the income which might reasonably be expected by producers through normal market channels; and

Whereas H.R. 8149 contemplates additional direct payments by the Federal Government to producers, thereby making producers more dependent upon the Federal Government and further weakening the free market system; and

Whereas H.R. 8149 places more power and control in the hands of the Secretary of Agriculture relative to the production, marketing, and disposition of American cotton; and

Whereas the effect of H.R. 8149 will be to establish the price of American cotton at approximately 23 cents per pound, which is substantially below the cost of production for Louisiana producers; and

Whereas H.R. 8149 would effectively destroy the release and reapportionment program presently in force by offering Government payments to producers for taking cotton land out of production; and

Whereas past experiments in Federal control of agriculture by means of direct payments to producers for not producing have failed to solve the problems of the cotton industry; and

Whereas Louisiana cotton producers favor a return to the free market system: Now, therefore, be it

Resolved, That the House of Representatives of the Louisiana Legislature (the Senate concurring therein), that the Legislature of Louisiana does hereby go on record as opposing H.R. 8149 presently being considered by the U.S. Congress as being contrary to the best interests of the cotton producers of the State of Louisiana, and does hereby call upon the Louisiana delegation in the U.S. Congress to actively seek the defeat of this legislation; be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

VAIL M. DELONY,
Speaker of the House of Representatives.
C. C. AYCOCK,
Lieutenant Governor and President of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of West Virginia, from the Committee on Appropriations, with amendments:

H.R. 6453. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes (Rept. No. 333).

INDIANA DUNES NATIONAL LAKESHORE—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 334)

Mr. BIBLE. Mr. President, from the Committee on Interior and Insular Affairs, I report favorably, with amendments, the bill (S. 360) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed together, with the minority views of Senators SIMPSON, FANNIN, and ALLOTT.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nevada.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCLELLAN (by request):

S. 2150. A bill to discontinue or modify certain requirements of law; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 2151. A bill for the relief of Mardiros Kouyoumjiam and his wife, Manig Kouyoumjiam; to the Committee on the Judiciary.

By Mr. DODD (for himself and Mr. HARTKE):

S. 2152. A bill to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

MEMORIAL ADDRESSES ON THE LATE SENATOR OLIN D. JOHNSTON

Mr. MANSFIELD (for himself, Mr. DIRKSEN, Mr. RUSSELL of South Carolina, and Mr. THURMOND) submitted a resolution (S. Res. 118) providing for memorial addresses on the late Senator Olin D. Johnston, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appear under a separate heading.)

DISCONTINUANCE OR MODIFICATION OF CERTAIN REQUIREMENTS OF LAW

Mr. McCLELLAN. Mr. President, by request, I introduce, for appropriate reference, a bill proposing to discontinue or modify certain reporting requirements of law. The bill would eliminate reports and other publications now prepared by executive departments and agencies which no longer are necessary, or contain information which is otherwise available.

The draft of the proposed legislation was compiled by the Bureau of the Budget, in cooperation with executive departments and agencies who were requested to review the reports which they are now required to be prepared by statute, to determine to what use these reports were now being applied, and whether or not they were any longer needed or serving a useful purpose. The draft bill as originally presented to the President of the Senate proposed the repeal of 65 such reporting requirements and the modification of 9 others. An explanation and analysis of each of the proposals contained in the draft bill was also submitted to the Senate and referred to the Committee on Government Operations.

Before introducing the proposed legislation, a copy of the draft bill, together with the analysis and explanation prepared by the Bureau of the Budget, was transmitted to the chairmen of all Senate committees, requesting that they indicate whether any of the reports proposed to be repealed continue to be of interest and value to their respective committees. Although all have not responded to this request, suggestions for the continuation of specified reports were properly noted and the appropriate provisions were stricken from the bill as now being introduced. Only 4 of the original 65 proposed to be eliminated were omitted.

As soon as the bill is available in printed form, it will be resubmitted to those committees which did not respond to the original request in order to be sure that the proposed legislation, when reported to the Senate will not eliminate any report which now serves a useful purpose in connection with the procedure of any committee.

Mr. President, I ask that a copy of the letter addressed to the President of the Senate from the Bureau of the Budget dated May 4, 1965, together with the analysis and explanation of those sections retained in the bill I am introducing today be included in the RECORD at this point, as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and analysis and explanation will be printed in the RECORD.

The bill (S. 2150) to discontinue or modify certain requirements of law, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter and analysis and explanation presented by Mr. McCLELLAN are as follows:

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 4, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Last year the President directed Members of the Cabinet and the heads of executive agencies to eliminate unnecessary publications and reports. To date, 521 existing publications have been eliminated and proposals for 133 new publications have been withdrawn or disapproved. This effort, which has focused attention on numerous small operations in the Government, has resulted in estimated savings totaling nearly $3 million.

As a part of this continuing cost reduction effort, the Bureau of the Budget has asked executive agencies to review the reports which they are required to prepare by statute. Each such report was reviewed to determine whether it is being used, whether it overlaps or duplicates other reporting requirements or whether it could be simplified or submitted less frequently. As a result of this work and based upon recommendations made by executive agencies, we are transmitting for the consideration of the Congress the enclosed draft bill which would repeal 65 such reporting requirements and modify 9 others. An analysis and explanation of each proposal in the draft bill is also enclosed.

Most statutory reporting requirements were intended originally to provide the Congress with detailed and periodic information concerning the operations of the Government and the effectiveness and efficiency of programs being administered by executive agencies. In transmitting this draft bill, it is not our intention to eliminate any reports which continue to be useful. On the contrary, our effort is directed toward eliminating or curtailing only those reports which, because of changed conditions, new legislation or other reasons, no longer appear to be needed or which appear to be more detailed and costly than is necessary under current conditions. Our effort has been coordinated informally with the Committees on Government Operations of the House and Senate.

In 1958 similar draft legislation was transmitted which, after careful review by the Committees on Government Operations in the House and the Senate, was enacted as Public Law 86–533. As a result of this effort, 26 reporting requirements were repealed. A similar proposal in 1954 resulted in repeal of 32 reporting requirements.

We estimate that annual savings of approximately $100,000 would result if the draft bill were enacted as submitted. While this sum is not large in itself, I believe that no saving is so small that we can afford to neglect it. The President's cost reduction program is built of a multitude of small pieces. Action by the Congress to eliminate or modify statutory reports that have outlived their usefulness would be a logical and highly desirable counterpart to the administrative actions to eliminate unnecessary reports that have been taken by agency heads in response to the President's request. Therefore we strongly recommend favorable consideration of the draft bill.

Sincerely,

KERMIT GORDON,
Director.

ANALYSIS AND EXPLANATION

SECTION 1

1. The head of each executive agency responsible for the disposal of foreign excess property is required to submit to the Congress each year a report of his activities under the provisions of title IV of the Federal Property and Administrative Services Act of 1949. The accounting records of each agency reflect the disposal of foreign excess property as authorized by the act and such records are available for specific inquiries or for audit as may be desired. A summary report of such activities as required by the act does not appear to serve a necessary purpose of the executive branch or of the Congress.

2. Section 1310 of the Supplemental Appropriation Act for 1952 requires an annual report from each executive department and agency to the Post Office and Civil Service Committees and the Appropriations Committees of the Senate and House of Representatives of the action taken to review all positions created or changed to a higher grade since September 1, 1950, to determine the need for each position and whether it is properly classified. In addition, the report must include information comparing the total number of employees on the payroll on June 30 and their average grade and salary with similar information for the previous June 30. These reports are of no value to the executive branch nor do they appear to provide any information not otherwise available to Congress. The information with respect to the number of employees on the payroll and the average grade and average salary is included in the annual budget for each agency. In addition, the committees concerned can obtain such information from the agencies at any time upon request.

3. The Federal Tort Claims Act of August 2, 1946, as amended, requires the head of each Federal agency to submit to Congress annually a report as to all claims of $2,500 or less paid by it from agency funds. The report must include the name of each claimant, the amount claimed and paid, and a brief description of the claim. Such reports are of no value to preparing agencies and of no known use to Congress. Data relating to each claim are reviewed by the General Accounting Office and are available for review by the Congress whenever such action may be desired.

4. The head of each agency which is authorized to make grants or contracts for the conduct of basic or applied scientific research is required to make an annual report to the appropriate committees of both Houses of Congress setting forth the number of grants made, the dollar amount and the institutions in which title was vested to equipment purchased with such grant or contract funds. These reports serve no useful purpose in the executive branch and would not appear to serve a useful purpose of the Congress. The

information reported can be made available from agency accounting records and whenever a congressional need is expressed.

5. The Federal Property and Administrative Services Act of 1949 authorizes the negotiation of purchases or contracts for experimental, developmental or research work, or for the manufacture or furnishing of property for experimentation, development, research, or test provided that a report of such contracts for each 6-month period is submitted to the Congress. The report is to contain the name of each contractor, the amount of the contract and a description of the work to be performed under the contract. These reports are of no value to the preparing agencies and do not appear to serve any useful purpose of the Congress.

6. Title 10, United States Code, section 1582 and Public Law 313, 80th Congress, as amended, require that the head of each department or agency authorized to fix the compensation for positions of professional and scientific personnel shall report to Congress each year on the number of such positions established, the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. The information contained in these reports is a matter of record in agency personnel and accounting files and is available at any time in response to congressional inquiry. Annual reporting of such information, however, is not needed by the agencies and the reports do not appear to serve any useful purpose.

7. The Reconstruction Finance Corporation Liquidation Act contains a provision requiring the Secretary of the Treasury to report to Congress quarterly on progress in liquidating the assets and winding up the affairs of the Reconstruction Finance Corporation. Reorganization Plan No. 1 of 1957 abolished the Reconstruction Finance Corportation and transferred its "remaining functions" to the Housing and Home Finance Administrator, the Administrator of General Services, the Administrator of the Small Business Administration, and the Secretary of the Treasury. The "remaining functions" by definition in the reorganization plan include the statutory requirement to submit a quarterly progress report to Congress. This requirement with respect to the Small Business Administration was superseded on September 26, 1961, by Public Law 87–305 which substituted annual reporting for the quarterly submission requirement. Since the liquidation has been largely accomplished it would appear that the reporting requirement has served its purpose. Unless repealed, however, the statutory provision would require reporting on a quarterly basis until the last dollar is liquidated which may take several years. Information on the progress of liquidation will be included in the annual reports of the agencies concerned as well as in budget submissions. In view of the status of the liquidation such annual reporting would seem sufficient to keep the Congress adequately informed as to further progress.

8. The Classification Act of 1949, as amended, established limits on the number of positions to be placed in grades 16, 17, or 18 of the general schedule. By act of July 31, 1956, agencies were required to report to the Congress on an annual basis with respect to the total number of positions established for each grade, and including (1) the name, rate of compensation, and information on the qualifications and duties of each incumbent, (2) the positions held by the incumbent and his rate of compensation during the 5 years immediately preceding the date of appointment, and (3) such other information as may be appropriate or required by the Congress or by a congessional committee. Exceptions to the reporting requirement are permitted under the statute where public disclosure of such information would be detrimental to the national security. These reports are merely extracts from personnel records maintained by the reporting agencies and their preparation in an annual report does not serve any purpose of the Civil Service Commission or of any other agency. The information included in the report is available on a continuing basis in agency files and can be supplied in response to congressional inquiry. An annual listing of such information does not appear to be justified.

9. A Hurricane Relief Commission was established by Congress in 1928, provided with funds, and authorized to make loans to individual coffee and coconut planters and other growers to provide relief from the effects of the Puerto Rican hurricane of September 1928. The legislation included the requirement for an annual report to Congress of lending activity of the Commission. Subsequently this reporting requirement was transferred to the Secretary of Agriculture. The report has no value in the executive branch. At present, the report is merely a recital of current collection activity on loans originally made by the Commission. The loan balances are largely uncollectible, have been outstanding for more than 35 years, and little activity of any kind can be expected. The report has long since served its purpose of keeping Congress informed of the initial volume of loans, and no reason for its continuation is apparent.

10. The Housing Act of 1949 required the Secretary of Agriculture to prepare and submit estimates of national farm housing needs and to submit periodic reports on progress being made toward meeting such needs. A request in the proposed budget for fiscal year 1951 for funds to undertake a survey of farm housing needs was not approved; consequently, no survey has ever been made and no report submitted.

11. The Merchant Marine Act, 1936, provided that the Secretary of Commerce should make a study and report to Congress as soon as practicable on the relative cost of construction or reconditioning of comparable ocean vessels in shipyards in the various coastal districts of the United States, together with recommendations as to how such shipyards may compete for work on an equalized basis. This provision was amended October 24, 1962, by Public Law 87–877 which required the report to Congress be submitted annually on the 1st day of July of each year. The report does not serve a useful purpose in the Department of Commerce and would not be prepared except to carry out this statutory reporting requirement.

12. Title 23, United States Code, section 307(b) requires the Secretary of Commerce to report from time to time to the Committees on Public Works of the Senate and House of Representatives on the progress and findings with respect to studies of economic highway geometrics, structures, and desirable weight and size standards for highway vehicles and of the feasibility of uniform State regulations. Section 108(k) of the Federal Aid Highway Act of 1956 as amended directs the Secretary of Commerce to expedite the conduct of a specific series of tests to determine maximum desirable dimensions and weights for vehicles operated on the Federal-aid highway systems and to make recommendations to the Congress with respect to such matters not later than January 3, 1961. The report to Congress required by section 108(k) of the act covered the same information which is called for by section 307(b) of the code. Consequently, no report under 307(b) has ever been prepared. Since it is expected that any further report of this nature required by the Congress would be the subject of another specific directive such as contained in section 108(k), a continuing reporting requirement as contained in section 307(b) is unnecessary.

13. Secretary of Commerce is required by section 1309 of Public Law 85–726 to include in his annual report to Congress a detailed statement of all activities, expenditures, and receipts during the year with respect to aviation-war risk insurance activities. In addition, the statute requires that the Secretary make quarterly progress reports with respect to these activities. While the quarterly progress reports contain more detailed information than is included in the annual report, the significant information is largely duplicated in the annual submission. Since the information in the quarterly report is available from agency records if required and a detailed statement of all activities is included in the annual report of the Secretary, continuation of the quarterly progress reports does not seem justified.

14. Title XII of the Merchant Marine Act, 1936, requires the Secretary of Commerce to include in his annual report to Congress a detailed statement of war risk insurance activities, expenditures and receipts during the reporting period and to make quarterly progress reports to Congress with respect to these activities. Though the quarterly progress reports contain information in greater detail than is included in the annual report, the significant information is largely duplicated in the two reports. Experience has shown that the war risk insurance activities do not change sufficiently from quarter to quarter to justify reporting on a quarterly basis. The information reported annually to Congress in the Secretary's report may be supplemented whenever required with available data from agency accounting records.

15. The Merchant Marine Act, 1936, as amended, provides for a report to be made annually by the Secretary of Commerce with respect to contracts for scientific equipment used for communication and navigation and contracts under which the United States agrees to pay only for national-defense features. No reports have been prepared under this provision since passage of the Renegotiation Act of 1951. Section 102(e) of that act suspended the reporting requirement under section 505(b) of the Merchant Marine Act, 1936.

16. The Secretary of Commerce is required by section 605(b) of the Merchant Marine Act, 1936, as amended, to report to Congress annually on the cases and reasons therefor in which an exception is made to the prohibition against payment of an operating-differential subsidy for the operation of a vessel beyond its economic life. The data included in the report is available from agency records whenever such information may be desired. Its inclusion, however, in an annual report does not appear to serve any useful purpose.

17. The Secretary of Defense was authorized to construct or acquire family housing in foreign countries by using a limited amount of foreign currencies acquired as proceeds of U.S. surplus agricultural commodity sales. A report was required to be submitted to the Committees on Armed Services of the Senate and House of Representatives for each 3-month period giving the cost, number, and location of housing units constructed or acquired during the past 3 months and of plans for the following period. The Department of Defense surplus commodity family housing program has been completed and the final report of activities was submitted in June 1933. Since further compliance with the reporting provision would involve submission of negative reports the requirement should be repealed.

18. The Secretary of Defense is authorized to contract for storage, handling, and distribution of liquid fuels for periods not exceeding 5 years with option to renew for additional periods not exceeding 5 years to a maximum of 20 years. A report of such contracts including the names of contractors is required to be submitted to the Committees on Armed Services of the Senate and

House of Representatives. These reports are of no value within the Department of Defense and we are not aware of any purpose which they serve of the Congress. The initial report for fiscal year 1959 described seven such contracts, one contract was covered in the fiscal year 1961 report, and all other reports have been negative through fiscal year 1964.

19. The Secretary of Defense is authorized to contract for medical services, health plans or insurance as he considers appropriate for dependent spouses and children of members of the uniformed services. Such contracts provide for reviews of payments made thereunder and for adjustments as may appear necessary. The Secretary is required to report each year to the Committees on Armed Services of the Senate and House of Representatives of the amounts paid and adjustments made. The report does not appear to serve any useful purpose and the information is available from agency records whenever required.

20. The Reserve Forces Act of 1955 provided for an annual report by the Secretary of Defense to be submitted to the President and Congress with respect to the status of training of each Reserve component and the progress made in strengthening the Reserve components during the preceding year. The information in this report is largely duplicated in other reports which are required to be submitted to Congress. Material concerning the Reserve components is a part of the reports of the military departments which are included in the annual report of the Department of Defense as required by title 10, United States Code, section 133(c). That provision also requires a report from the Reserve Forces Policy Board on the Reserve programs of the Department of Defense. In view of the duplication of information provided the President and the Congress, continuation of the report required by the Reserve Forces Act of 1955 does not appear justified.

21. A cost-sharing provision of the Federal Civil Defense Act of 1950 authorized the Federal Government to make financial contributions to the States for necessary and essential State and local civil defense personnel and administrative expenses on the basis of approved plans for the civil defense of the State. A report of such contributions was required by the act to be submitted to the Congress on an annual basis. These reports are not used internally by the agency as the information is provided to agency officials by other means and there is no evidence that they are serving any useful purpose.

22. The Federal Civil Defense Act of 1950 authorized financial contributions to the States for approved civil defense programs or projects including the procurement, construction, leasing, or renovating of materials and facilities. The contributions are subject to a number of conditions, one of which requires a report to the Congress not less than quarterly of all contributions made pursuant to this authority. This report has no value within the preparing agency since similar information in greater detail is supplied program managers through other means, and we are not aware of any purpose which the report is serving.

23. The Secretary of each military department is authorized to procure options on real estate which in his judgment is suitable and likely to be required in connection with prospective public works projects of his department. For each semiannual period during which an option is procured under this authority, the Secretary is required to render a report to the Armed Services Committees of the Senate and House of Representatives. The number of options procured under this authority has been negligible but the requirement necessitates numerous negative reports by the military departments. The information would be available from agency records whenever required even though the reporting provision were repealed.

24. The Secretary of each military department is required to report to Congress semiannually on all research and development contracts costing more than $50,000 entered into during each 6-month period, the report to include specific information on each contract. These reports are not needed by the military departments and would not be prepared except to meet the statutory requirement. If the reporting requirement were repealed the information would continue to be available from basic records if needed.

25. In connection with the authorization for incentive pay for hazardous duty involving frequent and regular participation in aerial flight, the Secretary of each military department is required to submit an annual report to Congress. The report is to contain the number of officers by rank and age group above the rank of major or lieutenant commander who were entitled to flight pay, together with the average monthly flight pay authorized to be paid to such officers during the 6-month period preceding the report. The reports are of no value within the military departments and since the information can be made available to Congress on specific occasions if the need should arise, the requirement for a periodic report appears unnecessary.

26. The Secretary of the Navy is authorized to strike from the naval vessel register the name of any vessel which an examining board finds to be unfit for service. With approval of the President any such vessel may be used for experimental purposes. The Secretary is required to submit an annual report to Congress of all such vessels used for experimental purposes. An annual listing of total ships is not prepared by the Navy nor has there been a request for this information in the past, and the report of vessels stricken from the register which were used for experimental purpose does not serve any needed purpose. The information concerning such vessels would continue to be available on request if the reporting requirement were repealed.

27. By act of May 1, 1820, the Secretary of the Navy was required to report annually to Congress regarding the annual appropriations and as to each head (1) the amount appropriated, (2) amount spent, (3) amount remaining unspent, and (4) estimate of probable demands. This requirement was included in the codification of military laws and is now cited as 10 U.S.C. 7217. The report was a byproduct of the central accounting function of the Navy Comptroller. The same data is still avilable but has not been published since fiscal year 1962. Comparable data is now included in the Treasury Department annual publication titled "Combined Statement of Receipts, Expenditures, and Balances of the U.S. Government."

28. The Naval Sea Cadet Corps was established by Public Law 87-655, September 10, 1962. Included in the authorizing legislation was a provision calling for an annual report of the proceedings and activities of the Corps to be submitted to the Secretary of the Navy who would forward to the Congress all or such portion of the report as he saw fit. The report is not of value in the Department of the Navy and its submission through the Secretary does not serve any useful purpose.

29. The Secretary of Defense and, for Coast Guard personnel, the Secretary of the Treasury are authorized to permit personnel of the Armed Forces to train for, attend and participate in international amateur sports competition if the Secretary of State determines that the participation will serve the interests of the United States. At least 30 days before making any commitment under such authority the Secretary of Defense or the Secretary of the Treasury as the case may be is required to furnish to the Committees on Armed Services of the Senate and House of Representatives a report setting forth the details of the proposed participation by personnel of the Armed Forces. These reports contain the statement that the Secretary of State is of the opinion that the interests of the United States would be served by such participation. This reporting requirement should be repealed. The reports are of no value within the executive branch and would not be prepared except for meeting the statutory requirement.

30. The Secretaries of the Army, Navy, and Air Force are authorized to provide flight instruction programs for units of their respective Reserve Officers' Training Corps. They are also required to report to Congress in January each year on the progress of the flight instruction program so authorized. These reporting requirements should be repealed. Other than their historical value within the agency for which other information is available, the reports do not serve useful purposes in the Department of Defense.

31. The National Industrial Reserve Act of 1948 authorized the Secretary of Defense to determine which excess industrial properties should become a part of the national industrial reserve, to provide terms, conditions, restrictions, and reservations for the sale or lease of such property which would guarantee its availability for purposes of national defense, and to establish general policies for the care, utilization, and disposition of such property. The Secretary is required to report to the Congress on April 1, of each year of the action taken by the Department of Defense under the act and such other information on the status of the national industrial reserve as will enable Congress to evaluate its administration and need for legislation. We believe the reporting requirement should be repealed. Due to the fact that the plant reserve portion of the national industrial reserve has diminished from over 200 plants in 1949 to a total of 12 at the present time, there is little purpose to be served in continuing to prepare and submit reports on an annual basis.

32. See paragraph 34.

33. See paragraph 34.

34. The Secretaries of the Army, Navy, and Air Force are required to report annually to the Committees on Armed Services of the Senate and House of Representatives on the number, categories, and grades of Reserve officers, other than medical or dental officers, who were originally appointed in the Reserve grade of captain or above—lieutenant or above in the Naval Reserve. The information contained in these reports is maintained on a continuing basis in agency personnel files and would be available even though the reporting requirement were repealed. Periodic reporting of such information does not appear to serve any useful purpose.

35. Section 2304 of title 10, United States Code, provides that purchases of and contracts for property or services shall be by formal advertising but may be negotiated if the circumstances fall within 1 or more of the 17 exceptions to formal advertising which are authorized in section 2304. A report to Congress is required on May 19 and November 19 of each year with respect to any purchases and contracts made by negotiation under 2 of the 17 exceptions authorized. These involve situations where the purpose of the purchase or contract is for experimental, development or research work or is made in the interest of the national defense or of industrial mobilization. For each such exception the report is to include the name of the contractor, the amount of the contract, and a description of the property or services which were procured. Much of the information included in these reports is duplicated in

the listing of research and development contracts costing over $50,000 reported to Congress semiannually as required by section 2357 of title 10, United States Code. The reporting of contracts falling within 2 of the 17 exceptions authorized by section 2304 does not appear to be of sufficient value to justify its continuation. Any of the information reported is a matter of record in agency files, is subject to normal audit procedures, and can be supplied upon request.

36. The Secretary of the Navy, directly or by contract, lease, or otherwise is responsible to explore, prospect, conserve, develop, use, and operate the naval petroleum reserves in his discretion, subject to approval by the President. Within 30 days after the close of each quarter the Secretary is required to report to the Committees on Armed Services of the Senate and House of Representatives with respect to the production from the naval petroleum reserves during the preceding quarter. This report is not required in the Department of the Navy since the need for this information can be provided by other means. The data contained in the report is maintained on a continuing basis and can be supplied to the Congress upon request.

37. The Smith-Hughes Vocational Education Act requires a report to Congress annually from the Department of Health, Education, and Welfare with respect to the administration of the act and including reports made by State boards on the administration of the act by the State and the expenditure of money allotted to each State. Since passage of the Smith-Hughes Vocational Education Act in 1917 the programs which it authorized have become generally outmoded, especially during this age of automation. In this connection, passage of the Vocational Education Act of 1963 effected further deemphasis of the Smith-Hughes Act programs. As a result of these developments the annual reports required by the Smith-Hughes Act are no longer of sufficient value to justify preparation in the manner prescribed. Repeal of this reporting requirement would permit discontinuance of the publication of a vocational education document, the content of which, as presently required by law, is extremely outmoded, and would afford inclusion in the annual report of the Office of Education of a report on all aspects of the current vocational education program, including those authorized under the Smith-Hughes Act and also those under the Vocational Education Act of 1963.

38. Each State board for the administration of the benefits within the State of the Smith-Hughes Vocational Education Act is required to prepare detailed plans for carrying out the program in the State and to submit such plans for the approval of the Department of Health, Education, and Welfare. In addition, the State board is required to make an annual report to the Department of Health, Education, and Welfare of the work done in the State and of the receipts and expenditures of money under the provisions of the act. The content of these reports, which is prescribed by statute, has become outmoded by the development of vocational education in this automated age and from the effect of the passage of the Vocational Education Act of 1963. The continuation of these reports as prescribed by the Smith-Hughes Act does not seem justified in view of their limited value.

39. A separate fund, derived from money transferred by the Secretary of Agriculture as a percentage of receipts made available from duties collected under the customs laws on fishery products, is used by the Secretary of the Interior to promote the use and distribution of domestically produced fishery products. The Secretary of the Interior is required to report annually to the appropriate committees of Congress on the use made of this separate fund. The information contained in the report is a valuable documentation of progress in fishery programs with the use of the separate fund. However, its submission in a special report to Congress does not seem warranted in view of its duplication in the annual report of the Bureau of Commercial Fisheries. Inclusion in the latter report is appropriate inasmuch as the separate fund and annually appropriated funds work together in financing Bureau programs. If discontinued as a separate report to Congress, significant savings would be effected and the information would continue to be submitted in the annual report of the Bureau of Commercial Fisheries.

40. The Fish and Wildlife Act of 1956 established within the Department of the Interior the U.S. Fish and Wildlife Service and also the positions of Assistant Secretary for Fish and Wildlife and Commissioner of Fish and Wildlife. The purpose of the act was to maintain and increase public opportunities for recreational use of our fish and wildlife resources and to stimulate the development of the fishery and fish processing industry. The act required the Secretary of the Interior to submit an annual report to Congress on the activities of the Service under the act. The information required by this reporting provision has been included in the Secretary's annual report to the President on the activities of the bureaus and offices of the Department. A copy of this report is submitted to the appropriate committees of the Congress. Preparation of a report as provided by the act would result in a duplication of information for the Congress. Repeal of the reporting provision would eliminate an unnecessary requirement.

41. The Secretary of the Interior is authorized and directed to cooperate with the States with respect to fish restoration and management projects and appropriations are authorized each year for this purpose from taxes imposed on fishing tackle. The Secretary is required to report annually to Congress on the projects established and the expenditures therefor. The information contained in this report is also included in a more comprehensive annual publication covering both Federal aid in fish and in wildlife restoration programs. The only purpose served in preparing the subject report is to fulfill the statutory requirement and if this requirement were repealed a duplication of reporting would be eliminated.

42. The Secretary of the Interior is authorized and directed to establish, equip, and maintain a research laboratory in the lignite consuming region of North Dakota to conduct research and develop uses and market outlets for lignite coal and its products. The Secretary is required to make a report to Congress each year on the activities of, expenditures by, and donations to the laboratory. This report serves no useful purpose within the Department since all the material is included in other reports. Moreover, information in the report duplicates to a considerable extent material available to the Congress in the budget and the Secretary's annual report.

43. By act of August 14, 1946, the Secretary of the Interior was authorized to make such investigations as he deems necessary to determine the effects of domestic sewage, mine, petroleum, and industrial wastes, erosion silt and other polluting substances on wildlife and to make reports to Congress concerning such investigations and of recommendations for alleviating dangerous and undesirable effects of such pollution. The sole report made under this act was submitted in February 1951. The reporting provision should be repealed. It would appear that the act of August 14, 1946, has been replaced by Public Law 85–624, Fish and Wildlife Coordination Act, August 12, 1958, in which there is no requirement for a similar report.

44. The act of August 27, 1954, provided for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members; for the termination of Federal supervision over the trust and restricted property of the mixed-blood members; and for a development program for the full-blood members to assist them in preparing for termination of supervision over their property. The act requires the tribal business committee for the full-blood members to report annually to Congress through the Secretary of the Interior on its activities, expenditures, and progress with respect to making the tribe and its members self-supporting. The report has never been submitted to the Congress because of the failure to receive a complete and accurate report from the Ute Indian Tribe. In view of the inability of the Department to receive a proper report from the tribe, the reporting requirement should be repealed. Other evaluation measures are available to determine the rate and degree of self-sufficiency achieved by the tribe.

45. Public Law 87–689 approved September 25, 1962, directed the Secretary of the Interior to dispose of materials on public lands to the highest bidder after formal advertising. The act also provides the Secretary authority for the negotiation of a contract for disposal of the material under specified circumstances. In addition the act requires a report to Congress on January 1 and July 1 each year with respect to contracts negotiated under certain circumstances, the report to include the name of each purchaser, the appraised value of the material, the amount of the sale, and the reasons for contracting by negotiation rather than by competitive bidding after formal advertising. These reports are of little or no value in the Department of the Interior. The records of transactions with respect to the disposals of material under the act are available for review and audit if desired. Continued preparation of the report, however, does not appear to serve any useful purpose.

46. The Mineral Leasing Act Revision of 1960, Public Law 86–705, authorizes the Secretary of the Interior to negotiate agreements under which the United States is compensated for drainage of oil and gas by wells drilled on land adjacent to lands owned by the United States. The Secretary is required to report to Congress annually all such agreements entered into during the previous year. Very few of these agreements are made by the Department and the annual reporting is of no value to the agency and does not appear to serve any useful purpose.

47. The Longshoremen's and Harbor Workers' Compensation Act provides conditions and schedules for payment of compensation to employees or their dependents for disabilities or death suffered while employed in maritime employment upon the navigable waters of the United States. The Secretary of Labor is required to report to Congress at the beginning of each session on the administration of the act for the previous fiscal year, including a detailed statement of receipts of and expenditures from the funds established in the Treasury of the United States for the purpose of making payments authorized by the act and for the payment of expenses in respect to its administration. This report does not appear to serve any useful purpose which would justify its standing as a separate reporting requirement of the Congress. When appropriate, the information required by these provisions can be included in the annual report of the Secretary of Labor.

48. The Secretary of Labor is authorized to administer the Federal Employees' Compensation Act which provides conditions and schedules for the payment of compensation for the disability or death of a Fed-

eral employee resulting from personal injury sustained while in the performance of his duty. The Secretary is required by the act to report to Congress at the beginning of each session on the work for the preceding fiscal year including a detailed statement of appropriations and expenditures, a detailed statement showing receipts of and expenditures from the employees' compensation fund, and his recommendations for legislation. An annual report of this detail does not appear to serve any worthwhile purpose. The information required by these provisions can be included where appropriate in the annual report of the Secretary of Labor and need not be given the status of a separate report required by Congress.

49. The Board of Trustees for the Postal Savings System is required to submit a report to Congress each year showing by States and territories the number and names of post offices receiving deposits, the aggregate amount of deposits and withdrawals, the number of depositors in each, total amount standing to the credit of all depositors at end of year, the amount of such deposits at interest, amount of interest received and amount paid, the amount of deposits surrendered for bonds, the number and amount of unclaimed deposits, and information regarding investments by the Board, expenses of operation and other pertinent facts. Of the 34 pages in this report 26 pages are devoted to a listing of the offices receiving postal savings, the number of depositors and the amount on deposit. This information in such detail is of no value to the Post Office Department or to the Board of Trustees for the Postal Savings System nor would it appear to be of any value to Congress or to the public. The exclusion of these itemized data from the annual reporting requirement would remove a major cost factor in the report preparation.

50. Public Law 85–426, approved May 27, 1958, authorized a Postal Modernization Fund to be established as a separate fund in the Treasury of the United States. The statute required the Postmaster General to include in his annual report to the President a detailed account of his activities with respect to the Postal Modernization Fund. The Congress did not follow the concept of appropriation of money to a separate fund but instead it has handled this matter in the regular appropriation process. The Postal Modernization Fund, therefore, has never been established and the requirement for an annual report of activities with respect to the fund should be repealed.

51. The Lend-Lease Act of March 11, 1941, requires the President to transmit to Congress from time to time but not less frequently than once every 90 days a report of operations under the act. During the war years the reports contained summary information on one of the Government's most dynamic programs. In the immediate postwar years, the reports contained information on lend-lease and reciprocal-aid settlements agreements. Recent reports have been increasingly limited to reporting fiscal data, and since 1952 the reports have been submitted on an annual basis. Continuation of the report does not appear justified. The fiscal data included overlap that contained in the "Annual Report of the Treasury on the State of the Finance" and in the report "Foreign Grants and Credits by the U.S. Government" published by the Department of Commerce. The current and prospective operations arising out of unfinished business under the Lend-Lease Act are not sufficiently important to warrant a periodic report. In the event of significant future developments the Department of State could prepare a report from data which would continue to be available and submit such report to the Congress or make it available to the public as circumstances might warrant.

52. The International Atomic Energy Agency Participation Act of 1957 authorizes the President to appoint representatives of the United States in connection with our participation in the International Atomic Energy Agency. The act also requires the President to submit to Congress not less than once each year a report on the activities of the International Atomic Energy Agency and on the participation therein by the United States. We believe this report is unnecessary and should be discontinued. The information contained in the report is essentially duplicated in other reports submitted to the Congress with respect to activities of the International Atomic Energy Agency. The annual report on the U.S. participation in the United Nations contains a section on the IAEA, and the annual report on U.S. contributions to international organizations also include material contained in the IAEA report. In addition, similar information is included in the report to Congress by the Atomic Energy Commission on "Major Activities in the Atomic Energy Program." In view of the coverage of the IAEA activities in the above three reports to Congress a separate submission does not appear justified.

53. The National Commission for United Nations Educational, Scientific, and Cultural Organization is authorized to accept services and gifts or bequests of money or materials to carry out any of the purposes of the National Commission. The authorizing legislation also requires that the National Commission and Secretary of State shall submit an annual report to Congress of receipts and expenditures of funds and bequests received and disbursed pursuant to such authority. While this report is not particularly burdensome it does not appear to serve any purpose and should be discontinued. There is very little activity in the gift fund and adequate records are maintained of these transactions as a part of the financial accounts of the agency and can be supplied at any time upon request.

54. The Foreign Service Retirement and Disability System established by the act of May 24, 1924, is administered by the Secretary of State who is also responsible for prescribing rules and regulations governing the deposit of voluntary contributions into the Foreign Service Retirement and Disability Fund. The Secretary is required by statute to submit annually to the President and to Congress a comparative report showing the condition of the fund and estimates of appropriations necessary to continue the system in full force. This report has not been prepared since 1959 when its submission to the President was discontinued at his request and following congressional criticism of the volume and duplications in reports sent to Congress. The information in the Foreign Service Retirement and Disability Fund report was found to duplicate information prepared in accordance with the Budget and Accounting Act of 1951 and Bureau of the Budget circular No. A–11 which provides instructions for the preparation and submission of annual budget estimates. The information included annually in the Budget of the United States under "trust funds" reflects the condition of the fund and the need for appropriations and makes unnecessary the submission of an additional report as presently required by statute.

55. Public Law 323, 84th Congress, approved August 9, 1955, requires the Secretary of the Treasury to transmit to Congress each year a comprehensive report of operations in connection with the bonding of Government officers and employees. This report was required initially to enable the Congress to determine the results of operations under the act of August 9, 1955, which authorized agencies to purchase surety bonds to cover officers and employees of the Federal Government. In view of the demonstrated benefits accruing to the Government from the above enactment, there would appear no further purpose served by continuing this report to Congress. The Treasury Department would continue to obtain and compile information deemed necessary to carry out its functions under the statute; however, the accumulation of data in the detail required for the report is no longer justified.

56. The Postal Modernization Fund authorized by Public Law 85–426, approved May 27, 1958, never became a reality since Congress did not follow this concept with respect to appropriations. However, the authorizing legislation provides for the Secretary of the Treasury to manage the fund and after consultation with the Postmaster General to report to Congress by the first of January of each year on the condition of the fund at the end of the preceding fiscal year. Since no separate fund as such has ever been established in the Treasury, the reporting provision is meaningless and should be repealed.

57. Public Law 85–726 approved August 23, 1958, directs the Administrator of the Federal Aviation Agency to provide for participation of military personnel in carrying out his functions relating to regulation and protection of air traffic. The Administrator is required to report to the appropriate committees of Congress on a semiannual basis with respect to the extent and effectiveness of military participation in Federal Aviation Agency plans, programs, and projects. The Agency's annual report to the President and to Congress also required by statute, contains much of the same information, and the additional submission of semiannual reports on this phase of its activities does not appear justified. If the semiannual reporting requirement were repealed the Agency could expand its annual report to include further information regarding military participation as Congress might desire.

58. The Federal Power Act, as amended, requires the Federal Power Commission to submit to Congress annually a report giving a brief description of preliminary permits and licenses issued for hydroelectric projects, and in each case the parties thereto, the terms prescribed, and the moneys received. Also required to be reported are the names and compensation of persons employed by the Commission. This reporting requirement was established in the 1920 legislation and any purpose which it was intended to serve is no longer meaningful. The report, over 90 pages, is primarily detail, all of which is included in other reports to Congress or is available upon request. Any Member of Congress expressing an interest in an application is furnished a copy of the document constituting the permit or license when issued. Summary data on personnel and on moneys received are included in the annual budget presentation. The report is of no value to the Commission nor is there known any purpose which it is serving.

59. The National Aeronautics and Space Act of 1958 requires the National Aeronautics and Space Administration to submit to the President for transmittal to the Congress semiannual reports of its activities and accomplishments. The act also requires an annual report from the President of the activities and accomplishments of all agencies of the United States in the fields of aeronautics and space. During the first few years, when the Nation's space programs were in their formative stages, frequent and detailed reports to Congress may have served a useful purpose. At the present time, however, the annual report submitted to the Congress by the President plus the materials prepared for authorization and budgetary hearings and those prepared on subjects of special interest from time to time would seem to be sufficient to meet the information needs of the Congress. Elimination of the NASA semiannual report would reduce the

duplication in information presented in formal reports to the Congress, and relieve the agency of the burden and cost of its preparation and submission.

60. The National Aeronautics and Space Act of 1958, as amended, requires the Administrator of the National Aeronautics and Space Administration to report to Congress at the close of each fiscal year on the number of scientific, engineering, and administrative positions established under the act, the name, rate of compensation, and description of the qualifications of each incumbent, together with the position title and a statement of the duties and responsibilities performed, the positions held by each incumbent and his rates of compensation during the 5-year period immediately preceding his appointment, and such other information as the Administrator may deem appropriate. The information contained in these reports is a matter of record in agency personnel and accounting files and is available at any time in response to congressional inquiry. Annual reporting of such information, however, is of no value to the agency and the reports do not appear to serve any useful purpose.

61. The National Labor Relations Act requires the submission to Congress and to the President at the close of each fiscal year a report of cases heard, decisions rendered, the names, salaries, and duties of all its employees and officers, and an account of all moneys disbursed. The report, in three parts, comprises over 250 pages of detail information, much of which is duplicated in the agency's bound volumes of contested decisions issued at 2 to 3 month intervals. The remaining information included in the report is available from agency records. The report is not of any value within the executive branch and we are not aware of any purpose which it is serving for the Congress.

SECTION 2

1. The Merchant Ship Sales Act of 1946 was enacted to provide for the orderly sale of war-built U.S. Government ships to private shipowners. It also provided for charter of such ships under certain conditions and provided for the preservation of the remaining ships in a National Defense Reserve Fleet. Sales authority under the act expired in 1951, but the other provisions have remained in effect. The act also calls for a quarterly report of all activities on transactions under the act. Activity under this program currently and for some time in the past has been minimal and does not justify reporting on a quarterly basis. Incorporation of this material in the annual report of the Maritime Administration should provide the Congress and other interested agencies with sufficient information on this program.

2. The International Travel Act of 1961 was enacted to encourage foreign residents to visit the United States and to facilitate international travel generally. The act established a U.S. Travel Service, headed by a Director, in the Department of Commerce and assigned certain duties and responsibilities for carrying out the purpose of the act to be exercised by the Secretary or by him through the Director. A semiannual report to the President and the Congress is required of the Secretary with respect to his activities under the act. After 3 years of submitting reports on a semiannual basis it has become evident that the activity is not of a nature which should justify reporting that frequently. Significant economies would be effected without detriment to the program if the requirement were limited to an annual report.

3. Section 8031(c) of title 10, United States Code, provides that not more than 2,800 officers of the Air Force may be assigned or detailed to permanent duty in the executive part of the Department of the Air Force. The Secretary is required to report to Congress quarterly with respect to the number of officers in the executive part of the Department and the justification therefor. These reports are of no value to the Air Force since the information is available from regularly prepared monthly reports if needed. It would not appear that the value of the report to the Congress would justify its preparation on a quarterly basis and we recommend the requirement be changed to an annual submission.

4. The Federal Property and Administrative Services Act of 1949, as amended, authorizes the donation of surplus personal property to State surplus property agencies for distribution to public health and educational institutions and civil defense organizations under section 203(j) and surplus real property disposals to public health and educational institutions under section 203(k) of the act. Section 203(o) requires a quarterly report to the Congress of the acquisition cost of all personal property received by State surplus property agencies and of real property transferred during the preceding quarter in each State, territory and possession. This program has been in operation long enough that quarterly reports have lost their initial significance. Experience has shown that program trends and accomplishments toward administrative goals can be better and more accurately determined on a semiannual basis in the area of surplus property disposals. The need for reporting quarterly can no longer be justified and the change to a semiannual requirement would considerably reduce the man-hours involved in report preparation.

5. Public Law 85-701 approved August 21, 1958, authorizes and directs the Secretary of the Interior to establish and maintain a program for exploration by private industry for minerals and to provide financial assistance on a participating basis. The enactment also provided for the Secretary to submit to the Congress through the President semiannual reports containing a review and evaluation of the operations of the programs authorized together with recommendations for congressional action as desired. It is recommended that the reporting provision be placed on an annual basis instead of semiannual and that submission be by the Secretary directly to the Congress rather than through the President. We believe the semiannual report is more frequent than can be justified for this small program, and submission through the President is unnecessary and complicates the reporting procedure.

6. See paragraph 7.

7. The Foreign Claims Settlement Commission is required to make reports to the Congress every 6 months concerning its operations under the War Claims Act of 1948 and of its operations under the International Claims Settlement Act of 1949. These reports are invaluable primary source documents which are constantly used by Commission staff. However, preparation of these reports on a semiannual basis is not justified in view of the costs involved. Annual issuance of these publications would satisfy the Commission's needs and would result in significant savings in printing, mailing, and salary costs.

8. Section 304(b) of the Defense Production Act of 1950, as amended, requires a semiannual report setting forth the gross amount of each transaction entered into by any agency of the Federal Government and the basis for determining the probable ultimate net cost thereunder. The need for this report on a semiannual basis can no longer be justified. While the report continues to be of value as a record of the condition of the Borrowing Authority Fund, it has generally served its basic need and the frequency of submission could be reduced to an annual report with resulting savings to the Government.

9. The Export-Import Bank Act of 1945 requires the Export-Import Bank of Washington to submit semiannually to Congress complete and detailed reports of its operations as of June 30 and December 31 each year. The report is a valuable record as a source of historical information and of ready reference regarding the operations of the Bank. During the Bank's early corporate existence the submission to Congress of semiannual reports of its operations may have been needed. However, at the present time, we do not believe the preparation of the report as frequently as twice each year can be justified. Reduction of the frequency of submission to an annual basis would provide savings to the Government without detriment to the purposes which the report serves.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENTS NOS. 278, 279, AND 280

Mr. SMATHERS submitted three amendments (Nos. 278, 279 and 280), intended to be proposed by him, to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, which were referred to the Committee on Finance, and ordered to be printed.

ADDITIONAL COSPONSORS OF AMENDMENT NO. 261

Under authority of the order of the Senate of June 9, 1965, the names of Mr. AIKEN, Mr. ALLOTT, Mr. CASE, Mr. COOPER, Mr. COTTON, Mr. FANNIN, Mr. FONG, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MORTON, Mr. PEARSON, Mr. PROUTY, Mr. SCOTT, Mr. SIMPSON, and Mr. TOWER were added as additional cosponsors of amendment No. 261, submitted on June 9, 1965, by Mr. DIRKSEN, to the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

BIRTH CONTROL HEARINGS SET FOR JUNE 22 AND 23

Mr. GRUENING. Mr. President, on Tuesday next, June 22, as chairman of the Government Operations Subcommittee on Foreign Aid Expenditures, I shall begin what promises to be interesting and perhaps extended hearings on S. 1676, my bill to coordinate birth control information and make it available upon request here and overseas.

The bill would also authorize President Johnson to call a White House Conference on Population in 1967.

The first 2 days of hearings on June 22 and June 23, New Senate Office Building, room 3302, have been specifically set aside to hear testimony by cosponsors of S. 1676 or other interested Members of Congress. Other hearing dates will be announced.

It is of utmost importance that we let the executive branch of the Government and all persons who are concerned with the population explosion know that we are serious, that we do intend to explore the problem, and that we do intend to learn what is or what is not being done to solve the problem here and abroad.

I have written to the Governors of the 50 States and of the territories to request information concerning what they are doing at the State and territorial level to deal with population matters. We need to know this if we are to make honest, fair appraisals of what is or is not needed.

Enormous responsibilities confront every citizen today. We are creating the heritage we will leave for our children.

Will our children and their children be grateful for their inheritance?

And what does responsible parenthood entail? How far does parental responsibility extend?

These are a few of the questions I am hopeful we will find answers to in the coming weeks.

I hope that persons interested in this problem will attend the hearings. They are welcome.

I hope that men and women who have contributions to make to this dialog on population will make those contributions.

We know very little. We hope to know more.

The hearings will be held in room 3302 of the New Senate Office Building.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 16, 1965, he presented to the President of the United States the following enrolled bills:

S. 856. An act for the relief of the estate of R. M. Clark; and

S. 2089. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

TWENTIETH ANNIVERSARY OF THE UNITED NATIONS DURING INTERNATIONAL COOPERATION YEAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 316, Concurrent Resolution No. 36.

The VICE PRESIDENT. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 36) expressing the sense of Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the concurrent resolution was considered and agreed to, as follows:

Whereas the year 1965 marks the twentieth anniversary of the United Nations, which will be celebrated in San Francisco on June 26, 1965; and

Whereas the United Nations General Assembly has designated the year 1965 as "International Cooperation Year"; and

Whereas the President of the United States has proclaimed 1965 as "International Cooperation Year", and has set up a broad program within the executive branch to review our present international policies in cooperation with a bipartisan group of distinguished private citzens; and

Whereas the President has charged those participating in the International Cooperation Year program to "search and explore and canvass and thoroughly discuss every conceivable approach and avenue of cooperation that could lead to peace"; and

Whereas the International Cooperation Year program will culminate in a White House Conference on International Cooperation which the President has announced he will convene in November 1965; and

Whereas during the twenty years of its existence the United Nations has played an important, and at times crucial, role in pursuit of one of its stated purposes "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind"; and

Whereas during that time the United Nations has also performed a valuable service through the specialized agencies and otherwise in helping to establish human rights and to eliminate those ancient enemies of mankind—hunger, poverty, disease, and ignorance: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States of America rededicates itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order; and that all other members of the United Nations are urged to do likewise.

SEC. 2. It is further the sense of the Congress that in connection with the examination for International Cooperation Year of United States participation in international cooperative activities, the executive branch should—

(1) review with a high sense of urgency the current state of international peacekeeping machinery with a view to making specific suggestions for strengthening this machinery, (2) review other major elements of international community and cooperation with a view to making specific suggestions to promote the growth of institutions of international cooperation and law and order, and (3) review urgently the status of disarmament negotiations with a view to further progress in reducing the dangers and burden of competitive national armaments.

SEC. 3. In order to provide for participation by the Congress in the White House Conference on International Cooperation, subject to an invitation by the President, there is hereby created a congressional delegation of twelve members to be composed of six members of the Senate appointed by the President pro tempore of the Senate and six members of the House of Representatives appointed by the Speaker of the House of Representatives. Any vacancy in the membership of the delegation shall be filled in the same manner as in the case of the original appointments.

The preamble was agreed to.

Mr. CHURCH. Mr. President, in connection with the action which the Senate has taken on the subject resolution, I should like to say that earlier this month, on behalf of Senator FULBRIGHT, Senator HICKENLOOPER, Senator AIKEN, Senator COOPER, Senator CLARK, and myself, I introduced Senate Concurrent Resolution 36, which serves to express the sense of the Congress in support of the United Nations during International Cooperation Year, the occasion of the organization's 20th anniversary. The same resolution has been introduced in the House by Representative DANTE FASCELL. This Monday, June 14, the resolution was favorably reported from the Senate Committee on Foreign Relations.

I was highly gratified by the President's recent announcement that he hoped to speak at the U.N.'s 20th anniversary celebration at San Francisco in the latter part of this month. One of the main reasons for introducing Senate Concurrent Resolution 36 is to furnish the President at San Francisco with a reaffirmation of congressional support for the U.N. organization.

In conjunction with Senate Concurrent Resolution 36, I would like to call the attention of the Senate to an article which appeared in the June 19, 1965, issue of Look magazine by the Honorable Abba Eban, Deputy Prime Minister of Israel, entitled "Do We Really Need the U.N.?" Mr. Eban's answer is a resounding "yes," and he presents a convincing case for his thesis that the U.N. is indispensable in today's world. As Mr. Eban correctly notes:

> If the U.N. dialog is broken off, it is logical to expect a return to the old rigidities. We shall feel the icy blasts of the coldest of cold wars, while small nations will lose the only platform from which their voices can echo the hope and pathos of peace-loving mankind.

In conjunction with Senate Concurrent Resolution 36, I ask unanimous consent to have Mr. Eban's article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DO WE REALLY NEED THE U.N.?

(By Abba Eban, Deputy Prime Minister of Israel)

Every year, 114 governments survey the state of their nations and prescribe remedies of varying utility for human ills. But there is no authority with power to survey the state of the entire human nation in its full breadth and complexity.

What would a president of the world responsible for human destiny have to report if he faced a universal parliament in the year 1965—the 20th anniversary of the founding of the United Nations?

Sixty percent of the earth's land surface is arid or semiarid, and this area is capable of supporting only 5 percent of the world's population.

The inhabitants of the earth now number 3 billion and, at the present rate of increase, will number 6 billion by the end of the 20th century.

More than half of the world's present population suffers from varying degrees of malnutrition. The increase of food production is not keeping pace with population growth.

Life expectancy, which reaches an average of 70 years in developed countries, drops to 30 years in parts of Asia and Africa. Some 500 million people are afflicted by waterborne diseases for which remedies or preventive techniques exist.

Some 700 million adults throughout the world are illiterate—including 80 percent of the population of Africa and 60 to 65 percent of the population of Asia.

In economic and cultural opportunity, the disparities are already vast and growing wider. Ninety-eight percent of the human race now lives in sovereign states, and for the first time in history, the nations of the human family are equal in political and juridical terms. But the most advanced countries are 3,000 percent more prosperous than the least advanced. The effects of science, technology and industrial progress are still largely confined to the advanced countries, which contain less than a quarter of the human race.

A great migration from villages to cities is going forward across the globe under conditions that increase the peril to health and social stability.

Some of the world's natural resources are nearing depletion.

The earth's atmosphere and many water sources are being poisoned by wholesale pollution.

There has been no diminution of the arms race and little progress in evolving agreed forms of international security.

The state of the world message would not be composed entirely of these dark warnings. It would include a testimony to the healing power of science, which is the central common enterprise of man. It would tell of our new opportunities to fertilize soil, to harness water, to desalt the sea and irrigate the deserts, to diffuse the fruits of knowledge and to draw all men together in growing accessibility. It would portray towering feats of imagination and courage that have sent man beyond his earthly confinement into the exploration of extraplanetary vistas. It would include a new awareness of planetary interests and an unexampled mingling of experience across the frontiers of states. It might even make consoling reference to the pacifying effects of danger.

In Winston Churchill's words: "It may well be that we shall, by a process of sublime irony, have reached a stage in this story where safety will be the sturdy child of terror, and survival the twin brother of annihilation."

These consolations are real enough. But the main conclusion would be somber: Human welfare is lagging far behind the pace of human opportunity. And the reason for the lag lies in an inadequate intensity of cooperation. There is also wanton violation of rational priorities. A world that spends over $300 million a day on armaments cannot find $300 million a year to maintain an organization for the defense of peace. It is easier to budget funds to invade the moon than to save the earth for urgent human needs.

How can issues of such scope be surveyed, still less solved, except in a global arena? The head of governments are so preoccupied with regional crises of relatively limited effect that the affairs of the human nation receive only marginal attention. It is true that United Nations specialized agencies and conferences bring a universal vision to bear on the torment and hopes of mankind. But they have never yet discussed them at a level of authority capable of yielding decisive action. Summit meetings still take a microscopic view of a few problems, instead of a panoramic view of the total human scene. Yet it is precisely through concern for supranational interests that governments have a chance of transcending their rivalries and developing trustful attitudes that could, in time, transform their approach to the provincial squabbles—the Vietnams and Congos of this troubled world.

At the recent convocation in New York to discuss the Papal message "Peace on Earth," I suggested that the heads of national governments come together for a week to discuss the destiny of the planet—the population explosion, the development of resources, the spread of scientific knowledge and the structure of the evolving world community. Not all the matters that now engage the time of our presidents and premiers are of greater import or dignity.

It is because of planetary problems that the urgency of preserving the U.N. framework becomes acute. With all its imperfections, the U.N. is the only incarnation of a planetary spirit. It alone presents a vision of man in his organic unity. It does not escape into a vague universalism by ignoring the claims of nationality.

A paradox of our times is that the proliferation of small nation-states goes hand in hand with a search for wider forms of integration, as exemplified in the United Nations, the European Economic Community, the Organization of American States and the Organization of African Unity. The United Nations Charter strikes a delicate balance between national identity and universal solidarity.

The nation-state, after all, is still the main source of distinctive culture. In some respects, all nations are like all others; and none can escape the overriding human destiny. But those qualities that a nation holds especially to itself, its memories and dreams, may well be its chief gift to human culture. Nationalism's victories of the past 2 centuries have been won against tyranny and colonialism. Those who mourn the fragmentation of the political map and long for larger political units should recall how the explosion of nationalism came about. In an area of Europe where there were once 2 sovereignties—the Austro-Hungarian and the Ottoman Empires—there are now 11 states. In Africa, where once imperial Britain, France, and Belgium ruled, there are now 33 nations.

The growth of nationalism has been, in the main, a story of liberation. National diversity can be a source of intense and positive vitality, provided that it is reconciled with the restraints and solidarities of an international order.

It is the intellectual merit of the United Nations meetings that they involve sovereign governments in issues outside their limited range of self-interest. To great nations, the U.N. teaches the humility of altruistic concern. To small nations, it offers an escape from suffocating provincialism. When Latin delegates are called upon to discuss the Middle East, when Israel, Cyprus, and Iceland adjudicate African issues, they are all released from excessive self-preoccupation into a world where detached inquiry enlarges understanding and deepens compassion. Each nation becomes involved in the adventure of world community. Universalism, far from being the enemy of the nation, emerges by paradox, as its best friend, and quite possibly as its last one.

It is hard to imagine what the decline of international political institutions would mean for great power relations. The dialog maintained in a permanent diplomatic conference at U.N. headquarters has become so familiar to us for 20 years that we cannot accurately tell what its cessation would signify. It is reasonable to give the United Nations some credit for breaking up the rigid bipolar confrontation of "East and West." In an effort to win the sympathy of disinterested peoples, even totalitarian regimes abandon their dogmatism, strike relatively moderate postures, and seek alliances outside their own strict orthodoxies. If the U.N. dialog is broken off, it is logical to expect a return to the old rigidities. We shall feel the icy blasts of the coldest of cold wars, while small nations will lose the only platform from which their voices can echo the hope and pathos of peaceloving mankind. In the late 1930's, the disintegration of the League of Nations was both a result and cause of the world's relapse into the anarchy of force. If the United Nations roof collapses over the heads of more than a hundred nations today, a chain reaction of aggravated tension will be the most probable result.

There is one domain in which the existence of an international tribunal has visibly helped to transform our generation's life. The 51 member states that founded the United Nations in 1945 have now grown to 114. The original membership roll comprised 19 Latin American, 12 European, and 3 African sovereignties. This could hardly be described as an accurate or egalitarian picture of the human map. Today, the community of sovereign African states already numbers 33, and all but a fraction of the 290 million Africans have been freed from colonial tutelage. In Asia, the process of emancipation is almost complete.

The remarkable thing is that much of this transition has been pacific. In former times, national movements might cultivate, in Jefferson's words, "a decent respect for the opinion of mankind." But it was chiefly by inculcating a decent respect for their capacity to make violent trouble that they won and kept their freedom. Today, the liberty of nations is a matter of birthright, not of conquest. However strongly the colonial powers have chafed at the nagging persistence of the United Nations, they have never been free of its strong bias for orderly emancipation. No colonial problem has ever been submitted to U.N. inquiry or judgment without a solution of national independence emerging within a few years. And when the new state, often small and desperately poor, comes out into the light of freedom, its flag in the United Nations, above all else, is what symbolizes and excites its sense of identity.

No one can claim that the transformation of the U.N.'s membership has had much effect on its procedures. A deep-rooted constitutional conservatism is one of the defects that a renascent organization would have to overcome. The failure to solve the problem of Chinese representation robs the U.N. of its crucial claim to universality. The member states must make up their minds what they want the U.N. to be—an exclusive club for the like minded and the virtuous, or a mirror reflecting the realities of power and opinion as they are, in all their rich and sometimes uncomfortable diversity. If the idea is to mirror an existing world, then it should not be impossible to apply this principle, in due time, both to the facts as they are on the Chinese mainland and on an independent and separate Formosa.

Similarly, there is a compelling case for altering the composition of the Security Council and the Economic and Social Council. Both still reflect the Western predominance of the 1950's, rather than the new balance of the 1960's.

There is such a thing in physics as "fusion at high temperatures." In politics, too, it is in the heat of crisis that old patterns are often broken up and new ones formed. The U.N. crisis may be a suitable occasion for reviewing procedures that no longer conform to reason or dignity. A repetitive general debate with no limitation on utterance occupies the General Assembly for several weeks, and is resumed each September before the echoes of the previous debate have died down. A sovereign right to speak surely includes a sovereign right to accept a half-hour limit. Similarly, there is need to review the farcical idea that a body of 114 members can be a committee so long as its members speak sitting down. More negotiations and less declamation; detailed committee work in small groups rather than mass discussion in public; a less encyclopedic agenda omitting items that recur by force of gravity year by year with no prospect of solution—these are reforms a national parliament would have adopted long ago. Today, they are urgently necessary in order to give the United Nations rationality, in keeping with the pragmatic temper of our age.

But above all other considerations, reform of the structure of the United Nations is dictated by the need to preserve the U.N. idea.

Social history reveals the constant enlargement of the idea of community—from family to tribe; from tribe to village; from village to city-state; from city to nation. In each case, there was doubt that the larger units could ever command the intimate and simple devotion enjoyed by the smaller. Yet, again and again, the smaller and the larger loyalty came to coexist and endure.

Similarly, there is no chance that a world sentiment will supersede the deep-rooted impulse of national sentiment. Nations will have to live their lives on two levels: on the intimate level of national distinctiveness and on the broader level of universal solidarity. Much of diplomacy today is a holding action to gain time until the unifying process of history takes all mankind into its embrace. Modern statesmen must act in a double role: as spokesmen of their particular national interests and, at the same time, as representatives who combine a particular local responsibility with a broader national view. If the United Nations has not fulfilled man's hopes, it is largely because the immediate parochial concerns of nations have won priority over universal concerns that, though they appear to be "long-term" and lacking in urgency, will ultimately determine humanity's future.

No less urgent than the solution of problems in southeast Asia and the Caribbean is the early restoration of the U.N. as a functioning organization. The largest hopes of mankind accompany the committee of 33 nations now seeking a solution of the U.N. financial and constitutional crisis.

In the words of the French theologian-philosopher Teilhard de Chardin:

"Everything that formerly made for war now makes for peace. Pressed against one another by the increase in their numbers and relationships, forced together by the growth of a common travail, the men of the future will in some sort form a single consciousness."

This "single consciousness" is the central idea of the United Nations. If we cannot yet touch it with our hands, let us not lose it from our vision.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield to the Senator from Kansas.

Mr. CARLSON. I wish to commend the distinguished Senator from Idaho for the submission of the concurrent resolution and his sponsorship of it through the Senate Committee on Foreign Relations, of which I am a member. It has been my privilege to serve this past year as a delegate to the United Nations. I, too, am looking forward to the International Cooperation Year to be observed on the 20th anniversary of the United Nations. The event will be significant and important, not only to our own Nation, but in the affairs of the world.

Mr. CHURCH. I thank the distinguished Senator from Kansas, who has always been one of the stalwart, sturdy friends of the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 328), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the resolution is threefold: (1) It states the sense of the Congress that the United States rededicate itself to the principles of the United Nations and to the furtherance of international cooperation within the framework of law and order; (2) it states the sense of the Congress that in connection with observance of International Cooperation Year the executive branch should review the current state of international peacekeeping machinery and other elements of international community and cooperation, including the status of disarmament negotiations, with a view to making suggestions for further progress; and (3) it provides for a congressional delegation of 12 members, 6 from the Senate and 6 from the House of Representatives, to participate, at the invitation of the President, in the White House Conference on International Cooperation.

FOREIGN AID

Mr. BREWSTER. Mr. President, the Senate has passed this week a foreign aid bill authorizing expenditures of $3.2 billion for each of the coming 2 years. I have always supported foreign aid, and I voted for passage of this year's bill because it represents the advance guard of the free world's struggle against the evils of world poverty and world communism.

The 1965 program is the best that we have produced during my years on Capitol Hill. This program will not only provide for the security of the United States and our allies, and the economic development of the less-prosperous nations of the world—it will do so at rock-bottom cost.

The Johnson administration, in line with its policy of holding a tight rein on all Federal expenditures, submitted a very realistic foreign aid request this year. As a result, the Congress—in sharp contrast with other years—found that it had very few reductions to make. This year's $3.2 billion proposal represents the minimum requirement for the maintenance of security and economic development, and the Congress has recognized this fact.

On the other hand, the Congress will insist on exercising supervision and control over expenditures. Waste will be eliminated, and as large a part of the funds as possible will be used to purchase goods manufactured in America.

Two additional features of the 1965 foreign aid bill are of importance. The authorization is for 2 years, 1966 and 1967, instead of only 1 year, as before. This 2-year authorization, which had been requested by Presidents Kennedy and Johnson, will enable the United States to map out its program in advance. Such long-range planning is essential in foreign policy ventures.

Second, the Senate has provided for the establishment of a commission to study the entire foreign aid program. This Commission, which is to make its report a year from now, will examine ways of improving and overhauling the program, to make it a more effective instrument for achieving worldwide peace and prosperity. I strongly supported both of these new features.

The 1965 Foreign Assistance Act thus provides substantial economic, technical, and military assistance to friendly nations at what must be called a bargain price. At the same time, the act will continue to encourage private enterprise in all recipient countries. Thus we will continue the policy, of which I have always been a firm supporter, of helping these nations to help themselves.

Mr. President, there appeared in this morning's Baltimore Sun an excellent editorial concerning the passage of this foreign aid bill. The editorial pointed out the merits of the bill and complimented the distinguished Members, Senators FULBRIGHT, MANSFIELD, and DIRKSEN, who guided it throungh the Senate. I heartily concur in these congratulations.

I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONSTRUCTIVE ACTION

The Senate as a legislative body, and Senators FULBRIGHT, MANSFIELD, and DIRKSEN as individual members, earned a good word for the handling of the foreign aid bill. This annual ordeal—the passage of a bill which by its very nature is always open to demagogic attack—has been survived and, in the process, some amendments have been approved which offer hope of long-range improvements in the program.

Thus the Senate proposed a 2-year extension of the $3.243 billion program (subject of course to the annual scrutiny provided by an appropriation measure) instead of the single year approved by the House. Because the passage of the authorization bill each year has become an ordeal, which taxes the energy and patience of the many legislators who believe the program is an essential part of our foreign policy, the 2-year proposal has merit. In addition, the Senate proposed the appointment of a special committee, drawn from Congress and the executive branch, to examine the entire program and submit recommendations by July 1, 1966. This, too, has merit provided that a thorough, responsible study can be made. The Senate amendments are subject to action by members of a joint conference committee who, it can be hoped, will consider them with open minds.

Senator MANSFIELD, the Democratic leader, and Senator FULBRIGHT who, as chairman of the Foreign Relations Committee, managed the bill on the floor, must be credited with competent performances, particularly in steering the measure through the series of curtailing amendments offered by Senator MORSE, of Oregon. Senator DIRKSEN, the Republican leader, deserves special mention for the way in which he braved the wrath of Mr. MORSE, who has been using the Senate floor as a personal forum for his violent attacks on American policy in Vietnam. Mr. MORSE is entitled to his say—and he makes full use of his rights as a Senator—but his opinions are as open to question as those of the other 99 Senators. Mr. DIRKSEN took issue with his denunciations of our action in Vietnam and the Senate rejected all but one of his amendments. All in all, the Senate acted constructively.

EXTENSION OF THE EXPORT CONTROL ACT

Mr. ROBERTSON. Mr. President, today the Banking and Currency Committee held hearings on H.R. 7105, the House-passed bill to extend and amend the Export Control Act of 1949.

The Export Control Act of 1949 will expire this coming June 30, and no one has raised any question as to the need for extending it so as to prevent any lapse in the vital controls of exports.

Several amendments have been proposed.

The Williams-Javits amendment relating to the Arab boycott of Israel is covered in part by provisions in the House bill. The administration considers it unnecessary to insert any provision in the law on this subject. The administration, I understand, would be willing to accept the House language if the Congress considers it essential to include it, since the House language provides ample discretion. The administration, however, objects strongly to any provision which would impose mandatory requirements on the President in this sensitive aspect of foreign policy.

Senator HARTKE and a number of other Senators have proposed an amendment which would require that quotas be placed on exports of walnut logs in order to protect the supply for domestic manufacturers of veneer. The Export Control Act provides ample authority for this purpose—in fact quotas were imposed in 1964 under the act. The disagreement arises over the exercise of the discretion vested in the President and delegated to the Secretary of Commerce. Hearings were held on this subject in the Commerce Committee earlier this year. As a result of these earlier hearings, the administration has agreed to review the matter, but it considers that the proposed amendment would be unnecessary and undesirable and would involve many other commodities besides walnut logs with undesirable results.

Senator McGOVERN opposed the Commerce Department's requirement that half of our exports of wheat be shipped in American bottoms. The administration opposes any amendment to the bill to accomplish this, but the Secretary of Commerce stated that the entire question of our maritime policy, including this particular requirement, is under review at the present time and that full consideration will be given to the elimination of this requirement.

The administration strongly recommends prompt action to extend the Export Control Act. I intend to recommend to the committee that we accept the House bill, without change, so that the Export Control Act can be extended before it expires 2 weeks from now. If we adopt amendments, the bill will go back to the House, conferences must be arranged, and no one can predict when final action will take place. For this primary reason, I accept the administration recommendation that we approve the House bill and send it to the President for his signature.

EXCHANGE OF GREAT FALLS PROPERTY IN THE STATE OF VIRGINIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 315, Senate bill 1065.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1065) to authorize the Secretary of the Interior to acquire through exchange, the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 321), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The Government acquired 391 acres of detached land at Blue Ponds, Md., in connection with the construction of the Baltimore-Washington Parkway, which is now surplus to its needs. A 250-foot right-of-way across this property is presently leased and being used by the Potomac Electric Power Co.

The power company owns a tract of 783 acres adjoining the small Virginia State Park at the Great Falls of the Potomac River a few miles outside the District of Columbia on the route of the George Washington Memorial Parkway. The tract contains remains of the Potowmack Canal, built by Gen. George Washington and his associates to provide a skirting channel around the falls for boat traffic up the Potomac River to the west.

Ruins include the turning basin and remains of the town of Matildaville, which was based on the canal operation.

The canal is an outstanding remaining example of colonial engineering, and historical evidence of the efforts of General Washington and his associates to establish routes for commerce and communication that would open up the interior areas of the United States to development.

The Great Falls tract has geologic, botanic, wildlife, scenic, and recreational values which add to its worthiness for development and would provide the National Capital area and its many visitors an unduplicated attraction in conjunction with the George Washington Memorial Parkway.

The property is now under 50-year lease by the National Capital Park System. It has long been recognized and desired as a worthy part of the system, but was not available until negotiation of the lease in 1960. The lease includes a provision that it may be purchased at any time during the life of the lease for "fair market value."

Development of the property while on lease cannot, of course, equal development which would be justified if owned by the Government.

Construction of a sewer to serve the Dulles Airport and surrounding area, and consequent spread of suburban developments, appear certain to increase the value of the Great Falls property in the commercial market in the near future.

The land can be acquired at this time by the National Capital Park System by exchange of the Blue Ponds property in Maryland and payment of $975,000 to the company.

The committee is strongly convinced that the tract should be acquired to preserve the great and varied values it contains, and that large savings will result from prompt acquisition. The bill was reported out favorably by unanimous action. The same measure was approved last year by the Senate.

Mr. SIMPSON. Mr. President, I take this opportunity to make some comments about the National Park Service and its plans for developing recreational areas for the people of America.

This administration has actively been pushing for the acquisition of lands that have recreational value. In many instances, it has found ideal locations and Congress has approved them for recreational development. However, we must be very careful in our efforts to acquire these tracts of recreational lands so that we do not trample on the basic fundamental rights of our American property owners.

I commend the National Park Service for its attempts to acquire and develop the lands around the Great Falls property in the State of Virginia. I am mindful of the continuing interest shown by Virginia's two Senators, Senator BYRD and Senator ROBERTSON. They have taken an active interest in the development of this area and, without their assistance, we could not be considering this bill today. The Great Falls area is simply a magnificent area that has the lush growth of the flowery dogwood and redbud trees with a carpet of wildflowers across the ground. All of this beautiful vegetation rests in peaceful beauty under the towering oaks, ash, and sycamores, which are covered with the green of the mosses and ferns.

This beautiful area is only 15 miles from Washington, D.C., and its 2 million people. The uniqueness of this area is that it is not a monument built in honor of the Father of our Country, but it is a monument of accomplishment built by the Father of our Country, George Washington. At this Great Falls area George Washington, as president of the Potowmack Co., supervised the construction of the Potowmack Canal. This construction took place from 1785 until he became the first President of the United States under our Constitution, which was adopted in 1789. Washington and Gen. Richard Harry Lee—"Light Horse Harry" Lee—envisioned a large city at this strategic point on a major trade route for a western frontier. Ruins of a mill, a hotel, a jail, and a substantial house, all built of native stone, are to be found at this beautiful site. The forest floor is broken with low walls and foundations which are all that remain of the elaborate complex buildings.

The National Park Service is now trying to trade surplus lands so that this Great Falls area can be restored and developed for full recreational use by the millions of persons who come to visit the Nation's Capital.

The land that needs to be acquired by the National Park Service is now owned by one company which is anxious to trade the land for other lands now held by the Federal Government. I am pleased to support this proposal because of its beauty, grandeur, and the need for such lands to meet the growing recreational needs of our Nation's people. But, in addition to these considerations, I am impressed by the fact that the owners of the land are eager to make the exchange.

As a U.S. Senator, I realize the need for the acquisition of lands to meet our recreational needs, and I support the proposition that the Federal Government has the right and the authority to condemn certain lands for recreational use. However, I neither believe in, nor support, the proposition that the Federal Government has the right to condemn private land merely at the whim of some Federal official who may feel that it has possible recreational utility.

I criticize the National Park Service for its attempts to acquire vast acreages or highly developed areas when there is little but a wild dream to support the contention that there is recreational value or a public need for the acquisition of privately owned land.

The Nation needs many more recreational areas. I support the drive being made to get them, but I feel that we should be more judicious in our selection.

In managing our federally owned lands, we should always look at the recreational potential. When we have a unique area which by its very nature deserves to be set aside for preservation and public enjoyment, such as Wyoming's attractions, the Yellowstone National Park, Grand Teton National Park, the Devils Tower, and the proposed Fossil Butte National Monument, we should do so. But most of our federally owned areas can be, and should be, managed under our multiple-use concept. I believe that recreation and the other uses are compatible.

When the Federal Government is building a dam or a reclamation project, the recreation potentials need to be considered and developed. We are doing that with excellent cooperation between the Federal and State authorities in Wyoming. Wyoming will have two of the Nation's most outstanding recreational areas built around Federal reclamation power projects: the Big Horn Canyon Recreational area at the Yellowtail Dam, and the Flaming Gorge Recreational Area at the Flaming Gorge Dam.

The Federal planners have shown vision and foresight in some of these instances, but too often these planners do not make the necessary distinction between federally owned and privately owned lands.

When we are dealing with privately owned lands, a strong case for public necessity has to be shown before we should authorize the condemnation of those lands.

I have supported the condemnation of private lands for recreational purposes in some instances, but only after I had seen the lands and it had been proven to my satisfaction that the public good would far outweigh the rights of the private owners. I supported the Fire Island Seashore Area in New York. I am advocating the development of the Great Falls site, and I will support the proposed Tocks Island Recreational Area.

These areas are unique in value and, most important, they are where the people are. Over 45 million people are within 250 miles of Fire Island. A fifth of the Nation's population is within 150 miles of the Tocks Island area. There are no Federal lands in these areas and, consequently, there are few public recreational sites.

I am one of the more outspoken critics of the National Park Service's acquisition programs because too often I believe that the park officials do not protect sufficiently the individual's right to own property. This fundamental right for individuals to own property is one of the bulwarks upon which our institution as a free society stands. It is the right from which all of our individual privileges derive their historical roots, and in which they find their practical justification. The right to private property is the ultimate concession that society can make to the freedom and dignity of its individual members. Within the four corners of that bit of real estate which man holds for himself and his posterity, the demands of the many can be rationalized against the dignity of the individual.

Here is the castle which has never been the right of those whose historical lot it has been to slave under tyranny, but which has been the reality in our land since the inception of civilization on these broad shores. As freemen, we can look with pride upon the development of this right during the long history since Magna Carta; as Americans, we need look no further than those basic documents which denominate our independence to gage the significance of private property to our way of life.

Mr. President, our forebears did not hesitate to shed their blood so that this right to private property might take root in our soil. When the Government starts tampering with this right, the very foundations of this Nation are being threatened. Those officials given a position of public trust must guard the fundamental right of private ownership with great care and understanding.

Our Supreme Court has said:

> It is evident, that the right of acquiring and possessing property, and having it protected, is one of the natural, inherent, and inalienable rights of men. Men have a sense of property; property is necessary to their subsistence, and correspondent to their natural wants and desires; its security was one of the objects that induced them to unite in society. No man could become a member of a community, in which he could not enjoy the fruits of his honest labor and industry. The preservation of property, then, is a primary object of the social compact.

Let us not make the mistake of belittling or doing away with this fundamental right while we are trying to preserve and develop recreational areas for our growing population. The protection of the right of property ownership is one of the most important objects of a government. We should not forget that fact. Justice Brandeis wrote in 1928:

> Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficient. Men born to freedom are naturally alert to repel invasion of their liberty by evilminded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.

Let us move judiciously and with great care when we are considering the taking of a man's property for public recreational purposes. Will it be worth the cost? The cost of freedom, individual dignity, and the right of a man to own his "castle"—his home that represents the hopes and dreams of a lifetime.

I sincerely urge passage of the bill.

Last year a similar bill was passed, and in the dying moments of the Congress, immediately prior to the congressional recess, the bill failed of passage in the House.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354, 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1–471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345–E of June 20, 1949, as revised by the National Capital Parks on October 14, 1960, which land is comprised of 521.292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and 208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

SEC. 2. In exchange for the conveyance to the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123–375, dated October 17, 1960, filed among the land records of National Capital Parks, containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided,* That not more than $1,000,000 may be appropriated for the acquisition of land under this Act.

CALL OF CERTAIN MEASURES ON THE CALENDAR

On request of Mr. MANSFIELD, and by unanimous consent, the following calendar measures were considered and acted on, as indicated:

MANN CREEK FEDERAL RECLAMATION PROJECT, IDAHO

The Senate proceeded to consider the bill (S. 1582) to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of August 16, 1962, 76 Stat. 388) which had been reported from the Committee on Interior and

Insular Affairs with amendments on page 1, at the beginning of line 9, to strike out "$4,060,000" and insert "$4,180,000", and in the same line, after the word "prices", to insert "including $120,000 heretofore appropriated for preauthorization investigations,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to authorize the Secretary of the Interior to construct, operate, and maintain the Mann Creek Federal reclamation project, Idaho, and for other purposes", approved August 16, 1962 (76 Stat. 388, 43 U.S.C. 371 note), is amended by striking out "$3,490,000 (April 1961 prices)" and inserting in lieu thereof $4,180,000 (January 1965 prices), including $120,000 heretofore appropriated for preauthorization investigations, plus or minus such amounts, if any, as may be required by reasons of changes in the cost of construction work of the types involved therein as shown by engineering cost indices."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 326), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

S. 1582, which was sponsored by Senator Church, would provide an increase in the appropriation authorization for the Mann Creek project, Idaho, from $3,490,000 to $4,180,000. The project was authorized in 1962, but unforeseen geologic problems at the damsite and enactment of legislation relating to the relocation of roads delayed construction. Increases in prices since the 1962 authorization in addition to the expense resulting from the required road construction necessitate the increase in appropriation authorization.

PROJECT

The Mann Creek project will provide a supplemental water supply to 4,465 acres and a new water supply to 595 acres. Major works of the project include a dam and reservoir, diversion and drainage facilities. Minimum basic facilities are also required, along with conservation and development of fish and wildlife. More than 97 percent of the cost is allocated to irrigation and will be repaid in 40 years exclusive of the development period. The nonreimbursable remainder of the cost is allocated to fish and wildlife, recreation, and increased highway standards.

NEED FOR LEGISLATION

The usual language to permit adjustment in the amount authorized to be appropriated to reflect changes in construction costs was not included in the authorizing act. The amendment includes language which will permit a further adjustment if there are additional changes in price levels prior to the time of construction. No adjustment is anticipated, however, since advance planning has been completed and early construction programed.

FISHERIES LOANS UNDER THE FISH AND WILDLIFE ACT OF 1956, AND FOR OTHER PURPOSES

The Senate proceeded to consider the bill (S. 998) to extend the term during which the Secretary of the Interior is authorized to make fisheries loans under the Fish and Wildlife Act of 1956, and for other purposes, which had been reported from the Committee on Commerce with amendments to strike out all after the enacting clause and insert:

That section 4(a) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(a)), is further amended to read as follows:

"(a) The Secretary of the Interior is authorized, under such rules and regulations and under such terms and conditions as he may prescribe, to make loans for financing or refinancing of the cost of purchasing, constructing, equipping, maintaining, repairing, or operating new or used commercial fishing vessels or gear."

Sec. 2. Section 4(b)(1) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(b)(1)) is amended to read as follows:

"(1) Bear an interest rate of not less than (a) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (b) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose."

Sec. 3. Amend section 4(b) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(b)) by adding at the end thereof the following:

"(4) Loans shall be approved only upon the furnishing of such security or other reasonable assurance of repayment as the Secretary may require considering the objectives of this section which are to upgrade commercial fishing vessels and gear and to provide reasonable financial assistance not otherwise available to commercial fishermen. The proposed collateral for a loan must be of such a nature that, when considered with the integrity and ability of the management, and the applicant's past and prospective earnings, repayment of the loan will be reasonably assured.

"(5) The applicant shall possess the ability, experience, resources, and other qualifications necessary to enable him to operate and maintain new or used commercial fishing vessels or gear.

"(6) Before the Secretary approves a loan for the purchase or construction of a new or used vessel which will not replace an existing commercial fishing vessel, he shall determine that the applicant's contemplated operation of such vessel in a fishery will not cause economic hardship or injury to the efficient vessel operators already operating in that fishery.

"(7) An applicant for a fishery loan must be a citizen of the United States.

"(8) The United States citizenship of each applicant shall be established within the meaning of section 2 of the Shipping Act, 1916, as amended, to the satisfaction of the Secretary."

Sec. 4. Section 4(c) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. sec. 742c(c)), is amended to read as follows:

"(c) There is created a fisheries loan fund, which shall be used by the Secretary as a revolving fund to make loans for financing and refinancing under this section. Any funds received by the Secretary on or before June 30, 1970, in payment of principal or interest on any loans so made shall be deposited in the fund and be available for making additional loans under this section. The Secretary shall pay from the fund into the miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the cumulative amount of appropriations available as capital to the fund from and after July 1, 1965, less the average undispersed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. Any funds received in the fisheries loan fund after June 30, 1970, and any balance remaining therein at the close of June 30, 1970 (at which time the fund shall cease to exist), shall be covered into the Treasury as miscellaneous receipts. There is authorized to be appropriated to the fisheries loan fund the sum of $20,000,000 to provide initial capital."

Sec. 5. The provisions of this Act shall be effective July 1, 1965. Notwithstanding the provisions of section 4(c) of the Fish and Wildlife Act of 1956, as amended, any balance remaining in the fisheries loan fund at the close of June 30, 1965, shall be available to make loans for the purposes of section 4 of said Act from July 1, 1965, to the close of June 30, 1970.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the Act."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 325), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to extend for an additional 5 years the fishery loan program administered by the Bureau of Commercial Fisheries. The loan program was initiated under section 4 of the Fish and Wildlife Act of 1956 and expires June 30, 1965. The legislation was introduced at the request of the Secretary of the Interior. Public hearings were held on May 11.

The present loan program authorizes the Secretary of the Interior to make loans for financing and refinancing the operations, maintenance, replacement, and repair of fishing gear and vessels and for research into basic problems of the fisheries. The Secretary may not make the loan if the funds are otherwise available on reasonable terms.

This has been a successful program of encouraging American fishermen at little or no Government expense. During the past 8 years of actual operation under the program, the Secretary has received over 1,600 loan applications for $42 million. Approval has been given to 850 applications for $19 million. The record of losses is exceptionally low, amounting to only $320,000 during the 8-year period. During the same period, $9 million of the principal has been repaid and almost $2 million in interest has been collected and accrued.

In addition to extending the program for an additional 5 years, the bill, as amended, would modestly expand the scope of the present program to permit a loan to be made regardless of whether the vessel to be acquired will replace an existing vessel. In testifying before the committee the Director of the the Bureau of Commercial Fisheries, Donald L. McKernan, supported the amendment as a means of attracting younger men to the fishing industry and of further modernizing the commercial fishing vessel fleet. Frequently, younger fishermen are ineligible under the present program because they have no vessel of their own to replace. At the same time, vessel owners cannot obtain a loan to replace their old vessel because of an inability to locate a purchaser who has a means of financing the old vessel. The vessel owner is also ineligible for a new loan under the present program if he sells his old vessel for use as a commercial fishing vessel because he is not replacing a vessel that has actually left the fleet. Testimony in strong support of this amendment was given by August Felando, general manager of the American Tuna Boat Association. Separate legislation (S. 2013) specifically proposing this change was introduced in the Senate at the request of the Secretary of the Interior on May 21.

The bill, as amended, would also remove the present minimum annual interest rate of 3 percent and substitute a formula for establishing the interest rate. The formula provides for the annual payment to the Treasury from the loan fund of interest on the cumulative amount of appropriations available as capital to the fund taking into consideration the average cost of all outstanding interest-bearing Treasury obligations of comparable maturity. At the present time, this would result in a 4-percent interest rate. Although a minimum of 3 percent is permitted under the present law, the practice generally has been to charge 5 percent and it is anticipated that this practice would continue under the proposed amendment.

The committee amendments added certain specific conditions to the making of loans. The conditions, which are similar to those now in Department regulations, relate to the requirement of adequate security, requirements regarding the applicant's ability and experience to operate a fishing vessel, and the applicant's citizenship. In addition, the Secretary is required to determine that a loan on a vessel, which will not replace an existing vessel, will cause no economic hardship to efficient vessel operators already operating in that fishery. These proposed amendments do not mean that the committee believes that the Bureau has not been sufficiently cautious in making loans in the past. In fact, the very opposite may be true. The program to date has proved profitable to the Government and beneficial to American fishermen. But it should be emphasized that one of the most important purposes of the loan program is to encourage the construction of a modern fishing fleet and use of modern fishing gear. Risks are obvious and inherent in the success of any loan program to modernize capital equipment. The public acknowledgment of the extra risk is part of the justification of the program. The success of the program should be measured more by the number of intelligent business decisions supported, and perhaps even stimulated, than by the profit made by the Government on the loans.

The final amendment provides that the money now available in the fund will remain available for use from and after July 1, 1965.

CONVEYANCE OF CERTAIN LANDS TO PIMA AND MARICOPA COUNTIES, ARIZ.

The Senate proceeded to consider the bill (S. 1285) to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926, which had been reported from the Committte on Interior and Insular Affairs with an amendment on page 1, after the enacting clause, to strike out "That, notwithstanding the acreage limitations in the Act entitled 'An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes' approved June 4, 1926, as amended (43 U.S.C. 869—869-4), the Secretary of the Interior shall, upon application from Pima and Maricopa Counties, Arizona, or the city of Albuquerque, New Mexico, at any time within five years following the date of enactment of this Act, convey to such county or city for recreational purposes in accordance with the provisions of such Act at $2.50 per acre, any land which, on January 1, 1965, was leased to such county or city under the provisions of such Act for recreational purposes, or with respect to which there was on file on such date in the Department of the Interior an application by such county or city for such a lease." and, in lieu thereof, to insert "That the acreage limitations on conveyances in any one calendar year set forth in section 1(b) of the Act of June 14, 1926, as amended (43 U.S.C. 869(b)), shall not apply to any conveyances made under that Act to Pima County or Maricopa County, Arizona, or to the city of Albuquerque, New Mexico, of any lands which, on January 1, 1965, were leased to such county or city under that Act or for which such county or city had filed an application for a lease under that Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the acreage limitations on conveyances in any one calendar year set forth in section 1(b) of the Act of June 14, 1926, as amended (43 U.S.C. 869(b)), shall not apply to any conveyances made under the Act to Pima County or Maricopa County, Arizona, or to the city of Albuquerque, New Mexico, of any lands which, on January 1, 1965, were leased to such county or city under that Act or for which such county or city had filed an application for a lease under that Act.

Sec. 2. Any conveyance authorized by this Act shall provide that the lands so conveyed shall be used for recreational purposes, and that in the event such lands are not used for such purposes, title thereto shall immediately revert to the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 323), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

S. 1285, introduced by Senator Hayden for himself and Senators Fannin, Anderson, and Montoya, waives a restriction of the Recreation and Public Purposes Act which limits political subdivisions to obtaining not more than 640 acres of public lands per calendar year, as it relates to lands leased or under application to lease by Pima and Maricopa Counties, Ariz., and the city of Albuquerque on January 1, 1965.

NEED

The land involved is near Phoenix, Tucson, and Albuquerque, fast-growing urban communities in need of parks and recreation areas.

DISCUSSION

Maricopa and Pima Counties contain approximately 80 percent of Arizona's population, and local officials are faced with the problem of providing adequate recreational areas when most of the suitable and available land is under Federal ownership. Albuquerque faces a similar problem.

To meet this burgeoning demand, Pima and Maricopa Counties have leased land from the Federal Government. However, in order to protect the large investment necessary to provide adequate facilities, purchase of adequate acreage is required. This is thwarted by the present limitation of 640 acres a year. It is estimated it would take Maricopa County 113 years to acquire the lands now leased, and Pima County 14 years just to purchase the Federal lands included in only one of its most valuable parks—Tucson Mountain Park.

The city of Albuquerque has leased and purchased what land it could from the Government, but under the limitation of the 1926 act it is estimated it would take the city 10 years to get the additional lands that it needs for park and recreational purposes.

The bill permits the two Arizona counties and the city of Albuquerque to purchase the park and recreation lands now under lease, or on which lease applications have been filed as of January 1, 1965, for the price of $2.50 per acre, as stated in the 1926 act.

As of January 1, 1965, there were 88,458 acres leased, or under application to lease, pursuant to the Recreation and Public Purposes Act, to the beneficiaries of S. 1285. This total breaks down as follows: Maricopa County, 72,929 acres; Pima County, 6,000 acres; and the city of Albuquerque, 9,529 acres.

PECOS NATIONAL MONUMENT, N. MEX.

The bill (H.R. 3165) to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 321), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 3165 is to provide for the establishment of the Pecos National Monument, in the State of New Mexico, as a site of exceptional historic and archeological importance. The bill authorizes the Secretary of the Interior to accept, on behalf of the United States, donations of approximately 342 acres of land or interests therein and to administer, protect, and develop the same as the Pecos National Monument in accordance with the laws governing the national park system.

NEED

H.R. 3165 seeks to set apart and preserve the remains and artifacts of a 17th century Spanish mission and an ancient Indian pueblo near Pecos, N. Mex. The Indian pueblo was founded in the 1300's, discovered by the famous Spanish explorer, Coronado, in 1540, and continued in existence until 1838. The Franciscan Mission of Our Lady of the Angels of Porciuncula was founded in 1621 and served the people of the area from then to 1782 when it was abandoned. Today, the ruins of the pueblo and mission are silent monuments to a long and colorful chapter of human experience.

In modern times, the pueblo has become a site of major significance to archeological science. The National Park Service has called the committee's attention to the fact that it was here that the world-renowed archeologist, Dr. Alfred V. Kidder, and his colleagues developed the standardized archeological nomenclature, the theory of cultural sequences for the Southwest, and the professional excavation techniques which are major tools of research in this field.

The Department of the Interior and the committee regard the Indian pueblo and Spanish mission ruins as of national significance. Their preservation as a national monument will help to carry out the purposes of the Antiquities Act (act of June 8, 1906, 34 Stat. 225, 16 U.S.C. 431 et seq.). The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, at its May 1962 meeting, recommended that such action be taken.

The Deparement plans an interpretive program for the proposed Pecos National Monument which will reveal to its visitors the way of life of the ancient Indian people, stimulate an appreciation of the pueblo culture and the historical and scientific aspects of the Pecos story.

The State Museum of New Mexico has offered to donate to the United States the 63-acre tract now comprising the present Pecos State Monument. Mr. E. E. Fogelson, an adjoining landowner, in contemplation of legislation, has executed a deed donating an additional 279 acres of land to the United States for the Pecos National Monument.

THE WAR IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, yesterday afternoon in this Chamber I listened attentively to the masterly address of the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT]. I am in complete agreement with his views that "This new phase of the war in South Vietnam is going badly for our side." I agree also that our Nation should be prepared at all times to enter unconditional conversations to end the war in South Vietnam which, as I have said, has been going from bad to worse. We should at all times be eager to try to end it at the conference table. Of course, Chairman FULBRIGHT's assertion that we should make a determined effort to end the war by negotiation expresses the proper and a most honorable attitude. Further, he concedes in his remarks what is self-evident, that our bombing of North Vietnam has failed to weaken the Vietcong.

This morning, the New York Herald Tribune feature news article on page 1 states:

> Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas, said here yesterday the only answer to the Vietnam dilemma is a "negotiated settlement involving major concessions by both sides" which will "offer the Communists a reasonable and attractive alternative to military victory."

I approve of and agree with that statement.

Mr. President, in April, one of our distinguished colleagues made one of the so-called guided tours, which we Senators sometimes take, and spent a week in South Vietnam. Upon his return, he reported in May and also this month that the South Vietnamese and the Americans were winning the war in South Vietnam. Time and events have proved him wrong in that assertion.

I have never been in South Vietnam; but I have been thoughtful and diligent in studying all aspects of the situation there. However, since I have not spent a week there, I do not pose as an expert. Nevertheless, our situation in Vietnam certainly seems to have gone from bad to worse.

In 1954 President Eisenhower, at the invitation of the South Vietnamese Government, complied with the request of the then ruling group in Saigon and committed 700 men of our Armed Forces as military advisers. Time and events have demonstrated that this was a bad decision. Now we have nearly 70,000 men of our Armed Forces committed to combat in Vietnam. Now, some 13 or 14 governments later, there is another takeover of the ruling group in Saigon.

When Gen. Maxwell Taylor was recently asked what action we should take, in his opinion, in the event there is a coup in South Vietnam and the new government requested the U.S. Government to remove all of our Armed Forces, the Ambassador evaded answering this question saying there was no possibility of such action. The obvious answer is, of course, that if any such eventuality develops, we should withdraw our Armed Forces. We are there on invitation, according to the claim we have been making to the world. If invited out, we should get out. We would be in a peculiar position indeed were we to grasp other arguments to justify our presence there with thousands of combat soldiers.

Mr. President, I take a dim view of Gen. Maxwell Taylor as ambassador. It would be an act of wisdom on the part of our President to reassign him and appoint a new ambassador.

By the way, he had hardly reached Saigon when there was a coup and the Government there was overthrown. Yet he had said that he did not look for any such event as that.

When questioned regarding the instability of the Saigon Government and referring to the fact that there had been 12 changes in the ruling regime in Saigon in 13 months, he denied that this number of changes had been made. This places him at variance with a statement by Secretary of State Dean Rusk. The facts are there have been 12 changes or turnovers or successful coups changing the governing authorities in Saigon, all within a period of 13 months. Furthermore, just last week Ambassador Taylor in Washington stated that he did not expect the Quat government to be overthrown. Within 24 hours after he made this statement Quat was ousted. Even before Ambassador Taylor returned to Saigon what was unexpected to him occurred. Quat was ousted and the military took over. This indicates that either the judgment of Ambassador Taylor is poor or his intelligence information faulty.

There is evidence of further weakening of the Saigon Government and further evidence of the commitment by our Government of more combat soldiers and planes in the effort to keep the Vietcong from overrunning South Vietnam. This is in the nature of a calamity. This seems to reduce the best remaining hope of a negotiated settlement. Such settlement would seem necessarily to have the approval of the Vietcong and South Vietnamese rebels. The Vietcong forms the basic Communist fighting force on the ground. Communist China has announced opposition to a negotiated settlement. At the moment there seems little likelihood of a conference. I try to continue to be optimistic and hopeful of such a conference. The President's military advisers claim that the Vietcong is merely a projection of the Hanoi regime. To me this does not necessarily seem to be the situation. There is no question but that thousands of North Vietnamese regular soldiers are fighting alongside the Vietcong and that the Hanoi Government exerts strong influence on the Vietcong. However, it is also a fact that many of the Vietcong are, in reality, South Vietnamese Communist rebels. If we cannot in good faith negotiate directly with the Vietcong, we should at least not discourage any attempts by the South Vietnamese Government to do so.

Mr. President, it appears to me that any Senator is 100 percent wrong when he reports as of last month, or this month, that we are beginning to win the war in South Vietnam. Disasters to our side seem to have been horrendous in recent weeks and the loss of lives of Americans and South Vietnamese soldiers has been increasing. The time is here, following another coup and turnover in the South Vietnam Government, to reappraise our situation.

South Vietnam's top generals are trying to decide how to form another government. We on our part would do well if our President were to replace General Taylor as Ambassador with a skilled and experienced civilian who has the confidence of the American people. General Taylor, while in Washington recently, made a poor impression on me, and I feel other Senators share my views. Our situation is so serious that I urge, Mr. President, that Gen. Maxwell Taylor be assigned by President Johnson to some other position in the administration, and that at this grim time Ambassador at Large Averell Harriman or U. Alexis Johnson, Deputy Ambassador to South Vietnam, or former U.S. Senator Kenneth Keating, or some other highly competent and experienced civilian be appointed Ambassador to South Vietnam.

At Dong Xoai last Thursday 400 South Vietnamese regulars and irregulars were overrun by the Vietcong. Thirty-one American officers and men were also killed, wounded, or are missing. Fierce fighting is continuing. The South Vietnamese have been largely on the defensive. There may be some truth in those reports that the Vietcong losses are far in excess of those of the South Vietnamese. Forces on the offensive invariably suffer greater losses than those on the defensive. Unfortunately, also, many, many civilians, including women and children, have been burned to death or hospitalized with severe injuries due to our napalm bombing.

Any American looking at the map of South Vietnam in weekly magazines or newspapers can readily see the difference in the territory held by the South Vietnamese now and a year ago. Less territory in South Vietnam is now firmly held by the South Vietnamese and our forces than was held 6 months or 1 year ago.

It is strange under such circumstances that anyone can assert that we are winning, or even beginning to win, the war in South Vietnam. It would appear that we need a man at the top who, as Ambassador, will bring a fresh view to a complex situation and who will enjoy the confidence of the American people.

The tendency in this administration has at times seemed to be to exalt military authority over civilian authority. There are too many generals, including Gen. Maxwell Taylor, in high-salaried positions in the executive branch of our Government and at the same time receiving their adjusted retirement pay. We should adhere to the principle laid down by our Founding Fathers that civilian authority should be supreme over military authority.

I yield the floor.

Mr. CLARK. Mr. President——

The VICE PRESIDENT. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, I yield to the Senator from Montana with the understanding that I shall not lose my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR SECRETARY OF THE INTERIOR TO CONSTRUCT, OPERATE, AND MAINTAIN A THIRD POWERPLANT AT THE GRAND COULEE DAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business (H.R. 8464) be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 301, S. 1761.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1761) to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER (Mr. Young of Ohio in the chair). The Senator from Washington is recognized.

Mr. JACKSON. Mr. President, S. 1761, which I sponsored for myself and the able Senior Senator from Washington [Mr. Magnuson] would authorize construction of a gigantic third powerplant on the Columbia River at Grand Coulee Dam, already a magnificent monument of our achievements in conservation. This third powerplant would add 3.6 million kilowatts of generating capacity to the 2 million kilowatts of the two existing plants making it the largest single hydroelectric development in the world.

Mr. President, S. 1761 has the enthusiastic support of the overwhelming majority of the people of the Northwest, the State governments, and of the Federal administration. In fact, a text of proposed legislation identical to S. 1761 was transmitted to the Congress directly by President Johnson himself in a special message on April 13. I ask unanimous consent that the text of President Johnson's message be printed at this point in the Record.

There being no objection, the text of the President's message was ordered to be printed in the Record, as follows:

The White House,
Washington, D.C., April 13, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Electricity is a basic requirement of modern society. It is vital to our industries, farms, and homes. The Nation's rapidly expanding use of electricity is expected to more than double and perhaps triple by 1980. This calls for the combined efforts of all segments of the power industry—private, cooperative, and public. Therefore, I am pleased to transmit herewith the report of the Secretary of the Interior concerning the economic and engineering feasibility of a third powerplant at Grand Coulee Dam on the Columbia River and a draft of authorizing legislation. I have approved the Secretary's report and recommend that the draft legislation be enacted to authorize the construction of this outstanding project.

The proposed third powerplant will ultimately add 3.6 million kilowatts of generating capacity to the 2 million kilowatts at the two existing powerplants. When completed, the total capacity of the powerplants at Grand Coulee Dam will total 5.6 million kilowatts. It will be larger than any single hydroelectric development in the world today.

Authorization and construction of the third powerplant at the Grand Coulee Dam will further the orderly development of the vast water resources of the Columbia River. This is the next logical step following two important events which occurred last year.

First, Prime Minister Pearson of Canada and I met last September to proclaim the Columbia River Treaty for cooperative development of the Columbia River—one of the great rivers of this continent. Canada has already started construction of huge dams to store water on its side of the border. These reservoirs will provide 15.5 million acre-feet of water storage in Canada. This storage capacity will provide increased protection of people and property in both countries from devastating floods and greatly enhance the hydroelectric potential of powerplants on the Columbia River.

The United States must construct additional power-generating facilities at its existing system of dams to take full advantage of this potential. The Grand Coulee Dam, because of its location in relation to other Columbia River powerplants, its height, its large reservoir capacity, and the reregulation of riverflow by Chief Joseph Dam immediately downstream, will develop a major share of the increased power potential made possible by the treaty.

Second, the Congress approved last year a four-line, extra-high-voltage transmission intertie between the Pacific Northwest and the Pacific Southwest. It represents exciting new developments in electric power technology. It is the largest single electrical transmission program ever undertaken in this country and is one of the finest examples of cooperation among publicly owned and privately owned utilities and the Federal Government.

The rapidly growing demands for electric power in the Pacific Northwest will readily absorb the power produced by the proposed powerplant. However, some peaking power and secondary (not regularly available) power that is surplus to the needs of the Northwest in the early years of the project can be marketed in the Pacific Southwest over the intertie. Thus, the intertie will permit maximum utilization of the waters flowing past Grand Coulee Dam, resulting in conservation in its truest sense.

The economic and financial feasibility of the third powerplant are exceptionally favorable. The benefit-cost ratio is more than 3 to 1. Revenues from the sale of power will more than pay for the capital investment within 50 years. In addition to power benefits, the project will provide increased flood protection benefits by improving control of water stored in Franklin D. Roosevelt Lake behind Grand Coulee Dam.

Accordingly, I commend the Secretary's report to your consideration and recommend early enactment of the authorizing legislation which I have transmitted.

Sincerely,

Lyndon B. Johnson.

Mr. JACKSON. Mr. President, the third powerhouse at Grand Coulee Dam will restore this amazing structure as the largest hydroelectric powerplant in the world. The original dam, including the 2 million kilowatt powerhouse, was the world's largest hydroelectric project when it was completed in the 1950's. Its 10 million cubic yards of concrete would be sufficient to build a modern highway between the Atlantic and Pacific Oceans. Physically it is a project three times the size of the great pyramid in Egypt. Electrically, it is the key structure in the United States-Columbia River power system.

Over the past 10 years the Soviet Union has built three larger dams in Siberia and on the Volga River. The Bratsk plant on the Angara River in Siberia presently has installed capacity of some 3.5 million kilowatts and is the largest single hydro project in the world. The addition of 3.6 million kilowatts to the existing 2 million kilowatts at Grand Coulee will return to the United States world leadership in the contruction of large powerplants.

The Grand Coulee third powerhouse will permit full use of improved streamflows that will result from construction by Canada of three storage projects and construction by the United States of Libby Dam. Last year the United States and Canada finally consummated a treaty for cooperative development of the Columbia River, a treaty which had been under negotiation for many years. Under terms of the treaty Canada will build three large storage projects in British Columbia which will regulate the flow of the Columbia, making it possible to better utilize the available water for both flood control and power generation in the United States. These Canadian projects will nearly triple the storage now available above Grand Coulee Dam and, by holding back floodwaters and releasing them during the low-water season, they will greatly increase the usable streamflow. The first of the three Canadian storage projects is now underway, and contracts have been let for start of construction of the second project. The recommended schedule for construction of the Grand Coulee third powerhouse coincides with the completion of all three Canadian treaty projects. The last of the three Canadian storage projects is scheduled for April 1973.

To meet the forecasted load growth of the Pacific Northwest, the first of the 12 recommended 300,000-kilowatt generators is needed by April 1973; the next 3 generators by 1974; and all 12 by 1983. Without these additional units, the existing 2-million-kilowatt powerplant could not be operated efficiently, and much usable energy would be spilled and wasted.

The third powerhouse is an overwhelmingly economic project. The Secretary of the Interior, who testified on behalf of its authorization indicated that revenues from the sale of power will repay to the Treasury the full investment, including interest, within 36 years. During the normal 50-year repayment period for such projects, the third powerhouse will pay into the Treasury a surplus above investment of $265 million. The Secretary's testimony further stated that the benefit-to-cost ratio of this project is 3.24 to 1.

Grand Coulee storage has been included in all major plans for flood control on the Columbia River. The total of 5,232,000 acre-feet of active storage at Grand Coulee will be more effective for flood control purposes after the third powerhouse is built. Even though Grand Coulee could be credited with additional flood control benefits as a result of the third powerhouse, no allocation to flood control has been made.

I have stated that the third powerhouse at Grand Coulee is an economical project. I can further state that this is a noncontroversial project. Before Grand Coulee Dam was finally started in July 1933 as an irrigation and power project of tremendous proportions, it was the object of great controversy for many years. The dam has since proved its worth by producing nearly half of the total kilowatt hours produced on the Columbia River since 1938. In contrast to the situation 30 years ago when the construction of the original Grand Coulee Dam was the subject of a bitter battle between public and private power, the third powerhouse proposal now before us has been endorsed by spokesmen for both public and private power utilities and organizations. The authorization for the third powerhouse has been commented upon by the State governments and other departments of the Federal Government who have an interest in its authorization. Expressions have indicated concurrence, endorsement, and wholehearted support for the authorization of the third powerhouse at the earliest possible date.

I yield to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. The Senator from Colorado proposes the following amendment:

> On page 2, line 4, strike out all through line 6 and insert in lieu thereof the following:
>
> "SEC. 2. There is hereby authorized to be appropriated for construction of the third powerplant and necessary appurtenant works including a visitor center at Grand Coulee Dam, the sum of $364,310,000, based on estimated costs as of April 1964, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

Mr. ALLOTT. Mr. President, I should like to query the distinguished chairman of the committee.

It is my understanding that the interest cost during construction does not have to be placed in the bill because the interest cost would be paid anyway.

Mr. JACKSON. The Senator is correct.

Mr. ALLOTT. I have stricken out of the amendment the proviso for interest. However, the interest will be paid.

Mr. JACKSON. It was originally contemplated, I believe, in figuring a different total, which would have been larger, that the interest would be included in the limit on the authorization. However, upon checking, we discovered that this was not necessary, and that the interest would be paid. However, it is not necessary to include that in the ceiling.

Mr. ALLOTT. I thank the Senator.

I wish to say a word about my amendment and its purpose. For several years the Committee on Interior and Insular Affairs has followed a uniform policy of not making open end authorizations—a policy which I favor.

It seems to me that we should not in any instance, make open end authorizations. The distinguished chairman of the committee has agreed in this instance that the authorization be closed at a specific amount. This is the stock language which we have included in other similar reclamation bills from the Committee on Interior and Insular Affairs. That is the reason for the amendment.

Mr. JACKSON. Mr. President, the Senator from Colorado is correct. The language of his amendment is in conformity with the precedents established by the Committee on Interior and Insular Affairs.

I have no objection to the amendment. It should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, the measure pending, S. 1761, to authorize the construction of a third powerhouse at Grand Coulee Dam is of vital importance to Washington, the Pacific Northwest, and the Western United States, for that matter.

Who can tell now what home in what part of the West will be lighted, or what boy now in elementary or high school in Washington, Oregon, or Idaho will have a job 10 years from now simply because we have taken this step in providing the power for growth.

Industry soaks up electrical energy much as arid land soaks up water. In Washington, I am proud to say, we can do both. The drop of water which turns the turbine then can do double duty by helping to produce crops in the Columbia Basin reclamation project.

The experts have testified as to the importance and the value of undertaking this project now. Testimony taken by Senate Commitee on Interior and Insular Affairs is full of facts.

We know the cost-to-benefit ratio of this third powerhouse at Grand Coulee is better than 3 to 1.

We know that the 12 generators planned for installation will provide 3.6 million kilowatts of installed capacity. Add this to the 2 million kilowatts of installed capacity in the two existing powerhouses and Grand Coulee's production will be about 5.6 million kilowatts. This, once again, will make Grand Coulee the world's largest power producer.

We know that our governmental officials, of both political parties, endorse this project.

As our President pointed out in his letter of endorsement:

> The United States must construct additional power-generating facilities at its existing system of dams to take full advantage of this potential.

He referred, of course, to the Columbia River Treaty signed last year with Canada, and which Canada has already moved to implement through construction of huge dams to store water on its side of the border. As President Johnson pointed out, these reservoirs will provide 15.5 million acre-feet of water storage in Canada.

I am also mindful of another statement which President Johnson made in transmitting his letter of endorsement to Senate Committee on Interior and Insular Affairs, headed by my colleague, Senator HENRY M. JACKSON, and I quote:

> The rapidly growing demands for electric power in the Pacific Northwest will readily absorb the power produced by the proposed powerplant. However, some of the peaking power and secondary [not regularly available] power that is surplus to the needs of the Northwest in the early years of the project can be marketed in the Pacific Southwest over the intertie.

These facts and statements are compelling. They tell us once again how we can build further, draw greater dividends, and build greater promise, through the investment which we made so wisely and well in constructing Grand Coulee Dam initially.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 314), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Purpose of S. 1761, which is sponsored by Senators Jackson and Magnuson, of Washington, is to meet the growing power needs of the Northwest, to provide additional peaking power for the Southwest, and to enable the United States to take full advantage of the additional water storage that will be available as a result of the new Canadian Treaty proclaimed last September.

The bill would accomplish these purposes by authorizing construction of a third powerplant at Grand Coulee Dam on the Columbia River in the State of Washington. This plant would add 3.6 million kilowatts of generating capacity to the 2 million kilowatts of the two existing plants, making it the largest single hydroelectric development in the world. The measure does not authorize nor contemplate any change in the height of the Grand Coulee Dam itself, and will have no adverse effects upon fish or irrigation.

The entire cost of the measure, estimated at $364,310,000 will be repaid in full in 50 years, with interest, and revenues will exceed by nearly a million a year the annual amounts of such repayment.

The benefit-cost-ratio is the exceedingly favorable one of 3.24 to 1.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1761

An act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior is hereby authorized to construct, operate, and maintain a third powerplant with a rated capacity of approximately three million six hundred thousand kilowatts, and necessary appurtenant works, including a visitor center, at Grand Coulee Dam as an addition to and an integral part of the Columbia Basin Federal Reclamation project.

(b) Construction of the third powerplant may be undertaken in such stages as in the determination of the Secretary will effectuate the fullest, most beneficial, and most economic utilization of the waters of the Columbia River.

Sec. 2. There is hereby authorized to be appropriated for construction of the third powerplant and necessary appurtenant works including a visitor center at Grand Coulee Dam, the sum of $364,310,000, based on estimated costs as of April 1964, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein.

Passed the Senate June 16, 1965.

Attest:

Secretary.

Mr. JACKSON. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. ALLOTT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE SITUATION IN VIETNAM

Mr. CLARK. Mr. President, I ask unanimous consent that I may be permitted to proceed for not in excess of 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I join a number of Senators who have spoken in commendation of the important speech made on the floor of the Senate yesterday with regard to Vietnam by the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. Fulbright].

In my opinion, he has laid down a sensible Vietnam policy for our Government for the next several months—a policy with which I am in complete accord. The Senator from Arkansas has steered his course between two extremes, adopting neither the one advocated by certain Senators who think that we should get out of Vietnam unconditionally, nor the other urged by Senators who believe that we are fighting a holy war against godless communism which must be won without regard to the number of American boys who would be killed in the process.

In my opinion, the truth lies about halfway between those two extremes.

In support of the speech made by the Senator from Arkansas, I ask unanimous consent that there may be printed at this point in the Record an interesting column by James Reston which was published in this morning's Washington Post, entitled "Washington: The Politics of Vietnam."

There being no objection, the article was ordered to be printed in the Record, as follows:

Washington: The Politics of Vietnam

(By James Reston)

Washington, June 15.—A sharp domestic political issue is now developing over the Nation's military strategy in Vietnam.

On one side, some Republican leaders are reverting to the Goldwater objective of total victory over the Communists, with main reliance on aerial bombardment of targets in the areas of Hanoi and Haiphong.

On the other, the administration is hoping to bring about a negotiated settlement by limited bombardment south of Hanoi and Haiphong and a limited holding action on the ground through the summer and autumn.

All the Republican leaders are not urging a more vigorous bombing campaign. The minority leader in the Senate, Everett McKinley Dirksen, is backing the President's strategy of limited pressure, but Representative Melvin R. Laird, of Wisconsin, chairman of the Republican conference in the House of Representatives, has figured out how to embarrass the President no matter what happens.

LAIRD'S STRATEGY

In a formal statement, he has criticized the administration for seeking a negotiated settlement, for failing to aim at total victory in Vietnam, and for using large numbers of American troops for limited ends rather than using the bombers against military targets around Haiphong.

"If our objective is a negotiated settlement," Representative Laird says, "it is time to use other means than the needless sacrifice of American lives to attain that objective. Once American troops are committed in any situation, a top priority objective must be to take those steps necessary to protect American lives and minimize the number of casualties.

"One such step, already long overdue, is to retarget our bombing raids on more significant targets in North Vietnam."

Representative Laird does not explain how we are going to achieve his dual objectives of limiting American casualties and "driving the Communists out of South Vietnam," but since there is a lot of support for this policy at the Pentagon, and he is addressing a clever political argument to a very political President, his case is worth analysis.

It is based on the assumption that the only trouble with our bombing campaign is that there has not been enough of it, that it will "protect American lives" if only we bomb the populous supply areas in the North within the range of the North Vietnamese fighting aircraft.

President Johnson is staying away from these precisely because he believes raiding Haiphong and Hanoi will kill a lot of civilians, produce a major invasion of the South by North Vietnamese forces, and thus tip the power balance against the Americans as well as the South Vietnamese.

FULBRIGHT'S COMPROMISE

Senator J. William Fulbright, chairman of the Foreign Relations Committee, who has recently been talking privately with President Johnson, stated the case against the Laird strategy as follows:

"I am opposed to further escalation of the war, because the bombing thus far of North Vietnam has failed to weaken the military capacity of the Vietcong in any visible way; because escalation would invite the intervention, or infiltration, on a large scale of great numbers of North Vietnamese troops; because this in turn would probably draw the United States into a bloody and protracted jungle war in which the strategic advantages would be with the other side; and finally, because the only available alternative to such a land war would then be the further expansion of the air war to such an extent as to invite massive Chinese military intervention in many vulnerable areas of southeast Asia or general nuclear war."

Senator Fulbright believes that our policy has been and should remain "one of determination to end the war at the earliest possible time by a negotiated settlement involving major concessions by both sides." He concedes that the war will get more savage this summer and that pressures to expand the war will increase as American casualties rise. But he feels it would be better to take limited losses rather than risk an unlimited war.

Here, then, is the issue now being argued out within the administration and increasingly outside as a partisan political question. Laird thinks more bombing will protect American lives, Fulbright thinks it will do precisely the opposite. Laird's objective is victory over the Communists and fewer American troops; Fulbright's is a negotiated settlement through an American-supported stalemate.

Either way it is a political headache for the President. If he doesn't get a negotiated settlement he will be stuck with an unpopular war, and if he does he will be accused of appeasement. No wonder there is a look of settled melancholy on his face.

Mr. CLARK. Mr. President, there is one aspect of the speech made by the Senator from Arkansas which I should like to dwell on in a little greater detail. The Senator referred to the importance of recognizing the nationalism of the underdeveloped countries of the world as an important factor in the world international political scene. This, of course, is true. However, I should like to emphasize the prime and continuing need for more internationalism in connection with our foreign policy, and, indeed, the conduct of affairs all over the world.

I welcome the passage by the Senate this morning of the concurrent resolution introduced by the Senator from Idaho [Mr. CHURCH], which I am happy to note was cosponsored by the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Vermont [Mr. AIKEN], and the Senator from Kentucky [Mr. COOPER] as well as by myself. The concurrent resolution was agreed to without a dissenting vote.

This resolution gives effective support to the United Nations which is about to celebrate its 20th anniversary in special ceremonies in San Francisco toward the end of this month.

I deplore the attacks which are increasingly being made on the United Nations and on the efforts of those of us who seek to bolster the United Nations in order to make it a more effective force for the maintenance of peace and the achievement of that general and complete disarmament which was made the policy of the United States of America by former President John Fitzgerald Kennedy in his series of brilliant addresses in 1961, 1962, and 1963.

It has been my pleasure to be the principal sponsor, along with 25 other Senators, of Senate Concurrent Resolution 32, which would move the Kennedy policy of general and compete disarmament even further ahead. There were interesting hearings on this measure in the Committee on Foreign Relations on the 10th and 11th of May of this year. These hearings are now printed. I invite the attention of those interested in peace and disarmament to the contents of those hearings.

In order to indicate what the extreme right wing thinks of these efforts to advance the cause of peace and disarmament, I ask unanimous consent that a scurrilous letter, entitled "Liberty Letter," dated June 1965, apparently coming from one of the two groups which opposed Senate Concurrent Resolution 32 at the hearings, be printed at this point in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DISARM PLOTTERS UNVEIL GRAND DESIGN FOR APPEASEMENT—LEFTISTS MAY HAVE OVERREACHED THEMSELVES WITH WILD SCHEME

Almost unnoticed by many patriots, Senator JOE CLARK, leftwing extremist, from Pennsylvania, quietly introduced on April 8, Senate Concurrent Resolution 32, titled "Planning for Peace." Twenty-five liberal Senators cosponsored it. The same resolution has been introduced in the House.

The high-sounding resolution calls on the President to "formulate as speedily as possible" plans to set up an international authority "to keep the peace under conditions of general and complete disarmament." These plans are to include:

An international disarmament organization.

A permanent world peace force.

World courts with power to "settle" international disputes.

Financial arrangements to support peacekeeping machinery.

While the "gravediggers" are putting forth their grand design for final appeasement of the Communist conspiracy, American boys are at war in the Dominican Republic and Vietnam. Is this a coincidence? Or can it be part of an overall plan to frighten the voters with threats of an atomic war and then offer them a "grand design" for peace—and surrender?

Other parts of the grand design seem to be the sudden campaign to repeal the Connally reservation which protects Americans from the reach of the World Court, the iniquitous consular treaty (scheduled for hearings in the Senate Foreign Relations Committee soon), renewed promotion of the Genocide Treaty and the proposed firearms registration law. Given this package of tools, the appeasers will dismantle the personal security of Americans and crumble the walls of national security.

Already, the Foreign Relations Committee has held hearings on Senate Concurrent Resolution 32. With the chairman out of the country, Senator CLARK hurriedly notified more than 20 leftist and pacifist groups to testify in favor of his own bill. He practically held the hearings alone: during 2 days only one Republican and two Democrats dropped in briefly. As for witnesses, only Liberty Lobby and Americans for National Security testified against the resolution.

The House Foreign Affairs Committee has still to hold hearings. It is essential that patriots write now to their Congressman and Senators vocally protesting this planning-for-peace resolution. The Communists boast that they can get 50,000 fellow travelers and liberals to write to Congress on any issue. The Communists are deeply interested in disarmament. Can Conservatives get 100,000 letters and wires to the House Foreign Affairs Committee (Dr. THOMAS MORGAN, chairman) immediately?

Send copies of your letters to your Congressman and Senators. Write now to Senator J. WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee and Dr. THOMAS MORGAN, chairman of the House Foreign Affairs Committee. Send a wire to Dr. MORGAN if you can; there is a special, low rate for wires to Congress. Enlist your clubs and friends in this campaign of protest.

Remember: Your influence counts; use it.

Mr. CLARK. Mr. President, rarely have I seen so utterly illogical and badly phrased a document as this letter, entitled "Disarm Plotters; Unveil Grand Design for Appeasment."

A well-known right-wing columnist, John Chamberlain, has written with more restraint on the subject. Nevertheless, I consider it a damaging and unjustified attack on the United Nations. His column appeared in the Washington Post for Tuesday, June 15, under the heading "The U.N. at 20." I ask unanimous consent that the article be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THESE DAYS—THE U.N. AT 20

(By John Chamberlain)

June 26 is the 20th anniversary of the founding of the United Nations. The anniversary day comes at a time when the U.N. has never been more powerless to affect the behavior of nations.

The U.N. General Assembly met this year without ever daring to put anything to a vote, lest Soviet Russia, which has refused to pay its share of the bill for past peacekeeping operations, should be forced by the regulations either to pay up or be deprived of participation in Assembly decisions.

What this means is that the U.N. has no way of forcing its members to obey its own internal rules. How, then, can it make its writ effective in the world at large?

The answer is that U.N. peacekeeping has always been at the mercy of chance. The one important U.N. action, which was taken in Korea in 1950 after a Communist army had invaded South Korea from the north, came at a time when the Soviet Union had absented itself from the Security Council and so failed to use its veto.

The U.N. has had a couple of successes in preventing conflagrations in the Middle East, and it achieved a most dubious victory in the Congo by driving Moise Tshombe out of his home Province of Katanga. But this just about completes the record of the U N.'s peacekeeping accomplishments.

Meanwhile, terrible things have happened while the representatives of 100-odd nations talked and talked and talked in the glass house hard by the waters of Manhattan's East River. Khrushchev's tanks rumbled into Hungary in 1956 and the U.N. did nothing. When Nehru, supposedly one of the U.N.'s true believers, sent Indian troops into Portuguese Goa, there wasn't a peep out of the glass house. The Soviets moved their missiles into Cuba, and it took the eyeball-to-eyeball action of President Kennedy to do anything about that.

It was suggested at the time that the U.N. provide inspection inside Cuba to see that the missile sites had really been dismantled, but we are still waiting for that to happen. And now, as the tempo of warfare rises in Vietnam, and the OAS takes the play away from the U.N. in the Dominican Republic, the U.N.'s U Thant wrings his hands and bemoans his lack of power to do anything.

When the speechmakers converge on San Francisco a few days from now to celebrate the U.N.'s 20th anniversary, they will no doubt pay pious tribute to the world organization as "the last best hope." And, in so doing, they will be helping to perpetuate an illusion that has ruined the teaching of political science in the United States.

For a generation now American students in high school and college have been led to believe that the peace of the world can be kept by machinery, or by gimmicks, not by the will of statesmen to deploy power to the ends of making war unprofitable. Our people have had their eyes diverted from realities, and, like all dreamwalkers, they have not been able to act responsibly when confronted with crises.

This does not mean that the U.N. is useless. The business of making your diplomacy stick, and of balancing the power, is a matter of convincing others, and the U.N. offers a forum that can be just as useful as the old meetings of plenipotentiaries. But the point is that the U.N. is merely a place for a meeting of the powers, not a power in itself.

The great disservice that all the professional "friends of the U.N." have done is to confuse the categories. The schoolchildren whom they herd through the gates of the U.N. to tell them about "world government" grow up with mush in place of brains.

A lot of things will be said at San Francisco on June 26. But will anyone have the courage to come up with one honest speech?

Mr. CLARK. Mr. Chamberlain states as his opinion, with which I find myself in complete disagreement, that when the speechmakers converge on San Francisco a few days from now to celebrate the U.N.'s 20th anniversary, they will foolishly be paying tribute to the world organization as "the last best hope for peace."

He refers in a rather sneering way to the efforts of various peace organizations to explain to the children of America the need to turn toward some kind of internationalism if we are to avoid world destruction in a nuclear holocaust. He says that these advocates of internationalism, these "professional friends of the U.N.," as he calls them, have done a great disservice to the people of the United States. I do not believe that many persons, except those of Mr. Chamberlain's readers, who believe that the effort to create effective international institutions is an outmoded way to seek peace, feel that way, but I state on the floor of the Senate my profound disagreement with his view.

The principal aim of our foreign policy must be to support limited internationalism in the field of world peace and disarmament. There is no better way to insure the success of this policy than by seeking to bring about a detente with Soviet Russia.

I ask unanimous consent that an article, entitled "Foreign Affairs: A Third Revolution in Russia?" by C. L. Sulzberger, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOREIGN AFFAIRS: A THIRD REVOLUTION IN RUSSIA?

(By C. L. Sulzberger)

PARIS.—The Soviet Union is "on the threshold of grandiose changes," on the verge of a "third revolution" which will ultimately lead in the direction of intellectual freedom and political democracy. This is the remarkable conclusion of Mihajlo Mihajlov, the young Yugoslav professor who was recently sentenced to 9 months imprisonment for slandering Russia in two articles for a Belgrade literary magazine.

The first, published in the monthly Delo, created a stir in January.

The issue of Delo containing the second article was banned after publication and Mihajlov was subsequently tried and convicted. His third article was never printed in Yugoslavia, but has now reached American and European editors.

YUGOSLAV EMBARRASSMENT

Mihajlov's forthright comments are doubly embarrassing to Yugoslavia. In the first place the young professor has made observations concerning the Soviet social structure that are sometimes also applicable to Yugoslavia. In the second place, as Tito edges toward closer relations with Moscow, he wants no Yugoslav critiques to upset the process.

Tito was already embarrassed by his former lieutenant, Milovan Djilas, now in prison for his efforts to sponsor political reforms, his attacks on the "new class" of Yugoslav bureaucrats and his published recollections of conversations with Stalin. Djilas was a powerful figure, but Mihajlov is only a hitherto unknown intellectual. Yet his forceful comments after a Soviet visit have made another cause celebre.

MIHAJLOV'S ANALYSIS

The burden of Mihajlov's analysis is that a "third revolution" is brewing in Russia which is based on intellectual, democratic and Western trends. These in turn, he feels are not only indigenous—dating from 19th century arguments between "Slavophiles" and "Westernizers"—but are being hastened along by Moscow's sharpening quarrel with Peiping.

Mihajlov recalls that past Russian philosophers had anticipated an inevitable conflict with China. Now he sees as a logical possibility that contemporary Soviet leaders might find it convenient to summon the arguments of such "authentic Russian thinkers" against China much as Stalin revived interest in patriotic saints during the war with Hitler.

His prediction is reinforced by the contention that "at this moment the Soviet Union is leaving Asia and is joining Europe" and that "the threat from the Asiatic peoples will no doubt speed up the creation of a new ideology." Mihajlov's theory is that such an "ideology" will be brought about by intellectual forces of the new Soviet generation much as technicians previously had staged a managerial revolution and seized power from the political Communists who made and inherited the original Bolshevik state.

On the basis of his own experience during a long visit to the U.S.S.R. last summer, the percipient Yugoslav suggests that young Soviet thinkers are already ripe for such development. With remarkable assurance he insists: The Soviet Union is on the threshold of grandiose changes.

It is perfectly apparent why Delo never published these observations which are among the most startling heard inside the Communist orbit for two generations. Delo was already in sufficient hot water by having ventured to print the initial installments of Mihajlov's commentary. And it is clear that the forecast of a Soviet political upheaval in the name of freedom could be almost as embarrassing to Communist Yugoslavia as to Communist Russia.

But Mihajlov's audacity symbolizes a novel and vital tendency that now can be observed throughout Eastern Europe as well as inside the U.S.S.R. itself. This is the increasing intellectual ferment and the questioning by the postwar generation about its role in society and its aim in life itself. In varying degrees in various Communist lands such profound self-interrogation is being expressed by young poets, painters, historians, and philosophers.

QUEST FOR LIBERTY

Apparently it has proved impossible to silence this as might once have been done with Stalinist methods. That segment of the Communist world stemming from the European mainstream is reviving the eternal quest for liberty that has featured this Continent's intellectual history.

It is difficult to judge the accuracy of this analysis but the same conclusion can be drawn from the Mihajlov case that could be drawn earlier from that of Djilas. This is simply that freedom of the mind cannot be rationed. Once an energetic people begins to ask questions, the process becomes both endless and endlessly embarrassing to any regime seeking to halt it.

Mr. CLARK. Mr. President, I am happy to say that as a result of the disarmament debate in the United Nations, which has been going on for several weeks, a decision has been made to go back to Geneva and to reconvene the 17-nation conference on arms control and disarmament. In this connection, I ask unanimous consent to have an editorial, entitled "Progress on Arms Control," printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROGRESS ON ARMS CONTROL

The 7-week session of the 114-nation Disarmament Commission draws to a close on an unexpectedly positive note. Despite abstention by Moscow and the Communist bloc, the nonalined nations obtained an 83-to-1 majority for early resumption of the 17-nation Geneva conference, where there could be serious work toward arms control and East-West détente. Yet it was precisely to avoid such a Geneva meeting—and, on the contrary, to make a public demonstration of hostility to the United States over Vietnam—that Moscow had engineered the convening of the 114-nation Commission.

The Soviet Union not only failed to discourage world interest in a return to Geneva, but it found little enthusiasm among the new nations for its efforts to turn a disarmament forum into a propaganda vehicle on Vietnam. Complaints were voiced even by African delegates normally sympathetic to the Soviet view, and Russian speeches in the latter stages were toned down.

The debate at the United Nations was perhaps most valuable in showing the urgency of action to prevent proliferation of national nuclear forces. Countries that now face a decision on whether to become nuclear powers, such as India, Japan, Sweden, and Egypt, disclosed increasing resistance to a blanket pledge not to acquire or develop nuclear weapons unless the present nuclear powers reduce their atomic arsenals or give guarantees against nuclear attack.

The debate indicated that the nonalined nations agree with the United States that priority should be given to measures to halt the spread of nuclear weapons and to extend the atmosphere test ban to underground nuclear explosions. Their opposition to tests of all kinds puts them on record against China's nuclear program. Yet it was also clear that an overwhelming majority wants Peiping brought into future disarmament talks. Last week's 89-to-0 vote for a world disarmament conference including Communist China showed the United States largely isolated on this issue.

The debate provided the new nations with a valuable education in the complex issues of disarmament. They demonstrated throughout that they take the matter seriously and want action. Unfortunately, none of this means that Russia will now reverse position and agree to an early resumption at Geneva. The Kremlin, for the moment, seems more interested in disproving Chinese charges that it lacks militancy.

In the end, however, Moscow will have to take into account the view of these new nations. Competition in militancy with Peiping may pay some dividends within the Communist bloc. But the meetings of the Disarmament Commission have shown that influence in the nonalined world—and, perhaps, even at the Afro-Asian Conference in Algiers this month—demands a commitment to peace.

Mr. CLARK. When the 17-nation Conference gets back to work in Geneva one of the most important things it will take up will be the question of an agreement to prevent further proliferation of nuclear armaments. Our Government should be giving greater attention to the need to prevent the spread of nuclear weapons, and less attention to determining how close to the nuclear trigger we can let West Germany get. We should also pay more attention to the effect of the vicious practice of promoting sales of armament around the world, in which the United States is taking a leading part. In that connection, I ask unanimous consent that a news article from the New York Times of May 24, 1965, entitled "United States Leads World in Sales of Arms; Allies Irritated—Trade Is $1.5 Billion a Year—Big Promotion Effort Resented in Europe," be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES LEADS WORLD IN SALES OF ARMS; ALLIES IRRITATED—TRADE IS $1.5 BILLION A YEAR—BIG PROMOTION EFFORT RESENTED IN EUROPE

(By Jack Raymond)

WASHINGTON, May 23.—With sales amounting to $1.5 billion a year, the United States has become the biggest arms merchant in the world.

It is in competition not only with the Soviet Union for strategic reasons, but also with Britain and France for economic reasons.

To promote its arms sales, the United States maintains a special program in Western Europe at a cost of about $500,000 a year.

This active drive to sell arms in Europe, including credit guaranteed by the Pentagon, has caused considerable annoyance in Paris and London, where some bitter newspaper articles have appeared lately.

For example, the military correspondent of the Daily Telegraph, in London, Brig. W. F. K. Thompson, accused the United States last week of pressuring the West Germans to buy American arms inferior to those produced in Britain.

Referring to the North Atlantic Treaty Organization's arms-standardization effort, he wrote:

"So far standardization has meant for Americans the acceptance by others of American ideas and equipment."

UNITED STATES SENSITIVE TO CHARGES

Government officials here are markedly sensitive to being labeled "merchants of death," the appellation used a half-century ago against private international arms dealers. These officials point out that although it is determined to increase arms sales, the United States denies itself $500 million in such sales annually.

"We are not ruthless rug merchants, ready to sell anything to anyone just to cover deficiencies in the balance of payments," an official said.

The countries that have made fruitless efforts to buy arms here are not identified by officials, since the negotiations are invariably secret.

It is known, however, that the Republic of South Africa has sought to buy arms in the United States and has been turned down. There was a potential arms sale of $100 million to $150 million involved in that effort, according to an expert estimate.

It is also known that although the United States has made occasional sales in the Middle East, countries in that region and in Africa and Latin America are regularly turned down in attempting to buy arms.

In addition to refusing to sell military equipment to these countries for diplomatic and political reasons and thus upset delicate power balances, the United States has taken local economic factors into consideration.

SOME NATIONS ANGERED

Frequently the United States has refused to sell arms to a relatively undeveloped country in order not to contribute to a weakening of its economy, and the leaders of the requesting countries have as one source put it—"gone away mad."

What disturbs some U.S. officials is that attention has been called to this Government's arms-sales campaign but that critics have ignored the efforts made to control arms sales. The United States not only exercises care in its own direct government-to-government sales of military equipment, but also controls, through export licenses, sales by private concerns.

If these controls were less strict, arms sales might contribute more to lessening that part of the balance-of-payments deficit which results from the stationing of American troops in Western Europe. There is now a difference of $1.1 billion in the amount spent to keep the troops abroad and the amount brought in from the sales of weapons.

Although many high officials here over the years have recommended substantial reductions in U.S. troops in Europe for no other reason than to cut the dollar costs, the burden has been carried by successive administrations.

At the same time, especially under Secretary of Defense Robert S. McNamara, arms merchandising—taking the place of past arms grants in military-aid programs—has a priority status at the Pentagon.

Henry J. Kuss, Jr., Deputy Assistant Secretary of Defense in charge of the arms-sales effort, was awarded the Defense Secretary's Meritorious Civilian Service Medal last week because of the success of the effort.

The citation, praising Mr. Kuss's "energy and zeal," said:

"His imaginative leadership combined with unparalleled ability as an international negotiator has assisted in a unique fashion to develop the military export-sales program and other significant logistic efforts."

Recently Mr. Kuss said the defense industries in the United States could look to a potential yearly market of $5.4 billion in military exports by 1967.

By 1971, he added, the minimum military-export market should amount to $10 billion and the potential market to $15 billion a year.

He emphasized that U.S. efforts to reduce the balance-of-payments deficits were a major factor in the arms-sales program. Inevitably this sales program has placed the United States in a growing competition.

World expenditures on arms and munitions, according to a United Nations report, totaled about $135 billion last year. Eighty-five percent of the outlay was accounted for by seven countries—Canada, Communist China, France, the Soviet Union, Britain, the United States, and West Germany.

Estimates of sales of military hardware are classified in most countries, although the United States publishes its own. The Soviet Union, for example is reported from time to time to have sold arms to various countries, but the estimated amounts are usually believed to be understated.

Most estimates do not put Soviet arms sales anywhere near the U.S. $1.5 billion a year, chiefly because the biggest U.S. customers are big powers in Western Europe. Total Soviet military sales up to this year are said to be slightly more than $3.5 billion. Last year's total is said to be $400 million.

The chief U.S. market for the sales program has been Western Europe, particularly West Germany. Here the United States has provoked a bitter reaction from British and French competitors.

Many Britons are particularly resentful because of the cancellations of some of their pet missile and aircraft programs—such as the Blue Streak and the TSR-2—in favor of U.S. missiles and planes.

The reply here to such criticism, and among British Government officials responsible for arms transactions with Washington, is that the United States spends so much more on research and development and arms production than any other country that it will inevitably come up with comparative bargains.

France has pushed into the world arms business, including even the sale of antitank missiles to the United States. French exports of military material were valued at $412.7 million for the first 9 months of 1964, compared with yearly averages of $85.8 million from 1950 to 1960.

Sweden also has undertaken a major arms-sales program, but apparently is her own best customer, chiefly because of her development of a new fighter-bomber, the Viggen. A caustic British comment directed at the United States was the report in the Daily Telegraph by its aviation writer, Air Commander E. M. Donaldson, that the Viggen was better than the U.S. new F-111.

Mr. CLARK. Mr. President, the way to peace is not to be found through escalation of the war in Vietnam. It is not to be found by imposing our will on the Dominican Republic. The true path to peace is to be found in a policy of steady effort to achieve progress in international cooperation through the United Nations toward the goals of peace and disarmament.

YOUTH AND THE FUTURE

Mr. LONG of Missouri. Mr. President, recently the members of the graduating class of 1965 at the University of Missouri at Columbia were privileged to hear a fine address delivered by my distinguished colleague, Senator SYMINGTON.

The Senator from Missouri [Mr. SYMINGTON] considered the prospects and problems facing the American people in a number of areas of our national life, and from several points of view. The result was an outstanding commencement address. At the same ceremony, Mr. President, the university conferred upon my colleague the highest honor that our State university offers. The Senator from Missouri [Mr. SYMINGTON] received the honorary degree of doctor of laws, in recognition of his excellent public service to Missouri and to our Nation.

So that the remarks of the Senator from Missouri [Mr. SYMINGTON], may be more widely read and enjoyed, I ask unanimous consent that his commencement address to the class of 1965 at the University of Missouri be printed at this point in the RECORD. I also ask unanimous consent that the citation at the time of presentation of the honorary doctor of laws degree be printed following the address.

There being no objection, the address and citation were ordered to be printed in the RECORD, as follows:

YOUTH AND THE FUTURE

(By Senator STUART SYMINGTON, of Missouri)

President Ellis, members of the board of curators and faculty, honored guests, parents, and fellow members of the class of 1965, it is indeed a privilege to be with you here today and I am most grateful for the honor bestowed upon me by your university.

In an address of this character, it is generally considered appropriate to present to the graduates some suggestions with respect to the future. With some hesitation I will do so, but first let me in turn present a few thoughts which form the basis of these suggestions.

It is now clear that never before in our history, or for that matter in the history of any country, have the members of graduating classes faced the challenges which now confront you in this the end of the second decade of the nuclear-space age.

And the manner in which you handle these challenges will determine, not only your own future, but that of all people.

The nature of the primary challenge—survival under law, and with honor—is one which unfortunately has required further centralization in the structure of our Government. I say unfortunate because the history of our Government is one long history of resistance to further centralization. We are a people who believe in the rights of States and individual liberty; and who have a profound respect for grassroots authority.

The Constitution itself was born out of a compromise between those who favored a more centralized government, and those who did not; a balance between men who stood for a continuation of decentralization along the lines of the Articles of Confederation, and those who wanted a country which, while protecting the rights of all its citizens, would also be possessed of the precious attributes of sovereignty, in its dealings with the other nations of the world.

In transmitting the Constitution to the old Congress, George Washington himself wrote:

"It is obviously impracticable, in the Federal Government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of the liberty to preserve the rest."

At this time more than liberty is involved in the further identification of the State with the Federal Government.

As illustration, for years it has been our conviction that the future of Missouri depends primarily on two developments: (1) the full utilization of its water resources, and (2) attainment of adequate educational facilities of highest quality.

Every week we discuss with people in the State how to expedite water projects that are now proceeding in recognition of the growing partnership in this field between Missouri and the Federal Government.

Seldom does a day go by that we are not talking with some member of that now far-flung institution known as the University of Missouri about the initiation or acceleration of various educational programs under a comparable partnership.

Missouri needs new industry and new overall business activity. It needs them very badly. Its chances for success to that end are in direct proportion to the development of its water and its educational facilities.

It is interesting to note also that further centralization, since the days of the Founding Fathers has been, in large measure, dictated by developments in communication and commerce, among the people of the several States. The railroad, telegraph, automobile, radio, and airplane have brought Americans in ever closer relationship with one another.

Actions of people in one State, reverberating in their effect on other States, often necessitated a common, and therefore more centralized, rule for all.

Recent communications development in the international field, correlated with the telescoping of time and space, have in turn required additional centralization—in the interest of both our international trade and our national security; and these improved communications will be of great help in the promotion of better understanding.

Take for example the current situation in Africa. Since World War II, European colonial empires have vanished from that continent; and in their wake have come the efforts and struggles of millions to assert their nationhood internally as well as externally.

"Tribe" has been, and in many ways still is, the word which best describes social organization on the African Continent, a continent with over 700 languages.

Today Africa has 37 independent countries; and 27 of those countries have been created as nations in the last 5 years.

Along with other countries throughout southeast Asia and Europe, every one of these African nations is now struggling for national identity, a matter they consider of first importance.

Is it not ironical that we in the United States, recognizing the importance of more understanding and more neighborliness in the search for world peace and prosperity, have been developing our policies on an international basis, while at the same time our friends and allies are turning to the nationalistic approach.

Our defense of the international effort is based largely on realization that, today, the people of every nation are neighbors of the people of every other nation; and this emphasizes the importance of the message these new communications satellites can bring home to all countries, new and old, as we strive for better understanding in effort to avoid a nuclear war.

In military time Red China is closer to us today by air, than Kansas City was to St. Louis, by air, as late as the end of World War II.

In effect, therefore, every country in the world is now in the adjacent county; and what these new "neighbors" think about us, and about human welfare, and about the importance of personal dignity, will have a profound effect upon our destiny.

The concept of the good neighbor, desirable 30 years ago, is now important to survival.

"The cause of America," said Tom Paine, is "the cause of all mankind." He was probably right then. He is certainly right now.

The Almighty has now given man the knowledge of new forces which present him with a choice—either he can use these forces in effort to attain a life of comfort and happiness never before dreamed of, or he can use them to destroy civilization.

That is the basic challenge which you and I face today.

We do not have all the answers. We do not know all the solutions. But I believe that the new scientific tools currently available for better understanding give us the right to be more optimistic.

Again as example, by means of the new satellite, Early Bird, the various opinions of various world leaders were recently televised into the homes of millions of people, all around the globe. (It is interesting to note that the power of that satellite, passing pictures and information and opinion to every corner of the earth from its position 32,000 miles above the earth is not more than one-tenth of the power used in an ordinary light bulb.)

There are other straws in the wind which might give us cause for more optimism. One occurred last March 18.

A young Soviet lieutenant colonel, sportsman and artist as well as pilot and scientist, stepped out into the emptiness of space for the first time in human history.

When asked, "Do you think Soviet and American spacemen will ever have a meeting in space?", Colonel Leonov's reply, carried by television, may have had a glow in it for the future when he said:

"We have never objected to friendship in resolving our common task of mastering outer space. And I always see all earth men as one family, because we shall then go off to other planets, worlds, and there will be representatives of many nations abroad. And so we must be friends."

Could it be that the exploration of this new ocean of space will have a major influence in leading the people of the world:

"To follow knowledge like a sinking star,
Beyond the utmost bound of human
thought."

That would be our hope. That will be part of your challenge, because the right use of the new force will depend on knowledge.

The thoughts that lie behind this hope may be unwarranted, however. We may be indulging in wishful thinking; and in any case we intend to pursue realistic policies, as evidenced by President Johnson's determination to resist Communist imperialism in the future as we have in the past.

I say "continue" because for many years we have been resisting this aggression in such places as Korea, the Formosa Straits, West Berlin.

Let those who, for any reason, disagree with the President's reasoned but firm policy, read the recent autobiography of Anthony Eden. The lesson to be learned from that volume is expressed in its title, "The Reckoning." It is a sad and costly story of too little and too late.

In all probability Eden took that title from the words of Britain's greatest citizen of this century. After the tragedy of Munich, Winston Churchill observed on the floor of the House of Commons, "Do not suppose that this is the end. This is only the beginning of the reckoning."

There is a well-known quotation about those who forget history being forced to repeat it; and as the Red Chinese rush to complete their plans for delivery of the nuclear weapons we now know they have, this quotation could well be remembered.

And so my friends, it is a dangerous world; but an exciting one, full of challenge. The stakes are high; the opportunity great.

And now a few suggestions to the members of this graduating class who someday will be counted on to take over the leadership.

First, let me urge you to carry on your efforts to be informed. In the past 4 years, your imaginations have been stretched, your concerns widened; and that process should be continually renewed if your formal education is to be of service in the adult world you are entering.

You may "discharge your obligation for the education you have received, not only by reflecting light, but by spreading it as well."

Secondly, in that the habits and customs of our times are changing with such unprecedented speed, may I suggest that, as citizens, you recognize the importance of prompt and constant adaptation to change.

Not long ago the patriarch of the electronics industry, David Sarnoff, stated that changes in our method of life in the next 35 years—up to the year 2000—would be greater than all the previous changes of history.

If a few years from now you pass a friend who appears to be mumbling to himself, don't be sure he is absent minded. He may be talking to his friend in the Philippines. If he holds in his hand what looks like a little mirror and appears to be vain, don't be sure. He could be looking at that friend.

And finally, because we do live in the frenetic and stirring world I have portrayed this evening, let me suggest that, above all, you preserve your sense of humor. Otherwise these challenges could be overwhelming.

It has been said, "Men will confess to treason, murder, arson, false teeth, or a wig; but how many of them will own up to a lack of humor?"

This illuminates the high premium we put on a sense of humor—so high that even those who lack one will never admit it.

Humor is balance, and very few will admit to being off balance.

It might even be said that we owe the safe founding of our Nation to the steadying influence of humor. Let us remember the closing moments of the Constitutional Convention—September 17, 1787—Independence Hall, Philadelphia.

The issue had been hard fought, tempers flared, but the majestic presence of Washington as President of the Convention, along with the gentle touch of Franklin, contained the sparks of dissent and bitterness.

The beloved sage, infirm of voice, but not of spirit, passed his remarks to James Wilson, of the Pennsylvania delegation, who read them to the assemblage. He said:

"I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. * * * The older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others. Most men indeed, as well as most sects in religion, think themselves in possession of all truth, and that wherever others differ from them it is so far error. * * * Few express this so naturally as a certain French lady who, in a dispute with her sister, said: 'I don't know how it happens, sister, but I meet with nobody but myself that is always in the right.' "

After brief further discussion, in which he characterized our enemies as waiting with confidence to hear that our councils are confounded like the builders of Babel, Franklin concluded with this memorable advice. "I cannot help expressing a wish that every member * * * would with me, on this occasion, doubt a little of his own infallibility and, to make manifest our unanimity, put his name to this instrument."

His advice was taken; and the Constitution of the United States was born.

Yes, humor, if you will, is perspective; it is insight into the fallibility of man.

We use it aggressively to expose the fallibility of others, those with whom we disagree. We use it sparingly to expose our own. It has been said that a man who has never laughed at himself is a poor servant and a worse master.

Throughout the great trials of our history, gifted men have appeared to show the way. Perhaps the greatest of these was Lincoln. And not the least of his gifts was humor.

Only the truly strong can survive ridicule. Lincoln had his share—he was the butt of the crude and whispered joke; and in this he could give as good as he got.

I have no doubt his humor was in large part responsible for sustaining him through his days of personal and national adversity.

Not wit alone—for that flimsy art is not to be confused with humor—but humor itself—the other face of tragedy—the recognition of man's mortality, the brevity of his visit here. The balance of what is against what could be, the wisdom to know the difference, love for one another, understanding, and finally, faith.

These are the treasures of the spirit to which true humor is the key.

May I suggest, don't lose that key. Don't throw it away, and never let it rust from disuse.

DOCTOR OF LAWS DEGREE AWARDED TO SENATOR STUART SYMINGTON

(Presentation by President Ellis, of Missouri University)

STUART SYMINGTON, statesman, leader of industry, civic leader extraordinary, you are honored today by this institution for your distinguished career as a corporation executive, for your statesmanship, and for your outstanding leadership in the U.S. Senate.

Born in Amherst, Mass., Senator SYMINGTON was educated at Yale, worked with various electric, iron, and steel companies before becoming president of Emerson Electric Manufacturing Co. of St. Louis in 1938. He entered Government service in 1945 as Chairman of the Surplus Porperty Board; became Assistant Secretary of War for Air in 1946; the Nations first Secretary of the Air Force in 1947; Chairman of the National Security Resources Board in 1950; and Administrator, Reconstruction Finance Corporation in 1951. First elected to the U.S. Senate in November of 1952, Senator SYMINGTON is the senior Senator from Missouri, and was reelected to the Senate in November of 1964. Senator SYMINGTON is a member of the Senate Aeronautical and Space Sciences Committee and is the only Senator to serve on both the Armed Services and Foreign Relations Committees. He is an ex officio, voting member of the Senate Appropriations Committee, and Armed Services and Space Appropriations and a member of the Senate Democratic policy committee. As a Member of the Senate, Senator SYMINGTON has taken a leading role in legislative efforts to improve national agricultural administration, and in unification of the Department of Defense and Foreign Service Academy.

As a prominent statesman, you have brought honor to the State of Missouri and the State university takes great pride in bestowing upon you her highest honor today.

By virtue of the authority vested in me by the board of curators, I hereby confer upon you the honorary degree of doctor of laws with all the honors and privileges thereunto appertaining. In token thereof I present to you this diploma.

WATER RESOURCES: A COGENT ANALYSIS OF A NATIONAL PROBLEM

Mr. RIBICOFF. Mr. President, the problem of water resources is a domestic consideration of national dimensions. We must maintain, protect, and increase these resources through the conservation and use of water which now flows into the ocean during times of flood.

This year the situation is especially critical in several areas of the East and Midwest. Yet, our concern is not a new one. Since early days—when the first pioneers pushed across the Mississippi and Missouri Rivers—the arid West has been plagued by water problems.

The Western States have faced up to these problems.

An effective partnership between State and Federal Governments—beginning with the Presidency of Theodore Roosevelt and the Reclamation Act of 1902—has produced impressive results.

Great dams, reservoirs, and distribution facilities have now been built. They control most of the rivers and streams of the West. For these achievements, the Bureau of Reclamation—an agency within the Department of the Interior—deserves much praise. And, unlike most Federal resource development programs, more than 90 percent of the reclamation investment returns to the Treasury.

However, some conflict has resulted—between the doers, who develop water resources for public use, and the preservationists, who fear that dam construction is destroying the West's beauty. Many Senators receive letters from preservationists expressing this concern.

In a recent edition of the Hartford Times, one of Connecticut's outstanding newspapers, there was an interesting article entitled "The 'Dam' Debate." Mr. Robert W. Lucas, the great editor of the Times and author of this article, originally came from the West. His article puts this controversy in proper perspective.

Mr. President, I ask unanimous consent that this article, which appeared on June 5 in the Hartford Times, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Hartford (Conn.) Times, June 5, 1965]

THE "DAM" DEBATE

One of the more fascinating "conflicts of interest" raging in this country today is that between a group or class of people roughly described as "conservationists" and the proponents of "water engineering" in the West.

Conservationists, or persons who want to conserve what unexploited or unspoiled natural wonders or beauty of this country that remain, are dedicated people.

Westerners, who are guiding the growth of farm and city in the thinly populated Southwest States particularly, are also a determined lot. To them the conservation and use of water for human consumption or for adding value to wasteland by irrigation is an article of faith.

Many of the more ardent conservationists live outside the area of normally critical water supply. Often they are residents of crowded and suffocating urban centers. They are reacting strongly to the shortsightedness of planners who paid no attention to the preservation of open spaces and natural beauty—both tragically absent in much of the East.

In States such as Colorado, Wyoming, Utah, Arizona, Nevada, New Mexico, and California the "conservation" of Colorado River water is a matter of life or death for their economies, their cultures, and their future hopes.

This conservation means an enormous, multibillion-dollar plan for storage dams on the Colorado's main stem and tributaries. It means the production of massive quantities of hydroelectric energy, the sale of which will help pay for the dams and make possible extensive engineering of diverted water for both agricultural and urban purposes. (Storage means the trapping of high streamflows for use of the water during periods of low supply.)

The proposed hydroelectric dams in some cases arouse the conservationists. They do not want awesomely beautiful canyons altered by dam pools. Just as they fight the logger's ax or the miner's bit in national forests or wilderness areas, so do they wage war against walls of concrete that are proposed even if only in the vicinity of Grand Canyon National Park.

Westerners are often surfeited with scenery. They look upon "the frontier" not as something to paint or write poetry about, but to conquer. To them an "open space" is, as often as not, something to fill—with houses, with mills, with new cities, with schools or—if need be—with dams.

Remote from high density markets, situated in the high freight-rate neighborhoods of this country, hellbent on becoming populous, prosperous, and self-sufficient communities themselves, they are not content to remain national wonderlands for eastern tourists, bird watchers, canyon lovers, amateur photographers, rock hounds or campers.

The conservationist suspects that the bureaucrats of government, especially engineers in the U.S. Bureau of Reclamation, take advantage of the westerners' natural interest in commercial exploitation and promote unneeded public works. I have not found this to be the case.

So conservationist organizations, some of them richly endowed, try to debunk governmental river basin development programs as boondoggles. They find willing allies among nonwestern Congressmen who are opposed to spending money for the subsidized West.

That the multipurpose water projects are largely reimbursable from power sales and water-use contracts is carefully ignored.

Westerners fight back with the replies that a developed West broadens and strengthens the Nation's tax base, multiplies domestic markets for eastern-produced goods, expands opportunity by adding wealth and is indeed more than a gilt-edged investment. Besides, says the westerner, the Middle West, the South, and the East have feasted at the porkbarrel of flood control and rivers and harbors improvement for years—with none of the money paid back directly into the U.S. Treasury.

My guess is that the exploding population of this country will find more universal accessibility and enjoyment in the manmade, 186-mile-long Lake Powell filling behind the newly completed Glen Canyon Dam than in a thousand miles of isolated canyon country. And knowing something firsthand about the economics of land use, and its contribution to the welfare of the Nation as a whole, I think the Congress simply must authorize the Lower Colorado River Basin project, just as it did the upper basin storage project—for the protection and development of the States that need it badly.

As a one-time champion of western development, I have always believed myself to be a conservationist, too. My past includes a crusade to rewrite the mining laws so they couldn't be used as a cover for invasion of the national forests, battles against overgrazing, opposition to Wyoming's proposed grab of Yellowstone National Park, and a New Mexico plot to force huge transfers of publicly owned and administered land into private hands.

But there is a great need in this country for a balanced course between putting our resources on the shelf for future enjoyment and using them, intelligently and tastefully.

The conservationists are not interested merely in esthetics, important though that is. In many ways theirs is a practical as well as an idealistic preoccupation with the Nation's future welfare. And they perform heroic missions here and there against some thoughtless and greedy elements in the contemporary society.

But I would caution against that excess of conservationist zeal that itself is vulnerable to manipulation by still other interests that neither understand the dynamics in western investments nor give a farthing for conservation in its true meaning.

ROBERT W. LUCAS.

CONGRATULATIONS TO THE VICE PRESIDENT BY THE ILLINOIS HOUSE OF REPRESENTATIVES

Mr. DOUGLAS. Mr. President, I doubt that it will be news to anyone in this body that HUBERT HUMPHREY, our Vice President, is a very popular man in my State of Illinois.

It has come to my attention that the House of Representatives of the Illinois General Assembly recently passed a resolution extending its heartiest congratulations to the Vice President on the occasion of his birthday. I was unable to be present in the Chamber on that day to add my congratulations to those extended to the Vice President by a number of my colleagues. I therefore join with the Illinois House in warmly wishing the Vice President well on this occasion and I ask unanimous consent that this House resolution be printed in full in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HON. HUBERT HORATIO HUMPHREY—HOUSE RESOLUTION NO. 186

(Offered by Messrs. Choate, Touhy, and Elward)

Whereas today, May 27, 1965, marks the birthday of our great Vice President, the Honorable HUBERT HORATIO HUMPHREY, whose distinguished service to our Nation is an inspiration for all of us who serve the public; and

Whereas HUBERT HUMPHREY is a proud son of Minnesota where he attended school and earned membership in Phi Beta Kappa fraternity and where he served as mayor of the city of Minneapolis from 1945 to 1948; and

Whereas this fine product of the "Land of 10,000 Lakes" served his State as Senator for 16 years prior to his election to our Nation's second highest political office; and

Whereas Vice President HUMPHREY's devotion to his party and to the ideal that all Americans should have a more prosperous life serves as an example of the finest caliber of patriotism: Therefore be it

Resolved by the House of Representatives of the 74th General Assembly of the State of Illinois, That this body extend its heartiest congratulations to our Vice President, HUBERT HORATIO HUMPHREY, on the occasion of his birthday, and that a suitably engrossed copy of this preamble and resolution be forwarded to him.

Adopted by the house, May 27, 1965.

JOHN P. TOUHY,
Speaker of the House.
CHAS. KERVIN,
Clerk of the House.

EASTER SEAL TRIP TO DENMARK

Mr. BAYH. Mr. President, I have had the honor this year to serve as Indiana Easter seal chairman, an opportunity which proved to be one of the most rewarding experiences in my life.

As you know, contributions to Easter seals are used to help our handicapped neighbors—men, women, and children—to learn to help themselves and become participating members in society. No longer are the handicapped doomed to reliance on public doles for the rest of their lives.

Ninety percent of all contributions to Easter Seals remain within the State in which the contribution was made. The funds are used for a variety of services—physical and occupational therapy; artificial limbs and crutches and braces; summer camps for the handicapped; and much more.

Today, I would like to direct the attention of the Senate to an unusual Easter seal project involving handicapped young people from all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

These 53 young people—including my own constituent, David Ross Williamson, of Evansville, Ind.—will be guests of the Danish people for a 3-week cultural and educational trip to Denmark. The young people, who are between 17 and 25 years of age, will go to Denmark on June 22. Their busy schedule will include participation in the great traditional Danish commemoration at Aalborg of America's Fourth of July celebration.

This unusual project was the brainchild of Lord Mayor Urban Hansen, of Copenhagen, and of the distinguished American sculptor, Mr. Marshall M. Fredericks, of Royal Oak, Mich. Mr. Fredericks, who is of Danish descent, is bearing half the trans-Atlantic expense of the trip and private citizens and official agencies of Denmark are taking care of the other half.

The Easter Seal organization, whose official name is the National Society for Crippled Children and Adults, selected the young people for the trip and is bearing their expenses for travel within the United States. Cooperating with the Easter Seal Society is the U.S. Vocational Rehabilitation Administration and the Institute for the Crippled and Disabled in New York.

All young people going on the trip were selected because of their outstanding abilities and their remarkable accomplishments in overcoming their handicaps—handicaps which, in this group, range from paraplegia to blindness.

Mr. President, this is the sort of project that should be emulated by our hundreds of worthwhile charitable organizations. It involves international cooperation, working together by private and governmental agencies, and contributions by individuals and groups. Most important, the result of the project is to reward those who refuse to let adversity overcome their will to succeed. This is an old American virtue, just as important today as it was when our ancestors conquered the land to make this the greatest nation on earth.

"BIG BROTHER"—ACTIVITIES OF THE CUSTOMS SERVICE

Mr. LONG of Missouri. Mr. President, today's big brother item relates to the activities of the customs service. The item is in the form of a very recent news release by the American Civil Liberties Union.

In the case in question, the customs service at Laredo, Tex., without any apparent reason, went to the extremes of subjecting a young lady to the indignities of, first, having her personal diary read, and second, subjecting her to a thorough physical examination.

Not only is this a perfect example of big brotherism from the custom service's reply to the complainant, they are wholly unrepentant.

If this woman were a known or suspected smuggler of dope or diamonds, there would be reason for such a search. Under no circumstances can I find any legal basis for a customs service inspector having the right to read a personal diary. This is an utter disregard of the constitutional rights of citizens.

To do this for the sole purpose of embarrassing this lady would seem to me completely un-American.

I ask, Mr. President, unanimous consent that this item be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

The American Civil Liberties Union protested yesterday (June 10) a U.S. Customs official's seizure and reading of an Alabama woman's personal diary notebook at the Laredo, Tex., border station.

The civil liberties organization scored the action and an internal physical examination of the woman as an "affront to the first amendment's protection against abridging individual freedom of expression and also an unwarranted governmental invasion of privacy."

The ACLU repeated an earlier appeal that a clear-cut customs service directive is definitely needed "to inform Custom officials as to what constitutional guarantees mean and the proper procedures to be employed in dealing with travelers at border points."

The union's comments were presented in a letter to Lester B. Johnson, Acting Commissioner of Customs, and signed by the ACLU's executive director, John de J. Pemberton, Jr. Because of the embarrassment already suffered by the Alabama woman, which would be heightened by public disclosure of her name, Pemberton said that he was not identifying her, but because she also has corresponded with the customs service, "her identity and the incident are already known to you."

In bringing her complaint to the ACLU's attention, the Alabama woman cited this account of the Laredo incident as presented to Johnson and the customs service:

"As required by law, our car and baggage were thoroughly inspected. After this being done, we were asked to go into the office. We complied. At this time, a matron conducted me into a private office. Here she questioned me and then proceeded to examine the contents of my purse. At the time, I wondered if this action was legal. While examining my purse, she came upon my diary notebook. She opened it and began to read. I asked her to stop, saying that there was no information there that was pertinent to her cause and that it was of the most private nature. She ignored me and continued to read it. Again, I made my request and again she ignored it. I feel that this cannot possibly be in accordance with the law. If this was a legal act, then the American Government is no better than that of the Nazi police state. We are only doing a better job of fooling each other. I understand that it is a very hard thing to protect the people as a whole without invading the liberty of some but if you will remember correctly that this is the principle that our whole system is based upon. Do we have two sets of standards—one in principle and the other in practice?

"Not only was I intimidated mentally, but physically also. In America one is innocent until proven guilty."

Noting that Johnson had replied to Miss ——— that the search was required to check on the possibility of smuggling narcotics, the ACLU letter said: "But under what interpretation of the law can the seizure of a personal diary be justified as an antismuggling investigatory tool? Even if we assume that a diary could contain packages of narcotics warranting the Government's rifling a citizen's personal possession, does the customs official have the right to read what she wrote in her diary? Obviously not."

The ACLU reminded the customs service chief that this is not the first time that it protested the customs officials' "shoddy tactics" at the Laredo station. In 1962 it called attention to the seizure of an unpublished manuscript by Chicago author John Schultz, presumably to determine if obscene material was being brought into the United States. After strong protest by the ACLU and others, the novel-in-progress was returned, along with an explanation from the then collector of customs that the customs service does not have a policy of seizing unpublished manuscripts. "We were admonished," Pemberton wrote, "also that our public protest was unseemly, that the Bureau should not be chastised for an occasional lapse of one of its minor officials, and that the way to deal with such problems is to quietly inform the service of such 'mistakes' which could be corrected."

Going past the "glaring violation of first amendment rights," in the seizure and reading of the diary-notebook, the ACLU also assailed the Customs Bureau's detention and physical examination of Miss ——— without any stated cause. "* * * she was given no reason for the search of her person, no indication that she had committed a crime or was suspected of involvement in a crime. In short, apparently without any cause, probable or otherwise, this citizen was treated as if she was guilty of wrongdoing and subjected to a humiliating physical treatment. The constitutional guarantees against improper search and seizure seem to have been flatly ignored."

The current case, the ACLU continued, shows that merely "correcting" individual errors of judgment is not enough and that an overall directive is needed. "The Schultz and ——— cases were reported to us by persons who were indignant enough to bring their protest to our attention. But how many more unreported cases are there, involving persons who did not want to expose their embarrassment or the personal indignity they suffered?"

The ACLU letter compared the seizure of Miss ———'s diary-notebook with similar action taken a few weeks ago by the Czechoslavak Government against the American poet, Allen Ginsberg, who they then expelled. "Such practices are recognized as standard procedure in a totalitarian country which we all heartily condemn. Was the customs' seizure of Miss ———'s diary-notebook so far removed from the treatment given Mr. Ginsberg's writings? We think not. In both cases Government officials invaded the individual's right of privacy and free expression. We suggest that the customs service come to grips with the basic problem so that American citizens will be met with more than 'regrets for inconvenience' suffered at the hands of Government agents at our borders who have no understanding or appreciation for constitutional rights."

THE DEATH OF A NATION

Mr. RIBICOFF. Mr. President, the injustices, the inhumanities of World War II defy the imagination. Millions of helpless people suffered through no fault of their own. The occupation of the Baltic countries by the Soviet Union and the enslavement of the Baltic peoples under Communist tyranny were among the most outrageous acts of that war.

At the outbreak of hostilities, the people of these countries feared for their freedom. Their worst suspicions became reality. By early 1940, the Soviet Government had succeeded—through threats and treachery—in undermining the authority of the democratic governments in these countries. By spring, they were overrun and occupied by the Red army. Mass deportations followed. All three countries were annexed to the Soviet Union. They remain so to this day.

Mr. President, during the past week we have observed the 25th anniversary of the Baltic peoples' loss of freedom. We earnestly hope and pray that their independence will soon be restored.

I ask unanimous consent that an editorial which appeared in the Hartford Times on June 15, 1965, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Death of a Nation

Twenty-five years ago today, the people of the republic of Estonia had their last jittery day of freedom.

The next day, on June 16, 1940, the Soviet Union presented Estonia with an ultimatum. The Estonians were given only 10 hours to consider it—and their decision was never in doubt, for it was forced by the menace of guns, tanks, and planes across the border that was about to be dissolved.

That border had been established by a Soviet-Estonian treaty in 1920 and reinforced by a nonaggression pact in 1932 and a mutual assistance treaty in 1939. The terms of the ultimatum destroyed not only the sovereignty but eventually the nationality of Estonia.

Estonia survived then—and does today—as a nation in the sense of a people with a common culture. But in the sense of a nation as an independent people with the power to operate their own institutions and determine their own fate, the nation of Estonia ceased to exist in the summer of 1940.

First came the imposition of a partly Communist government. There was an election the next month, but the presence of Soviet troops in occupation made it a mockery of freedom and the parliament that was elected was a rubberstamp for orders from Moscow. There were only Communist names on the ballot.

The mock parliament asked for annexation to the Soviet Union. There was no disagreement in Moscow, of course, and Estonia, like Latvia and Lithuania, ceased to exist.

The Soviet heel quickly stamped out all evidences of nationalism in Estonia. Intellectuals were arrested and deported. A "reform" of political, economic, religious, and social institutions was begun with the Soviet system as a model. Wages rose, but the rise was illusory, for prices rose many times as fast. Businesses and utilities were nationalized, all capitalistic enterprises were heavily taxed, bank accounts were blocked, property was confiscated, and soon the only discernible difference between Estonia and the Soviet Union was that Soviet citizens had more freedom than Estonians.

No realistic person considers it possible that the Baltic nations will be reestablished in our time. The flame of patriotism still burns in the loyal hearts of expatriates, but there is no real power to be brought against the Soviet Union to make their dreams come true. Theirs has the romance, the stubborn spirit and the hopelessness of all lost causes—in this case, a cause lost not because of treachery or even through military defeat after a gallant struggle, but because a ruthless giant exterminated a small and gentle neighbor.

THE GROWING ECONOMY

Mr. MAGNUSON. Mr. President, if the Nation were listening as Secretary of Commerce John T. Connor spoke to those attending the National Press Club luncheon this noon, it must have liked what it heard.

His was an excellent summary and report upon business conditions and the outlook which continues to be bright.

I ask unanimous consent that Secretary Connor's remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF COMMERCE JOHN T. CONNOR, PREPARED FOR DELIVERY BEFORE THE NATIONAL PRESS CLUB, WASHINGTON, D.C., JUNE 16, 1965

Well, here I am, 5 months in office, and 21 congressional appearances, 500 speech declinations, 4 honorary degrees later. And the bloom definitely off the rose.

I am grateful for your invitation to speak here today.

I also welcome this opportunity to thank the Washington press corps for the excellent communications job you have done in explaining the President's balance-of-payments program, particularly our voluntary program with American industry. The subject is complex and technical, but you have written on it with clarity and precision. All of us connected with the program greatly appreciate your help in making it understood.

Since this club represents one of the most important forums in the Nation, I would like to discuss today one of the most important questions we hear in the Nation today: How's business?

The mere fact that we in this country can still ask that question is itself important, and tells a lot about us. Some countries don't even have any business that can be discussed publicly. But we are fortunate enough to have a free and balanced economy, and all of us are going to do our best to keep it that way.

The general question, "How's business?" encompasses a number of others: How is the economy performing today? Are there serious imbalances? Is it expanding fast enough? Is it overheating? Do we have a solid base for further advances? How well is our domestic economy performing in the international economy?

In sum, How does the American economy measure up to its challenges?

I know I don't have to spell out for this audience the domestic and international challenges facing the United States—most of them are focused right here in the Capital City, and you have been writing about them every day for 20 years. These challenges have come in different forms during this postwar era, but basically they have dealt with the same things: peace and freedom and human dignity.

To meet these challenges, we have had to have a strong and growing economy. Nothing else would suffice in the past and nothing else will suffice in the future. We have a long road stretching out ahead of us, and our fiscal and monetary policies must take this into account, as they have in the past.

To date, the principal feature of our current economic expansion is not that it has continued so long or achieved record proportions, but that it has been orderly, broadly based, and without the serious imbalances that spell trouble ahead.

Perhaps the best evidence that excesses have been avoided is the remarkable stability in prices. Consumer prices have risen a moderate 1.2 percent a year. Wholesale prices have remained practically the same as they were at the start of the expansion more than 4 years ago.

These wholesale prices have crept up a bit in recent months, but not at an alarming rate, and I don't expect that they will because price competition in the marketplace remains severe. We have adequate production capacity, profits are high, and there is really no serious cost squeeze because of the beneficial effects of increased productivity, marketing and distributing innovations, and improved new products flowing from research.

Industry has made an important contribution to orderly growth by avoiding the creation of excesses in capacity and inventories. The large 14-percent increase in spending on plant and equipment last year, and the 12½ percent additional increase being installed this year, have been needed to meet the rising demand, and have not resulted in overcapacity. In fact, our plants are now operating at an average of about 88 percent of capacity, still below the desired average rate of 92 percent.

Inventories, by and large, are also well controlled. Computers have made it possible to keep a finger on the flow of materials and to schedule shipments and deliveries with precision. It is a fact, however, that stockpiles of steel have mounted in recent months because of uncertainties about a possible strike, and they will have to be worked off this year and early next year, probably resulting in lower steel production rates then.

Consumer debt is another factor to watch. But the debt created by mortgages and installment buying seems to be still within bounds. It has grown, of course, but so have earnings and assets. As a matter of fact, the ratio of liquid assets to personal debt has risen somewhat in the last few years.

Perhaps most gratifying is the progress made in reducing unemployment and in providing new job opportunities. Four years ago last month the rate of unemployment was 7.1 percent. Now it's 4.6 percent, the lowest point since 1957.

Two days ago we learned that the number of workers on business and industry payrolls rose to 60 million for the first time in history.

Nonfarm employment jumped almost half a million over the April level, up 150,000 more than expected at this time of the year. It is 2.1 million above May of 1964.

Moreover, the factory workweek rose by half an hour to its highest May level since World War II; overtime increased to an average of 3½ hours per worker—and average factory pay reached a new high of $107.50 a week.

Another problem has been the deficit in our balance of payments. But President Johnson's program to restrict the outflow of dollars is geting results. We at Commerce are working with some 600 major firms on improving their contribution to a solution of the problem, and we have also contacted 3,000 others whose overseas operations are on a lesser scale.

As you know, this necessarily is a temporary program, designed to last about 2 years, but it has been effective in proving the dollar's soundness while more permanent solutions to the deficit problem are being developed. Although we have had considerable gold outflows this year, resulting from past deficits, this is not expected to continue now that our accounts are in better order.

With regard to the President's program for reducing the deficit, I would like to emphasize that the cooperation of the participating business firms is strictly voluntary.

While we did recommend a number of guidelines for corporate executives to consider in developing their own program to increase their contributions to the balance of payments, the program is in fact a voluntary one.

As a matter of fact, we think that our balance-of-payments program for American industry, based on voluntary cooperation within a set of general guidelines, is an excellent example of the way in which business and government can work together to achieve common objectives in the national interest. Everything we hear indicates an overwhelming sentiment in industry to the effect that this approach is far preferable to direct controls on capital movements or the imposition of a tax on overseas investments by American firms or even more unpalatable measures. And there is solid agreement that the payments-deficit problem is a serious one that must be licked.

There are other guidelines or guideposts which have been recommended by Government officials in other fields to help focus public attention on national problems and achieve national objectives. The set of guideposts which has attracted the greatest amount of public attention is the set of wage-price guideposts which the President has recommended to help maintain overall price stability in the economy.

It is important that we keep uppermost in our minds the basic purpose for which the wage-price guideposts were suggested: the maintenance of price stability in general—not the control or determination by the Federal Government of wages and prices in individual industries or particular firms. That type of decision should and does remain with the individual private parties involved. Instead, the wage-price guideposts, based on the longrun trend of productivity in the economy, serve as a reference point against which both management and labor can measure the results of alternative solutions in particular bargaining situations. While there are difficulties in measuring the precise productivity rate that is applicable in a particular situation, and while it can be argued that in some cases productivity is only one of several factors that should be considered, the point is clearly made that the parties should consider the national interest in continued price stability and not agree to inflationary and unjustified wage increases.

Perhaps the newest guideline is that recommended by the President in connection with the youth opportunity campaign. The President asks that, insofar as possible, each employer add 1 summer trainee for every 100 full-time employees. To launch the campaign the President directed that the Federal Government do likewise, and some 25,000 young persons between the ages of 16 and 21 will be employed this summer by Government agencies throughout the country.

The response to this request by employers has been magnificent. Between May 23, when the program got underway, and yesterday private employers have added or pledged to add 222,400 summer trainees to their payrolls. Federal agencies and the Neighborhood Youth Corps have added 75,000 for a total of 297,400 new summer jobs for young people temporarily or permanently out of high school and college. And many, many employers have added more summer trainees than the guideline for 1 for every 100 regular employees.

Here again, we have an excellent example of the kind of business and Government cooperation on a voluntary basis which will take us a long way toward the solution of some of the vital problems facing this Nation.

In conclusion, I should like to sum up by saying that the prospects for the economy are very favorable. President Johnson has taken a balanced approach to the need for economic expansion, while at the same time keeping expansion in hand. His budget for the coming year was well ordered and in no sense inflationary. His tax policies have proved to be sound. Tax rates have gone down, but an economy moving in high gear has caused tax revenues to go up. Receipts have exceeded estimates made as late as January by some $1.5 billion. So the anticipated fiscal deficits for the 1965 and 1966 fiscal years seem to be quite reasonable and manageable.

Business obviously is in a confident mood. The advance in corporate profits to an annual rate of $64 billion in the first quarter of 1965 has given business greater freedom to set more ambitious goals. Increased profits, of course, enlarge cash accounts and reduce the need for borrowing to meet the costs of expansion. Our latest survey indicates that capital spending in 1965 will reach a high of at least $50½ billion, 12½ percent or more above last year's record.

Gross national product, of course, is the final reckoner in assessing the state of the economy. As you know, the total output of goods and services swelled to an annual rate of nearly $649 billion in the first three months of the year, an increase of an astonishing $14¼ billion over the preceding three months.

Although at a slower rate, present indications are for continued growth throughout the year, fulfilling the forecast in President Johnson's economic message that GNP will hit $660 billion in 1965.

So, to the question "How's business?" my answer is: in spite of some problems, business is great, and its going to get even better.

Thank you.

SUPPORT FOR PRESIDENT'S PROGRAM ON BALANCE OF PAYMENTS

Mr. DOUGLAS. Mr. President, while it appears to be true that the voluntary program to reduce tourist spending of dollars abroad has not yet taken hold, it is very encouraging to see the support by business institutions of the President's voluntary program for limiting the flow of capital abroad.

A very good example of this cooperation was the recent pledge of the New York Stock Exchange to cooperate in this important national effort. The exchange has said it will offer its services as a clearinghouse of international financial information to American companies so that they may make better judgments about overseas operations, and take other actions to encourage business cooperation with the President's program.

I hope that American tourists will come to show the same understanding of this national effort and cooperate with it. The current estimate that tourist spending of dollars abroad is not being reduced may not be an indication that this part of the program is permanently weak. The lack of public response in this area may be due to the fact that overseas vacations are planned long in advance, and so we may look for better results in the future.

I ask unanimous consent that an article from the Alliance, Ohio, Review of May 11, which reports on the action pledged by the New York Stock Exchange, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUPPORT GROWS ON PAYMENTS PROBLEM

The New York Stock Exchange has pledged its support to President Johnson's voluntary program for curtailing the flow of capital abroad as a means of easing the critical balance-of-payments problem.

Keith Funston, president of the exchange, points out that the institution itself does no trading or investing and so cannot have a direct effect on dollar flows. However, in his words, it "can and does resolve to participate in the overall national effort." To that end it proposes to take a series of specific steps.

It will offer its services as a clearinghouse of international financial intelligence to American companies in matters affecting overseas operations. It will encourage efforts to increase purchases of U.S. securities by foreign investors. It will cooperate with stock exchanges throughout the free world to ease the technical difficulties of effecting securities transactions among investors in different countries. It will support the Treasury's proposed revisions of the Federal tax structure relative to foreign investment in American securities. And, finally, it will encourage the securities industry to honor the spirit of Mr. Johnson's program and guard against individual investors using services of member firms to channel funds from American financial institutions into overseas markets.

That program, as Mr. Funston sees it, is "a necessary—but short-run—effort to help correct the existing payments deficit." At the same time, he adds, we should not lose sight of the long-run goal, which is "the development of a free-flowing world financial system capable of functioning as smoothly as our own domestic system." When that becomes a reality, the world will be a happier place.

ENVIRONMENTAL HEALTH EFFORT AT THE FEDERAL LEVEL

Mr. BYRD of West Virginia. Mr. President, I had the honor of addressing the 40th annual Conference of State Sanitary Engineers on June 15, 1965, at the Department of Health, Education, and Welfare Building. Because of the planning, research, and control efforts now underway among Federal agencies in the important fields of air and water pollution, occupational health, radiological health and others, I ask unanimous consent that my address to the conference be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered printed as follows:

I have long had a fair idea of the range of the environmental health activities of the Federal Government, but it was not until I started working on this presentation that I began to see the almost limitless scope and potentiality of the environmental health field.

In the interest of time, therefore, I would like to limit my remarks to those environmental health activities I have placed at the top of my list of priorities of interest. As a member of the Labor-HEW Subcommittee of the Senate Committee on Appropriations, I have frequently reviewed the several environmental health appropriations of the Public Health Service and the needs expressed for the funds to support them. As a legislator, I have become broadly acquainted with the people of my State of West Virginia—with community leaders, industrialists, the farmers, the miners, the man on the street, the housewife—and I have sensed their concern over pollution of land, air, and water; of pesticides hazards and occupational health problems (especially in the mines); of detergents in the drinking water; of poor housing and community sanitation, and so on.

But these are only frayed strands—little rips and tears, as it were—in the closely woven network that constitutes our environment, where no part is an island unto itself. If one part weakens or collapses, the entire fabric begins to suffer. Man is a part of his environment and man, in a reverse kind of gratitude, has done more to damage it than has any other ecological inhabitant. Man, however, has in his power the means not only to destroy his environment but also to shape it to his needs and to his ultimate benefit.

As President Johnson said in his Great Society speech 13 months ago: "It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor." And the President has repeatedly stressed—in his special messages to the Congress this year—his determination to create a wholesome environment as one of the indispensable steps toward better health in the Great Society.

To achieve this end, therefore, our goals must remain constant: to provide our people with clean air, water, food, working places, and neighborhoods; to harness our chemical environment to serve man's welfare without threat to his health; to link the workplace with the home and community as sources of vitality and strength. In today's world, a healthful environment is a basic social objective. Environmental health is a positive concept, designed not only to protect but to promote increasing levels of good health.

But before we can begin to make improvements in our environment we must know more about it: We must know what it is like today, what is happening to it, what we must do to repair the damage that has been done and then, the ultimate step, raise it to levels of health and beauty hardly imaginable a generation ago and barely discernible today.

Certainly we must build our knowledge of our environment and the solution to its problems on more research. The Clean Air Act of 1963, for example, was adopted overwhelmingly by the Congress in recognition of the need for knowledge about the sources, nature, and effects of air pollution.

AIR POLLUTION

Only within the last decade has science begun to gather precise knowledge about air pollution. Research has demonstrated that there is a link between air pollution and such major respiratory diseases as asthma, bronchitis, emphysema, cancer, and possibly, I am told, the common cold. If no other basis existed, this alone would indicate that the Nation's control efforts should be greatly increased. But the deleterious effects of polluted air are not confined to the human respiratory system. Plants, animals, agriculture, and property also suffer the effects of air pollution costing this country many billion of dollars each year.

In my State of West Virginia, sulfur dioxide from sulfur-containing fuels severely damages vegetation and many kinds of structural materials. I am pleased to report, however, that industries using fuel oils and coal for heat and power are currently studying ways to control this kind of pollution, with the help of the Public Health Service.

The air pollution problem of today is quite different in character from the smoke pollution of our industrial cities in the 1930's. Smoke has actually diminished in many urban areas. But the contemporary air pollution problem is not the result of smoke alone; it is produced by a vast array of gaseous pollutants, of fumes, dusts, and vapors which issue from our houses and factories, our motor vehicles, and our incinerators. Though smoke pollution may, in fact, be in some places less of a problem than it once was, air pollution is today a serious and growing threat to public health and welfare.

The Clean Air Act places great emphasis on the need to apply the knowledge available to the actual control of air pollution by State and local government action. The act authorizes the use of Federal grant funds on a matching basis, to help meet the cost of projects for establishing, developing, or improving control programs in cities and States. The result of the grant program in less than a year has been an unprecedented expansion in State and local air pollution control efforts amounting to over 50 percent.

In West Virginia, as a case in point, the Federal Government has awarded a grant of nearly $85,000 to improve the operation of the State air pollution control commission, with informal commitments of $92,000 for each of the next 2 years. At the University of West Virginia, the Public Health Service is providing financial support for an air pollution training program. The Service also has two contracts with the State air pollution control commission for conducting field operations of an air pollution survey in Mullens. The Air Pollution Control Commission and the Service are also conducting an air pollution study in a 50-mile stretch of the Kanawha River Valley that should be concluded some time next spring.

The United States has entered a new era of opportunity for substantial progress toward the goal of cleaner air. Although technical obstacles exist, they are being overcome. Although local and State air pollution control agencies, where they exist, are all too often underbudgeted and understaffed, the Clean Air Act now paves the way for increased activity by these agencies, and for setting up programs where there now are none.

WATER POLLUTION

It is not enough to meet the problems of our changing water environment as they arise. We must try to anticipate them. The Federal Government, through the Public Health Service, and working with the States, has begun to develop comprehensive water pollution control programs in 8 of the 20 major river basins in the country, and hopes eventually to cover all 20. In West Virginia, water pollution control funds are being used for comprehensive studies of the Kanawha River Basin and the Upper Ohio River Basin. These are long-range programs designed to protect present and future water uses.

In 1963, for the first time in our history, we as a nation were building waste treatment plants at a rate that would have enabled us to catch up with our backlog—if the momentum had been maintained. The $820 million that communities spent in 1963 would have been enough to wipe out municipal pollution within a very short time. But, in 1964, after the funds for the accelerated public works programs became exhausted, building of waste treatment plants slumped below $600 million—and below the level needed to keep abreast of the problem.

Even with this slowdown, municipalities have built more than $3 billion worth of waste treatment plants since 1956. And for each $1 of Federal money spent, the communities have spent more than $4 of their own. This program has helped to clean up more than 50,000 miles of waterways in areas serving more than 50 million people. Legislation being considered in this session of Congress would expand and stimulate this construction program.

Meanwhile, research is moving ahead in the field of water pollution control. Nine special research laboratories are being planned and built, with four of them ready to go into full operation by the end of this month. In addition, more money is being made available by Congress for direct research and research grants than ever before: over $10 million in the fiscal year beginning July 1.

OCCUPATIONAL HEALTH

The health problems of workers illustrate very aptly the interrelatedness of all environmental health hazards. The worker is the first to be exposed to most of the chemical and physical hazards which later pose a threat to the general population. In addition, I am told that there is a growing indication that occupation may directly contribute to the incidence of various chronic or deteriorating diseases previously believed to be entirely unconnected with work exposure.

A long-range study of uranium miners conducted by the Federal Government, for example, has revealed a direct relationship between high radiation exposure and lung cancer. The Government has just concluded a 2½-year study of chronic chest disease among bituminous coal miners in the Appalachian area of West Virginia, Ohio, Kentucky, Tennessee, Alabama, and Virginia. It has also begun a long-range study of asbestos workers in a number of New England plants to learn if there is a relationship between exposure to asbestos and other diseases, notably lung cancer. Any potential health damage connected with asbestos may extend to hundreds of thousands of craftsmen who work with this material—particularly in the building trades.

According to the findings of the bituminous coal mining study, one of every 10 miners working in the Appalachian soft coal fields is afflicted with a lung disease known as coal workers' pneumoconiosis. Medical surveys of two West Virginia communities, Mullens and Richwood, support the conclusion that coal workers' pneumoconiosis results from job exposure.

Despite the progress made in occupational health over the past 50 years, many of the Nation's workers are being exposed to insidious health damages generated by technologic change. Thousands are still inadequately protected from occupational diseases as old as industry itself. The total effect of the occupational environment upon the health and productivity of workers and their families can only be guessed at. If the Federal Government is to discharge its responsibility for the health of workers, an all-out effort must be made to keep pace with American technology.

Laboratory and field research must be unified to successfully gage the effects of interrelated factors on the worker's health. The current study of coal miners' pneumoconiosis demonstrates the need for basic research into the causes, effects, prevention, and socioeconomic implications of respiratory diseases. Other studies can measure and isolate the effects of other environmental factors on the same population. The establishment of the Appalachian Clinical Center for Occupational Respiratory Disease at West Virginia University is a step in the right direction.

Research in many areas related to the work environment must be increased to keep pace with the size and complexity of our great American industry. In addition to keeping up with the new chemicals and materials introduced into industry every day, scientists must investigate the effects of such physical factors as noise, vibration, light, heat, cold, humidity, air pressure, and electromagnetic energy. Other areas in need of investigation include the relationship between work and chronic disease; the socioeconomic effects of disease and disability caused by work; the influence of environment on fatigue; industrial absenteeism and its causes.

Almost two-thirds of America's work force is employed in small plants—with less than 300 workers. These workers often lack adequate environmental controls and medical services in their work places. Either at the Federal level or the State or local level, some provision must be made for protecting these workers from job-related ills.

RADIOLOGICAL HEALTH

An essential first step in developing public health measures against radiation is the comprehensive, continuing measurement of radioactivity levels in the environment, not only from fallout, but from other sources, such as nuclear reactor operations, uranium mining and milling, and the widespread use of radioisotopes in medicine and industry. Many Federal, State, and local agencies play a part in this surveillance.

The Federal Government maintains a nationwide watch over total exposure of the population to radioactive materials. In cooperation with State and local health departments and other official agencies, the Government operates an "early warning" atmospheric radiation surveillance network; a comprehensive pasteurized milk monitoring program; and well-established networks for general air and water pollution monitoring. In addition, there is an institutional diet sampling program to measure radioactivity in the total diet and a number of highly specialized regional radiological health laboratories.

To take West Virginia as an example again, in Charleston there are air and milk surveillance stations and a total diet sampling program. There is also a water pollution monitoring station at Winfield Dam, on the Kanawha River, and in Huntington, which is on the Ohio River.

Through such Federal-State-local surveillance programs, health authorities can be constantly kept aware of radioactivity levels in the environment and be prepared to take action if necessary. There is no doubt that public health activities relating to radiation exposure will continue to grow with increased use of radioisotopes, X-ray, and power reactors. Reduction and control of the exposure will require a continued emphasis on research, surveillance, and training of health personnel.

SOLID WASTES

Every day, we as a nation dispose of half a billion pounds of solid wastes—from discarded cans to discarded cars—which litter the countryside, offend our senses, harbor vermin, and menace health. Burning open dumps pollute the air, and seepage of acids and other contaminants into the soil pollutes our ground water supplies.

The annual outlay by our communities for public collection and disposal of solid wastes is over $1.5 billion. This amount is exceeded only by community expenditures for schools and roads. In addition, the amount spent for private collection and disposal services is over $1.3 billion. Thus the total spent on public and private services is $2.8 billion a year; yet, we do not have, today, enough usable data on how to best dispose of solid wastes in ways which are economically feasible and which do not unnecessarily pollute air, soil, or water. Considering our accelerating rate of technological and economical growth, the future threatens to bury our cities in their own waste products, unless we find ways to control the threat.

In West Virginia, our solid waste disposal problem is complicated by rugged terrain, industrial concentrations, and strip-mining operations. In the industrial section of Charleston, the capital of the State, a new $1.5 million municipal incinerator was put into operation last year to handle the city's growing waste load. And the University of West Virginia takes pride in the fact that its school of engineering was the first in the country to introduce a graduate course in solid waste engineering.

We are spending nearly $3 billion a year for solid waste disposal services but we are spending practically nothing for research into the underlying problem. Total expenditures for research in the area of liquid wastes are about $10 million a year. In contrast, the total amount of research money spent for solid wastes collection and disposal does not now exceed $500,000 a year from both Government and private sources. In other words, funds spent for research on liquid wastes each year are at least 20 times that spent on solid wastes.

Bills now pending in the Congress, if passed, would give us a determined national assault on the solid wastes problem. The pending legislation—starting with $10 million to $20 million a year—would provide for a comprehensive program of research, demonstrations, surveys, and technical assistance, and would provide for grants to assist States in carrying out the program.

OTHER AREAS

There are more environmental health problems I would like to discuss, like safety of public drinking water, private water and sewage disposal systems, pesticides in milk and food, and so on—all key elements in the complex matrix of our environment, all acutely related to our health and well-being—but time is running short.

Just let me close on a note of pride that West Virginia was selected as the site of a specialized Appalachian regional environmental health facility, to be located in Morgantown, on land donated to the Department of Health, Education, and Welfare by the University of West Virginia.

There, some day, about 200 scientists and supporting personnel will carry out research and training programs related to the special environmental health problems of Appalachia, such as acid mine draining, the burning of waste piles near mines, the occupational diseases associated with mining, community development—including the environmental problems of water, sewerage, and refuse disposal—and sanitation of recreation areas.

But more than that, the facility has potentialities for research into environmental health conditions applicable to the entire Appalachian region. Granted that its initial efforts will be modest and related to pressing, specific needs, but the potential growth into other environmental health activities peculiar to Appalachia seems to me to be clear.

For instance, prolonged economic depression in Appalachia has produced in its wake a number of very serious environmental and health problems directly or indirectly stemming from poverty. There is a large backlog in such areas as nutrition, housing, sanitation, education, welfare, and others related to a lowered socioeconomic status. Respiratory diseases are known to be prevalent in the Appalachian area. While this is particularly true among coal miners, these diseases are by no means confined to that group. And even in coal miners, factors other than mining experience are believed to play a part in the incidence of disease. The extent to which severe weather conditions, inadequate housing, poor nutrition, and low hygienic levels enter into the cause or aggravation of respiratory diseases needs to be examined further. The investigation of specific diseases needs to be supported by systematic examination of the broad environmental health picture.

The Appalachian area has suffered heavily from uncontrolled exploitation of its natural resources. Waters are polluted by domestic and industrial wastes and from erosion and acid mine drainage. Atmospheric pollution has resulted from a range of activities, from combustion of fossil fuels, burning coal mines, and burning culm or bob piles. The land surface has in many areas been denuded of trees, eroded, and despoiled in other ways. Many of these problems are under study at present. Largely lacking, however, are concerted and coordinated attacks on atmospheric pollution and programs designed to improve land quality and land use.

I am told that the problems of community water supply and sewage in Appalachia are not, in many respects, typical of the conventional environmental sanitation situation. The quality of surface waters is questionable and the adequacy of ground water resources suspect.

One of the major potentials of Appalachia is in the development of outdoor recreation areas. The Appalachian sector of the continent abounds in wooded mountains, lovely valleys, lakes, and streams. Hunting, fishing, bathing, and boating are major activities in many places—some privately operated, some by the State, some by the Federal Government. But the untapped resources of the region for the development of a recreational industry have yet to be systematically explored. Of course, the development of an outdoor recreation industry means access roads, housing, and all the perquisites of community sanitation to meet the population load. This takes us into environmental health planning for land and water uses, and basic safeguards against milk-, food-, and water-borne illness, communicable disease, and insect vectors. As a representative of the people of West Virginia, I would welcome such a program in our State. While I am on this subject, I would like to applaud the State of Arkansas and the Public Health Service for their joint effort in planning and holding the first regional conference on Recreation, Sanitation, and Safety in Little Rock last month.

Robert Shaidnagle, chairman of the National Association of Travel Organizations, reported at the regional conference that never before in this country's past has there been such a future for tourism. He pointed out that one of the top three revenue producers in each of the 50 States is the tourist dollar, which multiplies at least three times as it passes through the economy of the State. Here certainly is a challenge worth considering.

CONCLUSION

When I try to synthesize the meaning of environmental health—in all its awesome complexity—I think of a passage from the state of the Union message delivered by the President before a joint session of the House and Senate on the evening of January 4. That passage is: "We do not intend to live in the midst of abundance, isolated from neighbors and nature, confined by blighted cities and bleak suburbs, stunted by poverty of learning and an emptiness of leisure."

I do not intend to and I am sure you do not either.

PROPOSED REPEAL OF SECTION 14 (b) OF THE TAFT-HARTLEY ACT

Mr. ERVIN. Mr. President, one of the soundest commentators upon contemporary affairs is Alan Newcomb, Public Affairs Director of WBTV, Charlotte, N.C.

On June 14, 1965, Alan Newcomb made some penetrating comments upon the proposal to repeal section 14(b) of the Taft-Hartley Act. What he had to say on this subject merits the thoughtful consideration of all Members of the Congress. For this reason, I ask unanimous consent that a copy of his broadcast on this subject be printed at this point in the body of the RECORD as a part of my remarks.

There being no objection a copy of the editorial was ordered to be printed in the RECORD, as follows:

REPEAL OF 14(b)

One of the best commentaries on right-to-work laws was the testimony of a union man, a member of the Order of Railway Conductors, who told the House Labor Subcommittee that good labor unions do not need compulsory membership, and bad ones do not deserve it.

That interpretation agrees with the testimony of a parade of North Carolina witnesses, led by Gov. Dan Moore, who argued against repeal of section 14(b) of the Taft-Hartley law, which allows States to outlaw the union shop.

All of the North Carolina witnesses emphasized that every person has the right to free choice to join or not to join a union, and, that a man's living should not be taken away from him because he exercises his free choice.

Freedom of choice is the very essence of civil rights. It is hard to understand why the same liberals who are ready to fight for the right to vote in Alabama seem indifferent to the same principle when applied to a man's right to earn a living.

Voting is an expression of free choice. The liberals are battling for it, demonstrating for it, sitting in for it. But, when a man asks for free choice in the matter of how he chooses to make his living, these same liberals have no encouragement for him.

Yet the right-to-work principle would be guaranteed by article 23 of the Universal Declaration of Human Rights, drawn up by the United Nations Commission on Human Rights, and spoken of with such reverence by the liberal establishment that sometimes it seems they would be willing to substitute it for our own Bill of Rights. That article says nothing about compulsory union membership as a condition of employment.

On the contrary, it indicates that membership shall be optional. It says, "Everyone has the right to form and to join trade unions for the protection of his interests," It does not say that he must join. It leaves the choice to him.

President Johnson evidently had the civil rights aspect in mind when he supported Taft-Hartley in his Senate campaign of 1948, voted to override President Truman's veto, voted against repealing 14b, and in 1960 supported the Texas right-to-work law.

As C. P. Street of Charlotte told the House subcommittee, repeal of 14(b) would make the United States the only country this side of the Iron Curtain putting the power of the National Government behind compulsory unionism. In the Soviet Union everyone who works is required to join a labor union; but, since the government becomes the guardian of the unions, they in turn become the instruments of the state. That is the very condition against which organized labor in the United States has been fighting.

The rights and privileges of a private organization should never be superior to those of the individual citizen.

THE PEACE CORPS

Mr. McGEE. Mr. President, recently I received a letter from a retired Sheridan, Wyo. schoolteacher, Miss Ruth R. Kent, who is now serving as a Peace Corps volunteer in Mzuzu, Malawi. In this letter she enclosed a composition written by a young girl in the fifth form of the secondary school in which she teaches.

This poignant essay, better than many more learned documents, sets forth some of the reasons why the Peace Corps has been such a success and why it has been so appreciated in those countries where Peace Corpsmen serve. This little girl, seeking both to understand the English language and the purpose of the Peace Corps, says in a simple phrase that attests to the humanitarian feelings that characterize this organization and many other of mankind's more rational moments when she says:

> The Peace Corps are also devoting themselves by leaving their country and going to unknown places. They suffer all sorts of things for their friends' sake.

This young lady titles her composition "The Man I Would Like To See." That man is the man who, in her words, "gave the idea of forming the Peace Corps group and sending them out."

The man who originally conceived this idea now serves as Vice President of our land, and I know he, too, will be touched by this essay, but there was another man who gave this idea form and substance and inspiration. John F. Kennedy lived long enough to see this dream a reality and we now can see in testimony such as this composition the worth of this idea and its meaning to America and to the world.

There have been many eloquent eulogies in the year and a half since the death of John Kennedy, but few can match in meaning and feeling this brief essay by a small girl in another land.

Mr. President, I ask unanimous consent that this essay, whose author's name, unfortunately, I do not know, be printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

The Man I Would Like To See

I would like to see the man who gave the idea of forming the Peace Corps group and sending them out.

The forming of the Peace Corps group shows that this man loves other nations as his own Nation. Like the name peace, he is showing to us that they want to be united to other nations and have peace between them.

This man has made countries which were not civilized to be civilized. He has made people understand that we are all one nation and that is by sending Peace Corps groups to certain parts of the world.

Some countries are too hot and mostly unfavorable for white settlement, but due to the good idea of this man, you hear that there are Peace Corps working in such places.

There are many countries which were lacking either teachers or doctors or any other of the sort but with the help of the Peace Corps, those countries are helped a lot.

Each year you hear of new teachers of the Peace Corps group coming and when they arrive, they are distributed to all parts of the country. For example, last year there came many Peace Corps who were distributed to many secondary schools and colleges. Our school which was one of the schools lacking teachers, had some of them.

This sending out of people to help, is making other countries to realize how much they should also help others and that is by sending their people to help in undeveloped places. This is shown by the Germans who when they saw what the American man did, thought it to be a good idea.

The Peace Corps are also devoting themselves by leaving their country and going to unknown places. They suffer all sorts of things for their friends' sake.

The most important reason why I would like to see this man is to ask him how he got the idea of forming the Peace Corps group and how he made it to be successful since we did not know all the places his people were to stay.

RESERVE REQUIREMENTS

Mr. ROBERTSON. Mr. President, in order that the viewpoint of Dr. E. Sherman Adams, vice president, First National City Bank, New York, N.Y., concerning the reserve requirements of the Federal Reserve Board may be adequately presented, I ask unanimous consent to have printed at this point in the Record his letter to me of June 14, which is in the nature of a reply to the letter from the Chairman of the Board of Governors of the Federal Reserve Board heretofore printed in the Record on June 7.

There being no objection, the letter was ordered to be printed in the Record, as follows:

First National City Bank,
New York, N.Y., June 14, 1965.

The Honorable A. Willis Robertson,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: If I may, I should like to comment on the reply which you recently received from the Honorable William McChesney Martin, Jr., Chairman of the Board of Governors of the Federal Reserve System, in response to your request for his comments regarding my recent speech on member bank reserve requirements, and which you had printed in the Congressional Record on June 7 (p. 12693).

Chairman Martin's letter states that in my speech, I frankly espoused the view that the best cash reserve requirement for member banks is "simply the lowest requirement—or, in the case of savings accounts, no requirement at all." I would prefer to summarize my view in this regard as being that cash reserve requirements should not be substantially higher than can be justified from the standpoint of the effective functioning of monetary policy. I quoted with approval a statement in the 1964 report of the Canadian Royal Commission on Banking and Finance that reserve requirement ratios "should not be set far above the level which a well-managed institution should maintain in any event." I believe that a substantial proportion of monetary economists would agree with these propositions.

As for my advocating the elimination of the reserve requirement on savings accounts, I again have plenty of company, including the Commission on Money and Credit, the American Bankers Association, the Advisory Committee to the Comptroller of the Currency, and many economists and central bankers. This requirement serves no useful purpose and clearly discriminates unfairly against member banks as compared with other competing institutions, including nonbanks, which are not compelled to maintain such a reserve against comparable accounts. To the best of my knowledge, the Federal Reserve does not contend that this situation is equitable nor that this reserve requirement contributes significantly to the usefulness of monetary policy.

In commenting on my suggestion that in designing a graduated system of reserve requirements on demand deposits based on size of bank, two categories might be preferable to three, Chairman Martin's letter states that this "would necessitate a much greater redistribution of required reserves than * * * envisioned in the report of the President's Committee (on Financial Institutions)." The phrase "redistribution of required reserves" plainly implies a reserve structure that would result in increases in required reserves for some banks as well as decreases for others. I would certainly not advocate such a high level of reserve ratios that a large number of banks would be subjected to higher reserve requirements than at present. I therefore read Chairman Martin's statement to mean that the President's Committee contemplated maintaining a relatively high reserve requirement ratio for larger banks. This does nothing to dispel the fear mentioned in my speech that a three-category system might discriminate rather heavily against larger banks.

Chairman Martin points out that the use of two categories instead of three would be "very welcome from the viewpoint of the present reserve city banks" and this is true, of course, for the simple reason that existing reserve requirements on demand deposits are especially burdensome for these banks. Again, I am far from being alone in advocating that this discrimination be corrected. I would also like to point out that the proposed elimination of the reserve requirement against savings deposits would be considerably more helpful, in general, to country member banks than to reserve city banks. In addition, as stated in my speech, I would have no objection to giving preferential reserve treatment to small banks provided that this does not tend to perpetuate unjustifiably high requirements for other banks.

In the concluding paragraph of his letter, Chairman Martin mentions several ideas which I gather he feels some persons might infer from my speech and which he characterizes as being "unreasonable" or "illusory." I would agree with his appraisal of these ideas and would like to point out that they are not contained in my speech.

It may perhaps have some significance that Chairman Martin does not say that either he or the Reserve Board would be definitely opposed to my suggestion for having two categories instead of three in a graduated system of reserve requirements. However, in view of the light his letter sheds on the thinking of the President's Committee, it may be that the attainment of a two-category structure outlined in my speech, must be regarded as a distant objective to be attained by a series of stages over a period of years.

Sincerely yours,
E. Sherman Adams.

CONTROLS ON MAIL COVERS

Mr. LONG of Missouri. Mr. President, yesterday saw two actions which will go far in eliminating abuses of privacy with respect to our mail.

One action was the announcement by Postmaster General Gronouski of new, rigid controls on mail covers. If it is necessary for us to have mail covers at all, the new system under which they will be administered shall eliminate many past abuses. In this regard, I cannot praise too highly the cooperative spirit of General Gronouski. In paying this tribute, however, I should add that I have told General Gronouski that our Subcommittee on Administrative Practice and Procedure is a continuing body and we will watch carefully in the future to see if the abuses have been and continue to be eliminated. Furthermore, I personally feel that we should investigate further the desirability of banning mail covers altogether or, at least, putting General Gronouski's regulations into statutory form. In this regard, I am asking the senior Senator from Texas to proceed with his hearings on S. 973, the bill to ban mail covers.

The second event yesterday which might be regarded as a small victory for the people was the Senate vote of 87 to 1 on the Williams amendment flatly banning the opening of first-class mail by the Internal Revenue Service. If this amendment is accepted by the House of Representatives and the President, no action on S. 1886, our separate bill to the same effect, will be necessary. However, if the amendment is lost, I shall ask Senator Yarborough to proceed with consideration of this bill.

Also, I shall issue an invitation to the senior Senator from Delaware to appear before the Subcommittee on Administrative Practice and Procedure and relate his experiences with tampered mail. It is possible that the IRS is not the only agency that is tampering with first-class mail. We expect to get to the bottom of all of these invasions of privacy just as quickly as we can.

Mr. President, I ask unanimous consent to have printed in the RECORD the press release of General Gronouski and his new regulations.

There being no objection, the press release ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT—GENERAL RELEASE No. 73

Postmaster General John A. Gronouski today announced a new policy establishing more rigid controls and closer supervision over the use of mail covers as investigative and law enforcement techniques.

The new regulations, to be published in the official Postal Bulletin this week, are in accordance with agreement reached by the Postmaster General and Senator EDWARD V. LONG in an exchange of correspondence. The correspondence followed a series of meetings between representatives of the Senate Subcommittee on Administrative Practice and Procedure, of which Senator LONG is chairman, and the Postal Inspection Service.

"The new procedures are designed to protect a beneficial investigative and law enforcement technique from any possible abuse," Postmaster General Gronouski said. "I believe the new regulations will fully protect the rights of the innocent, while providing assistance in bringing to justice those who would prey upon the innocent."

A mail cover is the process by which a record is made of any data appearing on the outside envelope or wrapper of mail, in order to obtain information in the interest of protecting national security, locating fugitives from justice, or obtaining evidence of commission or attempted commission of a crime.

The new regulations prohibit the placing of a mail cover without the approval of the Chief Postal Inspector or the Inspector in Charge for the region in which the cover is requested. The request must be in writing and must show reasonable grounds to justify the cover.

Postmasters will not be permitted to authorize mail covers under any circumstances. Previously, postmasters were permitted to authorize mail covers in cases involving fugitives on the request of properly identified officers of the law.

Only the Chief Postal Inspector or the Postal Inspector in Charge may approve mail covers when there is reason to believe the subject or subjects are engaged in any activity which would violate any postal statute. Previously, such covers could be ordered by postal inspectors, if covers were regarded as essential to obtain necessary evidence.

Postal Inspectors in charge must submit copies of all requests for mail covers to the Chief Postal Inspector, together with reports of action ordered in each instance, for final determination by the latter.

Any data concerning mail covers shall be made available to any mail cover subject in any legal proceeding through appropriate discovery procedure.

The retention period for files and records pertaining to mail covers is increased from 2 years to 8 years.

No mail cover will include matter mailed between the mail cover subject and his known attorney-at-law.

Except in cases involving fugitives, no mail cover will remain in effect when the subject has been indicted for any cause. If the subject is under investigation for further criminal violations, a written request must detail the necessity for a new mail cover.

The Chief Postal Inspector will retain custody of all reports issued pursuant to a mail cover.

The new regulations define a crime as "any commission of an act or the attempted commission of an act that is punishable by law by imprisonment for a term exceeding 1 year."

The amended regulations are effective immediately upon their publication in the Postal Bulletin.

Representatives of the various Federal law enforcement agencies met with Chief Postal Inspector Henry B. Montague and his staff today for a briefing on the new procedures.

MAIL COVERS

POLICY

It is hereby declared to be the policy of the Post Office Department that rigid controls and supervision be established with respect to the use of mail covers as investigative or law enforcement techniques. In order that this policy be effectively promulgated, implemented and enforced, the following regulations are adopted.

SCOPE

The following regulations hereby establish the sole authority and procedure for the initiating, processing, placing and using of mail covers. Any other regulations inconsistent or in conflict with these regulations are of no effect for postal employees.

DEFINITIONS

For purposes of these regulations, the following terms are hereby defined:

"Mail cover" is the process by which a record is made of any data appearing on the outside cover of any class of mail matter, including checking the contents of any second, third or fourth class mail matter as now sanctioned by law, in order to obtain information in the interest of (a) protecting the national security, (b) locating a fugitive, or (c) obtaining evidence of commission or attempted commission of a crime.

"Fugitive" is any person who has fled from the United States or any State, territory, the District of Columbia or possession of the United States, to avoid prosecution for a crime, to avoid punishment for a crime or to avoid giving testimony in a criminal proceeding.

"Crime," for purposes of these regulations, is any commission of an act or the attempted commission of an act that is punishable by law by imprisonment for a term exceeding 1 year.

"Law enforcement agency" is any authority of the Federal Government or any authority of a State or local government one of whose functions is to investigate the commission or attempted commission of acts constituting a crime.

AUTHORIZATIONS—CHIEF POSTAL INSPECTOR

The Chief Postal Inspector is the principal officer of the Post Office Department in the administration of all matters governing mail covers. And he may delegate by written order any or all authority in this regard to not more than four subordinate officials within his Bureau.

The Chief Postal Inspector, or his designee, may order mail covers under the following circumstances:

1. Where he has reason to believe the subject or subjects of the mail cover are engaged in any activity violative of any postal statute.

2. Where written request is received from any law enforcement agency wherein the requesting authority stipulates and specifies the reasonable grounds that exist which demonstrate the mail cover is necessary to (a) protect the national security, (b) locate a fugitive, or (c) obtain information regarding the commission or attempted commission of a crime.

3. Where time is of the essence, the Chief Postal Inspector, or his designee, may act upon an oral request to be confirmed by the requesting authority in writing within 2 business days. However, no information shall be released until an appropriate written request is received.

POSTAL INSPECTORS IN CHARGE

All postal inspectors in charge, and not more than three designees pursuant to delegations in writing, may order mail covers under the following circumstances:

1. Where he has reason to believe the subject or subjects are engaged in an activity violative of any postal statute.

2. Where written request is received from any law enforcement agency of the Federal, State, or local governments, wherein the requesting authority stipulates and specifies the reasonable grounds that exist which demonstrate the mail cover would aid in the location of a fugitive, or that it would assist in obtaining information concerning the commission or attempted commission of a crime. Excepting fugitive cases, any request from a Federal agency for a mail cover and the determination made shall promptly be transmitted to the Chief Postal Inspector for review.

3. Except where mail covers are ordered by the Chief Postal Inspector, or his designee, request for mail covers must be approved by the postal inspector in charge, or his designee, in each district in which the mail cover is to operate.

4. Where time is of the essence, the postal inspector in charge, or his designee, may act upon an oral request to be confirmed by the requesting authority in writing within 2 business days. However, no information shall be released until an appropriate written order is received.

LIMITATIONS

1. No persons in the postal service, except those employed for that purpose in dead-mail offices, may break or permit breaking of the seal of any matter mailed as first-class mail without a search warrant, even though it may contain criminal or otherwise unmailable matter, or furnish evidence of the commission of a crime.

2. No mail covers shall include matter mailed between the mail cover subject and his known attorney at law.

3. No officer or employee of the postal service other than the Chief Postal Inspector, or postal inspectors in charge, and their designees, are authorized to order mail covers.

4. Excepting mail covers ordered upon subjects engaged, or suspected to be engaged, in any activity against the national security, or activity violative of any postal law, no mail cover order shall remain in force and effect for more than 30 days. At the expiration of such period, or prior thereto, the requesting authority may be granted additional 30-day periods under the same conditions and procedures applicable to the original request.

5. No mail cover shall remain in force longer than 120 days unless personally approved for further extension by the Chief Postal Inspector.

6. Excepting fugitive cases, no mail cover shall remain in force when the subject has been indicted for any cause. If the subject is under investigation for further criminal violations, a new mail cover order must be requested consistent with these regulations.

RECORDS

1. All requests for mail covers, with records of action ordered thereon, and all reports issued pursuant thereto, shall be deemed within the custody of the Chief Postal Inspector. However, the physical housing of this data shall be at the discretion of the Chief Postal Inspector.

2. The postal inspectors in charge shall submit copies of all requests for mail covers

to the Chief Postal Inspector, together with reports of the action ordered thereon.

3. If the Chief Postal Inspector determines a mail cover was improperly ordered by a postal inspector in charge or his designee all data acquired while the cover was in force shall be destroyed, and the requesting authority notified of the discontinuance of the mail cover and the reasons therefor.

4. Any data concerning mail covers shall be made available to any mail cover subject in any legal proceeding through appropriate discovery procedures.

5. The retention period for files and records pertaining to mail covers shall be 8 years.

REPORTING TO REQUESTING AUTHORITY

Once a mail cover has been duly ordered, authorization may be delegated to any officer in the postal service to transmit mail cover reports directly to the requesting authority. Where at all possible, the transmitting officer should be a postal inspector.

REVIEW

1. The Chief Postal Inspector, or his designee, shall review all actions taken by postal inspectors in charge or their designees upon initial submission of a report on a request for mail cover.

2. The Chief Postal Inspector's determination in all matters concerning mail covers shall be final and conclusive and not subject to further administrative review.

BALTIC STATES: A TRIBUTE

Mr. MUNDT. Mr. President, the world at the mid-1960's is a troubled world. Wherever we turn, we come face to face with crises, human suffering, and political upheaval. It takes a stout heart to feel optimistic about the main thrust of world events today. The main cause of our concern is, of course, communism. I do not say that if communism as a philosophy of life were to end tomorrow all would be well with the world. Unfortunately, mankind has never been totally inwardly directed toward altruistic ends. Yet, it cannot be denied that communism presents the greatest problem for mankind, and until the free world is determined in the cause of anticommunism our problems will surely multiply.

During this month, Mr. President, we commemorate the 25th anniversary of the Soviet conquest of the Baltic States. This commemoration comes at a most fortuitous moment, for in the past months the cold war has seemed to reach a new height of tension, creating as a consequence concern and frustration growing out of failure to dissolve some of the great issues of the cold war. The summer of 1963 may have been the summer of hope for many, but the summer of 1965 is in every sense a summer of discontent for all mankind.

I said that this commemoration during this month is fortuitous. I say this because the seizure of the Baltic States demonstrated to the world the ferocity of Soviet communism when its leadership was once bent upon conquest of contiguous territories. Soviet armies crossed the Baltic frontiers. They conquered these genuinely peace-loving Baltic peoples. The Soviet leaders destroyed all free institutions in the Baltic States; they imposed their Soviet model of government; they imposed their Communist economic system; they reconstructed the Baltic States according to the norms, the attitudes, and the structure of Soviet ideology. In a word, they reduced the Baltic States to the condition of colonialism.

In this summer of 1965 it is well for us to recall the awful truth of this Soviet conquest; for it is in facing reality that we can best chart our own course in the future.

We delude ourselves, Mr. President, if we believe that the Soviets have ceased their drive for world conquest.

We delude ourselves, if we persuade ourselves that the Soviets do not seek our destruction and the destruction of all free societies.

For those who dispute this eternal verity, I would suggest that they consider the fate of the Baltic peoples.

PROPOSED AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. KENNEDY of Massachusetts. Mr. President, on June 9 my distinguished colleague from Maryland [Mr. TYDINGS] appeared before the Immigration Subcommittee of the Judiciary Committee to testify in support of S. 500, a bill to amend the Immigration and Nationality Act. I found Senator TYDINGS' testimony both excellent and informative and I think it important that it be placed in the RECORD for the benefit of other Senators. I ask unanimous consent that this testimony be included in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE HONORABLE JOSEPH D. TYDINGS, U.S. SENATOR FROM THE STATE OF MARYLAND, BEFORE THE IMMIGRATION SUBCOMMITTEE OF THE JUDICIARY COMMITTEE

Senator TYDINGS. Mr. Chairman, members of the committee, thank you for giving me this opportunity to express my views on a subject that has long been of concern to me; namely, the abolition of the national origin quota system as the controlling factor in our immigration laws.

The last four Presidents of the United States have asked the Congress to reform our antiquated and discriminatory immigration laws, but to no avail.

It is my sincere hope that this Congress will realize how inconsistent our immigration laws are with the principle of equality of opportunity—the principle upon which this Nation was founded. How full of hypocrisy we are when we extol the virtues of the Declaration of Independence and our Constitution, and still base our immigration laws on the principle of racial superiority.

It is significant, Mr. Chairman, that we have in this area a divergence between our policy and our practice. On the one hand, our professed policy is to base immigration on racial factors, but in practice we often diverge from this policy.

The Congress has passed many pieces of legislation making exceptions to our discriminatory immigration laws. Indeed, about two-thirds of all the immigrants admitted to this country during the past decade have been nonquota immigrants. I think, however, that the time has come for us to make our laws consistent with our practice and our heritage.

As our late beloved President Kennedy had written, the very concept of quotas based on national origins, with the implicit assumption that one nationality or race is superior to another, is "an anachronism" that neither satisfied a national need nor accomplishes an international purpose."

Have we forgotten that the very name America was given to our continent by a German mapmaker, Martin Waldseemueller, to honor an Italian explorer, Amergio Vespucci? In his book, "A Nation of Immigrants," President Kennedy reminds us that the three ships that discovered America flew the Spanish flag, sailed under an Italian captain, and included as members of their crews an Irishman, a Negro, an Englishman, and a Jew.

Have we forgotten that we are a nation of immigrants? Is it not time that we realized that discrimination in immigration is just as alien to our ideals as discrimination within our national boundaries?

Last year the Congress took a great step to eliminate racial discrimination against American citizens here at home—at least so far as the law is concerned. This year the Senate has already passed a bill to do away with the last remaining obstacles to the attainment of the right to vote. I hope that 1965 will also bring the eradication of intolerance toward those who seek shelter on our shores, and who, until they have actually sought entrance, have looked upon this country as a refuge and a haven from intolerance.

Our Secretary of State has often remarked at the embarrassment caused our Nation in the conduct of foreign policy because of the existing immigration laws.

It is important to recognize that the pending bill will not increase the number of authorized immigrants. It will not open the floodgates or swamp our labor markets with unskilled workers. The number of authorized immigrants under the President's bill will remain the same as it is today. But instead of allocating this quota on the basis of race, it will allocate the available spaces on the basis of individual worth and the contribution which the individual can make to our society and our economy.

I believe that immigration on a nondiscriminatory basis will enhance and invigorate our economy, our society, and our culture. Immigrants and their descendants have been responsible for almost all that is America. In every endeavor, from the world of music to the world of art, of politics, of scholarship, of commerce and industry, immigrants and their children have left their indelible mark on our Nation.

Among our great scholars there are few names as revered as those of Albert Einstein, Enrico Fermi, and Edward Teller. Retired Supreme Court Associate Justice Felix Frankfurter was an immigrant.

In the industrial world, the name Andrew Carnegie means steel, John Jacob Astor, fur; Charles Fleischman, yeast; Igor Sikorski, aviation; Alexander Graham Bell, the telephone.

Jazz, our Nation's unique contribution to the world of music, began as the music of slaves, unwilling immigrants from the shores of Africa.

The first symphony orchestra in this country, which became the New York Philharmonic, began as an orchestra of immigrants. Later, under the direction of another immigrant, Arturo Toscanini, it continued in its tradition of musical excellence.

In the face of the great contributions to our society which immigrants have made in the past, and can make in the future, is it not time that we acted on our knowledge of the realities of our immigration system, and on the realization that discrimination is alien to everything that America stands for?

Mr. Chairman, I hope, I sincerely hope that we can pass this bill so that our laws can conform to our needs, to our traditions, and to our ideals.

Senator KENNEDY. Senator TYDINGS, once again your testimony is effective, thoughtful, and responsible. It will be of great help to the members of this committee in considering S. 500.

I would like, if I may, to ask you a few questions. One of the points which has been raised a number of times by those who have reservations or who have expressed opposition to S. 500 is that it is difficult to assimilate those of other cultures and other backgrounds—those with other histories and other languages—into the fabric of our society. I think that Maryland has had a fine record of tolerance, understanding, and acceptance of different nationalities and races. I am wondering, as the Senator from that State, if you could give us the benefit of your own observations as to whether those who have come from foreign backgrounds or traditions have been able to play an important role in their communities? Have they been good citizens? Have they been law abiding? Have they been accepted and integrated into their society?

Senator TYDINGS. Mr. Chairman, let me begin by saying that Maryland was founded as a proprietary colony under a grant of Cecilius Calvert, Lord Baltimore, with the very thought of providing a haven, an area where persons could colonize or settle free from fear or religious persecution.

We in Maryland I think are justly proud of our Articles of Religious Toleration which were adopted. I think the first in this hemisphere.

As Maryland developed—particularly from about the middle of the 19th century on—a great many of those who sought haven in our shores came from Italy, Greece, and from the areas which you mentioned, the south of Europe. I think they have made a tremendous contribution to our community, to the community of Maryland, Baltimore, in many, many ways.

Very recently Thomas d'Alessandro, the son of an Italian immigrant, served as the mayor of Baltimore for three terms, a very progressive mayor I might say, a man who started many projects which are now reaching fruition in Baltimore City, including the Charles Center. He brought the Baltimore Colts, the Baltimore Orioles to the city. He did many fine things.

Many of our outstanding leaders in business and industry are those of southern European heritage. If you campaign or if you travel in Baltimore, you will find still many areas of this great city, the monumental city, where grandsons or great-grandsons or sons of immigrants still are proud of their ethnic traditions and the customs of their forebears.

One of the joys of campaigning was the opportunity in the same day to dance Polish polkas at a Polish hall, go to a German society dance, dance a few German waltzes, go to a celebration of the Greek-American Democratic Club, and finally wind up in one of the wonderful restaurants down in Little Italy, as we affectionately call that area of Baltimore where many Italians still make their residence, to enjoy some of the wonderful food which they are justly famous for.

So I would think that Maryland is a shining example of the contribution which has been made in our country by descendants of persons with, say, south European backgrounds or origins.

Senator KENNEDY. One of the other repugnant factors of the present legislation is the Asian Pacific Triangle which describes an area of geography stretching from Pakistan on the west to Japan on the north and down through the Southern Pacific Basin. This area is allowed quotas of only 100 for each one of the included countries.

Moreover, current law states that the racial factors of people who come from those countries, even though they might, for example, be citizens of another country, dictates, the quota to which they are chargeable.

Do you agree that the importance of this legislation, S. 500, is that it makes clear that race is a factor to be eliminated as a criterion for entrance into the United States, and substituted for race would be considerations of the individual's worth?

Senator TYDINGS. I think the Senator has touched on, in my judgment, the heart of the bill. I think the abolition of this arbitrary quota system which is based on race and the insertion in lieu thereof of the worth of the individual regardless of the color of his skin or where he happens to come from is really the reason why I am so strongly in support of the bill.

I might add just by way of comment that my family doctor in Havre de Grace, Md., Ed Loo, was born in China. One of my young son's closest friends in the Aberdeen Elementary School is a young boy whose father was born in Korea. I realize the background and the history of the time when these immigration laws were adopted, but I think they were unwise, tremendously unwise then, and I think that today they are just completely inexcusable. Why if a man can make a great contribution—a doctor, a writer, a scientist, or a scholar—the fact that he should be from China, India, or somewhere from the Far East, that he should be kept out, when we arbitrarily bring anybody in from northern Europe whether they can make a contribution or not, merely because the quota of northern Europe is not filled, just does not make sense.

Senator KENNEDY. Just on that point, the importance that this bill places on skills is also a factor which I think is something that you would support.

Senator TYDINGS. I think that is tremendously important.

Senator KENNEDY. Recognizing that there are some places in our economy today where there is a need for skills, and that it would be helpful to many aspects of our economy to have the kind of trained people that could come in.

Senator TYDINGS. As a matter of fact, just to divert again, because the medical profession is something with which I am vitally concerned because Baltimore is a traditional medical center, if it were not for medical students in this country from Africa, India, South America, and other places outside of our Nation, our hospitals could not do nearly the job they are doing today. Of course that is another problem.

But I merely point out that you can go to Johns Hopkins University Hospital, and I am sure to the New England Baptist Hospital, any hospital you should happen to be taken to if you are ill, and you will find a great deal of reliance is placed on medical students, interns, trainees, residents, who are from other countries and who are not here under any quota system, but who are merely here on temporary visas to study.

But these are the type of persons, skilled persons, that we very much need in our society today.

Senator KENNEDY. Senator, we appreciate your testimony. I want to thank you very much for taking the time to come before us.

Senator TYDINGS. Thank you very much for your kindness and courtesy, Senator KENNEDY.

COOPERATIVE EFFORTS AT FEDERAL AND LOCAL LEVELS—SPEECH BY VICE PRESIDENT

Mr. SYMINGTON. Mr. President, the U.S. Conference of Mayors held last month in St. Louis was privileged to hear an address by our eloquent champion of the art of self-government, the Vice President of the United States, HUBERT H. HUMPHREY.

As the main artery between the administration and local governments, the Vice President skillfully performs a task of increasing importance.

In his St. Louis address, Mr. HUMPHREY discussed the cooperative efforts of Federal and local levels of government needed to meet the problems of our expanding urban population.

His characteristically clear and penetrating analysis of these problems will be of interest to every Member of this body.

I ask unanimous consent to have printed at this point in the RECORD the text of the Vice President's address of May 31 to the U.S. Conference of Mayors in St. Louis.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It is indeed a privilege and pleasure to be with you in St. Louis this afternoon. As principal liaison between the administration of President Johnson and our local governments, I wish to express my deep appreciation to the U.S. Conference of Mayors for its fine cooperation in the important work of strengthening the creative partnership between your National Government and the thousands of municipalities across this Nation.

I have already met with many of you at our recent conferences in Washington and I look forward with great enthusiasm to broadening this relationship in the months and years ahead.

As one who has served in local government—as mayor of Minneapolis, Minn.—I believe I have some appreciation of the important role played by local government in our Federal system.

You are the people who come face to face with the tough daily problems of the relations of government to the people.

And make no mistake about it, when the people think of government, they are primarily thinking of that government which touches their lives—the police and fire departments, the health and transportation services, the education and cultural facilities, and, yes, even the property taxes and the sales tax.

No nation in the world has had as much experience in self-government as ours. If there is one area of human activity in which we can claim superior knowledge and greater experience, it is in the field of representative government. I salute those public officials—elected and appointed—who serve on the front line of public service and who go unappreciated and unrewarded all too often.

In our conference for mayors in Washington, in President Johnson's legislative program being considered by the 89th Congress, in the myriad decisions which are made daily by our Federal departments and agencies, we are attempting to hammer out intelligent responses to some fundamental questions about our evolving Federal system:

What should be the appropriate roles of the Federal, State, county, and local Governments in terms of the social, economic realities of the 1960's?

Can we devise methods and procedures whereby the unique capabilities of each level are used to the fullest?

Will each segment of our Federal system be prepared to allocate the human and economic resources necessary to make democracy work in these challenging times?

In seeking answers to these questions, one fact stands out above all others: The respective levels of government in the American system are partners in a common enterprise. In our democracy, people are the masters at all levels. For this reason, I have never understood why some people seem determined to drive a wedge between the people and their government at any level—Federal, State, or local.

Today the American Federal system is confronted with responsibilities of truly staggering dimension.

We know that the world's population will double by the year 2000. Within 10 short years the United States alone will have 30 million more people.

We know there will be nearly 6 million more people living within the Boston-Washington corridor. And we know that less than 20 percent of the population will live outside our urban areas.

This distribution of population will produce not only the growth of individual cities but also the expansion of sprawling urban areas along the east coast, the Great Lakes, in Florida and the Gulf States, in California and the Northwest, between St. Louis and Chicago, and elsewhere. Our growing population needs roads, houses, jobs, police and fire protection, water and sewer services, parks and recreational areas, transportation facilities and the whole range of essential services which comprise good government in the 20th century.

The Johnson administration is determined to work closely with our States and localities in meeting these pressing needs. There are, for example, two major programs of assistance currently pending before the Congress of special interest to our municipalities.

The first bill, now very close to floor action in the House of Representatives, calls for establishment of a new Department of Housing and Urban Development.

You, as representatives of our great cities, deserve a voice at the highest level of Government—in the Cabinet.

Many of you individually, and through the U.S. Conference of Mayors, have worked for passage of this vital legislation. I respectfully urge you to continue these efforts until the bill becomes law.

The other major bill is the housing and urban development bill of 1965. Passage of this legislation is essential if we are to have resources at hand which will permit local governments to meet their needs of an expanding population.

What does this legislation provide?

It would provide a way of rehabilitating older housing, so vital in rebuilding and preserving our neighborhoods.

It would give you money to pay a large share of the cost of water and sewer facilities to meet foreseeable urban growth.

It would increase the Federal share of assistance to 50 percent of the cost of buying land for parks and other open space needs. The bill would provide funds to buy downtown sites, clear them of old buildings, and improve them for parks and similar use.

And this bill calls for a new program of rent supplements to help those with below-average incomes who are unable to find decent homes on the private market.

The rent supplement program will help older people, those in slums, and those displaced by public building activity to move into decent homes at rents amounting to no more than 25 percent of their incomes.

Regrettably, the rent supplement program is being attacked on some curious and conflicting grounds. Some charge it competes with public housing—but it does not. It is designed to complement the resources of public housing, by permitting church, union, and other nonprofit sponsors to provide urgently needed housing units—built and operated by private firms.

Passage of these two important pieces of legislation will surely strengthen the creative partnership which exists among all levels of American government.

These programs represent only a small part of our total involvement with the problems of people and the cities and towns in which they live.

In our Washington conferences we have emphasized the partnership among Federal, State, and local governments in waging the war on poverty, in eliminating discrimination and prejudice, in restoring the slums and ghettos, in beautifying our cities and our highways, in reducing crime and violence on our streets, and in providing adequate education and job opportunities for all people, regardless of race, color, or creed.

We recognize that no single level of government possesses the financial resources necessary to combat these problems successfully. Indeed, in the past 10 years State and local debt has more than doubled while the Federal debt has risen only 15 percent. During the same decade, State and local public expenditures have doubled and interest on State and local public debt has increased by 250 percent.

These figures demonstrate the willingness of our State, county and local governments to assume a greater share of our common burden. This commitment to meet by our localities to meet these complex problems of Government surely deserves explicit recognition and commendation by the citizens of this Nation.

These figures also illustrate why we cannot afford waste in any form. In particular, we cannot afford the waste of human resources associated with discrimination and inequality of opportunity in the areas of education, housing, and jobs.

Last week President Johnson announced a program to deal with one major area of waste, the massive unemployment existing among our boys and girls between the ages of 16 and 21. The Department of Labor estimates that 2.2 million young people will be actively seeking employment in the coming summer.

The President has asked that Federal, State, and local governments, and private employers, join forces this summer in a massive youth opportunity campaign.

This campaign is seeking to develop work and training experiences for at least a half million of these young people who would otherwise remain unemployed.

We have instructed every Federal department and agency to provide one training opportunity this summer for every 100 regular employees on the payroll—a total of 25,000 training opportunities. If similar programs are conducted by State and local governments, an additional 30,000 job opportunities can be provided this summer.

The U.S. Employment Service is establishing a special Youth Opportunity Campaign roster which will provide young people to fill these job and training opportunities.

I hope you can give this Youth Opportunity Campaign your personal attention and strongest support. A special proclamation would be an effective way to launch the campaign in your cities. Also, I urge you to marshall the business community, labor, and various public agencies, and civic and religious organizations in our cities to participate actively in providing job opportunities and work experience for our young people this summer.

We are also involved cooperatively in President Johnson's job development program. This program calls for the creation of 10,000 new permanent jobs each month in service and related fields.

I am arranging conferences between officials of the Labor Department and many of the mayors to develop procedures for implementing the job development program in your local communities.

In all these activities we are merely demonstrating our faith that man does possess the courage, wisdom and determination to govern himself.

And never forget—the Great Society will be a product of all levels of our Federal system laboring together in pursuit of this common goal. Not Federal against State, county against municipality, but one free people joined in common cause to give new and richer meaning to our lives in this blessed land.

ORDER OF BUSINESS

Mr. HARRIS. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

Mr. MANSFIELD. Mr. President, will the Senator yield to allow us to complete the morning business and then be recognized?

Mr. HARRIS. I yield for that purpose.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

TEMPORARY INCREASE IN THE PUBLIC DEBT

Mr. MANSFIELD. Mr. President, I move that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 8464) to provide for the period beginning July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of the bill.

RICE EXPORTS BY UNITED ARAB REPUBLIC

Mr. HARRIS. Mr. President, I ask unanimous consent that I may speak for not to exceed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Mr. President, on Thursday last the Senate rose to its highest responsibility in the field of foreign relations under the Constitution. The Senate adopted by a vote of 73 to 13 an amendment to the foreign aid bill to prohibit aid of any kind to Indonesia and the United Arab Republic "so long as they continue to commit aggression."

The rationale of that amendment, which I authored, was that this country should show itself before the world as a country which refuses aid and comfort to any nation which threatens the peace and security of the world by engaging in or preparing for aggression.

The amendment applies to Public Law 480 food-for-peace sales, as well as aid under the Foreign Assistance Act, and well it should.

A further argument for cutting off this type of aid is pointed up by a recent report concerning the United Arab Republic.

The New York Times of Tuesday, June 15, 1965, carried an article written by Hedrick Smith from Cairo.

The article reports:

> U.S. officials were in dispute today over whether the United Arab Republic had violated its economic aid agreement with Washington by stepping up rice exports last year primarily to Communist customers.

The fact that rice is easily substituted for wheat is pointed up by the fact that, this year, Public Law 480 wheat sales to Brazil by the United States are surprisingly lower than was anticipated, primarily because of increased rice production and consumption in Brazil.

Thus, what is happening in the United Arab Republic is that they have been receiving wheat from us and selling their rice to Communist countries.

There is no dispute about this fact. As the New York Times reports:

> According to official statistics, the Egyptians received about $175 million worth of American surplus food last year and earned $70 million from its rice exports.

The only dispute, according, to the report, is whether the rice sales by the United Arab Republic exceeded the 33 percent of its total rice crop permitted by our agreement with them.

The point of my remarks, however, concerns the second paragraph of the report, which states:

> The 3-year-old aid agreement permits Cairo to ship rice to Communist nations, including China and Cuba, even though Washington has its own trade embargoes against these countries.

At a time when there are $37 million in food sales remaining under our agreements with the United Arab Republic and daily newspapers carry reports that additional such agreements are under discussion between the United States and the United Arab Republic, the facts pointed out in the Times article should be well understood by our people.

Mr. President, I ask unanimous consent to have the New York Times article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 15, 1965]

CAIRO'S RICE EXPORTS STIR U.S. AID CONTROVERSY

(By Hedrick Smith)

CAIRO, June 14.—U.S. officials were in dispute today over whether the United Arab Republic had violated its economic aid agreement with Washington by stepping up rice exports last year primarily to Communist customers.

The 3-year-old aid agreement permits Cairo to ship rice to Communist nations, including China and Cuba, even though Washington has its own trade embargoes against these countries.

But the agreement does restrict the amount of rice the United Arab Republic can ship overseas in any year. The Egyptian Government agreed to this provision to assure Washington that it would not use large shipments of American surplus wheat to feed its population and then turn around and increase sales of its own domestic food products abroad.

According to official statistics, the Egyptians received about $175 million worth of American surplus food last year and earned about $70 million from its rice exports.

Some experts here estimate that Cairo exported about 40 percent of its total rice crop during the 1964 marketing year—October to November—whereas it agreed under the quota system with the United States to restrict its exports to about 33 percent of the total crop.

More than half of the 1964 exports went to Communist nations. The Soviet Union was the most important customer followed by Cuba and several East European countries.

According to economic experts one reason for the increased Egyptian sales to these countries was the sharp cutback in Chinese rice shipments to Moscow and its satellites in 1962 and 1963 apparently as result of the Chinese-Soviet ideological rift.

Other sources said that East European governments also urged Cairo to deliver more rice last year because the Egyptians were falling behind in their trade agreements with Communist countries.

Because Cairo has in recent months published three different sets of official statistics on its rice production and exports, the American community here has been debating for weeks whether the Egyptians have or have not violated their pledge to limit rice exports.

The pledge was made in a letter from the Egyptian Ambassador, Mostafa Kamel, in Washington to Secretary of State Dean Rusk on October 8, 1962, in which Mr. Kamel said Cairo promised that American wheat shipments would "not increase the availability of rice for export by the United Arab Republic." The 3-year aid agreement expires this month.

Although the embassy has made official inquiries about the rice situation this spring, it is understood that it has not made any official complaint because of the confusion over statistics.

Under a sliding scale established by the aid agreement, the Egyptians were permitted to export 455,000 metric tons of milled rice providing its total rice production reached 1.4 million metric tons. This is about one-third of the total crop. The metric ton is approximately 2,205 pounds.

According to official statistics confirmed by the import figures of other nations and regarded as most reliable, the Egyptians exported about 40 percent of her rice crop in the 1964 marketing year. These figures show exports totaling 589,000 metric tons of a total crop of 1,465 million metric tons. Other statistics show smaller percentage of exports, roughly within bounds of quotas set up in aid agreement.

Economic analysts said the United States was normally the leading supplier of rice to the Arab world, but that Cairo's increased sales in 1964 put it second to the United States.

Mr. HARRIS. Mr. President, the facts reported in this article represent further and stronger argument in favor of the amendment to restrict aid to the United Arab Republic which was adopted by the Senate last Thursday.

I certainly hope that these additional facts will be also taken into account by the conference and that it will not permit the deletion or weakening of the amendment to the foreign aid bill.

TEMPORARY INCREASE IN THE PUBLIC DEBT

The Senate resumed the consideration of the bill (H.R. 8464) to provide for the period beginning July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

Mr. BYRD of Virginia. Mr. President——

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, the bill before the Senate (H.R. 8464) raises the statutory limit on the Federal debt by $4 billion—from $324 billion to $328 billion. The administration originally requested $329 billion, but has acceded to the $1 billion reduction as made by the House of Representatives.

I voted against the bill in the Finance Committee, and I shall vote against it here on the floor. Both of these votes are in the nature of a protest against what I regard as unsound Federal fiscal policies, which I shall discuss in detail within the next few days.

Under the circumstances, as chairman of the Senate Finance Committee, which considered the pending bill, I shall ask the ranking member of the committee, the Senator from Louisiana [Mr. LONG] to manage the bill today.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, would the distinguished Senator from Louisiana [Mr. LONG], who now has the floor and is the Senator in charge of the bill, yield to me briefly without losing his right to the floor?

Mr. LONG of Louisiana. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time allocated on the pending legislation be set not to exceed 2 hours, 1 hour under the control of the distinguished Senator from Louisiana [Mr. LONG] the Senator in charge of the bill, and 1 hour under the control of the distinguished Senator from Delaware [Mr. WILLIAMS], and that any requirement under paragraph 3 of rule XII for a quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, the present statutory debt limit of $324 billion is a temporary one which expires on June 30. Unless we take action to provide a new ceiling, the debt limit will revert to the permanent level of $285 billion on July 1. The permanent level will be some $32.5 billion below the actual debt outstanding on June 30. H.R. 8464, therefore, provides a temporary debt limit of $328 billion for the period from July 1, 1965, through June 30, 1966.

The level of the debt limit proposed in this bill is carefully geared to give expression to the congressional resolve that Federal expenditures be restrained while permitting the Treasury sufficient flexibility to carry out its debt management operations in a responsible fashion.

The Treasury estimates that on June 30 it will require a temporary debt ceiling of $313.2 billion. The difference between this ceiling and the ceiling required 1 year earlier on June 30, 1964, is largely accounted for by the deficit projected for the fiscal year 1965. During the coming fiscal year the level of the debt will fluctuate in a now familiar seasonal pattern. The level of the debt will increase during the first 8 months of the year since the Government expects to receive a less than proportionate share of its annual receipts during this period. The required debt limit will reach a peak on March 15, 1966. Thereafter, as end of the year taxpayments are received from individuals and corporations, the debt will be reduced below the peak level.

In formulating its debt limitation requests, Treasury takes account of seasonal variations, the level of the debt at the beginning of the fiscal year, and the need for a certain level of cash balances. They also prudently provide a small margin of contingencies. On the basis of such an analysis, the Treasury requested a debt limit of $329 billion for the fiscal year 1966. The House approved a debt limit of $328 billion. While this does not provide quite as large a margin for contingencies as it would like on March 15, 1966, the Treasury has indicated a limit of $328 billion is not inadequate.

In considering the debt limit, the budgetary outlook is important. With respect to both fiscal 1965 and 1966 that outlook is better now than it was a few months ago.

Looking first at fiscal 1965, the administration estimates that expenditures will be lower and revenues greater than was projected in January in the President's budget message. In January it was estimated that administrative budget expenditures would total $97.5 billion. It is now estimated they will total only $97 billion. Furthermore, it is now estimated that fiscal 1965 receipts will be a full $1.4 billion more than estimated in January. Thus, the budget deficit for fiscal 1965 is now estimated at $4.4 billion, or $1.9 billion less than the January estimate.

Of greater relevance to the present bill is the outlook for fiscal 1966. The administration reports that events since January have done nothing to change the expenditure estimate of $99.7 billion for the coming fiscal year. Thus, despite the stepped-up pace of our operations in South Vietnam and despite the special appropriation of $700 million Congress approved for those operations, expenditures are not expected to rise above levels previously forecast. The administration believes increased military spending can be financed from savings made elsewhere in the budget.

The receipts estimate for fiscal 1966 has been revised upward by $1 billion to a level of $95.4 billion. This is so despite the fact that the President revised upward his request for excise tax cuts above the level he requested in January. In the absence of the larger excise tax reduction, Treasury estimates that receipts would be up $1.6 billion over the January estimates. The additional excise tax cuts scheduled for January 1, 1966, in the bill approved by the Senate yesterday, while they will reduce revenues by $1.7 billion on a full-year basis, will only reduce fiscal 1966 revenues by $600 million. So the January estimate of a fiscal 1966 budget deficit of $5.3 billion is now reduced to a figure of $4.3 billion, even though the excise tax cuts scheduled for the fiscal year are considerably larger than first expected.

I would like to point out to my colleagues that the excise tax cuts scheduled for fiscal 1966 are approximately twice as great as the cuts expected in January primarily because the administration asked for such reductions. The major revenue differences between the bill passed by this body yesterday and the measure proposed by the President concerned tax cuts scheduled for 1967 and later years.

The larger temporary debt ceiling provided in this bill is not required simply because excise taxes will be reduced. Indeed, it is quite likely that, if excise taxes were not reduced, Congress would be required to approve an even larger increase in the debt ceiling before the year was out.

The excise tax reduction will help to keep the economy rolling. It will help to offset scheduled increases in social security taxes and provides an important cushion against other disturbances. Experience suggests that a recession breeds the greatest deficit and, therefore, requires the largest increases in Federal debt. The excise tax cut, by promoting continued high levels of economic activity, promises to speed the day when the budget will be balanced and the temporary debt ceiling will not have to be increased. In this connection, it is significant that the increase in the temporary debt ceiling requested by your committee for the full fiscal year 1966 is less than the increases required in the past several fiscal years. For example, in both the fiscal years 1962 and 1963, it was necessary to raise the debt limit by $7 billion while during the fiscal year 1964, it was necessary to raise the debt limitation by more than $7 billion. Thus, the $4 billion increase requested this year is the lowest in several years. It reflects the fact that with the help of prudent fiscal policies the Nation's economy is prospering to an extent that promotes the steady advance toward a balanced Federal budget.

It can also be pointed out that recent increases in the size of the Federal debt have been relatively minor compared to increases in the debt of individuals and corporations and the debt of State and local governments.

To serve a useful purpose, the public debt limit imposed by Congress must be a realistic one. That is, it must reflect the fact that Conrgess, through the appropriations process, largely determines the level of expenditures which the Government undertakes during a given period. Furthermore, the limit must allow the Treasury Department a certain flexibility for the purposes of efficient debt management. Such flexibility enables the Treasury Department to time its financial operations to avoid large borrowings at times when interest costs are temporarily high and it permits the Department to promote an orderly market in Government securities.

Experience suggests that if the debt limit is unrealistically low, undesirable constraints are placed on debt management, constraints which interfere with responsible debt management. For example, it is important that the necessity of interfering, even temporarily, with payroll deductions for savings bonds be avoided. Such interruptions might lead to adverse public reactions which might reduce the volume of bond sales in the long run. Moreover, other devices which would have to be used if the debt ceiling were unrealistically low would have results that were equally undesirable. If the volume of Treasury bills outstanding were reduced, the market for short-term obligations would lose important support. The interest rate would tend to fall, and this, in turn, would encourage the flow of short-term funds out of the country to foreign financial centers where higher interest rates could be obtained. Such an outflow would seriously weaken our balance-of-payments position.

If Government cash balances were reduced to an abnormally low level—since June 30, 1964, such balances have averaged nearly $6 billion—there would be important repercussions on the supply of credit in the Nation. Such balances are presently deposited in over 11,000 commercial banks located in various parts of the country. A sudden substantial reduction in cash balances would mean a reduction in deposits for many of these banks. Such a reduction would force the banks in some cases to curtail their lending operations.

Finally, if an unrealistically low debt limit led the Government to delay payment on contracts, Government salaries, social security benefits, grant to the States, and so forth, this would represent a hardship to the individuals and businesses who have a right to expect the timely payment of these amounts, and it would destroy confidence in the credit of the Government.

Clearly, then, we must avoid establishing a debt limit for the next fiscal year which is so low as to bring about undesirable interference with responsible debt management. Therefore, I urge the Senate to give prompt approval to H.R. 8464.

Mr. DIRKSEN. Mr. President, I yield myself 10 minutes.

This will probably be one of the most significant weeks in the history of this Republic, because in the space of 48 hours we shall have reduced the Government income by something in excess of $4 billion and we shall have increased the debt ceiling by almost an equivalent amount.

It would appear that expenditures chase debt and debt chases expenditures.

As I think of this bill, and the fact that the more progress we make the deeper we go into the hole, I am reminded of a group of men who were working on the street. They had dug quite a number of holes. When they got through, they failed to puddle or tamp the earth when it was returned to the hole, and they had a nice little mound, which was quite a traffic hazard.

Not knowing what to do with it, they sat down on the curb and had a conference. After a while, one of the fellows snapped his fingers and said, "I have it. I know how we will get rid of that overriding earth and remove this hazard. We will just dig the hole deeper." [Laughter.]

So we are digging the hole deeper all the time. I do not know where we shall land, or how deep the hole will be before we are through.

Mr. President, this is an exercise in fiction that we go through nearly every year with respect to the debt ceiling.

The permanent debt ceiling is $285 billion. That has been the permanent ceiling for quite a number of years. The proposal is for a temporary increase. There have been many temporary increases. The process has been going on for years. I do not know how much longer it will continue. I suppose using the word "temporary," in the language of the Apostle Paul, expresses faith, hope, and charity. But I do not know that anyone is too hopeful about solving the public debt problem and finally making some inroads on the size of it.

In one of Guy Bolton's plays the old uncle came to visit. He intended to spend a weekend and stayed for 17 years. The proposal is a temporary increase in the debt ceiling, but the first thing we know it may be "temporary" for 17 years or more.

I do not know exactly what is to be done about it, but it becomes a rather interesting game. First, we raise expenditures and then we discover that we have run out of money. Then we have to lift the debt ceiling. After a while we spend more of what we do not have and then we raise the ceiling again.

I like the fiction in the appropriation bills. Every one of them starts with the statement, "There is hereby appropriated out of funds in the Treasury not otherwise appropriated."

I think it is wonderful. There has not been anything in the Treasury that has not been appropriated for so long that the memory of man runneth not to the contrary. So up the expenditures and up the debt; then when we catch up with the debt ceiling, we shall raise it. Then we spend more to catch up with the new ceiling.

It is a great little business. I am reminded of a man who had a balky mule that lay down on the pavement. He would not budge. Any amount of punishment made no difference. At long last the fellow built a fire under the mule and that did not seem to help.

A veterinarian came along and said, "What is the matter Sam? Can't you do anything with this mule?"

The man said, "No."

So the veterinarian took his syringe and gave that mule a squirt in the hind quarters. Up the mule got and bounded down the road lickety split. The owner looked at the vet, looked at the departing mule, and said, "Doc, how much was that?"

The veterinarian replied, "10 cents."

The owner said, "Here is 30 cents. Give me two shots so I can catch that mule."

So up goes the debt, and expenditures come up to meet it. Up goes the debt and expenditures come up.

I am not very cheerful about it because the Secretary of the Treasury told us yesterday that in the year 1966 we would have another deficit.

So, Mr. President, we shall have to put one more tally in the book. I do not know how many there are; I have lost count. Who knows—before too long we may run out of tallies. Ever so often we speculate as to when the debt will be paid off. Hope springs eternal. It makes a good political issue, to say the least. I am reminded of the former chairman of the House Foreign Affairs Committee of late and lamented memory, who was quite a friend of mine.

One time in the House of Representatives he told me a story about a proposition that a teacher put to a boy. He said, "Johnny, a cat fell in a well 100 feet deep. Suppose that cat climbed up 1 foot and then fell back 2 feet. How long would it take the cat to get out of the well?"

Johnny worked assiduously with his slate and slate pencil for quite a while, and then when the teacher came down and said, "How are you getting along?" Johnny said, "Teacher, if you give me another slate and a couple of slate pencils, I am pretty sure that in the next 30 minutes I can land that cat in hell."

If some people get any cheer out of a $328 billion debt ceiling, I do not find very much to cheer about concerning it.

After all, there is only one way to make a reduction in the debt, and that is to cut down expenditures. We would develop a surplus, and out of that surplus we would pay off on the debt. That procedure is as good for government as it is for a private citizen, and vice versa. But so long as we are spending money that we do not have, the debt will go up.

I recognize that people make demands on government for new services, new goods, new enterprises, and new projects. The Congress is responsive to those demands. So there is no particular place on which one can put the finger of culpability. We are all in the boat together. That is often true of organizations which belabor us every once in a while, calling for some herculean effort to reduce the debt. But it is very simple.

Mr. President, I was in Congress when the so-called Legislative Reorganization Act of 1946 was enacted. I was one of 6 members from the House, on a joint committee with 6 Senators, constituting a committee of 12. Senator Taft of Ohio was here. We labored with the budget. We finally made a provision for a legislative budget that would involve compounding the various estimates and determining whether we would have any money left over.

If we did, we would pass a resolution and apply the difference to the debt. If we did not have anything left over, we would pass a resolution to add to the debt. I slaved over that legislative budgeting in the very first year it became effective. We had one meeting. It embraced all members of the two Appropriations Committees, the Finance Committee, and the Ways and Means Committee. The aggregate number that showed up that year was 107 Representatives and Senators. We could not do anything with such an unwieldy body.

We finally designated a small committee to handle the subject. I was on that committee. I remember when we drafted the legislative budget. It was not to be effective if there was an emergency. The interesting thing is that from the day we did it, there seemed to be an emergency. It was either in Latin America, the Middle East, Korea, World War II, or somewhere else. But always an emergency would be combed out of the woodwork, and the result was that the legislative budget was never made to stick. It was my very special baby. I gave it tender and loving care. I nursed it—only to find that the weapon of emergency gave it the death stab, and that was the end of it. We have not heard about the legislative budget on the floor of the Senate from that day to this.

Could we go back to it, it would be wonderful.

Mr. President, in saying all that I have said, I am not unmindful of the responsibility of the Treasury. Obviously, it must pay the Government bills.

If there is no money, it has to borrow to pay our current bills. There must be authority to borrow. That is precisely what is contained in this one-paragraph bill to raise the debt ceiling from $324 to $328 billion.

The Treasury cannot afford to give any creditor a bad check. It cannot act like the lady who received a notice from the bank, saying that her account was marked "insufficient funds." When her husband scolded her about it, she said, "Oh, I know what I will do. I will just give them a check for whatever the deficit is." The Treasury is in no such happy position. The bills must be paid. That is what bewilders me.

There is one other thing of which we lose sight, and that is the growing interest on the public debt. I have forgotten the exact figure, but it has to be about $12 billion now, perhaps more. Twelve billion dollars for the privilege of borrowing money from the people, $1 billion every 30 days for interest on the public debt. That is enough to scare the wits out of any frugal citizen in the land. But evidently we take it in stride.

Next year there will be another deficit. So all those who want to hope will have their hope shattered by what the Secretary of the Treasury said. There will be another deficit. How many deficits will there be after that? I do not know. How long can we operate without beginning to impair the confidence of the people? How long will it be until they become a little leery about this kind of financing?

The distinguished chairman of the committee, the Senator from Virginia [Mr. BYRD], has raised his voice year after year. I wish I could join him. For aught I know, he will probably vote against this increase. I find myself helpless.

What are we to do, Mr. President, when the man who pays the bills for the Government tells us he must have more latitude; that he must be sure that he will not be stuck with a large number of bills and no money to pay them?

One of the most amazing, startling, and wonderful things about the debt is that the people have to buy it, and they do not know it. I have talked until I was blue in the face, from one end of the country to the other. I look at an audience and say, "Be of good cheer. You are going to buy this debt." They look at me startled, as if I had hit them with a rock.

Mr. President, when you go back to Minnesota, walk into your bank. In front is a counter for the convenience of people who want to write checks and withdraw money from the bank, or for people who want to make out deposit slips and put money in the bank. In one of the cubbyholes will be a bank statement. Open it and see what are the bank's assets and liabilities. On the asset side, the very first item one encounters—or perhaps the second—will be "Cash." The next one will certainly be "Government liabilities." The liabilities, depending on the size of the bank, may be $5 million or $50 million or $100 million. Looking further, one sees "Capital and undivided surplus." He asks himself, "Where does the bank get the money to buy those Government obligations—those Government bonds?" I say they are using your deposit money to buy them. You own those bonds, because you have a little bank account.

Have you an insurance policy? How do you think the fiduciaries, the insurance companies, buy Federal bonds? They buy them with the premiums paid by the policyholders. There is no other money that they can use.

So I say to my audience: "You happy people. You are to be saluted. You are to be cheered. You ought to be enshrouded in encomiums. You deserve the grand accolade. You own the debt. You bought it with your money."

If we can ever persuade the people that they bought the hole in the doughnut instead of the doughnut, it may be that we shall start to come to our senses about this debt business and give it far more attention than it has had thus far.

So I end where I began. All hail the most significant week in the history of the Republic. Raise the flags a little higher. Yesterday we pulled down Government income by $4 billion. Today we push up the debt ceiling by $4 billion. If there is anyone who can solve the magic and the mystery of this business, I will sit at his feet as his most eager pupil and say, "Tell me, pray, what is the answer to all this mysticism?"

So I salute the Senate. I salute Congress. I salute the executive branch. I salute the Secretary of the Treasury. I salute the people. Yesterday the income came down. It came down on one elevator. Today the ceiling goes up. We can illustrate it out at the elevator. One light will have a red arrow indicating "Down." The other light will have a green arrow, indicating "Up." Take your choice.

But in this case one does not take his choice. This time, within 48 hours, we got on both elevators, the one with the red arrow and the one with the green arrow.

Mr. President, I do not know who else wants to labor this problem, but I am prepared to yield some time. This is serious business.

When I was a youngster and had to go to school in overalls, because an orphaned and widowed family could not afford anything better, if I had been a decorous boy all week, my mother used to give me a penny on Sunday. She would say, "My son, you have been a good boy. Here is a penny to spend for candy. Don't spend it all in one place."

When one has had that kind of frugal rearing, $4 billion down 1 day and $4 billion up the next day is enough to frighten him. If there is a pinch, then what?

Mr. President, if the country is ever faced with any kind of economic crisis, we know what will happen. There will be a clamor such as has never been heard before upon the machinery of Government—those who grace the executive branch, those who grace this Chamber, and those who grace the other Chamber. We shall be told: "You must do this and that." It will all cost money. I am so bold as to predict—and I am distressed to have to do it—that the deficits and the lifting of the debt ceiling may become larger than is reflected in the bill that is before the Senate this afternoon.

Having unburdened my soul, I ask, What shall we do when the paymaster of this country says, "You must raise the debt ceiling so that I shall not have to send back or hold any checks or repudiate the legitimate bills of this Republic."

I find myself compelled into a position in which I shall have to vote for it, if that is what the paymaster says.

GOLDEN SPIKE NATIONAL MONUMENT, UTAH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business (H.R. 8464) be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 317, S. 26.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 26) authorizing the establishment of the Golden Spike National Monument in the State of Utah.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 5, after the word "otherwise", to strike out "all right, title, and interest in and to such lands" and insert "such lands and interest in lands"; in line 8, after the word "national", to strike out "monument" and insert "historic site"; on page 2, line 2, after "1963.", to insert "In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the area depicted on such drawing, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged."; in line 14, after the word "National", to strike out "Monument" and insert "Historic Site"; in line 17, after the word "such", to strike out "monument" and insert "historic site"; on page 3, line 2, after the word "national", to strike out "monument" and insert "historic site"; after line 6, to strike out:

Sec. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

And, in lieu thereof, to insert:

Sec. 3. There are hereby authorized to be appropriated the sums of $118,000 for the acquisitions of land and interests in land and not more than $1,050,000 for the development of the area authorized under this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire on behalf of the United States by gift, purchase, condemnation, or otherwise, such lands and interest in lands, together with any improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site commemorating the completion of the first transcontinental railroad across the United States on the site described on a map entitled "Proposed Golden Spike National Historic Site, Utah", prepared by the National Park Service, Southwest Region, dated February 1963. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the area depicted on such drawing, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

Sec. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the "Golden Spike National Historic Site" and shall be set aside as a public national memorial. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such historic site, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

Sec. 3. There are hereby authorized to be appropriated the sums of $118,000 for the acquisitions of land and interests in land and not more than $1,050,000 for the development of the area authorized under this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BENNETT. Mr. President, all of us from Utah are very much interested in this particular piece of legislation.

In 1869, nearly 100 years ago, two crews of railroad builders were racing to meet somewhere in the Middle West. One crew started at the Missouri River. The other crew started in California. They came together on a barren promontory near the edge of Great Salt Lake in my State of Utah. They actually did not meet the first time. They crossed each other's paths because the crews were being paid a bounty and they knew that the bounty would end the day they met.

The two crews went past one another and the boys collected a little extra money. However, eventually that was straightened out and the two rails met—the Union Pacific from the East, and the Central Pacific (now the Southern Pacific) from the West at a place called Promontory in Box Elder County, Utah. After they had met, with due allowance for time in which to make arrangements, they had a ceremony on May 10, 1869 at which a golden spike was driven to mark that event. We are now looking forward to the centennial in 1969.

The point at which the golden spike was driven was selected as a historic site some years ago. However they set aside only 7 acres on which a monument could be erected.

The legislation before us today would expand the area into a large National Historic Site equivalent to a National Monument. The Senate Interior Committee has agreed that this area should be enlarged. It is proposed that sections of the original rail bed be reconstructed and that models of trains of that period be available when the centennial is celebrated.

I believe that it is very important, and very important to us in Utah, as a background for making this a historic event, that additional acreage be set aside for the purpose intended by the bill.

I have had the privilege of introducing three Golden Spike National Monument bills—one each in the 87th, 88th, and 89th Congresses. This year the National Park Service agreed to amend the monument portion of the bill, making it a national historic site which gives the area all of the benefits of a national monument. The State of Utah and those in the area agree that it does merit historic site status and I am very happy to take the lead once again today and urge the final approval of this bill so that there will be no further delay in giving golden spike the status it deserves.

I appreciate the opportunity that the distinguished majority leader has afforded for me to make this statement.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. SIMPSON. The Senator knows that the great Union Pacific runs through the entire width of Wyoming. This was on the route of the promontory. It traversed the southern part of our State. The State of Wyoming is prepared to help Utah celebrate this event at the time of the centennial.

Mr. BENNETT. Mr. President, I am sure that we shall want to bring in representatives of all the States through which these two railroads pass. In addition I would also like to invite all Members of the Senate to attend this historic centennial event on May 10, 1969.

I say to the Senator from Wyoming that we in Utah are fortunate, perhaps, because if the boys on the California end had gotten started a little earlier and had used the pioneers, as the Union Pacific did, instead of the Chinese who were imported from China for the purpose, they might have gone farther and thus necessitated the celebration of this event in Wyoming instead of Utah.

Mr. MOSS. Mr. President, this bill, S. 26, will expand the Golden Spike National Historical Site at Promontory in northern Utah from 7 acres to more than 2,000 acres, and place it under the jurisdiction of the National Park Service. A visitors' center will be constructed; wayside interpretative points will be established, and the area will be given the status it deserves. After full hearings on my bill the Interior Committee voted unanimously to report it favorably.

As every school boy knows, it was at Promontory that the first transcontinental railroad was completed on May 10, 1869. A golden spike was driven to join the bands of steel that stretched from ocean to ocean.

President Abraham Lincoln signed the bill which created and financed the Union Pacific Railway, and a great road building race resulted. The Union Pacific built the line west from Council Bluffs, Iowa, and the Central Pacific—now the Southern Pacific—built the line east. It was the greatest road building race in history.

Yet the spot where the rails met, and the golden spike was driven, is now commemorated by only a small concrete marker, fenced in by an iron railing. The marker is a natural target for gunners in the area, and is badly scarred. Seven acres in the area have been recognized by the Department of the Interior as a national historical site and is presently administered by the Golden Spike Association of Box Elder County and the State of Utah.

In 1969 we will be celebrating the 100th anniversary of the event at Promontory. The importance of that event in the history and the economic development of our Nation deserves greater recognition than the small marker now there.

This bill would upgrade the site and give it the recognition it deserves.

A significant step toward establishment of an enlarged site was taken last March when the Southern Pacific Railroad deeded to the Federal Government a right-of-way covering 730 acres containing the old roadbed.

It has been estimated that total land acquisition; that is, acquisition of private land in the proposed area, should not cost more than about $118,000. State lands would be transferred subject, of course, to in-lieu selections of comparable Federal lands in Utah, where nearly 70 percent of our lands are federally owned. The Utah State Legislature, at its recent session, created a Golden Spike Centennial Commission and authorized it to direct a centennial celebration to be held in 1969; $10,000 was appropriated for the commission's use in the coming biennium.

Utahan's, Inc., an organization of individuals and representatives of civic organizations and governmental units interested in Utah tourism, has made the Golden Spike Centennial a priority project for the years ahead.

I move that S. 26, the bill to create the Golden Spike National Historical Site, be passed.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the Secretary of the Interior to acquire lands for, and to develop, operate, and maintain, the Golden Spike National Historic Site."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 329), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION

S. 26 would create a Golden Spike National Historic Site at Promontory, 30 miles west of Brigham City in Box Elder County, Utah.

It was at Promontory that the first transcontinental railroad was completed on May 10, 1869. President Leland Stanford of the Central Pacific and Vice President Durant of the Union Pacific drove a golden spike to climax the roadbuilding race, joining twin bands of steel stretching from ocean to ocean.

This was one of our great American dreams. It welded the Union from sea to sea. The transcontinental railroad had been viewed by many as an impractical dream. But President Abraham Lincoln signed the bill which created and financed the Union Pacific Railway, and authorized the construction of a railroad and telegraph line from Council Bluffs, Iowa, to the west. Another railroad, the Central Pacific—now the Southern Pacific—was also established and financed, and it began building eastward. The result was the greatest roadbuilding race in history.

It was originally estimated it would take 12 years to build the track. The job was finished in 6½ years, mostly with hand labor. The last 10 miles of track was laid in a single day, a world record which still remains unbroken.

The railroad engineers conquered Indians, sweltering heat, subzero weather, and the seemingly unassailable ramparts of the towering Rockies and Sierra Nevadas. A heterogeneous host of workmen was used—including brawny Irishmen, pigtailed Chinese, and industrious Mormons. Success was achieved only by a veritable miracle of organization and teamwork and the unbelievable endurance of the men who laid the rails.

The "marriage of the rails" fulfilled the dream of Columbus for a shorter route to the Orient, insured possession of the entire West to the United States and began a new era of development for the Nation.

Yet the spot where this historic event took place is now commemorated by only a small concrete marker, fenced in by an iron railing. The marker is a natural target for gunners in the area—and is badly scarred. The total area involved is about 7 acres, in non-Federal ownership. It has been recognized by the Department of the Interior as a national historical site, and is presently administered by the Golden Spike Association of Box Elder County, and the State of Utah, pursuant to an agreement with the Secretary of the Interior.

In just 4 short years—1969—we will be celebrating the 100th anniversary of the momentous event at Promontory. The importance of that event in the history and the economic development of our Nation deserve greater recognition than the small marker now there.

This bill would authorize the Secretary of the Interior to acquire title of some 2,000 acres and to establish on them a Golden Spike National Monument.

The committee is convinced that if the site is improved, and made more attractive, it will quickly become a mecca for tourists and for railroad and history buffs. Interstate Highway 15, which will link Salt Lake with Pocatello, Portland, and Seattle, will pass within 25 miles of Promontory. There is already an excellent road from U.S. 15 to the site.

The 2,000 acres of the improved site would include a right-of-way donated by the Southern Pacific Railroad, consisting mostly of old roadbed, 634 acres owned by the State of Utah, and some 1,542 privately owned acres.

The expanded area would consist of: the 7-acre tract of the present historic site; the portion of the old railroad bed, which is some 15 miles long and 400 feet wide, and a 2-mile-square tract of land for use as the location of a visitors' center, and, eventually of a railroad museum where some of the relics of the area's history can be preserved.

A significant step toward establishment of an enlarged site was taken last March when the Southern Pacific Railroad deeded to the Federal Government a right-of-way covering 730 acres containing the old roadbed. However, the Department of Justice has now raised questions concerning title to this land, and this is one reason why the Congress is asked to authorize a Golden Spike National Monument, so land titles can be cleared under authority granted by the law.

It has been estimated that total land acquisition; that is, acquisition of private land in the proposed area, should not cost more than about $118,000. State lands would be transferred subject, of course, to in-lieu selections of comparable Federal lands in Utah, where nearly 70 percent of our lands are Federally owned. The Utah State Legislature, at its recent session, created a golden spike centennial commission and authorized it to direct a centennial celebration to be held in 1969; $10,000 was appropriated for the commission's use in the coming biennium.

Utahan's, Inc., an organization of individuals and representatives of civic organizations and governmental units interested in Utah tourism, has made the Golden Spike Centennial a priority project for the years ahead.

Land to be acquired	acres	2,176
Owned by the State of Utah	do	634
Estimated land acquisition costs	dollars	118,000
Development costs	do	1,050,000
Annual operating costs	do	80,000

TEMPORARY INCREASE IN THE PUBLIC DEBT

The Senate resumed the consideration of the bill (H.R. 8464) to provide for the period beginning July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from Utah.

Mr. BENNETT. Mr. President, the necessity of raising the debt ceiling has become an annual experience over the last few years.

I agree with the distinguished minority leader that we must do it. We have no choice. We cannot put the Secretary of the Treasury in a position in which he cannot pay the bills of the United States. He cannot borrow the additional money that would be needed to cover the annual deficit unless the annual deficit is matched by an additional debt authorization of approximately the same amount.

We are not meeting here because the Secretary of the Treasury has failed in his responsibilities. We are meeting here because Congress has failed in its responsibility, at least from the point of view of the Senator from Utah. We are meeting here because for only 6 out of the past 35 years have we balanced the budget. We are meeting here because there are so many attractive programs which so many of the citizens of the country say, "We would like to have such a program. We would like to have this opportunity. We would like to have this service. Never mind what it costs."

We are meeting here in part because, under the procedure of Congress, we never stop at any point to add up the total amount of money we appropriate in any one year. We authorize these programs without really knowing what they will cost.

We do not require that authors of legislation tell us how much the legislation will cost in the long run. We consider legislation in that kind of vacuum. Then we are told that we must appropriate money with which to operate the program that we have adopted. We do it. We come to the end of the session without ever knowing how much money we have appropriated. However, once it is appropriated, it must be financed.

The Secretary of the Treasury then comes along 6 months to a year later and tells us that in order to pay the bills which we have obligated him to pay, without counting the cost, he must have authority to raise the borrowing limit of the United States by an additional amount.

The thing that worries me about this is that we have reached the point in which we take it for granted, and practically no one is concerned about it. We look around the Chamber today, at a time when we are to raise the debt ceiling $4 billion. There are only a handful of Senators here. Most of us would not be here unless we were actually involved in the legislative process of handling the bill.

The fact that we can raise the debt ceiling and finance a program to which we have already committed ourselves is too easy a solution. We never reach the point in the Federal Government at which someone says to us, "You have spent all the money. You cannot spend any more."

I agree with the distinguished minority leader and with the chairman of the Committee on Finance, the gentleman from Virginia [Mr. Byrd], who is as concerned over the debt as I am. This process leaves us more or less unprotected. It leaves the taxpayer unprotected.

If by his vote anyone realized he would expose the Secretary of the Treasury to the intolerable situation in which the United States could not pay its bills, no one of us could vote against a bill to raise the debt limit. Yet, if anyone is to make any protest, the American people are entitled to believe that there are at least one or two Members of Congress who have real concern for what is happening to fiscal responsibility in this Government. So the Senator from Illinois [Mr. Dirksen] and the Senator from Utah have made this kind of explanation on the floor as the only way in which the American people can be reminded that this process is going on. They themselves are largely responsible for it when they approve programs which bring the total Federal expenditures above Federal income.

It is said that Congress holds the purse strings. This is true theoretically. Practically speaking, it is not true. At least, if we hold them, we do not hold a very tight rein on them. We put ourselves, as we recently put the Secretary, in a position in which we have no choice except to yield more and more on the debt.

I wish there were a way by which the Congress could effectively put some brakes on the process. We spend first and finance afterward. If we were private citizens, handling our own money, someone else would put the brake on us. The banks or credit departments in various retail stores would tell us, "You have all you can get. You must pay." They would tell us we must live within our income. Unfortunately, the Government does not have to do that. So today we are adopting, solemnly, a measure to make sure we pay, not for the tax decrease we voted for yesterday. We will be back next year to pay for the deficit we created yesterday. Today we are covering the deficit that occurred last year. It is an unfortunate process. I wish we could tell the Government, as our citizens would be told, "You must live within your income."

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Wyoming [Mr. Simpson].

Mr. SIMPSON. Mr. President, I subscribe to the sentiments expressed by our distinguished minority leader as well as the Senator from Utah [Mr. Bennett] save that portion of their remarks in which they said they will vote for this monstrosity. I will not vote for it, but against it; and the people should hear the reason for it. We hear on the floor and we read in the magazines, "After all, spend all the money you want. It is your money." If that is to be the philosophy, why have any tax imposed? Why not continue all deficit spending? That is the problem the American people must be confronted with if we are to save ourselves from this idiocy in the future.

Mr. DIRKSEN. Mr. President, I yield back my time.

Mr. LONG of Louisiana. Mr. President, every time a debt limit measure comes up, I have voted for it, because I believe we must pay the bills incurred by the Nation. No matter what was done in the way of appropriations or taxes, I voted for debt increases under President Eisenhower. I followed a similar pattern in President Kennedy's administration and under the current administration of President Johnson.

Every time we have had a debt limit measure before us, we have had predictions of doom and disaster. What has happened to all those predictions of doom and disaster? Here we are, the richest Nation on the face of the earth. We are the hope of the free people of the world. We are the showcase to display to the free world how a capitalistic system can operate. Still, when we have before us a proposal for a small increase in the debt limit, all kinds of gloomy predictions are made. All that has happened is that we have had 52 consecutive months of prosperity, the greatest period of prosperity in the history of any nation, including our own. We adopted a $4.6 billion tax cut yesterday. That will lead to further prosperity in this great Nation of ours.

Why we set up our books the way this Government does is something that is not clear to me. It requires $1 billion to finance exports of American goods. We do not put one nickel down on the asset side of the books, as though we owe more money than we own. The Government of the United States owns one-quarter of the acreage of the United States. It owns more greater acreage than there is in most other countries on earth. The United States owns that land; yet it is not placed on the books as being worth one penny. The Small Business Administration lends millions and millions of dollars; yet we do not put that down on the books as an asset. We own hundreds of millions of dollars worth of Navy bases, Army bases, public buildings. What do we put that down on the books as? Zero. It can be said that we are hopelessly bankrupt and that the debt will never be paid off. But if we had to mortgage the income of 190 million people, if the need arose, it would only be a mortgage on a gross national product of $650 billion a year. What do we put that down on the books as? Zero. So we do not count our assets, only our liabilities. Then certain persons want to contrive a large deficit and say that we are hopelessly in debt and that the debt will never be redeemed.

One of the big problems is that the Federal Reserve Board is carrying the debt at 4 percent interest instead of 2 percent. A reduction of 2 percent in our interest rates would put the carrying charge on the national debt at $6 billion instead of $11.6 billion, as is predicted for this year. The real problem is the high interest rates.

What is the total public and private debt? It was $1,250 billion last year. It probably is $1,300 billion by now.

If the interest rates were reduced, the poor people, those who have to borrow money, the rank-and-file people of the country would be helped. We are carrying the debt at a higher rate than need be.

The Nation is prosperous and thriving. We have had the longest period of prosperity that any capitalist nation in the world has had. I do not foresee any doom. I would like to see the national debt paid off, but I would also like to see our bookkeeping system changed so that assets would be shown instead of only liabilities. No corporation could keep its books as the Federal Government does and show itself as being anything but bankrupt. But if we want to keep our books as they presently are being kept, those with the sad faces can contrive all manner of assertion that we are hopelessly bankrupt. However, our Nation is prosperous. It will continue to be prosperous if we have sound policies and if we see to it that new purchasing power is created to buy the products and services of our tremendous productive capacity.

I am not at all distressed. I concede that the picture looks bad when one sees only a national debt of $329 billion.

I am one person who did not make it that way. That is the way I found it when I came to the Senate approximately 17 years ago. During the time I was in the service—and I believe that the present occupant of the chair and the Senator from Wisconsin [Mr. NELSON] were also in the service at the same time—most of the debt was incurred. About all we had to do was to spend some of that money fighting Germans and Japanese. It was not particularly pleasant, but inasmuch as someone thought it was necessary, we went ahead and did it. We came home to find that the Nation had incurred a great national debt. But there is nothing to be sad about. This is a great nation. This is a prosperous nation. This Nation should pay its debts. That is all this debt limit is about—to pay the debts that we incur.

We voted for a tax cut in 1964, as the minority leader has said. Another tax cut was voted yesterday with only four Senators voting against it. These tax cuts will help us keep the Nation prosperous and help the country to grow.

The economy of this Nation at the present time, without inflation, is growing by almost 6 percent a year. Think what that means. It means that in a year we shall have increased our production of goods and services by approximately $40 billion. That means $40 billion more income.

The Federal Government debt is a big debt, but that is only a part of the debt. The total public and private debt of this country is $1,250 billion, of which the Federal Government's share is only one-quarter. And our Federal Government debt is a debt we owe ourselves—Americans owing to Americans. Very little of it is held by foreign nations.

Eventually, if we wish to do so, we can pay it off. Until we get ready to do so, we can carry the debt and pay the interest charges on it.

However, I do not believe that we should downgrade this country and pretend that we are less than we are. This is the greatest nation in the history of mankind. This is the greatest free nation in the history of the world, and if we continue to operate in such a way that people can work honestly and produce goods for themselves, their neighbors, and their families, it will continue to be the great nation that it was when we arrived here.

I am proud of this great country. I shall be more proud of it if it continues to pay its debts than I would be if we should fail to pass this bill. If we fail to pass this bill, we shall be the richest nation on earth yet one which declines to pay its honest debts.

Mr. DIRKSEN. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. DIRKSEN. Granting everything that the distinguished Senator from Louisiana has said, I try to remain within the realm of reality.

We cannot go to an Army cantonment and say, "Give me a half dozen rifles" because the Government owes Joe Doaks 10 miles up the road the interest on his Government bonds, so we simply pay him off in rifles.

We cannot go out on some project and "heist" a sack of cement and say, "Bill Green has some Government bonds and we will give him a sack of cement."

We do it in the form of money. We cannot mortgage an Army base. We cannot mortgage a battleship. These things have no value for people. We deal in the domain of money, the good old hard coin of the realm which goes across the average counter in the country every day, whether it be for groceries, meat, food, or clothing—whatever it may be.

Mr. President, my friend the distinguished Senator from Louisiana overlooks the most important point of all.

When I was on the Committee on Banking and Currency in the House of Representatives many years ago, I remember that there suddenly flared in the noon edition of the papers a statement to this effect: "An unnamed White House spokesman says that this country can stand a $55 billion debt."

Marriner Eccles, of Utah, was the Chairman of the Federal Reserve Board at that time, and we were having him before the committee at exactly that time.

We said to him, "Governor, what do you think is the limit we can stand?"

I paraphrase him and believe I can do it correctly. He said roughly this: "You cannot express it in dollars. It is a psychological limit. It is that point where suddenly people become jittery, and then they start taking their money out of the banks and putting it into the old sock or under the mattress."

That is what we do when we are in trouble. People do not give one hoot as to how many naval bases or military cantonments, and that sort of thing, we have. They deal in terms of confidence and in terms of money. That is what we have always had to do.

Now we have had a long period of prosperity. In the life of the Republic and in the life of the world, 52 months is not so long. It takes only one crack to undo it.

I remember the story of an old lady who was attending a parachute school graduation, and she said to one of the graduates, "Young man, are you a graduate?"

The answer was, "Yes, ma'am."

"How many jumps do you have to complete to graduate?"

He said, "Lady, all of them."

In other words, there are no single exceptions. When that time comes, look out.

I thought the Chairman of the Federal Reserve Board did the country a service by pointing out the pre-1929 conditions and the conditions existing today.

There must be a voice in the wilderness which will say unpleasant things which people do not like to hear.

Someday, if someone were to ask me about the kind of epitaph I should like to have, I hope it will be said of me that I was willing to say the unpleasant and unpopular thing because my conscience indicates that I should.

Or, I could use an epitaph which I have recited to the distinguished Senator in charge of the bill, the Senator from Louisiana, because it was his father who told it to me on the stage of the VFW convention in Milwaukee, Wis.

He said, "DIRKSEN, do you want to speak first or last?"

I said, "Senator, I don't care when I speak."

We were chitchatting around and finally he told me this story:

There was an old fellow who in preparation for death called in his wife and suggested the epitaph he wanted to have inscribed on his tombstone. Very laboriously he penciled out a little verse and handed it to her. It read as follows:

> Remember man as you pass by
> For as you are so once was I,
> For as I am, so you must be,
> Prepare to die and follow me.

At long last he was gathered up in the bosom of Abraham. That is the polite way of saying he died. There were the usual services. Sometime thereafter she had the stone prepared to be set at the head of the grave and when it was ready the granite worker called her, and she went down to inspect it. After reflecting a few minutes she said, "Don't set it until you hear from me further." A few days later she appeared at the monument worker's shop and said, "I think I would like to have two lines added." The craftsman said, "And what are they?" She said, "I have penciled it out on an envelope and here it is." It reads as follows:

> To follow you I am not content
> Until I know which way you went.

So I am looking for direction and guidance. The only way I can get it is to offer an occasional protest.

Mr. LONG of Louisiana. Mr. President, I yield 3 minutes to the Senator from Florida.

Mr. SMATHERS. Mr. President, I strongly support H.R. 8464, which would impose a statutory limitation of $328 billion on the public debt for fiscal 1966. This recommended debt limit is $1 billion lower than that which the administration originally proposed.

Enactment of this legislation is both necessary and urgent. It is urgent because without congressional action, the present temporary limit of $324 billion will revert on July 1 to its permanent level of $285 billion. This is $32.4 billion below the estimated debt subject to limit at that time. Thus congressional inaction would result in the cessation of borrowing on June 30. Clearly, then, it is necessary for us to act to prevent even a single day's elapsing when the credit of the United States would be in doubt. Nor would it be wise to permit doubts to arise as to the ability of the Treasury to finance the Federal Government's expenditures which will arise later this year.

Specifically, the cessation of borrowing would have two immediate effects. The sale of savings bonds and payroll deductions for the purchase of savings bonds would have to be halted immediately. Second, the normal investment of trust-fund receipts in special obligations would be prevented.

All of this sounds complex and technical but, in fact, the bill I am discussing is actually a very simple one. It is our responsibility as the Congress to provide the funds required to operate the Government and to pay the bills as they come due. The only alternative is fiscal chaos. It has been customary for the annual debt limit debate to trigger a discussion of Government spending. However, the fact is that the commitment to spending is incurred when appropriations are made. Establishing a debt limit, which is the purpose of the bill before us today, neither increases nor decreases the public debt. It merely acknowledges the fact of that debt and provides for its prudent management. It is essential to good debt management that the Secretary of the Treasury be provided with sufficient flexibility to improve the structure of the debt. The proposed figure represents that necessary flexibility. It recognizes the need for an operating cash balance and a margin for contingencies, and it makes allowance for the seasonal pattern of debt fluctuation.

The proposed figure for the debt ceiling represents our estimated peak debt requirement for fiscal 1966. This peak reflects the recurrent seasonal pattern in our receipts and expenditures. During the first half of any fiscal year, the debt rises because we receive only about 44 percent of our annual revenues in the July to December period. Therefore, the Treasury must borrow heavily during those months but it is able to pay off some or all of this borrowing out of the heavy receipts which come in from mid-March to the end of the fiscal year. Thus, the debt limit figure is arrived at by adding the approximate amount of the previous year's deficit to the previous year's ceiling.

In discussing this legislation, it is important, I think, to understand the overall economic picture of which it is such an integral part. I would like to speak for a moment about the anticipated fiscal conditions for the coming fiscal year and their relation to our debt position.

Since last January, when the administration estimated expenditures and receipts for fiscal 1966, two significant changes on the receipt side have occurred which will affect the deficit. One of these changes was the recommendation of a larger excise tax reduction than had been planned in January. The second is that it is now evident that revenues will be higher than anticipated last January. At the same time, expenditure estimates for fiscal 1966 have remained the same—about $99.7 billion. This is in spite of the special appropriation for military efforts in South Vietnam and the possibility of increased military action there. The anticipated higher revenues will balance the effects of the increases in the President's recommendation for the excise tax cut over that which he originally proposed in January. And the additional reductions approved by both House and Senate will affect years after 1966. All of this means that even with the larger excise tax cut, the deficit now expected for fiscal 1966 is about $1 billion less than was expected last January.

Our deficits have shrunk in recent years. The estimated deficit for fiscal 1965 last January was $6.3 billion. The current administration estimate is now $4.4 billion and the fiscal 1966 deficit is expected to be about $4.3 billion. We are moving progressively toward a balanced budget. However, until we do eliminate our deficit, we must make allowance for our deficits in the statutory debt limitations.

The bill before you does just this—reasonably and prudently. I urge your support of H.R. 8464.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The bill is open to amendment. If no amendment is to be offered, the question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 8464) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, first I wish to express my gratitude to the distinguished assistant majority leader, the Senator from Louisiana, not only for the fine work he has done on the measure just passed, but also on the extremely excellent job he did on the excise tax legislation yesterday.

Once again he has proved himself knowledgeable in depth and a skillful manager of good legislation. I commend him for the fine, indeed, outstanding work he did.

Mr. DIRKSEN. Mr. President, I fully concur in those sentiments. He has done a skillful and masterful job. Above all, he does his homework.

Mr. LONG of Louisiana. I thank the distinguished majority leader for his compliment, and also the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN].

I pay tribute to the distinguished chairman of the Committee on Finance, the senior Senator from Virginia [Mr. BYRD]. I believe that the Finance Committee can lay claim to being the most efficient committee in the Senate. So far as our committee is concerned, we shall be ready to go home on July 1. If the distinguished majority leader can get the appropriations committees to move all the big revenue bills, the bills that pay out the money, as efficiently as we have moved in our committee on bills that cut taxes or raise money, we shall be able to go home on July 1.

Mr. MANSFIELD. I wish I could share the Senator's optimism. I am delighted to hear him say what he has said. I hope he is correct. We shall wait and see.

I join the Senator in his commendation of the senior Senator from Virginia, the chairman of the Committee on Finance. He has been most cooperative. He has done what he could to see to it that legislation referred to the Finance Committee was considered judiciously and with expedition. Regardless of his personal feelings, he has never, to my knowledge, held back legislation from reaching the floor.

Mr. DIRKSEN. Mr. President, I concur in the tribute to the senior Senator from Virginia, the chairman of the Committee on Finance. His committee is the only committee of the Senate that has no subcommittees. One is either in his seat when the full committee meets, or he does not share in the deliberations of the committee. The members are present. As a result every bill that comes before it gets the attention of all the members of the committee. I salute the distinguished chairman for the skill with which that committee under his leadership is operated.

Mr. ANDERSON. Mr. President, I wish to say to the majority leader and to the Senator from Illinois that the Finance Committee is not the only committee that deserves that distinction, because, prompted by the experience of the Senator from Virginia, when I became chairman of the Space Committee I made sure that that committee did not have any subcommittees either.

Mr. COTTON. Mr. President, I am loath to inject a sour note into this period of compliments by and between members of the committee and those who have guided the bill through the Senate.

However, I am astounded and amazed that a matter of such significance as raising the debt ceiling should go through the Senate without a yea-and-nay vote. It was my understanding last night, when I protested at having this measure appended to the tax bill as an amendment, that the Senate would have an opportunity to vote and go on record.

In the light of the eloquent remarks of the distinguished minority leader about the psychology involved in these matters, about the impression on the country, and rousing the people to a realization of where we may be drifting, regardless of the necessity or the merits of the so-called temporary increase in the debt ceiling, it is of enough psychological impact at least so that I must say I think it is a disgrace at this time——

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. COTTON. I shall yield in a moment.

It is a disgrace at this time for the Senate to act upon this significant matter without a rollcall. I had thought that a yea-and-nay vote had been ordered. I understood last night that there would be one. I want to announce that I would have cast a protest vote against raising the debt ceiling, and I want that as a matter of record.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. LONG of Louisiana. I may say to the Senator from New Hampshire that during the past several years ever since the Senator from Montana became the majority leader, my recollection has been that any Senator could get a yea-and-nay vote if he wished to insist on it. If the Senator thinks it was a disgrace to vote without having a yea-and-nay vote, all he would have had to do was to insist on a yea-and-nay vote.

We suggested the absence of a quorum before the vote. If any Senator wished to insist on it he had that right. I am sure the Senator agrees that there were enough votes to pass the bill.

Mr. COTTON. Mr. President, in reply to my friend, the distinguished Senator from Louisiana, I will say that what the Senator from New Hampshire said was not in criticism of the leadership. I am thoroughly aware of the fact that if I had realized that this was the intention all I had to do was to insist on the completion of the quorum call, and then ask for a rollcall vote.

Perhaps I have not yet succeeded in plumbing the depth of the minds of those who are ruling the United States of America at this time. But it never entered in my mind that the bill would be passed without a yea-and-nay vote. I came to the floor expecting to vote. Of course I understand that there are enough votes to pass it. In fairness I will say that I can understand that in the extremity in which we have gotten ourselves, perhaps it is necessary to raise the ceiling. Nevertheless, it must, in my opinion, shock the public mind that the Senate of the United States should place its hallmark of approval on the fiscal policies of this Government at this time by starting a quorum call and then running through a vote to increase the national debt without having a yea-and-nay vote.

I am not reproaching anyone or saying that there was any deceit or trickery about it. I am willing to say that perhaps the Senator from New Hampshire should have understood that he must be here and demand a yea-and-nay vote. I never dreamed that that was necessary. While I remain a Member of this body, if I am alive, well, and have a voice to speak, there never will be another increase in the debt ceiling without a vote.

Mr. DIRKSEN. Mr. President, I could not even find any Senators to take time on the bill. I took most of the time. Then there was a small amount of discussion on other subjects. I had to surrender the time on which we had agreed. I went to both sides and said, "Who wants a yea-and-nay vote?" I cannot be chasing Senators all over the Capitol. But to those who were present I said, "Do you wish a yea-and-nay vote? If so, you will have it. I shall get a sufficient number of Senators in the Chamber to get a show of hands and we shall have a yea-and-nay vote." But I found no takers.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. COTTON. No Member of this body is more fair and square in dealings with Senators than both the majority leader and the minority leader. I have never asked anything from the distinguished minority leader which was in his power to give me, in courtesy and kindness, that he has not given to me.

Mr. DIRKSEN. And I shall always try to do so.

Mr. COTTON. I know that and appreciate it. However, with as alert, wise, and penetrating a mind as has the distinguished minority leader, since I came to him last night and told him that I would take the floor and fight against putting through as an amendment to the tax bill, that everyone intended to vote for, as significant a measure as the proposed increase in the debt ceiling, I would have thought that he might have known that I desired an opportunity to vote against the bill. I did not want to speak on the subject.

Mr. MANSFIELD. Mr. President, will the Senator yield? I believe the best way to bring the issue to a head is to ask unanimous-consent to reconsider the bill, and I intend to do so.

Mr. COTTON. May I complete my sentence?

Mr. MANSFIELD. Surely.

Mr. COTTON. I did not wish an opportunity to speak against the bill because I realize that there is no chance to defeat it. I have never made a practice of taking the time of the Senate with useless remarks. I merely wished an opportunity to cast a protest vote.

Mr. DIRKSEN. To complete the record, what the distinguished Senator from New Hampshire has said is exactly correct. I scurried around the Senate Chamber to make sure that the two bills would be separated. But I did not know that the Senator had in mind a yea-and-nay vote on the debt ceiling bill. That results from the obtuseness and the lack of ready wit on the part of the minority leader, for which I apologize.

Mr. MANSFIELD. The Senator from New Hampshire was on the floor of the Senate and happened to leave around that time. It was purely coincidental.

Mr. President, I shall ask unanimous consent to reconsider the vote by which the bill (H.R. 8464) was passed. I believe that we are wasting too much time talking about a vote that we did not have.

Mr. WILLIAMS of Delaware. Mr. President, I recognize the importance of the bill, but I should like to point out that last night, when the Senate decided to cut taxes by $4.8 billion, it made the decision as to whether the debt ceiling would be raised. When the Secretary of the Treasury was before the committee he confirmed, to put it in blunt words, that the increase was necessary to finance the tax cut. If Congress rejects the proposed increase in the debt ceiling, I do not believe that the President would have any choice but to veto the tax cut that the Senate voted last night. Recognizing that point, I voted against the tax cut yesterday because I think it is unwise to cut taxes and finance the reduction on borrowed money, which is exactly what we are doing here today. We are raising the debt ceiling by $4 billion so that we can finance yesterday's tax cut.

Mr. President, I also voted against the tax cut. I shall now vote against increasing the debt ceiling, recognizing that if we defeat the proposed increase in the debt ceiling, we shall defeat a tax cut which in my opinion should have been postponed until we had a balanced budget. Let us balance the budget first before we start talking about cutting taxes. But let us get straight what we are doing. We cannot have our cake and eat it, too.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to reconsider the vote by which the bill (H.R. 8464) was passed, notwithstanding the fact that a motion to reconsider has already been tabled.

Mr. BASS. Mr. President, reserving the right to object, I understand that further consideration of the bill must be by unanimous consent.

The PRESIDING OFFICER. The Senator is correct.

Mr. BASS. I point out that the Senator in charge of the bill has left the floor of the Senate.

Mr. MANSFIELD. That is all right. He understands.

Mr. BASS. Does he understand?

Mr. MANSFIELD. Yes.

Mr. BASS. Will the vote be taken immediately or will further debate be in order?

Mr. MANSFIELD. The vote will be taken immediately.

Mr. BASS. If the majority leader will include in his request that the vote is to be taken immediately, I shall withdraw my reservation of objection.

Mr. MANSFIELD. The vote will take place immediately because all time has been yielded back or used.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. BASS. Mr. President, I withdraw my reservation of objection.

The PRESIDING OFFICER. If there be no objection, the request of the Senator from Montana is agreed to.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. The vote is now on passage of the bill providing for an increase in the debt ceiling limit.

The PRESIDING OFFICER. That is correct. The bill having been read the third time, the question is, Shall it pass? All time has been yielded back. On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Utah [Mr. MOSS], the Senator from Michigan [Mr. MCNAMARA], the Senator from Maine [Mr. MUSKIE], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that the Senator from Wyoming [Mr. MCGEE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

On this vote, the Senator from Georgia [Mr. RUSSELL] is paired with the Senator from Alaska [Mr. GRUENING].

If present and voting, the Senator from Georgia would vote "nay" and the Senator from Alaska would vote "yea."

I further announce that, if present and voting, the Senator from Wyoming [Mr. MCGEE], the Senator from Michigan [Mr. MCNAMARA], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] and the Senator from Vermont [Mr. PROUTY] are absent on official business.

The Senator from New York [Mr. JAVITS] is necessarily absent, and if present and voting, would vote "yea."

The Senator from Kansas [Mr. PEARSON] is absent on official committee business.

On this vote, the Senator from Hawaii [Mr. FONG] is paired with the Senator from Kansas [Mr. PEARSON]. If present and voting, the Senator from Hawaii would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 61, nays 26, as follows:

[No. 139 Leg.]

YEAS—61

Aiken
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Dirksen
Dodd
Douglas
Fulbright
Gore
Harris
Hartke
Hayden
Hill
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Nelson
Neuberger
Pastore
Pell
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Tydings
Williams, N.J.
Young, Ohio

NAYS—26

Allott
Byrd, Va.
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Hickenlooper
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Miller
Mundt
Murphy
Proxmire
Robertson
Simpson
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—13

Fong
Gruening
Hart
Javits
McGee
McNamara
Moss
Muskie
Pearson
Prouty
Russell, Ga.
Talmadge
Yarborough

So the bill (H.R. 8464) was passed.

EXPANSION OF SALINE WATER CONVERSION PROGRAM

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 307, S. 24.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 24) to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. ANDERSON. Mr. President, it is with a great deal of satisfaction that I support S. 24, the bill now before the Senate to extend and accelerate the saline water conversion program. As my colleagues in the Senate know, this is a program in which I have had a great interest for a long time. It was my privilege to introduce the present bill which was submitted and endorsed specifically by the President of the United States. The bill expands the present Federal program for research and development in the field of saline water conversion by authorizing an additional $200 million of appropriations for the period ending in fiscal year 1972. Much progress has been accomplished in the past 5 years during which the Federal Government has been operating under the Anderson-Aspinall Act of 1961. However, this year the President personally had a hand in reorganizing the Office of Saline Water in the Department of the Interior. The new Director is Mr. Frank DiLuzio, a man for whose ability and competence the senior Senator from New Mexico has a great deal of respect. This has come from a long personal association during the last 2 years of which Mr. DiLuzio served as the top staff officer on the Senate Committee on Aeronautical and Space Sciences. In addition to my high esteem for his professional ability, I regard him with a great deal of personal affection and admiration.

The reason our committee unanimously reported this bill for the full amount requested by the President stemmed from our confidence not only in the officials directing the program but in our belief that the program is so important to the future of our country that it warrants our full and wholehearted support.

In passing this bill, we are not issuing a blank check to the Department of the Interior to disburse $200 million. In fact Chairman Jackson of the Interior and Insular Affairs Committee is inaugurating a policy of requiring at least annual hearings into the state and progress of our desalination program. This thorough congressional review by the committee with legislative oversight responsibility for this program will keep Congress and the American people fully apprized of developments in this important area. In view of these two reasons: First, the new leadership at the helm of the program, and second, the guarantee of close congressional review and oversight of the program, I wholeheartedly endorse this bill and commend it to my colleagues.

I urge its speedy enactment in order that appropriate planning for the future of the program can continue.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, the Act of September 22, 1961 (75 Stat. 628), is hereby amended as follows:

(1) In section 2(b) add the words ", module, component," after the word "laboratory."

(2) In section 8 substitute the figure "$275,000,000" for the figure "$75,000,000" and the figure "1972" for the figure "1967".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 319), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of S. 24 is to provide for an expansion of the Federal program of research and development in the field of saline water conversion, through authorization of an additional $200 million of appropriations for the period ending fiscal year 1972. Under the existing program, the technology of water desalting has been advanced to the point where it promises that fresh water can be produced from the sea in large combined distillation and electric power generating plants at a cost estimated at 30 to 35 cents per thousand gallons of water, and about 3 mills per kilowatt-hour for electric power. Such costs for water, however, can only be achieved by the construction of a desalting plant about 100 times larger than any yet constructed. Such an increase in size over existing plants presents a number of engineering challenges that must be overcome before an actual operating plant can be shown to be feasible for meeting actual needs.

Substantial investments in engineering and testing of large-scale components, modules, or sections of plants will be required to show that the distillation process will actually produce the results calculated. In addition, an increase in the scale of research and development work on other desalting and demineralizing processes is desirable at this time to develop techniques that will be useful in dealing with a number of water problems in the inland parts of the Nation.

S. 24 will permit roughly a fourfold expansion of the research program. It is intended to lead, within the next few years, to recommendations for the construction of one or more large-scale desalting plants that can fill a real need through the production of water for the growing population and industry of America.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 7060) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Steed, Mr. Passman, Mr. Addabbo, Mr. Mahon, Mr. Conte, Mr. Robison, and Mr. Jonas were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 856. An act for the relief of the estate of R. M. Clark; and

S. 2089. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

LABELING OF CIGARETTES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 181, S. 559.

The PRESIDING OFFICER. The clerk will state the bill by title.

The Legislative Clerk. A bill (S. 559) to regulate the labeling of cigarettes, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 559) to regulate the labeling of cigarettes and for other purposes, which had been reported from the Committee on Commerce with amendments.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I believe that I have discussed this with most, if not all, of the interested Senators. I ask unanimous consent that, on the pending legislation, there be a 3-hour limitation, including amendments, 1½ hours to be under the control of the distinguished Senator from Oregon [Mrs. Neuberger] and 1½ hours to be under the control of the distinguished Senator from Kentucky [Mr. Morton], and that paragraph 3 of rule XII, requiring a quorum call for this purpose be suspended.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MAGNUSON. Mr. President, this may be an historic occasion; it is surely not a happy one. For we are about to label "hazardous" a product with deep roots in the American past.

Tobacco was here before our earliest ancestors came and tobacco has been a source of pleasure and profit for each generation of Americans.

Today, as in the past, hundreds of thousands of farmers and factory workers, thousands of small retail merchants, many communities, and even States live by the cultivation, manufacture, and the sale of tobacco.

No one can take pleasure in the legislation now before us.

These farmers and workers have done nothing to deserve a fate which has singled out the product on which their livelihood depends.

But the time is past for hoping that it were not so.

There remains no reasonable doubt that cigarette smoking is a significant health hazard. Fifteen years have past since the first substantial research clearly identified smoking as the cause of lung cancer and other diseases. During that 15 years, despite the frenzied efforts of the industry to exonerate the cigarette, new evidence has confirmed the verdict.

The Commerce Committee held 10 days of hearings on smoking and health. While we heard from a number of individual physicians who remain unconvinced by the evidence, we found that no disinterested medical or scientific body which has investigated the relationship between smoking and disease, has failed to conclude that cigarette smoking is a serious health hazard.

Above all, we were faced with the unanimous verdict of the Advisory Committee to the Surgeon General of the U.S. Public Health Service—the Committee of 10 physicians and scientists whose competence and whose freedom from bias has never been questioned. On January 11, 1964, after nearly 2 years of study, this select committee concluded:

> Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.

We found much had already been done.

More than 350,000 copies of the Surgeon General's Committee report have now been distributed. The Public Health Service has developed programs for public and professional smoking education and has established a national clearinghouse on smoking and health. Moreover, State and local health and education authorities, as well as the major voluntary health associations, have launched vigorous smoking education programs.

As a result, the Surgeon General was able to report on January 11 of this year that "nearly one out of four adult men had given up cigarettes."

Nevertheless, the committee was convinced that too many Americans, particularly teenagers, remain uncertain of the extent of the potential hazard in smoking and that these people will not be convinced until the Federal Government, upon which they have come to rely for cautionary labeling of hazardous substances, takes affirmative action which manifests its concern.

Moreover, while the committee believes that the individual must be safeguarded in his freedom of choice—that he has the right to choose to smoke or not to smoke—we believe equally that the individual has the right to know that smoking may be hazardous to his health.

Therefore the committee was satisfied that the public interest requires the inclusion of a fair and factual cautionary statement on every cigarette package.

Such cautionary statement should be short and direct, and should not be weakened in its impact by any qualifying adjectives, such as excessive, continual, or habitual. To this end, the committee concluded that the following factual and succinct statement should now be prescribed: "Caution: Cigarette smoking may be hazardous to your health."

To secure the necessary prominence and conspicuousness of the warning on each package, S. 559 contains language patterned on the parallel provision of the Federal Hazardous Substances Labeling Act, and requires that the warning be located on the front or back rather than on a side panel, of the cigarette package.

There was general agreement among the witnesses appearing before the committee, whether or not they favored a warning requirement on cigarette packages, that if the committee took any action in this field, such a requirement as to labeling should be uniform; otherwise, a multiplicity of State and local regulations pertaining to labeling of cigarette packages could create chaotic marketing conditions. Thus, the committee bill, by preempting the field, precludes any Federal, State, or local authority from requiring any warning statement other than that required by this bill on cigarette packages.

During the hearings, our committee heard from the former Governor of New Jersey, Robert B. Meyner, testifying in his capacity as administrator of the voluntary cigarette advertising code. Under the code, cigarette manufacturers are required to submit all of their advertising in advance of use to Governor Meyner who, acting in a judicial capacity, has the power to veto its use under the code. Governor Meyner testified that the code, which became effective on January 1, 1965, prohibits cigarette advertising in school and college publications, testimonials from athletes or other celebrities who might have a special appeal to youth, and any advertising which makes unfounded representations with respect to health. Governor Meyner further testified that, as a result of his enforcement of the code, the character of cigarette advertising has been altered since the period upon which the Trade Commission based its findings.

Considering the combined impact of voluntary limitations on advertising under the cigarette advertising code, the extensive smoking education campaigns now underway, and the compulsory warning on the package which will be required under the provisions of this bill, it was the committee's judgment that no warning in cigarette advertising should be required pending the showing that these various, but less drastic, steps have not adequately alerted the public to the potential hazard from smoking.

There was sharp disagreement, however, among the members of the committee as to the appropriate period during which the warning on the package, as well as other ongoing remedial programs, should be given an opportunity to work. There were several members of the committee, and the chairman was among them, who felt that 1 year was sufficient; others felt that 3 years, and still others that 5 years, was a more appropriate term. Several other members of the committee believed with equal conviction that the bill should prohibit permanently the requirement of a warning statement in advertising by any Federal, State, or local authority.

The committee bill effects a compromise of these divergent views, providing that no warning statement shall be required in cigarette advertising for a 3-year period from the effective date of the act.

The committee amendment also provides that—

> The Federal Trade Commission, with the cooperation of the Department of Health, Education, and Welfare, shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (1) the effectiveness of cigarette labeling, (2) current information on the health consequences of smoking, (3) current practices and methods of cigarette advertising and promotion, and (4) such recommendations for legislation as it may deem appropriate.

The Federal Trade Commission will retain its full authority, under section 5 of the Federal Trade Commission Act, to regulate unfair or deceptive acts or practices with respect to cigarette advertising; but, under the bill, the Federal Trade Commission cannot for 3 years impose the affirmative requirement that cigarette advertising contain a warning. I think that is very important.

Moreover, the committee report instructed the Federal Trade Commission to regard as an unfair or deceptive act or practice within the meaning of section 5 of the Federal Trade Commission Act any advertising which tends to negate the warning which must be placed on the package in accordance with the bill.

That is the substance of the explanation of the bill.

I expect that several amendments will be offered to the bill by the Senator from Oregon. The distinguished Senator from Kentucky, the distinguished occupant of the chair [Mr. BASS], and the Senator from Indiana will have some views to express as to the legislation, but particularly as to the amendments.

So, in order to get started on the consideration of the bill, I ask unanimous consent that the committee amendments be considered en bloc and that the bill as thus amended be considered as original text for the purpose of amendment.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc, and, without objection, they are agreed to, and the bill as thus amended will be considered as original text for the purpose of amendment.

The committee amendments agreed to en bloc are as follows:

On page 2, after line 4, strike out:

"(c) The term 'Cambridge Filter Method' is that method of measuring tar and nicotine yields presented at the seventy-seventh annual meeting of the Association of Official Agricultural Chemists, on October 16, 1963, at Washington, District of Columbia."

At the beginning of line 10, strike out "(f)" and insert "(e)"; at the beginning of line 11, strike out "States, the District of Columbia, and possessions of the United States" and insert "States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States"; in line 18, after the word "which", strike out "(1)"; at the beginning of line 20, strike out "Warning: Continual" and insert "Caution:"; at the beginning of line 22, strike out "or (2) fails to state the average tar and nicotine yields per cigarette as determined by the Cambridge Filter Method or such other method as may hereafter be approved for such purpose by the National Bureau of Standards."; at the top of page 3, strike out "statements shall be located prominently on the package in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package" and insert "statement shall be located on the front or back panel of every package, box, carton or other container in which cigarettes are offered for sale, sold, or otherwise supplied to consumers and shall appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package"; after line 10, strike out:

"SEC. 4. No other warning requirement shall be imposed on cigarette labeling or packaging by any Federal, State, or local authority."

And, in lieu thereof, insert:

"SEC. 4. (a) No statement relating to smoking and health, other than the statement required by section 3 of this Act, shall be required on cigarette packages.

"(b) No statement relating to smoking and health shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act.

"(c) Except as is otherwise provided in subsections (a) and (b), nothing in this Act shall be construed to limit, restrict, expand, or otherwise affect, the authority of the Federal Trade Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes.

"(d) The Federal Trade Commission, with the cooperation of the Department of Health, Education, and Welfare, shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (1) the effectiveness of cigarette labeling, (2) current information on the health consequences of smoking, (3) current practices and methods of cigarette advertising and promotion, and (4) such recommendations for legislation as it may deem appropriate.

"(e) The provisions of subsection (b) shall be effective only for the three-year period beginning on the effective date of this Act."

And, on page 4, line 19, after the word "shown", strike out "and subject to the provisions of section 381 (relating to notice to the opposite party) of title 28, United States Code,"; so as to make the bill read:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the 'Federal Cigarette Labeling Act'.

"DEFINITIONS

"SEC. 2. As used in this Act—

"(a) The term 'cigarette' means any roll of tobacco, wrapped in paper or any substance other than tobacco.

"(b) The term 'package' means a package, box, carton or container of any kind in which cigarettes are offered for sale, sold, or otherwise supplied to consumers.

"(c) The term 'person' means any individual, partnership, corporation, or any other business or legal entity.

"(d) The term 'sale or distribution' includes sampling and means of distribution other than sales.

"(e) The term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

"LABELING

"SEC. 3. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement:

" 'Caution: Cigarette smoking may be hazardous to your health.'

"The foregoing statement shall be located on the front or back panel of every package, box, carton or other container in which cigarettes are offered for sale, sold, or otherwise supplied to consumers and shall appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package.

"PREEMPTION

"SEC. 4. (a) No statement relating to smoking and health, other than the statement required by section 3 of this Act, shall be required on cigarette packages.

"(b) No statement relating to smoking and health shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act.

"(c) Except as is otherwise provided in subsections (a) and (b), nothing in this Act shall be construed to limit, restrict, expand, or otherwise affect, the authority of the Federal Trade Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes.

"(d) The Federal Trade Commission, with the cooperation of the Department of Health, Education, and Welfare, shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (1) the effectiveness of cigarette labeling, (2) current information on the health consequences of smoking, (3) current practices and methods of cigarette advertising and promotion, and (4) such recommendations for legislation as it may deem appropriate.

"(e) The provisions of subsection (b) shall be effective only for the three-year period beginning on the effective date of this Act.

"CRIMINAL PENALTY

"SEC. 5. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $100,000.

"INJUNCTION PROCEEDINGS

"SEC. 6. The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this Act upon application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

"CIGARETTES FOR EXPORT

"SEC. 7. Cigarettes manufactured, imported, or packaged (1) for export from the United States or (2) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this Act, but such exemption shall not apply to cigarettes manufactured, imported, or packaged for shipment to United States military vessels, installations, or shore-based activities wherever such vessels, installations, or activities may be located.

"SEPARABILITY

"SEC. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

"EFFECTIVE DATE

"SEC. 9. This Act shall take effect one hundred and twenty days after the date of its enactment."

The PRESIDING OFFICER. Who yields time?

Mr. MORTON. Mr. President, I yield myself such time as I may require.

First, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORTON. Have the committee amendments been accepted?

The PRESIDING OFFICER. They have been considered and agreed to.

Mr. MAGNUSON. Yes. They are technical in nature.

Mr. MORTON. I so understand. I wanted to be sure they were adopted. The bill is open to further amendment, then?

The PRESIDING OFFICER. Yes.

Mr. MORTON. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORTON. As I understand, the Senate is operating under a unanimous-consent agreement providing for 3 hours on the bill, including amendments; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MORTON. I thank the Chair.

I yield myself 7 minutes.

Mr. President, the pending bill, S. 559, regulating the packaging of cigarettes, contains far-reaching implications, inasmuch as it affects one of the most important and respected sectors of our national economy.

The Senate is being asked to give its approval to a proposal which is concerned with one of the most controversial and discussed subjects of recent years—cigarette smoking and health. Since the question involved deals with the health of the individual as well as the health of the Nation as a whole, it is my conviction and belief that our total consideration should be given over to this one vital element, health.

In our debates and discussions on other equally important proposals, we are often called upon to base our decisions on any number of factors: the effect on interstate commerce, Federal-State relationship, or the impact on a particular business or segment of labor. All of these matters, and more, can and should be given their just weight before final action is taken.

But we cannot afford the luxury of this process in debating the bill now before us. No one would quarrel with the fact that the tobacco industry plays a most important role in the Nation's economy. Tobacco is our oldest industry. Millions of people—farmers, growers, suppliers and manufacturers, wholesale and retail merchants—depend upon tobacco for their livelihood. Billions of dollars in tax revenues flow into Federal and State treasuries every year as a result of cigarette sales, and exports of tobacco are important to our balance of payments. Yet the recognition of these facts should, in no way, deter us from our primary duty and responsibility, the protection of the public's health. And, since this legislation must be viewed in this light, I support the bill reported favorably by the Commerce Committee.

The most significant provision contained in the pending bill would require each package of cigarettes manufactured, imported, or packaged for sale or distribution within the United States to bear the statement:

> Caution: Cigarette smoking may be hazardous to your health.

While I am fundamentally opposed to placing unwarranted and unnecessary restraints or strictures on any private commercial enterprise, I also believe that the requirement of a warning as proposed by S. 559 is justified in the light of the Surgeon General's advisory report and the extensive hearings conducted by the Commerce Committee.

I should like, for the benefit of the Senate, to review briefly the background and circumstances which gave rise to this legislation. On January 11, 1964, the Surgeon General, Dr. Luther L. Terry, issued the report, "Smoking and Health," a report of the Advisory Committee to the Surgeon General of the Public Health Service. The Advisory Committee report made the following conclusions and findings:

First. Cigarette smoking is associated with a 70-percent increase in the age-specific death rates of males.

Second. In view of the continuing and mounting evidence from many sources, it is the judgment of the Committee that cigarette smoking contributes substantially to mortality from certain specific diseases and to the overall death rate.

Third. In general, the greater the number of cigarettes smoked daily, the higher the death rate.

Fourth. Cigarette smoking is causally related to lung cancer in men; the magnitude of the effect of cigarette smoking far outweighs all other factors. The data for women, though less extensive, point in the same direction.

Fifth. Evaluation of the evidence leads to the judgment that cigarette smoking is a significant factor in the causation of laryngeal cancer in the male.

Sixth. Cigarette smoking is the most important of the causes of chronic bronchitis in the United States and increases the risk of dying from chronic bronchitis.

Seventh. A relationship exists between pulmonary emphysema and cigarette smoking, but it has not been established that the relationship is causal. The smoking of cigarettes is also associated with an increased risk of dying from pulmonary emphysema.

Eighth. Male cigarette smokers have a higher death rate from coronary artery disease than nonsmoking males. Although the causative role of cigarette smoking in deaths from coronary disease is not proven, the committee considers it more prudent from the public-health viewpoint to assume that the established association has causal meaning than to suspend judgment until no uncertainty remains.

Ninth. Epidemiological studies indicate an association between cigarette smoking and peptic ulcer which is greater for gastric than for duodenal ulcer.

Tenth. The overwhelming evidence points to the conclusion that smoking—its beginning, habituation, and occasional discontinuation—is to a large extent psychologically and socially determined.

Subsequent to the issuance of the Surgeon General's Advisory Report, the Federal Trade Commission issued a notice of proceedings for the establishment of trade regulation rules governing the labeling and advertising of cigarettes. Hearings were held by the Commission on the proposed regulations with testimony being received from all interested parties. Based on this testimony and, most importantly, the findings and conclusions reached by the Advisory Committee, the Federal Trade Commission promulgated its trade regulation ruling making it an unfair or deceptive act or practice within the meaning of section 5 of the Federal Trade Commission Act, "to fail to disclose, clearly and prominently, in all advertising and on every pack, box, carton or other container in which cigarettes are sold to the consuming public that cigarette smoking is dangerous to health and may cause death from cancer and other diseases."

That part of the rule relating to labeling was to be effective January 1, 1965, and with respect to advertising, July 1, 1965. In view of the increasing interest in this subject matter by the Congress, the Commission revised its order with respect to labeling by making it effective July 1, 1965, in order that the Congress would have sufficient time to take whatever action is deemed appropriate. Both the House Interstate and Foreign Commerce Committee and the Senate Commerce Committee held hearings on this subject earlier this year and reported bills. S. 559 is now before us for our consideration.

The advocates of legislation to curtail and restrict the packaging and advertising of cigarettes recommended a harsher cautionary statement than that contained in the pending bill. The Surgeon General, Dr. Terry, told the Committee that he would prefer the following wording on cigarette packages:

> Cigarette smoking is a serious health hazard and may cause cancer and other diseases.

This statement closely parallels the language proposed by the Federal Trade Commission.

Yet the proponents of this severe and restrictive limitation on cigarette advertising and labeling rested their case almost wholly on the conclusions and findings of the Advisory Committee's report, "Smoking and Health." Briefly, the report finds that:

> Cigarette smoking is causally related to lung cancer in men; the magnitude of the effect of cigarette smoking far outweighs all other factors. The data for women, though less extensive, point in the same direction.

While finding a causal relationship between cigarette smoking in men and lung cancer, the report was more circumspect in discovering a relationship between cigarette smoking and other diseases.

The report states that male cigarette smokers have a higher death rate from coronary artery diseases than nonsmoking males, but it is not clear that the association has causal relationship; a relationship exists between pulmonary emphysema and cigarette smoking but it has not been established that the relationship is causal; increased mortality of smokers from cirrhosis of the liver has been shown but the data are insufficient to support a direct or causal association; available data suggest an association between cigarette smoking and urinary bladder cancer in the male but are not sufficient to support a judgment on the causal significance of this association; evidence on the tobacco-esophageal cancer relationship supports the belief that an association exists but the data are not adequate to decide whether the relationship is causal.

Thus, aside from the alleged causal relationship found to exist between cigarette smoking and lung cancer in males, the report fails to make an association, either directly or causally, between cigarette smoking and other cancers or coronary artery diseases. Yet, the causal relationship between cigarette smoking and lung cancer in males is predicated solely on statistical evidence. Dr. Terry, under questioning by the Committee, admitted that the Advisory Committee did not engage in any original clinical or laboratory research but merely assimilated and analyzed scientific data then available on this subject. The report, therefore, is merely a compilation of statistical evidence and, instead of being a jumping off place for a major scientific conclusion of fact, should be employed as a bench mark from which additional experiments, examinations, studies and research may proceed. It is not here suggested that the report, "Smoking and Health," should be dispensed with as meaningless for it has raised many serious questions in the minds of many people, but unfortunately it has also raised more questions than it has answered.

The Committee received testimony from many scientists, statisticians, and physicians, including thoracic surgeons, who are not convinced, despite the conclusions drawn by the Advisory Committee's report, that it has been demonstrated scientifically that cigarette smoking causes lung cancer or other diseases. These witnesses, no less renowned in their fields than the members comprising the Advisory Committee, took sharp issue with the Surgeon General's report not only as it relates to statistical evidence but also with respect to animal experiments, incriminated agents such as tar and nicotine and the incidence of lung cancer, and successfully rebutted, I believe, the contention that cigarette smoking is causally related to cancer and other diseases.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The time of the Senator from Kentucky has expired.

Mr. MORTON. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 3 additional minutes.

Mr. MORTON. Mr. President, the Advisory Committee's report frankly states that bronchogenic carcinoma has not been produced by the application of tobacco extracts, smoke, or condensates to the lung or tracheobronchial tree of experimental animals, while it is true that cancer was induced in mice by rubbing their skin with smoke condensates, such cancers can also be produced in the same manner by the application of innocuous substances, such as beef, sugar, and so forth. It was even found that pipe smoke condensates were more active on the skin of mice than cigarette smoke condensates, the significance of which is important inasmuch as the Advisory Committee's report does not indict pipes and cigars in the smoking-lung cancer theory.

There appears to be a great deal of confusion and doubt as to the part, if any, incriminated agents play in the cigarette smoke-lung cancer causation theory. On the other hand, Dr. Diehl, of the American Cancer Society, stated that the label should be in conformity with the evidence and, therefore, a statement of the amount of tar and nicotine content in the cigarette should appear on the package, whereas Dr. Terry feels that, while it may seem plausible that cigarettes with lower tar and nicotine content may present lesser health hazards, there is presently no proof that this is so. And furthermore, Dr. Terry admitted that nicotine has no effect on the production of tumors either in experimental animals or in man.

S. 559, as introduced, would have required, on each cigarette package, a statement of the tar and nicotine content but the Committee was convinced that such a requirement could not be justified based on the testimony adduced during the hearings and therefore this provision was deleted from the bill.

While I believe that the arguments against the smoking-lung cancer hypothesis based on experimental animal tests and tar and nicotine were effective, the most telling points were aimed at the statistical approach employed by the advisory committee's report. Several examples were cited illustrating how other statistical theories incriminating various substances were, upon further examination, proved to be fallacious. For many years, statistics seemed to bear out the belief that people who lived in wet, marshy swamplands developed a fever and experienced a high mortality rate. Later on, of course, it was discovered that the fever was malaria caused by a mosquito and not wet, marshy grounds. Another example relates to sugar diabetes where the statistical association was thought to be 100 percent. Overuse of sugar was thought to cause diabetes since sugar could be found in the urine, proof that sugar was the cause. Now we know that sugar is not the culprit but rather that diabetes is caused by a disease of the pancreas due to the destruction of the islands of Langerhan.

Recently, a new controversy surrounding sugar has arisen with statistical overtones. A recent article from the Toronto Star Syndicate describes the experience of Jews who left Yemen and migrated to Israel. While in Yemen, they lived primarily on goat's milk and fats and had a very low incidence of heart disease. After living in Israel, the Yemenites showed just as high a proportion of heart diseases as those who had migrated from the west and the only major change in their diet was sugar.

The **PRESIDING OFFICER**. The time of the Senator from Kentucky has expired.

Mr. **MORTON**. Mr. President, I yield myself 2 additional minutes.

The **PRESIDING OFFICER**. The Senator from Kentucky is recognized for 2 additional minutes.

Mr. **MORTON**. Mr. President, surely we are not going to put a skull and crossbones on every package of sugar because of the statistical evidence we have to date. But I do not believe the case has been resolved on smoking and lung cancer based on statistics any more than it has been on sugar and heart disease. Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A KILLER IN THE SUGAR BOWL?

(By Peter Norman, Toronto Star Syndicate)

LONDON.—A killer stalks Britain and cuts down more than 100,000 people a year, many in their prime. Heart disease is the nation's No. 1 killer; it outranks even cancer. This is the detective story of a man who played a hunch; a scientist who cast skeptical eyes on a theory and found it wanting.

And now Prof. John Yudkin, who heads the department of nutrition at London University, believes he has found the dietary agent which kills 14 times more people in Britain every year than die on the roads.

This killer sits on the dining table of every home; it looks inoffensive but is capable of giving a coronary. The person who reaches out for the sugar bowl to add two spoons to a cup of tea does so at his own peril.

The story really begins some 10 years ago when medical science started to look for the cause of the increasing incidence of heart disease. A clue was found in nationwide statistics on food. The only apparent rise in consumption had been in fat and proteins. "Ah," said the scientists, and set about relating this consumption increase to heart disease.

In his work as a nutrition expert, Yudkin was often asked to comment about the theory. He assessed the evidence and found it "less than convincing." I recently sat in his office and he told me how sugar came into the picture.

"In 1957 I thought it worthwhile to summarize in a paper the pros and cons of the fats theory. My main conclusion was that there was little evidence for the involvement of fat or any other dietary constituent. As far as the statistics were concerned, I pointed out that there was a slightly better clue to be found in sugar consumption," he said.

A short time later he became more interested.

"The real dietary change in the well-off countries has been in sugar consumption," he said, "Coupled with this is the increase in protein. It is often said that the wealthy eat less carbohydrates; this category includes sugar. And this is where I think the fats theory first went wrong. If you look at the statistics for the affluent countries, you will see that the consumption of carbohydrates is comparatively static. But this conceals the key evidence. There are two subcategories in carbohydrates: starch and sugar. A closer look at the statistics shows that sugar consumption has risen while there has been a corresponding fall in starches. But when the carbohydrates are lumped together, this fact is masked.

"What it means is that we now eat less bread and potatoes and much more sweets, puddings and chocolates, and sugar in our tea and coffee."

The professor told me that everyone in Britain now eats a quantity of sugar in 2 weeks which 200 years ago equaled a whole year's consumption.

"When I realized the facts about sugar," said Yudkin, "my attitude to the fats theory began to change from negative to positive. And then in 1960 I read a very interesting report from Israel. Many Jewish people have left the Yemen and have settled in Israel and when they arrive, they have little evidence of coronaries. And yet in Yemen their diet was almost entirely made of fatty foods such as mutton and butter. If the fats theory was correct, they should have all been laid low.

"But after 20 years in Israel, the Yemenite Jews show just as high a proportion of heart troubles as those who have immigrated, from the West. And the only major change in their diet is sugar."

It was at this stage that the professor started to think about a research program. But he had a hard time raising money for it and only after much effort and disappointing results in approaching Government bodies was there enough to start a three-pronged investigation.

"Two of the studies are still going on," said Yudkin. "In the first we are conducting experiments with animals; secondly, we are seeing what effect sugar dietary changes have on the human body."

It was in the short-term experiment that the professor got the revolutionary results that have startled the medical world.

He and a research assistant spent 3 months preparing a questionnaire which was then presented to two groups of men. In one group (all in hospitals) were those suffering from coronaries. In the other group were people (comparable in age and social background) in hospitals for such things as broken bones, but otherwise healthy.

The professor takes up the story: "The questionnaire was designed to find out the sugar consumption of both groups, and I thought we would have to go through as many as 50 before there would be any recognizable trend. But by the time we had interviewed 25 of the men, it was obvious that the ones in hospitals with heart disease had for many years taken large quantities of sugar and that the patients in the other group took very little."

I asked what effect sugar has on the body.

Yudkin explained that sugar and starch become glucose, which is absorbed into the blood.

"The glucose content of the blood rises after every meal," he said. "When you take ordinary sugar, the speed of rise is more rapid than that for starch. When there is a rise of blood glucose, the pancreas has to produce more insulin to keep the glucose level constant. One hypothesis is that when you constantly and suddenly alter the glucose content, the pancreas is overworked."

Already additional information is flowing in. The Masai of Tanganyika eat meat and drink huge quantities of milk, yet there is no evidence of coronaries.

"Much remains to be done," said Yudkin. "The first thing will be for other people to confirm our tests and then research and experiments on a wide front will have to be carried out."

Significantly, perhaps, a number of London restaurants now provide both sugar and saccharin on their tables.

Mr. **MORTON**. Mr. President, before leaving this phase of the discussion, I should like to discuss briefly some pertinent figures bearing on the incidence of lung cancer and other diseases. If smoking is a causal factor in lung cancer, the incidence of lung cancer in females should be approaching the level in males inasmuch as smoking among women has increased markedly during the past 40 years. Yet, the mortality rate for females from lung cancer has changed remarkably little during this time. Cancer of the larynx offers another interesting phenomenon. Thirty years ago, when women began smoking in increasing numbers, the ratio of laryngeal cancer was 6.3 males to 1 female: today that ratio is 10.8 males to 1 female. Rather than being narrowed, as would be expected, the gap has widened. Yet the reason for this change in the ratio has remained unanswered.

In order to prove that lung cancer is caused by cigarette smoking, a supporter of the Advisory Committee's report described the experience of Iceland. Before American soldiers arrived in Iceland during World War II, there was hardly a trace of lung cancer. However, when the cigarette habit became prevalent, there was found to be an increasing number of lung cancer cases. Even assuming this statement to be true, it is very perplexing when considered in connection with lung cancer in American females since American women have been smoking for a much longer period of time than the Icelanders without any significant increase in lung cancer.

Other discrepancies of a geographical nature have been observed. For instance, lung cancer in Great Britain and Holland is twice as prevalent as in the United States, yet cigarette consumption is only one-half that of ours. Lung cancer is found more often in urban than in rural areas without any indication of any degree of difference in the smoking habits of rural people as compared to city dwellers. Lacking any information from the advisory report to give a rational explanation to these questions, it can logically be assumed that there must be other intervening factors which should be carefully examined. Among these are environment, heredity, immunology, the effects of chronic respiratory diseases, hormonal influences and virus infections.

Even a member of the Advisory Committee recognizes the inherent limitation in total reliance on statistics. Dr. William G. Cockran admitted that "the only way to prove that smoking causes lung cancer is to perform scientific experiments that would prove the existence of a biological mechanism."

I believe that the evidence against smoking, based on statistics and, therefore, far from conclusive, is sufficient to require a statement on the label with respect to the possible health hazards of smoking. Therefore, I support the pending bill requiring the statement "Caution: Cigarette Smoking May Be Hazardous to Your Health" to appear on each package of cigarettes. This is an informative and factual statement of the current state of medical knowledge.

Although the committee agreed to require a warning statement on cigarette packages, it refused to write into the bill any restrictions on cigarette advertising with respect to smoking and health. At the same time, it barred the Federal Trade Commission for a period of 3 years from promulgating its trade regulation requiring a statement with respect to smoking and health in cigarette advertising. I believe that the committee's decision is wise, and while I would prefer no time limitation, I wholeheartedly endorse the committee's action in prohibiting any warning statement in advertising by any Federal, State, or local authority where the cigarettes are labeled in conformity with the provisions of the bill.

I believe that the committee exercised sound judgment in refusing to place serious and prejudicial strictures on cigarette advertising by requiring a statement on the possible health hazards of cigarette smoking. It is the proper role of the Federal Government to see that the public is adequately informed of relevant medical opinion with respect to smoking and health. The Federal Government has fully performed its function. The subject of cigarette smoking and health has been discussed in schools, churches, and meeting places throughout the country during the past 2 years; hundreds of editorials have appeared in newspapers, magazines, and periodicals; television, radio, and other media have devoted a great deal of time and space to this controversy; indeed, I am convinced that there are fewer people in this country who are not aware of the Surgeon General's Advisory Committee report than there are who have never seen Lyndon Johnson on television.

The Surgeon General frankly admitted that public pronouncements have been made time and time again about the findings and conclusions of the advisory report and the alleged risks of cigarette smoking have been clearly delineated. As pointed out in the committee report, the individual must be safeguarded in his freedom of choice—to smoke or not to smoke—but he should also be made aware of the possible health hazards attendant upon his choice to smoke.

The purpose of product labeling is to be informative; the purpose of product advertising is to be persuasive. To require warnings in advertising is based on a complete misunderstanding of the respective role of advertising as contrasted with labeling. The result would be incongruous and completely at odds with accepted commercial practice and marketing theory.

There is absolutely no tradition or precedent for requiring advertising for products promoted to the consuming public to carry warnings. To establish such a precedent would not only be an unjustified departure from traditional ways of doing things but could also be an affirmative disservice to the consuming public. To require warnings in advertising of certain products could lead consumers to expect similar warnings in advertising for other products. Against a background of such an expectation, the failure of particular products to carry warnings in their ads could be construed by consumers as Government approval or officially recognized safety.

To require warnings in advertising would be so unprecedented and such a heavyhanded propaganda effort that it might well precipitate a significant boomerang reaction—that is, positively encourage certain types of people, including young people rebelling against authority, to smoke more. The record of congressional hearings includes expert testimony by psychologists and marketing experts showing that this is a real danger.

The leading advocate of a warning in cigarette advertising, Emerson Foote, a former advertising executive and now head of the Interagency Council on Smoking and Health, stated that he favored legislation requiring a cigarette manufacturer to condemn in his own advertising the product he is advertising because it would make advertising self-defeating. Under question by the committee, Mr. Foote conceded that he was opposed to prohibiting outright cigarette advertising, but by making it self-defeating it would achieve the same purpose since cigarette manufacturers would not advertise if it were self-defeating. Fortunately, the committee wisely rejected Mr. Foote's suggestions.

While the committee bill preempts all Federal, State, and local authority from requiring any warning statement in cigarette advertising, private, voluntary efforts are being exerted to police cigarette advertising. The cigarette advertising code, instituted by tobacco industry, prescribes certain standards for cigarette advertising, relating primarily to advertising which appeals to young people and advertising which contains health representations. For example, the code prohibits cigarette advertising in school and college publications; it bans testimonials by athletes and other celebrities who might have a special appeal to young people; it provides that no representation may be made with respect to health unless it is based on adequate, relevant, and valid scientific data. Under the code, cigarette manufacturers are required to submit all of their advertising in advance of use to the administration of the code, former Gov. Robert Meyner, of New Jersey, who, acting in a judicial capacity, has the power to veto its use under the code, and to assess a $100,000 penalty for any violation. I believe that the cigarette advertising code represents a type of industry self-regulation which should be encouraged.

Mr. President, I have stated that I intend to support the bill. As the chairman has indicated, we worked hard and diligently in committee. The hearings are voluminous. The committee had its differences, but we resolved them.

I trust that the bill will be passed and, I hope, without crippling amendments and not making it a more restrictive measure than it already is.

Mr. President, I reserve the remainder of my time.

Mr. BASS. Mr. President, will the Senator from Kentucky yield?

Mr. MORTON. I am glad to yield to the Senator from Tennessee.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. MORTON. Mr. President, I yield such time as the Senator from Tennessee may require.

The PRESIDING OFFICER. The Senator from Tennessee may proceed.

Mr. BASS. Mr. President, I commend the Senator from Kentucky for the outstanding work he has done on this proposed legislation. I join him in the statement which he has just made. I, too, support the pending legislation and hope that it can pass and receive time for ample study and further research in the field before any punitive legislation is enacted.

There will be certain amendments, I understand, offered and I consider the amendments which I have had the opportunity to study in advance to be punitive in nature against a great industry. I hope that those amendments will be defeated and that the bill which the committee has brought before the Senate will be enacted this afternoon.

Mr. President, I ask unanimous consent that a statement I have prepared be placed in the Record immediately following the statement of the Senator from Kentucky.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Bass

First, I want to make it clear that I rise to speak in favor of the pending bill, S. 559, the Federal Cigarette Labeling Act as it was reported from the Commerce Committee. Tobacco has been a dynamic force in our Nation's economy for more than 350 years. Historically, tobacco was America's first industry and helped early settlers gain a foothold in this country by saving the Jamestown colony when it was on the brink of economic collapse. Later, tobacco helped attract settlers to the New World and created a basis for new enterprises.

Today, tobacco is one of this Nation's major industries. Its impact on the economy can be measured by the following:

Around 70 million Americans, more than half the adult population, spend more than

$8 billion for tobacco products annually—more than $7 billion for cigarettes.

Tobacco is grown in 21 States by some 750,000 farm families and is the country's fifth largest cash crop following cotton, wheat, corn, and soybeans. In this connection I would like to cite just a few facts about tobacco's impact on my own State of Tennessee. Tobacco was being grown in my State during the Revolutionary War. In 1964 Tennessee ranked fourth in cash receipts from tobacco production in the United States, following only North Carolina, Kentucky, and Virginia. Well over 100,000 Tennessee farm families grow tobacco annually. Cash receipts for tobacco in Tennessee in 1964 was in excess of $100 million which represented 17.4 percent of the cash receipts from all farm commodities produced in the State including livestock. Tennessee ranks sixth among the States in leaf handling and processing, creating more than $4.5 million in income for Tennessee firms.

Tobacco products are manufactured in around 500 factories in the United States operating in a total of 30 States and giving direct employment to more than 96,000 people. In Tennessee there are 11 factories engaged in manufacturing tobacco products which produced in 1964 almost one and a half million pounds of chewing tobacco, 170,000 pounds of smoking tobacco, and in excess of 14.5 million pounds of snuff.

In the entire United States tobacco products are distributed by some 4,500 wholesalers to more than 1.5 million retail businesses selling tobacco products. Within the State of Tennessee there are more than 33,000 outlets selling cigarettes with annual sales totaling over $133 million.

In the United States as a whole more than 1.5 million businesses share in the tobacco trade supplying equipment, materials, transportation, distributing and merchandising services. An analysis recently showed that the tobacco industry in 1 year generated $65 million in sales for automobile industry products (and I invite the attention of my friend, Senator HART, of Michigan, to this fact); $59 million for petroleum products; $49 million for electric power; $173 million for chemicals, cellophane, and filter materials; $260 million for paper and cardboard; $131 million for rail and truck transportation; and $68 million for products of iron and steel mills.

In addition in the United States, tobacco taxes provide a major support of government services, on all levels. The Federal Government collects more than $2 billion annually in tobacco excise taxes, State governments about $1.2 billion, and municipal governments more than $50 million. Ninety-nine percent of the total tax comes from the sale of cigarettes. About half of what the consumer spends for a package of cigarettes is paid to government treasuries. The Federal cigarette tax alone totals more than 15 percent of all U.S. excise tax collections. This is particularly interesting in view of the debate which we just recently completed on excise tax reductions. My own State of Tennessee received in excess of $27 million from State excise taxes on cigarettes in fiscal 1964, the tax being at the rate of 0.07 cent a package. Over the last 15 years my State has collected more than $235 million in cigarette taxes.

In view of the economic statistics, I do not come lightly or frivolously to the decision to endorse a measure which will undoubtedly have adverse effect on the tobacco industry as a whole, the economy of the Nation, in general, and my own State of Tennessee in particular. It is because I realize that certain grave questions have been raised concerning the possible adverse effects—and I want to emphasize the word possible—that smoking may have on the health and well-being of the smoker that I reached the conclusion that some steps need to be taken by the Federal Government to indicate that it is aware of certain potential adverse effects.

Lest I be misunderstood, however, I want to make it clear that I strongly believe that it would be unfortunate if the approval of S. 559 were to be interpreted by the American people as evidence that this body endorses and approves the extravagant accusations made against cigarette smoking by the several voluntary agencies that appeared before the Commerce Committee. The committee hearings demonstrated beyond a doubt that there are substantial and legitimate differences of opinion between competent professional people as to whether cigarette smoking is or is not a potential health hazard. The medical and scientific community is by no means of any unanimous opinion as to the meaning or significance of the research data relating to the subject of "Smoking and Health."

I think it would be conceded by most of the scientists who have given careful study to this subject that there are important gaps in the scientific information which has been produced to date, and that the standards, of scientific proof necessary to show a connection between cigarette smoking and human diseases, have not been satisfied.

I am not surprised by the statement in the Commerce Committee's report that no prominent medical or scientific body has reached conclusions opposed to those of the Surgeon General's Advisory Committee. Indeed I signed this report. It is quite understandable that this report created an atmosphere of shock and urgency in which it must have been quite simple to put through resolutions against cigarette smoking in medical societies which, in effect, simply adopted the conclusions of the advisory committee without any independent consideration of the matter.

We should keep in mind, also, that the conclusions of the Surgeon General's Committee were totally accepted by the Public Health Service. One scientific journal recently commented on the fact that a controversy was still going on in the scientific community over cigarette smoking and seemed to regard this fact with some astonishment, because, as the writer expressed it, "Once an influential group has spoken, dissent can be professionally perilous." When we consider that nearly every large medical research institution in this country is supported in considerable part through public health service grants, I think we may safely speculate that many scientists are probably aware of the perils of dissent and we should not be misled by any head count of scientists on either side of this issue. Furthermore, only a small number of doctors and scientists is sufficiently familiar with the total work in this area to come to any sound judgment on the scientific questions involved. A good guideline for the evaluation of scientific opinion is that a competent scientist speaking in his own field deserves careful attention, but the opinion of a scientist speaking out of his field is really entitled to little more attention than that of a layman.

We should also regard with skepticism the repeated assertion about "unanimous medical opinion" and the barrage of reports, resolutions, and statements of position which have been cited to the committee as evidence that all the scientific questions are settled. When this kind of clamor is raised about a matter that involves difficult and complicated questions of science it appears certain that prejudice and emotion have taken the place of calm scientific consideration.

The interpretation of scientific data by official groups is no more valid—probably less valid—than the interpretations of competent independent physicians and scientists who have given the question personal and deep consideration and who are sufficiently convinced of their position that they take individual responsibility for it in opposition to the so-called official groups. Certainly more courage and conviction are demonstrated by these individuals than by those who simply go along with the crowd and support a currently popular view. This is why I believe that great weight should be attached to the testimony of the 39 witnesses representing various branches of medicine and allied sciences who appeared before the Commerce Committee and gave opinions based on their observations and research which were contrary to the conclusions of the Advisory Committee and the opinions of the official and voluntary agencies. I do not think that anyone should try to disparage or ignore the views of these eminent professional men.

Scientific truth is not arrived at by any democratic process. Scientific opinion, which is something else, can be weighed, assessed, and discussed, but nobody should be deceived into believing that scientific truth is determined by the sheer number of people who express agreement with an opinion,

If this legislation is passed the public should be informed that this body is not determining and cannot determine whether cigarette smoking is in fact a substantial hazard to health. That determination goes far beyond the boundaries of legislative wisdom and indeed beyond the boundaries of present scientific knowledge.

We must be very careful to avoid the impression that this Congress is branding cigarettes as a cause of any human disease. We must say in all honesty that neither Congress nor medical science can give any assurance that we will have a healthier, longer living population if people cut down on cigarette smoking or refrain from smoking.

The committee report on S. 559 speaks of "potential hazards of cigarette smoking" and should be understood to state that any connection between smoking and disease can only be tentatively proposed or suspected on the basis of our present incomplete knowledge. Certainly we do not want to associate ourselves with the extreme statements found in much of the antitobacco propaganda which tries to make it appear that smoking has been definitely established as a cause of human diseases.

Although it has been proposed by some segments of the scientific community that cigarette smoking is causally related to lung cancer, there are many experienced scientists whose opinions are directly opposed to this proposition. Dr. W. C. Hueper, a scientist who has achieved international recognition for his investigations into the possible causes of cancer and who was for many years Chief of the Environmental Health Section of the National Cancer Institute, stated in a recent article that the charge that smoking is the proven predominant cause of lung cancer is "scientifically unsound and sociologically irresponsible." If, by any action we may take, we should lead the public to believe that we have branded cigarette smoking as the cause of lung cancer, I think it would be both a deception and a serious disservice to the public interest.

Doctors who are directly or intimately concerned with lung cancer and cancer of the larynx and who have had years of experience diagnosing and treating these diseases told the Commerce Committee that they did not believe it was established that cigarette smoking was a cause of either disease and gave logical and sound reasons to support their views.

Several of the most reputable statisticians in our country testified that the statistical data does not represent proof that smoking is a causal factor in disease.

Medical researchers described how various materials—including some common foods—

will produce cancer in animals and stated that the application of animal data to human beings is fraught with uncertainty.

Doctors concerned with heart disease pointed to data which strongly supports the causal role of factors other than smoking and indicated that heavy smoking may merely be a symptom of stress rather than a cause of the disease.

We must recognize that we are legislating in an area where experts to whom we must look for guidance are in substantial and basic disagreement. I repeat that we should not make too much of the fact that those on one side purport to speak for official bodies and organized groups and that those on the other side are speaking their individual expert scientific views. In the history of medicine there are notable instances where an individual—such as Pasteur—has been proved to be right and the so-called organized groups of his time were wrong. This is particularly true when, as here, the vast majority of those voting in the organized groups have little expert knowledge themselves with the result that their votes merely reflect either the currently popular concept or the results of the salesmanship of a few enthusiasts for the current cause.

By prescribing a label which states, "Caution: Cigarette Smoking May Be Hazardous to Your Health," we are going as far as we should under present circumstances. The risk is that our action may imply that more is known about any alleged "hazards" of cigarette smoking than is in fact known.

If by enacting this measure we create the impression that we have endorsed the point of view that the scientific issues are settled, we may discourage the methodical, conscientious research which is needed in order to resolve these issues and thereby do far more harm than good. Continuous and intensive research is required in the further study of tobacco smoking and its relationship to health and disease. We should urge in connection with this measure that this research be pursued with all resources at our command so that the real causes of cancer, heart, and other diseases may be found, regardless of what they may prove to be.

Mr. MORTON. I thank the Senator from Tennessee for his comments.

Mr. President, the ranking minority member of the Committee on Commerce is on the floor. He contributed a highly significant sentence to the report of the committee. I should like to take this occasion to interrogate him as to what he meant—I believe I know what he meant, but I would like to have his statement in the RECORD—by the language which he added to the report, and what his reasons were for having stated what he did. The language to which I refer reads:

> The committee firmly believes that the Federal Trade Commission should regard as an unfair or deceptive act or practice within the meaning of section 5 of the Federal Trade Commission Act any advertising which tends to negate the warning which must be placed on the package in accordance with the bill.

I yield such time as may be required for this purpose.

Mr. COTTON. Mr. President, the reason the Senator from New Hampshire offered and urged the inclusion of this statement in the report is that, in the first place, it was the understanding of the Senator from New Hampshire—and I believe that view was clearly shared by the overwhelming majority of the members of the Committee on Commerce—that at this time Congress should go only to the point of placing a plain and effective warning on each package of cigarettes, and that any restriction in the matter of advertising in magazines and on television and elsewhere should be held in abeyance until such time as Congress and the Commission and the medical authorities complete their analysis of the problem and until we know how effective the warning on the package should prove and how effective the voluntary code adopted by the tobacco industry would be in dealing with this problem.

To that end, a period of 3 years should elapse before the Federal Trade Commission would move in to practically terminate cigarette advertising, by forcing them to advertise a product warning of its hazards.

It was a fair and reasonable step to hold this requirement in abeyance until the problem could be more fully studied. It would be unfair to practically terminate cigarette advertising—advertising of a product legally manufactured and legally sold; and Congress should no more stop that advertising than the advertising of liquor, beer, or sleeping pills or any other commodity that may have its dangers. However, some precaution should be taken so that the tobacco companies—I am not suggesting that they would—would not take advantage of the restraint placed upon the Federal Trade Commission to put into their advertising something that might negate the warning on the packages.

I have in mind a line of advertising that contains some pictures of men in white coats and offering an opinion that cigarette smoking is not a hazard. That should be provided against during this period in which the control of advertising would be held in abeyance.

For that reason, the Senator from New Hampshire suggested this language, and the committee then recommended that the Federal Trade Commission should regard it as unfair and be at liberty to go ahead immediately against any tobacco advertising that was designed to deny or nullify the warning of hazard on the package.

Mr. MORTON. I thank the Senator. As I recall, in the course of our discussion, the Senator brought up the point of men dressed in white coats, portraying doctors, implying that cigarette smoking was good, and wanted the Commission to be sure to put that kind of advertising out of business.

Mr. COTTON. I wanted the Commission to understand fully the intent of Congress that if it passed this act it would not in any way tie the hands of the Commission to act immediately to protect the public from advertising which would negate the warning.

Mr. MORTON. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 72 minutes remaining.

Mr. MORTON. I reserve the remainder of my time.

Mrs. NEUBERGER. Mr. President, I rise to speak concerning the cigarette labeling act with mixed feelings.

It has perhaps not gone unnoticed among those Senators present that I have had a lively interest in the issue of cigarette smoking and disease for some years. It has not gone unnoticed by myself that this interest has sometimes led others to view me with some apprehension, as though I was some sort of spoilsport. The cigarette industry coined the rather dreadful term "antibac" to identify the efforts of the junior Senator from Oregon. I have been described by some as the Cary Nation of the tobacco industry.

For the record, I would like to clarify what I have and have not contended. I do not carry around with me a pair of scissors to cut off burning cigarettes in the mouths of those I meet. I have never attacked a cigarette stand with a hatchet. I have never equated smoking with sin. Abstention from tobacco is not a condition of employment with my staff. I have never introduced legislation nor have I ever delivered a speech calling for the abolition of cigarettes. Although I am gravely concerned with the incidence of cigarette smoking among children and youth, I have never even advocated a Federal teenage antismoking law. As long as society accepts teenage smoking as normal, such a Federal ban would be unenforced and unenforcible, even as are the statutes in 47 States which already prohibit the sale of cigarettes to children.

What have I advocated, then? Briefly, I believe there are four general sectors of Government activity in which remedial action is justified: First, education of both the presmoking adolescent and the adult smoker; second, expanded research into the technology of safer smoking; third, reform of cigarette advertising and promotion; and, fourth, cautionary and informative labeling of cigarette packages.

I may be a biased judge, but none of these areas of governmental concern appear in any way to be radical. On the contrary, they are aimed at the facts of cigarette life and death: First, that it is in the public interest that cigarette consumption be reduced and that fewer people begin or continue smoking; and, second, that large numbers of smokers will continue their habit no matter what governmental action is taken.

The educational program of which I speak should certainly include discussions of the physiological hazards of cigarette smoking. Personal confrontation with those suffering from cigarette-caused disease might well be a sobering experience. The attraction of smoking as being a "maturing experience" could be lessened if the young people were brought into contact with an emphysema sufferer who had to take portable lung treatment 3 times a day, as is now common.

This leads me to another aspect of the educational program necessary. There are few smokers before the age of 10 or 11.

We used to say before the age of 14 or 16, but we are constantly dropping that age. But about half of the teenagers are regular cigarette smokers by the age of 18. Educational programs must be developed which take into account the psychology of the attraction of smoking, otherwise the estimate of Public Health Service will come true that if the smoking patterns of the present continue, over

1 million children now alive will die prematurely from the horrible effects of lung cancer alone. And if we consider heart disease and respiratory disease, the number affected could be 4 or 5 times as high.

This is not the ranting of the imaginary "antibac" NEUBERGER. It is the considered judgment of the Public Health Service of the United States that millions of children, our constituents, your own children or grandchildren, your neighbors' children, will die prematurely or spend long years in completely unnecessary suffering unless the consumption pattern of cigarettes in our society can be changed.

How do we go about changing the consumption pattern of these youth in this educational program? Do we tell them that smoking is dirty or expensive, or that it stains the fingers, stunts the growth, and cuts the wind? Do we tell them that smoking causes cancer and respiratory diseases and is associated with an increase in the risk of a heart attack? Do we tell them that it is socially immature and a sign of weakness to smoke—that only sheep smoke?

We are in rather a new area in smoking education. Unlike trying to motivate people to do something once, like getting a chest X-ray or a tetanus shot, and unlike trying to teach children to do something always such as "brush your teeth after every meal," we are trying to persuade people to not do something forever. So, old techniques, while not necessarily invalid, must be studied carefully before we place too much faith in them. Finally, the very fact that teenagers are aware that "we" as adults are trying to change them, to study them, to "manipulate" them makes it very difficult to plan and evaluate a program that is meaningful.

As an illustration, let us look at the efforts of the Public Health Service to develop a cigarette education program. During the past fiscal year, 1965, the limited resources of the Public Health Service allowed them only to begin a factfinding program—not about the facts that pertain to whether or not smoking is a health hazard but rather the facts that enable us to understand better the psychosocial dynamics of smoking. They have concentrated on collecting basic information about the nature of the problem and setting up procedures to test various methods of coping with the educational aspects of the problem.

In fiscal year 1966, even with the anticipated expansion of funds to almost $2 million to establish a Clearinghouse on Smoking and Health, their program will still have to be heavily oriented to developmental activities, some of which they plan to test on a pilot basis. In addition, some of the expected increase of $660,000 in cancer project grants will be spent for projects relating to smoking and health. This combined amount of money is totally inadequate for a broad, national program, given the current barriers to successful smoking and health education programs. Next year, they plan to continue their collection of data and provision of information to the public and professional groups and to do additional studies aimed at determining the essential factors for successful programs. Their exploratory activities to date have convinced them that reduction of the health hazard of cigarette smoking is no simple matter, but one which will require many years of persistent and expanded effort. For the first time in public health, they are trying to make a currently desirable habit, undesirable, in the face of powerful and considerable resources aimed at counteracting their attempts.

The need then for smoking education is apparent, though judging by the testimony of the tobacco industry the type of tobacco education they would like to see incorporated in the school systems of our country would include the romantic history of tobacco as currency, and what one tobacco spokesman at the committee hearings called the more than three centuries of relaxation, mental contentment, and pleasure found in smoking.

The need for expanded research into the technology of safer smoking should be obvious to everyone, as well. Not only is it recognition of the fact that millions of people either will not or cannot stop smoking, but it has enormous consequence for the existing cigarette and related industry. Some of those related to the tobacco industry who have accused me of wanting to destroy the livelihood of millions of Americans might better have used their energies to support Senate Joint Resolution 151 of the 88th Congress, which I sponsored, which called for research into Flue-cured tobacco, hopefully leading to safer smoking. As I testified at the time at public hearings:

> If we owe a responsibility to the individual smoker, we also cannot be indifferent to the plight of a besieged industry. Hundreds and thousands of Americans dependent upon the cultivation, manufacture, and distribution of tobacco are faced with the verdict that the product upon which their livelihood depends, through no fault of their own, is a deadly menace to their society.
>
> We know now that cigarette smoking causes and aggravates disease. But we do not know the precise mechanism by which this happens. Nor do we now possess the technology for eliminating the sources of disease in cigarette smoking. But surely an industrial technology which is capable of propelling a human being into orbit is capable, with sufficient Government assistance and stimulation, of eliminating the hazard from cigarette smoking.

The Public Health Service in cooperation with the Department of Agriculture is conducting research into the technology of safer tobacco. Attempts are being made to isolate the incriminating agents in tobacco, with the hope that they might be removed. The combustion level of tobacco may be related to its danger and this is also under investigation, with the hope that it might be possible to raise or lower it within cigarettes to reduce the hazards. This research will take many years and unfortunately guarantees no happy solution.

The two areas of governmental concern which I have just discussed are not directly touched upon in the legislation before us today. But the other two are: cigarette package labeling and cigarette advertising.

I began my remarks by saying that I have mixed feelings. By rights, today should be the culmination of a long hard campaign to achieve meaningful congressional endorsement of the Surgeon General's report. The report of the Commerce Committee accompanying this measure before us today even quotes with approval extensively from that report of the Surgeon General and uses its findings as the rationale for the provisions of the bill. Alas, there is little relationship between the phrase "appropriate remedial action" and S. 559. For that reason, I have put down some strengthening amendments.

Mr. MOSS. Mr. President, I support S. 559, the bill to regulate the labeling of cigarettes. I am proud to be one of the cosponsors of this legislation. As you know, Mr. President, I have long been concerned about the health hazards involved in cigarette smoking and introduced legislation to assist the States in informing schoolchildren regarding the harmful effects of tobacco in the 86th and 87th Congresses. During the 88th Congress I introduced a bill to place tobacco products under the jurisdiction of the Food and Drug Administration. Then because of my grave concern over the influence of cigarette commercials on young people, I also appealed formally to the major networks to impose restraints on cigarette advertising.

I might have continued introducing bills and writing to tobacco companies and television networks for a good many years without notable success had it not been for the release of the Surgeon General's Advisory Committee's report on smoking and health in January 1964. As we all know, that report had a tremendous impact on the Nation. The extensive news coverage made it virtually impossible for any of us to ignore the findings, and the stature of the highly competent and unbiased committee was such that there could no longer be any reasonable dispute concerning the evidence linking cigarette smoking to lung cancer and other major illnesses. Now, due primarily to that report and the widespread concern it aroused, we finally have before us long-needed legislation to protect consumers by informing them of the danger of cigarette smoking.

There are several reasons why I believe that it is imperative that we approve the cigarette labeling legislation before us today. The first of these is that cigarette consumption, particularly among young people, is steadily increasing. A recent study by the National Education Association reveals that students are smoking more and starting earlier than ever before. While it may not seem surprising that half of all high school seniors smoke, it is both surprising and extremely disturbing that 10 to 15 percent of all 13-year-olds are now smoking. Now we know from the report of the Advisory Committee on smoking and health that the more an individual smokes and the longer he smokes the more likely he is to develop lung cancer.

The committee especially emphasized the fact that men who begin smoking before age 20 have a substantially higher death rate than those who begin after the age of 25. With this evidence before us, we have the clear responsibility, it seems to me, of making sure that young people are alerted to the dangers of smoking.

In a statement last January in which he summarized developments since the release of the report on smoking and health a year earlier, the Surgeon General commented that there appears to have been a 7-percent decline in the number of male smokers in the United States in the last 12 months. There has also been a decline in the number of women who smoke—perhaps 2 to 3 percent. What is less encouraging, however, is the fact that the sharpest drop in cigarette consumption occurred immediately after the Advisory Committee's report was issued by the end of the year monthly cigarette sales had climbed back to 1963 levels. Moreover, some industry spokesmen are predicting that the scare is over and that 1965 will be a record year. As Ruth and Edward Brecher, authors of the "Consumers Union Report on Smoking and the Public Interest" and numerous articles and pamphlets, have pointed out, the "Great Forswearing" of January and February 1964, has been followed by the "Great Relapse." There are probably many reasons for this, but the most significant one is that the Government thus far has failed to take a single positive step to demonstrate its support of the report on smoking and health and its deep concern over this rising health problem.

In introducing S. 559 on January 15, 1965, the distinguished Senator from the State of Washington [Senator MAGNUSON] commented that by failing to take any action with regard to cigarette labeling, we tempt many individuals into the rationalization that "smoking must not really be so bad or the Government would do something about it." I think that is an excellent point and one we must not forget. One of the duties imposed upon us as legislators by the Constitution is to protect the public welfare. In this situation our inaction has unfortunately contributed to public confusion and a certain amount of incredulity concerning the findings established by the Surgeon General's Advisory Committee. Not only have we failed in the 18 months since the report was issued to take any direct action to warn the public of the dangers cigarette smoking through labeling or advertising restrictions or through public education programs, but by our silence we have created a climate of opinion which encourages cigarette manuafcturers to continue their claims that the facts have not been established and that more research is needed.

While I am certainly not opposed to more research to learn just what it is in cigarettes that causes cancer and to develop safer cigarettes, I am opposed to the continued campaign of the manufacturers to discredit the report of the Surgeon General's Advisory Committee. I think it would be well to remind ourselves at this point, lest we be brainwashed too, that not only were the members of the Committee truly outstanding research scientists and clinicians, but that their findings were unanimous. Therefore, it behooves us, it seems to me, to put an end to any questions about whether or not cigarettes are harmful. We can do this most simply and effectively by requiring that henceforth all packages and cartons of cigarettes sold in interstate commerce be labeled to show that smoking is hazardous to health.

It should not be necessary for me to go into great detail on the mortality statistics associated with cigarette smoking, for I know you are all quite familiar with them. I would like to point out, however, that the numbers are already very high and will go much higher unless some action is taken to curb the use of cigarettes. In the last 50 years the number of deaths from lung cancer in this country has climbed from under 400 per year to more than 43,000. To put this figure in perspective, it is larger than the number of deaths from motor vehicle accidents, diabetes, or cirrhosis of the liver—all among the 10 major causes of death in the United States today. Moreover, because of the steady increase in the number of smokers and in the amount of tobacco consumed during the past few decades, we can expect deaths from lung cancer to continue to rise. Of all forms of cancer, lung cancer has been one of the least amenable to treatment and has one of the lowest 5-year survival rates. The human waste here is appalling. While we cannot and should not attempt to outlaw smoking altogether, we do have the authority to discourage smoking by warning consumers of the dangers involved. Hopefully, by doing so we can help to reduce the terrible toll of lung cancer deaths. Therefore, it is imperative that we seize the opportunity now before us and enact strong labeling legislation.

I have spoken only of deaths from lung cancer, but we must remember that cigarettes have been implicated in a number of other forms of cancer as well as various respiratory diseases such as chronic bronchitis and emphysema. Although a causal relationship has not yet been clearly demonstrated, cigarette smoking has also been linked to heart disease which is our Nation's No. 1 killer. All of these facts should serve to reemphasize the dangers inherent in cigarette smoking, the pressing need for better public understanding of this major hazard, and our duty as legislators to help protect the public welfare.

Mr. President, a recent survey conducted under the auspices of the Public Health Service revealed that by a ratio of 2 to 1 the American people favor a compulsory warning on labels and in advertising. The ratio of those favoring the warning on labels alone would presumably be even higher. In view of both the public support for such Federal action and our responsibility to inform consumers, particularly young people, about the hazards of smoking, labeling legislation clearly seems in order at this time. Moreover, because of the scope and seriousness of the health problem involved, I wish to lend my full support to the amendments of the able Senator from Oregon [Mrs. NEUBERGER] since I believe they would greatly strengthen and improve the bill now before us.

The Senator from Oregon, as the Members of this body well know, has established an outstanding reputation as a leader in the campaign for cigarette legislation. She is extremely knowledgeable in this area and for many years has fought courageously for the measures she knows are needed. I have given a great deal of thought to the amendments she is offering today and feel they are wise and sound. I urge that the Senate give them favorable consideration.

I think there should be little question that the proposed amendment to strengthen the wording of the warning to appear on cigarette packages is justified in view of the medical evidence. I believe it is our duty not only to impose a warning label but to establish one that is clear and unequivocal and as strong as the present facts warrant. Once this legislation is adopted we will not soon again have an opportunity to change the wording, the size of the label, or any of the other details. Therefore, it is important that we consider carefully what is needed and adopt appropriate provisions today.

I am in complete agreement with the Senator from Oregon that there is no justification for a 3-year moratorium on any required health hazard warning in cigarette advertising. We know what the facts about cigarette smoking are. Moreover, the tobacco industry's new self-imposed advertising code has now been in effect for nearly 6 months and we have had a chance to observe its limited effect. Surely we do not need to wait 3 more years before taking any steps to counterbalance the impact on the public of the skillful, sophisticated, and expensive advertising appeals which surround them every day.

Mr. President, many States are showing their concern over the smoking and health isue. For example, my own State has recently considered adopting labeling requirements, and the State of New York is also contemplating both labeling and advertising restrictions. While I do not favor individual State action in this matter because of the maze of conflicting regulations which would result, I feel that the States should be allowed to exercise this prerogative if the Federal Government does not choose to do so. It would be reprehensible of the Government, it seems to me, to refuse to act on this matter for as long as 3 years and at the same time preclude State and local authorities from taking the action they feel is necessary to protect the public welfare.

The last of the Senator's proposed amendments is of special interest to me because of my own efforts during the last Congress to place tobacco products under the jurisdiction of the Food and Drug Administration. I feel it is both reasonable and highly desirable to treat tobacco as a hazardous substance. Moreover, there should be many benefits to be derived from mandatory disclosure of the ingredients in cigarettes which, in the judgment of the Secretary of Health, Education, and Welfare, would help the consumer make a meaningful choice among the available brands. I believe the Senator's amendment is even better than the many tar and nicotine disclosure proposals which have been introduced in recent years because it provides for changes in the requirements as new research gives us better knowledge regarding the most harmful components of tobacco and more accurate methods of measuring the levels of these ingredients. This amendment calls for disclosure of precise information but is flexible enough to be useful for many years to come. I strongly urge that it be incorporated in the bill which has been reported by the Commerce Committee.

Mr. President, in preparing my remarks for today I came across a statement made by Henry Clay 135 years ago. That statement is as true today as it was then, and I would like to read it. Clay said:

> Government is a trust, and the officers of the Government are trustees; and both the trust and the trustees are created for the benefit of the people.

In our deliberations today let us keep that in mind. Both the Congress itself and we as Members of the Congress are here for the benefit of the people. The legislation before us will clearly benefit the people while further delay on our part will cause them harm. Therefore, I urge the Senate to adopt S. 559 in order to protect and promote the public welfare.

AMENDMENT NO. 272

Mrs. NEUBERGER. Mr. President, I now call up my amendment No. 272.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On page 3, line 17, it is proposed to strike "No" and insert "For the one-year period beginning on the effective date of this Act, no".

On page 4, it is proposed to strike out lines 10, 11, and 12.

Mrs. NEUBERGER. Mr. President, as the chairman of the committee, the Senator from Washington [Mr. MAGNUSON] stated in his opening remarks, the time period was one of the points of great difference in the committee. The chairman stated that he, too, would have approved of a 1-year period. Some members of the committee approved a 5-year period; there was a compromise of 3 years. I feel that with the evidence of the Surgeon General's report, and with the cooperation we have had from others testifying in the area of the harmful effect of tobacco, the period should be a 1-year period rather than a 3-year period. Who knows but what a great deal of research that is now going on in test tubes, private institutions and in public foundations may come forth tomorrow, next week, or next month with even more convincing evidence that would make us wish that we had not limited ourselves by the 3-year moratorium?

There is no justification for giving the cigarette industry special immunity from the obligation to disclose the dangers to health associated with the normal use of their product. It must be obvious to everyone that had a Surgeon General's committee indicted a diet food, a baldness cure, or watercress as a significant health hazard leading to cancer, heart disease and other serious maladies, we would not be debating the issue in the Senate today. The Federal Trade Commission would have acted and few if any voices would have been raised in protest. After all, there is ample precedent for the action taken last year by the FTC vis-a-vis cigarettes and advertising.

With respect to products subject to the food and drug provisions of the Federal Trade Commission Act, disclosure in advertising of dangers to health and safety from the use of such products has been required by the Commission in a number of cases. For example, in *Earl Aronberg* v. *FTC*, 132 F. 2d 165 (7th Cir. 1942), the court upheld a Commission order prohibiting advertisements for a medicinal preparation for female ailments which failed to reveal that use of the product might produce gastrointestinal disturbances, severe toxic and circulatory abnormalities, and, in pregnancy, violent poisonous effects. In *American Medicinal Products, Inc.* v. *FTC*, 132 F. 2d 426 (9th Cir. 1943), a Commission order was upheld which forbade the use of advertisements for an obesity remedy which failed to disclose that the products might result in serious injury to health. In *Consolidated Royal Chemical Corp.* v. *FTC*, 191, F. 2d 896 (7th Cir. 1951), the court upheld a Commission order requiring an advertising warning that a cold remedy containing potassium iodide was dangerous when the user suffered from tuberculosis or typhoid disease.

In addition to these court cases, numerous Commission orders not challenged in the courts and still in effect require warnings in advertisements, for example, of the dangers of using laxatives by persons from symptoms of appendicitis; that the use of hearing aids under certain conditions would cause serious injury; that ozone generators used in the treatment of respiratory diseases may injure the respiratory organs if used too often; of the dangerous side effects of analgesic preparations, arthritis remedies, blood tonics, headache remedies, kidney remedies and many, many others.

Congress did not feel constrained to leap to the defense of those firms in the name of the protection of the free enterprise system.

The issue is quite clear. The watercress industry is not one of the major industries of this Nation. Rarely do we see advertisements suggesting that we take a "watercress break." The advertising industry is not bloated with over $200 million of watercress ads. Watercress is not a multimillion-dollar basic subsidy crop. Hundreds of thousands of people are not directly and indirectly dependent on watercress for their employment. There is no Watercress Institute to act as chief lobbyist for the industry in Washington. But the cigarette industry fits that description like a glove.

It is because of these facts that this bill and the measure now before the House seek to build a wall between the cigarette industry and the public interest. In essence, these bills say that because the cigarette industry is bit it should remain untouched by such pedestrian concerns as the public welfare and safety. If ever there was an illustration of there being one law for the rich and one law for the poor, this is it.

Let us not mince words. By health hazard the Surgeon General's Committee meant premature death. By health hazard the Committee meant months or years of unnecessary pain due to cigarette-caused cancer, emphysema, bronchitis, and cardiovascular disease.

Let us be quite frank about the degree of risk of which we are talking. Everyone who smokes will not contract lung cancer. All those who are heavy smokers, who smoke a pack a day or more, will not die before their time due to a cigarette-caused disease. A minimum of 3 out of 10 will, according to the most conservative estimate I could find from the Public Health Service. The optimist will, of course, say that he has a 70-percent chance of getting away with his smoking without fatal consequences. To any Senators who feel that these are quite favorable odds, and that the health issue is overdrawn, I have a facetious sporting proposition to make. Senators who believe that cigarette advertising should be left entirely free from any requirements concerning health hazard statements because the death factor is not serious enough, should then volunteer to participate in a little demonstration. Each one should have placed in his hand what we call out in our part of the country a six-shooter. In each revolver there would be two bullets. Each Senator would then be asked to play that sporting game of Russian roulette. The winners would then be free to cast their votes against the warning statement in cigarette advertising. The losers would presumably be announced as necessarily absent.

Mr. President, I ask unanimous consent that excerpts from the Committee report be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

MORATORIUM

The moratorium on any Federal, State, or local action in the field of warning statements in cigarette advertising is justified in the report on the grounds that the Cigarette Advertising Code, the cigarette hazard educational campaigns of the Public Health Service and the various States, and the warning statement on the package should first have a chance to be evaluated for their effectiveness.

The committee report mentions the "impact of voluntary limitations on advertising," in reference to the Cigarette Advertising Code. What is the nature of these limitations? We have observed no limitations of financial outlay for cigarette advertising. In fact, spot TV expenditures by the cigarette industry more than doubled in 1964 over 1963. We have observed no limitation (nor could we expect to) on the central theme of their advertising, which is: "Smoke cigarettes." The subsidiary themes are still that flavor, fun, pleasure, and aroma are found in smoking cigarettes.

The FTC, in a letter to Chairman MAGNUSON on May 13 in response to his request for the views of the Commission on the amended bill, said: "The Cigarette Advertising Code under which the industry has been operating for some months now has produced no material improvements in cigarette advertising." This judgment is from the agency required to monitor all advertising for adherence to its general advertising regulations.

The committee report appears to lay great emphasis on the smoking education campaigns of the Public Health Service, State and local authorities, and voluntary health associations. The report uses the words "extensive" and "vigorous" to describe these programs, which may be accurate, but the word "effective" was advisedly not used. Only six States have statutes requiring the teaching of the effects of tobacco, although many States interpret the teaching about tobacco in statutes dealing with narcotic education. These educational programs are crying for funds and trained personnel.

We do not even know what the best techniques are for teaching or publicizing of the health hazards of cigarettes, although we do know that what has been tried by the States in the past is demonstrably inadequate. The committee heard no testimony that our present understanding of smoking behavior and psychology is such that the educational campaigns mentioned in the committee report would be able to compete successfully with the $200 million a year promotional advertising campaign of the cigarette industry. We may be forgiven for thinking in skeptical terms when it is noted that Congress is considering a $10 million appropriation to the Public Health Service for a 3-year educational and informational program on the health hazards of smoking, and the R. J. Reynolds Tabocco Co. spent three times that last year alone on just network TV advertising to accomplish the opposite.

The Congress is being advised, therefore, to impose a 3-year moratorium on any Federal, State, or local requirements of warning statements in cigarette advertising in order to allow time for evaluating the effectiveness of a health hazard label on the cigarette package that all admit will not affect consumption, the educational campaigns which are well intentioned but poor, ill-equipped, and understaffed, and the Cigarette Advertising Code which the FTC characterizes as having "produced no material improvements in cigarette advertising."

There seems no doubt in anyone's mind that the most effective action Congress could take to reduce consumption would be to require a health hazard statement in advertising. The complete lack of enthusiasm of the cigarette industry to this suggestion confirms the impression. In light of this, and the above, a 3-year moratorium has little rationale to commend it.

The FTC concurs in this hesitancy to accept the merits of 3 years. In the letter of May 13 referred to earlier, the Commission states:

"We do not believe that a period as long as 3 years from the effective date of the act is necessary in order to determine whether changed circumstances, bearing upon the need for action in regard to cigarette advertising, have occurred or are likely to occur. There is no indication either that extensive efforts by the cigarette industry to educate the American public in the hazards of cigarette smoking are likely in the near future or that the industry will voluntarily effect substantial and significant changes in the nature, content, and scope of cigarette advertising. * * * While we think that a health warning required by Congress and effective immediately with respect to cigarette labeling may have a salutary effect in eliminating unfairness and deception in the marketing of cigarettes, we adhere to the view that the efficacy of such a remedy and the need for any additional action can be determined within 6 months or 1 year after the labeling requirement becomes effective."

In legislation as vital as human health, a 1-year moratorium appears ample.

To those who would claim that 1 year is not long enough, I can only remind them that while Congress can impose a moratorium on warning statements in advertising, there will be no parallel moratorium on the deaths and disease caused by smoking.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

Mrs. NEUBERGER. Mr. President, I yield as much time as he may require to the Senator from New York.

Mr. KENNEDY of New York. Mr. President, I first wish to compliment the Senator from Oregon on her statement. I am in firm support of her position. Although I support the basic aim of S. 559—to require cigarette packages to display a warning label regarding smoking and health—I doubt that this label will help very much in achieving our overall aim. What we are really trying to do here is to educate the American people—and particularly young people—about the hazards involved in smoking. What we really want in the end is to discourage the consumption of cigarettes and, more particularly, to discourage young people from starting to smoke.

No doubt the presence of a warning on a package will make some difference, but it is really not enough. Lung cancer now kills 47,000 people a year in this country. The Public Health Service estimates that, in all, some 300,000 people die prematurely each year in this country as a result of one disease or another associated with cigarette smoking. The connection between cigarette smoking and premature death is established beyond controversy. Animal experiments, clinical and autopsy studies, and dozens of population studies have demonstrated this.

What I am concerned about, particularly, are the young people. Studies show that 5,000 youngsters in our country start smoking every day. By the time children reach the seventh grade—when they are past 12 years old—10 percent of them are already habitual smokers. And half of our young people are habitual smokers by the time they reach their last year in high school. The alarming fact is that if present smoking habits continue, 1 million of the children who are today in school in our country will develop lung cancer.

When we pass a bill, when we approve of proposed legislation, we have a responsibility. It is a responsibility that lies with each one of us.

Many of us in Congress have children who are still growing up. I should think we would want to do everything we can to protect the health of our children and of all the young people around the country who, influenced by massive advertising which portrays smoking as the smart, sophisticated thing to do, are taking up smoking and thereby acquiring a habit they may never be able to break.

In Congress and around the Nation we have spent a great deal of time talking and debating about American boys dying in South Vietnam. That of course is a very serious matter, for many reasons—yet our death toll in Vietnam so far is about 400. Should we not also be concerned and disturbed about a danger to our young people which is of far greater magnitude in terms of its direct potentiality for causing premature death? Should we not be doing everything possible to protect our young people from unwittingly subjecting themselves to massive susceptibility to a disease which kills nearly 50,000 people in this country every year?

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a report entitled "Health Hazards of Smoking," published by the Cigarette Cancer Committee of the Roswell Park Memorial Institute of the New York State Department of Health.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

HEALTH HAZARDS OF SMOKING

(Published by the Cigarette Cancer Committee, Roswell Park Memorial Institute of the New York State Department of Health, Dr. Hollis S. Ingraham, commissioner; Dr. George E. Moore, institute director; Dr. Morton L. Levin, chairman)

Some scientific bodies and governmental authorities who have made statements linking cigarette smoking with lung cancer and other health hazards:

STATE MEDICAL SOCIETIES

1. California State Medical Society, 1963.
2. Connecticut State Medical Society.
3. Medical Society of Delaware.
4. District of Columbia Medical Society.
5. Florida State Medical Society, 1963.
6. Hawaii Public Health and Medical Society.
7. Idaho State Medical Society.
8. Maine Medical Society.
9. Michigan State Medical Society.
10. New Jersey Medical Society.
11. New Mexico Medical Society.
12. New York State Medical Society, 1963.
13. North Dakota State Medical Association.
14. Pennsylvania State Medical Society.
15. South Dakota State Medical Association.
16. Utah State Medical Society, 1963.
17. Vermont State Medical Society.
18. Washington State Medical Association.

NATIONAL AGENCIES

United States

1. American Association for Thoracic Surgery.
2. American Cancer Society.
3. American College of Chest Physicians.
4. American Heart Association, 1963.
5. American Public Health Association, 1959.
6. Commissioner of Health, New York State, Herman E. Hilleboe, 1958.
7. Commissioner of Health, New York State, Hollis S. Ingraham, 1963.
8. Director, Department of Public Health, California, Malcom Merrill, 1963.
9. Michigan State Department of Health.
10. Ohio State Dental Association.
11. Oregon State Board of Health.
12. Surgeon General of the United States, Leroy E. Burney.
13. Surgeon General of the United States, Luther Terry, 1964.
14. Surgeon General's Advisory Committee on Smoking and Health.
15. Surgeon General, U.S. Air Force, R. L. Bohannon, 1962.
16. The Public Health Cancer Association, 1954.
17. U.S. Public Health Service.
18. U.S. Veterans' Administration.

19. World Health Organization Expert Committee, 1959.

20. Study Group on Smoking and Health, sponsored by the American Cancer Society (1957), American Heart Association, National Cancer Institute.

Foreign

1. British Medical Research Council, 1957.
2. British Ministry of Health, 1954.
3. Canadian Cancer Society.
4. Candian Heart Association.
5. Canadian Medical Society, 1963.
6. Canadian Minister of National Health and Welfare.
7. Canadian Public Health Association.
8. Canadian Thoracic Society.
9. Danish Cancer Society.
10. Danish Medical Association.
11. Finland Medical Association.
12. Government of Italy.
13. Health Council of Holland.
14. Iceland Cancer Society.
15. International Union Against Cancer, Subcommittee on Tobacco and Air Pollution.
16. Joint Tuberculosis Council of Great Britain.
17. Medical Research Council of Great Britain.
18. National Cancer Institute of Canada.
19. Netherlands Ministry of Social Affairs, 1957.
20. Pacific Northwest Radiological Society.
21. Research Council of Sweden.
22. Royal College of Physicians, London, 1962.
23. Scotland Department of Health.
24. Swedish Medical Research Council, 1958.

EPIDEMIOLOGICAL EVIDENCE FOR A RELATIONSHIP BETWEEN CIGARETTE SMOKING AND LUNG CANCER

Vital statistics

1. For the past few decades, lung cancer death rates have been climbing rapidly. For example, in New York State in 1931–33, 5.04 males per 100,000 died of the disease. The death rate subsequently rose to 12.8 (1939–41), 27.6 (1949–51), and in 1961 reached 47.2. The 1961 rate is eight times the corresponding rate for 1931–33.

2. Within the past generation lung cancer has become one of the leading causes of death. According to National Office of Vital Statistics estimates in 1961, there were 42,230 deaths from cancer of the respiratory system while in the same year motor vehicle accidents accounted for 37,500 deaths.

3. Respiratory cancer strikes people in their productive years. In the United States in 1959, 20,330 of the 37,413 who died of respiratory cancer did so before reaching retirement age (65).

Retrospective studies

1. Over 30 retrospective studies throughout the world have shown that the risk of lung cancer is much greater for cigarette smokers than for nonsmokers. A recent Roswell Park Memorial Institute study shows the risk of lung cancer to be nine times higher for smokers than nonsmokers.

2. Few lung cancer patients are nonsmokers. At Roswell Park 98.2 percent of all patients with epidermoid cancer of the lung were smokers.

Prospective studies

1. All 7 prospective studies (in which smoking histories were obtained from persons who were healthy at the time they entered the study) have confirmed the earlier retrospective studies. In one nationwide U.S. study, the risk for cigarette smokers was 8.3 times that for nonsmokers.

2. The risk of lung cancer increases as the number of cigarettes smoked per day increases. In one nationwide study, the death rate from lung cancer per 100,000 was, respectively, 51.4 (less than one-half pack of cigarettes per day), 59.3 (one-half to one pack per day), 143.9 (one to two packs), and 217.3 (over two packs). For nonsmokers, the death rate was only 3.4 per 100,000.

3. Urban residence has been implicated in lung cancer. However, in both rural and urban areas, cigarette smokers have much greater risks of lung cancer than nonsmokers.

Prevention

A study just completed at Roswell Park Memorial Institute shows that the earlier one starts smoking and the longer he smokes, the higher is his risk of lung cancer. On the other hand, the longer the period for which the individual stops smoking, the lower is his risk of lung cancer. In fact, there is evidence from this and a previous study that risk for persons who have stopped 10 years or longer is reduced to just a little more than that for individuals who have never smoked.

EPIDEMIOLOGICAL EVIDENCE FOR A RELATIONSHIP BETWEEN CIGARETTE SMOKING AND HEART DISEASE

Earlier prospective studies

1. The death rate from coronary heart disease for cigarette smokers was 70 percent higher than that for nonsmokers in a nationwide prospective American Cancer Society study. The differential was similar (63 percent) for Veterans' Administration policyholders.

2. In the ACS study, coronary heart disease accounted for almost half (44.6 percent) of all deaths. There were 3,361 deaths from this cause among cigarette smokers, whereas only 1,973 would have died if their age specific death rates had been the same as for men who never smoked.

3. Cigar smokers had a somewhat higher (28 percent) death rate from coronary artery disease than nonsmokers, but the rates for pipe smokers were about the same as those for nonsmokers.

Recent prospective studies

1. The statistical association between heavy cigarette smoking and the occurrence of coronary artery disease was confirmed by prospective studies with members of industrial and fraternal organizations.

2. In a study of 4,000 men (Albany, N.Y., and Framingham, Mass.) followed for 6 years, there was a threefold increase in mortality from coronary heart disease found in cigarette smokers who smoked more than one pack per day.

There are many illness-causing agents found in tobacco smoke. Chemicals known as hydrocarbons are the causal substances in lung cancer while nicotine is related to the development of cardiovascular disease.

References

1. Dorn, H. F.: "Tobacco Consumption and Mortality From Cancer and Other Diseases." Public Health Report 74: 581–593, July 1959.

2. Doyle, J. T.; Dawber, T. R.; Kannel, W. B.; Heslin, A. S.; and Kahn, H. A.: "Cigarette Smoking and Coronary Heart Disease—Combined Experience of the Albany and Framingham Studies." New England Journal of Medicine, 266; 796–801, April 19, 1962.

3. Hammond, E. C., and Horn, D.: "Smoking and Death Rates: Report on 44 Months of Follow-Up of 187,783 Men." J.A.M.A., 166: 1159–1172, 1294–1308, March 8 and 15, 1958.

4. Paul, O.; Lepper, M. H.; Ostefield, A.; MacMillan, A.; Phelan, W. H.; and Dupertuis, W.: "Coronary Heart Disease in an Industrial Population: A Prospective Study." Presented at 35th Scientific Sessions, American Heart Association, Cleveland, Ohio, October 1962.

5. Spain, D. M., and Nathan, D. J.: "Smoking Habits and Coronary Atherosclerotic Heart Disease." J.A.M.A., 117: 683–688, September 9, 1961.

EPIDEMIOLOGICAL EVIDENCE FOR A RELATIONSHIP BETWEEN CIGARETTE SMOKING AND OTHER DISEASES

1. Prospective studies based on patients and on followup of healthy smokers and nonsmokers to see who later develop the disease show that the risk of cancer of the bladder, larynx, esophagus, and mouth are from two to five times higher for cigarette smokers than for nonsmokers.

2. Nationwide studies in both the United States and England show that cigarette smokers have considerably more mortality from respiratory diseases, such as emphysema and bronchitis. A recent American prospective study shows the risk of smokers for these diseases to be over three times that of nonsmokers.

3. Two American prospective studies show that the relative death rate from coronary heart disease for smokers is about 60 percent greater than that of nonsmokers. The relative death rate from aneurysm and Buerger's disease for cigarette smokers was about three times that of nonsmokers.

4. At least three followup studies, including data from Roswell Park Memorial Institute, show that cigarette smokers have about three times the risk of death from stomach and duodenal ulcers.

5. The mortality rates from a number of studies of people who had never smoked were applied to the total population of the United States, whether they had smoked or not. This resulted in 250,000 fewer deaths annually from all causes, lung cancer, coronary disease, emphysema included than actually occurred. It is not unreasonable to expect that if the population of the United States became nonsmokers, this number of deaths would be avoided annually in the future.

Roswell Park references

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EXPERIMENTAL EVIDENCE FOR A RELATIONSHIP BETWEEN CIGARETTE SMOKING AND LUNG CANCER

Painting of tars

1. Painting of the skin of mice with the cigarette smoke in condensate produces papillomas and cancers. These experimental results have been reproduced by a lengthy list of investigators.

2. In a recent study, about half of the mice that were painted with smoke equivalent to 8.3 cigarettes per day developed tumors and about one-third of them had cancers. Cancers were produced by all of the 11 brands of cigarettes studied.

3. The induction of tumors in experimental animals shows a dosage response relationship similar to that for lung cancer in human smokers. Also, if the exposure of animals to smoke is stopped, even after a long period of exposure—the incidence of cancer is greatly reduced.

4. Some of the cancer-producing chemicals in the smoke are produced when the tobacco is burned. Other cancer-producing chemicals are present in the unburned cigarette tobacco.

5. Both benign and cancerous growths have been induced in rats, rabbits, and dogs with cigarette smoke.

Inhalation studies

1. Efforts to produce lung tumors in experimental animals by direct inhalation of tobacco smoke have been unsuccessful because animals will not inhlae smoke voluntarily.

2. At concentrations of smoke corresponding to that in the lungs of a human smoker, the animals suffer severe—often fatal—toxic effects.

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Rats

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ECONOMIC ASPECTS OF CIGARETTE SMOKING

Sales

1. In 1950, Americans bought 360 billion cigarettes or 3,500 cigarettes for each person over the age of 18.

2. In 1963, Americans bought 510 billion cigarettes for an average consumption over age 18, of 4,350 per year.

3. In 1963, filter cigarettes made up 43 percent of the sales; regular cigarettes 22 percent; king size cigarettes 19 percent; and menthol cigarettes 16 percent.

4. In 1952, 78 percent of all cigarettes sold were regular cigarettes.

Taxes

1. Annually, the Federal Government collects in excess of $3 billion in cigarette taxes.

2. Annually, New York State collects in excess of $125 million in cigarette taxes.

Personal expenditures

1. If a married couple, age 20, who each smoke "one pack a day," will deposit in the bank the money they will spend on tobacco for the next 40 years, or until their 60th birthday, they will accumulate $17,654.09.

General

1. In 1963, Americans spent over $7 billion on cigarettes.

2. In 1963, a total of 16 States had cash receipts from tobacco in excess of $3 million.

3. In North Carolina, almost 50 percent of the cash receipts from all farm commodities, is for tobacco.

4. Four leading tobacco producing States had cash receipts of $971 million in 1963.

5. The price of the tobacco is supported by the Federal Government in much the same fashion as for other food products. Over $190 million of tax money is spent annually to support the price of tobacco.

Fires

1. Annually, there are 200,000 fires caused by careless smoking and these lead to 1,200 deaths.

2. One-fourth of all home fires are caused by careless smoking.

3. Annually, property damage exceeds $70 million in fires caused by careless smoking.

4. Twenty-one percent of deaths by fires are caused by careless smokers.

ADVERTISING

1. Advertising expenses for the leading six cigarette manufacturers increased from $84.8 million in 1950 to $236.4 million in 1960, or an increase of 179 percent. Two billion dollars was spent on cigarette advertising between 1952 and 1962.

2. The Federal Trade Commission, in its analysis of cigarette advertising, has stated the following:

(a) Between 1945 and 1960 the Commission completed seven formal cease-and-desist order proceedings against cigarette manufacturers involving medical or health claims made in their advertising. Many other proceedings have been settled informally.

(b) Specifically, the Commission is concerned with two ways in which cigarette advertising may be unlawfully misrepresenting or concealing the health hazards of smoking. First, the Commission has reason to believe that many current advertisements falsely state, or give the false impression. that cigarette smoking promotes health or physical well-being or is not a health hazard, or that smoking the advertised brand is less of a health hazard than smoking other brands of cigarettes.

(c) Second, the Commission has reason to believe that much current advertising suggests or portrays cigarette smoking as being pleasurable or desirable, compatible with physical health, fitness or well-being, or indispensable to full personal development and social success, without at the same time reminding the consumer of the serious health hazard of cigarette smoking. Such advertising may create a psychological and social barrier to the consuming public's understanding and appreciation of the gravity of the risks to life and health involved in cigarette smoking.

3. The Federal Government has controls to stop the sale of dangerous food and drugs, and which require labeling of harmful household items but has no control over cigarettes or cigarette advertising.

4. In 1962, cigarette companies accounted for 40 percent of major advertising appearing in college periodicals.

5. During a single evening time period, it is estimated that cigarette advertising reaches 38 percent of the U.S. population 18 years of age and over, 46 percent of the population 13 to 17, and 26 percent of the population 2 to 12.

6. Senator MAURINE B. NEUBERGER states in her book, "Smokescreen: Tobacco and the Public Welfare": "Even if there were no health claims, the mere continuation of massive cigarette advertising campaigns acts as an implied assurance or warranty of the safety of cigarettes.

"There are few people in public life for whom I harbor such unqualified admiration as LeRoy Collins, former Governor of Florida, now chief executive and stanch conscience of the National Association of Broadcasters. On November 19, 1962, at Portland, Oreg., Governor Collins lashed out angrily at the curtain of silence with which the broadcasting industry had cloaked its role in propagating cigarette advertising. Governor Collins told his audience of broadcasters:

" 'It is my personal view that our (radio and television) codes should be much more than sets of legalistic standards and delineations of good taste and estimated public tolerance.

" 'For example, if we are honest with ourselves, we cannot ignore the mounting evidence that tobacco provides serious hazards to health. Can we either in good conscience ignore the fact that progressively more and more of our high school age (and lower) children are now becoming habitual cigarette smokers? We also know that this condition is being made continually worse under the promotional impact of advertising designed primarily to influence young people.

" 'Certainly the moral responsibility rests first on the tobacco manufacturer. Certainly it also rests on the advertising agencies. Certainly it also rests on the outstanding sports figures who permit their hero status to be prostituted.

"'When others have persistently failed to subordinate their profit motives to the higher purpose of the general good health of our young people, then I think the broadcaster should make corrective moves on his own'."

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LIFE INSURANCE ASPECTS OF CIGARETTE SMOKING

Differential risks

1. The differential risks with respect to cigarette smoking are well established by massive evidence. One of the major studies followed nearly 200,000 policyholders of U.S. Government life insurance.

2. The chance of American men 35 years of age dying before age 65 is almost twice as great for heavy smokers as for nonsmokers. Thus according to recent estimates 23 percent of nonsmokers will die during the 30-year period while 41 percent of the persons smoking two or more packs per day could be expected to die in a corresponding period.

3. The excess risk of death and disease for heavy smokers is considerably greater than many of the excess risks for which extra premiums have been charged.

Differential premiums

1. The Executive Life Insurance Co. (California) offers a 5-percent discount on premium to nonsmokers who are at least 30 years of age. They must sign a statement that they have never smoked.

2. The Fortune National Life Insurance Co. (Wisconsin) offers a premium differential. At age 25, the annual premium for each $1,000 is $11.01 for nonsmokers and $12.95 for smokers.

3. The Great American of Dallas (Texas), for nonsmokers guarantees an extra 20-percent death benefit of as much more as actuarial experience will allow.

4. State Mutual Life Assurance (Massachusetts), at age of 35, premiums are reduced for nonsmokers $0.60 per $1,000 of insurance.

Committee recommendations

1. That insurance companies recognize the validity of lower premiums for nonsmokers.

2. That the health hazards of smoking be included in their health educational programs.

Reference

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GOVERNMENTAL ASPECTS OF CIGARETTE HAZARDS

Throughout the world, many governmental agencies have become convinced of the health hazards of cigarette smoking and have taken steps to inform their populations regarding these dangers. This has been true, for example, in England, Canada, Denmark, the Netherlands, Scotland, Norway, and the United States, and others. Some governments have enacted regulations bearing on the advertising of cigarettes. Italy, for example, has banned all cigarette advertising. In Great Britain cigarette advertising on radio and television is limited to the late evening hours.

In the United States, legislation has been sought in such States as Nebraska, New York, New Mexico, California, Michigan, Oregon, Florida, and others, proposing public health measures designed to control cigarette consumption. On the Federal level, bills have been introduced by a large number of Senators and Congressmen over the last few years providing for the labeling of cigarettes as to their tar and nicotine content and their hazards to health. Some of these bills also called for research on current smoking habits, ways of reducing smoking, developing effective smoking withdrawal clinics, and public educational campaigns. All have been stalled in legislative committees chaired by Congressmen from States which depend economically on tobacco production.

Many State health departments have issued informative literature giving details of the scientific findings linking cigarette consumption to illness and death from a number of causes. The Surgeon General of the U.S. Air Force has instituted an educational campaign to provide the same data to servicemen. Two Surgeons General of the United States have taken similar steps, and the current Surgeon General sponsored the large-scale evaluation of all the scientific findings available which was published in early 1964. This same Surgeon General, Luther Terry, in the summer of 1964, testified before Congress that the Public Health Service should undertake educational and research programs designed to reduce smoking. To this end, nationwide surveys of physicians and the general population are underway.

The Federal Trade Commission in June 1964 enacted rules which demand that the hazards of using tobacco be noted on each package of cigarettes sold as of July 1, 1965. The Commission expects, however, that many tobacco companies will challenge this regulation, and that the resulting court actions will postpone compliance for a few years.

Excerpts From the Report of the Advisory Committee to the Surgeon General

In previous studies, the use of tobacco, especially cigarette smoking, has been causally linked to lung cancer and other diseases, notably coronary artery disease, chronic bronchitis, and emphysema. These widely reported findings, which have been the cause of much public concern over the past decade, have been accepted in many countries by official health agencies, medical associations, and voluntary health organizations.

The potential hazard is great because these diseases are major causes of death and disability. In 1962, over 500,000 people in the United States died of arteriosclerotic heart disease (principally coronary artery disease), 41,000 died of lung cancer, and 15,000 died of bronchitis and emphysema. Deaths from some of these diseases have been increasing with great rapidity over the past few decades.

Cigarette smoking is associated with a 70-percent increase in the age-specific death rate of males, and to a lesser extent with increased death rates of females. The total number of excess deaths causally related to cigarette smoking in the U.S. population cannot be accurately estimated. In view of the continuing and mounting evidence from many sources, it is the judgment of the Committee that cigarette smoking contributes substantially to mortality from certain specific diseases and to the overall death rate.

On the basis of prolonged study and evaluation of many lines of converging evidence, the Committee makes the following judgment:

Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.

Cancer

Lung cancer:

Cigarette smoking is causally related to lung cancer in men; the magnitude of the effect of cigarette smoking far outweighs all other factors. The data for women, though less extensive, point in the same direction.

The risk of developing lung cancer increases with duration of smoking and the number of cigarettes smoked per day, and is diminished by discontinuing smoking. In comparison with nonsmokers, average male smokers of cigarettes have approximately a ninefold to tenfold risk of developing lung cancer and heavy smokers at least a twentyfold risk.

The risk of developing cancer of the lung for the combined group of pipe smokers, cigar smokers, and pipe and cigar smokers, is greater than for nonsmokers, but much less than for cigarette smokers. The data are insufficient to warrant a conclusion for each group individually.

Oral cancer:

The causal relationship of the smoking of pipes to the development of cancer of the lip appears to be established.

Although there are suggestions of relationships between cancer of other specific sites of the oral cavity and the several forms of tobacco use, their causal implications cannot at present be stated.

Cancer of the larynx: Evaluation of the evidence leads to the judgment that cigarette smoking is a significant factor in the causation of laryngeal cancer in the male.

Cancer of the esophagus: The evidence on the tobacco-esophageal cancer relationship supports the belief that an association exists.

Cancer of the urinary bladder: Available data suggest an association between cigarette smoking and urinary bladder cancer in the male but are not sufficient to support a judgment on the causal significance of this association.

Respiratory diseases

Cigarette smoking is the most important of the causes of chronic bronchitis in the United States, and increases the risk of dying from chronic bronchitis.

A relationship exists between pulmonary emphysema and cigarette smoking but it has not been established that the relationship is causal. The smoking of cigarettes is associated with an increased risk of dying from pulmonary emphysema.

For the bulk of the population of the United States, the importance of cigarette smoking as a cause of chronic bronchopulmonary disease is much greater than that of atmospheric pollution or occupational exposures.

Cough, sputum production, or the two combined are consistently more frequent among cigarette smokers than among nonsmokers.

Cigarette smoking is associated with a reduction in ventilatory function. Among males, cigarettes smokers have a greater prevalence of breathlessness than nonsmokers.

Cardiovascular disease

Smoking and nicotine administration cause acute cardiovascular effects similar to those induced by stimulation of the autonomic nervous system, but these effects do not account well for the observed association between cigarette smoking and coronary disease. It is established that male cigarette smokers have a higher death rate from coronary disease than nonsmoking males. The association of smoking with other cardiovascular disorders is less well established. If cigarette smoking actually caused the higher death rate from coronary disease, it would on this account be responsible for many deaths of middle aged and elderly males in the United States. Other factors such as high blood pressure, high serum cholesterol, and excessive obesity are also known to be associated with an unusually high death rate from coronary disease. The causative role of these factors in coronary disease, though not proven, is suspected strongly enough to be a major reason for taking countermeasures against them. It is also more prudent to assume that the established association between cigarette smoking and coronary disease has causative meaning than to suspend judgment until no uncertainty remains.

Male cigarette smokers have a higher death rate from coronary artery disease than nonsmoking males, but it is not clear that the association has causal significance.

Other conditions

Peptic ulcer: Epidemiological studies indicate an association between cigarette smoking and peptic ulcer which is greater for gastric than for duodenal ulcer.

Cirrhosis of the liver: Increased mortality of smokers from cirrhosis of the liver has been shown in the prospective studies. The data are not sufficient to support a direct or causal association.

Maternal smoking and infant birth weight: Women who smoke cigarettes during pregnancy tend to have babies of lower birth weight. Information is lacking on the mechanism by which this decrease in birth weight is produced. It is not known whether this decrease in birth weight has any influence on the biological fitness of the newborn.

Smoking and accidents: Smoking is associated with accidental deaths from fires in the home.

Habituation: The overwhelming evidence points to the conclusion that smoking—its beginning, habituation, and occasional discontinuation—is to a large extent psychologically and socially determined. This does not rule out physiological factors, especially in respect to habituation, nor the existence of predisposing constitutional or hereditary factors.

SMOKING WITHDRAWAL CLINICS

In August 1963, smoking withdrawal research clinics were first started. The initial concept was the development of a simple, effective way to help those who wish to quit smoking give up cigarettes. Medications were used, mainly lobeline.

It became obvious that the success rate for smoking withdrawal was quite high; in the neighborhood of 80 percent of the participants being able to give up smoking completely. Those who received lobeline consistently had a better record of smoking withdrawal than those who did not. Also, those who were able to stop abruptly had a much higher success rate than those who tried to taper off. The idea that, if one could stop smoking for about 1 month they would be more or less over the edge, and no longer have a desire for cigarettes, proved to be a poor concept. As time went on, more and more participants went back to cigarette smoking and very shortly the difference that existed between the treated group and the nontreated group disappeared. At the end of 6 months, only 15 percent of the original participants were still not smoking, and there was no difference whatsoever between the treated group and the nontreated group.

Studies of the participants have revealed that, although there is some slight physical reaction to smoking withdrawal, the major problem is habituation and, therefore, of a psychological nature. It is very difficult, for even those who wish to give up cigarette smoking, to accomplish this permanently. Psychological studies on participants in the clinic have shown that those who had the most normal psychological index were the ones that were most successful in quitting. These results indicate that the attitude expressed by "I'll smoke for 3 or 4 years and then quit" is one that may lead to a situation where withdrawal may be difficult or even impossible.

PREVENTIVE MEASURES FOR SMOKERS

Tobacco "addiction"

1. There are various preventive measures that an individual who is a heavy smoker can take on his own initiative which will reduce his risks of death from lung cancer and other diseases. So far as it is known, the best measure is to stop smoking. This will cut the excess risk (all causes) in half. The risk of developing lung cancer is reduced proportionally with each year the individual does not smoke.

2. Even if they wish to do so, many heavy cigarette smokers are unable to reduce the amount of their smoking or to stop smoking. The extent of this "addiction" is often striking. Some patients continue to smoke even after they have undergone extensive surgery on larynx, lung, or other organs.

3. Because of this "addiction" it is best to persuade young people not to start smoking than to attempt to change the smoking habits of confirmed smokers.

Recommendations for cigarette smokers

1. If possible, stop smoking.
2. Switch to pipes or cigars (and don't inhale).
3. Smoke less—preferably less than one-half pack each day.
4. Don't inhale.
5. Use filter tip cigarettes (or filter).
6. When a cigarette burns down to within 2 inches of the lips—put it out.

EDUCATION

When one takes into account heart disease, cancer, and lung disease, there may well be over 180,000 premature deaths every year caused by smoking. Some regard the hazards of smoking as the greatest public health problem of known cause in the country today. Every day 5,000 youngsters, encouraged by cigarette advertisement and confused by relative parental and governmental indifference, adopt this habit. Reliable surveys indicate that 10 percent of 7th-grade students are habitual smokers and that by the time they reach the 12th grade, 50 percent of the class are habitual smokers. If present smoking habits continue, it is predicted that 1 million of today's schoolchildren will develop cancer of the lung in the course of their lifetime.

The experience of the Roswell Park Memorial Institute Smoking Withdrawal Research Clinic confirms the opinion that if a person is to be a nonsmoker, he should never start the habit. Hundreds of patients attended this clinic with a strong desire to stop smoking. Eighty percent of these people found that even with the best medical treatment and encouragement available, they could not stop smoking.

Some governmental agencies and national health organizations, such as the American Cancer Society and the New York, Michigan, California, and Maine Public Health Departments, have embarked on well-planned smoking educational programs. However, conflicts of interest as well as political and economic expedience have encouraged most governmental agencies to disqualify themselves as being authorized to cope effectively with the problems of smoking and health. A notable exception to this is the Federal Trade Commission which has instituted rulings requiring cigarettes to be labeled as to content and hazard. It is conceded that the great resources of the tobacco industry will be used to contest these rulings and to block them with legal maneuvers for the next several years.

The need for local cooperation and initiative is underlined by the fact that there will be a prolonged delay before national educational programs on smoking are forthcoming. Physicians realize that even with modern techniques the diseases caused by smoking are much easier to prevent than they are to cure. Physicians are also aware that the habits and behavior of young people are greatly influenced by the public health instructions they receive in the schools from teachers with whom they have close personal contact.

We desire to support the interests and activities of educators in every way possible. We feel the problems related to smoking warrant the closest attention of students, parents, teachers, legislators, and physicians.

Sensing the urgency of this health problem, the Cigarette Cancer Committee of the Roswell Park Memorial Institute has compiled a basic curriculum on smoking and health. This basic curriculum is available at no charge from the Roswell Park Memorial Institute along with the necessary supplementary visual aids.

In addition to this simple classroom educational program, there are many effective steps that can be taken by parents, teachers, and students to cause an awareness of the smoking and health problem. Some of these are listed as follows:

Student council:

1. Student leadership to plan group discussion among students.
2. Regional youth conference of student body leaders on smoking and health.
3. To conduct a survey of the opinions of community physicians, teachers, and parents on the smoking-and-health problem and to determine their smoking habits.

English department:

Discuss the following:

1. The economics of the tobacco industry.
2. Smoking as a habit or addiction.
3. When did women start to smoke?
4. Why do people smoke?
5. The relation of smoking to bodily injury and property loss by fires.
6. Cigarette advertising, a study in public deception.

Science department: 1. To conduct science exhibits and experiments that demonstrate the harmful effects of cigarette smoke.

Art department: 1. To develop satirical posters about smoking and cigarette advertising.

Speech department: 1. To arrange for a teenage panel on local radio or television to discuss the smoking problem as it applies to students.

Health education department:

1. To discuss the effects smoking has upon the heart, lungs, and blood vessels.
2. Discuss smoking as related to athletics.

Parents:

1. Discuss the smoking problem as it relates to parents and youth.
2. Family group discussion on the undesirable aspects of smoking.
3. Discuss means of implementing effective smoking education programs in the local school districts.
4. Discuss means of making local Senators and Congressmen aware of the concern parents have about the smoking problem.

ABOUT THE CIGARETTE CANCER COMMITTEE

On July 20, 1962, a group of clinicians and scientists on the staff of Roswell Park Memorial Institute met for the purpose of accelerating and coordinating various biological, epidemiological, and educational programs being carried out independently by members of the staff since 1950. Dr. Morton Levin was elected chairman of a formal committee designated "Cigarette Cancer Commitmitee." This title was chosen to emphasize the differential danger of one kind of tobacco use—cigarette smoking—and a predominant interest in the relationship of smoking to cancer.

The committee members and their assignments are:

Morton Levin, M.D., chairman; chief, department of epidemiology. Assignment: epidemiology.

Julian Ambrus, M.D., Ph. D.; principal scientist, experimental biology. Assignment: pharmacology.

Fred Bock, Ph. D.; associate scientist. Assignment: biochemistry.

Irwin Bross, Ph. D.; chief, department of statistics. Assignment: statistics and correspondence.

Marshall Duguay, M.S.; speech therapist. Assignment: education.

Saxon Graham, Ph. D.; associate scientist, epidemiology. Assignment: statistics and legislation.

David Harker, Ph. D.; director, departments of biophysics and research. Assignment: adult education.

Brian Hellar, M.A.; sociologist. Assignment smoking withdrawal clinic.

James Holland, M.D.; chief, department of medicine. Assignment: adult education (cardiovascular disease).

Arnold Mittelman, M.D.; associate cancer research surgeon. Assignment: cardiovascular disease.

George E. Moore, M.D., Ph. D.; institute director and chief of surgery. Assignment: biological research and adult education.

Dorothy Nelson, New York State Department of Health Smoking; education committee representative.

John Pickren, M.D.; chief, department of pathology. Assignment: pathology.

Charles Ross, M.D.; chief, department of thoracic surgery. Assignment: clinical studies.

Raymond Shamberger, Ph. D.; senior cancer research scientist. Assignment: cigarette formulation.

Ronald Vincent, M.D.; associate chief, departments of thoracic and surgery. Assignment: education (primary and secondary schools).

Mr. KENNEDY of New York. Mr. President, the report contains a list of scientific bodies and Government authorities who have made statements linking cigarette smoking with lung cancer and other health hazards. They are as follows:

STATE MEDICAL SOCIETIES

California State Medical Society, 1963.
Connecticut State Medical Society.
Medical Society of Delaware.
District of Columbia Medical Society.
Florida State Medical Society, 1963.
Hawaii Public Health and Medical Society.
Idaho State Medical Society.
Maine Medical Society.
Michigan State Medical Society.
New Jersey Medical Society.
New Mexico Medical Society.
New York State Medical Society, 1963.
North Dakota State Medical Association.
Pennsylvania State Medical Society.
South Dakota State Medical Association.
Utah State Medical Society, 1963.
Vermont State Medical Society.
Washington State Medical Association.

NATIONAL AGENCIES

United States

American Association for Thoracic Surgery.
American Cancer Society.
American College of Chest Physicians.
American Heart Association, 1963.
American Public Health Association, 1959.
Commissioner of health, New York State, Herman E. Hilleboe, 1958.
Commissioner of health, New York State, Hollis S. Ingraham, 1963.
Director, department of public health, California, Malcolm Merrill, 1963.
Michigan State Department of Health.
Ohio State Dental Association.
Oregon State Board of Health.
Surgeon General of the United States, Leroy E. Burney.
Surgeon General of the United States, Luther Terry, 1964.
Surgeon General's Advisory Committee on Smoking and Health.
Surgeon General, U.S. Air Force, R. L. Bohannon, 1962.
The Public Health Cancer Association, 1954.
U.S. Public Health Service.
U.S. Veteran's Administration.
World Health Organization Expert Committee, 1959.
Study group on smoking and health, sponsored by the American Cancer Society (1957), American Heart Association, National Cancer Institute.

Foreign

British Medical Research Council, 1957.
British Ministry of Health, 1954.
Canadian Cancer Society.
Canadian Heart Association.
Canadian Medical Society, 1963.
Canadian Minister of National Health and Welfare.
Canadian Public Health Association.
Canadian Thoracic Society.
Danish Cancer Society.
Danish Medical Association.
Finland Medical Association.
Government of Italy.
Health Council of Holland.
Iceland Cancer Society.
International Union Against Cancer, Subcommittee on Tobacco and Air Pollution.
Joint Tuberculosis Council of Great Britain.
Medical Research Council of Great Britain.
National Cancer Institute of Canada.
Netherlands Ministry of Social Affairs, 1957.
Pacific Northwest Radiological Society.
Research Council of Sweden.
Royal College of Physicians, London, 1962.
Scotland Department of Health.
Swedish Medical Research Council, 1958.

There really can be no argument about cancer being caused by cigarette smoking and about cigarette smoking being the cause of death of many of our fellow citizens, so there really can be no argument about the proposition that we should be doing everything we possibly can to protect youngsters from acquiring a habit that may lead to their premature death.

I see no reason at this time to go into all the details of the scientific and medical proof as to smoking and health. The overwhelming statistics based on extensive population studies, the careful laboratory experiments, and the studies of human tissue and cells have made the point—and the point has been amply publicized.

What I want to concentrate on are the merits of a most curious provision contained in S. 559. In addition to its labeling requirement, which is all to the good, the bill would deprive the States and all Federal agencies, for a 3-year period, of the power to require any statement relating to smoking and health in the advertising of cigarettes.

Mr. President, that is something that I cannot understand. After all the study that has occurred, going as far back as 1939, and intensified in 1954, and over the period of at least the last 10 years, we know there is a direct relationship between smoking and the death of citizens.

This matter has had a large and major effect on the families of many of us in Congress. It has had a major effect on the lives of many of our friends, people whom we know and people whom we do not know.

We have an opportunity in this instance to do something about this matter and take some action after the subject has been debated over the period of at least the last 10 years.

But some of us are unwilling to take action and want to put the matter off. To put it another way, as the Senator from Oregon [Mrs. NEUBERGER] pointed out so forcefully, the only reason that we are facing opposition to her amendment is that the cigarette lobby is a very strong lobby.

Mr. BASS. Mr. President, the Senator from New York has stated that the labeling provision is a good provision. I agree with him. I support that provision of the measure.

The Senator has had much experience in the field which concerns the protection of the laws of the country. Does the Senator know of any other item in the Nation, in any area, concerning which there are certain warnings as to hazards inherent in the use of the item, whether it be accidental or otherwise, in which, if the manufacturer advertises his commodity, he is required to make the affirmative statement, "We want you to buy our product, but if you use it, it might kill you"?

Mr. KENNEDY of New York. Mr. President, I am glad the Senator asked me that question. I have a list of such cases.

Mr. BASS. Mr. President, I should like the Senator to read some of them.

Mrs. NEUBERGER. Mr. President, whose time are we using?

The PRESIDING OFFICER (Mr. HARRIS in the chair). We are on time which is under the control of the Senator from Oregon.

Mrs. NEUBERGER. Mr. President, I did not yield to the Senator.

Mr. MORTON. Mr. President, I yield 3 minutes to the Senator from Tennessee.

Mr. KENNEDY of New York. Mr. President, disclosure in advertising of dangers to health and safety from the use of such products has been required by the Federal Trade Commission in a number of cases.

Mr. BASS. The Senator is reading me the law. Would the Senator give me a specific item that is being used and advertised over the radio and television in the advertising of which item they must say on the radio or television: "This product is dangerous or hazardous if you purchase it."

Mr. KENNEDY of New York. I shall, if the Senator will give me a chance. I want to read this so that the Senator will understand it.

Mr. BASS. Mr. President, we know the law.

Mr. KENNEDY of New York. I was simply making a general statement before giving examples.

For example, in *Earl Aronberg* v. *FTC*, 132 F. 2d 165 (7th Cir. 1942), the court upheld a Commission order prohibiting advertisements for a medicinal preparation for female ailments which failed to reveal that use of the product might produce gastro-intestinal disturbances, severe toxic and circulatory abnormalities, and, in pregnancy, violent poisonous effects.

Mr. BASS. Mr. President, I appreciate the doctor giving me all of those statistics.

Mr. KENNEDY of New York. Mr. President, in *American Medicinal Products, Inc.* v. *FTC,* 136 F. 2d 426 (9th Cir. 1943), a Commission order was upheld which forbade the use of advertisements for an obesity remedy which failed to disclose that the products might result in serious injury to health. In *Consolidated Royal Chemical Corp.* v. *FTC,* 191 F. 2d 896 (7th Cir. 1951), the court upheld a Commission order requiring an advertising warning that a cold remedy containing potassium iodide was dangerous when the user suffered from tuberculosis or typhoid disease.

Mr. BASS. Mr. President, I refuse to yield any further time. The Senator from New York is not answering my question.

Mr. KENNEDY of New York. Mr. President, do I have the floor?

Mr. CLARK. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Mr. President, which Senator has the floor?

The PRESIDING OFFICER. The Senator from Kentucky [Mr. MORTON] yielded 3 minutes to the Senator from Tennessee for the purpose of asking questions to be answered by the Senator from New York.

Mr. KENNEDY of New York. Mr. President, I shall finish answering the question if I am given the opportunity.

Mr. BASS. Mr. President, if the Senator from New York would let me say——

Mr. KENNEDY of New York. I should like to answer the question.

Mr. BASS. The Senator is filibustering instead of answering questions.

Mr. KENNEDY of New York. The Senator from Tennessee was kind enough to ask the Senator from New York a question. I expressed my pleasure concerning this.

The PRESIDING OFFICER. The question has now become academic. The time of the Senator from Tennessee has expired.

Mr. BASS. One should never ask a lawyer a question.

Mr. KENNEDY of New York. Mr. President, I was talking about the cigarette lobby, which, incidentally, spends more than $300 million each year on advertising cigarettes.

Let us make no mistake about the meaning of the 3-year delay provision in S. 559. As we are debating this matter, the House is considering a version of this bill which would keep the Federal Trade Commission and State and local authorities out of the area of cigarette advertising not just for 3 years, but for all time. That provision is what the cigarette industry really wants.

If we do not act today to let the American people know that we will not stand for this blatant interference with the efforts of Federal agencies and State and local authorities to protect the health of American consumers, we may well end up, after conference, with a bill which is far worse than the 3-year moratorium now contained in S. 559.

True, the Senate Commerce Committee wisely stated on page 6 of its report that, apart from the 3-year moratorium on an affirmative requirement of a warning on cigarette advertising, the FTC "retains its full authority, under section 5 of the Federal Trade Commission Act, to regulate unfair or deceptive acts or practices with respect to cigarette advertising," and the Committee went on to say that it "firmly believes that the Federal Trade Commission should regard as an unfair or deceptive act or practice within the meaning of section 5 of the Federal Trade Commission Act any advertising which tends to negate the warning which must be placed on the package in accordance with the bill."

Nevertheless, there is no justifiable reason, medical or scientific, for any moratorium whatever. The Senator from Oregon [Mrs. NEUBERGER] settled upon a 1-year delay as a compromise in drafting her amendment, and perhaps during that year we will accumulate some useful experience with the labeling requirement of S. 559. But there is no reason for the Congress to impose a delay of any longer than 1 year.

As Senators know, the Federal Trade Commission conducted full hearings on this matter in 1964 and promulgated a trade regulation rule which, absent congressional action, would go into effect this July 1.

The Commission found that cigarette advertising that fails to disclose the health hazards of cigarette smoking is unfair and violates the laws administered by the Commission. It has never been shown that the Commission's determination, based on what the Commerce Committee in its report on S. 559 termed an "exhaustive examination of advertising, labeling, and other promotional practices in the cigarette industry," was erroneous or unfounded, or beyond the Commission's authority to make. The Commission has frequently required manufacturers of dangerous products, especially drugs, to disclose the dangers in their advertising or else stop advertising. The cigarette proceeding thus represents merely the application of established principles to the particular facts of cigarette marketing, and is a lawful and proper exercise of the authority delegated by Congress to the Commission. The only thing unique about this proceeding is the gravity and magnitude of the dangers posed by cigarette smoking.

Let me say, in further answer to the point raised by the Senator from Tennessee, that if the Commission acted unfairly, if the Commission does not have any legal right to take the kind of action they intend to take, the cigarette companies can go to court and argue that before the court. The Commission's determination is subject to full judicial review; any cigarette manufacturer may obtain a ruling from the courts on the legality of the Commission's rule before he can be compelled by the Commission to comply with it.

I understand from the chairman of the Commission that it might take 4 years to litigate this matter. The cigarette companies might have at least 4 years' delay because of this litigation. That is certainly ample time for scrutiny and, if warranted, reconsideration of the Commission's determination that a health statement should be required in cigarette advertising. If the Congress enacts the 3-year delay that is mentioned in the bill, the total time would be 7 years, since the litigation would not begin until the Commission ordered compliance with its rule.

If 300,000 people die each year from diseases associated with smoking, in 7 years that would be 2,100,000 deaths.

I believe that is an important matter that perhaps we should all consider.

Mr. BASS. Mr. President, will the Senator yield at that point?

Mr. KENNEDY of New York. I cannot yield.

Mr. MORTON. Mr. President, I yield 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from New York has the floor, but 2 minutes are yielded to the Senator from Tennessee.

Mr. BASS. I shall tell him a question, then.

Mr. KENNEDY of New York. Mr. President, will the Senator give me a little time in which to answer it?

Mr. BASS. On his own time.

Mr. KENNEDY of New York. That is agreeable.

Mr. BASS. Mr. President, I am not questioning the right of the Federal Trade Commission to enter into certain prohibitions as far as advertising of any kind is concerned. That is their business. That is their prerogative. They were created by Congress for that purpose.

I do not question their right to take, as a basis for their decision, the Surgeon General's report.

I was trying to get the Senator to name me a condition which involved the advertising of an accepted American product which required the manufacturer to make the overt statement that their product is dangerous to health.

The Federal Trade Commission has the right, under their laws, as was read by the Senator, under previous cases, in which they can actually say: "You cannot advertise tobacco." The matter could go to the court if the tobacco industry wanted to pursue that course of action.

If the Senator from New York says we should ban the use of all tobacco products, that is his privilege. If that is his view, I do not question his right to have that view. But so long as tobacco is not prohibited from entering the American market, so long as it is accepted as a product used for smoking, it is entirely punitive to make any company which advertises its products contradict its views as shown in the advertising. I believe a 1-year moratorium is not enough to give an opportunity to make further research into this area. A 3-year period is provided in the bill, and the Senator has pointed out that if the issue goes to court, it will be 7 years before this regulation can be put into effect.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY of New York. Mr. President, does the Senator from New York have the floor?

The PRESIDING OFFICER. The Senator from New York has the floor. He may proceed on his own time.

Mr. KENNEDY of New York. This is not the first time, as the Senator from the State of Tennessee knows, that this subject has been brought up. We have been discussing this subject for some time. The first time that a report was made was in 1939. A great number of findings were published in 1954, 10 or 11 years ago. There has been ample time for the cigarette companies to have taken remedial steps. They have done nothing. The Senator asked for some specific examples. I gave some. I shall be glad to give him a few more.

Mr. HARTKE. Mr. President, will the Senator yield for one question?

Mr. KENNEDY of New York. No. I would like to answer the question.

There have been Commission orders requiring warnings in advertisements with respect to the use of certain laxatives by persons suffering from appendicitis. Those orders have been upheld by the court. In advertisements for these laxatives the Federal Trade Commission has required that it should be stated that laxatives might be dangerous if used by persons suffering from appendicitis or who might possibly be suffering from appendicitis.

There have been orders with respect to the use of hearing aids which can cause serious injury under certain conditions. There have been orders with respect to ozone generators used in the treatment of lung disease, requiring a warning of the dangers of using such generators too often.

There have been orders with respect to the dangerous side effects of analgesic preparations, arthritis remedies, and blood tonics.

There have been orders with respect to drugs used for headaches. There have been orders with respect to kidney medicines. There have been many others.

So the Federal Trade Commission's action in this area has not been confined to just a few cases. This is not an unprecedented action. There are many precedents for the action that the Federal Trade Commission proposes to take. If what the Federal Trade Commission is going to do is wrong, the companies can take the issue to court, and they will probably have 4 years more before a decision is made.

But what the Senator from Oregon is concerned about, what I am concerned about, and what many other persons are concerned about, is that the advertising which will go on in the meantime is directed toward young people. I am not talking about people who are already smokers. They perhaps will continue to smoke. We are concerned with the 5,000 youngsters who start smoking every day. The advertising is aimed clearly at young people, telling them, that in order to be sophisticated and "up," they have to start smoking. If the cigarette companies would say, "You can start smoking, but this is the danger involved," that would be all right. But to portray all the attractions of smoking and to convince young people to smoke, and then to put a little label on the package—that is not nearly enough.

Mr. HARTKE. Mr. President, will the Senator yield? I do not wish to become involved in the time situation.

Mr. KENNEDY of New York. I yield 1 minute to the Senator from Indiana.

Mr. HARTKE. I wish to make a few statements. I shall come back to the question concerning the authority of the Federal Trade Commission. I do not agree with my friend that the Federal Trade Commission has all the authority that would be exercised. I wish to comment on that. I do not wish to do it now, with the time limitation, but I shall take it up later.

Mr. KENNEDY of New York. The Senator can take it up later, but if the Senator believes as he does, why not leave it to the courts if the authority of the Federal Trade Commission to do this is lacking? If the FTC is making mistakes, why not let the courts decide?

Mr. HARTKE. The Senator raises a key issue.

Mr. KENNEDY of New York. I am speaking on my time, if the Senator will permit me.

Mr. HARTKE. I beg the Senator's pardon.

Mr. KENNEDY of New York. During that period the courts can enjoin the Federal Trade Commission until a final determination is made. As we all know, and as the chairman of the Commission has said, it may be up to 4 years before a final determination is made. The cigarette companies are not going to suffer in that period of time. Why add an additional 3-year delay?

I do not know of any other action on the floor of the Senate similar to this. Why are we so anxious to protect the cigarette industry? Was anybody protecting the ozone industry, or the analgesic balm industry? No.

The public interest requires prompt, indeed immediate, steps to assure that cigarette advertising is fair and truthful. Nearly 50,000 Americans are dying every year of lung cancer, a disease of which cigarette smoking is by general agreement a substantial cause. Hundreds of thousands more are dying of other diseases, either caused by or significantly associated with cigarette smoking. The Commission found that advertising has played a significant role in preventing the American people, and especially our children and teenagers, from understanding and appreciating the serious health risks involved in cigarette smoking. Realistically, therefore, failure to deal effectively with cigarette advertising must be recognized as an indirect but substantial cause of thousands of unnecessary deaths each year that action is delayed. The Commission's expert judgment is that it is essential to stop cigarette advertising that does not warn the public of the dangers of the product. To disregard that judgment, and tie the Commission's hands for 3 years, is to close one's eyes to a fearful toll of disease and death which 3 years of unrestricted cigarette marketing will produce. Surely the stakes are too high to justify such a wait-and-see attitude.

At a time when we in Congress are moving ahead to provide more and more legislation to protect the American consumer, I hope we are sufficiently enlightened not to take the backward step which the 3-year delay represents.

Mr. PASTORE. Mr. President, will the Senator yield me 2 minutes?

Mrs. NEUBERGER. I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. I agree very much with what the Senator from New York has said. I said before the committee very much what he is saying on the floor this afternoon.

The fact of the matter is that if the people of this country, and particularly the Congress of the United States, are aware of the danger to the extent that they are bringing up this legislation, why should we not tell the young people the dangers involved? Why do only a half measure? If we have reached the point where the Surgeon General of the United States of America has said that there is peril involved, that habitual smoking of cigarettes may lead to cancer of the lung, if it is true and we are concerned enough that we are proposing that the danger be printed on cigarette packages, why not let us tell the people by the media of advertising?

The reason for this proposal is a practical reason. The practical reason is that cigarettes can be advertised. The whole world can be told to buy them. Then we hope that when people buy them they will be informed that they can injure their health. We are inconsistent.

I agree with the Senator from New York. If we are going to do this at all, we ought to do it all the way. If we are not right, if cigarette smoking is not dangerous to health, we ought not to bother with the problem. But if we recognize the problem, and if we listen to the highest medical authority in the country, and cannot believe the Surgeon General of the United States, whom are we going to believe?

I am aware of the economics involved. I am sorry that some people will lose their jobs. I am sorry that the profits of the tobacco industry will be hurt. I am sorry we shall not have advertisements on television that say "Up, up, up—cooler, cooler, cooler"; but if smoking is hurting the health of the people of America, we should go the whole way.

I say that we should not deny any Federal agency the authority to do its job in the public interest. That is what we would be doing here. We would be handcuffing the Federal Trade Commission in saying to them that they may be right in protecting the people of this country and their health, but they cannot do it because we would be handcuffing them in the Senate.

Why? Because we wish to save dollars for the industry.

The time has come when, if we consider health, we should forget the economics involved. If we are going to do the job in the public interest, let us do it the whole way.

I congratulate the Senator from Oregon for introducing the amendment, and also the Senator from New York [Mr. KENNEDY] for his support of that amendment.

Mr. THURMOND. Mr. President, will the Senator from Kentucky yield?

Mr. MORTON. Mr. President, I yield 1½ minutes to the Senator from South Carolina.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from South Carolina is recognized for 1½ minutes.

Mr. THURMOND. Mr. President, I rise in opposition to the Neuberger amendment. I support S. 559 as it was reported by the Senate Commerce Committee. The approach contained in the bill now before the Senate is reasonable and goes as far as should be allowed at the present time.

I personally do not use tobacco in any form, but I recognize that many individuals do derive a certain amount of pleasure from smoking. Nevertheless, I believe that a vast majority of the American public, both smokers and nonsmokers, are aware of the fact that excessive indulgence could pose a health hazard. I must point out that excessive indulgence in almost anything, including eating, drinking, exercising, and many other normally healthful endeavors, could likewise be detrimental to one's physical well-being.

Whatever one's personal opinions may be concerning the health hazards posed by cigarette smoking, there is still controversy within the medical and scientific community as to the conclusiveness of the proof. The labeling requirements contained in the pending bill are sufficient to put everyone on notice, and I am willing to support this approach.

Mr. COOPER. Mr. President, will my colleague yield?

Mr. MORTON. Mr. President, I yield 8 minutes to my colleague, Mr. Cooper.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 8 minutes.

Mr. COOPER. Mr. President, I wish to speak specifically against the amendment which has been proposed by the distinguished Senator from Oregon [Mrs. NEUBERGER], and which is supported by the Senator from New York [Mr. KENNEDY].

The effect of the amendment would be to reduce the preemption against Federal agencies and State and local bodies from 3 years to 1 year.

The amendment raises a simple question, it challenges the fairness and reasonableness of the findings of the committee. I would have thought it would be more logical for its proponents, if such an amendment were to be offered, that its purpose would be to remove the preemption entirely.

The Chairman of the Federal Trade Commission testified before the committee that if a preemption were not provided the control of advertising by State and local bodies would result in a chaotic condition. Consequently, the only argument before the Senate at this time, as I see it, is: "Is a 3-year preemption reasonable?"

I associate myself with my colleague [Mr. MORTON], because I believe that his statement is eminently fair.

We represent a tobacco-producing State, and many of our people depend upon tobacco for their livelihood. We are proud of the industry, work for our farmers, but from the time the Surgeon General filed his statement on smoking and health, we have both maintained the position that health transcends other considerations.

But, we also believe that Congress has a duty to be reasonable in this matter, as it has in other matters; it should treat the tobacco industry fairly and upon the facts. I say that the 3-year preemption is reasonable. It is reasonable, first, because of the nature of the report on smoking and health. One could become emotional about this question—and it does cause emotion—but I sometimes wonder how many Senators have read the report. I know that the distinguished Senator from Oregon has studied the report because we have discussed it. It took me 24 hours to read it casually, spending 1 whole day with it.

I do not derogate the report, but a fact that it is not based upon new research but upon a review and evaluation of earlier research, reports, and statistical information. The element of causality is a most important element in linking smoking with cancer, yet the report determines causality by association with statistics, rather than upon the finding of any incriminating component in cigarettes.

Many argue about tar and nicotine, but the report indicates that nicotine is not incriminating, and tars to only an uncertain degree. The report directs attention to the combustion but cannot identify incriminating elements.

Research is going forward under the direction of the Department of Agriculture and in many private institutions. Three years is a reasonable time to see if new information can be provided. A firm step forward will be taken if this bill is enacted.

A warning will appear on every package and it must be remembered that the police power of the States will not be reduced if this bill is passed. States, if they wish to provide restrictions and regulations against the sale of cigarettes, can do so under this bill.

The only preemption goes to the advertising field.

Finally, let me say in response to the arguments made by the Senator from New York that the examples he gave bear no relationship and provide no precedent of authority to the Federal Trade Commission to regulate the advertising of cigarettes. As I heard the distinguished Senator, he cited examples of the regulation of advertising under section 15(a)(1) of the Federal Trade Commission Act. But this section is applicable to foods, drugs, devices, and cosmetics. It is not applicable to tobacco, and it has been so held by the Court in the case of Liggett & Myers Tobacco Co. against Federal Trade Commission.

Mr. KENNEDY of New York. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield.

Mr. KENNEDY of New York. Why then, if the Federal Trade Commission does not have the legal authority to take this action, do we not let that matter be decided by the courts? Why are we in the Senate saying not to do it?

Mr. COOPER. The Court of Appeals decided that the Federal Trade Commission does not have the authority to regulate the advertising of tobacco under this section. If Congress wishes to give the Federal Trade Commission the power to do so, of course it can, but that has nothing whatever to do with the argument the Senator from New York has been making.

Mr. KENNEDY of New York. I am not suggesting that we give them the authority. I say to the Senator from Kentucky that I believe they have the authority. I disagree with the Senator from Kentucky on the legal precedents. The Senator and I can disagree on the question, but why do we not leave it up to the courts? Why is the Senate so against it? If the Federal Trade Commission does not have that authority—to take away an authority which they supposedly do not have—why is it necessary?

Mr. COOPER. The courts have already decided. The Senator must have read that.

Mr. KENNEDY of New York. The Senator from Kentucky says that the courts have decided that they do not have that authority. I am saying that they do have it.

Mr. COOPER. The courts have decided it. If the Senator wishes to introduce a bill to give the Federal Trade Commission such authority under section 15, the Congress, of course, can do it, but——

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. MORTON. Mr. President, I yield 2 additional minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. COOPER] is recognized for 2 additional minutes.

Mr. COOPER. Congress can prescribe in this bill any kind of advertising it wishes to regulate or provide authority to the Federal Trade Commission. But, I do not believe that the citations of the Senator from New York are to the point. But I do not wish to get off on that tangent, I wish to get to the main question before us.

Mr. KENNEDY of New York. Let me say to the Senator from Kentucky that under section 5(a)(1) of the Federal Trade Commission Act, in my judgment they have the authority, and it has been upheld in FTC against Cherney. That is my very point.

Secondly, if the Senator is correct, if they do not have authority to act, I do not know why we are bringing it up on the floor. Why not let the courts decide?

Mr. COOPER. The Senator's argument is a diversion, I say that respectfully, but I say it because section 5(a) is a prohibition against deceptive acts in commerce. We want to take reasonable steps to bring home to the people of this country, particularly the younger people, the conclusions of the Surgeon General for their consideration. I say that, coming from a tobacco State. Considering the fact that this report is based upon statistical evidence, and considering the fact that the committee unanimously accepted as a forward step the labeling of the packages, and took into consideration the educational efforts and research efforts underway, this will be reasonable.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORTON. I yield 2 additional minutes to my senior colleague.

Mr. COOPER. We should give this bill, and the voluntary efforts being made, the opportunity of a fair trial. If evidence is produced to show a causal effect, I shall be among those supporting more radical steps if they are required; but to adopt the amendment of the Senator from Oregon is going too far. The action of the committee is reasonable and should be sustained. Finally, Mr. President, in support of my view that the Federal Trade Commission lacks authority in this area. I ask unanimous consent to have inserted at this point in my remarks an article appearing in the University of Pennsylvania Law Review of December 1964.

There being no objection, the article was ordered to be printed in the Record, as follows:

Trade Regulation—Federal Trade Commission Prescribes Health Warnings for Cigarette Advertising

In response to the report of the Advisory Committee to the Surgeon General that "cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action,"[1] the Federal Trade Commission issued the cigarette advertising trade regulation rule.[2] The rule directed the entire industry to include a warning in all its advertisements and labels that cigarette smoking is dangerous to health and may cause death from cancer and other diseases.[3] Failure to display such a statement, clearly and conspicuously, is designated "misleading advertisement," an "unfair and deceptive practice or act" under section 5 of the Federal Trade Commission Act.[4] Trade regulation rule for prevention of unfair or deceptive advertising and labeling of cigarettes in relation to health hazards of smoking, 29 Federal Register 5477 (1964).

The Commission claims a clear mandate to issue the present order in the exercise of the power granted it by the Federal Trade Commission Act[5] over trade practices,[6] a term which by judicial definition encompasses advertising.[7] But both the words and the history of the statute belie the Commission's contention. Under section 5(a) (6) the Commission is empowered "to prevent persons, partnerships, or corporations * * * from using * * * deceptive acts or practices in commerce."[8] After an adjudicatory hearing, if a practice or act which the Commission has "reason to believe [an advertiser] * * * has been or is using" is found deceptive, the Commission may order the offender to "cease and desist."[9]

In enforcing this provision the Commission often orders deletion of a false phrase[10] or elimination of a "false implication or overtone."[11] Less commonly, it directs excision of an entire advertisement or trademark, or an affirmative insertion, as in the present case.[12] But, however exercised, the Commission's scope of action has been circumscribed to permit only that which is necessary to eradicate the deception. In cases involving orders to excise a whole trademark, the Supreme Court has sanctioned only those complete excisions required to cure the deceptive quality of the trademark.[13] Similarly, courts have distinguished affirmative disclosure "necessary" to eliminate a false statement or implication of the advertisement itself, and affirmative disclosure not "necessary" to dispel falsity, but informative to the consumer.[14]

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[1] U.S. Public Health Service, report of the Advisory Committee to the Surgeon General 33 (1964).

[2] Commissioner MacIntyre dissented, saying that the industry should be given a chance to police itself. Trade Reg. Rep., par. 50238 (June 29, 1964). MacIntyre argued that the industry had not been given adequate time to comply voluntarily with the provisional set of rules issued by the Commission on Jan. 22, 1964, 29 F.R. 530–532 (Jan. 22, 1964), pointing to the fact that the industry had established a privately enforced cigarette advertising code. The present rule is a use of a new regulatory procedure, the industrywide trade regulation rule. Procedures and Rules of Practice for the Federal Trade Commission, 16 C.F.R. sec. 1.63 (Supp. 1963). Not yet resolved with regard to the new procedure are such questions as reviewability, right to challenge the propriety of the rule in later litigation, and the authority to promulgate the rules. Commission discussion of the legal effects of the rule has not been clear. Compare FTC, trade regulation rule for the prevention of unfair or deceptive advertising and labeling of cigarettes in relation to the health hazards of smoking and accompanying statement of basis and purpose of rule 129 (1964) [hereinafter cited as statement of purpose], with id. at 145. By advocating a clearly advisory ruling rather than the questionably binding one issued, MacIntyre's dissent focuses attention on the problems of the present procedure. This comment will not deal with these issues.

The provisional rules which triggered the industry response provided as follows: Rule 1: a specifically worded caution to be included in all future advertisements. Rule 2: an order to eliminate all statements or implications that smoking is good for the health, not a health hazard, or that one brand of cigarettes is less dangerous than another. Rule 3: a ban on the tar and nicotine derby (a term which has come to mean the competition among companies to advertise that one has less tar and nicotine than another). See 29 F.R. 530–532 (Jan. 22, 1964). Proposed rule 3 was dropped because the Commission felt that the private industry code set up in September 1955 to ban the tar and nicotine derby had been sufficiently effective. Rule 2 was discarded in favor of rule 1, which was adopted in modified form.

[3] Realizing the complex practical problems involved in adding insertions to all advertising and labeling, the Commission put the effective date of the order at July 1, 1965, for advertising and Jan. 1, 1965, for labeling. Complaints or exemption hearings on the advertising order could be had until May 1, 1965. See 29 F.R. 8324 (July 2, 1964); Trade Reg. Rep., par. 7939 (Sept. 15, 1964). At the behest of Representative Oren Harris, chairman of the House Interstate and Foreign Commerce Committee, the Commission decided to delay the effective date of the labeling order to permit time for congressional investigation and/or action. New York Times, Aug. 22, 1964, p. 19, col. 1. Many Congressmen have questioned the Commission's authority to act and have introduced bills in Congress to specifically empower the Commission to act as it has already acted. E.g. H.R. 3610, 4168, 5973, 7476, 9512, 9655, 9657, 9668, 9693, 9808, 11671, 11714, 89th Cong., 2d sess. (1964). The New York Times and the Wall Street Journal speculated that, although the Commission did not explicitly so state, it agreed to the delay because it too questions its authority. New York Times. Aug. 22, 1964, p. 19, col. 1; Wall Street Journal, Aug. 24, 1964, p. 1, col. 3. In addition Dr. Luther Terry, Surgeon General of the United States, has suggested that in the opinion of his Advisory Committee, the Federal Trade Commission Act should be amended to give the Commission power to take the remedial action advocated by his report. Trade Reg. Rep., par. 55238 (June 29, 1964).

[4] 52 Stat. 111 (1938), as amended, 15 U.S.C. 45 (1958).

[5] 52 Stat. 111 (1938), as amended, 15 U.S.C., secs. 41–77 (1958), as amended, 15 U.S.C., sec. 45(f) (supp. III, 1962).

[6] Statement of Purpose 83–85.

[7] *Shafe* v. *FTC,* 256 F. 2d 661, 663 (6th Cir. 1958): "The use of advertising is well recognized as an integral part of the production and distribution of goods, and as such is subject to the regulatory powers of the Commission." Accord, *E. F. Drew & Co.* v. *FTC,* 235 F. 2d 735 (2d Cir. 1956), cert. denied, 352 U.S. 969 (1956); *Reddi-Spred Corp.* v. *FTC,* 229 F. 2d 557 (3d Cir. 1956).

[8] Federal Trade Commission Act sec. 5(a) (6), 52 Stat. 111 (1938), as amended, 15 U.S.C. sec. 45(a) (6) (1958).

[9] Federal Trade Commission Act sec. 5(b), 52 Stat. 112 (1938), 15 U.S.C. sec. 45(b) (1958).

[10] See, e.g., *Jacob Siegal Co.* v. *FTC,* 36 F.T.C. 563 (1943), aff'd, 150 F. 2d 751 (3d Cir. 1945), rev'd, 327 U.S. 608 (1946); *FTC* v. *Algoma Lumber Co.,* 15 F.T.C. 657 (1931), rev'd, 64 F. 2d 618 (9th Cir. 1932), rev'd, 291 U.S. 67 (1934); *FTC* v. *Royal Milling Co.,* 15 F.T.C. 38 (1931), rev'd, 58 F. 2d 681 (6th Cir. 1931), rev'd, 288 U.S. 212 (1933). The first two cases decided by the FTC were cases of this kind: *FTC* v. *A. Theo. Abbott & Co.,* 1 F.T.C. 16 (1916); *FTC* v. *Circle Cilk Co.,* 1 F.T.C. 13 (1916) (textile products containing no silk were advertised as "silk" or "cilk," and the Commission ordered these names deleted).

[11] See e.g., *Feil* v. *FTC,* 285 F. 2d 879 (9th Cir. 1960); *Aronberg* v. *FTC,* 132 F. 2d 165 (7th Cir. 1942); *Wybrant Sys. Prod. Corp.* 54 F.T.C. (1681) (1958), aff'd, 266 F. 2d 571 (2d Cir.), cert. denied, 361 U.S. 883 (1959); *Procter & Gamble* v. *FTC,* 11 F. 2d 47 (6th Cir. 1926) (dictum). For a discussion of the various types of deletion orders regarding false advertisements, see Barnes, "False Advertising," 23 Ohio St. L. J. 597, 646 (1962); Note, "Federal Regulation of False Advertising," 5 Boston College Industrial and Commercial L. Rev. 704, 717–25 (1964).

[12] See, e.g., *Continental Wax Corp.* v. *FTC,* 330 F. 2d 475 (2d Cir. 1964); *Haskelite Co.* v. *FTC,* 127 F. 2d 765 (7th Cir. 1942); *Waltham Precision Instrument Co.,* No. 6914, F.T.C., July 20, 1962, aff'd, 327 F. 2d 437 (7th Cir. 1954; *Ward Labs, Inc.,* 55 F.T.C. 1337 (1959), aff'd, 276 F. 2d 952 (2d Cir.), cert. denied, 364 U.S. 827 (1960). On affirmative disclosures, see brief discussions in Millstein, "The Federal Trade Commission and False Advertising," 64 Colum. L. Rev. 439, 490 (1964); Barnes, "False Advertising," 23 Ohio St. L. J. 597, 645 (1962).

[13] See e.g., *Jacob Siegel Co.* v. *FTC,* 327 U.S. 608 (1946); *FTC* v. *Royal Milling Co.,* 288 U.S. 212 (1933).

[14] See *Alberty* v. *FTC,* 182 F. 2d 36 (D.C. Cir.), cert. denied, 340 U.S. 818 (1950). Affirmative disclosure cases are few, and affirmative disclosure discussions fewer. Prior to 1950, the courts did not even question the few orders of this kind which the Commission handed down. After 1950 the courts were awakened to the Alberty distinction between informative and corrective disclosures, but discussion was still scant. See, e.g., *Kerran* v. *FTC,* 265 F. 2d 246 (10th Cir.),

In its use of the former, or "corrective" disclosure, the Commission has acted cautiously and has generally been upheld by the courts.[15] In such cases, the Commission functions positively by responding to a particular deceptive element in the advertisement itself. In this type of case, the Commission's order is conditional: so long as the misrepresentation continues, the affirmative disclosure must continue. For example, a scalp treatment company that claimed it could cure "almost all" cases of baldness did not reveal its actual ineffectiveness against the male pattern type.[16] The court upheld the Commission order that "failure to disclose that approximately 95 percent of the cases of baldness fall within the male pattern type is plainly misleading, when the petitioners claim they treat effectively virtually all cases of baldness." [17]

On the other hand, *Alberty* v. *FTC*, the only case to consider the question squarely, held the Commission lacked power to order an informative disclosure and described such authority as "the power to control the marketing of all * * * products * * *." [18] The Alberty court differentiated the Commission's right to prescribe "corrective" disclosures from power to order "informative" disclosure and, in reversing the FTC, concluded that "Congress gave the Commission the full of the former but did not give it the latter." [19] In this case a tonic manufacturer had claimed that his product was able to cure fatigue caused by iron deficiency anemia. The FTC did not deny this claim, but insisted that the manufacturer include in all future advertisements the information that iron deficiency anemia was only a minor cause of fatigue, and, further, that his product could not relieve fatigue from other causes.[20] While such information might be "interesting" and perhaps "useful" to the public, the court refused to require the manufacturer to educate the public at his own expense.

The legislative history of the act supports the Alberty interpretation of Commission power.[21] When the Federal Trade Commission Act, designed to maintain competitive conditions, was passed in 1914, the thought of Government regulating business in general by proscription was relatively new,[22] that of regulating by prescription yet unformed.[23] Whereas congressional discussion indicates that the power and discretion accorded the Commission were to be broad, such power was not to take the form of compulsory affirmative action designed to buttress competition.[24] The agency that Senator Newlands, father of the FTC and floor manager of the original bill, proposed to Congress was simply "an administrative tribunal * * * with powers of recommendation, with powers of condemnation, [and] with powers of correction." [25]

In 1938 the Wheeler-Lea amendment to the Federal Trade Commission Act expanded the Commission's power to cover all deceptive acts and practices in commerce, including those having no effect on competition.[26] Although the prevailing attitude was no longer hostile to positive governmental intervention,[27] Congress gave the FTC new power only "to the same extent [as] that * * * over unfair methods of competition * * *." [28] The comments of Senator Wolverton, a drafter of the amendment, indicate this intent: "The bill * * * places no requirement on the advertiser to make any statement concerning the commodity, but does require that he shall make no statment that is misleading in a material respect." [29]

The Commission contends that the present trade regulation rule is corrective because it is necessary to offset the cumulative effect of advertising claims that cigarettes are pleasure-, status-, and success-giving and desirable.[30] The image of smoking conveyed by such advertising "is inconsistent with and misrepresents the complete truth about smoking, which is that while it may afford pleasure, it is a habit difficult to break and extremely dangerous to life and health." [31] Furthermore, the Commission asserts:

"It is a prevalent view in our society that the Government protects the public against advertisements to promote the sale of dangerous products. The mere fact that advertisement of cigarettes is officially tolerated carries an implication that cigarettes are not considered as serious a health threat as other products not generally tolerated * * *." [32]

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cert. denied sub nom.; *Double Eagle Ref. Co.* v. *FTC*, 361 U.S. 818 (1959); Ward Labs, Inc., 55 F.T.C. 1337 (1959), aff'd, 276 F. 2d 952 (2d Cir.), cert. denied, 364 U.S. 827 (1960).

[15] Millstein, supra note 12, at 490.

[16] Keele Hair & Scalp Specialists, Inc., 55 F.T.C. 1840 (1959), enforced, 275 F. 2d 18 (5th Cir. 1960). See also trade regulation rule on binoculars, Trade Reg. Rep., par. 50273 (June 29, 1964).

[17] 275 F. 2d at 23.

[18] 182 F. 2d 36, 39 (D.C. Cir. 1950), cert. denied, 340 U.S. 818 (1950). Although Alberty was actually decided under sec. 15, the food and drug amendment of the FTC Act, not under sec. 5, the Commission has broader corrective powers under sec. 15 than under sec. 5, so the principles of Alberty should be applicable a fortiori to the present problem.

[19] Id. at 39.

[20] Id. at 37. See note, "The Regulation of Advertising," 56 Colum. L. Rev. 1018, 1028 (1956), asserting that the conclusion of Alberty is due "to a recognition that the primary function of the FTC is to prevent false and misleading claims rather than to require informative disclosure."

[21] See "Note, The Regulation of Advertising," 56 Colum. L. Rev. 1018 (1956). See generally Baker & Baum, "Section 5 of the Federal Trade Commission Act: A Continuing Process of Redefinition," 7 Vill. L. Rev. 517–543 (1962).

[22] "It must be remembered that this Commission enters a new field of governmental activity." H. Rept. No. 533, 63d Cong., 2d sess. 8 (1913).

[23] See Dimock, "Business and Government" 402–423 (1949); Morison & Commager, "The Growth of the American Republic," 1865–1950, at 436 (4th ed. 1951). See generally Henderson, "The Federal Trade Commission" (1942). The compromise powers finally granted the Commission were confined to ordering business to cease and desist from an unlawful practice. Dorfman, "The Economic Mind in American Civilization," 1865–1918, at 340–341 (1933).

[24] Congress hesitated even to give the Commission the power to compel business to carry out the correction which it recommended let alone to compel positive reforms. See 51 Congressional Record 8977 (1913) (remarks of Representative Murdock). Interpreting this question of the Commission's power over remedy, the Supreme Court declared that the Commission does not have unlimited choice as to remedy, but rather is confined to that type of remedial action necessary to correct the evil. *Jacob Siegel Co.* v. *FTC*, 327 U.S. 608, 611–612 (1946) (dictum) (excision of trademark case).

[25] See 47 Congressional Record 1225 (1911) (remarks of Senator Newlands); accord, S. Rept. No. 597, 63d Cong., 3d sess. 19 (1914). Although phrased in terms of "competition" and "competitive conditions," congressional observations on the laissez faire character of the Commission are here pertinent. Cf. Davis, "Administrative Law 9" (1959). The "negative" attitude of Congress toward Commission intervention is reflected in the Senate report on the bill: "[W]hat is meant when we use the phrase 'maintaining competition' is [only] maintaining competitive conditions * * *." S. Rept. No. 1326, 62d Cong., 3d sess. 3 (1913).

[26] Federal Trade Commission Act, sec. 5 (a) (6), 52 Stat 111–112 (1938), as amended, 15 U.S.C. 45(a) (6) (1958).

[27] Compare *Schechter Poultry Corp.* v. *United States*, 295 U.S. 495, 552–53 (1935). In Schechter, the NIRA was struck down as an unconstitutional delegation of congressional power. In his concurring opinion Mr. Justice Cardozo specifically described the nature of the codes which the NIRA was to promulgate: "[A] code is not to be restricted to the elimination of business practices * * *. It is to include whatever ordinances may be desirable or helpful for the well-being or prosperity of the industry affected." Id. at 552. Such administrative action he described as "not merely negative, but positive * * *." Id. at 553. Projecting the possible application of such power, Cardozo declared that the "extension becomes as wide as the field of industrial regulations." Id. at 553. Such power, he concluded, is inappropriate to an administrative tribunal. Throughout the Court's opinion, the FTC is contrasted with the unconstitutional NIRA.

Congressional intent to confine the FTC to a nonpositive role is also found in the character of the procedural tool with which Congress equipped the Commission: the cease and desist order. This order has been described as the administrative equivalent of the judicial injunction. Mayers, "The American Legal System," 428 (rev. ed. 1964). In characterizing the limit such procedure placed on the FTC, Judge Ewin Davis, a former commissioner, said, "When the Commission issues the cease-and-desist order, that is all it can do. We can just say 'stop'." 83 Congressional Record, 396 (1938) (read into Record).

[28] 83 Congressional Record, 3256 (1938) (remarks of Senator Burton K. Wheeler, a drafter of the bill, on the conference report on the bill).

[29] 83 Congressional Record, 396 (1938).

[30] Statement of Purpose 52. In the alternative the Commission claims the power to order informative disclosures, on the basis of "the principle, established in the interpretation and application of the Federal Trade Commission Act, that it is unfair and deceptive trade practice to fail to disclose material facts concerning a product which may influence many consumers in their decision whether to purchase the product, particularly where the use of the product might endanger health and safety." Notice of labeling rules, 29 Fed. Reg. 530–31 (Jan. 22, 1964). The Commission retained this view in Statement of Purpose 106. In this respect the instant order differs from a more recent trade regulation rule issued by the Commission directing advertisers of previously used lubricating oil actively to represent that the oil was previously used. In that rule the Commission explicitly stated that such a statement must be added because the advertisements "represented directly or by implication that such oil is new and unused, and * * * represented that such oil has been 're-refined' when in fact the physical and chemical contaminants acquired through use have not been removed by a refining process," 29 Federal Register 11650 (Aug. 14, 1964). Further, the Commission noted, the packages for new and previously used oil were identical. Since the order asserted that "substitution is unlawful, even if qualitative equivalence could be shown and the consumer is prejudiced if he is led to expect one thing and is supplied with something else," the order itself contained a finding which rendered the order corrective in nature, 29 Federal Register 11650 (Aug. 14, 1964).

[31] Statement of purpose, 102.

[32] Id. at 111.

Thus, massive and skillful advertising has "blunted public awareness and appreciation"[33] of the hazards of smoking, so that the advertisements themselves must refute the public misconception.[34]

Even accepting the Commission's determination that the public now carries a mistaken impression of the relation of smoking to health, the order is not justified. For the representations that the Commission describes as misleading say only that the product is good,[35] a representation common to all advertising. Thus, if the Commission can here require affirmative disclosure, it can require all advertising to disclose all defects. Although the Commission attempts to distinguish the present case on the ground that a health hazard has been clearly established by a governmental report, neither does section 5 give nor does the Commission claim general jurisdiction to protect the public from health hazards. The Commission asserts that many people believe "the Government protects the public against advertisements to promote the sale of dangerous products."[36] But statutory mandate and not popular conception of what constitutes proper Government action must delimit the scope of Commission power. Since there is no deception, there can be no correction. Thus the present rule is of the informative rather than the corrective-conditional type.

The Commission rejects the argument that the very fact of public and governmental concern about the health hazards of smoking[37] differentiates this case from ones in which the knowledge of the health hazard is peculiarly within the control of the advertiser, that the implications of a neutral advertisement, neither affirming nor denying a danger widely, if not universally, known to the public are necessarily less "deceptive" than those of a similar advertisement directed to an unsuspecting public. Since the Commission does concede that there is more than ordinary concern, the principle of Alberty applies a fortiori to cigarette advertising because recent, continuing, and extensive publicity has certainly made the public more cognizant of the connection between smoking and cancer than of the connection between fatigue and iron deficiency anemia.

In the alternative the Commission contends that the present trade regulation rule is "corrective" under the "standard of lawfulness [of section 15, relating to food, drugs, and cosmetics, which is] * * * fully applicable in a section 5 proceeding,"[38] even though section 15 is technically inapplicable to cigarettes.[39] That section prohibits false advertising of drugs, food, and cosmetics "if the use of the commodity advertised may be injurious to the health"[40] even when properly used. Moreover, in determining whether a drug advertisement is "false," the FTC is specifically directed to consider "not only representations made * * * but also the extent to which the advertisement fails to reveal facts material with respect to consequences which may result from the use of the commodity * * *."[41]

But the rationale of section 15, with its broadened definition of "corrective" disclosure, does not apply to cigarette advertisements. When section 15 was added to the Federal Trade Commission Act, congressional concern centered on consumer purchase of worthless nostrums.[42] Congress concluded that drugs claim therapeutic value, and hence a failure to reveal deleterious effects constitutes a misrepresentation. Accordingly, as to drugs, a Commission order to reveal the deleterious attributes in effect constitutes a "corrective" disclosure. Cigarettes, by contrast, do not make positive therapeutic claims, and consumers do not attribute remedial value to cigarettes. The one case which considered the question, *Liggett & Myers Tobacco Co.* v. *FTC*,[43] held that cigarettes are not within the purview of the section.[44] In that case an advertisement affirmatively claimed that certain "cigarettes can be smoked by any smoker without inducing any adverse affect [sic] upon the nose, throat and accessory organs of the smoker,"[45] but the court rebuffed an attempt by the Commission to apply the corrective disclosure standards of section 15. Considering that section 15 standards were held inapplicable to cigarette advertisements making positive claims, it is difficult to deny that they would be at least equally inapplicable to the present advertising, in which the Commission did not find any such claim.

Mr. MORTON. I yield 10 minutes to the senior Senator from North Carolina.

Mr. ERVIN. Mr. President, in support of the position taken by both Senators from Kentucky I should like to cite a few figures, and reasons to show the importance of tobacco to the United States, and why we should act in a reasonable manner as we consider S. 599 which is concerned with cigarette smoking.

There are 750,000 farm families in 21 States of this Nation, in which there are 3 or 4 children to a family, who grow tobacco. Thirteen hundred million dollars of their income comes from tobacco.

There are 550 factories which manufacture tobacco products. They employ 96,000 people, who have families, in which there are 3 or 4 children, each of whom is dependent on the manufacture of tobacco for his daily bread.

There are 300,000 Americans who have stock invested to the extent of $3 billion in tobacco factories.

The Federal, State, and local governments collect annually in exise taxes on tobacco products more than $3.2 billion.

I ask unanimous consent to have printed at this point in the Record a statement of facts showing the critical importance of the growing of tobacco to farm families and the manufacture of tobacco to those engaged in manufacturing tobacco products, and the importance of tobacco to those who are engaged in retail trades in America.

There being no objection, the statement was ordered to be printed in the Record, as follows:

SOME FACTS ABOUT TOBACCO

In 1963, around 70 million Americans, more than half the adult population including overseas Armed Forces, bought: over 523 billion cigarettes, 14.9 billion more than in 1962 and 20.3 billion more than in 1961; more than 7.1 billion cigars, up 115 million over 1962; about 69.5 million pounds of smoking tobacco; nearly 64.8 million pounds of chewing tobacco; over 32.5 million pounds of snuff.

Tobacco users spent $8.08 billion in 1963 for tobacco products. Of this, over $3.3 billion went directly to Federal-State, and local governments in excise taxes.

Tobacco products pass across sales counters more frequently than anything else—except money.

Here are some more facts about the agriculture, manufacturing distribution, taxation, and costs and services of the tobacco industry.

FARMING

Tobacco growers

Tobacco is grown in 21 of our Nation's States by some 750,000 farm families, averaging 3 to 4 workers to a family. Total tobacco acreage exceeds 1.2 million with a total yield of over 2.2 billion pounds.

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[33] Id. at 105. But see Borden, "The Economic Effects of Advertising," 222 (1942), in which the author listed advertising as sixth and last among the causes of the great growth of the cigarette market.

[34] The Commission noted that: "[T]he duty exists even if no individual advertisement, viewed in isolation, is deceptive under conventional principles. * * * [T]he duty arises precisely because of the tendency of the industry's advertising to neutralize the impact of * * * educational efforts." Statement of purpose 105. Such a rationalization of a remedy is a curiosity in the annals of the FTC, for "to date, and properly, the FTC has not adopted the view that advertising must always inform, or always perform any specific function, although the subject has been debated, *Alberty* v. *FTC*. * * *" Millstein, supra note 12, at 443 n. 20; accord, Howrey, "The Federal Trade Commission: A Revolution of Responsibilities," 40 A.B.A.J. 113, 114 (1954).

[35] See statement of purpose 102. The Commission's past actions in the field of cigarette advertising have fit into the prohibitive pattern. See e.g., Brown & Williamson Tobacco Corp., 56 F.T.C. 956 (1960) (consent order) (pictorial representation of filter efficacy prohibited); American Tobacco Co., 47 F.T.C. 1393 (1951) (prohibited representation that twice as many independent experts smoke Luckies because of their knowledge of the grades of tobacco that American buys); R. J. Reynolds Tobacco Co., 46 F.T.C. 706 (1950), modified, 192 F. 2d 535 (7th Cir. 1951), order on remand, 48 F.T.C. 682 (1952) (prohibited representation that Camels aid digestion, do not impair "wind" of athletes, will never harm or irritate the throat, and are soothing to the nerves); London Tobacco Co., 36 F.T.C. 282 (1943) (prohibited any words, pictures, or other representation that any domestic product is imported).

[36] Statement of purpose, 111.

[37] American Medical Association Newsletter, Aug. 2, 1964, p. 1, col. 3. The article reports that information on the hazards of cigarette smoking is being distributed in the elementary and high schools throughout the country. Id. at 14. In addition information is being disseminated via clinics. In New York City, for example, therapy clinics are booming, and mass meetings are being held. Such publicity reaches the very same people apparently influenced by cigarette advertisements, New York Times, Aug. 31, 1964, p. 1, col. 4.

[38] Statement of purpose, 92.

[39] Statement of purpose, 92 n. 83.

[40] Federal Trade Commission Act, sec. 15 (a)(1), 52 Stat. 114 (1938), as amended, 15 U.S.C. 55(a)(1) (1958).

[41] Ibid.

[42] See, e.g., the remarks of Senator Kenney, a proponent of sec. 15: "[Diabetes cures] * * * are sold only because of the false claims advertised for them. * * * [A] sufferer from diabetes will * * * rely on the false representations in the advertising * * *," 83 Congressional Record, 395 (1938).

[43] 108 F. Supp. 573 (1952), aff'd mem., 203 F. 2d 955 (2d Cir. 1953).

[44] As times and conditions change it is fitting that an administrative agency, before resorting to the legislature, should seek to invoke new means of coping with still unsolved problems. But in its zeal the agency must not exceed the bounds of its statute. The legislative history, such as it is, coupled with indications of contemporaneous adadministrative interpretation leads me to the conclusion that Congress, had the matter been considered, would not have intended cigarettes to be included as an article [within the statute]. Id. at 577.

[45] Id. at 573 (quoting par. 6 of Commission complaint).

Major crop

Tobacco is the fifth largest cash crop in the country following cotton, wheat, corn, and soybeans, and ranks third in agricultural exports.

Farmers' income

Farmers received $1.3 billion for the sales of tobacco crops, representing 8 percent of the total for all crops in the United States. The income from tobacco crops of the major States was: North Carolina, $564,015,000; Kentucky, $277,856,000; South Carolina, $116,249,000; Virginia, $100,885,000; Georgia, $86,894,000; Tennessee, $84,043,000.

Other tobacco-producing States include: Alabama, Connecticut, Florida, Indiana, Louisiana, Maryland, Massachusetts, Missouri, Ohio, Pennsylvania, West Virginia, Wisconsin, and to a minor extent, Kansas, Minnesota, and New York.

MANUFACTURING

Factories

About 550 tobacco products factories, large and small, operate in 30 States. Cigarette production in 1963 is estimated to exceed 550 billion cigarettes.

North Carolina leads in cigarette production with an annual rate of about 325 billion. Virginia produces around 115 billion cigarettes annually, and Kentucky puts out over 90 billion.

Employment and wages

Tobacco manufacturers directly employ more than 96,000 men and women. In 1961 employees of U.S. tobacco manufacturers received $379 million in wages.

Assets and stockholders

The net assets of publicly held tobacco companies total over $3 billion and there are over 300,000 stockholders of record of tobacco stocks.

Number of businesses

About 1.5 million businesses share in the tobacco trade supplying equipment, materials, transportation and distributing and merchandising services.

Farmers' expense

Tobacco farmers paid about $155 million for hired labor and about half a billion dollars for other expenses such as: $45 million for fertilizer and lime; $8 million for tobacco plant bed cloth; $2.5 million for twine used in tying tobacco; $1.5 million for tobacco seed; $2.5 million for plastic covers used in plant beds.

Other services and supplies

In addition to the amounts paid for tobacco, wages, machinery, precision instruments, electronic equipment, wooden hogsheads and cases used for shipping, the tobacco industry spent: $25 million for cigarette paper; $79 million for transportation, mostly by truck and annually uses; over 40 million pounds of moisture-proof cellophane; more than 71 million pounds of aluminum foil; nearly 27 billion printed packs and 2.7 billion cartons.

DISTRIBUTION

Wholesalers

Over 4,500 independent wholesalers handle the distribution of tobacco products, buying them directly from the manufacturer.

Retailers

Tobacco products are sold by more than 1.5 million outlets in the United States, including thousands of small retailers.

Exports

Over 28 percent of the tobacco leaf sold in free world markets in 1963 came from the United States—some 505 million pounds, up 36 million pounds from 1962, and valued at $405 million.

In addition, the United States continued to be the world's leading exporter of cigarettes—23.2 billion in 1963, valued at over $105 million, compared with $68 million 6 years ago.

Expenditure

In 1963, the total consumer expenditure for tobacco products totaled $8.08 billion, a $326 million increase over the previous year.

More than $7.1 billion of the total expenditure was for cigarettes, up some $312 million over 1962.

TAXES

Total excises

Federal, State, and local excise taxes on tobacco products in 1963 yielded $3.3 billion, more than three times the amount received by tobacco farmers for their crop. Over 98 percent of this came from excises on cigarettes.

In 1962, the $3,232,183,000 collected in excises on tobacco products—chiefly cigarettes—went to:

Federal	$2, 030, 304, 000
State	1, 129, 879, 000
Municipal	72, 000, 000
Total	3, 232, 183, 000

Mr. ERVIN. Mr. President, the trouble with drastic action is that there is no evidence to show causal relation between smoking tobacco and lung cancer. The Surgeon General's report and every opinion expressed by those who agree with the Surgeon General's report on this subject are based on nothing but statistics. They are not based on research. They are based upon figures.

The reliability of figures to support conclusions can be illustrated by a story. A North Carolina mountaineer, who had been buying his groceries at the neighborhood grocery store, went into the store to pay his grocery bill, and the grocer told him the amount of the bill. The mountaineer complained that the amount seemed to be larger than it should be. The grocer opened his account books and said, "Here are the figures. You know that figures don't lie."

The old mountaineer said, "Figures don't lie, but liars sure do figure."

Not only do liars figure, but honest men figure when they get the crusading spirit in their hearts. One can take figures and prove anything. I can illustrate it by saying this: More people in the United States smoke cigarettes than in any other country on the face of the earth. The longevity of Americans is greater than that of any other people on the face of the earth. That proves that smoking cigarettes prolongs the lives of those who smoke.

I said there was no evidence showing a causal relationship between smoking and lung cancer. I call attention to the Cancer Bulletin for May–June 1963, in which is printed an article describing the other side of the coin. I call this article to the attention of the charming Senator from Oregon and the able junior Senator from New York. I read from the cover, which is entitled "Smoking and Lung Cancer":

THE OTHER SIDE

In past years, the Cancer Bulletin has reported studies which suggest that cigarette smoking is an etiological factor in lung cancer. But, most of the evidence for this hypothesis is statistical, and some important statisticians do not subscribe to it. In this article, Dr. Joseph Berkson, the acknowledged dean of American medical statisticians, expresses his doubts and gives his reasons. Dr. Berkson, who holds both an M.D. and a Sc. D., has been head, division of biometry and medical statistics, Mayo Clinic, and professor of biometry at the University of Minnesota, since 1932. He is a member of numerous statistical societies. Dr. Berkson's opinion, therefore, is important, and we recommend that our readers look at "the other side of the coin" by reading what he has to say.

I do not have time to read the entire article. I ask unanimous consent to have it inserted in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Cancer Bulletin, May-June 1963]

SMOKING AND LUNG CANCER: AN UNTELEVISED TELECAST

(By Joseph Berkson, M.D., Mayo Clinic, Rochester, Minn.)

THE OTHER SIDE

(NOTE.—In past years, the Cancer Bulletin has reported studies which suggest that cigarette smoking is an etiological factor in lung cancer. But, most of the evidence for this hypothesis is statistical, and some important statisticians do not subscribe to it. In this article, Dr. Joseph Berkson, the acknowledged dean of American medical statisticians, expresses his doubts and gives his reasons. Dr. Berkson, who holds both an M.D. and a Sc. D., has been head, division of biometry and medical statistics, Mayo Clinic, and professor of biometry at the University of Minnesota, since 1932. He is a member of numerous statistical societies. Dr. Berkson's opinion, therefore, is important, and we recommend that our readers look at "the other side of the coin" by reading what he has to say.)

Several months ago I received, by telephone, from a representative of one of the major broadcasting systems an invitation to participate in a televised discussion of the question of smoking and health. I replied immediately that I had previously received such invitations but had always refused, and explained that I did not think such complicated scientific problems were clarified by debates on television. I was assured that this particular program was to be on a high plane, that it was my duty to inform the public of my view, that eminent scientists who were named, including the Surgeon General of the U.S. Public Health Service, were to participate. I gave way, mostly because of the participation of the Surgeon General, but only on certain conditions. One was that I have the opportunity to write out some questions and my answers as a basis for the televised interview. All of my conditions were accepted. I mentioned the matter of time. I was told that I would have all the time I needed. I quickly wrote out a series of questions and answers, sent it to the representative of the broadcasting system, and received prompt assurance that it was satisfactory as the basis of the interview. A few days later I had a telephone conversation about arranging the details of the interview. During this conversation, I again brought up the question of time. It was then that I learned what was meant by my having as much time as needed. This, it was revealed, referred to the taped interview. Then the broadcasting people would select the parts actually to be presented. I will not repeat here the terms in which I rescinded my acceptance of the invitation to appear on the program.

That is how I came to have on my hands an unused television interview. I hate to waste it. So, instead of presenting a formal paper I shall present it in much the same way as I wrote it out, except for some amplifications to make my meaning clearer and to allow me to introduce some illustrations that I did not include in my planned presentation.

Question. We have all heard it said that some statistical studies have shown fairly conclusively that smoking is the chief cause of lung cancer. You have expressed doubt about this. Can you briefly explain why?

Answer. The way you have put the question reflects a widespread misunderstanding regarding the facts. You have heard the adage that the most misleading sort of untruth is a half-truth. If it is said that these studies showed smokers to have a higher death rate from lung cancer than nonsmokers, this is about a 15-percent truth. What these studies disclosed is that, in the populations under investigation, the smokers have a higher death rate from all causes together—lung cancer, other cancers including, for instance, cancer of the pancreas, of the bladder, and of the prostate; heart disease, and diseases other than any of these—in short, all classes of disease. Lung cancer constituted only about 10 to 15 percent of the total excess deaths. The real problem presented by these findings has been put as well as need be by E. Cuyler Hammond, the senior author of the American Cancer Society's reports (1961), from whom I quote: "In my opinion, the most important finding in all these studies is that overall death rate increases with the amount of smoking. I want to emphasize that I said 'overall death rate,' not 'lung cancer.' The relationship between smoking and lung cancer should be viewed in the light of this broader picture." The problem in hand is to discover the scientific explanation of these extraordinary findings. In figures 1, 2, and 3 [not printed in the RECORD] are shown statistics from the American Cancer Society study by Hammond and Horn (1958) and from the study by Dorn (1958) on U.S. veterans, illustrating the "association" of smoking and death rate found in these studies. It is seen that the "association" affects all classes of disease, and that the number of excess deaths from lung cancer is only 12 to 15 percent of the total; some 85 percent of the excess deaths are from causes other than lung cancer.

Question. If these studies show the death rate among smokers to be higher from all classes of other disease, as well as from lung cancer, doesn't this indict cigarette smoking even more?

Answer. We are not concerned with indicting or exonerating smoking—I am, myself, a noncigarette smoker—but with trying to find the scientific explanation of these statistical results. The idea that cigarette smoking causes all these many deaths from all these many causes does, indeed, seem seriously questionable. There is not any scientifically known pharmacologic or physical explanation for so widespread and multifarious an effect. If we extrapolate the results to the general population, we must believe that there are some 250,000 deaths annually from smoking-induced diseases, without any of them individually noted as such from independent clinical or pathologic evidence. Only by their numbers are they known.

Question. What, then, do you think is the explanation?

Answer. Of course, I don't pretend to know. The statistical woods are full of curious findings for which we have never found an explanation (Berkson, 1962; Yerushalmy, 1962).[1] But I have suggested several explanations.

Question. Would you elaborate on this?

Answer. You may have noted that I said the death rate from all causes was found to be greater among smokers in the population studied. These populations were not a random sample of the U.S. population or any defined segment of it. The studies were made on the men who answered the questionnaires. I showed mathematically long ago that, in such selected samples, just such statistical associations as were found in these inquiries might appear but do not exist in the populations themselves (Berkson, 1946).

Question. You mean the results stem from a statistical fallacy in the data?

Answer. I mean this is a distinct and real possibility. The findings, as I remarked, are curious. Surely, it is no secret that huge blunders have been made with the uncritical use of statistics. None of the prospective followup studies have been reported for a long enough period to warrant judgment on this or other critical elements of the questions involved. Experience with followup studies shows that frequently it is the late findings that clarify their correct interpretation. At the Mayo Clinic, followup studies of the mortality of cancer are continued for 25 years, and even longer. The American Cancer Society study was discontinued after a 44-month followup. As respects the study undertaken by the U.S. Public Health Service, it was stated by the then Director of the National Cancer Institute (Heller, 1957) that the investigation would be continued until all the members of the original population were dead. The reports so far issued (which seem to be of a preliminary nature) refer to a followup period of only 2½ years (Dorn, 1959).

Question. Is this the only explanation you have?

Answer. No, I have put forward several. One, which has been advanced also by other scientists, is that the difference in death rate from all causes reflects a constitutional difference between smokers and nonsmokers. The idea is that nonsmokers or light smokers are of a constitutional type marked by self-protective habits, and one aspect of this constitutional makeup is that they have lower death rates. Persons who have never smoked constitute only a relatively small proportion of the population. I once put it this way: "If 85 to 95 percent of a population are smokers, then, the small minority who are nonsmokers would appear, on the face of it, to be of some special type of constitution. If they successfully resist the incessantly applied blandishments and reflex conditioning of the cigarette advertisers, they are a hardy lot, and if they can withstand these assaults, they should have little difficulty in fending off tuberculosis or even cancer." There are many investigations by psychologists, anthropologists, and others attesting to a constitutional differentiation of smokers and nonsmokers (Eysenck, 1960; Health, 1958; Lilienfeld, 1959; Seltzer, 1963).

Question. To return to the question of lung cancer, haven't other later studies corroborated that smoking causes lung cancer?

Answer. No, indeed. Quite the contrary. Statistical studies, even if they are free of obvious difficulties such as are manifest in the present studies, are not conclusive in questions like the present one. They must be confirmed by experimental studies and other different types of investigation. And this has not happened.

Question. Would you explain this?

Answer. The theory as orginally set forth was that cigarette smoke contains such carcinogenic chemicals as benzpyrene and arsenic which, in contact with the surface tissues of the lung, initiate the development of what is called squamous cell or epidermoid cancer. This type is cancer of the superficial layers of the lung tubes, and it seemed plausible that smoking could have such an effect. I don't think pathologists would have considered seriously the suggestion that smoking can cause the more deep-seated "adeno" type of lung cancer. In support of this theory, statistics had been published showing that the observed increased incidence of lung cancer was confined pretty much to the squamous cell or epidermoid type. Apparently with the expectation of corroborating this, recently at the Los Angeles County Hospital a study of necropsy specimens dating back to 1927 (Herman and Crittenden, 1961) was made. It was found that the relative proportion of epidermoid cancers is not increasing but is decreasing, while the proportion of "adeno" type is increasing. Finally, Willis (1961) has published a severe critique of the whole idea that lung cancer can be basically differentiated into these classes—the terms are descriptive conveniences. Actually, lung cancers are mixed in these respects and the conclusion of a different etiology for the different types is premature. Hammond and Horn (1958), in reference to this particular question, pointedly emphasized that all types of lung cancer—not just squamous cell cancer—were involved in the higher death rate among the smokers. Other cancers including cancer of the bladder and of the prostate are involved. These last organs surely are not in direct contact with cigarette smoke.

Question. Then, the theory that lung cancer is caused by carcinogen in the cigarette smoke is not valid?

Answer. The suspected carcinogens, like benzpyrene and arsenic, were found to be in such minute concentration in cigarette smoke as to be incapable of producing the cancers.[2] Even strong contenders of the smoking lung cancer theory no longer believe that the cancer is produced by carcinogens contained in tobacco smoke (Passey, 1962). One hears now about cocarcinogens (Berkson, 1962; editorial, Lancet, 1962). The theory of cocarcinogens has to await future investigations for its corroboration, but the significance of the present advocacy is that the simple theory of a chemical carcinogenic origin of lung cancer has been given up. The whole fabric of the original theory has broken down and virtually been abandoned.

Efforts which have been made for 50 years and have been intensified recently in response to the challenge of the statistical studies, have failed to produce lung cancer experimentally in animals by smoking (Stewart and Harrold, 1961).

Question. What, then, is the cause of the increase in lung cancer?

Answer. The very idea that the real death rate from lung cancer has been on the increase, questioned by a number of students since the start of this controversy, has been thrown into serious doubt in a recent study by Willis (1961), an eminent pathologist and authority on cancer. He reviewed old pathologic records in London, dating back to beginning of the century, and found so many cases of unrecognized lung cancer in the early records as to warrant the conclusion that there was just as much lung cancer in the past, but it wasn't recognized. You know that while the reported death rate from lung cancer has been increasing, the total death rate from all causes has not been increasing, but, instead, has been decreasing (fig. 4, not printed in the RECORD). The reported rise of death rate from lung cancer can be questioned because of the inaccuracy in the past in stating this cause of death on death certificates, but the decrease of total deaths is indubitable. Persons, who in former times would have died at an early age, say from tuberculosis, now live to ages at which they are exposed to death from lung cancer. The deaths from cancer of the stomach, for example, have decreased as much as, or more than, the deaths from lung cancer have increased (fig. 5, not printed in the RECORD). In the statistical studies, the death rate from cancer of the stomach is greater for smokers than nonsmokers. If this means that smoking causes cancer of the stomach—and this is what it is said to mean—why have the deaths from gastric cancer decreased while cigarette smoking has increased?

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[1] Experienced practicing statisticians know that data are not infrequently encountered showing impressive correlations that are statistically significant but physically incredible—so they are not published. Francis Bacon observed that we tend to register only our hits.

[2] Roasted coffee beans also contain small amounts of benzpyrene. The natural constituents of our daily diet contain minute amounts of arsenic.

I could continue for some time to recite the contradictions of the findings in these particular statistical studies which are found in subsequent studies: It is difficult to believe, in these days of stupendous amounts of research, when chemistry and biology have penetrated to the very key of life in relation to inanimate matter (Horsfall, 1962), that it would not have been established, without so much argument, that smoking causes lung cancer—if it were true.

Question. Then, how would you summarize your opinion?

Answer. Perhaps I can answer that question by telling about a conversation I had. In the summer of 1961 a meeting on smoking and health was held in Paris at the sessions of the International Statistical Institute. A number of European scientists gave papers, and, from this country, Dr. Harold Stewart, veteran cancer researcher and pathologist of the U.S. Public Health Service, Dr. E. Cuyler Hammond, and I participated. At the end of the meeting, perplexed by the confusion of issues, I privately asked an eminent English statistician this, "Really now, all semantics and subtleties aside, what do you think?" His answer was, "We are not within a thousand miles of understanding the explanation of these complicated findings." That is the opinion of the distinguished English statistician, and it is equally the opinion of this undistinguished American statistician.[3]

Question. You speak of an English statistician. The Royal College of Physicians of London (1962) has issued a report vigorously condemning smoking as the chief cause of lung cancer. What do you think of it?

Answer. I have not studied it sufficiently to present an opinion. But there is an incongruous element about this incident. You know, there is a Royal Statistical Society in England also, the most renowned statistical society in the world. It has issued no report. Another point, in advance of the 1961 Paris meeting of the International Statistical Institute to which I referred—and this was before the Royal College of Physicians' report was published, but it had been bruited about—the secretary of the committee of the Royal College of Physicians and every member of it were invited to attend the meeting and participate in the discussion. None accepted. I must emphasize that no professional statistical society has issued any report on this statistical question. Nor has any such society been consulted.

Question. Do you mean we should do nothing about this, just throw up our hands?

Answer. No, I do not mean that. I have repeatedly stressed that these findings call for an investigative program of wide scope and intense pursuit to search out their meaning, and I have suggested some such investigations. But compared with the dimensions of the problem, little has been done. As an example I may point to the U.S. Public Health Service. I am told that about a hundred million dollars a year are allocated directly, and perhaps even more indirectly, to investigation of cancer. Since 1954, when the statistical investigations on smoking and lung cancer were proclaimed, perhaps almost a billion dollars have been allocated for cancer research. How much has been expended for the experimental investigation of this particular problem of smoking and lung cancer? So far as I know, little or none. I really don't mean to criticize the Public Health Service. I have another point in mind. Albert Einstein has remarked that if you want to know what a scientist really believes, don't listen to what he says, but observe what he is working on. I suspect that the reason the scientists of the Public Health Institutes are not working on this problem is that they don't see any research gold in "them thar hills." Anyone who isolated from tobacco smoke a substance that could be shown, to the satisfaction of scientists generally, to be the cause of lung cancer, let alone all the other cancers that smoking is supposed to induce, would earn not one, but a brace of Nobel prizes. It might be the beginning of an effective attack on the problem, because when we know the real cause of disease this is the beginning of finding amelioration or cure. So, maybe the reason scientists in general are not trying to find the cause of lung cancer in tobacco smoke is that they don't really believe it contains the cause. I rest this conjecture on the opinion of Einstein.

Question. How about trying to induce people not to smoke, especially children?

Answer. Well, you're getting out of my field as a scientist. I will remind you that I am myself a nonsmoker of cigarettes; I own no tobacco stock, and I am a Fellow of the American Public Health Association. I think it would be salutary, for general reasons, if young people did not smoke—and, for that matter, so far as health is concerned, it would not hurt adults if they did not smoke. I don't want to criticize anybody. Everybody works according to his own lights. But I will say that if a campaign is undertaken, it would be well to consult sociologists and psychologists as to how the campaign should be conducted lest it have more bad than good effects. What has happened to the per capita consumption of cigarettes since the furor of smoking causing lung cancer was launched? It is shown in figure 6. The per capita consumption was going down till 1954—when these investigations were announced. Then it turned and began rising precipitously. When I last plotted it, it had reached the highest point in our history.

I will not insist that this is an association of cause and effect; but it is probable. The American public has been made cigarette conscious by this discussion as it has never been before, and cigarette sales have mounted. The tobacco indutry and those who own tobacco stock, of whom, unhappily, I am not one, have benefited. But has anyone else? The whole discussion has been conducted in an atmosphere of emotion and recrimination. We ought to cool it off and engage in some sober thought on all aspects of the problem, particularly the research aspects.

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Mr. ERVIN. I wish to read a few statements by Dr. Berkson. He speaks about having attended a meeting on smoking and health at the International Statistical Institute in Paris, France, in 1961. After he had heard physicians express themselves he asked this question of a prominent English statistician: "Really, now, all semantics and subtleties aside, what do you think?"

His answer was:

> We are not within a thousand miles of understanding the explanation of these complicated findings.

Dr. Berkson goes on to say that the opinion of the distinguished English statistician is equally his own.

Dr. Berkson is the medical statistician of the Mayo Clinic. He says:

> All relevant facts considered, I think it very doubtful that smoking causes lung cancer.

Now, I wish to show some of the statistics upon which the report of the Surgeon General was founded.

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[3] Personally, all relevant available facts considered, I think it very doubtful that smoking causes lung cancer.

According to statistics found on page 326 of the Surgeon General's report smokers "have been reported to marry oftener, change jobs more frequently, to be more often hospitalized, and to participate more actively in sports than nonsmokers."

Therefore, Mr. President, on the basis of the Surgeon General's data, if a person wishes to marry often, he must smoke. If he wishes to participate more actively than other people in sports, he must smoke.

That is what it says.

Mr. KENNEDY of New York. Mr. President, what page is the Senator reading from?

Mr. ERVIN. Page 326. This is what it says. This is the kind of stuff that this proposal is based on. This is the Surgeon General's report, not mine.

I continue to read from the report:

> Thomas—

He is one of the statisticians—

> has reported that the parents of medical students who smoke have a significantly higher incidence of arteriosclerotic and hypertensive cardiovascular disease than parents of nonsmokers.

In other words, the report states that if one happens to be the parent of a medical student who smokes, the parent is more likely to have heart disease than the parent of a medical student who does not smoke. That is the kind of claptrap on which the Surgeon General's report is trying to condemn the livelihood of millions of Americans.

An investigation of the question has been conducted in Germany. I invite the attention of Senators to the committee hearings, part I, starting at page 404. I inserted a statement in the RECORD when I testified before the committee. The statement refers to the fact that a 5-year study of lung cancer recently published in Germany's Journal of Cancer Research presents evidence which conflicts with the conclusion of the U.S. Surgeon General that cigarette smoking is a major cause of disease. The German researchers have indicted air pollution, not smoking, as the chief cause of lung cancer.

I digress for a moment to ask the following question: Why does not the Surgeon General conduct investigations to ascertain the effect upon people of carbon monoxide, noxious vapors, and gases, which continually are being released into the atmosphere in the urban centers of the United States? Why does not the Surgeon General investigate the reasons more people die of lung cancer in the industrial sections and in the urban centers than in the rural sections of our country?

Why does he not address himself to such research, instead of assembling statistics such as those about the parents of medical students who smoke and parents of medical students who do not smoke?

I refer again to the German report.

The PRESIDING OFFICER. The 10 minutes yielded the Senator from North Carolina have expired.

Mr. MORTON. Mr. President, I yield 2 additional minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 2 minutes.

Mr. ERVIN. The German report on lung cancer and cigarette smoking stated—

> No significant relationship exists between cigarette smoking and the risk of lung cancer. No relationship between the incidence of the disease and the number of cigarettes smoked could be demonstrated. The heavy smokers were found in an occupational group with the least occurrence of lung cancer. The average age at which lung cancer occurs is the same for heavy smokers, light smokers and nonsmokers.

The article points out that the highest incidences of lung cancer in Germany are in those areas which are highly industrialized—where there are many noxious vapors and odors in the atmosphere—whereas, the least incidences of lung cancer in Germany are among the professional men who smoke the most. That is what the German records show.

If we are to permit the Government to rid us of all our bad habits, there will not be much fun left in the world. We shall have a more extended Government than we have now, when the Government already looks after almost everything. The bill before us would provide that the Government would look after our bad habits. One of the worst habits of Americans is overeating. It is said that the platter is more deadly than the sword.

Food is more deadly than the cigarette. Why do we not advocate that the Government tell us how much we shall eat and what we shall eat?

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. ERVIN. I shall yield on the Senator's time, if he wishes me to do so.

The PRESIDING OFFICER. The Senator's 2 minutes have expired. Does the Senator from Kentucky yield additional time?

Mr. MORTON. Mr. President, I yield 1 additional minute to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 1 minute.

Mr. ERVIN. I cannot yield to the Senator from New York unless he gives me some of his time on which I might yield. We are operating under a time limitation. I would enjoy a colloquy with him, but I do not have the time available.

Some time ago the Wall Street Journal published an editorial entitled, "Can Government Break All Our Bad Habits?" That article points out that more than 40,000 people are killed on the highways by automobiles every year. Do we propose to abolish motor vehicular traffic? More than 22,000 persons every year die of cirrhosis of the liver, which is said to be caused by drinking alcoholic beverages. Yet those who are so concerned about the puffing of a cigarette do not offer any objections to the drinking of alcoholic beverages.

I conclude by reading a portion of that editorial:

> What such a program would do is inject the Federal Government into matters of purely personal behavior and private decisions. Since there is no logical place to stop that sort of thing, some of us may be permitted the view that it is an extremely bad habit to start.

Mr. President, I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN GOVERNMENT BREAK ALL OUR BAD HABITS?

A 3-year, $10 million Government campaign against smoking is one of the lesser recommendations tucked away in the recent report of the President's Commission on Heart Disease, Cancer, and Stroke. The program would include setting up a nationwide network of smoking control clinics to help people quit and mounting a broad educational barrage on the dangers of the habit.

"It seems apparent," says the Commission, "that the reduction of cigarette smoking offers great possibilities for the prevention of illness, disability and premature death in this country." Whether or not you agree with that conclusion, some questions immediately arise.

If Congress approved this program, would it simultaneously agree to stop subsidizing the tobacco farmers? What would be the reaction if it did? And how would this part of the war on smoking fit in with the war on poverty?

More seriously, the thought might be ventured that smoking is not the only habit that can contribute to shortening life. The number of illnesses, disabilities and premature deaths in the United States annually which are directly traceable to tobacco is not known with any exactness, but there are pretty firm—and grim—figures on other causes, such as the 40,000-plus highway toll every year.

Nor should anyone be unmindful of the implications of some 22,000 deaths yearly from cirrhosis of the liver, in many cases attributable to excessive drinking, and indulgence in certain ways conspicuously worse than smoking. In truth the list of our sometimes dangerous proclivities is long, and the obstacles to overcoming all of them fairly forbidding.

In the case of smoking, a lot of exhortation against it has been heard for a good many years and even centuries; more, of an indirect sort, will be forthcoming in the stringent new advertising code of cigarette manufacturers. Local experiments in antismoking clinics have also been undertaken. Yet the sales figures suggest that none of this, not to mention innumerable new year's resolutions, has made much of a dent. It is not clear that a Federal program would have better luck.

What such a program would do is inject the Federal Government into matters of purely personal behavior and private decisions. Since there is no logical place to stop that sort of thing, some of us may be permitted the view that it is an extremely bad habit to start.

Mr. ERVIN. Mr. President, I thank the Senator from Kentucky for yielding time to me.

Mr. MORTON. Mr. President, I yield 10 minutes to the Senator from Indiana.

Mr. HARTKE. I thank the distinguished Senator from Kentucky.

First, I should like to make clear that I support Senate bill 559. I am one of the members of the committee who sat through most of the hearings and listened to most of the testimony. I should like to make clear that I have never in my life smoked. I have engaged in athletics. I went into the hearings completely of the opinion that there must be some connection between smoking and lung cancer. I came away from those hearings completely astonished at what had been the results. I was really shocked to find out that, so far as smoking and its connection with cancer were concerned, it was not proved at all. Witness after witness, when faced with the question, "Can you honestly say that cigarette smoking causes lung cancer?" said, "No."

They said, "We have statistical evidence but no clinical evidence of any connection."

I was misled by one witness who, when asked, stated a series of things that happen if one smokes one package of cigarettes a day, what happens if a person smokes two packages, what happens if a person smokes three packages, and the results of such smoking on the various parts of the human body, especially in regard to the mouth, and so forth. Suddenly it occurred to me that they were talking about individual differences.

They were not even talking about live people. They were talking about autopsy reports. It was impossible to consider a deceased individual who had smoked one package of cigarettes and have that same dead person smoke two. These results were clear.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. HARTKE. I shall yield on the time of the Senator from New York. Otherwise, if I have any time after I complete my statement, I shall gladly yield to him on the time I have remaining.

The question was asked, "Why not take the question to the courts?" When the bill was before the Committee on Commerce, representatives of the Federal Trade Commission said that they dare not go to the courts and could not go to the courts to ask for authority to proceed. They did not do that in this case. They came to us from the Food and Drug Administration. What did they say? They did not have authority to proceed. I presided over those hearings for the "hazard substance" people. Not a person asked a question during those hearings except myself. I asked them why they did not apply this bill. They had no answer to that question whatsoever. If they are so sure that there is a connection, I would think they would have an answer.

I do not know what there is about cigarettes that is bad. There must be something, or there would not be so many people upset.

That is the only reason I voted to bring the bill up.

I should like to discuss another question on which the committee spent a great deal of time in hearings. It was a very important question raised by the Senator from New York. Much of the time during the hearings was devoted to another issue which I believe transcends in importance even the questions which we are now attempting to resolve. That question is whether or not the Federal Trade Commission or any other administrative agency created by Congress should be permitted, by arbitrary expanding authority delegated to it by the Congress, and by disregarding due process safeguards provided by the Congress, to usurp the authority of the Congress in an area of national importance. This is what they did. That is why the proposed legislation is before the Senate. The agency intended to act on its own without due process. That is the reason why Congress now has the bill before it.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. HARTKE. In its recommended bill, the committee has made clear that the restriction would be only a temporary period. If the Senator from New York wishes me to yield on his own time, I shall be glad to do so.

Mr. KENNEDY of New York. Mr. President, will the Senator yield on time that might be yielded to me in order that I may ask a question?

The PRESIDING OFFICER. Will the Senator from Indiana yield?

Mr. HARTKE. I would yield on the Senator's time.

The PRESIDING OFFICER. Does the Senator from Oregon [Mrs. NEUBERGER] yield time to the Senator from New York [Mr. KENNEDY] so that he may ask a question of the Senator from Indiana [Mr. HARTKE]?

Mrs. NEUBERGER. I yield.

Mr. KENNEDY of New York. First, I ask the Senator whether he signed the report of the Commerce Committee. I believe he said that he sat through the hearings.

Mr. HARTKE. The Senator refers to the Committee on Commerce?

Mr. KENNEDY of New York. The Commerce Committee, where Senate bill 559 was considered.

Mr. HARTKE. I am supporting the bill. I did not sign it.

Mr. KENNEDY of New York. The report was issued on behalf of the Senator?

Mr. HARTKE. That is correct. I agreed to it. It was a unanimous decision. But I did not sign the report. The Senator asked me whether I signed it.

Mr. KENNEDY of New York. Did the Senator agree with the findings contained in the report?

Mr. HARTKE. I said in the first instance that there must be something wrong. I agreed that there should be some kind of labeling, rather than permitting the Federal Trade Commission to act without proper authority.

Mr. KENNEDY of New York. But the Senator approved the report.

Mr. HARTKE. I did not approve the report; I merely agreed to report the bill; that is all.

Mr. KENNEDY of New York. The Senator from Indiana did not approve the report that was submitted in his name and in the names of other members of the committee?

Mr. HARTKE. Pardon me?

Mr. KENNEDY of New York. The Senator did not approve the report?

Mr. HARTKE. I approved the reporting of the bill. The Senator from New York well knows that many times a Senator will agree that a bill shall be reported for the consideration of the Senate, even though he may not agree with the contents of the bill or with all its details; or he may agree with only parts of the bill.

But in order that the Senate may consider a bill—and I think every Senator has done this repeatedly; I know that I have done so in the committees of which I am a member—I have often said I would agree to report a bill, although I might disagree with it.

Mr. KENNEDY of New York. May I read an excerpt from the report? It bears on the point the Senator from North Carolina and the Senator from Indiana are making:

> While there remain a substantial number of individual physicians and scientists—the Commerce Committee received testimony from 39 of them—who do not believe that it has been demonstrated scientifically that smoking causes lung cancer or other diseases, no prominent medical or scientific body undertaking a systematic review of the evidence has reached conclusions opposed to those of the Surgeon General's Advisory Committee.
>
> The Commerce Committee, therefore, concurs in the judgment that "appropriate remedial action" is warranted.

Mr. HARTKE. I would agree with that statement. That is not a hard statement to make. It merely says in substance that although there is a question as to whether there is scientific proof that cigarette smoking causes cancer, there is no definite scientific proof that it does cause cancer.

Mr. KENNEDY of New York. I point that out in connection with what the Senator from North Carolina and the Senator from Indiana said; namely, that there was no causal connection.

Mr. HARTKE. The Senator from Indiana never made any such statement. The Senator from New York may talk about what the Senator from North Carolina said; but I never talked about causal connection at all.

Mr. KENNEDY of New York. I thought I heard the Senator from Indiana say that in the hearings he asked all the witnesses whether there was any relationship between smoking and cancer. Did I correctly understand that to be the question he asked?

Mr. HARTKE. No. All I asked was: "Can you definitely say that cancer is caused by cigarette smoking?" I did not ask about causal relationship.

Mr. KENNEDY of New York. Then I misunderstood the Senator.

Mr. HARTKE. There is a difference between the two; and every witness who testified agreed to that.

FEDERAL TRADE COMMISSION USURPATION OF CONGRESSIONAL AUTHORITY

Mr. President, I support S. 559. The public will be gratified that the Commerce Committee, after comprehensive hearings and full deliberation, has developed a responsible and balanced solution to the vexing questions presented in this area of the relationship between smoking and health.

It has weighed the evidence and concluded that there shall be required to be placed prominently upon each package of cigarettes a factual caution statement that "Cigarette Smoking May Be Hazardous to Your Health."

The committee has recognized that the underlying medical questions have not been settled, and that every competent scientific authority has agreed that further research is needed. That necessary and extensive research is underway through both public and massive private industry support.

Much of the hearings to which the Commerce Committee devoted its attention was concerned with another issue involved in this legislation, and an issue which in my view should be brought to the attention of the Senate because it transcends even those important questions which the committee has so safely resolved.

That question is whether the Federal Trade Commission, or any other administrative agency created by the Congress, should be permitted by arbitrarily expanding the authority delegated to it by the Congress and by disregarding the due process safeguards provided by the Congress, to usurp the authority of Congress in an area of national importance.

In its recommended bill, the committee has made it clear, but unfortunately on only a temporary basis, that such usurpation of congressional authority by the Federal Trade Commission is not to be countenanced.

Because I believe that this question is vital to our entire system of democratic and orderly government, it must, Mr. President, be brought particularly to the attention of this body.

When the Advisory Committee to the Surgeon General was appointed in 1962, it was agreed among all those associated in that effort, including the Department of Health, Education, and Welfare, the Food and Drug Administration in that Department, and the Federal Trade Commission, that the work would be undertaken in two consecutive phases.

The first phase provided that the Advisory Committee would critically review all available data even though it would not conduct any new research. Its job was to produce and to submit to the Surgeon General a technical report.

Phase II was to be a determination, recognizing the vast national interests concerned, of what might be appropriate action in the light of the Advisory Committee report. As stated at the time and set forth in the Advisory Committee report:

> It was recognized that different competencies would be needed in the second phase and that many possible recommendations for action would extend beyond the health field and into the purview and competence of other Federal agencies.

There was a general understanding that as the result of phase II there might be recommendations to Congress.

Nevertheless, within 1 week after the Advisory Committee filed its report, the Federal Trade Commission attempted to legislate what should be done. So far as can be ascertained, it did so without consultation with other agencies. It did so without discussion with any congressional committee even though bills on the subject were then before the Congress.

What is most significant, the Federal Trade Commission attempted to act wholly beyond its statutory powers by writing in the form of a trade regulation rule what was in effect a broad legislative provision. In that precipitate action, the Commission did not follow any of the procedural safeguards laid down by Congress to control this very agency.

Instead, it resorted to a novel procedure predicated on the idea that it could in effect legislate across the board about an important national question, and could do so not only without waiting for Congress to act, but also in disregard of what Congress had specified should be its procedural methods.

I need not, Mr. President, rehearse the full detail of this astounding attempt on the part of a Federal administrative agency to usurp congressional authority because it is fully set forth in the record of the committee hearings. Nevertheless, there are three aspects of that effort that warrant at least summary statement to the Senate.

In the first place, the Federal Trade Commission has no legal authority, by issuing what it calls a broad-scale trade regulation rule, to legislate affirmative requirements controlling the labeling and advertising of the products of an entire industry. Congress never conferred that unlimited power. The Commission's lack of statutory authority has been cogently demonstrated not only by competent legal authorities who are members of the Senate, not only by equally expert private lawyers familiar with the controlling constitutional provisions and with the Federal Trade Commission Act, but also by every academic legal scholar in our law schools who has examined into and written about that issue.

What is even more striking is that, as repeatedly recalled to the Federal Trade Commission, the very power to legislate by broad-scale rule which it sought to exercise, has been expressly denied to it by the Congress. Perhaps it was for that reason that over the first half century of its existence, the Federal Trade Commission never sought to legislate in this fashion, but instead always proceeded, as its authorizing statute required, as a quasi-judicial body upon individual complaint, on hearings on sworn testimony, and on findings of fact that could be reviewed on the entire record by a court.

Second, apart from jumping the gun on these vital national questions and attempting to do so by asserting legislative powers which it had been expressly denied, the Federal Trade Commission acted in a fashion which destroyed every procedural safeguard which Congress had provided both in the Federal Trade Commission Act itself and in the Administrative Procedure Act of 1946.

In the Administrative Procedure Act, passed two decades ago to remedy various administrative abuses, Congress specifically provided that "in every case of adjudication required by statute to be determined on the record after opportunity for an agency hearing," action could not be taken except upon "reliable, probative and substantial evidence."

In developing the required agency record, Congress specified that there was to be a right "to conduct such cross-examination as may be required for a full and true disclosure of the facts."

In superficial obeisance, the Federal Trade Commission conducted what it called a hearing on its proposed Trade Regulation Rules. But, unbelievably, it announced at the outset that no sworn testimony would be received, that no cross-examination would be permitted, and that the Commission would make its determinations not merely on what was said to it but also upon what it believed it already knew.

When in June 1964, it issued its final Trade Regulation Rules, the Commission went even further in its effort to defy the procedural requirements of these statutes. It announced that the facts on which it was attempting to legislate by its Trade Regulation Rule were matters of "official notice" and that in any future proceeding to enforce its rule, no one would thereafter have any opportunity to contest those facts because they had already been determined in the so-called hearing on the original proposal at which cross-examination had not been permitted.

No more glaring example of a deliberate administrative attempt to avoid and to frustrate the due process procedural safeguards of the Administrative Procedure Act has ever been seen.

Third, and perhaps of equal significance, has been the continued refusal of the Commission to yield to congressional authority. It is true that in response to a request in August 1964, from the chairman of the House Committee on Interstate and Foreign Commerce, the Commission postponed the effective date of one part of its rules from July 1, 1964 to July 1, 1965. That is why we are considering the bill today. But despite the fact that Congress had taken the entire problem under review, that the House committee had held 5 days of hearings in June and July 1964, on 10 pending House bills, that numerous comparable bills were pending in the Senate—including the bill introduced by the Senator from Oregon—and that the Senate Commerce Committee had begun its hearings on these proposals in mid-March of 1965, the Chairman of the Federal Trade Commission flatly told the Senate committee that in the absence of specific congressional action, it would proceed to enforce its promulgated trade regulation rule on the requirement of warning statements on all advertising of cigarettes. As Mr. Dixon then said:

> Unless the Congress specifically, by passage of law or resolution, or some expression, takes us out of this, we have no other choice. (Hearing, p. 416. See also p. 430.)

I submit that this is an extraordinary attitude for an administrative agency, which is a creature of Congress, to take with a Senate committee. The Commission recognized that its power to make substantive law by issuing trade regulation rules was a deeply controversial question, and it conceded that it might take as much as 4 years for its judicial resolution. It recognized that the entire problem was being intensively dealt with both by a Senate and House committee.

Yet it took the position that absence of prompt congressional legislation by the specified date of July 1, 1965, which the Commission, not Congress, had determined, the Commission would proceed to enforce its substantive rules whether Congress had or had not concluded its consideration.

Perhaps, Mr. President, I need not characterize that attitude. We have certainly reached a peculiar posture in this country if while questions of major national concern are being deliberated by both branches of Congress, an administrative agency can announce its own substantive rules of law and tell the Congress that unless it acts in a particular way by a particular date, its rules will be considered the law of the land.

I do not mean to criticize the competence or zeal of the Federal Trade Commission. I do believe it important to call to the attention of the Senate where its present usurpation of authority can lead. Indeed, these problems are not limited to the United States. A quarter of a century ago, Lord Hewart deplored the same tendencies in England in his famous book "The New Despotism." What he then said seems to me to bear squarely on this issue of an administrative agency reaching out to usurp authority:

> It would be a strange misuse of terms if the name of "administrative law" were to be applied to that which, upon analysis, proved to be nothing more than administrative lawlessness.
>
> Let nobody be so foolish or so flippant as to suppose that any attack is here intended upon what it is a commonplace to describe as the best civil service in the world * * *. In remarks upon the mischiefs of bureaucracy one may assume the excellence of the civil service. Yet it may perhaps be well to remember that high capacity and ardent zeal never need to be more carefully watched than when they appear to have entered, with all their might, upon a wrong road.

As Senators are aware, section 4 of the committee bill preempts the Federal Trade Commission from requiring statements with respect to smoking and health in the advertising of cigarettes for only a 3-year period. The committee report states that this "in no way confirms or denies the Federal Trade Commission's holding that it has the general authority to issue trade regulation rules."

I do not object to the committee's general approach that in this important national area of tobacco and smoking and health, Congress ought continually be kept up to date. I think the question is how this should be done. I think the Commission's letter of May 13, 1965, contained in the committee report, makes it abundantly clear that the Commission has virtually prejudged what it is supposed to report, and I think its insistent urging that the 3-year moratorium be cut to 6 months or 1 year is further indication of that prejudgment.

What I would prefer to see in the bill is a permanent foreclosure of any attempt by the Federal Trade Commission in the future to legislate across the board on these questions, rather than to proceed as it was authorized to do in its own statute, and a firm directive that it always proceed in conformity with the safeguards laid down by the Congress in the Administrative Procedure Act.

Mr. President, we are here today because the Federal Trade Commission was acting in accordance with the way in which the Senator from Oregon would like to have it act.

I do not object to her wanting them to do that. However, she is attempting by means of this amendment and a series of amendments which would follow, to do exactly what the Federal Trade Commission would like to do without authority.

The committee decided otherwise. The committee voted otherwise. The amendments have all been disposed of in committee. There is no reason why they cannot be disposed of in a similar fashion before the bill is passed.

Mrs. NEUBERGER. Mr. President, I ask for the yeas and nays at the conclusion of the debate.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). On the amendment of the Senator from Oregon?

Mrs. NEUBERGER. That is correct.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mrs. NEUBERGER. Mr. President, I yield 5 minutes to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 5 minutes.

Mr. PELL. Mr. President, I rise to commend the Senator from Oregon [Mrs. NEUBERGER], the Senator from New York [Mr. KENNEDY], and the Senator from Pennsylvania [Mr. CLARK] on their amendment.

I believe that a couple of points have not been brought out. We are not talking about the tobacco industry. The tobacco product which we are talking about is only cigarettes. We are not talking about pipes, cigars, chewing tobacco, or even snuff. Perhaps I should note that in the Senate there is a box of snuff which is provided for us and which I use occasionally. I notice that it is almost empty.

I ask the Senator from New York or the Senator from Oregon a question. Would this bill apply to cigarillos? If it does not apply to cigarillos, it would seem to me that one would be left with the conclusion that perhaps the harm which comes from smoking cigarettes is caused by the paper.

This point has not been brought out in the report as I read it. It seems to me that those who support the tobacco industry might well find that the harm is not caused by the tobacco or the wrappers, but, perhaps, that it is caused by paper.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BASS. Mr. President, will the Senator yield?

Mr. MORTON. I yield 1 minute to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 1 minute.

Mr. BASS. Mr. President, one of the big questions involved in this matter is that no one in the medical or scientific field has ever been able to say what there is about tobacco that does have a causal effect. Throughout the entire testimony, because of the entire statement which the Senator has just made, a great area of doubt has been created as to whether it is the tobacco or the paper. Maybe we should outlaw paper.

Mr. PELL. That is the beauty of the amendment. It goes to the paper and not to tobacco. It does not include cigarillos.

Mr. BASS. But they are striking at tobacco and saying that tobacco causes it.

The PRESIDING OFFICER The time of the Senator has expired.

Mrs. NEUBERGER. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. CLARK. Mr. President, let us get the basic facts straight in this discussion. I have been amazed at what some Senators who oppose the amendment have said.

I read from the report of the highly regarded Committee on Commerce:

> On January 11, 1964, the Surgeon General's Advisory Committee on Smoking and Health delivered its unanimous judgment: "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

This conclusion is from an advisory committee of 10 physicians and scientists whose competence and freedom from bias has never been questioned. I am not concerned with whether we can prove in a laboratory that lung cancer is caused by cigarette smoking. I am convinced by the irrefutable statistical evidence that many thousands of Americans are dying every year from lung cancer caused by cigarette smoking.

The report states that it is established that male cigarette smokers have a higher death rate from coronary artery disease than nonsmoking males.

Is that not enough for the Senators to act on?

I have been concerned for all these years because the Surgeon General was so timid. He should have made these findings 5 or 10 years ago. I have listened to Dr. Clarence Little, a good friend of mine, make the point that one cannot prove in the laboratory that cigarettes cause lung cancer. I do not care about that, because the statistics, beyond the peradventure of a doubt, make the point plainly enough.

I suggest to my good friend, the Senator from North Carolina [Mr. ERVIN], who is such a strong advocate of States rights, that the States will never do the job. We know that. They did not do the job on civil rights. What makes Senators think that they would do the job in connection with the smoking hazard? Why will they not do it? They will not do it because the tobacco industry lobby is too strong in the State legislatures. It may turn out today that the tobacco industry lobby is too strong in the Senate of the United States. I hope not.

I refer now to section 5 of the Federal Trade Commission Act. I agree with the former Attorney General of the United States that the Trade Commission Act gives ample authority to the Federal Trade Commission to regulate this advertising.

We know perfectly well what is going on. People in the business of selling cigarettes are not voluntarily going to tell the public that cigarette smoking is harmful.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, I decline to yield at the moment.

Mr. ERVIN. Mr. President, the Senator has used my name and talked about me.

Mr. CLARK. Mr. President, I shall yield, but not now.

Those in the business of selling cigarettes are not voluntarily going to tell the public that cigarette smoking is harmful. They will tell them that smoking is fun, that it gives pleasure, that it is sophisticated, that it makes one a he-man, that it will increase one's sex appeal, not that it may produce cancer or heart disease. In a case like this, self-regulation is too much to ask. Only governmental restraints can work.

Mr. President, I yield back the remainder of my time. I should be happy to answer a question from my dear friend the Senator from North Carolina, in that brief way in which he is accustomed to conducting colloquy, if he will get time from the Senator from Kentucky.

Mr. ERVIN. Mr. President, I should like to have time in which to read briefly from the report of the Surgeon General with relation to heart disease.

Mr. MORTON. Mr. President, I yield 2 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I call attention to page 327 of the report of the Surgeon General. It reads:

> CONCLUSION
>
> Male cigarette smokers have a higher death rate from coronary artery disease than nonsmoking males, but it is not clear that the association has causal significance.

I thank the Senator.

Mr. CLARK. Mr. President, I thank my friend the Senator from North Carolina, for his unpersuasive argument.

The PRESIDING OFFICER. Who yields time?

Mrs. NEUBERGER. I yield as much time as is required to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Is it not true that one of the principal concerns of the Senator from Oregon is that a great danger exists for the young people of the country as a result of the lack of more immediate control over cigarette advertising?

Mrs. NEUBERGER. The Senator is correct.

Mr. KENNEDY of Massachusetts. And is it not true as a result of all the material assembled, not only in the carefully documented hearings, but also in the committee report, that there is little question about whether or not cigarette smoking really constitutes a health hazard? It appears to me that if there is little question as to whether a health hazard exists in smoking, it is all the more important that steps be taken as soon as possible to regulate the nature of advertising—especially as it is directed to our youth.

Mrs. NEUBERGER. In answer to the Senator's question, I think the Senator from New York [Mr. KENNEDY] brought out, very emphatically and dramatically, that each year we do not warn young people, we find more and more that they take up smoking, and the health hazard each year increases.

Mr. KENNEDY of New York. Mr. President, may I make a comment on that?

Mrs. NEUBERGER. I yield to the Senator from New York.

Mr. KENNEDY of New York. The record shows that every day 5,000 young people begin to smoke. The record also shows that 10 percent of schoolchildren in the seventh grade are habitual smokers, and 50 percent of schoolchildren in the 12th grade are habitual smokers. The record also shows that 1 million of the children who are now in school will, when they grow up, get lung cancer from cigarette smoking. That is what we are discussing.

Mr. KENNEDY of Massachusetts. I should like to ask the Senator from New York if he would describe for us the situation that would result if the Federal Trade Commission were to take a certain position or posture on any cigarette advertisement and the company in question felt that the FTC had ruled unwisely or had overstepped its authority.

Mr. KENNEDY of New York. First, there would be no damage to the cigarette company. The Senator from Indiana asserted that the Federal Trade Commission has no legal authority to take such action. He pointed out 3 areas in which it had gone beyond its authority. If that is so, the case should be taken to the court. All the companies have to do is go to court.

The companies can question the authority which the Senator from Indiana discussed on the floor, and the action taken by the Federal Trade Commission will be decided by the courts.

Mr. KENNEDY of Massachusetts. Is the Senator saying that if a cigarette company alleges that the Federal Trade Commission has acted unreasonably, it can file an appeal with the court?

Mr. KENNEDY of New York. That is correct; and nothing will happen in the meantime.

Mr. KENNEDY of Massachusetts. The companies can take that action and have an opportunity to have the question clarified. Is that correct?

Mr. KENNEDY of New York. Yes. The earliest time action could be taken, if Congress let the Federal Trade Commission move immediately and let this provision be put into effect on July 1, is 4 years by the time all judicial review is completed. The Public Health Service has estimated that 300,000 people die prematurely each year because of cigarette smoking. We do not know what part of the cigarettes causes it, but we do know that deaths are due to cigarette smoking. So an additional number of people will die due to smoking if this regulation is not put into effect.

Mr. KENNEDY of Massachusetts. Am I correct in assuming that these estimates, and your concern over deaths resulting from smoking, result from expert testimony by doctors before the committee? Testimony to which the Senator from Pennsylvania has referred.

Mr. KENNEDY of New York. I point out that studies started in 1939 and were intensified in 1954. They were based on prospective study and on followup study of healthy smokers and nonsmokers over a period of time.

These studies showed that the risks of cancer of the bladder, larynx, esophagus, and mouth are two to five times higher for cigarette smokers than for nonsmokers.

Nationwide studies in both the United States and England show that cigarette smokers have a considerably greater mortality rate from respiratory diseases such as emphysema and bronchitis. A recent American prospective study shows the risk that smokers will die from these diseases to be more than three times that for nonsmokers.

The studies showed that the death rate from coronary heart disease for smokers is about 60 percent greater than for nonsmokers, and the risk of aneurysm and Buerger's disease for cigarette smokers is about three times that of nonsmokers.

I add that the risk of lung cancer for smokers is nine times as high as for nonsmokers.

These are facts. No one has questioned these facts and the causal connection except the Senator from North Carolina. I do not believe the Senator from Kentucky did.

Mr. ERVIN. Mr. President, I would like to answer, if I can obtain the floor. Who has the floor?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mrs. NEUBERGER. I yield to the Senator from Massachusetts for questions.

Mr. KENNEDY of Massachusetts. I wish to ask the Senator from New York or the Senator from Oregon if there is a cigarette advertising code established by the cigarette industry for the ostensible purpose of voluntarily regulating cigarette ads?

I believe the Senator from Oregon referred to such a code. I would be interested in her knowledge or judgment as to whether the industry itself has used this code for the benefit of the public.

Mrs. NEUBERGER. As the industry saw the threat of controls on labeling, or perhaps advertising, it did set up a board to supervise advertising. Whether the public has seen any effect from it, I do not know. There has been an attempt at self-policing action in connection with some of the advertising, brought about by the pressure of possible law, but we welcome any improvement from the industry.

Mr. KENNEDY of Massachusetts. Has the cigarette advertising code, under which the industry has been operating for several months, produced any material improvement in cigarette advertising? I was wondering if the Senator from Oregon felt that it had.

Mrs. NEUBERGER. We could see no visible effect of it. The industry attempted to reduce the direct appeal to athletes and young people. In a burst of public spirit they even promised to take out cigarette advertising from comic books.

Mr. KENNEDY of Massachusetts. Will the Senator correct me if I am mistaken? It is my understanding that it is the presence of this voluntary code that the industry relies upon in arguing for a 3-year moratorium on FTC actions, or even for removing the FTC from this area permanently?

Mrs. NEUBERGER. That is correct.

Mr. KENNEDY of Massachusetts. So it has been the Senator's experience and it appears the experience of the FTC itself, that there has been no material improvement in cigarette advertising in the past. And it is the argument of the Senator from Oregon, that no betterment in advertising will occur unless this kind of legislation is enacted. Is that correct?

Mrs. NEUBERGER. Yes. It is almost impossible to ask any industry such as the cigarette industry or the outdoor advertising industry to police itself. I do not think we can expect much in the way of control under its own code.

Mr. KENNEDY of Massachusetts. I thank the Senator.

Mrs. NEUBERGER. Mr. President, I should like to comment about the Surgeon General's report. There have been more and more research articles published which augment, verify, and add to the Surgeon General's report. They sustain it.

I ask unanimous consent to have printed in the Record at this point a list of the scientific articles which have been included in the hearings of the Committee on Commerce and which have augmented the Surgeon General's report, verifying his findings.

There being no objection, the list was ordered to be printed in the Record, as follows:

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(Submitted at the request of the Committee on Commerce, by the American Cancer Society, Inc., Medical Library, 219 East 42d Street, New York, N.Y.)

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Mrs. NEUBERGER. I shall ask permission that certain statements be printed in the Record.

The first is a critique to which the Senator from North Carolina referred, by Dr. Poche, the German scientist, which should be read in full to be accurately evaluated.

There being no objection, the critique was ordered to be printed in the Record, as follows:

Carcinoma of the Lung and Cigarettes—1 Year Following the Terry Report

Cigarettes do not influence perceptibly the frequency of lung cancer. This was a conclusion of a statistical study of lung carcinoma in North Rhine-Westphalia which appeared in the Zeitschrift für Krebsforschung (Journal for Cancer Research) in 1964. This study caused a tumult in medical and lay circles, particularly through sensational headlines in the daily press. A working group of Düsseldorf-Bonner scientists—Prof. Reinhard Poche, pathologist, Dr. Ottfrid Mittmann, biostatistician, and Dr. Oswald Kneller, scientific assistant, were the authors of this work which represents a contribution of the Rhine-Westphalian pathologist.

From the post mortem and histologic entry material from 12 institutes of pathology in North Rhine-Westphalia, 1,229 cases of lung carcinoma were radiographed in a questionnaire activity carried out by physicians alone. Over 26,000 post mortem protocols from several pathologic institutions served as basis for comparison.

According to the findings lung carcinoma as in other countries has increased considerably in males since the beginning of the century. In Düsseldorf, for example, the percentage rose from 0.8 to 13.1. Still the maximum number of deaths fell below the 60th year of life.

A comparison between the number of cigarettes smoked daily and average age of the carcinoma victim showed no relationship. The bronchial mucosa of heavy smokers did not become cancerous earlier than that of light smokers or nonsmokers. In no case could a statistical association between intensity of cigarette smoking and percentage of flat-cell epithelial carcinoma be demonstrated. The researchers therefore regarded the exogenous toxins less as causative as instigating.

Reactions of commentators to the report varied from agreement to skepticism and strong diversion. Two prominent medical statisticians in Germany—Prof. Karl Freudenberg, director of the Seminar for Medical Statistics of the Berlin Free University, and Prof. Siegfried Koller, chief of the Institute for Medical Statistics and Documentation in Mainz, expressed considerable scruples concerning Dr. Poche's methods.

There follows a dialog between Dr. Poche and his colleagues and Professor Koller. Professor Koller maintains that the material prepared by the North Rhine-Westphalian authors contributes nothing significant to the problem of cigarette smoking and lung carcinoma. Considering the important errors in source material it is without significance if the authors could not demonstrate this relationship statistically.

In another article on page 232 of Selecta, Dr. Siegfried Heyden of Zurich states that the report by Poche and his colleagues is not a representative investigation of 12 institutes of pathology in North Rhine-Westphalia. He believes the crux of the whole report lies in the questionnaires. He criticizes the material gathered from military service and war imprisonment. Dr. Heyden does not agree with Professor Poche and his colleagues.

Dr. Ferdinand Schmidt of Potsdam regrets that this report was published without careful examination. He feels the report has done a disservice to German science.

EXCERPTED QUOTATIONS FROM THE ARTICLE BY S. KOLLER, "OBSERVATIONS ON THE PAPER BY R. POCHE, O. MITTMAN AND O. KNELLER, 'STATISTICAL INVESTIGATIONS OF BRONCHIAL CARCINOMA IN NORTH RHENISH WESTPHALIA' "[1]

The investigation, however, is not an instance of a planned randomly designed sample according to predetermined principles of selection; on the contrary, it is a partial collection made according to no deliberate plan of selection organizing data.

According to the principles of random sampling and investigational technique—as, for example, they are observed in sociology—material collected in this fashion would be considered unusable. Only if the data obtained were from distinct and comparable groups * * * could the series of observations permit the drawing of significant conclusions.

While questions on occupation and the length of time spent in occupations were asked in detail, inquiry on smoking consisted only of the following items: Are you a smoker? Yes or No. How much daily? Weekly? Cigars? Cigarettes? Pipe?

There was no confirmation of the length of time for which such data applied. According to the wording of the questionnaire, information given might just as easily concern smoking habits during the months immediately before treatment as to those of the years preceding. It was hardly likely that information on smoking habits of 10 to 20 years earlier would be given.

So it is that in their comparisons, the authors have not tested the theory that proposed external factors play a role in the causation of bronchial carcinoma—but, on the contrary, the entirely different theory concerning the possibility of such factors having a significance in squamous cell carcinoma which differs from that in other types of bronchial carcinoma.

In view of (1) the design of the investigation, (2) the difficulties encountered in its execution, and (3) the types of comparison made: One can hardly expect—to obtain—statistically significant results—not only in terms of such causationally irrelevant factors as prisoner-of-war status, but also for such factors as place of residence, occupation, and smoking habits.

The material gathered by the authors has practically no relevance to the current-day problem of the influence of cigarette smoking on bronchial carcinoma. In view of the important sources of error, the failure to demonstrate statistical association between cigarette smoking and bronchial carcinoma is no argument against the existence of such a correlation, as demonstrated by so many other authors.

In their discussion, the authors have referred to correlations between materials gathered from various international sources, such data being taken in terms of per capita cigarette consumption and causes of death. However, such correlations—based on differences drawn from highly unlike regional elements which internally are highly comparable—are scarcely applicable to the drawing of on pages 104 and 105 of the original article by Poche, Mittmann, and Kneller are evidence neither for nor against a theory of cigarette influence on the production of lung cancer.

Mrs. NEUBERGER. Mr. President, I ask unanimous consent that a memorandum prepared by the Public Health Service at the request of the Commerce Committee of the Senate be printed in the RECORD, because it refers emphatically to the question of statistics which has been raised.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM PREPARED BY THE PUBLIC HEALTH SERVICE AT REQUEST OF SENATE COMMERCE COMMITTEE—REVIEW OF ARGUMENTS RAISED ON SMOKING AND HEALTH EVIDENCE

INTRODUCTION

The points made in the medical and scientific testimony offered in opposition to the Senate bills were considered by the Surgeon General's Advisory Committee on Smoking and Health, were fully deliberated by that Committee, and were considered to be of less significance than arguments supporting the opposing view that cigarette smoking is a serious health hazard. The more important of these arguments are discussed and answered in the final report of that Committee. A discussion of the main points raised follows.

CANCER—FUNDAMENTAL ASPECTS

The fact that strains of animals can be developed which have fixed cancer rates does not mean that human cancer is governed to an equal degree by hereditary factors. This is shown by the fact that the incidence of lung cancer in humans has changed so dramatically over the past 50 years. Many causes and mechanisms in the production of cancer are, in fact, known. Cancer can be produced by certain chemicals, by certain viruses, and by certain genetic factors, and in many cases the mechanism of this cancer can be interfered with. There is no single cause or mechanism which has been demonstrated to hold true for all cancer in plant or animal or human forms.

STATISTICS

Although causation cannot be inferred from association, the fact that an association exists is adequate to require investigation as to the possibility that one is dealing with causation. In the absence of association it is usually a waste of time to seek cause-and-effect relationships.

If genetic or constitutional differences between smokers and nonsmokers accounted for the association between smoking and disease, there could not have been the tremendous increase in the incidence of lung cancer over the past 50 years, because we have no evidence that there have been any kind of sharp genetic or constitutional changes in the human race during that period of time.

There are different biological mechanisms possible for each of the many diseases related to cigarette smoking. This is perfectly reasonable considering the complexity of the chemical nature of cigarette smoke and the fact that it contains many products known to be harmful to living organisms.

The remarkable finding that runs through all of the retrospective studies despite the diversity of population, method, and study design, is the consistency with which the relationship between smoking and lung cancer is identified.

Again, despite the diversity of population method and study design, the consistency with which the prospective studies support each other in their major findings is also remarkable. In general, criticisms that may be leveled at any one study are answered by other studies in which those criticisms are not applicable. Many of the prospective studies had a selection of subjects which were shown to be representative of well-defined populations. The death rates of smokers of a pack or more were specifically shown by the Hammond-Horn report (1958) to exceed that of the total U.S. white male population despite the fact that the selection of the population as a "well" population automatically makes this group more comparable to large insurance populations of initially well people than to the total population which includes those who are already seriously ill. The specific hypothesis that this study recruited unusually healthy groups of nonsmokers was tested and refuted in the same paper by showing that the results of the analysis were identical whether dealing with groups in which early deaths occurred only among smokers, only among nonsmokers, or those groups which had no early deaths.

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[1] Dr. Koller's article appeared in the Zeitschrift für Krebsforschung, vol. 66, pp. 187–192, 1964. Poche, Mittman and Kneller's original article appeared in the same journal, vol. 66, pp. 87–108, 1964.

Data on death rates among nonrespondents have been shown to be consistent with the overall findings and would require unreasonable hypotheses to contradict them. The epidemiological studies are completely consistent with the finding that smoking is related to disease and strongly support the interpretation that these relationships are cause and effect.

OTHER OBSERVATIONS

The incidence of lung cancer depends upon the percentage of people who smoke and the effectiveness of dosage of smoke taken into the body. Per capita consumption does not give any information on how many people smoke or how much each smoker consumes. The fact that most cigarette smokers in European countries burn their cigarettes much further down than do smokers in the United States could more than compensate for the higher per capita consumption in this country.

The occurrence of cancer is a function of the susceptibility of the tissues as well as the degree of exposure. The apparent paradox that cancer of the trachea is uncommon may be due to the fact that the trachea is exposed to smoke for shorter periods of time than the lung and may have greater inherent resistance. The most plausible theories on the mechanism for the occurrence of cancer of the lung are based on an interference with ciliary action which normally removes deposited particulate matter. These are not inconsistent with the actual distribution of cancers in the lung.

Clinical studies of lung cancer among women show that both women and men having the same smoking habits have similar mortality rates from lung cancer. Although there has been a marked increase in smoking by women over the years, most of this has taken place among women born since 1900. Lung cancer, however, is so much more common among people over the age of 55 that we are just beginning to enter a period of time in which we could anticipate a level of exposure to cigarette smoke among women similar to that among men in the same age group. The rate of increase in lung cancer is completely consistent with the fact that cigarette smoking has reached a plateau among men over the age of 50. Numerous studies by statisticians and actuarians have demonstrated that improvements in diagnostic methods for detecting lung cancer cannot account for the bulk of the increase in deaths from lung cancer in the last few decades. All studies on the relationship of lung cancer to various other factors than cigarette smoking, based on the exposure of individuals to each of these other factors and to cigarette smoking, have shown that cigarette smoking is much more closely associated with lung cancer than are any of these other factors or any combination.

PATHOLOGY

There is extensive experimental data to verify that the lungs of smokers are, in fact, grossly and microscopically different from those of nonsmokers. Epidermoid lung cancer in a nonsmoker is sufficiently uncommon to make its exact microscopic appearance somewhat doubtful. Changes in the tissues seen at autopsy of smokers, which distinguish them from nonsmokers, are considered analogous to changes in other parts of the body that are preliminary to cancer. Both the epidemiological evidence and the pathological evidence is that the likelihood of lung cancer is reduced with the cessation of cigarette smoking. This is consistent with the animal experiments which show that the removal of agents that produce certain tissue changes result in the elimination of these changes. The tissue changes which are found in the lungs of smokers do occur in the lungs of nonsmokers, but in much lower frequency. In the most extensive studies done, these tissue changes show a correlation with smoking habits. These tissue changes suggest the mechanism of cellular change in tissue exposed to cigarette smoke, but this is not necessarily the only mechanism which may produce lung cancer.

LARYNX CANCER

The absence of any marked increase in laryngeal cancer death rates is quite consistent with the cigarette-lung cancer thesis. Cancer of the larynx is not only associated with cigarette smoking, but about equally with pipe and cigar smoking. This would be expected in that the smoke from pipes and cigars does reach as far as the larynx. The documented decline in cigar and pipe smoking among men has, to some extent, offset the increase brought about by cigarette smoking. Moreover, the survival rate for people with laryngeal cancer has increased sharply over the past 25 years. Thus, the lack of change in our death rates of laryngeal cancer to some extent reflects the improvement in its treatment. The sex difference for laryngeal cancer is consistent with the difference in the smoking habits between males and females.

CARDIOVASCULAR DISEASE

Clinical and epidemiological observations have illustrated the roles of several factors in the etiology of cardiovascular disease: Heredity, diet, physical activity, stress, obesity, and smoking. Each factor has its advocates, but few deny a possible role of any of these items. To deny that cigarette smoking may be a causal factor in cardiovascular disease, simply because other agents may also cause the disease, is somewhat similar to saying, "Since you can break your leg skiing, you cannot break it in an automobile accident."

Radiologic studies of the coronary arteries were recently acclaimed with a headline to the effect that, "Smoking does not change the coronary arteries." In fact, what the study showed was that, while smoking increased the cardiac output, and, therefore, the workload, it did not bring about the necessary compensatory dilation of the coronary vessels. In ordinary exercise, this compensatory dilation does occur. Since it does not occur in smoking, it is equivalent to bringing about a relative oxygen deficit.

There is no evidence to suggest that smoking is necessarily a sign of emotional stress. The decision to smoke is usually made long before a person decides upon his occupation. The study of 25,000 professional men, referred to in the hearings, collected only about 2,000, or 8 percent, usable questionnaires. The definition of stress and the measurements of its effects represent one of the most controversial areas in epidemiology, and the study referred to added little to knowledge in the field.

ANIMAL EXPERIMENTS

Animal experiments in the field of cancer can, at best, provide suggestive data but not definitive data, since it is well known that the carcinogenic effect of various agents is different for different species and, within species, for different tissues.

Success in reproducing a human disease in experimental animals is of great scientific significance, but the failure to do so has little meaning. Syphilis, infectious hepatitis, and poliomyelitis have been equally difficult to reproduce in the laboratory animals. No experimental animal has been successfully taught to smoke and inhale in the human fashion. The production of skin cancer with tobacco smoke condensate approximates what happens to the human lung more closely in some respects than placing animals in a smoke-filled environment. The claim that skin cancer has been produced by painting animal skin with egg whites and glucose has not been substantiated.

Skin painting experiments using pipe and cigar tobacco are quite consistent with the smoking and lung cancer thesis. It has been demonstrated that pipe and cigar smokers do not inhale to the same degree or in the same fashion as cigarette smokers. That inhalation is probably an important factor is revealed by the association of pipe and cigar smoking with oral cancer but not lung cancer. Pipes and cigars produce more tar and, therefore, more cancer on the animal's skin. But, since they are less likely to be inhaled, they produce less lung cancer.

CHRONIC BRONCHITIS AND PULMONARY EMPHYSEMA

While it is true that some of the manifestations of chronic respiratory disease have been described for almost 200 years, it is only within the past few decades that the prevalence of these diseases has increased as rapidly. This coincides in time with the increase in cigarette smoking. The well documented "smoker's cough" is one aspect of chronic pulmonary disease. Study after study has revealed that smokers cough more, and that they bring up more sputum than nonsmokers. Most physicians have, for years, recommended that their patients with bronchitis stop smoking. The major professional associations of physicians dealing with chest diseases have emphatically endorsed the conclusions of the Surgeon General's Report with reference to chronic bronchitis and emphysema. Several studies of chronic pulmonary disease have developed and utilized rigid diagnostic criteria for chronic bronchitis and have, in each instance, found the well-known relationship of smoking to chronic pulmonary disease.

Mr. ROBERTSON. Mr. President, will the Senator from Kentucky yield me 1 minute?

Mr. MORTON. Mr. President, I yield 1 minute to the distinguished Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 1 minute.

Mr. ROBERTSON. Mr. President, I am opposed to the amendment. I do not believe that we should include anything concerning advertising as to the danger of cigarettes until we include the more dangerous alcohol.

An article was published in the June issue of Reader's Digest, the import of which is that once an alcoholic always an alcoholic, and that we can stop smoking cigarettes but if we become an alcoholic we are gone.

There are more victims of alcohol than there are of lung cancer.

Mr. President, I ask unanimous consent to have printed in the RECORD a brief statement I made before the committee in which I was willing to go along with the bill to label a package of cigarettes as being possibly dangerous, but that I was against any advertising.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR A. WILLIS ROBERTSON, DEMOCRAT, OF VIRGINIA

Mr. Chairman, I wish to endorse the position taken before your committee on March 24 by Mr. Bowman Gray, of Winston-Salem, N.C., speaking for the cigarette industry, and which has been concurred in by the tobacco growers of my State, that if there is to be legislation on the health issues involved in cigarette smoking, it be spelled out in detail by Congress and be limited to a statement on the cigarette package.

Here is a digest of Mr. Gray's testimony:

"We are strongly opposed to these bills. We do not believe any governmental action is necessary or called for with respect to cigarette advertising or labeling.

"However, if such action is to be taken, we believe it should be taken by the Congress—and by no one else. State and municipal governments are certainly not the agencies who should take action in this matter. The problem is national in scope; it is clearly not local.

"Similarly, we do not believe that a single Federal administrative agency is the proper body to take such action. It is wholly inappropriate, therefore, for a decision of this scope to be made by the Federal Trade Commission, or by any other single Federal administrative agency whose jurisdiction and expertise are confined to one particular phase of this complex problem. I repeat: This matter should be handled by the Congress and by no one else."

After contending any notice is unnecessary, Mr. Gray continued:

"If—in spite of these considerations—the Congress should conclude that a caution notice on the package would serve a useful purpose, I hope it will consider the following points.

"First, any such legislation should make absolutely clear that the congressional statute preempts the field. It would be intolerable if the States and Federal agencies were to remain free to pass conflicting laws or to impose conflicting regulations on this subject.

"If there is to be a caution notice, its exact terms should be prescribed by the Congress, and the caution should be uniform among all manufacturers and nationwide in scope.

"Second, the required caution should be phrased in a fair and factual manner.

"Third, if a warning is to be required on the package, it should not be required in cigarette advertising."

Mr. Gray mentioned a House bill which carries this suggestion, "Caution, cigarette smoking may be hazardous to your health." Mr. Gray said this is, "simple and I think quite understandable." Mr. Gray also quoted the Magnuson bill as requiring, "Warning, continual cigarette smoking may be hazardous to your health."

Mr. Gray added that "Both of these are simple and I think direct. They say what apparently some people want to say. If it has to be there, I don't think I would have great objection to either of these."

The pending bills, seeking to put smokers on notice of the views of our Public Health Service that the smoking of cigarettes is injurious to health, affect an industry that is very vital to my home State of Virginia.

Like Mr. Gray, I think Virginia cigarette manufacturers could live with a requirement for a health hazard notice on the cigarette package.

But I would not go along with broader legislation that would require a similar notice in all cigarette advertising.

I am also opposed to requiring that the label on cigarette packages include any estimate of the average tar and nicotine yield in each cigarette.

Finally, I agree with spokesmen for the industry that whatever is done should be decided by Congress and not delegated to an administrative agency.

Perhaps my position could be met by some changes in the Magnuson bill.

More than 86,000 Virginians earn their living in whole or in part from tobacco. These people cover a broad spectrum of occupations—farmers, factory workers, and small retailers. Anything that concerns tobacco concerns them.

Of all the States in which tobacco is grown, Virginia ranks fourth in tobacco cash receipts. In 1962 these amounted to $102,400,000, which I think you will agree is quite a lot of money.

Virginia ranks third in total income from tobacco processing and handling. It ranks second in cigarette manufacturing, turning out a product valued at $559,668,000, excluding excise. Virginia also ranks fourth in number of tobacco farms. There are no fewer than 34,770 of them, most of them quite small.

Thus, an important issue of welfare to our State and its people is involved in your deliberations. I count it a matter of grave urgency to ask this committee to consider the bills now before it with the utmost discretion.

I am sure there are some Virginians who are convinced cigarettes are injurious to health, and these citizens also are entitled to have their viewpoint considered.

I am inclined to believe there is still another group of people who are willing to concede that cigarettes may do them some harm, but are willing to take a chance that they will not have lung cancer.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I am glad to yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Does the Senator from Virginia smoke at all?

Mr. ROBERTSON. I used to smoke, but when I contracted pneumonia I had to stop; and I said to myself, "Why start again?"

Mr. BASS. Mr. President, will the Senator from Kentucky yield me 3 minutes?

Mr. MORTON. Mr. President, I yield 3 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 3 minutes.

Mr. BASS. Mr. President, I wish to speak specifically and address myself directly to what the amendment would do in the field of advertising.

The bill before us allows and requires a warning that there may be some hazard in smoking. None of us denies that there might be a hazard involved. It is fair to say that if there is a hazard, the American public is educated to the possibility of that hazard and no one in the Senate is today objecting to the labeling of cigarettes, but let us get back specifically to advertising.

Mr. President, the advertising of cigarettes does not say, "Come on everyone and start smoking." It only recommends that we smoke. What cigarette advertising does is to give the manufacturer of the cigarette and the retailer of the cigarette the opportunity to implore—if that is a good word to use—and to urge that such and such a commodity versus some other commodity should be purchased. In other words, they are advertising for a choice of brand of cigarette.

I have never seen an advertisement in my life on television, or heard one on the radio, or read one in the newspaper which said to me in effect that everyone should smoke, that it is a great thing to do and let us all smoke. However, I have seen advertising—and it is perfectly legitimate—in the field of free advertising, the free choice on television, radio, and in the newspapers, and freedom of the press, that if a commodity is not outlawed, if it is for sale in the United States of America, the manufacturer and the retailer of that commodity should be allowed to advertise his commodity, and the American people should have the opportunity to make a choice in favor of their product versus someone else's in the same field. All we are trying to say in the pending amendment is that the advertising of cigarettes is dangerous itself.

It is not dangerous. It is only in the field of good business management in the free economy of this Nation that any company should be allowed to advertise the product which it manufactures as opposed to the choice of another commodity in the same field.

The amendment of the Senator from Oregon would provide that for 1 more year the manufacturers of cigarettes can promote the choice of their brands but that after that time there will be no choice, that advertising—regardless of what kind of cigarettes we smoke—will show only that smoking is dangerous; that we should not smoke, but if we do we shall pay for it.

The amendment is strictly one which is not necessary. I believe that there should be a 3-year period in which to study this problem and allow free advertising and free promotion of an individual commodity.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mrs. NEUBERGER. Mr. President, I ask unanimous consent that the call for the quorum which I am about to request be not be charged to the time limitation.

Mr. ANDERSON. Mr. President, reserving the right to object, would the Senator from Oregon mind my bringing up the conference report on the space authorization bill at this time, without any time being charged, of course, against either side?

Mr. MORTON. Mr. President, I ask unanimous consent that the Senator from New Mexico be allowed to submit the conference report on the authorization for appropriations for NASA, and that the time not be taken from either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 8371) to reduce excise taxes, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. BYRNES of Wisconsin, Mr. CURTIS, and Mr. UTT were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

AUTHORIZATION FOR APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7717) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Mr. President, the total authorization request for fiscal year 1966 was for $5,260 million. The House, in acting on H.R. 7717, authorized a total of $5,183,844,850. In acting on the Senate amendments to H.R. 7717, the Senate agreed to a total authorization of $5,196,826,350. In conference the two Houses recommend a total authorization of $5,190,396,200. This final figure is $69,603,800 less than the original administration's request, $6,551,350 more than was originally approved by the House, and $6,430,150 less than approved by the Senate.

In arriving at this total amount the conferees recommend a total of $4,536,971,000 for research and development. This amount represents $38,929,000 less than was requested for research and development by NASA, $150,000 less than was approved by the House, and $3,621,000 more than was approved by the Senate.

The amount recommended for construction of facilities is $62,376,350 which is $12,323,650 less than was requested by NASA for construction of facilities, $1,701,350 more than was approved by the House and $5 million less than was approved by the Senate.

The conferees recommend a total of $591,048,850 for administrative operations. This amount is $18,351,150 less than NASA's request for administrative operations, $5 million more than approved by the House and $5,051,150 less than approved by the Senate.

Mr. President, I believe that some explanation should be made with respect to the action taken by the conferees on several items.

M-1, SNAP-8, AND 260-INCH MOTOR PROJECTS

NASA did not request funds for the SNAP-8 space nuclear power system, the M-1 engine and the 260-inch solid motor projects for fiscal year 1966. The House Space Committee, however, strongly urged the continuation of these three projects believing they will be necessary for NASA's future propulsion needs. The House committee, therefore, recommended an authorization, subsequently approved by the House, of $6 million for SNAP-8, $15 million for the M-1 engine, and $6.2 million for the 260-inch large solid.

Your committee recommended that no funds be authorized by the SNAP-8 and the M-1 projects but that $6.2 million be authorized for the 260-inch solid motor project, with the further recommendation that the $6.2 million for the 260-inch large solid project should not be appropriated until the administration concluded, after the completion of phase I, that it wishes to move into phase II of the project. This recommendation was approved by the Senate.

In conference, the conferees agreed to recommend the authorization of $6 million for SNAP-8 and $7.5 million for the M-1 engine project. The $6.2 million for the 260-inch large solid project was not an item in conference, both Houses having previously agreed to the amount.

The Senate conferees considered that these projects are long-range research and development projects dealing with new propulsion and auxiliary power techniques which might be necessary to future space mission needs and that the Senate has in the past supported such research and development; therefore, the conferees agreed to recommend that funds be authorized for the M-1 and SNAP-8 projects. Such authorization would give the administration some flexibility if the President determines that these programs should be continued. However, the House and Senate conferees also agreed that the authority given for the M-1 and SNAP-8 projects be utilized only for these particular projects in the amounts agreed upon and that this authority should not be reprogramed into other projects. Your conferees felt that in the interest of sound economy this restriction should be applied so that the restoration of an additional $13.5 million could be used only for these purposes. The conferees further agreed that this should be the only restriction that should be made applicable to the 260-inch large solid motor project as well as to the two items in conference.

Mr. President, the House statement of managers on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7717) to authorize appropriations to NASA says, with respect to the SNAP-8 project, and I quote, "The conferees stipulated first, that the SNAP-8 project shall be continued, and second, that the funds authorized for SNAP-8 shall be utilized for no other purpose." Mr. President, I agree with the second statement but I do not recall "that the conferees stipulated that the SNAP-8 project shall be continued." Rather, what we did was agree to recommend an authorization of $6 million for the SNAP-8 project with the stipulation that the $6 million in authority could be used for no other purpose. This is clearly a strong recommendation to continue the project but we did not stipulate that it shall be continued.

APOLLO PROGRAM

With respect to the Apollo program, NASA requested a total of $2,967,385,000 to fund the Apollo program. The House reduced this amount by $30 million on an across-the-board basis. The Senate, in considering the total program request, assessed a reduction of $24 million specifically against the Apollo extension systems program, resulting in the net effect of restoring $6 million of the House reduction.

The Senate reduction was based on the extensive planning amounts previously authorized from which no comprehensive program has been formulated and presented, and on the desire to promote the utmost selectivity in post-Apollo planning and prevent the conduct of studies solely for study's sake. On the other hand, the Senate has been a strong advocate of permitting NASA the utmost flexibility in managing its programs including the freedom to program funds as dictated by the best interests of the overall space endeavor. Consequently, in accordance with the foregoing management philosophy and in view of interests of the House in effecting the maximum economies within the total Apollo program, your conferees agreed that NASA would not be required to make a specific reduction against a specific project within the Apollo program but may utilize authorized funds for the Apollo program as NASA management believes will best promote the overall program.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the amounts requested by NASA, the results of the original House and Senate action with respect to these amounts, and the amounts recommended by the conference committee action on these items wherein the House and the Senate disagreed.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Action of conference committee on NASA authorization request for fiscal year 1966 (H.R. 7717)

	Budget request	House approved	Senate approved	June 10, 1965, conference committee approved
Research and development:				
Gemini	$242, 100, 000	$242, 100, 000	$242, 100, 000	$242, 100, 000
Apollo	2, 997, 385, 000	2, 967, 385, 000	2, 973, 385, 000	2, 967, 385, 000
Advanced missions	10, 000, 000	10, 000, 000	10, 000, 000	10, 000, 000
Physics and astronomy	172, 100, 000	160, 500, 000	165, 900, 000	165, 900, 000
Lunar and planetary exploration	215, 615, 000	213, 115, 000	213, 115, 000	213, 115, 000
Bioscience	31, 500, 000	31, 500, 000	31, 500, 000	31, 500, 000
Meteorological satellites	42, 700, 000	42, 700, 000	42, 700, 000	42, 700, 000
Communication satellites	2, 800, 000	2, 800, 000	2, 800, 000	2, 800, 000
Applications technology satellites	28, 700, 000	28, 700, 000	28, 700, 000	28, 700, 000
Launch vehicle development	63, 600, 000	60, 600, 000	63, 600, 000	63, 600, 000
Launch vehicle procurement	194, 500, 000	179, 500, 000	178, 700, 000	178, 700, 000
Space vehicle systems	35, 000, 000	35, 000, 000	35, 000, 000	35, 000, 000
Electronics systems	34, 400, 000	34, 400, 000	34, 400, 000	34, 400, 000
Human factor systems	14, 900, 000	14, 900, 000	14, 900, 000	14, 900, 000
Basic research	22, 000, 000	22, 000, 000	22, 000, 000	22, 000, 000
Nuclear-electric systems	27, 000, 000	33, 000, 000	27, 000, 000	33, 000, 000
Nuclear rockets	58, 000, 000	58, 000, 000	58, 000, 000	58, 000, 000
Solar and chemical power	14, 200, 000	14, 200, 000	14, 200, 000	14, 200, 000
Chemical propulsion	30, 000, 000	51, 200, 000	36, 200, 000	43, 700, 000
Aeronautics	42, 200, 000	42, 200, 000	42, 200, 000	42, 200, 000
Tracking and data acquisition	246, 200, 000	242, 321, 000	246, 200, 000	242, 321, 000
Sustaining university program	46, 000, 000	46, 000, 000	46, 000, 000	46, 000, 000
Technology utilization	5, 000, 000	5, 000, 000	4, 750, 000	4, 750, 000
Total	4, 575, 900, 000	4, 537, 121, 000	4, 533, 350, 000	4, 536, 971, 000
Construction of facilities:				
Ames Research Center	2, 749, 000	2, 749, 000	2, 749, 000	2, 749, 000
Electronics Research Center	10, 000, 000	Deleted	10, 000, 000	5, 000, 000
Goddard Space Flight Center	2, 400, 000	2, 400, 000	2, 400, 000	2, 400, 000
John F. Kennedy Space Center	8, 595, 000	7, 854, 400	8, 195, 000	8, 195, 000
Langley Research Center	8, 250, 000	8, 250, 000	8, 250, 000	8, 250, 000
Lewis Research Center	867, 000	867, 000	867, 000	867, 000
Manned Spacecraft Center	4, 400, 000	3, 953, 300	4, 180, 000	4, 180, 000
George C. Marshall Space Flight Center	4, 776, 000	4, 291, 100	2, 309, 450	2, 309, 450
Michoud Plant	300, 000	269, 500	284, 750	284, 750
Mississippi Test Facility	2, 121, 000	1, 905, 600	1, 910, 450	1, 910, 450
Wallops Station	1, 048, 000	1, 048, 000	1, 048, 000	1, 048, 000
Various locations	21, 694, 000	19, 871, 400	20, 182, 700	20, 182, 700
Facility planning and design	7, 500, 000	7, 215, 700	5, 000, 000	5, 000, 000
Total	74, 700, 000	60, 675, 000	67, 376, 350	62, 376, 350
Administrative operations	609, 400, 000	586, 048, 850	596, 100, 000	591, 048, 850
Grand total	5, 260, 000, 000	5, 183, 844, 850	5, 196, 826, 350	5, 190, 396, 200

	Research and development	Construction of facilities	Administrative operations	Total
Total	$4, 536, 971, 000	$62, 376, 350	$591, 048, 850	$5, 190, 396, 200
Difference from NASA request	−38, 929, 000	−12, 323, 650	−18, 351, 150	−69, 603, 800
Difference from Senate approved	+3, 621, 000	−5, 000, 000	−5, 051, 150	−6, 430, 150
Difference from House approved	−150, 000	+1, 701, 350	+5, 000, 000	+6, 551, 350

Mr. ANDERSON. Mr. President, I hope that the conference report will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CIGARETTE LABELING

The Senate resumed the consideration of the bill (S. 559) to regulate the labeling of cigarettes and for other purposes.

Mrs. NEUBERGER. Mr. President, I suggest the absence of a quorum.

Mr. MORTON. Mr. President, with the understanding that the time will not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. NEUBERGER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. NEUBERGER. Mr. President, if there is no further debate on my amendment, I ask for a vote on it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon [Mrs. NEUBERGER]. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware (when his name was called). On this vote I have a pair with the Senator from Kansas [Mr. PEARSON]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. BENNETT (when his name was called). On this vote I have a pair with the Senator from Vermont [Mr. PROUTY]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from West Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Michigan [Mr. MCNAMARA], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are absent on official business.

I further announce that the Senator from Georgia [Mr. RUSSELL] and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. MOSS] would vote "yea."

On this vote, the Senator from Indiana [Mr. BAYH] is paired with the Senator from West Virginia [Mr. BYRD]. If present and voting, the Senator from Indiana would vote "yea" and the Senator from West Virginia would vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Ohio would vote "nay" and the Senator from Alaska would vote "yea."

On this vote, the Senator from West Virginia [Mr. RANDOLPH] is paired with the Senator from Michigan [Mr. MCNAMARA]. If present and voting, the Senator from West Virginia would vote "yea" and the Senator from Michigan would vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG] and the Senator from Vermont [Mr. PROUTY] are absent on official business.

The Senator from New York [Mr. JAVITS] is necessarily absent.

The Senator from Kansas [Mr. PEARSON] is absent on official committee business, and his pair has been previously announced.

The Senator from Colorado [Mr. DOMINICK] is detained on official business.

The pair of the Senator from Vermont [Mr. PROUTY] has been previously announced.

On this vote, the Senator from New York [Mr. JAVITS] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from New York would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 29, nays 49, as follows:

[No. 140 Leg.]

YEAS—29

Burdick
Cannon
Case
Church
Clark
Dodd
Douglas
Harris
Hart
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
Mansfield
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Nelson
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Smith
Tydings
Young, Ohio

NAYS—49

Aiken
Allott
Anderson
Bartlett
Bass
Bible
Boggs
Brewster
Byrd, Va.
Carlson
Cooper
Cotton
Curtis
Dirksen
Eastland

Ellender
Ervin
Fannin
Gore
Hartke
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Long, Mo.
Magnuson
McClellan
McGee
Miller
Morton
Mundt
Murphy
Robertson
Russell, S.C.
Saltonstall
Scott
Simpson
Sparkman
Stennis
Symington
Thurmond
Tower
Williams, N.J.
Young, N. Dak.

NOT VOTING—22

Bayh
Bennett
Byrd, W. Va.
Dominick
Fong
Fulbright
Gruening
Hayden
Javits
Lausche
McNamara
Montoya
Moss
Muskie
Pearson
Prouty
Randolph
Russell, Ga.
Smathers
Talmadge
Williams, Del.
Yarborough

So. Mrs. NEUBERGER's amendment was rejected.

Mr. MORTON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENTS NOS. 273, 274, AND 275

Mrs. NEUBERGER. Mr. President, I call up my amendments Nos. 273, 274, and 275. I ask that they be considered en bloc, and that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered. The amendments will be considered en bloc. Without objection, they will be printed in the RECORD.

The amendments considered en bloc are as follows:

AMENDMENT NO. 273

On page 3, line 18, insert "by the Federal Trade Commission" after "be required".

AMENDMENT NO. 274

1. On page 2, line 16, insert the designation "(a)" after "SEC. 3."

2. On page 3, after line 9, add the following:

"(b) Section 2 of the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261) is amended by—

"(1) adding at the end of subparagraph 1. of paragraph (f) thereof the following new clause: '(D) any cigarette.';

"(2) inserting the following in paragraph (p) thereof after the word 'means': ', except in the case of cigarettes,'; and

"(3) adding after paragraph (p) thereof the following new paragraph:

"'(q) The term "misbranded package" or "misbranded package of a hazardous substance" means, in the case of cigarettes, a package or other container in which any cigarette or cigarettes are, or are intended to be, offered for sale, sold, or otherwise supplied to consumers, if either—

"'(1) it fails to bear, in accordance with regulations of the Secretary, a label that sets forth (A) the health-hazard warning required by the Federal Cigarette Labeling Act, and (B) the average yield or other appropriate index (determined by a method prescribed or approved by the Secretary) of each of those components (or combination of components) of the smoke from such cigarettes the disclosure of which on the label will in the Secretary's judgment aid the consumer in making meaningful choices in relation to the health hazard involved in smoking, or

"'(2) words, statements, designs, or other graphic material on the label or in accompanying displays or literature in any manner negate or disclaim, directly or indirectly, any statement required by or pursuant to subparagraph (1) or incorrectly suggest that the smoking of such cigarettes is less hazardous than that of others.'

"(c)(1) Section 11 of such Act (15 U.S.C. 1270) is amended by adding at the end thereof the following new subsection:

"'(d) The Secretary may by general regulation, or by special order with respect to any particular product, require manufacturers or processors of cigarettes to establish and maintain records, and to make reports to him, as to the ingredients (including additives) in cigarette tobacco.'

"(2) Section 4(e) of such Act (15 U.S.C. 1263(e)) is amended by inserting the following before the period at the end thereof: ', or the failure to establish or maintain records or make reports as required pursuant to section 11(d) or to permit access to and copying of such records by the Secretary'.

"(3) Section 4(h) of such Act (15 U.S.C. 1263(h)) is amended by inserting '(or to the Federal Trade Commission in the case of information obtained under section 11(d))' after 'Department', and by striking out 'of' between 'method' and 'process' and inserting in lieu thereof 'or'."

AMENDMENT NO. 275

On page 2, line 20, strike out "May be" and insert "Is".

On page 2, line 21, strike out "Your".

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mrs. NEUBERGER. I yield.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mrs. NEUBERGER. Mr. President, for the convenience of Senators at this hour, I announce that my argument for the three amendments will take a very short time. If Senators will listen patiently, I believe the amendments can be disposed of in a short time.

AMENDMENT NO. 273

Mr. President, amendment No. 273 deals with the preemption feature.

Section 4(a) preempts for the Federal Government the field of health hazard labeling of cigarette packages on the understandable grounds that the Federal labeling requirement ought to serve as the uniform standard across the Nation. The justification for the Federal preemption of health hazard warnings in cigarette advertising, as found in section 4(b) is not obvious at all.

Section 4(b) puts the Federal Government in the position of saying that cigarette smoking constitutes a serious health hazard, but that the traditional guardians of public health, the State and local authorities, cannot act to protect their citizens by requiring a health hazard warning in television and radio advertising emanating from their domains. It is one thing to favor Federal preemption in an area where Congress takes action, such as the proposed cigarette labeling provision. It is quite another when Congress refuses to act at all. The fact that the majority of the Commerce Committee did not wish at this time to recommend a cigarette advertising warning seems slender grounds for imposing that judgment on all other legislative and health authorities in the United States.

I recommend that section 4(b) be amended to read: "No statement relating to smoking and health shall be required by the Federal Trade Commission in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act."

AMENDMENT NO. 274

The second amendment, amendment No. 274, has to do with tobacco components and additives.

A great discussion took place in the committee as to whether the components and additives of the product should be required to be stated on the label of the package. It was suggested that in the authority to extend the analytical methods to be used and the manner in which the information is presented to the consumer there be a stipulation of the components and additives on the package.

I hope that the bill will be amended to include those recommendations, as they are in the spirit of the original provision, which was found technically sound.

AMENDMENT NO. 275

I fully concur with the report that the American people will not be convinced of the health hazards of smoking until the Federal Government takes affirmative action which manifests its concern. One affirmative action which serves the public interest is a warning statement on each cigarette package.

The language which was adopted is "Caution: Cigarette smoking may be hazardous to your health." The justification in the report for this particular choice of words reads: "Such cautionary statement should be short and direct, and should not be weakened in its impact by any qualifying adjectives, such as 'excessive,' 'continual,' or 'habitual.'" Why the same stricture does not apply to qualifying verbs, such as "may be," is not made clear. It would seem that a cautionary statement consistent with fact and brevity might better read: "Caution: Cigarette smoking is hazardous to health." I recommend that section 3 of S. 559 be amended to include this language.

The warning statement on the cigarette package is welcome because it demonstrates official recognition of the health problem facing our Nation, but it does not make a direct contribution to the main purpose of the legislation. The value of a warning statement is dependent on the response to it. The hearings demonstrate that the warning statement on the package is not anticipated to act as a deterrent. Not one member of the committee who spoke on the issue during the public hearings, nor any witness before the committee, appeared to believe that the inclusion of a warning statement on the package would have any or more than minimal effect on cigarette consumption. One obvious reason for this is that the cigarettes are already in hand and paid for by the time the warning is read.

Mr. MORTON. Mr. President——

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MORTON. As I understand the parliamentary situation, the three amendments are being offered en bloc.

The PRESIDING OFFICER. The Senator is correct.

Mr. MORTON. I yield myself 3 minutes.

AMENDMENT NO. 273

The effect of amendment No. 273 would be to leave State and local agencies free to prohibit outright the advertising or even the sale of cigarettes, if they saw fit to do so.

Cigarette advertising is national in scope, appearing, for example, in national magazines and network television programs. A multiplicity of State and local forms of warning for cigarette advertising would result in a crazy patchwork of regulation.

The problem of smoking and health is national in scope. It is clearly one in which Congress should occupy the field. When we are convinced that more stringent regulation of cigarette advertising is needed, then we should vote for it. Until then, the manufacturers and advertisers should not be plagued with a hodgepodge of conflicting State and local laws, and national television, across State lines. The problem of cigarette smoking is national in scope. It is clearly one in which Congress in my opinion should occupy the field.

AMENDMENT NO. 274

Amendment No. 274 would require the Department of Health, Education, and Welfare to determine those components in cigarette smoke whose listing on the label will "aid the consumer in making meaningful choices in relation to the health hazard involved in smoking," and would require the label to bear the average yield of each of such components.

This requirement is premature. The Surgeon General testified before the committee that "while it seems at least plausible that cigarettes with lower tar and nicotine may present lesser health hazards, there is presently no proof that this is so." He agreed that "further study" was necessary before he could recommend that particular ingredients be singled out for labeling.

Should there be a breakthrough in identifying those ingredients in cigarette smoke which are responsible for the hazard, the annual report required from the FTC and the Department of Health, Education, and Welfare would certainly ask Congress for adequate authority to take the necessary remedial action. At that time, we may well decide to ban the sale of cigarettes unless those ingredients are removed.

AMENDMENT NO. 275

The final amendment relates to changing the warning from "Caution: Cigarette smoking may be hazardous to your health" to "Caution: Cigarette smoking is hazardous to health."

The language in the amendment strongly implies that everyone who smokes will be harmed. The fact is that not every smoker will get lung cancer or heart disease. There is no evidence, for example, that the smokers of one-half pack or less a day of high filtration cigarettes incur any significant risk to their health.

Mr. HART. Mr. President——

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Oregon en bloc.

Mr. DOUGLAS. Mr. President, I ask for a division.

Mr. MANSFIELD. Mr. President, the Senator from Michigan seeks recognition. He was seeking recognition before the question was put.

The PRESIDING OFFICER. Who yields time?

Mrs. NEUBERGER. I yield time to the Senator from Michigan.

Mr. HART. Mr. President, as we vote on the amendments, I hope that very careful thought will be given to amendment No. 274. Adoption of that amendment would permit us to make a reasonably sound claim that what we are engaged in is not shadowboxing. Even with the addition of the amendment, there is great likelihood that we would overstate the significance of the action we are taking. As a parent of eight children, I have grave doubts that Congress will really effectively persuade the youth of America that they ought not to smoke.

As a parent, I have not found a word formula, in the case of the older children, that will persuade them, either. I would hope that we would provide in the proposed legislation a requirement that the label shall include information with respect to which the Secretary feels a consumer can make a meaningful choice in regard to the health hazard involved. That is precisely what amendment No. 274, which is included in the amendments now being considered en bloc, offered by the Senator from Oregon, would require.

The amendment would give the Secretary of Health, Education, and Welfare authority, through amendment of the Federal Hazardous Substances Labeling Act, to require the cigarette package label to contain a statement of the average yield of the components, the disclosure of which in the Secretary's judgment would aid the consumer in making a meaningful choice vis-a-vis the health hazards of cigarettes.

The amendment also provides for the Secretary of Health, Education, and Welfare to have authority to require a listing of the ingredients, including additives, of cigarettes.

The purpose of the amendment is the same as the "tar and nicotine" provisions of the original bill, but the words "tar" and "nicotine" are not precise enough to be accurate.

I believe the amendment would be most useful.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). A division has been requested on the amendments en bloc.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Is a division being requested?

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLAND. Is the Senate about to vote by a division?

The PRESIDING OFFICER. That is what the Senate is about to do.

On a division, the amendments, en bloc (Nos. 273, 274, and 275), were rejected.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. MAGNUSON. I yield myself as much time as I may need on the bill.

Mrs. NEUBERGER. Mr. President, I yield to the Senator from Washington as much time as we have remaining.

Mr. MAGNUSON. In the appendix to the hearings of the Committee on Commerce, beginning at page 218, part II, there is a great deal of material on this subject that is written in French and German. They are studies by eminent scientists from France and Germany. I ask unanimous consent that the Library of Congress be authorized to translate the material.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MORTON. Mr. President, I yield 5 minutes to the Senator from North Carolina [Mr. JORDAN].

Mr. JORDAN of North Carolina. Mr. President, there are a great many reasons which compel the Senate to act with care and caution in connection with the labeling of cigarettes.

As all of us know, the controversy over the effects of smoking on health has been going on for a long time, and even in a day when science and technology give us the know-how to send men into outer space, there are still many unknowns about the relationship between smoking and health. With our vast scientific knowledge, we still do not know, as a matter of actual fact, whether or not smoking is harmful to health.

There is a wide divergence of views concerning this entire matter. Many competent scientists are convinced that smoking is harmful to health. At the same time, many competent scientists are convinced that there is no relationship.

Perhaps more important than all of this, no one yet knows what substance, if any, in tobacco is guilty of causing harmful effects on health. For this reason, in taking any action in the area of labeling cigarettes, the Senate is moving in uncharted waters.

I have followed with a great deal of interest the work of the Senate Committee on Commerce in connection with the various proposals to label cigarettes, and it is my feeling that the committee has exercised a great deal of care in this entire matter, and I am hopeful that the Senate will approve, without amendment, the bill the committee has reported.

Mr. President, I should like to read from the hearings a few lines from the statement which was made by Mr. Bowman Gray, chairman of the board of R. J. Reynolds Tobacco Co., Winston-Salem, N.C., who made an excellent statement. Incidentally, he was the spokesman for practically all the cigarette manufacturers in the United States. Mr. Gray said:

> Let me summarize at the outset—very briefly—the premises which govern what I shall say.

> First, the tobacco industry is profoundly conscious of the questions concerning smoking and health.
>
> At the beginning of 1954, most of the cigarette manufacturers, as well as a number of organizations representing growers of leaf tobacco, formed the tobacco industry research committee—now named the Council for Tobacco Research, U.S.A.—to finance research in matters relating to tobacco and health.
>
> Through its scientific advisory board, composed of eminent and independent medical scientists, grants for research have been made totaling over $7 million to some 240 scientists in more than 100 hospitals, universities, and research institutions across the country.
>
> In addition, companies individually have given substantial support to other research in the area of smoking and health.
>
> Further, in January 1964, the six largest cigarette manufacturers pledged $10 million to the American Medical Association Education and Research Foundation for research into the possible relationship between smoking and health.
>
> As of the end of January this year, this foundation had approved 35 grants for research involving estimated expenditures of over $2,900,000.

Mr. President, cigarette manufacturers are keenly aware of the controversy that has been raging in this country for many years as to whether cigarette smoking is harmful or is not. The hearings are filled with contradictory statements made by eminent scientists, educators, and other persons. The cigarette manufacturers, as has been stated today, have created a self-policing advertising program.

The PRESIDING OFFICER. The time of the Senator from North Carolina has expired.

Mr. MORTON. I yield an additional minute to the Senator from North Carolina.

Mr. JORDAN of North Carolina. No sensible cigarette manufacturer would attempt to sell a product that he knew would "kill off" his customers.

Mr. KENNEDY of New York. Mr. President, will the Senator from Oregon yield me 1 minute?

Mrs. NEUBERGER. I yield 1 minute to the Senator from New York.

Mr. KENNEDY of New York. I intend to vote against the bill. If this bill is passed, it will be of great help to the cigarette and tobacco industries. Whatever good effect flows from the requirement of a label on the package—and I do not think it will amount to much—it will be far outweighed by the advantage that the 3-year ban on efforts to require a warning in advertising will give to the cigarette companies. Overall, therefore, I think the bill as presented for a final vote is against the interests of the people of the United States. It is particularly against the interests of our young people, many of whom are only beginning to smoke.

The cigarette industry will in any event have a lengthy period of delay during a court test of the Federal Trade Commission's Trade Regulation Rule. To add another 3 years to that would be wrong. And let us not forget that the House is now considering a version of this bill which would take away the jurisdiction of the FTC and States in this area entirely.

I shall vote against the bill, but I want to say one other thing, to help guide our actions in the future. No matter whether Senators vote for or against the bill, all Senators should be watching the actions of the voluntary organization, headed by former Governor Meyner, which is supposed to establish a code on behalf of the cigarette industry. For if that group does not take significant steps to reform the pattern of cigarette advertising, we in the Congress should act affirmatively to accomplish the job ourselves. We cannot continue to allow cigarette advertising to fail to tell our young people of the dangers they subject themselves to when they start smoking.

Mr. CLARK. Mr. President, will the Senator yield me 30 seconds?

Mrs. NEUBERGER. Mr. President, I yield 30 seconds to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 30 seconds.

Mr. CLARK. Mr. President, for the reasons stated by the Senator from New York, I, too, shall vote against the pending bill.

I see no excuse for Congress interfering with the administrative practices of the Federal Trade Commission.

We should encourage them and give them assistance and make it easier for the Commission to prevent thousands of Americans from being killed by lung cancer every year.

Mrs. NEUBERGER. Mr. President, I yield 30 seconds to the senior Senator from Oregon.

Mr. MORSE. Mr. President, I am persuaded by the statements of the Senator from New York [Mr. KENNEDY] and the Senator from Pennsylvania [Mr. CLARK]. However, I find myself in the position in which my colleague tells me that this is a start and is better than nothing at all.

On the basis of that advice, on which I shall rely, I shall vote for the bill. However, I believe that there is great merit in the position expressed by the Senator from New York and the Senator from Pennsylvania.

Mrs. NEUBERGER. Mr. President, I yield 1 minute to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 1 minute.

Mr. MAGNUSON. Mr. President, the bill is a start in the right direction. The tobacco producers would have taken the Federal Trade Commission into court. The litigation would have taken at least 4 or 5 years. On the other hand, if the bill passes, the tobacco interests will have to start placing a warning on the package by this November.

I agree with the statement that this is only a start. However, it is a very sensitive area.

I believe that we have a responsibility to do this. I hope that it will work. I hope that it will do what the Senator from New York suggests. It would certainly be better than having the whole matter thrown into court for a period of perhaps 4 or 5 years.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. NEUBERGER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 minute.

Mrs. NEUBERGER. Mr. President, I sympathize with, and am very much impressed by, the argument of the Senator from Pennsylvania and the Senator from New York.

The only reason that I shall support the bill, in spite of the arguments that have been made, is that I believe that this is the first time in the history of the United States that our Government will have gone on record as showing that it is believed there is some relation between smoking and disease.

I believe that an educational process is going on. It is a proper field for the Government of the United States.

Mr. President, I yield back the remainder of my time.

Mr. MORTON. Mr. President, I yield myself 1 or 2 minutes, and then I shall yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 minutes.

Mr. MORTON. Mr. President, there has been much dust kicking around concerning a 3- or 4-year period of time.

What does the bill provide? The bill provides that 120 days after the bill is signed into law, the statement, "Caution: Cigarette Smoking May Be Hazardous to Your Health," must go on every package of cigarettes in a certain contrasting color and a certain type and size.

That is not 3 or 4 years.

At the outset of the debate, I said that the consideration should be health above all else. I close on that note.

The bill has the support of my colleague, the senior Senator from Kentucky [Mr. COOPER]. There is not a 3- or 4-year delay. This warning would go on every package of cigarettes 120 days after the bill is enacted into law.

The tobacco producing States are willing to accept this measure.

I believe that we have gone a long way toward the accomplishment of this aim, and taken a good kicking around today.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Virginia [Mr. BYRD], the Senator from West Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alaska

[Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Hawaii [Mr. Inouye], the Senator from Ohio [Mr. Lausche], the Senator from Michigan [Mr. McNamara], the Senator from New Mexico [Mr. Montoya], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], the Senator from West Virginia [Mr. Randolph], the Senator from Florida [Mr. Smathers], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I further announce that the Senator from Georgia [Mr. Russell], and the Senator from Texas [Mr. Yarborough] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from West Virginia [Mr. Byrd], the Senator from Mississippi [Mr. Eastland], the Senator from Virginia [Mr. Byrd], the Senator from Alaska [Mr. Gruening], the Senator from Hawaii [Mr. Inouye], the Senator from Ohio [Mr. Lausche], the Senator from Michigan [Mr. McNamara], the Senator from Utah [Mr. Moss], the Senator from West Virginia [Mr. Randolph], and the Senator from Texas [Mr. Yarborough] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. Fong] and the Senator from Vermont [Mr. Prouty] are absent on official business.

The Senator from New York [Mr. Javits] is necessarily absent.

The Senator from Kansas [Mr. Pearson] is absent on official committee business.

The Senator from South Dakota [Mr. Mundt] and the Senator from Massachusetts [Mr. Saltonstall] are detained on official business.

If present and voting, the Senator from Hawaii [Mr. Fong], the Senator from New York [Mr. Javits], the Senator from South Dakota [Mr. Mundt], the Senator from Kansas [Mr. Pearson], the Senator from Vermont [Mr. Prouty], and the Senator from Massachusetts [Mr. Saltonstall] would each vote "yea."

[No. 141 Leg.]

YEAS—72

Aiken
Allott
Anderson
Bartlett
Bass
Bennett
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Ervin
Fannin
Fulbright
Gore
Harris
Hart
Hartke
Hickenlooper
Hill
Holland
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Murphy
Neuberger
Pastore
Pell
Proxmire
Ribicoff
Robertson
Russell, S.C.
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—5

Clark
Douglas
Ellender
Kennedy, N.Y.
Nelson

NOT VOTING—23

Bayh
Byrd, Va.
Byrd, W. Va.
Eastland
Fong
Gruening
Hayden
Inouye
Javits
Lausche
McNamara
Montoya
Moss
Mundt
Muskie
Pearson
Prouty
Randolph
Russell, Ga.
Saltonstall
Smathers
Talmadge
Yarborough

So the bill (S. 559) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Cigarette Labeling Act".

DEFINITIONS

Sec. 2. As used in this Act—

(a) The term "cigarette" means any roll of tobacco, wrapped in paper or any substance other than tobacco.

(b) The term "package" means a package, box, carton or container of any kind in which cigarettes are offered for sale, sold, or otherwise supplied to consumers.

(c) The term "person" means any individual, partnership, corporation, or any other business or legal entity.

(d) The term "sale or distribution" includes sampling and means of distribution other than sales.

(e) The term "United States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

LABELING

Sec. 3. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement: "Caution: Cigarette Smoking May Be Hazardous to Your Health."

The foregoing statement shall be located on the front or back panel of every package, box, carton or other container in which cigarettes are offered for sale, sold, or otherwise supplied to consumers and shall appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package.

PREEMPTION

Sec. 4. (a) No statement relating to smoking and health, other than the statement required by section 3 of this Act, shall be required on cigarette packages.

(b) No statement relating to smoking and health shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act.

(c) Except as is otherwise provided in subsections (a) and (b), nothing in this Act shall be construed to limit, restrict, expand, or otherwise affect, the authority of the Federal Trade Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes.

(d) The Federal Trade Commission, with the cooperation of the Department of Health, Education, and Welfare, shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (1) the effectiveness of cigarette labeling, (2) current information on the health consequences of smoking, (3) current practices and methods of cigarette advertising and promotion, and (4) such recommendations for legislation as it may deem appropriate.

(e) The provisions of subsection (b) shall be effective only for the three-year period beginning on the effective date of this Act.

CRIMINAL PENALTY

Sec. 5. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $100,000.

INJUNCTION PROCEEDINGS

Sec. 6. The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this Act upon application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

CIGARETTES FOR EXPORT

Sec 7. Cigarettes manufactured, imported, or packaged (1) for export from the United States or (2) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this Act, but such exemption shall not apply to cigarettes manufactured, imported, or packaged for shipment to United States military vessels, installations, or shore-based activities wherever such vessels, installations, or activities may be located.

SEPARABILITY

Sec. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

EFFECTIVE DATE

Sec. 9. This Act shall take effect one hundred and twenty days after the date of its enactment.

Mr. MORTON. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM—PRINTING AS A SENATE DOCUMENT OF ANNUAL REPORT OF DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. DIRKSEN. Mr. President, while many Senators are present in the Chamber, I should like to query the majority leader about the program for the rest of the day and tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished majority leader, I first ask unanimous consent that the Senate proceed to the consideration of Calendar No. 88, Senate Resolution 107, and that it be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The resolution will be stated by title.

The Legislative Clerk. A resolution (S. Res. 107) authorizing the printing of the 67th annual report of the National Society of the Daughters of the American Revolution as a Senate document.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, that will be followed by Calendar 264, H.R. 7777, an act to authorize the President to appoint Gen. William F. McKee, U.S. Air Force, retired, to the office of Administrator of the Federal Aviation Agency. That will be the pending business at the conclusion of the morning hour tomorrow.

Then it is anticipated that the legislation from the District of Columbia Appropriations Subcommittee will be before the Senate on Monday.

On Tuesday it is anticipated that the silver coinage bill will be before the Senate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I have not had an opportunity to talk with the majority leader about the schedule for Monday, but I plead with him to postpone action on the District of Columbia appropriation bill until Tuesday.

We might work out a unanimous consent agreement for a vote on Tuesday, after debate on Monday, with a short debate on Tuesday. I assure the Senator it would be most unfortunate to press for action on the bill on Monday. I think we would have a shorter debate if it were done on Tuesday.

Mr. MANSFIELD. The Senator from Connecticut [Mr. RIBICOFF] has advanced the same proposal. I assure both Senators I shall do the best I can to comply with their suggestions.

Mr. President, one more thing I should say is that under the Senate resolution introduced by the joint leadership of the two Senators from South Carolina, we have made arrangements to set aside a certain amount of time on Tuesday next for eulogies to be delivered for our late departed and beloved colleague, Olin Johnston.

Mr. CLARK. Mr. President——

Mr. MORSE. Mr. President, under those circumstances, I would be willing to postpone the vote on the District of Columbia appropriation bill until Wednesday. If the Senator is in need of any business on Monday, I shall be glad to bring up my antisaloon resolution.

Mr. MANSFIELD. I appreciate that, but we shall try to work out something on Tuesday.

Incidentally, tomorrow, from 12:30 p.m. until 1 o'clock, the Senate will be in recess to extend a welcome to astronauts McDivitt and White.

Mr. CLARK, Mr. RIBICOFF, and Mr. HARTKE addressed the Chair.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The Senator from Indiana is recognized.

Mr. DIRKSEN. Mr. President, I wish to make an observation——

Mr. MORSE. I want to hear it.

Mr. DIRKSEN. Before the Senate gets away from the antisaloon measure, it seems to me that what we heard in the Chamber today brought up old echoes of prohibition days when Congress tried to monitor the conduct of the people. Today the people of this country have been discouraged from smoking if they want to smoke.

I would be the last man in the world to object to putting anything they wish on the label of a package of cigarettes. Then it will become a matter of the personal conduct of the individual whether he wishes to smoke or not, thereby possibly jeopardizing his health.

Mr. MORSE. I do not care how much drinking is done in one's office, but I do not believe we should desecrate the Capitol in its public rooms, because after all God gave us this temple, and I do not believe that we should proceed to abuse another temple; namely, the human body. If one wishes to go into his private office to drink, it saddens me, but it is all right with me. With so many thousands of schoolchildren visiting the Capitol, we should not put on a booze party in the Senate saloon over here in room S-207. I am for deriving all the "voluntarism" in the world, let me say to the Senator from Illinois.

Mr. DIRKSEN. I did not know that God gave us the Capitol.

Mr. MORSE. No; the taxpayers did. And that is the reason the Capitol should be protected and not desecrated with booze.

Mr. HARTKE and Mr. CLARK addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. MANSFIELD. Mr. President, I have not yet yielded the floor. I have a question I wish to ask.

The PRESIDING OFFICER. The Chair has previously recognized the Senator from Indiana [Mr. HARTKE].

Mr. HARTKE. Mr. President, who has the floor?

Mr. MANSFIELD. I have not yet given up the floor.

Mr. RIBICOFF. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. RIBICOFF. I would hope that the majority leader would accede to the request of the Senator from Oregon and me, to make sure that the vote on the Ribicoff amendment to the District appropriation bill will be postponed until Tuesday. We have fought the battle for the past 2 years, and it has been a close battle. The Appropriations Committee overturned the vote of the subcommittee. This matter is one of great controversy, and there are many Senators who are vitally interested in it.

I believe that it would be most unfortunate if a vote on that amendment should come on Monday, as the Senator from Oregon has indicated, because I believe that debate would be much shorter and the time would be much less taken from other measures if there could be agreement to vote some time on Tuesday on the Ribicoff amendment to the District appropriation bill.

Mr. MANSFIELD. All I can say to the two Senators is that I shall do my very best. I am not unsympathetic toward the bill, but do not put any pressure upon me, because I just do not bend under pressure. I shall do my best.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. The pending business is now Senate Resolution 107 which I intend to oppose. It authorizes the printing at public expense of the annual report of the Daughters of the American Revolution.

I would be happy to agree to a relatively short unanimous-consent agreement, perhaps 15 minutes on a side. However, I notice that the distinguished Senator from Indiana [Mr. HARTKE] is ready now with a long speech which he wishes to make, and I wonder whether we could not have an agreement that perhaps Senate Resolution 107 should go over until tomorrow. It is now a quarter to 6; and if the majority leader could be persuaded to make this unanimous-consent request, it would be very much appreciated.

Mr. MANSFIELD. I would be agreeable to whatever the two Senators from Oregon [Mrs. NEUBERGER and Mr. MORSE] would wish to do tonight or tomorrow. The Senator from Oregon [Mrs. NEUBERGER] has a vested interest in it.

Mr. CLARK. This is another cosponsorship situation, just like the tobacco bill.

Mr. DIRKSEN. The matter of time may be involved. Perhaps the speech has been released to the press already.

Mr. CLARK. I am willing to let it go over until tomorrow, but I do not wish to wait around here until 7 o'clock.

PRINTING AS A SENATE DOCUMENT OF ANNUAL REPORT OF DAUGHTERS OF THE AMERICAN REVOLUTION—UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that beginning at 1 o'clock tomorrow, 30 minutes be allocated to consideration of the pending Senate resolution, the time to be equally divided under the control of the Senator from Pennsylvania [Mr. CLARK] or whomever he may designate, and the Senator from North Carolina [Mr. JORDAN], and that the vote be taken not later than 30 minutes after the time of operation goes into effect; and that following that, we take up—which has been cleared with the leadership on both sides—the bill relating to General McKee.

Mr. SCOTT. Mr. President, reserving the right to object, I wish to be heard on the resolution. If I may have the attention of the Senator from North Carolina [Mr. JORDAN], could I be assured of some of the Senator's time tomorrow, since I wish to be heard on Senate Resolution 107, which has to do with the printing of the annual record of the Daughters of the American Revolution. I suspect that the resolution will be in for a hard time tomorrow.

Mr. JORDAN of North Carolina. Do I understand correctly that the time will be 30 minutes to be equally divided?

Mr. MANSFIELD. The Senator is correct.

Mr. JORDAN of North Carolina. Which side is the Senator on? I wish to be sure.

Mrs. NEUBERGER. He is on the Senator's side.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That the Senate proceed to vote on the adoption of Senate Resolution 107, authorizing the printing of the 67th annual report of the National Society of the Daughters of the American Revolution as a Senate document, not later than 1:30 p.m. on Thursday, June 17, 1965.

Provided further, That the time between 1 and 1:30 p.m. be equally divided and controlled by the Senator from Pennsylvania [Mr. CLARK] and the Senator from North Carolina [Mr. JORDAN].

Mr. MANSFIELD. Mr. President, I thank the Senator from Indiana [Mr. HARTKE], who now has the floor, for his forbearance, and the two Senators from Oregon for their efficiency and courtesy.

NARCOTIC ADDICT REHABILITATION ACT OF 1965

Mr. DODD. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. Mr. President, I ask unanimous consent that I may yield to the Senator from Connecticut, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, on behalf of the Senator from Indiana [Mr. HARTKE] and myself, I introduce a bill recommended by the administration to amend title 18 of the United States Code to enable the courts to deal more effectively with the grave problem of narcotics addiction.

This measure will be an important part of the concerted attack being waged against the crime problem by President Johnson.

If enacted, this legislation will establish civil commitment of narcotic addicts charged with crimes, to the custody of the Surgeon General for the purposes of treatment and rehabilitation.

It will establish indeterminate sentences for narcotics addicts charged with criminal offenses and thus improve their chances for cure and rehabilitation.

It will broaden the coverage of the Young Adult Offenders Act of 1958, by making any narcotic or marihuana offender between the ages of 22 and 26 eligible to be handled under certain provisions of the Federal Youth Corrections Act.

It will amend the Narcotic Control Act of 1956, by bringing all marihuana offenders under parole provisions covering other offenders under earlier legislation.

Finally, it will allow the parole boards to review the sentences of all marihuana offenders and of narcotic offenders under 26 years of age.

Mr. President, I cannot be too forceful in expressing my support of this legislation because from the studies and investigations of the Juvenile Delinquency Subcommittee, I have learned time and again that perhaps the most important attack against the drug problem in this country must be in the area of treatment.

This measure is our first significant step in the direction of recognizing that virtually all addicts are sick persons driven into addiction by their mental instability and emotional disturbance.

The large majority of them are young people who could be helped if they were exposed to doctors rather than policemen.

They could be helped if we put them in hospitals more often than in prisons.

They could be helped if our society stopped regarding them as fiendish felons and gave them some of the understanding we are beginning to show the alcoholic and the unfortunate patients in our mental hospitals and institutions.

Narcotics addiction and the use of marihuana and other stimulant or depressant drugs are social evils that strike the weak, the immature, and the unstable in our midst.

They strike at persons whose faulty development and personality make-up render them ill-equipped to deal with the strains and stresses of daily life and it is these underlying deficiencies that we must eliminate if we are to be effective in solving the drug problem in our Nation.

If we examine present Federal policy, we find that it is primarily punitive in nature. The provisions of the 1956 Narcotic Act spell out these punitive measures in detail. In fact, this act contained three major innovations which were designed to be a strong deterrent to narcotic trafficking and addiction.

The act first removed all discretionary power from Federal judges in the sentencing of convicted narcotic offenders by providing a mandatory minimum sentence of 5 years for the first offense and 10 years for subsequent offenses, with maximum penalties of 20 years for the first offense and 40 years for subsequent offenses.

Second, it removed all possibility of parole for narcotic offenders, thus putting them in a special category in our Nation's Federal prisons.

Third, it neglected to differentiate between the handling of addicts who push drugs to feed their own habit and between the nonaddict criminal who deals in drugs solely for profit with calculated viciousness and disregard for the health and welfare of his fellow men.

I cite these provisions to point out that this act drastically curtailed any trend in Federal and State criminal legislation directed toward the eventual rehabilitation of the offender.

We found that these provisions led to a controversy over the 1956 act primarily because it virtually circumvents any possibility toward rehabilitation of the addict. Further, in the light of testimony before our subcommittee, it became clear that the 1956 act did not have the strong deterrent effect hoped for when it was enacted into law.

No man can be cured of an illness by being placed behind bars, no matter how long his incarceration and how strong the walls around him.

Let no one deny that addiction is an illness just as difficult to cure as our Nation's leading physical ailments, heart disease and cancer.

Yet, because of mandatory minimums and other restrictions established by the Narcotics Control Act of 1956, we are forced to cope with a large segment of narcotics violators in the inmate population who must waste behind the walls long after reaching the optimum level of incarceration and who with every passing year after this point are less and less likely to return to the free society as constructive members and law-abiding citizens.

Today, these are thousands of victims of narcotics wasting away in penal institutions growing more bitter and hostile toward society and being needlessly supported by public revenues just because we have lacked the courage of our convictions to meet this problem head on according to the best knowledge and procedures at our command.

It is a sad commentary on the efforts of the Congress in the field of addiction that we have allowed things to progress in the wrong direction so far that a President had to step in and reduce sentences which never should have been imposed in the first place.

It is a sad commentary on our understanding of the dynamics of drug addiction that an addicted epileptic youth can be sentenced to life for selling a few capsules of narcotics.

It is a sad commentary that any addict can be sentenced to 80 years.

It is a sad commentary indeed if first-time addict-offenders can be sentenced to 20 and 40 years while in ironic contrast, the underworld gangster who represents the top management in the multi-million-dollar narcotics racket is sentenced to a much lesser period of incarceration.

I point to these practices because for many years now we have had the evidence that the crimes of addicts are almost totally induced by their illness over which they no longer have control. Yet, the 1956 act established most unreasonable punishments devoid of any rehabilitative purpose.

I point to these inequities not as much to attack the Narcotics Control Act of 1956, which we will now change with the legislation I introduce today, as to emphasize the symptoms of our inability to deal with the entire narcotics and drug abuse problem in a rational and coordinated manner.

This bill is an attempt to correct this.

I have been told, and I am sure so have many of my colleagues, by the highest officials in the prison systems throughout the country that, above all, drug offenders need the kind of handling that will help them adjust in the free community, that will help them in obtaining the training and employment necessary for a constructive life, and that will help them resume the family and the community relationships that were disrupted by their introduction to narcotics. Yet, few of our correctional systems and institutions either on the State or Federal level have adequate programs to deal with the narcotic or marihuana offenders in a constructive fashion.

The bill before us is designed to open the door to the kind of sane and reasonable procedures in narcotics cases that most of us know must be developed if we are to carry out our responsibilities both to the addicts and to the taxpayers.

Every provision of this bill extends the treatment of addicts at the expense of unnecessary incarceration and punishment. Yet, it retains the essential penal sanctions to deal with those drug law violators who either cannot profit from, or who do not require, rehabilitative treatment.

Mr. President, this is an enlightened piece of legislation that is long overdue in our efforts to subdue the drug menace endangering the lives and the health of our youth and I hope that it will receive the approval of every Member of this body.

Mr. President, I ask unanimous consent that the bill lie on the desk for 1 week, so that other Senators who wish to do so will have an opportunity to join as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD, and the bill will be held at the desk, as requested by the Senator from Connecticut.

The bill (S. 2152) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes, introduced by Mr. DODD (for himself and Mr. HARTKE), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That titles I and II of this Act may be cited as the "Narcotic Addict Rehabilitation Act of 1965".

Declaration of policy

SEC. 2. It is the policy of the Congress that certain individuals charged with, or convicted of, violating Federal laws should be afforded an opportunity for treatment if it is determined that they are narcotic addicts and such treatment is likely to result in their rehabilitation and return to society as useful members. It is the further policy of the Congress that alternative procedures should be afforded for use in sentencing certain individuals convicted of violating Federal laws relating to narcotic drugs or marihuana.

TITLE I—CIVIL COMMITMENT IN LIEU OF PROSECUTION

Definitions

SEC. 101. As used in this title—

(a) "Addict" means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

(b) "Surgeon General" means the Surgeon General of the Public Health Service.

(c) "Crime of violence" includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, housebreaking, extortion accompanied by threats of violence, assault with a dangerous weapon or with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt to commit any of the foregoing offenses.

(d) "Treatment" includes treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

(e) "Felony" includes any offense in violation of a law of the United States, any State, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was punishable by death or imprisonment for a term exceeding one year.

(f) "Conviction" and "convicted" mean the final judgment on a verdict or finding of guilty, a plea of guilty or a plea of nolo contendere, but do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

(g) "Eligible individual" means any individual who is charged with an offense against the United States, but does not include—

(1) An individual charged with a crime of violence.

(2) An individual charged with selling a narcotic drug, unless the court determines that such sale was for the primary purpose of enabling the individual to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug.

(3) An individual against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served: *Provided,* That an individual on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

(4) An individual who has been convicted of a felony on two or more occasions.

(5) An individual who has been civilly committed under this Act or any State proceeding because of narcotic addiction on two or more occasions.

Proceedings before court

SEC. 102. (a) If a United States district court believes that an eligible individual is an addict, the court may advise him at his first appearance that the prosecution of the criminal charge will be held in abeyance if he elects to submit to an immediate examination to determine whether he is an addict and is likely to be rehabilitated through treatment. In offering an individual an election, the court shall advise him that if he elects to be examined, he will be confined during the examination for a period not to exceed sixty days; that if he is determined to be an addict who is likely to be rehabilitated, he will be civilly committed to the Surgeon General for treatment; that he may not voluntarily withdraw from the examination or any treatment which may follow; that the treatment may last for thirty-six months; that during treatment, he will be confined in an institution and, at the discretion of the Surgeon General, he may be conditionally released for supervised aftercare treatment in the community; and that if he successfully completes treatment the charge will be dismissed, but if he does not, prosecution on the charge will be resumed. An individual shall be permitted a maximum of five days after his appearance in which to elect, and he shall be so advised. Except on a showing that a timely election could not have been made, an individual shall be barred from an election after the prescribed period. An individual who elects civil commitment shall be placed in the custody of the Attorney General or the Surgeon General, as the court directs, for an examination by the Surgeon General during a period not to exceed thirty days. This period may, upon notice to the court and the appropriate United States Attorney, be extended by the Surgeon General for an additional thirty days.

(b) The Surgeon General shall report to the court the results of the examination and recommend whether the individual should be civilly committed. A copy of the report shall be made available to the individual and the United States Attorney. If the court, acting on the report and other information coming to its attention, determines that the individual is not an addict or is an addict not likely to be rehabilitated through treatment, the individual shall be held to answer the abeyant charge. If the court determines that the individual is an addict and is likely to be rehabilitated through treatment, the court shall commit him to the custody of the Surgeon General for treatment. No individual shall be committed under this title if the Surgeon General certifies that adequate facilities or personnel for treatment are unavailable.

(c) Whenever an individual is committed to the custody of the Surgeon General for treatment under this title, the criminal charge against him shall be continued without final disposition and shall be dismissed if the Surgeon General certifies to the court that the individual has successfully completed the treatment program. On receipt of such certification, the court shall discharge the individual from custody. If prior to such certification the Surgeon General determines that the individual cannot be further treated as a medical problem, he shall advise the court. The court shall thereupon terminate the commitment, and the pending criminal proceeding shall be resumed.

(d) An individual committed for examination or treatment shall not be released on bail or on his own recognizance.

Commitment

SEC. 103. (a) An individual who is committed to the custody of the Surgeon General for treatment under this title shall not be conditionally released from institutional custody until the Surgeon General determines that he has made sufficient progress to warrant release to a supervisory aftercare authority. If the Surgeon General is unable to make such a determination at the expiration of twenty-four months after the commencement of institutional custody, he shall advise the court and the appropriate United States Attorney whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

(b) An individual who is conditionally released from institutional custody shall, while on release, remain in the legal custody of the Surgeon General and shall report for such supervised aftercare treatment as the Surgeon General directs. He shall be subject to home visits and to such physical examination and reasonable regulation of his conduct as the supervisory aftercare authority establishes, subject to the approval of the Surgeon General. The Surgeon General may, at any time, order a conditionally released individual to return for institutional treatment. The Surgeon General's order shall be a sufficient warrant for the supervisory aftercare authority, a United States Marshal, a probation officer, or an agent of the Attorney General, to apprehend and return the individual to institutional custody as directed. If it is determined that an individual has returned to the use of narcotics, the Surgeon General shall inform the court of the conditions under which the return occurred and make a recommendation as to whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

(c) The total period of treatment for any individual committed to the custody of the Surgeon General shall not exceed thirty-six months. If, at the expiration of such maximum period, the Surgeon General is unable to certify that the individual has successfully completed his treatment program the pending criminal proceeding shall be resumed.

(d) Whenever a pending criminal proceeding against an individual is resumed under this title, he shall receive full credit toward the service of any sentence which may be imposed for any time spent in the institutional custody of the Surgeon General or the Attorney General or any other time spent in institutional custody in connection with the matter for which sentence is imposed.

Civil commitment not to be a conviction

SEC. 104. The determination of narcotic addiction and the subsequent civil commitment under this title shall not be deemed a criminal conviction. The results of any tests or procedures conducted by the Surgeon General or the supervisory aftercare authority to determine narcotic addiction may only be used in a further proceeding under this title. They shall not be used against the examined individual in any criminal proceeding except that the fact that he is a narcotic addict may be elicited on his cross-examination as bearing on his credibility as a witness.

Use of Federal, State, and private facilities

SEC. 105. (a) The Surgeon General may from time to time make such provision as he deems appropriate authorizing the performance of any of his functions under this title by any other officer or employee of the Public Health Service, or with the consent of the head of the Department or Agency concerned, by any Federal or other public or private agency or officer or employee thereof.

(b) The Surgeon General is authorized to enter into arrangements with any public or private agency or any person under which appropriate facilities or services of such agency or person will be made available, on a reimbursable basis or otherwise, for the examination or treatment of individuals who elect civil commitment under this title.

TITLE II—SENTENCING TO COMMITMENT FOR TREATMENT

SEC. 201. Title 18 of the United States Code is amended by adding after chapter 313 thereof the following new chapter:

"Chapter 314—Narcotics addicts

"Sec.
"4251. Definitions.
"4252. Examination.
"4253. Commitment.
"4254. Conditional release.
"4255. Supervision in the community.

"§ 4251. Definitions.

"As used in this chapter—

"(a) 'Addict' means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

"(b) 'Crime of violence' includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, housebreaking, extortion accompanied by threats of violence, assault with a dangerous weapon or with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt to commit any of the foregoing offenses.

"(c) 'Treatment' includes treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

"(d) 'Felony' includes any offense in violation of a law of the United States, any State, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was punishable by death or imprisonment for a term exceeding one year.

"(e) 'Conviction' and 'convicted' mean the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, and do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

"(f) 'Eligible offender' means any individual who is convicted of an offense against the United States, but does not include—

"(1) An offender who is convicted of a crime of violence.

"(2) An offender who is convicted of selling a narcotic drug, unless the court determines that such sale was for the primary purpose of enabling the offender to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug.

"(3) An offender against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served: *Provided,* That an offender on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

"(4) An offender who has been convicted of a felony on two or more prior occasions.

"(5) An offender who has been committed under title I of the Narcotic Addict Rehabilitation Act of 1965, under this chapter, or under any State proceeding because of narcotic addiction on two or more occasions.

"§ 4252. Examination

"If the court believes that an eligible offender is an addict, it may place him in the custody of the Attorney General for an examination to determine whether he is an addict and is likely to be rehabilitated through treatment. The Attorney General shall report to the court within thirty days; or any additional period granted by the court, the results of such examination and make any recommendations he deems desirable. No offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable. An offender shall receive full credit toward the service of his sentence for any time spent in custody for an examination.

"§ 4253. Commitment

"(a) If the court determines that an eligible offender is an addict and is likely to be rehabilitated through treatment, it shall commit him to the custody of the Attorney General for treatment under this chapter. Such commitment shall be for an indeterminate period of time not to exceed ten years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed.

"(b) If the court determines that an eligible offender is not an addict, or is an addict not likely to be rehabilitated through treatment, it shall impose such other sentence as may be authorized or required by law.

"§ 4254. Conditional Release

"An offender committed under section 4253(a) may not be conditionally released until he has been treated for six months in an institution maintained or approved by the Attorney General for treatment. The Attorney General may then or at any time thereafter report to the Board of Parole whether the offender should be conditionally released under supervision. After receipt of the Attorney General's report, and certification from the Surgeon General of the Public Health Service that the offender has made sufficient progress to warrant his conditional release under supervision, the Board may in its discretion order such a release. In determining suitability for release, the Board may make any investigation it deems necessary. If the Board does not conditionally release the offender, or if a conditional release is revoked, the Board may thereafter grant a release on receipt of a further report from the Attorney General.

"§ 4255. Supervision in the Community

"An offender who has been conditionally released shall be under the jurisdiction of the Board as if on parole under the established rules of the Board and shall remain, while conditionally released, in the legal custody of the Attorney General. The Attorney General may contract with any appropriate public or private agency or any person for supervisory aftercare of a conditionally released offender. Upon receiving information that such an offender has violated his conditional release, the Board, or a member thereof, may issue and cause to be executed a warrant for his apprehension and return to custody. Upon return to custody, the offender shall be given an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board, after which the Board may revoke the order of conditional release."

TITLE III—SENTENCING AFTER CONVICTION FOR VIOLATION OF LAW RELATING TO NARCOTIC DRUGS OR MARIHUANA

SEC. 301. Section 7 of the joint resolution of August 25, 1958 (72 Stat. 845) is amended to read as follows:

"SEC. 7. This Act does not apply to any offense for which a mandatory penalty is provided; except that section 4209 of title 18, as amended, shall apply to any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended."

SEC. 302. Section 4209 of title 18, United States Code, is amended by (1) inserting immediately before the first sentence thereof "(a)" and (2) adding at the end thereof the following new subsections:

"(b) A defendant described in subsection (a) of this section who is convicted of a violation of any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended, shall, if the court is considering sentencing him to the custody of the Attorney General pursuant to the provisions of the Federal Youth Corrections Act, be committed to the custody of the Attorney General for observation and study in accordance with the provisions of section 5010 (e) of this title. Before sentencing such a defendant to the custody of the Attorney General for treatment and supervision pursuant to the Federal Youth Corrections Act, the court must affirmatively find, in writing, that there is reasonable ground to believe that the defendant will benefit from the treatment provided thereunder."

"(c) Section 5010(a) of this title shall not be applicable to a defendant described in subsection (a) of this section who is convicted of a violation of any offense enumerated in section 7237(d) of the Internal Revenue Code of 1954, as amended."

SEC. 303. Section 7237(d) of the Internal Revenue Code of 1954, as amended, is amended to read as follows:

"(d) No suspension of sentence; no probation; etc.—Upon conviction—

"(1) of any offense the penalty for which is provided in subsection (b) of this section, subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, or

"(2) of any offense the penalty for which is provided in subsection (a) of this section, if it is the offender's second or subsequent offense, the imposition or execution of sentence shall not be suspended, probation shall not be granted, and in the case of a violation of a law relating to narcotic drugs, section 4202 of title 18, United States Code, and the Act of July 15, 1932 (47 Stat. 696; D.C. Code 24–201 and following), as amended, shall not apply."

Sec. 304. The Board of Parole is hereby directed to review the sentence of any prisoner who, before the enactment of this Act, was made ineligible for parole by section 7237(d) of the Internal Revenue Code of 1954, as amended, and (1) who was convicted of a violation of a law relating to marihuana or (2) who was convicted of a violation of a law relating to narcotic drugs and had not attained his 26th birthday prior to such conviction. After conducting such review the Board of Parole may authorize the release of such prisoner on parole pursuant to section 4202 of title 18, United States Code. If the Board of Parole finds that there are reasonable grounds to believe that such prisoner may benefit from the treatment provided under the Federal Youth Corrections Act (18 U.S.C. Chapter 402), it may place such prisoner in the custody of the Youth Corrections Division of the Board of Parole for treatment and supervision pursuant to the provisions of the Federal Youth Corrections Act. Action taken by the Board of Parole under this section shall not cause any prisoner to serve a longer term than would be served under his original sentence.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Section 341 of the Public Health Service Act, as amended (58 Stat. 698; 68 Stat. 80; 70 Stat. 622; 42 U.S.C. 257), is amended to read as follows:

"Sec. 341(a). The Surgeon General is authorized to provide for the confinement, care, protection, treatment, and discipline of persons addicted to the use of habit-forming narcotic drugs who are civilly committed to treatment or convicted of offenses against the United States and sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1965, addicts who are committed to the custody of the Attorney General pursuant to the provisions of the Federal Youth Corrections Act, addicts who voluntarily submit themselves for treatment, and addicts convicted of offenses against the United States and who are not sentenced to treatment under the Narcotic Addict Rehabilitation Act of 1965, including persons convicted by general courts-martial and consular courts. Such care and treatment shall be provided at hospitals of the Service especially equipped for the accommodation of such patients or elsewhere where authorized under other provisions of law, and shall be designed to rehabilitate such persons, to restore them to health, and, where necessary, to train them to be self-supporting and self-reliant, but nothing in this section or in this part shall be construed to limit the authority of the Surgeon General under other provisions of law to provide for the conditional release of patients and aftercare under supervision.

(b) Upon the admittance to, and departure from, a hospital of the Service of a person who voluntarily submitted himself for treatment pursuant to the provisions of this section, and who at the time of his admittance to such hospital was a resident of the District of Columbia, the Surgeon General shall furnish to the Commissioners of the District of Columbia or their designated agent, the name, address, and such other pertinent information as may be useful in the rehabilitation to society of such person."

Sec. 402. The Surgeon General and the Attorney General are authorized to give representatives of States and local subdivisions thereof the benefit of their experience in the care, treatment, and rehabilitation of narcotic addicts so that each State may be encouraged to provide adequate facilities and personnel for the care and treatment of narcotic addicts in its jurisdiction.

Sec. 403. The table of contents to "Part III.—Prisons and Prisoners" of title 18, United States Code, is amended by inserting after "313. Mental defectives * * * 4241" a new chapter reference as follows: "314. Narcotic addicts * * * 4251".

Sec. 404. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Sec. 405. Title I of this Act shall take effect three months after the date of its enactment and shall apply to any case pending in a district court of the United States in which an appearance has not been made prior to such effective date. Titles II and III of this Act shall take effect on the date of its enactment and shall apply to any case pending in any court of the United States in which sentence has not yet been imposed as of the date of enactment.

Sec. 406. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

Mr. DODD. Mr. President, I also ask unanimous consent to have printed in the Record the letter of transmittal accompanying the administration recommendation, signed by the Attorney General and the Secretary of the Treasury.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Office of the Attorney General,
Washington, D.C., June 15, 1965.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: Enclosed for your consideration and appropriate reference is a legislative proposal to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes.

At the White House Conference on Narcotic and Drug Abuse, September 1962, many representatives concluded that a procedure should be established under which addicts convicted of a violation of law could be dealt with in better ways than are now available. Further, it was agreed that the penalty structure for sentencing narcotic and marihuana offenders should be modified. These views were reiterated in the final report of the President's Advisory Commission on Narcotic and Drug Abuse, November 1963. In addition, these recommendations were supported by the President in his special message to the Congress on "Crime, Its Prevalence, and Measures of Prevention," dated March 8, 1965. The enclosed legislative proposal would implement the recommendations of the Conference, the Commission, and the President.

Basically, title I of the legislation would establish a procedure through which a narcotic addict charged with a criminal offense could be civilly committed to the custody of the Surgeon General for treatment in lieu of facing criminal prosecution on the charge against him. This would be accomplished by the court when it has reason to believe him to be an addict and also has reason to believe he is likely to be rehabilitated by proper treatment. In such an instance, the court could afford the defendant the option to elect to submit to a physical examination by the Surgeon General to determine whether he is in fact an addict. If, upon receiving the report of the Surgeon General and his recommendation as to whether the defendant should be civilly committed, the court directs such commitment, the criminal charge is held in abeyance pending the successful completion of institutional and aftercare treatment. At that time the charge would be dismissed, but if before that time the defendant is found unresponsive or uncooperative in treatment, the civil commitment may be terminated and the criminal proceedings resumed.

Since a defendant must elect within 5 days after his first appearance in court whether to submit himself to an examination which might result in a civil commitment, this procedure not only provides an opportunity to get at what may be one of the underlying causes of criminal activity, but it has the significant advantage of swiftly effecting the removal from the streets of addicts who may be restored to useful citizenship.

Title II of the proposed legislation would amend title 18 of the United States Code to add a chapter providing for the indeterminate sentencing of narcotic addicts to treatment following conviction for criminal activity. As with title I, this title would provide a program of comprehensive treatment for addicts placed in the custody of the Attorney General after conviction.

Both the civil commitment procedure and the procedure for sentencing to treatment following conviction require as a condition to their use that the court find a person charged with a criminal offense is an addict and is likely to be rehabilitated by treatment. Furthermore, in both instances, safeguards are provided to assure that uncooperative or unresponsive individuals will not be released, or if already released, they will be returned to institutional custody. Further, if such individuals had been committed under title I, they would face prosecution on the pending charge. Treatment procedures have been limited to exclude from their applicability certain persons who sell narcotic drugs, persons with repeated felony convictions, and other persons who are not considered suitable subjects for treatment and rehabilitation. Both facets of the legislation provide for institutional treatment and supervisory aftercare following release from confinement. In civil commitment the Surgeon General, and in commitment following conviction the Attorney General, would be authorized to contract with appropriate public or private agencies or persons for the supervisory aftercare. It is thus expected that local community personnel and facilities will play a significant role in this aspect of the treatment program.

Title III of the legislation would modify certain exclusionary features of the Young Adult Offenders Act of 1958 (Public Law 85–752, 72 Stat. 845) by making any narcotic drug or marihuana offender over the age of 22 and under the age of 26 eligible to receive an indeterminate sentence and conditional release under the Federal Youth Corrections Act. However, it would retain the provision that suspended sentence and probation shall not be available under the Federal Youth Corrections Act to offenders convicted of certain narcotics or marihuana offenses which require mandatory penalties.

The title would also amend section 103 of the Narcotic Control Act of 1956 (Public Law 84–728, 70 Stat. 567) by making the title 18, United States Code, and the act of July 15, 1932 (47 Stat. 696; D.C. Code 24–201 provisions of parole under section 4202 of and following), as amended, available to all marihuana offenders.

In addition, it would permit the Board of Parole to review the sentences of prisoners who now stand convicted of marihuana offenses and prisoners convicted of a violation of a law relating to narcotic drugs who had not attained the age of 26 at the time of conviction. The Board would be authorized to release such persons on parole or place them under the provisions of the Federal Youth Corrections Act as may be deemed suitable.

This title would permit greater latitude in handling certain violators when deemed necessary to individualize rehabilitative treatment, and at the same time leave intact the overall deterrent characteristics of the mandatory penalties contained in the Narcotic Control Act of 1956.

In summary, the enclosed proposal represents a creative approach to accomplish what was implicit in the President's statement that it is essential to "seek to the fullest extent consistent with the public safety to give offenders a maximum opportunity for return to a normal life." Through the joint efforts of the courts and medical, correctional, and legal authorities, it is hoped that this legislation will be a key toward the rehabilitation of a substantial number of persons charged with crime and their resumption of productive places in society.

The Bureau of the Budget has advised that enactment of this legislation is in accord with the program of the President.

Sincerely,

——— ———,
Secretary of the Treasury.

——— ———,
Attorney General.

Mr. HART. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. Mr. President, I yield to the Senator from Michigan [Mr. HART] without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIETNAM

Mr. HART. Mr. President, last night, the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], thoughtfully voiced his evaluation of the situation in Vietnam.

I listened. At the speech's conclusion, I intended to make a brief comment. However, discussion resumed on the pending business, the excise tax reduction bill, and I was reluctant to interrupt.

Today, I wish to express my appreciation. In listening to the speech, and later in reading it, I was struck by the responsible, prudent analysis of an admittedly difficult dilemma.

The distinguished Senator has the admirable ability to sort out the essentials of a problem without oversimplification.

There have been many persons across the land, during these months of common concern, who have spoken with the limitless confidence and absolute certainty that almost implies some sort of divine guidance. I might envy them, but I do not find that I can often agree with them.

The thoughtful man considering a complex problem finds that judgments must be based on an intricate balance of the bad against the less bad, and the good against the greater good.

The Senator from Arkansas has made these judgments and has arrived at what seems to me to be an excellent set of recommendations. His tone, and his evaluations offer the best promise of a safe passage for this country.

The speech must give the President of the United States—who in each hour of these past months has borne this burden—great comfort.

I anticipate that in coming weeks the speech will be subject to a great deal of analysis, and will doubtlessly come under attack by those who hold more extreme views.

It will be criticized because it was a thoughtful speech, and thoughtfulness is often mistaken for indecisiveness. It was a sensitive speech, and sensitivity is often mistaken for weakness.

But I believe that the distinguished Senator's point of view is a logical one—so much so that when anyone asks to know my position on Vietnam, I intend to answer simply: "Read the Fulbright speech."

OPPOSITION TO MAKING THE FEDERAL AVIATION AGENCY A MILITARY AGENCY

Mr. HARTKE. Mr. President, in South Vietnam we have seen another takeover of the civilian government by the military in the last few days. This is the second time this year that the military leaders have there usurped the power of the civilian leaders, dominating not only the necessary military offensive against the Vietcong, but dominating as well the entire nation.

The Dominican crisis has its close parallels insofar as the domination by a powerful military group is concerned, bent on the overthrow of the civil authority.

In Egypt we have the long-standing domination of Colonel Nasser, who rose to power because he had power as a military officer, with the backing of his friends in the military establishment.

The dictator of Spain, Francisco Franco, in power these many years, was likewise a military man who seized control and who has never yet relinquished to civilian democratic processes the power which he then gained.

One could likewise call the roll of Latin American governments, living under the bannner of a republican form legally and constitutionally established, which have over the years fallen, and sometimes repeatedly, to the dominance of a military clique, a clique which has felt that its military traditions of autocratic authority gave it qualifications to exercise that same autocratic domination in civil affairs.

Should one call the roll of history, examples would likewise be multiplied.

I believe, Mr. President, that history furnishes us with sufficient examples, reinforced by the experience of many a nation in our own time, so that one might state as an approximation to truth a paraphrase of an ancient verdict of Scripture, "Where there is no vision, the people perish"—"Where there is no civilian government, the people's liberty is endangered."

We in this Nation have been richly blessed by the heritage of wisdom with which our Founding Fathers were endowed. They saw the dangers lying within the very nature of the military leader, who by the essence of the military structure must become not only a leader but an autocratic leader, who in his very psychology of command so easily develops the psychology that he was born to command, to command not only within the military structure but within the totality of the Nation, giving orders as a benevolent dictator rather than taking the slow democratic route of consensus granted by fellow citizens. It was George Washington who warned against "those overgrown military establishments which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty.

Or, to quote from that great predecessor document of the Constitution, the Virginia Declaration of Rights—adopted at Williamsburg almost exactly 189 years ago, on June 12, 1776—"that, in all cases, the military should be under strict subordination to, and governed by, the civil power."

One of the grievances set forth in the Declaration of Independence, whose adoption followed the Virginia Declaration by only 3 weeks and a day, was that "the present King of Great Britain has affected to render the military independent of and superior to the civil power."

The State of New York in the document with which its delegates, "having maturely considered the Constitution for the United States of America," gave their ratification to our basic document over the signature of George Clinton on July 26, 1788, included a statement of principles, many of which were later embodied in the Bill of Rights. Among them was this:

> Standing armies in time of peace are dangerous to liberty, and ought not to be kept up, except in cases of necessity; and that at all time, the military should be under strict subordination to the civil power.

Mr. President, I have spoken on this topic before, on Thursday last, and at greater length than I shall do today. But I believe it is in the best interests of our Nation, in accord with the expressed desire of the Founding Fathers and our long traditions, in harmony with the thought of many of our great modern leaders, and in keeping with the law as passed by the Congress as recently as 1958, that we should maintain the dominance of our civilian leadership in high posts of government by voting down a bill soon to be called up from the calendar, S. 1900.

The majority leader has indicated that this will be the pending business tomorrow after the consideration of a resolution.

The bill would set aside the express requirement of the Federal Aviation Act that its Administrator should be a civilian. It would breach the wall of separation between civilian and military, which is no less a necessity to our form of government than the wall of separation between church and state, and which has an equally ancient and wise relationship to our oldest traditions. Passing this bill would punch a hole in the dike beyond which lies the sea of military domination from which flood waters have poured in to inundate the civilian governments of South Vietnam, of the Dominican Republic, of Castro's Cuba in its prostrate dictatorship, of Spain, of other nations ruled by those who, as military leaders, have set themselves up as the indispensable men.

This, it may be said, would be only a little hole in the dike.

Mr. METCALF. Mr. President, will the Senator yield at this time?

Mr. HARTKE. I am glad to yield to the Senator from Montana, who I understand will not be present tomorrow for the vote.

Mr. METCALF. I regret very much that I shall not be present for the vote. I am in complete agreement with the Senator from Indiana. However, the hole in the dike will not be punched tomorrow if the bill is passed. The hole in the dike was punched when the dual compensation bill was passed by Congress last year. The hole in the dike was punched when we gave the opportunity to military personnel who are retired from the service to go into civilian capacities, an area where the Senator, as a retired Senator of the United States could not serve, an area where a retired civil servant could not serve. We permit retired military servants to take over important administrative capacities in the Government and draw two salaries. General McKee will be the third highest paid individual in the Government of the United States.

It seems to me that the hole in the dike has already been punched. It is time for us to put our thumb in the dike.

Mr. HARTKE. I agree with my dear friend from Montana. The point is that at this moment the Committee on Finance is considering the Social Security Act.

The man who retires on social security benefits, and is desirous of working for the Government, finds that the dual compensation law does not apply to him. If he makes more than $1,200 a year, he must take either the benefits or the salary.

I compliment the Senator from Montana for his fight and for his warning of last year, when the Dual Compensation Act was before us, when he said that this would be the result. It was said then that this would not be the result, was that not so?

Mr. METCALF. It was said that this would not be the result. Militarism is raising its ugly head above the civilian control in administrative areas. This is the thing that we predicted would happen when the dual compensation bill was enacted. I would not know Mr. McKee from a statue on a monument.

Mr. HARTKE. I would not know him either. We are asked to pass upon this man, although I do not know him, and although under normal procedure he would come before the Committee on Commerce if his nomination were submitted to the Senate. He would be questioned. However, if we pass the bill, we shall be told that he is a good man. This whole procedure is so full of irregularities that it is amazing it has gone as far as it has.

Mr. METCALF. I am in complete accord with the Senator. These are not ordinary protections and ordinary procedures that we are following. We are asked to bypass the ordinary regular procedures in the interest of a special situation.

Mr. HARTKE. Of course, the Senator knows what the answer will be. We shall be told that General McKee is a fine gentleman.

Mr. METCALF. I have no doubt that he is a fine gentleman. I do not know him. It is not a question of whether he is a fine gentleman. A principle is involved, which we raised last year before we knew about General McKee and before we knew that he would be nominated for this position. We are asked to permit those who are retired from the military to take important and significant positions in the Government and draw dual compensation.

Mr. HARTKE. The point is that we must all recognize the fact that the military is a part of the U.S. Government; is it not? A man retires from one segment of the United States of America Government and takes a position with another segment of that Government, and he is able to keep the benefits from both, which is only the prerogative of the military under the present law.

Mr. METCALF. If the Senator from Indiana retired and went into another branch of the Government, he would not receive that benefit?

Mr. HARTKE. No.

Mr. METCALF. If any members of our staff in the Senate were retired, they would not receive the benefit. Firemen or policemen who have necessarily retired early, would not have the benefit of that provision. The only person who has the benefit is the person who retires from the military.

Mr. HARTKE. The very essence of that principle tends to encourage military men to seek high executive positions in the Federal Government. The next step is very simple. The transition is easy, and we have made the way very easy for them.

One day the Dual Compensation Act is passed. Then we hear the statement, "Let us take another step tomorrow. Let us proceed to set aside a law which was thoroughly considered in 1958 so that a military man can be made Administrator of the Federal Aviation Agency." That 1958 law stated that the Administrator must be a civilian, and the report states, "a civilian in the strictest sense of the word." Senators and Representatives were fearful of military domination.

It is stated, "After all, we passed the Dual Compensation Act. We are doing it in other places; we might as well do it here. Let us set aside the organic law."

No hearing has been held in relation to the Federal Aviation Agency to see whether the law should be set aside. It is being set aside for one military general in one situation for an indispensable man.

Mr. METCALF. In effect the bill is one which would take care of a single individual.

Mr. HARTKE. That is correct.

Mr. METCALF. But if we should pass the bill, we would set the stage for the appointment of some other military official, one who might be an admirable man, perhaps a very fine and competent performer and administrator, as generals, admirals, chiefs of the Air Force have demonstrated they can be. But we must heed the warning that President Eisenhower gave us that we cannot have those people in dual positions in the Federal Government.

Mr. HARTKE. In a speech I made last Thursday I pointed out the number of people who had given the same warning. I shall repeat some of their names later in the course of my present speech.

Mr. METCALF. I compliment the Senator from Indiana for his presentation today. I regret that I shall not be present tomorrow. I hope that if there is a yea and nay vote on the question, I shall obtain a live pair and be able to present my opposition to the bill.

Mr. HARTKE. I only wish that the same consideration had been given to the Senator from Montana that is extended frequently to others when they indicate that they would like to have a bill set over so that they can vote. That would be an accommodation. But that could not be arranged in the present situation because the administration is bound and determined that this man shall have that appointment. I am not so sure that he will get it.

Mr. METCALF. I thank the Senator.

Mr. HARTKE. As the Senator from Montana has said, perhaps this is more than a hole in the dike. Perhaps it is the kind of small opening which a small boy can plug with his thumb. But I would say to my colleagues that behind that small hole is a vast thrust of tons and tons of pressure. If we are justified, and we are, in all the elaborate debate, in all the intense concern, in all the judicial care which surrounds our efforts of recent years to prevent violation of the separation of church and state, then we are also justified at this point in our history in scrutinizing with utmost care the results which can come from opening up even this small hole in that which separates civilian authority from military usurpation.

Thus far I have spoken in generalities, in terms of the principles of our traditions, of the necessities, of that democracy in which we are nurtured as a Nation and as individuals. But there are present also, considerations, vital in this instance, involving the specific needs and circumstances which we face in dealing with this, which is to all effect a private bill setting aside the public law.

I shall not again repeat the warnings and the citations which I have previously given from the words of modern leaders of the Nation, both in and out of the military. Those, and I cited them at some length and in verbatim quotation last Thursday, include President Eisenhower, President Kennedy, President Roosevelt, Governor—and at the time Secretary of the Navy—John B. Connally, Admiral Arleigh Burke, General of the Armies Douglas MacArthur, Justice William O. Douglas, Gen. Omar Bradley, former Secretary of the Navy and former Secretary of the Treasury Robert Anderson, ex-Treasury Secretary George Humphrey, Dr. Vannevar Bush, and Albert Einstein. All of these, in varied times and places, have uttered words of warning concerning the dangers which even these United States must face should we relax our historic principle of civilian control in favor of military domination. There can be no doubt that many wise leaders of the 20th century are in fullest agreement with the framers of our democratic system who said that "the military should be under strict subordination to the civil power."

Rather, I would reiterate that S. 1900 is a bill whose very title bears witness to the fact that it is drawn specifically in order to set aside the law, in order that one specific man may be appointed to a position from which he is otherwise specifically barred by the basic statute governing the Federal Aviation Agency. That law was passed by this body and the other body acting jointly in 1958. Witness the title of the bill which soon we shall consider, S. 1900, which is: "A bill to authorize the President to appoint General William F. McKee (United States Air Force, retired) to the office of Administrator of the Federal Aviation Agency."

It goes on to say that this appointment shall be valid "notwithstanding the provisions of section 301(b) of the Federal Aviation Act of 1958." The section which we are asked to subvert in this way, to set aside in order that one man specifically named in this bill may violate for this once the basic act, is in part as follows:

> (b) QUALIFICATIONS OF ADMINISTRATOR.—The Administrator shall be a citizen of the United States, and shall be appointed with due regard for his fitness for the efficient discharge of the powers and duties vested in and imposed upon him by this chapter. At the time of his nomination he shall be a civilian and shall have had experience in a field directly related to aviation.

Not only is the law clear and explicit. The fact that it means what it says in its second sentence I have quoted is plain in its legislative history as well. Shall we, for this indispensable man, violate the law we have made for good reason? I have previously shown in detail that the law means precisely what it says, for good reason. I have shown that it was the desire of the framers of the Federal Aviation Act to secure the inviolable supremacy of the civilian power in this Agency, which regulates many flying conditions for both civilian and military aviation. I shall merely quote again, as I did last Thursday, the statement of the House conference committee members:

> The requirement in section 301(b) that the Administrator be a civilian at the time of his nomination means that he shall be a civilian in the strictest sense of the word. Thus, at the time he is nominated he may not be on the active or retired list of any regular component of the armed services or be on extended active duty in or with the armed services.

Perhaps the passage of time, and the present successful operation of the Federal Aviation Agency under its most able civilian administrator, Najeeb Halaby, has served to obscure the origins of the Agency. Let me recount for those who might not know it the circumstances under which it arose.

Up until 1938 there was a minimal program in this country for aviation, with what authority existed vested in the Department of Commerce under the old Air Commerce Act. Then, in 1938, the Congress established a five-man board and called it the Civil Aeronautics Authority. In 1940 President Roosevelt, through a reorganization act, converted it to the Civil Aeronautics Board, which we still know as the CAB, at the same time abolishing the Air Safety Board. Administration, still under the Department of Commerce, was conducted by the Civil Aeronautics Administration.

We all know what happened to aviation advances during World War II, when the rapid developments of military aviation paved the way for today's crowded commercial airlanes. Problems developed with fast planes and still faster planes. The result was a top-level study committee set up by President Eisenhower, a committee headed by a retired Air Force general, Gen. Elwood "Pete" Quesada. It was out of this Airways Modernization Board that there grew the recommendations resulting in the Federal Aviation Act.

Now, the biggest problem at the time was the division and even the conflict which existed throughout the Nation between military aviation and civil aviation. It became absolutely clear that something must be done when a military plane and a civilian airlines plane collided over the Grand Canyon.

The problem was to bring together, to merge, the military system and the civilian system of air control. These two separate programs were going their separate ways, neither having much if anything to say about the operation of the other. To bring them under a unified control it was necessary to merge some 14,000 or so military personnel with the very similar number of civilian personnel in the existing aviation agency. In order that the military side might be fairly represented, it was determined, and it remains a part of the basic act, that while the top officer, the Administrator, must be a civilian "in the strictest sense of the word," the Deputy Administrator might be a military man. In fact, he need not even be retired; he may be the Deputy and serve under assignment in grade directly under the Pentagon.

But at every point in the discussion, it was insisted upon time after time that the top man, assuring civilian control in the traditions of our Republic, should be the civilian. That is the case as it exists today. The Deputy Administrator, whose appointment must be confirmed by this body, is today Lt. Gen. Harold W. Grant. His name will not be found in the tables published in the Senate Commerce Committee report, appendix B, which lists 35 retired Regular officers holding the rank of brigadier general or rear admiral and up. His name will not be found there because he is not retired; he is on active duty, and it is the announced intention of the President that he shall remain in the Federal Aviation Agency at a lesser ranking post in order that a civilian may be named Deputy. I might point out that this is another requirement of the Federal Aviation Act—that in any case, both the Administrator and the Deputy may never both be military men.

It is true that General Quesada became the first Administrator of the FAA. But in order to do so, unlike General McKee, as the Senator from Montana [Mr. METCALF] indicated, he complied with the law which says that "at the time of his nomination he shall be a civilian." General Quesada gave up all rank and emoluments as a retired officer. He resigned. He became a civilian. He did not ask that the law be waived for him. In fact, he said very frankly, and I believe this is from testimony before the House committee:

> I am going to be named the first Administrator of this program. But in order to meet this I will tell you what I will do. I will just give up my retirement and resign.

It seems to me that there may have been some extenuating circumstances there even beyond the fact that General Quesada complied with the law by resigning, so that he was in fact a civilian at the time of his nomination. He had led the study as to how the military and civilian side could be successfully integrated. There was little likelihood that the problems of merging the two would arise so much from the civilian as from the military side, accustomed to governance of its affairs by order, not by any more consultative process. Even stripped of rank, General Quesada still commanded the respect of the Air Force and other military personnel. They knew that he could not shed his lifetime of concern for their interests, and the assurance that integration of the military into a civilian-controlled organization would be done with all due regard to, and with full knowledge of, their problems was undoubtedly a contribution to success in the early stages.

We do not have such compelling reasons today, and we do not have today a case in which the man whose nomination will be offered upon passage of this special bill, is intending to resign as did Pete Quesada. We have rather, the most compelling reasons for clinging to the law, for seeking until we find a civilian who is fully qualified as administrator, as aviation expert, as an able man to do the job.

On Thursday, while I was speaking along these lines, I was most happy to engage in an unexpected colloquy with our respected assistant majority leader, the distinguished Senator from Louisiana [Mr. LONG]. At that time the following exchange took place:

> Mr. LONG of Louisiana. Are we being told that we must enact a law because there is only one man in America who is qualified to fill this position?
>
> Mr. HARTKE. That is exactly correct.
>
> Mr. LONG of Louisiana. What would happen if the man died? Would the country have to go out of business?

My response to that question was, in substance, that we have here the "indispensable man" theory. Later I said, and in this I firmly believe:

> The whole theory of the indispensable man is contrary to the concept of democracy. This is the very essence of the argument.

In nothing that I have said, either in the minority views, which appear in the Commerce Committee report on S. 1900, or in this Chamber, or elsewhere, have I taken issue with the qualifications of General McKee. But let me hasten to point out that General McKee has not been questioned, and cannot be questioned on his qualifications at this time.

Questions have been raised about his competency, some of which I placed in the Record. The Senator from Ohio [Mr. Young] spoke concerning General McKee's post in the State of Ohio. I understand that he had some management responsibilities for 9 years in the Air Materiel Command and that he directed the work of more than 150,000 civilian employees engaged in aviation occupations and professions in this country and abroad. I do not question his capabilities. But had he not held that post, someone else would have done so.

The question before the Senate at this time is a question of principle. Shall we set aside the basic law and enact a law for the benefit of one man, thereby bowing to the military, thereby bowing to the theory that we have indispensable men in the United States?

Should this bill not pass, we can find a capable civilian who is well qualified to become the Administrator instead; of that I have no doubt. Indeed, in his present position of Assistant Administrator for Management Development in NASA, where his salary under the legal provisions in force there allow him to retain a larger portion of his retirement pay than would be possible in the FAA, he has been highly commended for excellent work. But there is no indispensable man. This is not adequate argument for tearing a hole in the fabric of our civilian traditions, for deliberately destroying by temporary nullification the requirements of the Federal Aviation Agency Act.

The Senate, as the body which must pass upon recommended nominations, giving our advice and consent, has a special responsibility in this matter. Perhaps it is worth noting as a bit of information of which not all may be aware that in the House, when action was taken on the parallel bill H.R. 7777 on June 3, the vote was 228 to 137. In spite of the lack of unlimited debate, more than a third of those voting—in fact, more than 37 percent—were in favor of holding to our traditions and defeating the bill. Should we pass this special "indispensable man" legislation, should we approve the placing of a military man in a post which by law requires one who is "a civilian at the time of his nomination," we will have to compound our faithlessness to our history—yes, and faithlessness to our deeper held convictions in many cases—by voting not only once but a second time on the same question, to confirm the man for whom we pass this special bill.

The principle, I say, is wrong. I have not only said so, but I have been tacitly confirmed in my view by the half-hearted, squirming apologia made by my colleagues of the majority on the Commerce Committee to whom I have opposed my minority views—together, I am glad to say, with Senator Pearson. Although I discussed this in some detail in my previous remarks to the Senate, I feel that in order to make this uncomfortable majority position clear I must conclude by again calling attention to the implications you will find there.

First, however, since I have referred to the debate in the House, as refutation of the need for adopting the "indispensable man" theory, I would like to quote from the House debate. Chairman Oren Harris, in speaking for the bill which his committee reported, referred to the requirement I have mentioned, that if the Administrator should be a military man—and at the time the requirement was adopted, General Quesada was the prospective first Administrator—then the Deputy must be a civilian. Mr. Harris said that the President, who will perforce arrange to replace General Grant in that Deputy post, has announced his intention to name David Thomas as Deputy Administrator. These are Mr. Harris' words:

> Dave Thomas is a true civilian and one of the finest, most knowledgeable people in the United States in this business. He is the man who is going to serve as Deputy Administrator.

I am not nominating Mr. Thomas for Administrator, but I am willing to accept the verdict of Mr. Harris, which would seem to indicate that here is, within the Agency itself, a civilian who might perhaps be in the running for successful civilian leadership.

Later, Representative John Bell Williams, who has represented the Third District of Mississippi continuously since his election to the 80th Congress in 1946 and who is a member of the Interstate and Foreign Commerce Committee under Mr. Harris, made what might be called in the same manner of speaking another civilian "nomination" from within the Agency itself. Mr. Williams said:

> We have in this Agency a man by the name of Gordon Bain, a very capable expert on the subject of supersonics and who heads up the SST program in the Agency. One of the reasons given by advocates of this bill is that General McKee is quite knowledgeable in the supersonic field, and is needed to promote that development. I am sure that is a valid argument for bringing the general into the Agency, but does that necessarily justify changing the law so he can serve as Administrator of the whole Agency? Surely, he could make the same contribution to the SST development as an Assistant or Deputy Administrator.

In conclusion, Mr. President, as I have indicated I would do, I turn to the report of the majority which is supposed to sustain and support the passage of this special bill for the indispensable man, S. 1900.

First, in the usual fashion, there is set forth the purpose of the bill—to authorize two things: appointment of General McKee, U.S. Air Force, retired, as Administrator of the Federal Aviation Agency, and second, to "authorize General McKee to retain the rank, grade, and emoluments of his retired military status while holding the office of Administrator of the Federal Aviation Agency, subject to the provisions of the Dual Compensation Act."

Here again, I cannot help reminding the Senate of the words which came from the Senator from Montana [Mr. Metcalf] at the time the Dual Compensation Act was passed. This is what the Senator warned might happen. Here we see it happening in connection with the measure to come before us.

Then there follows the text of the bill and an analysis of what it will do, explaining General McKee's situation and the need for the law. Next, at the bottom of the third page, there is a section headed "Military Appointments," which begins with these words:

> In approving this bill, the committee wishes to make emphatically clear that its views with respect to the appointments of retired military officers to high civilian posts have not changed.

The majority goes on to report that in two previous cases—the nomination of Admiral Wilson to the Federal Maritime Board and of General Bragdon to the Civil Aeronautics Board:

> This committee clearly delineated its position on this subject and the views expressed (in its report) are as applicable today as they were then.

Mr. President, we can see that there is a constant erosion. Action was taken with great hesitancy for Admiral Wilson. It was taken with great hesitancy for General Bragdon. Now we are asked again to do it with great hesitancy. We are supposed to "hesitate" ourselves straight to military control.

I point out that these are the words of the majority, who were attempting to sustain that position that the bill should be passed.

What are those views? As the majority itself cites them, from Executive Report No. 7, 86th Congress, 2d session, they include these sound words, with which I wholly agree. In fact, had they not already been cited by the majority, they would have made a fine addition to my own views and those of Senator Pearson as contained in the minority expression.

The report states:

> We believe it necessary to express some substantial doubts on the wisdom of repeated appointments of retired military officers to high civilian positions, particularly in the administrative and regulatory agencies.
>
> Furthermore, and perhaps most important, one of the basic principles of our society is that the control of government, including the basic policy-making function, should be vested in civilians with the military subordinate. Continued appointments of career officers could destroy the symbol of civilian government as well as promote the unfortunate practical effects associated with almost dominant military influence.

I could not have said it better myself, and I rejoice that my colleagues in the majority on the Commerce Committee in this report have with such insight and vigor thrust forth these views. Why, then, with these grave reservations, have they concluded with a recommendation that the bill should pass?

Mr. President, I point out that there are no names signed to the majority report. There will be Members of the majority who will not vote for the bill.

Perhaps I should point out that they do not conclude, in the sense of closing the report, with such a recommendation at all. The recommendation that the bill should pass is in the very first sentence of the text, but the two concluding paragraphs, headed "Other Remarks," are of the same strange character favorable to the minority argument. This portion relates that some members expressed serious misgivings about the Dual Compensation Act, with its encouragement to the retired military man to find a berth in civilian government, retaining not only his civilian pay but $2,000 of his retirement pay plus half of the remainder. In the case of General McKee, this amounts to $30,000 as Administrator plus $8,404.36 in net retired military pay under the Dual Compensation Act, for a total of $38,404.36.

I point out that the general's widow, if he serves for some time, will have her retirement, in the event of his decease, increased from $4,000 to $14,000. As we say back in Indiana, "That ain't hay."

In the last paragraph of the majority report are these words:

> Aside from questions relating to compensation, the majority of the members of the committee have grave reservations concerning what appears to be an increasing tendency to fill civilian Government positions with retired military personnel. The magnitude of this practice is evidenced by certain tables prepared by the Civil Service Commission and printed by direction of the committee in appendixes B and C of this report. This matter should be thoroughly reviewed by the appropriate committees of Congress.

And there, on this note rather than on a strong plea for enactment of the proposal, the report ends. The tables, which may also be found inserted in my speech of June 10 in the CONGRESSIONAL RECORD, deserve close scrutiny from the standpoint, again, of the views I hold. They are a further argument, not for the bill to revoke the law in favor of one more retired military man, but for the halting here and now of the practice which causes the majority the expressed concern I have noted—a concern in which they could not agree with me more.

What, then, as I have said, is the argument which is advanced? Why are not the majority consistent with their own views, adherent to their own reservations, opposed to their own inconsistent conclusions?

Their case rests entirely on what I have called the "indispensable man" theory, a theory which cannot possibly hold up. They lay stress, although not enthusiastically, upon the letter of President Johnson to Chairman MAGNUSON, which appears as appendix A on page 11 of the report, a letter lauding General McKee. His appointment, the President acknowledges, "does, however, present a situation requiring congressional assistance" in order that he may not be forced to resign and lose "the benefits of his present retired status which they—his family—rely upon for their security."

The letter is quoted in the body of the report to the extent of two paragraphs, which follows what is really the only portion of the entire report to make the majority case. That two-sentence paragraph is sandwiched between the letter and the quotation from Executive Order No. 7:

> In this case, the committee is of the view that the nomination of General McKee, because of his unique and exceptional background, is justified within the framework of the committee's views on military appointments as expressed above and that his case constitutes the unusual rather than the usual. This point was particularly emphasized by President Lyndon B. Johnson in a letter.

From which the two paragraphs noted are then cited.

So this, then, is the argument: We have an indispensable man. We do not believe in legally breaking the law by special legislation; we do not believe retired military officers should be repeatedly appointed to high civilian positions; we have reservations about the encouragement given such policies by the Dual Compensation Act. But we have an indispensable man, who just happens to be more important than the law. Nowhere else, not in the 44,000 or so present employees of the FAA, not in the academic world, where aviation is taught in such schools as Purdue in my own State, in Cal Tech, in MIT, and in many other places—not in the aviation business where civilians run such worldwide businesses as TWA, American Airlines, and many more, not anywhere can another such administrator be found.

Can you believe this? I cannot. I can accept the fact that General McKee is exceptionally able and highly capable. But I cannot accept the fact that he is so indispensable that we must waive a good requirement of a basic law, that we must violate our principles and those on which this Nation was built, that we must put a retired general as top man in an agency for which the law specified "a civilian at the time of his appointment."

Let us change the basic law if we must. Let us reverse the wise action taken in 1958 and strike out the civilian requirement. Let us revise the dual compensation law so that a retired general may keep not only a part but all of his retirement pay while serving in the civil establishment—but let us make our social security retirees continue to forfeit their retirement benefits if they earn more than $1,200, or half of the next $500, or all if their Government pay is more than $1,700. Let us encourage the "indispensable man," which is a milder way of saying the "strong man," the "duce," the "fuehrer." The degree is not the same, and we are not in that kind of danger from the military, and we thank God and our traditions for it. But the principle is the same. And the question is, Do we believe in our own principles? Do we agree with the majority in its unguarded moments of truth espousing principle?

Or shall we say it is sound principle to set aside our principles? Shall we be faithless to tradition, marching instead toward the example of South Vietnam and the lands dominated today by military juntas? Shall we revise the Declaration of Independence and admit that King George was right when he "affected to render the military independent of and superior to the civil power"?

No, in conscience these things we cannot do. There are times when expediency clashes with principle, and this is one of them. It is expedient to lay aside conviction when we are requested, but it is conviction and only conviction which can stem the temptation to say, "This time it does not matter. Let us have peace and consensus, not a fight and the strains of disharmony."

John F. Kennedy wrote a book titled "Profiles of Courage." He talked about those in this body and elsewhere in political life who, when the chips were down, put their necks on the block risking all for the sake of conviction.

This is not such a case. None of us who intends to vote against S. 1900 is performing any cataclysmic act of courage. But in this smaller thing, which could be a miniature of the larger canvas of history across which moved the giants of John F. Kennedy's pages, there is still the same necessity. Let us, whose responsibility is to give advice and consent, advise truly. Let us not consent halfheartedly and unwisely, against our own sound principles and those of our history. Let us exercise our right and our conviction to plug the hole in the dike, to shore up the wall of separation between the military and the civilian. Let us see to it, as the Virginia Declaration so nobly put it in 1776:

> That, in all cases, the military should be under strict subordination to, and governed by, the civil power.

Mr. MORSE obtained the floor.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Missouri without losing the floor.

Mr. SYMINGTON. I thank the Senator from Oregon for his typically gracious courtesy in yielding to me this evening.

I have listened with interest to the senior Senator from Indiana [Mr. HARTKE], and I shall speak on this subject tomorrow. I would only say at this time that I have known General McKee for many years. With one exception, he is the ablest administrator I have ever known in business or in government. The other man he rivals as an administrator is now president of one of the world's great companies.

When General McKee retired as Deputy Chief of the Air Force, the number of corporations that would have been anxious to obtain his services were legion. The Director of NASA, recognizing his great ability, persuaded him, at great sacrifice against what he could have obtained in private business, to join in the important responsibilities incident to their efforts to conquer space.

For reasons that are not important tonight, the President of the United States, to my certain knowledge, became acquainted with General McKee a great many years ago and formed a high opinion of him at that time.

Now, faced with grave problems of the supersonic ariplane and the problems incident to the FAA, the President decided that he would ask the director of NASA if he could borrow this extraordinarily gifted and quiet man, who has the respect of all who worked for him. The son of a country doctor, whom he often quoted in making decisions—and he made many of the most important ones that had to do with the security of the United States.

General McKee is the kind of man who has volunteered to give up his pension rights if he felt the Congress of the United States thought that would be the right thing to do. I do not believe in punishing a man, just because he did not go into banking or politics. I do not believe that a man should lose his retirement pay just because he continues to serve his government at the request of his President.

If he takes this position, he will take a reduction in pay, because under the law he loses, after the first $2,000, 50 percent of his retirement pay.

Nobody has questioned his ability. Nobody could question the administrative capacity of W. F. McKee. It is known throughout this town.

Tonight the name of John F. Kennedy has been mentioned. When Gen. Curtis LeMay was out of the country, General McKee took his place, representing him on the Joint Chiefs of Staff.

Our late beloved President told me several times of his tremendous respect for the capacity, wisdom, and managerial ability of the nominee for this position.

I believe that the decision is a simple one: Having served his country long and faithfully—in the uniform of the United States—does he accept the new and vitally important position with the good will of the Congress, or will we decide to punish him and reduce his pay in order that he may continue the magnificent service that every man in South Vietnam and every man in this body who wants to study his record knows he has rendered to his country?

Mr. President, I express my appreciation to the distinguished senior Senator from Oregon for his invariable courtesy in permitting me to make these brief remarks tonight. I shall speak on this matter further tomorrow, but I would hope, inasmuch as the Senator from Montana [Mr. METCALF] has seen fit to attack the appointment recommended by the President, he will possibly rearrange his plans.

Mr. HARTKE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am in a difficult position. Mrs. Morse is visiting an injured friend, and I wish to join her.

Mr. HARTKE. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Oregon yield to the Senator from Indiana?

Mr. MORSE. I should like to get to my speech——

Mr. HARTKE. I should like to make a very short statement in defense of the Senator from Montana, who is in the chair. I believe that it is fair to say that the Senator from Montana [Mr. METCALF] did not attack the nomination. I am not attacking the nomination. The truth is that——

Mr. MORSE. I have only a very short speech. I must go to the hospital with Mrs. Morse to see an injured friend.

Mr. METCALF. Mr. President, would the distinguished Senator from Oregon yield me one moment?

The PRESIDING OFFICER (Mr. HARTKE in the chair). Does the Senator from Oregon yield to the Senator from Montana?

Mr. MORSE. Does the Senator from Montana wish me to yield for only 1 minute?

Mr. METCALF. One minute.

Mr. MORSE. I yield to the Senator from Montana for 1 minute.

Mr. METCALF. Let me say to the Senator from Missouri [Mr. SYMINGTON] that last fall I promised the people of Montana that there would be a hearing in Montana on the Bureau of Land Management approach to some of the mining claims situations under the so-called Engle law.

Tomorrow, the Senator from Alaska [Mr. GRUENING] and I are going out to conduct that hearing.

It has been long established. It is a matter of great concern to the people of the State of Montana. I have asked the majority leader to put this over. I have told him of my concern, as I say, to the Senator from Missouri. I do not know General McKee. I have no grudge against him.

The only point I wish to make is the point that the Senator from Indiana has made, that this is a civil Government, and that it should be kept under civilian control. I know that the Senator from Missouri wants that. I am very sorry that I cannot be here tomorrow to talk about this very important and very significant nomination, which is far more important than General McKee, far more important than who is going to be head of the Federal Aviation Agency, a matter which has come down to us from the time the Constitution was established.

Mr. SYMINGTON. Mr. President, will the Senator from Oregon yield briefly?

Mr. MORSE. I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. I ask the Senator from Montana if he will be good enough, when he returns, to read what I have had to say. I thank the Senator from Oregon very much for yielding to me.

Mr. MORSE. The Senator from Montana is most welcome.

VIETNAM

Mr. MORSE. Mr. President, in speaking yesterday about our difficulties in Vietnam, the Senator from Arkansas [Mr. FULBRIGHT] prefaced his conclusions with a reference to what he calls our policy of seeking the end to the war at the earliest possible time by a negotiated settlement involving major concessions by both sides.

Surely, that is a strange and novel interpretation of our policy in Vietnam. It is not the policy stated over and over again by the Secretary of State, when he declares repeatedly that it is our policy to make North Vietnam and China stop interfering with their neighbors. Secretary Rusk has said many times that this is the purpose of our bombing—to make North Vietnam stop giving alleged aid to the rebels, and presumably to warn China that the same treatment is in store for her if she aids them to any degree.

I do not doubt that the President and his administration would like to hear a favorable response to their statements that we would negotiate with China and with North Vietnam, but not with the Vietcong who, of course, are the enemy. Such a position enables the United States to take a public posture in favor of negotiations without any real chance that the offer might lead to negotiations.

But never in any presentation in public or in private have I heard any indication from administration spokesmen that this country is ready, right now, to sit down with the Vietcong, and to make major concessions in return for major concessions on their part. If that is indeed the policy of this Government, then the Senator from Arkansas must have been told something at the White House that no one else has been told.

It seems to be the view of the Senator from Arkansas, and the view of the administration, that our offer to negotiate with the nonenemy is a mark of our national benevolence. But I wonder how benevolent we are to the people of Vietnam. It is our power and our money and our military might that continues the war in Vietnam. It is our napalm that burns them, and that destroys their meager possessions. I do not know of any weapon, or any terror of the Vietcong that has destroyed as much in South Vietnam as U.S. aircraft have destroyed.

All in the name of benevolent persuasion. But we are not persuading the Vietcong to negotiate by such means, any more than our air attacks on the north have persuaded the North Vietnamese to negotiate.

It would appear from the remarks of the Senator from Arkansas that he expects some kind of negotiating to be done while the war continues. This would be in the pattern of the French wars in Indochina and in Algeria. It can only be deduced that the Senator from Arkansas, and presumably the administration, have the same thing in mind.

That is not the same as stopping the war pending a political negotiation. This is why I am not impressed with the recital of the ways and means whereby we have sounded out China and North Vietnam about negotiations. The Senator from Arkansas mentions their rejection of the Indian proposal for an Afro-Asian peace force. He says we were ready to discuss it, but it was rejected by North Vietnam and China.

I do not know why we believe we must have their agreement on how to stop the war. We could have taken up the Shastri proposal whether our "nonenemies" approved it or not. An Afro-Asian peace force does not need the approval of China or North Vietnam in order to separate the warring factions in South Vietnam and pacify the area.

The eternal excuse that North Vietnam and China reject this or that is only an excuse for the continuation of the war.

The way to stop the war is to bring in a peacekeeping mission. It could be Afro-Asian; it could be the United Nations; it could even be SEATO.

I also point out that there is no approval from China, at least, needed for countrywide elections in Vietnam, as called for by the Senator from Arkansas. We could call for them right now. We could see that representatives of South Vietnam do what they refused to do in 1955 and 1956—in which we played such an ugly part in preventing—and that is meet with representatives of the north to fix the time and conditions for countrywide elections.

Mr. President, let the RECORD show again that the United States more than any other force in the world prevented the application of the principle of self-determination in Vietnam in 1956.

I was a member of the Foreign Relations Committee then, as I am now, and I listened to the intelligence reports of my Government. Why did we join in blocking that election? We joined in blocking it because our intelligence reports showed that Ho Chi Minh would be elected President of both North and South Vietnam and would bring about a united Vietnam as provided for in the Geneva accords, with a vote of at least 80 percent in South Vietnam.

I have listened to no evidence which would lead anyone to believe that Ho Chi Minh would not receive 80 percent of the vote in South Vietnam tomorrow. He is still a most popular figure in both North and South Vietnam.

However, our Government does not wish to face that fact because we cannot reconcile it with the warmaking propaganda with which this Government is flooding the country, and misleading and confusing the American people as a result.

I entirely share the view of the Senator from Arkansas that a complete victory that enables us to impose a peace upon southeast Asia would cost this country infinitely more than it would be worth, if it could be done at all. In the end we would be happy to settle for a return to the original 1954 agreement, including the reunification of Vietnam under whatever government its people choose in supervised elections.

Let us not forget that the Geneva accords provide for supervision of that election by the International Commission that was set up by the accords themselves, consisting of a representative from Canada, Poland, and India. Of course, we could do that now. There is nothing to prevent the United States from supporting a movement from an election now.

But we could do that now. If we wait for China to approve everything we do in Indochina, we will either have to exterminate her with nuclear bombs or fight forever in Indochina.

I greatly fear that the events of recent months and years do not bear out the hopes of Senator FULBRIGHT that by digging in and stalemating the ground war in the South, a time will then come when negotiations will result. We were engaged in a stalemated struggle before February. But people became too impatient; it was decided that we could speed things up by bombing North Vietnam, and thereby forcing them into negotiations.

That policy was an utter failure, if that was its objective at all.

Now the Senator from Arkansas proposes that we go back to the stalemate on the ground, only now it will be a stalemated fight carried out on one side by Americans, and on the other side by Asians.

One of the most disappointing things about the Fulbright speech was that he proposed that we keep on killing until after the monsoon is over, that we keep on bombing, and that we continue to make war. Does anyone think that will hasten the day for negotiations? That will increase the hatred against the United States in Asia for more years to come.

I would like to have heard the Senator from Arkansas propose that we stop our bombing. As I have asked so many times on the floor of the Senate, when will this administration give the American people whatever information it can give in regard to the people we are killing in North Vietnam? There is much talk about bombing bridges and barracks and ammunition dumps and roads, but not one word about the human beings we are killing.

We do not proceed to declare war against North Vietnam. That is what the Constitution calls for, if we are to make war. Yet we have a President who continues to act unconstitutionally by conducting a war in North Vietnam without a declaration of war, and a Congress which in two resolutions has exceeded its constitutional authority by attempting to give the President power to make war without declaring war, as article I, section 8 of the Constitution calls for.

I see no prospect whatsoever that any negotiations will result from a situation like that, either. I cannot imagine that the Pentagon or even the public will long be satisfied with such a condition. Many of us are receiving mail from servicemen in Vietnam, complaining that they are forgotten, abandoned, and lacking the material support from home that would, in their words, "Put an end to the war." Each escalation, each new increment of forces, brings more complaints from our soldiers that they need more air support, more firepower, and more troops. Even professional soldiers, as most of them are, are not going to settle for a war which they believe, however erroneously, could be won by a greater military effort. They are not interested in hopes that eventually the other side will be ready to negotiate. The Pentagon won out when it came to bombing North Vietnam, and it will win out when the next decisions are made of how to prosecute the war.

The State Department surrendered to the Pentagon. McNamara became the de facto Secretary of State. He has been in control of American foreign policy in Asia for many months.

So I say the Pentagon won out when it came to bombing North Vietnam, and will win out when the next decisions are made of how to prosecute the war, and we are going in deeper and deeper, and more blood will be let and more Asians and more Americans will be killed in a completely unnecessary, shocking, unjustifiable war, in contradiction to all our professed ideals about being a nation of peace and a believer in the rule of law. There is all the difference in the world between our talk and our action. Usually we recognize that when there is a difference between talk and action, the result is hypocrisy.

That is why around the world the United States is being charged with hypocritical actions in South Vietnam and North Vietnam, and we are guilty, and history will so record.

That is why I continue to say that the probem is not one of forcing the other side—however that term may be defined—into negotiations. The problem is to stop the war.

I know it is a novelty to diplomats and international politicians to think in terms other than the traditional ones of direct action. There is not a nation in the world that has yet thought of its own international relations in terms of international bodies created to keep the peace. India, Pakistan, Turkey, the Soviet Union, Greece, Cyprus, Portugal, the Arab countries, Israel, and above all, the United States, despite their membership in the United Nations and in regional organizations which lay claim to peacekeeping functions, all ignore these organizations when their own national interests are involved.

So today our Government is not thinking about what world agency may be used to stop the fighting. It is only thinking about how much old style force it will take to bring about old style negotiations. To make war, and then to negotiate a peace—those are the traditional ways of military and diplomatic thinking.

It is sad to find that even this country, which has given more lip service to international law and to the purposes of the United Nations than any other, has no more understanding of their use in matters affecting itself than has any country in the world, including Communist China. Insofar as a matter affects the United States in Indochina, or the Dominican Republic, we have no more appreciation of the use of the United Nations than does Communist China in the matters affecting her.

In my opinion, the world is long past the stage where it can rely upon national judgments of when to press an adversary with military power in the hopes of reaching negotiations.

We must find the means of using some peace force in Indochina, or we will never reach the negotiating stage.

Yesterday on the floor of the Senate two Senators, the Senator from Virginia [Mr. ROBERTSON] and the Senator from Alaska [Mr. GRUENING] made the plea again that the senior Senator from Oregon has been making for almost 2 years on the floor, that the United States ought to resort to the United Nations, that the United States ought to keep its commitments under the United Nations Charter. The fact that our allies have run out on their obligations under the charter does not justify our actions.

The press carries the information that shortly the President of the United States will journey to San Francisco for a ceremony memorializing the birth of the United Nations.

If we are not careful, he will be attending the funeral of the United Nations. There is no nation in the world more responsible for the weakened condition of the United Nations today than is the United States.

The United States has broken its bond with the United Nations as a result of its outlawry in Asia, violating the Geneva accords time and time again, violating article after article of the United Nations time and time again.

I recommend to my President that he go not to San Francisco, but to New York City. I recommend to my President that he exercise the prerogative of the United States under the charter to call for an extraordinary session of the General Assembly of the United Nations.

I recommend to my President that he walk out on the historic platform in New York City under the roof of that great temple of international justice and rule of law and say to the world, "At long last the United States is ready to lay this threat to the peace of the world in Asia before the United Nations for its determination and handling, and the United States pledges to the United Nations its wholehearted support to help carry out the program that the United Nations could very well work out for keeping the peace in Asia and enforcing the peace."

In my judgment, neither Red China, North Vietnam, nor any combination of Communist powers would ever defy the united action of 80, 85, 90, 95, or 100 nations, members of the United Nations, that at long last will wake up to the fact that they have a great moral obligation to bring this war to an end. The war cannot be brought to an end by any proposal from the President of the United States, the Secretary of State, the Secretary of Defense, or any combination of groups in the United States for bilateral negotiations between the United States, North Vietnam, and Red China. There is no chance of it. They have no intention of surrendering to the United States.

But should we let a third party, a noncombatant force representing the United Nations, sit at the head of a proposed international conference table, we would have a chance to negotiate a peace. If we do not take advantage of that opportunity—if Canada, Great Britain, France, Italy, and all of our allies do not take advantage of this opportunity—the danger is that mankind will continue marching toward the abyss of a nuclear war.

Mr. President, in my opinion it is the only hope left. If it can be done through a 14-nation convening, fine. If it can be done through making use of any of the other existing treaties that provide for joint action in maintaining the peace, fine. The difficulty with the U.S. action is that it is unilateral. We make nice-sounding offers. We deliver speeches with idealistic phraseology in them. But the United States has not been willing to resort to the procedures of the United Nations for a complete jurisdictional takeover of the war in Asia.

We must find means of using some peace force in Indochina or we shall never reach the negotiating stage and we shall continue to send increasing thousands of American boys to Asia. We have heard the last and most recent step of this administration announced by the Secretary of Defense from the Pentagon this afternoon. I would have the reservationists in the Senate read the announcement of the Secretary of Defense this afternoon and try to reconcile it with speeches made on the floor of the Senate by Senator after Senator when there was before us not so long ago the bill sent up by the President to provide an additional sum of $700 million to fight a war in Asia. Although, as I pointed out in my answer to the proponents of the bill, the President, admitted that he did not need the money and admitted that he had the power to transfer funds, he also frankly and honestly said to the Congress of the United States, "I am asking for your vote on this bill because we shall interpret it as to whether or not you give me a vote of confidence in continuing my policies in Asia."

I shall always be proud that I voted against the measure, one of three Senators, because I shall not give him a vote of confidence in the unjustifiable, unilateral military action that the United States is taking in violation of both our Constitution and our treaty obligations as I outlined them only a few moments ago.

This afternoon thousands more of American boys, it was announced, will go to Asia. Some of the reservationists in their speeches on the floor of the Senate, thinking that this alibi and this rationalization would give them some excuse back home, got up and said—and let the CONGRESSIONAL RECORD speak for itself—"Mr. President, I want it understood that when I vote for the bill this afternoon I am not giving the President a blank check." Some of them said, "I want it understood that when I vote for this measure I am not approving the sending of more troops in any numbers to Asia. I expect to be consulted."

Those statements sounded good, did they not? I replied to them in that debate—and let the RECORD speak for itself—by saying, "I want to say to you reservationists that you are being consulted right now, and this is the last consultation that you will get from the President of the United States before he sends more troops to Asia."

Mr. President, it was not 96 hours after those reservationists voted again to approve of the exercise of an unconstitutional power by the President of the United States that this administration announced that more thousands of boys would go to Asia. Let the RECORD speak for itself.

After the announcement was made by the administration, I took the floor of the Senate and said to those reservationists, "Were you consulted? If any of you were consulted, tell me that you were consulted."

Of course, they were not consulted. Tonight on the floor of the Senate I ask the following question; and I shall welcome an answer to it from any Senator in this body tomorrow: "Were you consulted before McNamara announced this afternoon that thousands more boys are to be sent to Asia?" And let us face the ugly and awful reality—a large number of them will die in Asia.

Of course they were not consulted.

Mr. President, the sad fact is that in the United States of America today the military is running away with this Government. The sad fact is that in the United States today the military is determining American foreign policy in Asia.

All I can do is to repeat what I have said so many times: "America, wake up. American public opinion, wake up."

To the American people I say, "Start holding your Government to an accounting. Make clear to your Government that you are not sanctioning this killing in Asia, and that you want to see peace restored to the world."

I hold in my hand—and would that it could be printed in the CONGRESSIONAL RECORD—a cartoon printed in one of the most courageous little newspapers in America. I spoke about this newspaper the day before yesterday on the floor of the Senate. It is the Gazette & Daily, of York, Pa. That newspaper courageously has opposed the President's policy in Asia. I said the other day that that newspaper, along with the St. Louis Post Dispatch, the Knight papers, the New York Times, and a few other newspapers, have really been defending the right of a free press as some of us have been defending the right of free speech in the historic discussions in opposition to the warmaking policies of the United States in Asia. But this cartoon catches my eye and my fancy. Its heading is, "Yes, there is a way out." The cartoon shows war clouds and lightning strikes. It is labeled "Vietnam Civil War." It shows an American citizen holding a newspaper headed "Killing." But there is a road sign pointing in the opposite direction from the warmaking which reads, "United Nations Approach to Peace."

Mr. President, as I said the other day, and repeat tonight, I am satisfied that at the grassroots of America there is growing concern about the failure of the present administration to resort to its obligations under existing treaties.

When in a packed Madison Square Garden I addressed more than 18,000 fellow Americans the other evening, together with other speakers, and closed my appeal by urging that my Government make use of the procedures of the United Nations, it started a demand in that mass meeting for a march on the United Nations Building. I said in closing that speech that we were meeting within a few blocks of the great international temple of international law and peace. I made my plea that our Government make use of the procedures available within that temple of international justice.

A demand developed for a march on the United Nations Building. At 20 minutes before midnight that march started, two by two, efficiently handled by the New York police, who had only a little more than an hour to get ready for the march. More than 2,500 fellow Americans, including a good cross-section of our citizenry, and including a considerable number of members of the clergy, marched down Broadway and across 42d Street to the Plaza of the United Nations, where at 1 o'clock in the morning a second rally was held, and many hundreds joined the more than 2,500 who had started from Madison Square Garden.

Last Saturday night, speaking at Santa Monica, Calif., in the Civic Auditorium, without an empty seat, as speaker after speaker, including the senior Senator from Oregon, made a plea for the use of the procedures of the United Nations, that audience left no room for doubt of its disapproval of the failure of our Government to resort to the rule of law instead of practicing the jungle law of the military mind in the jungles of Vietnam.

There is no language of the Senator from Arkansas [Mr. FULBRIGHT], or the Secretary of State, or the Secretary of Defense, or the Bundys, or the Taylors, or the Lodges, or the President himself, that can change the obligation of this country to stop making war and to start calling upon other countries of the world to join in keeping the peace. So I dissociate myself from any suggestion of the Senator from Arkansas [Mr. FULBRIGHT] that we ought to continue to bomb; that we ought to continue to kill; that we ought to continue military operations until after the monsoon season. I am convinced that if we follow that course of action, which can best be described as barbarism, we shall be further from the peace table at the end of the monsoon season than we are now.

Increasing numbers of American soldiers will be dead before the end of the monsoon season. But not only American soldiers; other human beings, as well, whose skin color is yellow. But they, too, are the children of God.

"UPWARD BOUND"—THE WAR ON TALENT WASTE

Mr. MORSE. Mr. President, I had the privilege this noon to participate in a conference at the Office of Economic Opportunity, when a really great American and, I think, remarkable statesman, the head of the Office of Economic Opportunity, Mr. Sargent Shriver, made what I consider to be not only an inspirational but a significant announcement in connection with the educational problem that confronts us as a part of the educational crisis. Mr. Shriver announced the beginning of the program upward bound. I ask unanimous consent to have printed at this point in the RECORD the entire press release that Mr. Shriver presented to the group of educators who came from all over the country, including college presidents, deans, and administrators, and members of the press, as well.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

SHRIVER OPENS WAR ON TALENT WASTE

A new national campaign to halt America's greatest waste was opened today by Sargent Shriver, Director of the Nation's war on poverty.

"America's greatest waste," according to Shriver, "is the loss of skill and exceptional minds of those young people who are capable of going to college, but cannot do so because of the psychological, social and physical conditions of poverty."

Seventeen colleges have joined in a giant talent hunt this summer to discover youngsters in this category and get them upward bound. The Office of Economic Opportunity has made initial grants to these colleges of $2.2 million.

Shriver's Office of Economic Opportunity, supported by leading educators, and the U.S. Office of Education will attack on a wide front the problems that bar hundreds of thousands of potentially talented young Americans from making use of exceptional minds and skills.

"Among the estimated 300,000 potentially capable young people who are being needlessly tossed on the scrap heap of unemployable surplus labor each year, there are surely great doctors, great scientists, great leaders whose talents may never see the light of day," Shriver said.

"Through the combined effort of the Federal Government and dedicated educators we intend to see that they get this chance. This is the most that the people of this Nation can do for themselves, and the least they can do for the deprived youth of America."

Named upward bound, the new program: Will seek out the potentially talented youth from among the underachievers, those whose poverty background lacks motivation for academic study, and those who suffer from the cultural bias of tests and educational materials that are directed toward middle class students; develop new testing methods, and new teaching materials to awaken the desire to learn in disadvantaged youngsters; put the disadvantaged youth in contact with people who really care; develop transitional programs and other supplemental services in both high schools and private schools and universities to help intelligent disadvantaged youngsters who are not producing at or near their maximum potential.

The 1965 summer program announced by Shriver is expected to increase knowledge about the relationship between upward bound and the youngsters, and to furnish guidelines in the areas of selection, appropriate curricular material, staffing and evaluation.

A special committee of leading educators, headed by Dr. Arthur Flemming, former Secretary of Health, Education, and Welfare and president of the University of Oregon, will assist in organizing the broad, long-range program. Members of the committee will be announced at a later date.

"We plan to explore all the problems, test all the possibilities," Shriver said. "And we will do this with all the speed and energy that a program vital to the national interest deserves."

The pilot upward bound programs announced today include:

Educational Service Inc.: A leading educational research and development organization, ESI hopes to develop new learning materials for the disadvantaged and train teachers in their use. Centers in the program are located at Fisk University, Dillard University, Howard University, Texas Southern University, Webster College, and Morehouse College.

University of Oregon: Some 75 students, none of whom now meet university admission standards, will be enrolled in a special 8-week summer program. Those successfully completing the course will be enrolled in the university as special students.

Columbia University: Columbia College students will actively participate in the teaching of 160 ninth graders to measure what can be done for students with special attention from a teacher. Achievement levels of the 160 youngsters will be compared with youths who did not participate in the project.

Western Washington State College: 50 high school juniors will be enrolled in an intensive summer course, then make periodic return visits to the campus throughout their senior year. New methods and educational materials will be tested, and the achievement of the 50 students will be compared to 50 students who did not participate in the project.

Ripon College: A program involving 30 students, an 8-week summer course will emphasize special assistance to youngsters of Indian descent. Selection will be made on the basic of recommendations of principals, teachers, counselors, and social workers.

New Mexico Highlands: High school seniors who have already been accepted for college, but whose academic records indicate that, without extra help, they will become dropouts, will be enrolled in an 8-week course.

Tuskegee Institute: Although this is not specifically an upward bound program, some of its goals are much the same as the related projects. Some 600 college students involved in the work-study program will provide special tutorial assistance to 9,900 low-income high school students in 11 counties of Alabama.

Independent schools talent search (previously funded): The OEO is supporting 45 9th grade boys who will attend Dartmouth College and 35 9th grade girls who will attend Mount Holyoke College. Under this program those students who successfully complete the intensive academic curriculum in math and English at these colleges will be admitted with a full scholarship to 1 of the 70 private preparatory schools which help to make up the independent schools. The success of these 100 students in these schools will be reported to OEO during the academic year. What OEO will attempt to demonstrate is that schools can and should include in their enrollment culturally disadvantaged students, who according to the usually prescribed tests are considered average or below average.

The concepts incorporated in upward bound programs that will be started this summer were tested successfully in the summer of 1964 when some of the Nation's foremost colleges and universities, some with special help from the Carnegie Foundation, independently started special motivational programs to bring higher education to disadvantaged youth.

Such institutions as Yale, Dartmouth, Princeton, Brandeis, Reed, Swarthmore, Oberlin, Carnegie Tech, and the University of California (Berkeley) reported that results exceeded original expectations.

Dartmouth and the urban school in Boston, conducting extensive tests, reported that disadvantaged students who went through their summer programs showed impressive gains in reading, achievement, and IQ scores.

Students tested before and after the summer program showed a 100-percent gain in reading comprehension, with gains ranging from 20 to 168 words per minute.

The summer programs funded by the OEO today are expected to serve as the springboard to year-round programs that are necessary to prepare low-income youngsters for the competitive business of college admission. For maximum effect, they would be integrated with other war-on-poverty efforts, including some 600 community action program organizations, the college work-study program, and neighborhood Youth Corps.

Once they are accepted into college, disadvantaged youngsters are able to apply for various Government and private financial assistance which is now available only to students already enrolled.

Upward bound—Summer programs, 1965

Recipient	OEO grant	Students
Independent schools talent search program (funded)	$376,031	100
Florida A. & M. University, Tallahassee, Fla.	346,484	150
University of Oregon, Eugene, Oreg	255,739	75
Columbia University, New York City	157,020	160
Howard University, Washington, D.C	135,406	200
Morehouse College, Atlanta, Ga	127,398	200
Texas Southern University, Houston, Tex	127,194	200
Tennessee A. & I. University, Nashville, Tenn	121,000	300
Fisk University, Nashville, Tenn	116,889	200
Dillard College, New Orleans, La	114,848	200
LeMoyne College (funded), Syracuse, N.Y	90,428	100
Webster College, Webster Groves, Mo	77,940	200
Western Washington State, Bellingham, Wash	48,271	50
College of the Ozarks, Clarksville, Ark	40,927	80
New Mexico Highlands, Las Vegas, N. Mex	39,965	125
Ripon College, Ripon, Wis	19,100	30
Total	2,194,640	2,370

NOTE.—Related program: Tuskegee Institute, Tuskegee, Ala. 600 college students will provide tutorial assistance to 9,900 low-income students in 11 Alabama counties.

Mr. MORSE. Mr. President, I wish to read two or three paragraphs from the press release:

> Seventeen colleges have joined in a giant talent hunt this summer to discover youngsters in this category and get them upward bound. The Office of Economic Opportunity has made initial grants to these colleges of $2.2 million.

Mr. President, this program deals with youngsters whose IQ's show that they are of college caliber, who could be a success in college, but who have not been prepared for college. Their intellectual potential will be wasted unless we follow such a course of action as Mr. Shriver announced today is being inaugurated. I continue to read from the press release:

> Shriver's Office of Economic Opportunity, supported by leading educators, and the U.S. Office of Education will attack on a wide front the problems that bar hundreds of thousands of potentially talented young Americans from making use of exceptional minds and skills.
>
> A special committee of leading educators, headed by Dr. Arthur Flemming, former Secretary of Health, Education, and Welfare, and president of the University of Oregon, will assist in organizing the broad, long-range program.

I am proud to announce to the Senate that the Chairman of the Special Committee will be Dr. Arthur Flemming. I congratulate both Mr. Shriver and President Flemming for their outstanding leadership in connection with this effort, this much needed rescue program in the field of education, because that is what it is. We are rescuing, we are saving the educational future and intellectual potential of many young men and women who will be the beneficiaries of this inspired educational program.

I yield the floor.

ORDER OF BUSINESS

Mr. MOSS obtained the floor.

Mr. LONG of Louisiana. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I shall be happy to yield to the Senator from Louisiana, since he is prepared to make a speech.

Mr. LONG of Louisiana. I shall be glad to wait and move that the Senate adjourn.

Mr. MOSS. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I promise that my speech will not be long.

THE WAR IN VIETNAM

Mr. LONG of Louisiana. Mr. President, there is one thing that the junior Senator from Louisiana has in common with every other Member of this body; that is, that the thing which he most objects to is that he does not have more influence. That is true of every other Senator.

I might broaden the generality of that statement and say that I also object to the fact that those who agree with me do not have more influence. I suppose that that is just as true of the Senator from Oregon [Mr. MORSE] as it is true of the rest of us.

All the Senators of this body, save two, voted for a resolution at the time of the attack on our ships in the Gulf of Tonkin. That resolution was broadened to say that we disapprove of Communist aggression and we urge the President to resist it. When the Communists attacked us, we said we would resist aggression in that area. So far as I am concerned, that amendment meant what it said. We upheld the hands of the President and we supported the position he took when he sent more troops into Vietnam.

We believe that the only way to achieve peace, unless we want to surrender our freedom, is to have the people of this Nation and of other free nations stand together against Communist aggression wherever it occurs in the world.

We believe that to yield a single country to the insatiable desires of world communism to take over the world merely makes an eventual nuclear war more inevitable. In the last analysis the only way for peace, and I believe it to be the judgment of most people in Government—I know that represents the majority view in both the Senate and House of Representatives—is that we must stand firm against aggression. Where we have made a firm stand, we have been successful.

I discussed this subject before the U.S. Chamber of Commerce at their opening session some time back. I said this:

> This goal to save the freedom of the world without fighting a war of extermination is possible if we do three things:
>
> 1. Convince our adversaries of our determination to hold what we have on our side—in other words—convince them that we will do whatever is necessary, including nuclear warfare before we will surrender anybody anywhere.
>
> 2. Convince them that we have the ability to fight through to victory if they are so foolish as to engage in an all-out war.
>
> 3. Meet force with greater force wherever they insist upon being shown.
>
> We are doing all three of these things today.
>
> The point where we are experiencing our greatest difficulty is the first one—convincing our adversary of our determination in Vietnam.
>
> We are losing brave men every day and risking a broader war to demonstrate our determination that not one additional free country shall be swallowed by the Communist conspiracy—not if we can prevent it.
>
> Yet modern-day appeasers and isolationists are making our task difficult.
>
> Every day they make speeches and engage in some sort of irresponsible student rally.
>
> Our Communist allies are led to believe that we will surrender all of Asia to them without a nuclear showdown if they will just keep up the pressure.
>
> So long as our enemies suspect that this may be the case, they are going to pay an increasingly greater price to test our will.
>
> Therefore I have no doubt that our losses in Vietnam will increase so long as anyone suspects that the handful of Senators and Congressmen and the bearded beatniks with the peace-at-any-price placards represent anything more than a small poorly regarded fragment of American thinking.
>
> Here is where the individual can make his greatest contribution today by supporting the position of his Government.
>
> When you stand up for liberty and against Communist slavery, you encourage your representatives to stand up and they encourage the rest of the world to stand up.
>
> Our friends of Britain have 50,000 men in the Pacific to the south of us.
>
> If we withdraw, then their position in the Malay States and indeed in all Asia becomes hopeless.
>
> The same is true of Thailand and Burma. It will prove true of Pakistan and India.
>
> While these countries urge a soft line in public, they are praying quietly that we will stand firm.
>
> We are confronted with the same decision that faced us in 1949 when this Nation made the mistake of thinking that we could wait until the dust settled in China.

Incidentally, some of those who urge a soft line today urged the same thing at that time. They urged that we should wait until the dust settled in China. When the dust settled in China, what happened? Six hundred million people plus, behind the Iron Curtain, were working to advance communism as we know it.

I went on to say:

> We reacted with resoluteness and courage to save South Korea, to save Taiwan, Japan, to stand in southeast Asia.
>
> If we pull out now, all of Asia will be gone before the dust can settle again.
>
> Look for a moment at what we have done.
>
> We fought a war that could have been avoided to save Europe from Nazi slavery.
>
> We spent more than $100 billion helping to build the strength in Europe and around the world as barriers to Communist slavery.
>
> We have confronted the Soviet Union at Berlin, Cuba, and elsewhere successfully.
>
> We have thrown back aggression in Korea.
>
> We have confronted Red China successfully at Taiwan, and this has made it possible for the Nationalist forces to hold Quemoy against aggression.
>
> The lessons are simple. Where we have feared to stand fast and fight for freedom, we have suffered disaster, in Eastern Europe, in China, in Cuba.

> Where we have shown a determination to stand fast and to win whatever the cost, we have prevailed.
>
> In most cases we have prevailed by a mere show of strength.
>
> But that strength must be real, it must be backed by the iron will to fight.
>
> It must not be a bluff. If your adversary is ever convinced that you bluffed him successfully on one occasion, he will be better prepared and he will call your bluff next time, and the next time after that.
>
> Daniel Webster once said, "The only people who deserve freedom are those who love it and are ready to fight for it."
>
> This love of freedom cannot be a part-time thing.

I am prepared to say to any bearded beatnick who comes down to Washington on a summer vacation to picket the White House that he ought to be in uniform and out fighting to save his Nation, as some of us were doing at their ages.

I concluded by saying:

> We must be constant about it, ever willing to pay the price of loving liberty even more than life.
>
> For this, America collectively and Americans individually have stood. This is our historic role. May God grant that it will always be so.

ADJOURNMENT

Mr. MOSS Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 27 minutes p.m.) the Senate adjourned until Thursday, June 17, 1965, at 12 o'clock meridian.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 16, 1965:

I withdraw the nomination sent to the Senate on May 14, 1965, of William O. Gambill to be postmaster at Gallatin in the State of Tennessee.

EXTENSIONS OF REMARKS

Federal Government and Delaware: Partners in Crime and Vice

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1965

Mr. FINO. Mr. Speaker, today I would like to bring to the attention of the Members of this House the unhappy situation whereby the State of Delaware and the Federal Government are behind the scenes partners in the most infamous crime and vice. I refer to the refusal of the Federal Government and Delaware to recognize and regulate gambling, which refusal has kept gambling a fat, flush source of mob revenue.

If gambling were regulated by the Government, it would not be financing all shades of underworld activity as it now does. The actions of the Federal and State Governments in keeping gambling illegal are essential to crime's well-being.

Gambling is big business in racket-ridden Delaware. The Diamond State is a favorite jewel of the mob. In 1964, the Delaware parimutuel turnover exceeded $90 million, but this was only a small part of Delaware gambling. Total off-track betting amounts to $50 billion a year nationally, according to figures presented to the McClellan committee, and off-track betting represents only some 42 percent of total gambling, according to related testimony. This would put total illegal gambling in America at $120 billion a year, of which Delaware would have about $350 million, figuring the amount on a population basis. Bookies estimate that $4 or $5 are bet off-track for every dollar bet on track, so that a $350 million a year betting figure for Delaware is probably conservative. The mob keeps about 10 percent of this as profit. The $35 million per year mob rakeoff in the Blue Hen State is hardly chickenfeed.

At any rate, gambling is lucrative in Delaware—for the mob. It is the crooks and syndicated punks who are the big beneficiaries of gambling's illegal status. Illegal gambling profits are gangland's biggest revenue source. I am tired of seeing a pattern in State after State where the dual ignorance and dual negligence of the Federal and State Governments is keeping illegal gambling profits ripe for gang picking. This dual negligence makes these governments—in this instance Delaware and the Federal Government—partners in all the vice and crime these moneys are financing.

As far as I am concerned, the answer—or at least the best answer—is obvious. We need Government-run gambling to make the gambling urge work for the people, from Rehoboth to Wilmington, and similarly across the Nation. I urge this House to react to this crying need by giving favorable consideration to my plan for a national lottery.

Endorsement of President Johnson's Policy on Vietnam

EXTENSION OF REMARKS

OF

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1965

Mr. MORRIS. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, it is with a considerable amount of pride and pleasure that I herewith submit a resolution recently adopted by the student council of the University of New Mexico, pledging the full support of the students at this fine university to the actions now being taken by President Lyndon B. Johnson during the struggle in Vietnam:

> Whereas the foreign policy of the United States is of vital concern to the students of the University of New Mexico; and
>
> Whereas the present situation in Vietnam is of great significance to the students of the University of New Mexico as members of the world community: Be it
>
> *Resolved by the Student Council of the University of New Mexico*, That the Student Council of the University of New Mexico pledges its support to the actions being taken by President Johnson in Vietnam.
>
> JIM BRANCH, Jr.,
> *Student Body President.*

This resolution seems to me to be of singular importance, representing as it does the opinion of the student body in one of this Nation's finest universities. Additional respect must be paid to this fine resolution with the realization that several thousand of our university students know full well that by assisting the South Vietnamese Government in their fierce struggle against a combination of forces, including the communistic North Vietnamese Government, Red China, and the Soviet Union, this Nation has committed its full power and resources to the defense of freedom and the rights and privileges of freemen everywhere. It is good to see that this representative group of young American men and women fully realize that our fight in Vietnam is not merely a token resistance in a remote spot somewhere in southeast Asia but that it is, in fact, a full scale operation which they consider a frontline battle for the preservation, not alone of our American way of life, but of the basic principles of human decency, self-government, and absolute freedom from tyranny, oppression, and subjugation to a reign of terror.

The 25th Anniversary of the Soviet Union's Enslavement of the Lithuanian People

EXTENSION OF REMARKS

OF

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1965

Mr. CAREY. Mr. Speaker, the Lithuanians are one of the three constituent peoples in the Baltic region, in northeasternmost part of Europe. These 3 million Lithuanians have played an important part in European history, and have contributed more than their share to the civilization of the West. They have had their ups and downs, but in modern times their history is marked mostly by misfortune.

Their homeland had been overrun by the Russians in late 18th century and they had become the restless subjects of Russian czars. For more than a century they endured the unbearable yoke of Russia's oppressive autocratic regime, and when that regime was no more, they proclaimed their independence in 1918. Having thus regained their freedom and independence, they reconstituted their own democratic government, rebuilt their ravaged country, and lived happily there for about two decades, in peace and prosperity. Both their democratic institutions and their prosperity roused the jealousy and envy of their inveterate foes, the Communist Russians. This view was confirmed when early in the last World War the Soviet Government showed its clear determination of putting an end to Lithuanian independence.

The Soviet authorities committed this international crime by seizing Lithuania in mid-1940 and enslaving its peaceful and inoffensive inhabitants. Since that fateful year, Lithuanians have been robbed of their freedom and today they suffer under Communist totalitarianism. On this 25th anniversary observance of that illegal act by the Soviet Government, we all ardently hope for the deliverance of the Lithuanian people from their ruthless oppressors.

Volunteers for International Technical Assistance

EXTENSION OF REMARKS

OF

HON. LEO W. O'BRIEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1965

Mr. O'BRIEN. Mr. Speaker, when busy men and women give up their leisure time to assist others less fortunate than themselves, it is always worthy of notice. But when that helping hand is extended to all the peoples of the world, and when the contributors of time and service are scientists of the highest qualification, I believe that the Members of this House should learn more of a truly remarkable program.

I am proud to report that such an organization has been formed and has its headquarters in my district, in the city of Schenectady, N.Y. Started a little over 5 years ago, it is called Volunteers for International Technical Assistance. Perhaps more appropriately, it is commonly known by its initials—VITA, Latin for "life." VITA was conceived and organized by a group of scientists and engineers, most of them working at General Electric Co. in Schenectady or on the faculty of Union College there. Knowing that much of this Nation's strength rests on its technological know-how, and realizing that the underdeveloped nations of the world were greatly handicapped by their lack of technical knowledge, these men decided that the interests of humanity and of the United States required some step to make the great sources of knowledge in this country available to people in less fortunate lands. The result was VITA.

The plan of the organization is simplicity itself. Scientists and engineers agree to contribute their time and professional talents to solve technical problems originating in the less-developed countries, and they register their names, together with their areas of competence, with the Schenectady headquarters. Persons in other countries who have technical problems write to Schenectady, and there the problems are matched up with the names of the consulting scientists or engineers best qualified to provide a solution.

When VITA began 5 years ago it had a roster of about 50 scientists and engineers, most of them in Schenectady. Today it has more than 1,000 members, all of them highly qualified, living in 47 States and many foreign countries. VITA now has a number of specialized chapters—organized groups working together—in New York State, Pennsylvania, West Virginia, together—in Schenectady, Rochester, and Metropolitan New York; in New Holland, Pa., and Morgantown, W. Va.; in Detroit, Milwaukee, and Peoria; and in Los Angeles and Santa Barbara, Calif. In all, VITA has received more than 1,000 requests for assistance originating in more than 75 countries and territorial dependencies, including more than 500 from our Peace Corps volunteers abroad.

Let me tell you about some of those problems, to illustrate both the need that exists and the way in which VITA meets it. For a missionary in Peru, VITA designed a flashlight-powered filmstrip projector, and for a priest in Bolivia VITA provided advice on pumping water in the high Andes. For a Peace Corps volunteer in Bolivia an automotive engineer, working through VITA, designed a simple braking system which makes it safer to operate native carts on the mountain roads.

For an educational mission in Turkey, VITA provided advice on the local manufacture of chalk and blackboards. In a village in Guatemala a local poultry industry now flourishes, thanks to a gas-fired chick brooder designed by an American agronomist and a retired marine engineer working through VITA. In Sierra Leone in Africa stands a large school building, an American A-frame structure adapted to native construction methods by VITA engineers. In Jordan a cooperative farm now cans sediment-free grapejuice, thanks to the aid provided by a VITA food technologist. In the Congo Republic, the United Nations is testing an astonishing sun-powered stove designed by a VITA scientist and easily built largely from local materials at a cost of $3 per stove. And around the world many fieldworkers consult the two editions of the "Village Technology Handbook"—a collection of simple devices and advice, compiled by VITA out of its experience and distributed by the AID agency.

Most of VITA's financial support comes from private individuals and from corporations and foundations. I am pleased to note that the Alfred P. Sloan Foundation and the Kettering Foundation have provided major support, as have such American corporations as the Mobil Oil Co., Johnson & Johnson, International Business Machines, and Detroit Edison Co. It is most proper that they should do so, for VITA springs from an ancient American tradition, which in an earlier, simpler day found its expression in such institutions as the barn raising, when individual citizens came together and worked long, hard hours for no reward more substantial than the knowledge that they had helped others. We have heard much in recent years of so-called people-to-people programs as something new in our relations with other nations. I submit that such programs are, in fact, only an extension into a new field of a characteristically American way of doing things—the combination of private individuals to accomplish broad purposes. And among such efforts, VITA must stand among the most inventive, the most exciting, and the finest.

Commencement Speech—Congressman Samuel L. Devine, of Ohio

EXTENSION OF REMARKS

OF

HON. JACKSON E. BETTS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1965

Mr. BETTS. Mr. Speaker, on June 10, 1965, our colleague, the gentleman from Ohio, SAMUEL L. DEVINE, delivered a commencement address to the graduating class at Bexley High School, Columbus, Ohio.

When the high school graduate of today leaves school and considers the accomplishments of our age group, he could be somewhat confused about the meaning of "success." There are all sorts of temptations which glitter and give the appearance of success, but, in the end, turn out to be misleading. Mr. DEVINE outlines the real meaning of the term and how one's own success is tied into the success of his country and his fellow man. I recommend it as solid reading and sound thinking for all of us:

SUCCESS—UNITED STATES—1965

Everyone in this stadium senses the relaxed and good feeling which you young people have as you are about to receive your diplomas. You have worked and studied for 4 long years and all of us in this fine gathering pay tribute to each of you, on the completion of a job well done.

Undoubtedly, each one of you has resolved to be successful. Indeed, such a resolution is natural and praiseworthy, provided that you have a proper understanding of success. Your education and training here at Bexley has thoroughly indoctrinated you that it is what you give, not what you get, that counts; you know that true success cannot be measured solely in the terms of financial reward or rank in life.

I am convinced that the basic, fundamental rules for true success, which can be measured only in terms of how effectively one serves his fellow man, remain unchanged from the beginning of time.

Repetition of basic rules—like the repetition of the Lord's Prayer, the Sermon on the

Mount, the Bill of Rights, and the Pledge of Allegiance—adds to their meaning and significance—both to those who repeat them and to those who hear them again.

Every human being has a continuing need for love, affection, sympathy, and understanding; and true love spends itself in action. If you remember this in your daily dealing with the people with whom you associate in the years to come, you will attain and maintain a success more satisfying and more enduring than all the dollars in the world and passing prestige can ever bring to you.

Every worthwhile vocation and avocation in life serves some human need. The clergy serve the sinless and the sinful; the husband and wife comfort each other and their children; the doctor attends and cures the sick; the lawyer instructs and counsels to maintain justice; the businessman, the chemist, the clerk, the laborer, and the skilled mechanic each in his own way contributes to the physical and spiritual needs of his neighbors.

My only reservation about the future is a prayer—that your generation, and future generations, will accept and use the amazing scientific, medical, and other great benefits available, as gifts from God, and shall be ever mindful that it is only by and through Him that these benefits belong to us.

If you hope for success, you must perspire freely and often. There is no substitute for industry and hard work. You can see that I agree wholly with Thomas Edison that genius represents 1 percent inspiration and 99 percent perspiration.

In my opinion, an absolute essential for true success is integrity of desire, purpose, and action. Honesty is not only the best policy but the only safe policy; and that means not only honesty with others but also honesty with one's self.

Without exception, the people whom I have found the most widely respected and genuinely admired are those whose motives are beyond reproach as to truth and veracity; even when others violently disagree with their decisions and conclusions. Honesty not only creates and maintains an unimpeachable reputation, but its rewards are enduring beyond the measurement of time and material value. As success begets success, honesty begets honesty from others. Sam Rayburn, former Speaker of the House of Representatives, often said, "As long as you tell the truth, you don't have to remember what you said."

Successful people also have a passion for loyalty. They are loyal to God, to church, to country, to their families, to their associates, and the causes they espouse. Loyalty is a priceless ingredient of true success.

Successful people have an affinity for perseverance, stick-to-it-iveness; the so-called never-say-die spirit. Too many people quit too soon. Too many people tire before they reach the finish line. Too many people discourage too easily; and discouragement breeds pessimism—a mortal obstacle to success. Too many people lack that extra bit of faith in God, in themselves, in their fellow man, and in their cause.

You have to be an optimist and to learn to laugh at yourself, and enjoy it. People avoid the pessimist and the sourpuss like the plague, and since you must live and work with people to achieve success, you just have to learn to be attractive to people and to get along with them.

As "Boss" Kettering, of Dayton, once said, "Concern yourself with the future, because that is where you are going to spend the rest of your life."

A great deterrent to success is fear of the future and for one's personal security.

There is rather general agreement today that probably the worst obstacle which your generation has placed in your own path is the increasing tendency of young people to concentrate on personal security. This concentration on security is particularly unfortunate in light of the infinite challenges, opportunities, and the new and great economic, industrial, social, and moral frontiers which are opening all over the world for the brave; for those who have the heart, mind, and will to conquer in order that all men everywhere will more effectively and justly know and serve each other. These opportunities and challenges are the legacies of my generation to you.

You might keep in your heart the words of the so-called lost prayer:

"O, God, give us serenity to accept what cannot be changed; courage to change what should be changed; and the wisdom to distinguish one from the other."

You must learn to recognize, accept, and discharge responsibility. This will require the making of decisions, sometimes very hard and difficult ones; but make them you must, if you are to succeed. Be sure of your facts; test them against truth and morals, then make your decision sharply and clearly. You won't be right all the time, but you will be most of the time; and the indecisive person, even when he is right, is most often too late.

Be curious, inquisitive, and a good listener. As the old adage goes, "You never learn anything with your mouth open."

Improve your ability to communicate your thoughts and actions to others. Most of the violent and costly controversies are basically nothing more than overheated misunderstandings, resulting almost entirely because the people involved just never understood—in most cases didn't even attempt to understand—each other's purposes and position. So make sure you understand the other fellow, and that he understands you—then, if he wants an argument, let him have one, but good.

Don't be depressed about your imperfections—we all have them—but be thankful for them. It isn't your accomplishments which are important but your mistakes. It is through your mistakes that you will learn to become more perfect, more resolute in virtue, and more tolerant of your fellow man. It is a fortunate person who knows his limitations; and how to use them in the achievement of real success in both his public and private life.

Be tolerant and kind to the less fortunate and find time to give help and comfort to these people. This is the silent phase of a successful life, but oftentimes the most effective way of serving one's fellow man.

Be a good citizen, and take an active interest in your local, State, and National governments. Become informed on the various phases of our laws and of our history. Vote, run for office, and take a position on local and national issues. Join a political party—be an active Democrat or Republican. Remember, politics is the science of government, and not something to be avoided. I firmly believe the strongest bulwark against any kind of "ism" in this country is the militant maintenance of a truly strong two-party system of government.

Have respect for duly constituted authority. Unquestionably, the evil root most responsible for the deterioration—yes, even the destruction—of every fallen government has been a breakdown in respect for authority.

In the last few weeks, you have heard a highly publicized and controversial civil rights leader recommend to his followers to break laws if they disagreed with them. Let me emphasize that this, in my opinion, is bad advice, which could well result in mobocracy and chaos. It is not the American way. Keep in mind, ours is a government of laws, not of men.

Follow the example of truly successful people. Example is one of life's most potent instructors. The best advice that I can give to you on this matter of example is to pattern your lives after your parents.

Almost without exception, your parents are true successes—the pure exemplification of love, sacrifice, tolerance, and charity. It is their example which most of you have imitated; which has culminated in this great occasion for you—and for them. You are dramatic proof of the vast importance of proper domestic training.

For whatever may be the efforts of this or any other school, the example set in the home is of vast influence in forming the characters of our future men and women. The characters of parents are constantly repeated in their children; and the acts of affection, discipline, industry, and self-control, which they daily exemplify, live and act when all else which may have been learned through the ear has long been forgotten.

So today, I know that each of you join me in a loving salute to your parents as successes in the truest and purest sense, and in a silent prayer that the example you shall set, and the image which you shall create, in your own homes, shall continue unbroken the rich heritage with which your fathers and mothers have endowed you.

I promise you young people that if you build your future upon the solid foundation of the education and self-discipline training which you have had here, and, if your conduct meets the rules and standards which I have suggested, you will achieve success in every sense, and also material rewards and happiness beyond your fondest dreams. But you must do it yourself. No one can or will do it for you.

Let me leave you with this thought:

"If you want your father to take care of you, that's paternalism.

"If you want your mother to take care of you, that's maternalism.

"If you want Uncle Sam to take care of you, that's socialism.

"If you want your comrades to take care of you, that's communism.

"But—if you want to take care of yourself, that's Americanism."

Thank you, and good luck.

Wisconsin Democrats' and Republicans' Views on Vietnam: Use the United Nations; or "More Significant Targets" in North Vietnam

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1965

Mr. REUSS. Mr. Speaker, Wisconsin's Democrats and Republicans continue the debate on our policy in southeastern Asia.

This week the Wisconsin State Democratic convention, assembled at Green Bay, adopted the following resolution on foreign affairs, stressing the need for a United Nations presence in southeast Asia:

> International trouble spots such as Vietnam represent complex problems that are not only military, but social, political, and economic as well. American policy must re-

> flect an adequate balance between the basic tenents of international diplomacy: The constant readiness to negotiate; the wise and prudent use of power; and the willingness to employ economic strength to help construct stable societies.
>
> It is our fervent hope that peace in southeast Asia can be secured by completely unconditional negotiations about Vietnam with all actual parties to the conflict and we endorse efforts of the Johnson administration directed to this end. We urge that the United Nations be enlisted in this cause, and we ask that the United Nations be called upon to provide a presence in southeast Asia, in order to pacify the area, conduct free elections, and sponsor its economic development.
>
> To further consolidate the peoples of the free world, we urge the further lowering of tariff barriers, and the continuance of foreign aid where it contributes to economic and political advancement of developing peoples. We applaud the Peace Corps success as a people-to-people program of international understanding.
>
> If we and the world are to find a peaceful and secure future, we must seek it in partnership with other nations. We must strengthen our regional alliances and adopt them to changing needs.
>
> We continue our vigorous support of the United Nations as mankind's greatest hope for peace.

There follows excerpts from my remarks on foreign affairs delivered to the Wisconsin State Democratic convention on July 12:

> Abroad, we face a troubled world. We have moved to meet the challenge. Through food for peace, we are marshaling our most efficient industry—farming—to move toward a world in which no child will go to sleep at night crying with hunger. With our Peace Corps, thousands of young Americans are fighting hopelessness and poverty in the greatest adventure of the age. Our defenses are stronger than ever, but with the test ban treaty we have shown our determination to reduce the chance of an atomic war which would make our earth as lifeless as the moon.
>
> But violence and turmoil still erupt in far-off places, bringing strange names into the headlines of our hometown papers.
>
> This is a world that we Americans of the 1960's did not create. We are the inheritors of the legacy of the past.
>
> In the two current hotspots, we struggle not only against Communists but against deep-rooted causes of conflict and ingrained suspicions of our motives and purposes.
>
> In Vietnam, the fighting has been going on intermittently for a quarter century. The French attempted to hold on to their colonial empire in French Indochina after World War II. After they lost and Vietnam became half Communist, a succession of Saigon governments has failed to achieve real social reform or to create anything like a government of, by, and for the people. Thus we, the United States, find ourselves a Western nation largely going it alone in Asia.
>
> In the Dominican Republic, the memory is strong of our occupation of the country with Marines from 1916 to 1924. The bloody Trujillo dictatorship worked its will for years with little opposition from the United States. When the constitutional and democratic government of President Bosch was overthrown by a military coup in September 1963, we at first took no action and then recognized the dictators.
>
> Now we have again sent our troops into the Caribbean.
>
> The results of our actions in Vietnam and the Dominican Republic illustrate the limitations on our power as a single nation to create a world in which all men may prosper in peace and freedom.
>
> Recognition of these limitations—that even the world's most powerful nation cannot do everything everywhere—is not isolationism, as the Goldwaterites would have you believe.
>
> We Democrats in the Midwest fought the old isolationism of the 1930's. We came out strong against the notion that America should do nothing, though the civilized world might be collapsing around us.
>
> Now in the 1960's let us never adopt the idea that America should do everything, all by itself, in a new isolationism.
>
> The internationalism of the 1960's must be based not on isolated, individual actions in international politics, but on concerted actions of coalitions of free nations.
>
> We must rehabilitate the United Nations by settling the assessments question, and put it back on its feet. We must strengthen the Organization of American States. We must use them for peacekeeping, for conducting free elections, for sponsoring economic aid, wherever we can—and that includes Vietnam and the Dominican Republic. We must invoke them not as a last resort, but from the first and as a matter of usual policy.
>
> It is the Goldwaterite viewpoint that contends that the American people and their representatives have no right to debate the great issues of foreign policy, that debate weakens our country's position.
>
> Thomas Jefferson defined us Democrats as "those who identify themselves with the people, have confidence in them, cherish, and consider them as most honest and safe."
>
> Well, we are the Democrats. And since we have confidence in the people, public debate can only strengthen our policy in its common sense and breadth of support.
>
> I'm proud, therefore, that Democrats in both the House and Senate have been asking the important questions about our foreign policies and exploring, constructively, the alternatives that may be available.
>
> Building world peace in freedom resembles building the Great Society at home. It takes the contributions and efforts of many men and nations working together, each with the same goal, each contributing his special talents and his wisdom on how the goal may be achieved. That is the America we love, the America that in Abraham Lincoln's thrilling phrase, can be "not the terror of the world, but the encourager of the world."

Yesterday, the gentleman from Wisconsin [Mr. LAIRD], who is chairman of the Republican conference in the House of Representatives, issued a formal statement on Vietnam policy in which he said:

> We may be dangerously close to ending any Republican support of our present Vietnam policy.

James Reston, in the New York Times of June 16, 1965, described the statement as follows:

> In a formal statement, he has criticized the administration for seeking a negotiated settlement, for failing to aim at total victory in Vietnam, and for using large numbers of American troops for limited ends rather than using the bombers against military targets around Haiphong.
>
> "If our objective is a negotiated settlement," Representative LAIRD says, "it is time to use other means than the needless sacrifice of American lives to attain that objective. Once American troops are committed in any situation, a top priority objective must be to take those steps necessary to protect American lives and minimize the number of casualties.
>
> "One such step, already long overdue, is to retarget our bombing raids on more significant targets in North Vietnam."
>
> Representative LAIRD does not explain how we are going to achieve his dual objectives of limiting American casualties and "driving the Communists out of South Vietnam," but since there is a lot of support for this policy at the Pentagon, and he is addressing a clever poltical argument to a very political President, his case is worth analysis.
>
> It is based on the assumption that the only trouble with our bombing campaign is that there has not been enough of it, that it will "protect American lives" if only we bomb the populous supply areas in the north within the range of the North Vietnamese fighting aircraft.
>
> President Johnson is staying away from these precisely because he believes raiding Haiphong and Hanoi will kill a lot of civilians, produce a major invasion of the south by North Vietnamese forces and thus tip the power balance against the Americans as well as the South Vietnamese.

The issue is worth debating.

The Administration's Housing Bill

EXTENSION OF REMARKS
OF
HON. WILLIAM F. RYAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 16, 1965

Mr. RYAN. Mr. Speaker, in the very near future the House will consider the administration's housing bill, one of the most important pieces of legislation before us. It deserves our most careful consideration. On June 14 the New York Times published a letter written by the distinguished chairman of the Subcommittee on Housing, our colleague, WILLIAM A. BARRETT. This letter should be read by all Members as part of their deliberations concerning this vital bill.

The letter follows:

> [From the New York Times, June 14, 1965]
>
> RENT SUPPLEMENT FOR LOW-INCOME GROUPS
>
> WASHINGTON, *June 1, 1965.*
>
> TO THE EDITOR:
>
> The May 27 article by Arthur Krock of the Times was highly critical of President Johnson's proposed rent-supplement plan for low-income families. As chairman of the House Subcommittee on Housing, I feel an obligation respectfully to disagree with Mr. Krock so that your readers will have a balanced picture of this important new plan which the President has called "the most crucial new instrument in our effort to improve the American city."
>
> Mr. Krock quotes extensively from the minority report on the housing bill signed by eight Republican members of the committee (two other highly respected Republicans, WILLIAM B. WIDNALL of New Jersey and SEYMOUR HALPERN of New York, voted for rent supplements).
>
> The minority report is written quite frankly as an attack on this proposal and naturally gives a very one-sided point of view, one which I believe is unfair and misleading. As Mr. Krock himself noted, the irresponsible cry of "socialism" is "a doctrinal attack."
>
> PRIVATE HOUSING
>
> The rent-supplement plan is essentially quite simple. The housing would be privately built, privately financed, and privately owned. It would be rental and cooperative

housing financed under Federal Housing Administration section 221(d)(3). The sponsors would be private nonprofit or limited dividend corporations or cooperatives.

The families to be aided would be those whose incomes are so low that they cannot afford decent housing by paying not more than one-fourth of their total income, and who are elderly or handicapped, displaced by Government action, or now living in slum housing. The aid would be the difference between one-fourth of their income which they would pay as rent and the fair market rental on the unit, and the supplement payments would end when the family's income rose to the point where it could pay the rent on its own.

There are too many distortions in the minority report to go into all of them here. As one example, it is charged that the proposal would "kill the incentive of the American family" to improve its circumstances. In support of this claim, the statement says that no family making $3,000 a year would aspire to purchase their own modest $7,500 home, but would instead seek to be a renter in a $100-a-month apartment for which the Federal Government would pay $37.50 while the family paid only $62.50.

FALSE ASSUMPTION

The fallacy of this argument lies in the assumption that a $7,500 house is available for purchase by a family earning $3,000 in the same community where $100 a month is the rent required for a decent unit. In this hypothetical community where a good home could be bought for $7,500, no rent supplement would be available for families earning $3,000.

On the other hand, in communities where decent housing could only be obtained for $100 a month, the rent supplement program would enable the family to occupy a good unit with only 25 percent of its modest income instead of 40 percent.

I see nothing in this very promising proposal to justify the extravagant alarm of those who have singled it out for attack. It would add to the supply of decent housing available to low-income families. It would take advantage of the energy and imagination of public spirited citizens—churches, cooperatives, and the thousands of civic organizations—who are deeply concerned about slums.

And it would offer low-income families a healthy third choice to the alternative of slums or regular public housing.

WILLIAM A. BARRETT,
Chairman, House Subcommittee on Housing.

Miss Velmarae Dunn, of Hammond, La., Supervisor of English and Speech at Southeastern High School, Exemplifies a Truly Great and Dedicated Person in Our Teaching Profession and Typifies Education in Its Highest Degree

EXTENSION OF REMARKS
OF

HON. JAMES H. MORRISON

OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 16, 1965

Mr. MORRISON. Mr. Speaker, I am proud to take this opportunity to pay tribute to one of the finest ladies I have ever known in my life, and one of our best English teachers, Miss Velmarae Dunn of my hometown of Hammond, La.

At the end of a remarkably devoted career of teaching English and speech in both Hammond High School and Southeastern High in Hammond, La., Miss Velmarae Dunn, supervisor of English and speech at Southeastern High, will retire this month after 44 years of unselfish dedication to the students of Hammond.

Many years ago, Mr. Speaker, I had the honor and the privilege, myself, to be a student of Miss Dunn's in her English and speech classes in Hammond High. As I look back on my experiences in her classes and the many things she taught me, I realize now more than ever before the gift which this great lady bestowed upon me. She gave me an excellent and thorough grounding in English grammar, and instilled in me and so many of my fellow students, a great appreciation of literature which I have held dear to this day. Not only did she teach me the fundamentals of good and imaginative usage of the English language, but also Miss Dunn, by her own example, strengthened my character and fired my ambition to study harder in college and to pursue knowledge for its own sake all my life.

Miss Dunn also taught my two sons, James Hobson, Jr. "Hobby," and Benjamin "Benjy" Morrison, at Southeastern High School many years later. My two boys also had, Mr. Speaker, the fine exposure to this wonderful lady's devotion to her students and her energetic, imaginative mind. I know that they, too, have benefited from this experience with Miss Dunn.

Mr. Speaker, I would like to cite some of the highlights of this remarkable lady's career. Miss Dunn received both her B.A. and her M.A. degrees in English at the University of Oklahoma.

She returned to her hometown of Hammond, and began her teaching career at Hammond High School in 1921.

In 1927, while teaching at Hammond High, she sponsored and initiated a chapter of the National Honor Society.

In 1941, she assumed her present position at Southeastern High, and in 1951, she sponsored the installation of another chapter of the National Honor Society there.

Miss Dunn also, has helped install chapters at Ponchatoula High and Wardline Junior High.

At Southeastern, Miss Dunn is sponsor of the Scribbler's Club and Great Books Club.

In appreciation, students in the past have dedicated an annual to Miss Dunn, and this year are naming the new organization, of the Future Teachers of America, the Velmarae Dunn Chapter.

After retiring, Miss Dunn is anticipating teaching English during the summer session at SLC, as she has done in the several seasons of the past.

Also, she will have time to devote her time to community projects and hobbies, which include writing, good music, drama, reading, and bridge.

An Episcopalian, Miss Dunn is also a member of Phi Kappa Phi, Delta Kappa Gamma, Kappa Delta, Pi; Blue Violet; NEA; LEA; PTA; Language-Arts Club, American Association of University Women, and the National Council of Teachers of English.

For these reasons, and many more, I am very grateful to Miss Dunn for her exemplary contribution to my education, and I know I speak for all the people of Hammond area who themselves were students of Miss Dunn's or whose children benefited from this gracious lady's wisdom and devotion to her important duties in education. She has so justly earned the respect, appreciation, and commendation from all of our citizens for her outstanding career.

Address by Hon. Richard D. McCarthy Before the Graduating Class of the Park School in Amherst, N.Y.

EXTENSION OF REMARKS
OF

HON. THADDEUS J. DULSKI

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 16, 1965

Mr. DULSKI. Mr. Speaker, on Friday, June 11, 1965, my colleague, the Honorable RICHARD D. MCCARTHY, representing the 39th District of New York, addressed the 42d graduating class of the Park School in Amherst, N.Y.

Mr. MCCARTHY's speech, which I commend to the attention of my colleagues, follows:

REMARKS FOR THE PARK SCHOOL GRADUATION

I want to establish immediately that I approach this speaking engagement with some small amount of fear and trembling. Many of my colleagues who are far more experienced commencement speakers than I have warned me of the built-in hazards inherent in such an apparently happy and harmless occasion. One of these is especially discouraging to any politician—the fact that most of you will little note nor long remember what I may say here today. Most of the parents and faculty present here probably cannot even recall the names of their commencement speakers, much less what they said. And I am forced to admit that I can't remember either.

Yet, even the possibility of obscurity could not deter me from accepting your kind invitation to speak to you on such an important day. The graduation ceremony is replete with meaning to the students whose achievements it honors, to the faculty whose efforts have been rewarded, and to the parents whose pride and love are reflected in their concern for their children's education. And I am delighted to share in your joy and satisfaction.

I am delighted also for the opportunity to talk about a matter which intimately concerns both me and you—the role that students in particular and all citizens in general play in determining our Nation's future course. I am sure this problem is not foreign to any of you, especially in light of the political ferment that is stirring America's campuses.

The graduates of the Park School are going on to colleges and universities where extracurricular activities are now dominated more by peace demonstrations and protest marches than by the traditional panty raids. And parents are justifiably concerned about their children partaking in many of these activities—some of which they feel might seriously jeopardize their children's futures. In my remarks, I hope to do several things—none, I believe, incompatible with the others.

I hope to encourage the students among you to learn and act and speak out for what you believe; I hope to reassure the parents among you to respect the convictions and devotion of your children; I hope to hearten the faculty to continue in their arousal of curiosity and debate inside and outside the classroom. This seems a monumental task to accomplish in a few minutes of a late spring morning, but I shall try, nonetheless.

The phenomenon of activism is relatively new to this generation and, as with any innovation, it has both its strong points and its disadvantages. Let's examine first the positive aspects.

First, the prime obligation of every citizen in a democracy is to participate actively and intelligently in public affairs. That the students of America have chosen to do so in such large numbers is an encouraging and healthy omen for the preservation of a strong society.

That wise and respected jurist, Learned Hand, warned of the dangers to a community when people don't care enough to protest, to examine, to challenge. He said:

"That community is already in the process of dissolution where each man begins to eye his neighbor as a possible enemy, where nonconformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing, takes the place of evidence; where orthodoxy chokes freedom of dissent; where faith in the eventual supremacy of reason has become so timid that we dare not enter our convictions in the open lists to win or lose."

It wasn't too long ago that commencement speakers, parents, Government officials, and social critics emphasized the dangers of the indifference of young people. In the fifties especially, lack of interest in a world they never made led many of us to fear for our future if youth cared so little. Journalists and commentators noted that students seemed only concerned with achieving the material comforts that life could offer, the physical advantages that they could command when in possession of a sheepskin. These observers claimed that they did as little as they could possibly get away with in the process and that their diplomas from high school and from college were little more than a ticket to economic security and physical ease.

Since 1960, however, with the ascendancy of the civil rights movement—which is also primarily a young movement—we have seen a radical change in attitude. The conscientious youth of today are enchanted by the world of ideas and aghast at the abuses of human dignity. Youthful idealism has emerged once more from behind the cloud of indifference and boredom. The power of their idealism has moved us to greater efforts and deeds than we would have reached otherwise.

Another positive aspect of deepened concern with current events and problems is that our people are informing themselves more intelligently, more thoroughly on the happenings that affect the conduct of their affairs. One of the great dangers to a nation as large as ours—where the seat of decisions seems so far removed from our everyday lives in our communities, homes, businesses, professions, and schools—is that people will too readily accept the decisions that are made and too easily invest with a sacred aura the dicta of those in positions of power.

An informed electorate is the most important check we have on the abuse of that power. And a government must constantly be under surveillance by its people to insure that they know all they should about matters concerning the national welfare. By denying information to its electorate, a government essentially denies the electorate its right to criticize constructively—for how can one criticize constructively when one does not know what is going on?

Our Government has encountered great disapproval—and with some justification—for its recent reticence on the touchy situations in Vietnam and Santo Domingo. I personally am a strong supporter of this administration and its policies. Yet, I deeply regret the growth of distrust and hostility which is being aroused by a lack of forthrightness on such crucial issues.

The publisher of the Atlanta Constitution, Eugene Patterson, recently said:

"The public often stands barehanded and often blind before its government. I submit this is not a very good idea in our democratic society, which depends for its guidance on a free people well informed."

Such criticism, such distrust, are very dangerous to our democracy, as Mr. Patterson has indicated. And I feel very strongly that the people have a right—and a duty—to know what's going on.

The American people—largely at the instigation and the insistence of its young people—are now insisting on knowing, so that they may judge for themselves. This is a commendable—indeed a necessary—demand if this Nation is to remain strong.

Now that we have examined the assets, it is time for a glance at the debits. A story which has become firmly established in the legends of Washington will, perhaps, illustrate one of the serious drawbacks of this new wave of discussion and criticism. Some years ago a very colorful Senator from Texas—Tom Connally—was chairman of the Senate Foreign Relations Committee. Senator Connally was the prototyped caricature of the old-fashioned legislator with his black frockcoat and his string ties and his flowing white hair.

But Senator Connally wasn't so old-fashioned in his ideas. He was a strong and early supporter of our foreign aid program when the existence of such a program was still a matter for heated controversy. Not all of the Members of the Senate agreed with him, however, and some fairly voluble discussions often echoed against the walls of the Senate Chamber.

One day, after listening at some length to a violent attack on foreign aid from a Senator who shall remain nameless, Senator Connally arose and gently interrupted his colleague with a request that he at least keep an open mind on the subject. But, being undeterred by this reasonable request, his colleague continued his harangue for some 15 minutes longer before an exasperated Senator Connally arose once more and said, not so gently this time: "I said open mind, not open mouth."

I am afraid that some segments of the protest movement have not thought out their ideas nor seriously contemplated alternatives before becoming loud and angry critics of Government policy. I am afraid that many young people have abused their right to be heard. There are a variety of examples of this.

Witness the free speech movement at the Berkeley campus of the University of California last fall. Students were protesting a university decision forbidding political activity on campus. And I for one feel that they were right to protest. The campus is a world of ideas and a place where free discussion and political activity should be encouraged, not limited.

But elements of the free speech movement's leadership got out of control. They had forced concessions from the administration and the intoxicating brew of power went to their heads. Things went from bad to worse, until Clark Kerr, one of the most competent and understanding college presidents of our age, felt forced to resign—a decision which he later reconsidered after much persuasion.

The situation got so far out of hand that students challenged university authority and public decency by parading around placards painted with obscenities—earning for themselves the nickname of the "Filthy Speech Movement."

So these hazards—of ill-founded criticism and of ill-controlled strength—are threats to the effectiveness of new-found political strength among young people.

As the success of the civil rights movement indicates—when you are right and vigilant at the same time, success can be achieved. But, as the Berkeley incident has shown, a worthy goal can sometimes be corrupted by immoderate and senseless demands. The hard-won political effectiveness can easily be dissipated and not so easily regained.

An early American critic once said: "Accurate knowledge is the basis of correct opinions; the want of it makes the opinions of most people of little value."

Let this not be said of you. You have been well educated and you have good minds. Most of you are going on to very exciting careers and interests. No matter what they are—no matter how diverse and varied—you will all share a responsibility for the society in which you live. This is an obligation that can only be met if you are well-informed and vitally interested and, yes, a little bit skeptical. Ask questions and listen carefully to the answers. Trust your judgment.

If you do only this you will have repaid the faith, love and trust of your school and your parents.

Fifteenth Annual Convention of the Chamber of Commerce of the Americas

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 16, 1965

Mr. FASCELL. Mr. Speaker, the 15th Annual Convention of the Chamber of Commerce of the Americas has been held in Miami, Fla., on the 14th, 15th, and 16th of this month. In work sessions, panels, discussions, and from speeches, the delegates and observers at the convention are engaging in personal communication of the finest kind to improve relationships between the continents of South and North America.

Delegates and observers are in attendance from the Caribbean, the countries of South America, and North America. The entire hemisphere is represented, and some of the outstanding names in business and government have made significant contributions to mutual understanding. Among the speakers are the Honorable Jack Hood Vaughn, Assistant Secretary of State for Inter-American Affairs, Department of State, and Dr. Alberto Sola, Secretary General of the Latin America Free Trade Association. Also participating is Dr. Carlos Sanz de Santamaria, Chairman of the Inter-American Committee for the Alliance for Progress. One of the work sessions will be addressed by the Honorable Dr. Victor Manuel Cuellar-Ortiz, Under Secretary for Economic Integration and International Commerce, Ministry of Economy, El Salvador.

Mr. C. Lincoln Sandelin of the Inter-American Development Bank will address the convention, as well as the Honorable Earl Faircloth, attorney general of Florida. There are representatives of tourist boards and tourist commissions from various countries discussing modern tourism development and its place in the hemisphere's economy. Dr. Irving Muskat discussed Interama and its relation to Latin America. The potential is limitless for hemispheric understanding and cooperation which is inherent in this truly outstanding and unique concept of an inter-American cultural and trade center.

The convention was also addressed by Mr. Fred H. Billups, who is president of the Miami-Dade County Chamber of Commerce, which is one of the sponsoring organizations of the Chamber of Commerce of the Americas. Mr. Billups brings a wealth of experience to this convention, having operated more than 20 years in almost every country in Latin America. He addressed the convention on the responsibilities of U.S. business organizations abroad. The Alliance for Progress came in for its share of the discussions. One of the speakers who talked on current AID developments was Mr. James Boren, director of the Partners of the Alliance.

One of the high points of the convention came on opening day, with the address by the distinguished gentleman from Alabama, the Honorable ARMISTEAD I. SELDEN. He is chairman of the Subcommittee on Inter-American Affairs. He has made a most significant contribution to the thinking and the actions of this body and our Government concerning inter-American relations. His work here, of course, is well known, recognized, and respected. He addressed the opening session of the Chamber of Commerce of the Americas, discussing in candid, straight talk, the very timely and important question of Santo Domingo. Our colleague's speech was well received, and gained for him and for us new recognition and perspective. I am sure that all my colleagues will be interested in his remarks which were delivered on Monday, June 14, 1965, at the 15th Annual Convention of the Chamber of Commerce of the Americas in Miami, Fla.:

ADDRESS OF U.S. REPRESENTATIVE ARMISTEAD SELDEN AT THE 15TH ANNUAL CONVENTION OF CHAMBER OF COMMERCE OF THE AMERICAS AT MIAMI, FLA., JUNE 14, 1965

Gentlemen, it is a great privilege to address this annual meeting of the Chamber of Commerce of the Americas. Your membership in the chamber signifies your devotion to democratic ideals, your appreciation of the intricate connection between private enterprise and political freedom, and your determination to work individually and collectively to further hemisphere friendship and understanding.

In view of the chamber's purposes and goals, the choice of Miami for this convention seems especially suitable. This area has produced a number of distinguished Members of the U.S. Congress who have demonstrated deep and abiding concern for strengthening inter-American cooperation: Senator GEORGE SMATHERS, Congressman CLAUDE PEPPER, Congressman PAUL ROGERS, and Congressman DANTE FASCELL. I can attest specially to Congressman FASCELL's wide knowledge and interest in hemisphere relations for we have worked together closely on the House Subcommittee on Inter-American Affairs for over 6 years.

The Subcommittee on Inter-American Affairs, of which I am chairman, has long recognized that private organizations such as yours can make substantial contributions toward hemisphere peace and progress. In the first report issued by the subcommittee, shortly after I became chairman in 1959, we stated:

"That nongovernmental contacts between people of all the American Republics are an essential avenue toward better understanding."

But while thousands of private citizens strive to improve hemisphere cooperation, other forces are at work to divide the Americas. The current situation in the Dominican Republic clearly reveals the nature of our problem. I wager that as you gathered here with old and new friends, not long after abrazos were exchanged the question of the Dominican Republic crept into your conversation. And that is only natural, for free trade, investments, the protection of private property, inter-American development, democratic ideals—indeed, all the goals of the Chamber of Commerce of the Americas—are intimately bound up with the outcome of the Dominican crisis. For that reason, I should like to talk with you about that crucial situation.

Unhappily, reporting by some segments of the press, major networks, and wire services has been inaccurate and sometimes distorted. For instance, at the height of the chaos in the Dominican Republic, the New York Herald Tribune, a newspaper of national circulation, published a four-column photograph on its front page. The picture showed a U.S. Marine firing at a target which could not be seen. But the caption read: "On the fence in Santo Domingo, an American Marine, under orders to stay neutral, fires at a sniper." Similarly, the influential New York Times published a picture on May 21 of two armed marines marching seven men, hands clasped behind their necks, through a crowded street. The caption on this picture read: "Police action: U.S. troops arrest Dominicans suspected of insurgent activity in Santo Domingo, Washington spokesmen have denied aiding forces of the junta." These are the grossest sort of distortions. The fact is that U.S. troops were under OAS instructions to maintain peace in the neutral zone and supply corridor established by OAS mandate on May 1. In both pictures, that is exactly what the marines were doing. Furthermore, the picture published by the Times had been taken 10 days earlier, yet the Times used it in conjunction with stories on May 21 to the effect that the United States was supporting Imbert's forces in their attack on rebel positions in the northern sector of Santo Domingo.

Not all the distortions have been by pictorial innuendo. The Herald Tribune's reporter on the scene stated categorically that he could find no foreign diplomat accredited to the Dominican Republic who agreed with Washington's assessment of the situation. Other reporters simply ignored completely the opinions of the diplomatic corps in Santo Domingo, making no mention at all of their conversations with Latin American and European Ambassadors on the scene. Yet Ambassador Vazquez Carrizosa of Colombia, one of the five-man special committee sent to the Dominican Republic by the Organization of American States, had a different story.

Upon the Special Committee's return to Washington on May 7, the Ambassadors of Argentina, Brazil, Colombia, and Guatemala (the fifth member of the Committee, the Ambassador of Panama, remained in Santo Domingo to keep the OAS presence there alive) answered their OAS colleagues' questions regarding the situation in the Dominican Republic for over 4 hours. In answer to a question of whether, "in the high command of the rebel group, there is now definite and significant Communist leadership," Ambassador Vazquez Carrizosa replied:

"With regard to the sector led by Col. Francisco Caamano, many diplomats accredited in the Dominican Republic, and I can include my country's diplomatic representative, feel that, if not Col. Francisco Caamano, who I do not know to be personally a Communist, there are indeed numerous persons on his side that, if they are not members of the Communist Party, are actively in favor of Fidel Castro's system of government or political purposes. There is such a tendency in the opinion of many diplomats I spoke to, and I do not mention other countries in order not to commit countries represented here. They are firmly convinced that on that side there are many persons, I do not say members registered in an officially organized Communist Party, but persons who do have leanings toward a well-known trend prevalent in Cuba."

Ambassador Penna Marinho, of Brazil, answered in this way:

"I should like to add, gentlemen, that with the complete collapse of public authority—since neither the forces of the government junta of Benoit, Santana, and Saladin, nor those of Colonel Caamano were in control of the situation—the domonican state practically disappeared as a juridical-political entity, and the country became a sort of no man's land. The arsenal had been given to the people and an entire disoriented population of adolescents and fanatics was taking up modern automatic arms, in a state of excitation that was further exacerbated by constant radio broadcasts of a clearly subversive character.

"Neither do I believe that I am, nor does any of the members of this committee believe that he is, in a position to state with assurance that the movement of Colonel Caamano, inspired by the truly popular figure of former President Bosch, is a clearly Communist movement. But one fact is certain. In view of the real anarchy in which the country has been engulfed for several days, especially the capital city, where bands of snipers have been sacking and killing and obeying no one, any organized group that landed on the island could dominate the situation.

"For that reason, and our understanding coincides with that of a majority of the depositions of the chiefs of diplomatic missions accredited there, all of the members of the committee agree in admitting that the Caamano movement, fortunately truly democratic in its origins, since none of us sincerely believes that Caamano is a Communist, could be rapidly converted into a Communist insurrection; above all it is seen to be heading toward becoming a government of that kind, susceptible of obtaining the support and the assistance of the Marxist-Leninist powers.

"Therefore, Mr. President, we do not believe that Colonel Caamano and his closest advisers are Communists. Meanwhile, as the entire Caamano movement rests upon a truly popular basis, by certain areas escaping from the control of that democratic group of leaders it would be quite possible for that movement to be diverted from its real origins and to follow the oblique plan of popular-based movements, which can easily be controlled by clever agents and experts in the art of transforming democratic popular movements into Marxist-Leninist revolutions."

I hope you will pardon me for quoting at such length from the report of the OAS Special Committee. But it is extremely important that the views expressed by an official committee of the Organization of American States be widely disseminated so that public opinion throughout the Americas will understand the conditions prevailing in the Dominican Republic which led President Johnson to the painful decision to send U.S. troops into a neighboring country.

I would be willing to bet that the majority of you—all well informed men—were unaware of the Special Committee's illuminating report to the Council of the OAS, a report which thoroughly vindicates the precautionary measures which President Johnson was forced to take. But your ignorance of the report is understandable. Here again the major news media were gravely derelict in not reporting a crucial item.

Despite the fact that an official organ of the Organization of American States has confirmed the imminent possibility of a Communist takeover in the Dominican Republic, the press continues to question the validity of the Communist threat.

Furthermore, a large segment of the news media is perpetuating the myth that Colonel Caamano represents "constitutionalism." I do not take sides one way or another in the Dominicans' internal conflict, but I do believe that hemisphere interests are not served by grave distortions. If we are to understand what is transpiring in the Dominican Republic in order to make rational decisions, it is imperative to stick to the truth.

Hence, it is with wonder and despair that I observe certain omissions in stories regarding Colonel Caamano's role in the Dominican crisis. The fact is that Col. Francisco Caamano Deno's so-called constitutional credentials are nonexistent. Caamano helped overthrow the constitutional President, Juan Bosch, in 1963. Furthermore, the Bosch constitution that Caamano supposedly supports contains two interesting provisions. Caamano, you will recall, claims to be Bosch's legitimate heir, having been elected to the post of President by the remnants of the constitutional Congress. It is true that the constitution provides that in the absence the President, Vice President, President of the Senate, and Speaker of the House, Congress shall elect a chief of state to serve the remainder of the missing President's term. However, the same constitution states that the new chief of state shall be selected from the party of the missing President. The same constitution also forbids any military man to hold office. Colonel Caamano is, of course, a military man; and Colonel Caamano is also not a member of Bosch's PRD.

Unhappily, these distortions of the facts in the Dominican situation are making an intensely difficult situation even more trying. The American nations are going to need all the clarity they can bring to bear to prevent the Dominican case from shaking the very foundations of the Organization of American States and the Alliance for Progress.

The Communists and fellow-travelers are gleefully portraying U.S. intervention in the Dominican Republic as a return to gunboat diplomacy. Should this view take root and blossom throughout the hemisphere, the foundations of inter-American cooperation could be fatally undermined.

It is therefore, imperative to understand the present challenge to inter-American relations. The framework of the inter-American system—the Charter of the Organization of American States and the treaty of reciprocal assistance—was forced in gentler times, before the nuclear age and before the Soviets stepped up a campaign of aggression in Latin America through covert subversion. "Aggression," in the context of hemisphere doctrine, meant old-fashioned direct armed attack. "Nonintervention," the sacred cornerstone of the inter-American system, came to apply largely to the United States. Thus, when the Communists embarked on their more subtle tactics of subversion, many sincere Americans, both north and south of the Rio Grande, were slow to recognize that the Communists' modern techniques constituted as certain an "intervention" and "aggression" as moving troops across borders.

My Subcommittee on Inter-American Affairs has for some time been concerned about the apparent failure of the regional system to cope with the new Communist techniques. In a report of April 4, 1963, we found:

"Although the inter-American collective security system is prepared to meet the possibility of open military aggression by Communist forces against nations of the hemisphere, no plan for collective action against Communist subversive aggression has been put in effect."

We further stated:

"Communist potential for aggression cannot be measured solely in terms of regular military forces of 'offensive' capabilities. The fact that Castro Communist forces in Cuba are incapable without outside assistance of mounting successfully a traditional military 'offensive' blow in the hemisphere does not minimize the Communist threat to inter-American security."

In its recommendations, the subcommittee stated:

"The distinction between 'aggressive' and 'subversive' activities is without significance. Subversive activities, as conducted by Communist forces in the world today, represent as certain a form of aggression as direct military aggression.

"It is recommended that the threat posed by the aggressive capability of Castro Communist subversion be dealt with by whatever means may be necessary in the security interests of the United States and all the nations of the Western Hemisphere."

Two years have passed since that subcommittee recommendation. Now we are confronted with the very circumstances which the subcommittee feared. The United States, forced to move unilaterally because the OAS had still not devised a collective instrument against Communist subversion, must now bear the criticism for "intervention," when indeed the United States moved to counter Communist intervention.

But I am not completely pessimistic about the future. The inter-American system has a way of rising to meet emergency situations. In its 75-year existence, the regional organization has assumed new obligations, refined old doctrines, and adapted and strengthened its machinery, precisely to meet new conditions as they arose. In international affairs, unhappily, it often takes a severe crisis to galvanize nations to action.

Today the Organization of American States is at a crossroads. It can adhere to outmoded interpretations of doctrine, becoming an anachronistic and ineffectual instrument for the peace and security in the hemisphere. Or it can mold itself to the exigencies of the day, thus renovating and renewing its effectiveness.

I believe that we are going to witness the happy, second alternative. By electing to send an inter-American peace force into the Dominican Republic, the OAS has already taken a first leap forward. However reluctant the move, the OAS decision represents a major departure from former timidity to assume responsibility. The inter-American peace force, under command of the able Brazilian general, Hugo Panasco Alvim, can serve as a demonstration for the future. The existence of that peace force should help to allay the understandable fears many have of the unknown. In short, now that we have taken the plunge, the next steps should be easier.

Of course, the road ahead in devising new instrumentalities to cope with Communist subversion in the unstable areas of Latin America remains difficult indeed. Nevertheless, we must not be dissuaded from trying because the obstacles loom so large. That would be tantamount to abandoning the field to the Communists.

As private citizens engaged in promoting inter-American friendship and understanding, you can do much to help preserve our regional system. It is my hope that each of you, in your own countries, will bring whatever influence you can bear upon both the short- and long-range problems which we face together: the short-range problem of Communist subversion, and the long-range task of creating the kind of democratic economic, political, and social climate in which Communist tactics can no longer flourish.

Mr. Speaker, the Chamber of Commerce of the Americas is making a vital contribution to hemispheric solidarity. I have long maintained that the people-to-people approach is the most useful and the most lasting cement to bind together free people in the Western Hemisphere. Certainly, the discussion and exploration in depth of the matters under consideration at the Chamber of Commerce of the Americas convention will be immeasurably helpful, not only to the participants, but also to other people and the respective governments of the delegates and observers.

The convention committee, under the able and dedicated chairmanship of Frank P. Gatteri, has done an outstanding job, and I am sure that the men and women from throughout the hemisphere who attended this convention have found it instructive and informative as a result of such speeches as delivered by our distinguished colleague, the Honorable ARMISTEAD SELDEN. I am sure, also, the convention was an enjoyable occasion because of the wonderful hospitality of the Miami-Dade County Chamber of Commerce, the Convention Committee, the patrons, and the sponsors.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 17, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., prefaced his prayer with these words of Scripture: Galatians 5: 13: *By love serve one another.*

Almighty God, we worship and adore Thee as the goal of all our aspirations and the Supreme Ruler of the Universe.

When we think of the achievements of our intrepid and heroic astronauts, who have added new luster to the fame of our beloved country, we bow before Thee in wonder and humility.

We look for the dawning of a time when mankind shall reach upward to a fuller and more expanding spiritual life, giving itself in new vows of loyalty to Thy divine will and ways.

May we aspire to the ascending spiritual life that is free of the fallacies and fatigues of the temporal and earthly, and where truth is more vivid and love more real and our fellowship is happy in its dreams and realizations.

For this kind of a life may we have more sympathy and compassion, more love and good will in our hearts so that the Great Society which we are building shall not be something that is merely visionary, but a blessed reality.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3165. An act to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes; and

H.R. 8464. An act to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7717) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 24. An act to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes;

S. 26. An act to authorize the Secretary of the Interior to acquire lands for, and to develop, operate, and maintain, the Golden Spike National Historic Site;

S. 559. An act to regulate the labeling of cigarettes, and for other purposes;

S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act;

S. 1065. An act to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes;

S. 1285. An act to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926;

S. 1582. An act to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of August 16, 1962, 76 Stat. 388);

S. 1761. An act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes; and

S. Con. Res. 36. Concurrent resolution expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes.

FILING OF REPORT FROM COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service may have until midnight tonight to file a report on the bill H.R. 8469.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING THE FOREIGN ASSISTANCE ACT OF 1961

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none and appoints the following conferees: Messrs. MORGAN, HAYS, O'HARA of Illinois, ADAIR, MAILLIARD, FRELINGHUYSEN, and Mrs. KELLY.

DEDICATION OF ASSEMBLY ROOM OF INDEPENDENCE HALL

Mr. BARRETT. Mr. Speaker, I call up House Resolution 426 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives is authorized to appoint eight Members of the House of Representatives as a delegation to attend the dedication of the historic Assembly Room of Independence Hall, to be held in Philadelphia, Pennsylvania, on June 28, 1965, at the invitation of the city of Philadelphia, and to designate the chairman of said delegation.

SEC. 2. The expenses of the delegation shall not exceed $1,000 and shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the delegation and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR WEEK OF JUNE 21, 1965

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I ask for this time for the purpose of inquiring of the majority leader as to the program and schedule for next week.

Mr. ALBERT. Mr. Speaker, will my distinguished friend yield to me?

Mr. GERALD R. FORD. I will be glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, the program for the week of June 21 is as follows:

Monday is Constant Calendar day. There are six suspensions as follows: H.R. 2263, Correctional Rehabilitation Study Act of 1965; H.R. 7743, National Vocational Student Loan Insurance Act of 1965; H.R. 6097, providing penalties for the assassination of the President; H.R. 8620, to permit farmers in disaster areas to comply with acreage reduction agreements; S. 1796, assistance for disaster victims; House Concurrent Resolution 416, Baltic States resolution.

For Tuesday and the balance of the week, the public works appropriations for 1966, the defense appropriations for 1966, and H.R. 3014, Federal Cigarette Labeling and Advertising Act, which comes up under an open rule with 3 hours of general debate.

This announcement, of course, is made subject to the usual reservation that conference reports may be brought up at any time and any further program will be announced later.

Mr. GERALD R. FORD. Will the distinguished majority leader advise the House as to whether or not we are going over today until Monday?

Mr. ALBERT. Yes. If the gentleman will yield further, we have only a conference report and one other matter to dispose of on our legislative program for this week.

Accordingly, Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask the distinguished majority leader if there is any substance to the report that there might be a recess or adjournment of the House for a couple of weeks in connection with the Independence Day celebration?

Mr. ALBERT. I advise the gentleman that if there is, I have no knowledge of it.

Mr. GROSS. No knowledge of it?

Mr. ALBERT. None whatever. I would advise the gentleman that it would seem almost impossible that we would have 2 weeks recess at that time in view of the legislative program.

Mr. GROSS. I did not think there was a single thing that was impossible around here, after the experience of the last few months.

Mr. ALBERT. We are entitled to a lot of credit, but not as much as the gentleman is giving us.

Mr. GROSS. I ask the gentleman, if there is no Independence Day recess, will the T and T Club be in operation?

Mr. ALBERT. The gentleman will have to take that up with the officials of that "club."

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORITY TO ACT DURING ADJOURNMENT OVER UNTIL MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that nothwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONSENT TO DISPENSE WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. ALBERT. Mr. Speaker I ask unanimous consent that Calendar Wednesday business may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

RECESS TO RECEIVE THE ASTRONAUTS

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Oklahoma tell the House what the plans are for today, as far as taking a recess and reconvening are concerned?

Mr. ALBERT. Yes; we hope to dispose of the conference report on the excise bill and another bill which the gentleman from Arkansas advised yesterday would be called up today under a unanimous-consent request. The House will recess shortly thereafter. We expect the astronauts here on the floor about 2:30 this afternoon.

May I advise the Members, Mr. Speaker, that we expect there may be rollcalls on one or more of the suspensions which have been announced for next week; also that these suspensions may not be called up in the order in which they are listed.

EXCISE TAX REDUCTION ACT OF 1965

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 8371) to reduce excise taxes, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 525)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8371) to reduce excise taxes, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 26, 29, 30, 31, 36, 42, 43, 44, 45, 46, 47, 48, 49, 85, 104, 107, and 108.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 32, 33, 34, 35, 37, 38, 39, 40, 41, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, and 102, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"4 percent for the period January 1, 1967, through December 31, 1967.

"2 percent for the period January 1, 1968, through December 31, 1968.

"1 percent for the period after December 31, 1968.

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment, and—

(1) On page 6 of the House engrossed bill, line 7, strike out "If" and insert: Except as provided in subsection (g), if

(2) On page 6 of the House engrossed bill, beginning with line 15, strike out all through line 9, on page 7, and insert:

"(1) General rule.—Except as provided in paragraph (2), not more than one claim may be filed under subsection (a) by any person with respect to lubricating oil used during his taxable year. No claim shall be allowed under this paragraph with respect to lubricating oil used during any taxable year unless filed by such person not later than the time prescribed by law for filing an income tax return for such taxable year. For purposes of this subsection, a person's taxable year shall be his taxable year for purposes of subtitle A, except that a person's first taxable year beginning after December 31, 1965, shall include the period after December 31, 1965, and before the beginning of such first taxable year.

"(2) Exception.—If $1,000 or more is payable under this section to any person with respect to lubricating oil used during any of the first three quarters of his taxable year, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first quarter following the quarter for which the claim is filed.

On page 7 of the House engrossed bill, line 10, strike out "paid" and insert "payable".

On page 8 of the House engrossed bill, after line 18, insert:

"(g) Income Tax Credit in Lieu of Payment.—

"(1) Persons not subject to income tax.—Payment shall be made under subsection (a) only to—

"(A) the United States or an agency or instrumentality thereof, a State, a political subdivision of a State, or an agency or instrumentality of one or more States or political subdivisions, or

"(B) an organization exempt from tax under section 501(a) (other than an organization required to make a return of the tax imposed under subtitle A for its taxable year).

"(2) Exception.—Paragraph (1) shall not apply to a payment of a claim filed under subsection (b)(2).

"(3) Allowance of credit against income tax.—For allowance of credit against the tax imposed by subtitle A for lubricating oil used, see section 39."

On page 8 of the House engrossed bill, line 19, strike out "(g)" and insert "(h)".

On page 9 of the House engrossed bill, in the material following line 3, strike out "section 6424" and insert "sections 39 and 6424".

And the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) Conveyances.—Section 4361 (relating to tax on conveyances) is amended by adding at the end thereof the following new sentence: "The tax imposed by this section shall not apply on or after January 1, 1968."

And the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(9) by striking out subparagraphs (N), (O), (P), and (Q) of subsection (b)(2)".

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment, omit the matter proposed to be inserted by the Senate amendment, and on page 43 of the House engrossed bill, line 18, strike out "July 1, 1965" and insert "on the day after the date of the enactment of this Act"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with the following amendments:

On page 43 of the Senate engrossed amendments, lines 10 and 11, strike out "GASOLINE." and insert "GASOLINE AND LUBRICATING OIL".

On page 49 of the Senate engrossed amendments, beginning with line 8, strike out all through line 6 on page 50, and insert:

"Sec. 39. Certain Uses of Gasoline and Lubricating Oil.

"(a) General Rule.—There shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the sum of the amounts payable to the taxpayer—

"(1) under section 6420 with respect to gasoline used during the taxable year on a farm for farming purposes (determined without regard to section 6420(h)),

"(2) under section 6421 with respect to gasoline used during the taxable year (A) otherwise than as a fuel in a highway vehicle or (B) in vehicles while engaged in furnishing certain public passenger land transportation service (determined without regard to section 6421(i)), and

"(3) under section 6424 with respect to lubricating oil used during the taxable year otherwise than in a highway motor vehicle (determined without regard to section 6424 (g)).

"(b) Transitional Rules.—For purposes of paragraphs (1) and (2) of subsection (a), a taxpayer's first taxable year beginning after June 30, 1965, shall include the period after June 30, 1965, and before the beginning of such first taxable year. For purposes of paragraph (3) of subsection (a), a taxpayer's first taxable year beginning after December 31, 1965, shall include the period after December 31, 1965, and before the beginning of such first taxable year.

"(c) Exception.—Credit shall not be allowed under subsection (a) for any amount payable under section 6421 or 6424, if a claim for such amount is timely filed, and under section 6421(i) or 6424(g) is payable, under such section."

On page 50 of the Senate engrossed amendments, in the material following line 11, strike out "gasoline." and insert "gasoline and lubricating oil".

On page 50 of the Senate engrossed amendments, in the fourth and fifth line from the bottom of the page strike out "gasoline." and insert "gasoline and lubricating oil".

On page 51 of the Senate engrossed amendments, line 5, strike out "gasoline)" and insert "gasoline and lubricating oil)".

On page 52 of the Senate engrossed amendments, line 11, strike out "gasoline)" and insert "gasoline and lubricating oil)".

On page 52 of the Senate engrossed amendments, line 23, strike out "GASOLINE" and insert "GASOLINE AND LUBRICATING OIL".

On page 53 of the Senate engrossed amendments, lines 2 and 3, strike out "gasoline" each place it appears and insert "gasoline and lubricating oil".

And the Senate agree to the same

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 811. Exchanges for Sale of Poultry.

"(a) Exemption From Tax.—A corporation, association, or organization organized and operated exclusively for the purpose of providing an exchange for the sale of poultry for the poultry growers of a particular locality shall be treated for purposes of the Internal Revenue Code of 1954 as an organization described in section 501(c) (relating to list of exempt organizations) of such Code, if—

"(1) such corporation, association, or organization has no capital stock and is not organized for profit,

"(2) no member of the governing body of such corporation, association, or organization receives any compensation from such corporation, association, or organization,

"(3) the net earnings of such corporation, association, or organization (except for reasonable additions to reserves for the operation of such exchange) are devoted exclusively to disseminating information as to the best methods of poultry culture and to other agricultural purposes, and

"(4) at all times on and after June 10, 1965, and before the close of its last taxable year beginning before January 1, 1966, all of the net assets of such corporation, association, or organization must, on liquidation for any reason, be transferred to an educational organization which is exempt from tax under section 501(a) of such Code or which is an agency or instrumentality of, or is owned or operated by, a State.

"(b) Application of Subsection (a).—Subsection (a) shall apply to taxable years beginning after December 31, 1953, and ending after August 16, 1954, which begin before January 1, 1966.

And the Senate agreed to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 12. Prohibition Upon Levies on Mail.

"(a) In General.—Section 6334 (a) (relating to property exempt from levy) is amended by adding at the end thereof the following new paragraph:

" '(5) Undelivered Mail.—Mail, addressed to any person, which has not been delivered to the addressee.'

"(b) Effective Date.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act."

And the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows: On page 62 of the Senate engrossed amendments, line 4, strike out "814" and insert "813"; and the Senate agree to the same.

W. D. Mills,
Cecil R. King,
Hale Boggs,
Eugene J. Keogh,
John W. Byrnes,
Thos. B. Curtis,
James Utt,
Managers on the Part of the House.

Russell B. Long,
George Smathers,
John J. Williams,
Frank Carlson,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8371) to reduce excise taxes and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, or conforming changes: 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 32, 33, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 72, 73, 74, 75, 76, 77, 78, 81, 82, 84, 87, 88, 89, 90, and 92. With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature, or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

JUNE-JULY EFFECTIVE DATE

Amendments Nos. 1, 2, 71, and 86: The bill as passed by the House provided a July 1, 1965, effective date for the repeal or reduction of most of the manufacturers and retailers excise taxes, as well as certain other taxes. The Senate amendments changed the effective date for the retail and manufacturers taxes having a July 1 effective date in the House bill and the stamp tax on playing cards, to the day after the date of the enactment of the bill.

The House recedes.

AUTOMOBILE TAX RATE REDUCTIONS

Amendments Nos. 3, 4, and 5: The bill as passed by the House provided for a schedular repeal of the 10 percent manufacturers excise tax on passenger cars and trailers. Under this schedule, the tax rate would have decreased to 7 percent on July 1, 1965, to 6 percent on January 1, 1966, to 4 percent on January 1, 1967, and to 2 percent on January 1, 1968. Starting on January 1, 1969, the tax would have been repealed.

Under the Senate amendments, the passenger car tax is reduced to 1 percent on the following schedule: On the day after enactment, the rate is reduced to 7 percent; on January 1, 1966, to 6 percent; on January 1, 1967, to 5 percent; on January 1, 1968, to 3 percent; and on January 1, 1969, to 1 percent. However, the last 4 percentage points of reduction are contingent on the automobiles being equipped with those safety devices which are required to be included on automobiles purchased by the U.S. Government.

In addition, under the Senate amendments, 1 percentage point of the tax on passenger cars is to be set aside in a special fund in the U.S. Treasury for use by the President (on appropriation) for carrying out a program for the disposal of old or wrecked automobiles. Amounts received after June 30, 1965 (representing liabilities for tax incurred after June 30, 1965) are to be covered into the fund.

Under the conference agreement, the rate reduction schedule included in the House bill was adopted with the exception that on January 1, 1969, the tax is reduced to 1 percentage point, as under the Senate amendments, rather than repealed. In addition, the Senate receded on its amendments conditioning 4 percentage points of the rate reduction on the automobile being equipped with certain safety devices and setting aside 1 percentage point of the tax in a special fund.

LUBRICATING OIL

Amendment No. 7: The bill as passed by the House continued the 6-cent-a-gallon excise tax on lubricating oil, but provided for refunds to ultimate purchasers of taxes paid with respect to such oil used for nonhighway purposes. It also allocated the tax attributable to lubricating oil used for highway purposes to the highway trust fund. The House bill also repealed the 3-cent-per-gallon excise tax on cutting oil, effective January 1, 1966.

The Senate amendment deleted these provisions of the House bill.

The House recedes with amendments conforming to the action on amendment No. 101.

FLOOR STOCK REFUNDS—SPORTING GOODS

Amendment No. 24: The bill as passed by the House did not provide for a floor stock refund of the tax on sporting goods. This amendment provides for such a refund on sporting goods.

The House recedes.

FLOOR STOCK REFUNDS—PLAYING CARDS

Amendments Nos. 25, 34, and 38: The bill as passed by the House repealed the 13-cent-per-pack tax on playing cards, but it did not provide for a floor stock refund with respect to tax-paid inventories of these cards held by retailers and wholesalers on the date of repeal. Senate amendment Nos. 25 and 38 provide for floor stock refunds with respect to the tax on playing cards. Senate amendment No. 34 treats playing cards as having been sold if removed for consumption or sale before the effective date and (if not sold before such date) treats the manufacturer as the dealer.

The House recedes.

FLOOR STOCK REFUNDS—AUTOMOBILE PARTS

Amendments Nos. 26, 29, 30, 31, and 36: The bill as passed by the House provided for floor stock refunds of the tax on automobile parts and accessories. Senate amendments Nos. 26, 29, 30, 31, and 36 struck out the provisions for this refund.

The Senate recedes.

EFFECTIVE DATE OF REPEAL OF TAX ON REAL ESTATE CONVEYANCES

Amendment No. 54: The bill as passed by the House provided for the repeal of the tax on real estate conveyances as of January 1, 1966. Under Senate amendment No. 54 the effective date of the repeal would be January 1, 1969. Under the conference agreement the effective date of the repeal is January 1, 1968.

MANUFACTURED TOBACCO

Amendments Nos. 57 and 91: Senate amendment No. 57 repeals the tax on manufactured tobacco. Under Senate amendment No. 91, this repeal is effective January 1, 1966.

The House recedes.

INSTALLMENT SALES, ETC.

Amendment No. 79: The bill as passed by the House provided that in the case of leases, installment sales, chattel mortgage arrangements, etc., where the vendor retains title to or a security interest in the article until a future date, the lower rate of tax would apply to payments received after the date of repeal or reduction.

Senate amendment No. 79 would permit the House provided for the repeal of the tax only if the vendor establishes that the amount of the remaining payments after the effective date of the bill has been reduced by an amount equal to the tax reduction.

The House recedes.

ELECTRIC LIGHT BULBS

Amendment No. 80: The bill as passed by the House repealed most of the manufacturers excise taxes, effective July 1, 1965. It repealed the tax on electric light bulbs January 1, 1966, but made no provision for the continued tax-free purchase or use of such bulbs by manufacturers for use in the further manufacture of articles which themselves were taxable on the date of enactment of the bill, on which the tax is repealed the next day.

The Senate added an amendment which permits the continued tax-free purchase or use of electric light bulbs by manufacturers for inclusion in these articles.

The House recedes.

INITIATION FEES—NEW CLUBS

Amendment No. 83: Under the House bill the effective date of the repeal of the tax on club initiation fees is January 1, 1966. Under Senate amendment No. 83, the effective date of the repeal of the tax on initiation fees is July 1, 1965, in the case of initiation fees paid to a new club or organization which first makes its facilities available to members on or after such date.

The House recedes.

EFFECTIVE DATE OF REPEAL OF DOCUMENTARY STAMP TAXES ON SECURITIES

Amendment No. 85: Under the bill as passed by the House the effective date of the repeal of the tax on issuances or transfers of stock and debt certificates was January 1, 1966. Under Senate amendment No. 85 the effective date was December 31, 1965.

The Senate recedes.

MOTOR VEHICLES

Amendment No. 93: This Senate amendment makes the following changes in the provisions of the Internal Revenue Code relating to the manufacturers excise tax on automotive items:

1. The manufacturers tax on trucks and parts and accessories is made inapplicable to articles designed to be mounted or placed on automobile trucks, automobile truck chassis, or automobile chassis and to be used primarily as living quarters.

2. The manufacturers tax on trucks and parts and accessories is made inapplicable to truck bodies, parts, and accessories primarily designed for use in connection with the processing, hauling, or spreading of feed, seed, or fertilizer in connection with a farm activity.

3. The manufacturers tax on trucks is made inapplicable to 3-wheeled motor vehicles powered by a motor which does not exceed 18 brake horsepower (rated at 4,000 revolutions per minute) if the chassis does not weigh over a thousand pounds.

4. The manufacturers tax on trucks is made inapplicable to the value of used parts used in the manufacture of the truck if the parts are furnished by the customer.

5. It is made clear that new parts used in rebuilding other auto parts are subject to tax in the same manner as new parts used in repairing.

6. The manufacturers tax on trucks, buses, etc., is made inapplicable to schoolbuses purchased by independent operators for their use under a contract arrangement with a school to transport schoolchildren.

The House recedes.

GASOLINE

Amendment No. 94: Senate amendment No. 94 adds section 802 to the bill which provides (a) that sales of casinghead and natural gasoline are to be taxed only when they are sold for use as fuel on motor vehicles, motor boats, or airplanes and defines gasoline as that suitable for use as a motor fuel, (b) for the repeal of the requirement that petroleum-product manufacturers must be bonded, and (c) for the elimination of the requirement that for supplies for vessels and aircraft to be purchased free of tax, registration numbers must be used.

The House recedes.

CERTAIN TRANSPORTATION OF MEMBERS OF THE ARMED FORCES WHILE ON LEAVE

Amendment No. 95: Under existing law payments in the United States for "uninterrupted international air transportation" are exempt from the tax on transportation by air if the air transportation begins or ends outside the United States or the 225-mile zone in Canada or Mexico. To be exempt as uninterrupted air transportation the scheduled interval between portions of the transportation in the United States must not exceed 6 hours. Under Senate amendment No. 95 in applying this provision in the case of personnel of the U.S. Army, Air Force, Navy, Marine Corps, and Coast Guard traveling in uniform at their own expense when on official leave, furlough, or pass, the scheduled interval at the first stop upon reaching the United States, or the last stop upon leaving the United States, is to be deemed to be not more than 6 hours if a ticket for the subsequent portion of such transportation is purchased within 6 hours after the end of the earlier portion of such transportation and the purchaser accepts and utilizes the first accommodations actually available to him for such subsequent portion. The Senate amendment is to apply with respect to amounts paid for transportation beginning on or after July 1, 1965.

The House recedes.

POLICIES ISSUED BY FOREIGN INSURERS

Amendment No. 96: This amendment authorizes the Secretary of the Treasury or his delegate to institute a return system for payment of the tax on premiums charged for insurance or reinsurance policies, indemnity bonds, or annuity contracts, issued by a foreign insurer. Under existing law the tax is paid by the use of documentary stamps. The amendment further provides that when such a return system is instituted, tax will be imposed on the basis of premiums paid rather than on the basis of the premiums charged.

The House recedes.

DISTILLED SPIRITS

Amendment No. 97: This Senate amendment makes the following changes:

(1) It removes the requirement that distilled spirits must be returned to the bonded premises of a distilled spirit plant within 6 months of the time they are withdrawn as a prerequisite for claiming a credit or refund.

(2) The mingling, etc., of distilled spirits is permitted without the payment of the rectification tax if the spirits are of the same type or class.

(3) Proprietors of distilled-spirits plants are permitted to destroy (under supervision) distilled spirits returned to bonded premises.

(4) The redistillation of articles containing denatured distilled spirits on the bonded premises of a distilled-spirits plant is allowed.

(5) The relanding in the United States of exported distilled spirits is permitted when this is done with no intent to defraud the Government.

The House recedes.

WINE

Amendment No. 98: This amendment raises the quantity of carbon dioxide that can be contained in still wine from 0.256 gram per 100 milliliters to 0.277 gram per 100 milliliters effective July 1, 1965. In addition, this amendment deletes the reserve inventory requirement with respect to the amelioration or sweetening of wines and also authorizes the use of other sugars and the limited use of liquid sugar at appropriate points where the use of pure dry sugar is presently prescribed.

The House recedes.

EXPORTATION OF LIQUORS TO POSSESSIONS

Amendment No. 99: This amendment provides that the exemption for exports of liquors shall include shipments to any possession of the United States.

The House recedes.

TOBACCO

Amendment No. 100: This amendment (1) clarifies the definitions of cigars and cigarettes, and (2) in cases where a refund is allowable with respect to the tobacco taxes, permits a credit instead of a refund.

The House recedes.

INCOME TAX CREDIT IN LIEU OF PAYMENTS WITH RESPECT TO CERTAIN USES OF GASOLINE AND LUBRICATING OIL

Amendment No. 101: Under present law, farmers and other nonhighway users may obtain refunds of taxes used for farm and other off-highway purposes. Credits for such taxes are not provided. The bill as passed by the House made no change in this refund procedure.

Senate amendment No. 101 provides that the tax on gasoline used for farm use or other nonhighway purposes may be credited against the farmer's or other user's income tax liability. Under the amendment, if the excise tax on such gasoline exceeded the user's income tax liability, the excess would be refunded to the user.

The House recedes with an amendment which provides the same procedure for lubricating oil used for nonhighway purposes.

EXCISE TAX STATUTE OF LIMITATIONS

Senate amendment No. 102. This amendment, for which there is no corresponding provision in the House bill, amends section 6501 of the Code to provide that where an entry is made on an excise tax return with respect to a particular tax, the statute of limitations for assessment of such tax will begin to run in respect of all amounts of such tax properly reportable on such return. In addition it amends section 6501 to provide a 6-year statute of limitations, instead of the present 3-year statute, for assessment of an excise tax for a calendar quarter if there is omitted from the return an amount of such tax properly includible therein which exceeds 25 percent of the amount included therein.

The House recedes.

POULTRY GROWERS EXCHANGES

Amendment No. 103: This amendment provided income tax exemption for certain poultry growers exchanges which met specified conditions regarding their organization and operation. The exemption would have applied from the date of the enactment of the Internal Revenue Code of 1954 and for all future years.

The House recedes with an amendment which limits the exemption under this provision to taxable years of such organizations which begin before January 1, 1966 to which the 1954 Code applies.

GASOLINE LOST BY LEAKAGE OR SPILLAGE

Amendment No. 104: Senate amendment number 104 would have provided for refunds of taxes paid on gasoline held by a dealer to the extent such gasoline is lost by leakage or spillage. The amendment applied to gasoline lost after June 30, 1962.

The Senate recedes.

EXEMPTIONS OF MAIL FROM LEVY

Amendment No. 105: Senate amendment number 105 exempts mail which is undelivered or unopened from levy to collect taxes.

The House recedes with an amendment restricting such exemption to undelivered mail.

STATE SWEEPSTAKES EXEMPT FROM WAGERING TAX

Amendment No. 106: Senate amendment No. 106 exempts from the wagering taxes State-conducted sweepstakes, wagering pools and lotteries in which the winners are determined by the results of a horse race if the wager is placed with State employees or agents.

The House recedes with a clerical amendment.

DUAL DISTRIBUTION ON TIRES

Amendment No. 107: This amendment, for which there was no corresponding provision in the House bill, provided that the 10 cents per pound tax on tires and inner tubes would be imposed, in the case of such products sold through a manufacturers retail store or outlet, at the time the tire or inner tube was delivered to such store or outlet rather than at the time of sale.

The Senate recedes.

REPORTS TO CONGRESS ON EFFECT OF EXCISE TAX REDUCTION

Amendment No. 108: Senate amendment No. 108 directs the Council of Economic Advisers to report to Congress on or before June 30, 1966, and on or before June 30 of each year thereafter through 1970, with respect to the economic effects of the tax reductions or repeals made by the bill.

The Senate recedes.

W. D. Mills,
Cecil R. King,
Hale Boggs,
Eugene J. Keogh,
John W. Byrnes,
Thos. B. Curtis,
James Utt,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, preliminary to an actual discussion of what is contained in the conference report, permit me to take time to call attention to the fact that we are presenting a conference report on the Excise Tax Reduction Act of 1965 today, exactly 30 days following the receipt of the request for such action by the Congress from the President of the United States.

Mr. Speaker, I mention this only to point out that when the Congress desires to act expeditiously with respect to matters of this sort, it seems clear that the Congress can so act. I do not recall, I must admit, however, that since I have been chairman of the Committee on Ways and Means at least, that we have acted quite this expeditiously with respect to all and sundry tax proposals that have been submitted to us; but, at least, it seems that the Congress has improved insofar as this particular bill is indicative.

Now, Mr. Speaker, there are about five principal matters which I believe deserve attention at this point with respect to the conference report. I will, of course, before concluding include a more detailed explanation of all substantive changes.

As the bill passed the House the Members will recall that it involved a loss of revenue of approximately $2.169 billion for the fiscal year 1966. Under the conference version now before us, the corresponding figure is $2.189 billion. However, it is estimated, in fiscal 1966 the figure, after "feedback," will be approximately $1.8 billion.

Mr. Speaker, I will now summarize the five principal matters involved here, and then include a more detailed explanation.

First of all, the committee decided that it would work a hardship on retail, manufacturing, and wholesale businesses if a bill was passed with an effective date for the reductions in these rates at the close of business on June 30 and the bill was enacted and then signed by the President a week or 10 days or 2 weeks ahead of that effective date.

Mr. Speaker, the Senate Finance Committee changed the effective date for the reductions that the House passed but had designated for July 1, 1965, on articles sold in retail and those involving the manufacturers' excise taxes, to the day following the signing of the bill by the President.

Mr. Speaker, this means that if the President should sign the bill on this Friday, the reductions would go into effect on Saturday. Or, if the President signs the bill on Saturday, the reductions would go into effect on Sunday. Whereas, under the House-passed bill, regardless of when it had been enacted, regardless of when the President signed the bill, these reductions could not have gone into effect prior to July 1, 1965.

Mr. Speaker, the House conferees accepted all of those amendments changing the effective date for these excise tax reductions, thinking that the amount of additional revenue involved was relatively small compared to the inconveniences that would be involved in further delay and, also, in view of the losses in sales that might result in further delay of the effectuation of these reductions.

Mr. Speaker, the second important matter had to do with the other body's difference of opinion apparently as to how the automobile tax reductions would occur, compared to the version which had been enacted by the House.

It will be recalled that the 10-point manufacturers' excise tax was scheduled for elimination in the House-passed bill over the period of time between now and January 1, 1969, when the rate would have become zero under the House-passed bill. While the bill was pending in the Senate, the Senate added or adopted two amendments. One had to do with the matter of safety devices to be incorporated in automobiles by the manufacturers in order for 4 percentage points of the reduction to become effective.

In other words, Mr. Speaker, if the automobile produced and put on the market for the general public by the manufacturer had added to it these particular safety devices which are required to be included on automobiles purchased by the U.S. Government—under the General Services Administration's design—the 4 points would not have applied. One consideration was that an individual perhaps might not have wanted all of them. The 4 percentage points would have still remained in effect.

Mr. Speaker, it should be made clear that we did not pass judgment upon the desirability at all of the safety devices. All of us were concerned that we establish and develop as much safety in motor transportation as we can; but some of us questioned the use of a tax bill as the proper vehicle for the establishment of such regulations as the Congress thought desirable in the field of safety. The Interstate and Foreign Commerce Committee of the House has substantive jurisdiction of this matter. That committee and the Congress, if they saw fit, could require the inclusion of any device on any automobile shipped in interstate commerce. That, in my opinion, is the proper way, following appropriate consideration, for a matter of this sort to be handled; it should not be handled in a very short period of time without full consideration and conference.

Another amendment offered with respect to the automobile tax in the Finance Committee had to do with the question of the salvaging of used cars and the disposition of these stockpiles of automobiles heaped along the highways when they become wrecks and are no longer usable. One percentage point of these 10 points was retained in the Senate bill and set up in a special fund by a Senate amendment out of which appropriations would have been made should a program be developed for the disposition of these automobile carcases that we see spread across the country and along most of our highways. The conferees on the part of the House felt that here again it was better for an appropriate committee of the House, and the House itself, after hearings and due consideration, to determine the type of program that the Congress would want with respect to beautification of the highways and elimination of the scars along these highways.

We did retain 1 percentage point of the first 10 points continuing that without termination date in the general fund of the Treasury. That is the only change we made with respect to the automobile manufacturers' tax.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. GROSS. Who is going to administer this fund? What is the estimate of the amount involved?

Mr. MILLS. The fund to which I referred is not in the conference report. That was a Senate amendment which would have set up a special fund out of which appropriations would be made. We rejected the proposal for such a fund.

Mr. GROSS. But that is not in the conference report?

Mr. MILLS. It has been eliminated. So the 1 percentage point will continue to go into the general fund of the Treasury.

Another matter of substance had to do with lubricating oil. We had adopted in the House-passed bill a provision retaining the 6-cent-a-gallon tax on lubricating oil, but providing that the receipts from that tax go to the Highway Trust Fund with the privilege of refund in case of nonhighway use.

We also provided, Mr. Speaker, for the elimination of the 3-cent-a-gallon tax on cutting oils. The Senate struck out our amendment, the effect of which would have been to continue the 6 cents a gallon on lubricating oil and the 3 cents a gallon on cutting oils.

The result of the conference, Mr. Speaker, is that the House language has been restored and the position of the House on this point has been sustained. We did adopt an amendment more or less technical in nature in connection with the conference report.

Mr. Speaker, another provision that we have in the conference report which was not in the bill as it passed the House has to do with the repeal of the tax on smoking tobacco, chewing tobacco, and snuff. The other body added this amendment. The House conferees have accepted it. There is approximately $17 million of revenue involved. This is a small amount relatively speaking compared to all of our revenues. The Senate committee had its attention called to the fact that this industry is one that is economically in distress. I think that is a fact because most of us know there are fewer sales of snuff and fewer sales of chewing tobacco than was the case 50 years ago or 100 years ago. So the conference committee accepted the amendment to help this industry which is in this declining economic condition.

The conference committee accepted some other amendments that are additions to the bill adopted by the Senate. They are all set forth and fully explained in the statement of the Managers on the part of the House. Mr. Speaker, I will not take any further time of the House at this point to explain those amendments, but will include a full explanation at a later point in my remarks.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. The Senate had voted to delay the repeal date on taxes on real estate conveyances for 3 years. The conference agreed to a 2-year delay until January 1, 1968. The State of Iowa and other States as well, of course, are depending on this as a source of tax revenue. Would the gentleman comment on the reason for that action?

Mr. MILLS. Yes, I am sure that some States, acting after the House had established a pattern for reduction in this area, might well have assumed that the form in which the House passed would be the final version of the bill. However, when this matter reached the Senate, the Advisory Commission on Intergovernmental Fiscal Relations made a recommendation for a 2-year delay. Actually, as we understood it, the Finance Committee of the other body did not do what they intended to do. They adopted this delay of 3 years but intended to delay for 2 years. It was the decision of the conference committee on the part of the House that if the Advisory Commission, representing State and Federal Governments, felt that this matter should not be immediately repeated but should be delayed, that we follow that recommendation, and we did so.

Mr. SMITH of Iowa. Also, I want to comment briefly on the authority contained in this amendment 101 which permits farmers to file a claim for refund on gasoline taxes when they file their income tax returns. I have had this in mind and been looking for several years for a vehicle, with the cooperation of the gentleman and his staff, so that this change in the law could be enacted.

Mr. MILLS. I had the gentleman from Iowa in mind when we were discussing this in conference because the gentleman had discussed the matter with me on so many occasions.

Mr. SMITH of Iowa. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman.

Mr. GROSS. Would the gentleman be good enough to say what the estimated effect on revenue is?

Mr. MILLS. I appreciate the gentleman asking about that and I had intended to do so. As it passed the House, there was an effect upon the fiscal year 1966 of $2,169 million. The conference bill that we now have before us has the effect of reducing revenues by $2,189 million or some $20 million more than the House passed bill. The Senate passed bill involved more of a revenue effect. Under the House bill, after all cuts are fully effective, on the basis of the first full year of operation, we estimate the effect on budget receipts would be a reduction of $4,908 million. Under the Finance Committee version, on the basis of a full year of operation, the corresponding figure is $4,658 million; this figure was increased under the bill in the form in which it passed the other body; but under the conference version which is now before us, the effect on budget receipts on the basis of a full year of operation, when all cuts are effectuated, is estimated to be approximately $4,736 million.

Mr. Speaker, at this point I will insert a fuller explanation of the conference report:

The conference report which I bring before you today is on H.R. 8371, the Excise Tax Reduction Act of 1965.

As I stated at the outset, we have acted with real dispatch on this bill, and I believe that this is an indication of the speed with which Congress can act when there is a need to do so. All of us were aware of the fact that to delay action on this bill might delay purchases of some of the taxed articles by consumers. In my view, this demonstrates that, when there is general agreement in Congress for a tax reduction, this action can be taken, and taken quickly.

The bill as agreed to by the conferees does not depart to any appreciable extent from the bill as passed by the House a few weeks ago. This is indicated by the fact that the bill as previously passed by the House would, over a 4-year period, have reduced excise tax collections by $4,838 million. The bill as agreed to by the conferees is a slightly smaller reduction, a reduction of $4,676 million.

If one looks at the number of amendments to the bill, it would appear that the other body has made a great many changes. All told, there are 108 numbered amendments. However, most of these are in the clerical, or conforming categories.

In terms of substantive amendments, I count 29 amendments. However, of these, 8 represent minor technical amendments recommended by the Treasury staff and our own technical tax staff. Had the Committee on Ways and Means been able to consider these, it would have adopted these amendments in the bill originally reported. Apart from these, of the remaining 21 amendments, the other body receded on 8. On the other hand, the House conferees receded on 13 amendments but 3 of these were modified substantially. Most of these amendments dealt with relatively minor subjects, including two that merely provided floor stock refunds for items for which your committee would have very likely provided refunds, had it known that the industries involved wanted them.

Of all of the amendments, I would classify five as relatively significant amendments. On three of these, the other body in large part receded and agreed with the House. Your committee accepted the two remaining amendments substantially as presented.

Two of the five significant amendments dealt with the manufacturers' excise tax on automobiles. As you will recall, the House bill would have repealed this tax over a period of 4 years. We would have reduced this tax from 10 to 7 percent, effective for all practical purposes as of May 15. Then on next January 1, we would have reduced the tax to 6 percent.

Over the following 3 years, on January 1 of each year, we would have further reduced the tax by 2 percentage points each year with the tax disappearing entirely on January 1, 1969.

The other body amended the House bill to retain 1 percentage point of this tax to be allocated to a special fund to aid in the disposal of old and wrecked automobiles. Also 4 percentage points of reduction that I have referred to would, under the amendments of the other body, have been made contingent upon the cars meeting the same safety standards as are required by the General Services Administration with respect to those purchased by the Federal Government.

Your conferees doubted the desirability of making a tax reduction contingent upon the adoption of any set of safety standards prescribed by a Government agency with respect to cars. We resisted this amendment in its entirety and the other body receded. In resisting this amendment, we did not in any sense intend to pass judgment on the desirability of requiring cars to meet the safety standards which would have been set forth under this amendment. Rather, we concluded that, if this were to be done, it would be better to do it positively after bringing it before, and having it thoroughly considered by, a committee having a jurisdiction and experience with problems of this type. If the Congress should later decide to use a part of the automobile tax for this or any other appropriate purpose we can still do so after proper consideration since, as I just pointed out, the tax is phased down to 9 percent in stages up to January 1, 1969.

With respect to the 1 percentage point set-aside in the special fund to aid in the disposal of old and wrecked automobiles, your committee agreed with the conferees of the other body to retain this 1 percentage point of tax. However, we did not agree that it be set aside in a special fund for the disposal of old and wrecked automobiles. Again, in doing this, we are not attempting to pass judgment on the desirability of making expenditures for this purpose. However, the retention of the 1 percentage point of the automobile tax is, in the minds of your conferees, appropriate. Here again, Congress can take action at some future time, if it desires to do so, with respect to terminating this 1 percentage point or with respect to its use if it is not repealed.

Another important change made in the House bill by the other body relates to the effective date for those reductions which, under the House bill, were scheduled for July 1, 1965. The other body has provided that all of the retailers' taxes which are repealed, all of the manufacturers' taxes scheduled for repeal or reduction on July 1, and also the playing cards tax, instead of being repealed on July 1 are to be repealed on the day after the day the bill is signed by the President.

In the interest of cutting down the time during which consumers might delay their purchases, this idea of moving up the effective date of these tax repeals to the full extent possible appealed to your conferees. In our view, initially adopting dates of this type would have been inappropriate, but once it becomes clear that the bill can be cleared for signature by the President sometime before the end of the month, it is in our view appropriate and desirable that the effective date of these reductions be moved up. To do otherwise could cause potential buyers in the period after the President signs the bill to postpone their purchases in the certain knowledge that the tax would be reduced shortly. This forestalls such a result.

At the same time, we recognize that many of the retailers and wholesalers must inventory their floor stocks on the reduction date in order to obtain floor stock refunds. For that reason, I would like to call the attention of these retail and wholesale dealers to the fact that these reductions are about to occur and that, if they hope to obtain floor stock refunds for their inventories on hand on the tax elimination date, they must be prepared to take these inventories as soon as the President signs the bill. I would assume that the prospect of this occurring relatively soon is quite good. For that reason, I suggest that retailers and wholesalers remain alert to determine when these inventories must be taken.

A fourth substantive amendment made by the other body relates to the tax on lubricating oil. The House bill would have eliminated all of the tax on lubricating oil and cutting oil—either by exemption or refund procedure—except in the case of that used in highway vehicles. The 3-cent-a-gallon tax on cutting oil has been eliminated entirely. The 6-cent tax on other lubricating oils would, by the House bill, have applied generally, but refunds would have been available for nonhighway use. In addition, the House bill would have allocated all of this tax revenue to the highway trust fund. The other body would have restored the 3-cent-a-gallon tax on cutting oil and would have made other lubricating oil continue to be fully taxable at 6 cents a gallon with no refund provision available for nonhighway use. Additionally, it would have allocated none of this amount to the highway trust fund. In other words, in this area, the other body would have restored present law.

Your conferees felt that the $50 million a year which would have been allocated to the highway trust fund under the House action was a very important reason for the retention of the tax to the extent it was used by highway vehicles. The conferees for the other body saw the desirability of the House provision and, therefore, acceded to the House provision in all respects, including the allocation of the revenue remaining to the highway trust fund. In other words, the tax on lubricating oil is retained insofar as it relates to highway use.

The fifth substantive amendment made by the other body related to the 10-cents-per-pound tax on manufactured tobacco—that is, smoking and chewing tobacco and snuff. During next year, it is estimated that this tax will produce approximately $18 million of revenue. Initially your conferees resisted this amendment, not because they did not favor reducing or eliminating this tax, but rather because tobacco taxes generally had not been considered by the House. However, the conferees on the part of the other body stressed strongly the regressivity of this tax and the way in which it bore down heavily upon families with small incomes. As a result, we finally acceded to the position of the other body.

Of the remaining amendments made by the other body, three related to floor stock refunds. Two of these provided floor stock refunds for tax paid on playing cards and sporting goods. On the other hand, the other body would have removed the floor stock refund the House provided in the case of tax paid on auto parts. Your conferees agreed to the retention of floor stock refunds in all three of these cases.

Two other amendments dealt with questions of the effective date of the documentary stamp taxes. First, the other body would have postponed for 3 years the effective date of the repeal of the tax on real estate conveyances. It concluded that this was desirable because it had heard that State and local governments depended upon these stamps on real estate conveyances for assessment purposes. Therefore, the other body wanted to give the States and local governments ample opportunity to impose real estate conveyance taxes if they so desired. For this reason, the other body would have extended this tax for 3 years; that is, until January 1, 1969. Your conferees agreed to extend the tax until January 1, 1968.

The second amendment relating to the documentary stamp taxes would have advanced by 1 day—to December 31, 1965—the date for the repeal of the documentary stamp taxes on securities. Your conferees did not agree to this amendment.

Two other amendments had been brought to the attention of your conferees. It was called to our attention that, under present law, electric light bulbs can be purchased tax free, or used on a tax-free basis, when incorporated as parts in refrigerators, ranges, radios, television sets, and other taxed articles. However, the tax on these items is removed this June although the tax on electric light bulbs remains in effect until January 1, 1966. This would have had the unintended result of initiating a new tax on the bulbs incorporated in these refrigerators, ranges, and so forth, merely for this 6-month interval. We agreed with the other body that the administrative burdens that would be imposed on the manufacturer merely for this 6-month period was not worth the tax involved.

Another amendment called to the attention of your committee concerned the club dues tax payable on initiation fees. Under the House bill, the club dues and initiation fee taxes are repealed as of January 1, 1966. This had the effect of discouraging the formation of new clubs in the last 6 months of this year. Although club members might not be reluctant to pay tax on dues for this 6-month period, in the case of new clubs, they were most reluctant to pay a tax on initiation fees, involving much larger payments. Thus, the formation of new clubs for this limited period of time appeared to be stymied. The other body met this problem by providing that the tax on initiation fees would not apply to clubs first going into operation after June 30 of this year. However, the dues tax would continue to apply to them. Of course, both the initiation fee tax and dues tax will apply in the case of all other clubs for this limited period of time. Your conferees agreed to this amendment.

Your conferees also agreed to an amendment modifying the tax on trucks, truck bodies, and truck parts to a very limited extent. In this amendment, it agreed that so-called camper coaches and bodies of mobile homes should not be included in this tax base due to the fact they are comparable to house trailers which are not presently subject to tax. It agreed that truck bodies, parts, and accessories primarily designed for use in connection with the processing, hauling, or spreading of feed, seed or fertilizer in connection with a farming activity should not appropriately be subject to the truck tax. It also agreed to exclude from this tax three-wheeled motor vehicles powered by a motor which does not exceed 18 brake horsepower, if the chassis does not weigh over a thousand pounds. Essentially, these vehicles are more like motorcycles, which are presently exempt from tax, than they are like trucks. In addition, your conferees agreed that the value of used parts used in the manufacture of a truck should not be taxed a second time where the part is furnished by the customer.

In this amendment, it is also made clear that auto and truck parts and accessories used in rebuilding other auto parts are to be subject to tax in the same manner as new parts used in repairing. This was a technical amendment recommended by the staff. We further agreed to exclude from the truck tax schoolbuses purchased by independent operators for their use under a contract arrangement with a school to transport schoolchildren. Since schoolbuses are not subject to tax when purchased directly by schools, we agreed with the conferees of the other body that we should not indirectly tax schools on the use of buses merely because they used them under private contract arrangements rather than through direct ownership. In this connection, I might point out that many of them found indirect ways of achieving the same result without benefit of the amendment.

Your committee also agreed to four other amendments made by the other body. We agreed to one which makes the tax on transportation of persons inapplicable to the domestic portion of international travel in the case of servicemen where they purchase their tickets within 6 hours of arrival in the United States and take the first available accommodation of the type their ticket calls for. Because of the way some military personnel travel, they have unintentionally been discriminated against under the present rules, and this amendment, in effect, places them in an equal category with others who can, in advance, schedule travel all the way through on trips involving international transportation.

Another amendment added to the bill by the other body would provide an income tax exemption for certain nonprofit exchanges for the sale of poultry. While we recognize that the type of poultry exchange that the other body was concerned with may well have had legitimate problems in the past in the way their cases have been handled, we did not believe an amendment of this type with prospective application had been justified. Therefore, we agreed to this amendment only for past periods. It involves a very nominal amount of revenue, probably not more than $30,000. But we did not agree to any amendment in this area for application in the future.

The other body would also exempt from levy or seizure by the Internal Revenue Service undelivered and unopened mail. As a general proposition, your conferees agreed that it is undesirable to permit the seizure of mail in transit by the Service. However, your conferees agreed to this provision only after the other body accepted an amendment making sure that mail, once delivered, was subject to the same opportunity for levy as any other property. In this connection, note was taken of the fact that not to limit this provision in this manner would have made evasion relatively easy by an individual. He, hearing of the likelihood of the seizure of his property, could merely have mailed himself a sum of money and then, once delivered, never opened the envelope. This result could not be permitted to occur.

Your committee also agreed to an amendment which exempts from the 10-percent wagering tax, wagers placed in State-run sweepstakes, pools, and lotteries. At the present time, this will exclude from the Federal wagering tax the type of lottery conducted by the State of New Hampshire.

Three other amendments added by the other body were resisted by your committee and the conferees on the part of the other body agreed to their omission from this bill. One of these would have provided refund of taxes on gasoline held by a dealer to the extent this gasoline is lost by leakage or spillage. A second amendment omitted would have provided that the tax on tires in the case of manufacturer-owned retail stores would be payable at the time of delivery to the manufacturer-owned retail outlets rather than at the time of the sale by the retail outlets.

Your committee recognized that there may be merits in either or both of these proposals, but it did not believe that there was sufficient time to consider them in this bill. For that reason, it prefers that if they are to be considered, they be considered as separate bills in the usual manner. Lastly, an amendment added to the bill by the other body would have directed the Council of Economic Advisers to report to the Congress with respect to the economic effects of the tax reductions or repeals made by the bill. The report was particularly to indicate the extent to which the tax reductions were passed onto the consumer. This report would have been made annually from July 1966 through July 1970. The conference committee did not agree to this amendment. It is my hope and that of the other conferees that the President will advise the Congress of the results of the excise tax reduction on the price structure of the commodities affected by the reduction.

Mr. Speaker, I believe that we have worked out a good conference agreement and I believe that the passage of this conference report and the early presentation of this bill to the President is in the best interest of the country. I urge the adoption of this report.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, in spite of the need for eliminating these excise taxes, it has been a long time coming. But the day is now at hand.

Mr. Speaker, I do not intend to delay longer by any further talk. The chairman of the committee has explained the conference report. I will add only that I believe the conference report is an improvement in the bill as it passed the House, and is an improvement in the bill as it passed the Senate. This is a good conference report. The report should be approved without delay and we can then put an "amen" to the elimination of this most onerous and inequitable tax that we have ever imposed on our people.

Mr. Speaker, I yield back the balance of my time.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MOORE. Mr. Speaker, I wish to urge adoption of the conferees' report pertaining to the reduction or elimination of excise taxes. Far to long our citizens have had to shoulder the burden of these unfair taxes, particularly those in the lower income brackets who have had to pay a far greater share of their income for these discriminatory taxes.

Mr. Speaker, I would like to point out to my colleagues one little publicized, but important, change would be the repeal of the 10-cent-per-pound excise rate on snuff, chewing, and smoking tobacco. I do not have to remind my colleagues that thousands of our factory workers use chewing tobacco on the job because of regulations against smoking. In this instance, paying this tax works a hardship on thousands of workers. Pipe smokers and cigar smokers, too, will benefit from this reduction of 10 cents per pound on smoking tobacco.

The present excise taxes, for the most part, Mr. Speaker, were initially levied as emergency revenue-raising measures in times of crises; consequently, I strongly urge my colleagues to view favorably the recommendations submitted by the conferees on this most important legislation.

Mr. MILLS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CLERK OF HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 8371

Mr. MILLS. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 442) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 8371) to reduce excise taxes, and for other purposes, is authorized and directed to strike out "gasoline" in the new section 6424(b)(2) added by section 202(b) of the bill and to insert in lieu thereof "lubricating oil".

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954 TO PERMIT CORPORATIONS TO QUALIFY AS REAL ESTATE INVESTMENT TRUSTS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 4260), to amend the Internal Revenue Code of 1954 to permit corporations to qualify as real estate investment trusts, which bill was unanimously reported by the Committee on Ways and Means, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (a) of section 856 of the Internal Revenue Code of 1954 (relating to definition of real estate investment trust) is amended to read as follows:

"(a) IN GENERAL.—For purposes of this subtitle, the term 'real estate investment trust' means a corporation, an unincorporated trust, or an unincorporated association—

"(1) which is managed by one or more trustees or persons who bear a comparable fiduciary relationship to the beneficial owners or shareholders;

"(2) the beneficial ownership of which is evidenced by transferable shares, or by transferable certificates of beneficial interest;

"(3) which (but for the provisions of this part) would be taxable as a domestic corporation;

"(4) which does not hold any property primarily for sale to customers in the ordinary course of its trade or business;

"(5) the beneficial ownership of which is held by 100 or more persons;

"(6) which would not be a personal holding company (as defined in section 542) if all of its adjusted ordinary gross income (as defined in section 543(b)(2)) constituted personal holding company income (as defined in section 543);

"(7) which is not a bank as defined in section 581, an association described in section 7701(a)(19)(A), or a corporation which is an insurance company for purposes of subchapter L (sec. 801 and following); and

"(8) which meets the requirements of subsection (c)."

(b) Subsection (c) of such section 856 is amended by striking out "A trust or association" at the beginning and inserting in lieu thereof "A corporation, trust, or association".

(c) The second sentence of section 857(d) of such Code is amended by striking out "domestic unincorporated trust or association" and inserting in lieu thereof "domestic corporation, unincorporated trust, or unincorporated association".

SEC. 2. The amendments made by the first section of this Act shall apply with respect to taxable years of real estate investment trusts beginning after December 31, 1964.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 4260 is to amend the Internal Revenue Code of 1954 to permit corporations to qualify as real estate investment trusts. Under present law, regulated investment companies which distribute 90 percent or more of their ordinary income are taxed only on their retained income. Thus, the distributed earnings of these companies are taxed only to the shareholders. Essentially, the same type of tax treatment under present law is also accorded to real estate investment trusts. The pending bill extends this pass-through-type of taxation to real estate corporations which meet the requirements provided under present law for real estate investment trusts.

The Committee on Ways and Means was unanimous in favorably reporting this bill, which was introduced by our colleague on the committee, the Honorable EUGENE J. KEOGH, and the Treasury Department has indicated that it has no objection to its enactment.

DIET STUDY BILL

Mr. SICKLES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SICKLES. Mr. Speaker, one of our leading television news commentators recently told a nationwide audience that despite our share of national and international crisis, the chief topic of conversation in official and unofficial Washington was "let me tell you about my diet."

We are becoming a Nation of weight watching diet dabblers. The trouble is, along with the measuring eye and the big talk, we have got the big appetite. And too many of us are getting big all over.

Overweight American is an unhappy byproduct of a happy situation—our affluent and productive society. While much of the world is still struggling against the diseases of starvation and malnutrition, we fortunate Americans may be eating ourselves to death.

Not only do we have more and better food, but our way of life is becoming more and more sedentary. We ride more and walk less. Machines do more and more of our work for us. Electric can openers open our diet drinks, electric knives slice the fat off our meat and now they even have electric pepper mills. But because we have so little opportunity to work off our excess calories, even with our diets, we are faced with an increasing gap between our intake and the energy we use which is reflected in that most distressing gap between the two ends of our belts.

Our individual and collective concern is reflected in the totally bewildering array of diet plans, products, and programs, with which we are confronted. I became personally and a trifle painfully aware of this during my first term as Maryland's Congressman at Large when too many of my constituents thought that the title meant large Congressman. You know, you can get a low calorie anything—from bubble gum to lasagna; from soda pop to split pea soup. And the diets—the drinking man's diet; the housewife's diet, high fat diets, liquid diets, high carbohydrate diets, and just plain starvation diets. All with dubious success records. Also, there are pills, shots, candies, and crackers designed to whittle the waist and shed the extra pounds. Physicians disagree, the new ways to reduce keep coming and the American people keep getting fat.

I think it is time, because of the direct relationship of diet to health and physical fitness, for the Federal Government to undertake an effective survey of existing literature and studies of this problem and to conduct the necessary basic research so that the American public can have a sort of Federal measuring tape for their waistline problem. From the outset, let me say that I do not expect this study to develop information that will make each of us as slim as the after models in the diet ads. But I would hope that the Surgeon General would convene a panel of medical and nutritional experts to study the complex interrelationships between diets and health and take a good hard look at the possible effects of some of the food substitutes for which Americans are spending millions each year in our too often futile or temporary efforts to break the next lower size barrier.

To accomplish this purpose I have today introduced legislation which directs the Surgeon General to make a study of diets and health, and report his recommendations back to the Congress by January 31, 1967. As I indicated before, I do not expect a definitive diet which will work for every one of us, because people vary too greatly in their individual weight problems and in their reactions to any specific remedy. But I do hope that some guidelines will be forthcoming which will shed some light and enable more of us to shed our unnecessary and unhealthy poundage in a sensible, effective, and healthful manner.

DAVID BELL, ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, I would like to add a few words to those being spoken today by my colleagues commemorating the tenure in office of David Bell, Administrator of the Agency for International Development.

There are few people in this Government who have inspired so much confidence from the executive branch, from their employees, and from the members of the legislative branch as has David Bell.

And for many reasons. As should be expected from every agency and department head, he has done his job well and with distinction. Perhaps what makes him stand out as exceptional is his dedication to our country in one of the most difficult positions in our Government—administrator of the foreign aid program.

Under Bell, foreign aid is an important arm of our foreign policy and one of the most constructive programs in the history of mankind. Helping hundreds of thousands of people to help themselves and establish viable economies is a formidable undertaking.

Coupled with this are the problems that the aid program has undergone in the past—AID has been the target of many a critic both within our Government and within our Nation. Bell took over the directorship of the program when criticism was at its highest.

Since then, he has gone on to right the past wrongs of the foreign aid program—to make it a program which should inspire confidence in all of us. AID has imposed the most stringent conditions of self-help and performance upon recipient countries.

Under Bell's administration, foreign aid has become more concentrated—cutting the number of recipient countries to those that show the most promise and promptly terminating assistance when a country can become self-supporting. Nine less countries will receive foreign aid in 1966 than in 1964, for example. Reservoirs of talent and skill from the private realm have been tapped to aid the development of the economies and private sectors of the less-developed countries.

David Bell has given his Government reason for new confidence in a strategic, but difficult program. May his service be an inspiration to all of us and to those who come after.

DAVID E. BELL, ADMINISTRATOR FOR THE AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, on December 22, 1962, David E. Bell took office as Administrator of the Agency for International Development. People who knew the problems of that office speculated he would follow in the footsteps of his predecessors and have a short tenure. But on June 12, Mr. Bell celebrated having been with the Agency longer than any Administrator before him. I think we should also celebrate his accomplishments—for since that December day, 2 years and almost 6 months ago, under his direction the foreign aid program has made tremendous strides in improving the quality of U.S. assistance to the developing nations.

On the day he took the oath of office, David Bell said:

> In order to conduct effective programs of U.S. assistance to the growing strength and security of other free countries, we must engage the wisdom, resources, and the talents of agencies throughout the Federal Government and of the institutions throughout our country.

And this promise was made good, for under David Bell, a great cooperative effort has been undertaken by AID to utilize the enormous productive and diverse skills and resources of the private sector of the American economy in helping the underdeveloped nations.

Under Mr. Bell's leadership, the AID program is now utilizing the same institutions that transformed the United States into the great nation which it is today.

American colleges, universities, business and professional firms and service organizations currently hold 1,206 AID contracts, amounting to $404 million for technical assistance in 76 countries.

More than 200 employees of private American thrift and cooperative associations under AID contract are helping other countries develop savings and loan associations, credit unions, electric distribution, housing and farm marketing cooperatives.

Private American engineering, architectural, and construction firms are supervising some $4 billion in capital projects in more than 50 countries under AID. Nearly 90 percent of all AID architectural and engineering contracts are held by American firms.

American labor unions, local governments, and universities on contract with AID provide specialized training in the United States for some 6,000 people from the developing countries each year.

There has been a rapid growth in programs available to American investors through AID. Investment guarantees nearly quadrupled from 1961 to 1964 to a total of $1.8 billion. AID's investment survey program initiated 110 survey grants with the result that American investors are proceeding with new investments totaling a potential $15 to $20 million. AID's new catalog, listing 1,200 economic and feasibility studies for potential American investors, is enlarging the opportunities for businessmen in the developing countries.

Besides these direct cooperative efforts with American private firms, most of AID's dollars are now spent in the United States, which produces a beneficial effect on the U.S. economy. During David Bell's tenure in office the proportion of AID-financed commodity expenditures from U.S. business and industry increased from 79 percent in 1963, to 87 percent in 1964, and reached 94 percent in the first quarter of 1965.

In individual categories, AID is the major financier of American exports to developing countries, accounting for more than 40 percent of iron and steel product exports, 65 percent of fertilizer exports, and 30 percent of railway equipment and sales.

On December 22, 1962, David Bell expressed his great confidence in the American people and the American private enterprise system. Since that time he has put it into practice by making the foreign aid program one of the greatest cooperative efforts of the American people and their Government. I would like to return that confidence by paying tribute to an exceptional man who has done an exceptional job for his country.

DAVID BELL, ADMINISTRATOR FOR THE AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, David Bell is a name familiar to every one of us here and indeed to most people in the country. He has now served as Administrator of the Agency for International Development longer than the nine previous directors of the program during the 17-year history of U.S. foreign assistance.

Mr. Bell finds this to be a "minor distinction." If I may differ with him for once, I think that this is a major distinction when a man sticks to a tough job, a job in which he has to continually strive to overcome great odds.

David Bell has overcome these odds by having a firm grasp of the facts, a clear understanding of the problems, a characteristic of leadership and, most of all, a strong conviction that his job is necessary and vital to the interests of the Nation. I do not think that anyone can deny that David Bell has always presented facts; not vague hopes and dreams of what the program could accomplish. We always got answers—never evasions.

He has brought the foreign aid program from the former practice of literally giving away dollars to a program that today consists of 85 percent products and technical help. And almost two-thirds of this will be paid back with interest.

Free enterprise has been put into the aid picture. Dave Bell has pushed a wide range of programs designed to stimulate local investment and new businesses in the developing nations of the world.

In a sense, this aspect of AID is setting an entirely new tone to foreign assistance—a tone that rings with the excitement and progress, the success and sometimes failure that we so dearly associate with free enterprise.

I think that Dave Bell has helped us to grasp the basics of the revolution of rising expectations and to help turn the nations enveloped by this revolution toward the United States and freedom. Not only are poverty, hunger, and disease being defeated, but, most importantly, allies are being cultivated. These friends are not only strong and self-sufficient, but they are free.

Dave Bell took over the AID job after the novelty had all worn off. Europe, for the most part, recovered and was well on the way to economic prosperity. The Communist revolution in this area had never materialized. So the next logical step was for the Communists to set their sights on the new and very poor emerging nations of the world.

Dave Bell's job has been to help these less-developed countries enter the community of nations in freedom and dignity. People have to be trained, leaders educated, capital uncovered—whole patterns of life altered. This tremendous and important task requires as much foresight, determination, and courage as did the first aid programs.

I recall when he first appeared before the Foreign Affairs Committee. I asked him why he accepted such a difficult, thankless and almost impossible task. He answered with his directness. He said, because President Kennedy had asked him.

He has now served under two Presidents and has served them well. But even more importantly, he has served his Nation well.

DOMINICAN CAAMANO PARALLELS CUBAN CASTRO

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the strength and support of rebel forces in the Dominican Republic has been grossly overrated.

Present estimates show the rebels to number 2,500 to 5,000 fighting in a country of 3.3 million people. Despite these small figures the rebels claim they have wide popular support, yet have refused to accept free elections supervised by the Organization of American States.

If these Dominican rebels claim to represent over 3 million people, why should they fear free elections?

It is the same old story we heard when Fidel Castro came to power, and in many respects the circumstances surrounding Cuba and the Dominican Republic run a shocking parallel. For example, both Cuba and the Dominican Republic are island nations, easily infiltrated along the shoreline; have the Communists using similar guerrilla tactics; have widespread poverty; and have lived under harsh military dictatorships.

But there is another aspect to the parallel, and that concerns reports circulated about the rebel leader, Col. Francisco Caamano Deno. We keep hearing, for example, that Caamano is not a Communist, that only those around him are the Communists. We heard that about Fidel Castro not being a Communist, that only those around him were Communists, and I hope we have learned a lesson about that by now.

However, there are some facts about Caamano which need to be brought out. He claims to be a champion of the Dominican people, yet his own father was chief of the armed forces under the brutal Trujillo regime. In addition, on December 27, 1962, Colonel Caamano participated in a massacre of his fellow Dominicans at the village of Palma Sola, near the Haitian border. The entire village was burned, and the mission left a large number of Dominicans either dead or wounded.

It is clear that had the United States acted as swiftly in Cuba as was done in the Dominican Republic Castro and communism would not be in Havana today. It is also clear that we must pursue a firm policy in the Dominican Republic to curb Castroism in the Caribbean.

COME TO TEXAS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, it has come to my attention that on Thursday, May 27, an article by Ted Lewis in the New York Daily News has cast unwarranted aspersions on the scenic grandeur of my native State of Texas.

Commenting upon President Johnson's drive to beautify the general landscape of America, Mr. Lewis, with tongue in cheek and eyes obviously closed, dreamed up a fantasy and passed the solemn judgment that "the Lone Star State is big but its landscape is drab and without one scenic beauty worth touting."

This comment, I am sure, not only wounds the pride but inflames the passions of Texans everywhere with an eye for beauty and a tongue for touting.

No beauty, sir? Obviously the author never has traveled the broad, white highways through the piney woods or driven down a country lane through the flowering dogwood trails of east Texas, or seen the mystic brooding cypress swamps at twilight with their draping curtains of moss filtering the fading sunset.

Well traveled though he must be through the subways dark and dank, Mr. Lewis quite obviously never has known the rapture of a west Texas dawn where the sun flames crimson on the rugged canyon walls and the day opens big as all outdoors.

Someday when Mr. Lewis' lungs are choked with smog and his nostrils offended by the exhaust fumes of the eastern metropolis, his nerves a jangle from the raucous bleetings of the auto horn, he should seek a week of serene repose in the lush, semitropical beauty of the Rio Grande Valley where the fragrance of some budding plant forever scents the atmosphere, multicolored foliage salves the eyes, and where the nerves are balmed at siesta time by the gentle stroking of guitars.

Or perhaps he should take a leisurely canter on horseback through the Texas hill country in springtime when bluebonnets cover the meadows with an azure blanket, or relax by gondola through the picturesque downtown meanderings of the San Antonio River beneath the storied Alamo, or drive the freeway between Fort Worth and Dallas where the skylines of the twin cities loom breathtakingly out of the plain.

I wish he could visit Six Flags over Texas, or the Chandor Gardens in Weatherford, or Houston's Astrodome, or the Sunken Gardens of Brackenridge Park, or the Botanic Gardens of Fort Worth.

No scenic beauties? Texas has so many we cannot even name them all.

ASSATEAGUE ISLAND

Mr. TODD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, I have become concerned by the shortage of adequate public beach facilities in the middle Atlantic coastal region. Cape Cod has relieved the pressure for swimming areas in New England, and the Fire Island National Seashore seems adequate for New York City, but there is a long gap between Fire Island and the next national seashore south, Cape Hatteras, N.C.

Assateague Island, it seems to me, is the logical solution to this problem, and I urge that we take immediate action to make the island a national seashore.

Assateague is ideally located to serve the large portion of our eastern populace which now has little or no access to good beaches. Within a 250-mile radius of the island live over 34 million people, one-fifth of our entire population, most in the large metropolitan areas of Washington, Philadelphia, Baltimore, Wilmington, and Richmond. And there seems little doubt that Assateague could accommodate this terrific demand. The Department of the Interior recently estimated that a national seashore at Assateague could probably serve 3 million each year.

This spring I spent two weekends on Assateague, and I am convinced that it would be perfect as a national seashore. The southern tip of the island is quite wooded and marshy, an ideal refuge for thousands of ducks, geese, and swans, as well as the famous wild ponies. The northern end, on the other hand, is a long, wide beach. The water temperature there is moderate, and the dropoff gradual. Even on rough days, I am told, there is virtually no undertow. In short, it is an ideal swimming area.

At the same time, because of its topography, Assateague is not at all suited for private cottages or summer residences. In the first place, if many homes were built there, before long, there would be a terrific sewage disposal problem. In an effort to prevent sewage contamination on the island, the Maryland State Health Department has banned all septic tanks. It feels that the only solution to the problem is a fairly complicated sewage system—a system much too costly to be financed by any private land developer.

But the main reason that Assateague is not suitable for private housing development is that it often floods. In the hurricane of March 1962, for example, the island was almost completely submerged. The Washington Post's account of the storm read:

> In * * * the great storm, the ocean rolled right across Assateague into Chincoteague Bay at perhaps five points. Dunes were washed away and the sand deposited in what had been swamps. The shoreline was moved, leaving former beaches deep under water. One summer house, built foresightedly on deep pilings in the dunes, was left with its doorstep out of reach above the new ground level.

In short, I feel that the arguments in favor of a national seashore at Assateague are indisputable: There is a terrific need for swimming facilities in this area; Assateague has an ideal beach; and it is completely unsuitable for private ownership and development. It is my hope, therefore, that in the near future the House Committee on Interior and Insular Affairs will hold hearings on the Assateague National Seashore bills, and that it will see fit to act favorably on them. A Senate committee has already done so, and it is of the utmost urgency and importance that we follow suit.

NEW YORK STATE MOVING TOWARD ADOPTION OF LOTTERY AS A SOUND SOCIAL AND REVENUE DEVICE

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, on Tuesday, I spoke before this House to announce that the New York State Senate had voted in favor of a State lottery by a 2-to-1 majority. Today, it is my pleasure to announce that the State assembly followed suit and also voted in favor of a resolution for a constitutional amendment to establish a State lottery. I am happy to say that the assembly did so by a majority of 8 to 1.

This, Mr. Speaker, means that a State lottery is about to become a reality in New York. After next year's legislative action on this proposal, the people will have an opportunity to vote on it in 1966.

I am confident that this lottery proposal, which I have supported for a long time, will win an overwhelming victory because the people want a lottery to help ease their tax burdens.

There is no doubt that New York has immense illegal gambling activity which should be tapped for the public good. I am confident that a lottery in New York will cut heavily into the multibillion-dollar gambling activity which has been for too long a monopoly of the underworld crime syndicates.

New York proposes to use lottery revenues for education—this will certainly be a great boom to education in New York.

The legalization of a State lottery in New York will prove to our neighboring States that hypocrisy costs money. I say this because people from all over the United States will look forward to the opportunity to buy a New York State lottery ticket.

Let me say, Mr. Speaker, that the New York State Legislature's vote on the lottery proposal is further evidence of a growing trend toward the lottery idea as a sound social and revenue device—a trend which will be more and more felt even in the Congress as the years go by.

VIETNAM

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, I feel certain that of all the various phases of this Nation's foreign policy, the one in which this Congress is most interested is the war in Vietnam.

I have this week returned from a brief tour of that country, the purpose of which was to better my understanding of the situation through firsthand experience. During the week I was briefed by Ambassador Johnson, met with General Westmoreland, had briefings at three of the four corps areas in South Vietnam, met with the commanding generals of the Marines in Danang and of the 173d Airborne Brigade at Bien Hoa. I talked with American colonels, captains and sergeants; with U.S. advisers to the Vietnamese army at all levels. I talked with the Vietnamese officers and men. For 3 days, dressed in fatigues and armed with a carbine, I talked with our troops all the way from the rice paddies of the Mekong Delta to the mountain command posts overlooking Danang.

While I certainly do not want to intimate that I could become an expert on Vietnam in 1 week, I do feel that I had the opportunity to learn a good deal more about the situation and our mission there.

In an effort to share my opinions on the war with my colleagues, Mr. Speaker, I ask unanimous consent to insert a speech that I gave last Saturday before the 45th Annual Convention of the Disabled American Veterans of Georgia, recording my thoughts and observations on the war.

In addition, Mr. Speaker, I have taken a special order this afternoon for the purpose of enlarging and detailing my remarks. I invite all my colleagues to join with me this afternoon in discussing the situation in Vietnam.

The speech is as follows:

THE WAR IN VIETNAM

(Speech of Hon. HOWARD H. CALLAWAY before the 45th annual convention of the Disabled American Veterans of Georgia, June 12, 1965)

The war in Vietnam is a different kind of war. It is in no way comparable to World War I, World War II, or the Korean war. This is the classic war of liberation. This is the kind of war that Mao Tse-tung and his Chinese Communists understand and want to fight all over the world. This is the kind of war that Mr. Khrushchev praised in his famous speech of January 6, 1961; it is the kind of war that Castro's Che Guevara describes in the field manuals that are being circulated today throughout Latin America; and this is the kind of war that will break out all over the world if we allow it.

A war of liberation is a phantom war that we hardly understand. It can best be described in Mao Tse-tung's words that "Our guerrillas will swim in a sea of peasants." Mao's classic war of liberation has three phases: the first phase is entirely guerrilla action. In the second phase the guerrillas group together in units of company to regiment size, attack and then fade away. The third phase is conventional war in which the guerrillas actually seize territory.

The war with the Vietcong today is in the second phase. Vietcong troops assemble almost at will in strengths up to regimental size, attack or ambush, and then vanish. They never stand to fight against superior forces, but always melt away into the sea of humanity. They live off the land, which is not difficult, for around each village there are coconut trees, fruit trees, and hundreds of pounds of rice stored in each home.

This is a war of terror. A standard Vietcong tactic is to attack a village in which the villagers have been friendly to the Republic of Vietnam or to the United States, and assassinate in a cruel fashion those who have cooperated. In 1964 alone, some 500 village chiefs were assassinated and more than twice that many kidnaped. This points out the obvious necessity of giving security to each of the villages. It is hard to get people to stand up for us when we can't protect them.

While this war has many aspects of a civil war, of Vietnamese fighting Vietnamese, I want to point out strongly that the Vietcong are supplied and directed totally from North Vietnam and Hanoi. Over 20,000 hard-core Vietcong are known to have come down the Ho Chi Minh trails into South Vietnam. They have trained, recruited, and kidnaped some 60,000 local Vietnamese into the Vietcong service; arms and ammunition are supplied from Hanoi. Most of these are light armaments such as 60-millimeter mortars, 57-millimeter recoilless rifles, and a new series of 7.62-millimeter small arms weapon. A significance of the new weapons is that they are manufactured in Communist nations and are of a different caliber from anything our forces are using. This means that the Vietcong are now so sure of their lines of supply that they no longer need to rely on captured weapons, but can count on supplying their own. Most of the weapons come in junks and sampans down the coast from North Vietnam.

How can Americans fight such an alien and unfamiliar type of war? The war is being fought today primarily by the Army of the Republic of Vietnam, ARVN. They are fighting it first with regular troops, quickly meeting VC attacks before they can disappear. Helicopters are being used extensively and the ARVN is continually developing new successful techniques. But primarily the war is being fought by a program of rural reconstruction. This program has replaced the strategic hamlet program and has the same purpose of providing security to friendly villages.

The Vietcong controls a very large part of the territory of South Vietnam, but the Republic of Vietnam controls most of the large population centers in all of the 45 provinces. The idea of rural reconstruction is to start with the population center already controlled, and then like a spreading drop of oil, move out slowly taking more and more areas under the control of the Republic of Vietnam. As this control spreads, regular army ARVN forces are replaced by both regional forces, and by popular forces who together secure the areas from the Vietcong. As soon as an area is secure civilian government is established in cooperation with the armed forces.

This is how the Vietnamese are fighting their war, and it seems to me a very sound method of fighting it.

And what are we doing to help? First of all we are providing advisers at all levels to the Army of the Republic of Vietnam. In each of the four corps areas there is a senior American adviser, a full colonel. He works hand in hand with the Vietnamese corps commander giving tactical advice, helping with training, and coordinating the American Air Force units. Similarly, American advisers are working side by side with division, regimental and battalion commanders as well as with province chiefs and district chiefs.

This program is working extremely well. Of the hundreds of advisers I saw, each worked in close cooperation with his Vietnamese counterpart. The Americans had nothing but praise for the Vietnamese Army and for the courage and fighting ability of the Vietnamese soldiers.

The one problem with the Vietnamese Army is that of leadership. During their tenure, the French did not train native leaders, and it is only now that leaders are being trained. This takes time, but wherever there is good leadership, the Vietnamese soldiers fight well. In the few instances where they have not fought well, it has always been attributed to poor leadership. One significant example was of a battalion in a heavy fight recently that was doing extremely well until its battalion commander was killed. As there was no one to step in and take over the leadership, the battalion fell apart. Our advisers are playing a significant role today in providing and training the necessary depth of leadership.

In addition to advisers, we are also fighting the war with operational American troops. We have the 3d Marine Division whose mission it is to protect the three airfields of Phu Bai, Danang, and Chu Lai in the northern part of the country, and the 173d Airborne Brigade stationed near Ben Hoa and operating in that area. These are conventional American troops with specific missions such as the protection of airfields. We have to realize that our troops are operating as guests in a friendly sovereign country. This is frustrating at times, but the problems are being worked out as the spirit of cooperation is strengthened between the two nations. For example, when the marines first came into Danang they were assigned to a sector much too small to carry out their mission of defending the Danang Airbase.

Yet as the marines have operated and showed the local Vietnamese that they are careful not to harm any of the civilian population, their sector of responsibility has been increased.

Our third tactic in fighting this war is to interdict the Vietcong supply routes by air strikes north of the 17th parallel into North Vietnam. Generally the air attacks are held below the 20th parallel, with only an occasional strike above that line. Although our pilots are encountering antiaircraft fire, and from time to time lose aircraft, the strikes have been quite effective in cutting supply lines in this limited area. But the real problem is that the Vietcong needs such a small amount of supplies, using no petroleum and no food and very little ammunition. It has been found that if we knock out a bridge one day the next day supplies are routed around to ferry sites. Therefore, these strikes are effective, in that they are making matters more difficult for the North Vietnamese, but they in no way stop the supplies that are needed for the Vietcong. Most of the supplies eventually find their way to the Vietcong by sea and rivers in junks and sampans.

My assessment of the war in Vietnam is that under the present circumstances we are winning. This month we are in better shape than we were a month ago, and a month ago we were in better shape than we were 2 months ago. In each of the Provinces, the area under control of the Republic of Vietnam spreads out week by week. The Vietcong seems to be maintaining its strength, but it is getting no stronger. And added to this is the encouraging fact that the morale of both American troops and Vietnamese troops is extremely high. As a matter of fact, most of the commanders that I talked with felt that morale was higher than they had ever seen it in any operation in war or peace. We can be extremely proud of our fighting men.

RECOMMENDATIONS

From my brief visit I would make the following recommendations:

1. I think that we should do everything we can to explain to our people that this is a Vietnamese war and not our own. Our role is only to help, not to take over. Certainly it would be a great mistake to get into the position of fighting a major ground war on the mainland of Asia. I hope that with our help and advice, the Vietnamese troops will be able to control the Vietcong without U.S. operational forces and that perhaps within the next year all U.S. forces except advisers might be pulled out safely.

I say this even as additional U.S. operational troops are being moved into Vietnam. I support the move of additional troops as necessary to protect ourselves against the threat of a new kind of war, an attack by regular operational armed forces. Should this war in Vietnam change from the present war against the Vietcong to a different kind of war against regular forces of North Vietnam, China or Russia, then we would have to analyze the situation and change our plans accordingly. I cannot speculate on what our reaction to such an event might be, but I hope that it would be firm, and with the full consideration of all of the resources at our command. I might say in passing that in some respects a war against an overt aggression would be easier to fight than the present one.

But I return to my point that the war against the Vietcong guerrillas should be fought by the Vietnamese, not by U.S. operational troops. We should continue to help the Vietnamese with advisers, military and economic assistance, and most of all with training and leadership; but we should let them fight their own war, which with our help they are perfectly capable and willing to do. Let me say that in the role of advisers and helpers, I think we are committed to a long-range program of many years duration.

2. We should consider a change in the ground rules for bombing north. There are new and dangerous military targets in the Hanoi area. Specifically, the IL–28 Russian jets and the SAM missiles. I would hope we would consider bombing these military targets within the next few days. This is a decision that only the President can and should make, and its implications are great. Yet there is perhaps more danger involved in allowing establishment of these sites, ultimately inviting Russian jets to attack us in South Vietnam and Russian missiles to shoot down our planes, than to destroy these military targets promptly and eliminate their danger.

3. We should consider some kind of political solution whereby the free world would gain from the war in Vietnam. As it is now, Ho Chi Minh, the North Vietnamese leader, can at any moment call a halt and negotiate according to the 1954 Geneva agreement which divides the country into North and South Vietnam. In that event, we would be back right where we were, and then after a month or 6 months, the North Vietnamese could start the war all over again. As the situation now stands, the North Vietnamese have nothing to lose but everything to gain and thus it is to their advantage to continue. Thus the free world will have to set an objective beyond returning to the status quo. Perhaps we will have to make some plan for liberating North Vietnam from Communist control so that the rulers in Hanoi will know that they do have something to lose. Until then I see very little hope in stopping their aggressions.

My final comment is that we in America can be extremely proud of our fighting troops. They are fighting the most difficut war that can be imagined in the finest traditions of our Nation. Let us at home be firm, and give them the backing that they deserve for if we do they will never let us down.

CONFLICT BETWEEN THE AMATEUR ATHLETIC UNION AND THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, the situation in amateur athletics is seriously embroiled in what appears to be irreconcilable conflict between the Amateur Athletic Union and the National Collegiate Athletic Association. I have written the President, and hope many Members would do likewise, urging his intercession to resolve the controversy, possibly by the appointment of a special blue-ribbon commission.

I believe it would be very unfair if our young athletes should suffer by not being permitted to compete in various track and field meets because their elders are arguing over who has jurisdiction over them.

We have an international track meet with the Soviet Union coming up this year. At the National AAU meet, scheduled for June 26 and 27, participants will compete for places to represent our Nation. It would be unfortunate and unforgivable if because of this disunity between the AAU and the NCAA our best athletes were prohibited from competing for places by the administrative default of those who seek to be responsible for the conduct of amateur athletics. For example, the widely heralded Randy Matson, of Texas A. & M., who has broken the world's shotput record, would be foreclosed from competing in the National AAU meet, unless something is done. And of course this would also apply to a host of other college and university star performers.

What is needed is a blue-ribbon commission, headed by someone like the late Douglas MacArthur, whom President Kennedy had appointed, to bring these two organizations together and agree on binding arbitration of their differences, and I call on the President to take immediate and appropriate steps. Time is of the essence.

ANNUAL CONGRESSIONAL BALL GAME

Mr. CONTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, as you know, it will soon be time once again for the Republicans to assemble their baseball team at District of Columbia Stadium to claim our annual victory over a similar group of sports from the other side. I speak, of course of the annual congressional game scheduled for the end of this month. I wish to take this opportunity to again invite the Speaker and the minority leader to be our guest of honor on June 30, 1965.

I am pleased to serve once again as coach, manager, and star player for the Republican team. Although we are badly outnumbered and have been in recent years, I am confident we will again demonstrate that superior skill has more to do with the outcome than superior numbers.

That undoubtedly has a great deal to do with the events I wish to relate here this morning, events concerning a rather startling piece of treachery on the part of our opponents. In spite of their overwhelming manpower advantage, our opponents have again been reduced to underhanded guerrilla warfare in an effort to stave off certain defeat again this year.

They have attempted to shanghai one of our most promising prospects this year, my learned colleague and honorable gentleman from Tennessee, the heavy-hitting John Duncan. My colleague was invited to sign with the other team in a maneuver reminiscent of the infamous "Black Sox" scandal of 1919, and the ill-fated attempt by one of our Latin American neighbor countries to lure our big league stars away from us after World War II.

I consider this an act of treachery and underhanded perfidy that goes against all our American traditions of sportsmanship, statesmanship, and collective bargaining. I must admit I am seriously considering a formal protest before the House Un-American Activities Committee.

I am stunned by the audacity of the learned manager of the other team who, by this act, demonstrates his contempt for the national pastime and for the skills of his colleagues. I must say in all fairness, however, that he is able to recognize a loser when he has one and I can understand his earnest desire to help his cause no matter what the risk or the possible consequences.

I am confident that truth and justice, in the resplendent uniforms of the Republican team, will win out in the end.

Mr. Speaker, I have dispatched the following letter to the manager and playing coach of the Democratic team, the Honorable Harlan Hagen:

> Dear Harlan: It has just come to my attention that in spite of your overwhelming manpower advantage the Democratic forces have again been reduced to psychological warfare with regard to the annual Democratic-Republican baseball game. The underhanded attempt to sign the Honorable John J. Duncan away from the Republican squad has been paralleled only by the notorious Black Sox scandal in the annals of baseball history. Remembering the so-called "secret strategy" charges of last year, however, the above act of aggression does not seem inconsistent with prevailing Democratic policy.
>
> This is to notify you that an official protest will be lodged before the House Un-American Activities Committee at the earliest possible convenience. The dedicated loyalty of Representative Duncan and the other members of the outnumbered but never outplayed minority team leads me to expect a glorious victory on June 30, repeating last year's 6-to-5 triumph by an even greater margin.
>
> Again, such tactics from a man of your noted baseball ability are both shocking and injurious to the reputation of our national pastime, but truth and justice (in the uniforms of the Republican ball club) will win out in the end.
>
> Competitively yours,
>
> Silvio O. Conte.

YOUTH ACHIEVEMENT PROGRAM OF POUGHKEEPSIE EXCHANGE CLUB, DUTCHESS COUNTY, N.Y.

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, I would like at this time to recognize the contributions of the Poughkeepsie Exchange Club in Dutchess County, N.Y., for its fine record of interest in the youth of our Nation.

Cognizant of the fact that the top ranking scholars receive ample recognition through scholarships and other awards, this club for several years has sponsored a youth achievement program. The ground rules for the selection of outstanding students to be recognized were set as follows.

> He or she must be a well rounded person exhibiting not only a superior scholastic record but a record of contribution and leadership in such things as sports, clubs, student government within the school, and scouting, 4-H, church, charities, etc., within the community as well.

Nine Dutchess County high school students, five girls and four boys, have been selected for this honor. Their names are: George Hritz, John Bernard Kane, Jr., Thomas E. Albro, Julia Hunter, Karen Mae Creswell, Nina Busick, William Sleeper, Maryellen Bagiackas, and Marilyn G. Tanner. Their individual records of accomplishment and community interest constitute a fine example of the achievement of the youth of our Nation. The delinquents and dropouts receive a great deal of attention in the national press. But it is good medicine to look at the other side of the picture. The great majority of our students take their education seriously. And a gratifying number of them, in addition to their academic accomplishments work just as hard on their development as good citizens. Because it is important to provide recognition to the youth of our country, who are concerned with their responsibilities to society, I am proud to introduce this statement into the Record, honoring both the students and the Poughkeepsie Exchange Club.

VIETNAM

The **SPEAKER.** Under a previous order of the House, the gentleman from Georgia [Mr. Callaway] is recognized for 60 minutes.

Mr. CALLAWAY. Mr. Speaker, I have just returned from a week that will stand out in my memory as one of the most vivid and rewarding weeks of my life. I have just returned from a 1-week trip to South Vietnam. Certainly, as all Members realize, there is no way to become an expert on any problem as complex as the problem of the Vietnamese war in 1 week. I do not claim to be an expert, but I do feel that I had an unusual experience which I should like to share with you, my colleagues.

I had the opportunity to hear briefings at the highest level in Saigon—from Ambassador Johnson and from the officers of the Military Assistance Command in Vietnam. I met with General Westmoreland. I had the opportunity of going to all of our operational units—to the 3d Marine Division in Da Nang and to the 173d Airborne Brigade at Bien Hoa. I received briefings at both of these places.

I also went out with our patrols on the ground and talked with our enlisted men as well as our officers. I went into three of the four corps areas in South Vietnam, and at each of these places I talked with and was briefed by the commanding officers and their staffs.

Further than that, particularly in the Mekong Delta rice paddies, I had an opportunity to go out on an operation that had just taken place, and I talked to men who had been only moments before engaged in combat with the Vietcong.

I had a unique opportunity that perhaps some of my colleagues will not be able to share, in that as a graduate of the West Point class of 1949, I found, wherever I went, many old friends and old classmates who, of course, were only too willing to share their experiences with me.

I hope that as I discuss what I saw in Vietnam those of you who wish will join me in colloquy in these discussions this afternoon.

The first and foremost impression I received from Vietnam is that this is an entirely different kind of war. This is unlike what we in this country think of as war. It certainly bears no relation to the trenches of World War I or the hard conventional fighting of World War II. I would like to say it even bears no resemblance whatsoever to the war in Korea. This war today being fought by the Vietcong is what the Communists call a "war of liberation." This is the kind of war Mr. Khrushchev spoke of so glowingly in his famous speech of January 6, 1961. It is the kind of war Mr. Che Guevara, Castro's man, writes field manuals about—field manuals that are now being used in training guerrillas from Latin and South America. It is the kind of war espoused by Mao Tse-tung and about which he speaks when he says, "Our guerrillas will swim in a sea of peasants." My point is that this is an entirely different kind of war from anything we have fought. It is the kind of war where our major and first problem is to find an enemy who merely evaporates and goes out of sight. Because this is a new kind of war, a "war of liberation," it takes on a special importance. Every single senior officer I spoke with in Vietnam told me that this is a war we must win. This is the classic "war of liberation." This is the war that all Communist leaders have told us we will be having throughout the world. If the Communists win, we can expect immediately similar wars not only in southeast Asia where we all hear of the domino theory but throughout the entire world, particularly in Africa and Latin and South America.

The people with whom I have talked said with all conviction that the very moment the Chinese, the Russians, and the North Vietnamese think that they can win this "war of liberation," other "wars of liberation" will start throughout the world. By the same token, if we in this country can show to the people of the world that we can win on the continent of southeast Asia, in the backyard of the Communists, then we will certainly go a long way toward stopping these wars throughout the world.

This classical war of liberation is fought in three phases. The first phase is strictly guerrilla warfare with very small units. In the second classical phase, the guerrillas get together in company, battalion, and even regimental size to attack, then fade back into the sea of humanity. In the third phase of the conflict, the guerrillas mass and actually seize and hold territory. Today in South Vietnam we are in the second phase. The Vietcong control about half of the actual land of South Vietnam. They can mass anywhere in this territory at regimental strength and sometimes with the strength of two to three regiments. They can mass, they can hit hard, they can ambush, and they can do their devastation. When our troops come to fight, unless they come quickly, the Vietcong have evaporated and are completely lost. You cannot find them. They live off the terrain. It is very easy to do, because in the places I saw, particularly in the southern part of the country, every village is surrounded by coconut and fruit trees, and in each home there are hundreds of pounds of rice stored the year around. It provides the perfect setting for guerrillas to live off the land and melt in among the peasants and villagers.

I would like to point out also that this is a war of terror. You have heard, as pointed out in the State Department white paper, that 500 village chiefs have been killed in 1964 alone and over twice that many kidnaped. These are village chiefs. Many times that number of just plain civilians have been killed, kidnaped, and captured. Five hundred may not sound like so many, but if we think of the equivalent of their population to our population, it is the equivalent in 1 year of 20,000 U.S. mayors killed or kidnaped. This is a genuine war of terror.

These people were killed or kidnaped for the sole reason that they had been loyal to us or to the Republic of Vietnam or had supported our program. So it is obvious that we cannot be effective in Vietnam unless we give these loyal Vietnamese our protection.

There were a few little things that made me aware of the unique nature of this war. First of all, I was able to go on a civilian passport. More than that, at the airport in Saigon, while I was taking off in a Marine C-54, on the runway just landing was a Pan American civilian 707. Three planes behind me was a Hong Kong Airlines plane going to Hong Kong; immediately in front of me was an Army F-100 armed with bombs, taking off for a mission, and between my plane and the Hong Kong plane were two South Vietnamese Air Force planes going into action against the Vietcong. Civilian planes took off along with Air Force fighters going out to do their job.

And to further point out the difference between this and other wars, I was told that Vietnamese nationals travel from one end of the country to the other, through Vietcong territory daily on a routine basis on local buses. There were Vietcong inspection check points, paying charges, and so forth.

I point this out to show that there are no front lines. This is certainly a mixed-up kind of war, from our viewpoint.

When you speak of the Vietcong you often think of men loosely joined together, but they are much more than that. I found that the Vietcong have their own government, they have their own mayors, and they collect taxes. Surprisingly, they have their own APO numbers for their troops and have even been known to issue war bonds.

In some ways it is like a civil war because you have Vietnamese fighting Vietnamese. But I would say without question that this is not a standard civil war, because the Vietcong is supplied, furnished, and controlled from Hanoi. There is no question about that. The State Department White Papers have referred to 20,000 known Vietcong who have come down over the Ho Chi Minh Trails from North Vietnam. We know that they have recruited or kidnaped at least 60,000 men from South Vietnam to join their hard core units. So they have a Vietcong force of almost 100,000 now in South Vietnam.

And while this does not seem to be too many, the traditional or classic rule for fighting guerrillas is that conventional troops need to have at least 10 times as many people as the guerrillas in order to hold them.

I have said that the Vietcong are completely supplied today from Hanoi. They have no munitions factories. They have no way of getting weapons. They are no longer capturing the weapons that they need. The supplies come from Hanoi and are carried mostly by sea in junks, sampans, and different kinds of small vessels.

Many of the major rivers in South Vietnam are controlled by the Vietcong.

It is an interesting thing to see the use of these rivers. In the Mekong Delta there are over 2,000 miles of rivers and canals with a navigable depth of 6½ feet. This is more than the total of the roads and navigable trails in that same area, and the Vietcong controls a great deal of this waterway.

I would like to point out that they need very little in the way of supplies, however. They need no food whatsoever. They need no oil or gas of any kind. The only supplies they really need or receive in quantity are 60-millimeter mortar ammunition, 57-millimeter recoilless rifle ammunition, and weapons somewhat similar to our .30 caliber weapons.

One of the interesting things is that they have just been supplied with new and modern 7.62-millimeter weapons made in the Communist countries. Our ammunition will not fit any of those new weapons. They must be sure of their source of supply from Hanoi, because in the past they have relied heavily on captured ammunition, which will no longer be useful to them.

Mr. Speaker, my point then is that this is a new and different kind of war. The question is how do we fight it. The way that we fight it is basically with the Regular Army of the Republic of Vietnam called Arvin, Army of the Republic of Vietnam. We fight it in conventional ways where possible. We fight it particularly well with helicopters. As the Vietcong ambushes and moves fast, we try to use everything we can to strike back quickly. Sometimes we catch them and destroy them. The difficulty is finding the enemy.

Mr. Speaker, the Vietcong operates almost entirely at night. We have had to set up clever ambushes in order to catch them at night. This phase of the operation is going better and better. Our air strikes coupled with those strikes of the Vietnamese Air Force are doing an extremely effective job against the enemy. We have complete superiority of the air there now.

But, Mr. Speaker, the basic program for winning the war in Vietnam is one that is called rural reconstruction. This replaces the old "strategic hamlet" concept and yet is serving the same purpose. While it is true that the Vietcong controls a great deal of the territory of Vietnam they control very few population centers.

There are 45 provinces in Vietnam, the province being the nearest equivalent to our State. All provinces have population centers under the control of the Republic of Vietnam.

The rural reconstruction program starts with the population centers already under control. The plan then is to move out from these population centers like spreading drops of oil, little by little, until the spreading centers join the entire country as one. They move first with regular army troops. The troops clear out the Vietcong and set up a good civilian government. Then they recruit and train civilians into regional forces and popular forces, whose duty it is to protect the villages after the regular army unit moves out.

Obviously, Mr. Speaker, the whole problem is to secure these areas and grant the protection that is needed.

I would like to say that this program is working well and that our area is expanding in every province that I visited.

This is the basic way that the war is being fought by the Army of the Republic of Vietnam.

Mr. Speaker, what is the role of the United States in this operation?

Basically, our role is as advisers. We have active advisers at every level, Americans who are working with the Vietnamese troops. We have a full colonel as a senior adviser to each Vietnamese corps. We have officers at the division level, the regimental level, and the battalion level who are training side by side and fighting side by side with the Vietnamese troops. Our advisers live, eat, and sleep with their Vietnamese counterparts.

Mr. Speaker, I would like to say that I have heard nothing but the highest praise for our men who are serving and living under severe conditions to which they are not accustomed.

Mr. Speaker, the Vietnamese are good soldiers. Our men praise them. They are hard fighters. They are brave. They are taking extremely heavy casualties and continuing to fight. But they have one real overriding problem; the problem of leadership.

During their tenure in Vietnam, the French did not train native leaders. Certainly we are doing so now, but this takes time, and meanwhile, the lack of native leadership poses a big problem.

A striking example of this was one battalion fighting in the Second Corps area. The battalion was doing extremely well, until the battalion commander was killed, and then the group went completely to pieces and was routed. There are not enough qualified replacements to take the place of men killed.

This poses the biggest problem to our advisers. These men are building Vietnamese leadership but I would like to point out it is an extremely long range program.

In another phase of the war, we are attacking the North with our aircraft. We are attacking basically from the 17th Parallel that divides North and South Vietnam to the 20th Parallel.

There have been effective attacks on bridges, barracks, and major military targets in this area; the purpose of which has been to interdict the supply routes of the Vietcong. But the Vietcong's needs are small. One Defense Department official told me they could be supplied with some 3 tons per day. It is inconceivable that 3 tons could supply the entire area, but I have said that they use no gasoline, no food, and only very light weapons. We make it difficult, but we do not stop the supplies. If we bomb out a bridge, they simply ferry the ammunition across the river. We are hindering them; we are giving them trouble, but they are getting through with the small supplies that they need.

This is the basic situation in Vietnam as I see it: Our advisers are working well; the Vietnamese are fighting well. Basically, we are winning the war.

I have not spoken of the second kind of war which, to many, appears to be imminent at any moment. This is the overt kind of war where we would face operational troops from North Vietnam, China, and even from Russia. This is a much more serious kind of war. But it is a war we are better trained and equipped to fight. At least you can find the enemy. In order to be prepared to fight this kind of war, we have introduced our own operational troops commanded by American officers. An example is the 3d Marine Division. They are protecting airfields in the northern part of the country and they are protecting us against the threat of armed operational troops from North Vietnam.

We have the same situation with the 173d Airborne Brigade. They have the mission of protecting us from the possibility of attack by operational troops. We know, as it has been announced, that additional U.S. operational troops will be sent to Vietnam soon.

I would like to say this poses a whole lot of new problems when we put in our own troops, rather than advisers. You notice this everywhere you go. We have the problem of fighting in a friendly nation in which we are only guests. We cannot do as we did in Korea, for here we have a sovereign nation. This creates a lot of problems, but I can say that by cooperation the problems are being worked out and I hope they may be solved by now. If we should find large numbers of operational troops of China, Russia, and North Vietnam moving into the area, I cannot speculate on what we could or should do. I would hope, if this should happen, that we will answer such a threat with resolve and firmness and will consider the use of all of the power at our command to answer it.

As a result of this trip and of the things I did see in a week, I have come up with some recommendations.

The first recommendation is that we should realize that the Vietcong is being fought by the Vietnamese with the assistance of our advisers. It is not our war. This is a Vietnamese war and our units should be used as advisers to help train the Vietnamese.

I want to say again that I do support sending operational troops into Vietnam because I feel it may be necessary to protect our interests against other operational troops. But the long-range war against the Vietcong guerrillas should be fought by the Vietnamese. They are willing and capable of fighting their own war and with the help of our advisers and support they can continue to do that.

I would like to say in this regard that I hope our operational troops will be able to come back to our country in a short time—within a year or so. But I see no hope that our advisers will be able to come back within a short time. I feel that this is a long-range war. We are still in Korea today and we may still be in Vietnam 20 years from now.

My second recommendation is that we should now consider bombing additional military targets in North Vietnam. We know that Russia has the IL–28 jets near Hanoi and the jets have a capability of bombing us in South Vietnam today. We know of the SAM missile sites in the same region. Either today or shortly, we may have jets bombing our bases and ships and missiles shooting down our aircraft.

It seems to me that the President, whose decision it must be, must consider promptly the advisability of attacking these military targets. Some will say that this will escalate the war. But, in my opinion, there will be a much greater escalation of the war if we do not attack these targets and if we allow them to build in strength to the point of bombing us and shooting down planes—that to me would be the greater escalation.

A third recommendation is that we consider some kind of political solution whereby the free world would gain from the war in Vietnam. As it is now, the leaders of Hanoi have nothing to lose. Whenever they feel they may be losing the war, they can merely say that they will live up to the 1954 Geneva agreement, since this is apparently our objective. They only need to say "we will stop breaking our word and stop trying to destroy South Vietnam." Since this is our apparent objective, we would stop our participation in the war on this basis as a great victory. But would it be a victory?

In a month, or 3 months, or 6 months, when the time was right, the leaders of Hanoi could start down the trails again to supply the Vietcong.

All we are now asking for our expenditure of American money and our expenditure of American lives is for Hanoi to go back and do what they have already promised to do. But if we should have a further objective, then the situation would change. Suppose we should adopt as our objective a "unified Vietnam free from Communist control." We would then have something to win and conversely the leaders of Hanoi would have something to lose. I should think that our strength at the bargaining table would be greatly strengthened by such an approach.

My fourth and final recommendation is a personal one to my colleagues. I hope that each of you will take the opportunity, if it is available, to go to Vietnam. Certainly, in the short time that any of us can give up to go there, one cannot learn all there is to know about any nation or any problem as complex as this, but I do feel that even in a short time there is a tremendous amount one can do and learn, and that such a trip would be most valuable.

Finally, I should like to say that we can be proud of our troops in Vietnam. The morale is higher than I have ever seen it anywhere. All the leaders tell us this. They are doing the job. As of now, against the forces we are now fighting, we are winning.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I am happy to yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. I commend my distinguished colleague from the Georgia delegation for his enlightening and comprehensive report on the situation in Vietnam. It is a mark of service above and beyond duty when a U.S. Congressman pays his own expenses to gain firsthand knowledge of our efforts in southeast Asia.

Above all, it is a mark of patriotism for an elected official to devote valuable time and accept personal risks in order to be of greater service to his constituents and to his country.

It is indeed reassuring to hear Mr. Callaway's factual report. I feel that the gentleman is more qualified than most of us to make such an authoritative report on the subject before us today. He is a graduate of West Point Academy with a bachelor of science degree in military engineering. He has also served as a commissioned officer in the U.S. Army Infantry.

While no man can predict with certainty what the future course of events in southeast Asia will bring, the gentleman from Georgia has given us an informed account of particular significance in the light of recent occurrences.

Mr. CALLAWAY. I thank the gentleman.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I am happy to yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. Mr. Speaker, I should like to commend the gentleman from Georgia for a fine presentation today. What he said has been an inspiration to all of us.

It is certainly refreshing to me to have the firsthand knowledge the gentleman obtained on his trip to Vietnam.

I also wish to commend the gentleman for paying his own way. In this day and time when we seem to spend the taxpayer's money like it is going out of style, this also is refreshing, to find a man interested enough in what is going on in the world to pay his own way to go over to find out for himself.

I am sure the report the gentleman has brought back to the House will be of immeasurable value not only to Members of Congress but also to the Department of Defense.

I thank the gentleman for presenting us this report.

Mr. CALLAWAY. I thank the gentleman for his kind remarks.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I am happy to yield to the gentleman from Wisconsin, the distinguished conference chairman.

Mr. LAIRD. I wish to concur in the remarks made by the gentleman from Alabama and the gentleman from Georgia in commending the gentleman on his fine report of his trip to Vietnam. I believe it calls to the attention of all Members of Congress the responsibility we have to examine carefully the position of our Government in this area of the world.

It is my hope that in the next few weeks we can have further public discussions about the position we occupy in southeast Asia and the overall policy decisions which have been made.

This afternoon we are reporting the defense appropriation bill from the Appropriations Committee. Many of us on that committee are concerned about the inadequacy of the budget which was sent to us for the Department of Defense, to cover the expenses of that Department in the fiscal year 1966. Time and again witnesses before the committee from the Department of Defense and from the three services indicated to us that the guidelines which were set forth for drawing up this budget did not take into consideration the escalation which has taken place in Vietnam after the President made his decision to go north, as far as the Air Force was concerned, in the latter part of calendar year 1965.

We have already had one supplemental budget request totaling some $700 million sent to the Congress, and I would predict that in January, or early in the next calendar year, we will have another supplemental request to cover the costs of the Vietnamese operation.

It would seem to me that all of us in the Congress should be made aware of one fact: the budget which was sent to us supposedly was under $100 billion as far as estimated expenditures at the first of this year are concerned, and that budget showed a reduction in defense spending so that other domestic programs could be funded at a higher level without breaking through the $100 billion ceiling. Yet that budget did not take into consideration these increased Vietnamese activities. They set a budget ceiling of $100 billion while at the same time they knew full well with the Vietnamese operation going as it was that further requests would be made of this Congress in order to fund this particular operation. The highest priority as far as the expenditure of the taxpayer's dollars today is concerned is in the area of national security. The commitment that this country has made as far as southeast Asia is concerned and, yes, throughout the world in this area of national security should have the No. 1 place as far as our Government is concerned.

Therefore I say, as we proceed down the line, we will find that this budget document with the $100 billion ceiling, which was hailed all over the United States early in January, had no consideration given in it to the stepped-up activities which were already in the works at that partcular time. This is something that we should discuss and that the American people should be made fully aware of.

I thank the gentleman from Georgia for yielding to me.

Mr. CALLAWAY. Mr. Speaker, I thank the gentleman for his contribution.

I would like to say that I agree with the gentleman and, as one who has consistently supported the President's policy in Vietnam, I certainly think that we should certainly watch carefully anything this important to this Nation.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I would like to join my colleagues in commending the gentleman from Georgia for the very informative and comprehensive report which he has given to us. The gentleman has done the House and the country a service in making this report on his brief but very fruitful visit to South Vietnam.

Mr. CALLAWAY. Mr. Speaker, I thank the distinguished gentleman for his kind remarks.

Mr. STRATTON. Mr. Speaker, will the gentleman yield to me?

Mr. CALLAWAY. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I appreciate the gentleman yielding to me. I want to join, too, in commending the gentleman from Georgia, who has a great deal of personal knowledge and experience in the military field, on his comments and for making his trip. I think we have all found his observations helpful. I was particularly impressed by the fact that, as he just remarked, his observations as he comes back do not differ very significantly from the established policy of our Government. He did recommend an extension of bombing to more military targets in the north, but at the same time, if I understand him correctly, he indicated that he recognized some of the complexities that were involved in making that kind of a decision.

If the gentleman will yield further, I would like to ask him a question with respect to his first recommendation, which I did not understand entirely. If I understood the gentleman correctly, I understood him to say there was some distinction between the fight going on there now and the fight over the ultimate political control of the territory. He suggested, if I understood him correctly, that in one area we should help the South Vietnamese, but in another area the fight should be left up to the

Vietnamese themselves. I am afraid I do not quite understand that, because it seems to me basically these two struggles are the same. In fact, those who are now proposing that we pull out of Vietnam are the loudest in suggesting that what is going on there is really only a civil war and that we should leave that war to the Vietnamese themselves. I am sure the gentleman did not intend to subscribe to that point of view, but I wonder if he could make his point again, so that I might understand it more clearly.

Mr. CALLAWAY. I thank the gentleman very much.

First of all, I would like to say that he is entirely correct in that I do support the present policy in Vietnam. I had the opportunity to meet this morning with Secretary McNamara on that subject and we found ourselves almost in complete agreement.

You are correct that I have recommended some further actions in the north, particularly bombing military targets, further than our administration is doing today. I feel that should be considered by our President. To that extent we have differences, perhaps, but in the main I support our effort in Vietnam and think it is being handled extremely well and much better than press reports give us reason to believe.

I especially want to thank the gentleman for referring to my first recommendation. I am sorry I did not make it clear. My intent was to state my conviction that there are two entirely different kinds of war that we may be called upon to fight in Vietnam.

The first is the war against the Vietcong which we are fighting today, and which the Communists call a "war of liberation." It is my opinion that this can best be fought by the Army of the Republic of Vietnam, with the advice and help of our people, stressing the training for leadership, which is a long-range program.

In my opinion, we will be there a long time fighting this particular war against the Vietcong.

Apparently, the main reason that we are sending in so many U.S.-commanded operational troops as I understand it, is to protect against the possibility of a great influx of operational troops from the enemy, be it North Vietnam, or whoever. This, to me, is a different kind of war which must be fought by our operational troops in order to be successful.

I do not believe that the army of the Republic of Vietnam can take care of that. We must fight it. So there are two different kinds of war.

My recommendation was that if we continue to fight this Vietcong style of "war of liberation," that we pull out our operational troops or do not use them, but rather use the Vietnamese troops who are willing to do the fighting and that we provide them the training.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further to me, would the gentleman not agree that what he refers to as the Vietcong war is also a war that has very largely been created by the infiltration of troops from outside South Vietnam? I wonder if the gentleman would not agree that what we are seeing in Vietnam is not really two different kinds of war, but rather the gradual extension of this initial infiltration, with operations conducted entirely on a guerrilla basis, now moving to a point where these same operations, though still conducted by the same Vietcong, who have actually infiltrated down from the North, are beginning to resemble a conventional, infantry-scale type of war?

The gentleman is not suggesting, is he, that we would be willing to let this Vietcong operation be expanded to the point where South Vietnam itself might fall before such an attack? Do we not have an obligation to defeat this kind of infiltration, in whatever form it comes, so as to secure the liberation of South Vietnam, because for us to do anything less would be to negate our own commitment and let this vital area fall to the Communists?

Mr. CALLAWAY. I agree with the gentleman wholeheartedly. I would like to say that the Vietcong would fall and would have fallen long ago without support from Hanoi. So it is not a true civil war. It is totally financed, supported and instigated by North Vietnam.

My distinction was perhaps a military one. I feel that as long as we are fighting the Vietcong in this present situation, where they attack and evaporate, use light weapons and use no trucks or aircraft, then the Army of the Republic of Vietnam can and should handle the fight. But if we move into an area of conventional war, with conventional frontlines, heavy 105-millimeter howitzers, trucks and tanks and aircraft and traditional frontline equipment, then I think we have a war that operational troops would have to fight.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. Mr. Speaker, I commend the gentleman, particularly, as I understand it, from what the gentleman from Georgia [Mr. O'Neal] said that the trip to Vietnam was made at his own personal expense; is that correct?

Mr. CALLAWAY. That is correct.

Mr. MacGREGOR. May I ask the gentleman whether that was on a private commercial aircraft or was it on the basis of reimbursement for use of the Military Air Transport Service of the U.S. Government?

Mr. CALLAWAY. It was on a regularly operated commercially scheduled airline. You just buy a ticket as you would if you were to go to Chicago.

Mr. MacGREGOR. Does the gentleman have any idea how much more expensive it was to travel, as the gentleman from Georgia did, on a private commercial carrier from Washington to Saigon as opposed to reimbursement on MATS on a space-available basis?

Mr. CALLAWAY. I do not know the difference in cost.

Mr. MacGREGOR. It is fair to say, I am sure, that the cost of the gentleman's travel on a private commercial carrier was more expensive than it would be on a basis of reimbursement to the Government for a space-available seat.

Mr. CALLAWAY. I feel certain it is.

Mr. MacGREGOR. If the gentleman will yield further, may I ask the gentleman whether or not any official in the Department of State or the Department of Defense or the Executive Office of the President extended to the gentleman the opportunity to ride on a space-available basis on MATS aircraft?

Mr. CALLAWAY. No; they did not.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I am glad to yield to the gentleman from Arizona.

Mr. RHODES of Arizona. I want to congratulate the gentleman for having made his trip. I want to state that in November of 1964, as a member of the Foreign Operations Subcommittee of the Committee on Appropriations, I also went to Vietnam. At that time I was taken by helicopter to a small village which was surrounded by Vietcong territory, I talked to the people who were the residents of the village. This was a village which had been overrun by the Vietcong about 3 weeks before we got there. You could still see the scars from the battle. In fact, almost all of the people who survived had relatives who had been killed, wounded, or kidnaped at the time of the Vietcong attack.

This, certainly, I am sure the gentleman will agree is a heart-rending sort of war. It is very difficult terrain. It is hard for the people who are combatants, but it is harder for the people who are dependents of those who are fighting.

Mr. Speaker, I know the gentleman joins me and I am sure the other Members of the House hope that the end of this war will come more clearly in sight than it now appears to be, and that we will continue to do what is necessary as far as our national commitment is concerned to the cause of the free world, and that we will be able to aid the South Vietnamese to bring this whole matter to a conclusion which will be a victorious one for the cause of freedom.

When I came back, I said that the prime need in Vietnam was for a stable civilian government to run this war. I still say so. I hope our Government will bend every effort to help such a government to evolve.

Mr. CALLAWAY. I think the gentleman from Arizona and I certainly agree with the gentleman.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I shall be happy to yield to the gentleman from Ohio.

Mr. FEIGHAN. I wish to commend my distinguished colleague from Georgia for the interest he has taken in the problems of Vietnam and I would like to ask the gentleman whether, while he was in Vietnam, he developed any evidence of the Communist Vietcong atrocities against U.S. servicemen, U.S. civilians in that area, and against the South Vietnamese servicemen or civilians including women and children?

Mr. CALLAWAY. I would like to say to the gentleman from Ohio that I did not develop any evidence on this. I, of course, saw where the Embassy was bombed in Saigon shortly before I was there. But I did talk to people who indicated that there were terrible atrocities, not only to village chiefs and people who might have some reason to be treated this way, but even brutal atrocities to women and children for no reason whatsoever.

I did not see this myself but I had reason to believe it is true.

Mr. FEIGHAN. If the gentleman will yield further, that is a matter I believe of deep concern to the people of the United States and the free world and I am very glad that under the leadership of our very able chairman of the Committee on Armed Services, the gentleman from South Carolina [Mr. Rivers], that committee is going to make a full investigation and present, as they should, this evidence to the people of the United States.

Mr. CALLAWAY. I thank the gentleman from Ohio.

Mr. Speaker, I would like to say just one word further on the atrocities that are taking place all the time. In those areas in which the people show loyalty to us, children are actually kidnaped from their mothers and fathers, and enlisted into the Vietcong to fight their countrymen against their wills.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I yield to the gentleman from Texas.

Mr. PICKLE. I would like to join my colleagues in commending the gentleman from Georgia for this trip and for this very fair and factual report which the gentleman has given to the Members of the House today.

Mr. Speaker, I listened with a great deal of interest to the report and I have profited from it, as I am sure all Members on both sides of the aisle have profited from it.

Mr. Speaker, I would like to state that, of course, the recommendations which the gentleman has made are his individual recommendations, but I believe the gentleman has given us a better insight as to the problem which exists in Vietnam.

Mr. Speaker, I want to commend the gentleman for his report.

Mr. CALLAWAY. I thank the gentleman from Texas.

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I yield to the gentleman from Kansas.

Mr. MIZE. I want to join my colleagues in complimenting the gentleman for this fine report.

I want to get it clear with reference to the morale of our troops which the gentleman states is high, is that correct?

Mr. CALLAWAY. It is not only high, but it is in the opinion of every single commander that I asked, higher than they have ever seen it in any other war.

Mr. MIZE. I thank the gentleman.

Mr. CALLAWAY. I would like to thank the gentleman from Kansas for bringing this out because I do not think we get the feel of that from the press. May I say that I talked to a young captain who had been up fighting all night. He was tired, and bearded, his radio was strapped on his back, and he was covered with mud. I asked him, "How do you like it out here?" And his first word was "Great."

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. CALLAWAY. I yield to the gentleman from California.

Mr. YOUNGER. I would like to join with my colleagues in thanking the gentleman for making this trip and giving such a fine report of it. I am not sure all of the Members realize that the man in the well is also a graduate of West Point, so that he is giving us from his training and his experience something that we rarely get here on the floor.

I thank the gentleman very much.

Mr. CALLAWAY. I thank the gentleman for his kind words. I do not pretend to be an expert on this. But I do recommend to my colleagues that they go to Vietnam; I think that those able to make the trip will profit greatly.

I would like to stress again that our morale is high. Both the Vietnamese and the Americans feel they are doing an important job and I feel they are doing it well.

WE NEED A TECHNOLOGICAL BREAKTHROUGH IN URBAN MASS TRANSPORT, NOT JUST BETTER INTERCITY RAIL TRANSPORT

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. Reuss] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I rise today to remind my colleagues of the very serious state of transportation in our Nation's cities.

Soon we will be asked to approve a $20 million research and demonstration program to design a new high-speed intercity ground transportation system along the Washington-Boston, or northeast corridor. This program will be focused on travel between cities despite the greater demand which exists for good public transportation systems within the cities themselves.

As a cure for the intraurban transportation problem, we are instead relying on the Mass Transit Act of 1964. But this act can do little more than help cities purchase new buses or replace wornout subway cars. No substantial research is being sponsored by the Federal Government in an attempt to develop new, dynamic systems which will provide urban dwellers with good public transport.

We should be spending at least as much on research to provide whole new systems of moving people about within our cities rapidly, safely, economically, and efficiently, as we are on research into other modes of transportation.

It is rather like concentrating all one's efforts on saving the dying dogwood tree—beautiful as it is—and neglecting the withering oak which provides the real strength of our forests. We should be working to save both.

Today, nearly three-quarters of our population live in urban areas. All of these people must move about in the cities in which they live. They need quick, economical, and safe ways to get to work, to shop, and to visit. They cannot forever depend on existing transportation systems. Therefore, it is the responsibility of our Government to promote the development of systems which will supplement existing methods.

In view of this need, I am today introducing H.R. 9200 to amend the Mass Transit Act of 1964. The measure would require the Administrator of the Housing and Home Finance Agency to undertake a research program aimed at achieving a technological breakthrough in the development of new modes of urban transportation.

The gentleman from Ohio [Mr. Ashley], the gentleman from Texas [Mr. Cabell], the gentleman from New York [Mr. Multer], the gentleman from New York [Mr. Rosenthal], the gentlewoman from Missouri [Mrs. Sullivan], the gentleman from Ohio [Mr. Vanik], the gentleman from Georgia [Mr. Weltner], and the gentleman from Illinois [Mr. Yates] are introducing identical bills.

The text of H.R. 9200 follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 6 of the Urban Mass Transportation Act of 1964 is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) the following new subsection:

"(c) In addition to projects undertaken under subsection (a) the Administrator shall undertake a program of research designed to achieve a technological breakthrough in the development of new kinds of public intraurban transportation systems which can transport persons in metropolitan areas from place to place within such areas quickly, safely, economically, without polluting the air, and in such a way as to meet the real needs of the people and at the same time contribute to good city planning. There is authorized to be appropriated for the purposes of this subsection $10,000,000 for fiscal year 1966, and $10,000,000 for fiscal year 1967. Any amounts so appropriated shall remain available until expended; and any amount authorized but not appropriated for any fiscal year may be appropriated for any succeeding fiscal year."

SEC. 2. Section 6 of such Act is further amended by—

(1) striking out "such projects" in the second sentence of subsection (a) and inserting in lieu thereof "programs and projects conducted under this section," and

(2) striking out "this section" each place it appears in subsection (b) and inserting in lieu thereof "subsection (a)".

H.R. 9200 carries a separate authorization of $10 million annually for 2 years—fiscal 1966 and fiscal 1967, the remainder of the life of the mass transit program—and makes it mandatory that the research be undertaken. The research will be designed to create completely new urban transit systems, rather than merely finding ways of improving existing ones.

SPACE AGE TECHNOLOGY IS NEEDED

Technological breakthrough, Mr. Speaker, is a space age phrase which has yet to be applied generally to earthly space age problems. Wonders have been accomplished in our efforts to send a man to the moon. There is no reason why this same genius cannot be put to use to send a man more speedily from his home to his place of work or other city destination.

I find it ironic that our abilities in space transportation are so advanced that Jim McDivitt and Ed White can circle the globe for 4 days while earthlings move about their cities on systems designed and developed decades ago.

Indeed, when Ed White left his space vehicle for a walk, he traveled 6,500 miles in 20 minutes. A man riding today's public transportation in a medium-sized city at the peak of rush-hour traffic would have gone perhaps 2 miles during the same period. He might better have walked.

Officials of the National Aeronautics and Space Administration calculate that the total cost of our efforts to put a man on the moon will amount to $20 billion, and that a single round trip will cost $3 billion. I am proposing only a $10 million annual program, which I believe will have just as important results for this country.

A comparison of the Federal Government's expenditures for research and development illustrate dramatically how these efforts neglect common areas of human need. For fiscal 1966, the Administration is requesting nearly $15.5 billion for research and development. Most of the funds are earmarked for the Defense Department—$7 billion—and the space program—$5 billion. Other agencies, including the Department of Agriculture, the National Science Foundation, the Department of Health, Education, and Welfare and the Atomic Energy Commission get amounts varying from $200 million to $1 billion.

Some Federal research and development funds do go for improving transportation systems. But here again the effort is badly out of balance, with no funds specifically earmarked for research into intracity transit problems.

Secretary of Commerce John T. Connor, in testimony May 25 before the House Interstate and Foreign Commerce Committee on the proposed northeast corridor legislation, reported that in fiscal 1963 the Federal Government spent $275 million for aviation research, $24 million for highway research, $15 million for water transportation research, and $7 million for research into intercity rail problems.

The funds invested in highway research were largely devoted to safety problems and ways to improve road design, construction, and maintenance.

Rail transportation research, provided the northeast corridor legislation is approved, will be augmented in fiscal 1966 by an additional $10 million, which Secretary Connor in his testimony pointed out "can be expected to have significant results for rail transportation everywhere," not just for the northeast corridor. The remaining $10 million of the $20 million to be appropriated for the northeast corridor project will be earmarked for gathering statistics—$2 million—and setting up a demonstration high-speed train to run along the corridor—$8 million. The Secretary further described the research to be conducted under this program as "directed not only to the revolutionary advances which we must have if the Nation is to continue its economic growth," but to meeting more adequately the immediate demands on rail systems.

THE NEED IS FOR INTRACITY, AS WELL AS INTERCITY, TRANSIT

It is fine that the Federal Government intends to help achieve a technological breakthrough in rail transportation between cities. But we should recognize the equal, if not greater, need for a technological breakthrough in intracity transportation.

Few statistics are available on the demand for intercity, as opposed to intracity, travel. However, one of the ways of measuring the need for service, as Secretary Connor demonstrated in his testimony, is in population density. The Secretary reported, as part of his justification for Federal assistance to the northeast corridor project, that the population density of the area which the proposed system would serve was 854 people per square mile.

The population tables show that in the 130 largest cities in the country, those with populations over 100,000, the population density ranges from 6,000 to nearly 25,000 people per square mile. While these figures are admittedly at best a rough guide, they do give an indication of where the need lies.

The advantages which truly effective and efficient urban transportation systems would offer cities are numerous.

Air pollution, caused by automotive exhaust which continues to aggravate city dwellers and to injure their health, would be reduced.

Accidents as a result of transportation would be reduced. Private motorcars are the most serious cause of vehicular accidents, and in 1964 automotive traffic was the cause of 1.7 million injuries—of which 47,800 were deaths. On the basis of 100 million passenger-miles traveled, in 1964 there were 2.3 deaths as a result of all automobile travel—1.1 deaths for turnpike auto travel—10 times the 0.23 deaths resulting from bus travel. Figures for other modes of transportation were even lower: 0.12 deaths from air travel and 0.07 deaths from train travel per 100 million passenger-miles.

Good mass transit systems would reduce commuter costs. Automobiles are expensive to operate. Including depreciation, maintenance and repairs, fuel, insurance, and other related expenses, a car costs between 10 cents and 12 cents per mile to run.

Finally, strangulation of city areas by urban highways, excessive numbers of parking lots, and all the rest that goes with present commuter traffic results more in the uglification than the beautification of our cities. Establishment of effective urban transportation systems would help to reverse this trend.

ACT NEEDS RESEARCH MANDATE

The Mass Transit Act of 1964 authorized a total grant appropriation of $375 million over a 3-year period. The funds are given to communities to meet part of the cost of improving mass transportation facilities and equipment. The law also stipulates that of the $375 million, up to $10 million a year can be appropriated for a program of "research, development, and demonstration projects in all phases of urban mass transportation" which it is believed will alleviate transit needs. This is not a proper mandate for the type of research program that is needed, for under this provision all of the funds for "research, development, and demonstration" have been devoted to demonstration projects.

The cost of equipping our Nation's cities with proper mass transportation facilities has been put by some as high as $10 billion. Obviously, $375 million will not move us very far toward this goal. Thus, the demands on the program are considerable, and the Administrator apparently has felt it necessary to apply all the program's financial resources toward meeting the demand. Consequently, the $10 million annually for "Research, development, and demonstration" has been—and presumably will continue to be—applied to demonstration projects which, for the most part, result in actual mass transit facilities for communities.

While the demonstration grants no doubt lead to greater knowledge and understanding of urban transport problems, they do not begin to explore the possibilities to which I am referring and where I believe the real solution to our intracity transit problems lie.

For instance, the San Francisco Bay area rapid transit system which has received the largest Mass Transit Act demonstration grant to date—a total of approximately $8 million—has applied the funds to testing automatic train control, vehicle stability and the use of AC and DC power. A $2.8 million grant for testing Pittsburgh's skybus is intended to establish the engineering and operating feasibility of small, lightweight vehicles which can be operated individually along a separate right-of-way, or put together in trains. A $708,000 grant to the city of Oakland is designed to demonstrate the operation of an air cushion vehicle propelled by turoshaft engines and capable of cruising speeds of 50 to 60 miles per hour over both land and water.

While steps in the right direction, these systems are not the technological breakthrough I am referring to. They are only a glimpse of what can be done as a result of extensive research.

THE COMMUCAR—A GOOD EXAMPLE

A good example of the type of new system which I believe can be developed as a result of an extensive Federal research program is the commucar which has been proposed by the Massachusetts Institute of Technology.

The commucar was the result of a cooperative faculty-student effort stimulated by the institute's natural interest in transportation problems generally and by its work for the Commerce Department on preliminary aspects of the northeast corridor project.

The commucar is a small, lightweight vehicle which carries two to four passengers. It can travel along guideways getting its power from an electric siderail, or it can be driven independently under its own power. Besides safety and speed, the commucar has the advantage of taking its passengers directly to their destination without the necessity of transfer. Under its own power, a commucar could travel about 50 miles per hour, while on the electronically controlled guideway it could travel as fast as 100 miles per hour. Because the vehicle is light and compact, it could be parked easily and in constricted quarters, even perhaps racked one upon the other.

While technologically feasible, more research is needed before a model demonstration system for the commucar can be constructed. This research is unlikely to be undertaken unless it is sponsored by the Federal Government. While conducting the research, the engineers could undoubtedly take advantage of advancements made by the space industry, particularly in the area of propulsion. The people who run our mass transit program could learn a great deal from the people who are testing new vehicular and propulsion devices for our space program and perhaps adapt some of the space advances to urban transportation use.

The automotive industry, too, would be able to contribute its expertise in developing the vehicles to be used in new systems, and then in manufacturing them.

But private industry, as it is expected to do now, cannot carry the burden of this research. Only a federally financed program can get the job done. The histories of the Manhattan project which produced our first atomic bomb and thus nuclear power for civilian use as we know it today, of the National Aeronautics and Space Administration which has contributed so much to our knowledge in the use of space vehicles for a variety of purposes, and of the Tennessee Valley Authority which has helped so greatly an entire section of the country demonstrate the value of a concerted Federal effort into a particular problem. Without the Federal Government's taking the initiative in the development of atomic energy, space satellites and the Tennessee Valley, we would never have reaped the harvest. Without a considerable Federal effort to devise new urban transportation systems, it will be many years before we successfully cope with this problem. If we launch today the Federal research program I am proposing, we can enjoy the fruits of the work by the 1970's.

As the language of H.R. 9200 suggests, the technological breakthrough sought under this program would be designed to develop systems which could carry people quickly, safely, and economically from place to place within urban areas, without polluting the air and in such a way as to meet the needs of the people for individual transport and at the same time contribute to good city planning.

Many problems could be explored under the research program I am proposing in addition to devising new systems based on new technology. We could, for instance, undertake market demand, and origin and destination studies. We need to experiment further with the central control of traffic, and to develop criteria—such as minimum door-to-door time, and adaptability to changes in demand and technology—for a feasible system. We could devise ways of using the system during hours when the passenger traffic demand is light, such as during early morning hours to bring supplies to downtown stores.

The Federal Government has fostered research for improving other modes of transportation, particularly highway travel. The $46.8 billion, 41,000-mile interstate highway program is an outstanding tribute to what we can accomplish in the way of improving a particular transportation system.

We now have the responsibility to help provide the best in urban public transportation, as we have helped to provide the best in highways.

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, the New York Times of June 3, 1963, in an editorial commending the President for accepting the recommendation of the National Capital Transportation Agency to defer construction of proposed automobile freeways through the city of Washington, made the point that if there is anything the Nation's Capital does not need, it is a great swath of concrete sweeping across its face and attracting even more automobiles into town.

The editorial goes on to say that this decision has significance for more cities than Washington:

> Across the country the battle between rapid transit and the highway builders is being waged. The push for highways at whatever cost has behind it powerful automobile, concrete, and other lobbies.

Fortunately, they lost in 1963. That setback can be regarded as a victory for all hard-pressed American cities, and for those trying to save them from strangulation by concrete and the internal combustion engine.

Mr. Speaker, the bill which I introduce today providing for a $10 million annual research program aimed at developing new urban transportation systems will enable us to continue the battle against the highway planners and possibly turn that setback into permanent defeat. My legislation is identical to bills also introduced today by the gentleman from Wisconsin [Mr. Reuss] and seven other Members of the House. Essentially, it calls for a crash program of research to develop a high-speed, noiseless, nonpolluting, economical means of mass transportation.

It is hardly necessary to dwell on the critical state of transportation in our cities today. We all know that existing modes of transportation are not sufficient to meet the demand now, let alone 5, 10, 15 years from now. The motor vehicle population is forecast at 115 million by 1980 and the human population at 267 million—almost 1 car for every 2 people. In 1941 there were 11.4 cars for every mile of road and street. Today the figure is 22 cars for every mile—despite expenditure of more than $130 billion for roads since the end of World War II.

It could not be more clear, Mr. Speaker. We are running out of space. As the noted architect, Edward Durell Stone, put it in an interview with the U.S. News & World Report:

> We must decide between people and automobiles.

He added that ultimately the people will make this choice.

What we need are new systems based on the most advanced technology which can carry people through and about their cities quickly, safely, and economically. In order to achieve this breakthrough in urban transportation development, however, we are going to need a federally sponsored research program, for private industry cannot be expected to carry the burden alone.

While the accomplishments of the Mass Transit Act of 1964 are considerable, the program—largely because of financial limitations—has not been able to help cities acquire all the buses they need, let alone devote some of its funds to research into new systems of urban transportation. H.R. 9201 would amend the 1964 act to authorize an additional $10 million for fiscal 1966 and fiscal 1967, the remainder of the life of the act, and require the Administrator of the Housing and Home Finance Agency "to undertake a program of research designed to achieve a technological breakthrough in the development of new kinds of public intraurban transportation systems."

As the gentleman from Wisconsin [Mr. Reuss] pointed out in his remarks on this legislation, the Massachusetts Institute of Technology has designed a transportation system called the commucar. Small and lightweight, the commucar is designed to travel under its own power along roads and highways for short distances, or attach itself to a siderail to be whisked along guideways under automatic control at speeds up to 100 miles per hour.

The commucar is only one possible aid in solving our transportation problems. MIT engineers report that it is technologically feasible but needs further study. Industry too is accepting the new challenges of public transportation and new ideas and new techniques are in the making. Westinghouse has developed a system operating by means of small, separate but connectible, rubber-tired cars running by automatic controls on 2-minute headways via an elevated concrete loop structure. The electrically driven aluminum cars are planned to operate in trains of from 1 to 10 units each, depending upon the traffic density and it is claimed they are capable of handling 5,000 to 14,000 riders per hour. Other systems based on equally ingenious devices no doubt will be developed if the proper research is directed to this problem.

Projecting the transportation needs of modern-day America, we know to a certainty that a new, efficient system of rapid mass transportation in and between cities must supplement the vast systems of roads and expressways which we have come to rely upon almost exclusively. If we are to be responsive to the changing needs of the future the time to act is now.

ANNOUNCEMENT

The SPEAKER. The Chair desires to state for the information of Members it is expected that the distinguished guests of the House will arrive here about 2:30. When the Chair declares a recess, the Members will have in mind that, under the program, it is expected they will arrive here at around 2:30 this afternoon.

The Chair appoints as members of the committee to escort our distinguished visitors into the Chamber the gentleman from Oklahoma, Mr. ALBERT, the gentleman from Michigan, Mr. GERALD R. FORD, the gentleman from Louisiana, Mr. BOGGS, the gentleman from Illinois, Mr. ARENDS, the gentleman from California, Mr. MILLER, and the gentleman from Pennsylvania, Mr. FULTON.

RECESS

The SPEAKER. The Chair declares the House to be in recess.

Accordingly (at 1 o'clock and 38 minutes p.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF THE "GEMINI 4" ASTRONAUTS

At 2:57 o'clock p.m., the Doorkeeper of the House of Representatives, the Honorable William M. Miller, escorted into the House Chamber the families of the Gemini 4 astronauts.

At 2:58 o'clock p.m., the Speaker of the House of Representatives called the membership to order.

The Gemini 4 astronauts, Maj. James A. McDivitt and Maj. Edward H. White, entered the Hall of the House of Representatives at 3 o'clock p.m., preceded by Sergeant at Arms Zeake W. Johnson, Jr., and escorted to the Speaker's rostrum by the Honorable William M. Miller, Doorkeeper, Vice President HUMPHREY, the Honorable CARL ALBERT, the Honorable GERALD R. FORD, the Honorable HALE BOGGS, the Honorable LESLIE C. ARENDS, the Honorable GEORGE P. MILLER, and the Honorable JAMES G. FULTON.

[Applause, Members rising.]

Astronaut White was seated to the left of the Speaker and Astronaut McDivitt to the right of the Speaker.

[Applause, Members rising.]

The SPEAKER. Members of the House, we have had many distinguished visitors to this historic Chamber but there are no two gentlemen who are more distinguished or more welcome here than the two gentlemen whom we have with us today.

It is a personal pleasure and a great honor for me to present to you two brave Americans who have in a most notable manner added glory and prestige to explorations in space, and to our country's history, the Gemini 4 astronauts, Maj.—lieutenant colonel nominee—James A. McDivitt, and Maj.—lieutenant colonel nominee—Edward H. White.

[Applause, Members rising.]

The SPEAKER. It is again my personal pleasure and great honor to present for remarks these two distinguished gentlemen. The first one whom I shall present to my colleagues in the House, taking them in order of their names in relation to the alphabet, is Maj.—lieutenant colonel nominee—James A. McDivitt.

[Applause, Members rising.]

Major McDIVITT. Mr. Speaker, and Members of Congress, I am absolutely overwhelmed at being here today.

I can remember a long time ago when I was a young boy I dreamed about coming to Washington and possibly, with luck, being able to sit up there. I do not believe I ever even gave it a thought of being able to stand down here.

I think in those days I felt much more significant than I do today.

Our flight, and in the last few days back here on earth again, has taught me that one or two people are so very insignificant when I think the destiny of our country has been molded within these very walls. It is being molded here today and will be tomorrow and forever.

I really do not have anything to say except just one thing: I am very happy and very proud to be an American. Thank you very much.

[Applause, Members rising.]

The SPEAKER. It is also my personal pleasure and great honor to present to you the other distinguished guest of the House—and we welcome you both with hospitality, warmth, and friendship—the distinguished American, Maj.—lieutenant colonel nominee—Edward H. White.

[Applause, Members and guests rising.]

Maj. EDWARD H. WHITE. Mr. Speaker, leaders of the United States of America, friends, I knew that when I got up here I would have the feeling that I could not even see over this rostrum, I feel so humble and so small today.

You know, as we made our flight, some of the remarks that President Johnson made crossed through my mind up there, also, not exactly the way he stated them, but similarly.

You know, as you are up there 100 miles above our earth, a very vivid image that I received is, the world really is not very big—you can look, up there, and you can actually see the curvature of the earth below you. You pass over boundaries of countries. You realize that those boundaries really do not mean very much, particularly when you look down on the whole boundary from above.

I think the remarks that the President made about "this is probably the era that is going to open for us a better understanding among nations," could not have been better placed.

Another thought I had as I entered the door—I saw above me the inscription "In God We Trust." It is something that we Americans have felt for many, many years. It is something that up there we felt, also.

And I would like to take the opportunity to thank the people of the United States and the world for their thoughts and their prayers that were with us throughout the flight.

[Applause, Members and guests rising.]

The SPEAKER. The Sergeant at Arms will escort the distinguished visitors to the well of the House so that the Members of the House may have an opportunity of meeting and shaking hands with them.

The Doorkeeper and the Sergeant at Arms escorted the two astronauts to the well of the House, and their wives joined them.

The Members of the House greeted the astronauts and their wives.

The SPEAKER. The committee of escort will conduct the distinguished visitors from the Chamber.

The recess having expired, the House was called to order by the Speaker at 3 o'clock and 40 minutes p.m.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess of the House may be printed in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRESIDENT JOHNSON'S HYPERSENSITIVITY SYNDROME

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have often spoken of the urgent and basic need of our democracy for the free exchange of ideas. Only when national problems are openly and frankly debated will we arrive at the best answers to these problems. I have deplored this administration's practice of cloaking its proceedings in unnecessarily secret sessions behind closed doors. Secrecy can be justified by considerations of vital national interest. But when secrecy is used to protect administration schemes from criticism, that then, is an abuse of power. If a plan is beneficial to this country and workable, surely it can withstand the light of penetrating, open inspection. Good ideas can be made better ideas through such open processes, just as bad ideas can be exposed for what they are.

We have recently seen a striking example of this administration's hypersensitivity to critical assessments of its policies and actions. Mr. William McChesney Martin, Jr., Chairman of the Federal Reserve Board, spoke before a convention of the Society of American Business Writers. Mr. Martin, long a respected professional in the financial field who has served his country well, sought, in his speech, to examine some of the problem areas with which our Nation is trying to cope today—such areas as our international financial situation, our domestic growth rate, and the impact of monetary and budgetary policies on this growth. Rather than accept the neo-Keynesian theory of perpetual deficit financing as the panacea for any and all ills, Mr. Martin dared espouse the cause of fiscal responsibility. In fact, Mr. Martin dared openly challenge the views of the present "high priest" of the new economics, Mr. Gardner Ackley, Chairman of President Johnson's Council of Economic Advisers.

Mr. Speaker, what has been Mr. Martin's reward for doing his duty as a public servant charged with helping to maintain the financial health of our Nation? For examining financial policies and economic strength in an attempt to arrive at the best course of action for this country Mr. Martin has earned the obvious displeasure of this administration. As a June 12 New York Times article points out, my colleague, the gentleman from Texas [Mr. PATMAN], is calling for Mr. Martin's resignation. Mr. PATMAN is determined to deprive the Federal Reserve Board of independence and legislate its Chairman into subservience to the President. Rather than "Come let us reason together," his thesis seems to be "Let us not have independent thinking."

Mr. Speaker, this country has grown and will continue to grow on the free exchange of responsible thoughts, but this free exchange is in danger of being stifled. Rather than examine the issues the President states that there were no conflicts within the administration on the question of the business outlook. As that same New York Times article points out, Mr. Martin did not contradict the President but also refused to say that he agreed. Rather than hide the issues, my colleague in the other body, the Senator from New York, Mr. JAVITS, and I have joined in pressing for a full public hearing in which Mr. Martin would be free to speak his mind before the Joint Economic Committee. Unfortunately, the gentleman from Texas [Mr. PATMAN], chairman of the Joint Economic Committee, has found it impossible to hold such hearings at this time.

Other voices have been raised in concern over this administration's tactics in limiting free and public debate. Mr. George Champion, chairman of the board of the Chase Manhattan Bank, articulated this concern very well when, last month, in a speech before the Illinois Bankers Association, he expressed his criticism of government-by-guideline "without public debate in the halls of Congress or legal appeal to the courts."

Mr. Champion said:

> In my judgment it is one of the most insidious and dangerous trends on the national scene today.

Barron's National Business and Financial Weekly, in its June 7 issue, further examined Mr. Champion's theme in a front-page editorial. The weaknesses of a system pretending to appeal to reason while embracing coercion are well explored and documented. Not only are faulty new doctrines examined, with their basis often founded on twisted statistics suited to this administration's grand designs, but so too are the inequitable exceptions pointed out. Returning to Mr. Champion's remarks, Barron's shows the Chase Manhattan chairman pointing out that while commercial banks are asked to hold down increases in their foreign loans this year to 5 percent, other nonfinancial corporations or foundations may lend without limit. Furthermore, loans guaranteed, in whole or in part, by the Export-Import Bank enjoy an exemption from all curbs.

Mr. Speaker, the articles to which I refer would make very profitable reading for us all. Mr. Martin's speech examining the financial health of our economy may be found on page 12314 of the CONGRESSIONAL RECORD of June 2, 1965. For further comment on this speech and the consequences emanating from it I would like to insert in the RECORD the New York Times article of June 12 and an article by Mr. J. A. Livingston which appeared in the Washington Post on May 21.

Mr. Livingston's thoughtful article points out the benefits which accrue to us all when ideas are openly debated rather than suppressed in obeisance to administration policy. In addition, Mr. Speaker, I request permission to insert in the RECORD the Barron's article commenting upon Mr. Champion's speech and the present state of affairs in which we find ourselves. The losers in a gagged society, as Mr. Livingston so rightly points out, are not only President Johnson and Gardner Ackley, but also you and I:

JAVITS PRESSES BID FOR ECONOMY STUDY

WASHINGTON, June 11.—Representative WRIGHT PATMAN of Texas does not want to hold congressional hearings on the current state of the national economy, the stock market and other matters, but two leading Republicans have decided to press for a full public examination.

The Republicans, Senator JACOB K. JAVITS, of New York, and Representative THOMAS B. CURTIS, of Missouri, requested that hearings be held shortly after Federal Reserve Board Chairman William M. Martin warned earlier this month that there were similarities between the present economic situation and that of 1929.

Representative PATMAN called yesterday for Mr. Martin's resignation on the ground that Federal Reserve policies would lead to another recession.

Senator JAVITS and Representative CURTIS want the Joint Economic Committee, of which Mr. PATMAN is chairman, to conduct a full inquiry.

Senator JAVITS said today that the need for hearings now was even more urgent than when he and Mr. CURTIS made their request last week.

Senator JAVITS challenged President Johnson's statement of yesterday that there were "no conflicts" within the administration on the question of the business outlook.

Mr. Martin did not contradict the President, but also refused to say that he agreed. He confined himself to saying he thought the Nation was currently "in a period of prosperity."

MARTIN DISTRUSTS ACKLEY'S VIEWS

(By J. A. Livingston)

Too bad Representative WRIGHT PATMAN, Democrat, of Texas, wasn't at the convention of the Society of American Business Writers. He'd have heard William McChesney Martin, Jr., express misgivings about the new White House economics.

It might have shaken Mr. PATMAN in his resolution to legislate the Chairman of the Federal Reserve Board into subservience to the President and the Secretary of the Treasury. Or, on the contrary, it might have reconfirmed Congressman PATMAN's determination to deprive the Board of independence.

"I am not sure that the policy of perpetual growth will be vindicated by easy money and perpetual deficits," Martin told the writers at a session in the Federal Reserve Bank in New York. "Don't let's think we can always have rolling prosperity."

Martin has not joined in the Washington worship of the new economics. Instead of expressing confidence in proposals to reduce taxes to pump up consumer spending, he wondered: Are consumers getting overburdened with debt, is the quality of credit deteriorating? He didnt mention the Webb & Knapp bankruptcy, but he might have.

Martin has been a professional in the money-and-credit business long enough to be from Missouri. And he is. (He was born in St. Louis in December 1906.) He is conscious that economic and political events control men even when men try to control events.

Consequently he has doubts about the spreading faith in our wisdom to apply the ideal mixture of monetary, fiscal, budgetary, and wage-price policies to tilt prosperity ever upward without inflation.

Gardner Ackley, Chairman of President Johnson's Council of Economic Advisers, is the high priest of the new economics. He puts the case persuasively and intelligently. Just the other day he told a group of savings bankers that he believes we can continue to stimulate the economy without courting the dangers of inflation.

Martin doesn't deny that changing the policy mix might perpetuate prosperity. But he isn't sure. He wants to guard against too easy assumptions of success: To be wary is to be forewarned.

Martin puzzles whether events—the war in Vietnam, the revolution in Santo Domingo and troubles in the Congo—may not upset optimistic hopes about the balance of payments. The deficit isn't licked until it's a surplus is Martin's point.

If Representative PATMAN had his way, Chairman Martin's doubts would be unuttered. His skepticism would be submerged in the Executive Office. Martin would be part of the administration. He'd be silenced and not the spokesman of an independent agency.

"It is no secret," PATMAN has said, "that I have long been concerned about the aloofness of the Federal Reserve from both the executive branch and the Congress. Although the Federal Reserve System is a creature of Congress, it is not subject to any of the usual Government budgetary, auditing, and appropriations procedures.

"Also, the Federal Reserve is not required to obtain congressional approval for its policies, even though its actions have important repercussions for every sector of our economy. This sort of unbridled freedom, whether it is used for good or evil, just isn't compatible with representative democratic government.

"The will of the people ought to be reflected in monetary policy as well as fiscal policy, foreign affairs, and all other matters affecting the public welfare."

To carry out this purpose, PATMAN would have the Federal Reserve Board chairmaned by the Secretary of the Treasury.

Martin is not aloof, indifferent. All members of the Reserve Board want prosperity to continue. No conflict on this—none whatsoever. But a policy of ever-rising prosperity and growth can conflict at critical moments with another important economic objective—protection of the dollar, stanching the outflow of gold.

How to deal with these objectives—sometimes mutually supporting, sometimes competing—brings on differences in method and emphasis, not only between Martin and the President's advisers but within the Federal Reserve Board itself.

Were the Board subject to the jurisdiction of the Secretary of the Treasury, were it to lose its independence, it would lose also its power to dissent, its right to step out of the chorus.

For that we'd all be losers—not only Chairman Martin, not only President Johnson and Gardner Ackley, but also you and I.

Belling the Cat—Government by Guideline Is as Old as Tyranny

As a professional spotter of trends, we herewith offer a noteworthy specimen which seems to have gone largely unobserved. Since April, when thousands of taxpayers realized all at once how badly they needed a financial friend, a subtle change has come over the Nation's bankers. On television they still project the familiar image of kindliness and warmth. Off screen, however, they have tended increasingly of late to take a hard line. In a recent speech (Barron's, May 31), a senior vice president of First National City Bank of New York criticized the "shallow and fuzzy" policies pursued by the United States and U.N. in Latin America. Again, Tilden Cummings, head of the Continental Illinois National Bank of Chicago, the other day bitingly likened the welfare state to the old Indian custom of "potlatch," wherein chiefs at a powwow ceremoniously gave away all their possessions. The prize for plain talk goes appropriately to George Champion, chairman of Chase Manhattan. Addressing the Illinois Bankers Association last month, the speaker sharply assailed what he called government by guideline. "In my judgment," he said in no uncertain terms, "it is one of the most insidious and dangerous trends on the national scene today."

George Champion speaks with eloquence and authority. Since December, when several of his colleagues, yielding to pressure from the White House, cancelled a proposed hike in the prime rate on business loans, banking has functioned not only under Federal and State regulation but also under coercion. "Without public debate in the halls of Congress or legal appeal to the courts," the powers that be have succeeded in clamping an informal kind of price ceiling on money. In a more recent display of friendly persuasion, the Federal Reserve has wrung from the Nation's commercial banks their reluctant consent to so-called voluntary restraints on lending abroad. Outside the banking system, government by guideline for years has harassed the steel industry; now it threatens to spread far and wide.

Along the way, as holders of bank or steel stocks will testify, the policy can do an impressive amount of harm. Wherever it has raised its ugly head, profit margins, security values, and investor confidence all have suffered. Damaging in practice, the guidelines are equally destructive in principle. As a piece of theoretical analysis, they would fail freshman economics (unless, of course, the professor happened to be Walter Heller or Gardner Ackley). Riddled with exceptions and loopholes, they constitute an open invitation to the arbitrary exercise of power. Lacking a shred of legal sanction, they gain acceptance through manipulation, intimidation, and fear. Every authoritarian regime, from the despotism of Louis XIV to the fascism of Benito Mussolini, has made use of guidelines. They have no rightful place in a society that calls itself free.

Perhaps in deference to such old-fashioned views, the guidelines made a modest debut. In January 1962, the President's Council of Economic Advisers first propounded them as a cautiously worded, carefully hedged contribution to discussion. In brief, CEA set forth the proposition that national productivity advances by an estimated 3 percent (subsequently revised to 3.2 percent) per year. Hence an industry which matches the average may raise wages by this figure without raising prices. Since 1962 the tentative thesis has hardened into official doctrine—President Johnson recently called the guidelines "the cornerstone of American prosperity." Thus inspired, bureaucracy has sought to spread the word throughout commerce and industry.

For something regarded as akin to Holy Writ, the new doctrine strikes the skeptic as curiously faulty. CEA bases its analysis upon individual "industries," although, as any shareholder in DuPont would be glad to explain, there is no more inaccurate or slippery economic concept. To suit its own grand designs, the agency sometimes twists statistics. Thus, Thomas F. Patton, who runs Republic Steel Corp., has challenged the Council's conclusions on steelworker output per man-hour. Unlike the Bureau of Labor Statistics, which estimates the annual advance in steel productivity since 1957 at 2.2 percent CEA, in its recent special study, put the gain at nearly half again as much. To reach this figure, it made "adjustments" for peaks and valleys in steel operations. Said Mr. Patton angrily: "It would be as if we talked about our Nation's economic history and disregarded the depression." Finally, the guidelines presuppose a stability—in the product mix of industry, as well as in the year-to-year increase in the labor force and money supply—that simply doesn't exist. Whatever their merits as a static economic model, they boast scant relevance to the dynamic world of enterprise.

The conceptual defects are bad enough; the moral flaws are worse. As a glance at the record suggests, the policy is shot through with favoritism: what is sauce for the gander frequently proves far less palatable to the goose. Since the guideposts were set up, a number of labor unions, notably in the building trades and on the waterfront, have ignored them with impunity. Last fall, without demur from any quarter, the United Auto Workers won improvements in wages and fringe benefits far exceeding the approved limits—Federal officials blamed Detroit, which it argued lamely should have lowered automobile prices prior to the negotiations. In contrast, last week's settlement of 4.2 percent in aluminum, and the subsequent price boosts, made Washington visibly and vocally unhappy. Again, as Chase Manhattan's chairman pointed out, commercial banks are supposed to hold down the increase in their foreign loans this year to 5 percent. In so-called underdeveloped areas, however, other sources of funds, such as nonfinancial corporations or foundations, may lend or invest without limit; loans guaranteed, in whole or in part, by the Export-Import Bank enjoy an exemption from all curbs. "In other words," wryly notes Mr. Champion, "there are guidelines for everybody but the Government."

In the realm of Government, so history attests, anything goes tends to be risky doctrine. The Johnson administration is no exception. By throwing its weight against higher steel prices, the White House in effect has encouraged the speculative buildup of inventory; to purchasing agents eyeing the forthcoming wage negotiations, steel today must look like money in the bank. Similarly, by seeking to keep interest rates low, the White House has stimulated perhaps the greatest credit binge in U.S. history; meanwhile, the curbs on lending abroad have struck another blow at the international capital market and heightened foreign concern over long-range prospects for the dollar. Finally, the guidelines have proved hostile not only to the free market but also to freedom. To the detriment of the owners and custodians of capital, they have slashed the vital link between authority and responsibility. While pretending to appeal to reason, they have embraced coercion. For the rule of law, they have substituted political pressure and bureaucratic whim. Such doctrine may pass as enlightened and modern. It is as old as tyranny.

On this score the last word properly belongs to George Champion. "The case of the government that thinks it knows more than the marketplace about how to run the economy is nothing new in history. This was one of the root causes of the American Revolution. The English system of mercantilism was based on government regulation of every aspect of the economy, including the colonies. The American colonists objected and eventually fought to enforce their will."

TRIBUTE TO THE DISTINGUISHED GENTLEWOMAN FROM NEW JERSEY, FLORENCE P. DWYER

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE. Mr. Speaker, I rise to pay tribute to my colleague the distinguished gentlewoman from New Jersey [Mrs. Dwyer], and to thank her for her inspired and determined leadership on legislation regarding Federal participation in metropolitan affairs.

It was due largely to her foresight and energy that the House was presented with a real choice yesterday between a Cabinet-level Department of Housing and Urban Development and an Office of Housing and Community Development in the Executive Office of the President.

Mrs. Dwyer presented the case for her substitute bill with clarity and insight. In light of the party division of the House this year, I think it is to her great credit that 183 of her colleagues joined her in supporting the motion to recommit H.R. 6927 yesterday. I was proud to be among them and wish to thank Mrs. Dwyer for her outstanding efforts.

A TRIBUTE TO THE ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORSE. Mr. Speaker, on Saturday, June 12, David Bell, the Administrator of the Agency for International Development became the longest holder of that office.

This longevity is not a tribute to staying power, but to the efficient and imaginative conduct of the office. Mr. Bell has served in his post with distinction.

Under his leadership management has been made more efficient, there has been a decrease in the negative impact of our aid program on the balance of payments, and, in my judgment, the impact of our aid has been greater.

As a member of the House Committee on Foreign Affairs I have found Mr.

Bell's appearances before the committee marked by a firm grasp of his objectives and a thorough knowledge of his Agency. I congratulate him on his recent achievement and wish him continued success.

REVIEW OF CLOSING OF MILITARY BASES

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, in consideration of the military construction bill by the Armed Services Committee recently, the members of the committee wisely added section 608 giving to Congress an opportunity for review of decisions of the Secretary of Defense to close military bases located in the United States.

That bill, H.R. 8439, was approved by a voice vote in this Chamber on June 10. I support the bill including section 608 and it is my hope that the other body will also approve this legislation.

The Secretary of Defense has indicated plans to close the Brookley Air Force Base at Mobile, Ala. And because this base has proven itself for operating at exceptionally high standards of efficiency and effectiveness, and because it is playing a key role in maintenance of our Air Force operations in Vietnam, the Defense Department's proposal seems incredible.

On Sunday, June 13, the Mobile Press-Register published an illustrated article highlighting the way in which Brookley Air Force base is providing essential supplies and materiel for continued operation of the HU-16's and the B-66's located at forward bases in southeast Asia.

The text of the article follows:

> An Air Force HU-16 revs up its engines on the runway at a forward base, somewhere near the action in Vietnam. Somewhere in the South China Sea an aircraft is down. Once again the old *Albatross* is needed for the search. The crew piles in and the old bird takes off, ready to pull another flier from the drink.
>
> To keep those squadrons of HU-16's and the squadrons of B-66's that are located at the U.S. forward bases ready to fly, the Mobile Air Materiel Area has moved to STAR support procedures on the two aircraft.
>
> Spelled out, STAR means Speed Through Air Resupply.
>
> The Air Force Logistics Command designates which air materiel areas will provide this rapid response to requests from certain deployed squadrons.
>
> The effectiveness of this system can be judged by the comments of a pretty satisfied general who is right in the middle of the heat in Vietnam:
>
> ### COMMANDED BY GENERAL
>
> "We have been receiving absolutely topnotch support from your command," Maj. Gen Joe Moore, commander of the 2d Air Division in Vietnam, wrote Gen. Mark E. Bradley, Jr., commander of the Air Force Logistics Command.
>
> General Moore mentioned especially Air Force Logistics Command's STAR procedure for aircraft support. Through STAR, the command has kept the "not operationally ready supply" rate on aircraft in Vietnam at a remarkable low, he said.
>
> "This is especially good when you consider that we are just about as far away on the end of the pipeline as you can get," General Moore wrote.
>
> Although they are separated from the scene of action by many thousands of miles, the Brookley Air Force Base workers who are assigned to STAR support are well aware of the urgency of their tasks.
>
> "When a teletype arrives requesting a certain stock number under STAR procedures, I know that plane is down," said Marietta Johnson, who gets the initial requisitions. "Let's get it off the ground," is Mrs. Johnson's first thought.
>
> To speed the aircraft part on its way, Mrs. Johnson first checks the part number to verify its accuracy. On HU-16 requests, Mrs. Johnson calls Hazel Beckworth. For information on B-66 stock numbers, she calls Mary Bryars. These two women keep status on the STAR requisitions and follow them up to complete them.
>
> In fact, as Mrs. Byars put it "We'll beg, borrow, or steal to get one of these requests filled and to get the part on its way."
>
> ### NOT EXAGGERATING
>
> She is not exaggerating, actually, for in one instance workers did "rob" a drag chute door from a B-66 on base to replace one that went out on an aircraft which was down at George Air Force Base. The B-66 was en route overseas when the trouble developed.
>
> At Brookley the only available door was a repairable one, but it appeared that a minimum of 30 hours in overhaul would be required. To avoid delay, workmen removed the door from a B-66 in the hangar, but some quick thinking and improvising by the overhaul men got the repairable door ready for the flight to California. The B-66 sitting in the hangar here got its drag chute door replaced.
>
> Once Mrs. Johnson is assured that the stock number is correct, or research of tech orders by Mrs. Beckworth or Mrs. Byars has provided the correct stock number, she personally directs the card punch process to get the order into the priority distribution system in supply.
>
> Under normal circumstances the item is located within 4 hours and papers are processed for its shipment. The highly automated processes used today speed up all the paperwork. The computer even kicks out the shipping ticket and updates the inventory records.
>
> STAR procedures are followed during the buildup of a forward base until it reaches the capability to supply the needs of the squadrons stationed there.
>
> Meanwhile the weapon system control point which Mrs. Johnson, Mrs. Byars and Mrs. Beckworth maintain at Brookley Air Force Base is the single point of control for all requisitions for the B-66's and HU-16's serving the cause of freedom in South Vietnam.

LET US BE FAIR ABOUT "A-TEAMS" ON THE FARMS

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TALCOTT. Mr. Speaker, yesterday the Department of Labor reported, in effect, that California's largest employers of foreign farmworkers now have sufficient numbers of domestic workers to meet their requirements.

This is false. Mr. Wirtz did not consult with the growers. Our growers in California, large and small, do not have adequate numbers of competent farmworkers. Crops still are spoiling, food is going to waste, prices are increasing, and skilled workers are unemployed because crops are not being harvested.

The "A-team" program being promoted by the Department of Labor—squads of high school students with little or no training in farmwork—has not yet been helpful; in fact, it has been detrimental.

The Department of Labor has ruled that no grower may employ foreign workers until he accepts all of the "A-teams" which are offered.

In addition, if a grower now has foreign workers, and refuses to employ an "A-team," he must release as many foreign workers as there are members of the "A-team."

Thus, the grower, quite literally, is being "blackjacked" into managing and financing a grandiose summer vacation scheme for teenagers.

"A-team" members have been promised a wonderful trip to California—primarily to keep them off the streets at home. They are being recruited in Colorado, Utah, Texas, New Mexico, and elsewhere, even though these States also need agricultural workers. The free trip to California, the free housing, and high wages are the inducements.

Many of the boys have never worked at all, or, if so, never on farms. Some have never been on a farm, even for a visit. Many have never seen or otherwise been exposed to our type of specialty crop agriculture.

Members of some of the first "A-teams" to be forced on the growers already have left the fields. Far from earning a profit for their employers, they have caused untold damage and losses. They bring basketballs and footballs to the fruit and vegetable fields. There have been many instances of fighting, scuffling, horseplay, such as throwing strawberries at one another, and other boyish pranks. They are careless in picking and handling strawberries and other delicate fruit and vegetables.

The adult who accompanies each of the "A-teams" does not work. He simply acts as a "chaperon" or "babysitter," yet he often is unable to control the boys. The grower must pay the "babysitter," $120 per week, plus travel expenses. The grower must pay the transportation cost for the boys, averaging about $50 each, one way. Many of the boys return home before they pick $50 worth of strawberries.

The boys—some of whom are only 14 or 15 years of age—have no training. Although most are high school athletes, needing hard work for physical development, few are in proper physical condition to work in the fields. They complain about the food and housing because they were led to believe they would be enjoying a summer camp adventure.

Most were looking for adventure and a trip—but not the difficult, demanding type of work which is required on California farms.

It seems ridiculous to recruit boys from other States to work in California when farmworkers are needed in their home States.

Our growers wish that the "A-team" program were feasible and would operate successfully. They have employed local teenagers for years. Many have earned college expenses by working on the farms. Growers always have been perfectly willing—even anxious—to employ competent, willing domestic workers.

It seems only fair that our growers should not be saddled with impractical programs promoted by the Department of Labor. Why are our growers required to operate their businesses, in an extremely competitive industry, with inexperienced teenage help, when no labor union permits a ratio of more than one apprentice for several qualified, experienced workers?

Why would it not be fair to permit our growers to maintain a 50–50 ratio of "A-team" members and competent foreign farmworkers—at the very least? Why cannot reason prevail?

THE EXECUTIVE COMMITTEE AND BOARD OF TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS URGED TO ADOPT ANTIDISCRIMINATION POLICY BY THE PRESIDENT OF THE BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA

Mr. GROVER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the President of the Board of Commissioners of the District of Columbia, Walter N. Tobriner, has written Roger Stevens, President Johnson's Special Assistant on the Arts, requesting that a resolution establishing an antidiscrimination policy be introduced at an early date for action by the Executive Committee and the Board of Trustees of the John F. Kennedy Center for the Performing Arts. Mr. Stevens is Chairman of the Board of Trustees of the Kennedy Center, and Commissioner Tobriner is an ex officio member of its Board of Trustees.

Commissioner Tobriner wrote me on June 15 stating that:

> This is in response to your letter of June 12, 1965, enclosing a copy of your speech entitled "The Civil Rights Act and the John F. Kennedy Center for the Performing Arts."
>
> There can be no question that the Center must adopt an antidiscrimination policy both for its own employees and for all organizations with whom it has contractual relations, including organizations concerned with the performing arts. If the Center has not already adopted a policy in this respect, it should do so promptly.
>
> With this in mind I have today addressed a letter to Roger Stevens with a request that such a resolution be introduced at an early date for action by the Executive Committee and Board of Trustees.

In my speech of June 10 on the Civil Rights Act and the Kennedy Center I said—CONGRESSIONAL RECORD, page 13285—that:

> Under title VI of the Civil Rights Act the President is required to withhold all Federal funds from the Trustees if they ignore the Civil Rights Act, inasmuch as this act covers all performances in the Kennedy Center as well as all performances, programs, and companies financially aided or sponsored by the Trustees.
>
> The time has arrived for the President to establish a firm art policy for the John F. Kennedy Center for the Performing Arts, which will leave no doubt in anyone's mind that it will truly reflect the views of our country at large.

I certainly agree with the able and distinguished President of the Board of Commissioners of the District of Columbia that the Center must adopt an antidiscrimination policy both for its own employees and for all organizations with whom it has contractual relations. This would obviously cover organizations in the fields of the performing arts. But, as Commissioner Tobriner indicates, it should be broad enough to include all contractual relations which, I assume, would cover the construction of the Center itself, and the contractors and craft unions involved.

While title VI does not go directly to hiring procedures or union membership, I would certainly expect that in the case of the memorial to the late President Kennedy, dedicated proponent of civil rights that he was, every effort would be made by the trustees of the Kennedy Center to obtain compliance with the spirit of the Civil Rights Act of 1964.

I have asked the Attorney General for a ruling as to the applicability of title VI of the Civil Rights Act of 1964 to actions of the trustees of the Kennedy Center and all contributions to the Kennedy Center including both private and Federal contributions. Title VI of the act provides that:

> No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
>
> Each Federal department or agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guarantee, is authorized and directed to effectuate the provisions of section 601 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President.

I include Commissioner Tobriner's letter, and my own letter to the Attorney General:

THE DISTRICT OF COLUMBIA,
Washington, June 15, 1965.

Hon. WILLIAM B. WIDNALL,
Member of Congress,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. WIDNALL: This is in response to your letter of June 12, 1965, enclosing a copy of your speech entitled "The Civil Rights Act and the John F. Kennedy Center for the Performing Arts."

There can be no question that the Center must adopt an antidiscrimination policy both for its own employees and for all organizations with whom it has contractual relations, including organizations concerned with the performing arts. If the Center has not already adopted a policy in this respect, it should do so promptly.

With this in mind I have today addressed a letter to Roger Stevens with a request that such a resolution be introduced at an early date for action by the executive committee and board of trustees.

Sincerely yours,
WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 14, 1965.

Hon. NICHOLAS DEB. KATZENBACH,
Attorney General, Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: It has been called to my attention that from interest earned on gifts the trustees of the John F. Kennedy Center for the Performing Arts have provided $300,000 to the Metropolitan Opera National Company, and that this company apparently has a questionable hiring policy where Negroes are concerned.

As you know, the John F. Kennedy Center for the Peforming Arts was established by congressional enactment as a presidential memorial, and the Congress has appropriated $15 million for its construction, and authorized the Treasury to guarantee $15 million in bonds for construction of its garages.

You will note from my remarks in the CONGRESSIONAL RECORD (June 10, p. 13285), entitled "The Civil Rights Act and the John F. Kennedy Center for the Performing Arts, that I have raised the question as to whether or not title VI of the Civil Rights Act of 1964 does not, in fact, apply to all funds and activities involving the Kennedy Center. This question is bound to be raised in the future, and is not limited to the situation involving the Metropolitan Opera National Company which I have called to national attention.

It is not my intent to frustrate or delay in any way the activities of the Kennedy Center, but I believe that title VI of the Civil Rights Act should be carried out in both letter and spirit by all Federal agencies established by the Congress and supported by tax funds.

Under the circumstances, I would like to request of you at this time an opinion from the Department of Justice as to whether the Kennedy Center under title VI would be required to file a statement regarding the nondiscriminatory use of its funds from whatever source acquired, and whether the Kennedy Center in turn should require similar pledges of nondiscrimination from those companies performing at the Kennedy Center or sponsored by the trustees of the Kennedy Center.

Since the $300,000 may already have been made available by the trustees of the Kennedy Center to the Metropolitan Opera National Company, your immediate attention to this letter would be deeply appreciated.

Sincerely,
WILLIAM B. WIDNALL,
Member of Congress.

TITLE VI IS WORKING

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FRASER. Mr. Speaker, the Minneapolis Tribune recently published a series of articles on the changes taking place in the operation of Federal agricultural programs in our Southeastern United States.

The author is Emmett Peter, Jr., who is a member of the 15-member National Advisory Committee to Secretary Orville Freeman on the implementation of title VI of the Civil Rights Act.

As Mr. Peter points out, a good part of the racial discrimination in federally supported agriculture programs, reported by the U.S. Civil Rights Commission, was more the result of habit than unwillingness to allow Negroes to participate in these programs.

But no matter what the causes for discrimination in USDA programs, the Secretary of Agriculture reacted immediately when the Civil Rights Commission found that discrimination was widespread. He directed all USDA agencies to eliminate segregation and unfair treatment of Negroes from all their programs.

The Secretary of Agriculture deserves high praise for his efforts to fully enforce the law of the land.

The text of the four articles which ran from May 27 through May 31, 1965, follows:

[From the Minneapolis Tribune, May 27, 1965]

SOUTHERN NEGRO FARMERS LEARN U.S. AID IS OPEN TO THEM, TOO

(EDITOR'S NOTE.—The writer is associate editor of the Lakeland (Fla.) Ledger and is a member of the 15-member national advisory committee to Secretary of Agriculture Orville Freeman. This is the first of a series on the Southern Negro farmer.)

(By Emmett Peter, Jr.)

TALLAHASSEE, FLA.—Joe Lee is a Negro tobacco and truck farmer in the northwestern panhandle of Florida. He is 47 years old and has a wife and four children. The family lives in a wooden house, in bad repair, on 52 acres of land which Lee calls a "general all-round farm."

Lee never has taken any meaningful part in the university extension services paid for in part by Federal money. There is a white farm agent and a white home demonstration agent, but the county, although one-third Negro, does not provide a colored farm agent.

Couldn't Lee have gone to the white farm agent for information and counsel about his crops?

"I reckon so," he told me, "but it don't work out that way. Not exactly."

His wife, more militant and a trifle bitter, went further: "It wouldn't be fittin' to do so. The white farmers go to Mr. ——— (the farm agent); and the white ladies go to Miss ——— (the demonstration agent). But we colored aren't going up there; we're too proud to go and butt in like that."

Significantly, neither Lee or his wife knew what services were available to them through the U.S. Department of Agriculture (USDA). Their tobacco subsidy papers were "taken care of by the man at the warehouse." But neither had heard of the availability of Farmers Home Administration loans, and to them the Agricultural Stabilization and Conservation Service (ASCS) Committee was just another white man's organization.

The Lees—this is not, of course, their real name—are desperately poor.

One of their children, a 6-year-old girl, has a cleft palate and needs surgery. They do get enough to eat, partly through barter, but precious more than that.

In off seasons, when there isn't much to do at home, Joe hires out as a farm laborer in neighboring counties, and sometimes he works in Alabama and Georgia during the peach harvest.

Better days seem to be ahead for Joe Lee and other Negro farmers of the Deep South. Long segregated and for the most part left out of Federal agricultural programs, they are coming into their own under the 1964 Civil Rights Act at a rate faster than anybody had dared hope.

Secretary of Agriculture Orville Freeman acted with speed and high purpose after he got the sharpest rebuke of his 5-year incumbency. The U.S. Civil Rights Commission reported earlier this year that discrimination against southern Negro farm operators was widespread, inexcusable, and costly in economic and human terms.

Cooperating fully, Freeman went into a huddle with chiefs of his 10 major agencies. The Rights Commission report might include some minor flaws, he told them in effect, but he defended the overall findings as fair and correct and not to be quarreled with.

Freeman directed each of his agency heads to prepare and follow through on a program to eliminate illegal segregation, unfair treatment, and exclusion of Negroes from USDA programs.

Freeman told them, in fact, to go the extra mile and get the word to Negro farmers and rural dwellers that they were now, under title VI of the Civil Rights Act of 1964, entitled to all the services and financial aid that anybody else was getting.

The Secretary then named a 15-member national advisory committee to review the Department's actions and recommend additional steps, if needed, to bring about complete equality of opportunity in the USDA.

As a member of that committee, I attended its first session on May 18, and the next day met wtih the U.S. Civil Rights Commission. This series is a report of what I learned at the meetings, and afterward, about a new way of life that is coming rather abruptly to the rural South.

[From the Minneapolis Tribune, May 28, 1965]

SOME AGRICULTURE DEPARTMENT SERVICES DON'T REACH NEGROES—WHAT ARE REASONS FOR FAILURE?

(Second of a series)

(By Emmett Peter, Jr.)

WASHINGTON, D.C.—The U.S. Department of Agriculture (USDA) is an agency of vast size that brings a great variety of services to rural Americans. These services range literally from soup (the school lunch program) to nuts (cultivation and marketing of).

The USDA's multibillion-dollar budget includes the cooperative extension services of the land-grant universities, founded in 1862 as the Department's educational arm.

In addition, there are the experiment stations, crop reporting and marketing services, various soil conservation agencies, the U.S. Forest Service, the 4-H Clubs in our schools and (recently added to the list) the Federal food stamp program for needy families.

Why, then, has such a service-oriented agency in many cases failed to provide equal opportunity to the Negro farmer and farm wife?

Critics of the South may claim that the failure is part of a pattern of white supremacy and hard-core racism. In some areas, the critics probably are right.

Ralph McGill, author of "The South and the Southerner" and an accepted spokesman for the enlightened South, offers another theory. McGill, a member of Agriculture Secretary Orville Freeman's Citizens Advisory Committee, suggests that the reason is habit rather than malice.

"In the South the Negro has so long been excluded from everything else that it seems likely nobody thought to include him in the farm programs," McGill said at the committee's 2-day meeting Tuesday and Wednesday in Washington.

The Atlanta, Ga., editor may be right, judging by the decent behavior of southerners so far in complying with title VI of the Civil Rights Act of 1964. Some southerners, in fact, have gone out of their way to cooperate in removing racial barriers.

Title VI of the law seems simple enough in its language. In one long sentence it forbids racial discrimination or segregation in any program that uses Federal assistance funds.

A county or State has the alternative of ignoring or defying title VI, but in doing so it must give up its Federal share of operating funds. (The lone exception is the school lunch program which, the USDA decided, is designed to feed children and shouldn't become involved with civil rights).

So far there has been no outright defiance of title VI. One reason for the cooperation, perhaps, is the convincing case built by the Civil Rights Commission. The amount and kinds of discrimination it found would be difficult to defend, even by the most eloquent of southern segregationists.

For example, Mississippi's extension service, consistent with that State's policy of white supremacy, established lower goals and standards for Negro farmers.

Here are some of the statements made by white Mississippians in defense of their system:

"We often fail to understand the irresponsibility of the Negro race."

"The sheep field days are only for whites because the Negroes don't have any interest in sheep."

"Negroes can't be dairymen because that's a 7-day business and Negro farmers will not work 7 days a week."

"In farming, Negroes have gone about as far as they can go."

In other States, too, there is evidence of how little the Negro has been considered in programs financed in part or in full by Federal money.

In Alabama, 20 percent of the white rural households were reached by home demonstration programs in 1960, the last year for which figures are available. In the same year, only 9 percent of the rural Negro homes got the same service.

Georgia reached 42 percent of rural white homes with food and nutritional counseling, but only 17 percent of the Negro homes received that service.

Fifty-five percent of Louisiana's rural white homes received information on clothing, but the same service went to only 22 percent of Negro rural homes.

[From the Minneapolis Tribune, May 29, 1965]

NEGRO FARMERS NEED COUNSEL, HELP

(Third in a series)

(By Emmett Peter, Jr.)

WASHINGTON, D.C.—Out of every 100 Negro farmers in the United States, 98 live and farm in the States of the old Southern Confederacy. Yet the family farm, which has provided the Negro with a living (such as it is) since Reconstruction days, seems to be on its way out. The trend is toward bigger farms and fewer farmers.

Needless to say, the Negro farmer hasn't been helped in his fight for survival by a century-old policy of giving him second best or excluding him altogether from Federal farm programs.

Both white and Negro farms are getting larger as the "little fellow" gives up and moves away, possibly to some big city.

The median income for Negro farm families in the South was $1,259 in 1959, less than half the white farm family's income of $2,802.

Clearly the Negro farmer needs counsel and real help if he is to survive, just as the white farmer needs the best possible advice and know-how in order to make a decent living in the rush toward bigness and mechanization.

The Farmers Home Administration (FHA), a division of the Department of Agriculture, seems to offer the greatest potential for assistance, but its record up to now is very poor.

The task of this agency from the start was to break the cycle of farm tenancy and debt, so the tenant farmer could become his own boss and "look the world in the face." FHA makes low-interest loans to farmers when local credit isn't available.

This agency has been very, very conservative—overcautious it would seem—in making loans to Negro landowners. Just what is that record? It would seem entirely fair to measure the size of loans made to white farmers and Negro farmers who have the same net worth.

The Civil Rights Commission found that a white farmer, of $20,000 net worth, historically has been able to borrow $8,100. However, a Negro farmer who is worth the same amount, $20,000, could only borrow $6,200.

The discrimination is even greater in lower brackets of net worth. A white farmer worth $15,000, for example, could borrow $7,200, but a Negro farmer worth $15,000 could get a loan of only $2,800.

These injustices now are being mended by a Federal agency which blandly had followed "community patterns," and was shocked to learn how little attention it had been giving the southern Negro farmer.

Some of the results have been gratifying far beyond the brightest expectations. The New Nork Times reported Sunday that Administrator H. D. Godfrey, a drawling North Carolinian, had all but eliminated racial discrimination in the offices of the Agricultural Stabilization and Soil Conservation Service (ASCS), with splendid cooperation from department employees in the Deep South.

Only a few months ago the Civil Rights Commission made these recommendations to President Johnson regarding the USDA—

Continue efforts to impress on administrators and field staff of every agency the need to abandon practices of segregation, unequal treatment and exclusion of Negroes.

Assign both white and Negro staff with responsibility for work with Negro clientele.

Abolish racially segregated lines of authority, communication and responsibility.

Require that all meetings be open to all.

Make sure USDA employees do not attend or take part in meetings, fairs or other events which are segregated, or which exclude Negroes or whites from membership, attendance or participation.

Obviously the program is a big one. It won't be accomplished overnight, but in the relatively short time since enactment of the Civil Rights Act of 1964, the USDA is well on its way toward a colorblind farm policy.

[From the Minneapolis Tribune, May 31, 1965]

RACE HATRED ISN'T TILLED BY FARMERS IN THE SOUTH

(Fourth of a series)

(By Emmett Peter, Jr.)

WASHINGTON, D.C.—Dr. Aaron Henry is a native son of Mississippi whose leadership in the National Association for the Advancement of Colored People has brought him violent abuse from the segregation-minded white community.

Henry came to Washington late in May as one of four Negroes named by Agriculture Secretary Orville Freeman to the 15-member Civil Rights Advisory Committee.

At home in Clarksdale, Miss., Henry is a druggist. But when he is discussing or debating matters of Negro rights, he exhibits all the instincts of a trial lawyer. He is not easily fooled by evasive tactics, or "snowed" by smooth talk.

When U.S. Department of Agriculture (USDA) heads were briefing committee members, Henry could be counted on to take copious notes and ask, periodically, "Could you explain that further, sir?"

Once an official was trying rather pathetically to "explain" why there had been some discrimination in the past. Henry said gently: "I believe it would be better to come right out and say, 'We haven't done the right thing, but we're going to from now on.' "

The presence of Aaron Henry on the so-called blue ribbon committee is a comfort to some persons in high places who had expressed fear that Freeman, a Minnesotan, might be deceived by southern segregationists.

"Orville Freeman is a fine man, a gentleman," I was told by one highly placed rights leader. "But he is too honest, really, to be thrown into battle with the southerners. Why, they're masters of evasion. They'll do as they well please and have Freeman believing they have lived up to the law."

That judgment was passed before the committee held its organization meeting on May 18. Because of the checks and balances arranged by the Secretary within the Department, plus the watchfulness of committee members, I doubt whether any but the most trivial evasion is now possible.

Besides, it is my belief that most southern white people concerned with USDA policy are fairminded and want to see everybody, regardless of race, get the same educational opportunity and Government assistance. Experience up to now indicates that the question is no longer "Should we do this?" but rather "How can we best get it done?"

Title VI of the Civil Rights Act requires a cutoff of Federal funds when defiance of or noncompliance with the act is established at a public hearing.

Undoubtedly the continued receipt of Uncle Sam's checks is a factor in southern cooperation. Yet I believe the decisive reason is a general feeling of camaraderie and respect among those who actually tend the land.

The matter of race does not seem to affect the farmer's willingness to share useful information, or his feeling of common purpose with a dark-skinned neighbor.

It is true that this doesn't extend to social matters, but then the USDA and the committee are concerned only with the elimination of discrimination in the Federal programs. Nobody, as far as I know, is trying to arrange any mixed-race bridge parties, men's smokers, or box-lunch picnics.

Should trouble come, I feel it will come from the nonfarmer. The real troublemakers have not come from the ranks of hard-working, serious farm operators, but rather from small tradesmen whose status in the South is ill-defined.

These people are not agrarian but they aren't urban either; they are neither of the soil nor divorced from it. From this class of "in betweens" fear and uncertainty erupts in dynamitings and murders.

Almost none of the recent Klan-type terrorist suspects have been "pure" farmers. Nearly all were listed by police as carpenters, used car salesmen, barbers, mechanics, steelworkers, day laborers, or unemployed men.

These people are just one step removed from the soil. But that one step, so I believe, is the corrupting step. One more up the ladder and they are the businessmen who own property and respect the law (even if for motives of self-interest).

But today they are uncertain and afraid. Without the soil to fall back on, and lacking the imagination to look very far ahead, these people cling doggedly, and sometimes violently, to the status conferred on them by skin pigmentation. They need the "niggers" to feel superior to.

Happily, there seems to be nothing in the USDA policy that is sufficiently dramatic to goad or arouse the terrorists. The main problem, as I see it, is in establishing a line of communication between the professionals of the Department and the Negro who has for so many years been on the outside.

Had he been on the outside looking in, there would be no great problem. The trouble is, the Negro farmer has been excluded to such an extent that he doesn't know what it is he needs, or how to ask for it.

Indeed, the rural Southern Negro has become accustomed to the "double think." Henry brought that point home when he told fellow committee members: "We need to find a way to let the Negro know that this time when we say 'everybody,' we do mean the colored people, too."

In order to become self-sufficient as a farmer and stay that way, the Negro in the South has some catching up to do. He needs the counsel of a farm agent who not only is willing to help, but speaks the same tongue. There is a language gap today between those who have the know-how and those who need and are entitled to it.

I have read a great deal of the material written by university agricultural sicentists. The prose of these otherwise distinguished and capable people is pedantic and cautious often to the point of being inconclusive. I can only imagine the puzzle it would be to one of very limited scholarship.

Much of this data, of course, is supposed to reach the farmer through his county agent or soil conservationist as a practical interpreter. Still, wouldn't it be better if the farm scientists wrote simple, down-to-earth English?

Despite such problems the broadening of farm opportunity under title VI of the Civil Rights Act of 1964 is moving at a satisfactory speed. There is more good will in evidence than bad will.

Among rural southerners of both races, I have seen many good people and only a few others. I believe that the Negro farmer not only will get what he is entitled to, but that he will act it with the assistance and good wishes of the white community.

NEW YORK CITY IN CRISIS—PART C

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article from the New York Herald Tribune of April 27, 1965, concerning the disposition of a National Guard Armory in New York.

The article is part of the series on "New York City in Crisis," and follows:

SQUADRON A'S FUTURE?—CITY DELAYS RULING

(By Edward J. Silberfarb)

What to do with the Squadron A armory? The answer was postponed yesterday for at least 3 weeks despite a protest vote by Planning Commission Chairman William F. R. Ballard.

The site selection board voted 4 to 1 to lay over the matter until its May 17 meeting.

Mr. Ballard, who favors the building of a junior high school on the 80,600-square-foot block, cast the only vote against postponement.

Asked later to explain his vote, he would say only, "I'd rather not discuss it. It would not serve any useful purpose."

Before the board were three alternate proposals: one that would have the school erected on the block bounded by Madison and Park Avenues and East 94th and East 95th Streets, and two others that would have the school share the site with middle-income housing.

MORE STUDY

Mrs. Constance Baker Motley, Manhattan Borough president, favored postponement so the question could be given further study. At her direction, two architectural firms are conducting feasibility studies to determine whether housing and a school could be built on the site.

Voting for the delay, besides Mrs. Motley, were Budget Director William Shea, Controller Abraham Beame, and Real Estate Commissioner Frank Lazarus.

The armory, which belongs to the State National Guard, is the only arena in the city where indoor polo is played. The city is acquiring it and three other armories from the State for $6 million, in a transaction that has been 5 years in the making. The battle over what to do with the land is almost as old. Another proposed use, rejected by the city, has been to make the site a park.

In other matters, the site selection board unanimously approved the use of 100 acres of undeveloped land in the Hunts Point section of the Bronx for a new wholesale fish and meat market.

The next step is for the city to buy the land from its present owner, the Consolidated Edison Co. For acquisition, $10 million is in the capital budget.

The new meat market, which will cost an estimated $40.5 million, would house the 165 wholesale dealers from the Washington and 14th Streets area on Manhattan's Lower West Side, 85 from the Brook Avenue market in the Bronx and 18 from the Harlem meat market north of 125th Street. The new fish market, to cost an estimated $15 million, would house the 100 dealers from the Fulton Fish Market.

A new produce market, which costs $37 million, is expected to open this fall at Hunts Point, according to Markets Commissioner Albert Pacetta. This would house 125 fruit and vegetable merchants from the Washington Street area.

The site selection board referred to its off-street parking committee a request from Traffic Commissioner Henry Barnes for a 524-car parking garage on Eighth Avenue across the street from Madison Square Garden, between 49th and 50th Streets. Estimated cost is $4.7 million.

NEW YORK CITY IN CRISIS—PART CI

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the Women's House of Detention of New York.

It is part of the series on "New York City in Crisis," and appeared in the New York Herald Tribune on April 28, 1965, and follows:

Deputy Mayor: All Is Well at House of Detention

(By Ralph Chapman)

All is well, or anyway, almost well, at the Women's House of Detention, according to Deputy Mayor Edward Cavanagh, Jr.

Item: "As of now, with a new rule of one inmate in a cell, occupancy is 450 against the capacity of 457."

Item: "I have recommended that the policy of permitting the keeping of food and snacks and refreshments in cells be changed" to get rid of mice and other vermin.

Item: "The new policy of maintaining occupancy to a capacity of one in a cell will go a long way toward reducing and eliminating further problems" of homosexuality.

This evaluation of conditions in the old jail for women at 10 Greenwich Avenue was a major part of Mr. Cavanagh's report to Mayor Wagner yesterday. He made it public at a press conference in his city hall office.

The report came at a time when the prison was the subject of a number of probes. Correction Commissioner Anna Kross has been investigating. So have a legislative committee and District Attorney Frank Hogan.

Informed in Albany of the Cavanagh report, Assemblyman Joseph Kottler, Democrat, of Brooklyn, said it was based on an "inadequate and one-sided inquiry." He insisted the emphasis on overcrowding missed the point and that lack of recreation and other facilities are more important.

"We need no Alcatraz for women in the heart of New York City," he said.

Mr. Kottler is chairman of the assembly committee on penal institutions, which has been investigating conditions at the house of detention.

Mr. Cavanagh admitted in the report that "a conclusion is inescapable that problems still do exist in the house of detention" but insisted that almost all of them can be solved if overcrowding can be eliminated. He did not refer to the fact that a new detention facility for women is to be built on Rikers Island.

Mrs. Kross said last year that the old House of Detention will remain to house short-term prisoners and those awaiting hearings in criminal court.

MAYOR HAPPY

Assigned by the mayor last month to look into and make a public report on conditions at the jail, Mr. Cavanagh said yesterday that Mr. Wagner is happy about the findings. He indicated at the same time that the document had not been read by the Mayor at the time it was made public. He said there had been a number of conversations about it and there would be further study.

During the press conference that followed release of the report, the deputy mayor made it plain he considers homosexuality inherent in any situation where members of the same sex are confined together. He said it has been prevalent in the armed services, in schools for boys, and in detention places for men.

He suggested it may be more likely to occur, under such circumstances, among men than among women.

One way to reduce the practice, he felt, was to arrange for inmates to sleep separately and it was for that reason that such arrangements have been made at the Women's House of Detention.

Most of the first six pages of his nine-page report were devoted to his investigation of charges made by Mrs. Irene Perry, an inmate between December 23, 1964 and January 7 of this year. Among the charges was the statement that a prisoner had died of a burst appendix in a cell, that medical treatment was almost nonexistent, that a member of the staff made improper advances, and that Christmas Eve services were disturbed by screaming and talking.

Mr. Cavanagh said none of the charges was substantiated by his investigation. He said also the woman's statement indicated she was relating things she said she had heard from other people.

He admitted he had not talked to Mrs. Perry and saw no reason to after her sworn statement. He did talk to other inmates, volunteer workers, chaplains and others. None of these, he insisted, had given any information that would lead him to believe Mrs. Perry. He said his last visit to the house of detention was on Good Friday and he found the women there pleased about religious services for the various faiths.

"The mood and attitude of many inmates to whom I spoke," he said, in his report, "did not indicate complaint or poor morale resulting from conditions. Some were quiet but did not seem embittered; many were happy to converse and they were bright and alert."

Mr. Cavanagh said of the jail "it's not correcting anything" because the same women are there again and again. Critics, he said, should worry about corrective legislation "rather than whether there is a mouse in the house."

He told reporters there is every prospect of such bills being introduced during the present session of the legislature.

OF MICE AND CAVANAGH

The sight of a little gray mouse nibbling food in a cell of the women's house of detention didn't bother Edward Cavanagh, Jr. He's used to that sort of thing.

The deputy mayor, who said yesterday he spotted the intruder during an inspection of the Greenwich Village institution, said he has mice in his own house.

He wasn't referring to his 14th-floor apartment at 245 East 72d Street, but to his country home at Glen Cove, Long Island, where he is a neighbor of Senator Robert Kennedy.

"It's not unusual to see them in the country, little field mice that come in from outside. It's not unusual to see several in the course of a year." The house of detention is at Greenwich Avenue and 10th Street in Greenwich Village.

A WELL-PROBED JAIL

The women's house of detention, supposedly a model prison when it was opened in 1932, was under fire 2 years later and has been under investigation by one agency or another intermittently since 1955—but never until now by six investigating bodies at once.

Last month, Correction Commissioner Anna Kross ordered an investigation of conditions in the grimy yellow-brick jail at 10 Greenwich Avenue.

The girl whose complaints touched off the investigation was Andrea Dworkin, an 18-year-old Bennington College freshman who had been arrested for protesting against the use of American troops in Vietnam.

She said she had not been allowed to call her lawyer for 3 days. She said she had been hurt by a doctor's internal examination and humiliated by his talk about virginity and Bennington girls. She said there were mice in the cells and that homosexuality was "rampant."

The probers

A parade of investigators toured the House of Detention, with the commissioner's blessing. Joseph Kotler, the Brooklyn Democrat who heads the assembly committee on penal institutions, spent 2½ hours there with seven other legislators from Albany. He said the house of detention "makes you physically sick," and promised to ask the State to close it down.

Herman Stichman, Governor Rockefeller's special investigations commissioner, toured the jail for 4 hours and called it a "blight." He subpenaed records and promised hearings, but warned that closing down the house of detention would solve little; after all, the prisoners presumably had to be jailed somewhere.

Deputy Mayor Edward Cavanagh was assigned to study the house of detention after Commissioner Kross had presented her preliminary findings to Mayor Wagner. There was talk of a liberalized bail program and of farming out minor offenders to hotels to await trial.

Never observed

The chairman of the State commission of correction, Paul McGinnis, began still another investigation, noting as he did so that complaints about the house of detention "have never been observed or substantiated by members of this commission and staff members in their many visits to this institution over the years."

District Attorney Frank Hogan is also looking into the complaints by Miss Dworkin and several other women who have come forward more recently to testify about conditions in the jail.

TESTIMONY OF HON. ABRAHAM J. MULTER BEFORE THE JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, on June 2, 1965, it was my privilege to testify before the Joint Committee on the Organization of the Congress and the following is a transcript of that testimony:

Statement of Honorable Abraham J. Multer, a Representative in Congress From the 13th Congressional District of the State of New York

Representative Multer. Mr. Chairman, members of the committee, I appreciate the opportunity to be here this morning in an effort to contribute something to this committee's work. I regret that the time has not permitted me to comply with your request for a prepared statement. At this late stage in your proceedings, I doubt whether or not I can give you anything new. At the same time, I hope to be able to affirm and give strong support to some of the suggestions that have already been made and possibly strong opposition to some of the things that have been recommended.

To begin with, I think it must be repeated and cannot be repeated too frequently that the Congress is an efficient and an effective body, if not the most efficient and most effective legislative body to be found anywhere in the world. In saying this I refer to both Houses of Congress.

I think the best proof of the fine job that we have already done this year is found in the résumé of congressional activity on page D-468 of the daily Record of June 1, 1965, which came to our desks this morning and I might suggest that that might be incorporated in your record at this point.

Representative Hechler. Without objection it will be incorporated in the record.

Representative Multer. Thank you.

(The document referred to follows:)

"[From the Congressional Record—Daily Digest, June 1, 1965]

Résumé of Congressional Activity

"(First session of 89th Congress)

"The first table gives a comprehensive résumé of all legislative business transacted by the House and Senate.

"The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

"Data on legislative activity, Jan. 4 through May 31, 1965

	"Senate	House	Total
Days in session	79	85	------
Time in session	(1)	(2)	------
Congressional Record:			
Pages of proceedings	6,730	4,866	11,596
Appendix			2,757
Public bills enacted into law	10	19	29
Private bills enacted into law	--------	1	1
Bills in conference	4	1	------
Bills through conference	2	5	------
Measures passed, total	272	353	------
Senate bills	135	14	------
House bills	34	180	------
Senate joint resolutions	8	4	------
House joint resolutions	4	8	------
Senate concurrent resolutions	5	5	------
House concurrent resolutions	15	18	------
Simple resolutions	71	124	195
Measures reported, total	[3] 320	[3] 396	------
Senate bills	144	7	------
House bills	34	275	------
Senate joint resolutions	6	--------	------
House joint resolutions	4	8	------
Senate concurrent resolutions	6	2	------
House concurrent resolutions	15	14	------
Simple resolutions	111	90	201
Special reports	12	32	------
Conference reports	--------	6	------
Reported measures not acted on	15	94	------
Measures introduced, total	2,285	9,983	12,268
Bills	2,054	8,661	10,715
Joint resolutions	87	492	579
Concurrent resolutions	35	427	462
Simple resolutions	109	403	512
Quorum calls	19	56	------
Yea-and-nay votes	80	58	------
Bills vetoed	--------	--------	------
Vetoes overridden	--------	--------	------"

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[1] 364 hours, 43 minutes.

[2] 288 hours, 22 minutes.

[3] These figures on measures reported include all placed on calendar or acted on by Senate even if there was no accompanying report. A total of 267 reports has been filed in the Senate; a total of 434 has been filed in the House.

"Disposition of executive nominations, Jan. 4 through May 31, 1965

"Postmaster nominations, totaling 760, disposed of as follows:	
Confirmed	422
Unconfirmed	334
Withdrawn	4
Army nominations, totaling 5,085, disposed of as follows:	
Confirmed	5,082
Unconfirmed	3
Air Force nominations, totaling 10,082, disposed of as follows:	
Confirmed	8,316
Unconfirmed	1,766
Navy nominations, totaling 10,042, disposed of as follows:	
Confirmed	10,039
Unconfirmed	3
Marine Corps nominations, totaling 5,310, disposed of as follows:	
Confirmed	5,290
Unconfirmed	20
Civilian nominations other than postmasters, totaling 3,405, disposed of as follows:	
Confirmed	2,624
Unconfirmed	781

SUMMARY

Total nominations received	34,684
Total confirmed	31,773
Total unconfirmed	2,907
Total withdrawn	4"

Representative Multer. As we move along in a Congress that has a substantial majority of one party, after a while the commentators and the news analysts and the mass media begin to say, well, this is just another rubberstamp Congress, and following the lead of the President, who happens to be of the same party as the majority. This, too, is a myth that should be laid to rest on your record.

I think that despite the fact that a majority of the Congress have moved quickly in implementing many of the President's suggestions and many more of them will be implemented before this Congress adjourns, I think it should be stated on this record as vigorously as possible that the Congress knows that it is a coordinate body of our Government, coordinate with the executive and judicial branches of our Government, and acts accordingly.

Hundreds and hundreds of bills are introduced and passed every year that do not emanate from the executive departments. They are initiated by Members on their own and then are enacted into law because a majority of the Congress think that these are good laws that should be on our books.

I think it should be said, too, and I say this knowing that I may bring upon my head the wrath of some of my colleagues, that too much of the inactivity and lack of knowledge on the part of Members, and now I speak primarily from my activity on the House side and much of what I say is based upon my experience in the House, because I am not as familiar with the rules of the Senate or the operations of the Senate, certainly not as intimately as I am on the House side, too much comes from a lack of knowledge on the part of Members who have not taken the time to either read the Reorganization Act of 1946 or any of the rules of the House for that matter.

Occasionally some of them will refer to some of the rules as a particular program may confront them, but if they were familiar with the act of 1946 and familiar with the rules of the House, I think we would hear a great deal less about the ineffectiveness of Members, the ineffectiveness of committees, and the tyrannical acts of chairmen of committees.

I know from experience that whenever a majority of any committee that I served on desired to work its will, the chairman to the contrary notwithstanding, it worked its will. This goes not only to the reporting of bills but to the operation of the committee internally and to the scheduling of bills and the holding of hearings and of the executive sessions. Any time a majority of any committee, and this goes for the Rules Committee of the House, too, wants to work its will, it can do so. Too few members remember that the rules that provide for the organization of every committee also require that they shall fix a date for executive sessions and if the executive session date arrives and the chairman wants to absent himself, the next ranking majority member takes over as chairman and conducts the meeting.

These executive sessions are subject to the will of the members in the majority. I don't now mean partywise. Whenever a majority of the members of the committee regardless of party want to accomplish something, they can do it. It may be that we may want to write into the rules of the House that a fixed date for executive session be named in the rules such as every Tuesday or every Wednesday of every week will be executive session day instead of leaving it to the members when they organize to fix these dates.

We would need no 21 day rules in the House if the Rules Committee adopted such a rule naming a fixed day for executive sessions on which any member could call up before the Rules Committee any matter that was pending there and demand a vote or a hearing as the case required. So as I say, a great deal of the criticism of the Congress is caused by lack of knowledge on the part of individual Members of what their rights and powers and duties are.

Very few Members avail themselves of the bill drafting and the Library of Congress facilities because they don't know they exist.

I know that they can't do the whole job. I wouldn't like to see the Library of Congress take over the work of the Congressional Quarterly. Until Mr. Stratton made mention of the fact that this is paid out of private funds, frankly, I had overlooked the fact I pay for it personally ever since I came here, the Congressional Quarterly has been coming to my office regularly and I didn't realize until Mr. Stratton talked about it that it was not paid for out of congressional funds.

But this is the kind of service that should be supplied to Members out of the funds of Congress. A certain amount should be fixed, whether it is $1,000 or $2,000 a year, that a member can use for buying those publications and services that he thinks will help him. Some may need bank, trade and various other commercial and organizational publications, others can certainly find good use for the Congressional Quarterly. There are any number of publications such as Dun's Review, the Wall Street Journal, and the Journal of Commerce. Some of these are supplied by communities. That is the kind of literature that a Member needs and I think if a committee is not supplying it to him out of its funds, the Congress ought to supply a sufficient amount so that each Member can buy those publications that he feels will best serve him in the operation of his office.

Now, your counsel, former Congressman Meader, called my attention to the fact that in the 1946 report, the report on the Reorganization Act of 1946, there was a recommendation that the Congress pay for the staff members of the policy and steering committees of the Congress and he also indicates that the Senate does pay those staff members.

On the House we pay them our of private funds. I think their staffs are rendering a good service, a necessary service, and if the policy committee of the Republican Party and the steering committee of the Democratic Party had staffs supplied to them out of funds made available by the Congress, they could do a much more effective job and we would probably be relieved of some of the work that must now be done either by committee staff or by our own office staff. This also would lift some of the criticism that we don't have enough minority staff.

So far as the House side is concerned, we would not need additional minority committee staff if each Member had the right to employ a person who was a legislative assistant, just as you do on the Senate side, and another who is an administrative assistant.

It is quite true, we can assign these jobs to particular people that we have a right to hire but I think in addition to the right to hire and assign these duties as we please, we should have a right to employ a person whose sole job shall be that of a legislative assistant. If we had a legislative assistant assigned to every Member of the House, there would be less cry from the minority for more minority committee staff. It would be almost unnecessary to have the additional staff membership on the committees.

I have always advocated that there should be joint public hearings of the committees. I think there is an unconscionable waste of time of both the public witnesses and more particularly those of the executive departments that must dance attendance on the committees.

I don't mean by this that each committee should not continue to be sovereign in its own right. It should have its own separate executive hearings and even when necessary, call an additional witness or call back another witness where they want some additional testimony. But in the first instance I think wherever there is a bill set for public hearing, in either body, there should be a joint public hearing by the committees that have jurisdiction in each House over the particular legislation.

Now, take, for instance, one of the bills that is getting a lot of attention at this very moment: Senator Robertson's bill to take from the Department of Justice the right to bring to court for review the antitrust aspects of bank mergers. Very frankly I am opposed to the Robertson bill as introduced.

Yet I am heartily in accord with the fact that there should be hearings in both Houses on the bill.

If the majority of my committee, the Banking and Currency Committee, so wills it, we will get hearings on our side despite the fact that as of now the chairman has announced there will be no hearings. But what can very easily happen here, on a bill of such very great importance, you will have hearings on the Senate side, the Senate will report and pass the bill, and though we get no hearings on the House side, we may wake up one fine day on the House side and find this bill is added to another bill that has come from the House. It will go back there and we will then go to the floor with this very important measure on which we have had no hearings.

As one who is opposed to some of the concepts contained in the Robertson bill, I would like to have hearings so as to develop the other viewpoints so that if we do get this matter on the floor, we will have had full and adequate hearings before the appropriate legislative committees. The whole record will be then there and the Congress can legislate more intelligently upon the subject.

A few thoughts with reference to the suggestion that has often been made that we should have the right to bring before the full Congress members of the Cabinet and subject them to questioning just as they do in many parliaments abroad. Under our system of constitutional government as distinguished from a parliamentary form of government, I think this would be bad. Today we have the right to bring these members of the Cabinet before the committees of the Congress.

They are questioned at length. It is much better controlled where if something is to be said by them that must be said in executive session only or be treated as classified, it can be done. If you bring them before the full House or before the full Senate and subject them to questions, even though you may stop them and not let them answer or he may say when asked the question before the full House, this should be treated as classified, you will get a very bad public reaction and I think it would be detrimental to the legislative process to require these men to come before either the full House or the full Senate and answer questions or make statements.

Today we have a very good practice and it may be that you may want to legislate this into law. Under the Kennedy administration, a new practice grew up which is almost routine now where the members of the various departments of Government will set up conferences with members. Some of them are open to staff members. Others of a highly classified nature are limited to members only and any member who wants to go can go there and get his briefing and also ask questions there.

Even though there is no record made, there is ample opportunity for any Member of either body to get all the information that he desires..

I have never found any department head or even any in the lower echelons refuse to give me information that I thought was necessary for the proper performance of my duties. I think that will continue and it gives us all the opportunity we need to get full and complete information.

One other subject that I would like to touch upon very briefly is the matter of the 4-year term for Members of the House. I introduced a bill back in the 81st Congress to accomplish that purpose, not a bill but a joint resolution, rather, because this requires a constitutional amendment. In 1949, I took a poll of the Members of the House and the poll indicated a vote of 319 to 110 in favor of that amendment for a 4-year term. More recently, Congressman Chelf took a poll. I think he took it this very year and he received 130 answers; 28 said they were undecided—had open minds on the matter, 92 were in favor of it, and 10 were opposed to it, again indicating an overwhelming support by the Members of the House for a 4-year term.

I think the 4-year term would give us much more effective legislators. And I can say this as a Member who has had little difficulty in getting himself reelected. In 10 terms I have only had two primary contests and they could hardly be called contests. I come from an overwhelmingly Democratic district where in one term I had the Republican nomination as well. So when a man comes here who has gotten as much as 82 percent of the vote, it doesn't matter too much to him whether he runs every 2 or every 4 years.

But I say as a matter of justice to all of the Members of the House it should be a 4-year term. They can devote themselves much more efficiently and effectively to doing the congressional job with less attention to the fact that next year he must run again.

I would like to make one other important point about the 4-year term and that is this. I firmly believe that when you elect a person of one party as President, he ought to have the majority of his party in the Congress, so the responsibility is on the party if we believe in the two-party system.

I know that occasionally it has happened that the President has been elected from one party and the majority from the other party are elected to Congress and in off years very frequently the control will change in the Congress, so you have got a majority party different from that in the White House. But I say if we really want a strong two-party system and we believe in it, then the responsibility should be on the party and there shouldn't be this device of denial of responsibility when it comes to election time. The man in the White House and majority party should be of the same party.

If they don't live up to their pledges, if they don't do the job the people expected, turn them out 4 years later. You avoid this divided responsibility and you don't give the Members the opportunity to say, well, we don't have a man of our party in the White House, and you don't give the man in the White House the opportunity to say, well, these boys in the majority are of the opposite party and they are not going along with me.

I think it would make for a much stronger government all around.

I think this matter of being close to the people is fine, but neither a 2-year term nor a 4-year term keeps them close to the people. Members are close to the people because they can get home and find out what they are thinking. That is why there is much merit to the fact that we do so far as possible work a 3-day legislative week in the House, and the Speaker tries to accommodate the Members as much as possible so they can be home for long weekends. This is good despite some of the hysterical cries we get from the mass media that we are lazy or there is a triple T, or Tuesday-to-Thursday Club in operation.

The fact of the matter is no matter from where the man comes, when there is important legislation in the House, whether it is Monday or Friday, the men are there. If they have important committees meeting on Monday or Friday the men are there. When I say men, I mean men and women of the Congress.

This business of giving them time to get home and this suggestion that we take a vacation midterm or midsession is also good, not because they need the vacation nor that it will give them more time to spend with their families. It also gives them that necessary time to be back in their districts and learn what their people are thinking.

Thank you very much, Mr. Chairman, for the opportunity to be with you.

Representative Hechler. Some of the advocates of a 4-year term have attached a proposal which would deny to Members having a 4-year term the opportunity to run for any other office after 2 years of service. I wondered what the gentleman's feeling about this is, particularly since this proposal has been advanced in order to make the 4-year House term much easier to get through the Senate.

Representative Multer. If this is the price we must pay to get this bill through the Senate, I would rather see the bill defeated. I think this is most undemocratic. With all due deference to the Members of the Senate who may feel otherwise, if they are so uncertain of their seat that they are fearful that a Member of the House will run against them and take it from them, I don't think they belong there. I think the people of their State are going to reject them anyway sooner or later.

I think if a Member of the House has made a good record and can sell that record to the people in his State as against the record made by the incumbent Senator, I think he should have the opportunity. I don't think we have any right to deny any man or woman an opportunity to run for any public office in this country if they qualify in accordance with the constitutional requirements.

Representative Hechler. Certainly there is no such limitation on any other office, local, State or National.

Representative Multer. Will we say to the Senators they must resign in order to run for Vice President or President?

Will we say to them they must resign to run for Governor back home? I don't think they can be serious about that. Oh, I can understand the feeling of some of the men that they would like to make their tenure safe, but let's make it safe in accordance with the democratic process that requires them to submit themselves to the electorate of their State. If there happens to be a Congressman who is outshining them, it is just too bad. That is the man the people will pick.

On the other hand, if they have done the kind of job that they think they are doing and satisfy their people, the people will reelect them and reject the Member of the House.

Representative Hechler. The gentleman has made a very eloquent argument and presented a point of view heretofore not presented to the committee. I appreciate that.

On the question of making funds available for literature, I think the gentleman makes a very excellent point here because much of this literature probably could not be produced by a congressionally controlled agency like the Legislative Reference Service in as objective a form.

Representative Multer. Mr. Chairman, I go further and say, and should not be produced. I think we need this outside viewpoint whether we agree with it or not and even though some of these are so-called independent agencies. I think the Congressional Quarterly today does an excellent bipartisan job, but if they began to color some of their discussion, I think we have sense enough to analyze it. I believe we need both viewpoints. I think we should get them. We can always call on the Congressional Library and get what we need from them, the very specifically and definitely nonpartisan viewpoint. They will give it to us without any attention to Republican or Democratic Party principle or any other party principle, for that matter. But I think we need these outside publications to bring us the sometimes partisan view.

I, as a Democrat, want to know how the Republicans think, and I think the Republicans want to know how the Democrats think. You can't do the full job without knowing both sides.

Representative Hechler. Thank you, Representative Multer, for the very helpful testimony that you have presented to the committee.

If there are no other matters to come before the committee, the committee will stand adjourned until 10 a.m. tomorrow.

HONORING LT. COL. MARIO ACEVEDO, OF TEXAS STATE GUARD

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, the sister cities of El Paso, Tex., and Ciudad Juarez, Mexico, have a common history dating back to their founding in 1659. Today, their kinship is manifest in many ways. Their chambers of commerce have formed a joint committee for the common good. Their police and fire departments cooperate one with another. Their city officials hold frequent and fruitful joint meetings.

An example of such cooperation is being manifest this week in Ciudad Juarez among the military forces of the two nations. A representative of the Mexican Secretary of Defense, Gen. Tiburcio Garza Zamora will present to Lt. Col. Mario Acevedo, of the Texas State Guard, the Mexican Medal of Merit, third class, a special award designed particularly for officials of foreign military forces. It is being presented to Lieutenant Colonel Acevedo, a citizen soldier who is also an auditor for the city of El Paso, in recognition of his many services tending to develop and improve friendly relations among the military forces of two States and two nations.

Lieutenant Colonel Acevedo will also receive from Gen. Basilio Perez Ortiz, commander of the Juarez Garrison of the Mexican Army, a ring similar to those given to graduates of the Mexican Military Academy of Ciudad Juarez.

Mr. Speaker, I would like the Record to show not only that Mario Acevedo is an outstanding example of the good neighbor policy in action, but that the people of our neighboring Republic have again demonstrated their friendship and respect for our people and our institutions.

WISCONSIN DEMOCRATIC CONVENTION HAS CERTAIN RESERVATIONS OVER ADMINISTRATION FOREIGN POLICY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the State Convention of the Wisconsin Democratic Party was held last weekend at Green Bay, Wis. The statement of principles adopted by the convention, while praising the domestic programs and the efforts of the Johnson administration to get them enacted into law, includes the following foreign affairs statement, which I consider to be a responsible effort to state the views of the Wisconsin Democratic Party:

> ### Foreign Affairs
>
> International trouble spots such as Vietnam represent complex problems that are not only military, but social, political, and economic as well. American policy must reflect an adequate balance between the basic tenets of international diplomacy; the constant readiness to negotiate; the wise and prudent use of power; and the willingness to employ economic strength to help construct stable societies.
>
> It is our fervent hope that peace in southeast Asia can be secured by completely unconditional negotiations about Vietnam with all actual parties to the conflict and we endorse efforts of the Johnson administration directed to this end. We urge that the United Nations be called upon to provide a presence in southeast Asia, in order to pacify the area, conduct free elections, and sponsor its economic development.
>
> To further consolidate the peoples of the free world, we urge the further lowering of the tariff barriers, and the continuance of foreign aid where it contributes to economic and political advancement of developing peoples. We applaud the Peace Corps success as a people-to-people program of international understanding.
>
> If we and the world are to find a peaceful and secure future, we must seek it in partnership with other nations. We must strengthen our regional alliances and adopt them to changing needs.
>
> We continue our vigorous support of the United Nations as mankind's greatest hope for peace.
>
> The Wisconsin Democratic Party proudly salutes the United Nations on the occasion of its 20th anniversary for its many constructive ventures to insure peace.

The statement makes three significant points:

First. Vietnam is not a challenge to our military power alone; economic aid and other measures offer an equal opportunity to demonstrate our determination to preserve a free and viable way of life in this part of the world.

Second. Peace should be sought through the negotiations of all actual parties to the conflict—obviously including the Vietcong—and that efforts of the Johnson administration directed toward that end should be supported.

Third. The presence of the United Nations is needed to pacify the area, conduct free elections and sponsor economic development.

In a separate resolution dealing with the Dominican Republic situation, the convention said that the United States should rely on the Alliance for Progress, the Peace Corps, and the Organization of American States, not military power, to aid Latin America.

These actions of the convention confirm my belief that there is strong sentiment in Wisconsin and throughout the country for peace initiatives by the United States. Unconditional negotiations with parties including the Vietcong, support for a U.N. presence in Vietnam and greater emphasis on nonmilitary approaches reflect a grave concern over the direction of our current policies and represent an implicit demand that the administration take these initiatives at this time.

While the statement of principles and resolutions adopted by the convention reflect full agreement with the President on domestic matters that administration's almost exclusive reliance on American military might to resolve international disputes does not find widespread support in the Democratic Party of Wisconsin.

THE STEP BEYOND THE WELFARE STATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. O'Neal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, I think it is time for concern when a professor of Columbia's School of Social Work offers "the step beyond the welfare state." It is apparently no longer a question of whether ours will become a welfare state but rather what proportions it will reach.

We are constantly called upon to enact new legislation which offers cradle to grave security. The latest request from the administration is that we provide rent supplements for middle-income families. In my opinion, this is another step up the ladder of welfarism, bringing us closer to "the step beyond the welfare state," to the state of social planning.

The rent supplement proposal is the most preposterous and brazen scheme imaginable to centralize control of American housing. It can best be described as an open attempt to socialize this integral phase of American life. Not only does the scheme kill the incentive of the family to improve its living accommodations by its own efforts, but it also kills the incentive for homeownership. Perhaps the overriding factor in my opposition to such a proposal is my feeling that our Government cannot continue to bear the financial burden of every giveaway program which enters the minds of our bureaucratic leaders. The program involves inestimable amounts of money and obligates future taxpayers for 40 years.

It is not enough that the Nation's deprived masses have been made wards of the Federal taxpayer. This latest move seeks to extend coverage to our great middle class which does not need or want part of its rent paid by fellow taxpayers.

The alarming fact is that welfare legislation is becoming the acceptable pattern in our society. This, of course, is not only contrary to our heritage of free enterprise, individual initiative, and pride; but, it is diametrically opposed to all American concepts.

I invite your attention to the following editorial excerpts from the June 9 edition of the Wall Street Journal which point up this direful trend:

> Dr. Albert J. Kahn, of Columbia's School of Social Work, offers "the step beyond the welfare state." He predicts the emergence of a social-planning state in which social utilities—everything from parks to day care, teenage camps to recreation for the elderly—will become as normal and acceptable as public utilities now are. It will be a society in which social planning will take precedence.
>
> Another theory, seemingly not incompatible with Professor Kahn's, holds that everyone should have a guaranteed income regardless of work; among other things, the alleged result would be to free more people for social work and esthetic pursuits.
>
> The argument in part is that the future user of welfare services should not be considered any different from present users of police, fire, and other public services. In other words, it's perfectly all right to be a public ward and no questions asked; everyone's just as good as everyone else no matter what he tries, or doesn't try, to make of his life.
>
> To say the least, that is rampant egalitarianism. The predictable upshot would be a great burgeoning of a trend already distressingly evident: Welfare as a way of life for people who could support themselves if they would. The truly needy who must be cared for by society would suffer. So would the Nation's moral climate.
>
> Naturally no one offers a plausible explanation of how the social-planning state or the no-work state is to be financed. Presumably the dear old Government will take care of that little matter. Nor is it always clear, in these vaporizings, who or what is going to do all the requisite planning. Some of the theorists appear to believe it can be done without extensive new Government intervention; others are not hesitant about welcoming a society regimented by the central authorities.
>
> Now all of this would not merit so much comment except that embryonic trends of a similar sort are increasingly visible in the Federal Government. A government which wants a potentially colossal scheme of rent subsidies, which invades more and more private areas with handouts and meddling, which in these and other ways seems to embrace a pseudocollectivist thinking; from such an approach it is not too big a leap to the wilder shores of planning.
>
> Whether they realize it or not, the theorists are more than economic and social planners; they are also, inevitably, political planners. And it is a form of planning that has scant resemblance to the political institutions of a free society.

AMERICAN PRESTIGE HIGH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, we have become accustomed to a certain anti-Americanism demonstrated in many nations around the world. At times it would appear, or be made to appear, that we have few friends. Frequently the headlines imply a spontaneity and wide public support for anti-American demonstrations. But examination reveals that more often than not, these demonstrations are inspired and carried out by small leftwing or Communist-dominated groups.

While it is true that as Americans we, and our Government, are not universally loved, there are indications that we may be more widely respected, if not loved, than we may be made to believe by the thunder from the left.

In a recent dispatch from Paris by Leon Dennen of the National Editorial Association, it was reported that a private survey by the writer showed anti-Americanism to be less widely based than we might expect and to be, in fact, the pursuit of a disenchanted few.

Mr. Dennen's survey reveals, to his satisfaction, that rather than broad based criticism of President Johnson's policies and actions in Vietnam and the Caribbean, there is broad based approval of his strong stand against Communist-inspired aggressions. Thousands of people throughout the world, I am sure, derive a great sense of security from the knowledge that the United States is lead by a strong President. As Mr. Dennen reports, there is great respect abroad for President Johnson and our prestige is growing because of the actions of our Government.

I believe what Mr. Dennen reports to be sufficiently significant to be brought to the attention of the Congress and place his dispatch as it appeared in the Record News of Wichita Falls, Tex., as part of my remarks.

War, under any condition, is a very horrible experience. It is perhaps more horrible for the person with the ultimate responsibility for his country's future and, possibly, that of the world. President Johnson has this appalling responsibility. Poets can write and birds can sing, but each morning when the sun rises they have not altered the fact that a war is going on in Vietnam and the President by the oath he took must protect this country from all enemies. He cannot write a poem or sing the birdsong, as pleasant as this might be. He must make decisions every minute that he is awake which will effect the lives of men and the destinies of nations.

In these trying days discussion should be encouraged, but so should the realization of the stakes involved in Vietnam. President Johnson is serving this Nation and the cause of freedom well, and the

President is entitled to the full measure of support as he pursues an honorable course to world peace.

The dispatch follows:

[From the Wichita Falls (Tex.) Record News, June 12, 1965]

American Prestige High

(By Leon Dennen)

Paris (NEA).—What about American prestige abroad these days?

Several hundred professors, obscure artists, and writers met recently in a dingy Paris hall to protest against President Johnson's policies in Vietnam and Santo Domingo.

They were oldtimers and veteran "anti-imperialists," now corpulent, gray-haired or baldheaded, with a sprinkling of French and Latin American students. Were it not for their French accents they would have sounded like some of their counterparts in the United States.

"President Johnson, the French people are not your allies," proclaimed the organizers of the protest meeting.

But the French people were conspicuously absent from the gathering. They obviously had better things to do—such as going to the races or enjoying aperitifs on the sunlit terraces of the cafes after an unusually cold and rainy spring.

Only 15 years ago, at the outbreak of the Korean war, the Reds and leftist "intellectuals" were able to summon thousands of people to protest against "American imperialism." They staged bloody riots in front of U.S. Embassies in Europe.

But today the pro-Russian and pro-Chinese Reds in France and elsewhere are too busy castigating each other as revisionists or dogmatists. They cannot even unite long enough to organize an impressive demonstration against their common American enemy. This despite the fact that Paris newspapers which back President de Gaulle are even more anti-American than the Reds' L'Humanite.

What, then, is the American image in the NATO countries?

This writer recently conducted a private opinion poll only to discover that academic and journalistic prophets of doom in the United States are wrong after all.

Except for professional America-haters few Frenchmen think worse of President Johnson because he decided to challenge Red aggression and subversion in Vietnam and in the Dominican Republic.

This is also true of a majority of political leaders and ordinary people interviewed in the NATO countries.

To be sure, President Johnson is not as popular in Europe as President Kennedy was. Kennedy captured the imagination of the Europeans.

"We admired Kennedy," said an Italian customs official. "But we respect Johnson. He is a strong President."

A West German taxi driver asked: "Did the Communists think Johnson would do nothing in Santo Domingo?"

Said the diminutive 70-year-old concierge in the Paris Hotel: "Tell the Americans that we sleep better because your President Johnson had the courage to take Red bull by the horns."

Of course this avalanche of pro-Americanism is not entirely due to what Europeans consider President Johnson's "strong" leadership. In a large measure it is also due to the fact that, unlike in 1950, the Reds are too disorganized to promote anti-American sentiment.

COMMUNISM AND CIVIL RIGHTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I would like to insert here in the Congressional Record another in the series of items which show the continuing association of civil rights leaders with communism. This particular item comes from the June 22, 1965, issue of National Review and concerns, in particular, James Forman and a convicted ex-bootlegger, Fred Shuttleworth.

It is my hope that, through these insertions, it will be increasingly difficult for those who support every wish and whim of these men and organizations to deny, either now or in the future, that they were unaware of the Communist activity of these so-called civil rights leaders.

I plan to continue these insertions as items of Communist association come to my attention and, in this way, add to the already copious record.

The article follows:

Everyone expected hostile demonstrations at the recent HUAC hearings in Chicago, but the affiliations of the demonstrators were not without surprises. Predominant among the pickets were civil rights activists from the NAACP, SNCC, and CORE, whose urgent interest in disrupting the antisubversive investigations of Congress is not readily explainable. Also present, of course, but in the minority, were members of HUAC's constant companion, the National Committee to Abolish the HUAC, which has been cited as a front organization set up "to lead and direct the Communist Party's 'Operation Abolition' campaign." Before the hearings a protest rally was held, at which a reported 1,200 persons heard HUAC denounced by a number of speakers, including: James Forman, executive secretary of SNCC; Harvey O'Connor, of the NCAHUAC; Rev. Fred Shuttleworth, close associate of Martin Luther King and president of the Southern Conference Education Fund, a cited Communist front that aids civil rights groups; and Mrs. Virginia Gray, one of the congressional candidates put up by the Mississippi Freedom Democratic Party. The hearings sought to chart the Communist Party's role in labor, pacifist and civil rights groups. Appearing as a cooperative witness, Lucius Armstrong testified that he had joined the party in 1931 and served as an undercover agent for the FBI from 1953 to 1963. He identified as persons known by him to be Communists all six witnesses who had preceded him to the stand. One of the six, Milton Cohen, had walked out rather than testify, and now faces contempt of Congress charges. All of the others repeatedly invoked the fifth and other amendments. As usual, the hearings were marred by premeditated uproar, and several dozen demonstrators were arrested.

THE MEXICAN CONTRIBUTION TO AMERICA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I noticed that recently efforts are being made in the Congress to provide for the commemoration of Ellis Island as a national monument honoring the great numbers of immigrants who entered the United States in bygone days and who first saw a glimpse of America at this noted isle and then went on to contribute their talents, intelligence, and muscle to making our Nation the greatest on this earth.

I herewith serve notice that I shall initiate action to provide ancillary or similar legislation to note and call the attention of the Nation to the equally great contribution made by those steady and noble incursions of immigrants from across our "southern bounds": that great race, bronze-tinged and long known to us as the "race of the future" for its monumental contribution to the wealth and progress of the United States, particularly that great area popularly known as the Southwest. These were the men and women of Mexican origin who have built the roads, constructed the skyscrapers, and have hewn the cedar and drawn the bolls of the white-spotted fields of Texas, New Mexico, Arizona, and California. Yes, I shall speak more of these indomitable people. I hereby serve notice.

CAPITAL PUNISHMENT IN THE DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Sickles] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SICKLES. Mr. Speaker, I would like to call your attention to an editorial broadcast over Washington radio and television station WTOP on June 7 and 8, 1965, by that station's highly principled and widely respected director of news, Jack Jurey. The editorial is a succinct and pointed statement of the problem of the continued legal existence of capital punishment in the District of Columbia:

WTOP Editorial

New York has now joined the States which have moved to abolish the death penalty—and by so doing, in our opinion, wins a gold star for humane enlightenment.

New York State got a rude jolt early this year when New York City came uncomfortably close to convicting a young man—George Whitmore, Jr., was his name—for a pair of murders he did not commit. That event seemed to give final impetus to abolition of the death penalty. The New York Legislature approved the legislation, eliminating executions except for the murder of a police officer or murder committed by a prisoner serving a life term. After a period of considerable indecision, Gov. Nelson Rockefeller signed the bill into law. Thus, New York becomes the 11th State to virtually abolish executions.

This is one area where the District of Columbia ought to be in the forefront, not pulling up the rear. Although there hasn't been an execution here for nearly a decade, the death penalty is still on the books. It ought to be done away with in Washington as an evidence that this Capital City is willing to remove the taking of human life from its law enforcement arsenal.

On Thursday morning of this week, a House District subcommittee is scheduled to consider Congressman ABRAHAM MULTER's bill to abolish capital punishment here. On the basis of preliminary indications, the subject will get short shrift—the American Civil Liberties Union will testify; the District of Columbia Bar Association may or may not; the District of Columbia Commissioners probably will have a representative, but just who hasn't been decided. The Police Chief has not been invited to appear; neither has U.S. Attorney David Acheson.

This seems to us to be very perfunctory attention to a very important topic. Capital punishment is a tool for barbarism, and ought to be carefully explained as such.

This was a WTOP editorial, Jack Jurey speaking for WTOP.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. WHITENER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WHITENER. Mr. Speaker, in the Evening Star of yesterday, there were three separate items dealing with the local crime situation. While I am sure that the three stories were written without deliberate correlation, they do, in fact, relate to each other in a very noteworthy manner.

These three articles of news, when read together, point unerringly to one conclusion. That conclusion is that there must be immediate and positive steps to eliminate crimes of violence in the District of Columbia at the source. In order to do that, in my considered opinion, it is essential that proper legislative action be taken by the Congress without further delay.

I believe that the action which Congress should take is the immediate enactment of the omnibus crime bill, which was passed by the House several months ago. If the other body is not willing to accept the exact language of the legislation, I express the hope that they will come forward with language which they deem necessary to meet this critical problem. Once that is done, the conferees of the two bodies of Congress could probably get together and work out language which would be agreeable to both bodies.

Mr. Speaker, with a rise in the incidence of serious crimes in the District of Columbia by 10.5 percent in May 1965, as compared to May 1964, and with this constituting the 36th consecutive month in which the crime rate increased in the Nation's Capital, we cannot overlook the challenge presented to the Congress to affirmatively join battle with the violent criminals.

With the evidence we have before us of the necessary action of the General Services Administration to issue printed warnings to employees, and to adopt electric "anti-intruder" devices as pointed out in the story by Miriam Ottenberg, we have further indication of the seriousness of the crime situation here.

It seems to me that with the information at hand, which we have developed in congressional hearings coupled with the information contained in the news stories in the Evening Star of yesterday, the Department of Justice would be displaying greater diligence in complying with the request of the chairman of the Senate District Committee for its recommendations on crime legislation for the District of Columbia. The subject is not nearly so complicated as representatives of the Justice Department have indicated. Even if it were so complicated, there has been ample time since the omnibus crime bill was written in the 88th Congress for the Justice Department to have reached some conclusions.

The time is at hand for positive action. Neither the Justice Department nor the Congress can afford to delay the matter longer. I urge that the Congress immediately enact in the law the omnibus crime bill.

Mr. Speaker, under unanimous consent I include the articles from the Evening Star of yesterday as part of my remarks at this point in the RECORD.

WARNING ON CRIME—UNITED STATES INCREASES STEPS TO PROTECT EMPLOYEES

(By Miriam Ottenberg)

Rising crime rates in the Washington area have prompted the Government to step up efforts to protect its workers from marauders around Federal buildings, it was learned today.

Protective measures introduced by General Services Administration range from floodlighted parking lots to electronic anti-intruder devices.

At the same time, GSA has issued brochures alerting Government employees to safeguard their purses as well as Government property. One brochure warns: "The empty office * * * an open door for the sneak thief * * * to rifle desks, files; to steal money, coats; to loot vending machines, and Government equipment."

In a recent bulletin to heads of agencies and field offices in this region, GSA warns of the frequency of thefts and urges precautionary measures to make attempts at crime unprofitable.

Women employees are told to take their purses with them when leaving an office unoccupied and, if the purse is left behind, to check its contents immediately after returning to the office to be sure it hasn't been rifled.

Men are advised to hang their coats as far from the office door as possible, to be sure they can describe their coat and to clear coat pockets of car keys and wallets.

"Employees should be alert to detect office thieves who will often carry papers or envelopes, giving the appearance of being messengers," GSA advised.

Precautions being introduced in the Washington area include a card-key lock mechanism for use where a limited number of workers need to gain entry at odd hours for overtime work. Rather than have the guard leave his patrol to open the door, late working employees are given a card which, when stuck in a slot, automatically opens the door. The card is said to be harder to duplicate than a key.

Employees sign themselves in and out of the building and the guard, checking the book, knows the whereabouts of the late workers.

That device can be installed in a few hours. Others are more elaborate. Experts have been imported to continue research on comprehensive anti-intrusion systems. Those installed so far are considered highly effective at spreading the alarm.

Government buildings in high crime neighborhoods are being given special attention. Employees are encouraged to report every untoward incident and, if investigation shows marauders are active, the guard force is increased.

To make the force of special police more mobile and concentrate them in emergencies, a control center links 54 buildings in the Washington area. This network will soon cover 100 buildings. In case of trouble, the control center can dispatch emergency squads around the clock.

Some of the problems faced by the Government's protection planners are similar to those in the older commercial buildings here. Protective devices are expensive to install after a building is up and the wires are hidden in the walls.

Now, the threat of crime and the needs of civil defense are taken into consideration at the planning and construction stages of Government buildings. A locking system, fire, and intruder alarms and similar safety devices are being provided in buildings specifications. New buildings will have built-in security.

Meanwhile, the Government's protective research will be useful to private industry in protecting employees against today's marauders.

CRIME RATE CONTINUES TO RISE IN DISTRICT OF COLUMBIA

The number of serious crimes committed in the District rose last month over May a year ago by 225 offenses or 10.5 percent, police reported yesterday.

The rise marked the 36th consecutive month in which the crime rate, as compared to the crime total a year earlier, increased.

The May report also showed, however, that crimes last month, totaling 2,673, were down some from the 3,018 listed in April. The May 1964 total was 2,418.

Compared to May last year, homicides in the District last month increased by 5 to a total of 13; robberies by 132 to 287; aggravated assaults by 7 to 274; grand larcenies by 4 to 133; petty larcenies by 128 to 782 and auto thefts by 10 to 466.

There were fewer rapes and housebreakings, however. Rapes decreased by 2 to a total of 14 for the month and housebreakings by 20 to 704.

Police reported 31,982 offenses in all the above categories during the 12-month period ending in May, an increase of 10.8 percent over the year ending with May 1964.

Some 37.5 percent of the total cases during the 12-month period ending last month were closed by police as compared to 40.1 percent for the year ending in May 1964.

CRIME-LAW STAND SOUGHT FROM JUSTICE

Senate District Committee Chairman ALAN BIBLE of Nevada will attempt to draw from the Justice Department a firm recommendation on District crime legislation next week.

A Department position on a House-passed bill dealing with police detention and questioning of suspects was promised by mid-June at recent hearings.

But Attorney General Nicholas Katzenbach and his aid, James Vorenberg, are reluctant to take firm position now. The question of police detention is under analysis by the American Law Institute, the American Bar Association and the Justice Department.

BIBLE told his committee he would ask Justice officials to an open hearing. It is important to the committee, BIBLE said, to know whether Justice thinks action still should be delayed on the District bill or whether Justice can recommend language for a District law on confessions.

Bible wants to move some kind of an anticrime bill ahead in the Senate.

DECISION DIFFICULT

But he has found it difficult to make a decision on a local confession law—the core of a House-passed bill—in the face of a national study that may drastically propose altering criminal arrest, detention and questioning laws throughout the country.

The House bill permits police to question suspects up to 6 hours. It prohibits barring confessions obtained by police from suspects after arrests solely because of a delay between arrests and arraignments.

Since similar language has cleared the House three times in the last 5 years, lawyers, judges and legal scholars have begun a deep study of criminal detention laws.

Vorenberg is a key figure because he heads a group of "reporters" reporting to the influential law institute on the issue and he also directs a new Office of Criminal Justice under Katzenbach.

DELAY IS BACKED

Vorenberg reportedly would prefer to delay a Justice recommendation on the District bill until late fall, aiming for action in the next session of Congress.

This is the best course in the view of Democratic Senators Joseph Tydings, of Maryland, and Robert F. Kennedy of New York, the former Attorney General.

Senator Peter Dominick, Republican, of Colorado, with Bible, has been pressing for action, but recognizes the difficulty of extracting District provisions from the bulky law institute study of model laws.

Dominick is considering, however, inserting in the House bill a model "stop and frisk" law for the District. This would permit police to detain suspects on the street, to question them briefly and to search them for weapons.

Another possibility was that new "screening" procedures recommended in the law institute draft law be adapted into local law.

Under screening procedures, police could question possible witnesses or suspects if such persons are immediately guaranteed access to lawyers, friends or relatives and advised of their rights against self-incrimination.

The "stop and frisk" and the "screening" concepts both are contemplated in the Law Institute model. The Vorenberg draft also would obligate witnesses to crimes to cooperate with police and subject them to arrest if they refused to answer some questions.

Detainment of suspects with or without a warrant could be extended in time by police, according to the nature of the crime, if police consider there is "reasonable cause" to investigate, the Law Institute "reporters" proposed.

BASIC DIFFERENCE

The basic difference between the Law Institute approach and the language in District bills is that the institute's draft develops a philosophical concept that the security of society demands that citizens submit to limited police interrogation even before officers may be fully aware of the cirmumstances of a particular offense.

House language, under study in the Senate, extends less positive privileges to question to police and offers fewer safeguards for suspects.

Existing arrest procedures in the District virtually ban police questioning.

U.S. Attorney David Acheson ordered police this year not to question suspects before arraignment.

POOR ARE HELPED BY CREDIT UNION—NEW YORK TIMES ARTICLE BY JOSEPH A. LOFTUS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATMAN. Mr. Speaker, one of the worst enemies of the poverty stricken in our country is economic illiteracy. Too often it accounts for the poor making unwise purchases, amassing debts far beyond their means and falling into the hands of unscrupulous lenders. In short, it leaves the poor ill equipped to get the most for their dollar—yes, handicapping the very people who need to make every cent count if they ever are to free themselves from the chains of poverty.

An effective deterrent to economic illiteracy is the credit union, a thrift institution formed on a common bond basis to serve as a depository for savings, a source of loans at reasonable rates and an outlet for thrift information.

Among the 22,000 credit unions in this country, there are nearly 2,000 formed on the common bond of church membership. Here in Washington, the success of a denominational credit union operating in a low-income area has made the Rev. Geno Baroni a firm believer in an expanded role for credit unions in the nationwide antipoverty campaign.

An excellent article recently published in the New York Times tells about Father Baroni's ideas for stepping up the use of credit unions to fight poverty. So that every Member may become fully acquainted with the effectiveness of credit unions in low-income areas, I am including a copy of the New York Times article:

Poor Are Helped by Credit Union—Priest Calls Loan Fund Aid Against Economic Illiteracy

(By Joseph A. Loftus)

Washington, June 12.—Poverty has many faces and many palliatives.

The face that haunts the Reverend Geno Baroni most is economic illiteracy. He sees it daily in Washington's blighted "inner city" where he works.

His answer to it is the credit union, a 100-year-old mutual, self-help device that seems about to enjoy a new surge of growth in the antipoverty drive.

Father Baroni, a 34-year-old Roman Catholic curate, recently encountered the case of a hard-working gravedigger who had amassed $835 in debts to a variety of stores and loan agencies.

"We know the man," the priest said. "We know his kids. He never missed a day's work. He was facing eviction and attachment of his wages. He was in a state. We have a credit union at the church and our people could have given him a manageable loan but he wasn't a parishioner and wasn't eligible for a loan from us."

U.S. HELP SOUGHT

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"Some people tell me why don't I stay in the pulpit," the priest said. "I say the social teachings of Christ must become an integral part of Christian life. I've noticed that people who work in credit unions become better Christians. The credit union is a lesson in the practice of the brotherhood of man. So many things come down to justice, the morals of life."

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"This credit union has made over 3,000 loans totaling $1,175,000. The loan loss is below 1 percent.

OFFICE OF THE INSPECTOR GENERAL OF FOREIGN ASSISTANCE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Morgan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORGAN. Mr. Speaker, I insert in the Record an article in today's Wall Street Journal, concerned with action taken by the Government to move to recover about $3 million worth of damages and penalties from 23 companies charged with diverting more than $13.7 million worth of U.S. surplus farm commodities that were supposed to be shipped to Austria but which never got there.

evidence that this Capital City is willing to remove the taking of human life from its law enforcement arsenal.

On Thursday morning of this week, a House District subcommittee is scheduled to consider Congressman Abraham Multer's bill to abolish capital punishment here. On the basis of preliminary indications, the subject will get short shrift—the American Civil Liberties Union will testify; the District of Columbia Bar Association may or may not; the District of Columbia Commissioners probably will have a representative, but just who hasn't been decided. The Police Chief has not been invited to appear; neither has U.S. Attorney David Acheson.

This seems to us to be very perfunctory attention to a very important topic. Capital punishment is a tool for barbarism, and ought to be carefully explained as such.

This was a WTOP editorial, Jack Jurey speaking for WTOP.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Whitener] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WHITENER. Mr. Speaker, in the Evening Star of yesterday, there were three separate items dealing with the local crime situation. While I am sure that the three stories were written without deliberate correlation, they do, in fact, relate to each other in a very noteworthy manner.

These three articles of news, when read together, point unerringly to one conclusion. That conclusion is that there must be immediate and positive steps to eliminate crimes of violence in the District of Columbia at the source. In order to do that, in my considered opinion, it is essential that proper legislative action be taken by the Congress without further delay.

I believe that the action which Congress should take is the immediate enactment of the omnibus crime bill, which was passed by the House several months ago. If the other body is not willing to accept the exact language of the legislation, I express the hope that they will come forward with language which they deem necessary to meet this critical problem. Once that is done, the conferees of the two bodies of Congress could probably get together and work out language which would be agreeable to both bodies.

Mr. Speaker, with a rise in the incidence of serious crimes in the District of Columbia by 10.5 percent in May 1965, as compared to May 1964, and with this constituting the 36th consecutive month in which the crime rate increased in the Nation's Capital, we cannot overlook the challenge presented to the Congress to affirmatively join battle with the violent criminals.

With the evidence we have before us of the necessary action of the General Services Administration to issue printed warnings to employees, and to adopt electric "anti-intruder" devices as pointed out in the story by Miriam Ottenberg, we have further indication of the seriousness of the crime situation here.

It seems to me that with the information at hand, which we have developed in congressional hearings coupled with the information contained in the news stories in the Evening Star of yesterday, the Department of Justice would be displaying greater diligence in complying with the request of the chairman of the Senate District Committee for its recommendations on crime legislation for the District of Columbia. The subject is not nearly so complicated as representatives of the Justice Department have indicated. Even if it were so complicated, there has been ample time since the omnibus crime bill was written in the 88th Congress for the Justice Department to have reached some conclusions.

The time is at hand for positive action. Neither the Justice Department nor the Congress can afford to delay the matter longer. I urge that the Congress immediately enact in the law the omnibus crime bill.

Mr. Speaker, under unanimous consent I include the articles from the Evening Star of yesterday as part of my remarks at this point in the Record.

Warning on Crime—United States Increases Steps To Protect Employees

(By Miriam Ottenberg)

Rising crime rates in the Washington area have prompted the Government to step up efforts to protect its workers from marauders around Federal buildings, it was learned today.

Protective measures introduced by General Services Administration range from floodlighted parking lots to electronic anti-intruder devices.

At the same time, GSA has issued brochures alerting Government employees to safeguard their purses as well as Government property. One brochure warns: "The empty office * * * an open door for the sneak thief * * * to rifle desks, files; to steal money, coats; to loot vending machines, and Government equipment."

In a recent bulletin to heads of agencies and field offices in this region, GSA warns of the frequency of thefts and urges precautionary measures to make attempts at crime unprofitable.

Women employees are told to take their purses with them when leaving an office unoccupied and, if the purse is left behind, to check its contents immediately after returning to the office to be sure it hasn't been rifled.

Men are advised to hang their coats as far from the office door as possible, to be sure they can describe their coat and to clear coat pockets of car keys and wallets.

"Employees should be alert to detect office thieves who will often carry papers or envelopes, giving the appearance of being messengers," GSA advised.

Precautions being introduced in the Washington area include a card-key lock mechanism for use where a limited number of workers need to gain entry at odd hours for overtime work. Rather than have the guard leave his patrol to open the door, late working employees are given a card which, when stuck in a slot, automatically opens the door. The card is said to be harder to duplicate than a key.

Employees sign themselves in and out of the building and the guard, checking the book, knows the whereabouts of the late workers.

That device can be installed in a few hours. Others are more elaborate. Experts have been imported to continue research on comprehensive anti-intrusion systems. Those installed so far are considered highly effective at spreading the alarm.

Government buildings in high crime neighborhoods are being given special attention. Employees are encouraged to report every untoward incident and, if investigation shows marauders are active, the guard force is increased.

To make the force of special police more mobile and concentrate them in emergencies, a control center links 54 buildings in the Washington area. This network will soon cover 100 buildings. In case of trouble, the control center can dispatch emergency squads around the clock.

Some of the problems faced by the Government's protection planners are similar to those in the older commercial buildings here. Protective devices are expensive to install after a building is up and the wires are hidden in the walls.

Now, the threat of crime and the needs of civil defense are taken into consideration at the planning and construction stages of Government buildings. A locking system, fire, and intruder alarms and similar safety devices are being provided in buildings specifications. New buildings will have built-in security.

Meanwhile, the Government's protective research will be useful to private industry in protecting employees against today's marauders.

Crime Rate Continues to Rise in District of Columbia

The number of serious crimes committed in the District rose last month over May a year ago by 225 offenses or 10.5 percent, police reported yesterday.

The rise marked the 36th consecutive month in which the crime rate, as compared to the crime total a year earlier, increased.

The May report also showed, however, that crimes last month, totaling 2,673, were down some from the 3,018 listed in April. The May 1964 total was 2,418.

Compared to May last year, homicides in the District last month increased by 5 to a total of 13; robberies by 132 to 287; aggravated assaults by 7 to 274; grand larcenies by 4 to 133; petty larcenies by 128 to 782 and auto thefts by 10 to 466.

There were fewer rapes and housebreakings, however. Rapes decreased by 2 to a total of 14 for the month and housebreakings by 20 to 704.

Police reported 31,982 offenses in all the above categories during the 12-month period ending in May, an increase of 10.8 percent over the year ending with May 1964.

Some 37.5 percent of the total cases during the 12-month period ending last month were closed by police as compared to 40.1 percent for the year ending in May 1964.

Crime-Law Stand Sought From Justice

Senate District Committee Chairman Alan Bible of Nevada will attempt to draw from the Justice Department a firm recommendation on District crime legislation next week.

A Department position on a House-passed bill dealing with police detention and questioning of suspects was promised by mid-June at recent hearings.

But Attorney General Nicholas Katzenbach and his aid, James Vorenberg, are reluctant to take firm position now. The question of police detention is under analysis by the American Law Institute, the American Bar Association and the Justice Department.

Bible told his committee he would ask Justice officials to an open hearing. It is important to the committee, Bible said, to know whether Justice thinks action still should be delayed on the District bill or whether Justice can recommend language for a District law on confessions.

Bible wants to move some kind of an anticrime bill ahead in the Senate.

DECISION DIFFICULT

But he has found it difficult to make a decision on a local confession law—the core of a House-passed bill—in the face of a national study that may drastically propose altering criminal arrest, detention and questioning laws throughout the country.

The House bill permits police to question suspects up to 6 hours. It prohibits barring confessions obtained by police from suspects after arrests solely because of a delay between arrests and arraignments.

Since similar language has cleared the House three times in the last 5 years, lawyers, judges and legal scholars have begun a deep study of criminal detention laws.

Vorenberg is a key figure because he heads a group of "reporters" reporting to the influential law institute on the issue and he also directs a new Office of Criminal Justice under Katzenbach.

DELAY IS BACKED

Vorenberg reportedly would prefer to delay a Justice recommendation on the District bill until late fall, aiming for action in the next session of Congress.

This is the best course in the view of Democratic Senators Joseph Tydings, of Maryland, and Robert F. Kennedy of New York, the former Attorney General.

Senator Peter Dominick, Republican, of Colorado, with Bible, has been pressing for action, but recognizes the difficulty of extracting District provisions from the bulky law institute study of model laws.

Dominick is considering, however, inserting in the House bill a model "stop and frisk" law for the District. This would permit police to detain suspects on the street, to question them briefly and to search them for weapons.

Another possibility was that new "screening" procedures recommended in the law institute draft law be adapted into local law.

Under screening procedures, police could question possible witnesses or suspects if such persons are immediately guaranteed access to lawyers, friends or relatives and advised of their rights against self-incrimination.

The "stop and frisk" and the "screening" concepts both are contemplated in the Law Institute model. The Vorenberg draft also would obligate witnesses to crimes to cooperate with police and subject them to arrest if they refused to answer some questions.

Detainment of suspects with or without a warrant could be extended in time by police, according to the nature of the crime, if police consider there is "reasonable cause" to investigate, the Law Institute "reporters" proposed.

BASIC DIFFERENCE

The basic difference between the Law Institute approach and the language in District bills is that the institute's draft develops a philosophical concept that the security of society demands that citizens submit to limited police interrogation even before officers may be fully aware of the cirmumstances of a particular offense.

House language, under study in the Senate, extends less positive privileges to question to police and offers fewer safeguards for suspects.

Existing arrest procedures in the District virtually ban police questioning.

U.S. Attorney David Acheson ordered police this year not to question suspects before arraignment.

POOR ARE HELPED BY CREDIT UNION—NEW YORK TIMES ARTICLE BY JOSEPH A. LOFTUS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PATMAN. Mr. Speaker, one of the worst enemies of the poverty stricken in our country is economic illiteracy. Too often it accounts for the poor making unwise purchases, amassing debts far beyond their means and falling into the hands of unscrupulous lenders. In short, it leaves the poor ill equipped to get the most for their dollar—yes, handicapping the very people who need to make every cent count if they ever are to free themselves from the chains of poverty.

An effective deterrent to economic illiteracy is the credit union, a thrift institution formed on a common bond basis to serve as a depository for savings, a source of loans at reasonable rates and an outlet for thrift information.

Among the 22,000 credit unions in this country, there are nearly 2,000 formed on the common bond of church membership. Here in Washington, the success of a denominational credit union operating in a low-income area has made the Rev. Geno Baroni a firm believer in an expanded role for credit unions in the nationwide antipoverty campaign.

An excellent article recently published in the New York Times tells about Father Baroni's ideas for stepping up the use of credit unions to fight poverty. So that every Member may become fully acquainted with the effectiveness of credit unions in low-income areas, I am including a copy of the New York Times article:

Poor Are Helped by Credit Union—Priest Calls Loan Fund Aid Against Economic Illiteracy

(By Joseph A. Loftus)

Washington, June 12.—Poverty has many faces and many palliatives.

The face that haunts the Reverend Geno Baroni most is economic illiteracy. He sees it daily in Washington's blighted "inner city" where he works.

His answer to it is the credit union, a 100-year-old mutual, self-help device that seems about to enjoy a new surge of growth in the antipoverty drive.

Father Baroni, a 34-year-old Roman Catholic curate, recently encountered the case of a hard-working gravedigger who had amassed $835 in debts to a variety of stores and loan agencies.

"We know the man," the priest said. "We know his kids. He never missed a day's work. He was facing eviction and attachment of his wages. He was in a state. We have a credit union at the church and our people could have given him a manageable loan but he wasn't a parishioner and wasn't eligible for a loan from us."

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Mr. MORGAN. Mr. Speaker, I insert in the Record an article in today's Wall Street Journal, concerned with action taken by the Government to move to recover about $3 million worth of damages and penalties from 23 companies charged with diverting more than $13.7 million worth of U.S. surplus farm commodities that were supposed to be shipped to Austria but which never got there.

This action represents the culmination of more than 2 years' of extremely hard work by the Department of State, the Department of Agriculture, and the Department of Justice.

May I tell one part of this story which I think may be of particular interest to this House.

You will recall that in 1961 the Committee on Foreign Affairs of the House decided there was a need for a top level watchdog of foreign assistance in the executive branch—an office which could oversee the operations of our economic and military assistance programs, the Peace Corps, and Public Law 480 activities.

The committee, of which I have the honor to be chairman, thereupon took nonpartisan action to create this office by statute, and it reports directly to the Secretary of State.

The office, in other words, was created by the Congress. It has also been run by men who are alumni of the congressional staffs.

Mr. J. K. Mansfield, the Inspector General of Foreign Assistance, ably served on the staff of both the Joint Committee on Atomic Energy and the Government Operations Committee before taking on his present assignment.

Mr. Howard E. Haugerud, the Deputy Inspector General, also had a distinguished record of service as assistant to our now Vice President and later as a Senate committee staff member.

The Members of this body should know that much of the complicated detective work required to unravel the facts of this massive grain diversion was done by the Office of the Inspector General.

Indeed, it was this Office which first brought this case to the attention of the Department of Justice in early 1963.

Over the past 2½ years, the Office of the Inspector General of Foreign Assistance of the Department of State, and the Inspector General of the Department of Agriculture, have cooperated closely in a joint investigation of this matter which has taken them on investigations all over Europe in tracking down clues.

I think the Members of this House can take just pride in the fact that it had the foresight to establish the Office of the Inspector General.

This Austrian grain case is but one of the many examples of the things the Inspector General's staff is doing to help assure the wise spending of our taxpayers' dollars.

Government Charges 23 Concerns Diverted $13.7 Million of Grains Aimed for Austria

New York.—The Government charged 23 concerns with illegally diverting to unauthorized destinations more than $13.7 million of Government surplus farm commodities that should have been shipped to Austria.

The Government is seeking damages and penalties of about $3 million plus interest in the civil suit filed in Federal district court in New York.

Three of the defendants were accused of presenting fraudulent proof of shipment to Austria. Many of the commodities, mainly feed grains, were exported to East Germany and Czechoslovakia, the Government charged.

The commodities involved were obtained through the U.S. barter program, under which the concerns agreed to sell to the Government strategic minerals and other materials in exchange for the surplus farm goods. Under this program, the barter contractors agreed to ship the agricultural commodities to Austria, which is one nation designated as an eligible recipient in the barter plan.

The barter contracts provide that if the commodities aren't shipped to the proper destination, the contractor shall pay the Government damages of 7½ percent of the value of the diverted goods.

Each of the barter contracting companies, the suit said, authorized and designated an agent to receive the commodities from the Government's Commodity Credit Corporation on the company's behalf and to export and deliver the goods in accordance with the contracts.

ALLEGATIONS OUTLINED

The Government outlined the alleged violations in three separate causes of action in the suit.

In the first, 21 concerns were accused of diverting 298,736.93 metric tons of commodities to unauthorized destinations. The damages asked for the alleged violation total $1,035,634.

The second alleges that eight of the barter contracting companies shipped 20,433.64 metric tons of staples to East Germany and Czechoslovakia, without obtaining a license from the Department of Commerce, as required by law. The Government claims the action of these eight concerns resulted in damages of $243,080.

The third section charges three companies with making "false and untrue" representations to the Government in attempts to prove the commodities were shipped to the proper point. Damages totaled $773,072, but the Government asked for double damages, or $546,145, plus penalties. The penalties would amount to $158,000, Arthur S. Olick, assistant U.S. attorney, said.

COMPANIES ARE LISTED

The 21 concerns charged with diverting commodities to unspecified unauthorized destinations, and the amount of damages sought by the Government, are:

American Metal Climax Corp., $10,895.63; Associated Commodity Corp., $15,000; Associated Metals & Minerals Corp., $32,593.37; Ayrton Metal & Ore Corp., $8,701.17; Calabrian Co., $132,982.73; Ferro Metal & Chemical Corp., $2,285.31; M. Golodetz & Co., $155,046.45; Greg-Gary Corp., $14,061.48; Huxley-Westfried Corp., $34,622.13; International Bartering Corp., $64,734.83; Leytess Metal & Chemical Corp., $31,170.39; Lieber and Solow, Inc., $5,590.17; Mercantile Metal & Ore Corp., $53,613.15; Minerals & Chemicals Philipp Corp., $214,495.57; Overseas Metal & Ore Corp., $28,497.18; Henri Polak, $19,438.93; Primary Metal & Mineral Corp., $41,598.26; Leon Tempelsman & Co., $33,238.22; C. Tennant & Sons of New York, $45,751.66; Van Itallie Corp., $47,721.61; and Harry Winston, Inc., $43,596.63.

The eight concerns charged with diverting commodities to East Germany and Czechoslovakia without obtaining Commerce Department licenses, and the amount of damages claimed.

Associated Metals & Minerals Corp., $57,204.10; Ayrton Metal & Ore Corp., $13,419.62; M. Golodetz & Co., $59,115.25; International Bartering Corp., $31,268.28; Mercantile Metal & Ore Corp., $13,728.03; Minerals & Chemicals Philipp Corp., $44,356.20; Overseas Metal & Ore Corp., $12,949.22; and Leytess Metal & Chemical Corp., $11,039.71.

The three concerns that allegedly diverted commodities to ineligible foreign countries and allegedly submitted to the Government falsified proof of shipment to Austria, and the single damages claimed, are:

Louis Dreyfus Corp., $611,424.99; International Bartering Corp., $115,763.65, and Sinason-Teicher Inter American Corp., $45,823.86. The suit asks that each of the three defendants be ordered to pay double these damages, or single damages plus "such other further relief as the court may deem just and proper." The penalties claimed against Louis Dreyfus Corp. total $132,000; against International Bartering $24,000, and against Sinason-Teicher $2,000.

ON HEELS OF SENTENCING

The suit came on the heels of the sentencing of C. B. Fox Co., New Orleans, in Federal court in New York on criminal charges of diverting feed grains that should have been sent to Austria. The concern pleaded guilty, and its senior partner, Willoughby Baresford Fox, pleaded no contest; each was fined $10,000.

An official of the Federal district court in New Orelans said yesterday a civil suit similar to the New York suit against the 23 companies was filed against C. B. Fox Co. Also named as defendants were Willoughby B. Fox, W. Brooke Fox and Richard B. Fox.

A statement issued by American Metal Climax last night said the company "doesn't expect to ultimately pay damages as a result of this action, even if a diversion is found to have taken place." The concern explained that under the terms of its contract with the broker that acted for American Metal Climax as agent, "the responsibility lies with the broker." The statement said, "American Metal presently has no knowledge whether the grain was in fact improperly diverted."

TAX CREDIT FOR HIGHER EDUCATION

The SPEAKER. Under a previous order of the House, the gentleman from Rhode Island [Mr. Fogarty] is recognized for 15 minutes.

Mr. FOGARTY. Mr. Speaker, opportunities for higher education are becoming as important to our youth as homeownership is to adults. Indeed, the intellectual and vocational skills developed in higher education are fast becoming the foundation on which our whole social and technological progress depends. With society's increasing demand for higher education, the spiraling costs of college and university attendance are of vital concern to a growing proportion of families.

Almost half—43 percent—of our youth 18 to 21 years of age are now in college and the proportion is gradually and consistently increasing. Between 1953 and 1963, undergraduate enrollment increased from 2.2 million to 4.0 million. By 1973, undergraduate enrollment is likely to be approximately 7.1 million. Graduate enrollment, too, is increasing at an unprecedented rate. These enrollment growths are in part a response to steadily increasing needs for higher levels of social and intellectual maturity to cope with our advancing technology and complex social developments. The completion of high school is no longer considered adequate even for the threshold levels of most of the newer jobs.

While the growing demands for higher education affect an increasing proportion of families, rising costs of such education are taking bigger and bigger bites out of their family incomes. In 1930, the average direct cost of attending a public college or university was $730; by 1980, it is expected to be about $2,400. The costs of attending private institutions are advancing even more rapidly. Already, in 1964–65, the average cost of college attendance is $1,560 in public institutions and $2,370 in private ones.

With approximately half of our young people of college age in college, you can see how many families are feeling the pinch of these rising costs. I say to you that higher education is as important as tools or equipment in determining the productive potential of individuals and of society, and that we must find some way to give financial relief to the growing number of families who are sacrificing to pay for the costs of it. To provide this relief, I recommend a system of tax credits which is modest, simple to administer, and has great promise for assisting both individuals and institutions of higher education.

I think most of you know the provisions of the proposed tax credit program, but I shall review them briefly. The bill provides for a credit or direct subtraction against taxes due, a system which we believe is more equitable and of greater ultimate benefit in dollars of saving to the taxpayer than an ordinary deduction would be. Furthermore, the tax credit approach does not upset the Internal Revenue system of standard deductions and uniform exemptions.

Our proposal provides a sliding scale which gives a higher proportion of benefit to the student attending a low-tuition institution than to one attending a high-tuition institution, thereby helping most those who may be most in need of assistance. At the same time, it provides the same number of dollars of tax relief for all those attending a particular institution, thus applying uniformly without regard to the taxpayer's income bracket.

The amount of the credit is 75 percent of the first $200 for tuition, fees, and books; 25 percent of the next $300; and 10 percent of the next $1,000. Thus the credit is based on the first $1,500 paid for tuition, fees, books, and supplies by or for each student at an approved institution of higher education.

To further assure that the tax credit plan is not a rich man's proposal, a maximum credit of $325 is provided by the bill and this maximum is reduced after the taxpayer's adjusted gross income exceeds $25,000. Under this arrangement, the family with $60,000 annual income would get no benefit at all.

To help increase the amount institutions have available for scholarship aid to needy students, a further provision of the bill encourages contributions to institutions of the taxpayer's choice by allowing tax credits for gifts for tuition, fees, books, and equipment. By providing for specific designation of these gifts, both public and private institutions can enlist alumni and friends in the support of their most needy and deserving students and make more fruitful use of already available scholarship funds.

Now, let us sum up what this bill will and will not do: First of all, it gives a reasonable amount of dollar relief to the taxpayer who must pay for the cost of higher education for himself or for another individual, the amount of such relief depending upon application of the basic scale to the cost of tuition, fees, and books at the institution attended. Second, through increased institutional income from tuition or from gifts, it offsets rising higher education costs and lets the individual settle through his own choice which institutions, public or private, will benefit by the money he will recoup through tax credits. This system not only places initiative and responsibility with the individual, rather than with Government; it also avoids controversial issues related to Government aid to church-related and other private institutions.

I would be less than honest if I did not point out to you also some of the things the bill does not do. For example, it does not provide tax relief for the family whose income is such that no taxes are required; we hope that the increased contributions which the bill encourages would enable institutions to increase their scholarship aid for students from such families. The bill does not allow tax credit for all of the tuition and fees, even for those students who attend low-tuition colleges; nor does it make allowances for room and board, which must be calculated in the college costs of most students and which average about twice the tuition costs in public institutions. For students who cannot pay these other costs, appropriate means of assistance must be found if we are not to sacrifice the productive potential of that segment of our youth whose families are unable to pay higher education costs. Therefore, I would not have you believe that this bill solves all the problems associated with provision of higher education opportunities to the extent such education is demanded by our expanding technology.

I would point out, however, that for those families who do pay taxes and for those who do face the costs of higher education, we owe at least as much consideration through tax relief as we currently give in other areas which may be even less important to the progress of individuals and of the Nation as a whole. For example, we have long given tax relief for interest on mortgages and other indebtedness in order to bolster the economy and to assist individuals in raising their standard of living; think how much more higher education contributes to our future economy and standard of living. We have long given tax relief for medical expenses to offset the handicaps of temporary illness; think how much more lack of education contributes to permanent handicaps. We have long allowed taxes themselves to be deducted from income in the belief that our citizens should receive consideration for amounts they have already contributed to the public good; in this same vein, paying the costs of higher education contributes to the public good through its contribution to development of our human resources. Provisions have more recently been made to provide tax relief for expenses for education to maintain or improve skills required in present employment of the taxpayer; the same sort of tax relief should be provided now for higher education expenses of tomorrow's taxpayers to enable them to meet the accelerating changes of our job structure of the future.

Let me repeat: I would not in any way want to jeopardize other programs for the improvement of education—especially those programs which would increase opportunities for that segment of our youth who must achieve their higher education with little or no financial resources from their families or from their own earnings. Where there are real financial hurdles which would prevent a capable student from continuing his education, society has a responsibility to provide the means for surmounting them. But, for the great middle-income group, upon which so much of this country's progress depends, we ought to be as willing to give tax relief for meeting the costs of higher education as we are to give relief for mortgage interest and other expenditures recognized by our tax structure as important for the individual and the common good.

Our tax structure should show as much concern for the level of thinking of tomorrow's citizens as it does for the level of living of today's. Those who are putting their money into the higher education of our youth are bearing a heavy burden of responsibility for the kind of world tomorrow will be. The tax credit program offsets spiraling costs of higher education by providing a simple and equitable system of tax relief. I commend it to you for consideration.

OPERATION FRIENDSHIP

Mr. MARSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARSH. Mr. Speaker, I think a project of the Virginia Jaycees in support of the American effort in Vietnam should be brought to the attention of the Members of this House. This Jaycee project, called Operation Friendship, was a collection effort in many communities of Virginia by local chapters of clothing, medicine, garden tools, toys, paper, and other items for the citizens of Vietnam.

Tomorrow, these young men will begin leaving their home communities before dawn to convoy the items that they have collected in a caravan of kindness to the Special Warfare Center at Fort Bragg where truckload after truckload of these collected gifts from thousands of Virginians will be delivered to the U.S. Army for eventual distribution in Vietnam.

Principal Jaycee officers directing this effort are:

John O. Baugher, State chairman, Operation Friendship; 708 Lovers Lane, Waynesboro, Va.

Phillip H. Kirkpatrick, State president, 1924 Matoax Avenue, Petersburg, Va.

Peter S. Arban, Jr., national director, 414 Skyhill Road, Alexandria, Va.

Leo L. Snarr, Jr., caravan coordinator, Maurertown, Va.

In the words of Chairman Baugher, this project of the Virginia Jaycees gives meaning to the last line of the Jaycee creed:

> That service to humanity is the best work of life.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Kornegay (at the request of Mr. Albert), for today, on account of official business.

Mr. Farnum (at the request of Mr. Albert), for today, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Fogarty (at the request of Mr. Albert) to address the House, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Kee and to include an address by the Vice President of the United States.

Mr. Boggs.

(The following Member (at the request of Mr. Grover) and to include extraneous matter:)

Mr. Laird.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Powell.

Mr. Leggett.

Mr. McFall.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 24. An act to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 26. An act to authorize the Secretary of the Interior to acquire lands for, and to develop, operate, and maintain, the Golden Spike National Historic Site; to the Committee on Interior and Insular Affairs.

S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act; to the Committee on Merchant Marine and Fisheries.

S. 1065. An act to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1285. An act to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926; to the Committee on Interior and Insular Affairs.

S. 1761. An act to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

S. Con. Res. 36. Concurrent resolution expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 214. An act to amend section 2104 of title 38, United States Code, to extend the time for filing certain claims for mustering-out payments, and, effective July 1, 1966, to repeal chapter 43 of title 38 of the United States Code;

H.R. 3165. An act to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes;

H.R. 6767. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes;

H.R. 7717. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes;

H.R. 7762. An act to amend titles 10 and 37, United States Code, with respect to the Reserve Officers' Training Corps; and

H.R. 8464. An act to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, June 21, 1965 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1240. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 26, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on San Francisco Bay to Stockton, Calif., requested by resolutions of the Committee on Public Works, House of Representatives, adopted March 30, 1955, June 13, 1956, June 27, 1957 (two resolutions), August 15, 1961, and May 10, 1962 (H. Doc. No. 208); to the Committee on Public Works and ordered to be printed with two illustrations.

1241. A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of proposed legislation to amend section 2306 of title 10, United States Code, to authorize certain contracts for supplies and services to extend beyond 1 year; to the Committee on Armed Services.

1242. A letter from the Comptroller General of the United States, transmitting a report of noncompliance with statutory limitation on amount allowable for architectural-engineering services for the design of a facility at the Nuclear Rocket Development Station, Nevada, National Aeronautics and Space Administration; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MONAGAN: Committee on Foreign Affairs. House Concurrent Resolution 416. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; without amendment (Rept. No. 526). Referred to the House Calendar.

Mr. KIRWAN: Committee on Appropriations. H.R. 9220. A bill making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission for the fiscal year ending June 30, 1966, and for other purposes; without amendment (Rept. No. 527). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. H.R. 9221. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes; without amendment (Rept. No. 528). Referred to the Committee of the Whole House on the State of the Union.

Mr. DANIELS: Committee on Post Office and Civil Service. H.R. 8469. A bill to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes; with amendment (Rept. No. 529). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GEORGE W. ANDREWS:

H.R. 9183. A bill to provide for the designation of a highway between Lanett, Ala., and Dothan, Ala., as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 9184. A bill to provide for the designation of a highway between Montgomery, Ala., and Panama City, Fla., as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 9185. A bill to provide for the designation of a highway between Montgomery, Ala., and Tifton, Ga., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. ANDREWS of North Dakota:

H.R. 9186. A bill to direct the Interstate Commerce Commission to determine and make necessary changes in certain freight rates and charges for the transportation of certain agricultural commodities affecting the western district of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHBROOK:

H.R. 9187. A bill to amend the National Labor Relations Act to require a secret ballot for the selection of collective bargaining representatives; to the Committee on Education and Labor.

H.R. 9188. A bill to amend chapter 1 of title 15 of the antitrust laws; to the Committee on the Judiciary.

H. 9189. A bill to amend section 1064 of the Lanham Act regulating trademarks; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 9190. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans Affairs.

By Mr. BETTS:

H.R. 9191. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 9192. A bill to amend section 3402 of title 38, United States Code, to provide for the recognition by the Administrator of Veterans' Affairs of the Paralyzed Veterans of America, Inc., for the prosecution of veterans' claims; to the Committee on Veterans' Affairs.

By Mr. CULVER:

H.R. 9193. A bill to provide free postage for first-class letter mail matter sent by members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

By Mr. FOGARTY:

H.R. 9194. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 9195. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 9196. A bill to establish and prescribe the duties of a Federal boxing commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests; to the Committee on Interstate and Foreign Commerce.

By Mr. REDLIN:

H.R. 9197. A bill to direct the Interstate Commerce Commission to determine and make necessary changes in certain freight rates and charges for the transportation of certain agricultural commodities affecting the western district of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. SICKLES:

H.R. 9198. A bill to provide for a special study of weight reducing diets to be conducted by the Surgeon General of the Public Health Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS:

H.R. 9199. A bill to amend title 35 of the United States Code, "Patents", and the Trademark Act of July 5, 1946, as amended, with respect to appeals in patent and trademark cases; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 9200. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. ASHLEY:

H.R. 9201. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. CABELL:

H.R. 9202. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. MULTER:

H.R. 9203. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. ROSENTHAL:

H.R. 9204. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mrs. SULLIVAN:

H.R. 9205. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. VANIK:

H.R. 9206. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. WELTNER:

H.R. 9207. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. YATES:

H.R. 9208. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. FEIGHAN:

H.R. 9209. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

By Mr. GONZALEZ:

H.R. 9210. A bill to amend title 37 of the United States Code to provide that each member of the uniformed services shall be paid at least $1.25 per hour for up to 40 hours of assigned duty in each 7-day period he is on active duty; to the Committee on Armed Services.

By Mr. KARTH:

H.R. 9211. A bill to amend section 709(f) of title 32, United States Code, relating to contributions to retirement systems in the case of caretakers and clerks employed by the National Guard; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 9212. A bill to provide penalties for dealing with lottery tickets; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 9220. A bill making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Delaware River Basin Commission, for the fiscal year ending June 30, 1966, and for other purposes.

By Mr. MAHON:

H.R. 9221. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1966, and for other purposes.

By Mr. GILLIGAN:

H.J. Res. 531. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. KEE:

H.J. Res. 532. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. KLUCZYNSKI:

H.J. Res. 533. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. NIX:

H.J. Res. 534. Joint resolution to make Father's Day a national holiday; to the Committee on the Judiciary.

By Mr. BURKE:

H. Con. Res. 443. Concurrent resolution requesting the President to present before the United Nations the question of the enslavement of Lithuania, Latvia, and Estonia with a view to obtaining their independence and the return of their peoples; to the Committee on Foreign Affairs.

By Mr. O'HARA of Michigan:

H. Res. 427. Resolution providing for the consideration of the bill (H.R. 8283) to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

319. By the SPEAKER: Memorial of the Legislature of the State of Louisiana, recording opposition to H.R. 8149 relating to cotton; to the Committee on Agriculture.

320. Also, memorial of the Legislature of the State of Nebraska, relative to the veterans' hospital at Lincoln, Nebr.; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GEORGE W. ANDREWS:

H.R. 9213. A bill for the relief of William A. Buzbee; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 9214. A bill for the relief of Anthia Vandoros; to the Committee on the Judiciary.

H.R. 9215. A bill for the relief of Georgios D. Vandoros; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 9216. A bill for the relief of Dr. Esfandiar Yazdan-Parasti; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 9217 A bill for the relief of certain civilian employees of the Department of the Army at Fort Sam Houston, Tex.; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 9218. A bill for the relief of Florence Isabelle Hylton; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 9219. A bill for the relief of Marianne Mares Mustacchi; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

231. By the SPEAKER: Petition of legal representative, Kimhae Land Development Association, Kimhae, Korea, relative to a claim pending with the Secretary of the Army; to the Committee on Foreign Affairs.

232. Also, petition of municipality of San Juan, P.R., relative to the proposed rice price increase; to the Committee on Agriculture.

SENATE

THURSDAY, JUNE 17, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rabbi Albert A. Pattashnick, executive vice president, Talmudical Academy of Baltimore, Md., offered the following prayer:

אבינו שבשמים

Our Heavenly Father, we seek Thy guidance and Thy blessing at this hour when men of ill will and evil design promote the arts of war in remote corners of this earth's scarred surface. Serious is the challenge that freedom-loving America faces when the blood of her sons is shed on the field of battle.

O Thou, who hast been the inspiration of our fathers in ages past, when they sought to establish upon this continent a nation conceived in liberty and dedicated to the dignity and freedom of each individual human being, guide us also aright, that we seek peace, but not flinch from the onslaughts of godless, ruthless, and unprincipled aggressors.

While we must develop superior military might and diplomatic acumen, we must also be filled with Thy holy spirit. Our fathers faced greater odds in their day, with fewer allies at their side and more meager resources at their disposal; yet, sustained by Thee, they were not dismayed, and victory perched upon their banners.

To win friends among wavering nations and to influence those on our side to continue to side with us, we must manifest by our own righteous conduct the loftiness of the American dream. In our relations with one another, may we ever remember that all of us are Thy children, equally dependent upon Thee. Despite differences of race, creed, and ethnic origin, bring us together into an indissoluble bond of friendship and brotherhood, that, unitedly, we may promote the welfare of our country and increase the happiness of our fellow men.

Grant, O God, abiding courage, faith, and wisdom to our Chief Executive, President Lyndon B. Johnson, the Members of this august body, and all others who are charged with the great responsibility of directing the affairs of our Nation. Hasten the day when the millennial hope of universal peace will prevail throughout the world, with liberty and justice for all. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 16, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Lt. Gen. Frederic Joseph Brown, Army of the United States (major general, U.S. Army), to be lieutenant general on the retired list, which was referred to the Committee on Armed Services.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8371) to reduce excise taxes, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 7750) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MORGAN, Mrs. KELLY, Mr. HAYS, Mr. O'HARA of Illinois, Mr. ADAIR, Mr. MAILLIARD, and Mr. FRELINGHUYSEN were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 442) authorizing the Clerk of the House to make a correction in the enrollment of H.R. 8371, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 214. An act to amend section 2104 of title 38, United States Code, to extend the time for filing certain claims for mustering-out payments, and, effective July 1, 1966, to repeal chapter 43 of title 38 of the United States Code;

H.R. 6767. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes;

H.R. 7717. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes;

H.R. 7762. An act to amend titles 10 and 37, United States Code, with respect to the Reserve Officers' Training Corps; and

H.R. 8464. An act to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

HOUSE BILL REFERRED

The bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, was read twice by its title and referred to the Committee on Government Operations.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary and the Subcommittee on Constitutional Rights of the Committee on the Judiciary were authorized to meet during the session of the Senate today.

On request by Mrs. NEUBERGER, and by unanimous consent, the Subcommittee on Constitutional Amendments of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

ANNOUNCEMENT OF CHANGE IN TIME FOR RECEPTION OF ASTRONAUTS AND ORDER FOR RECESS

Mr. MANSFIELD. Mr. President, for the information of Senators, it is my understanding that the reception planned for the astronauts in room 207 will not be until 1:30 p.m. The information given to me prior to 10 o'clock this morning was that it would be at 1 o'clock; the Senate, therefore, would stand in recess from 12:30 to 1 p.m.

I ask unanimous consent that the joint leadership be empowered to call for a recess at any time between 1 p.m. and 1:30 p.m. for the purpose of receiving the astronauts.

The PRESIDENT pro tempore. Without objection, it is agreed to.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. Is it still planned that the Senate will proceed to vote on the adoption of Senate Resolution 107, authorizing the printing of the 67th Annual Report of the National Society of the Daughters of the American Revolution as a Senate document, before the reception for the astronauts?

Mr. MANSFIELD. That is our intention, unless too many speeches intervene during the morning hours.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

S. 1817. A bill to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients (Rept. No. 3335).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JACKSON (by request):

S. 2153. A bill to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 2154. A bill to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2155. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 2156. A bill to provide for the sale of certain mineral rights to William Sima and Thelma L. Sima, in Minnesota; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN (for himself and Mr. Nelson):

S. 2157. A bill to provide for U.S. participation and leadership in an international effort to end malnutrition and human want, and for related purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 2158. A bill to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones; to the Committee on Finance.

(See the remarks of Mr. Cooper when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota (for himself and Mr. Burdick):

S. 2159. A bill to direct the Interstate Commerce Commission to determine and make necessary changes in certain freight rates and charges for the transportation of certain agricultural commodities affecting the western district of the United States; to the Committee on Commerce.

MEDICAL CARE FOR CERTAIN EMPLOYEES

Mr. JACKSON. Mr. President, I send to the desk, for appropriate reference, a bill to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes.

The text of this measure was transmitted to the Congress by an executive communication from the Department of the Interior, and I ask unanimous consent that the text of the letter explaining the proposed legislation and the need for it be printed in the Record at this point, together with the text of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 2153) to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes, introduced by Mr. Jackson, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to provide from any funds available for the work being performed, emergency medical attention for employees of the Department of the Interior located in isolated areas who became disabled because of illness or injury not attributable to official work, including the moving of such employees to hospitals or other places where medical assistance is available, and in case of death to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment or for burial. When a transient without permanent residence, or any other person while away from his place of residence, is employed on a temporary or seasonal basis by the Department of the Interior and while so employed becomes disabled because of injury or illness not attributable to official work, he may be provided hospitalization and other necessary medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from any funds available for the work for which such person is employed.

Sec. 2. Appropriations of the Department of the Interior available for the work being performed may be utilized for payment to temporary or seasonal employees for loss of time due to injury in official work at rates not in excess of those provided by the Federal Employees' Compensation Act, as amended (5 U.S.C. 751), when the injured person is in need of immediate financial assistance to avoid hardship: *Provided,* That such payment shall not be made for a period in excess of fifteen days and the Secretary of Labor shall be notified promptly of the amount so paid, which amount shall be deducted from the amount, if any, otherwise payable from the Employees' Compensation Fund to the employee on account of the injury. When any person assisting in the suppression of range, forest, and tundra fires or in other emergency work under the direction of the Department of the Interior without compensation from the United States, pursuant to the terms of a contract, agreement, or permit, is injured in such work, the Department may furnish hospitalization and other medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from the appropriations applicable to the work out of which the injury occurred, except that this proviso shall not apply when such person is within the purview of a State or other compensation act: *Provided further,* That determination by the Department of the Interior that payment is allowable under this section shall be final as to payments made hereunder, but such determination or payments with respect to employees shall not prevent the Secretary of Labor from denying further payments should he determine that compensation is not properly allowable under the provisions of the Employees' Compensation Act.

Sec. 3. No payment shall be made pursuant to this Act for any hospitalization or medical services for injury or illness not attributable to official work on behalf of a sick or injured person who is covered by an enrollment or who is not excluded from enrollment by virtue of his current employment in a plan under the Federal Employee's Health Benefits Act of 1959, as amended (5 U.S.C. 3001).

Sec. 4. This Act shall not apply to employees of the Federal or territorial governments in Guam, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands while serving in any such area.

The letter presented by Mr. Jackson is as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., May 17, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work.

We recommend that this bill be referred to the appropriate committee for consideration and we recommend that it be enacted.

The bill is identical in substance to the medical provisions of the act of March 3, 1925, 43 Stat. 1133, 16 U.S.C. 557 (1958), as amended by sections 15 and 16 of the act of April 24, 1950, 64 Stat. 86, 16 U.S.C. 580j (1958). These acts authorize the Forest Service of the Department of Agriculture to provide medical and other care to certain of its employees whose circumstances of employment are similar to those of the employees of this Department whom we hope to see benefited by the bill. The bill will not apply to Federal or territorial government employees in Guam, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands.

The medical attention contemplated by the bill is medical attention of an emergency nature. At present, the Department has no authority to pay to have a sick or injured employee who is located in an isolated area removed to a hospital when the sickness or injury occurs outside the scope of his employment. Similarly, the Department presently has no authority to bring medical help to such an employee. The employees affected are located in isolated areas for the purpose of carrying out the Department's programs. Consequently, we believe that we should provide them with emergency medical care. The bill would not authorize the construction of medical facilities nor the employment of medical or technical personnel.

Like the Forest Service, the Bureau of Land Management and other bureaus of this Department annually employ transients and other temporary personnel for fire suppression activities and other emergency programs. We also employ trained, organized Indian, Spanish-American, or Eskimo crews from the Southwest, Montana, and Alaska. In the course of their employment, these crews are transported many miles from their places of residence, very often for prolonged periods. During such periods of absence from their homes, these employees sometimes contract colds, flu or other illnesses requiring medical attention not as a result of the performance of their official duties.

Under existing law, medical care not covered by Bureau of Employees' Compensation regulations and not provided by the Public Health Service has to be paid for by the employee, unless the employing agency has authority to meet the obligation. In most cases, transient personnel are unable to pay their own medical expenses. While local physicians have been very cooperative in providing emergency medical attention to our transient employees when required, we believe that the moral obligation to provide for the welfare of these employees rests with the employing agency.

Historically, the cases coming to our attention which would fall within the purview of the proposed bill have been relatively few in number. However, more transient or temporary personnel are being employed now than formerly because of more intensive management of the lands under the jurisdiction of this Department. During the 1964 fire season the Bureau of Land Management alone hired over 2,000 temporary employees. Consequently, we anticipate that the problem of medical care for these temporary employees will become greater.

Section 3 of the bill is designed to bar dual payment for medical treatment authorized in the first two sections and to encourage employees to join such plans. It provides that no payment shall be made for medical services rendered to an employee who is covered by a Federal employee's health benefits plan, or who is not excluded from enrollment in such a plan.

As previously noted, the authority sought in the proposed bill for the Secretary of the Interior is already enjoyed by the Secretary of Agriculture in the management of the Forest Service. The enactment of this proposed legislation, then, would equalize the employment practices of the Government in regard to the classes of employees affected.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

D. OTIS BEASLEY,
Assistant Secretary of the Interior.

AMENDMENT OF ACT TO ESTABLISH THE UNITED STATES-PUERTO RICO COMMISSION ON THE STATUS OF PUERTO RICO

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico.

The purpose of this bill is merely to extend the time for submission of the Commission's report and to increase the authorization for funds necessary to complete the work of the Commission.

This bill was submitted and recommended by the Chairman of the Commission with the approval of the Bureau of the Budget.

I ask unanimous consent to include at this point in my remarks the letter to the President of the Senate in explanation of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2154) to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. Jackson is as follows:

UNITED STATES-PUERTO RICO COMMISSION ON THE STATUS OF PUERTO RICO,
Washington-San Juan, June 9, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed are two copies of proposed legislation to amend Public Law 86–271 (78 Stat. 17), establishing the United States-Puerto Rico Commission on the Status of Puerto Rico (enclosure A).

We recommend that this proposed legislation be referred to the appropriate committee for consideration and we recommend that it be enacted. I am also enclosing a copy of the present law showing the changes which would be effected by the proposed amendatory legislation (enclosure B).

The amendment would do two things: (1) Extend the date for the submission of the Commission's report from January 1966 until September 30, 1966 and (2) increase by $215,000 the amount authorized to be appropriated. A similar extension of time and increase in funds will also be authorized by the Commonwealth.

The extension of time is required because the election campaigns in 1964 both here and in Puerto Rico prevented the Commission from getting to work as quickly as had been hoped. After the elections the composition of the Commission changed. Two Senators, a Congressman, and the former Governor of Puerto Rico were appointed to replace outgoing members of the Commission.

The additional funds are required partly because of this extension of time and partly because the scope of the program of studies finally adopted by the Commission was broader than originally estimated. As the enclosed copy of the Commission's program of studies indicates (enclosure C), 16 major studies have been adopted by the Commission. They reflect the deep interest of the three contending status viewpoints represented on the Commission (Commonwealth, statehood, and independence) in a comprehensive study of all major factors affecting the present and future relationship between Puerto Rico and the United States.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

JAMES H. ROWE, JR.

FOOD FOR PEACEFUL DEVELOPMENT — THE INTERNATIONAL FOOD AND NUTRITION ACT OF 1965

Mr. McGOVERN. Mr. President, I introduce, for appropriate reference for myself and Senator NELSON of Wisconsin, a bill to commit the United States to a major war against want.

I have been convinced for some time that the United States has the formula—excess agricultural production capacity and agricultural know-how—to defeat hunger in the world.

I am increasingly convinced that a war against want will do more to encourage peaceful progress in the less developed areas of the world and strengthen them against Communist agitation than any other step we can take. I believe that in the last 20 years America's agricultural abundance has done more to stem the tide of communism than has any other overseas aid. But in a world of hunger and misery we can and ought to do much more to use our food abundance as an instrument of progress, peace, and hope.

FOOD SHORTAGE AND THE DOMINICAN CRISIS

Al Peterson, head of CARE operations in the Dominican Republic, was in Washington recently to report on the situation in that island Nation. He presented a proposal to double their program which has been providing food for 250,000 preschoolchildren and 250,000 schoolchildren, pregnant mothers, disabled and aged adults.

Listening to the situation as described by Peterson, one realizes that a lack of adequate food is basic to the unrest which has led to the Dominican crisis and many other tensions in the world. One out of every five children born in the Dominican Republic dies from malnutrition. One out of each of the four remaining children is handicapped for life, mentally or physically or both, for lack of a proper diet in the formative years of life. Parents—good parents—cannot be expected to sit and watch their children die without protest or effort to change their lot.

Because of the tropical climate, the Dominican Republic could produce food crops the year around, one following another. For most of the year, however, drought makes production impossible. The Dominicans normally get one crop a year. This year, unusually severe drought has shortened that one crop so these already underfed people—600,000 of them unemployed—face abnormally intense food shortages for the next year or 18 months.

It was in the face of this bleak food outlook and massive unemployment that the current upheaval in political life, accompanied by bloodshed, took place.

Significantly, CARE operations in the nation have been alowed to continue by both sides in the revolution. The junta radio and the rebel radio have been available to CARE personnel to broadcast notices that the children who want their CARE food can get it at all the usual places. Junta supporters and rebel supporters have volunteered their services to keep schools open to feed the children. In the capital city the number of children fed increased from 25,000 to about 35,000 to care for children cut off from normal private sources of food by the revolution.

CARE'S PROPOSALS

CARE wants to double its child-feeding program and provide food for approximately a million children in all. It is also seeking well-drilling equipment, garden seeds, hand tools and small power tools so it can increase the 400 irrigated school gardens which it has developed, worked by the children, to a total of 3,400. The children get an average of 1,000 pounds of vegetables from the present gardens for each $2-seed packet supplied to them.

The 400 gardens already established are in areas where groundwater for irrigation can be obtained at 20 or 25 feet below the surface from dug wells. Elsewhere, water ranges to 180 feet below the surface, requiring drilling equipment.

The Dominicans have tried desperately to feed themselves, so desperately they have burned off forests and ruined much of their land seeking space to produce a little more food to halt their hunger. Wells and reservoirs to provide irrigation water might permit the production of a series of crops through the year if methods known to us in the United States were introduced. With food and better health, and a new vigor, the Dominicans will more readily advance their standard of living.

Catholic Relief Services, the great overseas relief arm of the Catholic Church which has distributed American food all over the world, is also carrying on a significant family feeding program that now reaches 206,000 Dominicans. A somewhat smaller but important program is conducted by Church World Service.

FOOD FOR PEACEFUL DEVELOPMENT

The Dominican nation offers us an opportunity to create a Western Hemisphere showcase of a new American food for peaceful development program if we determine to make it that.

But we must create more than one showcase, or even several.

We should export food produced on our presently idle and diverted farm acres and use it just as widely as it can be effectively used to banish want and to end the unrest of peoples who now, as in Dominica, have to watch their children die. It should be done in Vietnam—North Vietnam as well as South Vietnam, if they will accept it—and all of the crucial areas of hunger in Asia, Latin America, and Africa. Food for peaceful development can contain the fires of unrest before they are kindled in the tinder of want. It is a far better weapon than a bomber in our competition with the Communists for influence in the developing world.

President Johnson's proposal at Johns Hopkins University on April 7 for a regional Mekong development plan in southeast Asia includes a highly significant food component. Through this imaginative proposal, American food can be used not only in direct feeding operations but as capital to pay the wages of workers and farmers engaged in the construction of irrigation units, roads, schools, and other rural and community development projects.

After briefly reviewing the military and political faces of the current war in Vietnam in a great speech on May 13, President Johnson said:

> The third face of war in Vietnam is, at once, the most tragic and most hopeful. It is the face of human need. It is the untended sick, the hungry family, and the illiterate child. It is men and women, many without shelter, with rags for clothing, struggling for survival in a very rich and a very fertile land. It is the most important battle in which we are engaged.

I agree strongly with President Johnson that the war against want is "the most important battle." I have deep misgivings about our growing military involvement in Vietnam because I do not believe that the problems of that area can be solved by military means. We can, however, win the war against want far better than the Communists can, and that is the war I hope we will press around the globe.

THE FOOD AND NUTRITION ACT

The purpose of the act I have introduced is to authorize a 10-year war against want, using the excess agricultural production capacity of our own Nation to eliminate hunger while we are assisting the less developed nations to bring their productivity and their populations into balance.

The bill authorizes a gradual increasing program starting at $500 million in fiscal year 1966 in addition to present programs. The funds would be appropriated to the President to buy domestic agricultural products, including high protein and enriched foods, to be sold, exchanged, or donated to nations without sufficient nutritional supplies for their citizens.

It is my own hope and belief that not all of the authorized funds would have to be appropriated because other nations would participate and because, if we effectively expand rural development assistance in the recipient countries, the requirements of many of them would soon begin to decline, as the requirements of the Dominicans would decline rather rapidly, if we couple our food aid with a peaceful development program.

The early steps in our war against want would necessarily involve improvement of food distribution facilities in many of the less developed countries where they are lacking, and upgrading the nutritional value of the foods we provide.

The bill authorizes the President to allocate funds for loans and grants to recipient countries to improve their port facilities, storage and internal transport where there is need so our foods can be used effectively and efficiently without waste. It authorizes use of the Peace Corps and American technicians in developing efficient distribution as well as payments for preserving and processing foods prior to export into storable and distributable form. It authorizes the provision of utensils, implements, and other items necessary to effective distribution and to the rural economic development programs conducted by this country and by the voluntary agencies—such as CARE's program in Dominica—to assist countries in producing more of their own needs.

The authorization in the bill is for appropriations to the President, who working through an International Food and Nutrition Director—perhaps an expanded role of our existing food for peace office—could allocate funds to the Department of Agriculture or to the Agency for International Development to acquire foods, have them processed, distribute them, and speed rural development, as is appropriate to the role of each of those agencies.

BENEFICIAL EFFECTS AT HOME

One of the greatest benefits of the program would be to the United States itself. It would allow us to ease restrictions on agricultural production of all kinds here at home. The use of high-protein meats, poultry, and other products—not just surpluses—would permit the spread of this benefit with some equity among American producers, and strengthen the whole farm economy.

We are today losing about 100,000 farming units each year in the United States because of low incomes. Low incomes are a result of both low prices and restricted production. Increased production, even at the present moderate price levels, will help strengthen our farm economy and slow the disappearance of farms. This will help to end the deterioration of the economies of our rural communities, release an agricultural demand for equipment and other manufactured supplies, and benefit the entire national economy.

I know that some Members of Congress are reluctant to assist less developed nations in the production of crops which might compete with us for export markets. One of the consequences of this reluctance, in my opinion, has been an overemphasis in our assistance programs on too highly sophisticated public works and industrial development projects in nations not yet ready for them. Sound industrial growth and progress is almost impossible until a country has achieved a sound agricultural base and the people have the vigor of body and mind which result from proper diet. A necessary condition of sound industrial development is the release of some of the manpower now required for subsistence agriculture so that these men can engage in industry with their food supply assured.

We need to concentrate much more in the early phases of technical assistance programs on the introduction of improved food production methods—irrigation, fertilizers, pesticides, hybrid seeds, and other tested devices.

Eight out of every 10 persons on this planet still make their living from the land. Although an American farmer produces food for 30 of his fellow Americans, most of the world's farmers are unable to supply their own real food needs. As a consequence, two-thirds of the people of the world do not have proper nutrition. That stark fact is the chief barrier to human development abroad and an incalculable loss to our own prosperity and security.

AID BUILDS TRADE

Contrary to the fear of competition for export markets, the record shows that developing nations become increasingly good customers for American exports. Japan is the outstanding example. We helped Japan rebuild her agriculture as well as her industrial productivity following World War II. Her own production of agricultural products has increased, but she has also become America's best commercial customer for foodstuffs. Western Europe is another major example of this experience.

A recent study of 54 less developed countries showed that for each 10-percent increase in income, their purchases of agricultural exports from the United States went up 21 percent.

With world population expected to double by the year 2000, to 6 billion persons, our concern should not be primarily the existence of markets for our products. We should be concerned with triggering economic development throughout the world so that tremendous population will be trading peacefully with us instead of creating a cauldron of misery and unrest in which peace is impossible. We should also be concerned that population measures are adopted which will stabilize this planet's human population at a reasonable level. In the long pull, we should be more alarmed about a demand for food so great it cannot be met than with guarding markets.

The final provisions of the bill that I have introduced authorize the President to establish necessary administrative machinery, an International Food and Nutrition Office or expanded food-for-peace office, and recommend and authorize expansion of such multilateral world food efforts as the United Nations Freedom from Hunger program. The cooperating nations have recommended that the experimental world food program which has grown out of the freedom from hunger campaign be expanded from its present $100 million operation to $275 million.

Mr. President, I ask unanimous consent to place in the RECORD at the conclusion of my remarks a table and an article from the Farm Index indicating the substantial contributions other countries are making in the assistance field. We are not alone in the effort. Other countries totally are doing about as much as the United States alone. I feel sure they will do more given leadership.

Such distinguished and highly successful development experts as Paul Hoffman, Director of the United Nations Special Fund, and Eugene Black, former Director of the World Bank, are convinced that aid should be increasingly funneled through international agencies. This device removes any basis for allegations of economic imperialism and intervention in other people's national affairs.

SUPPORT FOR FOOD AID

There is widespread support in the United States to expand food assistance programs along the lines I have suggested.

The 1964 farm policy report of the National Agricultural Advisory Commission urged shipments of protein-rich foods, stating:

> Shipment of foods not in surplus under price support programs should be authorized. Nutritional needs of recipient countries require the use of nonsurplus food.

The Commission also urged a wider noninflationary use of local currencies accruing to the United States under the present food-for-peace program. In India and other countries such currencies might be used for educational or population control programs.

President Johnson has given strong support to the expression of existing foreign assistance programs to make fuller use of our farm goods in combating hunger around the world. At the Alfred E. Smith memorial dinner in October 1964, the President said:

> I do not believe that our island of abundance will be finally secured in a sea of despair and unrest, or in a world where even the oppressed may one day have access to the engines of modern destruction.
>
> Moreover, there is a great moral principle at stake. It is not right—in a world of such infinite possibilities—that children should die of hunger, that young people should live in ignorance, that men should be crippled by disease, that families should live in misery, shrouded in despair.
>
> If we truly mean our commitment to freedom, we must help strike at the conditions which make a mockery of that hope. Since President Truman announced the point 4 program we have extended the hand of compassion toward the world's oppressed.
>
> We will continue this help. But it is now clear that the tools we have developed will not do the job alone.
>
> I will propose steps to use the food and agricultural skills of the entire West in a joint effort to eliminate hunger and starvation.
>
> We have the skills and resources to improve the life of man. I do not believe we lack the imagination to find ways to shatter the barrier between man's capacity and man's needs.

THE NEED

The need for a war against want is reflected in a dozen surveys of world food and nutrition. More than half a billion people in today's world are chronically hungry. Some surveys put this at nearly a billion. At least another billion have poorly balanced diets. Together, they make up more than half of the 3 billion inhabitants of the globe. Lethargy, chronic illness and early death are their companions. Their average lifespan is about 30 years, which someone has said is "not very long to live but a long time to be hungry."

About 40 times as many children in undernourished families die before reaching the age of 5 as in well-fed nations such as the United States. One of the major causes of the annual death of an estimated 10 million infants from intestinal and respiratory diseases is lack of proper food.

Malnutrition also causes permanent handicaps. It not only restricts the physical development of children, but seriously limits their mental and emotional growth for life. They simply do not have the physical energy that makes learning and hard work possible. In this way hunger and ignorance contribute to low economic productivity as part of a vicious circle. Those lacking both energy and rudimentary education are unable to contribute to the income or the development of their nation. In Africa, Asia, and Latin America people live on average incomes of less than $100 a year compared with the U.S. average of $2,316.

The United States is uniquely qualified to lead the campaign against world hunger. While millions hunger, we struggle to meet the problem of surplus production and overeating. We discard enough food to feed well any one of fifty nations in the underdeveloped world. We pay our farmers enough for keeping surplus acreage idle to finance the shipping of millions of bushels of grain to hungry people overseas. We spend enough in storing and handling our annual surpluses to support a much expanded school lunch program overseas.

It is truly said that as a result of our farmers' labor we live with a crisis of abundance in a world of want. I can think of no more worthy purpose, no more humane or moral goal, than a dedicated effort to use our abundance to help other people.

PUBLIC LAW 480—"FOOD FOR PEACE"

Recognition of America's agricultural resources and the world's agricultural needs resulted in the passage in 1954 of the very important Agricultural Trade Development and Assistance Act, Public Law 480. The legislative base of our food-for-peace program, Public Law 480, is an ingenious combination of self-interest and idealism. It was designed to assist American farmers and American taxpayers by providing an outlet for farm surpluses and an end to costly storage expenses. It was also a genuinely humanitarian effort to feed the hungry and promote the economic growth of the underdeveloped nations. There can be no doubt that it has been one of the most effective and popular programs ever authorized by Congress.

Originally, the Public Law 480 food-for-peace program had three titles, each of which offered a useful avenue to send our surplus foodstuffs to needy countries. In 1959 it was amended to add a fourth title authorizing sale of food on long-term, low-interest loans, as a consequence of some nations reaching a situation where they could afford to start to pay for all or part of their requirements on long terms.

Title I of Public Law 480 permits foreign governments to purchase American farm goods with their own currency at the market value of the product. The local currencies given to the United States are then largely granted or loaned back to the local government for economic development, mutual defense, and other purposes. In most countries about 80 percent of these so-called soft currencies have been used for such purposes. A smaller percentage has been used to develop commercial markets for American agricultural products, as loans to American businessmen overseas, and to support such programs as Fulbright fellowships, the translation of foreign journals, the U.S. Information Service, and maintenance of American embassies.

One-third of the entire American economic aid program now consists of food for peace, and 70 percent of the food-for-peace program has been undertaken under title I foreign currencies sales. It is an effective way to convert our farm surpluses and the currencies which they generate into classrooms, clinics, roads, and dams in the underdeveloped countries.

Title II of Public Law 480 authorizes our Government to make outright grants of food in emergencies or disasters. About $1.25 billion of commodities have been sent under this section to such areas as Algeria, Chile, and Yugoslavia, where the ravages of war and earthquakes or other natural disasters have threatened thousands of people with poverty and hunger.

Title II has also been used to support economic development projects as partial payment of wages and for school lunch programs. The Community Development Foundation and other U.S. private, voluntary agencies as well as U.S. aid technicians have demonstrated that food can be used to finance scores of urgently needed community and rural development projects around the world. Much of the cost of these projects can be financed by paying the workers in food. In this fashion, food not only fills empty stomach, it creates employment, preserves human dignity, and creates capital improvements.

In the Dominican Republic, for example, the Community Development Foundation estimates that underemployment wastes 160 million man-days annually. Yet, the country has a desperate need for water projects, schools, and roads that could be built with idle laborers who could be paid in food. Southeast Asia, including North and South Vietnam, also provides a similar challenge.

A new development which shows promise is the use of food to finance youth work camps to combat juvenile delinquency and idleness. Food is also used to grubstake farm families for opening new areas to cultivation. This growing trend away from straight food donations, as in a welfare program, to the use of food in payment for constructive work is an important one. In this way, food for peace can serve a double duty of combating malnutrition and directly promoting economic development.

The third title of Public Law 480 authorizes private, voluntary agencies to distribute surplus food overseas. We are all familiar with the fine work done by organizations such as CARE and a score of church-connected agencies including Church World Service, Catholic Relief Services, Lutheran World Relief, the Jewish Joint Distribution Committee, the Quakers, and the Mennonites. Seventy million people in 112 countries and territories are receiving supplemental food under this title. Since 1954, $2.5 billion worth of flour, cornmeal, powdered milk, rice, cheese, and edible oils have been distributed by private agencies. Their good works are known across the world from Calcutta to Lima, from Hong Kong to Algiers. They distribute 3 billion pounds of food yearly.

Included among the recipients of food for peace through the voluntary agencies are 55 million children—some 32 million in school lunch programs. The brightest chapter in the voluntary program and indeed in the entire food-for-peace effort is the international school lunch program. Three-quarters of the children in these programs receive their lunches through one or another of the voluntary associations who work in the food-for-peace program. Usually the lunch is not fancy—a roll and a glass of reconstituted, nonfat milk.

Nevertheless, for most of the recipients, this is the only nourishing meal of the day. Sometimes, it is supplemented by vegetables, fruits, or meat added by local parents or school officials. The schoolchildren's gardens in Dominica provide supplemental food there. The results have been nothing less than spectacular in terms of better health and sharply improved academic growth.

Under title IV in the food-for-peace law, put into use in 1961, we have sold on long-term loans about $150 million of foodstuffs.

Mr. President, I could speak at great length about the achievements of the program carried on under Public Law 480—the food-for-peace program. I was fortunate to be called upon by the late President Kennedy to serve as director of food for peace during 1961 and 1962. President Kennedy recognized the tremendous importance of our food surpluses in a world where half the population does not have enough to eat. On January 24, 1961, as one of the first acts of his administration, he issued an Executive order creating the office of food for peace. In a memorandum to the heads of Government departments and agencies the late President stated:

> American agricultural abundance offers a great opportunity for the United States to promote the interests of peace in a significant way and to play an important role in helping to provide a more adequate diet for peoples all around the world. We must make the most vigorous and constructive use possible of this opportunity. We must narrow the gap between abundance here at home and near starvation abroad. Humanity, and prudence alike, counsel a major effort on our part.

President Eisenhower had previously urged greater use of our food abundance abroad and the program has been given strong approval by President Johnson.

The overall accomplishments of the food-for-peace program since 1954 have indeed been extremely important. This massive American effort to outlaw hunger has no parallel in human history. One hundred million people throughout the world today benefit directly from the American food-for-peace effort. Many, many more benefit indirectly. Moreover, the food-for-peace program has had its impact in the United States, too.

One hundred and twenty million tons of food, valued at $13 billion—enough to fill three large ships each day for 10 years—have been sent overseas from American farms under the terms of Public Law 480. This represents 27 percent of all U.S. agricultural exports. In certain commodities, such as wheat, two-thirds of our exports have been under food-for-peace auspices. One out of three acres of American wheat is now utilized in food for peace.

Aside from the much larger income it has made possible for American farmers, food-for-peace sales have resulted in substantial income to our economy as a whole, including suppliers of farm machinery, seeds, fertilizer, and insecticides. It has meant an additional 1.4 billion to the American shipping industry. Currencies generated by the sales now save us nearly $300 million annually in foreign exchange, which helps our balance-of-payments situation. Furthermore, a sizable portion of the local currencies which we have loaned to foreign governments will be repaid.

Food for peace has contributed to the national interest by developing new commercial marketing opportunities for American products. A substantial part of the proceeds of foreign currency sales have been used to advertise and promote American farm products. Private commercial organizations have cooperated with the Federal Government in trade fairs and other promotion activities overseas. Through food for peace we have introduced our commodities to countries which become commercial purchasers. Japan, Italy, and Spain, among others, were among the first recipients of the food-for-peace program and have already moved into the position of strong dollar customers.

CLOSING THE WORLD FOOD GAP

The food-for-peace program has been a wonderful effort, with average exports of $1.8 billion a year. It has made a very sizable contribution to the total task of achieving freedom from want.

We have learned through experience with it how to make increasingly efficient and effective use of our foods. We are ready, in my judgment, to move on into another history-making phase and undertake the whole job.

In my recent book, "War Against Want," I estimated the cost of eliminating hunger in the world, with the exception of Red China, at $4 billion a year in addition to present outlays. Including Red China, it would be approximately $5½ billion.

A recent study by the Agriculture Department confirms these figures and projects a food gap in the free world at about $2.5 billion worth of foodstuffs at the end of this decade. That allows for present U.S. food-for-peace efforts. The study, entitled "The World Food Budget, 1970," considers only the value of foodstuffs. When costs of processing, shipping, and distributing surplus food in the world are added, a total between $3 and $4 billion a year would close the food gap in the free world.

ECONOMIC EFFECT IN THE UNITED STATES OF THE WAR AGAINST WANT

What would it mean in the United States to try to close this gap? Roughly, agricultural economists estimate that American farmers would have to produce one-third more wheat, increase milk output by 50 percent, raise 25 percent more soybeans, and step up production of vegetable oils by a third. American farmers could fill this order by putting land and resources now idle into productive use again. Only about 75 percent of our agricultural capacity is being used today. This compares with steel production at about 85 percent of capacity, and overall industrial output at 87 percent of capacity, as measured by the Federal Reserve Board.

American farmers could benefit greatly from a program to meet food needs and it would add substantially to the Nation's economic strength. Heavy storage charges on surpluses could virtually be eliminated. The money such a program would put into the hands of American farmers would be plowed back almost immediately into business and consumer spending. Farmers would need as much as a million additional tons of fertilizer, and more machinery, equipment, gasoline, oil, and other supplies. Employment on farms and in factories would increase. A national publication, U.S. News & World Report, has estimated that "if present food-for-peace shipments were doubled, close to 30 million tons of shipping would be required each year.

That would fill 1,000 so-called super-carrier ships averaging 30,000 tons of cargo apiece."

There will be objections raised to this bill. The first will undoubtedly be the expense. My bill would ultimately more than double existing expenditures for food supplies sent overseas. In order to be effective, it would have to be done on the basis of a long-term commitment, not simply an annual appropriation. It is my contention, however, that such a program would not actually be costly. We would not be surrendering any of our capital assets—only making greater use of them.

A recent study of the dynamic forces in agriculture was prepared by the Legislative Reference Service of the Library of Congress. Dr. Walter Wilcox, author of the report, found that potential farm production in the absence of acreage diversion programs is increasing three times as fast today as 30 years ago, with most of the increase occurring in crop production per acre. Traction power has increased 40 percent in the past 10 years. Expenditures for farm pesticides have increased two to three times in the past 10 years. Fertilizer use has almost doubled and nitrogen use has more than doubled. As a result, we confront increased acreage yields. It is economic for farmers to buy and use fertilizers which will increase corn yields one-third or more. Wheat and cotton yields will increase greatly in the decade ahead. We are also producing more livestock products per hundred pounds of feed than in previous years. Dairymen get more milk per cow. We produce chickens with a declining amount of feed and chickens produce more eggs for the same weight of feed. The evidence presented in the Wilcox report indicates that productivity gains ahead are so great that we will have to have tighter and tighter acreage controls—more diversions and more farm program expense.

To undertake a program of the scope I have described, Mr. President, will provide an outlet for the tremendous increase in agricultural productivity which we can expect over the next decade, as well as providing an incentive for the use of productive land not in use at all today.

To deal with these anticipated surpluses in any other manner than the one I am imposing would be equally expensive—perhaps even more expensive in terms of public outlays, displacement of farm families, and unemployment and relief—without the worldwide benefits.

On the other hand, if Federal programs are not adjusted, the sharp decline in farm income would cost our farm States, our farm manufacturers, and, indeed, the entire Nation millions and millions of dollars in reduced tax revenues and increased welfare programs. Economist Leon Keyserling estimates that half of our present urban unemployment can be traced to the decline of rural job opportunities and farmer purchasing power. In the long run, through the multiplied effect of a prosperous agricultural economy, the program I propose would bring more money to the farmers and to all those who depend upon agriculture directly or indirectly, and a greater return to the Federal Government.

What we must acknowledge, Mr. President, is that properly used American agricultural productivity is not a liability to the United States, but an asset. As Vice President HUMPHREY has said, in discussing the impact of our food program:

> In a real sense what we need to understand is that agriculture is in the forefront of the struggle for a better world. It is not a laggard; it is not a burden; it is not what is holding America back. It is what is putting America ahead.
>
> The food-for-peace program is a 20th-century form of alchemy. Food for peace has provided the means for converting America's agricultural productivity and abundance into schools and textbooks, hospitals, bridges, and roads—the vital ingredients of economic and social growth in the developing nations of the world. This ingenuity of using food as a resource for development has been termed one of the most imaginative instruments ever created for the purposes of sharing agricultural abundance with undernourished people and emerging nations.
>
> But this progress, as good as it is, only begins to meet the needs of the American people. There is much that remains to be done. We will do it.

POLITICAL ASPECTS OF THE WAR AGAINST WANT

There are those who will object to an all-out war against want on political grounds. It will be argued that our food should go only to friendly, capitalistic, democratic countries. Admittedly, it is infuriating when a dictator who has accepted American aid for years tells us to "take your aid and go drink from the sea." We must remember, however, that the people, and particularly the children, receiving our food should not be punished for the sins of their governments. They have very little to say about those governments at present. Children as well as underprivileged adults will suffer enough from bad local government without our punishing them for political reasons.

Food for peace has served important foreign policy objectives of the United States under what may originally have appeared as unfavorable conditions. For example, in 1957 President Eisenhower authorized American food are to Poland and Yugoslavia. Since then, Poland has received $671 million in food and Yugoslavia $906 million. An important result has been to encourage these two quasi-Communist States to maintain a growing degree of independence.

Furthermore, both countries have discarded Communist techniques of trying to grow farm products in government collective farms. They have moved back to private family farming which is apparently far more successful than the Soviet Government's collective. In these particular cases our negotiations and contracts were with Communist governments, but the impact of our surpluses has been helping the two nations to show not only their people but also the Soviets that independent family farming, with a profit incentive, is superior to collectivism. Our agricultural surpluses distributed behind the Iron Curtain are the best possible argument for a free enterprise system. They are also proof to the common people of these lands that the United States is aware of and concerned over their needs.

Also, Mr. President, we should consider what overall effect it might have if a great many nations of the world, including some who are now enemies, were dependent upon the United States for a substantial portion of their food supplies. Would this dependence not discourage them from military action or indeed from creating any kind of violence in which needed food might be endangered? Insofar as trade creates interdependence, it should, over the long run, contribute to a more peaceful world in which all countries recognize the benefits derived from commercial relationships with others.

THE MORAL ISSUE INVOLVED

Finally, Mr. President, we must not be blind to the moral issue involved in world hunger. The great religions of the world have all recognized this factor. "Cast thy bread upon the waters: for thou shalt find it after many days" admonished the Hebrew writer of Ecclesiastes.

"If thine enemy hunger, feed him," wrote St. Paul in his letter to the Romans.

In the words of the Koran:

> An abominable sin is to sleep on a full stomach while your neighbor is sleeping on an empty stomach.

Around the globe, I have looked into the eyes of children suffering the debilitating effects of prolonged malnutrition. Their distended stomachs and gaunt limbs offer little hope of a life of comfort or productive work. In Africa there is a particularly prevalent disease known as Kwashiorkor. Literally translated from Swahili, this means the illness which the older child gets after the next child is born. It is basically a protein deficiency caused when an older child is no longer nursed and must replace his mother's milk with a protein deficient diet. These are children who can be helped and we have it in our power to help them. I believe it is a moral as well as economic imperative that we make our abundance available where the need is so great.

The people of the United States have always responded to the cry for food in famine or other national disasters. Chronic hunger may not appear as dramatic or urgent as a sudden earthquake or flood, but its long-term effect upon the peoples of underdeveloped continents are far worse.

The time has come for the people of the United States to recognize the role that we can and should play in the war against want. We can help our own farmers by permitting them to produce to their full potential. We can help the manufacturers and merchants who depend upon agriculture for their livelihood. We can help the people of our own country by reducing the funds necessary for restrictive farm programs and for continued storage of our vast surpluses.

By most important, Mr. President, we can help the hungry people throughout the world who have literally nowhere else to turn if we do not share our bounty and our skills with them. The program I have outlined is a practical and realistic approach to one of the greatest problems facing the world today. I strongly urge my colleagues to give it their careful consideration.

Mr. President, one of the finest statements I have seen on the challenge of world hunger is a resolution adopted by the general board of the National Council of Churches on June 3, 1965. I ask unanimous consent that this superb statement be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the article and statement will be printed in the RECORD.

The bill (S. 2157) to provide for U.S. participation and leadership in an international effort to end malnutrition and human want, and for related purposes, introduced by Mr. McGOVERN (for himself and Mr. NELSON), was received, read twice by its title, and referred to the Committee on Foreign Relations.

The article and statement presented by Mr. McGOVERN are as follows:

1963 shows United States leads world in net flow of aid capital to needy nations

Country	Bilateral assistance through—		Contribution to international agencies through—		Total aid
	Public sources	Private sources	Public sources	Private sources	
United States	$3,540,000,000	$813,000,000	$181,000,000	$5,000,000	$4,539,000,000
France	834,000,000	314,000,000	29,000,000	1,000,000	1,178,000,000
United Kingdom	370,000,000	379,000,000	45,000,000	1,000,000	795,000,000
West Germany	399,000,000	153,000,000	25,000,000	11,000,000	588,000,000
Japan	161,000,000	95,000,000	12,000,000		268,000,000
Sino-Soviet bloc	465,000,000		6,000,000		471,000,000
Other [1]	359,000,000	715,000,000	93,000,000	[2] —49,000,000	1,118,000,000
Total	6,128,000,000	2,469,000,000	391,000,000	[2] —31,000,000	8,957,000,000

[1] Includes the 10 OECD countries not listed above.

[2] Repayment of securities by international agencies exceeded private purchases.

Foreign Aid: Who Gives What?

(NOTE.—Sixteen nations have continuing programs to aid economic development in Latin America, Africa, and Asia. A new ERS study assesses the U.S. effort in relation to that of France, the United Kingdom, and other major donors.)

BONN, October 28, 1964.—For the first time, West Germany has granted a long-term foreign-aid loan at only 1-percent interest. Recipient is Rwanda in east central Africa.

PARIS, January 7, 1965.—France today signed a new agreement to aid agricultural development in Senegal, a former French colony.

Moscow, February 19, 1965.—The Soviet Union will help Tunisia build a national technical institute to train engineers and other badly needed specialists.

Such news items out of Europe tend to highlight the fact that the United States isn't the only Nation helping the less fortunate.

Sixteen countries, all highly industrialized, have economic-aid programs to assist the less developed regions of the world. Among them, in addition to the United States, are the United Kingdom, France, West Germany, Japan, and the Soviet Union.

Where does the United States stand in comparison with the 15 other major contributors?

A new ERS study shows that we provide over half the total net flow of public aid and private capital going into the less developed world under the bilateral (direct country-to-country) assistance programs of all 16 nations. In 1963 we contributed almost $4.4 billion of the $8.6 billion total. (See table above; 1963 last available figures.)

Some of the 16 also contribute to the aid programs of several U.N. technical and financial agencies and such regional groups as the European Development Fund.

The ERS study shows that, as in the case of bilateral aid, the United States supplies about half of the funds going into the aid programs of the international agencies. Our share in 1963 came to $186 million of the $360 million total contributed.

The above totals include funds channeled through public (that is, government sponsored) aid programs, plus capital investments and technical assistance from private industry.

Using the public-private breakdown, the study shows that the United States in 1963 supplied 58 percent of all public aid and 33 percent of all private capital under the bilateral programs of the 16 donor countries. In round figures, this means we put up $3.5 billion of the $6.1 billion total in public aid funds; $800 million of the $2.5 billion invested by private industry.

France is the second largest donor; in 1963 it furnished 13 percent of the total capital flow, public and private, into the less developed world. Some 94 percent of this aid went to former French territories in Africa. Recently, however, France has stepped up its aid to African nations that aren't former territories as well as to Greece, India, Pakistan, Mexico, and Turkey.

The United Kingdom is the third largest donor, supplying in 1963 about 9 percent of total world aid. With a policy similar to the French, British aid goes chiefly to such Commonwealth countries as India and Pakistan. But London too, has recently expanded its program to include such non-Commonwealth nations as Chile, Algeria, Syria, South Vietnam, and Korea.

Fourth largest donor is West Germany. Although most of its aid is in deutsche mark loans rather than in grants or soft currency repayments, the government reduced its aid budget in 1964. This was an effort to shift more of the aid burden to the country's prospering private sector. Almost half of West Germany's public aid in 1964 was earmarked for Asian countries, about 17 percent for such African nations as Liberia and the United Arab Republic (Egypt), another 10 percent for European and Latin American countries.

Still far below the aid levels of the United States, France, and others, the Sino-Soviet bloc had more than doubled its 1961 aid level of $200 million to $465 million by 1963. The United Arab Republic gets the lion's share, followed by India, Afghanistan, and Indonesia.

If this then, is the world's economic aid picture, where does food aid fit in?

As in other categories, the United States is far and away the major contributor of food assistance.

Among other industrial nations, only Canada, Australia, France, and West Germany have shipped sizable amounts of food, either for emergency use or development needs. In the 1952–63 period, these four nations shipped a total of $251 million in food and fiber, with Canada supplying 89 percent. During the same period U.S. food and fiber aid came to $9.9 billion or 97.5 percent of the world total.

Total U.S. food and fiber aid shipments since World War II: $25.7 billion.

The figures are for 1946 through fiscal 1964. They include shipments under our own programs and those of international agencies.

In the early postwar years, of course, U.S. food aid was used primarily to help war-shattered nations get back on their feet.

With the passage of Public Law 480 in 1954 the emphasis shifted to using food as a device to help emerging countries develop and diversify their economies. Prior to 1962 sizable quantities of food were also sent under the Mutual Security Act of 1954.

During fiscal years 1955–64, we shipped a total of $14.3 billion in foodstuffs to needy countries under concessional terms. These terms varied, but most shipments were made under Public Law 480's title I whereby the recipient country paid in its own currency. Some of this currency was used to pay U.S. costs incurred in the country, but much was returned to the country as grants or as loans to help finance its economic development program.

Over the 1955–64 period, this $14.3 billion in food and fiber aid represented about one-third of our total farm exports, the rest being dollar sales. Similarly, farm commodity aid over the 1952–63 period made up about one-third of all U.S. economic assistance to other countries.

From 1957 high, aid shipments as share of U.S. farm exports have declined

[In millions]

Year	Government programs		Commercial exports	Total exports	Government exports as a percent of total exports
	Total Public Law 480	Mutual security			
1955	416	450	2,278	3,144	27
1956	1,012	355	2,129	3,496	39
1957	1,563	394	2,771	4,728	41
1958	1,024	227	2,752	4,003	31
1959	1,044	210	2,465	3,719	33
1960	1,143	167	3,207	4,517	29
1961	1,386	186	3,374	4,946	32
1962	1,586	74	3,482	5,142	32
1963	1,529	13	3,536	5,078	30
1964	1,539	23	4,512	6,074	26
1955–64	12,242	2,099	30,506	44,847	32

National Council of the Churches of Christ in the United States of America

(Resolution on world hunger, adopted by the general board on June 3, 1965)

I. THE BROAD CONTEXT OF ECONOMIC AND SOCIAL DEVELOPMENT

1. We see a tremendous urgency in matters of hunger and food, in relation to our Christian faith, to our concern with human values, to prospects for the world's food demand and supply during the next several years, and to basic economic and social development. Food is and will continue to be a key issue, and even more so if the United States continues a policy of relatively decreasing production in agriculture. Unless the United States, with its outstanding capacities and world responsibilities, develops new concepts of larger production for programs related to world needs, the predicted widespread, acute famine in some areas of the world in the next few years will become more grim. Even more important is U.S. cooperation in helping other nations to develop their own food production and supplies. Both in the sharing of food and in concerted efforts to improve food production, it is imperative that the United States work closely with other countries in building up the already existing international programs and agencies. We must address ourselves as churches and as a nation to these and to larger related concepts and programs, even as we take first steps such as embodied in the resolution on world hunger.

2. While specialized emphases can be useful in the various sectors of development, the largest need, in our judgment, is better integration of the interrelated sectors in an overall strategy of development, particularly in view of the new international focus through the United Nations on trade and development.

3. Manifold human needs confront the whole human family. These needs can be met basically and soundly only through fundamental world economic and social development. Such development comprises a highly complex set of interrelated factors involving all dimensions of life such as the economic, social, political, demographic, cultural, even the military, and most profoundly the moral and spiritual. This process must also be internationally conceived with all nations willing to participate taking upon themselves both corporately and individually the fullest possible cooperative initiative and responsibility. Further, these problems are so vast that no limited campaign or crusade can be expected to resolve them, although such efforts can call attention to some issues and to the fact that they demand basic, long-term, substantial commitment for the foreseeable future. Some of the more optimistic leaders in this field predict that, if we substantially increase what is now being done in economic and social development, and deal adequately with vast population problems, we may possibly look forward to a world relatively free from hunger, poverty, illiteracy and obviously conquerable diseases by the end of the 20th century. But such a goal will demand considerably more commitment by all the nations of the world than is presently even in prospect, both in time concept and in magnitude.

4. All the above considerations urgently demand a strategy of world economic and social development. From the past 20 years of experience it is becoming clear that the vast complex of interrelated international realities demand a concerted, strategic approach by the international community and by each nation in cooperation. The World Council of Churches through its commission of the churches on international affairs has called for such strategic thinking and has set forth some major elements of it. We feel that the time has come for the National Council of Churches to devote study in depth and in breadth to further strategic thinking in this vast field of world economic and social development. We further hold that such undertaking must be done in fullest possible cooperation with the responsible leadership of other religious groups. We have begun this process. Meanwhile, as one of the first steps, we adopt a resolution for education and action on world hunger.

II. THE SITUATION WITH RESPECT TO WORLD HUNGER

1. Two billion persons, two-thirds of the world's population) live in areas of nutritional deficiency. An estimated half of these, 1 billion human beings, suffer daily or recurrent crippling hunger. The explosive population growth, in contrast with generally slow increases in agricultural production, points toward more widespread human suffering from hunger in the years ahead. Other unfavorable factors are the prejudice of cultural patterns, the pressures of trade and finance, political instability in Asia, Africa, and Latin America, natural disasters, and the sheer complexity of concerted international action on a problem where no nation acting singly can find a solution. Time is running out.

2. Initial but limited steps are underway to meet the problem. The United Nations Food and Agriculture Organization has been sponsoring a freedom from hunger campaign to awaken the conscience of mankind. It publishes world food survey and has started a small experimental world food program. A first World Food Congress has been held and a second planned for 1967 or 1968. The U.N. Population Commission reports the explosive population pressures and prospects which show the desperate need for international and cooperative national programs of assistance on population problems.

3. In this country the U.S. Government has made substantial contributions in recent years toward the world food supply through various mutual aid measures, sales for national currencies, and donations to the needy. In addition, the U.S. Government through its foreign aid program has been spending considerable sums in rural and agricultural technical assistance; and it has supported modestly the various related U.N. programs. The United States still confronts the problem, however, of shifting the emphasis in domestic agricultural policy from restriction of acreage and production and from surplus disposal toward full utilization of agricultural productive capacity for world food needs. In the business sector production of fertilizers, seeds, and farm machinery has been expanding along with steady growth in the food processing and service industry.

4. The churches and voluntary agencies (the World Council of Churches, the Roman Catholic Church, the National Council of Churches of Christ in the USA, the members of the American Council of Voluntary Agencies for Foreign Service, and many other groups) have been expressing their mounting concern for the hungry and conducting sizable relief and related self-help programs.

5. All these steps, however—intergovernmental, governmental, business, and voluntary agency—are fragmented and inadequate. Great though the advance has been in technical skills and productive capacity, the growth in population and in need races ahead. This tragic paradox is the heart of the problem, for, despite all that is being done, it seems that our very ability to conserve and enlarge life itself only causes more misery in the end. The situation is threatening to get out of hand. On this our gaze is fixed; and to this the attention of the nations of the world and their determined will must be turned.

6. People now dimly realize that, for the first time in history, the capabilities and techniques exist to prevent the warping of lives and the deaths caused by hunger. The freedom from hunger campaign started a framework which, if expanded and developed, would enable the whole world to join in turning the tide. Only a coordinated program, recognizing the interrelationships of aid and trade and development and attacking the causes of hunger and enlisting the knowledge, will and resources of every nation and of all the relevant agencies of government, commerce, industry, the universities, the press, the churches—indeed every major human activity—will suffice. We do not pretend to suggest that U.S. resources alone can meet more than a fraction of the need. Nevertheless, thankfully recognizing all that has been done, it is our conviction as Christians and citizens of the United States that responsibility now lies on the people of this country to take every step we can, in partnership with all others who will join, to mount a massive, unified attack on this enemy of human decency, of life itself. The universal human conscience will not permit us to be silent nor fail to offer every skill and strength we have. Here lies the opportunity for humanitarian statesmanship, so to join forces as to reverse this drift toward disaster and do together what none can do separately. Men and women everywhere in all their varied pursuits, oppressed by the bleak prospects of the cold war, should embrace with relief and joy the affirmative purpose of moving toward the elimination of hunger from the world in a new cooperative enterprise.

7. For Christians the issue is clear and final. For us the issue is sharpened by the fact that for the most part the world's resources lie in areas where Christians predominate, and the world's needs in areas where Christians are fewest. For Christians the holy gifts of knowledge and scientific skill and the needs of our neighbors lay a mandate on our conscience to which only one answer is possible. Yet we know that we are not alone either in pity or in anger at this misery. The time has fully come when the peoples and governments of the world must, together, take sides for man against the pain and death caused by our failure to use our knowledge aright, and to order our affairs so that human needs and resources can go hand in hand.

8. From a material point of view, the role of the churches is small by comparison with the size of commercial and governmental activities in food and agriculture. In fact, the weight of decision clearly lies with Government. Initiative by governments is essential in the marshaling of cooperative action.

III. THE RESOLUTION

1. The National Council of the Churches of Christ in the U.S.A. therefore calls on the U.S. Government, acting through the President and the Congress, to take the initiative promptly in cooperation with other governments and international agencies for international action which will move toward making freedom from hunger a reality, along the lines of the following proposals:

(a) Declare as a matter of high policy that the United States is prepared to make the elimination of world hunger a major objective of our Nation working with other governments and intends to work with other governments and organizations to this end. Include as the principal components of this policy (1) that peoples everywhere should be urged to produce abundantly the basic staples of life, with appropriate regard for nutritional needs; (2) that such staples should be accessible to all without regard to race, color, creed, or politics, or to cold war considerations; (3) that family planning must be emphasized as of equal importance with food production; (4) that the dominant framework of action should be international and/or regional, since no single nation can be truly self-sufficient; (5) that special additional measures must be taken to meet the food needs of the hungry until such time as world agricultural production is greatly increased and the balance is in sight between population growth and food supply; and (6) that along with expansion of agricultural production, industrial and economic growth must take place if the world is to be fed.

(b) Seek, in concert with other nations, to have a comprehensive and effective international undertaking to determine, on a country-by-country and regional basis, what can and should be done to meet world food needs both for the short run and the long run. This undertaking might focus upon a specially designed international conference of governmental and nongovernmental representatives and it should, in any case, include the fullest possible use of FAO, its responsible bodies, the continuing freedom from hunger campaign, and the next World Food Congress. Qualified representatives from all sectors of human activity with interests in food, agriculture, fisheries, and population problems should be included: public and private; business and voluntary agency; production, processing, transportation, industry, commerce; education; finance; and the mass media.

(c) Shift the present emphasis in U.S. domestic farm policy from one of restriction and surplus disposal, to one of utilization of agriculture productive capacity, increasingly directed toward world nutritional needs.

(d) In recognition of the necessity of family planning as an integral part of the present paradoxical situation, increase support of governmental and private programs in this field, utilizing new means that now exist, which from the point of view of technology and cost, may provide the opportunity of checking the population growth.

(e) Expand international programs in agricultural production, extension services, food processing and distribution, as well as in general education. There is need to expand training facilities at home and abroad, and to adapt more of our courses in higher institutions to the needs abroad, not only for the training of the experts, but for young people of the United States interested in service abroad, both in governmental programs like the Peace Corps, and also under nongovernmental auspices including religious agencies.

(f) Strengthen U.S. support of the U.N. Food and Agriculture Organization, the U.N. Population Commission and other related international agencies in fulfillment of the objectives of the currently proclaimed International Cooperation Year, the World Food Congress of 1963, and other related efforts. Support in a much more substantial and significant way the renewed campaign for freedom from hunger being carried out through FAO through 1970. The world food program, started in 1963 for a 3-year trial, should be continued and expanded very greatly if it is to make a major contribution toward meeting world hunger needs. We urge that UNFAO develop further its role as a central clearinghouse of information as to world nutritional needs and plans and progress toward meeting them.

(g) Revise basic legislation, including Public Law 480, to authorize the provision of more food of more varied character for an adequate diet for those who do not have enough now, to stimulate agricultural production, including the conservation and development of fisheries, everywhere for the longer run and to relate these objectives to the broad considerations of economic development and trade policy. Provisions should be made to enable trained personnel in Government service to serve abroad under national and international auspices for prolonged periods of time, without losing their seniority pension rights or other benefits.

(h) As the first step toward U.S. participation in such integrated action on a world scale, convoke a preliminary consultation in Washington, also of governmental and nongovernmental representatives from as many related fields as possible, to prepare for consideration at the international conference, outlines of requirements and resources, with particular reference to U.S. capabilities, U.S. agricultural policy in relation to world needs, and consideration of Public Law 480.

(i) Should international agreement lag unduly, proceed with whatever action may be feasible on these matters, in the conviction that the needs of the hungry are so urgent as not to permit delay, and that others will come to a similar conviction as the situation deteriorates.

2. With respect to the churches, the council:

(a) Authorizes its president, in company with other council and church leaders, to present these proposals to the President and the Congress.

(b) Calls upon its member churches and their full constituency, lay and clerical, to support these proposals by letters to the President and the Congress, and by other means, and to review their overseas activities to the end of increasing, to the greatest extent practicable, efforts to help meet world hunger.

(c) Urges the members of the churches to volunteer and give of themselves in preparation and service for the manifold tasks involved in eliminating hunger with a sense of Christian commitment in fulfilling one of the moral obligations laid upon the Christian community today.

(d) Requests the World Council of Churches similarly to call upon its member churches to urge their governments to participate in this initiative, and to take all practicable actions in their own church programs to share in the enterprise.

(e) Urges the Division of Overseas Ministries to press on with its analysis of U.S. church programs abroad with the view of making recommendations as to how the churches may, more effectively and more ecumenically, play their proper role in meeting the needs of the hungry.

(f) Authorizes the Division of Overseas Ministries to enter into consultation and negotiation with representatives of the Roman Catholic Church, for the purpose of more effective and ecumenical Christian relief, welfare, and service activities throughout the world, including joint operations where appropriate. In this connection, close coordination should be maintained with the World Council of Churches in its current discussions with representatives of the Vatican on these and related matters. Appropriate coordination with churches not members of the National Council and with Jewish and other voluntary agencies, is also encouraged.

Appendix I

Relevant NCCCUSA Policy Background

1. General board action of June 4, 1958, "Ethical Goals for Agricultural Policy."

2. General assembly action of December 9, 1960, "Ethical Issues in the International Age of Agriculture."

3. World Council of Churches Central Committee action in 1960 to support the Freedom From Hunger campaign.

4. General Board action of February 23, 1961, "Responsible Parenthood."

5. Action of the general board, Des Moines, December 3, 1964:

"That the general board request the division of overseas ministries in cooperation with other units of the council to study the problem of hunger with the intent of bringing to the National Council of Churches at an early date a report with recommendations as to how the churches in cooperation with government and other agencies may more adequately and ecumenically participate in the critical task of meeting the needs of the hungry people of the world."

6. Action of the DOM Program Board, February 12, 1965:

"The program board, having received the request of the general board in December concerning a report on world hunger and Christian responsibility, and a preliminary report and accompanying proposals from the staff, asks that these now be redrafted in the light of discussion, that an interim report be made to the general board in Portland, and authorized the executive committee of the program board to prepare a report and recommendations for the general board for action in June."

7. Action of the general board, February 25, 1965:

"That the board receive the progress report of the DOM (on world hunger) and that the general board express its urgent request that the subject of 'The Churches and World Hunger' be presented again to the June 1965 meeting of the board with proposals for specific action by the board at that time, with the understanding that present policy of the council authorizes appropriate action to be taken by the division of overseas ministries and other units of the council in the intervening period."

8. Action of the DOM Executive Committee, March 12, 1965:

"That the executive committee approves in principle the resolution on 'world hunger' and requests all members to make comments with regard to it, to be put into the hands of Mr. Farley. Staff is authorized to make a second draft, to be reviewed by a small committee, and the final draft then to be sent to the general board for its June meeting."

Appendix II

A Selected Bibliography on World Hunger

1. James Norris statement in Vatican Council II.

2. Declaration of the World Food Congress, 1963.

3. Address by Mr. B. R. Sen, director general of the FAO, to the plenary session of the 38th International Eucharistic Congress, Bombay, India, December 1964, and to the U.N. Population Commission, New York, March 24, 1965.

4. Edward Rogers, "Poverty on a Small Planet," the MacMillan Co., N.Y., 1965.

5. "Are We Our Brother's Keeper," by Barbara Ward in "Christianity and Crisis," p. 3, vol. xxv. No. 1, February 8, 1965.

6. The Visser't Hooft statement before the WCC Central Committee at Enugu, Nigeria, January 1965:

"In our times the basic problem of overcoming hunger or poverty and of social justice has become the issue which dominates all other issues and on the solution of which the future of mankind depends."

7. The "Commonweal," November 13, 1964, issue, on "World Poverty and the Christian."

8. The Friends Committee for National Legislation "Washington Newsletter", November 1964.

9. Vatican Council II, "De Ecclesia."

10. "Closing the Hunger Gap," page 6, The New Republic, January 30, 1965.

11. Jonathan Garst, "No Need for Hunger."

12. Ira Moomaw, "To Hunger No More," New York, Friendship Press, 1963.

13. Senator GEORGE MCGOVERN, "War Against Want," New York, Walker, 1964.

14. Paul and William Paddock, "Hungry Nations," 1964.

15. Walter Lippmann, "The Great Revolution," lecture at U.N. for International Cooperation Year, March 1, 1965.

SPECIAL INDEMNITY INSURANCE FOR MEMBERS OF THE ARMED FORCES SERVING IN COMBAT ZONES

Mr. COOPER. Mr. President, I am introducing a bill which will provide insurance protection without cost to members of the Armed Forces serving in a combat zone outside the United States, the geographical limitations of such area being prescribed by Presidential proclamation.

In order that there will be no delay in granting insurance benefits to U.S. forces in combat zones, section H of this bill I am introducing will give to the President the authority to determine those combat zones in which units of the U.S. Armed Forces are engaged.

I am introducing this bill specifically to provide protection to the dependents of members of our Armed Forces engaged in operations in Vietnam, in southeast Asia, and in the Dominican Republic. These men, and some women, are engaged in fighting, defending against aggression, which the Congress of the United States, has by resolutions declared necessary to our national security. Relatively few in number compared to our population or to the total number of men in their age category, they are bearing the burden for all. We owe to them at least the assurance of some protection to their dependents, an assurance provided to those who fought in other wars.

I hope that the committee will act upon the bill and that it will be speedily enacted by the Congress.

I ask that the bill lie on the desk until Wednesday, June 23, for additional sponsors.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Kentucky.

The bill (S. 2158) to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones, introduced by Mr. Cooper, was received, read twice by its title, and referred to the Committee on Finance.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1966—AMENDMENTS

AMENDMENT NO. 281

Mr. RIBICOFF. Mr. President, I submit, for appropriate reference, an amendment to H.R. 6453 providing appropriations for the District of Columbia. The amendment would restore to the budget of the District of Columbia funds to provide aid to the dependent children of unemployed parents.

The problems faced by the needy families who would be assisted by this legislation have nowhere been better expressed than in the article which appeared in this morning's Washington Post, entitled "Nightmarish Scramble for Food, Shelter, Described by Needy Families." I ask unanimous consent that the article be entered in the Record at this point.

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table; and, without objection, the article will be printed in the Record.

The article presented by Mr. Ribicoff is as follows:

[From the Washington Post, June 17, 1965]

Nightmarish Scramble Described by Needy

(By Dorothy Gilliam)

Needy families ineligible for Washington welfare aid because an unemployed parent is in the home, describe their lives as a nightmarish scramble for food, shelter and money.

Some wives tell how they escape by encouraging their husbands to desert the family, thus making sure the children will have bread and a roof.

Others tell why they prefer to remain in the vise together although it often means getting "set out" (evicted) or "putting the children away" (sending them to Junior Village).

The Welfare Department estimated that families involving 5,200 people would qualify next year if Washington took part in the Federal program of welfare aid to children of jobless parents.

Under current District relief rules, children are ineligible for assistance if there is an able-bodied man living in either a husband or father relationship, whether or not he has a job.

The push to include the controversial program has been sparked for several years by groups such as the citizens' committee on the public welfare crisis, and more recently by the coalition of conscience.

The Senate District Appropriations Subcommittee voted Monday to include the bill, but the full Appropriations Committee yesterday defeated it by a 16-to-12 vote, a victory for Subcommittee Chairman, Robert C. Byrd, Democrat, of West Virginia, avowed foe of the bill.

He maintains that the District unemployment rate is too low to justify the program, among other objections. Its fate is now up to the Senate.

Meanwhile yesterday, the Senate District Committee approved legislation providing help to families if the head of the household is actively seeking a job or is in a job training program, a bill introduced by Senator Abraham Ribicoff, Democrat, of Connecticut.

A 21-year-old mother of three who lives in central Northwest told how her husband, 29, can work at his trade as a cement finisher only during good weather and how they must depend on gratuities of private social agencies during winter.

"One winter we had to separate so we could get some help," she said. "You know that was bad, but he couldn't find no work, and we had to do something."

"When he works he takes good care of us, and we get along real well," she said.

"It upsets him when he can't take care of us," she continued, stopping to quiet her 3-year-old son. "He mopes around and says if he would do such and such in the summer things would be better."

When he works, her husband brings home about $90 a week. Rent is $90 a month. They have tried to save during the spring and summer, she said. But there were major illnesses, including a $500 bill for her 2-year-old daughter (who is anemic), and she is expecting her fourth child next month.

A 34-year-old Southwest mother of 10 whose husband works sporadically because he is ill, related her difficulty in getting help when he was seriously sick at home recently.

"Welfare gave me three checks when he was in the hospital last year," she said. "But since he's been sick at home they said they couldn't help me. I also couldn't get surplus food.

"Right now I'm worried sick, because we're 'way behind in the rent (they live in a public housing project) they told me they were going to set us out."

The man, 41, who suffers from a severe stomach ailment, can work only sporadically at his job as a porter, where he earns $82.50 a week, before deductions.

"We've borrowed so much from the credit union where he works just to keep up the rent and eat he never brings home more than $60 or so," she said.

"Right now we're living mainly on beans and cabbage. I can't buy no meat."

A 22-year-old mother of five children under 4 told how her then jobless 24-year-old husband was jailed several months ago for housebreaking. "He couldn't get a job so he stole things and sold them and gave us money so we could eat. I knew it was wrong but I was tired of seeing my children suffer."

"He was in and out of work until both of us just got to the breaking point. Finally he up and left and I applied for public assistance."

Later, he returned, still out of work and the family was cut off from assistance while he was looking for a job.

"I'm not putting all the blame on other people," she said. "He didn't face up enough to his responsibility. But I believe work is his biggest problem."

"All he talks about now is getting a job, getting settled down. I guess he realized he has hurt me a lot and the children. He is crazy about them. Right now we are on assistance but when he gets out in August we'll be cut off again and if he can't get work right away, I don't know what will happen."

A 33-year-old father of nine children, who can't read enough to decipher street addresses, described to Family and Child Services of Washington how his handicap prevents his holding a job. He is enrolled in an adult literacy course.

A caseworker said he cannot find a job as a floor finisher, his only skill, because he is a Negro. So he takes odd jobs that don't pay enough to support his family.

Said the worker, "this family has interior strengths of love, good standards, no delinquency or marital problems. If the city had a welfare program where he could be trained for work and placed, while his family received assistance, they could maintain the kind of stable home which they have managed to do under the most adverse circumstances.

Mr. RIBICOFF subsequently said:

Mr. President, I ask unanimous consent that the names of Senators Morse, Tydings, Proxmire, McIntyre, and Kennedy of New York, be added as cosponsors of amendment No. 281, submitted by me today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENTS NOS. 282 AND 283

Mr. PELL submitted two amendments, intended to be proposed by him, to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

RESEARCH AND DEVELOPMENT IN HIGH-SPEED GROUND TRANSPORTATION—ADDITIONAL COSPONSOR OF BILL

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the senior Senator from New York [Mr. Javits] be added as a cosponsor of the bill (S. 1588) to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes, at the next printing of that measure.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. McCARTHY. Mr. President, I ask unanimous consent that the Senator from Delaware [Mr. Williams] be added as a sponsor of Senate Joint Resolution 85, the resolution I introduced on May 24 proposing an amendment to the Constitution relative to equal rights for men and women, and that his name be listed as one of the sponsors at the next printing of the resolution.

The PRESIDENT pro tempore. Without objection, it is so ordered.

JEFFERSON NATIONAL EXPANSION MEMORIAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 308.

The PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1576) to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of the old St. Louis, Mo., and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 320), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of the bill is to provide for an increase in the appropriation authorization from $17,250,000 to $23,250,000 for the completion of the construction of the Jefferson National Expansion Memorial.

HISTORY

On June 15, 1934, the Congress established the U.S. Territorial Expansion Memorial Commission, to formulate plans for designing and constructing a permanent memorial to the westward expansion of the Nation. Actual clearing of the site of old St. Louis began in 1935 with a Federal appropriation of $6,750,000 and $2,250,000 contributed on a 3-to-1 matching basis by the city of St. Louis.

The concept of westward expansion, the Louisiana Purchase, and all it meant to the growth of America and development of our Nation into the great country it is today required a memorial design suitable to the occasion. In 1947, the Commission chose such a design—a museum, grand center steps, and visitor center design of Architect Eero Saarinen, dominated by a 630-foot-high stainless steel gateway arch facing the Mississippi River.

By the act of 1954, Congress authorized appropriations for the construction of the memorial. By this and subsequent actions, Congress has authorized and appropriated $17,250,000 in Federal funds for the project, stipulating that expenditures be made on the basis of 3 Federal dollars for every 1 non-Federal (city of St. Louis and other sources) dollar made available.

In order to complete the project a further expenditure of about $8 million is needed on the same cost-sharing basis. The city of St. Louis has assured the Park Service of its intent to continue to participate in sharing the cost of completion.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1576) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 17, 1954 (68 Stat. 98), entitled "An Act to provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes," as amended by the Act of September 6, 1958 (72 Stat. 1794), is hereby further amended by striking the figure $17,250,000" from section 4 thereof and inserting in lieu thereof the figure "$23,250,000."

ASSATEAGUE ISLAND NATIONAL SEASHORE, MD. AND VA.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 319, Senate bill 20.

The PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (S. 20) to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 7, after "NS–AI–7100A,", to insert "November 1964","; on page 3, line 10, after the word "Secretary", to strike out "not required for other Federal purposes"; on page 4, line 12, after the word "owner.", to strike out "The term 'improved property' as used in this Act shall mean any single family residence the construction of which was begun before January 1, 1963, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building: *Provided,* That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public access thereto" and insert "The term 'improved property' as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1963, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxtent Bay including the offshore bay islands adjacent thereto, that are used chiefly for hunting and continues in such use and in the same ownership: *Provided* that the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto"; on page 8, line 15, after the word "uses", to insert "in accordance"; on page 10, after line 2, to strike out:

Sec. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

And, in lieu thereof, to insert:

Sec. 9. There are hereby authorized to construct a suitable road on Assateague Island from the Chincoteague-Assateague Bridge in the State of Virginia to the existing public beach and through the Chincoteague National Wildlife Refuge to connect with the Sandy Point-Assateague Bridge in the State of Maryland.

And after line 11, to insert a new section, as follows:

Sec. 10. There are hereby authorized to be appropriated the sums of not more than $16,250,000 for the acquisition of lands and interests in lands and not more than $7,765,000 for the development of the area authorized under this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation and use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS–AI–7100A, November 1964", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

Sec. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or by such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property of interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of the law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland, and convey to the grantor of such property and federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner. The term improved property as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1963, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxtent Bay including the offshore bay islands adjacent thereto, that are used chiefly for hunting and continues in such use and in the same ownership: *Provided*, That the Secretary may exclude from improved properties any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

Sec. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such land or interest therein on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes; and the Secretary is authorized and directed to convey or lease such land or interest therein to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interest therein, and upon payment of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost to the United States of such protection work.

Sec. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

Sec. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

Sec. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (76 Stat. 653).

Sec. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary is authorized to select and set aside not to exceed six hundred acres having a suitable elevation in the area south of the island terminus of the bridge constructed by the State of Maryland, and to provide such land fill within the area selected as he deems necessary to permit and protect permanent construction work thereon.

(b) Within the area designated under subsection (a) the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore, under such terms and conditions as he deems necessary in the public interest. Such terms and conditions shall include, but not be limited to, the right of the Secretary to approve all plans for the facility and to impose restrictions on the use thereof.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States; however, each such privately owned overnight or other accommodation facility shall be subject to taxation by the State and the political subdivisions thereof in which such facility is located.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.

Sec. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

Sec. 9. The Secretary of the Interior shall construct a suitable road on Assateague Island from the Chincoteague-Assateague Bridge in the State of Virginia to the existing public beach and through the Chincoteague National Wildlife Refuge to connect with the Sandy Point-Assateague Bridge in the State of Maryland.

Sec. 10. There are hereby auhorized to be appropriated the sums of not more than $16,250,000 for the acquisition of lands and interests in lands and not more than $7,765,000 for the development of the area authorized under this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The **PRESIDENT** pro tempore. Without objection, the amendments are considered and agreed to en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 331), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The proposed Assateague Island National Seashore contains 39,630 acres, consisting of 19,096 acres of land and 20,534 acres of water or submerged lands. Approximately 9,453 acres of the land on the island is in Federal ownership, 922 acres in State ownership, and 8,721 in private ownership.

The present state of development on Assateague Island, proceeding from north to south, is as follows:

The northern 6 miles of the island consist of two large tracts, one of which has been subdivided and another containing a private lodge, dwelling and boathouse, a dock and lesser structures. Otherwise, the northern 6 miles is devoid of improvements.

Next, the newly acquired Maryland State park lands comprise 692 acres and occupy about 2 miles of ocean shoreline. The State park area has a few temporary facilities and is accessible by a newly constructed bridge from Sandy Point to the island.

The next 14 miles of the island, from the State park to the Maryland-Virginia State line, contain a subdivision of 5,850 lots now owned by an estimated 3,200 individuals, plus several other privately owned tracts. There are 16 summer cottages, 17 gun clubs, and a few other structures in this area. This stretch also includes 418 acres of the Chincoteague National Wildlife Refuge.

The major portion of the refuge, authorized in 1943 and administered by the Bureau of Sport Fisheries and Wildlife, occupies the southern third of Assateague Island. It is about 13 miles in length and contains 9,030 acres more in Virginia. Until recently the development of the refuge was confined principally to impoundments for feeding, resting, and nesting of migratory waterfowl. In 1962, a toll bridge constructed by the Chincoteague-Assateague Bridge & Beach Authority was opened to the public. The authority leases from the Bureau of Sport Fisheries and Wildlife 4 miles of the island, including the "hook." It is being developed as a day use recreation area. A restaurant, a bathhouse, restrooms, and a parking area have recently been built here. An active Coast Guard station is located in the southern hook.

The preliminary development plans for the proposed national seashore, from north to south, are as follows:

1. Inlet jetty area: This area, located adjacent to the Ocean City inlet, would provide facilities for surf and jetty fishing and for picnicking. Access would be by foot trails or by boat.

2. Maryland State park: The State would develop, maintain, and administer this park as an intensive use area. It has already developed temporary facilities for camping and bathing and intends to build several bathhouses, beach facilities, picnicking and camping facilities, a restaurant, a marina, riding stables, and other recreation facilities.

3. Concession area: This proposed development would be immediately south of the State park and would contain about 600 acres of land and a mile and a half of ocean beach frontage. The land would be owned by the United States but the buildings and other facilities would be provided by private capital and operated under a concession contract with the Federal Government.

4. Sinepuxent Neck area: The Department proposes to acquire a 10-acre area on the mainland as a site for the seashore's administrative headquarters. This would be the point of first contact and orientation for most seashore visitors. Developments here would include a visitor center, the park headquarters, and the park residence and maintenance area.

5. Lumber Marsh area: This would be the first of the three major recreational areas to be operated by the National Park Service. Beach access and facilities for swimming and picnicking would be provided.

6. Sugar Point area: This area would be similar to the Lumber Marsh area, with provision of beach access and facilities for swimming and picnicking.

7. Green Run Bay area: Planned to be more completely developed than Lumber Marsh or Sugar Point, the Green Run Bay area would provide a visitor contact station, a marina, swimming facilities, camping and picnicking facilities, and interpretive trails.

8. Chincoteague National Wildlife Refuge: The Bureau of Sport Fisheries and Wildlife will develop and operate recreation facilities in the refuge under existing authority and the Assateague Island National Seashore legislation. A major development near the present restaurant and several small beach shelters along the hook are contemplated. Interpretive services and a visitor center would be provided at refuge headquarters near the bridge.

In summary, the area will consist of 39,630 acres—about an equal amount of land and water—with over half of the land already in Federal ownership. The island would provide 35 miles of excellent ocean beach. There are 16 summer cottages and a permanent residence on the area. Three major recreational areas are proposed for development in addition to the Maryland State park development and the concession area which will be developed by private interests. At the southerly end of the Chincoteague National Wildlife Refuge, recreation facilities will also be developed and operated. The island would be used primarily for swimming, picnicking, fishing, camping, and marinas, and overnight accommodations would be provided. The area would accommodate 3 million visitors annually during the initial stages of development. Land acquisition costs are estimated at $16,250,000 and development costs at $7,765,000.

Mr. BREWSTER. Mr. President, the Senate is now considering my bill to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia.

This bill was carefully considered by the Subcommittee on Parks and Recreation of the Senate Interior Committee under the able leadership of the distinguished senior Senator from Nevada [Mr. Bible]. It gained the unanimous support of that subcommittee after they made several technical amendments and included a provision for a road from the existing bridge in Maryland to the one in Virginia. The inclusion of this road was urged by the distinguished junior Senator from Virginia [Mr. Robertson].

Recognizing the urgent need for action, the full Senate Committee on Interior and Insular Affairs unanimously reported S. 20 as amended.

Today is a great day for the many people who have been actively engaged in trying to preserve Assateague Island in its natural state. It is also a great day for the millions of people, now and in the future, who will seek Assateague's clean, white beaches to escape from the daily hustle and bustle of the growing megalopolis which is rapidly extending itself from Richmond, Va., to Boston, Mass.

For the benefit of my distinguished colleagues, I would like to recap briefly some of the history of this legislation before us today.

The purpose of this bill is to provide for the development of Assateague Island and certain adjacent waters and small marsh islands for public outdoor recreation. It would authorize the Secretary of the Interior to acquire lands, waters, and other property, and to administer these for the general purposes of public outdoor recreation and conservation. The natural features of the island would be retained for the benefit of the public.

Assateague Island is a low, narrow, undeveloped barrier reef approximately 32 miles in length, lying parallel to the coasts of Maryland and Virginia, separated from the mainland of these States by Sinepuxent and Chincoteague Bays.

But Assateague Island is more than this—it is the largest remaining undeveloped seashore between Cape Cod and Cape Hatteras. It is one of the very few remaining such areas in this country. Within a 250-mile radius of Assateague is to be found one-fifth of the population of the United States—about 33½ million people. Almost one-fourth of this number live within a 3-hour drive of the island.

Thus, Assateague Island represents one of our last opportunities to acquire a sizable seashore for public benefit.

Mr. President, these are the simple geographic facts which motivated my introduction of this legislation. There are, however, additional factors which influenced my decision on this matter.

For almost three decades, the outstanding recreational values of Assateague Island have been recognized. A 1935 survey of the National Park Service included Assateague as one of the 12 areas along the Atlantic coast to be preserved for public use and enjoyment. In 1943, the Virginia portion of the island was acquired by the Federal Government, and established as the Chincoteague National Wildlife Refuge.

In 1955, the National Park Service made a restudy of the Atlantic coast, but made no recommendations with respect to Assateague Island because, at that time, the 14 miles of the island immediately north of the Virginia line were being extensively subdivided by private developers, and it appeared that the opportunity to preserve the natural and untapped recreational resources of the island for the public had been lost.

In 1961, the Maryland General Assembly authorized the State roads commission to construct a bridge connecting Assateague Island with the mainland of Worcester County. The State subsequently acquired 640 acres with 2 miles of ocean frontage for development as a State park, and declared its intention to acquire the remaining 7 miles of the island to the north for similar development.

Tidal storms of 1962–63 focused increased attention on Assateague Island, and pointed up the urgent need for beach front stabilization and other protective work if the barrier reef was to be preserved in any form for development purposes.

In June of 1962, Maryland Governor Tawes and Interior Secretary Udall agreed to a joint study for purposes of determining the most feasible future utilization of the superb recreational opportunities offered by Assateague Island.

The following spring, the newly created Bureau of Outdoor Recreation published its report recommending the acquisition of Assateague Island for public recreational use. At the same time, contracts were let and construction began on the bridge. The cost of the bridge was to be borne jointly by Worcester County and the State of Maryland.

Since the filing of the report by the Bureau of Outdoor Recreation, intensive study of the proposals embodied in this report, and endorsed by the Secretary of the Interior, has been carried on by the appropriate agencies of the State government. In addition to these studies, public hearings have been held to permit all interested parties to be heard. Innumerable meetings have taken place between representatives of private property owners on Assateague Island, officials of Worcester County, State officials, and representatives of the Department of the Interior. These meetings have included several inspections tours of the island itself.

The Maryland Department of Forests and Parks, under the able leadership of its chairman, Mr. S. L. Hammerman, recommended public development of the island. Similar recommendations have been made by the Maryland Economic Development Commission and the Maryland State Department of Planning. The Maryland Board of Public Works, the State's highest authority in this field, unanimously approved the concept of public development of Assateague Island.

That the various State boards, agencies, and officials concurred in their approval of a plan for Assateague Island which embodies public development jointly by the State and the Federal Governments is a tribute to their foresight in these matters.

The studies which I made of the reports issued by the Department of the Interior, the agencies of the State of Maryland, and the Worcester County Commissioners, including the pertinent engineering analysis, convinced me that the future of this island demands exclusive public development.

Wise conservation and development of our natural resources today will return vast dividends tomorrow. Each failure to act now is an opportunity lost forever. The task of preserving our natural resources becomes more acute each day. To conserve and preserve what is left, and to reclaim some of what has been lost, is an obligation which we owe to ourselves and to future generations. We must continually bear in mind that we are only trustees of a rich and bounteous heritage found in the natural resources of our land.

The rapid rate of our population expansion makes it imperative that we act now to preserve for the residents of our cities, our suburbs, and our towns the recreation areas which will enrich the lives of their inhabitants.

Many of the challenges in the development of adequate recreational facilities are best met at the State and local level. Maryland officials are to be congratulated for their continuing efforts in this regard—efforts which, in the case of Assateague Island, have already brought about the acquisition of parts of that island for State park purposes, and the letting of contracts for bridge construction.

Only through further public development can we hope to preserve what is a precious possession not only of Worcester County but of the Nation. Only through public development will the necessary Federal funds and techniques be available for beach stabilization and protection. Only through public development can we hope to provide the large metropolitan area between Philadelphia and Washington with an unparalleled recreational opportunity. Only through public development can Maryland take advantage of the unrivaled publicity and promotional facilities of the Department of the Interior—facilities which have increased the number of visitors to the Hatteras National Seashore, with no nearby metropolitan area, by 500 percent in a period of 10 years; facilities which can be expected to bring 3 million visitors a year to the Assateague National Seashore by 1975. Only through public development can we expect to provide for the greatest economic benefit to Worcester County and to Maryland from this, one of its most valuable assets.

A national seashore at Assateague will serve as a magnet for visitors which will increase each year. In view of the plans of the Department of the Interior for only minimum facilities on the island itself, the areas adjacent to the island will acquire an enormous potential for private development and growth. With this in mind, it is not too early for the citizens and officials of Worcester County, with the assistance of the State, to begin the preparation of a master plan for the development of facilities along the bay side of the county to service the island.

Mr. President, in conclusion let me urge the Senate's favorable action on this legislation.

Mr. TYDINGS. Mr. President, I am delighted that S. 20, the bill to establish the Assateague National Seashore Park, is before the Senate for final passage. I would like to commend my distinguished senior colleague, Senator BREWSTER, for his outstanding leadership in introducing this bill and effectively shepherding it toward final passage.

All Maryland, indeed, the Nation, owes a debt of gratitude to the distinguished chairman of the Parks and Recreation Subcommittee of the Senate Interior Committee, the Senator from Nevada, Senator BIBLE. I serve under Senator BIBLE on the Senate District Committee and know of his outstanding abilities as a chairman and know he is one of the most effective Members of this body.

Individuals and groups concerned with recreation and conservation have been interested in Assateague Island since at least 1935. The island is a wide, unbroken beach shelving gradually into the ocean and with no undertow. It offers surf fishing, safe swimming, and fine clamming. The bay side marshes are a famous haunt of waterfowl. Assateague Island ponies, thought to be descended from stock that escaped from a 16th-century Spanish galleon, are known to every person who has read the famous childhood story, "Misty."

The island is well situated for development as a recreation site. It is almost equidistant from the great Middle Atlantic cities of Philadelphia, Wilmington, Baltimore, Washington, and Norfolk, all of which lie within a radius of 150 miles. There is no other national park within easy driving distance of these great urban areas.

The time is long since passed, Mr. President, when our country can fail to preserve those areas of natural beauty that have escaped the bulldozer and the plow.

For many years the vastness of our country postponed any consideration of the preservation of special areas as unspoiled wilderness and recreational lands. During the frontier era Americans could deal with forest and stream in the most careless fashion and harm no one.

As the frontier disappeared and the continental United States became organized, the Federal Government recognized the importance of public lands. A century and a half ago it established the General Land Office to administer a vast system of forests, parks, and wilderness areas, almost entirely in the Western United States.

Local governments soon followed with long-range planning for land use through zoning laws, country land-use plans, development of greenbelts around growing cities, withholding of land from private use for schools, golf courses, watersheds, airports, and so on.

In the thirties and forties the crises of depression and war postponed consideration of the need for preservation of unspoiled wilderness and recreational areas.

Now in the sixties, with mercurial speed we have become an urban society, nearly 200 million, with shamefully despoiled water, land and air, with decaying cities and commercial engulfment of all open areas. America is rapidly becoming a place not only unpleasant for human life, but devoid of space or place for men to pause, to play, to contemplate.

This is especially characteristic of the Eastern United States with its dense megalopolis stretching from Washington to Boston.

In Assateague Island there is available an opportunity to preserve for public use a lovely 33-mile strip of virgin seashore, the only one of this size remaining along the entire east coast from Cape Cod to Cape Hatteras.

I am convinced that passage of S. 20 will enrich my State and our country. I believe that we should aspire not only to the Great Society but to a gracious and beauty-loving society.

I wholeheartedly offer my support for this bill.

Mr. BIBLE. Mr. President, it is a pleasure to present to the Senate S. 20, the bill to provide for the establishment of the Assateague Island National Seashore.

The Parks and Recreation Subcommittee, of which I am chairman, as well as the full Senate Interior and Insular Affairs Committee were unanimous in reporting the bill now before you.

After 4 days of hearings and an inspection of the area on the ground, the members were well acquainted with the unique value of the island for a recreation area to serve the millions of people on the east coast who are in need of such a facility.

The island, lying both in Maryland and Virginia, extends for 35 miles along the Atlantic coastline from Ocean City to Chincoteague Inlet. Its wide, gentle, sloping, clean white beach and low dunes should make a substantial contribution to those of our citizens who seek outdoor recreation.

I particularly want to congratulate my distinguished colleagues, Senator Robertson, of Virginia, and Senators Brewster and Tydings, of Maryland, for the interest and enthusiasm they have displayed in bringing this matter to the attention of the Senate. Without their very valuable assistance and testimony this measure would not be here today.

The PRESIDENT pro tempore. The bill is open to further amendment. If there is no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 20) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. BIBLE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. TYDINGS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BREWSTER subsequently said: Mr. President, earlier today, the Senate passed legislation designed to establish a national seashore on Assateague Island, Md.

The Senate action came on a voice vote 1 year, 9 months, and 7 days after the bill's original introduction in September 1963. Today's vote represents the culmination of years of effort by many of us to preserve this wild island for our citizens.

In the effort which we have been making, I and my colleagues in the Congress have had the support of thousands of Marylanders. We have had the support of distinguished conservationists and conservation groups. We have also had the unswerving support of newspapers, television, and radio stations who sought to assist us in the protection of the public interest.

Mr. President, I should like to pay tribute and say "Thank you" to these organizations for their assistance. Much of the credit for what has been accomplished belongs to them. A fine example of the support we have enjoyed can be found in the editorial columns of the Baltimore Sun during this past week.

Mr. President, I ask unanimous consent that the two editorials on Assateague which appeared in the Sun be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Baltimore (Md.) Evening Sun]

Assateague Movement

The case for making Assateague a national seashore park is by now a familiar one in Maryland. It has been argued again and again. The fact that the island is the one remaining natural area of its kind along the east coast, its proximity to the heavily populated Baltimore-Washington urban complex, the presence of an already existing wildlife refuge, the shabby alternative of commercial development of the island—all these have become almost commonplaces. Except for a few with a vested interest in private development, most Marylanders accept the arguments as valid.

If Assateague is to become a national park, however, Washington must be convinced as well. A great step forward was taken when both the Interior Department and President Johnson threw their support to national development. All that remains is for Congress to act and welcome movement to that end occurred yesterday with approval by the Senate Interior Committee's subcommittee on parks and recreation of the $17 million proposal. The favorable subcommittee report makes support by the full committee almost certain. Action by the Senate itself should come reasonably soon.

Unless Senate action is followed by speedy approval in the House, however, the whole plan could be imperiled. The bridge linking Assateague to the mainland, opened last year, has given a large boost to private development. If the cost of land to the Federal Government is not to become prohibitively expensive, Congress will have to act at this session. Hearings before the House Interior Committee are scheduled to begin shortly. The case for a national park on Assateague remains just as strong as it always was. But Maryland's House delegation will have to give the bill the same strong support that it got in the Senate from Senators Brewster and Tydings if there are to be no slip-ups. Now that Congress is moving, the momentum must be maintained.

[From the Baltimore (Md.) Sun, June 4, 1965]

Next on Assateague

Now that the bill to make Assateague Island a national seashore has received the unanimous approval of the Senate Interior Committee, attention shifts at least for the moment to the House, where a companion measure is before the House Interior Committee headed by Representative Aspinall, of Colorado. The bill in that Chamber did not get off to the most favorable of starts this last weekend when Representative Aspinall and five other Congressmen toured the island and were confronted by some Worcester Countians and other lot owners who oppose the creation of a public seashore and want the island to remain open to private building.

A subsequent report has indicated that Representative Aspinall, for one, got the impression that the opposition to a national seashore was greater than it actually is and that some compromise would be necessary. The Eastern Shore's own Representative Morton for his part put the opposition in the best possible light under the circumstances by explaining that the lot owners had continued to pay taxes year after year, never knowing for certain whether they could build on their lots or not, and that they deserved a prompt, hard-and-fast decision as to what is to become of the island.

The plight of the lot owners as presented by Mr. Morton is a good argument for Mr. Aspinall's committee or a subcommittee thereof to start public hearings on the House bill just as soon as an open date makes it possible, so that the issue does not drag through another summer. Once the many proponents are heard, the limited opposition can be seen in its proper perspective, which rules out any need for compromise. But first there must be an early hearing date. Representative Morton presumably can be counted on to press for early action, and if other members of the Maryland delegation are equally attentive, we might soon have a House committee vote to match the favorable committee vote in the Senate.

SOUTHERN NEVADA WATER PROJECT, NEVADA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 320, Senate bill 32.

The PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (S. 32) to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 9, after the word "to", to strike out "consideration" and insert "conservation"; and on page 5, line 1, after "Sec. 7.", to strike out "There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act." and insert "There is hereby authorized to be appropriated for construction of the southern Nevada water project, Nevada, the sum of $81,003,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain the southern Nevada water project, Nevada, in accordance with the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as those laws are inconsistent with this Act, for the principal purpose of delivering water for municipal, industrial, and incidental irrigation use. The principal features of the southern Nevada water project shall consist of intake facilities, pumping plants, aqueduct and laterals, transmission lines, substations, and storage and regulatory facilities required to provide water from Lake Mead on the Colorado River for distribution to municipalities and industrial centers within Clark County, Nevada.

Sec. 2. (a) The Secretary shall make appropriate allocations of project costs to municipal and industrial water supply and, if appropriate, to conservation: *Provided,* That all operation and maintenance costs for the southern Nevada water project shall be allocated to municipal and industrial water supply. Construction costs of said dam and reservoir allocated to conservation shall be nonreimbursable.

(b) Allocations of project costs made to municipal and industrial water supply shall be repayable to the United States under either the provisions of the Federal reclamation laws or under the provisions of Water Supply Act of 1958 (title III of Public Law 85–500, 72 Stat. 319 and Acts amendatory thereof or supplementary thereto): *Provided*, That, in either case, repayment of costs allocated to municipal and industrial water supply shall include interest on the unamortized balance of such allocations at a rate equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum.

(c) If conditions permit irrigation use of project water, the Secretary is authorized to allocate to irrigation, under the provisions of the Federal reclamation laws, an appropriate portion of the project construction costs allocated to municipal and industrial water supply.

Sec. 3. (a) The Secretary is authorized to enter into the necessary contract, or contracts, with the Colorado River Commission of Nevada, acting for the State of Nevada, for the delivery of water and for repayment of the reimbursable construction costs, notwithstanding provisions of section 5 of the Boulder Canyon Act (45 Stat. 1057).

(b) Construction of the project shall not be commenced until a suitable contract has been executed by the Secretary and the Colorado River Commission.

(c) Such contract may be entered into without regard to the last sentence of section 9, subsection (c), of the Reclamation Project Act of 1939, and may recognize the relative priorities of municipal, industrial, and irrigation uses.

(d) Upon execution of the contract referred to in section 3(a) above, and upon completion of construction of the project, the Secretary shall transfer to said Colorado River Commission of Nevada the care, operation, and maintenance of the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water project upon the terms and conditions set out in the said contract.

(e) When all of the costs allocable to reimbursable purposes incurred by the United States on constructing, operating, and maintaining the project, together with appropriate interest charges, have been returned to the United States by the Colorado River Commission of Nevada, said commission shall have the permanent right to use the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water supply project in accordance with said contract.

Sec. 4. Such amount of the costs of construction as are allocated to the furnishing of a water supply to Nellis Air Force Base or other defense installations shall be nonreimbursable.

Sec. 5. Expenditures for the southern Nevada water project may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act of 1954 (43 U.S.C. 390a).

Sec. 6. The use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River compact, the Boulder Canyon Project Act (45 Stat. 1057; U.S.C. 617t), and the Mexican Water Treaty (Treaty Series 994) (59 Stat. 1219).

Sec. 7. There is hereby authorized to be appropriated for construction of the southern Nevada water project, Nevada, the sum of $81,003,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 332), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF MEASURE

Purpose of S. 32, which is sponsored by the two Senators from Nevada, Senators Bible and Cannon, is to authorize construction of a municipal and industrial water supply project in populous and rapidly developing Clark County, Nev., containing more than half of the State's population. The cities of Las Vegas, North Las Vegas, Henderson, and Boulder City will be served by the facilities as will Nellis Air Force Base, the Atomic Energy Commission installation, and the El Dorado Valley as a whole.

Water for the purposes of S. 32 will come from nearby Lake Mead, the approximately 29 million acre-foot reservoir created by Hoover Dam. The initial stage of the southern Nevada project will divert a maximum of 132,000 acre-feet, with a total net diversion for all three stages of 262,000 acre-feet. This amount is well within Nevada's 300,000 acre-foot entitlement under the decree of the Supreme Court of the United States in the *Arizona* case (*Arizona* v. *California*, 376 U.S. 340, 342).

The committee wishes to emphasize the fact that the water to be allocated to the southern Nevada water project is in no way to be deemed to effect or impair other allocations that may be made from Nevada's entitlement from the Colorado River; that is, S. 32 would not preclude allocations that may be needed for other Nevada projects.

The southern Nevada project will be constructed in three stages. The project is wholly reimbursable, with interest, within a 50-year period. The benefit-cost ratio for the first stage is the favorable one of 1.5 to 1 and, for the project as a whole, 1.6 to 1.

Mr. MANSFIELD. Mr. President, I ask that the amendments be considered en bloc.

The PRESIDENT pro tempore. Without objection, the amendments are considered and agreed to en bloc.

Mr. BIBLE. Mr. President, we often hear the word "vital" applied to legislation passing through this Chamber. In this instance, the word is particularly appropriate. It can be applied forcefully and effectively to the southern Nevada water supply project which Senate bill 32 will authorize. Not only is the legislation vital, but it is vital that we continue to move ahead rapidly with it so that construction can begin as quickly as possible.

The southern Nevada water supply project, in brief, is a pumping and pipeline project that will enable Nevada to benefit from its allotment of Colorado River water. It will bring this water from Lake Mead to the cities of Boulder City, Henderson, Las Vegas, and North Las Vegas, to Nellis Air Force Base and the El Dorado Valley for municipal and industrial use.

I have stressed the word "vital" as applied to this undertaking because I want to emphasize the critical water problems that are involved. Southern Nevada, the fastest growing area in one of the fastest growing States, has relied almost entirely on underground water. The experts tell us these underground resources are being rapidly depleted by the demands of increasing population and in many instances are nearing exhaustion.

Upon the availability of adequate water depends the continued economic health and future growth of southern Nevada. The project authorized in this bill will fill that requirement at least for the immediate foreseeable future.

The waters drawn from the Colorado River will come from within the 300,000 acre-feet yearly allocated to Nevada in the recent Supreme Court ruling in the case of Arizona against California. To date, my State has been unable to benefit from this allocation and use this badly needed water.

These are factors which underscore the word "vital" as applied to the southern Nevada water supply project. Another factor is time. We have been working on this legislation since 1959. However, it was impossible to proceed until the Colorado River water allocations were finally adjudicated. This did not occur until March of 1964. An authorization was favorably reported by the Senate Interior Committee last year but it did not reach a vote before adjournment. Meanwhile—and this is difficult to believe—the population of southern Nevada within Clark County has continued to grow at a rate that has doubled the number of inhabitants just since the 1960 census. So the project is already long overdue and time is of the essence.

This project has had especially thorough consideration and was unanimously reported by the Senate Interior Committee. It should be noted that the project has an excellent benefit-cost ratio of 1.5 to 1 for the initial phase and 1.6 to 1 for the ultimate phase.

The cost of this undertaking—some $49 million for the initial phase—is completely reimbursable from revenues derived from the delivery of water to southern Nevada users, with interest. The Nevada State Legislature granted authority 2 years ago to the State's Colorado River Commission to contract with the United States for the repayment and to operate and maintain the project when it is in service.

This project has full and unhesitating support from every level of State and local government in my State and also from all responsible civic and business groups.

I urge support for this vital project so that the Congress can complete action on it as quickly as possible and hasten the day it can benefit the robust economy of southern Nevada.

Mr. CANNON. Mr. President, I join my distinguished senior colleague from Nevada [Mr. Bible] in urging the Senate to act favorably on passage of S. 32 to authorize the southern Nevada water supply project.

My colleague has done yeoman's work in pressing for the enactment of this vital legislation and has eloquently outlined the need for the authorization of this vital project.

The growth and prosperity of Nevada and the entire Southwest is irrevocably tied to adequate water development. There is no doubt in my mind that the Congress realizes the critical need to move and move rapidly to meet the Nation's demand for water for the future.

This was illustrated just yesterday, Mr. President, when the Senate gave its wholehearted support to the passage of S. 24 to greatly increase the commitment of this Nation to accelerated research in the field of desalinization. I feel that a massive effort to advance desalting technology, the support of the Congress for various water development projects such as the project now before the Senate, and programs to finance research in weather modifications will help alleviate the water shortage problems that will face this Nation in the very near future.

The southern Nevada water supply project is designed to meet the very immediate needs of southern Nevada and on its passage rest the aspirations of an area of my State in which nearly 50 percent of the population resides.

All costs would be allocated to municipal and industrial water users and would be reimbursable by the beneficiaries over a 50-year period. It is important to point out, Mr. President, that the project has a first-stage benefit-cost ratio of 1.5 to 1, and a favorable ratio of 1.6 to 1 for the ultimate phase.

There is a critical water supply problem in southern Nevada and the southern Nevada water supply project is vital to protect and conserve the dwindling ground water resources of Clark County and to provide a sure additional supply of water to serve one of the fastest growing areas in the United States. In less than 15 years the population of southern Nevada has grown from approximately 50,000 to more than a quarter of a million, and it is expected that nearly 1 million persons will reside in southern Nevada by the year 2000.

Thousands upon thousands of persons have invested their lives and fortunes in southern Nevada and they need—and must have—water if they are to survive and continue to prosper.

It is important to point out, Mr. President, that authorization and construction of the southern Nevada water supply project will in no way interfere with the orderly plans for other water development projects in the arid Southwestern States. Financially and technically, the southern Nevada water supply project has independence and feasibility.

The project enjoys the support of all interested parties in the State—the Governor, the congressional delegation, and all municipalities and city groups located in the area.

The Nevada State Legislature recently designated the Colorado River Commission of Nevada as the State agency to contract with the Federal Government for the repayment of project costs and to operate and maintain the project after construction.

If adequate water supplies are not developed for southern Nevada in the very near future, there will be grave damage to our economy and our underground water supplies. Southern Nevada has reached the point in its development where the underground artesian basin can no longer support its population, its industry, and the large Government installations which have invested so heavily in the area.

The Senate Interior Committee recognized the critical need for this project by acting with speed and vigor and reported the bill with very minor amendments.

The bill enjoys widespread support. The project is needed; it is timely and reasonable; and it does not interfere with the larger plan for the Southwest.

Its passage is absolutely mandatory for the survival, growth, and prosperity of the people of southern Nevada and I ask the support of the Senate in making the dreams of full water resources for southern Nevada a reality.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 32) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BIBLE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STATE DEPARTMENT ADVICE RELATIVE TO AMERICAN STUDENT INFORMATION SERVICE

Mr. SPARKMAN. Mr. President, last summer, one of my young constituents, a college student, had an unhappy experience with a Luxembourg-based organization known as the American Student Information Service. In looking into her complaint, I obtained information which may be helpful to other American students who may contemplate employment of the type which she obtained last summer in Europe. The State Department has prepared a form letter in response to many inquiries it has received concerning the activities of ASIS.

I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of State,
Bureau of Educational and Cultural Affairs.

Dear ——: Thank you for your recent communication about the American Student Information Service (ASIS). The Department of State has received numerous inquiries concerning the activities of this organization.

ASIS was established in Luxembourg in 1961 after having operated from Denmark and, subsequently, Germany. It is a private organization with no U.S. Government connections. To the best of our knowledge, ASIS is not organized under the laws of any American jurisdiction, although it is our understanding that the two principal officers are Americans. Most students traveling to Europe under ASIS auspices find employment in countries other than Luxembourg.

The American Embassy in Luxembourg reports that it has received numerous complaints about the organization from students. On several occasions the Embassy has tried on the students' behalf to discuss these complaints with the directors of ASIS but has found the latter to be "totally uncooperative." In view of this situation, the Department cannot recommend that American students participate in the ASIS program.

For information on summer employment, travel, or study programs abroad, you may wish to write to well-established, nonprofit agencies such as the Institute of International Education, 800 Second Avenue, New York, N.Y., 10017, or the Experiment in International Living, Putney, Vt. Our information indicates, however, that the majority of temporary job opportunities overseas call for volunteer service rather than for paid employment.

We enclose a copy of "Opportunities for Summer Employment Abroad," which suggests additional sources that may be helpful.

Sincerely yours,
Hugh B. Sutherland,
Director, Public Information and Reports Staff.

SMALL BUSINESS VICTORY

Mr. SPARKMAN. Mr. President, Mr. George J. Burger, vice president of the National Federation of Independent Business, issued a statement with reference to a recent Supreme Court ruling which is of considerable interest to small business. I ask unanimous consent that it may be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

George J. Burger, vice president, National Federation of Independent Business, today hailed the decision of the U.S. Supreme Court in sustaining the decision of the Seventh Circuit Court of Appeals, Chicago, Ill., April 24, 1964, in the *Federal Trade Commission* v. *Goodyear-Atlantic Refining* case as a signal victory for small business.

The Court held the Federal Trade Commission has found an agreement between Atlantic Refining and Goodyear Tire & Rubber Co. under which the former sponsors the sale of tires, batteries, and accessory products of the latter to the wholesale outlets and retail tire service dealers is an unfair method of competition in violation of the Federal Trade Commission Act.

This action of the Supreme Court, Burger stated, will free the Nation's 300,000 independent service station operators to purchase their tire, battery, and accessory products from suppliers of their own choice on a competitive price-quality basis.

He further advised these rubber company-oil company tie-in arrangements were first exposed in Senate Small Business Committee print No. 3, 1941, on facts presented by Mr. Burger to the committee.

This June 1 Supreme Court decision may well be looked upon as one of the most important actions under the antitrust laws in a quarter of a century, as it will apply to small business of this Nation.

"MORAL NEUTRALISM" AND THE WAR IN VIETNAM

Mr. DODD. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER (Mr. Tydings in the chair). Without objection, it is so ordered.

Mr. DODD. Mr. President, the chairman of the Foreign Relations Committee made a significant and widely reported speech in the Senate Wednesday on our Vietnam policy.

I regret that I was not on the floor at the time he made the speech.

I did not know that he was planning to make the statement; otherwise I would have adjusted my schedule in a manner that would have permitted my presence.

I am in wholehearted accord with many of the points made by the chairman in his statement. But there are portions of his statement which I found confusing and contradictory and dangerous in their implications.

The Senator from Arkansas spoke for all of us when he said that he was opposed to an unconditional American withdrawal from South Vietnam. He said:

> Such action would betray our obligation to people we have promised to defend * * * would weaken or destroy the credibility of American guarantees to other countries * * * and would encourage the view in Peiping and elsewhere, that guerrilla wars supported from the outside are a relatively safe and inexpensive way of expanding Communist power.

I commend the Senator from this cogent statement on the consequences of an unconditional American withdrawal.

The chairman of the Foreign Relations Committee also performed a distinct service in reviewing the many efforts that have been made to persuade Peiping and Hanoi to come to the conference table in an effort to terminate the fighting in South Vietnam. He dealt frankly with the stubborn Communist rejection of all the approaches that have thus far been made to them. He stated—and I am in complete accord with this statement—that, despite the rebuffs we have suffered, we must be patient and persistent in our efforts to bring about a negotiated settlement.

All this is to the good.

But there are portions of the Senator's speech which, as I have already indicated, trouble me deeply because they appear to contradict the intent of the several passages to which I have already referred.

The Senator from Arkansas, for example, said that we encouraged President Diem "to violate certain provisions of the Geneva accords of 1954." And at a later point in this speech he urged a return to the Geneva accords, "not just in their essentials, but in all their specifications."

I have the distinct impression—and I believe the Senator from Arkansas will confirm this—that the portion of the Geneva agreement to which he was referring above all was that clause which called for the holding of free nationwide elections in 1956.

It is completely true that President Diem refused to go through with nationwide elections in 1956, and that we implicitly supported him in the stand he took.

But he refused to go through with these elections for the perfectly valid reason that the Communists had set up a totalitarian police state in the northern part of the country, that there had been no freedom of press or expression or political organization north of the 17th parallel since the control of the area was surrendered to Ho Chi Minh, and that the Communists had been guilty of basic violations of human freedom and of the spirit of the Geneva accord which made it senseless to talk about "free nationwide elections."

This is a point that cannot be emphasized too much.

By way of establishing the facts for the record, I want to quote from a column by Max Lerner in the New York Post on January 24, 1955, written after an interview with President Diem:

> Southern Vietnam will take part in the meeting to be held in June to discuss preparations for the 1956 elections.
>
> Southern Vietnam, since it protested the Geneva agreement when it was made, does not consider itself a party to that agreement, nor bound by it.
>
> In any event, the clauses providing for the 1956 elections are extremely vague. But at one point they are clear—in stipulating that the elections are to be free. Everything will now depend on how free elections are defined. The President said he would wait to see whether the conditions of freedom would exist in North Vietnam at the time scheduled for the elections. He asked what would be the good of an impartial counting of votes if the voting has been preceded in North Vietnam by a campaign of ruthless propaganda and terrorism on the part of a police state.

The scope and the degree of the totalitarian terror instituted by the Communist regime in North Vietnam from the day that it was established in 1954, can be documented from many sources. Among other things, they can be documented from the official Communist press itself.

Thus, General Vo Nguyen Giap, the North Vietnamese military commander and the military genius behind the Vietcong insurrection, made a statement, remarkable in its candor, to the 10th Congress of the Communist Party Central Committee in October 1956. Let me quote a few excerpts from General Giap's statement as it was printed in the official publication, Nhan Dan, on October 31, 1956:

> While carrying out their antifeudal task, our cadres have underestimated or, worse still, have denied all antiimperialist achievements, and have separated the land reform and the revolution. Worse of all, in some areas they have even made the two mutually exclusive.
>
> We have failed to realize the necessity of uniting with the middle-level peasants, and we should have concluded some form of alliance with the rich peasants, whom we treated in the same manner as the landlords.
>
> We attacked the landowning families indiscriminately, according no consideration to those who had served the revolution and to those families with sons in the army. We showed no indulgence toward landlords who participated in the resistance, treating their children in the same way as we treated the children of other landlords.
>
> We made too many deviations and executed too many honest people. We attacked on too large a front and, seeing enemies everywhere, resorted to terror, which became far too widespread.
>
> Whilst carrying out our land reform program we failed to respect the principles of freedom of faith and worship in many areas.

General Giap's admissions take on all the more significance when it is realized that the date on which he made the statement coincides roughly with the date of the "free nationwide elections" called for by the Geneva Convention.

I think—I hope—the Senator from Arkansas would agree that it makes no sense to talk about free nationwide elections in a country that has been cut in two when one portion of the country has been governed by a merciless dictatorial regime for several years.

I think he would agree that such an election could only be held if certain basic preconditions were met, including complete freedom of press and political organization, in both parts of the country, for a period of at least 1 year before the election; and also including a provision that the elections should be held under the auspices and control of some international body like the United Nations.

I hope he does not mean that Diem erred in not going through with the elections despite the political terror in the north, because it is clear as A B C that such an election could only have resulted in turning over the entire country to communism.

Let me point out here that at the Geneva Conference of 1954 the U.S. delegation at one point came out for free elections in North Vietnam under U.N. supervision, and that it was partly because of the rejection of this proposal that the United States decided against becoming a signatory to the Geneva accord.

In another portion of his statement the Senator from Arkansas said:

> It may be that the major lesson of this tragic conflict will be a new appreciation of the power of nationalism in southeast Asia and, indeed, in all of the world's emerging nations.

And he went on to say that "largely in consequences of our own errors, the nationalist movement in Vietnam became associated with and largely subordinate to the Communist movement."

To suggest, as this clearly does, that the Vietcong movement is a nationalist movement is to completely twist the the facts.

No one in Vietnam believes the charge that Americans have now come to their country in large numbers and are sacrificing their lives in its defense, because the U.S. plans to impose some kind of neocolonial regime on South Vietnam, for the purpose of exploiting its people and its resources.

On the contrary, the overwhelming majority of the people of South Vietnam look upon the Vietcong movement as an instrument of terror and oppression, seeking to subjugate them to the new imperialism of Peiping and Hanoi.

The true nationalists in South Vietnam are fighting on the side of the Government. They know that we have intervened at the request of the Government, and that our only purpose there is to help them defend their freedom against the antinationalist forces of the Vietcong.

But the portion of the Senator's speech which disturbed me the most was a paragraph which seemed to blur and confuse the truly fundamental moral differences between our side and the Vietcong, between freedom and communism.

I want to quote this paragraph to the Senate so that no one will be able to argue that I have pulled words or sentences out of context in my remarks:

> A great nation--

Said the Senator—

> is one which is capable of looking beyond its own view of the world, of recognizing that, however convinced it may be of the beneficence of its own role and aims, other nations may be equally persuaded of their benevolence and good intent. It is a mark of both greatness and maturity when a nation like the United States, without abandoning its convictions and commitments, is capable at the same time of acknowledging that there may be some merit and even good intent in the views and aims of its adversaries.

I am for seeking a negotiated settlement to the Vietnam war.

But I do not concede the Senator's contention that "there may be some merit and even good intent in the views and aims of our adversaries."

I consider communism to be one of the most totally evil regimes ever devised by man for the subjugation of his fellow man—a regime whose utter amorality and disregard for human life has perhaps only been equaled by the Nazi regime in Germany.

The Fascist regime in prewar Italy made the trains run on time. But I was never prepared to concede any merit or evidence of good intent to the Mussolini dictatorship because of this accomplishment.

Nor was I ever prepared to concede any merit or evidence of good intent to the Nazi regime in Germany because it succeeded in eliminating unemployment, building some working-class houses, and producing a prototype of the modern Volkswagon.

Despite their purely mechanical accomplishments, the Nazi and Fascist regimes were evil in terms of every meaningful criterion. They were evil because of their total denial of human freedom, because of their complete disregard for human life, and because they were committed from the outset to the course of aggression.

In the same way, I believe that communism, whether of the Soviet variety or the Chinese variety or any other variety, is evil by any meaningful criterion and that men of good will, once they have understood its nature, cannot remain morally neutral on the issue of Communist expansion.

I can see no merit in a regime which, whatever its mechanical or statistical accomplishments, has wiped out every vestige of human freedom, persecuted all religions alike, and sought to convert its subjects into brainwashed robots.

I can see no merit in a regime which has inflicted more suffering and cost more human life than all the wars of this century combined.

I can see no merit in a movement openly committed to the conquest of the world, which practices expansion through subversion, through stealth and through fraud, and through so-called "wars of national liberation."

I can see no merit in a regime whose terror has since the close of the war produced a flood of refugees—in Europe, in Asia and in the Americas—which by now must number some 15 million.

I can see no merit in a Vietcong movement organized and supported and directed by Hanoi and seeking to impose its dictatorship by means of a terror that has, since 1961, resulted in the assassination or kidnaping of more than 35,000 South Vietnamese civilians.

The refusal to recognize the fundamental moral differences between freedom and communism, this moral neutrality for lack of a better expression, is not a new phenomenon. It has existed in every decade since the Bolshevik Revolution, especially among the intellectuals and in the academic community.

Each generation has apparently been obliged to pass through its own period of illusion and disillusionment, of confusion and enlightenment. Thus, during the thirties, despite the Stalinist terror and the several millions who died during forced collectivization and the mass purge trials, some of the greatest writers and noblest spirits of our times were counted among the "friends of the Soviet Union."

One by one, they had to pass through their own private process of enlightenment, and the private ordeal of breaking with a thing in which they had believed profoundly.

To those who have forgotten the history of this period, I would recommend that they go back and read a dramatic book entitled "The God Who Failed," in which men of the stature of Arthur Kostler and Andre Gide and Ignazio Silone and Stephen Spender and many other prominent names in the world of letters, set forth the personal confessions of their experiences as "friends of the Soviet Union."

But perhaps the most eloquent and damning confession of all was written by a Jewish Lithuanian refugee, Dr. Julius Margolin, who had also regarded himself as a "friend of the Soviet Union"—until the Soviets occupied his country and deported scores of thousands of Lithuanians to slave labor camps in Siberia, and gave Dr. Margolin an opportunity to see the real Soviet Union—and not the phony Soviet Union that was shown to all the tourists who visited Moscow during the thirties and came away enraptured by what they saw and what they were told.

Dr. Margolin wrote:

> Until the fall of 1939, I had assumed a position of benevolent neutrality toward the U.S.S.R. * * * The last 7 years have made me a convinced and ardent foe of the Soviet system. I hate this system with all the strength of my heart and all the power of my mind. Everything I have seen there has filled me with horror and disgust which will last until the end of my days. I feel that the struggle against this system of slavery, terrorism, and cruelty which prevails there constitutes the primary obligation of every man in the world. Tolerance or support of such an international shame is not permissible for people who are on this side of the Soviet border and who live under normal conditions. * * *
>
> Millions of men are perishing in the camps of the Soviet Union. * * * Since they came into being, the Soviet camps have swallowed more people, have executed more victims, than all the other camps—Hitler's included—together; and this lethal engine continues to operate full blast.
>
> And those who in reply only shrug their shoulders and try to dismiss the issue with vague and meaningless generalities, I consider moral abetters and accomplices of banditry.

These are cogent words. But, as the case of Dr. Margolin points up, the tragedy is that each new generation of intellectuals appears to be incapable of learning from the experience of the preceding generation. Each generation has its quota of party members and fellow travelers—and a much greater quota of moral neutralists who are not supporters of communism or even friends of the Soviet Union, but who simply believe that we must be openminded—both about the bad points in our own society and about the good points in Communist society.

So, while we seek a settlement in Vietnam, let us be under no illusions about the nature of the enemy or about the cost, in terms of human life and human suffering, as well as in terms of our own security, if we should fail to hold the line against Communist expansion in South Vietnam.

Let us seek an agreement that will put an end to the fighting. But let us avoid any agreement where our principles are so compromised and the free Vietnamese so weakened that a Communist takeover at an early date is bound to emerge. Above all, let us avoid the trap of coalition governments, which led to disasters in all of the central European countries.

Such a solution might provide us with a formula which saves face for us very briefly. But on the day that it is realized that the formula was no more than a face-saving device, and that it had led, as it was foreordained to do, to a Communist takeover in South Vietnam "the credibility of American guarantees to other countries, would have been destroyed as effectively as an unconditional withdrawal would destroy it; our obligation to help the Vietnamese people defend their freedom would be construed as a sham; and Peiping could not help but be convinced that its so-called wars of national liberation are a relatively safe and inexpensive way of expanding Communist power."

The Senator from Arkansas has said that the situation demands "major concessions from both sides." I do not know whether he was suggesting the possibility of a coalition government. I hope he was not. But certainly his words carry the implication that we are being too stiff necked, that we are demanding too much and offering too little.

I challenge such a contention.

President Johnson has made the American position crystal clear. We seek no further expansion of the war.

We seek no territories and no bases and no realm of colonial exploitation.

We seek only the acceptance of one condition—that Peiping and Hanoi call off their aggression against the government and people of South Vietnam, that the fighting and killing stop, and that the South Vietnamese people be permitted to live their lives in peace and as they see fit.

In return, we have offered to include North Vietnam within the scope of the multi-billion-dollar Mekong River development program, with the untold benefits that it would bring to all the peoples of southeast Asia.

This, in my opinion, is a wise and reasonable posture.

Less than this we cannot ask for. More than this we cannot offer.

In closing, I again want to compliment the Senator from Arkansas on his forceful presentation of the case against complete withdrawal from Vietnam. Whatever criticism I may have made of certain parts of his statement which I considered unfortunate in their implications, I want to emphasize that we apparently see eye to eye, not only on the question of immediate withdrawal, but also on the need for continuing to seek a peaceful settlement of the war in Vietnam, despite the obdure which the Communists have thus far exhibited.

THE WAR IN VIETNAM

Mr. CLARK. Mr. President, the debate in Congress on Vietnam which is beginning to heat up shows signs of being the type of constructive, intelligent criticism that I hope can be useful to the executive branch.

In view of the comments made yesterday by the Senator from Oregon [Mr. MORSE] and the Senator from Virginia [Mr. ROBERTSON], and a minute or so ago by the Senator from Connecticut [Mr. DODD], I should like to make the following six points:

First, in my judgment, we must negotiate with the Vietcong. We shall never get peace without doing so. The way to do it is to tell Hanoi that it can bring to the negotiating table anybody it wants to, and that we will talk with whomever they bring. This inevitably will include representatives of the Vietcong.

Second, I agree with the Senator from Oregon and the Senator from Idaho [Mr. CHURCH] that we ought to look toward bringing the United Nations into the Vietnamese situation.

Third, the sooner we can get an international police force into Vietnam to maintain a cease fire and help to keep the peace, the better.

Fourth, I agree with the Senator from Arkansas [Mr. FULBRIGHT] that we should give serious consideration to returning to the 1954 Geneva accords and try to reinstate them.

Fifth, I agree with the Senator from Oregon that we cannot wait for Communist China. We must act without Communist China. She is not an enemy at the moment. Communist China has no military commitment in South Vietnam.

Sixth, the problem will not be solved by military measures. It will have to be done through diplomatic measures, hopefully with the aid of international institutions.

Having said that, I agree with the Senator from Arkansas that until we can bring the other side to the negotiating table, we shall have to stand fast on the ground. I do not want to escalate the war. I do no want to see the United States turn tail and run. I believe that a sound solution for the problem in Vietnam can be found.

Mr. President, I ask unanimous consent to have printed at the end of my remarks a column entitled "Whom We Support," written by Walter Lippmann, and published in the Washington Post for today, June 17. I am in complete accord with the position taken by Mr. Lippmann.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, one further item in connection with Vietnam gives me deep concern. It is an article entitled "Saigon Orders Profiteers and Terrorists Executed," written by Seymour Topping, and published in the New York Times of June 17. The article states that the new leadership committee which is running the South Vietnamese Government, has stated:

> Vietcong terrorists, corrupt officials, speculators, and blackmarketeers would be shot without trial if there was tangible proof of guilt.
>
> In the central marketplace of Saigon, soldiers erected sandbag emplacements that would permit firing squads to carry out public executions with maximum publicity.

This is Fascist, this is Communist, this is totalitarian action. I hope that Ambassador Taylor and our State Department will lodge the strongest possible protest against this barbaric action by the South Vietnamese Government and will indicate that unless it is promptly changed, we will withdraw our support.

Mr. President, I ask unanimous consent that the article to which I have referred may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAIGON ORDERS PROFITEERS AND TERRORISTS EXECUTED

(By Seymour Topping)

SAIGON, SOUTH VIETNAM, June 16.—The military rulers of South Vietnam imposed stringent measures on the population today to enforce discipline and curb war profiteering. Senior officers of the National Leadership Committee stated that Vietcong terrorists, corrupt officials, speculators, and blackmarketeers would be shot without trial if there was tangible proof of guilt.

In the central marketplace of Saigon, soldiers erected sandbag emplacements that would permit firing squads to carry out public executions with maximum publicity. Thousands of city residents and peasants in their conical hats milled about staring curiously at the sandbag walls.

As work progressed, a terrorist detonated a 10- to 20-pound explosive charge in the busy civilian passenger terminal at the Saigon Airport. A U.S. spokesman reported that 46 persons had been injured, including 34 American servicemen, but none seriously.

LABOR CAMP TO BE SET UP

Vietnamese officers said places of execution would also be set up in other centers of the country as reminders that the regime intended to act vigorously. A forced-labor camp for persons accused of lesser crimes against the state is also being opened, on Re Island, off the coast of Ruangngai Province.

The new measures reflect the feelings expressed by Maj. Gen. Nguyen Van Thieu, chairman of the 10-man leadership committee, which formally took power Monday, that a stern revolutionary regime is required to organize an effective national war effort against the Communists.

It was obvious that the measures were designed also to discourage political dissension or wavering if the military situation continues to deteriorate.

The militant Buddhist faction, small political groups in Saigon and students at Saigon University are already manifesting dissatisfaction with the restoration of military rule.

U.S. officals were uneasy about the tough line and by the reactions it might bring from volatile political factions.

TAYLOR CONFERS

Maxwell D. Taylor, the U.S. Ambassador, conferred at the Defense Ministry with General Thieu and Air Vice Marshal Nguyen Cao Ky, the Air Force commander, who has been designated by the leadership committee as the country's Commissioner General for Administration. The conference did not resolve the dispute over the committee's tentative nomination of Vice Marshal Ky as chairman of an executive council, a post that would make him, in effect, Premier in direct charge of the Government.

U.S. officials feel that the inexperienced 35-year-old officer would be a poor choice at this critical time.

The Buddhist faction, which would prefer a civilian executive council, is also blocking Vice Marshal Ky's appointment.

The Air Force commander stalked angrily out of the meeting with General Taylor and later, in conversation with friends, complained about the Ambassador's attitude.

Students at Saigon University have asked Vice Marshal Ky to speak at a meeting later this week to explain why it was necessary to reinstitute military rule after the resignation of the civilian Government of Premier Phan Huy Quat last Friday.

EXHIBIT 1

[From the Washington Post, June 17, 1965]

WHOM WE SUPPORT

(By Walter Lippmann)

Whether we are dealing with Vietnam, the Dominican Republic, or with the foreign-aid program in general, there is one common problem which is crucial and central for all the many things we are undertaking. It is to find governments that we can support which are reasonably honest, efficient, and progressive, and are trusted by their own people.

We are learning in Vietnam how difficult it is to defend a country in which there is no government which can rally its own people. We are learning in the Dominican Republic what happens when there is no recognizable legitimate government to receive our military backing and our economic help.

The same difficulty is at the root of the disappointment, which is so great in this country today, at the results of the foreign-aid programs. We are, to be sure, much more vividly conscious of spectacular incidents like the burning of a library, than we are of the quiet successes. Nonetheless, there are disappointments, so many of them that the Senate has now voted another installment of foreign aid with the proviso that there is to be a radical reexamination of the whole policy within the next 2 years.

Without attempting to guess what conclusions will be reached in these 2 years, it is already quite evident that trouble arises when aid is funneled through corrupt, reactionary, or highly incompetent governments. It is not easy to find enough good governments in all the emerging and underdeveloped countries, and, if we are philosophical about it, we must not be surprised at the difficulty of finding them. The condition is baffling, but that is a concomitant of inexperience and backwardness.

Moreover, American officials who have to administer the programs are frequently in a quandary. As a general rule the most impeccably anti-Communist governments are more often than not reactionary, stupid, and corrupt—as, for example, the Batista government in pre-Castro Cuba, or the Trujillo government in the Dominican Republic. On the other hand, the more progressively minded parties or factions include almost inevitably not only the left but the Communists on the left of the left. It takes a lot more acumen and political courage for an American official to back a progressive faction than it does for him to embrace a rightist faction. This dilemma confronts us continually in our role as champion of the free world in Asia, Latin America, and Africa.

Nevertheless, in the task of containing the expansion of communism there is no substitute for the building up of strong and viable states which command the respect of the mass of their people. The President, of course, knows this and has frequently said it. But the tragedy of our entanglement in Vietnam is that we find ourselves fighting what is in fact an American rear guard action to stave off the collapse and defeat of the Saigon government. In this cramped position, there is little opening or opportunity for us to use our power and our resources constructively in southeast Asia.

We may leave it to the historians to say how and why we are painted into a corner. Our task is to bring up our resources of power and wealth, which are intact, in order to cut down our unavoidable losses to the lowest possible cost in lives and in influence.

In our predicament it is a disservice, I think, to inflate and emotionalize the stakes in Vietnam, to make it appear that the whole future of America and of the western world in Asia and the Pacific is going to be fought out and decided in the Vietnamese jungle. It is not going to be decided there, and it is not going to be decided in any other single place. Thus, for example, we must prepare our minds even now for the possibility that Britain will not be able to carry much longer the whole burden of her responsibilities from Aden and the Persian Gulf through the Indian Ocean to Singapore. There looms ahead of us the prospect of having enormous new responsibilities thrust upon us, responsibilities which do not begin and will not end with our entanglement in Saigon.

That is why, though we cannot and must not scuttle and run, we must use our resources and our wits to avoid becoming bogged down in a large land war on the Asian mainland.

CHANGE OF TIME FOR CONSIDERATION OF DAUGHTERS OF AMERICAN REVOLUTION RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent to change the time for the beginning of the debate on the Daughters of American Revolution resolution from 1 o'clock to 12:30. The debate will then run from 12:30 until 1 o'clock, with the time to be equally divided between the Senator from Pennsylvania [Mr. CLARK], or whomever he may designate, and the chairman of the Committee on Rules and Administration [Mr. JORDAN of North Carolina].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I did not hear the complete statement by the majority leader. Is he now bringing up Senate Resolution 107?

Mr. MANSFIELD. No; it will be taken up at 12:30 p.m.

Mr. CLARK. I thank the majority leader.

MANN CREEK FEDERAL RECLAMATION PROJECT, IDAHO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of H.R. 6032, to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project. This is a companion bill to S. 1582, which passed the Senate yesterday.

I ask unanimous consent that H.R. 6032 be laid before the Senate and move its passage.

The PRESIDING OFFICER. Without objection, the Committee on Interior and Insular Affairs is discharged from the further consideration of H.R. 6032.

H.R. 6032 will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6032) to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of August 16, 1962; 76 Stat. 388).

The PRESIDING OFFICER. Without objection, the Senate will proceed to consider the bill.

The bill (H.R. 6032) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote by which S. 1582 was passed yesterday be reconsidered and that S. 1582 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the vote by which S. 1582 was passed is reconsidered; and, without objection, S. 1582 is indefinitely postponed.

COMMENT ON STATEMENT BY SENATOR FULBRIGHT ON VIETNAM

Mr. MANSFIELD. Mr. President, the distinguished chairman of the Foreign Relations Committee, Senator FULBRIGHT, spoke on Tuesday on the subject of Vietnam. His remarks constituted a most constructive contribution to the consideration of this critical issue and were in the best traditions of the Senate. With calmness and deliberativeness, he outlined the dimensions of the difficulties which exist in policy respecting Vietnam and the restoration of peace in that region. It will be, I am sure, of great help to the President and it is of great help to all of us in our understanding of this issue. The speech received very wide press coverage and editorial reaction, as it warranted.

I ask unanimous consent that several editorials commenting upon Senator FULBRIGHT's statement be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 17, 1965]

A LIMITED OBJECTIVE IN VIETNAM

Decisions in crises determine the direction of nations more often that the philosophies of tranquil times. But a clear course set in advance is essential, nevertheless, in the kind of crisis that now seems to be looming in Vietnam.

The Vietcong's annual monsoon offensive, sheltered against American airpower by intermittent cloud cover, is straining the fiber of the South Vietnamese Army this year and is leading to a further buildup in American forces to over 70,000 men.

As the ground war intensifies, as American as well as Vietnamese casualties rise, there will be inexorable pressure on Washington this summer to throw American troops into the ground battle in increasing numbers, a step-up that under present unfortunate circumstances appears inevitable. Before this typhoon begins to whip about our ears and, while the possibility of orderly debate still exists, it is essential for the Nation to discuss its true ends and the means that should be employed to serve them.

Senator FULBRIGHT has taken this discussion forward to a new clarity after a long conversation with the President. His views should be read by every American—and we hope they will be read abroad as an authoritative statement. The chairman of the Foreign Relations Committee argues cogently against both "unconditional withdrawal" from Vietnam or an attempt, through escalation, to achieve complete military victory attainable "only at a cost far exceeding the requirements of our interest and our honor"—a cost that could rise to include ground combat with the North Vietnamese Army and even "massive Chinese military intervention * * * or general nuclear war."

The American aim this summer, in Senator FULBRIGHT's view—a view which agrees closely with that often expounded on this page and over a period of many months—must be a "resolute but restrained" holding action. The hope is that the Communists will see the futility of trying to win military victory and will at length agree to a "negotiated settlement [necessarily] involving major concessions by both sides."

At a time when some military men and some Republican leaders, including Representative LAIRD, of Wisconsin, are returning to the Goldwater objective of total victory and calling for stepped-up bombing of North Vietnam, this restatement of aims is invaluable. The country and its allies abroad can only welcome Senator FULBRIGHT's assurance that the President remains committed to ending the war at the earliest possible time by negotiations without preconditions. As we have previously noted here, there can be no such thing as military victory in Vietnam by either side, except at a cost so fearful it would not be worth the price—and even then would not be a victory in anything but name.

Yet the continued American troop buildup in South Vietnam, which shortly will triple the forces that were there in March, makes it vital for the President to speak out publicly himself. In recent months there has been a kind of ambiguity in administration policy that seems to have won the President as much support among Goldwaterites as within his own party. Only the President can lay this concern to rest.

The issue has been crystallized by Mr. LAIRD, who claims that the country will accept the troop buildup in South Vietnam and the casualties that lie ahead only if the objective is total victory, not if the outcome is a negotiated settlement. It is our conviction that Congressman LAIRD has misjudged the temper of the Nation as badly as Senator Goldwater did last fall.

The country will support the Vietnamese effort only as long as it remains convinced that it is a limited effort aimed at limited objectives. It will not accept unconditional withdrawal. But neither will it pursue the will o' the wisp of unconditional surrender. As Senator FULBRIGHT pointed out, "We must continue to offer the Communists a reasonable and attractive alternative to [a] military victory" that neither we nor they can win.

[From the Philadelphia Inquirer, June 17, 1965]

THE RIDDLE OF VIETNAM

Senator FULBRIGHT's carefully worded address on American policy in South Vietnam, and Defense Secretary McNamara's announcement that about 20,000 more U.S. troops are being sent to that wartorn southeast Asian country, point up the enormity of the problems confronting the United States in trying to save the South Vietnamese from Communist conquest.

There is no easy solution to the puzzle, regardless of whether the emphasis in U.S. strategy is on negotiation or military action.

As Chairman FULBRIGHT, of the Senate Foreign Relations Committee, sees it, there is almost no likelihood of achieving a complete and unconditional military victory over the Communist guerrillas in South Vietnam—not because the United States lacks the resources to achieve such a victory but because the tremendous cost in American lives and resources would be out of all proportion to whatever gains could be won by insisting on total and absolute capitulation by the enemy.

The Senator also believes—and gives equal emphasis to the point—that unconditional withdrawal of U.S. forces from South Vietnam would have disastrous consequences.

His conclusion is that neither total victory nor unconditional surrender is in prospect for either side in Vietnam and the war therefore must be ended, sooner or later, by negotiated settlement which will need to involve concessions of some kind by both sides.

There is much logic to Senator FULBRIGHT's views. What he says, in his own fashion, is in line with what President Johnson has been trying to achieve for some time. The President has offered repeatedly to enter into negotiations without preconditions to achieve a settlement in Vietnam. He has extended to the Communists in North Vietnam an invitation to participate in a massive program of economic development aid.

Senator FULBRIGHT's use of the word "concessions" will arouse alarm among many Americans and may have been an unfortunate choice in semantics. Perhaps "mutual agreements" or "two-way bargaining" or some such term would be more appropriate. Call it what you will, it is obviously necessary for successful negotiations to include a giving up of something by one side or the other in exchange for each gain won at the conference table.

There can be no hope of getting negotiations started, however, unless U.S. military forces in southeast Asia are maintained at sufficient strength to prevent Communist conquest of South Vietnam by force of arms. The immediate and urgent need is to stop the Red offensive and convince the enemy that it has no choice but to negotiate. It is in recognition of this need that more U.S. troops are being sent to Vietnam.

[From the Baltimore (Md.) Sun, June 17, 1965]

FULBRIGHT CONTRIBUTES

Senator FULBRIGHT does not know the answer for Vietnam, and unlike some other Members of the Senate and the House he does not pretend to. But Mr. FULBRIGHT is in the true sense a thinking man. When he speaks, after carefully marshaling his thoughts, he always contributes something to a dialog or a debate. He did so, after a long public silence on Vietnam, in a Senate speech on Tuesday.

The gist of the address was that in Senator FULBRIGHT's opinion we must persist in our support of the South Vietamese Army, continuing our efforts to persuade the Communists that full military victory is unattainable; persist in our hope that such persuasion will lead to negotiation—despite the total absence so far of a sign on the other side of willingness to negotiate—and not escalate the war to the point of inviting such counterescalation as might threaten general explosion, a point which he believes may be very close.

Mr. FULBRIGHT praised President Johnson for "steadfastness and statesmanship," and "patience and restraint," in resisting pressures to expand the war still more. This, along with his statement that we must not desert the South Vietnamese Army, serves as strong support of the President's fundamental position. All the more because the Senator speaks not for the administration but for himself, it helps the President in his resistance to those on the one hand who demand American withdrawal and those on the other who seem eager to expand the war further, regardless of the dangers.

As to solutions, Mr. FULBRIGHT proposed as a general proposition that the United States might offer to base a solution on the Geneva accords of 1954, which divided the old Indo-China, and which have not been strictly honored by anybody. This might be a way, and it might not. Mr. FULBRIGHT is trying to think of all the possibilities, and this particular speech at this particular time should help many others try to think, too.

THE PROPOSED MEXICO-UNITED STATES SALINE WATER CONVERSION PROGRAM

Mr. MANSFIELD. Mr. President, the purpose of S. 24 is to provide for expansion and acceleration of this Government's program of research and development in the field of salt water conversion. This bill, passed by the Senate yesterday, will extend the authority for the research through 1972, and appropriate an additional $200 million to carry on our activities in this promising area.

The existing program has progressed to a stage where it shows promise of converting salt water to fresh water at a rate which will be economically competitive.

The adequate supply of fresh water is not only a national problem, it is a worldwide problem. This has been pointed up acutely in recent years. Especially in our great Southwest is there an awareness of the magnitude of the problem. The threatened loss of supply has worked a distinct hardship not only in the States of our country, but also in Mexico, our friend and neighbor as well.

It is my sincere hope that acceleration of our desalinization research program will contribute to relieving the strain brought about by water shortages. I can think of no better way to apply modern technology to peaceful and humanitarian purposes.

I note that the Republic of Mexico either has in operation, or is considering the construction, of four desalting projects. One of them, a small pilot project on the Gulf of California, marks a mutual effort between the University of Arizona and the University of Sonora. It is my hope that the benefits of the research resulting from this bill, and those resulting from the projects of the Republic of Mexico, can be shared for the mutual benefit of mankind.

I make this statement on the basis of conversations, conferences, and recommendations made at La Paz, Baja California, during the fifth reunion of the Mexico-United States Parliamentary Group.

At that reunion, the distinguished Senator from Arizona [Mr. FANNIN], the distinguished Senator from Vermont [Mr. AIKEN], and I made a suggestion that it might be a good idea to develop, on a cooperative basis, a Mexican-United States program in the desalinization of water. We know not only that it would be of great benefit to our own great Southwest, as well as other parts of the country, but also that, if a program of this nature could bring about a conversion of salt water to fresh water, and thereby irrigate more of our land and furnish more in the way of sustenance to our people, it would be a demonstration of real and needed friendship between our two great countries on a humanitarian basis.

Mr. President, I would hope, therefore, that the solid example set by our colleague, the Senator from Arizona [Mr. FANNIN] while he was Governor of Arizona, by means of which a cooperative water research project in the field of desalinization was undertaken between the University of Arizona and the University of Sonora, would be given proper attention by the appropriate agencies of our own Government—the Department of the Interior, the AEC, and others—to the end that we would be able to undertake, on an international, neighborly, friendly, and cooperative basis, mutual development in the field of desalinization.

This would be of extraordinary benefit to both our countries. It is the kind of program which I think should be given most serious consideration. I would hope that the administration would do what it could to further it.

Mr. FANNIN. Mr. President, I commend the distinguished majority leader for the work that he has been carrying on with the people of the Republic of Mexico.

The junior Senator from Maryland observed that he noticed, on his trip to the conference at La Paz, the love and affection shown by the Mexican people toward our distinguished majority leader.

This program is of worldwide importance. The passage of S. 24 is of importance because it indicates to the world our desire to help others help themselves.

Not only can we participate with Mexico in their program to the great benefit of all mankind, but we also can participate in programs with countries of the Middle East, and many other countries of the world.

This is a program that is unselfish. It is a program that is being carried forward by leaders such as our distinguished majority leader, the Senator from Montana [Mr. MANSFIELD].

I am very proud to have the opportunity to give the Senator from Montana the recognition which he justly deserves.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, on behalf of the distinguished Senator from Arizona [Mr. Fannin] and myself, that excerpts from the recommendations of the fifth meeting of the Mexican-United States Interparliamentary Group, covering this particular subject, be printed at this point in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP—REPORT OF THE SENATE DELEGATION ON THE FIFTH MEETING, HELD AT LA PAZ, MEXICO, FEBRUARY 1965

DESALINIZATION

The discussion generated by the problem of salinity in the Colorado River led the members of both delegations to consider appropriate measures to deal with the growing shortage of fresh water not only in Mexico and the United States but in many parts of the world.

The U.S. delegation recommended intensified cooperative efforts between the Governments of Mexico and the United States to engage in joint research in the field of desalinization. The U.S. delegates referred to the pilot project already underway sponsored jointly by the University of Sonora and the University of Arizona.

Such joint research activities, followed by the development of plants capable of producing usable water at low cost, would save time and money for both countries. It would provide another example of constructive collaboration in mutual problems and encourage joint research in other areas of common interest.

While the U.S. delegation is not able to commit its Government, it is prepared to urge upon its executive branch that highest priority be given to this proposal.

PROPOSAL FOR A SLIDING SCALE SYSTEM OF SUPPORT PAYMENTS TO WOOLGROWERS

Mr. MOSS. Mr. President, the Senate Committee on Argiculture and Forestry now has before it, in the new farm bill, a proposal from the Department of Agriculture for a sliding scale system of support payments to woolgrowers. This breaks with the system now in effect which provides for payments at a uniform level to all woolgrowers who are qualified, regardless of the size of their operation.

I strongly oppose the proposed new system of payments contained in the farm bill. The present system has worked well for 11 years and should be continued. Under the new proposal, payments per pound would be larger to the small producer than to the large producer. However, this would discriminate against the farmer or rancher who is wholly dependent on wool production for his livelihood, to the advantage of those who are only in the business on a part-time basis, and have other sources of income.

This was made very clear in an editorial appearing in the Wall Street Journal on Wednesday, June 16. I ask unanimous consent to have the editorial printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Wall Street Journal,
June 16, 1965]

A WOOLLY PROPOSAL

If we recall aright, some of the political science textbooks used to say that one characteristic of a good law or regulation is that it applies equally to all. Whatever they say today, it is plain there have grown up some laws—on taxes and housing, for instance—which do not treat everybody alike.

The anomaly apparently doesn't bother very many people any more, so perhaps it is to be expected that a peculiar program providing for a sliding scale of Government support payments to woolgrowers, proposed by Agriculture Secretary Freeman, doesn't seem to disturb many people either, other than farmers and sheep ranchers.

Now the whole costly price support system as presently administered is dubious, but the wool proposal pushes the support theory over the brink of absurdity. For the administration plans to make lower support payments to larger woolgrowers and higher payments to smaller growers. Thus a grower who markets more than 7,000 pounds would be paid between 53 and 66 cents per pound; the smaller grower who markets up to 2,000 pounds would get between 62 to 74 cents.

Possibly smarting under all the criticism that farm schemes up to now have mainly aided big operators, the planners presumably want their new proposal to aid chiefly small producers. But as so often is the case, it would only produce a new inequity. The highest support payments would go to 200,000 growers who produce less than 2,000 pounds a season, raising sheep as a sideline and getting most of their income from other farm output. The lowest would go to about 5,000 growers, mostly in the West, who produce more than 7,000 pounds and depend almost wholly upon wool for their livelihood.

Just this sort of confusion is all too common when the Government seeks to impose its own economic theories on producers by one means or another. And it can be corrected only if all are treated alike, under the workings of a free market system. Otherwise, it's not only the sheep who will keep on getting fleeced.

TAX CREDITS FOR HIGHER EDUCATION EXPENSES

Mr. RIBICOFF. Mr. President, on June 3, 1965, I inserted in the Congressional Record a letter and petition from the Student Council of Rutgers University.

I have received a letter from Mr. Mason W. Gross, president, Rutgers University, stating that the university takes the position of the National Association of State Universities and Land-Grant Colleges opposing S. 12, my proposal for tax credits for higher education expenses, because they feel strongly that the bill involves an expenditure of an enormous sum of money to accomplish very little for education. Mr. Gross does not support this bill, there was no implication intended in my statement that he did, and I want the Record to show that he, as president of the university, is opposed to the bill.

EAST-WEST CENTER, HONOLULU, HAWAII

Mr. INOUYE. Mr. President, more and more, the story of the East-West Center, Honolulu, Hawaii, is being heard throughout this country and overseas. Created by the U.S. Congress in 1959, the record compiled by the Center in helping people and winning friends in Asia and the Pacific is an impressive one. Asian and Pacific students, medical technicians, teachers, government specialists, and professors have studied at the Center together with their counterparts from the mainland United States and have taken back to their homelands an image and appreciation of America which will last for a considerable period of time.

But the Center is more than an institution, more than a program, more than an assemblage of impressive buildings supported by the U.S. Congress. It also is the story of dedicated individuals and administrators.

The story of one of them, Dr. Y. Baron Goto, vice chancellor of the Center's Institute of Technical Interchange, has been interestingly told by Bill Hosokawa in the Pacific Citizen of June 11.

I ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

FROM THE FRYING PAN

(By Bill Hosokawa)

HONOLULU, HAWAII, SOUTH PACIFIC.—In a few weeks a friendly, balding man with the intriguing name of Y. Baron Goto will climb into an airplane and fly to Guam. There he will take another plane for Lae, a tiny dot of an island in the vast Pacific There he will attend the sixth conference of the South Pacific Commission, representing the Government of the United States at a six-nation meeting to discuss ways of improving the well-being of the people of Pacific island territories.

Goto is no stranger to the exotic lands of the South Pacific and southeast Asia. He has been a welcome visitor off and on the beaten paths of these areas for nigh onto 15 years as a foreign aid consultant, agricultural expert, and more lately as vice chancellor for the Institute of Technical Interchange at the East-West Center in Honolulu. The South Pacific Commission is just one of his incidental activities.

Dr. Goto—the title is honorary; he never had time enough to complete his doctoral studies—holds forth in a breeze-swept corner office at the East-West Center, an institution of international education established by the Government of the United States in cooperation with the University of Hawaii. But he is not in his element shuffling paper. He would much rather be moving about, talking, doing, working with people.

He likes to take visitors out on the balcony outside his office for a bird's-eye view of the Japanese garden that is his particular pride. It is a tangible product of the technical interchange program. When the Center was being built he persuaded some 20 Japanese business firms to contribute $77,000 for the garden. With the money he hired three Japanese garden experts. Then he brought in nine landscape architects—five Americans, and one each from the Philippines, New Zealand, Australia, and Thailand—to work and study with the Japanese, learning not only the techniques of building, but the spiritual and esthetic essence of Japanese gardens.

The 12 men, artists all, worked together for 2 months, produced the beautiful garden, and then returned to their respective homes to share with others what they had learned. And what did the Japanese learn? The use of labor-saving machinery, such as portable cranes for moving heavy rocks, which enabled them to complete the work in one-third the expected time.

The Goto story—Baron Goto's father came to Hawaii before the turn of the century, returned to his native Fukuoka to marry. When Baron, whose Japanese name is Yasuo, was 7 months old, the Goto family moved back to plantation life in Hawaii. Thus Baron was technically an alien until he volunteered for military service in World War II and was given his citizenship.

On his first day in school the Caucasian teacher gave up trying to pronounce Yasuo, named him Baron after a Baron Goto who happened to have been newsworthy enough to be mentioned in the newspapers the previous day.

Goto, a plant pathologist and probably one of the world's leading experts on coffee growing, joined the Hawaiian agricultural extension service in 1928 and eventually headed the program. He was ticketed for the artillery in the war when wiser heads tapped him for the Japanese language school and military intelligence. He served in the Pentagon and after the surrender went to Japan with the strategic bombing survey.

Role for the Nisei: As American foreign aid consultant and adviser, Goto has traveled to Thailand, Laos, Indonesia, India, Pakistan, Nepal, New Guinea, Vietnam, Taiwan, and dozens of Pacific islands, showing people how to live better through better agricultural methods.

Goto is convinced that Nisei scientists and technicians can do a better job than American of European extraction in these areas for the simple reason that the Nisei look like Asians.' There is no doubt that he is a shining example of what the Nisei can do for their country.

PISTOL CONTROL, PRINCE GEORGES COUNTY, MD.

Mr. TYDINGS. Mr. President, on June 1, the Prince Georges County, Md., Commissioners gave final approval to a pistol control ordinance which requires a 5-day delay after application for the purchase of a gun and a police check of the application. That law, which became effective yesterday, is the first of this kind to be passed by a Maryland county.

The Washington Post recently printed an editorial congratulating the Prince Georges County Commissioners. I would like to add my voice to those who congratulate the commissioners and I would urge my colleagues to consider early and rapid passage of Federal gun law legislation.

I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Waiting Period

In an effort to protect the lives of people living in Prince Georges County, the county commissioners have unanimously adopted an ordinance requiring a 5-day "cooling-off period" before anyone may purchase a handgun. This delay in delivery of a lethal weapon will make it possible for the police effectively to enforce a prohibition on the sale of guns to minors under 21, to persons previously convicted of crimes of violence, to drunkards, or to persons who have been confined for mental illness within 3 years prior to the purchase. It will also make it possible for someone who buys a gun for the purpose of killing himself or others to reflect and reconsider.

This simple, sensible ordinance will, of course, be frenetically denounced by the gun lobbyists, as a similar proposal for the District of Columbia is currently being denounced. Yet State's Attorney Arthur A. Marshall, Jr., who deserves great credit for bringing about adoption of the ordinance, said no more than the precise, literal truth when he pointed out that "the gun ordinance will in no way impair the right of the average, honest, law-abiding citizen, who is not emotionally disturbed, from obtaining a weapon for his own personal protection or for the protection of his property, nor would it limit those gun enthusiasts and collectors from obtaining the necessary weapon nor would it restrict the sportsman or the huntsman from obtaining a weapon of his choice."

The Prince Georges County ordinance will not be fully effective, to be sure, in the absence of a statewide ban on the indiscriminate sale of firearms to any homicidal maniac, hopped-up punk, or professional criminal who may want to have a gun; and it will be in large part nullified until the Federal Government puts a stop to the senseless mail-order gun business. Nevertheless, it will save a few lives. And it will stand as an example and as a healthy expression of commonsense to the rest of the country. Prince Georges County is entitled to thanks as well as to congratulations.

SENATE BILL 107, TO INCLUDE THE LINCOLN BACK COUNTRY IN THE WILDERNESS SYSTEM

Mr. McGOVERN. Mr. President, the May 1965 issue of the Defenders of Wildlife News, published by the Defenders of Wildlife, a national, nonprofit, educational organization, includes an article about a bill introduced by two Members of the Senate.

Under the heading "Conservationists Would Save Habitat of Endangered Species," the article deals with Senate bill 107, introduced by the junior Senator from Montana [Mr. Metcalf] for himself and our distinguished majority leader [Mr. Mansfield]. Their bill seeks to place the Lincoln back country in the wilderness system.

I commend this article to the attention of Senators, and ask unanimous consent that it be printed in the body of the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Conservationists Would Save Habitat of Endangered Species

Montana conservationists are attempting to perpetuate several endangered or vanishing species of wildlife by supporting a movement to preserve the wilderness-type habitat the animals require for survival, the Montana Wildlife Federation recently reported.

The federation said one area involved is the 250,000-acre roadless Lincoln back country Scapegoat Mountain region southeast of the Bob Marshall Wilderness. The area includes parts of the Helena, Lolo, and Lewis and Clark National Forests. The Forest Service has announced plans for multiple-use development of the area, including logging, roading, and providing facilities for mass recreation.

Among the endangered or vanishing species which inhabit the area are the grizzly bear, bighorn sheep, bald eagle, grayling, and westslope cutthroat trout, the conservation organization stated.

The federation, in conjunction with the Montana Fish and Game Department and other conservation authorities, has recommended that the area be retained in a "trail-type" status.

Toward accomplishing this objective, Senator Lee Metcalf, of Montana, introduced a bill, S. 107, in Congress January 6, 1965, to establish not to exceed 75,000 acres of the Lincoln back country as a wilderness area under the national wilderness preservation system. Senate Majority Leader Mike Mansfield cosponsored the measure.

The Montana Wildlife Federation has indicated support of the Metcalf bill and has also urged that the zones around Scapegoat Mountain be given equal consideration for wilderness protection.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

If not, morning business is closed.

PRINTING AS SENATE DOCUMENT OF ANNUAL REPORT OF DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senate resumed the consideration of the resolution (S. Res. 107) authorizing the printing of the 67th annual report of the National Society of the Daughters of the American Revolution as a Senate document.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, I yield myself 10 seconds.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 10 seconds.

Mr. CLARK. Mr. President, I send to the desk an amendment in the nature of a substitute and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. It is proposed to strike out all after the word *"Resolved"* and insert the following:

That the current annual reports of the Friendly Sons of St. Patrick, the English Speaking Union, the Sons of Italy, the Scots Wha Hai with Wallace Bled Society, the Benevolent and Protective Order of Elks, the International Order of Odd Fellows, the League of Women Voters, the American Association of University Women, the National Society of the Daughters of the American Revolution, the Girl Scouts of America, the Planned Parenthood-World Population Federation, the Americans for Democratic Action, the Ku Klux Klan, the American Legion, the Veterans of Foreign Wars, the National Association of Manufacturers, the United States Chamber of Commerce, the American Federation of Labor-Council of Industrial Organizations, the National Association for the Advancement of Colored People and the John Birch Society shall all be printed at Government expense, regardless of length or content; and

Resolved, further, That there is authorized to be appropriated for the current fiscal year such sums as may be necessary to carry into effect the provisions of this resolution.

The **PRESIDING OFFICER**. The hour of 12:30 having arrived, pursuant to the unanimous-consent agreement, the time between 12:30 and 1 o'clock will be equally divided between the Senator from North Carolina [Mr. JORDAN] and the Senator from Pennsylvania [Mr. CLARK].

Who yields time?

Mr. JORDAN of North Carolina. Mr. President, I yield myself such time as necessary to speak on this resolution very briefly.

Senate Resolution 107, reported favorably by the Committee on Rules and Administration, on May 19, 1965, would authorize the printing of the 67th Annual Report of the Daughters of the American Revolution as a Senate document. The copies of such document would go primarily to the depository libraries in all parts of the United States.

As the report by the Committee on Rules and Administration to accompany Senate Resolution 107 points out, the National Society of the Daughters of the American Revolution was incorporated by act of Congress on February 20, 1896, 29 Stat. 8–9, which act included the provision "that said society shall report annually to the Secretary of the Smithsonian Institution concerning its proceedings, and said Secretary shall communicate to Congress such portions thereof as he may deem of national interest and importance," but did not provide that such report be printed. When, in 1899, during the 55th Congress, the first report of the society was transmitted, as required by law, it was printed as a Senate document pursuant to a simple resolution agreed to by the Senate. All subsequent DAR reports, to date, have been printed as Senate documents under the same procedure.

In other words, in recommending approval of the present resolution, the Committee on Rules and Administration is following a practice of 66 years' standing.

I believe the DAR is unique among patriotic organizations incorporated by Congress since most of the others were chartered by statutes containing authority for the printing of their reports as public documents. The annual reports of the Boy Scouts and Girl Scouts, for example, are printed automatically as House documents.

A great many people did not know that.

The same is true of the proceedings of the national encampments—required reports to Congress—of the national veterans' organizations. In this respect, might I point out that by Public Law 88–224, agreed to on December 21, 1963, the Congress added the AMVETS—American Veterans of World War II—to the list of such organizations whose annual reports shall be printed without any further action by the Congress. Those whose reports were already authorized to be printed are as follows:

Grand Army of the Republic.

United Spanish War Veterans.

Veterans of Foreign Wars of the United States.

American Legion.

Military Order of the Purple Heart.

Veterans of World War of the United States of America, Inc.

The many contributions of the Daughters of the American Revolution in the historical, patriotic, and citizenship fields are well known and, I feel, acknowledged by even those Members of the Senate who have indicated they intend to oppose Senate Resolution 107. Consequently, I will not itemize those contributions, but I do ask unanimous consent to insert in the RECORD at this point the 1964 DAR fact sheet of activities conducted by that organization.

There being no objection, the fact sheet was ordered to be printed in the RECORD, as follows:

NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION FACT SHEET, 1964

The National Society, Daughters of the American Revolution was founded October 11, 1890, and incorporated by an act of the U.S. Congress in 1896. The national headquarters buildings in Washington cover an entire city block on beautiful 17th Street near the White House. The three adjoining structures—Memorial Continental Hall (1910), Constitution Hall (1929), and the administration building (1950), estimated total value $7 million—are the largest group of buildings in the world owned and maintained exclusively by women.

The president general and 11 cabinet officers, elected for 3-year terms, direct the business affairs of the society. Elected national officers, including 21 vice presidents general (7 elected at large annually for a 3-year term), meet at national headquarters six times a year—February, twice in April, June, October, and December. The annual meeting of the national society is the continental congress held in Washington during the week of April 19 (anniversary of Battle of Lexington) and attended by approximately 4,000 officers and delegates.

The membership of approximately 185,000 in nearly 3,000 chapters is distributed throughout 50 States and the District of Columbia, and includes overseas chapters in England, France, Puerto Rico, Mexico, the Canal Zone, and Cuba.

The society functions through 24 national and a number of special and standing committees to further its threefold objectives: historic preservation, promotion of education, and patriotic endeavor.

NATIONAL COMMITTEES, 24

I. Historical

To perpetuate the memory and spirit of the men and women who achieved American independence.

DAR Museum: Predominant Americana items number over 10,000 with 28 period rooms predating 1830. Open to the public.

Genealogical records: Purpose and valuable contribution: to secure and index unpublished genealogical material.

Lineage research: Created 1961: Free service to help potential members with application papers.

II. Education

To promote, as an object of primary importance, institutions for the general diffusion of knowledge.

American heritage: Created 1963: to aid and encourage the preservation of our rich American heritage in the fields of art, crafts, drama, literature, and music.

American Indians: Contributions and scholarships primarily to St. Mary's School for Indian Girls and to Bacone Indian College.

Children of the American Revolution: A national society of 18,000 boys and girls providing patriotic education and leadership of qualified youth in support, and appreciation, of American ideals.

DAR good citizens: Citizenship training: $1,000 national annual scholarship award to winning senior high school girl for outstanding dependability, service, leadership, and patriotism. State award, $100 bond.

DAR school: NSDAR owns two schools, Tamassee and Kate Duncan Smith; aids seven others. Contributes annually approximately $200,000; total to date approximates $5 million.

Junior American citizens: Excellent citizenship training program. Open to all boys and girls from kindergarten through high school.

Student loan and scholarship: Available through National, States, and chapters. In 1963, 500 students received over $475,000.

III. Patriotic

To cherish, maintain, and extend the institutions of American freedom: To foster true patriotism and love of country.

American music: Promotes American music through knowledge of American composers and encourages talented youth. Stresses American Music Week.

Americanism and DAR Manual for Citizenship: In 1913, the DAR founded the only Americanization School, in Washington, D.C. Has donated free over 9 million Manuals for Citizenship to immigrants.

Conservation: Authorized in 1909, stresses preservation of natural resources as an economic safeguard.

National defense: Basic purpose: Preservation of constitutional republic. Publishes documented material for information of members. Provides much free material upon request to students. Promotes observation of Constitution Week. Awarded 3,980 Good Citizenship Medals in 1963.

Flag of the United States of America: Teaches love and respect for, promotes knowledge and history of, our flag. Presents innumberable flags to youth organizations, playgrounds, and public buildings. In 1963, gave 35,000 flag codes and 50,000 flags, a gain of 24,000 flags over 1962.

IV. Administrative, executive, functional, organizational committees

DAR magazine: Official publication since 1892. Subscription (10 copies per year), $2.

Junior membership: Ages 18 through 35; in 1963, juniors numbered over 35 percent of the better than 7,500 members admitted and reinstated.

Program: Furthers NSDAR objectives: Promotion of education, historic preservation, and patriotic endeavor.

DAR magazine advertising: Many States and chapters advertise historic and educational shrines and locations.

Membership: Lifeblood of the NSDAR. In 1963, over 7,100 new and 650 reinstated.

Public relations: Tells the full DAR story. "Citizen, U.S.A.," a public service radio series, released February 1964.

Honor roll: Serves as a guide for chapter work.

Motion picture: Service committee; guide for youth entertainment.

Transportation: Traffic safety and promotion of historic pilgrimages.

V. Special committees

American History Month (February): Chapters overseas, Clearinghouse, Congressional.[1]

Constitutional Week (Sept. 17–23): DAR handbook, DAR school survey, Insignia.[1]

Museum special events, program reviewing, revision of bylaws.

VI. Standing committees

Auditing, buildings and grounds, finance, personnel, printing. Resolutions: Once adopted become the policy of the National Society.

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[1] Celebration initiated by the DAR.

FOCUS ON ACTIVITIES

Of interest from the past

During the Spanish American War in 1898, the NSDAR established a hospital corps to recruit nurses for service; this became the nucleus of the Army Nurse Corps. Since then DAR members have contributed millions of dollars to patriotic activities: War bonds, Red Cross, war orphans, and the restoration of the waterworks of the destroyed French village Tillolov. National chapter and member endeavors in education have totaled nearly $5 million. The largest single undertaking was the Memorial Bell Tower at Valley Forge, Pa. Another outstanding project was erection of the Madonna of the Trail statues marking America's trek westward.

Current items, this administration, 1962

It would seem highly desirable to call attention to the following: The successful 1962–64 museum special event series; the improvement in the magazine format; the increase in the annual Good Citizens Award to $1,000; the gain in junior membership, in 1963 more than 35 percent of members admitted and reinstated; the NSDAR library expansion project, renovation of balcony section to afford greater reading area and accommodate the 50,000 books and pamphlets; the presentation of the flag of the United States of America at the 1964 World's Fair, on "DAR Day," April 25 in New York.

Mr. JORDAN of North Carolina. Mr. President, it would appear that recent objections to printing the DAR reports as congressional documents were based primarily on the nature of certain resolutions which the organization adopted at its annual meeting. In all instances the organization expressed its sincere views on matters which it considered of vital concern to the Nation. Opposition to certain positions taken by the DAR would be a weak and undemocratic reason indeed to cancel a privilege enjoyed by many other organizations, which sometimes express pretty strong views themselves on a variety of subjects.

Mr. President, I urge that the Senate agree to the resolution.

I yield 5 minutes to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, will the Senator yield first to the proponent of the amendment?

Mr. CLARK. Mr. President, I am using my own time.

Mr. SCOTT. Mr. President, will the Senator from Pennsylvania yield himself time?

Mr. CLARK. No. My colleague from Pennsylvania supports the resolution. Therefore, why should I yield time to him?

Mr. SCOTT. No; I was asking if he wished to precede me.

Mr. CLARK. No.

Mr. JORDAN of North Carolina. I yield 5 minutes to the Senator from Pennsylvania [Mr. SCOTT].

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Mr. President, this move to avoid printing a document involving about $2,500 is not what it appears to be on its face. What is actually involved here is an ideological and political activity which is masked as opposition to the printing of the DAR report for the 67th time. This report has been printed since 1889. It costs little or nothing.

Frankly, if the attempt to prevent printing is successful, I will introduce the entire report into the body of the RECORD, and the cost of printing 1,500 copies will not be very great, and the DAR will have its report.

What is really involved is a certain amount of activity outside the Congress on the part of far liberal leftwingers effort to mock some of the activities of the Daughters of the American Revolution, who, in turn, somewhat at times to my dismay, have heard speakers from the far right. While I do not agree with many of their choices of speakers—indeed, I am appalled by some of the doctrines espoused by some Americans who have served as speakers—I am even more appalled at the liberalism of the left which would seek to gag speakers who happen to agree with them on the other side.

While I do not agree with all they say, I am here to defend their right to say it, their right to be heard for the 67th time, their right to have their proceedings reported.

Let us understand that this is no move to save the country $2,500, because the move is generated by my friend and senior colleague, who has never been motivated to saving the country anything before now.

The move is, however, to enable those who wish at meetings of the far left to proceed in mockery of the distinguished ladies of the DAR, or the Un-American Activities Committee, or other rightwing speakers whom these deluded, in their opinion, ladies invite.

I do not like the views of some of the speakers any more than they do, but what I like less is the move generated from the far left to see that speakers who address the DAR are not allowed to have their reports circulated at the same time that every sort of document which the mind of a Senator or a Member of the other body can conceive of is printed in 25,000 to 50,000 copies and perpetrated on a thoroughly apathetic public who have no interest whatever in reading the habits of a cutworm, or a study involving the sex problems of watermelons—and there is such a document——

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. SCOTT. I will yield on the Senator's time.

Mr. CLARK. I yield myself 15 seconds. Does the Senator from Pennsylvania appreciate what the pending amendment would do?

Mr. SCOTT. I realize indeed what the pending amendment is, and that is why I am so anxious to expose it. The Senator, by an argumentum ad ridiculuum proposes an amendment to print the reports of practically every organization in the country, hoping that by——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SCOTT. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

Mr. JORDAN of North Carolina. Mr. President, I yield 2 additional minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Pennsylvania is recognized for 2 additional minutes.

Mr. SCOTT. The Senator is hoping that by such a snowfall of documents he will be able to perform a "snow job" on the report of the Rules Committee. I am against the Senator's motion to print the document of the John Birch Society, and to print the documents of other organizations, and that the reports be printed and incorporated under the laws of Congress, for the most part. It is not manifest to this Congress and was not considered by the Rules Committee. There is involved only $2,557 with which the Daughters of the American Revolution would like their report printed for the 67th time.

I do not believe that this move should be taken to keep these ladies from having their reports disseminated, merely because someone wishes to join in the general mockery of a patriotic organization. I would rather take my side along with the various patriotic organizations of this country, even though I believe that some of them do, at times, tolerate speeches of the kind of far conservatism which I myself do not accept. However, their right to be heard, and their right to continue printing, I believe, should be preserved.

Therefore, I oppose the amendment of my senior colleague, which I believe to be ill considered, ill advised, ridiculous, and otherwise not worthy of the consideration of the Senate.

Mr. JORDAN of North Carolina. Mr. President, how much time have I left?

The PRESIDING OFFICER. Four minutes remain to the Senator from North Carolina.

Mr. JORDAN of North Carolina. I yield 1 minute to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 minute.

Mr. LAUSCHE. Mr. President, I contemplate following the recommendation of the committee on this resolution. I merely wish to point out the folly that sometimes seems to prevail and dominate the Senate in its consideration of certain measures which come before it.

Approximately 10 days ago, the Senate passed a $18.5 billion bill in 22½ minutes without any changes in the amount.

At the present moment, we have an item of $2,557 and the Senate is going to have a yea-and-nay vote upon it. I do not know how much time has already been spent in debate.

Mr. CLARK. If the Senator will yield, what makes the Senator believe that I have asked for a yea-and-nay vote?

Mr. LAUSCHE. I have only 1 minute to speak.

This is the finest example of the operation of the Parkinson Law—22½ minutes to spend $18.5 billion, and hours to get approval to spend $2,557.

Mr. CLARK. Mr. President, will the Senator from Ohio yield, on my own time, for a question?

What makes the Senator think that we are going to have a yea-and-nay vote?

Mr. LAUSCHE. I have been told that there would be a yea-and-nay vote set for 1:30 p.m. It is ridiculous. We cannot justify 100 Senators spending hours on this kind of item when, as I say, we spent 22½ minutes to pass an $18.5 billion bill 2 weeks ago.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield me a minute?

Mr. CLARK. I yield.

Mr. MANSFIELD. Let me say to the Senator that the only agreement made was that the Senate would vote at 1 o'clock.

Mr. CLARK. I have not the slightest intention of asking for a yea-and-nay vote. The Senator from Ohio is entirely in error in that regard.

Mr. LAUSCHE. It has been assigned a dignity and character never before given to any measure since I came to the Senate. A special notice was sent out that on this $2,577 item all Senators were notified that there would be a vote at 1:30. Never before has this happened in my 8 years in the Senate.

The PRESIDING OFFICER. All this time is taken from the time of the Senator from Pennsylvania.

Mr. CLARK. I yielded myself 15 seconds, Mr. President, merely to ask the Senator from Ohio a question. He went on from there.

The PRESIDING OFFICER. The Chair has taken it out of the time of the Senator from Pennsylvania. The Chair puts that interpretation upon it as to who was yielding time.

Mrs. NEUBERGER. Mr. President——

Mr. CLARK. Mr. President, how much time does the Senator from Oregon require?

Mrs. NEUBERGER. Five minutes.

Mr. CLARK. Mr. President, I yield 5 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mrs. NEUBERGER. Mr. President, on the subject before us, of the printing of the DAR report, I find it necessary to respond to the junior Senator from Pennsylvania, who made a great appeal that because the DAR report has been published at Government expense since 1889, we should not now refuse it.

I contend that we are not living in 1889, that many things we did then have been changed in the interim.

The Senator from Pennsylvania stated that we were trying to gag the DAR in publishing its report. We have no intention whatsoever of gagging them. They can go ahead and publish the report at their own expense. In fact, the DAR magazine spends $56,823 every year in publishing a monthly magazine. Consequently, they can well afford the additional $2,000 the Senate is now considering.

The point is not the money. The point is that this is giving the report the dignity of a Government imprimatur, which is a document we are all proud of, and which we are all delighted to have published with the great seal of the United States upon it.

Mr. President, I hold in my hand a copy of the report. I venture to say that Senators speaking in favor of the proposal have not read it as thoroughly as I have.

The first seven or eight pages are merely a repetition of each year's act of incorporation, and publicity for the present authors.

Inasmuch as I have been told, ever since I came to Congress, that this is a great patriotic document, I went through it completely to find out whether a schoolchild reading it would feel more impelled to be a loyal American citizen than he was before he read it.

What was patriotic about the document?

Let me pick it up at this point. I have made no notes, but will just pick out at random a few items, such as the report of the president general:

> In speaking of State conferences the president general would feel remiss if she did not pay a compliment to these outstanding, constructive meetings, and the inspiration and stimulation gained therefrom.

Mr. President, I continued to read, but found nothing to indicate what that inspiration and stimulation was.

The report of the first vice president general reads, in part:

> An enjoyable visit was made to the capital of Delaware to join the district daughters to make a historic tour of some of the fine old buildings.

Here is the report of the chaplain general:

> It was a pleasure to attend the session held by the DAR Museum Events Committee.

I am picking these items out at random, Mr. President. They are typical of the entire report. I went on and found that Douglas MacArthur was a great American so they sent him flowers during his last illness.

Finally, I thought that when I came to the treasurer general's report I would find that they were in dire circumstances, which was why the Government had to print the report.

Quite the opposite was the case as shown by a reading of the report of their income.

The report of the Registrar General states:

> Work has been progressing slowly on our microfilm project. Please label your contributions to this project very plainly "Registrar General microfilm fund."

The report of the historian general should have brought on——

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. CLARK. Mr. President, I yield 2 more minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mrs. NEUBERGER. The report states:

> To the continuing collection of the original signatures of our First Ladies, we are happy to add that of Lady Bird Johnson.

On and on and on in that vein goes the report.

It sounded to me much like the minutes of a meeting of my sorority, in which there is no more inspirational material than in what I have just read.

Now I come to the report of the individual States. Let me pick one out at random.

The report of the California State region states:

> Contributions to DAR schools amount to $4,983 in cash and $4,776 in clothing and gifts.

It continues on in similar vein. Here is the one on Massachusetts. I thought I had found some patriotic material, because they had an essay contest, which is a very noble thing for the DAR to sponsor, but nowhere are any of the essays printed to show why this was such a great contribution. I do not know what the Massachusetts children wrote their essays about, or what the DAR considered to be worthy.

In another place there were awards to good citizens, but what they had done to get the awards, I do not know.

This report is nothing more than the minutes of reports from various individuals in the DAR.

I try not to be destructive of the whole report; but I do find one item which I could commend.

That is the report of the conservation committee.

Mr. President, I do not deem this report worthy of Government printing.

Mr. CLARK. How much time have I remaining?

The PRESIDING OFFICER. The senior Senator from Pennsylvania has 7 minutes remaining.

Mr. CLARK. Mr. President, I yield 2 minutes to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, when I first noticed that this matter was before us, I was somewhat amused. I recalled, when the new national headquarters building of the Daughters of the American Revolution was being constructed, but not quite completed, the president of that organization, a rather well compressed lady, addressed the Daughters of the American Revolution, who were gathered here in Washington, and said, "I am awe inspired by these girdles all around me." She was, of course, referring to the girders of the building. I was quite amused.

Mr. President, I have in my hand a copy of what is proposed to be printed at Government expense. All this is proposed to be printed at Government expense, at a time when the distinguished senior Senator from Oklahoma [Mr. MONRONEY] is complaining about the high cost of printing the CONGRESSIONAL RECORD. I find a reference here to the State of Ohio, which is perhaps similar to references relating to other States.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. I yield 1 more minute to the Senator from Ohio.

Mr. YOUNG of Ohio. Here is a report of the part that the Ohio Daughters of the American Revolution have oversubscribed their project to renovate "a first-floor bathroom in the all-States dormitory at Tamasee" and the "sealing of the walls of the Heaume Teacherage," and so forth.

These are fair examples from this huge bundle of papers that I hold in my hand. There is no reason why this should be printed at Government expense. It is true that the articles of incorporation of the DAR require that the society make an annual report to the Secretary of the Smithsonian Institution. The Secretary, in turn, is required to advise Congress of any portions of the report which may be of national interest or importance. There is absolutely no requirement that taxpayers' money be used to print the report.

There is a great deal of drivel here of no national interest or importance whatever. We have an opportunity to vote against it and save the taxpayers the $2,557 that is involved. It has been the custom in the past to approve the printing of the DAR report without question, perhaps because it involved only $2,000 or $3,000. This manifests a disregard for fiscal responsibility. In the DAR report which I have here, it is stated that "a sound dollar and fiscal responsibility are reasons for continued national security and freedom."

Mr. President, we should reject this resolution and let the Daughters of the American Revolution know that the U.S. Senate is just as interested in fiscal responsibility as they are.

The ultraconservative ladies who control this organization have consistently opposed most beneficent legislation for the welfare of the American people. However, they do not object to an unconscionable waste of taxpayers' money on the absolutely unnecessary printing of their own annual report.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the Record at this point an excerpt from the committee report.

There being no objection, the excerpt from the committee report (No. 200) was ordered to be printed in the Record, as follows:

Report

[To accompany S. Res. 107]

The Committee on Rules and Administration, having considered an original resolution (S. Res. 107) to print as a Senate document the 67th Annual Report of the Daughters of the American Revolution (Mar. 1, 1963–Mar. 1, 1964), report favorably thereon and recommend that the resolution be agreed to by the Senate.

The printing-cost estimate, supplied by the Public Printer, is as follows:

To print as a Senate document (1,500 copies) $2,557

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the Record a copy of the resolutions of the 74th Continental Congress of the National Society of the Daughters of the American Revolution.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolutions Adopted by the 74th Continental Congress, National Society, Daughters of the American Revolution, April 19–23, 1965

REDEDICATION

Whereas for 75 years the National Society of the Daughters of the American Revolution has developed spiritual strength and grown in membership dedicated to the goal of the preservation of the republican form of government under the Constitution of the United States which guarantees to every citizen opportunity, justice, and freedom; and

Whereas through the society's educational, patriotic, and historical programs, a deeper love of country, and loyalty to its fundamental principles, and appreciation of American citizenship have been inculcated upon the hearts of thousands of children and adults:

Resolved, That, in this diamond jubilee year, the members of the Daughters of the American Revolution rededicate themselves to hold fast to those traditions and principles which have made this Nation great and, with steadfastness of purpose and undying faith in a free America under God, forge new links in the chain of our national strength with each generation.

PRESIDENTIAL PRAYER BREAKFAST

Whereas a strong belief in the divine providence of God and reliance upon His Power and will, invoked in prayer, inspired and sustained the founders in their effort to establish this "Nation under God"; and

Whereas the Presidential prayer breakfast held annually in Washington was inaugurated by leaders of the groups in the Senate and the House of Representatives of the Congress of the United States who meet weekly for prayer breakfasts:

Resolved, That the National Society, Daughters of the American Revolution, express to the President of the United States, Lyndon B. Johnson, as the leading participant in the annual Presidential prayer breakfast, to the leaders of the groups in the Senate and in the House of Representatives and to the Members of the Congress of the United States who meet weekly for prayer breakfasts, appreciation for this example of belief in the importance of spiritual values in the guidance of those upon whom rest the decisions for government of this great "one Nation under God."

AMERICAN HISTORY—TEXTBOOKS—PATRIOTIC EDUCATION

Whereas education is one of the principal objectives of the National Society, Daughters of the American Revolution; and

Whereas it is the duty of every citizen to know the principles upon which this Nation was founded: freedom, equality, justice, and humanity; a democracy in a republic; a government of the people, by the people, and for the people; and

Whereas J. Edgar Hoover has said that the battlefield for the minds of men may well be staged in the classrooms of the Nation; and

Whereas it is the responsibility of the adult population to concern itself with the education of youth and to screen the textbooks and pamphlets from which these children are taught; and

Whereas the preparation and the attitude of the teacher are essential factors in the educational system;

Resolved, That the members of the National Society, Daughters of the American Revolution, show such interest in the textbooks, pamphlets, visual aids, and other source material used in the classrooms as to be certain that there is, in the manner of presentation, a positive approach to stimulating a feeling of patriotism for our country;

Resolved, That the National Society, Daughters of the American Revolution, urge that the principles of the Founding Fathers and the political processes of our Government be reemphasized in all levels of education and be made a requisite in the preparation for the teaching profession.

LAW AND ORDER

Whereas during the past decade the United States has experienced an alarming increase in lawlessness of all kinds, especially crimes of violence against innocent and defenseless citizens; and

Whereas disrespect for authority and law enforcement is shown by the increase of assaults on police who, with rare exceptions, perform their duties courageously, effectively, and with disregard for their own safety; and

Whereas the maintenance of law and order is the most basic duty of Government; and

Whereas this alarming prevalence of crime is undermining values which Americans hold dear and which our Constitution and the Government were designed to protect and preserve; and

Whereas this situation can be and will be rectified only when an aroused citizenry determines to take action necessary to bring about a restoration of law and order;

Resolved, That the National Society, Daughters of the American Revolution, call upon all loyal and patriotic Americans to extend support and gratitude to law enforcement officers in their efforts to maintain law and order, and to pledge their unyielding efforts to restore domestic peace, that once again the people of the United States may enjoy the blessing of living in a society governed by just laws, enacted and interpreted in accordance with the Constitution, and which are impartially administered.

DISPLAY OF STATE FLAGS

Whereas the 10th amendment to the Constitution of the United States provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas the stars of the flag of the United States of America are symbols of the sovereignty of the 50 States; and

Whereas the State flags are a reminder of the status of individual States as separate, sovereign powers vested in the people; and

Whereas as stated by the Supreme Court, the preservation of the States and the maintenance of their governments are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the Federal Government:

Resolved, That the National Society, Daughters of the American Revolution, urge the members of the State societies to encourage State and local governments, as well as private individuals and organizations, to display State flags with the flag of the United States of America to symbolize, not only the sovereignty of the States, but also the vital role of each in the Union of the States within a Republic.

SUPPORT STRENGTHENING OF THE IMMIGRATION AND NATIONALITY ACT

Whereas the National Society, Daughters of the American Revolution, has consistently supported the Immigration and Nationality Act and the national origins quota principle and has conducted an effective program of aid to aliens seeking to become citizens, has published and distributed since 1921 more than 9 million free copies of a Manual for Citizenship, presented Americanism medals to adult naturalized citizens who have demonstrated outstanding qualities of leadership, trustworthiness, service, and patriotism; and

Whereas there have been 10 major amendments of the Immigration and Nationality Act over a 12-year period and the public record shows that approximately 300,000 immigrants have been admitted annually during the past decade, with only one-third of those admitted coming in under established quotas and the remaining two-thirds entering either as nonquota immigrants or through emergency legislation which bypassed the Immigration and Nationality Act; and

Whereas new liberalizing proposals would again greatly increase numbers of immigrants to be assimilated into our culture, inevitably increase unemployment and place an additional burden on our costly public welfare programs; and

Whereas liberalizing proposals include the establishment of an Executive appointed Immigration Board which would have delegated authority (properly the exclusive prerogative of Congress) which would override the present Joint Congressional Committee on Immigration and Nationality Policy as authorized under present law:

Resolved, That the National Society, Daughters of the American Revolution, continue to support a strengthened Immigration and Nationality Act and national origins quota principle with continued control of a selective immigration policy by Congress which will serve first our national self-interest as do the immigration laws of all other nations.

THE ELECTORAL COLLEGE

Whereas the Constitution of the United States of America provides for the election of the President and Vice President by a number of electors equal to the whole number of Senators and Representatives to which each State is entitled and directs that the electors shall make distinct lists of all persons voted for as President and Vice President, and the number of votes for each; and

Whereas since 1832, the majority of States has presented to the voters a predetermined bloc of electors, resulting in the present unit rule, which deprives the minority in every State of representation in the final electoral tally, actually adds the minority vote in each State to the majority vote of that State, concentrates power in the larger States, and has resulted in gross inequities, depriving the people of their sovereign rights; and

Whereas it is already within the power of the several States to abolish the inherent inequities of unit rule by providing for the election of electors in each congressional district, with the two electors representing its U.S. Senators elected at large; and

Whereas any constitutional amendment which would abolish the electoral college while continuing the unit rule for the total electoral vote to which each State is entitled would perpetuate and write into the Constitution inequities never contemplated by its authors:

Resolved, That the National Society, Daughters of the American Revolution, support the electoral college as a vital check and balance in the Constitution of the United States of America, urge its membership to seek an end to unit rule for the electoral vote in each State and the substitution of voting for electors by districts, in conformity with the original practice under the Constitution.

DISARMAMENT

Whereas the preamble of the test ban treaty, ratified and signed by the United States of America, declares that the principal aim of the contracting parties is "the speediest possible achievement of an agreement on general and complete disarmament under strict international controls," which program could result only in world government with subsequent loss of sovereignty and the freedoms secured by the Constitution; and

Whereas despite the war in Vietnam, and the fact that there is no evidence that the Communists have abandoned their goal of world dominion, this Nation recently authorized funds for the U.S. Arms Control and Disarmament Agency thereby persisting in its drive toward disarmament; and

Whereas the United States appears to have embarked on a program of unilateral disarmament including cutbacks of foreign bases, phasing out of the manned bomber program, and cancellation of production of new weapons systems, thereby weakening American security:

Resolved, That the National Society, Daughters of the American Revolution, urge a strong military posture capable of defending this Nation from all enemies, and warn that complete and general disarmament can result only in a socialistic one world government.

FISCAL POLICY AND THE MONETARY SYSTEM

Whereas national solvency is essential to continued American freedom, and the preservation of the free world economy hinges on the soundness of the dollar which has declined in value by more than 50 percent over a 30-year period; and

Whereas almost continuous deficit spending by the Federal Government has undermined faith abroad in the dollar and forced the United States to remove the gold reserves previously held as backing for Federal Reserve deposits in order to make this gold available for foreign claims, which are the result of persistent U.S. deficits in the international balance of payments; and

Whereas the United States is endeavoring to stem the flow of gold, without acknowledging that the root of its trouble is excessive Federal spending:

Resolved, That the National Society, Daughters of the American Revolution, express firm conviction that the fiscal solvency of the Nation can be assured only by balanced budgets, curtailed foreign spending, and maintenance of adequate gold reserves behind the currency.

LEGISLATIVE REAPPORTIONMENT

Whereas article IV, section 4, of the Constitution of United States of America provides, in part, "The United States shall guarantee every State in the Nation a republican form of government"; and

Whereas the reapportionment directive to the State legislatures requires that they be composed of representatives elected on the principle of one man, one vote without respect for previously regarded characteristics stemming from each State's distinct history, distinct geography, distinct distribution of population, and distinct political heritage, thus eliminating the previous system of checks and balances; and

Whereas the reapportionment directive allows large cities to exercise excessive power while agricultural, rural, and small town regions would be without their constitutional right of adequate representation:

Resolved, That the National Society, Daughters of the American Revolution, urge that appropriate effort be made to continue the historic precedent of checks and balances in State legislatures established by the Constitution of the United States of America in order to protect the sovereign rights of the States and of the people therein.

UNITED NATIONS GENOCIDE CONVENTION

Whereas article VI, section 2, of the Constitution of the United States of America provides that "all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; * * * anything in the Constitution or laws of any State to the contrary notwithstanding"; and

Whereas, despite varying pressures over a 15-year period, the Senate of the United States has refused to ratify the U.N. Genocide Convention (treaty), which fails in its primary purpose of preventing genocide among nations, does not include persecution of political groups in its definition of "genocide" and, by its terms, permits totalitarian countries to sign the convention with impunity; and

Whereas contrary to general opinion, the United Nations Genocide Convention is directed toward individuals rather than nations and opens a new concept of international law whereby domestic crimes would be converted to international crimes by treaty law; and

Whereas the convention offers a threat to a free people since it does not define what constitutes "causing serious mental harm to a group," for which crime American citizens would be exposed to possible arrest, extradition and trial before an "international penal tribunal" without benefit of rights secured by the Constitution:

Resolved, That the National Society, Daughters of the American Revolution, commend the Senate of the United States for its wisdom and restraint in thus far refusing to ratify the United Nations Genocide Convention, and express the hope that the Senate will steadfastly continue to protect the American people from the dangers of treaty law.

COMBATING COMMUNISM AND COMMUNIST PROPAGANDA

Whereas subversive propaganda is disseminated by segments of the communications media, and by misguided persons as well as active Communists and sympathizers; and

Whereas special targets of the Communists are youth, religious, and minority groups; and

Whereas authoritative information on the tactics, methods, semantics, and objectives of world communism is essential to understanding and combating its false propaganda:

Resolved, That the National Society, Daughters of the American Revolution, urge its members to study available reliable information on Communist techniques and objectives, including official Government reports of the Senate Internal Security Subcommittee, the House Committee on Un-American Activities, and other material exposing the Communist conspiracy, in order to be alert to its insidious plans and influences:

Resolved, That the National Society Daughters of the American Revolution, urge its members to work for the enforcement of the Internal Security Act of 1950, which was designed to provide greater protection for our Nation and our citizens against Communists and Communist organizations.

REGULATION OF FOREIGN COMMERCE

Whereas article I, section 8, paragraph 3 of the Constitution of the United States of America defining powers of Congress states, "The Congress shall have power to regulate foreign commerce, * * *"; and

Whereas the constitutional responsibility of Congress to regulate our foreign trade was surrendered in 1934 to the executive branch of Government through the Trade Agreements Act, with authority to transfer such responsibility to an international agency composed and competitive foreign nations sitting in Geneva, Switzerland; and

Whereas since 1947, the international agency known as the General Agreement on Tariffs and Trade (GATT), which was never approved by Congress and in which the United States has but one vote, has been regulating our foreign commerce; and

Whereas present low tariffs have adversely affected numerous American industries with consequent loss of jobs of American workers;

Resolved, That the National Society, Daughters of the American Revolution, reiterate its previous support of the constitutional principle that regulation of foreign commerce rests with the Congress of the United States of America.

APPRECIATION TO THE PRESIDENT OF THE UNITED STATES

Resolved, That the National Society, Daughters of the American Revolution, assembled for the 74th continental congress, acknowledge the message from President Lyndon B. Johnson with much appreciation and thanks.

APPRECIATION TO MRS. LYNDON B. JOHNSON

Resolved, That the National Society, Daughters of the American Revolution, express sincere thanks and appreciation to Mrs.

Lyndon B. Johnson for the thoughtful invitation to the White House during the 74th continental congress and for her gracious hospitality which made the visit memorable.

APPRECIATION TO THE SPEAKERS

Resolved, That the National Society, Daughters of the American Revolution, express warm appreciation to the speakers, Mr. Frank Taylor, Dr. Leonard Carmichael, Dr. Howard Mitchell, Vice Adm. John S. McCain, Jr., Mrs. Mary G. Roebling, and the Honorable Albertis S. Harrison, Governor of the Commonwealth of Virginia, for their timely messages that were a source of inspiration and valuable information.

MUSICIANS

Resolved, That the National Society, Daughters of the American Revolution, express sincere appreciation to the artists whose musical talents enhanced the pleasure of the congress and to the U.S. Service Bands for their stirring music.

THANKS AND APPRECIATION TO NEWS MEDIA

Resolved, That the National Society, Daughters of the American Revolution, express sincere appreciation to all news media in the Washington area for the excellent reporting of the 74th DAR Continental Congress with especial thanks to the Washington Post and the Evening Star for the outstanding color features and comprehensive coverage.

APPRECIATION TO THE STAFF

Resolved, That the National Society, Daughters of the American Revolution, express grateful appreciation to the entire personnel of the staff for their faithful and loyal service in every department of the organization.

COURTESY RESOLUTION

Resolved, That the National Society, Daughters of the American Revolution, express gratitude to:

The pages for their untiring service.

The large number of individual members who planned and contributed to the success of the 74th continental congress.

The policemen and firemen for their attention to all matters pertaining to our protection and safety.

APPRECIATION TO THE PRESIDENT GENERAL

Resolved, That we, the Daughters of the American Revolution, in this 74th continental congress assembled, express to Mrs. Robert V. H. Duncan, president general, our deep appreciation for her untiring work and effort for the betterment of our society; our admiration for the efficient and gracious manner in which she conducted this congress, and for her kindliness and consideration of others at all times.

APPRECIATION TO THE CHAIRMAN OF THE RESOLUTIONS COMMITTEE

Resolved, That the members of the 74th continental congress, Daughters of the American Revolution, express their deep and sincere appreciation to Mrs. Elizabeth M. Cox for her faithful and considerate leadership and for her excellent work in fulfilling the exacting and difficult duties as chairman of the resolutions committee.

Mr. CLARK. Mr. President, I ask unanimous consent that a list of the corporations chartered by special act of Congress be printed in the RECORD at this point of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CORPORATIONS CHARTERED BY SPECIAL ACT OF CONGRESS

Agricultural Hall of Fame.
U.S. Agricultural Society.
Association for the Prevention of Cruelty to Animals.
Archaeological Institute of America.

ARTS AND SCIENCES

(See also Education)

Academy of Music of Washington, D.C.
American Academy in Rome.
American Academy of Arts and Letters.
The American National Theater and Academy.
American Symphony Orchestra League.
Columbian Institute for the Promotion of Arts and Sciences.
Trustees of the Corcoran Gallery of Art.
National Academy of Art.
National Academy of Sciences.
National Committee on Radiation Protection and Measurements.
National Conservatory of Music of America.
The National Gallery and School of Arts.
The National Institute for the Promotion of Science.
National Institute of Arts and Letters.
National Music Council.
Smithsonian Institution.

BANKS

Bank of Columbia.
Central Bank of Georgetown & Washington.
Export-Import Bank of Washington.
Farmers' & Mechanics' Bank of Georgetown.
Farmers' Bank of Alexandria.
Franklin Bank of Alexandria.
Freedman's Savings & Trust Co.
Joint Stock Co. of the Young Men's Christian Association.
Mechanics' Bank of Alexandria.
National Safe Deposit Co. of Washington.
National Safe Deposit, Savings & Trust Co. of the District of Columbia.
National Savings Bank of the District of Columbia.
Patriotic Bank of Washington.
President and directors of the Bank of the Metropolis.
President and directors of the Bank of Washington.
President and directors of the Union Bank of Georgetown.
President, director and company of the Bank of Alexandria.
President, directors and company of the Bank of Potomac.
President, directors and company of the Bank of the United States.
Second Export-Import Bank of Washington.
Union Bank of Alexandria.
Washington City Savings Bank.

BENEVOLENT, CHARITABLE, ETC., ASSOCIATIONS

(See also Fraternal orders orphanages)

Agricultural Hall of Fame.
Aviation Hall of Fame.
Benevolent Christian Association of Washington City.
Big Brothers of America.
Board of Children's Guardians (for the District of Columbia).
Colored Catholic Male Benevolent Society.
Colored Union Benevolent Association.
Eastern Star Home of the District of Columbia.
Edes Home.
Ellen Wilson Memorial Homes.
German Benevolent Society.
Guardian Society.
Home for the Relief of Friendless Women and Children.
Howard Institute and Home.
Louise Home, Trustees of the.
Masonic and Eastern Star Home of the District of Columbia.
Metropolitan Police Relief Association of the District of Columbia.
National Association for the Relief of Destitute Colored Women and Children.
National Florence Crittenton Mission.
Near East Relief.
News-boys' Home of Washington City.
Provident Association of Clerks.
Washington City Benevolent Society.
Washington Temperance Society of Washington City and the District of Columbia.
Young Men's Christian Association of the city of Washington.
Young Woman's Christian Home, trustees of.

BRIDGES

(See also Roads)

Arkansas-Mississippi Bridge Commission.
Cairo Bridge Commission.
City of Clinton Bridge Commission.
City of Dubuque Bridge Commission.
Louisiana-Vicksburg Bridge Commission.
Memphis and Arkansas Bridge Commission.
Muscatine Bridge Commission.
Navy Bridge Co.
Niagara Falls Bridge Commission.
North River Bridge Co.
Owensboro Bridge Commission.
Port Arthur Bridge Commission.
Sabine Lake Bridge and Causeway Authority.
Washington Bridge Co.
White County Bridge Commission.

BUSINESS ENTERPRISES, GENERALLY

(See District of Columbia and United States)

Canals

Alexandria Canal Co.
Inland & Seaboard Coasting Co. of the District of Columbia.
Lake Erie & Ohio River Ship Canal Co.
Maritime Canal Co. of Nicaragua.
National Bolivian Navigation Co.
Potomac Ferry Co.
Washington & Boston Steamship Co.
Washington Canal Co.
Washington Mail Steamboat Co.

Cemeteries

Glenwood Cemetery in the District of Columbia.
Mount Olivet Cemetery Co.
Oak Hill Cemetery Co.
Prospect Hill Cemetery, in the District of Columbia.
National Child Labor Committee.
National Conference on Citizenship.

CLUBS

(See also Fraternal orders)

Boys Scouts of America.
Boys' Clubs of America.
Congressional Club.
Future Farmers of America.
General Federation of Women's Clubs.
Girl Scouts of the United States of America.
Colleges: See Educational institutions.
Cooperatives: See Banks.

DISTRICT OF COLUMBIA BUSINESS ENTERPRISES

Citizens' Building Co. of Washington City.
Georgetown Gaslight Co.
Georgetown Water Co.
Metropolitan Mining & Manufacturing Co. of the District of Columbia.
Pioneer Manufacturing Co. of Georgetown, District of Columbia.
Union Gas-Light Co. of the District of Columbia.
Washington, Alexandria, & George Town Steam Packet Co.
Washington Gas Light Co.
Washington Sanitary Housing Co.

DISTRICT OF COLUMBIA: GOVERNMENT

Girls' Reform School of the District of Columbia.
Mayor, alderman and Common Council of the City of Washington.
Mayor and Council of the City of Washington.
Mayor, Board of Aldermen, and Board of Common Council, of the City of Washington.
Redevelopment Land Agency.
Unemployment Compensation Board.

EDUCATIONAL INSTITUTIONS

American Chemical Society.
American Social Science Association.
American University.
Board for Fundamental Education.
Carnegie Foundation for the Advancement of Teaching.
Carnegie Institute of Washington.
Catholic University of America.
Columbia Institution for the Deaf.
Columbia Institution for the Instruction of the Deaf and Dumb, and the Blind.
Columbian College in the District of Columbia.
Columbis University of Washington, District of Columbia.
Convention of American Instructors of the Deaf.
Gallaudet College.
General Education Board (of the District of Columbia).
George Washington University.
Georgetown College.
Georgetown Lancaster School Society.
Gonzaga College.
Howard Institution of the City of Washington.
Howard University.
Institution for the Education of Colored Youth.
Mechanic Relief Society of Alexandria.
National Education Association of the United States.
National Fund for Medical Education.
National Institute of Social Sciences.
National University.
Southeastern University.
Trinity College of Washington, District of Columbia.
Washington College of Law, Washington, D.C.
National Fair Association of the District of Columbia.
National Fair Grounds Association.
Society of American Florists and Ornamental Horticulturists.

FRATERNAL ORDERS

American Cross of Honor.
Hungarian Reformed Federation of America.
Great Council of the United States of the Improved Order of Red Men.
Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia.
The Imperial Palace, Dramatic Order of Knights of Khorassan.
Knights of Pythias.
Trustees of the Grand Encampment of Knights Templar.
Masonic Hall Association of the District of Columbia.
Masonic Temple Association of the District of Columbia.
Supreme Council (Mother Council of the World) of the Inspectors General Knights Commanders of the House of the Temple of Solomon of the Thirty-Third Degree of the Ancient and Accepted Scottish Rite of Free Masonry of the Southern Jurisdiction of the United States of America.
Freehold Land and Emigration Co.
The National German-American Alliance of the United States of America.

HISTORICAL AND LITERARY ASSOCIATIONS

American Historical Association.
Columbia Library of Capitol Hill, in the City of Washington.
Columbia's Library for Young Men.
Columbian Library Company in Georgetown.
East Washington Library Association.
Frederick Douglass Memorial and Historical Association.
National Trust for Historic Preservation in the United States.
Naval History Society.
St. Thomas' Literary Society.
Washington Library Company.

HOSPITALS

American Hospital in Paris.
Columbia Hospital for Women and Lying-in Asylum.
Directors of the General Hospital of the District of Columbia.
Providence Hospital.
Washington General Hospital and Asylum of the District of Columbia.

HOTELS

Capital Hotel Co.
Continental Hotel Co.
National Hotel Co., in the City of Washington, in the District of Columbia.
Inebriate Asylum of the District of Columbia.

INSURANCE

Acacia Mutual Life.
Columbian Insurance Co. of Alaxandria.
Fire Insurance Co. of Alexandria.
President and Directors of the Firemen's Insurance Co. of Washington and Georgetown.
Franklin Insurance Co.
Masonic Mutual Life Association of the District of Columbia.
Masonic Mutual Relief Association of the District of Columbia.
Mutual Fire Insurance Co. of the District of Columbia.
Mutual Investment Fire Insurance Co. of the District of Columbia.
Mutual Protection Fire Insurance Co. of the District of Columbia.
National Capitol Insurance Co.
National Life Assurance & Trust Association.
National Life Insurance Co. of the United States of America.
National Union Insurance Co. of Washington.
Potomac Fire Insurance Co. of Georgtown.
Potomac Insurance Co. of the District of Columbia.
Potomac Insurance Co. of Georgetown.
Washington Insurance Co.

LEGAL SOCIETIES

American Society of International Law.
Foundation of the Federal Bar Association.
Market Co., Washington.

MEDICAL ASSOCIATIONS

(See also Hosiptals)

Eclectic Medical Society of the District of Columbia.
Group Hospitalization, Inc.
Medical Society of the District of Columbia.
Association of Military Surgeons of the United States.
Post Graduate School of Medicine of the District of Columbia.
Washington Homeopathic Medical Society.

MEMORIALS AND CELEBRATIONS

Belleau Wood Memorial Association.
Centennial Board of Finance.
Eleanor Roosevelt Memorial Foundation, Inc.
George Washington Bicentennial, District of Columbia Commission.
Lincoln Monument Association.
Luther Statue Association.
McKinley Birthplace Memorial Association.
Roosevelt (Theodore) Memorial Association.
United States International Commission (for the New York Exposition in 1883).
Washington National Monument Society.
Women's Theodore Roosevelt Memorial Association.

MILITARY GROUPS

(See also Veterans)

Army and Navy Legion of Valor of the United States of America, Inc.
Marine Corps League.
Military Chaplains Association of the United States of America.
Naval Sea Cadet Corps.
Navy Club of the United States of America.
Reserve Officers Association of the United States.
Music: See arts and sciences.
Newspaper: Evening Star Newspaper Co. of Washington.
American Numismatic Association.

ORPHANAGES

(See also Benevolent, charitable, etc., associations)

Female Orphan Asylum of Georgetown, in the District of Columbia.
Georgetown Free School and Orphan Asylum.
German Orphan Asylum Association of the District of Columbia.
German Orphan Home of the District of Columbia.
National Soldiers' and Sailors' Orphan Home.
St. Ann's Infant Asylum.
Saint Joseph's Home and School.
St. Joseph's Male Orphan Asylum.
Saint Vincent's Home and School.
Saint Vincent's Orphan Asylum.
Washington City Orphan Asylum.
Washington Home for Foundlings.
Washington Hospital for Foundlings.
Washington's Manual Labor School and Male Orphan Asylum Society of the District of Columbia.

PATRIOTIC ORGANIZATIONS

(See also Veterans)

American War Mothers.
Blue Star Mothers of America.
Civil Air Patrol.
National Society of the Daughters of the American Revolution.
Daughters of Eighteen Hundred and Twelve, National Society of United States.
Ladies of the Grand Army of the Republic.
National Women's Relief Corps, auxiliary to the Grand Army of the Republic.
National Society of the Sons of the American Revolution.

RAILROADS

Anacostia & Potomac River Railway Co. of Washington City, District of Columbia.
Anacostia & Potomac River Railway Co.
Atlantic and Pacific Railroad Co.
Belt Railway Co.
Brightwood Railway Co. of the District of Columbia.
Capital Railway Co.
Capital Traction Co.
Capital Transit Co.
Capitol, North O Street & South Washington Railway Co.
Choctaw, Oklahoma & Gulf Railroad Co.
City & Suburban Railway of Washington.
Columbia Railway Co.
Connecticut Avenue & Park Railway Co.
District of Columbia Suburban Railway Co.
East Washington Heights Traction Railroad Co. of the District of Columbia.
Eckington & Soldiers Home Railway Co. of the District of Columbia.
Georgetown & Tennallytown Railroad Co. of the District of Columbia.
Georgetown Barge, Dock, Elevator & Railway Co.
Maryland & Washington Railway Co.
Metropolitan Railroad Co.
National Junction Railway Co.
Northern Pacific Railroad Co.
Panama Railroad Co.
Rock Creek Railway Co. of the District of Columbia.
Texas & Pacific Railway Co.
Texas Pacific Railroad Co.
Union Pacific Railroad Co.
Utah & Northern Railway Co.
Washington & Arlington Railway Co. of the District of Columbia.
Washington & Georgetown Railroad Co.
Washington & Great Falls Electric Railway Co.
Washington & University Railway Co. of the District of Columbia.

Washington & Western Maryland Railroad Co.

Washington County Horse Railroad Co.

Washington Railway & Electric Co.

The American National Red Cross.

RELIGIOUS ORGANIZATIONS

Alliance of Unitarian Women.

Association of Universalist Women.

First Congregational Society of Washington.

Congregation of the First Presbyterian Church of Washington.

King Theological Hall.

Lucy Webb Hays National Training School for Deaconesses and Missionaries.

Trustees of the Presbyterian Congregation, in Georgetown.

Protestant Episcopal Cathedral Foundation of the District of Columbia.

Convention of the Protestant Episcopal Church of the Diocese of Washington.

Roman Catholic archbishop of Washington (Patrick A. O'Boyle).

Brotherhood of St. Andrew.

Sisters of Charity of St. Joseph.

Sisters of Mercy in the District of Columbia.

Sisters of the Visitation.

Sisters of the Visitation of Washington.

International Sunday School Association.

National Theological Institute and University.

Union Church of the Canal Zone.

ROADS

Alexandria & Leesburg Turnpike Co.

Columbia Turnpike Roads, president, director and company of.

Georgetown & Alexandria Turnpike Road.

Georgetown & Leesburg Turnpike Co.

Washington & Alexandria Turnpike Co.

National Safety Council.

Schools: See Educational institutions.

SPORTS

Little League Baseball, Inc.

United States Olympic Association [Committee].

Washington Target-shooting Association.

Conference of State Societies, Washington, D.C.

Steamship companies: See Canals.

Street railways: See Railroads.

Telegraph Company, Loomis Aerial.

Transportation facilities: See Bridges, canals, railroads, roads.

U.S. AGENCIES

(NOTE: Under this heading are organizations chartered for purposes of carrying out a variety of different functions of the Government.)

Central Bank for Cooperatives.

Commodity Credit Corporation.

Communications Satellite Corporation.

Cordova Bay Harbor Improvement and Town-Site Co.

Corporation of Foreign Security Holders.

Disaster Loan Corporation.

Electric Home and Farm Authority.

Export-Import Bank of Washington.

Farmers' Home Corporation.

Federal Crop Insurance Corporation.

Federal Deposit Insurance Corporation.

Federal Farm Mortgage Corporation.

Federal National Mortgage Association.

Federal Prison Industries.

Federal Savings and Loan Insurance Corporation.

Federal Surplus Commodities Corporation.

Home Owners' Loan Corporation.

Inland Waterways Corporation.

Institute of Inter-American Affairs.

Reconstruction Finance Corporation.

Saint Lawrence Seaway Development Corporation.

Second Export-Import Bank of Washington.

Smaller War Plants Corporation.

Tennessee Valley Authority.

Textile Foundation.

U.S. Housing Authority.

U.S. Shipping Board (Emergency) Merchant Fleet Corporation.

Virgin Islands Corporation.

War Finance Corporation.

VETERANS

(See also military groups)

American Legion.

AMVETS.

Blinded Veterans Association, Inc.

Congressional Medal of Honor Society of the United States of America.

Disabled American Veterans (of the World War).

Grand Army of the Republic.

Jewish War Veterans, U.S.A., National Memorial, Inc.

Military Order of the Purple Heart of the United States of America.

National Asylum for Disabled Volunteer Soldiers.

National Home for Disabled Volunteer Soldiers.

National Military and Naval Asylum for the Relief of the Totally Disabled Officers and Men of the Volunteer Forces of the United States.

National Yeomen F.

Society of the Army of Santiago de Cuba.

Soldiers' and Sailors' Union of the City of Washington, D.C.

Sons of Union Veterans of the Civil War.

United Spanish War Veterans (of the District of Columbia).

United States Blind Veterans of the World War.

Veterans of Foreign Wars of the United States.

Veterans of World War I of the United States of America, Inc.

Zoological Society, Washington.

Mr. CLARK. I yield 2 minutes to the Senator from Alaska.

Mr. BARTLETT. Mr. President, the Daughters of the American Revolution is a fine, patriotic organization. I am sure that we all are aware of it and that the entire country is aware of it also. I know it personally from attending one of their conventions and hearing a highly patriotic and moving speech by Dan Smoot. I should like to ask the Senator from Pennsylvania if any other national organizations have their annual reports printed and paid for by the taxpayers of the country.

Mr. CLARK. There are a few, but very few. The Senator from North Carolina has already put the list in the RECORD. There are perhaps a half dozen. However, there are about 300 federally chartered corporations which do not have their annual reports so printed.

Mr. BARTLETT. I did not know that any other organizations had their reports printed by the Government. I can think of fine organizations in Alaska that make annual reports of some kind. The Pioneers of Alaska, and the Alaska Native Brotherhood are composed of fine and upstanding Indians and Eskimos.

Mr. CLARK. Mr. President, I modify my amendment to include the organizations mentioned by the Senator from Alaska.

The PRESIDING OFFICER. The Senator modifies his amendment accordingly.

Mr. BARTLETT. There is also the Alaska Native Sisterhood.

Mr. CLARK. I ask that that organization also be added to my amendment, and that it be modified in that respect.

The PRESIDING OFFICER. The Senator modifies his amendment accordingly.

Mr. BARTLETT. I am not so sure that these organizations should be added, because they are able to pay for the printing expense involved in connection with the publishing of their annual reports, even though they may be federally chartered. However, I cannot understand where all this originated. I do not believe the taxpayers should be under obligation to meet this expense.

Mr. CLARK. If the Senator from North Carolina is prepared to yield back the remainder of his time, I am prepared to do likewise.

Mr. JORDAN of North Carolina. I am not prepared to yield back the remainder of my time. I yield 2 minutes of my time to the Senator from South Carolina.

Mr. SCOTT. Mr. President, will the Senator from South Carolina yield briefly?

Mr. THURMOND. I yield.

Mr. SCOTT. Mr. President, I ask for the yeas and nays on the resolution.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, I cannot escape the conclusion that the opposition to the pending proposal is no more than a poorly veiled frontal assault on the National Society of the Daughters of the American Revolution. It seems obvious that the attack stems from the very strong and commendable positions taken by the society on the many vital issues that confront our country today. The opposition to printing the 67th annual report of the society certainly cannot be based on the cost involved. The sum, estimated by the Public Printer at $2,557, is virtually infinitesimal by every standard used in the Senate. On many occasions legislation authorizing the expenditure of millions, or even billions, is passed by the Senate with hardly a second thought.

The National Society of the Daughters of the American Revolution was incorporated by act of Congress in 1896, and since the 55th Congress, it has been customary to print their annual report as a Senate document. Although this is not authorized by law, many other noteworthy items are printed as Senate documents from time to time, in the same manner—pursuant to a Senate resolution.

The Daughters of the American Revolution are often subjected to unjust abuse from some segments of the press and from some other quarters. This abuse, which occasionally borders upon outright vilification, takes the form of personal attacks upon both the leaders and members of the society, and upon the positions reflected by resolutions adopted at their meetings. I have many friends among the members of the society and have been privileged to attend their meetings. I know of no finer group in America today.

The 74th Continental Congress of the National Society of the Daughters of the American Revolution met in Washington in April of this year. During this meeting they passed 13 resolutions, which it has been my pleasure to have printed in the Congressional Record and appropriately referred. Mr. President, I know of no more dedicated or patriotic organization in this country than the DAR, as is exemplified in these 13 resolutions. During the past 75 years, the DAR has been in the forefront of efforts in this country to promote educational, patriotic, and historical programs. These efforts have been designed to foster a strong sense of dedication in our country to the great and immutable principles of Government which have made our Nation the greatest the world has ever known.

In my judgment, the DAR does not need defending. I am happy, nevertheless, to support the pending resolution to print as a Senate document their 67th annual report, as has been recommended by the Senate Committee on Rules and Administration.

Mr. CLARK. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 1 minute remaining.

Mr. CLARK. Mr. President, there are some comic overtones to this situation. I am under no illusion as to what the patriotic Members of the Senate are about to do with respect to both my amendment and the proposal to spend $2,500 to print this quite ridiculous report.

I have nothing further to say, but I do hope that someday, somehow, we will stop this nonsense. If I have any time remaining, I yield it back.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Pennsylvania (putting the question).

The amendment was rejected.

Mr. JORDAN of North Carolina. Mr. President, I yield 1 minute to the Senator from Texas.

Mr. TOWER. Mr. President, the Daughters of the American Revolution is one of the very finest organizations in this country.

To detail even in cursory fashion its many accomplishments in behalf of the country would take far, far more time than we have here today under the consent agreement.

The fact is, the accomplishments have been many, and will no doubt continue into the future. I support wholeheartedly Senate Resolution 107, authorizing the printing of the 67th Annual Report of the National Society of the Daughters of the American Revolution.

I ask unanimous consent that a brief origin and history of the National Society of the DAR, prepared by the Legislative Reference Service of the Library of Congress, be printed in the Record.

There being no objection, the origin was ordered to be printed in the Record, as follows:

Origin of the National Society of the Daughters of the American Revolution

When the news was telegraphed to various papers, on April 30, 1890, that the Sons of the American Revolution—at a general meeting in Louisville, Ky.—voted to exclude women from membership in their organization, much indignation was aroused among the latter and discussions began immediately as to the founding of a separate society for themselves. On the very next day, May 1, 1890, Miss Eugenia Washington, a great grandniece of General Washington, proposed the plan to Mrs. Flora Adams Darling, who heartily approved but thought that, inasmuch as many of those supposed to be eligible were out of town for the summer, action should be deferred until September. On July 13 Mrs. Mary Lockwood, a member of the press association in Washington, published in the Washington Post a reproduction of the history of Hannah Arnett, the Revolutionary heroine, and concluded with this interrogation: "Where will the Sons and Daughters of the Revolution place Hannah Arnett?" Whereupon, on July 21, William O. McDowell, a great-great-grandson of Hannah Arnett, and one of the Sons of the American Revolution, published in the same newspaper an article in response, concluding with a formal call for the organization of a National Society for the Daughters of the American Revolution.

There were several meetings during the summer and much correspondence on the subject. On October 11, 1890, a formal assembly was held at the Strathmore Arms, 810 12th Street, Washington, D.C. The gathering was an enthusiastic one, and 18 women expressed the wish to become members. It was determined that the society should be national, with headquarters in Washington where their congress would convene yearly in February, and that the head of the new organization should be a woman of national repute. A constitution was provisionally adopted and officers elected—Mrs. Caroline Scott Harrison, wife of the President of the United States, being chosen president-general.

On October 18, 1890, the dark blue and white of Washington's staff were chosen for the society's colors and "amor patriae" selected for the society's motto. On December 11, 1890, the motto was changed to "home and country." A seal representing a woman seated at a spinning wheel was first chosen but is now modified to a golden spinning wheel with distaff of silver. The latter design was patented by Dr. G. Brown Goode, September 22, 1891, and transferred to the society.

On March 20, 1891, the first chapter was formed in Chicago. In April of the same year the office of State regent was created. The meetings of the national organization were held during the first year at the home of Mrs. Mary Virginia Ellet Cabell but later, in various public halls in the city that were large enough to accommodate the ever-increasing membership. At first there was an advisory board of gentlemen—all Sons of the American Revolution—but all advisory boards elected since 1894 have been made up entirely of women. When the continental congress convened in 1895, there were 44 State regents, 145 chapter regents, 33 delegates on the credential list in addition to the national officers, and a membership of 8,198. On December 2, 1895, the organization was incorporated by act of Congress under the name of the National Society of the Daughters of the American Revolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may have the opportunity of suggesting a brief quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to Senate Resolution 107. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Alabama [Mr. Hill], the Senator from Missouri [Mr. Long], the Senator from Michigan [Mr. McNamara], the Senator from Montana [Mr. Metcalf], the Senator from Oregon [Mr. Morse], the Senator from Maine [Mr. Muskie], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Massachusetts [Mr. Kennedy], the Senator from New Hampshire [Mr. McIntyre], the Senator from New York [Mr. Kennedy], the Senator from New Mexico [Mr. Montoya], the Senator from Georgia [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

On this vote, the Senator from Florida [Mr. Smathers] is paired with the Senator from Alaska [Mr. Gruening]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Alaska would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Iowa [Mr. Miller], the Senator from South Dakota [Mr. Mundt], and the Senator from Vermont [Mr. Prouty] are absent on official business.

The Senator from Iowa [Mr. Hickenlooper], the Senator from New York [Mr. Javits], and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Iowa [Mr. Hickenlooper], the Senator from Iowa [Mr. Miller], the Senator from South Dakota [Mr. Mundt], the Senator from Vermont [Mr. Prouty], and the Senator from Massachusetts [Mr. Saltonstall] would each vote "yea."

The result was announced—yeas 64, nays 9, as follows:

[No. 142 Leg.]

YEAS—64

Aiken
Allott
Anderson
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Curtis
Dirksen
Dodd
Ellender
Ervin
Fannin
Harris
Hart
Hartke
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
Mondale
Monroney
Morton
Murphy
Pastore
Pearson
Pell
Randolph

Ribicoff
Robertson
Russell, S.C.
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—9

Bartlett
Clark
Douglas
McGee
Moss
Nelson
Neuberger
Proxmire
Young, Ohio

NOT VOTING—27

Church
Dominick
Eastland
Fong
Fulbright
Gore
Gruening
Hayden
Hickenlooper
Hill
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McIntyre
McNamara
Metcalf
Miller
Montoya
Morse
Mundt
Muskie
Prouty
Russell, Ga.
Saltonstall
Smathers
Talmadge

So the resolution (S. Res. 107) was agreed to, as follows:

Resolved, That the sixty-seventh annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1964, be printed, with an illustration, as a Senate document.

AUTHORITY FOR THE PRESIDENT TO APPOINT GEN. WILLIAM F. McKEE (U.S. AIR FORCE, RETIRED), TO THE OFFICE OF ADMINISTRATOR OF THE FEDERAL AVIATION AGENCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 264, H.R. 7777.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7777) to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Avation Agency.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. MANSFIELD. Mr. President, I ask, on behalf of the distinguished minority leader and myself, that the Senate stand in recess subject to the call of the Chair for the purpose of having an informal meeting with Colonels McDivitt and White, and paying our respects and appreciation for what they have accomplished.

The VICE PRESIDENT. Without objection, it is so ordered.

(At 1 o'clock and 22 minutes p.m., the Senate took a recess subject to the call of the Chair.)

On request of Mr. MANSFIELD, and by unanimous consent, the proceedings during the recess were ordered to be printed in the RECORD, as follows:

"GEMINI 4" PROGRAM—VISIT TO THE SENATE BY LT. COL. AND MRS. JAMES A. McDIVITT, LT. COL. AND MRS. EDWARD H. WHITE, AND MR. AND MRS. CHARLES W. MATHEWS

The VICE PRESIDENT. This is an informal session—the best kind. May I, on behalf of the U.S. Senate, and the people of the Nation, extend a very hearty welcome to Colonel McDivitt, to Colonel White, and to Mr. Mathews, who was the mission director of this great operation of Gemini 4; to Mrs. White, to Mrs. Mathews, and to Mrs. McDivitt. This is a wonderful team that we have here. I know all of you are going to want to meet them, and say hello to them personally and privately. But I just thought that, since we were in the Senate, and this is the forum for speechmaking, it might not be a bad idea if we would hear a word or two from the two astronauts and possibly from the mission director.

I take the privilege of presenting to this august body and to the occupants of the gallery, one and all, the man who was in charge of the space capsule and who was the man who kept it in proper orbit when one of them stepped out and left him—Colonel McDivitt. [Applause.]

Colonel McDIVITT. Mr. Vice President and Senators: I suppose there have been many words spoken in this room. [Laughter.] As a matter of fact, I spoke a few myself in the last couple of days.

I just do not know what to say to a distinguished body like this, except one thing: I am very proud to be an American today. [Applause.]

The VICE PRESIDENT. Thank you, Colonel McDivitt.

I think you would all like to know that as we were riding down the streets here today, people were shouting at him, "Hurrah for Michigan and Illinois."

He claims at least two or three States.

We had a wonderful time in Chicago, where he was born, and where he has a host of friends.

We also have with us a gentleman from Texas and also from Washington, D.C. That is Colonel White. He attended the schools of the District of Columbia. He is the son of General White. This man needs no introduction from me except to say that to be in his presence is a joy second to none. Colonel White. [Applause.]

Colonel WHITE. Mr. Vice President, Senators, leaders of our country, and friends: It is indeed a very great honor to be here today. As we came into Washington, we were concerned about the weather. We were told that it might rain a little. But the weather was controlled pretty well. Someone told us, as we rode down Pennsylvania Avenue, that it was raining. I think the warmth of the people dried it all up; I did not feel a drop. [Laughter.]

I am here representing a very great team who made the flight of Gemini 4 possible. I think really what I felt during the last few days was that Jim and I had the very great privilege of representing the people of America in the places we have gone, and the feelings that have been conveyed to us have been so warm that they are difficult to describe.

Again, it is a great honor to be here. Thank you very much. [Applause.]

The VICE PRESIDENT. I am sure that our two distinguished astronauts would be the first to say, as they have said many times in recent days, that their success was not due only to their own proficiency, skill, faith, and training. These men are fine family men, men of deep faith and conviction. I personally believe they represent the living embodiment of the harmony between faith and science. These men have said repeatedly that their success was due to a team—the team of the American people, Government, industry, science, labor, university people—one and all—Defense, NASA, Congress. I think that they would tell you, as they have before, that the success of their flight was due to the men in charge of the operation of Gemini 3 and Gemini 4, Grissom and Young, McDivitt and White.

I am happy to present a gentleman who was born in Duluth, Minn. He went from there to other places of equal fame.

I present Mr. Charles Mathews, Program and Operational Director for Gemini 4. [Applause.]

Mr. MATHEWS. Ladies and gentlemen: Yes, I was born in Minnesota. Now I reside in Texas. That ought to put me in fairly good shape. [Laughter.]

Truly, a team effort was involved. I represent the team. I am continuously amazed with the ability of the various elements of the program. It is spread countrywide and represents many echelons of our country. It is a marvel to observe how well this group works together. When we get into operations, during the development phases of the program, it is difficult to tell a NASA man from a Department of Defense man or a McDonnell man or a Martin man. I am deeply appreciative of how well this group has welded itself together to perform the excellent operations we have had.

On the other hand, we cannot go forward with the program without the encouragement of the many. I greatly appreciate the encouragement and support that has been given the program by Members of Congress. I thank you sincerely for it. We could not get along without it. Thank you. [Applause.]

The VICE PRESIDENT. Now we want to have a word from the ladies. May I first present Mrs. Pat McDivitt, the mother of Mike, Patrick, and Anne—three wonderful children. [Applause.]

May I next present Mrs. Pat White, the mother of Bonnie and Edward, both of whom, together with the three McDivitt children, as well, have been at the White House today, where they received an invitation from the President to spend the evening at the White House, go to the movies, go into the swimming pool—get the whole works. [Laughter and applause.]

Now I present Mrs. Charles Mathews, the mother of Douglas and Betty Anne, who likewise were at the White House today. [Applause.]

Betty Anne told me, "I am so excited. I never believed it could ever happen to me." So you know how they feel.

Now, if every one of you wonderful people will come down here and be greeted, I know that everyone would like to say hello. I believe that would be the best way to do it. Would you like to do it?

The distinguished visitors were greeted by the Members of the Senate.

At the conclusion of the ceremonies, the Vice President escorted the guests of honor from the Chamber.

At 1:50 p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. RIBICOFF in the chair).

RECEIPT OF MESSAGES AND SIGNING OF BILLS DURING ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to receive messages from the House containing duly enrolled bills and that the Vice President, President pro tempore, or the Acting President pro tempore be authorized to sign such bills during the adjournment of the Senate until Monday June 21, 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT OF GEN. WILLIAM F. McKEE TO THE OFFICE OF ADMINISTRATOR OF THE FEDERAL AVIATION AGENCY

The Senate resumed the consideration of the bill (H.R. 7777) to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired), to the office of Administrator of the Federal Aviation Agency.

Mr. MONRONEY. Mr. President, I yield to the minority leader.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement by the Senator from Colorado [Mr. DOMINICK], who is unavoidably absent this afternoon.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DOMINICK

I shall not oppose the enactment of S. 1900, nor certainly shall I oppose the appointment of Gen. William F. McKee (USAF, retired) to the Office of Administrator of the Federal Aviation Agency.

As far as I have been able to determine, General McKee is a very capable administrator and, of course, he had an outstanding military career. I want to make it clear that my reservations concerning the enactment of this legislation are in no way intended to cast any doubt on General McKee's capabilities, integrity, or character. However, I do feel that a piecemeal approach such as S. 1900 is the wrong way to deal with this matter.

We find ourselves in this dilemma because the Federal Aviation Act requires that the Administrator of the Federal Aviation Agency shall be a civilian at the time of his nomination. Of course, General McKee could resign his commission and comply with this requirement. However, he has built up substantial entitlement to military retirement pay and such a move would mean that he would have to forfeit this.

I am sure that Congress was aware of such a situation when it wrote in the requirement in the Federal Aviation Act that the Administrator shall be a civilian.

I would much prefer that we deal with this problem on a broad, general basis either by reconsidering the policy written into the Federal Aviation Act or in taking care of such a situation by revising the Dual Compensation Act. To deal with this kind of a situation on a case-by-case basis causes unnecessary embarrassment to the individuals involved and has the effect of reversing clear policy enunciated by Congress. I should hope that in the future we might give consideration to this kind of approach which would certainly seem to me to be more desirable than wrestling with the very difficult problems posed by S. 1900.

Mr. MONRONEY. Mr. President, I yield to the Senator from Texas.

INTRODUCING A BILL TO PROVIDE FOR COMPENSATION TO PERSONS INJURED BY CERTAIN CRIMINAL ACTS

Mr. YARBOROUGH. Mr. President, these days we can hardly pick up our newspapers without seeing that somewhere in our great land an innocent, law-abiding citizen has been brutally attacked on our streets, a woman or girl raped, or the sole support and wage earner in a family murdered. It was only last Friday—June 11—when we read in the Washington Post that a little boy was intercepted on his way to school, stabbed in the throat, strangled, wrapped in burlap, and left dead in a laundry bag. Earlier this year we were all shocked to read that a Member of the other body, Representative JAMES CLEVELAND, of New Hampshire, was attacked right outside his own home here in Washington. Such incidents as these happen almost daily here in Washington alone, and it is beyond the capacity of our overworked police to stop them. This is a shocking and sad situation and I know that all Members of this body join me in this sentiment.

It is even more shocking and sad when we realize that the innocent victims of these crimes are in no way compensated for the injuries which they receive. It is the victim who must pay for the medical treatment which he must receive. With the present high cost of medical and hospital care, this may run into many hundreds or even thousands of dollars, even in those cases where the victim has medical insurance. It is the survivors of a murdered wage earner who must face years of financial hardship and even poverty. It is the assaulted or raped girl or child who must bear perhaps years of physical pain and mental anguish without any compensation to alleviate the pain. In fact, in this country today we have the peculiar situation that a worker who is disabled while on the job may receive thousands of dollars of compensation even though his negligence in part contributed to the injury, while the same wage earner if disabled from a criminal attack for which he bore no responsibility whatsoever must face a future without any compensation at all. That such a situation should exist in this, the richest nation in the world, I find deplorable.

I am introducing a bill today which is aimed at correcting this situation. It is explicitly drafted to compensate the victims of crimes of violence for injuries to the person, not for loss of property. It provides only for the cases in which the injured person was in no way responsible for the injury—the innocent victim of crime. It is not the purpose of this bill to compensate every participant in a street brawl or a gang war. Furthermore, the bill I am introducing today will provide only for minimal costs of the injuries received. In receiving compensation, the victim could not end up being better off than he otherwise would have been.

Compensation by the State to the victims of violent crimes is admittedly a concept new to American law, but it is not a concept new to other common law countries. In 1963 the Parliament of New Zealand enacted such a plan and last year the Parliament of Great Britian, after a very thoughtful debate, put a similar plan into operation. In both countries these plans are now operating successfully. In our own country, there has also been recent discussion of compensating the victims of crimes of violence. On July 2 of last year—1964—in an address before the Texas Association of Plaintiffs' Attorneys in Houston, I suggested such a plan. My advocacy of such a plan is pointed out in the CONGRESSIONAL RECORD, volume 110, part 12, page 16390. And the eminent Mr. Justice Arthur Goldberg has been another advocate for the establishment of such a program. Today, I introduce a bill to effectuate these ideas.

The reason that responsible persons in New Zealand, Great Britain, and this country have felt the need for such a plan follows logically from developments that have been occurring in our law and in our society. Since the middle of the 19th century, we have turned away from the old concepts of an eye for an eye and a tooth for a tooth and every man his best protector as workable methods for punishing criminals and protecting the law-abiding citizen. We have demanded that people no longer go armed on our streets in order to protect themselves. We have outlawed vigilante groups. We have left the punishment of the criminal to the State rather than to the victim's relatives or a lynch-crazed mob.

We have told our people that they will be best protected if law enforcement is left to the Government, not to the private person. Having encouraged our people to go out into the streets unprotected, we cannot deny that this puts a special obligation upon us to see that these people are, in fact, protected from the consequences of crime. As Mr. Justice Goldberg pointed out in his James Madison lecture at the New York University School of Law, the victim of a crime of violence "has been denied the protection of the laws in a very real sense, and society should assume some responsibility for making him whole." I think it is time that we in the Congress start considering the creation of a plan that will accomplish this goal. That is why I am introducing this bill today, the provisions of which are based on the best aspects of the plans already in operation in New Zealand and Great Britain. Yet, at the same time, they are suited to and based on American law and American experience.

I am proposing to create a Federal Violent Crimes Compensation Commission. This would be a three-man tribunal. The Chairman and the two other members, chosen because of their legal experience and expertise, are to be appointed for 8-year staggered terms by the President with the advice and consent of the Senate. The Commission will consider the claims of those injured by criminal violence. It will be the Commission's job to examine the evidence presented to it both to determine what level of compensation should be granted and whether, in fact, the person making the claim was truly an innocent victim. In setting the compensation, the Commission will provide only for actual losses incurred by the victim or, in the case of murder, his dependents. The amount of compensation that can be awarded will be limited, so that it could not exceed $25,000 in any case. The determination of the Commission is to be considered final; there will be no right of appeal. A victim of a crime of violence in order to receive compensation must submit his request within 2 years after the injury occurred.

The bill applies only to those areas of the country where the Federal Government exercises general police power. These are the District of Columbia and the special maritime and territorial jurisdictions of the United States.

It is here that rape, murder, and assault are Federal crimes. This territory includes, besides the District of Columbia, American ships on the high seas and international waters, lands reserved or acquired for the use of the United States and under the exclusive or concurrent jurisdiction of the Federal Government—including forts, dockyards, and arsenals of our Armed Forces—and American aircraft over the high seas or international waters. In other words, this bill will not in any way extend the plan to territories outside the direct jurisdiction of the Federal Government. It will in no way impinge on the rights of the several States, but I would hope that Federal action of this nature would encourage States to adopt similar plans in the several States. This would not in any way impinge on the civil tort law of any State.

Mr. President, we who live in Washington are all too familiar with the brutal beatings, murders, rapes, and assaults which take place in our great cities. I have heard many speeches given on the floor of this Senate deploring that such a situation should exist, yet still the innocent victims of these crimes go about uncompensated. It is true enough that monetary compensation is very little compensation to a widowed mother or an assaulted child, but a compensation which would at least fairly meet the medical bills and some of the financial loss which these innocent victims of violent crimes have suffered is infinitely better than the absolute neglect and indifference they are now receiving.

When a violent crime against the person is committed on one of our streets, a murder, a rape, or an assault, our society puts the broken bleeding body in an ambulance, and, if still alive, takes them to an emergency ward in a hospital, and leaves them to their own resources, keeping an interest in them only as a possible witness in a criminal prosecution against the offender. What happens to the perpetrator of the brutal attack? Society says that, if apprehended, he must be warned of his legal rights to have an attorney, before he is permitted to confess. Then if the criminal is held beyond a short while before being taken before a magistrate, for charging and probable release on bond, a conviction would be reversed on constitutional grounds. Many persons stand ready to assist the offender in protecting his constitutional rights through all the courts of the land.

While society is weeping over the criminal, it is showing no such concern, indeed no concern, for the victim of his crime. Society is brutal toward the victims of crime, not against the criminals.

It is time that the Government of this Nation shows as much concern for the victims of crimes of violence against the person as for the people who commit the crime.

This is a situation which we have allowed to exist for too long. I think it is time that the Congress start now taking positive steps toward providing compensation for the victims of crimes of violence.

I ask unanimous consent that the bill be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record as requested by the Senator from Texas.

The bill (S. 2155) to provide for the compensation of persons injured by certain criminal acts, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2155

A bill to provide for the compensation of persons injured by certain criminal acts

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SHORT TITLE AND DEFINITIONS

Short title

Sec. 101. This Act may be cited as the "Criminal Injuries Compensation Act of 1964".

Definitions

Sec. 102. As used in this Act—

(1) The term "child" means an unmarried person who is under eighteen years of age and includes a stepchild or an adopted child;

(2) The term "Commission" means the Violent Crimes Compensation Commission established by this Act;

(3) The term "dependents" means such relatives of a deceased victim as were wholly or partially dependent upon his income at the time of his death or would have been so dependent but for the incapacity due to the injury from which the death resulted and shall include the child of such victim born after his death;

(4) The term "personal injury" means actual bodily harm and includes pregnancy and mental or nervous shock;

(5) The term "relative" means his spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister, or spouse's parent;

(6) The term "victim" means a person who is injured or killed by any act or omission of any other person which is within the description of any of the offenses specified in section 302 of this Act.

TITLE II—ESTABLISHMENT OF VIOLENT CRIMES COMPENSATION COMMISSION

Violent Crimes Compensation Commission

Sec. 201. (a) There established a Violent Crimes Compensation Commission which shall be composed of three members to be appointed by the President, by and with the advice and consent of the Senate, solely on the grounds of fitness to perform the duties of the office. The President shall designate one of the members of the Commission who has been a member of the bar of a Federal Court or of the highest court of a State for at least eight years, as chairman.

(b) No member of the Commission shall engage in any other business, vocation, or employment.

(c) The chairman and one other member of the Commission shall constitute a quorum; and where opinion is divided and only one other member is present, the opinion of the chairman shall prevail.

(d) The Commission shall have an official seal.

Terms and compensation of members

Sec. 202. (a) The term of office of each member of the Commission taking office after December 31, 1965, shall be eight years, except that (1) the terms of office of the members first taking office after December 31, 1965, shall expire as designated by the President at the time of the appointment, one at the end of four years, one at the end of six years, and one at the end of eight years, after December 31, 1965; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term.

(b) Each member of the Commission shall be eligible for reappointment.

(c) A vacancy in the Commission shall not affect its powers.

(d) Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(e) Each member of the Commission shall be compensated at the rate prescribed for level IV of the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964 except the chairman who shall be compensated at the rate prescribed for level III of such schedule.

Attorneys, examiners, and employees of the Commission; expenses

Sec. 203. (a) The Commission is authorized to appoint such officers, attorneys, examiners, and other experts as may be necessary for carrying out its functions under this Act, and the Commission may, subject to the civil service laws, appoint such other officers and employees as are necessary and fix their compensation in accordance with the Classification Act of 1949.

(b) All expenses of the Commission, including all necessary traveling and subsistence expenses of the Commission outside the District of Columbia incurred by the members or employees of the Commission under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Commission or by any individual it designates for that purpose.

Principal office

Sec. 204. (a) The principal office of the Commission shall be in or near the District of Columbia, but the Commission or any duly authorized representative may exercise any or all of its powers in any place.

(b) The Commission shall maintain an office for the service of process and papers within the District of Columbia.

Powers and procedures of the Commission

SEC. 205. (a) Upon an application made to the Commission under the provisions of this Act, the Commission shall fix a time and place for a hearing on such application and shall cause notice thereof to be given to the applicant.

(b) For the purpose of carrying out the provisions of this Act, the Commission, or any member thereof, may hold such hearings, sit and act at such times and places, and take such testimony as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member. The Commission shall have such powers of subpena and compulsion of attendance and production of documents as are conferred upon the Securities and Exchange Commission by subsection (c) of section 18 of the Act of August 26, 1935, and the provisions of subsection (d) of such section shall be applicable to all persons summoned by subpena or otherwise to attend or testify or produce such documents as are described therein before the Commission, except that no subpena shall be issued except under the signature of the Chairman, and application to any court for aid in enforcing such subpena may be made only by said Chairman. Subpenas shall be served by any person designated by the said Chairman.

(c) In any case in which the person entitled to make an application is a child, the application may be made on his behalf by any person acting as his parent or guardian. In any case in which the person entitled to make an application is mentally defective, the application may be made on his behalf by his guardian or such other individual authorized to administer his estate.

(d) Where any application is made to the Commission under this Act, the applicant, and any attorney assisting the Commission, shall be entitled to appear and be heard.

(e) Any other person may appear and be heard who satisfies the Commission that he has a substantial interest in the proceedings.

(f) Where under this Act any person is entitled to appear and be heard by the Commission, that person may appear in person or by his attorney.

(g) Every person appearing under the preceding subsections of this section shall have the right to produce evidence and to cross examine witnesses.

(h) The Commission may receive in evidence any statement, document, information, or matter that may in the opinion of the Commission contribute to its functions under this Act, whether or not such statement, document, information, or matter would be admissible in a court of law.

(i) If any person has been convicted of any offense with respect to an act or omission on which a claim under this Act is based, proof of that conviction shall, unless an appeal against the conviction or a petition for a rehearing or certiorari in respect of the charge is pending or a new trial or rehearing has been ordered, be taken as conclusive evidence that the offense has been committed.

(j) Except as otherwise provided in this Act, the Administrative Procedure Act shall apply to the proceedings of the Commission.

Attorneys fees

SEC. 206. (a) The Commission may, as a part of any order entered under this Act, determine and allow reasonable attorney fees, which if the award is more than $1,000 shall not exceed 15 per centum of the amount awarded as compensation under section 301 of this Act, to be paid out of but not in addition to the amount of such compensation, to the attorneys representing the applicant.

(b) Any attorney who charges, demands, receives, or collects for services rendered in connection with any proceedings under this Act any amount in excess of that allowed under this section, if any compensation is paid, shall be fined not more than $2,000 or imprisoned not more than one year, or both.

Finality of decision

SEC. 207. Except as otherwise provided in this Act, orders and decisions of the Commission shall be final.

Regulations

SEC. 208. In the performance of its functions, the Commission is authorized to make, promulgate, issue, rescind, and amend rules and regulations prescribing the procedures to be followed in the filing of applications and the proceedings under this Act, and such other matters as the Commission deems appropriate.

TITLE III—AWARD AND PAYMENT OF COMPENSATION

Awarding compensation

SEC. 301. (a) In any case in which a person is injured or killed by any act or omission of any other person which is within the description of the offenses listed in section 302 of this Act; and

(1) is within the "special maritime and territorial jurisdiction of the United States" as defined in section 7 of title 18 of the United States Code; or

(2) in the case of an offense committed within the District of Columbia, is a violation of title 22 of the District of Columbia Code, the Commission may, in its discretion, upon an application, order the payment of compensation in accordance with the provisions of this Act.

(b) The Commission may order the payment of compensation—

(1) to or on behalf of the injured person; or

(2) in the case of the personal injury of the victim, where the compensation is for pecuniary loss suffered or expenses incurred by any person responsible for the maintenance of the victim, to that person; or

(3) in the case of the death of the victim, to or for the benefit of the dependents of the deceased victim, or any one or more of such dependents.

(c) For the purposes of this Act, a person shall be deemed to have intended an act or omission notwithstanding that by reason of age, insanity, drunkenness, or otherwise he was legally incapable of forming a criminal intent.

(d) In determining whether to make an order under this section, the Commission may consider any circumstances it determines to be relevant, including the behavior of the victim which directly or indirectly contributed to his injury or death.

(e) No order may be made under this section unless the Commission, supported by substantial evidence, finds that—

(1) such an act or omission did occur; and

(2) the injury or death resulted from such act or omission.

(f) An order may be made under this section whether or not any person is prosecuted or convicted of any offense arising out of such act or omission. Upon application from the Attorney General, the Commission may suspend proceedings under this Act for such period as it deems appropriate on the ground that a prosecution for an offense arising out of such act or omission has been commenced or is imminent.

Offenses to which this Act applies

SEC. 302. The Commission may order the payment of compensation in accordance with the provisions of this Act for personal injury or death which resulted from offenses in the following categories:

(1) assault with intent to kill, rob, rape, or poison;

(2) assault with intent to commit mayhem;

(3) assault with a dangerous weapon;

(4) mayhem;

(5) malicious disfiguring;

(6) threats to do bodily harm;

(7) lewd, indecent, or obscene acts;

(8) indecent act with children;

(9) kidnapping;

(10) murder;

(11) manslaughter, voluntary;

(12) attempted murder;

(13) rape;

(14) attempted rape.

Nature of the compensation

SEC. 303. The Commission may order the payment of compensation under this Act for—

(a) expenses actually and reasonably incurred as a result of the personal injury or death of the victim;

(b) loss of earning power as a result of total or partial incapacity of such victim;

(c) pecuniary loss to the dependents of the deceased victim;

(d) pain and suffering of the victim; and

(e) any other pecuniary loss resulting from the personal injury or death of the victim which the Commission determines to be reasonable.

Limitations upon awarding compensation

SEC. 4. (a) No order for the payment of compensation shall be made under section 301 of this Act unless the application has been made within two years after the date of the personal injury or death.

(b) No compensation shall be awarded under this Act in an amount in excess of $25,000.

(c) No compensation shall be awarded if the victim—

(1) is a relative of the offender; or

(2) was at the time of the personal injury or death of the victim living with the offender as his wife or her husband or as a member of the offender's household.

Terms of the order

SEC. 305. (a) Except as otherwise provided in this section any order for the payment of compensation under this Act may be made on such terms as the Commission deems appropriate.

(b) The Commission shall deduct from any payments awarded under section 301 of this Act any payments received by the victim or by any of his dependents from the offender or from any person on behalf of the offender, or from the United States (except those received under this Act), a State or any of its subdivisions, for personal injury or death compensable under this Act.

TITLE IV—RECOVERY OF COMPENSATION

Recovery from offender

SEC. 401. (a) Whenever any person is convicted of an offense and an order for the payment of compensation is or has been made under this Act for a personal injury or death resulting from the act or omission constituting such offense, the Commission may institute an action against such person for the recovery of the whole or any specified part of such compensation in the district court of the United States for any judicial district in which such person resides or is found. Such court shall have jurisdiction to hear, determine, and render judgment in any such action.

(b) Process of the district court for any judicial district in any action under this section may be served in any other judicial district by the United States Marshal thereof. Whenever it appears to the court in which any action under this section is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

TITLE V—MISCELLANEOUS

Reports to the Congress

SEC. 501. The Commission shall transmit to the President and to the Congress annually a report of its activities under this Act including the name of each applicant, a brief description of the facts in each case, and the amount, if any, of compensation awarded.

Penalties

SEC. 502. The provisions of section 1001 of title 18 of the United States Code shall apply to any application, statement, document, or information presented to the Commission under this Act.

Appropriations

SEC. 503. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Effective date

SEC. 504. This Act shall take effect on January 1, 1966.

Mr. MONRONEY. Mr. President, I yield to the Senator from Montana such time as he may require.

Mr. MANSFIELD. I thank the Senator.

CONGRESS AT THE TWO-THIRDS POINT

Mr. MANSFIELD. Mr. President, it seems an appropriate time to evaluate and assess what the Senate and the Congress have been able to do at a time which may very well be two-thirds of the way into the 1st session of the 89th Congress.

The Congress has done a good job this session from the outset. On January 4, at 9 p.m., the President delivered his state of the Union message. By Inauguration Day, Congress had already received the President's recommendations on health care, including so-called medicare, education, immigration, foreign aid, and defense.

To date, Congress has received 33 special messages and some 12 executive communications containing legislative recommendations from the President. Congress has completed action on 26 of these recommendations, 1 conference report is ready for filing and 5 more are still in conference, 3 others have passed both Houses amended, 12 more have passed the Senate, 25 others are either on the House or Senate calendars ready for early action, and numerous others are about ready for early reporting by the various committees, with hearings in progress on most of the remainder.

For those who like specifics, Congress has completed action on—

The three appropriation supplementals, including Vietnam, and one fiscal 1966 appropriation for Interior and related agencies;

A $1.1 billion measure to aid the economically underdeveloped 11-State Appalachian region;

A $2.5 billion atomic energy authorization;

A major reform in the Bureau of Customs placing some 53 collectors under civil service;

An authorization of $1 million to replace the bombed-out chancery in Saigon;

A $114.2 million Coast Guard authorization;

A bill implementing the International Coffee Agreement;

A 3-year, $30 million extension of the Disarmament Act;

An authorization of $1.344 billion in Federal aid for fiscal 1966 for elementary and secondary schools, a bill which the President described as "the most significant step of this century to provide widespread help to all of America's schoolchildren";

A 1-year extension of the National Commission on Food Marketing established in 1964 to study and appraise the marketing structure of the American food industry;

A bill repealing the requirement of 25-percent gold backing of commercial bank deposits held by the Federal Reserve banks, but retaining the 25-percent requirement against Federal Reserve notes in actual circulation;

An authorization of a $750 million increase in the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank—over a 3-year period at the rate of $250 million a year;

A bill reducing excise taxes by approximately $4.6 billion;

An increase of $1,035 million in the U.S. quota in the International Monetary Fund;

An extension of the Manpower Development and Training Act to June 30, 1969, and $454 million for fiscal 1966;

An annual authorization of $15.4 billion for military procurement to assure an adequate defense posture;

An annual authorization of $5.2 billion for the space program;

An increase in the temporary national debt ceiling to $328 billion through June 30, 1966;

A bill supplementing the acreage allotment with the establishment of poundage quotas for all farms producing Flue-cured tobacco to reduce surpluses in this commodity, improve quality and increase exports;

A bill establishing prospective standard guidelines on the allocation and reimbursability of recreation, fish, and wildlife costs on Federal multiple-purpose water-resource projects—conferees agreed, June 14;

A 4-year extension of the President's authority to reorganize the executive branch;

Amendments to the Charter of the United Nations increasing the membership of the Security Council from 11 to 15 and the Economic and Social Council from 18 to 27; and

One-year extension, to July 31, 1966, of the International Wheat Agreement.

Bills now in conference are—

A 5-year extension of the authority for grants to States and communities for mass immunization programs against polio, diphtheria, whooping cough, tetanus, and measles;

A $7.7 billion fiscal 1966 appropriation for the Treasury-Post Office Departments;

A proposed constitutional amendment fixing conditions and procedures for succession of Vice President to the Presidency in event of Chief Executive's disability, and providing for filling a vacancy in the Vice-Presidency;

A bill authorizing Federal grants of $5 million a year in matching funds to States for State project planning over a 10-year period; setting up a Cabinet-level water resources council to coordinate river basin planning; and authorizing creation of river basin commissions for regional planning; and

The foreign aid authorization for fiscal years 1966 and 1967.

Bills passed both Houses amended:

A bill creating an Administration on Aging to be a coordinating center for information and service to State and local governments, to administer grants, promote research, gather statistics, and prepare and publish other data;

A bill vesting authority to establish purity standards for water pollution control and authorizing $80 million in new grants; and

A bill increasing the fees payable to the Patent Office so it may recover a reasonable part of its costs.

Senate bills pending in the House:

The Voting Rights Act of 1965, guaranteeing Negroes their right to register and vote, which passed the Senate by a 4-to-1 vote.

A $665 million authorization in grants for public works and development facilities in economically distressed areas;

A bill providing for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia;

A $355,000 authorization to establish the Bighorn Canyon National Recreation Area in Montana and Wyoming;

A bill providing for research programs relative to controlling air pollution resulting from gasoline- and diesel-powered vehicles;

A $364,310,000 authorization for the Federal construction of a third powerplant at Grand Coulee which will add 3.6 million kilowatts of generating capacity to the 2 million kilowatts of the two existing plants, making it the largest single hydroelectric development in the world;

A $115 million fiscal year 1966 authorization for the Peace Corps;

A bill establishing a National Foundation on the Arts and Humanities;

A revision and consolidation of laws governing management of national stockpiles of critical and strategic materials;

A bill authorizing the VA to extend aid to distressed homeowners;

An expansion of the Water Research Act of 1964; and

Provided for an expansion of the Federal program of research and development in the field of saline water conversion through the authorization of $200 million in appropriations for the period ending fiscal 1972.

This record of work to date, Mr. President, is, I believe, a creditable one. It reveals a Senate and a Congress, along with the President, alert to the changing and expanding needs of the Nation. As far as the Senate is concerned, this body has acted in these months with a diligence and with a persistent and dignified devotion to legislative duties in order that these needs might be considered and acted upon.

I want to take this occasion to thank, first, all Members of the Senate, on both sides of the aisle for the contribution which individually and as a group they have made to the Senate's achievements. The Members have extended to the leadership the mutual courtesy and forebearance and cooperation which have been the basic factors in the Senate's effective and productive operations of the past months. And I want to thank, too, all of the distinguished committee chairmen who have been most helpful in carrying out the special responsibilities which have been consigned to them by the Senate. And, I wish, also, to express again, as I have done on other occasions, my gratitude to the distinguished minority leader. He has, as always, contributed greatly to the work of the Senate by his understanding and unfailing cooperation. Sometimes we have been together on particular measures and sometimes we have been on opposite sides. But either way, he has my admiration and gratitude, as a dedicated Senator and friend and as a tower of strength to this body and to the Nation.

And, finally, I wish to thank the President for his contribution to the work of the Senate. He has provided a national leadership of a high order, and in so doing has helped the Senate to understand and to deal with the manifold issues of our times, as they are reduced to legislation. He has given us his full and courteous cooperation in a framework of a deep understanding of the individual responsibilities of the separate branches of the Government.

Put these factors together and there is a rough accounting for the work of the Senate and the Congress to date. If these factors continue to operate and I fully expect that they will, I trust that my earlier estimate of the completion of the work of this session by midsummer will have proved to be only slightly optimistic.

For those who desire still further detail, I ask unanimous consent to include a report containing a summary of all major Senate activity through June 17.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SENATE ACTIVITY

Days in session	92
Hours in session	444:23
Total measures passed	342
Confirmations	35,840
Public laws	40
Treaties	2

AGRICULTURE

Food marketing: Extended for 1 year the date on which the National Commission on Food Marketing shall make its final report to the President. Public Law 89–20 (Presidential recommendation.)

Tobacco: Provides an extension of time for filing 1965 tobacco allotment leases. Public Law 89–29.

Tobacco acreage-poundage marketing quotas: Supplements the acreage allotment program with establishment of poundage quotas for all farms producing Flue-cured tobacco to reduce surpluses in this commodity, improve quality and increase exports. Public Law 89–12. (Presidential recommendation.)

APPROPRIATIONS

Agricultural supplemental: Appropriated $1.6 billion for Commodity Credit Corporation; allowed the President final discretion in shipping surplus food to Egypt; and suspended until May 1 the planned closing of 11 VA hospitals, 4 domiciliaries, and the merger of 17 regional offices. Public Law 89–2. (Presidential recommendation.)

Second supplemental, 1965: Appropriated a total of $2,227,563,977, with $349.7 million of this amount allocated for Appalachian aid. (Public Law 89–16. (Presidential recommendation.)

Vietnam: Appropriated supplemental of $700 million for airfields, military installations, ammunition and aircraft. Public Law 89–18. (Presidential recommendation.)

Interior Department and related agencies: Appropriated $1,212,739,070 for fiscal 1966. H.R. 6767. (Presidential recommendation.)

Treasury-Post Office: Appropriated a total of $7,698,669,000 for fiscal 1966. H.R. 7060 in conference. (Presidential recommendation.)

ATOMIC ENERGY

AEC authorization: Authorizes $2,555,521,000 for AEC appropriations for fiscal 1966 construction, operations, and capital equipment; includes $704 million for weapons program, $2.5 million for merchant ship reactor program. Public Law 89–32. (Presidential recommendation.)

CIVIL RIGHTS

Voting Rights Act of 1965: Guarantees Negroes their right to register and vote. S. 1564 passed Senate May 26. H.R. 6400; House Calendar. (Presidential recommendation.)

CONGRESS

Arts and Antiquities Commission: Establishes a Commission on Arts and Antiquities of the Capitol and authorizes $15,000 for annual expenses. Senate Joint Resolution 65 passed Senate May 24.

Joint Committee on the Budget: Established a 14-member Joint Committee on the Budget composed of 7 members from each Appropriations Committee, 4 to 3 ratio. The purpose of the joint committee is to serve the Appropriations Committees year round with the same expertise as the Bureau of the Budget for the Executive. S. 2 passed Senate January 27.

Joint Committee on Organization of Congress: Established a 12-member bipartisan Joint Committee on the Organization of Congress to make a complete study of the organization and operation of Congress and to recommend improvements. Rules changes are not included in the study. Authorizes $150,000 through January 31, 1966, to be paid from the contingent fund of the Senate. First report to be submitted 120 days following effective date of the resolution. Senate Concurrent Resolution 2 adopted March 9, 1965; House March 11, 1965.

DEFENSE

Coast Guard cutters: Authorizes $6,260,000 to replace 17 Coast Guard cutters taken from domestic service and sent to Vietnam. Public Law 89–21.

Coast Guard procurement: Authorized $114.2 million for U.S. Coast Guard for fiscal 1966 for procurement of vessels, aircraft, and construction of shore and offshore installations. Public Law 89–13. (Presidential recommendation.)

Military procurement: Authorized a total of $15,402,800,000 for fiscal 1966 with $8,958,300,000 allocated for aircraft, missiles, and naval vessels and $6,444,500,000 for research, development, test, and evaluation. Public Law 89–37. (Presidential recommendation.)

ROTC: Extends the statute of limitations for filing claims for mustering-out payments to January 30, 1966, and repeals the authority for such payments on July 1, 1966. H.R. 214.

Special allowances to Armed Forces dependents: Authorizes payment of special allowances and dislocation allowances to dependents of members of the uniformed services when the dependents are evacuated from an overseas danger area. Public Law 89–26.

Stockpile Act: Revised and consolidated laws governing management of national stockpiles of critical and strategic materials to provide Congress and the public with pertinent information; made procurement contracts subject to the Renegotiation Act, and facilitated disposal of surpluses. S. 28 passed Senate February 9. (Presidential recommendation.)

Zinc, lead, and copper: Authorized the disposal of 200,000 tons each of zinc and lead and the sale of 100,000 short tons of copper to producers and processors. Public Law 89–9.

DISTRICT OF COLUMBIA

District of Columbia Board of Parole: Authorizes the Board of Parole of the District of Columbia, subject to the approval of the Board of Commissioners, to promulgate rules and regulations under which the Board of Parole, in its discretion, may discharge a parolee from supervision prior to the expiration of the maximum term or terms for which he was sentenced. Public Law 89–24.

District of Columbia bond requirements: Authorizes the court to set bond in an amount twice the value of the property being attached in the District of Columbia in any case in which the plaintiff states in his affidavit that the value of the property to be levied upon is less than the amount of his claim. S. 1321 passed Senate May 11.

District of Columbia work release program: Authorizes the District of Columbia courts to release selected offenders from prison confinement at specified hours of the day to obtain or engage in gainful employment. S. 1319 passed Senate May 11.

ECONOMY

Aid to Appalachia: Authorized $1.1 billion in aid to the 11-State Appalachian region and established the Appalachia Regional Commission. The amount of $840 million will be in form of Federal grants for a 5-year highway construction program and a 2-year authorization of $252.4 million for a variety of economic development projects. Public Law 89–4. (Presidential recommendation.)

Debt ceiling increase: Increased the temporary national debt ceiling to $328 billion through June 30, 1966. H.R. 8464.

Disaster victims: Directs the Housing and Home Finance Administrator to make an immediate study of alternative programs which could be established to help provide financial assistance to those suffering property losses in flood, earthquake, and other natural disasters, including alternative methods of Federal insurance as well as the existing flood insurance program. S. 408 passed Senate January 28.

Gold cover: Repealed the requirement of 25 percent gold backing of commerical bank deposits held by the Federal Reserve banks, but retained the 25-percent requirement against Federal Reserve notes in actual circulation. Public Law 89–3. (Presidential recommendation.)

Manpower Act of 1965: Extended the Manpower Development and Training Act to June 30, 1969, authorized $454 million for fiscal 1966, and provides up to 2 years' training in classrooms or on the job for persons unemployed because they lack education or skills. Public Law 89–15. (Presidential recommendation.)

Pacific Northwest disaster relief: Provides assistance to the States of Oregon, Washington, California, Nevada, and Idaho for the reconstruction of areas damaged in December 1964 and January and February 1965 as a result of catastrophic floods unprecedented in terms of high water and subsequent damage to roads, farms, residences, and industries. S. 2089.

Public Works and Economic Development Act of 1965: Authorizes a total of $655 million in grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions. S. 1648 passed Senate June 1. (Presidential recommendation.)

SBA disaster relief: Amends the Small Business Act to provide for an increase in the maturity of Small Business Administration disaster loans from 20 to 30 years; provides for a suspension of up to 5 years on the payment of principal and interest on disaster loans at the discretion of the Administrator; and increases SBA's revolving fund by $50 million. S. 1796 passed Senate May 7. House Calendar.

EDUCATION

Elementary and Secondary Education Act: Authorized $1.344 billion in Federal aid for elementary-secondary schools for fiscal 1966; a 3-year program of Federal grants to States for allocation to school districts with large numbers of children from low-income families; a 5-year program of grants for books and library materials; a 5-year program of grants for supplementary educational centers and services; a 5-year, $100 million authorization for construction and operation of regional facilities for educational research; a 5-year program for grants to stimulate and assist States in strengthening the leadership resources of their State educational agencies; and a 2-year extension (through June 30, 1968) of Federal aid to impacted areas. Public Law 89–10. (Presidential recommendation.)

Institute for Deaf: Establishes a National Technical Institute for the Deaf for the purpose of providing a residential facility for post-secondary technical training and education for persons who are deaf in order to prepare them for successful employment. Public Law 89–36.

School construction: Authorized aid for school construction in certain impacted areas outside the continental United States. H.R. 5874 passed Senate amended June 11.

FEDERAL EMPLOYEES

Annuity increase: Clarified the application of annuity increase in the Postal Service and Federal Employees Salary Act of 1962. Public Law 89–17.

GENERAL GOVERNMENT

Construction in Guam and Virgin Islands: Improved facilities for enforcement officers of the Customs and Immigration and Naturalization Service on Guam and the Virgin Islands. S. 956 passed Senate April 21.

Dr. Jonas Salk: Designated April 12, 1965, to honor Dr. Jonas Salk and the National Foundation March of Dimes on the 10th anniversary of the announcement of the world's first effective vaccine against polio. Senate Concurrent Resolution 30 adopted April 7; House adopted April 8.

Father Jacques Marquette: Established a tercentenary commission to commemorate the advent and history of Father Jacques Marquette in North America. Senate Joint Resolution 53 passed Senate June 14.

Goddard Day: Designated March 16, 1965, as Goddard Day in honor of Dr. Robert Hutchings Goddard, the father of modern-day rocketry. Public Law 89–5.

Government employment of aliens: Authorized Secretary of Commerce to employ aliens in a scientific or technical capacity. S. 905 passed Senate April 21.

Jefferson National Expansion Memorial: Authorizes an increase from $17,250,000 to $23,250,000 in the appropriation authorization for the completion of the construction of the Jefferson National Expansion Memorial in St. Louis, Mo., in commemoration of the concept of westward expansion, the Louisiana Purchase, and all it has meant to the growth of America. S. 1576 passed Senate June 17.

Movable Property Act: Authorized the Secretary of Interior to transfer title to movable property to municipalities which assume operation and maintenance responsibilities for project works serving municipal and industrial functions under the same conditions and on the same terms as title transfers to irrigation districts or water users' organizations which assume operation and maintenance responsibilities for project works serving irrigation functions. S. 1000.

Patent Office fees: Increased fees payable to the Patent Office in connection with patents and registration of trademarks. H.R. 4185 passed Senate, amended, June 15. (Presidential recommendation.)

Postal rates for volunteer fire companies: Includes volunteer fire companies within the group of qualified nonprofit organizations entitled to use preferential second- and third-class postage rates for bulk mailings. S. 390 passed Senate March 29.

Textile Fiber Products Identification Act: Permits the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product. Public Law 89–35.

Wool Labeling Act: Authorizes FTC to exclude any headwear from the labeling requirements of the Wool Products Labeling Act if labeling is not necessary for the protection of the consumer. S. 836 passed Senate May 11.

HEALTH

Clean air: Requires standards and proposes regulations to control pollution from gasoline- and diesel-powered vehicles. Establishes a Federal Air Pollution Control Laboratory. Authorizes grants for research to improve methods for disposal of solid waste. S. 306 passed Senate May 18. (Presidential recommendation.)

Community health services extension: Extended for 5 fiscal years, 1966–70, authority for grants to States and communities for mass immunization programs against polio, diphtheria, whooping cough, tetanus, and adds measles. Extends for 1 year general and special health services, including those for migratory workers, chonically ill and aged, and grants for research to improve such services. S. 510 in conference. (Presidential recommendation.)

Loan cancellation: Authorized cancellation of a portion of the unpaid balance of a student loan to a physician or dentist who practices in a shortage area. S. 576 passed Senate January 28.

Water pollution control: Vests authority to establish purity standards for interstate water and authorized $80 million in new grants to help States and localities develop new methods of separating combined storm-water and sewage-carrying sewer systems; increases the dollar ceiling limitations on individual grants for construction of waste treatment works from $600,000 to $1 million for a single project and from $2,400,000 to $4 million for a joint project involving two or more communities. S. 4 passed Senate January 28; passed House, amended, April 28. (Presidential recommendation.)

Water pollution control—Federal installations: Provides for improved cooperation by Federal agencies to control water and air pollution from Federal installations and facilities and to control automotive vehicle air pollution. S. 560 passed Senate March 25.

HOUSING

Distressed homeowners: Authorized the Veterans' Administration to extend aid to distressed homeowners who, after relying on VA or FHA construction standards and inspections, find structural or other major defects in their properties purchased with GI mortgage loans which affect the livability of the property. S. 507 passed Senate January 27. (Presidential recommendation.)

INDIANS

Indian adult education: Increased by $3 million (to $15 million) the authorization for Indian adult vocational education. Public Law 89–14.

Pueblo Indian irrigation charges: Extended to 1975 the authority initially granted the Secretary of Interior by the Act of August 27, 1935, to enter into contracts with the Middle Rio Grande Conservancy District, New Mexico, for payment of operation and maintenance charges involved in the irrigation of some 11,000 acres of Pueblo Indian lands within the district. S. 1462 passed Senate March 29.

Quinaielt Tribe of Indians: Provides for the disposition of $205,172.40 awarded by the Indian Claims Commission to the Quinaielt Tribe of Indians in settlement of their claim. Public Law 89–28.

INTERNATIONAL

Coffee implementation: This bill implements the International Coffee Agreement ratified in 1963 and authorizes the President to require all coffee entering U.S. markets and all exports of coffee to be accompanied by a certificate of origin or a certificate of re-export. Limits imports of coffee from countries which have not joined in the agreement; and requires certain recordkeeping. Public Law 89–23. (Presidential recommendation.)

Disarmament Act amendments: Authorized $30 million for fiscal years 1966–68 for the Disarmament Agency. Public Law 89–27. (Presidential recommendation.)

Foreign Agents Registration Act amendments: Strengthened the basic purpose of the original act by requiring complete public disclosure by persons acting for or in the interests of foreign principals where their activities are political in nature or border on the political. Such public disclosure will permit the Government and the people of the United States to be informed as to the identities and activities of such persons. S. 693 passed Senate April 5.

Foreign aid authorization: Provides authorizations for the current program in fiscal years 1966 and 1967; ends the foreign aid program as presently constituted on June 30, 1967, and, in the meantime, provides for a searching inquiry as to the best means of formulating and operating a program of foreign assistance after that date. H.R. 7750 in conference. (Presidential recommendation.)

IMF: Authorizes an increase of $1,035 million in the U.S. quota in the International Monetary Fund, from $4.125 to $5.16 billion. Public Law 89–31. (Presidential recommendation.)

Inter-American Development Bank: Authorized a $750 million increase in the U.S. contribution to the Fund for Special Operations of the Inter-American Development Bank—over a 3-year period at the rate of $250 million a year. This represents the U.S. share of a planned $900 million increase in the Fund which will serve to strengthen multinational aid and the Alliance for Progress. Public Law 89–6. (Presidential Recommendation.)

International Cooperation Year: Expressed the sense of Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year. Senate

Concurrent Resolution 36. Senate adopted June 16.

Peace Corps authorization: Authorizes an annual appropriation of $115 million for fiscal 1966; provides two additional associate directors; and provides that the Director of the Corps shall hold no other additional office of an equal rank while serving as Director of the Corps. S. 2054 passed Senate June 2. House Calendar. (Presidential recommendation.)

Religious persecution: Expresses the sense of Congress against persecution of persons by Soviet Russia because of religion. Senate Concurrent Resolution 17 adopted by Senate May 14.

Saigon chancery: Authorizes $1 million for the construction of a chancery in Saigon. Public Law 89–22. (Presidential recommendation.)

United Nations Charter amendments: Increases the membership of the Security Council from 11 to 15 and the membership of the Economic and Social Council from 18 to 27, to be elected on a geographic basis. Executive A ratified June 3. (Presidential recommendation.)

Wheat agreement extension: Extends the International Wheat Agreement to July 31, 1966. Executive B ratified June 15. (Presidential recommendation.)

U.S. domestic fishery resources: Authorizes the President, whenever it is determined that fishing vessels of a foreign country are operating to the detriment of U.S. conservation programs, to raise the duty on fishery products of the offending nation. S. 1734 passed Senate May 19. Returned to Senate May 20.

JUDICIAL

Illicit traffic in child adoption: Imposed Federal criminal sanctions on persons engaged in interstate or foreign commerce in the illicit traffic of placing children for adoption or permanent free care. S. 624 passed Senate March 22.

PRESIDENCY

Presidential succession: Proposed constitutional amendment fixing conditions and procedures for succession of Vice President to the Presidency in event of Chief Executive's disability; provides for filling vacancy in the Vice Presidency. Senate Joint Resolution 1 in conference. (Presidential recommendation.)

REORGANIZATION

Bureau of Customs: Reorganization Plan No. 1 of 1965 provides for the modernization of the Customs Bureau by abolishing the offices of all Presidential offices and establishing these positions on a career basis. Offices abolished are 45 collectors of customs; 6 comptrollers of customs; and 1 appraiser of merchandise and 1 surveyor of customs. Effective May 25, 1965. (Presidential recommendation.)

Reorganization Act extension: Extended for 4 years to June 1, 1969, the authority of the President to transmit reorganization plans to Congress. S. 1135. Public Law 89–. (Presidential recommendation.)

RESOURCE AND RECREATION BUILDUP

Agate Fossil Beds National Monument: Authorized $315,000 for the establishment of the Agate Fossil Beds National Monument in Nebraska. Public Law 89–33.

Assateague Island National Seashore: Provides for the establishment of the Assateague Island National Seashore in the States of Maryland and Viriginia. S. 20 passed Senate June 17. (Presidential recommendation.)

Bighorn Canyon National Recreation Area: Authorized $355,000 to establish the Bighorn Canyon National Recreation Area in Montana and Wyoming to provide for public outdoor recreation use and enjoyment of the proposed Yellowtail Reservoir, and for the preservation of the scenic, scientific, and historic features of the area. S. 491 passed Senate February 10. (Presidential recommendation.)

Federal Water Project Recreation Act: Established prospective standard guidelines on the allocation and reimbursability of recreation, fish, and wildlife costs on Federal multiple-purpose water resource projects. S. 1229. Conferees agreed June 14. (Presidential recommendation.)

Fisheries Loan Act: Extends for an additional 5 years the fishery loan program administered by the Bureau of Commercial Fisheries; expands the scope of the present program to permit a loan to be made regardless of whether the vessel to be acquired will replace an existing vessel; and removes the present minimum annual interest rate of 3 percent and substitutes a formula for establishing the interest rate. S. 998 passed Senate June 16.

Flood protection: Authorizes the Federal Government to bear up to 5 percent of costs of utility relocations on projects covered by the Watershed Protection and Flood Prevention Act when the local organization is unable to bear such costs or cannot do so without undue hardship. S. 199 passed Senate May 25.

Grand Coulee third powerplant: Authorizes $364,310,000 for Federal construction of a third powerplant at Grand Coulee Dam on the Columbia River in the State of Washington, which will add 3.6 million kilowatts of generating capacity to the 2 million kilowatts of the two existing plants, making it the largest single hydroelectric development in the world. S. 1761 passed Senate June 16.

Kaniksu National Forest: Authorized up to $500,000 from the Land and Water Conservation Fund to extend the Kaniksu National Forest to include lands necessary for the protection and conservation of the scenic values and natural environment of Upper Priest Lake in Idaho. Public Law 89–39.

Mann Creek reclamation project, Idaho: Authorizes an additional $690,000 to complete the Mann Creek project in Idaho which, upon completion, will provide a supplemental water supply to 4,465 acres and a new water supply to 595 acres. S. 1582 passed Senate June 16.

Manson irrigation unit, Washington: Authorized $12.3 million for the construction and operation of the Manson Unit of the Chief Joseph Dam project. The Manson Unit has an irrigation potential of 5,770 acres of land, with half of the costs reimbursable. S. 490 passed Senate February 10.

Nez Perce National Historical Park, Idaho: Authorized $630,000 for the purchase of 1,500 acres of land to establish the Nez Perce National Historical Park to commemorate, preserve, and interpret the historic values in the early Nez Perce Indian culture, the tribes' war of 1877 with U.S. cavalry troops, the Lewis and Clark expedition through the area early in the 19th century, subsequent fur trading, gold mining, logging and missionary activity. Public Law 89–19.

Pecos National Monument, N. Mex.: Provides for the establishment of the Pecos National Monument in the State of New Mexico. H.R. 3165.

Pesticides: Amends the act of August 1, 1958 by continuing 3 years a study by the Secretary of Interior of the effects of insecticides, herbicides, fungicides, and other pesticides, on fish and wildlife for the purpose of preventing losses to this resource. S. 1623 passed Senate April 29.

River basin authorization: Authorizes an additional $944 million for fiscal years 1966 and 1967 for 13 river basin plans previously approved by Congress. H.R. 6755. Public Law 89–

River basin planning: Authorized Federal grants of $5 million a year in matching funds to States for State project planning over a 10-year period; sets up a Cabinet-level water resources council to coordinate river basin planning; and authorizes creation of river basin commissions for regional planning. S. 21 in conference. (Presidential recommendation.)

Saline water conversion: Provided for an expansion of the Federal program of research and development in the field of saline water conversion through authorization of an additional $200 million in appropriations for the period ending fiscal year 1972. S. 24 passed Senate June 16. (Presidential recommendation.)

Southern Nevada water project, Nevada: Authorizes $81,003,000 for the Federal construction of the southern Nevada water supply project, a single-purpose municipal and industrial water supply development to furnish water from Lake Mead to the cities of Las Vegas, North Las Vegas, Henderson, Boulder City, and Nellis Air Force Base. S. 32 passed Senate June 17.

Tualatin project, Oregon: Authorized up to $23 million for Federal construction of the multipurpose Tualatin reclamation project in Washington County, Oreg. S. 254 passed Senate April 1.

Water Resources Research Act: Amends the 1964 Water Resource Research Act to authorize grant, matching, and contract funds for assistance to educational institutions in addition to State land-grant colleges, to competent private organizations and individuals, and to local, State, and Federal agencies undertaking special research in water resource problems. Authorizes $5 million for fiscal 1966 and increases the authorization by $1 million annually until the level of $10 million is reached. The ceiling of $10 million will remain thereafter. S. 22 passed Senate March 25. (Presidential recommendation.)

Yakima project, Washington: Authorized $5.1 million for the extension, construction, and operation of the Kennewick division of the Yakima project with an irrigation potential of 7,000 additional acres (present irrigated acreage is 19,000). All but approximately $135,000 is reimbursable. S. 794 passed Senated February 10.

SPACE

NASA: Authorized a total of $5,190,396,200 to the National Aeronautics and Space Administration for fiscal 1966 as follows: Research and development, $4,536,971,000; construction of facilities, $62,376,350; and administrative operations, $591,048,850. H.R. 7717. (Presidential recommendation.)

TAXES

Motor fuel taxation compact: Grants the consent of Congress to New Hampshire, Maine, Massachusetts, Pennsylvania, Maryland and the District of Columbia to enter into a compact relating to taxation of motor fuels consumed by interstate buses and to an agreement relating to bus taxation proration and reciprocity. Public Law 89–11.

Excise taxes: Reduced excise taxes by $4.7 billion. H.R. 8371. In conference. (Presidential recommendation.)

TIME

Uniform time: Establishes uniform dates for commencing and ending daylight saving time in the States and local jurisdictions where it is observed. S. 1404 passed Senate June 3.

TRANSPORTATION

Navigation: Increased authorizations for the support and maintenance of the Permanent International Commission of Congresses of Navigation. S. 1501 passed Senate April 21.

Oceanographic vessels: Exempts oceanographic research vessels from the application of certain vessel inspection laws. S. 627 passed Senate April 29.

VETERANS

Reopened insurance fund: Authorizes the Veterans' Administration to transfer up to

$1,650,000 from the veterans special term insurance fund, for the purpose of providing administrative expenses in connection with the reopening of national service life insurance. Public Law 89–40.

VA hospitals: Expresses sense of Congress on increasing the authorized bed capacity for all Veterans' Administration hospitals. Senate Concurrent Resolution 13 adopted June 4.

WELFARE

Older Americans Act: Creates an Administration on Aging, under direction of a Commissioner, within the Department of Health, Education, and Welfare, to be a coordinating center for information and service to State and local governments, administer grants; promote research, gather statistics, and prepare and publish other data. H.R. 3708 passed Senate amended May 27.

National Foundation on the Arts and Humanities: Establishes a National Foundation on the Arts and Humanities to develop and promote a broadly conceived national policy of support for the arts and humanities throughout the United States. S. 1483 passed Senate June 10, 1965.

MISCELLANEOUS

Bank Merger Act Amendments, 1965: Amends the Bank Merger Act to require that future bank mergers should not be consummated until 30 days after the date of approval by the appropriate banking agency. S. 1698 passed Senate June 11, 1965.

Mr. MONRONEY. Mr. President, I yield to the distinguished junior Senator from South Dakota such time as he may wish.

Mr. McGOVERN. I thank the Senator from Oklahoma.

VIETNAM

Mr. McGOVERN. Mr. President, I believe that the war in Vietnam has taken a dangerous new turn with the commitment of large American land forces to a combat mission. Seventy-five thousand American soldiers are now committed to Vietnam, and every indication points to a total of at least 100,000 by next fall.

This in itself is a highly dangerous development, for it will inevitably invite a greater commitment of forces by the other side. The large North Vietnamese army which has thus far remained largely on the sidelines may be increasingly drawn into the fighting in the south. If that should happen on a large scale, it is clear that we would either be required to send in an army of several hundred thousand men or face a disastrous defeat or bloody stalemate out of all proportion to our interest in this corner of the globe. Nor does this prospect rule out the possibility of a confrontation with the huge armies of China backed by Russian air power and modern military equipment.

Mr. President, let us be clear on one point before we take this course. Our present commitment of U.S. combat forces on a sizable scale in South Vietnam is a radical departure from the advisory and assistance role which has heretofore been enunciated by Presidents Eisenhower, Kennedy, and Johnson and by Secretary of Defense McNamara.

In his original statement of U.S. aid to South Vietnam, President Eisenhower said on October 23, 1954:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means. The Government of the United States expects that this aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms.

On September 2, 1963, President Kennedy said:

> I don't think that unless a greater effort is made by the Government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort.

On August 12, 1964, President Johnson said:

> The South Vietnamese have the basic responsibility for the defense of their own freedom.

In February 1964, Secretary of Defense McNamara told congressional committees:

> I think we must recognize that success in the counterinsurgency campaign in South Vietnam depends primarily upon the South Vietnamese themselves. It depends upon their ability to construct a stable government. It depends upon their willingness to fight. It depends upon the competency with which they are led. It depends upon the extent to which their government deserves and receives the loyalty of the people, and the support of the people. All of these conditions are conditions that additional men and equipment from the United States are not likely to advance.

These statements make it perfectly clear that we did not go into southeast Asia to fight a major war with American forces. We are now following a course which is sharply at variance with the advisory and supporting role previously spelled out by three Presidents.

Yet, dangerous as this prospect is, an even more foolish course is now emerging as the recommendation of certain Republican spokesmen who seem to be calling for victory over the Vietcong guerrillas by massive U.S. bombing attacks on China and North Vietnam.

Mr. President, how long will it take for some people to realize that bombing Hanoi or Peiping will have little or no effect on the guerrilla forces fighting a thousand miles away in the jungles around Saigon? These guerrillas have lived for 20 years largely off the countryside. They have fought largely with captured weapons. Their strength is that they are a part of the people and the terrain in which they fight. They live with the villagers and the peasants and in many cases are farmers by day and fighters by night. To bomb them is to bomb the women and children, the villagers and the peasants with whom they are intermingled. To destroy their crops and jungle foliage is to destroy the countryside on which the general population depends. Thus, our bombing attacks turn the people against us and feed the fires of rebellion that strengthen the guerrilla cause.

In a recent U.S. bombing attack aimed at the guerrillas, newsmen reported that three out of four people seeking treatment after the raid for the cruel burns of napalm bombs were village women and children.

How much more ineffective it would be to start dropping bombs on the masses of humanity piled up in the cities of North Vietnam and China. This would not slow down the Vietnamese rebel forces thousands of miles to the south. It would simply destroy the moral and political influence of the United States in Asia. It would turn Asia into a seething sea of hatred against America from which we might never recover. It could insure a Communist takeover in southeast Asia and perhaps all of Asia and the utter collapse of American influence in that part of the world.

Instead of this futile course, I would urge that we take advantage of the forthcoming Afro-Asian Conference in Algiers to encourage discussions with the Vietcong leaders in South Vietnam. Perhaps the Algerian hosts of this Conference could provide a useful contact with the National Liberation Front that speaks for the Vietcong. President Johnson has very wisely offered to enter into negotiations leading to an honorable settlement of the war without preconditions. The administration has, however, excluded the Vietcong from such negotiations. That exclusion may be unwise and may be the chief barrier to negotiations. After all, the principal antagonists in this struggle are the government in Saigon which remains in power with U.S. backing, and the Vietcong rebel forces which enjoy the support of Hanoi and Peiping. For us to insist that only Hanoi and Peiping can negotiate for the Vietcong is to presume a Communist monolithic bloc in southeast Asia that may be a creature of our own misconceptions. Nor do we have any claim to be the principal negotiator for South Vietnam. That is the function of Saigon. I sometimes think that the Government and the people of South Vietnam have been lost sight of in this strange and tragic war.

In any event, to refuse to include the National Liberation Front of the rebel forces in negotiations would be similar to King George III insisting 185 years ago that he would negotiate with our French ally but not with Gen. George Washington and his rebel American forces.

I am told that the administration objects to discussions with the Vietcong because this might undermine the South Vietnamese government. But governments have been falling in Saigon with regularity every few weeks for the past 2 years. Furthermore, the government in Saigon has repeatedly expressed the fear that the United States is taking over the war so completely that it has the effect of undercutting the Saigon government in the eyes of its people.

If we are concerned about discussions with the Vietcong undermining the South Vietnamese Government and I think that is a legitimate concern—there are two safeguards we could follow. First, we could encourage the South Vietnamese Government to initiate such discussions with the Vietcong, or second, we could and should give assurances to Saigon that any negotiations in which we are involved will be in cooperation with our South Vietnamese ally.

As one respected American editor put it:

> The administration's mistake hitherto has been to point to a door marked "unconditional discussion," which has also been marked, "no admittance for the Vietcong," thus inhibiting a response from any quarter. To take down that inhibiting sign calls for political courage by President Johnson—almost as much as was displayed by General de Gaulle when he proposed entering into peace talks with the Algerians. But the alternatives now seem reduced to two: American withdrawal without parley as demanded by Peiping and Hanoi, or the commitment to South Vietnam of several U.S. fighting divisions which will bear the brunt of 5 or 10 more years of jungle war.

Mr. President, before we drift or plunge into either of these unfortunate alternatives, I hope and pray that the Senate will engage in long and painstaking debate about the essentials of our present foreign policy. Do we intend to rush into every revolutionary situation in the world on the theory that we have a mandate to impose an American solution? Do we intend to work with or against the powerful nationalistic and social forces now convulsing Asia, Africa, and Latin America? Do we assume that all Communist or Socialist states are "one ball of wax" and that we must resist them all down to the last American soldier, or can we live in peace with "Titoist" type regimes, including, perhaps, even Ho Chi Minh? Will we forever insist on denying the existence of a government on mainland China—the most populous nation in the world? What is the role of the United Nations and other peacekeeping agencies in the troublespots of the world? How effective is military power in areas of overriding human misery, hunger, and disease? Do we understand the sources of Communist appeal to the neglected peoples of the world? Are we using our own strongest moral, political, and economic weapons including our food and technical knowhow to the best advantage in our competition with the Communists? Is southeast Asia so vital to our interests that it is sufficient cause for us to undertake world war III in that part of the globe?

These are some of the many questions that I hope the Senate will debate before we are committed so irrevocably to a course in southeast Asia that all debate and discussion is stilled by marching feet and exploding bombs.

Mr. President, I add one final thought:

Recent announcements that U.S. forces will engage in ground combat in Vietnam if requested by the Government of South Vietnam, comes at a particularly bad moment because of the continuing inability of that Government to get a grip on the situation.

If it were a question of the United States responding to a request for help from a government which was moving toward stability and control, that would be one thing. But the political standing of the Government of South Vietnam has grown weaker rather than stronger in recent weeks.

It is ironic that one newspaper—the New York Times—carried the story of the U.S. decision to allow U.S. troops to fight at the request of the South Vietnamese Government right next to a story about the expected fall of the South Vietnamese Government. This juxtaposition reemphasizes the fact that the problem in South Vietnam is first and foremost a political one. Military measures are also necessary at this time, but until a satisfactory political solution is reached in South Vietnam, military measures alone—bombings of North Vietnam, increased numbers of U.S. advisers, more modern equipment, or actual combat by U.S. troops—will not solve the problem.

There is a great contrast between the direction of U.S. policy in Latin America and in Asia. In the Dominican Republic, for instance, what began as a unilateral intervention is becoming more and more multinational and the responsibility of the Organization of American States. Yet, in South Vietnam, what began as a multinational enforcement of Geneva commitments is becoming more and more a unilateral intervention, in which even the South Vietnamese Government is playing a smaller role while the U.S. role continues to escalate.

I think we would be wise in Asia, as well as in Latin America, to avoid unilateral intervention and to work for multilateral support for our efforts. If it is impossible to get effective multilateral backing, I think that should be a clue to us that our policies and objectives may need reevaluation.

Mr. MONRONEY. Mr. President, I yield 1 minute to the distinguished Senator from Wisconsin.

Mr. NELSON. Mr. President, I commend the Senator from South Dakota for his very thoughtful speech. I was not able to be present throughout the entire speech. I did not have the opportunity to read the speech prior to its delivery. Therefore, I am not prepared to say whether I agree with everything that was said. I believe that the speech was an extremely thoughtful contribution to the dialog on this very serious situation confronting us in southeast Asia.

All too frequently lately, I have noticed that the columnists, editorial writers, radio and TV commentators keep insisting that any discussion of our involvement in southeast Asia will somehow or other be misunderstood over there, and, therefore, we should not talk too much about it over here.

My comment about that is that I do not believe that we should qualify our freedom and our freedom of speech in this country based upon what might be thought by people who never had any freedom or freedom of speech.

We should not give up our freedom or our freedom of speech in this country merely because they do not understand what it is about since they have never experienced it.

I commend the Senator for a thoughtful and courageous contribution to this dialog, which should continue in a free society such as the one in which we live and hope to continue to live for all time to come.

APPOINTMENT OF GEN. WILLIAM F. McKEE TO THE OFFICE OF ADMINISTRATOR OF THE FEDERAL AVIATION AGENCY

The Senate resumed the consideration of the bill (H.R. 7777) to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency.

Mr. MONRONEY. Mr. President, when President Johnson learned of the intention of Najeeb E. Halaby, Administrator of the Federal Aviation Agency, to resign, he began searching for a man to fill this high post—a relatively new post in terms of Government agencies—yet a post which requires the highest skill and knowledge of the art of aviation, the tact and diplomacy of an ambassador in dealing with and melding the interests of general aviation, commercial aviation, and the military, and the experience in Government in order to work with the various other government agencies, State and Federal, on aviation affairs and to carry out the desires of the Congress.

In selecting men and women to hold high and responsible positions in our Government, President Johnson has chosen well. His search to find the best person for the job and his refusal to accept anything less, whatever the pressures upon him were, have set new standards for the quality of leadership in government.

The man President Johnson has selected to be the next Administrator of the FAA, is, as much as any other Presidential appointee, a tribute to the President's wisdom and firm adherence to his rule—"the best man for the job."

Because of a provision in section 301(b) of the Federal Aviation Act of 1958 requiring the Administrator to be a civilian, it was necessary for the President to ask the Congress to authorize him to appoint William F. McKee, a retired Air Force general, to be the Administrator of the FAA.

As a former Member of both Houses of the Congress the President is respectful of the prerogatives of the Congress and has conscientiously given great attention to the wishes of the Congress.

The bill to authorize the appointment of General McKee has been considered carefully by the Senate Commerce Committee and the House Interstate and Foreign Commerce Committee. Public hearings were held by both committees and every interested person and organization were afforded an opportunity to testify. Both committees have registered their approval of the bill.

In substance, the bill waives in this one instance the requirement in section 301(b) that the Administrator of the FAA be a civilian. It permits General McKee to serve as Administrator and retain his rank as a retired Air Force general. General McKee would be entitled, as are all retired regular military officers, to receive a portion of his military retirement pay under the Dual Compensation Act in addition to receiving the full civilian salary as Administrator.

The bill expressly states:

> [That General McKee] shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were not an officer on the retired list of the Regular Air Force.

The bill also expressly states the intent of the Congress that this is a one-time waiver of the requirement that a civilian serve as head of the Agency.

Any further action or waiver of this provision would require the passage of an act of Congress. Congress has done this, so far as the House is concerned. It is now up to the Senate to take some action.

I yield to the distinguished Senator from Washington.

Mr. JACKSON. Mr. President, I rise in support of the pending legislation to authorize the appointment of Gen. William F. McKee. I do not support this legislation because General McKee is a military man. I support the legislation because General McKee is an able administrator.

On June 23, 1964, I made certain remarks in the Senate Chamber concerning General McKee on the occasion of his forthcoming retirement, which took place on July 31, 1964. I read from my remarks about General McKee on that occasion as follows:

> I wish to use this opportunity to take note of General McKee's able work and constructive contribution in the Nation's service.
>
> An outstanding management man, General McKee's assignment as commander of the Air Force Logistics Command, and then as Vice Chief of Staff of the Air Force, brought to fruition many improvements in the support system of the Air Force which he had planned and directed.
>
> The activities supervised by General McKee included both personnel procurement and training, and the complex materiel procurement and supply operation required to support our combat air forces.
>
> General McKee stated his objective for the modern Air Force as follows:
>
> "As we move farther into space, there will be no room for error—mechanical or human. Our efforts today are aimed at the flawless support systems of tomorrow."
>
> During his duty with the Air Force Logistics Command, management improvements resulted in a reduction in manpower from 224,000 to 147,000 and requirements for spare parts were reduced by some $7 billion.
>
> These increases in efficiency were not made by sacrificing support to the combat units. High-speed movement of priority and high-value material has reduced the inventory in the pipeline: use of electronic data processing equipment and improved communications can make requirements from the field quickly known; and maximum use of aircargo delivery methods and equipment can promptly provide the necessary equipment.
>
> As vice commander of the Air Materiel Command, and later as commander of the Air Force Logistics Command, General McKee played a major role in eliminating the vast Air Force logistics complex overseas, which included large depots in Africa, France, England, Japan, and the Philippines. On his recommendation, a depot program for Spain, at a cost of many millions, was never built. As the oversea logistics complex was phased out, the Air Force went to a concept of direct support from the Zone of Interior. This resulted in very substantial savings in dollars and people. Perhaps more importantly, the combat effectiveness of our oversea units was significantly improved.

That is the end of the quotation from the statement I made on the Senate floor on June 23, 1964, in connection with the then pending retirement of Gen. William F. McKee from the Air Force.

He is an outstanding administrator. He is a man of great integrity. He has the confidence of the people of this country. He administered procurement programs in the Air Force running into billions of dollars without a word of doubt as to his able, dedicated, and outstanding performance in those critically important programs.

Mr. President, I support the legislation. I intend to support the nomination of General McKee. He is a man of great ability and I am convinced he will make an excellent Administrator of the Federal Aviation Agency.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield, with the permission of the Senator from Oklahoma [Mr. MONRONEY], who has the floor.

Mr. MONRONEY. I yield.

Mr. HARTKE. Assuming for the moment what the Senator has said is correct, without contradicting the high opinion that the Senator from Washington has concerning General McKee, does the Senator feel, in all fairness to the general himself and to the Senate, that before the rest of the Senate should pass judgment on this man he should not go through the customary and regular procedures of the Senate by coming before a committee and having an open hearing as to his qualifications rather than having only individual testimony of persons who know him personally? No such hearing has been afforded in this case.

Mr. JACKSON. I do not think that is the issue. It is only a matter of time. He will be required to appear before the Commerce Committee in connection with his nomination.

This bill simply makes it possible for the President to submit his nomination.

Mr. HARTKE. That is the very essence of the proposition. This is no general purpose bill. The bill is directed to General McKee. Before the Senate passes the bill, it must pass judgment upon whether the man is qualified. The very essence of the question involved is that we are asked to pass a bill and to accept the judgment of some persons without being afforded the ordinary course of a hearing. In other words, we are asked to pass judgment on the Senate floor, then to have a hearing, and at that time pass judgment on the man for the second time.

Mr. JACKSON. I would not question for one moment the necessity of having General McKee appear before the Commerce Committee, however, I see no reason to require him to appear twice—particularly since he has not yet even been nominated.

Mr. HARTKE. Does the Senator want me to accept his statement as authority? I have respect for him, but I do not believe that, under similar circumstances, the Senator from Washington would want to dispense with hearings on the nomination of a certain person merely because I thought he was of the highest quality.

Mr. JACKSON. I only say that I stand on my statement. If the Senator does not subscribe to it, obviously, he does not have to do so. I notice that the Senator circulated a letter questioning whether General McKee is an administrator. I think what I have said is quite pertinent to the letter the Senator sent to every Senator. I was speaking only to this issue which the Senator raised in his letter.

Mr. HARTKE. That is correct.

Mr. JACKSON. The Senator said that 1 week ago he was speaking on this bill, and the distinguished majority whip asked him what unusual qualifications General McKee has which make him the only person capable of holding the job of Administrator. He stated that he did not know, inasmuch as the Commerce Committee had not had an opportunity to question General McKee.

I am not saying he is the only man. The point is that not only was he a great officer in the Air Force of the United States, but he has been one of the outstanding administrators in the Pentagon. I know that of my own knowledge. He is a man of great integrity.

I am trying to answer the question raised in connection with the letter.

Mr. HARTKE. I am not denying the authorship of the statement or the letter. The only question is whether the Senate is entitled to do away with organic law for one man. That is the first point. The second point has to do with the regular procedures of the Senate which would require the man to come before the committee and state his qualifications, and at the same time give members of the committee an opportunity for examination.

Mr. JACKSON. The bill before the Senate is a condition precedent to taking up his nomination. It simply enables the President to submit his nomination. We cannot nominate him. The President makes the nomination does he not? This is exactly what was done in the case of General Marshall. There is a precedent for it.

Mr. HARTKE. Is there any question that the President intends to nominate the man if the bill passes?

Mr. JACKSON. I assume he does. May I ask the Senator, Is there any question in his mind as to whether he will have an opportunity to question General McKee?

Mr. HARTKE. I have a question, if the bill passes, as to whether we are going to be able to question him and understand what the qualifications of the nominee are without having a prejudgment by the Senate as to his qualifications.

Mr. JACKSON. The Senate is merely saying that, if the bill before the Senate passes, the President may appoint him. It does not say the President must appoint him. It provides that the President may appoint him with, and I emphasize, "by and with the advice and consent of the Senate." Unless I am mistaken, I assume he will appear before the

Commerce Committee, and if any Senator wishes to interrogate him, he will have that opportunity. This bill does not make him Administrator. It does not constitute confirmation.

I yield to the Senator from Oklahoma, who, I assume, will be in charge of the committee.

Mr. MONRONEY. The law clearly sets forth that the Administrator must be a civilian at the time of his appointment. The bill makes it possible to waive that section of the law so that a retired military man may be appointed.

We cannot have a nomination and we cannot call him before the committee to question him on his qualifications until the man is appointed by the President; and he cannot be formally appointed by the President until a bill is passed waiving that provision of the law.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JACKSON. There is the further point that the committee decided to limit the exception to General McKee. It is not a bill which grants the exception to everybody.

Mr. MONRONEY. The bill does not repeal the statute. It waives the requirement for one man only. The question is, if the President nominates this man—and the committee had a hearing—whether we should waive the law; whether his capabilities, record, and experience, were good enough that he would make a capable Administrator for the FAA, so that we should waive this requirement of the law for this one time, and only one time.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JACKSON. The central issue is whether the President should have a right to nominate the best possible person for this position. That is the central question. The fact that General McKee happens to be a retired officer should not automatically disqualify him. I regret that some people are opposed to men who have served their country for many years with distinction.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. HARTKE. Does the Senator not believe that the Federal Aviation Act contains a policy statement with respect to that question?

Mr. JACKSON. Yes, but it is not immutable. It can be changed. We did it with respect to General Marshall. The first FAA Administrator was a career military man.

Mr. HARTKE. Why is there not a bill before Congress that the law be repealed, then?

Mr. JACKSON. What did we do in the case of General Marshall?

Mr. HARTKE. We did the same thing, and General Marshall moved out as fast as he could. Omar Bradley commented on that and said he did not think it was a good precedent.

Mr. JACKSON. Where did General Marshall go?

Mr. HARTKE. Does the Senator want what General Bradley said about that?

Mr. JACKSON. Where did General Bradley go?

Mr. HARTKE. No special law was needed or passed for General Bradley.

Mr. JACKSON. Did he not serve in the Veterans' Administration?

Mr. HARTKE. No special law had to be enacted exempting the provision that a civilian had to serve. No special law had to be passed for General Bradley.

Mr. JACKSON. I do not believe that the test is whether a special law has to be passed. The test, it seems to me, is whether the President shall have the right to nominate good people for high office, wherever he can find them; and when there is a special situation I hope that Congress still has the discretion and judgment left to pass on such matters recognizing that every rule must have its exceptions. That is what we are doing here today, it seems to me, Mr. President.

Mr. SYMINGTON. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. MONRONEY. I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, the man being considered today is, in my opinion, and with one exception, the best administrator I ever knew in the Department of Defense. The other is now the president of one of the world's great companies.

General McKee could make a great deal more money if he went into private business than he is receiving from NASA today. However, because of the extraordinary growth of that agency, he agreed to stay in Government and serve his country after 40 years as a remarkably able officer.

If General McKee takes this job at the request of the President, he will take a reduction in salary, because he will have to resign his commission in the Reserve and retire—which he would do—unless the proposed law is enacted.

I believe that point should be stressed.

I do not see why the Senate should punish this officer for being desired as a result of his extraordinary managerial capacity. I do not see why we should cause him to lose 50 percent of his retirement pay, which he would lose automatically if he should take this position.

To those of us who know him well, he is the kind of man needed, the way the world is today. When the President of the United States asks him to do a job—just as General Marshall did when President Truman asked him to go to China even though he had started his retirement—General McKee says, "I will do it."

There are many in Congress who assert that we should raise the salaries of military personnel. The able and distinguished chairman of the House Armed Services Committee says we should raise them even more than the administration has asked.

Mr. President, a few days ago the Secretary of the Navy made a graduation talk at the Naval Academy. He pointed out that of the 801 midshipmen in that graduating class, by the year 2007, based on the law of probability, 2 of those men will be at the top in the U.S. Navy. One will be the Chief of Naval Operations, the other the Vice Chief.

Mr. President, General McKee is the first four-star general in the history of the Air Force to attain four stars without being a flyer. The reason is his extraordinary managerial capacity. He is one of the two men who, some 40 years later, reached the top of his profession.

If he changes his job he will lose half his retirement pay over $2,000, so he would receive some $9,000 instead of $16,000.

Why should the Senate punish him for agreeing to serve in a position he is so well qualified to handle?

The distinguished senior Senator from Oklahoma [Mr. Monroney], in my opinion, is the Senate authority on commercial aviation, as chairman of a Subcommittee on Aviation of the Commerce Committee, pointed out in committee yesterday that we need to develop a supersonic transport plane, and said it would cost approximately $2 billion.

Someone is going to make the decisions incident to that $2 billion.

There is no man in this country better qualified to make recommendations to the President on this subject than General McKee.

Some of us know who is behind much of the opposition to General McKee. They know that General McKee cannot be pushed around. No one is going to tell him what to do. He will do what he believes to be right for his country.

Mr. CLARK and Mr. PEARSON addressed the Chair.

Mr. MONRONEY. Mr. President, I have already promised to yield to the Senator from Kansas [Mr. Pearson], and am glad to yield to him now.

Mr. PEARSON. Mr. President, let me say at the outset of this debate that I am in opposition to the bill. I have read the hearings. I have listened to the statement of the Senator from Washington reciting the qualifications of General McKee months before his name was ever submitted in relation to this bill. I have heard the distinguished Senator from Oklahoma in committee recite and endorse the qualifications of General McKee and his great experience. I have listened with great attention to the Senator from Missouri [Mr. Symington], who has had a great deal of experience as a former Secretary of Air and in the Armed Services Committee. I have read his statement in the Record made a day or so ago. I therefore do not believe that there is any question about the qualifications of General McKee.

In the hearings conducted by the able chairman of the subcommittee, because of the nature of the bill, the question of General McKee's qualifications naturally arose, although he did not appear to testify.

Let me say to the Senator from Oklahoma that while I oppose the bill, if the Senate is going to pass it, and the Senate is going to approve the nomination, I believe, without any doubt, that I shall vote for confirmation of the nomination of General McKee.

However, the issue is not as the Senator from Washington has stated, whether we shall or shall not appoint a military man. The issue is whether we are going to adhere to the principles laid down in the act creating the Federal Aviation Agency, as to whether a civilian agency shall be administered by a civilian.

I understand and respect the position of a man who has been in the military service for many years that there is no opportunity for him to build up an estate of any kind. I can understand the benefits that are the right of his family, and the right that he has to go out into civilian life and earn, no doubt, a large salary. However, I believe that the provisions of this bill violate the principles of civilian control and civilian administration, and also the principle of the Dual Compensation Act passed last year.

That is the basis on which I oppose the bill.

Mr. MONRONEY. I respect the right of my distinguished friend from Kansas to disagree. He has a right to question the wisdom of waiving this provision in the act. Congress wrote the restriction in the first place. I happened to be the author of the act.

Mr. PEARSON. I acknowledge that fact.

Mr. MONRONEY. I know the reason why it was put in the act. At that time we were having a serious contest with the Air Force. The Air Force refused to comply with civilian aviation rules, and refused to file flight plans, or to even notify the civilian aviation agency when it was conducting refueling operations over major trunkline routes. They would not agree to any sharing, with the civilian components, of the air space. This was a good many years ago. That was the situation that prevailed at that time.

Mr. PEARSON. If the Senator will let me interrupt him at this point, it is my understanding that the Senator does not intend to repeal section 301(b), but only to waive it in this instance. Is that correct?

Mr. MONRONEY. Yes. Section 301(b) is good policy and should not be repealed.

This case involves the appointment of the Administrator for the Aviation Agency. That does not mean that Congress is confirming him in this post, because, as the distinguished Senator knows, the full process of confirmation will be gone through if he is appointed to the office, at which time General McKee will be called before the committee, and he will be questioned as to his ability and as to what he stands for and as to how he proposes to operate the Agency.

Any opposition witnesses who wish to be heard will be heard. This is not a matter of finality. This is merely a step in the proceedings.

Mr. PEARSON. The point is we are not debating his qualifications.

Mr. MONRONEY. We are not debating his qualifications. However, it is necessary to debate the need for a man of his qualifications in order to furnish justification for what I consider to be a reasonable waiver of the section which was written into the Federal Aviation Act. It is necessary to discuss the man, because otherwise we would not want to waive section 301(b).

Mr. PEARSON. I do not wish to be misunderstood. Does the Senator really believe that section 3 of the bill has any real validity in meaning?

Mr. MONRONEY. Section 301(b)?

Mr. PEARSON. No; section 3 of the bill, which states that this is a waiver for this particular time because of the peculiar circumstances that are involved. It is very similar to the language used in the act when General Marshall was appointed Secretary of Defense, which was a civilian post. We have done it once. Now we are about to do it a second time. Will we be asked to do it a third time?

Mr. MONRONEY. It was not done in the case of General Quesada. General Quesada, for reasons known to himself, chose to become a civilian. He had other financial means, and was not as concerned, perhaps, with the retirement pay that he had so justly accumulated. Therefore, he stripped himself of his military rank by resigning, and became a civilian. This bill would not be required today if General McKee were to forgo his accumulated 35 or 40 years of military retirement pay and became a civilian. In that case he would come before our committee as a civilian. Having resigned his commission, he would be confirmed as a civilian in the post of Administrator.

We are asking for the waiver because we do not believe he should forgo his years of valued, competent and able service to his Government in order to serve his Government a little longer in a post in which the President—and I concur in the President's view—feels he is most competent to serve.

Mr. PEARSON. The Senator may have misunderstood me in part. I said we did it in the case of General Marshall.

Mr. MONRONEY. Yes.

Mr. PEARSON. We are asked to do it in the case of General McKee for equally good reasons, no doubt. Will we be asked to do it a third time?

Mr. MONRONEY. At this point I would say that if a situation should arise in which there was not a civilian of extreme competence available, and a highly qualified military man were available, and if he possessed the required capabilities, then, since I do not distrust the military, we might want to waive it again. The situation must be faced at the time, the place, the man, and the need, as it arises. I do not see any reason why Congress should be denied the right to examine this act in the light of all the circumstances. Section 301(b) is a most essential part of the act. I believe it should stay in the act. Congress can always say, "We want to take a look at it to see if there is reason or justification for waiving it at this time."

There may be another time; and if there is, and if we find a man who can do the job, and we do not find a competent Democrat available for the job, I believe we should waive it again.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Mr. President, I should like to ask my friend from Oklahoma a question. I take it from what I have heard in the debate that Senators agree that General McKee is an able and loyal American citizen, and that no one has questioned his ability or integrity. Is that correct?

Mr. MONRONEY. The Senator is correct. That is my understanding.

Mr. CLARK. Assuming that to be the case, does the Senator agree with the statement which appears at page 4 of the committee report, which is a quotation from Executive Report No. 7, 86th Congress, 2d session:

> Furthermore, and perhaps most important, one of the basic principles of our society is that the control of government, including the policymaking function, should be vested in civilians with the military subordinate. Continued appointments of career officers could destroy the symbol of civilian government as well as promote the unfortunate practical effects associated with almost dominant military influence.

Does the Senator agree with that statement?

Mr. MONRONEY. I concurred in that language the time it was written, and I concur in it now. It is one of the main reasons why we are asking for a waiver instead of a repeal, because I am conscious of the necessity of guarding this point very carefully.

Of those who are listed by the FAA in its executive handbook, listing 298 of the top officials of FAA, only 9 are officers on active duty. That is a very small percentage.

Mr. CLARK. I take it that the answer of the Senator to my question is "yes." Does he agree with it?

Mr. MONRONEY. I agree.

Mr. CLARK. Is the Senator satisfied that there is no competent civilian who can be appointed to this post; that the United States has gotten into the unfortunate position where only this able four-star general is competent to carry on these duties, and therefore we must waive a sound principle of American constitutional law in order to get this four-star general? Is no civilian qualified, in other words?

Mr. MONRONEY. The President has searched for a long time trying to find some competent people to do the job, particularly in view of the prospect of our building the SST.

Mr. CLARK. What is the SST?

Mr. MONRONEY. The supersonic transport.

Mr. CLARK. Of course, I yield to the Senator on all matters pertaining to aviation, as I do also to the Senator from Missouri, because they know so much more than I about this subject. However, it is my opinion that we need a supersonic transport about as much as we need a hole in the head.

Mr. MONRONEY. That is the Senator's opinion. My opinion differs from his. If we do build it, we should have a good manager. General McKee is a manager of extraordinary competence. He is experienced in aviation. He enjoys the confidence not only of the civilian community, but of the military community as well. Let us not forget that 35 percent of all the airspace is used by the military.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. MONRONEY. I yield.

Mr. CLARK. It occurs to me that the candid, honorable, and right way to do what is sought is not to ask for another exception, continuing the creeping control of the military over the civilian aspects of our Government, which in my judgment has gone much too far already. It has gone so far that in my opinion the Pentagon is now running the State Department. The candid thing to do is to repeal the provision of law which prevents the military man from being the head of this Agency, and let us really start down the road toward a military dictatorship.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished Senator from Washington.

Mr. MAGNUSON. I always thought that the State Department ran the Pentagon. That has been my opinion.

I should like to answer the inquiry of the Senator from Pennsylvania. I suppose that many people in the United States would fall within the criteria of the job about which we are talking. But most of them would not take the job. I would suspect that any of those who are as qualified in that particular field as is General McKee would have to sacrifice much more in pay, whether they are retired military people or competent scientists or engineers, than General McKee would receive.

The problem is not whether the United States is devoid of people who could do the job. The problem relates to the availability of qualified people.

At the time the original bill was passed, the distinguished subcommittee chairman, the Senator from Oklahoma [Mr. MONRONEY], knows that we were in the throes of a real controversy between the military and civilians. The problems involved safety and other things of that character. As the Senator knows, we separated functions and made the FAA practically a safety division.

If that was their only function now, I would think that a man of McKee's experience and ability to be the Administrator of FAA would not even be suggested. But over the years the FAA has expanded. It has been getting along with the military. Joint rules have been worked out. A great deal more stability in the safety rules of U.S. aviation has been created.

Then there were some private pilots who, we must be frank, always have some problems with the FAA. They did not like the idea of a military man being head of the Agency. I suppose when we were talking about the subject years ago many of those pilots had recently come from the military. Senators who have been in the military know that when a man is about ready to get out of the military service, he does not wish to see any more sergeants, officers, or other military personnel.

At that time the Senator from Oklahoma and the other members of the committee wisely decided that only one of the top jobs in the FAA, either the office of Deputy or the Administrator, could be occupied by a career military man.

At the time that General Quesada was appointed—and I do not believe that General Quesada would mind my suggesting it now—he had a rough time with some of the civilian pilots. There was a great deal of conflict. I wish to be perfectly fair about it.

General McKee is not an aviator. Since then the FAA has taken on many more duties, one of which I think is most important. That is the duty of liaison between the Federal Aviation Agency and NASA with relation to our future in the sonic field. We might have come to the same view to which the Senator came, for the question involved the space field.

A short while ago we had in the Senate Chamber those fine young astronauts. We were down in the Appropriations Committee talking with representatives about appropriations for that agency. It was appropriate that the astronauts should come at this time. Their visit saved me a great deal of trouble in the committee. I believe the appropriation will get along nicely.

So the situation has changed. We have looked around for available people who would be objective, because there is a great deal of competition between FAA research and development and NASA. McKee looked like the one we needed, because of his experience in the Air Force. I believe the Senator from Missouri [Mr. SYMINGTON] knows about that. I do not believe that anyone searched or scoured the United States to determine whether he was the best man, but McKee was found, and he had the problem about which we are now speaking.

In view of the future of aviation in many fields, we think General McKee seems to be the best man available, and we desire to make an exception to the rule.

The Senator from Oklahoma was absolutely correct in his answer to the Senator from Kansas [Mr. PEARSON]. I suppose there will be another exception. I do not know. We thought that when General Marshall was named, it was a time to reverse the rule. We thought that a time to reverse it occurred when the name of General Quesada was before the Senate. In the fast-moving technological air space age that we are getting into, there may be several occasions on which an exception must be made. I do not know. But as the Senator from Oklahoma has said, each requested exception must stand upon its own merits, its own facts; and if the facts do not justify the request, we would be the last to suggest that an exception be made.

The peculiarity of the facts in the present case justifies the exception. No one over the years in aviation has been more concerned about the encroachment of the military, the running of it or getting into it deeply, than the Senator from Oklahoma. I was surprised. I thought that when he looked at the proposal he would be reluctant to act. But after he looked at the facts, he decided that he would support the measure.

Mr. CLARK. I should like to make my position clear to both the Senator from Oklahoma and the Senator from Washington.

Mr. MAGNUSON. I think that fairly well states the history of the act.

Mr. CLARK. If Senators desire to put the military on top and not on tap, I am quite prepared to pay whatever difference there may be in retirement allowances or extra perquisites by reason of waiving or giving up of pension rights, or whatever else is necessary in order to get this fine man, General McKee. I am sure an excellent man has been picked. Perhaps he is the best man. What I am saying is, "If you go looking around, as you do every time, for military personnel to put into civilian jobs, for goodness sakes let us change the law and not come in here with what is essentially a private bill."

Mr. MONRONEY. This a private bill dealing with one man because he has the competence that we need. I would refuse to introduce a bill that would in effect say, "Go to the Air Force and pick out a general to head this agency." But for General McKee I would have introduced a bill if the chairman had not; and I support it because I know he has competence greater than anyone else who is available at what the Federal Government can pay a man for the job. If we paid twice the amount involved we could not find a man whose experience in all phases of aviation was as diversified and complete.

Mr. CLARK. In other words, he is the indispensable man. Is that correct?

Mr. MONRONEY. He is the best available man that we can find today. If we expect to take an inferior man because of the prejudice against the Air Force, Senators who wish to vote that way can do so. But I am not among them.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SYMINGTON. I remember discussions on the floor of the Senate when the nomination of John McCone came before the Senate to be Director of the Central Intelligence Agency. No one in the Senate today would say that John McCone did not make a good Director of the CIA. But at the time the Senate considered the confirmation of his nomination, we heard that he was a former Pentagonian and a successful businessman. Seldom has a man left the service of the Government who received more accolades than did John McCone. It was well for the country that the Senate decided to trust him in this vital job.

What is one of the big arguments against W. F. McKee? One is that he is a general, in other words he has been successful. Out of a class of hundreds of men, he rose to be No. 2.

McKee offered to give up the money to take the job because his President asked him to take it. He will lose nearly half his retirement pay. Why do we now plan to take it all?

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I will gladly yield when I finish my sentence. Do we want to say "Because you are successful, because you are the best man the President can find, because those of us who are interested in aviation believe you are the best man that the President can find, we feel you should lose all of your rights as a Reserve officer, including your retirement pay"?

I do not believe that is just. I know the young officers. I have worked with them and lived with them. They watch what happens to those ahead nearer the twilight of their careers. They are vitally interested in their retirement status.

I have known able young captains and majors who were offered positions in the Government. Uppermost in their minds is what their rights are.

I wish the distinguished senior Senator from Georgia [Mr. RUSSELL] were here today. He is an authority on this subject.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. HARTKE. I wish he were, too. The senior Senator from Georgia expressed his view to me, and he told me I was right. I wish he were here. I am sorry about the death in his family. I think he would be on our side.

The point is that the Senator from Missouri consistently and insistently says that the issue concerns the qualifications of General McKee. As the Senator from Kansas [Mr. PEARSON] pointed out, we are not talking about his qualifications now, unless the Senator from Missouri would have the Senate precluded from going into hearings on his qualifications.

In this case, the Senator from Missouri is, to all intents and purposes, conducting the actual hearing on General McKee without the benefit of having him present. Let me say one thing about the statement that he made about being willing to give up his rights. I do not know what he would say. I know what Mr. Macy said in the hearings before the House of Representatives, which were not even printed. I know what was said in the Senate hearings. It was said that General McKee could not afford to take the job. It was not said outright, but it was implied strongly that he would not accept this appointment unless this bill were passed.

Mr. SYMINGTON. The Senator from Indiana made that point about hearings to the Senator from Washington [Mr. JACKSON]. The Senator will have the right to question General McKee about his knowledge and thinking and background and record; his obligations, if any, to military and civilian organizations interested in aviation. Every member of that great committee will have a right to question General McKee thoroughly.

After he has undergone the interrogations presumably the committee will meet in executive session and vote as to whether or not they believe he is capable of handling the job. But there would be no way to have such hearings unless we obtain this law in order to get the best man the President knows to do the job.

The chairman of the Committee on Commerce [Mr. MAGNUSON] and the chairman of the Subcommittee on Aviation [Mr. MONRONEY] are on the floor. Can they tell the Senate whether they intend to have any hearings, or if they merely intend to poll the committee to see whether the committee agrees to the confirmation of General McKee's nomination. I would ask the Senator from Oklahoma if he plans to hold hearings.

Mr. MONRONEY. The Senator from Oklahoma, who is chairman of the Subcommittee on Aviation, plans to hold hearings. The chairman of the Committee on Commerce is in the Chamber; he can speak for himself.

Mr. MAGNUSON. Hearings will be held.

Mr. SYMINGTON. I am sure that the hearings will be as full and complete as the Senator from Indiana, or anyone else, desires them to be—open for full questioning. But no hearings on confirmation can be held unless a law is enacted making General McKee eligible for appointment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HARTKE. Mr. President, will the Senator yield on this point?

Mr. MONRONEY. I yield to the Senator from Rhode Island.

Mr. PASTORE. I believe I am the one who is responsible for the start of all this debate. I raised the question in committee. I shall vote for the bill, and I shall vote to confirm the nomination of General McKee because I believe he is qualified for the position; there is no question about that. But the law must be amended in order to allow a former military man to assume this responsibility.

The question I raised in committee is the question I should like to raise at this point. It should be understood that there is no trouble with this particular law; the trouble is with the basic law.

Sometime ago Congress made it permissible for the Government to hire back certain military people. The trouble in this instance is that we run up against the question of compensation each time such a proposal is made. What will be the compensation? Shall we allow such persons to receive a salary up to the full extent that the job is entitled to under the law, plus retirement pay? I thought it was absolutely wrong to do so unless we determined that the individual had a specialized ability that could not be engaged unless this concession were made.

I admit that there are times when it is necessary to rehire in the Government certain military personnel, so that the Government will not lose all their training and talent. But we must realize—and the people concerned should realize it, too—that they are being paid out of the same pocket. They are being paid by the taxpayers of the country.

The position in question pays $30,000 a year. Anyone who takes that position, no matter what his connections might be outside the Government, can receive only $30,000.

Mr. McKee already receives retirement pay as a former soldier. We must realize that he made no contribution toward that retirement pay. That retirement pay comes out of the same Treasury. Mr. McKee will end up getting $38,000 a year. In my opinion, that is wrong. We should preserve this man's rights so that when he does give up the position, he will not have lost his entitlement to his pension. But while he is serving the Government, and the Government has set the pay for the position at $30,000 a year, that is all he should get. That is the objection I raise.

I find no fault with General McKee. He should have this job. The only trouble is that he is now receiving $38,000 working for NASA. It would be an injustice to ask him to transfer from one job to another at this point and take a cut in pay of $8,000 a year. That is why the bill should be passed.

But I said before the committee that what should be done is to refer the bill to the Committee on Armed Services and let that committee restudy the whole problem.

We are beginning to appoint former military men as ambassadors. I can understand why that was done in the case of General Taylor. There was a special reason for him to go to Vietnam. But the idea of appointing former soldiers, who are receiving retirement pay, as ambassadors all over the world is wrong, if they are to receive double pay.

Those men must be made to understand that they are serving the Government that gave them their training, that enabled them to develop their talents to qualify for these positions. They ought to be willing to make sacrifices. But when they are appointed, they ought to get the top dollar. They ought to get what the job pays.

Mr. PEARSON. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I do not have the floor. The Senator from Oklahoma yielded to me. If I have permission from him, I shall be glad to yield to the Senator from Kansas.

Mr. MONRONEY. I yield further to the Senator from Rhode Island.

Mr. PASTORE. I yield to the Senator from Kansas.

Mr. PEARSON. The Senator from Rhode Island referred to the dual compensation law, which contains some weaknesses. Yet, if we, at the time we passed the dual compensation law, had made the most detailed, the most thorough, the most in-depth examination of its application, and had referred it back to the Federal Aviation Administration Act, it would not have applied, because we are here talking about a civilian administrator.

Mr. PASTORE. That is correct. That is why it is necessary for Congress to amend the law. There is a double feature. Not only must the military prohibition be removed; the law must also specify the retirement provisions.

The serious question I raise is that after General McKee resigns from the job, his retirement pay will be enhanced by that amount of money. His retirement pay will be his Army retirement pay plus his civil service retirement pay. I merely say that that seems to be an unjustified aggrandizement. I do not think General McKee wants that. He is getting his pay from NASA. He will be asked to assume another responsibility, and I do not think he should receive double pay.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SYMINGTON. Mr. President, in reply to the able and distinguished Senator from Rhode Island, concerning the details of what will happen if General McKee takes this job if the Senate confirms the President's nomination of General McKee as Administrator, he would receive the authorized salary of $30,000 to head the FAA.

Mr. PASTORE. The Senator is correct.

Mr. SYMINGTON. This matter has already been considered by Congress under what has been referred to as the Dual Compensation Act.

Mr. PASTORE. The Senator is correct. I referred to that.

Mr. SYMINGTON. Therefore, General McKee, if he were to take this job, would receive the first $2,000 of his retirement pay, plus only 50 percent of the balance.

Mr. PASTORE. Which means that he would be getting $39,000 for the job.

Mr. SYMINGTON. The retirement compensation would be $9,032.

As of today, serving NASA, General McKee receives $24,500, and, under the exception in the Dual Compensation Act, he receives his full retirement pay.

Mr. PASTORE. The Senator is correct.

Mr. SYMINGTON. His full retirement pay amounts to $16,065.

Mr. PASTORE. The Senator is correct.

Mr. SYMINGTON. At present his total compensation is $40,565. So, if the legislation were to pass after General McKee appears before the committee, and if the committee were to confirm him, he would take a cut of $1,533 to take the new job.

Mr. PASTORE. Not exactly.

Mr. SYMINGTON. Exactly.

Mr. PASTORE. It would be the difference between $40,000 and $39,000.

Mr. SYMINGTON. It would be the difference between $40,565 and $39,032, which would be $1,533.

Mr. PASTORE. The point I am making is that he would receive everything over $30,000, which would be more than the classification for the job would provide for anyone who would assume that responsibility.

That is where the unfairness comes in. We have a right to call military people back into service. However, when we call them back, the top dollar in compensation ought to be what the classification for the job provides.

Mr. SYMINGTON. $39,032.

Mr. PASTORE. No. The job pays $30,000. That is what it is. All we would have to do would be to suspend his retirement pay until such time as he becomes retired. He would then be getting $30,000 a year.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MONRONEY. The general could go into 99 percent of the high-paying jobs in the Government and not sacrifice his pension, with the exception of that portion which comes under the Dual Compensation Act.

Mr. PASTORE. The Senator is correct.

Mr. MONRONEY. Because this job is specifically denied to a military man by statute, we must pass this bill. We would not wish to penalize the general if he were to choose to go into one particular job and not penalize his brother generals. General McKee could go into 99 percent of the high paying jobs and still draw his dual compensation pay, which would be $2,000 plus half of the remainder.

Mr. PASTORE. The Senator is correct. I do not have any fault to find with General McKee. All I am saying is that the entire law should be reviewed in a very impersonal way.

Mr. MONRONEY. I agree.

Mr. PASTORE. We have people in Government who have given up a fortune to come to the Government and work for peanuts, relatively speaking. The fact that they can get a better job has nothing to do with it. That salary is all that the Government pays.

The fact still remains that, as few as they may be, that does not justify the fact that we must begin to make all these exemptions. I merely say that we ought to pass this law. We ought to conserve the experience of General McKee. We ought to give him this salary. There is no question about that. However, we should not stop with General McKee. We should review the entire law and bring it into the proper balance.

I shall vote for General McKee. I shall vote for this bill. And I hope that we can do it rather soon.

Mr. MONRONEY. Mr. President, there has been severe opposition to this bill—I repeat, to the bill and not to General McKee. I could spend many minutes listing the achievements and experience of General McKee and explaining why he is uniquely qualified to hold this office at this time. But since the objections are not directed at General McKee personally, suffice it to say that his experience as Vice Chief of Staff of the Air Force, having been responsible for research and development, procurement and supply, transport operations; the 9 years' experience he had in command and management responsibility for the Air Materiel Command, directing the work of more than 150,000 employees engaged in aviation occupations and professions throughout the country and abroad; and the experience he acquired during this last year in evaluating the program of NASA in advanced science and technology, particularly relating to aeronautical research and development, are a guarantee that he will be an able Administrator of the FAA.

The objections of some Members of the Congress are threefold:

First. That section 301(b) of the Federal Aviation Act of 1958 should never be violated by the appointment of a military man as Administrator.

Second. That if a military man serves as Administrator, he should not be permitted to receive his military retirement pay.

Third. That the appointment of General McKee would be a further step toward control of our Government by the military.

I believe Congress decision that the Administrator of the FAA should be a civilian was wise and I would strongly oppose any attempt to repeal this provision of our organic aviation law. But this provision must be considered in the light of the problems in aviation at the time the act was passed.

In 1958, and for many years prior thereto, there was a great conflict between the military users of airspace and the civilian users. Frankly, the military attitude was "we will take what we want of the airspace; use it as long as we want and for whatever purpose we want, and the civilian users can have what is left." Such an attitude created grave air safety problems and was detrimental to the development of a strong national air transportation system.

There were other areas in which civilian and military aviation were in conflict. As has been the tradition in this country, it was decided that there should be civilian control of our airways.

This did not mean, however, that there should never be a man with a military background as Administrator—nor did it mean that the military was to be subjugated completely to civilian control with no participation in aviation decisions.

Section 302(b) of the act specifically provides that the Deputy Administrator of the FAA may be a military man—even a military man on active duty. That section further provides, however, that no military man can serve as deputy "if the Administrator is a former Regular officer of any one of the armed services." Thus, by the very language of the act, Congress recognized that someone with a military background would and could serve as Administrator.

The prohibition in the act, therefore, is not directed against a man with military experience. Rather, it is directed at someone who is either on active duty or on the retired list. But military experience and a military background are the same, whether a person is an active duty, retired, or resigned.

Section 302(c) of the act expresses Congress intent that the military should have a voice in the decisions of the Agency and provides for the participation of military personnel to assist the Administrator in carrying out his function "relating to regulation and protection of air traffic, including provisions of air navigation facilities, and research and development in respect thereto, and the allocation of air space." This is necessary for reasons of national defense and so that the Administrator will be fully advised of the needs and air space problems of the military. Section 302(c) provides that military men detailed to serve in the FAA shall not be subject to the direction or control of the military branch in which they serve.

The Administrator must report to the Congress semiannually on the participation of military personnel in the Agency. The last report of the Administrator disclosed that as of May 1965, there were 94 military personnel assigned to the Agency. This is 94 military personnel out of a total employment in excess of 45,000.

Perhaps the greatest hue and cry over the appointment of General McKee is in regard to the compensation he will receive. This is most surprising, and I can only conclude that the opposition comes from those who are either unaware that the Congress passed the Dual Compensation Act in August of last year or from those who are unfamiliar with the provisions of that act.

From the intensity of feeling of those opposed to this bill, you would think that a special exception is being made in the case of General McKee, so that he may be paid more than any other retired military man. You would think that this is a bill to confer special benefits and privileges on General McKee.

Nothing could be further astray from fact. General McKee will be paid $30,000 a year for his services as Administrator of the FAA. This is the value Congress has placed on that job and is the compensation for the services rendered in carrying out its duties and responsibilities. It is a full-time job, and General McKee will be a full-time Administrator. Surely his services are worth the $30,000 as much as the services of any civilian.

In addition to the $30,000—and completely separate and apart from any function General McKee might perform as Administrator—he will receive $8,404 in military retirement pay. This is, in substance, deferred compensation for his years of service as an active military officer. In General McKee's case, this represents a reduction in pay from that which he is currently receiving as Assistant Administrator for Management Development of NASA.

I do not think this is the time to debate the merits of the Dual Compensation Act as it applies to retired Regular military officers. The only reason a special bill is required for General McKee is because of the requirement that the Administrator be a civilian. Otherwise, the President could appoint General McKee without special legislation, and there would have been no question about the compensation he would receive.

But I must comment briefly on the Dual Compensation Act. Enlisted military personnel and retired Reserve officers have for many years been permitted to fill civilian Federal Government posts and draw full salary plus full military retirement pay. Many retired Regular military officers, however, were prohibited by a maze of complicated and numerous laws from even holding a civilian position, much less also receiving military retirement pay.

To correct this inequity and to provide for uniform treatment of retired Regular officers, the Congress last year passed the Dual Compensation Act, which permits a retired Regular officer to serve in a civilian position and to receive $2,000 of his military retirement pay plus one-half of the remainder in excess of $2,000. This applies uniformly to all retired Regular officers except those disabled in combat, no matter what their rank and no matter what their civilian positions.

I might add that retired Reserve officers are still permitted to draw full civilian salary and full military retirement pay.

Therefore, no exception is being made for General McKee as far as his compensation is concerned. He will be receiving the usual compensation for his services as Administrator and a portion of his military retirement pay—a portion to which all retired regular officers are now entitled.

Those who disapprove the Dual Compensation Act should more appropriately direct their criticism against that act, not this bill to authorize the appointment of General McKee. Those who believe that act should be changed should propose bills to amend it. I assure them that I, as chairman of the Senate committee to which such bills would be referred, will give prompt and fair consideration to any suggestions that might be made.

But dissatisfaction with the provisions of a law passed by the Congress concerning dual compensation should not be a stumbling block to the appointment of a man whom the President needs at this time to carry out the functions of an important government agency.

To those who fear military domination of our Government, I can only say that I am opposed to military domination also. I would disagree with them that we are in such danger at the present time.

Certainly, the appointment of General McKee will not suddenly transform our Government into one dominated by the military.

The military should never control our Government and the Congress should always be alert to prevent any such occurrence. The Federal Aviation Act of 1958 is evidence of Congress' concern and provides a model procedure for the monitoring by the Congress of military participation in civilian government.

As I mentioned before, no military man can be appointed Administrator of the FAA without the specific approval of both Houses of the Congress. And, with respect to those military officers participating in the Agency, the Congress is furnished with a semianual report to advise it of the number, rank, and positions of those military personnel.

Of the three objections raised to the appointment of General McKee, only one is relevant—that he is a retired military officer and the act calls for a civilian. The other two objections—dual compensation and military domination—are peripheral matters which should be given separate consideration by the Congress.

The provision in this bill reiterating Congress' intent that civilians be appointed as Administrator of the FAA in the future and the continuing requirement of section 301(b) in the organic law to the same effect provide adequate assurance that there will be no military domination of the FAA.

I strongly urge the Senate to pass this bill so that the President can appoint General McKee as Administrator of the FAA and so that General McKee can assume this responsible position at the earliest possible time.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. I wish to make clear what the contemplation of the committee is with respect to the language in the bill excepting General McKee from the general operation of the law.

If the Senator from Oklahoma will look at the bill for a moment, on the first page of the bill it is provided:

> That, notwithstanding the provisions of section 301 (b) of the Federal Aviation Act of 1958 * * *, or any other provision of law, the President, acting by and with the advice and consent of the Senate, is authorized to appoint General William F. McKee * * * to the office of Administrator of the Federal Aviation Agency.

My question is, Does the committee and does the bill contemplate that within the bill there is already given the advice and consent of the Senate, or is it contemplated that the nomination shall come before the Commerce Committee, where hearings may be had and a final recommendation made by the committee concerning whether the appointment shall be approved?

Mr. MONRONEY. I say without fear of contradiction that the President cannot appoint General McKee, subject to the advise and consent of the Senate, unless this exception to section 301(b) passes, because the law requires that at the time of appointment, the man named must be a civilian. Consequently, unless Congress enacts this bill, General McKee will not be eligible for Presidential appointment. Therefore, when he is eligible, if the requirement of the present law is waived by the passage of the bill, we shall start confirmation proceedings. He will then be subject to the usual Senate confirmation procedures.

As the distinguished chairman of the committee said, and as I said, the confirmation hearing will be held and all witnesses will be heard. The bill before us has nothing to do with confirmation. It precedes the confirmation that must take place.

Mr. LAUSCHE. It is my understanding that the committee, in recommending the bill, concludes that unless a bill of this character were passed, the President could not make the appointment or nomination.

Mr. MONRONEY. The Senator is absolutely correct.

Mr. LAUSCHE. Therefore, if the bill is passed, the appointment or nomination is to be made, if the President so determines, and then the natural course of confirmation of the nomination by the Senate will follow.

Mr. MONRONEY. The Senator is absolutely correct.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. PEARSON. I invite the Senator's attention to Mr. Macy's letter to the committee saying that he thought the bill was entirely consistent with the Dual Compensation Act. In his prepared testimony, found on pages 6 and 7 of the hearings, he likewise stated that, in his opinion, this particular bill is not inconsistent with the provisions of the Dual Compensation Act.

As I understand the Senator's statement made a moment ago in his speech, he concurs in that view.

Mr. MONRONEY. It is consistent with the Dual Compensation Act, but only if we make him eligible for nomination.

Mr. PEARSON. It may be a narrow point, but this is the point I sought to develop a few moments ago. When we debated the Dual Compensation Act, we could have searched into all aspects in an effort to learn whether we were going to range into complicated situations under the CAA and the Civil Aeronautics Board. But it would not apply, because civilians must be appointed.

Mr. MONRONEY. Only in the Federal Aviation Agency and some agencies in the Military Establishment, where the law prohibits military men; but in the rest of the Government the Dual Compensation Act applies to all military men. So we would prejudice General McKee if we do not enact this bill.

Mr. PEARSON. I may be in error, but I wish to make the point that two questions are involved. One is the question of civilian control of a civilian agency and the application to the nominee of the Dual Compensation Act. We will, however, let the latter point go.

Now I come to my last question. I believe the Senator from Oklahoma can answer it better than anybody else can. What is and what has been the traditional function of the Federal Aviation Agency since reorganization?

Mr. MONRONEY. It has been to promote safety on our airways, to provide fair aeronautical standards for pilots and others, to certificate all new equipment, to maintain airway navigational aids, to give flight tests for pilots, and to provide aid for airports. There is a multilateral combination of dozens of jobs. That is why we need someone with the broad general administrative experience of General McKee to be able to wear all the hats that are necessary to be worn by the Administrator of the Agency.

Mr. PEARSON. Is it not true that one of the managerial and organization abilities needed for this particular job is in connection with doing research for a supersonic transport?

Mr. MONRONEY. That is one of the big reasons for it. All who were considered, with the possible exception of Mr. Halaby, seemed to lack those qualifications. Mr. McNamara had to be almost drafted, because there was no competent person with this knowledge in FAA.

Mr. PEARSON. Has the Federal Aviation Agency ever before entered into research and development work for an airplane?

Mr. MONRONEY. It has not.

Mr. PEARSON. This is the first time we have done it?

Mr. MONRONEY. We have not done it yet. The Agency is merely conducting engineering studies to determine whether it should. We are fortunate to have a man who can advise us; who has had experience with military procurement on a large scale, so we will know the processes involved.

Mr. PEARSON. But if we spend $2 billion and make a decision to build a supersonic transport, the Federal Aviation Agency is the Agency that will do it?

Mr. MONRONEY. It will have something to do with it. A separate agency may do it. It may be the military. It is unsettled at this time. We still have much study and much research to do on it.

Mr. PEARSON. But that was the Senator's argument——

Mr. MONRONEY. I did not say this is the reason. I said this is one of the reasons why it would be well to have a man of his competence in this particular field. Among the applicants many men were considered along with General McKee. If we are going to study this question, we should have someone of competence to help guide the Agency.

Mr. PEARSON. Am I to understand that we need this very man to fill the bill to undergo a job we may or may not do?

Mr. MONRONEY. This is only one factor. He has wide experience and can give advice based on the many years he has spent in civilian and general affairs of the Air Force. He is one of the great administrators of the present day. This is a many-sided administrative job.

Mr. PEARSON. Is the Senator concerned, when the general is an authority in aviation, about the fact that the Federal Aviation Agency is going to go into this question and direct attention to basic research and development of such an airplane?

Mr. MONRONEY. There is a basic requirement for FAA certification of new aircraft, whether built by private industry or by the Government. However built, it is the FAA's job to certificate whatever planes are manufactured, whether new subsonic aircraft, or supersonic planes. This is a many-sided job which the Administrator must perform. If we go forward with the SST, we must have someone, at least, who is competent in procurement.

Mr. PEARSON. Let me say to the Senator from Oklahoma that I share his views, that NASA is, with all the money appropriated to it, spending 1 or 2 percent in the general aviation field; is that not correct?

Mr. MONRONEY. They are spending 1.5 percent of their $5.190 billion budget on aeronautics.

Mr. PEARSON. The Senator from Oklahoma has been critical of that.

Mr. MONRONEY. Yes; I have been critical of it.

Mr. PEARSON. I wish the Senator from Oklahoma to know that I share that view. I believe that development of the supersonic transport, if we do it properly, belongs to NASA. I have heard the Senator express the same view.

Mr. MONRONEY. I believe that basic research belongs in NASA. The management of a program and supervision of manufacturers and things that require that kind of experience belong with the FAA—if we had confidence in FAA to do it.

Mr. PEARSON. I thank the Senator from Oklahoma.

Mr. MONRONEY. I thank the Senator from Kansas very much for his comments.

Mr. President, in closing, I recognize the ever-present need to be mindful of maintaining military officers, retired or otherwise, in positions that would threaten civilian control of the Government. I believe that we have been blessed throughout our history with many great men, such as General Marshall, General Bradley, General Taylor and others, who have been able to render exceptional and extraordinary public service during critical moments in our history when that public service was needed.

I feel that Congress, having the ability to make judgments, should not be frightened or stampeded by anyone into becoming fearful that these men would suddenly abandon their traditional role as servants of a civilian government and attempt to be masters of a civilian government.

Those men are patriotic. They have largely directed our astronauts in their planning and historic flights. These are the men who today marshal our forces in far off Vietnam, waiting for the command of the civilian government on what to do, who guard our far-flung outposts against the Iron Curtain, who maintain communications to the South Pole. These are the men who have become examples of competence which should not be wasted.

I, for one, am not fearful of this kind of man trying to conspire to take over my Government, or to lessen in any degree the civilian control which the Constitution was designed to preserve.

Mr. President, this country has a great military system. It has great military leaders. No one that I know of in this system is attempting to monopolize civilian positions, or to seek control over civilian leaders for the benefit of the military.

Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, I wish to open my remarks by endorsing the closing statement of the Senator from Oklahoma; namely, that we do not wish the military to take charge of the Government. We endorse the fundamental philosophy behind the bill, that this agency should be headed by a civilian, but we are advocating an exception that proves the rule; namely, that the best interests of the Nation should always come first. If the President has selected the best qualified man that any of us at this time know about for this position to head the agency, the President should not be prohibited from appointing a military man merely because of the general rule.

Mr. President, when we talk about a military man, most of us think in terms of combat leaders.

In World War II, when we think about a real military leader we think of George Patton. He would undoubtedly have become Chief of Staff, had he lived. We also think of Curtis LeMay. He did become Chief of Staff. They are typical kinds of supreme combat leaders. However, our military agencies have become so expanded and so involved in this technical age that they now must have the kind of men who are technical. They must have men with an expanded organization who demonstrate great ability as administrators.

If General McKee has any enemies at all—and I have known him for a long time and he is a wonderfully fine man, and a wonderfully able man—they are limited to those he made when he showed efficiency in the administration of the Air Force, as its second in command, Vice Chief of Staff, to cut down on civilian employment when he knew that the number of employees was in excess of the needs.

If General McKee had any enemies outside of those, I have never heard of them.

Let me emphasize the statement that my friend the Senator from Missouri [Mr. SYMINGTON] made in presenting his case today:

> It is particularly important at this point in the development of the Agency that a man who has had extensive experience with research and development and procurement with respect to new aviation systems and new aircraft be in a position of responsibility during the development of this program. Such experience General McKee has had as commander and vice commander of the Air Materiel Command where he was concerned with research and development in new aircraft.

As I understand, that is the position of the distinguished Senator from Oklahoma. For several years, he has been interested in supersonic speed in commercial aviation. He believes that the Government must give the aviation industry some help in exploration and development, and therefore he wishes a man with the requisite qualifications to head the Federal Aviation Agency.

General McKee did not seek this position. He could have obtained civilian employment which would have paid him two or three times as much money as this office will pay.

General McKee is a dedicated man. He wishes to serve his Nation further.

He first made a great sacrifice when he joined NASA at the request of the President, at a substantial cut in pay, and then gave up that job to take a different job with another agency; I ask the Senator from Oklahoma if that is not correct.

Mr. MONRONEY. That is true.

Mr. ROBERTSON. Therefore, Mr. President, this is an exception that proves the rule. We have been requested by the President to confirm his conclusions that General McKee is the best qualified man he could find for this particular office.

Fortunately, I have known General McKee's family for many years. His father is a distinguished doctor in southwest Virginia. He is well over 80 years old, but is still active in practice. He is a wonderful man.

General McKee has also other brothers, all doctors, and all very fine men.

General McKee has had an outstanding career. I do not know of any general who was in as many areas of combat or who has more medals than General McKee. I was at the White House when he received his last Distinguished Service Medal.

Therefore, Mr. President, I join those who represent the agencies vitally affected in saying that I hope the Senate will vote to permit the President to nominate General McKee, and then, as the Senator from Oklahoma [Mr. MONRONEY] has pointed out, we shall reach the point of confirming that nomination.

Mr. President, I yield the floor.

Mr. HARTKE. Mr. President, 2 weeks ago a report was issued by the Committee on Commerce which said, in part, that there are "grave reservations concerning what appears to be an increasing tendency to fill civilian government positions with retired military personnel."

This was just one of the key points of the report on the bill now before us, S. 1900. I have not quoted from the minority report in which the Senator from Kansas and I recommended against passage, but from the majority report recommending passage.

The majority report contains such warnings as "substantial doubts" and "continued appointments of career officers could destroy the symbol of civilian government."

To what does all this refer?

Both majority and minority reports have stated that there are too many military officers being appointed to civilian positions in what should be a civilian government. This important issue has been raised in the consideration of S. 1900 because that is the heart of the bill.

S. 1900 has one immediate purpose—to clear the way for the appointment of Air Force Gen. William F. McKee, recently retired, as Administrator of the Federal Aviation Agency. His combined retirement pay and salary as Administrator would, through the good graces of this legislation and the Dual Compensation Act, be nearly $39,000. More important, General McKee would be cleared for a position which, according to the Federal Aviation Act of 1958, was to be filled by "a civilian in the strictest sense of the word." I am speaking about the report when the act was enacted in 1958.

The majority of the Commerce Committee has stated, in effect, "We do not endorse the dangerous principle and precedent to be set by S. 1900, but we recommend laying aside principle this time in order to allow General McKee to be appointed."

I ask whether there does not seem to be a blush of guilt in the majority report.

There is, in fact, no difference on principle between the majority and we of the minority who oppose enactment of S. 1900. The only difference is whether this principle—that of the absolute need for a civilian head of the second largest civilian agency, the principle of civilian supremacy—should be set aside for General McKee.

I cling to the belief that one can never rise above principle. I am old fashioned enough to oppose casting aside principle for what seems to be a moment of expediency, especially when the consequences can be so devastating.

The committee majority has stated as reasons for passage of S. 1900 only that General McKee has a reputation for being a fine administrator and that the President strongly desires his appointment.

How many times this afternoon, from those who are supporting the bill, have we heard the words, "I know him personally. He is a fine gentleman"? I shall not question their interpretation of what they may think of General McKee. I do not know him. He has not been before the Commerce Committee. We who do not know him have not had any opportunity to question him, let alone to know what he believes.

Yet, a vital principle of our system of government is at stake—one which was clearly enunciated in the specific case of the FAA by Congress after conclusive hearings by Senators and Representatives, a majority of whom remain members of both the House and the Senate.

The principle simply stated is that civilian control of the military is a basic, necessary tenet of our unique American democracy.

The rich heritage of civilian supremacy is taught in all the textbooks of our schools. Shall we have the books rewritten?

By this action we contributed to the constant erosion that the Senator from Kansas [Mr. PEARSON] referred to in his questions to the Senator from Oklahoma; that this was not a one-time affair, but a continuing affair.

If we here decide that civilians no longer are capable of conducting the affairs of our Government and that the military is now the only segment of our society from which can come our leaders, the honest course is to say so frankly. Then the textbooks will be rewritten to reflect this new concept, which so many of us consider so dangerous and un-American.

Before doing so, let us remember that the wise concept of civilian pre-eminence dates back to colonial days, continuing unbroken to the present. By adhering to this principle, the United States has avoided the military cliques of Europe and the political upheaval of our Latin neighbors.

James Madison thought the regulation of the militia to be natural as a part of civil authority charged with the public defense.

> It did not seem—

Said Madison—

> in its nature to be divisable between two distinct authorities. If the States would trust the general government with a power over the public treasury, they would from the same consideration by necessity grant it the direction of the public force. Those

> who had a full view of the public situation would, from a sense of the danger, guard against it.

A few days later in the Federal Convention of 1787, Charles Pinckney elaborated on Madison's point, saying:

> The military should always be subordinate to the civil power.

Thereafter, Pinckney burned the admonition into the Bill of Rights by stating that soldiers could not, in peacetime, be quartered in homes of civilians without their permission. Today we say that soldiers should not be quartered in the house of civil government.

Later, in his Farewell Address, President George Washington said:

> Hence, likewise, they [the States] will avoid the necessity of those overgrown military establishments which under any form of government are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty.

The concern of possible military domination and the intense desire to keep the civilians in control of the military are burned into the pages of our history books from the days of the Colonies to our own.

On March 11, 1952, Look magazine published parallel articles by General of the Army Omar N. Bradley and Supreme Court Justice William O. Douglas on the question of whether there was a danger of takeover by the military.

Mr. Justice Douglas stated, in part:

> The increasing influence of the military in our thinking and in our affairs is the most ominous aspect of our modern history. Our Government was designed to keep the military in the background, reserving them for days of actual hostilities. We indeed do the military great disservice by thrusting civilian tasks upon them. * * * Many of them are the first to recognize that neither by training nor experience are they as a general rule qualified. * * *
>
> My criticism runs to the military clique that spreads slowly throughout government, expanding its hold and making its voice more loudly heard with each passing day. * * * The military should, in no case, be called upon for action until the political department is bankrupt.

In his statement that American government has nothing to fear from the military, General Bradley—as the majority of the Commerce Committee did for the minority—made an excellent case for civilian control.

> There is no military clique. * * * civilians are in charge—

Wrote General Bradley. He also said, in part:

> All the military men I know believe profoundly in civilian control and look to civilian leadership in national and international affairs. * * * Economically, politically and militarily, the control of our country resides with the civilian executive and legislative agencies, and thus ultimately in the hands of the voters and organized civilian groups interested in good government.
>
> Americans guide their Government, and their destiny, through their elected and appointed leaders. Fortunately—

And this is the crux of it—

> there is no dearth of strong leadership in the United States. * * * When you have civilians like these in charge, no military clique can develop.

General Bradley has, thus, made a good case for us to keep the reins of agencies like the FAA in the hands of civilians.

President Dwight Eisenhower in his farewell address on January 17, 1961, stated:

> In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties of the democratic process.

General of the Army Douglas MacArthur also recognized this inherent danger in speaking to the cadets at West Point on May 12, 1962. He said:

> Others will debate the controversial issues, national and international, which divide men's minds. * * * Let civilian voices argue the merits or demerits of our processes of government. * * * These great national problems are not for your participation or military solution.

What has happened since these passionate warnings for the preservation of our system were given? Have the civilian arms of the Government kept rights control as General Bradley thought so certain?

We have, in the intervening years, become obsessed with the need for scientific knowledge. Science, especially in the aero-space field, has become all important. Gradually, slowly, but surely, the notion has become accepted that only the military can supply the scientific knowledge necessary for a scientific age.

The task of attracting retired career military men to civilian Government jobs has became too simple. The Dual Compensation Act of 1964 makes generous retirement benefits and civilian salaries both available to retired military people while denying similar treatment to civilians who may be called upon to serve the Government with special skills.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. LONG of Louisiana. In my judgment, the more important issue is not civilian against military. We have a $26 million first-year cost toward developing a supersonic transport. If that transport is developed, under the man who is presently the Administrator, Mr. Halaby, who wants to retire and return to private industry, the agency will require that all the patents shall belong to the Government. In that way anyone who produces that transport will have to pay the Government $2 million. That is what the Government would receive on every transport sold. The Government would get back that $2 million per plane for development costs in connection with the supersonic transport.

It is proposed that we take this man from NASA and put him in charge of the Federal Aviation Agency. His present agency favors giving away private patents on Government research. Unless I miss my guess, that is something that he is doing where he is. It is my fear that he will do what the tycoons of the aircraft industry want; that he will give them private patents on Government research and overrule every little mechanic in the shop that he will be in. In that event, it will cost the taxpayers $26 million a year to get that fellow over in the Federal Aviation Agency.

That is a question upon which we may be compelled to vote. We shall determine whether $26 million annually will be given away by changing the patent policy. If the tycoons have their way they will not pay off $2 million per plane to help repay development cost. We will develop; they will take the development and obtain private patents. If we want those airplanes constructed under the private patents, the aircraft tycoons will receive $2 million per plane instead of the 198 million citizens of our country getting the $2 million. That is the problem. That is where the real bug under the chip is.

Mr. HARTKE. The Senator from Louisiana has put his finger on a very important point. We have not had an opportunity to examine this man. If we pass the bill, that action will be tantamount to approval of him. Everyone in this body knows that. The Senator from Kansas has joined me in the minority views. He understands the problem. When we pass the bill, it will be tantamount to approving the proposed nominee without having his name before us and without our having had an opportunity to examine him or even question him as to his ideas on civilian government, what his ideas on patents, and his ideas on supersonic transport, or anything else.

Mr. LONG of Louisiana. If General McKee is brought before a committee of the Senate and tells us that he will not change the patent policy of the FAA—and he may be the only man who wishes to change it, but he will be in charge up there—if he is brought in and convinces me that the proposal is not a $26 million steal, I shall vote for the bill, but under no other conditions will I do so.

Mr. HARTKE. There is only one way in which that can be done and that is what I intend to do. At the proper time I intend to move to recommit the bill to the Committee on Commerce for further hearings. We cannot bring to the floor of the Senate a witness. We can only do that in the Commerce Committee. The only way we can do it is to commit the bill to the Commerce Committee so that we can ask him the questions which the Senator has suggested and some other questions which I shall raise later in my speech. We shall go through the whole thing and do it right now.

Mr. LONG of Louisiana. If we are to pass the bill, the first thing we ought to do is to amend it in order to give $9,000 a year to Najeeb Halaby. Everyone agrees that he is qualified. He has said that it cost him money to be the head of the Agency. He wishes to return to private industry. He has been protecting the public interest. He is against giving away $26 million to private contractors on the proposed contract. The first thing we ought to do is to give Mr. Halaby the $9,000 of which he has been deprived if General McKee is going to get $9,000 more.

The second thing that we must determine is whether we are about to give away $26 million.

Mr. HARTKE. The Senator is exactly correct. There is no other way to do that except under the procedure which I have suggested, and that is to commit the bill to the Committee on Commerce in order that we might have an opportunity to vote on the question there.

Mr. LONG of Louisiana. I have been importuned on the question. The administration could have had my vote at any time it wanted if it had sent General McKee down here and he would say that he would not do with the bill what I fear he will do; that is, reverse the patent policy of that Agency, which policy happens to be about the best in the whole Government.

At one time a group came and testified before my little Subcommittee on Antitrust and Monopoly. The members of that group made magnificent statements as to how they were protecting the public interest. They do the research, and if they find something good, they take a patent for the Government. Then, if anyone wishes to use it, a fee is charged the user, and they get money back to help pay the cost of the research.

Mr. HARTKE. The money is returned to the Federal Treasury?

Mr. LONG of Louisiana. To the Federal Treasury.

Mr. HARTKE. For the benefit of the taxpayers.

Mr. LONG of Louisiana. For the taxpayers' benefit. A similar policy was followed by the British Government with regard to the development of the Vickers Viscount, which at that time was a very fine airplane. The royalties which that government received from the users of the Vickers Viscount paid for the research.

We are spending $15 billion a year in research and getting back zero except for that one agency. The tycoons want to change that policy, Senator. They want to change it. They may feel that General McKee is the man who will reverse it.

I fear they may have the man who will do so. I should like to know if that is what the deal is, and if that is the deal, I am against the man having the job.

Mr. HARTKE. There is no way to find out what the deal is. I have never met the gentleman about whom we are speaking. I have never seen him. I know nothing about him except what I have heard about him. This afternoon we have heard his supporters say that he is a fine gentleman. I do not know what that stands for. I do not know where he stands on patent rights. There is only one way to find out. If the bill is recommitted to the Committee on Commerce, we can go into the question. We can bring that gentleman before the committee before the bill is finally acted upon and we can see exactly the type of man upon whom we are asked to pass judgment.

Mr. LONG of Louisiana. Would it not be worth asking the proposed nominee what he would propose to do with the results of Government research? Does he propose to give them away the way he is giving them away in the place he is now, or does he propose to protect the public and continue the policy of the agency where he proposes to go?

Mr. HARTKE. I should like to say to the distinguished Senator from Louisiana, who is our assistant majority leader, that if the bill is recommitted to the committee, I promise that I shall not only ask the questions to which he has referred, but I shall also go into many other questions which I should like to ask in depth.

Mr. LONG of Louisiana. I cannot vote for that man without knowing the answer to that question.

Mr. HARTKE. I appreciate the Senator's position. I want the Senator to know that I cannot do so either. I could not do so in good conscience. I do not mind telling the Senator from Louisiana that I thought at one time I would have to stand alone. Then the Senator from Kansas [Mr. PEARSON] joined me. I believe that a few additional Senators will join us this afternoon.

Mr. LONG of Louisiana. When the Senator from Louisiana made his original speech on the subject, there was only one other Senator on the floor.

Mr. HARTKE. That is correct. That was the Senator from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. He convinced that Senator; so he won 100 percent of his audience. [Laughter.]

Mr. HARTKE. I know the great interest of the distinguished Senator from Louisiana in looking out for the benefit of the American people. He looks out for the fiscal responsibility of the United States. He looks out for the American taxpayers' dollar. That is what the Senator is doing. I assure the Senator that if we can have the bill recommitted to the committee, we could ask the questions which should be asked. The Senator from Rhode Island was here and spoke. He has questions that he would like to ask. He indicated that he wanted the issue reviewed. If he votes the way he talked, perhaps we shall be successful on the floor of the Senate.

Mr. LONG of Louisiana. The Senator from Indiana has done our Nation a service. He has not been a rubberstamp.

The present President of the United States, at the rate he is going, will be the greatest President in the history of our country. If he can keep it up, and if the good Lord gives him some breaks he will wind up being the greatest President in history, not even excluding George Washington. [Laughter.]

But we too have a responsibility. We are paid to represent the people of this country. We are supposed to think and do something once in awhile. We are supposed to look at these bills and decide whether we think they are good or bad, and not merely rubberstamp measures sent to us, and send them back to the White House. If that is all we do, we are unnecessary. In that event our office ought to be abolished, and the White House ought to be allowed to run the whole thing, eliminating the restraints, impediments, and delays that the Congress might impose upon the executive branch.

Mr. HARTKE. This much is true. I have the utmost respect for our President. I have been called at home. I am a Johnson supporter. The Senator knows that, as everyone else does. I admire the President. I respect him. I think he is a great President. It is not a question of opposing the President. Yet if that problem should arise, and we thought that the measure was unwise, this body should overwhelmingly vote against the bill.

If Senators will read the committee report, they will observe that the only statement of the majority in favor of the bill is the President's letter. There is not a single other word of support in the report. If the proponents of the measure had an argument to present, why did they not do so? They went backward and forward through the explanation, and at the end of the report the majority did not even say "We recommend passage of the bill." They ended up on a note of fear about the military. They ended up with a bunch of reports and tables showing how many retired officers in the military there are, showing that there has been a steady erosion, and showing an analysis of how many people in the FAA are now on retired military status. All those things should be in the minority views. I am glad that the majority put them in for it is a very persuasive argument for the minority.

The distinguished Senator from Louisiana has spoken about Mr. Halaby receiving $9,000. In the Finance Committee we are about to complete consideration of the social security bill.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. HARTKE. I yield.

Mr. LONG of Louisiana. Does it not seem to the Senator that if one man saves money for the taxpayers and protects the taxpayers' interest, he ought to be paid more than the man who would give away our money?

Mr. HARTKE. Perhaps we should offer an amendment to the bill to provide a $9,000 subsidy for Mr. Halaby as a going-away present.

Mr. LONG of Louisiana. No one says that Halaby is not qualified. Halaby has been qualified to do this job. He tried to protect the public interest. How do we explain a situation in which it is proposed to hire someone to replace him and pay more than Halaby was paid?

Mr. HARTKE. I am sorry; I cannot answer the Senator's question. The Senator from Louisiana knows I cannot answer it. Perhaps the Senator from Oklahoma can answer it.

Under the social security bill the Senate will soon consider a provision for certain increases in the amount a man drawing social security can earn. He will be able to come back to the Federal Government and take a position in which he can earn $1,500 and can then keep half of his next $1,500. But if he earns more than $2,250, he will have to give the whole amount back. He cannot keep his retirement benefits even though he has contributed throughout his career to the retirement fund. It is not like the position of a man in the Army, who makes no contribution to his retirement; it is paid entirely out of the taxpayers' money.

Mr. LONG of Louisiana. Do I correctly understand that the average rank-and-file workingman will have to give up his social security pension because he is making some money on the side?

Mr. HARTKE. That is correct.

Mr. LONG of Louisiana. Would not this be a special law to provide that an Army officer who has lived all his life on the backs of the taxpayers, and who has not been required to contribute to his retirement, will be able to keep his pension and still receive his Army pay?

Mr. HARTKE. That is correct. That is the very point raised by the Senator from Rhode Island [Mr. PASTORE]. In other words, the same question is involved. It is all taxpayers' money. When an Army man retires, he takes his money out of the taxpayers' fund. But under social security the person makes a contribution. He is the poor workingman, whom we are always looking out for so carefully. I think his is being mistreated in this regard, but we cannot convince the majority of the committee. But I shall continue to try.

Mr. LONG of Louisiana. The Senator from Indiana has continued to insist on an amendment to provide that after age 65 a person can retain his social security benefits while still earning a few dollars. The name of the Senator from Indiana is HARTKE.

What the Senator from Indiana is saying is that if it is a good idea for General McKee, it ought to be a good idea for the 18 million old folks who want to earn a few dollars to supplement their social security checks.

Mr. HARTKE. Citizens of the United States ought to be entitled to receive their retirement pay from their Government. Whether retired Government employee or ordinary citizen on social security, those other than the military career men must make sacrifices to work for the Government.

Small wonder that the Civil Service Commission now places the number of retired military personnel working for the civilian government at 30,000. I am told that some 9,000 employees of the Federal Aviation Agency have some military status. Ninety-four high-ranking officers on active duty in the military serve in top FAA positions.

The American people share my concern at this dangerous trend. Testimony to this fact lies in the wide acceptance and popularity of diverse works—serious and satirical—in the field: "Seven Days in May," "Failsafe, Kill, and Overkill," and "Dr. Strangelove."

Albert Einstein, perhaps the most brilliant man of our age, wrote in "The American Scholar" in the summer issue, 1947, an article on "The Military Mentality." He said:

> It is characteristic of the military mentality that nonhuman factors (atom bombs, strategic bases, weapons of all sorts, possession of raw materials, etc.) are held essential, while the human being, his desires and thoughts—in short, the psychological factors—are considered unimportant and secondary. * * * The individual is degraded to a mere instrument; he becomes "human material." The normal ends of human aspiration vanish with such a viewpoint. Instead, the military mentality raises "naked power" as a goal in itself—one of the strangest illusions to which men can succumb.
>
> In our time the military mentality is still more dangerous than formerly because the offensive weapons have become much more powerful than the defensive ones. Therefore it leads, by necessity, to preventive war. The general insecurity that goes hand in hand with this results in the sacrifice of the citizen's civil rights to the supposed welfare of the state.

This comes, of course, from the man whose scientific genius led to development of the atomic bomb. No wonder, in our system, the trigger for this terrible weapon of destruction lies within the grasp of the President alone, again pointing up the desperate need for wise civilian control clearly recognized at every stage of our existence as a nation.

Such control within the Federal Aviation Agency was clearly spelled out when it was created in 1958. Congress took unusual steps to insure civilian control because the FAA was empowered to certify aircraft, promote air safety, build and maintain airports, arbitrate differences between civilian and military air needs, and hold total control over the airways.

I was delighted to hear the Senator from Oklahoma say that there has been a situation in which the military refused to tell anyone where it flew its planes. I do not know whether the situation has changed so much since 1958 that the military will not absolutely run over the civilian authority.

Mr. President, there is no solid testimony in the hearings in connection with General McKee. The National Pilots Association is opposed to the bill. Talk about lobbies; it is not the military lobbies that are against this man.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. LONG of Louisiana. The bill, if it should pass would provide benefits for one man, would it not?

Mr. HARTKE. The Senator is exactly correct.

Mr. LONG of Louisiana. It would provide a job for one man.

Mr. HARTKE. The Senator is exactly correct.

Mr. LONG of Louisiana. Has the committee had this one man before it?

Mr. HARTKE. No; he has not been before the committee. I would not know him if he walked through the door. I do not know whether he is a short man or a tall man, whether he is heavy or slim. I do not know how many medals he has. Someone said he has a number of medals. That is fine. It is fine for military men to have medals. It is fine for military men to be in charge of the Air Force.

Mr. LONG of Louisiana. To pass the bill would be tantamount to voting the man into the job, would it not?

Mr. HARTKE. The Senator could not be more correct.

Mr. LONG of Louisiana. It is too bad that more Senators were not present to hear the Senator's speech the other night. It is too bad that I was the only one to hear the Senator's first speech.

Mr. HARTKE. It was late in the evening.

Mr. LONG of Louisiana. If we are expected to pass the bill, we ought to take a look at the man. We have no business giving the man the job without looking at him.

Everything I have heard about him is good. He has been recommended by some fine people. The President and a number of Senators approve him for the position. That is all to the good. But we are entitled to know the answers to a few questions.

For example, I want to know whether he is going to change the patent policy and give away private patents on $26 million a year of research and development money.

Mr. HARTKE. I cannot tell the Senator what the answer to that question will be.

Mr. LONG of Louisiana. We are not supposed to find out, are we?

Mr. HARTKE. No; we are supposed to pass judgment on the question because a few Senators know him personally. I know of no opposition. Perhaps he is the personal preference of some Senators. Perhaps some Senators recommended him. Did the Senator from Louisiana have an opportunity to recommend anyone for the position?

Mr. LONG of Louisiana. If that man intends to change the patent policy, the Senate can get ready for a determined fight, so far as I am concerned, when his name is submitted. In my judgment, it would be an outrage to change the patent policy of FAA. This could, in effect, change the patent laws merely by appointing a man who would change the policy of the Federal Aviation Administration. Many people feel that that would be evil.

I want to know whether that is what is going to happen. Some tycoons want to rob the taxpayers. I am against that.

Mr. HARTKE. The passage of the bill would be tantamount to promoting the man to this position. If the Senate votes to recommit the bill to the Committee on Commerce to hold hearings, we shall then have a chance to be fair, not alone to the Senate, but to General McKee, as well. He has not yet had an opportunity to state his position. Perhaps he would say to the Senator from Louisiana, "I absolutely am opposed to changing the patent policy. I opposed it in NASA." I do not know whether he did or not. Perhaps he is in charge of it. Perhaps he has stated it there.

Mr. LONG of Louisiana. I have before me a copy of the hearings on the bill. They consist of 25 pages.

Mr. HARTKE. Does the Senator know the number of people who testified?

Mr. LONG of Louisiana. General McKee himself never showed up.

Mr. HARTKE. That is correct.

Mr. LONG of Louisiana. Why was he not present?

Mr. HARTKE. I presume that he was not asked to be present. Mr. Macy testified on his behalf.

Mr. LONG of Louisiana. This is proposed to be done by circumstantial evidence. We are being told that this man is fantastic, that he is wonderful, that he is great. We are being told that no one else in America could do it, that he is the only man who could do the job. Having been told that, we are to be deprived of the privilege of even seeing the man.

Mr. HARTKE. The indispensable theory applies here if it applies anywhere under the sun. This man under this bill is regarded as an indispensable man. He is regarded as being the only qualified man for this post out of 200 million people. We are, in effect, being told that only the military personnel could offer such a man. We are being told that no institution, MIT, Purdue University, or any other institution can supply such a man. We are being told that our entire education system is so sadly neglected today that the system is not capable of producing one man of civilian rank who could be nominated for this position.

Mr. LONG of Louisiana. Mr. President, I once served on the Armed Services Committee. I was the chairman of an important subcommittee at one time. I have served on the Committee on Foreign Relations and still do.

This man reportedly has been an important member of our armed services during the time that I was a member of these committees. But, I never heard of him.

If we are to pass a law to provide that this is the only man who could do the job, I should like to see him. Perhaps I have met him. I do not recall him.

Mr. HARTKE. There is only one way in which to do it.

Mr. LONG of Louisiana. Does the Senator know the man?

Mr. HARTKE. I would not know the man. Personally, I know nothing good or bad about him. We have received several letters which are not too complimentary.

Mr. LONG of Louisiana. I hope that the Senator would not have those printed in the RECORD. I hope that the Senator would see fit to handle this matter in another fashion.

I hope that we shall be given the opportunity to see the man for whom we are being asked to pass the law. We should ask him a question or two. Perhaps what the Senator has heard about the man might be erroneous. Perhaps he could explain it.

Mr. HARTKE. The Senator is correct.

Mr. LONG of Louisiana. Why should we be denied the privilege of seeing this gentleman?

Mr. HARTKE. I do not know. That is the mystery of the age.

The National Pilots Association in its testimony on this matter opposed the principle. It opposed the bill. Others did the same.

John Macy testified in support of it. We have the statement of Joseph B. Hartranft, Jr., president of the Aircraft Owners & Pilots Association.

I think he pulled the neatest double trick that has ever been performed when, after having testified in opposition to the matter, he changed his position when someone got in touch with him and put a little heat under him, and said, "He will be the Administrator of the FAA. You will be in trouble." He then came back and said:

> We must conclude that the present language is either inadequate to convey accurately and convincingly the intent of Congress with regard to statutory qualifications of candidates, or that there exists nowhere an available and capable civilian to fill this top aviation post.

Then this remarkable statement was made by a man who was giving tacit agreement, after he had once issued a statement in opposition:

> We cannot conceive that the latter could be the same—that nowhere within the FAA itself or from outside that Agency does there exist a qualified civilian.
>
> The issue of civilian leadership, we conclude, must be drawn with renewed clarity. * * *

He then stated that he wanted some amendments to the bill and everything else. The truth is that there is no support for this measure whatever.

As the Senator from Louisiana has said, the Senate is entitled to know General McKee's views of the problems of aviation, and especially civilian aviation. We must know his feelings on the delicate and important relationships between military and civilian aviation. We must know what he is going to do in the field of Government patents.

Since S. 1900 has been reported to the Senate, considerable interest has been shown in the principle involved as well as in General McKee himself. I have a copy of a letter written to the junior Senator from Ohio, who has joined me in this fight for civilian control. It comes from a leader of civilian employees at an Air Force installation. I shall read part of the letter without stating the writer's name.

The letter reads:

> I heartily commend you for the position you have taken in regard to the appointment of Gen. "Bozo" McKee (retired, thank goodness).
>
> I, along with hundreds—and I suspect thousands—of Air Force base employees have nothing but contempt for a man of his caliber who had nothing but contempt for civilian employees, and who on his own, instituted several RIF's (reductions in force) in order to show enormous savings to the Air Force and to further his promotion to the four-star rank.
>
> He now feels he should have a civilian position.
>
> There are many of the same type of retired officers now employed at ——— AFB who have been forced out of the Air Force (not qualified for retention) and who by hook or crook have been appointed to civilian positions. They now have military retired pay, the medical benefits (free), the commissary and PX privileges, and the civilian pay looks good to them and they still try to walk over their civilian counterparts. Lord help the civilians if this is allowed to continue. Don't back down on McKee.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. LAUSCHE. Mr. President, I note that this letter comes from an Ohioan who is a leader of civilian employees.

Mr. HARTKE. The Senator is correct.

Mr. LAUSCHE. Mr. President, may I see a copy of the letter in order that I may learn just what his position of leadership is? I ask that because his only complaint is that General McKee reduced the number of employees, the charge being that he made the reduction in order to obtain a four-star generalship. No explanation is given. Perhaps he made the reduction because the employees were not needed. The charge is made that this was the method of becoming a four-star general. I cannot believe that. Who is the man? What is his leadership? What is the association with which he is connected?

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. YOUNG of Ohio. Mr. President, I state to my distinguished colleague from Ohio, the senior Senator from Ohio, and also to my colleague, the Senator from Indiana—whom I support in his position in this matter—that there has been talk about lobbying here today. The only real lobbying that has been done has been by those on the other side who wish me to change my views and to vote in support of General McKee.

I have received a number of letters from the Dayton area. Those letters have been answered. My staff is now obtaining the letters that I have received.

I received letters which expressed sentiment against General McKee from Dayton and one other area in Ohio. I received a letter or two which spoke very highly of him. The letters were not persuasive with me.

I have made up my mind on other grounds altogether. However, I shall be glad to show those letters to the Senator. The letters are not in any particular file. They were answered by me in a routine manner. The distinguished Senator from Indiana [Mr. HARTKE] who is sitting beside me saw some of those letters.

I permitted the Senator from Indiana to make copies of them. I shall show the originals of the letters to my colleague. As I recall, one or two of those letters came from members of some labor union in the Dayton area.

They were not persuasive in causing me to change my views whatever. My view is very firm that this is a bad appointment because we in this Nation want civilian authority to be always supreme over military authority. The Founding Fathers, the men who were the architects of our Constitution—whom we call the Founding Fathers—established that principle.

Our great President, Harry S. Truman, demonstrated that principle when he dismissed General MacArthur. I think that under the circumstances he rendered a public service in doing so. I feel today that if we uphold the Senator from Indiana and the measure is recommitted for hearings, we shall be rendering a service to the citizens of the Nation.

I have made one inquiry on this matter. I find that if General McKee is appointed to this position, his adjusted retirement salary with his salary in this office would be the highest that is paid to an official of the executive or legislative branches of the Government, next only to the President and Vice President of the United States. I do not like that sort of business.

It seems to me that this administration is becoming topheavy with generals. There are too many generals and ex-generals occupying civilian positions that should be occupied by civilians.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HARTKE. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I take it that what my colleague has said in answer to the question is that the letter which was quoted by the Senator from Indiana stated that the labor leader said McKee reduced the number of employees to obtain a four-star generalship. I do not believe that. I know about the reduction in employees. I tried to find out. The fact is that there were too many employees, and General McKee had the courage to say that there were men working there who were not needed. That is the source of the opposition.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HARTKE. I agreed to yield first to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may have recognition to call up a conference report on H.R. 8371——

Mr. STENNIS. Mr. President, I object.

Mr. MANSFIELD. Mr. President——

Mr. LONG of Louisiana. Mr. President, I move to take up the conference report on H.R. 8371.

Mr. STENNIS. Mr. President——

Mr. MANSFIELD. I realize that this matter has priority, but I think, in good faith, if we cannot complete the pending business I am honor bound to call certain Members who said they wanted to be called when the conference report was called up.

Mr. LONG of Louisiana. Call them.

Mr. MANSFIELD. Let us finish this.

Mr. LONG of Louisiana. A Senator has a right to call up a conference report.

Mr. MANSFIELD. Let us finish the bill first.

Mr. LONG of Louisiana. Mr. President, I move that the Senate proceed to consider the conference report.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Indiana has the floor. The Senator from Indiana has the floor now, and he cannot be taken off the floor.

Mr. HARTKE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARTKE. If I should make a motion to recommit, would it be debatable?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARTKE. I move to recommit the measure to the Commerce Committee, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. A parliamentary inquiry is out of order during a quorum call.

Mr. MAGNUSON. Do I not have a right to ask what we are voting on?

The PRESIDING OFFICER. Debate is not in order while a quorum call is proceeding.

Mr. MAGNUSON. Is it a quorum call that is proceeding?

The PRESIDING OFFICER. It is a quorum call that is in progress.

The legislative clerk resumed the call of the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, the Senator from Mississippi had requested the floor before the conference report came up, and I yield to him.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Does the Senator from Indiana have the floor?

The PRESIDING OFFICER. The Chair has recognized the Senator from Indiana.

Mr. HARTKE. I yield further to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I appreciate the Senator's yielding to me, and I shall be brief.

I am sure the Senator from Indiana and the Senator from Louisiana in their remarks regarding General McKee—

Mr. President, may this walking through here cease, and may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. STENNIS. I am sure the Senator from Indiana and the Senator from Louisiana were doing nothing more than what they thought was clearly their duty in their references to General McKee. I do not know what the Record will show or whether the reporter has every word or not, but there is no question in my mind that the substance of what they said was to belittle and ridicule and discredit, to a degree, the career of a very fine American whom I barely know personally.

No one has asked me to say anything about the pending matter or asked for my vote, but I hope I shall not stay here long enough to hear a man of this character and kind attacked on the floor of the Senate without trying to respond to such charges.

Moreover, there was applause from the galleries and hilarity and jubilation over the Senators' exchange in their debate. There was applause in the galleries. Something that was said was amusing to them. There was no reprimand by the Presiding Officer. I do not refer specifically to the Presiding Officer in the chair, but no reprimand was made.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I have a brief statement to make.

Mr. LONG of Louisiana. The Senator is reflecting on me.

Mr. STENNIS. I am not.

Mr. LONG of Louisiana. The Senator from Mississippi is saying the Senator from Louisiana impugned this man's honor. What did I say——

Mr. STENNIS. Mr. President, I wish to make my statement. I will yield later. I cannot sit here and hear a man discredited in that way if I believed that distinguished Senators said what they did not know.

I know the man. I know him in an official capacity. He is not a friend of mine. He has never done anything for me. He always refused to do what I asked him to do. I have not done anything for him. I do not expect to. But, as for the kind of man he is, he retired not long ago and the Senator from Virginia [Mr. Byrd] had this to say about him; and he is a Senator who knows.

I skip the initial paragraphs:

> The value of his services and the esteem in which General McKee is held by the Government are made manifest by the fact that he is retired as the Air Force Vice Chief of Staff.
>
> His capabilities were recognized years ago when, in 1942, he was chosen among the qualified eight officers by General H. H. "Hap" Arnold requested for staff duty at headquarters of the Army Air Forces.

That is what the Senator from Virginia said about General McKee.

I also have another tribute from the Senator from Virginia [Mr. Robertson], which I shall not take the time to read.

My association with General McKee has been solely of an official nature. I know him to be one of the finest men of integrity and honor whom I have ever known. He is independent to the *n*th degree. I do not see how he ever rose to become a four-star general with the independence and the frankness which he possesses.

I understand that the great General LeMay—and I seldom use that word "great"—called him into his office after General LeMay became Chief of Staff of the Air Force and said, "How would you like to be Vice Chief of Staff?" General McKee responded in no uncertain manner and General LeMay said, "You are 'it' now. Go to work."

Mr. President, I recite that incident to show what General LeMay thought of General McKee. He was the personal choice of General LeMay.

Let me say to all Senators now in the Chamber that I know it is against our nature to attack someone, but the substance of what was said was to discredit this man and his record.

I am sure that General McKee does not care one whit whether he is chosen for this position or not, but the President has chosen him, and if he is selected he will be an outstanding Administrator, regardless of his background, military or not military. I have no doubt about that. General McKee is an exception in my own thinking, and I am going to support the bill.

I was here when we enacted the law that changed the provisions which made George Catlett Marshall eligible to be Secretary of Defense. No one ever regretted that.

I was here when they changed the law when we made General Quesada, at General Eisenhower's suggestion, as I recall, Administrator of the Federal Aviation Agency.

I do not believe that we can find a more outstanding man of higher integrity, or a greater Administrator of more exceptional talent and the very highest possible patriotism than this man, General McKee, about whom I speak.

Mr. President, I close on the same note with which I opened, that I doubt whether Senators realize the extent to which a general impression once created can lead their hearers into applause from the galleries.

Mr. LONG of Louisiana. Mr. President, will the Senator from Indiana yield?

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Does the Senator from Indiana yield to the Senator from Louisiana?

Mr. HARTKE. I yield to the Senator from Louisiana to reply to the Senator from Mississippi, because this is in the nature of personal privilege.

Mr. LONG of Louisiana. Mr. President, there is no man I love and admire more in this body than the Senator from Mississippi. Any man who would come to the Senate and request the desk of Jefferson Davis and insist on continuing possession of that desk as long as he serves in the Senate would have my affection, if for that act alone.

In addition to the fact that it was my pleasure to serve with him on the Rules Committee and on the Armed Services Committee, I have always looked upon the distinguished Senator as one of the great statesmen of this body. That is how I feel, even when he is defeating me on something on which we cannot agree. It will always be that way.

What I said in the Chamber was to the effect that to enact the bill would be tantamount to confirming General McKee in this position.

However, I do not wish the nomination of that man to be confirmed unless I know the answers to certain questions. If he will answer those questions the right way, I shall vote for him. If he answers the wrong way, I shall fight him so long as I have the power to fight him. The issue is that simple.

Therefore, if Senators have not learned by now that the junior Senator from Louisiana feels that to give away a patent on Government research is an outrage, then Senators should spend more time on the Senate floor. I have been saying that in speech after speech after speech. It has gotten to the point where one of our great Americans told me, "Do not discuss it. I have heard it so many times. I do not want to hear any more about it."

Perhaps I am a zealot when I discuss that particular issue. I wish to know how the man we are talking about today stands on this issue, because if he is going to give away patents on Government research, I will oppose him with all the strength at my command.

It may be that he will answer the question the way I would like to have it answered. If he does, fine. I would vote for him. It is that simple. Perhaps I have tunnel vision, and see only one issue. But, to me, it is very important.

Now, with all due deference, we have heard talk about reflecting on someone. I hope Senators have heard the rumor, the mouth-to-mouth things which are being said behind the scenes as to the intentions of the Senator from Indiana [Mr. HARTKE], that he is not really sincere, that he is prejudiced, that he is being unreasonable and unfair.

Mr. President, I have heard the Senator's speech. I was about the only Senator to hear his first speech. It was one of the most convincing speeches I have heard in the entire session of Congress. We heard talk about being unfair to someone. Most Senators were not even present in the Chamber when the Senator made a speech on which he has worked for months. Senators did not come into the Chamber to hear him, but he made a fine speech that demonstrated weeks of thorough preparation. He has discussed information provided to him and, although someone can take offense at it, what he has said does not violate one whit the rules of the Senate.

A Senator may rise on the floor and say, "The President is a crook," and no one can do a thing about it, except that Senators can get up and denounce him for doing it.

The Senator from Indiana has made a magnificent speech on this subject. Behind the scenes, someone says, "You know, HARTKE is not really against General McKee. He is sore because of a plane crash, or because "Quesada would not do what HARTKE thought Quesada should do several years ago. It is the Senator from Indiana who has a right to be resentful. But listen to the Senator's speeches. I challenge anyone not to hear them and say that he makes magnificent speeches on this subject. The speeches do credit to him as a Senator, and they do credit to the Senate. The Senator read from a letter which apparently could have been said to come from a "sorehead." I have been in committee when a crank testified against a man nominated for a particular job. What did the committee do? We said to the nominee, "What is your reaction to that?"

The nominee answered it. He explained it, and inasmuch as we thought it was correct, that was all there was to it. We did not bother to quarrel with the accuser for his view, we simply ignored it.

Let me say to the Senator from Indiana that what he is talking about is relevant. He has a right to say it. This is something I would like to look into. It is interesting. If the individual who wrote the letter is a labor leader, that does not make him a crook. One might say, "This is what he said. General McKee, what is your response to this?" It might be that General McKee could answer it correctly. Let me also say to the Senator that there is nothing particularly unusual about someone saying something which the galleries find amusing. It has happened many times in this Chamber.

Is someone to go to jail because of someone laughing at something he said?

Mr. HARTKE. Mr. President——

The PRESIDING OFFICER (Mr. BURDICK in the chair). The Senator from Indiana is recognized.

Mr. HARTKE. Mr. President, let me say to the Senator from Louisiana [Mr. LONG] and the Senator from Mississippi [Mr. STENNIS] that I yielded the floor graciously, and as soon as I could. The only reason I held up and asked for a quorum call was in deference to the majority leader in trying to work out the matter of a conference report.

When I yielded the floor to the Senator from Mississippi, I did not know what he wished to do. I did know that he was irritated at what I had said.

I am surprised that the Senator from Mississippi would believe that one ridicules a man when he says he does not know him. It must have hit a sensitive nerve somewhere on his part to say that it is ridiculous when one says he does not know a man. That is the first time I have heard that.

Mr. LONG of Louisiana. Let me say, so far as I am concerned, that no one did anything wrong. I wish to make that clear.

Mr. HARTKE. Let us proceed, then, with debate.

Mr. MANSFIELD. Mr. President, that is a good idea. I believe that the Senator from Indiana has an excellent idea. I believe that it would do us all a great deal of good if we proceeded with debate and decide this issue one way or the other as expeditiously as possible.

Mr. HARTKE. Mr. President, I yield to the Senator from North Carolina [Mr. ERVIN], who wishes to make a statement on this issue.

Mr. ERVIN. Mr. President, I wish to ask the Senator from Indiana if his position is not substantially that there is a law on the books regarding the eligibility and the conditions under which anyone can be appointed to serve on this agency.

Mr. HARTKE. That is the law of 1958, establishing the Federal Aviation Agency.

Mr. ERVIN. Is it not the position of the Senator from Indiana that the proper way to approach this question would be to repeal the law, and that if the law is wrong, it ought not to be respected?

Mr. HARTKE. That is what I have said numerous times. If we do not like the law, we should repeal it. We should not go about in this fashion.

Mr. ERVIN. Is not the objection of the Senator from Indiana twofold? Is it not, in the first place, that the Senator feels that the policy of providing for civilian control of this commission is a wise policy?

Mr. HARTKE. It is a very wise policy, as has been proved throughout our history.

Mr. ERVIN. Is not the second position of the Senator from Indiana that if we are to have a law on this subject, such as we have, that law ought to apply not only to General McKee, but also to the other people, and equally throughout the Nation?

Mr. HARTKE. Yes; equal application of the law is a sound principle, upon which we should all agree.

Mr. ERVIN. The Senator from Indiana may accept my assurance that although I entertain the very highest opinion of General McKee, I shall vote with the Senator from Indiana because, if we are not going to observe the law in all cases, we ought to change the law. I shall vote with him because I believe that a law that is enacted to apply to 190 million people should apply to all of them, not to 189,999,999.

Mr. HARTKE. The Senator from North Carolina is 100 percent correct. I thank him for his support.

I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, it seems to me that discussing General McKee's character is not in order at this time. We are not considering his nomination for any position. He has not been nominated for any position.

Mr. HARTKE. That is correct.

Mr. AIKEN. If the pending bill is passed, if he is nominated for any position, we shall have plenty of time to discuss his qualifications for the job.

It seems to me we are considering now whether we should offer a substantial incentive for our capable military officers to retire at the earliest possible moment to accept another job with Government, with a big salary added; or encourage our military personnel to retire as early as possible to accept higher paid jobs in private industry. Many of them do.

I can think of instances in which very capable officers have been literally fired at the first chance by a superior, to get rid of them, when they wanted to stay on and finish their career with the Government and give the best that they had to give to the Government.

I shall vote with the Senator from Indiana. If and when General McKee's nomination comes before the Senate, I shall try to listen fairly to the arguments for and against, and vote accordingly.

Mr. HARTKE. I know of no fairer statement that could be made than the statement of the Senator from Vermont. I thank him for his support. I now yield to the Senator from Maine.

Mrs. SMITH. Mr. President, I shall vote against the pending bill. I shall vote for recommittal. I shall vote against tabling. I shall do so not because I share the fears of the Senator from Indiana, but, rather, because I do not believe General McKee possesses such rare and exclusive qualifications as to warrant this special favoritism legislation.

Mr. HARTKE. I thank the Senator for her support, although it is based on a different principle than mine.

I now yield to the Senator from Michigan.

Mr. HART. Mr. President, I have listened for several hours to the discussion, as many other Senators have also.

Let me make clear that I am willing to assume that General McKee is an extraordinarily capable prson. I am certain that the chairman of the Aviation Subcommitte, the Senator from Oklahoma [Mr. MONRONEY], correctly described him when he said General McKee is the best one available.

I should not like to think that any of us should be judged as quarreling with success when we support the Senator from Indiana.

I am not personally concerned with the problem of additional compensation; nor do I seek to suggest at this juncture that we compel him to surrender his retirement money.

I am concerned with the fundamental question of whether it is prudent to set aside one of the few explicit prohibitions against a military man taking control of an agency of Government.

In the report, Senators will find a listing of the few exceptions that have been made. They are in the Military Establishment, plus CIA. I believe the Senator cited the only case in which Congress has set this prohibition aside; and it was with respect to General Marshall.

All of us, if we were Governors or President, would feel that we had the right to obtain from our legislative body approval of the man whom we felt we needed to do a job effectively. No one is happy—at least, I am never happy—at the prospect of having to oppose a presidential nomination. In the time that I have been in the Senate, I have done so only once.

The Senator from Oklahoma [Mr. MONRONEY] urges that the necessity of delivering an effective SST in prompt time is the really compelling reason which would require that we set aside the prohibition. Additionally, I believe he said that the relationship of the FAA with space argued for the setting aside of the prohibition.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. HARTKE. I yield to the Senator.

Mr. MONRONEY. No; I said there are many reasons, among them the newer one of the SST possibility, and the relationship that we must have in our Federal air control, with 35 percent of our airspace being used by the military. Therefore it is not unusual for them to be interested in the control of that air space. We have not seen, through the years, any dominance or takeover of the FAA by the military.

Mr. HART. Thirty-five percent of the 100 percent would suggest that we ought to have some exceptionally persuasive reasons why the minority should be in the driver's seat.

However, quite aside from that, I have gained the strong impression that most of us feel that what bothers the President most is his sense of obligation that the Administrator "deliver" on the SST.

I wonder why this exceptional gentleman could not take the assignment of deputy administrator, to deliver on the SST, and avoid the problem which troubles all of us, namely, setting aside the prohibition. In that case we would not have to vote for a military man to head the FAA. Clearly, if the bill were referred back to committee, there would be an opportunity to develop this possibility.

Does anyone know whether the general would be offended by that suggestion? In the absence of that knowledge, perhaps it is prudent to permit us to have time to inquire.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. HARTKE. I yield for the purpose of having the Senator ask a question of the Senator from Michigan.

Mr. SYMINGTON. Would the Senator say about what the inquiry should be? Inquire about what?

Mr. HART. Whether General McKee would be willing to take assignment as the Deputy Administrator of FAA, the understanding being that he would have full authority to drive forward on the SST program which I understand is of the greatest interest in this situation.

Mr. SYMINGTON. Mr. President, will the Senator yield further?

Mr. HARTKE. I yield further.

Mr. SYMINGTON. Does the Senator believe that we should ask that of General McKee or that we should ask it of the President?

Mr. HART. Whichever is the appropriate point of inquiry, but I would hope that we would support the motion of the Senator from Indiana in order that we can do precisely that.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. HARTKE. I am glad to yield.

Mr. SYMINGTON. Unless the Senate should pass the bill, is there any way in which we could have a hearing to discuss the qualifications of the proposed nominee for the position whose name the President would send to the Senate?

Mr. HART. It is my understanding that there has been an assumption here that we must lock the door before we find out, first, what his attitude on patent policy is, and, second, would he accommodate the general concern——

Mr. MAGNUSON. We are going to have hearings on the nomination. We can still confirm or refuse to confirm after we examine the nominee and his ability to run the Federal Aviation Agency. We shall talk to the private pilots again. They can come before the committee. Every one involved can come before the committee and we will have an opportunity to ask them anything that Senators desire to ask them. But the man cannot even be nominated unless the bill is passed.

Mr. SYMINGTON. That was my point. We cannot even conduct a hearing to find out his qualifications unless the bill is passed.

Mr. HART. Then, absent that knowledge and background, we have to resolve the question of whether we wish to surrender the prohibition that has been built in—and I think prudently——

Mr. MAGNUSON. That is all there is to it. I believe we explained that.

The distinguished assistant majority leader and whip, has said that if Senators had been on the floor and listened to certain speeches, they would know the answers to these questions. I wish to tell the Senator that I know about the subject from A to Z. I have listened to it for hours in the committee and out.

The original bill was passed some years ago. The author of the prohibition secured the passage of the bill because at the time we were having some problems between the military and private pilots.

The Senator from Oklahoma is the one who authored the prohibition. At the time we did not suggest that there would not be some cases in which we might have to make an exception.

Someone has said that the bill is a private bill. Of course it is a private bill. The calendar is full of private bills. We listen to hundreds and thousands of them. We make exceptions to legislation.

I suppose that it might happen again, and some of us will vote against it. I voted against a military proposal 2 or 3 times. Once in a while we have a problem.

We shall hold hearings and the Senator from Louisiana can have a whole morning to ask the nominee about patents, if he wishes to do so. The nominee has been down at NASA handling the problem there.

Mr. LONG of Louisiana. Giving it away.

Mr. MAGNUSON. If he was giving it away, the Senator from Louisiana could come in and show us where he has been giving it away, and we would listen attentively. I have listened to the Senator from Louisiana on this subject, and I have voted with him.

Mr. LONG of Louisiana. I have appreciated the Senator's votes.

Mr. MAGNUSON. I voted with him on not only one occasion, but on scores of occasions. I know his attitude on the question. I agree with him. But we have a technical problem that we cannot solve unless we pass the bill. The President has seen fit to select the proposed nominee, and all the rest of those involved in the program for some reason—I suppose because of the man's ability—have also selected him. I do not know the man. I would not know him if he walked in the door.

Mr. HARTKE. That is a good reason to recommit the bill.

Mr. MAGNUSON. But I do not expect to know a man whose nomination is proposed by the President of the United States until he is nominated.

Mr. HARTKE. Is the Senator from Washington——

Mr. MAGNUSON. Does the Senator wish me to call the proposed nominee before he is nominated and ask him his views?

Mr. HARTKE. Is the Senator from Washington——

Mr. MAGNUSON. He has never even been in my office.

Mr. HARTKE. Mr. President, have I the floor?

The PRESIDING OFFICER. The Senator from Indiana has the floor.

Mr. MAGNUSON. I will let the Senator finish, then I shall finish my statement.

Mr. HARTKE. Does the Senator from Washington have any question whatsoever that the nominee in the present case is a man by the name of McKee?

Mr. MAGNUSON. No; I have no question about that. I wish to wait until he is nominated before I ask him to come before the committee.

Mr. HARTKE. Mr. President, I had yielded to the Senator from Michigan. I should like to inquire whether he has completed his statement.

Mr. MAGNUSON. I am not going to direct questions to the preacher until he is ordained.

The PRESIDING OFFICER. The Senator from Indiana has yielded to the Senator from Michigan.

Mr. HART. Mr. President, I would not wish to go home tonight without making a brief comment about the suggestion of the Senator from Washington that private aviation and private fliers had trouble with the military years ago, but that it is not true now. I think there is a very great concern on the part of civilian aviation in this country that they will be in trouble. We shall buy difficulties if we set aside that prohibition. I shall therefore support the motion of the Senator from Indiana.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. HARTKE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I believe I correctly understood the Senator from Michigan to say that one of the principal reasons for the measure was the SST. Is that correct?

Mr. LONG of Louisiana. That is the whole reason.

Mr. HART. My impression is that the Senator from Oklahoma [Mr. MONRONEY] is the authority.

Mr. MONRONEY. That is the principal concern.

Mr. FULBRIGHT. If that is the principal reason, I find myself less than enthusiastic for the measure. Why should I vote for the proposed legislation for that reason? I believe the SST is quite premature. We have a crash program to go to the moon. We can take the SST a little more slowly. I was wondering why that was such a persuasive reason to vote to set the present law aside.

Mr. HART. As one who, with some concern, supports the SST program, I shall not argue against the Senator from Arkansas supporting the Senator from Indiana. I do know that if we could fly $3\frac{1}{2}$ hours to London, if that is what the SST will do, I would hope that the Congress would appropriate the funds necessary to get metropolitan America downtown a little faster, too.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. HARTKE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. For the benefit of the Senator from Arkansas, I should like to say that what has upset the Senator from Louisiana is this: The Federal Aviation Agency has the best patent policy of any agency in Government. They do research, and then they take the patent rights for that research for the Government. They then license someone to use those patents on the condition that the user will pay a royalty.

The plan of the Agency, as it stands now, will be that if we develop the supersonic transport with Government funds, we want the big airplane companies that get the R. & D. contracts to pay us a $2 million royalty on every supersonic transport that they build. Thus, we will get our $26 million back on the first 13 planes.

The aircraft tycoons do not want that. They want the NASA and the Department of Defense kind of patent policy so that they would get the $26 million, develop the airplanes, and then they would have private patents instead of the Government having them and the taxpayers getting their money back.

From the point of view of the Senator from Louisiana, here comes a man from NASA where private patents are given away. He is a man from the Department of Defense, where patents are given away. He would occupy the office of Administrator of the FAA, the office now held by Najeeb Halaby, who does not wish to give patents away.

I do not want the man to get the job until I know that he is not going to give them all away. It is not proposed that we would save a few hundred dollars. We would give away $26 million that would be spent on research and development by the Federal Aviation Agency.

I thought so well of the patent policy of the Federal Aviation Agency that at one time I talked to the President about it. I said, "Mr. President, please read this. This is the finest statement I have ever come across. It is a wonderful idea."

The British Government developed the Vickers Viscount, as the distinguished chairman of the Foreign Relations Committee so well knows. The Government would then charge a royalty. The Government did not get it all. They got only about one-third of the royalty for building that kind of airplane and using those patents. They got all their money back.

Would it not be sweet if we could get our money back on $15 billion of Government research?

The proposed nominee might be going to the FAA to reverse that policy. So far as I know, every little clerk and secretary up to the Administrator, Najeeb Halaby, is now against doing something like that. I would like to know the answer to the question of whether that patent policy would be changed under the proposed nominee.

I do not want to see the Senate pass a special bill so that the man whose name has been mentioned can have a job without my knowing the answer to those questions.

Senators have said, "Wait until the nomination comes to the Senate for confirmation."

It would make Senators look foolish. We would have legislated and proved by an act of Congress that we were a bunch of jackasses to pass a bill so that the proposed nominee could have the job and then turn around and refuse to confirm him.

So the time to find the answer to the question is before we pass the bill. That is why I shall vote for the Senator's motion.

Mr. FULBRIGHT. The Senator from Louisiana has spoken about $26 million. I understand that the SST would entail a subsidy of about $1 billion on the part of the Government. Is that correct?

Mr. LONG of Louisiana. I do not know about the whole cost.

Mr. FULBRIGHT. Have they now raised the percentage to the point at which the Government is going to pay it all—60 percent, 80 percent, 90 percent—now it is 100 percent?

Mr. LONG of Louisiana. I am informed that it is close to $1 billion.

Mr. FULBRIGHT. That is what the newspapers stated.

Mr. LONG of Louisiana. That is what the newspapers say.

Mr. MAGNUSON. Hearings will be held on that question, and it will be explained. The trouble is that we sometimes talk about things we do not know about.

Mr. FULBRIGHT. I am perfectly willing to admit that. That is often the case. In this case, I do not know about a great many things that have happened. Until I know more about the SST, I do not see why I should be for the bill or why I should vote for an exemption from the general law. It seems to me that this is an unpersuasive reason to exempt anybody.

I have nothing against General McKee; but on principle, if the reason given is to get on with the SST before somebody else does, it is a poor reason. We are always running a race with somebody else. I do not see how I can vote for the bill.

Mr. LONG of Louisiana. From all I know about it—and I think I know more about it from speeches I have heard on the Senate floor—the best I can make of it is that this man must have the job because he is the man who can develop the SST. That is why the bill is before the Senate.

Mr. HARTKE. In the hearings, as appears on page 12, the Senator from Colorado [Mr. DOMINICK] asked Mr. Macy:

> How does it happen that you picked a military man or recommended a military man for this position? Were you unable to get anybody from the civilian field to take the job?

The only testimony in favor of General McKee was given by Mr. Macy. He answered:

> No. General McKee was selected as an individual rather than as a military man, as one who possessed this combination of experience, background, and skill that was directly relevant to the mission of the FAA, particularly the added mission of work on the supersonic transport.

Does that answer the question of the Senator from Arkansas?

Mr. FULBRIGHT. Yes.

Mr. HARTKE. I thank the Senator from Arkansas for raising the question.

In my remarks today, and previously at greater length, I have cited fears and warnings of great leaders—military and civilian—concerning the danger to civilian government by military domination. These are not, I assure my colleagues, theoretical fears either for the safety of our Nation or the FAA. The actual present danger is pointed up not only by such people as the one who wrote the letter to the junior Senator from Ohio.

I had, just this week, a call from a physician who is highly qualified in aviation medicine. He held a top medical position in the old CAA and in the FAA from its inception. He is currently employed by private business in the same general field. He is closely familiar with the operations of the FAA in the medical field, which today is under the direction of Maj. Gen. M. S. White, on active duty in the Air Force.

My informant is no disgruntled employee, unable to substantiate his claims. He has come forth voluntarily with a statement, which I shall read verbatim in a moment.

The substance of the statement is that, under the administration of an active duty major general, the medical branch of the FAA has developed what the doctor describes as "a dedicated program of harassment of civilian doctors and administrative civilian employees." These doctors and administrative civilians have not been fired outright, but working conditions have been made so uncomfortable as to force the employees to throw in the towel and resign.

The doctor has told me that two of his friends recently found themselves in this position. These men, he told me, have left the FAA to continue their specialty of aviation medicine in private employment. In all, the doctor said, "a total of about 30 highly-trained professionals have left this agency in disgust." Their places have been taken by active and retired military officers.

The doctor believes that there is strong support for placement of retired military medical officers coming from the Aero-Space Medical Association, which is headed by a retired brigadier general by the name of William Kinnard. I do not know him; I have never met him.

The situation at NASA also has been called to my attention by this doctor. This is not directly concerned with S. 1900 and the FAA, but it is enlightening, as the Senator from Louisiana has pointed out, since General McKee currently is employed at NASA.

The doctor said that he can furnish names and circumstances in detail to show that NASA is hiring retired military doctors by contract with a private organization. In this manner, a retired officer may be hired without restrictions of the Dual Compensation Act. Consequently, he may receive full retirement benefits and $25,000 in compensation from NASA paid through the private organization. Thus, total compensation runs around $35,000.

According to my informant, these doctors perform the same duties as civilian doctors working at Grade GS-14 for NASA. The duties performed by these retired military doctors are relatively light, I am told, consisting of six or eight physical examinations a day. At least one such doctor has been told he might maintain a private practice while performing services for NASA.

While these NASA activities are not our direct concern at this time, they are further evidence of what the doctor-informant called the military "buddy-buddy system" within the civilian establishment. I now present the voluntary statement of the prominent doctor who is willing to testify with names and verifications before any Senate committee, if the bill shall be recommitted:

> The military problems of civilian agencies can be appropriately highlighted by the medical problems in the Federal Aviation Agency. In spite of highly competent and experienced doctors willing to serve the Federal Aviation Agency, a major general on active duty in the Air Force was appointed Federal Air Surgeon. This was at least partly brought about by the recommendation of a professional society, the Aerospace Medical Association, also headed by a retired general.
>
> There immediately started a dedicated program of harassment of civilian doctors and administrative civilian employees. Many of them, experienced and capable doctors, resigned and the chief administrative officer and his assistant left to be replaced by retired Air Force colonels. A total of about 30 trained professionals have left this Agency in disgust and gone with private industry or other Government agencies. Many of these people are widely recognized as experts in their field.
>
> Active duty medical officers have been assigned to the Federal Aviation Agency and several retired military officers are to be processed in the near future for these jobs.
>
> I must urge an immediate investigation of these problems to determine why so many capable civilians have resigned and why the Civil Service Commission has refused to look into these problems in spite of repeated complaints.
>
> The structure of many professional organizations should also be studied. Many of these are continually staffed by retired military people, who in turn make recommendations to the Government of names for key jobs. This is known in medical circles as the "buddy-buddy" system.

These are serious charges, charges affecting the operation of this vital civilian Agency. Their clear import is to bear out the warnings I have previously sounded before the Senate.

In view of these charges and the willingness of the doctor, at least, to testify, and in view of questions raised about General McKee himself, it is both wise and fair that we should postpone action on S. 1900 while the Committee on Commerce holds further hearings.

Therefore, at the appropriate time I shall move to recommit S. 1900 to the Committee on Commerce.

Mr. LONG of Louisiana. Mr. President, will the Senator from Indiana yield?

Mr. HARTKE. I yield.

Mr. LONG of Louisiana. Had the Senator released a copy of his prepared text prior to making his speech?

Mr. HARTKE. I had released it, and a copy is on the desk of every Senator.

Mr. LONG of Louisiana. So the text of the speech was on the desk of every Senator before the Senator from Indiana delivered it in the Senate?

Mr. HARTKE. Yes.

Mr. LONG of Louisiana. I noticed that when the Senator from Indiana reached a certain point in his speech, a Senator challenged the statement and suggested that the Senator was not doing his duty as he should be doing it, and that his evidence, when he reached that point of his speech, was completely erroneous.

Subsequently, when the Senator reached a point a few lines further on, another Senator suggested that both the Senator from Indiana and the Senator from Louisiana, who merely asked a few questions, were guilty of impugning the honor of General McKee. He had certain prepared material in his hand.

At the close of his speech, the Senator from Indiana reached a highly important point, the matter of the doctors. I assume that the Pentagon and those who have been associates of the fine doctor, to whom the Senator from Indiana referred, had carefully screened the speech and prepared a defense and an answer and had discussed these issues with the Senator. Has the Senator heard any rebuttal to the medical proposition which he just finished discussing?

Mr. HARTKE. No.

Mr. LONG of Louisiana. The Senator's statement has not been challenged?

Mr. HARTKE. No; no one has challenged it. The man is waiting. I could state his name on the floor of the Senate. I have no restrictions. However, I feel it better not to mention it.

Mr. LONG of Louisiana. If there is nothing to the charge, should not General McKee be offered the opportunity to confront the man who made the statement and to explain his side of the argument?

Mr. HARTKE. In fairness to the general and to all others concerned, the only way to clear this matter up is to recommit the measure and have a full hearing in the Committee on Commerce.

Mr. LONG of Louisiana. I am one of only a few persons who heard both the first speech and the second speech of the Senator from Indiana. In my judgment, the Senator has made as persuasive and convincing speech about an issue as the Senator from Louisiana has heard in the Senate in a long time. The Senator deserves a vote of the Senate. I shall vote with him. By voting with him, I do not imply that General McKee is not a fine man. I am prepared to concede that he is a great American and deserves every one of the four stars he wears.

The Senator has made a strong case here. We have before us a very small amount of evidence, 25 pages of hearings, without even the appearance of the man himself.

The Senator has made a strong case. Whether he wins or loses, my judgment is that the Senator has rendered a service. I fear that he may have reduced his influence around Washington to some degree by doing it, particularly in some departments and agencies. However, I know that the Senator from Indiana is never worried about that kind of thing. Sometimes I fear that he has had more courage than sense, but I admire him for making the fine speech that he has.

Mr. HARTKE. Mr. President, I thank the Senator for those fine words.

Quite honestly, as I indicated before, the books and articles which are written on this fear of military dominance and the military juntas all over the world are very real to people. I could not begin to tell the Senator how many people have recounted this fear to me after this question was raised.

If my action lessens my influence in Washington, then it will have to do that. That is all I can say. I know that when I started out, I thought I might be alone, but the Senator from Kansas joined with me in the committee.

The majority members of the committee had to make their report with their tongues in cheek and their eyes closed. The majority opinion is the most convincing argument that I am able to find to support my view.

Mr. LONG of Louisiana. Mr. President, any time that a Senator attacks the military industrial combine, if he escapes with his life, he is lucky.

I say to the Senator that whether he wins on the vote or not, the Senator can feel that he has been exceedingly fortunate if he survives the day.

Mr. HARTKE. Mr. President, I thank the Senator.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. HARTKE. Mr. President, I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, in my judgment the bill is a bad bill. It establishes a bad precedent.

It is my intention to support the motion to recommit which has been made by the senior Senator from Indiana. Surely the time to have a hearing on this matter is before the barn door is closed by the enactment of this kind of special legislation which proposes to give to this officer the authority to accept this appointment.

I am certain that Gen. William F. McKee is the finest kind of man and, without a doubt, is a great American.

I received letters, it is true, from Dayton, Ohio, from the Wright-Patterson Air Field, where the general had served some time back. The answers that I made to those letters were very brief and to the point. I was not impressed by the objections which came from that source.

I simply stated in my answer to those letters: "Thanks a lot for your letter. I shall continue to oppose the authorization for the appointment of Gen. William F. McKee."

Mr. President, I now have a letter in my hand which is addressed to the Honorable Frank J. Lausche and the Honorable Stephen M. Young. This letter came from the D. L. Edwards, who signed the letter as director of public relations of the American Federation of Government Employees, AFL–CIO.

In his letter, he states:

> Many of our civilians have now been replaced by servicemen in uniform.

This letter did not impress me. I had made up my mind on the subject. I shall report to my colleagues on another letter which I did find to be very persuasive.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. LAUSCHE. Mr. President, I should like to see the letter written by the AFL–CIO which claimed that General McKee, for the purpose of acquiring a 4-star generalship, reduced the number of civilian employees at the Wright-Patterson Field without justification.

Mr. YOUNG of Ohio. Mr. President, I do not have that letter with me. However, I have a copy of the letter which came from a George H. Zellner, secretary-treasurer of a lodge of the American Federation of Government Employees. It is addressed to me. I shall be glad to hand this to my colleague, if he wishes. I had not intended to advert to this. However, if my colleague wishes me to do so, I shall be glad to read it.

Mr. LAUSCHE. Mr. President, the only letter that I should like to put in the Record—a full reproduction thereof—is the letter that was quoted by the Senator from Indiana to the effect that General McKee in order to obtain a 4-star generalship deliberately caused a number of civilian employees belonging to labor unions to be dismissed in order to ingratiate himself with the Washington office.

That is the only letter that I am concerned with.

Mr. YOUNG of Ohio. Mr. President, I shall comply with the request of my distinguished colleague. I preface this with the remark that I was not impressed with the statements in the letter. However, I read the letter into the Record. This letter is from Lodge 1138, American Federation of Government Employees, affiliated with the American Federation of Labor. The letter came from Fairborn, Ohio, which is in the area of the Wright-Patterson Airbase.

The letter reads:

> I heartily commend you for the position you have taken in regard to the appointment of Gen. "Bozo" McKee (retired, thank goodness).
>
> I, along with hundreds—and I suspect thousands—of Air Force base employees have nothing but contempt for a man of his caliber who had nothing but contempt for civilian employees, and who on his own, instituted several RIF's (reductions in force) in order to show enormous savings to the Air Force and to further his promotion to the 4-star rank.
>
> He now feels he should have a civilian position.
>
> There are many of the same type of retired officers now employed at Wright-Patterson AFB who have been forced out of the Air Force (not qualified for retention) and who by hook or crook have been appointed to civilian positions. They now have military retired pay, the medical benefits (free), the commissary and PX privileges, and the civilian pay looks good to them and they still try to walk over their civilian counterparts. Lord help the civilians if this is allowed to continue. Don't back down on McKee.

The letter is signed by George H. Zellner, secretary-treasurer.

I have placed that letter in the Record in compliance with the request of the senior Senator from Ohio, my colleague and friend.

I shall now refer to a letter signed by De Forest L. Brown, owner and manager of Brown's Airport. The statements in this letter impressed me. I shall read two paragraphs therefrom. They read:

> I have been in aviation for over 20 years, am an aircraft and powerplant mechanic, with inspection authorization, a private pilot and owner and operator of Brown's Airport, and I will back you 100 percent, and I know many people in aviation that will do the same.
>
> We have got to get the military out of civilian aviation. This very fact has kept aviation from developing as we had hoped it would. Many people feel that civilian aviation is 20 years behind; when the FAA itself says that aviation activity is getting back to 1947 levels, is about proof enough?

I received today a letter from a lady in Painesville, Ohio, that also impressed me. Her name is Miss Anna Kosslow. She writes:

> The military mentality is simply not the type for general government and our history proves it. Ironically, a military mind (Eisenhower's) spoke out about the dangers of Presidential administrations becoming influenced by "the military-industrial complex," which, in my opinion, is exactly what is happening now.

Mr. President, the men termed our Founding Fathers, who framed the Constitution of our country, provided that in the United States civilian authority must always be supreme over military authority. They were mindful of the inevitable conflict between civilian and military leaders. Apparently, from what has been permitted to take place in the executive branch of our Government during recent years, they were justified in being fearful of military domination in our Republic. These 18th-century fears on the part of those patriots who won the Revolutionary War and later wrote the Constitution and Bill of Rights are equally valid in the 20th century. Top officials in the executive branch of our Government would do well to reread some of the debates in the Federal Convention and refresh their minds that James Madison and other architects of our Constitution were determined that "the military shall always be subordinate to civilian power."

I think to do so would be well for some individuals who are apparently urging our President to appoint military men to civilian positions. I concur in the statement made by the distinguished junior Senator from Louisiana that President Johnson will go down in history as one of the greatest Presidents the United States has ever had. However, it seems to me there are too many military individuals being urged for appointments such as the appointment now being sought.

I have no personal objection to the appointment of General McKee. My concern is with the principle involved. I was impressed when a dear friend of mine, the wife of a general, telephoned me and my wife to say what a fine general he is and what a great administrator he would make.

I have never heard anything against him, personally. I am certain he is an outstanding general, that he deserves every one of the four stars he has earned. However, I think we should stop, look, and listen before we void a law that is a good law, and make it possible for a general to be appointed to this high position and have the tremendous authority that goes with the post.

It is estimated that 30,000 former officers in our Armed Forces are now enjoying positions in various Government departments and agencies at excellent salaries and, in addition, receiving retirement payments. This is a bad situation. Former President Eisenhower spoke out on this just before he left the White House following 8 years as Chief Executive. He said:

> In the councils of Government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or the democratic process.

Let us keep the generals and former generals where they belong. The time is here for us in the Senate to demonstrate by our votes that we regard it as a potential danger to our American way of life and to the maintenance of honorable peace that we have these continual appointments of retired officers of our Armed Forces to important civilian positions in our Government.

The Federal Aviation Act of 1958 required and demanded civilian control of this Agency. There is no need to revoke or set aside an important section of this act so that an Air Force general may become Administrator. No Senator, I am certain, will take the position that our President is unable to find and nominate as Administrator of the Federal Aviation Agency a civilian of unquestioned ability, fine experience and achievements in civil life, and as loyal and as equally able, or more so, to serve as Administrator of the Federal Aviation Agency other than this general or any other retired Army officer. What is there about Gen. William F. McKee that causes him to be so exceptional and so outstanding that the law passed by Congress should be ignored or revoked and that he should be given this administrative position?

Mr. President, I am greatly impressed by the minority views expressed by our colleagues, the Senator from Indiana [Mr. HARTKE] and the Senator from Kansas [Mr. PEARSON] who, following full consideration and study in committee, reported:

> Mindful of the need for a strong Agency in charge of a single Administrator to oversee the complex problems of air safety, airport location and layout and a myriad of other problems, the Congress took exceptional pains in the exact wording of the act and the statement of intent vis-a-vis continuous civilian control of this vital function of Government.
>
> The conference report on the Federal Aviation Act of 1958, states as part of the statement of the managers on the part of the House:
>
> Both the Senate bill and the House amendment provided with respect to the Administrator (as does the bill agreed to in conference, in sec. 301(b)) that at the time of his nomination he shall be a civilian * * *.

The report goes on to state:

> The requirement in section 301(b) that the Administrator be a civilian at the time of his nomination means that he shall be a civilian in the strictest sense of the word. Thus, at the time he is nominated he may not be on the active or retired list of any regular component of the armed services or be on extended active duty in or with the armed services.

We would be making a big mistake today were we to deviate from that policy. Let us adopt the motion to recommit. The door will not then be closed on this matter. General McKee may then come before the appropriate committee, where the members of that committee will have an opportunity to see him and be impressed by his appearance and by the testimony that he gives in that hearing, and the other testimony that is given in that hearing. Then that committee can decide intelligently whether or not we should rescind the law that has been on our statute books.

We can see then whether we should do away with that provision of the law in order to give this very fine man a position which would make him the highest salaried man in the executive branch of the Government next to the President of the United States and the Vice President of the United States.

Mr. LAUSCHE. Mr. President——

The PRESIDING OFFICER. The question is on the motion——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LAUSCHE. Yes. I will take only 3 minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that 3 minutes from now——

Mr. LAUSCHE. Make it 4 minutes.

The PRESIDING OFFICER. The Chair is not unreasonable.

Mr. MANSFIELD. I ask that at 5:45 the vote be had on the motion to recommit.

The PRESIDING OFFICER. Is there objection to the request that the Senate vote at 5:45? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. With 1 minute to the Senator from Oklahoma [Mr. MONRONEY].

Mr. LAUSCHE. Mr. President, to show the baseless foundation of the attack on General McKee, I want to read to my colleagues from the papers submitted to the Senate by the Senator from Indiana, supported by the Senator from Ohio [Mr. YOUNG]. On page 9 of these papers it is stated:

> I have a copy of a letter written to the junior Senator from Ohio, who has joined me in this fight for civilian control. It comes from a leader of civilian employees at the Air Force installation.

It is now made clear that it comes from a sincere person who wants to protect the members of the union, the American Federation of Government Employees—AFL–CIO.

There is nothing wrong with that. It is perfectly sound. But what is wrong are the charges made by the man who wrote the letter. I will read the charges:

> I, along with hundreds—and I suspect thousands—of Air Force Base employees have

nothing but contempt for a man of his caliber—

General McKee, that is—

who had nothing but contempt for civilian employees, and who on his own, instituted several RIF's (reductions in force).

This is the significant aspect of the malice, the injustice, and the wrong.

in order to show enormous savings to the Air Force and to further his promotion to the four-star rank.

Mr. President, is there something wrong with that? Does anyone believe that the President or the appointive power made General McKee a four-star general because he reduced the number of employees without justification?

If he reduced them because there were too many, and if he had the courage to tell the AFL and the CIO, "I will not listen to you," God bless him. He has my complete support.

That is what is wrong. That is all I wish to say to Senators now in the Chamber.

I do not wish the Army to run the Government. I do not wish the AFL or the CIO to run the Government. It seems from this letter that because General McKee had the courage to say no, they now not only charge General McKee, but also the President of the United States for having appointed General McKee to be a four-star general because he unjustly and maliciously reduced the number of employees actually needed at Wright-Patterson Air Field.

Mr. MONRONEY. Mr. President——

The PRESIDING OFFICER (Mr. Bass in the chair). The Senator from Oklahoma is recognized for the remainder of the allotted time.

Mr. MONRONEY. Mr. President, in a moment or two we shall vote on a measure which can deny to the President the opportunity to bring before the Committee on Commerce for a study of confirmation of the nomination of a man who, after weeks of selection, was determined to be needed for this very difficult and technical position which must be filled as Administrator of the Federal Aviation Agency.

We can deny to the President of the United States this right by a vote to recommit to have a careful, studied hearing, with General McKee before the committee, subject to answering any questions, whether it be on patent rights, or unfair and unverified letters from doctors who claim that something is wrong in the Space Agency Medical Department, or on all the other charges which have been thrown around the Chamber this afternoon.

Mr. President, I feel that the President of the United States has a responsibility, and that I also have a deep responsibility for the safe and effective operation of the Federal Aviation Agency, because the air commerce of this country is vital to its progress and vital to the safety of all transportation.

I believe that the Senate would be making a great mistake not to give the matter a hearing, not to bring this confirmation to a hearing, not to give the President the right to name the man of his choice, chosen after many weeks of deliberation.

I urge the Senate to vote down the motion to recommit.

Mr. MANSFIELD. Mr. President, fundamentally, I am opposed to the principle of military men taking positions of this kind, but I am forced to agree with the distinguished Senator from Oklahoma that this man is the President's choice and I believe that the President is——

The PRESIDING OFFICER. All time has now expired.

Mr. MANSFIELD. I believe that the President is right and that General McKee is the best qualified man——

The PRESIDING OFFICER. The question is on the motion to recommit H.R. 7777——

Mr. MANSFIELD. The job of Administrator of the Federal Aviation Agency is a very delicate one. I join the Senator from Oklahoma in urging that the motion to recommit be defeated.

Mr. President, the distinguished junior Senator from Montana [Mr. Metcalf] desired to participate in the debate on General McKee's appointment; but it was necessary for him to leave a few hours ago, in order to attend a hearing on the Senate Interior Committee, in Butte, Mont., tomorrow morning. I ask unanimous consent that Senator Metcalf's remarks be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Metcalf

I do not know Gen. William F. McKee, who has been nominated for the position of Administrator of the Federal Aviation Agency. I am certain he is an able, dedicated man. My consistent objection to having retired military personnel in civilian Government positions stems, not from reservations about the individuals, but from a deep conviction that retired career military men should not be placed in positions of responsibility in a civilian government. This is an open invitation to militarism in the civilian branch.

The situation we are discussing today is exactly what many of us predicted would happen last year, at the time of consideration of the Dual Compensation Act. We predicted that some retired career military individuals would take important civilian jobs, and would be paid more than the members of the Cabinet.

We are being asked to permit those who are retired from the military to take important and significant positions in the civilian government, and to draw dual compensation. This two-for-the-price-of-one situation is not open to anyone who retires from the civilian branch of the Government. It is not open to Members of Congress. In fact, it is not open to most individuals involved in early retirement programs, such as our policemen and our firemen. The only special exception has been retired members of the military, whose pension benefits are substantial.

Furthermore, we are being asked to open the door to a dangerous precedent.

The founders of this Nation made it clear that this Government must be under civilian control.

This principle was reiterated by one of our former Presidents—and the only man in recent times to be elected to that high office from a distinguished background as a professional military man. I quote from the farewell address of President Dwight D. Eisenhower, on January 17, 1961, when he warned:

"In the councils of Government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

Gen. Douglas MacArthur also sounded the warning, in a speech at West Point, on May 12, 1962:

"Let civilian voices argue the merits or demerits of our processes of Government. These great national problems are not for your participation or military solution."

For the benefit of Senators, I attach to this statement my remarks on this subject of dual compensation, in the Congressional Record, volume 110, part 12, page 16316.

STATEMENT OF JULY 20, 1964

"As I indicated in our debate on this bill recently, I am disturbed by some of its provisions and omissions. I am prepared to suggest that it be sent back to the Committee on Post Office and Civil Service with instructions that it be restricted to two points. The balance of the proposals should be resubmitted next year after appropriate, and I would hope, more detailed, and critical study. The committee should report back a bill which would cancel all obligations of officers found to have been illegally overpaid down to the date of the Comptroller General's ruling of July 9, 1962, and permit the employment of Federal civilian personnel in more than one position up to the length of the Federal workweek, plus a ceiling on total pay.

"I assume that these provisions of the bill are relatively noncontroversial. Certainly the ban on two civilian positions hampers several agencies and if guarded by an hours-per-week limit, as in this bill, plus a ceiling on compensation, which is not in this bill, it should be acceptable. As regards the former officers who have illegally received dual compensation, we should avoid working a hardship on innocent citizens even though the total involved is estimated to be $16 million, most of that sum having been paid out by the Defense Department. In reporting this bill back, I would hope that the committee would include in its report a statement of the total amount involved, the Federal agency, and include the name, military rank, and civilian position of every individual involved who has been illegally paid more than $500. I think the Congress has a right to know which agencies were delinquent in enforcing the law and the extent of their delinquency. I do not think that innocent persons should be penalized for agency delinquency, but since the agency which is apparently the chief offender is the one department which should be best informed on laws affecting military personnel I see no reason why all the facts should not be made available.

"In reporting this bill the Committee on Post Office and Civil Service asserted that it had four basic goals in mind.

"First, it intended to codify and simplify Federal law on dual compensation, a commendable aim, a job long overdue, but not one to be achieved at the expense of more important principles. A part of this first purpose, actually a second purpose was to afford what it terms 'relief' for the two groups of officers found to be overpaid by some $16 million. I am agreeable specifically to the second part of this first aim, and generally to the first part.

"The second purpose as stated in the committee's report was to remove the present ban on dual compensation for retired regular officers of the U.S. Armed Forces. The committee reports that under present law such an officer is prohibited from accepting Federal employment because of the maximum salary limitation established under the

Dual Office Act of 1894. Perhaps I do not grasp the complexities of these matters as quickly as I should, but are we being advised that the Dual Office Act of 1894 absolutely prohibits civilian employment of a retired Regular officer? That such an officer cannot give up his military pension, temporarily or permanently, and qualify for any job he wants and can get? If the ban is absolute, then I do not believe this to be just or right.

"The third purpose stated by the committee report is to modernize dual compensation to remove the $2,000 per annum ceiling on the amount of compensation any person may receive from the Federal Government for more than one civilian job. I do not think this is a controversial purpose or provision, except, as I have indicated—I think there should be a ceiling on the amount of compensation any individual holding more than one position can receive as long as we have millions of unemployed. This bill provides for no ceiling in salary—only in hours. This is unjust and unfair.

"To modernize a law we do not need virtually to erase it from the books, and I urge that this section be modified to place a ceiling on such dual compensation. The ceiling should not be higher than 1½ times the Federal minimum wage. Indeed the provision could be so written as to make it self-adjusting over the years, automatic modernization.

"The fourth stated purpose of this bill is to 'establish * * * a more equitable employment system' by allowing Regular officers, retired for length of service, or voluntarily, I presume, to take full-time civilian jobs with the Federal Government and still draw part of their military retirement pay. The parts of the bill pertaining to the achievement of this purpose are those which have excited the most firm and articulate opposition.

"The urgency of this bill, as I understand the matter, is primarily that of giving relief to the officers who were overpaid some $16 million. I understand this urgency and am sympathetic to giving them relief. Frankly, I do not consider the other sections as being urgent at all, but since the one modernizing restrictions on dual compensation for civilian jobs is apparently not highly controversial I see no reason why we should not deal with it this session.

"I am firmly opposed, however, to the other revisions proposed in this bill until there has been a great deal more fact gathering and an adequate set of hearings and a more comprehensive report is available for study.

"My first interest in this bill as it came from the committee was aroused by the alleged urgency of the measure, because of the pending necessity for securing reimbursement of the overpayments—but no figures were forthcoming on the amount of overpayments. The committee report on page 10 flatly stated that the committee was unable to obtain any specific cost information on the amount of the overpayments. Subsequently, in the recent debate, the figure of slightly less than $16 million was offered by the chairman of the subcommittee, Mr. YARBOROUGH.

"This is certainly a bare-bones figure. We are offered no explanation as to what departments made such overpayments and to whom, nor are we even offered an explanation as to why the Comptroller should order repayment and so advise the agencies and 2 years later the committee is compelled to advise this body that the cost figure was not available. This reticence is peculiar, at least, and I would like the committee in its reconsideration of this bill not only to elicit additional information but also to indicate to the Senate why this information was so difficult to come by.

"Before we make any changes in the law on dual compensation, beyond that minor change referred to earlier, I think the appropriate committees should conduct hearings on the whole Federal retirement system. I see no more reason for being concerned about dual compensation and the alleged discrimination against regular military officers than I do about the glaring differences in the various Federal retirement and social security programs.

"On a simple bookkeeping basis, what justification is there for requiring a citizen to pay social security taxes; requiring a Federal civilian employee to pay 6.5 percent of his salary into a retirement fund; and levying no tax on the military? I think this is obvious and unjustifiable discrimination and should be brought to an end. It is my understanding that the civil service retirement fund is inadequate for the requirements which will be made on it in future years. Why? How inadequate? To what extent do the claims of retired military people on the civil service funds, deriving from their special privileges in counting military time toward retirement, constitute a drain on the civil service fund? How big is this drain?

"What valid arguments are there against establishment of a military retirement fund equivalent to the civil service retirement fund so that retired military men shifting to the civilian payroll can get credit for their military service—but so that the retirement fund can be the beneficiary of the sums accumulated in the military fund for the individual involved?

"It has been alleged that the military retirement obligations will mount rapidly in the years ahead and will soon reach $1 billion a year. To what extent could this rise be offset by adjusting the relationships between a military pension fund and a civilian pension fund? Will the provisions in this bill, pending here today, allowing $2,000 plus half of the remaining pension benefit for Regular military officers, encourage early retirement and step up the cost of military retirement?

"It seems to be that we cannot separate the laws on dual compensation and retirement, despite the honest effort made to do so here in our recent discussion of this measure. If pensioned retirement poses questions for civilian civil service employees, then it is quite unrealistic to say that this bill does not affect the retirement laws. There is no doubt that this bill does affect civil service employees; it does affect their retirement fund; it affects the total cost of Federal retirement programs—and it should be restudied with this in mind.

"I firmly believe that some of the inconsistencies in Federal law as regards the right to retire with compensation can be eliminated or reduced. What set of circumstances in real life calls for a cut in the social security payments when wage income rises above $1,200, and knocks out social security payments entirely at about $1,700? Yet a retired enlisted man or Reserve officer can draw his retirement benefits regardless of his wage earnings.

"I am not prepared to say at the moment in which direction the change should be made. But I do not believe there is any justice in telling a hardrock miner in Montana that if he earns a few dollars in his old age his social security will be reduced or eliminated entirely, while his son, retired from the military, can draw his full retirement benefits regardless of his other earnings. Surely we can achieve more equity in the law than this.

"The original justification for imposing a penalty on social security recipients was a make-work concept. We were going to provide some old-age aid, but require that the aged yield jobs to young people.

"As nearly as I can gather, the original justification for an inflexible and very generous retirement policy for the military was to offset low wages and facilitate maintaining a youthful military force. Possibly these are also the justification for not withholding retirement taxes from military salaries. I submit that this is poor logic and poor administration on withholding taxes—and places a burden on the civil service retirement fund. I submit that a generous retirement program is a poor substitute for adequate military pay. And I would like to see a study made of the connection between a generous retirement program and recruitment of military personnel. It is facts I would like to hear, not rationalizations.

"I doubt very much that the marked differences between military and civilian retirement rights can be justified in the clear light of a committee hearing. Some differences, very well, but not the present sharp contrast. One requires contributory payments; the other does not. One is very generous in terms of the length of service required, the other is not. One is, with minor exceptions, irrevocable; the other is a fragile thing—the civilian retirement—a fragile thing which can be reduced or eliminated on small provocation.

"I submit we need a study of all of these things before we undertake to enact legislation this comprehensive.

"I think the dual compensation laws should be modernized. I think they should be equitable. I think they should cover the waterfront. In general, I think dual compensation should be eliminated—that this should be the guiding principle of those drafting the new legislation. If we cannot make the dual compensation laws, as revised, yield immediate equity because of standing commitments to classes of the military already in retirement, then I submit that the laws should be so written as to achieve equity among all military retirees after the date of enactment.

"I do not believe that the present bill achieves equity. I do not believe that its accomplishments outweigh its shortcomings. I don't think it is the best bill by any means that can be drawn on this subject, and I urge that another attempt be made.

"I have studied many hearings on many bills, and I submit to you in all charity that these hearings leave more questions unasked and unanswered than any other set of hearings I can recall.

"I trust no member will take these remarks personally. They are not intended as criticism of any person or committee. The burden of our work is heavy. Time is always at a premium—but I must insist that I do not believe that this measure should pass this year. I believe that it should be recommitted with instructions.

"Special privilege if we must have it must serve a vital public function. It should not be suffered as a result of hurried compromise.

"Our responsibilities are broad—we have time and the will to write better law—it is our responsibility to do so and to remember that special privilege and discrimination breed riots in hell."

THE DUAL COMPENSATION ACT OF 1964 NOT THE REAL ISSUE IN THE M'KEE CASE

Mr. YARBOROUGH. Mr. President, in the past few days there has been some discussion of the Dual Compensation Act of 1964 as it affects this bill, S. 1900, and the possible appointment of General McKee to be Administrator of the Federal Aviation Agency.

Some of the remarks which have been made imply that Congress was not fully aware of what it was doing when the Dual Compensation Act was passed. I had the pleasure and the responsibility of serving as chairman of the Civil Service Subcommittee which considered the Dual Compensation Act, and I was the floor leader in the debate which resulted in the passage of that act.

Contrary to the impression which may have been made, the Dual Compensation Act was the product of 9 years' study of the problem of employing retired military personnel. Extensive hearings on that bill were held in both the House and the Senate committees. The staffs of both committees worked for many months, with representatives of the administration and other interested parties, to produce the bill which Congress passed.

Considerable debate was held on the floor of both the Senate and the House before the bill was passed. No aspect of that legislation was not given very careful consideration.

Contrary to a remark made by one Senator yesterday, the Dual Compensation Act did not "punch a hole in the dike," to allow retired officers to be employed in civilian positions. The history of dual-compensation legislation is long and involved. The 1964 act modernized and simplified some 70 years of piecemeal legislation. Prior to the 1964 act, more than 50 statutes regarding dual employment and dual compensation had been passed. Some 200 decisions of the Comptroller General had interpreted those laws. It was truly an administrative monstrosity to understand and apply those statutes. Mistakes were frequently made, much to the disadvantage of innocent employees who accepted positions in the civilian service, and later were told they had been employed in violation of the law, and owed the Government the entire salary they had earned as civilian employees. In some instances, employees owed as much as $50,000, each, for illegal salary payment. To correct this and other inequities and to allow the Government to offer employment opportunities to some highly skilled retired military persons, the Dual Compensation Act of 1964 was passed. It opened no floodgates.

On the contrary, under the old statutes and interpretations, the only group of retired military personnel who were excluded from Federal employment in civilian positions were regular commissioned officers who retired for length of service. The fiscal limitations on combined income prohibited their employment, because of the language of the Dual Offices Act of 1894. All enlisted men, all Reserve officers, and any Regular officers retired for disability were eligible for any civilian position with full retirement pay. The only ones not admitted to Federal employment before 1964 were the Regular officers retired for length of service. They amount to less than 10 percent of the military personnel who retire each year. What Congress did in 1964 was to extend to these officers the same privileges of law that were enjoyed by all others. As a suitable compromise, Congress decided to reduce their yearly retired pay to an amount equal to $2,000, plus half of the remainder. That reduction in pay applies to Regular commissioned officers and to warrant officers. It does not apply to Reserve officers, because, under the old law, Reserve officers were not affected. Congress did not deem it necessary to take away from Reserve officers a privilege which they had enjoyed for 70 years.

My remarks today are not aimed at the wisdom of appointing retired officers to civilian positions. No Member of the Senate is any more interested in the supremacy of civilian control than I am. My remarks are not aimed at the change to be made in the Federal Aviation Act by the bill under discussion today. I speak only on the subject of the meaning of the Dual Compensation Act. I believe its purpose has been misunderstood in the past few weeks. If Congress wishes to make changes in that law, I am confident that the distinguished chairman of the Committee on Post Office and Civil Service will entertain any amendments any Senator wishes to propose. As a member of that committee, I will certainly share in that responsibility.

The PRESIDING OFFICER. On this question the yeas and nays have been ordered.

The clerk will call the roll.

Mr. MANSFIELD. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. The question is on the motion to recommit H.R. 7777?

The PRESIDING OFFICER. The Chair stated that to the Senate while the Senator from Montana was making his final argument.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia (when his name was called). On this vote I have a pair with the junior Senator from Alaska [Mr. Gruening]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Alabama [Mr. Hill], the Senator from North Carolina [Mr. Jordan], the Senator from Missouri [Mr. Long], the Senator from Michigan [Mr. McNamara], the Senator from Montana [Mr. Metcalf], the Senator from Maine [Mr. Muskie], the Senator from Oregon [Mrs. Neuberger], the Senator from Alabama [Mr. Sparkman], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from New Hampshire [Mr. McIntyre], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from Georgia [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Michigan [Mr. McNamara] would vote "nay."

On this vote, the Senator from New Hampshire [Mr. McIntyre] is paired with the Senator from Massachusetts [Mr. Kennedy]. If present and voting, the Senator from New Hampshire would vote "yea," and the Senator from Massachusetts would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Iowa [Mr. Miller], the Senator from South Dakota [Mr. Mundt], and the Senator from Vermont [Mr. Prouty] are absent on official business.

The Senator from Iowa [Mr. Hickenlooper], the Senator from New York [Mr. Javits], and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from New York [Mr. Javits], and the Senator from Vermont [Mr. Prouty] would each vote "nay."

The result was announced—yeas 33, nays 35, as follows:

[No. 143 Leg.]

YEAS—33

Aiken
Allott
Bennett
Burdick
Carlson
Case
Clark
Cooper
Douglas
Ellender
Ervin
Fannin
Fulbright
Hart
Hartke
Hayden
Holland
Jordan, Idaho
Long, La.
McGovern
Morse
Morton
Moss
Murphy
Nelson
Pearson
Simpson
Smith
Tower
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—35

Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Cannon
Cotton
Curtis
Harris
Hruska
Inouye
Jackson
Kuchel
Lausche
Magnuson
Mansfield
McCarthy
McClellan
McGee
Monroney
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Scott
Stennis
Symington
Thurmond
Tydings
Williams, N.J.

NOT VOTING—32

Byrd, Va.
Byrd, W. Va.
Church
Dirksen
Dodd
Dominick
Eastland
Fong
Gore
Gruening
Hickenlooper
Hill
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McIntyre
McNamara
Metcalf
Miller
Mondale
Montoya
Mundt
Muskie
Neuberger
Prouty
Russell, Ga.
Saltonstall
Smathers
Sparkman
Talmadge

So Mr. Hartke's motion to recommit was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the motion was rejected.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with my colleague the junior Senator from Montana [Mr. Metcalf]. If he were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Alabama [Mr. Hill], the Senator from North Carolina [Mr. Jordan], the Senator from Missouri [Mr. Long], the Senator from Michigan [Mr. McNamara], the Senator from Montana [Mr. Metcalf], the Senator from Maine [Mr. Muskie], the Senator from Oregon [Mrs. Neuberger], the Senator from Virginia [Mr. Robertson], the Senator from Alabama [Mr. Sparkman], and the Senator from Georgia [Mr. Talmadge] are absent on official business.

I also announce that the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Massachusetts [Mr. Kennedy], the Senator from New York [Mr. Kennedy], the Senator from New Hampshire [Mr. McIntyre], the Senator from Minesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from Georgia [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Connecticut [Mr. Dodd], and the Senator from Michigan [Mr. McNamara] would each vote "yea."

On this vote, the Senator from Alaska [Mr. Gruening] is paired with the Senator from Virigina [Mr. Robertson]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Virginia would vote "yea."

On this vote, the Senator from Massachusetts [Mr. Kennedy] is paired with the Senator from New Hampshire [Mr. McIntyre]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from New Hampshire would vote "nay."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Iowa [Mr. Miller], the Senator from South Dakota [Mr. Mundt], and the Senator from Vermont [Mr. Prouty] are absent on official business.

The Senator from Iowa [Mr. Hickenlooper], the Senator from New York [Mr. Javits], and the Senator from Massachusetts [Mr. Saltonstall] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from New York [Mr. Javits], and the Senator from Vermont [Mr. Prouty] would each vote "yea.'

The result was announced—yeas 46, nays 20, as follows:

[No. 144 Leg.]

YEAS—46

Allott
Anderson
Bartlett
Bass
Bible
Boggs
Brewster
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Fannin
Harris
Hart
Hayden
Hruska
Inouye
Jackson
Jordan, Idaho
Kuchel
Lausche
Magnuson
McCarthy
McClellan
McGee
McGovern
Monroney
Morton
Moss
Murphy
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell, S.C.
Scott
Simpson
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Young, N. Dak.

NAYS—20

Aiken
Bennett
Burdick
Case
Clark
Cooper
Douglas
Ellender
Ervin
Fulbright
Hartke
Holland
Long, La.
Morse
Nelson
Pearson
Smith
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—34

Bayh
Byrd, Va.
Church
Dirksen
Dodd
Dominick
Eastland
Fong
Gore
Gruening
Hickenlooper
Hill
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Mansfield
McIntyre
McNamara
Metcalf
Miller
Mondale
Montoya
Mundt
Muskie
Neuberger
Prouty
Robertson
Russell, Ga.
Saltonstall
Smathers
Sparkman
Talmadge

So the bill (H.R. 7777) was passed.

Mr. MONRONEY. Mr. President, I move to reconsider the motion by which the bill was passed.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONRONEY. Mr. President, I ask unanimous consent that Senate bill 1900 be indefinitely postponed.

The PRESIDING OFFICER (Mr. Pell in the chair). Without objection, the bill is indefinitely postponed.

ORDER OF BUSINESS

Mr. LONG of Louisana. Mr. President, I have a privileged matter that I would ask to have called up.

LEGISLATIVE PROGRAM

Mr. KUCHEL. Mr. President, I wonder if my able friend the Senator from Louisiana would yield so that I might query the majority leader, while Senators are in the Chamber, as to what is contemplated for tonight, tomorrow, and the remainder of next week.

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. Mr. President, if the Senator from Louisiana will yield, I shall be delighted to reply to the acting minority leader.

Mr. LONG of Louisiana. I yield for that purpose.

DISTRICT OF COLUMBIA APPROPRIATIONS, FISCAL YEAR 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 321, H.R. 6453, making appropriations for the District of Columbia for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bills?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

UNANIMOUS-CONSENT AGREEMENT LIMITING DEBATE ON DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. MANSFIELD. Mr. President, I believe this request has been cleared with all interested parties.

I ask unanimous consent that when the Senate meets on Tuesday, June 22, 1965, there be a time limitation of 1 hour on the Ribicoff amendment to the District of Columbia appropriation bill, the time to be controlled by the mover of the amendment, the Senator from Connecticut [Mr. Ribicoff] and the chairman of the subcommittee the Senator from West Virginia [Mr. Byrd]; that on other amendments the time be limited to 30 minutes, 15 minutes to a side, if there are other amendments to be offered, because I believe they can all be taken care of on Monday; and that the vote on the passage of the bill be had not later than 2:30 p.m. on Tuesday.

The PRESIDING OFFICER. Does the Senator request that paragraph 3 of rule XII be suspended?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Is there objection? The chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Unanimous-Consent Agreement

Ordered, That, effective on Tuesday, June 22, 1965, at the conclusion of routine morning business, during the further consideration of the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes, debate on any amendment (except one to be offered by the Senator from Connecticut [Mr. Ribicoff] which shall be limited to one hour), motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from West Virginia [Mr. Byrd].

Ordered, further, That the Senate will proceed to vote on final passage of the bill not later than 2:30 o'clock postmeridian on Tuesday June 22, 1965.

THE LATE SENATOR JOHNSTON OF SOUTH CAROLINA—MEMORIAL ADDRESSES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time set aside for the delivery of eulogies to our late, departed, beloved colleague, the Senator from South Carolina, Mr. Johnston, be moved from 2 p.m. to 3 p.m. on Tuesday June 22, 1965.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, there will be no debate on the District of Columbia appropriation bill tonight, unless some Senator wishes to speak on it. After conferring with the distinguished Senator from Connecticut [Mr. Ribicoff] and the distinguished Senator from Oregon [Mr. Morse], it is hoped that an agreement can be reached for a reasonable limitation on debate and a vote on the bill on Tuesday. That would not preclude the taking of votes on committee amendments or votes on other matters.

Following the disposition of the District of Columbia appropriation bill, it is the intention of the leadership to call up the silver coinage bill; but a little leeway may be needed in that respect. Perhaps the military procurement bill will be taken up between those two bills. But, in general, that is the program contemplated for next week.

Mr. KUCHEL. Does the distinguished majority leader contemplate a yea-and-nay vote on the conference report on the excise tax bill; and can he confirm the happy rumblings in the Chamber that the Senate will go over until Monday?

ORDER FOR ADJOURNMENT UNTIL MONDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. As to the other question, I cannot answer the Senator from California.

Mr. LONG of Louisiana. I shall not ask for a yea-and-nay vote. The excise tax bill passed the Senate with only four dissenting votes. The conference was most successful. However there may perhaps be debate on it.

Mr. MAGNUSON. Does the Senator from Louisiana plan to ask for a yea-and-nay vote on the excise tax conference report?

Mr. LONG of Louisiana. Not unless some Senator asks for one.

Mr. NELSON. Mr. President, I should like to ask the majority leader a question. Did I correctly understand him to say that the Senate would reconvene on Monday?

Mr. MANSFIELD. Yes.

Mr. NELSON. I did not understand him when he said what measures would be taken up.

Mr. MANSFIELD. The District of Columbia appropriation bill was laid before the Senate a few minutes ago. There will be no yea-and-nay votes on that bill this evening. There may be yea-and-nay votes beginning on Monday, although I anticipate none as of now. Other measures may be taken up on that day. The chances are about 90 to 10 against yea-and-nay votes.

ICELANDIC INDEPENDENCE DAY

Mr. BURDICK. Mr. President, today is the 21st anniversary of the independence of the independent Republic of Iceland. I wish to pay tribute to that country's contributions to our Nation.

We in North Dakota are fortunate to number among our citizens about 1,000 Icelandic-Americans, who have settled in the northeastern corner of our State. They are part of a small group of American citizens whose democratic heritage is paralleled by that of very few other national groups in our country.

Although Iceland has been independent only since 1944, hundreds of years earlier its citizens knew the characteristics of democracy. Indeed, Iceland has one of the oldest and most distinct democratic heritages of any country in the world today; it can be traced to the year A.D. 930, when the Vikings who settled on this island established the Icelandic Althing, or Parliament—the first democratic body of its kind north of the Alps. Its laws provided for the various hazards of life, including mutual protection from fire; and its original code initiated trial by jury 282 years before King John of England signed the Magna Carta.

The Icelandic people have contributed their energies and resources and, most important of all, their democratic and cultural heritage to the communities of America where they have settled. I am proud that the community of Mountain, N. Dak., is among the few distinctive Icelandic-American communities remaining in our country.

Mr. President, the story of the Icelandic immigration to America is truly a remarkable tale of adventure, struggle, and personal sacrifice. The Icelanders came from a land rural, wild, and lonely; a land of glaciers, lava, heather, and stormy seas; a country of silence—the silence of vast spaces impinging on the scattered settlements. To make their way in comparatively crowded and industrialized America, the immigrants had to summon all their resolution and initiative.

The first Icelanders to come to the New World arrived about 1870. They came both to Canada and to the United States, and worked their way along the Great Lakes and the central boundary of the two countries until they settled in North Dakota and Minnesota in about 1900.

One of the most lucid available accounts of this migration is contained in a book entitled "Modern Sagas," written by Thorstina Walters, herself an Icelander, reared near Mountain, N. Dak.

I ask unanimous consent that an excerpt from her book, telling of the settlement of the Icelanders in North Dakota be printed at this point in the Record; and I commend it to all Senators as an excellent, if somewhat brief, account of a part of American history.

There being no objection, the excerpt was order to be printed in the Record, as follows:

Chapter III. The Trails Converge—The Dakota Territory

It soon became evident to Páll Thorlaksson that the general well-being of the settlement had not progressed since his visit of the previous year. To be sure, more Icelandic immigrants had come during the summer of 1877. There was an increasing number of pioneer cabins and the clearings around the lowly homes had been enlarged. Many of these clearings had within them recent graves of those who had succumbed to the smallpox plague of the preceding winter. No dreamer of the future pictured Lake Winnipeg as it now is, a great waterway with an inexhaustible supply of fish. What Thorlaksson saw was a vast expanse of ice and marshy shores where his compatriots were waging a battle for survival, in many instances a losing struggle. In thinking through the problems that confronted the Icelandic settlers, the young minister was strengthened in his belief that the United States had more to offer to his countrymen.

Early in the year of 1878, a number of discontented settlers met in Thorlaksson's home with the objective of laying the initial plans for finding a suitable area for an Icelandic settlement on the American side of the boundary line. A committee of three, the Reverend Páll Thorlaksson, Sigurdur Josua Björnsson, and Magnus Stefansson, was chosen to make a tour of exploration. At first, it was felt that Minnesota would offer the best opportunities, but that plan was changed when one of the committee men, Magnus Stefansson, met a newspaper editor in Winnipeg, Mr. Hunter, who unreservedly advised them to seek land in the Dakota Territory. He explained that all suitable land had been taken up in Minnesota. The only land available was in the northwestern part of the State, near the Red River and was not, in his opinion, any better than that which they already had in "New Iceland." He suggested to Stefansson to go to the border town of Pembina, Dakota Territory, saying that he felt certain that within a radius of some 30 miles of the town there would be land that would meet the requirements of the group. Hunter then gave Stefansson two letters of introduction to two friends of his in Pembina. The other two members of the committee, Thorlaksson and Björnsson, were not enthusiastic at first, but finally Björnsson agreed to accompany Stefansson to Pembina while Thorlaksson remained temporarily behind in Winnipeg.

The town of Pembina was at that time quite an important gateway to the United States, situated as it was on the Red River and receiving traffic from both the North and the South. The two Icelanders were advised to seek land southwest of the little town of Cavalier, some 30 miles from Pembina. It was explained to them that while the soil of the prairie was considered superior, there was a disadvantage for poverty-stricken people in settling on a treeless prairie.

After conferring for 2 days in Pembina, the Icelandic prospectors set out on foot for the town of Cavalier and then and there received their first introduction to the mud of the Dakota prairie. But a little inconvenience of that nature did not discourage them, for the information they had gained kindled hope in their hearts. They had along with them a letter of introduction to John Bechtel, a progressive farmer in Cavalier. Mr. Bechtel was of German ancestry, having come to the Dakota Territory from Pennsylvania in 1875. He became a much valued friend to the Icelandic pioneers during their first years of settlement. Stefansson and Björnsson spent the first night in Cavalier at Mr. Bechtel's home and the next day he drove them to the home of a Norwegian-American Civil War veteran, Butler Olson, who had homesteaded 6 miles west of Cavalier. There the two Icelanders stayed for a week enjoying the hospitality of Mr. and Mrs. Olson. Mr. Olson drove them south and west around the neighborhood and then finally down to Pembina where they rejoined Thorlaksson. Three others were added to the group, settlers from

"New Iceland," Jóhann Hallsson; his son, Gunner, and Arni Thorlaksson.

After Björnsson and Stefansson had reported on their findings, the five Icelanders decided to return again with Olson. He arranged to have them driven around by a halfbreed who knew the country intimately. They had five horses and two Red River carts, and took turns riding and driving. Mr. and Mrs. Olson had furnished them with bread and butter, while the halfbreed shot wild ducks that they roasted by an open fire. They examined the country for 4 days around the territory where the Pembina County towns of Hallson, Gardar and Mountain are now situated. Subsequent to this cursory examination of the area, they returned to the Lake Winnipeg settlement to report to their countrymen.

It was only a matter of a few days until a large number of the settlers of New Iceland had determined to try their fortune in the Dakota Territory. The first to make the difficult trek by land and water were the members of the exploration committee and their families. They traveled to Winnipeg by a small boat belonging to one of the settlers and then by a Red River steamer to Pembina. On June 6, 1878, they set out over the trackless prairie with two yoke of oxen. They left Pembina at dawn, arriving at the home of Butler Olson that night at 10. By then, the faithful oxen had trudged 30 miles through mud and water.

The most pressing task of the newcomers was that of erecting a shelter and this first Icelandic home in the Dakota Territory was built where the town of Hallson now is. Fifteen miles distant to the west were the Pembina Mountains, only hills, to be sure, as compared with the mountains of Iceland, but, nevertheless, one of the reasons for the immigrants' choice of the locality. On the banks of the Tongue River, that drained the terrain, were majestic oaks, elms and other trees. The work was made easier through the unwavering hope that the settlers had of the future. Among these builders in the wilderness was a lad of 18, Jonas Jonsoon. In his memoirs recalling this pioneer work he wrote: "I was assigned as a cook for the group. Not that I had any special skills in that particular line, rather because the older men disliked such work, whereas I was a good-natured lad, ready to undertake anything. I developed a system of my own for making bread, which consisted of digging a hole in a large tree stump, then putting in flour, and water from the Tongue River. Presently I had kneaded a dough that I shaped into round cakes and baked over an open fire. I can assure you that I was kept busy making these cakes."

The cabin was completed June 23, 1878, and nine people moved into it. There, 2 weeks later, was borne the first child of Icelandic parentage in the settlement, Hallur Egilsson. There was no trained doctor or nurse to render mother and child the necessary assistance, but reports have it that all went well with both.

During the years 1878–81, a large number of settlers came from Lake Winnipeg (New Iceland) to the Dakota Territory. The Canadian authorities tried to stem the tide of emigration from the Lake Winnipeg settlement by demanding the return of the money that the Dominion Government had given to the pioneers. The authorities argued that the money had been donated with the understanding that the Icelanders were to remain permanently in Canada. When the departing Icelanders paid no attention to the governmental objections, they frequently found themselves in difficulties. The Icelandic pioneers also encountered at times some bitterness on the part of their countrymen who chose to remain behind. However, neither Government interference nor the coolness of friends could stop the determined men and women who saw a fairer day dawning in Dakota Territory. Some of the Icelanders, lacking means of transportation, covered the distance of 160 miles from the Lake Winnipeg settlement to the Dakota Territory on foot. Those who had children were very much handicapped. The story is told of one Icelander whose sole property was one cow. He managed to acquire a Red River Cart into which he placed his wife and children and then hitched the cow to it. He then started for the Dakota Territory. Unfortunately, the Canadians confiscated the cow at the boundary line. The ingenious settler was not at all discouraged. He and his family struggled on foot the rest of the way. Another couple dragged their child and baggage on a sleigh all the dreary miles from Lake Winnipeg to the Dakota Territory. Many of those who arrived destitute in the new locality had left Iceland with considerable means, lost one way or another during the confusion of the first few years. Among those following the Icelandic pioneer trail from New Iceland to what is now North Dakota were Jóhann and Ingebjörg Stefánsson with their three children, Jóhannes, Inga, and the youngest, Vilhjálmur, the future explorer, then aged 18 months.

Through the Reverend Páll Thorlaksson, the possibilities of the Dakota Territory were explained to the Icelanders in Shawano County, Wis., who by that time had learned many valuable lessons in American farming from their neighbors of greater experience. That small Icelandic group had been forced to recognize that cultivation of the soil where they were was beyond their capabilities due to the heavy timber all around. Shawano County required more initial power and capital than they had, therefore it seemed to them that the Dakota prairies offered more opportunity for those who had willing hands, but very little money. The first step towards evaluating the Dakota Territory was taken by six Icelanders from Shawano County who went there on an exploration tour the summer of 1878, driving five teams of horses. There they joined others of their compatriots who were also exploring the area under the able leadership of the Norwegian-American, Butler Olson.

The Dakota Territory of 1878 was just emerging from the terrors of the Custer massacre of 1876. Sitting Bull was still living, and to the Icelanders his name was synonymous with some mighty troll of their folklore. Olson's leadership was of the highest repute for not only did he know the country but he was a man of experience which included 3 years of service in the Civil War. The Icelanders had not proceeded far on their way on the virgin prairie when they noted a large band of Indians in what appeared to be a warlike mood. The little band of white men was at a great disadvantage in defense against an attack. Their weapons were limited to a rifle that Olson carried, a relic of Civil War days, a pistol and a pocket knife belonging to two of the Icelanders. They took counsel as to how to meet this emergency. Mr. Olson suggested that the best procedure would be to tie the horses together and then the men should crawl into the tall marshland grass and hide. They lay for several hours hidden by the damp grass. When they finally dared to raise their heads above it and survey the surroundings, there were no Indians to be seen. Olson was then of the opinion that the Indians had mistaken them for a part of the territorial militia from the border town of Pembina, much feared by the Indians for its members were reputed to be quick on the trigger. Orders had been given to the Indians not to gather in large bands on the prairie.

The Icelanders and their guide explored the country quite extensively around the present sites of the towns of Hallson, Mountain, and Gardar in Pembina County. They were pleased with what they saw and returned to Shawano County, Wis., to report favorably on their findings. The summer of 1879 marked the exodus of all the Icelanders from the community in Shawano County. Women and children traveled by rail while the men and boys walked and drove the cattle. An occasional family moved by a method they had learned from the American pioneers, by covered wagons. Those who walked averaged about 25 miles a day. It took them a month to walk from Shawano County, Wis., to the locality that they had chosen in the Dakota Territory. These Icelandic pioneers were joined by a number of their compatriots who for one reason or another were not satisfied with their homesteads in the Lincoln and Lyon Counties of Minnesota. Generally speaking, these Icelandic settlers were not as poverty stricken as the ones from the colony around Lake Winnipeg.

The hopes of a better and fuller life that centered in the Icelandic settlement in the Red River Valley of the Dakota Territory traveled across the Atlantic to Iceland where the movement to emigrate became nationwide. By 1880, a large number of settlers direct from Iceland arrived on the Dakota prairies.

The initial steps of the pioneers were very difficult. As long as the much publicized Red River Valley soil failed to produce, there was want everywhere. The years from 1878 to 1881 were the most trying ones. In spite of their failure to raise grain and vegetables in the immediate neighborhood, it was of paramount importance for the pioneers to live on the land they had settled in order to prepare the soil for production and to gather hay for their livestock.

The winter of 1879–80 was the most severe on record in that part of the country. Many Icelandic homes were without food. However, help always came before there were any serious consequences. In many instances, this help came through loans that Thorlaksson had solicited from well established Norwegian-American farmers. As a rule, he himself was responsible for repayment. It was to him that the settlers turned when all other roads seemed to be impassable. In addition to loans, there were also direct gifts from the Norwegian-Lutheran Synod, as well as from individuals. People tried to make a little go as far as possible and were thrifty in every way. By the spring of 1880, one of the most pressing problems was lack of seed. The Reverend Páll Thorlaksson was then in Minnesota under treatment for his health. He kept in continuous contact with the settlement. At his request, Haraldur Thorlaksson, his brother, one of the Icelanders who had come from Wisconsin the previous summer, mortgaged a small herd of cattle that he owned, in order to purchase seed for some of the settlers, as well as some very essential farm machinery.

It soon became evident to Thorlaksson that something more extensive in scope was required to help the settlers than the sacrifice made by a few individuals in their midst. Therefore, in spite of his poor health, he traveled through the Norwegian settlements in Minnesota and gathered together 40 head of cattle and 100 barrels of flour to be paid for in 2 years at 10 percent interest. Transportation amounting to $300 was saved through him. He wrote to the St. Paul, Minneapolis & Manitoba Railroad requesting it to give free transportation of the cattle and flour to the border town of Pembina. The railroad agreed, and as a result the flour and the cattle arrived almost immediately in Pembina. This good news traveled fast through the Icelandic settlement. Hope was rekindled, but, unfortunately, this help was still very inadequate, a mere drop in the bucket.

Realizing that further assistance was needed at once, Thorlaksson, although still ill, undertook a trip on horseback through the progressive Norwegian settlements in

Minnesota. He acquired 43 head of cattle on the same terms as the previous ones and the railroad transported this herd to Pembina free of charge, too. Yet even this additional help was not sufficient, since a number of needy families had just arrived in the settlement from the Lake Winnipeg communities. Presently, Thorlaksson called a meeting for the purpose of evaluating the overall situation in the settlement and through this meeting to determine what additional assistance was needed. Following this meeting, the tireless young minister set out once more in July of 1880 to the Norweigan communities in Minnesota in order to arrange for the essentials required to insure the livelihood of the Icelandic community in Pembina County, Dakota territory, until such time that the settlers could manage through their own resources.

Thorlaksson traveled extensively through the Norwegian communities in Minnesota and was well received everywhere, especially by the clergymen who supported him in every way possible, either taking him around themselves or lending him a horse. After 2 months of travel he had gathered a herd of 85 head of cattle, 65 sheep, as well as small sums of money, all for the benefit of the Icelandic communities in the Dakota territory. Most of the animals were sold on 3 years credit or were outright contributions. Two men and two boys came from the Dakota territory to drive the herd to the Icelandic settlements where it arrived October 2, 1880. This marked Thorlaksson's final effort to seek outside help to assist the poverty-stricken pioneers on the road to self-support.

There were, to be sure, many of the original Icelandic settlers in Dakota territory who managed without loans or other outside help solicited by Thorlaksson. But the considered opinion of many of the Icelandic founding fathers interviewed by this writer is overwhelmingly to the effect that the Reverend Páll Thorlaksson's work prevented dire suffering at a time when aid was urgent. Unquestionably, his work was a very important factor in establishing the settlement permanently and placing it on a producing basis. One fact not to be overlooked was that there was neither work nor credit to be had in the immediate area of the settlement. The locality where the Icelandic pioneers settled in the Dakota territory was in an extreme frontier state, therefore, contact with firmly established, progressive Norwegian settlements was invaluable. Not only did the pioneers receive material aid from them but they also learned many important lessons in adjustment to their environment.

The loans made by the Norwegian-Americans to the Icelanders were almost without exception paid back with interest within the prescribed time. It was not long before an Icelander's word was considered first-class security for credit in the Dakota territory. Unfortunately, there is one never to be forgotten blot on this Norwegian-Icelandic cooperation. A Norwegian-American businessman who dealt reputably with Thorlaksson in the beginning, changed his manner of doing business and became known through the Icelandic communities as a man of very unsavory reputation. It seemed that he preferred farms on which he held the mortgage to repayment of loans. These farms that he took as security for loans at exorbitant interest rates tempted him to ruthlessness in collecting his money. This man, however, was the exception, for the annals of Icelandic pioneering in North Dakota relate repeatedly the unselfish aid and cooperation of the Norwegian-Americans in Minnesota and the nearby States.

When the Icelanders first came to the Dakota territory, there were three laws for filing on land: Preemption, tree claim, and homestead. The first and third laws required that the one who filed should live 3 years on the 160 acres of land allotted to him before obtaining a deed for it. The tree claim made it obligatory to plant 6,000 trees, and if they were all living at the end of 3 years, the pioneer received a deed for the land. Most of the Icelandic immigrants availed themselves of the homestead laws.

Almost without exception, the Icelandic pioneers in Pembina County were destitute. Some had, however, more experience than others in meeting the problems of the new environment. The ones least equipped were those who came from the settlement around Lake Winnipeg or direct from Iceland. But in general most of the early settlers were young, energetic, and thrifty. They were anxious to learn from the experience of others who were better oriented in the new land than they were.

The home that the Icelanders chose lay in the northeastern corner of the immense Dakota territory, which stretched from the Red River on the east, to Montana on the west, and from the Canadian border south to Nebraska. The scattered settlers that the Icelanders found there had not had time to recover from the Custer massacre. And the restlessness of the Indians and halfbreeds on the Canadian side culminating in the Riel Rebellion of the middle eighties aroused general alarm among the newcomers. But in not too long a time the Icelanders in the Dakota territory began to take great pride in breaking the sod and to have a liking for the prairie. To them, the prairie became a symphony of sounds. There were times when the tall, swaying grass seemed to speak the language of the ocean waves that washed the shores of their oceanbound homeland. And often enough the faint stirring of the breeze whispered of hidden opportunities still lying buried under the soil of Dakota's vast prairie.

LIVESTOCK MARKETING

Mr. McGOVERN. Mr. President, during the June 10 visit of 100 South Dakota farmers to the Capitol, in the interest of farm legislation, William J. Dougherty, president of the Sioux Falls, S. Dak., Livestock Exchange, presented to a group of Senators a statement on the situation of livestock markets and marketing, to be submitted to the Senate Committee on Agriculture and Forestry.

The suggestions Mr. Dougherty made for the protection of farmer interests are well worth our consideration. Therefore, I ask unanimous consent that his statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. Chairman and members of the committee, my name is William J. Dougherty, president and cattle salesman of Adams-Dougherty Commission Co., and president of Sioux Falls Livestock Exchange, Sioux Falls, S. Dak.

Sioux Falls is a terminal market, ranking ninth in cattle, ninth in hogs, and third in sheep nationally. During the past 10 years, the Sioux Falls stockyards handled 16,641,394 head of livestock. Adams-Dougherty Commission Co., is a registered market agency competing with eight other commission firms at Sioux Falls stockyards to secure the highest possible prices in selling farmers livestock. Our firm has sold about 2 million head of livestock since 1955.

It is an economic fact that terminal markets provide a useful, necessary function in the movement of livestock from producer to consumer at minimum costs. The cost (yardage and commission) at Sioux Falls is about 1¼ percent of gross sales.

In 1964 livestock was received at Sioux Falls from 12 different States while feeder livestock was shipped to 6 States. Slaughter livestock moved out to 82 packinghouses in 62 cities in 22 States.

Effectively functioning, the terminal market provides much more than selling or buying services. We maintain a strong, competitive market where the smaller and middle-size farmer can achieve better values for his livestock product.

Our market is vitally important to the economy of our farmers. In addition to our market selling and buying activities we offer experienced counseling services at the farm, such as help in securing feeder livestock, information on markets and trends, on types of feed, on shrink, etc. In other words, as commission men who strive to make our customers a more profitable operation of their business.

The questions of the livestock industry have been stated: loss of the farmer's bargaining power, vertical integration, decentralization, off-market buying, chain store meat profits, packer profits, etc.

Grade and yield selling and direct purchases are made under many different conditions and frequently the producer has no knowledge of all the factors involving the purchase of his livestock.

The terminal market might be considered the buffer between the seller and the buyer, whose interests are somewhat opposed. On livestock sales consummated strictly between the producer and packer, the producer is going to need more protection in the way of more uniformity and supervision of the packer's buying practices, better accountability.

The Packer and Stockyards Act certainly needs revision. If packers be required under a Federal livestock marketing order to purchase a predetermined percentage of their supplies from a federally licensed, supervised market in open competition, many producer problems could be answered.

Packers are concentrating on buying livestock direct at the farms. The producer cannot compete equally with a packer buyer. If the terminal market were eliminated from the scene, there would be nothing to prevent the livestock producer from being a captive to the packer in his own trade area. Direct buying is a threat to markets, whether terminal, auction markets or livestock concentration points. The interests of both packer and producer are not always compatible and it would be a confused situation if the information, guidance and selling service of the commission agent were absent.

Costs to the packer of buying direct are greater than his costs of procurement on the terminal market. A comparison of buyers salaries and fringe benefits reveals that packers stressing direct buying pay much more than those packers more closely associated with terminal market purchasing. Some data on this point is available.

The USDA states that the farmers' share of the consumers' food dollar has dropped from 51 percent in 1947 to 37 percent in 1964. The consumer has been paying more for food and the farmer receiving less. Wage rates and fringe benefits to labor are up sharply. In 1947 the average common laborer at Armour's plant in Omaha was paid $1.02 an hour. By 1963 the rate was $2.72 an hour for wages and $1.12 for fringe benefits to total $3.84 per hour—an increase of 276 percent in 15 years.

Concerning direct buying—I quote from the U.S. Department of Agriculture, Agricultural Marketing Service 1960 Outlook Issue of the "Marketing and Transportation Situation" that "one of the principal reasons why chains have adopted direct buying is that it gives them greater control over their supply."

The meeting of buyers and sellers at properly regulated competitive markets makes possible the flow of livestock from sales agency to the competitive purchaser with ease. Consider this example on the New York or American Stock Exchange. The reason that some 1,200 companies list their stocks on the New York Stock Exchange is because they know their listing will provide a sales center which will bring the highest possible price obtainable because most competition is available. This gentlemen, cannot help but be true in the livestock industry also.

To cope with marketing deterrents we suggest formulating specific educational marketing guideline data or rules which will provide, for all livestock producers, information setting forth every variable. The guideline data should be prepared by marketing industry representatives who know the score and in conjunction with officials of the Packers and Stockyards Division, U.S. Department of Agriculture. For authoritatives and meaningful presentation, this data should be illustrated, published, and distributed throughout the nation by officials of the U.S. Department of Agriculture. The industry today needs a definite set of guidelines or rules on livestock marketing from a U.S. Department of Agriculture source which will set forth for the livestock producer and feeder, complete information on all variables of marketing. I repeat again, these guidelines or rules for authoritative and meaningful purpose, should be presented, published, and illustrated and thoroughly discussed throughout the nation by representatives of the Packers and Stockyards Division.

Thank you.

THE COUNTRY THAT WANTED LOVE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an article written by Arthur Hoppe, and published in the Washington Star of June 16. Mr. Hoppe has written in an interesting and provocative manner about a serious matter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, June 16, 1965]

THE COUNTRY THAT WANTED LOVE

(By Arthur Hoppe)

Once upon a time there was a big, warm, wonderful country. It had towering mountains and shining rivers and fruitful plains and lots and lots of very nice people. It was truly a wonderful country. And what it wanted most of all was to be loved.

Like many countries, it had been a bit of a bully at times while growing up. It had picked on smaller countries and pushed weaker people around and even, on occasion, broken its promises. But now that it was full grown, it didn't want to grow any more. And now that it was rich and powerful, it didn't want to push anybody around any more. It just wanted to be loved.

Probably no country ever cared more what other countries thought of it. In order to be loved, it did all sorts of nice things. It gave poorer countries lots of money. It gave weaker peoples lots of help. Above all, it was a very moral country. It never told lies and it always kept its promises. Which is very important if you wish to be loved.

Oddly enough, it was loved. Oh, some older countries said laughingly that it was little naive and unsophisticated. And some younger countries said enviously it was little vain and insensitive. But most people thought it was truly a pretty wonderful country. And to many it represented, in quite a real sense, the hope of a better world.

But, of course, now that the wonderful country was rich and strong and full grown, it had to go out and deal with other countries as an equal. It found that other countries sometimes told lies. And sometimes broke their promises. And were always trying to push you around. In fact, it was kind of a dog-eat-dog world.

At first, the wonderful country said this was awful. It would, it said, devote itself to making this a better world by "winning the battle for men's minds." It would teach people to be good by its shining example. And it would never tell lies, break promises, or push people around. Because that was the best way to make a better world.

But this proved very difficult. And pretty soon, as the wonderful country grew older, it began telling little lies. Like, "That wasn't our spy plane flying over your country." And it began to break its promises. Like, "We pledge never to interfere in the affairs of our neighbors." And it began to push people around.

At first, because it still wanted to be loved, the wonderful country tried to justify what it did.

"Golly," it said, "sometimes even we have to lie a little and cheat a little, but it's in a good cause. And when we send our soldiers into other countries, we're doing it for their sakes, not for ours."

But this proved difficult, too. And it became clear the wonderful country would have to choose between being loved and pushing people around. It did. It said, "What's so great about being loved? Who gives a fig what others think? It's a dog-eat-dog world and we've got to be hard-nosed realists and act in our own self-interest."

Which worked fine. Because when you act in your own self-interest, you can lie and cheat and push people around all you want.

Moreover, with its shining rivers and fruitful plains and nice people, it was still a wonderful country. Of course, it wasn't the hope of the world any more.

Moral: If you have a neighbor who says he doesn't give a fig what other people think of him, count your silverware.

THE OAS IN SANTO DOMINGO

Mr. BREWSTER. Mr. President, the entire world has its eyes on the Dominican Republic, and is waiting and hoping that the OAS will be successful as it seeks a peaceful solution of the crisis that has shaken that small island nation.

President Johnson averted much bloodshed by landing American troops in that strife-torn land. Now, however, American troops are being withdrawn as the OAS develops its inter-American force.

Recent editorials published in the Washington Post and the New York World-Telegram and Sun are typical of the support the President is receiving from the Nation's press. I ask unanimous consent that these two editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 4, 1965]

THE OAS PEACE MISSION

The new OAS peace team which has left for Santo Domingo has a mission of great importance to the whole Western Hemisphere. Not only the future of the Dominican Republic but also the evolution of the American peace system will be influenced by its work. Officially this three-man body has been assigned the task of collaborating with OAS Secretary General Jose A. Mora in seeking a peaceful solution of the Dominican crisis. But it also reflects a broader hope that ways can be found to help small, volatile countries in this hemisphere in the achievement of stability, peace, and freedom.

President Johnson made it clear in his news conference the other day that the United States has no interest in imposing any particular kind of regime on the Dominican people. The interest of this country in our small Caribbean neighbor is not imperialistic. Rather the aim of this country and the other American governments which have joined in sending a peace mission to Santo Domingo is to arrest the spread of chaos and the threat of communism and to keep the door open to Dominican control over Dominican affairs.

The task of the mission would be a simple one if the hostile Dominican factions were disposed to forget the past and cooperate in a provisional government which could prepare the way for fair elections. But nothing approaching a consensus on the composition of such a government has emerged. Unless some understanding can be worked out, it may be necessary for the OAS to conduct an early election or plebiscite to ascertain the will of the people. Certainly the peace mission will have to let the factions know in no uncertain terms that the issues between them must be settled by ballots rather than bullets.

If a democratic and stable government can be established in Santo Domingo with the aid of the peace mission, it will be an event of truly great significance. We do not minimize the difficulties that will be encountered in reconciling hostilities, satisfying constitutional requirements, and conducting an election free from violence, intimidation, and fraud. It is a challenge of immense proportions. But it is also a rare opportunity to point the way toward a new dimension in mutual helpfulness among the American Republics.

[From the New York (N.Y.) World-Telegram and Sun, June 3, 1965]

THE OAS IN SANTO DOMINGO

In the Dominican Republic the first job was to stop the fighting and assure the safety of all Dominicans, as well as others present.

The second job is to get the country's economy working again and then to arrange for elections at which the Dominicans can decide how they wish to proceed.

Meanwhile, some type of temporary administration has to be in effect.

On all these points, constructive progress seems to be underway, although slowly.

There still is some sniping, off and on, but the inter-American force under Gen. Huga Panasco Alvim, of Brazil, is taking charge and the United States has been able to withdraw several thousand troops. More should come home as Alvim decides.

The United States has poured money, food and medical supplies into the country and the Organization of American States, through the industrious efforts of Secretary General Jose A. Mora, is working on economic recovery.

The OAS has voted to send a team of three ambassadors (from El Salvador, Brazil, and the United States) to help Mora with the political problems. While both sides in the revolution have complained about Mora, they may yet agree to OAS supervision of the eventual free elections—the only way, under the circumstances, the elections can be assured of being free.

The OAS even has persuaded the leaders of the military junta to promise that none of them will run in the elections.

Both sides in the civil war probably will continue to drag their heels whenever they

> can, but firm action by the OAS gradually will overcome that handicap. At the moment, even though the situation remains serious and difficult, the prospects are brighter than might have been expected a few days ago when confusion was in command.
>
> For this, on reflection, we can thank the original decisiveness of President Johnson in sending U.S. troops—which undoubtedly prevented an even worse slaughter of Dominicans than occurred. And the patience and persistence of Mora and his OAS associates in negotiating the understandings now seemingly being achieved.

THE WASHINGTON, D.C., MEETING ON OCEAN SCIENCE AND OCEAN ENGINEERING

Mr. PELL. Mr. President, a most outstanding 4-day meeting has just concluded here in Washington. The meeting was remarkable for two reasons: first, it was concrete evidence of a great surge of activity in a field of primary importance for all Americans; and, second, because in spite of its significance, it passed almost unnoticed.

The meeting was on the subject of ocean science and ocean engineering, with dual sponsorship by the Marine Technology Society and the American Society of Limnology and Oceanography.

The Marine Technology Society is new—less than a year old. Its remarkable growth and achievement in less than a year are a tribute to its officers and directors, but—even more important—also to the fact that it has filled an important void in national organization, by providing an organization and forum for those who are concerned, not solely with obtaining knowledge from the seas, but with putting that knowledge to use in practical engineering terms.

The American Society of Limnology and Oceanography has a longer, but equally successful, history, and is devoted to the advancement of science in these fields. Perhaps some Senators find "limnology" a new word, as I did.

It is perhaps most conveniently defined by simply stating that a limnologist is to fresh water what an oceanographer is to salt water.

The chairman of the joint conference was the distinguished former Assistant Secretary of the Navy for Research and Development, and chairman of the Interagency Committee on Oceanography, Dr. James H. Wakelin, Jr., now president of the Scientific Engineering Institute.

The meeting was significant because it provided a meeting ground for scientists, engineers, and managers from the academic world, from private industry, and from Government. The subjects ranged from detailed studies of a single aspect of science or technology, such as "Variability in Marine Benthic Communities off Georgia" and "A Free Diving Oceanography Buoy," to broad topics, ranging from an assessment of mineral resources of the sea to a full day's discussion of the role of nuclear energy in the sea.

It was my privilege to be invited to participate in a panel discussion, on Wednesday evening, on "Organization of Oceanography and Ocean Engineering in the United States." My fellow panelists included such distinguished scientists as Dr. Roger Revelle, of the Harvard Center for Population Studies, who has been director of the famed Scripps Oceanographic Institute, and scientific adviser to the Secretary of the Interior; Dr. Paul Fye, director of the equally famous Woods Hole Oceanographic Institute; and Dr. Wilbert Chapman, of the Van Camp Foundation. Industry was represented by Capt. H. A. Arnold, of United Aircraft Corp.; and David Potter, director of the General Motors Defense Laboratories. Other panelists were Representative PAUL ROGERS, of Florida, an articulate and informed champion of a forward-looking, national program for development of the oceans; and Dr. Wakelin. The moderator was one of the most energetic and imaginative men of my acquaintance—the distinguished scientist and engineer, Dean Athelstan Spilhaus, of the University of Minnesota.

A great deal of the discussion centered on the role of the Federal Government in ocean development; and when my own time came for a summation and final comment, I asked for a show of hands from those supporting each of three points of view that had been expressed during the evening:

First. No further action by the Government is necessary, in addition to that already being taken.

Second. A self-liquidating commission should be established of a composition that would enjoy the confidence of the Executive, Congress, industry, and the academic community. The commission would be charged with proposing a national policy in ocean development, together with the plans and suggested organization for carrying it out.

Third. The Government should move at once to establish an appropriate agency or other entity for ocean development.

I should note that the second proposition is consistent with a bill introduced in the other House by Representative Rogers, and the third is consistent with a bill introduced by the distinguished Senator from the State of Washington [Mr. MAGNUSON]. In my view, the two approaches are not at all incompatible. Among the attendees, there seemed to be a substantial body of opinion that the kind of entity proposed by Senator MAGNUSON was realistic, coupled with a view that the step proposed by Representative ROGERS was a desirable preliminary, in order to refine definitions, problems, and the role of the organization to be created.

On the show of hands, only a sprinkling of attendees—about 10—expressed the view that government need not take further action. The majority preferred the establishment of a commission or other study group, representative of all major constituents of an ocean program, to conduct a preliminary examination in depth, and to make recommendations for a positive policy and for an action program. Those who preferred immediate establishment of a new Federal agency for ocean development were a close second in number.

I do not regard any of this as definitive, but I think it is indicative of a lively interest in the future of the oceans. If there was a single point of consensus, it was that America must move forward in ocean development, and that this is a joint responsibility of Government at all levels, industry, and the academic community.

It is also important to note that several discussants sounded a note of caution, as follows: We should not move forward without first defining our goals and examining all the implications of those goals. Vast as the seas may be, they are not an endless resource, unless husbanded. We must be not only energetic and skillful, but also wise in our approach to the coming age of ocean development. We must foresee the consequences of our actions.

My own views on this point are clear. It was with this cautionary approach in mind that, on May 7, I spoke to the Senate about the possible establishment of sea-grant colleges. We did not know how to use the land profitably for agriculture until the great age of agricultural development in science and technology was spearheaded by the mixed scientific and technological approach of the agricultural institutions. I believe—and many of the others present at the meeting seemed to agree—that we must create a similar mechanism for the transfer of knowledge into practical applications, before we can exploit the oceans in a similar productive manner, while maintaining the principles of conservation.

Within a short time, I intend to introduce proposed legislation designed to meet this need. Meanwhile, my own State of Rhode Island already is looking ahead, thanks to the foresight, skill, and imagination of our own land-grant college, the University of Rhode Island, in developing courses in ocean science and engineering specifically designed to meet the State and national need.

VIETNAM

Mr. HARRIS. Mr. President, the situation in Vietnam continues to require calm and deliberate patience and perseverance on the part of the people of the United States, as we continue to give our aid and assistance against aggression which threatens the people and security of the world.

Recently, Vice President HUBERT H. HUMPHREY made at the National War College an outstanding speech in which he called for patience and persistence on the part of all Americans, and said:

> Liberals must learn that there are times when American power must be used, and that there is no substitute for power in the face of a determined terrorist attack. Conservatives must learn that in defeating a Communist insurgency, the use of military power can be counterproductive without accompanying political effort and the ceredible promise to the people of a better life.

In a speech last week at Michigan State University, the Vice President dealt with the "curious misconception" that the Vietcong are a purely idealistic movement, not living on fear and terrorism.

I ask unanimous consent that an editorial on these two speeches by the Vice President, published in the Baltimore Sun on Monday, June 7, 1965, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Terrorism

Vice President Humphrey suggested last week, in a speech at the National War College, that liberals and conservatives should modify their traditional positions on the use of military power to help weak or struggling nations to defend their independence against Communist subversion and attack. "Liberals," he said, "must learn that there are times when American power must be used, and that there is no substitute for power in the face of a determined terrorist attack. Conservatives must learn that in defeating a Communist insurgency the use of military power can be counterproductive without accompanying political effort and the credible promise to the people of a better life."

The Vice President was emphasizing, as he said, that Communist terrorism cannot be defeated "by good works alone, or by good intentions, or by slogans, or by propaganda alone." He said further that Americans must learn to be patient—"the Communists are very patient"—and must learn to persist, because the Communists are persistent, too.

"We must learn to adapt our military planning and tactics to the new conditions of Communist warfare," Mr. Humphrey added, "and we must learn to coordinate military efforts, propaganda, effective political organizational efforts and economic investments far better than we have done so far."

In another speech last week, made at Michigan State University, the Vice President dealt with what he called the "curious misconception" that in Vietnam the Vietcong is a great idealistic movement with some resemblance, for example, to the American Populist Party. In fact, however, he said the Vietcong has made its gains in South Vietnam largely from terrorism. Arthur Schlesinger, whose own qualifications as an American liberal are as authentic as Mr. Humphrey's, said the Vietcong's gains "have come in the main not from the hopes they have inspired but from the fear they have created." Agricultural stations have been destroyed, medical clinics raided, malaria control teams killed or kidnaped. Since 1954, according to estimates cited by Mr. Humphrey, more than 10,000 civilian officials have been killed or kidnaped.

These comments on the war in Vietnam are worth keeping in mind as the news dispatches describe the fighting and as the discussion of our policy continues in the United States.

Mr. HARRIS. Mr. President, an editorial entitled "The Great Paradox," published in the New York Herald Tribune on June 6, points up some of the facts of our changing world concerning our relationship with the Soviet Union and Red China. I ask unanimous consent that this editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Great Paradox

President Johnson calls on the Soviet Union to join the United States in works of peace, while evidence accumulates that Russian guns and planes are moving into North Vietnam. The Soviet Union complains that Johnson talks peace while bombing a Communist country.

The situation is paradoxical. But the contradictory elements in the two national positions are real. There is no reason to doubt that both Washington and Moscow would prefer more stable relations with one another—and there is equally no reason to question the reality of the clash in Vietnam. The United States is deeply committed there; so is the Soviet Union. Americans had hoped that the Russians would use their influence to end the intervention of the North Vietnamese in South Vietnam; Russians want the Americans to pull out.

Vietnam is not the only corner of the earth in which American and Soviet interests clash, nor does either nation make any particular secret of the fact that the Russians want communism to spread and the Americans want it to roll back. But what was once a worldwide confrontation, with dangers of overt hostility at every point on the periphery of Communist power, has altered profoundly. Much of the frontier symbolized by the Iron Curtain has been stabilized; the curtain itself has been perforated in spots, with trade and communication barriers lowered. Berlin and Cuba are peril points, but even there the dangers are likely to spring more from the ambitions of Castro or the fears of the East German Communists than from the Soviet leadership.

This lessening of many acute tensions could lead, not to a firm peace (for the political and economic systems of East and West are still too far apart for that) but to a kind of modus vivendi, an agreement to disagree, that would permit a far more normal life for both superpowers, as well as for the nations that live in their neighborhood. But—there is also Red China.

Mao's China is all that the Soviet Union was in the days when Stalin ruled over a nation, victorious in war but gravely damaged by it. Peiping has many material wants, plus the consciousness of having survived a great ordeal, proud, secretive, suspicious, aggressive. It proclaims permanent revolution, expands its empire, and adds to this explosive mixture a racialist aspect that finds appreciative echoes in many of the new nations.

To this hungry predator, the Soviet Union—whose people are intensely desirous of enjoying the fruits of their own long and bloody struggle—is linked by ideological ties. The fact that Red China has made the United States its great foe, the symbol of all that is evil in the world, the enemy against which it unites its people virtually from the cradle, is Moscow's prime embarrassment in seeking any accommodation on any subject with Washington.

The Soviet leadership hopes to avoid a choice; it would like the United States, by bowing out of Vietnam, to make one unnecessary. But even that would not solve the Moscow-Peiping problem. For sooner or later the choice will be forced on Moscow—perhaps not over Vietnam, possibly not over any matter in which the United States is directly concerned. Because it is really Russia, not America, that China is contending with even now.

THE WHITE HOUSE FESTIVAL OF THE ARTS, AND THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

Mr. PELL. Mr. President, thanks to the leadership and understanding of President and Mrs. Lyndon B. Johnson, June 14, 1965, was a day deeply significant to our Nation's cultural progress and growth. On that day, the White House festival of the arts was held. It was a festival of unprecedented scope, and demonstrated not only the great variety of our country's artistic talent, but also this administration's desire to help foster, in every appropriate way, excellence in the arts.

The program was most comprehensive, and gave fitting emphasis to the broad spectrum of the arts: poetry, prose, drama, dance, music—both instrumental and vocal—painting, sculpture, photography, and the arts of the motion pictures.

Mrs. Johnson was a particularly gracious hostess to the more than 400 guests; and in her opening remarks she set the tone for this remarkable event when she called it a day of feasting for the eyes, ears, and minds of those who participated.

As the President said in his address of welcome to the artists assembled:

> You seek out the common pleasures and visions, terrors, and cruelties of man's day on this planet. You help dissolve the barriers of hatred and ignorance which are the source of so much pain and danger. In this way you work toward peace which liberates man to reach for the finest fulfillment of his spirit.

Other great American Presidents have spoken eloquent words in behalf of our Nation's artists; but this was an occasion of unusual depth and magnitude, representing our past achievements in the arts, as well as contemporary works of importance.

As chairman of the Senate Special Subcommittee on Arts and Humanities, I pay special tribute to the President and to Mrs. Johnson for so splendidly bringing to the White House the wide diversity of our creative talents; and I am very happy to note that just 4 days before the festival, the Senate passed the National Foundation on the Arts and the Humanities Act of 1965.

This bill contains the President's proposals for the Foundation. As I have said before, I believe the bill is the most comprehensive of its kind ever to come before Congress. Thus, the concepts of the festival and those of the Foundation are in close and meaningful harmony. Both are, indeed, unique in the history of our country.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 237. An act to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River Basin project, by the Secretary of the Interior; and

H.R. 485. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom south unit, American River division, Central Valley project, California, under Federal reclamation laws.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 3165) to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

The following bills were each read twice by their titles and referred or placed on the calendar, as follows:

H.R. 237. An act to make certain provisions in connection with the construction of the Garrison diversion unit, Missouri River basin project, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

H.R. 485. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Auburn-Folsom south unit, American River division, Central Valley project, California, under Federal reclamation laws; placed on the calendar.

EXCISE TAX REDUCTION ACT OF 1965—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8371) to reduce excise taxes, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. PELL in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, I have the honor to bring before the Senate the conference report on H.R. 8371, the Excise Tax Reduction Act of 1965.

This is the bill that only the day before yesterday was passed by the Senate. I think you can see from this that the conferees acted with expedition. In fact I might take time to point out that the whole handling of this bill, I believe, sets some kind of a record for quick action. It was exactly 1 month ago today, on May 17, that the President first sent to Congress his recommendations for excise tax reductions.

This is an indication of the speed with which Congress can act on tax legislation when there is a need to do so. All of us were aware of the fact that any delay in action on our part might affect the economy through the delay of purchases of the taxed articles by consumers. In my view, this demonstrates, and demonstrates quite clearly, that when there is general agreement in Congress that a tax reduction is needed, this action can be taken—in the regular legislative manner in a very short period of time.

The bill, as agreed to by the conferees, does not depart to any appreciable extent from the bill as passed by the Senate the day before yesterday. This is indicated by the fact that the bill as initially passed by the Senate would, over a 4-year period, have reduced excise tax collections by $4,658 million. The bill, as agreed to by the conferees, is a reduction of $4,676 million which constitutes a difference of only $18 million from the bill passed by the Senate 2 days ago.

Actually, there are 108 numbered amendments in this bill. However, most of these are in the clarifying or conforming categories. In terms of substantive amendments, I count 29 amendments. However, of these, eight represent minor technical amendments recommended by the Treasury staff and our own technical tax staff. Apart from these, of the remaining 21, the conferees for the House receded on 13, 3 with significant amendments. The Senate conferees receded on eight.

Of all of the amendments, I would classify five as the most significant.

Two of these dealt with the manufacturers' excise tax on automobiles. As Senators will recall, the bill reduces this tax to 7 percent this month and then to 6 percent on next January 1. On January 1, 1967, the Senate version of the bill would reduce the tax to 5 percent and then on the following two January 1's, 1968 and 1969, there would be two additional reductions of 2 percentage points. Thus, the Senate would retain a tax of 1 percent at all times. The House would remove this tax entirely. This 1 percentage point under the Senate version of the bill would be set aside by the Senate bill in a special fund to aid in the disposal of old and wrecked automobiles.

In addition, 4 percentage points of the reduction in the tax on passenger cars was made contingent, in the Senate version of the bill, by the Ribicoff amendment, upon cars meeting the same safety standards as are required by the General Services Administration with respect to cars purchased by the Federal Government.

The House conferees, although we urged them earnestly to accept the amendment relating to car safety, refused to do so.

The conferees debated the amendment for more than an hour. We did not agree. We took a recess and then debated it again. We proposed a compromise. However, the House was absolutely adamant on this amendment.

They made it clear that in resisting this amendment they were not opposing these standards of car safety as such, but rather objected to their being made a condition to a tax reduction. They seemed to believe that if action was taken in this respect, it should be taken directly by the House Committee on Interstate and Foreign Commerce and the Senate Committee on Commerce. For that reason we had accede to the House in this regard.

With respect to the 1 percentage point set aside for old and wrecked automobiles, the House agreed to retain this 1 percentage point of tax. They refused, however, to earmark it in a fund for the disposal of old and wrecked automobiles. This, of course, does not mean that this 1 percentage point—or, for that matter, the other 4 points not to be repealed until after 1967—cannot be used to meet problems raised by automobiles. This amount, for the present, will remain in the general fund revenue. This, of course, will not at some future time foreclose the allocation of this amount to the problems raised by automobiles, whether for safety, for the disposal of old cars, or other problems related to automobiles.

It will be recalled that the Senate version of the bill moved up the effective date for the reductions which, under the House bill, were scheduled for July 1, 1965. The Senate version of the bill provided that all of the retailers' taxes which are repealed, all of the manufacturers' taxes scheduled for repeal or reduction on July 1, and the playing card tax, instead of being repealed on July 1, are to be repealed on the day after the day the bill is signed by the President. The House agreed to this amendment and, therefore, the effective dates of these reductions will be the day after the bill is signed. I believe it is clear that this bill will be presented for signature to the President within the next few days.

Mr. President, I am somewhat embarrassed by a report that appears in the press. I am not certain whether the reporter who reported the statement heard it accurately. He said that the Senator from Louisiana said that the President would sign the bill on Friday.

As a practical matter, a suggestion had been made by the executive branch that the conferees should undertake to tell the President when he should sign the bill. The conferees unanimously agreed that it was none of our business to tell the President when he should sign the bill. That is his privilege. [Laughter.] He does not even have to sign it; he can veto it if he wishes to do so. That is purely a matter within his discretion. But somehow the press misunderstood the junior Senator from Louisiana. All I said was that if the President wanted to do so, he could sign the bill on Friday. I hope that that will straighten out the problem, because it has caused some misunderstanding between the executive and legislative branches of the Government.

I call the attention of the retail and wholesale trades to the fact that these reductions are about to occur and that if they hope to obtain floor stock refunds for their inventories on hand on the tax elimination date, they must be prepared to take these inventories as soon as the President signs the bill.

That is perhaps the reason why the President might delay signing the bill for a few days, in order to give retailers a chance to take inventory. It would be fine with this Senator if the President were to sign the bill on Friday so that the tax cut would go into effect on Saturday. In that way, everyone selling cuff links, cologne, men's perfume, or television sets could advertise, "Buy a television set for daddy on Father's Day." [Laughter.]

It would seem to me that would be a fine way to do it and to stop the buyer's strike. However, that is up to the President. One way would favor the retailer and the other way would favor the kids. The President will make that decision.

A fourth substantive amendment made by the Senate related to the tax on lubricating oil. The Senate bill would have restored the present tax law of 3 cents a gallon on cutting oil and 6 cents a gallon on other lubricating oil. The House bill to which your conferees have agreed in this area, would have eliminated all of the tax on lubricating oil and cutting oil—either by exemption or refund procedure—except in the case of lubricating oil used in highway vehicles. The 3-cent-a-gallon tax on cutting oil under the House bill is eliminated entirely. The 6-cent tax on other lubricating oil would under the House bill, apply generally, but refunds would be available for nonhighway use. Additionally, the House bill would allocate tax collected on lubricating oil to the highway trust fund.

The House conferees felt quite strongly that the $50 million a year from highway use of lubricating oil should be allocated to the highway trust fund. Your conferees, after much discussion on this point, finally agreed to the retention of the tax on lubricating oil insofar as it relates to highway use and for its allocation to the highway trust fund.

This Senator detected that there was considerable sentiment in the House to accept the amendment. It would have taken the 1 percentage point retained by the Douglas amendment and placed it in the highway trust fund to guarantee the completion of highways on schedule. That would have been subject to a point of order by any Member of the House.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DOUGLAS. Mr. President, a point of order would most certainly have been raised if the 1 percent had been placed in the highway trust fund by the conferees.

Mr. LONG of Louisiana. That was the point that was made. We had to recognize the validity of it. We did not do that. We saved that 1 percentage point of tax for revenue purposes. Congress can decide in the future how it wants it to be used. The House is not necessarily opposed to using this. They believe that if it should be done, it ought to be done by other committees, and not by the Committee on Ways and Means or by the Senate Committee on Finance.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. Mr. President, will the Senator advise me whether the conference report contains an exemption to a lottery?

Mr. LONG of Louisiana. A Senate amendment provided that a State-owned sweepstake, which is related specifically to the State-owned sweepstake in New Hampshire, would not be subject to the gaming tax.

Mr. MORSE. Mr. President, does the Senator think it makes any difference whether a State or an individual gambles, or whether the State encourages individuals to gamble?

Mr. LONG of Louisiana. That was the decision of the Senate. The Senate voted on that.

As the Senate conferees, it was our duty to urge the House to accept it.

Parimutuels have always been exempted from the tax on gambling. For example, we have two horseracing tracks in the New Orleans vicinity. One is in the city itself and the other is in Jefferson Parish. They are specifically exempt from the tax on gambling.

Mr. MORSE. On the ground that they are a necessity?

Mr. LONG of Louisiana. I do not say that they are a necessity, but they were not regarded as being the kind of corrupt operation that the Kefauver committee referred to when it recommended this kind of legislation.

Mr. MORSE. Could it be on the ground that they are a great educational institution for improving the morals of the young?

Mr. LONG of Louisiana. They are taxed under State laws. Louisiana gets quite a bit of money from the racetracks. The city of New Orleans finds it to be a very important item of revenue.

The same situation exists in Maryland. There are three racetracks, as I recall. There are two racetracks in West Virginia, to my knowledge. Those are not taxed. Those are private operations. They are not taxed by the Federal Government. They are all taxed, so far as I know, by the State. They are taxed rather heavily.

The money derived from the tax from New Hampshire is used exclusively for education. Insofar as I know, a record was made when the amendment was offered by the Senator from New Hampshire [Mr. McIntyre] and his colleague the senior Senator from New Hampshire [Mr. Cotton].

They made their case. I would urge the Senator to look at the record. The amendment was objected to by the Senator from Ohio [Mr. Lausche] and the Senator from New Mexico [Mr. Anderson]. However, it was debated and was agreed to on a voice vote.

The House felt that in view of the fact that it was entirely a State-owned operation, and that all of the revenue went to education, without any indication that there is any improper use or control of the operation, it would be all right.

Mr. MORSE. The Senator from Louisiana of course understands that the Senator from Oregon is not reflecting on the Senator from Louisiana. However, I do mean to reflect on Congress.

I think it is inescapable that we are adding another exemption—from another source of immorality in our country—to taxes.

Does the Senator believe that if Congress were to legalize immoral houses, some people would say that the income from that source—because it would go to the education of the young—would justify exempting them?

Mr. LONG of Louisiana. That would be a better use for the money than the use that some of it is being used for now. [Laughter.]

Mr. MORSE. Mr. President, we are dealing with a basic question of morals. I am at a complete loss to understand why we give such an operation a tax benefit.

Mr. LONG of Louisiana. Mr. President, I understand the argument of the Senator. I am sure that some agree with him.

I am glad to report that the fifth substantive amendment made by the Senate; namely, the repeal of the 10-cent-per-pound tax on manufactured tobacco—that is, smoking and chewing tobacco, and snuff—was agreed to by the conferees of the other body. As a result, this tax is repealed as of January 1, 1966. The chairman of the Senate Committee on Finance, the distinguished Senator from Virginia, was most effective in persuading the House to agree to this amendment.

In the area of floor stock refunds, the House accepted the two amendments in the Senate bill providing for floor stock refunds; namely, those applicable in the case of playing cards and sporting goods. However, the House conferees refused to go along with the action taken by the Senate in removing the floor stock refund on auto parts and accessories. The wholesalers and retailers in all three of these industries apparently desire floor stock refunds and, therefore, the conferees have agreed to them.

Two other amendments made by the Senate relate to the documentary stamp taxes. First, we would have postponed for 3 years the effective date of the repeal of the tax on real estate conveyances. We believe that this was desirable because the States and local governments depend upon these stamps on real estate conveyances for assessment purposes. Therefore, we were giving the States and local governments an opportunity to impose these taxes if they so desired. The House conferees agreed to this amendment but provided a 2-year, rather than a 3-year, postponement. Thus, this tax will go off on January 1, 1968, rather than January 1, 1969.

The House conferees unfortunately refused, and adamantly refused to accept the second amendment relating to the documentary stamp taxes. This amendment would have advanced by 1 day—to December 31, 1965—the date for the repeal of the documentary stamp taxes on securities.

Other amendments accepted by the House conferees include the following:

First. The amendment relating to light bulbs incorporated as parts in refrigerators, ranges, radios, television sets, and other taxed articles. The tax on these items is removed this June, but the tax on light bulbs remains until January 1, 1966. The Senate amendment prevented the initiation of a new tax on the bulbs incorporated in these appliances merely for this 6-month interval. The House agreed to this amendment.

Second. Another amendment, offered by Senator Dirksen, on the floor, would make the club dues tax inapplicable to initiation fees incurred after June 30 in the case of new clubs going into operation after that date. This was necessary to make it possible for new clubs to operate in this period. The House agreed to this amendment.

Third. The House agreed to all of the amendments the Senate made with respect to the tax on truck bodies and truck parts. It agreed that the so-called camper coaches and bodies of mobile homes should not be included in this tax base. It agreed that truck bodies, parts, and accessories primarily designed for use in connection with the processing, holding, or spreading of feed, seed, or fertilizer in connection with a farming activity should not be subject to the truck tax. It agreed to exclude from this tax 3-wheeled motor vehicles powered by a motor which does not exceed 18 brake horsepower if the chassis does not weigh over 1,000 pounds. It agreed to the matter with which Senator Jackson is concerned; namely, that the sales price on which the truck tax is based should not include the value of used parts furnished by the customer for incorporation in a truck to be used by him. It agreed that the rebuilding of auto parts is not to be considered as manufacturing for purposes of the exemption from tax on sales of new parts incorporated in the rebuilt parts. It was agreed to exempt from tax schoolbuses sold to private operators if the buses are to be used only for school purposes, except for incidental use by certain nonprofit organizations.

Fourth. The House agreed to the amendment redefining uninterrupted international air transportation in the case of members of the Armed Forces to exclude from tax for trips where reaching the United States the servicemen purchases a standby ticket for the remaining portion of his trip within 6 hours and takes the first available accommodation.

Fifth. The House conferees accepted the amendment offered by the senior Senator from Delaware exempting from income tax nonprofit poultry growers exchanges. However, it limited this exemption to past periods and left open for study the application in the future.

Sixth. The House conferees accepted the Senate amendment exempting from seizure by the Internal Revenue Service undelivered mail. It amended this provision, however, to make it inapplicable after the mail has been delivered to the addressee.

That was a point that was raised on the floor by the Senator from Tennessee [Mr. Gore]. The House makes clear that the possible abuses contemplated or suggested by the Senator from Tennessee would not occur.

Seventh. The House conferees accepted the Senate amendment exempting from the wagering tax those wagers placed in State-run sweepstakes, pools, and lotteries. This is the amendment having particular application to New Hampshire.

The House conferees were unwilling to accept the amendment which provides for refunds of taxes paid on gasoline held by a dealer where the gasoline is lost by leakage or spillage. They were also unwilling to accept the amendment which would impose the tax on tires at the time of the delivery of the tires to the retail outlet where the manufacturer owns these outlets. These two amendments primarily were not adopted because of the belief that they required more consideration than it was possible to accord them at this time.

With regard to the particular amendment relating to manufactured tires in the hands of independent dealers, in my judgment it was a very meritorious amendment. The objection on the part of the House managers was not that they did not consider the amendment meritorious. Their objection was that they had sent a bill to the Senate several times to that effect and the Senate had not acted on it. Due to pride of authorship, Members of the House thought that those who had labored so hard in the vineyard should get some credit for it, rather than put this provision in the bill as a Senate amendment.

I hope we can have action on that issue at this session. The Senator from Illinois [Mr. Douglas] was the sponsor of the amendment.

Mr. DOUGLAS. Mr. President, I have no pride of authorship, even though the House apparently has. If the House will send us the bill again, so it can take credit for it, I will gladly support it.

Mr. LONG of Louisiana. It was a good piece of legislation, and should be agreed to.

Mr. DOUGLAS. If the only way to get good legislation enacted is by the House getting credit for it, I am in favor of having the House get credit for it. If this is the only way we can make progress, I am willing to conform to that rule.

Mr. LONG of Louisiana. That is a most generous attitude and it is characteristic of the Senator from Illinois.

Mr. DOUGLAS. But the House did not include this provision which I sponsored in the excise tax bill. Therefore, it must have been in the past when the House did approve such legislation.

Mr. LONG of Louisiana. Yes. Members of the House referred to past years.

I very much hope that the House will send us a bill with this provision. I hope the Senator from Illinois will join the author of the measure in the House so that he may at least have the distinction of being a coauthor of the measure. All the House has to do is say "Yes," and it would be the law some time next week.

Mr. DOUGLAS. I shall be glad to cooperate.

Mr. LONG of Louisiana. I regret very much that the House would not accept the amendment, but this is something that should be done in this session of Congress. It is a good amendment and should be agreed to.

Incidentally, if the Senator from Illinois should reintroduce the measure, he should have our staff technicians study it for him, because there are some technical drafting problems involved in it.

An amendment offered to this bill would have required the Council of Economic Advisers to report to the Congress with respect to the economic effects of the tax reductions or repeals made by this bill. This report was to have been made annually through July 1970.

The Chairman of the Council of Economic Advisers has stated that the issue of the extent to which the tax reductions are passed onto the consumers—referring to the amendment of the Senator from Wisconsin [Mr. Nelson]—is an important question and essential to the economic benefit of the excise tax program. However, the Chairman indicates that this amendment is not needed, because some months ago in anticipation of the possible reduction of excise taxes the Council, the Treasury Department, and the Bureau of Labor Statistics agreed that it would be important to measure the impact of excise tax reductions on retail prices. As a result, they already have underway a substantial study that will measure—to the extent possible—the effects of excise tax cuts on prices paid by consumers. Chairman Ackley has assured me that the results of this study will be made public as they become available for the use of Congress and others who may be interested. In view of this, this last amendment was also deleted from the bill.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. NELSON. I am concerned about the extent and the depth of the study that will be made. Some time ago I wrote a letter to the Chairman of the Council of Economic Advisers. I was conducting hearings on the impact of the expenditure of Federal research and development funds upon scientific and technical manpower in this country. I invited the Chairman to appear before the committee to give us the benefit of the Council's judgment on this matter. Among other things, he declined, saying:

> With our small staff and heavy burden of special assignments from the President it would be extremely difficult for us to comply with your request.

There were 15 professionals working there as of January 1965.

Mr. Ackley had delivered a speech as of the time this matter was pending, the day before we passed it.

I am concerned about this matter. The amendment directed the Council of Economic Advisers to make a study of the impact and report back at least once a year until 1970.

It gave a sum sufficient for the study. It was a study that was requested by Congress.

The executive branch has this responsibility. The congressional branch has its responsibility. I believe that we default in our responsibility if we do not request that the study be made for us and then, based on that study, conduct extensive hearings each year to find out whether we are satisfied with the study which has been made and its validity, to be sure we get an understanding of what the impact of the tax reduction has been. This reduction is not, as the Senator knows, an income tax cut which automatically goes to the taxpayer. I believe the Senator knows—and I appreciate very much his endorsement of the proposal yesterday, that I have no criticism whatsoever of the distinguished Senator in charge of the bill—that there is nothing automatic about the transference of the $4,700 million tax cut to the consumer.

If all manufacturers and all retailers do nothing, they will keep the $4,700 million. They will keep a great deal of this, despite the fact that the President has stated that the objective of the proposal is to reduce prices to the consumer and to expand his purchasing power.

It seems to me that we have a significant and fundamental responsibility to assure that this big tax cut does go to the consumer, and that we should not rely upon the executive agencies. The executive is one branch. We are another. They have their responsibilities. We have our responsibilities. It is unfortunate that we did not assume ours.

I ask the Senator from Louisiana, What guarantees are there, so far as he is concerned, that Congress will get the study it desires, and that it will get the complete study in depth, when Congress does not direct it in any way?

Mr. LONG of Louisiana. The Senator knows that I am not debating against his amendment. I agreed to accept the amendment. When there was opposition to it, I spoke in support of it. In conference I supported the amendment. We did not merely offer to surrender on the Senator's amendment. We did what we could to retain it. The House conferees contended—and they had the law on their side—that the Council of Economic Advisers does not advise Congress. It advises the President, and it does not wish its capacity changed. It is said that if anyone reported to us it should be the President.

I said, "Fine. Let us strike out 'Council of Economic Advisers,' and write in 'President'." It was said that that would be subject to a point of order, and so we said, "What can we do?" The Treasury comes forward and says, "We have a study going on, and the Council of Economic Advisers has already agreed that it will do its part of the study. Also, the Bureau of Labor Statistics, which has the information in greater depth than any of us, is working on the same subject, and we are going to make the study and give it to you during 1966."

Then they go on to say that it is impossible, as late as 1970, to say what the tax cut had to do with prices in 1970, because we cannot trace the effect that far through. But, they say, "We can certainly trace it through 1966, and we will give Congress that information in even greater depth than the Nelson amendment requires. Therefore, in 1966, we will give Congress everything it is asking for through the Treasury, the Council of Economic Advisers, and the Bureau of Labor Statistics."

As the Senator knows, his amendment made no authorization for appropriations. It would have expected the available staffs to take care of it. I assume the Council of Economic Advisers will do the job.

Mr. NELSON. If I may interrupt, we provided for a sufficient sum.

Mr. LONG of Louisiana. If I correctly recall, no additional money was appropriated, but the Bureau of Labor Statistics is where studies are made of all the cost of living items—what a family pays for everything, from bread to television. Therefore, we have some assurances that would cover a part of the problem.

With regard to certain items, and particularly the big ones, we have firm assurances from the manufacturers that they will do what is requested of them. For example, we have letters from all four of the major automobile companies firmly promising that they will pass these savings along to the consumer. The Senator will find that in Appendix A of the committee report. We have firm assurance from those companies, and we shall be making a study which will show whether they have kept their word or not.

In addition, only this afternoon I talked with a representative of the American Telephone & Telegraph Co. He pointed out that in Louisiana alone—and I assume the same thing to be true in Wisconsin—if not, I know that we shall hear about it from the Senator from Wisconsin—that the telephone people feel that the tax reduction will mean a saving of $17 for the average telephone customer in the State of Louisiana. I presume about the same will be true in the State of Wisconsin. The telephone company is already preparing its publications to advertise and tell the people about the tax cut, and to express their gratitude to Congress on behalf of both the company and the user for the tax reduction voted by Congress.

Those are regulated companies, as the Senator from Wisconsin well knows. It is the duty of the State commissions and also of the Federal Communications Commission to see to it that the tax reductions are passed on to the consumer.

Let me say to the Senator that if he has difficulty attaining that objective, so far as I am concerned, he can be assured of my complete cooperation in assuring that the tax reductions on telephones will be passed along to the consumer.

Mr. NELSON. If I may interrupt again, let me say that I know the Senator from Louisiana has been the most vigorous spokesman, so far as I know, in the Congress on behalf of the consumer's rights respecting utilities. When the Senator states that these are regulatory agencies respecting prices which are to be paid by the consumer, I believe that the Senator knows better than anyone else that, without giving the figures, there are an astonishing number of regulatory agencies in this country in the back pockets of the utilities whom they are regulating. I would not wish to name the number, but it is incredible.

In Wisconsin, every time we get a conservative, such as the great and distinguished David Lilienthal, the consumer is protected. Then comes 20 years of Republican rule in the State and the consumer has no protection. I had the opportunity, as Governor, to make some appointments which got some protection back to the consumer. I believe that we have done better in Wisconsin than in most of the other States of the Union—perhaps better than any. But to leave this up to the public utility commissions in the States to protect the consumer's interests is preposterous.

Mr. LONG of Louisiana. I would be willing to wager, as one who sometimes bets on the outcome of elections, and one who sometimes bets on horses at the racetrack or parimutuel, from time to time—I am sort of behind this year, I went to the Preakness, to my regret—that the users of telephones in Wisconsin will receive the benefit of the tax cut, if for no other reason than that they have a vigorous and active Senator who will not be quiet if they fail to get the benefits.

Mr. NELSON. I am also interested in the 49 other States being protected. However, my point really is that it seems to me Congress has defaulted in its responsibility because of its failure to direct that a report be made to it and that hearings then be conducted on that report.

The executive branch might well be concerned about giving a detailed report on all the money that will be given back to the consumer. I notice that the law provides that any report given to Congress will go to the committee.

Mr. LONG of Louisiana. It will be available to Congress. We shall get a report next year. Two committees can conduct hearings to see to it that a desirable result is had. One of the committees is the Joint Economic Committee, which is headed by the distinguished Representative from Texas, WRIGHT PATMAN. No one has ever accused him of being a stooge of the vested interests. He is ably seconded on that committee by the Senator from Illinois [Mr. DOUGLAS].

If the Senator from Wisconsin is not satisfied with that, we will investigate it in the Monopoly Subcommittee of the Committee on Small Business, of which the Senator from Wisconsin is a member.

We will see to it, if he has any difficulty about it that he will be completely satisfied.

Mr. NELSON. If the Joint Economic Committee which is graced by Representative WRIGHT PATMAN and the Senator from Illinois [Mr. DOUGLAS], has adequate funds for conducting hearings, I shall have complete confidence that we shall get a good report.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RIBICOFF. I have been listening to the report of the distinguished Senator from Louisiana. I want to commend him for his masterful job of managing this measure. I want it understood that the remarks I am about to make in no way cast any aspersion or any implication of a negative nature upon the Senator from Louisiana or on any of the other Senate conferees.

I am deeply disturbed by the rejection of the safe car amendment.

Mr. LONG of Louisiana. If the Senator will permit me to interrupt him, I was greatly disturbed by the rejection of that amendment. It was my great disappointment. I was deeply disappointed that we could not persuade the House conferees to agree to this major amendment offered by the Senator from Connecticut.

The Senator is a very effective and valued Member both of the Committee on Finance and the Senate as a whole. In my judgment, the amendment was one of the best amendments in the bill that was passed by the Senate. I was very much disappointed by the fact that we were not able to persuade more than one House conferee to agree with us.

The next time, when a major amendment like this is offered by the Senator from Connecticut, I should like to have the Senator from Connecticut made a member of the conference committee, even if it means that I would not be a member of it. He could take my seat. I was extremely disappointed that we could not retain the amendment. It was a very fine amendment.

Mr. RIBICOFF. The RECORD should show that in the Committee on Finance the Senator from Louisiana, our chairman, the Senator from Virginia, and the Senator from Delaware [Mr. WILLIAMS], all voted for the amendment.

Mr. LONG of Louisiana. Probably the most significant amendment in the bill was another amendment also offered by the Senator from Connecticut [Mr. RIBICOFF] to move up the effective date of the bill. As a result, the people of this Nation will get this refund, this tax break, at least 10 days sooner that they would have received it under the bill before the amendment of the Senator was added. It will help small business in this country. We are glad that we were able to persuade the House conferees to agree to the amendment.

Mr. RIBICOFF. I appreciate the compliment. However, with regard to the two amendments, I would have gladly changed the situation so that we could have kept the safe car amendment. The effective date amendment saves money. The safe car amendment would have saved lives. The rejection of the safe car amendment is more than unfortunate—it is tragic.

It is unfortunate because we have missed a real opportunity to pass on to the American people not only savings in terms of dollars and cents, but in terms of life and health as well.

It is tragic when we consider that one in five Americans will be killed or injured in traffic accidents during the next decade unless we act, and instead of acting we have substituted pious statements and meaningless pledges about "continued efforts to bring added safety to the highways through the development of steadily improved passenger cars and through other techniques as well."

Those are the words of the auto makers' group which has successfully lobbied to drop nine-tenths of the auto excise tax.

I reject this meaningless and oft-stated promise of the automakers, who have never given the American people the safe car they deserve. I reject the pious explanation of those who state they agree with the "objectives" of the safe car amendment but who feel the safety campaign should not be "hitched" to revenue legislation.

What would they hitch it to? The good intentions of the automakers who have ignored simple safety devices for the cars of today while trumpeting their meager research efforts on the car of tomorrow? What would they hitch it to? Legislation to force Detroit to safety? Legislation that has been before Congress for at least the past 6 years and no doubt many years before that?

Who are we kidding but ourselves with these good intention statements?

Let us face it. There is only one road to traffic safety. And that is to get tough. I learned as Governor of Connecticut that the "get tough" policy was the only language the driver understands. We got tough with the speeder, the drunk, the incompetent—and Connecticut's highway death rate fell to the lowest in the Nation.

That same get-tough policy applies to the automakers as well as the driver. From long experience I know that no voluntary program will ever work. As chairman of the Governor's Conference on Traffic Safety, we reached an agreement with Detroit regarding the emphasis on speed and horsepower in their advertising. That was in the late fifties. The agreement was breached in 1961–62. There is no way of maintaining a voluntary safety program with this industry. And tragically enough the current increase in the rate of highway deaths following a steady decline through the late fifties and early sixties corresponds exactly to the year the agreement was broken. At the current rate of increase highway deaths will total 100,000 in the year 1975. And yet today's advertising of cars blares louder than ever about speed and horsepower and "tigers" in the tank and behind the wheel.

To those concerned about the proprieties of tying car safety to the excise tax bill, I suggest they take a close look at highway death since 1960. In that year, 38,137 Americans lost their lives. In 1961, there was an actual decrease to 38,091. We were holding our own. Then the speed and horsepower agreement was ended. And the death rate soared to 40,804 in 1962, climbed to 43,564 in 1963 and has reached the fantastic figure of 48,000 in 1964.

To those who swallow Detroit's pious promises about voluntary action while their advertisements appeal to the very worst in the driver's human nature, let me cite a case reported by the automotive crash injury research program at Cornell University:

> A mother was driving with her infant daughter lying in the front seat. She glanced down to check the infant, and her car left the roadway; the human factor in the accident equation failed; and the first chance to prevent the accident was lost. The car continued a few feet, approached an abutment close to the road and unprotected by a suitable guardrail; and the road factor in the accident equation failed; and the second chance was lost. The last inch was traversed, the mother and child were thrown forward, the child struck the center panel area with her head, fell to the floor and died. Thus the vehicle factor in the accident equation failed, and the third chance for survival was lost.

Mr. President, I have maintained throughout this fight that the vehicle is only one factor. I do not place all the blame on the automakers. We need better drivers. We need better roads. But the traffic situation is such that accidents are unavoidable, often, and, in fact, inevitable. Therefore, the vehicle must be made on the assumption that the driver equation and the road equation might fail. In the case cited, a padded instrument panel could have been the difference between a headache and death. One of the safety standards provided in the safe car amendment was a padded dash.

So to those who await voluntary action from Detroit—to those who suggest more time and study—to those who put cost above all else—remember that the buttons, knobs, lines, and styles of today's cars will regularly be subjected to the test of being struck by an infant's head.

We have lost a battle, Mr. President, but the war against the carnage taking place on our roads and highways will continue. It is tragic that this opportunity has gone by the boards, but in spite of the action of the conferees we must continue our crusade to save the lives and health of the American people. As long as I am in the Senate, I shall continue this crusade and let the chips fall where they may.

I announce now for the attention of the Senate and other interested parties that I will resume hearings before my Subcommittee on Executive Reorganization studying the Federal role in traffic safety beginning July 13. I am today extending invitations to the presidents of General Motors, Ford, Chrysler, and American Motors to attend these hearings and explain what they have done, are now doing and plan for the future regarding automotive safety. I expect them to tell me not about the driver and his habits; not about the roads and their inadequacies; but about their product and what consideration they give in making it to the lives and property of the driver and his passengers. Let us bring the traffic safety problem out in the open. Let us face the fact that we have killed here at home 400 times more people in the past 4 years than we have lost in combat in southeast Asia in the same period. Let us start giving automobile safety to the American people. They have suffered enough from pious excuses—from broken pledges.

Mr. President, one of the great shames of modern society and industry is the failure of the automobile industry to put well-known, well-tested, and well-accepted safety standards into automobiles as standard equipment.

The fight is only started. It will be a sad day that the automobile industry fought the measure and prevented the House conferees from putting the provision into effect, because it could have rendered itself and America a great service. I know there are others, such as the distinguished Senator from Wisconsin [Mr. NELSON] and the distinguished Senator from Illinois [Mr. DOUGLAS] who feel that way about it and who have fought this fight. We shall stay with the fight until the automobile manufacturers build a safe car for the people of America.

Mr. LONG of Louisiana. Mr. President, everything the Senator has said is echoed in the heart of the Senator from Louisiana. He is as right as he can be on the question. In fairness to the House conferees, the attitude taken by the distinguished chairman of the conferees and by the majority of the House conferees, all save one—even though, I am happy to say, the Senate conferees voted and fought for the Senate position—was that they did not believe we should be starting new Federal programs as a condition of tax policy.

That position, of course, is very much contrary to the attitude taken by the Senator from Connecticut on a number of questions. I do not agree with it, but I must respect the House conferees' right to maintain and to insist upon their position. They have been consistent in that.

Their attitude was that the merits of the proposal should be studied by the Committees on Commerce of the House and Senate, and that those committees had the power to require that the safety devices be installed on automobiles, and that that would be the appropriate way to go about it.

In other words, they stress very heavily the jurisdictional aspect. But we did not give up easily on the question. The amendment of the Senator from Connecticut was the first major amendment that the conferees considered. We debated it for awhile and found ourselves in disagreement. We then passed over it. When we had decided on virtually everything else in the bill, we came back to that amendment. We disagreed again and we disagreed again. The Senate conferees—both the minority members of the conference who were representing the Republican side of the aisle and the Democratic members—were unanimous on every vote. We voted on the issue several times before we finally suggested a compromise, which the Senator from Connecticut [Mr. RIBICOFF] had suggested to the Senator from Louisiana. He thought that it might be a possible compromise. We tried to get that. We could not get it. Eventually we found ourselves with no choice. We would either have had a deadlocked conference or we would have to yield on that amendment.

The Senator has a good amendment. His cause is completely correct. So far as I am concerned, I say to the Senator, "Bring your amendment up again and we will vote for it again, because it is right."

Mr. RIBICOFF. Committees in the House have had this measure before them for over 6 years and they have done nothing.

Mr. LONG of Louisiana. The Senator from Connecticut is not to be blamed for that.

Mr. RIBICOFF. But I point out that nothing has been done on a subject so vital that it affects the lives of all of us. In the next decade 1 out of every 5 Americans will be killed or maimed in automobile accidents.

So far as precedent is concerned, I point out that there is a clear parallel to the safe-car amendment in section 4854 of the Internal Revenue Code, which authorizes the Secretary of Agriculture to promulgate cotton standards and cotton futures in order to be exempt from the excise tax and, amongst other things, set the standard of cotton to be delivered; and that standard must conform to the Department of Agriculture Standards.

The Ribicoff amendment would do exactly the same thing; we were trying to achieve the same result.

Time and time again conditions have been placed in tax measures.

I should also like to say, in not giving up, that the same argument against the Ribicoff amendment was asserted in the Finance Committee. The Senator who came to my defense in saying that the Finance Committee was a proper place to consider the amendment was the distinguished junior Senator from Louisiana, who said he thought it was proper to formulate and legislate national policy in a tax bill because there was a question of divided jurisdiction.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. I agree completely with the argument of the Senator from Connecticut. His amendment was in order at the time he offered it in the committee. It was supported in the committee. I forget the vote.

Mr. LONG of Louisiana. Ten to seven.

Mr. WILLIAMS of Delaware. It was a comfortable majority. I was proud to be one of those supporting it. As the Senator from Louisiana has pointed out, in the conference the conferees were unanimous up to the very end in support of the amendment. It was only at the last when, around 7 o'clock at night——

Mr. LONG of Louisiana. We had been there for 4 hours.

Mr. WILLIAMS of Delaware. We were confronted with a deadline on this important bill. We would then deadlock the conference on that particular point. It was with great reluctance that the Senate conferees yielded. There was no break. While I recall that some of the conferees voted against the amendment in the committee, in the conference, as the Senator from Louisiana knows, all conferees on the part of the Senate were solidly on our side throughout in support of the amendment of the Senator from Connecticut and also the amendment of the Senator from Illinois.

I did not support the amendment of the Senator from Illinois [Mr. DOUGLAS] in the committee, but we did save more of the amendment of the Senator from Illinois in the conference than we did of the Ribicoff amendment. It was one of those things that came out. But we were supporting both those amendments, because when we went to the conference as conferees, we tried to discharge our responsibilities as conferees in support of the position of the Senate.

I have never worked with a conference committee that was more united in supporting the position of the Senate than we were that day. With the exception of these two very important amendments, we came away with most of the amendments that the Senate had adopted. These were the two major amendments. We recognized that.

If the Senator wishes to bring up the question again, I shall be glad to continue my support of his proposal, because I think it is one to which the Senate should direct its attention.

Mr. RIBICOFF. I am very grateful. I do not know of any other Senators whose support I would rather have than that of the Senator from Delaware and the Senator from Louisiana. One of the great privileges of being in the U.S. Senate is to serve on the Finance Committee with members, both Democratic and Republican, of that committee. I do not know a more considerate, or more thoughtful committee, where the members respect one another, than the Senate Finance Committee. Not only from what the two Senators have told me but from reports I have received from staff and Members of the House, I know no group of conferees could have fought harder for the amendment than did the two Senators who are now on the floor addressing themselves to the problem. I thank both of them for the fight that they made for the amendment.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The Senator from Louisiana has the floor.

Mr. LONG of Louisiana. Mr. President, I yield the floor.

Mr. HART obtained the floor.

Mr. HART. Mr. President, I have listened attentively to the comments voiced by the Senator from Connecticut. I thought back to the day before yesterday, the day we acted on the excise tax bill. At that time I rose on the floor of the Senate in opposition to the amendment that was then offered by the Senator from Ohio [Mr. LAUSCHE]. That amendment would have retained 5 of the 10 points of the auto excise tax. I am glad that the Senate rejected the amendment. I argued that it would defeat the basic economic purpose of the bill.

I commend the conferees on their overall success, but I regret that there is retained the 1 point now to be earmarked for general revenue purposes. I share fully the concern of all of us that we have safe automobiles, safe cigarettes, and properly labeled consumer goods. But in my book the tax bill is no place for any of that. Substantive legislation is out of place in this excise tax reduction bill.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. LONG of Louisiana. I am sure that the Senator does not take issue with the conferees. It was our purpose to support the position of the Senate in relation to the Senate amendments.

Mr. HART. Indeed, I do not. I hope I have made clear—and I shall make clear again—that I am voicing my own position and reasons behind it. The Committee on Commerce is now considering one of the standards of safety about which I understand the General Services Administration will make its own conclusion. That relates to the question of standards for safe automobile tires. If anyone thinks that there is an easy answer to that question, he ought to spend a few hours with us in the committee hearing testimony on that subject. Shift from the problem of standards for tires to standards for entire cars, the problem is enlarged many times.

These are substantive items. I hope that to the extent that Federal safety legislation is in order and desirable, it will go onto the books in a hurry. But this is a revenue measure and the record made in the consideration of it by the Senate and the House committees with respect to safety was rather sketchy. My impression is that there was no testimony.

Lastly, I suggest that the action of the House ought not to be concluded to be the result of the Detroit lobby which, incidentally, does not make the tiger that goes into the tank. The action in eliminating the auto excise tax, for the reasons I described in my speech against the Lausche amendment, was proper and sound.

Mr. LONG of Louisiana. Mr. President, will the Senator from Michigan yield?

Mr. HART. I yield.

Mr. LONG of Louisiana. We in Louisiana make quite a bit of the tiger that goes into the tanks. The price of a gallon of gasoline at the plant gate today is the same as it was in 1926. But that gallon has three times the power it had in 1926. It is one of the few products as to which the increased price is the result only of the increased Federal tax. The automation and efficiency of the petroleum industry have given the consumer three times as good a product, three times as efficient a product for the same price he was paying in 1926, almost 40 years ago.

Since the Senator from Michigan raised the question about a tiger in the tank, I thought he would want to know that the tiger is not costing a bit more; in fact, it would cost less if it were not for the high taxes imposed by the State and Federal Governments on the product.

Mr. RIBICOFF. Mr. President, will the Senator from Michigan yield?

Mr. HART. I yield.

Mr. RIBICOFF. You ask whether these devices have been tried and tested. I have before me the GSA standards for safety devices on automobiles purchased by the Federal Government. These standards will go into effect on June 30, on all automobiles purchased by the Federal Government. That covers about 60,000 cars. These regulations and standards were developed in conjunction with the automobile industry. So it is not a question of dealing with something ephemeral. We are dealing with some items that already are optional equipment for present-day autos.

Congress had a great opportunity to require the installation in all automobiles, as standard equipment, the safety standards that the General Services Administration has worked out with the automobile industry, and which they say are essential. So it is not a question of talking about standards about which we do not know anything. We are talking about standards that have been tested.

There was a great opportunity to make cars safer since we were going beyond the tax cut the President had advocated. Suddenly there was an opportunity to utilize 4 points of the auto excise tax for safety and 1 point, as suggested by the distinguished Senator from Illinois, to take care of the great problem of wrecked and abandoned cars. We could use the extra 5 points over what the President has suggested to do something useful.

Since these problems are generated by automobiles, what better way to help solve them than to take the extra 5 points and do something for the American people?

Mr. HART. I cannot agree that what Congress is about to do is to give the automobile industry nine-tenths. It gives it to the consumer of this country. I am no less anxious than any other Senator to make certain that automobiles are made safe. I do not know whether tires were included.

Mr. RIBICOFF. Tires were included.

Mr. HART. Why is it that we are spending time in the Committee on Commerce trying to resolve that very tough question? There is a jurisdictional question, just as clear as crystal. To suggest that those who opposed the Ribicoff amendment were reacting to the Detroit lobby is perhaps unfair. I believe it is prudent to suggest that perhaps the problem is not so simple as the Senator from Connecticut suggests and that a substantive question is involved. Perhaps the record of the Committee on Finance on safety standards is not so complete as it might be. I think that merely their self interest would suggest that the American automobile manufacturers are as much concerned about safety as is anyone else.

Mr. RIBICOFF. I have great respect for the Senator from Michigan. I understand that Michigan is the State where most automobiles are made. It is said that the automobile industry should be concerned about safety. I say there is no more selfish industry in America than the automobile industry when it comes to safety. They have been callous; they have been indifferent. I have been living with this problem for 10 years, trying to make the automobile industry think of safety. The industry installed seat belts in cars only when they were forced to; they installed exhaust devices only when they were forced to; they installed safety devices only when Congress and State governments got tough. On a voluntary basis, the automobile industry will not install safety features. That is the great problem.

When the distinguished Senator from Michigan speaks about prudence, what could be more prudent than protecting the lives of the people of the country?

On the front page of almost every newspaper there is a story of tragedy resulting from automobile accidents. Day in and day out, people are being slaughtered on the highways at the rate of 48,000 a year. More people have been killed on the highways than have been killed in all the wars that the United States has fought since its inception. Four hundred times more people have been killed on our highways in the last 4 years than in military personnel lost in Vietnam in that time. Basically what we are trying to do is to save lives.

Congress votes billions of dollars for research to improve the Nation's health. Billions of dollars have been spent for research at NIH.

But can the Senator from Michigan imagine billions being spent to prevent the killing of 48,000 people by automobiles? This is something that Congress should be concerned about. It is one of our great national tragedies. We had a great opportunity to do something about the condition, and one of the tragedies of the bill is that we have not done it.

We are shocked by airplane crashes. We just finished a long discussion about the Federal Aviation Administration. When an airplane crashes, immediately the aviation authorities go to the scene of the crash. They reconstruct the plane. They look for every screw and bolt in an effort to determine what caused the crash. When a jet plane crashes, immediately it is headline news across the world. Yet it would take 500 jetplane crashes a year to equal the number of people killed annually in automobile accidents.

It is to the discredit of the automobile industry that it was not fighting for this amendment, when it had an opportunity to do something in a time of great need. The monkey is on the back of the Detroit automobile industry, and it will stay there until it installs safety features in the automobiles in which we ride.

Mr. HART. Nothing that the Senator from Michigan said suggested that it was imprudent to seek to develop safe cars. I explicitly said that prudence could be described as characterizing those who supported the Ribicoff amendment. I said that it would be unfair to suggest that imprudence attached to those who felt that safety standards was substantive legislation, and that there is not a record made on which to act. I am suggesting that neither side should assume that divine guidance has turned up here tonight to tell us whether this tax method was, in the long run, the best way to achieve the objectives all of us seek—safe cars. I believe the auto excise tax should be removed; I believe this tax bill as now before us would be even better if the last tenth had been removed. But removal of the nine-tenths is a great and progressive contribution to the economic strength, not just of Detroit but of the Nation's. Let us proceed to legislate safety in orderly fashion, not by amendment to a tax bill.

Mr. RIBICOFF. Mr. President, the route we take in this bill to curb the disastrous carnage on our highways is not new or unique. White phosphorous matches under present law are taxed more heavily than safety matches. Indeed, this very bill will remove the tax from safety matches altogether, and leave untouched the tax on unsafe phosphorous matches.

As the Supreme Court said in *United States* v. *Sanchez*, 340 U.S. 42 (1950):

> It is beyond serious question that a tax does not cease to be valid merely because it

> regulates, discourages or even definitely deters the activities taxed * * * The principle applies even though the revenue obtained is obviously negligible * * * or the revenue purpose of the tax may be secondary.

Mr. President, Congress has been holding hearings since 1959 on this subject. The standards promulgated by the GSA are established in accordance with Public Law 88-515, of August 30, 1964. We were seeking to achieve the same standards that the GSA are authorized to place into effect for the automobiles bought by the Federal Government.

If it is a matter of prudent public policy that a Federal employee must drive a safe car, it is my contention that every American is entitled to drive a safe car.

Mr. DOUGLAS. Mr. President, I believe that the Senator from Louisiana ceded the floor. I know that the hour is late. However, there are a few questions that I should like to ask the Senator from Connecticut. The first is a substantive question.

Can the Senator from Connecticut inform us about the amounts of money which the automobile industry spends on safety research and safety promotion so far as cars are concerned, and the amounts of money which they spend on advertising?

Mr. RIBICOFF. I have a communication from the National Safety Council dated March 16, 1965. This communication indicates that $11 million is spent annually by the motor vehicle industry and other private agencies on safety research. In 1963 the auto makers spent $247,898,216 on advertising, or $34.60 a car. This is the difference that is involved—$34 per car for advertising, and a few pennies for safety research. This amounts to 22 times more for advertising than for safety. I ask unanimous consent to have printed in the RECORD at this point the letter referred to.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL SAFETY COUNCIL,
Chicago, Ill., March 16, 1965.

GOV. HOWARD PYLE,
Chairman, Advisory Council to the President's Committee for Traffic Safety, Washington, D.C.

DEAR GOVERNOR PYLE: In response to your letter of January 27, our research report committee, which you appointed to assist in planning for preparation of the report the President's Committee will make to the President, met in Washington, D.C., on February 18 and 19. It was our understanding that the responsibility of this Committee was "to recommend a complete plan leading to a finished report in as short a time as possible," in response to the President's request to "report back to me as to the current status of traffic safety research (in medicine, law, engineering, psychology, public information, etc.) and what should be done to stimulate broader activity."

In gross figures the committee is aware that the amount spent by public agencies on traffic safety research will aggregate about $5.5 million this year. Another $11 million is spent annually by the motor vehicle industry and other private agencies on safety research. This is less than two-tenths of 1 percent of the $13 billion spent in 1964 by all levels of government on highway and street construction and maintenance, and a miniscule fraction of approximately $100 billion spent on highway transportation last year out of a total gross national product of $525 billion.

In view of these facts and because any well-considered plan for stepping up this effort requires first a knowledge of the current state of traffic safety research, the Committee recommends that an in-depth study of the current status and potential of traffic safety research be undertaken by an appropriate body such as the National Academy of Sciences. With the counsel of a liaison group under the aegis of the President's Committee for Traffic Safety, the intent of the study would be to develop a comprehensive framework for future traffic safety research.

The Committee further recommends that upon completion of the in-depth study on current status, a series of research workshop conferences be held to evolve within the framework provided in the report, a needed program of accident-prevention research.

The Committee wishes to draw attention to the enclosures. Enclosures A and B indicate a suggested approach for an in-depth study and followup activities. Enclosures C and D refer to the possibility for immediate action based on generally recognized needs.

The present Committee has welcomed this opportunity to assist in responding to the President's request. The source and timing of the request dictate bold, far-reaching proposals which could make 1965 a landmark year. Traffic safety research is an essential element of an effective action program directed toward increasing the saftey, convenience, and economy of the transportation of persons and goods on our highways and streets.

Respectfully submitted.

MURRAY BLUMENTHAL., Ph. D.,
Chairman.

J. AL. HEAD,
PAUL V. JOLIET, M.D.,
D. GRANT MICKLE,
ROSS A. MCFARLAND, Ph. D.,
S. A. ABERCROMBIE,
Secretary.

Mr. DOUGLAS. Do we not have several years before the tax on automobiles will be reduced below 3 percent?

Mr. RIBICOFF. Yes. I believe that we have until January 1, 1968.

Mr. DOUGLAS. Would this not give Congress the time in which to consider means of retaining more than the 1-percent tax for the purpose of getting rid of the junk yards? Would this period of time not enable us to pass legislation for auto safety such as the Senate just passed in the excise tax bill?

Mr. RIBICOFF. I do not believe there is any question about that. We have about 3 years to place it in effect.

In all due respect to the distinguished Committees on Commerce—and they are distinguished, both in the House and in the Senate—they could pass substantive legislation and make provision, in conjunction with the Committee on Finance, to retain at least 2 years of the 4 percent to be used for this purpose.

Mr. DOUGLAS. The Senator from Connecticut implies that although he may be beaten this year, he will return to the fray.

Mr. RIBICOFF. I have been beaten before, and I have come back to the fray. I am not going to quit on an issue that is as important as this is. This is a fight that we will continue. I appreciate the help and support of the distinguished Senator from Illinois.

My prediction is that, through public opinion and by congressional action, the automobile manufacturers will realize that they have a duty to the people of the country to put these safety features in automobiles.

Mr. DOUGLAS. Mr. President, the Senator from Connecticut no doubt recalls the old Scottish folk song of the Scotchman who was beaten in battle and said: "I will lie me down and bleed awhile and rise and fight again."

The Senator is going to bleed for a while, and then rise and fight again.

Mr. RIBICOFF. We shall start fighting again on July 13, 1965.

Mr. DOUGLAS. Mr. President, does the Senator have any further remarks to make about the demise of the safe car amendment?

Mr. RIBICOFF. I do not have any further remarks to make.

I yield the floor. I thank the Senator from Illinois for his interest.

Mr. DOUGLAS. Mr. President, I shall be very brief, because I know the hour is late.

In regard to the question of committee jurisdiction and whether it is appropriate to have a social purpose attached to tax legislation, apparently Congress thought it was proper to encourage gambling, because the tax was taken off the sweepstakes. Congress thought it was proper to encourage chewing tobacco, because the tax was taken off chewing tobacco. Congress thought that it was proper to encourage the playing of cards, because the tax was taken off playing cards.

I do not quarrel with the removal of these taxes. However, I do believe that the argument is being made that it is proper to encourage the consumption and use of these articles, but that it is not proper to discourage death on the highways, and that it is not proper to try to dispose of wornout automobiles. There seems to me to be a fundamental inconsistency in these attitudes.

Mr. LONG of Louisiana. Mr. President, I hope that the Senator will be charitable to those of us who represented the Senate. It was our obligation to persuade the House to take every amendment, including the amendment of the Senator from New Hampshire and the amendment of the Senator from Illinois.

We did our best to try to prevail on all of them.

Mr. DOUGLAS. Mr. President, the Senator from Louisiana fought like a tiger to retain those amendments. It was a very welcome change from the practice which was followed on occasion in past years when, as the Senator from Louisiana once said, Senate provisions would be given up before the rotunda was crossed by the conferees.

The Senator from Louisiana has introduced many admirable reforms. One reform which he has stanchly supported is to fight for the amendments agreed to by the Senate.

The Senator from Louisiana conducted the leadership of the bill, on both the floor and in the committee, with great courage and integrity.

However, now I am responding to the question of whether it would be proper to use the taxing power to encourage safety or to remove the wornout bodies of automobiles from the public lands.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG of Louisiana. I believe that one of my most frustrating moments was when I made the statement, which is subject to challenge, that as far as my amendment to a particular measure was concerned, the conferees threw it in the trash can before they ever reached the House side of the Capitol.

Mr. DOUGLAS. The Senator is correct. I was reminding the Senator of the criticisms of conference actions in the past. We think those are the gone and forgotten days now that the Senator from Louisiana is the No. 2 man on the committee and sits with the Sanhedrin on the joint committee and the conferees, consisting of the three leading Democrats and the two leading Republicans whose gracious presence we see on the other side of the aisle.

There is another story on the question of committee jurisdiction that I should like to touch on now.

Mr. CARLSON. Mr. President, I appreciate very much the compliments that the Senator has paid the conferees. I concur in the statements made regarding the leader of the conference.

We supported the amendment. We regret that we could not do better than we did. I remind the Senator that the senior Senator from Kansas had an amendment that was refused, also. I thought it was a very meritorious amendment. By this amendment we tried to get a little refund for a man who had lost his gasoline but had paid the Federal gas tax on it. They refused the amendment. I lost the amendment, even with the able assistance and leadership of the Senator from Louisiana and others.

Mr. DOUGLAS. Mr. President, I did not mean to imply, either by direct statement or inference, that the conferees favored their own position.

I blame the House for this matter, not the conferees. This is the only way which we have to talk to the House, through the medium of the CONGRESSIONAL RECORD.

What I am trying to say is that the argument of the House, which I am sorry to say was raised again by my good friend from Michigan—that social aims have no place in taxation—is, I think, completely wrong.

It so happens that the bill which I introduced for the disposal of automobiles and the withholding of a portion of the excise tax to finance the disposal was presented to the Senate, and the eminent Parliamentarian referred it to the Committee on Finance. He thought it appropriate to send to the Committee on Finance. Now there are some Members of the House who pretend to know more about Senate practice and procedure than the Senate Parliamentarian. I say if it was good enough and appropriate enough to be referred by the Parliamentarian to the Committee on Finance, it is an appropriate subject to be included in the tax bill.

I deeply regret that my dear friend from Michigan feels to the contrary, but I am not criticizing him; I am criticizing the House.

Mr. LONG of Louisiana. Mr. President, if the Senator will yield, while the Senator is criticizing, I hope he is not criticizing the majority whip of the House, the Representative from the Second District of Louisiana, because BOGGS, of Louisiana, was the single House conferee who was for the Senator's amendment and also for the Ribicoff amendment.

Mr. DOUGLAS. I understand. I merely say a majority of the House conferees apparently took this position.

I congratulate the people of Louisiana not only for having so eminent a Senator as the majority whip, but also for having the eminent House majority whip. I am sure those whips will never raise their voices against the virtuous but always against the malefactors and in the public interest, and that any chastisements due will be accorded solely to those who deserve them.

As an alternative to my amendment I suggest to the automobile industry, and to the House, that perhaps we should enact a law that would require that the ownership of junked or obsolete automobiles should revert to the automobile manufacturers who produced the cars, and that the manufacturers should be charged with the responsibility of disposing of these junked cars, so that those who gave birth to the cars should be responsible for their ultimate disposition, burial, cremation, disassembly, or transmigration into other automobiles.

Also, I ask my distinguished friend, chairman of the Senate conferees, if it would not be possible, at a later time, for a portion or all of the revenues which will be retained by the 1-percent tax to be expended, upon passage by Congress of appropriate legislation, for the disposal of these cars, and also for such safety or health measures as the Congress may determine are connected with the automobile.

Mr. LONG of Louisiana. The Senator is correct.

Mr. DOUGLAS. I hope very much that this will be done, so we shall be able to preserve safety, health, and to remove eyesores which are created by the auto industry.

I take heart from the suggestion of the Senator from Louisiana. I thank him again for the energy and fidelity with which he has discharged his onerous duties.

Mr. TOWER. Mr. President, I wish to precede the conference report vote for the excise tax reductions with a brief statement.

I am of the opinion the reduction will have a stimulative effect upon the economy, and contribute greatly to the continued propserity of our Nation.

The fact that the 1966 budget will not be affected by the entire cut is noteworthy. As I understand it, only some $1.8 billion of the cut will be applicable to the fiscal year 1966 budget.

And the fact that tax structures will be greatly simplified, through the excise tax eliminations, is, I believe, one of the most important features of this bill.

I have long supported excise tax reductions. Generally, these taxes, as we know, were instituted during World War II and the Korean war, to discourage the purchase of some items, and of course to raise necessary war revenues.

Certainly, there is no longer the need to discourage automobile sales, purchase of radios and televisions, handbags, and so forth.

The need for revenue remains, but as I have noted, the increased consumer purchasing power will spur production a great deal, which in turn will generate additional revenue in other areas.

Several amendments that I felt would have been beneficial to our citizenry were defeated. The commuter amendment, of which I was a cosponsor, granting tax deductions for those who travel to and from work, would have been most helpful to the taxpayer.

Mr. President, I feel that this wise excise tax cut should be followed by administration efforts to reduce expenditures. As we have seen, such expenditures are climbing higher each year, particularly with new administration programs now under way.

I caution once more against planned deficit spending. Federal Government expenditures and programs must and should be held in line if our economy is to expand and remain healthy and strong.

Mr. SIMPSON. Mr. President, I am pleased to support the excise tax bill, which has been agreed to by the Senate and House of Representatives conferees. For some time I have supported the repeal of these taxes, which, for the most part, were initially levied as emergency revenue-raising measures at the time of the Korean war, World War II, or the depression of the 1930's.

I have opposed the continuation of these oppressive taxes because many of the excise taxes were adopted without any program or systematic basis. Consequently, these excise taxes are discriminatory in their application.

During the last Congress many of us tried to have these excise taxes reduced or eliminated. Unfortunately, the administration at that time was not sympathetic to this attempt and our efforts were narrowly defeated.

Now that the administration has agreed with our position: to wit, that these discriminatory and oppressing taxes should be reduced and repealed, the American people will receive some relief from their heavy tax burden.

Excise taxes, unlike income taxes, impose burdens on those whose income is below the level of their personal exemptions and deductions. The excise taxes that will be reduced include the taxes on telephones, jewelry, luggage, handbags, automobile parts and accessories, toilet preparations, cosmetics, radios, and most of the household appliances.

The reduction will simplify the tax system by greatly reducing the number of separate taxes, as well as the accompanying burden or business of collecting and reporting on those taxes. It will cut the Government's cost of tax collecting and enforcement.

I commend the Senate leaders and Finance Committee members for the way in which this matter has been handled.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the report was agreed to.

Mr. MORSE and Mr. WILLIAMS of Delaware moved to lay the motion on the table.

The motion to lay on the table was agreed to.

AUTHORIZATION FOR CLERK OF THE HOUSE TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 8371

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Chair lay before the Senate House Concurrent Resolution 442 from the House of Representatives.

The PRESIDING OFFICER. The Chair lays before the Senate House Concurrent Resolution 442, which will be read by the clerk.

The legislative clerk read the concurrent resolution (H. Con. Res. 442) as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 8371) to reduce excise taxes, and for other purposes, is authorized and directed to strike out "gasoline" in the new section 6424(b)(2) added by section 202(b) of the bill and to insert in lieu thereof "lubricating oil".

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to proceed to the immediate consideration of the concurrent resolution, which corrects a technical error in the conference report on H.R. 8371.

The PRESIDING OFFICER. Is there objection?

There being no objection, the concurrent resolution was considered and agreed to.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FIRMS ACQUIRING PRIVATE PATENT RIGHTS ON PUBLIC NASA RESEARCH SHOULD PAY FAIR MARKET VALUE

Mr. MORSE. Mr. President, let me say to my good friend from Louisiana that that was the longest 5 minutes I have ever endured. Almost 2 hours ago my friend, who is the poorest timekeeper I have ever known, but who is one of the most charming men I have ever met, said, "If you would let me have 5 minutes on the conference report before you introduce the bill, I would appreciate it." I said, "I am delighted."

I merely want to say I would do it again, even if I knew it would take so long a time as it did, because it was an educational debate. I learned a great deal, and I am greatly indebted to the Senator from Louisiana, the Senator from Illinois, and the Senator from Connecticut for enlightening me during the debate.

Mr. LONG of Louisiana. Mr. President, I am deeply grateful for the Senator's kind remarks, and by way of apology——

Mr. MORSE. It is not necessary to apologize.

Mr. LONG of Louisiana. I want to tell him I will give him the best support I can on the measure he is about to introduce.

Mr. MORSE. The Senator and I have always agreed in measures of this kind. I think there will also be support from the Senator sitting on the left of the Senator from Louisiana, but I turn now to discuss the bill.

Mr. President, I introduce today a bill which has two objectives: The first is to reestablish congresional control over the disposition of patent rights by the National Aeronautics and Space Agency, and the second is to provide that private companies desiring to acquire interests in such patents and processes repay the taxpayers of this country fair market value pursuant to the so-called Morse formula.

I ask that the bill be referred to the Committee on Aeronautical and Space Sciences, and that the text of the bill be printed following my remarks.

The PRESIDING OFFICER (Mr. Hart in the chair). The bill will be received and appropriately referred; and, without objection, will be printed in the Record as requested by the Senator from Oregon.

The bill (S. 2160) to amend section 305 of the National Aeronautics and Space Act of 1958 with respect to the disposition of proprietary rights in inventions made thereunder, and for other purposes, was received, read twice by its title, and referred to the Committee on Aeronautical and Space Sciences.

Mr. MORSE. Mr. President, since my first term in the Senate, when the Nation was concerned with the disposal of World War II military surplus, I have advocated that legislation proposing to dispose of real and personal property which belongs to the United States—and, therefore, to the taxpayers—contain a requirement for the payment of fair compensation to the Government. Where this property is acquired by private companies for commercial exploitation, the Morse formula provides that full fair appraised market value be realized by the Government. If a State, municipality, or other Government authority wishes to buy the property for devotion to purely public uses, the formula provides for payment of 50 percent of fair market value. A Library of Congress tabulation in 1962 estimates that real estate of an area two-thirds the size of the State of Rhode Island has been made subject to the formula.

This formula is presently incorporated in the statutes of general applicability governing the disposal of U.S. real estate and personal property, such as the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484). In addition, the Morse formula applies to specific property transfer bills in the Congress.

This bill would extend to the field of intangible personal property, such as patents and processes arising out of NASA-financed research, the principles long applied to the more ancient and traditional forms of real and personal property interests.

In the course of my remarks, I will review the basic documents which apply to the administration of patent properties by the National Aeronautics and Space Administration and will explain how the regulations which the agency chose to adopt in September of 1964 are contrary to the U.S. Constitution; the statute creating the space agency; the subsequent legislative history of this statute; the clear line of congressional intention as expressed in related legislation and by the chairman of the Senate Subcommittee on Patents; and also what NASA's own chief legal officers told the Congress and the public on several occasions was "the only conscientious way of administering the (Space) Act.

It is these marked departures from the law of the land which obliges the Congress now to rewrite the applicable section of the Space Act of 1958, in order that the enormously significant economic issues be resolved in the public interest. and that those acting contrary to the public interest be dealt with according to specific provisions of the law.

The ultimate issue before Congress is the ownership of the fruits of publicly financed research of a magnitude that mankind has never seen before. The Senator from Alaska [Mr. Bartlett] recently placed in the Record a tabulation of Federal research and development expenditures indicating that the sum of taxpayers' dollars expended by the United States for these activities since the end of World War II is approximately $85 billion (Congressional Record, Mar. 9, 1965, p. 4536).

As the Members of this body are aware, the National Aeronautics and Space Administration is probably the fastest growing research activity in the world. In 1961, NASA spent $744 million on R. & D., or 8 percent of the Federal Government's R. & D. budget. In 1964, the agency spent $4.3 billion, which constitutes 30 percent of all Government research, according to the Report of the House Select Committee on Government Research (H. Rept. 1940, 88th Cong., 2d sess.).

Today's research and development contracts result in the creation of products and processes of vast commercial value. Ready examples are the technology of Comsat's Early Bird communications satellite, which is a successor to NASA's Syncom satellites; and the Boeing 707 transport, which was engineered and developed initially as the Air Force's KC-135 jet tanker.

Government funds account for about 89 percent of all R. & D. in aircraft and missiles, 67 percent in the electronic and communications industry, 57 percent in the scientific instruments field and significant percentages in machinery, rubber, and other lines of commerce.

This I have been heard to say so many times over the years, that we do not have a free-market economy. Too much of our economy is defense oriented. I should like to see America return increasingly to a free-market economy.

I point out again tonight that most businessmen in this country are subsidized, directly or indirectly, by defense and other Federal expenditures.

Just how worth while such a Government contract can be is illustrated by a Comptroller General's report—B-133042 of May 19, 1960—cited by Representative Holified on the floor of the House of Representatives on January 28, 1963. This report cataloged that a ballistic missile contract awarded by the Defense Department provided a company "with the opportunity to obtain many patents in an area of great potential significance," including 11 sufficiently basic and important enough to provide the basis for entirely new product lines. The company also acquired 69 patents of secondary importance from this same contract.

If it were pointed out to some of the business moguls and magnates in this country that they live off Government subsidies, they would be offended. Of course, that would weaken the argument which they like to apply to others concerning creeping socialism.

Mr. LONG of Louisiana. Mr. President, will the Senator from Oregon yield at this point?

Mr. MORSE. Yes, I only wish to say that so many of the big businessmen of this country really—according to their own definitions—have become Socialists judging from the sources of their money from the state. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, the Senator from Oregon knows that businessmen love to come to Washington, love still more to catch us at home, and tell us that we should run the Government the way they run their businesses. If the Senator from Oregon was a lawyer or I was a lawyer for a corporation, and we had a research contract that would pay someone a guaranteed profit to do research, and the man that they paid to do it would be guaranteed not only a profit, but also would be permitted to have complete monopoly rights on what he found after he did the research, reserving to himself the use of the service for the corporate purposes and not to sell it to the public, then those corporations would be running down to the Attorney General's Office and demanding that we be indicted, on the theory that no lawyer could be so stupid, that he had to be a thief.

As an illustration of what Government patent policy means, think of it as if the Government were paying someone $200 million to build a bridge across the Chesapeake Bay, and then, having built the bridge with the taxpayers' money, with a profit of $14 million guaranteed, to proceed to say that the Government only would have the right to drive its own vehicles across that bridge, and that the taxpayers, having paid for all of it, would have to pay whatever toll the contractor wished for the next 17 years—that the contractor in addition to his $14 million guaranteed profit would, in fact, own the bridge.

Mr. MORSE. That is the attitude of certain business exploiters. They call that economic freedom. It is economic freedom to exploit the taxpayer.

The present NASA patent program, should be labeled "the taxpayer-shaking-down program."

Mr. LONG of Louisiana. I believe I am correct in this, and I trust that I shall not be violating a confidence, because the person involved I am sure would have no objection to my saying it, but a member of the Rockefeller family paid me a visit today. He told me that when he had more time, he would like to explain more about the workings of philanthropy, because the Rockefeller Foundation does a great deal of that, and this gentleman was concerned with it.

I asked him, "Do you people do much health research with Rockefeller funds?"

He replied, "Not nearly so much as we used to, because the Government is doing so much of it now we thought that we would put our money to better use elsewhere."

I said, "When you did your research, did you let the folks you paid have private patents on it, or did you require that the benefits of their research be made freely available to the public?"

He replied, "I do not recall precisely, and I will check it, but I feel confident that you will find wherever we spent philanthropic money, we always insisted that the public receive the benefit of it. We would not wish to spend philanthropic money merely to put someone in a position in which the public interest would be his captive. If philanthropic money is to be used, we feel that all the people of this country should benefit from it."

Would it not be fine if the Government of the United States took that same attitude, utilizing the public's money so that all the people would have the benefits of research?

Mr. MORSE. The purpose of introducing my bill is to help the cause to which the Senator from Louisiana has referred. I believe that once the American people become aware of the extent to which they are being shaken down by an avaricious group of American business forces who seem to feel that whatever they can get by with is all right. The American people will have a few messages at the voting booths at election time to send to politicians who do not vote to stop this shakedown.

In this connection, my speech tonight is aimed at political education. If we can only get the voters educated enough to start beating Members of Congress who go along with this kind of shakedown, we shall be doing something practical about bringing about the reforms necessary to protect the taxpayers.

I am frank about it. This is an issue that, ultimately, only the voters can settle. We can introduce legislation, but until the people say to the politicians, "You pass the necessary legislation or get ready to stay at home," I believe that the influence of the business exploiters will continue to be so great on Congress that we shall have continued difficulty in correcting this situation.

All I can say to the American people is, "The kind of legislation you get is up to you. You can have any kind of legislation you wish, if you will only perform your responsibilities as citizen-statesmen." The trouble is, too many people do not.

Mr. LONG of Louisiana. Does not the Senator from Oregon know that a great deal of the research being done on Government contracts is research that the company would have done anyway for its own purposes?

Mr. MORSE. That is correct.

Mr. LONG of Louisiana. When we look at something like health research, if we think about the spending of billions of dollars of public money to enable someone to find a better answer to a disease, we are benefiting the public. If it were research that the pharmaceutical companies would have done anyway, and if all we did was to turn around and force them to take hundreds and perhaps billions of dollars of Federal money, which they would have spent out of their own pocket anyway in their research programs, and if we did the same thing with aircraft manufacturers, is it not fair to say that the $15 billion for research and development would turn out to be a bigger steal than the worst item in the foreign aid program?

Mr. MORSE. The Senator is correct. However, we would have to go pretty far to find a bigger steal than the foreign aid bill.

I spent 2 hours this afternoon with an American busineessman, who briefed me on his experiences in Bolivia. He told me of the shocking corruption that exists in connection with American foreign aid in Bolivia.

This is only another phrase of the same problem that I am talking about so far as the obligation of the American voter is concerned. We will get this shocking business stopped when the American people familiarize themselves with the facts. When they do, they will demand some remedial action from Congress.

Mr. LONG of Louisiana. The Senator knows that when Franklin D. Roosevelt was President and when Harry Truman was President, they used great courage in resisting the pressures of the bankers and the Wall Street interests with regard to interest rates. They kept the level of the interest rates on Government obligations at around 2 percent.

Starting with President Eisenhower, that policy was reversed. Some people like to say that it started with the so-called accord under President Truman, but he still kept tight control, even though in the Korean war he was maneuvered into a corner where he had to let the interest rate go higher than he wanted it to go.

The Senator knows that since the time when George Humphrey was Secretary of the Treasury and Mr. Burges Under Secretary, the interest rates on the national debt have doubled. We like to talk about how the national debt which was, back at that time, 130 percent of the gross national product, in 1946. Now the national debt is 47 percent of the gross national product. However, the cost of carrying that great national debt is just as great when measured against the gross national product, because the executive branch, particularly the Federal Reserve Board, has permitted the interest rate to double. If the interest rate goes up 2 points on the national debt, then the interest rate on everything else has to go up by an equal amount.

Mr. MORSE. Of course.

Mr. LONG of Louisiana. So on the public and private debt of a trillion, two hundred and fifty billion dollars, that amounts to $25 billion more that the borrowers have to pay to the lenders. Generally speaking, the borrowers tend to be poor. If they are not poor if they are corporations, they include the cost of the interest in the price of the product, and pass it on to the customer, who is usually poor, compared with the corporations.

In addition, while there are certain wheels within wheels, I believe it can be said, generally speaking, that in the last analysis interest tends to be a tax on the poor, for the benefit of the rich.

Many people contend that the only way one can lose on research is by doing it on a small scale, because while one might not find what he is looking for, he might come across something that is 10 times as valuable as what he was looking for. For example, a researcher in Germany was trying to find a better dye for dying cotton material. He came across some item that had a certain reaction on bacteria. It occurred to him that it might work in medicine. The result was sulfanilamide. That was a great breakthrough on which all the other sulfa drugs were based. It was probably the greatest breakthrough in the field of internal medicine that had occurred in 100 years, and perhaps the greatest that had occurred in the previous thousand years.

What was discovered there was much more fantastic than what that man was looking for in the first instance.

The argument is that one cannot lose money on research as long as it is done on a big scale.

Conceivably what we could find with this $15 billion research investment might be worth the $15 billion that we are spending.

If we read President Johnson's book, "My Hope for America," we see that he spells out the magnitude of research and that generally it tends to mean that we are doubling our technical know-how every 9 years with the expenditures that we make.

To permit all of that to be in the private domain of a few Government favorites, who do not bid on the contracts, but fight for them, and compete for them, and to permit all that to be in the private domain of a few big companies, when added to the $20 billion, plus, that the people are paying out in interest rates because of the policies of the Federal Reserve Board, which presumably this administration, like the previous one, is not quarreling with, works out to be about $35 billion a year that the average man would just be outraged about if he understood what was going on. That is more than one-third of the whole cost of Government.

Mr. MORSE. The position the Senator from Louisiana has taken on this and related problems, in which I have joined him in support for years, is unanswerable. I am very glad to have his contributions to this presentation.

Mr. President, it seems to me that the research and development funds expended by the National Aeronautics and Space Administration are generally even more valuable commercially than Pentagon contracts.

The Defense Department specializes in researching and developing weaponry. In the Space Act of 1958, however, Congress makes clear in the preamble that the Space Agency should direct and conduct its aeronautical and space activities solely for peaceful purposes and for the benefit of mankind (42 U.S.C. 2451).

Mr. Gayle Parker of NASA's General Counsel's Office, told a convention of the Federal Bar Association in Philadelphia on September 24, 1963, that:

> In direct contrast with the Defense Department, the patent portfolio of NASA contains not only patents for inventions of its employees, but also a high percentage of inventions made by its contractors. Thus, the NASA patent portfolio is expected to include a significant number of patents for inventions which have commercial applications (Federal Bar News, vol. 10, No. 11, November 1963).

The New York Times of September 28, 1964, stated that, during the past 6 years, there have been 2,240 inventions of this kind made by contractors pursuant to NASA contracts. These technical advances are literally of incalculable value. As a matter of fact, the present administrative regulations of the Space Agency make it impossible for the Congress or the public ever to ascertain the extent or value of this property.

For a start, it is certainly the obligation of Congress to make sure that its committees and the public have the means to know the value of this property which is created out of taxpayers' money. One consequence of my bill would be to make possible an inventory by making fair market values of patents a matter of public record.

The next question to arise is how this treasure trove of property should be administered? Should disposition take place in public and be a matter of record, or should it be contracted away in private by a host of anonymous contracting officers as is permitted by the present regulations? Who should receive the benefits of these inventions and the profits from their commercial exploitation? Should the taxpayer who put up the money be considered? Should the universities and hospitals have a share? What of States and municipal governments which must provide services to our people? Should small businesses be considered? Or should most of this wealth and potential wealth become the property of fewer and fewer corporations of larger and larger size?

Fortunately, the Constitution and the Congress have provided some guidance in these matters.

Article IV, section 3, of the Constitution reposes the responsibility for disposition of U.S. property directly upon the Congress. It provides:

> The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Section 8 of article I also vests in the Congress the specific responsibility for "promoting the progress of science and useful arts," which is the basis upon which Congress established the patent system.

Also pursuant to these mandates, Congress enacted section 305 of the National Aeronautics and Space Act of 1958. This section provides that the rights of the taxpayer who paid for the NASA research and development underlying a patent cannot be waived unless the specific patent was the subject of a hearing before an Inventions and Contributions Board.

The obvious rationale of this requirement is to insure that an administrator would be aware of any invention of great potential value before disposing of all the commercial interests.

It is important to emphasize that the principal intent of the bill which I am introducing is a restoration of the original intention of section 305, as enacted by the Congress and subsequently nullified by NASA's 1964 regulations.

The intention of the Congress to exercise positive control of patent property in behalf of the U.S. Government had, at the time of the Space Act, been expressed in a long and unbroken line of congressional enactments stretching back to 1946, including the Housing Act of 1946, the National Science Foundation Act of 1950, the Atomic Energy Acts, as well as the Space Act, the Coal Research Act, the Water Resources Act, the Saline Water Act, the Solar Energy Act, the Tennessee Valley Authority, the Disarmament Act, the Housing Act of 1958, and the Agricultural Marketing and Research Act. Recently, the Appalachia and water pollution legislation of the 89th Congress followed this pattern.

Incidentally, the amendments on the Appalachia water pollution legislation were amendments successfully offered by the Senator from Louisiana [Mr. LONG].

As the Chairman of the Subcommittee on Patents, Trademarks, and Copyrights [Mr. MCCLELLAN] said on April 23d of this year:

> In recent years the Congress has frequently considered the inclusion of patent provisions in legislation authorizing new Government research programs. It is clearly the intent of Congress that the basic guidelines of Government patent policy should be determined by the Congress.

As more fully set forth in the Memorandum of Law which follows, the current NASA regulations of September 1964, are constructed upon an assumption of wholesale waiver of patent rights belonging to the United States, and these regulations do not provide for ascertainment of the value of patent property and positive control over its disposition in the public interest. On the contrary, the regulations permit a contracting away, or what some call a giveaway, of rights to any and all inventions at the time the contract is signed.

Under these regulations, the disposal of patent property takes place before anyone knows how many patents will emerge, or what their potential value may be, and before they could be brought before the board created by the act. To assert that this system protects the interests of the United States in publicly developed intangible property is to talk patent nonsense.

Likewise, upon occasion, these giveaway regulations have been defended by citing the Presidential Memorandum and Statement of Patent Policy of October 10, 1963. It is curious legal doctrine that a memorandum by the President should take precedence over an act of Congress. However, let us dig a little deeper and examine this memorandum and statement.

After stating that inventions in scientific and technological fields constitute a valuable natural resource, the policy statement begins as follows:

> The following policy is established for all Government agencies * * * subject to specific statutes governing the disposition of patent rights of certain Government agencies.

To interpret this language as allowing a departure from the precise requirements of the Space Act in order to give away significant and valuable natural resources raises further questions of considerable interest.

I am at a loss to understand why the President of the United States has let NASA get by with it. In my judgment what NASA has done is in open defiance of the so-called Presidential memorandum which, interestingly enough, the Administration cites as an authority. It just does not follow. But, of course, if the President lets them get by with it, they will continue to do it.

I do not like to say it, but I never hesitate to say it. I think our President is following a wrong course. Our President could have stopped a great deal of this giveaway if he had instructed the head of NASA in his own language and his own Presidential memorandum. I read the relevant section again:

> The following policies are established for all Government agencies—subject to specific statutes governing the disposition of patent rights of certain Government agencies.

The Members of this body are well aware that the Space Administration tried on more than one occasion to amend section 305 of the Space Act in order to allow the waiving away of U.S. rights in patent property in the manner embodied in the present regulations. Congress consistently refused to allow the agency to do so.

So, during 1964, we find that the Administrator, without the consent of Congress, adopted regulations which have placed him in a position directly opposed to and in defiance of all these authorities, including the Presidential patent memorandum of October 10, 1963, upon which he purports to rely. It is also pertinent, if somewhat embarrassing, to recount that the regulations are contrary to what NASA's own legal officer told the Space Committee of the House of Representatives on August 19, 1959, was "the only conscientious way of administering the act." NASA's general counsel repeated the substance of this statement on several occasions—before Congress, professional associations, and the public. Some of his language is collected in the accompanying memorandum of law.

Senators know what the bureaucrats count on. They have to take the witness stand and testify before a committee. They say those things that they think will carry out their aims and objectives. They know—and they count on this—that Congress will get so busy with other things hereafter that they will never get back to check up on their testimony. They will never do an adequate job of "watchdogging" on the regulations that they subsequently put out in direct contradistinction of their testimony. They also count upon the tendency of human beings, even Members of Congress, to forget. I have seen those things happen so many times in my years in the Senate that I have grown a little "gun shy" about administration witnesses.

On the Foreign Relations Committee we see time and time again the discrepancy between the testimony of witnesses from the State Department, starting with the Secretary of State, on down through the other witnesses that the Department sends to the Congress.

The same thing applies to the Pentagon, starting with the testimony of the Secretary of Defense. If we should check back on that testimony a few months later and compare it with the policies which are inconsistent with their own testimony that the departments have followed, we would see that they have learned that after they appear before us Congress will soon forget what they said, fail to check up on what they said, or be unaware of inconsistent administrative regulations, if they exist. The sad result is that, in many instances, Congress in practice has become a great abdicator—an abdicator of its responsibilities to the people of this country, of protecting its legislative rights, functions, duties, and passing more and more power down to the executive branch of the Government, with the result that the American people are losing their freedoms and are often oblivious to it. Tonight the American people are not nearly as free as they were 10 years ago. Tonight they are not nearly as free as they were 20 years ago. The Congress must assume a large share of the responsibility for it because Congress increasingly abdicates one congressional function and duty after another and passes the buck to the White House and the bureaucrats who serve the White House.

More and more, I think we are becoming a government of presidential supremacy.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. Along that line, the Senator from Louisiana recalls an incident that occurred when he first came here. The Senate was confronted with a bill which was sponsored by the steel companies, the cement companies, and various other industries. It was known as the basingpoint pricing bill.

Mr. MORSE. I remember it.

Mr. LONG of Louisiana. It was a bill to legalize certain practices that had been declared by the Supreme Court to be in violation of the antitrust laws.

The Senator from Oregon may recall that those who advocated the bill paraded here with a letter from someone in the Bureau of the Budget, saying that the bill was in accord with the policies of the President. It was said that Harry Truman was for the bill.

The junior Senator from Louisiana went to the White House to talk with President Truman about the bill. The President was not very communicative. The most he said was that he thought he understood the problem as well as any Member of the Senate, because he had once served on the Committee on Interstate and Foreign Commerce and had sat through some hearings and had studied the subject when he was a member of the committee. In the Senate we fought the bill up hill and down dale for about 2 years. Finally the supporters of the bill—the steel companies and various other large concerns, including cement companies—succeeded in pushing the bill through Congress.

When the bill reached the White House, what did President Truman do? He vetoed it. But Congress had received a letter from some minor functionary in the Bureau of the Budget, who led us to believe that that was a measure that President Truman wanted us to pass.

Mr. MORSE. That happens frequently. I again wish to give deserved praise to the Senator from Louisiana, for the many times in our service in the Senate when he stood up in opposition to delegating legislative responsibility to the executive branch of the Government. That practice involves the patent evil that has developed within NASA, because what the Director of NASA is getting by with in his issuance of regulations has the support of the legislative branch of the Government. I do not know why Congress should permit it.

I am at a loss to understand why the President permits it. We ought to check the President. That is why I am introducing a bill to exercise the constitutional check which the Congress possesses by law as to the President and the Director of NASA.

I am proud of the recent Gemini space flight. I rejoiced, with all the rest of my colleagues in the Senate, when Astronauts McDivitt and White received their medals at the White House today. It was a humbling experience to be in their presence in the Chamber today. I said to each of them, when I shook hands with him, that I felt I was a better person because of the great contribution each of them had made to the history of our country. I believe it was a source of great pride and also a cause of deep humility on the part of each Member of the Senate.

I am looking forward to the Apollo project and further American successes in space. I realize that our peaceful rivalry with other nations provides powerful temptations for the Space Agency to take certain shortcuts.

Because of these forces, perhaps this day of Washington's tribute to the Gemini 4 astronauts is the most appropriate time for the Senate to receive the bill I am introducing tonight.

As the London Economist magazine stated this week, in its issue of June 12, 1965, at page 1279:

> There may be times when the American moonracers may wish that they did not have to perform in the democratic way, in public, all faults on view.

But there are other national values which are equally important—respect for the law, the open character of our economic system, and the quality of our morality. To accept the philosophy of the Space Agency that the achievement of our national goals justify the use of means such as have been adopted, would be corrosive of some of the most basic and precious values of our society.

The conscientiousness with which Congress deals with the conflict of these values will profoundly affect the character of our economic system, and the prospects of its small business segment.

The Justice Department, in February 1962, confirmed that companies selected to perform research and development work obtain substantial competitive advantages—acquisition of facilities and training of staffs—even without the acquisition of patent rights. The Justice Department report states:

> The effect of giving such firms additional patent rights as well tends to consolidate their already dominant positions and make their preferred status in new and important industries even more immune to competition than it is now.

Against the background, the opinion was expressed in Fortune magazine—February 1965, page 150—that there are some 29 companies which are qualified to compete on missile contracts in the United States, some 15 that can build airframes, and only 8 which can compete for contracts to build helicopters. We should also bear in mind that little more than 10 percent of NASA's research budget goes to small business, while the great bulk of these funds are concentrated in the hands of our greatest industrial corporations.

Our treatment of these issues, and the control over the disposition of these large amounts of seedbed money appropriated annually to the Space Administration for research, development, and exploration in this decade will surely influence the size, number, and relative influence of our Nation's businesses for decades to come. It will affect the atmosphere of economic freedom and competition in this country and personalities that will be molded by it.

Just as surely, the disposition of the legal issues involved will affect the quality of our Government and the attitude that our citizens and business corporations adopt toward it.

In summary, Congress is faced with marked departures from the law of the land, the specific requirements of the Space Act of 1958, and prudent public policy.

In addition, Congress is faced with a solemn duty and responsibility for a great deal of extremely valuable property belonging to the United States and for patent and other systems for its disposition and development.

The Constitution has given the responsibility to Congress, and we cannot wish it away, delegate it away, or study it away. The Administrator of the Space Agency has raised these issues directly, and they must eventually be met.

Mr. President, I do not contend that this bill is the final word on the subject. I envision that the Government departments and agencies, as well as business groups concerned, will be able to suggest improvements and refinements on the basis of their experience and expertness. Such comment and criticism will be welcomed. However, the bill does represent a systematic approach to these issues and a vehicle for their consideration. I believe that such consideration is in order, and I urge that the Senate proceed with it.

I am raising for the consideration of the Senate one of the most serious giveaway programs that confront the American taxpayers, to the detriment of those taxpayers. I am raising here, in regard to intangible personal property, as patents are, the same warning I raised in 1946 when I first came forward on the floor of the Senate with what has become known as the Morse formula, which regulates the disposal of tangible Government surplus property.

It has not been easy in these many years to stand up against attempts on the part of some of my colleagues in both the House and the Senate to avoid the effects of the Morse formula. They have been successful a few times by moving the consideration of a bill that I had blocked on the unanimous-consent calendar because it violated the Morse formula. But to the everlasting credit of the overwhelming majority of my colleagues in the Senate and of the leadership of the Senate during those years, they have stood with me as I have persistently, or in the views of some, stubbornly, insisted that there be no exceptions to the Morse formula.

The last accounting that I received would indicate that since 1946 this persistence or stubbornness—depending on whichever word one may wish to adopt—has saved the American taxpayers over $800 million.

Mr. President, the application of the Morse formula to intangible personal property such as patents—as I seek to have applied by the passage of this bill—would save the American taxpayers not hundreds of millions of dollars, but many billions of dollars decade by decade.

I start a fight on the floor of the Senate to obtain passage of my bill. I well know that this might take a long time.

I hope this will not take as long as it usually takes to pass a piece of legislation which is so critically needed in order to protect the welfare of all the people of our country. However, irrespective of how long it takes, so long as it is my trust to serve the great people of Oregon in the Senate, I intend to press for legislation that will bring the giveaway program of NASA to an end.

I hope that, in due course of time, the President of the United States will see the soundness of the position of the senior Senator from Oregon and will himself issue a new Presidential memorandum on patents, notifying his Director of NASA that he does not want the current regulations to be continued because of the economic harm they are doing to the taxpayers of the country.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. Mr. President, what the Senator is saying reminds me of a story which the late Henry Fountain Ashurst, a former Senator from Arizona, once told me. He said that he was constantly receiving pressure from President Roosevelt to report the Court-packing bill from the Judiciary Committee, of which he was chairman. It seemed that, for a long time, the President would call him every morning and ask when he was going to report the bill.

The Senator recalls that that bill was vigorously opposed by Burton Wheeler, Gerald Nye, Alben Barkley, George Norris, and other Senators of that caliber.

Since there was so much pressure and so much clamor against the bill in the press, as well as in Congress, Senator Ashurst was reluctant to report the bill.

He told what he said to the President:

> Mr. President, your case is getting stronger all the time.

He told us the story that, when he was a prosecuting attorney in Arizona, a fellow had stolen a lot of butter from a warehouse. The sheriff had apprehended him with the butter. Every time that Ashurst moved to prosecute the case, the defense counsel came in and asked for a continuance. Ashurst said that he invariably granted the continuance, saying, "It is all right with me to continue the case. The longer the case is delayed, the stronger my evidence will be." [Laughter.]

I state to the Senator that this giveaway of private patents on almost $15 billion of Government research is such an outrage that the longer it takes us to win the case, the stronger our case will be with the people. The people are beginning to understand this issue.

Many people have never heard about it. When they do hear about it, they cannot believe their ears.

I was explaining this to a large industrialist a few nights ago. He could not believe it. He could not believe that the Government would do this. His concern spends large amounts of money in research.

The first inquiry was, "Why is the Government in the research business, anyway?" In many instances, we are only forcing this money upon people to do research that they would do on their own account if we did not force them to do it. I explained that in some instances the Government had an interest in getting information quicker than it would otherwise, by means of spending a lot of money.

When we reached the second point, he could not believe that the Government would give this money away on a guaranteed-profit basis by means of which the fellow awarded the research contract could keep it for himself without the people who paid for it, the taxpayers, being privileged to use it. It was something that he could not conceive of.

Mr. MORSE. That is the attitude of most impartial taxpayers. If we could get the issue before the taxpayers as jurors, if we could take this case before any jury of 12 impartial jurors, we would get a unanimous decision against the Government policy. I do not believe that there is any question about the merits of our position.

It is a sad thing that we can have the kind of economic power used by selfish interests in this country, which succeeds in permitting this wrong to be committed against the taxpayer.

The Senator very well knows that in 1954 I stood on the other side of the aisle then, as an Independent, when President Eisenhower got his leadership in the Senate to offer one of the most inexcusable giveaways and shakedowns of the American taxpayer that has been proposed in my many years in the Senate. That was a proposal of the Eisenhower administration to give away—without a cent of cost to the utilities of this country—the entire atomic energy program for the development of which the American taxpayers had paid more than $14 billion during the war.

As I recall, the bill was 110 pages long. There were not 10 or 11 Senators who ever read the bill. The bill got through the House early that day, in a debate that did not last more than 1½ hours. The measure was steamrollered through the House.

The bill was brought to the Senate about 2:30 in the afternoon. The Republican majority leader asked for a unanimous-consent agreement to vote on the bill that day. I objected. The Senator will recall that that did not make the majority leader very happy with me.

He stayed within the rules, but he went as far as the rules would permit him to go in giving me a verbal tongue lashing. I found it rather amusing.

The Record will show that he said, "I want to say to the Senator from Oregon that he can either give me this agreement or start talking." I suggested to him, and it will be found in the Record, that he ought to reflect on what he was really proposing. I told him that he was, in effect, really proposing that we ought to repeal the unanimous-consent rule of the Senate.

I said to the Senator from California:

> Just reflect upon that suggestion for a moment. I think that the Senator will agree with me as to how many votes he would get as far as the proposal is concerned.

There were then 96 Senators. I said:

> You won't get 95. If you think a little longer, you will not get your own. It will dawn on the Senator that although it is Wayne Morse today, it might be Bill Knowland tomorrow.

I did not persuade him. He made it perfectly clear to me that I would either give him that unanimous consent agreement or I could start talking. I obliged him—I started talking.

The Senator from Louisiana knows the end of the story. We talked for 13 days and 6 long nights. We adopted amendment after amendment, including a patent amendment.

We put on that filibuster fight, which is what it was called, although it was really 13 days and 6 long nights of political education for the American people, because we had not been talking very many days before our colleagues started hearing from home. We did that, as the Senator from Louisiana knows, because we knew we had to focus attention on the floor of the U.S. Senate until the American people realized the shocking political steal the Eisenhower administration was trying to get away with.

We added a patent amendment. We added an amendment that made it possible for the nuclear pilot plant at Hanford, Wash. We added amendment after amendment.

I am battle scarred from the kind of battle I am starting tonight. But let me say I am ready to repeat the fight, because whereas we had over $14 billion involved in the atomic energy fight, we have involved here a giveaway that may well add up to $14 billion a year in the decades ahead. It is the same kind of fight that the Senator from Louisiana and I, Estes Kefauver, Paul Douglas, and a small number of other Senators fought not so long ago when we tried to stop the giveaway of the space communications system.

We did not have enough Senators to support us long enough in that fight, as the Senator knows. But is it not interesting to pick up the newspapers these days and read about what our alleged allies in Europe are doing in connection with the space communications satellite system? I think it was yesterday that I read that Great Britain was slapping a tax on it. Compare that with all the assurance we received that if Congress would give it away and let a selfish, monopolistic, government-created corporation set up by this Government take over the people's property rights in a satellite space communications system, that all the dire predictions the Senator from Louisiana, the Senator from Tennessee, the Senator from Oregon, and the rest of us made never would come to pass. We do not hear much from those colleagues about the matter these days.

Mr. LONG of Louisiana. Did the Senator hear the other day that the television networks are complaining that the space communications system is victimizing them with respect to using it. They are complaining to the extent that they want their own satellites in order to relay their television programs. They are complaining about the monopolistic conditions created by the satellite communications system.

Does the Senator recall that when we were debating that measure that advertisements appeared in the newspapers, sponsored by the television networks, inferring that it was a fine bill?

Mr. MORSE. The inference was that those of us who were opposing it were "creeping Socialists" because we were trying to protect the property rights of the American people. How one could be a Socialist and protect the property rights of the American people was beyond me then, and is now. We are encountering the same sort of propaganda that will be used against my bill.

Get ready for the kind of fallacious non sequitur testimony from the NASA people that we got from the Secretary of Defense and his uniformed lackeys who tried to pave the way for the satellite communications giveaway.

We were told they were going to have their own defense satellite system. Does the Senator remember? We were trying to point out that, after all, we were trying to protect the Government's interest, but we were told they were going to have their own system. The Senator knows that did not happen.

The American taxpayers have been shaken down again, because within the defense budget is a huge sum of money in order to have this monopolistic corporation that was set up by a majority of the Congress to work for the Defense Department.

Yet I understand there are some rumblings of discontent and dissatisfaction with that in the Pentagon. Eventually we may be able to do something to rectify the great mistake that was made in giving away the wealth of the American people to this Government-sponsored corporation, with the profits going to the corporation set up by the Government.

Mr. LONG of Louisiana. I have not seen the statement, but someone drew my attention to it. I shall look into it. I am told that the International Telephone & Telegraph Co., a large international company operating in 50 nations, which has assets of $10 billion, or probably more, and which is one of the largest stockholders in Comsat, is complaining about the monopolistic condition under which that corporation is operating.

Mr. MORSE. The Senator from Louisiana and the rest of us warned about that during the historic debate. It would be interesting to have some Ph. D. candidate take the record of that debate and then take the record of the discussions that are now going on in connection with the space communications satellite system and write an analysis of what has already transpired on the question of bearing out what those of us who were opposing the bill forewarned was going to become history under that giveaway program.

I am trying to get my President, from the standpoint of his historical record, saved from the type of record that is going to be written about him if he does not join us in checking the excesses of NASA.

Mr. LONG of Louisiana. The Senator from Oregon is rendering a great service in making this speech and in introducing the bill.

The Senator from Oregon used an analogy between his effort to save the public domain from giveaway legislation, in which he has been the most diligent Member of this body, and the saving of the public interest in research and development paid for by public funds. I wonder if the Senator realized this? Admiral Rickover tells us that every 9 years we are doubling the know-how we have with our research and development effort, and President Johnson, in his book "My Hope for America," says as much.

The Federal Government owns about 25 percent of the land surface of the United States. The Senator from Oregon has fought to stop the Government from giving that land to somebody without a fair price for it, in the interest of the taxpayers and the public. He has been successful, because of his diligence, in that area. Comparing that effort with the doubling of the knowledge we get in a 9-year period, it means 50 percent of that knowledge was discovered by research and development efforts.

Now with 70 percent of that being paid for by the taxpayers my figures would tell me that in effect 35 percent of our knowledge, after 9 years of research, properly belongs in the public domain, that it properly belongs in the public domain for every small businessman to use to compete with the mighty corporation, or for anyone else to use in competition or in the public interest, or even to provide a philanthropic service to others. All of that 35 percent of the total sum of knowledge of industrial know-how under the patent policy is to be locked up for a handful of big corporations. Ninety-five percent of it would be locked up for the benefit of less than 100 corporations.

Mr. MORSE. I not only thank the Senator from Louisiana, but I wish to say that the statement he has just made is a better statement of the objectives of my bill than anything I could say about it. In those few sentences, the Senator has really described the essence of my bill. It is that objective which I seek to carry out.

Mr. LONG of Louisiana. Did the Senator have occasion to look at the statement I made concerning Miles Laboratories and the PKU test?

Mr. MORSE. No.

Mr. LONG of Louisiana. This is what happened. A doctor named Guthrie in New York, a dedicated man, was given a grant for $500,000 to do research on the mental retardation of children. He was given another grant of approximately $250,000, and he discovered a way to treat a disease whose name is mouthfilling but is called by the initials PKU.

This disease results from a vitamin deficiency, and if not immediately detected within 30 days after a child is born, the child could be hopelessly retarded for life, but if discovered in time, correct diet will repair that deficiency, and the child will be a healthy child.

I am told that PKU is one of the worst forms of mental retardation.

Dr. Guthrie developed a kit to use to draw a few drops of blood from a child's heel, to see whether the child had this feared disease. He could manufacture the kit for approximately $6.

A lawyer friend suggested to him that he should take out a patent on the kit before someone else could get a patent on it and thereby deny the public the benefit of the research. They, therefore, obtained a patent. So far as the doctor was concerned, that was the end of it. However, Miles Laboratories wanted to distribute the kit, and the doctor licensed them to distribute it; and he signed the appropriate form.

There was a labor shortage at Miles Laboratories, so the doctor assigned his royalties to a foundation for the benefit of mentally retarded children, because he did not wish to make any profit out of it. He wished only to benefit mankind.

But, since Miles Laboratories had this labor shortage, the doctor proceeded to produce the kit, using his retarded children who were his patients, at a cost of $6, a price which the doctor thought was fair and which he thought Miles Laboratories would charge.

What does the Senator from Oregon think Miles Laboratories charged for this kit?

They placed it in a cardboard box and charged $262 to all the hospitals which wanted it. In Louisiana and Massachusetts the hospitals were making the kit themselves. The figure of $6 was just about what it cost. Miles Laboratories went to court to sue. The hospitals in Louisiana and Massachusetts were urged to cease producing these kits for their own use.

In the meantime, our people inquired if the Government had paid for this research, and if so, why could not the people of this country have the benefit of it? The word got back to the Department of Health, Education, and Welfare, and some honest worker there pulled out the record which disclosed that Dr. Guthrie had done this research under assignment and the patent rights belonged to the United States.

Thank the merciful Lord that we were in a position to protect the public's interest, which required the patent to be signed over to the Government and we went ahead with producing the little kits.

I have not seen the Miles Laboratories rejoinder, but when I explained the situation on the floor of the Senate, Miles Laboratories issued a statement saying that obviously I did not have all the facts. However, I had many more facts than Miles Laboratories wished known. Dr. Guthrie, who had invented the kit and did all the fine work for mankind, issued a statement saying that Miles Laboratories should be barred by law forever from having any patent rights for doing something like that. He was outraged, shocked, and stunned to think that his development and all his efforts would have been so distorted, because what he had done was in the interest of the public, but now the public's money was to be used against the public interest.

The same people are in Washington lobbying away, trying to get themselves on the same bill with the space contractors, the airplane contractors, this contractor, that contractor, so that the whole bunch of pirates—lovable buccaneers that many of them are—can come in here to obtain the enactment of a law to give it all away. Of course they will phrase it in some sweet language which says the Administrator can waive the rights, if he finds it to be in the national interest. The agency and department heads will go to work and give it all away, saying, "We have 5,000 patent applications, and we only gave away 50."

Of the 4,950 they saved we would find that they were not worth the paper it would take to write the patents on, and the 50 they would give away would be for something like penicillin, sulfa drugs, or a drug which might save the life of a cancer victim. It is like saying, "I am letting you buy this drug for $5 a pill," when of course the price should really be 2 cents a pill. But, "Look what a great benefactor I am to mankind. I am selling this pill cheaply. If I wished to be mean I could make you pay $10."

Yet the public has paid for the pill in the first place.

I can recall the time when I was asked to aid in the fight on heart disease in my hometown of Baton Rouge. I put on a Santa Claus costume about Christmas time. I stood out on the street and shook a tin cup asking people to give their money to help fight heart disease.

Imagine the outrage I would feel if I were to find out that having gotten out there on the street in that Santa Claus costume, all the money went to some pirate instead of for the public interest, because he was the first one to find the idea with the public's money.

That is what we are doing when we sit here in this Chamber claiming that we are public benefactors, that we wish to justify the $30,000 a year salary voted us and giving the public's money away on this kind of scheme.

Mr. MORSE. I cannot begin to tell the Senator from Louisiana how much I appreciate his bringing these facts out in the RECORD tonight, and how completely I agree with him.

Of course, the Senator knows that he, will be regarded as a dangerous man in certain quarters for saying these things.

Mr. LONG of Louisiana. It will not get me any extra campaign contributions, the Senator can be assured of that. Perhaps for some one else, but not for me. But let me say to the Senator from Oregon that since I mentioned this incident of heart disease, if Senators continue to vote for this kind of giveaway, some of us should get together and buy them some Santa Claus costumes and send them to them.

Mr. MORSE. If only we could continue making the record which the Senator from Louisiana is making tonight. There is another answer. Once the people come to understand that they are not willing to support the people who wish to make a profit out of the suffering of their fellow Americans, or wish to make a profit out of denying to fellow Americans their legitimate rights—which is all I am seeking to do in this bill, to prevent them from stealing the rights of the American people—I say that once the American voters come to understand that, I have confidence in the voters that they will give these politicians their answer at the voting booth. There is no other way to do it.

If the politicians do not wish to live up to their responsibilities in Congress, eventually the voters must beat them. That is the only language they understand.

Let me say to the voters of America that it happens to be their responsibility. I only wish that the voters would be as willing to follow the obligations of citizen-statesmanship which they have every right to expect us to follow in the Senate.

After all, unless they are willing to do it, I am afraid that we shall continue to see a majority in both Houses of Congress voting to continue support, on issues like this, not the people, but the exploiters of the people.

Mr. LONG of Louisiana. If the Senator will yield further, I believe the Senator knows of the great pressure that has been brought to bear on a great many of the large newspapers in the country. I suspect that has been done through their advertisers. The pressure is to try to keep the newspapers from carrying articles discussing this issue, on the theory that public discussion cannot help but benefit the side that the Senator is advocating.

I believe it would be only fair to commend the Washington Post for its very fine and courageous attitude that that newspaper has taken on the subject.

I should like to ask unanimous consent, if the Senator does not object, that at the conclusion of his remarks there may be printed in the RECORD an editorial which appeared in the Washington Post on Sunday, June 13, entitled "Which Way on Patents?"

The editorial discusses the bill that I have introduced, as well as the one that was introduced by the Senator from Massachusetts [Mr. SALTONSTALL] and also the one that was introduced by the Senator from Arkansas [Mr. MCCLELLAN]. I believe the Senator from Oregon will find that his bill is very similar, follows the same general philosophy as the bill of the Senator from Louisiana. I believe he will find that the editorial supports his position.

Mr. MORSE. Yes; I have read the editorial. I commend the Washington Post on the editorial, and am happy to have it inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. That newspaper has taken a courageous position on this subject. If many other newspapers were to explain this subject to the people, it would become a very important political issue.

Mr. MORSE. I agree with the Senator.

The bill (S. 2160) to amend section 305 of the National Aeronautics and Space Act of 1958 with respect to the disposition of proprietary rights in inventions made thereunder, and for other purposes, was ordered to be printed in the RECORD, as follows:

S. 2160

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 305 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457) is amended to read as follows:

"SEC. 305. (a) Whenever any invention is made in the performance of any scientific or technological research, development, or exploration activity under this Act every invention made as a result of such activity shall be the exclusive property of the United States, and if such invention is patentable a patent therefor shall be issued to the United States upon application made by the Administrator, unless the Administrator waives all or any part of the rights of the United States to such invention in conformity with the provisions of subsection (f) of this section and in compliance with the requirements of this section.

"(b)1 Each contract and lease entered into by or on behalf of any officer or agency of the United States with any party, and each grant made by any such officer or agency to any party, under authority conferred by this Act shall be entered into or made under conditions effective to insure that such party will furnish promptly to the Administrator a written report containing a full and complete description of, and full and complete technical information concerning, each invention, discovery, improvement, and innovation which may be made as a result of any activity undertaken or performed under that contract, lease, or grant.

"(b)2 If any such party fails to transmit any such report to the Administrator within thirty days after the date on which any such invention, discovery, improvement, or innovation is made, such party shall be liable to the United States for the payment of a civil penalty in the amount of $100 for each additional day of delay in the transmission of such report to the Administrator. Action for the recovery of any such penalty shall be instituted by or under the direction of the Attorney General, and may be instituted in the district court of the United States for any judicial district in which the defendant resides, is found, or transacts business. Process of such court in any such action may be served in any other judicial district of the United States by the United States marshal thereof.

"(c) No patent may be issued to any applicant other than the Administrator for any invention which appears to the Commissioner of Patents to have significant utility in the conduct of aeronautical and space activities unless the applicant files with the Commissioner, with the application or within thirty days after request therefor by the Commissioner, a written statement executed under oath setting forth the full facts concerning the circumstances under which such invention was made and stating the relationship (if any) of such invention to the performance of any work under any contract, lease, or grant entered into or made under this Act. Copies of each such statement and the application to which it relates shall be transmitted forthwith by the Commissioner to the Administrator.

"(d) Upon any application as to which any such statement has been transmitted to the Administrator, the Commissioner may, if the invention is patentable, issue a patent to the applicant unless the Administrator, within ninety days after receipt of such application and statement, requests that such patent be issued to him on behalf of the United States. If, within such time, the Administrator files such a request with the Commissioner, the Commissioner shall transmit notice thereof to the applicant, and shall issue such patent to the Administrator unless the applicant within thirty days after receipt of such notice requests a hearing before a Board of Patent Interferences on the question whether the Administrator is entitled under this section to receive such patent. The Board may hear and determine, in accordance with rules and procedures established for interference cases, the question so presented, and its determination shall be subject to appeal by the applicant or by the Administrator to the Court of Customs and Patent Appeals in accordance with procedures governing appeals from decisions of the Board of Patent Interferences in other proceedings.

"(e) Whenever any patent has been issued to any applicant in conformity with subsection (d), and the Administrator thereafter has reason to believe that the statement filed by the applicant in connection therewith contained any false representation or omission of any material fact, the Administrator within five years after the date of issuance of such patent may file with the Commissioner a request for the transfer to the Administrator of title to such patent on the records of the Commissioner. Notice of any such request shall be transmitted by the Commissioner to the owner of record of such patent, and title to such patent shall be so transferred to the Administrator unless within thirty days after receipt of such notice such owner of record requests a hearing before a Board of Patent Interferences on the question whether any such false representation was contained in such statement. Such question shall be heard and determined, and determination thereof shall be subject to review, in the manner prescribed by subsection (d) for questions arising thereunder. No request made by the Administrator under this subsection for the transfer of title to any patent, and no prosecution for the violation of any criminal statute, shall be barred by any failure of the Administrator to make a request under subsection (d) for the issuance of such patent to him, or by any notice previously given by the Administrator stating that he had no objection to the issuance of such patent to the applicant therefor.

"(f)(1) Whenever any person has made any invention which under subsection (a) is the exclusive property of the United States, such person may make written application for the transfer to such person of all or any part of the interest of the United States in that invention under such regulations as the Administrator shall prescribe in conformity with the provisions of this section. Each such application shall contain a full and complete (A) description of the invention as to which the application is made, (B) statement of the circumstances under which that invention was made, (C) statement of the relationship, if any, of such invention to any contract, lease, grant, or program of the United States or any department or agency thereof, and (D) statement of such other information as the Administrator shall determine to be necessary for a determination of action to be taken upon such application. Each application for the transfer of any property interest of the United States shall be accompanied by a sealed bid specifying the sum which the applicant offers to pay to the United States in compensation for such interest if transfer thereof is granted.

"(2) Each application made under paragraph (1) of this subsection shall be transmitted to an Inventions and Contributions Board (referred to hereinafter in this section as 'the Board') which shall be established by the Administrator within the Administration. Upon receipt thereof, the Board shall accord to the applicant opportunity for hearing thereon. Notice of hearing upon each such application shall be published by the Administrator in a publication of general national circulation at least once not less than ninety days before the date of such hearing, and a second time at least sixty days after the first such publication but not less than thirty days before the date of such hearing. Under such regulations as the Administrator shall prescribe, any person shall be entitled to intervene as a party to such proceedings application. Each such hearing shall be subject to the provisions of the Administrative Procedure Act.

"(3) Upon the basis of evidence received in such proceedings the Board shall transmit to the Administrator its written report thereon. If the Administrator determines, upon the basis of the report made by the Board upon any such application, that considerations of equity clearly favor the granting of such application and that the public interest would be served thereby, he may transfer to the applicant the whole or any part of the interests of the United States in the invention as to which such application was made. Any such transfer shall be made upon the payment of an amount equal to the fair market value of the interest transferred as of the time of the transfer, and upon such other terms and under such other conditions as the Administrator shall determine to be required for the protection of the interests of the United States. In no case shall such fair market value be less than the amount of the applicant's sealed bid. Each such transfer made with respect to any invention shall be subject to the reservation by the Administrator of an irrevocable, nonexclusive, nontransferrable, royalty-free license for the practice of such invention throughout the world by or on behalf of the United States or any foreign government pursuant to any treaty or agreement with the United States.

"(4) Under such regulations as the Administrator shall prescribe, any person who intervenes, in any proceeding under this subsection with respect to any patented or patentable invention, in opposition to the transfer for which application was made under paragraph (1) may in such proceeding offer evidence to the effect that the Administrator in the public interest should grant to him authorization for the use of such invention, and may file with the Administrator at the time of his intervention an application for the purchase of one or more specified interests in that invention subject to the conditions prescribed by this paragraph. Each such application made under this paragraph shall be accompanied by a sealed bid containing an offer to purchase such interest or interests in the invention for a sum or sums specified therein. If the application made under paragraph (1) with respect to that invention is denied, the Administrator shall determine whether it is in the public interest to grant one or more of the applications made by intervenors under this paragraph for the purchase of interests in the invention. If he determines that it is in the public interest to grant any such interest, he shall consider the bids made therefor by intervenors, and shall grant such interest to the intervenor who is the highest responsible bidder for such interest. Any such grant shall be conditioned upon the reservation by the Administrator of an irrevocable, nonexclusive, nontransferable, royalty-free license for the practice of the invention throughout the world by or on behalf of the United States or any foreign government pursuant to any treaty or agreement of the United States. If, after the denial of an application made with respect to any invention under paragraph (1), the Administrator determines that it is not in the public interest to grant any interest under this paragraph, he shall return unopened all sealed bids made by intervenors.

"(5) Each determination made by the Administrator in or with respect to any proceeding under this subsection shall be made in writing, and shall be accompanied by a report in which the Administrator shall set forth fully the facts and circumstances upon which reliance was placed in the making of that determination. Within 60 days after the final determination of any such proceeding by the Administrator, any party to such proceeding who is aggrieved by any determination made therein by the Administrator may institute action in the District Court of the United States for the District of Columbia for the review of such determination. Upon service of the complaint in any such action upon the Administrator, he shall certify to the court a true and correct copy of the transcript of all evidence taken in such proceeding and a true and correct copy of each determination and report made therein by the Administrator or by the Board. Such court shall have jurisdiction to hear and determine any such action, and to enter therein such orders as it may deem proper to affirm, modify, set aside, or enforce as affirmed or modified any determination made by the Administrator in such proceeding. In any such action, findings of fact made by the Administrator shall be conclusive if supported by substantial evidence. Upon application made by any party to any such action, the court in its discretion may order additional evidence to be taken before the court or before the Administrator upon such terms and conditions as the court may deem proper. Process of the district court in any action instituted under this paragraph may be served in any other judicial district of the United States by the United States Marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

"(g) To the extent to which disposition of rights to any invention has not been made under subsection (f), the Administrator shall determine, and promulgate regulations specifying, the terms and conditions upon which nonexclusive licenses will be granted by the Administration for the practice by any person (other than an agency of the United States) of any invention for which the Administrator holds a patent on behalf of the United States.

"(h) The Administrator is authorized to take all suitable and necessary steps to protect any invention or discovery to which he has title, and to require that contractors or persons who retain title to inventions or discoveries under this section protect the inventions or discoveries to which the Administration has or may acquire a license of use.

"(i) Whenever any person has appropriated to his own use or benefit any invention which under subsection (a) is the exclusive property of the United States, without authority therefor conferred upon him pursuant to subsection (f) or subsection (g), the Attorney General, upon his own motion or upon request made by the Administrator, may institute action against such person in the district court of the United States for any judical district in which such person resides or is found. Such court shall have jurisdiction to hear and determine such action. If the court determines that any such unlawful appropriation has occurred, it shall enter such judgment, orders, and decrees as it shall determine to be required to provide for the establishment of title to such invention in the United States and for the recovery by the United States of a sum equal to the aggregate amount of all income derived by the defendant through the exploitation of such invention. Any private citizen of the United States having knowlidge of any such unlawful appropriation of any such invention by any person may on behalf of the United States institute action against such person in any such district court for any relief which would be available to the United States under this subsection in an action instituted hereunder by the Attorney General. A successful plaintiff in any such action instituted by a private citizen shall be entitled to recover from the defendant, in addition to any relief granted to or on behalf of the United States, a sum equal to the aggregate amount of the expenses actually and necessarily incurred by the plaintiff in the preparation and prosecution of such action, including a reasonable attorney's fee, as determined by the court. If, in any such action instituted by a private citizen, the court renders judgment requiring the payment of any sum to the United States, the plaintiff shall be paid, from the sum so recovered by the United States, an amount equal to 10 per centum of that sum, or the amount of $50,000, whichever amount is smaller. Process of the district court in any action instituted under this subsection may be served in any other judicial district of the United States by the United States Marshal thereof. Whenever it appears to the court in which any such action is pending that other parties should be brought before the court in such action, the court may cause such other parties to be summoned from any judicial district of the United States.

(j) Whoever with knowledge that an invention is the exclusive property of the United States, (1) appropriates or attempts to appropriate such invention to his own use or benefit without authority for such appropriation conferred upon him under subsection (f) or subsection (g), or (2) knowingly conspires with any other person to appropriate any such invention to the use or benefit of any person not lawfully entitled to the use or benefit of such invention, shall be fined not more than $10,000, or imprisoned not more than five years, or both. Any person who commits any offense under this subsection with willful intent to defraud the United States of its right to such invention or to the exploitation thereof shall be fined not more than $50,000, or imprisoned not more than ten years, or both.

"(k) As used in this section—

"(1) the term 'person' means any individual, partnership, public or private corporation, association, institution, or other entity;

"(2) the term 'contract' means any actual or proposed contract, agreement, understanding, or other arrangement, and includes any assignment, substitution of parties, or subcontract executed or entered into thereunder; and

"(3) the term 'made,' when used in relation to any invention, means the conception or first actual reduction to practice of such invention."

Sec. 2. The amendment made by this Act shall have no application to any invention made in the performance of any work under any contract entered into by the National Aeronautics and Space Administration before the date of enactment of this Act.

Mr. MORSE. Mr. President, I ask unanimous consent that a section-by-section analysis of the bill be printed in the Record at this point.

There being no objection, the analysis was ordered to be printed in the Record, as follows:

SECTION-BY-SECTION DESCRIPTION OF THE BILL

This bill is a recasting of the present section 305 of the Space Act of 1958. (42 U.S.C. 2457) It is written as a complete section, rather than a series of amendments, for ease in understanding and so that the proposed provisions may be read and considered in context.

This bill extends the so-called Morse formula to disposals of NASA-developed inventions. The Morse formula provides that Federal real and personal property may be acquired for public use by State, municipal, and other governmental authorities for 50 percent of fair appraised market value. Transfer of Federal property for private or nonpublic use must be based upon payment of 100 percent of appraised fair market value.

While not excluding public, nonprofit, and governmental and charitable institutions, this bill emphasizes ownership and development by free enterprise in disposing of NASA-developed inventions, and stresses that commercial development and exploitation shall be the province of private industry. If particular situations arose where the application of the 50-percent standard seemed appropriate, the Administrator might take it into consideration.

The title of this section: "Property Rights in Inventions—Exclusive of the United States; Issuance of Patent" should be retained, and, I believe, amended by the words "disposition upon payment of fair compensation."

Section 305(a) of the bill shortens and tightens the original subsection which defines the circumstances under which an invention in the performance of activity pursuant to the act shall be the exclusive property of the United States. It does so by substituting the simpler and more comprehensive test of "result of such activity" for the more particular test now in the law.

Section 305(b), on reporting discoveries, repeats the language of section 305(b) of the act, with the exception of the words "contract, lease, or grant" which are substituted for the word "work." This amendment is intended to broaden rather than narrow the section. Section 305(b)2 is based upon two reports of the Comptroller General in November 1964—B-133307 and B-133386—which called attention to the lack of such provisions and recommended financial sanctions when a contractor delayed or failed to submit required information on discoveries and inventions. Language covering this requirement should be included in each agreement between the agency and a contractor.

Sections 305(c), (d), and (e) of the bill repeat the comparable subsections of the present act.

Section 305(f) is the most important subsection of the bill. Under section 305 of the present law, the Administrator is permitted to supplement the statutory standards for waiver by departmental regulations.

The abuses of this grant of authority are set forth in detail in the memorandum of law attached. As a result, it is necessary to substitute clearer congressional guidelines such as those proposed in paragraphs (1)–(5) of subsection 305(f) of this bill. These paragraphs are intended to be executory of article IV of the U.S. Constitution, which makes Congress responsible for the disposition of "property belonging to the United States." They propose to establish in the Space Act the principle that private firms seeking to acquire ownership of patents, processes, and other intangible property developed as a result of the research, development, and exploration activities of the Space Agency pay to the Federal Government the fair market value of these inventions.

Collaterally, the proposed system offers a great deal of flexibility in administering NASA's inventory of valuable patent properties through the grant of exclusive or nonexclusive licenses for any term of years at various rates of royalties thought by the Administrator to be in the public interest.

In order to advise and assist the Administrator in arriving at these determinations, responsible business concerns, Government entities, universities, and other organizations having a "probable public or pecuniary interest" are allowed the status parties to the disposition proceedings. As such, they will have the rights usually associated with this status under Federal law relating to a full and fair hearing, including the rights to notice, to present evidence and argument, and to appeal to a judicial forum if aggrieved by the decision.

The bill contemplates that the regulations in this area will be broad and flexible enough to achieve substantial justice among the parties, and that such regulations should be subject to strict judicial examination against these standards.

Thus, section 305(f)(1) of the bill sets forth the general guidelines for applications for the transfer and disposition of patent property resulting from activities pursuant to the act. It would definitely preclude the granting of advance waivers of Government title to inventions, a practice in which the Administrator has indulged pursuant to the current regulations.

A new feature of section 305(f)(1) is the requirement of a sealed bid by the applicant stating the compensation the applicant is willing to pay for the ownership, excusive license, or other interest in the property.

Since the applicant is presumably the developer of this property, it is in the best position to estimate the worth of the property, its fair market value, and the reasons why the developer should be permitted to acquire a preferred proprietary position.

Paragraph (2) of section 305(f) introduces the rights of persons and institutions other than the developer to enter the proceedings in order that they may seek to establish reasons for their participation in the use or further development of the inventions.

Paragraph (3) of section 305(f) governs the grant to the developer of any interest in the property which the Administrator finds will be in the interests of the United States under all the circumstances. Upon such a finding the bid of the developer is opened and considered. It is further intended that the Administrator may request additional evidence of any kind before making a determination of the value of the interest to be transferred.

In the event of such a transfer, the other parties are protected by the presence of a written record. This record should contain findings on each material point necessary to make determinations as to disposition and value, and shall be available for review.

The requirements of the Administrative Procedure Act apply to these adjudications, and, in addition, it is intended that the regulations and procedures pursuant to section 305(f) be construed to foster an open economic system, substantial justice among the parties, and the public interest.

Paragraph (4) of section 305(f) of the bill permits the Administrator to consider the applications and bids of other parties to the proceeding. It is intended that the Administrator have the utmost flexibility. For instance, he might feel that it would be in the public interest for two or several commercial applicants to be granted rights in the property. He might feel that a single commercial grant plus a public grant would be appropriate. This paragraph imposes no limitations in this regard beyond the standards set forth in this bill and those normally existing in the doctrines of administrative law.

Paragraph (5) of section 305(f) of the bill provides for judicial review by parties aggrieved.

Sections 305(g) and (h) of the bill follow the comparable sections of the act.

Sections 305(i) and (j) of the bill provide financial, civil, and criminal sanctions for those violating the act, and provides mechanisms for the recovery of patent properties conveyed other than in compliance with the act.

Section 305(i) would permit a private citizen to be recompensated for successfully bringing about such a recovery. Section 305(j) would apply to both persons receiving or retaining patent properties unlawfully and those releasing such properties otherwise than in compliance with the act.

Section 305(k) of the bill repeats the language of the present section 305(j) of the act.

Mr. MORSE. I ask unanimous consent that, following the section-by-section description, there be printed a memorandum of law concerning the present NASA patent regulations.

There being no objection, the memorandum of law was ordered to be printed in the RECORD, as follows:

MEMORANDUM OF LAW

APRIL 2, 1965.

PROVISIONS OF PRESENT NASA PATENT REGULATIONS WHICH ARE CONTRARY TO THE REQUIREMENTS OF THE NATIONAL AERONAUTICS AND SPACE ACT OF 1958

In a number of respects the revised patent waiver regulations of September 28, 1964, adopted by NASA are plainly at variance with the requirements of law. Among those respects are the following:

1. Section 1245.104 of the NASA patent waiver regulations (29 F.R. 12273–12274) specifically waives all right of the United States to "all inventions made in the performance of work under a specific contract" if the contracting officer, at the time the contract is entered into, makes specified findings of fact. Presumably such waiver is made in reliance upon general authorization for waiver given to the Administrator by subsection 305(f) of the act. However, that subsection expressly requires that "Each proposal for any waiver shall be referred to an Inventions and Contributions Board" which is required to conduct hearings thereon before action is taken by the Administrator with respect to any proposed waiver. The language of the Space Act, as well as the events surrounding its passage, indicate that this requirement was inserted in the statute to insure that the Administrator would be aware of the existence and nature of any invention as to which waiver may be granted. It is equally obvious that section 1245.104 of the waiver regulations does not fulfill that requirement, and is in direct conflict with the quoted portion of subsection 305(f) of the act.

2. Several of the findings which the contracting officer is required by section 1245.104 of the regulations to make (Nos. (1), (2), (4), and (5)) before a waiver of title by the United States becomes effective as to inventions which may be made under a "specific contract" are formulated upon the premise that title will not be retained by the United States as to any such invention unless it was the "principal purpose" of the contract to make that invention. That premise would automatically deprive the Government of any proprietary interest in an invention which resulted incidentally from activity undertaken in the course of the performance of a contract. Such a result is demonstrably contrary to the provisions of subsection 305 (a) of the act. That subsection states in unequivocal language that the United States shall have title whenever any invention is made "in the performance of any work under any contract" which is "related to the contract", unless the Administrator waives in whole or in part the rights of the United States to "such invention" in "conformity with the provisions of subsection (f)". The findings referred to above could be justified only if subsection 305(a) had provided in effect that title should be waived in all cases in which the contract was not entered into primarily for the purpose of making the particular invention which did in fact result therefrom. Such definitely is not the language which the Congress enacted.

3. The remaining findings required by section 1245.104 of the regulations (Nos. (3) and (6)) are based upon the premise that the United States always will waive in favor of a contractor title to any invention made in a field in which the contractor has acquired previous competence. That premise also clearly is unwarranted for the reasons stated in paragraphs 1 and 2, above.

4. Section 1245.105 of the regulations does acknowledge the statutory requirement of

action by the Board, but purports to confer upon the Board power to make advance waivers on a "blind" basis upon the same premises which have been shown by paragraphs 1 and 2, above, to be unauthorized.

5. Section 1245.106 of the regulations applies only after an invention is made, and does require Board action. However, the unlawfully wide scope of the waivers provided by the preceding sections is such that many inventions necessarily will escape scrutiny under section 1245.106. Moreover, the criteria set forth in subsection (b) thereof are formulated in negative terms to specify situations in which waiver will not be granted, thereby implying that waiver will be granted in all other situations. Even the negative limitations upon waiver imposed by subsection (b) are qualified by the provisions of subsection (c). Subsection (c), although formulated in affirmative terms, simply repeats the fallacies of section 1245.104, with the added requirement that the waiver be found to be an added incentive to the contractor to perform the services he has been hired to render.

As shown by the foregoing paragraphs, the patent waiver regulations adopted by NASA do not, in the main, comply with the procedural requirements of the statute. To the extent that they do, their formulation is quite the reverse of that contemplated by the statute. Instead of specifying the situations in which "the interests of the United States will be served" by waiver, those regulations grant waiver in all situations not expressly excepted. Even the situations so excepted are based upon demonstrably unauthorized premises. In short, those regulations must be regarded as an attempt to evade, rather than to comply with, the terms of the applicable law.

That the NASA patent waiver regulations described above represent a willfull attempt at evasion of the provisions of section 305 of the National Aeronautics and Space Act of 1958 is shown by the interpretation previously given by NASA to those provisions.

In testifying before the Subcommittee on Patents and Scientific Inventions of the Committee on Science and Astronautics of the House of Representatives on August 19, 1959, Mr. John A. Johnson, General Counsel of NASA, made the following statement as to the requirement of section 305(a) (hearings on Public Law 85–568, pp. 73–74):

"Mr. JOHNSON. Mr. DADDARIO, I have read into the record section 305(a), which provides that upon the making of these statutory determinations, the title to the patentable invention shall vest in the Government unless the Administrator waives the rights of the Government.

"Under that provision, even though there is another provision in the act that provides for class waivers, we have felt it would be a clear violation of the total spirit of section 305 were the Administrator to make a determination that says, in effect: 'I am going to waive title to all inventions produced by contractors in a particular segment of industry, or in all cases where the Department of Defense is already contracting with a particular contractor on similar research and development work, without knowing in advance precisely what the invention is going to be.' It has seemed to us that the only conscientious way of administering the act is to require that the inventions be reported, that the determinations be made, and that waiver take place afterward. Now, we have in our waiver regulations indicated certain areas where we would deem a prima facie case for waiver to be made out, but even there we have felt we couldn't say with certainty that waiver would be granted, because the spirit of the present law seems to require a conscientious case-by-case determination.

"Therefore, the result of this law, as we have interpreted it, has been to require that our contracting practices with that portion of industry doing business with the Defense Department be essentially different from the Defense Department. It requires that the reporting of the inventions be made, and then an administrative determination be made, followed by a decision to waive or not to waive the invention, whereas under the Department of Defense procedure the contractor could be assured by contract that title to the invention would be retained by the contractor with only a license given to the Government."

* * * * *

Later, in giving testimony on December 9, 1959, before a subcommittee of the Select Committee on Small Business of the Senate, Mr. Johnson stated (hearings on the 'Effect of Federal Patent Policies on Competition, Monopoly, Economic Growth, and Small Business," p. 261):

"I think I should say one more thing more about our waiver policy. Contractors have requested that we include in our contract provisions certain assurances that inventions in certain classes will be waived if such inventions are made.

"We have taken the position that the type of contract provision would be inconsistent with the apparent purpose of section 305. It appears to us that we should not grant waivers in advance of the making of the invention because of the great difficulty, if not impossibility, of determining with any degree of assurance that the interests of the United States would be served by waiver before the precise nature of the invention is known. So we have not included in our contracts any such provisions, and we have informed contractors that this matter is not open to negotiation."

The practice of NASA before the adoption of the revised waiver regulations referred to above was in harmony with the provisions of section 305, as shown by the following extract from an article written by Mr. Johnson in 1961 (21 Federal Bar Journal 37, 47):

"Although the waiver authority of the Administrator extends 'to any invention or class of inventions made or which may be made' in the performance of work under a NASA contract, NASA has adopted the policy of not granting any waivers in advance of the making of the invention because of the great difficulty, if not impossibility, of determining with any degree of assurance that the interests of the United States would be served by waiver before the precise nature of the invention is known.

"Petitions for waiver may be filed by a contractor, an assignee of a contractor, or an inventor who was not under an obligation to assign the invention to the contractor by which he was employed when the invention was made. In every case, the petitioner has the privilege of an oral hearing before the NASA Inventions and Contributions Board, which has the statutory duty of transmitting to the Administartor its findings of fact with respect to each proposal for waiver and its recommendations for action.

EXHIBIT 1

[From the Washington (D.C.) Post, June 3, 1965]

WHICH WAY ON PATENTS?

The dispute over the ownership of patents issued for discoveries made in the course of federally financed research and development work has taken a new and ominous turn. A well-organized lobbying campaign mounted by the drug industry, the electronics industry, and the organized universities has on two occasions defeated Senator RUSSELL B. LONG in his efforts to make those discoveries freely available to the public. Unless the administration adopts a clear-cut position, the patents issued from the work on $15 billion of Federal research contracts may fall into the hands of those who have little interest in utilizing or diffusing new knowledge.

From the time that Eli Whitney got a contract to develop interchangeable parts for rifles in the administration of President George Washington until recent times, the policy on patents arising out of Government-sponsored research was clear. The Federal Government took title to the patents and made them freely available to the public. But that wise principle has been breached, and now lobbyists are busy promoting legislation that would give individual administrators enormous discretion in waiving the Government's patent rights when such action is in "the public interest."

In the debate that centered around the appropriations for the National Aeronautics and Space Administration and in the committee hearings on the Health, Education and Welfare legislation, Senator LONG's opponents argued that his amendment would cause private industry to withdraw from Federal research and development work. The Long amendment reserves patents for the Government except where "background knowledge" is involved. But not once did any of them adduce evidence to support their contention. The fact of the matter is that few of the industry and university groups which are demanding exclusive titles to patents are in a position to spurn the attractive, cost-plus Government contracts. And those which can proceed with their own research should be encouraged to do so. There is no good reason why the Government must pay for as much as 70 percent of the research and development work that is done in this country.

One of the reasons for defeating or tabling Senator LONG's amendment is that the matter of patents is being investigated by Senator MCCLELLAN's Judiciary Subcommittee. Three bills have been submitted to that body, one each by Senators SALTONSTALL, LONG and MCCLELLAN. The bill submitted by Mr. SALTONSTALL is, to put it bluntly, a vehicle for the wholesale transfer of patent rights to the industries which have worked with public funds. The McClellan bill, which has strong lobby support, is putatively a moderate measure. But it in fact gives individual administrators broad authority to determine when the waiver of Government patent rights is in the public interest, a provision that would surely lead to troublesome discrepancies in the policies pursued by the various Government agencies.

Only Senator LONG's bill protects the public's stake in patents that are financed with tax funds. It deserves the enthusiastic support of the White House which has to date assumed a position of detachment.

Mr. HART. Mr. President——

The PRESIDING OFFICER (Mr. LONG of Louisiana in the chair). The Senator from Michigan is recognized.

NATIONAL COMMITTEE FOR IMMIGRATION REFORM

Mr. HART. Mr. President, I invite the attention of Senators to the formation of the National Committee for Immigration Reform.

This Committee has been in the process of formation since early May. Letters of invitation were sent to a representative group of leaders in the fields of religion, business, labor, education, science, and the professions. The letters, signed by former Under Secretary of State and U.S. Ambassador Robert Murphy, were written in behalf of Walker L. Cisler, chairman of the board of the Detroit Edison Co.; George Meany, president of the AFL–CIO; and Gen. David Sarnoff, chairman of Radio Corp. of America. Nathan Strauss III, the New York City civic leader, is chairman of the organizing committee.

Of the some 400 invitations mailed, I am informed that only 4 declinations were received on the basis of opposition to the administration's immigration proposal. The membership of the Committee now totals 250.

The statement of principle, endorsed by all members of the Committee, points out that the national origins provision of our present immigration law is detrimental to our international interests, breeds hatred and hostility toward the United States, blocks comity among nations, and is a hindrance to our Nation's policy of peace among nations, without serving any national need or serving any international purpose of the United States. It further states that the National Committee for Immigration Reform endorses enactment this session of Congress of the essential provisions of the administration's immigration proposal as introduced by myself and 32 other Members of the Senate and by Representative EMANUEL CELLER, Democrat, of New York, and a large number of Members of the House.

The impressive list of membership of the committee indicates the widespread citizen support for immigration reform as proposed by the President.

The list includes two former Presidents—Eisenhower and Truman; two former Secretaries of the Treasury—Robert B. Anderson and Douglas Dillon; and two former Attorneys General—Herbert Brownell and J. Howard McGrath. It also includes 19 union presidents, including George Meany, president of the AFL–CIO, and leading religious and civic leaders representing every geographical area of the country.

Yesterday a representative group of the members of the National Committee for Immigration Reform, headed by Gen. David Sarnoff, visited briefly with President Johnson and assured him of their continuing support for the principles of the administration's immigration proposals. There is no doubt that the impressive support evidenced by the formation of this national committee will be one of the more significant reasons for our success in enacting the President's proposals in this session of the Congress.

I ask unanimous consent that the statement of purpose of the National Committee for Immigration Reform, Mr. Robert Murphy's statement at a news conference held on June 14, and a list of the present membership of the committee be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL COMMITTEE FOR IMMIGRATION REFORM STATEMENT OF PURPOSE

The National Committee for Immigration Reform is a voluntary, nonpartisan organization of private citizens dedicated solely to the cause of promoting a fair and nondiscriminatory immigration law. To accomplish this purpose, the committee will work closely with organizations and individuals active in the immigration field to provide information to Congress and the American people and to urge appropriate action.

The present immigration law, enacted in 1952 over a Presidential veto, continues the discriminatory national-origins quota system adopted in the early 1920's. That system allocates annual quotas to countries outside the Western Hemisphere according to the supposed national origins of the American population in 1920, and requires selection of immigrants on the basis of race or ethnic origin. The national-origins system is based upon the statutory presumption that some people are inferior to others solely because of their birth, without regard to their worth.

By discriminating among nations on the basis of birthplace, the national-origins provisions is detrimental to our international interests, breeds hatred and hostility toward the United States, blocks comity among nations, and is a hindrance to our Nation's policy of peace among nations, without serving any national need or serving any international purpose of the United States.

As a device to control immigration by predetermined percentages of national and racial stocks, the national origins system has been a failure. In the entire period since the 1952 law was enacted, only approximately one-third of all aliens admitted to the United States were quota immigrants admitted in accordance with racial or national eligibility. Despite this fact, the entire fabric of our immigration law has been blemished by the discriminatory national origins system.

The last four American Presidents—Johnson, Kennedy, Eisenhower, and Truman—have all opposed continuation of the national origins feature of our law. Our last four Secretaries of State—Rusk, Herter, Dulles, and Acheson—have urged that our foreign relations demand a change of the immigration law in this respect. Our last four Attorneys General—Katzenbach, Kennedy, Rogers, and Brownell—also urged Congress to change these discriminatory provisions.

The National Committee for Immigration Reform endorses enactment in this session of Congress of the essential provisions of S. 500 (introduced by Senator HART and 32 other Senators of both parties) and the identical H.R. 2580 (introduced by Congressman CELLER and some 35 other Congressmen of both parties).

These bills would—

1. Abolish the national origins quota system and replace it with an equitable principle of selection on a first-come, first-served basis, within preference categories, subject to a limit of immigration from any one country to 10 percent of the annual total ceiling;

2. Establish a permanent provision for dealing with future refugee emergencies which may arise.

These bills would—

1. Not substantially raise the present authorized ceilings of total immigration to the United States;

2. Not change the present system of priorities based on skills of the prospective immigrants and family reunion;

3. Not change existing health and security qualifications;

4. Not change existing protections for American workers against foreign competition for jobs of Americans.

In short, the major and principal change proposed by these bills is to eliminate selection of immigrants on the basis of ancestry or birthplace and substitute the test of selection based on the immigrant's potential personal contribution to the United States and on the concept of family reunion—standards which are fairer to aliens and more beneficial to Americans.

The National Commmittee for Immigration Reform endorses the essential principles of S. 500 and H.R. 2580. By concentrating our energies and resources on this single task, we hope to aid in focusing public and congressional attention upon this issue and thus secure enactment of a fair, equitable, and nondiscriminatory immigration law.

STATEMENT BY MR. ROBERT MURPHY, MEMBER, NATIONAL COMMITTEE FOR IMMIGRATION REFORM, JUNE 14, 1965, WASHINGTON, D.C.

I am both gratified and encouraged by the overwhelmingly favorable response to our letter of invitation to religious, business, labor, and civic leaders to join in support of the basic principles of the administration's immigration reform program.

The letter of invitation, signed by me, was written in behalf of Walker L. Cisler, chairman, Detroit Edison Co.; George Meany, president, AFL–CIO; and David Sarnoff, chairman, Radio Corp. of America. Nathan Straus III, of New York City, has agreed to serve as chairman of the organizing committee.

The full committee now numbers more than 200 members and expressions of support for the committee's goal are still coming in—including support from publishers and heads of other communications media.

I speak with conviction in terms of the need for immigration reform—conviction that it is a three-pronged weapon that can help to wage the peace.

First, it will reveal to the world at large that humanitarianism is a foremost principle in our American tradition. The moral principle involved in family reunion is one in which we believe.

Second, I feel that this long-overdue reform can make an important contribution in our relations with other countries. It can prove to the world that we are determined to ban ethnic and racial bigotry.

Third, it is to our own best self-interest in gaining skills to advance our scientific and technical progress.

President Johnson, in his recent Chicago speech outlining our country's aim to keep the peace, stated: "The consensus within America today is a consensus of courage."

It is difficult for me to believe that any American fears the small numerical increase in immigrants who will come into this country under the administration's proposal. The issue is not one of numbers—the issue is how we bring these people in.

One of the problems we face is the lack of understanding about the proposed immigration reform. And the problem of general public apathy in the face of the minority, but very vocal opposition, which adds to the confusion. It is because of this lack of understanding and misinformation that we felt the need for our committee.

Briefly, the administration's proposal recommends two major changes in the present law: (1) Abolish the national origins quota system and replace it with an equitable principle of selection on a first-come, first-served basis, within preference categories, subject to a limit of immigration from any one country to 10 percent of the annual total ceiling; and (2) establish a permanent provision for dealing with future refugee emergencies which may arise. The proposal was introduced by Representative EMANUEL CELLER, Democrat, of New York, and Senator PHILIP A. HART, Democrat, of Michigan, and has bipartisan support.

The total number of quota immigrants now authorized is 158,000 a year and under the administration's bill it would be about 166,000—an increase of approximately 8,000 a year. Actually, because the bill would authorize the use of quota numbers that now are authorized but unused, it would result in an increase in immigration of about 60,000 a year. This figure is about 2 percent of the present natural increase in our population and obviously can have little practical effect on population growth.

The proposal would not change the present system of priorities based on skills of the prospective immigrants and family reunion. Nor would it change existing health and security qualifications. Nor existing protections for American workers against foreign competition.

Hordes of immigrants will not flood our shores.

Americans will not lose their jobs to foreign competition.

Subversives will not infiltrate our democratic form of Government.

Taxpayers will not be forced to pay the bill for public assistance to unemployed, unskilled or unwilling immigrant workers and their families.

To the contrary, recent history reveals that skilled and professionally trained immigrants can make an important contribution in areas of shortages in this country.

During the 1954–64 period, approximately 36,461 immigrants with engineering training helped to fill this country's needs in this field—more than total the number of engineers receiving degrees in the United States in 1964. During this same 10-year period, there were other fields in which this country realized important gains in what has been called "human capital"—18,424 physicians and surgeons, 36,858 nurses, 6,335 chemists, 1,610 physicists, and 17,209 technicians came to the United States.

The national origins quota system was designed to preserve the balance of national and racial origins as it existed in our country in 1920. Heavily favoring northern European countries, it discriminates against countries of southern and eastern Europe and Asia and Africa. Under this archaic law, 70 percent of the total annual quota is reserved for the United Kingdom, Ireland, and Germany—unfulfilled for many years—the remaining 30 percent shared by more than 100 other countries and areas. Under the present law, western and northern Europe are allotted 82 percent; southern and eastern Europe 16 percent; with only 2 percent for Asia, Africa, and the Pacific area.

Congress has, over the years, enacted special legislation and private bills to help overcome the most blatant injustices. But it has not eliminated the basic problem—the discriminatory and undemocratic selective national origins quota system.

One of the distinguished members of our committee is former President Dwight D. Eisenhower. In calling for an end to the discriminatory treatment accorded immigrants, President Eisenhower in 1960 sent to the Congress a special message in which he said:

"The contributions of successive waves of immigrants show that they do not bring their families to a strange land and learn a new language and a new way of life simply to indulge themselves with comforts.

"The names of those who make important contributions in the field of science, law, and almost every other field of endeavor indicate that there has been no period in which immigrants to this country have not richly regarded it for its liberality in receiving them."

President Kennedy urged similar action by the Congress. President Johnson, in calling on Congress to act, stated:

"In establishing preferences a nation that was built by the immigrants of all lands can ask those who now seek admission: 'What can you do for our country?' But we should not be asking: 'In what country were you born?' "

By concentrating our energies and resources on focusing public and congressional attention on the need for immigration reform, we hope to help secure enactment of a fair, equitable, and nondiscriminatory immigration law.

MEMBERSHIP OF THE NATIONAL COMMITTEE FOR IMMIGRATION REFORM[1]

Nathan Straus III, chairman, organizing committee.

Walker L. Cisler, chairman, Detroit Edison Co.

George Meany, president, AFL–CIO, Washington, D.C.

Robert Murphy, chairman, Corning Glass International.

David Sarnoff, chairman, Radio Corp. of America.

Gladys Uhl, director of information.

Hon. Dwight D. Eisenhower.

Hon. Harry S. Truman.

Hon. Robert Anderson.

Hon. Douglas Dillon.

Hon. Herbert Brownell.

Hon. J. Howard McGrath.

I. W. Abel, president, United Steelworkers of America, Pittsburgh, Pa.

Harry Akin, president, Night Hawk Restaurants, Austin, Tex.

H. R. Albrecht, president, North Dakota State University, Fargo, N. Dak.

Winthrop W. Aldrich, New York, N.Y.

Stanley C. Allyn, Dayton, Ohio.

Frank Altschul, New York, N.Y.

Mrs. Eugenia Anderson, Red Wing, Minn.

Robert B. Anderson, New York, N.Y.

Albert E. Arent, attorney, Washington, D.C.

Steven Ashcraft, Craft's Drug Stores, Spartanburg, S.C.

Harold L. Bache, New York, N.Y.

Max W. Bay, M.D., Los Angeles, Calif.

Jefferson A. Beaver, San Francisco, Calif.

Robert B. Begley, president, The Begley Drug Co., Richmond, Ky.

J. A. Beirne, president, Communications Workers of America, Washington, D.C.

Mrs. George Bell, Washington, D.C.

Robert S. Benjamin, chairman of the board, United Artists Corp., New York, N.Y.

Dr. John C. Bennett, president, Union Theological Seminary, New York, N.Y.

William Benton, publisher and chairman, Encyclopedia Britannica, New York, N.Y.

Leonard Bernstein, Philharmonic Hall, New York, N.Y.

Hans A. Bethe, Cornell University, Laboratory of Nuclear Studies, Ithaca, N.Y.

Nicholas D. Biddle, New York, N.Y.

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Barry Bingham, editor and publisher, The Courier-Journal, Louisville, Ky.

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Sam R. Bloom, Dallas, Tex.

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Harry Brandt, New York, N.Y.

R. James Brennan, Rapid City, S. Dak.

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George Burdon, president, United Rubber Workers of America, Akron, Ohio.

Cass Canfield, New York, N.Y.

Fred H. Carmichael, Asheville, N.C.

Leo Cherne, executive director, the Research Institute of America, Inc., New York, N.Y.

George L. Chumbley, Jr., vice president, the Battery Park Hotel, Asheville, N.C.

Walker L. Cisler, chairman, the Detroit Edison Co., Detroit, Mich.

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Norman Cousins, Saturday Review of Literature, New York, N.Y.

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Gen. James M. Gavin, chairman, Arthur D. Little, Inc., Cambridge, Mass.

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[1] Persons included on this list are serving in their individual capacities; where organizational identification is made, it is in each case for the purpose of identification only.

Harry Golden, the Carolina Israelite, Charlotte, N.C.
Eric F. Goldman, special consultant to the President, the White House, Washington, D.C.
Samuel Goldwyn, Los Angeles, Calif.
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Arnold S. Gregory, Danville, Ky.
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Devereux C. Josephs, New York, N.Y.
J. M. Kaplan, New York, N.Y.
Jerome J. Keating, president, National Association of Letter Carriers, Washington, D.C.
Joseph D. Keenan, international secretary, International Brotherhood of Electrical Workers, Washington, D.C.
Herman Kenin, president, American Federation of Musicians, New York, N.Y.
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Robert Lehman, Lehman Bros., New York, N.Y.
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Philip Sporn, chairman, American Electric Power Co., Inc., New York, N.Y.
Gen. Carl A. Spaatz, USAF, retired, Chevy Chase, Md.
Ceslovas Staniulis, president, American Lithuanian Engineers Association, Inc., Dearborn, Mich.
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Alan M. Stroock, New York, N.Y.
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Benjamin H. Swig, chairman, Fairmont Hotel, San Francisco, Calif.
Charles P. Taft, Cincinnati, Ohio.
Dr. Edward Teller, University of California, Livermore, Calif.
Dr. Paul Tillich, Divinity School, University of Chicago, Chicago, Ill.
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Ben Touster, New York, N.Y.
Hon. Harry S. Truman, Independence, Mo.
Maxwell M. Upson, New York, N.Y.
William J. vanden Heuvel, Washington, D.C.
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Edwin J. Wesely, New York, N.Y.
Dr. Gilbert F. White, University of Chicago, Chicago, Ill.
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Harvey Williams, president, the Company for Investing Abroad, Philadelphia, Pa.
Stanley Woodward, Washington, D.C.
Jerry Wurf, international president, American Federation of State, County & Municipal Employees, Washington, D.C.
James K. Zotolas, New York, N.Y.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILL INTRODUCED

Mr. MORSE, by unanimous consent, introduced a bill (S. 2160) to amend section 305 of the National Aeronautics and Space Act of 1958 with respect to the disposition of proprietary rights in inventions made thereunder, and for other purposes, which was read twice by its title, and referred to the Committee on Aeronautical and Space Sciences.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

ADJOURNMENT TO MONDAY

The PRESIDING OFFICER (Mr. LONG of Louisiana in the chair). If there is no further business to come before the Senate, under the previous order, the Senate will now stand adjourned until Monday, at 12 o'clock noon.

Thereupon (at 8 o'clock and 53 minutes p.m.), the Senate adjourned, under the previous order, until Monday, June 21, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 17, 1965:

IN THE ARMY

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Frederick Joseph Brown, O16761, Army of the United States (major general, U.S. Army).

EXTENSIONS OF REMARKS

It Couldn't Be Done

EXTENSION OF REMARKS

OF

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1965

Mr. LEGGETT. Mr. Speaker:

Somebody said that it couldn't be done,
But he with a chuckle replied
That "maybe it couldn't," but he would be one
Who wouldn't say so till he'd tried.

Edgar Guest could well have had David Bell in mind when he penned those lines.

Because, that is what they were saying about the foreign aid program when David Bell took it over on December 21, 1962. They were saying that foreign aid could not continue to work, that it would be a waste of taxpayers money, that although it had succeeded as the Marshall plan in Europe, it could not succeed in the newly emerging and developing countries of Africa, Asia, and Latin America.

David Bell heard all these stories, but he refused to believe that it would not work before he tried.

Well, today, foreign aid is working—all over the world:

In Taiwan, where our economic assistance will come to an end this month because the Taiwanese are now able to go it alone.

In India, where industrial production has increased 110 percent since 1951.

In Chile, where aid-assisted savings and loan associations with 84,000 members and $48 million in savings, are providing the capital for a thriving housing industry and opening the door to decent housing for thousands of middle lower income families.

In Thailand, where nearly one-fifth of the entire budget has been earmarked for education, and the literacy rate has been raised to 70 percent.

In Jordan, where foreign exchange earnings increased from $8 million in 1959 to $22 million in 1964.

In Pakistan, where the gross national product has risen about 5 percent a year and the per capita increase has been over 2 percent a year since 1960.

In Korea, where between 1958 and 1963, power production increased 50 percent.

In Vietnam, where some 35,000 farm families have benefited from a self-supporting pig-raising problem which has given villages a new source of cash income.

In Upper Volta, where a U.S.-supported measles campaign saved the lives of hundreds of thousands of children in the space of a few months.

In Nigeria, where AID-financed teams from 11 American universities are working to reshape the entire educational system.

And foreign aid is working in other countries, too, because David Bell has insisted on self-help and local participation as a requisite for our aid.

I would like to join with my colleagues in saluting David Bell for his refusal to say that "it couldn't be done."

We are all better off because he tried—and is still trying.

Independence Day of Kuwait

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1965

Mr. POWELL. Mr. Speaker, on the northern shores of the Persian Gulf, there lies a small and intensely interesting state which this Saturday, June 19, will celebrate the fourth anniversary of its independence—Kuwait.

I want to take this opportunity, therefore, to extend warm and personal felicitations to His Highness Abdulla al-Salim al-Sabah, the ruler of Kuwait; and His Excellency Talat al-Ghoussein, the Kuwaiti Ambassador to the United States.

In the short space of time since the end of World War II, Kuwait has grown from a small British principality, dependent upon pearl fishing, boatbuilding, and entrepot trade, to an independent state whose immense oil revenues and progressive policies have given it a much larger role in the economic affairs of the Middle East than its modest geographical dimensions and population might indicate.

Despite the meager historical records of the gulf, it has become increasingly apparent in recent years that the region is not without an impressive past. Excavations by Danish and other archeologists have disclosed that the island of Failaka, located in Kuwait Bay, contains two different settlements of considerable interest. The first dates from about the middle of the third millenium B.C. and indicates that the island and surrounding area was an important trading center of the ancient world; the second, dated about the second century B.C., has brought Greek statuettes and other remnants to light—including a tablet addressed to the people of the island by one of Alexander the Great's generals—indicating a significant Greek settlement.

Quite naturally, the advent of Islam was the next most important event in Kuwaiti history, and one of the most important battles in early Muslim history was fought near the modern city of Kuwait. Nevertheless, Kuwait's lack of water meant that for centuries it could only support a small population, and it was little heard from.

The discovery of oil in 1934, however, radically changed the economy as well as the way of life of the people of Kuwait. As a result of World War II, this tremendous natural resource was not exploited until the late 1940's, but the progress which this small nation has made since that time by wise use of the revenues obtained, on the other hand, staggers the imagination.

The wealth obtained from oil has immensely stimulated trade, led to the development of an incredible number of new industries, as well as one of the most comprehensive and extensive programs of economic and social development ever undertaken by a single country.

It is undoubtedly the latter of which the Kuwaitis are most proud, and justifiably so. Rather than squandering its resources, the Government immediately undertook to provide Kuwaitis with many of the social services and modern facilities which they had not been able to afford earlier. It established some of the most modern hospitals in the world, whose facilities were available free to all comers; it built dozens of schools in order to provide all Kuwaitis, both male and female, with the benefits of education, again at no cost; it constructed the largest single water desalinization plant in the world, capable of producing over 6 million gallons daily, to insure that Kuwaitis would never again have to fear a lack of fresh water; it undertook a variety of programs which had as their sole purpose the channeling of public funds into the private sector; it almost completely demolished the old cities and tracks in order to construct one of the most modern cities and transportation networks in the world—in fact, such a list could be continued indefinitely.

It is, of course, most gratifying that Kuwait has seen fit to do so much for its citizens; as a result it has also attracted people from all over the area, and now plays host to a population from all over the world that is nearly as large as its own. But, perhaps even more gratifying is the fact that at the same time that Kuwait continues with its own vigorous program of internal development, it has felt the need to assist other countries which are less fortunate. Through the medium of the Kuwait Fund for Arab Economic Development, the Kuwaitis are exporting large amounts of capital, both in the form of grants and loans, to other Arab countries. It is, therefore, making a significant contribution toward the capital needs of these countries, and helping them to achieve a higher standard of living.

It is with particular pleasure that I congratulate Kuwait on the progress which it has made. All the evidence indicates that the future will see even greater achievements, and I am certain that I am not alone in wishing the Kuwaitis every success for this bright future.

Dangerous Information Gap

EXTENSION OF REMARKS

OF

HON. MELVIN R. LAIRD

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1965

Mr. LAIRD. Mr. Speaker, in a very timely address before the National Federation of Young Republicans, the gentleman from Maryland [Mr. MORTON] charged that "deep and dangerous information gaps exist between the White House and the American people." He said that this crisis stems from "a stifling propaganda campaign now in progress, directed by a staff of hundreds of Madison Avenue types operating out of executive agencies in Washington."

The gentlemen from Maryland cited reports that Castro-inspired revolution could break out any day in Venezuela, Colombia, and Guatemala and asked:

> How many of you have heard one word about Cuban agents said to be operating in Puerto Rico? Is is true that respected and well known reporters have written of the destruction of millions of dollars of American-owned property in Puerto Rico, only to have these reports suppressed before publication?

Mr. Speaker, I know that all Members of this body will be interested in the remarks of the gentleman from Maryland and under unanimous consent, I include excerpts of those remarks in the RECORD at this point.

Congressman MORTON's remarks follows:

EXCERPTS FROM CONGRESSMAN MORTON'S SPEECH

A TV news broadcast yesterday morning made up my mind to deal tonight with foreign policy, a subject that is much talked around and much misunderstood.

I watched a transatlantic interview conducted over Comsat's satellite in which Vice President HUMPHREY was answering questions posed by a group of European students. Responding to one question about U.S. difficulties in world affairs, the Vice President had this comment, "Well, we're still a very young nation with little experience in foreign relations."

Of course, the delegates and alternates to this convention understand the impulses of youth and recognize the dangers of inexperience. But it strikes us as ridiculous when the Vice President of the most powerful nation on earth takes the out of "America is so young" when faced with a probing question about our country's foreign policy.

Political and government leaders have used this tactic ever since our Nation was founded, particularly when the policy in question was under heavy fire. On other occasions the reason has been lack of information.

In the cast of the Vice President's recent interview, I am inclined to believe it was lack of information. Everybody knows that Lyndon keeps all his facts under his 10-gallon hat.

In these days of crucial decisionmaking in U.S. foreign policy, in these days of ever increasing commitments of men and women in the struggle for freedom in Vietnam, in the Dominican Republic, in these days of a critical breakdown in our free world alliances, the American people and the Congress have the right, and the need, to know all the facts.

Americans do not want to be coddled. Victory was never achieved by men on a diet of sugar-coated pills. There is nothing in our history to suggest that we are afraid to face the truth. The responsibility of leadership is to inform the people, not to shelter them.

But how many Americans know what is really at stake in South Vietnam? Are we being told what our short- and long-range objectives in that far-off battlefield really are? How can we be resolute, and firm, and united in the face of conflicting reports, predictions and explanations which have followed each on-site inspection tour?

What are Americans to think of our policymaking apparatus when a State Department public relations man announces we are now committing U.S. infantry to combat duty in Vietnam, and within hours, the White House, almost apologetically, says this has been our policy for months?

We have had enough of propaganda, of conflicting statements, of leaked press reports, of last minute presidential television commercials. A blank check commitment is not a policy.

We want to know, Where are our allies? Where is the U.N.? Why don't we use South Vietnamese guerrillas and paratroops in North Vietnam? Are our bombing raids in the north intended to produce maximum results, or are they intended to silence criticism of what has been called a no-win policy?

The American people have every right to be asking these questions, and every right to expect that our strategy for success, if there is one, will be revealed to them.

In the continuing war against freedom carried out by Castro from his island fortress of communism, so near to us this evening, the interests of the United States and our Latin American friends are coming under more dangerous and insidious attack. No one doubts the degree of involvement of Castro agents in the present subversion of law and order in the Dominican Republic. As disastrous as that situation may yet become, are we being fully apprised of other targets for Communist takeover?

Reports persist that Castro-inspired revolutions could break out any day in Venezuela, in Colombia, in Guatemala. But how many of you have heard one word about Cuban agents operating in Puerto Rico, an area almost as much a part of the United States as Florida?

Is it true that several respected and well-known reporters have written of recent destruction of millions of dollars in American-owned property in Puerto Rico, only to have these reports suppressed before their publication?

To what extent might Puerto Rico, virtually a U.S. port of entry, serve as a funnel for traffic in Chinese Communist dope production sent by way of Cuba? These questions are valid and vital, and the American people have the right to know if such dangers actually exist.

Congress, too, has the right and the need to know the full implications of America's commitments abroad and the full extent of Communist subversion close to home. But Congress, under the Great Society has become more of a rubber stamp for White House edicts than the checks-and-balances force it once was.

The greatest difficulty that Congress faces today in providing any kind of meaningful discussion and leadership in foreign policy is, very frankly, the lack of facts, the dearth of full and complete information about the activities of our own Government.

Even though the Congress must vote the money to carry on our foreign policy, Congress does not have the full story and, I must admit, we have not shown much disposition to get the full story either.

Take, for example, the case of Vietnam, Laos, Cambodia, Thailand, Indonesia, and, indeed, the whole southeast Asia problem. In Vietnam alone, we have lost more than 400 in American dead, and are spending taxpayers' money at the rate of several million dollars a day. Yet, incredible as it may seem, the Congress has not investigated this problem in depth.

How many of you well-informed young Americans are aware that less than 1 year ago our Government was actually training Indonesian paratroops and guerrilla officers, right here in the United States; yes, training the same troops who are today actively attempting to subvert the free Government of Malaysia? The full story of our long misused aid program to Indonesia is still stamped "secret."

Congress can play an important role, when it conscientiously undertakes to do so, in creating responsible and factual public discussion of foreign policy issues, and in developing the strong national consensus that can be so effective on major issues. But it cannot play this role if it abandons the quest for facts, and holds even its one-sided hearings in secret session.

This process cuts off a vital channel of national guidance and encourages the development of the kind of uninformed extremism and distrust that all thinking Americans must deplore.

Deep and dangerous information gaps exist today between the White House and the American people and their Congress. Reports abound from abroad that our Voice of America doesn't tell the whole story about

U.S. involvement overseas or about some of our nagging problems here at home.

I maintain that a far more stifling propaganda campaign is now in progress, directed by a staff of hundreds of Madison Avenue types operating out of executive agencies in Washington. And, in the long run, the damage their unopposed and often unquestioned campaigns can do to our national objectives will be far greater than any problems we might have had in our information services in past years.

Congress cannot function as the eyes and ears of the people if the facts are concealed, or admitted only under pressure and after the policies, for better or worse, are determined. Where the country is uninformed, uncertain, and undecided, weapons alone will not turn the tide.

Americans want to know the truth, bitter though it may sometimes be. I know of no example in our Nation's past which would indicate that Americans are unwilling to make whatever sacrifices are necessary to protect our welfare or security.

But this spirit can only be nourished by support of the public's right to know and by rejection of any theory that our fate must be surrendered to some all-wise bureaucrats in Washington who will decide everything for us.

You Young Republicans can be of tremendous help in seeing that the right and the need to know are given the American people. Help us to return a Republican Congress in 1966.

We are terribly undermanned and understaffed in Washington these days. And we need, and I believe the national interest of the United States needs, more Republicans in Washington.

I mean all Republicans, neanderthal, conservative, moderate, liberal, and fusion. To fail to support any Republican, in any city or State, for any office, is to give aid and comfort to a party that accepts such divergent leads as Hubert Humphrey and Bull Connor, Walter Ruether and James Eastland, Averill Harriman and Adam Clayton Powell.

George Bernard Shaw once said that the "trouble with youth is that it is wasted on the young." I know you Young Republicans will give the lie to that inaccurate quip. I also know that you will be giving your best, right down to the wire, in the campaigns that will shortly begin. Your ability is tested, your fervor is infectious, your objectives in the cause of freedom at home and abroad can be won. They can and they must.

Address of the Honorable Hubert H. Humphrey, Vice President of the United States, in Honor of 1964 All America City Award to Bluefield, Mercer County, W. Va.

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1965

Mr. KEE. Mr. Speaker, late yesterday afternoon, the Honorable Hubert H. Humphrey, the Vice President of the United States, honored us by visiting my home city of Bluefield, W. Va., to deliver the principal address at the public celebration in honor of the selection of Bluefield as an "All America City for 1964" by Look magazine and the National Municipal League.

It was my privilege to join U.S. Senator Jennings Randolph, who introduced the Vice President; Senator Robert C. Byrd; Congressman Harley O. Staggers, dean of the West Virginia congressional delegation in the House, and Congressman Arch A. Moore, in attending this most outstanding affair.

Every man has a warm spot in his heart especially reserved for his home city.

The noteworthy address of the Vice President on this historic occasion in Bluefield was most enthusiastically and warmly received by my friends and neighbors at home.

The Vice President most effectively outlined the necessity of continued close cooperation between all levels of government so that America can continue to move forward.

Therefore, Mr. Speaker, I wish to share with the Members of the House the following text of the Vice President's stirring remarks:

REMARKS BY VICE PRESIDENT HUMPHREY AT THE PUBLIC CELEBRATION IN HONOR OF BLUEFIELD, W. VA., BEING CHOSEN AS AN ALL AMERICA CITY, JUNE 16, 1965

It certainly is a privilege to share this day with you—with the city that licked its problems and not its wounds. America needs more Bluefields.

Here in the heart of Appalachia, you decided to do something about your problems. And you did. As the result of your work, Bluefield is today one of 11 All America Cities.

You developed Skyland, Inc., your $2½ million resort complex.

Then you developed your scenic railroad, the Ridge Runner.

Then came your successful effort to develop new industry, to develop Bluefield College, to build a new chamber of commerce building, a golf course, and a new youth center.

All of these were by individual and private effort. And so were other projects aimed at making Bluefield a better place in which to live and work.

Your local government has done its job too. As a result of a bond referendum which received a handsome majority, park facilities have been expanded, storm sewers put in, and other needed improvements made. Community facilities have been expanded and improved with an outlay of approximately $10½ million.

The Federal Government has helped too.

Your city planning and urban renewal project are helped by Federal funds. So is your new low-rent housing project. And interstate highway 77 has been an important factor in what you have accomplished.

Business and industry responded to the challenge. This is demonstrated by the $7 million they have invested in a new bank and expansion and improvement of stores and factories.

Your progress has been achieved as the result of cooperation—a partnership of private citizens, the business community, and government.

I looked over again today the list of this year's All America Cities.

Their names are different, and their problems and successes have been different, too. And yet I was struck by similarities among them.

All have been forced to deal with problems stemming from the growth and change that is taking place in this Nation.

There was another similarity among all 11 cities. All of these cities have been assisted by one or more Federal programs, programs designed to help local leadership solve the kinds of problems you are solving.

There are other similarities. Three cities—Bluefield is one of these—have been cited for coming to grips with the great challenge of our times—human relations.

I see evidence of progress in this area here and now.

I know the soul-searching effort it took to achieve this.

It was only last February that your YMCA-YWCA trustees voted unanimously to open those organizations to all citizens of this community.

And your human relations commission has done work that any American city could be proud of. You are working in Bluefield to create equal opportunity in jobs as well as in education.

The spirit you have shown is the spirit behind President Johnson's new approach to economic development.

You in West Virginia know about the area redevelopment program. But, as you may know, ARA is due to go out of business at the end of this month.

President Johnson's new program under the Economic Development Act, is based on past program experience.

This new program is based on the idea of cooperation between the Federal Government, State, and local governments, and private enterprise—the same cooperation which did the job here in Bluefield.

Our goal is to create permanent jobs through long-term economic expansion. How is this to be done?

States and counties will be encouraged to plan economic development together.

Loans and grants will be available to encourage new industry in redevelopment areas.

A long-range program of public works will be started to build new sewage disposal systems, water mains, and access roads, for without these things, industrial development can't even begin.

I predict today that this Congress will give its approval to this new program. The Senate has already done so; the bill is now under consideration in the House.

The workability of this program will depend in large measure on the ability of local leadership to plan and work—just as you have planned and worked here.

For example, 5 years ago the city of Bluefield received a $12,000 grant from the Urban Renewal Administration for the purposes of planning.

I'm sure you will agree that your decision to make an extensive planning study was one of the wisest decisions you ever made.

Out of this developed the master plan filed in January 1962, and I know that this has served as a valuable, indispensible guide for new ideas underway in this city.

I know that recently the Urban Renewal Administration has approved another and much larger planning grant for Bluefield so that you can continue your progress.

I had someone bring me a copy of your 1962 plan. Thumbing through this plan, I saw the recommendation on new manufacturing employment as "the most basic means of economic improvement."

This of course has been translated into jobs in Bluefield, through your new factory.

I also saw reference in your plan to highway 77, along with the recommendations carried out so well to increase tourism.

I could go on further but you know this plan better than I.

The point is this:

We would not be here today if there had not been such successful followthrough on that plan.

We would not be here if it had not been for the aid government at all levels brought to Bluefield.

But we would also not be here if you had not acted on that plan, and with that assistance, with energy and imagination.

This is the lesson that all of us have learned.

In this day and age, good fences do not make good neighbors. All of us in this Nation—in Government, in private industry, in cities and towns, on farms—all of us must share responsibility for seeing that all people and places in our society have both a chance to contribute to and share in the fruits of our abundance.

We cannot have a Great Society, no matter how rich this Nation becomes, if parts of that society are left behind.

President Johnson has made his pledge. And I join him in that pledge. We will not be satisfied until all Americans, and all parts of America, can participate in this better life.

I know that you here in Bluefield share that determination. With your continued work, and with ours, I know we will succeed.

Archbishop John Patrick Cody

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1965

Mr. BOGGS. Mr. Speaker, I would like to take this opportunity to salute an outstanding leader of the Catholic Church who is being elevated to the head of the largest diocese in the United States. I speak of Archbishop John Patrick Cody, now leader of Catholics in the archdiocese of New Orleans, which includes my district, and soon to be head of Catholics in Chicago.

Archbishop Cody deserves the plaudits of all Americans, including Catholics, because his visionary and forceful leadership has given impetus to the cause of all mankind—that we learn to live together as men of good will and justice in a changing world.

Archbishop Cody has left an indelible mark on New Orleans as a champion of social justice, as a knowledgeable businessman and as a devoted spiritual leader.

He succeeded another outstanding Catholic leader, Archbishop Joseph Francis Rummel, and he did so without a pause in the church's continued powerful leadership in the New Orleans area community.

It was the beginning of a fruitful, although short, stay in New Orleans for Archbishop Cody. Few persons have had the impact on New Orleans that Archbishop Cody did in just 3 years.

Archbishop Rummel announced on May 24, 1962, that at his personal request Pope John XXIII had appointed Archbishop Cody as apostolic administrator of the archdiocese of New Orleans, with full jurisdiction in spiritual and temporal affairs. He was appointed officially on June 1, 1962.

At the annual meeting of the U.S. bishops in November 1963, Archbishop Cody was elected to the administrative board of the National Catholic Welfare Conference for a 5-year term, serving as chairman of the youth department.

In addition, he was named as a member of the pontifical committee for the North American College at Rome.

At the last meeting of the U.S. bishops in Rome in 1964, he was elected as a member of the executive committee of the board of trustees of the Catholic University and the Shrine of the Immaculate Conception in Washington, D.C.

Archbishop Cody has played an important role during the Ecumenical Council. He was appointed in August 1960, by Pope John, to serve on the Preparatory Commission on Seminaries, and Studies before the council began. At the ninth general session on October 29, 1962, his name was announced among 11 appointed by Pope John to the Working Commission for Seminaries, Studies, and Catholic Schools.

On November 8, 1964, following the death of Archbishop Rummel, Archbishop Cody became the 10th archbishop of the archdiocese of New Orleans.

If two fields of work could be signaled as the most important to Archbishop Cody, they would be the Catholic education and religious vocation. In April 1964, while serving as president general of the National Catholic Educational Association, Archbishop Cody declared "We must build and build"—education—and he has carried out this declaration in New Orleans.

He made a statement in the meetings of the National Education Association, declaring that Catholic education in this country was in a precarious position.

Proof that he stands upon this statement is the fact that most of the more than $34 million in individual investments made under his 3-year administration in New Orleans have been for school construction.

The emphasis has been on education by expanding existing school facilities and in building facilities for the new schools in those new parishes which Archbishop Cody has established since June 1962.

Many of these new parishes will have elementary schools in operation by September 1965.

Highlighting the secondary educational advancements in the archdiocese was the announcement by the archbishop last June of a $28.4 million program, which included plans for seven new high schools immediately.

The laity of the archdiocese, upon whom Archbishop Cody has called to implement his building program, responded to his fund drive to begin financing a high school program by pledging $3,423,108. This was $1 million over the $2.5 million goal of the first of a series of planned annual campaigns.

Included in the programing of the overall planned $28.4 million construction program is a new building for St. John Vianney Preparatory High School for boys interested in the priesthood. More than 125 youths are enrolled for school in September 1965.

The inauguration of St. John's school last year was the first step in reorganizing the seminary training program in the archdiocese, the plan being necessary to stimulate vocations and improve the training of future priests.

In the field of vocations, Archbishop Cody also established the archdiocesan vocation office, staffed by both religious and lay personnel. The vocation program has won recognition in Rome.

The archbishop has stimulated greatly lay participation in the work of the church through the confraternity of Christian doctrine, the Family Life Bureau, and other church agencies. The fact that Family Life Bureau participation has tripled in 3 years reflects the response of the laity.

Through the confraternity he has organized an extensive high school of religion in every parish in the archdiocese. Some 6,000 laymen are enabling this program to bring religious classes to teenagers not able to attend Catholic high schools.

The physical advancements of the archdiocese have been made possible, primarily through the central financing program, inaugurated by Archbishop Cody in June 1962.

The program has saved tens of thousands of dollars, provided low-cost loans to parishes, and enabled parishes with excess funds to draw interest on their idle money.

Since the central financing program was inaugurated in June 1962, more than $27.2 million has been expended for individual improvements in the archdiocese.

Another $9 million has been spent to retire debts. In addition, another $7 million is to be paid on churches, schools, and other structures now being built, and yet $18,643,000 in physical advancements is on the planning boards.

The central fund was made possible by the established parishes pooling their resources—depositing their surplus with the archdiocese. The archdiocese increased the amount in the working fund by negotiating financial loans through outside sources. This loans was obtained at an interest rate lower than the individual parish could obtain for a relatively small amount.

In the field of communications, Archbishop Cody established the Clarion-Herald, Catholic weekly in the archdiocese of New Orleans, and set a pace for the U.S. Catholic press, as the Clarion won top national awards in just 2 years of publication.

Archbishop Cody came to New Orleans from the diocese of Kansas City-St. Joseph, Mo., in November 1961, as coadjutor bishop, to the late Archbishop Joseph F. Rummel. At Archbishop Rummel's request, Archbishop Cody took over the reins of the archdiocese as apostolic administrator 3 years ago on June 1, 1962.

Archbishop Cody has placed strong emphasis on ecumenism. In December 1963, he inaugurated "operation understanding"—a program of exchange visits for the members of various faiths in the archdiocese.

At a pace which challenged even the youngest of his age, the 57-year-old prelate has also established in the archdiocese a new salary scale for law teachers in the Catholic school system as the need for teachers continued to mount; set up the school department for exceptional children; established a retirement program for lay employees of the archdiocese; dedicated new churches and schools and signed contracts for others; inaugurated a subadministrative agency to handle church affairs in the western section of the Archdiocese of New Orleans; established an advisory board in Catholic schools; reorganized the purchasing program of the archdiocesan school office; expanded the program in Catholic schools; set up Newman Club activities in universities, colleges, and nursing schools; intensified the Catholic Youth Organization, and other youth programs in the archdiocese; asked for and received cooperation of religious orders in establishing schools for the retarded in the archdiocese.

In addition to the archdiocese programs, Archbishop Cody served from mid-1962 to the middle of this year as president of the National Catholic Education Association; served as chairman of the National Catholic Welfare Conference Youth Department; and he is a member of the Vatican Council's Commission for Seminaries and Statutes.

I congratulate Archbishop Cody on his new position. I congratulate the Catholics of Chicago on their new leader.

AID Administrator Bell Strengthens Program

EXTENSION OF REMARKS

OF

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1965

Mr. McFALL. Mr. Speaker, the Bureau of the Budget was established to supervise and control the administration of the Federal budget, to develop improved plans of administrative management, and to bring about more efficient and economical conduct of Government service.

Mr. David Bell graduated from the position of Director of the Budget to Administrator of the Agency for International Development, and his training is showing.

Recently there has been comment on the fact that Mr. Bell has held office longer than any of his many predecessors. This record, by itself, is noteworthy, but of even greater significance is the progress in the administration of AID which has been achieved in the 2½ years of his service.

In one sense, when David Bell became head of the Agency for International Development he took on a lesser job. He had exercised broad supervisory authority over the whole budget, and now he controls only 3 percent of it, which represents the AID appropriation.

But the importance of this fraction is greater than its size.

For it is from this small portion of our resources that we are striving to build the strength of the underdeveloped nations of the free world so that they can live in health, in peace, and in freedom.

The Budget Bureau has been called a school for training in the "suppression of overgenerous instincts."

A man who as part of his job must view the appalling poverty, illiteracy, and disease, the rancid slums of the world where "hope" is a word in the dictionary—except that there are no dictionaries—could be forgiven overgenerosity in providing for their needs.

But David Bell, while deeply mindful of the desperate needs of the poorer nations, is conducting a program promoting the security and prosperity of the developing nations while not diminishing the security and prosperity of the United States.

David Bell is making AID efficient, and in doing so, he is making it more effective.

What has he done?

For one thing, he is using a rifle instead of a shotgun. Our assistance is becoming increasingly concentrated—and 95 percent of it is going to just 31 countries.

We are relying more on loans than on grants—now at a proportion of 70 percent loans and 30 percent grants.

Firm policies tying our assistance to the export of U.S. goods and services have been established, and in fiscal year 1966 more than 85 percent of AID funds will be spent in the United States.

Improvements have been made in management; work procedures and organizational structures have been simplified; and the size of the AID staff has been reduced.

The planning of each specific country program is more rigorous and comprehensive, and each program is tailored to the unique needs of that country.

We have taken the lead in promoting the establishment of international assistance agencies, financed cooperatively by the advanced countries, and in urging other advanced countries to enlarge their own assistance efforts.

Steps have been taken to minimize the adverse effect of AID spending on the U.S. balance of payments.

In addition to new economies, there are new directions.

Real progress is being made in using AID as an effective device to help prevent or resist Communist-inspired insurgency. There are plenty of AID people on the front lines of freedom. In Vietnam these are technicians and artisans and agriculture experts who work in areas subject to very real threats from Vietcong terrorists.

David Bell has sought to expand the role played by private American resources in helping to move developing countries forward, and has sought to strengthen the private sectors in those countries.

He has shown a keen awareness of the problems of food supply and population growth, and great new stress is being placed on increasing farm productivity overseas.

Partly as a result of cost saving and concentration, proposed programs of military and economic assistance for fiscal 1966 represent the smallest request for funds in the history of the AID program.

David Bell has seen this program succeed, in places where chances of success once seemed remote. He knows it will work, because he has seen it work.

Every aeronautical engineer knows that a bumblebee does not possess the aerodynamic characteristics to make flight possible. However, the bumblebee doesn't know this. He flies anyway. Dave Bell has seen countries which seemed as though they would never get off the ground, reach the takeoff point from which they can fly on toward self-sustaining economic growth.

This is a proven program, with a proven man in charge, and I would feel remiss today if I failed to join with others in noting Dave Bell's remarkable record of time on the job.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 21, 1965

The House met at 12 o'clock noon.

The SPEAKER. I know my colleagues will be pleased to hear that the Acting Chaplain today is the son of one of our former colleagues. The prayer will be offered by the Reverend Harold S. Horan, member of Washington City Presbytery.

PRAYER

Rev. Harold S. Horan, member of Washington City Presbytery, offered the following prayer:

Our God and our Father, Thou whose glory is made manifest in servitude, give this great body assembled from this young and virile Nation, an appreciation for that in our Nation's part which serves the good of all peoples, a courage to prune away that in our past which no longer serves, and a wisdom to distinguish between the two. Fill all of us with the realization that the true meaning of honor is that which seeks the good of the other.

O God, whose good acts are revealed in change and in growth, grant that the President, the Speaker, and this Congress may comprehend the various and subtle ambiguities of our day without retreating into a comfortable and stagnant acceptance of "things as they are." Grant to our Nation's leaders the wisdom to discern Thy will and the courage to act upon it.

God of Peace, whose will from all eternity is universal brotherhood, convict us of our own provincialism, of our narrow self-interest, of our futile attempts to make over others in our own petty image. Speed the day when wars are ended and all men shall call Thee Father and one another brother; through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 17, 1965, was read and approved.

MESSAGES FROM THE SECRETARY OF THE SENATE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 18, 1965.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES

SIR: Pursuant to authority granted on June 17, 1965, the Clerk received from the Secretary of the Senate today, the following messages:

That the Senate agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8371) entitled "An act to reduce excise taxes, and for other purposes.";

That the Senate passed House Concurrent Resolution 442, entitled "Concurrent resolution authorizing the Clerk of the House to make a correction in the enrollment of H.R. 8371.";

That the Senate passed H.R. 6032, entitled "An act to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of Aug. 16, 1962; 76 Stat. 388).";

That the Senate passed H.R. 7777, entitled "An act to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the Office of Administrator of the Federal Aviation Agency.";

That the Senate passed S. 20, entitled "An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes.";

That the Senate passed S. 32, entitled "An act to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes."; and

That the Senate passed S. 1576, entitled "An act to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes.";

Respectfully yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

EXCISE TAX REDUCTION

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, June 17, 1965, he did on June 18, 1965, sign the following enrolled bill of the House:

H.R. 8371. An act to reduce excise taxes, and for other purposes.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs may have until midnight tonight to file a report on the bill H.R. 797.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

SUBCOMMITTEE ON DOMESTIC FINANCE, COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Domestic Finance of the Committee on Banking and Currency be allowed to sit during general debate tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SUBCOMMITTEE ON COPYRIGHTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Copyrights of the Committee on the Judiciary may sit during general debate on June 23 and June 24.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE NO. 5 OF COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary have permission to sit during general debate on June 23, 24, and 25.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

The Clerk called the bill (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, in view of the fact that this measure is scheduled for consideration today under a suspension of the rules, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

APPOINTMENT OF CRIER-LAW CLERKS BY U.S. DISTRICT JUDGES

The Clerk called the bill (H.R. 7707) to authorize the appointment of crier-law clerks by district judges.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I want to interrogate one of the sponsors of this bill as to its provisions.

Mr. Speaker, this bill was passed over a week ago without prejudice in order to obtain some information on it.

Mr. CORMAN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from California.

Mr. CORMAN. The purpose of this legislation is to authorize district court judges to appoint a combination crier-law clerk. The salary of this crier-law clerk would be $1,135 a year more than a mere crier.

It has been recommended to the Congress by the Judicial Conference.

For some years, from 1956 to 1959, the courts thought they had this authority. In 1959 the Committee on Appropriations here determined that they did not.

The criers have a very limited use. If the district judges can hire a person who is qualified to be both crier and law clerk it would greatly increase the efficiency of the staff of each judge.

The committee felt it would be a wise expenditure of additional funds.

Mr. JOHNSON of Pennsylvania. Do I understand that if this bill passes a Federal district judge will be entitled to first of all a law clerk which he now has and then he will be able to hire a court crier who will also be a law clerk? Therefore, he will have two lawyers working for him instead of one; is that correct?

Mr. CORMAN. If the gentleman will yield further, that is correct.

Except he is now entitled to a crier who is not qualified as a law clerk. It would upgrade the position of crier which is already authorized, to a combination crier and clerk.

The salary for this new position would be some $1,100 per year more than the present crier. So there would be no more people involved but there would be additional duties performed by the crier.

Mr. JOHNSON of Pennsylvania. Such as what?

Mr. CORMAN. As a law clerk.

Mr. JOHNSON of Pennsylvania. Your answer is that the Federal judge will have two young lawyers on his staff?

Mr. CORMAN. Yes.

Mr. JOHNSON of Pennsylvania. Instead of just one?

Mr. CORMAN. Instead of one lawyer and one crier he will have two lawyers or clerks, one of whom will perform the duties of crier and clerk.

Mr. JOHNSON of Pennsylvania. And this one crier that he has will work on law briefs when he is not sitting in court as a crier; is that the idea?

Mr. CORMAN. Yes, that is right.

Mr. JOHNSON of Pennsylvania. Is there any intention in passing this law to do away with the law clerk and just giving the Federal judge a combination crier-clerk and only having one employee to perform these duties?

Mr. CORMAN. No; we would authorize each judge to have the two employees. The committee was assured that some would use them.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. How many of these crier-clerks will there be?

Mr. CORMAN. If the gentleman will yield, it would depend upon how many of the judges would ask for them. There are 360 district judges in the country. During those 3 years, from 1956 to 1959, when the judges thought they had authority to use their criers as clerks, 22 of them used them for that purpose.

I would think that probably more than 22 of the judges would use this additional crier-clerk.

Mr. GROSS. If all judges use them it would result in an increased expenditure of more than $400,000?

Mr. GORMAN. $405,000 a year, if they all used them.

Mr. JOHNSON of Pennsylvania. I withdraw my reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 755 of title 28, United States Code, is amended to read as follows:

"Each district judge may appoint a crier for the court in which he presides who shall perform also the duties of bailiff and messenger. A crier may perform also the duties of law clerk if he is qualified to do so and the district judge who appointed him designates him to serve as a crier-law clerk. A crier designated to serve as a crier-law clerk shall receive the compensation of a law clerk, but only so much of that compensation as is in excess of the compensation to which he would be entitled as a crier shall be deemed the compensation of a law clerk for the purposes of any limitation imposed by law upon the aggregate salaries of law clerks and secretaries appointed by a district judge."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING TITLES 10 AND 14, UNITED STATES CODE

The Clerk called the bill (H.R. 5024) to amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING THE BANKRUPTCY ACT WITH RESPECT TO NOTICES

The Clerk called the bill (H.R. 5497) to amend paragraphs b and c of section 14 of the Bankruptcy Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That paragraphs b and c of section 14 of the Bankruptcy Act (11 U.S.C. 32 (b), (c)) are amended to read as follows:

"b. The court shall make an order fixing a time for the filing of objections to the bankrupt's discharge which shall be not less than thirty days after the first date set for the first meeting of creditors. Notice of such order shall be given to all parties in interest as provided in section 58b of this Act. If the examination of the bankrupt concerning his acts, conduct, and property has not or will not be completed within the time fixed for the filing of objections to the discharge the court may, upon its own motion or upon motion of the receiver, trustee, a creditor, or any other party in interest or for other cause shown, extend the time for filing such objections. Upon the expiration of the time fixed in such order or of any extension of such time granted by the court, the court shall discharge the bankrupt if no objection has been filed and if the filing fees required to be paid by this Act have been paid in full; otherwise, the court shall hear such proofs and pleas as may be made in opposition to the discharge, by the trustee, creditors, the United States attorney, or such other attorney as the Attorney General may designate, at such time as will give the bankrupt and the objecting parties a reasonable opportunity to be fully heard.

"c. The court shall grant the discharge unless satisfied that the bankrupt has (1) committed an offense punishable by imprisonment as provided under title 18, United States Code, section 152; or (2) destroyed, mutilated, falsified, concealed, or failed to keep or preserve books of account or records, from which his financial condition and business transactions might be ascertained, unless the court deems such acts or failure to have been justified under all the circumstances of the case; or (3) while engaged in business as a sole proprietor, partnership, or as an executive of a corporation, obtained for such business money or property on credit or as an extension or renewal of credit by making or publishing or causing to be made or published in any manner whatsoever a materially false statement in writing respecting his financial condition or the financial condition of such partnership or corporation; or (4) at any time subsequent to the first day of the twelve months immediately preceding the filing of the petition in bankruptcy, transferred, removed, destroyed, or concealed, or permitted to be removed, destroyed, or concealed, any of his property with intent to hinder, delay, or defraud his creditors; or (5) in a proceeding under this Act commenced within six years prior to the date of the filing of the petition in bankruptcy has been granted a discharge, or had a composition or an arrangement by way of composition or a wage earner's plan by way of composition confirmed under this Act; or (6) in the course of a proceeding under this Act refused to obey any lawful order of, or to answer any material question approved by, the court; or (7) has failed to explain satisfactorily any losses of assets or deficiency of assets to meet his liabilities; or (8) has failed to pay the filing fees required to be paid by this Act in full: *Provided,* That if, upon the hearing of an objection to a discharge, the objector shall show to the satisfaction of the court that there are reasonable grounds for believing that the bankrupt has committed any of the acts which, under this subdivision c, would prevent his discharge in bankruptcy, then the burden of proving that he has not committed any of such acts shall be upon the bankrupt."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DESIGNATION OF BENEFICIARIES UNDER CIVIL SERVICE RETIREMENT AND GROUP LIFE INSURANCE LAWS

The Clerk called the bill (H.R. 432) to amend the Federal Employees' Group Life Insurance Act of 1954 and the Civil Service Retirement Act with regard to filing designation of beneficiary, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first item of the order of precedence in section 4 of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2093), is amended to read as follows:

"First, to the beneficiary or beneficiaries as the employee may have designated by a signed and witnessed writing received prior to death in the employing office or, if insured because of receipt of annuity or of benefits under the Federal Employees' Compensation Act as provided in section 6(b) or 6(c) of this Act, in the Commission. For this purpose, a designation, change, or cancellation of beneficiary in a will or other document not so executed and filed shall have no force or effect;".

SEC. 2. The first item of the order of precedence in section 11(c) of the Civil Service Retirement Act, as amended (5 U.S.C. 2261 (c)), is amended to read as follows:

"First, to the beneficiary or beneficiaries as the employee or Member may have designated by a signed and witnessed writing received in the Commission prior to his death. For this purpose, a designation, change, or cancellation of beneficiary in a will or other document not so executed and filed shall have no force or effect;".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PERMIT FARMERS IN DISASTER AREAS TO COMPLY WITH ACREAGE REDUCTION AGREEMENTS

The Clerk called the bill (H.R. 8620) to amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

INTERNATIONAL COUNCIL OF SCIENTIFIC UNIONS AND CERTAIN ASSOCIATED UNIONS

The Clerk called the bill (H.R. 8862) to amend the act of August 7, 1935, to increase the authorized annual share of the United States as an adhering member of the International Council of Scientific Unions and Associated Unions.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to interrogate the sponsor of this bill.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. The author of the bill is not present, but I would be glad to answer any questions the gentleman wishes to ask.

Mr. JOHNSON of Pennsylvania. I note by the bill that Russia and the Iron Curtain countries belong to this scientific organization, and the idea of this scientific group is to exchange scientific knowledge among themselves.

I would like to inquire: Does the gentleman know whether the Iron Curtain countries, particularly the Soviet Union, are contributing to this Nation and the other nations their scientific information in return for what we are giving them?

Mr. MORGAN. Yes, on matters such as space and oceanography, information is exchanged, but only so far as is consistent with national security.

Mr. JOHNSON of Pennsylvania. I understand the gentleman to say that the Soviet Union is cooperating. I am particularly interested in space, and whether they are giving us the advantage of the technology of space which we may acquire?

Mr. MORGAN. The hearings will show, I think, there has been much in the way of new scientific study, and that there have been some very high-level discussions on space.

Mr. JOHNSON of Pennsylvania. Then the gentleman would say if we increase the appropriation it will facilitate the free world giving free information to Russia and to the Iron Curtain countries, and that we will get similar information from the Iron Curtain countries?

Mr. MORGAN. The International Council of Scientific Unions was established in 1931. We actually became a member in 1935. I think the record will show that there has been free discussion of scientific information and a highly useful degree of collaboration among the members.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. This expenditure has gone from $28,000 to $65,000?

Mr. MORGAN. Yes, that is correct. The $65,000 limitation was established in 1958.

Mr. GROSS. Now you want to make it $100,000. In the gentleman's opinion, is this not a pretty stiff increase in a matter of 10 years or less?

Mr. MORGAN. The gentleman is a member of the committee. He knows this is a long-range authorization. They would not expect to reach the $100,000 figure until approximately 1968 or 1970.

Mr. GROSS. Does the gentleman see any end to increased spending on this organization?

Mr. MORGAN. This is a very valuable organization, in my opinion. This country has benefited much by its membership and attendance at its meetings. We have received scientific data that was very valuable in several fields, and especially now in the space age.

Mr. GROSS. Does not the gentleman think the brakes ought to be applied to certain of these international organizations and the increased donations that are being made to them?

Mr. MORGAN. Of course, the gentleman knows that space exploration is very expensive, and with the increased information we are receiving, the increase in dues, I think, is justified.

Mr. GROSS. I wish I could agree with the gentleman, but I cannot.

Mr. JOHNSON of Pennsylvania. Mr. Speaker. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 7, 1935 (22 U.S.C. 274), is amended by striking out "$65,000" and inserting in lieu thereof "$100,000".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar today.

PROVIDING PENALTIES FOR THE ASSASSINATION OF THE PRESIDENT

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6097) to amend title 18, United States Code, to provide penalties for the assassination of the President or the Vice President, and for other purposes, with amendments.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That title 18, United States Code, is amended by inserting immediately following section 1734 thereof, a new chapter, as follows:

"CHAPTER 84.—PRESIDENTIAL ASSASSINATION, KIDNAPING, AND ASSAULT

"§ 1751. Presidential assassination, kidnaping, and assault; penalties

"(a) Whoever kills any individual who is the President of the United States, the President-elect, the Vice President, or, if there is no Vice President, the officer next in the order of succession to the office of President of the United States, the Vice-President-elect, or any individual who is acting as President under the Constitution and laws of the United States, shall be punished as provided by sections 1111 and 1112 of this title.

"(b) Whoever kidnaps any individual designated in subsection (a) of this section shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

"(c) Whoever attempts to kill or kidnap any individual designated in subsection (a) of this section shall be punished by imprisonment for any term of years or for life.

"(d) If two or more persons conspire to kill or kidnap any individual designated in subsection (a) of this section and one or more of such persons do any act to effect the object of the conspiracy, each shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

"(e) Whoever assaults any person designated in subsection (a) of this section shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

"(f) The term 'President-elect' and 'Vice-President-elect' as used in this section shall mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

"(g) The Attorney General of the United States, in his discretion, is authorized to pay an amount not to exceed $100,000 for information and services concerning a violation of this section. Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall not be eligible for payment under this subsection.

"(h) If Federal investigative or prosecutive jurisdiction is asserted for a violation of this section, such assertion shall preclude the exercise of jurisdiction by a State or local authority, under any applicable State or local law, to such extent as the Attorney General of the United States shall direct."

SEC. 2. Subsection (c) of section 3486 of title 18, United States Code, is amended by inserting after the words "in any case or proceeding before any grand jury or court of the United States" the following: "involving any violation of section 1751 of title 18 of the United States Code, or".

SEC. 3. The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"83. Postal Service........................ 1691"

a new chapter reference as follows:

"84. Presidential assassination, kidnaping, and assault................ 1751".

The SPEAKER. Is a second demanded?

Mr. MACGREGOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Colorado [Mr. ROGERS] is recognized.

Mr. ROGERS of Colorado. Mr. Speaker, the bill, H.R. 6097, would make certain acts endangering the life and safety of the President and Vice President of the United States, or their immediate successors, Federal crimes. It would authorize Federal investigative and prosecutive jurisdiction and thereby facilitate the apprehension of the assailants.

In the past century, 20 men have served this Nation as Chief Executive. Four have died by assassins' bullets. Another, and a President-elect, were assassins' targets. Ironically, however, these acts are not crimes under the Federal law. There was no Federal criminal jurisdiction with respect to assassination of President Kennedy on November 22, 1963. Curiously, the Congress has legislated in other ways to protect the safety of the Chief Executive and other Federal officers but has never made the murder of or an attack upon the President a Federal crime.

Under existing law, the murder of Federal judges, U.S. attorneys, as well as Internal Revenue Service agents, employees of the National Park Service, and many other designated lesser Federal officials is a Federal crime. Indeed, the Secret Service agents whose duty it is to protect the life and safety of the President are covered under the Federal law, but the Chief Executive, whom these officials protect, is not within the framework of Federal protection.

Further, under existing law, it is a Federal crime to mail a threat to harm the President—18 U.S.C. 871—but not to kill him. It is also a Federal crime if two or more persons conspire to injure the President on account of his performance of duty—18 U.S.C. 372—but not if one person acting alone commits the homicide. In addition, advocacy of the overthrow of the Government by assassination of any of its officers—18 U.S.C. 2385—is a Federal crime. Notwithstanding these various criminal provisions covering lesser officials in the Federal service, and covering acts other than the murder of the President, the Federal law today fails to assure full and complete Federal investigative and prosecutive jurisdiction over all acts designed to harm the Chief Executive of the United States.

H.R. 6097, as amended by the Committee on the Judiciary, makes punishable the assassination, kidnaping, or assaulting of the President, the Vice President, and in the absence of the Vice President, the officer next in line of succession. The bill also applies to any individual acting as President under the Constitution and laws of the United States, and during the period between election and inauguration, to the President-elect and the Vice-President-elect, In the opinion of the committee, restricting the coverage of this measure to these designated officials, makes it unnecessary to require that the hostile act occur while the victim is engaged in, or because of, the performance of official duties. The injury and disruption suffered by the Nation resulting from an attack on any of these officers plainly does not bear any relationship to the activities of the victim at the time of the assault nor to the motive of the assailant. The grave national consequence of the assassination of any of the officials specified in the bill certainly affords the U.S. Government ample power to act for its own protection.

In addition, the bill would punish attempts and conspiracies to assault or kidnap the President, the Vice President, or their immediate successors. Subsection (g) of the bill authorizes the Attorney General to pay rewards not to exceed $100,000 for information and services concerning any violation of the bill. A provision in this measure amends the general immunity statute by making provisions of that statute—section 3486, title 18, United States Code—applicable to grand jury or court proceedings involving any violation of the bill. Although reluctant to expand the immunity provisions, the committee is anxious to provide the Federal Government with every conceivable investigative weapon that might be of assistance in protecting the life of the President.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, the gentleman is making an important statement.

I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Without objection, a call of the House is ordered.

There was no objection.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 144]

Abernethy
Adams
Andrews, N. Dak.
Arends
Ashbrook
Baring
Bates
Belcher
Bolling
Bonner
Bow
Brademas
Bray
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Cahill
Casey
Celler
Chamberlain
Clark
Cleveland
Colmer
Conable
Conyers
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Devine
Dickinson
Diggs
Dulski
Edwards, Calif.
Ellsworth
Evans, Colo.
Farnsley
Fascell
Fino
Fogarty
Ford, Gerald R.
Fraser
Frelinghuysen
Giaimo
Goodell
Grabowski
Green, Pa.
Griffin
Gubser
Gurney
Hall
Hardy
Harris
Harvey, Ind.
Hawkins
Hays
Hébert
Hicks
Holland
Horton
Hungate
Irwin
Jennings
Joelson
Johnson, Okla.
Karth
Keith
Kelly
Kluczynski
Landrum
Leggett
Lennon
Lindsay
Long, Md.
Love
McCarthy
McDowell
McEwen
McVicker
Mackie
Martin, Mass.
May
Miller
Minshall
Mosher
Moss
Multer
Nedzi
Nix
Olsen, Mont.
Pepper
Philbin
Pike
Pirnie
Pucinski
Quillen
Randall
Reid, Ill.
Reifel
Resnick
Reuss
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Rostenkowski
Roush
Ryan
St Germain
Saylor
Scheuer
Schisler
Schmidhauser
Shipley
Steed
Stephens
Thomas
Toll
Waggonner
Watkins
Watson
Weltner
Whalley
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Zablocki

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 300 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROVIDING PENALTIES FOR THE ASSASSINATION OF THE PRESIDENT

Mr. ROGERS of Colorado. Mr. Speaker, when the roll was called I was discussing that part of the bill dealing with immunities that may be granted under the Federal statute.

Finally, subsection (h) of the measure provides for Federal preemption. However, this provision does not automatically strip the States of jurisdiction. It preserves participation by State and local authorities in the investigation or with respect to a particular prosecution of an offense covered by this bill where such participation may be deemed desirable and appropriate by the Attorney General.

The advantages resulting from the enactment of this measure are many. One certainly would be the assurance of clear Federal jurisdiction over presidential assailants. This should minimize the conflict and confusion growing out of concurrent jurisdiction of Federal and State agencies. Enactment of this measure would assure that investigation of the acts covered, and of any possibility of future attempts, would be conducted by Federal law enforcement officials. The bill would also insure that the detention, trial and prosecution of suspects accused of committing any of the acts against the President or the Vice President would be under Federal control.

This bill is specifically designed to implement recommendations for a Federal criminal statute on the subject made in the report of the President's Commission on the Assassination of President Kennedy. The Departments of Justice and Treasury, as well as the American Bar Association, support this measure. Approximately 50 Members of this body have introduced bills to make these offenses Federal criminal acts.

The assassination of the President of the United States is clearly an offense against the Nation. Such an act of violence can undermine the security of our people and of the free world. Although there have been a number of unsuccessful legislative efforts in the past to deal with this subject, now is the time for the Congress to make clear that the murder of the President of the United States is a Federal crime.

The SPEAKER pro tempore. The gentleman from Colorado has consumed 10 minutes.

Mr. MACGREGOR. Mr. Speaker, the members of the Committee on the Judiciary and the members of the Hoover Commission were quite shocked to learn, following the tragic events of November 22, 1963, of the gap that exists in Federal criminal legislation.

At present it is a Federal offense to deposit in the mails any letter or other document containing a threat, or otherwise to make any threat, against the President, the Vice President, or other officer next in order of succession to the office of the President, the President-elect, or the Vice-President-elect. It is also a Federal crime to conspire to injure any Federal officer on account of, or while he is engaged in, the lawful discharge of the duties of his office. In addition, to advocate the overthrow of the Government by the assassination of its officers is a Federal offense. But a direct attack upon the President, or even his murder, has never as such been a crime under Federal law. That is to say, unless there has been a conspiracy, or an advocacy of the overthrow of the Government, there is no Federal jurisdiction; thus, as the Warren report concluded:

> Once it became reasonably clear that the killing was the act of a single person, the State of Texas had exclusive jurisdiction.

The murder of numerous other Federal officials has long been a Federal crime. Section 1114 of title 18 of the United States Code makes it a Federal offense to kill Federal judges, U.S. attorneys and marshals, and many other specifically designated officials.

Perhaps the most persuasive presentation made to our committee was that of the distinguished minority leader, the gentleman from Michigan [Mr. FORD].

In his testimony he pointed out that the basic reason for making the assassination of the President a Federal crime is that it is essentially an offense against the U.S. Government in two very important respects. First, grave injury is done to the functioning of the Government, which may threaten the welfare of the entire country.

Interestingly enough, the Congress considered an almost identical bill a little more than 60 years ago. In presenting arguments for the passage of the bill at that time, Senator George F. Hoar, of Vermont, put the issue perhaps as well as anyone has put it before or since. He said:

> What this bill means to punish is the crime of interruption of the Government of the United States and the destruction of its security by striking down the life of the person who is actually in the exercise of the Executive power, or of such persons as have been constitutionally and lawfully provided to succeed thereto in case of a vacancy. It is important to this country that the interruption shall not take place for an hour.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I am pleased to yield to the gentleman from Kentucky, a senior member of the Committee on the Judiciary.

Mr. CHELF. I thank my colleague very much. The gentleman is eminently correct. For years, we have had a Federal law against the slaying of, or the assault on, any Federal officer or Federal judge. But for 178 years it has always been "open season" on the President and Vice President of the United States. I believe it is high time we do something. I voted for this in the committee, Mr. Speaker, and I wholeheartedly support this legislation today on the floor. I commend the subcommittee for reporting this legislation favorably.

Mr. MacGREGOR. I thank the gentleman from Kentucky.

Mr. Speaker, perhaps the second most important reason why the assault on the President should be made a Federal crime is as follows: The motivation for such attacks almost invariably is anger at the manner in which the President performs his official functions, or hostility toward the office of President or the U.S. Government or the American system of democracy. It is certainly the concern of the Federal Government to try to prevent, to guard against, and to punish criminal conduct performed out of such motivation.

The change in the present law that would be effected by the proposed legislation would produce several significant advantages.

Primary responsibility and final authority for the investigation and prosecution of any attacks on the life of the President would be placed in the hands of Federal authorities. The actual investigation of offenses covered by the statute would be conducted by Federal law enforcement officials, particularly the FBI, with the assistance of the Secret Service. Where the assistance of State or local agencies proved necessary or desirable, it would be under the direction of the Federal agencies involved. This would insure that resources and facilities of the Federal agencies would be immediately available for a complete and thorough investigation.

The detention and protection of any suspects would, under the proposed legislation, be the responsibility of Federal law enforcement officers. J. Edgar Hoover testified before the Warren Commission that if the FBI had had jurisdiction, it would have taken custody of Oswald and, in Director Hoover's words:

> I do not believe he would have been killed by Ruby.

As Mr. Hoover stated:

> The killing of Oswald has created a great fog of speculation that will go on for years, because of the things that Oswald might have been able to tell which would have been of assistance in pinning down various phases of this matter.

As one of our most capable law enforcement agencies, the FBI could do much to insure the safety of possible defendants.

Furthermore, the fact of Federal custody would insure that the questioning of the suspect would be under the direction of Federal authorities. In Dallas, FBI and Secret Service agents did not have control over the questioning of Oswald, and at times were merely observers; they were not even present when the interrogation of Oswald began. If some of the evidence had been kept secret and Oswald had been confronted with it in his interrogation, he might have broken and confessed.

I think one of the things that was a great surprise to the members of the Committee on the Judiciary was the fact that adequate transcripts of the questions put to Oswald and the answers given by him were not preserved by the authorities who did conduct the interrogation of Oswald before he in turn was killed by Ruby. It is Federal practice to record such sessions in their entirety.

The procedures and practice of the Federal agencies would also be well calculated to protect the legal rights of any suspect. It is the practice of the FBI to inform every prisoner of his right to remain silent and to have an attorney; he is also examined by a reputable local physician both before and after his questioning. In addition, it is highly unlikely under Federal procedures that a suspect's right to a fair trial would be prejudiced by the release of incorrect or inadmissible information. Under the guidelines recently established by the U.S. Department of Justice, much of the inaccurate information which might have unfairly prejudiced a jury against Oswald would never have been released.

The report of the President's Commission on the Assassination of President Kennedy recommended that Congress adopt legislation which would make the assassination of the President, the Vice President, or other person next in order of succession, the President-elect, or the Vice-President-elect, a Federal crime.

This legislation, Mr. Speaker, has been very carefully considered first by a subcommittee of the House Committee on the Judiciary and later by the full committee itself.

The legislation properly covers not only premeditated murder, but also any killing or assault or kidnaping, or any attempt or conspiracy to commit any of these acts, since they also present serious danger to the functioning of the Government and the welfare of the country. This legislation is badly needed, is clearly in the national interest, and should be passed overwhelmingly by the House.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Minnesota.

Mr. LANGEN. I thank my colleague for yielding.

Mr. Speaker, I am happy to support H.R. 6097, a bill providing penalties for the assassination of the President. This legislation closely parallels the basic provisions of my own bill introduced early in this Congress.

As I have said on occasion before when my own bill was introduced and when this matter was being considered by the Committee on the Judiciary, the details of the shocking and tragic events that took place in Dallas, Tex., over a year and a half ago continue to be fresh in our minds. Without further dwelling on the details of that day, it does serve to remind us that there is an area of Federal jurisdiction that proved cumbersome and unclear. This bill will clarify that lack of jurisdiction and provide the Federal Government with a clear area of responsibility.

The killing of the President or Vice President of the United States is certainly of valid and vital concern to all of the people of the Nation, and of concern to the Congress as representatives of the people. Our Chief Executives belong to all 50 States and therefore their welfare and protection should be considered on a national level.

I wish to compliment the committee for wisely recognizing that the crime of assassination against a Chief Executive is a crime of interruption of the Government of the United States and the destruction of its security.

The events in Dallas vividly portrayed the inadequacy of State and local laws to deal with a crime of such national and international significance. When a crime has been committed upon the person of the President, Vice President, or their successors, there should be absolutely no doubt or confusion as to jurisdiction and level of responsibility. I believe the bill before us adequately clarifies the areas of uncertainty and should be passed.

Mr. GROSS. Mr. Speaker, will the gentleman yield

Mr. MacGREGOR. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, this legislation by no chance provides for another so-called Warren Commission, does it? I would say in passing that I cannot think of a much worse waste of the taxpayers' money than the Warren Commission report on the assassination of President Kennedy.

Mr. MacGREGOR. No. I would say to the gentleman from Iowa that this legislation outlines certain criminal acts and provides that they be Federal crimes, and it prescribes certain penalties therefor. There is no provision in the legislation directly or indirectly, specifically or impliedly, calling for any additional commission or commissions.

Mr. GROSS. I thank the gentleman and state that I support the legislation.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I am glad to yield to the distinguished gentleman from Illinois [Mr. McClory], a member of the Committee on the Judiciary, and also of the subcommittee that considered this legislation.

Mr. McCLORY. Mr. Speaker, I rise in support of the legislation.

I congratulate the gentleman from Minnesota on his eloquent statement in behalf of this legislation, H.R. 6097. Also, I have been impressed by the views of our minority leader, the gentleman from Michigan [Mr. Gerald R. Ford] who served as a member of the Warren Commission and who is one of the strong proponents of this bill.

The testimony at hearings of our Subcommittee No. 4 of the House Judiciary Committee indicated unanimously that there was an urgent need for Federal legislation to make it a crime to assassinate, or kidnap, or to attempt to assassinate or kidnap, the President, Vice President, or other person who might be next in line for succession to the Presidency where there is no Vice President.

Indeed, it came as a shock and a surprise to most Americans to discover that there was no such Federal offense and no Federal law which had been violated when the late President Kennedy was assassinated in Dallas on November 22, 1963.

This legislation has had strong bipartisan support and I am confident that it has widespread public support. It will fill an inexcusable void in our Federal criminal law.

The text of this legislation has been studied most carefully and many individuals have contributed to the final results. In my opinion, it fully satisfies the objectives which the many sponsors of this legislation have sought. I commend the chairman of the subcommittee, the gentleman from Colorado [Mr. Rogers] and other members of the subcommittee who worked diligently and painstakingly to produce this much-needed legislation.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I yield to the distinguished gentleman from Pennsylvania [Mr. Kunkel].

Mr. KUNKEL. Mr. Speaker, earlier in the year I introduced a bill involving the same principle as this one. I think this is a very important step forward. I want to commend the gentleman and the Committee on the Judiciary for bringing this matter before the House, and I certainly give it my wholehearted support.

Mr. ROGERS of Colorado. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. Whitener].

Mr. WHITENER. Mr. Speaker and Members of the House, this type of legislation was authored by quite a number of our colleagues and finally resulted in a bill being introduced which came before the subcommittee as the primary bill we were considering. The bill which we originally had, left much to be desired. I believe that what the committee did improved the language of that bill. This is particularly true as to the amendment with reference to punishment for assault.

I know that there are some who do not agree with the philosophy of maximum punishment, the death penalty; but if any of us believe in the death penalty we certainly should believe in it with reference to a premeditated murder committed on the President of the United States.

There is one thing, though, that bothers me about the effect of the legislation. That is the preemption of State jurisdiction where kidnapings or murders of Presidents occur in the future. My reason for having that concern is the application of the Federal Rules of Criminal Procedure in prosecutions in the Federal courts.

I refer particularly to rule 5(a) which gave rise to the rather strained interpretation of the rule in the Mallory case. I think the Federal court decisions in Mallory and other cases will present a problem with this legislation in its application to kidnapings, assaults, and murders of Presidents. I believe, if we could have seen fit in our combined judgment to leave jurisdiction to the States unless the Attorney General specifically withdrew it, we would probably have had a better bill. I can visualize that the application of the Mallory rule in the case of Oswald could well have permitted Oswald to walk out scot free if the only evidence sufficient to go to the jury had been the admissions which Oswald made.

We know that recently one of our circuit courts has held, according to the testimony of an Assistant Attorney General, that even a few minutes' detention of a prisoner before arraigning him was sufficient to nullify his admission against interest. Notwithstanding this anticipated problem I think we have done a good job on the bill in committee and that it should be passed.

Mr. ROGERS of Colorado. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Burton].

Mr. BURTON of California. Mr. Speaker, while I favor the objectives of H.R. 6097 which clarifies the right of the Federal Government and its various agencies to take jurisdiction in the areas covered by this bill, I do, however, regret that this bill has been presented under suspension which does not permit amendments to be proposed. This bill in its present form calls for the imposition of the death penalty and I regret that procedurally this issue cannot be separated from the main purpose of this bill.

I have during my entire adult life and in my public life, thoroughly opposed the imposition of capital punishment on any person committing any crime, under any conditions.

One of the previous speakers noted that an eminent spokesman in the area of law enforcement has stated that the death of Oswald contributed to the fog and the continuing fog of speculation and suspicion surrounding the death of our President. I submit, if it were not the gun of Jack Ruby, then his hanging or death in the gas chamber would similarly create for posterity this continuing fog of suspicion about the motives of this sick young man.

I submit that the history of our country requires and needs to know what went on in the mind of any man or any collection of men that would commit such a heinous crime as assassination of our President.

Mr. Speaker, I regret that the imposition of the death penalty cannot be judged separately from this legislation which establishes Federal authority in the area of attacks upon our President and Vice President.

My conscience requires that I oppose the imposition of the death penalty even in this most serious of crimes.

The SPEAKER. The question is on the motion of the gentleman from Colorado [Mr. Rogers] that the House suspend the rules and pass the bill H.R. 6097, with amendments.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CORRECTIONAL REHABILITATION STUDY ACT OF 1965

Mr. POWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2263) to provide for an objective, thorough, and nationwide analysis and revaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation.

The SPEAKER. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. POWELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I cannot speak on this bill without paying tribute to the gentlewoman from Oregon [Mrs. Green] for the excellent work that she did not only on this bill but on so many bills in the field of education.

Mr. Speaker, the bill H.R. 2263 provides for grants for the purpose of carrying out research and for the coordination necessary to launch an action program designed to increase substantially the number of well-qualified persons in the field of rehabilitation and the adequacy of training arrangements for these persons. Nongovernmental organization composed of leading national correctional and professional organizations will undertake these studies. The future action program will be projected at local, State, interstate, and national levels.

The machinery which is used for coping with the problems of crime and delinquency must be brought up to date. The methods for training persons in the field of correctional rehabilitation must take advantage of modern knowledge. Furthermore, we must know qualifications for personnel needed to fill positions in training schools, wardens' positions in institutions, and custodial staff jobs in institutions.

The bill follows a successful and well-established pattern of operation, that of the Mental Health Study Act of 1955. It is my understanding that some of the individual leaders and many of the organizations active in the earlier study have also been very helpful in planning the present study.

H.R. 2263 has bipartisan support, and it has received overwhelming approval throughout the Nation. The committee has received strong statements of support from a wide variety of groups, including veterans groups, women's groups, labor, business, and professional bodies representing a number of disciplines. Each of the four Federal departments concerned with correctional rehabilitation has indicated full and enthusiastic support.

The Committee on Education and Labor considers this bill a very necessary and constructive step toward the modernization of our handling of offenders, which is a high priority need in this decade. The committee strongly recommends the passage of H.R. 2263.

Now, Mr. Speaker, I yield such time as she may consume to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Speaker, I thank the very distinguished chairman of the Education and Labor Committee and may I say to the Members of the House that this bill does come out with the unanimous support of both the subcommittee which had original jurisdiction and also the full Committee on Education and Labor.

Mr. Speaker, recently in asking the Library of Congress for statistics on the cost of crime in the United States, we were advised that the direct annual cost of crime to taxpayers of the Nation is $6 billion.

Mr. Speaker, this is the cost of the administration of criminal justice at the Federal, State and the local levels for police, courts, and correctional institutions.

The total cost of crime, direct and indirect, is estimated to be $27 billion.

On March 10 of this year the Attorney General reported that serious crime in the United States rose 13 percent in 1964 over the previous year.

Nearly 518,000 children aged 10 to 17 were involved in juvenile delinquency cases in 1963. This represents 2 percent of all the children in the country aged 10 to 17.

Mr. Speaker, earlier this year in his state of the Union address and in his message on law enforcement and administration of justice the President focused the Nation's attention on the great problems brought about by crime and delinquency. The bill we are now considering, H.R. 2263, the Correctional Rehabilitation Study Act, is one response to the President's request for congressional action. It also represents a consensus of the many organizations and persons active in the field of corrections that the first and most necessary step in any well-planned and meaningful attack on crime and delinquency is a thorough and systematic survey and analysis of resources and needs.

Dr. Charles Prigmore, executive director, Joint Commission on Correctional Training and Manpower said:

> The field of corrections in the United States has a long history of stagnation, public apathy, poor financial support, high personnel turnover, inadequate numbers and preparation of personnel, and ineffective prevention and treatment programs. This bleak situation exists despite the presence of a relatively small number of dedicated, capable, and sincere workers and leaders, and the presence of a few outstanding programs and services. The results of these unfavorable conditions include unrest among the offenders in our prisons and reformatories; idleness in a large proportion of offenders and dissatisfaction over makeshift work unrelated to future job possibilities among others; periodic riots, escapes, and disturbances; and behavioral deterioration or lack of behavioral improvements on the part of many of our adult and juvenile offenders.

Before our committee, Vernon L. Pepersack, commissioner of correction, Maryland Department of Correction, said:

> During my experience in prison work, I have witnessed imprisonment at hard labor, the rock pile, prison as a punishment instrument, the "Oregon boot," and the ball and chain as part of the so-called correctional process. I have also experienced the change in prison philosophy with the enactment of the Hawes-Cooper law (1931) which brought about significant revisions and introduced a new philosophy in the treatment of incarcerated criminals. The State no longer could look at prisoners as a source of income, but, was faced with problems of education and training of the inmate in order that society would benefit from the inclusion of a released prisoner. In over 34 years, correctional systems have not developed the professionalization nor status necessary for public acceptance of them as a valuable instrument in treatment and prevention of crime. The prison is still looked upon as a place solely for the purpose of retention, its employees as mere keepers, and the released prisoner as a liability to the community. The employees of correctional systems lack status and acceptance in the community because of the failure of these institutions to be socially accepted as having qualified services to change personal attitudes and habits of the persons under their care, and to render vocational and academic training to them. This indeed is true.

Just 1 year ago 61 national organizations in the correctional field met at the Arden House Conference on Manpower and Training for Corrections to launch a broad offensive on the burgeoning problem of crime and delinquency. The decisions reached represent a blueprint for national action that will enable the correctional field to move forward toward the solution of its critical manpower and training needs. Foremost among those decisions is a recommendation that there be an intensive 3-year study of the education, training, recruitment, utilization, and retention of personnel in the correctional field. The provisions of this bill will provide funds to pay a part of the cost of this needed work. At this point, Mr. Speaker, I should like to include a list of the sponsoring organizations of the joint commission as a part of the RECORD:

PARTICIPATING ORGANIZATIONS IN THE JOINT COMMISSION ON CORRECTIONAL MANPOWER AND TRAINING

American Bar Association.
American Bar Foundation.
American Correctional Association.
American Correctional Chaplains' Association.
American Judicature Society.
American Orthopsychiatric Association.
American Psychiatric Association.
American Psychological Association.
American Public Welfare Association.
American Society of Criminology.
American Society for Public Administration.
American Sociological Association (criminology section).
Association of American Law Schools.
Association of Correctional Administrators.
Association of Correctional Psychologists.
Association of Paroling Authorities.
Canadian Corrections Association.
Correctional Education Association.
Correctional Industries Association.
Correctional Service Foundation, U.S.A.
Council of State Governments.
Council on Social Work Education.
Federal Probation Officers Association.
Medical Correctional Association.
National Association of Mental Health.
National Association of Municipal Judges.
National Association of Social Workers (Council on Social Work in Correctional Services).
National Association of Training Schools and Juvenile Agencies.
National Commission for Social Work Careers.
National Conference of Public Youth Agencies.
National Conference of State Trial Judges.
National Conference of Superintendents of Training Schools and Reformatories.
National Council of Juvenile Court Judges.
National Council on Crime and Delinquency.
National Education Association.
National Institute of Mental Health.
National Jail Association.
National Legal Aid and Defender Association.
National Social Welfare Assembly, Inc.
National Urban League.
New England Board of Higher Education.
Osborne Association.
Parole and Probation Compact Administrators Association.
President's Committee on Juvenile Delinquency and Youth Crime.
Professional Council of NCCD.
Salvation Army.
Society for the Study of Social Problems.
Southern Regional Education Board.
Social Defense Section, United Nations.
U.S. Children's Bureau.
U.S. Department of Health, Education, and Welfare (Office of Education).
U.S. Department of Health, Education, and Welfare (Task Force on Social Work Education and Manpower).
U.S. Department of Labor.
Volunteers of America.
Wardens Association of America.
Western Interstate Commission for Higher Education.
Woman's Correctional Association.
American Association of Colleges for Teacher Education.
AFL–CIO.
American Legion.
American Council on Education.
International Association of Chiefs of Police.
National Association of Manufacturers.

National Conference of Superintendents of Correctional Institutions for Girls and Women.

National Rehabilitation Association.

Public Personnel Association.

Chamber of Commerce of the United States.

National Association of Broadcasters.

Administrative Office of the U.S. Courts.

Federal Bureau of Prisons.

U.S. Civil Service Commission.

Vocational Rehabilitation Administration, U.S. Department of Health, Education, and Welfare.

There is, therefore, a clear readiness on the part of persons in the field of correction, and on the part of State and local officials to narrow the gap between theory and practice in treating public offenders. There has been widespread support accorded to H.R. 2263. Twenty-five Governors have filed statements with the subcommittee endorsing the bill. The statements show that the shortage of skilled personnel is the primary drawback to the successful operation of State correctional programs. Governor Brown, of California, for example, stressed the fact that "local probation services for offenders not institutionalized are scandalously undermanned." Just last week the conference of western Governors approved a resolution endorsing H.R. 2263 and the Joint Commission on Correctional Manpower and Training. It reads as follows:

RESOLUTION OF WESTERN GOVERNORS' CONFERENCE ON THE NATIONAL COMMISSION ON CORRECTIONAL MANPOWER AND TRAINING

Whereas an acute shortage of skilled and qualified manpower exists in the correctional field, including prisons, reformatories, jails, probation and parole; and

Whereas 61 national organizations met in June 1964, to develop a plan to resolve this shortage: Now, therefore, be it

Resolved, That the western Governors' conference endorse and support the establishment of a 3-year nongovernmental Joint Commission on Manpower and Training to carry out the needed studies and surveys and initiate an action program at State, interstate, and National levels.

Over 100 State and local officials in the correctional field also filed statements expressing their approval of the bill, as did many national associations and individuals in the academic community, in the judiciary and in our correctional institutions across the Nation. Last Monday over 1,600 persons, attending the Conference of the National Institute on Crime and Delinquency unanimously approved H.R. 2263. I should also like to have a copy of this resolution made a part of the RECORD.

Whereas the President of the United States and his administration have demonstrated the determination to provide equal opportunity for each person to develop and make his fullest contribution to the American society; and

Whereas offenders, both juvenile and adult, are increasing in number and in complexity of behavior patterns, and consistent with the intention of the Federal Government to provide equal opportunity for all, appropriate services can be effective in the redirection of this behavior; and

Whereas the most critical aspect of prevention, control, and treatment of delinquency and crime is the recruitment, training, and development of a body of highly qualified personnel; and

Whereas this national problem and its solution have been a matter of major concern and discussion by the delegates assembled at the 12th annual National Institute on Crime and Delinquency; and

Whereas the provisions of the correctional rehabilitation study act of 1965 and the law enforcement assistance act of 1965 hold promise of a most effective remedial attack on these social anomalies: Now, therefore, be it

Resolved, That this assembly record its appreciation of the statesmanlike efforts of the 89th Congress toward the solution of this problem and urges the prompt enactment of these acts, now under consideration by this Congress; and be it further

Resolved, That a copy of this resolution be forwarded to each Member of the 89th Congress as an expression of appreciation for congressional leadership and as an endorsement and support of these bills.

SIGURD S. LARMON,
President, National Council on Crime and Delinquency.

This enthusiasm and interest is prompted in part because our approaches to crime and delinquency control in the past have been primitive in comparison with our approach to other social problems such as mental health or public health. This is so because we have never seriously undertaken to provide the kind and number of personnel required for workable prevention and control programs. We would never for a moment imagine that good public health laws or sanitation laws alone would insure good public health.

Our attention is directed immediately to establishing enough facilities and resources to turn out an adequate number of qualified physicians, nurses, and other personnel. We think also of ways to induce these qualified people to enter public health careers and to remain there. Yet we have naively assumed in our halting and uncertain attempts to prevent and control crime that good laws and a great many institutions and jails alone should do the job.

Daniel Blain, president of the American Psychiatric Association, has described the situation in the following terms:

> By and large, our Nation's traditional approach to crime and delinquency has been analogous to putting out fires. The prevention and correction of conditions that lead to fires has attracted a relatively small measure of our resources and energies. Now, our people, as a whole, are horrified at the extent of crime and violence in their midst.

Witnesses who appeared before our committee pointed out that there is a ratio of 1 psychiatrist to every 4,400 offenders in our adult penal institutions, 1 psychologist to every 2,000 offenders, and 1 academic teacher to every 400 offenders. It is abundantly clear from the statements of leaders in the correctional field across the Nation that correctional facilities are both undermanned, and, most importantly, inadequately served by qualified and skilled individuals. It is clear that the field of corrections, and in fact, the Nation, has suffered because of the lack of attention given to corrections.

The 2 million offenders incarcerated each year in our adult and juvenile institutions do not receive care, treatment, and rehabilitative services on a par with our public health patients, our mentally ill, our mentally retarded, or our vocationally handicapped. This 1 percent of our annual population is a forgotten segment along with another 2 percent on probation and parole. Yet, a poor public policy is manifested in this neglect. The total cost of crime is increasing each year, along with a growing percentage of the population who commit offenses of one kind of another. Last year serious crime in the United States rose 13 percent—in 1964 over the previous years, an increase the Nation cannot afford in terms of dollars spent or human lives wasted.

Research evidence indicates that such a drastic shortage of professional personnel has alarming consequences.

In the legislation before us today we have the means, a way in which the Congress can be instrumental in assisting in the initial and necessary step in the revitalization of the correctional field. Under the terms of the bill the Secretary of Health, Education, and Welfare, with the advice of the National Advisory Council on Vocational Rehabilitation, will make grants for the carrying out of a coordinated program of research and study of the current and projected personnel needs in the field of correctional rehabilitation, of the availability and adequacy of the educational and training resources for persons in, or preparing to enter such field, of the effectiveness of present methods of recruiting personnel for such field, and of the extent to which personnel in the field are utilized in the manner which makes the best use of their qualifications. Such grants would be made to nongovernmental organizations composed of representatives of leading national correctional and other professional associations and agencies active in the field of corrections.

The legislation would authorize for the fiscal year ending June 30, 1966, the sum of $500,000, and the sum of $800,000 for each of the two succeeding fiscal years. Under the terms of the grants, the research and study must be completed within 3 years from the date it is inaugurated. Annual reports and the final report must be filed by the grantee with the President, the Secretary of the Department of Health, Education, and Welfare, the Congress, and the Governors of the several States, among others the grantee may select.

Grantees are authorized to accept—and it is anticipated that they will secure—additional financial support from private or other public sources.

Mr. Speaker, I am sure the Members of the House recognize the similarity in what is proposed here and in what took place in the mental health field 10 years ago. In the early 1950's mental hospitals were places of repression and idleness—and staffed by an inadequate number of poorly qualified personnel. The problems in the field of mental health 15 years ago are identical to the problems now found in the correctional field. The great progress that has been made in mental health and mental retardation is due in large part to a thorough and comprehensive study of the field by a

Joint Commission on Mental Illness and Health. That nongovernmental study was financed in part with Federal funds made available through the Mental Health Study Act of 1955. Today, Mr. Speaker, we hope to provide the same stimulus to the correctional field by approving the Correctional Rehabilitation Study Act of 1965. The Federal share of the funds which are required for the study is a fraction of 1 percent of the money spent annually by the Federal Government for the treatment of Federal offenders.

The total Federal investment of $2.1 million will be offset by the resulting savings in human lives and in providing rehabilitative and correctional services to make individuals self-supporting instead of continuing as wards of society. This investment seems indeed small when compared to the annual cost of crime now approaching $27 billion.

The real advantage in a national correctional manpower policy will be in the impact on the lives of our offenders. Today a fraction of our adult and juvenile offenders receive the kind of medical, dental, psychiatric, psychological, recreational, educational, and other services they need. Today it is a frequent occurrence for men, women, and youngsters to leave correctional institutions not only unrehabilitated but more bitter, cynical, and antisocial than when they entered. It is the rule rather than the exception to find inadequate rehabilitation programs and even no programs at all in courts, institutions, jails, detention homes and other facilities. The experts in this field have convinced me and other members of the committee that offenders are not being rehabilitated and will not be as long as existing limitations in both the quality and quantity of personnel prevail.

Mr. Speaker, this legislation has the approval of both the Department of Justice and the Department of Health, Education, and Welfare.

I include at this point the letter from the Justice Department:

U.S. Department of Justice, Office of the Deputy Attorney General,
Washington, D.C., April 28, 1965.

Hon. Edith Green,
Chairman, Special Subcommittee on Education, Committee on Education and Labor, House of Representatives, Washington, D.C.

Dear Mrs. Green: This is in response to your request for the views of the Department of Justice on H.R. 2263, the proposed Correctional Rehabilitation Study Act of 1965.

As indicated by its title, the bill will provide the wherewithal for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation. It will approach its goal through the establishment of a grant program for a 3-year period. The grants would be administered by the Secretary of Health, Education, and Welfare with the advice of the National Advisory Council on Vocational Rehabilitation, and could be made to only nongovernmental groups composed of representatives of professional associations, organizations or agencies active in the corrections field. Appropriations of $500,000 for the fiscal year ending June 30, 1966, and $800,000 for each of the two succeeding fiscal years, would be authorized.

This proposal is an outgrowth of the Arden House Conference on Manpower and Training for Corrections held in June of 1964 and participated in by delegates of sixty-one national and regional organizations active and interested in correctional matters. One recommendation of the conference was the establishment of a Joint Commission on Correctional Manpower and Training with approximately the same objectives as those of H.R. 2263. The commission has since been established and has preliminarily prepared task force programs to accomplish its mission. It is anticipated that the grants contemplated by H.R. 2263 would be made available to the Joint Commission and that the Joint Commission will supplement these funds with others to be obtained from private sources.

The need for studies such as those contemplated is clear, and the Department of Justice is pleased to support the enactment of this legislation.

It is expected that the work undertaken pursuant to H.R. 2263 would complement the programs to be authorized by the Attorney General under the proposed Law Enforcement Assistance Act of 1965. Also, the proposed President's Commission on Law Enforcement and Administration of Justice, in carrying out its assigned mission with respect to correctional programs, would have the benefit of so much of the research provided for by H.R. 2263 as has been completed by the time the commission directs its attention to the correctional area.

In summary, it is the view of the Department of Justice that H.R. 2263, the proposed Law Enforcement Assistance Act of 1965, and the President's Commission would be mutually supporting and reinforcing.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely,

Ramsey Clark,
Deputy Attorney General.

Mr. Speaker, I would also like to include the letter from the commissioner of the Department of Corrections of the State of New York:

April 14, 1965.

Hon. Edith Green,
Representative for Oregon,
U.S. House of Representatives,
Washington, D.C.

Dear Mrs. Green: As commissioner of the New York State Department of Correction, I am submitting information in support of House of Representatives bill 2263 to fund the Joint Commission on Correctional Manpower and Training. The manpower and training aspects of correctional work have been neglected far too long. Very advanced principles of correctional work were pronounced at the first Congress of Correction in 1870. From time to time, since 1870, these principles have been updated. Many of those in positions of leadership have made special effort to implement the philosophies and principles of correctional work that have been so widely endorsed but they have usually met disappointment due to staff deficiencies.

Among the problems confronted by a modern correctional administrator is the very acute one of manpower and training. Today the top administrators and middle management in correctional systems must give special attention to treatment, as well as provide for the safe custody and care of criminals committed to their care. The trends of the times and the accent on rehabilitation have resulted in manpower shortages and the need for staff development programs that are difficult to comprehend.

Regardless of the level of employment or the discipline which the employee represents, there is need for formalized education and training in breadth and depth. Without the staff competency which appropriate education and training provides, the correctional agency cannot fulfill adequately the demands and responsibilities placed upon it. The greatest educational need, in terms of numbers, is with the custodial or correctional officer employees. Preservice, inservice, and continuing education opportunities for this group, requires great expansion and improvement, for the responsibilities of the uniformed officer extend deep into treatment programs as well as custody. The shortage of both interested potential personnel and the resources for developing such employees are perplexing. The problem is even more acute in such professional areas as medicine, psychiatry, psychology, education, guidance and counseling, social work, probation and parole, as well as managerial positions.

There are 7,000 employees in the institutions of the New York State Department of Correction. The department has been noted over the years for its advanced philosophy and programs of recruitment and staff development and unquestionably the staff as a whole would compare favorably with the better correctional systems. However, we become more keenly aware every day of program deficiencies due to vacant positions and poorly prepared staff. Many staff members are being upgraded professionally through a small scholarship incentive program and personal investments of staff, often at great sacrifice to themselves and families.

If the manpower and training shortage in the correctional field is to be solved nationwide, substantial Federal financial support is required. Provision must be made for mobilizing the best resources now available to the end that leadership and financial assistance at all levels will be provided. Appropriate intensive and extensive training and education for those now employed in correctional work is of prime importance.

Not only must provisions be made to develop the staffs now in control of correctional work, but also far more attention should be directed toward encouraging young people to choose correctional careers. Support and leadership must be made available to schools and institutions of higher learning to provide appropriate educational programs.

Enactment into law the provisions of H.R. bill 2263 would be an important first step in long-range planning to solve the manpower and training problems confronted by correctional authorities.

I commend you and those Congressmen who will join hands with you in this important legislation.

Sincerely yours,

Paul D. McGinnis,
Commissioner.

Mr. Speaker, I also ask that the following letters from the Governors of the various States be included in the Record:

State of California,
Governor's Office,
Sacramento, April 7, 1965.

Chairman,
Committee on Education and Labor, Subcommittee on Education, House of Representatives, Washington, D.C.

Dear Mrs. Green: As Governor of the State of California, and as chairman of the Committee on Juvenile Delinquency of the Conference of Governors, I wish to express my strong endorsement of the Correctional Rehabilitation Study Act of 1965. Also, as a former district attorney and attorney general of the State of California, I speak from many years of direct official concern with the problems of crime and delinquency.

At the risk of covering ground which other witnesses have no doubt covered more thoroughly, I call attention to these facts:

Crime and delinquency rates throughout the country are increasing faster than the population.

We are spending great sums of money on old procedures which appear to be poorly adapted to our changing society.

With increasing industrialization of our production processes, our population is becoming more and more concentrated in great metropolitan complexes, thus creating social and economic conditions making the management of the crime and delinquency problem increasingly difficult.

Many thousands of young people in their middle-teen age are being badly damaged by early criminal activity.

The problem of meeting the educational needs of thousands of youths who drop out of school before they have reached their achievement potential has become one of the great challenges of our time.

Our correctional schools and prisons are crowded to the breaking point.

Local probation services for offenders not institutionalized are scandalously undermanned.

In spite of numerous studies and research efforts suggesting new and more promising techniques for dealing with offenders both at the preventive and correctional levels, these newer approaches are being implemented so cautiously and so slowly that we are not making adequate use of the professional knowledge already available to us.

Our institutions of higher learning, while literally bulging with students, are producing a woefully inadequate supply of professional workers trained and motivated to carry out the correctional mission.

Perhaps one-half of the offenders committed to State correctional institutions have severe mental and emotional handicaps.

Finally, the entire establishment for dealing with the prevention, control and correction of offenders against the law must be reexamined in the light of new knowledge and the demands of the changing society we live in today.

I know that there are no magic tricks nor miracle drugs that will solve these problems. I do know that the fundamental requirement for mounting an effective attack upon this total problem is well-trained, well-motivated and adequately paid personnel. On this score we are already years behind our needs.

If I should express any criticism of H.R. 2263, it would be, first, that this kind of an effort on the part of the Federal Government should have been made a decade ago; and, second, that the amount of the appropriation is much too small for the task to be done. On the other hand, any effort on the part of the Congress of the United States which recognizes the pressing need for trained personnel in the correctional field and which sets the tone and the direction which characterizes H.R. 2263 is deserving of support.

I sincerely hope that it will be enacted into law and put into effect at the earliest possible moment.

Sincerely,

EDMUND G. BROWN,
Governor.

STATE OF NEW JERSEY,
OFFICE OF THE GOVERNOR,
Trenton, April 14, 1965.

Hon. EDITH GREEN,
Congresswoman, U.S. House of Representatives, Washington, D.C.

DEAR MRS. GREEN: My attention was recently called to H.R. 2263 by our department of institutions and agencies. As I understand it, the purpose of this bill is to "provide an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving critical shortages of qualified manpower in the field of correctional rehabilitation."

I understand the bill would permit support of the Joint Commission for Correctional Manpower and Training, which was strongly endorsed by U.S. Supreme Court Justice Clark in his address on June 4, 1964, to the Arden House Conference on Manpower and Training for Corrections. Our department of institutions and agencies, which is responsible for the State's correctional program, worked with the sponsoring agency for the Arden House Conference.

The State of New Jersey has long been interested in problems which relate to the recruitment of adequate persons into the correctional field and their training after they enter. As a former judge and a person with a long-time interest in the field of correction and its personnel problems, I have supported our department's efforts to expand their training programs for correctional personnel. I believe that New Jersey has made some significant contributions in this area.

I was, of course, personally gratified that one of the position papers prepared for the Arden House Conference was prepared by our commissioner, and by the director of correction and parole, Mr. Albert C. Wagner. Both of these men agree, and I concur, with Justice Clark's concept of a need for unified, definitive action in this important area as a preliminary step to the upgrading of correctional standards and practices.

The field of correction faces many challenges in the years ahead, and it is important that it be integrated into the nationwide attack on crime being considered by President Johnson. Correction will make a more effective contribution to this nationwide attack on crime if it is in a position to be more rational and deliberative about the many problems that relate to manpower and administration. Contemporary correction must adjust its training and treatment programs to the many new and challenging ideas that are being developed in the social sciences, while at the same time insuring the security of the community by placing proper emphasis on custodian safeguards. This complex and difficult task requires well trained and capable people. The development of such people is a major problem confronting State and county correctional systems in New Jersey.

The objectives outlined by the Joint Commission on Correctional Manpower and Training will, if implemented, make a substantial contribution to a more satisfactory resolution of this difficult task in the years ahead.

Sincerely yours,

RICHARD J. HUGHES,
Governor.

STATE OF MICHIGAN,
OFFICE OF THE GOVERNOR,
Lansing, April 20, 1965.

Re H.R. 2263.
Hon. EDITH GREEN,
Chairman, Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSWOMAN GREEN: I endorse and support H.R. 2263. There is an urgent need for adequately trained correctional personnel both at the juvenile and criminal court levels.

Sincerely,

GEORGE ROMNEY.

Copy to Charles S. Prigmore, executive director, Joint Commission on Correctional Manpower and Training, 44 East 23d Street, New York, N.Y.

EXECUTIVE DEPARTMENT,
Annapolis, Md., April 21, 1965.

Hon. EDITH GREEN,
Member of Congress, Chairman, Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSWOMAN GREEN: I am enclosing a statement supporting H.R. 2263 which I hope will be included as a part of the hearings on the bill.

I am convinced that it offers a real opportunity to improve the quality as well as the quantity of our efforts in the field of correctional rehabilitation.

With kindest personal regards, I am

Sincerely yours,

J. MILLARD TAWES,
Governor.

STATEMENT TO SPECIAL SUBCOMMITTEE ON EDUCATION, U.S. HOUSE OF REPRESENTATIVES, RE H.R. 2263

(By Hon. J. Millard Tawes, Governor of Maryland)

As is true in many other States, I have become very much interested in improving and strengthening the program in our penal and correctional institutions in Maryland. Perhaps this interest is partly due to the desire of leaders in each of our States to insure the rights of all minority and distressed groups and individuals. From the standpoint of economy, from the standpoint of humanitarian motives, from the standpoint of protection of society, and from the standpoint of enabling all our citizens to make a contribution to the world, we Governors have assumed an expanded interest in, and responsibility for, the rehabilitation of juvenile and adult offenders committed to our care.

I am convinced that the assurance of an adequate supply of well qualified and dedicated career personnel in our correctional programs is the best guarantee that rehabilitation of offenders will take place. We must increase the number of skilled personnel who are interested in working with our offenders. We must remake the atmosphere of our prisons and courts so that trained individuals will remain on these important jobs.

Commissioner Vernon L. Pepersack of our Maryland Department of Correction, has assured me that a bill before your subcommittee, H.R. 2263, will be a necessary and significant first step in insuring that enough people are ready, willing and able to assume the responsibility of jobs in the correctional field. I understand that in other fields, such as mental health, a 3-year nongovernmental study preceded a massive national action program to change public attitudes and increase public support.

As the Governor of 1 of the 50 States, I urge you to support and enact H.R. 2263, the Correctional Rehabilitation Study Act of 1965. This is the most important bill before the Congress concerned specifically with correctional manpower and training.

——— ———,
Governor of Maryland.

STATE OF CONNECTICUT,
Hartford, April 15, 1965.

Hon. EDITH GREEN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE GREEN: I am pleased to enclose a statement in support of H.R. 2263, a measure which I have discussed with Coordinator John P. Lukens of the Connecticut Commission on Youth Services and with Connecticut State Jail Administrator Harold E. Hegstrom.

Sincerely,

JOHN DEMPSEY,
Governor.

STATE OF CONNECTICUT,
Hartford.

STATEMENT BY GOVERNOR JOHN DEMPSEY OF CONNECTICUT IN SUPPORT OF H.R. 2263

I consider it vitally important that penal institutions, in Connecticut and elsewhere, be staffed by personnel that is dedicated and well trained.

Such staffing is as essential in penal institutions as it is, for example, in mental hospitals or in public schools.

The full attainment of the purposes and objectives of any public institution or facility depends on proper and efficient administration.

The problems of recruiting, educating, training, utilizing, and retaining competent staff personnel in penal and correctional institutions have been the subject of serious thought in Connecticut.

I am, therefore, highly gratified that several years of planning by some 60 national organizations has resulted in the introduction of H.R. 2263, which would make possible a thorough and comprehensive study of such problems.

Support for H.R. 2263 in the State of Connecticut is indicated by the fact that the Connecticut Prison and Parole Association has endorsed it; that Mrs. Janet S. York, superintendent of the Connecticut State Farm and Prison for Women, is president of one of the organizations instrumental in having the act drafted, and that Representative ROBERT N. GIAIMO of Connecticut's Third District played a leading role in the Arden House Conference where the idea of undertaking a 3-year study of correction manpower was developed.

I hope very much that the honorable House Committee on Education and the Congress will approve this bill.

JOHN DEMPSEY,
Governor.

Hon. EDITH GREEN,
U.S. House of Representatives,
Washington, D.C.

As the newly elected Governor of Florida, I have become acutely aware of the correctional system we have within the State. It is my impression that those individuals who have been charged with the responsibility of operating this system are most conscientious. These individuals realize, however, that in order to have a progressive correctional system it is necessary that competent personnel be employed to achieve the goals that have been established for rehabilitation of the criminal offender. As former mayor of the city of Jacksonville, which is one of the largest cities within the State of Florida, I had the responsibility of supervising the police department as one of the duties of my office. It was most discouraging to me to see individuals repeat criminal acts time after time after having been previously incarcerated within the correctional system of the State of Florida.

It is my firm belief that in order to achieve rehabilitation it is very important that the personnel assigned to this task be trained properly to carry out their responsibilities. The correctional officer who is the individual closest to the inmates should be given the finest training possible in order to carry out his responsibilities. We also need to encourage high school students to enter into a career of corrections and achieve professional training that will permit them to work more knowledgeably with those under their care. It is my understanding that the bill presently before the committee will provide funds for the carrying out of a program of research and study of the current and projected personnel needs within the field of correctional rehabilitation.

The State of Florida, acting through the Office of Governor, is happy to endorse and support H.R. 2263, the purpose of which is to assist in resolving the critical shortage of qualified manpower in the field of correctional rehabilitation. The director of the Florida Division of Corrections, Mr. Louie L. Wainwright, has advised me that this bill will be of the utmost benefit to the Florida Division of Corrections, and we hope the Congress will pass this legislation.

Respectfully submitted.

HAYDON BURNS, *Governor.*

STATEMENT TO THE SPECIAL SUBCOMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESENTATIVES, BY THE HONORABLE CARL SANDERS, GOVERNOR OF GEORGIA, ON H.R. 2263

As Governor of Georgia, I have sought for various means to strengthen and improve the services of the correctional and penal institutions in my State. I am impressed with the importance of improving this aspect of our State services, since the lives and careers of many citizens are affected directly or indirectly by the degree of adequacy of our correctional system.

In June of 1963, I asked Dr. Polk Jarrell, Assistant State Superintendent of Schools in Charge of Vocational Rehabilitation, to undertake the development of an effective rehabilitation program in the prison system of Georgia. He assured me of his interest and willingness and asked that this program be commenced in one institution at the time. Accordingly, a pilot project was begun at the Georgia Industrial Institute at Alto, a facility serving older boys to age 21. Dr. Jarrell assembled a team of specialists from his rehabilitation staff, the University of Georgia, private psychiatrists, clinical psychologists, and a professional staff member from the Federal Prison System, to carry out a 10 percent sampling of the population at Alto. The results of this undertaking showed that approximately 70 percent of the group sampled met existing rehabilitation agency standards of eligibility.

During the summer of 1963, a plan was developed for a cooperative rehabilitation program and an agreement was executed between the vocational rehabilitation agency and the board of corrections. Plans for a vocational rehabilitation center were developed concurrently with field trips to study existing facilities in other areas, staffing and program implementation. This center, which is jointly financed by vocational rehabilitation and the board of corrections on a 70–30 basis, respectively, has cost approximately $550,000.

The Alto Rehabilitation Center has three major functions:

1. Service, including (a) medical and psychological diagnosis, (b) prevocational appraisal, (c) social and personal adjustment, (d) individual and group counseling, (e) prevocational training and (f) resocialization.

2. Training: (a) academic instruction in elementary and high school, (b) trade training on the job station (about 150), (c) vocational training in technical school, which facility will be added, (d) internships in psychology, social work, and vocational rehabilitation counseling, in cooperation with the University of Georgia.

3. Research and demonstration projects.

About 30 professional positions have been established to man the center, including 2 full-time clinical psychologists and a half-time psychiatrist.

I present this example to underscore the enormous significance that can be attached to a very close-working relationship between the fields of vocational rehabilitation and corrections. It is perhaps fair to assume that the rate of 70 percent eligibility at Alto will be found to obtain in other offender populations. Thus, it is clear that vocational rehabilitation services can and should be made available to all correctional and penal programs.

It seems very right an appropriate that the 3-year nongovernmental study of recruitment, education, training, utilization, and retention of correctional personnel should be partially funded by an amendment to the Vocational Rehabilitation Act. Such a study was mandatory as a prelude to a national action program for mental health and I feel it to be equally important and valuable for the field of corrections. I, therefore, urge the Committee on Education and Labor and Congress to give favorable consideration to H.R. 2263. This is a statesmanlike approach to the alleviation of one of our Nation's most vital and urgent problems.

STATE OF OHIO,
OFFICE OF THE GOVERNOR,
Columbus, April 30, 1965.

CHAIRMAN,
Special Subcommittee on Education, U.S. House of Representatives, Washington, D.C.

DEAR MRS. GREEN: There is much interest in Ohio among persons concerned with corrections in H.R. 2263, introduced by Representative EDITH GREEN, of Oregon. As I understand it, this bill would implement recommendations of the Arden House Conference on Manpower and Training for Corrections which met in June of last year.

When H.R. 2263 is heard before your committee, will you please enter in the hearing record this letter endorsing the proposal.

In connection with our recent staffing of the new adult parole authority and in our search for replacements for personnel in corrections who have left the employ of the State for one reason or another, we have come to the conclusion that inadequate numbers of people are being prepared for specialties in the correctional field. Representative GREEN's proposal should do much to develop needed information in this area.

Sincerely,

JAMES A. RHODES,
Governor.

STATEMENT OF KARL F. ROLVAAG, GOVERNOR, STATE OF MINNESOTA, H.R. 2263, THE CORRECTIONAL REHABILITATION STUDY ACT OF 1965

Costs of crime and delinquency, national rank second only to national defense.

Crime and delinquency are our most pressing and costly social problems. We have never provided the kind and number of personnel required for workable prevention and control programs. A bold and concerted effort must be made to recruit and train people to work in the field of crime and delinquency. Such efforts in the fields of mental health, public health, and vocational rehabilitation have moved these fields ahead significantly and we must do the same in the field of corrections.

Our experience in Minnesota has paralleled that of other States and the Nation generally. We do more for the training of manpower needed to meet the crime and delinquency problem. Graduate trained workers are few. The people we employ in the field and institutional case work positions in the main come to us with undergraduate training only. Because of the limited number of personnel available, case loads are more than double that recommended by national standards. A more adequate supply of qualified people must be developed.

I have reviewed the purpose and content of the proposed Correctional Rehabilitation Study Act of 1965 and urge its full support and passage. In providing for a 3-year Joint Commission on Correction Manpower and Training, this act will make possible a significant step forward to alleviate a serious and growing problem. It will help to bridge the gap by the correction agencies on the one hand and related university departments and academic disciplines on the other, and will develop a closer participation in educational and research activities.

During my visit to the correction institution in Minnesota I saw firsthand the effective work that can be done by trained personnel. I also saw examples of how difficult it is to recruit qualified people. I urge support of the Correctional Rehabilitation Act of 1965 and will further urge its support at the National Governors' conference which will meet here in Minnesota July 24–30.

STATE OF MAINE,
OFFICE OF THE GOVERNOR,
Augusta, April 22, 1965.

Hon. EDITH GREEN,
House of Representatives,
Washington, D.C.

MY DEAR MRS. GREEN: I have reviewed your bill, H.R. 2263, and although I have no thoughts on the appropriation required to initiate the research and study, I do find a great deal of merit in the objectives of the act.

In Maine, as in other States, we are concerned with an acute shortage of properly trained correctional personnel. We are aware that few correctional institutions have full-time psychiatrists, that most share psychological services, and that those institutions having a staff of social workers are in a minority. A serious shortage of trained personnel, not only in our juvenile institutions and in our community efforts, but also in our penal and correctional settings, is a very serious handicap to our rehabilitative program.

I do support the concept of the act, and I am of the opinion that some very constructive results could be obtained by the proposed research and analysis.

Sincerely yours,
JOHN H. REED,
Governor.

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
Dover, April 23, 1965.

Hon. EDITH GREEN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE GREEN: I am writing in support of H.R. 2263 and its objectives to provide for evaluation of the needs of qualified manpower in the field of correctional rehabilitation and the means to resolve the critical manpower shortage.

Delaware has recently reorganized its department of corrections and placed probation and parole services within that department. To carry out the services of the new department, as well as those of our Youth Services Commission and family courts, substantially increased appropriations were made along with large sums for new facilities.

But Delaware, as other States, is having difficulties in recruiting trained and qualified personnel needed for the agencies mentioned above. In December 1964, Mrs. E. Paul du Pont, in Delaware, established the E. Paul du Pont endowment at our State university, for the purpose of "training personnel in corrections" and establishing "courses in the university for the purpose of encouraging and assisting undergraduates, graduates and others, interest to prepare for professional careers or to advance their knowledge in criminology, delinquency, correction, and social welfare."

While the above endowment shows the increasing public interest in and the desire to improve correctional services, it does not encompass the broad evaluation set forth in H.R. 2263 or the required study in depth to determine a national program on correctional manpower and training. Thus, I am happy to add my support to the objectives of this legislation.

Very sincerely yours,
CHARLES L. TERRY, Jr.,
Governor.

STATEMENT OF THE HONORABLE CLIFFORD P. HANSEN, GOVERNOR OF THE STATE OF WYOMING, FOR THE SPECIAL SUBCOMMITTEE ON EDUCATION, U.S. HOUSE OF REPRESENTATIVES, RE H.R. 2263, CORRECTIONAL REHABILITATION STUDY ACT OF 1965

The proposed Correctional Rehabilitation Study Act of 1965, as introduced by Representative EDITH GREEN for consideration by this Congress, appears to provide ample means to meet a very real national need.

Already endorsed by the Council of State Governments, and based upon thorough consideration and analysis of this need by the delegates who participated in the 1964 Arden House Conference on Manpower and Training for Corrections, this legislation appears sound in goal and in principle.

The genuinely rehabilitative services to which our correctional efforts in this country must, in humanity, be directed, require the attention of well-qualified personnel in all correctional programs.

The tasks outlined by the bill for the proposed Joint Commission on Manpower and Training for Corrections seem to be clearly indicated. That this effort should be performed by a nongovernmental body is most desirable. That this study merits the active support and encouragement of the Federal Government recommends it for incorporation in the Vocational Rehabilitation Act.

I appreciate that the opportunity has been afforded me to add my endorsement to this legislation, H.R. 2263, on behalf of the State of Wyoming.

HONOLULU, *April 20, 1965.*

Hon. EDITH GREEN,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE GREEN: I understand that you are chairman of the Special Subcommittee on Education that is considering H.R. 2263, Correctional Rehabilitation Study Act of 1965.

Attached you will find my supporting statement which I would appreciate for you to present at the subcommittee hearing.

Your kind assistance in this matter will be appreciated.

Warmest personal regards. May the Almighty be with you and yours always.

Sincerely,
JOHN A. BURNS.

STATEMENT BY GOV. JOHN A. BURNS, STATE OF HAWAII, ON H.R. 2263, BEFORE THE SPECIAL SUBCOMMITTEE ON EDUCATION, APRIL 20, 1965

Madam Chairman and members of the committee, I am John A. Burns, Governor of the State of Hawaii. I deeply appreciated the courtesy of the committee in affording me the opportunity of submitting a statement since I am very much interested in H.R. 2263 and would like to make the following statement in support of this bill. I recommend favorable consideration of H.R. 2263 because it provides for an objective, thorough, and nationwide analysis and reevaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation.

Further, H.R. 2263 provides grants for research and study of the current and projected personnel needs in the field of correctional rehabilitation and of the availability and adequacy of educational and training resources for persons preparing to enter this field. It is most important that correctional tasks by identified. This identification of the various tasks in corrections will enable universities and colleges in the United States to develop and improve curriculums which (1) will enable the student to prepare for a career in corrections; (2) will aid in recruitment in all levels of correctional work; (3) will emphasize the importance of in service training in all levels of employment; (4) will enable the need for cross-training in the in service training program; (5) will establish the need for an in service training and orientation program for all new employees before they are placed on the job; (6) will point up the need for correctional policymakers and administrators to attend annual conferences and institutes to enable them to evaluate changing concepts and trends.

We have already made some progress in the corrections fields in Hawaii. However, the need for thorough research is necessary and a grant for this purpose will help the State of Hawaii and other States to develop the kind of programs needed to meet this peculiar need.

STATE OF OKLAHOMA,
OFFICE OF THE GOVERNOR,
Oklahoma City, April 28, 1965.

SPECIAL SUBCOMMITTEE ON EDUCATION,
U.S. House of Representatives,
Washington, D.C.

GENTLEMEN: I am pleased to support and recommend to the consideration of Congress H.R. 2263, which provides for the establishment of a Joint Commission on Correctional Manpower and Training as proposed by Representative EDITH GREEN of Oregon.

The State of Oklahoma is cognizant of the need for constantly evaluating and upgrading the quality of its own correctional facilities and personnel. Accordingly, we feel that the initiation of a 3-year, nongovernmental correctional needs study, such as is planned under the authority of H.R. 2263, would prove of great value not only to the State of Oklahoma, but to the other 49 States as well. Please be advised, therefore, that if this office can be of service in any way you will have our full cooperation and support.

Sincerely,
HENRY BELLMON,
Governor.

OFFICE OF THE GOVERNOR,
Frankfort, Ky., April 30, 1965.

Representative EDITH GREEN,
Chairman, Special Subcommittee on Education, U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN GREEN: Enclosed you will find testimony in support of the Correctional Rehabilitation Study Act of 1965. I hope you will see to it that this testimony is placed in the committee's record because I feel that passage of the measure by Congress would provide assistance in a very neglected area of our society.

Sincerely,
EDWARD T. BREATHITT.

TESTIMONY OF THE HONORABLE EDWARD T. BREATHITT, GOVERNOR OF KENTUCKY, BEFORE THE SPECIAL SUBCOMMITTEE ON EDUCATION, APRIL 30, 1965

It has been gratifying to learn that a sincere effort is being made to establish a Joint Commission on Correctional Manpower and Training for the purpose of surveying the personnel needs that have in recent years become so evident in the correctional field.

Genuine concern in the area of delinquency, crime, and corrections is being demonstrated by the people of Kentucky. This concern has starkly revealed the lack of resources from which qualified personnel can be recruited to serve in the areas of probation, correctional institutions, and parole. I believe that H.R. 2263, if passed, will contribute greatly not only to a long-range improvement in personnel standards and resources but also to the degree of opportunity that the men and women, who today are imprisoned or under supervision, will have for future personal adjustment in free society.

I am sure that the colleges and universities of Kentucky would welcome the opportunity to work with the commission's task force which is charged with the initiation, development, and expansion of curriculum. I also feel certain that the students would welcome the additional career opportunities that would be a natural consequence of such a cooperative effort.

I advocate the passage of H.R. 2263 in the belief that such action will signify the true degree of an enlightened Congress.

STATE OF ILLINOIS,
May 7, 1965.

Hon. EDITH GREEN,
Chairman, Special Subcommittee on Education, House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE GREEN: Please note the enclosed letter regarding H.R. 2263, from Gov. Otto Kerner, of Illinois, to the Senators and Representatives from Illinois.

The delinquency prevention, parole, and institution staffs of the Illinois Youth Commission; and the members of our Correctional Services and Community Services Advisory Board are all much interested in H.R. 2263, which would, we believe, be of great assistance to Illinois and to the other States in improving success in the rehabilitation of juvenile delinquency through overcoming the shortage of needed professional personnel in our field of endeavor.

We much appreciate your interest and efforts in the behalf of our Nation's youthful offenders.

Sincerely,

JOHN A. TROIKE,
Chairman.

OFFICE OF THE GOVERNOR,
Springfield, May 3, 1965.

Mr. JOHN A. TROIKE,
Chairman, Illinois Youth Commission, Springfield, Ill.

DEAR MR. TROIKE: Our citizens have become deeply concerned by the rapidly growing incidence of juvenile delinquency and adult crime.

There is a serious nationwide shortage of people trained in correctional education and in the behavioral sciences.

Your support of H.R. 2263 would help to overcome the present dearth of these professional specialists. I earnestly ask your support of this bill as a gaint step forward in the effort toward the reduction of juvenile delinquency and crime and toward the rehabilitation of our youthful and adult offenders.

OTTO KERNER,
Governor.

STATE OF COLORADO,
DEPARTMENT OF INSTITUTIONS,
Denver, April 20, 1965.

STATEMENT OF JOHN A. LOVE, GOVERNOR OF COLORADO, AND DAVID A. HAMIL, DIRECTOR, DEPARTMENT OF INSTITUTIONS, STATE OF COLORADO

The complexity of modern living demands that our correctional programs be tailored to the most recent proven methods of rehabilitation. The financial burdens and loss of human resources to the Nation associated with crime justifies a thorough appraisal for developing skilled personnel in coping with this major problem.

The provisions of H.R. 2263 offer such a program on a national scope. We endorse the provisions of this proposal and encourage its enactment by the 1st session of the 89th Congress.

JOHN A. LOVE,
Governor.
DAVID A. HAMIL,
Director.

STATE OF NORTH DAKOTA,
EXECUTIVE OFFICE,
Bismarck, April 28, 1965.

SPECIAL SUBCOMMITTEE ON EDUCATION,
U.S. House of Representatives,
Washington, D.C.

GENTLEMEN: It has been brought to my attention that your special subcommittee recently has held hearings on the Correctional Rehabilitation Study Act of 1965.

After discussing this proposed legislation with our correctional authorities in North Dakota, it is my belief that the comprehensive 3-year study provided by the act would prove to be of great benefit to the correctional personnel in this State.

I am, therefore, pleased to herewith indicate my support for the Correctional Rehabilitation Study Act of 1965.

Sincerely,

WILLIAM L. GUY,
Governor.

STATE OF OREGON,
OFFICE OF THE GOVERNOR,
Salem, April 20, 1965.

STATEMENT IN SUPPORT OF H.R. 2263

Oregon's penal population has increased 44 percent in the past 10 years. The cost of providing care has increased from $2.6 million to $8.5 million during this same period. The cost to every man, woman, and child in Oregon has increased from $3.69 to $7.31 during this same span.

Nationally, the prevalence of serious crimes the first half of 1964 was up 15 percent over 1963. In the West, this increased 11 percent. J. Edgar Hoover estimates that the cost of crime in the United States was at least $27 billion in 1963 and this means that it cost each family $500 per year.

The cost of crime and the prevalence of crime both nationally and in this State is such that action such as is contemplated by H.R. 2263 is long overdue and I urge your support.

Sincerely,

MARK O. HATFIELD,
Governor.

STATEMENT IN SUPPORT OF H.R. 2263 IN THE U.S. HOUSE OF REPRESENTATIVES

EXECUTIVE OFFICE,
Jefferson City, Mo., April 22, 1965.

Mr. CHARLES S. PRIGMORE,
Executive Director, Joint Commission on Correctional Manpower and Training, New York, N.Y.

I support the objectives of the Correctional Rehabilitation Study Act of 1965. There is need for a comprehensive inventory of correctional programs that now vary widely throughout the world. A Joint Commission on Correctional Manpower and Training should have the resources to filter out the obsolescent practices and establish a blueprint for the development of a new era and new image in corrections.

One greatly needed contribution that such a commission should make is to promote the development of dedicated and competent personnel who will make corrections work a permanent career. This is the most urgent need in the correctional field that faces our State today.

Sincerely yours,

WARREN E. HEARNES.

STATE OF WASHINGTON,
OFFICE OF THE GOVERNOR,
Olympia, May 7, 1965.

Hon. EDITH GREEN,
Chairman, Special Subcommittee on Education and Labor, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE GREEN: I wish to add my word of encouragement and support to that of the Washington Citizens Council and other groups as well as individuals toward the passage of H.R. 2263 currently being considered by Congress.

I strongly favor the proposed joint commission which would include representation from the American Bar Association, the American Psychiatric Association, National Council on Crime and Delinquency, the National Council of State Government, and other important groups and organizations that would provide guidance of the 3-year nongovernmental study with which this bill is concerned.

I am particularly pleased that this is closely tied to the Vocational Rehabilitation Act, a program which I favor strongly. Accordingly, I urge your favorable consideration and the passage of H.R. 2263.

Sincerely,

DANIEL J. EVANS,
Governor.

OLYMPIA, WASH.,
April 16, 1965.

Hon. EDITH GREEN,
Chairman, Special Subcommittee on Special Education, Congress of the United States, Washington, D.C.:

I heartily endorse the proposal as embodied in House bill 2263 and urge its passage. We certainly will need trained personnel to meet this ever more pressing problem with the rise of crime and delinquency.

DANIEL J. EVANS,
Governor, State of Washington.

BATON ROUGE, LA.,
April 22, 1965.

Hon. EDITH GREEN,
Chairman, Special Subcommittee on Education, House of Representatives, Washington, D.C.:

The State of Louisiana endorses and supports H.R. 2263, the Correctional Rehabilitation Study Act of 1965. There is a definite need for the establishment of a commission to study the recruitment educational training, utilization, and retention for all levels of correctional personnel. Like many other States, Louisiana has an acute shortage of qualified personnel in the correctional field. Much needs to be done in strengthening our programs of inservice training for all types of personnel serving in correctional institutions.

JOHN J. MCKEITHEN,
Governor of Louisiana.

CARSON CITY, *April 23, 1965.*

Hon. EDITH GREEN,
State of Oregon, U.S. House of Representatives, House Office Building, Washington, D.C.:

I wish to add my support to your proposed Correctional Rehabilitation Study Act of 1965. Crime and delinquency represent a serious national problem. We cannot hope to be successful in keeping the world safe from totalitarianism if we cannot keep our streets safe for our wives and children. We must have well-trained correctional personnel as part of our concerted attack on crime. I believe the creation of a Joint Commission for Correctional Manpower and Training will do much to achieve this goal.

GRANT SAWYER,
Governor of Nevada,
Chairman, Governors' Conference.

BOSTON, MASS.,
April 9, 1965.

Representative EDITH GREEN,
Chairman of Special Subcommittee on Education, House of Representatives, Washington, D.C.:

As the Governor of the Commonwealth of Massachusetts I wish to recommend to your committee my full support of H.R. 2263, the Correctional Rehabilitation Study Act of 1965 presently before your committee. The need for training and top-level recruitment in the correctional field and the support of the

Joint Commission on Correctional Manpower and Training is badly needed. The proper direction of our efforts in the field of corrections is highly important to the safety and good health of any community or State. H.R. 2263, to finance the needed study, should receive widespread support because of its importance.

JOHN A. VOLPE,
Governor of Massachusetts.

In January, following the introduction of H.R. 2263, we contacted the Vermont congressional delegation urging strong support for this progressive legislation in the field of correctional rehabilitation. The passage of this important legislation will allow for a clearer definition of jobs and training, and expanded training and educational facilities in corrections. It will deal affirmatively with the critical shortage of qualified manpower in the field of correctional rehabilitation, and will constructively aid recruitment and retention of qualified personnel. Vermont supports the Joint Commission on Correctional Manpower and Training, and urges passage of H.R. 2263.

PHILIP H. HOFF,
Governor of Vermont.
WM. WOODHULL,
Vermont Commissioner of Institutions.
APRIL 14, 1965.

Mrs. GREEN of Oregon. Mr. Speaker, I will conclude by urging the Members of the House to support this piece of legislation that, as the distinguished chairman from New York said, comes to you with the unanimous support of the Committee on Education and Labor of the House of Representatives.

The SPEAKER pro tempore (Mr. NATCHER). The gentlewoman from Oregon has consumed 6 minutes.

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. POWELL. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. AYRES], the distinguished minority leader of the Committee on Education and Labor.

Mr. AYRES. Mr. Speaker, the gentlewoman from Oregon has stated the case very well. This has the unanimous support of the members on the minority side.

Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. QUIE. Mr. Speaker, the bill, H.R. 2263, the Correctional Rehabilitation Study Act of 1965, originated from the discussion at a national conference in June 1964. At the conference, a hundred delegates of 61 national organizations met to pinpoint priority needs in regard to the recruitment, education, training, utilization, and retention of personnel employed in the adult and juvenile correctional systems of the Nation. It was the consensus of the delegates that a massive national action program is urgently needed, and that a 3-year nongovernmental study conducted by a Joint Commission on Correctional Manpower and Training would be a necessary first step. The idea of such a study as a prelude to national action was suggested by the groups familiar with the highly successful work done by the Joint Commission on Mental Illness and Health a decade ago, which laid the groundwork for modernization of the mental health field.

The study will involve 15 task forces, each of which will focus on an important aspect of the problem. More than a classical study, in the common use of the term, will be involved, however. Each task force will be charged with making certain that its decisions have the full backing of all correctional organizations, social welfare bodies, and other key groups in the Nation. There will thus be a combination of at least three activities: First, pulling together and organizing the knowledge and skills already available; second, seeking out and testing new knowledge and skills; and third, initiating an action program at local, State, interstate, and national levels.

There are today 100,000 men and women working in our prisons, reformatories, training schools, jails, detention homes, halfway houses, courts, parole departments, correctional farms and camps, and private correctional agencies. Less than 10 percent of these men and women have any appropriate educational preparation for their work. Indeed, for half of them, the so-called prison guards, correctional officers, and cottage parents, there is no accepted preservice educational preparation. For only a handful is there a systematic in-service training program. Career advancement opportunities are meager in most instances. Opportunities for educational leave and exchange programs are minimal. Salaries and working conditions are generally poor in comparison with other fields. Personnel turnover is high. The brighter young students do not look to corrections as a career, and often the correctional services must recruit from the less educated and less qualified groups.

Among the results of these deplorable conditions are that crime and delinquency rates continue to soar. The percentage of juvenile and adult offenders who are genuinely rehabilitated by our correctional programs is low, and each unrehabilitated offender tends to recruit other criminals and delinquents in addition to continuing his own life of crime.

The 100,000 poorly qualified people we now have should be converted to 250,000 well-qualified people in order to create sound correctional programs in America. The Congress is fortunate that the national organizations themselves have come together to suggest an orderly and systematic course of action to rebuild and modernize corrections. H.R. 2263 is an important bill, and should be speedily enacted into law.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Speaker, we have no further requests for time on this side.

The SPEAKER pro tempore. Does the gentleman from Ohio [Mr. AYRES] desire to yield additional time?

Mr. AYRES. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, as I understand it, this bill would provide $2,100,000 over a 3-year period for the purpose of studying crime and juvenile delinquency. Let me ask the gentlewoman from Oregon, the author of the bill, if the commission, and I assume there is to be a commission, will go into the subject of laws needed to deal with crime? What is to be the specific function of the commission?

Mrs. GREEN of Oregon. The gentleman is correct as far as the overall cost; as far as the Government is concerned, it is $2.1 million over a 3-year period. However, they also hope to get funds from private foundations and from other sources so that this would not be entirely financed by the Federal Government. The focus of their work will be on correctional rehabilitation. They will go into the problems of the shortage of manpower and into the procedures being used at the present time so far as rehabilitation services are concerned in both juvenile and adult penal institutions.

Mr. GROSS. Is it not a fact that what we need more than anything else today in the District of Columbia, for instance, are laws that will meet the terrible situation that exists with respect to crime? Excluding juvenile delinquency for the moment—dealing exclusively with the crime situation—the awful crime situation that exists in the District of Columbia—is it not a question of a lack of effective laws and perhaps lack of effective judges to enforce the laws?

Mrs. GREEN of Oregon. Mr. Speaker, if the gentleman will yield further, may I say, first of all, that the committee was concerned and the 61 organizations that met at Arden House would not have held their conference if they were not terribly concerned about the increase in crime.

But, if I may use an analogy: in the field of public health and in the field of sanitation—we have never considered it sufficient just to pass laws to say that we are going to have good public health standards. Of course, we do have laws dealing with problems of public health but we also find it is very necessary to study the source of any infections or contamination that might take place. We consider it necessary to have preventive medicine to prevent any outbreaks which endanger the health of the community. We also consider it absolutely essential to have clinics and to have doctors and nurses and technicians who, working together, will make the laws that we pass effective and thus try to make it possible for us to achieve these higher standards of health. Laws by themselves will never provide good health for the people of this country. In my judgment, the people who are experts in this field, and I do not pretend to be by any manner of means an expert—but those people who are experts in the field of correctional rehabilitation such as probation officers, judges, correctional personnel, wardens of penitentiaries and the Governors of 25 States feel it is absolutely necessary and essential that we go much further than just to pass laws and just to build more jails and institutions. The experts in this field know that we will not by laws alone cut down on the tremendous amount of crime that we have.

Mr. GROSS. We know there is crime and a serious crime situation in the District of Columbia, and elsewhere, but all too little is being done about it. I do not think we need to spend money to ascertain the fact that there is a crime situation and not only in the District of Columbia. I have before me a newspaper clipping from the Washington Star of June 18, 1965. On June 17, the day preceding publication of this particular item, a young man by the name of Washington, a resident of Washington, D.C., charged with five other men with the crime of rape on a 17-year-old girl, was freed on a technicality. Washington and three other men were previously indicted for having raped another woman in November of last year, but was not prosecuted for that crime because the 34-year-old victim committed suicide.

Washington was turned loose on the latest rape charge because the police entered the rooming house and arrested him without search warrant, even though they had previously found the 17-year-old victim's sweater in a car parked at the rear of the rooming house.

It seems to me we do not need so much a commission to study crime in the District of Columbia and elsewhere in the Nation, but what we need are laws or judges who will enforce the laws we have.

When we are asked to spend $2.1 million for this kind of a study commission, I cannot help asking what happened to the bill which was passed by the House some time ago in an effort to provide laws in the District of Columbia which would bring about conviction of these criminals? What has happened to that legislation?

Incidentally, the judge stated, in this newspaper article, that it was reported to him there is a sign in the Supreme Court of the United States, only a short distance from this chamber, which reads in effect:

> Do not leave this building after dark without being escorted by a policeman.

This sign, directing women employees of the Supreme Court to be accompanied by police, if they leave the building after dark, demonstrates the situation. What about the other women on Capitol Hill who may not have the advantage of being escorted by a policeman?

We do not need a crime commission to tell us about the unbelievable crime situation existing in the District of Columbia.

I am not necessarily opposed to the establishment of a commission for a study of juvenile and adult delinquency but what we need are laws and judges that will bring about the prosecution and conviction of these criminals, particularly those who make a profession of raping women.

Mr. POWELL. Mr. Speaker, I have no more requests for time.

The **SPEAKER** pro tempore (Mr. NATCHER). The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill, H.R. 2263.

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL VOCATIONAL STUDENT LOAN INSURANCE ACT OF 1965

Mr. POWELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7743) to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools.

The Clerk read as follows:

H.R. 7743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Vocational Student Loan Insurance Act of 1965".

APPROPRIATIONS AUTHORIZED

SEC. 2. For the purpose of enabling the Commissioner to insure eligible lenders (as defined in section 12), on behalf of the United States, against losses on loans made by them upon the conditions and within the limits specified in this Act to students in eligible institutions (as defined in section 12) who do not have reasonable access to substantially similar loan insurance programs, there are authorized to be appropriated to the vocational student loan insurance fund (established by section 10) (1) the sum of $250,000, and (2) such further sums, if any, as may become necessary for the adequacy of the vocational student loan insurance fund. Such sums appropriated under this section shall remain available until expended.

SCOPE AND DURATION OF LOAN INSURANCE PROGRAM

SEC. 3. (a) The total contingent liability of the United States with respect to loans insured under this Act shall not at any time exceed $75,000,000. The contingent liability of the United States, for purposes of this subsection, shall not include the amounts of certificates of comprehensive insurance issued pursuant to section 8(b) or the amount of commitments to insure proposed loans or lines of credit made pursuant to section 8(a)(2), except to the extent that the eligible lender has actually made a loan which is insured under such certificate of comprehensive insurance or commitment to insure a proposed loan or line of credit.

(b) The Commissioner may, if he finds it necessary to do so in order to assure an equitable distribution of the benefits of this Act, assign, within the limitation specified in subsection (a), insurance quotas applicable to eligible lenders, or to States or areas, and may from time to time reassign unused portions of these quotas.

(c) If the Commissioner determines in accordance with regulations that students, or one or more classes of students, in a State or other area have reasonable access to another public or a private program of loan insurance which is at least substantially as beneficial to such students as is the program of loan insurance set forth in this Act, he shall not, for so long as he determines such condition to continue, issue certificates of insurance to lenders under section 8 covering loans to such students or classes of students.

LIMITATIONS ON INDIVIDUAL LOANS AND ON INSURANCE

SEC. 4. (a) No loan or loans by one or more eligible lenders in excess of $1,500 in the aggregate to any student in any academic year or its equivalent shall be covered by insurance under this Act. The aggregate insured unpaid principal amount of all such insured loans made to any student shall not at any time exceed $3,000. The annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any year in excess of the annual limit.

(b) The insurance liability on any loan insured under this Act shall be 100 per centum of the unpaid balance of the principal amount of the loan. Such insurance liability shall not include liability for interest whether or not that interest has been added to the principal amount of the loan.

SOURCES OF FUNDS

SEC. 5. Loans made by eligible lenders in accordance with this Act shall be insurable whether made from funds fully owned by the lender or from funds held by the lender in a trust or similar capacity and available for such loans.

ELIGIBILITY OF STUDENT BORROWERS AND TERMS OF STUDENT LOANS

SEC. 6. (a) A loan by an eligible lender shall be insurable under the provisions of this Act only if—

(1) made to a student who (A) has been accepted for enrollment at an eligible institution or, in the case of a student already attending such institution, is in good standing there as determined by the institution, and (B) is carrying at least one-half of the normal full-time workload as determined by the institution, and (C) has provided the lender with a statement of the institution which sets forth a schedule of the tuition and fees applicable to that student and its estimate of the cost of board and room for such a student; and

(2) evidenced by a note or other written agreement which—

(A) is made without security and without endorsement, except that if the borrower is a minor and such note or other written agreement executed by him would not, under the applicable law, create a binding obligation, endorsement may be required,

(B) provides for repayment (except as provided in subsection (b)) of the principal amount of the loan in installments during a period of not less than three years (unless sooner repaid) nor more than five years beginning not earlier than one year following the date on which the student ceases to carry at an eligible institution at least one-half the normal full-time academic workload, as determined by the institution in accordance with regulations of the Commissioner, except that (i) the period of the loan may not exceed eight years from the date of execution of the note or written agreement evidencing it, and (ii) the note or other written instrument may contain such provisions relating to repayment in the event of default in the payment of interest or in payment of the cost of insurance premiums, or other default by the borrower, as may be authorized by regulations of the Commissioner in effect at the time the loan is made,

(C) provides for interest on the unpaid balance of the loan at a yearly rate, not exceeding the applicable maximum rate as prescribed and defined by the Secretary on a national, regional, or other appropriate basis, which interest shall be payable in installments over the period of the loan except that, if provided in the note or other written agreement, payment of interest may be deferred until not later than the date upon which repayment of the first installment of principal falls due, in which case interest that has accrued during such period may be added on that date to the principal (but without thereby increasing the insurance liability of the United States under this Act or the insurance premium payable under section 8(c) of this Act),

(D) entitles the student borrower to accelerate without penalty repayment of the whole or any part of the loan, and

(E) contains such other terms and conditions, consistent with the provisions of this Act and with the regulations issued by the Commissioner pursuant to this Act, as may be agreed upon by the parties to such loan, including, if agreed upon, a provision requiring the borrower to pay to the lender, in addition to principal and interest, amounts equal to the insurance premiums payable by the lender to the Commissioner with respect to such loan.

(b) The total payment by any borrower during a year of the repayment period with respect to a loan insured under this Act shall be, in the first year of such period, at least 10 per centum of the original principal amount of the loan, and in the second year of such period shall be at least 20 per centum of such amounts.

DIRECT LOANS

SEC. 7. (a) The Commissioner may make a direct loan to any student who would be eligible for an insured loan under this Act if (1) in the particular area in which the student resides loans which are insurable under this Act are not available at the rate of interest prescribed by the Commissioner which is applicable in such area, or (2) the particular student has been unable to obtain an insured loan at a rate of interest which does not exceed such rate prescribed by the Commissioner.

(b) Loans made under this section shall bear interest at the rate prescribed by the Commissioner under section 6(a)(2)(C) for the area where the student resides, and shall be made on such other terms and conditions as the Commissioner shall prescribe, which shall conform as nearly as practicable to the terms and conditions of loans insured under this Act.

(c) There is authorized to be appropriated for each fiscal year to carry out this section the sum of $1,000,000.

CERTIFICATE OF INSURANCE—EFFECTIVE DATE OF INSURANCE

SEC. 8. (a)(1) If, upon application by an eligible lender, made upon such form, containing such information, and supported by such evidence as the Commissioner may require, and otherwise in conformity with this section, the Commissioner finds that the applicant has made a loan to an eligible student which is insurable under the provisions of this Act, he may issue to the applicant a certificate of insurance covering the loan and setting forth the amount and terms of the insurance.

(2) Insurance evidenced by a certificate of insurance pursuant to subsection (a)(1) shall become effective upon the date of issuance of the certificate, except that the Commissioner is authorized, in accordance with regulations, to issue commitments with respect to proposed loans, or with respect to lines (or proposed lines) of credit, submitted by eligible lenders, and in that event, upon compliance with subsection (a)(1) by the lender, the certificate of insurance may be issued effective as of the date when any loan, or any payment by the lender pursuant to a line of credit, to be covered by such insurance was made. Such insurance shall cease to be effective upon thirty days' default by the lender in the payment of any installment of the premiums payable pursuant to subsection (c).

(3) An application submitted pursuant to subsection (a)(1) shall contain (1) an agreement by the applicant to pay, in accordance with regulations, the premiums fixed by the Commissioner pursuant to subsection (c), and (2) an agreement by the applicant that if the loan is covered by insurance the applicant will submit such supplementary reports and statements during the effective period of the loan agreement, upon such forms, at such times, and containing such information as the Commissioner may prescribe by or pursuant to regulation.

(b)(1) In lieu of requiring a separate insurance application and issuing a separate certificate of insurance for each student loan made by an eligible lender as provided in subsection (a), the Commissioner may, in accordance with regulations consistent with section 3, issue to any eligible lender applying therefor a certificate of comprehensive insurance coverage which shall, without further action by the Commissioner, insure all insurable loans made by that lender, on or after the date of the certificate and before a specified cutoff date, within the limits of an aggregate maximum amount stated in the certificate. Such regulations may provide for conditioning such insurance, with respect to any loan, upon compliance by the lender with such requirements (to be stated or incorporated by reference in the certificate) as in the Commissioner's judgment will best achieve the purpose of this subsection while protecting the financial interest of the United States and promoting the objectives of this Act, including (but not limited to) provisions as to the reporting of such loans and information relevant thereto to the Commissioner and as to the payment of initial and other premiums and the effect of default therein, and including provision for confirmation by the Commissioner from time to time (through endorsement of the certificate) of the coverage of specific new loans by such certificate, which confirmation shall be incontestable by the Commissioner in the absence of fraud or misrepresentation of fact or patent error.

(2) If the holder of a certificate of comprehensive insurance issued under this subsection grants to a student a line of credit extending beyond the cutoff date specified in that certificate, loans or payments thereon made by the holder after that date pursuant to the line of credit shall not be deemed to be included in the coverage of that certificate except as may be specifically provided therein; but, subject to the limitations of section 3, the Commissioner may, in accordance with regulations, make commitments to insure such future loans or payments, and such commitments may be honored either as provided in subsection (a) or or by inclusion of such insurance in comprehensive coverage under this subsection for the period or periods in which such future loans or payments are made.

(c) The Commissioner shall, pursuant to regulations, charge for insurance on each loan under this Act a premium in an amount not to exceed one-fourth of 1 per centum per year of the unpaid balance of principal of such loan, payable in advance, at such time and in such manner as may be prescribed by the Commissioner. Such regulations may provide that such premium shall not be payable, or if paid shall be refundable, with respect to any period after default in the payment of principal or interest or after the borrower has died or becomes totally and permanently disabled, if (1) notice of such default or other event has been duly given, and (2) request for payment of the loss insured against has been made or the Commissioner has made such payment on his own motion pursuant to section 9(a).

(d) The rights of an eligible lender arising under insurance evidenced by a certificate of insurance issued to it under this section may be assigned as security by such lender only to another eligible lender, and subject to regulation by the Commissioner.

(e) The consolidation of the obligations of two or more insured loans obtained by a student borrower in any fiscal year into a single obligation evidenced by a single instrument of indebtedness shall not affect the insurance by the United States. If the loans thus consolidated are covered by separate certificates of insurance issued under subsection (a), the Commissioner may upon surrender of the original certificates issue a new certificate of insurance in accordance with that subsection upon the consolidated obligation; if they are covered by a single comprehensive certificate issued under subsection (b), the Commissioner may amend that certificate accordingly.

PROCEDURE ON DEFAULT, DEATH, OR DISABILITY OF STUDENT

SEC. 9. (a) Upon default by the student borrower on any loan covered by insurance pursuant to this Act, or upon the death of the student borrower or a finding by the insurance beneficiary that the borrower has become totally and permanently disabled (as determined in accordance with regulations established by the Commissioner) before the loan has been repaid in full, and prior to the commencement of suit or other enforcement proceeding upon any security for that loan, the insurance beneficiary shall promptly notify the Commissioner and the Commissioner shall, if requested (at that time or after further collection efforts) by the beneficiary, or may on his own motion, if the insurance is still in effect, pay to the beneficiary the amount of the loss sustained by the insured upon that loan as soon as that amount has been determined. The "amount of the loss" on any loan shall, for the purposes of this subsection and subsection (b), be deemed to be an amount equal to the unpaid balance of the principal amount of the loan, excluding interest whether or not that interest has been added to the principal amount of the loan.

(b) Upon payment by the Commissioner of the insured portion of the loss pursuant to subsection (a), the United States shall be subrogated to all of the rights of the holder of the obligation upon the insured loan and shall be entitled to an assignment of the note or other evidence of the insured loan by the insurance beneficiary. If the net recovery made by the Commissioner on a loan after deduction of the cost of that recovery (including reasonable administrative costs) exceeds the amount of the loss, the excess shall be paid over to the insured.

(c) Nothing in this section or in this Act shall be construed to preclude any forbearance for the benefit of the student borrower which may be agreed upon by the parties to the insured loan and approved by the Commissioner, or to preclude forbearance by the Commissioner in the enforcement of the insured obligation after payment on that insurance, or to require collection of the amount of any loan by the insurance beneficiary or by the Commissioner from the estate of a deceased borrower or from a borrower found by the insurance beneficiary to have become permanently and totally disabled.

(d) Nothing in this section or in this Act shall be construed to excuse the holder of a loan from exercising reasonable care and diligence in the making and collection of loans under the provisions of this Act. If the Commissioner, after reasonable notice and opportunity for hearing to an eligible lender, finds that it has substantially failed to exercise such care and diligence or to make the reports and statements required under section 8(a)(3), or to pay the required insurance premiums, he shall disqualify that lender for further insurance on loans granted pursuant to this Act until he is satisfied that its failure has ceased and finds that there is reasonable assurance that the lender will in the future exercise necessary care and diligence or comply with such requirements, as the case may be.

(e) As used in this section—

(1) the term "insurance beneficiary" means the insured or its authorized assignee in accordance with section 8(d); and

(2) the term "default" includes only such defaults as have existed for (A) one hundred and twenty days in the case of a loan which is repayable in monthly installments, or (B) one hundred and eighty days in the case of a loan which is repayable in less frequent installments.

INSURANCE FUND

Sec. 10. (a) There is hereby established a vocational student loan insurance fund (hereafter in this section called the "fund") which shall be available without fiscal year limitation to the Commissioner for making payments in connection with the default of loans insured under this Act. All amounts received by the Commissioner as premium charges for insurance and as receipts, earnings, or proceeds derived from any claim or other assets acquired by the Commissioner in connection with his operations under this Act, and any other moneys, property, or assets derived by the Commissioner from his operations in connection with this section, shall be deposited in the fund. All payments in connection with the default of loans insured under this Act shall be paid from the fund. Moneys in the fund not needed for current operations under this section may be invested in bonds or other obligations guaranteed as to principal and interest by the United States.

(b) If at any time the moneys in the fund are insufficient to make payments in connection with the default of any loan insured under this Act, the Commissioner is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchases of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes and obligations shall be made by the Commissioner from such fund.

LEGAL POWERS AND RESPONSIBILITIES

Sec. 11. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Commissioner may—

(1) prescribe such regulations as may be necessary to carry out the purposes of this Act;

(2) sue and be sued in any court of record of a State having general jurisdiction or in any district court of the United States, and such district courts shall have jurisdiction of civil actions arising under this Act without regard to the amount in controversy, and any action instituted under this subsection by or against the Commissioner shall survive notwithstanding any change in the person occupying the office of Commissioner or any vacancy in that office, but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Commissioner or property under his control, and nothing herein shall be construed to except litigation arising out of activities under this Act for the application of sections 507(b) and 2679 of title 28 of the United States Code and of section 367 of the Revised Statutes (5 U.S.C. 316);

(3) include in any contract for insurance such terms, conditions, and covenants relating to repayment of principal and payment of interest, relating to his obligations and rights and to those of eligible lenders, and borrowers in case of default, and relating to such other matters as the Commissioner determines to be necessary to assure that the purposes of this Act will be achieved; and any term, condition, and covenant made pursuant to this clause or any other provisions of this Act may be modified by the Commissioner if he determines that modification is necessary to protect the financial interest of the United States;

(4) subject to the specific limitations in this Act, consent to the modification, with respect to rate of interest, time of payment of any installment of principal and interest or any portion thereof, or any other provision, of any note or other instrument evidencing a loan which has been insured under this Act;

(5) enforce, pay, or compromise, any claim on, or arising because of, any such insurance; and

(6) enforce, pay, compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right of redemption.

(b) The Commissioner shall with respect to the financial operations arising by reason of this Act—

(1) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act;

(2) maintain with respect to insurance under this Act an integral set of accounts, which shall be audited annually by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions, as provided by section 105 of the Government Corporation Control Act, except that the transactions of the Commissioner, including the settlement of insurance claims and transactions related thereto and vouchers approved by the Commissioner in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.

DEFINITIONS

Sec. 12. As used in this Act—

(a) The term "eligible institution" means a business or trade school, or technical institution or other technical or vocational school, in any State, which (1) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (2) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (3) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subsection; and (4) is accredited (A) by a nationally recognized accrediting agency or association listed by the Commissioner pursuant to this clause, (B) if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Commissioner pursuant to this clause, and (C) if the Commissioner determines there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by him and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools in order for loans to students attending them to be insurable under this Act and shall also determine whether particular schools meet those standards. For the purpose of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations and State agencies which he determines to be reliable authority as to the quality of education or training afforded.

(b) The term "eligible lender" means an eligible institution, or a financial or credit institution (including an insurance company) which is subject to examination and supervision by an agency of the United States or of any State.

(c) The term "line of credit" means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years.

(d) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands.

(e) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(f) The term "Commissioner" means the Commissioner of Education.

The SPEAKER pro tempore. Is a second demanded?

Mr. GLENN ANDREWS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. POWELL. Mr. Speaker, I rise in support of the bill (H.R. 7743) to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical and other vocational schools.

I emphasize the "postsecondary."

Mr. Speaker, I cannot open my remarks today without paying tribute to my fine colleague, the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. DENT] who originally created this idea about 5 years ago, and who has held hearings, off and on, on it for 3 years. He has done a particularly fine piece of work on this bill. All of the members of the committee, both the gentlemen on the other side of the aisle as well as on this side, have worked conscientiously on it.

In all of the testimony and submitted statements, support for this legislation has been unqualified.

In our modern age, advanced vocational and technical training is needed more than ever before. Moreover, there is every indication that in future years this need will grow instead of diminish.

Yet, there is at the present time no Federal program to help youth who wish to pursue this type of training on a postsecondary level to acquire it.

This is why, among other reasons, I feel it is very important that we all support an expedient piece of legislation which is now before the Congress, H.R. 7743, the proposed National Vocational Student Loan Insurance Act of 1965.

This bill would help young people, young men and women, to obtain loans so that they could finance further education in business, trade, technical, and other vocational schools by instituting a program of federally guaranteed loans for such youngsters who qualified. In addition, for those students who, for valid reasons, were not able to obtain a loan even with this insurance, a more limited program or direct Federal loans would be offered.

The money that young people would be able to borrow with this Federal insurance supporting it, would go a long way toward helping these youngsters pay the living expenses and educational costs involved in pursuing a full-time, or part-time course of vocational training. This kind of support is needed for many of these young people, who we know often come from families and backgrounds with limited financial resources, to really continue their schooling.

The idea of Federal loans for educational purposes is, of course, not new. For today, under provisions of the National Defense Education Act, qualified students may obtain loans to pursue college and even graduate study in many academic fields. Yet, nowhere is such aid granted to the student who wishes to further his training in vocational fields at trade or business schools.

H.R. 7743 would extend this legitimate idea of aiding the further education of American youth by applying it to vocationally oriented students also. It would, in a very real way, help to make up for a current inequity in our Federal aid which makes no provision for helping this type of student.

The continued vitality of our Nation depends in a large part upon a work force that is sufficiently skilled to perform the complicated tasks of our day and of the future. To assure that this work force is of the truly excellent quality which our highly technical age requires, we need to assure that potential workers will have access to advanced training in their particular skills. H.R. 7743, the proposed National Vocational Student Loan Insurance Act of 1965, would help to provide the opportunity to obtain this advanced training to thousands of our youngsters. It deserves and needs the support of all Members of Congress.

I would like to yield to the gentleman from Pennsylvania, the distinguished subcommittee chairman and the author of this bill.

Mr. Speaker, I yield such time as he may desire to the distinguished author of this bill. This idea, as I said before, is totally his, and we are very proud of the work that he has done in bringing this legislation before this body. The gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker, President Johnson has called the 88th Congress the "education Congress." This reference may be even more applicable to the 89th Congress. In any event, a historical analysis of major Federal legislation relating to education will show that the great preponderance of attention has been devoted to the elementary, secondary and college levels of education. Little consideration has been given to the postsecondary vocational school or the business, technical, vocational, or trade school student.

This pattern of neglect has been largely followed by the State governments. This is particularly true from the standpoint of the student. Of the 14 States with legislation relating to loan guarantee programs for higher education, only 1—New York—has a program comprehensive enough to include students in the vocational school category. Recently, the State of Georgia established such a guaranteed loan program for both college and trade school students. This is only the second State to include vocational school students in a higher education assistance program. Support for improved and expanded higher education is unanimous but it is often forgotten that the vocational school—an institution of postsecondary education—likewise has a significant and vital role in American society.

Mr. Speaker, less than half of our Nation's youth go on to college, yet aid in postsecondary education is generally available only for the college-bound student. Our Nation's work force, on the other hand, needs far more than just college trained people. This bill is a recognition of this point; it is, indeed, a specific recognition of the necessity for more graduates of vocational schools.

The student who attends this school is usually one who knows exactly what he wants as regards education. He therefore enrolls in a school designed to provide him with the precise training required for his avocation. There is nothing inferior or substandard about his desire; it is, in fact, more strongly motivated than are most other educational goals.

A college education is a priceless thing. It is an investment which is usually quite generously rewarded. No one would dare dispute the utility and benefits—academic, social, and otherwise—which accrue to a college graduate. It is, however, unrealistic and folly to say that everyone should have a college education. There are many in our society, aside from those who cannot afford a college education, who simply do not want to go to college, but prefer instead to continue their postsecondary education in a vocational school. These students have been falsely classified as second class or below average. This is not only unfair; it is quite untrue.

There are also large numbers of actual and potential students who have left elementary or secondary school, but who now realize the importance of advancing or establishing skills through attendance at a vocational school. In all of these cases, and in all conceivable cases, these students are in need and want training directly related to a vocational goal. They are in no way inferior or less intelligent or ambitious than the 4-year college student. They are aspirants and participants in higher education, but they have yet to receive serious attention from even the most "higher education conscious" members in legislative quarters.

Mr. Speaker, the purpose of the bill is to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools. The bill will enable the Commissioner of Education to insure eligible lenders, on behalf of the United States, against losses on loans made by them upon the conditions and within the limits specified in the bill to students in eligible institutions who do not have reasonable access to substantially similar loan insurance programs The bill would further enable the Commissioner to make a direct loan to any student who would be eligible for an insured loan under the bill, but who is unable to obtain one.

Mr. Speaker, I would now like to address myself to an analysis of the major points of the bill.

ADMINISTRATION

This program will be administered by the Department of Health, Education, and Welfare, through the office of the Commissioner of Education.

APPROPRIATIONS—SECTION 2

The bill would authorize an appropriation of first, $250,000, and second, such further sums, if any, as may become necessary for the adequacy of the vocational student loan insurance fund. This fund is herein established—section 10—and shall be available to the Commissioner for making payments in connection with the default of loans insured under the bill.

The bill would further authorize an appropriation of $1 million for each fiscal year to carry out the direct loan programs outlined in section 7.

AMOUNT AND TERMS OF INSURED LOANS—SECTIONS 3, 4, AND 6

The total contingent liability of the United States with respect to loans insured under the bill shall not at any time exceed $75 million.

The maximum insurable loan to a student shall not exceed $1,500 in any academic year; and the aggregate insured unpaid principal amount of all such insured loans shall not at any time exceed $3,000 in the case of any student.

For insurance eligibility, the maximum repayment period of the loan cannot exceed 5 years, beginning not earlier than 1 year following the date on which the student ceases to carry at least one-half of the normal full-time academic workload, as determined by the institution in accordance with regulations of the Commissioner.

AMOUNT AND TERMS OF DIRECT LOANS—SECTION 7

The Commissioner may make a direct loan to any student who would be eligible for an insured loan, under the bill if first, in the particular area in which the student resides, loans which are insurable under the bill are not available at the rate of interest prescribed by the Commissioner which is applicable in such area; or second, the particular student has been unable to obtain an insured loan at the rate of interest which does not exceed such rate prescribed by the Commissioner.

The terms and conditions of loans made under this section shall conform as nearly as practicable to the terms and conditions of loans insured under the bill.

For the purpose of carrying out this section, there is authorized to be appropriated for each fiscal year the sum of $1 million.

INSURANCE LIABILITY OF LOANS—SECTION 4

The insurance liability on any insured loan under the bill would be 100 percent of the unpaid balance of the principal amount of the loan. Such insurance liability shall not include liability for interest whether or not that interest has been added to the principal amount of the loan.

STUDENT ELIGIBILITY—SECTION 6

Basically, a student is eligible for such an insured loan if he is enrolled in good standing, or has been accepted for enrollment, at an eligible institution. He must also be carrying at least one-half of the normal full-time workload, as determined by the institution in accordance with regulations of the Commissioner. Additional provisions for eligibility are outlined in section 6.

DEFINITIONS—SECTION 12

As used in the bill—

First. The term "eligible institution" means a business or trade school, or technical institution or other technical or vocational school, in any State, which (a) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institutions; (b) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (c) has been in existence for 2 years or has been specially accredited by the Commissioner as an institution meeting the other eligibility requirements; and (d) is accredited by a nationally recognized accrediting agency or association listed by the Commissioner, or, if the Commissioner determines that no such agency or association exists to accredit schools of a particular category, by a State agency listed by the Commissioner. Further, if the Commissioner determines there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, he shall appoint an appropriate advisory committee to act as such for the purposes of the bill.

Second. The term "eligible lender" means an eligible institution, or a financial or credit institution—including an insurance company—which is subject to examination and supervision by an agency of the United States or of any State.

Mr. Speaker, hearings were held on the bill by the Select Subcommittee on Education on April 5–7, 1965. Subcommittee executive sessions were held on April 13–14, 1965. In the hearings, the subcommittee heard from representatives of the Department of Health, Education, and Welfare, the specialty oriented student research program, National Association of Trade and Technical Schools, United Business Schools Association, American Vocational Association, and others. In all of the testimony and submitted statements, support for the legislation was unqualified.

During the hearings held on this legislation, the Select Subcommittee on Education heard testimony from Dr. Kenneth B. Hoyt, professor of education at the University of Iowa, and director of the specialty oriented student research program. This is a national research program aimed at studying students who attend a trade, technical, or business school at the post-high-school level. Dr. Hoyt soon dispelled any doubts the subcommittee may have had about the need for such legislation and about the caliber of student attending a vocational institution. I repeat some of the points he brought out in his testimony.

CHARACTERISTICS AND BACKGROUNDS OF THESE STUDENTS

Over half of all these vocational students report they came to these schools because here they study only what they need to know to obtain employment. Their educational motivations appear very real and very strong, but they are not like those of the typical college liberal arts student. They feel the primary reason they are in school is for purposes of acquiring job skills which will allow them to enter and compete successfully in our increasingly complex occupational society .

I have collected the research data personally and so have had extensive opportunities to both observe and visit personally with these students. Our data show that most of them—both from the trade-technical and the business schools—come from families of a lower middle socioeconomic background. My strongest subjective impressions of these students have centered around what appears to be both an apparent need and desire to take care of themselves. They do not like to ask for help from anyone. They like to think they have made their own decisions and are becoming increasingly self-sufficient. If they borrowed money from a loan fund such as provided in this bill, I have a strong feeling that they would be most conscientious in their attempts to repay the loan as fast as possible. The more I work with these students, the more confidence I have in them. They have cooperated very well with us both in terms of original data collected and in terms of responding to mailed followup forms sent them after leaving training. They have demonstrated both their dependability and their sincerity to me in a most convincing fashion. By and large, I think it is safe to say they are very solid citizens.

MEANS USED TO FINANCE TRAINING

How do trade-technical and business school students pay the costs of their training? How much trouble do they have in doing so? We have some data with respect to these questions which I want to report.

Of the 1,821 trade-technical school students, 54 percent were working either part time or full time while attending school. Forty-seven percent were using their own personal savings to help pay costs and 21 percent had borrowed money to attend school. Thirty-four percent were receiving some financial help from their parents while 66 percent were not. Eight percent were being financed through Public Law 565—vocational rehabilitation—3 percent by Public Law 959—Bureau of Indian Affairs—and 5 percent from the GI bill.

Of the 1,767 business school students, 41 percent were working either part time or full time while attending school. Thirty-eight percent were using their own personal savings to help pay their costs, and 19 percent had borrowed money to attend school. Sixty-six percent were receiving some financial help from their parents. Four percent were being financed through Public Law 565, less than 1 percent through Public Law 959, and 2 percent through the GI bill.

We found very few students whose parents were paying all of their school costs. Parents of these students simply cannot afford to do so. Part-time jobs held while attending school represented the major means students were using to finance their education although many were depending heavily on the use of personal savings. When we visited with students who had borrowed money to attend school we found some who had borrowed directly from the school, others who had borrowed from friends or relatives, and still others who had borrowed from banks or private loan companies. It is not easy for these students to find the means of paying for their training. At the same time, we found only 47 of the 1,821 trade-technical and only 51 of the 1,767 business school students who said they may have to quit school for financial reasons. This is simply another indication of the kinds of students they are. They consider school important and do not want to give it up. Because this is so does not mean they would not appreciate having loan funds available to them.

POSTTRAINING EXPERIENCES AND FINANCING

If loans were made to these kinds of students, is it likely they would repay them following training? Would loan funds pay dividends in terms of benefits accruing from the training students received? It would seem that any discussion concerning this bill must address itself to these questions. Some answers can be found in the followup results we obtained from these students 6 months after they left training. In reporting these results, I have divided students in three groups—trade, technical, and business. Again, only gross summaries will be presented. Large differences are found within schools of a given type. The numbers involved here are 1,278 former trade school, 233 former technical school, and 1,332 former business school students.

First, it is apparent that most of these students do complete their training. Eighty-five percent of the trade, 79 percent of the technical, and 67 percent of the business school students reported doing so. In analyses of post-training vocational experiences, we included both those who completed and those who failed to complete training. Remaining figures, then, are based on all who replied to this part of our study.

Almost all of these former students had found employment when we contacted them. Only 4 percent of the trade, 9 percent of the technical, and 6 percent of the business school students had not worked since leaving the school. If these figures seem high, I should point out that 3 percent of the trade, 6.5 percent of the technical, and 4 percent of the business school students had not yet looked for employment. That is, over 95 percent of those who sought employment found it. Further perspective may be found by comparing these figures for those from the Manpower Development and Training Act which are readily available.

In addition to finding employment, a large majority of these former students—both graduates and nongraduates—reported they found training-related employment. Seventy-seven percent of the trade, 71 percent of the technical, and 78 percent of the business school students reported their first job after leaving the speciality school to be full-time employed.

In terms of gross earnings, the median weekly income on first jobs held after leaving specialty training was between $40 and $80 per week for both trade and business school students while, for former technical school students, it was between $60 and $100 per week.

We are currently completing a second year followup of these students and expect these reported earnings to be even higher this year. It seems evident that, in terms of this sample of students, sufficient numbers were working for sufficient wages so as to make the concept of student loan repayment to be rapid following graduation a reasonable approach to take.

COMMENTS REGARDING THESE STUDENTS

At this point, it seems proper to point out that results I have presented are based on students who actually attended trade, technical, and business schools. We have no data at the present time regarding the numbers of students who might be encouraged to attend if reasonable student loans were available to them. If only our samples of students are considered, it seems to me that the notion of student loans envisioned in this bill is a sound one. If one thinks of all students who might possibly attend school, the notion seems even better to me.

In spite of the limited nature of these data, it seems to me they hold some potential value for members of this committee. Certainly, it should be evident that all data presented here support the reasonableness of making loan funds available to students attending trade, technical, and business schools. I have found no reason to believe that such funds are not needed, that their availability would be unjustified in terms of benefits accruing to both these students and to society in general, nor that they would represent a poor financial risk. Data we have collected to date leads me to believe a low-cost loan program for these students would be of value.

Students who would benefit from this piece of legislation are those who need financial assistance but are unwilling to let their financial need stand in the way of entering their chosen fields of training. They do not represent that segment of society which has given up on themselves and now demands that others take care of them. Rather, they seem to me to represent persons with those qualities which all of us want to encourage—people with faith in themselves, in the values of education and training. It seems to me that these persons should be encouraged to become like them. These are not primarily the physically handicapped, the culturally deprived, the economically depressed, the slow learners, the intellectually gifted, or any other "special" group for whom so much Federal money has already been expended. Rather they represent what, in the truest sense, must be regarded as average, normal citizens—the backbone of our society.

The subcommittee was also greatly aided in its efforts by financial data from the New York Higher Education Assistance Corp. This corporation presently operates a guaranteed loan program in New York for students attending postsecondary vocational institutions. The data submitted showed that of $2 million in loans guaranteed to these students, only $16,320 remains in default. This represents less than 1 percent of the loan total. Precisely, it is 0.00816 percent of the $2 million total. Needless to say, these default figures are largely unmatched by any other loan insurance program for any category of students.

The need for vocational school students to have access to insured loans was discussed by every witness appearing before the subcommittee. Administrators of such schools, in particular, gave endless examples and cases of students who were unable to attend or struggling to remain in school because of insufficient funds. These are the people who are in direct contact with the students and who are well qualified to speak authoritatively about them and their respective situations. In all instances, witnesses were quick to note that these students have practically no access to scholarships, loan programs, or even work-study programs—the three major tenets in the structure of academic financial aid.

Mr. George Ramey, director of the Mayo State Vocational-Technical School in Paintsville, Ky., illustrated the inadequacy of one such aid available to the vocational student:

> The Vocational Education Act of 1963 provides for a work-study program. This program will help several students, since it will open the door for these students so that they will be able to pay their expenses while in a trade school. However, the number from a practical viewpoint, is very limited since they must work on or in public facilities. The school, of which I am director, has had a similar program for the past several years. In fact, practically all the janitorial work is done by students, and these students work usually, 2 hours each day after school.
>
> However, again I would like to point out that only a limited number can be effectively used in this program. While the number of boys and girls in my area, from low-income families, who would attend a trade school if it were possible, would run into the hundreds, I feel certain that this loan fund will do much to not only break the cycle of poverty in my area and other areas of the Nation, but also do much to break the cycle of low-educational achievement.
>
> I receive a constant flow of letters from boys and girls who will graduate this spring from high school, asking if there is any possible way for them to attend our trade school by either working or borrowing the money. Since their parents have a low income, and there are too many mouths to feed and too many children to educate, I sincerely believe that this loan fund would make it possible for thousands of boys and girls the Nation over to realize the desire for developing their talents to the fullest extent, where otherwise these people would be condemned to a life of poverty.

Mr. Speaker, it is often thought that the numbers of students attending vocational schools is small. This is incorrect. There are now approximately 1 million students now enrolled in various vocational institutions. Data collected by the accrediting commission for business schools show that there are presently over 75,000 students in accredited business schools alone. In the Commonwealth of Pennsylvania there presently exists an enrollment of 13,000 students in only the trade and technical schools. In 1964, these Pennsylvania schools graduated some 7,018 students. Incidentally, placement in jobs related to the trainng generally averaged 80 percent or better for these graduates.

Mr. Speaker, the economics of H.R. 7743 are definitely sound and positive. The Federal Government, with a minimum of outlay in financial obligations, will make it possible for thousands of students to be trained in useful and recognized occupations. If this is carried further, it might reasonably be said that the United States will benefit not only from the utility these trained personnel will provide in the working force, but economically as well. This is a result of the added incomes these students may receive upon termination of their training, and the revenue the Government will receive because of those added incomes.

This is not to exclude the economics of fostering attendance in private as well as public institutions. Data from the U.S. Office of Education shows that the public expenditure per student in educational institutions is almost $900. A student attending a private school, therefore, saves the public this large expenditure. Although the bill is not designed to accommodate one type of educational institution to the exclusion of any other, it does propose to recognize the usefulness and vital role the private school has in American education.

Mr. Speaker, several points in the original bill, H.R. 6468, were modified by the subcommittee. It was felt, after the hearings, that the original total amount of insured loans allowed under the bill was insufficient to accommodate the probable large number of students desiring such insured loans. The subcommittee, therefore, increased the total amount of insured loans to the present $75 million figure. The subcommittee also deleted the section pertaining to Federal payments to reduce student interest costs in the original bill. It was felt here that there presently could be little justification for such Federal payments.

The subcommittee also considered altering the maximum loan amount to individual students called for in the original bill, but decided against this when it became obvious, from the testimony and upon investigation, that these amounts were very much in accord with actual and necessary school expenses.

These amounts would permit a student to borrow sufficient funds for tuition costs, probable room and board expenditures, textbook costs, and other related school expenses. There was no desire, on the part of the subcommittee, to limit the loans so as to include only tuition costs.

A major addition to the original bill is the direct loan feature outlined in section 7. This would enable the Commissioner of Education to make a direct loan to an eligible student when the student could not obtain for himself a loan insurable under the bill. This feature is not intended to be used except in the case of a student who cannot obtain an insured loan as provided in the bill. It is, in a sense, meant only to be a source of recourse to a student in this predicament. There was no intention, on the part of the subcommittee, to equate this provision with the provision for insured loans. The terms and conditions of these direct loans must conform as nearly as practicable to the terms and conditions of loans insured under the bill.

The subcommittee devoted the majority of its attention to the "eligible institution" definition in section 12(a). It was intended that the bill be as liberal as possible by including varieties of institutions authorized to provide, and providing, "a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations." It was the determined intent, however, that the fly-by-night institutions of the post-World War II era be explicitly eliminated from eligibility. The subcommittee resolved this dichotomy by adding an eligibility feature which requires an institution to have been in existence for 2 years. It further clarified the accrediting provisions by accepting a nationally recognized accrediting agency listed by the commissioner as the first criterion for accreditation. Where no such agency exists for a particular category of schools, a State agency listed by the commissioner may serve the purpose of determining institutional eligibility. Finally, where no nationally recognized or State agency or association qualified to accredit schools of a particular category exists, the commissioner shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by schools of that category, which shall act for the purpose of accreditation as discussed in the bill.

The subcommittee also made several technical amendments to the original bill with the continued goal of achieving a maximum of benefit with a minimum of cost.

Mr. Speaker, the Committee on Education and Labor met in executive session on April 29, 1965, and accepted the subcommittee amendments. The original bill as amended was then introduced and H.R. 7743 was ordered reported favorably on April 30, 1965. This legislation enjoyed strong bipartisan support both in subcommittee and in the Committee on Education and Labor.

Mr. Speaker, the support for H.R. 7743 is overwhelming. Similar legislation has been introduced in past Congresses, but with no success. Once again, as before, this category of legislation has been the victim of what educator Grant Venn calls, attention to an "educational system oriented toward someone else's college degree rather than actual work needs."

The trade, technical, business, and other vocational schools in the United States are enthusiastically in support of the bill. The lending institutions which would be involved have supported it, and have indicated their willingness to cooperate under the program so as to make it effective. The broad spectrum of interests from business to labor have indicated their sympathy with the neglect of the vocational student and their support of the legislation. All as one have been in accord with the basic principle of H.R. 7743, and with the necessary provisions contained therein.

Mr. Speaker, it is time for the Congress to recognize these students as critical to our Nation's health. It is time for us to correct past oversights by providing means which will enable countless numbers of ambitious Americans to establish and accent skills. The opportunity is at hand; the time is now. I ask all Members to join in support of this very necessary legislation; and therefore ask that the House act favorably on H.R. 7743.

Mr. GLENN ANDREWS. Mr. Speaker, I yield myself such time as I may consume to enable me to make a few remarks on this bill.

Mr. Speaker, it is with great pleasure and great relish that I join in support of a bill that develops the individual instead of swallowing him up, managing him, and even subsidizing him.

Mr. Speaker, the thrust in this Congress is toward bills of this type that are aimed at developing the individual to become an individual and to free himself, by the development of his own strength, from the various forces that are working against his individuality. There have been in this Congress, oftentimes, measures that work against the individual.

In the business of lending money, which constitutes the background of this bill, experience in ordinary liberal art institutions shows that students can translate Latin, Greek, Spanish, and history into an increased earning capacity and make loans in general education good credit risks. A loan then for vocational education should be a very fine credit risk.

Mr. Speaker, insofar as the local lending institutions are concerned I would predict that we will find full cooperation.

However, Mr. Speaker, there is one question I would like to ask.

In reading over this bill it seems to me it establishes a setup here that I have not met heretofore. It is my understanding that the Commissioner of Education is entitled to examine a local situation and determine what a specific prevailing rate of interest is in that particular region. Then, if the potential borrower is not able to get the money at that rate, from a private lender, the Commissioner is empowered to give him a direct loan.

Would the gentleman from Pennsylvania [Mr. DENT] explain this facet of the legislation?

Mr. DENT. Mr. Speaker, if the gentleman will yield, this language and this idea emanates from the veterans' loans program wherein there was provision for a setup to the effect that loans would be made at the average rate of interest within the locality. We have within a State situations where there might be 8 or 10 different rate interest localities; in other words, areas that charge a different interest than they do right over in some other community within the same area. Therefore, we have allowed the Commissioner to make a review of the rates in that locality and establish the average or the going rate of interest, which is exactly what is done now in housing and exactly what is done under the Veterans' Administration loans. Then, if that is true as it is in some instances in the United States, there are no loans available such as exists in one or two States which I understand will not accept housing loans in certain areas within the State, in those cases the Commissioner may make the loan but it has to be made at the going rate of interest, not any lesser or any greater than the amounts that other students are paying within the some area.

Mr. GLENN ANDREWS. This bill protects the individual lender and, also, the taxpayers, from having students borrow at the Commissioner's request money at far less a rate than the other people are paying?

Mr. DENT. That is right. We went even further. If you will note page 6, the student borrower is entitled under this section of the act to accelerate without penalty any repayment of the loan, which I think is a good thing, because if the student happens to get into a good paying job when he gets out he can pay back his loan as fast as he wants to without any penalty being attached. This is not true in most Federal borrowing programs.

Mr. GLENN ANDREWS. I thank the gentleman.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. FINDLEY] who has been mentioned as one of the sponsors of this bill.

Mr. FINDLEY. Mr. Speaker, I want to thank my good friend and colleague, the gentleman from Pennsylvania, for his very kind remarks.

Being on the subcommittee and the full committee with him has been a great pleasure to me, and I regret very much that the pressure of other responsibilities caused me to feel I had to withdraw from the committee and thus end this pleasant relationship. He has been cooperative in every respect, and I truly enjoyed serving under his leadership.

Mr. Speaker, I rise in support of this legislation, and commend the gentleman from Pennsylvania for bringing it before the House. While I am no longer a member of the Education and Labor Committee, I was serving on the Select Subcommittee on Education when this bill was before us, and I am pleased to have had a part in its detailed development.

The gentleman from Pennsylvania has explained the details of the bill. Its final form represents a considerable amount of work by the subcommittee, including fully adequate hearings. We made a number of changes in the bill, all designed to assure that it would accomplish its purposes while protecting the public interest. This is bipartisan legislation in the best sense of the term.

The point I wish to make about the legislation is that it would fill a large gap in our national concern for education. In all of the postsputnik furor about the quality of our scientific education, and in our more recent action to improve public vocational education and mount huge manpower retraining programs, we have overlooked a large number of students.

Thousands of young men and women are attending very good vocational schools—profit and nonprofit—which prepare them for immediate jobs in our economy. Thousands more would attend such schools but for lack of ready cash to do so.

There are no Federal student loans with generous provisions for these students; with one exception there are no State loan insurance plans available to them; there are no private loan insurance plans for vocational students such as United Student Aid which is available to help college students; there are few if any scholarships.

Yet these students are preparing to do essential work in our society. They are preparing for jobs that will certainly be available and for which there is a growing demand. Moreover, a large percentage of these students have little financial support beyond that provided by their own efforts. In no sense is this bill a giveaway or a handout; it provides only, at a very nominal cost, for the insurance of loans made to these students by private lenders. Quite literally, it is the least we could do if we do anything at all in this field.

Young people in vocational schools are spending their own money—and typically, money they themselves have earned—on their own training. We are spending hundreds of millions of tax dollars annually on higher education, including many forms of student aid. Students preparing for jobs demanding less formal education are also important. The cost of this bill—$1,250,000 in guarantee authorizations—does not begin to measure its potential worth in social, economic, and educational terms.

Mr. Speaker, I urge that we approve this legislation.

Mr. GLENN ANDREWS. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, in these days of perplexing social upheaval and almost constant tension and turmoil, we do not often have an opportunity to act on a piece of legislation which contains in it the seeds of solution for so many of our domestic problems. I believe we have such a bill before us today in H.R. 7743—the National Vocational Student Loan Insurance Act of 1965.

This bill not only offers a head-on attack to the unemployment problem in this country today, but also holds great potential toward solution of our overcrowded colleges, of our shortage of skilled labor, and of the general and chronic restlessness that continues to plague this youth of this country.

As you know, this bill calls for a system of loan insurance and direct aid loans to students of postsecondary trade and vocational schools. I do not need to go into the specific details of the plan because they have been covered so clearly and concisely in the excellent report of the Committee on Education and Labor. I would, however, like to stress for a moment why I think it is a sound and urgently needed program.

This past spring we have witnessed an embarrassing and bewildering series of incidents involving student demonstrations on a number of our top college campuses around the country.

Enlightened observers of this student unrest and rebellion are now saying that much of the problem stems from the overcrowded conditions in our colleges and the environment which there conditions create. Education is losing its personal relationship with the students. It is becoming more and more impersonal, more and more procedural rather than creative.

With so much emphasis on a diploma these days, a great bulk of students are jamming our colleges out of a desire simply to win that ticket to the future—not out of a desire to be educated. They lack specific goals and the colleges are no longer able to provide a sense of direction for them.

Many of these young people neither want nor deserve a college opportunity. Their goals are vague and materialistic and without an academic incentive, they are unable to absorb the material placed before them. But they feel compelled, and rightly so, to demand that diploma because without it they were automatically second-raters. They feel their chances are considerably less than the fellow who has a diploma. Up to now, there simply has been no desirable alternative to a college diploma. Even though many of these youngsters would prefer a technical or vocational career, they feel the diploma is the essential key to their future.

The plan offered by H.R. 7743 offers a fresh measure of dignity and respect for vocational training. It lends the prestige of the Federal Government to the business of working with our hands as well as our minds. It opens a door that never should have been closed to the many young people who, as the committee report points out, simply do not want a college education. This bill can restore some of the old pride and respectability of manual skills, of physical labor that is so much a part of the history of this Nation's growth and progress.

It is clear to any thinking person that there is an aura of inferiority, of lower class status, for the blue-collar worker. I think this is deplorable and, as a graduate of a vocational high school who began adult life in a machine shop, I know what a bitter pill it is to swallow. The proposal before us today will go a long way to providing not only a spoonful of sugar but a palpable improvement in the psychology of the workingman.

I call your attention to some of the interesting facts presented in the committee report concerning the investments of our Government in college students. Compare the fact that virtually all our student aid programs are directed toward college students, and yet less than half of our young people go to college. Consider, if you will, the fact that no aid whatsoever is presently offered vocational students; that, according to testimony presented during hearings on the bill, more than half such students today must work part time in order to finance their training; and that there exists in our economy today a simultaneous need for more highly skilled, trained vocational workers.

The area of vocational training is one we can no longer afford to neglect. We have already paid a fearful price in terms of unemployment, in terms of costly job retraining programs, in terms of overcrowded colleges which cheat our more deserving college-level students by forcing them to compete against those who seek only the diploma and not the education, and in terms of labor unrest and tension.

We must restore a measure of the old dignity and respectability to manual labor. We must demonstrate our desperate need for trained technicians and skilled laborers by helping them develop these talents. We must ease the pressures on our so-called diploma factories so they may regain their role as institutions of higher learning. In short, we must enact this legislation now before us.

It will go a long way toward restoring a more rational, measured pace to the pursuit of happiness.

Mr. DENT. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, will the gentleman from Alabama yield me a couple of minutes additional for my statement?

Mr. GLENN ANDREWS. Mr. Speaker, I am glad to yield the gentleman 2 minutes.

Mr. JONES of Missouri. Mr. Speaker, first I wish to commend the gentleman from Pennsylvania [Mr. Dent] and the other members of the subcommittee and of the full committee for bringing this bill out. This is the type of aid I feel we should be giving these students, to give them an opportunity to go into vocational work.

As the gentleman who preceded me stated, we have been putting too much emphasis on formal training and have not met the real need of the young men and women who want to work, who want to get some kind of vocation so that they may go out to earn some money.

The main thing the bill will do, in my opinion, is provide a means for an opportunity to obtain funds with which to get an education.

I should like to ask the gentleman from Pennsylvania if I understand the bill correctly. If young people want to get an education and to go to the vocational schools—not the degree schools or colleges, as we know them—they may be high school graduates or even dropouts from high school, but would be eligible, if it is determined they have the capacity for absorbing what is needed; is that correct?

Mr. DENT. That is correct.

Mr. JONES of Missouri. They will go to some private institution to apply for a loan. I presume that the vocational school will be helpful in directing them to institutions, and I believe it was said—including insurance companies, which would make loans which would be guaranteed by the Government.

Mr. DENT. The procedure would be that they first would have to be admitted to the school as a student.

Mr. JONES of Missouri. Yes.

Mr. DENT. Then the school itself, and the student, would make application to one of the institutions which loan money for this purpose. The school first would determine whether the student was capable of learning that particular career the student wanted to learn.

Mr. JONES of Missouri. I thank the gentleman.

I believe that in the college student loan program we have made a very serious mistake in making all these Federal loans, so to speak. I do not believe that the student feels a sense of obligation, of responsibility to repay the loan.

In March of this year, I called attention to an article which appeared in a local newspaper, which pointed out the rate of delinquency on these loans. The article was published in Washington, D.C., and said that the delinquency of payments of loans ranged from a low of 7 percent at the University of Maryland to a high of 32.5 percent at Howard University, and that the national average was 16 percent.

I believe that this has been brought about because these youngsters have not been thoroughly impressed that these loans have to be repaid. Some seem to have the idea the world owes them a living, and that the loans should be considered as grants or gifts.

We should let the young people know the loans must be repaid and give them the opportunity to form a connection with a bank or other lending institution, and they will get something from that. They will feel a responsibility about repaying the loan. We have not gotten that before.

For the last 4 years I have been talking to members of the Commitee on Education and Labor trying to get them to give serious consideration to making these college loans a Government-insured loan and for those loans to be made by local banks. I think we will have a much better experience of repayment and also we will be doing the students a great favor by setting them up and giving them the opportunity to face the realities of life, to know that they have notes to meet and payments to meet. I hope that the gentleman from Pennsylvania will use his influence to bring about this same method of financing to the general college program as we have to other aspects.

The SPEAKER pro tempore (Mr. Natcher). The time of the gentleman from Missouri has expired.

Mr. DENT. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. Speaker, will the gentleman yield to me?

Mr. JONES of Missouri. I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I am sure the gentleman will be interested to know that the gentlewoman from Oregon [Mrs. Green] is now the member of the subcommittee handling the higher education work and she is working on a program containing amendments to the Higher Education Act. This is so that they can have a program of guaranteed loans incorporated in that act which is something similar to what we are doing here today with this legislation and following exactly the suggestions made by the gentleman from Missouri.

Mr. JONES of Missouri. I think the gentleman, and I may say for the last 4 years I have been corresponding and conversing with members of the committee, including the gentlewoman from Oregon. I hope that she can accomplish this. This is not my idea originally, I might say, but the idea of the president of our college in southeast Missouri, Dr. Mark Scully, president of the Southeast Missouri State College, who has gone into this and has written the committee on it and has a good program for it.

I hope the committee will give consideration to that matter, and I thank the gentleman very much for yielding me this time.

Mr. GLENN ANDREWS. Mr. Speaker, I yield the balance of our time to the gentleman from California [Mr. Don Clausen].

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in support of this legislation and in particular to associate myself with the splendid remarks of the gentleman from Missouri [Mr. Jones]. I further want to compliment the gentleman from Massachusetts [Mr. Conte] for what I think is one of the finest statements made on the floor of the House relating to this most important subject of vocational education.

The philosophy outlined in this bill will certainly serve as a monument to the credit of the chairman, Mr. Dent, and members of this great subcommittee for a long time to come and hopefully provide a guideline for further education legislation.

In addition to what Mr. Jones of Missouri has said, it seems very important for the Members to remember certain factors as we recommend programs of assistance to students. We must always give full consideration to the retention of a proper sense of values consistent with the economic facts of life that he or she will face in the future.

Where a student makes a loan and in effect has a personal equity plus the responsibility for repayment, I personally believe they will evolve as a much better and more responsible student. It is for this reason I applaud the philosophy involved in this legislation and add my voice to its support.

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. AYRES. Mr. Speaker, I am very pleased to support this bill, and I wish particularly to associate myself with the remarks of our colleague from Massachusetts [Mr. Conte] who has eloquently spoken of the dignity of labor. In my judgment, legislation that will help young men and women in their efforts to learn a trade or acquire other skills so necessary to our economy is long overdue. We have strengthened public vocational education, but we have overlooked until now the needs of thousands of young people who are out of the public school system and who are trying to obtain further training to equip themselves for a specific job.

These young people are important to our economy, to their communities, and to our society and they deserve support and encouragement just as much as others who are preparing to be teachers, doctors, lawyers, or scientists. In fact, without the skills and labor of people who work with their hands all the rest of a modern industrial society would collapse. I hope that in our emphasis on college level education we do not overlook this obvious truth.

We need more and better facilities, private as well as public, for trade, technical and business education. By encouraging and helping qualified students to attend these schools we take a necessary step in increasing our educational potential in these fields. We need also to recognize that for many thousands of bright and deserving young people a college education is not the only or even the best way to the full development of their capabilities. This bill gives a measure of such recognition.

Mr. DENT. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Hawaii [Mrs. Mink].

Mrs. MINK. Mr. Speaker, I consider it a great privilege indeed to be serving as a member of the Select Subcommittee on Education chaired by the distinguished gentleman from Pennsylvania.

One of the high points of our deliberations in this committee has been the consideration of this bill now pending before the House. I want to compliment the distinguished gentleman from Pennsylvania for initiating this idea years ago and for persevering in his insistence that this House pass this major legislation affecting this entire country. As he noted in his remarks we have had innumerable projects and programs for the benefit of our students in the institutions of higher education. Thus far we have neglected the young person who is interested in a vocation in the technical or industrial area.

I would like to associate myself with the remarks made by the gentleman from Pennsylvania [Mr. DENT] and concur with him in the thought that this is indeed an outstanding program. I commend it to the support of the membership of this House.

Mr. Speaker, I wish to make known my wholehearted and enthusiastic endorsement of H.R. 7743, the National Vocational Student Loan Insurance Act of 1965.

This bill, soundly drafted and grounded upon an easily shown need, would close a gap in our educational program that has gone unnoticed too long.

It would give recognition to today's "forgotten man," the young student of earnest endeavor who has decided upon his life's work, has determined the shortest route toward it and is willing to do everything in his power to get the education he needs for success.

The bill would set up a loan insurance program and supplementary direct loan program for students who attend postsecondary business, trade, technical, and other vocational schools. It would provide for guarantees of up to $75 million worth of such loans by private agencies, and provide for $1 million a year to make direct loans where private funds are not available. Eligible and deserving students would be enabled to borrow up to $3,000 to finance their educations, repayable after they have become gainfully employed.

Mr. Speaker, in our increasing awareness of the need for education in today's complex technologies, we have tended so far to concentrate on the elementary, secondary, and college phases of our educational system. Inadvertently, we have omitted from our consideration one of the most worthy of all segments of students.

These are the youngsters who have firmly fixed their educational goals in mind, have determined their adult careers and are striving ambitiously to prepare themselves as quickly as possible for responsible, skilled jobs in America's business, industrial, or technical worlds.

In most cases, the youngster who attends a business, trade, technical, or other vocational school comes from a family who finds it hard to finance his schooling. He is ambitious and determined to attain his ambitions by the shortest route. His success, even without much aid from others, is spectacular. He wants to achieve the very job skills that are the basis on which our economy rests.

The strength of the motivation of these students was shown in testimony earlier this year on H.R. 7743. A national research program showed that the majority of students in such vocational schools are working full or part time, using their savings or depending on borrowed money to finance their courses of study. In the most part, this is because their families cannot afford to finance their educations completely.

Very few of them fail to complete their courses and very few of those that complete their courses fail to find responsible jobs. In short, they are responsible and serious persons, who are an asset to the Nation.

It is indeed unfortunate that these students have been neglected for so long, and that they do not enjoy the financial opportunities open to those who wish to go to college. This bill would go far to correct that neglect, and would open the doors of education to many who have left school too early and now realize their mistake.

I would like also, Mr. Speaker, to congratulate the author of this measure, my colleague from Pennsylvania, JOHN H. DENT, for his recognition of this need and for the painstaking way in which he has prepared this bill. Thanks to his efforts over several years, this measure has received bipartisan support in the House and the support of educators, lenders, business, and unions who would be involved in making it effective.

I am happy indeed to join those who support and urge the passage of H.R. 7743.

Mr. DENT. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Speaker, I feel proud to have served on the Select Subcommittee on Labor chaired by my colleague from Pennsylvania who has given much time and attention to the principal issues involved in the bill under consideration, H.R. 7743, which is a bill to establish a system of loan insurance and a supplementary system of direct loans to to aid students attending business, trade, technncal, and other vocational schools above the secondary level.

The bill will enable the Commissioner of Education to insure eligible lenders against losses on loans made by them under the conditions set forth in this bill to students in eligible institutions who do not have reasonable access to similar programs.

We have, Mr. Speaker, done much to provide means for worthy students to attend college. And my comments are not intended as criticism of these programs. In attempting to make it possible for every worthy boy or girl to receive a college degree, we have opened the doors of opportunity for thousands who otherwise would be denied the chance to achieve a goal which their God-given talent entitles them.

However, we have not been so forward looking in our approach to those whose goals are directed differently than the college-bound boy or girl.

Today we are being given an opportunity to assist those who have been neglected and this has worked to the detriment of the United States. In every case where we have opened the doors of opportunity, it has resulted in all the people of the United States becoming the ultimate beneficiaries. How many tax dollars have poured into the Treasury as a result of the educational opportunity bills that have been passed in this historic Chamber can never be known for sure.

It is known, however, that acts such as the Morrill Act, passed more than a century ago, and the two great GI bills have advanced millions of young Americans to an economic level far above what they would have otherwise been able to achieve.

None of us needs to be told how many students have entered the fraternity of educated men and women only because of funds made available under the National Defense Education Act.

By investing in education, we are investing in ourselves. There can be no more worthwhile legislative aim than this.

H.R. 7743 would authorize an appropriation of only $250,000 and such sums as further become necessary for the adequacy of the loan fund and an additional appropriation of $1 million for each fiscal year to carry out the direct loan program authorized by section 7 of the bill.

Under terms of the bill, the liability of the United States would not exceed $75 million. And I am sure that knowing the serious nature of those who seek vocational education that the number of defaulters would be, in my opinion, less than under the similar program for college students. My experience leads me to believe that the student who seeks postsecondary education is almost universally a serious individual, the very type that this Nation should seek to assist.

The amount of money that this bill will cost is small; the results achieved will be great. I urge every Member of this House to invest in the future by voting in favor of H.R. 7743.

Mr. MEEDS. Mr. Speaker, I rise in support of H.R. 7743, the National Vocational Student Loan Insurance Act of 1965.

In the first few months of its service, this 89th Congress has shown by its deliberations and its actions that it realizes fully the pressing necessity for a democracy to educate all its citizens to the highest level which they are capable of attaining. Its conduct testifies to its members' firm belief that it is a just Federal prerogative to offer financial support to States, localities, and institutions so that education may be improved and yet more widely diffused among our people.

It is, however, far too early for us to rest on our accomplishments. We should not even consider resting until every segment of our diverse educational system has the support it needs to perform its task in the most effective manner possible. In this and earlier Congresses, the needs of a large and vital segment of our system—that segment represented by the posthigh school vocational institution—have been consistently neglected.

For some reason unknown to me, the importance of the postsecondary vocational schools has long been underestimated. Actually, their value is great, and in view of the changing American economic picture, it should grow even greater. The needs of the American labor market are so varied that they cannot be filled solely by high school and college graduates. There is a great demand in the market for young people with highly developed skills in business, technology, and the trades, skills which are not sufficiently imparted in the high schools and colleges. It is the function of the postsecondary vocational schools to teach these vital skills.

The measure currently under consideration affords us the opportunity of officially recognizing the value of the postsecondary vocational schools and their students. Its provisions would allow the National Government to extend its much needed support to them in an economical and efficient manner.

The proposed act has two basic provisions. Under the first, a fund would be authorized for use in guaranteeing loans made to assist students enrolled in qualified postsecondary vocational institutions. The actual loans would be made by the institutions themselves and by organs of credit and finance which are subject to public supervision, such as banks and insurance companies. An appropriation of $250,000 has been requested to establish the insurance fund. This money would be used to insure 100 percent of the unpaid principal amount of individual student loans up to an aggregate of $75 million at any one time.

The language of the provision is carefully drawn to exclude fly-by-night schools from participation in the insured loan program. To qualify for participation, an institution must have been in existence for at least 2 years. Further, the institution will become eligible only upon its approval by a national accrediting agency as listed by the Commissioner of Education, by a State agency listed by the Commissioner, or, in the absence of competent national and State agencies in certain fields, by a special advisory committee on accreditation appointed by the Commissioner.

Once an institution is certified as eligible, it may extend federally insured loans to its regularly enrolled students. Individual student loans cannot exceed $1,500 in a school year or $3,000 at any time. The student must repay the insured loan within a 5-year period, beginning not earlier than 1 year after he graduates from or leaves the school, or after he ceases to carry at least one-half the normal study load.

The second major provision of the proposed act was added to the bill during its consideration by the subcommittee. It would authorize an annual appropriation of $1 million. The Commissioner of Education would use this fund to make loans directly to eligible vocational school students who for some reason cannot secure an insured loan, at a rate of interest no higher than that prescribed by the Commissioner, from an eligible school or from a financial institution in his area. Terms and conditions for these direct loans would conform to terms and conditions for the insured loans under the first major provision of the bill.

I am convinced that this proposed legislation would cost our Government a very small amount, and that its returns in terms of increased skills developed in the future members of our work force would greatly overbalance the minimal cost. There is at present one State, New York, which has operated for some time an insured loan program in which postsecondary vocational school students can take part, and another State, Georgia, where a similar program has recently been instituted. Of the $2 million in loans guaranteed under the New York State program to date, only $16,320, or one-eighth of 1 percent, has been defaulted. I can see no reason why a national program should fall below this splendid record.

I offer my full support for the passage of this important measure, and I urge all of you, my colleagues, to do the same.

Mr. SICKLES. Mr. Speaker, I strongly endorse the passage of an important and significant bill now before the Congress, H.R. 7743, the proposed National Vocational Student Loan Insurance Act of 1965.

This bill would give needed assistance to thousands of young men and women who wish to pursue postsecondary training in a variety of business, trade, technical and other vocational training schools. It would give this aid in a most practical and most feasible way—by providing Federal funds to help these prospective students secure loans for educational purposes. By setting up a loan guarantee fund, young people who qualified would have the backing they need to obtain a loan for their further vocational or technical training.

In addition, for those who could not, for legitimate reasons, secure a loan, the bill would set up a fund that would offer a limited number of direct loans to such students on conditions as nearly the same as—and for the same purposes—as for students receiving the loan guarantee.

These guaranteed loans are urgently needed for this type of student at this time. The reasons for this are, I feel, abundantly clear.

Young people who desire and need vocational, technical, and business-type training are today often the very youngsters who have the least resources to finance their post-high-school education. For instance, these students frequently come from poorer families and from families with large numbers of other children to support.

Yet, it is precisely these youngsters who often have the greatest need for such training so that they can prepare themselves for an occupation, trade, or job which will provide them with a decent income and raise them out of the ranks of the poor.

At this time, the Federal Government, through programs under the National Defense Education Act, provides loans only for other types of students wishing to pursue a higher education. Young people who desire money for study in a regular college or university academic program, or on a graduate level, are thus given help. Yet, the student I have been speaking of who wishes to pursue advanced vocational and technical education in a trade or business school—and who needs financial help probably even more—is given no aid.

Clearly this points to a need for Federal legislation that would aid the vocational school student in his desire for more advanced training. H.R. 7743 would help to provide this aid through its program of federally guaranteed loans and direct loans for this sort of student.

This is why I support the proposed National Vocational Student Loan Insurance Act of 1965 and why I urge all Members of the Congress to do the same.

Mr. BUCHANAN. Mr. Speaker, in H.R. 7743 we have under consideration a bill which will provide assistance to a growing number of young Americans who want to prepare to enter the highly competitive business world by attending a postsecondary business, trade, technical or other vocational school rather than attend college.

This bill would establish a system of Federal loan insurance and a supplementary system of direct loans, to assist students to attend these schools thereby giving them an equal opportunity for postsecondary education, in these schools, which up to now in most areas was available only to college students.

The importance of financial assistance for young men and women who want to get the specific specialized training they need to be employed in a field of their choosing cannot be overemphasized. Less than half of our young people attend college. At the same time the work force needed in the United States requires far more in skilled and trained employees than can be supplied by our colleges.

H.R. 7743 includes provision for the establishment of a sound, logical, and workable system of financial assistance for these young people, and will go a long way toward filling a void in our present educational development. Young people attending business, trade, technical, and other vocational schools are motivated by definite goals which can be accomplished by the successful completion of specified training courses. Surveys taken of employment records of graduates of these schools indicate a high percentage of employment at salary levels adequate for the repayment of loans which would be made under this program.

It is time we recognize the importance and the need of vocational training for our young people, and approve the legislation now before the House.

Mr. FLOOD. Mr. Speaker, I strongly support H.R. 7743 which establishes a system of loan insurance and a supplementary system of direct loans to assist students in attending post-secondary business, trade, technical, and other vocational schools.

Under the provisions of the National Defense Education Act, as amended, we have made provisions for loan programs for our college and university students, both at the undergraduate and graduate levels. In my judgment, Mr. Speaker, we should do no less for those desiring to attend our vocational schools.

In my congressional district of Luzerne County, Pa., we have had a high rate of unemployment for a number of years. This means, of course, that because of the high unemployment rate a smaller percentage of the high school graduates can attend colleges and universities at their parents expense. They must find other means if they desire to go on to college—summer work, part-time employment while attending classes and the like. And, of course, for those meeting the standards of the particular school which they attend, they can qualify for loans repayable after graduation over a period of 10 years and over a period of 5 years if they become teachers, at a reduced amount.

I would say, therefore, we have provided well for our college and university students needing assistance in order to complete their studies.

It is just as important in my judgment, Mr. Speaker, that we do the same for those possessing vocational inclinations and aptitude. The past few years have proven the worth of such schools and great investments have been made in the physical plants and in equipping vocational schools throughout the country. I know this is particularly true in my congressional district.

I am sure, Mr. Speaker, more and more of our citizens would turn their attention to vocational careers if a system such as H.R. 7743 provides were adopted.

I am hopeful that this body will pass this badly needed bill today so that we can further improve and expand vocational education throughout the country.

Mr. RUMSFELD. Mr. Speaker, I rise in support of H.R. 7743 to establish a system of loan insurance and a supplementary system of direct loans to assist students who wish to attend business, trade, technical, and other vocational schools. This legislation will fill a need that has been largely ignored in the past and will enable many qualified and interested young men and women who need financial assistance to take advantage of loan funds. Such a program will help meet the Nation's growing need for technically trained people, and will also benefit the trade and technical schools of the country in maintaining high standards in their training programs.

Mr. HANSEN of Iowa. Mr. Speaker, action by the House of Representatives in approving H.R. 7743, the National Vocational Student Loan Insurance Act of 1965, was another of the wise actions taken by the 89th Congress to insure our Nation of trained and qualified technicians in our quest for a Great Society.

The young people this act is designed to help are those who for financial reasons have had to discontinue their education after high school.

The enactment of this measure will make it possible for these persons to secure insured financial loans to better prepare themselves for a productive role in our society.

Not all of our young people are inclined or equipped to attend college, but many of them have an avid interest in the trade and service fields. For too long our Federal Government has followed the pattern set by State governments in allowing this vast pool of talent to go untapped.

The tremendous need for this legislation has been fully outlined in the report of the Education and Labor Committee of the House and I am more than pleased to add my voice to those who see this as a creative and productive way to utilize our greatest natural resource—the youth of our land.

The SPEAKER pro tempore (Mr. NATCHER). The question is on the motion of the gentleman from New York [Mr. POWELL] that the House suspend the rules and pass the bill H.R. 7743.

The question was taken; and the Speaker pro tempore announced that in his opinion two-thirds had voted in favor thereof.

Mr. DERWINSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 300, nays 0, not voting 134, as follows:

[Roll No. 145]

YEAS—300

Abbitt
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Annunzio
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Barrett
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Bolton
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Callan
Callaway
Cameron
Carter
Cederberg
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clevenger
Collier
Conte
Corman
Craley
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Fascell
Feighan
Findley
Flood
Flynt
Foley
Ford, William D.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Gathings
Gettys
Gibbons
Gilbert
Gilligan
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gross
Grover
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Halpern
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Mich.
Hathaway
Hébert
Hechler
Helstoski
Henderson
Herlong
Holifield
Holland
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kee
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kornegay
Krebs
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McFall
McGrath
McMillan
Macdonald
MacGregor
Machen
Mackay
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Michel
Mills
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Moeller
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Moorhead
Morgan
Morris
Morrison
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Morton
Murphy, Ill.
Murray
Natcher
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neal, Ga.
Ottinger
Passman
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Patten
Pelly
Pepper
Perkins
Pickle
Poage
Poff
Pool
Powell
Price
Purcell
Quie
Race
Redlin
Reid, Ill.
Reid, N.Y.
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Roosevelt
Roudebush
Roybal
Rumsfeld
Satterfield
Scheuer
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Walker, Miss.
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—0

NOT VOTING—134

Abernethy
Adams
Andrews, N. Dak.
Arends
Bates
Boland
Bolling
Bonner
Bow
Brademas
Bray
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Cahill
Carey
Casey
Celler
Chamberlain
Cleveland
Cohelan
Colmer
Conable
Conyers
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Devine
Dickinson
Diggs
Dulski
Duncan, Oreg.
Edwards, Calif.
Ellsworth
Evans, Colo.
Farnsley
Fino
Fisher
Fogarty
Ford, Gerald R.
Fraser
Frelinghuysen
Garmatz
Giaimo
Goodell
Grabowski
Griffin
Gubser
Gurney
Hall
Hanna
Hardy
Harris
Harsha
Harvey, Ind.
Hawkins
Hays
Hicks
Horton
Irwin
Jennings
Joelson
Johnson, Okla.
Karth
Keith
Kelly
Kluczynski
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDowell
McEwen
McVicker
Mackie
Martin, Mass.
May
Miller
Minshall
Mosher
Moss
Multer
Murphy, N.Y.
Nedzi
Nix
Olsen, Mont.
O'Neill, Mass.
Philbin
Pike
Pirnie
Pucinski
Quillen
Randall
Reifel
Resnick
Reuss
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Ryan
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Shipley
Steed
Stephens
Thomas
Thompson, N.J.
Toll
Udall
Waggonner
Watkins
Watson
Weltner
Whalley
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Pucinski with Mrs. May.
Mr. Rosenthal with Mr. Fino.

Mr. Rooney of Pennsylvania with Mr. Horton.
Mr. St Germain with Mr. McEwen.
Mr. Boland with Mr. Gerald R. Ford.
Mr. Long of Maryland with Mr. Gurney.
Mr. Karth with Mr. Harsha.
Mr. Schisler with Mr. Ellsworth.
Mr. Steed with Mr. Thomas.
Mr. Stephens with Mr. Burton of California.
Mr. Udall with Mr. Joelson.
Mr. Weltner with Mr. Irwin.
Mr. Charles H. Wilson with Mr. Nedzi.
Mr. Abernethy with Mr. Olsen of Montana.
Mr. O'Neill of Massachusetts with Mr. Ryan.
Mr. Shipley with Mr. Johnson of Oklahoma.
Mr. Love with Mr. Dulski.
Mr. Fisher with Mr. Evans of Colorado.
Mr. Grabowski with Mr. Reuss.
Mr. Philbin with Mr. Hanna.
Mr. Resnick with Mr. Nix.
Mr. Giaimo with Mr. Fraser.
Mr. Farnsley with Mr. Duncan of Oregon.
Mr. Edwards of California with Mr. Culver.
Mr. Conyers with Mr. Schmidhauser.
Mr. Willis with Mr. Mackie.
Mr. Bonner with Mr. Randall.
Mr. Wolff with Mr. Conable.
Mr. Toll with Mr. Corbett.
Mr. Thompson of New Jersey with Mr. Cahill.
Mr. Celler with Mr. Lindsay.
Mr. Murphy of New York with Mr. Goodell.
Mr. McVicker with Mr. Hall.
Mr. Multer with Mr. Pirnie.
Mr. Waggonner with Mr. Quillen.
Mr. Garmatz with Mr. Bates.
Mr. Fogarty with Mr. Arends.
Mr. St. Onge with Mr. Reifel.
Mr. Hawkins with Mr. Curtin.
Mr. Diggs with Mr. Harvey of Indiana.
Mr. Hardy with Mr. Brock.
Mr. Hays with Mr. Bow.
Mr. Zablocki with Mr. Broomfield.
Mr. Rostenkowski with Mr. Cleveland.
Mr. Miller with Mr. Marshall.
Mr. McDowell with Mr. Whalley.
Mr. Leggett with Mr. Andrews of North Dakota.
Mr. Kluczynski with Mr. Chamberlain.
Mrs. Kelly with Mr. Watkins.
Mr. Jennings with Mr. Frelinghuysen.
Mr. Hicks with Mr. Cramer.
Mr. Rogers of Texas with Mr. Watson.
Mr. Roncalio with Mr. Bray.
Mr. Cohelan with Mr. Mosher.
Mr. Colmer with Mr. Brown of Ohio.
Mr. Cooley with Mr. Dickinson.
Mr. Brademas with Mr. Griffin.
Mr. Harris with Mr. Cunningham.
Mr. Rivers of Alaska with Mr. Keith.
Mr. Casey with Mr. Devine.
Mr. Carey with Mr. Saylor.
Mr. Rivers of South Carolina with Mr. Martin of Massachusetts.
Mr. Moss with Mr. Gubser.
Mr. Pike with Mr. Adams.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ACREAGE REDUCTION AGREEMENTS

Mr. GREIGG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8620) to amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965, with an amendment.

The Clerk reads as follows:

H.R. 8620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 105(d) of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"An acreage on the farm which the Secretary finds was not planted to feed grains in 1965 because of flood, drought, or other natural disaster shall be deemed by the Secretary to be an actual acreage of feed grains planted on the farm for harvest for purposes of this subsection, provided such acreage is not susbequently devoted to any price supported crop for 1965."

SEC. 2. Section 103(b) of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following:

"For purposes of this subsection, an acreage on the farm which the Secretary finds was not planted to cotton in 1965 because of flood, drought, or other natural disaster shall be deemed by the Secretary to be an actual acreage of cotton planted on the farm for harvest, provided such acreage is not subsequently devoted to any price supported crop for 1965."

SEC. 3. Section 379c(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following:

"An acreage on the farm which the Secretary finds was not planted to wheat for harvest in 1965 because of drought, flood, or other natural disaster shall be deemed by the Secretary to be an actual acreage of wheat planted for harvest for purposes of this subsection, provided such acreage is not subsequently planted to any other price-supported crop for 1965."

The SPEAKER. Is a second demanded?

Mr. DOLE. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GREIGG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I move that the House suspend the rules and pass the bill H.R. 8620 with a technical amendment which is at the desk.

At the outset of my remarks, I wish to thank my distinguished committee chairman, Mr. COOLEY, and my distinguished subcommittee chairman, Mr. POAGE, for their assistance in recognizing the need for this vital legislation and their assistance in moving this bill effectively through the committee for consideration here this afternoon.

Mr. Speaker, this is a very limited bill—designed to give some help to farmers who have suffered in recent natural disasters. This is only a 1-year act—as similar proposals are being incorporated into the omnibus farm bill now under consideration by the Agriculture Committee. This proposal carries with it the necessary elements for noncontroversial acceptance by the Members of Congress.

The only producers affected by passage are those who have signed up within the existing farm programs. The result of this bill is to allow existing disaster safeguards to relate back to the natural disaster which struck farming areas before planting time. Present law would cover producers who planted within program limits and have a subsequent loss from natural disaster. This law covers compliers who are prevented from planting because of natural disaster.

WHAT WILL THIS MEASURE DO?

It will pay average price-support payments on crops not produced because of the disaster and thus permit compliance after disaster strikes.

It will pay diverson payments under program for compliers whose diverted acres are affected.

It will encourage compliance with program purposes.

It will prohibit any payments, if a price supported crop is later produced on those acres.

WHAT THIS MEASURE WILL NOT DO?

It will not pay for the loss of income for the base price of the crop not produced.

I call to the Members' attention the report submitted in accompanying H.R. 8620 where, on page 2 of the report, under the item of "Cost," the following statement is made:

> There will be no additional cost to the Government above that anticipated when the various commodity programs were entered into.

Further, this measure will in no way add to surpluses.

It will not cause added budgeting expenses because USDA estimates took this expense into consideration when producers were signed up on the program.

The result of passage would be to treat the affected producers with fairness. Not to do so would result in an added penalty on top of the disaster loss they have already suffered.

I would state once again that the primary purpose of this bill is to provide that if the natural disaster occurs before the farmer has planted his crop so that he is prevented from planting at the appropriate time, instead of occurring after the ground has been planted, he will be considered as having planted the crop for purposes of the contract entered into with the Government.

Mr. DOLE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, I certainly share the views expressed by the gentleman from Iowa. However, I wish to point out the bill does not take care of a very bad situation we now have in the Midwest.

Mr. Speaker, in addition to the items discussed by the gentleman from Iowa there are a great number of Kansas farmers who planted their wheat and suddenly, it has been lost, because of floods and hail, almost when it was ripe for harvest.

Mr. Speaker, it occurs to me that this bill should very properly include one other provision and that would permit those farmers who have lost their wheat because of hail, drought, flood or other natural disaster, to plant milo or other feed grains on the hailed out or flooded acreage.

Mr. Speaker, I would point out every effort was made to amend H.R. 8620 when it was in the committee, because the farmers should have this right. Even though it was clear farmers would not receive price supports the amendment was defeated in the Agriculture Committee by a vote of 16 to 13.

Then, Mr. Speaker, I contacted the Department of Agriculture to determine what the Department's position might be with reference to such an amendment if offered today to H.R. 8620. I would point out to those who may be interested, not only in Kansas, but in other areas, that the U.S. Department of Agriculture, indicated in writing this morning they felt compelled to oppose any such amendment. Under the rules which H.R. 8620 is being considered it would be next to impossible to amend the bill to take care of the farmers' plight which I previously discussed when the Department of Agriculture opposes such efforts.

Mr. Speaker, literally thousands and thousands of acres of wheat have been destroyed in Kansas, Colorado, and other areas by hail and just this last week additional thousands of acres were destroyed by severe floods in western Kansas along the Arkansas River.

Mr. Speaker, there is every justification for permitting these unfortunate farmers to now plant feed grains for feed purposes or the marketplace. So that a complete record will be available I ask unanimous consent to revise and extend my remarks and include my letter to Edwin Jaenke, Associate Administrator, ASCS, USDA, and his response thereto, along with a copy of my proposed amendment.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The letter, the amendment, and response follow:

Mr. Edwin A. Jaenke,
Associate Administrator, Agricultural Stabilization and Conservation Service Department of Agriculture, Washington, D.C.

Dear Ed: Enclosed is a copy of H.R. 8620 and a copy of the amendment I offered in the full committee, Monday, June 14. The amendment was defeated 16 to 13; however, there still may be an opportunity for a successful consideration on the floor.

First, I would appreciate knowing the Department's position on the amendment. The amendment is necessary because Department officials, after a real effort, concluded they could not relax the regulations to permit planting of feed grains on "hailed out" wheat acres.

Two questions were posed during consideration of the amendment before the committee, and I would appreciate a response to them from the Department. Under current USDA regulations:

1. Can a wheat farmer whose wheat crop has been destroyed by natural disaster plant some other crop on the destroyed wheat acreage and still remain eligible to receive wheat certificates and other wheat program benefits? If so, which crops?

2. Under the substitution clause, can a farmer plant his entire wheat allotment to feed grains, and can he plant his entire feed grain allotment to wheat? If so, what are the program benefits to which he is entitled?

What would the USDA position be on an alternative proposal which would allow cooperating wheat farmers who suffer a natural disaster loss to have the option to apply for substitution with feed grains within 15 days after such natural disaster, thereby surrendering their eligibility for wheat certificates, but becoming eligible for feed grain program benefits?

I would appreciate an early response, as time is of the essence if the farmers are to benefit. Numerous telegrams, letters and petitions from farmers in many Kansas counties who have suffered serious losses have been forwarded to me and can be made available to your staff if necessary.

It is my understanding other areas in others States would benefit if the proposed amendment were adopted. Senator Carlson and the entire Kansas House delegation are cooperating in this effort.

Sincerely yours,

Bob Dole,
Member of Congress.

Amendment to H.R. 8620

Page 2, line 23, strike the quotation marks and insert the following:

"Notwithstanding any other provision of law, an acreage on the farm which the Secretary finds was planted to wheat for harvest and subsequently destroyed by flood, drought, hail, or other natural disaster in 1965 shall be deemed by the Secretary to be an actual acreage of wheat for harvest for purposes of this subsection if such acreage is planted to corn, grain sorghum, barley, oats or rye in 1965: *Provided,* That any corn, grain sorghum, barley, oats or rye planted on such acreage shall not be eligible for any price support loans or payments or diversion payments in 1965.

U.S. Department of Agriculture,
Agricultural Stabilization and Conservation Service, Office of the Administrator,
Washington, D.C., June 21, 1965.

Hon. Bob Dole,
House of Representatives,
Washington, D.C.

Dear Mr. Dole: This is in reply to your letter of June 14, 1965, requesting the Department's position on your proposed amendment and an alternative proposal which would give a producer an option to plant feed grains on acreage on the farm which was planted to wheat for harvest and subsequently destroyed by flood, drought, hail, or other natural disaster in 1965, subject to certain conditions.

The Department is sympathetic with the problems of the thousands of growers in many sections of the country who each year, and through no fault of their own, are deprived of income from all or a part of their anticipated production. The Department administers several programs of assistance to growers who farm in an area which suffers loss of sufficient magnitude to justify disaster designation.

The Department's program objectives to bring wheat and feed grain surpluses down to reasonable levels can only be achieved by a substantial diversion in total acreage of each crop under a program and thus reduce production. These programs are designed to encourage maximum diversion by each participant. If we do not meet our diversion goals, we cannot continue the substantial progress that has been made in reducing surplus carryover stocks to desirable levels.

Both the feed grain and wheat programs contain provisions which assure income to participants for crops planted regardless of drought, flood, insects, hail, or crop disease. Therefore, since present programs provide for disaster relief and because the overall supplies of feed grains are more than adequate to meet requirements, there does not appear to be a need for the proposed amendment or the alternative.

A wheat farmer whose wheat crop has been destroyed by natural disaster can plant some other crop so long as the planting of such crop does not result in his exceeding the permitted acreage under another program. In your district in Kansas, the crops which may be planted following a destroyed crop of wheat are soybeans, sorghums, sudan grass, and covers involving sorghums and grasses.

Acreage substitution for wheat and feed grain acreage is permitted—a participating farmer can plant his entire wheat allotment to feed grains in addition to his permitted feed grain acreage, or he may devote his permitted feed grain acreage to wheat. A participating producer who complies with all program provisions will be eligible for price support loans on the entire production, but in the case of wheat, certificate payments will be limited to 80 percent or less of the normal production on the allotment, depending on acres planted. In the case of feed grains, price support payments would be limited to 80 percent or less of the normal production on the eligible feed grain base acres, depending on acres planted. Acreage diversion payments are also available. Certificate and price support payments are assured whether or not the acreage planted for harvest, because of weather or other unavoidable hazards, produces only part of a crop or no crop at all.

Sincerely yours,

E. A. Jaenke,
Associate Administrator.

Mr. DOLE. Mr. Speaker, I would further point out that today the gentleman from Kansas [Mr. Shriver], the gentleman from Kansas [Mr. Mize] the gentleman from Kansas [Mr. Skubitz] and myself have introduced legislation which would, if enacted, permit the farmer who lost wheat, not through any fault of his own, but because of some natural disaster, to plant milo or some other feed grains so he might at least eke out an existence this year.

Mr. SHRIVER. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I am happy to yield to the gentleman from Kansas.

Mr. SHRIVER. I thank the gentleman for yielding to me and I wish to concur in the remarks which the gentleman from Kansas has just made and the previous remarks of the gentleman from Iowa.

Mr. Speaker, over this past weekend I went out to Kansas to survey the damage that is currently being inflicted upon our crops by the terrible and devastating flood. The Arkansas River Valley from Colorado through Kansas is taking hundreds of acres of cropland out of production at this very moment. We have had and we are now having great damage to our crops and to other property, both personal and real. Thousands of acres of cropland are being flooded at this moment in the Midwest.

Mr. Speaker, attention should be given by the Congress to the disaster caused by hail, wind, rains, and floods within not only the great State of Kansas but throughout that area now experiencing this disaster.

Mr. SKUBITZ. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I am happy to yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Speaker, as the gentleman from Kansas [Mr. DOLE], has pointed out, I have joined in the introduction of legislation which would grant appropriate relief to wheat farmers in the 5th District of Kansas who have suffered great and tragic losses as a result of the recent floods.

The bill before the House is a good bill. It will allow farmers who are signed up for the 1965 wheat and feed grains but who are unable to plant their crops, to become eligible to receive wheat and feed grain program payments.

The legislation I have joined in introducing will benefit wheat farmers whose crop has been planted, but later destroyed by natural disaster. It, too, is a good bill and I hope the Committee on Agriculture will give it prompt and serious consideration.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I am happy to yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I would like to compliment the gentleman in the well for his interest in this piece of legislation and to point out that in the State of Minnesota where we have suffered flood and tornado damage as well as an unusual amount of rain damage, many of the farmers have not yet planted their crops, and this includes myself. We have been unable to get down to some of our land because of excessive moisture.

Mr. Speaker, it seems to me that this bill makes sense and I hope it passes.

Mr. Speaker, I might mention also that I have introduced a similar bill.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Minnesota.

Mr. LANGEN. I thank the gentleman for yielding. I wish to compliment him for his very effective efforts on behalf of this bill, and for the statement he has just made.

Mr. Speaker, the purposes outlined by the Committee on Agriculture relative to H.R. 8620, the bill to permit farmers in disaster areas to comply with acreage reduction agreements, are in general agreement with suggestions I have set forth in the past in behalf of constituents in our Seventh Congressional District of Minnesota who were faced with disaster situations this year. I am most pleased that the chairman and members of the committee saw fit to concur and to favorably report this bill for action today.

H.R. 8620 is really a bill to clarify the already stated intent of Congress as set forth in the provisions of law relating to acreage reduction programs for cotton, wheat, and feed grains in effect for 1965. The provisions of law provide that when a farmer agrees to reduce his plantings of any of these commodities below his acreage allotment or base acreage, he shall be entitled to certain benefits, including certain payment-in-kind or certificates on the normal production of the reduced acreage he "planted for harvest" in 1965. Under existing law, if such a farmer planted his acreage under any of these agreements, and a flood or other natural disaster destroyed that crop, he would be eligible for the benefits called for under his contract, including the certificates for the normal production from his permitted acreage. This would be true even if his total crop was destroyed.

The bill before us merely clarifies the law and includes the farmer who was hit by a natural disaster before he had the opportunity of planting his crop. Therefore, under this bill, if a flood prevented a farmer from getting his seed into the ground, he would be considered as having planted the crop for purposes of the contract with the Government.

The Government would get all that it contracted for, since the acreage was reduced and the farmer is not permitted to plant any other price-supported crop on the acreage, and there would be no additional cost to the Government.

It is my pleasure to join with the recommendations from the committee and the Department of Agriculture to favorably act on this bill.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Minnesota.

Mr. QUIE. I want to say that in my district we got all the water that came from all the other districts of Minnesota, so we have had floods, and the farmland is pretty well soaked, and until we get that water off the land the farmers are unable to put in their feed grains. Anyone who has feed grain land flooded automatically gets the benefit of the program that the bill provides. This brings equity to the farmers in knowing they will receive the benefits of the program, and I think it is the only fair thing we can do. I am glad we are moving ahead. I thank the gentleman from Kansas for his work.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman.

This bill is very similar to one I introduced some time ago. As the gentleman from Minnesota expressed it, equity calls for legislative action of this type. I want to thank the gentleman from Kansas for providing the leadership in bringing this bill to the floor for consideration.

Mr. DOLE. I thank the gentleman from Minnesota.

It has been manifest that we share in the objectives of this legislation. The bill introduced by the gentleman from Iowa was passed by our committee without dissent. It will be of help not only to Iowa, but to the States of Minnesota, Missouri, and Kansas. We support the objectives of this bill, but it does seem that farmers who produce wheat and have their wheat destroyed by flood or hail after planting should all be treated equally. After flood or hail destroys wheat, wheat producers, who live where they can raise soybeans are now permitted to do so on the hailed or flooded acres, but in my area soybeans cannot be grown and the farmers are told they cannot raise milo or other feed grains on flooded or hailed-out acreage. It does not seem equitable to me.

The letter from the Department dated today states in part:

> A wheat farmer whose wheat crop has been destroyed by natural disaster can plant some other crop so long as the planting of such crop does not result in his exceeding the permitted acreage under another program. In your district in Kansas, the crops which may be planted following a destroyed crop of wheat are soybeans, sorghums, sudan grass, and covers involving sorghums and grasses.

It is my understanding the Governor of Kansas, Hon. William H. Avery, will request that western Kansas be designated a disaster area and if so a considerable amount of Federal funds will be expended, and properly so, because of this tragic disaster.

It does seem strange that while we undertake to help with different disaster programs we also tell the farmer who has lost his wheat because of flood or hail he cannot plant feed grains to feed his cattle. It is rather inconsistent that because he happens to be in an area where he cannot raise soybeans he should be discriminated against.

I have received hundreds of telegrams, petitions, and letters from distressed farmers in western Kansas who only ask the opportunity to raise feed for their livestock or for the marketplace at market prices. They are not asking to have their cake and eat it too. While I certainly support the objectives of the bill, H.R. 8620, I am hopeful immediate action will be taken on bills introduced by the gentleman from Kansas I referred to earlier.

Mr. GREIGG. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Speaker, I would like to commend the distinguished gentleman from Iowa [Mr. GREIGG] for his fine work on this bill and on this matter which is of such great concern to the farmers of Missouri as well as throughout the Midwest. It is a bill that I, too, had contemplated introducing, but after examining the excellent job that the gentleman from Iowa has done, I did not believe it could be improved. Again I commend the entire committee for their prompt attention to this matter which is of such great concern to our entire Nation.

Mr. GREIGG. Mr. Speaker, I yield 1 minute to my distinguished colleague, a Member of the Committee on Agriculture [Mr. Olson] of Minnesota.

Mr. OLSON of Minnesota. Mr. Speaker, I thank the gentleman from Iowa for yielding and commend him for anticipating very early the hardship caused by flood damage in the Midwest and introducing this legislation realizing how important it would be for the farmers in our area who have not been able to get their crops in. I wish to point out that H.R. 8620 does not make possible any new benefits for farmers who have suffered disaster this year. The significance of this bill is elimination of the requirement to plant crops as a fulfillment of producers obligation under the feed grain program, where natural disaster has delayed such planting to the extent that maturities are not feasible. This does not deal with those who have planted their crops but with farmers signed up for the feed grains, wheat and cotton programs who have not had a chance to get into the fields yet this year. There are numerous instances of this throughout the Midwest. We hope very much that this will be speedily acted on in the other body in order that farmers participating in the programs referred to will know they are eligible without incurring additional expenditures.

I thank all the Members of the Committee on Agriculture for supporting this legislation.

Mr. GREIGG. Mr. Speaker, I yield such time as he may consume to my distinguished colleague, the gentleman from Iowa [Mr. Smith].

Mr. SMITH of Iowa. Mr. Speaker, I want to compliment the gentlemen from Iowa [Mr. Greigg] and the gentleman from Iowa [Mr. Bandstra] who first introduced and then supported and worked on this bill so hard as members of the Agriculture Committee. Also, I wish to commend the leadership of the House for recognizing the great importance of time in meeting this problem and for rapidly getting this bill up under suspension of the rules so that it could be passed as soon as possible.

The farmers in our part of the Midwest have only a few days in which they could plant feed grains with any hope that they would mature. They need to know as soon as possible whether they must make such plantings to avoid penalty and whether they can substitute some permitted crop. To them, time is of the essence.

While the Iowa delegation has been interested in this bill, it affects farmers in many States.

Some farmers signed contracts to comply with farm programs before the recent serious floods hit. Under those contracts, they agreed to reduce their acreage of feed grains and to also plant certain acreage to price supported crops. This reduction in acreage will furnish a market for some of the feed grain stocks built up as a result of the 1959 and 1960 feed grain policies.

To offset their loss of income from not producing crops on this acreage, they would receive some payments on acreage not planted and also some payments on acreage actually planted. With their land under water, it was impossible to plant some of their acreage to feed grains in time so the crop could mature. To require them to do so in order to fulfill the contract would be an expensive operation without offsetting benefits to the Government, which is the other party to the contract.

These farmers may want to plant sudan grass or leave the land idle. In either case, they will have produced less, which was the purpose of the contract.

The farm bill now being considered which extends the program to future years provides this authority but this bill is needed to cover those contracts affected as result of the recent widespread disasters. This bill is very important to those affected and they badly need to be relieved of any penalty that would result from unforeseen circumstances.

I urge the passage of this bill.

Mr. BANDSTRA. Mr. Speaker, this bill is of particular importance to my home State of Iowa, where corn farmers in many areas have been troubled by floods and heavy spring rainfall, and I strongly urge its passage.

Among other things, this legislation would protect farmers who signed up for the 1965 feed grain program from losing their price-support payments, if they were unable to get into the field in time to plant their corn because of flood, drought, or other natural disaster.

It would be unfair if these farmers lost the needed income from price-support payments, simply because bad weather made it impossible for them to plant their corn.

With this in mind, on May 18 I introduced H.R. 8236. The provisions in the bill now before the House, as they apply to the feed grains program, are essentially the same as those in H.R. 8236, which was the first legislation of this type introduced.

The Congress already has acted on legislation to aid certain areas of the Nation affected by natural disasters, and there is surely no reason why our farmers should not receive the same consideration.

Mr. GREIGG. Mr. Speaker, inasmuch as I have no additional requests for time, I yield back the balance of my time.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H.R. 8620, as amended?

The question was taken; and the Speaker announced that two-thirds had voted in the affirmative.

Mr. THOMSON of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Wisconsin objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 297, nays 2, not voting 135, as follows:

[Roll No. 146]

YEAS—297

Abbitt
Adair
Addabbo
Albert
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Annunzio
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Barrett
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Bolton
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Callan
Callaway
Cameron
Carter
Cederberg
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clevenger
Collier
Conte
Corbett
Craley
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Gathings
Gettys
Gibbons
Gilbert
Gilligan
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Gross
Grover
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Mich.
Hathaway
Hechler
Helstoski
Henderson
Holifield
Holland
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Keogh
King, Calif.
King, N.Y.
King, Utah
Kornegay
Krebs
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McFall
McGrath
McMillan
Macdonald
MacGregor
Machen
Mackay
Madden
Mahon
Mailliard
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Michel
Mills
Minish
Mink
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Murphy, Ill.
Murray
Natcher
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Poage
Poff
Pool
Powell
Price
Purcell
Quie
Race
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Roosevelt
Roudebush
Roybal
Rumsfeld
Satterfield
Scheuer
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Ullman

Utt
Van Deerlin
Vanik
Vigorito
Vivian
Walker, Miss.
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—2

Curtis
Smith, N.Y.

NOT VOTING—135

Abernethy
Adams
Anderson, Tenn.
Andrews, N. Dak.
Arends
Bates
Boland
Bolling
Bonner
Bow
Brademas
Bray
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Cahill
Carey
Casey
Celler
Chamberlain
Cleveland
Cohelan
Colmer
Conable
Conyers
Cooley
Corman
Cramer
Culver
Cunningham
Curtin
Devine
Dickinson
Diggs
Dulski
Edwards, Calif.
Ellsworth
Evans, Colo.
Farnsley
Fino
Fogarty
Ford, Gerald R.
Fraser
Frelinghuysen
Garmatz
Giaimo
Goodell
Grabowski
Griffin
Gubser
Gurney
Hall
Hardy
Harris
Harsha
Harvey, Ind.
Hawkins
Hays
Hébert
Herlong
Hicks
Horton
Irwin
Jennings
Johnson, Okla.
Karth
Kee
Keith
Kelly
Kirwan
Kluczynski
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDowell
McEwen
McVicker
Mackie
Martin, Ala.
Martin, Mass.
May
Miller
Minshall
Mosher
Moss
Multer
Murphy, N.Y.
Nedzi
Nix
Olsen, Mont.
O'Neill, Mass.
Philbin
Pike
Pirnie
Pucinski
Quillen
Randall
Resnick
Reuss
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Ryan
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Shipley
Steed
Stephens
Thomas
Thompson, N.J.
Toll
Udall
Waggonner
Watkins
Watson
Weltner
Whalley
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Fogarty with Mr. Bow.
Mr. Kirwin with Mr. Brown of Ohio.
Mr. Hardy with Mr. Bates.
Mr. Zablocki with Mr. Broomfield.
Mr. Multer with Mr. Pirnie.
Mr. Murphy of New York with Mr. Horton.
Mrs. Kelly with Mrs. May.
Mr. Carey with Mr. Cahill.
Mr. Pike with Mr. Bray.
Mr. Jennings with Mr. Quillen.
Mr. Rogers of Texas with Mr. Hall.
Mr. Toll with Mr. Watkins.
Mr. Philbin with Mr. Martin of Massachusetts.
Mr. O'Neill of Massachusetts with Mr. Saylor.
Mr. St. Onge with Mr. Keith.
Mr. Roncalio with Mr. Griffin.
Mr. Shipley with Mr. Chamberlain.
Mr. Hays with Mr. Andrews of North Dakota.
Mr. Rivers of Alaska with Mr. Cramer.
Mr. Wolff with Mr. Whalley.
Mr. Rivers of South Carolina with Mr. Watson.
Mr. Miller with Mr. Brock.
Mr. McVicker with Mr. Mosher.
Mr. Daniels with Mr. Cleveland.
Mr. Cooley with Mr. Martin of Alabama.
Mr. Brademas with Mr. Minshall.
Mr. Evans of Colorado with Mr. McEwen.
Mr. Garmatz with Mr. Fino.
Mr. Giaimo with Mr. Conable.
Mr. Grabowski with Mr. Harsha.
Mr. Moss with Mr. Curtin.
Mr. Waggonner with Mr. Dickinson.
Mr. Rostenkowski with Mr. Gerald R. Ford.
Mr. Charles H. Wilson with Mr. Frelinghuysen.
Mr. Willis with Mr. Ellsworth.
Mr. Thompson of New Jersey with Mr. Gubser.
Mr. Abernethy with Mr. Devine.
Mr. Leggett with Mr. Goodell.
Mr. Williams with Mr. Gurney.
Mr. Kluczynski with Mr. Kee.
Mr. Brown of California with Mr. Herlong.
Mr. Boland with Mr. Harris.
Mr. Cohelan with Mr. Hawkins.
Mr. Dulski with Mr. Conyers.
Mr. Resnick with Mr. Nix.
Mr. Pucinski with Mr. Reuss.
Mr. Nedzi with Mr. Love.
Mr. Long of Maryland with Mr. Landrum.
Mr. Stephens with Mr. Thomas.
Mr. Schisler with Mr. Johnson of Oklahoma.
Mr. Bonner with Mr. Rooney of Pennsylvania.
Mr. Hicks with Mr. Rosenthal.
Mr. Karth with Mr. Irwin.
Mr. Colmer with Mr. Mackie.
Mr. Diggs with Mr. Fraser.
Mr. Randall with Mr. Olsen of Montana.
Mr. Weltner with Mr. Culver.
Mr. Steed with Mr. Schmidhauser.
Mr. St Germain with Mr. Anderson of Tennessee.
Mr. Udall with Mr. Farnsley.
Mr. Edwards of California with Mr. Adams.
Mr. Casey with Mr. McDowell.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GREIGG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ASSISTANCE FOR DISASTER VICTIMS

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1796) to amend the Small Business Act to provide additional assistance for disaster victims.

The Clerk read as follows:

S. 1796

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 7(b) of the Small Business Act is amended by striking out "twenty years.", in the second sentence, and inserting in lieu thereof the following: "thirty years: *Provided,* That the Administrator may consent to a suspension in the payment of principal and interest charges on, and to an extension in the maturity of, the Federal share of any loan under this subsection, for a period of not to exceed five years, if (A) the borrower under such loan is a homeowner or a small-business concern, (B) the loan was made to enable (i) such homeowner to repair or replace his home, or (ii) such concern to repair or replace plant or equipment which was damaged or destroyed as the result of a disaster meeting the requirements of clause (A) or (B) of paragraph (2) of this subsection, and (C) the Administrator determines such action is necessary to avoid severe financial hardship: *Provided further,* That the provisions of paragraph (1) of subsection (c) of this section shall not be applicable to any such loan having a maturity in excess of twenty years."

(b) Section 7(c) of such Act is amended by inserting "(1)" after "(c)", and by adding at the end thereof a new paragraph as follows:

"(2) During any period in which principal and interest charges are suspended on the Federal share of any loan, as provided in subsection (b), the Administrator shall, upon the request of any person, firm, or corporation having a participation in such loan, purchase such participation or, assume the obligation of the borrower, for the balance of such period, to make principal and interest payments on the non-Federal share of such loan: *Provided,* That no such payments shall be made by the Administrator in behalf of any borrower unless (i) the Administrator determines that such action is necessary in order to avoid a default, and (ii) the borrower agrees to make payments to the Administration in an aggregate amount equal to the amount paid in its behalf by the Administrator, in such manner and at such times (during or after the term of the loan) as the Administrator shall determine having due regard to the purposes sought to be achieved by this paragraph."

(c) Section 4(c) of such Act is amended by—

(1) inserting "7(c)(2)," after "7(b)," in the first sentence;

(2) inserting "and 7(c)(2)" after "7(b)" where "7(b)" first appears in the fourth sentence; and

(3) deleting "section 7(b)" from clause (2) in the fourth sentence and inserting "sections 7(b) and 7(c)(2)".

SEC. 2. Section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,666,000,000" and inserting in lieu thereof "$1,716,000,000"; and

(2) by striking out "$1,325,000,000" and inserting in lieu thereof "$1,375,000,000".

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before the House today is a four-section piece of legislation designed to provide additional assistance for disaster victims. This legislation is truly a bipartisan measure and at no time in either the Senate or the House has there been a negative vote cast against S. 1796. The legislation is designed only as a stopgap measure until more complex legislation dealing with disaster becomes law. As has been said many times before S. 1796 is truly a humanitarian measure.

The bill before us today would provide increased aid for disaster victims in the following manner:

First. It would allow the Small Business Administration to increase the maturity of disaster loans from 20 to 30 years. The longer maturities would apply both to homeowner loans and small business loans.

Second. It would suspend payment for up to 5 years on the principal and interest of disaster loans, at the discretion of the Administrator of the Small Business Administration.

Third. If the request for suspension of payment involves a participation loan, SBA, at the request of the lender, shall either purchase the participating lender's portion of the loan or make payment to the lender on behalf of the borrower during the suspension period. This process will avoid a default on the loan.

Fourth. This legislation would also increase SBA's revolving fund by $50 million.

I am happy to report to this body that S. 1796 carries the endorsement of the Small Business Administration as well as the White House. In closing, let me state that it is impossible to legislate against a tornado in the Southwest, a flood in the Midwest or, for that matter, any disaster in any part of our great Nation. However, we can do the next best thing, and that is to pass legislation that would enable victims of these disasters to rebuild their lives and properties to a point equal to that prior to the disaster.

This bill, Mr. Speaker, passed the Small Business Committee of the House Committee on Banking and Currency and the Senate unanimously.

It passed the Banking and Currency Committee of the Senate unanimously.

It passed the U.S. Senate unanimously.

It passed the subcommittee on small business of the Banking and Currency Committee of the House unanimously.

It passed the Banking and Currency Committee unanimously.

The bill before you never having been objected to in either committee or subcommittee or by the U.S. Senate. I hope it can be passed without any objection because it is a bill of great merit. It takes care of victims not only in the case of hurricanes but in the case of floods. Many of these victims were not only hit by tornadoes but they were also hit by floods. In many instances small business people lost their homes and their businesses completely. That calls for extraordinary aid for unusual sympathetic treatment and this bill in recognition of this extreme need. When a town is just wiped off the map entirely with nothing left—not a place of business—not anything left in that town and then the homes of the people who own those businesses are destroyed at the same time or subsequently, they are hit not only with one disaster but with two disasters. Something should be done by the Congress and done quickly to help in a situation of that kind. That is the object and intention of this bill.

Mr. WIDNALL. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the chairman of our Committee on Banking and Currency has largely stated the case for this bill. At the time it was considered by our committee, I did raise this point. I offered a bill on January 14, 1965, for an additional $200 million authorization for disaster loans through the SBA. That amount would go into a segregated fund such as we had up to 3 years ago. At that time, as the Members will recall there was a difference of opinion between the House and Senate, the House believing that our disaster loan funds through the SBA should continue in a segregated fund and not be merged with all of the SBA loan funds as had been requested by the administration. The other body agreed with the administration at that point and when we went to conference the Senate version prevailed. So we have been operating with nonsegregated funds and ran into the shortage that took place late last year and early this year.

I feel we are largely in the position today of having to rush through action on this bill for much needed funds because of the fact that we took away the separate identity and the sanctity of the disaster loan funds that had prevailed up to 3 years ago. I regret very much there was not full consideration given at the time this bill was passed out of committee to the proposal to go back again to a segregated fund.

We have been promised to have hearings on this proposal and any other proposals that may come up from the SBA by way of a supplemental request. I certainly believe that $50 million is not going to take care of the need. We are running into additional trouble every day, as you can see by reading the papers. Kansas and Colorado have had very serious tragedies in recent days. It is going to be very costly to many of the people who live in that area.

We support the passage of this bill as a much needed bill, but I would like to call the attention of the House to the fact that serious consideration should again be given to having a segregated fund for this purpose. We will then know that these funds will be dedicated for that purpose and held for that purpose and not expended in some other direction. When an emergency occurs we will then have the funds provided for those who are in need of relief.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Iowa.

Mr. GROSS. I have looked in vain in the report for some indication as to what the Bureau of the Budget or the Small Business Administration thinks about this bill. I find nothing whatever in the report. How does the gentleman account for that?

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Texas.

Mr. PATMAN. I assure the gentleman that this has the support of the Bureau of the Budget and of the White House.

Mr. GROSS. If the gentleman will yield further, why is there not something in the report to indicate that?

Mr. PATMAN. We did not have it until after the report came out. We did not believe there was any question about it. The question came up after the report was issued. I have a letter here directed to the Speaker of the House, if the gentleman wants to see it.

Mr. GROSS. I ask the gentleman from New Jersey whether we did not appropriate approximately $111 million for disaster relief for the northwestern States? And was there not money for disaster relief in the supplemental appropriation bill this year?

Mr. WIDNALL. That was not for the Small Business Administration and the small loan program. This program has been working out very beneficially for those who have had inflicted upon them the serious tragedies of these unusual disasters. It is a continuous and going program. This will give authorization and funds to that program, that are badly needed.

Mr. GROSS. Is there any substance to the report—I say it is a report, for I have nothing to go on—that the Small Business Administration says the $50 million in this bill is not necessary at this time?

Mr. WIDNALL. I have had no communication from the Small Business Administration to that effect.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Texas.

Mr. PATMAN. I have a letter from the Small Business Administration dated June 18, 1965, endorsing the bill. It reads:

> The Small Business Administration opposed the enactment of S. 1796 as it was originally introduced in the Senate. In view of modifications which have been made in the bill since that time, however, we no longer object to it, and instead urge its passage in its present form.
>
> The Bureau of the Budget has advised that there is no objection to the submission of this statement from the standpoint of the administration's program.
>
> With kind regards, I am,
>
> Sincerely,
>
> EUGENE P. FOLEY,
> *Administrator.*

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I should like to commend the committee, and specifically the gentleman from New Jersey for his comments about the necessity of reinstituting a segregated fund.

I was particularly interested in the remarks of the chairman of the committee about certain areas of the country having suffered from floods or tornadoes or both. The district which I am privileged to represent, suffered disastrously this spring, first from floods and then from tornadoes. The extent of the disasters was such that there were wiped out, or very severely damaged, more than 100 small businesses and 20,000 individual homes.

Spring floods, coming on the heels of one of the worst winters in Minnesota history, started to hit in March and conditions persisted through a good part of April. Millions of dollars of damage to personal and real property resulted for which aid is desperately needed.

Just when we were starting to recover from that disaster a series of severe tornadoes—six funnels striking the ground—hit the suburban area west and north of Minneapolis and St. Paul on May 6. In less than 3 hours this disastrous phenomenon killed 13 persons, injured 660 others, caused 2,778 persons to be displaced, and damaged 2,433 homes and 6 schools.

Mr. Speaker, present disaster loan programs have not been adequate to take care of the needs which have arisen out of these tragedies. The bill which we are considering today will go a long way to help those who are doing so much to help themselves. This will amend the Small Business Act to increase the authorized maximum maturity of all SBA disaster loans from 20 to 30 years; it would provide for a suspension of up to 5 years on the payment of principal and interest on disaster loans at the discretion of the SBA Administrator; and it would increase the SBA's revolving fund by $50 million.

I earnestly urge that the House pass this bill so that it may be promptly signed into law. Proper relief will then be assured for those who so desperately need it.

Mr. WIDNALL. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, actually I was not certain I was going to speak today, but inasmuch as some questions have come up and I am more or less the "culprit" in this, I should like to explain the position.

This particular bill, S. 1796, was heard in the Rules Committee. Since I am a member of the Small Business Committee, and only a bare quorum was present at the time, I asked that we not vote on the bill until I had an opportunity to check with the Small Business Administration.

I should like to make my position adequately clear. That is, I am completely for appropriate money to take care of disaster victims and disaster areas. But over a period of time, we have experienced some difficulty in this regard because the funds are commingled. The disaster area funds are commingled with the conventional loan funds.

Last year when there was a big disaster in Alaska we were faced with the problem of not having adequate funds to take care of that situation. Then when the money we did have in the fund was used for Alaska, the money was not available for many conventional loans. People had been promised that in 2 or 3 weeks they would get their money. They had contracted for machinery or additional employees. They were then advised that the funds were not available, and the result was that they were put off for some period of time.

It went back to Congress and we were asked eventually to consider it and, in fact, more or less insisted that we take care of this situation and that some money be appropriated. In my opinion, this money should be placed in two different funds so that we would have a disaster loan fund where we can look forward to obtaining the money and then have a fund with conventional loan money. I prepared an amendment after we temporarily delayed this matter in the Committee on Rules. My amendment will add on page 3, line 17, as follows:

> On page 3 line 17 strike the semicolon, the word "and," place a comma and add: "except that the $50,000,000 increase for the revolving fund as provided by this amendment is for the sole and exclusive use and restricted to the disaster program as prescribed by section 7b and 7c of the Small Business Act of 1953, as amended."

When I found out on Friday that this bill was being placed on the calendar for action on the suspension list today, I submitted my amendment to the gentleman from Texas [Mr. PATMAN]. He advised me this morning that the Bureau of the Budget and the administration would not accept it.

Now, going back to after this particular Committee on Rules meeting, the Small Business Administration contacted me and said, "We understand you have some opposition to the bill." I explained that again it was not on the money that I objected, I repeat, because I think we should do everything we can in these emergency situations to help these victims, but we should have the money available, I believe, in a separate fund.

I received a letter over the typewritten name Eugene P. Foley, Administrator of the Small Business Administration, under date of June 8, which was signed by Mr. Ross Davis, Mr. Foley's first assistant. It says:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., June 8, 1965.

Re S. 1796, to amend the Small Business Act to provide additional assistance for disaster victims.

Hon. H. ALLEN SMITH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SMITH: This is in response to your request for my comments on the captioned bill.

S. 1796 would extend from 20 to 30 years the maximum term of disaster loans made by the Small Business Administration pursuant to section 7(b) of the Small Business Act. In addition, the bill would authorize SBA, under certain conditions, to relieve a troubled borrower by suspending his obligation to repay.

Insofar as homeowners are concerned, I favor a 30-year maximum for disaster loans and I have already proposed such a change to the Congress. To this extent I am in accord with S. 1796. Otherwise I do not favor the enactment at the present time of the amendments proposed by the measure.

There is reason to anticipate that Congress will soon enact a bill (S. 408), already passed by the Senate, authorizing the Housing and Home Finance Administrator to conduct a broad study of the methods available to the Government in meeting the needs of flood victims for financial assistance. After we have had the benefit of this study, we will be in much better position to evaluate the merits of pending proposals, including those embodied in S. 1796, to amend the disaster loan program.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely,

EUGENE P. FOLEY,
Administrator.

The SPEAKER pro tempore (Mr. YATES). The time of the gentleman has expired.

Mr. WIDNALL. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. SMITH of California. This letter is dated June 8, Mr. Speaker, and after I received it and read it to the Committee on Rules we reconsidered this matter and we decided to defer action.

Mr. Speaker, I ask unanimous consent to include the letter from Mr. Foley in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SMITH of California. On Saturday I received a copy of the letter that the gentleman from Texas [Mr. PATMAN] just read, dated June 18 over the signature of Mr. Foley, which reads as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., June 18, 1965.

Re S. 1796, to amend the Small Business Act to provide additional assistance for disaster victims.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: The Small Business Administration opposed the enactment of S. 1796 as it was originally introduced in the Senate. In view of modifications which have been made in the bill since that time, however, we no longer object to it, and instead urge its passage in its present form.

The Bureau of the Budget has advised that there is no objection to the submission of this statement from the standpoint of the administration's program.

With kind regards, I am,

Sincerely,

EUGENE P. FOLEY,
Administrator.

Cc: Congressman H. ALLEN SMITH,
Congressman WRIGHT PATMAN.

That letter has already been placed in the RECORD by the gentleman from Texas.

I thought I should make my position clear on this, because I am for money for the disaster areas but think that it should be in a separate fund. I rather object to bringing this matter up under suspension at this particular time. I think we could have brought it back to the Committee on Rules. I saw no testimony or hearings indicating that Mr. FOLEY testified in support of the bill before the House of Representatives. Even though I am in favor of the money, I really think we should do these things through a little bit longer procedure and find out how much money we need and where it should be and place it in the appropriate fund and see that it is made available rather than proceeding in this particular manner.

Mr. WIDNALL. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. McCULLOCH. Mr. Speaker, I, too, wish to commend the committee on bringing this legislation to the floor of the House. The major disasters in Ohio and neighboring States occurred a number of weeks ago. The distress and suffering to those people in those farm areas were great indeed, and their farming operations in many instances will be suspended, in large part, for an entire year.

It was my privilege to serve with the distinguished chairman of the Committee on Banking and Currency when he was chairman of the Committee on Small Business. There, too, he did much good work. I have this recommendation to make to the Small Business Administration after spending, on foot if you please, in the greatly damaged sections of three counties of my district, the greater part of 4 days. It would serve a useful purpose if the people from the administration who went into the field really had not only a knowing mind but an understanding heart.

These people, with death and destruction all about them, in their search for help, many times found discouragement, frustration, disillusionment, and sometimes anger. Time and again it was said to me, it seems to be easier for someone far away, who has contributed nothing to the success of this great country, than for citizens who are trustworthy and who pay their debts to get aid even under these conditions.

Mr. Speaker, I hope that the people who go out to disaster areas have always not only the knowing mind but the understanding heart.

Mr. PATMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, this bill was before the Committee on Rules on an application for the usual form of rule for its consideration on the floor. We held a hearing on the bill. There were some minor objections, I might say, that caused the committee to defer action for a brief time. I would say in about 2 weeks someone else contacted me and asked us to bring up the bill and dispose of it, which I did in executive session, not knowing that there was any further objection to its passage. I brought it up. I put the question on reporting it favorably. The gentleman from California [Mr. SMITH] said that he wanted to be heard. He then produced and read a letter—I think it is the same letter which he read earlier—from the Administrator of the Small Business Administration in which he said that he did not support the bill, he was against the bill, he did not need the money, did not expect to use the money; and on that statement the committee, I would say unanimously, just laid the bill aside.

Now, we have come in here with a letter which says that the Administrator favors the bill.

Mr. Speaker, this happens to represent $50 million of the taxpayers' money. I would say that this Congress, practically unanimously—I know I have voted for all of the disaster relief loans as they came along—has been most generous. We have been pretty generous about it I would say in the Congress. However, I just cannot understand this method of operating a Government when the man who spends the money writes and says to the committee or Congress that he does not want the money and does not have any need for the money. Why this sudden change?

Mr. Speaker, it seems to me that we are operating here in a way that does not show proper regard or proper respect for the type of administration that we ought to have when we are appropriating money from the taxpayers, at a time when we are appropriating so much for so many things. I make this statement just because I do not want the Committee on Rules to be blamed for being arbitrary. We were not arbitrary. We were just about to vote it out when the fact developed that the man who was going to spend the money and who is in charge of the program said the money was not needed. If a sudden need has appeared since that happened, why, we have not had any evidence of it.

Mr. PATMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, may I say in reply to the gentleman from Virginia [Mr. SMITH] that the application for a rule was submitted immediately when the bill was reported out, about a month ago. That is customary with our committee, to file a report on a bill and immediately seek a rule in writing. Not only that, but in view of the real need and urgency of this particular bill the chairman personally asked that the bill be placed on the Consent Calendar and also made a request to the Speaker to put it on the suspension calendar. It was placed on each one of the calendars and well over 2 weeks ago, the Consent Calendar was called. It was objected to because it was on the suspension calendar. Then it was taken off the suspension calendar because we had appeared before the Rules Committee in connection with it and two other bills. Rules were granted on the two other bills but not on this one. This one remained in the Rules Committee. We did not know anything about what happened to it. But it has been before the Rules Committee much over a month's time.

Mr. Speaker, I do not feel that we are to be criticized for doing what we could to try to seek passage at the earliest possible time of a bill that is as urgent as this bill. Since this bill was introduced we have had other cyclones, we have had other floods and we have had other disasters.

Mr. Speaker, this bill is badly needed and it should not be held up another hour or certainly not another day.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, just to keep the record straight, I will say to the gentleman from Texas [Mr. PATMAN] that the first appearance before the Rules Committee was on May 26 which is somewhat less than a month ago.

Mr. PATMAN. Yes, May 26 and today is June 21. But the application for a rule was made much before that. It was made immediately after the bill was reported out. So I know it was before the Rules Committee over a month's time. I feel sure of that.

Mr. Speaker, I now yield 1 minute to the gentleman from Wisconsin [Mr. STALBAUM].

Mr. STALBAUM. Mr. Speaker, I thank the gentleman from Texas for yielding to me.

Mr. Speaker, I rise in support of this bill. We were hit in my district by a tornado early in April on a Sunday afternoon. It was my personal opportunity to visit all of the properties that were affected by this tornado during the Easter recess.

I feel that the bill is badly needed by the homeowners and the small businessmen in the various communities throughout this area.

Mr. Speaker, I am happy to see that apparently the House is in full accord with this legislation. It is interesting to note that the debate today seems to center on two points; one, whether this money should be put into a segregated fund—and I do not propose to be expert enough to speak on that—and second, whether this bill should or should not have had a rule.

Mr. Speaker, I am not concerned in my comments on those points. I am concerned about helping the property owners who need the help this bill gives. Apparently everyone else is in full agreement that the main text of the bill is needed and should be passed in order to provide the necessary aid to these people who have suffered loss from a natural disaster.

Mr. WIDNALL. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, I certainly do not have anything to contribute in the way of conflict with what the gentleman from California [Mr. SMITH] has said about the rule. Of course, I am not familiar with this.

I can only testify to the fact that this legislation is certainly needed. We have precedent for an extension of disaster loans from 20 to 30 years in the recently passed disaster legislation for the Pacific Northwest. As a member of the Public Works Committee and the special Flood Control Committee that was asked to visit the Minnesota, Illinois, Wisconsin, and Iowa areas, I can certainly testify to the great need of the people, particularly in the private sector. It seems in all of our disaster legislation, there is adequate assistance for the public sector, but the people in the private sector do not have sufficient insurance to cover their losses.

I want to admonish the Members on the floor today, it is in the interest of all Members of Congress who could be hit by a similar disaster that we take whatever measures are necessary to develop an adequate flood assistance program to assist in the future, a program designed to trigger immediate assistance to people desperately in need.

Mr. WIDNALL. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, I rise particularly to associate myself with the remarks made a few minutes ago by the gentleman from Ohio. In my district, as the result of the Palm Sunday tornado, there were many areas extensively damaged. Like others who have spoken, I am aware from personal observation of the heartaches and hardships that this tornado caused. There is a great feeling among many people that immediately after the disaster promises were made to them of Federal assistance which have not been fulfilled. Anything that we as the Congress can do to see that such promises are carried out, in my opinion, ought to be done. I therefore support the legislation before us.

Mr. MOORE. Mr. Speaker, I would like to join the distinguished chairman of the Banking and Currency Committee in support of this bill. After reviewing this legislation carefully, I find that it would give a desirable degree of flexibility to the disaster loan program of the Small Business Administration.

Under the provisions of the bill, the Administrator of the Small Business Administration could, within his discretion, extend the maturity on disaster loans from 20 to 30 years. Such an extension would have two effects; first, smaller installment payments of principal and interest would be possible; second, a loan applicant would have to show the ability to repay the loan during 30 years, rather than 20 years. This provision would make many of the extreme hardship cases eligible for disaster loans under the act.

The Administrator could also, within his discretion, suspend repayment of principal and interest under the loan for up to 5 years. This provision would allow the small businessman or home owner time to reestablish his earning capacity before assuming the burden of repayment of the loan. In event the request for suspension involves a bank participation loan, the Small Business Administrator would, at the request of the lender, either purchase the participating lender's portion of the loan or make payments to the lender on behalf of the borrower during the suspension period in order to avoid default.

Lastly, the bill would increase the SBA revolving fund by $50 million to provide for the additional costs of this bill and the additional burdens placed upon the revolving fund by the recent disasters in the Midwest.

In urging the passage of this legislation, I have, however, one mental reservation. I would like to join the distinguished ranking minority member of the Banking and Currency Committee in what he has said on the floor of this House and at the hearings on this legislation. In 1962, the previously separate authorizations for the business loan fund and the disaster loan fund were combined. This merger was accomplished at the request of the Small Business Administration. The bill that merged these two funds requires that the Small Business Administration notify the Banking and Currency Committees of both the House and Senate whenever the aggregate amounts outstanding from the revolving fund attains a certain level. Apparently no such notice was given in November of last year when the amount outstanding from the revolving fund reached the requisite level. As a result, the lending activity of the Small Business Administration had to be curtailed sharply.

It seems to be no longer a justification to say that the Small Business Administration will administratively earmark funds for purpose of the disaster loan program. The demands of natural disasters are just as unpredictable as the natural disasters themselves. Neither the business loan fund nor the disaster loan fund should be jeopardized for the wants of the other.

It is for this reason that I urge that consideration be given in the very near future to the bill that the distinguished ranking minority member on the Banking and Currency Committee has introduced to recreate a separate authorization for the disaster loan fund.

The SPEAKER pro tempore (Mr. YATES). The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE BALTIC STATES

Mr. MONAGAN. Mr. Speaker, I move to suspend the rules and pass the bill (H. Con. Res. 416).

The Clerk read the House concurrent resolution, as follows:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

The SPEAKER pro tempore. Is a second demanded?

Mr. ADAIR. Mr. Speaker, I demand a second.

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I am happy to present and I strongly support House Concurrent Resolution 416. I am only sorry that the action, which I am confident we shall take today, was not taken many years ago. Nevertheless, it is action at last and I am sure that it will have its effect.

This resolution will constitute a statement by the House of Representatives of the United States in behalf of freedom of the people of the Baltic States. Some 70 Members of the House have filed resolutions which correspond, more or less, to the measure which is now before the House.

This resolution is not only the result of the interest of the 70 Representatives who have filed similar proposals, but it also is a product of the hearings held earlier in the year by the Subcommittee on Europe under the chairmanship of the gentlewoman from New York [Mrs. KELLY]. These hearings were a part of a series of hearings relating to the captive nations of Europe that have been held over a period of 4 years through the initiative of our chairman.

This year's hearings demonstrated conclusively that the Baltic countries are more than ever under the yoke of Russian imperialism. The historic nations of Lithuania, Latvia, and Estonia, with their tradition of individuality, their culture and history, were ruthlessly suppressed almost exactly 25 years ago on the 14th to the 17th of June 1940 and they have never regained the independence which they prized so highly.

The Russian policy remains one which is hostile to the religion of the people, to the national traditions, and to the characteristic culture. Earlier there were mass deportations of the people native to the regions and later there were wholesale settlements of Russians in these areas which remind those who have a knowledge of history of the plantations which Elizabeth I settled in Ireland over 300 years ago.

The objective of these plantations was to infuse the country with Russian customs, Russian institutions, and Russian language and thereby eradicate all traces of the former cultures.

The national policy of the United States has always supported self-determination and we have steadfastly supported and do now support the cause of the freedom of these Baltic nations. The citizens of these countries are outstanding, industrious and talented people. They are stanch supporters of the United States and of the West and they yearn for freedom with the yearning that comes only to those who are deprived of the precious liberties which we enjoy as we enjoy the air we breathe.

On this 25th anniversary of the suppression of freedom of these countries it is particularly fitting that we record our strong support of the hopes of the Baltic peoples, that we emphasize their tragic plight in the world court of public opinion and that we take the modest steps now possible to keep the torch of freedom lighted.

House Concurrent Resolution 416 begins by stating the historic fact of the suppression and persecution in the Baltic nations. It further emphasizes that this suppression is contrary to the principles of the United Nations and that the United States, in the assertion of its traditional support of self-determination, condemns the actions which have sought to eradicate the nationalism of the Lithuanians, the Latvians, and the Estonians.

In consequence of these conclusions, the House through this resolution expresses its criticism of the acts of the Communists, affirms its support of the people of these countries, and calls upon the President of the United States to bring about the expression of this view at the United Nations and in other international forums and to take every possible step to keep the tragic plight of the Baltic peoples before the world.

Instances of colonialism in Africa and Asia have frequently been cited against European countries, but there has been a strange silence and absence of criticism in the case of this clear and unjustifiable colonialism on the part of the Russians against their fellow Europeans. This resolution presents an opportunity to express our corporate disapproval of this type of unrepresentative and alien rule.

I should like to conclude my remarks by quoting from testimony of a man named Arseni Taalman, who testified before the subcommittee during the hearings on this resolution. He said:

> We do not despair. We consider it our duty to present the situation as it is, to present the imperialistic policy of the present rulers of the Kremlin as it is practiced in the Baltic States, to give the real picture of what they are doing, in order to provoke free world reactions, because they in the Kremlin, as well as in Vilnius, Riga, and Tallinn, are sensitive to every reaction coming from here.
>
> The words uttered here will be transmitted there. They will have positive and restraining effect on the colonial masters of the Soviet empire. You know what is going on now in the Communist orbit. I have in mind the disintegration of the Communist monolithism. All that is felt in our Baltic countries, too, and is also an element of hope.
>
> Therefore, in spite of this rather dark picture of the present situation in the Baltic States, we, and our people, do not despair.

This resolution was unanimously approved by the Subcommittee on Europe and by the Committee on Foreign Affairs. It has the approval of the Department of State. I urge its passage.

I reserve the remainder of my time.

Mrs. BOLTON. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, it is vitally important that we not let the passage of time deter us from the repeated assurances by our Government that we support the aspirations of the captive Baltic States for freedom and self-determination. For this reason, I hope we will have unanimous approval of House Concurrent Resolution 416, which requests the President to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania.

For 25 years these nations have been under the yoke of the Soviet Union. Yet the obstinate refusal of these subjugated people to accept tyranny has inspired all of us. Surely we should let the world know, through every means possible—including the enactment of House Concurrent Resolution 416—that the seizure of these lands in violation of specific treaties and international law can never be condoned or considered permanent.

Mr. MONAGAN. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I wish to commend the gentleman from Connecticut [Mr. MONAGAN], and the committee for bringing this resolution to the floor.

In 1954 I was honored to be a member of a special congressional committee created for the purpose of investigating the Communist subjection of the Baltic States. That committee held extensive hearings not only in this country but in Europe.

I should like to read a few paragraphs from pages 30 and 31 of the report which was rendered to the Congress on some of the results of the hearings regarding the enslavement of the Baltic States:

> The pages of history are replete with the records of cruelty, the barbarity of man's inhumanity to his fellow man. Torture, persecution, injustice, mass murder, and crimes against the human race are no strangers to the reader of history. We are also aware of the brutality of all invaders since recorded history began and the most evil of deeds which have produced the condemnation of all generations. However, the committee, after carefully hearing a long list of eyewitnesses to the conduct of the Soviet Union and its minions, has come to the inescapable conclusion that the blackest page of history has not recorded acts such as those perpetrated in this 20th century of enlightenment by the Communist aggressors.
>
> The following section of this report is not only a summary of the experiences of eyewitnesses, it is an indictment before God of the evil loose in the world in the form of the doctrine of communism and its instrument, the Soviet Union. It is, at the same time, a plea to all the free peoples of the world to gather their forces—mental, moral, spiritual, and physical—to resist the encroachments and blandishments of a philosophy and system that can only result in the elimination of human dignity, the rights of man, and the hope of the future generations yet unborn. The testimony received by the committee is the cry of hundreds of millions of tortured tongues that there is a fate worse than death, a sorrow more bitter than the grave.
>
> 1. SOVIETIZATION AND RUSSIFICATION
>
> Experiences of the captive nations, those within the geographical limits of the Soviet Union and those in areas outside its borders, clearly demonstrate the forced adoption of communism is only the initial step in the campaign of the Soviet Union to dominate the world. The testimony of the witnesses includes examples and citations, too numerous to mention in their entirety, showing a clear pattern of the imposition of Russian culture, as propagated by the Communists, on the victim state. This culture is not a composite culture of the Soviet Union, for none such exists; it is the culture of one nation of the U.S.S.R., the Russians.
>
> Sovietization or communization of any nation or area is the imposition of the Marxist doctrine and ideology on the native population. This is accompanied by intense Soviet organization, collectivization, economic control, and the usually accepted precepts and patterns of Communist conduct and practices. A program is launched for the ruthless suppression of religion and "bourgeoise nationalism," two great forces which drive a people to desire freedom. These actions are aimed at the destruction of national laws, governmental structures, the system of private property and free enterprise, and all those political beliefs which make a free state different from a slave state.
>
> Russification attacks the cultural and other traditional ethnographic features of state life. It seeks to eliminate and replace such things as language, literature, art, folklore, customs, and the habits or patterns of conduct distinctive of the people of the individual nation. Where sovietization strikes at the political and economic structure of the captive nations, Russification seeks to eliminate the distinctive culture of the nation and to destroy all those traditions which stand in the way of unquestioned loyalty to Moscow.
>
> Former President Herbert Hoover in speaking of the Baltic refugees told the committee:
>
> "I was told by great numbers of them scattered all the way from Helsinki clear down to Budapest that the Russians had undertaken a systematic migration of the people out of the Baltic States into some place in Siberia, not slave camps but resettlements, and the movement of Russians into the Baltic States with the intention of finally Russifying that area. They are trying to extinguish the social spirit that might still be alive in those people."

Mr. Speaker, the Lithuanian Democratic League of Lake County, Ind., at its last regular session unanimously adopted the following resolution.

The people of the free world must continue the fight for curbing Communist aggression and freeing of captive nations or our own free democracy will be jeopardized with Communist enslavement:

RESOLUTION BY THE LITHUANIAN DEMOCRATIC LEAGUE OF LAKE COUNTY

> The Lithuanian Democratic League of Lake County, Indiana, descendants of Lithuanian heritage and citizens of this country, in a regular session on June 4, 1965 voted unanimously to adopt this resolution and send it to the President of the United States with copies to the Secretary of State, Indiana Senators, and to Congressman RAY J. MADDEN:
>
> "Whereas, June 15, 1965, will mark 25 years since Soviet Russia started her expansion program to take over bordering states of which Lithuania of the Baltic States was the first to fall under the hammer and sickle of the Soviet Union; and
>
> Whereas about 400,000 Lithuanian citizens were deported to concentration camps in Siberia and other sections of Soviet Russia for slave labor; and

Whereas thousands of Russian Communists and criminals have replaced Lithuanians who will never return—thereby forcing colonization; and

Whereas the practice of persecution of all Christians, restriction of their religious practices, and closing of houses of worship, be it

Resolved, that Soviet Russia immediately withdraw from Lithuania its armed forces, administration apparatus, and imported Russian Communists and criminal colonists, that persecution of the faithful be immediately stopped and houses of worship be returned; Be it further

Resolved, That the Government of the United States instruct its delegate in the United Nations to raise the issue of Lithuania in international conferences as well as to support our just requests for the condemnation of Soviet aggression against Lithuania, and for the abolishment of Soviet colonial rule in that country.

Albert G. Vinick,
President.
Tadas Balcuinas,
First Vice President.
Angela Justine,
Second Vice President.
Mary Gelvickas,
Treasurer.
Ann Zych,
Secretary.
Ted Mason,
Resolution Chairman.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I very happily yield 5 minutes to the gentleman from Indiana [Mr. Adair].

Mr. ADAIR. Mr. Speaker, frequently during the course of a congressional session Members will call to the attention of their colleagues a milestone in the life of a new country that has recently emerged on the international scene. Such has been the pace of independence that these events can often be expressed in a single digit.

Today, however, the House has before it for consideration, and I hope favorable action, a concurrent resolution that commemorates the loss of independence of three States—Lithuania, Estonia, and Latvia. And their tragic plight has endured for a quarter of a century.

The irony underlying this resolution is best expressed in the report of the committee in these words:

> It must always be remembered that at the very time when millions of people in the non-Communist world were attaining national independence with the consent and cooperation of the Western Powers, the Soviet Union actively pursued a policy of forcible colonization of her neighbors. Soviet domination of the Baltic States is but one manifestation of this policy.

Members should know that the resolution we are now considering is completely bipartisan in origin and reflects the views of Members from all parts of the United States. Although it is brief—as resolutions of this kind should be, the preamble highlights the reasons for its introduction.

The Subcommittee on Europe held hearings on this and related resolutions. These have been printed. The report accompanying this resolution distills the facts elicited during the hearings. I would urge my colleagues to read both of these documents, should they have any doubts as to the wisdom of the resolution. They are an impressive catalog of inhuman treatment of the peoples of these three small countries by their Communist conquerors. The case for this resolution need not be made by this House or any of its committees; it has been impressively made by the Soviet Union.

Mr. Speaker, I am confident that this House by its silence would not want to appear to condone the extinction of the national life of these countries as well as their cultural, ethnic, and spiritual heritage. It is not only appropriate, but it is imperative, that we speak out in clear and unmistakable language. This is not a belligerent resolution. It simply urges the President to use the forums available to us to bring to the attention of the world "the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania." I would add my own hope and expectation that the President would avail himself of the various communication media which the United States controls to publicize the facts concerning these countries. We cannot neglect doing for these countries under Soviet domination anything less than we urge upon our friends who are giving sustained attention to advancing the freedom of people.

Mr. Speaker, I urge upon my colleagues that they cast a favorable vote on this resolution.

Mr. MONAGAN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Speaker, my heart is so filled with this subject, with the grief and the tragedy that so unfairly and cruelly has been fastened upon the brave and God-fearing people of the Baltic States, that if I had allotted to me an entire day to talk, I could only reach the fringe of my interest.

Mr. Speaker, I do want to commend the great statesman from Connecticut [Mr. Monagan], for the long, hard work that he has put in on this legislation and also extend to that marvelous woman from new York [Mrs. Kelly], the chairman of the Subcommittee on Europe, and to all the members of that subcommittee my congratulations for and my appreciation of the mastery and dedicated job that they have done in the preparing of the resolution we have before us, a resolution that calls upon world opinion to place the stamp of odium upon the oppressors and captives of the Baltic States.

Mrs. BOLTON. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. Fulton].

Mr. FULTON of Pennsylvania. Mr. Speaker, I am very glad to join the gentleman from Connecticut [Mr. Monagan] and the gentlewoman from Ohio [Mrs. Bolton] to urge the adoption of House Concurrent Resolution 307.

The House Foreign Affairs Committee through its European Subcommittee, on which I have the honor to serve, has had extensive hearings on this subject. There is no doubt of the fact, I can say to the Congress, that these fine people in Estonia, Latvia, and Lithuania still have a national concept, still are a people, still have their institutions, and culture, churches, and heritage. In that context we in the Congress should work for the time that the people of Estonia, Latvia, and Lithuania have the liberty and the independence for self-determination and the opportunity to choose that good life which they can have if they have freedom.

This resolution simply and plainly requests the President of the United States to initiate discussion of the Baltic States question before the United Nations with a view to gaining the independence of Lithuania, Latvia, and Estonia, from the Soviet Union by peaceful means.

We hear of the good that the United Nations has done on difficult problems and I believe a full debate of this question in the General Assembly will be just and will be joined in by many nations. I feel that in this context many people of the Soviet Union themselves will feel that the Congress is acting well in bringing this up as a United Nations question through our urging the President to make the proper presentation for consideration.

This is a matter that we in Congress are trying to bring to the attention of world opinion through peaceful means. I am of a family that has both friends and relatives in the countries of Eastern Europe and I know how strongly they feel about their own peoples, culture, religious institutions, and heritage.

We in the United States of course feel that people have a right to freedom and democracy and certainly these people of the Baltic States, as well as those of Eastern Europe, are entitled to this as heritage and basic right of self-determination under United Nations Charter principles. As a matter of fact, under the Soviet Constitution these people should have their heritage and have their rights protected. This is true according to constitutional law both in the Soviet Union as well as generally in international law.

The Soviet Constitution contains a provision that people can leave the Union of the U.S.S.R. in case they wish to depart from that governmental structure. This provision has never been used. But it should be made plain the provision exists. And while it has not been used, nevertheless we who are friends of these Eastern European countries and friends of the Baltic States, such as Estonia, Latvia, and Lithuania, should work so that in the near future through peaceable means and peaceable coexistence we may bring these people to freedom and democracy which, I believe, they universally desire. We must work for the right of self-determination of people under the United Nations Charter.

I urge the House of Representatives to pass unanimously House Concurrent Resolution 307 to show the sentiments of the American people strongly favor the right of self-determination of the good people of Estonia, Latvia, and Lithuania.

Mr. MONAGAN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, I should like to join my colleague from Illinois [Mr. O'HARA] in his comments on this resolution. I would like to state, as a member of the Subcommittee on European Affairs of the Committee on Foreign Affairs, that I commend the gentleman from Connecticut [Mr. MONAGAN] and the gentlewoman from New York [Mrs. KELLY] for the great job they have done. I know the long hours they have put into this matter and their compassionate concern. I think by their action they have renewed the hopes of millions of people who sometimes feel that the world outside the Iron Curtain has forgotten them. So I compliment the gentleman from Connecticut who, by his knowledge, untiring work, and thorough understanding of the many problems connected with the captive nations has performed an outstanding service. Their resolution adds strength to the flame of freedom. Let us hope that the day is not too distant when these unfortunate people in the captive nations will share in that freedom. Until all men are free, none are truly free. A threat to freedom anywhere is a threat to freedom everywhere. I am pleased to have cosponsored this resolution, Mr. MONAGAN, and you have the thanks of the Members of this body. You have the support of both Democrats and Republicans alike.

Mrs. BOLTON. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, I am pleased to support this resolution, although I believe it would be practical for our discussion this afternoon to point out that a good many of the resolutions introduced by Members carried language stronger and somewhat more practical than the language of this resolution.

Mr. Speaker, I call especial attention of the Members to page 5 of the committee report where we have reprinted a letter from Douglas MacArthur II, Assistant Secretary of State, in which he states as follows:

> The language of the resolution as formulated is not objected to by the Department of State.

Mr. Speaker, this means that any other language considered was objectionable to the Department of State.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. Yes, I yield to the gentleman from Connecticut.

Mr. MONAGAN. I would like to state to the gentleman from Illinois that a previous resolution differing in language from this resolution was also found not objectionable by the Department of State.

Mr. DERWINSKI. Let me ask the gentleman this: If we had language not urging but requesting that the President direct the Ambassador to the U.N. to place this question on the U.N. agenda, then what would be the position of the Department of State?

Mr. MONAGAN. If the gentleman will yield further, I certainly would not dare state what the position of the Executive would be on it. In my opinion either one would be similar in that we are requesting the President to take action rather than taking a position which would be unconstitutional for us in telling the Executive to do something.

Mr. DERWINSKI. Mr. Speaker, may I point out to the Members that approximately 25 years have elapsed since the three Baltic states were subjugated by the Soviet Union. In the process of this 25 years the people of these Baltic states have not been effectively supported by either the people or governments of the free world. They are being forgotten, in a world occupied with Vietnam, the Dominican Republic, a new crisis possibly developing in Berlin, or wherever the Reds prefer to apply the pressure.

Mr. Speaker, it would be extremely practical as well as inspiring for the United States to use a little imagination in foreign affairs and take a subject such as this and see that it is discussed on the agenda of the U.N. Mr. Speaker, there is no reason in the world why we should be forever on the defensive in the conduct of our foreign affairs.

The Soviet Union has been operating under a policy of resettlement and is really practicing genocide by dispersion against the Baltic peoples. They are transferring the people of the Baltic States away from their homelands and scattering them throughout the Soviet Union and resettling these areas with Russian colonists and in effect wiping out the identity of the Baltic people.

Certainly, Mr. Speaker, this is a crime against humanity, certainly this is a denial of human rights and certainly this is a denial of civil rights.

Certainly, Mr. Speaker, this is something which should have the attention of the U.N.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Missouri.

Mr. CURTIS. In reading the committee report and in listening to this debate, this question is raised in my mind: What has the President been doing about this? What have we been doing in the United Nations?

Does the gentleman from Illinois mean that the Congress is to believe that nothing has been done and, therefore, we have to pass a resolution like this?

Mr. DERWINSKI. This afternoon we hope to pass this resolution urging the President to take every practical means to direct world opinion to this subject.

Mr. CURTIS. Well, what has he been doing? Is that what we are to believe? I am interested in this problem. I notice that we constantly come out with resolutions like this in the Congress and at least I as one Member of the House of Representatives would like the Committee on Foreign Affairs to let us know what has been done. It is not enough just to come forward and say let us pass a resolution.

Have there been no statements made by our U.N. delegates on this matter? Has this been something that the administration has neglected? That is what I would like to know. Can the gentleman answer or can anyone on the committee answer these questions?

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Connecticut.

Mr. MONAGAN. I would like to say that obviously the area in which the President can act in relation to the Baltic nations in a situation which has been solidified over the past 25 years is limited.

I would like to point out all of the Presidents, President Kennedy and prior to that time President Eisenhower, had taken strong positions with reference to all the captive nations, including the Baltic States in the captive nations. They offered very strong resolutions with just exactly the object in mind that the gentleman from Missouri refers to.

The **SPEAKER** pro tempore. The time of the gentleman from Illinois has expired.

Mrs. BOLTON. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Missouri.

Mr. CURTIS. Then I would think there would be a strong resolution to commend the President for the position he has taken and encouraging him to take it again. I understand the record is a little bit different. I do recall the difficulty we had, not in this administration, but the prior one under President Kennedy, in regard to getting a firm position, restating a firm position on all the captive nations. We finally ended up with a resolution that was considerably watered down over the one that the Congress had been enacting in the past. I do think it is important to know just what the record is. Are we by silence, in effect I presume we are, saying the President has not been proceeding, and thereby by this resolution we are hoping he will take further action. I am trying to understand this thing.

Mr. MONAGAN. If the gentleman will introduce a resolution commending the President for what he has done I would be happy to cosponsor it.

Mr. GALLAGHER. If the gentleman will read the U.N. debates I think he will familiarize himself with the fact that this is a matter that comes up constantly and there is brought to the attention of the United Nations the concern of the United States in the matter of the captive nations. This resolution merely reaffirms the sense of Congress that we still are interested in this; that we should renew our dedication to this proposal.

Mr. CURTIS. The gentleman as a member of this committee has not answered the question. I am not on the committee. I hope that the committee will do its homework on this, and will inform us. I do not know this. As I pointed out in listening to the debate and in reading the report, nothing was said about what the position of the Executive was, whether he did or did not do this or that.

Certainly if the committee after its study recommends that we commend the President, and after listening to your wisdom on it, I would join in it, but I am not in the business of initiating matters in this area about which I depend on this committee for information.

Might I inquire is it directed along the line of trying to find out what happened, and why do we have this resolution here, because that point had not been discussed during the debate, nor was it discussed in the resolution. I must confess I am still in ignorance as to what the real story is.

Mr. GALLAGHER. I thank the gentlemen.

Mr. DERWINSKI. The gentleman from Missouri has raised a very practical point since the report of the committee very properly condemns the Soviet Union for the practices it has perpetrated in recent years. But it stops short of practical recommendations that should follow. It might be well for the administration to increase the hours and nature of broadcasting on the Voice of America. The Voice of America broadcasts to the Baltic States are limited in hours, and improvement in nature of broadcasts is a very direct step that could be taken.

The Voice of America broadcasts to the Baltic States, as well as to other captive lands under communism are perfectly bland. For this reason the Communists rarely jam VOA broadcasts since their messages are not at all irritating to them. The Voice of America is supposed to use its facilities to send the truth about the world, and the truth should include a report on Communist atrocities, a description of their hypocrisy in foreign affairs, and the practice of Communist governments in denying their citizens basic civil rights. Certainly, it is not asking too much in these turbulent times for the Voice of America to pierce the Iron Curtain with factual, truthful reports in an understandable and clear fashion.

I am pleased to remind the Members that the leaders in exile of the Baltic States are engaged in many practical programs to aid their oppressed countrymen. One of the plans they are now contemplating is the use of a ship that would be called the Free Baltic Radio ship which could sail in international waters, beaming radio messages of truth and instilling a hope for freedom among the Baltic peoples. The embassies and legations of the Baltic peoples are still properly recognized in many free lands, and the fraternal and church groups of these peoples continue to work their common goal of eventual restoration of freedom to these three little countries.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Indiana.

Mr. ADAIR. I may say to the gentleman from Missouri it might be a reasonable assumption that the committee felt not enough had been done toward directing the Executive or our representatives at the United Nations, or else we would not have thought it desirable to bring in the resolution today.

Mr. CURTIS. I thank the gentleman. That is what I thought was the case but I did not know.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman.

Mr. MADDEN. I think I can clarify a little on this situation that developed here. As a member of this committee 10 years ago and also chairman of the Katyn committee, I have a letter in my office from a man who was then Assistant Secretary of State, now Senator MORTON, at the direction of Secretary of State Dulles, under President Eisenhower, advocating, when we were trying to send this report of this committee and also the report of the Katyn Forest massacre committee to the United Nations that the State Department at that time, in 1953 and 1954, did not see where that was the proper thing to do. So the State Department under Secretary Dulles established the precedent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BOLTON. Mr. Speaker, I yield the 2 remaining minutes on this side to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, the gentleman from Indiana dramatizes a very important point and that is the reluctance of the executive branch, more specifically the State Department, to effectively come to grips with situations that confront us in international affairs. So the Congress very effectively has to fill the vacuum and, therefore, it is perfectly in order as I see it for the Congress to take the lead where the administration fears to tread. In this particular case, with time running out, and with the history producing so many new developments, with the plight of the Baltic peoples being forgotten, the cause of justice is not being served and by our action here this afternoon, we are taking a step in the right direction. I would only hope that in the future as we continue along this path that we produce resolutions compatible with the very effective committee report. I would recommend to the Members a very thorough review of this committee report. It is brief, it is very sound and it is very basic and up to date so far as the items which it contains.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MONAGAN. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Speaker, may I direct this inquiry to the distinguished gentleman from Connecticut [Mr. MONAGAN].

Am I correct in my understanding that similar to the Soviet attempt to commit spiritual genocide of Judaism within the Soviet Union, you have heard testimony before your committee that in the Baltic States there is a systematic attempt to bring about the extinction of the Catholic and Protestant religions in Latvia and Estonia?

Mr. MONAGAN. Yes, and in Lithuania as well.

Mr. TENZER. Thank you, and in Lithuania.

Mr. MONAGAN. The gentleman is correct. If the gentleman will look at the testimony beginning on page 33 of the hearings, he will find the details of that in the hearings as well as in the section of the report to which he has called attention.

Mr. TENZER. I commend the gentleman from Connecticut [Mr. MONAGAN] and the gentlewoman from New York [Mrs. KELLY] for bringing this resolution to the floor of the House. They certainly merit the commendation of every Member of the House for conducting the hearings and bringing this resolution to the floor of the House of Representatives for our consideration today.

Mr. MONAGAN. I thank the gentleman.

Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I might say this is always a good idea—any kind of affirmative action like this that serves notice can only be good. It certainly cannot be bad.

I have been a sponsor, as you know, of the so-called captive nations resolution for several years. As you also know, the reaction to that resolution especially in the Soviet, and more especially as Mr. Nixon told me when he came back from his visit with Khrushchev—their reaction is nothing but violence—which is an understatement. So this can only be good.

I might say, and this is all I am going to say on this point, let us not forget that we will never be able to satisfy what everybody wants done in this kind of a problem. That is impossible to do. I have been at this longer than most of you. I was on the Katyn Committee and on other committees. So I have lived with this problem since the war. I know what refugee groups want done. I know what the splinter groups within those groups want and, my friends, you just cannot satisfy all of the people.

You should do what you are doing. You are doing it well.

Let it not be forgotten that one of the brightest stars on the escutcheon of the United States of America since this problem arose—and my friends on the distinguished Committee on Foreign Affairs, on which I had the honor to sit 20 years ago, will certify to this—is that the United States of America has consistently refused, and has reiterated its refusal, to recognize the alleged acquisition by the Soviets of the Baltic provinces. Year after year after year, no matter who has been the President or the Administration, this has been true.

There has never been a brighter star in our helmet than that. Those people know it. They love you for it, and admire you. They do not expect you to land paratroops in Estonia or Latvia or Lithuania tomorrow night. They understand. They have been through it, God help them, for centuries.

What you are doing is good. My compliments to you.

Mr. Speaker, in its lead editorial of Wednesday, June 16, 1965, the Wilkes-Barre Times Leader called attention to the distressing fact that 25 years ago Soviet troops invaded the Baltic nations—Lithuania, Estonia, and Latvia and subsequently incorporated them into the Soviet Union, an outrageous act that the United States has never recognized as the will of the people of those three nations. And, more importantly, we never shall.

Last Monday, June 14, it will be recalled that this body took full recognition of this 25th anniversary during the course of an hour-long program, in which I together with many other Members participated.

However, in view of the fact that we have before us today House Concurrent Resolution 416, to request the President of the Untied States to urge certain activities in behalf of these three nations—Lithuania, Estonia, and Latvia, I thought it appropriate to reprint the text of the fine editorial from the Wilkes-Barre Times Leader on this occasion.

Mr. Speaker, I include an editorial entitled "Twenty-fifth Anniversary of Baltic Conquest," at this point in my remarks:

THE 25TH ANNIVERSARY OF BALTIC CONQUEST

At a time when Moscow and other Communist capitals are so critical of the United States in its defense of South Vietnam and the Dominican Republic, it is interesting to note the 25th anniversary of the occupation of Lithuania, Estonia, and Latvia by Soviet troops and their subsequent incorporation into the Soviet Union. This is an awkward reminder to the Kremlin of its duplicity, if its masters are capable of embarrassment over their inconsistency.

In a peace treaty concluded in Moscow in 1920, it was stated that "Russia recognizes without reserve the sovereignty and independence of the State of Lithuania and voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and territory."

In 1926, a treaty of nonaggression was signed in Moscow between Lithuania and the Soviet Union in which the treaty of 1920 was confirmed and in which the two countries agreed to "respect their respective sovereignty, and also their integrity and territorial inviolability in all circumstances."

Despite these formal assurances, Soviet armies overran Lithuania and its neighbors on June 15, 1940, and after demanding on the previous day that Lithuania become subservient to the Soviet Union. In July, a fake plebiscite was held and on August 3, 1940, the Supreme Soviet in Moscow completed the farcical procedure with formal ratification.

The United States has never recognized this action as the will of the people and officially Lithuania, proclaimed a Republic in 1918, still exists, so far as America is concerned.

The Soviet Union makes itself ridiculous every time it opens its mouth about aggression or colonialism. Until it disgorges the Baltic States and other enslaved lands, the Soviet Union cannot come into the court of world opinion with clean hands.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **DADDARIO**. The gentleman from Connecticut [Mr. MONAGAN] should be commended for the interest and concern he has expressed for the Baltic States.

Their people have demonstrated courage and dedication in their fight to regain freedom. The United States has pledged its continuing efforts to restore human rights in that area.

As a member of the Committee on Foreign Affairs, the gentleman has taken an active and continuing interest in the problem which the world faces through the illegal and despotic occupation of these three states. Many fine Americans who have special ties with the various programs to restore freedom to the Baltic States have renewed their vows. They deserve warm commendation from the Members of the House, and recognition once more that all the people of the world have a stake in the restoration of freedom and independence to these nations.

Mr. **ROOSEVELT**. Mr. Speaker, I rise in support of House Concurrent Resolution 416 to request the President to instruct the U.S. Mission to the United Nations to bring up the Baltic States question before the United Nations.

My own resolution, House Concurrent Resolution 159, is one of 70 which were introduced this session. The very number indicates the great feeling of this body for the circumstances of the forcible occupation and subjugation by the Soviet Union of the Baltic countries of Lithuania, Estonia, and Latvia.

For a quarter of a century now, the Baltic States have been deprived of their national independence. Annexed by the Soviet Union, given the title of "Socialist Republics," they exist as colonies of the U.S.S.R.

During this period, the people of the Baltic States have been deprived of their personal and civil rights, exploited, and subjected to a ruthless campaign of Russification, designed to obliterate their ethnic and national characteristics.

The treatment of the Baltic States and of their population exposes the hypocrisy of the Soviet Union's outward concern for the rights of all peoples. It also does violence to the principles outlined in the Universal Declaration of Human Rights, and those embodied in the Constitution of the Soviet Union.

In this regard, it must always be remembered that at the very time when millions of people in the non-Communist world were attaining national independence with the consent and cooperation of the Western Powers, the Soviet Union actively pursued a policy of forcible colonization of her neighbors. Soviet domination of the Baltic States is but one manifestation of this policy.

Today, all of the more essential expressions of national culture and national life are strictly banned in the Baltic States and stigmatized as "bourgeois remnants." Histories of these countries are being rewritten and falsified. All things Russian are glorified and actively propagated.

Although mass deportations from the Baltic States have been discontinued in recent years, deportations for forced labor outside the territories of the Baltic States continue under the guise of "voluntary resettlement." The program of "voluntary resettlement" is aimed primarily at the young people and at technicians.

Through the use of threats, various pressures, and enticements, these people are induced to "volunteer" for permanent resettlement in distant parts of the Soviet Union. In this manner, the Soviet Union achieves a twofold goal: It obtains the manpower necessary to meet the labor requirements of the underpopulated regions; and it reduces the number of Lithuanians, Estonians, and Latvians living in the Baltic States.

The attention of the world must be drawn once more to the continuing plight of the Baltic States and the force of world opinion should be brought to bear in prevailing upon the Soviet Union to allow the people of Lithuania, Estonia, and Latvia—stanch friends of the United States—to exercise their right to self-determination. The Soviet Union claims to be the champion of self-determination for the peoples of Asia, Africa, and of other areas; it would do well, therefore, to practice with respect to its own neighbor, what it preaches to others.

Mr. Speaker, I urge the adoption of this resolution.

Mr. **HORTON**. Mr. Speaker, today the United States is engaged in a great struggle testing the resolve of this Nation to continue as the champion of the rights of man in this world. In every corner of the earth, from southeast Asia to Latin America, the forces of tyranny and communism seek to undermine the rights and privileges of free men. In an age which finds men throughout the world striving for their God-given rights against the forces of oppression, it is not only right—it is our duty—to pass with a resounding voice of the resolution which is before us today, House Concurrent Resolution 416.

For 25 years, the people of Estonia, Latvia, and Lithuania have suffered under the terror of Soviet rule. Exploitation, pauperization, murder, mass deportations—these have been the hallmarks of the Russian despotism. In an age when the Communists are trying to make an appeal to the peoples of Latin America, Africa, and Asia, it is only fitting that the United States call the attention of the world to the reality of the Soviet system of rule, for his reality has long been in operation in the Baltic nations.

Earlier this year, I sponsored House Concurrent Resolution 290, which called for official condemnation, through the United Nations, of the Soviet enslavement and rule of Estonia, Latvia, and Lithuania. I rise today to urge each of my colleagues to vote for a resolution which nearly is identical to my own proposal. We must call upon the U.N. to investigate the cruel colonial takeover of these once-free nations and the terror and genocide which accompanied this violation of human rights.

By focusing appropriate attention on the barbarous acts of the Russians, we can help create a climate of opinion of pressure favorable to the departure of Soviet occupation troops and authorities from the Baltic States. We can expose the "living lie" that communism is.

Mr. **DONOHUE**. Mr. Speaker, on January 6, last, I reintroduced in this Congress House Concurrent Resolution 75, which is similar to House Concurrent Resolution 416, that is now before us and which provides that this House urge the

President to direct the attention of the United Nations to the subject of the denial of the right of self-determination to the peoples in the Baltic States and to bring the force of world opinion to bear on behalf of the restoration of these rights. I most earnestly hope that this House will speedily and overwhelmingly approve this resolution.

Twenty-five years ago, on June 15, 1940, Russian troops overran Lithuania, Latvia, and Estonia, took away their independence and transformed them into colonies of the Soviet Union.

That was, indeed, a black and treacherous day in the history of mankind. The peaceful people of the progressive Baltic States were practically forced into slavery by the Russian dictators and from that dark day until this very moment they have been truly isolated from the rest of the free world.

The Soviet leaders have continuously imposed the most extreme hardships and cruelties upon the Baltic peoples throughout these years with the objective of destroying their traditional desire for and dedication to personal liberty and freedom.

Mr. Speaker, the Baltic States are more than 700-year-old nations and they have the same right to be free and independent as any new state in Asia or Africa. We should have a single standard for freedom. The denial of freedom to any people in any place in the world by any power on earth is an intolerable action and if permitted to stand constitutes a continuing threat of the extinction of liberty everywhere, even here in the United States.

We will not have complete peace and full freedom until all the peoples now subject to Communist control are granted the opportunity to pursue their own legitimate national goals.

The failure of the United Nations to investigate the basic denial of fundamental human rights of the Baltic peoples emphasizes the paralysis that the Soviet Union and other Communist states have caused in the international organization, since obviously the United Nations should be working to protect the right of all peoples to self-determination and freedom, and to carry out their own economic, social, cultural, and religious developments. Clearly the denial of the rights of self-determination to the peoples of Lithuania, Latvia, and Estonia is a matter that ought to be on the agenda of the United Nations in order to direct the attention of the world to the illegal and shameful Communist seizure and enslavement of the Baltic peoples.

I, therefore, Mr. Speaker, again urge that this resolution be promptly adopted in fulfillment of the moral obligation of the United States to perseveringly work for the reality of a free and peaceful world and as an official expression, through this body, of the traditional sympathy all Americans have for peoples still being persecuted and oppressed, wrongfully and illegally, by the Kremlin leaders.

Mr. Speaker, as part of my remarks I desire, at this point, to include a resolution unanimously adopted by a group of Lithuanian-Americans, representing several area Lithuanian organizations, at a meeting in Worcester, Mass., on June 13, last, protesting against the illegal seizure and domination of the people of the Baltic States by Soviet Russia.

> We people of Worcester of Lithuanian descent, loyal citizens and permanent residents of this country, gathered on June 13, 1965, in Worcester, Mass., on the occasion of the 25th anniversary of the occupation of Lithuania by Soviet Russia and of the struggle for the restoration of sovereign rights to the Lithuanian people, animated by a spirit of solidarity with the heroically resisting Lithuanian people, who desire to live under a government of their own choice in their own independent state, the beginnings of which reach far into the 13th century, gravely concerned with the present state of affairs in our enslaved mother country, strongly protest against Soviet Russia's aggression and the following crimes perpetrated by the Soviets in occupied Lithuania:
>
> (1) Murder and deportation of nearly 400,000 Lithuanian citizens to concentration camps in Siberia and other areas of Soviet Russia for slave labor and death;
>
> (2) Yearly systematic deportations, under various guises, of Lithuanian youths to forced labor in Soviet Russia and their unlawful conscription into the Soviet Russian Army;
>
> (3) Colonization of Lithuania by import of Russians, most of them whom are Communists or criminals, and who receive various privileges at the expense of the Lithuanian people;
>
> (4) Pauperization of the Lithuanian people, conversion of once free farmers into serfs on kilkhozes and sovkhozes, as well as exploitation of workers;
>
> (5) Persecution of the faithful, restriction of religious practices, closing of houses of worship;
>
> (6) Distortion of Lithuanian culture by efforts to transform it into a Russo-Communist hybrid, and continuous denial of artistic freedom.
>
> We demand: (a) That Soviet Russia immediately withdraw from Lithuania its armed forces, administrative apparatus, and the imported Communists and colons;
>
> (b) That all people deported from Lithuania and the young men conscripted into the Soviet Army be immediately released and returned to Lithuania;
>
> (c) That persecution of the faithful be immediately stopped and houses of worship returned to them;
>
> (d) That free farming be immediately reinstated in Lithuania and that workers be permitted to organize freely to defend their rights and interests.
>
> We request the President and the Congress of the United States to raise the issue of Lithuania in the United Nations and in international conferences as well as to support our just requests for the condemnation of Soviet aggression against Lithuania and for the abolishment of Soviet colonial rule in that country.

Mr. PUCINSKI. Mr. Speaker, the House of Representatives has the opportunity today to announce before all the world our unflagging determination to persist in the search for freedom for all men of good will.

With man contemplating the exploration of stars, it is more than ever urgent and compelling that he also give serious consideration to exploring new ways of guaranteeing human freedom on earth.

The resolution which we are considering today, and which I cosponsored, urges the President to use the high powers and prestige of his office to bring the question of the enslavement of the peoples of the Baltic States forcefully to the forum of world opinion.

The peoples of Lithuania, Latvia, and Estonia want to govern themselves and to choose their own leaders openly, without fear of reprisal.

This right, which we in America and the free world accept so naturally for ourselves, is forbidden to countless numbers of people who have suffered under Communist domination for many long and harsh years. They need our help and they need our outspoken support of their efforts to secure self-determination. The least we can do is call the attention of our neighbors in the free world to this crisis which persists in countries where the hopes for freedom have never dimmed.

The people of the Baltic States have set a wondrous example of fortitude and courage which will be remembered by free men throughout history. Their battle has been our battle. We must do all we can to reassure them that our strength and persistence are as great as theirs.

I am reminded of the words of Ralph Waldo Emerson:

> The true test of civilization is, not the census, nor the size of the cities, nor the crops—no, but the kind of man the country turns out.

His words speak to us in this Chamber today, as well as for the gallant men and women of Latvia, Estonia, and Lithuania.

Mr. BUCHANAN. Mr. Speaker, I have also introduced a resolution, House Concurrent Resolution 421, for the liberation of the Baltic States, the subject of House Concurrent Resolution 416, the Baltic States resolution now before the House, in the belief that the restoration of freedom to those nations now under the domination of communism must be accomplished by active national protest rather than passive words.

I am only sorry the resolution now under consideration is not even stronger in its call for action to terminate the enslavement of Latvia, Lithuania, and Estonia. As these small nations comprising the Baltic States have been in their present tragic situation for some 25 years, any action taken in their behalf is urgently needed and a move in the right direction.

House Concurrent Resolution 416, therefore, has my support, and I am sure concerned Americans in all parts of our Nation join with me in the hope that passage of this resolution may lead to continued vigorous efforts in behalf of the Baltic States which will culminate in their release from Soviet domination and their restoration to the free world.

Mr. MURPHY of Illinois. Mr. Speaker, I rise in support of House Concurrent Resolution 416 which requests the President to direct the attention of world opinion at the United Nations and at other appropriate international forums to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania.

This resolution is long overdue. In support of that categorical statement I would direct the attention of the Members of the House to the careful summation of the fate of Lithuania which was prepared by Mr. Leonard Simutis, president of the Lithuanian American Council of Chicago. It was my privilege during my testimony before the Subcommittee on Europe to include the statement of Mr. Simutis in the hearings before that subcommittee.

The tragedy of Estonia and Latvia parallels that of Lithuania. It is an unending record of inhumane treatment by the Soviet Union in its imperialistic expansion.

On numerous occasions this House has appropriately and enthusiastically extended felicitations to newly established nations. It is no less appropriate that this House note by resolution the loss of independence of the Baltic States. I would hope, Mr. Speaker, that the expressions of concern contained in this resolution would be the basis for the executive branch to direct the attention of the world to the plight of Estonia, Lithuania, and Latvia. Such expressions would be consistent with our continued diplomatic recognition of those countries. In every sense of the word the peoples of those countries are our allies in the free world.

I hope that this resolution is passed unanimously.

Mr. CONABLE. Mr. Speaker, I have introduced a resolution in this Congress urging that our Government more actively support self-determination for the peoples of the Baltic States—Latvia, Lithuania, and Estonia. These are people whose claims for self-determination are as strong as any in the world. In recent years we have aided and urged freedom and independence for scores of small nations throughout the world and we should be doing as much for these three little countries subjugated through force of arms by the Soviet Union.

The seizure of these defenseless countries by the Soviet Union took place 25 years ago. During this period the Communists have pursued a ruthless policy to destroy the identity of these areas through murder, deportation, and deprivation of basic rights.

Our Government has never recognized the conquest of the Baltic States by the Soviet Union. This is to our credit, but we should now be embarked upon a more positive program to restore the freedom of these people. As my resolution declares, "Involuntary enslavement cannot be encouraged or sanctioned by the United States and other nations subscribing to principles of freedom."

I hope this resolution reported by the Committee on Foreign Affairs will prompt the administration to bring the Baltic States question before the United Nations, to urge withdrawal of all Soviet troops and controls from the Baltic States and return of the Baltic exiles from Siberian labor camps, and to request free elections in the Baltic States under supervision of the United Nations.

Mr. PRICE. Mr. Speaker, we observed recently the sad 25th anniversary of the seizure of the Baltic States by force of arms by Stalin.

We memorialize annually about the continued incorporation of the small Baltic States in the Soviet Union. It is quite proper that we do so. However, it might be argued that the Soviet Union, a year ahead of Hitler's attack in 1941, felt compelled to make her northwestern flank secure, it can scarcely be argued today that her northern flank is menaced—by anybody.

The vast Soviet land mass is hedged by satellites, and there is no power in Western Europe that has either the desire or the power to reach her frontiers with an invading army a la Hitler.

The sovereign powers of Western Europe have been restored. There is a Norway today, a Denmark, a Belgium, a Netherlands, a Luxembourg, a France, an Italy. Austria has been neutralized by agreement of the great powers.

But the tiny nations of Latvia, Estonia, and Lithuania are still occupied nations, still held by force, still denied independence as peoples and freedom as individuals.

Like other Members of the House, I am sponsor of a resolution—House Concurrent Resolution 69—calling for the restoration of freedom to the Baltic States. I am pleased the House in its wisdom has now adopted a similar measure requesting the President to take appropriate action in the matter.

Mrs. KELLY. Mr. Speaker, we salute this year the brave peoples of Latvia, Estonia, and Lithuania who for 25 years have kept burning the love of freedom and the hope for self-determination even while being subjugated by their Soviet masters. I should like at this time to salute, also, people in the United States of Latvian, Estonian, and Lithuanian descent who have never flagged in their efforts in behalf of their oppressed countrymen.

Under unanimous consent I insert in the CONGRESSIONAL RECORD a manifesto recently issued by the Baltic States Freedom Council which sums up the Baltic freedom cause and charts the road for the liberation of Lithuania, Latvia, and Estonia:

MANIFESTO: THE 25TH ANNIVERSARY OF SOVIET AGGRESSION AGAINST THE BALTIC STATES—BY FREE ESTONIANS, LATVIANS, AND LITHUANIANS

Twenty-five years ago, in connivance with Hitler's Germany, the Soviet Union attacked the Baltic States. Some 300,000 Red army troops poured into Lithuania on June 15, 1940, and into Latvia and Estonia, on June 17, 1940. With the assistance of the occupation army, the emissaries of the Kremlin—Dekanozov, Vishinsky, and Zhdanov—unseated the legitimate governments of the Baltic States. The Baltic countries were robbed of their independence and transformed into colonies of the Soviet Union.

The Soviet Union's assault against its Baltic neighbors initiated the Soviet westward march against Europe. The beginnings of today's international tension and threat to peace may thus be found in the Soviet aggression against the Baltic States in 1940.

By its aggressive acts against Estonia, Latvia, and Lithuania, the U.S.S.R. broke the peace and nonaggression treaties it had signed with those states as well as other international agreements.

Expropriation, exploitation, pauperization, slave labor, suppression of human rights and fundamental freedoms, Russification, terror, murder, mass deportations—these are the marks of the Soviet occupation in the Baltic States. In committing and continuing these acts, the Soviets violated the United Nations Declaration, the Atlantic Charter, the United Nations Charter, the Convention on the Suppression of Crimes of Genocide, and the Universal Declaration of Human Rights—all these documents bearing the signature of the U.S.S.R.

The Estonian, Latvian, and Lithuanian peoples, historically and traditionally Western in orientation and outlook, have consistenly placed their hopes in the Western World. Their trust in the West was strengthened by the declaration of the U.S. Department of State of July 23, 1940; the statement of the President of the United States on October 15, 1941; the Atlantic Charter; the Yalta Declaration on Liberated Europe; the repeated statements by the U.S. Government about nonrecognition of the Soviet annexation of the Baltic States, the continued recognition of free Baltic diplomatic representatives by the United States as well as many European and South American Governments, and the proclaimed aims and principles of the United Nations.

At the same time the hopes of the Baltic peoples have been strengthened by the global process of decolonization and the universal acceptance of the right of self-determination of nations. The liberation movement of the colonial peoples in Africa and Asia has helped to expose Soviet colonialism as well and has raised the hopes of captive Estonians, Latvians, and Lithuanians. They are convinced that the tide of emancipation from colonial rule will not stop at the borders of the Baltic countries.

The Baltic peoples have given active expression to their determination to regain freedom, and have resisted their oppressors, thus contributing greatly to the continuing struggle for freedom and justice being waged by all captive peoples enslaved by the Soviet Union. Despite heavy setbacks and trials, our peoples maintain their faith in the restoration of their freedom and independence.

This summer the Soviet enslavers will unveil a macabre spectacle—a festive celebration of the 25th anniversary of the enslavement of the Baltic States during which the captive Baltic peoples will be coerced to appear grateful to their conquerors.

We, free Estonians, Latvians, and Lithuanians, are conscious of our responsibility toward our nations and to history. At this 25th anniversary of Soviet aggression, we feel dutybound to give voice to the will and the aspirations of our captive peoples:

We accuse the Soviet Union of committing and continuing an international crime against the Baltic States;

We demand that the Soviet Union withdraw its military, police, and administrative personnel from the Baltic countries;

We request that the governments of the free world, especially those of the great powers, use all peaceful ways and means to restore the exercise of the right to self-determination in the Baltic countries and in the rest of east-central Europe;

We further request that the United Nations' De-Colonization Committee immediately fulfill its overdue duty and take up the case of Soviet colonialism in the Baltic States;

We appeal to the conscience of all mankind to perceive the magnitude of the injustice perpetrated upon the Baltic peoples and to support the efforts toward the restoration of liberty to these countries;

We convey to our people at home our pride in their resolute resistance against the endeavors of the oppressor to destroy their national and personal identity;

We share with our captive compatriots their view that the recent Soviet economic, political and ideological setbacks—inherent in the structure of their totalitarian system—have considerably weakened the Soviet Union and thus raised the hopes of the captives for deliverance;

We pledge to intensify our joined organized activity in the free world to promote the cause of liberty for the Baltic countries;

We, finally, declare to the free world and the Communist-dominated world, including the U.S.S.R., that, once free again, the Baltic nations will do all in their power to insure the best possible relations with their neighbors on the basis of mutual respect for national sovereignty and territorial integrity.

Baltic States Feedom Council:

Chairman: Vaclovas Sidzikauskas, President, Supreme Committee for Liberation of Lithuania; Chairman, Committee for a Free Lithuania. Deputy Chairman: Aleksander Kütt, Chairman, Committee for a Free Estonia. Deputy Chairman: Vilis Hazners, Chairman, Committee for a Free Latvia.

Members: Mrs. Gundega Michel, Chairman, Latvian Student World Association; Dr. Peter Lejins, Jr., Chairman, Latvian Free World Federation; Olev M. Piirsalu, President, Estonia World Council; Peep Rebassoo, President, Estonian Student Association in the U.S.A.; Juozas Bachunas, President, Lithuanian World Congress; Algis Zaparackas, Chairman, Lithuanian Students Association.

NEW YORK, N.Y., *June 1965*.

The SPEAKER pro tempore (Mr. YATES). The question is on the motion of the gentleman from Connecticut that the House suspend the rules and pass the concurrent resolution, House Concurrent Resolution 416.

The question was taken; and the Speaker pro tempore announced that two-thirds appeared to have voted in favor thereof.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken and there were—yeas 298, nays 0, not voting 136, as follows:

[Roll No. 147]

YEAS—298

Abbitt
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Bingham
Blatnik
Boggs
Bolton
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Callan
Callaway
Cameron
Carter
Cederberg
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clevenger
Cohelan
Collier
Conte
Corbett
Corman
Craley
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Ala.
Erlenborn
Everett
Evins, Tenn.
Fallon
Farbstein
Farnum
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Gathings
Gettys
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Greigg
Grider
Gross
Grover
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Hamilton
Hanley
Hansen, Idaho
Hansen, Iowa
Harvey, Mich.
Hathaway
Hechler
Helstoski
Henderson
Holifield
Hosmer
Howard
Hull
Hungate
Huot
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Keith
Keogh
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kornegay
Krebs
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McFall
McGrath
McMillan
Macdonald
MacGregor
Machen
Mackay
Madden
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meeds
Michel
Mills
Minish
Mink
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Murphy, Ill.
Murray
Natcher
Nelsen
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olson, Minn.
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Poage
Poff
Pool
Powell
Price
Purcell
Quie
Race
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Roosevelt
Roudebush
Roybal
Rumsfeld
Satterfield
Scheuer
Schneebeli
Schweiker
Scott
Secrest
Selden
Senner
Shriver
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, La.
Thompson, Tex.
Thomson, Wis.
Todd
Trimble
Tuck
Tunney
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Walker, Miss.
Walker, N. Mex.
Watts
White, Idaho
White, Tex.
Whitener
Widnall
Wright
Wyatt
Wydler
Yates
Young
Younger

NAYS—0

NOT VOTING—136

Abernethy
Adams
Andrews, N. Dak.
Barrett
Bates
Betts
Boland
Bolling
Bonner
Bow
Brademas
Bray
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Byrnes, Wis.
Cahill
Carey
Casey
Celler
Chamberlain
Cleveland
Colmer
Conable
Conyers
Cooley
Cramer
Culver
Cunningham
Curtin
Devine
Dickinson
Diggs
Dulski
Edwards, Calif.
Ellsworth
Evans, Colo.
Farnsley
Findley
Fino
Fogarty
Fraser
Frelinghuysen
Garmatz
Giaimo
Grabowski
Gray
Griffin
Griffiths
Gubser
Gurney
Hall
Halpern
Hanna
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Ind.
Hawkins
Hays
Hébert
Herlong
Hicks
Holland
Horton
Irwin
Jennings
Johnson, Okla.
Karth
Kee
Kelly
Kluczynski
Landrum
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDowell
McEwen
McVicker
Mackie
Martin, Mass.
May
Miller
Minshall
Mosher
Moss
Multer
Murphy, N.Y.
Nedzi
Nix
Olsen, Mont.
O'Neill, Mass.
Philbin
Pike
Pirnie
Pucinski
Quillen
Randall
Resnick
Reuss
Rivers, Alaska
Rivers, S.C.
Rogers, Tex.
Roncalio
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Ryan
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Shipley
Steed
Stephens
Thomas
Thompson, N.J.
Toll
Waggonner
Watkins
Watson
Weltner
Whalley
Whitten
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Zablocki

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Moss with Mr. Fino.
Mr. Pucinski with Mr. Horton.
Mr. Rooney of Pennsylvania with Mr. McEwen.
Mr. St Germain with Mr. Barrett.
Mr. Boland with Mr. Gurney.
Mr. Long of Maryland with Mr. Harsha.
Mr. Karth with Mr. Ellsworth.
Mr. Schisler with Mr. Thomas.
Mr. Steed with Mr. Holland.
Mr. Stephens with Mr. Irwin.
Mr. Hébert with Mr. Nedzi.
Mr. Weltner with Mr. Olsen of Montana.
Mr. Charles H. Wilson with Mr. Ryan.
Mr. Abernethy with Mr. Johnson of Oklahoma.
Mr. O'Neill of Massachusetts with Mr. Dulski.
Mr. Shipley with Mr. Evans.
Mr. Love with Mr. Reuss.
Mr. Herlong with Mr. Hanna.
Mr. Grabowski with Mr. Nix.
Mr. Philbin with Mr. Fraser.
Mr. Resnick with Mr. Brown of California.
Mr. Giaimo with Mr. Culver.
Mr. Farnsley with Mr. Schmidhauser.
Mr. Edwards of California with Mr. Mackie.
Mr. Willis with Mr. Randall.
Mr. Gray with Mr. Bonner.
Mr. Whitten with Mr. Kee.
Mr. McCarthy with Mr. Roush.
Mr. Landrum with Mr. Adams.
Mr. Conyers with Mrs. Hansen of Washington.
Mr. Wolff with Mr. Byrnes of Wisconsin.
Mr. Toll with Mr. Conable.
Mr. Thompson of New Jersey with Bob Wilson.
Mr. Celler with Mr. Brown of Ohio.
Mr. Murphy of New York with Mr. Halpern.
Mr. McVicker with Mr. Cahill.
Mr. Multer with Mr. Lindsay.
Mr. Waggonner with Mr. Hall.
Mr. Garmatz with Mr. Pirnie.
Mr. Fogarty with Mr. Quillen.
Mr. St. Onge with Mr. Bates.
Mr. Hawkins with Mr. Curtin.
Mr. Diggs with Mr. Harvey of Indiana.
Mr. Hardy with Mr. Brock.
Mr. Hays with Mr. Bow.
Mr. Zablocki with Mr. Broomfield.
Mr. Rostenkowski with Mr. Cleveland.
Mr. Miller with Mr. Minshall.
Mr. McDowell with Mr. Whalley.
Mr. Leggett with Mr. Andrews of North Dakota.
Mr. Kluczynski with Mr. Chamberlain.
Mrs. Kelly with Mr. Watkins.
Mr. Jennings with Mr. Frelinghuysen.
Mr. Hicks with Mr. Cramer.
Mr. Rogers of Texas with Mr. Watson.
Mr. Pike with Mr. Bray.
Mr. Roncalio with Mr. Mosher.
Mr. Rosenthal with Mr. Dickinson.
Mr. Colmer with Mr. Griffin.
Mr. Cooley with Mr. Cunningham.
Mr. Brademas with Mr. Betts.
Mr. Harris with Mr. Devine.
Mr. Rivers of Alaska with Mr. Saylor.
Mr. Casey with Mr. Martin of Massachusetts.
Mr. Carey with Mr. Gubser.

Mr. Rivers of South Carolina with Mrs. May.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record on the subject of the resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE DOMINICAN CRISIS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Laird] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LAIRD. Mr. Speaker, in a series of recent newspaper columns, the noted Columnist Ralph de Toledano explored in depth the events and circumstances that led up to the crisis in the Dominican Republic.

So that my colleagues may have an opportunity to read the entire analysis in one package, I ask under unanimous consent that the articles by Mr. de Toledano be inserted in the Record at this point.

The articles referred to follow:

[From King Features Syndicate, Inc., May 7, 1965]

The Real Story of the Dominican Crisis—I

(By Ralph de Toledano)

Very reluctantly, the press has begun to recognize that the crisis in the Dominican Republic is Castro-Communist in inspiration and leadership. Even the flat declaration by President Lyndon Johnson that the United States had to move in order to prevent a repetition of the Cuba tragedy has been met by knowing smirks on the part of a few press pundits here.

The true story of the Dominican revolt, the steps that led to it, and the background of ignorance and perfidy which set the stage remains untold. From unimpeachable sources, some of which must remain unidentified in this account, I have pieced together this frightening story. It is being set down here because public knowledge may strengthen the President's hand and prevent another Cuba-type deception on the American people.

Point No. 1 in this sordid tale is the fact that the United States came within inches of repeating the same terrible mistakes which led to the installation of a Communist regime 90 miles from the American coast.

This account begins with the overthrow of the Trujillo dictatorship in the Dominican Republic and the eventual election of Dr. Juan Bosch to the presidency. From the start of Dr. Bosch's political ascendancy, the same groupings within the State Department which had suppressed Fidel Castro's Communist and terrorist past insisted that the Dominican politician, though a leftwinger, was anti-Communist. This argument was used when there were protests over the open espousal of the Bosch candidacy by the Kennedy administration and the State Department.

After Juan Bosch became President, U.S. intelligence agencies began to receive ominous reports. It was determined that President Bosch's right-hand man was a Communist apparatchik. Arms were being smuggled into the country from Cuba and distributed to the Communist underground. A special militia was organized under the direction of Bosch's Red lieutenants. And a pro-Castro guerrilla army began making raids in the countryside.

For 7 months, prodemocratic and pro-United States Dominican leaders pleaded with U.S. representatives. They wanted the Kennedy administration to use its good offices with President Bosch, to warn him that further submission to the Castroites would not be sanctioned by the United States. To this, the State Department answered that this country could not interfere. Dr. Bosch, the middle echelon team told the press, was simply allowing leftwing parties to exercise their civil liberties.

That one of those parties—the June 14 movement, named after the date on which an invading force from Cuba had attempted a landing in Trujillo's state—was led by Castro-trained activists and financed by Communist Cuba was not made known.

Finally, a military junta took matters into its own hands. To prevent what was clearly in the works—a Communist takeover—the junta overthrew the Bosch regime on September 25, 1963. The Kennedy administration immediately withdrew its military and foreign aid missions and cut off all Alliance for Progress funds. For 3 months, the new Government, inheriting the shaky finances of Bosch's incompetence and cut off from American help, slid downhill. Simultaneously, the Castroite guerrillas flourished. The State Department's middle echelon appeared unconcerned, but sudden panic at the White House led President Johnson, new to the job, to restore American aid.

The path ahead for the new junta, led by the Scottish-Dominican Donald Reid Cabral, was not an easy one. Juan Bosch, who had fled to Puerto Rico, agitated for his return to power. His agents moved back and forth between San Juan and Santo Domingo. All pretense at disassociation from the Communists was dropped—and Angel Mielan, a leader of Bosch's Dominican Revolutionary Party (PRD), was careless enough to be arested on American soil carrying Communist documents.

Quiet requests from Reid Cabral and the junta that Juan Bosch be asked to settle elsewhere, rather than on an island so close to the Dominican Republic, were ignored. Charges that Bosch and the PRD were actively plotting the overthrow of Reid Cabral were filed and forgotten when it became known that the former Dominican president had the support and protection of Puerto Rico's eccentric Governor Luis Muñoz-Marín.

At the same time, the Dominican Republic's military junta was urged to encourage "free political activity"—a beautiful sounding slogan which in reality meant readmitting the Communists of various shades and allegiances who had flourished under Juan Bosch.

It was at this time that the seeds of the present Castroite revolt were planted by Dr. Bosch's PRD under the local leadership of Angel Mielan, in a "united front" with Castroite, Soviet Communist, and Chinese Communist subversive movements.

[From King Features Syndicate, May 9, 1965]

The Real Story of the Dominican Crisis—II

(By Ralph de Toledano)

American refusal to look communism in the eye planted the seeds for the present Dominican revolt. This refusal led to the withdrawal of U.S. support for the Dominican Republic at a critical time in its political and economic development. How the United States permitted subversive and pro-Communist forces to use its own soil to plot against a friendly neighbor remains one of the unexplained pieces in the Dominican jigsaw.

That the action was planned in Puerto Rico can hardly be denied. While Donald Reid Cabral, head of the junta governing the Dominican Republic, was improving the island's economy, ridding it of corrupt generals and other officials, and preparing for a free election this September, the forces of subversion were busily plotting their revolt. Ousted leftist President Juan Bosch was spending large sums in newspaper ads and in taped radio broadcasts attacking the Reid Cabral government.

In June 1964 Bosch publicly predicted "a violent revolution from within by those who are not permitted to make a gradual revolution." This was the signal for an assault on the military barracks at Victoria. Exploding bombs killed 10 people and maimed 111 others. The attackers fled to the campus of a nearby university where they were given asylum as students. Seven strikes against the Government led by Communist-led labor groups shook the Government. The Castroite June 14 Party agitated openly for revolution. The National Students Federation, affiliated with Castro's student international, openly espoused the guerrilla cause and led bloody strikes against academic authorities, ostensibly in protest against entrance examinations which were characterized as serving the Yankee imperialist oligarchy.

Efforts by the U.S. Immigration Service to block the traffic between Puerto Rico and the Dominican Republic were swiftly blocked by the administration of Gov. Luis Muñoz Marín. The Central Intelligence Agency, aroused by the reports of its operatives, sought to mobilize some sentiment in Washington for the Reid Cabral government. Whether the matter was taken up by the National Security Council is a question wrapped in the enigma of executive privilege.

Certainly, the State Department's middle echelon was aware that Bosch's PRD had entered into a working arrangement with the Moscow-Communist Popular Socialist Party (PSP), the Peiping-dominated Dominican Popular Movement (MPD), and the Castroite June 14 Party. Angel Mielan, leading Bosch's PRD in this coalition, claimed that his party, the largest, would not be run by the others. But since his allegiance was to the Communist bloc, his assertions were simply window dressing for naive Americans.

In the days before the revolt, intelligence sources were aware that a Communist junta had been organized to rule the united front. At the same time, there were stirrings in Puerto Rico which indicated that Juan Bosch was preparing a return to the Dominican Republic at the head of his allies.

The names of the members of the unofficial junta were well known to Latin American experts in Washington. They included Manuel Gonsalez, representing the Soviet Communist Party; Carlos Dore, a PSP Communist and activist in the Dominican Student Federation; Hector Florentino, head of Fragua, a Communist student organization; and Daniel Ozuma, of the Castroite June 14 Party. Activists trained in Cuba and in Czechoslovakia, where the international Red conspiracy maintains special camps for this purpose, began infiltrating the Dominican Republic. Some of them entered openly, unmolested by a government trying hard to prove to Washington that it was not repressive.

In typical Castro style, the Red junta began making alliances with disaffected military men. These were not hard to find. The Reid Cabral junta had mercilessly rooted out graft in the armed forces. Ambition also played a part among those military leaders who saw themselves losing influence in an increasingly representative government.

When the revolt broke out, on April 24, the Communists and their military allies passed out guns and ammunition to street mobs and robber gangs. Juvenile delinquents, some as young as 12 and 14, were also given weapons. From the very start, the Communists were in control. The Bosch party, hardly protesting its "democratic" nature, went along.

From the very start of the tragedy, the developing facts were known. At any time, the revolt might have been nipped in the bud—had there been the will to do so among the boys of "Foggy Bottom." The intervention by President Johnson came at the 11th hour. Another few days and the Dominican Republic would have joined the roster of America's enemies. Only the U.S. Marines stand between us and that eventuality.

[From the King Features Syndicate, May 10, 1965]

THE DOMINICAN REPUBLIC AND A SUICIDAL INSTINCT

(By Ralph de Toledano)

Dr. Juan Bosch, Castroism's patsy in the Caribbean, has compared U.S. intervention in the Dominican Republic to the rape of Budapest by rampaging Soviet troops. Dr. Bosch has even harsher words to say about this country and its Government, though he is remarkably gentle when discussing Communist dictatorships. Even friends like Dr. Jaime Benitez, chancellor of the University of Puerto Rico, condemn Dr. Bosch for his "reluctance to come out frankly and categorically and reject communism and Castroism."

Yet hearts are bleeding for Juan Bosch tonight among some of the intellectuals. Not only are they dragging out the discredited and hoary argument that by opposing communism we feed the rightwing reactionaries, but they are weeping in their beer because President Johnson has been, to them, foolish enough to believe that "a few dozen Communists" could take over the Bosch revolution. While they weep, Dr. Bosch, in violation of Federal law, directs the activities of the Communist Castroite rebellion by long distance phone from American soil.

The argument that only a "few dozen Communists" are nothing for us to fear has been advanced seriously by the New York Times, a newspaper whose correspondent, Herbert Matthews, sold Washington and the country on the sterling democracy and anticommunism of Fidel Castro. At the time that Castro was being glorified in the New York Times, there were only a handful of Communists running a small revolt in the Sierra Maestra Mountains. A relative handful of Communists took over the Russian Revolution and destroyed the Kerensky regime which Lenin himself had described as the "freest in the world."

And from all sides, at this critical moment in our history, organized punditry has begun a sustained assault on the new American policy of opposing communism rather than sheepishly making accommodations which weaken us and strengthen our enemies. President Johnson's present determination must, the pundits feel, be sapped and weakened by a campaign of breast-beating and phoney rhetoric. Harry S. Truman, who demonstrated his courage in the Korean crisis, must feel strongly for the President today.

The mountains of evidence, proving beyond a peradventure of a doubt that the Dominican revolt was Communist inspired and Communist directed, continue to pile up. The administration has belatedly issued a list of names and a chronology of the revolt which can hardly be brushed aside by reasonable men. The chronology is too kind to the rebels since it still insists that the Communists took over after the outbreak of hostilities. But this fact is belied by the administration's account itself, so there is no point in belaboring it.

Why, then, do grown men continue to misrepresent or misinterpret known facts? Why do they strive so passionately to prove that this country is in the wrong when it takes self-evident measures of self-preservation? It is a question that is asked over and over by Americans who do not have the benefit of long immersion in the ideological steam baths of Washington, New York, and the other urban areas of disaffection.

The answer has been repeatedly offered by such brilliant diagnosticians of our political diseases as James Burnham. Long before him, Karl Marx had predicted that in the destruction of Western society there would be considerable help from well-meaning people who would by a kind of osmosis unconsciously turn to the support of Communist causes.

Mr. Burnham has seen it as the manifestation of a suicidal instinct among Western intellectuals and businessmen—the kind of instinct which sends the lemming on his march to the sea, and to death. Marx saw it as the manifestation of a massive guilt sense. Both aspects of the problem are perceptible in the reaction to the Dominican crisis.

At the same time, there is a certain element of intellectual dishonesty involved in the state of mind under discussion. If organized punditry said frankly: "Yes, the Dominican revolt was engineered by Communists and would have established another Kremlin-Peiping outpost in the Caribbean—but U.S. intervention is wrong under any circumstances," this would at least state a case.

Instead, the issue is completely confused by arguments, charges, and claims designed to "prove" that the immutable evidence just doesn't exist. Castroites and Communists are painted as inconsequential or harmless. The "sins" of the anti-Communists become the subject of discussion—as if an ardent integrationist should insist that a Soviet landing in Mississippi should not be resisted because the State has a bad record on civil rights.

The issue in the Dominican Republic, and in Vietnam, for that matter, is survival—and only someone ready to leap off a bridge would see it in any other way.

[May 19, 1965]

CRISIS IN LATIN AMERICA—THE FIRST PHASE CONTINUES

(By Ralph de Toledano)

Captured documents and highly secret reports in the hands of the Central Intelligence Agency show very clearly that the crisis in the Dominican Republic was merely the first on a long Communist timetable for the takeover of Latin America.

President Johnson's energetic, though 11th-hour, moves to stop the Communist-run, attempted coup d'etat of Juan Bosch may have forced a change in plans for the Moscow-Peiping-Havana axis. But the crisis is far from over, even in Santo Domingo. There are small signs disturbing observers both here and in the Caribbean that the Johnson administration is giving up the high ground it gained by acting forthrightly—to the astonishment of the rest of the world.

It is no secret here that the State Department's middle echelon, protesting all along that the Bosch rebel movement was not Communist-dominated, still would like to see the Dominican ex-President back in power. Those same groupings within State which gave Fidel Castro his start fought bitterly to save Senor Bosch when he was alienating his own people by giving the Communists a free hand in the Dominican Republic.

They are now arguing behind the scenes that U.S. support of the anti-Communist junta now battling the Bosch rebels should not be too strongly supported by us—and that there should be some kind of compromise, some deal, to bring the two sides together. This would be catastrophic, for the rebels could claim a victory, and Communist elements, working from within the coalition, could subvert it to their own advantage.

Unless the Communist rebellion is put down and pro-Western leaders allowed to continue at the job of reconstructing the Dominican Government and economy, the Communist timetable (with some minor changes) will once more prove accurate.

Highly reliable sources here point out that the Bosch rebellion was part of a stepped-up campaign against all of Latin American countries. The chief targets, after the Dominican Republic, are Venezuela, Colombia, and Guatemala. According to secret CIA reports to the Congress, some $10 million has poured out of Castro Cuba and into the hands of Communist guerrillas in those countries and in Panama, Paraguay, El Salvador, and Peru.

Ten million dollars may not seem to be much in these days of $100 billion budgets. But in Latin America, and employed for guerrilla and other subversive activities, it is a very large sum. It does not include, moreover, other substantial sums from Moscow and Peiping which not only lend-lease treason to Cuba but lavishly support their own activities in the political underworld.

The proof of that—if any is needed—came to light when three couriers were arrested in Caracas carrying $330,000 for the use of Communist plotters seeking to assassinate President Leoni and overthrow the legitimate Government of Venezuela. This sum was for a single operation, and can be multiplied many times in that country and others of Latin America. The money had traveled from Moscow to Prague, from Prague to Rome, and from Rome to Caracas, with Italian Communists working the last stretch.

As this writer has previously noted, the Communists in Colombia have used a technique of kidnaping to raise funds and to terrorize the countryside. These kidnapings have averaged two to three every week. Now the guerrillas, having built up large caches of arms, have begun to distribute them to bands of desperados and other outlaws that have preyed on the rural population for years.

The use of bandits to aid in creating a revolutionary situation is standard operating procedure among Communists. The father of Communist terrorism, a Russian named Nechayez, laid out the rules in the 19th century. Lenin developed them, and Stalin—once a bank robber—put them into practice. It is significant that when the Bosch revolt broke out, party activists in Santo Domingo immediately armed the street gangs.

If the Dominican crisis is brought to a successful end, with the Communists thoroughly defeated and discredited, the Moscow-Peiping-Havana axis will suffer in the rest of Latin America. If it is allowed the smallest vestige of victory, then the large groups of activists from 10 Latin countries now training in Cuba—according to CIA reports—will be sent out. New "classes" will be begun and the tragic, crisis-strewn road will become endless.

[From King Features Syndicate, May 28, 1965]

AFTER THE DOMINICAN REPUBLIC—PUERTO RICO?

(By Ralph de Toledano)

The forces of "compromise" are passionately at work to bring the Dominican crisis to an inconclusive settlement—the kind of result which will snatch victory from those jaws of defeat for the Juan Bosch cabal and its Communist allies. That is the news as this is written, although it may change before the morrow.

But communism and its activists never sleep. Already there are plans for a new onslaught on the soft underbelly of the United States—should Santo Domingo succumb to the tender mercies of a coalition government.

From very reliable sources comes the report that the next target is Puerto Rico, a Commonwealth attached to the United States by ties of history, politics, and economic self-interest. For many years, the Reds and a handful of addlepated nationalists have called for Puerto Rican independence. Neither the insular government nor the man in the street has had very much interest in any such eventuality, but the Reds and their allies have shouted loudly for a freedom which would only spell economic calamity and political chaos.

The chances for real trouble on the island began when Fidel Castro made Cuba a Communist outpost. Infiltration and propaganda began almost simultaneously. The movement attained respectability when former Dominican President Juan Bosch was given asylum in Puerto Rico by Gov. Luis Muñoz Marín and immediately abused it by using his home as a base for subversive action—in consort with the Reds—against the Reid Cabral government in Santo Domingo.

Jaime Benitez, chancellor of the University of Puerto Rico, and a controversial character in his own right—"who was that Bobby Baker I saw you with last night?"—became a spokesman for Senor Bosch, as well as President Johnson's representative in the cease-fire negotiations in Santo Domingo. He gave the independentistas a respectability they had never known.

Even without this help, the Castro-Communist onslaught on Puerto Rico has been no joke. Though the American press has almost studiously ignored events on the island, much has gone on. Puerto Rico, for one, has been given high priority by Castro's General Directorate of Intelligence (DGI). This agency for espionage and revolution is run by a half dozen Soviet specialists, all trained in the best schools of guerrilla warfare that the Kremlin can afford.

The DGI, since 1961, has been sending agents into Puerto Rico from Cuba. One Congressman puts the number at more than a thousand, though it is known that all of them have not remained on the island. (There are bigger and better targets in mainland United States, like the Statue of Liberty.) Many of these agents are Puerto Ricans who were already in training in Czechoslovakia and in Russia.

The American Security Council, which has kept an eye on these doings, reported recently on the work of these professional subversives:

"Castro's DGI is working in concert with Puerto Rican Communists and splinter factions of the Puerto Rican independence movement, accelerating their attacks against the social and governmental structure of the island. Since 1961, a number of Castro-supplied arms caches have been uncovered. Gun battles have been fought between the police and insurrectionists. Castro agents have infiltrated both exile and student groups, their purpose being to stimulate the kind of rioting which would require armed intervention * * *. When the (United Nations) General Assembly convenes again, there is little doubt that agitation and propaganda will be stepped up in New York and San Juan, with the possibility of more violent actions erupting in Puerto Rico."

Violence on the island will be a signal for the U.N. committee on anticolonialism—which has already placed a demand for Puerto Rican independence on the U.N. agenda, in violation of the charter—to beat the drums for American withdrawal from a territory that is an integral part of the United States. The precedent was set in the Algerian crisis when what was a part of Metropolitan France received support as a nation in its own right.

If the Puerto Rican newspaper, El Mundo, is correct and some 12,000 puertoriquenos have received training in Cuba, then the fat will be in the fire. Only a categorical defeat of the rebels in Santo Domingo can completely forestall this probability.

[From King Features Syndicates, May 26, 1965]

STOP-AND-GO DIPLOMACY IS HURTING THE U.S. CAUSE

(By Ralph de Toledano)

In politics, diplomacy, and love, there is a rule that if it becomes necessary to do something unpleasant or unpopular, it's best done quickly, decisively, and gotten over with. This is a rule that Hamlet never learned. By the time he had finished with his stepfather, Denmark was strewn with corpses.

Lyndon Johnson has always been aware of this since his days as Senate majority leader. He has followed this rule in the arena of domestic policy. But in foreign policy, a field which is relatively new for him, he has tended to operate on a stop-and-go basis. This has not enhanced his reputation for caution and it has complicated the American position in the world of nations.

Much of the present trouble in the Dominican Republic is due to this stop-and-go approach. From the moment of intervention, it was clear that there would be a hullabaloo among the more vocal of the homegrown dissenters and by the critics of the United States in Latin America, Europe, and points north, east, south, and west. It was absolutely necessary for President Johnson to order that intervention. Another Castro-Communist state in the Caribbean would have been a catastrophe.

The President, however, moved uncertainly. Had he sent the Marines and paratroopers in to stabilize the situation as quickly as possible, the shooting match would be over. Lives would have been spared and the paralysis of the Dominican economy prevented. Those who are now bedeviling us from the United Nations or from other capitals would have nothing left to scream about. By now, only the diehards would still be talking. The more practical politicians would realize that you can't unmake an omelet; they would be turning to other campaigns of yelp and vilification.

Instead, the administration has acted tentatively and with an occasional lack of candor. Troops were landed and wheeled into position. They began the necessary cleanup, then were told to halt while the President seemed to show an atypical indecisiveness. The United States seemed to be working at a compromise, as if this were possible when dealing with Communist-dominated revolutionary movements.

In this period of backing and filling, the fighting has continued, the situation has remained chaotic, and the critics of the United States have had a chance to build up their propaganda offensive so that it has begun to hurt us seriously. The tentative approach has made matters worse rather than better. An action quickly executed would have won some grudging admiration and some loud wails, but the worst of the tumult would now be over.

The net effect of the President's seeming timidity, after taking a courageous step, has been to involve us in the Florentine machinations of the Organization of American States, the United Nations, and every ambitious politician in the parliaments of Europe.

What is true of the Dominican Republic is doubly true of Vietnam. Relief at the President's reversal of policy and his acquiescence to Pentagon suggestions that the U.S.-created Communist sanctuary in North Vietnam be struck from the air have made many Americans forget that the Kennedy policy of go with too little and then stop aggravated the situation in southeast Asia. Had there been the kind of command decisions now being made by the White House, the guerrilla and regular army operations of the Vietcong and the North Vietnamese would have been brought under control long ago.

The bombing of Communist North Vietnam has not brought any counter moves by Red China or the Soviet Union. There would have been even less of a flutter had this country acted when the Vietcong had not a ghost of a chance. Instead we muddled about with South Vietnamese policy, made and broke governments, and showed that we really didn't know what we wanted to do. This was wonderful news to the Communists who are now rubbing their wounds, watching military defeat move in on them, and foreseeing new and added difficulties in their guerrilla onslaught on southeast Asia.

If the President has gained in experience what he lost in time, then the events of the past years will be a net gain. If he holds to the stop-and-go approach—one conditioned by the State Department—then this country is in for trouble.

[King Features Syndicate, Inc., June 4, 1965]

STATE DEPARTMENT CONTINUES TO WORK FOR BOSCH

(By Ralph de Toledano)

For reasons best known to himself, Secretary of State Dean Rusk has gone out of his way to create the impression that United States intervention in the Dominican Republic was a hasty and unjustified action. Mr. Rusk, of course, knows better—or he has been keeping his head buried in the sand.

In a press conference much quoted by those who would undercut President Johnson's policies, Mr. Rusk stated quite clearly that the marines and paratroopers had been sent into Santo Domingo as the result of a single message from the U.S. Ambassador there. This is, on the public record, not true, and it ignores the mountains of information supplied to the State Department and the National Security Council by the Central Intelligence Agency.

Intelligence reports that expose Communist perfidy have, we saw in the case of Cuba, a tendency to disappear before they reach high level officials. But in the case of the Dominican crisis, the facts were in the hands of both Secretary Rusk and President Johnson for days before the White House ordered intervention.

In order to make the President's action seem like a case of shooting from the hip—and to confuse matters so that only the most devoted scanner of factual material can really know what went on before and is going on now—a whole mythology has been created of what presumably went on between April 24, when the actual trouble began, and April 29, when we moved.

It has been necessary to paint the rebellion as a reaction to the "reactionary" policies of Donald Reid Cabral, the Dominican leader, and General Elias Wessin y Wessin, who has been made into the ambitious villain of the piece.

The plain facts are as follows: on April 24, Reid Cabral had sent his army chief of staff to fire two officers for graft and corruption. The chief of staff was instead arrested by rebels. General Wessin, instead of moving to crush what was then a small mutiny, tried to act as mediator between the rebels and Reid Cabral. The rebels refused to budge, and General Wessin still held off. "We don't want bloodshed," he told Senor Reid Cabral. "It would be better if you resigned." Even after the rebels had indicated that they were pushing for a full-scale civil war, General Wessin offered to set up a military junta with them, if they would agree to free elections within 90 days. The rebels refused.

From that point on, the rebellion was taken over completely by Communist activists. Those naive members of Dr. Juan Bosch's Dominican Revolutionary Party who believed that he was interested in restoring a leftwing democratic regimen took asylum in the embassies of other Latin American countries.

Meanwhile, as eyewitnesses have described, the Communists began distributing weapons—some of them Soviet made—to the "turbas" or street gangs. Looting, rape, and indiscriminate killing became the order of the day. Communists in control of the radio station broadcast the names of Cuban refugees from Castro and urged that they be liquidated.

Oddly enough, the ambitious and reactionary General Wessin still had not moved to crush the rebellion. In fact, the national police, under the Reid Cabral regime, began to free political prisoners, including Communists, who immediately joined in the bloodletting. Finally, there was real counteraction by the government against the rebels. As Paul Bethel, editor of the liberally slanted Free Cuba News, puts it: "By Tuesday night, April 27, the PRO Party of Juan Bosch had been defeated militarily by the Dominican armed forces and absorbed politically by its Communist colleagues."

If Bosch, making safely defiant noises from the safety of Puerto Rico, was finished, the Communists were not. In full control of the rebellion and working through their puppet—the until-then obscure Lieutenant Colonel Caamano—they had created utter anarchy in Santo Domingo.

On April 28, a military junta, which had taken over, from Donald Reid Cabral, formally asked the United States for "temporary intervention," pleading that it could no longer guarantee the safety of Americans and other foreign residents. As a result of this desperate plea, which only confirmed what Central Intelligence Agency reports had been informing the White House and the State Department, the marines were sent in.

For a brief time, it looked as if the United States would take its thumb out of its mouth and act like a grownup nation. The rebels fell back and the dominant loyalist forces could have mopped up in a matter of days. But President Johnson, beset by the neoisolationist and appeasement wings of his party and assailed by college professors, began to worry.

Now the Organization of American States is trying to create a coalition government which will include the instigators of the rebellion and their Communist allies. The United Nations is trying to take over and make the mess even messier, and the quick and healthy solution that was in our grasp seems impossible of achievement. The myth makers are busily at work and it can almost be predicted that in a matter of weeks millions of Americans will believe that the Castroite rebellion was a democratic uprising, defeated by President Johnson's Fascist advisers.

SENATE JOINT RESOLUTION 22

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on April 14, 1965, the Illinois State Senate passed Senate Joint Resolution 22, which I place in the RECORD at this point as part of my remarks.

SENATE JOINT RESOLUTION 22

Whereas the Federal income tax and numerous other taxes levied by the Federal Government have not only imposed a heavy burden upon the American taxpayer but, by funneling into the Federal Treasury many of the prime potential sources of State revenue, have had a depressing effect upon each of the 50 sovereign States; and

Whereas the Federal Government now takes in Federal taxes from the State of Illinois approximately $7 billion annually, and takes a proportionate amount from each of the other States; and

Whereas for many years State and local governments have been in a straitened financial condition which constitutes a real emergency which has been compounded by the impact of Federal taxation; and

Whereas this emergency could be alleviated if the several States were given their rightful share of the total tax revenues by a system whereby the Government of the United States would refund to each State 10 percent of the Federal taxes collected therein without curtailing or interfering with any present or future program of Federal and State functions; and

Whereas since these tax funds are the taxes from the people, this refund is not to be considered a Federal loan or gift or any form of Federal aid nor will the use of these funds be restricted: Therefore be it

Resolved by the Senate of the 74th General Assembly of the State of Illinois, the House of Representatives concurring herein), That we respectfuly petition the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide for a refund to each State of 10 percent of all Federal taxes collected therein without any restriction on the use of such refunds; and be it further

Resolved, That a copy of this resolution be forwarded by the secretary of state to every Member of the Congress of the United States from the State of Illinois, and to the Governor and the secretary of state of each of the other 49 States.

Adopted by the senate, April 14, 1965.

Senate concurred in house amendment June 9, 1965.

SAMUEL H. SHAPIRO,
President of the Senate.
EDWARD E. FERNANDES,
Secretary of the Senate.

Concurred in by the house of representatives, June 8, 1965, as amended.

JOHN P. TOUHY,
Speaker of House of Representatives.
CHARLES F. KERVIM,
Clerk of House of Representatives.

This resolution was offered by State Senators Broyles, John A. Graham, Kerr, Gottschalk, Davis, Arrington, Sours, Drach, Peters, Fawell, Harris, Ozinga, Gilbert, Laughlin, Martin, Rosander, Merritt, Hatch, Peterson, Mitchler, Lanigan, Swanson, Latherow, Carpenter, Sprague Hoffelder, Collins, Hart, William Lyons, Grindle, Larson, Paul Graham, and Groen.

Mr. Speaker, this resolution dramatically states the progressive recommendation of leading members of the Illinois State Senate in a consitutional step that would produce proper balance in our Government and give the States an opportunity to fill their proper role in the challenges of the day. States and local communities can far more effectively cope with the problems within their borders than we can, operating at a distance in Washington. This resolution, incidentally, was bipartisan and was adopted unanimously by the Illinois State Senate.

FEDERAL CRIME TO ASSASSINATE PRESIDENT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, as the original sponsor in the last Congress of legislation making it a Federal crime to attack or assassinate the President, I strongly support passage of H.R. 6097.

Some 30 of our colleagues joined me in the 88th Congress in introducing identical and similar measures to H.R. 9232 which I proposed following President Kennedy's tragic assassination. Subsequently the Warren Commission recommended enactment of such legislation. Prior to the opening of the present Congress, I redrafted my proposal to include two slight modifications suggested by the Commission and invited our colleagues to join with me in seeking early action upon this legislation introduced on January 4. Fifty-one Members of the House have now joined in introducing such measures, many of them identical to H.R. 1180.

The bill before the House today, H.R. 6097, seeks to accomplish the same purpose as the legislation which I have introduced. It has my full support.

It is inconceivable to me that a crime the magnitude of Presidential assassination, affecting as it does the security and welfare of the Nation, is not covered by Federal statutes. Enactment of this legislation would mean that Federal law enforcement officials would investigate these crimes against our highest officials. At present Federal agencies such as the FBI only participate unofficially at the invitation of local authorities. In addition, as the Warren Commission has pointed out, this legislation will insure that any suspects arrested will be Federal prisoners, subject to Federal protection from vigilante justice and other threats.

Present law—18 U.S.C. 111—punishes attacks on many lesser Federal officers by a fine of not more than $5,000, or imprisonment not more than 3 years, or both; or, if a deadly weapon is used, a fine not exceeding $10,000 or imprisonment not more than 10 years, or both, on persons convicted of assaulting, resisting, or impeding these Federal officers, while engaged in the performance of official duties; judges; U.S. attorney, assistant U.S. attorney; marshals, deputy marshals, or persons employed to assist such marshal or deputy marshal; any officer or employee of the FBI, Secret Service, Bureau of Narcotics; any post office inspector; any officer or enlisted man of the Coast Guard; any officer or employee of any Federal penal or correctional institution; any officer, employee, or agent of the customs or internal revenue, or any person assisting the same in the execution of their duties; any immigration officer; any officer, employee, or agent of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce laws pertaining to protection of game, wild birds, and animals; any employee of the Department of Agriculture designated by the Secretary to carry out any law or regulation, or to perform any function in connection with any Federal or State program of Puerto Rico, Guam, Virgin Islands, or District of Columbia, for the control, eradication, or prevention of the introduction and dissemination of animal diseases; any officer or employee of the National Park Service, or of the field service of the Bureau of Land Management, or of the Indian field service, or of NASA directed to guard and protect property of the United States under the administration and control of NASA; any employee of the Bureau of Animal Industry of the Department of Agriculture, or any security officer of the Department of State or the Foreign Service—the latter enumeration is contained in 18 U.S.C. 1114.

Under 18 U.S.C. 1114, whoever kills any of the previously enumerated Federal officers and employees shall be punished as provided under 18 U.S.C. 1111—defining murder and imposing penalties of death or imprisonment for life or term of years—or 18 U.S.C. 1112—defining manslaughter and imposing penalties of a fine up to $1,000 or imprisonment up to 3 years, or both.

Present law does cover threats against the President; 18 U.S.C. 871 provides that whoever knowingly, and willfully mails any letter or document containing any threat to take the life of, or to inflict bodily harm upon the President of the United States, or knowingly and willfully otherwise makes any such threat against the President, shall be fined not more than $1,000, or imprisoned not more than 5 years, or both.

In addition, assaulting a public minister is covered now by 18 U.S.C. 112 which provides that whoever assaults, strikes, wounds, imprisons, or offers violence to the person of an ambassador or other public minister in violation of the law of nations, shall be fined not more than $5,000, or imprisoned not more than 3 years, or both. If a deadly weapon is used in the commission of such acts, the guilty party shall be fined up to $10,000, or imprisoned up to 10 years, or both.

Mr. Speaker, I urge favorable action on this legislation today. For the benefit of my colleagues I am inserting at this point several editorials which have been written in support of such a measure.

[From the Philadelphia Evening Bulletin, Nov. 27, 1963]

VOIDS THAT NEED FILLING

When Congress resumes its normal deliberations it ought to consider legislation to fill two voids in our governmental procedures and framework which were accentuated by the assassination of President Kennedy.

One is the lack of a firm procedure for decisionmaking concerning the continuity of Government and the transition of leadership in the event a President is seriously incapacitated. What would have happened, for example, if the assassin's bullet had resulted in severe brain damage rather than death?

The problem has been debated before, without conclusion. It has been suggested that some group, such as the Supreme Court, should be duly constituted to make such decisions on the basis, of course, of the best available medical advice. Or that there should be provision for a decision on a temporary transition of the leadership responsibility in the event the incapacity is deemed temporary, as well as on a permanent transition if the incapacity is felt to be permanent. The questions are difficult, but should be faced.

The other void is created by the absence of legislation making it a Federal offense to assault or assassinate the President or the Vice President.

Congressman SCHWEIKER, of Montgomery County, has already introduced legislation to correct this oversight. As things stand now, a number of lesser Federal officials are given the protection of Federal jurisdiction, but procedures governing the trial and the penalty for the assault or assassination of the President or the Vice President are solely determined by the laws of the State in which the crime occurs.

It was this void in our laws which left Lee Harvey Oswald a State, rather than a Federal, prisoner. Inefficient local police work made possible the murder which has deprived the Nation of the possibility of learning the full story of his crime. If the law had made him a Federal prisoner, the outcome would almost surely have been different.

[From the Norristown (Pa.) Times Herald, Nov. 29, 1963]

PROTECTING OUR LEADERS

The legislative proposal of Congressman RICHARD S. SCHWEIKER, that attack upon a President or Vice President shall become a Federal crime, is being well taken throughout the Nation.

Mr. SCHWEIKER has submitted his bill to the House of Representatives. There seems to be no reason for any Member to oppose its passage.

Mr. SCHWEIKER admitted last weekend that he was "amazed," as were all of us, to learn that attack upon many lesser Federal officers is a Federal offense, but that the law does not apply to a President or Vice President. It would seem amazing that some Congressman, throughout all the years of the democracy, did not think this necessary * * * particularly since President Kennedy was not the first of his rank assassinated.

Correction is certainly in order and Mr. SCHWEIKER is to be commended for his leadership toward such correction.

A bill to be offered in the Senate is similar, but would also authorize Federal protection status for Presidents-elect and Vice-Presidents-elect. This may pose problems since those elected are not Federal officers until they are sworn in and inaugurated. It might develop a "loophole."

But the two surely can be fitted together in such a manner that when properly written, there will be full Federal protection for our top commanders.

When the safety of the men in highest rank of our Nation is involved, certainly they deserve our highest and most powerful force of legal protection.

[From the Washington Post, Nov. 26, 1963]

MAKE IT A FEDERAL CRIME

Certainly the law should be amended to make the assassination of the President a Federal crime. It is ironic indeed that the criminal who murdered President Kennedy violated only the law of Texas. Actually his foul deed was a crime against the Nation—one of the most serious crimes against the Nation in this century.

As the law now stands, severe penalties are prescribed for felons who murder or attack Federal judges, U.S. attorneys, FBI agents, postal inspectors, Secret Service officers, customs agents and various employees of the Departments of the Interior and Agriculture. But this law for the "protection of officers and employees of the United States" does not, strangely enough, cover the President or members of his Cabinet.

Presumably the need for Federal law in this field has not previously been emphasized. When Lincoln was assassinated, the country was still under martial law. The assassin of President Garfield was prosecuted in the District of Columbia and the assassin of President McKinley in New York. There is a strong presumption that Texas would have convicted Lee Harvey Oswald of the slaying of President Kennedy if Oswald himself had not been killed as he was being transferred to the county jail. But the serious bungling of this vital case by the Dallas police constitutes a strong argument for the direction of such delicate operations by the FBI from the very beginning.

The events in Dallas have shown all too clearly that Federal officials should have been in charge of the police work from the beginning. High crimes against the Nation cannot be safely left to investigation and prosecution by local officials of the community in which such crimes happen to take place. As soon as Congress resumes its operations. Representative RICHARD S. SCHWEIKER, of Pennsylvania, will introduce a bill to extend the protection of section 1114, United States Code, to the President and Vice President. We hope that it will be given prompt attention by the Judiciary Committees and that they will also include within the terms of the bill other officials in the line of succession to the Presidency. Perhaps agency heads, their deputies and Members of Congress should also be included.

[From the Philadelphia Daily News, Nov. 27, 1963]

SCHWEIKER'S BILL A MUST

We hope Congress will act quickly in passing a bill to be drawn up by Congressman RICHARD S. SCHWEIKER, Montgomery County Republican, making it a Federal crime to kill, assault, or conspire to harm the President or Vice President.

The bizarre slaying of Assassination Suspect Lee Harvey Oswald by a self-appointed executioner points up the need for taking jurisdiction in these cases away from local police.

An attempt, or the actual taking of the life of our Chief Executive or Vice President, is not only of national concern, but also has worldwide repercussions. It is essential that crimes of this nature be covered by Federal law.

We trust that President Johnson's order to the FBI to investigate the slaying of Oswald by nightclub operator Jack Ruby will be thorough and complete. The American conscience calls for it.

[From the Scranton Times, Dec. 9, 1963]

PLAN NOT ENTIRELY NEW

The current agitation for the enactment of a law which would give Federal agencies and the Federal courts jurisdiction in the case of the assassination of a President of the United States is not entirely new. Sixty-two years ago, following the death of President McKinley at the hands of an assassin in Buffalo, his successor, Theodore Roosevelt, advocated such a course. He would have had the law apply to any individual who kills or attempts to kill not only the President but "any man who by the Constitution or by law is in line for succession to the Presidency." But the Roosevelt proposal went unheeded.

There is perhaps greater support for the idea today because of some of the unfortunate developments in Dallas following the murder of President Kennedy last month. Many Americans feel that had some agency such as the Federal Bureau of Investigation had the authority to take over immediately, the killing of Lee Oswald, the accused assassin, might never have occurred.

Congressman Richard Schweiker, of Lansdale, has announced his intention to introduce a bill making it a Federal crime to kill, assault or conspire to harm a President of the United States. There is merit and logic in his contention that "a crime of such magnitude affecting the security and welfare of the Nation, most certainly should be covered by our Federal statutes." It is difficult to believe that the question of States rights will be raised in connection with such a move. Congress should give immediate and favorable consideration to the bill once it is presented and not repeat the mistake which our lawmakers made in rejecting Teddy Roosevelt's recommendation.

MR. MARTIN OF THE FEDERAL RESERVE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WIDNALL. Mr. Speaker, we have recently heard the gentleman from Texas [Mr. Patman], chairman of the Banking and Currency Committee, call for the resignation of the Chairman of the Board of Governors of the Federal Reserve System, because Mr. Martin in a speech devoted principally to international monetary relations, pointed out some similarities—as well as differences—between current economic conditions and those of the "fabulous twenties." The gentleman from Texas interprets Mr. Martin's remarks as forecasts of a depression, and concludes that Mr. Martin "cannot stand prosperity." I can understand how a man who has been predicting a "Martin depression" for some time might leap to this conclusion. But I do not understand why it is all right for the chairman of the House Banking and Currency Committee to predict a depression, but all wrong for the Chairman of the Federal Reserve Board to say that we should be careful not to get ourselves into a depression.

The gentleman from Texas has recently informed the House that Mr. Martin is not President Johnson. Since most of us may be presumed to have been aware of that fact, I take it we were expected to draw some kind of inference from it. To help us draw this inference, we were informed that Mr. Martin's "policies run counter to that (sic) of the President of the United States." President Johnson, however, has pointed to the remarkable results achieved by a monetary policy worked out in close harmony with the administration. While the gentleman from Texas calls for elimination of the independence of the Federal Reserve System, President Johnson has noted that his administration has "maintained the Federal Reserve's traditional independence within the Government."

I believe we should keep politics out of monetary policy, and in this case I am happy to indicate my agreement with President Johnson. And I am gratified to see that the Secretary of the Treasury and the Secretary of Commerce, far from calling for Mr. Martin's resignation, are saying he made a good speech.

Mr. Speaker, I ask unanimous consent at this point to include, following my remarks, an editorial from the Washington Daily News, dated June 17, 1965, entitled "Mr. Martin in Perspective," and a news article from the Washington Evening Star of June 11, 1965, entitled "No Economic Policy Conflicts in Administration: Johnson," and also, a news release from the Office of the White House Press Secretary of October 26, 1964, entitled "Presidential Statement No. 2 on Economic Issues":

[From the Washington Daily News, June 17, 1965]

Mr. Martin in Perspective

After a speech at the National Press Club, the new Secretary of Commerce, John T. Connor, was put to answering questions from reporters. Naturally, the first questions were inspired by the recent speech of William McChesney Martin, Chairman of the Federal Reserve Board.

A phrase in Mr. Martin's speech to the effect that there were some "disquieting similarities" in the economic situations preceding the 1929 stock market crash and today got the most attention—quite out of proportion with the whole of the Fed Chairman's remarks.

The ensuing slump in the stock market was blamed by some on this speech and there even were cries in Congress for Mr. Martin's resignation because, it was said, his policies were counter to those of President Johnson.

Mr. Connor put all this back in perspective.

Mr. Martin's speech, the Secretary said, was a timely and sound review of current conditions, throwing up some smoke signals to warn of possible dangers, but primarily aimed at the problem of U.S. deficits in our dealings with other nations. The trouble, Mr. Connor said, was that too many people didn't read all of the speech (including, we suggest, many who reported it).

Mr. Connor threw up a few "smoke signals" himself. He said the main virtue of the current prosperity is that it is the result of orderly growth and price stability. If this growth should become haphazard, or reckless, or excessive, he indicated, it could spell trouble. As could inflation.

And he, too, pointed to the imbalance in our international dealing as an unsolved problem, urgently in need of correction.

He also deflated the idea that the stock market slump could be attributed to Mr. Martin's remarks. He suggested it was on the verge of a decline anyway, possibly because some investors simply were suspicious that the continued rising trends were too good to be true.

In any case, we would add, if the stock market is so frivolous that it would slide merely because of distorted understanding of what one public official had said, it is a pretty flimsy institution. Or more emotional than hardheaded.

Moreover, if the market didn't fluctuate there wouldn't be much point in it. And it can't realistically, forever fluctuate upward. There necessarily must be corrective declines.

The stock market isn't the whole economy, and being largely speculative doesn't necessarily reflect the state of the economy. Take, for instance, a smalltown Nebraska banker quoted in the Wall Street Journal:

"We are so overcome with joy with the extreme rise in the livestock market that we've paid little attention to the price of A.T. & T. Our economy out here is based on hogs and cattle."

[From the Washington Evening Star, June 11, 1965]

No Economic Policy Conflicts in Administration: Johnson

Washington, June 11.—President Johnson has muffled speculation over a governmental split in his economic policy by giving assurances that there are "no crosscurrents, divisions, or conflicts" within the administration.

The President told reporters after a meeting with William M. Martin, Chairman of the Federal Reserve Board, and other top economic officials yesterday, that moderate but solid gains are foreseeable through 1965. "There is no reason for gloom or doom," he said.

This was an apparent reference to the stock market slump and public furor which followed Martin's June 1 speech at Columbia University.

That was the speech in which Martin spoke of "disquieting similarities between our present prosperity and the fabulous twenties," and emphasized the role of monetary policy—management of the money and credit supply—in preventing possible inflationary excesses.

RESIGNATION ASKED

Martin's resignation was demanded yesterday by Representative Patman, Democrat, of Texas, chairman of the House Banking Committee. Patman charged that Martin had challenged Mr. Johnson's economic policy and was calling for what Patman described as a disastrous policy of tight money.

"This country cannot afford, even as prosperous as it is, a man at the helm of our monetary system who is so afraid of prosperity that he has to end it," Patman said on the House floor.

But Treasury Secretary Fowler, in an interview given before the White House meeting, helped Mr. Johnson quash the talk of a policy split on the issue of tight money versus expansionism.

Fowler said he and Commerce Secretary Connor agreed completely with what they regarded as Martin's basic theme, that of maintaining and strengthening the soundness of the dollar.

NO INDIGESTION

"The speech caused me no nervous indigestion," Fowler said. "I was surprised at the stock market's reaction, and I think Bill Martin was too."

The market slump was caused by investors' fears that Martin was hinting at a coming move to tighten money by boosting interest rates, Fowler said. He himself had read no such meaning into Martin's talk "because I know Bill's thinking."

After the White House meeting, Martin smilingly indicated he had no intention of taking Representative Patman's advice and resigning. "When and if I desire to resign I'll let you know," said the man who has headed the Reserve Board under four Presidents.

Monetary Policy for Stability and Growth

(The White House, Presidential Statement No. 2 on Economic Issues)

1. Monetary policy is one of our crucially important tools for maintaining a healthy and noninflationary economy. The job is never easy. But the results over the past 4 years have been remarkable:

Ample but not excessive credit has been available to businesses, homebuyers, and State and local governments.

At the same time, short-term interest rates have been pushed up to reduce capital outflows and help correct our balance-of-payments deficit.

Yet long-term interest rates, which are so important to domestic borrowers, have remained moderate—in fact, home mortgage rates and the rates paid by State and local governments are lower today than in early 1961.

2. All this has been made possible by close ties between our monetary and our fiscal and debt management policies, and close harmony among the men responsible for these policies:

We have maintained the Federal Reserve's traditional independence within the Government.

Yet the Federal Reserve and the administration agree entirely on the practical need for informal coordination among the various economic programs of the Government.

The President meets periodically with a group consisting of Secretary Dillon, Chairman Martin of the Federal Reserve Board, Budget Director Gordon, and Chairman Heller of the Council of Economic Advisers, and they in turn are in close and continuous contact.

These efforts have resulted in Government by consensus, not by conflict, in economic policy.

3. In the future as in the past, our monetary system must remain flexible, and not be bound by any rigid, mechanical rules:

In an atmosphere of private and public moderation, monetary policy has been steadily expansionary for 4 years.

With continued moderation, there can be the continued monetary expansion essential to economic growth.

But if inflation develops, or if excessive outflows of funds occur, the Federal Reserve System is in a position to do what is necessary.

PROVIDING PENALTIES FOR THE ASSASSINATION OF THE PRESIDENT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HORTON. Mr. Speaker, I want to express my strong support for passage of the measure we are now considering. The bill H.R. 6097 would provide the proper penalties for crimes against the President and Vice President, the President-elect and Vice-President-elect, and those acting as and in line to succeed the President.

Our Government could not take swift steps to cope with the tragic events of November 23, 1963, because of the lack of necessary legislative authority at the Federal level. Those apprehended were inadequately protected and the Federal enforcement agencies almost powerless to initiate proceedings.

Immediately thereafter, I submitted a bill, providing for Federal jurisdiction over cases of assault or assassination of our head of state and officials of comparable rank. Recommendations for such remedy were set forth subsequently in the Warren Commission report. Early in the current session, I reintroduced my proposal and spoke in its favor both in the House Chamber and before the Judiciary Committee at their recent hearings.

Our inability to meet what rightly constitutes a Federal crime with Federal statutes is incongruous and incredible. We cannot afford to pass up this opportunity to fill a blatant omission in our Federal laws.

LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to inform my colleagues as to an item, Senate Concurrent Resolution 36, to be added to the legislative program.

Mr. Speaker, the gentleman from Florida [Mr. Fascell] has obtained unanimous consent, and I see the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford] on the floor, and I understand this has been cleared with both sides, to call up the resolution, Senate Concurrent Resolution 36, having to do with the 20th anniversary of the United Nations, with debate of 1 hour thereon.

Mr. Speaker, the concurrent resolution will be programed along with other bills that have been programed for Tuesday and the balance of the week, the resolution to be taken up depending on whatever day it will be possible to program it for consideration, probably tomorrow or Thursday. It is necessary to have some flexibility on that point if it is agreeable.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. GROSS. That is with the understanding that there will be 1 hour of debate on the resolution and that the resolution would be amendable?

Mr. ALBERT. That is my understanding. It would be called up under unanimous consent and it will be debated for 1 hour.

Mr. GROSS. And it will be amendable?

Mr. ALBERT. It will be open to amendment at any point.

Mr. GROSS. I thank the gentleman.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I am glad to yield to the gentleman.

Mr. GERALD R. FORD. As to the 1 hour of time for debate, would the time be equally divided between the majority and the minority?

Mr. ALBERT. I am sure it would be; at least that is my understanding.

FREEDOM FROM DISCRIMINATION IN EMPLOYMENT OPPORTUNITIES

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, Chairman Adam C. Powell, joined by 16 other Democratic members of the Committee on Education and Labor, has today introduced a bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or natural origin. The point of the bill is, in the light of other recent legislation, to be sure that the rights of all groups will be assured with respect to freedom from discrimination in employment opportunities, especially since many Members last year expressed the concern that in the Civil Rights Act of 1964, title VII enforcement proceedings are not strong enough to meet the problem of discrimination by employers or unions once it has been found to exist. It is felt that the Congress may now wish to act to assure that the matter of discrimination in employment opportunities will be handled in an expeditious manner.

Therefore, hearings by the General Subcommittee on Labor will be scheduled at the earliest possible time, taking into account the necessity of testimony from the Equal Employment Opportunities Commission regarding its recommendations and comments on the existing law.

The subcommittee will then take the matter to the full committee forthwith in recognition of the urgency of this matter.

My colleagues may be assured that this matter will be handled by the full committee with all due regard for its high responsibility for legislation, and I am delighted to note that so many of my colleagues on the Committee on Education and Labor have followed Chairman Powell's vigorous leadership in this respect.

OPPRESSION OF THE BALTIC STATES BY RUSSIA

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VIGORITO. Mr. Speaker, I rise today to plead for the freedom of people. In an age in which freedom exists everywhere around us, it is depressing and disturbing to discover that not all nations are free. We are aware of this problem in our own country, but we often neglect to admit that it exists in other places throughout the world.

I wish to say a few words about those unfortunate people who have lost their freedom because of oppression by the Soviet Union. I speak specifically about the Baltic countries of Lithuania, Latvia, and Estonia. Despite treaties to the contrary, in 1940 the Soviet Union occupied these three territories with military troops and forcibly incorporated them into the U.S.S.R.

Since that time, the Soviet Union undertook mass oppression of these unfortunate people. No countries have had to labor under the yoke of such suppression, such persecution, and such degrading oppression. More than 1 million persons have been victims to this Soviet brutality.

This is an age when nations throughout the world are freeing their colonies and possessions from iron-bound subserviance. The force of world opinion should be turned against the Soviet Government so that we can, in our lifetime, see an end to Communist colonialism throughout the world. It has been 25 years since the Soviets have occupied Lithuania, Latvia, and Estonia. A quarter of a century is too long, and I appeal to all men to join in efforts being taken in this infamous anniversary year to bring an end to this unfortunate situation.

TWENTY-FIFTH ANNIVERSARY OF FORCIBLE ANNEXATION OF BALTIC STATES BY SOVIET UNION

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STALBAUM. Mr. Speaker, the commemoration of the 25th anniversary of the forcible annexation of Baltic States by the Soviet Union was observed in Racine, Wis., my hometown, on June 6 at St. Casimir's Hall under the sponsorship of the Lithuanian American Council Inc., Racine branch.

At that time, a resolution was unanimously adopted at a mass meeting of American citizens of Estonian, Latvian, and Lithuanian descent.

House Concurrent Resolution 416 which is scheduled to be considered by us later today closely parallels this resolution unanimously adopted by my friends in Racine. It advocates efforts by the President and the Congress to bring the plight of the peoples of the enslaved countries before the United Nations.

The Racine resolution also voices support of the present policy of President Lyndon B. Johnson of resisting Communist aggression in southeast Asia and also expresses thanks for this Nation's nonrecognition of the absorption of Estonia, Latvia, and Lithuania into the circle of Communist control.

The resolution follows:

RESOLUTION

Whereas 25 years ago the Soviet Union by force and fake elections annexed the Baltic States—Estonia, Latvia, and Lithuania; and

Whereas the Baltic countries are being colonialized by import of Russians, most of whom are Communists or criminals, and who receive various privileges at the expense of the Baltic people; and

Whereas pauperization of the people of these countries is carried out by state-run facilities which mostly serve the purposes of the Russian rulers; and

Whereas the persecution of the faithful and restriction of religious practices are strictly imposed; and

Whereas our young men sacrificed their lives in the past and are sacrificing them in the struggle with the same foe which brought tyranny and misery to the Baltic States and to many other countries: Therefore be it

Resolved, That this mass meeting condemns Soviet Russia for its forcible occupation of the Baltic States and also its former and present policy of colonialism and oppression; and be it further

Resolved, That this mass meeting urges Soviet Russia to withdraw its occupational forces, its emissaries, and colonists from the Baltic States; and be it further

Resolved, That this mass meeting ask the President of the United States, Members of the Senate and the House of Representatives that they exert necessary efforts to bring the case of the Baltic peoples' plight before the United Nations; and be it finally

Resolved, That this mass meeting strongly and vigorously supports the present policy of President Lyndon B. Johnson for showing resistance to stop Communist aggression in southeast Asia and South America and also expresses its gratitude for nonrecognition of the incorporation of Estonia, Latvia, and Lithuania into the Soviet Union.

Signed:

MARTIN KASPARAITIS,
Chairman, Lithuanian American Council.
MRS. OLGA MALBE,
Representative, Estonian Americans of Racine.
VALENTIN JAUNKALNIETIS,
Representative, Latvian Americans of Racine.

RACINE, WIS., *June 6, 1965.*

PRAYER AND BIBLE READING IN PUBLIC SCHOOLS

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, today I am introducing a joint resolution which would amend the Constitution to permit prayer and Bible reading in our public schools on a voluntary basis. I commend my colleagues, many of whom have introduced a similar resolution. I earnestly and sincerely urge that the Judiciary Committee report this resolution out so that the Congress may assert itself as a coequal branch of this Government. Should this resolution come before the House for a vote it would pass by an overwhelming majority. It would pass the other body by an overwhelming majority and would be ratified by the legislatures of more than three-fourths of the States of this Union.

Mr. Speaker, the people of our country favor this legislation. They want to reassure their children and grandchildren in the public schools of their right to engage in prayer and Bible reading publicly. If the decision of the Supreme Court on prayer and Bible reading in public schools is permitted to stand, then, as night follows the day, there will be an effort to remove "In God We Trust" from our coins. We could expect a drive to remove "In God We Trust" from the wall of this House. Already there are demands that we prohibit chaplains from serving in the Army, Navy, Air Force, or Marines.

Mr. Speaker, our Nation was founded on the teachings of the Man of Galilee. He taught that each individual is important. He taught the worth and dignity of each and every single individual. The Declaration of Independence, our Constitution, and the Bill of Rights are largely an outgrowth of this concept. We are confronted today throughout the world with the onslaught of an atheist ideology. This ideology teaches man is gravel and stone and chemical matter—that and nothing more. They teach when man dies he will return to chemical substance from which he came. These forces of atheism teach that man is as grains of sand on the seashore to be sifted and shoveled to serve the masters of the state and to advance the objectives of stark, cold, centralized governmental power. These atheist forces are nibbling away at the foundation of our sacred institutions. In one stroke this Congress could reassert the principles upon which our country was founded. We can put the forces of atheism on the defense by being positive and reasserting our faith in the Supreme Being. We must amend our Constitution now to permit without question the right of our children to hear scripture reading and recite prayer in our public schools. The people of our country are looking to Congress to clarify the confusion and stand up for the principles and ideals of our Founding Fathers.

THE LATE BERNARD M. BARUCH

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I believe all of America and all Members of this House were deeply saddened at the news of the passing of Bernard Baruch, one of America's great men. He will be known not only as an adviser to Presidents; not only for his early service as Chairman of the War Industries Board and as a U.S. delegate to the Paris Peace Conference for President Wilson; not only for his service many years later for President Truman as U.S. representative on the United Nations Atomic Energy Commission; not alone for what he accomplished—which was substantial—but for what he stood, which was, in my judgment, basic to America and fundamental to its future.

Two quotations of Mr. Baruch illustrate this. He was to say:

> I for one will never concede that we cannot do as much in defense of our freedoms as any enemy may be doing to destroy them.

And he was to say at the United Nations on June 14, 1946:

> We are here to make a choice between the quick and the dead. We must provide the mechanism to assure that atomic energy is used for peaceful purposes and preclude its use in war.

I have had the privilege of knowing Mr. Baruch as a friend for a number of years and I would mention two things in brief tribute. One was that he always understood, no matter what the ups and downs of his Government service might be, that the important thing was not the hole in the doughnut—not the petty criticisms—but the doughnut itself—the vitality of our free government and the magnanimity and faith of our people in peace and in war.

Second, he was aware, as few Americans of our time were, of the importance of controlling nuclear energy, of preventing the terrible danger of the proliferation of atomic weapons.

He made plain to the Soviets in the late 1940's that unless we put the genie back in the bottle we would face a situation where atomic bombs could come to be like the six-gun of the West; when the sheer number of them would represent a clear and present threat to the peace.

So I would join, I am sure, with all Members of this House, in paying the highest possible honor to a great American in war and peace, a man who stood for the best in this country, who stood with the men and women of this country for a strong America dedicated to peace and a free enterprise economy conscious of its high social and economic responsibilities.

Bernie Baruch's faith will always be part of America; his belief in what freemen could accomplish for the common good will remain an inspiration; his impatience with Government redtape and petty politics will illuminate for all to see the speed and the responsibility with which Government is capable of acting.

Above all, Bernie Baruch believed in his country and its destiny.

I am sure all in this House deeply mourn his passing and extend all sympathy to his family.

EXCISE TAX REDUCTION

The SPEAKER. Under a previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 20 minutes.

Mr. VANIK. Mr. Speaker, the excise tax reduction which goes into effect today can and should mean a lessening of consumer goods costs, without depriving any merchant or manufacturer of any revenue.

In fact, the nuisance taxes, as they were referred to, increased business costs because of collections and accounting and reporting.

This Congress and the President have established another precedent—the second in 2 years—that taxes can come down.

The Christian Science Monitor of June 5, 1965, in an editorial entitled "Into the Public's Pocket," said:

> It is only to be expected that if repeal goes through * * * the public will keep a close watch on the course of prices. This is desirable and would be a healthy factor in maintaining price stability.

I commend the entire editorial to my colleagues. Under unanimous consent I insert the editorial at this point:

[From the Christian Science Monitor, June 5, 1965]

INTO THE PUBLIC'S POCKET

We hope for a number of reasons that most, if not all, of the proposed $4,800 million savings in Federal excise taxes will be passed on to the buying public. We believe that this would:

Be less inflationary. Even though it would put more spending money in the consumers' hands, we feel that this would be preferable to any widespread raising of the price level which would occur if manufacturers tacked a portion of the saving back onto the basic price of their products.

Be additional proof that business can be trusted, without undue and troublesome outside supervision of a formal nature, to do what is clearly the right thing under the circumstances.

Be only right since business will receive its own form of financial benefit from repeal of taxes which have required time and money to collect and report.

It is only to be expected that if repeal goes through—and the overwhelming vote in the House of Representatives is taken to indicate that there will be little difficulty in Senate passage—the public will keep a close watch on the course of prices. This is desirable and would be a healthy factor in maintaining price stability.

There have been and still are legitimate doubts over the wisdom of this tremendous 3-year tax-reduction program. Although the opponents in the House were able to muster only a miniscular six votes (against 401 in favor), there is still much validity in their argument that it is unwise to cut taxes while the economy is booming and while the budget is still in deficit. This argument, however, seemed to carry little weight in Washington.

On the other hand, there is a kind of moral obligation to cut taxes which were instituted in large measure as a wartime levy. If a tax is needed, let it be passed as a permanent measure to meet a concrete, present-day need. One of the greatest sources of tax confusion is the proliferation of "temporary" or "emergency" taxes which become permanent.

The consumer-oriented newspaper columnist, Miss Sylvia Porter, offered a few hints to buyers of large-price-tag items in making sure they buy goods at lower prices than pre-May 15, the effective date on the major items excise levy rollback.

I insert Miss Porter's June 10 column at this point:

[From the Washington (D.C.) Evening Star, June 10, 1965]

EXCISE TAX CUTS: WHAT THEY MEAN

(By Sylvia Porter)

If you have bought a new car or new air conditioner after May 14 or if you buy either big-ticket item before July 1—without any price cuts to reflect the imminent excise tax reductions—be sure that you:

1. Have a sales slip or other record of the sale showing the date, brand and model purchased, serial number, price paid and the name and address of your dealer. This information will be essential if you are to be reimbursed by either the manufacturer or dealer for the manufacturers' excise tax on these items when the taxes are repealed or reduced July 1.

2. Check with your dealer to find out what procedure—if any—has been worked out to reimburse you for the amount by which the manufacturers' excise tax is to be cut July 1. On this date, the tax on autos will fall from today's 10 percent of the manufacturer's (not the retailer's price) to 7 percent and the 10 percent manufacturer's tax on air conditioners will be wiped out.

INFORMATION NEEDED

If your dealer or manufacturer is willing to pass on the excise tax cuts to you—and they don't have to pass them on under the law—you will need this information to get reimbursement.

As the excise tax bill is rushing through Congress with astounding speed, confusion about what the bill actually means also is spreading through the United States with dismaying rapidity.

In briefest summary, the House-passed bill which the Senate Finance Committee is now debating in closed sessions would cut our excise taxes by about $4.8 billion a year.

Repealed completely as of July 1 would be the 10-percent retailers' excise taxes on items ranging from jewelry and furs to cosmetics and luggage. Also repealed completely as of July 1 would be manufacturers' excise taxes on items ranging from household refrigerators and power lawnmowers to TV sets and typewriters.

CUTS ARE WIDESPREAD

Substantially reduced starting July 1 would be the manufacturers' excise taxes on auto and auto trailers with complete repeal scheduled for January 1, 1969. In the years immediately ahead, virtually all excise taxes except those on tobacco, gasoline, alcohol and those used for special purposes are to be erased.

Enough—additional details you can read in the news columns. What, then, will this bill mean to you?

You, the retail customer, will not be able to claim the benefits of any excise tax cut "as a matter of right," says Leon Gold, chief tax expert of the Research Institute of America.

You, the retailer or manufacturer, will not be required to pass on the benefits of excise tax cut to your ultimate customers.

MATTER OF POLICY

The key point, in short, is as Gold emphasizes, that "price cuts resulting from these excise tax cuts will be much more a matter of business policy than tax law"—a vital aspect indeed.

Putting it even more plainly, manufacturers and retailers will be able to decide strictly as a matter of business policy whether to: retain present prices; cut them by more, less, or by exactly the amount of the excise tax cut; make the price cuts now; wait.

Many of the price cuts which have been so widely publicized in advance of the excise tax reductions have been entirely motivated by business reasons. Neither the retailers, nor the manufacturers will get any tax credit or refund because of their cuts. The extent and size of price cuts on and after July 1 again will be primarily a matter of business policy.

Special conditions apply to autos and air conditioners; thus, the advice at the start of this column. On other items it will be up to buyers and sellers to negotiate price adjustments before July 1—and after that date, price comparisons before and after the tax cuts will indicate what and where the bargains are.

Because automotive purchases constitute the largest single excise that we are reducing and eventually eliminating, I am convinced that new car prices should be closely watched, to insure that car buyers can buy the same amount of car and equipment for less money.

I feel that Senate amendment No. 108, which would have directed the Council of Economic Advisers to make such studies and report to the President, should have been left in the bill.

On June 2, 1965, on pages 12318–12323, I inserted in the RECORD a series of charts giving the prices of new automobiles, the excise taxes on each model at the old 10 percent rate and at the new 7 percent rate, the retail prices including old and new excise taxes, and price reductions—this last item contingent upon the tax reductions being passed on to the consumer.

Those charts also contained ratios showing the old excise tax and the current—7 percent—excise as percentage of each car's retail price.

Those prices included only the car and its standard equipment. Not included were freight, delivery-handling charges, State and local taxes and the major category of "optional equipment."

The charts in the RECORD of June 2 showed that each basic new car's excise—at the 10 percent of dealer cost rate—ranged from 7.60 to 9.04 percent of the basic retail price. The charts also showed that all the new excise tax rate of 7 percent of dealer cost, the tax would amount to 5.32 to 6.32 percent of retail price.

Today, hardly anyone buys a basic car. Automatic transmissions, radios, optional engines, power-assisted brakes and steering are usually fitted to new cars. The consumer must be aware that any accessories installed at the factory will be taxed at the new 7-percent rate at which the automobile is now taxed. If the same accessories are installed by the dealer this is an 8-percent tax levied which will be repealed on January 1, 1966. The consumer must determine in advance where the accessories have been installed to determine whether the final price tag reflects the excise tax reduction or not.

I have prepared a series of charts showing selected retail prices of accessories and optional equipment on 1965 passenger cars, with the 10-percent excise tax included.

By simple calculations, the average buyer may use these tables to determine how much he should save on the optional items which are installed at the factory. The necessary percentages will be supplied in the June 2 tables.

The consumer also should keep a watch to insure that items of standard equipment on cars are not removed from that list and made into options next year.

At this point, I introduce the chart, "Selected Retail Prices of Accessories and Optional Equipment, 1965 Passenger Cars":

Selected retail prices of accessories and optional equipment, 1965 passenger cars, excise tax at 8 percent of dealer cost included

FORD	
Engines (extra over 289-cubic-inch 195-horsepower V–8):	
250-horsepower Thunderbird 353-cubic-inch	$70.70
300-horsepower Thunderbird 390-cubic-inch	137.60
Transmissions (3-speed manual standard):	
Cruise-O-Matic dual range (6-cylinder)	179.80
Cruise-O-Matic dual range (8-cylinder models)	189.60–212.30
4-speed manual (not available all models)	188.00
Miscellaneous:	
Power brakes	43.20
Power seat, 4-way full width	63.80
Power seat, 4-way driver only (Galaxie 500/XL)	92.10
Power steering	$86.30
Power windows	102.10
Power tailgate window, station wagons (standard on 9-passenger country sedan and 6- and 9-passenger Country Squires	32.30
Air conditioner (not available all models)	231.70–360.90
Tinted glass (all)	40.30
AM radio, pushbutton, and antenna	58.50
AM–FM radio, pushbutton, and antenna	129.30
Swing away steering column (not available all models)	50.00
Vinyl roof (2-door hardtops)	75.80
Windshield wiper, 2-speed, and washer	20.10
Chrome luggage rack (wagons)	45.40
FALCON	
Engines (extra over 144-cubic-inch, 85-horsepower 6-cylinder):	
101-horsepower 170-cubic-inch, 6-cylinder	16.80
116-horsepower, 200-cubic-inch, 6-cylinder (with Fordomatic only)	61.80
8-cylinder engine, 289-cubic-inch	142.00
Transmissions (3-speed manual standard):	
Fordomatic	167.40–177.20
4-speed manual (170-cubic-inch, 6-cylinder only)	90.10
4-speed manual (8 cylinder, not available on wagons)	188.00
Miscellaneous:	
Power steering	86.30
Radio, pushbutton, and antenna	58.50
Tinted glass (all)	27.00
Air conditioner	231.70
Convenience package	43.50
Electric tailgate window (standard on Squire)	29.75
Vinyl roof (2-door hardtops)	75.80
Chrome luggage rack (wagons)	45.40
Windshield wiper, 2-speed, and washer	20.10
FAIRLANE	
Engine (extra over 260-cubic-inch, 164-horsepower V–8):	
195-horsepower, 289-cubic-inch Challenger	45.10
271-horsepower, 289-cubic-inch high performance	321.80
Transmissions (3-speed manual standard):	
Fordomatic or Cruise-O-Matic	189.60
Overdrive (not available on all models)	108.40
4-speed manual (not available all models)	188.00
Miscellaneous:	
Power brakes	43.20
Power steering (not available all models)	86.30
Power tailgate window, wagons	32.30
Air conditioner, "Ford" brand	231.70
Air conditioner, "Selectaire" brand	360.90
Radio, pushbutton, and antenna	$58.50
Vinyl roof, hardtops	75.80
Chrome luggage rack (wagons)	45.40
Windshield wiper, 2-speed, and washer	20.10
THUNDERBIRD	
Standard equipment includes: 390-cubic-inch, 300-horsepower engine, Cruise-O-Matic transmission, power steering, power brakes, "swing-away" steering column, AM pushbutton radio, clock, alternator, seat belts.	
Optional equipment includes:	
Air conditioner, Selectaire	415.10
Tinted glass (all)	43.00
Leather seat trim	106.20
Power seat, 4-way, driver only	92.10
Power seat, 4-way, driver and passenger	184.10
Power windows	106.20
Radio, AM–FM, pushbutton, and antenna	83.70
Tonneau cover, convertible	269.00
Transistorized ignition system	51.50
Wire wheels, with 8.00 by 14 whitewall tires	415.20
MERCURY COMET	
Engines (extra over 200-cubic-inch, 120-horsepower, 6-cylinder):	
289-cubic-inch, 200-horsepower Cyclone V–8	108.00
289-cubic-inch, 225-horsepower Super Cyclone V–8	153.20
Transmissions (3-speed manual standard):	
4-speed manual (8-cylinder models only)	188.00
Multidrive Merc-O-Matic	189.60
Miscellaneous:	
Air conditioning (not available with 4-speed transmission	257.50
Power transfer rear axle	38.00
Bucket seats with console (Caliente hardtop and convertible, standard on Cyclone models)	131.30
Bucket seats (404 2-door sedan only)	79.80
Luggage rack, wagons	64.35
Power brakes (only on automatic transmission models)	43.20
Power tailage window, station wagons (standard on Villager)	29.75
Power steering	86.30
AM radio, pushbutton, with antenna	58.50
AM–FM radio, pushbutton, with antenna	129.30
Tinted glass (all)	27.10
Vinyl roof (Caliente and Cyclone hardtops)	75.80
Windshield wipers and washers, interval selector	21.80
MERCURY	
Engine (extra over 390-cubic-inch, 250-horsepower V–8):	
390-cubic-inch, 300 horsepower V–8 (Marauder, standard on Park Lane models)	51.50

Selected retail prices of accessories and optional equipment, 1965 passenger cars, excise tax at 8 percent of dealer cost included—Continued

MERCURY—con.	
Transmissions (3-speed manual standard):	
Multidrive Merc-O-Matic	$231.70
4-speed manual (not available on wagons and cars equipped with 6-way power seat)	231.70
Air conditioning (not available all models)	434.80
Power transfer axle	42.50
Bucket seats (Monterey 2-door hardtop and convertible only)	160.90
Miscellaneous:	
Console and tachometer (Monterey bucket seat models only)	88.80
Courtesy light group (standard on Park Lane)	23.20
Automatic headlight dimmer	42.50
Luggage rack, wagons	64.40
Park Lane models sports package	423.50
Power antenna (not available on wagons)	29.60
Power brakes (not available all models)	43.20
Power door locks, 2- and 4-door, respectively	37.30–52.80
Power seat, 4-way (not available all models)	92.10
Power seat, 6-way (not available with 4-speed manual transmissions)	96.50
Power steering	106.20
Power vent window	52.80
Power windows	106.20
AM radio, pushbutton, with antenna	61.10
AM–FM radio, pushbutton, with antenna and dual rear seat speakers	148.60
Rear seat speaker, Studiosonic, AM	53.50
Rear seat speaker, Studiosonic, AM–FM	34.20
Reclining bucket seat, passenger side (Park Lane)	45.10
Third seat, station wagons	76.80
Speed-actuated rear door locks	25.80
Speed control (automatic transmission models)	92.70
Tilting steering wheel	43.10
Tinted glass (all)	43.00
Vinyl interior trim (standard on more expensive models)	70.80
Vinyl roof (not available all models)	88.80
Windshield washers	13.70
Visibility group (mirrors and backup lights)	30.80
LINCOLN CONTINENTAL	
Standard equipment includes:	
430-cubic-inch, 320-horsepower engine; 42-ampere alternator; clock; front wheel disk brakes; power brakes; power door locks; power steering; power vent window; power door windows; power seat, 6-way; AM radio with power antenna and rear seat speaker; automatic transmission; white sidewall tires; variable speed windshield wipers and windshield washer.	
Optional equipment includes:	
Air conditioner (tinted glass mandatory)	504.60
Tinted glass	53.65
Automatic headlight dimmer	$45.60
Directed power differential	57.50
Leather trim (standard on convertible)	100.00
AM–FM radio (extra over AM radio)	84.70
Remote control deck lid release (standard on convertible)	53.40
Seats, individually adjustable contour	281.40
Speed control	96.80
Steering column, vertically adjustable	60.00
Transistorized ignition system	96.70
Vinyl-covered roof	104.30
CHEVROLET CORVAIR	
Engines (extra over 164-cubic inch, 95-horsepower, 6 cylinder):	
110-horsepower high compression	26.90
140-horsepower high compression (standard on Corsa)	80.70
180-horsepower (available only on Corsa)	161.40
Transmissions (3-speed manual standard):	
4-speed manual	91.50
Automatic (not available on Corsa)	156.60
Miscellaneous:	
AM radio, pushbutton, with antenna	58.65
AM–FM radio, pushbutton, with antenna	136.70
Air conditioning (not available all models)	349.70
Tilt-wheel steering	75.35
CHEVY II	
Engines (extra over 194-cubic-inch 120-horsepower):	
140-horsepower 230-cubic-inch	26.90
195-horsepower 283-cubic-inch V–8	107.00
250-horsepower 327-cubic-inch V–8	202.00
4-cylinder engine, deduct	—66.00
Transmissions (3-speed manual standard):	
4-speed manual (V–8 models only)	188.30
Automatic transmissions (6- and 8-cylinder, respectively)	167.40–178.20
Miscellaneous:	
Power steering	86.10
Power brakes	43.05
AM radio, pushbutton, with antenna	58.65
AM–FM radio, pushbutton, with antenna	136.70
Air conditioning	317.45
CHEVELLE	
Engines:	
Same options as Chevy II, at same prices, except that 4-cylinder engine not available.	
300- and 350-horsepower engines available some models, respectively	245.00–310.00
Transmission (3-speed manual standard):	
4-speed manual (V–8 models only)	188.30
Automatic transmissions (6- and 8-cylinder, respectively)	188.30–199.10
Miscellaneous:	
Power steering	$86.10
Power brakes	43.05
Power windows (not available all models)	102.25
Power seat, 4-way (not available all models)	64.60
AM radio pushbutton, with antenna	58.65
AM–FM radio, pushbutton, with antenna	136.70
Air conditioning	363.70
Tilt-wheel steering	43.05
BISCAYNE, BEL AIR, IMPALA, AND IMPALA S.S.	
Engines (extra over 239 cubic-inch, 140-horsepower 6-cylinder):	
283-cubic-inch, 195-horsepower V–8	107.00
327-cubic-inch, 250 horsepower V–8	202.00
327-cubic-inch, 300-horsepower V–8	245.00
327-cubic-inch, 350-horsepower V–8	310.00
409-cubic-inch, 340-horsepower V–8	349.00
409-cubic-inch, 400-horsepower V–8	428.00
Transmissions (3-speed manual standard):	
Overdrive, on 3-speed manual	107.60
4-speed manual (8-cylinder only)	236.75
Automatic, 6- and 8-cylinder respectively	188.30–199.10
Miscellaneous:	
Power steering	96.85
Power brakes	43.05
Power windows (not available on Biscayne)	102.25
Power seat, 6-way (not available on Biscayne)	96.85
AM radio, pushbutton, with antenna	58.65
AM–FM radio, pushbutton, with antenna	136.70
Air conditioning	363.70
Tilt-wheel steering	43.05
CORVETTE STING RAY	
Engines (extra over 327-cubic-inch 250 housepower V–8):	
300-horsepower V–8	53.80
350-horsepower V–8	107.60
365-horsepower V–8	129.15
Ramjet fuel-injection V–8, 327-cubic-inch 375 horsepower	538.00
Transmissions:	
4-speed manual, extra over 3-speed manual (3-speed manual not available on Ramjet fuel-injection models, yet $188.30 extra charge is made)	188.30
Automatic (not available on ramjet fuel injection)	199.10
Miscellaneous:	
Power steering (not available on ramjet fuel injection)	96.85
Power brakes	43.05
Power windows (2 windows)	59.20
AM-FM radio, pushbutton, with antenna	203.40
Air conditioning (not available on ramjet fuel injection)	421.80
Tilt-wheel steering	43.05

Selected retail prices of accessories and optional equipment, 1965 passenger cars, excise tax at 8 percent of dealer cost included—Continued

PONTIAC TEMPEST AND LE MANS	
Engines (extra over 215-cubic-inch, 140-horsepower, 6 cylinder):	
Trophy, V-8, 326-cubic-inch, 250-horsepower	$108.00
Trophy, V-8, 326-cubic-inch, 285-horsepower	173.31
G.T.O. V-8, 389-cubic-inch, 335-horsepower (not available all models)	295.90
Transmissions (3-speed manual standard):	
4-speed manual	188.30
Automatic, 6- and 8-cylinder, respectively	188.30–199.06
Miscellaneous:	
Power steering	96.84
Power brakes	42.50
Power windows	102.22
Power seat, 4-way	71.02
AM radio, pushbutton, with antenna	62.41
AM-FM radio, pushbutton, with antenna	136.65
Air conditioning	345.60
Tilt-wheel steering	43.04
CATALINA, STAR CHIEF, BONNEVILLE AND GRAND PRIX	
Engines (extra over 389-cubic-inch 256-horsepower V-8):	
389-cubic-inch, 290-horsepower Trophy V-8	11.46
389-cubic-inch, 338-horsepower Trophy V-8, with 3 2-barrel carburetors	133.32
389-cubic-inch, 338-horsepower Trophy V-8, 4-barrel carburetor	107.60
Transmissions (3-speed manual standard):	
4-speed manual (not available all models)	231.34
Automatic (not available all models)	231.34
Miscellaneous:	
Power steering	107.50
Power brakes	43.00
Power windows	106.25
Power seat, 6-way	96.84
AM radio, pushbutton, with antenna	88.77
AM-FM radio, pushbutton, with antenna	150.64
Air conditioning (without automatic temperature control)	430.40
Air conditioning (with automatic temperature control)	494.96
Tilt-wheel steering	43.04
OLDSMOBILE	
Powerplant options:	
F-85 (V-6 engine, 3-speed manual transmission standard):	
Jetfire Rocket V-8, 330-cubic-inch, 250-horsepower	71.00
Cutlass V-8, 330-cubic-inch, 315-horsepower	105.43
"4-4-2" V-8, 400-cubic-inch, 345-horsepower	190.45
Cutlass (Cutlass V-8 and 3-speed manual transmission standard):	
"4-4-2" V-8, 400-cubic-inch, 345-horsepower	156.02
Jetstar 88 (Jetfire Rocket V-8 330-cubic-inch, 250–260-horsepower and 3-speed manual transmission standard):	
Jetfire Rocket V-8, 330-cubic-inch, 315-horsepower	$34.43
Dynamic 88 and Delta 88 (Super Rocket V-8, 425-cubic-inch, 250–260-horsepower and 3-speed manual transmission standard):	
Super Rocket V-8, 425-cubic-inch, 360-horsepower	37.66
Starfire V-8, 425-cubic-inch, 370-horsepower (Delta 88)	102.22
Jetstar I (Starfire V-8, 425-cubic-inch and 370-horsepower and 3-speed manual transmission standard)	
"98" (Super Rocket V-8, 425-cubic-inch, 360-horsepower and automatic transmission standard):	
Starfire V-8, 425-cubic-inch, 370-horsepower	64.56
Starfire (Starfire V-8 and automatic transmission standard	
Transmission options:	
4-speed manual (F-85, Vista-Cruiser, Cutlass and Jetstar 88 models)	188.30
4-speed manual (Dynamic 88, Delta 88, Jetstar I)	231.34
4-speed manual (Starfire), deduct	−10.76
Automatic (F-85, V-6 models only)	199.06
Automatic (F-85, V-8, Vista-Cruiser, Cutlass, Jetstar 88 models)	209.82
Automatic (Dynamic 88, Delta 88, Jetstar I models)	242.10
Miscellaneous:	
Power steering (standard on "98" and Starfire)	96.84–107.50
Power brakes (standard on "98" and Starfire)	42.50–43.00
Power windows (standard on "98" and Starfire)	102.22–106.25
Power seat (4-way)	66.71–71.02
Power seat (6-way) (not available all models)	96.84
AM Radio, pushbutton, and antenna	65.64–88.77
AM-FM radio, pushbutton, and antenna (not available all models)	150.64
Air conditioning (F-85, Vista-Cruiser, Cutlass)	351.00
Air conditioning (all other models)	430.40
Tilt-wheel steering	43.04
BUICK	
Powerplant options:	
Special and Special Delux (V-6 and 3-speed manual transmission standard):	
Same models—Wildcat V-8 310, 300-cubic-inch, 210-cubic-inch	71.00
Same models—Wildcat V-8 355, 300-cubic-inch, 250-horsepower	91.52
LeSabre (Wildcat V-8 310 and 3-speed manual transmission standard):	
Same models—Wildcat V-8 355, 300-cubic-inch, 250-horsepower	$21.82
Wildcat (Wildcat V-8 445, 401-cubic-inch 325-horsepower, and 3-speed manual standard):	
Same models—Wildcat V-8 465, 425 cubic-inch, 340-horsepower	48.38
Same models—Super Wildcat V-8, 425-cubic-inch, 360 horsepower.—dual exhaust system included	219.30
Electra 225 and Riviera—same engine options at same prices as above, except that Super Wildcat V-8 is priced at	188.13
Transmissions:	
4-speed manual (Wildcat)	231.13
4-speed manual (all other models on which available; not available on Riviera, Electra 225, LeSabre and Special)	188.30
Automatic (standard on Riviera and Electra 225):	
Wildcat models	241.88
Special V-6 models	198.88
All other models	209.63
Miscellaneous:	
Power steering (standard on Electra 225 and Riviera):	
LeSabre models	96.75
Wildcat models	107.50
All other models	96.84
Power brakes	42.50–43.00
Power windows	102.22–107.50
Power seat, 4-way	66.71–70.95
Power seat, 6-way (not available all models)	96.75
AM radio, pushbutton, with antenna (Special, Skylark, and Sportwagon models)	65.64
AM radio, pushbutton, with antenna (all other models)	90.30
AM-FM radio, pushbutton, with antenna (only on LeSabre, Wildcat, Electra 225, and Riviera models)	178.99
Air conditioning (Special, Skylark, Sportwagon models)	351.00
Air conditioning (all other models)	430.00
Tilt-wheel steering (standard on Riviera)	43.00
CADILLAC	
Standard equipment: 429 cu. in. 340 h.p. engine: automatic transmission; power steering; power brakes; power windows (except on Calais models, $118.45 extra); power seat, 2-way (not available on Calais and Eldorado models).	
Optional equipment:	
Power seat, 6-way:	
Calais	113.05
DeVille and 60 Special	85.05
Standard on Eldorado, not available on 75 series.	

Selected retail prices of accessories and optional equipment, 1965 passenger cars, excise tax at 8 percent of dealer cost included—Continued

CADILLAC—continued	
Optional equipment—Con.	
AM radio, pushbutton, with antenna	$164.60
AM–FM radio, pushbutton, with antenna	191.40
Rear seat controls for AM radio (75 series only)	82.00
Air conditioning (75 series)	623.70
Air conditioning other models)	494.50
Tilt-wheel steering (not available 75 series)	91.40
VALIANT	
Engines:	
225-cubic-inch 6 cylinders extra over 170-cubic-inch 6 (standard on Barracuda)	47.35
Commando 273 V–8, extra over 273-cubic-inch V–8 (not available on wagons)	99.40
Transmissions (3-speed manual optional):	
4-speed manual	179.20–186.25
Torqueflite (6- and 8-cylinder, respectively)	171.55–181.00
Miscellaneous:	
Power brakes	42.60
Power steering	82.05
Power convertible top lift	54.00
Transaudio radio with antenna	58.50
Air conditioning	325.00
Sure-Grip differential	38.35
Disk brakes (not available on 6-cylinder models)	99.25
Tinted glass (all)	28.45
Luggage rack, wagons	47.50
Wind deflector, wagons	15.70
Power tailgate window, wagons	32.70
Tachometer (8 cylinders only)	49.70
Vinyl roof (Barracuda models)	63.85
Vinyl roof (Signet 2-door hardtops)	76.60
Vinyl trim (200 series sedans and wagons only)	19.95
Basic group	84.45
Formula S package (8 cylinders only)	258.00
Wagon group	95.90
Performance group (not available on wagons or 6 cylinders)	155.85
Sport group	80.55–99.20
PLYMOUTH BELVEDERE	
V–8 engine options (extra over 273-cubic-inch):	
318-cubic-inch, 2-barrel carburetor	30.70
361-cubic-inch, 2-barrel carburetor	89.60
383-cubic-inch, 4-barrel carburetor	152.80
426-cubic-inch, 4-barrel carburetor, including 4-speed manual transmission	513.60
426-cubic-inch, 4-barrel carburetor, including 4-speed manual transmission (Torqueflite)	545.05
Transmission options (3-speed manual standard):	
4-speed manual	187.95
Torqueflite automatic:	
273-cubic-inch engine	202.60
other 8-cylinder engines	210.70
6-cylinder engines	191.80
PLYMOUTH BELVEDERE—con.	
Miscellaneous:	
Basic accessory group (wagons)	$90.90
Basic accessory group (other models)	86.45
Air conditioning	345.70
Sure-Grip differential	38.35
Tinted glass (all)	40.30
Power brakes	42.60
Power steering	86.05
Power windows (not available all models)	102.30
Power tailgate window (2-seat wagons)	32.70
AM transaudio radio with antenna	58.50
AM–FM transaudio radio with antenna	129.30
Rear seat speaker with reverberator (not available on convertibles and wagons)	35.50
Luggage rack, wagons	47.50
Assist handles with wind deflectors (wagons)	21.05
Windshield washers and variable-speed wipers	16.70
Tachometer (Satellite models only)	49.70
Vinyl trim (sedans and 2-door hardtops only in Belvedere II; standard on Satellite)	24.70
Vinyl roof (2-door hardtops)	76.60
Windshield washers and variable speed wipers	17.30
PLYMOUTH FURY	
V–8 engine options (extra over 318-cubic-inch, V–8):	
383-cubic-inch, 2-barrel carburetor	71.20
383-cubic-inch, 4-barrel carburetor	122.10
426-cubic-inch, 4 barrel, including 4-speed manual transmission	482.95
426-cubic-inch, 4 barrel, including Torqueflite automatic transmission	514.45
Transmission options (3-speed manual standard):	
4-speed manual (383 cu. in. engines only)	187.95
Torqueflite 8-cylinder engines)	210.70
Torqueflite (6-cylinder engines)	191.80
Miscellaneous:	
Basic radio group	86.45
Basic wagon group (2-seat models)	90.90
Basic wagon group (3-seat models)	58.20
Auto pilot (8-cylinder only, not available on cars without automatic transmission and power brakes)	85.05
Rear window defogger (not available on wagons and convertibles)	20.60
Sure-grip differential	49.70
Tinted glass (all)	40.30
Power brakes	42.60
Power door locks (4-door models only)	55.35
Power seat, 6-way (Fury III only)	95.65
Power seats, 4-way (bucket seat Sport Fury) (left and both, respectively)	78.00–155.85
Power steering	9.80
Power windows (4)	102.30
PLYMOUTH FURY—con.	
Miscellaneous—Continued	
Power tailgate window, 2-seat wagons	$32.70
Radios—same prices as in Belvedere line	
Luggage rack, wagons	47.50
Adjustable deluxe steering wheel (not available all models)	61.05
Tachometer (Sport Fury only)	49.70
Vinyl trim (Fury III sedans and hardtops only)	24.70
Vinyl roof (Fury III and Sport Fury 2-door hardtops)	76.60
Windshield washers and variable speed wipers	17.30
DODGE DART	
Engine options:	
225-cubic-inch 6-cylinder-(extra over 170-cubic-inch 6-cylinder)	47.35
273-cubic-inch V–8 4-barrel carburetor (extra over 273-cubic-inch, 2-barrel carburetor)	99.40
Transmissions (extra over 3-speed manual):	
4-speed manual (6-cylinder)	186.25
4-speed manual (8-cylinder	179.20
Torqueflite automatic (6-cylinder)	171.55
Torqueflite automatic (8-cylinder)	181.00
Miscellaneous:	
Basic radio group (Dart and 270 models)	101.85
Basic radio group (GT models)	85.90
Safety group	98.25–114.60
Air conditioning	325.00
Sure-grip differential	38.35
Tinted glass (all)	28.45
Power brakes	42.60
Power steering	82.05
Power tailgate window lift	32.70
Power convertible top lift	54.00
Luggage rack, wagons	47.50
Wind deflectors, wagons	15.70
Vinyl trim (270 sedans only)	19.95
Vinyl top (GT models)	49.70
Windshield washers and variable speed wipers	16.70
DODGE CORONET	
V–8 engine options (extra over 273 cu. in.):	
318 cubic inch	30.70
361 cubic inch	89.60
383 cubic inch, 4-barrel carburetor	152.80
426 cu. in., including 4-speed manual transmission	513.60
426 cubic inch, including Torqueflite automatic	545.05
Transmissions (extra over 3-speed manual):	
4-speed manual	187.95
Torqueflite (6-cylinder)	191.80
Torqueflite (273 cubic inch, V–8 engines only)	202.60
Torqueflite (all others)	210.70
Miscellaneous:	
Basic radio group:	
Coronet models	105.05
440 models	94.35
500 models	75.80
Safety group	120.80–102.25

Selected retail prices of accessories and optional equipment, 1965 passenger cars, excise tax at 8 percent of dealer cost included—Continued

DODGE CORONET—con.	
Miscellaneous—Continued	
Air conditioning (not available some models)	$345.70
Sure-grip differential	38.35
Tinted glass (all)	40.30
Power brakes, steering and tailgate window lift, same as Dart	
Power windows (not available on Coronet)	102.30
AM-FM radio	129.30
Luggage rack, wagons	47.50
Assist handles, wagons	21.05
Tachometer (500 models only)	49.70
Vinyl top (2-door hardtops only)	76.60
Windshield washers and variable speed wipers	17.30
DODGE HEMI-CHARGER	
Special competition model, no engine option; 4-speed manual or Torqueflite automatic without extra charge; no 3-speed transmission available; no other accessories or options available	
DODGE POLARA, CUSTOM 880, MONACO	
Engine options (extra over 361-cubic-inch V–8):	
383-cubic-inch 4-barrel carburetor (standard on Monaco)	35.20
431-cubic-inch 4-barrel carburetor (Torqueflite only)	70.30–105.40
426-cubic-inch, including 4-speed manual or Torqueflite (Polara and Custom 880)	454.10
426-cubic-inch, including 4-speed manual or Torqueflite (Monaco)	419.00
Transmissions (extra over 3-speed manual): Torqueflite or 4-speed manual	221.50
Miscellaneous:	
Polara 500 sport package (not all models)	203.25
Basic radio group	92.65–137.60
Safety group	111.85
Monaco group	257.30
Air conditioning (single) (not all models)	386.00
Air conditioning (dual, wagons only)	589.95
Rear window defogger (not on wagons and convertibles)	20.60
Sure-grip differential	42.60
Tinted glass (all)	42.60
Power brakes	42.60
Auto pilot (not on all models)	85.05
Power steering	95.65
Power windows	106.30
Power tailgate windows, wagons	32.70
Luggage rack, wagons	97.80
Adjustable steering wheel (including power steering and 3-spoke wheel mandatory)	157.15
Power seat, 6-way	95.65
Power seat, 4-way, 2 bucket seats	155.95
Vinyl top (2-door and 4-door hardtop only)	85.05
Vinyl trim (not on all models)	25.60
Windshield washers and variable speed wipers	19.55
CHRYSLER	
Engine options (extra over 361-cubic inch):	
383-cubic-inch, 4-barrel carburetor (Newport models; standard on 300; not available on others)	$35.20
413-cubic-inch, 4-barrel carburetor, special cam:	
300 models	132.40
New Yorker models	62.20
300 L models, standard	
Transmissions (extra over 3-speed manual):	
4-speed manual, floor-mounted (standard on 300 L, not available on New Yorker)	226.90
Torqueflite	226.90
Miscellaneous:	
Accessory groups:	
Basic, Newport and 300	287.70
Safety, Newport	45.55
Safety, 300	39.35
Custom, Newport 4-door	75.55
Custom, Newport convertibles and hardtops	53.65
Basic, New Yorker except wagons	223.30
Basic, New Yorker wagons	206.00
Air conditioner, single and dual, respectively	414.55–618.40
Auto pilot	86.10
Console	129.10
Console and power trunk lid release	140.25
Sure-grip differential	51.70
Tinted glass (all)	43.10
Power brakes (standard on New Yorker and 300 L)	47.80
Power door locks (4-door, on all but 300 L)	56.00
Power seat, 6-way (not available all models)	101.90
Power seat, bucket type, 4-way	157.80
Power steering	107.60
Power windows	107.60
Power antenna	25.90
AM radios	92.80–146.70
AM–FM radio	157.00–174.30
Luggage rack, wagons	99.00
Adjustable steering wheel	46.65
Windshield washer and variable speedwipers	19.75
IMPERIAL CROWN AND LE BARON	
No engine option; automatic transmission, power steering, and power brakes standard.	
Optional equipment:	
Air conditioning, single and dual, respectively	461.95–649.85
Automatic headlight dimmer	46.00
Auto pilot	96.80
Remote control trunk lid release	28.80
Sure-grip differential	57.45
Tinted glass (all)	53.75
Headrests, left and right	45.60
Power seat, 6-way	124.80
Power door locks, 2- and 4-door, respectively	47.40–72.10
AM radio, power antenna and rear seat speaker	168.80
AM–FM radio, power antenna and rear seat speaker	195.70
Adjustable steering wheel	51.30
Trim options	91.20–506.10

THE VIETNAM SITUATION

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 15 minutes.

Mr. LAIRD. Mr. Speaker, a great deal of attention has been given to an interview which took place between me and an Associated Press reporter, Mr. Richard Powers, concerning the Vietnam situation.

So that my colleagues will understand specifically what was discussed and the position set forth by me in this interview, I have asked for this time to clarify the matter.

Mr. Powers is a Midwest regional reporter for the Associated Press and as such is in contact with me on a continuing basis. As the result of one of our discussion, which was in the nature of an interview, Mr. Powers ran a story on the regional wire. This was picked up in abbreviated form and carried on the national wire. As a result, many members of the press called my office to obtain a copy of my remarks. In view of the interest, a statement was prepared on the basis of the Powers' discussion and released to the press on June 14, 1965.

At this point, Mr. Speaker, I insert the statement, dated June 14, 1965, issued by my office, in the RECORD:

> We may be dangerously close to ending Republican support of our present Vietnam policy. This possibility exists because the American people do not know how far the administration is prepared to go with large-scale use of ground forces in order to save face in Vietnam.
>
> The American people deserve an answer to this question. The Republican Party should base its future support on the nature of that answer.
>
> In the absence of this answer, we can only conclude that present policy is aimed not at victory over the Communist insurgency nor at driving Communists out of South Vietnam but rather at some sort of negotiated settlement which would include Communist elements in a coalition government.
>
> If such is the objective of the Johnson administration, then the charge can be leveled that this administration is overcommitting ground forces in this area of the world and needlessly exposing the lives of thousands of American boys.
>
> In several public utterances, administration spokesmen have implied that the ground force buildup in Vietnam is Eisenhower or Republican policy. Such an implication is just the opposite of the truth.
>
> The Eisenhower-Dulles policy scrupulously avoided a large-scale use of conventional ground forces in southeast Asia. As a matter of fact, at the time President Eisenhower left office, there were only 773 members of the U.S. military mission in Vietnam, and the situation at that time was much less critical than it is now, although we have more than 50,000 American troops there today. Indications are that the American troop buildup in Vietnam could go as high as 100,000 American boys.
>
> Well over 2 years ago, interested free world Asian countries offered to assist U.S. efforts in that area of the world. This aid included the offer of ground troops and other assistance from such countries as South Korea, Formosa, and Thailand. This aid was rejected by the United States at that time.

Today, thousands of American boys are fighting a war and many are losing their lives because the U.S. Government has failed on occasion after occasion to make the right decision at the right time.

If our objective is a negotiated settlement, it is time to use other means than the needless sacrifice of American lives to attain that objective. Once American troops are committed in any situation, a top priority objective must be to take those steps necessary to protect American lives and minimize the number of casualties.

One such step, already long overdue, is to retarget our bombing raids on more significant targets in North Vietnam. A major transportation and supply area is the port city of Haiphong. To continue to allow the unhindered flow of war materials in and out of that area only insures greater American casualties in future Vietcong offensive actions.

Republicans will continue to support President Johnson when his actions in the Vietnamese situation serve American and free world interests and when they do not needlessly waste or endanger American lives.

As can be seen from a reading of the statement, my principal objective was to question sincerely and seriously the large-scale commitment of American lives to bring about a political settlement of the war.

Many have interpreted my remarks as a call for a total military victory in Vietnam. In point of fact, my statement did not address itself to the wisdom or folly of the President's stated objectives in Vietnam. It merely stated what seems to be an obvious conclusion that the President's policy is to obtain some sort of a negotiated settlement and it questioned the means the President appears to be taking to bring about negotiations.

To place this in perspective, let me make clear that it is my conviction that prior to the President's Baltimore speech of April 7, 1965, there were three options available to the United States in Vietnam: First, a military victory; second, a negotiated settlement; and third, withdrawal.

Since the President's very clear implications in his Baltimore speech in which he called for unconditional discussions, the options available to the United States have been reduced to two: a negotiated settlement or withdrawal.

This reduction to two options with its consequent ruling out of the option of a military victory is clearly deductible from the stated position of the President of the United States. My statement of June 14 did not address itself to the merits of the President's decision to rule out military victory as one of the options available to the United States. Rather, it concerned itself solely with the wisdom of the means the President is using to bring about his own stated objective of negotiations.

My statement of June 14 merely sought to question the wisdom of the large-scale use of American troops to bring about a political end when other means are clearly available.

It is my firm conviction that since we are bearing the brunt of world criticism anyway because of the President's decision to go north with air strikes, logic would seem to dictate that we make more effective use of these air strikes than we have to date in order to bring about the political objectives of the administration. I find it extremely difficult—as I am sure the American people do—to justify sacrificing American lives to attain political objectives when other means are available.

As suggested in my statement, it would seem far more logical to hit more significant military targets in our attempts to convince the Communists that it would be in their best interests to sit down with us at the conference table.

Mr. Speaker, on the morning of June 17, I participated in an interview on NBC's "Today Show" with Sander Vanocur in which my views on the Vietnamese situation were again discussed.

Under unanimous consent, I place the interview on the "Today Show" in the Record at this point.

The interview referred to follows:

Congressman Melvin Laird Is Interviewed

Hugh Downs: In Washington, Congressman Melvin Laird, chairman of the Republican conference in the House, said that he doubts the wisdom of giving full Republican support with no questions asked, to President Johnson's Vietnam policy. Laird suggests the Republicans should come up with their own policy for Vietnam, rather than following the administration down the line.

Congressman Laird is in our Washington studios this morning with "Today" program's Washington correspondent, Sander Vanocur. Gentlemen:

(Congressman Melvin Laird and Sander Vanocur are seen on TV screen, seated in studio.)

Vanocur. Good morning, Hugh. Congressman Laird, why have you come to this position now where you suggest that the Republicans who have supported the President on Vietnam are now, as you put it, perilously close to giving up that support?

Congressman Laird. Well, Sander, I'd just like to say that we in the Republican Party in the House of Representatives I think have gone the extra step to support the President of the United States as far as the southeast Asia war is concerned. Jerry Ford, Les Arends, myself, and the other leaders of the House of Representatives on the minority side, have always gone the extra step to support the President of the United States, and we still support the firm action of the President in Vietnam. There are serious questions, however, as to whether we are fighting the proper kind of war, and there are questions about the future, and I believe that we in the minority party have a responsibility and duty to address to the President of the United States, and discuss from one end of this country to the other.

The President chose, back late last year, to escalate the war as he has done to the use of bombing raids to the north, using air power. Now, the President is choosing to escalate the war on the ground in Vietnam. Personally, I think that this is the poorest choice of escalation that the President could possibly make, because we are choosing the very area where the Red Chinese, whom we are confronted with, and we have a confrontation with them in southeast Asia at the present time, are the strongest. And to imply that this is the policy of the former Republican administration, as a high administration spokesman did this past week, to accelerate and to escalate the ground war in Vietnam, is not the case, because the Eisenhower-Dulles policy was just the opposite, that we should not tie down large-scale ground forces in southeast Asia.

Vanocur. Well, Congressman Laird, your statement of Monday seemed to suggest that the administration was remiss in not seeking total victory. Do you believe there is such a thing as total victory in that kind of a war?

Laird. Well, first I'd like to say that there were three alternatives available to the United States prior to the Baltimore speech of the President. One of them was military victory, the win policy that Secretary McNamara outlined to the Defense Appropriations Committee on which I serve, in March. And this was the objective and the policy of the United States in March in the testimony of the Secretary of Defense.

Vanocur. May I interrupt you just a second?

Laird. Yes.

Vanocur. Did he say in that testimony that the United States could win the war?

Laird. Yes, and that was the objective of the United States in southeast Asia and Vietnam. The second alternative, of course, was a negotiated settlement, and the third alternative was to withdraw. But after the Baltimore speech of President Johnson, in which he said our objective was to negotiate a settlement, he gave that implied implication to the world that that was our objective as far as Vietnam was concerned, then there were only two alternatives left to us: a negotiated settlement or withdrawal. You cannot talk about military victory in Vietnam when you already have established your policy objective as a negotiated settlement, and this is the objective now of the administration, if they have an objective. It seems to me that they have not been fair with the American people, or fair with even those of us in Congress, by not clearly setting forth their short-term aims, and long-term objectives as far as Vietnam is concerned.

Vanocur. What would be the aims of a Republican administration; what would be your aims in Vietnam?

Laird. Well, I personally think that we cannot go back on the established policy set forth by the President of the United States as far as his Baltimore speech is concerned. So we cannot repudiate this position that has been taken by the leader of our country, and I do not want to be in a position at any time where I will cause the Red Chinese or the Soviet Union to miscalculate the intentions of the United States of America to defend freedom throughout the world. Now, our objective as stated by the President in his Baltimore speech now is for a negotiated settlement. It seems to me that the North Vietnamese are not interested in negotiations today, because they feel that they are winning the war. Now if we choose, as the President has chosen, to escalate the war along the ground, I believe we are choosing the area in which the North Vietnamese and the Red Chinese are the strongest, and I do not feel that that is the best way to bring about this objective that has been set forth by the President. Since the President decided to escalate the war in the air back late last year, we have not hit any significant military targets in North Vietnam. We have gotten the criticism throughout the world for our bombing raids that we knew we would get, and we expect this from certain quarters, but we have not hit any significant military targets. We have allowed the Soviet Union to bring military personnel into North Vietnam to establish SAM sites; we have the Haiphong port in which large scale military shipments are coming in at this very time, and we have not done anything about stopping these particular shipments, either by a sea blockade of this particular port, or by using any of the raids to knock out this very great movement of military supplies and equipment.

Vanocur. But let's be candid. Doesn't this put you in a very enviable position for 1966, that if the war escalates on the ground, you can say, "We in the Republican Party were against escalating the war, we didn't want American boys killed, and yet we were firmer than President Johnson about opposing the North Vietnamese?

Laird. Well, first I'd like to say that when I talk about these matters, I'm speaking as a member, a minority member, of the Defense Appropriations Committee. I do not know what the policy of my party will be in 1966's political campaign as far as this is concerned. But I'm sure that Republicans will be responsible in this area; they will put their country first and their party second, regardless of how that affects the political election. But I believe that discussion and dissent is important today in this area of foreign policy, particularly as we go forward and set future policies as far as it affects southeast Asia.

Vanocur. Now, what does this do to your position vis-a-vis the Senate Republican block. Now, is Senator Dirksen following the policies which you have advocated, have you discussed them with him?

Laird. I do not believe that there is any difference between my position and that of a majority of the Republicans in the House and in the U.S. Senate. I know that I talked with my leader in the House of Representatives, Congressman Jerry Ford, who's doing an outstanding job as our new leader in the House of Representatives, and there is no disagreement between Congressman Ford and myself. As a matter of fact, we work together in this particular area, and I have been in constant touch with Congressman Ford. Today we're filing the Defense appropriation report on the appropriation bill for 1966. We do not feel that the administration has faced up to its responsibilities even in this area. They have cut back on the amount of Defense requests, money requested for fiscal year 1966, so they could fund some other programs and come in with a budget under $100 billion. I know, as a member of this committee, that they'll have to come with supplemental appropriations during this year, to fund this Vietnam situation. They've already had to come with one for $700 million in 1965. They will have to come after January for further supplemental requests. They got the public reaction of a budget under $100 billion, they knew that Congress couldn't refuse to give them the funds to carry on the Vietnam war and we will give them these funds. But I think the American people should be advised of the fact that these supplemental requests for defense expenditures are forthcoming and the $100 billion budget figure was really a phoney when it was submitted in January.

Vanocur. Congressman, at what point will the Republican Party in Congress, at what point in commitment of men to Vietnam, do you think the Republican Party will say, we can no longer support this? Will this eventuality come to pass?

Laird. Well, this is a very difficult question, Sander, to answer, because when it comes to the point, now is the time to question the commitment of ground forces in South Vietnam. I do not believe we want to be in a position if the President goes forward and commits several hundred thousand men to Vietnam—and it looks now like we're already programing a hundred thousand men there—I do not believe we want to be in the position at any time to cause any miscalculation on the part of the Soviet Union or the Red Chinese as to the intentions of the United States of America. This is important. So, to give you a time element in this area, I think it would be a grave mistake, as far as I'm concerned.

Vanocur. Thank you very much, Congressman Melvin Laird, of Wisconsin, a very powerful member of the House Republican group.

Mr. Speaker, it is my sincere hope that this discussion has served to clarify exactly what I was talking about in my attempts to discharge my responsibility as a member of the minority party. It is, after all, the duty of the minority party to insure that legitimate public discussion of administration policies—both foreign and domestic—take place on a continuing basis in the interests of keeping the American people fully informed about public and important issues.

THE COMMITTEE ON GOVERNMENT OPERATIONS

The SPEAKER. Under a previous order of the House, the gentleman from Illinois [Mr. Michel], is recognized for 15 minutes.

Mr. MICHEL. Mr. Speaker, I am today introducing a bill to amend the Legislative Reorganization Act of 1946 so as to provide that the Committee on Government Operations in both the House and Senate be composed of members, the majority of whom—including the chairman—would be of a major political party other than that of the President of the United States.

In my remarks today I should like to discuss the precedents—or the absence thereof—and set forth some good arguments in support of my bill.

PRECEDENTS

A search through Hinds' and Cannon's Precedents of the House of Representatives, as well as Haynes' volumes on the U.S. Senate, and other volumes on Congress including:

"Congressional Committees," L. G. McConachie, 1898; "The Jeffersonians," Leonard White, 1954; "Government by Investigation," Alan Barth, 1955; "Congressional Investigating Committees," Marshall E. Dimock, 1929; "Congressional Control of Administration," Joseph P. Harris, 1964; "The History of Legislative Methods in the Period Before 1825," Ralph V. Harlow, 1917; "The American Senate," Lindsay Rogers, 1926; "History of the House of Representatives," George B. Galloway, 1961; "Forge of Democracy," Neil MacNeil, 1963; "Party Government in the House of Representatives," Paul D. Hasbrouck, 1927; "Congressional Investigations," Ernest J. Eberling, 1928; "The Investigative Function of Congress," George B. Galloway, 21 American Political Science Review, 47, 1927; "Legislative Procedure," Robert Luce, 1922; and, "The U.S. Senate, 1787–1801," Senate Document 64, 87th Congress, 1st session, uncovered no instances of the adoption of a bill such as I am proposing. All resolutions providing for investigations by standing or select committees that are produced in Hinds' and Cannon's Precedents merely provide for committees of a specified number, and in a rare instance, during the 1920's, a specification that the select Senate committee be composed of three members of the majority—Republicans—including one "progressive" Republican and two members of the minority—Democrats—Cannon's, Precedents of the House of Representatives, volume VI, paragraph 364.

The general rule, particularly over the last 100 years, seems to have been committee representation in accordance with party strength in both Houses—Hinds', supra, volume IV, paragraphs 4467, 4477, 4478, 4551; Cannon's, supra, volume VIII, paragraphs 2184, 2187, 2188.

It is true that in the early days of the House, and at least up through 1898 in the Senate, some standing—and select—committees had majorities on them from the minority party or were chaired by a member of the minority party, but to my knowledge the resolutions or rules creating them did not specify such a result. It usually occurred because of the distinguished record of a certain individual such as John Quincy Adams in the House, or because the committees were relatively minor in nature, or because distinction was given to a member with long service in a particular area.

In his "Forge of Democracy," Neil MacNeil states, page 157:

> Down until the Civil War, in fact, it was not unusual for the Speaker to give political control of some of the less important House committees to the political minority and even appoint minority stalwarts to be chairmen of them. John Quincy Adams, for example, normally chaired a House committee, no matter which party controlled the House.

McConachie, supra, records that as a result of committee elections in the Senate in 1816, the Finance Committee came under minority control, and the chairman of the Senate Committee on Commerce and Manufactures was a member of the minority, page 275. He also records that the chairman of the Senate Committee on Pensions in 1845, was a member of the minority, page 282, and that in the early days of the House, some committee chairmen were from the minority, page 139. Samuel Randall of Pennsylvania, a Democrat and Speaker during the 44th and 45th Congresses—1876–78—was chairman of the House Committee on Public Expenditures (a minor committee) in the Republican controlled Congress of 1883, page 140.

In 1898, of 59 Senate committees in a Republican controlled Senate, 11 were chaired by Democrats and 2 by Populists, page 293.

In all such instances, to my knowledge, however, these situations occurred from factors other than specific resolutions and rules specifying minority control or minority chairmen.

I have been unable to find any precedents for my proposed bill as a considered and definite policy of Congress.

Minority parties have formed their own ad hoc committees on an informal basis, such as the Republican congressional food study committee which was created in 1943. It consisted of 44 or 45 members of the Republican Party in the House, under the chairmanship of the Honorable Thomas Jenkins, of Ohio (90 Congressional Record A3454–A3458), but it had no official sanction or authority.

Of course, when the Presidency has been in control of one party and one or both Houses of Congress have been in control of the other party, congressional committees will be created of majorities in the party not of the President, but such situations are the result of politics and not of determined policy.

ARGUMENTS IN SUPPORT OF THE BILL

The provisions in the House rules relating to selection of committees are found in rule X:

> 1. There shall be elected by the House, at the commencement of each Congress, the following standing committees: * * *
>
> 2. The Speaker shall appoint all select and conference committees which shall be ordered by the House from time to time.
>
> 3. At the commencement of each Congress, the House shall elect as chairman of each standing committee one of the members thereof.

The provisions in the Senate rules relating to selection of committees are found in rule XXIV:

> 1. In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed to ballot to appoint severally the chairman of each committee, and then, by one ballot, the other members necessary to complete the same. A majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee, but a plurality of votes shall elect the other members thereof. All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint.

Taken literally, the rules of both Houses do not prohibit the selection of committees controlled by a minority as long as the consensus in both Chambers is in agreement with such a prospect.

Second, the concepts of separation of powers, and checks and balances support the thesis that the committee in each House charged primarily with oversight over the expenditure of funds by the executive branch and the efficient operation of that branch should be in the control of the party opposite to the President. The swing of power away from Congress to the executive, the vast authorization of administrative powers by Congress to the executive branch, the huge growth of that branch, the great enlargement of the policy and legislative proposing functions of the executive, and the consequent need for a thorough oversight by Congress are conditions which support my bill.

Perhaps the major function of Congress today is oversight over the sprawling administrative structure and this function is necessarily diminished when the party of the President and the majority party in Congress—and thus the majority on every committee—is one and the same. Note the comment by George B. Galloway in "History of the House of Representatives," page 185:

> Today "legislative oversight" has become a, if not the, principal activity of the standing committees of both Houses.

The most certain way to assure that funds are being expended by the administrative agencies in accordance with law, that waste and misfeasance will be ferreted out, is to place general authority regarding oversight of, expenditures and efficiency in committees where the party opposite to that of the President is given control. It is the most certain way that the Congress and the public will be fully informed, that the public welfare is receiving maximum benefit, and that whitewashing will be eliminated.

The principle behind my bill was expressed by John Stuart Mill, in his "Representative Government," Everyman editor, page 239:

> Instead of the function of governing, for which it is radically unfit, the proper office of a representative assembly is to watch and control the government: to throw the light of publicity on its acts: to compel a full exposition and justification of all of them which any one considers questionable; to censure them if found condemnable, and, if the men who compose the government abuse their trust or fulfill it in a manner which conflicts with the deliberate sense of the nation, to expel them from office, and either expressly or virtually appoint their successors.

Joseph P. Harris, in his "Congressional Control of Administration," 1964, pages 292–293, states:

> Congressional investigations of administration, and especially of charges of mismanagement or misconduct of executive officers are seldom free of partisanship. Many result in divided reports, the members of one party absolving the executive officers of any serious blame for shortcomings, and those of the other party finding them guilty of misconduct or incompetence as charged. This obvious partisanship seriously impairs the utility of the inquiry except as a weapon of party warfare; the public is more likely to be confused than informed by such conflicting findings.

Lindsay Rogers in "The American Senate," 1926, page 202:

> Party control in the House of Representatives is now so strong as to shut off that body from embarrassing inquiries into executive performances. Only when the majority of the House and the President belong to different political parties do the latter's agents suffer any scrutiny. This, for example, was the case during Mr. Wilson's last 2 years. Then 51 congressional investigations were in progress. But when a President has a Congress of his own political faith, inquisition and duty of a political party. It would by the House of Representatives is extremely rare, and Senate majorities are not anxious to act.

George Galloway in his, "The Investigative Function of Congress," supra, page 58, states:

> In the final analysis, therefore, investigation may be viewed as the legitimate functions are not so frequent. their institution appear to be part of its duty to reveal the errors, shortcomings, and misdeeds of the representatives of the other party in office.

He then lists some of the purposes of the investigative function, pages 64–65:

> It is a safeguard against imbecilities as well as corruption. It is the American method of achieving ministerial responsibility without reducing power. It is one of the checks in a system of checks and balances.
>
> It is a substitute for a system of administrative courts needed to protect the citizen from the arbitrary action of subordinate officials.
>
> It is a security against the misuse of opportunity. There is always the danger that the public positions will become places of profit, that office will be employed as a means of private plunder.

But, he reports, pages 66–67:

> In order to secure the appointment of a committee of investigation, the support of a majority of those present in the chamber is necessary, which is difficult to obtain when both the majority of the house and the executive belong to the same party. The administration leaders will resort to every parliamentary stratagem to avert the danger. Many inquiries are proposed which fail to receive the support of the rules committee or the house and consequently fall through. Others are authorized but never reach completion.

Possible examples of such consequences in recent years might include the "TFX". investigation, the "Bobby Baker" investigation, the failure to investigate alleged pressure put upon Federal employees to contribute to Democratic "galas," and the considerable activity of the Legislative Oversight Subcommittee of the House Interstate and Foreign Commerce Committee during the Eisenhower years as contrasted with its relative inactivity since 1961.

A CALL FOR COOPERATION TO SAVE THE HUDSON RIVER

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OTTINGER. Mr. Speaker, in his message on natural beauty of our country, President Johnson said:

> Those who first settled this continent found much to marvel at. Nothing was a greater source of wonder and amazement than the power and majesty of American rivers.
>
> They occupy a central place in myth and legend, folklore, and literature. They were our first highways and some remain among our most important.
>
> They are potentially the greatest single source of please for those who live in most of our metropolitan areas.

In that same message, the President warned:

> Yet even this seemingly indestructible natural resource is in danger.

The President's concern for the fate of our great riverways is shared by millions of Americans, but it is nowhere more strongly felt than in New York where the majestic and historic Hudson stands in peril.

There have been a number of eloquent statements of concern for the Hudson in the Nation's press. There have been so many, in fact, that it would not be possible to read even the best of these editorials and stories—there simply would not be time.

But I have selected six editorials as representative examples of the best local comment:

[From the New York Times, June 6, 1965]

PROTECTING THE HUDSON

The Hudson is one of the world's noblest rivers and its valley contains much majestic scenery. In recent years, however, its natural beauty has been increasingly marred by powerplants, junkyards, polluted waters, trash dumps, and storage tanks.

Governor Rockefeller has now proposed the establishment of a 350-mile Hudson River Valley scenic and historic corridor, linking the Adirondack and Catskill Parks, the present chain of Palisades parks, and a series of new scenic drives and park sites. The corridor would extend inland a mile on each shore from Adirondack Park to the river's original mouth near the Verrazano Bridge. Governor Hughes, of New Jersey, will be asked to establish a similar corridor along the Jersey Bank.

The Rockefeller plan also contemplates a program for further protecting irreplaceable wilderness and extending recreation areas inside the corridor. All these are challenging ideas, but they would be better still if the Governor did not reject the whole concept of a Hudson Highlands National Scenic Riverway. Such a project has been proposed in various measures introduced in Congress by Representative Richard L. Ottinger, of Westchester and New York's two Senators, Jacob K. Javits and Robert F. Kennedy. Hearings on the Ottinger bill already have been set for Putnam and Westchester Counties next month.

Mr. Rockefeller contends that there is no place and no need for Federal intervention. Surely a river that forms the boundary between two States and that carries seagoing merchant ships on its broad surface is a proper concern of the National Government. Federal cooperation in the Hudson River Scenic Corridor would be fully as appropriate as it is in the Cape Code National Seashore, where it has benefited millions.

An important detail that needs working out is how the Hudson Expressway, just approved by Governor Rockefeller, will fit into the corridor. A new road that would take through traffic off the Albany Post Road would be a great relief to the communities through which that congested thoroughfare runs; but if it runs along the riverfront, as has been suggested, it would have to be designed very carefully to beautify the area and not to block access to the shore.

All such questions can be solved with skill, care, and intelligence. Important as they are, they fade into insignificance in comparison with the fact that after many years of neglect both the State and the Federal Governments are concerning themselves with rehabilitating and protecting a great national heritage—the Hudson River Valley.

[From The Croton-Cortlandt News, June 17,

HASTE ALONG THE HUDSON

Hearings on the bill to establish a national scenic riverway along the lower Hudson are scheduled for early next month. But even if the legislation, sponsored by Representative Richard L. Ottinger and both New York's Senators, should eventually be passed by Congress, the Hudson Valley is likely to have undergone some very drastic changes before it is accorded Federal protection.

The Federal Power Commission refused to stay its decision on the Consolidated Edison's Storm King hydroelectric project pending the outcome of hearings on the riverway. And Governor Rockefeller, who inexplicably refused to intervene with the FPC, has now signed a bill authorizing construction of a 47-mile expressway from Beacon to the Bronx, paralleling the Hudson shoreline, at an estimated cost of more than $188 million.

The expressway is supported by Westchester County officials as a means of relieving local traffic bottlenecks and providing a scenic drive along the shoreline. There is no certainty, however, as to the exact route and considerable lack of agreement as to just how these scenic and other benefits shall be achieved.

Town officials of the communities most closely affected have not been consulted, and Representative Cttinger has announced that he will ask the withholding of Federal funds—90 percent of the total—pending thorough investigation. An independent commuter's group is also in opposition, on the grounds that a third of the amount to be expended on the expressway would suffice to modernize both the Harlem and Hudson divisions of the New York Central.

Whether the expressway, or some variant of it, is necessary or not, further major public projects along the Hudson Valley should surely be held in abeyance pending action on the Federal riverway bill. It doesn't make sense to buy furniture for a house that has not even reached the architect's drawing board.

[From The Croton-Cortlandt News, June 17, 1965]

THE GOVERNOR'S PLAN

Without a knowledge of what has been happening in the Hudson Valley one might be tempted to greet Governor Rockefeller's proposals on the riverway as a great contribution to the conservation of our natural resources. In all probability, the Governor himself so conceives it. But the harsh fact is that the leaders of the conservation movement in New York State are thoroughly suspicious of the Governor's program—and with good reason.

The very origins of the Governor's announcement make his plan suspect. He himself explains that he is acting precipitately to prevent the Federal Government from acting—hardly a testimonial to the sincerity of his sudden interest in such legislation. To quote his exact words: "I am requesting action now rather than postponing action until the start of the next legislative session because I believe the mounting public needs and pressures dictate that we should lose no time, and because of continuing threats and action on the part of the Federal Government to move into the State and take over, as their own, important elements of this remarkable area, in the mistaken belief that we do not desire or, know how to protect and preserve it."

We ought indeed to be grateful that pressure from the public and the initiative of the Federal Government have aroused the Governor from his lethargy. But we resent the implication that people in this State can be swayed by attacks on the Federal Government. It is an insult to the intelligence of the people to wave the bloody shirt of States' rights in this matter.

The fact is that there has been little evidence in Albany of a desire to protect and preserve the Hudson Valley. The Governor has given no support to those who have attempted to save the Hudson Highlands from commercialization. One has only to look at the calendar to realize that President Johnson has been in the forefront of the effort to save America's natural resources, while the Governor has lagged. If the Governor is unaware of what the President has been doing let him merely check with his brother, Laurance, who only a week before the Governor's attack on Federal intentions, presided over the White House Conference on Natural Beauty.

Nobody can take seriously the politicking that would raise the banner of States' rights on the shores of the Hudson. The Federal Government has a direct interest in a river that constitutes a boundary between two States at certain points. Moreover, the President made it very plain in his address to the White House Conference that successful action would "require an active concern and a practical program in every State capitol and city hall of this country." We strongly support the President's concepts of cooperation between Federal, State, and local governments as against the Governor's go-it-alone program. Every student of American history knows that commercial interests have been able to dominate State legislatures and thus despoil natural resources, whereas the Federal Government has been a mainstay of conservation since the days when Theodore Roosevelt first launched the Federal effort to preserve the country's natural assets.

The Governor's plan, on the face of it, is intended to head off legislation already pending in Congress. His proposal, no matter how good it may look on paper, has to be judged against the record of action and inaction in this State. An outstanding example of the way Albany talks and acts was furnished last week. While the Governor asks for a State park for a 175-mile stretch of river, he signs legislation approving a riverfront expressway down the east bank. To convert green countryside into a ribbon of concrete flies in the face of everything that land planners and conservationists have been recommending for decades.

As L. O. Rothschild, chairman of the Scenic Hudson Preservation Conference, has said: "The planned expressway is being viewed by local residents and officials as one more barrier to enjoyment of the river by those who live near its shores and as nothing less than bulldozer desecration of the scenery. If not prevented it may prove vastly worse than all the decaying shacks and junk piles now blighting the shorelines."

Years ago Governor Rockefeller himself played an important role in the movement for conservation. As Governor, however, he has apparently succumbed to the pressure of industrial interests whose expansion requires encroachment on scenic lands. We are not afraid that the Federal Government will take over what belongs to New York State, we are afraid the commercial interests will, unless the Governor is ready to cooperate with the President and the local community.

[From Newsday, Jan. 20, 1965]

A HUDSON RIVER PARK

Newly elected Representative Richard L. Ottinger, Democrat, of Westchester, has come up with a skillful plan for the protection of the Hudson River Valley, one of the great scenic resources of our Nation—and by the same token for the outlawing of the proposed Con Edison powerplant at Storm King Mountain, smack in the middle of the Hudson Highlands gorge.

He would have Congress create a Hudson Highlands National Scenic Riverway, under the Department of the Interior, controlling the scenic qualities of the river on both sides from the Bronx line and a parallel point in New Jersey to Beacon and Newburgh. This takes in the loveliest and most-visited section of the river. Bear Mountain, after all, is only an hour and 25 minutes from Long Island.

The Ottinger plan is a broad one and an excellent one. It ought to be approved. Or, at minimum, the President might declare the Hudson gorge itself a national monument, bordered on the south as it is by a national shrine, the U.S. Military Academy at West Point. However it is done, the Con Edison plant should not be permitted to mar this river valley.

[From the New York Post, Feb. 17, 1965]

BATTLE OF THE HUDSON

President Johnson's recent plea to the country to "rebuild and reclaim the beauty we inherited" applies with special urgency to our own Hudson River.

The most immediate menace to its magnificent river vistas is Consolodated Edison's application to the Federal Power Commission for the right to build a powerplant into the side of Storm King Mountain in the very heart of the Hudson Highlands. Conservationists up and down the river have risen in protest against a project that would sacrifice natural beauty to advancing technology and short-range economic benefits.

We strongly urge the FPC to move slowly and at least to withhold its decision until Congress has had a chance to weigh in on the issue.

Congress has before it a Hudson Highlands National Scenic Riverway bill introduced by Representative Richard L. Ottinger, of

Westchester. A companion bill will be introduced in the Senate by Senator ROBERT F. KENNEDY.

Governor Rockefeller is opposed to the Ottinger bill. "The Hudson River is the responsibility of the State," he maintains. We would agree that it is the primary responsibility of the State and the communities that lie along the river. But that should not rule out cooperative Federal action.

The Rockefeller family has long played a leading part in rescuing the countryside beginning with the Palisades from blight and spoliation. The Governor's brother, Laurence Rockefeller, one of the State's leading conservationists, will be Chairman of the White House Conference on Natural Beauty called by the President.

The Governor and the Democrats should be joining hands in this great campaign to save the Hudson.

As you can see, the people have heeded the President's warning. We are now within the sight of help for the Hudson. The Subcommittee on National Parks and Recreation of the House Interior and Insular Affairs Committee is scheduling hearings along the river for July 9 and 10. Twelve Congressmen and the two New York Senators have introduced legislation. The Governor of New York has evinced a new and promising interest in the development of the Hudson. All that is needed now is genuine, wholehearted cooperation between all concerned and we can save the Hudson and make it a model of the "new conservation."

ICEM REPORT

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RODINO. Mr. Speaker, it was my privilege as a member of the U.S. congressional delegation to attend the 23d Council Session of ICEM—the Intergovernmental Committee for European Migration—which was held in Geneva, Switzerland in May. The congressional delegation was composed of the gentleman from Kentucky [Mr. CHELF]; the gentleman from New Jersey [Mr. CAHILL]; the gentleman from Minnesota [Mr. MACGREGOR]; and the Senator from North Dakota [BURDICK]. The regular semiannual council meetings of the 30-member nation organization are usually held in May and November of each year.

The importance and usefulness of ICEM is very evident.

Although the organization has passed through a transition period from the situation in Europe immediately after World War II to the complex "new" refugee problem of the present, the vitality and the resourcefulness of ICEM are emphasized by the important observations which I would like to bring to the attention of the House.

Inasmuch as there has been some time since the House was apprised of the operations of ICEM, I feel that my task could be best prefaced by reviewing for the House the background, the purpose, and function of this organization.

HISTORY OF ICEM

In 1949, the House Committee on the Judiciary appointed a special subcommittee to investigate the situation of displaced persons, refugees, and surplus manpower in several countries of Western Europe. The subcommittee reported to the Congress that international migration was no longer a question merely of who or how many persons would be admitted into the United States. Instead, the relationship between surplus manpower and overpopulation in Western Europe and the existence of underdeveloped areas in the Americas would henceforth be a factor urgently affecting the welfare and security of the United States and would be a major consideration in foreign policy.

The European situation in the period 1949 to 1951 showed that any delay in broadening the scope of emigration from the critical area would be dangerous. Consequently, the late Representative Francis E. Walter sponsored an amendment to the Economic Cooperation Act—Public Law 535, 81st Congress—which was designed to encourage emigration from participating countries having a permanent surplus of manpower to underdeveloped areas where such manpower could be effectively utilized.

The Department of State subsequently, at the initiative of Representative Walter, invited the Government of Belgium to convene an international conference on migration at Brussels in November 1953. This conference was presented, by the U.S. representative, George L. Warren, with a detailed plan for the establishment of a temporary intergovernmental organization for the purpose of facilitating the movements of migrants from Europe. After 2 weeks of deliberations the Brussels Conference agreed to establish a "Provisional Intergovernmental Committee for the Movement of Migrants From Europe." PICCME's operations started on February 1, 1952. Later that year the name of the organization was changed to the Intergovernmental Committee for European Migration and the participation of the United States in ICEM was temporarily authorized under legislation dealing with mutual security.

At the sixth session of ICEM, October 1953, a special subcommittee presided over by the late Representative Chauncey W. Reed, drafted a constitution for the organization. The Committee was particularly established outside of the United Nations in order to prevent any interference from the Soviet Union or any nation under Communist domination.

ICEM'S PURPOSE AND FUNCTIONS

ARTICLE I

First. The purpose and functions of the Committee shall be:

(a) to make arrangements for the transport of migrants, for whom existing facilities are inadequate and who could not otherwise be moved from European countries having surplus population to countries overseas which offer opportunities for orderly immigration;

(b) to promote the increase of the volume of migration from Europe by providing, at the request of and in agreement with the Governments concerned, services in the processing, reception, first placement and settlement of migrants which other international organizations are not in a position to supply, and such other assistance to this purpose as is in accord with the aims of the Committee.

Second. The Committee shall recognize the fact that control of standards of admission and the number of immigrants to be admitted are matters within the domestic jurisdiction of states, and, in carrying out its functions, shall conform to the laws, regulations, and policies of the emigration and immigration countries concerned.

Third. The Committee shall be concerned with the migration of refugees for whom arrangements may be made between the Committee and the governments of the countries concerned, including those undertaking to receive them.

Membership in ICEM has grown from the original 15 nations at the time of the Brussels Conference in 1951 to the present 30 member nations. The 23d council session, May 1965, welcomed Uruguay as a new member of the Committee.

The continued need for ICEM can best be understood by an assessment of its past. Between February 1, 1952, and December 31, 1964, ICEM assisted in the movement of 575,142 refugees to countries offering permanent settlement. Of this number 571,785 were moved from Europe and 30,046 from points outside of Europe. ICEM has maintained a close cooperation with the United Nations High Commissioner for Refugees and out of the total persons moved from Europe up to December 1963, 427,501 were within the Mandate of the UNHCR. These refugees have been settled at a total cost of approximately $152 million, which expenditure included transportation, processing, pre- and post-embarkations. This cost has been met by sums contributed by member governments, governmental agencies, voluntary agencies, and by the refugees themselves.

ICEM, in addition to the movement, has processed many of the refugees and has provided language training, some vocational training, medical escorts for old and sick refugees, assistance in the preparation of special documentation, where necessary, and in certain areas provided the necessary reception and disembarkation services. It is an important fact to note that the average per capita cost for final resettlement of refugees by migration averages $270 per person, including transportation and this amount of money is approximately the amount necessary for 4 to 6 months' care and maintenance in a country of first asylum.

Acting within the framework of its constitution, ICEM has achieved the following principal objectives: First, the movement to countries of resettlement of those refugees on the rosters of the old International Refugee Organization who had received resettlement visas and were awaiting departure prior to the establishment of ICEM; second, to have helped to liquidate the immediate postwar refugee problem and to close the old refugee camps; third, to have contributed to the expeditious termination of the emergency created by the mass exodus of some 198,000 Hungarian refugees to Austria and Yugoslavia; fourth, to have effected the emigration of new refugees with such rapidity that camp problems have not developed and care and maintenance costs are kept to a minimum; fifth to have helped and cooperated with the United Nations High Commissioner for Refugees to enable the UNHCR to procure medical assistance and large-scale housing for its refugees desiring to be settled in Europe.

Thus, the past contribution of ICEM. But where does ICEM fit into the less compelling but more complicated and future picture?

The budget for 1965 estimates that ICEM will assist 35,000 refugees—both refugees residing within Europe and refugees living in areas outside of Europe.

REFUGEES RESIDING IN EUROPE

These refugees are divided into six categories:

First, old refugees—wartime and postwar refugees—who arrived in Western Europe prior to January 1, 1961. These refugees were brought to Western Europe during the war as forced laborers or sought asylum in Western Europe between 1945 and 1961. A small percentage of the old refugees is still living in camps and the number of handicapped persons is high.

Second, the new refugees, those who entered Western Europe illegally after January 1, 1961, or who entered legally after that date and refused to return to their country. This category, mainly Yugoslavs, also includes groups of Poles, Hungarians, Czechs, Bulgarians, Albanians, Rumanians, and Russians. The great majority are either single people or males who were compelled to escape and leave their family behind. The total influx of these refugees is estimated at approximately 10,000 persons annually; a high percentage of this influx seeks integration in Europe.

Third, refugees claiming fear of persecution in their country of origin transiting Western Europe legally with an end destination visa. Based upon past experience, it is anticipated that such movements through ICEM from Eastern Europe in 1965, within this category, will approximate 18,000 persons. They are Jewish refugees who have been living in Eastern European countries who have suffered from prewar and wartime persecution and postwar discrimination. These refugees have international travel documentation—in the nature of refugee travel documents—which permit their movement to Israel but are not valid for return.

Fourth, persons transiting Western Europe legally with an end destination visa desiring family reunion overseas. This group concerns relatives left behind by the head of a family when he had to flee during the postwar period. Recently there has been a relaxation of restrictions and an increasing number of relatives have received permission to leave Communist-dominated countries. The departure of such relatives from their countries of origin depends upon exit permits valid for limited periods of time, and there is no assurance that the time of validity will be extended; thus it is imperative that such refugees are moved without delay. Family reunion programs deserve a high priority within the planning of ICEM which is cognizant of the fact that a refugee cannot settle satisfactorily in his new country if he is continuously concerned with the fate of his family left behind.

Fifth, refugees from Cuba residing in European countries and desiring immigration overseas. Due to the interruption of direct flights from Cuba to the United States many refugees in opposition to the Castro regime left Cuba and moved to Europe, principally Spain, from where they attempted to reach the United States, and to rejoin their immediate families here.

Sixth, refugees of European origin now residing in a Western European country who were expelled from Eastern Europe, from former colonies, from ceded territories, from occupied territories, or from areas in which a new sovereignty has been established. This category of refugees is made up of persons of German ethnic origin who have fled from Eastern Europe and East Berlin, large numbers of Italians who have returned from the former Italian colonies and territories or Italians who were compelled to leave the southern shore of the Mediterranean, particularly Egypt. During the immediate postwar period large numbers of ethnic Greek persons abandoned their abode in Albania and Bulgaria and returned to Greece. Also, in recent years large numbers of Greeks living in Egypt and Turkey have had to return to Greece.

EUROPEAN REFUGEES OUTSIDE OF EUROPE

These refugees are persons who have become refugees in their place of residence due to economic and political pressure and refugees from Eastern Europe who live in areas outside Europe. The persons included in this category are of European ethnic origin and became refugees by virtue of the First and Second World Wars and the political and economic changes following the latter. Such refugees are living in north Africa, the Middle East, and the Far East. In the first two areas, because of their European origin and their religion, they are considered aliens by local authorities. It is generally recognized that the only permanent solution to this immediate problem is emigration and time is of the essence.

The refugees still left in the Far East are practically all White Russians who fled into China subsequent to the 1917 revolution and who have become refugees again due to the Communist regime after its takeover of China in 1949.

THE FUTURE AND ICEM

The influx of new refugees in the first 3 months of 1965 shows an increase in the number of refugees from Czechoslovakia, Hungary, and Poland, while at the same time the number of refugees from Yugoslavia and Rumania has not lessened from the level of 1964. Notwithstanding the passage of time and the complexion of international relations, the problem of the resettlement of refugees is not one of diminishing figures. The unsettled conditions of the world and the existence of governmental systems based on the denial of free exercise of human rights and equal access to opportunities cause an increasing number of refugees to appeal for international assistance in their quest for a new and better life. Close scrutiny of all available estimates indicates an accelerating wave of exists and escapes from countries of Eastern Europe as well as those located in north Africa. In fact in 1964, ICEM actually moved over 10,000 more refugees than a decade ago. Actual movements carried out in 1964 were 36,676. Also in 1964 a total of 8,584 old and new refugees were moved.

It is ICEM's basic policy to define a refugee as any person who is recognized as a refugee by the authorities of the country in which he is a resident prior to his migration and after that by his or her inclusion in a category of persons accepted under special refugee schemes or legislation adopted by countries of immigration.

The evidence of ICEM's past role in assisting human beings to achieve self-dignity and a happy and constructive new life is abundantly clear. The future demands that ICEM be ready whenever there are pleas for assistance.

ICEM AND LATIN AMERICA

During the October 1954 Council session of ICEM the fact was stressed that the most important aspect of migration from Europe was the assistance needed in the development of resettlement opportunities in overseas countries, particularly the countries of Latin America, Australia, and Canada. It was noted, with satisfaction, that Australia and Canada had impressive programs for resettling European migrants in their countries and it was likewise noted that increased and carefully organized immigration to Latin America was necessary to insure full exploitation of the natural resources of that vast land and for the stabilization of the economies of these countries, as well as to relieve Europe of overpopulation pressures.

Mr. Speaker, from the time of my first introduction to the activities of ICEM I have strongly advocated tripartite cooperation between the countries of emigration, ICEM and the countries of immigration, to carry out the transfer of manpower which is so vital to the progress of Latin America.

The framers of the Brussels' resolution and ICEM's constitution anticipated the complementary role that ICEM occupies with respect to bilateral and multilateral agencies providing development assistance to the underdeveloped countries. Therefore, in 1960 when the Council of ICEM recognized that rapidly changing conditions in the economic development of Latin America and Europe called for changes in emphasis by stressing the specific character of ICEM's role in transferring skills from Europe to Latin America, ICEM was able to reorganize to meet the new demand. An effective program has been developed to identify the skilled deficiencies in Latin America and to locate the requisite skills in Europe. The matching of needs and availabilities within the complexities of human attitudes, economic, and social differences is no simple task. As a first step in a plan of action, a selected migration section has been established within ICEM as a coordinating unit between the headquarters and the operational missions in Latin America. Also, much progress has been made in the development of collaborative efforts between ICEM and other agencies, such as the Organization of American States, the International Labor Organization, and the Agency for International Development.

It is fair to say that these multilateral agencies provide or finance short-term technical assistance, but they are not designed to operate a program for building the indigenous human resources through the immigration of those who possess skills needed to accelerate economic and social development. In fact, many programs and policies of these agencies are hindered by the absence of skills in certain critical categories. This is where ICEM's Latin American program is vitally complementary to such agency functions. The training and acquisition of experience in the most critical skills may require generations of training—the intermediate period is of vital importance and can only be resolved by migration of skilled Europeans.

In addition to the diversity of skilled migrants moved to Latin America, ICEM has assisted in the development of various colonies established by European migrants. I note in particular the case of the Italian SICA colony in Costa Rica, the Belgian colony of Botucatu in Brazil, and the Dutch colony of Holambra. ICEM is exploring the possibilities of establishing additional settlements in Argentina, Brazil, Ecuador, and Chile.

The exploration, in turn, exposes many attendant problems. Policies of various governments toward selective migration are sometimes conflicting. The wide gap in economic conditions between Europe and Latin America, both in terms of salaries and purchasing power, make it increasingly difficult to conclude employment contracts. Ever present are the psychological aspects of migration. Times have changed and the quest for adventure has decreased while the fears of this unsettled and complex world increase. The role of ICEM in the future of Latin America must be viewed as a long-term proposition. The foundation has been established and the time has come to build step by step.

NATIONAL FLAG WEEK

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RODINO. Mr. Speaker, throughout the Nation we have commemorated June 13 through 17 as National Flag Week. The symbol of our country is respected by Americans every day of the year. But it is fitting to set aside 1 week for special tribute and reflection on the meaning of our flag. For it is more than a mere symbol. It represents our basic principles, ideals, and traditions—in fact, the Nation itself.

A fine editorial in the June 10, 1965, issue of the Observer, of Kearny, N.J., eloquently states the significance of our flag to Americans today. During these troubled times, the flag represents the unity of our people and their dedication to the principles of liberty and freedom upon which our Government was founded. As the editorial concludes, "the overwhelming majority of Americans, differ as they do on problems and issues, revere it, and revere all that it stands for." Mr. Speaker, under unanimous consent, I include the entire editorial in the Record at this point:

National Flag Week

National Flag Week is to be observed from June 13 through 19. This is an important event at any time; it is vitally so today.

The purpose of the week is formally defined as "The inculcation of the meaning of true Americanism into the minds and hearts of our citizens. * * *" And true Americanism has nothing to do with liberalism or conservatism, with one's political or economic beliefs, or with sects and factions of any kind. It lies in devotion to country, and to those eternal principles of freedom upon which it was founded and which are the source of its strength and greatness.

In some circles nowadays, patriotism seems to be regarded with contempt. Highly vocal groups of young people, within and without the colleges, pay lipservice to our enemies, overt and covert alike, and violently denounce the efforts of the Government to honor our commitments and to halt the forces of slavery. It is generally believed that this is Communist inspired. But, whether it is or is not, it perfectly serves the ends of communism and of all those who would bring another dark age of oppression upon the world.

Let the flag fly high during its week—and let all know that the overwhelming majority of Americans, differ as they do on problems and issues, revere it, and revere all that it stands for.

THE ALLIANCE FOR PROGRESS AND THE PRIVATE SECTOR

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FASCELL. Mr. Speaker, I would like to call to the attention of my colleagues the 15th Annual Convention of the Chamber of Commerce of the Americas, which concluded last Wednesday night in Miami.

At the final session—held on June 16, 1965—the Honorable Jack Hood Vaughn, Assistant Secretary of State for Inter-American Affairs, addressed the delegates and observers in attendance, advising them of the urgency of the major problems facing Latin America today—food production, population, and political stability. The Secretary cited the creation of ideologically based political parties as one of the most pressing needs of Latin America. Such parties would serve to make the people feel that they are a part of their government.

At a luncheon earlier in the day, Mr. Vaughn expressed full confidence in President Johnson's decision regarding the Dominican Republic, stating:

> I do not think the inter-American system has failed or been destroyed, the Alliance for Progress has not been done in, nor have we gone back to 1925.

He expressed optimism that the three-man Organization of American States mission now in the Dominican Republic will come up with some recommendations toward a solution within the next few days.

In his evening address to the chamber delegates, the Ambassador urged them to become more involved with their governments, citing the need for greatly increased trade and economic integration as critical areas for Latin America.

Secretary Vaughn has had long interest and experience in Latin America and Latin American affairs, both as an academician and as a member of various U.S. missions. After wartime service with the U.S. Marine Corps, he received his master's degree in Latin American affairs at the University of Michigan, later teaching both there and at the University of Pennsylvania. He left academic life in 1949 to serve as a binational center director with the U.S. Information Agency in both La Paz, Bolivia, and San José, Costa Rica.

In 1952, he joined the Foreign Operations Administration in Panama City, later serving the International Cooperation Administration mission in La Paz. After service here in Washington and in the African nations of Mali and Senegal, the Secretary was chosen as regional director for Latin American programs of the Peace Corps in October of 1961.

In April of 1964, he was sworn in as the U.S. Ambassador to Panama. In this post, he traveled widely through the country, meeting with representatives of all sectors of the society. Secretary Vaughn speaks Spanish fluently and has visited 17 of the Latin American countries. Thus he talks with a great degree of authority on the problems which beset the area.

I am sure my colleagues will be interested in his remarks at the 15th Annual Convention of the Chamber of Commerce of the Americas and find them both interesting and provocative.

Ambassador Vaughn's speech follows:

The Alliance for Progress and the Private Sector

I am here today to remind you of your crucial role in the Alliance for Progress.

I am not here to flatter you. I use the term crucial because it is a simple fact of economic life.

You represent the business and industrial community of this hemisphere. The simple fact of economic life is that it is your investments, your ability to produce and to create jobs that will make or break the Alliance for Progress.

Consider just one frightening statistic: By the year 2000 the population of Latin America will have tripled—in other words, within just 35 years there will be three times as many people to house, clothe, feed, educate, and keep healthy. And already, today, we are far behind in the race against galloping poverty, disease, and despair.

In August 1961 at Punta del Este the free governments of this hemisphere faced up to that staggering challenge. They laid out a blueprint for progress that would meet the just demands of the poor and forsaken and protect and strengthen our free institutions. It was, above all, a plan that set us on a course toward economic viability and self-sustaining growth.

After less than 4 years the Alliance for Progress can be seen in new steel and concrete structures, it can be heard in international trade conference halls, it can be felt in enlightened governmental decrees, and it can be tasted in thousands of new school lunchrooms. The Alliance, as President Johnson recently emphasized, has touched the lives of nearly half of the 230 million people of Latin America.

Much has been accomplished. Much more, however, remains ahead of us.

Governments have done much. And still more needs to be done.

Governments cannot do the job alone. Governments cannot create capital or goods. Governments—free governments—can only provide essential public services.

The real job is up to you. You can create the needed jobs, the increased production and trade, the greatly needed revenues that will permit greater public services.

But while governments cannot do the job alone, neither can business or industry. Government and business must work together—that is the true Alliance—that is the combination that the framers of the Charter of Punta del Este had in mind when they declared that "the creative powers of free men hold the key to their progress and to the progress of future generations."

For my own government I can say we are most anxious to strengthen and expand our joint efforts with the business community. As many of you are aware, we have in the Agency for International Development a wide variety of mechanisms—such as investment guarantees and investment surveys—through which the technical and capital resources of the private sector can be effectively employed in development programs. And this week we took another step in this direction by establishing a special office in housing development.

As for the business and industrial community of Latin America, U.S. assistance under the Alliance is being channeled more and more each day into the vital private sectors of the economy.

But let me briefly touch on only two major economic issues which today are the critical battlefields where the fight for long-term progress may be won or lost. And let me suggest some ways in which the business community can do more to help win this struggle.

These two key elements in the struggle are greatly increased trade and economic integration.

By and large, the past 2 years have been relatively good years for Latin America's trade. Exports from the area continued to grow and the prices received for vital basic commodities which dominate this trade were considerably improved.

According to studies recently made by the United Nations Economic Commission for Latin America, export earnings of the American Republics (exluding Cuba) totaled nearly $9.6 billion in 1964. This was $2.2 billion more than in 1955 and $1.6 billion greater than in 1960.

The high level of export receipts helped finance an increased flow of goods to the area and provided important support for economic development plans. The activity and growth of many private firms reflect this stepped-up economic activity.

Nevertheless, there is no reason for complacency since this favorable situation is by no means guaranteed to continue. What also should give us pause is that not all the Latin American countries shared equally in this growth.

In fact, the growth in Latin America's exports is not keeping pace either with that of the industrialized countries or that of the other less-developed areas of the world. While Latin American exports were growing at the rate of 7 percent in 1964, world exports rose 12 percent and the exports of all developing countries increased by 9 percent. If we look, not at the rate of growth but at relative shares, in 1958 Latin America accounted for 8 percent of the world's export trade. Her share fell to 7 percent during the 1960–63 period; and in 1964 it was down to an estimated 6 percent.

The prices of most of Latin America's traditional export products averaged higher in 1964 than in 1963, but total receipts did not respond in proportion, at least in part, because of the failure of Latin America's export volume to keep pace with a growing world demand.

For some basic commodities, rising production around the world threatens again to outrun market demands and the specter of weak prices is still very much with us.

The United States and other industrial countries are actively cooperating with the major producers of coffee, sugar, wheat, tin, cocoa, and bananas in efforts to mitigate the unsettling fluctuations in prices and earnings. Our own legislation affecting sugar, cotton, meat and grains seeks to take account of the interests of others in the trade in these products.

It is quite evident, too, that if the developing countries of the hemisphere are to achieve rapid and sustained expansion of exports, they must break the pattern of overdependence on basic commodity trade. Here the best hope for remedy clearly lies in expanding the capacity to produce manufactured goods that will be truly competitive in world markets.

And it is here that the entrepreneural, managerial, and technical talents of businessmen will play a crucial role. Latin American firms cannot rest when they have successfully conquered the problems of economic production and distribution for national markets. Instead, they must lift their goals toward international markets. They must study the possibilities of adapting present products to the demands of foreign markets. They must develop new products which will create their own markets abroad. They must use the facilities and strengths of national and international associations in seeking meaningful government policies which will make possible and encourage manufacture for export.

International trade is not only a matter of governments signing trade agreements or negotiating tariff reductions. International trade is not a nicely balanced equation of buying and selling. The developing countries must learn that, more than anything else, international trade is a selling job. More Latin American firms must avail themselves of all the many techniques of modern export promotion. They should see that their producer and trade associations are making imaginative use of joint efforts in advertising, exploring possibilities of exhibiting products abroad, participating in trade affairs, establishing trade centers, entering international competitive bidding and similar activities. They should be active in promoting standardization and quality controls. They should make clear to key government officials and legislators what is needed in the fields of infrastructure, tax and fiscal policy, education and training, and elimination of procedural red tape.

The governments of developing countries are continuously seeking the policy initiatives that can best bolster and diversify exports. The international institutions and the agencies of my own Government participating in the Alliance for Progress give high priority in selecting projects for financing, or for providing technical assistance, to those that promise to provide new sources of export earnings.

I would urge you as businessmen to bring forward your ideas, suggestions and recommendations, and to seize the initiative in trade promotion, with full assurance that you may expect a sympathetic hearing and considerable assistance from individual governments and institutions of the Alliance. Joint private and government efforts to increase exports of manufactures from the developing countries will certainly fail if your efforts are halting or uncertain.

Intimately related to the efforts of developing countries in Latin America to increase their trade generally, and trade in manufactures particularly, are the movements toward economic integration. Because most Latin American national markets are restricted in size, it is natural that as industrialization moves ahead there should be a search for ways to expand marketing opportunities into contiguous or nearby areas. Economic integration, with its associated lowering of trade barriers, holds out the promise that many established industries can grow to optimum economic size. Economic integration also can foster the establishment of new, complex industries of a scale scarcely possible within the confines of present national markets. As the fruits of integration are realized, growth in investment, employment, and trade will be accompanied by closer political and cultural ties, which in turn means mutual economic benefits.

The United States is convinced that effective economic integration is essential if economic and political development of Latin America is to survive in the modern world. Economically integrated, Latin America will be a much more effective partner among the western nations in handling large worldwide problems. Our mutually advantageous economic relations will grow even more swiftly as the Latin American economies industrialize and diversify.

I am confident that our Latin American neighbors will arrive at a consensus as to the measures best designed for achieving effective integration. We hope these arrangements will be outward looking and reinforce the area's interest in and contact with world trade currents, that they will assign a major role to competition. This is the only sensible way to guide rational investment and protect consumers. I would hope also that the place reserved for the private sector will be that which insures its effective, wholehearted cooperation in this tremendous task.

It is too early to know the precise way in which the United States might best further Latin America's integration efforts. We expect that specific proposals and plans will be formulated to which we might appropriately respond. In the meantime, we will continue to give special attention to multinational projects which through improving infrastructure or unifying the economies of bordering areas are helpful in laying the groundwork for economic cooperation. Projects improving transport, communications, and power facilities in individual countries already involve an important part of our assistance efforts. These facilities will be of special importance and value in support of industry erected to serve the region.

In the great movement toward integration I can think of no group which has a role as important as that which the private sector is called upon to assume. The firms which you represent, because they are located and work within Latin American countries or trade with those countries, are certain to be affected as integration proceeds. You must therefore take an active part in seeking to influence the character of the integration effort.

If you are convinced, as I am, that integration is necessary, you will see it as offering great opportunities. Some among your colleagues may fear the cool breeze of competition. But firms doing business in countries joining the integration movement will stand to gain most by cooperating with their governments to a maximum degree and they should encourage the opening of their own and others' markets. The impetus to development and the overall increase in business opportunities that will stem from integration will far outweigh the burden and sacrifice which may be required of a minority of firms. The experience of Western Europe proves this. There, too, some found competition severe, but we have seen how the dramatic opportunities made possible by integration have returned handsome dividends to consumers, producers, and nations. The problems of readjustment are admittedly great and their solution will require the closest liaison with Government if results are to be satisfactory. But, without the wholehearted and imaginative support of the entrepreneurs, the efforts at economic integration now underway in Latin America will not be realized.

In closing, let me remind you again that the Alliance for Progress is not and cannot be a government-to-government endeavor alone. All of us have a vital stake in the success of the Alliance. It is you and I, not only our governments, who will benefit or suffer. All of us together—business and labor, government and people, Latin American and North American—must make a full commitment to the Alliance. For together, as President Johnson has said, "we share and shape the destiny of the new world."

Thank you.

FLORIDA LEGISLATURE ASKS REAPPORTIONMENT AMENDMENT

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FUQUA. Mr. Speaker, the members of the Florida Legislature are deeply concerned with recent decisions of the courts dealing with the apportionment of State legislatures.

In their regular session, they adopted a memorial to the Congress of the United States calling for a convention for the purpose of proposing an amendment to the Constitution of the United States with regard to State legislatures.

I would remind the House that for nearly 2 years, almost the entire length of time that I have served in the Congress, I have had pending a bill which calls for a constitutional amendment which would allow the people of the respective States to determine how they shall be governed.

I am asking that this memorial be reprinted here in the pages of the CONGRESSIONAL RECORD, and further ask that the Members take heed of this extremely serious situation, which affects all of our States, and takes away a basic right of the States to determine the type legislature by which they shall be governed.

I commend the members of the Florida Legislature in having passed this resolution, and urge its favorable consideration by the Members of this body.

HOUSE MEMORIAL 2433

(Memorial to the Congress of the United States urging the Congress to submit a constitutional amendment to authorize any State with a bicameral legislature to utilize factors other than population in apportioning one house of its legislature if approved by the electorate of the State, and to permit any State to determine how governing bodies of its subordinate units should be apportioned)

Whereas the Supreme Court of the United States has ruled that membership in both houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

Whereas this rule denies to the people of the respective States the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed; and

Whereas the implications of this action by the Supreme Court raise serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the States: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Florida Legislature respectfully applies to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

"SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress."

Be it further resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect: Be it further

Resolved, That copies of this memorial be transmitted forthwith by the Chief Clerk of the House and the Secretary of the Senate of the State of Florida to the President of the United States, and the Vice President of the United States as presiding officer of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, to each of the congressional delegation from Florida in the U.S. Congress, and to each of the Governors, secretaries of State, and attorneys general of the several States; and be it further

Resolved, That a copy of this memorial be spread upon the journal of both the Senate and House of Representatives of the State of Florida, and sufficient copies thereof be furnished to the press.

Filed in office of the secretary of state June 15, 1965.

FAREWELL, SWEET PRINCE

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PEPPER. Mr. Speaker, after nearly 5 score years the bells of another world have tolled for one of the greatest of our time, indeed all time, Bernard M. Baruch. This man has stood out not only as a great American but as a towering citizen of the world for the span of more than two generations. In war, he was one of those most ably contributing to the molding of his country's victories. In peace he was one of the most articulate in the advocacy of preparedness to assure peace.

As a counselor of Presidents he was one of the wisest and most selfless of all advisers. As adviser to his countrymen he was one of the ablest of all counselors. He had that spark of genius which enabled him to rise to exalted positions; but those qualities of humility which made him wear his wealth without arrogance and his honors without conceit.

He had the charm of the old school gentleman. My wife and I can attest from many happy experiences that he was a host without a superior. He was kind and thoughtful without being patronizing. Every human need, each suffering man, woman or child concerned him and the measure of his help to others will never be known.

This man walked across the face of the earth an esteemed peer of the great of his time—respected, honored, and loved. The world has not been the same today—it will never be what it was—now that it has lost to another world this good and great man—Bernard M. Baruch—"Farewell, Sweet Prince."

LAW ON MISSISSIPPI CONTESTED ELECTION CASES

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DIGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DIGGS. Mr. Speaker, 16 Mississippi Negroes began a sit-in outside the office of the Clerk of the House on Friday, June 18. They said they would remain until they could talk to the Clerk, Ralph R. Roberts, about his delay in printing 300 depositions intended to show that Negroes are systematically barred from voting in Mississippi. The depositions make up a substantial part of the challenge brought by the Mississippi Freedom Democratic Party against the five Mississippi Representatives. As you know, the party is asking the House to unseat them by majority vote and open the way for a new election in which all eligible Negroes would be permitted to vote. A delegation from Mississippi called on Mr. Roberts on Friday and waited 3 hours to see him. They were allegedly given an appointment for 10 o'clock Saturday morning, but when the delegation appeared for the appointment they were told that Mr. Roberts did not know the appointment had been made; that he had been detained at a funeral and would see them today, Monday, at their convenience.

Mr. Speaker, two bushel boxes of depositions taken in Mississippi were filed with Mr. Roberts on May 17. It was anticipated that they would be printed and referred to the Elections Subcommittee of the House Administration Committee, which has jurisdiction of the challenge. Mr. Roberts has not ordered the depositions printed, however, despite commitments which he made to certain Members of the House, because he alleges many of said depositions have been improperly drawn and do not meet the legal requirements for contested elections.

Mr. Speaker, the following memorandum, I believe, ably challenges the validity from a legal standpoint of Mr. Roberts' position. I hope that he will be persuaded to reconsider his stand because if the subject is to be considered by the House this year, the law requires that the House Administration Committee report its resolution on the challenge by July 4. Obviously, any further delay would be interpreted in many quarters as a deliberate attempt to obstruct the challenge.

The memorandum follows:

Memorandum of Law to the Clerk of the House of Representatives, Hon. Ralph R. Roberts, on Behalf of the Contestants in the Mississippi Contested Election Cases of 1965, Responding to Technical Objections to the Printing of Depositions Raised by the Attorneys for the Sitting Members

1. The statute of 1851 governing the procedure in regard to contested election cases (title 2, United States Code, secs. 201 et seq.), more specifically, the rules governing admissibility of depositions are merely directory and not mandatory. The House Committee on Elections has repeatedly announced that when dealing with election contests, controversies which are so essential to the vindication of the rights of the electorate, technicalities will not as permitted to obstruct the progress of the contests. This principle was restated clearly in the South Carolina case of *Mackey* v. *O'Connor*, 1 Hinds, section 735, page 950 at 960, where the committee reported: "The provisions of the statute in regard to the form and manner of taking and forwarding testimony in contested election cases are merely directory, and therefore the only question which the committee has deemed it necessary to consider upon this point has been whether the essential provisions of the law had been complied with; that is, had the testimony of the witnesses been correctly reported by the notary and stenographers, and had that testimony been forwarded to the House."

The Mackey case is squarely in point. It is wholly dispositive of the technical objections belatedly raised by the sitting Members. In Mackey, as in this contest, there was a stipulation between the parties at the outset that technical objections to the taking and form of testimony, particularly depositions, were to be waived. More specifically, even though the terms of the statute require that each deponent sign his deposition, the parties agreed that "in all cases where a deposition is not subscribed to by the party making the same, the signature of such witness is hereby waived." See 1 Hinds, section 735, page 958. In other words, the parties stipulated that certain provisions of the statute be waived.

The House held that the stipulation on waiving technicalities was binding on the parties and was legally effective and binding on the House. In the Mississippi cases a stipulation was admittedly entered into between the parties whereby they agreed to waive their objection to technical defects or departures from the 1851 statute. This stipulation was binding on the parties and the House, and the Clerk will enforce it. The 1851 rules as to technicalities in taking depositions were promulgated to protect and guide the parties in their preparation of the case. The parties are free to waive, as they have here, any technical rules made for their own benefit. Furthermore, once the parties have waived their objections on these points, the Clerk has no reason or interest in raising them on his own. The rules were made to protect the rights of the parties. Once the parties waive their objections or fail to raise them at the taking of the depositions, they cannot again be raised. *Mitchell* v. *Walsh*, 54th Cong. Rept. 1899; *Duffy* v. *Mason*, 46th Cong. 1 Ells 363; *Otero* v. *Gallegos*, 1 Bart 178; *Bromberg* v. *Haralson*, Smith 356; *Goodwin* v. *Cobb*, 54th Cong. Rept. 1122.

The rulings of the House in the above cases are perfectly clear and completely dispose of the belated and dilatory suggestions of the lawyers for the sitting Mississippi Members that ancient technicalities they themselves waived in formal hearings should now be considered by the Clerk. The precedents of the House emphasize that technical objections to the printing of depositions such as the ones now suddenly raised by the lawyers for the contestants must be raised at the earliest possible stage of the stautory proceedings at which the objection could have been made. See cases cited supra. Here, not only did the lawyers, Governor Coleman, Attorney General Patterson, and Mr. McClendon, fail to raise these technical objections at the deposition hearings, they affirmatively waived these objections.[1] It would fly in the face of every ruling of this House to permit them now to advance these archaic technicalities as obstacles to these challenges.

The decision of the House in sustaining the committee in the Mackey case completely disposes of contestees' position. As in the Mackey contest, the sitting Members here, by their attorneys freely entered into open and binding agreements with the contestants waiving all technical requirements in taking the depositions. As in Mackey, they may not be heard now to repudiate their own agreement, nor may the Clerk, the committee or the House be a party to such an extraordinary breach of faith. The contestants, as in Mackey, acted in good faith based upon the agreement with the contestees. Over 600 depositions were taken based upon the agreement with the contestees. The sitting Members, fully participated in the depositions by way of cross-examination. There was never the slightest hint of repudiation of their solemn written and oral stipulations waiving the minor technicalities of the 1851 statute. As in Mackey to permit the sitting Members to renounce their own stipulations of waiver of technicalities upon which in good faith reliance over 15,000 pages of written testimony of 600 witnesses was duly taken, would permit the grossest fraud to be perpetrated on the contestants, on the electorate of Mississippi and, indeed, upon this House itself. And, as in Mackey, neither the Clerk, the committee nor the House will participate in a repudiation of a waiver of technicalities which, if tolerated, would result in the most extreme injustice. Such conduct would be offensive to the dignity of the House.

2. In case after case, the House has acted to remove the burden of technicalities which threaten to block further consideration of the merits of election challenges by the House. As noted in McCrary, "A Treatise on the American Law of Elections," chapter 12, section 373, page 283:

"Indeed the statutes to be found among the acts of Congress regulating the mode of conducting an election contest, in the House of Representatives, are directory only, and are not and cannot be made mandatory under the Constitution. In practice, these statutory regulations are often varied and sometimes wholly departed from."

The cases discussed below are illustrative of the treatment given to attempted reliance upon technicalities by the House in its precedents. For example, in the *Louisiana case of Benoit* v. *Boatner*, 1 Hinds, section 337, page 227, the portion of the statute proscribing the form of notice of contest was put in issue. The statute provides that notice be given the Member whose seat is contested and that such notice specify particularly the grounds on which the contestant relies. In deciding that strict compliance with the statute was not required, the House said that even though the notice was delivered to contestee's home and even though it was not specific in alleging the serious grounds of the challenge, "* * * the service of the notice in the manner stated was sufficient * * * and [the] contestant's notice * * * which in general terms, was not seriously questioned as to form, and sufficiently covered the claims made upon the testimony and in the arguments."[2]

It is the spirit, not the letter of the law which must govern such cases, and in further proceedings in the *Louisiana case of Benoit* v. *Boatner*, 1 Hinds, section 339, page 230, the rules were dispensed with in regard to the time allowed for filing briefs. Where allowing the full 60 days for briefs in accordance with the terms of the statute would have made it impossible for Congress to hear the case during the sitting session, the 60-day period was disregarded and the parties were directed to submit their briefs by a much abbreviated period. Again this action was taken in a situation where to do otherwise would work manifest injustice on the parties and on the constituency they claim to represent.

A summary procedure was again used in the Alabama case of *Jones* v. *Shelly*, 1 Hinds section 714, page 923. It is apparent that the House does not consider itself bound by the strict technical rules of procedure in any of the matters relating solely to nonsubstantive aspects of contested-election cases.

In the Ohio case of *Vallandigham* v. *Campbell*, 1 Hinds section 726, page 937, contestee requested that the testimony offered by the contestant not be received because some of the testimony had been taken in different places at the same time, seemingly in contravention of the express terms of the 1851 statute. The contestee's objection was not sustained. During debate on the issues of this case the following statement was made on behalf of the elections committee:

"Sirs, I do not believe in the binding authority of the law of 1851 upon this House in all cases. I believe, sir, that it is directory, and not absolutely binding. * * * The law of Congress of 1851 is nothing but the advice or suggestion of reasonable and intelligent and just men, as to the proper course to be taken—advice given when no particular case was before them. * * * The law is not binding upon us; and if in any case it is oppressive, and there is reason for stepping outside of it, I hold that we have a right to do it" at page 938.

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[1] For a typical example of the sweeping nature of these stipulations waiving technical requirements see app. A to this memorandum, stipulations of Mr. McClendon in Canton, Miss., depositions.

[2] The specifications of the notice of contest were again in issue in the Alabama case of *Aldrich* v. *Robbins*, 2 Hinds, sec. 1064, p. 579. Again, even though the notice did not state with strict particularity and precision the facts and figures contestant relied on in bringing the contest, the committee found it sufficient, stating, "What the law requires * * * is a reasonable degree of information."

The House again held in the Missouri case of *Horton* v. *Butler,* 2 Hinds section 1122, page 698, that the contestant is not limited as to the number of places in which he will take testimony at the same time, despite a seeming conflict with the statutory provisions. The committee further stated:

"We see no objection to such practice, especially in such a case as this where about a thousand witnesses were examined. * * * To deny the right to take such testimony at as many places as the necessities of the case may require is to deny the right of the contestant to make out his case at all."

In the present Mississippi cases, as in Horton, there are numerous depositions in evidence. And just as in Horton, to raise technical objections to the printing of these depositions is to obstruct unjustly and unjustifiably the contestants' right to make out their case. As was stated in the debates in the Horton case:

"Counsel for contestee closed his argument with an eloquent panegyric of technicalities and their value art, science, and jurisprudence. What he so well says in that relation may be freely admitted to be sound. In a certain sense it may be said to have some application to contests in the House of Representatives. But if it be true that courts must sometimes be compelled to confess themselves powerless in the face of rigid rules and precise 'technicalities' such is not the unhappy state of the House of Representatives. There is no power lodged anywhere which limits its discretion and authority, except the Constitution and its sense of right" at page 699.

The form of taking testimony was again in issue in the Arkansas case of *Clayton* v. *Breckinridge,* 2 Hinds, section 1018, page 444. Due to the death of the contestant as the contest was proceeding, some of the testimony was taken by the committee before the committee instead of before a notary. The committee decided that as the pleadings were made up and the case was properly defined, "It mattered not how the testimony was taken, whether before a notary under the law or by the committee," at page 446. Again, the House deviated from the strict terms of the statute in order to continue investigating a case which involved the most basic rights of the citizens whose representation in the House was in question.

Once again, in the Florida case of *Bisbee* v. *Finley,* 2 Hinds, section 977, page 317, the House most clearly and unequivocally restated its position on technical niceties, particularly in view of "useless and dilatory" objections raised by counsel for a sitting Member. When counsel for the contestee objected to the extension of time for taking testimony, the committee answered, at page 318:

"[T]he committee thinks that a fair-minded man would have been most likely to enter into an agreement allowing further time, and he must be presumed to know the previous practice of the Committee on Elections to exercise discretion in such matters * * * [and] contestee did not suffer and was not prejudiced by any delay or the acts complained of. * * * It is manifest that contestee did not believe he could answer the evidence and, in the spirit manifested by his cross-examination, designed apparently to use up the time * * * he was seeking some technical advantage if he could get it. The testimony * * * should be, and has been considered. The course of the committee seems fully justified by good precedents. No statute can tie the House down to any rules of procedure. Its provisions are directory, constituting only convenient rules of practice, and the House is at liberty, in its discretion, to determine that the ends of justice require a different course."

3. In light of the above clear ruling of the House and Election Committees, even if the Clerk were to lend any support to the extraordinary repudiation of their own agreements waiving these technicalities, the objections now raised in the June 8 letter of attorneys for the contestees must be summarily disregarded by the Clerk.

The objections there raised are untenable in the light of the cases discussed above. For example, the objection to taking testimony in several places at once was dealt with and overruled in the cases of *Vallandigham* v. *Campbell* and *Horton* v. *Butler*. The objection raised as to the forwarding of testimony to the House without unnecessary delay was disposed of in *Mackey* v. *O'Connor*. Again, the only requirement in this regard is that the testimony be, in fact, in the hands of the Clerk. Actually there was no delay here at all and there is most notably no claim of prejudice due to alleged delay in forwarding the testimony to the Clerk.

The objection that testimony must be confined to facts alleged or denied in the notice and answer does not require lengthy discussion by way of rebuttal. Governor Coleman and other attorneys for the contestees were present at the taking of all of the testimony. They were permitted to cross-examine all witnesses and had ample opportunity, at that time, to challenge any evidence adduced. Furthermore, decisions as to relevancy are to be made by the House when it considers the printed testimony, not by the Clerk or the attorneys for contestees prior to the printing of the depositions. This point was expressly agreed to by the Clerk and Governor Coleman in their June 2 conference with attorneys for the contestants.

The final objection raised by Governor Coleman and his cocounsel that some of the depositions on file in the Office of the Clerk may not have copies of the subpena and the acknowledgement of service attached to them is, in the words of the Election Committee in *Bisbee* v. *Finley, supra,* "a useless and dilatory" objection which can only indicate that the contestees do "not believe that [they] could answer the evidence." It is beyond belief that Governor Coleman considers himself or his clients prejudiced in any way by not having copies of subpenas attached to the depositions which they, themselves, attended.

CONCLUSION

The belated technical objections to the printing of the Mississippi depositions raised by Governor Coleman, Attorney General Patterson, and Mr. McClendon in their letter of June 8, must be disregarded by the Clerk, and the original determination of the Clerk made after the formal meeting of the parties on June 2, that the evidence in its entirety was to be printed by the Public Printer, must be adhered to.

The rulings of the House are clear and direct. The technical objections to the printing are "useless and dilatory." *Bisbee* v. *Finley*. For the Clerk to participate in the unconscionable repudiation by the Mississippi sitting Members of their own stipulations waiving technical requirements, would be to participate in a fraud upon this House. The only possible reason for the advancing of these technical points at this late date is to delay and obstruct the consideration of these serious and substantial challenges beyond this session of the House. The only possible inference which can be drawn from this extraordinary maneuver is that the Mississippi sitting Members and their lawyers do not, in the words of the Bisbee case, "believe" that they "could answer the evidence." This House, the citizens of Mississippi, Negro and white, and the citizens of the Nation are entitled to have these serious charges promptly heard on their merits. The Clerk should proceed forthwith, as required by law and the precedents of this House, with the printing of the evidence in these cases.

Mr. Speaker, pages 1 through 6 of the depositions taken in Canton, Miss., on February 8, 1965, indicate the nature and breadth of the stipulations entered into by counsel for the sitting Members, waiving technical requirements of the statute:

House of Representatives, Congress of the United States—in the Matter of the Contested Election of Prentiss Walker, in the Fourth Congressional District of the State of Mississippi, Madison County

(Note.—Depositions of George Washington and George Raymond (direct examination), taken by the contestant pursuant to title 2, United States Code, section 204, at the county courthouse, Canton, Miss., on February 8, 1965, before Hon. Milton H. Sandidge, a notary public within and for the State of Mississippi.)

Mr. Manes. Gentlemen, I thought we would begin by perhaps trying to establish some basic ground rules for the proceedings.

I wanted to open these proceedings, if I could, by stating that the authority for these proceedings are under title 2 of the United States Code, sections 201, et seq.

The officiating officer empowered by stipulation and statute to administer the oath in these proceedings is Justice of the Peace Milton H. Sandidge who, by virtue of his office, is an ex officio notary.

I would like to enter our appearances for Mrs. Annie Devine, who is the contestant in these proceedings. The general counsel are Mr. Arthur Kinoy, of New York; Mr. William Kunstler, of New York; and Mr. Ben Smith, of New Orleans.

As agents for the contestant and general counsel appear the following: Mr. Hugh R. Manes, of Los Angeles, Calif.; Mr. Walter Wittman, of Hackensack, N.J.; and Mr. Frederick Reinheimer, of San Jose, Calif.

All of the foregoing named counsel and agents are attorneys at law admitted to practice law in their respective States and in the courts of such States.

I might indicate further that Mr. Reinheimer is not here at this time, but he will join us within the next hour or two. I would like also to indicate for the record that these proceedings are being conducted by the parties partly by way of agreement which was reached in Jackson, Miss. between the respective agents of the parties, one of whom was Mr. McClendon representing the contestee, hereinafter referred to as the respondent, and by myself as an agent for Mrs. Annie Devine. Those proceedings took place at 507½ North Farish Street, Jackson, Miss.

Among the things that were agreed upon at that time was that a reasonable time for notice for the proceedings would be constituted by 3 days' notice. Is that correct, Mr. McClendon?

Mr. McClendon. That is correct.

Mr. Manes. And notice for the hearings, I believe, are timely, and have been given to counsel, and I believe they are in his hand at this time. Is that correct?

Mr. McClendon. That is correct, except that there are some witnesses listed whose addresses are not shown. I personally have no knowledge of the addresses of those that are not indicated where they are supposed to be indicated, and I'd like to ask you to furnish us with that information.

Mr. Manes. That will be furnished at the earliest opportunity.

I should indicate for the record that this agreement that I mentioned a moment ago was made on Tuesday evening, and it was at that time that we, as agents for Mrs. Annie Devine, agreed to furnish counsel for the other side notices by at least 5 o'clock on Thursday evening, because on Friday, counsel, Mr. McClendon, was going to be involved in a meeting that would take the whole weekend. So, as an accommodation to counsel, we agreed to do that. And, as a result, since we had a number of proceedings all over the State, we were hard pressed to have at all times complete addresses for all the witnesses. I think there may be three or four that we didn't have at that time.

Now, I would like to know if counsel will also stipulate that proof of the official character of the presiding official, Mr. Sandidge, Judge Sandidge, may be waived, and there be a stipulation that the presiding officer, Judge Sandidge, is sufficient.

Mr. McClendon. Yes. He is justice of the peace of Madison County under the provisions of the Mississippi Code of 1942, and he is judge of a court of record under the laws of this State.

I will further point out that counsel for Annie Devine and the other purported contestants indicated they were experiencing difficulty in securing notary publics or other authorized officers to serve as presiding officers for taking of the depositions, and that Judge Sandidge is here at the request of the five sitting Members of Congress from Mississippi to serve in that capacity and is doing so in accordance with that request on our part and in agreement with you.

I have previously given the court reporter our names and addresses, but appearing for the five sitting Members would be chief counsel Hon. Joe T. Patterson, of the State of Mississippi, for and on behalf of all five Members of Congress of Mississippi, and Hon. J. P. Coleman on behalf of the four Democratic Members of Congress, and B. B. McClendon, Jr., and additional counsel, Hon. William Cain, Hon. R. L. Goza, Hon. Milton Case, all three members of the bar of the city of Canton appearing on behalf of all five sitting Members of Congress from Mississippi. If we have additional counsel appearing on behalf of the Congressmen from Mississippi, they will be identified and their names and addresses dictated into the record.

As I understand it, this deposition will last 4 or 5 days.

Mr. Manes. Easily.

Mr. McClendon. Well, I understand that various counsel will appear at different times and they will identify themselves.

Mr. Manes. May the record indicate that Mr. Reinheimer has entered the courtroom, and may I introduce Mr. Reinheimer to counsel.

(Introductions are made.)

Mr. Manes. I wish to supplement counsel's remarks by indicating that I can speak with some personal knowledge as to his statement that it was a mere difficulty in getting presiding officers to officiate at these proceedings, in accordance with the statute, that that is an understatement. In most counties, it was impossible to do so, and as a result of that, counsel was gracious enough to enter into a stipulation with the agents and counsel representing the five contestants to the effect that if we could not locate or furnish a presiding officer to officiate at the proceedings and/or to issue subpenas, that the contestants, or their counsel, rather, would do so or attempt to do so; and furthermore, that if they could not do so, that we would be able to proceed without one and waive the presence of the presiding officer.

And, as a matter of fact, they have been able to provide us at the proceedings with at least one officiating officer, and I wish to thank Mr. McClendon and his staff for doing that in this case.

Mr. McClendon. We likewise had had some difficulty; as you know, it places a burden on the officers that do serve. And Judge Sandidge has been very nice in offering to do that, to assist all concerned.

It is unfortunate that the statute does not set up a better procedure for counsel to operate under, but we have to operate under the existing law.

Mr. Manes. Well, we will consider this as a recommendation to Congress for an amendment.

I wish to ask for an additional stipulation that the attestation by the witnesses will be waived.

Mr. McClendon. That will be okay, but we would request that the court reporter and notary public——

Mr. Manes. Yes, the certification of the court reporter and the presiding officer would be required. We agree.

I wanted also to indicate that a true copy of the notice of contest of Annie Devine, contestant in this district, will be appended to the transcript in these proceedings. Is that satisfactory to counsel? I think the statute requires us to do that.

Mr. McClendon. Of course, yes. And I believe the answer of the Congressman should be included. But, since you are taking depositions all over the State, I think one time to one deposition would be sufficient.

I think that is the understanding of counsel, and I think the most appropriate place would be the depositions taken in Jackson; if we attach notices and answers to that one deposition taken in Jackson, that that would be sufficient.

Mr. Manes. Fine.

And there is one more matter, having to do with objections. Experience teaches that perhaps a great deal of time could be saved if counsel would be willing to agree that any objection which might be interposed to a question or to an answer might be stated, rather succinctly and in the usual legal parlance, without any supporting argument unless, in some instances, counsel feels it is necessary to explain the particular objection.

Mr. McClendon. I believe we will all try to adhere to that. Of course, the very nature of the proceedings, in which we are unable to appear before a judge and secure an immediate ruling, makes that rather difficult, and I think occasionally some elaboration is necessary since we had agreed to more or less proceed in accordance with the Civil Rules of Procedure. But under those rules, when you reach an objection, you do have the right to go before the Federal district judge and secure a ruling at that time. Of course, we are unable to do that under these proceedings, so, on occasion, some elaboration might be necessary.

Mr. Manes. Very well.

Can we go off the record for a moment?

Mr. McClendon. Certainly.

(Discussion off the record.)

Mr. Manes. Counsel and I have just agreed on the following stipulation: that the contestant may call out of order a witness as our first witness to proceed, which will help us to outline, for the readers of this transcript, what this case is about here in Madison County.

And we further agree that the contestee shall have the right of cross examination at such time during the latter portion of this week as the contestee indicates.

Mr. McClendon. What is the name of the witness?

Mr. Manes. George Raymond.

Mr. McClendon. And the address?

Mr. Manes. 838 Lutz Street, here in Canton, Miss.

We will be calling him out of order in a moment.

Now, realizing that there will be witnesses here who will be testifying to a number of different aspects of the problem of registering and voting in Mississippi over the past years, and will be referring to various freedom marches and referring to attempts to register, and that there might be some confusion in the mind of the reader of this document, I would like at this time to make a short opening statement, outlining what we propose to prove in a general way, under the history, the recent history, of the Mississippi voting requirements.

Now, Congress should understand that registration is a prerequisite to voting in Mississippi and is permanent. Prior to March 24, 1955, a prospective registrant was required to be a citizen of the United States and the State of Mississippi; be a resident of the State 2 years and the election district 1 year; be 21 years of age or older; not be disqualified by reason of conviction of certain crimes; and be able to read or, if unable to read, give a reasonable interpretation of any section of the Mississippi constitution.

ANNIVERSARY OF THE DEATHS OF CIVIL RIGHTS WORKERS

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Krebs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KREBS. Mr. Speaker, it has been one, long and tortuous year in our Nation's history since three young lives of civil rights workers were snuffed out by forces of evil. Since the death of these three Americans in their own native soil other young American lives have been lost on soil foreign to their own.

The civil rights worker and the embattled soldier have endured much suffering and pain since the heat of last summer. I choose to believe that our young Americans who died in Mississippi are no more and no less equal to the heroes who this very day are dying in distant lands.

Indeed, it is a strange parallel that can be drawn between the two sets of soldiers. In Vietnam the fight rages against an evil that seeks to enslave man. In our own country the fight rages against an evil that has for too long enslaved too many minds.

We should all take time on this sad anniversary to take stock of our battle gear. In our everyday lives how often have we left unchallenged those recurring attacks of bigotry? Have we dared lose acceptance by refusing to castigate those who have long suffered as the objects of prejudice? Certainly there have been trying times when the zeal of civil rights workers have caused them to march into the face of civil disorder. But how many of us would not finally decide to walk into sure violence if violence is the environment that imprisons the victims of hate?

There are those, not necessarily unfriendly to the cause of the civil rights, who have questioned the wisdom of "outsiders" who dare venture forth into unwelcoming jurisdictions. But to the credit of America's young people, they have accepted that challenge and have ventured forth to all sections of our country. They have carried with them the battle gear of the mature idealist—

the knowledge that merely to yearn for good is not enough.

If the year has been long and tortuous for the cause of civil rights it has not been a year without progress.

This progress will be given further momentum when our body debates and enacts a measure that will effectively win one more battle in the weary fight against bigotry.

And, my colleagues, this legislation will be but one more testimony that death did not triumph in the swamps of our Nation. Indeed, evil did not conquer when it violently ended the lives of Mickey Schwerner, James Chaney, and Andrew Goodman. The good for which they died lives on and will live on so long as our Nation nurtures steadfast devotion to the ideal that proclaims "I am my brother's keeper."

ACHIEVEMENTS BY DOMESTIC COMMERCIAL AIRLINES

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, most of us have been directing our attention over these past few days to the fine job done in outer space by Astronauts White and McDivitt. They have made every American proud and have added measurably to our Nation's prestige throughout the world. They are men of history and have well earned the place which they will occupy.

While it is most appropriate that we direct our attention at this time to the Nation's space program I feel also that we should also be aware of and recognize this Nation's achievements in another area of space by our domestic commercial airlines.

Appearing in the June 7, 1965, edition of Aviation Daily is an article entitled "Airlines Solid Performance Breeds Industry Confidence," which notes the progress and self-help marked by domestic commercial aviation today.

Mr. Speaker, under unanimous consent, I include this article in the RECORD and commend it to the consideration of our colleagues for their consideration:

AIRLINES SOLID PERFORMANCE BREEDS INDUSTRY CONFIDENCE—ANALYSIS

Until recently the U.S. airlines have been everybody's favorite target for brickbats. When they risked huge sums to switch to jet aircraft, they were criticized for foolhardiness. A "flight from reality" was the way a national magazine phrased it.

If the carriers hadn't made the switch, past experience confirms that they would have been in hot water for lack of enterprise. When they lost money, it was attributed to poor management, excess capacity, poor pricing policies or lack of promotion. When profits were attained, there were loud cries of "fat cats." Profits, it turned out, were wrong too. All of this appeared to spark a habit of defensive thinking in airline management.

Suddenly, however, the industry is beaming with self-confidence for the first time in its history. A sustained solid performance over the past 2 years is largely responsible.

The Air Transport Association has been circulating an economic analysis which emphasizes the tremendous capital outlays of the industry. This is a unique approach to a public understanding of airline earnings. It shows, for example, that the $3 billion of airline investment in the past 5 years represents a rate of growth of capital outlay several times that of the rest of the economy. It shows that more than four-fifths of last year's record profits were plowed back into new equipment and facilities. Over 430 new jets are now on order. The mushrooming effects of this on the national economy, to say nothing of the aviation industry, are obvious, even to the perennial critics.

This accent on the tremendous investment burden the industry has willingly assumed is clearly mitigating criticism of earnings. Such investment, which can only be underwritten by a solid earnings base, obviously means more and better airline service, as well as increased employment.

Self-confidence is evident in other areas. The industry's sales effort is being revamped and expanded. The fare structure is being changed in line with the best marketing techniques. The regular business traveler, for example, is finding it difficult not to take his wife and children with him. Fly and drive vacations are becoming more practical. Advertising expenditures are up and advertising techniques more effective.

TRAVEL AGENT COMMISSIONS ARE GOOD EXAMPLE

Perhaps one of the best demonstrations of the carriers' new-found courage is their recent action in cleaning up the commission structure of the travel agents. This has been somewhat of a jungle in the past. Now, commissions to agents who don't sell personal and vacation travel are cut; commissions for those who take advantage of opportunities offered by the carriers are increased sharply.

Undoubtedly, the airlines' new affirmative attitude will weigh in the favor when Congress takes up the administration's user charge proposal. To stifle a major contributor to national prosperity with an $85 million a year tax adds up to poor national fiscal policy. And this is becoming clearer to key legislators involved.

Senator WARREN G. MAGNUSON put it this way recently: "The benefits of a financially sound air transportation system are many and varied, and it is to be hoped that the airlines will have more years like 1964 so that they will be able to continue their investment in improving the national network of air transportation." Also of the airlines, Senator KUCHEL said "the money they are earning and which they hope to make has a lot of work to do * * * the airline industry a major impact on the economy."

Executives of American, Delta, Eastern, TWA, and United, as well as ATA's Tipton have been emphasizing this story, particularly. In fact, industry management, as a whole, is coming forward with a chest-out attitude for the first time in history. The airline industry, it seems, has become professional in a big way.

THE WOOLDRIDGE REPORT ON THE NATIONAL INSTITUTES OF HEALTH

Mr. STALBAUM. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, last year a committee was appointed under the chairmanship of Dr. Dean Wooldridge to review the rapidly expanding health research programs administered by the National Institutes of Health. This is an area in which the Intergovernmental Relations Subcommittee, of which I am chairman, has devoted considerable attention over a period of years. Although our studies and the reports of the full Committee on Government Operations have been instrumental in bringing about sorely needed management reforms, recent investigations by the subcommittee indicate that further administrative improvements are required if the agency is to function efficiently and avoid the unnecessary waste of Federal funds.

The Wooldridge Committee reported to the President in February 1965. While the report contains useful observations and recommendations that deserve consideration, it unfortunately fails to come to grips with some basic problems and tends to mask the Committee's critical comments by favorable expressions of opinion concerning the quality of supported research and the level of its funding.

The Committee was aided in its work by a number of technical advisory panels staffed mostly by scientists. The great majority of these scientists, though competent in their respective fields, were themselves NIH grantees and very often members of NIH grant review bodies as well. It is noteworthy, however, that the one panel responsible for a comprehensive examination of NIH administration was comprised of a distinguished group of management experts who had no vested interest in the programs under review. The administration panel produced a sound and objective report calling attention to major opportunities for improving NIH grant administration. Many of the panel's observations and suggestions, I am pleased to say, are similar to positions taken by the Committee on Government Operations and to views that I have expressed in talks to professional organizations.

A major purpose of the Wooldridge study was to appraise the quality of the research supported by NIH. The Committee found 6.7 percent of the traditional research grants examined by its panels to be ill-advised projects, but thought this proportion impressively low. I do not share that judgment. When NIH is spending well over half a billion dollars a year on research grants, we should be very concerned about the wasted resources represented by ill-advised projects amounting to nearly 7 out of every 100. It is unfortunate that the report provides no explanation of the criteria used for judging the quality of supported research projects. The reader, consequently, is denied the basis for evaluating the validity and reliability of the Committee's findings. Moreover, it is curious that no information is provided on the quality of the large, expensive projects which NIH supports—for example, program-project grants, primate centers, and clinical research centers—since the report indicates that a number of these projects were reviewed. The addition of these large grants might well have produced a substantially higher proportion of ill-advised projects than the 6.7 percent reported for the traditional grants alone.

Mr. Speaker, the June 11 issue of Science, published by the American Association for the Advancement of Science, contains a penetrating analysis of the Wooldridge report written by Dr. Joseph D. Cooper, adjunct professor in the School of Government and Public Administration at American University. Dr. Cooper finds that the report does not prove its assertions concerning the high quality of NIH-supported research. He concludes:

> Progress is being made, undoubtedly, in the development of mechanisms for assessing Federal science operations. One must conclude, however, that the Wooldridge Committee approach does not serve as a model for the future. The Committee did not avoid built-in biases of interested parties in selecting its advisory panels. It did not publish the criteria it used in making assessments of research performance. It did not propose alternative actions. It did not provide adequate documentation either to support its own findings and recommendations or to enable readers to make independent assessments.

Mr. Speaker, I ask unanimous consent that this extremely penetrating and informative article be printed in the Record, together with another article on the Wooldridge report which appeared in the April 16 issue of Science under the authorship of Mr. D. S. Greenberg, a member of the magazine's editorial staff:

[From Science, June 11, 1965]

ONWARD THE MANAGEMENT OF SCIENCE: THE WOOLDRIDGE REPORT—NIH WAS NOT CLEARED ON ALL COUNTS BY THE WOOLDRIDGE COMMITTEE, WHICH ITSELF IS RATED LOW ON METHODOLOGY

(By Joseph D. Cooper)

After a year's survey of the research and management operations of the National Institutes of Health, a White House-appointed committee, chaired by Dean E. Wooldridge, reported to the President that (i) the scientific activities of the National Institutes of Health "are essentially sound" and that the public is getting its money's worth for the approximately $1 billion a year now spent through NIH: (ii) the organization and procedures of NIH must be changed in order to avert "substantial problems" in the future.

The Wooldridge report ["Biomedical Science and its Administration: A Study of the National Institutes of Health" (report to the President, February 1965)] was represented to be an effort to bring dispassionate, professional judgments to bear on questions pertaining to the future of NIH. The report is singularly free of the marketplace tone and stridencies of some reports to the public on health matters. In itself, this is a great gain. The substantive recommendations, however, while impressive, are likely to provoke spirited challenges. This, too, is wholesome, for progress is promoted by open, constructive dissent.

The substantive findings and recommendations of the Wooldridge Committee and its panels are discussed here, but they are in a sense, of secondary importance. The larger question explored is whether the operation of the Wooldridge Committee itself should be taken as a suitable model for the conduct of future assessments of Federal science operations. The President's Science Adviser and personnel of the Office of Science and Technology had hoped this would be one of the experiential outcomes of the Wooldridge Committee operation.

The creation of the Wooldridge Committee was one of the aftereffects of criticisms of NIH made by the Fountain committee (the Intergovernmental Relations Subcommittee of the House Government Operations Committee, Representative L. H. Fountain, of North Carolina, chairman). The Fountain committee had charged that NIH had both committed and encouraged loose practice in grants management and that the university grantees had not assumed responsibility for prudent management of public funds. Although the Fountain committee had not gone very deeply into appraisals of scientific quality, it had raised questions which some felt had to be resolved one way or the other.

Apart from this background, and its continuing implications, it had also become apparent that the time was at hand for a full-fledged review of NIH operations in the light of NIH's phenomenal growth. In the summer of 1963, therefore, President Kennedy directed the Office of Science and Technology to make the study discussed here, which got under way early in 1964 after the need for such a review had been reaffirmed by President Johnson.

SUMMARY OF FINDINGS AND CONCLUSIONS

In brief, the Wooldridge Committee made these findings and arrived at these conclusions:

1. The "large majority" of NIH intramural and extramural research is of high quality.

2. The large, centrally managed, collaborative research programs—the so-called crash programs—have not been well managed, have not produced gratifying results, and have not been well designed scientifically. The program of the Cancer Chemotherapy National Service Center came under particularly critical review.

3. The best available method for awarding research grants is through the study section porcedure, which utilizes scientific peer judgments.

4. The NIH needs urgently to strengthen its management capabilities, especially if it is to be able to assume growing responsibilities in directed research, demonstration projects, training programs, long-range planning, and the insuring of optimum utilization of its funds.

5. Overall grants-management responsibilities of the universities must be strengthened. Where university action to strengthen grants management is not forthcoming, NIH should use its granting authority as leverage to encourage administrative improvement and to punish unresponsive universities.

6. The authority of the Director of NIH should be strengthened while, at the same time, the autonomous status of categorical institutes should be diminished. There should be a strengthening of staff support for the NIH Director, particularly in the area of program planning.

7. A new policy and planning council should be created to assist the Director of NIH in making of major plans and policies, especially those related to allocation of funds and resources. The new council should be encouraged by appropriations committees of the Congress to participate in the annual budget hearings.

8. The organizational stature of NIH should be upgraded by giving the Director "easier access to and greater participation in the councils of higher authority in the Department of Health, Education, and Welfare," especially at the policy level of the Secretary.

9. The intramural program of NIH should be reviewed to assure that, for all activities, there is justification for conduct by the Government. The report inferred that the desirability of Government conduct of "independent, university like research" is subject to question.

10. The present limitation of indirect project costs to an arbitrary percentage of direct costs should be replaced by a new system. All costs, direct and indirect, should be itemized and, if less than 100 percent is to be paid, the same fractional reimbursability should be applied to both direct and indirect costs.

11. The investigator should be made to feel that his salary comes from the university. Accordingly, the costs included in a grant which are attributable to the salary of the investigator should be separately negotiated between NIH and the institution.

Several other recommendations were made, including the following:

The Director of NIH should be given greater discretion for the transfer of funds from one category to another. This would permit him to accommodate unanticipated program needs and to use unexpended program balances in some areas for the relief of shortages in others.

The amounts of grants for the support of general research should be enlarged in order to give university administrative authorities greater control over the content and direction of research programs. These grants should be made available for science departments outside the medical schools.

In recognition of the increasing quantification of the biological sciences, NIH should encourage greater participation of physical scientists and mathematicians in all aspects of its operations.

The administrative executives of grantee institutions should be given authority to make a variety of project-related decisions at present reserved for central NIH determination.

ORGANIZATION OF THE REPORT

Before commenting on the specific findings and proposals of the Wooldridge report, I want to discuss its organization. The document as a whole is 213 pages long. The committee's official judgments are contained in the first 49 pages. All else is addendum material with which the committee said it may or may not have been in agreement. These supplementary materials are the separate reports of the panels and special groups set up to advise the Wooldridge Committee.

The overall Committee, consisting of distinguished educators, industrialists, scientists, and philanthropists, devoted itself to issues cutting across the NIH effort as a whole. Advising the Wooldridge Committee were 11 panel groups of which 8 were devoted to the life sciences: the anatomy, behavioral sciences, biochemistry, biophysics, microbiology, pathology, pharmacology, and physiology panels. These, it will be noted, ignored the categorical organization of NIH research. To complete the list, there were an administration panel, a physical sciences panel, a review procedures panel, and a group of ad hoc panel members.

When any reference is made here to the findings, conclusions, or recommendations of the Wooldridge Committee, it pertains to material within the first 49 pages. Likewise, a reference to the report refers only to material in pages 1–49.

Whether or not it was so intended, this format permitted statements to be made and published without responsibility for them being attributed to the Wooldridge Committee itself. Some very strong statements were made in this way, including one on cancer chemotherapy and collaborative programs in general, and another on congressional involvement in such programs. The Committee recommended a careful reading of individual panel reports, which serve also as state-of-the-art reports and projections. It should be noted, however, that on topics dealt with in common, the panels were not necessarily in agreement.

Some mention should be made of the relationships between panel members and NIH. The 8 life sciences panels had, in all, 74 members, of whom 8 were Government employees. Of the remaining 66, 58 were listed in the 1963 research grants index of NIH as project grantees. From all 11 of the advisory panels, 38 members were listed in the 1963 edition of Roster of Members of PHS Public Advisory Groups (Public Health Service population 262A). One member of the Committee itself also was listed in the roster. These project grantees and PHS advisers were asked to make assessments of the output of a system of project approval in which they were intimately involved both as grantees and as members of peer review groups. The defense given for this aspect of the system is the usual one: you simply cannot find many competent scientists who are not under NIH grant support and not members of study sections and other advisory groups. This is undoubtedly so. Still, it does not dispose of the subtle influence on judgmental processes which occurs when people who are part of a system are asked to review the products of that system. The report did not indicate that many panel members and advisers were either grantees of NIH or members of NIH or PHS advisory or review groups.

Notably absent from membership in the Wooldridge Committee itself or its advisory panels were prominent medical research men and others who have been influential in multiple roles as "citizen witnesses" before appropriations committees, as members of NIH advisory councils, and as participants in a number of national advisory bodies. This group includes such people as Michael DeBakey, Sidney Farber, Philip Handler, Isador Ravdin, and Howard Rusk, among others, who have carried a heavy load in these roles.

One explanation is that most of these people were already members of the President's Commission on Heart Disease, Cancer, and Stroke—a Commission whose lifespan largely paralleled that of the Wooldridge Committee. In fact, Philip Handler of Duke University was originally to have been chairman of the biochemistry panel of the Wooldridge Committee but resigned when appointed to the President's Commission.

IS NIH A SCIENCE AGENCY OR A HEALTH AGENCY?

The Wooldridge Committee asserted that "NIH devotes its principal efforts to a broad program of investigation of life processes, rather than to a search for direct cure or prevention of specific diseases." The Committee stressed the desirability of such a "normal science" approach and attacked the "head-on" approach as being "frequently the slowest and most expensive path to the cure and prevention of disease." Note that the Wooldridge Committee didn't merely state that this is how NIH should conduct its work. Rather, it asserted that this is the way things actually are. This fact, it observed, may not be generally understood. "Cursory reading of the various legislative acts that establish NIH powers and responsibilities would not make this point clear," stated the report. "Similarly, the employment of such labels as 'heart,' 'cancer,' 'neurological diseases and blindness,' and the like, in the titles of the major organizational units of NIH, suggests more of an orientation to specific diseases than actually exists. Although there are practical reasons for such an overemphasis on disease categories in the organization structure, it is not ideally suited to the kind of research programs which must actually be carried out. One of the accomplishments of the NIH management has been that of making a scientifically inappropriate organizational structure an effective arrangement for performing its real mission."

In short, the report states that NIH is not a disease-oriented organization. It is, rather, engaged in the support of fundamental research into life processes along normal disciplinary lines. While NIH justifies its programs to the Congress and to the public in terms of drives on various disease fronts, these are merely "practical" expedients through which NIH has to operate, stated the Wooldridge Committee.

A notable deficiency in this argument is any discussion of the overall mission of NIH. It would seem essential to go into this matter in some depth before making recommendations affecting mission. The Wooldridge Committee and its panels do present a concept of mission, which is for NIH to function mainly as an instrumentality for funding biomedical science organized along disciplinary lines. What seems to have been overlooked is that NIH is also a public instrumentality. Its growth up to its present dimension was made possible because forces of persuasion convinced the public that, through NIH and its categorical institutes, massive assaults would be launched against various disease entities. Whether or not this is best from the standpoint of normal science is an argument apart. There is still the serious matter of accommodating the expectations of the public. Besides, a persuasive case might also be made for disease-oriented research as having its own fundamental outputs. The classic example in this regard is the development of the poliomyelitis vaccine, a project of the National Foundation. From the standpoint of the public this was a successful outcome in a campaign against a specific disease entity. As viewed from a broader scientific standpoint this mission stimulated advances in virology which continue to have their referred and deferred effects, not the least of them being in connection, with the possible viral etiology of cancer. There are, thus, many roads to Rome. The NIH travels many of them. It needs to do so in the future, to assure that progress will be balanced and rapid.

A related problem, hinted at tolerantly by the Wooldridge report, is the public posture of NIH in telling what it is doing. Is it proper to assume the role of disease chaser in the popular prints while playing the more correct role of fundamental researcher in scientific circles?

ASSESSMENT OF RESEARCH QUALITY

The report's general endorsement of the quality of research "currently supported" by NIH seems to raise more questions than it purports to answer. There is, first, the overall question of the relationship between good management and research quality. Here we have a dilemma: if the quality of management has been deficient both within NIH and in the universities and if, nevertheless, research continues to be of high quality, why be concerned about good management other than to make sure that no funds are improperly diverted? On the other hand, it might be more realistic to ask whether there can be a consistently high level of research quality in the face of inadequate management.

Then there is the matter of the rate of growth of NIH appropriations as compared to the expansion of the scientific community dependent upon NIH. "Despite the tenfold increase in NIH support of research during the last 8 years, there is no evidence of overall degradation in quality of the work supported," stated the report. "On the contrary, there is good evidence that the average quality is steadily improving. This appears to be a consequence of a rate of increase in the production of competent biological research scientists matching the overall rate of increase in research support." For this, the report offers no documentation. It takes from 10 to 12 years to double the scientific population. One must assume that in this doubling there is no more than a proportionate increase in numbers of scientists of excellence. One might well infer, to the contrary, that exponential increases in funding attracted marginal and submarginal investigators in some degree. This could be inferred from the fact that observations made just before the major period of NIH growth, which began in 1957, indicated that the supply of first-rate researchers was then fully committed. The Wooldridge Committee, in effect, concluded that a politically determined level of spending brought into being a corresponding number of competent scientists.

In raising these challenges I do not charge that NIH research, whether intramural or extramural, is not of high quality. I have no way of knowing. It does not seem, however, that the Wooldridge Committee satisfactorily disposed of the question.

The Committee said that it had confidence in the validity of its conclusions about quality because of the competence and distinction of its consultants and the extensiveness of their survey. The Committee went to considerable pains to explain the methodology, of the survey, especially the statistical sampling method used with the advice and assistance of a panel of three distinguished statisticians. The Committee did not, however, go into the question of whether the members of its advisory panels should have been asked to evaluate the products of a system of which they were a part. Nor did the Committee reveal the criteria followed by panel members in reviewing research projects to determine their quality. It is understood that such criteria were given the various panel members, but part of the understanding with the institutions which were to be visited was that all project reviews and even the criteria pertaining to them were to be held confidential. It is an interesting point, for it raises a collateral question of public access to information about how public funds are spent.

The report stated: "Out of the 240 traditional extramural research grants investigated, the panel teams expressed serious reservations about 9 projects and adjudged an additional 7 to be unworthy of support. In scientific research, such a ratio of ill-advised projects, when judged after the fact, is impressively low. Much more frequently, NIH-supported work was found to set the national or international standard of excellence in its field."

One would hope that the statistical sampling was proper and that subjective factors in evaluation were not at work, for these figures are impressive. There remain the questions raised above. Also, the report did not include any comment on 268 other, nontraditional research grants also investigated. Neither did it draw attention to this selective subsampling.

If the findings on quality are to be believed, one must reevaluate the many, many criticisms of recent years to the effect that the scientific literature (the products of research) is bogged down by an abundance of trivia—bibliographical buildups, replications of work already done, and data of questionable value. While such allegations are subjective judgments, the fact that they are made by responsible individuals leads one to conclude that there must be something to them. Perhaps this is an area for a new committee to investigate.

The assurance of quality is further clouded by some knowledge of the realities of grantsmanship. It is fairly common knowledge that the right labels are often placed on the wrong bottles. Research projects may be designed to support a teaching position or a principal investigator who spends much or most of his time away from the university, discharging the duties of a "research entrepreneur" rather than those of a conductor of research. Moreover, it is a fact that the timing of a new research project is more likely to coincide with the need for maintaining a steady or rising state of staff support than with bursts of creativity. In themselves, none of these comments refutes the major finding on quality of the Wooldridge Committee. Rather, these questions are raised as gross challenges because the scientific community is left in the dark as to the nature of the criteria of review.

On a related matter, the Wooldridge Committee endorsed wholeheartedly the peer-judgment mechanisms of approving requests for research awards. The Committee and its review-procedures panel were almost lavish in their praise of the panel system. The question raised here, however, is whether the Wooldridge Committee addressed itself to the pertinent issue—that of whether the panel mechanisms can be strengthened, not of whether they are necessary.

The stream of criticism which has been directed in recent years against the panel mechanism by Alvin Weinberg and others has been to the effect that panels, for all their virtues, tend, through cults of personality, to inhibit progress. The Elliott committee pointed to the growth of a "panel establishment." The consensus of past constructive criticism has been that panels could stand more membership rotation than they actually have had. The Wooldridge Committee did not, however, deal with this problem. Moreover, scant attention was given the role of advisory councils in project review. There was a time when advisory councils were able to review projects individually because there were fewer projects than there are now. In fact, during the earlier days of NIH growth, descriptions of new projects were published in the appropriations hearings. Now, advisory councils rarely examine individual project proposals.

One other study which dealt with the panel situation was that of the Kistiakowsky report [National Academy of Sciences, Committee on Science and Public Policy. "Federal Support of Basic Research in Institutions of Higher Learning" (1964), George Kistiakowsky, chairman]. The request for this study, was made in a resolution of the American Society of Biological Chemists and other scientific groups as a direct response to the activities of the Fountain committee and the actions it had obliged NIH to take. The principal contribution of the Kistiakowsky report was to call for strengthening of weaknesses in the panel system through which research proposals are evaluated and to call for new types of research support to correct imbalances.

CRITICISMS OF COLLABORATIVE RESEARCH

The criticisms of the quality of collaborative research must be considered within the framework of the larger thrust of the Wooldridge Committee and its panels. This larger objective appears to be that of bringing more firmly under the outside academic establishment the control of the Federal effort in biomedical science—that is, to make this effort conform to the academic disciplines. As mentioned earlier, the Committee insisted that the most rapid progress against specific disease entities is likely to come not from organization by disease categories or from crash programs but from continuing inquiry into the life processes. Hence, it is understandable that all the recommendations of the Wooldridge Committee on the conduct of science are oriented toward the values of the academic establishment.

On the other hand, the Committee's criticisms of science programs are concentrated on the products of what NIH staffers call the establishment, consisting of a mutually reinforcing group of citizen witnesses, key members of congressional appropriations committees, key officials in the executive branch, and the leadership of the Mary Lasker organization (a philanthropic group which concentrates on expansion of Federal health programs). The citizen witnesses are those who testify before the appropriations committees; who dominate the advisory councils and the occasional commissions on growth of the enterprise; and who were responsible for the inception of at least several of the crash collaborative research programs, in particular the cancer chemotherapy program.

One can undoubtedly find much support in the scientific community for criticism of the collaborative research programs. "NIH is experiencing difficulty in achieving the results desired from its large collaborative activities," stated the report. "In particular, many medical scientists question whether the value of the cancer chemotherapy program, which accounts for more than half of all collaborative program funds of NIH is commensurate with its cost. We advocate the appointment of an ad hoc committee to make a study of this program and to recommend any necessary changes in direction."

A subpanel of the Wooldridge Committee said of the Cancer Chemotherapy National Service Center: "Because the availability of money exceeded the availability of sound ideas, some unsatisfactory effects inevitably resulted. * * * We believe * * * that the CCNSC should have been taken through an extensive pilot project stage before its full-scale launching." This is not a new idea; opponents of the mass trial approach took the same position when the cancer chemotherapy program was first being debated. They were, however, overruled because of continued pressures by establishment members.

The Committee noted that the current budget for cancer chemotherapy is approximately $34 million a year but that related projects bring the total to approximately $47.5 million a year. Even at the lower figure, the Committee noted, this is the lion's share of all NIH collaborative research, which in fiscal year 1964 was $58 million. The suggestion was that some of the money spent on cancer chemotherapy might more constructively have gone for other pursuits.

Although the Committee did not make specific critiques of other collaborative research programs, it identified several of them. The Psychopharmacology Service Center received no mention at all. It was explained that this program had not been picked up by the sampling procedure. This is regrettable since the psychopharmacology program has been so vigorously touted by certain establishment members as to command a great deal of public interest. A review of this program would reveal difficulties of a different kind from those found in the cancer chemotherapy program. In some respects the problems are even more critical, for they involve the quality of research on human subjects. One wonders, also, why the collaborative project on perinatal disease received no comment, since it is open knowledge that it is in trouble.

The Wooldridge Committee criticized the National Cancer Institute in particular for having dropped outside advisory consultants from the cancer chemotherapy program. The NCI said it did so because it found that some of its professor-consultants had too many conflicts of interest. That is, in addition to being professors they were consultants to drug companies, often had proprietary interests in drug enterprises, and were advising the National Cancer Institute on the awarding of contracts to enterprises in which they had interests. The Wooldridge Committee felt, however, that NCI took advantage of this situation in order to divest itself of outside consultants. The committee felt that NCI could have found acceptable advisory panel members.

The Committee reaffirmed the desirability of having collaborative programs as a function of NIH but listed certain prerequisite conditions.

1. Use of outside experts to advise on the feasibility of proposed collaborative programs.

2. Exercise of an advisory review by the proposed Policy and Planning Council for all major collaborative programs.

3. Contracting flexibility to permit the NIH to turn over program management responsibility for collaborative programs to outside organizations when justified.

4. A policy of keeping each collaborative program as small as possible.

5. An inviolable rule that no large collaborative program will be started until a strong management team is available, regardless of how scientifically promising the program may be.

6. More dependence on continuing appraisal and advice by outside scientific consultants than has recently been the case.

There is a suggestion to the Congress that it desist in future from directing the setting up of various crash programs. While the committee itself avoided direct comment on this, one of its subpanels said: "The Congress should not be disenchanted of biomedical science by the seeming slowness of progress toward specific goals."

The subpanel then suggested that when the Congress identifies health priorities it should defer to the judgments of outside peer groups. Some criticism of both crash research programs and the categorical-disease approach to biomedical research is implicit in the panel's call for "a catholic attitude to recognize that discoveries made in the pursuit of one health problem can often be exploited to yield answers for a second health problem even before the first one has been solved."

STRENGTHENING UNIVERSITY MANAGEMENT OF SCIENCE

The criticism of the management of science programs both in NIH itself and in its grantee institutions come within the realm of normal expectation. A scarcity of managerial maturity seems to have become a concomitant of progress in practically all areas of science and technology as well as in the professions generally. One can even say that the professional manager who looks to the problems of others is often himself in need of repair, like the preacher and the cobbler. While this is a rationalization, it is not a justification for not doing something about problems once they have become identified. Moreover, in the NIH situation the problems have been aggravated by an unusually steep curve of growth.

The solution proposed by the Wooldridge Committee to enforce the upgrading of grants management in the universities is for NIH to use its grant-making leverage to compel good practice. "In the absence of adequate administrative improvement, NIH should substantially curtail the amount of its support for the institutional investigators," said the report. One can think of nothing that is more likely to raise the academic hackles than for NIH to say to a university: "Either you straighten out and fly right or we'll cut your grant support levels." After all the charging and countercharging that came in the wake of the Fountain committee report, to the effect that it was urging interference with academic freedoms, the Wooldridge Committee proposal for direct Federal intervention comes as something of a shocker. In fact, the classical argument against the Federal grant-in-aid approach is this: first you woo them with money; then you get them to like its feel; and then you begin to impose conditions for their continued receipt of your money. By that time you begin to own them mind and body.

CENTRALIZING AUTHORITY IN NIH

The proposals to centralize authority in the Director of NIH and to provide him with staff facilities for enhancing his program-planning capabilities should be considered in the light of previous patterns of NIH organizational growth. Most of the pressure for NIH expansion came from outside. The creation of both the Cancer Institute and the Mental Health Institute, the first two categorical institutes established within the overall hegemony of NIH, came about through outside pressures. Thereafter, other categorical institutes were added, each with its own outside supporters and beneficiaries. In the same way, collaborative research programs were superimposed on this structure, all without regard to any grand design which would assure balance and integration of effort. Each of the categorical institutes has its own statutory authority, its own appropriations, its own advisory council responsible to the Surgeon General, and its own group of citizen witnesses.

A natural fear on the part of the scientific community is that centralization of planning and authority in the hands of the director of NIH could lead to a monolithic, authoritarian bureaucracy. Just as academicians in the universities resist the imposition of authority by their own administrative officers, so NIH scientists in the categorical institutes would be likely to object to an authoritarian structure. In this, they might well be supported by their outside academic colleagues, who could be expected to say, "Though the present leadership consists of 'good guys,' who might succeed them in the future?"

Certainly the Wooldridge Committee did not have in mind any such developments. Rather, it sought a redress of balances to enable the NIH Director to exercise an overall responsibility for programs where, before, his resources for such purposes were extremely limited. Nevertheless, the proposed concentration of authority is a change in the power structuring of NIH which would have to be brought off with consummate skill in order to preserve the advantages of decentralization, fragmentation, and scientific pluralism within the framework of overall planning.

A corollary proposal is to create a Policy and Planning Council which would advise the NIH Director, review major new program proposals (especially proposals for collaborative research programs) and, if the Congress is willing, provide budgetary advice. Of course, the proposal has merit, for there is now no overall advisory council to which the NIH Director can turn for guidance. There is, however, the risk that a new elite group could thereby be created which might dominate a less independent personality than the present Director, James A. Shannon. This, of course, is no reason for not embracing the proposal. Rather, the argument comes under the heading of customary caution.

The Wooldridge Committee made a point in advancing the principle of providing independent "advice" (rather than governance) to the NIH Director. It went further in suggesting a specific mechanism, and in urging its expeditious creation. It might also have suggested viable alternatives, but it did not do so.

What is likely to provoke more than merely spirited reaction behind the scenes is the suggestion that Congress turn to a new source of scientific guidance in the development of its own budget judgments pertaining to the NIH. As the proposed Policy and Planning Council would consist of experienced and distinguished scientists in addition to a minority of outstanding nonscientists, one possibility is that its members could supersede the individuals who comprise the so-called professional judgment budgets upon which the House Appropriations Subcommittee relies. As a source of judgments its members could supersede the citizen witnesses upon whom the Senate Appropriations Subcommittee relies. One cannot imagine that a shift in the focus of exogenous power would be effected very peacefully. At the very least one might expect a lively competition for membership on the new Council, if it should be established and if it should bring about a shift in focus of informal elite power.

ORGANIZATION OF NIH

The proposal to give the Director of NIH greater access to the highest councils of the Department of Health, Education, and Welfare was left vague, presumably because of ongoing studies of HEW-PHS-NIH structure. On the one hand there seems little doubt that the phenomenal growth of NIH within the framework of the Public Health Service has created organizational problems. It is probable that, as the scope of health programing in the Federal Government broadens further, many separate agencies will become operationally involved. This lends support, perhaps, to current proposals to establish a Department of Health. On the other hand there are arguments for bringing NIH, the Office of Education, and the National Science Foundation organizationally closer together, because of their common interest in building up the academic establishment.

One related question not touched upon at all is the distinction between functions of NIH and of the National Science Foundation. The original concept for NSF was that it would be a source for the funding of free, non-mission-oriented research, including the broad area of biomedical science. The overall thrust of the Wooldridge Committee would seem to be in the direction of expanding what should be an NSF capability, as stated in the NSF charter, through the structure of NIH.

This may be the time to consider other holdover issues. For example, should the Division of Biologics Standards remain in NIH or should it be combined with the Food and Drug Administration, with which it should have greater homogeneity of interest? The National Institute of Mental Health is becoming extensively involved in the conduct of community action programs: This suggests the possibility that it has outgrown NIH. Unlike the other categorical institutes, it is heavily involved in the politics of Federal-State relations. One possibility might be to retain within NIH, as a research organization, only those activities which are of an academic-research nature, relating to the biological bases of mental disease, psychopharmacology, behavioral phenomena, and related work.

The suggestions that NIH might be divested of at least some of its intramural activities calls for the most careful consideration. The Wooldridge Committee said that it "is not convinced that it is sound for the Federal Government to conduct large amounts of scientific research of the kind that non-Federal institutions are equipped to carry out," and that "a majority of the NIH intramural program appears to be of this nature." The NIH intramural scientist is described as having at least as much academic freedom as his university counterpart, and probably more. Furthermore, he is described as having fewer redtape annoyances and fewer distractions such as faculty meetings, department administrative assignments, committee activities, and the like. "Not being in an educational institution, he need not teach; he can devote all his time to research." The lack of teaching responsibility as a possible partial basis for the development of the large intramural establishment was examined by the Wooldridge Committee. "Nonteaching positions in basic health research are certainly not common, and perhaps there is here a legitimate hole for the Government to fill in the Nation's health-science structure. However, we suspect that the size of this hole may not be very great."

The most obvious comment one could make is that nonteaching positions on a de facto basis are plentiful throughout the academic community. Why the lack of teaching responsibility at NIH should be a matter either for implied criticism or for envy is difficult to understand, unless it is that NIH intramural researchers don't even have to pretend they are teaching. As for NIH scientists being relatively free of administrative and bureaucratic distractions, one has but to try to get some of them on the telephone. He will discover how universally their time is consumed in attending meetings, fulfilling administrative requirements, and so on and on.

If anything, NIH scientists are to be commended for their concentrated adherence to purpose in the fact of financial disadvantage. In contrast, their academic colleagues, in many or most cases, can avail themselves of consulting and summer research opportunities which bring them substantial incomes in addition to their base salaries, which already exceed those paid by the Government to their scientists, the latter situation being a historic reversal. Ironically, it is NIH fund-granting which has helped bring this about.

The only action on the intramural issue called for at this time by the Wooldridge Committee is a study by the proposed Policy and Planning Council, although the report goes quite far in intimating what might be the outcome of such a study. What the Committee did not bring out is the fact that the intramural program has escaped criticism to a singular degree. It is one of the bright spots in the NIH firmament. The Committee suggests that the intramural staff members have little impact on the extramural programs, and that such a impact cannot be used as an argument for maintaining intramural activities at present levels. If this should actually be the case (the Committee did not document this statement) it might be desirable to enhance the intramural scientist's role as reviewer and consultant in grant-making.

One can see other reasons for having a strong intramural capability in considerable depth. Thus, the national interest might well be served by having a series of independent research units which are free, as the intramural laboratories are, of the preoccupations and maneuverings associated with "grant swinging." Furthermore, the Wooldridge Committee has not made a case against the idea of having an independent type of research organization, with no teaching obligations, nor has it made a case for a virtual monopoly of research by the universities. One could, in fact, muster arguments in behalf of having more independent research organizations dissociated from the universities. Admittedly, these considerations were outside the frame of reference of the Wooldridge report, but they bear on the intramural issue.

The "enrichment value" of a strong intramural program seems not to have been considered. This is a value the committee could not readily identify or weigh. Nevertheless, it would seem logical to argue that a strong intramural program, which includes advanced work by distinguished scientists, helps in recruiting and retaining the total NIH staff, both intramural and extramural.

In a pluralistic system, such as science should be, there is some value, also, in having as many independent points of view as possible. If NIH is to build up its overall planning capability it will need to have contributions from both its intramural and its extramural staffs.

PAYMENTS TO UNIVERSITIES

The indirect-cost issue has been festering its way through a seemingly endless series of investigations and reports by the scientific establishment, the Congress, and the executive branch. The Wooldridge Committee, in a new approach, now argues that it is unfair and unrealistic to distinguish between direct and indirect costs. In other words, all incoming work adds to the burden of overhead, which then must be funded in some way, usually through diversion from other university programs. The committee suggested that ordinary industrial accounting practices be followed. All overhead costs would be allocated to direct costs in arriving at total costs to be charged to the customer. If the customer—the Federal Government—then wants to pay less than 100 percent of total costs it should do so across the board, not distinguishing between direct and indirect costs. Presumably the university would then be able to budget the aggregate load of research it could support if it must make a matching contribution.

The proposal that salaries of investigators not be included in the research grant proposal deserves careful study. The reasoning was dual: The investigator should not be demeaned by having to negotiate his own salary with his professional peers; his loyalty to his own institution would be strengthened by having his salary more dependent on the negotiations of the latter with the NIH. While this proposal may be in the right direction, the niceties would need careful engineering. It would seem that salaries within a university need to be considered within its total pattern.

CONCLUSIONS

Progress is being made, undoubtedly, in the development of mechanisms for accessing Federal science operations. One must conclude, however, that the Wooldridge Committee approach does not serve as a model for the future. The committee did not avoid built-in biases of interested parties in selecting its advisory panels. It did not publish the criteria it used in making assessments of research performance. It did not propose alternative actions. It did not provide adequate documentation either to support its own findings and recommendations or to enable readers to make independent assessments.

Finally, any study of NIH can be little more than a fleeting view of a moving scene. New program dimensions generate new relationships and, in turn, new stresses and strains. Minor difficulties become major ones. Old problems fall out. The full implications of the proposed regional medical complexes, recommended by the President's Commission on Heart Disease, Cancer, and Stroke, are yet to manifest themselves. One of the issues engendered by this proposal is, Who shall administer the new research funding for the medical complexes? Whether or not this is to be done through NIH is yet to be decided. (At the time of writing, the HEW conclusion was that NIH should have this responsibility.) In any event, new patterns of funding academic research are likely to emerge—together with new problems.

[From Science, Apr. 16, 1965]

WOOLDRIDGE REPORT: STUDY OF NIH PRODUCING CONFLICTING REACTIONS AMONG CONGRESSIONAL FIGURES

Within congressional circles concerned with medical research, the Wooldridge report on the National Institutes of Health (Science, Mar. 26) has stirred some curiously contradictory reactions.

Those Members who have helped to accelerate NIH's growth are delighted with the report, and feel that its endorsement of the NIH program opens the way politically for resuming the practice of adding substantial funds to the administration's budget request. But Representative L. H. Fountain, Democrat, of North Carolina, whose investigations led to a cooling of congressional affection for NIH, says he finds ample substance in the report for his contention that the billion-dollar NIH operation contains serious deficiencies.

What the difference boils down to is a matter of judgment on certain key parts of the report. The Committee, in concluding that "few, if any, $1 billion segments of the Federal budget * * * are buying more valuable services for the American people than that administered by the National Institutes of Health," reported that in examining the quality of 240 extramural research grants, its investigating teams "expressed serious reservations about 9 projects and adjudged 7 to be unworthy of support." And it went on to state that, "in scientific research, such a ratio of ill-advised projects, when judged after the fact, is impressively low."

Mr. Fountain, however, indicated in a statement to Science that he feels otherwise. "The 'ill-advised' projects * * *," he said, "constituted about 6.7 percent of the total * * *. When NIH is spending well over half a billion dollars a year on research grants, we should not be complacent about the waste represented by ill-advised projects amounting to almost 7 out of every 100. I am disappointed that the Committee did not concern itself more with improving NIH policies and procedures to reduce or eliminate this waste."

Fountain also disputed the Committee's finding that, "despite the tenfold increase in NIH support of research during the last 8 years, there is no evidence of overall degradation in quality of the work supported." The Congressman stated that "this, of course, is a judgment unaccompanied by supporting facts and one which is contrary to the evidence of a steady decline in recent years in the priority ratings assigned to projects by the study sections. The proportion of the best projects has declined, while there has been a corresponding increase in the proportion of supported projects in the lowest priority groups."

Fountain added an endorsement of the findings of the Woolridge Committee's administration panel, which among other things, called for closer surveillance of the NIH program by the NIH administration and the grantee institutions. The panel's findings, he said he was pleased to note, were similar to those of his own investigating committee.

At this point, it is difficult to estimate the effect that Fountain's reservations may have on congressional efforts to go beyond the administration request of $1.146 billion for NIH in fiscal 1966. From comments made in the course of appropriation hearings last year, it is clear that Representative John Fogarty, Democrat, of Rhode Island, and Senator Lister Hill, Democrat, of Alabama, the congressional angels of medical research, are impatient to resume the rapid growth pace that characterized NIH through the late 1950's and into the first 2 years of this decade. Because of doubts raised by Fountain's investigations, and because of the public impression that medical research was wallowing in money, they chose to back off, rather than risk defeat, and in the past 2 years NIH has operated on a financial plateau. The sums have grown a bit, but in general growth has simply kept pace with higher costs of existing programs.

This year, however, it is reported that efforts may be made to add at least $50 million, and possibly a good deal more than that, to the administration request. It is also reported that Fountain may hold public hearings on a number of matters that could prove embarrassing to NIH. Among them in the matter of overhead payments to grantee institutions. The present regulation calls for payment of up to 20 percent of direct costs. In an effort to seek an easy way around the horrendous bookkeeping tangles of direct and indirect costs, NIH has generally allowed a straight 20 percent, regardless of whether the costs actually were lower. At present, NIH is working hard and fast on procedures to keep the payments in line with the certifiable costs, but Fountain and his committee staff are on to some past cases that might prove difficult to explain, especially at a time when congressional friends of NIH are pushing for a bigger budget.

As of now, the Wooldridge Committee report is up for review and comment along the chain of command of the Department of Health, Education, and Welfare, and, as a consequence, public pronouncements are not in order along that route. But the Committee's suggestion of "some decrease in the present proportion of intramural research" has understandably had something of a demoralizing effect on NIH's staff. The effect was such that last week NIH Director James Shannon met in closed session with the Bethesda staff to discuss the report. Shannon's remarks were off the record, but it is understood that he disagreed with some of the methodology of the Wooldridge study, and he is also reported to have questioned the Committee's criticism of NIH's capacity for long-range planning. In any case, Shannon, Fogarty, and Hill constitute an enormously powerful and harmonious trio in Government medical research, and as long as they hold office, it is unlikely that NIH is going to be changed in any way that they find distasteful.

Public reaction to the Wooldridge study has been limited in volume, probably as a consequence of a general lack of interest in the innards of research administration. However, the New York Times this past Sunday took exception to some key aspects of the study. Addressing itself to the issue of university- versus Government-conducted research, it stated that "what is disturbing is that a majority of the Wooldridge Committee consisted of persons having university affiliations. The group had not a single representative of Federal Government scientists. This circumstance must weaken the authority of a recommendation so intimately affecting the interests of the great university science research establishments."

D. S. Greenberg.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Garmatz (at the request of Mr. Friedel), for today, on account of official business.

Mr. Pool for Tuesday, June 22 through Friday, June 25, on account of district business.

Mr. Horton (at the request of Mr. Gerald R. Ford), for today and tomorrow, on account of official business as member of Select Committee on Small Business holding hearings in Rochester, N.Y., on small-business problems in urban areas.

Mr. Multer (at the request of Mr. Powell), for June 21, 1965, Monday, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Vanik, for 20 minutes, today; and to revise and extend his remarks.

Mr. Laird, for 15 minutes, today; and to revise and extend his remarks.

Mr. Michel, for 15 minutes, today; and to revise and extend his remarks.

Mr. Cohelan (at the request of Mr. Stalbaum), for 5 minutes, today.

Mr. McMillan (at the request of Mr. Stalbaum), for 1 hour, on June 22, to eulogize the late Honorable Olin D. Johnston.

Mr. Wydler (at the request of Mr. Hutchinson), for 30 minutes, on June 22.

Mr. Halpern (at the request of Mr. Hutchinson), for 10 minutes, on June 22.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. McCormack (at the request of Mr. Albert), notwithstanding the cost estimated by the Public Printer of $514.50 and to include extraneous matter.

Mr. Hanna.

(The following Members (at the request of Mr. Stalbaum) and to include extraneous matter:)

Mr. Gathings.

Mr. Burton of California.

Mr. Morris.

Mr. Johnson of California.

Mr. Dorn.

Mr. Gonzalez in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 20. An act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 32. An act to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1576. An act to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., and for other purposes; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 6032. An act to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of Aug. 16, 1962; 76 Stat. 388);

H.R. 7777. An act to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency; and

H.R. 8371. An act to reduce excise taxes, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On June 17, 1965:

H.R. 214. An act to amend section 2104 of title 38, United States Code, to extend the time for filing certain claims for mustering-out payments, and, effective July 1, 1966, to repeal chapter 43 of title 38 of the United States Code;

H.R. 6767. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1966, and for other purposes;

H.R. 7717. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes;

H.R. 7762. An act to amend titles 10 and 37, United States Code, with respect to the Reserve Officers' Training Corps; and

H.R. 8464. An act to provide for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

On June 18, 1965:

H.R. 8371. An act to reduce excise taxes, and for other purposes.

On June 21, 1965:

H.R. 6032. An act to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of Aug. 16, 1962; 76 Stat. 388);

H.R. 7777. An act to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency; and

H.R. 3165. An act to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes.

ADJOURNMENT

Mr. STALBAUM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 22, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1243. A letter from the Attorney General, transmitting a report on competition in the synthetic rubber industry for calendar year 1963; to the Committee on Banking and Currency.

1244. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a report of shipments to Yugoslavia insured by the Foreign Credit Insurance Association and the Export-Import Bank for the month of May 1965, pursuant to title III of the Foreign Aid and Related Agencies Appropriation Act of 1965; to the Committee on Foreign Affairs.

1245. A letter from the Comptroller General, transmitting a report of excessive and inequitable credits for electric services and potential loss of power revenues under power contract 14-02-0001-1002 between the Associated Electric Cooperative, Inc., and the Southwestern Power Administration, Department of the Interior; to the Committee on Government Operations.

1246. A letter from the Comptroller General, transmitting a report of overstated costs included in price of nuclear components through failure to obtain and review subcontract cost data during contract negotiations, Department of the Navy; to the Committee on Government Operations.

1217. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

1248. A letter from the Attorney General, transmitting a draft of proposed legislation providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee on Foreign Affairs. H.R. 9026. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; without amendment (Rept. No. 530). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. House Joint Resolution 503. Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1967 and 1968; without amendment (Rept. No. 531). Referred to the Committee of the Whole House on the State of the Union.

Mrs. KELLY: Committee on Foreign Affairs. Senate Concurrent Resolution 17. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; with amendment (Rept. No. 532). Referred to the House Calendar.

Mr. FASCELL: Committee on Foreign Affairs. Senate Concurrent Resolution 36. Concurrent resolution expressing the sense of the Congress with respect to the 20th anniversary of the United Nations during International Cooperation Year, and for other purpose; without amendment (Rept. No. 533). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 7371. A bill to amend the Bank Holding Company Act of 1956; with amendment (Rept. No. 534). Referred to the House Calendar.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 797. A bill to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes; with amendment (Rept. No. 535). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 4822. A bill to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960; with amendment (Rept. No. 536). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 9042. A bill to provide for the implementation of the Agreement Concerning Automotive Products between the Government of the United States of America and the Government of Canada, and for other purposes; without amendment (Rept. No. 537). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. POWELL:

H.R. 9222. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 9223. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. DENT:

H.R. 9224. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mrs. GREEN of Oregon:

H.R. 9225. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H.R. 9226. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. HOLLAND:

H.R. 9227. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. DANIELS:

H.R. 9228. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. BRADEMAS:

H.R. 9229. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. O'HARA of Michigan:

H.R. 9230. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. CAREY:

H.R. 9231. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. HAWKINS:

H.R. 9232. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. SICKLES:

H.R. 9233. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. WILLIAM D. FORD:

H.R. 9234. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. HATHAWAY:

H.R. 9235. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mrs. MINK:

H.R. 9236. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. SCHEUER:

H.R. 9237. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. MEEDS:

H.R. 9238. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. ANDERSON of Tennessee:

H.R. 9239. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 9240. A bill to amend title 1 of the United States Code to provide for the admissibility as evidence of the slip laws and the Treaties and Other International Acts Series, and for other purposes; to the Committee on the Judiciary.

By Mr. CLEVENGER:

H.R. 9241. A bill to provide certain benefits for Federal civilian employees with respect to premium pay; to the Committee on Post Office and Civil Service.

By Mr. CONTE:

H.R. 9242. A bill to establish the birthplace of Susan B. Anthony in Adams, Mass., as a national historic site; to the Committee on Interior and Insular Affairs.

By Mr. DERWINSKI:

H.R. 9243. A bill to authorize certain printed material and religious reference charts to be transmitted through the mails at the postage rates provided for books, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 9244. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAM D. FORD:

H.R. 9245. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 9246. A bill to establish a program within the Department of Commerce to make grants to the States to assist them in carrying out programs to alleviate the blight along our Nation's highways caused by abandoned motor vehicles; to the Committee on Public Works.

By Mr. GONZALEZ:

H.R. 9247. A bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JOHNSON of California:

H.R. 9248. A bill to authorize the construction, operation, and maintenance of the Lower Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KREBS:

H.R. 9249. A bill to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 9250. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON:

H.R. 9251. A bill to require annual appropriations to pay the interest on the public debt; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 9252. A bill to provide that the majority of the membership (including the chairman) of the Committees on Government Operations of the Senate and House of Representatives, respectively, shall be composed of members of a major political party other than the political party of which the President of the United States is a member; to the Committee on Rules.

By Mr. MILLS:

H.R. 9253. A bill to amend section 48 (a) (2) (B) (i) of the Internal Revenue Code of 1954 to provide for an investment tax credit for certain leased aircraft; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 9254. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN:

H.R. 9255. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, optometry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 9256. A bill to amend the National Housing Act to provide mortgage insurance, and authorize direct loans by the Housing and Home Finance Administrator, to help finance the cost of construction and equipping facilities for the group practice of medicine or dentistry; to the Committee on Banking and Currency.

By Mr. PELLY:

H.R. 9257. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. RHODES of Arizona:

H.R. 9258. A bill to authorize long-term leases on the Salt River Pima-Maricopa Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9259. A bill to permit the Department of Commerce to furnish improved service by means of its register of names of certain motor vehicle drivers; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 9260. A bill to amend the Federal Employees Health Benefits Act of 1959 with respect to health benefits of certain former Members of Congress and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9261. A bill to amend the Federal Employees Health Benefits Act of 1959 to reduce the length of certain periods governing eligibility for enrollment as an annuitant under health benefits plans under such act; to the Committee on Post Office and Civil Service.

By Mr. WHITE of Idaho:

H.R. 9262. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission over nonprofit cooperatives; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 9263. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. CALLAN:

H.R. 9264. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. CHELF:

H.R. 9265. A bill to amend the act of August 3, 1950, Public Law 638, 81st Congress; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 9266. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 9267. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. DOLE:

H.R. 9268. A bill to allow feed grains to be planted without price support on wheat acreage destroyed by flood, drought, hail, or other natural disaster in 1965; to the Committee on Agriculture.

By Mr. FISHER:

H.R. 9269. A bill to establish the Amistad National Recreation Area in the State of Texas; to the Committee on Interior and Insular Affairs.

By Mr. HANLEY:

H.R. 9270. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HÉBERT:

H.R. 9271. A bill to amend title 10, United States Code, to provide resident care for mentally retarded children of members of the Armed Forces under certain conditions, and for other purposes; to the Committee on Armed Services.

By Mr. HICKS:

H.R. 9272. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Missouri:

H.R. 9273. A bill to repeal certain provisions of law relating to the printing as House documents of certain proceedings; to the Committee on House Administration.

By Mr. McFALL:

H.R. 9274. A bill to amend the National School Lunch Act, and for other purposes; to the Committee on Education and Labor.

By Mr. MIZE:

H.R. 9275. A bill to allow feed grains to be planted without price support on wheat acreage destroyed by flood, drought, hail, or other natural disaster in 1965; to the Committee on Agriculture.

By Mr. REINECKE:

H.R. 9276. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. RHODES of Arizona:

H.R. 9277. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. SHRIVER:

H.R. 9278. A bill to allow feed grains to be planted without price support on wheat acreage destroyed by flood, drought, hail, or other natural disaster in 1965; to the Committee on Agriculture.

By Mr. SKUBITZ:

H.R. 9279. A bill to allow feed grains to be planted without price support on wheat acreage destroyed by flood, drought, hail or other natural disaster in 1965; to the Committee on Agriculture.

By Mr. TALCOTT:

H.R. 9280. A bill relating to the excise tax on shells and cartridges; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 9281. A bill to repeal the release and reallocation provisions for cotton allotments; to the Committee on Agriculture.

By Mr. CORMAN:

H.R. 9282. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes; to the Committee on Education and Labor.

H.R. 9283. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

H.R. 9284. A bill to amend the Fair Labor Standards Act, 1938, as amended, to provide for minimum wages for certain persons employed in agriculture, and for other purposes; to the Committee on Education and Labor.

H.R. 9285. A bill to provide for the establishment of a Council to be known as the "National Advisory Council on Migratory Labor"; to the Committee on Education and Labor.

H.R. 9286. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 9287. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans' Affairs.

By Mr. ROUDEBUSH:

H.R. 9288. A bill to amend title 38, United States Code, to provide that service of a veteran of the Armed Forces of the United States involving armed conflict shall be considered wartime service for the purposes of granting benefits to veterans and their dependents under that title; to the Committee on Veterans' Affairs.

By Mr. DORN:

H.J. Res. 535. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. DYAL:

H.J. Res. 536. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. VIVIAN:

H.J. Res. 537. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. CORMAN:

H.J. Res. 538. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD:

H.J. Res. 539. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H. Con. Res. 444. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. BURKE:

H. Res. 428. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. PRICE:

H. Res. 429. Resolution authorizing the printing of "United States Defense Policies in 1964" as a House document; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

321. By the SPEAKER: Memorial of the Legislature of the State of Connecticut, relative to incorporation of the organization known as the Italian American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

322. Also, memorial of the Legislature of the State of Florida, relative to the apportionment of membership in State legislatures; to the Committee on the Judiciary.

323. Also, memorial of the Legislature of the State of Hawaii, requesting support of President Johnson's proposal to repeal virtually all excise taxes; to the Committee on Ways and Means.

324. Also, memorial of the Legislature of the State of North Dakota, expressing appreciation for support of legislation authorizing the construction of the Garrison Diversion Unit; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 9289. A bill for the relief of Hiroshi Nakao; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 9290. A bill to authorize and direct the Secretary of the Interior to accept allotment relinquishments, approve a lieu allotment selection, and issue appropriate patents therefor to the heirs of Dolly McCovey; to the Committee on Interior and Insular Affairs.

By Mr. DEL CLAWSON:

H.R. 9291. A bill for the relief of John Barbarich; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 9292. A bill for the relief of Antonio Giovannucci; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 9293. A bill for the relief of Alberto Alfonso Roma Lazaro and Maria Encarnacao Lazaro; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 9294. A bill for the relief of Paul Joseph Harph; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 9295. A bill for the relief of Ascenzio Undari; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 9296. A bill for the relief of Edward L. Cupp; to the Committee on the Judiciary.

H.R. 9297. A bill for the relief of Alkinoos Vourlekis and his wife, Fontini Grammenos

Vourlekis; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 9298. A bill for the relief of Isaac M. Atienza; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9299. A bill for the relief of Giovan Battista Mannino; to the Committee on the Judiciary.

H.R. 9300. A bill for the relief of Dimitrios Papakonstantopoulos; to the Committee on the Judiciary.

H.R. 9301. A bill for the relief of Christophor Selimis; to the Committee on the Judiciary.

By Mr. TUTEN:

H.R. 9302. A bill for the relief of Lt. Charles W. Pittman, Jr., U.S. Navy; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

233. The SPEAKER presented a petition of Henry Stoner, Fishing Bridge Station, Wyo., relative to single-member State legislative districts, which was referred to the Committee on the Judiciary.

SENATE

Monday, June 21, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Hon. John Sherman Cooper, a Senator from Kentucky, offered the following prayer:

Our Father, who art in heaven:

Hallowed be Thy name, Thy kingdom come, Thy will be done, on earth as it is in heaven.

Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass againt us. And lead us not into temptation, but deliver us from evil.

For Thine is the kingdom and the power and the glory forever. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 17, 1965, was dispensed with.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILL SIGNED

Under authority of the order of the Senate of June 18, 1965.

The Secretary of the Senate reported that on June 18, 1965, he received a message from the House of Representatives, which announced that the Speaker had affixed his signature to the enrolled bill (H.R. 8371) to reduce excise taxes, and for other purposes.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 17, 1965:

S. 2089. An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

On June 18, 1965:

S. 1135. An act to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before December 31, 1968.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 4260) to amend the Internal Revenue Code of 1954 to permit corporations to qualify as real estate investment trusts, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 6032. An act to amend the act authorizing the Mann Creek Federal reclamation project, Idaho, in order to increase the amount authorized to be appropriated for such project (act of August 16, 1962; 76 Stat. 388); and

H.R. 7777. An act to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the Office of Administrator of the Federal Aviation Agency.

HOUSE BILL REFERRED

The bill (H.R. 4260) to amend the Internal Revenue Code of 1954 to permit corporations to qualify as real estate investment trusts, was read twice by its title and referred to the Committee on Finance.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. Mansfield, and by unanimous consent, the call of the legislative calendar under rule VIII was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of June 17, 1965,

The VICE PRESIDENT announced that on June 18, 1965, he signed the following enrolled bills which had previously been signed by the Speaker of the House of Representatives:

H.R. 3165. An act to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes; and

H.R. 8371. An act to reduce excise taxes, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report on Shipments Insured by Foreign Credit Insurance Association and the Export-Import Bank

A letter from the Assistant Secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, on shipments to Yugoslavia insured by the Foreign Credit Insurance Association and the Export-Import Bank, for the month of May 1965; to the Committee on Appropriations.

Report on Certain Facilities Projects for Air National Guard and Air Force Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on certain facilities projects proposed to be undertaken for the Air National Guard and the Air Force Reserve, for the year 1965 (with an accompanying report); to the Committee on Armed Services.

Amendment of Section 2306, Title 10, United States Code, Relating To Extension of Certain Contracts

A letter from the Assistant Secretary of the Air Force (Installations and Logistics), transmitting a draft of proposed legislation to amend section 2306 of title 10, United States Code, to authorize certain contracts for supplies and services to extend beyond 1 year (with accompanying papers); to the Committee on Armed Services.

Conservation of Certain Fish and Wildlife

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes (with accompanying papers); to the Committee on Commerce.

Report of Foreign-Trade Zones Board

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Foreign-Trade Zones Board, for the fiscal year ended June 30, 1964 (with an accompanying report); to the Committee on Finance.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive costs incurred by purchasing from commercial sources rather than utilizing General Services Administration supply sources, Panama Canal Company, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on deficiencies in supply management procedures resulted in overstocking at supply depots, Veterans' Administration, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred in the indirect procurement of selected aircraft subsystems for A–5 type of aircraft, Department of the Navy, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on noncompliance with statutory limitation on amount allowable for architectural-engineering services for the design of a facility at the Nuclear Rocket Development Station, Nevada, National Aeronautics and Space Administration, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on negotiation of noncompetitive fixed-unit-price contracts for procurement of helium-bearing gas without adequate determination of reasonableness of prices, Bureau of Mines, Department of the Interior, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive and inequitable credits for electric services and potential loss of power revenues under Power Contract 14–02–0001–1002 between the Associated Electric Cooperative, Inc., and the Southwestern Power Administration, Department of the Interior, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overstated costs included in price of nuclear components through failure to obtain and review subcontract cost data during contract negotiations, Department of the Navy, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

Guarantee and Insurance of Loans to Indians

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to provide for guarantee and insurance of loans to Indians and Indian organizations (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Amendment of Act Relating To the Satisfaction of Scrip and Similar Rights

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of August 31, 1964 (78 Stat. 751), relating to the satisfaction of scrip and similar rights (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Amendment of Law Establishing the Indian Revolving Loan Fund

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to amend the law establishing the Indian revolving loan fund (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Acquisition and Preservation by the United States of Certain Items of Evidence Pertaining to the Assassination of President John F. Kennedy

A letter from the Attorney General, transmitting a draft of proposed legislation providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy (with an accompanying paper); to the Committee on the Judiciary.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. Monroney and Mr. Carlson members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolution Memorializing the U.S. Senate To Ratify the Genocide Convention of 1948.

"Whereas in this year of 1965, our fellow citizens of Armenian extraction join their brothers throughout the world in commemorating the 50th anniversary of the initiation by the Turkish Government of a plan to destroy the Armenian minority in Turkey; and

"Whereas this first modern genocide was to result in the massacre of over 1 million innocent Armenian men, women, and children in the brief period of several months and was to leave another million displaced, ill, maimed, and starving, torn forcibly from their homes; and

"Whereas the massacres and deportations of the Armenians were accompanied by enormous cruelties, by torture, and by the abduction and forced conversion to Islam of countless children; and

"Whereas the failure of the world to provide either justice for the Armenians or punishment for the Turkish war criminals provided encouragement to other would-be mass murderers; and

"Whereas Adolph Hitler himself, in ordering massacres in Poland in 1939, remarked 'Who speaks nowadays of the extermination of the Armenians'; and thereby embarked upon the systematic mass murder of some 6 million Jews, shocking again the conscience of civilized men throughout the world; and

"Whereas the absence of justice for the Armenians motivated Prof. Rafael Lemkin to coin the term 'genocide' and to work toward the development of an international treaty outlawing mass destruction of a minority; and

"Whereas American leadership and encouragement did in 1948 result in the adoption by the United Nations of the Genocide Convention, with the United States as a signatory; and

"Whereas the Genocide Convention declares that genocide-murder with intent to destroy a national, ethnic, racial, or religious group; causing the group's members serious bodily or mental harm; creating conditions calculated to bring about the group's destruction in whole or part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group—is a crime in international law; and

"Whereas President Harry S. Truman transmitted the Genocide Convention to the U.S. Senate in 1949, asking for its consent on ratification; and

"Whereas today, after almost 16 years, the Genocide Convention still remains in the Senate Foreign Relations Committee with three other human rights conventions, on forced labor, slavery, and women's political rights, transmitted to the Senate by the late President John F. Kennedy; and

"Whereas American failure to ratify the Genocide Convention, when 67 other nations—including even West Germany and Turkey—have done so, contradicts the U.S. role as a champion of human rights, and as a leader in fostering the principle of rule of law and contradicts especially the U.S. role as a leader and signatory in relation to the convention itself; and

"Whereas thousands of Armenians, as well as Greeks, Jews, and others, have found in the Commonwealth of Massachusetts a refuge from the horrors of genocide: Therefore be it

"*Resolved,* That the Massachusetts House of Representatives respectfully urges the Senate of the United States to give evidence of American commitment to the principles of universal human rights and justice by ratifying the Genocide Convention in this commemorative year of 1965; and be it further

"*Resolved,* That a copy of these resolutions be sent by the secretary of the Commonwealth to the President of the United States, the Ambassador to the United Nations, the Secretary of State of the United States, and the Members of the Senate of the United States.

"Adopted by the house of representatives, May 25, 1965.

"William C. Maiers,
"Clerk.

"Attest:

"Kevin H. White,
"Secretary of the Commonwealth."

A resolution of the General Assembly of the State of Connecticut; to the Committee on the Judiciary:

"House Joint Resolution 16

"Resolution memoralizing the Congress of the United States to incorporate or charter the Italian American War Veterans of the United States, Inc.

"*Resolved,* That the General Assembly of the State of Connecticut hereby respectfully urges the Congress of the United States to enact appropriate legislation to incorporate or charter the organization known as the Italian American War Veterans of the United States, Inc.; and be it further

"*Resolved,* That the clerks of the house and senate transmit copies of this resolution to the Presiding Officer and clerk of each House of the Congress of the United States, and to each Member thereof from the State of Connecticut.

"David Hill Proctor,
"Clerk of the Senate.
"John L. Gerardo,
"Clerk of the House."

A resolution of the Legislature of the State of Nebraska; to the Committee on Labor and Public Welfare:

"Legislative Resolution 57

"Whereas announcement has been made that the U.S. veterans hospital of Lincoln will remain open; and

"Whereas the help of many persons did perform marvelously in accomplishing this deed: Now, therefore, be it

"Resolved by the members of the Nebraska Legislature in 75th session assembled:

"1. We express to the President of the United States, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, to the Administrator of Veterans' Affairs, Washington, D.C., to the chairman of the Committee on Veterans' Affairs of the

Senate and House of Representatives of the United States, and to each Member of Congress from Nebraska, our sincere appreciation for their efforts in retaining the U.S. veterans hospital in Lincoln, Nebr., and that a copy of this resolution be sent to them.

"Philip C. Sorensen,
"President of the Legislature.

"Attest:

Hugo F. Srb,
"Clerk of the Legislature."

A joint resolution of the Legislature of the State of Maine; to the Committee on Public Works:

"Joint Resolution Urging Upgrading of Economy of Washington County

"We, your memorialists, the senate and house of representatives of the State of Maine in the 102d legislative session assembled, most respectfully present and petition your honorable body as follows:

"Whereas the Federal Government has properly assumed responsibility for construction of a national system of interstate and defense highways as vital to its economy and security; and

"Whereas the existing program terminating in 1972 was planned in years past; and

"Whereas it is now evident that U.S. Interstate 95 as now programed will not serve adequately the County of Washington, State of Maine; and

"Whereas in the interests of a common defense by the United States and Canada a primary highway system should link the two nations; and

"Whereas the economy of Washington County, Maine, has long been recognized as demanding a stimulus; and

"Whereas there is need for a short, direct route from the center of the State of Maine to the western boundary of New Brunswick—connecting thereby with St. John, New Brunswick and Halifax, Nova Scotia, and being the logical interchange between defense bases in Labrador and Newfoundland in Canada; and Cutler Naval Station, the world's largest radio defense system, Bucks Harbor, the vital Air Force Radar Defense Installation, and Dow Field, Bangor, in the United States; and

"Whereas the County of Washington desperately needs an expeditious access route to serve its industrial and recreational components in order that the region shall not be isolated from the mainstream of such business: Now, therefore, be it

"*Resolved*, That we, your memorialists, recommend and urge to the Congress of the United States, in order to promote the defense of the Nation and upgrade the economy of the depressed areas of Washington County, Maine, that appropriate action be taken to require the Department of Commerce, through its Bureau of Public Roads, to locate, plan and construct as a part of Interstate System 95 a highway suitable for defense and economic requirements through Washington County; and be it further

"*Resolved*, That a copy of this memorial, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the Senate and House of Representatives in Congress and to the Members of the said Senate and House of Representatives from this State.

"Read and adopted in senate chamber; sent down for concurrence; May 27, 1965.

"Edwin H. Pert,
"Secretary.

"Read and adopted house of representatives, in concurrence, May 28, 1965.

"Jerome G. Plante,
"Clerk."

A resolution of the House of Representatives of the State of Illinois; ordered to lie on the table:

"House Resolution 186

"Whereas today, May 27, 1965, marks the birthday of our great Vice President, the Honorable Hubert Horatio Humphrey, whose distinguished service to our Nation is an inspiration for all of us who serve the public; and

"Whereas Hubert Humphrey is a proud son of Minnesota where he attended school and earned membership in Phi Beta Kappa fraternity and where he served as mayor of the city of Minneapolis from 1945 to 1948; and

"Whereas this fine product of the 'Land of Ten Thousand Lakes' served his State as Senator for 16 years prior to his election to our Nation's second highest political office; and

"Whereas Vice President Humphrey's devotion to his party and to the ideal that all Americans should have a more prosperous life serves as an example of the finest caliber of patriotism: Therefore be it

"*Resolved by the House of Representatives of the 74th General Assembly of the State of Illinois*, That this body extend its heartiest congratulations to our Vice President, Hubert Horatio Humphrey, on the occasion of his birthday, and that a suitably engrossed copy of this preamble and resolution be forwarded to him.

"Adopted by the house, May 27, 1965.

"John P. Touhy,
"Speaker of the House.
"Charles F. Kervin,
"Clerk of the House."

A resolution adopted by Americans of Baltic Origin living in Rochester, N.Y., relating to concurrent resolutions now pending in the Congress, to request the President of the United States to bring up the question of the Baltic States in the United Nations; to the Committee on Foreign Relations.

A resolution adopted by the Shasta County (Calif.) Board of Supervisors, favoring the enactment of legislation to repeal section 14(b) of the National Labor Relations Act and section 705(b) of the Labor-Management Reporting and Disclosure Act; to the Committee on Labor and Public Welfare.

Resolutions adopted by the American Bakery & Confectionery Workers International Union, Local 219; the Minneapolis Central Labor Union Council; the New York Italian Typographical Union No. 261; the Lafayette (La.) Central Labor Council; the Daytona (Fla.) Typographical Union No. 892; the Chattanooga (Tenn.) Typographical Union No. 89; the St. Joseph (Mo.) Federation of Labor, the Great Falls (Mont.) Typographical Union No. 256, and the Oakland County (Mich.) Central Labor Council, of Pontiac, Mich., all favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

A resolution adopted by the Missouri Federation of Postal Clerks, Springfield, Mo., favoring the enactment of legislation to provide union recognition by law of postal and Federal employees; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MOSS, from the Committee on Interior and Insular Affairs, with amendments:

S. 602. A bill to amend the Small Reclamation Projects Act of 1956 (Rept. No. 336).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with amendments:

H.R. 2. An act to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes (Rept. No. 337).

By Mr. STENNIS, from the Committee on Armed Services, with an amendment:

H.R. 8439. An act to authorize certain construction at military installations, and for other purposes (Rept. No. 338).

TO AUTHORIZE THE PRINTING AS A SENATE DOCUMENT OF A REPORT ON WATER RESOURCES DEVELOPMENTS IN SPAIN—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported the following original resolution (S. Res. 119); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That there be printed with illustrations as a Senate document a report entitled "Water Resources Developments in Spain," prepared by Floyd E. Dominy, Commissioner, Bureau of Reclamation, U.S. Department of the Interior.

Sec. 2. There shall be printed one thousand additional copies of such document for the use of the Senate Committee on Interior and Insular Affairs.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE:

S. 2161. A bill to extend the operation of the National Wool Act of 1954, as amended; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2162. A bill to provide for research, design, development and construction of fully operational passenger motor vehicles in prototype quantities embodying certain safety features; to the Committee on Government Operations.

By Mr. SYMINGTON:

S. 2163. A bill for the relief of Seaman Eugene Sidney Markowitz, U.S. Navy; to the Committee on the Judiciary.

By Mr. TOWER:

S. 2164. A bill for the relief of Jose E. de la Torriente; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2165. A bill for the relief of Dr. Herminio Mercado; and

S. 2166. A bill for the relief of Mrs. Margareta L. Agullana; to the Committee on the Judiciary.

By Mr. YARBOROUGH (for himself and Mr. Tower):

S. 2167. A bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2168. A bill to establish the Amistad National Recreation Area in the State of Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 2169. A bill to encourage the needy blind to enroll in rehabilitation programs by prohibiting State residence requirement in assistance to the blind; and

S. 2170. A bill to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals to achieve rehabilitation and restoration to a normal, full, and fruitful life; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bills, which appear under separate headings.)

RESOLUTION

TO AUTHORIZE THE PRINTING AS A SENATE DOCUMENT OF A REPORT ON WATER RESOURCES DEVELOPMENTS IN SPAIN

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 119) authorizing the printing as a Senate document of a report on water resources developments in Spain, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Jackson, which appears under the heading "Reports of Committees.")

AMENDMENT OF NATIONAL WOOL ACT—SPECIFIC FORMULA FOR ESTABLISHING PRICE INCENTIVES

Mr. BIBLE. Mr. President, I introduce for appropriate reference a bill to amend the National Wool Act to prescribe a specific formula for establishing the price incentives authorized in the act.

Mr. President, this bill is recommended and supported by the Nevada Wool Growers Association. I am also informed it is generally supported by most other State wool growers associations. I introduce it now in the hope it will be referred to the Senate Agriculture Committee where it can be considered in conjunction with S. 994, of which I am a cosponsor, to extend the National Wool Act.

There is no quarrel with the production goal of 300 million pounds set forth in the policy statement of the Wool Act. But current conditions, if they continue, may prevent reaching this production goal. My bill would take the Secretary of Agriculture "off the hook," so to speak, in feeling obligated to spend all moneys authorized under this program to obtain the production goal as rapidly as possible.

Instead, it prescribes a formula which automatically fixed the incentive price level.

In the first 11 years of operation, there has been no increase in the incentive level under the National Wool Act. It has remained at 62 cents while costs of production have leaped almost 15 percent. This formula would result in a modest increase to 65 cents for 1966. Adjustments would be made afterward according to changes in the parity cost index. I believe this is only fair: the incentive level should change as the parity cost index changes.

Another benefit of this legislation would be that the Secretary of Agriculture will no longer have to consult with producers each year on the incentive level. This will save time and expense.

Mr. President, I think it is fair to state that woolgrowers generally favor the 300-million-pound production goal and would like to see it retained in the act, contrary to the administration proposal. The goal is between one-third and one-half the domestic manufacturing needs and is regarded as reasonable in line with defense requirements. Yet woolgrowers want to see the cost of the program kept within reason. That is the goal of the bill I introduce today.

I believe we will be able to have the definite views of the woolgrowers on this subject when hearings are held on the National Wool Act amendments.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2161) to extend the operation of the National Wool Act of 1954, as amended, introduced by Mr. Bible, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

U.S. PARTICIPATION IN THE HEMISFAIR 1968 EXPOSITION

Mr. YARBOROUGH. Mr. President, Will Rogers once remarked that there were three cities in the United States that were "different," cities which had a native charm which could not be in any way duplicated. One of the cities he mentioned is San Antonio, Tex. San Antonio, with its Spanish missions, its wonderful little river that winds through the heart of the city, its beautiful parks, its authentic Spanish village—La Villita—its colleges, skyscrapers, and bustling commerce, is a blend of the old and the new, a rare city which reflects its ancient Spanish heritage at the same time that it exudes the spirit of 20th century America. The year 1968 marks the 250th anniversary of the founding of San Antonio by the Kingdom of Spain, and to mark the occasion; the people of San Antonio are organizing a "HemisFair" to honor and display the diversified cultures of the Americas, including their history, art, industry, commerce, and economic development.

This fair will demonstrate our historical and cultural interrelationships, and will show how each of the countries of the Americas has contributed to the development of the others. In short, the fair will offer people an opportunity to experience almost at first hand the manifold forces that have gone into shaping this hemisphere and will enable all the peoples of the Western Hemisphere to understand each other better, their similarities as well as their differences. Increased mutual understanding is not idle academic exercise. The peace and safety of our hemisphere will be enhanced to the extent that the nations of Pan America are more tolerant of each other. The HemisFair provides an opportunity for calling attention to the need for increased insight and a vehicle through which we may contribute to its realization.

I introduce a bill today to authorize the Secretary of Commerce to establish a planning staff to conduct a study to determine the manner and extent of Federal participation as an exhibitor in HemisFair 1968.

The idea for HemisFair 1968 was conceived several years ago as a fair for the Americas, to honor and display the diversified cultures of Pan America, including the history, art, industry, commerce, and economic development of each of the nations of the Western Hemisphere, their interrelationships and common ties, and the contributions to their development from Europe, Asia, and Africa. The confluence of civilizations that occurred in the Americas is one of the most exciting stories in the history of mankind and the development of civilization.

President Johnson has already said of HemisFair 1968:

> The New World nations are brothers in history, friends in commerce, and partners in aspiration. San Antonio's "Fair of the Americas," HemisFair 1968, will celebrate this partnership. Dedicated to the advancement of social, economic, and cultural wellbeing of all peoples of the Americas, it will be a living example of our Nation's policy of inter-American cooperation.

From the beginning, HemisFair 1968 has been a communitywide effort in San Antonio, strongly and enthusiastically supported by the businessmen and the general public. Recently the Texas Legislature voted to appropriate the sum of $4.5 million to HemisFair. So the fair is widely supported by the host community, San Antonio, as well as the State of Texas.

No nation has a greater interest in the furtherance of the goals of Pan American unity and progress than the United States. Federal participation in HemisFair 1968 in addition to being another contribution toward those goals will help create a permanent meeting place for the nations and people of this hemisphere and a showcase of hemispheric solidarity.

I ask unanimous consent that this bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2167) to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes, introduced by Mr. Yarborough (for himself and Mr. Tower), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 2167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby recognizes the international exposition, HemisFair 1968 (hereafter in this Act referred to as the "exposition"), which is being held at San Antonio, Texas, in 1968, as an event designed to enhance the existing brotherhood between New World nations, reaffirm common ties, increase understanding, and fortify world peace. The purposes of such exposition are to—

(1) honor and display the diversified cultures of Pan America, including the history, art, industry, commerce, and economic development of each of the nations of the Western Hemisphere, their interrelationships and common ties, and the contributions to their development from Europe, Asia, and Africa;

(2) encourage, coincident with the Olympic Games being held in Mexico City in 1968, tourist travel in and to the United States, stimulate foreign trade, and promote cultural exchanges; and

(3) commemorate the two hundred and fiftieth anniversary of the founding of historic bilingual San Antonio, "the gateway of Latin America".

SEC. 2. (a) To implement the recognition declared in the first section of this Act, the President, through the Secretary of Commerce, shall cooperate with the State of Texas with respect to, and determine the extent to which the United States shall be a participant in and an exhibitor at the exposition.

(b) The President is authorized and requested, by proclamation or in such other manner as he may deem proper, to invite the several States of the Union and foreign countries to take part in the exposition.

SEC. 3. (a) In carrying out his duties under section 2(a) of this Act, the Secretary of Commerce shall establish a planning staff to conduct a study to determine the manner in which and the extent to which the United States shall be a participant in and an exhibitor at the exposition, and to report thereon to the Secretary of Commerce and the President.

(b) (1) The Secretary of Commerce is authorized to appoint, without regard to the civil service laws and the Classification Act of 1949, such consultants and experts as he deems to be necessary to assist the planning staff established under subsection (a). Persons so appointed as consultants and experts, who are not otherwise employed by the United States shall be (A) paid compensation at a rate not to exceed $100 per diem while engaged in the work of such planning staff, and (B) reimbursed for travel and other necessary expenses incurred while so engaged, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(2) The Secretary of Commerce is authorized to appoint and fix the compensation of the members of such planning staff and such secretarial, clerical, and other staff assistants as may be necessary to enable such planning staff to perform its functions, without regard to the civil service laws and the Classification Act of 1949, except that no person appointed under this paragraph shall receive compensation at a rate in excess of that received by persons under the Classification Act of 1949 for performing comparable duties.

SEC. 4. The head of each department, agency, or instrumentality of the Federal Government is authorized—

(1) to cooperate with the Secretary of Commerce with respect to determining the manner in which and the extent to which the United States shall be a participant in and an exhibitor at the exposition; and

(2) to make available to the Secretary of Commerce, from time to time, on a reimbursable basis, such personnel as may be necessary to assit the Secretary of Commerce in carrying out his functions under this Act.

SEC. 5. The President shall report to the Congress during the first regular session of Congress which begins after the date of enactment of this Act with respect to (1) the findings derived from the study referred to in section 3, together with such recommendations as the Secretary of Commerce and the President may deem appropriate concerning the most effective manner of representation of the United States at the exposition, and (2) the amount of appropriations which are necessary to accomplish such representation.

SEC. 6. There are hereby authorized to be appropriated not to exceed $250,000 to carry out the provisions of this Act.

ESTABLISHMENT OF NATIONAL RECREATION AREA, AMISTAD RESERVOIR, TEX.

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the establishment of a national recreation area in connection with the Amistad Reservoir on the Rio Grande River near Del Rio, Tex.

The Amistad Dam is a joint United States-Republic of Mexico project now under construction. It will create a 138-square-mile reservoir on the Rio Grande and Devils Rivers. Water will back up both the Rio Grande, an international stream, and the Devils River, which is within the boundary of Texas, and is a tributary of the Rio Grande.

The bill has been prepared by the U.S. Interior Department at my request, and after numerous conferences, extending over about 2 years.

It calls for the development of eight tracts on the reservoir as a national recreation area, combining public outdoor recreation benefits with conservation of scenic and historic values, under National Park Service plans.

The first recreation area established in this manner was on Lake Mead at Hoover Dam on the Colorado River. The recreation area established by the bill I am introducing is patterned somewhat on the Lake Mead example. However, Lake Mead and Hoover Dam are on public land.

The land which surrounds the Amistad Reservoir is privately owned. Suitable plans have been made for its acquisition.

The bill offers a wonderful opportunity to establish a major recreational facility with national recognition on the boundary of the United States and Mexico on the Rio Grande River in western Texas. It will become a major attraction for tourism in the Southwest. The area is noted for its scenic beauty. In winter and summer the climate is warm.

This is also an area where the land is low in value.

Many elderly people have moved into California, Florida, and Arizona, but the value of the land there has become so high that orange groves are beginning to be plowed up in order to have a place to build homes. The land values in the Amistad area are not so high.

A shortage of water has kept down development of this resort area and has also kept down the development there of towns for homes for the elderly. This area is well suited for such towns, because the elderly frequently find it desirable to live in a warm, dry climate. The building of the dam will alleviate the shortage of water.

The area is approximately 180 miles west of San Antonio, and some 300 miles east of El Paso. In this warm and dry climate, people will be able to obtain relief from arthritis and many other ailments. It is a most favorable location for the establishment of such a recreational area.

The building of homes will be supervised to make sure that it will not become a honky tonk area, similar to some recreational areas in parts of the West.

This area will be properly supervised as a national recreational area under the direction of the Reclamation Service of the Department of the Interior.

Mr. President, I believe that the bill is meritorious. Let me express my appreciation to the Department of the Interior for the hard work which has gone on for 2 years and which has now produced the final drafting of this merited measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2168) to establish the Amistad National Recreation Area in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

REMOVING RESIDENCE RESTRICTIONS IN AID TO THE BLIND

Mr. HARTKE. Mr. President, I introduce, for appropriate reference, a bill to eliminate residence as a requirement for entitlement to receive aid to the blind under the federally supported State programs, established and maintained to provide public assistance to persons without sight who are in need of public help.

Under these programs, a person making application for assistance is required to prove that he has lived in the State of application for a statutorily prescribed length of time.

I am opposed to this requirement of residence in the federally supported programs of aid to our needy blind citizens, and to the same restriction in other similar programs as well.

In the earlier days of our Nation's development, when food, clothing, and shelter were provided to the needy by the local community, when the great majority of people remained throughout their lives in the locality where they were born—then, in such times, the local community, the State, might have been justified in limiting its financial obligations to people in want by the imposition of a residence requirement as a requisite to receiving publicly provided help.

In such times, I believe it may have been reasoned thus—that those who lived and labored in a particular community for a period of years, had earned the right, when bad times came to some of them, when they were unemployed and in want, they had earned the right to draw upon the resources of the community—resources to which they had contributed during their working years.

On the other hand, those who came to the community seeking aid—or who sought public support soon after their arrival in the community—were properly denied such help, since they had made no contribution, or only a slight one, to the resources of the community.

But, Mr. President, times have changed, changes have occurred as our Nation has grown—and, I believe, the laws should reflect these changes.

Today, in America, our population has become increasingly mobile. Fewer people remain throughout their lives in the city, State, or area of their birth.

In 1935, Congress recognized that, as people moved from State to State, as they migrated from one part of the Nation to another, the responsibility of meeting the needs of such people in want was no longer a local problem, to be solved by local resources; it was no longer the sole obligation of the local community.

It had become a national problem.

It had become an obligation of the entire community, the entire Nation, to be solved by the resources of the entire Nation.

Therefore, Congress adopted the public assistance programs under the Social Security Act.

Under these programs, the Federal Government provided financial help to the States to aid them in meeting their mounting welfare costs—to share with the States responsibility for satisfying the basic needs of their citizens in want, citizens unable to provide for their own needs because of adversity or circumstances beyond their ability to control.

The Federal Government has, over the years, gradually increased its financial participation in these public welfare programs, and it has done so with good cause. People change their residence for a great variety of reasons, but few people on relief, we are reliably informed, move to a new State because the aid grant is higher than in the State they are leaving.

It is my belief, Mr. President, that recipients of aid should have the right of freedom of movement—a right available to all others.

It is my belief that relief recipients, people in want—dependent upon programs of public assistance—should be encouraged, not restrained from moving to new locations.

Although their immediate needs may be met by welfare grants, their real need is for the chance to build new lives, to live from their own labors, freed from dependency upon welfare.

Blind persons have the need, more than most, to look to the entire country for their chance to earn a living, yet those blind persons who are recipients of aid are denied this chance equally with others.

Even though provided with vocational rehabilitation training to fit them for employment, often under a federally supported program, many of these people are confronted by very limited opportunities for the kind of work for which they are qualified in their community or in their State. They must be free to go where their talents and training are needed, but many do not go because they dare not go since loss of assured support if needed will face them.

For, as recipients of public assistance, subsisting on a very limited budget, they, of course, are unable to build up a reserve of funds upon which to live in a new State until their efforts to secure work are successful.

And, even if they are fortunate and are able to accumulate a few dollars, enough to pay travel costs to a new State, they still must hesitate to move and they still must hesitate to venture. They know that if they cannot find work before their funds are used up, not only may they be refused public assistance in the new State where they are unable to meet the residence requirements for aid, but they also may be unable to return to their original State to the public aid rolls, for they may have forfeited their residence eligibility by leaving their home State.

Mr. President, blind persons who seek to support themselves and to assume their family responsibilities should be encouraged in their courageous efforts and helped in every way possible, for their desire for independence is commendable and worthy of every help.

Therefore, I believe that State residence laws in programs of aid to the blind which act as an insurmountable obstacle to the efforts of these people should be abolished.

Mr. President, in conclusion, I would remind my distinguished colleagues that the proposal to abolish residence requirements in programs of aid to the blind is an extension and an implementation of the fine spirit of rehabilitation expressed in the Social Security Amendments of 1956, when self-care and self-support were made purposes to be served, goals to be achieved, in the federally aided State public welfare programs.

The proposal I have introduced also is an extension and an implementation of the objectives declared to be goals of the Public Welfare Amendments of 1962—to encourage and assist welfare dependents to return to the normal life of the community and independent, self-sufficient persons.

Enactment of my bill into law, Mr. President, would give real meaning to these fine phrases in the lives of substantial numbers of blind men and women of America.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2169) to encourage the needy blind to enroll in rehabilitation programs by prohibiting State residence requirement in assistance to the blind, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on Finance.

PUBLIC ASSISTANCE TO THE BLIND

Mr. HARTKE. Mr. President, today I have again introduced a bill to improve title X and title XVI of the Social Security Act with regard to its provisions in programs of public assistance to the blind.

Since first becoming a Member of the U.S. Senate, Mr. President, I have considered it a privilege, an opportunity, and an obligation, to work with and for sightless Americans in their gallant and courageous uphill struggle to achieve full and equal participation in all aspects and activities of our Nation's life.

Blind men and women throughout the country, working together in the National Federation of the Blind have worked with me particularly upon public assistance programs for the blind.

Our purpose has been to make these programs an adjunct to rehabilitation, a process to encourage initiative and assist self-help effort. Many needy blind men and women are needlessly needy who could, with help and encouragement, provide adequately and fully for themselves. It is tragic that too often the ancient and outmoded concepts of punishment and stark subsistence embodied in the Elizabethan "poor laws" still submerge America's needy blind citizens. I believe these people merit our every help.

The bill I have introduced today is designed to give such help.

Section 1 would remove the length of time limitation on the exemption of additional income and resources of a recipient of aid to the blind having a State-approved rehabilitation plan for achieving self-support.

Mr. President, earned income exemption as a rehabilitative mechanism first was included in the Federal aid to the blind law in 1950. Its incorporation in the Economic Opportunity Act attests to its general recognition and acceptance as a device of value in stimulating self-help by men and women who are in need of public aid.

Several times, Congress has acted to broaden the earnings exemption provisions of the Federal aid to the blind law. As recently as last year States were allowed to exempt all earnings, for a period of 36 months, of a recipient of aid to the blind working under a State-approved rehabilitation plan directed toward self-support. My bill would remove any length of time limitation from this full exemption provision, since blind men and women, just as others, vary in the time they require to establish themselves in a new business or profession, trade or enterprise.

No time limit is needed, Mr. President, to prevent abuses of this full exemption provision, since it is available only to recipients of aid to the blind under a State-approved rehabilitation plan. The exemption will end when the purpose of the plan has been fulfilled, when self-support has been attained.

Section 2 provides the maximum amount for which a family member or relative may be held liable to contribute to the support of a recipient of aid to the blind.

Mr. President, I believe it is a pernicious law which imposes a legally enforceable obligation upon relatives to contribute to the support of family members in need. The reasons are these.

First. Under State relatives' responsibility laws, in order to determine the amount of the contribution which should be made by the relative toward the support of an aid applicant, a welfare agency standard of expenditures is imposed upon the earnings of the employed relative. Then, if the relative fails to make his contribution in the amount decided upon by the welfare agency, if the relative differs with the welfare agency as to how he should spend his own money, then the needy individual can be required to take part in a court action to collect the contribution. This means that a parent can be required to sue a child, a child a parent—surely an abhorrent requirement indeed.

Finally, Mr. President, if the needy person does not receive the amount of the contribution which the court has ordered must be paid toward his support by the relative, he can either report to the welfare agency or the court, and further court action will follow, if he does not, he must then live on the aid grant which was figured upon the basis of the relative's contribution. The result in such a case is even greater poverty and hardship.

This provision of my bill in section 2 would not abolish relatives' responsibility laws in aid to the blind, but it does seek to control and limit such responsibility. It improves the situation by determining and restricting the extent of such liability.

Section 3 would prohibit any State agency administering federally supported States programs of aid to the blind from requiring recipients under such programs to subject their property to liens or transfers to such agencies as a condition for receiving aid and assistance.

Mr. President, if publicly provided aid to needy blind persons is to help such persons diminish dependency, if it is to encourage them and stimulate them in their efforts toward self-dependency and independence, then, Mr. President, blind persons in need must not be deprived, by lien or by transfer, by law or by regulation, of the use of such property as they may possess.

To pauperize and to stigmatize blind persons who must apply for public aid, to take from them the little amounts of property that they may own, not only denies such people the use of their property as a rehabilitation resource, as a basis upon which to build a new life and a new economic venture, but it takes away from them their will to try again, to work their way back from reliance upon relief to independence of relief.

Section 4 would specifically provide that the individual needs of each person applying for aid to the blind be presumed to be not less than a fixed amount—an amount to be set by each State in accordance with its own circumstances and conditions; and further, it provides that, if the actual needs of an individual recipient of aid to the blind exceeds the prescribed figure, he receives a payment sufficient to meet his particular needs, unless he has nonexempt income adequate to meet his actual needs.

Subjecting a blind person, a recipient of public assistance, to the constant harassment of investigations and inquiries, deprecating and humiliating him by suspicious searches for nonexistent resources, cannot well foster a spirit of rehabilitation. Aid to the blind should never be a means of punishing or humiliating him because he is in need of public help.

To avoid such consequences, the aid recipient's human needs should be determined, including the average monthly amount required for food, clothing, shelter, and the other necessities. To these should be added the cost of the special needs resulting from blindness and the aid granted should be at least this amount.

In this manner, a "means" test, the dignity, integrity, and the right of privacy of the blind individual to be aided is protected, investigations are minimized, and he is no longer exposed to the discretion of overzealous social caseworkers.

Section 5 would specifically provide that nothing in title XVI of the Social Security Act shall be construed as preventing any State from having different standards of assistance and different eligibility requirements for any of the categories of aided persons included in a combined plan of aid and assistance.

Mr. President, when the Public Welfare Amendments of 1962 were being considered by the Finance Committee, and later, when they were being considered by the Senate, I opposed the new social security welfare title XVI because it permitted the States to lump their separate programs of aid to the aged, the blind, and the disabled into one public assistance program.

I objected to this scrambling approach in programs intended to help people in need of help, for I did not believe the three groups of our adult needy citizens could be helped in a generalized program of this nature.

Since the passage of the welfare amendments, however, the HEW officials have issued an interpretation of the title XVI provisions which confirms my original concern, and substantiates my fears. This departmental interpretation requires that the aged, blind, and disabled served under a title XVI combined plan of aid, must be judged by common standards of need. Eligibility standards must be the same for all included in the combined plan.

Yet the needs of the blind, aged, and totally and permanently disabled are different and distinctive.

Over the years, Mr. President, there has evolved, in the States and in the Nation, a recognition that persons without sight have uniquely different needs from those of other disadvantaged persons, and this recognition has been embodied in statutory provision and administrative policy and practice.

To judge the needs of the blind as though they were identical to those of the aged and the disabled will diminish or destroy the possibilities for rehabilitation of the blind.

Therefore, my proposal would allow a State to have different standards of assistance and different eligibility requirements for any of the categories of adult needy—the aged, blind, and disabled—included in a combined plan of aid under a title XVI plan of aid.

Section 6 would permit any State which adopts a title XVI combined plan of aid to claim Federal matching money for aid to the blind cases under a separate plan which meets the Federal requirements.

Mr. President, not only should States be allowed to provide for the uniquely different needs of their needy blind citizens separate from the aged and the disabled, even though the three groups of adult needy are served by a single title XVI plan of aid, but they should also be allowed to file a separate plan of aid under which they may administer their program of aid to the blind.

The States of Massachuetts, Delaware, New Jersey, Virginia, and North Carolina, are already permitted such separate administration of their programs of aid to the blind. Since these States are afforded the same Federal financial benefits available under a title XVI plan, it is obviously discriminatory to deny this privilege to the other 45 States. Likewise the States should also be allowed to locate such separate aid to the blind programs in a department of State government other than the State welfare department—a privilege already granted to the same five States.

Section 7 provides, just as title I and title XVI of the Social Security Act now do, for Federal financial participation up to one-half of a maximum expenditure of $15 monthly for medical care for recipients of aid to the blind in States which maintain programs of aid to the blind under title X of the Social Security Act.

Mr. President, States which file a combined category aid plan under title XVI are allowed Federal matching money for their blind recipients' medical needs on the same matching basis as that previously available only to the aged needy under title I—up to one-half of $15 monthly expenditure. A State which retains its categorical aid to the blind program under title X should receive the same Federal help.

The nature of the administrative structure of the aid to the blind program in a State should make no difference.

Section 8 would allow a State which adopts a combined category public assistance program under title XVI of the Social Security Act to abandon such a program, and resume administration of aid to the blind, aged, and the disabled, under title I, title X, and title XIV of the act.

Since adoption of the 1962 Public Welfare Amendments, HEW officials have issued interpretative materials—State letters Nos. 582 and 616—which indicate very clearly that once a State adopts a combined category plan of aid under the new title XVI, consolidating its programs of aid to the blind, aged, and disabled into one single program, it is irrevocably bound to retain its combined category aid program.

Thus however much State welfare officials may become convinced that their needy blind, aged, and disabled citizens would be better served by a return to separate category programs of assistance under titles I, X, and XIV, they are forever bound to continue administration of aid under the combined category program—if they want to continue receiving Federal participation in their public assistance costs.

When the 1962 Public Welfare Amendments were being considered by the House and Senate, the new title XVI was described by title and in arguments by its proponents as the "optional combined plan for the aged, blind, and disabled".

But the HEW interpretation of irrevocability offers the States a one-way option—an option to adopt a title XVI combined plan of aid, but not an option to withdraw from such a plan if a State becomes dissatisfied with the consolidated approach.

Section 9 provides that social services to be made available to recipients of public assistance under the welfare amendments of 1962 shall be given only to persons who request them, that the amount of aid which a person is entitled to receive is not contingent upon the acceptance of social services, and that such services are to be defined and administered to the blind, aged, and disabled on a categorical basis in accordance with their separate and group needs.

This proposal would protect blind people from such practices as that of the social caseworker who would order a blind person to achieve rehabilitation or lose his aid grant upon failure or refusal.

This provision would help make sure that the rehabilitative services provided by the 1962 amendments do the job they are supposed to do.

Section 10 provides for an increase in the Federal financial participation in money grants to recipients of aid to the blind.

At the present time the Federal Government pays $29 of the first $35 of the average monthly aid to the blind grant. I propose to change the Federal share to $42.80 of the first $50.

Then, also, the Federal Government pays 50 to 65 percent additionally of the difference between $35 and $70—and $70 is the ceiling on Federal-State aid matching.

This bill would change the ratio, so that the Federal Government will pay 50 to 75 percent of the difference between $50 and $100, raising the matching ceiling to $100.

According to the December issue of HEW's Social Security Bulletin, the average amount of cash aid received during the month of August 1964, by nearly 100,000 needy blind persons in the Nation was $74.53. Although the average aid to the blind grant in some States was higher than this amount, it was substantially lower in some States.

I am proposing this change in the Federal-State sharing in the costs of aid to the blind in order that the level of aid received by the needy blind may be raised, allowing them a chance to live with a greater measure of adequacy.

Section 11 provides that any increase in Federal funds authorized to raise aid grants to needy blind persons be given to the States only upon the condition that the States will pass on the additional money without reducing the State or local share in payments.

Mr. President, when the public welfare bill—which later became the Public Welfare Amendments of 1962—was being considered in executive session by the Finance Committee, I offered just such an amendment to the pending measure, requiring that the additional Federal money provided for in the bill be passed on to the recipients by the States without a diminution of the State's share in such payments. The committee and I were assured by Health, Education, and Welfare officials that this requirement—this compulsory pass on requirement—was unnecessary, that the States would certainly pass on the increase of Federal funds to their citizens in need of public help. In fact, however, few States have passed on the additional $5 provided for in the 1962 measure, and many needy persons have continued just as needy in spite of our congressional action.

Too often this has happened in the past. This bill in section 11 would make sure that, when Congress provides Federal funds for the purpose of raising money payments to recipients of public assistance, it is actually received by public assistance recipients.

Section 12 prohibits the imposition of any residence requirement as an eligibility condition for receiving payments of aid to the blind.

Mr. President, I believe that blind persons on the aid rolls who possess ability and training and could support themselves—and I believe there are substantial numbers of such people—should not only be encouraged to do so but should be helped to do so.

The blind person with an employment potential, though at present in need of public aid, should not be chained to a State of residence where there are no employment opportunities for him. He must be free to seek and to search throughout the whole Nation, to go where he wishes throughout the whole Nation, looking for work, looking for the chance to earn a living.

Too often he is unable to acquire a nest egg to tide him over in the new place until he is hired. Yet he cannot go to the new place and draw public assistance until he is hired, because most probably he cannot meet the durational residence requirements in the new place So, he stays where he resides, unemployed, continuing as a recipient of public assistance even though capable of employment elsewhere.

Each of these 12 proposals of my bill is designed to remove from publicly provided programs of aid and assistance to the blind the punitive aspects and practices of such programs, to make of these programs a way and a means to rehabilitation, a source of support sufficient to permit decent, respectable living.

I urge the acceptance of all of these proposals to improve programs of aid to the blind, that the aid provided may offer more than subsistence and survival, that it may offer adequate income with dignity, public support without penalty, and help toward the making of a new and self-dependent life.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2170) to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals to achieve rehabilitation and restoration to a normal, full, and fruitful life, introduced by Mr. Hartke, was received, read twice by its title, and referred to the Committee on Finance.

REPEAL OF SECTION 14(b) OF NATIONAL LABOR RELATIONS ACT—AMENDMENT NO. 284

Mr. PROUTY. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (S. 256) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended. I ask that the amendment be printed and appropriately referred.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred.

The amendment (No. 284) was referred to the Committee on Labor and Public Welfare.

Mr. PROUTY. Mr. President, S. 256 provides for repeal of section 14(b) of the Labor-Management Relations Act as amended. That section reads as follows:

> (b) Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or territory in which such execution or application is prohibited by State or territorial law.

The purpose of my amendment is to allow repeal of section 14(b) of the Labor-Management Relations Act only if a majority of the qualified voters of this country signify their approval of repeal in a national referendum.

The referendum would be held on November 2, 1965, or on such later date as the President may select.

Should a majority of the total number of Americans voting cast their ballots in favor of repeal of section 14(b), repeal would be effective even if voted down in a given State or States. In short, the will of the majority is to win out.

The President of the United States has asked Congress to invalidate State open shop laws and to legalize the union shop in all jurisdictions.

Generally reliable polls raise doubts as to whether his view on this question is in harmony with the sentiments of the people.

So let the people speak on the 14(b) issue; let their wishes be heard; let their wisdom prevail.

Lincoln said that the ordinary voter makes statutes possible or impossible to execute, he was right.

Any law must have popular support or else it will be ignored or evaded or ultimately undone.

I have consistently opposed the open shop or right-to-work proposal in Vermont, and on two occasions the Vermont State Legislature has rejected measures of this kind.

Given a chance, the voters of this country may well take the position that the union shop should be permissible in all States.

On the other hand, a majority of voters, even if they personally favor the union shop, may feel that each State should have the right to enact an open shop statute if it so desires.

We will never know what the American people really want until they have spoken.

For nearly two decades, the 14(b) question has been a thorny problem and most discussions of the issue are loaded with slogans, bombast, and even epithets. Proponents and opponents of

14(b) each profess to speak for the "little man," the "vast majority of workingmen," and so on.

If my amendment calling for a national referendum is adopted, the argument will be settled once and for all.

Those who fear the wishes of the people will oppose the referendum proposal, but objective men who are not the instrument of any group may find it to be a vehicle by which we can begin to advance out of the dark shadows of labor-management strife.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills and resolution:

Authority of June 9, 1965:

S. 2113. A bill to authorize civil commitment in lieu of criminal punishment in certain cases involving narcotic addicts: Mr. Clark, and Mr. Kennedy of Massachusetts.

S. 2114. A bill relating to the penalties for violations of certain narcotic and marihuana laws of the United States, and to the treatment of narcotic addicts and other persons suffering from a mental or physical condition committed to the custody of the Attorney General: Mr. Clark, and Mr. Kennedy of Massachusetts.

S. 2115. A bill to provide financial assistance to the States to assist them in establishing treatment and rehabilitation services for drug abusers: Mr. Clark, and Mr. Kennedy of Massachusetts.

S. 2116. A bill to provide financial assistance to the States to assist them in the construction of facilities for the treatment and rehabiliation of drug abusers: Mr. Clark, and Mr. Kennedy of Massachusetts.

Authority of June 10, 1965:

S. 2121. A bill to protect the health and well-being of the Nation's children by establishing a special summer lunch program: Mr. Burdick, Mr. Case, Mr. Church, Mr. Gruening, Mr. Hartke, Mr. Kennedy of Massachusetts, Mr. Long of Missouri, Mr. Moss, Mrs. Neuberger, and Mr. Yarborough.

Authority of June 11, 1965:

S. Res. 112. Resolution urging negotiations toward return from Mexico of a flag flown during the siege of the Alamo as a further symbol of present good neighbor relations between the Republic of Mexico, the United States, and the State of Texas: Mr. Byrd of Virginia, Mr. Case, Mr. Ervin, Mr. Robertson, Mr. Saltonstall, and Mr. Thurmond.

ADDITIONAL COSPONSOR OF AMENDMENT NO. 281

Mr. MORSE. Mr. President, I ask unanimous consent that, at its next printing, the names of Mr. Kennedy of Massachusetts, Mr. Javits, Mr. Hart, Mr. Douglas, Mr. Pell, Mr. Nelson, Mrs. Neuberger, Mr. Williams of New Jersey, and Mr. Clark be added as cosponsors of Amendment No. 281, intended to be proposed by Mr. Ribicoff, to the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

MAKING DEMOCRACY WORK

Mr. McGEE. Mr. President, I hold in my hand an essay written by Mr. Dan Nelson from my hometown of Laramie, Wyo. The essay is entitled "Making Democracy Work."

This past weekend, and part of this week, Danny Nelson is spending time in the Nation's Capital observing the machinery of democracy in operation. I point out, for purposes of highlighting for Members of this body, the great stress that Nelson places upon education as the salvation for a free society.

In the essay he reminds us that the unlimited and unqualified pursuit of knowledge assists us in establishing responsibility for a free society.

In his opening Danny states that—

> The future of democracy depends largely upon an enlightened public opinion and an educated population willing to assume personal responsibility for its continuation.

Whereas we are continually probing and exploring for new and better ways to update the machinery of democracy, the hard fact remains, as Dan Nelson tells us, that its ultimate success and its survival will depend more on the people who make it work—on the constituency that lives up to those responsibilities—than it will on any perfecting of the machinery as such.

Dan Nelson concludes that—

> As believers in the democratic ideals, we should insist that the curriculum of our schools include not only those subjects which help students attain higher knowledge, but also those subjects which will give them the desire to be actively interested in our society and its affairs.

That means something more than books. It means a willingness to take on responsibility in public office at whatever level. It means a willingness to take enough time to wonder and to know about one's government in order to believe in taking one's share of the burden in making that government work better.

Mr. President, I ask unanimous consent that the full text of Dan Nelson's essay be printed at this point in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

Making Democracy Work

(By Dan Nelson, Laramie Senior High School, April 1965)

The future of democracy depends largely upon an enlightened public opinion and an educated population willing to assume personal responsibility for its continuation. Because democracy means that each individual has the maximum of rights and responsibilities placed upon him, it can only be as strong as those who compose it. The complexity and seriousness of modern times place each of us under obligation to insure, maintain, and preserve our ideals. To a great extent, whether or not the American democratic way of life is continued depends upon the manner in which we accept, share, and fulfill this duty. Therefore, effective participation on the part of each of us is the only guarantee that our way of life will remain stable.

Much of our present strength lies in individual happiness and the number who are free. Our continued interest in the individual can help to further this aspect of our strength. If they are to work, however, American democratic ideals must extend beyond the individual man, beyond one group, and even beyond one nation to a system in which all the free nations of the world will share the responsibility for progress. By securing and perpetuating our society's benefits and realistic traditions, we have assumed the task of seeing that the entire free world moves toward a society of free and happy persons.

All of our present-day problems concerning man and his relationship with other men can be helped by our willingness to accept these problems and our desire to do something about them. One of our sacred rights is to decide what is best for our country and for the majority of its people at any given time. Each of us must speak, demand, and vote in the way he believes is right. Education will help us to know what is right. One of the benefits of the American democratic society is that it provides its citizens with the tools of learning and makes available to them the heritage of knowledge which our forefathers acquired. But unless each of us is willing to pursue knowledge and practice commonsense and channel them into worthwhile, productive efforts, we can fail in our attempt to maintain our ideals. Education, then, is a means for placing responsible citizenship into effective work. However, we should remember that not only is it education for democracy, but it is also education for ourselves, for we are democracy.

This education, helping our citizens to become intelligent and informed, provides the prerequisites for meeting the needs and changing conditions of our times. Since our opinions often shape the destinies of others and of future generations, we must be intelligently informed. Only an educated population can want to build upon, maintain, and preserve America, a land in which the majority is unable to tyrannize the minority, in which the wishes of the individual are important to the well-being of the whole, in which we are free to choose by whom we will be governed, and in which all men are equal.

Knowledge can help us to act rationally without bias. We have more than the right to criticize our Government, our society, and our standards. We have the responsibility to do so. The more discerningly we can accomplish this process, the stronger the land we have made for ourselves to live in. Education again plays the major role, for if the majority's wishes are enacted, they must be based on clear and well-reasoned thought to insure that benefits are forthcoming to all men. Also, education helps to promote necessary adjustments to our society in order to meet ever-growing and new needs, the challenges of both today and tomorrow. Only through this method is each man given the assurance that he has the opportunity to live with a full measure of human dignity.

In America our education has consistently been progressive, stressing the worth and the development of the individual. One of the greatest contributions which our way of life can offer to all mankind is to help each man to learn and to think. Our beliefs are in part based on the idea that we can gain truth and a more perfect society by viewing the mistakes and the successes of the past. To be able to put this knowledge to work, each of us must have the ability to read and write. With proficiency in these areas comes the need to seek the knowledge which we personally believe to be beneficial. Only an educationally experienced individual can make this very important decision. Our way of life asserts that man is a reasoning, thinking creature, endowed with certain rights. As a human being he deserves equal respect and assumes equal responsibility, characteristics of the individual in our society no matter his position, color, creed, or beliefs. We are guided by our members' strengths and weaknesses, both physical and mental. If we have this physical and mental excellence, our society and democracy will also be strong.

The right to gain an education and to obtain and use knowledge must be available to all, for as Lord Brougham said in the House of Commons: "Education makes people easy to lead, but difficult to drive; easy to govern, but impossible to enslave." The heritage of both civilization and democracy depends upon education and its process of enlightenment for each of us separately, which will in turn stabilize the group as a whole. To counteract skeptics Thomas Jefferson had the following response: "If we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take from them but—to inform their discretion."

As believers in the democratic ideals, we should insist that the curriculum of our schools include not only those subjects which help students to obtain higher knowledge, but also those subjects which will give them the desire to be actively interested in our society and its affairs. Because they are perhaps of most importance, courses in public affairs should be ranked high on the list of these subjects, beneficial to democracy's preservation. For in such courses, citizens can learn of their liberties, opportunities, and responsibilities—giving them a working, realistic view of the American way of life. Dynamic, dedicated instructors can emphasize the urgent need for personal involvement and can help to instill a desire for active participation. As a result, each individual should feel that he is not merely a member of a group dedicated to the preservation of democracy, but that he is the chairman of that group. In his book, "General Education in a Free Society," James Bryant Conant has perhaps best summarized the importance of education for making democracy work: "The primary concern of American education today is * * * to cultivate in the largest number of our future citizens an appreciation both of the responsibilities and the benefits which come to them because they are Americans and free."

DEATH OF MR. BERNARD M. BARUCH

Mr. THURMOND. Mr. President, I regret to announce to the Senate that a great and distinguished American and South Carolinian, Mr. Bernard M. Baruch, has passed away at the age of 94.

Mr. Baruch will long be remembered as the park bench statesman who made a fortune, gave much of his fortune to charitable causes, and served as an unofficial adviser to eight Presidents of the United States on both foreign and domestic affairs. We in South Carolina are proud to claim Mr. Baruch, not only as a native of our State, but also as a resident. He was born at Camden, S.C., on August 19, 1870, the son of a surgeon on the southern side in the War Between the States. While he spent much time in New York, Mr. Baruch maintained a home in South Carolina near Georgetown, S.C. One of his best and closest friends was the Honorable James F. Byrnes, another distinguished son of South Carolina. In fact, Governor Byrnes was with Mr. Baruch when he passed away and made the announcement of his death to the news media.

I ask unanimous consent, Mr. President, to have printed in the RECORD at this point two news articles from the Washington Post of June 21, 1965, reporting on Mr. Baruch's untimely passing.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 21, 1965]

BERNARD BARUCH IS DEAD AT 94—FINANCIER ADVISED EIGHT PRESIDENTS—FATALLY STRICKEN BY HEART ATTACK AT NEW YORK HOME

NEW YORK, June 20.—Elder Statesman Bernard M. Baruch, financier and trusted adviser of eight U.S. Presidents, died tonight of a heart attack in his home here. He was 94.

Former Secretary of State James Byrnes, a longtime friend of Mr. Baruch, announced the death.

"He put up a tremendous fight, the great old warrior that he was," Byrnes said.

Byrnes issued a brief bulletin signed by physicians William B. Rawls and George A. Fiedler saying Mr. Baruch had died of a coronary occlusion at 9:20 p.m., e.d.t., in his apartment at 4 East 66th Street. An occlusion is a blockage in the body's blood supply.

The two physicians were at the financier's bedside when he died. Also present were his children, Bernard M. Baruch, Jr., and Mrs. H. Robert Samstag, his secretary and his nurse.

He had been ill for about a month. He suffered the fatal attack at 6:30 p.m. tonight.

Mr. Baruch was a widower. His wife, Annie Griffin Baruch, whom the statesman married on October 20, 1897, died in 1938.

Mr. Baruch, a graduate of the College of the City of New York, became a millionaire in Wall Street.

The tall, courtly son of a Confederate doctor, was born in Camden, S.C., and made a million dollars in Wall Street by the time he was 30. Then he went on to a career in public life, philanthropy, and philosophy.

He began his role as adviser to Presidents in the administration of Woodrow Wilson. He was chairman of the War Industries Board in World War I, charged with marshaling the Nation's production facilities.

After that, regardless of party, he counseled seven other Presidents—Warren G. Harding, Calvin Coolidge, Herbert Hoover, Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, and John F. Kennedy.

[From the Washington Post, June 21, 1965]

BERNARD BARUCH, COUNSELOR TO UNITED STATES

(By Harvey H. Segal)

Bernard Mannes Baruch, who died yesterday, made his first million on Wall Street before he was 30. He first gained prominence as the mobilizer of the Nation's industrial resources in the First World War.

In the half century that followed, he played the role of the eminent elder statesman, proffering advice to all Presidents from Woodrow Wilson to John F. Kennedy and disseminating his views on foreign and domestic issues through speeches, articles, and interviews that were frequently conducted from a park bench.

Between 1917, when President Wilson appointed him Chairman of the War Industries Board, and 1947, when he resigned as the U.S. representative on the United Nations Atomic Energy Commission, Bernard Baruch was rarely far removed from the centers of power where public policies are formulated.

Never elected to a public office, Mr. Baruch employed the prestige gained in the First World War and personal contacts with such important members of the Southern Democratic bloc in Congress as House Speaker Joe Robinson and Senators Carter Glass and James F. Byrnes to press for a host of proposals.

They ranged from a farm price-support program in the middle 1920's to a plea for the establishment of a Court of Labor Management Relations in the 1960's.

FATHER AN IMMIGRANT

Mr. Baruch was born on August 19, 1870, in Camden, S.C., a town deeply scarred by the Civil War and the bitter recriminations of the Reconstruction Era.

His father, Dr. Simon Baruch, a Jewish immigrant from what was then East Prussia, graduated from the Medical College of Virginia and served as a surgeon in the Confederate Army.

His mother, Belle Wolfe Baruch (Baruch means blessed in Hebrew) was descended from Isaac Rodriguez Marques, a Spanish-Portuguese Jew who emigrated to New York in the 1690's and engaged in the maritime trade.

In 1881, when Bernard, the second of four sons, was 11, the family left the impoverished South for New York City where Dr. Baruch was to gain some prominence as a proponent of hydrotherapy in physical rehabilitation.

WALL STREET "RUNNER"

Young Baruch graduated from the City College of New York with the class of 1889 and obtained a $3-a-week job as a "runner," a messenger on Wall Street. He was an exceedingly tall, handsome lad who boxed skillfully at Wood's gymnasium, then a gathering place for prize ring professionals.

Mr. Baruch's "real start" in Wall Street came in 1891 when he joined the brokerage house of Arthur A. Housmen. He soon acquired a reputation as a "customer's man" who provided reliable information on speculative issues.

In the spring of 1897, Baruch made his first "killing," laying the foundation for a subsequent fortune and a reputation as "The Wolf of Wall Street."

Staking his slender resources on the chance that the Senate would not lower the sugar tariff, Mr. Baruch bought 100 shares of American Sugar Refining on thin margin. His supposition about the tariff was correct and the stock's price began to rise.

PARLAYED PROFITS

By parlaying his profits—using them to buy more and more of American Sugar on margin after each sale—Mr. Baruch made $60,000.

On the basis of this new found wealth, Mr. Baruch in 1897 married Annie Griffin, of New York City, whom he had been courting for 8 years. Three children were born of the union, Belle, Bernard Jr., and Renee. Mrs. Baruch died in 1938.

Mr. Baruch's next successful speculation came on Sunday, July 3, 1898. He was spending the Fourth of July weekend with his parents at Long Branch, N.J., when word came late in the night that Admiral Schley had destroyed the Spanish fleet at Santiago, thus signaling an early end of the Spanish-American War.

The New York Stock Exchanges were to be closed on Monday, the Fourth, but the London exchange would operate and Mr. Baruch realized that handsome profits were to be made by placing orders for American stocks when the exchange opened.

HIRED A TRAIN

The trains to New York ferry had stopped running, so Mr. Baruch hired a locomotive, tender and coach, arriving with his brothers in time to send off cables to London.

Shortly after the London coup, Mr. Baruch was entrusted by Thomas Fortune Ryan, one of the major Wall Street figures at the turn of the century, to manage a raid calculated to weaken J. B. Duke's grip on the tobacco industry.

Mr. Baruch handled his operations skillfully and was soon moving in the Waldorf Hotel circle of speculators and investors that included James W. ("Bet a Million") Gates, Daniel Guggenheim, William Crocker, and Edward H. Harriman.

Before 1900 Bernard Baruch accumulated his first million, and by the panic of 1907 he was able to subscribe $1.5 million to J. P. Morgan's loan fund, set up to make credit available to ailing but "sound" companies. Mr. Baruch's income in 1916 was $2.3 million and in the following year he wrote a $5 million check for Liberty Bonds.

As a speculator, Mr. Baruch accumulated most of his fortune in mining stocks, acting principally as a "lone wolf," though several times on behalf of the Guggenheim interests.

$10 TO $340 A SHARE

He provided one-fifth of the capital required to establish the Texas Gulf Sulphur Co. and watched the stock climb from $10 to $340 before he began to take profits. He was also a major shareholder in Alaska Juneau Gold Mining as well as in copper and tungsten mining ventures.

In the first volume of his autobiography, "My Story," published in 1957, Mr. Baruch said that a true speculator "observes the future and acts before it occurs." The main obstacle to success "lies in disentangling ourselves from our emotions," and he confessed that he was vulnerable on that count.

Mr. Baruch's interest in public affairs began when he became acquainted with President Woodrow Wilson. At the end of life, Mr. Baruch remained a "Wilsonian Democrat," a fervent believer in the importance of collective security through international organization, a proponent of free trade and one "who never believed in abandoning our economy to the ruthless workings of the marketplace."

Before he was confirmed for his first Government post as a member of the Advisory Commission to the Council of National Defense, Mr. Baruch was the central figure in the so-called "leak investigation." He was unjustly accused of obtaining advance information about President Wilson's "Peace note" of December, 1916, and staging a bear raid which depressed stock prices when the peace news broke.

Mr. Baruch was advised by his friend Eugene Meyer, later the publisher of the Washington Post, to confound his interrogators with complete candor. "Tell them straight out," Mr. Meyer advised, "that you're a speculator." Mr. Baruch did and was quickly cleared of all charges.

As Chairman of the War Industries Board, Mr. Baruch, assisted by an exceptionally able staff, grappled with the problems of production priorities, rationing, allocations, and price control. He emerged from the Board as the leading authority on industrial mobilization as well as something of an economic sage.

ADVOCATED COOPERATIVES

After a futile effort to persuade Congress that it should support Wilson's proposal to join the League of Nations, Mr. Baruch became deeply concerned with the agricultural depression of the 1920's, a depression caused by falling farm prices and purchasing power at a time when the industrial sector of the economy was booming.

Mr. Baruch urged the formation of agricultural marketing cooperatives. And he supported the efforts of two former War Industries Board colleagues, Hugh S. Johnson and George Peek, in their efforts to institute farm-price supports through the passage of the McNary-Haugen Act.

Johnson subsequently headed the National Recovery Administration while Peek became first Chief of the Agricultural Adjustment Administration in Franklin D. Roosevelt's first term.

Well in advance of the 1929 crash, Mr. Baruch unloaded his stocks and bought gold on which he subsequently profited when the price was raised in the currency devaluation of 1933.

While he warned against the coming debacle in private correspondence, Mr. Baruch, as late as June 1929, told Bruce Barton in a widely circulated magazine interview: "The economic condition of the world seems on the verge of a great forward movement."

By 1938, Mr. Baruch was urging defense preparedness, and when war came made his services available to President Roosevelt.

From the onset he urged the appointment of a "czar" and the creation of one central war production agency. Although he served with distinction as the head of a rubber investigation committee and produced a report with John Hancock on postwar demobilization, Mr. Baruch never achieved a position of commanding power in the Second World War. In 1942, he was apparently slated to replace Donald Nelson as head of the War Production Board, but a bitter internecine quarrel caused the President to change his mind.

President Truman appointed Mr. Baruch to his last public post, that of representative to the U.N. Atomic Energy Commission. But relations were strained when Mr. Baruch demanded a voice in the formulation of atomic policies, and they worsened in the 1948 election when Present Truman believed that Mr. Baruch deserted him.

CRITICIZED BY TRUMAN

In his "Years of Hope and Trial," published in 1956, Mr. Truman wrote of Mr. Baruch: "He has always seen to it that his suggestions and recommendations, not always requested by the President, would be given publicity.

"Most Presidents have received more advice than they can possibly use. But Baruch is the only man to my knowledge who has built a reputation on a self-assumed official status as adviser."

For almost 30 years, especially after he retired as editor of the New York World, the late Herbert Bayard Swope, served Mr. Baruch in editorial capacities, and in more recent years the role was played by Samuel Lubell, the political analyst.

Bernard Baruch's last appearance before Congress was in April 1958, a time of business recession and high unemployment when many economists were urging a tax cut. Mr. Baruch denounced the proposal as "folly * * * uneconomic and immoral." He recommended tax increases and suggested that the Federal Government tighten its belt on everything except military spending. "Inflation, not unemployment" he argued, "is the greatest peril to our economic health."

ITALIAN-AMERICAN WAR VETERANS—RESOLUTION

Mr. DODD. Mr. President, we are all indebted to the millions of Americans of Italian descent who have added so much to our country in peace and in war.

And, for this reason, it is especially appropriate that the Connecticut General Assembly should approve a resolution urging that Congress grant a charter to the Italian-American War Veterans of the United States.

I join with the assembly in expressing the hope that Congress will pass this bill, and I ask unanimous consent that this Connecticut joint resolution be printed in the Record at this point.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

House Joint Resolution 16

State of Connecticut resolution memorializing the Congress of the United States to incorporate or charter the Italian-American War Veterans of the United States, Inc.

Resolved, That the General Assembly of the State of Connecticut hereby respectfully urges the Congress of the United States to enact appropriate legislation to incorporate or charter the organization known as the Italian-American War Veterans of the United States, Inc.; and be it further

Resolved, That the clerks of the house and senate transmit copies of this resolution to the Presiding Officer and Clerk of each House of the Congress of the United States, and to each Member thereof from the State of Connecticut.

David Gil Procter,
Clerk of the Senate.
John L. Gerardo,
Clerk of the House.

CONCURRENT RESOLUTION OF NEW YORK LEGISLATURE

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a concurrent resolution adopted by the Legislature of the State of New York, condemning anti-Semitism in the Soviet Union.

There being no objection, the concurrent resolution was ordered to be printed in the Record, as follows:

Resolution 90

Concurrent resolution memorializing the President and the Congress of the United States to condemn anti-Semitism in the Soviet Union and to take steps to prevent further persecutions of, and acts of terrorism and confiscation against, Jews residing therein

Whereas the people of the State of New York and of the United States are deeply shocked by reports appearing in the press and elsewhere concerning the continued oppression, persecution and tyranny of the Government of Soviet Russia directed toward Russian Jewry residing in Soviet Russia; and

Whereas many acts of terrorism, confiscation and persecution have already been committed against such Jewry and even more serious acts are threatened; and

Whereas such acts have resulted, unjustly and unwarrantedly, in the confiscation of property and in the deprivation of rights, privileges and immunities possessed by the Jewish people in that country; and

Whereas the Government of the United States because of its humanitarian interests in the various peoples of this country and their interest in and relationship to the persecuted Jews of Soviet Russia, should register emphatic protest with the Russian Government with a firm request that it should cease and desist in its program of persecution; and

Whereas the Government of the United States has on other occasions intervened and interceded in behalf of persecuted minorities in other countries: Now, therefore, be it

Resolved (if the senate concur), That the President and the Congress of the United States be and they are hereby respectfully memorialized to condemn anti-Semitism in the Soviet Union and that the Secretary of State of the United States of America be and he hereby is respectfully memorialized to lodge an official protest on behalf of the Government of the United States with the Russian Government against the concerted attack presently being continued directly and indirectly, by the latter Government toward Russian Jews residing in such country and that the Department of State be and it hereby is respectfully memorialized to employ its best diplomatic efforts in an attempt to persuade the Russian Government to desist from any further persecutions and acts of terroism and confiscation complained of in this resolution; and be it further

Resolved (if the senate concur), That copies of this resolution be transmitted to the President of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to the Secretary of State of the United States and to each Member of Congress duly elected from the State of New York and that the latter be urged to do everything possible to accomplish the purposes of this resolution.

By order of the assembly:

John T. McKennan,
Clerk.

In senate May 12, 1965, concurred in, without amendment, by order of the senate:

George H. Van Lengen,
Secretary.

BECHUANALAND: A NEW GOVERNMENT, A NEW CAPITAL, A NEW COUNTRY

Mr. BARTLETT. Mr. President, the month of March was a fateful one for the little country of Bechuanaland, an island of responsibility and progress in southern Africa.

Bechuanaland, one of the three British High-Commission territories, is bounded by South Africa, South-West Africa, Zambia, and Southern Rhodesia. It is a high, vast tableland of sand-veld and bush. Sparsely populated, it has a population of approximately 550,000—a little more than twice Alaska's population. Its area is approximately 275,000 square miles—a little less than half the size of Alaska, yet larger than France. Like my own State, Bechuanaland is an area of great, undeveloped, and largely unexplored resources.

In March, Bechuanaland held its first nationwide election. The contest was peaceful, yet spirited; and the results were decisive. The middle-of-the-road Bechuanaland Democratic Party swept to victory by winning 28 of the 31 elected seats in the new parliament. This party, under the leadership of the able Seretse Khama, won more than 80 percent of the popular vote.

The Democratic Party received 113,168 votes. The Bechuanaland People's Party received 19,964 votes. The Bechuanaland Independence Party received 6,491 votes; and the independents received 789 votes.

The elections were held on a nonracial basis, under universal adult suffrage. Of the 550,000 citizens of Bechuanaland, there are but 4,000 Europeans; yet the only white candidate to stand for election—BDP member B. Steinberg—was victorious. Bechuanaland is rightly proud of the fact that its citizens—both the black and the white—are more interested in advancing the cause of their independence and the growth of their economy than they are in nonproductive racial strife. The winner of the election, Seretse Khama, has now formed his Cabinet; and the first Parliament is now sitting in the new capital of Gabarones. Formerly chief of the Bamangwato Tribe, he is British-educated; is married to a British wife; is able, and intelligent and respected and greatly loved by his people. His deputy, Kwet Masire, a man of quiet charm and great, good humor, is likewise intelligent and able.

It is fitting that the new Government should be the first to use the new capital, Gabarones. Throughout its history as a protectorate, from 1885 until this month, the capital of Bechuanaland was located, not in the country, but at Mafeking, across the border in South Africa. The people of Bechuanaland have now built themselves a capital within their own country. It is a small town, with modest—yet handsome—public buildings, wide streets, and comfortable, modern homes for the Government and the civil service. As Bechuanaland grows in importance and in prosperity, so, too, will the capital, Gabarones, expand and develop.

Bechuanaland now has complete internal self-government, with only the external and internal security, defense, and public-service responsibilities still held by the British. Full and total self-government, full independence, is now scheduled in about a year. No new country in Africa has met independence with more confidence and enthusiasm. Bechuanaland is united in its determination that, with independence, will come responsible progress and economic development.

It is such determination as this that should be encouraged; such confidence as this should be backed. Africa is a continent in flux, and swept by winds of change. It is in our national interest and in the interests of peace-loving people everywhere to assist, whenever possible, a responsible, forward-looking nation as it steps into independence. This is especially true when that nation is in Africa.

This is why I should like to suggest, Mr. President, that the United States send Peace Corps volunteers to this soon-to-be independent country. I know that these volunteers are greatly needed. I know that they have been requested. I am hopeful that our Government, recognizing this need, and acknowledging the request, will make them available.

Peace Corps volunteers are playing an important role in developing Africa. They are working side by side with young Africans, in improving the health, welfare, education, and economic standards of the continent. It is important that southern Africa learn what the Peace Corps can do; and Bechuanaland is the place to do it.

I ask unanimous consent that an authoritative article on modern Bechuanaland—from the April 1964 Africa Report—be made a part of the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

3. Bechuanaland: The Reconciliation of Traditional and Modern Forces

The Bechuanaland Protectorate, in contrast to Basutoland and Swaziland, is currently enjoying unimpeded political evolution. The Protectorate's proposed new constitution, announced by the Queen's Commissioner, Peter Fawcus, on November 18, 1963, has been hailed as a triumph of negotiation, racial cooperation, and common sense. A form of representative government in place of the existing racially based constitution was unanimously agreed upon by political leaders, chiefs, white settlers, and the Queen's Commissioner in only 6 days of discussion. Bechuanaland thus achieved something, at least in the preliminary stages, which is rare in Africa—constitutional reform by general consent.

The all-party talks were free from conflict on two questions which present serious problems in the other High Commission Territories—the position of the chiefs and their tribal authority, and safeguards for white interests. The chiefs were offered, and their representatives accepted, a House of Chiefs separate from the central Legislative Assembly, with special responsibilities in respect of chieftainship and tribal matters. Under the proposed constitution, legislation relating to tribal matters would be referred to the House of Chiefs at least 30 days before presentation to the Legislative Assembly, and that presentation to the central legislature be accompanied by the comments or resolution of the House of Chiefs when it was debated.

The whites would have no seats specifically set aside for them as at present, but settled for a "Bill of Rights" in the new constitution; the only way a white man could be elected to the Assembly would be through association with one of the African-dominated parties. White leaders thus agreed to recognize that racialism, in however mild a form, could no longer be sanctioned by any political party. Rather than endanger prospects for continued cooperation, the white representatives chose not to oppose the nonracial constitution endorsed by all contending political parties.

The new constitutional recommendations provide for a considerable measure of self-government. It was agreed that the unicameral Legislative Assembly should be constituted largely on the basis of universal adult suffrage. Of its 38 seats, 32 would be elected on a common roll, four reserved for prominent figures whom parliament itself may want to elect, and two for officials. For the time being, the British Government would retain responsibility for external affairs, defense, internal security, and the public service. The exercise of these reserved executive powers by Her Majesty's Commissioner would be with the advice of the Cabinet except in exceptional cases.

URGENT TIMETABLE UNEXPECTED

The speed with which the Lobatsi conference wanted the terms of the Constitution implemented was unexpected. The proposals urge that the new government be set up by the end of 1964 but, in any case, no later than the first quarter of 1965. This deadline is to be met, a tremendous task lies ahead of the territory's administration—not the least being the determination of the number of qualified voters, and completion of a national census now in preparation. A pilot census in the 800-square-mile area near Francistown reveals that there may be 60 percent more people in the Protectorate than the presently accepted figure of 350,000. For the setting up of the 32 electoral districts, a delimitation commission will have to be appointed.

Although the proposed constitutional provisions will not become official until approved by the British Government and published as an order in council, it is generally believed that final acceptance will be a matter of course. Any form of intermediate political advancement, it was generally agreed, would lead to a "lack of stability and public confidence." By anticipating African desires before the clamor starts, the Government hopes to avoid the highly emotional attitude which now renders any official initiative suspect in Swaziland. Moreover, the prospect of early independence for Bechuanaland poses less of an immediate problem for British relations with South Africa than a similar step in Basutoland. Since no nationalist party in Bechuanaland presently commands strength comparable to that of the Congress Party in Basutoland, constitutional delay could only assist the extreme nationalists.

Even so, any decision to invoke a formula of African majority rule for Bechuanaland comparable to that now being followed in Northern Rhodesia and Nyasaland involves a crucial decision for British policy, in relation to South Africa. Britain's policy as enunciated by H.M. Commissioner, has heretofore been one of strictest neutrality, marked by caution but not timidity. "The territory should not become a mere pawn in international politics," H.M. Commissioner has emphasized, but Bechuanaland will nonetheless "continue to give asylum to persons, who, if they return to South Africa, would face loss of liberty as a consequence of political opinion or acts expressed or performed before they left South Africa."

The significance of the constitutional proposals was heightened by the simultaneous announcement that the Bechuanaland Government was preparing to launch a $28 million development plan designed to jerk the country out of its subsistence level economic rut. Spread over 5 years, the plan will touch every aspect of the Protectorate's life. A key role in the development program will be played by technical and other agencies of the United Nations.

THREE MAJOR PARTIES WILL VIE

Elections under the new constitution will be contested among three major parties. Most favored at the moment is the Bechuanaland Democratic Party headed by Seretse Khama. Banned by the British from receiving the chieftainship of his influential Bamangwato tribe in 1952, Seretse was exiled for 4 years. He returned to Bechuanaland in 1956 as a symbol of African resistance to South African pressure. For while his marriage to an Englishwoman posed some difficulties in relation to his people, the most important factor preventing his return was the opposition of the South African Government. The members of his tribe, who had repeatedly refused to elect another chief in his place, received Seretse enthusiastically. Elected secretary to the Bamangwato Tribal Council, then to the African Council and the Legislative Council, he became a progressive spokesman for the traditionalists in the protectorate.

Seretse organized the Bechuanaland Democratic Party in early 1962. Generally conservative, but making a conscious appeal across tribal lines, the Democratic Party has become cautiously nationalistic, thereby reducing the danger of politico-tribal polarization. Seretse has meanwhile continued to defend the right of white settlers, whatever their citizenship, to participate in discussions on the Protectorate's future. His appeal to whites to remain and help make the territory a model of multiracialism has won him the unofficial support of various white leaders who believe that their future will be relatively secure under a government which he heads. Nevertheless, the Bamangwato Reserve comprises approximately one-third of the territory's entire African population and provides the Democratic Party with its basic strength.

Also in the running are the two Bechuanaland People's Parties, led respectively by K. T. Motsete and Motsamai Mpho. The original BPP was founded December 6, 1960, the day the British Government published a draft constitution for the territory which gave equal voice to whites and Africans. Opposing the "racialistic" constitution, the new government sought "to organize the political consciousness of the people," to abolish all discrimination, to protect the citizenship rights of Bechuanaland nationals against "foreigners and immigrants"; and to promote the integrity and security of the territory. "Though fully appreciative of the good and opportune services rendered by the ancient institutions of chieftainship," the party flatly opposed nomination of chiefs to various representative bodies. Initially seeking its support chiefly among the urbanized African masses, the BPP associated itself with the general ideology of pan-Africanism. Accordingly, it has provided considerable help to Pan-Africanist Congress exiles from South Africa, and has attacked the Government's refugee policy.

The founder and president of the BPP, K. T. Motsete, is a soft-spoken self-effacing intellectual and educator turned politician, the embodiment of the old school of Africans in public affairs. Holding London University degrees (B.A. Hons., M.A. Soc.), he was a pioneer of secondary education in Bechuanaland, and has held educational posts in South Africa and Nyasaland as well. Motsete represented the Bamangwato tribe in support of Seretse Khama in the marriage dispute, and was the first Secretary of the Bamangwato Tribal Council. (Motsete's leadership was challenged in early March by the party vice president, P. G. Matante. Younger and somewhat flamboyant, Matante remains something of a question mark in southern African politics.)

In July 1962, the BPP split into two separate parties—the faction led by Matsete and Matante and a splinter movement headed by Secretary General Motsamai Mpho, a South African "treason trialist." The schism resulted from the attempt by the African National Congress of South Africa to capture party leadership from Motsete and others closely identified with the Pan-African Congress. After Mpho was expelled for attempting a leadership coup, he brought an unsuccessful court action against Matante on a matter of party funds. Mpho's group participated in the recent constitutional talks, however, and now appears willing to sink its differences with the parent organization. At a party congress on January 3, 1964, the executive was instructed to make the necessary arrangements for merger talks.

NO PREDOMINANT TRIBE

The absence of a homogeneous population has been a factor of some importance in making Bechuanaland's political evolution distinctively different from that of the other territories. Unlike Basutoland and Swaziland, Bechuanaland has no predominant tribal hierarchy dependent upon a paramount chief. In the absence of national tribal sentiment, chieftainship as an institution has been less immune to external influences. Since each of the main Batswana tribes (Bamangwato, Batawana, Bakgatla, Bakwena, Bangwaketsi, Batlokwa, Barolong, and Bamalete) is more or less coterminous with a civil district, the Government has been able to do a certain amount of experimentation with administration. Thus, the very disunity of the "native authorities" in Bechuanaland facilitated the process of modernization at the local level of tribal administration.

Meanwhile, progress in the organization of a central Bechuana authority moved at a snail's pace. A native advisory council was constituted in 1920 and held its first meeting the following year. Meeting once a year under the presidency of the resident commissioner, it at first consisted only of the representatives of the southern tribal areas. Membership on the council was roughly proportionate to tribal population, and its function was to discuss "all matters affecting native interests." In 1940, the title of the council was changed to that of the African Advisory Council and it continued to function under that name until 1951, when it became the African Council.

Despite the limited scope and deficiencies in composition of the initial advisory council, it afforded a most useful link between the administration and the people of the territory. It could hardly be called an institution of popular representation—since the chiefs, rather than the tribal kgotlas (councils) usually chose the representatives—but the council nevertheless permitted considerable interplay of diverse opinion.

The African Council, which came into being in 1951, was another step in the building of a Bechuana nation. With the resident commissioner as president, the African Council was composed of the 8 principal chiefs as ex officio members, and had 32 members elected by tribal meetings or tribal or district councils. Although bearing considerable resemblance to the old Basutoland National Council, it was restricted to matters affecting Africans whereas the Basutoland body was the ultimate authority for the expression of national opinion. Under the terms of the 1961 constitution, the Bechuanaland Council became an electoral college for the purpose of electing 10 Africans to sit as members of the now multiracial Legislative Council. (A similar task had been performed from 1950 to 1961, when the African Council selected eight African members of the Joint Advisory Council.)

As in Swaziland, parallel advisory bodies have heretofore existed for whites and Africans. The European Advisory Council held its first meeting in 1921 and subsequently exercised great influence in the affairs of the protectorate. Since the council's scope did not extend to native affairs, there was always a section of its membership which did not conceal the view that European farmers would have secured better treatment from the union than in a British protectorate government.

The formation of a joint advisory council in 1950 facilitated a dialog between the races. Nevertheless, the racial composition of the council—eight Europeans, eight Africans, and four official members—precluded a fundamental understanding. The council reflected the country's proximity to the South African scene, modified by the British presence.

Bechuanaland's 4,000 whites, about 70 percent of whom are Afrikaans-speaking farmers and ranchers, occupy about 7,500 square miles of the total area of Bechuanaland (275,000 square miles). (See "Bechuanaland," Africa Report, November 1963, p. 22.) Most of the white areas, located in the eastern fringe of the country, were ceded to European companies in the early days of the Protectorate—the Lobatsi, Gaberones, and Tuli blocks, which were originally acquired by the British South Africa Co., from various chiefs, and the Tati or Francistown District. The whole of the three blocks and part of the Tati District are divided into farms and are held under restrictive title, debarring owners from selling to nonwhites. Pending legislation to eliminate all forms of racial discrimination, together with promised constitutional advance, clearly frightens many white farmers. In October 1963, a body of Europeans in the Francistown area petitioned for the independent of the Tati District "so that our land will not be handed over to the natives."

THE 1961 CONSTITUTION

Bechuanaland's first cautious step toward self-rule came in 1961. Based on the recommendations of the Constitutional Committee of the Joint Advisory Council, the Constitution of 1961 provided for a legislative council consisting of 31 to 35 members, with the resident commissioner as president. In addition to 3 ex officio members, there were 7 appointed officials (all white) 2 appointed (white) unofficial members, and 10 (white) members elected by the white population. Two appointed and 10 elected African members, plus 1 Asian, brought the total to 35, of which the Africans possessed something like a third. The election of the African members took place through the African council meeting as an electoral college. Seretse himself was, in this fashion, elected as one of the five African members for the northern protectorate. Whatever merits this constitution may have had in comparison to the racialism of South Africa, or however consistent with the facts of Bechuanaland life at the time, its racial basis invited attack from the newly formed BPP. Constitutional evolution was thereby advanced by 2 years.

There is every likelihood that the next-to-last step in Bechuanaland's political development will coincide with the move of the Bechuanaland administration from Mafeking, South Africa, to the new capital of Gaberones inside the territory. The move of the capital will be more than a symbolic gesture; it will provide concrete evidence that Bechuanaland is henceforth going to steer its own course with less reference to South Africa. The independence of Northern Rhodesia, which shares a border of 50 yards with Bechuanaland, will give Bechuana nationalists a new tie with the outside world. And any change in the government of Southern Rhodesia would make it even more unlikely that Bechuanaland can maintain indefinitely its present "officially correct" relationship with South Africa.—R.P.S.

CLARK UNIVERSITY COMMENCEMENT ADDRESS BY DR. EDWARD C. WELSH

Mr. ANDERSON. Mr. President, on June 6, Dr. Edward C. Welsh, Executive Secretary of the National Aeronautics and Space Council, delivered the commencement address to the graduating class of Clark University, in Worcester, Mass. This distinguished institution of learning is the former home of Dr. Robert H. Goddard, who carried on many of his pioneer experiments in rocketry while on the faculty there.

Dr. Welsh gained much of his knowledge and experience in national defense and aerospace matters from his work with this body, where he served for many years on the staff of the distinguished senior Senator from Missouri [Mr. SYMINGTON].

Dr. Welsh participated in creating our national space policy. He helped draft the National Aeronautics and Space Act of 1958, which laid the groundwork for our broad-based, civilian-directed space program and established NASA and the Space Council. In 1961, President Kennedy appointed Dr. Welsh the first Executive Secretary of the Space Council, a position he has continued to fill with distinction under President Johnson.

Clark University honored Dr. Welsh by awarding him a doctor of laws degree. In his address, he again performed the vital function to which he has devoted so much of his time and talent: informing the general public of the benefits of our national space program. I commend this address to all Senators, and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CLARK UNIVERSITY COMMENCEMENT ADDRESS BY DR. EDWARD C. WELSH, EXECUTIVE SECRETARY, NATIONAL AERONAUTICS AND SPACE COUNCIL

President Jefferson; members of the board and of the faculty; distinguished people and those who are to become distinguished; and I should add, proud, even though somewhat impoverished, parents, I am honored to be here.

I hope you will not consider it a weakness in my character if I admit that I envy you who have successfully finished your undergraduate courses and who are about to undertake new responsibilities. I envy you—not because you are so learned, although your undoubtedly are that—but because you are so young and have so much time before you in which to make mistakes.

That may sound a bit strange since you undoubtedly have no intention of making mistakes and, even if such by accident should occur, I doubt that you would cherish the memory of them. I still recall how I confused the Japanese bankers and businessmen right after World War II when I urged them to do away with their rigid monopolies and replace them with free competitive enterprise so that they could enjoy the right to fail in business. Up to that time, small companies were simply absorbed by bigger ones. No one really failed; he was just gobbled up.

The Japanese considered competition and the uncertainly of success—the risk of failure—to be a luxury which could only be afforded by a wealthy country like the United States. On the other hand, I believe that assumption of such risks has clearly helped make the United States as wealthy and as economically strong as it is. Hence, I suggest that you each strive mightily to be a success, but also that you fight to sustain the type of society in which success is not guaranteed and in which freedom of private competitive enterprise is a major characteristic.

As those know who study such unexciting data as the figures in the Federal budget and the statistics of the gross national product, the administrative expenditures of the Federal Government are declining as a percentage of total spending in this country. It is our best estimate that even with the population growth and the increased demands from the public, the Federal Government expenditures will grow more slowly than the gross national product and hence the ratio of Federal spending to our total output will continue to decline. This has advantages and disadvantages, but generally speaking it suggests a fertile field for the growth of private enterprise.

As you might expect from one in my official position, I shall have a few things to say about our national space program. At Clark, I would speak of space anyway, even if I were in some other line of endeavor, in view of the rich memory on this campus of that great space pioneer, Robert Hutchins Goddard. His life and his works epitomize the virtues of imagination, faith, energy, and the ability to learn from the mistakes and failures of one experiment to gain the successes of the next.

We learn more—much more—from Dr. Goddard's rocket experiments than the technology of liquid propulsion for launching spacecraft. We learn of the advantages that flow from research, when such research does not have to be justified in advance by specific requirements. Said a bit differently, the Goddard type of research is an outstanding example of what can be accomplished when ability and determination are released on a problem, even if we cannot judge in advance what will be gained specifically if the problem is solved. Both the public and private sectors of our Nation have much to learn from this basic principle of seeking knowledge for the sake of knowledge, of obtaining solutions so as to avoid being mastered by the problem. Surely we want research which is tied to a specific mission, but we also want the imagination, the abilities, the perseverance, and the luck, if you will, of men to be applied to the tasks of discovering new truths.

Another lesson to be learned from the Goddard research is that great losses result when we do not put to good use a new technology, once it has been discovered. If we do not use what we know, how can we expect the judgment of history to be that we were other than lazy, or blind, or shortsighted?

But surely we are not lazy. Who produces more different models of cars, or more brands of soap, or more cosmetics, or more TV programs? Who spends several times as much on recreation alone as our Government spends on anything except national defense? Oh, no, we are not lazy, and surely the color schemes of women's hair alone attest to the fact that, though our sense of color may not be good, at least we are not blind. But we are sometimes very shortsighted. History offers repeated examples of scientific breakthroughs which were only belatedly put to mankind's use. For example, we cannot be proud that we did not recognize the value of Dr. Goddard's accomplishments in rocketry until our enemies used the technology to create a reign of terror over London.

We cannot be proud of this oversight, but we can learn from it. Moreover, how could a country with our resources and our average national income—far superior to that of any other country in the world—how could we let the Soviets get ahead of us in space? To permit such an occurrence was overwhelming evidence of shortsightedness. Perhaps if we had not been more interested in today's stockmarket than in tomorrow's production, or in today's comforts instead of the future preeminence of our country, we might have done differently. We had all the means but seemed in this case to lack the wisdom to stimulate us to invest in our future.

Even after Sputnik I, some parts of your Government—from which leadership was expected—treated space accomplishments as being relatively unimportant. Otherwise, we would not have fallen so far behind the Soviets in the space race. But fall behind we did. Our recent efforts have helped us make up somewhat for our earlier bad judgment, but the job is difficult since our competition pushes its program so vigorously. Surely one should not have needed to call upon the judgment of Solomon to decide that second place is too low a rating for this country in such a vital field.

The national space program is a dynamic and constructive element in building a great society. Through effective cooperation between our Government and the private sectors of our economy, the space program enriches our Nation in many ways. Some of these benefits are more obvious and more immediate than others, but those whose impact comes primarily in the future are nonetheless vital.

Every responsible citizen sees a real need for improved educational staffs and facilities, for the eradication of slums and the construction of decent housing, for the elimination of pockets of poverty and their substitution by patterns of prosperity. There are many deficiencies in our economy for which solutions are possible and desirable. We should move vigorously to mend these weaknesses in our society. However, the way to improve is not to cut from one constructive activity to bolster another.

It is impracticable, unreasonable, and misleading to argue that we should curtail space research and development, limit space exploration and performance, in order that we may have better schools, better housing, and less poverty. The fact is that our expanding economy can afford to carry on all of these activities. What is more, curtailment of spending on education, for example, does not automatically increase the funds available for space exploration or vice versa. Funds, people, facilities, and know-how are not readily transferable from one such activity to the other. I would be particularly suspicious of an individual who favored cutting space funds because he thought more money was needed for education, and then opposed action to increase education funds because he thought it better to balance the budget. This country has already suffered from such poor judgment. We do not plan to repeat our errors.

Your country has wisely although belatedly made a firm decision to conduct a vigorous national space program. It is a clear responsibility of each of us to learn what we can of that program, find out what it means to the country as a whole and to the individuals who live here. We do not need to be in the aerospace business or in the space agencies of the Government to justify our curiosity about the program. As taxpayers, we should know about it and as patriotic citizens we should know about it. Moreover, since it is so vital to our country's future, we should explain the program to others.

As we attempt to carry out our responsibilities in educating the general public about space, there are a few concepts which need particular emphasis:

1. Education: The space program has been a catalyst, a stimulus to education at all levels, with particular attention to science and engineering. How much is it worth to have raised the educational sights of our young people and at the same time to have increased the wealth of knowledge with which to condition them? I cannot put a price on it, but I believe the value will exceed the total cost of the space program.

2. National security: The contribution of our space program to our national security is already considerable and will be even greater in the future. How much more secure are we, due to improved communications, more accurate navigation, and more complete weather information? How much is it worth to be better informed about potential sources of danger? How can we assess the advantage of developing competence to detect and offset possible aggression from space? How important is it to know that we intend to keep peace and freedom in space so that all who would go there with peaceful intentions are free to do so. I cannot judge the worth of this national security dimension, but I am confident that its value also exceeds the total cost of the space program.

3. Innovations: The space program stimulates the development of new materials, new products, new productive processes, and new managerial techniques. I cannot place a precise value upon such innovations, but I would estimate that the investment will repay itself many times over.

4. International status: A substantial difference in influence in world affairs evolves from whether a country is in a first position or a second position in power. In many respects, a nation's relative position depends on how it stands in advanced technology. Power and influence in world affairs depend to a great degree upon the technological capability of a nation. International prestige is not a mantle to be weighed lightly or to be worn carelessly. We should be concerned with the image that people of other nations have of the United States. The ideal picture is that of a nation strong in ideas, in technology, in freedom, in standard of living, and in military power to protect the viability of the other prestige ingredients. The space program, effectively and imaginatively conducted, contributes positively to all of those ingredients. Of even greater importance is the potential impact the space program can have on world peace through substituting competence in space exploration for competence in building implements of aggression. If sanity prevails, the path to the stars can be the path to peace. How should we determine the value of such a contribution to our country? I do not know, but I am confident that if we fail to strive for it, we will be making it clear to the world that we no longer value our freedom highly.

5. Economics: Combining the best talents in management, in engineering, and in science, with the most modern facilities available, the net result of the space program is the production of progress. A program which stimulates education, expands research and development, augments total productivity, increases employment, and improves our international relations is a program of the greatest economic significance. The space program has clearly revealed that we do not have to be threatened with the ravages of war to cause us to organize a mighty industrial-government team; that we can do so in the interest of peaceful economic expansion. By increasing our total national income and gross national product, the national space program expands to a significant degree the size of the base on which our taxes are levied. It increases the profitability—yes, the constructive profitability—of the private sector of our economy.

CONCLUDING ADVICE

It is customary, I believe, to use an opportunity such as I have today to give some advice, whether it is needed or not. I do not want to neglect my responsibilities in this regard, and hence I suggest:

1. Have faith in the future of this country and particularly in its democratic processes.

2. Have confidence in this country's capabilities. Do not accept the negative attitude that a difficult job cannot be done, but rather just go ahead and do it.

3. Support freedom of speech and freedom of expression, not just to make a noise but because democracy cannot live without these rights.

4. Do not believe that the country owes you a living. Moreover, do not believe that you can be secure or materially successful without a strong and active Government.

5. Cherish the advantages of education. Do not insist that everyone be educated to the same degree, but do try to create opportunities for all so that they may be educated up to their abilities. And finally,

6. If you are asked to give a speech, make it short.

COLLEGE PRESIDENT POINTS TO NEED FOR GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the overwhelming support of the cold war GI education bill—S. 9—granted by the educators of this Nation is indicative of the recognition, within the community of scholars, of the necessity to provide for the education of the veterans of cold war military service. President Beckes, of Vincennes University, has written a most cogent letter in which he enumerates, firsthand, the educational needs of these cold war veterans.

I ask unanimous consent that the letter from Isaac K. Beckes, in support of the GI education bill, be printed at this point in the RECORD. The letter is dated June 11, 1965.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

VINCENNES UNIVERSITY,
Vincennes, Ind., June 11, 1965.

Hon. RALPH W. YARBOROUGH,
U.S. Senator from Texas,
Senate Office Building, Washington, D.C.

DEAR SENATOR YARBOROUGH: May I once again write in behalf of Senate bill 9 which makes provision for financial assistance to citizens who have served in the armed services and have been honorably discharged?

I have long felt that the support for education provided under the old Public Law 550 law ought to be continued. In the first place a young man who gives 2 or more years of his life in military service at a rate of pay which is probably lower than he would earn in other activities and thereby delaying his own vocational development deserves special consideration from the Nation.

In the second place it is my judgment that the provision of such assistance to all who have been honorably discharged after a period of military service for the continuation of their education is much fairer than to attempt programs to provide scholarship help.

In the third place it seems to me that the military service will tend to attract a more able enlistee if provision is made to provide educational assistance following the term of service.

Finally, as you well know, statistics indicate that such educational assistance comes back to the governmental agency in taxes from the increased earnings of the student who is so educated. All statistics indicate that the higher the level of education, the higher the income and as a result the Government's tax share of that income is increased.

In this period when the need for young men in the military service continues, when the necessity for post-high-school education is increasing, and when the Federal Government is taking steps to assist in post-high-school education of large numbers of young people, the kind of proposals made in S. 9 are most desirable and realistic.

Very truly yours,
ISAAC K. BECKES,
President.

MILITARY POWER AND FOREIGN AFFAIRS

Mr. JACKSON. Mr. President, in its study of the conduct of national-security policy, our Subcommittee on National Security and International Operations took testimony on June 16 from Gen. Thomas D. White, U.S. Air Force, retired, Chief of Staff, U.S. Air Force, 1957–61.

Drawing on his experience in a notable career in the top councils of the Government, General White testified on the link between balanced, diversified military power and strong, resourceful action in foreign affairs. I believe his opening statement to the subcommittee will be of major interest to Senators. Therefore, I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

STATEMENT BEFORE SUBCOMMITTEE ON NATIONAL SECURITY AND INTERNATIONAL OPERATIONS BY GEN. THOMAS D. WHITE, U.S. AIR FORCE, RETIRED

Mr. Chairman, members of the committee, for a long time I have followed with keen interest your continuing and penetrating review of the national security process. Therefore, I appear before this committee with a great sense of privilege.

At the beginning I must point out that whatever views I have stem from many years' service as a career officer in the U.S. Air Force and from my 4 most recent years in retired status. This latter period has involved me in numerous civilian activities ranging all the way from being a columnist for Newsweek magazine, to engaging in business affairs and to serving as a member of the General Advisory Committee of the Arms Control and Disarmament Agency. Result: I have views on a great many of the problems that you are concerned with—but on only a few do I have convictions. It is some of these last that I would like to cover here.

First, it seems to me that a great many Americans believe that an atomic war is impossible.

We should, indeed, strive to make such a war or any war impossible. But let us be sure that the wish is not father to the thought.

If it could be said that human nature has changed then there could be some basis for the view that atomic war is impossible or at least unlikely. But, in my opinion, it is a fallacy to consider that the development of a particular weapon (the atomic weapon) has altered mankind. On the scale of biological time this seems to me to have no more validity than such an observation would have had when an ancestor of Mao Tse-tung invented gunpowder.

Many anthropologists say that man has been a bloodthirsty aggressor throughout his evolution. Can it now be said that the human being has changed his fundamental nature and at last is ready to forgo the use of his most fearsome weapon?

If it could be said that major war is impossible because statesmen have become wise enough to avoid war then something new in the history of mankind has happened.

The historian would surely point out that there have been wars of national extinction since the beginning of human history. The last such war ended only 20 years ago—a mere instant in either historical or biological time. Can the historian give assurance that the recurring pattern of major wars will not project into the future because mankind now has the nuclear bomb?

Last November I toured the Near and Middle East. I was impressed by the efforts of countless archaeologists digging and probing to uncover the history of man. They were digging up vestiges of civilizations and empires long expired—expired because in one way or another they failed. Some failed in economic progress, some expired because they did not keep up in technology, others made strategic errors and some crumbled because of internal weakness.

I am sobered as I contemplate our own disorderly world. Our modern world is profoundly affected by scientific developments, political movements, and natural phenomena that have a periodicity of decades or of centuries or more, while our problem-solving responses oscillate only in about 4- or 5-year cycles. It seems to me in this age of atomics and space that what we need more is the exact opposite of archaeologists, useful as members of that profession may be. We ought to be going all out to foresee and influence our destiny for at least 25 years ahead.

Little about the future will be clear. But I suggest that several things are quite discernible now—and all of them are ominous.

(a) Communism will still be our critical enemy; its threat will continue to exist on every front—military, economic, and ideological.

(b) Communist China will become a first-class atomic power with sufficient weapon stockpile and delivery systems to threaten the rest of the world.

(c) Space and space weapons will become increasingly important in war strategy.

These are a few military facets of the medium term future as I see them.

As for the recent past it should be noted that in only 11 years the United States has been involved in military crises in nine different areas of the world ranging from Korea to Cuba. In at least three of those crises (Suez, Berlin, Cuba) global war was certainly a possible outcome.

Currently, of course, we are settling our involvement in Santo Domingo. We are also deeply engaged in a war in southeast Asia. Moreover we have troops, ships, and aircraft deployed all over the world in support of our basic strategy.

That global war is not impossible seems established under the future, past, and present circumstances cited. Aside from this, however, some other important military conclusions can be drawn.

For example: each of our military involvements has demanded different degrees of force or shows of force. There is a requirement for varying types of military units to carry out our strategies. The Korean war was largely a land and Air Force affair, Quemoy-Matsu predominantly naval, while the Cuban missile confrontation of 1962 involved all forces. In almost every crisis, unseen, unheard, and unpublicized at the time in the United States but well known to the Russians, our strategic forces were on instant alert. Our strategic bombers, intercontinental missiles, and our Polaris missile fleet, though not actual participants in any shooting, were powerful elements of our strategy. They served as a steel and atomic umbrella under which all other action could take place.

In every instance our diplomats and the Department of State were also involved—prior to and concurrently with each military crisis. Perhaps one might say that our diplomatic service and the Department of State constitute our first line of defense—not the Armed Forces and the Department of Defense. However, in this age of instant world girdling diplomatic communications and of transocean military deployments executed in hours, these two key arms of our national security must, in fact, be as closely coordinated as hand in glove.

Our foreign-policy makers must understand, as never before, the capabilities and limitations of our Armed Forces. Likewise the military command must not only understand thoroughly its missions in terms of foreign policy but it must also have opportunity to express the military viewpoint in policy decisions.

The military have the mission of carrying out, but not making, national policy whenever force is an element. It is not a requirement of good national security operations that national policy be always based on sound military strategy or tactics. Higher considerations sometimes, though rarely, should prevail. Nevertheless it is palpably true that when sound policy and sound strategy coincide results are likely to be optimum.

We probably have had, until quite recently, an example of foreign policy dictating, over a period of years, unsound strategy in southeast Asia. On the other hand, and on a much smaller scale, the recent military operation in Santo Domingo seems to have been well-timed and fully coordinated.

In the realm of arms control and disarmament, the utmost in free and frequent discussion between the policymakers and the military is vital. In the honest search for peace it is too easy to make a dangerous concession. While the military should not have responsibility for arms control or disarmament, their voice in deliberations is vital.

I am convinced that the United States must continue its efforts in the direction of arms control.

I can simplify and rationalize this by suggesting that two men each with a fatally loaded pistol pointed at the other probably would be wise to talk and keep on talking.

Also it is barely possible that mankind and statesmen have achieved something new in the world and that the atomic age will also become the age of reason.

The advent of Communist China as an atomic power puts a whole new element in the equation of arms control. If we look down the road it must be plain that within the lifetime of more than half the present population of the United States, Communist China can become a menace to all future generations.

In addition to Communist China there are another dozen or so nations such as India, Israel, and Sweden with enough technical know-how to build nuclear weapons either now or in the near future. In some cases only the decision to go ahead is needed. If the spread or proliferation of nuclear weapons is to be stopped now is the time to do it.

I should now like to summarize the foregoing and in the process formulate some corollaries.

The best insurance we can have against atomic war is great military strength. We must maintain armaments and forces of all types needed to successfully meet communism at all critical points. Most vitally we must maintain decisive superiority in our strategic forces.

We hear much about the inevitability of parity of missile and bomber forces. "Parity" or "stalemate" could be only a transient state. Technology would be certain to upset it. The development of weapons in space or a positive defense against ICBM might be examples of the kind of technological advances that could destroy any temporary balance in strategic forces. Research and development is, therefore, the cornerstone of national defense. It is vital that we hold the lead in military technology at whatever cost.

The search for improvement in our national security problem-solving mechanisms is the particular province of this committee.

I have suggested that we do not look far enough into the future. Perhaps one of the reasons is that we are so bogged down with the problems of today that few in Government can even look beyond tomorrow.

Long observation and some personal experience convinces me that as a general rule our senior Government officials are grossly overworked. This applies to a great many Members of the Congress. It particularly applies to officials in the Department of State and to both the civil and military in the Department of Defense.

I suggest that on the executive side of the Government the tendency to concentrate authority be reversed and the delegation of it be reinstituted as a major project in management improvement.

It seems to me that the Congress itself can do much to reduce its own burden and to ease that of the Executive as well. Judicious combining of committees and the amalgamation of hearings on legislation occur to me as examples. No doubt there are many other areas with which members of the committee are far more familiar than I.

I would encourage even closer relations between the Departments of State and Defense.

I read with interest a column by Mr. C. L. Sulzberger in the May 23 issue of the New York Times. Mr. Sulzberger took account of the important work being done by your committee and among other points suggested that the Secretary of Defense exercises too heavy an influence in the critically important State-Defense relationship.

Certainly I have no inside knowledge of the respective influences of these two key national security departments. It is my judgment, however, that they are about in balance; and that in any case the President, who is the final arbiter and authority in matters of national security policy, gives full weight to both sides.

Nevertheless, revival of the machinery of the now inactive Planning Board of the National Security Council to operate in the manner and with the caliber of personnel of some years ago could provide a very useful function. It would help prevent the possibility of the kind of situation Mr. Sulzberger believes exists today.

The opinions of the Joint Chiefs of Staff should be another important element in the formulation and execution of national security policy. The Joint Chiefs of Staff must be preserved, with the Congress as their jealous guardian, as a nonpartisan, wholly professional group dedicated solely to the objective execution of their statutory duties—not the least of which is serving as the principal military advisers to the Secretary of Defense and the President.

In the endeavor to control armaments and achieve disarmament no nation excels the United States. But we must be forever on our guard not to accede to any provision of any arms agreement with a Communist state that does not provide for foolproof inspection. We must never take anything in that respect on faith. The stakes are too high—they could be our national survival.

The Communist Chinese atomic specter has not had much impact—yet. This is a perfect example of our failure to look very far into the future. Perhaps one reason that both Government and the press are relatively silent on the subject is that nobody really knows what to do about it.

Yet our responsible officials and the people of the world—those who face now the urgent hour of decision in the crisis of nuclear proliferation—should take a long look at the destiny of man. We are at the point of no return.

We can, of course, proceed in the usual manner with conferences and negotiations. This is the traditional procedure.

But the nuclear advent of Communist China demands something new, and that problem should be very high on the national security agenda.

I have read suggestions that we destroy the atomic installations in China by missiles or bombers. This could be only a temporary palliative and its long-range implications are totally unfavorable.

Finally, going back to the notion that war is impossible—it is this kind of complacency that can sap the vitals of the country. The greatest danger that looms before us today is the euphoria of ignorance.

It seems to me that this Committee is doing much to throw light on how the United States can use its influence and its power more wisely and effectively in protecting our vital national interests.

This is precisely one of the facets of your mission, and I consider it a great honor to have had a small participation in your endeavors.

PLIGHT OF SOUTHEAST PEACH INDUSTRY

Mr. RUSSELL of South Carolina. Mr. President, the $40 million peach industry of the Southeast is in serious jeopardy because of heavy economic losses being suffered from dead and dying peach trees.

Many South Carolina orchard owners have lost 100 percent of their trees during the 1964–65 winter and spring season. A large percentage of the orchards in some sections of the State have suffered losses ranging from 25 to 50 percent of the bearing trees.

Let me cite some specific examples.

In Edgefield County, trees are affected in blocks containing about 280,000 trees. In these affected blocks, 56,000 trees will be out of production by the end of this year. On one farm in this area, 100 acres are described as practically worthless, and on another farm about 110 acres are completely worthless.

In Saluda County, 11,300 trees are dead or dying.

In Lexington County, 14,000 trees are affected; and in one orchard of 30 acres, 1,400 trees are dead.

In Chesterfield County, 8,500 trees are reported dead or dying, and on one farm alone the owner has lost 4,950 trees.

In Barnwell County, 7,280 trees are dead or dying.

In Orangeburg County, 12,600 trees are affected, and one grower reports that trees on about 30 acres are so badly damaged that they must be pulled out this year.

In the Piedmont area, county agents in Spartanburg and York Counties report about 75,000 trees affected.

These merely indicate examples of the serious economic effects upon individual producers and upon entire peach-growing areas caused by the loss of fruit-bearing trees. If we have a series of annual losses similar to those during the 1964–65 season, the peach industry in South Carolina will be wiped out.

Why are the peach trees in South Carolina and surrounding States dying in such quantities? The best qualified authorities will tell you that they do not have a definite answer. Investigations have shown that a combination of many factors are involved in the abnormally short life of trees of all prebearing and bearing ages.

Some of these factors include nutritional deficiencies, insect and nematode damage, poorly adapted rootstock, and many diseases such as bacterial canker, crown and root rots, Cytospora, perennial canker, fungus wood rots, and crown gall.

Certain of these factors are being investigated at the new U.S. Southeastern Regional Tree Fruit and Nut Crops Research Station at Byron, Ga. Other related studies are being conducted by the U.S. Department of Agriculture, in cooperation with various State agricultural experiment stations, and by other laboratories, but these research efforts are not providing adequate answers and effective control measures to combat the problems of the peach industry. Furthermore, the current serious losses in South Carolina involve situations and environmental conditions different from those in other States. We need an expanded research program in South Carolina to save the peach industry in our State.

I have discussed this need for research with scientists competent in the study of tree fruits, and peaches in particular. Based, in part, on their knowledge of the technical problems involved I propose that certain steps be taken to strengthen our position.

We need a team of well-trained investigators to attack the complex problems in research on peach variety adaptation; peach physiology and nutrition; insects, nematodes, and diseases and their control; and soil microbiology.

Let us look at a few details in these areas of study.

In research on adapted varieties, we should concentrate on developing peach varieties that are dependable in setting a crop, that provide better quality, and that are resistant to the most damaging diseases and to winter damage.

In physiological studies, I understand that we need to conduct basic studies to determine the effect of rapid temperature changes, water relations, and the production practices that help to prolong tree life.

In nutrition research, we should conduct basic studies on the effect and utilization of the major and minor nutritional elements on quality, yield, and shelf life of the fruit. We need to know more about the effect of tree nutrition on resistance to diseases and nematodes and on longer tree life.

In research on insects, we need to know more about the basic life cycles of the most damaging pests to peach trees in order to know how and when to combat them successfully. We should increase the efforts to find biological and other methods of pest control without the use of chemicals.

In developing methods of nematode control, we should be able to find ways to control the root knob nematode without the increased winter injury, bacterial canker, or dwarfed trees resulting from current methods. Our best experts on the subject know little about the effects of other nematodes on peach trees or means for their control.

In expanding research on diseases, we should concentrate on bacterial canker, Cytospora canker, and other wood rots. For example, authorities believe that bacterial canker is a prime cause implicated in the sudden death of many peach trees. There are no means known today to control this disease once it gets into an orchard. We must find an effective control method if we hope to have a healthy peach industry.

In the study of soil microbiology, I am told that one of the most important aspects is the relationship of soil to the successful reestablishment of young peach trees on old orchard sites. We need more knowledge about the possible changes in soil chemistry and soil organisms and their effects on successor trees. These factors are known to differ in various soils and climatic areas. The reestablishment of young trees is especially important because the extensive losses of recent years have destroyed so many acres of our orchard land.

These are some examples of the studies that could be included in the research program that I propose should be developed and operated by the U.S. Department of Agriculture, Agricultural Research Service. The program should be conducted in cooperation with the South Carolina Agricultural Experiment Station of Clemson University, Clemson, S.C., and coordinated with the Southeastern Regional Tree Fruit and Nut Crops Research Station at Byron, Ga.

Such a program could be carried out with an annual recurring budget for professional specialists of $210,000.

This would support supplies and personnel including a horticulturist, soil microbiologist, plant physiologist, entomologist, plant pathologist, and nematologist.

This, I believe, is the minimum that should be done to expand the meager research on peach production now conducted in South Carolina. Knowledge, gained through research, is our best hope of sustaining and protecting the peach industry of South Carolina and the Southeast.

F.D.R. MEMORIAL AT ARCHIVES SITE IS SADLY IN NEED OF REFURBISHING

Mr. RIBICOFF. Mr. President, over the years the Senate Committee on Government Operations, under the leadership of its able chairman, the Senator from Arkansas [Mr. McClellan] has served as the Nation's watchdog to assure that the agencies and departments of the executive branch manage their affairs in the most efficient and economical manner possible. One of the most important and interesting aspects of Government efficiency and economy is the extent to which various agencies work together in related fields. As the problems of society and the programs of Government become more complex, the overlapping of program responsibility becomes unavoidable.

My Subcommittee on Executive Reorganization has under study a number of interagency coordination problems, such as the use of pesticides and the Federal role in traffic safety. We expect to begin a major study of departmental management, in general, looking to the questions of how the Government really works and how the various components of the executive branch work, both within a single agency and with other agencies.

Problems which arise from time to time are not world shaking, or even national in scope, but have as their base the same petty bureaucratic bickering and lack of efficient coordination between different agencies having overlapping jurisdictions. Such, I am afraid, is the case of the F.D.R. Memorial, located at the National Archives Building. Yesterday's Washington Post published an article by Tom Stevenson, the Post's garden counselor, in which he described the sad condition of the F.D.R. Memorial. When I read the National Park Service "official" explanation of the situation, it occurred to me that, as in other cases, we have, first, an acknowledgment of the problem; second, a promise of a solution at a future date; and third, an excuse—such as lack of time. I ask unanimous consent that Mr. Stevenson's article be printed in the Record at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RIBICOFF. Mr. President, on turning to the editorial page of the Post, I find a letter on this subject, written to the editor by my friend, Supreme Court Justice Arthur Goldberg. Justice Goldberg walks past the memorial every day. I drive by it, on my way to the Senate; and I share his concern and dismay that we would allow this situation to develop, in the first place, and, what is worse, to continue since April 12. I ask unanimous consent that Mr. Justice Goldberg's letter be printed in the Record at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. RIBICOFF. Mr. President, I am not known for my "green thumb," although some members of my family are; but I am willing to take Mr. Stevenson's word for the fact that, instead of waiting for the fall, summer sodding could have prevented this situation.

I think that a memorial to the man who led our Nation out of the despair of a depression and through to victory in world war deserves better than a bureaucrat's excuse that fall sodding is better than summer sodding. The late President would probably roar with laughter over the seeming inability of the National Park Service, no less, to grow a little plot of green grass.

But, as with all things, this problem, too, will pass. Another Federal agency, the General Services Administration, has transferred the plot of ground to yet another Federal agency, the National Capitol Region, of the National Park Service. In 1938, the latter had given the land to the former. Now, finally, some action will be taken. This week, as Mr. Justice Goldberg and thousands of others walk by, and as I and thousands of others drive by, we shall see—so I have been informed; and, certainly, this is what all of us hope—crews of men regrading and resodding the plot of ground, so that the F.D.R. Memorial will cease being an eyesore, and will become the "green plot" the late President dreamed of.

Exhibit 1

[From the Washington Post, June 20, 1965]

F.D.R. Memorial at Archives Site Is Sadly in Need of Refurbishing

Shortly before his death, President Franklin Delano Roosevelt told the late Supreme Court Justice Felix Frankfurter that "if any memorial is erected to me * * * I should like it to be placed in the center of that green plot in front of the Archives Building * * * I don't care what it is made of * * * but I want it plain * * *."

The memorial is there, of simple marble block, as he wanted it, in the exact location he designated, but he probably would not be very proud of it today.

The "green plot" is full of bare spots, and the concrete foundation below the Vermont marble is exposed to public view.

Alfred J. Barrett, director of horicultural maintenance for the National Park Service, acknowledges that the plot is in bad shape but promises to rectify the situation this fall.

"The foundation was not completed until 24 hours before the dedication on April 12," he said, "and there was not time enough to do a good job with the grass. The planning calls for another foot of grade and we do not want to do anything about the grass until the additional soil is added. In the fall we are going to fix it up real nice, with grass and shrubs."

Barrett's preference for fall sodding is shared by many horticulturists, but summer sodding can be equally successful with proper installation and care.

Exhibit 2.

[From the Washington Post, June 20, 1965]

F.D.R. Memorial Site

I write in my private capacity as a citizen, not to take sides in the continuing controversy about an appropriate public memorial for President Franklin D. Roosevelt, but, rather, to protest the neglected state of the site of the marker erected by a group of his friends adjacent to the Archives Building on Pennsylvania Avenue and Ninth Street in Washington.

On my daily walk to the Supreme Court, I pass by the small triangular plot of ground on which the marble slab engraved with President Roosevelt's name was placed some months ago. The thousands of tourists who share this experience with me would undoubtedly agree that the best way to describe the setting of this marker is in terms of an unkept cemetery lot. The slab itself is on a mound and looks very much like a headstone at a grave site and the land is not much more than a good-sized family cemetery plot. Moreover, it is overrun with weeds and crab grass and contains a number of bare spots.

Great Britain has demonstrated in the Kennedy memorial at Runnymede that it is possible for a simple memorial to be both beautiful and dignified but, unlike the Roosevelt marker, the Kennedy memorial is well proportioned and suitably placed in an adequate plot of land. Putting aside the question of whether President Roosevelt's wishes communicated to Justice Frankfurter for a simple marker should have been respected as literally as they seem to have been, there is still no good reason why the site selected should not be expertly landscaped and well planted.

I read a newspaper report several weeks ago that the neglected state of the site is due to a dispute between two governmental agencies as to which is properly responsible for its upkeep. Certainly by now, even under the most expansive application of the concept of all deliberate speed, this jurisdictional conflict should have been resolved.

Along with many other Americans, I still look forward to a suitable memorial for President Roosevelt. Until one is erected, however, I should hope that the site of the marker near the Archives will receive the care and attention which by now is overdue.

CANADIAN FRIEND OF ALASKA HIGHWAY

Mr. BARTLETT. Mr. President, last Monday, I was fortunate to have an opportunity to see films made during the highly successful Gemini-4 flight. The most fantastic sequence in this fantastic film showed Astronaut Edward White on his walk in outer space.

The flight and the walk were tributes to man's never-ending desire to open new territories of knowledge, to his scientific skill, and to his technical competence.

On several occasions, the narrator of the film called attention to one of the key links in the operation—a gold umbilical cord which was Colonel White's lifeline during his space walk.

I was reminded of another lifeline—more mundane, to be sure, but, nevertheless, important. Even in its present condition, this lifeline is a tribute to man's desire to open up new territory and to his technical competence; and, like Colonel White's gold cord, it allows travelers to see spectacular sights. I am referring to the Alaska Highway.

I say "even in its present condition," for I am sure, Mr. President, that you are aware that through Canada the highway is unimproved. If it were properly paved and maintained, it would be a main artery of prosperity for Alaska, and would carry vastly increased amounts of products and numbers of tourists.

For several sessions, there has been introduced in Congress a bill to authorize funds, so as to share with Canada the cost of improving the highway. Our distinguished majority leader and his colleague, the junior Senator from Montana [Mr. METCALF], have again introduced such a measure.

Unfortunately, Congress has never acted on the question, because the Canadians have been unable to agree on the project, despite testimony that the highway would pay for itself within 20 years.

However, the Alaska Highway is not without friends in Canada. One of its best friends is the Honorable R. N. Thompson, a Member of Parliament from Ottawa, who for 20 years has been working to upgrade the highway.

This spring, he introduced a motion calling for Canada to negotiate with this country an agreement to cooperate in improving the highway. He also introduced a bill which would create a non-Crown authority to develop the road.

So that Congress will be able to take advantage of the thinking of this friend of the Alaska Highway, I ask unanimous consent that the remarks made by Mr. Thompson when he introduced the motion be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

ALASKA HIGHWAY

Mr. Speaker, the Alaska Highway, the inland route from Montana to Alaska has a colorful history. At the end of the 19th century, following the discovery of gold in the Klondike, it was the trail of 1898. Thousands of people from all the parts of the American Continent, Europe and Australia, were prepared to leave home and brave the hardships of the trail in the lure for gold. Most of the people who left home and loved ones to strike it rich returned empty handed. The search for gold did not bring about northern development. Many were buried along the trail and the trail remained a trail. If it had not been for the Second World War, I doubt very much if the trail would be much improved today.

Following the Japanese entry into the war, American soldiers and engineers met the challenge in 1942 and 1943 and built the Alcan (or the Alaska Highway as it is known today). The highway was, therefore, a military highway. The construction started at Dawson Creek, British Columbia, and continued to Fairbanks, Alaska, a distance of 1,523 miles; all but 300 miles in Canada.

The Americans assumed full responsibility until 1946 when the Canadian section was turned over to Canada with no charge for the construction of the highway itself. From 1946 to 1964 the Canadian Army under National Defense were responsible for maintenance and repairs of the highway.

In the spring of 1964 the Federal Department of Public Works took over full responsibility for the future administration of the Alaska Highway.

Mr. Speaker, for the last 20 years I have been associated with chambers of commerce and other groups working consistently for the improvement of this important artery from continental United States to Alaska. The dust hazard has been the No. 1 problem. Traffic would triple if there were no dust on this long route. You don't mind the inconvenience of dust for 50 miles if there is something to see, but when the cloud stretches for over 1,000 miles you are discouraged. If it were not for the dust hazard the motorists from Canada, United States, and other countries would run bumper to bumper over the Alaska Highway during the tourist season. Today the Alaska Highway is one of the most important roads on the American Continent. To date it should be classed as a development road. We now need a highway that will accommodate modern traffic to northwest Canada and the State of Alaska.

I have on three occasions placed a similar motion on the order paper urging the Federal Government to negotiate an agreement with the Government of the United States, with the object of an early start on the complete paving of the Alaska Highway in Canada. The first attempt was in 1959 when the late Senator Neuberger introduced in the U.S. Congress legislation to authorize the paving of the Canadian portion of the Alaska Highway on a cost sharing basis with Canada. It was estimated at that time that the Canadian share would run to $66 million, spread over a 6-year period.

The Honorable Gordon Taylor, Minister of Highways, made a submission on behalf of the Government in February 1958, to the Alaska International Rail and Highway Commission and the Battelle Memorial Institute.

The purpose of my resolution in 1959 was first to support Mr. Taylor's submission presented at Washington, D.C., and second, to support Mr. Neuberger's bill before the U.S. Congress. The resolution, however, did not impress the then Prime Minister, Mr. Diefenbaker, beyond a courteous acknowledgement.

I introduced the second motion urging the Federal Government to negotiate an agreement on a cost-sharing program to pave the Alaska Highway in 1961. This was following the favorable economic survey published by the Battelle Memorial Institute, which had just completed a study of northwest Canada and the State of Alaska. The part of Canada considered in this study includes Yukon Territories, the fringe of the Northwest Territories east of the Mackenzie River, and the north half of British Columbia, and the northwest quarter of Alberta.

Battelle recommended to the Alaska Rail and Highway Commission the adoption of an integrated highway program. The recommendations were headed by the upgrading and paving of the Alaska Highway from north of Charlie Lake, British Columbia, to the Alaska border. The evidence presented in the report was even better than expected. According to the Battelle group, the investment for the recommended highway program would not only pay for itself and maintenance, but would also bring additional revenues to both Canada and Alaska within a 20-year period. Profits from the gasoline tax alone will pay more than for maintenance. The conclusion drawn from the Battelle study includes the following:

"Tourism offers the most promise for immediate and continuing returns that will contribute importantly to the economic health and growth of northwest America. By 1960 a potential of 850,000 travelers annually was foreseen for Alaska, plus an additional 550,000 having destinations in Canada. Increased expenditures by travelers within the area was estimated to increase progressively to about $380 million annually."

At this stage I might point out that the estimated 850,000 travelers would travel by highway, air, and ferryboat. However, a very large number of these will be traveling over the Alaska Highway, and especially a good percentage of the 550,000 having destinations in Canada. The report also said that the foreseeable possible development of tourism resources and resourced based industries in Alaska may increase the population of the State of Alaska to 335,000 in 20 years. Northwest Canada would be allowed to develop along with Alaska, and could expect similar growth. The report did not deal with the direct benefits to the Province of Alberta. The inland paved corridor to Alaska runs right through the heart of Alberta from south to north. Every foot of the Alberta section, a distance of 730 miles is paved. There are almost unlimited tourist potentials along the route, from the Montana-Alberta boundary to Fairbanks, Alaska, a distance of 2,257 miles.

The scenery in Alberta is majestic; and the route runs close to three beautiful national parks—Waterton, Banff, Jasper—and the New Willmore Wilderness Provincial Park, north of Jasper, connected with a forestry road to Grande Prairie, which will be developed to high standard as the years go by.

I have just related some of the facts that were presented to this House in 1961.

The legislative assembly supported the resolution, but all we received from Mr. Diefenbaker was another courteous reply.

Mr. Speaker, when checking the records, I note that I again placed a motion on the order paper during the 1964 session. I felt that the motion was timely, for two reasons:

1. An International Conference on Paving the Alaska Highway had been held in September 1963, at Whitehorse. Mr. K. Easson, executive officer of the Northern Alberta Development Council, and myself attended this Conference, as delegates. There were some 150 delegates present. Approximately 60 of these were American delegates. The Convention presented resolutions to both the Canadian and American Governments urging Canada to negotiate a cost-sharing agreement with the Government of the United States.

A followup action committee was also appointed, comprised of four American and five Canadian delegates. I would congratulate this international committee for the excellent work they have been doing during the past 18 months.

2. The second reason for the motion last year to lend support to reconstruction and paving of the highway. These surveys and studies could well take another year or two to complete. We could well survey ourselves into another decade if the Minister dreams up any more surveys or studies.

The International Conference on Paving the Alaska Highway, held at Whitehorse in 1963, went on record that further surveys and cost studies were unnecessary for the purpose of negotiating a cost-sharing agreement, as the Battelle Memorial Institute is an outstanding firm of economists. The U.S. Government employed Battelle, an independent firm, which undertook a very exhaustive study of northwest Canada and the State of Alaska. Premier Bennett, of British Columbia, offered to pay one-third of the cost of paving the 500 miles of highway in British Columbia; and the United States, which has proposed to pay up to 50 percent of cost—to upgrade and pave the Canadian section. Neither British Columbia nor the United States has asked for the surveys in question. Once the agreement is completed, the engineering could have been undertaken simultaneously with construction. As a rule, estimates of costs are not too accurate until contracts are tendered. A great deal of time has been lost.

I am now about to answer the question as to why I am placing a motion before the legislature today. I will give you two good reasons; there could well be many more:

1. First, the Honorable Senator MANSFIELD and Senator METCALF again (1965) introduced a bill to authorize the U.S. Government to pay up to 50 percent of the cost of the Canadian portion of the Alaska High-

way in Canada. Should Ottawa fail to move, the U.S. bills will again die on the order paper.

2. Second—To date the Federal Government has failed to endorse the principle of a cost-sharing program.

As a result, Ottawa leaves itself open to the suspicion that the surveys and reports are merely delaying tactics. As I have previously said, both the United States and British Columbia have clearly indicated that they are willing to participate in a three-government split, on costs. It is time the Federal Government gave unequivocal assurance that it is prepared to adopt a cost-sharing approach to the Alaska Highway project, and to commence negotiations with the Government of the United States, so that construction might get underway.

The important thing is to get on with the job, if we are going to see the Alaska Highway paved in our lifetime. The total length of the Alaska Highway from Dawson Creek, British Columbia, to Fairbanks, Alaska, is 1,523 miles, of which some 1,221 miles are in Canada. The extent of the present paving continues only 83 miles northwest of Dawson Creek; and then 302 miles in Alaska are paved, leaving 1,138 miles to be paved.

I am satisfied there is genuine concern in Alberta over the failure of the Federal Government to give the Canadian people a straight answer and a commitment on the reconstruction and paving of the Alaska Highway.

In the April issue of the Edmonton Journal, my attention was drawn to an article under the caption: "Alaska Route Drive Urged." The Edmonton Chamber of Commerce was again urged to crusade for the paving of the Alaska Highway. Edmonton city commissioner, Mr. G. C. Hamilton, told the Edmonton Chamber of Commerce members, at their regular luncheon meeting in the Corona Hotel, that the condition of the highway is well known.

He said that the United States has indicated it is all for the project. He went on to say it is time for some major entity to become a champion of this cause. I am in full agreement with Mr. Hamilton, and would urge, not only the Edmonton Chamber of Commerce, but all chambers of commerce, tourists groups, farm organizations, etc., in the Province of Alberta, to get behind this worthy project.

Finally, I would suggest any organization or individual lending support to the paving of the Alaska Highway to dispatch resolutions or letters to the Honorable Prime Minister, Mr. Pearson, in Ottawa. Paving the Alaska Highway could be one of the finest centennial projects for Canada in 1967.

In conclusion, I would ask the support of the legislative assembly for this resolution for the following reasons:

1. The completion and paving of the Canadian section of the Alaska Highway is of major importance to development of northern Canada and will attract a substantial flow of tourists and commercial traffic from the United States and Canada.

2. The economics of the Alaska Highway project are sound and will pay for itself within a 20-year period, leaving a surplus on the investment.

3. The Province of Alberta has fulfilled her commitments by building and completing the 730-mile highway through the heart of our Province, the most direct route to Alaska from continental United States.

4. The completion of the Alaska Highway is of national importance to Canada as well as the United States of America. The Canadian Government should be prepared to enter into negotiations with the Government of the United States at this most opportune time in history, when it appears the United States is prepared to pay a substantial share of the cost of a highway built in Canada. Should the Canadian Government fail to move and meet the U.S. Government at the bargaining table the bills before Congress will again die on the order paper.

The result could well cause the U.S. Government to lose interest. I sincerely hope our Federal Government will act now, when there is every chance of success.

PRESIDENT JOHNSON PROMOTES CULTURE

Mr. YARBOROUGH. Mr. President, the response to the outstanding array of talent and culture represented at the White House Festival of the Arts, last week, has been unanimously acclaimed as an indication of this administration's constant concern with the arts and the humanities of this country.

Because of the support given by President and Mrs. Johnson to the artistic and cultural developments in this country, as well as to the arts and humanities bill which has been passed by this legislative body, U.S. citizens can view with zestful pride our cultural level.

To illustrate the favorable action prompted by the White House Festival of the Arts, I ask unanimous consent that an editorial from the Washington Daily News of June 12, 1965, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington News, June 12, 1965]

THE WHITE HOUSE ARTS FESTIVAL

John and Abigail Adams introduced "culture" to the White House in the late 18th century when they invited friends in for some music during their first evening there.

But the Adamses undoubtely would have been astonished by the scope of the Festival of Arts at the White House today.

Some 200 performing artists and 500 guests, many of them distinguished artists in their own right, contributed to the daylong festival of drama, painting, sculpture, music, and sister arts.

Presidential concern with the Nation's cultural life is part of a continuing tradition. Although the zestful President Kennedy seemed to have "discovered" the arts as a national resource, a long line of cultivated Presidents—Jefferson and Madison among them—fostered the arts.

Each, of course, has done so in his special way. And now President Johnson, a Texan, is putting his "brand" on art patronage by sponsoring probably the biggest and most inclusive festival in White House history.

THE 350TH ANNIVERSARY OF TAOS, N. MEX.

Mr. ANDERSON. Mr. President, the year 1965 is the 350th anniversary of the city of Taos, N. Mex. In commemoration of this anniversary, I have prepared a short history and some comments about Taos, which I am sure many persons will find of interest. I ask unanimous consent that this statement, entitled "Taos, New Mexico," be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TAOS, N. MEX.—STATEMENT BY SENATOR ANDERSON

In his perceptive article on New Mexico in February's Harper's magazine, the late David Boroff said that for New Mexicans "the graceful coexistence of three cultures—Spanish, Indian, and Anglo—is an article of faith." Nowhere in New Mexico is this graceful coexistence to be found in a purer and more interesting form than in Taos.

Forty-eight years after Columbus discovered America, members of the expeditionary forces of Coronado reached this area. Twenty-two years before the Pilgrims landed at Plymouth, Don Juan de Onate came to Taos. On September 9, 1598, Padre Francisco de Zamora arrived to introduce Christianity to the Taos and Picuris Pueblos. Thus began the Spanish stream of the history of Taos. By 1615, the walled town of Taos had been built; we observe the year 1965 as the 350th anniversary of the founding of Taos.

The Indian part of the Taos story extends far back into pre-Columbian history. In 1680 occurred an Indian revolution when all Spanish residents were driven out of New Mexico. Although Don Diego de Vargas reconquered the area around Santa Fe in 1692, peace with the Taos Indians was not achieved until the winter of 1696. De Vargas came to the pueblo in September of that year, causing the Indians to flee to the mountains, where they remained until heavy snows forced their return; they then restored their partially ruined church and resumed friendly relations with the Spanish.

The first Anglo trappers came to the area in 1805, and were overjoyed to find in the sheltered valley a haven of civilization on the borders of the vast wilderness that stretched north, east, and west over the mountains and plains. The mountain men made Taos their headquarters; Kit Carson was one of the most famous of them.

The original Santa Fe Trail of the early 1820's led through Taos, but was abandoned when wagonmasters found a route to the Southwest that was easier to follow than the steep trails of Taos Canyon and the Vermejo area. But this route was always used as a so-called loop of the Santa Fe Trail, and a small section of it can still be seen under the cliffs of the Picture Rocks southwest of Taos.

In 1846, Gen. Stephen Watts Kearny captured the area from Mexico for the United States. Among the famous citizens of the community who were prominent during Santa Fe Trail and territorial days were Kit Carson, Charles Simpson, Padre Jose Antonio Martinez, Capt. Smith Simpson, Colonel St. Vrain, and Judge Beaubien. Padre Martinez established the first newspaper published west of the Mississippi.

In 1861, Capt. Smith Simpson achieved fame by nailing the Union flag to a tall cottonwood pole and planting it in the Taos Plaza. For years, Confederate sympathizers had been accustomed to taking down the flag that had first been placed there in Kearny's time. Simpson and his friends guarded the flag against further aggressions, and, to honor their solicitude for the national emblem, the Stars and Stripes have been permitted ever since to fly over Taos both during the day and at night.

The growth and fame of Taos as an art colony grew out of one man's enthusiasm for this town which he had never seen, and a broken wagon wheel. Joseph Henry Sharp, a young painter sketching in New Mexico in 1880, reported so enthusiastically what he had heard about the charm of the remote Taos village to his artist friends Bert Phillips and Ernest L. Blumenschein that they decided to visit it. They traveled by train to Denver, bought camping supplies, and headed south, painting as they traveled.

Thirty miles from Taos one of their wagon wheels broke. On the flip of a coin it became Blumenschein's job to ride his horse to Taos, carrying the broken wheel there for repair. It took him 3 days to make the trip and return to camp. He was so enchanted by what he had seen of Taos that he suggested they stay there for good. Later Sharp joined them, followed by another artist, Irving Couse. They eventually organized the Taos Society of Artists, and sent east their exhibitions of works that reflected the beauty and charm of the landscape and people of Taos. More and more artists have been attracted to Taos over the years. A very powerful esthetic source was discovered by these men in the Indian culture; in the Spanish culture they found an established tradition of religious art. These have been blended with the strength of American art, just as the three cultures of Indian, Spanish, and Anglo have been blended in Taos itself.

One of these Taos artists, Paul Keith, has designed a beautiful commemorative coin for the 350th anniversary of the founding of Taos. It may be obtained in either bronze or silver, and it is an appropriate symbol of one of America's most unique and lovely places, the home of three cultures, the home of artists, and the home of the most striking natural scenic beauty in the world.

Taos has had an historical and colorful past and it has played an important role in the early settlement of the Upper Rio Grande mountain area. Many of the early settlements are today still in existence and retain some of the earmarks of earlier years. But Taos like many of our frontier towns is taking on a new role. The clear mountain streams and lakes, the beautiful stands of fir and ponderosa pine, and the scenic Rio Grande Gorge have a great attraction for visitors and outdoor recreationists from all over the country, and these visitors are increasing from year to year.

Today Taos boasts of having one of the finest ski resorts in the southwestern Rocky Mountain area. Nearby Eagle Nest Lake provides some of the finest and largest rainbow trout in the Southwest. The camping areas in high mountains provide excellent refuge from the telephone and the tumult of city life. Excellent facilities are available for the vacationer who wishes to take a horseback trip into the mountains and rough it for a few days. New road improvements and construction are making it possible for those who seek a milder form of recreation than horseback riding and fishing the mountain streams, to tour the Taos countryside and enjoy the scenic mountain beauty, see the Indian pueblos and nearby cliff dwellings, or enjoy a picnic at some nearby recreation area.

For many years, visitors to Taos have not had an opportunity to get a closeup view of one of our scenic attractions of this part of the State. This attraction is what we often call our miniature Grand Canyon or the Rio Grande Gorge. Flowing through this deep gorge west of Taos is the turbulent Rio Grande. The State of New Mexico has near completion a high-span bridge across this gorge which will connect for the first time the east and west side of northern New Mexico and give our visitors a look at this rugged country. After a recent study by the Department of the Interior, it was proposed that the Rio Grande be declared a wild river and be included in a wild river system to be created by legislation now pending in the Senate, of which I am one of the sponsors. Under this legislation, the Rio Grande, through this deep gorge which stretches from Pilar, N. Mex., to the Colorado State line, would be preserved in its primitive state, thus permanently conserving and protecting the scenic, recreation, fish, and wildlife values.

Taos will continue to play an important role in the future history of New Mexico. Because of the farming, mineral, timber, and recreation resources of this area which are just now entering a new era of development, there is promise that Taos and northern New Mexico will make a large contribution to the future economy and well-being of our people.

TRIBUTE TO P. M. H. SAVORY

Mr. KENNEDY of New York. Mr. President, recently Mr. P. M. H. Savory, a prominent citizen of New York, died at age 76. Mr. Savory, copublisher of the New York Amsterdam News, had compiled a commendable record of civic achievement.

I ask unanimous consent that an editorial from the Amsterdam News be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

P. M. H. Savory

It's one thing to be a scholar and a gentleman. But it's quite another thing to be a scholar, a gentleman, and a successful businessman.

The three don't always go hand in hand.

But Philip Maxwell Hugh Savory, copublisher of the New York Amsterdam News, who died this week at 76, was all three—he was a scholar, he was a gentleman, and he was a successful businessman.

Yet in his busy life as scholar, gentleman, and businessman Dr. Savory always found time to turn some of the fruits of his success toward the betterment of his fellow man. He strongly believed in the equality of all men and he fought for such beliefs up to the very moment of his death.

Thus, it was not at all surprising to hear his pastor tell at his funeral how Dr. Savory fought for racial equality even within the circles of his own deacon board.

He will be sorely missed here at the Amsterdam News.

But as we miss him we shall think of the fight he waged for equality and we will say as he once said with the poets:

"In the democracy of the dead, all men at last are equal. There is neither rank or station nor prerogative in the republic of the grave."

CRITICISM OF U.S. FOREIGN POLICY

Mr. MONTOYA. Mr. President, I ask unanimous consent to have printed in the Record and call the attention of my colleagues to a very timely article that appeared in the June 1, 1965, issue of the Christian Science Monitor, entitled "Where Kosygin Is Wrong."

There being no objection, the article was ordered to be printed in the Record, as follows:

Where Kosygin Is Wrong

In the crossfire of criticism of U.S. foreign policy—criticism from within and without the country—it is too easily overlooked that the basic commitment of the American Government and people is on the side of decency. Specific acts of the United States may sometimes be mistaken or clumsy. Yet in the final analysis, often after much travail and a difficult road, the United States can be counted on to go along with whatever is likely to bring the greatest good to the greatest number of people.

These reflections are prompted by President Johnson's speech at Baylor University and by industrialist Cyrus Eaton's report of remarks by Soviet Premier Alexei Kosygin.

Mr. Kosygin is quoted as saying that President Johnson had "abandoned peace and proposed a policy of armament and increased tension." The Soviet Premier also reportedly spoke of "the spirit of militarism which now prevails in Washington."

The fact is that nobody would be better pleased than President Johnson if he could lessen U.S. military commitments, cut arms spending, and reduce international tension. Virtually every citizen of the United States would like to see that, too. There is, however, the security of the United States to be considered—and the security of peoples to whom the United States has given its word.

But if Mr. Kosygin is manifestly wrong in his assessment of what is happening in Washington and the United States, President Johnson is just as manifestly right when he says of the United States:

"We seek no territory.

"We do not seek to impose our will on anyone.

"We intend to work for the self-determination of the peoples of the Americas within the framework of freedom."

Such indeed is the underlying purpose and mood of U.S. society as a whole. Mr. Johnson dwelt on the situation in the Dominican Republic in his Texas speech. Some may say that, despite the accuracy of his statement of the principles guiding American policy, he glossed over specific actions on the spot which have roused criticism and concern. There has been validity in some of this criticism. Yet surely the basically decent intent of American policy is proved by Washington's apparent willingness eventually to heed criticism where it has been valid.

There are still difficult days ahead in the Dominican Republic and elsewhere in Latin America. So too are there in the other area of acute crisis, Vietnam. But there, no more than in the Dominican Republic, is it the desire or the aim of the United States to rob the people of the country of the right to be masters in their own land. If the great majority of the people of South Vietnam had really wanted to be ruled by the Vietcong, the Vietcong would have won long ago. What the United States is trying to do is to hold a line so that those behind it are not forced into a decision with a pistol at their heads—literally or metaphorically.

In this case, as in others, specific methods might be criticized. But the overall purpose cannot be questioned or challenged. This is the point that Mr. Kosygin and many others indicting the United States have lamentably failed to see.

SUPPORT FOR SUMMER LUNCH PROGRAM GROWS

Mr. RIBICOFF. Mr. President, support for my bill S. 2121 that would provide a special summer lunch program for needy children has been growing. Editorial opinion in many of our leading newspapers has been highly favorable to it. I ask unanimous consent that an editorial "Summer Lunch Program" from the New York Times, June 21, 1965, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Summer Lunch Program

School will soon be out but hunger will not.

Of the 16 million schoolchildren who participate in the federally financed school lunch program, about 1 in 10 gets his lunches free because his family is too poor to pay the modest price. Teachers in slum schools have learned that for many of these children, this school lunch is the only full meal they get each day. There have been poignant incidents of youngsters who hoarded part of their lunch to share it with brothers and sisters at home.

Senator Abraham A. Ribicoff, of Connecticut, and 22 other Senators from both parties have recently introduced a bill to extend the lunch program through the summer for these 1,600,000 children of impoverished families. The bill would enable communities to operate the program—now strictly limited to schools—in parks, playgrounds, child care centers, and other places where children congregate. The summer lunch program could become part of the antipoverty program where that was feasible.

The value of this bill is self-evident. Is it too much to hope that Congress will act with uncharacteristic speed and get the program started this summer? Hunger takes no holiday.

MEMORIAL DAY ADDRESS BY WILLIAM R. RYAN

Mr. HAYDEN. Mr. President, may I direct the attention of the Senate to the patriotic appeal of an address delivered by Mr. William R. Ryan, past commander of the L. A. Engle, Jr., Post No. 16 of the American Legion of Bisbee, Ariz., at the American Legion plot of Evergreen Cemetery on May 30, 1965, which as a Legionnaire, I am proud to read.

There being no objection, the address was ordered to be printed in the Record, as follows:

Man, who is born of woman, is of few days and full of trouble. He cometh forth as a flower and is cut down. He fleeth also as a shadow and continueth not. The dust returneth to earth as it was and the spirit returneth unto God who gave it.

Standing here, we are observing an ancient and honorable custom. We are honoring our dead. We are extending a sincere tribute. We are respecting the memory of men and women who died serving against enemies who sought to change our way of life, deprive us of our beliefs, and rob us of our freedom.

Here in the quiet of a summer evening it is difficult to recall the violence of war. But here is our proof—here is our evidence—our reminder.

Beneath this quiet soil lie those who labored and persevered and died. Here lie men who fought a hundred years ago and here lie men who fought barely a decade past. This very day in strange and unfriendly foreign lands Americans are fighting and dying for us.

Remember them as children—how many times did you watch those straight little shoulders and bright little eyes as they grew from childhood?

Remember them as their shoulders broadened and their eyes grew more discerning?

Remember them as they accepted their duty as American men and women and served our Nation as soldiers.

This same sun that is now setting over our silent mountains has watched this scene repeat itself over and over again in many lands and in many languages.

It will ever be man's lot to worship God, to love his family, to serve his neighbor, and to protect his country; to pause at sunset, to honor his dead, to recall the goals of his forefathers, to observe and comment on the virtues of his great country. And then to return to life, to be led inevitably from this peaceful pause to moments and hours and months and years of violent action and devastating anguish of war. When the air is quiet and the damage has been repaired, we will again pay respect to our soldier's memory.

And when all is calm and peace is in the land, out from under the flat rocks, or wherever they hide, come the irresponsible, the frenetic, restless dreamers who seek to change our way of life from within our country and from without. Why? Because their own tortured souls cannot allow us to work and serve and to create what happiness is to be ours.

These, we must resist. Against these we must be vigilant. We must in every day work and watch to maintain our freedoms and our liberties.

But perfection is not easily obtained—yet the world is becoming a better place in which to live—the dream of lasting peace is a little nearer because these men and women buried here died and because you remember.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The VICE PRESIDENT. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

There being no objection, the Senate resumed consideration of the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, without losing my right to the floor, I may yield to the distinguished Senator from Navada.

Mr. BIBLE. I thank the senior Senator from Wisconsin.

ADDRESS BY VICE PRESIDENT HUMPHREY AT AMERICAN UNIVERSITY COMMENCEMENT

Mr. BIBLE. Mr. President, we are passing through the annual commencement period. The Congressional Record is replete with many outstanding commencement addresses that have been delivered by the many distinguished Americans who take time out to present counsel and inspiration to the graduates of our high schools and universities.

I should like to direct particular attention to one commencement address which I think carries a special inspiration. Vice President Hubert Humphrey, in addressing the American University Commencement on June 13, succeeded, I think, in portraying vividly the spirit of our history, the dynamics of our political system and the depth of our national conscience. He also pointed with compelling words to the challenges of the future. Mr. President, I ask unanimous consent that Vice President Humphrey's address be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by Vice President Humphrey, American University Commencement, June 13, 1965

Two years ago this week this university was privileged to have as its commencement speaker one of the truly great Presidents of American history.

As the leader of the richest and most powerful nation on earth, John Kennedy stood on this platform to present a formula not for world domination, but for a just and lasting peace. His was the voice of sanity and hope in a world plagued with dogma and despair.

On that day John Kennedy called for politics "dynamic and not static, changing to meet the challenge of each generation."

"Our problems," he said, "are manmade; therefore they can be solved by man."

Our aspiration, he said, is "the kind of peace that makes life on earth worth living, the kind that enables men and nations to grow and to hope and to build a better life for their children, not merely peace for Americans but peace for all men, not merely peace in our time but peace for all time."

John Kennedy's voice on that day was the voice of America, the voice of energy and hope, of optimism and idealism. His words expressed an American philosophy which we accept as self-evident.

But energy, hope, humanity, and idealism are not so common in this world as we might believe them to be.

That is why John Kennedy's words inspired alike the Colombian campesino and the European cabinet minister.

They told the world that once again, in a new generation, there were new Americans to lead all men everywhere toward a better and freer life. They told the world that our strong, rich Nation had rededicated itself to the real world revolution—the revolution toward liberty and self-fulfillment for all people.

All of us are, in a sense, new Americans. All of us are immigrants or the sons of immigrants. We left the old behind to begin the new. We began by being willing to take risks, to discard the unusable, to find what works.

We have made change our ally, not our enemy.

That is why, when history demanded them, there have been new Americans to conquer a wilderness, to create a new technology, to seek new ways toward peace and security for men and nations.

Each American generation has made anew its own page in history.

In the 18th century, men in Europe wrote of man's freedom and the concept of a more just society. But it was in America, not in Europe, that men rose to Thomas Paine's challenge in 1776:

"Ye that love mankind. Ye that dare oppose not only the tyranny but the tyrant, stand forth. Every spot of the old world is overrun with oppression. Freedom hath been hunted round the globe. Asia and Africa have long expelled her. Europe regards her as a stranger and England hath given her warning to depart. Receive the fugitive and prepare in time an asylum for mankind."

Thomas Jefferson's Declaration of Independence written 6 months later, seized this yet untested philosophy and transformed it into the dynamic force toward a revolution that still gains momentum.

The truths which Thomas Jefferson held to be self-evident—and which we accept today as self-evident—were based on the new Americans' abiding faith in the dignity and sacredness of every human being and on their own pragmatic experience in this new land.

A great idea's time had come. Our Declaration of Independence became for other men their declaration of independence—a challenge to create governments deriving their powers from the consent of the governed for the purpose of effecting their safety and happiness.

As the world awoke to the possibility of a new relation between man and state, there were new Americans on this continent moving westward to gain a living out of new soil. These were people who only a few years before had cleared the land and built homes and towns where none had existed before. But they moved on to clear new land, to build new homes, and create new towns.

They were builders—conquering the wilderness and building a nation.

They extended a vast, expanding continental nation in which democratic government might flourish, unthreatened by foreign force. They established a laboratory for democratic government—a laboratory with unmatched resources and with men unsatisfied with the status quo and anxious to experiment—restless, adventurous, forward-moving men.

In this laboratory we have achieved accelerated progress. There have been know-nothings and haters in our society—and some of these almost extinct creatures still exist today in some unlighted corners—but they have in the long run been in the minority. There have been times in our history when they seemed to be gaining, or should I say, the rest of us losing, but they have been outnumbered in time and overcome by generations of new Americans dedicated to greater causes and higher goals.

Our American Nation, above all others, has rejected the know-nothings. For we have had, through our history, continuing commitment to moderation and, I might add, a disrespect for extremism and those who would destroy.

We have developed a lively, partisan political system—but one which recognizes that all significant national decisions must ultimately be based on the consent of individual man.

The new American society, born through the efforts of Jefferson, Madison, Washington, Franklin, and Hamilton, also produced an Abraham Lincoln to save the Union and begin the emancipation which the American Negro now is achieving.

The society which produced Lincoln also gave us men to provide general education and broadened social welfare during a time of industrial revolution.

It produced Americans willing to open their arms to millions of tired, hungry, and poor from other nations.

It produced a Woodrow Wilson to propose a bold new plan for world justice and peace.

It produced a Franklin Roosevelt to save the tree of democracy, with its old trunk and new branches, in face of some who would have cut the tree down and others who would have let it rot.

It gave us Harry Truman to propose the Marshall plan and point 4 and to resist aggression in Asia.

It gave us Dwight Eisenhower, schooled as a soldier to devote his life to ending conflict.

It gave us a whole generation to fight a World War and after winning that war, to seek no bribery or plunder, but instead to rebuild the societies of the former enemies and to create new international machinery for peace.

It gave us John Kennedy and his vision of a New Frontier and an end to nuclear war.

It gave us President Lyndon Johnson and his determination to achieve a Great Society in which human opportunity and fulfillment might indeed be gained by all men and their children—regardless of the color of their skin, their last name, or their religion.

It gives us today the Peace Corps volunteer bringing hope to strangers, the AID official and medical technician working in Vietnam under the threat of death, the VISTA worker seeking to reclaim forgotten people here at home, the astronaut circling the earth to expand man's knowledge of the unknown, the American soldier or marine dying on alien soil, but not in vain. All this is the sweep of our history.

It is necessary to know history, but, for this generation of new Americans, it is better to make history. The standards of the past must serve as an inspiration for the future.

The world may ask: What is the nature of today's new American?

I see him as the same restless, adventurous, courageous citizen as his forebears.

I see this new American as the son or daughter of a rich Nation yet a person of conscience, of deep concern for the fate of his fellow man.

I see the new American as one who has defeated the enemies of freedom, yet extends the hand of friendship and cooperation to build a new and better world community.

I see the new American surrounded by materialism, yet questioning its value.

Impatient with things as they are, but not impetuous in remedy or judgment.

Generous but not patronizing.

Seeking enlightenment but not indulging in intellectual vanity.

Respecting the arts, yet not detached from reality.

Motivated by ideals, but satisfied only with accomplishment.

Strong and firm, but not belligerent or arrogant.

Willing to debate, but able to decide.

The new American of this generation believes that the world need not destroy itself by war.

He knows that the pursuit of peace is an act of courage and that resisting aggression is the duty of freemen.

Perhaps the qualities I see are those I want to see. For these are the qualities that must characterize the new American, in this exciting and uncertain age.

But I believe my thinking is not wishful.

I have faith in this generation. I have met and talked with you. I have seen your concern for the world around you. I know your commitment to peace and to justice. Yours is the volunteer generation; you have volunteered for difficult tasks the world around. There are few in this generation who seek the easy way or look selfishly inward.

Today there are those who take for granted our role as leader of the free world—just as we take for granted our democratic American heritage.

But I ask you to consider that role.

The mantle of leadership is not a cloak of comfort, but rather the robe of responsibility.

Leadership does not permit a person or a nation license or luxury.

Leadership imposes responsibility and affords few privileges.

We hear many voices these days saying that America is overextended in the world, that other people's problems needn't be our problems.

My friends, when that time comes, our leadership ends.

Who in the world will work for democracy if we do not?

Who in the world can preserve the peace if we do not?

We live in a time when everything is complex, when there are no more rapid or easy answers. We live in a time when we must exert our patience and our will as never before. Have we the patience, for instance, to work and bleed thousands of miles from home for months and years ahead? I can tell you that the forces of totalitarianism have that patience. If we have less, we fail.

We must recognize that there are times when American power must be used—that there is no substitute for power in the face of determined aggression.

We must equally recognize that, in resisting aggression, military power alone is of little use without political and social reform and the promise to people of a better life.

Hope is still the world's most powerful antidote for disaffection and despair.

For we believe that we Americans can help others even as we help ourselves to find a better future.

We stand for something.

Each generation must discover it anew.

What is it that makes a new American? It is his discovery of the commitment of America and what it stands for.

It is his recognition that we stand for individual fulfillment of man and woman.

We stand for the chance for each man to make something better of himself.

We stand for free speech and government of the people, by the people, and for the people.

We stand for peace without conquest.

We stand for the belief that others, too, in less fortunate places should have opportunity for the blessings of abundance and should be free of tyranny.

We stand for the pledges made by men and women who left the old continents and made this new America.

In the words of President Lyndon Johnson:

"We are grateful for the progress that we ourselves have achieved. We are pleased and we are determined to press forward—not for our gain and our greatness alone, but rather for the gain and the good of all mankind everywhere."

It is in this spirit that I call on you today:

Have no little dreams. Make no little plans. Reach for the stars.

Do not be satisfied with things as they are.

Commit yourselves to the ideal that man, governing himself, can perfect a life of opportunity and justice—not only in America, but for all mankind.

Be remembered, as Toynbee says, not for crimes or even for astonishing inventions, but as the first generation to dare to make the benefits of civilization available to the whole human race.

And, finally, as the first Americans who have lived your lives in the nuclear age: Be firm, be persevering, be devoted to the goal of peace "for all men, for all time."

For the pursuit of peace resembles the building of a great cathedral. It is the work of generations. In concept it requires a master architect; in execution, the labors of many. Make the pursuit of peace the work of your generation.

Do these things with faith and labor—so that men in future generations may speak at commencement as free men facing days ahead of peace and promise.

PROPOSED REMOVAL OF SILVER FROM COINAGE

Mr. BIBLE. Mr. President, the time grows near when the Senate will take up the U.S. coinage issue. I continue to hope that those few of us who recognize the dangers inherent in the Treasury's proposals to take silver out of dimes and quarters and drastically reduce it in half dollars will somehow, at some point, be able to impose a few restraints on this freewheeling legislation.

I believe more than ever that we will be making a deadly serious mistake if we pass this kind of legislation without proper safeguards and modifications. I voiced the same apprehension 2 years ago when Congress passed the Silver Purchase Act repeal without adequate safeguards. Events have justified the warnings I voiced then, and I fear they will justify the warnings I sound now. The purchase repeal did not protect our silver reserves and our coinage; neither will this latest effort by the Treasury people.

We must halt depletion of Treasury silver to redeem silver certificates.

We must establish a strategic stockpile of Treasury silver.

We must put an end to the rampant hoarding and speculating with silver coins.

We must permit silver to seek a realistic price level on a free market.

If we do these things it will not be necessary to debase our coinage. We will be able to maintain a reasonable portion of silver in our coinage. Otherwise, I am confident, the introduction of nonsilver coins will only serve to drive out our ample existing supplies of silver coins. Silver users will continue to deplete our Treasury's silver stocks with silver certificates at the current artificially low price maintained on this increasingly vital mineral.

I know many Senators share these views, and I hope that we will somehow prevail. Many of my views are also shared by the western Governors' conference. I ask unanimous consent that a resolution on this issue adopted by the conference in Portland, Oreg., this month be printed in full at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Western Governors' Conference, Portland, Oreg., June 10–13, 1965

Whereas over the years, the Western Governors' Conference has cautioned the executive branch of our Government that U.S. Treasury stocks of silver could not indefinitely meet the requirements of the country for coinage, industrial and art uses, and more recently the needs of our space program; and

Whereas a recent Treasury proposal calls for the virtual removal of silver from our coinage system, a negative approach that does nothing to further any increase in the production of silver; and

Whereas this proposal can only aggravate the coin shortage it purports to remedy and will result in a far more serious coin shortage than we have ever experienced; Now, therefore, be it

Resolved by the Western Governors Conference, That Congress be urged to reject moves to eliminate silver from our coinage and that it provide for retention of silver in reduced amounts in all coins now silver; and be it further

Resolved, That affirmative program be adopted to increase exploration for and development of domestic silver supplies, and that silver be permitted to seek its own price in the marketplace; and be it further

Resolved, That the administration be commended for its action in setting a national stockpile objective of 165 million ounces of silver to meet our security requirements, a move which the Conference has urged for many years.

Mr. BIBLE. Mr. President, it is ironic indeed that the same Government that seeks to impose an unrealistic and prohibitive price on silver also is so effective in helping miners discover silver that they cannot afford to mine. The U.S. Geologic Survey has done an excellent job of helping turn up the many sources of silver that lay hidden in the earth—sources that will remain in the earth so long as the current prohibitive price of $1.29 an ounce is maintained. To illustrate my point, I ask unanimous consent that there be printed in the Record at this point in my remarks a recent press release from the Department of Interior which points up the unlimited silver potential this Nation still has.

There being no objection, the press release was ordered to be printed in the Record, as follows:

Common Mineral May Be New Source of Silver, U.S. Geologists Say

Black calcite—a common mineral heretofore considered worthless and hence ignored—may be a new significant source of silver, according to scientists of the Department of the Interior's Geological Survey.

In the June issue of the American Mining Congress Journal, D. Foster Hewett and Arthur Radtke of the Geological Survey's Menlo Park, Calif., offices and C. Taylor of Stanford University, Stanford Calif., reported that in recent spectrographic studies black calcite has often been found to contain rich quantities of silver invisible to the naked eye.

"Heretofore," said Hewett, "black calcite has been considered by miners and earth scientists to be just another 'gangue' (pronounced 'gang'; meaning 'worthless') mineral, although it is interesting to note that many silver miners of the West in the late 1800's considered its presence to be a guide to silver ore. But, they didn't realize that the black calcite itself was silver bearing."

"At Hamilton, Nev., for example," said Hewett, "25 million ounces of silver were produced between 1870 and 1892 from ores in which the precise mineral source of much of the silver was unknown. We have found that black residue from acid dissolution of a sample of calcite from Hamilton contains as much as 1,500 ounces of silver per ton; so it seems likely that black calcite was the source of the silver ore produced there."

Hewett and his colleagues recently made field studies of deposits of manganese minerals (associated with silver) in the West and noted that black calcite was widespread, and, in some districts, abundant.

"In laboratory studies," said the earth scientist, "we determined that the black color of the calcite is due to dispersed grains of a manganese oxide, and that the calcite in which these grains were imbedded, is almost free of manganese. By dissolving the calcite in several common acids, the manganese oxide in samples from districts in Utah, Nevada, Arizona, and New Mexico was extracted and found to contain 200 to 1,500 ounces per ton of silver."

John M. Kelly, Assistant Secretary for Minerals, Department of the Interior, said that "the silver-bearing black calcite discovery by Geological Survey scientists is one of many recent examples of how energetic and imaginative geologic research and an aggressive pursuit of earth science knowledge can meet the Nation's need for key natural resources."

Mr. BIBLE. Mr. President, we have essentially the same problem with gold that we have with silver. As I remarked earlier, the Geologic Survey has done a fine job of helping in the area of gold mining as well. Oddly enough, despite the extremely unfavorable price climate created by Government policies, one mining firm has managed to establish an operation in Nevada that is producing gold at a profit. This is the Newmont Mining Corp., which just a few weeks ago dedicated its Carlin Gold Mine—the biggest to go into operation in this century. To show what the mining industry can do even in the face of adverse Government policies, I ask unanimous consent to have printed in the Record an article entitled "A Miner's Dream," published in Newsweek magazine for June 7, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

Gold: A Miner's Dream

When it was published in 1958, a slim, yellow paperback called "Paleozoic Rocks of North Central Nevada" did not seem an especially promising candidate for the best-seller lists. It turned out to be a gold mine. Not for the author, Ralph Roberts, 54, a veteran U.S. Government geologist who had spent years slogging across the reddish, sage-flecked hills of northern Nevada. But the sharpeyed geologists of New York's Newmont Mining Corp. took a leaf out of Robert's book and started an intensive exploration of the area.

Using Roberts' leads, they struck gold. So much of it that in Carlin, Nev., last week, Newmont dedicated the biggest gold mine to open in the United States in this century. Plato Malozemoff, president of Carlin Gold Mining Co., the Newmont subsidiary that will operate the open pit mine, estimated that it holds 3,520,000 ounces of gold—or enough to keep running at full capacity for at least 15 years. He predicted that it would yield $7.8 million in gold a year (or about one-seventh of total U.S. output). "It's a miner's dream," he exclaimed.

WELCOME HOME

At the dedication ceremonies, Malozemoff supervised the pouring of the first 1,200-ounce ingot at Carlin's cyanidation plant, where the mined ore is converted into pure gold. Carlin will ship its gold in metal boxes via scheduled airline flights to the U.S. Mint in San Francisco.

The United States can use it. The Federal Reserve Bank reported that the Nation's supply of monetary gold last week shrank by $60 million to $14.3 billion. Its lowest level since November 1938. Carlin's rich lode will help shore up the dwindling stock.

How does Roberts, who has now moved on to Utah to map rock formations at $18,580 a year for the Geological Survey, feel about missing out on Carlin's bonanza? "It's the role of government to point out possible target areas and leave it up to private industry to explore them," he says calmly. "I just get pleasure out of doing my work."

SUBCOMMITTEE MEETINGS DURING SESSION OF THE SENATE

On request of Mr. Proxmire, and by unanimous consent, the Subcommittee on Antitrust and Monopoly of the Judiciary Committee and the Subcommittee on Flood Control—Rivers and Harbors of the Public Works Committee were authorized to meet during the session of the Senate today.

On request of Mr. Morse, and by unanimous consent, the Subcommittee on Labor of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

BIG DIFFERENCE 1929 AND 1965, VAST IMPROVEMENT IN ECONOMIC INFORMATION

Mr. PROXMIRE. Mr. President, in recent weeks there has been a great deal of discussion comparing the economic situation of the present with conditions that prevailed in the late 1920's before the great depression. These comparisons, prompted by some remarks of the Chairman of the Board of Governors of the Federal Reserve System, to the effect that he saw many similarities between these times have been disturbing to a great many people. I would not belittle the Chairman's views, for one can always find similarities in environmental conditions between any point in history and an earlier stage if one looks for them.

In a world of progress and change it seems to me, however, that the dissimilarities are of equal or greater importance if one's concern is the possibility that history may repeat itself. The institutional dissimilarities between the two periods are, of course, tremendous and generally well known. Today we are no longer subject to the hazards of the domino effect which in 1929 to 1935 brought bank failures, stock market liquidation, and declines in consumer spending. The Federal Deposit Insurance Corporation and the regulation of securities and stock market margin requirements should free us from the chain reaction in which the failure of one bank brought about the collapse of others, and in which a modest fall in security prices triggered greater and greater liquidation as thin margins were successively wiped out. Social security and unemployment compensation tend to maintain purchasing power so that the cumulative effects of unemployment are not inevitably more unemployment. These dissimilarities between the present situation and the earlier one are too generally understood and appreciated to need laboring. There is one point of great dissimilarity, however, and one which should be extremely reassuring although frequently overlooked.

The impressive advances in economic policy in recent years have been largely the consequence of greatly improved statistical information. The extent of our increased knowledge of current economic happenings has grown beyond the belief of anyone who does not make full comparisons of economic knowledge today with that which we had at that time.

Under the Employment Act of 1946, a declared policy of the Government is to use its resources and programs in the interest of economic stability, growth, and the stimulation of job opportunities. The role which the Government plays in the area of diagnosing economic conditions through the collection and dissemination of economic statistics is generally not fully appreciated. It may well be, as a matter of fact, that the availability of these diagnostic tools and the greater understanding which they give us of economic causes and effects may be our best assurance against the recurrence of economic depression.

This in no way belittles the contribution of the built-in stabilizers, such as deposit insurance, and our better understanding of economic policies. But it does mean that important corrective policy steps may be taken at an advanced stage of an economic downturn or inflation as a result of our early awareness of the economic facts of what is happening in the economy. We no longer have to sit innocently by, eventually to be overwhelmed with unemployment or the cumulative liquidation of inventories and the backwash of an undue tightening of credit.

Mr. President, we know that our Government, whether it be Republican or Democratic, would not stand by and permit this country to get into a serious depression. As unemployment increased, the Government would act, and act decisively.

The point I make is that now we are in a position to know. We have the facts which we did not have in 1929, so we know what we are doing.

Let us consider, for example, what we know now that we did not know then. It is hard to realize what progress we have made in this respect in the past generation. Let us consider several of the series contained in economic indicators, prepared for the Joint Economic Committee, the Congress, and others, which we now take for granted as available currently and accurately.

Before the great depression, neither the Federal Government authorities nor businessmen had available to them the present series of national income and gross national product. We now have come to rely on and continually use these estimates, available and issued regularly a few weeks after the close of each quarter year.

The Consumers' Price Index, upon which we rely for much of our understanding of what is going on in the economy, and which is used as a "trigger figure" in certain wage contracts, was in 1929 computed only twice a year and then reported only with a very substantial lag between the fact and the date of publication.

Information on department store sales was not then available until about 30 days after the close of a month; we now have weekly series available within 3 to 4 days. Statistics on consumer credit were not established until 1942.

Even such a basic monetary statistic as the total money supply, of which we now have many indications weekly and substantially complete revised data within a month, was in 1929 not available until after a 3-months' lag.

Employment, unemployment, and work force statistics, which all of us watch closely through the newspapers and published compilations of business indicators, were for all practical purposes not available before the great depression.

Sales, inventory, industrial production, and construction figures—while constructed by either the Government or private agencies in the period before 1929—have been greatly improved in the last 25 years. Above all, they now give us information promptly instead of after a lapse of 3 to 6 months. Small wonder it might almost be said that in the 1920's the stock market average dominated economic thinking and thereby added to the cumulative optimism before 1929 and the ensuing pessimism after October of that year. Stock market prices and the Dow-Jones average had the merits and demerits of being one currently and readily available index of economic activity.

No employment figures were given. Monetary figures were often delayed. Gross national product was not published.

Surveys developed in the past decade of business and consumer plans for the coming years are monumental contributions to policymaking and to economic stability and growth. The Commerce-SEC survey of business investment plans, the McGraw-Hill survey of plant and equipment outlays, the Michigan Research Center surveys of consumer intentions are indispensable working tools today. We must also note the tremendous strides in Government budgeting—Federal, State, and local—and the value to all policymakers generating from the availability of such information on Government fiscal plans.

Because of this great importance of accurate and timely economic knowledge, the Joint Economic Committee's Subcommittee on Economic Statistics, of which I am chairman, is presently reviewing the statistical requirements of the Nation in the light of present and future needs and capabilities. To this end we have solicited the views of economists and statisticians on such matters as the improvements needed in the quantity and quality of economic statistics, new data projects which should be undertaken, and identification of deficiencies in the present statistical data.

I initiated this several months ago. The comments and criticisms thus far received suggest how far we have come in our current knowledge and how much better our diagnostic and predictive instruments and tools in the economic field are improved over those of the 1920's, just as our knowledge in other fields, such as medicine and space techniques, is far beyond that of the earlier day.

The subcommittee plans to make these statements available for study by other professional economists, statisticians, and business and labor experts in the next few weeks. In due course, we plan to study these suggestions and comments in depth by panel discussions at public hearings.

Needless to say, we are all interested in improving both the quantity and timeliness of our statistics, but the point I want to make is that we are far better off in the determination of economic policy today than we were at any previous time, particularly the 1920's, for the simple but overwhelming fact that we have not only greater understanding of economic causes and effects, but have at hand large masses of economic information on a current basis. With the aid of computers and modern techniques, we have the promise of what the computer people call "real time" data on many fronts which offer tremendous potentials for greater timeliness in helping us to avoid slipping into deep economic trouble.

It is astounding to me that not only Governor Martin, but even his opponents in this great American economic debate have overlooked this immense advance in the capacity of the American society to fight economic depression because its policymakers now have a far better idea what they are fighting with and fighting against.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I wish to speak on another matter, but before I do so, I should have asked unanimous consent to proceed, since I am proceeding in violation of the Pastore germaneness rule. I ask unanimous consent.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is retroactively so ordered.

Mr. PROXMIRE. I thank the Chair.

DILLON'S SUPERLATIVE STATEMENT ON THE BALANCE OF PAYMENTS

Mr. PROXMIRE. Mr. President, I invite the attention of Senators to the excellent speech of former Secretary of the Treasury Douglas Dillon at Middlebury College on June 14. Mr. Dillon used the occasion of a commencement speech to deliver a concise and searching statement on the need to improve and strengthen the international monetary system.

While we are concentrating our attention on balance of payments, the fact is that it is possible that our over-correction of our balance-of-payments deficit may contribute to a serious international economic recession and deflation with serious repercussions on much of the economy.

This is an area in which Mr. Dillon has few, if any, peers. While Secretary of the Treasury under the Kennedy and Johnson administrations, he was the principal figure responsible for the far-reaching balance-of-payments measures which were taken to correct our balance-of-payments deficit and for the important innovations in international monetary cooperation which occurred during his tenure of office. His last official appearances before the Congress were to support legislation to strengthen the International Monetary Fund, an institution whose importance and potential for promoting the stable growth of the international economy is coming to be increasingly recognized.

Mr. Dillon's basic message at Middlebury centered on the theme, in his words:

> The free world is rapidly approaching a financial crossroads. There is an urgent need to strengthen the international monetary system, so as to insure that the needed increases in reserves will be forthcoming.

The essential reason why we find ourselves approaching a financial crossroads is that the world faces the prospect of being squeezed by two forces operating in opposing directions.

It is difficult to exaggerate the dynamic growth of the international economy. World trade has grown about 50 percent since 1959.

If there is growth in this regard, and there is indication that there may be, it will take a great deal more international liquidity than we now have at present. It will take the kind of reserves which we do not have at the present time but which we must develop. If we do not develop them, it will mean that international trade will be crippled. It will also mean serious deflation and depression, in my judgment.

Mr. President, on the one hand, a growing international economy requires an increasing supply of international liquidity. And on the other hand, we are now eliminating the U.S. balance-of-payments deficits which fed dollars into the reserves of other countries and provided the international liquidity necessary for the postwar growth of the world economy.

All of our concern has been focused on reducing the adverse outflow of dollars, but the outflow of dollars has been the factor upon which international trade has thrived. The availability of dollars has made possible the expansion of world trade and expansion of the world economy.

When our deficits come to an end, as they now appear to be doing, the major source of international liquidity since the end of World War II will have dried up. Our problem is to find an alternative source of supply.

As Mr. Dillon pointed out, the need for international liquidity is more or less proportional to the volume of international transactions. The basic reason is that, as international trade and capital movements expand, temporary imbalances are also likely to grow. That is why there is general agreement that the growth of international liquidity must keep pace with the expansion of international trade and capital movements.

World trade has grown phenomenally. It is probably the most dynamic force in the unparalleled prosperity now enjoyed by the free world. Since 1959 alone, it has increased by more than 50 percent. Capital transactions have expanded even more, stimulatd by the restoration of convertibility to the major currencies at the end of 1958. The growth of the world economy and, with it, the need for increasing international liquidity, can be expected to continue.

But, we can no longer look to the old sources of liquidity. Since 1958, international reserves have risen by $10.1 billion: $2.5 billion of this was in gold, $6.2 billion was foreign exchange—$5.2 billion of it dollars—and $1.4 billion was gold tranche or automatic drawing rights at the International Monetary Fund. In other words, more than half of the increase in free world reserves since 1958 consisted of additions by other countries to their dollar holdings.

Our loss in payment of dollars in our foreign aid program abroad, and in our investments abroad, which has been a serious problem, has given positive impetus and drive and has provided the fuel for the expansion of the world economy. The expansion of trade, the growth of European economies, and the Japanese economy are in part because of the availability of American dollars for liquidity.

This gives us an impression of the magnitude of the problem which the world will have to face when we eliminate our international payments deficit.

There is no question that this deficit must now be eliminated. It became clear with our large gold losses in 1958 and 1959 that our deficits were too large in size and long in duration, and that they would have to be brought to an end if confidence in the dollar was to be maintained. Since then, numerous policy measures were introduced to achieve the desired objective. These measures were ably summarized by Mr. Dillon in his speech. But until the President's program of February 10 of this year was implemented, the policies were disappointing in their efforts. It seemed that no sooner had we curtailed outflows in one category of transactions than the outflows increased in some other category. But, as Mr. Dillon stated:

> We now, for the first time, have in operation a program which deals effectively with all the major aspects of our payments problems.

And for that reason, he believes:

> We can at long last, look forward to an end to our payments deficit.

What will fill the gap in international liquidity that will arise as we eliminate our balance-of-payments deficits? Mr. Dillon does not go into this question in detail. But he does suggest:

> A great deal be done to increase the effectiveness of the present system, particularly through relatively modest changes in the functioning of the International Monetary Fund.

I believe that we would all concur with his view that we do best to build on the system that has proved its usefulness before we strike out in new and unexplored directions.

But we must now begin to pave the way for the future if we are indeed rapidly approaching a financial crossroads, and if, in the words of Mr. Dillon:

> A strengthened international monetary system must be installed before it is needed, and not after the crash.

I wish that Mr. Dillon had been more specific with respect to the methods we should employ to strengthen the international monetary system.

The Joint Economic Committee has long been concerned with exactly this problem. I expect that new hearings by this committee will be announced shortly for the purpose of developing guidelines for improving the international monetary system.

Mr. Dillon concluded his Middlebury address with an important discussion of the problem of defining our balance-of-payments deficit. The appropriateness of our present concept—the so-called liquidity definition—which counts increases in foreign privately held dollar balances toward the deficit was called into question by the Review Committee for Balance-of-Payments Statistics in a report released in April of this year. The Review Committee was the famed Berstein Committee headed by Dr. Edward M. Bernstein, proposed to count as part of the deficit only increases in dollar balances held by foreign official monetary authorities.

This has been a highly controversial issue, and would make a great difference in administration of the balance of payments and what they would show. For example, if we use the Bernstein definition which many but not all prominent economists support, instead of having a balance-of-payments deficits last year of $3 billion, we would have a balance-of-payments deficit of only a little more than $1 billion. That is what is at stake in the kind of statistics we accept here.

Mr. Dillon favors the Review Committee's "official settlements" concept. I am not aware that there has been any other such forthright endorsement of that concept by a present or former top-ranking administration official. Mr. Dillon points out that international trade is financed privately, largely with dollars, and that there is consequently a need for growth in foreign privately held dollar balances. He notes:

> A steady growth in central bank reserves is not in itself enough to insure the smooth flow of world trade.

Were we to maintain our present statistical methods and eliminate our deficit for an extended period of time, "world trade could soon be hindered by a lack of private dollars." The alternatives, as Mr. Dillon sees them, are to run deficits, as measured by the present liquidity concept, adequate to meet foreign private needs for dollars or to adopt the official settlements concept proposed by the Review Committee. In stating his preference for the latter alternative, Mr. Dillon pointed out the further advantages that: one, the change would end the anomaly of "listing private outflows as liabilities, but not counting private foreign inflows as assets"; and two, that the official settlements concept would make our figures more comparable to those published by other countries and the International Monetary Fund.

Mr. Dillon concluded his comments on statistical presentation by noting:

> Since no one figure can serve all possible statistical purposes, as was explicitly recognized by the Bernstein Committee, we probably should continue, at least for a time, to compile and publish alongside the new figures, a table that would reflect the results under our present accounting system.

The former Secretary of the Treasury's remarks were especially interesting to me, because the Statistics Subcommittee of the Joint Economic Committee, of which I am chairman, has been holding hearings on the report of the Review Committee for Balance of Payments Statistics. Our list of distinguished witnesses included Dr. Edward M. Bernstein himself; Prof. Peter B. Kenen, a very able man from Columbia University; Dr. John Reynolds; Mr. George H. Chittenden—whom I knew when we were both working at J. P. Morgan & Co. in New York City, and who is now a vice president of J. P. Morgan & Co.; Mr. Hal B. Lary; Dr. Walther Lederer; Profs. James W. Angell and Richard H. Holton; and Dr. Peter Fousek.

Our 3 days of hearings explored the implications of the various alternatives and did much to illuminate the issues involved. It became evident that the question of defining the balance-of-payments deficit is highly controversial, and there was considerable disagreement among our expert witnesses as to the most desirable approach. Our record of the hearings, which we hope to publish shortly, should be an important help to the Congress, the administration, and private business and financial groups in appraising the Review Committee's report.

Mr. President, I ask unanimous consent to have the full text of Mr. Dillon's Middlebury speech printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by the Honorable Douglas Dillon, Former Secretary of the Treasury, at Commencement Exercises, Middlebury College, Middlebury, Vt., Monday, June 14, 1965

John Henry Cardinal Newman, the great 19th century English theologian and thinker, once said: "A university * * * is a place which wins the admiration of the young by its celebrity, kindles the affection of the middle aged by its beauty, and rivets the fidelity of the old by its associations."

This morning, I experience each of those emotions as I become an honorary member of the distinguished Middlebury family and share with you one of the most meaningful moments in the life of a college community.

At no time in our history has economic and financial literacy been higher or more widespread among our citizens. At no time has there been wider or more sophisticated public discussion of complex and difficult economic issues than during the past 5 years. The front pages of our newspapers have been filled with lucid and intelligent accounts of issues and events that only a few years ago would have been buried in the financial pages where few would find them, even fewer read them, and fewer yet understand them. This is a healthy thing, for a democracy such as ours cannot advance much faster than the understanding of its citizens—and nowhere is our advancement more apparent, or more important, than in national economic policy.

Today I want to talk to you about an aspect of our economic policy that is of great and growing urgency—the compelling need to improve and strengthen the international monetary system. This is a problem whose solution has generally been delegated to a handful of monetary experts. But, it must concern all of us, for unless we and our free world partners can agree on how to make the needed improvements in the system, the consequences for the economies of all free countries, including the United States, will be most serious.

As you know, the international monetary system is the network of agreements and arrangements, official and unofficial, by which countries of the free world finance trade with each other, both in goods and in capital. Nations cannot trade—and capital cannot flow across frontiers, unless there is some kind of mutually acceptable standard and mechanism by which currencies can be exchanged. In the 19th century, that standard was gold and gold alone. More recently, gold has been supplemented by American dollars and, to a lesser, though still important degree, by British pounds.

If trade between nations could somehow neatly balance out, so that no country ended up in debt to another, the international monetary system would operate very simply. But, between nations, as between individuals, there are always creditors and debtors—and one nation's surplus is reflected in another's deficit.

Since no free nation's economy is isolated from another's, one of the most vital jobs of the international monetary system is to backstop the financing of the shifting deficits and surpluses that result from international trade and capital flows in such a manner as to avoid severe disruptions to the economies of the countries involved, as well as to the overall volume of international trade and investment. Another important task is to maintain a sufficient pressure on deficit countries so that they are induced to put their financial affairs in order and balance their accounts with surplus countries.

The international monetary system does not of itself finance trade or investment. This is largely accomplished by private means. It does, however, provide the mechanism and the means through which overall imbalances between countries are financed. The assets available for this purpose are the resources which the world's central banks command—basically, gold, reserve currencies and access to credit. These assets provide what is known as international liquidity.

In a prosperous world—as, by and large, the free world is today—steady growth in international trade is essential, and so is an ever expanding flow of investment capital between countries. This means that the net results of international trade and capital transactions—the temporary payments surpluses and deficits experienced by various countries—are almost certain to grow over the years ahead. Hence, an ever larger pool of reserves—or, in other words, a growing supply of international liquidity—will be needed to maintain and accelerate the free world's economic growth and prosperity.

One important way that payments deficits are financed is through the International Monetary Fund. Toward the end of World War II, recognizing that available gold supplies would be inadequate to meet the need for international liquidity, the free nations of the world met not many miles from here, at Bretton Woods in New Hampshire, and created the International Monetary Fund. Each member nation subscribed a quota: one-quarter in gold and three-quarters in its own currency. Whenever a country runs a deficit which cannot be settled by its own resources, it can turn to the Fund and obtain currencies that are acceptable to its debtors. Such drawings from the Monetary Fund are conditioned upon appropriate action by the recipient country to correct its payments troubles.

The history of the Monetary Fund has been one of outstanding success. Instead of the calamitous contraction of international liquidity that played such a disastrous role in the worldwide depression of the 1930's an uninterrupted expansion in overall international liquidity has helped to support the continuous growth of free world trade and investment since World War II. No small part of this remarkable record is due to the Fund. It was in recognition of this fine record—as well as of the need for growth in international reserves—that the Fund's member countries have twice agreed to increase its resources. First, in 1958, a 50-percent general increase in quotas was agreed upon. Then, last fall in Tokyo, at the Fund's annual meeting, a further 25-percent general increase was recommended and is now in process of final approval by the member countries. In addition, provision has been made for additional special quota increases for a few countries whose economic and financial growth has outrun the average and put them in a position to make larger contributions to the Fund.

These quota increases, although extremely helpful in meeting the needs of an expanding free world economy, are not enough. Further action is needed and in the relatively near future.

Why has this need recently become urgent?

The answer is simple: the balance-of-payments deficit which the United States has run during most of the years since the end of World War II are now coming to an end. Those deficits have served to increase overall international liquidity by adding dollars to the reserve holdings of other countries, since the United States pays for its deficits partly in gold and partly in dollars. The importance of this contribution is shown by the fact that in the 17 years since the low point in December 1947, short-term dollar assets held as reserves by foreign monetary authorities have increased by more than $11 billion.

Our earlier postwar deficits were useful in refilling the coffers of Western European and other central banks that had been depleted by the ravages of war. However, for the past 7 years, our deficits have been too large and too continuous. A real danger arose that the world would lose confidence in the dollar. Since about one-third of the world's reserve assets are held in dollars, any widespread flight from the dollar would necessarily involve a sharp shrinkage in international liquidity, with a corresponding contraction in international trade and investment. Such developments could not fail to bring on recessions—first in those countries most dependent on world trade and foreign investment, then in virtually all free countries, including our own.

It has, therefore, become essential to end our payments deficits. Prompt action to do so over a broad spectrum of transactions was undertaken by President Kennedy in early 1961, soon after he took office: (1) Military spending overseas was reduced; (2) cash sales of U.S. military equipment were greatly increased—thus further reducing the net cost of maintaining our military forces overseas; (3) foreign aid was tied more closely to the purchase for use abroad of U.S. goods and services, so that now less than 20 percent of our foreign aid expenditures enter into our balance of payments; the competitive posture of U.S. industry was strengthened through a 7-percent tax credit for new business investment, and through far more generous depreciation allowances on business equipment; an entirely new system of export insurance was established; and finally, strong and successful efforts were made to hold prices stable and to avoid inflation so that our goods could become more competitive in markets at home and abroad.

While this was a broadly based and effective program, it left one area—dollar outflows through private investment abroad—virtually untouched. Except for legislation to eliminate special preferences in tax haven countries, and monetary measures that kept our short-term-interest rates in rough alinement with those in other industrialized countries. The Government deliberately avoided action to restrain the flow of private investment abroad. However, because of the failure of foreign capital markets to adequately meet the needs of foreign borrowers, this omission soon proved to be a serious chink in our armor. A rush of foreign borrowers into our capital markets during early 1963 forced the Government, despite its reluctance to act in this area, to impose an interest equalization tax which successfully reduced the excessive sales of foreign securities in our markets.

But then, last year, an even heavier outflow of bank loans and liquid corporate funds made it clearly evident that still further action to reduce these dollar drains had become mandatory. As a result, President Johnson early this year launched a new program that calls for voluntary restraints by American banks and companies to lessen capital outflows. The banks and companies have responded admirably and, with the voluntary program now successfully underway we can at long last look forward to an end to our payments deficit. This is so because, we now, for the first time, have in operation a program which deals effectively with all the major aspects of our payments problems.

If our overall attack on the payments imbalance continues to be successful—if we continue to maintain price stability and to keep our products competitive in markets at home and abroad—then, as our export profits increase, and as the return flow of profits from earlier long-term foreign investment expands, we should gradually be able to relax the present voluntary restrains on capital outflows. And the sooner the better, for free movements of capital are an essential element of rapid growth. But the security of the dollar must always come first. And its security will require not just a few months of balance in our payments, but a long enough period to convince even the most skeptical that the United States has both the capacity and the will to balance its accounts with the rest of the world and to keep them balanced. Only when this has been accomplished can we prudently undertake any relaxation of our present programs, whether they be voluntary of otherwise.

The end of our payments deficits will mean that the United States—which has financed an $18.5 billion rise in official and private foreign holdings of dollars since World War II—will no longer be contributing anything at all to those holdings. International trade and investment cannot continue to expand at anywhere near an adequate rate if forced to rely on newly mined gold as the sole source of new reserves. The free world, therefore, is rapidly approaching a financial crossroads. There is an urgent need to strengthen the international monetary system, so as to insure that the needed increases in reserves will be forthcoming. For inadequate growth in international liquidity would hamper world trade, slow up the economic growth of individual countries, and threaten a worldwide recession.

Ways of strengthening the international monetary system have been widely discussed in academic circles both here and abroad, for a number of years. In more concrete terms, senior representatives of 10 of the most important industrialized countries, since joined by a representative of Switzerland, have been working on the matter since the fall of 1963. While they have made little progress in reaching agreement, they have made a great contribution by casting light on the overall problem, and by crystalizing alternative proposals for serious consideration.

These discussions are continuing, and the prospects for their success have been immeasurably enhanced by the effectiveness of this country's new payments program. Until recently, a number of European monetary authorities have felt that the chief international financial problem was not the creation of additional international liquidity, but rather how to put an end to the chronic American payments deficits, which seemed to them to threaten an overabundance of liquidity. Understandably, they felt little enthusiasm for studies designed to find new ways of increasing liquidity so long as—in their view—the United States was demonstrating neither the will nor the capacity to end its own chronic payments deficits. Many of their proposals were designed to put pressure on the United States to halt these deficits. But, now that we are clearly succeeding in righting our own payments by our own actions, it is to be hoped that they will be prepared to enter freely into negotiations aimed at insuring the continued growth in international reserves that all agree will be required if the economic progress of the free world is to be maintained and accelerated.

There is a general consensus that international liquidity is presently adequate to meet today's needs. But nothing is harder to measure or to predict with any accuracy than the adequacy of reserves to meet the future expansion of world trade and investment requirements. There is plenty of time to consider the issues fully and carefully so that we may act wisely. But there is no longer any time to dally.

A strengthened international monetary system must be installed before it is needed, and not after the crash.

Proposals on how the system can be strengthened are multitudinous. Each has its own virtues and faults. I do not intend to discuss specific ideas today. I simply want to suggest that a great deal can be done to increase the effectiveness of the present system, particularly through relatively modest changes in the functioning of the International Monetary Fund. It seems only elementary commonsense to improve the system that has served us so well over the past 20 years before rocketing off into new and completely uncharted space.

It is essential that the main objective always be kept clearly in mind: changes are required in the system primarily so that we can be sure of adequate international reserves over the years ahead. Any change that directly or indirectly serves to reduce international liquidity would clearly not be in the general interest. Changes of this nature have been proposed from time to time by certain European experts. With the end of our deficits and the renewed strength of the dollar, there is no longer any valid reason for such restrictive suggestions, and it is to be hoped that they will now be dropped.

There is one other aspect of this matter which also should be mentioned; international reserves are limited to the holdings of monetary authorities, that is, of central banks. But trade and investment is not directly financed by central banks. The great bulk of free world trade is privately financed—for the most part in dollars, which, with sterling constitute the monetary basis for practically all international trade. For instance, if a German wishes to sell or buy in Argentina, or Morocco, or Japan, he will consummate his transactions in dollars, the universally accepted medium of exchange. Hence, a steady growth in central bank reserves is not in itself enough to insure the smooth flow of world trade.

Growth in the private holdings of dollars by foreigners is also required—and it has been taking place. In the 10-year period, 1954 to 1964, foreign, private short-term holdings of dollars grew from $4.4 billion to $10.6 billion, an average increase of $600 million per year. More recently, along with a more rapid rise in the volume of world trade, this growth has accelerated. It is to be noted that these dollars are held voluntarily, since at any time the holders can turn them into their central banks for their own domestic currencies.

The size of these holdings and their steady growth are a clear measure of the need for substantial and increasing private holdings of dollars to finance international transactions. But, if the United States should achieve and maintain a balance in its payments on the basis of its present balance-of-payments accounting procedures, there would be no further rise in private dollar holdings except at the expense of central bank reserves. World trade could soon be hindered by a lack of private dollars. While this situation is not an immediate threat, it nevertheless poses a serious problem.

We can do one of two things to meet it: First, we can maintain our present statistical methods and, after a suitable period of balance, adjust our payments so as to run a continual deficit of sufficient size to provide the additional dollars needed by private foreigners; or second, and, in my view, the preferable course, we can accept the basic proposals of an eminent committee of eight outstanding private experts headed by Dr. Edward Bernstein, which unanimously recommended last April, after a 2-year study of our balance-of-payments statistics, that we adopt the general statistical procedures currently used by all other countries and by the International Monetary Fund itself.

This latter course would mean the adoption of the "official settlements" concept as the primary measure of our payments results. Under this system, only transactions involving other central banks are counted, and the private dollar holdings of foreigners are ignored. This would give balance to our figures, since we are presently in the anomalous position of listing private outflows as liabilities, but not counting private foreign inflows as assets. In other words, if one deposits funds in a Canadian bank, our deficit is increased, whereas, if the Canadian bank redeposits those same funds in the United States—as is very often the case—there is no offsetting credit. The Bernstein committee estimates that this anomaly has caused us to exaggerate our actual payments deficit over the past 7 years by an average as much as $900 million a year.

In addition to greater long-range accuracy, a very important advantage of the Bernstein committee proposals is that they would make our figures comparable to those used by other countries, to the obvious benefit of all concerned. However, since no one figure can serve all possible statistical purposes, as was explicitly recognized by the Bernstein committee, we probably should continue, at least for a time, to compile and publish alongside the new figures, a table that would reflect the results under our present accounting system.

In conclusion, let me say that the actions we have taken to return our payments to balance will eventually put very substantial pressure on the flows of international trade and investment. Any significant slowdown in these flows would substantially retard the growth of developing countries and could have severe deflationary effect in certain industrialized countries. Inevitably, a worldwide slowdown in trade and investment would severely injure our own economy, with harsh repercusisons on both employment and profits. That is why the strengthening of the international monetary system must now be given the highest priority by the monetary authorities of the entire free world.

THE SPECTER OF INTERNATIONAL DEFLATION

Mr. PROXMIRE. Mr. President, in recent days a number of comments by outstanding experts have appeared in press reports, in editorials, and in financial columns, about our international monetary policies, about tight money, and about the effect of tight money and high interest rates on our prosperity and on whether our prosperity will continue.

The Washington Post published an editorial this morning which is directly related to this subject.

It points out that the prospects of an international deflation and recession are very real.

This relates exactly to what I have been discussing in connection with the Middlebury speech of former Secretary of the Treasury Dillon. He showed how the solution to our own balance-of-payments deficit may cause serious problems abroad. That theory makes sense. The fact is already proving the theory.

The President's program since February has been to cut back on American loans abroad, and its effect is being felt much more than is generally recognized.

As the Post editorial points out:

> In the United Kingdom, West Germany, France, Italy, and Japan output is either declining or below peak levels attained in recent months.

I notice in this morning's newspapers that in Japan the interest rate has been cut sharply, and that the Japanese are deeply concerned about the recession they seem to be moving into.

Most economists blame much of this recession on our own policies that have been necessarily adopted to protect our own economy.

The Washington Post editorial continues:

> If there is any thread that connects the difficulties which these countries are experiencing, it is monetary restraint. Italy turned to credit restrictions in order to counter inflationary pressures and correct a payments imbalance. The United Kingdom was compelled, because of severe structural imbalances, to tighten both money and credit. France and Germany adopted measures of monetary restraint to counteract inflationary pressures which are ascribed to balance-of-payment surpluses. Japan, which also followed the path of monetary restraint, is the unintended victim of U.S. policies that cut off the flow of capital funds on which she so heavily depended.

I ask unanimous consent that the editorial published in the Washington Post of this morning may be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNEASY BALANCE

> If there is rational basis for concern about the short-term economic outlook, it will not be found by looking backward to 1929 but rather toward those countries which are closely tied to the United States through international trade and investment. While the American economy continues to grow at a recordbreaking pace the economies of Western Europe and Japan are gripped by stagnation. In recent years it was the U.S. economy that lagged while others moved forward, but the reversal of roles, a tribute to wise domestic monetary and fiscal policies, should not detract attention from a potential danger to the economic stability of the free world.
>
> The monthly chart on international comparisons that appears in Business Cycle Developments, a publication of the Census Bureau, tells a disquieting story about industrial production. In the United Kingdom, West Germany, France, Italy, and Japan output is either declining or below peak levels attained in recent months.
>
> If there is any thread that connects the difficulties which these countries are experiencing, it is monetary restraint. Italy turned to credit restrictions in order to counter inflationary pressures and correct a payment imbalance. The United Kingdom was compelled, because of severe structural imbalances, to tighten both money and credit. France and Germany adopted measures of monetary restraint to counteract inflationary pressures which are ascribed to balance-of-payments surpluses. Japan, which also followed the path of monetary restraint, is the unintended victim of U.S. policies that cut off the flow of capital funds on which she so heavily depended.
>
> But whatever the principal cause of the economic slowdown in those major industrial countries—and one should not lightly rule out the sharp reduction in the outflow of dollars—its consequences for the U.S. economy cannot be ignored. The lag in exports suggests that the American economy is already being affected by the slowdown overseas.
>
> These developments, while disquieting, need not support the gloomy soothsayers who have been prognosticating an international monetary crisis. But they do bespeak the need for greater international cooperation and the need for a policy "mix" that will counteract inflationary pressures without inhibiting economic growth.

Mr. PROXMIRE Mr. President, because the issue of tight money is so complicated, and because it is something that relates to the policies of all Americans, it deserves our attention at this time. After all, tight money means that when a person goes out to buy a house, a car, or an appliance, the cost is higher because the interest rate is higher. In many of these cases the interest cost can be the most important element of the cost involved.

When this cost increases, many people retard or cut their purchases.

As this happens, as people buy fewer cars and homes for example, the economic volume turns down.

I asked the staff of the Joint Economic Committee to make a study of all the indicators—not only one or two, but all of them—to determine what the indicators might tell us as to whether we are following a policy of tight money and whether various indicators indicate how tight a money supply we can expect in the future.

As a result, the staff of the Joint Economic Committee has compiled a series. I am told that the series has been selected primarily to throw light upon recent monetary policies.

Three of the series, member bank reserves, "free" reserves, and money supply, clearly point to a relative tightening of credit availability beginning around the first of 1965.

The staff study points out that free reserves have passed from a plus position into a net borrowed position since the first of the year. The net borrowed position seems to have moved since the first of April from a range of approximately minus $50 million to a level currently of minus $150 to $175 million. Total reserves, a factor over which monetary authorities have more direct control, are currently unchanged from or slightly less than last January, at about $21.4 billion.

By and large, the argument has been made that if the availability of credit really is to mean something in our economy, we should have free reserves. Since the first of the year we have not had them. The reserve situation has been in a minus posture. Money supply, another measure of credit availability, has remained unchanged since January.

This is also a decisive indication of tight money, because the economy has been growing at a rapid rate with the same money supply.

The staff study shows that interest on long-term Government debt has varied only slightly in the past year and a half. In recent weeks the rate has run about 4.14 percent, compared with a high point since January 1964, of 4.20 percent. Interest rates like this are likely to rise as the restraining monetary elements I have been discussing make themselves felt.

The staff points out that the short-term bill rate is currently unchanged since the turn of 1965, but the table shows that some rise in this rate occurred in the closing months of 1964.

Also significant of monetary conditions are the loans of commercial banks. In June 1964, the loans and investment of commercial banks were 6.7 percent above the level of the corresponding period of the preceding year. In May 1965, loans and investments were 10.1 percent above the corresponding period 1 year earlier.

With loans increasing at this rate, we can see what the static money supply is likely to do in terms of putting on pressure for higher interest rates. Business loans of weekly reporting member banks have likewise expanded in recent months, with increases over the preceding year of about 17 to 18 percent, compared with a 9 to 10 percent increase in the spring of 1964 over the levels of 1963.

In summary, free reserves, total reserves, and money supply tend to show the tightening of credit; meanwhile, interest rates and the volume of bank loans have not similarly reflected tightness in any significant way.

I ask unanimous consent that these tables be printed in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Member bank reserves and money supply, January 1964 to June 9, 1965

	Member bank reserves		Money supply [1]	Percent change from preceding year	Money supply [1] plus time deposits	Percent change from preceding year	Interest rates (per annum) [2]		All commercial banks		Weekly reporting member banks		Consumer credit outstanding	
	Total reserves	Free reserves					3-month bills	Long term	Total loans and investments [1]	Percent change from preceding year	Business loans	Percent change from preceding year	Total amount	Percent change from preceding year
1964	*Millions*	*Millions*	*Billions*		*Billions*		*Percent*	*Percent*	*Billions*		*Billions*		*Millions*	
January	$20,675	$171	$153.8	3.4	$267.7	8.0	3.529	4.15	$246.7	7.8	$37.2	8.5	$69,203	10.8
February	20,148	91	153.8	3.5	268.9	8.0	3.532	4.14	248.4	6.9	37.6	8.7	68,786	11.0
March	20,213	98	154.2	3.6	269.9	7.7	3.553	4.18	251.4	7.0	38.2	8.5	68,913	10.9
April	20,273	162	154.5	3.4	270.9	7.5	3.484	4.20	251.8	8.3	38.1	8.9	69,816	10.5
May	20,219	78	154.5	3.4	271.9	7.4	3,482	4.16	253.5	8.0	38.3	9.4	70,945	10.6
June	20,558	118	155.6	3.9	274.1	7.8	3.478	4.13	256.3	6.7	38.7	8.7	71,907	10.6
July	20,663	132	156.7	4.0	276.1	7.8	3.479	4.13	254.5	7.0	38.5	10.0	72,456	10.6
August	20,564	79	157.2	4.6	277.8	8.0	3.506	4.14	258.7	8.5	38.9	10.5	73,069	10.2
September	20,927	90	158.0	4.7	279.7	8.2	3.527	4.16	261.7	8.7	40.0	11.4	73,495	10.5
October	21,032	103	158.6	4.3	281.7	8.0	3.575	4.16	261.1	8.3	39.9	9.9	73,928	10.3
November	21,160	−34	159.1	3.9	284.2	7.7	3.624	4.12	265.5	8.8	40.5	8.6	74,371	9.8
December	21,609	168	159.4	4.0	285.9	7.9	3.856	4.14	267.2	8.5	42.1	8.8	76,810	9.9
1965														
Week ending—														
Jan. 6	22,199	44	------	------	------	------	3.867	4.16	------	------	------	------	------	------
Jan. 13	21,845	164	160.1	3.2	288.1	7.4	3.820	4.15	------	------	------	------	------	------
Jan. 20	21,440	113	------	------	------	------	3.814	4.15	------	------	------	------	------	------
Jan. 27	21,259	138	159.5	3.3	289.2	7.6	3.825 3.848	4.14 4.13	269.6	9.3	41.8	12.4	76,145	10.0
Feb. 3	21,401	104	------	------	------	------	3.888	4,15	------	------	------	------	------	------
Feb. 10	21,312	25	159.3	3.0	290.1	7.8	3.903	4.16	------	------	------	------	------	------
Feb. 17	21,049	−39	------	------	------	------	3.936	4.16	------	------	------	------	------	------
Feb. 24	21,186	16	158.8	3.0	290.4	7.8	3.989	4.16	272.1	9.5	43.0	14.4	75,741	10.1
Mar. 3	21,136	−58	------	------	------	------	3.982	4.16	------	------	------	------	------	------
Mar. 10	21,062	−18	------	------	------	------	3.948	4.16	------	------	------	------	------	------
Mar. 17	21,168	−45	160.0	3.4	292.3	8.2	3.917	4.14	------	------	------	------	------	------
Mar. 24	21,512	−9	------	------	------	------	3.922	4.14	------	------	------	------	------	------
Mar. 31	21,366	−121	159.6	3.0	292.2	7.9	------	------	275.5	9.6	44.6	16.8	76,085	10.4
Apr. 7	21,503	−197	------	------	------	------	3,921	4.14	------	------	------	------	------	------
Apr. 14	21,288	−121	160.7	3.3	293.8	8.3	3.942	4.14	------	------	------	------	------	------
Apr. 21	21,716	−101	------	------	------	------	3.937	4.14	------	------	------	------	------	------
Apr. 28	21,401	−109	160.2	3.1	293.7	8.1	3.946	4.15	277.3	10.1	44.6	17.1	77,483	11.0
May 5	21,792	−144	------	------	------	------	3.916	4.15	------	------	------	------	------	------
May 12	21,472	−151	159.9	3.6	------	------	3.091	4.14	------	------	------	------	------	------
May 19	21,443	−162	------	------	------	------	3.893	4.14	------	------	------	------	------	------
May 26	21,364	−177	159.3	3.0	------	------	3.897 3.889	4.14 4.14	279.1	10.1	45.2	18.0	------	------
June 2	21,449	−187	------	------	------	------	3.84	4.15	------	------	------	------	------	------
June 9	21,387	------	160.4	3.4	------	------	3.82	4.14	------	------	45.3	[3] 17.1	------	------

[1] Seasonally adjusted.

[2] For the weeks ending on Saturday of each month and not Wednesday.

[3] Approximately.

Source: The Board of Governors of the Federal Reserve System.

Mr. PROXMIRE. Mr. President, statistics tell only a part of the story. I believe that one of the most helpful of many articles on monetary policy that have appeared in recent months appeared yesterday in the Chicago Sun-Times. It was written by Edwin Darby, the Sun-Times financial editor.

Mr. Darby points out that as one talks to bankers and moves around in financial circles, he obtains more of a picture of what is happening to our economy. He writes:

> Under "gentle" pressure from the Federal Reserve, as one top drawer Chicago banker puts it, many banks are now rationing money.

Mr. Darby writes:

> The marginal borrower may be in trouble. He's the fellow who walks into the bank wondering if his banker really is a friend. Maybe there's a blot on his credit record. Maybe a really tough look at the profit-and-loss statement of his company reveals a questionable intent or two. He's the one who is getting a turndown today, instead of the bundle of cash he would have carted away not too long ago.
>
> This doesn't mean that the banks are actively discouraging business. It just means that they are being more selective, less aggressive in loaning money.
>
> One Chicago banker summed up the change in attitude with this example: "A year ago, maybe, we'd get a chance to participate in a $5 million deal. We'd be offered a $2 million position. Maybe then we'd have tried to get our participation increased to $3 million. If we were offered the exact same deal today, it wouldn't surprise me at all if we refused to take the proffered $2 million and finally agreed more or less reluctantly to go for $1 million."
>
> Another banker uses this rather awkward, but accurate, language to describe the prevailing situation: "I'd say there's been a cooling off in the eagerness of the banks to put out money."

This represents a monetary tightening which could lead to a leveling off of our prosperity and could counteract the stimulation of the excise tax cuts; and could also, possibly, result, especially when combined with what is happening overseas, in a recession.

I do not believe that it will result in anything more serious. The major part of my remarks earlier related to the disquieting similarities between the present time and 1929. Those similarities are not likely to lead to another depression because of the clear determination on the part of our Government to act and to act decisively; and it is doing so with far greater knowledge than officials of the Government had before.

I ask unanimous consent that the article by Edwin Darby, Sun-Times financial editor appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SUPPLY OF MONEY TIGHTENS

(By Edwin Darby)

At the moment William McChesney Martin is running the country. The talk coming out of Washington is of a "clash," a "battle," between Federal Reserve Chairman Martin and the President of the United States. But the reality down in the marketplace is tightening money. That's not the way President Johnson wants it. It is the way Chairman Martin wants it.

Tight money, easy money. It is a matter of degree and gradual change. Except possibly in an emergency the light doesn't blink from full green to red. Right now it can't be said that we have tight money. We have tightening money.

The bankers are the people who can tell you what's really going on. In the business of buying and selling a standard commodity known as money, they know the day-to-day condition of the market and they feel the effects of high policy decisions in Washington.

Under "gentle" pressure from the Federal Reserve, as one top drawer Chicago banker puts it, many banks are now rationing money. The system is informal, voluntary, on a case-by-case basis. But the effect is general: it is a little more difficult to get a bank loan now than it was 6 months ago. The borrower, individual or corporate, may have to pay a shade more to get his money. Or other terms and conditions may be a might stiffer. Or the bank may suggest a smaller loan. Or turn down a loan altogether that it might well have made in the past.

MARGINAL TROUBLE

The marginal borrower may be in trouble. He's the fellow who walks into the bank wondering if his banker really is a friend. Maybe there's a blot on his credit record. Maybe a really tough look at the profit and loss statement of his company reveals a questionable item or two. He's the one who is getting a turndown today, instead of the bundle of cash he would have carted away not too long ago.

This doesn't mean that the banks are actively discouraging business. It just means that they are being more selective, less aggressive in loaning money.

One Chicago banker summed up the change in attitude with this example: "A year ago, maybe, we'd get a chance to participate in a $5 million deal. We'd be offered a $2 million position. Maybe then we'd have tried to get our participation increased to $3 million. If we were offered the exact same deal today, it wouldn't surprise me at all if we refused to take the proffered $2 million and finally agreed more or less reluctantly to go for $1 million."

Another banker uses this rather awkward, but accurate, language to describe the prevailing situation: "I'd say there's been a cooling off in the eagerness of the banks to put out money."

The Prentice-Hall Executive Report bulletin uses this formal language in offering businessmen advice on what Chairman Martin's policy may mean to them, and to their corporations:

"It all adds up to a more difficult period ahead for the money, credit, and stock markets. All firms should review their expansion, modernization, or other projects requiring borrowed funds."

But one Chicago banker says "no one has been hurt, yet." By that he means that the established business community is able to get the money it needs. Funds are being furnished by the banks to their regular customers on much the same basis as before.

PRESSURE, BUT LITTLE CHANGE

There may be pressure to raise interest rates and some customers may be paying a fractionally higher rate of interest. But the general rate level has not changed.

Here's the way one banker sees the interest-rate picture at the moment: "Many banks are trying to get better rates. But they are not having much luck. You see a little creeping up in rates, but even though the banking system is taut now there's not enough tightness to make possible across-the-board increases. Our rates still have to be competitive. There's absolutely no chance of an increase in the prime interest rate (now 4½ percent) now or in the immediate future."

Bankers with a broad knowledge of the economy and of monetary policy go along with Chairman Martin's present posture, a little tightening up. While President Johnson gets ready to sign the excise tax reduction bill with expressions of hope that it will help keep the economy booming along, the banking community generally sides with Martin's belief that the economy can stand a little tightening and remain strong.

Martin's objectives: First and foremost, to add a stronger interest-rate pattern to the direct controls now being used by the administration in the balance-of-payments pattern. Second, to tighten money a little now as a long-range hedge against the possibility of a new boomtime inflationary threat.

HANOI, NOT UNITED STATES, KEEPING VIETNAM WAR OUT OF U.N.

Mr. PROXMIRE. Mr. President, many people throughout the country and many Senators have suggested that we should turn our Vietnam problem over to the United Nations.

The suggestion that the United Nations might resolve the Vietnam situation as it did problems in Lebanon and the Congo is based on a misconception of the alleged similarities of those situations. South Vietnam is geographically contiguous to a Communist state, which is actively promoting armed attacks against the Government and people of South Vietnam. The "internal security problem" in South Vietnam is not a result of the complete breakdown of social and legal order in that country, as was the case in the Congo. Rather, it is the result of a military action carried out by personnel trained, supplied, and directed by the North, whose objective is the forcible overthrow of the Government in the South and the communization of South Vietnam. North Vietnam is attempting to take over its southern neighbor indirectly through a so-called war of national liberation. This approach, however, is no less military than direct aggression, even though its techniques may be more subtle, more devious, and play upon unique historical and social conditions in Vietnam.

The existing peace settlements in southeast Asia—the Geneva accords of 1954 on Indochina and of 1962 on Laos—were arrived at outside the United Nations framework. To involve the United Nations in either a peace-restoring or peace-observing role in southeast Asia would require the assent of the parties concerned. This assent seems unlikely in view of Hanoi's and Peiping's attitude toward U.N. involvement. In August 1964 Hanoi rejected the U.N. Security Council's competence to consider the Tonkin Gulf incidents when the United States brought that situation before the Council. In addition, Peiping radio on April 11, 1965, said that the "Vietnam question has nothing to do with the United Nations" and that "no meddling by the United Nations is called for nor will it be tolerated."

That is the Communist position.

Finally, Hanoi's declaration of April 19 noted that it would be inappropriate for the United Nations to intervene in the Vietnam situation.

In present circumstances, it is the considered judgment of our Government that no consensus could be found among the members of the Security Council or the General Assembly in support of a proposal to establish a United Nations peacekeeping force in Vietnam. This is not to say, of course, that the United Nations has no value in meeting certain of the problems of southeast Asia. For instance, the Secretary-General has indicated his availability as a channel for discussion of a peaceful solution in Vietnam. We appreciate his suggestions and hope that the channel will remain open.

The United Nations is already deeply involved in international development programs in southeast Asia, with 9 U.N. agencies represented in South Vietnam and 12 U.N. agencies involved in the planning and early operating stages of the Mekong Coordinating Committee. President Johnson, in his speech of April 7 at Johns Hopkins, expressed the hope that the Secretary-General could initiate with the countries of southeast Asia a plan for increased development. The President also pledged $1 billion in support of this undertaking. Mr. Eugene Black was subsequently designated the President's special representative and has already held consultations with United Nations officials.

Nor do we exclude the possibility that if, as, and when there is a peaceful settlement of the war in Vietnam, the United Nations might well sponsor peacekeeping machinery which could be useful in assuring that all parties kept faith with that settlement.

TYDINGS' EXCELLENT MAIDEN SPEECH AGAINST ROTTEN BOROUGH

Mr. PROXMIRE. Mr. President, in the June 14th issue of Newsweek, Kenneth Crawford highly praised the distinguished junior Senator from Maryland on his maiden speech in the Senate. This article points out how well Senator TYDINGS' speech exposed the fallacies of the Dirksen reapportionment amendment. Senator TYDINGS is also to be commended for the intensive work that he did in the Constitutional Amendments Subcommittee which held hearings on the bill. His comprehensive speech reflects his work in interviewing many witnesses as a member of the subcommittee.

Kenneth Crawford points out that the Dirksen bill is losing support. He says in the article:

> What has happened in these weeks to change the outlook is that the Court's defenders have made mincemeat of most of the attackers' arguments.

Crawford compares Senator Dirksen's reapportionment amendment to a football game and names some of the players the defensive team that is protecting the "one man-one vote" principle. My colleague, Senator Clark, will be pleased to know that he is rated as one of the stars of the team. Senator Douglas is referred to as the team pro while Senator Kennedy of New York and Senator Tydings are "some of the fastest of the young talent." Many more of my colleagues are on the team and many more are joining.

These Senators have realized the impact of this "rotten borough" amendment on the civil rights cause. If some States have used primaries, literacy tests, and poll taxes to disenfranchise the citizen, what would happen if these same legislatures could reapportion one of their houses on the basis of factors other than population? This is something that could happen in any part of the country. It would be ironic if this body, having previously passed the historic voting rights bill, were to pass the Dirksen amendment which would limit the rights of citizens.

Kenneth Crawford and many others across the Nation have read and highly praised Senator Tydings' speech against the rotten borough amendment. I hope that the proponents of this bill will again read Senator Tydings' speech in order that they may reconsider their opposition to the fundamental principle of "one man-one vote."

Mr. President, I ask unanimous consent to have printed in the Congressional Record, immediately following my remarks this article by Kenneth Crawford.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Big Game

(By Kenneth Crawford)

They are choosing up sides in the Senate for the reapportionment game, which will be to this congressional session what the Rose Bowl game is to the collegiate football season. One side will defend the Supreme Court's goal: to give every voter an equal voice in the composition of the State legislatures. The other side will attack this principle.

Clark, of Pennsylvania, is one of the stars of the defending team, already has threatened to use filibuster tactics, which he normally disapproves but considers justified in this case because the stakes are so high. Douglas, of Illinois, who led a filibuster on this issue once before, is prepared to do it again. They have picked up some of the fastest of the young talent—Kennedy of New York, who has testified for their side in committee, and Tydings, of Maryland, who in his rookie tryout last week delivered a brilliant speech upholding the one-man, one-vote formula.

Dirksen, of Illinois, the man who thought up the game and owns the ball, will lead the attackers. He wrote the proposed constitutional amendment which would in effect cancel the Court's orders by permitting States to base apportionment for one branch of their legislatures on factors "other than population." This would free the States to favor landowners over renters, whites over Negroes, or any category of voters over any other. It would tend to perpetuate present inequalities between rural and urban voters. And it might well add new injustices to the electoral system.

PRESIDENTIAL ALOOFNESS

Dirksen's players will be mostly from such southern campuses as Ole Miss and from conservative small States conscious of their smallness, protective of their equal status in the U.S. Senate and obsessed with the fallacy that State senates should follow the national example.

Either side could be reasonably sure of winning if it could recruit President Johnson. So far he has refused to play. At a recent press conference he expressed sympathy, in theory, with the Supreme Court position and its friends. But he hastily added that the President has no responsibility in the Constitution-amending process and that he was not, as yet, taking a hand. Dirksen applauded the President's aloofness. He thinks he can win on his own if Mr. Johnson doesn't help the other side. And maybe he can, if he can break a filibuster.

But his prospects are not as bright as they were a few weeks ago. What has happened in these weeks to change the outlook is that the Court's defenders have made mincemeat of most of the attacker's arguments in practice committee scrimmages. They also have pointed up some of the dangers inherent in the Dirksen proposal. The most telling witness was Burke Marshall, former Assistant Attorney General in charge of the Civil Rights Division. He argued that Southern States could, and some doubtless would, use the amendment, if it were adopted, to rig their legislative districts in such a way as to minimize the potential of the Negro vote.

MINORITY RULE

Drawing on Marshall's expertise, Tydings told the Senate that Dirksen's rotten-borough amendment posed a clear civil rights issue. If the House passes the voting rights bill already approved by the Senate and then Congress accepts the Dirksen proposition, said Tydings, it will enfranchise the Negro with one hand and devalue his vote with the other.

Tydings also referred to the committee record to show what present malapportionment means in terms of legislation. In Missouri, for example, 83 State senators representing 1.3 million voters defeated a bill to establish a $1-an-hour minimum wage even though 68 senators representing 2.6 million voters supported it. Similarly, in Michigan, senators speaking for 2.8 million voters beat a bill to provide children with free polio shots even though senators representing 3.2 million voters were for it.

These same minority-ridden State senates, under the Dirksen amendment, would have a large measure of control over rulemaking for the conduct of referendums to decide what other-than-population criteria were to be used in defining legislative voting districts. This, Tydings contends, would give the old order too much chance to cheat.

DRUMMOND'S EXCELLENT ARTICLES ON ISRAEL

Mr. PROXMIRE. Mr. President, Roscoe Drummond has been writing a superlative series of analysis of the Israeli economy—the contributions of this remarkable little country to peace and the serious threat it faces from the Arab league.

In a recent article Mr. Drummond argues for a reconciliation between the Arab League and Israel and points out what a boon such a reconciliation would be for the Arab world as well as for everyone else. As he writes, "17 years have passed since Israel was established and she is not being crushed and is not going to be crushed."

But the immense burden of arms on the depressed, struggling Arab economies and on the more prosperous but still heavily burdened Israel is not only a serious threat to peace in the Middle East, but also it is the single most depressing economic factor in the lives of these millions of struggling people.

I ask unanimous consent that the article entitled "Outmatching Arabs; Israel Is Way Ahead," by Roscoe Drummond, published in the Washington Post on June 18, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Outmatching Arabs: Israel Is Way Ahead

(By Roscoe Drummond)

Tel Aviv, Israel—Israel today outmatches its Arab adversaries at every crucial point: (1) unity of national will, (2) military strength, (3) economic growth.

Neither the strongest Arab nation—Egypt—nor any conceivable grouping of Arab countries shows any sign of overawing the Israelis militarily or coming within viewing distance of their dynamic economic growth, which has been ahead of the industrialized pacesetter Japan, and twice as great as the European Common Market.

This, in large part, explains the Israel-is-here-to-stay heresy of Tunisian President Habib Bourguiba.

It isn't that Bourguiba loves Arabism less, but he is too intelligent, too realistic, and too creative to base his policy on an increasing threadbare fiction.

The fiction is that Israel is here to go, that it will either fall apart or be crushed by Arab power.

That isn't going to happen and Bourguiba is the first Arab leader to say so openly and constructively.

The opposite is happening and Bourguiba knows it—and is acting accordingly.

Seventeen years have passed and it is not Israel that is in serious difficulty. It is stronger economically, militarily, and politically. It has more allies than ever before, many in Africa and Asia.

Seventeen years have passed and Israel is not being crushed and is not going to be crushed.

While Israeli progress has been accelerated, Arab difficulties and divisions have been mounting.

President Nasser's military intervention in Yemen is a growing burden.

Egypt divided the Arab world in its vain effort to prevent West Germany from recognizing Israel.

The Arabs know that Israel will not tolerate their diverting its legitimate share of the Jordan waters.

Even the more violent Syrians, let alone Jordan and Lebanon, show no sign of wanting to be "protected" by Egyptian troops on their soil.

President Bourguiba has been willing to fracture the Arab front on the only issue that in the past has united the Arabs—total hostility to Israel. He did so because he knew that all this Arab talk of crushing Israel was unattainable and, therefore, untenable.

Too many Arab leaders still see enough political mileage in their "crush Israel" propaganda to suggest that any real Arab-Israeli peace can be achieved soon.

When this time comes, Israel will not alone be the gainer. The Arab nations will also be enormously benefited. With far more natural resources than Israel, Arab economic development has been perilously slow and unbalanced. Everything Israel has achieved in the last decade, the Israelis could and would help the Arabs to achieve in an atmosphere of normal relations, normal trade, and normal good will.

With the single exception of tiny, oil-rich Kuwait (population 300,000) the per capita gross national product of Israel is higher than that of any Arab nation. In fact, it is more than twice as high as the highest Arab gross national product (Lebanon's) and nearly eight times greater than Egypt's. Israeli experts are helping many African and Asian nations to move into the world of modern technology.

An Arab-Israeli reconciliation is at last faintly visible on the distant horizon. It would be a boon to the Arab world—and to everybody else.

CAPITAL TIMES TELLS BASIS OF U.S. SPACE SUPERIORITY

Mr. PROXMIRE. Mr. President, the Madison, Wis., Capital Times published a very thoughtful editorial evaluating our recent space flight and contrasting it with the Soviet space flight. The editorial makes a point that cannot be made too often. There is a great difference between our open society and that of the Russians. Our space flights are told about in advance, so that the whole world can watch our astronauts climb into their space capsules before they go into space. Any failure is ruthlessly and immediately reported all over the world. Under the Russian system, we know nothing about the flight until it is over. Their mistakes are covered up and unknown.

That difference, it seems to me, has been too little noted. It is an element of great strength for this country. It is a quality that I hope we shall continue to have in full force in our space policy.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE IMPORTANT CONTRAST BETWEEN UNITED STATES AND SOVIET SPACE FLIGHTS

Through all the jubilation over the historic space flight of America's astronauts came a note of dejection over the fact that the Soviet record for continuous flight was not broken.

What this overlooks, of course, is the real triumph of this country. It is the triumph of a free society, in which information is freely distributed to the people, over a totalitarian society, in which the men in the seats of power decide how much information the people may have.

When Russia made its flight in which a man floated in space, it was done in secret and made known to the people of Russia and the world only after the flight was over and the Big Brothers in the Kremlin deemed it advisable for the people to know.

In this country the people were in on the flight through the months and weeks of planning and preparation. We were in it through the anxious hours and days Majors McDivitt and White were sailing through space.

We were in it through those thrilling moments when they came hurtling back from space and splashed down in the Atlantic.

We were in it to see and hear that inspiring spectacle of the might of our Armed Forces working in perfect coordination to see that the two heroes of the flight were returned safely to their families.

This is what freedom means. It gives the people who have it a sense of participation in the achievements of the Government and the Nation. In the Soviet Union the people are not allowed to participate. They are allowed to admire what their leaders do for them. In this way the mistakes are hidden.

It is this difference which has made freedom endure through the ages against tremendous odds. It will continue to nourish freedom if it can be proved to the world that security, education, health, and peace can be realized under free governments, as the Communists promise they can secure them under totalitarianism.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1966

The Senate resumed consideration of the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. BYRD of West Virgina. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided no point of order shall be considered to have been waived by reason of the agreement to the request.

The **PRESIDING OFFICER.** Is there objection? The chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 5, after the word "and", to strike out "$41,000,000" and insert "$46,000,000".

On page 3, line 17, after the word "Commissioners", to strike out "$20,323,000" and insert "$20,112,000".

On page 4, line 18, after the word "of", to strike out "seventy-six" and insert "one hundred and twelve"; in line 19, after the word "including", to strike out "sixty-two" and insert "ninety-eight"; and in line 23, after the word "purposes", to strike out "$76,998,000" and insert "$78,663,000".

On page 5, line 21, after the word "only", to insert "purchase of two driver training vehicles,"; in line 25, after the word "amended", to strike out "$74,740,000" and insert "$75,953,900"; and on page 6, line 3, after the word "amended", to insert a comma and "and $124,000 shall be payable from the highway fund".

On page 6, after line 4, to insert:

"Section 301, subsection (c) of the Dual Compensation Act (78 Stat. 488) shall not apply to compensation received by teachers of the public schools of the District of Columbia for employment in a civilian office during the period July 1, 1965, to August 28, 1965."

On page 6, line 13, after the word "Park", to strike out "$10,555,000" and insert "$10,701,500".

On page 6, line 21, after the word "Health", to strike out "$79,485,000" and insert "$79,806,247"; at the beginning of line 23, to insert "with the exception of Children's Hospital,"; in line 24, after the word "exceed", to strike out "$34" and insert "$36"; in line 25, after the word "exceed", to strike out "$5.75" and insert "$6"; and on page 7, line 1, after the word "visit", to insert "the inpatient rate and outpatient rate for Children's Hospital shall not exceed $40 per diem and $6.75 per visit;".

On page 10, line 21, after the word "replacement", to insert "Shaw Junior High School replacement, Thomas Elementary School addition, Emery-Eckington Elementary Schools replacement, Breut Elementary School replacement, Deal Junior High School addition, school for severely mentally retarded, Chevy Chase Community Center,"; on page 11, line 5, after the word "School", to insert "and construction of community health centers"; at the beginning of line 20, to insert "storage building at the Junior Village, a school and activities building at the Junior Village,"; in line 23, after the word "expended", to strike out "$50,521,900" and insert "$55,136,100"; in line 24, after the word "which", to strike out "$8,530,000" and insert "$9,300,000"; and on page 12, at the beginning of line 5, to strike out "$2,130,600" and insert "$2,999,300".

On page 16, after line 7, to insert a new section, as follows:

"SEC. 16. The salary of the Director of Public Welfare shall be at the rate of grade GS–18 and the salary of the Budget Officer for the District of Columbia shall be at the rate of grade GS–17."

Mr. BYRD of West Virginia. Mr. President, the bill (H.R. 6453) making appropriations for the District of Columbia for fiscal year 1966 would appropriate, as recommended by the Senate Committee on Appropriations, $364,050,347. That amount would be $7,749,847 over the House appropriation of $365,300,500.

The appropriation recommended by the Senate committee would be $25,296,453 under the budget estimate, but it would be $11,146,519 over the appropriation of last year.

Under the bill as recommended by the Senate Appropriations Committee the operating expenses for 1966 would amount to $303,223,847. That amount would be $3,135,647 over the House bill.

For capital outlay, the appropriation recommended by the Senate committee is $55,136,100. This amount is $4,614,200 over the House bill. But it is $18,854,500 under the estimate.

So far as the revenue picture is concerned, the estimated revenue as of June 30, 1966, would be $372,678,000. Included would be $251,850,000 in revenue for the general fund; $22,400,000 in Federal loans to the general fund; and a $46 million Federal payment to the general fund. Also included would be estimated revenues of $5,700,000 expected to accrue from the increase in the real estate property tax from $2.50 to $2.70.

The estimated balance in all funds as of June 30, 1966, would be $4,267,000, of which $71,000 would be in the general fund.

I think that completes the broad brush analysis of the appropriations and revenue picture. I shall attempt now to break down the appropriations by departments.

For the Department of Education, the bill provides $75,953,900. This would be $1,213,900 over the House appropriation, but it would be $2,030,100 under the estimate.

In the bill we are allowing, as recommended by the Senate Committee on

Appropriations, 14 of the 28 positions requested for administration in the public schools. At the present time, 201 positions are authorized.

Also in the bill, the Senate Committee on Appropriations added 34 teachers, making a total of 303 teachers. The Senate committee added 40 librarians, making a total of 63 librarians, and added 45 counselors, making a total of 74 counselors.

The House allowed an additional 339 positions, and the Senate committee allowed 148 positions, making a total of 487 positions.

There were 6,019 authorized teacher positions as of March 31 of this year, and only 15 vacancies.

Thirty-eight thousand six hundred and forty dollars was allowed by the Senate committee over and above the House appropriations for expansion of the summer school program.

Fifteen thousand seven hundred and thirty-four dollars was allowed for the counseling programs for dropouts.

The Senate committee added $86,500 to the House appropriation of $274,830 for library books.

I invite attention also to the fact that there is expected to be made available to the District of Columbia in fiscal year 1966 $5.7 million under the Elementary and Secondary Education Act of 1965.

There is also expected to be made available to the District of Columbia for fiscal year 1966 $4.2 million under the impacted aid program, making a total of $9.9 million for these two programs, in addition to the $75,953,900 appropriation provided in this bill for education.

The Senate Committee on Appropriations went along with the House bill in providing $843,543 for the school lunch program.

So far as the police department is concerned, the Senate Committee on Appropriations recommended $38,056,100. This is $1,665,000 over the House appropriation, $262,700 under the estimate, but $3,393,250 over last year's appropriation.

The bill as reported by the Senate Committee on Appropriations would agree with the House in allowing 100 police positions in addition to the present authorized strength of 3,000 positions. This would increase the number of permanent positions to 3,100.

At the time of the hearings, the police department indicated that 2,878 policemen were on the board, thus being 122 positions short of the full number authorized. As of June 10, 1965, there were an estimated 99 vacancies.

In addition, the Senate Committee on Appropriations approved the President's request, as included in Senate Document No. 23, for 235 temporary positions, making a total of 3,335 positions, 3,100 of which would be permanent.

The Senate committee's appropriation would provide an additional $60,000 above the House appropriation of $25,000 for footman radio sets. The same appropriation next year would complete the program and would bring forward from the year 1972 to 1967 the completion date of the project to provide footman radio sets in all the police precincts.

Included in this appropriation is $139,000 for 36 additional scout cars. At the present time, the department has a fleet of 158 cars, of which 44 are scout cars.

The House-passed bill provides for 3 additional scout cars; as I say, the Senate has allowed 36 scout cars over and above the number provided in the House bill.

The Senate bill provides $78,000 for additional school-crossing guards. At present, 94 school-crossing guards are authorized. The House-passed bill provides 6 additional positions for this purpose, making a total of 100 school-crossing guards. The Senate committee has added 50 positions, which will make a total of 150 school-crossing guards and thus make it possible for additional policemen to be on the streets.

I invite attention to the fact that 25 police cadets were authorized in 1965. Six are now on the rolls, and 25 applicants have passed their physical examinations and are undergoing background investigations. On the whole, I believe that this is an excellent presentation, so far as the Police Department is concerned. I summarize for the Police Department by saying that the Senate Committee on Appropriations has allowed all positions requested in the regular budget estimate and in the supplemental estimate, which was embodied in Senate Document No. 23.

The appropriation for the Department of Health, as recommended in the bill presented by the committee, is $51,188,400. Included in this appropriation is $90,000 to permit a continuation of the per diem rate of $40 and a continuation of the outpatient visit rate of $6.75 for Children's Hospital. Also included in the pending bill is $72,189 to permit an increase at the other contract hospitals of $2 per inpatient day, making a total of $36 per inpatient day and a total of $6 per outpatient visit. Also included is $102,267 for the pesticide program.

The committee restored $11,885 for one medical officer needed to round out the full-time birth control clinic team. The committee has also directed in its report that the Department utilize up to $200,000 from available funds to establish three additional full-time birth control clinic teams, making a total of four full-time teams. This is the number of teams that was indicated by the Director of the Department as being needed to meet the growing needs in the District of Columbia.

The Director indicated, when he was before the committee, that there was a backlog of requests extending over a period of 8 weeks. He further indicated that the program, which has been initiated largely under the aegis of this committee has been a very successful and useful one to the present time.

The Director stated that 15 percent of the applicants have been welfare recipients. The Director also stated that among the first 1,700 women receiving the services, preliminary data indicate that 31 pregnancies have occurred as compared to 250 pregnancies that would have otherwise been expected to occur.

I believe that the Department of Welfare indicated that during the last year, 2,177 persons have been informed of the availability of such information from the Department of Health. It was said that, of this number, 1,277 had accepted the information.

Mr. President, the appropriation for the Department of Welfare is $28,205,300, which is $221,200 over the House bill. Included in this appropriation is $136,949 for day care.

The bill would add 38 positions to the Child Welfare Division.

I call attention to the fact that there were 34 vacancies in this Division as of March 31, 1965. The bill also includes $241,457 for the food stamp plan, which is expected to go into operation on July 1. Incidentally, it is expected that the implementation of the food stamp program in the District of Columbia will result in an increase amounting to $80,000 in sales tax revenues, and possibly $15,000 in franchise taxes.

The Senate committee recommends, as to parks and recreation, a restoration of $109,000 for the operation and maintenance of the Kennedy Playground and for the purpose of providing five positions to be utilized there.

The Senate committee recommends the restoration of the item for the Shaw Junior High School in the amount of $1,295,300, of which $989,000 would be for construction and $306,300 for plans and specifications.

I believe that I have now covered, in a very general way, the appropriations for the major departments in the District government.

I call attention to the fact that as of March 31, 1965, there were 1,188 vacancies in the District of Columbia and that there were 29,242 authorized positions.

The House-passed bill makes the total authorizations for positions in the District of Columbia 29,999. The Senate has added 501, making the total authorization 30,500.

The 1,138 vacancies to which I have already alluded resulted in returning to the Treasury $2,533,000 in lapsed money.

The Federal payment of $46 million, as recommended by the Senate committee, will constitute 14.13 percent of the general fund revenue.

I emphasize that in fiscal year 1935 the Federal payment constituted 13.11 percent of the general fund revenue, and, over the 30 years which have followed, this percentage has reached 14 percent only 5 times, including the appropriation in the bill before us. At no time during the past 30 years has the Federal payment constituted as much as 15 percent of the general fund revenue.

Included in the appropriation bill before us is an item of $842,500 for payment on the District of Columbia Stadium bonds.

In addition to the $46 million Federal payment, there is an estimated $107 million which will be made available to the District of Columbia during fiscal year 1966 in various Federal-aid programs.

Last year the Federal moneys coming into the District from these programs amounted to $87 million, and the year before Federal aid moneys amounted to $57 million.

So there is a consistent and accentuated increase in Federal moneys going into the District of Columbia in addition to the Federal payment.

It may be interesting to place in the Record information which would indicate that the total exempt property in the District of Columbia—that is, exempt from taxation—amounts to 54.2 percent, if we are talking about land area, and 47.2 percent in terms of land values.

I should like, however, to point out that of the land area, U.S.-owned properties constitute 43.1 percent, insofar as area is concerned, and 36.8 percent insofar as land value is concerned.

The total value of U.S. property is $1.6 billion, and the exempt taxes amounted last year to $49,291,049.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question on the District of Columbia appropriation bill?

Mr. BYRD of West Virginia. I yield.

Mr. YARBOROUGH. There was presented to the Senate District of Columbia Subcommittee on Appropriations a request for restoration to the budget of an item to develop a pesticide residue program. It developed in the hearing before the Senate subcommittee that in the House of Representatives apropriations bill the House appropriated nothing for this program.

It developed also that there was a high incidence of pesticide chemicals found in samples of milk, food, and water in this city, but no sampling was done to determine whether they were at the acceptable tolerance level acceptable for human consumption under present scientific determinations, or whether they exceeded those levels of tolerance.

Has there been restored by the Senate committee an appropriation that would enable instituting and carrying forward in the city of Washington, D.C., a program to test for pesticide chemicals in samples of milk, food, and water? Was that item restored?

Mr. BYRD of West Virginia. The subcommittee restored, at the suggestion of the distinguished senior Senator from Texas, $102,267.

Mr. YARBOROUGH. And nine positions to develop the program. Is that correct

Mr. BYRD of West Virginia. Yes.

Mr. YARBOROUGH. I thank the chairman of the subcommittee for the leadership he took in restoring that budget recommended item to give the people of the District of Columbia minimal protection in their consumption of milk, food, and water.

Mr. BYRD of West Virginia. As I have previously stated, the amount of $4,614,200 was allowed by the Senate Appropriations Committee over the House figure for the capital outlay.

The committee restored some money for every capital outlay item in the public school budget.

The committee did not restore the full amount requested, but for every one of the 10 capital outlay projects, the committee restored some amount, either an amount for construction, or an appropriation for site acquisition, or an appropriation for plans and specifications, or any one or more of a combination of these.

So not only did the Senate committee go along with the House request for capital outlay items in the public school budget, but the Senate Appropriations Committee also has made it possible for the additional 10 public school capital outlay projects to "get on the road" and get moving. The appropriation for the 10 public school capital outlay projects is $3,343,850.

The committee added $80,000 for plans and specifications for the Chevy Chase Community Center.

I believe that completes my presentation of the bill as it came from the Senate committee.

I have attempted to emphasize the highlights of the bill. I shall be glad to attempt to answer questions.

I have my faithful clerk of the committee with me. I wish to express my appreciation to him for the fine assistance, advice, counsel, and guidance which he has given to me, as well as the great amount of time which he has contributed in preparing the bill for presentation to the subcommittee, to the full committee, and now to the Senate.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield, without losing his right to the floor, in order that I may suggest the absence of a quorum?

Mr. BYRD of West Virginia. I am glad to yield to the Senator from Montana for that purpose.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Harris in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, if the distinguished chairman of the subcommittee, who is the Senator in charge of the bill, will allow me, I should like to offer an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. It is proposed, on page 6, line 13, strike out the numeral "$10,701,500", and insert "$10,709,500."

Mr. MANSFIELD. Mr. President, this amendment would add $8,000 to the recreation fund in the District of Columbia appropriations bill. It would permit the continuation of the Washington Youth Garden program which has had great success in the past 3 years. The $8,000 would pay both the salary of the Garden Director and the necessary supplies totaling approximately $1,500 per year.

For some reason which I am unable to comprehend, the Bureau of the Budget did not see fit to give its approval to this small amount which can accomplish so much in taking care of our youngsters during the vacation period.

Under this program, small plots have been cultivated on or adjacent to public playgrounds in all the recreational centers in the city; last summer, over 900 children participated in these gardening projects in 188 separate garden plots throughout the city. As an added benefit, the children, many of whom are from extremely poor families, are permitted to take home the vegetables grown in these gardens.

The garden director hired last year has had an excellent background in the field and apparently has great skill with children. It is my understanding that he has accomplished very much in such a very short time.

I believe that a program of this nature, for such a relatively small amount of money, yields a benefit well worth the investment. I hope that the chairman of the subcommittee will be willing to accept this amendment.

Mr. MANSFIELD subsequently said: Mr. President, I should like to make a correction of a mistake which I made earlier, and ask that it be inserted at an appropriate point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. The amendment which I offered was advocated by the Bureau of the Budget but was not successful in House consideration of the bill.

Therefore, I believe that my statement that the Bureau of the Budget did not include this item should be corrected and the Record should show that it did have the approval of the Bureau of the Budget.

The PRESIDING OFFICER. The correction will be made, as requested.

Mr. BYRD of West Virginia. The chairman of the subcommittee is pleased to accept the amendment. The distinguished majority leader brought this matter to my attention prior to the subcommittee markup, and I inadvertently overlooked it. I inadvertently overlooked the item during the markup by the full Appropriations Committee. I regret having done so, and am happy to accept the Senator's amendment. I believe that the committee included this item last year——

Mr. MANSFIELD. The Senator is correct.

Mr. BYRD of West Virginia. It was lost in conference, however. I shall be glad to do what I can to sustain the action of the Senate in conference, if the Senate now sustains the action of the chairman of the subcommittee in accepting the amendment.

Mr. MANSFIELD. Let me express my deep appreciation to the distinguished chairman of the subcommittee for his usual fine consideration, and to assure him that I hope not only that the Senate will accept the amendment on the basis of his recommendation, but also that, if accepted, the Senate will hold firm to it in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. RIBICOFF. Mr. President, once again this year we have returned to the Senate floor to join the issue of help for the needy children of unemployed parents in the District of Columbia. Once again we are to decide here on the Senate floor whether children will go hungry—whether families will be forced to separate—whether men will have to leave their homes to get financial help for their children's needs.

Let us be frank with one another. This issue has spread beyond the boundaries of the District of Columbia. It has become a symbol—of the plight of the citizens of the District who want this nationally authorized program but cannot get it. And second, this issue has become the symbol of the intention of the Senate of the United States to listen to the dictates of its conscience, so far as the hungry children of our Nation are concerned.

I have introduced, Mr. President, an amendment to the District of Columbia appropriation for fiscal 1966. The amendment would restore $341,753 to establish the 6 month aid to families of dependent children of unemployed parents program requested by the District Commissioners in their budget request.

The amount is not large in terms of the total District budget. As a matter of fact, what we are talking about here today represents less than one-tenth of 1 percent of the amount of money recommended by the Appropriations Committee.

I want to give full credit—and richly deserved credit—to the chairman of the District Appropriations Subcommittee, Senator BYRD. He has recommended to the Senate today a constructive budget. It provides funds for education—for increased police services—for the reorganization of the local health department. The budget is a fine one—with one monumental exception.

That exception is the funds requested for aid to families of dependent children of unemployed parents program.

The AFDC/UP program was requested by the District Commissioners. They want it. Their request was endorsed by the President of the United States. He wants it. The AFDC/UP program was opposed by only 1,612 of the voters in the 1964 District Democratic primary and endorsed by about 72,000. They want it. The House Appropriations Committee and the House of Representatives approved the funds this year—as they did last year. They want it. The Senate District Committee has approved a bill authorizing the program and the District Appropriations Subcommittee approved the appropriation. They want it, too.

What is this issue all about? There is a welfare program in the District of aid to dependent children. Under the program, 4,228 families—20,319 people—were receiving assistance in February 1965. In order to receive help, and in addition to meeting the standards for need, these requirements of eligibility must be met:

First. In general, the children must be under 18. If they are 16 or 17 and not in school, they must accept any employment or training offered by the Department of Public Welfare. Children between 18 and 21 are included if they are attending vocational or high school.

Second. The children must have been residents for 1 year before applying.

Third. The head of the household must not be working full time.

Fourth. The children must be deprived of parental support or care for one of three reasons: (First), because of death, (second), continued absence from home, or (third), physical or mental incapacity of a parent.

Fifth. If the child is living with the mother, there cannot be any "substitute father" living in or frequenting the home.

Sixth. A parent with adequate plans to care for a child and able to work—even though without a job—is held ineligible.

What my amendment proposes to do is simple—it would add unemployment of the head of the family to the list of eligibility requirements. My amendment would provide the funds necessary to start the program to care for the children of parents who want to work and cannot find jobs.

It makes no sense at all to punish hungry children whose parents cannot find jobs. No father of little children should be required to desert—and this is his stark alternative—if he is able to work, is unemployed, and his family is without income. Every single lesson of history—and of recent experience in our Nation—signifies that the breakup of the family creates problems for society.

My amendment would provide the funds to care for an estimated 490 families—2,600 persons—over a 6-month period in fiscal 1966. On a 12-month basis, the program would handle approximately 1,105 families—or 5,200 persons, based on the estimates of the District Government.

Mr. President, I believe the people of the District of Columbia are entitled to live in a Capital that is the Nation's pride—not the Nation's shame. I believe the Nation's Capital should enjoy the best in enlightened administration and programs. It should be a model—not a scapegoat—for the rest of the Nation.

We in Congress are the legislators for the District of Columbia. We may not be enthusiastic about the job—but we cannot ignore it. I think it tragic that the same Congress that approved a major welfare reform in 1962 has failed to implement it here in the District.

We should not delude ourselves. As legislators responsible for the District, we are responsible for much human misery—with all its destructive implications for the future.

Listen to some of the cases:

The father is 32 years old; the mother is 27—and there are two children, 6 and 2. They have no home. They have no furniture—they were evicted from the home of a relative. The father is an Air Force veteran, and service-trained in the operation of power motors. He has searched for a job—but he has no high school diploma which large companies require. He cannot find steady employment.

He cannot get unemployment compensation because he has never worked in covered employment in the District. His family cannot receive public assistance because he is an "ineligible head of family—employable but unemployed."

He has few choices—he can watch his family suffer while he continues his fruitless search for work; or he can desert, and his family will receive public assistance.

Is this a humane choice to force on a man? Is this the result of the rules of an enlightened society?

Another example: A family with six children—all under 14 years old. The father is a construction laborer—unskilled and seldom steadily employed. Yet he tries. He goes out every day looking for work—and in the summer he is usually successful. But in the winter, odd jobs are scarce—and so is money. To keep the family in food and shelter, the mother works as a domestic—but her children are "farmed out" to neighbors during the day if they are young; they fend for themselves at the age of 5. Result? A caseworker's report: "If AFDC/UP help were available to the family, stability of these well-meaning parents could be improved." The family is drifting toward disintegration; the children lack guidance and begin to run wild.

Again, the father is faced with a choice: He can watch the process continue—or he can desert and the mother will be able to stay home and receive public assistance.

These are two cases. There are hundreds like them. And to those who argue against this program with statistics, I say, "Go out and look at the city." Go see for yourselves the misery of human beings. If there is one child hungry and we have the means to help—one child alone—I say we must help. I say we have the responsibility to act.

Now the Senator from West Virginia argues against the AFDC/UP program in the District of Columbia—though more money is spent in a single month on this program in West Virginia than is suggested for the year in the District of Columbia.

He argues, first, that the unemployment rate is too low in the District to justify relief for the families of the jobless.

Many newspaper articles have publicized at near 2-percent unemployment rate for the Washington metropolitan area. Yet the fact is that the District is not a State but a city, and the unemployment rate for the District of Columbia is double the area rate. And in the central city area of the District—in the slums and crowded streets—the unemployment rate is higher than 10 percent.

Mr. President, to those who argue statistics, it reminds me of the ancient story about the man who drowned in a river with an average depth of only 3 feet. The river was 10 feet deep in the middle.

Second, it is argued that ample jobs are available for those who want work.

Last year, I analyzed 96 pages of newspaper help-wanted ads placed in the record by the distinguished Senator from

West Virginia [Mr. Byrd]. Less than one-tenth of 1 percent of the jobs advertised were available to persons with less than a high school education. And those are most of the people we are concerned about today. After all, the Director of the U.S. Employment Service for the District says the 28,500 jobless persons are in his active files and 27,000 of them cannot get jobs. As of January 1965, more than two-thirds of the 27,000 were in the District.

Third, it is said that District welfare officials can give no firm estimate of the cost of the AFDC/UP program.

The District budget specifically requested $341,753 to initiate a 6-month AFDC/UP program. How much more specific can we get?

The Senate must approve this program every year. After we have 6 months' experience, we will have more details as to what is required. Incidentally, this is the way such a program is started in every State—in Connecticut, and in West Virginia, to name just two. There is no reason why the District of Columbia should be singled out for the statistical approach simply because it has no duly elected representatives to protect it.

Fourth, it is argued that work should be a condition of family relief in the District. Well, I agree. Work should be a condition of relief where this is at all possible—where the welfare of children will not suffer if a parent works—especially if a mother works. The whole thrust of the program proposed by the District—the program we wish to fund under my amendment—is rehabilitation through work training. Public welfare officials here have assured me that they will set up a work-training program with the funds this amendment would provide. I am further assured that if a man or woman refuses to accept work training or a job without good cause, assisttance will be ended. Today's Washington Post discusses the need of beautifying the Washington park system. "Hampered for years by lack of money and manpower, the National Park Service has given only caretaker treatment to most of the 700-odd pieces of land, big and small, that make up the city's park system," says the Washington Post. "But with the President and Mrs. Johnson both sounding the trumpet for natural beauty and a model city, park officials are out to set the Capital abloom."

This is one of the sorts of work that AFDC/UP recipients could do.

In truth, work training is an integral part of this program, as it should be, and there are other safeguards against unlawful conduct. If, for example, parents' behavior is considered harmful to a child, that child can be removed from his home.

Fifth, it is said that the AFDC program would attract more immigrants to the city and this increase would, in truth, lower our tax base. This argument is often used by opponents of welfare programs for whatever reason in whatever State. Studies have shown that people move not to get on relief but to seek opportunity—one of our most precious heritages.

Studies of newcomer-assistance recipients in New York State and Illinois agree: A third to a half come for jobs, education, or similar opportunities; a third to a half come to be near relatives; and the remainder for health reasons, to visit, to escape discrimination—often, I might add, this is tied to jobseeking—and so forth. And those newcomers who do become eligible for assistance in the District as in most places get it after a year's residency requirement.

Moreover, may I point out, that a program such as I propose, with its emphasis on work training, would produce jobholding citizens—and so increase the District's tax base.

Sixth, it is argued that training is to be set up in the Old Soldiers and Sailors home this year under the poverty program, and so our AFDC/UP welfare-training program is unnecessary.

Indeed the program as planned under title V of the Economic Opportunity Act of 1964 is necessary. But the fact is that the two programs are complementary to each other and both are essential. The title V program is only a demonstration program, and is limited in scope and duration. If it is approved, the first group of 150 enrollees will enter on August 15. Each 6 weeks thereafter the District hopes to enroll additional men and women until the maximum enrollment of 1,200 is reached by the end of the first year.

Title V is a fine program, providing needed training. But it cannot solve by itself the problem of the hungry children of the District—the children of the hard-core unemployed. These children need to be helped under a program specifically designed for them—a program aimed at providing relief for not only the fortunate children of the trainable parents, but for the equally deserving children of the hard-core unskilled unemployed.

Children did not ask to be born into the world. But once here, they are children—our future citizens—and we must legislate for them. If we wait, it may be too late.

Hunger and suffering do no good. They weaken and debilitate—perpetuating human frailties from one generation to the next.

Mr. President, I ask the Members of this greatest deliberative body in the world to pause for a minute to legislate in behalf of children who live only a stone's throw from this great Capitol Building.

We must give the same equality of treatment and opportunity to the children of the District of Columbia as we do to the children of our own States.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, each year the casual, disinterested observer of the Washington scene can very well anticipate when the hearings on the District appropriation bill are about to get underway in the Senate. A climate of public opinion evolves as a result of newspaper stories, editorials, and activities on the part of organized pressure groups. So one has only to read the newspapers and watch television and listen to the radio to know that the time for the scheduled hearing by the Senate District Committee on Appropriations for the District of Columbia is about to arrive.

Last year we saw that happen, and we have seen it happen again this year.

Unfortunately, last year there was the case of Sunny Cooper, who went out and threw himself into the river. The newspapers stated that Sunny Cooper had thrown his clothes in the gutter and himself in the river presumably so that his family could receive welfare benefits.

As was brought out in the Record of the debate which took place in the Senate, Sunny Cooper had been arrested a number of times. He could very well have provided for his family had he merely exercised the sense of responsibility that the ordinary, dutiful, upstanding, and loving parent evidences for his family.

But it was shown to be an effort on the part of some who support this program to dramatize the issue and thus stampede Congress into allowing appropriations for the initiation of the program in the District of Columbia.

This year we saw a repetition of the same feverish activity on the part of some of the organized pressure groups and of some of the editorial writers. It came about as a result of the unfortunate, tragic, and untimely death of Mrs. Joseph Etheredge. Apparently, from all that I have been able to read concerning her, Mrs. Etheredge was a fine Christian woman. She died on April 14, 1965.

Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "Anguished Search for Help Ends With Death of Mother in Hospital," published in the Washington Post of April 16, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Apr. 16, 1965]

ANGUISHED SEARCH FOR HELP ENDS WITH DEATH OF MOTHER IN HOSPITAL

(By Helen Dewar)

Mary Etheredge's struggle has ended.

Her anguish over her five small, homeless children ended Wednesday night with her death in the psychiatric ward of District of Columbia General Hospital.

The cause was officially listed as a blood clot in the lungs.

But friends tell of a slower death that overtook this 27-year-old mother who was crushed by her inability to provide a home and a happy life for her children.

Mrs. Etheredge's brief stay at District of Columbia General Hospital began last Friday after many hours of wandering through the city, failing to find the help she needed from public and private welfare agencies.

The short, chubby, and usually smiling woman had been tense and worried when she arrived the previous Monday night at a friend's home, seeking dinner for her hungry children.

But by Friday, her mind had collapsed into what Dr. James L. Foy, chief psychiatrist at District of Columbia General Hospital, described as a "schizophrenic and catatonic state."

"It was," he said, "one of the most severe and profound of mental illnesses, but not one that was likely to lead to death."

Deputy Coroner Marion Mann said, "an autopsy performed yesterday indicated a pul-

> monary embolism, or a clot in the lungs. But it would require further tests, perhaps taking several weeks, to determine the origin and cause of the clot," he said.
>
> "Usually a patient feels pain before such clots pass into a vital organ and cause death," Dr. Mann said. But whether Mrs. Etheredge felt pain is not known. Dr. Foy had found her "detached, uncommunicative, unable to give a clear story of her turmoil."
>
> Her children, ranging from 8-year-old Andre to 3½-month-old Kevin, will be told today of their mother's death by social workers and Sister Mary Leo, the nun who befriended the family last week.
>
> What will become of the youngsters has not been determined. Attempts are being made to arrange something with their father, Joseph Etheredge, and with Mr. Etheredge's family in North Carolina.
>
> Meanwhile, the four older children, one of them ill with a virus, will continue to stay at Junior Village. The infant, too young for Junior Village, is a boarder at Children's Hospital.
>
> At her home in High Point, N.C., Inez Matthews, Mrs. Etheredge's mother, couldn't believe that her daughter was gone. Only 2 weeks ago, she had received a letter from Mary saying, "I know you're worried about me. I just want you to know I'm doing fine."
>
> She promised to pay back the money her mother had sent her. Then she added: "The Lord has wonderfully blessed me."
>
> Mrs. Matthews said her daughter was always like that.
>
> "She'd keep things from me, just to keep me from worrying. She was such a good girl * * * That's what hurts me so bad. If I'd known, I would have come up. Somehow I'd have gotten up there."
>
> Mary, a popular and friendly girl, married Joseph Etheredge shortly after graduating from High Point's William Penn High School, where her classmates had elected her school secretary.
>
> In 1960, after their second child arrived, the couple moved to Washington, where prospects for a happy life seemed brighter. They moved in with Beatrice Abbott, of 65 W Street NW., who became Mary's and the children's godmother.
>
> "She called me mother, and I treated her just like a daughter," said Mrs. Abbott, who had reared seven children of her own.
>
> Life in Washington proved hard. Her husband, a baker and cook, was in and out of work. Sometimes there was a relief check. Frequently they moved, and there were domestic troubles.
>
> "They were good people, both of them * * *. But they just couldn't work things out," said their pastor, the Reverend Bernard Battles, of the Bible Way Baptist Church, 1130 New Jersey Avenue NW.
>
> ### MOVED IN WITH FAMILY
>
> Recently Mrs. Etheredge and the children moved in with Frances McIlwain's family at 1120 Park Street NE. But by April 6, she became so disturbed, the McIlwains were fearful for their own children and took all the Etheredges to the Woman's Bureau, where they hoped she would find help.
>
> There they spent the night on chairs in the lobby. Mrs. Etheredge seemed calmer, and officers detected nothing wrong with her.
>
> The next day Mrs. Abbott saw her at church services, looking "so very tired." As the children slept on prayer pillows spread on the pews the congregation took up a collection for the family.
>
> It was that evening before the Etheredges were seen again by anyone they knew. They were standing outside the Woman's Bureau, drenched by rain.
>
> Sister Mary Leo, accompanied by another nun from the nearby Notre Dame Convent, unsuccessfully tried to find shelter for them and ended up taking the family into the convent.
>
> ### NOTHING PHYSICALLY AMISS
>
> Mrs. Etheredge kept talking almost incoherently, about what would happen to her children.
>
> Finally, after the Welfare Department and Woman's Bureau said they were unable to help the woman, Family and Child Services arranged with police to have Mrs. Etheredge taken to District of Columbia General Hospital.
>
> Doctors there found nothing physically wrong with her. But she was scheduled for a sanity hearing, to have taken place yesterday. She continued to move about, her face blank and her mind out of touch with the world around her.
>
> "She was one of the sweetest people you've ever met, but that was before * * *," said Mrs. McIlwain. But above all, said Mrs. Abbott, was her devotion to the children. "They were her life."

Mr. BYRD of West Virginia. Mr. President, excerpts from the article read:

> Mary Etheredge's struggle has ended.
>
> Her anguish over her five small, homeless children ended Wednesday night with her death in the psychiatric ward of District of Columbia General Hospital.
>
> The cause was officially listed as a blood clot in the lungs.
>
> But friends tell of a slower death that overtook this 27-year-old mother who was crushed by her inability to provide a home and a happy life for her children.

In speaking of Mrs. Etheredge's stay in Washington following her arrival here from another State, the article states:

> Life in Washington proved hard. Her husband, a baker and cook, was in and out of work. Sometimes there was a relief check, and frequently they moved, and there were domestic troubles.
>
> "They were good people, both of them. But they just couldn't work things out," said their pastor, the Reverend Bernard Battles, of the Bible Way Baptist Church, 1130 New Jersey Avenue NW.

On April 17, an article entitled "Welfare Tragedy Stirs Crusade," was published in the Washington Post. I read excerpts from that article:

> Episcopal Suffragan Bishop Paul Moore said yesterday that Mary Etheridge died because the Nation's Capital "turned its back on her and her children."
>
> Mrs. Etheredge, a 27-year-old mother of five, was admitted last week to the psychiatric ward of District of Columbia General Hospital after several days of wandering helplessly around the city in search of aid for herself and children. On Wednesday she died, apparently of a blood clot in the lungs.
>
> Appealing for a sustained crusade for a "just welfare system" in the city, Bishop Moore said Mrs. Etheredge's death was no less significant than that of Reverend James B. Reeb, a civil rights marcher killed last month in Selma, Ala.
>
> "Both," he said, "were victims of injustice." This time it is "our problem," he said.
>
> Bishop Moore, the Reverend Walter E. Fauntroy of the Southern Christian Leadership Conference, and other clergymen who were engaged in last month's civil rights rally here, are organizing a meeting Monday to plan what Mr. Fauntroy described as "mass community action" against "welfare injustices."
>
> Mr. Fauntroy said the tragedy would give the effort "highest importance and urgency."

Mrs. Etheredge had been on public assistance periodically for 3 years and was receiving emergency aid when she fell ill.

> Brewer said he thought—

This refers to Donald Brewer, Director of the Department of Public Welfare—

> Mrs. Etheridge's emergency need was basically a public health or police matter. He said public welfare had no more authority than a private agency in having a person committed.
>
> "Is it to be a function of public welfare to provide all types of services?" he asked. "I don't think everyone has to be on public assistance just to get the service they need," he said.
>
> Bishop Moore was particularly critical of Welfare's congressionally imposed man-in-the-house rule. "Mrs. Etheridge was," he said, "the victim of the rule that a family cannot receive aid if there is an employable parent in the home, even though said parent cannot get a job.
>
> "She died," the Bishop said, "because the District has not dealt with our welfare rights, despite constant petitions."

Mr. President, one never knows whether an individual is being quoted correctly. However, if Bishop Moore was correctly quoted as saying that Mrs. Etheridge was "a victim of the rule that a family cannot receive aid if there is an employable parent in the home, even though said parent cannot get a job," he apparently had not taken the time or gone to the effort of developing the facts as to whether Mr. Etheridge could get a job.

Additionally, it is not true that an employable parent in the home disqualifies the children. There are instances in which the mother is employable, and if she is needed in the home and can present an adequate day care plan the children will qualify even though she is employable. So it is not entirely correct to say or to imply that an employable parent in the home necessarily disqualifies the children.

The Evening Star of April 17 published a story with the headline, "Selma-District of Columbia Death Linking is Scored."

I read extracts from this story:

> There is a major difference between the death of a distraught Washington mother and recent events in Alabama, Donald D. Brewer, Welfare Director, said today in response to criticism of a civil rights coalition that linked the two.
>
> Brewer released a statement about the death Wednesday of Mrs. Mary Etheridge after a coalition of District organizations that had protested the Alabama racial situation last month announced a meeting for Monday.
>
> The meeting's purpose is to agree on strategy and tactics for some kind of mass action program on the welfare crisis in the District, according to the Reverend Walter Fauntroy, who headed the District of Columbia Citizens Committee for Federal Protection in Alabama.

Incidentally the cost to the Washington, D.C., Police Department for the 7 days of picketing, March 11, through March 17, during the Selma crisis was $75,374.

I read further from the article:

> Mr. Fauntroy said, "We believe that the Washington community will be as outraged at the tragic circumstances surrounding Mrs. Etheredge as it was at the tragic events in Selma a month ago."
>
> The Right Reverend Paul Moore, Jr., Episcopal Suffragan Bishop of Washington and a member of the coalition, called Mrs. Etheredge's death a tragic blot on the city

> of Washington. Her death is as significant as the death of James Reeb because she is as much a victim of injustice. The Reverend Mr. Reeb was attacked on the street in Selma, Ala., at the height of the racial crisis there and died a few nights later.

There is absolutely no logical, legitimate connection whatsoever between these two happenings. The only thing that I can say is that both deaths are to be regretted. In the case of Reverend Reeb, he had no business being in Selma. This is, of course, not to excuse the person who murdered him. Murder is not to be condoned in Selma any more than it is to be condoned on the streets of Washington, D.C.

If one wished to talk about tragic murders, he could fill today's RECORD with a discussion of tragic murders which have recently occurred on the streets of this city in broad daylight, to say nothing of those which have occurred at night.

I read further from the article:

> Bishop Moore said Mrs. Etheredge was the victim, among other things, of the welfare rule that a family cannot receive aid if there is an employable parent in the home, even though said parent cannot get a job.

With all due respect to the bishop—and he undoubtedly is a very upstanding and fine leader of his people and in the community—I can only say that it is perfectly obvious that he did not take the time to develop the facts in this case before he spoke publicly in this regard, because he implied that the parent, meaning the husband, could not get a job.

I read further from the article:

> Brewer said in his statement: "Along with our Public Assistance Division, some of whose workers have known Mrs. Etheredge since 1962, I am deeply grieved by her sudden death.
>
> "We have helped this family during a number of periods of crises. During this last crisis, we did again give financial assistance, since it was verified her husband was not in the home, even though fully employed. This is not a situation that could have been met under a program for unemployed parents."

I ask unanimous consent to include in the RECORD at this point the two articles from which I have just read.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Apr. 17, 1965]

SELMA-DISTRICT OF COLUMBIA DEATH LINKING IS SCORED

(By Betty James)

There is a "major difference" between the death of a distraught Washington mother and recent events in Alabama, Donald D. Brewer, welfare director said today in response to criticism from a civil rights coalition that linked the two.

"In Washington," Brewer said, "public officials and leaders are exerting every effort to extend its services and opportunities to its citizens.

"This job is too big for any one agency. Only together can we begin to achieve these goals."

Brewer released a statement about the death Wednesday of Mrs. Mary Etheredge after a coalition of District organizations that had protested the Alabama racial situation last month announced a meeting for Monday.

TO SET STRATEGY

The meeting's purpose is "to agree on strategy and tactics for some type of mass action program on the welfare crisis in the District," according to the Reverend Walter Fauntroy, who headed the District of Columbia Citizens Committee for Federal Protection in Alabama.

Mr. Fauntroy said, "We believe that the Washington community will be as outraged at the tragic circumstances surrounding Mrs. Etheredge as it was at the tragic events in Selma a month ago."

The Right Reverend Paul Moore Jr., Episcopal suffragen bishop of Washington and a member of the coalition, called Mrs. Etheredge's death "a tragic blot on the city of Washington. Her death is as significant as the death of James Reeb because she is as much a victim of injustice." The Reverend Mr. Reed was attacked on the street in Selma, Ala., at the height of the racial crisis there and died a few nights later.

Bishop Moore said Mrs. Etheredge was the victim, among other things, of the welfare rule that a family cannot receive aid if there is an employable parent in the home, "even though said parent cannot get a job."

Brewer's statement noted that Mrs. Etheredge received assistance, since it was verified that her husband was not in the home, even though he was fully employed.

"This is a situation that could have been met under a program for unemployed parents," he said.

SOUGHT SHELTER

Mrs. Etheredge, a mother of five, died in District of Columbia General Hospital of a blood clot in the lungs, according to the preliminary report of the District coroner. But she had entered the hospital April 9 for medical observation after a harrowing time in which she had traveled the streets of Washington in the rain with her children, looking for a place to stay. Newspaper accounts implied that several District agencies failed to help Mrs. Etheredge, but the coalition group singled out welfare for an attack.

Welfare records show Mrs. Etheredge has received assistance almost continuously since December 1962, and was on the rolls at the time of her death. She was on the rolls four times during that period, with brief intervals in between when her husband, whom she said had deserted, returned to the home.

Brewer said in his statement:

"Along with our public assistance division, some of whose workers have known Mrs. Etheredge since 1962, I am deeply grieved by her sudden death.

"We have helped this family during a number of periods of crisis. During this last crisis, we did again give financial assistance, since it was verified her husband was not in the home, even though fully employed. This is not a situation that could have been met under a program for unemployed parents. Like many of our families, however, who must face the stresses of urban life, and the frustrations of marginal living, it is evident that much more was needed than financial assistance.

"The real tragedy is that it must be an unfortunate event such as this that brings to the attention of the total community the many services that are so badly needed in our city," Brewer said.

"I have stated repeatedly that there is no single panacea and no single solution to the multiple conditions that lead to family breakdown. I support and am encouraged by the new patterns of service that I see emerging in both public and nonpublic agencies.

"The situation portrays vividly the need to move forward on our planning for total mental health services, which, like other services, need to be made available at all times.

"It emphasizes the need to strengthen our neighborhood programs, to hasten with the already approved job training and experience projects, and above all, a way of working together regardless of any particular administrative structure."

CITES RECORDS

Brewer said the records show Mrs. Etheredge received assistance from December 1962 through June 1963; from September 1963 through November 1963; and from January 1964 through October 1964. In each case she told the Department her husband had deserted.

She left assistance rolls during the periods her husband returned to their home. She applied again on February 23, saying her husband had left her, and she and the children were staying with a friend. The Department set about verifying her eligibility.

On March 12, the Salvation Army called the welfare department, reporting that Mrs. Etheredge said she was desperate. Welfare issued an emergency assistance check for $121, including $64 for a rent allowance so she could find a place to live. The worker visited the home where she was staying on the afternoon of April 6 and told her another check would be issued April 12.

That night, the friend with whom she was staying apparently became alarmed at her mental condition, and took her to the Women's Bureau of the police department, a step that led, through the intervention of Family and Child Services of Washington, to her admission to District of Columbia General Hospital.

[From the Washington (D.C.) Post, Apr. 17, 1965]

WELFARE TRAGEDY STIRS CRUSADE—A JUST SYSTEM IN AIDING POOR DEMANDED BY CHURCHMAN

(By Helen Dewar)

Episcopal Suffragan Bishop Paul Moore said yesterday that Mary Etheredge died because the Nation's Capital "turned its back on her and her children."

Meanwhile, District Welfare Director Donald D. Brewer suggested steps to prevent a repetition of her tragedy.

Mrs. Etheredge, a 27-year-old mother of five, was admitted last week to the psychiatric ward of District of Columbia General Hospital after several days of wandering helplessly around the city in search of aid for herself and her children. On Wednesday she died, apparently of a blood clot in the lungs.

Appealing for a sustained crusade for a "just welfare system" in the city, Bishop Moore said Mrs. Etheredge's death was no less significant than that of the Reverend James B. Reeb, a civil rights marcher killed last month in Selma, Ala.

NOW OUR PROBLEM

"Both," he said, "were victims of injustice. This time it is our problem," he said.

Bishop Moore, the Reverend Walter E. Fauntroy, of the Southern Christian Leadership Conference, and other clergymen who were engaged in last month's civil rights rally here are organizing a meeting Monday to plan what Mr. Fauntroy described as "mass community action" against "welfare injustices."

Mr. Fauntroy said, "the tragedy would give the effort heightened importance and urgency."

Terming Mrs. Etheredge's case "tragic," Brewer said he would suggest a coordinated effort by welfare, health, and police agencies to facilitate emergency psychiatric care.

"The danger," he said, "is one of a person falling in between the cracks between agencies."

He said a similar plan for coordinated action has been worked out for handling child-beating cases.

MAKES THOROUGH STUDY

Brewer said he is making a "thorough, critical and objective" study of the Etheredge case, to determine whether his agency could have done more.

"I hope every other agency does the same," he said.

Brewer said Welfare might have discovered earlier that Mrs. Etheredge's mind was slipping. A public assistance caseworker who visited her Tuesday afternoon, shortly before friends with whom she was staying found her condition unbearable and took her to the Woman's Bureau, made no reference to her mental state in his official report.

Mrs. Etheredge had been on public assistance periodically for 3 years and was receiving emergency aid when she fell ill.

Although both the overall problem and its solution are "complex," Brewer said, he noted two helpful moves now underway:

Placement of caseworkers in neighborhood centers, where they can more easily spot trouble before it becomes serious.

A 24-hour emergency telephone service at the new community mental health clinic on the grounds of District of Columbia General; trained personnel will be on hand to treat cases in the clinic or at a person's home.

QUESTIONS JURISDICTION

Brewer said he thought Mrs. Etheredge's emergency need was basically a public health or police matter. He said public welfare had no more authority than a private agency in having a person committed.

"Is it to be a function of Public Welfare to provide all types of services?" he asked, "I don't think everyone has to be on public assistance just to get the services they need," he said.

Bishop Moore was particularly critical of Welfare's congressionally imposed "man-in-the-house rule."

Mrs. Etheredge was, he said, "the victim of the rule that a family cannot receive aid if there is an employable parent in the home, even though said parent cannot get a job."

BLAMES WELFARE LAXITY

She died, the bishop said, "because the District has not dealt with our welfare crisis despite constant petitions."

Mrs. Etheredge was on and off welfare four times since 1962. In each case, when her husband returned to the house, welfare payments were suspended. She had received $191 in emergency aid in March and her fifth application for public assistance was pending when she died.

Funeral services for Mrs. Etheredge, which are being paid for by the Welfare Department, will be held at 2 p.m. Tuesday at the Bible Way Church, 1130 New Jersey Avenue NW.

Four of her five children will continue to stay at Junior Village, with the fifth at Children's Hospital, where it is an infant boarder, until the family decides where they shall go, Mrs. Etheredge's mother in High Point, N.C., has offered to take the children.

Mr. BYRD of West Virginia. Mr. President, on April 20, there appeared in the Washington Post a story under the headline "Better Welfare Services Sought by Coalition Group Forming Here." I read extracts therefrom:

A coalition of clergymen, civil rights leaders and social workers announced last night a "community mass meeting" Sunday to launch a five-pronged campaign for improved welfare services in Washington.

Calling itself the District of Columbia Coalition of Conscience the group has started off with about 40 members, representing most religious denominations, major civil rights groups, and many private social welfare agencies.

The coalition that came together because of Selma has been held together and broadened by awareness of the serious welfare crisis here," said the Reverend Walter E. Fauntroy, who with Episcopal Suffragan Bishop Paul Moore spearheaded the new effort.

The mass meeting will be held at 4 p.m., at a location to be announced at a press conference Wednesday, when other programs also may be unveiled, Mr. Fauntroy said.

The effort was given a sense of urgency, the minister and civil rights leader said, by the tragedy of Mary Etheredge, who died last Wednesday in the mental ward of the District of Columbia General Hospital after a long, unsuccessful quest for help for herself and her five young children.

I ask unanimous consent that the article be included in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post,
Apr. 20, 1965]

Better Welfare Services Sought by Coalition Group Forming Here

(By Helen Dewar)

A coalition of clergymen, civil rights leaders, and social workers announced last night a community mass meeting Sunday to launch a five-pronged campaign for improved welfare services in Washington.

Spokesmen said the rally and other action programs to be scheduled later are aimed at achieving:

Broadening the aid to dependent children program to include families with unemployed parents still living in the household.

Increasing public assistance grants for both food and housing.

Reducing the staff of investigators and increasing the number of trained caseworkers.

Strengthening foster care by raising boarding rates and enlarging the staff at Junior Village.

Extending the city's day care program.

The group emphasized they were not seeking to point a finger of guilt but rather to improve a system that they think is unjust and insufficient.

Calling itself the District of Columbia Coalition of Conscience, the group has started off with about 40 members, representing most religious denominations, major civil rights groups, and many private social welfare agencies.

"The coalition that came together because of Selma has been held together and broadened by awareness of the serious welfare crisis here," said the Reverend Walter E. Fauntroy, who with Episcopal Suffragan Bishop Paul Moore spearheaded the new effort.

The mass meeting will be held at 4 p.m. at a location to be announced at a press conference Wednesday, when other programs also may be unveiled, Mr. Fauntroy said.

The effort was given a sense of urgency, the minister and civil rights leader said, by the tragedy of Mary Etheredge, who died last Wednesday in the mental ward of District of Columbia General Hospital after a long, unsuccessful quest for help for herself and her five young children.

Her funeral will be held at 2 p.m. today at the Bible Way Church, 1130 New Jersey Avenue NW. Mr. Fauntroy appealed to "all of those who are concerned" to join the coalition in attending the services.

The group dwelt of Mrs. Etheridge's case last night although it has histories of at least 20 other cases illustrating deficiencies in the system, said the Reverend Philip Newell, of the New York Avenue Presbyterian Church. The meeting was closed to the press, but a news conference was held afterward.

Sister Mary Leo of Notre Dame Convent, who befriended Mrs. Etheridge after other agencies failed to give assistance, told of a "gradual deterioration" of the family that began with the father's unemployment in 1962. This was followed, she said, by a series of evictions, desertions, emergency assistance and welfare checks that would stop whenever the husband came home.

"Even before her death, this family was destroyed," the nun said.

At one point, she said, a welfare investigator found Mrs. Etheridge's husband at her house the day he had been released from jail. Although Mrs. Etheridge wasn't there at the time, her child welfare payments were cancelled.

After 3 years of seeking aid from a multiplicity of public and private agencies, Mrs. Etheridge was so bewildered that—as she sat waiting to be taken to District of Columbia General on April 8—she kept mumbling, "Services, agencies services, agencies," the Sister said.

Four of the children currently are in Junior Village. A fifth is an infant boarder at Children's Hospital. They will remain there until a decision is made as to where they will live.

Mr. BYRD of West Virginia. Mr. President, on April 21 a story appearing in the Evening Star entitled "Bishop Attacks Congress at Rites of Mrs. Etheredge," reads in part as follows:

Bishop Smallwood E. Williams, who officiated, said the church, friends, and welfare agencies had striven for 4 years to help the woman keep her family together.

But, he said, "somehow we felt she died of a broken heart, because of a broken home, a broken family."

Bishop Williams attacked "congressional indifference" as a contributing factor in Mrs. Etheredge's death and said Senator Robert C. Byrd, Democrat, of West Virginia, "must bear a large share of the guilt," because his District Committee Appropriations subcommittee has denied welfare assistance to homes where unemployed parents are residing.

Here is the officiating minister at the funeral who not only implies, but states very clearly that I should bear a portion of the guilt—a large share of the guilt—for the death of this woman.

It is interesting to note that Bishop Williams stated, according to that article, that the church, as well as friends and welfare agencies had striven for 4 years to help the woman keep her family together. Bishop Williams must surely have known that in that period of 4 years the husband was employed time after time, and that he did not hold a job ever for very long simply because he failed to show up for work.

So if the bishop spoke with knowledge that Mrs. Etheredge had tried to keep the family together for 4 years, he must have known the husband was able to support the family, and he must have known that the husband was employed, was able bodied, and capable of supporting his wife and family. Yet the bishop would load a large share of the guilt on my shoulders.

The April 21 edition of the Washington Post carried a story under the headline "300 at Funeral for Mary Etheredge," which reads in part as follows:

> YOUNG MOTHER CALLED VICTIM OF WELFARE INDIFFERENCE
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> More than 300 mourners, including clergymen of many faiths, gathered yesterday for the funeral of Mary Etheredge, a young mother who bore "more then her fair share" of poverty's miseries.
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> In his eulogy, Bishop Williams blamed congressional "expediencies * * * inaction and indifference" in part for Mrs. Etheredge's death. He singled out, particularly, Senator ROBERT C. BYRD, Democrat, of West Virginia, who as chairman of the District Committee's Appropriations Subcommittee has repeatedly blocked expansion of the city's welfare program to include children of unemployed parents living at home.
>
> Senator BYRD, the bishop said, "must bear a large share of the guilt."
>
> But the guilt, he said, must be shared by Congress, as well as the District Welfare Department.

Keep in mind that Mr. Brewer stated that an AFDC–UP program in the District of Columbia, would not have applied to this particular situation.

I continue to read:

> All political excuses, expediencies, and economics cannot justify this tragedy. Members of the Senate District Subcommittee, who by their inaction and indifference, acquiesced with Senator BYRD, are guilty also.

Here is guilt by association.

> The so-called man-in-the-house rule must go. We do not condone immorality, but is it not—

There is always a "but"—"We do not condone immorality, but"—that is the way these arguments run—"We do not condone," but always there is a "but."

> The so-called man-in-the-house rule must go. We do not condone immorality, but is it not also immoral, unjust, unfair, and inhuman to deny aid to dependent children and mothers when the husband is unemployed; residing in the home with them?
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> Telegrams expressing sympathy and urging welfare reforms were received from J. C. Turner of the central labor council, Joseph L. Rauh of the Democratic Central Committee, and members of Local 473 of the Cafeteria and Restaurant Union.

INDIANA DUNES NATIONAL LAKESHORE

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield without losing his right to the floor?

Mr. BYRD of West Virginia. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate turn to the consideration of Calendar No. 322, Senate bill 360.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 360) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 3, line 6, after the word "Secretary", to insert "which he classified as suitable for exchange or other disposal"; and on page 9, line 3, after the word "Act.", to strike out "Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes National Lakeshore (hereinafter referred to as the "lakeshore") in accordance with the provisions of this Act. The lakeshore shall comprise the area within the boundaries delineated on a map identified as "A Proposed Indiana Dunes National Lakeshore", dated July 1964, and bearing the number "LNPNE 1003 ID", which map is on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. In order to enhance the recreational benefits of this Act, the Secretary also is authorized to acquire such easements or other interests as he deems necessary to assure public access along the beach and waters of Lake Michigan continuously from the western boundary of the lakeshore in section 21, township 37 north, Indiana base, range 6 west, second principal Indiana meridian, to the easternmost point of intersection of the lakeshore boundary with the shoreline. The Indiana Dunes State Park may be acquired only with the consent of the State of Indiana, and the Secretary is hereby directed to negotiate with the State for the acquisition of said park. In exercising his authority to acquire property by exchange for the purposes of this Act, the Secretary may accept title to non-Federal property located within the area described in section 1 of this Act and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classified as suitable for exchange or other disposal. Properties so exchanged shall be approximately equal in fair market value, as determined by the Secretary who may, in his discretion, base his determination on an independent appraisal obtained by him: *Provided,* That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(b) The Secretary of the Interior is authorized to seek such cooperative arrangements with the State of Indiana, political subdivisions thereof, and property owners as are required to provide public access to segments of the Little Calumet River and the adjacent river banks between the lakeshore boundary and the east line of section 31 and the Secretary may acquire, other than by condemnation, such easements and other interests in lands or waters as he deems necessary to further the purposes of this subsection.

SEC. 3. As soon as practicable after the effective date of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area described in section 1 of this Act which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Indiana Dunes National Lakeshore by publication of notice thereof in the Federal Register. Following such establishment and subject to the limtiations and conditions prescribed in section 1 hereof, the Secretary may continue to acquire lands and interests in lands for the lakeshore.

SEC. 4. (a) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within the boundaries of the lakeshore for one year following the effective date of this Act. Thereafter such authority shall be suspended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act.

(b) The term "improved property", whenever used in this Act, shall mean a detached, one-family dwelling, construction of which was begun before October 21, 1963, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of the land so designated shall in every case be not more than three acres in area, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided,* That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters, as he may deem necessary for public access thereto.

SEC. 5. (a) As soon as practicable after enactment of this Act, the Secretary shall issue regulations specifying standards for approval by him of zoning ordinances for the purposes of sections 4 and 6 of this Act. The Secretary may issue amended regulations specifying standards for approval by him of zoning ordinances whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions. The Secretary shall approve any zoning ordinance and any amendment to any approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of such ordinance or amendment by the zoning agency. Such approval shall not be withdrawn or revoked, by issuance of any amended regulations after the date of such approval, for so long as such ordinance or amendment remains in effect as approved.

(b) The standards specified in such regulations and amended regulations for approval of any zoning ordinance or zoning ordinance amendment shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property covered by the ordinance within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area covered by the ordinance within the lakeshore by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning ordinance consistent with the laws of the State of Indiana.

(c) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the lakeshore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

(d) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under or exception to such zoning ordinance, or is subjected to any use, which variance, exception, or use fails to conform to or is inconsistent with any applicable standard contained in regulations issued pursuant to this section and in effect at the time of passage of such ordinance, the Secretary may, in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation.

(e) The Secretary shall furnish to any party in interest requesting the same a certificate indicating, with respect to any property located within the lakeshore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with provisions of this Act, that such authority has been so suspended and the reasons therefor.

SEC. 6. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of acquisition by the Secretary. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

(b) The Secretary shall have authority to terminate any right of use and occupancy retained as provided in subsection (a) of this section at any time after the date upon which any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with the applicable standards contained in regulations issued pursuant to section 5 of this Act and which is in effect on said date: *Provided*, That no use which is in conformity with the provisions of a zoning ordinance approved in accordance with said section 5 and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event the Secretary terminates a right of use and occupancy under this subsection, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.

SEC. 7. (a) In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) In order that the lakeshore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic condition now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features within the lakeshore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further*, That the Secretary may develop for appropriate public uses such portions of the lakeshore as he deems especially adaptable for such uses.

SEC. 8. (a) There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate ten years after the date of establishment of the national lakeshore pursuant to this Act.

(b) The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows: (1) one member who is a year-round resident of Porter County to be appointed from recommendations made by the commissioners of such county; (2) one member who is a year-round resident of the town of Beverly Shores to be appointed from the recommendations made by the board of trustees of such town; (3) one member who is a year-round resident of the towns of Porter, Dune Acres, Portage, Pines, Chesterton, Ogden Dunes, or the village of Tremont, such member to be appointed from recommendations made by the boards of trustees or the trustee of the affected town or township; (4) one member who is a year-round resident of the city of Michigan City to be appointed from recommendations made by such city; (5) two members to be appointed from recommendations made by the Governor of the State of Indiana; and (6) one member to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 4, 5, and 6 of this Act.

SEC. 9. Nothing in this Act shall deprive any State or political subdivision thereof of its civil and criminal jurisdiction over the lands within this lakeshore, or of its right to tax persons, corporations, franchises, or other non-Federal property on the lands included in such lakeshore.

SEC. 10. There is hereby authorized to be appropriated no more than $23,000,000 for the acquisition of land and interests in land pursuant to this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Is there objection? The Chair hears none; and it is so ordered.

Mr. BIBLE. Mr. President, on February 8, 1965, the President of the United States transmitted to the Congress "A Message on Natural Beauty of Our Country."

Among other things he said "Our present system of parks, seashores, and recreation areas—monuments to the dedication and labor of farsighted men—do not meet the needs of a growing population.

"The full funding of the Land and Water Conservation Fund will be an important step in making this a Parks-for-America decade. I propose to use this fund to acquire lands needed to establish—

Assateague Island National Seashore, Md.-Va.

Tocks Island National Recreation Area, N.J.-Pa.

Cape Lookout National Seashore, N.C.

Sleeping Bear Dunes National Lakeshore, Mich.

Indiana Dunes National Lakeshore, Ind.

Oregon Dunes National Seashore, Oreg.

Great Basin National Park, Nev.

Guadalupe Mountains National Park, Tex.

Spruce Knob, Seneca Rocks National Recreation Area, W. Va.

Bighorn Canyon National Recreation Area, Mont.-Wyo.

Flaming Gorge National Recreation Area, Utah-Wyo.

Whiskeytown-Shasta-Trinity National Recreation Area, Calif.

As of today, the Parks and Recreation Subcommmittee has held hearings or inspected seven of the proposals and have reported three of them to the floor of the Senate.

The Bighorn Canyon National Recreation Area and the Assateague Island National Seashore bill have passed this body, and I am pleased to present the legislation to authorize the Indiana Dunes National Lakeshore. A similar measure, S. 2249, of the 88th Congress was passed by the Senate on September 29, 1964, but no action was taken in the House.

The Interior and Insular Affairs Committee has had this proposal under consideration for a good many years. The members have visited the area, discussed it with local affected citizens and have heard voluminous testimony both for and against its merits. There was no doubt in the minds of the committee that the people of this rapidly expanding area vitally need public recreation facilities. There was a question, however, as to how far the Park Service should be permitted to go in acquiring properties not contiguous to the primary area. This matter is discused in the minority views which are a part of the committee report.

In reporting and recommending this bill to the full Senate I would like to take this opportunity to offer my congratulations to my colleagues Senator DOUGLAS, of Illinois, and Senators HARTKE and BAYH for their sincere and conscientious efforts to secure enactment of S. 360.

Mr. DOUGLAS. Mr. President, in this 8th year of the final effort to save the Indiana Dunes, I am delighted to see this bill before the Senate with a strongly favorable recommendation from the Committee on Interior and Insular Affairs. In my first speech to the Senate 7 years ago pleading for congressional rescue of the remaining unspoiled portions of the Indiana Dunes, I frankly admitted that the bill I introduced that day was not a foresighted effort to ask for future protection for the dunes. It was, rather, a last-ditch plea for help in preserving for all the people what little was left of this priceless gift of nature. Indeed, the first national call for the preservation of the dunes was made nearly 50 years ago by the great first Director of the National Park Service, Stephen T. Mather. As we all know, his foresight fell victim to the distractions, irresponsibilities, and international burdens of the last half century. And so we are now left with only portions of this once extensive resource.

The fight to save the Indiana Dunes has been a classic illustration of the problems we face as a Nation in trying to rescue for the generations to come some measure of space, some moments of quiet, and some scenes of beauty. This is true not only because of the dunes' great beauty and scientific values, but because they are truly one of the last remaining natural areas close to a huge center of population. The bill before the Senate today offers us an unequaled opportunity to establish a beauftiful and scientifically valuable park in the midst of a heavily populated area now severely deficient in recreational spaces. It would be an urgent matter to preserve the Indiana Dunes even if they were located far from the centers of population. But their location in the very heart of the great band of metropolises rimming south Lake Michigan makes the dunes an almost unbelievably munificent gift of nature.

Except for two technical changes recommended by the Department of the Interior, the bill now before the Senate is identical with the bill S. 2249 as passed by the Senate on September 30, 1964. It will provide a national lakeshore park of approximately 11,292 acres of land and approximately 11 miles of shoreline. These figures include the 2,182 acres and about 3 miles of shoreline of the Indiana Dunes State Park.

While I believe there now exists no doubt on this score, let me say again, as I have repeatedly said and as has been said by the other sponsors, the bill contains ironclad assurances that the Indiana Dunes State Park may be acquired by the National Park Service only with the consent of the State of Indiana. It is absolutely clear that the area of the State park would become a part of the national lakeshore only if the State of Indiana so desires. It has been our expectation from the very beginning that the national lakeshore and the Indiana Dunes State Park would be developed and operated cooperatively by the National Park Service and the State of Indiana Conservation Department, respectively. Indeed, it is often overlooked that one of the principal arguments for creating the national lakeshore is to permit the establishment of areas for mass recreation outside the State park and so permit the preservation of the magnificent dunes and other scientific areas within the State park. As the State conservation director pointed out in the 1964 hearings, without a national park the population pressures on the State park will be so great within a few years that it is very likely the entire State park would have to be used for mass recreation purposes and so force destruction of the unique dunes areas which the State conservation department has very properly fought to preserve.

While it is understandable why people would envision a "dunes" national park to simply have beaches and sandy areas on which to play, I hope it is now clear that we are trying to preserve much more than this in the national lakeshore. Unlike the other dunes areas on the Great Lakes and on the seashores, the Indiana dunes is an area of living dunes and their successors which shows the full range of the development of plant and animal life, along with their relationships to their surroundings. In fact, of course, the science of ecolgy was founded in the Indiana dunes because of their remarkable laboratory qualities. Therefore, we are not attempting to save merely the beaches, but also areas which show the progression of life from the bare sand at the water's edge to the small plants, larger plants, the conifers and then the hardwood forests.

In addition the park would include wetlands and lake units located several miles inland which are wildlife sanctuaries and natural preserves used intensively by schoolchildren in their natural science classes. The values of the Indiana dunes are well-documented and understood by Members of the Senate, so let me push on to a central question which has concerned members of the Interior Committee.

Three members of the minority on the Interior Committee have filed minority views on S. 360. I welcome these minority views because they serve to emphasize an important question which the Congress now faces and will face increasingly in conservation matters. The heart of the comments made by the three Senators is an objection to the establishment of a national park which contains noncontiguous tracts of land and which resembles, therefore, what they call a patchwork. The history of this legislation shows very well that while we may like to have neat solutions to our problems and symmetrical appearing national parks, that may no longer be possible. The original bills introduced to rescue the principal unspoiled portions of the dunes would have created a compact and contiguous park. I do not mean to be critical of anyone but merely to point out the facts when I say that it is because of the years of delay and compromises which were forced on us by the ever-increasing industrial encroachments upon the dunes, and the acquiescence of the Congress in them, that we now have to settle for portions of the whole which we once could have saved.

The three members of the minority object to what they call the crazy quilt appearance of the map of the national lakeshore. It is indeed unfortunate that we could not preserve the central and best portion of the dunes which the first bill would have preserved but the compromise which was forced upon us by congressional reluctance to act is the cause of the crazy quilt. This is not a matter of intention but of necessity.

There may also be some misunderstanding that there is an intent to connect all of the interior areas of the park with foot trails for hikers. This is not so. The wetland areas are too far apart for this and it is my understanding that the National Park Service would provide for access from the highways. Therefore, there need not be undue concern about excessive costs involved in creating bridges for hikers and facilities of that sort.

It is all very well to suggest that the State of Indiana ought to assume responsibility for acquiring anything not joined to the main body of the park, but they have not done so and therefore I think it is preferable to abide by the compromise plan developed at the direction of the late President Kennedy. I also point out that, contrary to the fear expressed in the minority views, the inclusion of the interior areas of the park does not set a precedent for taking the "best part of a landowner's holdings and leaving him with only the scraps." The fact is that the interior wetland areas are not the best of anyone's property but property of little value except for nature trails, hiking, and so on.

I am pleased to note that the comments of the three members of the minority do not appear to object to the inclusion in the national lakeshore of the western section of the park, an area of about a thousand acres mostly owned by the Inland Steel Co. Senators know, I am sure, that the opposition of this steel company to the national lakeshore is virtually the only major opposition to the park. The hearings of the Senate committee contain detailed discussions of this matter, but I should like the record to be clear. The opposition of the Inland Steel Co. apparently is based on two main points: First, they allege these areas are unsuitable for inclusion in a national park chiefly because they are noncontiguous to the central and larger area of the lakeshore; and, second, they allege the boundaries of the park approved last year by the committee in the Senate somehow intentionally discriminated against the Inland Steel Co.

As has been pointed out time and again by the major conservation organizations, the National Park Service, and the sponsors of the bill, the purpose of the Indiana Dunes National Lakeshore is not only to preserve for public use a magnificent beach, but equally to preserve, in the words of the Senate committee report, "an unusual complex of exceptional sand dunes, numerous marshes, swamps and bogs, a greatly diversified flora and fauna, and an attractive white sand beach." The irreplaceable scientific values of these sections of the lakeshore are well recognized. Witnesses, including the Indiana director of conservation last year, have repeatedly stated that these natural areas cannot be preserved if they are subjected to the intensive tramping of the millions of people whose primary purpose in visiting the park is enjoyment of the beaches, picnicking facilities, and camping areas. This is precisely why the State park has not been further developed despite pressures to do so. The lakeshore must have, therefore, mass bathing beaches and supporting facilities isolated from the natural areas which make the dunes themselves so remarkable and valuable.

The western units of the lakeshore, therefore, are ideally suited for inclusion in the park. In fact, their lack of contiguity with the rest of the park is an advantage—not a disadvantage, but an advantage—and will help to preserve the few remaining areas of unspoiled dunes. These western units immediately adjoin the vast and heavily populated Gary-Chicago region of more than 6 million people. National Park Service witnesses have testified that more than 60,000 people in a single summer Sunday are expected to use the beach to be established here, and this undoubtedly will increase rapidly in just a few years. Such intensive usage will require many acres of automobile parking, picnicking, bathhouse, restaurant, and other facilities. As Congressman RAY MADDEN of Indiana testified, these recreational facilities will be intensely important to the people of the Gary-Michigan City, Ind., area as well as to the people of northern Illinois.

Mr. President, there had been some criticism of the inclusion of the western sections in the national lakeshore because, it was said, there were no longer any dunes there. Nothing could be further from the truth and I think that even the members of the minority who oppose the park will agree that the Inland Steel Co. property is a magnificent beach and contains very attractive and high dunes. Several members of the committee and I recently inspected the entire dunes area by helicopter, but landed on the western section and it was evident that this area of the dunes, which is completely undeveloped and for which the Inland Steel Co. has no plans for industrial use at the present time, is magnificently suited for mass bathing and other recreational use. The mile-long beach is excellent and the dunes along the shore have never been touched. While there has been sand mining in the interior, this will simply make it easier to establish the necessary parking and other user facilities without destroying more dunes.

With respect to the charges of discrimination against the Inland Steel Co. and favoritism toward Bethlehem and Midwest Steel, let the record be completely clear that there has been none of either. The compromise decision made by the Bureau of the Budget and the White House, represented in S. 2249 introduced by Senator JACKSON on October 21, 1963, was to exempt from the park the dunelands adjacent to the proposed Federal harbor on which the industrial developments were in progress. The new park boundaries were drawn to coincide with the section lines in existing developments. It is easily observed from an inspection of the park map that the Inland Steel Co. property itself is not contiguous to the harbor development. It is separated from the proposed harbor by the Midwest Steel Co. finishing mill, Burns Ditch, and the town of Ogden Dunes. It is fully 2½ miles from the proposed harbor site with all these named developments in between.

There is also some misunderstanding that this property contains a steel factory or other industry. It is completely undeveloped and the Inland Steel Co. is located further north in Lake County, Ind., where the State of Indiana has several times granted them portions of the public domain in Lake Michigan and permitted them to fill in the lake in order to build their industrial property adjacent to their existing plant. Additional portions of the lake were given to the company within the last few years and all their current development is taking place at that same site. The simple difference between the lands excluded from the park and the Inland property is that the former are adjacent to the proposed harbor and have factories on them, while the latter are separated from the harbor by industrial and residential development, are not developed and are vital to the establishment of the park.

May I also say that the Senate has already adjudged not decisive the argument against having noncontiguous units in a national park. Several national parks are already established with noncontiguous segments, as Director Hartzog pointed out in his testimony before the committee. Recently the Senate passed, on February 10, the bill to establish the Nez Perce National Historical Park which involves some 22 separate sites together with scenic easements around some of them. There is substantial evidence that as we establish more parks, particularly as we do so in the more populated areas of the country, we will be faced with the necessity of saving only parcels of whole which we once could have saved. We have no choice but to take what we can get.

The remaining criticism of the three members of the minority relates to the authority conferred on the Secretary in section 2(a) of the bill to acquire "such easements or other interests as he deems necessary to assure public access along the beach and waters of Lake Michigan" in the main body of the park. Originally the language here provided authority to acquire easements to assure public access "to" the beach and waters. When the complaint was raised by residents of Dune Acres which is repeated in the minority views, the language was amended to read "along" instead of "to."

In my opinion this makes it clear that the intent is simply to make sure that a hiker, for example, may walk along the beach of Dune Acres from the State park to the portion of the national park which is west of Dune Acres. The intention is not to provide easements from north to south, but only along the water's edge. Of course, since in most States the waters on a coastline are public domain an individual is entitled to walk in the water at the water's edge. It has been suggested that the reason for this language is to permit a park user to walk along the beach without getting the cuffs of his pants wet, since he probably would already have the right to walk in the water along the beach. We did consider, in fact, more specific formulas defining the "water's edge," but this fluctuates greatly according to the lake level. From Geological Survey maps, it appears that if the level of the lake should drop only 1 foot—a not uncommon change—the water's edge would recede 82 feet. We concluded that the clearest way to provide this access is the present language. In my opinion, as long as this intent is clear the property owners need have no worry that their rights are affected improperly.

So, Mr. President, S. 360, as reported is a good and fair bill. I regret that more of the Dunes could not be saved, but it is crucial to save those areas encompassed by the bill. I want to express appreciation to Senator JACKSON who introduced this bill on behalf of its 33 Senate sponsors and who, as chairman of the Interior Committee, exercised his considerable powers of leadership in behalf of the people of the Midwest and the country. Special thanks is due the distinguished Senator from Nevada, Senator BIBLE, for his courtesy and diligence in bringing the bill through consideration by the Subcommittee on Parks and Recreation which he so ably chairs.

The sustained interest and cooperation of all the sponsors, and in particular the Senators from Indiana, Senator BAYH and Senator HARTKE, brought about the general agreement on this bill which has permitted the Senate at last to act. They will agree, I am sure, that Indiana can be proud of the dedicated members and officers of the Save the Dunes Council—and particularly its president, Mrs. J. H. Buell, of Ogden Dunes—which, while it has a national membership is mainly a group of extremely able and self-sacrificing Hoosiers. The Save the Dunes Council kept alive, through extremely hard and able work, the hope of having the dunes.

To all these, along with all the great national conservation organizations, many newspapers, and many other individuals and groups, will come the gratitude of the generations to come. The gratitude may not be spoken, but it will be expressed in the quality of spirit of the people who will enjoy and be refreshed by the beauty and open space of the dunes, if only we now can get the House to act. So let me couple my request for Senate approval of S. 360 today with a plea for favorable House action as soon as possible.

Mr. BAYH. Mr. President, Senate consideration today of S. 360, a bill to create a national lakeshore in the area of the Indiana Dunes, was very gratifying to those of us from Indiana who seek to preserve the national heritage of our Lake Michigan shore. Passage by the Senate today of this important measure will be a great step forward in the age-old dream of conservationists, naturalists, and others who enjoy and appreciate the wonders of nature which have been created in the Indiana Dunes.

In the support of the creation of a natural lakeshore area in the Indiana Dunes, we give support to the conservation of a badly needed recreation area in the midst of one of America's fastest growing industrial areas. The millions of citizens of Indiana, Illinois, and Michigan need a place to relax as badly as they need a place to work. Support of this bill is a recognition of this responsibility to provide for the needed recreation area which has been left too often to the few people who have a particular interest in conservation.

I believe the Indiana Dunes has won the appreciation of millions of Americans from coast to coast who have seen the Dunes or heard of their wonders and joined in support of this bill. A great number of Senators from coast to coast who have joined in support of this measure give testimony to the widespread appreciation for the beauty of the Indiana Dunes. For a number of years the shoreline of Porter County, Ind., was the center of much controversy of the priority of land use in that area. Time and winds had created an area of unmatched physical beauty The choice location and attributes of the work force, the ideal industrial climate, and the availability of waterborne commerce combined to make the area a most sought after industrial location.

With the leadership of the late President Kennedy a compromise was developed which was agreeable to those who sought only industrialization and those who sought to preclude any industrial expansion on the lakefront. I know that those who support Indiana's public harbor at Burns Waterway are pleased that the Senate is able to move the lake bill forward. I know that the conservationists who have long sought for the creation of the National Lakeshore support legislation progress of the Burns Waterway Harbor. Attributed to the good faith of both sides was the appearance of representatives of Save-the-Dunes Council at a hearing on the Burns Waterway Harbor project where they testified that their Council has resolved support for the Kennedy compromise of both a park and a port.

I have always felt that we in Indiana have been faced with a controversy which confronted us with two great opportunities rather than with two irreconcilable problems. First, with the passage of the lakeshore bill today, we can provide recreational facilities unsurpassed for this area; secondly, with the passage of S. 360 we will provide harbor facilities which will bring Indiana much closer to the terminal facilities of ports across the world.

I want the RECORD to show clearly that I have felt from the beginning that it was ridiculous to say that we could not have both. We can have the great facilities of the park and at the same time we can give to Indiana merchants, farmers, and manufacturers the benefit of foreign markets at advantageous transportation rates. I urge my colleagues to support this bill.

Within the area of the close lakeshore there are a number of people who will be making a significant sacrifice for the public good. We have tried everything we could in the legislation to provide safeguards for the property owners.

I would like to restate at this time a statement that I have made previously in the hearings and on the floor which expresses my concern over certain administrative decisions which can affect the property owners in this area.

I would also like to make the record very clear that I am concerned about several problems which I believe cannot be dealt with in this legislation but which would require the careful attention of the Secretary of the Interior when administration of this park and its acquisition begins.

The first is the problem that is caused by the taking of a large amount of land off the tax rolls in the community of Beverly Shores. It would appear that approximately 60 percent of the taxable property in the town of Beverly Shores would be lost from that corporation for tax purposes. Since the property tax is the principal source of revenue for this community, this would cause either a great reduction in municipal services or a tremendous increase in the tax rate of the community. Both seem to be undesirable. I believe that the administrator of the Park Service can work out some equitable arrangements on the division of community responsibility which will allow for continued municipal services without an increased tax rate. Certain municipal services which account for a major share of expenditures of this community are for services which will accrue benefits to the Park Service. I am hopeful that the Director of the Park Service will be able to negotiate for continuation of these services as warranted by the park and as needed by the residents of the community. Maintenance of roads and providing adequate police and fire protection seem to be matters in which the National Park Service has as great an interest as the residents of the community. If the Park Service can provide either a certain amount of these services or contract for providing these services by the town corporation, the municipal services can be maintained without increasing the tax burden on the community.

The town of Beverly Shores is the community which is most adversely affected by this problem of removing land from the tax base. I am confident that the industrial impact and the increased attractiveness of this area because of the building of this park and the building of an industrial complex will create significant new tax revenues for these tax units. The benefits which will accrue to the local tax units from other improvements will in a very short period of time prove to be much greater than the loss which is to be suffered by the taking of this park land.

There are several plans for school reorganization currently existing in the area. Under the present circumstances, the town of Beverly Shores, again, is the school corporation most adversely affected by this problem. It would appear, however, that impacted-area aid would be available to this corporation if it should continue in its present form. There is likelihood that local school reorganization may result in the creation of larger school-tax units. In this eventuality, the new tax units would probably not qualify for Federal assistance. There is also a likelihood that this larger taxing unit will not include the tremendously improved industrial areas to the west which would provide an adequate new tax base. This could be quite a serious problem and one which we must wait to see what develops in the local school reorganization plans before any logical action can be taken by the Congress or by the Park Service.

I want also, Mr. President, to express my concern over the possibility that the individual citizens will be adversely affected by the freeze on real estate transaction which will occur with the enactment of this particular lakeshore. While it is true that titles to these lands will remain negotiable, I think it is safe to assume that there will be very little demand for unimproved property in this area, and there is a possibility that there will be limited demand for the improved property.

I know that the Park Service has every intention of purchasing improved and unimproved property whenever a legitimate offer of sale is made. I know that their experience has shown that this is genuinely feasible in most of their acquisition problems. I want to go on record, however, Mr. President, suggesting that in their appropriation request they provide generously for the possibility that many landowners want to sell to the Park Service immediately. There are, of course, emergency cases, and there are those who will genuinely object to living in a national park area. I believe the Park Service should try as far as possible to provide in their appropriation request adequate reserve to take care of these transactions as well as those normal buying patterns which are planned into their acquisition program.

This is a very vital issue to my State and one over which I am very deeply concerned. I ask consideration of the recommendations which I have suggested. They are completely consistent with the aims of the bill and serve only to perfect and increase the benefit of the park either to the user or to the people in the area. I do not think any of these recommendations I have made detract in any way from the desirability of the lakeshore as a recreation or conservation area, but will serve to improve the acceptability and the desirability of the park area.

Mr. HARTKE. Mr. President, it is gratifying to me that the Interior Committee has favorably reported S. 360, the bill to establish the Dunes National Lakeshore. I trust that the Senate will confirm their good judgment by voting to pass the bill.

Generally speaking, the present bill adopts a course which I have supported in past sessions from the beginning of my efforts to aid in the securing of such a national resource. The basic problems as to the conflict between those whose primary concern was preservation of the dunes along the lakeshore and those whose concern was the commercial development of the contiguous areas have now been overcome, perhaps not to the complete satisfaction of everyone but to the point where their is basic agreement. The boundaries delineated in the bill have been most carefully worked over, with careful consideration of the rights and interests of the various parties who will be affected. It has taken 7 years of effort since initiation of the proposal in the Congress, and now we are close to preserving all that we can of an irreplaceable natural resource.

As a cosponsor of the bill, and as one who has been intimately involved with the problem over the years, I am pleased with the prospect that we may now achieve its passage.

Mr. COOPER. Mr. President, in the closing days of the 88th Congress, when a bill to establish the Indiana Dunes National Lakeshore passed the Senate, I was glad to speak in support of it. Today, as the Senate prepares to vote on S. 360, which I have cosponsored in this Congress and which would establish in somewhat different form than last year, the Indiana Dunes National Lakeshore, I want to express again my support for this important conservation legislation.

The State of Indiana is a close neighbor of my own State of Kentucky, and her people have shared many experiences with ours. This 25-mile area along Lake Michigan is one of unusual beauty, and along with other areas of striking natural beauty, ought to be preserved for the people of our entire country. This lakeshore should be conserved as a national benefit and to provide recreational and educational opportunities for this generation and for future generations of Americans.

We have seen that the need for public works of many types and the desire to increase our industrial and economic facilities often threaten to use up remaining areas of natural beauty across our Nation. These needs and this economic expansion are particularly seen in the eastern part of the United States, where there are not many such areas left, so we must act now to preserve unique areas like the dunes.

In Kentucky, which is an inland and land-locked State, there has been much interest in preserving the dunes and in the continuing leadership and efforts of the distinguished senior Senator from Illinois [Mr. DOUGLAS] to do so. We do not border on any great bodies of water, as does Indiana, but we know the importance of saving natural wonders like our forests and streams, and our areas of particular natural beauty. The dunes and this shoreline in Indiana must be preserved as a national asset for the millions of people of this country to enjoy now and in the future, and I hope this bill will become law soon.

Mr. SIMPSON. Mr. President, I ask unanimous consent to have printed in the RECORD the minority views on S. 360, as published in the report.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MINORITY VIEWS ON S. 360

Although we are conscious of the ever-increasing need for outdoor recreation facilities, and we recognize the wisdom of acquiring suitable lands at an early date, we feel compelled to oppose this bill because of the inclusion of certain noncontiguous tracts of marshy land. These noncontiguous tracts are not only unrelated to the main body of the prposed national lakeshore geographically, but are also unrelated insofar as proposed development and utilization are concerned. Our further concern is that the patchwork taking authorized by this bill may later be used as a precedent to take the best part of a landowner's holdings and leave him with only the scraps. It is our belief that the many problems of administration that are present without the inclusion of these noncontiguous tracts are simply compounded by their inclusion, and this is amplified by the fact that they are located many miles from the main body of the national lakeshore. The map of this proposed national lakeshore has the appearance of a crazy quilt.

If it is desirable to preserve these unrelated noncontiguous tracts in their present condition, the State of Indiana should take the initiative. As in the case of Cape Cod, Point Reyes, Padre Island, and others, we recognize the desirability of setting aside these areas under equitable principles to insure their preservation for the enjoyment of future generations, but it is not necessary to join unrelated tracts and to assume functions that the State rightfully ought to assume.

The Secretary of Interior is authorized under the provisions of this bill to acquire by condemnation procedings privately ownd lands or an easemnt across privately owned lands which are outside of the proposed lakeshore boundaries. An attempt to correct this by amending section 2(a) of the bill was unfortunately defeated by the committee. The lakeshore landowners in the town of Dune Acres, which is outside the lakeshore area, have no way of knowing how much of their property may be subject to condemnation proceedings instigated by the Secretary of Interior. The bill merely states that the Secretary may acquire an interest in lands "along the beach and waters of Lake Michigan."

What is the beach? How far back from the water's edge can the Secretary condemn land? Some protection needs to be given these landowners.

Because these questions remain unanswered, and because we oppose the inclusion of the disconnected tracts of land, we are compelled to vote against this bill.

MILWARD L. SIMPSON,
U.S. Senator.
PAUL J. FANNIN,
U.S. Senator.
GORDON ALLOTT,
U.S. Senator.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill was passed.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BYRD of West Virginia. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 334), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Indiana dunes, lying along the southern shore of Lake Michigan, once comprised a 25-mile strip of uninhabited, tree-covered dunes, cattail marshes, and sandy beaches, stretching continuously from East Chicago to Michigan City. In 1916 Stephen Mather, first Director of the National Park Service, recommended the area for a national park. Thereafter industrial and residential development occurred and substantially reduced the available area to such a size that immediate action is necessary if anything other than the Indiana State park is to be preserved for the use of the public.

The remaining Indiana Dunes region is an unusual complex of exceptional sand dunes, numerous marshes, swamps and bogs, a greatly diversified flora and fauna, and an attractive white sand beach. The sand dunes rise to heights of 200 feet in a series of ridges and valleys, simulating miniature mountain ranges. Because there are over 1,000 different flowering plants and ferns found in the dunes, a meeting ground for northern and southern species, botanists and biologists consider the Indiana dunes area to be an outstanding scientific laboratory.

The Indiana dunes area is also ideally suited for outdoor recreation. Nowhere on the Great Lakes are water, waterfront, and hinterland more favorably combined for recreational use of millions. Swimming, sunbathing, hiking, picnicking, camping, photography, nature study, fishing, and other such uses can all be enjoyed at the dunes.

The 11,292 acres to be acquired include the 2,181-acre Indiana Dunes State Park (park may be acquired only with consent of State of Indiana). It also includes 750 acres of undeveloped property owned by the Inland Steel Co., and 1,316 acres of other noncontiguous areas in five parcels.

The value of property within the proposed boundary is approximately $23 million. However, the acquisition cost could be less because residential improved property will continue to be exempt from acquisition by condemnation if approved zoning is in effect. The Secretary may also permit continuance of commercial or industrial uses if they are not incompatible. Under these circumstances, there is no way of foretelling the amount or value of properties that will be exempt from acquisition.

The Secretary's authority of condemnation shall be suspended for 1 year with respect to all improved properties. Thereafter, his authority is suspended to all improved property only if conformance to a zoning ordinance is adhered to by an owner. "Improved properties" as used means a one-family dwelling, construction of which was begun before April 20, 1961, together with only so much of the land on which the dwelling is situated. The amount of land so designated by the Secretary shall not be more than 3 acres in area, and in making such determination the Secretary will consider the customary use of the dwelling and land.

Any owner or owners of improved property on the date of acquisition by the Secretary may retain the right of use and occupancy for noncommercial purposes for a term of 25 years, or for a lesser time if the owner or owners elect.

An Indiana Dunes National Lakeshore Advisory Commission shall be established, but will terminate 10 years after date of establishment. Commission shall be composed of seven members.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1966

The Senate resumed consideration of the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

Mr. BYRD of Virginia. Continuing to read from the April 21 article:

Efforts for welfare reform should be "redoubled so the Mary Etheredges of the future will find help, not death," Rauh said.

In a separate development, David Carliner, chairman of the National Capital Area Civil Liberties Union, met with District Commissioner John B. Duncan to discuss the union's welfare proposals. Further meetings are planned with Duncan and Welfare Director Donald D. Brewer.

The union wants to assure the right of a father to visit his children without jeopardizing relief payments and to require a hearing before payments can be canceled.

Mr. President, the father has that right at the present time. He is encouraged to visit. The fact is, he is encouraged to come back home and assume the responsibilities of taking care of his family.

Mr. President, I ask unanimous consent to have this article, from which I have just read, printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post,
Apr. 21, 1965]

Young Mother Called Victim of Welfare Indifference: 300 at Funeral for Mary Etheredge

(By Helen Dewar)

More than 300 mourners, including clergymen of many faiths, gathered yesterday for the funeral of Mary Etheredge, a young mother who bore "more than her fair share" of poverty's miseries.

During the service at Bible Way Church, 1130 New Jersey Avenue NW., four of her five small children struggled bravely—but often unsuccessfully—to choke back tears. Adult relatives and friends wept more freely.

Mrs. Etheredge died last Wednesday in the mental ward of District of Columbia General Hospital after several days of searching fruitlessly for help for her homeless family. An autopsy indicated she died of a blood clot in the lungs.

But the cause went deeper, said Bishop Smallwood E. Williams in eulogizing the 27-year-old member of his congregation.

"Somehow we feel she died of a broken heart, because of a broken home, a broken family."

CHILDREN'S FATE UNSURE

After the simple service Mrs. Etheredge was buried at Harmony Memorial Cemetery; her children were returned to Junior Village to await a decision on their placement, possibly with a grandmother in North Carolina.

Sitting at Bishop Williams' side during the funeral service were about a dozen leaders of the new District of Columbia Coalition of Conscience, a group of clergymen, civil rights leaders, and social workers who are fighting for an improved welfare system in the District.

Among them was Sister Mary Leo of Notre Dame Convent, who befriended the Etheredges after finding them 2 weeks ago wandering aimlessly and in despair outside the Women's Bureau where they had spent one night, sleeping in a corridor.

In his eulogy, Bishop Williams blamed congressional "expediencies * * * inaction and indifference" in part for Mrs. Etheredge's death. He singled out particularly Senator Robert C. Byrd, Democrat, of West Virginia, who, as chairman of the District Committee's Appropriations Subcommittee, has repeatedly blocked expansion of the city's welfare program to include children of unemployed parents living at home. Senator Byrd, the Bishop said, "must bear a large share of the guilt."

But the guilt, he said, must be shared by Congress, as well as the District Welfare Department.

"All political excesses, expediencies and economy cannot justify this tragedy, members of the Senate District Subcommittee, who by their inaction and indifference, acquiesced with Senator Byrd, are guilty also.

The so-called man in the house rule must go. We do not condone immorality, but is it not also immoral, unjust, unfair, and inhuman to deny aid to dependent children and mothers when the husband is unemployed, residing in the home with them?"

Mrs. Etheredge's husband Joseph, his face taut and his eyes clouded, sat slightly bowed during the service.

The Etheredges had separated several times after they came to Washington from High Point, N.C., in 1960. Each time they were reunited, the welfare payments stopped; life got increasingly more difficult. During the last few months, Mrs. Etheredge lived mainly with friends from the church, who often gave money and food as well as shelter.

REFORMS URGED

Telegrams expressing sympathy and urging welfare reforms were received from J. C. Turner, or the Central Labor Council, Joseph L. Rauh, of the Democratic Central Committee, and members of Local 473 of the Cafeteria and Restaurant Union.

Efforts for welfare reforms should be "redoubled so the Mary Etheredges of the future will find help, not death," Rauh said.

In a separate development, David Carliner, chairman of the National Capital Area Civil Liberties Union, met with District Commissioner John B. Duncan to discuss the union's welfare proposals. Further meetings are planned with Duncan and Welfare Director Donald D. Brewer.

The union wants to assure the right of a father to visit his children without jeopardizing relief payments and to require a hearing before payments can be canceled.

Mr. BYRD of West Virginia. Mr. President, the next article was published in the Washington Post for April 22. The headline reads: "Rallies, Marches to Press District of Columbia Welfare Reforms."

I read excerpts therefrom:

A series of demonstrations for reform of Washington's welfare system, including picketing the District Building and marching on the Capitol, was announced yesterday.

The sponsors are about 35 organizations, churches, and individuals who have banded together as the "District of Columbia Coalition of Conscience" to crusade for welfare reforms in the District.

At a press conference at the New Bethel Baptist Church, 812 S Street NW., the Reverend Walter E. Fauntroy, the group's chairman, announced these immediate steps:

A picket line around the District Building, 14th and E Streets NW., starting next Monday and continuing through Thursday, from noon to 4:30 p.m. each day.

An assembly at Lafayette Park at 2 p.m., Friday, followed by a march to the District Building, where the Board of Commissioners will be asked to convey the group's reform program to congressional leaders.

A rally on Sunday, May 2, at Lincoln Park, followed by a protest march around the Senate Office Buildings—a target because of the Senate District Appropriations Subcommittee's opposition to changes the group seeks.

(Police regulations forbid demonstrations on the Capitol Grounds. Mr. Fauntroy declined comment on whether the rules will be challenged.)

A sustained "citizens' lobby" to attend congressional hearings, visit Congressmen and Senators, and conduct weekly report sessions on their activities.

RALLY PLANNED SUNDAY

Mr. Fauntroy indicated other steps, such as an appeal to the White House, might follow if these steps fail.

"We have determined together to press for the resolution of these critical needs through every peaceful means of protest available to a voteless people," he said. "We fully intend to sustain this petition as a community until our just grievances have found full redress."

In addition, a fund will be started for the five small children of Mary Etheredge, the 27-year-old mother who died of a blood clot in the mental ward of D.C. General Hospital after days of roaming the city in search of shelter and aid.

Mr. President, I ask unanimous consent to have this article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post,
Apr. 22, 1965]

Rallies, Marches To Press District of Columbia Welfare Reforms

(By Helen Dewar)

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"We have determined together to press for the resolution of these critical needs through every peaceful means of protest available to a voteless people," he said. "We fully intend to sustain this petition as a community until our just grievances have found full redress."

The coalition program calls for expanded aid to dependent children to families of unemployed parents, increased public assistance grants, fewer welfare staff investigators, a stronger foster care program, extended day care service, and improved emergency aid.

Kicking off the campaign will be a "Citizens Rally on the Welfare Crisis" at 4 p.m. Sunday at the Vermont Avenue Baptist Church, 1630 Vermont Avenue NW. The demonstration plans will be submitted for approval at the rally and individuals with welfare grievances will tell their stories.

ETHEREDGE FUND ASKED

In addition, a fund will be started for the five small children of Mary Etheredge, the 27-year-old mother who died of a blood clot in the mental ward at D.C. General Hospital after days of roaming the city in search of shelter and aid.

The children are returning with Mrs. Etheredge's mother to High Point, N.C., where they will live.

The Etheredge case served to reactivate the coalition, whose nucleus of civil rights groups had organized the Alabama protest demonstrations here last month. The original group has nearly doubled in size and includes social welfare agencies and other community groups.

In a separate statement, the Most Reverend Patrick A. O'Boyle, Catholic archbishop of Washington, endorsed such efforts and said "society" is to blame "because it has been too busy with other things to concern itself with the tragedy of the welfare problem, which lies like an abandoned waif on its doorstep."

Mr. BYRD of West Virginia. On April 26, the Washington Evening Star published the story entitled "Coalition Plans Battle for Welfare Changes."

Mr. President, I read excerpts therefrom:

> A solemn group of adults yesterday endorsed a program of "creative tension" which it hopes will force Congress to make specific changes in the District's public welfare system.
>
> The program will consist of picketing, rallies, protest marches, and vigorous lobbying on Capitol Hill, the Rev. Walter Fauntroy, chairman of the District of Columbia Coalition of Conscience, told a mass meeting at Vermont Avenue Baptist Church, 1630 Vermont Avenue NW.
>
> An interacial audience of an estimated 750 persons heard Mr. Fauntroy, pastor of the New Bethel Baptist Church, describe the assembly as a declaration of "war on our inadequate welfare system."
>
> He said the Coalition of Conscience, a newly organized group, demanded that the District welfare program be changed—

Mr. President, he was not kidding when he said demanded—

> to provide aid to dependent children of unemployed parents, increased welfare allowances for food and housing, more social workers and less special investigators in the Welfare Department—

Mr. President, the Coalition does not wish investigators in the Welfare Department.

> The Coalition's program of creative tension begins with picketing of the District Building at noon today. The picketing will continue until Thursday for 4 hours daily.
>
> On Friday there will be a mass meeting in Lafayette Park at 4 p.m. and the crowd will march from there to the District Building to confront the District Commissioners.
>
> On Sunday, May 2, a mass meeting in Lincoln Park at 3 p.m. will be climaxed by a march to the Senate Office Building.
>
> A citizens' lobby will be organized tonight, Mr. Fauntroy said, "to attend congressional hearings and visit Congressmen and demand to know why they don't vote favorably on our demands."
>
> The death earlier this month of Mrs. Mary Etheredge, mother of five, was the catalyst for yesterday's rally.
>
> Senator Robert Byrd, chairman of the District Appropriations Subcommittee, came in for criticism as the man responsible for the Welfare Department's controversial man-in-the-house rule.

Mr. President, the man-in-the-house rule is poorly designated as such.

It is more properly denominated the "substitute parent" rule. But it is said that I am the man responsible for the rule.

Robert C. Byrd had nothing to do with the inauguration of this rule. It was first put into effect on December 20, 1954, 5 years before I became a Member of the Senate, and 7 years before I became chairman of the Subcommittee on District of Columbia Appropriations. I have, however, supported enforcement of the rule.

The coalition promised a program of creative tension in order to have its way. To some extent, it has been successful in bringing about this atmosphere of creative tension. The rallies were held, the pickets marched, the demonstrations proceeded, the gray coffin was carried at the head of the procession, and Members of the Senate have been contacted by letter and through personal visits, in an effort to rally support for this program, which over a period of 3 consecutive years has failed to receive the approval of Congress.

Creative tension is the order of the day. I have been the subject of it. I have had one or two Senators say to me, "I have so much pressure on me that I am not so sure that I can go along this year."

Not enough creative tension in the universe can be brought to bear upon me to make me change my position as long as I believe I am right in that position. That is precisely where I stand today, and that is where I have stood for 4 years.

I was told that this group would picket my house. I do not know why the plans fell through. However, it would not have made one scintilla of difference insofar as my position is concerned, as I told the Reverend Mr. Fauntroy at the Senate subcommittee hearing that they could demonstrate, they could walk in, sit in, wade in, lie in, march—do anything they wanted to do—but I would not knuckle under to them. There are some people who knuckle under to this creative tension. I simply will not now or ever do so.

They might as well apply creative tension to the Washington Monument, as far as results are concerned.

I have gone into this subject. I have spent many hours, days, and weeks in considering this item over the years.

I have reached a considered conclusion that it is unjustified and undesirable in the District of Columbia at this time. The coalition can continue, so far as I am concerned, in its program of creating tension, if it is unsuccessful this year.

I must be shown by the facts, as adduced in the hearings and as adduced from those who are responsible for administering the program.

Undoubtedly, there are some very fine, upstanding citizens who belong to the Coalition of Conscience. However, I answer to my own conscience, not to the conscience of a self-appointed group.

Mr. President, it is a sinister thing that we should come to this state of affairs in this country, when demonstrations, picketing, marches, sit-ins, wade-ins, lie-ins, lie-downs, and other acts of civil disobedience and willful violations of law break the backs and the wills of men and women in legislative bodies.

The coalition sought to use this approach in this instance in connection with an item which constitutes one one-thousandth of the total amount of money we are appropriating in the bill today.

Yes, the casual observer, as I have said, can read the newspapers and pretty well determine the calendar of Senate hearings on the District budget.

I ask unanimous consent to include in the Congressional Record the entire article from which I have read.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, Apr. 26, 1965]

Coalition Plans Battle For Welfare Changes

(By Clarence Hunter)

A solemn group of adults yesterday endorsed a program of "creative tension" which it hopes will force Congress to make specific changes in the District's public welfare system.

The program will consist of picketing, rallies, protest marches, and vigorous lobbying on Capitol Hill, the Reverend Walter Fauntroy, chairman of the District of Columbia Coalition of Concience, told a mass meeting at Vermont Avenue Baptist Church, 1630 Vermont Avenue, NW.

An interracial audience of an estimated 750 persons heard Mr. Fauntroy, pastor of the New Bethel Baptist Church, describe the assembly as a declaration of "war on our inadequate welfare system."

SEVERE HEADACHE

"There are citizens in our Nation's Capital who have a severe headache and we are here to demand stronger sedation to relieve the pain they are suffering," Mr. Fauntroy said.

He continued: "There are hundreds of people in this city whose heads throb daily with the despair of fruitless search for jobs that our economy has not yet provided; whose heads throb with hunger for food their welfare grants are not sufficient to buy; whose heads throb daily with the threat or the actual pain of being set out in the streets because they can't pay their rent."

He said the Coalition of Conscience, a newly organized group, demanded that the District welfare program be changed to provide aid to dependent children of unemployed parents, increased welfare allowances for food and housing, more social workers and less special investigators in the Welfare Department, a strengthened foster care program, an extended day care program, and emergency funds to be more immediately available to families in distress.

PICKETING TODAY

The Coalition's program of creative tension begins with picketing of the District Building at noon today. The picketing will continue until Thursday for 4 hours daily.

On Friday there will be a mass meeting in Lafayette Park at 4 p.m. and the crowd will march from there to the District Building to confront the District Commissioners.

On Sunday, May 2, a mass meeting in Lincoln Park at 3 p.m. will be climaxed by a march to the Senate Office Building.

A citizens lobby will be organized tonight, Mr. Fauntry said, "to attend congressional hearings and visit Congressmen and demand to know why they don't vote favorably on our demands."

The death earlier this month of Mrs. Mary Etheredge, mother of five, was the catalyst for yesterday's rally. She died in the psychiatric ward of the District of Columbia General Hospital of what the District coroner said was a blood clot in the lungs.

She was committed to the hospital for mental observation after she had wandered about Washington streets looking for shelter for her children.

A gray casket was in the church pulpit throughout the mass meeting as a mute reminder of her death.

A hushed audience heard Sister Mary Leo of Notre Dame Convent, who befriended Mrs. Etheredge, describe her as "* * * every poor woman in the Nation's Capital * * * who has risen far above an ordinary destiny. * * * She represents every poor, suffering woman in this city."

The audience, after hearing Sister Mary Leo give a 20-minute account of Mrs. Etheredge's experiences with the public welfare system as she struggled to keep her family together, contributed $750.25 to a fund for her five children now living with their grandparents in North Carolina.

Senator ROBERT BYRD, chairman of the District Appropriations Subcommittee, came in for criticism as the man responsible for the Welfare Department's controversial "man in the house" rule.

Mr. BYRD of West Virginia. Mr. President, the next item is taken from the Washington Post of April 26. It is entitled "Coalition of Conscience To Start Picketing Today." It reads in part:

Asking "who killed Mary Etheredge?" about 700 persons rallied yesterday at a Washington church to launch a campaign of picketing, marching, and lobbying for reforms in the District welfare program.

With a symbolic steel-gray casket before the altar, speaker after speaker urged a sustained, nonviolent protest to city leaders, the Congress, and the Nation as a whole.

"* * * We have but one recourse: to substitute our bodies for ballots to engage in the politics of creative tension," said the Reverend Walted E. Fauntroy, chairman of the sponsoring group, the District of Columbia Coalition of Conscience.

At the rally at the Vermont Avenue Baptist Church, Sister Mary Leo of Notre Dame Convent sought to tell who "killed" Mrs. Etheredge, a 27-year-old mother of five who died April 14 in the mental ward of District of Columbia General Hospital after 3 years of struggling with poverty in the Nation's Capital.

She was "murdered," the nun said impassionately, "by a system which you and I are permitting to exist in the city."

I ask unanimous consent to include the entire article in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Apr. 26, 1965]

GROUP PLEDGES DISTRICT OF COLUMBIA WELFARE REFORM CAMPAIGN—COALITION OF CONSCIENCE TO START PICKETING TODAY

(By Helen Dewar)

Asking "Who killed Mary Etheredge?" about 700 persons rallied yesterday at a Washington church to launch a campaign of picketing, marching, and lobbying for reforms in the District welfare program.

With a symbolic steel-gray casket before the altar, speaker after speaker urged a sustained, nonviolent protest to city leaders, the Congress, and the Nation as a whole.

"* * * We have but one recourse: to substitute our bodies for ballots, to engage in the politics of creative tension," the Reverend Walter E. Fauntroy, chairman of the sponsoring group, the District of Columbia Coalition of Conscience.

It was the first public meeting sponsored by the coalition, representing about 40 religious, political, social, and civil rights organizations pledged to fight what they see as injustices in the present welfare system.

Their second activity will begin at noon today—picketing of the District Building.

At the rally at the Vermont Avenue Baptist Church, Sister Mary Leo of Notre Dame Convent sought to tell who "killed" Mrs. Etheredge, a 27-year-old mother of five who died April 14 in the mental ward of District of Columbia General Hospital after 3 years of struggling with poverty in the Nation's Capital.

She was "murdered," the nun said impassionately, "by a system which you and I are permitting to exist in the city. By failing to demand changes, Congress, social welfare agencies, and the entire Nation are to blame," she said.

A week before her death, Mrs. Etheredge was found by Sister Mary Leo roaming the streets helplessly with her homeless children.

In 5 years, her husband had been unemployed 5 times, the family had been evicted 3 times and welfare checks started and stopped 3 times. Her church and charitable groups had helped, but several times the family was hungry and homeless.

"Who killed Mary Etheredge? You look into your own hearts and answer that," the sister said.

A collection taken at the rally raised $750 for the children, who now live with Mrs. Etheredge's mother in High Point, N.C. The coalition is seeking to raise more funds for the family.

A young woman named Helen told how, after being denied welfare funds, she lived in a basement room with her five children, while awaiting birth of a sixth. Later, after going on public assistance, she told of inspectors coming around "morning and night * * * looking under the bed and in my closet" in search of a man.

"I'm just so tired. I'd like to have peace of mind for me and my children," she said.

Another woman who was to have appeared—until her child was taken to the hospital yesterday morning—had spent 3 weeks last summer sleeping in Lincoln Park after being evicted by her brother-in-law.

As relief for "symptoms" of poverty, the coalition is campaigning for expanding aid to dependent children to families of unemployed parents, larger public assistance grants, fewer investigators and more caseworkers, a stronger foster home program, extended day care service and improved emergency aid.

These are only "sedatives for pain," said Mr. Fauntroy, pastor of the New Bethel Church and Washington representative of the Southern Christian Leadership Conference.

"There must also be an attack on ghetto housing, school deficiencies, and unemployment," he said. "We believe the best welfare system is one that would work itself out of existence."

With singing of "We Shall Overcome" and appeals for nonviolent, direct action tactics, yesterday's meeting had the aura of a civil rights protest but the audience included more older persons than normally attend civil rights meetings.

Mr. BYRD of West Virginia. The April 27 issue of the Washington Evening Star carried a picture of members of the District Coalition of Conscience marching in a picket line in front of the District Building the day before, in protest against the city's welfare policies.

On one placard I note these words "BYRD is for the birds."

The next item is entitled "Welfare Protesters to Aim at Senate." It appeared in the Evening Star. I quote extracts from it:

About 400 persons demanding reform of the city's welfare system marched on the District Building yesterday afternoon and were told by the city's Welfare Commissioner that he was in almost complete agreement with every item on every point.

A "citizens lobby" formed by the coalition will take the case for welfare reform to the Senate next week. The campaign will be climaxed by a Mother's Day march on Sunday, May 9, according to the Rev. Walter Fauntroy, chairman of the protest group.

Fauntroy said a member of the group will visit every Senator, "to lay before their consciences and hearts the deep moral issue of the welfare crisis in the District of Columbia."

The focus is on the Senate because hearings on the fiscal 1966 budget for the District will begin soon in the District Appropriations Subcommittee headed by Senator ROBERT C. BYRD.

The marchers began to arrive at Lafayette Park, the starting point, at about 3:30 p.m.

When the line filed out of the park, three abreast, to cross Pennsylvania Avenue, it left behind a large stack of printed signs, not yet stapled to their wooden handles. The turnout was well below the several thousands hoped for by coalition officials.

The group had distributed flyers, employed sound trucks and radio announcements in an attempt to mobilize residents of the low-income areas to which their campaign is particularly directed. One official said many welfare recipients had expressed fear of retaliation and added it was very difficult to overcome the natural apathy of low-income groups to political activity.

They have been talking about a voteless people in the District. Now they talk about the natural apathy of the low-income groups to political activity.

Continuing to read further—

Near the head of the line of march was the gray casket which the coalition uses to symbolize the death of Mrs. Mary Etheredge, a 27-year-old mother who died early last month in District General Hospital.

In the line were clergymen, several nuns, civil rights leaders, some prominent local Democratic politicians, mothers and children. Several mothers brought their babies in carriages, strollers, and in one case, strapped to the mother's back.

I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WELFARE PROTESTERS TO AIM AT SENATE

(By Ben Forgey)

About 400 persons demanding reform of the city's welfare system marched on the District Building yesterday afternoon and were told by the city's welfare Commissioner that he was in almost complete agreement with every item on every point.

Commissioner John B. Duncan made it clear the campaign for changes in the welfare system would have to be waged in Congress, and leaders of the District of Columbia Coalition of Conscience, the group which organized the march, agreed.

A "citizens lobby" formed by the coalition will take the case for welfare reform into the Senate next week. The campaign will be climaxed by a Mother's Day march on Sunday, May 9, according to the Reverend Walter Fauntroy, chairman of the protest group.

TO VISIT EVERY SENATOR

Fauntroy said a member of the group will visit every Senator, "to lay before their consciences and hearts the deep moral issue of the welfare crisis in the District of Columbia."

The focus is on the Senate because hearings on the fiscal 1966 budget for the District will begin soon in the District Appropriations subcommittee headed by Senator ROBERT C. BYRD, Democrat, of West Virginia. Most of the changes in welfare procedures advocated by the coalition have been approved in the House.

Besides general encouragement for the cause of welfare reform, Duncan chose yesterday's forum to predict that "within 30 days" the District would have a fair employment practices ordinance.

Civil rights and civil liberties groups have been pressing for such a regulation for some time, and the Commissioners, under general police powers granted them by Congress, had previously asked the corporation counsel to draft an FEP ordinance.

TURNOUT IS SMALL

The marchers began to arrive at Lafayette Park, the starting point, at about 3:30 p.m. They occupied only the southeast corner of the park and in other areas it was springtime as usual—pigeons were being fed, pictures were being taken and there was idle talk in the warm sun.

When the line filed out of the park, three abreast, to cross Pennsylvania Avenue, it left behind a large stack of printed signs, not yet stapled to their wooden handles. The turnout was well below the "several thousand" hoped for by coalition officials.

The group had distributed flyers, employed sound trucks and radio announcements in an attempt to mobilize residents of the low-income areas to which their campaign is particularly directed. One official said many welfare recipients had expressed fear of retaliation and added it was very difficult to overcome the "natural apathy" of low-income groups to political activity.

CARRY GRAY CASKET

Near the head of the line of march was the gray casket which the coalition uses to symbolize the death of Mrs. Mary Etheredge, a 27-year-old mother who died early last month in District General Hospital.

Although the woman apparently died of a blood clot in the lungs, the circumstances surrounding her commitment to District General for mental tests—for 3 days she had wandered about the streets with her five children—set off the coalition's demand for welfare reform.

The marchers stretched about a block during the short walk to the District Building. One section of marchers kept chants and freedom songs going during the walk, but for the most part the line was quiet. Almost everyone carried a sign.

In the line were clergymen, several nuns, civil rights leaders, some prominent local Democratic politicians, mothers and children. Several mothers brought their babies—in carriages, strollers, and in one case, strapped to the mother's back.

SIX-POINT PETITION

When the marchers arrived at the District Building, the six pallbearers carried the casket up the stairs and placed it directly in front of the speaker's rostrum, from which Fauntroy read a six-point petition.

Both Duncan and Walter N. Tobriner, president of the Board of Commissioners, stood behind the podium as the petition was read. Engineer Commissioner Charles M. Duke, due to a longstanding previous commitment, was not present.

The petition's six points were aid for dependent children of unemployed parents; an increase in public assistance grants; reduction in the special force of investigators at the Welfare Department with an increase in social workers; an increase in home board rates for foster children; an extension of the day-care program for children of working mothers and a 24-hour-a-day emergency assistance program in the Welfare Department.

FAUNTROY HITS BYRD

But the consensus among the speakers seemed to be that the petition was being read at the wrong place. Duncan told the crowd: "It [the campaign] will be easier now that we have concrete proof * * * that it is the city of Washington that wants this and not just those three Commissioners."

Fauntroy called off a demonstration slated for tomorrow at 6 p.m., explaining that "the lobbyists need time to do their work." In rescheduling, the march for Mother's Day he set no meeting place or itinerary.

Mr. BYRD of West Virginia. So the gray coffin was always at the head of the line.

The Washington Post of May 1 published a story entitled "Parade Protests Welfare Assistance." This is a story regarding the same event reported in the Star article which I asked consent to have printed in the RECORD. It also includes a picture of several members of the Coalition of Conscience marching down 15th Street in a demonstration for the Federal welfare program. I ask unanimous consent that the reading material be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DUNCAN LAUDS REFORM DEMANDS—PARADE PROTESTS WELFARE SYSTEM

Several hundred marchers protesting Washington's welfare system were greeted on the District Building steps yesterday by Commissioner John B. Duncan, who applauded their plans to press Congress for reforms.

Duncan was cheered as he said congressional leaders must now know that "it's the whole city of Washington," not just the Commissioners, who want changes.

His comments followed an angry speech by Episcopal Suffragan Bishop Paul Moore Jr., who called the present welfare system a "violation of the principles of democracy * * * religion * * * humanity * * * and justice."

Although several thousand had been expected, the demonstration attracted only between 300 and 400 persons.

But for what they lacked in numbers, they helped make up by enthusiastic singing, chanting and waving of signs as they marched the three blocks from Lafayette Square to the District Building.

In the vanguard of the march was a gray coffin carried by several leaders of the District of Columbia Coalition of Conscience, which was formed by more than 40 local religious, civil rights, and civic groups to crusade for changes in the welfare program.

The coffin, which was laid on the District Building steps, represented the death of Mary Etheredge, a young mother who had sought unsuccessfully to keep her family together in the face of poverty before her death 2 weeks ago in the mental ward of District of Columbia General Hospital.

Among the marchers were clergymen, nuns, a man on crutches and several women wheeling baby carriages. Some were welfare recipients, but others just sympathizers. "If I see a problem and don't do something to help, then I'm contributing to it," said Ann Tucker, of the Presbyterian Interracial Council, who joined the march with her two small children.

A petition given to the Commissioners expressed the Coalition's goals: District participation in the Federal program of aid to dependent children of unemployed parents, welfare payments in line with living costs, fewer investigators and more case workers, higher foster home boarding rates, better day care services and improved emergency assistance.

Duncan said the Commissioners are seeking these reforms from Congress and, meanwhile taking other steps to relieve need.

The next budget will seek more realistic welfare payments, he said, and studies are currently being made on the possibility of 24-hour emergency welfare service. He also predicted that a fair employment practice ordinance would be adopted within a month.

Duncan predicted an easier time with Congress this year but said: "We do need your help * * *."

The Coalition's chairman, the Rev. Walter E. Fauntroy, said the march on the Capitol scheduled for Sunday had been postponed until May 9 to permit the group to lobby with Congressmen and Senators.

Most cities have emergency setups for dealing with Mary Etheredges.

Mr. BYRD of West Virginia. The Evening Star of May 10 carried a story entitled "Byrd Accused of Bias at Welfare Rally Here." I read from the story:

> The District of Columbia Coalition of Conscience denounced the conscience of Senator ROBERT C. BYRD while outlining welfare demands at a Lincoln Park rally.

Here is an organization which apparently sets itself up as God Himself. God must take a rear seat while the coalition denounces my conscience. I apparently have nothing to do with considering my own conscience and coming to grips with it. The coalition denounces it.

Continuing to read from the story—

> BYRD, the West Virginia Democrat who is chairman of the Senate District Appropriation Subcommittee, was termed by Bishop Smallwood E. Williams of the Bible Way Baptist Church, "a little man, hardhearted, hardheaded, biased and segregation oriented."
>
> Bishop Williams charged that "BYRD's disclaiming of any responsibility for the death of Mary Etheredge will not release him of his guilt."

So here again the good bishop comes forward to place upon my shoulders the burden of guilt in the unfortunate death of Mrs. Etheredge.

The article states that I am a "little man." Of course, the bishop did not have particular reference to me physically because that would not have held me up to ridicule. Paul the Apostle was a little man physically; so was Napoleon. But what the bishop meant was that I was a little man inside—hardhearted, hardheaded, biased, and segregation-oriented.

Upon reading that article I was reminded of the Publican and the Pharisee who went up into the temple to pray. The Pharisee said:

> God, I thank Thee that I am not as other men are, extortioners, unjust, adulterers, or even as this Publican. I fast twice in the week, I give tithes of all that I possess.
>
> And the Publican, standing afar off, would not lift up so much as his eyes unto heaven, but smote upon his breast, saying, God be merciful to me, a sinner.

Jesus said:

> I tell you, this man went down to his house justified rather than the other. For every one that exalteth himself shall be abased, and he that humbleth himself shall be exalted.

I am sure that the good bishop is familiar with that parable. He is also familiar with the portion of the Scripture which admonishes, "Judge not that ye be not judged."

And yet I am already condemned—"A little man, hardhearted, hardheaded, biased, and segregation oriented."

Mr. President, I am not hardheaded. I merely refuse to be intimidated.

I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BYRD ACCUSED OF BIAS AT WELFARE RALLY HERE

The District of Columbia Coalition of Conscience denounced the conscience of Senator ROBERT C. BYRD yesterday while outlining welfare demands at a Lincoln Park rally.

BYRD, the West Virginia Democrat who is chairman of the Senate District Appropriations Subcommittee was termed by Bishop Smallwood E. Williams of the Bible Way Baptist Church "a little man, hardhearted, hardheaded, biased, and segregation oriented."

Bishop Williams charged that "BYRD's disclaiming of any responsibility for the death of Mary Etheredge will not release him of his guilt."

TO BYPASS BYRD

Mary Etheredge is the woman whose death in a psychiatric ward at District of Columbia General Hospital 3 weeks ago provided the impetus for the founding of the Coalition of Conscience.

At yesterday's rally, Rev. Walter Fauntroy, chairman, said the organization would seek to bypass BYRD's committee in getting Congress to meet demands of the group.

Mr. Fauntroy said a DCCC representative will appear as a witness before the Senate Committee on Labor and Public Welfare tomorrow, and that he will meet with Senate bipartisan leadership during the week to emphasize District welfare needs.

Mr. Fauntroy added that the DCCC citizens lobby committee, which has met with 18 Senators, will continue working "until every Senator is committed one way or another." Also, he said, picketing of the Senate Office Building will continue this week during the hours from noon to 2 p.m.

SIX POINTS LISTED

The coalition has adopted what it calls six critical needs: aid to dependent children of unemployed parents; an increase in public assistance grants for food and housing, a reduction in the number of special investigators, and an increase in the number of social workers, a strengthening of the foster care program by raising boarding home rates and enlarging the staff at Junior Village; an expansion of day-care services for working mothers of low income, and provision of emergency financial assistance where there is a clear and urgent need.

Yesterday's rally attracted a crowd estimated by police at 600. It started with the singing of traditional freedom songs led by Kathi Weber and Vince DeFrancis, two members of a local folk singing trio.

Mr. Fauntroy, in his brief remarks, said the DCCC had chosen Mother's Day to petition "our city council, the Senate, because the burdens of the welfare crisis have rested heaviest upon mothers."

After the rally the crowd picked up posters and marched down East Capitol Street to the New Senate Office Building at Constitution Avenue and 2d Street NE., where they heard a final prayer, offered by Rev. James Coates of Bethelein Baptist Church.

Mr. BYRD of West Virginia. The next article appeared in the Washington Post on May 10, 1965. It is a report on the same happening as that about which I have talked, and which was printed in the Star. However, there are a few additional things that I should like to mention, and I read extracts from the article:

> A procession of speakers, including three mothers receiving welfare payments, criticized the man-in-the-house rule, the Welfare Department's investigations, and the amount of money allotted here.
>
> "It is no crime to be poor," said Fannie J. Long, a Texas-born white mother of two children, "but it is a crime the way the welfare is doing people."
>
> Bishop Smallwood E. Williams renewed his charge that the Senate must share the blame for the death of Mary Etheredge. He said Senator BYRD "may wash and wash, saying, 'Out, damn spot,' but this spot indelibly remains."
>
> Mr. Fauntroy told the rally that more lobbying and meetings will be staged this week.
>
> In the vanguard of their march was a gray coffin symbolizing the death of Mrs. Etheredge.

Mr. President, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 10, 1965]

PETITION SENATE FOR HELP AND ACTION—HUNDREDS MARCH HERE TO PROTEST AGAINST DISTRICT'S WELFARE SYSTEM

Hundreds marched yesterday on the New Senate Office Building in a Mother's Day protest against Washington's welfare system.

The march was sponsored by the District of Columbia Coalition of Conscience, a group formed here by civil rights, religious and civic leaders after the death of Mary Etheredge on April 14.

The Reverend Walter E. Fauntroy, chairman of the coalition, told a rally at Lincoln Park before the march, "Today we assemble to petition our 'City Council,' the Senate of the United States, for its help and action."

Mr. Fauntroy, who tangled with Senator ROBERT C. BYRD, Democrat, of West Virginia, in a subcommittee hearing last week on the welfare situation, said that "we have chosen Mother's Day * * * because the burdens of the welfare crisis have rested heaviest on mothers * * * and it was the untimely death of such a mother that aroused the consciences of all of us to end this oppressive system now."

The rally got underway at 2:30 p.m. as the crowd gathered under a hot sun around the statue of Abraham Lincoln.

A procession of speakers, including three mothers receiving welfare payments, criticized the "man in the house rule," the Welfare Department's investigations and the amount of money allotted here.

"It is no crime to be poor," said Fannie J. Long, a Texas-born white mother of two children, "but it is a crime the way the welfare is doing people."

Bishop Smallwood E. Williams renewed his charge that the Senate must share the blame for the death of Mary Etheredge. He said Senator BYRD "may wash and wash, saying 'out, damn spot,' but this spot indelibly remains."

Mr. Fauntroy told the rally that more lobbying and meetings will be staged this week. The crowd, estimated by Capt. J. J. Kinney of the Metropolitan Police Department at 600, then marched to the corner of Maryland and Constitution Avenues across from the office building for a short song and prayer demonstration.

In the vanguard of their march was a gray coffin symbolizing the death of Mrs. Etheredge.

Mr. BYRD of West Virginia. Mr. President, the article in the Post quoted Fannie J. Long, a Texas-born white mother of two children. In order that the RECORD may be more complete, Fannie J. Long is a white female who has been in the District since 1945. Her husband, Ralph Long, a white male, is deceased. The article refers to her as being a Texas-born white mother of two children. She is a white mother of two children, one of them by the white father, who is deceased, and one illegitimate, by a Negro father. I have the chronological report of the public assistance action in her case. I read one extract from that article:

> Worker made home visit and found deplorable living conditions.

The reference is to Fannie J. Long.

> Told the worker that she went with the father of Betty Jean—

She was speaking of the Negro father—

> for 5 months. When he discovered she was pregnant, he did not see her again. She said he was married but had been in the process of getting a divorce.

So the Negro father did not see the white mother after learning that she was pregnant. He was not a deserting father, deserting to qualify his child for public welfare. He was married to another woman at the time. But just to read the article, there was a poor woman with two children who talked about its being a "crime the way the welfare department here is doing people."

The article did not indicate that Fannie J. Long was the mother of one illegitimate child. The illegitimate child of the white mother was fathered by a Negro, who was himself married to another woman at the same time.

One might read the article with no other facts than those which appear in the story and come to the conclusion that there was another mother with two children, all of whom had been deserted by a husband and father who could not stay with them and support them because of the inimical man-in-the-house rule, of which Senator BYRD is the "architect"; and that if we had the unemployed parent program in the District of Columbia, that man could have been at home, taking good care of his children. But the articles which are published in the newspapers do not always carry all the fact, by any means, and this is not necessarily the fault of the reporter or his newspaper in many instances.

The next item is entitled "Mothers March," and was published in the Washington Daily News of May 10, 1965. It reads:

> Some 600 persons turned out yesterday for a rally and march to press for reform of the District's man-in-the-house rule and other welfare procedures. The rally was at Lincoln Park, where the Rev. Walter E. Fauntroy, chairman of the D.C. Coalition of Conscience, said, "We have chosen Mothers' Day because the burdens of the welfare crisis have rested heaviest on mothers." The crowd marched to the New Senate Office Building, carrying a casket symbolizing the death of Mrs. Mary Etheredge, a victim, the group feels, of welfare procedures that left her and her five children homeless.

The next articles was published in the Washington Post under the headline "Hoover, BYRD Scored by Episcopal Bishop for Stand on Welfare." Here, at least, I am being put in good company, the company of J. Edgar Hoover. I quote excerpts from the article:

> The Episcopal bishop of Washington reproved J. Edgar Hoover yesterday for call-

> ing reformers "bleeding hearts," and said he wished the heart of Senator Robert C. Byrd would bleed a little for neglected children.

* * * * *

> Bishop Creighton took issue with a statement by Senator Byrd that poor people disliked being investigated just as criminals do.

Mr. President, I never at any time during the hearings, referred to poor people.

What I meant to convey—and, of course, what anyone with an objective viewpoint, so far as listening is concerned, would have understood at the hearing—was that welfare recipients who are cheaters naturally do not like to be investigated, any more than persons who commit crimes like to be arrested.

But that statement, of course, was taken out of context and was distorted; and I was portrayed as someone who had equated poor people with criminals.

Every welfare recipient is given to understand, when he or she applies for assistance, that he or she is to be investigated; that need is to be established; and that cases will be restudied from time to time. They understand that they are supposed to provide caseworkers and the investigators with information concerning resources and need, information concerning the parent who is said to be absent, and so on. So those persons understand that they are to be investigated. I do not believe that welfare recipients who have nothing to hide have any objection to being investigated. It is the recipient who is covering up, the recipient who is cheating, who feels that he is being harassed by the investigators.

I do not see why a welfare recipient should object to investigation any more than an individual who has been recommended by a Senator for the position of U.S. district attorney. That man is investigated by the Federal Bureau of Investigation before the President sends his name to the U.S. Senate.

I am sure that there is no feeling on the part of any individual against such an investigation. The investigation should go forward. The Senate should have the facts before it votes to confirm or not to confirm the nomination of an individual. The welfare recipient, having been given the understanding, to begin with, that his case would be looked at and that he would have to answer questions from time to time concerning resources and continuing need, and so on, likewise should certainly not object to being investigated. I do not believe that the upstanding welfare recipients object. They have been given this understanding to begin with.

I read further from the article:

> Bishop Creighton went on to say that if "Senator Byrd's heart, or the hearts of the men of whom he is typical, ever bleed even a little bit for children who are neglected and hungry, and educationally and culturally disadvantaged, or for mothers who cannot find the counsel they seek in a fat, selfish, and hardhearted society, or for fathers who leave their families rather than deprive them by their presence, then we should begin to have a decent city."

Mr. President, when the bishop speaks, in this statement, of children who are neglected, hungry, and educationally disadvantaged, he fails to take into consideration the support which the chairman of the subcommittee—and the chairman is the individual to whom he is addressing his charge of being hardhearted and of having a heart that does not bleed—has given to the District of Columbia. If he had taken the time to investigate, he would know that time after time the chairman of the subcommittee has sought to improve the educational opportunities of the children in the District of Columbia.

The chairman of the subcommittee led the fight to provide teachers for the severely mentally retarded children in the District of Columbia so as to eliminate a waiting list of children. The chairman has consistently supported greater appropriations for school facilities, for teachers, for books, for librarians, for counselors, and for all the various tools that are needed to educate children in the District of Columbia.

The chairman of the subcommittee has sought, among other things, to increase the number of social workers in the Public Assistance Division, to increase the number of workers in the Child Welfare Division, to increase the foster home rates for board and care, to replace old buildings at Junior Village—which were built in around 1907 to 1912—with modern facilities, and to provide fire escapes for the buildings. The bishop evidently spoke without looking at the facts.

I do not know of any Senator who, over the period that I have been chairman of the subcommittee, has sought to do more not only for the children but also for the adults of the District of Columbia. Of course, it might be truthfully said that I have been in a better position to do this by virtue of my chairmanship. That is true. However, I have not been remiss in my efforts or desire to benefit the children and their parents.

The bishop speaks of "mothers who cannot find counsel they seek in a fat, selfish, and hardhearted society." I think that one of the responsibilities of a clergyman is to give counsel to those mothers.

It is one of the responsibilities of the church to assist the mothers. Churches do assist them. Churches do live up to their responsibility in this regard. However, mothers certainly do not lack opportunities for counsel as long as we have men like Bishop Creighton, who is well-educated and well-prepared by experience and training to provide counsel.

But here again I am designated as the "architect of the man-in-the-house rule." I have already stated for the Record that that rule came into existence long before I became chairman of the subcommittee.

The Washington Post of April 18 published an editorial entitled, "Cause of Death." I read extracts from that editorial, as follows:

> Mrs. Mary Etheredge, who died Wednesday night in a psychiatric ward at the District of Columbia General Hospital, leaves a husband and five children, four of them at Junior Village and one at Children's Hospital. She also leaves a message to this city: a message of the cruelty of a great city's indifference, and of the despair of poverty amidst wealth. Mrs. Etheredge is the mother of whom we wrote earlier, who was discovered by two nuns on a sidewalk in front of the Police Woman's Bureau, in a clearly psychotic condition, holding her children, in the rain.
>
> The diagnosis of the cause of death is, to the specialists very clear. "She died because the city turned its back on her and her children," an Episcopal bishop concluded. "She died of a broken mind and a broken heart," said a Roman Catholic priest who knows the slums of Washington.

Mr. President, the autopsy report did not mention either of these things. The autopsy report did not say that she died because the city turned its back on her and her children. Neither the autopsy report nor the death certificate showed that she died of a broken mind and a broken heart.

The autopsy report showed, as has been indicated in previous press stories, that Mrs. Etheredge died of a blood clot in the lungs.

Mr. President, I ask unanimous consent to have printed in the Record the editorial from the Washington Post of April 18, 1965, entitled "Cause of Death," and the article published in the Washington Post of May 18, 1965, entitled "Hoover, Byrd Scored by Episcopal Bishop for Stand on Welfare."

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Washington Post, Apr. 18, 1965]

Cause of Death

Mrs. Mary Etheredge, who died Wednesday night in a psychiatric ward at District of Columbia General Hospital, leaves a husband and five children, four of them at Junior Village and one at Children's Hospital. She also leaves a message to this city: a message of the cruelty of a great city's indifference, and of the despair of poverty amidst wealth. Mrs. Etheredge is the mother whom we wrote earlier, who was discovered by two nuns on a sidewalk in front of the Police Women's Bureau, in a clearly psychotic condition, holding her children, in the rain.

The diagnosis of the cause of death is, to the specialists very clear. "She died because the city turned its back on her and her children," an Episcopal bishop concluded. "She died of a broken mind and a broken heart," said a Roman Catholic priest who knows the slums of Washington.

The Welfare Department, to its credit, is making a careful examination of all that went wrong in the case of Mrs. Etheredge. She had been on and off relief; sometimes her husband came home, and when he came home, in deference to Senator Robert C. Byrd's concept of morality, Mrs. Etheredge's relief was cut off. Unfortunately he always went away again shortly afterward.

Most recently Mrs. Etheredge had been back to the Welfare Department to be reinstated once more, and had been given an emergency check. She needed many other kinds of help, but the harried clerks at the Public Assistance Division's intake desk have only checks to give. A social worker called on Mrs. Etheredge early this week, but the worker was inexperienced and failed to perceive her mental condition. She was staying with friends, under circumstances of the most severe crowding, and when she suffered her final breakdown, her host hastily took her and her children down to the Women's Bureau. What happened there, no one seems to know. But a night and a day later she was found wandering on the sidewalk outside the Bureau, totally distracted.

It would have been severe enough reproach to this city if she had lived and died a recluse, unknown to those who might have helped her. It is a far greater reproach to us that she did indeed go to those who represented all the resources of this wealthy but stingy city. When she got there, many times over, the people behind the desks were too busy, too harassed, too inexperienced, to give her more than the small check that was not, as it turned out, enough to save her.

What about her children, the oldest of whom is eight? Can they somehow be kept together as a family? Currently they join more than 900 other Washington children in the bleak and sterile life of the institution; as we have repeatedly been warned, prolonged residence at Junior Village frequently means retardation and permanent emotional damage for small children. In this fashion, the misfortunes of the mother are also visited upon by the children.

HOOVER, BYRD SCORED BY EPISCOPAL BISHOP FOR STAND ON WELFARE

(By Kenneth Dole)

The Episcopal bishop of Washington reproved J. Edgar Hoover yesterday for calling reformers "bleeding hearts," and said he wished the heart of Senator ROBERT C. BYRD, Democrat, of West Virginia, would bleed a little for neglected children.

In a luncheon talk honoring Washington clergymen who went to Selma, Ala., the Right Reverend William F. Creighton did not mention Hoover by name but few in his audience missed his allusion when he said: "One very prominent American not many months ago described men of compassion as bleeding hearts, a phrase obviously intended as an expression of obloquy and insult."

ALL TOO TYPICAL

"Apart from being, from a Christian point of view, somewhat blasphemous, this description, which was all the more expressive because it came out spontaneously in an interview, is all too typical. Anyone whose heart bleeds for those less fortunate than himself is scorned as soft or unsound or dangerous."

The interview to which the bishop referred was the much-reported press conference of last November 18, when Hoover was quoted as saying he disagreed with "bleeding hearts" who would raise the age from 18 to 21 for classifying juveniles.

EQUATING POVERTY, CRIME

Bishop Creighton took issue with a statement by Senator BYRD that poor people dislike being investigated just as criminals do. "This was equating poverty with crime," he said, "and was as cruel and lacking in compassion as it would be to tell a man suffering from arthritis that all he has to do to be completely well is to go out in the garden and turn cart wheels."

BYRD is chairman of the Senate District Appropriations Subcommittee and architect of the man-in-the-house rule, which prevents welfare payments to families if an able-bodied man is living in the house.

Bishop Creighton went on to say that if "Senator BYRD's heart, or the hearts of the men of whom he is typical, ever bleed even a little bit for children who are neglected and hungry and educationally and culturally disadvantaged, or for mothers who cannot find the counsel they seek in a fat, selfish, and hardhearted society, or for fathers who leave their families rather than deprive them by their presence, then we should begin to have a decent city."

Bishop Creighton said much good has come from the civil rights drive in Selma. In the contest between the hardhearted and the bleeding hearts, "the forces of compassion are growing," he said, "and higher laws are winning over lower laws, goodness is winning over evil, morality is stronger than immorality."

In President Johnson, he said, "we have a President who is a sincerely compassionate man, who does care, and is courageous and wise."

The racial struggle is certain to end in victory, but a belated one, with no reason for pride, he said. Rather, "we should be thankful that we've had an opportunity to add our lives to those of others who care deeply, and who know what it is to feel their hearts bleeding within them."

Bishop Creighton addressed the annual meeting and luncheon of the Washington chapter of the American Jewish Committee at the National Lawyers' Club. Other speakers were Bishop John Wesley Lord, of the Washington Area of the Methodist Church, the Most Reverend John S. Spence, Catholic auxiliary bishop of Washington, and Rabbi Norman Gerstenfeld, of the Washington Hebrew Congregation.

The chapter elected as its new chairman Henry H. Brylawski.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a copy of the autopsy report on Mrs. Etheredge and a copy of the death certificate with reference to Mrs. Etheredge.

There being no objection, the copies of autopsy report and death certificate were ordered to be printed in the RECORD, as follows:

AUTOPSY CARD

No. 31-119.

Place: District of Columbia Morgue.

Date: April 15, 1965.

Hour: 12:15 p.m.

Name: Mary Etheridge.

Color: Negro.

Age: 26.

Weight: 170.

Height: 5 feet 4 inches.

Sex: Female.

Operation: (blank).

Previous history: 2:30 p.m., April 8, 1965; found wandering dazedly with her five children on street. To District of Columbia General Hospital. C Dx of catatonic schizophrenia. Died 8:30 p.m., April 14, 1965.

Clothes: (Blank).

General condition: Rigor 4+, circ 4+, no evidence of trauma; sanitary napkin in place on perineum.

Brain: Normal grossly.

Lungs: There is massive embolism of the main bronchi bilaterally. Size of these suggestive of origin in large vein. Remainder of lungs markedly congested. Massaging of both legs from ankles to pelvis fails to yield any additional thromboemboli.

Heart: Normal grossly.

Spleen: NSA.

Kidneys: NSA.

Urine: None.

Liver: Congested.

Gall bladder: NSA.

Pancreas: NSA.

Stomach: NSA.

Intestines: NSA.

Genital organs: Normal size, shape, and configuration. Endocrine is slightly hemorrhagic; slight amount of blood in vaginal canal. No evidence of trauma, no distended veins or thrombosed vessel seen in pelvis.

Remarks: Blood ethar—Negative.

DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC HEALTH

CERTIFICATE OF DEATH

Birth No: April 17, 1965, 12:31 p.m.

File No. 65 3027.

1. Name of deceased: Mary Etheredge.

2a. Date of death: April 14, 1965.

2b. Hour of death: 8:30 p.m.

3. Sex: Female.

4. Color or race: Negro.

5. Never married, married, widowed, divorced; specify: Married.

6. Date of birth: June 15, 1938.

7. Age (in years last birthday): 26.

8. Place of death in Washington, D.C.: District of Columbia General Hospital.

9. Usual residence (where deceased lived. If institution, residence before admission):

(a) State: District of Columbia.

(b) County: (blank).

(c) City: Washington, D.C.

(d) Street address: No fixed address, 1120 Park Street, Northeast.

(e) Inside city limits: Yes.

10a. Usual occupation (give kind of work done during most of working life, even if retired): Housewife.

(blank).

10b. Kind of business or industry: (blank).

11. Birthplace: (State or foreign country): North Carolina.

12. Citizen of what country? United States of America.

13a. Father's name: H.F.C.

13b. Mother's maiden name: Inez Matthews.

14. Name of surviving spouse: Joseph Etheredge.

15. Ever in U.S. Armed Forces (blank)

16. Social Security No. (blank)

17a. Informant relationship to deceased: Joseph Etheredge, husband.

17b. Address: (blank)

Medical Certification

18. Cause of death: (enter only one cause per line for (a), (b), and (c).

Part I. Death was caused by: Immediate cause (a) Pulmonary embolism.

Interval between onset and death: (blank).

Conditions, if any, which gave rise to above cause (a), stating the underlying cause last. Due to (b): (blank), due to (c): (blank).

Part II. Other significant conditions: contributing to death but not related to the terminal disease condition given in part I(a): (blank).

19a. Autopsy? yes or no: Yes.

19b. If yes, were findings considered in determining cause of death? Yes.

If operation was performed complete items 20a and 20b: (blank).

20a. Date of operation: (blank).

20b. Condition for which operation was performed: (blank).

21a. Specify if accident, suicide, homicide, or manner undetermined: (blank).

21b. Hour and date of injury: (blank).

21c. Describe how injury occurred (enter nature of injury in part I or part II): (blank).

21d. Injury at work: (specify Yes or No): (blank).

21c. Place of injury: (at home, farm, factory, street, or office building, etc.): (blank).

21f. Location (city, county, state): (blank).

22. I certify that (I) (this hospital) attended the deceased from (blank), 19 (blank), to (blank), 19 (blank), that (I) (we) last saw the deceased alive on (blank), 19 (blank), and that death occurred from the causes and on the date and hour stated above.

22a. Signature: MARION MANN.

Attending physician.

Medical director.

Staff physician.

22b. Date signed: April 15, 1965.

22c. Physician's name: Marion Mann, M.D.

22d. Address: District of Columbia Coroner's Office.

23a. Burial: Yes.

23b. Date: April 20, 1965.

23c. Name of cemetery or crematory: Harmony Memorial.

23d. Location: Prince Georges County, Md.

24. Funeral home: Universal Funeral Home; address, 816 H Street, NE.

25a. Undertaker's signature: Charles B. Murphy.

25b. Undertaker's registration No. 343.

Remarks: To be completed Thursday, April 15, 1965.

Date issued—May 6, 1965. Not valid without raised seal.

This is to certify that the above is a true and correct reproduction of the original certificate filed with the vital statistics office of the District of Columbia Department of Public Health.

BERNARD F. VON AHN,
Chief, Vital Statistics Unit.

Mr. BYRD of West Virginia. Mr. President, I read further from the editorial:

The Welfare Department, to its credit, is making a careful examination of all that went wrong in the case of Mrs. Etheredge. She had been on and off relief; sometimes her husband came home, and when he came home, in deference to Senator ROBERT C. BYRD's concept of morality, Mrs. Etheredge's relief was cut off. Unfortunately he always went away again shortly afterward.

This is not the first occasion on which I have been made the target of the editorials of this newspaper, nor is it the first time that the editorials, in directing attacks upon me, have not been factual or fair.

Sometimes her husband came home, and when he came home, in deference to Senator ROBERT C. BYRD's concept of morality, Mrs. Etheredge's relief was cut off.

Her husband was employed time and time and time again, and if he had stayed home and reported for work, Mrs. Etheredge would not have required relief.

I read from a summary report, public assistance case of Mary and Joseph Etheredge, dated April 22, 1965:

On March 27, 1962, Mrs. Etheredge made application, but this was not accepted because of insufficient information to establish eligibility. She was referred to surplus food and the Salvation Army Emergency Home.

Mrs. Etheredge again contacted the agency on March 30, 1962. At this time, her husband had returned from jail, was with the family, and was employable. The application was rejected.

We did not hear from this family again until November 29, 1962. At this time, she stated that her husband had deserted, she did not know his whereabouts, and she was behind in her rent. On December 13, 1962, the agency issued an emergency assistance check to the amount of $148 since she was homeless and had no resources except some help from her church and Salvation Army. She was certified for regular assistance in January since she had secured living quarters. She still did not know the whereabouts of her husband and the matter was referred to the Location Section of the Office of Investigations and Collections.

In April 1963, Mr. Etheredge was located in High Point, N.C., but, on a visit to the family by the social worker in June 1963, he was found to be in the home. This was acknowledged by both Mr. and Mrs. Etheredge. They were asked to come into the office to discuss their plans. Information indicated that Mr. Etheredge had been picked up by Baltimore police on May 7 for selling alcoholic beverages off hours and was to be fined $25 or 20 days in jail. There were no further contacts, and the case was closed in June 1963.

Mrs. Etheredge again reapplied on August 29, 1963. Her last baby had been born on August 10 at the District of Columbia General Hospital and her husband had deserted on August 26. She stated she was homeless, her husband was last working with a construction firm in Virginia for $62 a week (a job which she stated the church had secured for him). The mother stated that he had held this job until August 23, but we were unable to verify this. We tried to arrange care for her at the Salvation Army Emergency Home, and later verified that she could stay in the home of a friend. Assistance was authorized and continued through July 1964. In December, assistance was authorized to the amount of $148, with the exception of 1 month, assistance was continued through June 1963; in September 1963, the grant was raised to $154; and in January 1964, to $175. During this period, further attempts were made to locate Mr. Etheredge, unsuccessfully. On July 15, 1964, a letter was received from Mrs. Etheredge from North Carolina requesting that her case be closed.

Mrs. Etheredge reapplied for assistance in February 1965 stating that her husband had deserted, and she was destitute and homeless. Attempts were made to locate Mr. Etheredge since she stated she thought he was employed at Hogates Restaurant, and later we verified the fact that he had been employed at the Market Inn up until March 10, 1965. He had been discharged as of that date since he did not report to work. Verification of the birth of the youngest child was made and emergency assistance authorized to the amount of $191.

After two home visits and attempts to locate Mr. Etheredge, she was seen on March 6, 1965. The purpose of this visit was to determine living arrangements prior to authorization of regular assistance check. The worker found her living with a friend, concurred with her that she could not remain permanently at this address, and advised her to attempt to locate living quarters. He gave her the names of several real estate companies that might be able to help her. He told her at this time that she would receive her second check on April 12, but this would not include rent until she had found a place to live at which time it would be restored to the grant. The worker states that he talked with Mrs. Etheredge concerning the health of herself and her children and she stated she had no major health problems. There was, according to the workers, no evidence of mental disorder.

I call attention to the fact that on June 5, 1962, a social worker made a home visit regarding an OIC report on Mrs. Etheredge, and found a man in the home who gave the name of Joseph Edwards and said he was a friend. Next day Mrs. Etheredge called to say that the man the social worker saw was her husband.

On June 10, Mr. Etheredge came to the office and apologized for giving a false name.

I ask unanimous consent to include in the RECORD the summary report in its entirety, together with accompanying materials.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF PUBLIC WELFARE,
DISTRICT OF COLUMBIA
OFFICE OF THE DIRECTOR

April 22, 1965.

Summary report—Public Assistance case of Mary and Joseph Etheredge.

Name, birthdate, and place of birth.

Joseph Etheredge, January 6, 1938, Saluda, S.C.

Mary Etheredge, June 9, 1938, High Point, N.C.

Andre Etheredge, January 28, 1957, High Point, N.C.

Joseph Etheredge, Jr., July 20, 1960, High Point, N.C.

Theresa Etheredge, December 21, 1961, Washington, D.C.

Reginald Etheredge, August 10, 1963, Washington, D.C.

Kevin Etheredge, December 27, 1964, Washington, D.C.

According to Public Assistance records, Mr. Etheredge came to the District of Columbia from High Point, N.C., in November 1960. Mrs. Etheredge and family, apparently, came to Washington a month later. Although this family was not known to the Department of Public Welfare until March 1962, there are indications that from the beginning this family had difficulty finding appropriate housing and maintaining their family.

On March 27, 1962, Mrs. Etheredge made application, but this was not accepted because of insufficient information to establish eligibility. She was referred to Surplus Food and the Salvation Army Emergency Home.

Mrs. Etheredge again contacted the agency on March 30, 1962. At this time, her husband had returned from jail, was with the family, and was employable. The application was rejected.

We did not hear from this family again until November 29, 1962. At this time, she stated that her husband had deserted, she did not know his whereabouts, and she was behind in her rent. On December 13, 1962, the agency issued an emergency assistance check to the amount of $148 since she was homeless and had no resources except some help from her church and Salvation Army. She was certified for regular assistance in January since she had secured living quarters. She still did not know the whereabouts of her husband and the matter was referred to the location section of the Office of Investigations and Collections.

In April 1963, Mr. Etheredge was located in High Point, N.C., but on a visit to the family by the social worker in June 1963, he was found to be in the home. This was acknowledged by both Mr. and Mrs. Etheredge. They were asked to come into the office to discuss their plans. Information indicated that Mr. Etheredge had been picked up by Baltimore police on May 7 for selling alcoholic beverages off hours and was to be fined $25 or 20 days in jail. There were no further contacts, and the case was closed in June 1963.

Mrs. Etheredge again reapplied on August 29, 1963. Her last baby had been born on August 10 at District of Columbia General Hospital and her husband had deserted on August 26. She stated she was homeless, her husband was last working with a construction firm in Virginia for $62 a week (a job which she stated the church had secured for him). The mother stated that he had held this job until August 23, but we were unable to verify this. We tried to arrange care for her at the Salvation Army Emergency Home, and later verified that she could stay in the home of a friend. Assistance was authorized and continued through July 1964: In December, assistance was authorized to the amount of $148, with the exception of 1 month, assistance was continued through June 1963; in September 1963, the grant was raised to $154; and in January 1964, to $175. During this period, further attempts were made to locate Mr. Etheredge, unsuccessfully. On July 15, 1964, a letter was received from Mrs. Etheredge from North Carolina requesting that her case be closed.

Mr. Etheredge reapplied for assistance in February 1965 stating that her husband had deserted, and she was destitute and homeless. Attempts were made to locate Mr. Etheredge since she stated she thought he was employed at Hogates Restaurant, and later we verified the fact that he had been employed at the Market Inn up until March 10, 1965. He had been discharged as of that date since he did not report to work. Verification of the birth of the youngest child was made and emergency assistance authorized to the amount of $191.

After two home visits and attempts to locate Mr. Etheredge, she was seen on March 6, 1965. The purpose of this visit was to determine living arrangements prior to authorization of regular assistance checks. The worker found her living with a friend, concurred with her that she could not remain permanently at this address, and advised her to attempt to locate living quarters. He gave her the names of several real estate companies that might be able to help her. He told her at this time, that she would receive her second check on April 12, but this would not include rent until she had found a place to live at which time it would be restored to the grant. The worker states that he talked with Mrs. Etheredge concerning the health of herself and her children, and she stated she had no major health problems. There was, according to the worker, no evidence of mental disorder.

Apparently, she went to the Woman's Bureau since a call from the Woman's Bureau on April 7, 1965, indicated that she and her friend's husband had been to the Bureau and that they were disturbed because she had not found a place to live. The Woman's Bureau stated that they were told she could remain with this family until she found a place. Worker explained the status of her public assistance grant, including the $191 which she had received for the month of March.

On the morning of April 8, Sister Mary Leo called the Public Assistance Division stating the mother and the children were at the convent, where they had spent the night, because they could not remain with the family. We requested that the children remain at the convent with the mother for a few hours until we could make arrangements for them. We advised that we would call her back after 12 o'clock.

At noon, a call was received from Family and Child Services stating that Sister Mary Leo had brought Mrs. Etheredge and her five children to their office. They stated the mother was very ill and the baby was ill also. There seemed to be no other alternative, because of the illnesses, but to suggest that the mother and her ill child be placed in the hospital and the other children placed at Junior Village. Child Welfare Division was advised of the situation in regard to the children and alerted to the fact that in all probability it would be necessary to make placement. Family and Child Services made arrangements to get the family to District of Columbia General Hospital. Later, the four older children were placed in Junior Village and the infant at Children's Hospital.

(Signed) Donald D. Brewer,
DONALD D. BREWER,
Director of Public Welfare.

MEMORANDUM

DISTRICT OF COLUMBIA DEPARTMENT
OF PUBLIC WELFARE, OFFICE OF
INVESTIGATIONS AND COLLECTIONS,
April 20, 1965.

To: Mr. Donald D. Brewer, Director.

From: Mr. William R. Galvin, Investigations and Collections Officer.

Subject: Etheredge, Joseph, Mary E., C 75-999.0.

A check of OIC records discloses the following information on subject case:

A. IBM card was received on the case as part of the AFDC Audit Review caseload of January 1963. No investigation was made by the time the case was closed on July 23, 1963, by P-3.

B. A request to locate Joseph Etheredge was received January 8, 1963. He was located May 14, 1963, under OIC No. LR5.

C. The case was requested for intake review investigation on September 10, 1963, and assigned OIC No. IR 1383KC. The investigation report dated January 16, 1964, disclosed no irregularities on the case. A memorandum dated April 15, 1964, subject AFDC, intake review, was sent to your office showing Etheredge case continued on assistance, no irregularities. We received a P-3 showing the case closed, code 90, dated July 27, 1964.

D. We received a request dated January 4, 1964, to locate Joseph Etheredge. He was located and our report dated October 29, 1964, under OIC No. LR 763KC was sent to the social worker. It is to be noted that he was located after the case had been closed by the social worker.

E. A check with the Beneficial Payment Unit FAB-FCS disclosed that emergency assistance was granted to Mary Etheredge for the period March 13, 1965, through April 11, 1965, in the amount of $191. A partial payment was issued to her for the period April 12, 1965, through April 30, 1965, in the amount of $80.

F. We did not receive a P-3 showing an approved application for the EA assistance grant, therefore, it would not show under the intake review investigation in March or April.

I am attaching copies of our reports on the Etheredge case as follows:

Location report on absent person located dated October 29, 1964.

RC 300 dated March 19, 1964.

PA 317 dated March 5, 1964.

PA 315 dated February 29, 1964.

RC 301 dated January 24, 1964.

Investigation report dated January 16, 1964.

RC 105 typed November 7, 1964.

Four RC 120's dated January 16, 1964.

WILLIAM R. GALVIN,
Investigations and Collections Officer.

Attachments.

CHRONOLOGICAL REPORT ON MARY AND JOSEPH ETHEREDGE

[Name, birthdate, and place of birth]

Joseph Etheredge, January 6, 1938, Saluda, S.C.

Mary Etheredge, June 9, 1938, High Point, N.C.

Andre Etheredge, January 28, 1957, High Point, N.C.

Joseph Etheredge, July 20, 1960, High Point, N.C.

Theresa Etheredge, December 21, 1961, Washington, D.C.

Reginald Etheredge, August 10, 1963, Washington, D.C.

Kevin Etheredge, December 27, 1964, Washington, D.C.

March 27, 1962: First application for AFDC. Husband in jail. Mrs. Etheredge referred for surplus food and temporary care at Salvation Army Emergency Home.

March 27, 1962: Declared ineligible because she was unable to furnish sufficient information on which to determine eligibility.

March 30, 1962: Wife reapplied. Application rejected. Man released from jail. Head of household employable, therefore family ineligible.

November 29, 1962: Wife reapplied. Husband deserted. No money or food and threatened with eviction because 1 month rent due. During previous 6 months, she had received periodic help from her church (Bible Way).

December 5, 1962: Social worker received call from Mrs. Etheredge re: status of application because of immediate threat of eviction. She was advised that assistance could not be granted until agency had been provided with sufficient information to prove that she had put forth effort to locate husband.

December 7, 1962: Mailed official notice of ineligibility that applicant had voluntarily withdrawn application.

December 11, 1962: Wife and children destitute and homeless went to No. 2 precinct where she was referred to Salvation Army Emergency Home for temporary shelter.

December 12, 1962: Mrs. Etheredge came to the attention of Legal Assistance Office of the District of Columbia Bar Association and Family and Child Services, both of whom referred her back to PAD. Interviewed at PAD Intake and referred to Salvation Army Emergency Home for the night.

December 13, 1962: Mrs. Etheredge seen by social worker. Husband had deserted. Family evicted. Had received periodic help from Bible Way Church (confirmed by Bishop Williams). Application for emergency assistance approved. Arranged for temporary care at Salvation Army Emergency Home for December 13, 1962, through December 17, 1964, when emergency assistance check would be received. Mrs. Etheredge was asked to look for living arrangements. Emergency assistance authorized for December 14, 1962, through January 13, 1963, for $148.

December 20, 1962: Mrs. Etheredge called to report she had secured living quarters at 415 Ridge Street NW.

January 7, 1963: SW made home visit. House had only one bed and one chair (given by Bible Way Church). Mrs. Etheredge advised another worker would be seeing her on a continued basis.

January 8, 1963: Assistance authorized from January 1, 1963, to November 30, 1963. Budget total $148 per month. Referral to OIC to locate husband.

January 11, 1963: Home visit re husband's employment. No contact. Mrs. Etheredge called to say husband might be employed at Harrison Restaurant.

January 12, 1963: Mrs. Etheredge brought in a letter from Harrison cafe saying Mr. Etheredge never employed there and not known to them.

January 16, 1963: Case transferred to Continued Services.

February 18, 1963: OIC report received. Mrs. Etheredge was interviewed and stated she was pregnant by Mr. Etheredge and baby was due August 1963.

March: OIC continued efforts to locate Mr. Etheredge.

March 14, 1963: Mrs. Etheredge referred for medical care and pregnancy diagnosis confirmed.

April 25, 1963: OIC report Mr. Etheredge in High Point, N.C., verified by signed return receipt of registered letter.

June 5, 1963: SW made home visit re OIC report that Mr. Etheredge in North Carolina. SW found a man in home who gave name of Joseph Edwards and said he was a friend. Mrs. Etheredge was at the clinic at time of SW visit.

June 6, 1963: Mrs. Etheredge called to say man SW saw was her husband. He was arrested in Baltimore and had to return there. OIC verified Mr. Etheredge had been picked up by Baltimore police for selling alcohol off hours on May 7, 1963, and would be fined $25 or 20 days in jail.

June 10, 1963: Mr. Etheredge in office. Apologized for giving false name. SW asked him to return following day with his wife to discuss marital situation.

June 11, 1963: Mrs. Etheredge called to say her husband did not return from Baltimore.

June 17, 1963: Assistance terminated with June 1, 1963, last check. No further contacts with family. Case closed.

August 29, 1963: Mrs. Etheredge reapplied. No money, evicted, husband deserted August 26, 1963. Last baby born on August 10, 1963, at District of Columbia General Hospital. Mrs. Etheredge stated spent last 3 nights with members of Bible Way Church. Church had secured job for Mr. Etheredge with construction firm in Springfield, Va., in July 1963 at $62 per week, which he held until August 23, 1963. Social worker unable to verify this. Since eviction, furniture was left on street and was mostly destroyed and all personal possessions and clothing were stolen. Social worker tried, unsuccessfully, to arrange care at Salvation Army Emergency Home. Assume friends at Bible Way provided lodging.

August 30, 1963: Mailed verification form re: birth of new baby.

September 6, 1963: Tried again, unsuccessfully, to arrange care at Salvation Army Emergency Home; later verified could stay in home of friend until September 9, 1963, if friend was paid for this.

September 6, 1963: Gave emergency assistance for total of $154 for 1 month, September 1, 1963, to September 30, 1963. Approved application.

September 27, 1963: Mrs. Etheredge called and gave address of new shelter, 73 New York Avenue NW.

October 7, 1963: Social worker made home visit. Verified living arrangements and saw rent receipt.

October 23, 1963: Authorized assistance for October 1, 1963, to November 30, 1963.

November 22, 1963: Form for support action submitted to resources and collections.

January 3, 1964: Home visit made for review. Three of the four children seen. Living arrangements verified by talking with landlady.

January 3, 1964: Continued assistance authorized for period January 1, 1964, to October 31, 1964, since child Joseph was last seen in October 1963.

January 4, 1964: Request of OIC for location of husband.

January 16, 1964: Mr. Etheredge not located. Other information in this report as follows:

Metropolitan Police Department: No record of Mrs. Etheredge. Mr. Etheredge arrested three times for being drunk and two times for disorderly conduct. Last arrest, September 15, 1963, address listed 917 T Street NW.

Surveillance resulted in no pertinent activity being observed. Hours of four surveillance periods ranged from 8 p.m. to 9:35 p.m. Four brief (5 to 15 minutes each) home visits were made during periods between 6:25 p.m. to 9:35 p.m.

Employment: Verified from employment records that Mr. Etheredge was employed as a general helper from September 20, 1961, to January 8, 1962, at an hourly salary of $1.18.

February 29, 1964: PAD reply to investigation report advising assistance continued.

May 8, 1964: Home visit made for interim review. There had been no changes. Assistance continued as per annual review.

July 10, 1964: During home visit to another client in the same building, it was learned that Mrs. Etheredge had moved.

July 15, 1964: Letter received from Mrs. Etheredge for North Carolina requesting that her case be closed.

July 27, 1964: Form submitted to cancel and terminate August 1, 1964, grant. Form submitted for closing. Case closed for reason of voluntary withdrawal.

October 29, 1964: OIC report. Located Mr. Etheredge at Northwest Washington address and talked to downstairs tenant who said Mr. Etheredge lived on the second floor and could be reached by phone. Found address from former employer—Ascot Restaurant where Mr. Etheredge worked in July 1964. Starting July 24, 1964.

November 17, 1964: Advised OIC case closed at Mrs. Etheredge's request on July 27, 1964.

February 23, 1965: Mrs. Etheredge reapplied. Mr. Etheredge deserted; whereabouts unknown since February 19, 1965; rent in arrears and no food. Eviction probable.

March 11, 1965: Received telephone call from Community Services (?) that Mrs. Etheredge destitute and homeless. They referred her to Salvation Army Emergency Home for shelter.

March 12, 1965: Salvation Army called to advise they had provided shelter for Mrs. Etheredge and five children and they were referring her to PAD.

Later: Mrs. Etheredge seen in office. She is homeless. Worker attempted to verify employment at Hogates Restaurant. No longer employed there. Attempted to verify employment with Market Inn who advised that he had been released 2 days before (Mar. 10, 1965) when he did not report for work. Telephone call made to DCGH records room to confirm birth of youngest child. Application approved for emergency assistance for period March 13, 1965, through April 11, 1965, to cover total amount $191.

April 6, 1965: SW made home visit to verify living arrangements at 1120 Park Street NE. Referred her to Salvation Army for clothing for oldest child. Verified that landlady not charging rent for facilities. SW discussed health problems and she stated she had no major health problems and had been hospitalized only for pregnancies. She stated the children had no major medical problems. Authorized assistance, rent not included, for the period April 12, 1965, through August 31, 1965. When she could find suitable living quarters, the rent would be included.

April 7, 1965: SW received telephone call from Women's Bureau with the landlord requesting advice about what she could do with her children since she could not find a place to live. Receptionist at Women's Bureau informed SW that Mr. Michelwayne stated Mrs. Etheredge could stay at his home until she found a place to live. However, Mrs. Etheredge appeared rather disturbed about the whole situation and Mrs. Michlewayne is also upset because Mrs. Etheredge has not yet found a place to live. SW informed Women's Bureau that Mrs. Etheredge had received emergency assistance check of $191, which included rent for the period of March 13, 1965, through April 12, 1965.

April 8, 1965: Sister Mary Leo phoned PAD to state they had taken Mrs. Etheredge and her five children into the convent because they were wandering the streets.

At noon a call was received from Family and Child Services stating that Sister Mary Leo had brought Mrs. Etheredge and five children to their office. The mother was very ill and the baby was ill. We suggested that the mother with children should be sent immediately to District of Columbia General Hospital. If she were not admitted, we would plan for the family.

April 8, 1965: Woman's Bureau placed four children in Junior Village and the baby as a boarder at Children's Hospital due to mother being admitted to psychiatric ward No. 5, District of Columbia General Hospital. Case was discussed with Child Welfare Division so that plans could be made to work together in planning for the family.

Mr. BYRD of West Virginia. Mr. President, it should be emphasized that Mrs. Etheredge was on and off assistance a number of times. As I have indicated, her husband was in the home on one occasion and gave a false answer to the question from a social worker as to his identity. He stated that his name was Joseph Edwards, rather than Joseph Etheredge. The mother had been approved for an emergency check of over $190 approximately 1 month before she died. Another check, in the amount of $80, in partial payment for emergency approval, was issued 3 or 4 days before she died. She had been authorized to have assistance continued through August 31, 1965.

So the lady was on assistance at the time of her death. She was on assistance a number of times prior to her death. To her credit, it must be said that she once voluntarily asked that her name be removed from the welfare roll.

From my study of this case—and I have gone into it at considerable length—I am impressed with the Christian character of this woman. I feel she tried to live an honest, upright, and Christian life.

The deplorable thing about this lady's situation is that she was married to a man who, although able bodied and employed a number of times, simply did not evidence and demonstrate a parent's dutiful responsibility to his wife and children. He was in and out of jail a number of times. He was arrested for disorderly conduct and for being intoxicated.

I refer to his employment record. I asked Mr. Donald Brewer, Director of the Department of Public Welfare, for the work history on Joseph Etheredge from the time he came to the District of Columbia.

I read excerpts from the material:

Joseph Etheredge and his family came to the District of Columbia separately in November and December of 1960. The Office of Investigations and Collections found a record of 18 employers from December 1960, through April 1965. His usual occupation is as a cook. He has worked in several of the best restaurants in the District of Columbia, and he has not kept any job for long, usually because he did not show up for work.

His work history is attached.

Looking at the work history, I invite the attention of the Senate to the fact that Mr. Etheredge was employed at Peoples Drug Store from December 20, 1960, to January 28, 1961. He gave as his address the same address at which Mrs. Etheredge was living at the time. Therefore, he had not deserted, based on the evidence, because he gave to his employer an address which was the same address at which Mrs. Etheredge, his wife, was living. He could not be continually absent from the home and have that home as his address.

He was employed at the East Capitol Pharmacy from July 8, 1961, to August 5, 1961.

He was employed at O'Donnell's Restaurant from August 9, 1961, to September 13, 1961.

He was employed at the GSI from September 1961 to January 9, 1962. He gave as his address 57 New York Avenue NW., and that was the home address of his wife; namely, 57 New York Avenue NW.

Thus, again, he gave to his employer his home address as being the same home address at which the wife was living.

He was employed at the Keystone Drug Store in February 1962.

He was employed at the All States Hotel from April 1962 to June 5, 1962, at the rate of $1.25 an hour. He was fired because he was incompetent. He gave to his employers the address of 611 P Street NW., which was the address of Mrs. Etheredge at that time.

He worked at the Furniture Plaza Restaurant at High Point, N.C., in September 1962.

He was employed at the Corsican Restaurant in 1962 and gave as his address 415 Ridge Street NW., the same address of Mrs. Etheredge at that time.

He was employed at the Interstate Distributing Co. in Baltimore, Md., in 1963, during which time he was found in the home by the social worker, the occasion being that to which I have already referred, at which time he gave a false name in answer to a question concerning his identity.

He was employed at George's Lunch in Baltimore, Md., in 1963.

He was employed in Cleve's Food Service Corp. in December 1963.

He was employed at the Wits End Restaurant from January 18, 1964, to February 8, 1964, at a salary of $60 per week. His employment was terminated because he failed to come to work.

He was employed at the Ascot Restaurant from February 22, 1964, to February 24, 1964—2 days—at a salary of $75 per week, but he failed to report for work.

He was employed once more at the Corsican Restaurant—the second time—from March 26, 1964 to July 11, 1964, at a salary of $75 per week. The work record states, "He failed to come to work."

He was employed again—this was the second time I believe—by the Ascot Restaurant from July 24, 1964, to August 10, 1964.

He was employed by the Claridge Hotel from August 31, 1964, to September 30, 1964, at a salary of $75 a week. No reason for termination of his employment is available.

Again, he was employed at the Ascot Restaurant from November 16, 1964, to December 12, 1964, at a salary of $75 a week. His employment was terminated because he failed to come to work.

He was employed at Hogate's Restaurant on February 5, 1965.

He was employed at the Market Inn from March 2, 1965, to March 11, 1965.

He was employed by the Cafedon Restaurant from April 12, 1965, to April 22, 1965.

I have read from his work record. The identity of at least 18 employers is shown. Some of those employed him more than once during the period of time following his coming to the District in 1960.

Mr. President, I asked the director of the department as to whether Mrs. Etheredge applied for surplus food. I asked for dates of pick-ups of surplus food, if such there were. In response, I received the following information from Mr. Brewer:

Mary Etheredge originally applied for surplus food on March 30, 1962. She was given an emergency food issue on March 30, 1962, and the case was closed on June 25, 1962, because she failed to report to the office for recertification. She picked up food on April 12, 1962, and May 3, 1962. She did not pick up food on June 8, 1962, the scheduled date. During this period she was not on public assistance.

She reapplied for surplus food on November 29, 1962, and was issued an emergency order on November 30, 1962, and again her case was closed on July 25, 1963, because she did not come in for recertification.

Mrs. Etheredge was on public assistance from December 1962 through June 30, 1963. She picked up food on February 15, 1963, March 15, 1963, April 15, 1963, June 20, 1963. She did not pick up for schedule of December 11, 1962, January 11, 1963, May 16, 1963, and July 18, 1963. On September 5, 1963, she was referred by the public assistance division and received an emergency order on September 6. At that time she had only a temporary address and the case was not opened except for the emergency order pending permanent address. There was no further contact with her by surplus food. Records clearly show she did not receive surplus food in February, March, or April, 1965.

Mr. President, I ask unanimous consent that I may now include in the RECORD a Washington Post story concerning the arrest of Mr. Etheredge on June 12 for yoking and robbing a District citizen. Mr. Etheredge was employed at the time he was arrested.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 13, 1965]

MRS. ETHEREDGE SPOUSE CHARGED IN ROBBERY

The husband of Mary Etheredge was arrested on a robbery charge early yesterday in downtown Washington.

Mrs. Etheredge died April 14 after wandering through Washington in search of help for herself and her five children. Her death has provoked a storm of criticism of Washington welfare practices.

Police said they arrested Joseph Etheredge, 27, listed at the Gospel Union Mission, and Clay W. Anderson, 25, listed at 2237 12th Street NW., after the victim of a yoke robbery pointed them out on the street.

At a hearing in the court of general sessions, a policeman testified that Wilson Abbot, 42, who lives at the District of Columbia Hotel, was yoked and robbed of $28 by two men who forced him into a basement in the 1100 block of 8th Street NW.

The officer said that while he and his partner were interviewing the complainant in the 1100 block of Ninth Street NW. soon after the robbery, Abbott pointed out two men as his assailants. They were identified as Etheredge and Anderson.

Etheredge and Anderson pleaded innocent to the charge, and on the stand Etheredge said his first knowledge of the robbery was when he was arrested. His lawyer Frank Oberg told the court that "it flies in the face of reason" to expect that two robbers would try to walk right past two policemen and a man they had just yoked.

Judge Austin L. Fickling held the defendants for grand jury action and set bond at $1,000 each.

Mr. BYRD of West Virginia. I have gone to considerable length and I have taken considerable time on the Etheredge case. I have done this because this case was seized upon by those who sought to stampede Congress into providing the AFDC–UP program. It was seized upon in their efforts to dramatize the issue. It was played up by many who undoubtedly had never heard of Mrs. Etheredge, except for reading about her in the newspapers, and possibly who could not have cared less about the woman. They sought to use this issue to drive Congress in the direction in which they want it to go.

I have painstakingly drawn from the facts points to illustrate that the woman was on assistance, that the cause of her death was clear, the Health Department Director having testified that the blood clot probably originated in the veins of her leg, and that had the AFDC–UP program been in effect it would not have affected her situation because she had a husband who was allergic to work.

I have shown that he was in and out of jail, that he came home from time to time, and that the poor woman was made to carry the additional burden of bearing his children following his visits, without his support, and that he held down good jobs in the District of Columbia, that he worked at some of the best restaurants, that he could get a job anytime he wanted a job, and that he consistently failed to keep a job because of absenteeism.

Should the Congress of the United States bear the burden of irresponsible, shiftless, lazy fathers and husbands?

Those who have used this case have, in my judgment, resorted to a poor case to support their demands for the proposed program.

The pressure is on. Labor organizations from all over the country have approached Senators and have urged them to vote to institute this program in the District of Columbia. Social worker organizations have been active. Church groups have been zealous in their contacts of members. A Senator from a faraway State recently showed me a letter which he had received from the bishop of his church in his home State who, in turn, had received a letter from one of the Washington bishops I have mentioned today, urging the Senator's bishop to get in touch with that Senator and urge him to vote for the proposed program.

In the main, those individuals who have been so busy in bringing pressure upon Senator have not bothered to read the hearings that have been conducted over a period of 4 years, and which hearings have thoroughly explored this suggested program. They have not bothered to read the records. They have not bothered to obtain the facts. But this is an emotional issue, and they are determined to cram it down the throats of those who do not believe it is justified, and they are going to great length to get the job done.

They engage in creating tension. They appear at the hearings and make demands. They say, "We demand thus and so," as did the Reverend Mr. Fauntroy. He did not say, "We urge you to consider this." He said, "We demand this." So that is the atmosphere in which the bill has been brought to the floor of the Senate.

It is an interesting thing that the so-called Coalition of Conscience has never once, at least so far as I can find in the newspapers, addressed itself to the problem of crime in the District of Columbia. I have not heard or read of its marching with the gray coffin in protest of the men, women, and children who are almost daily being robbed, beaten, raped, and murdered on the streets of the Nation's Capital. Undoubtedly, the Reverend Mr. Fauntroy and his Coalition are fine people. Their intentions are good. As I stated to the Reverend Mr. Fauntroy at the hearings, it might be a good thing if the Coalition of Conscience exercised its talents in helping to find foster homes for some of the children in the District of Columbia. It is concerned about the children of the District of Columbia.

The department has been unable to come forth with all the foster homes that are needed for the children. Why does not the Coalition of Conscience busy itself in an effort to find foster homes for those youngsters? Perhaps the Coalition of Conscience could help to locate some of the so-called deserting fathers and husbands. I have seen no evidence of interest upon the part of the Coalition of Conscience in locating these husbands and fathers.

I have seen no indications that the coalition has interested itself in working with low income, unskilled, illiterate family groups in an effort to teach them the rudiments of family planning. The population explosion is one of the greatest problems confronting the United States, South America, and many other areas and continents of the world today. It is something about which we in the District of Columbia should concern ourselves. The Coalition of Conscience could render a priceless service if it would help to teach people who are on welfare some of the fundamental lessons of family planning. The Coalition of Conscience could also arouse the people of this city concerning illegitimacies in the Nation's Capital. Why does not the Coalition arouse the community's conscience against those who leave newborn babies in garbage cans and to be plucked out of the city's sewers as happened recently.

Mr. President, of the 15,364 children in the Aid to Dependent Children program in March of this year, 6,274 were illegitimates. More than 40 percent of the children on the welfare caseload were illegitimates.

Thirteen mothers in the District of Columbia have 130 illegitimate children, all on welfare.

I can cite another group of 14 mothers who have 126 illegitimate children, all on welfare.

There is another group of 18 mothers who have 144—12 dozen—illegitimate children, all on welfare.

There is another group of 41 mothers who have a total of 287 illegitimate children, all on welfare, and another group of 170 mothers in the District of Columbia who have a total of 850 illegitimate children, all on welfare.

I do not wish for one moment to penalize the child because it is illegitimate. But the people should know what is going on in this city, which we often talk about as becoming a model city.

Forget for a moment the aspect of illegitimacy. The Coalition of Conscience should go to that group of 13 mothers who have 10 children each, all on welfare, and help them to learn the simple lessons of prevention so that there will not be more and more and still more.

The Coalition of Conscience could assist the Senators who are on the committee and who are trying to help the Health Department of the District to do something about the venereal disease rate in this city.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table of cases of gonorrhea and syphilis per 100,000 population in 14 cities, including the District of Columbia.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Cases per 100,000 population

	Gonorrhea		Syphilis	
	1964	1963	1964	1963
District of Columbia	1,272.2	1,013.3	214.2	250.1
Baltimore	578.7	525.3	165.2	181.1
Boston	349.0	288.5	202.3	119.3
Chicago	643.8	606.3	130.5	156.0
Cincinnati	284.8	324.0	90.2	104.6
Cleveland	440.1	378.4	68.4	74.3
Detroit	387.3	403.6	180.4	166.6
Los Angeles	381.9	373.3	164.6	118.1
Milwaukee	155.1	135.5	45.9	43.1
Minneapolis	100.1	109.5	15.2	16.3
New Orleans	285.3	334.4	182.7	241.2
New York	319.9	261.2	239.0	264.1
Philadelphia	291.3	248.9	139.6	231.4
San Francisco	585.4	569.7	132.4	156.9

Mr. BYRD of West Virginia. Mr. President, the Coalition of Conscience should arouse the conscience of this community with reference to the growing crime rate in the District of Columbia. In calendar year 1964, there was a 13 percent increase in serious crime over the previous year in cities of a size comparable to the District of Columbia, whereas in the District of Columbia the increase in the serious crime rate in 1964 over 1963 was 25 percent. So in the District of Columbia there was an increase of 25 percent in serious crime; whereas in cities of comparable size the increase was only 13 percent.

In 1964, in cities of a size comparable with the District of Columbia, there was an increase over 1963 of 15 percent in the number of murders. In the District of Columbia, the increase was 39 percent.

As to automobile thefts, in cities of a size comparable with the District of Columbia, the increase from 1963 to 1964 was 14 percent, while in the District of Columbia it was 56 percent.

So the harvest is plentiful, but the laborers are few. There is plenty of work for the Coalition of Conscience to do in this city, which all of us would like to see become a model city.

The Coalition of Conscience might help to discourage the breaking of windows in school buildings in the District of Columbia. Last year the cost of replacing windows in school buildings of the District of Columbia was $112,868. Let the Coalition of Conscience encourage more restraint by those who like to heave stones through the windows of school buildings.

We talked about the schools of the District of Columbia being a disgrace. I am amused at the number of people who have gotten into the act. They like to get into the pictures; they like to talk about the disgrace of this school and that school in the District of Columbia. Let them point to the broken windows; let them point to the vandalism, to the destruction of property, to the robbery of property from the school buildings of the District of Columbia. Why not talk about that side of the disgraceful picture for a little while. Speaking of schools, the coalition might also address its attention to the problem of pregnancies among unwed school girls, 19 years and under, of which there were 1772 in 1963.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table showing the cost of replacing broken windows over a period of 22 years.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Window panes broken—Cost

Fiscal year	Number of panes	Total cost	Average cost per pane
1942		$12,960.00	
1943		13,000.00	
1944		17,400.00	
1945		15,347.00	
1946		16,730.00	
1947		20,786.00	
1948		19,315.00	
1949	13,406	19,000.00	$1.35
1950	20,840	29,000.00	1.39
1951	14,431	43,000.00	2.98
1952	13,000	46,115.45	3.55
1953	26,924	51,816.01	1.93
1954	23,510	57,317.58	2.44
1955	19,693	58,062.11	2.95
1956	19,635	59,267.47	3.10
1957	21,418	65,279.50	3.05
1958	21,346	64,427.36	3.10
1959	20,555	75,705.29	3.60
1960	21,356	72,281.65	3.38
1961	23,610	85,946.08	3.64
1962	23,648	90,907.00	3.84
1963	19,307	91,451.52	4.73
1964	27,689	112,868.10	4.07

NOTE.—There are no records of numbers of panes broken prior to fiscal year 1949.

Mr. BYRD of West Virginia. Mr. President, I have not yet stressed the reasons why I do not believe an AFDC–UP program is justified in the District of Columbia. I have sought only to treat the tactics that have been resorted to by well-intentioned people and highly organized pressure groups in their efforts to stampede Congress into providing this program. I should now like to briefly discuss a legislative newsletter, which was recently distributed, as an example of the inaccuracies that creep into statements, pieces of literature, and so on, in support of the program. The legislative newsletter is dated June 18, 1965, is identified as issue No. 10, and was circulated by ADA. I read from the letter:

> Public welfare in the District is a scandal.

Mr. President, public welfare in the District was revealed to be a scandal in 1962, when the General Accounting Office and the Welfare Department itself found that the ADC caseload harbored ineligibles to the tune of 59.8 percent; that 58.8 percent of the general public assistance category was ineligible; and that 39 percent of the aid to the permanently and totally disabled category was ineligible.

The scandal with reference to the public welfare situation in the District of Columbia was brought to light long enough ago for it to have been rectified by this time. But it has not been fully rectified, and for reasons, which I need not go into at this time. I continue to read:

> To be a model city is Washington's ostensible goal. The harsh fact is that the city has no general public assistance program.

Mr. President, that is a glaring inaccuracy. The city does have a general public assistance program. It is locally financed. I continue to read:

> In Washington hungry children remain hungry since the Congress refuses to appropriate ADC funds and the city lacks a general assistance program.

The letter does not state that there is an aid to dependent children program and that 4,376 cases were in the category as of last month.

Again, the newsletter is in error when it says that the city lacks a general assistance program. The letter speaks of hungry children. It makes no reference whatsoever to surplus commodities; it makes no reference to the initiation of the food-stamp program as of the coming July 1; it makes no reference to the school lunch program in the District of Columbia. I continue to read:

> The abundance of poverty in Washington has been well documented.
>
> Senator BYRD, Democrat, of West Virginia, is the principal opponent of granting ADC benefits for District families. * * * To BYRD the purpose of welfare aid is neither rehabilitation nor the maintenance of subsistence, and he publicly stresses the need "To cleanse ineligibles from the welfare rolls."

What is wrong with that? So far as I know, every Senator supports, or certainly should support, the cleansing of ineligibles from the welfare rolls.

I have not heard any Senator state a position to the contrary.

> To BYRD, the purpose of welfare is neither rehabilitation nor the maintenance of subsistence.

That is an inaccuracy. The statement is totally in error. I support the rehabilitation of those who are capable of being rehabilitated and those who are willing to be rehabilitated.

I have supported the welfare training center in the District of Columbia. I have supported the appropriations for it. That is the institution in which mothers who are welfare recipients, and who show the proper attitudes and aptitudes, have been receiving rehabilitative assistance. Some of those mothers have obtained employment after having been rehabilitated. I have supported that program.

The letter states:

> To BYRD, the purpose of welfare aid is neither rehabilitation nor the maintenance of subsistence.

Absolutely no facts can be produced to support that outlandish statement. I have supported programs and appropriations for assistance to people who qualify under the governing regulations. The letter reads:

> The conventional moderateness of the ADC program makes its past rejection all the more regrettable. At most, the funds involved are only $342,000 per fiscal year.

That is a shining example of just how wrong some of those people can be. "At most, the funds involved are only $342,000 per fiscal year."

The program which the able Senator from Connecticut [Mr. RIBICOFF] is trying to restore to this bill is for only a 6-month period, beginning January 1, 1966. So, the amount of $342,000 for the fiscal year is in error.

The letter states that:

> At most, the funds involved are only $342,000 per fiscal year.

As a matter of fact, the funds involved in the first full year of the operation of this program amount to $2,592,703, of which $1,202,286 is local money, and $1,386,417 is Federal money.

I shall not continue to read the letter, having brought out some of the inaccuracies, except that I shall address myself briefly to one other statement contained in the letter.

The letter, speaking of the support of the distinguished Senator from Montana [Mr. MANSFIELD] for my position, states:

> Majority leader MANSFIELD's support of BYRD provides insight into his style of Senate leadership. MANSFIELD's support of BYRD exemplifies his near-total deference to conservative Senators. Senator BYRD rarely supports the administration or MANSFIELD on vital legislation that does not directly benefit West Virginia.

Mr. President, the RECORD speaks for itself. I have been one of the most ardent supporters of the late President John F. Kennedy and one of the most ardent supporters of President Johnson. I have not voted in every instance with the administration. I do not propose to do so in the future. However, in the main, I have supported the programs of the administration. So far as I can see at the moment, I believe that I shall be inclined to do so in the future. I do resent the unfair reference to our majority leader.

This is tangible evidence of the tactics resorted to by some groups which seek to bring about the implementation of this program.

I do not particularly care at this moment to proceed with my presentation. I shall very shortly suggest the absence of a quorum, so that an opportunity may be afforded to Senators who wish to speak on the amendment to be present.

In summing up to this point, I emphasize that this issue is being brought to the Senate clouded by all the inaccuracies and distortions that can be generated, nurtured, cultivated, and spread to confuse the thinking of Senators. The issue is being brought to the Senate in an atmosphere of "creative tension."

Senators are being pressured by organizations located hundreds of miles away from Washington, some of whose members have never set foot in Washington, D.C., who know little or nothing about the city, and who are not about to know anything concerning the subject before us.

I am sorry to take the time of the Senate on an item so small that it could only be perceived with one of the largest of telescopes if it were placed alongside the entire budget of the Federal Government, and which is minuscule in relation to the size of the budget of the District of Columbia. However, those who lay the lash to my back have not been concerned about the time that has been taken, or the newsprint that has been used, or the inaccuracies that have been spread.

They have attempted to browbeat me, intimidate me, and threaten me. They have attempted to enlist forces in my State. Editorials have appeared in my own State's newspapers. Reprints from the Washington Post have appeared in certain of my State newspapers.

So the pressure has been brought to bear.

But in the Senate there is time to fully discuss issues, whether they be large or small. It has not been my desire to delay the Senate over this issue. The issue has been brought to the Senate by others, and I intend to meet it, as I have met it here before.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I move that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I am about to make a statement on the aid for dependent children bill which we shall be voting on tomorrow, so that it will be made a matter of record tonight.

At the outset, I wish to express my appreciation to the Senator from West Virginia [Mr. BYRD] for his complete cooperation in helping to work out the procedure for the handling of and the consideration of this issue, and the agreement for the vote at 2:30 tomorrow afternoon.

Mr. President, on March 6, 1963, an excellent statement on public welfare was enunciated by the religious leadership of the Washington, D.C., area, and it was signed by the Most Reverend Patrick A. O'Boyle, the Right Reverend William F. Creighton, the Reverend George M. Docherty, Rabbi Lewis A. Weintraub, Bishop John Wesley Lord, the Reverend Earl L. Harrison, the Reverend David Colwell, and Rabbi Norman Gerstenfeld.

The statement, in part, reads as follows:

> Public welfare is a traditional part of our American social welfare scene. It is the expression of the public conscience responding to the needs of those citizens who, for various reasons, or for temporary periods, are unable to make their way in society. It is the demonstration of the desire of our whole society to provide fair and equitable support for all its citizens.
>
> There is a direct and vital relationship between our belief in man's dignity as a child of God and of our attitude toward the problem of poverty. Intolerance of the poor because they are poor indicates a serious weakening of our moral fiber that must be overcome. We seek to eradicate poverty and the social conditions that breed it, but we cannot be intolerant of those who are afflicted with the grinding degradation of their poverty.
>
> A sound and adequately supported public welfare program is an essential means to that goal. As the President's budget message to the Congress implied, public welfare, to be effective, must be more than a dole. Indeed, any program in welfare, public or private, must endeavor to impart to those whom it serves a sense of dignity and self-respect. It must motivate those who are dependent to move toward independence. This will not be

accomplished solely by administrative fiat; it will demand the active interest and support of every citizen.

To this goal, we pledge ourselves to the fullest measure of cooperation with every constructive endeavor, whether private or public, to meet the needs of all our citizens; to develop better public understanding and acceptance of the nature and purpose of publice welfare; to help effect in our Nation's Capital the proper kind of social climate for all our people. This will demand that our Capital be a city where reasonable opportunity is given to every citizen to make the fullest possible use of his God-given talents; to improve his status through equal employment opportunity at adequate wages and through free access to adequate and decent housing, where every father will be able to provide for his family and his family's future; where children will have the wholesome environment in which they can grow to responsible adulthood for the society of tomorrow.

Mr. President, I ask unanimous consent to have printed in the Record the full statement issued by this distinguished group of clergymen.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A Statement on Public Welfare

Mount St. Alban,
March 6, 1963.

Public welfare is a traditional part of our American social welfare scene. It is the expression of the public conscience responding to the needs of those citizens who, for various reasons, or for temporary periods, are unable to make their way in society. It is the demonstration of the desire of our whole society to provide fair and equitable support for all its citizens.

This is a matter of distributive justice. It should include means whereby the self-respect of those who must depend upon public support may be maintained and their sense of dignity and self-worth secured against humiliation and unwarranted abuse.

Here, in the Nation's Capital, public welfare has been the center of considerable debate for the past several months.

We have no wish to fan further the flames of controversy in this regard. The welfare of the needy, the sick, the disadvantaged is too vital and important to be sacrificed on the alter of public debate. But our duty as citizens and as religious leaders compels us to speak out as advocates of the poor and the defenseless. We are interested in soundness of operation of all governmental programs, and in particular those that contribute directly to the welfare of people. We are equally concerned that there be adequacy of resources and services to enable government to fulfill its responsibility to those in need. We deem it a tragic blot on the good name of our Nation's Capital that our community has not seen fit to provide adequately for the fulfillment of the responsibility of government to the public welfare. To be miserly or subminimal in providing funds for the welfare program of our city is to serve poorly the cause of freedom and progress in our society.

Public welfare is everybody's concern; we do not fulfill our duties as citizens if we relegate to government alone the responsibility of aiding the poor. Public welfare is always enhanced by the preservation and strengthening of vital voluntary activity. Individual participation and personal involvement in helping one another exemplify a wholesome American characteristic that we can ill afford to lose. If a public welfare program lacks sufficient support, it is not only the poor and needy who suffer, but the whole of our society that is weakened. The faceless, voiceless poor must not slip out of our experience or social consciousness as a people. The welfare activities of government are only as vital as is the interest of individual citizens in what is taking place.

In the interest of arousing public concern and promoting public support, a large group of prominent citizens and organizations of our city have banded together as a Temporary Citizens Committee on the Public Welfare Crisis. This body has proposed a Declaration of Principles on the Four Most Urgent Needs in Public Welfare. We endorse this statement, and urge its implementation at the earliest possible opportunity. Implementation of these principles requires that well-prepared staff be made available or help provided in the development of such personnel.

This program of action will be a good beginning, but it will be only a beginning. In a society that prides itself on being affluent, we must ask ourselves why it is that there are so many poor in our midst. Further, we must ask what is our attitude toward the poor. Is it one of denouncing them and applauding every effort to punish and humiliate? Is it one of admitting grudgingly that help should be given to the "deserving" poor but not to those who are deemed by some "unfit"? Since we believe that every man has a unique dignity that comes from his status as a creature of God, he deserves our personal attention and interest, whether he be rich or poor; he deserves our help, whether he be weak or strong, saint or sinner, belligerent or grateful; he deserves our sympathetic understanding regardless of color, of national, or cultural tradition.

There is a direct and vital relationship between our belief in man's dignity as a child of God and of our attitude toward the problem of poverty. Intolerance of the poor because they are poor indicates a serious weakening of our moral fiber that must be overcome. We seek to eradicate poverty and the social conditions that breed it, but we cannot be intolerant of those who are afflicted with the grinding degradation of their poverty.

A sound and adequately supported public welfare program is an essential means to that goal. As the President's budget message to the Congress implied, public welfare, to be effective, must be more than a dole. Indeed, any program in welfare, public or private, must endeavor to impart to those whom it serves a sense if dignity and self-respect. It must motivate those who are dependent to move toward independence. This will not be accomplished solely by administrative fiat; it will demand the active interest and support of every citizen.

To this goal, we pledge ourselves to the fullest measure of cooperation with every constructive endeavor, whether private or public, to meet the needs of all our citizens; to develop better public understanding and acceptance of the nature and purpose of public welfare; to help effect in our Nation's Capital the proper kind of social climate for all our people. This will demand that our Capital be a city where reasonable opportunity is given to every citizen to make the fullest possible use of his God-given talents; to improve his status through equal employment opportunity at adequate wages and through free access to adequate and decent housing, where every father will be able to provide for his family and his family's future; where children will have the wholesome environment in which they can grow to responsible adulthood for the society of tomorrow.

We realize that this is only a beginning. In this statement we have not discussed all phases of the problem of poverty in the District of Columbia. We have not, for example, treated the problem of prolonged racial discrimination in our community. We cannot conclude this statement, therefore, without pledging ourselves to every cooperative effort on the part of religious bodies and all other civic-minded groups, to eradicate this tragic evil from our midst and to eliminate insofar as humanly possible all of the other causes of destitution and social distress.

The Most Reverend Patrick A. O'Boyle, the Right Reverend William F. Creighton, the Reverend George M. Docherty, Rabbi Lewis A. Weintraub, Bishop John Wesley Lord, the Reverend Earl L. Harrison, the Reverend David Colwell, Rabbi Norman Gerstenfield.

Mr. MORSE. Mr. President, this is a statement of high moral principle. This statement still reflects the strong position of Washington's religious leaders, all of whom say in 1965 what they said in 1963 when the people of Washington began to fight in behalf of a program of aid to dependent children of unemployed parents for the Nation's Capital.

As chairman of the Public Health, Education, Welfare, and Safety Subcommittee of the Senate Committee on the District of Columbia, I do not know of any expressed opposition within the community, either public or private, to including the District of Columbia under the aid to dependent children of unemployed parents program. On the other hand, there is a great outpouring of support within the community for including the District of Columbia under this most worthwhile and humane program. The program has the support of the President of the United States; the District of Columbia government; the Department of Health, Education, and Welfare; the Council of Churches of Greater Washington; National Association of Social Workers; League of Women Voters; and organized labor, to name but just a few.

Let us again establish certain basic facts which have perhaps been obscured in the course of the controversy over including this program in the public welfare system of the District of Columbia. The Congress made clear in 1961, when it first approved legislation authorizing Federal matching funds for this program, and again in 1962 when the program was enacted as part of a full range of amendments to the Social Security Act, that it believed States and communities should be encouraged to help a needy family with an unemployed but employable father. The late President Kennedy and President Johnson have repeatedly asked for this program to be implemented in the District of Columbia. Given an opportunity to vote whether they wanted to support aid to dependent children of unemployed parents, District of Columbia citizens voted, in the 1964 Democratic primary, 72,000 favoring the program, and 1,612 opposed. The District Board of Commissioners and the District of Columbia Department of Public Welfare have, year after year, asked us to provide funds for the program.

What is the rationale for the program? Why is there overwhelming support among so many citizens and their representatives to provide for families of minor children with needy, unemployed but employable fathers or mothers?

The religious community has pointed toward a major reason—the moral and ethical dimensions which stress the worth of each individual. Let me add to this the moral factor of helping to build, not to destroy, the family life of helpless people. It is now established that without this program, men must leave their families if their minor children, and the children's mother, are to be eligible for assistance. This does happen in the District. This has been attested to in dramatic situations reported in local newspapers and in the recent intensive study of admissions to Junior Village in 1962, a study financed by the Children's Bureau of the Department of Health, Education, and Welfare, and conducted by the Howard University School of Social Work. The study to which I just referred, entitled, "Faceless Families and Forlorn Children," is contained in the printed hearings of my subcommittee in connection with welfare problems. But there are other reasons, sound and practical reasons, for the broad-based ground swell of community support for aid to children of unemployed parents. Consider this: a child forced to leave home and enter Junior Village because his family life is destroyed by the desertion of his father and the inability of the mother to keep the home together, will cost the District of Columbia about $300 a month. The same child living in a foster home because there is no adult to keep the family together, will cost the District of Columbia from $65 to $75 a month under current board rates. The same child at home with his family costs the District, on the average, $32.75 a month. We would not argue that the allowances for the child in his own home or in a foster home are adequate because they should be increased. Any reasonable increase notwithstanding, it is clearly more economical to keep a child in his own home, with his parents, if this is at all in the interests of the child.

We should never forget some of the incalculable costs which are often the end product when families are forced to break up and the children scatter in all directions. The tragedy of disorganized and broken families is paid for by the families and by the entire community and Nation. The bill for payment is presented immediately and, very often, for years after the event has occurred, because children who grow up without the foundation of a family life are more likely candidates for the next steps in institutional care — the community's "homes" for the delinquent and for the mentally disturbed.

With the permission of the Senate, I ask unanimous consent to insert in the Record at this point, so that it will be available for reference tomorrow, excerpts from the testimony of clergymen who testified before my subcommittee, in which they said that they were put into the difficult position of having to decide whether they should advise father parishioners to remain in the home and suffer the loss of funds for dependent children, or leave the home and have the mother collect the funds.

It will be seen from the excerpts that I am putting in the Record that those clergymen were greatly disturbed and concerned about the fact that they were put in this very difficult Solomon position of determining what advice they should give under those circumstances.

I refer to it only because I can well understand the very difficult decision that these clergymen had to make. The testimony was that in some of these instances they advised the father to leave the home, but they were concerned as to whether this would eventually result in a permanent separation between husband and wife. In any event, their testimony was that it created some very difficult situations.

There being no objection, the excerpts from the testimony were ordered to be printed in the Record, as follows:

STATEMENT OF REV. WALTER FAUNTROY, CHAIRMAN, DISTRICT OF COLUMBIA COALITION OF CONSCIENCE; ACCOMPANIED BY REV. WILLIAM WENDT, CHAIRMAN, UNIVERSITY NEIGHBORHOOD COUNCIL, AND MINISTER, ST. STEPHEN EPISCOPAL CHURCH; AND REV. PHILIP NEWELL, ASSOCIATE MINISTER, NEW YORK AVENUE PRESBYTERIAN CHURCH

Reverend Fauntroy. Thank you so much, Senator Morse. I want to express my sincere and heartfelt appreciation to you for this opportunity to appear before this committee and present our views. Certainly we in the District of Columbia know of your long and fine record of support of the cause of justice and human dignity around the country generally and certainly in the District of Columbia.

We are certainly grateful for this opportunity.

Senator Morse, I have asked to accompany me here two fellow clergymen who work and labor in the District of Columbia and who because of their work in the community, are aware of the welfare cases which have catalyzed all of us into action.

They are Father William Wendt, the minister of the St. Stephen Episcopal Church of our city, and the Reverend Philip Newell, associate minister of the New York Avenue Presbyterian Church.

I have asked to come with us also three welfare recipients. We have asked them to come to share in this hearing because we felt that the committee would like to have the benefit firsthand of the information on the pressures of the welfare crisis of our community. We do this because recipients have not had a hearing particularly from the said Subcommittee on Appropriations for the District and Mr. Byrd has based his reputation in hearings past on our claims for the need of welfare reforms on the fact that his statistics and his reports from public welfare officials indicate that what we say is not true of the nature of the crises while at the same time refusing to hear firsthand from recipients on the pressures which they felt.

From what I have heard prior to this time of those who have testified, I am sure that you are aware that we are not manufacturing conditions; these conditions actually exist and we welcome this opportunity to present them to you, people who can say firsthand what these conditions are.

Senator Morse. May I say, Reverend, that I do not propose at any time in these hearings to involve myself in any way in the procedures that were followed in the Appropriations Committee.

It is within the wisdom and discretion of that committee to follow whatever procedure it wishes to follow under its own policies. I also say that I do not intend to involve myself in any disagreement with the members of the Senate Appropriations Committee or subcommittees. I hold them in respect and recognize that they are entitled to exercise their sincere and honest independence of judgment in regard to the appropriation of money as I am in regard to trying to formulate a legislative policy by this legislative committee concerning the legislation that I think ought to be authorized and for which on the basis of the merits, funds should be appropriated.

This is a legislative committee. Our procedures thereby automatically are somewhat different from the procedures that are often followed by the Appropriations Committee. One of the reasons that I am holding these legislative hearings is to provide you and others with the full opportunity to present the supporting evidence that would justify our recommending the Ribicoff bill to the Senate. I am going to give you whatever time you need today or later to present that testimony, either through witnesses or in written memorandum form.

Now, this does not mean that you do not have full leeway in presenting your rebuttal to statements that have been made in hearings before the Appropriations Committee, and I know my mentioning of it is all I need to do for you to understand the protocol situation that confronts this chairman and the members of this committee.

I would be the last one, to the slightest degree, to deny, a free citizen not only his right but the carrying out of his obligation to answer in a legislative hearing any arguments that are made by anyone, including a Member of Congress, which he thinks as a witness need to be answered.

In answering arguments I want you to consider yourself to the merits of the issue because I have a great responsibility of seeing to it that the hearing record that I submit to the Senate is a completely objective record and will form no basis for anyone to charge me or my committee with offering a form of attack on any other committee or individual members thereof.

I think that outlines what I have in mind. You may proceed now to give me the evidence in regard to contentions rather than with regard to who made all those contentions.

Reverend Fauntroy. All right. Thank you, Senator Morse. Just prior to presenting each of these witnesses, I want to indicate that there is a considerable body of fear among many recipients in the community about testifying at these hearings and making known their knowledge of the injustices in the system which they experience because they sometimes fear reprisal.

For example, we would like very much to fill such a hearing room like this with children who would benefit from such a program as has been proposed and authorized by the Congress.

Senator Morse. Reverend, I am glad you made the statement that such a fear exists. Let me say as chairman of this subcommittee that has jurisdiction over this general matter as far as legislative policy is concerned, if you ever have the slightest inference that any witness that ever appears before my committee suffers in any way as a result of exercising this precious right of freedom of petitioning the Government for the redress of a wrong, you so notify this chairman and I will exercise every authority within my position as chairman of this committee to have an open public hearing involving any person in connection with the Government, local or Federal, that is so charged giving that person an opportunity to clear himself and, failing that, taking whatever steps I can as chairman of this committee to see to it that such a wrong is immediately redressed because we can't remain freemen if people in this free society ever fear that they cannot testify and tell the facts as they know the facts to be about any wrongful course of action or malfeasance on the part of anyone connected with this Government.

Reverend Fauntroy. Thank you, Senator Morse. I am sure this is a word of encouragement for the recipients who are here today and for all of those who would wish to make known their grievances.

We, like you, salute those who come for their honor and their courage.

I am prepared now to move right on into their presentations. To introduce the first person who would like to share her experiences with you, I have asked Father Wendt to bring Mrs. Helen Lyon.

Reverend **Wendt**. Thank you, Reverend Fauntroy.

I think one of the hardest decisions that some of we as clergy in the depressed areas of this city have to make is to ask a husband either forcibly or otherwise to leave the home so that his children can have aid from our welfare structure. This is not to say that every man that we ask to do this is most receptive of manhood but we would like to have the opportunity of working with that man within the structure of that family.

We do not have this opportunity because, of course, the decision has to be made in benefit of the children. So we do ask the man to leave and it is a very serious thing to us that we have to do this. This is happening in the particular case of the mother of a family of six that I bring with me this morning. She is one of many that we have had to do this with.

Now I would like for her merely to state what her present relationship is with Welfare.

We have been unable to continue a working relationship with the husband to the degree that we would like to. This is often because the man, once he is forced to leave his family, is reduced in his manhood considerably and it becomes even more difficult to rehabilitate that particular person.

At the moment we are concerned about the mother and the children and that is why we bring Mrs. Lyon here this morning.

Senator **Morse**. You may proceed in your own way.

STATEMENT OF MRS. HELEN LYON, RESIDENT OF THE DISTRICT OF COLUMBIA

Mrs. **Lyon**. My name is Helen Lyon. I have six children ranging from 7 years to 13 months. I receive $217 from Welfare. I pay $95 rent but I am allowed to pay $65. I live in a small three-bedroom house with eight other kids and three adults with only one bath and one kitchen. I am unable to receive public housing because my family is so large, and they tell me that veterans are getting first preference and I just have to wait.

The investigators come around, you know, as early as 8 o'clock in the morning and on Sunday mornings and as late as 9 and 10 o'clock at night. They ask to see all the children every time they come and the children's birth certificates and they want to look under the beds and in my closets to make sure that no man is in the house and that I am sleeping by myself.

They ask various questions about the furniture and the clothing and how I am taking care of the children and how I am living and all. I think to my knowledge they have visited my house about four times since I have been on public assistance. I am very tired of the way that I have to live but I cannot find a much larger or suitable place to live on the income that they allow me. I have to take some of the rent money out of clothing and food in order to pay rent. There is just no place for a family of seven to find a larger or more suitable place on the $65 a month that I am allowed for rent.

Reverend **Fauntroy**. I think you see, Senator, that the need pointed out by the Citizens Committee on the Welfare Crisis for Increased Public Assistance grant is apparent here.

The allowance given to herself and the six children of $65 a month, and as she points out, she has to pay $95 a month for limited quarters which means that she has to take $30 out of the allowances for food and clothing for her children to meet this need, and this accentuated by the fact that the husband had to leave the home in order that they might get on public assistance.

Senator **Morse**. May I say this to both of you members of the clergy, that I shall not at a public hearing ask for any information myself; whatever you offer for the public record I will take. Not talking about this case at all, I think you can help me if you will supply me subsequently with a memorandum that will be used to help clarify the situation with my colleagues in the Senate.

So speaking about a hypothetical, but obviously a hypothetical based in part on the testimony that we have just heard, but based on other fact situations too, it would help me for example, if in a confidential memorandum and then we can decide how much, if any of it, should be made a matter of public record, you could give me information on case "X" in which it was necessary or deemed desirable to persuade a husband to leave the home.

I would like to know in case "X" was the husband seeking work, was he willing to work?

No. 2, as a result of his leaving home, has he lost all contacts with the family or does he come back to the family, try to maintain some resemblance of holding the family together?

No. 3, does he seek when he can get work to supplement the income?

No. 4 is the result of this policy in connection with our case "X"?

I imagine you could present to me case after case of a similar nature, the result of the policy of either increasing the divorce rate in the District of Columbia or the separation rate in the District of Columbia without divorce, increase the resulting juvenile delinquency rate because of the breakup of the home, to increase the problems of morality as they relate to members of the family.

I heard enough in this brief recitation of the first witness that you presented that made clear to me that we better have an analysis of this type of case in depth and that should not be in a public hearing.

I want to thank this witness for her courage for what I consider to be a willingness to testify to the extent that she has on a matter which you and I, nonmembers of that home, have got an obvious moral responsibility with respect thereto. I think she said enough but I don't think the two gentlemen are through with this case as far as this chairman is concerned.

Proceed with your next witness.

Reverend **Fauntroy**. Certainly, Senator.

With respect to your request, we would like to submit for the record a release on some 13 histories which we have compiled through the kind offices of the Metropolitan Chapter of the National Association of Social Workers, of which the group includes 5 histories of families which provide evidence supporting the current practice of denying assistance to children of unemployed parents.

Senator **Morse**. The memorandum of these case histories will be included in the hearing record at this point.

(Document referred to follows:)

"District of Columbia Coalition of Conscience

"Welfare Crisis Documented by Area Chapter of the National Association of Social Workers

"A chilling profile of hopeless human suffering was released today by the District of Columbia Coalition of Conscience in the form of family histories from the files of District of Columbia welfare agencies. Thirteen histories resulting from gaps in District welfare programs were drawn together by professional social wokers for the Metropolitan Chapter of the National Association of Social Workers.

"These cases of human suffering provide specific illustrations of the welfare crisis in the District of Columbia and of the need for reforms called for by the District of Columbia Coalition of Conscience, chairman, the Rev. Walter E. Fauntroy. Last Wednesday Reverend Fauntroy announced plans for a mass meeting on the welfare crisis to be held Sunday, April 25, at the Vermont Avenue Baptist Church, 1630 Vermont Avenue NW. (Coalition of Conscience release of Apr. 21.)

"Five of the family histories provide evidence supporting the proposal to eliminate the current practice of denying assistance to the dependent children of unemployed parents.

"The remaining cases support demands for a reduction of the special investigative force and for an increase in the number of professional workers.

"New impetus was given to the drive for welfare reform in the District by the tragic death of Mary Etheredge on April 14 in the mental ward of District of Columbia General Hospital after several days of searching fruitlessly for help for her homeless family.

"These family histories represent but a sampling of urgent welfare needs illustrated in welfare agency files. Additional information may be obtained from the Metropolitan Chapter of the National Association of Social Workers located at 1136 19th Street NW., telephone FE 3-4171. The association welcomes inquiries as well as additional professionally documented case histories contributing to resolution of the welfare crisis.

"Cases illustrating the need for aid to dependent children of unemployed parents

"A couple with five children, ages 6 to 12, came to a neighborhood house asking for money to obtain food. The husband, construction worker, had been unable to obtain regular work during the winter months. The mother was unable to work as she had done in previous times, because of pregnancy. All their usual living expenses had continued, of course, whether the father was employed or not. Unemployment compensation was not available as his employer had not been 'covered' or had not arranged for coverage.

"A family consisting of middle-aged parents with two girls, ages 6 and 7, was referred to a private agency by the public school lunch program. The father was chronically unemployed, as he had no real job skills and was illiterate. He worked as much as he could, usually as an odd-job man, but did not receive enough to adequately support his small family. The mother was unable to hold a regular job due to having epilepsy but did earn some money playing for church functions. The family needed a variety of kinds of aid but basically needed aid in employment training for the father coupled with literacy training.

"A couple with four small children, ages 1 to 4, found themselves unable to meet living expenses due to the father's prolonged unemployment. After some delay and after a number of bills piled up, the family came to an agency asking for help. The father did not know he might be covered by unemployment compensation, but in any case would not receive this for several weeks. They were faced with an immediate eviction. Temporary aid was given by the agency. The delay and the emotional strain seemed to have taken a great toll of this family's strength.

"The father of a family consisting of wife and four children, ages 1 to 4, had been imprisoned. On returning home, he found himself unable to find a job. He received help from two agencies but after continued failure to locate work, he deserted the family. Shortly after, the mother was able to obtain public assistance, but her application went from April to late May before she received any money. Therefore, for a number of months, the family was forced to exist in deprived circumstances, ineligible for public assistance, until the father's desertion.

"A couple with seven children, ages 2 to 14, had no means of support since the father's employment as a construction worker ended during the winter months. His pay in periods of regular employment was insufficient to provide savings and there was, therefore, nothing for the family to fall back on. Unemployment compensation is not available to all workers. In this instance, the family was forced to place two of the girls, ages 10 and 11, in a foster home.

"Cases illustrating the need for lower caseloads and more training for welfare workers

"A man, age 27, with five children, ages 1 to 7, had been deserted by his wife. Having recently broken his arm, he was unable to work and also unable to provide daily care for the children and to keep house alone. He applied for assistance but was also concerned about the possibility of having to place the children at Junior Village. He apparently received no counseling help from a public agency, so went to a private agency for advice. In such times of crisis, counseling and supportive social work services are essential to prevent serious, traumatic breakup of families.

"An unwed mother, age unknown, with two children, ages 3 years and 16 months, was in the eighth month of pregnancy. She had come to the District of Columbia about 2 years before, had lived with relatives, and in several other places in the interim. She applied for aid but was unable to "prove" residence because she did not have rent receipts, etc. Her application was rejected by a public agency, and the mother requested help from a private one, which undoubtedly helped but also was forced to urge her to reapply for assistance, since she was eligible.

"A mother and her child, 2½, lived with a maternal aunt. The mother had recently been discharged from St. Elizabeths after 5 years of intermittent hospitalization. She went to a private agency in search of more adequate housing away from the aunt who was soon to go to work. The welfare worker refused financial assistance because she was concerned about the soundness of the mother's plan and because the mother appeared unable to give adequate care to her child. The welfare worker referred the case to a public agency instead of providing financial aid, together with help in solving the mother's housing problem and in caring for the child.

"Cases supporting the demand for more qualified welfare workers

"A single man, aged 50, white, living alone in a roominghouse had been receiving assistance (aid to the disabled) for about 2 years and had been receiving counseling help from a private agency for emotional problems of long standing. About November 1963, he received repeated visits from investigators, always asking the same questions, and from November 1963 until about March 1964 his check was suspended, causing this emotionally disturbed individual considerable, unnecessary distress to no purpose.

"A mother of eight children, ages 6 to 16, reported that investigators knocked on the door of her apartment, but, when told to wait, broke in. She was in a state of undress and very upset, she 'attacked' them. They left then but later reported that they suspected she had a man in the house, and as a result she was dropped from public assistance. About 60 days later she was reinstated. A woman with 3 years of college, she has considerable vocational potential. During the period in which she was not receiving assistance, she was forced to depend on a neighborhood house for food and rent.

"A mother with one son, age 13, was summarily dropped from public assistance when investigators found articles of men's clothing in her bedroom closet. Her explanation that this was clothing given to her for her son was not believed. This was the only evidence known which would indicate she had a man in the house. The mother appealed the case, but in the meantime, had to depend on private charity for subsistence.

"A widow, with a single child, a daughter 10 years old, had been receiving assistance for some time. The two persons received a grant of $115 per month. But suddenly, as part of a routine survey, on three separate occasions within a short period, investigators came to the home trying to find a man in the house. They asked a number of embarrassing questions, looked in closets and under the beds. This sort of investigation, not based on any alleged wrongdoing, was highly disturbing to this religious woman and to her small daughter, who could not understand what the men were asking about or looking for."

Reverend Fauntroy. We will endeavor to get the kind of case study you requested.

Senator Morse. Work with Mr. Judd, my counsel on the committee, and he can arrange for the three of you to meet with me some day in the very near future when you get your data prepared.

Reverend Fauntroy. Thank you, sir, very much.

Senator, we should also like to have you hear from Mrs. Fannie J. Long, who also has experiences which I think will be of benefit to the committee.

STATEMENT OF MRS. FANNIE J. LONG, RESIDENT OF THE DISTRICT OF COLUMBIA

Mrs. Long. My name is Fannie J. Long. I am the mother of two children that I have raised alone, and no one knows any better than me what it is to bring children up without a father. I have worked and I have had babysitters with them, was paying this lady $26.50 a week only to feed my children and to see that the oldest little girl got to school and that my other one had her nap and had her meals.

I came home one day and found both of them beaten black and blue and had to go to court three times on the case. Finally they sent the mother that was taking care of them to jail for 8 months, which I think if they had had a day care center all of this could have been prevented.

Also, at one time I was receiving welfare payments which I do not receive now because I draw a survivor's insurance check from social security benefits of my deceased husband. When I go to apply for welfare they tell me that I should live on this $91.60 a month which is not enough money for my two children and me to live on.

At the time I received welfare payments, when I applied I was working. My two little girls had chronic illnesses which caused me to have to leave my job and stay home and take care of them. I applied for emergency aid. It was 3 weeks before the caseworker even came to see me. It was another 3 weeks before I received a check which was only $56, and at that time my social security check was only $85.

Since then we have received a raise of $7. My children went hungry except for bread and gravy which I fed them to keep them from starving before I received the check. I think if they could speed up the emergency aid it would be a wonderful thing.

On another case I am going to state about the investigators. A friend of mine that lived in the same building with me, was on welfare. Her baby was found dead one morning when she woke up. The baby had been dead around an hour or an hour and 15 minutes when I found the baby. I called the police for her; and her husband, the baby's father, was there. They had been separated. He had been staying away because he had been told to by her on account of the investigators visiting her at all hours of the night and trying to see if he was there. They stayed parked in the street day and night looking to see if they could see this man coming in or out of the house. They came and knocked on her door at 11:30 and 12 o'clock at night trying to locate the man.

The morning the baby was found dead, he was told to leave the house before any of the welfare investigators came down, which at a time like that the mother needed the baby's father because she had another child that was 2 years old and she needed him then most of all.

I think it is a shame that the father cannot be with the mother and the children even though he is unemployed. Some fathers do try to work and do not drink the money up while I suppose there are others that do, but I know in this case this man did not.

Another thing is that it is not a crime to be poor but it is a crime the way the welfare does some people.

Senator Morse. Mrs. Long, I am very glad to have your statement. I will discuss it further with the Reverend later for any further information we may need in confidence.

Reverend Fauntroy. Senator Morse, Mrs. Long came to our attention through Reverend Newell. I meant for him to introduce her. I wonder if you will hear from him briefly at this time.

Reverend Newell. There is one point Mrs. Long is not commenting on. I have known her now for 2½ years and she works for me and I have the highest confidence in her. I am also her pastor. As her pastor, last fall I had to make a difficult decision to refuse to marry her to a man that she had met and in whom she had confidence and be a father to her children because at that time we were trying to get Mrs. Long on welfare.

The man had lost his job and no hope of getting another.

Now the relationship is a very sensitive one. I only mention it here because this is something I, as a clergyman, feel very deeply that I had to refuse. I am her pastor and cannot marry her because this would endanger her possibility of getting on welfare.

If we had known, I might have gone ahead and married them and might yet because there is no chance of her getting on welfare through the small social security check she draws.

Senator Morse. Thank you.

Reverend Fauntroy. I think also Mrs. Long's comments raise another question to which we have addressed ourselves as clergy; and that is, whether or not we, in urging aid to the dependent children here, want to support people who don't want to work? This is certainly not the case.

We feel that our unemployment compensation system of checking to see if a man who is unemployed is actually seeking employment, or if he can actually find employment, would be applicable in the case of aid to dependent children of unemployed parents if the father was required to register with USES. If, at the end of the month, USES certified that all efforts to employ this man during the month met with no success, then it is a bona fide case of a father earnestly seeking employment and cannot find it.

I think this was pointed up by Mrs. Long.

Finally, Senator, we should like for you to hear from Mrs. Virginia Keith who is likewise a welfare recipient and whose experiences with the investigative force have been such as to document the need cited by all of the citizen groups in the District of Columbia which have testified on this question for reduction in the investigative force which so intimidates fathers like the father to whom Mrs. Long had reference.

Senator MORSE. Mrs. Keith, we are very glad to have you present any testimony you care to.

STATEMENT OF MRS. VIRGINIA KEITH, RESIDENT OF THE DISTRICT OF COLUMBIA

Mrs. KEITH. Thank you very much. My name is Virginia Keith and I live at 203 N Street SW., in the Greenleaf housing project.

Last year I had a great many visits from the investigators and I came to read a letter that I sent to Mr. Brewer relative to their visits at my home because it has been said that investigators do not harass or "badger" the people. Of course it might be possible that one person defines a word one way and one another but I think my letter will explain what I experienced with the investigators.

After my letter was sent to Mr. Brewer, I have here a letter from him acknowledging it and then a letter from Mr. Galvin who is head of the Department of Investigators for setting up an appointment to come and talk with me about the situation.

So this in itself is proof that they do know that there is harassment.

My letter says:

Mr. BREWER.

DEAR SIR: I am writing this letter to bring to your attention a number of visits, eight to be exact, that I have had by your investigators since January 1, 1964. The last two were made by the same two men, a Mr. Smith, a Negro, and his companion, a white man. On the last visit which took place on Thursday, March 31, in my home, both men treated me in a most disrespectful manner.

Some of the things they said and intimated were slanderous and detrimental to anyone's character:

I did not know that all people on welfare were classified as "criminals" and that the investigators had the right to use third-degree methods of investigating them. I am sure that there are a vast number of people on welfare because of circumstances beyond their control—that is how I classify myself, anyway.

It is true that my children's father has become a drug addict and is at this time in the District jail and that he has a record of larceny against him. But because of past relationship I do not think your investigators have a right to say that all of my furniture and household effects are stolen; that they would have to be since they came through him and his family.

I do not have one stolen thing in my home, to my knowledge.

I have housekept here in the city of Washington for 25 years and worked most of this time, and everything that I have belongs to me. They also say that I had to know of this man's dealings with drugs and have inferred, suggested, and pounded me with the fact that I must be a thief and an addict to have known these type people.

I do not drink or even smoke ordinary cigarettes and have never in my life.

Mr. Smith's companion said that he remembered me from a raid he conducted some 10 or 12 years ago. I have never been in a raid in my life and, if I carry this case to court, I intend to ask that he prove this fact with records.

If the welfare would like to put the children in a convalescent home and discontinue the checks, I would prefer it that way rather than have to be subjected to any more disrespect in the future. My daughter, age 10½, is a chronic asthmatic and my son, 9, is convalescing from a case of infectious hepatitis that he contacted in January. They are both patients of the Outpatient Department of Children's Hospital.

I have a case history at Freedman's Hospital of arthritis and a bad nerve condition but, even so, I have asked for 2 years through my former caseworker, Mrs. Brooks, that I be recommended to a work-training program. I have also been in touch with the Department of Rehabilitation at Freedman's Hospital after requesting this referral through my nerve doctor.

I have taken several tests and have been in conference with the doctor who is head of the Rehabilitation Department here and have been waiting many months for an answer as to the decision about work. So, therefore, I do not consider myself a cheater on welfare rolls as I have made an honest effort to get off.

I am also always willing to talk to anyone about work training that will fit in with my physical condition. In talking with the investigators, when I have said that I have very limited education and no training for the kind of work that would pay me enough to take care of the three of us, Mr. Smith laughed in my face and said I had enough education to evade answering their questions. Well, I hope he realized that I would have enough education to bring this matter to the attention of someone in authority where they would be reprimanded for the insulting investigative tactics. Even though I have already been insulted and humiliated, I hope this information will help some other poor person in the future.

My son who was here and heard all the questions became so upset he was confined to bed for 2 days and I, myself, had to go to the emergency clinic to get treatment and medicine for my nerves. My child had just come home from the hospital that day with a slight temperature which ended up 102° the next day. He has told everyone who has come to our house that the investigators said all of our furniture was stolen and that I was a thief and was so upset over the things they said about his father that he expressed the desire to go to Junior Village and for me to get off the welfare.

My little girl had an asthmatic attack in front of the first investigators when they were talking about him in her presence. However bad this man may be, he is still their father and a human being who must be very sick to have resorted to the kind of life he has come to live.

It might be true that our home is a little above the standards of some welfare people and I do try to keep it clean and in order at all times, but this is how I was raised and have lived in the past. To have worked and housekept for so many years and not to have accumulated anything, I will consider myself a poor excuse of a person.

So far as cleanliness goes, I expect to live this way until I die, welfare or not.

It is my intention to bring this case to the attention of the newspapers, to send a copy of my letter to Mr. Horsky at the White House, and to Attorney General Kennedy's office. Also, to ask the NAACP to take legal action against the two men for slander and defamation of character, but I am first giving you the courtesy of bringing it to your attention and the Welfare authorities. I will await an answer from you before I seek further help and I will not be talking to anyone concerning this matter at any time.

So, I rely on your fairness to see that this goes to the proper authority.

Thank you very much in advance for your help.

I remain sincerely,

Mrs. VIRGINIA KEITH.

After this, I received a letter from Mr. Galvin and I set up an appointment at my apartment because I did not want him to think I had anything to hide. He was very gracious and kind gentleman and he came with his deputy and talked at great length about the entire welfare case. He said that there was not anything in the record that warranted the investigators coming, it had only come up as a matter of routine investigation.

When they came there the only thing that they could think of was that this woman has to have some source of income besides her welfare check. I asked him at that time how many times an investigator would have to come to anyone's house to determine what they were looking for, especially when they went through the closets and looked at all the labels in the closets and asked what you were cooking and what was in the icebox and just went through the place with a fine-tooth comb.

Of course, his answer was "No more than three visits, and two should have been sufficient."

But these men just did not consider the fact, like I told them, that I had housekept for many years and that I was not a really young woman, had had a great deal of experience and had to take care of the things that I had.

We get very little money from the welfare considering the cost of living today—$148—to take care of three people. We live in a housing project and we have to pay $61 for rent. Of course, that leaves $87 for food, clothes, transportation, clinics, and all other incidentals that come with housekeeping.

I have often wondered why it is that the rent for welfare people cannot be computed like rent for people who have sources of other income. There is a family that lives right next door to me who has about $265 a month from social security or the age pensions and pays $33 a month for the same two-bedroom unit that I have—paying $61 a month. That, in itself, seems most unfair.

When you go to clinics there is the matter of transportation. I know during the month of March there was quite a bit of illness in the family. Before the month had even ended I had spent close to $6 for bus tokens which I spoke to the caseworker about but there is just nothing that seems to be able to be done about it.

In the case of emergency help, I have also thought about the fact that if the welfare person becomes ill on the weekend and has to go to the hospital, like I did yesterday morning, and is given a prescription, if you don't have the money to get it filled then you just stay ill until you can contact your worker; perhaps on Monday.

Then there have to be forms to fill out and perhaps it is a week before she can even get back the signed application, I assume, that you can go to the drugstore and get the medicine for free.

So all these things have to come out of what is left after rent is paid. Truly, there needs to be some changes.

I often think that with the passing of Mrs. Etheredge through hardships and poverty, that what I have gone through in the past few years, if there had not been some strength, some faith in God, and some belief that somehow nothing is so bad that it will not change, that the children will grow up and there won't be that responsibility, then I could truly have been another Mary Etheredge case.

Thank you very much for this opportunity.

Senator MORSE. Thank you very much, Mrs. Keith. I shall also discuss your case and provide for the hearing record an opportunity for further presentation of the points of view with regard to the welfare people in regard to this and other cases.

I want you to know I appreciate very much your forthrightness and your willingness to appear at a public hearing and make your statement. You deserve credit.

Reverend?

Reverend FAUNTROY. I just want to again thank you, Senator, for this opportunity. I think you know from Mrs. Keith's presentation the responsibility of her reaction to her experience. This letter was written in April 1964 and it was not in any way fashioned or we did not ourselves attempt to help her write it, she wrote it out of her own heart and out of her own experience.

We must admit it was an eloquent expression of what her heart felt and what her experience was.

Senator Morse. I think, Reverend, you ought to supply for the record the communication or copies of any communications Mrs. Keith got in reply.

Reverend Fauntroy. Yes; we have those records here and want to submit them for the record.

(The letters referred to follow:)

Government of the
District of Columbia,
Department of Public Welfare,
April 23, 1964.

Re Keith, James and Virginia M. C 472-600.0.

Mrs. Virginia M. Keith,
Washington, D.C.

Dear Mrs. Keith: Your letter of April 5, 1964, has been referred to me. I am quite disturbed that any of my investigators would conduct themselves in a manner as indicated in your complaint.

I would be most grateful if we could have a meeting at my office at any time convenient to you between the hours of 8:15 a.m. and 4:45 p.m., Mondays through Fridays, or if this is not convenient to you, if we could arrange for such a meeting at your home.

I would appreciate it if you could call either myself or my deputy, Mr. James W. Hajek, at NA 8-6000, extension 3591, to arrange for this meeting.

Please accept my regrets for any unpleasantness to which you were subjected.

William R. Galvin,
Investigations and Collection Officer.

Government of the
District of Columbia,
Department of Public Welfare,
April 14, 1964.

Mrs. Virginia M. Keith,
Washington, D.C.

Dear Mrs. Keith: I have just had forwarded to me from the Public Assistance Division your letter of April 5, 1964, concerning a recent visit to your home by the investigators of our Department.

As you realize, of course, it is necessary for us to make investigations in regard to eligibility, but I instructed staff that these are to be done courteously and with the least embarrassment possible.

I am having this incident looked into and we will be in touch with you again in the immediate future.

Sincerely,

Donald D. Brewer,
Director of Public Welfare.

Senator Morse. Do you have any other witnesses before I ask you a question or two?

Reverend Fauntroy. No. We have no other witnesses except to say that all of these mothers here indicated a desire to take advantage of another of the critical needs highlighted by the Citizens Committee on Public Welfare Crisis and that is of adequate day care available to them to enable them to work, and I think this is worth noting, also. They all want to work.

Senator Morse. Reverend, I would like to give you an opportunity either in testimony or in supplemental memorandum, you three gentlemen of the clergy, to make any statement that you want to my committee in regard to S. 1817 which would seek to require that the funds be made available to assist dependent children of unemployed parents.

Now it seems to me that you probably—the three of you—could be a great aid to this committee in giving us information as to what exactly you have observed happen in regard to families in which the father has been induced to leave because his staying in the home denied to his children the necessary funds to help them with their dependencies.

Before I close this comment, I want you to know that the feeling exists among some of my colleagues that there really are not very many cases involving a situation in which it is claimed that a father has been induced to leave his home in which the father would not work in his home anyway or is not in his home much anyway and that the father comes back to the home intermittently in any event—to use some of the language of the attitude expressed—just no good.

They come home just long enough to pick up some of the money, drink it up, beat up the family, commit other depredation.

The number of families in which you really have a father in the home who is in good faith seeking to get a job, who extends to the family meaningful love and affection, trying to better the family's condition, are few and far between.

The argument is that in most of these instances you in fact have a broken family anyway whether the father is there or isn't there. It is not a family in the sense that you and I use the word "family," where there is a unity of purpose and an attempt to stabilize the family and that when it is required that funds will not be made available unless the father is kept away from the family, that you are performing a great beneficial service to both the wife and the children, that it is not in their interests to have the father at home because the tragedy has already occurred.

In many of these instances if you don't insist upon the policy of not providing funds, if the father is still allowed to come home or stay at home part of the time, you are dealing with a father who suffers often from various types of psychological disorders, including alcoholism, dope, et cetera, and he comes home and beats up the wife until she gives him the money, beats up the children.

When you look at the policy in practice, it really is the policy of requiring that the father be out of the home if dependent children are to receive aid. Probably the overwhelming majority of the cases is an aid to the family rather than a hardship to the family.

Now I have summarized these brief statements with the argument that I run into that is supposed to justify the policy, and you can add to it on the basis of your experience as clergymen.

What I thought you could do to help my committee, the three of you either here or if you want to in memorandum, although I am willing to give you opportunity to do it on the public record, give me a rebuttal, if there is a rebuttal, with that line of argument.

Reverend Fauntroy. Both of us want to reply to that, Senator, and we will be brief.

First of all, there are five cases in the memorandum which we have submitted from the National Association of Social Workers which we think are bona fide cases.

Second, we will get documented cases to you.

Third and most important, Senator, when we are confronted as clergy in a community with a case where a father is forced to leave because he is unemployed, we don't ask ourselves what percentage of the population is that man, what percentage of the number of fathers in this community suffers as a result of this unfortunate group. We look at that individual case and the need of that individual mother and those individual children for the presence of their father in the home.

It is that human consideration which moves us to action and to point up the need for this program. We believe that this was the reason that the setup of the House acting in concert authorized a program for the "Aid to Dependent Children of Unemployed Parents" because of their assessment of the need of individuals for this.

We are not advocating support for gray area situations but as we have indicated before, there are ways of checking to see if in fact a father living in a home is seeking employment and is making an attempt to be a father in the best sense of the American tradition.

It is these kinds of experiences that we have and we are motivated not by a knowledge of statistically where does this person fit but humanly what does this person need?

Reverend Wendt. I would only like to say, sir, and I am sure it can be borne out very well by sociologists, my concern has turned lately to these men. Now, indeed, many of them, because of the fact that we are living in a matriarchal type of society, because of the existing employment situation in Washington, D.C., especially for Negro men, have turned to other sources of life such as alcohol or what have you.

I am not trying to defend them. However, I am saying that no rehabilitation process has been set up for these men. We are now working with 23 of them, most of them who have had at one stage of the game to leave home because of these conditions. It is going to be a long road back. It is just unfortunate that we cannot start that process while they are still within the framework of their family. Too often we say that a man is not a man because he does not live up to the standards that we in our middle-class society would often like to put upon him, but he needs help as much as the children in many ways.

I hope we just don't shove off the man too quickly and say he is a bum or chiseler or brute when there are so many factors that need to be brought into this whole picture.

Reverend Fauntroy. Senator, if there is just one family in Washington, D.C., that needs the benefit of this program, morally we feel the community has a responsibility to make that program available.

Reverend Newell. Senator, Mr. Chairman, if I might—and I know Father Wendt knows of a similar situation, and we all know many people in the community and private agencies who know families wherein there is no question—there is a very clear-cut indication that desertion is based on the needs to qualify the family for public assistance.

When we think about it, as Father Wendt is saying, what this does to the man's character, how this kind of thing erodes a man's conception of himself and his dignity, it is no wonder some, if not many, men wind up on artificial stimulation as hollow shells of themselves.

The system breeds two things: lack of dignity and lack of humanity in a culture which is supposed to value the family. A man is a man by doing work, the only way he can support his family. Think what this does to him psychologically. No wonder he winds up in trouble.

The system also breeds deception. They meet each other in the park. What can you do in a public park in the daytime? Not very much. They still have a relationship together.

I know these people very well and I am not about to introduce, you know, their names publicly. I am sure Father Wendt and Reverend Fauntroy will share this consent.

Reverend Wendt. It also breeds illegitimacy, unfortunately.

Senator Morse. There is one general question I would like to have you as members of the clergy help me with. What do you say to the argument with father X just refuses employment to jobs that are offered him, he won't work although the jobs that are offered are jobs of dignity within his capacity but he stays home and in that sense mooches upon the welfare funds, uses them up for improper purposes in some instances.

The argument continues the only way that the taxpayer can be protected in such instances is to see to it that he does not get any of the money by excluding him from the home and supervise the expenditure of the money for the benefit of the children. That is my hypothetical.

Now I want to know, one, to what extent you have experiences with that type of a case? Is it a factual situation to any great degree?

Secondly, to the extent that you have got a father that apparently is one of these moochers who would rather live off of welfare than off of his own efforts, is it desirable even in that case to send him away whereas you testified it is more difficult to try to rehabilitate him or is it better to try to supervise the expenditure of the funds to the benefit of the children and the wife and keep him under surveillance but within the bonds of the family rather than break the bonds as far as he is concerned?

Reverend Fauntroy. Father Wendt wants to reply to that.

May I preface his reply by saying we do not support aid to dependent children of fathers who will not work, we are here to support aid to dependent children of unemployed fathers who are seeking employment and who because they could not find it, must have their children fed and clothed.

Senator Morse. Yes, but we still have to do something about those dependent children of fathers who won't work; I am concerned about them, too. I am not going to stand on any legalistic line here on this legislation. If the father is staying home and the youngsters are going hungry, I am just as anxious to get food into those youngsters as I am with the father who stands ready and willing to work but can't get a job.

Reverend Wendt. We are working with one particular family that is not a hypothetical case at the moment. The man has been at the moment to visit the service centers of the Youth Planning Organization at least to start the process of looking for a job. He has been out of a job for 2 years. Any man who has been out of a job for 2 years has lost his desire to continue work.

However, to be very brief, the man still takes his boy out fishing. If he were not a part of the family structure, he would not take his boy out fishing. He is still capable of doing many things such as taking his children to the zoo while their mother is working.

I think there are things to be considered psychologically here. The major factor is nobody has time for this man to really start a rehabilitating process to work with him. No social worker, of which we have very few in our welfare system at the moment, will take time to enable this man to find himself again.

I think the process can be followed through if we do take time. I would hate to see him, as I am afraid we might have to in a months' time, to tell him to leave his house because his wife will no longer be able to get benefit payments.

Reverend Newell. Mr. Chairman, if I may, I think what Father Wendt has said illustrates the very urgent need for all of us to rethink our ideas of just what work is. The kind of arguments which you have heard, sir, and which you have referred to, I hear from a lot of Presbyterians in the New York Avenue Presbyterian Church. This is a very common attitude, should have certain responses to certain situations. People across the community and in the so-called middle class, the people with the ability to survive, just what is work?

Work is only what society says it is. This is one little difficult subject. We have got to follow Father Wendt's suggestion and find new conceptions of people who have been eroded, who have been so violated by this system they are lost to the productive process and simply don't qualify psychologically, spiritually or whatever for what we call work.

What we call work has got to be defined, experimented with, and the best place to start this experimentation is through a welfare rehabilitation program. We have thousands of people in all the great cities in America who are pioneering an experiment in new forms of work, people who have been so exhausted and beat even by the organizational and all the rest of it, we can conduct through the welfare program experimental programs using people who are unable to work psychologically, spiritually, or physically to develop new forms of work, new conceptions of what work might be.

Thank you.

Senator Morse. Thank you people very, very much.

Reverend Fauntroy. You have been very kind. Thank you.

Reverend Wendt. Thank you.

Senator Morse. This afternoon we will hear Mrs. Shackleton, Mrs. Lerner, and Father Wendt.

Counsel whispers to me that there are five or six more witnesses scheduled to testify this afternoon. I heard Commissioner Duncan this morning and the gentleman associated with him, Mr. Brewer. I want over the noon hour for my counsel to communicate with the officials downtown, in those offices that would have the responsibility for administering these funds.

I think it is very important we get into this hearing record the safeguards regulationwise, proceduralwise that would be made available in administering this program in connection with some of these hypothetical cases we have been discussing. I think it is going to be difficult to change the attitude of some who would like to have good reason to change their attitude in the Senate unless we can make a record that leaves no room for doubt that the money is going to go to the benefit of the dependent children.

That is the purpose of the Ribicoff bill.

I may be just as wrong about it as I can be because I have not had all the facts presented to me yet, but certainly it must be contemplated by the Welfare Department that procedural and regulation administrative safeguards are going to be set up that will give assurance to the Senate that the money is going to be spent on children and the mothers of those children primarily.

Now let me say that this does not cover the case of the good faith father who is unemployed and who is trying to get a job type of case that Mr. Turner has talked about. I don't know to what extent these bad apple fathers are in this social barrel. By the bad apple father I mean the one that, whatever the cause—psychological, habitual, or otherwise—just does not want to work.

It seems a little difficult for me to connect that type of a case history with a policy that says no money can go into that home unless he is thrown out.

Mr. MORSE. Mr. President, another major factor which needs to be stressed is that the Aid to Dependent Children of Unemployed Parents will be accompanied by a program of work training so that employable persons receiving help will be given the chance to learn useful work skills. Further, they and their families will receive intensive counseling to help them strengthen their capacities to do for themselves and to build a stronger family life.

What reasons are given for the refusal to grant funds for this program in the District of Columbia? It is said that the unemployment rate is too low in the Nation's Capital. Actually, the unemployment figure most often quoted by the few opponents of the program is not accurate because it is a figure for the metropolitan area and not for the District of Columbia. The Director of the U.S. Employment Service for the District of Columbia has stated, as reported in the Washington Post of April 4, 1965, that the city's unemployment rate is about 5 percent. In justifying the need for a manpower training program in the District of Columbia, Mr. Schuyler Lowe, Director of the Department of General Administration in the District of Columbia, testified before the House of Representatives Appropriations Subcommittee that, as of February 1965, there were 16,000 unemployed persons in the District. Fifty-eight percent of all the people earning less than $3,000 annually in the metropolitan area live in the District. Many of the people in the District who are jobless are considered hard-core unemployed; they have been unemployed 15 weeks or longer.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a table showing unemployment in the District of Columbia; a table showing the rate of unemployment for States with Aid to Families with Dependent Children of Unemployed Parents segment; and, a comparison of representative District of Columbia unemployment compensation rates with selected proposed welfare payments to unemployed parents of dependent children.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Is there objection?

There being no objection, the material was ordered to be printed in the Record, as follows:

Unemployment in the District of Columbia

Month and year	Number	Percent
March 1965	16,700	4.4
February 1965	19,000	5.0
January 1965	19,300	5.0
March 1964	16,400	4.4

Source: Estimates from the U.S. Employment Service, April 1964.

The rate of unemployment for States with aid to families with dependent children unemployed parent segment

State	Percent unemployment			
	1964[1]	1963	1962	1961
California	6.0	6.0	5.9	6.9
Connecticut	4.7	4.9	5.0	6.7
Delaware	3.7	3.7	4.5	5.6
Hawaii	4.1	4.7	4.7	4.0
Illinois	3.8	4.4	4.7	5.9
Kansas	3.4	3.8	3.7	4.8
Maryland	3.8	4.6	5.3	6.1
Massachusetts	5.3	5.8	5.6	6.0
Michigan	4.5	5.2	6.6	10.2
New York	5.2	5.6	5.4	6.2
Ohio	4.0	4.8	5.5	7.3
Oklahoma	4.3	4.7	4.7	5.6
Oregon	4.5	4.7	5.2	6.2
Pennsylvania	5.9	7.2	7.9	9.4
Rhode Island	6.5	7.1	7.0	7.8
Utah	5.2	4.8	4.5	5.0
Washington	6.1	6.0	5.4	6.8
West Virginia	8.0	9.5	10.8	12.8

[1] Preliminary (11 month) average.

Source: Total unemployment and total unemployment rates by State: Annual averages, 1957–64, U.S, Department of Labor, Bureau of Employment Security, U.S. Employment Security, Washington, D.C., Jan. 7. 1965.

Comparison of representative District of Columbia unemployment compensation rates with selected proposed welfare payments to unemployed parents of dependent children

Occupation	Average hourly rate [1]	Approximate monthly rate	Maximum rate of unemployment compensation [2]		AFDC-UP monthly income for 2 adults with number of children indicated					
			Per week	1 month	1	2	3	4	5	6
Elevator operator, passenger	1.34	232	31	134	148	167	196	220	246	270
Janitor, porter, cleaner	1.56	270	36	156	------	------	------	------	------	------
Watchmen and guards	1.60	277	37	160	------	------	------	------	------	------
Laborer, materials handler	2.15	373	49	212	------	------	------	------	------	------
Order filler	2.19	380	50	217	------	------	------	------	------	------
Shipping packer	1.82	315	42	182	------	------	------	------	------	------
Receiving clerks	2.10	364	48	208	------	------	------	------	------	------
Shipping clerks	2.26	392	52	225	------	------	------	------	------	------
Truckdriver, average	2.49	432	53	230	------	------	------	------	------	------

[1] Metropolitan Washington Occupational Wage Survey, Bureau of Labor Statistics, October 1964.

[2] Unemployment Compensation Board, District of Columbia.

NOTE.—A person working a straight 40-hour week for at least 1 year would receive the maximum unemployment compensation payment of $53 per week for 34 weeks, if he earned approximately $406 per month or $4,872 per year To qualify for compensation, a person must have at least 2 calendar quarters credit. If a recipient worked other than a straight 40-hour week and received total wages of $3,604 with 1 high quarter of $1,802, he would receive the maximum benefit also. The average payment in the District of Columbia is $39 per week or $169 per month. A person may earn and retain up to 40 percent of his unemployment compensation while not fully employed.

Mr. MORSE. Mr. President, I do not intend to indulge in a numbers game with the opponents of aid to the unemployed. It is clear to me that the Director of the District of Columbia Department of Public Welfare believes aid to families of dependent children-unemployed parents to be a necessary program. He estimates that it will serve a monthly average of 490 families the first 6 months. I understand that several States which have this program, have carried as few as 10 families in a particular month. This is a sound principle, when people are in need by the standards of the Department of Public Welfare, they should be helped by the Department of Public Welfare. In a welfare department which has aid to families of dependent children, there is no great overhead involved in including unemployed parents. Expenditures will be almost entirely for allowances and staff costs to work with the people who will receive help. Allowances will not be given to those who do not qualify. Staffs can be shifted to other sections of the Department's frequently uncovered positions. There will be no idle hands and unnecessary expenditures if the District is fortunate enough to reach a level where there are no longer any unemployed, needy fathers or mothers with minor children.

A second argument of the few opponents to the program is that title V of the Economic Opportunity Act will provide for these heads of households who would otherwise be eligible. The Director of the District Department of Public Welfare does not think so. He has requested the title V program and estimates that it may cover 900 persons. In addition, the Director reports that aid to families of dependent children-unemployed parents is needed to provide for an average monthly caseload of 490 families in the first 6 months of the program's operation. The essential difference is that aid to families of dependent children-unemployed parents is based on need and title V is based on trainability for a job.

Mr. President, at this point I wish to read a letter which I received from Mr. Fred H. Steininger, Director of the Bureau of Family Services, dated June 21, 1965. It reads as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., June 21, 1965.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: In accordance with your request, we are submitting our comments as to whether it is necessary for the District of Columbia to have legislation authorizing the extension of aid to families with dependent children to families with an unemployed parent in view of the fact that funds for a work experience program are presently available under title V of the Economic Opportunity Act.

The authorization under title V of the Economic Opportunity Act is to enable the Secretary of Health, Education, and Welfare to make payments for experimental pilot or demonstration projects. These projects are generally limited to 1 year and may be extended only with adequate justification. In any event, they are of a temporary character. The purpose of such a project in the District of Columbia would be to introduce a community work and training program under conditions that are favorable to experimentation and to demonstrate its importance to public assistance agencies as a resource in reducing dependency. The objective of these projects is to bring about their incorporation in ongoing public assistance programs but they cannot be regarded as equivalent to a program of aid to families of dependent children of unemployed parents.

An agency that submits a project under title V has identified a group of needy families that are in need of maintenance during the period they are receiving training and work experience. In most projects individuals begin their training or work at a given point of time. Similar cases later identified would not be included. Projects to meet the needs of all unemployed parents otherwise eligible, both men and women, having a wide range of educational attainment and work skills are difficult to design. The only projects to which individuals can be assigned at a given point in time are those that are in operation and accessible to the individuals. Thus, a title V program does not equate with a program of aid to families with dependent children of unemployed parents inasmuch as the need of other eligible families that cannot be included in the project is not being met.

We trust that these comments will be helpful to you.

Sincerely,

FRED H. STEININGER,
Director.

My friend the Senator from West Virginia [Mr. BYRD] asked Mr. Brewer during appropriations hearings in what way title V would differ from AFDC-UP. According to the record of the Senate Appropriations Subcommittee hearing, Mr. Brewer responded as follows:

> The AFDC-UP program as we have presented it is a program for unemployed parents. As we indicated, if the parent is unemployed, they would be given an AFDC-UP in terms of the regular grant. If training were available they would be required to take it. But our program in the appropriated grant does not include—we have one position for work training officer, which I indicated I believe last year was to see if we could develop work training programs. The difference in the program is, I think, basically that the title V program places the emphasis on training and work experience and provides a grant as incidental to this. It also, under the terms of my request, as I indicated, is providing me with some broader services than I have in the UP program. I see the two programs complementing each other. And I see with experience both in terms of the eventual outcome of the Federal legislation—these are all demonstration grants—in terms of the eventual outcome of the Economic Opportunity Act as well as the eventual outcome of our appropriated act, I see at some point the two programs correlating each other. Actually title V is broader in terms of training opportunities in other services than we have asked for in our appropriated budget.

The title V program will be a demonstration program. When antipoverty funds are not available, this program may well go out of business. Title V will also accept only trainable people who can meet certain educational and training conditions. When the training period is over, even if they do not have a job, they will no longer receive help.

Not every employable, unemployed person will be able to meet title V requirements. The Department of Public Welfare has been conducting a welfare center training program, teaching so-called employable mothers on AFDC work skills such as maid, counter girl, and other semiskilled occupations. Mr. Brewer reported that of 168 people accepted at the center, 15 were found "infeasible for training." I ask unanimous consent that statistics on persons accepted for training at the Welfare Training Center, be printed at this point in my remarks.

There being no objection, the statistics were ordered to be printed in the RECORD, as follows:

Welfare Training Center—Day training

	Number	Percent distribution
Total mothers admitted	168	100.0
Completed training: Currently employed	80	47.6
Completed training: Self-sustained by means other than public assistance	8	4.8
Did not complete training	21	12.5
Voluntary withdrawals	0	----------
Infeasible for training	15	----------
Transferred to other training programs	6	----------

Welfare Training Center—Day training—Con.

	Number	Percent distribution
Currently in training	59	35.1
Specialized training	15	
Nonspecialized training	44	

NOTE.—Training status of mothers admitted to District of Columbia Department of Public Welfare nonresidential training program, Jan. 7, 1963, through Mar. 31, 1965.

Mr. MORSE. If a person is "infeasible for training" under title V, he will not be eligible for assistance. No financial assistance will be available to his family. The aid to families with dependent children of unemployed parents in the District will have a work-training corollary which will require eligible employables to accept work they can do. But while efforts are made to find suitable work training, the family will continue to receive assistance. When their work training stops, if there is no job available, the family can still get financial assistance until the father can find work. This, in my judgment, is sound public policy. The family will be able to take care of its food and shelter needs while the father is helped to find employment.

Another argument used against this worthwhile program is that there will be a mass migration of people to the District of Columbia just to get the welfare allowance. This is a weak argument. Study after study of welfare rolls, here and in other cities, show that most welfare clients have lived in their communities for a long time. Chicago, for instance, in 1960, studied its aid to families with dependent children. The typical aid-to-families-with-dependent children family included a mother and four children. The mother was either born in Illinois or lived in the State for 15 years or more. The crisis which caused dependency was the father's desertion and the family used all possible resources and means of avoiding public assistance for 1 year and 4 months before applying.

At least one State, New York, discontinued even the 1-year residence requirement for granting help. New York State does not feel that its cities have been flooded by other Americans in order to get the magnificent bounty which relief recipient everywhere are grudgingly granted. I do not believe there is any danger of an invasion of poor people into Washington to receive this grant.

I ask unanimous consent to have printed at this point in my remarks, a table showing distribution of public assistance cases by place of birth, January 1, 1965.

There being no objection, the table was ordered to be printed in the Record, as follows:

Distribution of public assistance cases by place of birth, Jan. 1, 1965

	Category of assistance					
	Total	OAA	AB	AFDC	APTD	GPA
Total	11,082	2,424	208	4,334	3,351	765
District of Columbia	3,598	1,164	25	1,527	716	166
Other States	7,353	1,203	178	2,794	2,588	590
Outside the United States	131	57	5	13	47	9

Mr. MORSE. It is worthy of note that reference is often made by the opponents to a General Accounting Office study which allegedly demonstrated the dangers of so-called chiselers who might be able to cheat the District of Columbia taxpayers if permitted to receive assistance under this program. I have looked at the General Accounting Office report. First, the General Accounting Office report which is available only indicates conclusions of investigators without giving the documentation on which these conclusions are based. Unless supporting evidence is given, the study seems to me to report opinions rather than established facts about the home conditions of many welfare clients.

Second, the study was conducted by investigators who did not hesitate to visit at all hours of the day and night, 7 days a week. Even when no evidence was found, the investigators returned in surprise visits on several occasions. I cannot comment on this with regard to 1962 but similar reports are being made today of harassment of welfare recipients by special welfare investigators.

Finally, the conclusions of the study about eligibility or lack of eligibility have no connection with whether there continued to be a need for assistance.

The standards for judging the family's condition were the very restrictive eligibility rules of the Department of Public Welfare, as, for example, the requirement that no employable person can get help regardless of small children, poverty, hunger, eviction, and the like. It was not relevant in this study whether the family was hungry and in need. The report did not comment on whether there was this need.

Mr. President, I ask unanimous consent that "Factors Contributing to Ineligibility" be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Thirty-four Factors Contributing to Ineligibility

If a man, not married to the mother, performs one or more of the 34 acts specified in a policy statement of the DPW (special eligibility factors, aid to dependent children, Sept. 24, 1962), he may be found to be acting as husband and father of the family in need. This in turn makes the children of this family ineligible for ADC.

(a) Some facts to be considered in determining that there is no clear disassociation from the normal family relationship are—

1. Regular contributions to the support of the family.
2. Frequency, duration, and time of visits by the husband or other man in the home.
3. Frequency of meetings with the husband or other man outside of the home.
4. Frequency of pregnancies by the husband or other man.
5. Joint charge or bank accounts or privilege of mother to charge to husband's or other man's account.
6. Joint purchases.
7. Gifts to the family.
8. Address of the home given by husband or other man as his residence.
9. Listing of the mother and/or children as the dependents of the husband or other man for income tax purposes.
10. Location of personal possessions of husband or other man in the home.
11. Number and layout of rooms, as well as number, kind, and use made of sleeping accommodations.
12. The neighbor's understanding of the relationship that exists between the mother and the husband or other man.
13. The name by which the woman is known in the community.
14. The husband or other man possesses a key to the home.
15. The husband or other man has free access to the home.
16. Payment of rent or utilities for the home by the husband or other man.
17. Hunting for housing for the family by the husband or other man.
18. Assists the family in moving.
19. Signing the lease or purchase of home by the husband or other man.
20. Performance of maintenance work in the home.
21. Arrest of the husband or other man while physically present in the home.
22. Participation of husband or other man in shopping trips or in obtaining surplus foods.

(B) Some facts to be considered in determining that the man has a relationship with the children similar to that of father and child are—

23. Visits the home to see the children.
24. Contributes to the support of the children.
25. Exercises parental control and guidance.
26. Donates gifts to the children.
27. Cares for the children when mother is ill or absent.
28. Is the father figure in the home.
29. Acts "at home" with the children by dressing, feeding, carrying, or fondling them.
30. Takes children on walks, excursions, and the like.
31. Shows concern about the health of the children and uses health facilities in the community to restore the health of the children.
32. Shows interest in the educational progress of the children, such as attending PTA meetings, visits to school about children, helps child with schoolwork.
33. Provides clothing and other necessities for the children.
34. Responds in time of crisis, such as illness of children, child in difficulty with police.

The man-in-the-house rule is seemingly based on two assumptions. First, that if a man has a relationship with a woman, other than that of a legal husband and father of her children, he is willing and able to support her and her children. But the rule does not take into account:

Is the man employed?

If he is employed, how regularly is he employed and how much does he make?

How many of the children are his?

How much support does the man give and how often?

What other financial obligations does the man have?

Second, the rule assumes that the sexual morality of the mother is the determining factor in establishing eligibility for aid to dependent children. By refusing aid to those women who have what appears to be a continuing relationship with a man, it discourages stable relationships and may, in fact, encourage promiscuity. By withholding economic assistance and discouraging the possibility of a stable family life, it penalizes children for the behavior of their parents. In addition, the assumption is indeed dubious that a man in the house who is not the husband will support the children who are not his, and is able to do so. By use of these factors, the natural father often escapes his financial obligation to his own children. At law this responsibility terminates only when he relinquishes his parental rights through adoption proceeding.

There are serious contradictions between the man-in-the-house regulation and other stated policies of the Department. The Department manual states that it attempts to encourage stable family relationships; nevertheless, as soon as the household includes a man who is not incapacitated, the family is considered ineligible for aid to dependent children. Although the regulation implies that a family does have financial resources when it includes an employable man, in practice employability does not always result in employment, and employment does not always yield sufficient income.

What effect do these stringent requirements have on the child? Any child in whom a man takes a degree of responsible interest may, as a result, become ineligible for public assistance. The fact that a poverty-stricken woman and her children will get assistance if the head of the household leaves, and abandons all interest in the family, offers strong inducement to a man, who is already harassed by economic and social strain, to desert. In order to get public financial aid, a child must be deprived of the interest of his own father or any father substitute if either is unable to provide support.

Because of the District's man-in-the-house regulations, the financial and fathering needs of many children in this community are not being met. The original purpose of aid to dependent children was to enable children to grow up with economic security in their own homes. In 1962, the Congress, in amending the Social Security Act, established a national program to aid families with dependent children whose parent is unemployed, but the District of Columbia's welfare program does not include this new Federal category.

Because the man-in-the-house rule is so complicated, PAD workers have tremendous problems in administering it. They are provided little guidance in its interpretation. Interpretation of the rule is left largely to the individual worker. As a result, one of two families under seemingly the same circumstances may be found eligible for aid to dependent children, the other ineligible.

It appears that this situation was reflected in the clients in terms of what information they gave the worker and what they attempted to withhold.

Mr. MORSE. It is essential to note that there is a comparable study of ineligibility which casts doubt on the conclusions of the General Accounting Office report on the District's aid to families of dependent children. At the request of the Senator from West Virginia [Mr. BYRD], the Department of Health, Education, and Welfare ordered a nationwide study of the aid to families of dependent children caseload. This was completed in July 1963 under the title "Eligibility of Families Receiving Aid to Families With Dependent Children." This nationwide study showed an ineligibility average for the country of 5.4 percent. This is in contrast to the District study where it is alleged that the ineligibility rate was approximately 60 percent.

I would doubt, as would any reasonable citizen of this country, that there are so many more cheaters in the District of Columbia. The answer will need to be sought in either the more restrictive policies of the District of Columbia or in the methods which were used to conduct the study in the Nation's Capital.

In tough economic fact, in moral and ethical terms, and in human terms, the argument is unanswerable that aid to dependent children of unemployed parents should be part of the District's welfare program. If the city is able to help and to work with a jobless, employable father or mother, it will not solve all or many of the problems of the poor in the District. It is, nevertheless, an important step in accomplishing what this Senate and the Congress set forth as its objective for all public welfare programs when it enacted the 1962 amendments to the Social Security Act—to prevent family breakdown and dependency and to rehabilitate those families which, unless they are helped, will sink further into the morass of poverty and helplessness. We need to leave no stone unturned in helping all of our citizens to achieve the well-being which our country in its good fortune can afford to assure each of its citizens.

I ask unanimous consent that a letter dated June 21, 1965, addressed to Mr. Fred L. McIntyre, general counsel, District of Columbia Committee, Washington, D.C., signed by Donald D. Brewer, Director of the District of Columbia Department of Public Welfare, be printed at this point in my remarks with the data that Mr. McIntyre requested under instructions of the full Committee on the District of Columbia.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Is there objection?

There being no objection, the letter and data were ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF PUBLIC WELFARE,
Washington, D.C., June 21, 1965.

Mr. FRED L. MCINTYRE,
General Counsel, District of Columbia Committee, U.S. Senate, Washington, D.C.

DEAR MR. MCINTYRE: Your telephoned inquiry of June 18, 1965, requested information in response to certain questions. These questions and responses thereto are summarized as follows:

1. Define "man in the house."

Answer. The phrase "man in the house" originates from the District regulations relating to the definition of parent. Under the basic social security law a child is eligible for AFDC if deprived of support or care because of the absence, death, or incapacity of the parent (under the 1962 amendment this is extended to children whose parents may not be absent but are unemployed). Each State may define parent. The District of Columbia definition includes natural parent, adoptive parent, stepparent, common-law relationship, and any man living in the home or associating with the mother when there is no clear disassociation from the normal family relationship as husband and father even though such a man may not be the father of any of the children in the family.

2. When does this rule affect family eligibility?

Answer. The regulation affects eligibility for the entire family when presence of the parent or substitute parent is established, or when no clear disassociation is established.

3. What factors are considered in determining that a "man in the house" or a "substitute father" is, in effect, in the house?

Answer. The information for making determinations in this area are set forth in the attached copies of criteria from the PAD handbook releases Nos. 4 and 15.

4. What programs are affected by this policy?

Answer. The policy affects only the eligibility determination in the AFDC program.

5. When did this policy start?

Answer. The policy was established December 20, 1954, on new cases. The policy had the effect of tightening the regulations as it was felt at the time that advantages were given to families where there was a substitute parent, since children in these families who were not the children of the substitute parent could receive assistance, but the children whose natural parent was in the family would not receive assistance, regardless of need.

This is also referred to on page 258 of the 1957 Senate report on the "Problems of Hungry Children in the District of Columbia."

6. When does a person become a substitute father? Does it matter that he is supporting or not supporting?

Answer. When a person is established as a "substitute parent" the family is not eligible whether or not he is supporting them.

7. Explain how mothers are covered under the AFDC program and the UP program when there is no "man in the house" and the mother is able to work.

Answer. Under the departmental regulations mothers, when there is no "man in the house" are not considered employable unless physically able to work and unless they have a suitable day-care program.

Also attached is a statement concerning the AFDC–UP title V programs. Page 2 of this document states that both programs are essential.

Sincerely yours,
DONALD D. BREWER,
Director.

CRITERIA FOR EVALUATING CONTINUED ABSENCE

The following points, considered in combination and with other facts in the social investigation, tend to prove that a parent or substitute parent is continuing his family relationship:

1. Contributes to the family's support.
2. Visits frequently, at unusual times, or for long periods.
3. Regularly meets mother outside the home.
4. Has joint charge or bank accounts with mother or allows her to charge to his account.
5. Makes joint purchases with the mother.
6. Mother and he are continuing to increase their family.
7. Gives gifts to the family.
8. Gives the family's address as his residence.
9. Lists the mother and/or children as his dependents for income tax purposes.
10. Has personal possessions in the home.
11. Physical layout of home, sleeping accommodations and family's use of them give indications that space has been made available for him.
12. The neighbors consider the relationship that of a normal family.
13. Mother uses his name in the community.
14. Has a key or free access to the home.
15. Pays family's rent or utilities.

16. Helps family look for or move into new housing.

17. Signs lease or purchase agreement for family's residence.

18. Does maintenance work in the home.

19. Is arrested in the home.

20. Participates in family shopping trips or in obtaining surplus foods.

CRITERIA FOR EVALUATING FAMILY-TYPE RELATIONSHIP

The following points, when considered in combination with other facts in the social situation, tend to prove that a man had a relationship with the children similar to that of father to child:

1. Visits the children in the home.

2. Contributes money, clothing, and other necessities to their support.

3. Disciplines and corrects them.

4. Gives them gifts.

5. Cares for them when the mother is sick or away.

6. The children look to him as the father.

7. Acts "at home" with them by feeding, dressing, carrying, or fondling.

8. Takes them on walks or outings.

9. Shows concern for their health and uses community health facilities to restore their health.

10. Shows interest in their education, by attending PTA meetings, visiting the school, and helping with schoolwork.

11. Responds in emergencies, such as illness or child in trouble.

AVAILABILITY OF AN AFDC MOTHER TO ACCEPT EMPLOYMENT

Subject classification: Eligibility-deprivation.
Policy reference: HPA-1, page 37.
Contents: I. Determining availability.

I. DETERMINING AVAILABILITY

Recognizing that the basic purpose of the aid to families with dependent children program is to maintain the home and strengthen family life for the adequate care and supervision of children, the agency also recognizes that there are situations where the mother can work outside the home without jeopardizing the health and welfare of the children or the stability of the family.

(A) When a mother has no physical or mental impairment that would prevent her from working, the social worker and supervisor shall take the following factors into consideration in determining her availability to accept employment:

1. If the children are of school age and an adequate plan for their care and supervision is available before and after school until the mother returns from work;

2. An approved day care facility is available to care for the children; or

3. A relative or other person is available and willing to care for the children and both the mother and the agency are satisfied that the caretaker is capable of giving the children adequate care as specified in part B;

4. The mother is required in the home to care for a member of the family or a close relative who is ill;

5. The mother is required to be in the home for the continued close supervision and care of a child;

6. There are small children and no adequate child care plan is available;

7. There is no one in the household to share responsibility for housekeeping duties, and the mother is not capable of working full time and maintaining an adequate home for the children;

8. The mother's education and employment skills in relation to her earning potential and whether she meets the requirements for a training program when such training is needed.

(B) In determining the adequacy of a child care plan when a relative or other person is willing to care for them, the social worker, supervisor, and the mother should determine to their satisfaction:

1. That the caretaker:

(a) Is capable physically, mentally, and emotionally to supervise the children's activities;

(b) Is a responsible person who will not leave them unattended; and

(c) Has the knowledge required to give the children proper physical care; and

2. When the caretaker is not in the home, that:

(a) The plan for transporting the children to and from their own home is realistic in relation to distance and time of travel; and

(b) The members of the caretaker's household present no known hazard to the children's welfare.

(c) While the criteria in parts A and B are directed primarily toward full-time employment, when this is not feasible a mother should be encouraged to find part-time employment to develop or retain work skills to the extent a child care plan is available.

DIFFERENTIATION BETWEEN: AFDC-UP PROGRAM AND TITLE V

This is a public assistance program under title IV of the Social Security Act (aid to families with dependent children).

It is intended to meet the needs of children who are needy because of the unemployment of their parent. In short, it provides the addition of "unemployment" as a fourth factor of deprivation of parental support. The other three factors are: death, absence, and incapacitation.

Community work training programs may be established under AFDC-UP programs. This, however, is not compulsory.

AFDC-UP, then, is a public assistance program with primary emphasis on providing for needy children whose parent is out of work. The unemployed parent may, or may not, be involved in community work training.

TITLE V (ECONOMIC OPPORTUNITY ACT)

The purpose of title V work experience program is to "expand the opportunities for constructive work experience and other needed training available to persons who are unable to support or care for themselves or their families."

The thrust of title V programs, then, is work experience and training.

Title V is directed at the person who cannot support himself or his family and who, through participation in work experience and in training programs, is enabled to gain suitable employment and thus be able to provide for himself and his family.

Under title V, acceptance of training and, ultimately, employment is mandatory.

The two programs are complementary to each other and in my opinion are both essential. The AFDC-UP program presented in the budget provides for only one position to develop on-job training programs. With the other training and job opportunity programs developing in the community, it becomes increasingly apparent that the Welfare Department must deal with the hard core unemployed. These are the families that need special services and training programs—therefore, in our Title V requests we have planning to include funds for job testing, job development, as well as day care and homemaker services to help the families during crisis periods. Training will include, where needed, help to the functional illiterate, job conditioning, skill improvement and actual on-the-job experience. Training will be directed toward the current job market and designed to place the trainee in stable employment with sufficient earnings to maintain his family. I would see those aspects of the demonstration project which prove to be effective eventually becoming part of the regular program. This is the pattern that has been followed at the Welfare Training Center for AFDC mothers and this program I consider to be highly successful.

Mr. MORSE. Mr. President, in closing, the Ribicoff amendment seeks to cover the kind of hypothetical situation which I shall state. I do not believe the coverage of the amendment is well understood by a good many, including those who have been writing on the subject.

The Senate Committee on the District of Columbia, without a dissenting vote, approved the Ribicoff amendment, which was submitted in bill form, and on which hearings were held before my subcommittee. It is important to understand what it really covers because of the reference to the hypothetical situation that I am about to discuss. So I ask unanimous consent that at this point in the RECORD there be printed excerpts from the very brief committee report of the Committee on the District of Columbia (No. 335) dealing with the proposal of the Senator from Connecticut.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill, as amended by the committee, has the following purpose: To provide, through an amendment to the District of Columbia Public Assistance Act, specific authorization under which the government of the District of Columbia shall participate in the program of Federal aid to families with dependent children of unemployed parents, as provided for under the 1962 Amendments to the Social Security Act.

With the extension of this category of aid to families with dependent children to those in need because of the unemployment of a parent, the District of Columbia shall so amend its plan for approval by the Secretary of the Department of Health, Education, and Welfare, in accordance with the provisions of the amended bill, so as to be eligible for matching Federal funds to help those needy child recipients coming within the program.

S. 817, as amended, sets forth in specific terms the criteria that must be met before a recipient will be eligible to receive assistance under the program. Under the terms of the bill, the District Commissioners shall provide public assistance in the case of any needy child who:

(1) Has been deprived of parental support or care by reason of the unemployment of a parent;

(2) Is living with any relative (including a parent) in a place of residence maintained by such person; and

(3) Is otherwise qualified for assistance under the District of Columbia Public Assistance Act.

It is also provided that no needy child, eligible to receive public assistance, shall receive such assistance, unless, and for as long as, the parent refuses without good cause to accept employment in which he is able to engage and which is offered through a public employment office, or where employment is offered by a private employer and such offer is found to be a bona fide offer of employment. In order that unemployed parents may be assisted in attaining employment, the bill directs the District of Columbia Commissioners to enter into cooperative arrangements with public employment offices that include maximum utilization of the job placement services, registration, and other related service and facilities of such offices.

The Commissioners are also directed by the terms of the bill to enter into cooperative arrangements with the Board of Education of the District of Columbia for the purpose of utilizing public vocational services and facilities in the District for the retraining of unemployed parents capable of being retrained. Similarly, in order to promote work and training opportunities for unemployed parents the Commissioners are directed to establish appropriate community work and training programs which conform to the requirements contained in section 407 of the Social Security Act.

The bill provides that no needy child, eligible to receive public assistance, shall receive such assistance, unless, and for as long as, the parent refuses without good cause to undergo vocational training established by the Board of Education of the District or in connection with appropriate training programs under the Social Security Act.

BACKGROUND

In the past several years, the Congress has enacted major improvements and expansions in the provisions of the Social Security Act dealing with public assistance programs. These programs have been available to all States and other jurisdictions and have been adopted by a great many of them. One of these programs provides public assistance to families with dependent children in need because of the unemployment of a parent. The District of Columbia has been unable, as of this date, to take advantage of such program because of the lack of necessary funds.

COMMENTS ON PRINCIPAL PROVISIONS OF THE BILL

The amended bill would extend the District's present program of aid to dependent children to otherwise eligible needy families in which the breadwinner is unemployed. It would enable the District government to assist children who are in need because of the unemployment of a parent, with Federal participation, to the same extent that there is now Federal matching assistance available to children who receive assistance because of the death, absence, or incapacity of a parent. At present, children deprived of parental support by reason of unemployment of the parent are not eligible for assistance.

The enabling Federal legislation which was enacted in 1961 implemented President Kennedy's economic message to the Congress in which he said, in part:

"Under the aid to dependent children program, needy children are eligible for assistance if their fathers are deceased, disabled, or family deserters. In logic and humanity, a child should also be eligible for assistance if his father is a needy unemployed worker—for example, a person who has exhausted unemployment benefits and is not receiving adequate local assistance. Too many fathers, unable to support their families, have resorted to real or pretended desertion to qualify their children for help. Many other fathers are prevented by conscience and love of family from taking this route, thereby disqualifying their children under present law.

"I recommend that the Congress enact an interim amendment to the aid to dependent children program to include the children of the needy unemployed. Temporary action is recommended pending completion of a study of a permanent program to aid needy children and certain other groups now excluded from the Federal-State public assistance programs."

The bill as amended requires the cooperation of the District of Columbia Department of Public Welfare with other District agencies. Specifically, there must be arrangements with the public employment offices. Such arrangements will insure that the unemployed parent will register with the Employment Service and utilize to the fullest extent its job-placement services. Closely related to this is the provision in the bill that would make ineligible the child whose parent is offered employment either by the public employment office or a bona fide offer of a private employer for work he is able to do but refuses to engage in. The purpose of the provision is primarily to secure for unemployed parents jobs that may be available and to make certain that any reasonable offer of employment is accepted. It is intended that assistance be denied if the individual refuses a bona fide offer of employment.

Comparable provisions are contained in the bill with respect to vocational educational service and facilities through cooperative arrangements between the Department of Public Welfare and the Board of Education of the District of Columbia. It is known that many of the unemployed are persons either of limited skills or skills which are obsolete. A program of vocational education will help them develop skills for which there is a current demand.

There are several governmental training programs, both Federal and local, available to the unemployed which fail to reach persons who have a limited education and who have lived long at a depressed level. Community work and training programs under the auspices of the Department of Public Welfare are specifically designed to reach this group. Many jurisdictions and particularly the large cities are establishing and expanding community work and training programs for families of dependent children. An important section of this bill as amended, directs the Commissioners to establish community work and training programs. Additional funds for such programs have been made available under title 5 of the Economic Opportunity Act. It would seem imperative that the District avail itself of these programs which have demonstrated accomplishment in other jurisdictions.

Prior to the time that Congress extended title IV of the Social Security Act so as to include needy children of unemployed parents, the aid to dependent children program was characterized as one consisting of families with one absent parent—a parent who had died, deserted, or there was no marriage. It has been alleged in certain cases that parents have deserted in order that their families would be eligible for assistance. In some cases where families living side by side, one with the parent unemployed and the other where the parent had deserted, only the family where the parent deserted received public assistance. However, the potential for strengthening family life is far greater where a family may receive assistance during a period of unemployment. Where a parent will be assisted in securing work by the Employment Service, where he may be benefited by vocational education, or where he may engage in a work and training program especially designed for public assistance recipients, the bill would not only enable such families to receive assistance but it would bring about, wherever possible, the restoration of such families to self-support.

On May 10, 1965, the Subcommittee on Public Health, Education, Welfare, and Safety held public hearings in connection with S. 1817.

The Board of Commissioners for the District of Columbia appeared at the hearings and supported the concepts of S. 1817.

Included hereafter and made a part of this report is a letter dated May 10, 1965, for the Acting Secretary of the Department of Health, Education, and Welfare supporting the objectives of the bill.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, May 10, 1965.

Hon. ALAN BIBLE,
Chairman, Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to the staff director's request of May 3, 1965, for a report on S. 1817, a bill to amend the District of Columbia public assistance law to clarify the categories of federally aided assistance recipients.

The bill would require that public assistance under the federally aided categories (other than medical assistance for the aged) in the District of Columbia "include aid or assistance for at least all individuals with respect to whom Federal payments are authorized" by the applicable provisions of the Social Security Act.

In the past several years, the Congress has enacted major improvements and expansions in the provisions of the Social Security Act dealing with public assistance programs. These improvements have been available to all States and other jurisdictions and have been adopted by a great many of them. However, the people of the District of Columbia have not had the benefit of many of these improvements. Examples may be found in the medical assistance programs, the extension of the aid to families with dependent children program to include children in need because of the unemployment of a parent or to continue assistance to children in AFDC families placed in foster care, and the community work and training program.

In 1961, the Congress extended the program of aid to families with dependent children to include children in need because of the unemployment of a parent. This temporary legislation was extended for 5 years by the Public Welfare Amendments of 1962. The District of Columbia has not taken advantage of this legislation. Also in 1961, the Congress enacted legislation, which was subsequently made permanent, to provide for Federal participation in foster home care for children from families receiving aid to families with dependent children who had been removed from their homes by a court because the home conditions were found contrary to the child's welfare. The District of Columbia has not taken advantage of this Federal legislation.

The Public Welfare Amendments of 1962 were characterized by President Kennedy as:

"A bill which makes possible the most far-reaching revision of our public welfare program since it was enacted in 1935.

"This measure embodies a new approach—stressing services in addition to support, rehabilitation instead of relief, and training for useful work instead of prolonged dependency. This important legislation will assist our States and local public welfare agencies to redirect the incentives and services they offer to needy families and children and to aged and disabled people. Our objective is to prevent or reduce dependency and to encourage self-care and self-support—to maintain family life where it is adequate and to restore it where it is deficient."

Included in the Public Welfare Amendments of 1962 was provision for community work and training projects designed to help people to acquire or retain work skills so that they can obtain employment. Without a program of aid to families with dependent children where need is the result of unemployment, the community work and training program has, of course, not been used.

The Nation's Capital should enjoy the benefits of the progressive legislation which the Congress has enacted and which has been implemented by many other jurisdictions in the country. The purpose of S. 1817 is to make available to the District of Columbia the benefits of the Federal legislation. We support this objective. With respect to the technical aspects of the bill, we defer to the views of the Commissioners of the District of Columbia.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

WILBUR J. COHEN,
Acting Secretary.

Mr. MORSE. It will be seen from a reading of the report that the committee is greatly concerned about this hypothetical case. Consider a mother who has five children. She has a husband who is unemployed, but who stands ready and willing to work, or who stands ready and willing to take a job retraining program, and no job is available. It is the view of the committee that even though that father remains in the house, the family should get the money for dependent children allowance if the father is able and willing to accept employment when offered or participate in a retraining program.

Let me say now, as I said in committee, as I said to Mr. Brewer, and as I said to other District of Columbia officials: I certainly think that administrative rules, regulations, and procedures can be devised that will allay any fear that the money may be wasted and may not be used for the benefit of the children.

That raises the human factor. It is easy for us in our status as individuals who do not fall within the unemployed class, or the underprivileged class, or, let us face it, the illiterate class, to proceed sometimes to put our standards, our evaluations, our notions as to proper conduct on the heads of the more unfortunate citizens of our community, and to say, "I cannot condone this behavior on the part of those parents." I am sometimes tempted to do that.

But I have worked for many years in the District of Columbia with the problems of the underprivileged. The Senate has heard me say it before, and the report is a matter of record. I remember that back in 1957, as chairman of the same subcommittee, I conducted an investigation in the District of Columbia which became known as the Morse study of hungry children in the District of Columbia. There is no reason why the study should have borne my name, other than that I was chairman of the subcommittee. It was a study made by a wonderful group of associates. I remember spending hours visiting some shocking slum areas of the District of Columbia with the Senator from Pennsylvania [Mr. CLARK]. Not only did we produce a documented report that shocked the Capital City; but, as I subsequently discovered when I went to many places in the world, including the underdeveloped areas of the world in connection with my work on the Committee on Foreign Relations, the contents of the report of the investigation of the hungry children of the District of Columbia was better known in the capitals of underdeveloped countries than it was in the capitals of the States of the United States.

We found more than 200 little boys and girls in the District of Columbia living out of garbage cans. That was the source of their food supply, plus backdoor handouts, plus some assistance from neighborhood houses that were being administered by some of the most dedicated men and women in the District of Columbia, some under church auspices, some under neighborhood auspices, some under the auspices of devoted civic groups. The result was that we succeeded in having some procedures for the distribution of surplus foods changed.

Our report led to a good many procedural changes in the District of Columbia dealing with this shocking social problem. Out of that experience I suppose a part of my attitude on this problem grew. I said then, and I say now, that I am not going to take my eyes off the little boys and girls who are involved. I hold no brief for the misconduct of parents, but I am not going to visit the sins of those parents on those little boys and girls.

I have a difficult time with some phases of this problem. It is necessary to make a judgment as to whether it is better to let little boys and girls stay in such a home; and as to whether it is better that we follow a procedure that will make it possible for the man to stay in the home, even in the sordid case of an illegitimate father. We hear much about illegitimate children; I prefer to talk about illegitimate fathers and mothers. These are hard decisions to make. But here, again, I shall not substitute my own judgment for the value judgment of trained personnel who work in the field of social behavior, of social welfare, and in the administration of the poverty program.

As I have been heard to say in our committee hearings, if the judgment is that it is better than the money for dependent care go into such a home, I do not want arbitrarily to adopt a rule that will provide that it cannot go into that home. But as to the hypothetical case I am talking about, there is no question, under the Social Security Act, that in other jurisdictions that want to follow the policy I now outline, the money will go into the home where the father is willing to work or enroll in a retraining program. I believe that is better, as the clergymen testified before my committee, than to adopt a policy that the father, legitimate or illegitimate, would have to leave the house.

One of our problems is to avoid our own resentments, to avoid our own shocking aghastness as to what we find in some of the fact situations when we are dealing with the people who are involved in these problems. It has been extremely hard for me to do that. Sometimes I do not do it well. But I try. The guiding principle that helps me is to keep my eyes on the little boy or little girl and to place my judgment upon the shoulders of the dedicated men and women in our social welfare work, those who serve under Mr. Brewer, and those who serve at the Juvenile Court. I place my confidence in them.

But this leads me to make the point that I make so many times in our hearings. I refuse to believe that the problem being known in regard to the human frailties of some adult recipients of the money—and, of course, as recipients they are under obligation to spend it for the welfare of their offspring—an administrative procedure and surveillance cannot be devised that will protect the taxpayer to the maximum extent.

I do not duck the hard ones. If I must make a choice between running the risk of some waste or abuse of funds until a misuser is detected, I will stand on the side of taking the risk of waste.

I believe that the instances of waste will be comparatively small when we look at the many case studies in which the money will go to feed some poor unfortunate little youngster. In this hypothetical, I have no question as to what I believe public policy should be. I believe that the money ought to go to the family.

I believe that the welfare workers owe it to Congress—as I have said to them in my conversations with them—to tighten their surveillance regulations and administrative processes.

I would rather waste a percentage of this money, an x percentage, if any, and follow what I consider to be a more humane policy in regard to the majority of the recipients who, I believe, would not waste it than to adopt a hard and fast rule and say in this hypothetical that no more money can go into the family.

The Ribicoff proposal, which the Committee on the District of Columbia adopted unanimously, would not apply to another hypothetical. This gives me concern. It puts me in a difficult position. Somebody might say, "Senator MORSE, I thought you were not going to take your eyes off the little boy and girl. Are you very consistent about this?"

At first blush the seeming inconsistency is not of my volition, but it is a matter dealing with the hypothetical in which we have a mother with five children and a no-good husband who is an alcoholic—lazy, shiftless, a rotter, legitimate or illegitimate, legal or partially common law.

It ought to be understood that the money would not go into that family anyway. The so-called man-in-the-house rule has nothing to do with this hypothetical.

I have talked with Senators who seem to be confused, and who say, "Those five little children will go hungry." They will have to go hungry as far as aid-to-dependent-children funds are concerned, but, as Mr. Brewer of the Welfare Department—who is in charge of this general problem involving suffering children—testified under my cross-examination and my informal discussions with him as well, it does not follow that those children will not get food.

The children become eligible for attention under the child welfare and child assistance legislation—legislation dealing with neglected children. In such a situation officials can move in, take the children out of the home, and put them in an institution such as Junior Village or in a foster home, even though the good-for-nothing man in the house remains in the house.

We are dealing here really with a limited set of facts in which the father is out of a job, but is willing to work, or is willing to take a retraining program.

So we unanimously agreed to the Ribicoff proposal in the committee and recommended to the Senate that, in those instances, we ought to appropriate money for aid under the dependent children program.

Mr. President, I would be the last to suggest that there is not need for improvement in the administration of all our welfare funds. I am astonished that there are as few shortcomings as there are. When I think of the nature of the problems that Mr. Brewer is confronted with, it is very reassuring to me that his staff does as well as it does.

I do not want to handicap them. I want to help them. I am perfectly willing to supply them with more funds, with more personnel, with more authority, with qualified personnel who can advise us as to what should be our program. However, we are now concerned over the set of limited facts involved in the hypothetical which I have outlined. I want to get money to those youngsters.

Anyone who knows me and my personal philosophy knows how difficult it is for me to seem to be condoning the pattern of behavior that we encounter when we deal with many people in this so-called underprivileged, poverty-stricken, illiterate, and—according to our standards—somewhat immoral pattern of behavior. But I am not God, and I am not going to judge them. I shall try to help them or help the youngsters.

I believe that the Senate should know that the committee first included in the Ribicoff bill, at my suggestion, a provision to provide funds for foster homes. I believe that we ought to do that, but in an independent bill.

We decided in committee to strike the foster home provision so that we would present to, the Senate a one-issue decision—aid to dependent children in cases in which there is a man in the house who falls within the facts of the hypothetical that I have outlined.

Then, upon the suggestion of the Senator from New York [Mr. KENNEDY], we gave a great deal of consideration to another amendment that was offered to the Ribicoff bill by the Senator from New York. That was a proposal of funds for day care. Instead of a temporary proposal, the Senator from New York suggested it should be permanent day care, for as long as the problem existed. We were for that, but again we decided that the day care proposal should not be combined with the issue that we are discussing in the present debate, but that it ought to be encompassed in a separate bill.

So, as the record will show, the District of Columbia Committee, by unanimous vote, reported favorably to the Senate the Ribicoff bill, which is on the calendar, which we shall not reach until a later date.

Frankly, there is considerable feeling on the part of some of us—and I share the feeling—that the Senate should have passed on the legislative question first, and then taken up the appropriation matter, with respect to the substantive issue of an authorization bill. But I would be the first to say that I do not believe it makes too much difference. We all know that. I only want the Senate clearly to understand that we have these two substantive authorization bills awaiting further action.

One of those measures is the Ribicoff bill, which is an authorization bill for funds for dependent children, which was unanimously reported by the District of Columbia Committee. The other is a bill which combines a proposal for the authorization of funds for foster home care and permanent day care. That is in a separate bill. It has been reported by the committee and will come up for a vote on the Senate floor in the not too distant future.

I close by expressing most sincerely my views on a procedural matter. No one can object to my doing it, because for some years this has been the view I have taken on this particular parliamentary procedure in the Senate. If anyone has any question as to my respect and high regard for my colleagues on the Appropriations Committee, and my complete impersonal attitude toward individuals so far as this problem is concerned, all I can say is that the furthest thing from my thoughts is any reflection on any individual Senators. This problem has grown up, and has been growing up during the last 15 of my 20 years in the Senate. I have not had time, and no one on my staff has had time, to check the time when I first raised this point, but I venture the statement that, if such a check is made, it will be found that 15 years ago the Senator from Oregon was suggesting upon the floor of the Senate that he thought the Appropriations Committee should strictly limit itself to passing upon the question of what funds shall be recommended to the Senate for appropriations for programs authorized by the Senate.

I have worried, and I am worried, about the tendency of the Appropriations Committee to take unto itself, by what I shall say is parliamentary accretion, more and more legislative authority. No one can draw a sharp line. But we all know we are dealing with a problem in which an issue is raised as to whether it would not be better to leave the legislative matter involved to a legislative committee, rather than to the Appropriations Committee. I have the feeling that the Senate ought to express itself in an authorization bill in this matter and it should not, in the first instance, come to the floor of the Senate from the Appropriations Committee.

Sincere Members of the Senate can completely disagree with me on this issue, but at the same time I would not be true to my own feelings on this subject if I did not say that I believe that, in these matters the Senate District of Columbia Committee, having expressed itself on policy by way of authorization, should receive the benefit of the doubt in regard to any difference of opinion.

We have a very difficult assignment on the District of Columbia Committee legislativewise. Anyone who thinks being assigned to what is called the minority of minority committees means that he has been assigned to a soft job could not be more mistaken. We are dealing, as aldermen, with one social complex human relations problem after another. I do not care where one wants to touch the District of Columbia. Does he want to serve in my position of dealing with educational problems in the District of Columbia? Does he want to try to solve problems of daytime custodial institutions in the District of Columbia, called schools by some people? There are some so-called schools in the District of Columbia, as my friend from Maryland [Mr. TYDINGS] knows, because he has done some investigating of the problem, himself, as a member of the District of Columbia Committee, that are not entitled to have the name "school" chiseled on the stonework in front of the school building. They are not schools—they are daytime detention camps. They are custodial institutions.

Does anyone want to deal with those problems with me? Does he want to deal, with me and other members of the committee, in problems involving juvenile delinquency in the District of Columbia?

Does anyone want to serve with me in dealing with one of the shocking adult crime problems in the District of Columbia, caused by a multiple number of reasons, but nevertheless creating a terrible situation in the District of Columbia?

What I am trying to point out, Mr. President, is that there is a Senate District of Columbia Committee which has the primary responsibility of recommending legislation. I happen to believe, although it is a mixed problem that we have before us in connection with this matter, that the legislative policy falls within the sphere of the District of Columbia Committee, and not the Senate Appropriations Committee.

I have brought to the Senate tonight the view of the District of Columbia Committee. The recommendation of the District of Columbia Committee is counter to the recommendation in the District of Columbia appropriation bill, as to which I understand the vote was 16 to 12.

But we bring you from the District of Columbia Committee a unanimous recommendation suggesting that the policy in regard to dependent children should be the legislative policy of the Ribicoff bill.

In closing, I urge the Senate to adopt the principle of the Ribicoff proposal.

The Senator from Connecticut, before he went to the White House on another matter, handed me the names of a group of Senators who have asked to be added to the Ribicoff amendment as cosponsors; and I ask unanimous consent that when the Ribicoff amendment is next printed additional names be added as cosponsors, as follows:

Mr. KENNEDY of Massachusetts; Mr. JAVITS, of New York; Mr. HART, of Michigan; Mr. DOUGLAS, of Illinois; Mr. PELL, of Rhode Island; Mr. NELSON, of Wisconsin; Mrs. NEUBERGER, of Oregon; Mr. WILLIAMS, of New Jersey; and Mr. CLARK, of Pennsylvania.

The PRESIDING OFFICER. Without objection, the names of the additional cosponsors will be added to the bill.

Mr. MORSE. Mr. President, I also ask unanimous consent to have inserted a list of tables dealing with aid to families with dependent children, unemployed parents, relating to the number of applications denied or otherwise disposed of during the period of a month, classified by reason for disposition and by State. In my judgment, this statistical data effectively refutes the argument that people do not want to work nor enroll in a retraining program.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the tables were ordered to be printed in the RECORD.

TABLE 3.—*Aid to families with dependent children, unemployed-parent segment—Number of applications denied or otherwise disposed of during the month, classified by reason for disposition, by State*

State	Total	State's definition of unemployment not met	Refused to accept suitable employment		Refused to accept work on community work or training program	Refused to accept vocational retraining	Residence requirement	Income exceeds determined need	Resources other than income exceed State's standard	Other
			Employment security referral	Other source of employment offer						
OCTOBER 1964										
Total	2,930	436	50	71	16	3	63	549	54	1,688
California	665	65	37	13	5	0	18	134	10	383
Connecticut	63	12	0	7	0	0	0	8	3	33
Delaware	29	22	0	0	0	0	0	0	0	7
Hawaii	8	0	0	0	0	0	0	1	0	7
Illinois	307	60	5	11	2	2	13	64	11	139
Kansas	34	6	1	0	0	0	1	12	0	14
Maryland	72	26	1	0	0	0	0	7	4	34
Massachusetts	7	1	1	0	0	0	0	1	0	4
Michigan	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
New York	639	64	2	25	0	0	0	145	12	391
Ohio	84	13	1	6	2	0	0	24	1	37
Oklahoma	1	1	0	0	0	0	0	0	0	0
Oregon	23	8	1	2	2	0	0	3	0	7
Pennsylvania	681	49	0	3	0	1	20	119	5	484
Rhode Island	15	8	0	0	0	0	0	1	4	2
Utah	35	5	0	0	1	0	2	5	0	22
Washington	134	33	1	1	3	0	4	25	2	65
West Virginia	133	63	0	3	1	0	5	0	2	59
NOVEMBER 1964										
Total	2,997	429	70	63	26	7	77	583	75	1,667
California	800	93	53	22	9	1	28	168	18	408
Connecticut	44	14	0	0	0	0	0	5	8	17
Delaware	37	29	0	0	0	0	0	0	0	8
Hawaii	13	0	0	0	0	0	0	3	4	6
Illinois	285	52	3	8	3	5	7	72	8	127
Kansas	24	0	0	1	1	0	0	5	2	15
Maryland	82	26	0	1	0	0	3	2	0	50
Massachusetts	11	7	0	0	0	0	0	0	0	4
Michigan	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
New York	561	53	3	9	0	0	0	133	14	349
Ohio	125	27	10	2	5	0	0	44	1	36
Oklahoma	2	1	0	0	0	0	0	0	0	1
Oregon	61	17	0	3	2	0	4	7	3	25
Pennsylvania	557	51	1	4	0	0	14	110	4	373
Rhode Island	17	13	0	0	0	0	0	1	0	3
Utah	51	4	0	0	2	1	8	0	1	35
Washington	206	30	0	2	4	0	6	33	12	119
West Virginia	121	12	0	11	0	0	7	0	0	91
DECEMBER 1964										
Total	4,439	714	54	82	35	6	119	906	159	2,364
California	1,551	253	33	35	15	0	45	390	30	750
Connecticut	66	10	0	6	0	0	1	12	1	36
Delaware	33	13	0	0	0	0	4	3	0	13
Hawaii	6	0	0	0	0	0	0	2	1	3
Illinois	350	42	4	7	4	4	11	89	22	167
Kansas	43	4	0	0	0	0	1	9	4	25
Maryland	104	42	1	0	0	0	2	6	2	52
Massachusetts	7	3	0	0	0	0	0	0	0	4
Michigan	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
New York	604	72	4	16	0	0	0	145	32	425
Ohio	102	17	8	3	7	1	2	26	5	33
Oklahoma	1	1	0	0	0	0	0	0	0	0
Oregon	74	19	0	6	0	0	2	5	1	41
Pennsylvania	835	83	2	2	2	1	23	151	10	561
Rhode Island	17	9	0	0	0	0	0	2	0	6
Utah	58	8	0	1	5	0	1	11	1	31
Washington	327	48	0	2	2	0	20	55	34	166
West Virginia	170	90	2	4	0	0	7	0	16	51
JANUARY 1965										
Total	5,311	742	77	108	66	21	153	838	165	3,141
California	1,686	302	53	49	13	2	53	243	33	938
Connecticut	59	9	0	3	0	0	0	13	1	33
Delaware	32	25	0	0	0	0	0	0	0	7
Hawaii	16	0	0	0	0	0	0	4	3	9
Illinois	380	30	7	10	5	2	13	91	46	176
Kansas	75	5	2	0	0	0	4	27	1	36
Maryland	159	44	1	0	0	0	10	3	8	93
Massachusetts	12	2	0	0	0	0	0	0	0	10
Michigan	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
New York	592	25	1	7	0	0	0	102	12	445
Ohio	440	18	8	15	23	15	13	51	8	289
Oklahoma	7	6	0	1	0	0	0	0	0	0
Oregon	119	13	1	16	2	0	4	22	1	60
Pennsylvania	747	66	1	1	0	0	18	148	6	507
Rhode Island	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Utah	59	3	0	3	14	1	3	29	5	1
Washington	570	107	1	2	8	0	25	103	37	287
West Virginia	358	87	2	1	1	1	10	2	4	250

See footnotes at end of table.

TABLE 3.—*Aid to families with dependent children, unemployed-parent segment—Number of applications denied or otherwise disposed of during the month, classified by reason for disposition, by State*—Continued

FEBRUARY 1965

State	Tota	State's definition of unemployment not met	Refused to accept suitable employment		Refused to accept work on community work or training program	Refused to accept vocational retraining	Residence requirement	Income exceeds determined need	Resources other than income exceed State's standard	Other
			Employment security referral	Other source of employment offer						
Total	4,738	770	89	115	51	8	119	842	114	2,630
California	1,383	289	60	28	14	1	42	206	17	726
Connecticut	160	15	13	14	0	0	6	45	3	64
Delaware	38	32	0	0	0	0	0	0	0	68
Hawaii	11	0	0	0	0	0	1	3	2	58
Illinois	374	24	3	6	2	4	12	126	14	183
Kansas	68	5	0	0	5	1	1	15	5	36
Maryland	169	52	0	1	0	0	2	3	5	106
Massachusetts	17	2	0	0	0	0	0	4	0	11
Michigan	176	74	1	9	2	0	1	8	5	76
New York	647	48	3	13	0	0	0	151	17	415
Ohio	225	10	2	18	15	1	4	55	17	103
Oklahoma	12	8	1	1	0	0	0	0	0	
Oregon	129	27	1	12	6	0	5	23	3	52
Pennsylvania	881	68	1	6	1	0	10	139	7	649
Rhode Island	22	10	0	0	0	0	0	0	3	9
Utah	52	9	2	1	0	1	24	12	3	0
Washington	326	87	1	4	6	0	10	52	13	153
West Virginia	48	10	1	2	0	0	1	0	0	34

MARCH 1965

State	Tota	State's definition of unemployment not met	Employment security referral	Other source of employment offer	Refused to accept work on community work or training program	Refused to accept vocational retraining	Residence requirement	Income exceeds determined need	Resources other than income exceed State's standard	Other
Total	5,046	792	102	132	58	7	131	964	154	2,706
California	1,459	263	53	32	16	0	43	268	20	764
Connecticut	171	20	4	5	0	0	4	29	13	96
Delaware	30	28	0	0	0	0	0	0	0	2
Hawaii	10	0	0	0	0	0	0	0	2	8
Illinois	425	56	1	3	3	3	25	132	26	176
Kansas	65	3	3	0	0	1	0	21	3	34
Maryland	180	45	0	0	0	0	1	5	9	120
Massachusetts	11	1	1	0	0	0	0	2	1	6
Michigan	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
New York	812	76	5	24	0	0	0	210	24	473
Ohio	331	9	21	32	23	3	16	56	23	148
Oklahoma	7	4	1	1	0	0	0	0	0	1
Oregon	180	55	3	18	4	0	2	30	4	64
Pennsylvania	747	57	2	5	1	0	13	142	3	524
Rhode Island	18	12	1	0	0	0	0	1	0	4
Utah	69	6	0	0	0	0	2	7	13	41
Washington	352	84	0	6	5	0	8	61	12	176
West Virginia	179	73	7	6	6	0	17	0	1	69

[1] Data not available. [2] Data not received.

Mr. MORSE. Mr. President, let me say to the Senator from Maryland that he has been patient but he will have to admit that this is a shorter speech than I usually make when he is Presiding Officer.

I shall now listen to him with great interest.

REAPPORTIONMENT AND CIVIL RIGHTS

Mr. TYDINGS. Mr. President, two weeks ago, I took the floor to discuss the rotten borough amendments. These are the proposed amendments sponsored by the Senator from Illinois [Mr. DIRKSEN] and others to the U.S. Constitution that would permit one house of a State legislature to be apportioned on "the basis of factors other than population."

In my remarks, I tried to discuss all of the major criticisms of the pending amendments. In an effort to be comprehensive, I had to sacrifice some depth. Today, I should like to discuss in greater detail one vital aspect of the proposed amendments—that is, the civil rights implications.

It is my firm conviction that the rotten borough amendments threaten to turn back the clock on civil rights. They threaten to undo the progress toward Negro equality which has been made in the Civil Rights Act of 1957, 1960, 1964 and the Voting Rights Act of 1965.

The right to vote is the heart of the democratic process. A democracy takes its strength from its ability to compromise the differences that may exist within society. Obviously, if people do not vote and their representatives do not take part in the debate, their interests will not be considered.

If the interests of any groups are continually and repeatedly ignored, they must find other means for expressing their views and asserting their rights. I believe that the civil rights demonstrations of recent years show that groups which are denied a voice within the established system of democratic representation will resort to extralegal and sometimes illegal action to express their grievances. These demonstrations are a symptom, not a cause, of the underlying disease. That disease in many cases has been the fact that Negroes feel that they have no voice in making the political decisions which affect their lives.

The right to vote is, therefore, essential to the maintenance of social order. The right to participate in the political processes of society is essential to domestic tranquillity.

The Supreme Court has always recognized the central importance of the right to vote. But it has also recognized that the vote must be a meaningful one.

In Reynolds against Sims, the Supreme Court summarized its decisions protecting the right to cast a meaningful vote in the following terms:

> Undeniably the Constitution of the United States protects the right of all qualified citizens to vote, in State as well as in Federal elections. A consistent line of decisions by this Court in cases involving attempts to deny or restrict the right of suffrage has made this indelibly clear. It has been repeatedly recognized that all qualified voters have a constitutionally protected right to vote, *Ex parte Yarbrough*, 110 U.S. 651, and to have their votes counted, *United States* v. *Mosely*, 238 U.S. 383. In Mosely the Court stated that it is "as equally unquestionable that the right to have one's vote counted is as open to protection * * * as the right to put a ballot in a box," 238 U.S. at 386. The right to vote can neither be denied outright, *Guinn* v. *United States*, 238 U.S. 347, *Lane* v. *Wilson*, 307 U.S. 268, nor can it be destroyed by alteration of ballots, see *United States* v. *Classic*, 313 U.S. 299, 315, nor diluted by ballotbox stuffing, *Ex parte Siebold*, 100 U.S. 371, *United States* v. *Saylor*, 322 U.S. 385. As the Court stated in Classic, "Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted * * *" 313 U.S. at 315.
>
> Racially based gerrymandering, *Gomillion* v. *Lightfoot*, 364 U.S. 339, and the conduct-

> ing of white primaries, *Nixon* v. *Herndon*, 373 U.S. 536, *Nixon* v. *Condon*, 286 U.S. 73, *Smith* v. *Allwright*, 321 U.S. 649, *Terry* v. *Adams*, 345 U.S. 461, both of which result in denying to some citizens their right to vote, have been held to be constitutionally impermissible. And history has seen a continuing expansion of the scope of the right of suffrange in this country. The right to vote freely for the candidate of one's choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government. And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.

Justice Douglas graphically expressed the same point in his dissent in South against Peters:

> There is more to the right to vote than the right to mark a piece of paper and drop it in a box or the right to pull a lever in a voting booth. The right to vote includes the right to have the ballot counted * * *. It also included the right to have the vote counted at full value without dilution or discount * * *. That Federally protected rights suffers substantial dilution * * * [where a] favored group has full voting strength * * * [and] the groups not in favor have their votes counted.

My principal fear is that the legislatures of some of our States might overtly or covertly embody the race factor into their apportionment plan. I find nothing in Senate Joint Resolution 2 to prevent a State from apportioning representation in its senate among the white voters of the State, or giving unequal representation to areas where white persons are in the majority. While such action is today prohibited by the 14th and 15th amendments, I am deeply concerned that the adoption of a rotten borough amendment could be construed by the courts as an implied repeal of the 14th and 15th amendments with respect to apportionment. As the junior Senator from New York [Mr. Kennedy] has pointed out, the only purpose of Senate Joint Resolution 2 is to carve out an exception to the equal protection clause of the 14th amendment as determined by the Supreme Court in the reapportionment cases.

Even if race were not explicity or obviously used to disenfranchise Negroes, what is there in Senate Joint Resolution 2 to prevent a State from apportioning membership in its senate on the basis of education, or ownership of property? Mr. Burke Marshall, former Assistant Attorney General in charge of the Civil Rights Division, has demonstrated that either of these factors would, in many of our States, effectively disenfranchise Negroes and other economically and socially disadvantaged groups.

He testified:

> If property qualifications are used, for example, only three out of eight nonwhite households owned their own homes in 1960, as compared to five out of eight white householders. These are national figures, the disparity would be much greater for the Southern States. In terms of education, in 1960 the median school years completed for whites was 10.9, while the comparable figure for nonwhites was 8.2 years. Of the whites in the country, 6.7 percent have had less than 5 years of elementary school, but this was true in 1960 of 23 percent of the nonwhites. Similar disparities can be found in any educational standard that is chosen. And they can be multiplied in terms of any economic, social, or even regional interests, not related to population, which might be used as a test of representation.

For these reasons, Mr. President, I submit that reapportionment is a civil rights issue. Mr. Clarence Mitchell of the NAACP told our committee that a great deal of the support for the rotten borough amendments comes from those who oppose political equality for Negroes. It would be ironic, indeed tragic, if the same Congress which takes long-overdue action to enfranchise the Negro, were also to authorize the effective disenfranchisement, through unfair apportionment, of millions of Negroes and other minority groups.

The possibility of racially motivated malapportionment exists in fact and not in fancy. The Civil Rights Commission has found in its 1961 voting study that there is a close relationship between malapportionment and racial discrimination. Prof. V. O. Key, a noted authority on Southern politics, has observed that by the overrepresentation of rural counties in State legislatures, the whites of the black belts gain an extremely disproportionate strength in State lawmaking. In Louisiana, for example, the Civil Rights Commission found, in 1960, that certain rural parishes in northern Louisiana had, on a straight population basis, six or seven times as much representation as selected urban parishes. In these rural parishes, few if any Negroes voted, while in the urban areas the nonwhite voting registration was quite high. As a result, racial discrimination in voting magnified the malapportionment, and the whites in rural areas were effectively overrepresented by a factor of 12 or 14 to 1. This malapportionment serves to intensify the racial crisis in the South, for, as Professor Key has observed, these overrepresented black belt areas are in general the most conservative and irreconcilable on the Negro issue.

While race is the most obvious and most invidious factor other than population that might be employed in apportioning a State legislature, in many States there are other factors, such as religion, national origin, and wealth, which could be employed to disenfranchise an unpopular minority. When one looks at what Justice Clark called the topsy-turvical apportionment plans of many of our States, one has little confidence that the population factors that might be employed would be reasonable or fair.

Nor is the problem of disenfranchising minority groups through malapportionment limited to the South. In the New York constitutional convention of 1894, a rural delegate argued for malapportionment in the following terms:

> I say without fear of contradiction * * * that the average citizen in the rural district is superior in intelligence, superior in morality, superior in self-government, to the average citizen in the great cities * * * [We] * * * have no Emma Goldbergs and no Herr Mosts.

Another delegate to the same convention declared:

> The people in our big cities are unfit for citizenship.

More recently, a former president of the National Association of Real Estate Boards stated:

> Today the greatest threat to democratic institutions, to the republican form of government, and ultimately to freedom itself, lies in our big cities. They are populated for the most part with the massman, devoid of intelligence, and devoid of civic responsibility.

Mr. President, I ask unanimous consent to have printed in the Record a copy of the testimony of Hon. Burke Marshall before the Subcommittee on Constitutional Amendments on May 14, 1965.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony of Burke Marshall Before Subcommittee on Constitutional Amendments, May 14, 1965

I appreciate the opportunity to testify in opposition to the proposals to amend the Constitution to permit the States to abandon the principle of equality in selecting the members of one house of their legislatures. I shall try to be as brief as possible in stating my reasons.

I am an attorney presently engaged in the private practice of law. From February 1961 until January of this year, however, I was Assistant Attorney General in charge of the Civil Rights Division in the Department of Justice. The briefs filed expressing the views of the United States in the reapportionment cases originated in that Division and accordingly the position taken by the United States, supporting the constitutional views later adopted by the Supreme Court, was initially my responsibility. In addition, the major efforts of the Division during the past 4 years have been directed at insuring the Negro citizens of some of the States that they would be given the right freely to register and to vote and accordingly to have a proportional voice in their State and local governments. I believe that the proposed amendments to the Constitution which are before this committee would seriously undercut those efforts, and it is to that aspect of the matter that I would like principally to direct the committee's attention.

It seems to me that the proposed amendments carry a very heavy burden from the outset because they are the first serious proposals that I know of to amend the Constitution to eliminate, rather than to enhance, rights that are protected against State action by the Constitution, particularly the 14th and 15th amendments, and are in that sense guaranteed by the Constitution to the people.

Only the most compelling reasons could justify this kind of dilution of the right to equal protection of the laws which is now a right of all our citizens. What has happened since the decisions of the Supreme Court in *Baker* v. *Carr*, *Reynolds* v. *Simms*, and the other reapportionment cases, certainly does not furnish any such reasons. Those decisions have not created any constitutional crisis. Rather they have provided a stimulus for long-overdue corrective action by the States that at least moves in the direction of making their legislative bodies working institutions of government, capable of dealing with the problems of this century and the urbanization of our society.

All of the available history rather argues against any tampering with the Constitution in this respect. For the fact is that, until the Federal courts finally intervened, following *Baker* v. *Carr*, to protect the right to equality in voting which is guaranteed by the 14th amendment, a crisis in our federal system was brewed by a failure on the part of the States to meet their responsibility in dealing with our society as it exists in fact, not in fancy. Those who are concerned about increased Federal activity in seeking solutions for the immense difficulties the cities face in education, health, welfare, housing, and poverty should recognize that it has been the apparent inability of the States effectively to act that breeds the Federal programs now in process. We have seen this happen most clearly in the field of voting, where the abuse of State police power and the refusal in some States to correct discrimination against Negroes in registration and voting has inexorably led to Federal legislation, and the exercise of Federal power, in 1957, 1960, 1964, and now in the Voting Rights Act of 1965. In the case of urban problems, the absence of effective State action has been at least in part—I believe large part—an inevitable result of 60 years of history in which a small minority of the population of the States could elect and control their legislative houses.

Amending the Constitution so as to permit this history to be repeated does not make any sense. It is dangerous in the long run for the continued viability of the States and the Federal system. In addition, it is specifically dangerous to the minority groups, particularly Negroes, who most drastically feel the impact of the urban problems which I have mentioned. In fact, the proposed amendments seem to me to endanger very seriously our entire effort to give these groups an effective political voice in asking their States for help.

In the first place, none of the proposed amendments explicitly bars racial considerations as a factor in determining the apportionment of representation in a State legislature. I assume that it is not the intention of the proponents of the amendments thus to dilute or eliminate the effect of the 15th amendment. Nevertheless, even if this is made clear, the choice as to method of apportioning under the amendment would necessarily be given in the first instance in some States to legislators who have been put in office by an electorate that has excluded large numbers of Negroes. This is certainly true now at least in Alabama, Mississippi, and Louisiana. Further, the effect of past discrimination in other States, whether or not Negroes can now get registered, has been to cause disproportionate underrepresentation of the Negro population.

Thus the initial decision itself in these States, whatever the amendments say, will be made with racial history in mind. And at least until the Voting Rights Act of 1965 has been passed and given a substantial period of time in which to work, the electorate in passing on the system of apportionment in any referendum would be an unrepresentative electorate. In my judgment, it would ignore reality to believe that race would not be a major factor, if not the controlling factor, in any referendum on the apportionment question in several of our States for a considerable time to come.

Further, some of the proposed amendments, including that suggested by Senator DIRKSEN, fail to make any provision, and perhaps cannot effectively do so in any event, for reviewing decisions about apportionment that are made by the legislatures in power at the time that the amendment becomes ratified. Decisions that will affect, and intimately affect, the lives of future generations will thus be made by legislatures which are now malapportioned and in which Negroes are grossly underrepresented.

Finally, there are many ways in which racial considerations can enter into these decisions without violating a prohibition against discrimination.

Apportionment on any but a population basis, for example, has always discriminated against city dwellers, and this fact proportionally deprives Negroes of a political voice more than any other identifiable group. In 1960, over 72 percent of Negro Americans lived in urban areas. There is every indication that this percentage is increasing, and increasing rapidly. In Alabama, for example, the percentage of nonwhites living in urban areas went up 23 percent between 1950 and 1960, while those living in rural areas went down almost 20 percent. In Mississippi, the comparable figures were 27.6 percent increase and a 17.7 percent decrease; in North Carolina, 26.4 percent as against 2.5 percent; in Louisiana, over 200 percent as against 8.6 percent. Of all the Southern States, only Florida showed any increase in nonwhite population in rural areas, and that increase was slightly over 1 percent as against 71.3 percent in urban areas.

If it be assumed that the discrimination permitted by the proposed amendments may be based on other factors than giving rural voters a greater voice than urban voters, there are available many other ostensibly nonracial criteria which would result in depriving Negroes more than whites of a voice in their government. If property qualifications are used, for example, only three out of eight nonwhite households owned their own homes in 1960, as compared to five out of eight white householders. These are national figures; the disparity would be much greater for the Southern States. In terms of education, in 1960 the median school years completed for whites was 10.9, while the comparable figure for nonwhites was 8.2 years—6.7 percent of the whites in the country have had less than 5 years of elementary school, but this was true in 1960 of 23 percent of the nonwhites. Similar disparities can be found in any educational standard that is chosen. And they can be multiplied in terms of any economic, social, or even regional interests, not related to population, which might be used as a test of representation.

It is to be noted that the use of property, educational, or other objective criteria for apportionment purposes cannot really be answered by tampering with the language of the proposed amendment so as to appear to prohibit racial discrimination. At the least, efforts to preserve white political supremacy in some States would lead to endless litigation over the methods of apportionment chosen. The gerrymandering of Tuskegee, Ala., which was the object of the Court's opinion in *Gomillion* v. *Lightfoot*, is only the most blatant of racially motivated political action. More probably, however, whatever language was proposed could not in fact prevent the devising of some methods of apportionment which would in effect deprive the Negro minority of a real political voice.

Nor is this a matter which is in any sense cured by the requirement that the method of apportionment be submitted to the people by way of referendum. We have seen again and again in the States I have referred to, and in others, the lengths to which the majority of voters will go—even complicating very seriously the methods by which they become registered themselves—to find ways of keeping Negroes from gaining any political voice. It is for this reason that the Constitution thus far has prohibited the majority, even through democratic means, from depriving members of a minority group of their right to be treated fairly under the law. Further, as I have already pointed out, in several States the electorate that would in fact approve any apportionment system in the next few years will be an electorate which is already in imbalance because of existing or past racial discrimination in registering and voting.

These are some of the specific problems which are clearly discernible in the proposed amendments. But in conclusion, I would like to point out that the question goes far beyond mere technical under-representation of this one segment of the population. The question is whether or not the States will have political systems capable of action to meet the most urgent problems of our society, of which the most pressing and most difficult is that of low-income Negroes and other nonwhites living in the blighted and congested parts of the urban centers. However the language of these proposed amendments is changed, they plainly contemplate the possibility of a malapportioned house in every State legislature which will at the very least have veto power over welfare, economic, educational, and civil rights measures aimed at remedying urban problems, and particularly the condition of the urban Negro. And if our experience in past years means anything, it is unrealistic to expect responsiveness to these needs by a legislative body whose members owe little or no political allegiance to the people in need of help.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1966

The Senate resumed consideration of the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

Mr. TYDINGS. Mr. President, it was my privilege to serve on the Subcommittee on Appropriations handling the appropriations for the District of Columbia as an ex officio member of the legislative committee on the District of Columbia.

I say it was my pleasure because I thoroughly enjoyed my work there. I enjoyed working under the Senator from West Viriginia [Mr. BYRD].

I served in the Maryland State Legislature for 7 years, and I believe I can appreciate diligence and attention to detail and a real regard for one's task. The Senator from West Virginia showed these characteristics to a high degree.

The budget which we reported is an excellent one. I have seen past budgets, and I believe I can say that this is one of the finest budgets that I have ever had the opportunity to study.

We have increased aid to education. We have put back appropriations for playgrounds. Under the leadership of the Senator from West Virginia, we have provided for the addition of a doctor to complete a birth control medical team, together with a directive to the Board of Public Health to consider the institution of three other birth control teams to attack the problem of illegitimacy. Taken as a whole, it was outstanding work. The Senator from West Virginia has rendered an outstanding service.

We have not always agreed on various questions in committee, but I have found that he has been very fair in the hearings he conducted, and his attention to detail should suit any perfectionist.

The only point on which we seriously disagreed was on the so-called Ribicoff amendment, for aid to dependent children of unemployed parents. Actually, it involves approximately $340,000 of a $364 million budget.

So if one differs with his committee chairman on one point like that, I believe it can be understood that it has nothing whatever to do with any point other than the merits of an individual appropriation itself.

As a cosponsor of the Ribicoff amendment I should like to express my support of the proposition that every child, regardless of the shortcomings of his parents, is deserving of at least the bare necessities of life, as the senior Senator from Oregon so wisely said. Several factors have tended to muddy the waters. I feel, as I said in committee, that the Senator from West Virginia has been unfairly attacked from a number of quarters for his position with regard to what he feels is right. The attacks have been unfair and unfortunate, and I believe they have clouded the water somewhat, so that it will be perhaps more difficult to get a clear vote on the issue than it might have been possible to get if such attacks could have been avoided.

I believe we are all familiar with the fact that it costs about 8 times as much to support a child in Junior Village as it does to support a child in his own home under a program of aid to children of the unemployed. We are all familiar with the fact that the unemployment rate in Washington—not in the metropolitan area, but in Washington, D.C.—hovers around 5 percent, depending on the season, and that in some sections of the city the unemployment rate is considerably higher.

Mr. President, at this time I ask unanimous consent to include in the RECORD page 2 of Labor Newsletter, a publication of the U.S. Department of Labor.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Employment trends: Finance, insurance, and real estate, 1959–65

[Employment data are shown in thousands]

Area	March 1959	March 1962	March 1965	Increase from March 1959 to March 1965	
				Number	Percent
Metropolitan Washington	38.3	43.6	51.9	13.6	35.5
District of Columbia	27.7	28.8	31.1	3.4	12.3
Suburban Maryland and Virginia	10.6	14.8	20.8	10.2	96.2

As the table above indicates, the steady 5-year uptrend in finance, insurance and real estate employment has taken place mainly in the suburbs of the National Capital area.

EMPLOYMENT SERVICE ACTIVITIES IN METROPOLITAN WASHINGTON

LOCAL UNFILLED JOB OPENINGS

Employment Security offices in the Metropolitan Washington area listed 4,996 local job openings in March 1965 as opposed to 4,000 in February 1965 and 5,671 in March 1964. Job vacancies rose from 1,442 to 1,360 in suburban Virginia Employment Service offices and from 887 to 1,315 in suburban Maryland Employment Service offices in the 30 days ending in March. Since March 1964, the combined Maryland-Virginia Employment Service offices reported a job vacancy decline of 592, principally due to a decline in new shopping centers being opened in Maryland during the past year. As the following table indicates, the vast majority of local unfilled job openings in the District of Columbia are listed in the professional and clerical offices. These openings require very specific job skills for which there is considerable demand.

Unfilled local job openings—USES for the District of Columbia

Occupational group	March 1965	February 1965	March 1964
Professional	1,064	674	828
Commercial	374	569	480
Trades and industrial	226	81	415
Casual labor	14	1	5
Service	329	331	327
Youth	14	15	49
Total	2,021	1,671	2,104

The U.S. Employment Service for the District of Columbia, as well as employment security offices for the Maryland-Virginia suburbs, is participating in the President's job development program. The program will attempt to immediately match qualified jobseekers in service and related fields with available job opportunities, stimulating the development of new job opportunities therein, providing appropriate training to those jobseekers needing training, and affording opportunities to build managerial skills to give necessary services. The service-type jobs referred to above include hotel, restaurant, and household occupations; repairmen or tradesmen who may be called into homes, offices, stores and other buildings to repair or service the building or its equipment; certain clerical and sales jobs, medical service occupations, etc. District of Columbia employers are strongly urged to call the USES for the District of Columbia, 393–6151, and list their job needs. Suburban Maryland or Virginia employers should contact the local employment security office in their respective areas.

Mr. TYDINGS. Mr. President, these figures are taken from the U.S. Employment Service for the District of Columbia. They indicate that the unfilled local job openings in the District of Columbia, in the field of casual labor, was 14, and for youth it was 14. The total was 2,021. That was in March, 1965.

In February of 1965, there was one casual labor opening, and for youth there were 15.

This shows that sometimes no jobs are available, literally, for those persons who do not have the benefit of some degree of education and some degree of literacy.

In the Appropriations Committee the question was raised with reference to title V of the Economic Opportunities Act, and whether the manpower retraining grants would not be a substitute for a regular aid program.

To check the point, I consulted the Department of Health, Education, and Welfare. I was assured that a title V community work experience and training program is designed to complement, not to replace, a program of aid to the children of the unemployed.

I ask unanimous consent to have printed in the RECORD at this point a copy of a letter which I received from Leonard H. Gordon, Acting Assistant Director for special Services of the Department of Health, Education, and Welfare.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE,
Washington, D.C., May 25, 1965.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.
Attention: Mr. Thomas Curtis.

DEAR SENATOR TYDINGS: I am writing you in regard to our conversation last week when we were discussing the role of the work experience and training program under title V of the Economic Opportunity Act and its relationship with the assistance program for needy children of unemployed parents (AFDC–UP). I made the point that title V complemented the AFDC–UP program. This point is brought out very well in two Senate documents pertaining to the Economic Opportunity Program.

The hearings before the Select Committee on Poverty of the Committee on Labor and Public Welfare, United States Senate, includes a statement by Secretary Celebrezze of which pp. 217–219 are devoted to title V. The following paragraph is especially pertinent:

"Our goal under this program would be to reach a significant group of employable but needy people. Thus, the work experience program is aimed in large part at the needy children and their parents receiving assistance under the program of AFDC. Among this group are a substantial number of parents who are eligible for aid because of their unemployment; others are eligible because of incapacity which is frequently not so severe as to preclude some kinds of employment; and there are also women caring for children who are old enough that, with proper safeguards for their care, they can safely be left while their mother learns and works so that she may eventually become employable. We see this as a way of reducing the number of assistance recipients and providing people with the satisfaction of working and learning."

The other Senate document (No. 86) is entitled "The War on Poverty—The Economic Opportunity Act of 1964: A Compilation of Material Relevant to S. 2642," also published for the Senate Committee on Labor and Welfare.

The section entitled Family Unity Through Jobs (pp. 65–67) is devoted to title V. Of particular significance is the statement that the "program has been designed to encourage the expansion of existing programs, the establishment of new AFDC–UP programs, and the inclusion of work and training programs on a pilot basis where they do not now exist" (top of p. 67).

I am enclosing for your information two publications of the Bureau of Family Services which may also be useful in explaining that title V is not necessarily a substitute for AFDC—UP. The pertinent items are clipped.

Sincerely yours,
LEONARD H. GORDON,
Acting Assistant Director for Special Services.

Mr. TYDINGS. Mr. President, we know that many of the families to be aided under this program are headed by women, often elderly women, who have grandchildren to support, and that the man-in-the-house rule is irrelevant in many of these cases.

There is a system of protective payments, by which welfare aid may be given to the children through a responsible adult, if the parents are irresponsible. There is no danger of this money being wasted.

We know, therefore, the background behind this program, behind the struggle to establish this program in the District.

A majority of States have adopted this program, or provide aid to the children of the unemployed through their general assistance programs.

What is sought today is to bring the District in line with a majority of other American jurisdictions.

Lengthy hearings were held by Senator Byrd's subcommittee, and there was a lengthy session in our own subcommittee, at which time we did not vote on whether we should remove the House allowances for this program. I think I can say without fear of contradiction that if a vote had been had it would have been in support of the House provision, in support of President Kennedy and President Johnson, in support of aid to the children of the unemployed.

Before the full committee I made the same argument that I now make. I feel that the Senate ought to support the position of the House and the position of the President. To do otherwise would penalize a child for the misdeeds of his parents, or for the environment into which he is born and over which he has no control whatever.

If we are going to make a real, earnest, and conscientious effort to fight the war on crime, we must get down to the roots of it and start working with the child.

To penalize a child for the shortcomings, failings, inadequacies, and deficiencies of his parents or his so-called de facto parents is being neither charitable nor wise. In the long run, the money that we are talking about will not be half the cost to society of a rising crime rate.

One final word. The District of Columbia is the National Capital of the United States. But it is also a great American city. It faces the problems that we in Baltimore, Md., and those in New York, in Detroit, and in Chicago face. Perhaps Washington could be said to represent the problems of each of our great cities. The people of the District are following a broad range of community leadership. In our hearings, they have expressed in every way that they know how they desire to establish a program of aid for dependent children of unemployed parents.

Leader after leader—responsible citizens of the District of Columbia—came before our subcommittee. Our chairman very kindly agreed to sit long hours. I believe on one particular day he started at 10 o'clock in the morning and went until after 10 o'clock at night, to hear all the various representatives of the community groups. The responsible community leaders of the District of Columbia were virtually unanimous in favor of this program.

We should seize the present opportunity to give the people of Washington, D.C.—to give the often inarticulate population of the center city—the program that they desire so ardently. I feel that by voting for the Ribicoff amendment we shall assure that all the children of the District of Columbia will have at least a few of the benefits which most children take for granted.

Mr. President, by way of afterthought, the District of Columbia does not yet have home rule. Those of us on the legislative committee act as city councilmen for the District of Columbia. However, it is virtually impossible to do all of one's work as a Senator and be a full-time councilman for the District of Columbia as well. The District of Columbia Committee voted to report favorably the legislative manadate that aid should be given to the children of unemployed parents. I ardently request that the Senate support the position of the Committee on the District of Columbia, which is a position that was adopted by President Kennedy, President Johnson, the House of Representatives, and the District of Columbia Committee, and adopt the pending amendment, to aid the children of the unemployed of the District of Columbia.

The PRESIDING OFFICER. The Chair recognizes the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, Senators who have preceded me in their support of the Ribicoff amendment and who have given their reasons for supporting it have frequently alluded to hungry children. They have referred to their not wishing to bring hardships upon children who are not accountable for the situations in which they find themselves, and who are not accountable for their being here. I share those views. I am as much concerned about the hungry children as is any other Senator.

As chairman of the Subcommittee on District of Columbia Appropriations, I must assume the responsibility of recommending an appropriation bill to the subcommittee, to the full committee, and to the Senate, the items of which can be justified and upon which reliable testimony has been given during the hearings.

I try to be realistic in approaching the duties of the chairmanship, realizing that we have only so many dollars to spread around, realizing that all of the various dpeartments, major and minor, in the District of Columbia government have needs which cannot be fully met by the revenues available. I have to be mindful of the fact that there are important needs in the Department of Health, in the Department of Welfare, in the Police Department, in the public schools, in the Highway Department and throughout the governmental structure. Many of these needs are justifications for increased expenditures of money; but, as I indicated earlier, the anticipated revenues amount to $372,678,000 in the forthcoming fiscal year. We can spread this amount of money only so far and no further. This is not putting a price tag upon the needs of any citizen of the District of Columbia or upon any department. It merely is to emphasize the fact, which I must face, and which is an immutable one, that we have only so much money, we have needs unfathomable and impossible of enumeration, and this money must be spread to meet those needs.

I must look realistically upon every program that is suggested to the subcommittee. I have sought to do that in connection with the proposed AFDC/UP program. The first year this program was presented to Congress it was rejected by the House of Representatives. The second year in which it was presented to Congress, the program did not go to the House of Representatives because of the existence of an "A" budget and a "B" budget. The program was not included in the "A" budget which went before the House committee; consequently, the House committee did not consider this item. The item was included in the "B" budget, which came to the Senate, where the subcommittee rejected the item. An effort was made on the floor of the Senate to restore it. The Senate rejected the amendment. The third year in which this program was presented to Congress the House gave it its approval, but the full Committee on Appropriations of the Senate deleted the item. Again, an effort was made to restore the item on the floor of the Senate; again, the Senate rejected the amendment.

This year the House approved the item, and the Senate Committee on Appropriations rejected it.

The Senate subcommittee, under my chairmanship, has wrestled with this subject for 4 years and has sought to find the facts. I have sat for hours upon end listening to witnesses from the Department, and as a usual thing I have sat alone. There are those who attempt to imply that I select the hours of the evening and the sixth day of the week in which to hold my hearings so that I will be alone and can do a hatchet job on welfare.

But, of course, everyone knows that it is the privilege of every member of the subcommittee to sit with me; and almost without exception the members of that subcommittee are in just as good health as I am, and probably have no more demands on their time than I have. So members of the subcommittee can just as well spend their time on that subcommittee and in hearing the witnesses as I can afford to spend mine.

Having elicited the facts time after time, I have come to the same conclusion this year as in previous years, that this program is not justified at this time in the District of Columbia, and that it is not desirable to have it at this time in the District of Columbia. Of course, it appeals to some people, as I say; but from where is the money coming?

Attention has been drawn to the vote that was taken in the District of Columbia on this matter. I shall read into the Record one letter that was addressed to me on May 24, 1964, by the Capitol Hill Southeast Citizens Association:

Senator Robert C. Byrd,
Chairman, Senate Appropriations District Subcommittee, Washington, D.C.

Dear Senator Byrd: The Capitol Hill Southeast Citizens Association thanks you for paying little attention to the recent election as it relates to extending the present ADC welfare program to children of the unemployed. The election was very poorly run,

> and no conclusions can be drawn except that three groups of Democrats fought vigorously among themselves. Few people knew who the candidates were on the three slates. All were told to vote "yes" to all of the questions. Many had no idea what the questions included.
>
> This organization commends your cool judgment based on the District appropriations hearings. The constant effort to place the District financial structure in trouble is deplored by the citizens who have to pay the taxes.
>
> The Capitol Hill Southeast Citizens Association thanks you.
>
> Sincerely yours,
>
> ELIZABETH DRAPER,
> *Secretary.*

Mr. President, there is no Member of the Senate who is not aware of the situations that obtain on days of election in our own respective States.

We all know that the electorate in our own home State is presented with controversial issues from time to time and that on election day hundreds and thousands of citizens go to the polls and vote. In many instances—all to often—they vote on issues about which they know little or nothing. All too often they follow the recommendations and suggestions of people who are around the precinct voting places. People are told how to mark their ballots, and they sometimes vote the ballots in that way.

The statement by the citizen who wrote this letter to me—although I cannot attest to the validity of the statement—is certainly not one which should cause the eyebrows to raise, knowing as we do that voters so often are instructed how to vote on issues at the precinct level.

I dare say that the citizen who wrote this letter knew what she was talking about. I read again three sentences:

> Few people knew who the candidates were on the three slates. All were told to vote yes to all of the questions. Many had no idea what the questions included.

I certainly have a feeling that these circumstances could obtain and would obtain, and that many hundreds of those who voted for this program did not know what they were voting for and could not begin to explain what the program entailed, what it was about, what it would do, or what it would cost. Some of them probably had never heard of the program, although the program has been played up considerably in the local newspapers. There are those who say that the people of the District of Columbia would vote for this program if they were not a voteless people. This may be true. However, there is always a day of reckoning, and that day of reckoning comes when one has to pay the bill.

It is one thing to vote for a program and to shut one's eyes as to where the money is to be found. It is quite another thing to have to distribute the money and make ends meet and pay for the program.

At no time have I been convinced that the Department of Welfare has presented a firm estimate of the cost of the proposed AFDC–UP program. That is no reflection on the department witnesses. I have the highest confidence in the director, Mr. Brewer. I believe that he is doing an excellent job. I believe that his associates are doing a fine job. It is a job done under difficult circumstances. Nevertheless, I am not convinced that the estimate is a good one. I am not convinced that the estimate of cost is a good one, because the estimate of the cost is precisely the same estimate as that which was presented last year, the year before, and the year before that, except for the increases in salaries and related benefits. The estimate is based upon the same telephonic survey that was conducted in July 1962. It was a one-time survey.

The hearings indicate that the survey was conducted hurriedly so that those who represented the department could present a cost estimate to the subcommittee when they appeared before the subcommittee. It was a hurried survey. It was a one-time survey. It was the same survey on which estimate after estimate after estimate—and now again, for the fourth time—has been presented to the subcommittee.

I feel that a program such as this certainly merits the development of a new estimate.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. TYDINGS. Mr. President, the actual appropriation with which we are concerned in this debate is really an appropriation for 6 months.

Mr. BYRD of West Virginia. The Senator is correct.

Mr. TYDINGS. Actually, the appropriation itself is really a nominal sum which admittedly would not be the cost for an entire year.

Mr. BYRD of West Virginia. The Senator is correct. I would not say that the amount of money was a nominal sum. The Senator is correct in that the sum is not for an entire year.

Mr. TYDINGS. The Senator is correct. Would not this appropriation give us an opportunity to at least examine the program, even though it might not be the complete, comprehensive, and all-encompassing one which the Welfare Department might wish? Would it not give the District of Columbia an opportunity to feel itself along and experiment to see whether the program would do the job which the advocates, among whom I am one, consider that it would?

Mr. BYRD of West Virginia. I will answer the Senator by asking a question. Does the Senator feel, regardless of what the experience of the program would show, that there would ever be any Senator who would have guts enough or who would be concerned enough to stand up and say, "Cut this program out," once it had been started?

Mr. TYDINGS. I believe so. I believe that our past experience has pointed that out. I believe that the experience which the Senator from West Virginia himself has had in the area of checking and eliminating undesirable expenditures in the field of welfare indicates that there is a strong feeling in the Senate that we do not wish to spend money except in cases in which it is needed. I believe that there is equally as strong a feeling that in this particular area we should at least make a start in examining and seeing whether the progrm would bring about the result that the proponents say it would.

Mr. BYRD of West Virginia. If this program were ever initiated in the District of Columbia, it would never end as long as the Federal authorization stands. I know something about the pressures that can be brought to bear on the chairman of a subcommittee in an effort to force him to recommend the appropriation of moneys for the initiation of such a program. Once the program is initiated, all bets are off and the program will never end in the District of Columbia.

If one wishes to look at the experience, one needs only to examine the experience over an accumulation of years in connection with the aid to dependent children program. It has been shown that the caseload is heavily laden with ineligibles, and one virtually has to march through fire if he attempts to rid the caseload of these ineligibles. I have no doubt, in my mind, that if this problem is ever initiated, it will be a never-ending program as long as the Federal authorization exists on the statue books.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. The cost is not merely $341,000; the cost, as the Senator knows, goes beyond that. He knows the testimony adduced was to the effect that the cost for the first full year would be $2,592,703.

If the program is so necessary, why should it not be started on July 1? Why should it wait until January 1, 1966? Why did the Department not submit an estimate which included it as of July 1? The Department has been considering the matter now for more than 3 years. Surely it has had ample time in which it could come before the subcommittee and present a justification, if such a justification were there, for the program to begin on July 1.

What is going to happen to all the hungry children in the 6 months which must pass before this program goes into effect?

I ask all those who implore us to begin the program because of the hungry children, who is going to feed these hungry children over the next 6 months? Why was not the program suggested beginning July 1?

Does the Senator from Maryland wish to ask a question?

Mr. TYDINGS. Yes. The Senator raised the argument that once this program was initiated, even if the program were not successful or its continuance were not warranted, we could never stop it. Is it not true that some States have initiated this program and have then terminated it?

Mr. BYRD of West Virginia. That is true in one or two States. Has the Senator sought to determine how many persons were affected in those States?

Mr. TYDINGS. No. I merely point out that there have been jurisdictions which have initiated programs and then stopped them.

Mr. BYRD of West Virginia. Has the Senator sought to determine the reasons why the States sought to terminate the program?

Mr. TYDINGS. No.

Mr. BYRD of West Virginia. Does it occur to the Senator that the reasons might have been financial?

Mr. TYDINGS. Whatever the reasons are, the fact is that the program was terminated. That is my point. The Senator has said that once a given program is started, it would never stop. I challenge that statement and say that there are examples in which the program has been started and then stopped.

Mr. BYRD of West Virginia. I say, with all respect, that we can argue all night about this, and we can argue until 2:30 tomorrow, without accomplishing anything. I get back to the premise, which cannot be questioned, that we are appropriating money for the District of Columbia, not the State of North Carolina, which entered the program and later withdrew—my native State, North Carolina, the native State of Commissioner Winston, and the native State of the distinguished Senator from Maryland [Mr. Tydings] who is now on the floor. We are appropriating money for the District of Columbia. What occurs in some faraway State has no bearing on what happens here tomorrow when we vote. There are those who say that what is good for the State of West Virginia is good for the District of Columbia. But we are talking about oranges in one instance, apples in another.

I do not have one molecule of authority over the Legislature of the State of West Virginia; and it is that body which determines whether moneys are to be appropriated to match local funds for this program. If I sat in that body, I would have a voice in the determination of the question. But it is my responsibility here to give attention to the budgetary needs of the District of Columbia, and to make recommendations in connection therewith. West Virginia has nothing to do with it.

Those who use this argument very conveniently overlook the argument which I could raise in return, that West Virginia has a ceiling of $165 in welfare payments. What is good for West Virginia is good for the District of Columbia. The District of Columbia once had a ceiling on welfare payments of $200. Earlier it had a lower ceiling, as I recall. It has no ceiling now. But if what is good for West Virginia is good for the District of Columbia, why do those who use this argument not take it all the way across the board? West Virginia has the AFDC–UP program. Why not have a ceiling on welfare payments? West Virginia has it. What is good for West Virginia is good for the District of Columbia. Maryland also has a ceiling on welfare payments.

In regard to the amount of money, it may be a trifling sum when it is placed alongside the Federal budget, and it may be trifling when placed alongside the District of Columbia budget; but it represents a program which is going to be eternal; and a program which is going to be costly.

If it could be justified, regardless of the cost, I could be for it, just as I am for other programs in the District of Columbia which are costly and which will never end. But there is no firm estimate of the cost. In the District of Columbia I have known welfare payments to amount to between $500 and $600 a month. The highest payment in the month of May was $493. In addition, families have received up to $71 worth of surplus commodities every month.

So there is no ceiling. How does one know what the cost of the program is going to be if it is initiated now?

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. TYDINGS. If the District of Columbia had home rule at this time, the Senator would agree, would he not, that the city council, or the legislative branch of the District government, would have the responsibility and the right to determine whether or not the dependent children program should be administered in such a way as to include unemployment of parents as a qualification for eligibility?

Mr. BYRD of West Virginia. I answer the Senator by asking him a question. Does he feel it would also be the responsibility of that body, as it is now the responsibility of this body, to determine where the money is coming from, and whether or not there is going to be enough money to pay for the program? The able Senator knows that one goes hand in hand with the other?

Mr. TYDINGS. Absolutely; and to draw the analogy together, I believe the legislative committee of the District of Columbia has legislated what it believes the program should be for the District of Columbia, and that the guidelines have been set by the legislative committee for the District of Columbia.

Mr. BYRD of West Virginia. Let me interrupt the Senator, and then I shall be glad to yield to him further. I do not feel bound in the slightest by what the legislative committee has done thus far. I say this with the utmost respect for the committee and its fine and distinguished members. The bill to which the Senator alludes, and which awaits attention by this body, has not been enacted by this body; and if and when the time comes that it is enacted by this body, that still will not be binding. Bills have to be enacted by both bodies to have the impact of law.

Furthermore, there is already Federal authorization for the program. The State of West Virginia participates in it. There is existing Federal authorization, but each State legislature must determine whether it wishes to provide the local matching moneys to participate in the Federal AFDC program.

I say that this body, which makes appropriations for the District of Columbia, and the committee which, in the first instance, passes judgment on the appropriations, have a responsibility for determining whether the local matching moneys should be provided with which to participate in the Federal program. That is all we are doing here. There are those who sincerely believe, and conscientiously so, that the action of the District Legislative Subcommittee should be weighed carefully by Members who are about to vote on this proposal, but I say that it has absolutely no effect on the matter before us. So far as my own vote is concerned, I will accord not one bit of weight to the action at this point. And I do not reflect any disparagement on the District Committee in saying this.

Mr. TYDINGS. What weight will the Senator accord to the feelings in his own subcommittee, the subcommittee which heard the testimony and which passed on the budget to the full Appropriations Committee? Does the Senator think that should carry some weight?

Mr. BYRD of West Virginia. The Senators on my subcommittee had the opportunity to cast their votes.

Mr. TYDINGS. They did.

Mr. BYRD of West Virginia. In the full committee; and they did that. Therefore, I have not only respect for, but also consideration for the feelings——

Mr. TYDINGS. But the Senator knows that——

Mr. BYRD of West Virginia. If the Senator will kindly not interrupt me in the middle of a sentence, I will yield to him futher in a moment. I do not mean to be unkind, but at least I should like to finish my sentence.

Mr. TYDINGS. I hope the Senator will pardon my exuberance.

Mr. BYRD of West Virginia. I desire to accord to the members of the subcommittee the same courtesy which I hope they accord me. They had the opportunity to express their viewpoint before the full committee.

Does the Senator believe for one moment that had I raised the subject in the subcommittee, and had the subcommittee overruled me, as I know it would have, I would have been bound by that? Does the Senator believe that I would not have moved in the full committee to strike the item, as I did?

Mr. TYDINGS. To answer the Senator's question, I believe that the Senator would have fought back. I bring up this point only to point out that of the 11 members of the Subcommittee on the District of Columbia Appropriations, the feeling, as I recall it, was that seven believed we should adopt the program, three were opposed to it, and I believe no vote was cast by one member. I felt that inasmuch as the Senator has indicated he did not feel bound by the feelings of the legislative subcommittee, or the legislative committee of the District of Columbia, he might be persuaded or swayed somewhat by the feelings in his own subcommittee.

Mr. BYRD of West Virginia. Not at all. If the full committee had voted me down, I would then have been under no obligation to the full committee. I would have had the right as would any Senator to come before the Senate and offer an amendment to strike that item on the floor. Senators often do reserve the right to do just that.

Mr. President, allusion has been made to the sentiment in the subcommittee in the news stories. Members of the subcommittee jokingly suggested that I be complimented on my not having raised the issue in the subcommittee.

People's memories are short. I used the same procedure last year. I did not raise the issue in the subcommittee last year. The members of the subcommittee all knew that I intended to move in the full committee, and that I had no intention of raising the subject in the subcommittee. I told the ranking minority member that I was not going to raise any question in the subcommittee about the item, but the members of the subcommittee were under no illusions as to what my position was. That is not important here, except that the distinguished Senator from Maryland mentioned it.

Of course, there was a great story in the newspapers about my being rebuked by my subcommittee colleagues, and what a backhanded slap I had received from them.

Speaking of this business of what happens in subcommittees, subcommittee actions are not supposed to be publicly released. This is not my rule. This is a rule of the Senate Appropriations Committee. I believe that it is rather deplorable that the situation has reached the point where we might as well have television in the rooms where subcommittees meet. These are executive sessions. But everything that is said in this subcommittee is related immediately to the newspapers, and it is not always stated correctly.

I would hope that the day would come when the Appropriations Committee, if it means business about not releasing information to the press concerning subcommittee activities, would bar Senators' aids from subcommittee markups. All too often, Senators' aids attend the markups, and I see them writing just as hard as they can write every time I open my mouth. Later, I read all of it in the newspapers.

I have no objection to things being reported, if they are reported precisely as they occurred, and if it is the judgment of the full committee that such matters can be released. But so long as the rule is otherwise, I believe that the rule should be adhered to.

Mr. President, my second objection to District participation in this program is that there is no feasible work program which has been proposed in connection with the relief program. The States in which the program is operating have scores of work projects which can be utilized in employing the recipients so as to enable them to earn the amounts they receive in assistance grants.

In the State of West Virginia, there are more than 500 separate work projects. The recipients are loaned to the county courts in the 55 counties. They are loaned to the boards of education in the various counties. They are loaned to the municipalities throughout the State. The various political jurisdictions can utilize the manpower to do work which is productive.

A great number of persons in the program in my State are semiskilled individuals. They have operated machines around mines and shops, and they have had a kind of training which equips them to do productive work.

Under this program, it has been suggested that the recipients here would be placed in various Government departments.

Incidentally, with regard to the permanency of this program, I should like to digress from the point that I was in process of making to read from the hearings on the 1963 appropriation bill, in which I asked a question of Mr. Shea, the then Director of the Department of Welfare:

> Do you envision this as a permanent program?
>
> Mr. Shea. I would think it would be, sir, for indefinitely into the future.

In the course of the hearings on the fiscal year 1965 bill, I asked Mr. Brewer this question:

> Do you feel that if you started this program it would ever end in the District of Columbia, Mr. Brewer, as long as there was Federal authorization for such a program?
>
> Mr. Brewer. No, sir. I do not think it would ever end completely as long as there was Federal authorization for it, in my opinion, in the foreseeable future.

Mr. President, returning to where I left off, it is important that there be a feasible program, wherein the recipients can do productive labor; otherwise, the program becomes only another relief program.

We have at the present time the aid to dependent children program, and we have the general public assistance program. I do not believe it would be a good thing to have another relief program.

If we cannot present a program of productive employment for these individuals, the program resolves itself into just another relief program.

I believe it should be understood that the Department cannot initiate and operate its own training program in connection with the proposed AFDC–UP programs, and that if it does provide work for recipients, it would almost of necessity have to provide this employment within the various departments of the District government.

In West Virginia these individuals can cleanup the brush along the highways, they can fight forest fires, and they can cleanup the debris following a flood. They can do hundreds of jobs that are available for them throughout the counties and in the State forests. They can build forest trails, they can build picnic tables and benches, and they can construct camping sites in the various State forests and parks.

It may be asked, "Why can they not work in the parks of the District?"

Seven hundred of the 1,100 persons involved would be women. I do not suppose that one would seriously expect to see women in the parks of the District cleaning up debris.

Mr. Brewer said, during the hearings on the 1964 bill, that "the individuals assigned to these jobs will perform services that regular employes are performing."

So, individuals assigned to these jobs under AFDC–UP will perform services that regular employees are performing.

He also said:

> They will perform them to a degree which will improve the services. They will also have to be supervised and trained by our employees. We have allowed no training positions in any of the departments.

With all due respect, and very high respect, to Mr. Brewer, I believe he was being honest, as he is always honest and straightforward and frank, when he said that the individuals assigned to these AFDC–UP jobs in the departments of the District government would perform services that regular employees performed. So, it is obvious that this would amount to a "make work" program. Two persons would be assigned to push the same lawn mower that is now being pushed by one individual. Two persons would be assigned to carry the same kettle of beans from the kitchen to the dining room that is now being carried by one individual.

At another place in the same hearings, I said this:

> In other words, your ground maintenance is now being done by your employees, and you are going to just put additional persons to work to do the same job that is now being done with fewer people?
>
> Mr. Brewer. Assist them.
>
> Senator Byrd. Whereas they are doing work now without assistance?
>
> Mr. Brewer. That is correct.

In addition to the fact that these persons would be put into the departments assisting people to do work that they are now doing without assistance, they would have to be supervised by the personnel in those departments. That would constitute an additional burden upon the supervisory people within the departments and, in my judgment, it would impair the morale of the departments.

We are thinking here about the hard core unemployed. Many of those persons are functional illiterates. Yet the suggestion is made that we put those people into the departments—the Department of Health, the Department of Welfare, the Department of Education, and so on.

I maintain, as I have maintained for a long time, that such action would impair the morale of the departments and lower the efficiency of the people in those departments. Keeping an attendance record for those people would be quite a task in itself. One could qualify under the proposal for benefits under this program if he has not worked 30 hours in each of the 2 weeks immediately preceeding the submission of his application.

The bookkeeping and the keeping of records of attendance would constitute an onerous burden upon those in the departments upon whom would fall the task of seeing that the recipients of the benefits under the new program came to work, stayed on the job, and learned how to do productive work.

I have also maintained that the proposed program, if initiated, would encourage additional in-migration of illiterates and unskilled persons. And, heaven knows, this city has all of those that it can now stand. They constitute a tax burden. In most instances they do not pay taxes. The contribute to and encourage the exodus from the city of taxpaying persons. They contribute to the growing welfare and health costs and to the costs of operating the police department.

They contribute to the growing crime and juvenile delinquency rate, the increase of venereal disease, and the increase of illegitimates. The proposed program before us would encourage more of the same. I stress the fact that over two-thirds of those now on the welfare caseload were born outside the District of Columbia. If the proposed program is initiated, we shall see the "model city" slide a little farther down the drain.

There are those who say that the 1-year residence requirement will assure that that will not happen. But it does happen, and it will happen again.

The General Accounting Office submitted a report in August 1962, to the Subcommittee on the District of Columbia of the Committee on Appropriations of the U.S. Senate regarding the investigation of selected cases under the general public assistance program. I know that some reference has been made heretofore today regarding the conclusions that were reached in the GAO reports of those investigations into the welfare caseloads.

The reports of the Comptroller General are quite often quoted as being the best of authority by the same individuals who today attempt to play down the conclusions reached by the Comptroller General in the welfare investigation reports of the District of Columbia.

On page 10 of the report to which I have referred appears a statement concerning a case in which recipient of financial assistance under the G.P.A. program was not eligible for such assistance at the time he applied for the assistance. Why? Because he had not lived in the District for 1 year immediately preceding his application for assistance. We are told, "It will not happen. How can these migrants be attracted to the city by the AFDC–UP program when there is a 1-year residence requirement?"

Very well. Let us see. The investigative unit notified the PAD that the recipient had not met the residence requirement. However, the PAD reinstated financial payments to the recipient for an adjustment period of 1 month following discharge from the hospital on June 22, 1962, as employable solely on the basis of the recipient's statement that he had been out of the District for only 2 or 3 weeks during the year preceding his application for assistance.

In other words, the recipient stated that he had been in the District all the time; he had been out only 2 or 3 weeks during the year.

The investigative unit did not concur with the action, and furnished the PAD with additional proof that the recipient had been employed in Norfolk, Va., during the year in which he had claimed to have resided in the District.

So there is an instance of an individual who worked in Norfolk, Va. He attempted to establish residence in the District. He attempted to convince those in the Department of Welfare that he had been in the District all the time, and that he had only made occasional forays out of the District. But it was found that he was employed in Norfolk, Va., during the year in which he had claimed to have resided in the District. So I do not believe it impossible for persons to come into the District, make purchases of goods in the District, and thus have receipts for those purchases, present bogus rent receipts, and so establish a 1-year residence in Washington, D.C., and thus qualify under the AFDC–UP program.

The people who make welfare a racket—and there are some in the District who know more about the regulations, the policies, and the procedures of the Welfare Department than I know. They make it their business to know. The program cannot be justified for an additional reason, that being the low-unemployment rate in the area. There are those who have stated that the unemployment rate in the District is 5 percent. The unemployment rate in the District in April was 3.6 percent. In the area it was 1.9 percent. What is so invalid about using metropolitan area rates? District residents can go into Virginia and get jobs. They do. I see them there every morning on my way to work. So why not use metropolitan area figures? Unemployed persons are not confined to the District, so far as getting employment is concerned. They can go into Maryland and get work. The area unemployment rate is 1.9 percent. In only 2 other months during the past 5 years has the unemployment rate been so low. In April 1964 and in May 1964 the unemployment rate in the area was 1.9 percent. But at no other point, going back over a period of 5 years—1964, 1963, 1962, 1961, and fiscal year 1960, half of which was the calendar year 1959—did the unemployment rate get down to 1.9 percent except in the 2 months of 1964 which I have just cited.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table of District of Columbia unemployment rates, which was prepared for me today.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

District unemployment rates (percent of labor force)

	1960		1961		1962		1963		1964		1965	
	Metropolitan area	District of Columbia	Metropolitan area	District of Columbia	Metropolitan area	District of Columbia	Metropolitan area	District of Columbia	Metropolitan area	District of Columbia	Metropolitan area	District of Columbia
January	2.6	3.8	3.1	4.5	3.0	4.4	2.9	4.2	2.9	5.4	2.7	5.1
February	2.9	4.2	3.7	5.4	3.0	4.4	2.9	4.2	2.7	5.2	2.7	5.0
March	2.7	3.9	3.0	4.4	2.7	3.9	2.7	3.9	2.3	4.4	2.3	4.4
April	2.2	3.2	2.4	3.5	2.1	3.1	2.0	2.9	1.9	3.6	1.9	3.6
May	2.2	3.2	2.5	3.7	2.0	2.9	2.2	3.2	1.9	3.6	-----------	-----------
June	2.7	3.9	3.1	4.5	2.7	3.9	2.7	3.9	2.7	5.1	-----------	-----------
July	2.2	3.2	2.8	4.1	2.5	3.7	2.5	4.7	2.4	4.6	-----------	-----------
August	2.2	3.2	2.7	3.9	2.4	3.5	2.4	4.6	2.3	4.5	-----------	-----------
September	2.7	3.9	2.4	3.5	2.1	3.1	2.2	4.1	2.1	4.0	-----------	-----------
October	2.3	3.4	2.3	3.4	2.0	2.9	2.1	3.9	2.0	3.8	-----------	-----------
November	2.6	3.8	2.5	3.7	2.3	3.4	2.4	4.6	2.3	4.3	-----------	-----------
December	2.7	3.9	2.4	3.5	2.2	3.2	2.6	5.0	2.2	4.2	-----------	-----------

NOTES.—Prior to January 1965, metropolitan area unemployment rates were provided by the U.S. Employment Service for the District of Columbia and District rates determined by applying the ratio between metropolitan and District rates as determined by the 1960 census.

Since January 1965, USES has provided District rates computed on a more specific method which is still undergoing refinement.

Mr. BYRD of West Virginia. Mr. President, not only is the unemployment rate low; the general level of prosperity is high. Automobile sales are up. Department stores sales are up. Private payrolls are up. The Federal payroll is always good. Construction is booming. I say that those responsible husbands and fathers who want to work, who are willing to work, and who can work can get jobs in the area; and if they are physically incapacitated or mentally incapacitated, the children can qualify under the on-going aid to dependent children program.

Additionally, only 18 States in the Nation are now participating in the Federal AFDC–UP program. If that program is so good, why are not more States participating, in this fourth year following the authorization of the program by Congress? The fact that only 18 States now participate is not a high recommendation of the program. The fact that one or two other States have participated and have withdrawn is no recommendation of the program.

I maintain that if Congress wished to extend the period of weeks for unemployment compensation payments, it could do so. At present, the unemployment compensation payments in the District of Columbia are made over a maximum of 34 weeks. I would have no objection to extending the period for the husbands who have exhausted their unemployment compensation benefits and cannot readily find work. I would support such an extension.

But let us not start a new welfare program which in reality meets an unemployment compensation need.

Another reason for my opposition to the program lies in the fact that it would nullify the substitute parent role. We hear much talk about the man-in-the-house rule in the District of Columbia. Many false impressions have grown up as a result of the reference to this rule as the man-in-the-house rule. There can be a man in the house. How can there be? Children are not disqualified if the man in the house is the woman's brother; if the man in the house is the woman's father; if the man in the house is the woman's grandfather. There would be a man in the house. The children would not be disqualified if the man in the house were physically or mentally incapacitated to work. There would be a man in the house. Children are not disqualified if the man is a temporary visitor.

There are those who believe that the simple hanging of a man's hat on a peg on the wall disqualifies children from assistance under the ADC program. I heard a certain good bishop—and watched him on television one day when he and another clergyman were discussing the AFDC–UP program—make the statement that even if the man comes in and takes the children out for a drive, the children are disqualified. That is absolutely not true. There must be a continuing husband-wife relationship, and the department must be able to prove that it is a continuing relationship. The man must fill the role of father to the children and husband to the wife, and it must be a continuous role for the children to be disqualified.

The mother is not even prevented from engaging in a sexual relationship with the man. The mere engaging in sexual relationships between the two does not in and of itself disqualify the children. The department must be in a position to prove a continuing husband-wife relationship.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point pages from the department's handbook which enumerate situations, factors, circumstances, and so forth, which, when considered in combination with other facts may render the children ineligible for assistance.

There being no objection, the pages were ordered to be printed in the RECORD, as follows:

CRITERIA FOR EVALUATING CONTINUED ABSENCE

The following points, considered in combination and with other facts in the social investigation, tend to prove that a parent or "substitute parent" is continuing his family relationship:

1. Contributes to the family's support.
2. Visits frequently, at unusual times, or for long periods.
3. Regularly meets mother outside the home.
4. Has joint charge or bank accounts with mother or allows her to charge to his account.
5. Makes joint purchases with the mother.
6. Mother and he are continuing to increase their family.
7. Gives gifts to the family.
8. Gives the family's address as his residence.
9. Lists the mother and/or children as his dependents for income tax purposes.
10. Has personal possessions in the home.
11. Physical layout of home, sleeping accommodations and family's use of them give indications that space has been made available for him.
12. The neighbors consider the relationship that of a normal family.
13. Mother uses his name in the community.
14. Has a key or free access to the home.
15. Pays family's rent or utilities.
16. Helps family look for or move into new housing.
17. Signs lease or purchase agreement for family's residence.
18. Does maintenance work in the home.
19. Is arrested in the home.
20. Participates in family shopping trips or in obtaining surplus foods.

CRITERIA FOR EVALUATING FAMILY-TYPE RELATIONSHIP

The following points, when considered in combination and with other facts in the social situation, tend to prove that a man has a relationship with the children similar to that of father to child:

1. Visits the children in the home.
2. Contributes money, clothing, and other necessities to their support.
3. Disciplines and corrects them.
4. Gives them gifts.
5. Cares for them when the mother is sick or away.
6. The children look to him as the father.
7. Acts "at home" with them by feeding, dressing, carrying, or fondling.
8. Takes them on walks or outings.
9. Shows concern for their health and uses community health facilities to restore their health.
10. Shows interest in their education, as by attending PTA meetings, visiting the school and helping with schoolwork.
11. Responds in emergencies, such as illness or child in trouble.

Mr. BYRD of West Virginia. Moreover, recipients who are dissatisfied with an agency action have an opportunity to appeal the decision that has been made by the department.

A request must be made within 60 days of the agency's action, or, of the date when action should have been taken. A hearing will be conducted. Testimony will be taken, and a transcript of the testimony will be preserved in the records of the department.

So there are ample procedures whereby a recipient's rights, as well as the rights and interests of the taxpayers, are safeguarded. As to the criteria for evaluating continued absence, I call attention to some examples.

The following points considered in combination, and with other facts in the social investigation, tend to prove that the parent or substitute parent is continuing his family relationship. These are: That he contributes to the family support; that he has joint charge or bank accounts with the mother or allows her to charge to his account; that he makes joint purchases with the mother; that the mother and he are continuing to increase their family; and that he lists the mother and/children as his dependents for income tax purposes.

These are some of the points that can be considered in determining that the parent is not continually absent. These points must be considered "in combination and with other factors in the social investigation" if they are to tend to prove that a parent is continuing his family relationship.

As to criteria for evaluating family-type relationship, I read from the handbook:

> The following points, when considered in combination and with other facts in the social situation, tend to prove that a man has a relationship with the children similar to that of father to child.

I read a few of these:

> He disciplines and corrects the children; he gives them gifts; he cares for them when the mother is sick or away; he shows concern for their health and uses community health facilities to restore their health; he contributes money, clothing, and other necessities to their support.

These are some of the criteria that must be utilized by the Department in determining that the man in the house is occupying the role of substitute parent. So it is not a case of walking in and taking the children out for a drive.

The department has to evaluate all of the facts in the situation. It must resort to these criteria, and it must make a careful judgment and weigh the various factors, some of which I have mentioned. Then, if it is the opinion of the department that the person in the home is fulfilling the role of parent and husband, and that the relationship is continuous, the children are not eligible. If the circumstances do not show that the relationship is continuous, the children are not disqualified. I emphasize again that there is the appeal procedure for the protection of the recipient.

Moreover, under the basic Federal statute, children can qualify as needy children for assistance—excepting those 18 States which participate in the Federal AFDC–UP program—only as a result of the death, the continued absence from the home, or the physical or mental incapacity of the parent. So, under the Federal statute, disregarding death or physical or mental incapacity, for the moment, the children can only qualify if the parent is absent, except in the 18 States which participate in the AFDC–UP program.

If the parent is in the home, he is not absent. So the children do not qualify under the Federal law. The AFDC–UP program adopts an additional condition under which the children can qualify, and that is the condition of unemployment. So in States which participate in the AFDC–UP program, children can qualify because of the death, the mental or physical incapacity of the parent, or the continued absence from the home, or the unemployment of the parent.

Fourteen or fifteen States—I believe is it 15—in the country have a rule equivalent to the "substitute parent" rule in existence in the District of Columbia. One of these—and I speak from memory—may be Connecticut. If this is true, that rule has been nullified by virtue on that State's participation in the AFDC–UP program. But the District is not the only jurisdiction where the substitute parent rule is to be found.

I believe it is a good rule. I believe that an able-bodied man who enjoys a continuing relationship of husband and father in the home should bear the responsibility of supporting the mother and the children. If he stands in the place of the legal, adoptive, substitute, or natural parent, he should bear the responsibility if he is going to stay in the home and live with the mother.

This is not asking too much. Society should not be expected to bear the responsibility. The man should bear the responsibility. All that the woman has to do is tell the man to get out and stay out, under the rule in vogue in the District of Columbia. It is that simple. She can reapply, and, all other things being equal, she can qualify. So if she is the kind of mother she ought to be, she will think of the children first, and she will see to it that there is not a continuing husband-wife relationship between her and some paramour; and it is she who ought to make the decision.

Any mother who is worthy of the name is going to think enough of her children, if they would be plunged into circumstances of hunger and deprivation as a result of the cutoff of the funds, to tell the man to get out and stay out.

I maintain further that the implementation of the program in the District of Columbia would constitute a back-door appropriation approach. Let us suppose the program goes into effect. Let us suppose 1,105 persons are employed in the various District of Columbia departments. Let us suppose further that in 1967 the Congress does not extend the authorization of this program. I doubt that the supposition will materialize, but let us suppose it should. There would be 1,100 persons scattered throughout the various departments of the District of Columbia government. I can foresee the heads of all the departments coming before the subcommittee of which I am chairman. I cannot foresee the identity of the luckless individual who might be chairman, but I can foresee those department heads pleading for an annualization of those positions. They will say, "We have these persons. I have 50 in my department. They have been in the department 1 or 2 years. We want to annualize the positions." This will constitute a back-door financing approach.

The department officials now come before us every year and present their needs. The subcommittee evaluates these needs, keeping in mind the revenues available. This is the way it should be done. The committee should not be expected to provide personnel in response to a request of the departments when they come through the front door, and provide other personnel for departments by way of the back door.

I maintain also that this program would not be rehabilitative, but that it would be debilitating. I maintain that the recipients will not be encouraged to find work, but, to the contrary, will lose the incentive to locate employment. Living on welfare will for some of the recipients be advantageous. Some of them will prefer it to participating in productive employment. One might say this could never happen.

Let me quote from the Comptroller General's report of 1962:

> A 37-year-old mother of three children had been receiving assistance payments of $105 each month, although she appeared to be employable under the PAD standards, and had been earning $12.50 a week in part-time employment. She said to the investigators that she was doing all right on welfare relief and would not return to full-time employment unless she could make "big money."

Here was a person who was doing "all right" on welfare relief, in her own judgment, and she would not return to employment unless she could make "big money."

I read with reference to another recipient of AFDC–UP program:

> A mother of eight children, four of whom were fathered by two men other than her husband, had been receiving assistance payments since July 1960, although she apparently is employable since she has been employed part time and for short periods full time. She informed the investigators that it would be foolish for her to work, because she would lose the welfare payment and that it would be hard for her to work outside the home and also do the work in her home.

So those instances do exist and are to be found.

I called attention earlier to the fact that the highest ADC payment in the month of May was $493, exclusive of surplus commodities. There is no ceiling under the program. There would be no ceiling under the proposed AFDC–UP program.

Other parents, including paramours, could participate in the work program such as might be had under this project and could receive any amount of money, depending upon the number of children in the family.

So they might feel like the woman who said she was doing all right under welfare, that she did not care to work except for "big money."

Mr. President, speaking of paramours, some of the family units in the ADC category involve three, four, five, six, and seven different fathers.

Now, who is to make the judgment as to which father out of the seven, out of the six, out of the five, out of the four, out of the three, or out of the two is to come in under this program?

In some instances, all the fathers are still hanging around. In some instances, if there are two fathers, they are both in the home. They are still both around. Frequently, they threaten to kill each other. Therefore, which father is going to qualify under this program, if there are half a dozen different fathers in a family?

I invite the attention of the Senate to an inequity in the program, in that persons who receive benefits under the proposal would, in many instances, receive considerably more money than would individuals who draw unemployment compensation benefits.

For example, an elevator operator drawing the maximum rate of unemployment compensation of $134, regardless of the number of children in the family, would be at a distinct disadvantage as compared with a recipient under the AFDC–UP program who might have only one child in the family unit. The maximum for the elevator operator who might have only one child in the family unit would be $134, whereas under the AFDC–UP program the two adults, one of whom might be a paramour, with one child in the house, would get $148.

I recognize the fact that under unemployment compensation, the payee is allowed to earn and retain up to 40 percent of his compensation payments. Let us take a family of six children. The same elevator operator with six children would receive $134 under the maximum rate of unemployment compensation; whereas, the AFDC–UP recipient with six children would receive $270.

I cite this one example to support my thesis that the AFDC–UP program would be far more advantageous to the recipients than that of unemployment compensation to the unfortunate father who must rely upon that for his income.

Mr. President, I also mentioned the title V training grant. This matter was discussed in the hearings.

Mr. Brewer said:

> Yes, we have made application under this title, and have received a planning grant from the Department of Health, Education, and Welfare. The planning grant is in the amount of $79,205 through June. We actually have in hand $52,800. This provides for the project director and staff to determine the State plan, and the operations, and for the renovation of the temporary home for soldiers and sailors, which is no longer used, and which we wish to establish as a work experience training center.

I then asked the question:

> Do I understand you to say that you have applied for or that you will follow through with an application for $2.3 million?
>
> Mr. BREWER. That is correct. This is an estimate, because the planning staff will come up with the final figure. This is part of the basic plan. But in receiving the planning grant, we had to submit estimates as to the total cost of the program. There may be some slight variation, but I don't foresee any great variation, because we are providing in this grant for supporting services to these families which includes job testing, job development, as well as specific training.

Mr. Brewer went on to say:

> We will be working with unemployed fathers, and unemployed heads of household including women.

I then went on to say:

> And what is your program designed to do?
>
> Mr. BREWER. Our program is designed in those instances where it is shown that any type of training will assist the father in securing employment to place him in this training, and to provide assistance to the family during the training period. There will be, I presume, in the final plan an upper limit in terms of training. But we are working with the public schools. Some training programs we may operate ourselves, where possible, we will be utilizing the manpower training programs that are in effect. But I am aiming this program, this demonstration, toward what I said repeatedly are the hard-core families.
>
> This involves, in some instances, some training in functional illiteracy. It involves training in job attitude, how to fill out applications, how to hold down a job. In some instances it involves some slight physical corrections which would be included, besides specific training. And under this demonstration program, we can place people in private industry on training if we can make specific arrangements. We are going to relate this to the job market, as it is maintained currently and is currently under study. There are other programs that will be developing in this community in this respect. And I think it gives us an opportunity to see what training can do and what specific job placement can do for the families that have difficulty.

I then asked the question:

> Can you state what that maximum period would be?
>
> Mr. BREWER. I cannot at this time, Senator, until my final plan is completed, because this has to be evaluated in terms of our public school programs and our manpower train-

> ing programs in terms of the length of training that is involved.
>
> The maximum—it would be based on each individual, under this program each individual will be tested and screened by professional employment placement people so that we have a basis for knowing that we are putting him in training that will be helpful to him, and also training which the employment people indicate there is a job market for.

I asked the question.

> How would the size of the grant compare with the AFDCUP?
>
> Mr. Brewer. It would be approximately the same.

I asked the question:

> I take it that the recipient of the training grant would automatically qualify for food stamps.
>
> Mr. Brewer. Yes, on the same basis that any other low-income family would in the community.

Mr. Brewer went on to say:

> The title V program places the emphasis on training and work experience and provides a grant incidental to this. It also, under the terms of my request, as I indicated, is providing me with some broader services than I have in the UP program.

Those who have gone to the Department of Health, Education, and Welfare to get statements as to one program complementing the other, need not have done so. Mr. Brewer said this in the hearing.

He said:

> I see the two programs complementing each other. And I see with experience both in terms of the eventual outcome of the Federal legislation.

He went on to say:

> Actually, title V is broader in terms of training opportunities in other services than we have asked for in our appropriated budget.

I then asked him a question as to whether the department would have to supply a regular work program in conjunction with the AFDC–UP program. Mr. Brewer said:

> We would have to find employment or training within the framework of any programs that might be in operation. In this program, we will have the funds to develop the training programs if they are not available.

He is now speaking of the title V program. He went on to say:

> If we want, for example, after we decide that we have 30 men and women that require special remedial work in reading, I can ask the public schools to conduct a training course for them. That doesn't mean that they would be in classroom all day. But I can have the funds to provide a specific class for them.

He is talking about the title V program. I asked him:

> But you couldn't do that under the AFDC–UP program?
>
> Mr. Brewer. No, I could not.

I asked him:

> And under this title V—under that decision you could develop your own training program?

Mr. Brewer answered:

> Yes, and operate it.

He went on to say that some of this would be on-the-job training. He was still talking about the title V program. He said:

> Some of this would be on-the-job training or work program. But it would not be a work program in the sense that we have indicated where we have to go out and find jobs for people.
>
> Senator Byrd. So it would not be a work program in the sense of the work program which we have been discussing under the AFDC–UP program?
>
> Mr. Brewer. No, it would be much broader. Because, as I indicated, we felt—I think that I did submit that we could place certain members of the unemployed, perhaps in some District agencies, for the amount of their grant.

There are those who say that under the title V program those people can only be trained. Mr. Brewer points out that some of them can be placed in District of Columbia agencies. They can be employed in District government agencies for the amount of their grants.

Of course, presumably, they would receive training there.

The Department could enter into agreements with private employers whereby the beneficiaries under the title V program could receive on-the-job training.

There are others for whom perhaps no such training program might be established at the time, and those he would have to move into District of Columbia departments, where they could be employed up to the amount of their grants, because there they would be undergoing training of a sort.

Speaking of the AFDC–UP program he said:

> This would be much more limited in terms of availability than the title V program.

Mr. President, the title V program would reach the same group of persons who would be serviced by the proposed AFDC–UP program.

The AFDC–UP program would reach 1,105 persons. The amount of money, Federal and local, for the first full year would be $2,592,703. The amount of money in the demonstration title V grant would presumably be roughly the same amount.

Why should there be two programs? Why not experiment? We have heard talk about experimentation. Why not experiment with this demonstration project? Let us see what facts would be established after the operation of this title V program for a year. Let us see if these individuals can be rehabilitated. Let us see if they are willing to be rehabilitated. Once they are rehabilitated, let us see if they will work. This can all be shown through the employment of the demonstration project under title V.

I maintain it would be a wasteful expenditure of taxpayers' money to implement two programs each costing about the same as the other, and both directed to servicing the same group of people.

Under title V the families of trainees would receive subsistence grants while the trainees were learning their skills.

Under the title V approach the department could engage the public schools to conduct classes for functional illiterates. This could not be done under the AFDC–UP program because the moneys are not provided in the estimate of cost.

The department can operate its own job placement program under the title V approach. It cannot do this under the AFDC–UP program, except as it would entail placing those persons in dependent children departments, filling slots already filled.

It cannot be done under the AFDC–UP program because the money necessary to operate such a placement program was not included in the estimate.

The Federal Government is pouring an increasing amount of money into the District of Columbia. It is almost impossible to keep track of the various programs that are being funded, under the Economic Opportunity Act and other legislation.

It is for that reason that the committee directed in its report that next year all these programs be consolidated when the departments come before the committee in support of their budget requests.

I do not believe that it is going to hurt the District of Columbia to proceed only through the one program, rather than both, at this time. I know that there have always been, there are now, and there will always be some children for whom all their needs will not be supplied. That will be the case even if the Senate should tomorrow approve the amendment that has been offered by the Senator from Connecticut. It has been the case, it is now, and it always will be the case in States which now have the AFDC–UP program. There are children in those States for whom all the needs are not supplied.

The AFDC–UP program will not cure all of the needs, nor can we devise a program which will meet every eventuality and supply every contingency. I do not believe that the District of Columbia has any more hungry children percentagewise than there are in some of the jurisdictions that have the program. It may very well not have as many. After July 1 the food stamp program will go into effect. Under that program there is certainly no reason why any child in the District of Columbia should go hungry.

We all get hungry. I have been here all day and I have drunk three glasses of milk and eaten half a bag of peanuts. I am hungry. And children get hungry. I got hungry when I was a child. But hungry children are one thing; starving children are quite another. I have not seen evidence of starving children in the District of Columbia.

There is absolutely no reason why there should be any. Various programs exist that can provide for children who are neglected. They can now be taken out of the home and put in Junior Village where they will be fed, or put in foster homes, or put in the homes of relatives. We have had surplus food commodities all along. We have had school lunch programs. There are the voluntary charitable organizations which have always assumed as a part of their responsibility the provision of food and shelter to families in need. I fully sympathize with children whose needs are not met. I am as sympathetic toward them as is any Member of the Senate. At the same time I do not believe that there is any justifiable reason why, under present circumstances, to say nothing of the forthcoming title V project and other poverty grants that are being made to the District, any child in the District of Columbia should suffer from gross malnutrition or should starve. Children in the upper income families often show signs of malnutrition. This is not to say that it is a matter of little importance. To the contrary.

The resources are here now, and they have been present all along. The mere mailing of a welfare check into the home of a recipient under the AFDC-UP program will not guarantee that the benefits therefrom will flow to the children. All too often an errant paramour or an errant legal father and/or the mother spends the checks unwisely, for whisky and other things that are not necessities, and the children do not get the benefit therefrom.

So I repeat that the implementation of the AFDC-UP proposal in the District of Columbia will not guarantee that the needs of children will be met any more than they are being met now.

Some reference was made to the nationwide HEW investigation. I believe that report was included in the RECORD. I ask unanimous consent that the 1963 report by the Comptroller General of the United States entitled "Report on Observations on the Adequacy of the Nationwide Review of Eligibility in the Aid to Families With Dependent Children Program, Welfare Administration, Department of Health, Education, and Welfare," be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT ON OBSERVATIONS ON THE ADEQUACY OF THE NATIONWIDE REVIEW OF ELIGIBILITY IN THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM, WELFARE ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, JANUARY–JULY 1963

INTRODUCTION

In response to a request dated December 21, 1962, signed by both the chairman of the Committee on Appropriations, U.S. Senate, and the chairman of the Subcommittee on Departments of Labor, and Health, Education, and Welfare, and Related Agencies, Committee on Appropriations, U.S. Senate, the General Accounting Office (GAO) has participated in the nationwide review of eligibility in the aid to families with dependent children (AFDC) program which was conducted under the direction of the Welfare Administration, Department of Health, Education, and Welfare (HEW). The primary objective of the nationwide review was to determine whether families receiving AFDC were eligible for assistance under the eligibility requirements in effect for each State program.

In Senate Report 1672 dated June 29, 1962, on the HEW appropriations bill for fiscal year 1963, the Senate Appropriations Committee expressed strong concern about the eligibility of "ADC" recipients and called for a "thorough check" of the program throughout the country during the coming year. The report stated:

"The committee will expect the Department to make an all-out effort to carefully review eligibility under the ADC program throughout the country. This review should include local, State, and Federal personnel organized into a concerted effort to eliminate any abuses of the program. A full report of the Department's findings will be expected when the Department appears before the committee next year. It is incumbent upon the committee to insist upon a thorough check in view of the seeming complacency exhibited by Federal, State, and local community officials, particularly in light of the results disclosed through the special investigation in the Nation's Capital."

The special investigation in the Nation's Capital—made by a staff from the Department of Public Welfare, District of Columbia government, and the General Accounting Office—showed that about 57 percent of the cases examined were ineligible for financial assistance.

To accomplish the objective of the nationwide review, statistical samples of families receiving AFDC were drawn in each of the 50 States, principally from the caseloads for January, February, and March 1963. The number of families included in the State samples amounted to 21,085 or slightly more than 2 percent of the national AFDC caseload. As of December 31, 1962, the AFDC caseload was 942,645 families, and the total expenditures for AFDC for the year ended December 31, 1962, were about $1.4 billion in assistance payments and $163 million for administrative expenses.

The review of sample cases was made by State and local personnel under instructions issued by HEW, and the Department assigned a staff to each State for the purpose of observing and checking on the State review activities. HEW reports that, in all, more than 2,403 State and local employees and 104 HEW employees carried out the nationwide review.

HEW instructions provided that, for each sample case, there would be a review of the case record and a field investigation. After the completion of this work, an eligibility judgment on each case was to be made according to the applicable State plan provisions. Each State tabulated its results and forwarded them to HEW where they were combined into an overall report that was submitted on July 27, 1963, to the chairman, Subcommittee on Departments of Labor, and Health, Education, and Welfare, and Related Agencies, Committee on Appropriations, U.S. Senate.

Nature of our participation

In accordance with the committee request, a copy of which is included as appendix I, we reviewed (1) the plans and instructions prepared by HEW for making the review, (2) the quality and completeness of the investigative work performed by State and HEW personnel, and (3) the HEW report dated July 27, 1963. Our work was performed in Washington, D.C., and in 10 selected States. As a result of discussions with representatives of the committee after receipt of the request, our role was established as that of an observer and reviewer. As sample cases were selected by State and local personnel for review, we in turn selected some of these cases and observed the actions subsequently taken by the State, local, and HEW personnel to reach eligibility determinations on these cases. The cases selected by us are referred to in this report as our subsample cases. While we accompanied State case reviewers on field investigations of our subsample cases and subsequently discussed our observations with HEW and State officials, we did not supervise the work and did not make independent investigations. The States where our work was performed and the caseloads and sample sizes in those States were as follows:

	Caseload as of Dec. 31, 1962	State sample	State cases observed by GAO
California	87,904	1,615	96
Florida	27,512	519	50
Georgia	16,979	443	50
Illinois	58,066	1,019	59
Michigan	32,955	621	53
New York	91,423	1,490	59
Oklahoma	18,440	445	50
Pennsylvania	74,539	1,294	67
Texas	17,435	446	50
West Virginia	30,674	580	61
Total	455,927	8,472	595

The names of the principal HEW officials responsible for the nationwide review of eligibility in the AFDC program are shown as appendix II.

SUMMARY

The principal observations based on our participation in the nationwide review are summarized in this section and discussed in detail in later sections of this report.

HEW plans, instructions, and supervisions

Our review of the preliminary instructions sent to the States in December 1962 raised certain questions regarding (1) the scope of the review, (2) the selection of cases to be reviewed, and (3) an interim report to the Senate Appropriations Committee. The questions were discussed with HEW officials early in January 1963, before the actual review was started in the States. Subsequent discussion of these matters in January and February 1963 by representatives of the Senate Appropriations Committee, HEW, and GAO resulted in certain changes in the nationwide review procedures. (See pp. 8–13.)

The HEW instructions concerning the supervision and direction of the review were adequately followed in the 10 selected States. We observed one weakness in supervision in that the HEW instructions did not require, as an additional quality check on the thoroughness and consistency of field investigation techniques, that State supervisors or HEW staff members accompany each State reviewer on a field investigation of at least one case. (See pp. 14–16.)

Field investigation

Field investigation techniques were not consistently applied in a thorough manner. It is particularly significant that (1) visits to the homes of AFDC recipients did not include an inspection of the entire premises in 70 percent of our subsample cases, and (2) collateral checks were frequently incomplete in that all pertinent information was not obtained before eligibility determinations were made.

HEW officials advised us they did not intend that an inspection of the entire premises be made in every case and that the information which could be obtained from such inspections could also be obtained by other means. We believe that, from an investigative or factfinding standpoint, inspections of the entire premises of assistance recipients, with their consent, can provide worthwhile information for making more conclusive eligibility determinations and for verifying the correctiveness of amounts of the assistance payments.

Our observations raise a question as to whether, for many cases, the investigations provide sufficient acceptable information on which to base conclusive determinations as to eligibility. (See pp. 17–28.)

HEW report

We believe that the HEW report to the Senate Appropriations Committee represents a reasonable summary of the statistical information furnished by the States as part of the nationwide review, except for 468 cases that were classified as eligible even though they were found to be ineligible by the review and subsequently were closed. Some, if not all, of these cases should have been classified and reported as ineligible or should have been reported in another category. If all the cases had been classified as ineligible, the reported results would have been changed considerably in several States. (See pp. 29 to 32). Also, the HEW report did not include information as to the monthly amount of the payments to ineligible families and the monthly amounts of overpayments and underpayments to eligible families. (See pp. 33 to 35 and app. III.)

PLANS AND INSTRUCTIONS

In September 1962, HEW appointed an advisory committee to assist it in conducting the review. The advisory committee consisted of 15 members representing a variety of public and private agencies and organizations, including public and voluntary welfare agencies, local government, industry and labor, special interest groups, academic groups, and the research staff of the Bureau of the Census. The functions of the committee were to evaluate the proposed plan of review in relation to its objectives and make recommendations for changes or alternatives; to follow the actual conduct of the review in whatever manner seemed practical and present any questions arising from the activity; and to offer comments, suggestions, and criticism on the findings, particularly as to objectivity and general validity.

Instructions were submitted to all State agencies administering approved public assistance plans by letter dated December 26, 1962. These instructions included information and guidance on background of the review; general framework of the review; planning for the review; organization, staffing, and administrative procedures and controls; selection of review samples; review of individual cases; supervision of the review; analysis and reporting of State review findings; and forms and instructions.

The original plan was revised during the course of the review by additions, deletions, and amendments prepared and distributed by HEW. The subsequent instructions to the States included procedures for developing and preparing the statistical and analytical information to be included in the HEW report to the Senate Committee on Appropriations.

In January 1963, HEW conducted a training session on the material contained in the instructions previously submitted to the States. The training session was held in Washington, D.C., and was attended by the HEW regional and central office staff members assigned to the review. Following this training session, two similar sessions were held in each State during January 1963 for the purpose of training the State staffs responsible for supervising and making the reviews. During the course of the nationwide review, additional training sessions were held by various States to instruct new members of the review staffs as well as to keep the staffs advised of subsequent HEW instructions.

The GAO staff assigned to the review attended the training session in Washington as well as most of those in the 10 selected States. In our opinion, these sessions were helpful to the conduct of the review.

Changes made as a result of our comments on preliminary instructions

Our review of the preliminary instructions sent to the States in December 1962 raised certain questions regarding (1) the scope of the review, (2) the selection of cases to be reviewed, and (3) an interim report to the Senate Appropriations Committee. The questions generally involved matters extraneous to the review and were discussed with HEW officials early in January 1963, before the work was started in the States. Subsequent discussion of these matters in January and February 1963, by representatives of the Senate Appropriations Committee, HEW, and GAO resulted in the following changes in the nationwide review procedures.

Elimination of information extraneous to request of Senate Committee on Appropriations: The initial instructions issued by HEW to the States included procedures for gathering information concerning the extent to which families are in social or financial need even though ineligible for aid because of reasons not connected with need. As part of the nationwide review process, these procedures would have required State case reviewers to obtain and transcribe information on a prepared form, indicating for each ineligible case whether social or financial problems still existed and identifying the nature of these problems even though the case was to be closed. Further work on this form would have been required of local agency staffs not participating in the nationwide review since these staffs would have been requested to insert information regarding the nature of the recipients' resources available to meet the social or financial problems. In addition, local agency staffs would have had to complete a separate schedule providing statistical data. The HEW instructions acknowledged that this information was not needed for responding to the Senate Appropriations Committee's request.

We questioned whether, in view of the limitations of time and manpower these procedures for obtaining information concerning continuing social and financial need of ineligible cases should be included as part of the nationwide review of eligibility. We questioned also whether the securing of this additional information, in conjunction with the securing of information for complying with the Senate Appropriations Committee's request, might not tend to obscure the basic issue of the extent of eligibility, under State requirements, in the existing caseloads. After our discussion of this matter, HEW revised its instructions so as to eliminate the requirement for obtaining this information during this review.

Elimination from sample of unapproved applications and closed cases; extension of cross-section sample to all States: The initial HEW instructions provided for the selection of two separate case samples—a quality-control sample and a cross-section sample. The quality-control sample was to be applicable to all 50 States and the District of Columbia, while the cross-section sample was to be applicable to only the 28 States that had more than 10,000 active AFDC cases. The combined quality-control and cross-section samples for all States would have totaled 20,977 cases. Of this total, 7,923 cases or 38 percent would have been the quality-control sample and the balance of 13,054 cases or 62 percent would have been the cross-section sample.

The cross-section sample was to be selected from only the active cases. However, the quality-control sample was to be selected from (1) cases newly added for assistance or open cases whose eligibility had been recently redetermined, (2) cases that had been denied assistance, and (3) cases that had been closed.

We believed that the use of a cross-section sample in all States was more in conformity with the Senate Appropriations Committee's request to determine the number of ineligible cases on the rolls. Also, we questioned the need for including other than active cases in the sample.

As a result of the discussions of these matters, HEW agreed to extend the cross-section sample to the 22 States having caseloads under 10,000, excluding the District of Columbia, and to limit the quality-control sample to active cases. After these modifications in the sampling procedures were incorporated in HEW's instructions to the States, the total revised combined sample amounted to 21,181 cases, an increase of 204 cases over the previous number. The quality-control sample was reduced from 7,923 to 5,238 cases, or 25 percent of the total combined sample, and the cross-section sample was increased from 13,054 to 15,943 cases, or 75 percent of the total.

Elimination of interim report requirement: The initial HEW instructions provided that a preliminary report would be prepared for the Senate Appropriations Committee in March 1963. The committee's directive requesting the nationwide review stated that "A full report of the Department's findings will be expected when the Department appears before the committee next year."

A question was raised as to the need for an interim report since it would of necessity require considerable time to prepare and any results would not be conclusive until all sample cases were completed. HEW agreed to delete the requirement for an interim report.

SUPERVISION AND DIRECTION

The HEW instructions concerning the supervision and direction of the review were adequately followed in the 10 selected States. We observed that the HEW instructions did not require, as an additional quality check on the thoroughness and consistency of field investigation techniques, that State supervisors or HEW staff members accompany each State reviewer on a field investigation of at least one case.

The States were responsible for the actual conduct of the nationwide review. Supervision was shared jointly by the States and HEW. The HEW staff was to consult with the States on problems and interpretation, observe, and check State review activities and processes, spot check cases in the States samples, and assemble State findings into a report on the nationwide review.

The HEW instructions required that "The review should be staffed with (1) a Director with overall responsibility for planning and conducting State operations; (2) supervisors with responsibility for review operations; (3) field reviewers to conduct the case review; (4) clerical staff for typing and secretarial work in support of the field reviewers. These positions may be combined when the size of the load does not merit separate assignments."

The HEW instructions provided also that there should be an adequate number of State supervisors to maintain a ratio of 1 supervisor to each 5 to 7 reviewers. The State supervisors were instructed to:

1. Test the accuracy of the information scheduled from the case records by the State reviewers.

2. Review the plan for the field investigation in selected cases.

3. Review eligibility decisions on each case as to compliance with review plans and instructions.

The instructions further provided that State reviewers were to be selected from full-time State employees who had the necessary qualifications and experience to perform the review. The staff could be drawn from the State office or local agencies but reviewers were not to be assigned cases for which they, in any way, had earlier responsibility. The staff assigned was to be adequate in number to assure that workloads were maintained on schedule and that the quality of the review was sound.

The following table shows the assignments and workload of the case reviewers and supervisors in the 10 selected States.

	Number of sample cases reviewed	Number of State reviewers	Number of supervisors	Average number of cases reviewed per reviewer	Average man-days per case	Average number of reviewers per supervisor
California	1,615	63	15	25.6	3	4.2
Florida	519	34	6	15.3	4	5.7
Georgia	443	23	3	19.3	3	7.7
Illinois	[1] 1,099	51	12	21.5	4	4.3
Michigan	621	15	2	41.4	2	7.5
New York	[1] 1,620	195	26	8.3	5	7.5
Oklahoma	445	14	3	31.8	2	4.7
Pennsylvania	1,294	96	14	13.5	3	6.9
Texas	446	17	2	26.2	3	8.5
West Virginia	580	23	3	25.2	3	7.7
Total	[1] 8,682	531	86			

[1] These amounts differ from those shown on p. 4 because Illinois and New York reviewed 80 and 130 cases, respectively, which were erroneously selected according to sampling requirements and later omitted from the sample.

The HEW instructions did not require that State supervisors or State directors accompany State reviewers on field investigations. We noted no instance in our subsample where supervisors or directors accompanied State reviewers on field investigations to directly test the thoroughness, accuracy, and completeness of the field investigations. While the instructions required that the HEW staff accompany State reviewers during the review of a specific number of subsample cases, we noted that in 7 of the 10 selected States there was not a sufficient number of HEW subsample cases to permit the HEW staff to accompany each State reviewer on a field investigation of at least 1 case.

Since State supervisors did not accompany State reviewers on field investigations of the cases we reviewed and because all State reviewers were not accompanied on at least one case by HEW staff members, a number of State reviewers did not have the quality of their field investigative procedures tested or reviewed while their work was being performed. In view of this, and considering that some of the field investigation techniques were new to some State reviewers and that some of the reviewers themselves were hired specifically for the nationwide review, we believe that it would have been desirable, as an additional quality check on the thoroughness and consistency of field investigation techniques, for State supervisors or HEW staff members to have accompanied each State reviewer under their supervision on a field investigation of at least one case.

FIELD INVESTIGATION

Field investigation techniques consisted principally of visits to the homes of AFDC recipients and collateral checks by means of interviews and correspondence with other potential sources of information. We noted that these techniques were not consistently applied in a thorough manner. It is particularly significant that (1) in 70 percent of our subsample cases, home visits did not include an inspection of the entire premises of the recipient, and (2) collateral checks were frequently incomplete in that all pertinent information was not obtained before eligibility determinations were made.

HEW officials advised us that they did not intend that an inspection of the entire premises be made in every case and that the information that could be obtained from such inspections could also be obtained by reviewing the information in the case record, supplemented by independent collateral checks.

We believe that, from an investigative or factfinding standpoint, inspections of the entire premises of assistance recipients, with their consent, can provide worthwhile information for making more conclusive eligibility determinations and for verifying the correctness of amounts of the assistance payments. Even where such inspections do not disclose anything new, they are of investigative value to the extent that they provide information that corroborates and thereby strengthens the validity of information obtained from other sources.

Our findings as to the incompleteness of collateral checks assume added significance in view of the heavy reliance placed on such checks by HEW in lieu of requiring inspections of the entire premises.

While we are unable to estimate the extent to which the findings from the nationwide review might have been different if the field investigation techniques had been consistently applied in a thorough manner, our observations raise a question as to whether, for many cases, the investigations provided sufficient acceptable information on which to base conclusive determinations as to eligibility.

Our observations on the field investigations are discussed in detail below.

Home visits

Health, Education, and Welfare instructions included the following requirements for making visits to the homes of AFDC recipients:

1. Make one unannounced visit to each AFDC household. If the adult member of the assistance family is not at home at the time of the first visit, make a second unannounced visit.

2. See all members of the AFDC assistance group and other members of the immediate household. This may necessitate evening or weekend visits to some families if deemed necessary under the circumstances.

3. Discuss each of the State's applicable eligibility factors with the recipient to obtain his statements, secure additional leads, and review whatever documentary evidence he has in his possession.

The instructions were silent as to the extent that the premises of the recipients should be inspected, nor did they comment further as to the time the home visits should be made other than in item 2 above. These matters, as well as the number of home visits to be made on each case, were largely left to the judgment of each State case reviewer.

As shown by the following table, the average number of home visits on which information was obtained for each of our subsample cases was 1.7, ranging by States from a low of 1.1 to a high of 2.6.

	Number of cases in GAO subsample	Number of home visits	
		Total	Average per case
California	96	128	1.3
Florida	50	53	1.1
Georgia	50	70	1.4
Illinois	59	108	1.8
Michigan	53	87	1.6
New York	59	153	2.6
Oklahoma	50	115	2.3
Pennsylvania	67	121	1.8
Texas	50	106	2.1
West Virginia	61	73	1.2
Total	595	1,014	1.7

The visits were made on weekdays between the hours of 8 a.m. and 5 p.m. in 91 percent of the cases.

We observed that the State case reviewers inspected the entire premises in 30 percent of our subsample cases, inspected more than one room but not all rooms in 6 percent of the cases, and inspected only one room in 64 percent of the cases. The extent of inspections varied considerably between States. For example, in three States the entire premises were not inspected in any of our subsample cases whereas in two States inspections of more than one room were made in about two-thirds of the cases. Where inspections were made, they were with varying degrees of thoroughness ranging from a cursory look at the premises in some cases to the opening of closets and drawers in other cases. Surveillance was not performed by State reviewers except to a minor extent on two of our subsample cases.

In March 1963 we discussed with HEW officials the different practices followed by State reviewers in inspecting the premises of AFDC recipients. We were told that HEW did not intend that an inspection of the entire premises be made in every case. HEW officials expressed the belief that the information that could be obtained from such inspections could also be obtained by reviewing the information in the case record, supplemented by independent collateral checks.

We believe that inspections of the entire premises of assistance recipients, with their consent, make it possible to obtain worthwhile information on eligibility factors concerning need and deprivation of parental support and care, as illustrated below:

1. Inspection of the sleeping arrangements may disclose the presence of people not included in the assistance group or that the father has returned to the home. The additional people may be a source of income to the recipient sufficient in amount either to make the case ineligible or to require a reduction in the assistance payment. In many cases the return of the father would remove the deprivation factor and make the case ineligible.

2. Personal property of measurable value may be observed in any room. Such property may lead to the discovery of a previously unknown source of income sufficient in amount either to make the case ineligible or to require a reduction in the assistance payment.

3. The observation of uniforms, badges, or other articles in bedrooms or closets may be indicative of employment and income affecting either eligibility or the amount of the assistance payment.

Of the 595 cases in our subsample, 63 were found to be ineligible. In 16 of the 63 cases, inspections were made of the entire premises. Of these 16 cases, at least 3 cases were found to be ineligible as a direct result of the inspection of the premises. A complete inspection of of the premises in these cases disclosed new furniture and appliances which led to a determination that additional income was being received by the recipients.

In one case outside our subsample, the State reviewer found a man hiding in a bedroom closet; the case was eventually closed because need could not be definitely established. In another case outside our subsample, the State reviewer found a man scrubbing a porch. Although the recipient stated that this man was her brother, subsequent followup showed that he was her husband and the case was ineligible since desertion or abandonment had not occurred.

We do not believe that there is assurance that the case record or other collateral sources will necessarily provide all the types of information potentially obtainable by an inspection of the entire premises. However, even where such inspections do not disclose anything new, they are of investigative value to the extent that they provide information that corroborates and thereby strengthens the validity of information obtained from other sources. For those case records which are based largely on statements of the recipients having strong self-interest motives, sound factfinding techniques require the use of all reasonable methods to obtain corroborating evidential matter from unbiased sources, or at least to provide opportunities for possible inconsistent information to come to light.

For essentially similar reasons, we believe that there are factfinding advantages in making initial visits to homes of AFDC recipients at other than normal weekday hours. It would appear that visits made at other times would more likely disclose the actual persons in the regular household unit.

Collateral checks

Necessary checks omitted or incomplete: The HEW instructions provided that, in addition to making home visits, the techniques of collateral interviews and correspondence would be used to obtain all the information required for a definitive determination on each eligibility requirement. The instructions listed the sources of collateral information to be used in verifying (1) potential and available sources of income and ownership of assets and (2) deprivation of support or care by reason of the father's absence from the home. These sources included the Social Security Administration, Veterans' Administration, State unemployment compensation agencies, Railroad Retirement Board, employers, responsible relatives, absent fathers, and others.

We noted many instances among our subsample cases where no attempt was made to obtain certain collateral information even though information included in the case record or obtained during the home visit indicated that additional collateral checks should be made. We raised questions with the HEW regional coordinators on 87 out of 229 subsample cases in 4 States involving 134 collateral checks as follows:

1. There were 92 collateral checks that were incomplete or not performed to obtain evidence of additional income, resources, or other assets. Sources of information which were not checked were Social Security Administration, Veterans' Administration, State unemployment agencies, and absent fathers or legally responsible relatives. Some cases also involved failure to (a) make credit checks relating to the purchase of personal property, (b) verify payments for rent and utilities, and (c) check on resources from indeterminate relationship with persons found in homes.

2. There were 16 collateral checks that were not performed to determine the whereabouts of the absent father or the incapacity of the parent.

3. There were four collateral checks that either were incomplete or were not performed to establish that the dependent children were living in the home of a specified relative.

4. There were six collateral checks involving the failure to fully verify that appropriate law enforcement officials were notified of the desertion of the absent father. In certain States this is an eligibility requirement in the State plan.

5. There were 16 collateral checks not made on miscellaneous factors affecting eligibility.

For 63 of the 87 cases, the States either performed the collateral checks we questioned or otherwise obtained sufficient information to make eligibility determinations. For the remaining 25 cases, the questions we raised were not, in our opinion, properly resolved. Most of these cases involved open or unresolved matters concerning need, one of the eligibility factors which all recipients must meet. In this connecton, we noted that about 62 percent of the ineligible cases in our subsample resulted from the failure of the recipients to meet this eligibility requirement.

Of the 87 cases, 66 were found to be eligible for the assistance payment they were receiving. For the remaining 21 cases the classification in the final report showed that overpayments were found in 7 cases, underpayments were found in 6 cases, and 8 cases were determined to be wholly or partially ineligible. Six of the 21 cases were found to be ineligible or to have overpayments as a result of actions taken in response to our questions concerning collateral checks.

Also, we noted instances of incomplete collateral checks in the other six selected States.

Actions taken during last few weeks of nationwide review: HEW's instructions on the action to be taken on cases incomplete at the time the State results were to be tabulated stated in part:

"1. Each incomplete case should be studied * * * to determine whether or not the information already available provides the basis for valid decisions regarding eligibility and correctness of payment. If so, these decisions should be made in accord with the facts.

"2. In some cases, review findings will be sufficient to reach a conclusion regarding eligibility, but the correctness of the payment could be affected by the outstanding information. * * * Such cases would be classified as to eligibility, but omitted from the correctness of payment analysis.

"3. There may still be additional cases for which a decision concerning eligibility cannot be made because of outstanding items of information. All such cases should be kept open and pursued to completion as rapidly as possible. * * *"

* * * * *

"If there are incomplete cases still pending, the State is to submit a report by June 3, giving a complete description of each of these cases, including the information remaining to be obtained, what is known as to why the information has not been received, and the probable effect on eligibility of the information when it is received, if this can be estimated. These cases, if any, will be listed in the Bureau's report as 'incomplete at close of the review'."

We analyzed certain records on 419 cases in the 10 selected States, outside our subsample, that were completed during the last few weeks of the review and found 72 cases on which final judgments on eligibility had been made without certain collateral checks having been performed or completed. Most of the 72 cases were brought to the attention of the HEW regional coordinators and/or State directors. Additional information furnished us by these officials satisfactorily resolved the questions we had raised on 24 of these cases. We were informed that the additional information resulted in determining that overpayments existed in 2 of these 24 cases.

For the remaining 48 cases, however information on our questions either was not received by us or, when furnished, did not in our opinion satisfactorily resolve the issue. Illustrations of these cases are as follows:

Case review No. 1401: In this case we believe that resources were not conclusively established. On May 13, 1963, the State reviewer informed the State supervisor that the eligibility review on this case was incomplete as to verification of resources. Also, there was a possibility of overpayment as a result of changes in social security benefits. The review was completed on May 14, 1963, and the case was classified eligible with the resource factor shown as conclusively verified. There was no evidence of followup on the matters questioned by the State reviewer before this case was classified.

Case review No. 1063: In this case, no positive followup was made during the review to determine if the recipient would initiate legal action to judicially establish the proper amount of the contribution from the absent father. This action had not previously been taken by the local agency as required by the State plan. Thus, there was an unresolved question as to need and the potential resources of the recipient as the amount of contribution was not conclusively established.

In addition, we noted that 1 State had 679 cases involving 1,387 collateral inquiries outstanding, with approximately 55 percent of the cases having 2 or more outstanding items, such as letters to relatives, hospitals and clinics, and employers. The State made a determination that the outstanding inquiries did not affect the eligibility of the cases and, accordingly, made eligibility determinations on each of the cases involved. The HEW report to the Senate Appropriations Committee did not show any cases as being incomplete at the close of the review.

As discussed on page 20, HEW placed considerable emphasis on obtaining information to support eligibility determinations through collateral checks in lieu of requiring inspections of the entire premises during home visits. In view of this emphasis and our foregoing observations, we believe that there may be additional cases of inconclusive and possibly incorrect eligibility determinations throughout the State samples.

Verification of age eligibility factor inconclusive: Section 406(a) of the Social Security Act provides that, in order to receive financial assistance under the AFDC program, a child must be under 18 years of age. This eligibility requirement is not the same in all States—for example, one State plan provides that no child over 14 years of age will be given assistance. The HEW instructions for the nationwide review provided that acceptable substantiating evidence to support the eligibility factors would generally be governed by State practice. The instructions indicated that a statement in the case record that birth certificates in the possession of the recipient had been previously seen by the local caseworker would be acceptable evidence of age for purposes of the nationwide review.

We noted that, in 70 out of 150 of our subsample cases in 3 States, the written statement in the case record that the local caseworker had previously seen a birth certificate or other documentary evidence was accepted by the State reviewer as substantiating evidence of the age factor, without further verification. In 30 of these cases, there was at least 1 dependent child in the assistance group who was only 1 or 2 years younger than the States' maximum allowable age. When the child's age is near the maximum age, it is not always apparent by seeing the dependent whether he is in fact under the required age. Accordingly, we believe that, for these cases, HEW's instructions as followed by the State reviewers did not result in sufficiently conclusive verification of the age eligibility factor.

HEW REPORT

In accordance with HEW instructions, each State tabulated the results of its review and forwarded them to HEW where they were consolidated in the report to the Senate Appropriations Committee. The report to the committee covered the results of the review in terms of (1) the eligibility of families receiving assistance according to State eligibility requirements, (2) the State eligibility requirements which ineligible recipients failed to meet, (3) the reasons local agencies had not previously known or acted upon the ineligibility found in the review, and (4) the extent to which payments of assistance were above or below the correct amount as determined under agency standards of assistance. The report contained statistical tables and narrative on each of these matters.

We believe that the report represents a reasonable summary of the statistical information furnished by the 10 selected States on the foregoing matters, except for certain cases that were classified as eligible even though they were found to be ineligible by the review and subsequently were closed. Also, the report did not include information as to the monthly amount of the payments to ineligible families and monthly amounts of overpayments and underpayments to eligible families. These matters, as well as a comparison of the percentages of ineligible cases in our subsample with those in the total 10-State sample, are covered in the following comments.

Cases classified eligible even though found ineligible and subsequently closed

The HEW report to the Senate Appropriations Committee includes 468 cases classified as eligible even though they were found to be ineligible during the review and subsequently were closed. The classification of these cases as eligible is explained in a footnote on page 10 of the HEW report as follows:

"Policies in effect in almost all States provide that a family is eligible for a full month's assistance if eligible at the time payment is made, usually at the beginning of the month. If the family was eligible under these policies in the month in which the field investigation was completed, it was therefore found eligible although it would become ineligible in the subsequent month."

Thus, under the above policy, if a change in circumstances occurred after the beginning of the month in which the field investigation was completed and the case therefore became ineligible for continued assistance, the case was nevertheless classified as eligible for purposes of this review.

Of the 468 cases, 251 were included in the 10 selected States. Twenty-eight of the 251 cases were in our subsample. Our analysis of these 28 subsample cases showed that, in 15 cases, the circumstances causing ineligibility occurred before the month in which the field investigation was completed. It was not practicable to determine the extent to which this condition existed outside our subsample cases except in 2 of the 10 States. For these 2 States, 40 cases out of 74 cases were not only ineligible on the first of the month when the review was made but were also ineligible for periods up to 2 years prior to the completion of the field investigation.

The foregoing types of cases, where the circumstances causing ineligibility occurred before the month in which the field investigation was completed, clearly should have been classified and reported by the States and HEW as ineligible. For the remaining cases classified as eligible according to the State plan provisions mentioned above, there is a question as to whether a classification and reporting as ineligible, or reporting in a separate category, would not have been more in accord with the request of the committee. This question is based on the following considerations:

1. The HEW instructions provided for dropping from the sample, and replacing, those cases on which the State had received information as to a change in circumstances that occurred before the field investigation was started. Therefore, since the cases in question were not dropped from the sample, it is presumed that the States considered them to be eligible cases before the field investigation was started.

2. The field investigation made on these cases during the nationwide review revealed the evidence which made the cases ineligible for continued assistance.

3. There is no assurance that the changes in circumstances which made the cases ineligible would have been reported by the recipient or brought to the attention of the local agency before the next redetermination of eligibility. We noted that the HEW report (see p. 16) shows a significant percentage of cases found to be ineligible because changes in circumstances were not reported by recipients.

As shown below, classification of the 251 cases as ineligible would have changed the reported results considerably in several States.

	State sample cases	Cases reported ineligible		Closed cases reported eligible		Combined	
		Number	Percent	Number	Percent	Number	Percent
California	1,615	18	1.2	1	0.07	19	1.3
Florida	519	42	9.1	48	9.11	90	18.2
Georgia	443	72	16.4	26	5.86	98	21.3
Illinois	1,019	45	4.9	10	0.91	55	5.8
Michigan	621	36	5.8	4	0.71	40	6.5
New York	1,490	52	3.7	85	5.66	137	9.4
Oklahoma	445	6	1.7	----------	0	6	1.7
Pennsylvania	1,294	37	2.9	53	4.05	90	7.0
Texas	446	37	9.6	18	4.41	55	14.0
West Virginia	580	99	17.3	6	1.00	105	18.3
Total	8,472	444	----------	251	----------	695	----------

We noted also that (1) the classification of 27 cases in 3 States was changed from ineligible to eligible as a result of actions taken subsequent to the completion of the nationwide review and (2) for 16 cases in 2 States where the recipients failed to meet the same eligibility requirements, 9 were classified as ineligible but the other 7 were classified as eligible. While these deficiencies resulted in an inaccurate reporting of the final results of the review, their effect appears to be minor.

Additional information on reveiw results

The HEW report to the Senate Appropriations Committee included tables showing, for each State, the (1) percentage of the eligible and ineligible families on AFDC rolls and (2) percentage of errors in the AFDC caseload because of either overpayment or underpayment in the amount of assistance to eligible families.

HEW furnished us the estimated amount of monthly payments to the ineligible families and the amounts of monthly overpayments and underpayments to eligible families. The estimates represent a projection of the results of the nationwide review to the entire AFDC caseload for the month of March 1963. This information is shown, by States, as appendix III of this report.

Ineligible cases: The amount of payments to ineligible families for March 1963 was estimated by HEW to be about $5 million out of total AFDC payments of about $125 million. The HEW report contains a table on page 13 showing, for each State, the various eligibility requirements which the ineligible cases failed to meet. The principal reasons for ineligibility were (1) income or resources exceeded the State standards of need, (2) the child had not been deprived of parental support or care, and (3) the child was not living in the home of a specified relative. On the basis of our observations in the 10 States, we believe that the table reasonably presents the eligibility requirements which were not met by the families found ineligible.

Cases involving either overpayments or underpayments: The nationwide review showed that a substantial number of AFDC cases contain errors involving either overpayments or underpayments in the amount of assistance. As shown in appendix III, the estimated overpayments and underpayments to eligible families in the total AFDC caseload for March 1963 amounted to about $2.9 million and $2.6 million, respectively. The HEW report contains a table on page 19 showing the percentage of the total AFDC caseload containing errors in the amount of the assistance grant. The report attributes these errors to (1) computing living expenses of families at too high or too low an amount, (2) assessing at an erroneous amount the income deducted from living expenses, (3) incorrectly determining the maximum payment or percentage reduction in payment, and (4) the making of an arithmetical error.

We analyzed the overpayments and underpayments for our subsample cases that were reported as eligible in four States. Of 246 cases, 89 cases, or 36.2 percent, had errors in the amount of assistance payments. These errors are principally summarized as follows:

1. In 46 eligible cases involving 25 overpayments and 21 underpayments, the amount of the shelter allowance was incorrect. Amounts in the budget for utilities or rent were either over or under the actual cost because of errors or changes in circumstances.

2. In 23 eligible cases involving 20 overpayments and 3 underpayments, the income of the recipient was incorrect. Amounts of income considered in determining assistance payments were either more or less than the actual amounts received by the recipient because the income was not properly disclosed or was incorrectly included in the budget.

3. In 15 eligible cases involving 7 overpayments and 8 underpayments, personal needs of recipient were incorrect. These cases included children over the maximum age or new additions to the family, or other changes in family or household group.

On the basis of our analysis of the reasons for the overpayments in our subsample cases, we believe that there is very little difference in the underlying factors between cases in this category and those classified as "ineligible." To illustrate, the nationwide review showed that, in many cases, the income and/or resources available to the family group had not been properly disclosed or considered in determining the amount of the assistance payments. If appropriate consideration of such income and/or resources showed that the needs of the family group were fully met according to the State standard, the review would show the case as ineligible. If, after appropriate consideration of such income and resources, there was still unmet need, the review would show the case as eligible with an overpayment.

HEW advised its regional staff to take the necessary action to recover Federal matching funds on ineligible and overpayment cases in the State sample. Action is to be taken in accordance with existing HEW policies and practices. Since collections from States will be made on a case-by-case basis, a reliable estimate of the amount of Federal funds to be covered as a result of the review is not available at this time.

Percentage variations between ineligible cases in State sample and GAO subsample: The following schedule shows the differences

> between the percentages of ineligible cases found in the entire State sample and the percentages in the subsample cases on which we made observations in 10 selected States.

	State sample cases			State sample cases observed by GAO		
	Total number	Ineligible cases reported by HEW		Total number	Ineligible cases	
		Number	Percent [1]		Number	Percent
California	1,615	18	1.2	96	5	5.2
Florida	519	42	9.1	50	10	20.0
Georgia	443	72	16.4	50	8	16.0
Illinois	1,019	45	4.9	59	8	13.6
Michigan	621	36	5.8	53	7	13.2
New York	1,490	52	3.7	59	2	3.4
Oklahoma	445	6	1.7	50	1	2.0
Pennsylvania	1,294	37	2.9	67	6	8.9
Texas	446	37	9.6	50	4	8.0
West Virginia	580	99	17.3	61	12	19.7
Total	8,472	444	5.2	595	63	[1] 9.2

[1] Weighted percentage.

> As noted above, the percentages are higher in our subsample in 7 of the 10 States included in our review. In addition to sampling variations, these differences may be attributable to such factors as (1) incomplete investigations on our subsample cases which we observed and brought to the attention of HEW or State officials, who took further action on some of these cases, and (2) the presence of an outside auditor may have influenced certain State reviewers to do a more thorough investigation on these cases.

Mr. BYRD of West Virginia. The nationwide HEW report having been put into the RECORD, I call attention to some of the irregularities that were found by the Department itself that exist in various States throughout the country. For example, consider the State of Maryland. The HEW report found that 11.5 percent of the total AFDC–UP caseload was made up of eligible families receiving assistance above the correct amount. In other words, those were overpayments. In the same State of Maryland the Department found that 26.9 percent of the families in the AFDC caseload received assistance below the correct amount. They were receiving underpayments. Something is wrong when 38.4 percent of the families on the caseload are receiving either overpayments or underpayments.

Consider the State of North Carolina. The report indicated that 20 percent of the eligible families of the AFDC caseload were receiving overpayments. They were receiving money to which they were not entitled. Sixty percent of the families in the AFDC category in North Carolina were receiving underpayments. Combining the two, 80.6 percent of the caseload were receiving either underpayments or overpayments. Why? It seems to me that that in itself is a severe indictment of the administration of the program in States where so many irregularities were found. The families were eligible, but many were getting overpayments and many were receiving underpayments. This is an indication of the improper functioning of the program and, to some extent at least, the poor administration of the program in those States. I could continue to cite State after State.

So the HEW report itself brought out the fact that there were many irregularities in the administration of the program throughout the country.

The General Accounting Office report, which had reference to the HEW investigation, raised serious questions concerning procedures used in the conduct of the investigation by HEW. The Comptroller General in his letter to Senator CARL HAYDEN, chairman of the Committee on Appropriations, dated October 4, 1963, said:

> Our observations are summarized in the forepart of the report. The most important observation is that the field investigation techniques used to obtain information on the eligibility of assistance recipients were not consistently applied in a thorough manner, particularly as to the degree of inspection of the premises of the recipients and the completeness of collateral checks. Because our participation in the review was established as that of an observer and reviewer and therefore did not include independent investigations, we are unable to estimate the extent to which the findings from the review might have been different if the field investigation techniques had been consistently applied in a thorough manner. Our observations raise a question as to whether, for many cases, the investigations provided sufficient acceptable information on which to base conclusive determinations as to eligibility.

The General Accounting Office report stated:

> Field investigation techniques were not consistently applied in a thorough manner. It is particularly significant that (1) visits to the homes of AFDC recipients did not include an inspection of the entire premises in 70 percent of our subsample cases and (2) collateral checks were frequently incomplete in that all pertinent information was not obtained before eligibility determinations were made.
>
> * * * * *
>
> Our observations raise a question as to whether, for many cases, the investigations provided sufficient acceptable information on which to base conclusive determinations as to eligibility.
>
> We believe that the HEW report to the Senate Appropriations Committee represents a reasonable summary of the statistical information furnished by the States as part of the nationwide review, except for 468 cases that were classified as eligible even though they were found to be ineligible by the review and subsequently were closed.
>
> Some, if not all, of these cases should have been classified and reported as ineligible or should have been reported in another category. If all the cases had been classified as ineligible, the reported results would have been changed considerably in several States.
>
> Also, the HEW report did not include information as to the monthly amount of the payments to ineligible families and the monthly amounts of overpayments and underpayments to eligible families.

To get an objective, well-rounded view of the HEW report on the nationwide investigation, it is important that the GAO report also be given consideration and study. Inasmuch as the GAO investigators accompanied the HEW investigators in, I believe, 10 selected States throughout the country.

Here we have the viewpoint of an independent agency, the General Accounting Office, with respect to the so-called nationwide investigation by the Department of Health, Education, and Welfare. When both reports are placed side by side, one gets a more objective and realistic viewpoint of what the findings were and exactly where the investigation fell short, as it obviously did, in some respects.

Earlier today another Senator placed in the RECORD a Howard University study. I requested a copy of that study from Howard University, and I was given such a copy. The copy having been placed in the RECORD already, I shall not ask that it be done again, but I wish to place in the RECORD an abridged analysis of the report. I shall read merely the conclusions.

CONCLUSIONS

> The report has so many shortcomings in methodology, reporting, identification, and explanation that it is completely unusable and unacceptable. The report fails almost entirely in providing the reader with an identification of the "visible, obvious, and practical difficulties that had made the families of the children in Junior Village unable to carry out their child-rearing functions" as promised in paragraph 1, page 3 of the report, except to make the most general comments regarding these unfortunate families.
>
> Failing in this initial objective, the report has no value for statistical projections either regarding unfortunate families, Junior Village admissions, or corrective action not better provided in already available "poor family" studies.
>
> The report suffers from the following major defects:

METHOD

> The method used in selecting the sample is not explained. The cover sheet subtitle "A study of a selected group of families whose children were placed in Junior Village in the District of Columbia in 1962" would indicate the studying staff was selective on some basis not explained, but quite apparently not on a random basis. The large proportion of children in the sample families as reflected in the comments, section II, of this report would indicate the studying staff was selective.
>
> The method used in conducting the survey is also open to criticism. While we know some 82 families were interviewed, we do not know, except for some remarks regarding health, what information was obtained by interview and how much from records, nor from what records. The only time we are clear on records as a source is where agencies are discussed separately.
>
> The failure to select the sample on a statistical basis makes the report invalid

for statistical purposes, or for any projection of the information gathered to the remaining universe which would be the other two-thirds families who had children placed in Junior Village not as a result of juvenile court action.

TERMINOLOGY AND REPORTING

As indicated in the body of this report the Howard Study used several different definitions for categories of children entering Junior Village. The information provided throughout the report was given in percentages, fractions, and words—very seldom by number. Since from the beginning of the report, the reader is not always clear as to structure and number of the group discussed, it is impossible to convert the fractions and percentages into numbers, and because some groups are not defined, the remaining percentages are impossible to apply.

STRUCTURE OF THE REPORT

The report contains three major portions, the first being a discussion of the children; the second a discussion of the families; and the third a discussion of agencies. The major portion of the study supposedly involves a study of the families. The information as presented under all three major groups comes out as individual, separated, isolated pieces of information usually not tied in with the other information presented in the report. We do not have a picture of the families nor a picture of the children, but only little pieces of information that have no overall significance. The information on the children is not related to the information on the parents, and vice versa.

REPORT CONCLUSIONS

In discussing the services which might have obviated the placement of the children the report states the need for housing and the lack of counseling services came to the front but the report discusses both items in only general terms and while the study group may have had information available leading to the conclusions this was not presented in the body of the report.

There are other shortcomings. However, the major shortcomings as herewith reported indicate that except for providing interesting reading on certain aspects of poor families the report has no applicable value.

Mr. President, I ask unanimous consent to have printed in the RECORD—inasmuch as we have referred just now to the Junior Village—the Comptroller General's report on Junior Village, dated February 1964.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SOME PARENTS MAY BE USING JUNIOR VILLAGE AS A CHILD CARE CENTER OR DEPOSITORY FOR CHILDREN

During our examination of 31 cases which were being processed by the CWD Intake Unit, involving 93 children or about 13 percent of the children who were at Junior Village on January 24, 1963, we found indications in 17 of the cases, involving 51 children, that the parents used Junior Village as a child care center or depository and did little to exercise their parental responsibility.

In 3 of the 17 cases, involving 12 children, the parents left their children at Junior Village for periods of time ranging from 71 to 306 days to enable them to work or seek employment. In the other 14 cases, the records indicate that the parents made only limited efforts to reestablish a home for the children. In one case, both the father and the mother were employed and all six of their children were at Junior Village. The mother requested that the children not be placed in foster homes, and, at February 27, 1963, the children had been in Junior Village from 253 to 306 days. In another case, a father had requested that all of his six children be placed in Junior Village because the mother had deserted the home; however, a visit by the caseworker disclosed that the father and mother were living together and were making little or no effort toward finding adequate quarters for their children. In both of the above cases a resources investigation by OIC had been requested by the CWD caseworker. OIC sent letters to these parents in October 1962 requesting that they report for an interview. The parents did not comply with this request, and OIC did not make a field investigation in these cases or take any followup action. Other cases concerned fathers who were working but did not accept their parental responsibility to support their families and mothers who chose to live with paramours and neglected their children.

In 6 of the 31 cases it also appeared that little or no effort was made by the caseworkers to find relatives or caretakers with whom the children could have been placed. In one of the six cases, the father of seven children requested their removal from Junior Village 2 days after they were placed in order that he might take the children to their grandfather in Newport News, Va. CWD did not comply with this request because of conflicting information furnished by the parents as to the ability of the grandfather to care for the children. The records indicate that CWD did not promptly follow up on this matter. After the children had remained in Junior Village for 116 days, CWD released them to their parents and they were taken to the maternal grandfather. With regard to the other five cases where relatives or caretakers for possible placement of the children were known, the files contained no evidence of any attempts by CWD to make such placements.

Our visits to 40 homes (see p. 37) disclosed information which indicated that 46 children from 14 families had been placed in Junior Village by parents who apparently were using the Village as a child-care center; the parents showed a lack of interest in their children or were making no plans for them. In addition, on the basis of our discussions with parents, there were indications that possibly 10 of the children from four families could have been discharged to the parents because the parents expressed a desire to have the children back with them and appeared to have the physical facilities and financial capacity to care for the children.

In other instances, parents seemed to lack interest in the welfare of their children. The parents apparently had made little or no effort to reestablish their families and remove their children from Junior Village. This attitude on the part of some parents may be the result of insufficient followup on the part of the caseworkers. The failure to make frequent contacts with the parents was evidenced by the incorrectness of the recorded addresses of parents. We found that, in 25 of the 40 homes visited, the case files contained incorrect addresses. If the caseworkers had been making frequent visits, presumably the correct addresses of parents would have been recorded in the case files.

We believe that the use of Junior Village as a child-care center or depository could be reduced considerably through more effective and timely study and more frequent field visits to homes by the social workers. (See p. 28.)

SCHEDULE 5.—*Department of Public Welfare, District of Columbia Government, reasons for admissions to Junior Village*

[Calendar years 1961 and 1962]

Recorded reason	1961		1962	
	Number	Percent	Number	Percent
Caretaker ill	58	5.6	32	2.5
Caretaker working	19	1.8	27	2.1
Caretaker inadequate	93	8.9	34	2.7
Caretaker cruel to child	13	1.2	10	.8
Caretaker missing	93	8.9	74	5.8
Caretaker in hospital	110	10.5	135	10.7
Caretaker in jail	33	3.2	33	2.6
Child unmanageable	37	3.5	45	3.5
Child a runaway	16	1.5	8	.8
Child lost	11	1.0	14	1.1
Caretaker lacking in income or destitute and homeless	312	29.9	590	46.7
Combination of above reasons	119	11.4	103	8.1
Other reasons	131	12.6	158	12.6
Total (schedule 1)	1,045	100.0	1,263	100.0

Mr. BYRD of West Virginia. Mr. President, I shall read but a few extracts from that report. I read from the report:

SOME PARENTS MAY BE USING JUNIOR VILLAGE AS A CHILD CARE CENTER OR DEPOSITORY FOR CHILDREN

During our examination of 31 cases which were being processed by the CWD intake unit, involving 93 children or about 13 percent of the children who were at Junior Village on January 24, 1963, we found indications in 17 of the cases, involving 51 children, that the parents used Junior Village as a child care center or depository and did little to exercise their parental responsibility.

That would be 54 percent of the children.

I continue to read:

In 3 of the 17 cases, involving 12 children, the parents left their children at Junior Village for periods of time ranging from 71 to 306 days to enable them to work or seek employment. In the other 14 cases, the records indicate that the parents made only limited efforts to reestablish a home for the children. In one case, both the father and the mother were employed and all six of their children were at Junior Village. The mother requested that the children not be placed in foster homes, and on February 27, 1963, the children had been in Junior Village from 253 to 306 days. In another case, a father had requested that all of his six children be placed in Junior Village because the mother had deserted the home—

In this case, we have a mother deserting the home.

I continue to read:

however, a visit by the caseworker disclosed that the father and mother were living together and were making little or no effort toward finding adequate quarters for their children. In both of the above cases a resources investigation by OIC had been requested by the CWD caseworker. OIC sent letters to these parents in October 1962 requesting that they report for an interview. The parents did not comply with this request, and OIC did not make a field investigation in these cases or take any followup action. Other cases concerned fathers who were working but did not accept their parental responsibility to support their families and mothers who chose to live with paramours and neglected their children.

In 6 of the 31 cases it also appeared that little or no effort was made by the case-

> workers to find relatives or caretakers with whom the children could have been placed. In one of the six cases, the father of seven children requested their removal from Junior Village 2 days after they were placed in order that he might take the children to their grandfather in Newport News, Va. CWD did not comply with this request because of conflicting information furnished by the parents as to the ability of the grandfather to care for the children. The records indicate that CWD did not promptly follow up on this matter. After the children had remained in Junior Village for 116 days, CWD released them to their parents and they were taken to the maternal grandfather. With regard to the other five cases where relative or caretakers for possible placement of the children were known, the files contained no evidence of any attempts by CWD to make such placement.
>
> Our visits to 40 homes disclosed information which indicated that 46 children from 14 families had been placed in Junior Village by parents who apparently were using the village as a child care center; the parents showed a lack of interest in their children or were making no plans for them. In addition, on the basis of our discussions with parents, there were indications that possibly 10 of the children from 4 families could have been discharged to the parents because the parents expressed a desire to have the children back with them and appeared to have the physical facilities and financial capacity to care for the children.
>
> In other instances, parents seemed to lack interest in the welfare of their children. The parents apparently had made little or no effort to reestablish their families and remove their children from Junior Village.

Schedule 5 in the report states the reasons for admissions to Junior Village, during the calendar years 1961 and 1962.

During the calendar year 1961, 5.6 percent of the admissions were the result of caretakers being ill.

There was no absence in the father in that case.

One and eight-tenths percent of the children were admitted as a result of the caretaker working; 8.9 percent of the children were admitted because of the caretakers being inadequate; 1.2 percent of the children were admitted because the caretaker was cruel to the child; 8.9 percent of the children were admitted because the caretaker was missing; 10.5 percent of the children were admitted because the caretaker was in the hospital; 3.2 percent of the children were admitted because the caretaker was in jail; 3.5 percent of the children were admitted because they were unmanageable; 1.5 percent of the children were admitted because they were runaways.

One percent because the child was lost.

Twenty-nine and nine-tenths percent because the caretaker was lacking in income or destitute and homeless.

Eleven and four-tenths percent because of a combination of the various reasons.

Twelve and six-tenths percent because of other reasons.

Let us take the one which involves the caretaker's being destitute. One might say the caretaker was destitute because of an unemployed and deserting father. That is an argument which is often made. But there is no indication as to whether the father deserts because he is unemployed. Who is to say that he does not desert because he is simply tired of living with a particular woman? Perhaps he is fed up with her and wants to move on and take up with another woman. So he leaves. He deserts. Then the cry goes out from the housetops that the father is deserting in order that his children might be fed. Too often fathers desert for other reasons. In many cases, it is found that the father has not deserted, that he is still around, and in some instances enjoying the benefits of the checks being paid for the children.

Let me cite a few examples. I take them from the Comptroller General's report of 1962:

> A mother of four children, who had been receiving ADC assistance payments for over 4 years was determined to have been living during the entire period, since September 1957, with a man whom she had represented to the PAD as being her brother but who actually was her paramour and the father of two of her children. The mother admitted to the investigator that the man was employed and earning $85 a week. She was receiving $154 a month in assistance payments at the time the assistance was discontinued.

That was a misrepresentation on the part of the mother, who said the man was her brother. In reality he was her paramour. He was not unemployed. He was employed. He was earning $85 a week and could have supported the family. She had been living with this man during the entire period of 4 years.

This was a case in which the children were receiving benefits on the basis of continuous absence from the home of the father. But the investigators found he was not absent; that he was in the home all the time, and had been there for 4 years. Not only that; he was employed all the time.

Another case is an interesting one:

> A married 27-year-old mother of six children told investigators that the man found in her home was her brother-in-law. The investigation disclosed that he was actually her husband and the father of her children, five of whom were included in the assistance unit, and that he was employed and earning about $65 a week. The mother had been receiving assistance payments since December 1960, and at the time they were discontinued they amounted to $191 a month. She subsequently admitted to the investigators that the man was her husband and stated that she wished to withdraw from the ADC program rather than have the investigation continued.

This was an instance in which the man was in the home. He was employed. The children were receiving benefits on the basis that the father was absent. But he was not absent. He was in the home. He was not unemployed. He was employed and earning $85 a week, and the mother misrepresented the facts to the department.

Here is another situation:

> A married 35-year-old mother and her four children had been determined to be eligible for assistance on the basis of her claim that her husband had deserted her and that his whereabouts was unknown. The investigators located the husband and obtained his signed statement asserting that his wife had forced him to leave the home by threats and abuse so that she could obtain public assistance, that his wife had always known his whereabouts, that he had given his wife at least $50 a month since January 1962, that he is presently employed, and that he wants to return to the home and support his family. The mother had received assistance payments since September 1961, the latest payments being $169 a month.

Here was supposed to be a deserting husband, whereas, in reality, his wife had forced him to leave by threats and abuse so she could obtain public assistance.

Let us take another case:

> A 41-year-old mother of six children, all of whom are included in the assistance unit, represented to the PAD that she was living rent-free in the attic of her sister's home. She requested the PAD not to probe into the manner in which her sister had obtained her home. She also represented that another woman living in the home, who was a recipient of aid under the aid to the permanently and totally disabled (APTD) program, was only a roomer. The investigation disclosed that the APTD recipient, who was receiving $83 a month and who had been represented as a widow without relatives, was actually the mother of the ADC mother and was the lessee of the dwelling along with a man who was listed in the lease agreement as her husband. This man, who was found in the home, was determined to be employed full time and earning $1.25 an hour. The ADC mother, instead of living in this home as she had represented, was found to be living at another address with her children and her husband who was the father of her children. The father had been continuously employed with one firm since 1954 except for one period of 120 days in the early part of 1961 when he was in jail. He had claimed seven dependents on his tax withholding exemption certificate, which is the same as the number of persons in the assistance unit. The ADC mother had been receiving assistance payments since September 1959, with the latest payments amounting to $149 a month.

Here again is a willful misrepresentation on the part of the ADC mother. She represented to the Department that she was living rent free in the attic of her sister's home, whereas, as a matter of fact, she was living at another address with her children and her husband, and the husband had been continuously employed over a period of several years, with the exception of one period of 120 days.

Let us take a look at another case:

> A 24-year-old mother of four children, fathered by three different men, none of whom were her husband, successfully withheld from the social workers the knowledge of the birth of her youngest child on March 11, 1961. The father of this child and of one of the other children was found hiding in the bathroom of the ADC mother's home at 6:10 a.m. on a Sunday morning. He admitted spending the night with the ADC mother. He admitted also that he was employed. The ADC mother said that this man had been living with her since the birth of her youngest child. The mother had been receiving assistance payments since February 1959, the latest payments amounting to $109 a month.

Another case:

> A man found in the home of an ADC mother of four children who had received assistance payments since February 1956—the latest payments amounting to $153 a month—was represented to the investigators as being merely a visitor. The address given by this man as his residence proved to be false, and later both he and the ADC mother admitted that they had been living together but neither would state how long the relationship had existed. The man was employed. The ADC mother admitted that she

was also employed, but she would not furnish information as to her employer, length of employment, or earnings.

Mr. President, I ask unanimous consent to have this report printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SPECIAL REPORT TO THE SUBCOMMITTEE ON DISTRICT OF COLUMBIA COMMITTEE ON APPROPRIATIONS, U.S. SENATE—INVESTIGATION OF SELECTED CASES UNDER THE AID TO DEPENDENT CHILDREN PROGRAM, DEPARTMENT OF PUBLIC WELFARE, DISTRICT OF COLUMBIA GOVERNMENT, JUNE 1962

(By the Comptroller General of the United States)

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., July 30, 1962.

Hon. ROBERT C. BYRD,
Chairman, Subcommittee on District of Columbia, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: Herewith is our special report on the investigation of selected cases under the aid to dependent children program administered by the Public Assistance Division of the Department of Public Welfare, District of Columbia government, June 1962.

This report, which is being submitted pursuant to your request of June 18, 1962, contains certain information in respect to the investigated cases in addition to that contained in the report submitted to you on July 26, 1962.

Because of the nature of the investigation, many of the statements contained in the report are necessarily based on conclusions arrived at after a reasonable evaluation of facts disclosed through observations, interviews, and admissions and through examination of public and business records.

Sincerely yours,

JOSEPH CAMPBELL.

The General Accounting Office submitted a report to the Chairmen, Subcommittees on District of Columbia, Senate and House Committees on Appropriations, on the investigation of selected cases under the aid to dependent children (ADC) program, Department of Public Welfare (DPW), District of Columbia government, on July 26, 1962. This report contains certain additional information in respect to the cases investigated, as requested by letter dated June 18, 1962. (See app. IX.)

CASES INVESTIGATED AND ACTIONS TAKEN

The aforementioned report pointed out that of 280 cases selected by the Public Assistance Division (PAD), Department of Public Welfare, for investigation, 42 cases had been closed prior to review by the investigative unit established by the DPW and that 2 cases were not investigated. The report showed that for the 236 ADC cases investigated, the PAD had informed us by June 25, 1962, that the status of the cases was as follows:

	Number of cases	Percent of total cases
Action based on investigative findings:		
Financial payments discontinued	127	
Financial payments continued based on appeal findings	3	
Appeal pending	3	
Subtotal	133	56.3
Financial payments continued:		
No infractions of eligibility requirements or need standards	23	
Adjustments in payments based on existing need	20	
Miscellaneous administrative adjustments	52	
Subtotal	95	40.3
Action based on events occurring subsequent to investigation:		
Financial payments discontinued	7	
Appeal pending	1	
Subtotal	8	3.4
Total	236	100.0

In appendixes I through VIII of this report the 280 cases selected by the PAD for investigation are listed to show (1) the 42 cases that had been closed prior to review by the investigative unit, (2) the cases not investigated, and (3) the 236 cases that were investigated. Those in the latter group have been classified according to their eligibility or ineligibility status. Comments pertaining to the cases in each of the foregoing categories are contained in the following sections of this report.

CASES CLOSED PRIOR TO INVESTIGATION

Shown as appendix I are the 42 cases in this category. We reviewed 28 of these cases for the purpose of evaluating the propriety of the actions taken. We believe that the actions were proper in view of the circumstances involved in each case.

CASES NOT INVESTIGATED

Listed as appendix II are the two active cases which were not investigated. In one of these cases the mother of the ADC children was a resident of the DPW's Residential Training Center, and an investigation of the case was deemed to be inexpedient. In the other case, the PAD inadvertently furnished the investigators a case record pertaining to a previous award which had been discontinued, and the fact that the assistance payments had been reinstated did not become known until after the field investigation work had been completed.

RECIPIENTS ELIGIBLE FOR CONTINUED ASSISTANCE

No infractions

Listed as appendix III are the 23 cases in which no infractions of PAD Manual requirements were disclosed by the investigation. Of the 23 cases, 10 had been investigated prior to our participation in the investigation. However, our review of the investigation reports on these cases indicated no reason for disagreeing with the PAD's conclusions.

The amount of the assistance payments in the 23 cases ranged from $62 to $292 a month, the number of children receiving aid ranged from 1 to 7, and the commencing date of the payments ranged from January 1953 to September 1961. The cases in which assistance had been granted more recently involved the greatest number of children and the largest monthly payments.

The monthly assistance payment in one case was reduced $33 because of the death of a child which occurred during the period of the investigation.

The fact that the investigation disclosed no irregularities in only 23 cases, or in only 9.7 percent of the cases investigated, is most significant and indicates a very serious weakness in the administration of the ADC program.

Adjustment of assistance payments

Listed as appendix IV are the 20 cases in which the recipients were considered eligible for continued assistance but circumstances existed which required the monthly assistance payments to be adjusted.

In 15 cases, the monthly payments were reduced by amounts ranging from $12 to $72. In four of these cases, the monthly payments for 1, 2, or 3 months were further reduced in varying amounts to compensate for income which had been received in prior months but not reported. In three cases, similar deductions were made although the rate of the regular monthly payment was not changed.

In one case the monthly payment was increased by $6 because the recipients were required to move to more suitable quarters.

We participated in the field investigation of 5 of the 20 cases. While the investigation of the other 15 cases had been completed prior to our participation in the investigation, our review of 2 of these cases indicated no basis for disagreeing either with the adequacy of the investigation conducted or with the propriety of the actions taken.

Administrative adjustments needed

Appendix V lists the 52 cases in which the recipients were determined to be eligible for continued assistance but which required some administrative action. In some cases, the administrative action to be taken was dependent on actions required to be taken by the caretaker-relatives (parents or other relatives of specified relationship).

Examples of the types of actions required follow:

1. Refer to Office of Investigations and Collections (OIC) for recovery of overpayments.
2. Require unemployable parent to obtain an overdue medical examination report.
3. Require mother to take certain required action to locate missing husband.
4. Correct records to show change of address and recompute rental needs.
5. Consider the feasibility of referring children to the Child Welfare Division (CWD).
6. Correct records relating to birth dates of children.
7. Revise rental needs because of change in number of persons occupying a dwelling with members of an assistance unit (caretaker-relative and children).

We participated in the investigation of 24 of the 52 cases. Also, we reviewed 3 of the 28 cases which had been investigated prior to our participation in the investigation and found no reason for disagreeing either with the investigative findings or with the actions necessary to comply with normal requirements.

In 1 of the 24 cases which we investigated jointly with the PAD, the recipients appeared to be ineligible on the basis of findings indicating that both the ADC mother and father were employable. The PAD subsequently obtained medical information which indicated that the father was capable of part-time work only and made arrangements for him to receive medical treatment. Also, the PAD directed the mother to register with the U.S. Employment Service (USES) and to report weekly on her efforts to find employment.

Although the recipients in each of the 52 cases were determined by the PAD to be eligible for continued assistance, the fact that, in some cases, they were required to take certain actions to completely meet the eligibility requirements and that the failure to do so could result in their becoming ineligible for continued financial assistance is a further illustration of a weakness in the PAD's administration of the program.

RECIPIENTS INELIGIBLE FOR CONTINUED ASSISTANCE

The PAD determined that 141 of the 236 cases investigated were ineligible for financial assistance—133 cases on the basis of the investigative findings and 8 cases on the basis of events occurring subsequent to the investigation. Assistance payments were later reinstated in 3 of the 133 cases on the basis of appeal findings. Appeals are pending in 1 of the 133 cases and in 1 of the 8 cases.

The 133 cases are classified in the following table according to the investigative finding which, in our opinion, had the most significant bearing on the recipients' eligibility status. Only 1 ineligibility finding was disclosed in each of 72 cases, and an average of 2.1 ineligibility findings was disclosed in 61 cases.

We participated in the investigation of 79 of the 141 cases. We reviewed the investigation reports in the remaining 62 cases to determine the adequacy of the investigation conducted and the propriety of the PAD's determination of ineligibility in each case. Our review disclosed no reason to disagree with the action taken by the PAD except in one case.

Ineligibility finding	Number of cases			Number of ineligibility findings
	Considered to be ineligible	Having a single ineligibility finding	Having additional ineligibility findings	
Man-in-the-house rule:				
Mother living in continuing relationship with a man who is her husband and/or father of her ADC children	31	21	10	44
Mother living in home with man other than her husband or father of her ADC children in relationship similar to that of husband and wife	20	9	11	33
Man constituting an undeterminable resource	10	7	3	13
Total	61	37	24	90
Other ineligibility findings:				
Resources undeterminable for other reasons	11	9	2	13
Living arrangements not clarified	11	4	7	22
Parent employed	3	1	2	5
Parent employable	29	13	16	49
No eligible child in home	4	3	1	5
Refusal to cooperate	8	2	6	16
Miscellaneous	6	3	3	9
Total	133	72	61	209

A listing of the cases in each of the foregoing classifications is presented as appendixes VI and VII of this report. Comments concerning the cases in each of the classifications follow:

Man-in-the-house rule—Mother living in continuing relationship with a man who is her husband and/or the father of her ADC children

As shown in appendix VI the investigation disclosed 31 cases where the ADC mother was associating with her husband and/or the father of her ADC children in a manner which negated the claim that the children were deprived of parental support or care by reason of the continued absence of the parent from the home. No distinction is made as to whether the relationship was carried on inside or outside the home.

In 21 of the cases the "lack of clear dissociation" was the only finding of ineligibility disclosed, but in 10 cases other ineligibility finding existed, any one of which, in our opinion, was a sufficient reason for considering the recipients to be ineligible.

In 8 of the cases the relationship of the mother was with her husband and in 23 cases the relationship was with a man not her husband although he was the father of one or more of her ADC children. In one of the latter cases the recipient appealed the PAD's determination of ineligibility, and the case remains open pending the outcome of the appeal.

In 18 of the 31 cases the man involved was employed; in 12 cases he was not employed but was apparently employable since there was no evidence of incapacity, either in the form of obvious physical disability or in the form of medical evidence; and in 1 case he was retired and receiving a pension.

Some of the more flagrant cases of abuses of the right to receive assistance under the ADC program are presented below.

1. A mother of four children, who had been receiving ADC assistance payments for over 4 years was determined to have been living during the entire period, since September 1957, with a man whom she had represented to the PAD as being her brother but who actually was her paramour and the father of two of her children. The mother admitted to the investigator that the man was employed and earning $85 a week. She was receiving $154 a month in assistance payments at the time the assistance was discontinued.

2. A 36-year-old mother, who was receiving assistance payments on behalf of herself and four of her six children had received such assistance during most of the period since April 1963. The father of three of the four children, although not their mother's husband, was found by the investigators to be in the mother's home at 6:30 a.m. on a Sunday morning, barefoot and naked to the waist, and hiding under a bed. When asked if he was employed he said that he was a "gambler." The mother had been receiving assistance payments continuously since November 1959, and at the time the payments were discontinued they amounted to $143 a month.

3. A married 27-year-old mother of six children told investigators that the man found in her home was her brother-in-law. The investigation disclosed that he was actually her husband and the father of her children, five of whom were included in the assistance unit, and that he was employed and earning about $65 a week. The mother had been receiving assistance payments since December 1960, and at the time they were discontinued they amounted to $191 a month. She subsequently admitted to the investigators that the man was her husband and stated that she wished to withdraw from the ADC program rather than have the investigation continued.

4. A married 35-year-old mother and her four children had been determined to be eligible for assistance on the basis of her claim that her husband had deserted her and that his whereabouts was unknown. The investigators located the husband and obtained his signed statement asserting that his wife had forced him to leave the home by threats and abuse so that she could obtain public assistance, that his wife had always known his whereabouts, that he had given his wife at least $50 a month since January 1962, that he is presently employed, and that he wants to return to the home and support his family. The mother had received assistance payments since September 1961, the latest payments being $169 a month.

5. A 41-year-old mother of six children, all of whom are included in the assistance unit, represented to the PAD that she was living rent-free in the attic of her sister's home. She requested the PAD not to probe into the manner in which her sister had obtained her home. She also represented that another woman living in the home, who was a recipient of aid under the Aid to the Permanently and Totally Disabled (APTD) program, was only a roomer. The investigation disclosed that the APTD recipient, who was receiving $83 a month and who had been represented as a widow without relatives, was actually the mother of the ADC mother and was the lessee of the dwelling along with a man who was listed in the lease agreement as her husband. This man, who was found in the home, was determined to be employed full time and earning $1.25 an hour. The ADC mother, instead of living in this home as she had represented, was found to be living at another address with her children and her husband who was the father of her children. The father had been continuously employed with one firm since 1954 except for one period of 120 days in the early part of 1961 when he was in jail. He had claimed seven dependents on his tax withholding exemption certificate, which is the same as the number of persons in the assistance unit. The ADC mother had been receiving assistance payments since September 1959, with the latest payments amounting to $149 a month.

6. A 24-year-old mother of four children, fathered by three different men, none of whom were her husband, successfully withheld from the social workers the knowledge of the birth of her youngest child on March 11, 1961. The father of this child and of one of the other children was found hiding in the bathroom of the ADC mother's home at 6:10 a.m. on a Sunday morning. He admitted spending the night with the ADC mother. He admitted also that he was employed. The ADC mother said that this man had been living with her since the birth of her youngest child. The mother had been receiving assistance payments since February 1959, the latest payments amounting to $109 a month.

We believe that some of the facts with respect to these and other cases in this category could have been disclosed with only a reasonable amount of effort on the part of the social workers. In some of these cases it appears that the recipients were never eligible for financial assistance and that such a finding would have become apparent if the eligibility standards had been diligently applied at the time the applications were first received.

Mother living in home with man who is not her husband or the father of her ADC children in a relationship similar to that of husband and wife

This ineligibility finding was disclosed in 20 cases listed in appendix VI. In 11 of the cases, additional ineligibility findings existed.

The men involved in 15 of the cases were employed and in the other 5 cases were unemployed but appeared to be employable. In 1 of the 15 cases where the man involved was employed, the ADC mother was also employed to the extent that this fact alone would cause the recipients to be ineligible. In three cases, the ADC mother was employable under the prescribed standards for determining employability.

The ADC mothers in 3 of the 20 cases voluntarily withdrew from the program.

Cases illustrating this type of investigative finding follow:

1. A man found in the home of an ADC mother of four children who had received assistance payments since February 1956—the latest payments amounting to $153 a month—was represented to the investigators as being merely a visitor. The address given

by this man as his residence proved to be false, and later both he and the ADC mother admitted that they had been living together but neither would state how long the relationship had existed. The man was employed. The ADC mother admitted that she was also employed, but she would not furnish information as to her employer, length of employment, or earnings. She signed a voluntary statement requesting withdrawal from the program.

2. A 22-year-old mother, who had received assistance payments since September 1961 for herself and three children admitted during the investigation that she had been supported by a man by whom she was again pregnant. It was determined that this man was employed. The mother signed a voluntary statement requesting withdrawal from the program. When contacted by a social worker subsequent to the investigation, she stated that she had signed the statement because she felt "the jig was up." At the time the assistance payments were discontinued they amounted to $148 a month.

3. A 26-year-old mother of six illegitimate children, fathered by three different men, was again pregnant by a man whom she did not identify. Her condition was known to the PAD in November 1961. She had been receiving assistance payments since April 1960, and as of March 1962 these payments were at the rate of $79 a month. The April 1962 assistance payment was suspended pending further inquiry into the matters disclosed by the investigation including (a) birth of a child in February 1962, (b) relationship with a man who, she admitted, spent nights with her "too often to mention" and who provided her with money in excess of $100 a month, (c) presence of another man, his wife, and three in an apartment in the dwelling, (d) an unidentified sick child in the home, and (e) squalid, overcrowded, and rat-infested premises.

4. A man found in the home of a 27-year-old ADC mother was addressed as "Daddy" by one of the mother's three illegitimate children. The children had been represented to the PAD as having been fathered by two different men, neither of whom was the ADC mother's husband or the man found in the home by the investigators. An informant told the investigators that this man was the ADC mother's current paramour and that a former paramour still frequents the home and creates disturbances. Both of these men are reported to have threatened to kill the other. The man found in the home refused to provide any information concerning his employment status or his relationship to the family. During a visit by a social worker subsequent to the investigation, the ADC mother denied that any serious or intimate relationship existed between her and the man found in the home and said that she would rather be "self-supporting" than to continue to receive public assistance. The monthly assistance payment of $154 was thereupon discontinued. She had been receiving assistance payments since April 1958.

Man constituting a resource the extent of which is undeterminable

Appendix VI lists 10 cases where the recipients were considered ineligible because a man was involved in the family unit but the extent of his contributions to the support of the assistance unit could not be determined. In each case, the man's relationship with the mother was not determined to be similar to that of husband and wife, nor was his relationship with the children determined to be that of a father. While the investigation disclosed that the man in each of these cases provided some assistance to the family unit, neither the mother nor the man would divulge information as to the extent of the contribution. Therefore, the need for assistance could not be established and the recipients were considered to be ineligible for assistance. In 3 of the 10 cases, additional ineligibility findings were found to exist. The involvement of a man in the family unit was disclosed also in eight other cases which have been classified by other ineligibility findings deemed to be more significant.

The men involved in 12 of the 18 cases were employed, in 4 of the cases the men were unemployed but no evidence was disclosed to indicate that they were not employable, and in 2 of the cases no determinations were made of the men's employment status because of the number of men involved and the undeterminable status of their relationship to the family unit. In one of these latter two cases the recipients appealed PAD's determination of ineligibility and were reinstated for continued assistance after the appeal hearing.

The following examples illustrate the situations found to exist in the cases included in this category:

1. The ADC mother who had three illegitimate children and expected another child in 2 or 3 months, which fact was unknown to the PAD, had been receiving assistance payments since June 1961, the latest payments being $154 a month. Information provided by the monther concerning the father of her last-born child and that of the expected child was unverifiable because of her conflicting statements. This ADC mother formerly lived with her mother in a house leased in the name of a man who was not a member of the assistance unit. She moved from that house upon being informed that assistance payments were to be discontinued since her mother could care for her children and she was considered to be employable. Both this man and the ADC mother separately admitted a conjugal relationship over the past 2 years and that the man contributed to the family support. The man is married and living with his wife who stated that she has no respect for him because of his promiscuity and that he is the alleged father of "many" illegitimate children.

2. A 34-year-old mother of seven children fathered by three different men had concealed the birth of the seventh child from the PAD for 3 years through fear of being removed from the ADC program. The father of the seventh child had been living with the ADC mother until the time of the investigators' first visit to the home, although the ADC mother had professed to have terminated the relationship in September 1961 when he got into trouble with the police. The ADC mother stated to the investigators that she realized that she had violated agency regulations. She stated further that the man involved presumably had returned to his wife's home after the investigation of this case had commenced.

This ADC mother had been receiving assistance payments since May 1957 for herself and five of her seven children. These payments amounted to $221 a month at the time they were discontinued. One of these five children, who was 16 years old, was not in regular school attendance having been absent 29 days between January 29 and April 11, 1962.

3. A 28-year-old mother of five children told the investigators that she wished to withdraw from the ADC program, upon being found with a man in her bedroom. The investigators did not accept her offer of withdrawal since it was made during distress occasioned by being found in an embarrassing situation. The investigators during the next few days after the first home visit, observed different men entering the home. The mother, during a subsequent visit by the investigators, repeated her request to withdraw from the program. Her request was accepted, and the investigation was terminated. She had been receiving assistance payments since January 1960, and at the time of their discontinuance the payments were at the rate of $197 a month.

Cases ineligible for other reasons

Resources undeterminable

Appendix VII to this reports lists 11 cases where the recipients were considered to be ineligible because the caretaker-relative either was unable or was unwilling to divulge information relating to income and other resources that apparently were available to the assistance unit. In two of the cases, an additional ineligibility finding was disclosed; namely, the presence of a man in the home whose relationship to the family could not be definitely established but who constituted an available resource. Final determination of eligibilty has been withheld in two cases pending the outcome of appeal hearings.

In each of 39 additional cases, the resources available to the assistance unit also could not be determined. These cases have been classified by other ineligibility findings considered to be more significant reasons for considering the recipients to be ineligible for assistance. Thus, the finding of undeterminable resources was disclosed in 50 cases.

Details of illustrative cases in which this finding was disclosed follow:

1. A 44-year-old ADC mother of four children, two of whom were fathered by men other than her husband, had been receiving monthly assistance payments since January 1956, the latest payments being $205 a month. The mother had represented to the PAD and to the investigators that she had no other resources. However, the investigation disclosed that she had earnings of about $20 a week from caring for children and had received about $10 a week from a "boy friend" during the period from September 1959 to July 1960 for the purchase of a television set which cost $419.90. When apprised of these findings, she acknowledged that they were correct. The investigation also disclosed some evidence of other earnings from laundry work, caring for a woman convalescing from a hospitalization, and caring for other children.

2. A 25-year-old ADC mother had been receiving assistance payments since December 1959 for herself and two of her three children to augment payments of $65 a month which she was supposed to receive from her absent husband. The latest of these payments amounted to $76 a month. Notwithstanding the lack of regular support from her husband, as evidenced by a court order of commitment for back payments, totaling $465, in September 1961 and by court records showing payments to her of only $450 during the period from March 1961 through April 1962, she was living in a two-bedroom, well-furnished apartment. The furnishings included a three-speed record player, a cabinet model television set, two telephones, a typewriter, and a radio. Evidence was obtained that she had received contributions from various members of her family which had not been reported to the PAD.

3. A 32-year-old ADC mother of six children, five of whom were included in the assistance unit, telephoned the PAD to state that the investigators had been to her home and that she wished to withdraw from the ADC program. She had previously represented to the PAD that her husband was the father of four of her six children and that the other two children had been fathered by two other men.

The investigation disclosed that she was again pregnant. She told the investigators that a fourth man was the father of the expected child. The investigation also disclosed that she received irregular contributions for the support of the children from two of the three fathers. When pressed for information concerning the amounts of the contributions and the identity of the fourth man, she announced her intention to withdraw from the ADC program. Therefore no further inquiry was made to develop information as to the resources apparently available to her, or as to her employment, evidence of which was also present.

This ADC mother had been receiving assistance payments since December 1960, the latest payments being $109 a month.

Living arrangements not clarified

Appendix VII to this report lists 11 cases where the recipients were considered to be ineligible for financial assistance because the existing living arrangements could not be clarified. In seven of the cases other ineligibility findings also were disclosed. In 13 other cases the living arrangements could not be clarified but the cases have been classified by other ineligibility findings which constituted more significant reasons for considering the recipients to be ineligible for assistance.

The cases included in this category are those where the basic or most significant finding disclosed was the presence in the home of persons whose relationship with the recipients could not be clearly established because of the caretaker-relative's conflicting or misleading statements to the investigators. The term "relationship" as here used includes relationships involving economic as well as personal and legal aspects. In one of the 11 cases the recipient was reinstated for continued assistance after appeal.

Details of cases illustrating situations constituting this type of ineligibility finding follow:

1. An ADC mother who had been receiving assistance payments for herself and one child since December 1960, was occupying the first floor of a dwelling in which the landlord was also living, without any definite separation of the living quarters and with the personal effects of the ADC mother intermingled with those of the landlord. Although the landlord claimed that his common law wife lived with him, he would not furnish any corroborating information in support of that claim. He stated that he did not know where she worked or when she could be interviewed in the home.

The rental receipts exhibited by the ADC mother appeared to be false since the pertinent information shown thereon differed from statements by the ADC mother and from statements by the landlord. The authenticity of the rental receipts could not be verified since the signatures thereon were purported to be those of the landlord's legal wife who has been absent from the home since December 1960. The lease agreement between the landlord and the rental agency, dated December 8, 1961, shows that the landlord claimed the occupants of the dwelling to be himself, his wife, and two children, although he has no children of his own living in the home. The assistance payments to this ADC mother amounted to $118 a month at the time they were discontinued.

2. An ADC mother who had been receiving $145 a month on behalf of herself and four children had been receiving assistance since July 1953. Living with her in the home were her four adult children with their children, a living arrangement apparently unknown to the PAD. The adult children appeared to be employable and, to some extent, were employed. Efforts to clarify the living arrangements and to determine the extent to which her adult children were contributing to the support of the household were nullified by the conflicting statements of the ADC mother; her refusal to answer some questions; her differing answers to other questions; and, in some instances, her misrepresentation of facts. Also, it appeared that the mother may be employable since all her minor children were in regular attendance at school.

ADC parent employed

Appendix VII lists three cases in which the ADC mother was determined to be employed full time and to have an adequate child care plan.

Illustrative of these cases is one where the mother of three illegitimate children, whose application for financial assistance was approved in August 1961, had been receiving assistance payments of $119 a month. At the time she applied for assistance, she was considered to be unemployable because she supposedly lacked an adequate child care plan. Although she had indicated on her application that she had been employed, the extent of her employment apparently had not been determined by the social worker. The investigation disclosed that she had been working full time as a domestic for the same employer continuously since 1959, except for 1 month in August 1961, when her youngest child was born. Since her mother, her 18-year-old brother, and her 14-year-old sister lived with her and she had been employed, it was apparent that she was not in lack of an adequate child care plan.

ADC parent employable

Appendix VII lists 29 cases where the ADC mother or, in some cases, the ADC father, who was supposedly incapacitated, was considered to be employable under the criteria set forth in the PAD Manual. In one of these cases the recipient appealed the ineligibility determination and was reinstated after a hearing on the appeal.

The following cases illustrate the findings leading to the conclusion in these cases.

1. A 45-year-old mother had been receiving assistance payments since August 1961 for the benefit of herself and three children. The investigation disclosed that there was no evidence that the mother was incapacitated and therefore unemployable. Also, she apparently had an adequate child care plan since an unmarried daughter who lived with her was unemployed, was not a member of the assistance unit, and who made no contribution to the maintenance of the household, was available to provide child care. At the time her assistance payments were discontinued she was receiving $172 a month.

2. A 37-year-old mother of three children had been receiving assistance payments of $105 a month, although she appeared to be employable under the PAD standards, and had been earning $12.50 a week in part-time employment. She stated to the investigators that she was doing all right on welfare relief and would not return to full-time employment unless she could make "big money." She also had been receiving undeterminable amounts from a "boy friend" with whom she admitted to have been carrying on a conjugal relationship. The "boy friend" admitted to helping the family by providing food and personal services and a new hi-fi record player. The investigation further disclosed that on applications for credit he has shown the ADC mother to be his wife. Hospital records show that at various times the ADC mother has stated her address to be that of the "boy friend." She had been receiving assistance payments since March 1954.

3. An ADC mother of eight children, four of whom were fathered by two men other than her husband, had been receiving assistance payments since July 1960, although she apparently is employable since she has been employed part time and, for short periods, full time. She informed the investigators that it would be foolish for her to work because she would lose the welfare payment and that it would be too hard for her to work outside the home and also do the work in the home. Her latest assistance payments amounted to $255 a month.

This ADC mother, before being approved by the PAD as eligible for ADC assistance, had been receiving assistance from the Volunteers of America. This assistance was discontinued when it became known that she was living with a man other than her husband. The investigation disclosed that she has been employed for varying periods as a telephone operator, PBX operator, waitress, and collector. In the latter employment she earned about $40 a week during December 1961. Her employer stated that if she obtained a driver's license she could be employed full time and become self-supporting. The mother admitted that she had two firm job offers during 1962 which she declined for the reasons stated above.

4. A 26-year-old ADC mother of five children had been receiving assistance payments since March 1960 for herself and three of her children; her other two children are under custody of the Child Welfare Division because of her claim that she is too "weak" to care for five children. She appeared to be physically able to work and admitted that she is. Also, it appeared that the lack of a child care plan should not prevent her from working inasmuch as it had not precluded her from being away from her home for entire nights at which times she either had had her children cared for by a neighbor or had left them unattended. She apparently has undisclosed resources as evidenced by the fact that she lives beyond the means afforded through her assistance payments. She acknowledged that she had relations with a man but contended that such relations were indugled in outside the home with a certain man whom she identified. The investigators, after three home visits and four other visits when they either were not admitted or could not interview the ADC mother because she was absent, and after a surveillance of the home at seven different times to detect arrivals and departures of persons, on being admitted early on a Sunday morning found a man in the ADC mother's bed. The ADC mother represented the man to be her brother but eventually admitted that he was the man she had previously acknowledged as having had relations with. The man was determined to be an employee of the Department of Public Welfare. At the time the assistance payments were discontinued they amounted to $132 a month.

5. A 25-year-old mother of four children, two of whom were fathered by two men other than her husband, had been receiving assistance payments since October 1956, the latest being $181 a month. Upon the investigator's first visit to the home, the mother admitted that she was employable, stated that she did not want investigators coming to her home, and voluntarily signed a statement requesting withdrawal from the ADC assistance program. After she signed the withdrawal statement she said: "Now I have all the men I want in my home and you men can't do a thing about it."

No eligible child in the home

In appendix VII, four cases are listed where no eligible child was found in the home. Also, in one of the cases it was impossible to clarify the living arrangements.

The following cases illustrate the situations in which this finding was disclosed.

1. An ADC mother with one minor child had been receiving assistance pay since December 1948, the latest payments being $88 a month. However, it was determined that the child was over 16 years of age and was no longer eligible for assistance since she had been officially removed from the rolls of the school she was supposedly attending.

Also living in the ADC mother's home was another daughter and her five children and a man who was the father of the youngest of these children. This daughter had also been receiving ADC assitance payments on behalf of herself and the five children. Although the case was not one of the cases included in the investigation sample, the recipients also were determined by the PAD to be ineligible for assistance on the basis of information disclosed during the investigation.

2. An ADC mother of one child had been receiving assistance payments since September 1953, the latest payments being $118 a month. Since August 1961, the child has been living and attending school in New York.

Refusal to cooperate

Listed in appendix VII are eight cases where the recipients were considered to be ineligible because the ADC mothers refused to cooperate with the investigators in their efforts to determine the facts with respect to the recipients' deprivation of parental support or care or with respect to the need for financial assistance. In six of the eight cases, additional ineligibility findings were present. In five additional cases, a refusal to cooperate was present but the recipients were considered to be ineligible for other reasons deemed to be more significant. Thus, the finding of refusal to cooperate existed in 13 cases.

Illustrative cases are:

1. An ADC mother of three children had been receiving assistance payments since November 1959. During the investigation of her case she submitted a statement in which she indicated her wish to withdraw from the public assistance program because she did not want investigators coming to her home nor want to answer any questions about her business or household arrangements.

Prior to the time she submitted that statement, the investigators had disclosed certain facts which apparently were unknown to the PAD. These facts are:

(a) The mother of the ADC mother was living in the home.

(b) The ADC mother was paying $100 a month rent as opposed to $65 which she formerly had been paying at another address, but was receiving $50 a month from a tenant.

(c) Numerous articles of men's clothing were found in a hall closet opposite the ADC mother's bedroom.

(d) The ADC mother was working 4 days a week as opposed to the 2 days a week she had represented to PAD.

(e) Her "absent" husband lives directly across the street from her home.

The ADC mother failed to give satisfactory explanations concerning the articles of men's clothing found in her home, or the manner of acquirig two TV sets and two refrigerators also found in the home.

The PAD has determined that overpayments of $1,400 have been made and has referred the case to the Office of Investigations and Collections for recovery of the overpayments. At the time the assistance payments were discontinued, they amounted to $108 a month.

2. An ADC mother who had been receiving assistance payments since December 1958 on behalf of herself and two children admitted to investigators that she had been carrying on an affair with a man whom she has known for about 20 years and hopes to marry. Despite the frequency of her relationships with this man, which she states occurs about every weekend, she claimed she was unable to provide any information concerning him which would enable investigators to determine the extent of resources available through him. The assistance payments amounted to $142 a month at the time they were discontinued.

Miscellaneous

Listed in appendix VII are six cases which were considered to be ineligible because of findings other than those discussed hereinbefore.

These findings are:

1. A separation of convenience to enable the ADC mother to obtain assistance, rather than a real dissociation of the husband from the family and deprivation of the children of parental support.

2. The presence of coin-operated machines in the home as a source of income, the amount of which could not be ascertained.

3. An employable husband willing to return to the home but not permitted to do so by the ADC mother.

4. The unemployability of ADC mother's husband not established.

5. The failure of a returned husband of an ADC mother to register with the U.S. Employment Service.

Cases closed on the basis of findings disclosed subsequent to the investigation

Attached as appendix VIII is a list of eight cases in which the PAD determined that the recipients were ineligible, although the investigation of these cases did not disclose any information indicating ineligibilty. However, the records pertaining to seven of these cases show that PAD's determination of ineligibility was based on events occurring subsequent to the investigation and that the determinations were proper under the circumstances involved in each case. The remaining case on this list was determined by PAD to be ineligible on the basis of findings disclosed by the investigation which in our opinion did not conclusively demonstrate ineligibility. However, we are not in a position to say the action was improper since a judgment factor was involved.

POLICE RECORDS OF ADULTS INVOLVED IN CASES INVESTIGATED

Incident to the investigation of the eligibility of recipients of financial assistance under the ADC program, we requested the Metropolitan Police Department, District of Columbia Government, to conduct a name file search of the police records to ascertain the police record, if any, of the adult persons involved in 130 of the cases determined by the PAD to be ineligible. The information on four cases was not requested through inadvertence.

Following is a summary of the results of this record search, classifying the males involved into two categories: one, those men whose names appeared on case records as the husbands of the ADC mothers and the other, those men otherwise identified with the cases:

ADC mothers:	
Has an arrest record	31
Has no arrest record	99
No record check made through inadvertence	4
Total	134
Males:	
Husbands of ADC mothers:	
Has an arrest record	42
Has no arrest record	11
Total	53
Other than husbands of ADC mothers:	
Has an arrest record	40
Has no arrest record	18
Information insufficient to obtain record	7
Total	65
Total males	118

The records furnished by the Metropolitan Police Department show that, of the 31 mothers who have police records, 21 had been arrested once, 8 had been arrested twice, 1 had been arrested 3 times, and 1 had been arrested 6 times. The charges included having an unleashed dog, drunkenness, disorderliness, stealing Government checks, and assault with a deadly weapon.

The records showed that 42 of the ADC mothers' husbands had been arrested a total of 358 times. Of the 42 men, 14 had a single arrest, 1 had 2 arrests, 3 had 3 arrests, 2 had 4 arrests, and 22 had 5 or more arrests, with 3 of this group each having from 31 to 41 arrests. The records for the 40 other males involved in the cases showed a total of 247 arrests. Of these 40 men, 7 had a single arrest, 4 had 2 arrests, 2 had 3 arrests, 4 had 4 arrests, and 23 had 5 or more arrests with 1 of this group having 29 arrests. The charges in the cases of both groups of men included drunkenness, disorderliness, housebreaking, robbery, grand larcency, assault with a deadly weapon, manslaughter, and homicide.

PLACEMENT OF CHILDREN IN JUNIOR VILLAGE RESULTING FROM CASES CLOSED SUBSEQUENT TO INVESTIGATION

At our request the DPW made a check of the Child Welfare Division (CWD) files to determine the number of children that had been placed in Junior Village because of the discontinuance of financial assistance as a result of the ineligibility determinations.

The Director, DPW, informed us by letter dated June 13, 1962, that, while the CWD had given attention to the children in 28 of the cases investigated, in only 4 of the cases had any children been placed in Junior Village as a result of the investigation. He stated that, in the other 24 cases, some children had been committed to the DPW as delinquents and had been placed by the CWD in Junior Village, private institutions, or foster homes but that such actions were not attributable to the investigation. The data submitted with the Director's letter showed that as of June 1, 1962, 16 children were involved in the four cases, that in two of the cases involving 5 children a question exists as to whether the family is actually destitute, and that further investigation by the Office of Investigations and Collections is warranted. Data pertaining to the four cases, as reported to us by the Director, is itemized below:

Case 1, from CWD records: Case opened on May 16, 1962, as the family was destitute. Woman's Bureau placed two of the children in Junior Village on May 15, 1962, and CWD placed the other child in Junior Village on May 16, 1962. All three children remain there.

Case 2, from CWD records: Case opened on May 10, 1962, by request of the mother who was referred by the Woman's Bureau because the mother was homeless. Two children were placed in Junior Village on May 10, 1962, and remain there.

Case 3, from PAD records: Three children were placed in Junior Village on May 1, 1962, as homeless. Referral was made by the Woman's Bureau. All these children remain there.

Case 4, from CWD records: Case opened on March 15, 1962, by request of the mother who was referred by the PAD. Six children were placed in Junior Village on March 16, 1962. Two children were placed in Junior Village on March 19, 1962. All eight children remain there.

In case 1 above the recipients were considered ineligible because the ADC mother was found to have been employed for the past 3 years. She was initially determined as qualified for assistance for the reason that she lacked a child care plan, notwithstanding the fact that she had worked for the same employer since 1959. Apparently this employment record was concealed from the social worker, as was the whereabouts of the father of her two youngest children.

In case 2 above the ADC mother was considered to be ineligible because she was continuing a relationship with the father of her children. It was determined that he was unemployed. Although she had received a surplus food certificate, she had not picked up any surplus food since December 1961.

In case 3 above the ADC mother was determined to be living with a man in relationship similar to that of husband and wife. The man was unemployed and evidence was that he did not contribute to the household upkeep. The mother was 3 months in arrears in her rent and said she had no intention of paying it, although she first displayed what proved to be spurious rent receipts. The children were placed in Junior Village after the mother had been arrested for fighting in the street. They had been found unattended in the home on two different occasions by investigators.

In case 4 above the recipients were considered ineligible because the absence of the father of five of the children was one of convenience and not a clear dissociation from the family. This man is being sought by the police as a suspect in a holdup, having been identified by the victim. This fact may account for his absence since he was determined to have been in the home a few days before the initial visit by investigators.

EVIDENCE OF BAD FAITH ON PART OF ADC MOTHERS

The investigation definitely disclosed that reliance cannot be placed on the ADC mothers to reveal the actual conditions or circumstances which have a bearing on the recipients' eligibility for financial assistance. A specific review was made of 85 of the cases closed by the PAD subsequent to the investigation to determine the number of instances in those cases where the mothers had misrepresented facts or attempted to conceal existing conditions or situations. The review disclosed (1) 11 cases where a man was found hiding in the ADC mother's house—in the bedroom, sometimes under the bed; in a closet; or in the bathroom—or attempting to flee by the back door to evade questioning by investigators and (2) 8 cases of gross misrepresentation of information vital to determining the recipients' eligibility. Illustrative of the type of misrepresentation in these cases are: Four cases where the ADC mother falsely identified the man found in the house as a relative or gave information concerning the man which further investigation proved to be false, and four cases where the ADC mother supplied rent receipts or other documents which proved to contain false information. In several of the latter cases there appeared to be collusion on the part of others to assist the ADC mother in her attempts to misrepresent her actual living conditions or circumstances.

We believe that the foregoing instances evidence that ADC mothers are obtaining and attempting to continue to obtain financial assistance for recipients when they are aware that disclosure of actual living conditions or circumstances to the PAD would reveal that they are not entitled to receive further financial assistance.

USE BY PAD OF CODE REASONS FOR CLOSING CASES

We have reviewed the "Code reasons for closing cases" which have been assigned by the PAD to the 127 cases closed as of June 25, 1962, on the basis of ineligibility findings disclosed by the investigation. In our opinion the stated code reasons do not always reflect the actual reasons for terminating assistance and distort any statistical data which is based thereon.

Section 624.500 of the PAD Manual provides that the "classification of reasons for closing cases should reflect events that lead to ineligibility with respect to need and the resulting discontinuance of assistance" and states that the codes used are "in conformity with the classification" issued by the Social Security Administration. These reasons classify cases into major groups as follows:

1. Those closed because of death.
2. Those no longer eligible with respect to need.
3. Those no longer meeting eligibility requirements other than need.
4. Those transferred to other assistance programs.
5. Those closed for other reasons.

Code number 00 is to be assigned to cases closed because of death, 01 to 54 to cases no longer eligible with respect to need, 71 to 79 to cases no longer meeting eligibility requirements other than need, and 90 to 94 to cases transferred to other welfare programs. Code numbers 54, 79, and 94 are assigned to the general classification of "other" within the second, third, and fourth major groups. Where more than one reason exists for closing a case, the primary code reason is to be assigned.

Our review disclosed that, in 75 of the 127 cases closed, the assigned code reasons for closing the cases were not compatible with what we considered to be the primary reasons for ineligibility. For example, code 79 is required to be used when a case is closed because an eligibility requirement other than need, which is not specifically listed in codes 71–8, is no longer met. The PAD classified 62 of the 127 cases under code 79, whereas, in our opinion, only 23 should have been so classified. A more meaningful classification in the remaining 39 cases would have been as follows:

	Number of cases
Code 04—ADC mother employed	1
Code 11—Return of absent employed father	10
Code 74—Return of absent employable father	7
Code 73—Parent no longer incapacitated	9
Code 72—Refusal to comply with eligibility requirements	3
Code 94—Unable to determine resources—extent of need undeterminable	9
Total	39

On the other hand, five cases classified under other codes, in our opinion, should have been classified under code 79.

Another example of this situation relates to nine cases which PAD classified under code 90 (voluntary withdrawal when reason for such withdrawal is not known) whereas a more meaningful classification would have placed them in code classifications as follows:

	Number of cases
Code 11—Return of absent employed father	1
Code 74—Return of absent employable father	1
Code 73—Parent no longer incapacitated	1
Code 72—Refusal to comply with eligibility requirements	1
Code 79—No continued absence established	2
Code 94—Unable to determine resources—extent of need undeterminable	3
Total	9

It is significant to note that no code reason is prescribed for those cases closed because a recipient was improperly receiving aid. The code reasons provided imply that the changed circumstances in the recipients' situations arose at a time coincident with the closing of the case. We believe that a code reason should be provided for use in those cases that are closed because the recipient had been improperly receiving assistance. In this way, the cases closed because of improper receipt of assistance could be distinguished from those closed because of changes in recipients' conditions or circumstances.

APPENDIX I

Aid to dependent children cases closed prior to special investigation

Case No.	Date of—		Number of children	Amount of assistance payment	Public assistance division reason for closing case	
	Most recent opening	Last payment			Code	Narrative
181-717.0	August 1960	September 1961	2	$80	31	Receipt of OASDI benefits.
215-600.0	February 1960	December 1961	2	135	79	Employable.
248-366.0	June 1960	December 1961	2	73	54	Not indicated.
259-375.0	March 1960	September 1961	2	157	04	Employment of ADC mother.
350-933.0	June 1960	December 1961	1	125	41	Other material change in income or resources.
451-466.0	May 1957	November 1961	1	125	80	Transfer from ADC to APTD program.
71-774.1	June 1961	December 1961	[1] 1	111	92	Loss of contact.
490-534.0	April 1961	November 1961	2	75	00	Death of recipient.
72-209.0	July 1961	August 1961	3	131	79	Continuing relationship with a paramour.
509-382.0	July 1950	February 1962	6	156	79	No longer meets eligibility requirements other than need; continued absence not established.
513-276.0	May 1960	January 1962	2	57	12	Marriage to putative father.
3-892.0	November 1960	November 1961	3	76	73	Father no longer incapaciated.
6-417.1	March 1961	September 1961	1	87	04	Employment of ADC mother.
286-010.0	April 1960	October 1961	5	216	78	Client moved out of the District.
001.1	May 1961	July 1961	3	148	11	Return of absent parent.
368-676.0	March 1961	August 1961	6	262	73	No longer incapacitated.
102-549.0	September 1959	October 1959	3	200	2A	Employed father in the home.
71-431.0	April 1961	July 1961	5	74	79	Father employable.
72-760.0	September 1961	November 1961	[2] 1	88	90	Voluntary withdrawal.
920-976.0	August 1959	December 1961	1	89	92	Loss of contact.
7-445.0	August 1961	January 1962	2	134	03	Employment of father in home.
526-766.0	March 1960	June 1961	2	111	76	No eligible child in home.
3-885.1	November 1960	May 1961	2	113	79	Continuing relationship with husband.
177-799.0	February 1961	February 1962	4	205	79	Did not meet eligibility; lack of child care plan.
2-327.1	September 1960	do	1	104	79	Unable to determine need.
72-270.0	September 1961	December 1961	1	96	76	No eligible child in home.
5-178.1	January 1961	January 1962	1	97	76	No eligible child in the home; child reached the age of 18.
764-434.0	October 1954	April 1962	2	107	04	Mother employed full time.
782-199.0	February 1960	December 1961	4	172	74	ADC father returned.
795-962.0	May 1958	March 1962	2	148	11	Absent ADC father returned and will support family.
818-676.0	April 1960	March 1962	3	148	------	Not indicated.
72-181.1	August 1961	January 1962	2	128	04	Employment of ADC mother.
5-296.1	January 1961	February 1962	1	99	11	ADC mother returned.
936-886.0	July 1961	October 1961	3	173	03	Employment of ADC father.
71-265.0	May	May 1961	4	183	04	Employment of ADC mother.
6-347.1	April 1961	March 1962	3	157	04	ADC mother employed.
3-834.1	October 1960	December 1960	3	165	03	Employment of ADC father.
436.0	May 1960	May 1960	3	128	01	Resources sufficient for need.
108-137.0	October 1959	July 1961	1	42	76	No eligible child in home.
1-565.0	July 1960	August 1960	3	148	03	Employment of ADC father.
166-823.0	October 1959	September 1961	1	75	76	No eligible child in home.
470-816	(3)	February 1959	1	(3)	72	Refusal to comply with eligibility requirements.

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[1] Plus 1 unborn child.
[2] Unborn child.
[3] Unknown; case record apparently lost. Information taken from letter from same family dated January 1960.

APPENDIX II

DISTRICT OF COLUMBIA GOVERNMENT AID TO DEPENDENT CHILDREN CASES—NOT INVESTIGATED

EXPLANATION

Case number 4-237.1: This case was not investigated since the ADC mother was a resident of the DPW Residential Training Center.

Case number 508-676.0: This case was not investigated because the case record furnished by PAD was from the inactive files. Preliminary review disclosed the case to be closed and it was classified as "closed by PAD prior to review." Subsequently it came to attention of investigation unit that the case was actually an active one but that the wrong case record had been furnished. By this time all investigations had been completed and it was deemed inadvisable to resume the investigation for this one case.

APPENDIX III

Aid to dependent children cases remaining open—No infractions disclosed by special investigation

Case No.	Date of most recent opening	Number of children	Amount of assistance payment
20-666.0	January 1953	1	$62
30-400.0	July 1958	5	194
118-293.0	May 1958	1	102
400-696	December 1956	2	102
183-482.0	December 1957	1	96
230-923.0	do	2	64
407-368.0	October 1958	1	125
8-147.1	August 1961	4	105
415-600.0	February 1956	2	107
1-131.0	January 1961	4	181
311-833.0	January 1960	3	87
4-735.1	July 1961	5	185
814-925.0	November 1959	2	133
320-690.0	March 1959	5	203
160-276.0	December 1958	4	133

APPENDIX III—Continued

Aid to dependent children cases remaining open—No infractions disclosed by special investigation—Continued

Case No.	Date of most recent opening	Number of children	Amount of assistance payment
945-223.0	September 1959	4	$173
5-369.1	February 1961	3	135
805-766.0	March 1957	2	96
73-302.0	September 1961	2	138
963-433.0	February 1959	3	80
2-648.1	December 1960	2	80
592-400.0	June 1961	3	110
164-199.0	November 1958	7	[1] 292

[1] Amount of payment before reduction of $33 because of the death of a child occurring during the investigation.

APPENDIX IV

Aid to dependent children cases remaining open but requiring adjustment in the assistance payment

Case number	Date of most recent opening	Number of children	Amount of assistance payment	Reason for adjustment	Amount of adjustment	
					Increase	Decrease
530-050	October 1957	7	$314	Failure to report receipt of Maryland State retirement funds amounting to $700.61. June 1962 payment suspended.		[1] $314.00
4-926.1	December 1960	3	154	Mother received money from husband but did not report to PAD		[2] 185.25
969.1	July 1960	2	141	Grantee relative was deleted from the assistance unit because her need was impossible to determine.		38.00
82-144.0	October 1958	11	266	Revised proration of rental costs because of additional persons in household		29.00
94-266.0	March 1951	6	241	Reduction in payment for earnings from a part-time job		72.00
327-033.0	June 1959	4	236	Deletion of child care allowance. In future, allowance will be figured on a month-to-month basis.		[3] 69.00
447-026.0	August 1958	5	227	Deduction of RESU payments		[1] 21.00
342-553.0	June 1954	2	160	Assistance payment reduced by earnings of oldest child		[4] 21.00
826-542.0	May 1955	1	114	Mother working part time but earnings not reported to PAD		62.00
907-977.0	February 1961	1	102	Mother and father working part time but earnings not reported to PAD		47.00
1-238.1	December 1960	3	166	1 child less in the home		28.00
376-433.0	June 1956	3	172	To reflect the presence of husband		[5] 12.00
296-943.0	August 1949	4	187	Revised proration of rental costs because of additional persons in home and deduction of earnings from part-time job.		[6] 4.00
464-985.0	November 1959	2	154	Revised proration of rental costs because of additional persons in the home		27.00
792-733.0	February 1958	2	135	Recipients required to move to more suitable quarters	$6.00	
1-449.0	July 1960	4	166	Not entitled to assistance for oldest child		18.00
886-933.0	December 1954	2	148	Reduction in assistance payment by amount of voluntary support agreements		37.00
1-548.1	August 1960	4	210	Revised proration of rental costs because of additional persons		
456-298.0	July 1953	4	185	Deduction of weekly payments made by father of ADC children		28.00
186-449	December 1958	5	209	Deduction of husband's monthly support payment		26.00

[1] Reduction applicable to 1 month only.
[2] Total of amounts deducted from 3 monthly payments.
[3] Regular payments reduced for 2 months and then reinstated in full.
[4] Regular payments reduced by stated amount, and payment for 1 month reduced by $49.
[5] Regular payments reduced by stated amount and 1 payment reduced by $61.
[6] Regular payments reduced by stated amount and payments for 2 months reduced by $71.

APPENDIX V

Aid to dependent children cases remaining open but requiring an administrative adjustment not affecting the assistance payment

Case number	Date of most recent opening	Number of children	Amount of assistance payment	Nature of adjustment
352-982.0	August 1956	3	$126	Eliminate any chance of a bad example for children and danger to recipient's NCHA lease.
23-866.0	December 1952	5	215	Counseling in area of management and wise purchasing.
571-383.0	July 1957	1	125	Reconcile various names of child. Agency to contact New York Welfare Department for any records on father of child. If deceased, he could be possible resource.
534-283.0	December 1955	5	130	Correct records regarding birth date of child.
48-499.0	July 1954	4	159	Correct record regarding living arrangements and ADC father's visits to make support payment.
36-133.1	July 1961	2	96	Referral should be made to OIC for collection of overpayment.
141-149.0	May 1956	3	154	Discuss case with Child Welfare Department. Explore through North Carolina Welfare Department the possibility of relatives' supervision should caretaker-mother move there. Explore possibility of different living arrangements.
137-399.0	June 1957	5	209	Referral made to OIC for location of father.
126-616.0	September 1956	1	82	Medical examination to be taken by father.
866-376.0	April 1959	2	134	Clarify resources from the mother and determine residence of the youngest child who has not lived in the District 1 year.
234-833.0	March 1955	5	189	Agency to help caretaker-relative to establish paternity of youngest child and to secure regular support payments.
647-083.0	September 1960	4	177	Follow up on possibility of resources from relatives.
172-299.0	June 1955	1	31	Get statement from putative father regarding his willingness to assume some responsibility.
520-266.0	July 1946	2	126	Mother has serious child care problems which are beyond her ability to handle.
14-989.0	May 1959	4	168	January 1962 assistance payment withheld pending clarification of resources.
719-433.0	January 1958	2	112	Establish location of father and determine whether mother intends to return and assume responsibility.
832-199.0	January 1960	3	150	Finding another residence for friend living with mother.
6-092.1	April 1961	4	181	Mother moved to new location; PAD is accepting declaration that she has discontinued the affair with her neighbor; OIC to determine his new address.
862-299.0	November 1958	9	315	Referral to OIC for initiation of RESU.
730-549.0	February 1957	9	388	Caseworker will continue to work closely with NCHA and the family regarding persons actually living in the home.
245-666.0	April 1957	1	125	Recipient eligible under APTD program. However, assistance under ADC program to be continued. Father not entitled to railroad retirement benefits until 62 years old.
251-326.0	April 1961	1	37	Referrals to APTD team and to social security are being made.
302-316.0	January 1958	4	207	Referral made to OASI to determine eligibility for benefits.
503-200	December 1959	2	82	Referral made to OIC. A bench warrant has been outstanding since 1951.
3-703.1	November 1960	2	132	Child care plan not available. Scheduling mother for Residential Training Center. Referred recipient to RESU.
302-000.0	September 1960	4	188	Referred to hospital for treatment and APTD team for evaluation. Mother has been advised to register at USES and to report to PAD weekly.
477-350.0	October 1954	2	161	Referral made to OASI to determine eligibility for benefits. Continue to work with family in regard to their drinking.
286.1	March 1961	2	190	Agency policy on "Absence" explained; recipient being referred to Public Welfare Training Center.

APPENDIX V—Continued

Aid to dependent children cases remaining open but requiring an administrative adjustment not affecting the assistance payment—Continued

Case number	Date of most recent opening	Number of children	Amount of assistance payment	Nature of adjustment
135-233.0	July 1961	1	$62	Recipient has been hospitalized. Child is being taken care of by neighbors. Adult son may take child temporarily.
333-283.0	October 1958	6	192	Referring children to Child Welfare Division. Assistance continued pending further plan for children.
423-376.0	January 1956	5	221	Reevaluated recipient's budget. Undisclosed resources not established.
584-800.0	September 1958	4	150	Seeking part-time work only.
1-831.1	September 1960	2	100	Recipient registered at USES for part-time employment.
500-033.0	August 1955	6	236	Will be referred to OIC for followup.
122-833.0	March 1960	7	210	Changes in family situation.
267-278.0	May 1960	5	198	Registered letter sent to husband regarding children's support.
828-000.1	November 1948	3	165	Referral made to the Medical and Rehabilitation Service for confirmation of unemployability and determination of referral to DVR.
905-049.0	November 1957	4	214	Continuing to help recipient to become employed.
433-738.0	March 1951	5	215	Clarify resources from recipient's brother.
468-278.0	March 1959	3	65	Help recipient acquire a child-care plan.
495-299.0	November 1959	2	132	Attempting to locate husband and working with recipient toward obtaining employment.
787-355.0	April 1957	5	169	Efforts to be continued in helping recipient find a job.
7-831.0	May 1961	2	173	Obtain a current report on husband's condition and reconfirmation of the need for personal care.
928-882.0	March 1954	3	90	Clear up misunderstanding on voluntary agreement.
698-400.0	May 1958	6	274	Husband is unemployable but active with DVR. Referred to medical review team. Must convert his car into cash.
99-900.0	December 1956	[1] 2	157	Referral to OIC for court action against father. Adjust grant to provide for 3 children instead of 2 and 1 unborn child.
2-629.1	August 1960	3	61	Followup on clinic appointments and referral to OIC to determine access of man to home. No attempt to determine possible resources from babysitting.
382-676.0	October 1956	1	58	Continuing to work with recipient to enable her to gradually take over her responsibilities.
72-943.1	August 1961	2	128	Continue to help recipient secure needed medical care and follow up possibility of veteran's benefits for the children.
96-866.0	October 1957	3	172	Assistance continued pending followup of recommendations of the Medical and Rehabilitation Service. Appointment made at Northwest Clinic for referral to mental hygiene clinic.
270-592.0	April 1961	4	181	Referral should be made to OIC to record accounts receivable for overpayments made for January and February 1962.
727-566.0	February 1959	3	178	Reviewed by medical team and approved for transfer to APTD program on Apr. 12, 1962.

[1] And 1 unborn.

APPENDIX VI

Aid to dependent children cases classified by ineligibility finding disclosed by the special investigation man-in-the-house rule

CONTINUING RELATIONSHIP WITH HUSBAND AND/OR FATHER (31 CASES)

Case No.	Date of—		Number of children	Amount of assistance payment	Public Assistance Division reason for closing case		Employment status of man involved	Additional ineligibility findings
	Most recent opening	Last payment			Code	Narrative		
11-182.0	August 1960	November 1961	4	$143	79	Requirement of continued absence not met.	Employed	
34-366.0	September 1957	December 1961	4	154	74	Absent father returned home	do	
36-483.0	March 1961	November 1961	3	120	94	Unable to determine resources	do	
7-195.1	do	January 1962	9	250	79	Failure to determine continued absence.	do	
5-617.1	January 1961	May 1962	4	135	94	Determination of continued need cannot be made.	Employable	
3-105.1	August 1960	January 1962	5	142	79	Continued absence not established	do	
226-805.0	February 1959	April 1962	2	109	73	A continuing relationship exists	Employed	
256-066.0	March 1959	March 1962	4	175	79	PAD determined that the case does not meet its definition of continued absence although man in home is not the parent of an ADC child.	Employable	
274-849	September 1959	do	6	149	74	ADC parent returned	Employed	
71-780	August 1961	do	3	133	79	No absence	Retired	Undeterminable resources.
316-827	December 1960	April 1962	7	188	79	Paramour in the home; relationship continues.	Employed	
328-933	November 1959	do	4	143	79	No continued absence	Employable	ADC mother employable.
372-316	September 1959	do	3	121	79	Child care plan available; mother employable: possibly continuing relationship.	Employed	Living arrangements not clarified: ADC mother employable.
968.1	June 1960	do	5	127	79	Unable to determine need because of access to home of children's father.	do	
417-520	August 1960	February 1962	4	119	11	Recipient's husband returned to the home.	Employable	
5-465.1	December 1960	April 1962	5	191	90	Voluntary withdrawal	Employed	
611-600.1	September 1949	May 1962	7	308	79	Determination of resources cannot be made.	Employable	Refusal to cooperate with investigators.
628-027	November 1958	March 1962	3	189	94	Unable to determine resources	Employed	
5-586	September 1961	May 1962	4	169	79	Absent parent willing to provide a home and support.	do	Undeterminable resources.
5-298.1	December 1960	January 1962	4	175	94	Originally ineligible for assistance	Employable	
6-229	April 1961	March 1962	6	169	11	ADC parent returned and assumed support.	Employed	
1-611.1	July 1960	December 1961	2	39	90	Voluntary withdrawal	Employable	
685-849	January 1958	April 1962	4	112	79	Continued relationship	do	Undeterminable resources; ADC mother employable.
688-083	August 1960	January 1962	2	108	79	Continued absence not established	do	
5-848.1	January 1961	May 1962	5	181	72	Failure to establish continued absence.	Employed	Undeterminable resources.
3-598.1	October 1960	April 1962	5	203		Appeal pending	do	
1-053.1	June 1960	March 1962	5	171	79	Continued absence not established	do	
835-066	September 1958	April 1962	5	187	94	Unable to determine eligibility	do	Undeterminable resources; ADC mother employable.
848-749	September 1960	December 1961	5	203	74	Absent father returned	Employable	
885-833	July 1954	March 1962	9	264	79	Unable to clarify resources	Employed	ADC mother employed.
900-750	October 1956	Februrary 1962	2	141	79	ADC parent returned to home	Employable	Living arrangements are not clarified.

APPENDIX VI—Continued

Aid to dependent children cases classified by ineligibility finding disclosed by the special investigation man-in-the-house rule—Continued

RELATIONSHIP SIMILAR TO THAT OF HUSBAND AND WIFE WITH MAN WHO IS NEITHER HUSBAND NOR FATHER (20 CASES)

Case No.	Date of—		Number of children	Amount of assistance payment	Public Assistance Division reason for closing case		Employment status of man involved	Additional ineligibility findings
	Most recent opening	Last payment			Code	Narrative		
4-099	November 1956	November 1961	5	$134	79	Mother residing with landlord in husband-and-wife relationship.	Employed	
7-399	February 1956	do	4	153	04	Employment of ADC mother	do	ADC mother employed.
57-713	March 1959	December 1961	3	80	79	Continuing relationship exists	do	
106-650	July 1957	February 1962	7	259	94	Unable to determine resources	do	
71-845	July 1961	January 1962	7	130	79	Continued relationship with a man although not ADC father.	Employable	Undeterminable resources.
307-749	March 1958	February 1962	5	150	79	Continued absence not established	Employed	Do.
3-356.1	April 1961	May 1962	5	209	79	Continued relationship with a man not the ADC father.	do	ADC mother employable.
671-640	August 1959	March 1962	5	203	79	Continued absence not established	do	
683-085	April 1958	April 1962	3	154	90	Voluntary withdrawal	Employable	
72-985	August 1961	do	3	148	54	Resources cannot be determined	Employed	Undeterminable resources.
770-933.1	August 1953	May 1962	2	158	79	Unable to determine resources	do	
832-166	June 1956	March 1962	4	187	79	Unable to determine need	Employable	Undeterminable resources; living arrangements not clarified.
890-686	April 1960	do	5	79	79	Case does not meet agency's definition of continued absence although man in the home is not ADC children's father.	Employed	Do.
925-749	December 1957	do	5	205	79	Special investigation found able-bodied man in home.	do	ADC mother employable.
938-656	June 1960	January 1962	3	148	79	Other—Does not meet eligibility requirements.	Employable	Living arrangements not clarified.
948-049	December 1960	May 1962	4	165	76	Mother's whereabouts unknown; child not in home.	do	
72-715	September 1961		2	69	79	Other—Case does not meet definition of continued absence.	Employed	
955-366	December 1959	February 1962	4	138	79	Continued absence not established	do	
75-582	September 1961	April 1962	4	209	90	Voluntary withdrawal	do	ADC mother employable.
117-345	do	do	4	96	79	No longer meets eligibility other than need; paramour in home.	do	Undeterminable resources.

MAN CONSTITUTING AN INDETERMINABLE RESOURCE (10 CASES)

Case No.	Most recent opening	Last payment	Number of children	Amount of assistance payment	Code	Narrative	Employment status of man involved	Additional ineligibility findings
6-836.1	March 1961	January 1962	3	$177	79	Unable to determine resources	Employable	
111-229	June 1961	February 1961	3	154	79	Continuing absence not established	Employed	
188-699	April 1960	April 1962	1	30	79	do	do	Undeterminable resources.
430-723	November 1957	March 1962	5	209	79	Continued absence of man in home not established.	do	
542-264	April 1960	do	3	117	79	Unable to establish extent of resources because of number of men frequenting home.	Undetermined; numerous men involved.	Undeterminable resources for other reasons.
659-633	February 1957	April 1962	1	118	73	No longer incapacitated	Employed	
749-682	January 1960	March 1962	5	141	90	Voluntary withdrawal	do	Do.
810-266	do	April 1962	7	284		Reinstated after appeal	Undetermined; numerous men involved.	
857-473	do	do	5	197	90	Voluntary withdrawal	Employed	
473-316	May 1957	May 1962	5	221	79	Unable to determine income and resources.	Employable	

APPENDIX VII

Aid to dependent children cases classified by ineligibility finding disclosed by special investigation—Other ineligibility findings

UNDETERMINABLE RESOURCES FOR OTHER REASONS (11 CASES)

Case No.	Date of—		Number of children	Amount of assistance payment	Public Assistance Division reason for closing case		Additional ineligibility findings
	Most recent opening	Last payment			Code	Narrative	
195-470	December 1959	May 1962	2	$76	22	Increased support from relatives	
280-400	June 1953	April 1962	2	147	79	Unable to determine resources	
291-678	April 1959	February 1962	4	181	72	Failure to comply with eligibility requirements	Relationship with man constituting an undeterminable resource.
560-716	January 1956	May 1962	4	205	72	Refusal to comply with eligibility requirements	
4-627.1	November 1960	January 1962	1	111	21	Increased support from ADC father outside home.	
766-282	March 1956	April 1962	3	155	94	Resources undeterminable	
638-400	June 1958	May 1962	4	205		Appeal pending	
1-634.1	December 1960	April 1962	5	109	90	Voluntary withdrawal	Do.
897-338	October 1959	May 1962	6	111	12	Remarriage of ADC mother	
71-052.1	May 1961	do	5	187		Appeal pending	
348-299.1	April 1955	do	1	31	54	Absence of husband not established	

LIVING ARRANGEMENTS NOT CLARIFIED (11 CASES)

Case No.	Most recent opening	Last payment	Number of children	Amount of assistance payment	Code	Narrative	Additional ineligibility findings
80-276	December 1957	March 1962	5	$198	79	Unable to clarify resources	Undeterminable resources.
108-366	February 1959	January 1962	7	253	79	Mother employable; failure to meet eligibility requirements other than need.	Relationship with man constituting an undeterminable resource.
254-000.1	December 1960	February 1962	1	118	79	Failure to establish absence	
516-266.1	April 1951	May 1962	5	207	79	Original eligibility not established	Recipient employable; undeterminable resources; forgery of original qualifying documents.
561-090	January 1959	April 1962	5	178	53	Need and extent of resources cannot be determined.	Undeterminable resources.
4-888.1	April 1961	February 1962	2	134		Mother transferred to Residential Training Center.	

APPENDIX VII—Continued

***Aid to dependent children cases classified by ineligibility finding disclosed by special investigation—Other ineligibility findings*—Con.**

LIVING ARRANGEMENTS NOT CLARIFIED (11 CASES)—Continued

Case No.	Date of—		Number of children	Amount of assistance payment	Public Assistance Division reason for closing case		Additional ineligibility findings
	Most recent opening	Last payment			Code	Narrative	
3-596	November 1960	January 1962	1	$116	79	Unable to determine resources available to family.	Do.
943-733.1	July 1953	March 1962	4	145	79	Unable to determine resources	Recipient employable; refusal to cooperate; undeterminable resources.
372.1	December 1960	May 1962	6	229	94	Determination of continued need cannot be made.	
741-340.0	May 1958	do.	3	160	79	Landlady refused to let DPW representative into house.	
351.1	October 1960	do.	2	141	79	Resources not established	Undeterminable resources.
ADC PARENT EMPLOYED (3 CASES)							
3-864.1	May 1961	February 1962	5	$227	04	Employment of mother	
71-501.1	August 1961	March 1962	3	119	04	Mother employed full time	Failure to provide information on putative father.
715-282.0	September 1958		3	166	79	ADC mother employed and has child-care plan	Undeterminable resources.
ADC PARENT EMPLOYABLE (29 cases)							
72-693.1	September 1961	January 1962	2	$73	73	No longer incapacitated	
63-799	August 1957	November 1961	4	152	71	Change in agency policy; adjustment period reduced from 3 months to 1 month.	
64-866	June 1961	October 1961	(1)	120	03	Employment of ADC father	
71-611	November 1958	December 1961	2	159	79	Mother employable but not employed	
6-341.1	February 1961	do.	2	134	04	ADC mother employed full time	Undeterminable resources.
223-878	June 1961	March 1962	6	264	73	Father is now employable	Do.
336-466	August 1959	June 1962	4	186	73	End of adjustment period	Do.
72-515	July 1961	May 1962	2	148	92	Whereabouts unknown	
354-699	March 1954	do.	3	105	79	Relationship not determinable; inability to determine need.	Relationship with man constituting an undeterminable resource; withholding information on paternity of last-born twins; undeterminable resources for other reasons.
72-727	September 1961	March 1962	6	163	79	Continued relationship	
387-334	April 1957	February 1962	5	167	79	Child care plan available; expiration of adjustment period.	Living arrangements not clarified.
410-933	November 1958	May 1962	2	153	94	ADC parent employable; has child care plan	Relationship with man constituting an undeterminable resource; living arrangements not clarified.
415-099	March 1954	April 1962	4	148	79	Continued absence not established	
2-007.1	July 1960	February 1962	8	255	04	Employment of ADC mother	Refusal to cooperate.
533-376	March 1960	May 1962	3	132	79	Does not meet agency's definition of continued absence.	Relationship with man constituting an undeterminable resource.
546-867	January 1960		3	160		Reinstated upon appeal	Living arrangements not clarified; undeterminable resources.
579-866	April 1950	do.	3	183	79	Undetermined income and resources	Undeterminable resources.
602-047	June 1957		3	166	94	Determination of need could not be made	Do.
624-733	August 1960	December 1961	3	173	79	Past management not clear	Do.
7-820.1	March 1961	June 1962	3	156	94	Mother is employable; has a child care plan	
651-333	June 1955	do.	4	193	79	Mother has child care plan	Do.
866-706	May 1960	do.	3	166	94	Mother is employable; has child care plan	
706-282	October 1956	do.	3	182	79	Employable; adjustment period has ended	
72-154	June 1961	do.	3	129	73	ADC parent no longer incapacitated; has child care plan.	Do.
893-363	June 1958	do.	3	152	73	Parent no longer incapacitated; has child care plan.	Do.
918-482	October 1956	May 1962	4	181	73	Client no longer incapacitated	
1-152.1	June 1960	June 1962	3	154	73	ADC parent no longer incapacitated; has child care plan.	
6-660	July 1961	March 1962	3	141	90	Voluntary withdrawal	Do.
047	August 1961	June 1962	3	172	73	Employable and has child care plan, to be closed June 30, 1962.	
NO ELIGIBLE CHILD IN THE HOME (4 CASES)							
284-154	April 1960	May 1962	1	$117	76	No eligible child in home	
680-133	September 1953	March 1962	1	118	76	do.	
960-133	December 1948	April 1962	1	88	76	do.	Living arrangements not clarified.
436-716	July 1954	March 1962	1	38	76	Child ineligible because of irregular school attendance.	
REFUSAL OR FAILURE TO COOPERATE (8 CASES)							
389-682	May 1959	April 1962	3	$196	73	No longer incapacitated	Undeterminable resources.
523-381	January 1957	February 1962	4	205	73	do.	
551-249	November 1958	April 1962	2	57	90	Voluntary withdrawal	Undeterminable resources; living arrangement not clarified.
694-670	July 1960	May 1962	3	72	79	Failure to cooperate	Relationship with man constituting an undeterminable resource.
845-703	November 1959	January 1962	3	108	72	Refusal of ADC mother to cooperate with investigators.	Undeterminable resources; living arrangements not clarified.
703-482	December 1958	April 1962	2	142	54	Did not provide information on relationship with a man and the extent to which he is a resource.	Relationship with man constituting an undeterminable resource.
597-349	April 1959	May 1962	4	187	79	Failure to provide information necessary to establish continued eligibility.	
408-550	November 1955	do.	3	135	79	Resources undetermined	Undeterminable resources.

See footnotes at end of table.

APPENDIX VII—Continued

Aid to dependent children cases classified by ineligibility finding disclosed by special investigation—Other ineligibility findings—Con.

MISCELLANEOUS (6 CASES)

Case No.	Date of—		Number of children	Amount of assistance payment	Public Assistance Division reason for closing case		Additional ineligibility findings
	Most recent opening	Last payment			Code	Narrative	
145-745	September 1961	February 1962	9	$313	79	Continued absence of father could not be established.[2]	
243-216	July 1960	March 1962	4	205	54	Father's resources could not be determined [3]	Undeterminable resources.
392-649	October 1959	April 1962	4	185	94	Free access of man to her home [4]	Living arrangements not clarified.
198-716	September 1959	March 1962	2	142	72	Client refuses to comply with agency's eligibility requirements.[5]	
40-156	May 1961	November 1961	7	223	74	ADC parent returned [6]	
7-564	July 1961	December 1961	6	211	74	Return of employable ADC parent [6]	Undeterminable resources.

[1] 1 and 1 to be born.

[2] Separation of convenience.

[3] Presence of coin-operated machines in home.

[4] Employable husband willing to return in spite of wife's alleged infidelity.

[5] Unemployability not established; no referral to APTD review team; no medical report.

[6] Failed to register with U.S. Employment Services.

APPENDIX VIII

Aid to dependent children cases closed on the basis of findings disclosed subsequent to special investigation

Case No.	Date of—		Number of children	Amount of assistance payment	Public Assistance Division reason for closing case		Explanation of action taken
	Most recent opening	Last payment			Code	Narrative	
1-766	September 1958	December 1961	3	$118	93	Children committed to Department of Public Welfare.	After the investigation, caretaker-relative stated that she would no longer be able to take care of the children.
261-766	July 1960	April 1962	3	154	01	Employment of recipient	Closed on basis of investigative report which disclosed ADC mother was earning $10 weekly for babysitting some 40 hours per week. The investigation had disclosed that an adjustment in the assistance payment only was needed.
427-099	April 1959	May 1962	9	118	79	Continued absence not established.	Investigation disclosed the need for administrative action with respect to potential resources available to the family. PAD advised mother that she must bring her boy friend and alleged paramour to see the social worker in regard to their relationship. The mother failed to do so, and the case was closed.
724-155	May 1961	March 1962	2	141	79	Other material changes in income and resources; ADC mother employable.	Investigation disclosed evidence of a continuing relationship but did not establish it conclusively. PAD closed the case on basis that ADC mother was employable. This was not evident in the investigation report.
952-733	August 1960	May 1962	4	178	04	ADC mother employed	Investigation disclosed need for referral to Department of Vocational Rehabilitation. Subsequently, ADC mother was employed and the case was closed.
234-199	August 1959	do	3	126	94	Continued need not determined.	Investigation disclosed need for administrative action with respect to exploring potential child-care plan. Case closed on basis of PAD's inability to resolve the true situation regarding possible child-care plan.
3-203.1	May 1961	do	3	115		Appeal pending	Investigation disclosed need for major adjustments probably affecting assistance payment because of presence in home of child whose needs were not included in the assistance payments; inability to verify ADC mother's earnings. Subsequently, PAD decided to close the case on the basis of the inability to determine the true relationship of ADC mother with a man whose involvement had not been disclosed by the investigation.
190-781	do	do	4	171	94	Determination of continued need could not be made.	Investigation disclosed need for administrative action in obtaining a juvenile court order. Case closed when ADC mother failed to keep her appointment at the court.

APPENDIX IX

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
June 18, 1962.

Hon. JOSEPH CAMPBELL,
Comptroller General of the United States, Washington, D.C.

DEAR MR. CAMPBELL: In connection with your Office's participation in the investigation of aid to dependent children public welfare cases being conducted by the Department of Public Welfare, District of Columbia government, this will confirm my verbal request made to representatives of your office on April 30, 1962, that in addition to a report to both the Senate and House Subcommittees on District of Columbia, Committees on Appropriations, a separate report be submitted to me, showing pertinent details on each case investigated.

Sincerely yours,

ROBERT C. BYRD,
Chairman, Subcommittee on District of Columbia.

Mr. BYRD of West Virginia. Here are several flagrant examples of cases in which the "deserting father," a father who, out of love for his children, had left because he could not get employment in order that his children might qualify, but who was found in the home time after time, and it was established that he had been living in the home and that he had been employed all the time.

Therefore, let us not place too much credence in all the stories about deserting fathers who leave their children in order that their children might qualify. They leave their children in order that they might qualify, in some instances, while they themselves have an address across the street and are employed full time with the Federal Government or elsewhere.

Let me cite just such a case:

1. An ADC mother of three children had been receiving assistance payments since November 1959. During the investigation of her case she submitted a statement in which she indicated her wish to withdraw from the public assistance program because she did not want investigators coming to her home nor want to answer any questions about her business or household arrangements.

Prior to the time she submitted that statement, the investigators had disclosed certain facts which apparently were unknown to the PAD. These facts are:

(a) The mother of the ADC mother was living in the home.

(b) The ADC mother was paying $100 a month rent as opposed to $65 which she formerly had been paying at another address, but was receiving $50 a month from a tenant.

(c) Numerous articles of men's clothing were found in a hall closet opposite the ADC mother's bedroom.

(d) The ADC mother was working 4 days a week as opposed to the 2 days a week she had represented to PAD.

(e) Her "absent" husband lives directly across the street from her home.

Mr. President, in recent weeks we have read in the newspapers of mothers giving testimony before Senate subcommittees and making statements to the press to the effect that they are harassed by investigators.

I ask unanimous consent to have printed in the RECORD an article which was published in the Washington Post on May 23, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

Fear of the Helping Hand Haunts Our Poor

(By Dorothy Gilliam)

Fear haunts the back streets of some of Washington's poorer sections. The fear is of men who come in pairs and sometimes enter houses without knocking, often in the middle of the night, to ask demeaning questions. The fear is not of physical violence but of the power the men wield, for they are welfare investigators who can determine how much the people will have to eat.

I interviewed welfare recipients who said their monthly checks are accompanied by giant doses of indignity and misery that make them feel the Welfare Department's helping hand is attached to an arm of punishment.

Welfare officials vehemently deny the midnight visits and demeaning questions, but their denials are disputed.

Since Senator Robert C. Byrd, Democrat, of West Virginia, chairman of the Senate District Appropriations Subcommittee, spurred the crackdown on welfare recipients 4 years ago, there has been alarm over the growing numbers of investigators and their procedures.

Washington has the largest investigative force in the country, which mainly seeks to strike from the rolls women who violate Washington's stringent "man-in-the-house" rule, adopted in 1955. This denies a family aid if an employable man lives in the home. Several States have similar rules, but not Senator Byrd's, which also has no investigators.

The controversial rule has led many husbands to desert their families, critics of the rule say, because the families could not obtain welfare if the men remained in the house—whether or not they were employed.

VOICES OF FEAR

A 50-year-old disabled woman on relief for a year described how two investigators came to her small apartment at 1 a.m. several months ago, rousing her and her mentally retarded adult daughter from bed.

"I was so frightened," she said, "I didn't know who they were or what their purpose was at first.

"They told me if I didn't open the door they would knock it down. Then they wanted to know who slept with me in my bed. My daughter was so upset she ran away and I didn't know where she was. I finally put out a missing person report. The police found her at midnight 2 days later."

But the Welfare Department says this sort of thing doesn't happen here.

A 26-year-old mother of six recalled a Sunday morning visit to her home in the Adams-Morgan section.

"It wasn't 8 o'clock yet and I was trying to put up the baby's playpen," she said. "They asked me if I was sure I slept in the bed by myself.

"Then they wanted to see my rent receipt, and they kept asking questions they already knew the answers to, but what they do, they try to catch you in a lie.

"One day I was talking on the telephone and I had left the door open so the kids could come in and out. They (the investigators) walked in and they didn't knock," she said. "I don't think they ought to walk right in your place without knocking, even if you are on welfare. I might have been undressed. That's why a lot of women that should be home with their families just go out and work; they don't want no part of welfare."

The Welfare Department says this sort of thing, too, does not happen.

A 50-year-old woman with a heart condition, who has received $87 monthly from Welfare for 5 years, said she received five visits from investigators last December.

"The first time they came at 8 o'clock in the evening, the next time at 10, the next time at 1 in the morning, the fourth time at 5 a.m. and the fifth time on Sunday morning.

"One of them asked me if I was hiding my husband and looked under my bed. I told him if he was in my house he wouldn't be under the bed. Then I hit him. He wasn't supposed to go under my bed," she said.

The Welfare Department says this sort of thing doesn't happen.

Another central Northwest woman, who receives $77 monthly for herself and the youngest of her four sons, said she was cooking breakfast one morning when two investigators came.

"They knocked and identified themselves, so I let them in because they were polite. Then they asked if I had somebody living with me and who sleeps with me."

Indignant, she said she sent them packing.

A mother with eight children, ages 6 to 16, described how investigators knocked on the door of her apartment when she was undressed.

"When I told them to wait, that I wasn't dressed, they broke in." She said she hit one of them and they left, reporting they suspected she had a man in the house. She was quietly dropped from assistance, but was reinstated 60 days later after a hearing.

In Anacostia, a 30-year-old woman, separated from her husband, described how investigators visited her on two successive Sunday mornings before 10.

"They probed in my closets and the first time they didn't show me any identification. They did on the third visit and they asked me personal questions, like whether I had a boy friend?"

The Welfare Department says this sort of question is not asked.

Distraught, the woman recently went to the antipoverty center near her, seeking a job. She said she was prepared to leave her four small children unattended and get a job, to escape the investigators.

A 37-year-old Southeast woman, mother of nine, described how the surveillance on homes in the housing project where she lives begins as early as 5:30 a.m.

The Welfare Department says such surveillance and Sunday morning visits are sanctioned.

The stories of misery are not told by these people alone. Workers in church and neighborhood houses say the abuses are commonplace.

"The whole welfare system breeds deception," says the Rev. Phillip Newell, assistant minister of New York Avenue Presbyterian Church. "With pressure from people like Senator Byrd, who wants to find cheaters, the welfare rules reflect a system of subhuman views of what people are. If you are an investigator, your business is to find cheaters. The system breeds cheaters. In order to maintain any relationship with her husband, a woman has to cheat. And the welfare system simply does not regard these people as human."

The National Association of Social Workers reports the case of a single man, 50, who lives alone in a rooming house and has been on relief 2 years. He described how investigators came to his room time and time again last year, always asking the same questions.

He had been receiving counseling help for emotional problems of long standing and the repeated visits, coupled with the temporary suspension of his check, deepened his emotional problems.

METHODS EXPLAINED

William R. Galvin, chief of the Department's Office of Investigations and Collections, says middle-of-the-night visits strictly are against the rules and have been since the end of 1962. Visits are to be made between 8 a.m. and 10 p.m., he said, and investigators must show their identification.

Welfare Director Donald D. Brewer said: "I'll not say that in a department with 3,000 employees nothing ever happens, but it is a disciplinary offense for investigators to violate the rules."

Galvin says investigators are stepping out of line if they ask questions about who shares a woman's bed. He says they also are forbidden to enter doors without knocking.

About two-thirds of the investigators are former private detectives or former military intelligence officers. A handful have law degrees and a few others have passed Federal civil service entrance exams.

Galvin says the turnover among investigators is high because the salaries range only from $6,000 to $7,200. "We're kind of a training ground for other Government agencies," he said.

Three-fourths of the investigators are white while the welfare clientele is about 90-percent Negro.

The District is allocated 77 investigative positions and 156 caseworkers, while New York City has 19 investigators and 4,000 caseworkers. The District, which presently is operating with a 58-man investigative staff (19 short of the allocation), about doubled its investigations in fiscal year 1964 over 1963, completing 4,346 investigations, an increase of 2,095.

CITIZEN OBJECTIONS

Increasingly, concerned citizens lament that the number of investigators is out of proportion and say their role is punitive rather than protective.

At recent hearings on the 1966 budget before the Public Welfare Advisory Council, J. C. Turner, president of the Greater Washington Central Labor Council, said the District is "completely out of line with any other city in the country" with 77 positions for investigators. Baltimore and Cleveland, both about the size of Washington, have 12 and 13 investigators, respectively.

Turner suggested that the investigative staff be reduced and the positions be filled by social workers, thus enabling the social workers to spend more time with cases "and to help establish the public welfare recipients as self-sufficient and productive members of the community."

At the same hearing, Ben Neufeld of the District chapter of the American Veterans Committee estimated that Washington has almost eight times as many investigators as are needed.

Ladd Thurston of the District Health and Welfare Council echoed this statement, indicating that overzealous policing activities might be infringing on fundamental rights of welfare recipients, a position shared by the area Civil Liberties Union.

Faced with these calls for a reduction in the investigative force, Senator Byrd told Welfare officials at the budget hearings that he would not consider reducing the force until the audit of 2-year-old cases recommended by the Comptroller General is completed. He wants 100 percent investigation of new welfare cases and also wants the rolls kept down.

The Southeast woman who denounced the 5:30 a.m. surveillance seemed to be speaking for many welfare recipients when she complained: "You're not a free person. When you have to live like this, you're like somebody in prison."

Mr. BYRD of West Virginia. Mr. President, this story is entitled "Fear of the Helping Hand Haunts Our Poor."

It tells the story of seven women, I believe, who related to the staff writer certain stories to the effect that they had been harassed by investigators.

Mr. President, I have before me the cases involving these persons as they have been identified by the Department. I also have in my possession the affidavits sworn to by the investigators in each of the cases referred to in the story. The names of the mothers are not identified in the newspaper article, but it is my understanding that the staff writer who wrote the story later helped the Department to identify the persons. As I say, I have the affidavits of the investigators stating that the allegations were false.

In the Post story, a 50-year-old disabled woman on relief for a year described how two investigators came to her small apartment at 1 a.m. in the morning several months ago, rousing her and her mentally retarded adult daughter from bed.

The investigator says this in the affidavit:

> I was the investigator assigned to the case of Mrs. G. I deny making a home visit at 1 a.m. in this or any investigation. I have never visited a recipient in the middle of the night.

The lady went on to say:

> They told me if I did not open the door, they would knock it down. Then they wanted to know who slept with me in my bed. My daughter was so upset she ran away and I didn't know where she was. They put out a missing persons report. The police found her at midnight 2 days later.

The investigator, in his affidavit, states this:

> The investigators knocked on the door. Mrs. G. opened it and invited them into the kitchen. At no time was any effort made in any manner. I have never forceably entered a house or made any threat, such as knocking the door down, and I have never known any OIC investigator who has done it. This investigator did not ask who slept with her or any other question. Nor did I hear any other investigator present ask any improper question.

Mr. President, the investigators go in pairs. No investigator goes alone.

The report from the department shows that the daughter, to whom the mother had referred in her conversation with the Post staff writer, had absconded from a Maryland State hospital in January, 1963. The departmental report also states that Mrs. G. had left Baltimore because spies followed her everywhere she went. Apparently she is still being spied upon by investigators in the District of Columbia.

Another recipient who has made a statement about investigators stated that the investigators made four visits to her home since October 1964, and that they entered her home without knocking. She is 26-year-old mother of six. All six children are illegitimate. The children are by a paramour who is not a "deserting husband."

Why is he not a deserting husband? He was married to another woman all the time.

I do not wish to place these cases in the Record, as they would reveal the names of the recipients.

Another recipient stated, according to the Post article, that the first time the investigators came at 8 o'clock in the evening, the next time at 10, the next time at 1 in the morning, the fourth time at 5 in the morning, and the fifth time on Sunday morning.

According to the article, "One of the investigators asked me if I was hiding my husband, and looked under my bed. I told him if he was in my house, he would not be under the bed. Then I hit him."

The Department report on this case brings out the fact that the lady, whom I shall designate as Miss P, had been arrested 15 times in the District of Columbia; 6 times for assault with a deadly weapon, 5 times for being drunk, 3 times for being disorderly, and once for carrying a deadly weapon. She gave her aliases as DL, DMG, LL, HLC, and again DL.

Here is a lady who gave at least 5 aliases and has been arrested 15 times in the District of Columbia.

Again the investigator produced a sworn affidavit that the allegations were not true.

Another case, as reported, involved a lady who alleged the investigators had visited her at 1 o'clock in the morning, since July 1964, and as reported in the Post article the lady is supposed to have stated:

> The investigators knocked and identified themselves. So I let them in, because they were polite. Then they asked me if I had somebody living with me, and who sleeps with me?

She said, "I sent them packing."

The report shows that all of her four sons were born out of wedlock, by three different fathers, and that she drinks excessively. I will refer to her as Mrs. R. She is a chronic but convincing liar. She gave several stories about the identities of the putative fathers. She said she had no continuing relationship but she became pregnant several times while receiving assistance.

Mrs. R.'s attitude toward work is entirely negative. Two of the fathers and Mrs. R.'s separated husband live in the District. Therefore they have not deserted. They can be found. They are in the District.

Here is another case, which was not reported in the Post, but which was reported to the Department by the Washington Post staff reporter. It involves a lady whom I shall identify as Mrs. C. Mrs. C. alleged that the investigator had coerced her into signing a voluntary withdrawal statement.

The report states that Mrs. C. denied having seen her husband since he went to jail, and did not know where he lived.

When confronted with proof that she had seen him and had accepted support from him, Mrs. C. admitted she had been in contact with her husband and that he had told her about the apartment he had rented for her and the children. She said she had decided to live with her husband and would not need any further assistance. She signed the voluntary withdrawal statement and it was witnessed by both investigators.

This case involved a husband whose name was Mr. J.C., and he had an alias James J. So here is an instance in which a husband had an alias. Incidentally, what is to prevent a recipient under the proposed AFDC-VP program from registering at USES and being employed at the same time, using an alias in Virginia?

Another case, not reported in the Post, but reported by the staff writer to the Department, involved a Mrs. A.O.C. She alleged that the investigators made a home visit after 10 p.m. The Department states in its report:

> This case was first investigated on March 21, 1961, when the PAD social worker requested that we, the investigators, located J.B., a missing father.
>
> He was located on March 26, 1961.
>
> Another request to locate him was received from PAD on May 21, 1964. He was found to be still living at the same address where he had lived in 1961 and to be receiving public assistance.
>
> Mrs. C. was first known to PAD in 1957. Her case was closed on February 8, 1963, for refusal to comply with agency regulators. Her last approval was October 1, 1963, due to loss of support because of the incarceration of her husband. He was jailed in October 1963, and charged with sex assault on the oldest child, his stepdaughter.
>
> Mrs. C. was first married to D.M. and separated from him in 1952. She married J.C. She is a known prevaricator.
>
> On the second attempt to find husband at home a man was asleep in the parlor. The man left without showing any identification. A few minutes later the husband came home. She stated the man was named W, and gave a home address for him a few doors away. That address was checked and proved to be false. The investigators went back to the recipient's home and were given the correct name of the man and another address for him, which also proved to be false.

So in instance after instance the facts show that these mothers who are encouraged in many instances to give their statements to the press are mothers who are known prevaricators. They are mothers in some instances with arrest records. They are mothers who have been shown to use aliases. They have been shown to misrepresent the facts to social workers. I maintain that if they misrepresent the facts to social workers and if they misrepresent the facts to the investigators, they will misrepresent the facts to Senate subcommittees and to members of the press.

Yet their stories are bandied around and played up. Public opinion is aroused, all in an effort to create a climate of opinion which will be sympathetic to these mothers and conducive to the adoption of an AFDCUP program in the District of Columbia. Of course, the effort is also designed to discredit the investigators.

I ask unanimous consent to have printed in the Record at this point a table showing the number of case openings based on the absence of a parent over the period 1950 through 1965.

There being no objection, the table was ordered to be printed in the Record, as follows:

Department of Public Welfare, District of Columbia—Number of case openings based on the absence of a parent[1]

Fiscal year:	*Percent openings*
1950	38.4
1951	39.2
1952	43.4
1953	42.4
1954	43.5
1955	43.8
1956	52.5

Department of Public Welfare, District of Columbia—Number of case openings based on the absence of a parent[1]—Con.

Fiscal year:	Percent openings
1957	52.5
1958	47.9
1959	46.1
1960	39.6
1961	34.9
1962	31.4
1963	30.3
1964	31.7
1965[2]	30.2

[1] Loss or reduction in support from ADC caretaker, death, leaving home and stopping or reducing support.

[2] First 9 months of fiscal year 1965.

Mr. BYRD of West Virginia. The table shows that the number of case openings based on the absence of a parent has decreased. From the years 1956 and 1957, immediately following the inauguration of the substitute parent rule in the District of Columbia, the case openings decreased from 52.5 percent in each of those years to 30.2 percent in the first 9 months of the fiscal year 1965. This table is introduced to make the point that it is impossible to prove that parents are in fact deserting in order that the children might qualify for welfare payments.

All of these stories about deserting fathers are certainly not substantiated by that table. The table, admittedly, does not prove that fathers do not desert to make their families eligible for assistance, but the evidence in the table would seem to be contrary to the prevailing opinion in some quarters that fathers are deserting increasingly in order that their families might qualify for public assistance. The facts show that the number of case openings based on the absence of the parent has been decreasing since 1957.

Mr. President, I ask unanimous consent to have printed in the RECORD a number of tables, which are as follows:

AFDC cases by number and legitimacy status of children and reported number of fathers as of January 1, 1965;

Data on 100 families with dependent children cases receiving highest payment during December 1964;

Comparison of representative District of Columbia unemployment compensation rates with selected proposed welfare payments to unemployed parents of dependent children;

Child welfare services: total children in care at end of February 1965. This table is to be found on page 754 of the Appropriations Committee hearings;

Table of overpayments, comparison by fiscal year; and

An excerpt from pages 815 and 816 of the printed hearings, which has to do with dependent children cases closed resulting in transfer to Junior Village.

It is important to note that the Department stated to the subcommittee by way of written report that of 213 cases closed subsequent to investigation by the Office of Investigations and Collections, 671 children were involved. The names of the 671 children involved were checked against the files at Junior Village to see whether any of them were placed in Junior Village as a result of the OIC investigation report. The check disclosed that the children of 3 families out of 213 cases could be attributed to the action taken by the Public Assistance Division in closing the case as a result of OIC investigative findings.

It is also stated that five of the children were placed in Junior Village. These five represented less than 1 percent of all the children involved in the cases closed.

Also the police record of Joseph Etheredge;

The percent of caseload subject to audit review;

Testimony from the printed hearings concerning alleged harassment of welfare recipients;

Policies regarding visiting hours by investigators;

A Washington Daily News article dated August 25, 1962; and

Trend in operating costs and authorized positions.

Incidentally, this table shows that over the past 10 years the percentage of change in the appropriations for the Department of Welfare was 193 percent; the percentage of change for salary costs of authorized positions was 309 percent; and the percentage of change in increase in authorized positions in the Department of Welfare was 170 percent. In each of these three categories, the percentage of change in the Department of Welfare was greater than the percentage of change in any of the three categories for any other major department of the District of Columbia government; as a matter of fact, for any department receiving an appropriation of as much as $1 million annually.

While these changes of 198 percent, 309 percent, and 170 percent, respectively, were accruing to the Department of Welfare, the overall percentage of change in the District government as a whole was 122 percent, 133 percent, and 41 percent, respectively.

This is an interesting table. It reveals that Congress has been liberal in its appropriations for welfare programs over the past 10 years—far more liberal than it has been for any other major department; consequently, more liberal than it has been for the District of Columbia government as a whole.

There are some persons who do not like to talk about statistics. Time and time again, they say they do not care about statistics. Statistics do not matter, they say. I feel rather certain that if statistics supported their case, they would use them. It is important that statistics be evaluated, studied, and given consideration in appropriation matters.

I also ask unanimous consent to include, along with the other items for which I have not yet received the consent of the Senate, an article entitled "Why Must the Taxpayers Subsidize Immorality?" The article was written by Juvenile Court Judge Juanita Kidd Stout, of Philadelphia, the first elected Negro woman judge in the United States. It was first published in the Philadelphia Sunday Bulletin magazine and later published, condensed, in the Reader's Digest for April 1965.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Without objection, the items referred to will be printed in the RECORD.

The items are as follows:

AFDC cases by number and legitimacy status of children and reported number of fathers, Jan. 1, 1965

Number of children in grant and legitimacy status	Total cases	Number of fathers						
		1	2	3	4	5	6	7
Total	4,334	2,433	1,228	484	141	38	9	1
All legitimate children	1,585	1,553	30	2	------	------	------	------
All illegitimate children	1,766	816	562	266	84	30	7	1
1 or more illegitimate children	983	64	636	216	57	8	2	------
1 child	633	633	------	------	------	------	------	------
Legitimate	221	221	------	------	------	------	------	------
Illegitimate	412	412	------	------	------	------	------	------
2 children	815	491	324	------	------	------	------	------
Both legitimate	281	275	6	------	------	------	------	------
Both illegitimate	419	174	245	------	------	------	------	------
1 illegitimate child	115	42	73	------	------	------	------	------
3 children	782	381	271	130	------	------	------	------
All legitimate	280	273	7	------	------	------	------	------
All illegitimate	335	104	125	106	------	------	------	------
1 to 2 illegitimate children	167	4	139	24	------	------	------	------

AFDC cases by number and legitimacy status of children and reported number of fathers, Jan. 1, 1965—Continued

Number of children in grant and legitimacy status	Total cases	Number of fathers						
		1	2	3	4	5	6	7
4 children	655	249	236	125	45	------	------	------
All legitimate	188	184	3	1	------	------	------	------
All illegitimate	258	58	98	67	35	------	------	------
1 to 3 illegitimate children	209	7	135	57	10	------	------	------
5 children	598	272	164	95	47	20	------	------
All legitimate	232	228	4	------	------	------	------	------
All illegitimate	170	38	44	43	27	18	------	------
1 to 4 illegitimate children	196	6	116	52	20	2	------	------
6 children	380	187	101	63	15	8	6	------
All legitimate	177	169	7	1	------	------	------	------
All illegitimate	86	16	26	23	9	7	5	------
1 to 5 illegitimate children	117	2	68	39	6	1	1	------
7 children	234	104	64	41	20	5	------	------
All legitimate	97	97	------	------	------	------	------	------
All illegitimate	41	6	11	15	6	3	------	------
1 to 6 illegitimate children	96	1	53	26	14	2	------	------

AFDC cases by number and legitimacy status of children and reported number of fathers, Jan. 1, 1965—Continued

Number of children in grant and legitimacy status	Total cases	Number of fathers						
		1	2	3	4	5	6	7
8 children	123	59	32	16	10	4	1	1
All legitimate	57	56	1					
All illegitimate	18	2	5	4	4	2		1
1 to 7 illegitimate children	48	1	26	12	6	2	1	
9 children	64	30	21	7	3	1	2	
All legitimate	28	26	2					
All illegitimate	14	4	2	4	2		2	
1 to 8 illegitimate children	22		17	3	1	1		
10 children	30	16	9	4	1			
All legitimate	13	13						
All illegitimate	13	2	6	4	1			
1 to 9 illegitimate children	4	1	3					
11 children	14	9	3	2				
All legitimate	9	9						
All illegitimate								
1 to 10 illegitimate children	5		3	2				
12 children	5	2	2	1				
All legitimate	2	2						
All illegitimate								
1 to 11 illegitimate children	3		2	1				
13 children	1		1					
All legitimate								
All illegitimate								
1 to 12 illegitimate children	1		1					

Number of illegitimate children on AFDC rolls as of Jan. 1, 1965

Total	15, 368
Illegitimate	6, 274
Percent illegitimate	40. 8

Data on 100 aid to families with dependent children cases receiving highest payment during December 1964

Total persons in assistance unit	Number of children	Length of time on assistance continuously since most recent opening		Number of months on assistance prior to most recent opening	Amount of grant received in December 1964	Retail value of surplus food received in December 1964
		Years	Months			
14	13	3	0	0	$408	$71. 63
14	12	4	7	15	408	71. 63
13	12	1	4	74	391	71. 63
14	12	1	4	0	390	71. 63
14	13	2	4	43	380	71. 63
12	11	3	3	0	369	71. 63
12	11	4	1	8	365	71. 63
12	11	13	9	0	365	71. 63
11	10		4	59	361	71. 63
12	11	2	6	0	359	71. 63
13	12		3	58	357	71. 63
11	10	1	0	14	355	71. 63
11	9		1	0	348	71. 63
12	10	1	1	16	348	71. 63
12	11	2	5	16	347	71. 63
12	11		2	10	347	71. 63
11	10	3	1	0	346	71. 63
11	10	6	2	0	343	71. 63
15	13	2	7	0	339	71. 63
10	8	4	4	15	338	55. 44
10	8	4	10	0	338	55. 44
12	11	5	4	0	337	71. 63
11	10	6	4	87	337	71. 63
10	9	6	6	14	336	55. 44
10	9	6	1	18	333	71. 63
11	10	1	3	41	332	71. 63
12	11		10	92	329	71. 63
10	9	4	2	40	327	55. 44
10	9	7	0	0	327	55. 44
10	9	3	4	0	327	55. 44
10	9	7	4	0	326	55. 44
9	8	7	6	7	325	55. 44
10	9	1	7	5	325	55. 44
11	9	4	0	0	324	55. 44
9	7	1	7	36	322	55. 44
10	9	3	3	5	321	55. 44
10	8	4	8	0	320	55. 44
10	9	7	2	0	319	55. 44
10	9	2	11	0	319	55. 44
9	8	7	5	3	319	55. 44
10	9	5	10	3	317	55. 44
10	9	2	11	32	317	55. 44
9	8	1	0	0	$317	$55. 44
10	9	4	4	0	315	55. 44
10	9	2	10	37	315	55. 44
9	7		2	0	315	55. 44
10	9	3	6	15	315	55. 44
10	9	2	0	0	314	55. 44
11	10	4	7	0	313	71. 63
10	9	18	7	0	313	55. 44
9	8	5	4	25	313	55. 44
12	11	4	5	0	312	71. 63
9	8	8	2	0	311	55. 44
8	7	4	10	0	311	55. 44
9	8	2	6	62	311	55. 44
9	8	7	8	43	311	55. 44
9	8	5	3	4	310	55. 44
10	9	2	1	115	309	55. 44
10	9		2	79	309	55. 44
10	9	1	2	31	309	55. 44
10	9	3	5	45	309	55. 44
10	8		5	0	308	55. 44
9	8	5	0	75	306	55. 44
9	8	6	8	8	305	55. 44
9	8	1	2	76	305	55. 44
9	8	7	1	105	305	55. 44
9	8	12	11	0	305	55. 44
9	8	6	5	0	305	55. 44
9	8	5	3	0	304	55. 44
10	9	10	3	31	304	55. 44
9	8	11	4	0	303	55. 44
11	10	4	2	25	302	71. 63
8	7	7	3	0	302	55. 44
9	8	4	3	13	299	55. 44
9	8	5	2	0	299	55. 44
9	8	2	8	0	299	55. 44
9	8	8	2	2	299	55. 44
9	8	4	11	2	299	55. 44
9	8	5	3	47	299	55. 44
9	7		8	23	298	55. 44
9	8	7	10	0	298	55. 44
10	9		9	27	297	55. 44
10	9	3	0	0	297	55. 44
10	9		9	0	297	55. 44
10	9	2	8	19	297	55. 44
9	8	9	1	22	297	55. 44
11	10	1	0	28	296	71. 63
8	7	11	1	0	294	55. 44
9	8	4	11	59	293	55. 44
9	8		3	54	293	55. 44
9	8	6	5	0	293	55. 44
9	8		7	20	293	55. 44
9	8	4	10	6	293	55. 44
9	7	1	9	0	293	55. 44
9	8	6	6	0	293	55. 44
10	9		4	0	292	55. 44
9	8	1	1	0	292	55. 44
8	7	1	7	84	292	55. 44
1	7	2	0	17	292	55. 44
85	14		7	0	291	71. 63

Comparison of representative District of Columbia unemployment compensation rates with selected proposed welfare payments to unemployed parents of dependent children

Occupation	Average hourly rate [1]	Approximate monthly rate	Maximum rate of unemployment compensation [2]		AFDC-UP monthly income for 2 adults with number of children indicated					
			Per week	1 month	1	2	3	4	5	6
Elevator operator, passenger	1. 34	232	31	134	148	167	196	220	246	270
Janitor, porter, cleaner	1. 56	270	36	156						
Watchmen and guards	1. 60	277	37	160						
Laborer, material handler	2. 15	373	49	212						
Order filler	2. 19	380	50	217						
Shipping packer	1. 82	315	42	182						
Receiving clerks	2. 10	364	48	208						
Shipping clerks	2. 26	392	52	225						
Truckdriver, average	2. 49	432	53	230						

[1] Metropolitan Washington Occupational Wage Survey, Bureau of Labor Statistics, October 1964.

[2] Unemployment Compensation Board, District of Columbia.

NOTE.—A person working a straight 40-hour week for at least 1 year would receive the maximum unemployment compensation payment of $53 per week for 34 weeks, if he earned approximately $406 per month or $4,872 per year. To qualify for compensation, a person must have at least 2 calendar quarters credit. If a recipient worked other than a straight 40-hour week and received total wages of $3,604 with 1 high quarter of $1,802, he would receive the maximum benefit also. The average payment in the District of Columbia is $39 per week or $169 per month. A person may earn and retain up to 40 percent of his unemployment compensation while not fully employed.

Overpayments—comparison by fiscal year

Fiscal year	AEOP						Non-AEOP							Total—all	
	Active		Closed		Total		Active		Closed		Lump sum	Total		Number	Value
	Number	Value	Number	Value	Number	Value	Number	Value	Number	Value		Number	Value		
1958[1]															
1959[1]															
1960[2]					15	$4,159.33	72		83						
1961					43		100		105		30			278	$85,479.80
1962					136	24,725.67	227		139		104	470	$156,439.39	606	181,165.06
1963					283	45,651.24	410		259		83	752	208,126.29	1,035	253,777.53
1964[3]	439	$43,854.00	144	$27,064.89	583	70,918,89	1,009	$169,557.32	569	$210,879.80		1,578	380,437.12	2,161	451,356.01
1965[4] (to Mar. 31, 1965)	343	31,647.40	103	15,192.61	446	46,840.01	775	144,458.17	446	242,503.29		1,221	386,961.46	1,667	433,801.47

[1] No records.

[2] PAD staff first instructed to send AEOP directly to OIC by PAD Manual Release No. 116, dated May 18, 1961. Prior to that time OIC has no accurate records of AEOP. Those reported for fiscal years 1960 and 1961 were those sent to this office as regular OP and determined by this office as AEOP.

[3] Does not include 226 overpayments with a value of $17,335.46 which were handed by PAD, reported to OIC in total only for July and August 1963. Recovery to be made by reduction in assistance grants as follows:

	AEOP		Non-AEOP		Total	
July	49	$3,788.23	74	$3,823.90	123	$7,612.13
August	35	2,750.37	68	6,972.96	103	9,723.33
Total	84	6,538.60	142	10,796.86	226	17,335.46

[4] Dollar value estimated for 2d and 3d quarters.

Child Welfare Services: Total children in care at end of February 1965

Whereabouts	Total children	Children whose families were known to Public Assistance at time of acceptance
Total	6,200	2,080
Junior Village	850	342
Foster homes	1,758	515
Elsewhere	3,612	1,223

DEPENDENT CHILDREN CASES CLOSED RESULTING IN TRANSFER TO JUNIOR VILLAGE

Senator Tydings. Let me ask you one other thing, Mr. Brewer, or maybe Mr. Galvin. Of the 50 percent of the cases of the request for dependent children which were closed out and reduced, do you have any idea how many children ultimately, and if you can find out, I would like to know, wound up in Junior Village? Can you find that out for me?

Mr. Galvin, can you find that out?

Mr. Galvin. We can give you the cases, that can be done, but it will take a little time. We have made this study before in prior hearings.

Senator Tydings. Right.

Mr. Galvin. We do have that information available.

Senator Tydings. Because I would be interested. I think it is along the same point that Senator **Proxmire** made.

Mr. Galvin. We found relatively little in the studies that we made went to Junior Village.

Senator Tydings. It would be a good point we should have here in the record.

(The information referred to follows:)

"OIC, in its AFDC intake review investigation for the period January through June 1964, received from PAD 213 final decisions showing cases closed subsequent to investigation by OIC.

"There were 671 children in these 213 cases which were checked against the files at Junior Village to see whether any of the children were placed in Junior Village as a result of the OIC investigation report. This check disclosed that children of 3 families (1.4 percent) of the 213 cases could be attributed to the action taken by Public Assistance Division in closing the case as a result of the OIC investigative findings. There were six children (0.9 percent) in the assistance group of the three families. Five children (0.7 percent) were placed in Junior Village.

"The details on these cases are as follows:

"In one family with three children, the three children were placed in Junior Village 1 week after the date of the OIC investigation report and remained in Junior Village 3 months. None of the children have been in Junior Village since.

"In another family with one child, the child was placed in Junior Village 3 months after the date of the OIC investigation report and remained in Junior Village for 7 months. This child has not been in Junior Village since.

"In other family with two children, one child was placed in Junior Village 3 months after the date of the OIC investigation report, and remained in Junior Village for 4 months. In this case the mother reapplied for assistance 6 months after the case was closed and 3 months after she had put the child in Junior Village. One month later the case was approved for assistance and the child was reunited with the mother."

Police record of Joseph Etheridge—Metropolitan Police Department, Washington, D.C.

Name: Joseph Etheridge.
Address: 9 8th St. NE.
Married: Yes.
Race: Negro.
Sex: Male.
Birthplace and date of birth: South Carolina, Jan. 6, 1938.
DC DC No. 132685.
Mother's maiden name: Annie.
Occupation: Cook, laborer.

Precinct	Case No.	Date	Age	Offense	Complainant	Officer	Dispositions
9	12075	8- 5-61	23	No fixed address Drunk	D.B. S.C. 1-6-38 C. J. Hersey	m. Annie Hersey	f. Wilbur 30 days
9	13503	9-16-61	23	9 8th St. NE. Drunk	D.B. S.C. 1-6-38 F. J. Reiser	m. Annie Reiser	E.F. $10
2	15659	11-10-61	23	1411 10th St. NW. Drinking in public	D.B. S.C. 1-6-38 J. F. Dashiell	m. Annie Dashiell	f. William E.F. $10
9	4461	3-25-62	24	611 P St. NW. Drunk	D.B. S.C. 1-6-38 M. W. Belcher	m. Anna Mae Belcher	f. Wilbert P.B.
9	4462	3-25-62	24	Disorderly	R. J. Allwang	Allwang	
TD	36782	9-15-63	25	917 T St. NW. Disorderly	D.B. S.C. 1-6-38 L. C. Hoefer	Hoefer	E.F. $10
PP	12323	11-13-64	58	927 M St NW. Drunk	D.B. N.C. 1-6-06 R. H. Digulimio	M. Anna Digulimio	F. Wilbur Nolle P.

PERCENT OF CASELOAD SUBJECT TO AUDIT REVIEW

Senator Byrd. Approximately what percent of that caseload which existed in 1963 has been subject to the audit review as recommended by the Comptroller General?

Mr. Galvin. In the GPA audit review we are complete. In the AFDC audit review, 36 percent of it has been closed prior to review, leaving 64 percent still open for investigation. And of that we have completed approximately 30 percent.

So there is still to be investigated approximately 45 percent of the AFDC caseload of January 1, 1963. In APTD there is a greater percent still to be investigated.

Senator Byrd. Could you supply for the record the figure?

Mr. Galvin. Yes.

(The information requested follows:)

"There is 45.2 percent of the AFDC—audit review still to be investigated.

"There is 62.7 percent of the APTD—audit review still to be investigated."

HARASSMENT OF WELFARE RECIPIENTS

Senator Byrd. What about harassment, Mr. Brewer. I continue to hear this word kicked around a good bit by those who object to being investigated. Are you making sure that there is not harassment of the recipients?

Mr. Brewer. Yes, I am. I think I spoke to this point last year.

Senator Byrd. Yes, you did.

Mr. Brewer. And I have stated to every group and every individual that I want it reported to me personally when any such cases occur.

Now, the greatest reports that I have heard have been late hours and early morning visits. And this year I have not had a single case that I can substantiate. And I have said this repeatedly. And as I think I have indicated, we are advising recipients not to admit people to their homes if they do not have proper identification. To be doubly sure, with the next month's checks we are enclosing a notice to this effect—we have not done it before, because we have had other things going out in the checks—I am stating again in a special flyer, that they are not to admit any individuals to their homes unless they have proper identification. I do not want harassment on the part of the investigators, they are instructed thoroughly on this—I talked to the investigators, all of them personally this year. I planned to do this each year. We have written instructions. The investigators sign and certify to their hourly visits. And any reports from anyone are investigated and followed through. And I have had no reports in terms of the general complaints I have heard in the community, which is these late hour visits.

We have instructions to our investigators which set up the purpose of their visits, the matters to inquire into, and prohibit visiting one home more than three times without the special approval of the supervisors, so that repeated visits cannot be considered as harassment.

All I can say on this is that, as I have said in the past, I want all such complaints reported to me, to me personally.

Senator Byrd. And you have not had such cases reported to you personally?

CASES OF COMPLAINTS BY RECIPIENTS

Mr. Brewer. No, sir. As I recall, my records show that there were three or four cases reported this year in which the recipient called and said she felt the investigator was asking her questions about things that he should not. In one case this proved not to be an investigator. And in another case when we went back and talked to her she stated that she had exaggerated her statement, that this was—I keep the file on those myself, and I have had no case in terms of late midnight visits, and so forth. I have one case reported to me. But the individual could not get the name of the person that had reported it to him, and therefore I could not make a followup on it.

Mr. Galvin. If I may interject a word, there is an article in the Afro-American of May 8, 1965, which is quite typical of how this type of harrassment of investigators gets around. This is written by a man who alleges he was a former investigator.

Senator Byrd. That is what?

Mr. Galvin. That he was a former investigator with OIC. And it states that he was forced to lie and cheat to keep his job, that he was on a production schedule. He furthermore states, if this wasn't enough, that when he went out on surveillance he was checked by other investigators and by two section chiefs; he says the welfare recipient was only receiving $87, and all the money involved in the checking of this man was in the thousands of dollars.

This happened just recently, according to him. And he says, in addition to all the OIC investigators and supervisors who were checking him, down the block there were two investigators from GAO audit division, both GS–9's, who were also checking on him and on the OIC checkers.

I know all of us are aware that there are no GAO investigators, investigating OIC investigators. But this adds emphasis to the story that he was being checked on, and he was being forced to lie, whoever this anonymous "he" might be.

Senator Byrd. Suppose you include that in the record, Mr. Galvin.

(The article referred to follows:)

May 8, 1965.

Dear AFRO: I must claim anonymity for self-preservation. I am a retired policeman who worked for the District of Columbia Public Welfare Department, as an investigator, up until recently. I had enough.

The public should know how its tax money is being wasted on the investigative portion of the welfare program and also some of the misery and pressure of the hell box that the investigators are going through. That is why I am writing.

Most investigators are scared of destruction by the chief of OIC who has the full support of Senator Robert Byrd of West Virginia, if they tell the truth about being forced to tell untruths on the poor, helpless welfare recipients in order to justify continued existence of the investigation branch of public welfare.

Production is the key word in OIC. Failure to meet your individual unrealistic monthly quota of completed cases results in your dismissal or transfer with a black mark against your career or remain stagnant on the promotion list.

The bigger the untruths an investigator tells in his report so that a person gets kicked off welfare, the better he is liked by the heads of OIC.

They do not let you turn in a "clean" case, one where there is no irregularity. You have got to keep digging until you find something wrong. Same time your production has got to stay up.

I set in front of a recipient's house one cold morning from 6:30 a.m. to 10 o'clock watching for her to go to work. Some neighbor complained that she worked 1 day a week. Her monthly welfare check was $87.

My salary is approximately $580 a month. I discovered another investigator watching the same house as a check up on me. His salary was about $500 a month. Down the street further set two section chiefs, GS–11 and GS–12 respectively—together their salaries equal $1,665 a month.

They were checking the checker who was checking me by order of the section chiefs who were out to see that all the checking is done on schedule. That wasn't enough. Down the block sat two other men from the GAO, Internal Audit Division, both GS–9 whose combined salaries are $1,320 a month. Their job was to set for 4 hours just to see if all the other investigators who had previously reported their plan to be at this particular address, were really there.

It took six people to watch for one woman at a cost of approximately $80 an hour to cut the poor woman's welfare check of not more than $10 if she did work. However it turned out that the woman did not work at all. This is a typical example of serious duplication of effort and extravagant waste of public funds. All these checkers could have been watching for the recipient to go to work since they were out in front of her house. This happens all the time in OIC.

The malpractice ought to be investigated from the top of Congress and stopped.

Disgusted.

POLICIES REGARDING VISITING HOURS

Senator Byrd. Do you have memorandums which would set forth your policies with regard to visiting hours?

Mr. Brewer. Yes, sir.

Senator Byrd. Early and late?

Mr. Byrd. Yes.

Mr. Galvin. Not only a memorandum, but in the PAD departmental manual.

Senator Byrd. Would you insert in the record both the memorandum and the PAD manual provisions?

(The information referred to follows:)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WELFARE
Office of Investigations and Collections
INVESTIGATOR'S DAILY LOG

Date ____________________

Investigator ____________________

Time Arrived	Time Left	Address	Case Name and Number	OIC Number

I certify that all the information on the above activities is correctly recorded and that:
My scheduled duty status was from ____________ to ____________
I worked from ____________ to ____________
I was on leave from ____________ to ____________
Date ____________
Certified by: ____________
Investigator

Government of the District of
Columbia, Department of Public Welfare, Office of Investigations and Collections,
January 25, 1965.

Memorandum to: Supervisors.
Subject: Home visits by investigators.

There will be no home visits made by investigators on the following days:

Sunday, February 14, 1965—(Valentine's Day).

Sunday, February 21, 1965—(George Washington's Birthday, February 22, 1965).

Sunday, April 11, 1965—(Palm Sunday).

Friday, April 16, 1965—(Good Friday).

Sunday, April 18, 1965—(Easter).

Sunday, May 9, 1965—(Mother's Day).

Sunday, May 30, 1965—(Memorial Day).

Sunday, July 4, 1965—(Independence Day).

Sunday, September 6, 1965—(Labor Day, September 7, 1965).

Sunday, December 26, 1965—(Christmas, December 25, 1965).

Sunday, January 2, 1966—(New Year's, January 1, 1966).

Supervisors will arrange their schedules so that no investigator works on any of the above Sundays.

There will be no home visits made to recipients of the Jewish faith on the following days:

April 17 and 18, 1965—Passover.

April 23 and 24, 1965—Passover.

June 6 and 7, 1965—Feast of Weeks (Shabuot).

September 27 and 28, 1965—Jewish New Year (Rosh Hashana).

October 6, 1965—Day of Atonement (Yom Kippur).

October 11 and 12, 1965—Feast of Tabernacles (Sukkoth).

William R. Galvin,
Investigations and Collections Officer.

Government of the District of
Columbia, Department of Public Welfare, Office of Investigations and Collections,
June 16, 1964.

Memorandum to: Supervisors.
Subject: Restatement of OIC's Policies in Given Areas.

The investigations phase of the Office of Investigations and Collections is a factfinding operation. The true facts in a PA case are verified and reported to the Public Assistance Division without opinions or recommendations. The determination of the eligibility of a public assistance case rests with the public assistance staff.

The investigative staff of the Office of Investigations and Collections does not advise, recommend, or render opinions to public assistance clients.

Suggestions as to eligibility, ineligibility, continuance, or withholding of the public assistance grant are areas in which the OIC investigators are specifically reminded to withhold their comments.

This has been the standard operating procedure followed by the OIC staff; however, periodically the new and the older investigators will be helped by being reminded by you of the OIC philosophy in these areas.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
May 20, 1964.

Memorandum to: Supervisors.
Subject: Requests for surveillances.

Effective immediately, all investigators' requests to conduct surveillances will be turned into the section chief's office in triplicate by 3 p.m. for any surveillances to be conducted that evening. Requests for early morning surveillances for the following morning must also be submitted to the section chief's office by 3 p.m.

This request list will include the investigator's name, case name, and address of surveillance and definite hours of surveillance at the particular address. This list must also include the make, color, and tag number of the investigator's automobile.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
April 23, 1964.

Memorandum to: Supervisors.
Subject: Instructional bulletin.

When, in the best judgment of the investigator, all necessary background data has been developed which is preliminary to a home visit, the investigator will confer with his unit supervisor with regard to the information gathered, investigative leads produced therefrom, and the investigative steps already accomplished. Additionally, he will outline in detail the objective of the home visit, data to be developed from the home visit, and data which requires amplification or clarification in view of information already acquired. He will brief the unit supervisor with regard to the time of the visit, the identity of the investigator accompanying, and the role that investigator is to serve during the visit. The home visit will be accomplished only with the concurrence of the unit supervisor or after adjustments resulting from that conference. Notes evolving from this conference are to accompany the investigator's investigative notes with the OIC folder when the case is forwarded for section review and approval.

Prior to entry in the home on a visit, the investigator must be prepared to brief any person accompanying him on the purpose of the visit, the information sought, and any background information he has already ascertained. This briefing should take place en route to the recipient's home, not while parked in front of the recipient's home.

William R. Galvin,
Investigations and
Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
April 17, 1964.

Memorandum to: Supervisors.
Subject: Home visits by OIC investigators.

Please instruct your typist to reproduce this memorandum for distribution to all OIC investigators.

The purpose of home visits are primarily to establish:

1. Family composition—is it as the recipient represents to the agency?
2. Resources—(a) luxury items? (b) roomers, etc.?
3. Are the children in the home?
4. Does the recipient really live at the address?
5. Is there a man in the home?
6. Is there evidence the recipient or others in the grant are working for an employer or self-employed? (Evidenced by tools, clothes, etc.)

The investigators' visits to the home must be limited to necessary and meaningful purposes. Three home visits to the home with proper surveillances and outside checks are sufficient; any exception to three-home-visits rule must be approved by the unit supervisor.

The investigator when making inquiries in the home will only ask those questions which are pertinent and to which he cannot find out the answer from another source.

Repetitious questions or laboring questions are harassment and are to be avoided.

The hours of home visits should be staggered between 8 a.m. and 10 p.m., depending on the variances in the case under investigation. Home visits before 8 a.m. or after 10 p.m. are prohibited.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
March 17, 1964.

Memorandum to: Supervisors.
Subject: Reports on surveillance activities.

Prior approval from the supervisor is required on all planned surveillances by the investigator. When approval is requested the investigator must satisfy the supervisor as to the need, the time, and the place of surveillance.

All investigators are required to keep a log, posting at 15-minute intervals his observations for the preceding 15 minutes, even if negative.

The surveillance report must be submitted to the supervisor at the beginning of the next tour of duty.

All surveillance reports received by the unit supervisor must be signed and dated thereby indicating that the unit supervisor approves the surveillance report.

All surveillance reports are to be placed in the OIC folder.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
January 9, 1964.

Memorandum to: Supervisors.
Subject: Conduct of investigators.

Please instruct your typist to reproduce this memorandum for distribution to all OIC personnel.

Investigators will confine themselves to only those activities which are pertinent in establishing the facts of the prerogatives or functions of the social worker.

This exclusion includes, but is not limited to, such actions as concluding support agreements with responsible relatives and advising recipients of or rendering other advice or assistance normally given by a social worker.

Investigators will not disperse gifts, regardless of how small in value to recipients or to the children of recipients. Such gifts, however well intentioned, are often resented or objected to by clients who may be reluctant to voice their objections.

These instructions do not preclude investigators from accepting "voluntary withdrawals."

William R. Galvin,
Investigations and
Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
November 21, 1963.

Memorandum to: Supervisors.
Subject: Complaints about investigators or other OIC staff.

Please instruct your typist to reproduce this memorandum for distribution to all OIC personnel.

All complaints received by any OIC personnel about investigators or other members of OIC must be reported, in writing, to the Investigations and Collections Officer.

William R. Galvin,
Investigations and Collection Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collection,
November 4, 1963.

Memorandum to: Mrs. Viola J. Lee, Assistant Division Chief, Public Assistance Division.
Subject: Investigations on cases scheduled for appeal of "fair" hearing.

This is in reference to your memorandum of November 1, 1963, on Cunningham, Albert and Rosa L., AFDC 176-649.0 CRO 22 KC.

The Department requires that no one, either social worker or investigator, may investigate a case which is scheduled for a fair hearing. We are, therefore, returning your reference memorandum.

This matter was previously in the PAD Manual, and we would appreciate it being reinserted in the proper place.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collection,
July 19, 1963.

Memorandum to: Supervisor.
Subject: Complaints concerning Office of Investigations and Collections.

Please instruct your typist to reproduce this memorandum for distribution to all of your investigators.

Any complaints received by OIC personnel relating to OIC activities must be submitted in writing to the Investigations and Collection Officer giving full details, including from whom the complaint was received, the time, the date it was received.

An investigation of complaints will be made by the section chiefs, upon the prior approval, except in emergencies, of the Investigations and Collections Officer.

William R. Galvin,
Investigations and
Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
July 19, 1963.

Memorandum to: Supervisors.
Subject: Holidays.

Please instruct your typist to reproduce this memorandum for distribution to all of the investigators in your unit.

No Office of Investigations and Collections employee may work on a holiday for any reason without the prior approval of the Investigations and Collections Officer.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
June 13, 1963.

Memorandum to: Supervisors.
Subject: Investigation involving recipient at Public Welfare Training Center.

Any ADC case received for investigation and the mother is in the Department of Public Welfare Training Center, the investigation will be turned in immediately with a cover memorandum stating the recipient is in the Department of Welfare Training Center, and an active field investigation will not be made.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
June 13, 1963.

Memorandum to: Supervisors.
Subject: Reminder to all investigators.

Please instruct your typist to reproduce this memorandum for distribution to all investigators in your unit.

Investigators and supervisors will not investigate the case of a friend, acquaintance, or relative. If any such case is assigned, it will be immediately returned to the section. Further if any investigator is assigned a case in his immediate neighborhood, he will return it to the supervisor for reassignment.

We will not check or inspect the premise if the recipient does not live there on the premises.

Investigators cannot hire or contract a recipient to perform any services for them.

William R. Galvin,
Investigations and Collections Officer.

Government of the District of Columbia, Department of Public Welfare, Office of Investigations and Collections,
June 11, 1963.

Memorandum to: All supervisors.
Subject: Home visits to residences of recipients.

It is desired that each investigator read and initial a master copy of this memo and return it to unit supervisor.

On all visits to the home of a recipient the investigator on the case must be accompanied by another investigator. Whenever the recipient is contacted in person outside of the Office of Investigations and Collections, this contact may be made only when accompanied by another investigator. There will be no exceptions to this rule regardless of the reason for contacting the recipient or visiting the home of the recipient.

William R. Galvin,
Investigations and Collections Officer.

Referrals to OIC for Investigation

(Subject Classification: Eligibility—Investigation Contents)

I. General information.
II. Situations that may be referred to OIC.
III. Referrals to location section of OIC.
IV. Referrals to OIC.
V. Followup action by social service.

I. General information

On all applications and active cases where the social worker cannot obtain required information from the client or through his own efforts, he will refer the situation to OIC for investigation. It is particularly important that referrals be made in questionable situations during the social worker's investigation of applications to determine initial eligibility.

A. The social worker will routinely explain to the client that:

1. One of the functions of OIC is to obtain specific information at the request of the social service staff to determine eligibility.

2. OIC also makes complete reviews of eligibility to supplement those made by social workers. (In AFDC and GPA, OIC makes a review of eligibility immediately after approval of the application, or after authorization of the second check if "EA" was issued; AFDC and APTD, OIC makes audit investigations of continuing service cases.)

3. The investigators work different hours than the social workers—from 8:15 a.m. to 10 p.m., 7 days a week. An investigator is required in all contacts, to show his identification and introduce himself by name and title. He must receive permission from the recipient before entering or inspecting the premises. If permission is not granted, this fact is reported to the social worker.

B. OIC is responsible only for reporting facts obtained in its investigation; PAD is responsible for evaluating this information against agency policy and determining whether it affects the recipient's eligibility of the amount of his payment.

C. The social worker will not refer to OIC investigation or location sections when a client has requested a hearing and a decision is pending.

II. Situations that may be referred to OIC

At the request of PAD social service staff, OIC will investigate the following situations in all of the assistance programs. When making the request the social worker will identify the eligibility factor involved and give his reason for believing a situation may exist that would affect eligibility or amount of payment.

A. Continued absence and family type relationship, if the social worker has reason to believe that such a relationship may exist. He should state clearly the basis for his belief.

B. Location of absent persons.

C. Determination of members of assistance unit and total persons in the household—when the social worker has reason to believe that the composition of the assistance unit has changed or is different than given by the applicant or recipient, but cannot obtain confirmation of the true facts.

D. Verification of shelter arrangements—limited to situations where the social worker cannot establish, to his own satisfaction, the true nature of the arrangements.

For example, a recipient is renting from a relative or there is uncertainty as to who the landlord actually is and/or the actual amount of rent charged.

E. Verification of resources:

1. If the social worker has a basis for believing that a resource exists but he is unable to prove its existence or nonexistence. For example:

a. The social worker is unable to find the applicant or recipient at home on two or three visits and cannot obtain a satisfactory explanation for the client's absence, which may indicate the possibility of employment;

(b) The presence of an article of furniture or an appliance and an unsatisfactory explanation as to the means by which it was obtained may indicate an unreported resource.

2. The client has insurance or real property.

3. The client has a checking or savings account or is receiving statutory benefits or other income which the social worker is unable to verify.

III. Referrals to location section of OIC

A. Situations to be referred. Referrals to locate missing persons may be made in the situations listed below.

Types of referrals, listed in the priority by which they will be handled:

1. Active cases and applications on which there are active nonsupport cases with juvenile or other courts;

2. Children under 2 years of age for whom paternity has not been established;

3. Children over 2 years of age whose father supported during the past year;

4. Fathers who have signed voluntary agreements with the Juvenile Court, Legal Aid Society or PAD;

5. Husbands and fathers whose whereabouts could not be established by the efforts of the mother and the agency and the supervisor and social worker believe that an OIC investigation is needed;

6. All legally responsible relatives who are missing;

7. Any other missing person whose location will be of benefit to the agency or the client.

B. Situations not to be referred.

1. Any situation in which the person is not missing and the referral is to determine home address only.

These include situations where:

(a) The social worker knows either the person's home address or his place of employment;

(b) The person is currently paying under court order or court agreement but has otherwise been completely out of touch with the children and their mother;

(c) Paternity proceedings against the punitive father where dismissed by the court, even though the client still asserts him to be the father; except in the case of a child not covered under the court decision.

2. It is desired to locate the father but the dependent child has passed the age limit for support action in the courts;

3. The father had previously been located, was determined to be a derelict, and his interest in the children or their mother would be clearly undesirable.

IV. Method of referral to OIC

The social worker will refer cases to OIC as follows:

(a) To the location section: Form PA-181 prepared in quadruplicate. Three copies are sent to the office of the program analyst for forwarding to to OIC.

(b) To the investigation section: Form PA-182 prepared in quadruplicate. Three copies are sent to the office of the program analyst for forwarding to OIC.

(c) To the resources section:

1. For insurance and property, Form PA-251 in duplicate. For complete procedure see RS 4.1 for insurance and RS 5.1 for property.

2. For miscellaneous resources, Form PA-148 prepared in duplicate. See RS 10.1 for any attachments required for the specific information requested.

V. Followup action by social service staff

A. During the time a case is active with OIC, investigation or location sections, the social worker will notify the chief of the section in writing when:

1. The case is transferred from one social worker to another;

2. There is a change of address by the client;

3. The social worker receives additional information that will aid OIC in obtaining the answer needed by social service, or that renders further investigation unnecessary;

4. The application is approved or denied, assistance is terminated, or the case is closed.

B. Action after receipt of OIC report.

1. Upon receipt of an OIC report, the unit supervisor will:

(a) Evaluate the findings to determine the effect on the client's eligibility or the amount of his payment;

(b) Retain one copy of the PA-122 or the RC-301 as a control; and

(c) Give the report to the social worker for whatever action is required under agency policy; or

(d) If information from OIC is incomplete for social service needs, notify OIC by memorandum of additional data needed, and send to office of program analyst.

2. The social worker will:

(a) Take prompt action necessitated by OIC findings;

(b) If the report is transmitted by Form PA–122, enter action taken on the back of the form, noting under remarks the extent to which the OIC findings affected action taken on the case; or

(c) If the report was transmitted by Form RC–301, retains one copy for the case record and sends copies, with the case record, through the service chief to the office of the program analyst.

C. The evaluator reviews information provided by the social service staff on action taken in response to OIC reports to assure that eligible cases are not closed and that ineligible cases are closed according to regulations.

D. In the event the evaluator questions the appropriateness of the action taken or the lack of action, the situation will be brought to the attention of the program analyst, who will discuss it with the proper service chief.

WASHINGTON DAILY NEWS ARTICLE

Senator **Byrd**. At this point in the record I wish to insert a news clipping of August 25, 1962, relating to loans listed to relief recipients.

(The article referred to follows:)

"[From the Washington Daily News,
Aug. 25, 1962]

"SIX HUNDRED FIFTY DOLLAR STEREO SETS ON CREDIT—HUGE LOANS LISTED TO RELIEF CASES

"(By Gene Shumate)

"District relief checks are being used to pay for things like $650 stereophonic phonographs, complete with record albums, as well as televisions, furniture, and other luxury items.

"In some cases, those persons living high off the hog on a Government dole have other sources of income.

"At the invitation of a collection manager of a Silver Spring finance company, this reporter reviewed 1,000 files of people drawing relief checks and still buying expensive luxuries.

"They bought the goods on credit in District stores, and the stores in turn sold the bills of sale to the company for collection. The company—as all Maryland firms do—charge 12 percent on the unpaid balance.

" 'Actually,' the collection manager said. 'This is real gravy business. We have no sweat about payments from people on relief. They pay like clockwork.'

"The fact that they are on public assistance makes collections somewhat easier, he said—they don't want anyone checking on them.

"Details

"Some of the files showed:

"A woman with a sizable income from a roominghouse was on public assistance. She bought $855.51 in new furniture.

"Another woman, living with an employed common law husband, financed a television set.

"Another woman, drawing assistance, was married to a man paying alimony to an ex-wife. She bought a stereo.

"There were other cases in the files of persons on relief whom the collection people—a highly efficient group—knew were employed.

" 'We're not police,' the collection manager said, 'but we can tell you where these people are working.'

"He even had the name of the District caseworker connected with each case.

" 'We are just one company,' the collection manager said, 'with about $75,000 to $100,000 in collectibles that will be paid for by the Government. Multiply this amount by the scores of other loan firms with the same setup we have, and you've got a staggering bill.'

"Widespread abuses by District welfare recipients were revealed in recent hearings by the Senate Appropriations District of Columbia Subcommittee and many ineligibles were removed from the rolls.

"Checks may stop

"Public Assistance Chief Bernard W. Scholz said an investigation would start immediately and September relief checks may be held up in cases where loan company records indicate suspicion that recipients have resources beyond those listed with welfare officials.

"He said that the rules specifically state that families cannot use the funds for furniture and only minimum amounts are allowed for food, clothing, and shelter.

"He has sent two aids to examine loan company records.

" 'Oh, my God,' Commissioner Walter N. Tobriner said yesterday when told about this loan company's files.

"Investigators undoubtedly will want to look at those files, he said, and added:

" 'The people drawing public assistance money shouldn't be indulging themselves in such fancy equipment and high living. The people selling to them on credit should be more than ashamed of themselves.

" 'Something will be done.' "

CALVERT LOAN CO. RECORDS

Senator **Byrd**. I shall insert at this point in the record certain information concerning the results of searching of the records at the Calvert Loan Co.

(The information referred to follows:)

"SEARCH OF CALVERT LOAN CO. RECORDS

"Senator **Byrd**. Suppose you present for the record, Mr. Shea, as complete information as you can present concerning the results of the searching of the records at the Calvert Loan Co.

"Mr. **Shea**. Yes, sir.

"(The information referred to follows:)

" 'GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF PUBLIC WELFARE, OFFICE OF INVESTIGATIONS AND COLLECTIONS

" 'SEPTEMBER 12, 1962.

" 'Memorandum to: Mr. Donald D. Brewer, Acting Director of Public Welfare.

" 'Subject: Review of credit checks.

" 'We have checked 708 accounts of the Montgomery County loan files pertaining to records of a furniture company and a TV company of Washington, D.C.

" 'We found that 215 of these accounts are of clients or former clients of the Public Assistance Division of the District of Columbia, and 7 clients of the Public Welfare Department of Prince Georges County, Md. The other 486 accounts have been checked, and to date no positive identification has been found with welfare recipients; however, 14 of these may possibly, in a recheck, be found to be public assistance clients.

" 'The 215 cases known to PAD are divided as follows:

" 'Active PAD cases	131
" 'Pending PAD applications	2
" 'Closed PAD cases	49
" 'Rejected PAD applications	33

" 'The 131 active PAD cases and the 2 applications are subdivided into the following categories:

" 'OA	5
" 'AB	0
" 'ADC	112
" 'ADC/GPA	1
" 'ATD	10
" 'ATD/GPA	1
" 'GPA	4

" 'An examination of the accounts shows that the 133 active clients purchased 207 items costing $48,144.38, service charges included, or an average expenditure per client of $361.99.

" 'The purchases were as follows:

Type of merchandise	Quantity	Amount	Average cost
TV set	35	$11, 539. 92	$329. 71
Stereo, hi-fi, radio, radio-phonograph, and clock radio	23	5, 017. 51	218. 15
Furniture	65	23, 072. 30	354. 96
Miscellaneous items	74	5, 148. 23	65. 57
Unidentified items	10	3, 366. 42	336. 64
Total	207	48, 144. 38	232. 58

" 'Miscellaneous items' include a tape recorder, home bar sets, smokers, lamps, tea sets, rugs, cocktail and end tables, dishes, bicycles, tricycles, steam irons, pans, curtains and drapes, bed linens, shadow boxes, mirrors, and a wristwatch.

"The balance owed on the above purchase as of August 1962, for 130 of the 133 accounts (3 unknown) was $25,336.94. The five largest balances still outstanding are: $492.05, $477.31, $475.33, $448.82, and $445.51.

"The actual payments on 126 of the 133 accounts (7 unknown) range from $2 to $65 a month. The highest actual payments over $25 a month were:

"Amount:	*Number of cases*
$65	1
$60	1
$50	2
$49.30	1
$45	2
$42	1

"Amount—Continued	*Number of cases*
$40	6
$35	7
$31	1
$30	4
$25 to $29.99	14

"The average payments on 126 of the 133 accounts (7 unknown) ranged from $3.50 to $45 a month, with 57 under $15, and 69 between $15 and $45.

"The five largest expenditures for television sets were: $648, $517, $475, $462, and $442.

"The five largest expenditures for stereos, hi-fis, radios, radio-phonographs, and clock radios were: $411, $410, $408, $350, and $317.

"The five largest miscellaneous items purchased (see explanation above) were: $335 (includes a $288 tape recorder), $224, $163, $142, and $138.

"The five largest furniture expenditures were as follows:

Number of purchases by client	Description of merchandise	Cost
Four purchases in 16 months	Bedroom suite, bunk beds, used washer, chair, kitchen set	$1, 295
Four purchases in 15 months	Washer, refrigerator, bicycle, sofa bed set, three tables	1, 220
Three purchases within 1 year	Living room suite, rug, two lamps, kitchen set, used washer	944
Single purchase	Bedroom suite, living room suite, kitchen set	692
Four purchases within 1 year	Kitchen set, bed set, linen bundle, bed spreads, bedroom suite	606

"In August 1962, the Office of Investigations and Collections turned over to PAD 92 names of active cases and applications. The remaining names in these two groups will be turned over to PAD as soon as we finish analysis of the accounts. A progress report on PAD actions through September 7, 1962, follows:

"I. Plan for the review of the credit cases on August 29 and 30, 1962

"On August 23, 1962, the Public Assistance Division learned about the recipients who had made purchases on credit and were known to a Montgomery County loan company.

"On August 24, 1962, Mr. William R. Galvin, investigations and collections officer, brought in the list of names of persons known to the company. These names were cleared through registration and files to identify recipients of public assistance who made purchases.

"On August 27, 1962, Mr. Donald Gray, chief consultant, met with the administrative staff on a plan. Special staff was set up to make appointments for the interviews with the recipients. Supervisors were used in all instances to interview, except for unit No. 6 which is one of the units with recipients living in National Capital housing projects. The social workers in this unit did the interviewing of recipients assigned to them in their regular caseloads.

"1. Telephone calls were made to recipients who could be reached by telephone.

"2. Special delivery certified letters were sent to all recipients who could not be reached by telephone. A copy of the appointment letter is attached.

"Interviews were scheduled for August 29 and August 30, 1962. Since the deadline for holding September 1, 1962, assistance checks was 11 a.m. on August 31, 1962, time was at such a premium that within 2 days all of the interviews had to be completed, material evaluated, decisions made to hold or not hold the September 1, 1962, checks.

"From the information secured in the interview and recorded on the credit purchase investigation schedule, decisions were made about next steps.

"The recipient was asked to explain in his own words about the items he had purchased on credit and about the resources he had to pay for these. On the basis of the information secured on the schedule, the supervisor or social worker who did the interview, made the decision as to whether or not the September 1, 1962, check was to be held. A copy of the schedule is attached.

"1. Checks for September 1962 were held:

"(a) In all instances in which the items purchased, the cost and the monthly payments raised question about resources.

"(b) They were also held in all instances in which the recipient failed to keep his appointment to talk about his credit purchases.

"2. Checks for September 1962 were not held in those instances in which:

"(a) The items purchased seemed reasonable as to the type of item purchased.

"(b) The monthly installment payments were equal to or less than the agency monthly allowance for clothing and incidentals.

"II. The cases of recipients known to the loan company

"This report deals with the 92 cases of recipients who made credit purchases and were known to the loan company.

"1. Fifty-four assistance checks for September 1962 were not held because the items purchased seemed reasonable as to type of item purchased and the monthly installment payments were less than or equal to the agency monthly allowances for clothing and incidentals.

"2. Thirty assistance checks for September 1962 were held as follows:

"(a) In 21 instances the September check was held because the recipient had resources which needed a more thorough investigation.

"(b) In seven instances the recipient failed to keep his appointment.

"(c) In one instance the recipient was in the hospital.

"(d) In one instance the recipient is living outside the District of Columbia.

"3. In seven instances, plans for interviews with the recipients are awaiting more information on the credit accounts.

"4. In one instance, a decision to suspend assistance had been made prior to the credit purchase investigation."

TREND IN OPERATING COSTS AND AUTHORIZED POSITIONS

Senator **BYRD**. At this point, I shall insert a table which reveals District of Columbia Government trends in operating costs and authorized positions for the fiscal years 1955 to 1965. This table shows that, insofar as those departments which receive over $1 million annually in appropriations are concerned, the Department of Welfare showed the greatest percentage of change, over the period. For example, in total appropriations, the Department of Welfare showed a percentage of change amounting to 198 percent; in salary costs of authorized positions, the Department of Welfare's percentage of change over the 10-year period was 309 percent; and in authorized positions, that Department showed a percentage of change of 170 percent. In all three categories, the Department's percentage of change exceeded all other major departments. For the District of Columbia as a whole, the percentage of change in operating costs, over the 10-year period, was 122 percent in total appropriations, 133 percent in salary costs of authorized positions, and 41 percent in authorized positions.

(The information referred to follows:)

District of Columbia government trends in operating costs and authorized positions, fiscal years 1955–65

[Dollar amounts in thousands]

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in positions
GENERAL OPERATING EXPENSES				
Executive offices:				
1955	$307.5	$209.4	37	--------
1956	308.0	233.6	43	+6
1957	323.0	252.2	43	--------
1958	370.9	272.6	46	+3
1959	399.5	310.4	49	+3
1960	590.0	379.2	60	+11
1961	599.2	471.5	68	+8
1962	716.6	458.3	64	−4
1963	791.8	470.2	68	+4
1964	1,092.5	524.4	67	−1
1965	[1] 548.9	374.5	41	−26
Actual change, 1965–55	(+241.4)	(+165.1)	(+4)	--------
Percentage change, 1965–55	(+78.5)	(+78.8)	(+10.8)	--------
Compensation and retirement fund expenses: Total appropriation: [2]				
1955	10,207.0	--------	--------	--------
1956	10,036.0	--------	--------	--------
1957	11,100.0	--------	--------	--------
1958	--------	--------	--------	--------
1959	--------	--------	--------	--------
1960	--------	--------	--------	--------
1961	--------	--------	--------	--------
1962	--------	--------	--------	--------
1963	--------	--------	--------	--------
1964	--------	--------	--------	--------
1965	--------	--------	--------	--------
Actual change, 1965–55	(−10,207.0)	--------	--------	--------
Percentage change, 1965–55	--------	--------	--------	--------
Department of General Administration:				
1955	2,945.5	2,396.3	582	--------
1956	3,081.8	2,802.5	594	+12
1957	3,475.0	3,076.9	597	+3
1958	4,542.5	3,191.1	619	+22
1959	4,720.0	3,580.5	640	+21
1960	5,121.0	3,599.4	662	+22
1961	5,719.5	4,073.7	684	+22
1962	6,403.4	4,175.0	700	+16
1963	6,761.3	4,440.6	712	+12
1964	7,558.4	4,866.5	711	−1
1965	[1] 8,350.4	5,389.5	716	+5
Actual change, 1965–55	(+5,404.9)	(+2,993.2)	(+134)	--------
Percentage change, 1965–55	(+183.5)	(+124.9)	(+23)	--------
GENERAL OPERATING EXPENSES—continued				
Regulatory agencies:				
1955	$918.2	$847.8	188	--------
1956	967.0	913.3	192	+4
1957	1,058.4	953.8	198	+6
1958	1,207.5	1,059.4	207	+9
1959	1,400.0	1,214.1	231	+24
1960	1,570.5	1,333.0	232	+1
1961	1,629.0	1,458.0	236	+4
1962	1,839.0	1,482.3	239	+3
1963	1,862.0	1,548.3	240	+1
1964	2,063.1	1,724.4	239	−1
1965	[1] 2,656.0	2,138.0	276	+37
Actual change, 1965–55	(+1,737.8)	(+1,290.2)	(+88)	--------
Percentage change, 1965–55	(+189.3)	(+152.2)	(+46.8)	--------
Occupations and professions;				
1955	264.0	187.0	43	--------
1956	248.5	194.2	42	−1
1957	262.0	195.4	42	--------
1958	294.8	210.1	46	+4
1959	299.0	230.7	45	−1
1960	327.0	232.5	45	--------
1961	342.0	243.6	55	+10
1962	480.0	293.2	58	+3
1963	441.0	334.2	56	−2
1964	471.8	344.3	56	--------
1965	[1] 503.1	374.0	56	--------
Actual change, 1965–55	(+239.1)	(+187.0)	(+13)	--------
Percentage change, 1965–55	(+90.6)	(+100)	(+30.2)	--------
Public Library;				
1955	1,611.0	1,202.4	352	--------
1956	1,639.3	1,337.2	361	+9
1957	1,783.0	1,370.0	368	+7
1958	1,962.0	1,402.8	370	+2
1959	2,140.0	1,701.3	372	+2
1960	2,493.0	1,806.1	397	+25
1961	2,688.0	2,044.5	413	+16
1962	3,043.0	2,138.1	431	+18
1963	3,140.2	2,258.6	436	+5
1964	3,478.4	2,471.8	465	+29
1965	[1] 3,902.5	2,817.0	488	+23
Actual change, 1965–55	(+2,291.5)	(+1,614.6)	(+136)	--------
Percentage change, 1965–55	(+142.2)	(+134.3)	(+38.6)	--------

District of Columbia government trends in operating costs and authorized positions, fiscal years 1955–65—Continued

[Dollar amounts in thousands]

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in positions
GENERAL OPERATING EXPENSES—continued				
Veterans' Affairs:				
1955	$93. 0	$82. 1	18	--------
1956	92. 2	74. 5	18	--------
1957	98. 5	75. 3	18	--------
1958	104. 0	77. 0	18	--------
1959	97. 0	88. 6	16	−2
1960	107. 0	92. 6	16	--------
1961	109. 5	101. 4	16	--------
1962	118. 0	102. 1	16	--------
1963	119. 6	104. 9	16	--------
1964	111. 8	94. 6	12	−4
1965	[1] 116. 2	102. 0	12	--------
Actual change, 1965–55	(+23. 2)	(+23. 9)	(−6)	--------
Percentage change, 1965–55	(+24. 9)	(+24. 2)	(−33. 3)	--------
Department of Buildings and and Grounds:				
1955	1, 675. 6	946. 5	297	--------
1956	1, 687. 0	1, 010. 2	300	+3
1957	1, 780. 0	1, 057. 5	301	+1
1958	2, 044. 0	1, 100. 5	307	+6
1959	2, 135. 0	1, 194. 4	314	+7
1960	2, 507. 0	1, 288. 3	299	−15
1961	2, 538, 0	1, 372. 4	303	+4
1962	2, 656. 7	1, 370. 2	303	--------
1963	2, 654. 3	1, 431. 5	297	−6
1964	2, 895. 1	1, 591. 8	319	+22
1965	[1] 3, 112. 4	1, 643. 6	318	−1
Actual change, 1965–55	(+1, 436, 8)	(+697. 1)	(+21)	--------
Percentage change, 1965–55	(+85. 7)	(+73. 7)	(+7. 1)	--------
Surveyor's Office:				
1955	149. 2	141. 0	37	--------
1956	153. 9	149. 5	38	+1
1957	170. 0	151. 9	40	+2
1958	180. 0	153. 7	40	--------
1959	180. 0	170. 9	39	−1
1960	200. 0	164. 4	39	--------
1961	205. 0	173. 3	39	--------
1962	212. 0	195. 5	36	−3
1963	204. 0	184. 2	36	--------
1964	211. 8	192. 1	36	--------
1965	[1] 254. 1	234. 0	38	+2
Actual change 1965–55	(+104. 9)	(+93. 0)	(+1)	--------
Percentage change, 1965–55	(+70. 3)	(+66. 0)	(+2. 7)	--------
Total, general operating expenses: [3]				
1955	7, 964. 0	6, 012. 5	1, 554	--------
1956	8, 177. 7	6, 715. 0	1, 588	+34
1957	8, 949. 9	7, 133. 0	1, 607	+19
1958	10, 705. 7	7, 467. 2	1, 653	+46
1959	11, 370. 5	8, 490. 8	1, 706	+53
1960	12, 915. 5	8, 895. 5	1, 750	+44
1961	13, 830. 2	9, 938. 4	1, 814	+64
1962	15, 468. 7	10, 214. 7	1, 847	+33
1963	15, 974. 2	10, 772. 5	1, 861	+14
1964	17, 882. 9	11, 809. 9	1, 905	+44
1965	[1] 19, 443. 6	13, 072. 6	1, 945	+40
Actual change, 1955–55	(+11, 479. 6)	(+7, 060. 1)	(+391)	--------
Percentage change, 1965–55	(+144. 1)	(+117. 4)	(+25. 2)	--------
PUBLIC SAFETY				
Office of Corporation Counsel:				
1955	428. 6	397. 0	65	--------
1956	442. 9	430. 4	66	+1
1957	480. 0	438. 1	69	+3
1958	544. 0	519. 5	82	+13
1959	660. 0	616. 3	92	+10
1960	755. 0	652. 4	95	+3
1961	798. 5	741. 9	99	+4
1962	902. 0	765. 2	103	+4
1963	965. 4	852. 2	111	+8
1964	1, 065. 5	945. 5	113	+2
1965	[1] 1, 218. 8	1, 085. 0	118	+5
Actual change, 1965–55	(+790. 2)	(+688. 0)	(+53)	--------
Percentage change, 1965–55	(+184. 4	(+173. 3)	(+81. 5)	--------
Metropolitan Police:				
1955	12, 837. 5	11, 635. 1	2, 473	--------
1956	12, 808. 0	12, 443. 1	2, 472	−1
1957	13, 773. 0	12, 538. 8	2, 698	+226
1958	18, 160. 0	13, 715. 4	2, 709	+11
1959	18, 460. 0	15, 153. 0	2, 697	−12
1960	21, 761. 0	15, 786. 6	2, 798	+101
1961	23, 517. 0	17, 624. 3	2, 933	+135
1962	26, 261. 5	18, 748. 1	3, 067	+134
1963	26, 901. 9	19, 509. 6	3, 132	+65
1964	31, 028. 0	21, 891. 6	3, 240	+108
1965	[1] 34, 662. 9	24, 426. 0	3, 275	+35
Actual change, 1965–55	(+21, 825. 4)	(+12, 790. 9)	(+802)	--------
Percentage change 1965–55	(+170)	(+109. 9)	(+32. 4)	--------
Fire Department:				
1955	6, 266. 6	5, 578. 4	1, 128	--------
1956	6, 257. 9	6, 036. 5	1, 128	--------
1957	6, 755. 0	6, 034. 3	1, 128	--------
1958	9, 007. 0	6, 296. 4	1, 184	+56
1959	9, 187. 0	7, 057. 0	1, 185	+1
1960	10, 557. 0	7, 259. 1	1, 185	--------
1961	10, 940. 0	7, 899. 8	1, 189	+4
1962	11, 789. 0	8, 001. 5	1, 194	+5
1963	12, 595. 0	8, 642. 4	1, 278	+84
1964	15, 362. 5	10, 783. 5	1, 458	+180
1965	[1] 17, 089. 1	12, 032. 0	1, 476	+18
Actual change, 1965–55	(+10, 822. 5)	(+6, 453. 6)	(+348)	--------
Percentage change, 1965–55	(+172. 7)	(+115. 7)	(+30. 9)	--------
PUBLIC SAFETY—continued				
Office of Civil Defense:				
1955	$150. 0	$83. 0	19	--------
1956	75. 0	60. 6	13	−6
1957	78. 0	60. 9	13	--------
1958	86. 0	61. 2	13	--------
1959	80. 0	38. 7	13	--------
1960	60. 0	29. 9	6	−7
1961	90. 0	59. 2	10	+4
1962	93. 5	66. 1	10	--------
1963	95. 0	68. 2	10	--------
1964	122. 9	79. 1	12	+2
1965	[1] 129. 1	100. 5	13	+1
Actual change, 1965–55	(−20. 9)	(+17. 5)	(−6)	--------
Percentage change 1965–55	(−13. 9)	(+21. 1)	(−31. 6)	--------
Courts;				
1955	3, 163. 4	1, 123. 2	234	--------
1956	3, 369. 7	1, 266. 8	241	+7
1957	3, 972. 0	1, 446. 3	282	+41
1958	4, 534. 6	1, 633. 9	303	+21
1959	4, 953. 0	1, 888. 4	326	+23
1960	5, 396. 0	1, 990. 6	326	--------
1961	5, 633. 6	2, 162. 4	332	+6
1962	6, 065. 0	1, 183. 2	335	+3
1963	6, 209. 4	2, 344. 9	352	+17
1964	6, 771. 5	2, 580. 6	361	+9
1965	[1] 7, 783. 5	3, 026. 5	379	+18
Actual change, 1965–55	(+4, 620. 1)	(+1, 903. 3)	(+145)	--------
Percentage change, 1965–55	(+146)	(+169. 5)	(+62)	--------
Department of Corrections:				
1955	4, 374. 6	2, 429. 2	603	--------
1956	4, 526. 8	2, 566. 5	610	+7
1957	4, 710. 0	2, 748. 7	633	+23
1958	5, 275. 0	3, 099. 3	657	+24
1959	5, 437. 0	3, 457. 5	670	+13
1960	6, 017. 0	3, 717. 6	693	+23
1961	7, 000. 0	3, 752. 2	851	+158
1962	7, 607. 0	4, 197. 1	872	+21
1963	7, 849. 5	5, 270. 9	887	+15
1964	8, 403. 9	5, 593. 3	898	+11
1965	[1] 9, 327. 6	6, 107. 0	936	+38
Actual change, 1965–55	(+4, 953. 0)	(+3, 677. 8)	(+333)	--------
Percentage change, 1965–55	(+113. 2)	(+151. 4)	(+55. 2)	--------
Department of Licenses and Inspections:				
1955	1, 378. 0	1, 249. 8	296	--------
1956	1, 546. 3	1, 410. 6	311	+15
1957	1, 658. 0	1, 432. 0	313	+2
1958	1, 862. 0	1, 621. 8	332	+19
1959	2, 017. 0	1. 777. 1	350	+18
1960	2, 294. 0	1, 885. 3	358	+8
1961	2, 465. 0	2, 127. 3	375	+17
1962	2, 787. 6	2, 201. 0	400	+25
1963	2, 784. 0	2, 408. 6	398	−2
1964	3, 019. 1	2, 604. 6	398	--------
1965	[1] 3, 304. 3	2, 832. 0	406	+8
Actual change, 1965–55	(+1, 926. 3)	(+1, 582. 2)	(+110)	--------
Percentage change, 1965–55	(+139. 8)	(+126. 6)	(+37. 2)	--------
National Guard:				
1955	114. 8	73. 7	21	--------
1956	119. 8	77. 5	22	+1
1957	136. 5	100. 1	24	+2
1958	155. 3	103. 8	25	+1
1959	155. 0	114. 0	25	--------
1960	168. 0	115. 8	25	--------
1961	172. 7	126. 8	25	--------
1962	185. 0	126. 3	25	--------
1963	187. 6	133. 5	25	--------
1964	198. 2	142. 5	25	--------
1965	[2] 209. 3	153. 0	25	--------
Actual change, 1965–55	(+94. 5)	(+79. 3)	(+4)	--------
Percentage change, 1965–55	(+82. 3)	(+107. 6)	(+19)	--------
Total, public safety:				
1955	28, 713. 5	22, 569. 4	4, 839	--------
1956	29, 146. 4	24, 292. 0	4, 863	+24
1957	31, 562. 5	24, 799. 2	5, 160	+297
1958	39, 623. 9	27, 051. 3	5, 305	+145
1959	40, 949. 0	30, 102. 0	5, 358	+53
1960	47, 008. 0	31, 437. 3	5, 486	+128
1961	50, 616. 8	34, 493. 9	5, 814	+328
1962	55, 690. 6	36, 288. 5	6, 006	+192
1963	57, 587. 8	39, 230. 3	6, 193	+187
1964	65, 971. 6	44, 620. 7	6, 505	+312
1965	[1] 73, 726. 6	49, 762. 0	6, 628	+123
Actual change, 1965–55	(+45, 011. 1)	(+27, 192. 6)	(+1, 789)	--------
Percentage change, 1965–55	(+157. 7)	(+120. 5)	(+37)	--------
EDUCATION				
Public schools:				
1955	27, 626. 6	23, 174. 4	5, 311	--------
1956	28, 130. 0	26, 929. 2	5, 392	+81
1957	32, 515. 8	28, 119. 0	5, 619	+227
1958	37, 450. 0	31, 166. 5	5, 803	+184
1959	39, 948. 0	34, 073. 5	5, 988	+185
1960	47, 113. 0	34, 929. 0	6, 159	+171
1961	49, 232. 7	38, 923. 2	6, 436	+277
1962	54, 206. 1	40, 163. 3	6, 632	+196
1963	57, 248. 4	42, 000. 1	6, 936	+304
1964	63, 860. 6	47, 552. 6	7, 315	+379
1965	72, 038. 3	55, 454. 9	7, 728	+413
Actual change, 1965–55	(+44, 411. 7)	(+32, 280. 5)	(+2, 417)	--------
Percentage change 1965–55	(+160. 8)	(+139. 3)	(+45. 5)	--------

District of Columbia government trends in operating costs and authorized positions, fiscal years 1955-65—Continued

[Dollar amounts in thousands]

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in positions
PARKS AND RECREATION				
Recreation Department:				
1955	$1,641.0	$808.8	222	--------
1956	1,688.5	853.3	228	+6
1957	1,903.0	908.1	248	+20
1958	2,165.1	1,013.0	258	+10
1959	2,250.0	1,154.7	253	−5
1960	2,657.1	1,221.5	261	+8
1961	2,855.6	1,373.1	271	+10
1962	3,245.1	1,603.4	279	+8
1963	3,348.4	1,632.6	283	+4
1964	3,656.0	1,821.2	285	+2
1965	4,287.7	2,066.0	302	+17
Actual change, 1965–55	(+2,646.7)	(+1,257.2)	(+80)	--------
Percentage change, 1965–55	(+161.3)	(+155.4)	(+36)	--------
National Capital Parks:				
1955	2,344.0	1,773.7	522	--------
1956	2,389.0	2,023.7	545	+23
1957	2,535.0	2,058.1	545	--------
1958	2,844.9	2,245.0	584	+39
1959	2,850.0	2,780.7	596	+12
1960	3,194.0	2,924.9	602	+6
1961	3,260.0	3,106.0	602	--------
1962	3,479.7	3,101.0	602	--------
1963	3,541.2	3,262.0	602	--------
1964	3,813.5	3,412.0	602	--------
1965	4,123.4	3,858.0	626	+24
Actual change, 1965–55	(+1,779.4)	(+2,084.3)	(+104)	--------
Percentage change, 1965–55	(+75.9)	(+117.5)	(+19.9)	--------
National Zoological Park:				
1955	645.0	466.9	137	--------
1956	669.3	512.3	137	--------
1957	720.0	516.1	137	--------
1958	784.0	580.1	144	+7
1959	898.0	695.4	158	+14
1960	1,160.0	839.4	186	+28
1961	1,250.0	975.1	197	+11
1962	1,379.8	1,041.8	205	+8
1963	1,470.2	1,120.8	210	+5
1964	1,597.4	1,219.9	211	+1
1965	1,739.2	1,308.0	212	+1
Actual change, 1965–55	(+1,094.2)	(+841.1)	(+75)	--------
Percentage change, 1965–55	(+169.6)	(+180.1)	(+54.7)	--------
Total, parks and recreation:				
1955	4,630.0	3,049.4	881	--------
1956	4,746.8	3,389.3	910	+29
1957	5,158.0	3,482.3	930	+20
1958	5,794.0	3,838.1	986	+56
1959	5,998.0	4,630.8	1,007	+21
1960	7,011.1	4,985.8	1,049	+42
1961	7,365.6	5,454.2	1,070	+21
1962	8,104.6	5,846.2	1,086	+16
1963	8,359.8	6,015.4	1,095	+9
1964	9,066.9	6,453.1	1,098	+3
1965	10,150.3	7,232.0	1,140	+42
Actual change, 1965–55	(+5,520.3)	(+4,182.6)	(+259)	--------
Percentage change, 1965–55	(+119.2)	(+137.2)	(+29.4)	--------
HEALTH AND WELFARE				
Vocational Rehabilitation:				
1955	120.0	22.5	32	--------
1956	140.0	42.4	34	+2
1957	147.0	45.7	34	--------
1958	208.5	73.6	40	+6
1959	224.8	78.8	42	+2
1960	247.0	101.1	42	--------
1961	300.0	54.7	47	+5
1962	376.0	68.4	50	+3
1963	401.8	95.8	51	+1
1964	498.2	120.1	66	+15
1965	[1] 710.3	464.1	95	+29
Actual change, 1965–55	(+590.3)	(+441.6)	(+63)	--------
Percentage change, 1965–55	(+491.9)	(+1,962.7)	(+196.9)	--------
Department of Public Health:				
1955	22,636.0	8,997.7	2,759	--------
1956	23,592.0	9,787.9	2,757	−2
1957	25,503.4	10,202.8	2,852	+95
1958	28,285.3	10,552.2	2,993	+141
1959	30,730.0	12,759.3	3,205	+212
1960	35,063.0	13,839.3	3,344	+139
1961	36,910.5	15,123.8	3,382	+38
1962	40,518.0	15,520.0	3,556	+174
1963	43,727.8	17,864.6	3,689	+133
1964	46,909.5	19,238.4	3,746	+57
1965	[1] 49,283.6	21,489.0	3,769	+23
Actual change, 1965–55	(+26,647.6)	(+12,491.3)	(+1,010)	--------
Percentage change, 1965–55	(+117.7)	(+138.8)	(+36.6)	--------
Department of Public Welfare:				
1955	8,765.1	3,468.3	1,035	--------
1956	9,600.0	4,317.5	1,212	+177
1957	10,642.5	4,854.6	1,345	+133
1958	13,168.0	5,665.8	1,598	+253
1959	15,140.0	6,889.2	1,713	+115
1960	17,450.0	7,315.6	1,861	+148
1961	19,145.0	8,679.5	1,988	+127
1962	21,401.1	9,628.8	2,061	+73
1963	21,256.7	9,860.1	2,366	+305
1964	23,118.4	11,648.7	2,705	+339
1965	[1] 26,160.6	14,198.0	2,802	+97
Actual change 1965–55	(+17,395.5)	(+10,729.7)	(+1,767)	--------
Percentage change 1965–55	(+198.5)	(+309.4)	(+170.7)	--------
HEALTH AND WELFARE—con.				
Total, health and welfare:				
1955	$31,521.1	$12,488.5	3,826	--------
1956	33,332.0	14,147.8	4,003	+177
1957	36,292.9	15,103.1	4,231	+228
1958	41,661.8	16,291.6	4,631	+400
1959	46,094.8	19,727.3	4,960	+329
1960	52,760.0	21,256.0	5,247	+287
1961	56,355.5	23,858.0	5,417	+170
1962	62,295.1	25,217.2	5,667	+250
1963	65,386.3	27,820.5	6,106	+439
1964	70,526.1	31,007.2	6,517	+411
1965	[1] 76,154.5	36,151.5	6,666	+149
Actual change, 1965–55	(+44,633.4)	(+23,663.0)	(+2,840)	--------
Percentage change, 1965–55	(+141.6)	(+191)	(+74.2)	--------
HIGHWAYS AND TRAFFIC				
Department of Highways and Traffic:				
1955	5,768.6	3,413.7	939	--------
1956	5,967.0	3,809.0	1,053	+114
1957	6,535.0	4,043.5	1,059	+6
1958	7,207.0	4,568.2	1,209	+150
1959	7,907.0	5,392.5	1,277	+68
1960	8,178.0	5,714.4	1,293	+16
1961	8,441.0	6,419.1	1,314	+21
1962	9,204.6	7,684.7	1,418	+104
1963	9,624.5	7,981.3	1,449	+31
1964	10,430.5	8,673.3	1,469	+20
1965	[1] 11,576.9	9,249.0	1,502	+33
Actual change, 1965–55	(+5,808.3)	(+5,835.3)	(+563)	--------
Percentage change, 1965–55	(+100.7)	(+170.9)	(+60)	--------
Department of Motor Vehicles:				
1955	1,003.0	704.9	191	--------
1956	1,107.0	819.7	200	+9
1957	1,303.0	844.7	203	+3
1958	1,438.0	873.2	209	+6
1959	1,042.0	854.2	190	−19
1960	1,202.0	885.4	194	+4
1961	1,291.6	987.8	199	+5
1962	1,502.0	1,029.4	211	+12
1963	1,588.4	1,101.7	219	+8
1964	1,759.2	1,200.8	220	+1
1965	[1] 1,914.0	1,307.1	223	+3
Actual change, 1965–55	(+911.0)	(+602.2)	(+32)	--------
Percentage change, 1965–55	(+90.8)	(+85.4)	(16+.8)	--------
Motor Vehicle Parking Agency:				
1955	235.4	39.6	13	--------
1956	350.0	57.8	18	+5
1957	295.0	51.7	18	--------
1958	519.0	53.6	18	--------
1959	310.0	60.3	17	−1
1960	230.0	65.0	14	−3
1961	187.0	67.1	14	--------
1962	197.5	74.9	14	--------
1963	205.1	76.9	13	−1
1964	218.3	84.4	13	--------
1965	[1] 223.1	90.2	13	--------
Actual change, 1965–55	(−12.3)	(+50.6)	------------	--------
Percentage change, 1965–55	(−5.2)	(+127.8)	------------	--------
Total, highways and traffic:				
1955	7,007.0	4,158.2	1,143	--------
1956	7,424.0	4,686.5	1,271	+128
1957	8,133.0	4,939.9	1,280	+9
1958	9,164.0	5,495.0	1,436	+156
1959	9,259.0	6,307.0	1,484	+48
1960	9,610.0	6,664.8	1,501	+17
1961	9,919.6	7,474.0	1,527	+26
1962	10,904.1	8,789.0	1,643	+116
1963	11,418.0	9,159.9	1,681	+38
1964	12,408.0	9,958.5	1,702	+21
1965	[1] 13,714.0	10,646.3	1,738	+36
Actual change, 1965–55	(+6,707.0)	(+6,488.1)	(+595)	--------
Percentage change, 1965–55	(+95.7)	(+156)	(+52.1)	--------
SANITARY ENGINEERING				
Department of Sanitary Engineering:				
1955	9,732.7	8,789.8	2,781	--------
1956	10,285.0	9,503.5	2,785	+4
1957	10,896.2	10,255.8	2,799	+14
1958	12,759.0	11,002.9	2,943	+144
1959	13,590.0	12,217.5	2,959	+16
1960	15,707.0	13,176.4	2,962	+3
1961	15,860.0	13,625.8	2,960	−2
1962	17,337.6	14,517.5	3,023	+63
1963	17,897.4	14,704.2	3,045	+22
1964	18,838.6	15,553.5	3,054	+9
1965	[1] 19,239.6	16,166.0	3,061	+7
Actual change, 1965–55	(+9,506.9)	(+7,376.2)	(+280)	--------
Percentage change, 1965–55	(+97.7)	(+83.9)	(+10.1)	--------
Washington aqueduct:				
1955	2,127.0	1,526.3	369	--------
1956	2,120.0	1,605.5	369	--------
1957	2,137.0	1,623.3	369	--------
1958	2,322.0	1,606.8	369	--------
1959	2,322.0	1,633.8	332	−37
1960	2,480.0	1,608.5	325.	−7
1961	2,616.0	1,699.0	325	--------
1962	2,742.0	1,792.4	325	--------
1963	2,863.4	1,920.5	336	+11

District of Columbia government trends in operating costs and authorized positions, fiscal years 1955-65—Continued

[Dollar amounts in thousands]

	Total appropriation	Salary cost of authorized positions	Authorized positions	Net change in positions
SANITARY ENGINEERING—con.				
Washington aqueduct—Con.				
1964	$3,012.5	$2,110.2	336	
1965	[1] 3,144.9	2,139.0	336	
Actual change, 1965-55	(+1,017.9)	(+612.7)	(−33)	
Percentage change, 1965-55	(+47.9)	(40.1)	(−8.9)	
Total sanitary engineering:				
1955	11,859.7	10,316.1	3,150	
1956	12,405.0	11,109.0	3,154	+4
1957	13,033.2	11,879.1	3,168	+14
1958	15,081.0	12,609.7	3,312	+144
1959	15,912.0	13,851.3	3,291	−21
1960	18,187.0	14,784.9	3,287	−4
1961	18,476.0	15,324.8	3,285	−2
1962	20,079.6	16,309.9	3,348	+63
1963	20,760.8	16,624.7	3,381	+33
1964	21,851.1	17,663.7	3,390	+9
1965	[1] 22,384.5	18,305.0	3,397	+7
Actual change, 1965-55	(+10,524.8)	(+7,988.9)	(+247)	
Percentage change, 1965-55	(+88.7)	(+77.4)	(+7.8)	
JUDGMENTS AND CLAIMS				
1955				
1956				
1957				
1958				
1959				
1960				
1961				
1962	17.2			
1963				
1964	22.2			
1965	14.0			
Actual change, 1965-55	(+14.0)			
Percentage change, 1965-55				
ADDITIONAL MUNICIPAL SERVICES, INAUGURAL CEREMONIES				
1955				
1956				
1957	$155.0			
1958				
1959				
1960				
1961	200.0			
1962				
1963				
1964				
1965	283.0			
Actual change, 1965-55	(+283.0)			
Percentage change, 1965-55				
Total, District of Columbia:				
1955	129,529.0	$81,768.5	20,704	
1956	133,397.9	91,268.8	21,181	+477
1957	146,900.3	95,455.6	21,995	+814
1958	159,480.4	103,919.4	23,126	+1,131
1959	169,531.3	117,182.7	23,794	+668
1960	194,604.6	122,953.3	24,479	+685
1961	205,996.4	135,466.5	25,363	+884
1962	226,766.0	142,828.8	26,229	+866
1963	236,735.4	151,654.0	27,253	+1,024
1964	261,589.4	169,112.0	28,432	+1,179
1965	287,906.8	190,623.9	29,242	+810
Actual change, 1965-55	(+158,377.8)	(+108,855.4)	(+8,538)	
Percentage change, 1965-55	(+122.3)	(+133.1)	(+41.2)	

[1] Total includes $10,459,500 for supplementals in 1965, distributed to each agency.

[2] Beginning in fiscal year 1958, compensation and retirement fund expenses have been reflected in the operating budgets of the respective departments.

[3] Excludes "Compensation and retirement fund expenses" appropriation account.

"WHY MUST THE TAXPAYERS SUBSIDIZE IMMORALITY?—PUBLIC WELFARE SHOULD BE A VEHICLE FOR RAISING THE STANDARDS OF THE RECIPIENT, NOT A REWARD FOR INDOLENCE AND DEPRAVITY

"(Condensed from Philadelphia Sunday Bulletin Magazine)

"(By Juanita Kidd Stout)[1]

"During the years I have been a judge in the Philadelphia County court, I have learned a great deal about people on relief and about the people who hand out their checks. Frequently I have been outraged by both.

"Last year there appeared before our court a child of 13 years who shortly was to be delivered of a baby fathered by her uncle. For at least 10 years her family had been on relief—with a succession of men fathering a succession of children. The girl's 14-year-old sister had produced a illegitimate baby at 13; another older sister had borne an illegitimate child at 14.

"But nothing had been done by welfare workers to take these girls, their brothers, and sisters from their depraved home. In fact, one caseworker had filed a written report with the court stating that the mother was providing a 'fairly adequate home' for her seven children.

"On another occasion, a young man was brought before me on a charge of not supporting the child he had sired out of wedlock—nor was he contributing anything to the support of his own wife's five children. He had not held a steady job for 10 years and had been on and off the relief rolls. I asked his caseworker if anyone had insisted that this healthy man find work. The answer was 'It is not our job to insist.'

"I said, "This man has completed the 11th grade. He is neither stupid nor incapacitated. In the last 10 years a great deal of grass has grown, a good many snows have fallen. Has no one directed him to a lawn mower, a snowshovel?'

"The caseworker said 'No.'

"I then told the young man that if he failed to get a job in 2 weeks, or to prove that he had tried to get work by visiting 25 places of potential employment, he was going to jail. Four days later he reported back. He had a job.

"In another case, a man brought before my court on the charge of failing to support three illegitimate children told me he had been 'permitted' by a relief worker to set up a household with another woman. I didn't believe him, but investigation proved he was telling the truth.

"The man was a part-time chauffeur and a partial relief recipient. Both women involved were receiving grants. When I called on the caseworkers of the man's two paramours for testimony, I learned that they indeed had knowledge of the situation. Not only that, but a supplementary grant had been approved for paramour No. 2, reimbursing her for $45 in 'household money' she had used as bail to retrieve her lover from behind bars.

"This shocks my conscience—moral as well as financial.

"The tragedy of relief is that it takes away from people the drive to work. When a person is capable of earning only $45 a week, he may be all too willing to accept $45 from public assistance for doing nothing. I have the deepest sympathy for the good mother struggling to bring up her children on a welfare grant, and for the father who wants but cannot find work. But I deplore a system that regards the handing out of checks as its prime function, that subsidizes the lazy and immoral home with the taxpayer's dollar.

"Teenage boys have appeared before me on charge of delinquency, and I have asked them what their fathers did for a living. Their answer: 'We get a check from the State.'

"I get a check from the Government, too. But there is one big difference; I work for mine. Too many youngsters in welfare-supported families never learn the value, the joy, the necessity of work—seeing, as they do, their fathers lying in bed until 10 in the morning, and hearing the family finances discussed only in terms of 'waiting until the check comes in.'

"Many social workers contend that the purpose of welfare is to keep families together. In my opinion, a good institutional home would be far better for the growth and development of children than an unfit private home where a child sees promiscuity, crime, and vice, where the welfare check is used for everything but the child's support.

"It is my suggestion that we provide dormitory facilities for these pitiful children, especially in the urban areas where the need is most acute, and that the public-assistance law be amended to provide grants for the children's support during the period of dormitory living. There our deprived youngsters would get the benefit of the taxpayer's dollar. They could be supervised in their studies

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"[1] Juanita Kidd Stout, the first Negro woman to be elected judge in Pennsylvania, was born in Wewoka, Okla. She is a graduate of the University of Iowa and took her master of laws degree and her doctorate in jurisprudence at Indiana University. She taught school, practiced law and, in 1959, was elected to the Philadelphia County Court for a 10-year term. Judge Stout is active in various civic organizations and writes and lectures extensively on the problems of dependent and delinquent children in the United States.

and recreation. From there they could attend local schools. Each would have a clean bed, a warm meal, and a light to read by—things many of them have never known. In the end, such a plan probably would be less expensive than our present system—or lack of system.

"Social workers object to institutional care 'because youngsters need mother love.' They should sit in court with me and hear, day after day, the stories of some of that love: no genuine affection, no supervision, no conversation—nothing but a succession of 'boarder' men.

"There might be less need for special facilities if more of those involved in administering relief programs were concerned with seeing that a child has a decent upbringing. Certainly, welfare workers have heavy caseloads. But no achievement of substance comes easily, and the result of the extra effort can be inspiring, especially when you are dealing with human lives.

"A few years ago five young girls involved in the slashing of another youngster in school were brought before me on a charge of delinquency. Some were from homes supported by welfare grants. None had had any previous contacts with the court. I decided on an experiment: I made each write an essay on the meaning of being a lady; each was told that she must volunteer 100 hours of work in a hospital, a library, or a home for the aged. And each must make a proper skirt, not tight and short like those they had worn in court.

"These girls did not only everything the court assigned—but more. They learned the joy of work and of doing for others. They kept coming back even after I had released them from probation, and continually asked me: 'What can we do next, Judge Stout?' None has been in trouble since. Two are now married, two are still in school, and one is working.

"What these girls needed was helpful direction. Why didn't they receive such aid from a welfare worker before they came before our court?

"No child, no adult, can remain on probation in my court unless he learns to read and write. (In Philadelphia we have third- and fourth-generation illiterates on relief.) Moreover, I will not hear the case of any boy, any man, who appears before me with his shirttail out, his hair unkempt. Neatness makes an astounding difference, not only in appearance but in outlook.

"Certainly, I have the great prod of a jail sentence to get men to look for work, women to care for their children, and youngsters to keep out of trouble. But those who administer the welfare programs have as great a prod—the check.

"It seems to me that attendance at free adult schools, to learn to read and write, should be a prerequisite of getting welfare money. If I can demand that a man bring me a list of 25 places where he has applied for work—or proof that he has enrolled in a training program—before I pass sentence in nonsupport cases, I believe welfare departments also can and should insist that he actively seek employment. If I can make it a part of juvenile probation that every youngster in my court bring me a study record signed by his parents or guardians, and his school report cards, why cannot a caseworker check such things?

"Much can be done by welfare workers to lift people from the welfare environment. For example, there is great need for women in service jobs today, not just in homes but also in hospitals, office buildings, and plants. A program could be developed whereby the best mother in a block—or perhaps the two best—would take on the day care of the small children while the other mothers took training and got jobs. The babysitting mothers would be paid by the working mothers, and all would be functioning as a part of our society.

"I know as well as any social worker that the deplorable homes in our urban centers are breeding and multiplying indolence, illegitimacy, disrespect for law. I know, too, that the collection of relief checks is becoming one of the big occupations in this country. I believe strongly that a moral atmosphere in the home should be a factor in determining eligibility for welfare. An immoral home should not be subsidized.

"I grew up in Oklahoma and earned my first money from prizes for my 4-H vegetable garden. Earning this money was enormously important to me. My mother and father always worked harder than they had to, and they taught me the value of work. To this day, my mother, who is 81, works in her garden. And when I go home to visit, she still repeats to me—although I am now 46—the same maxim she spoke over and over to me as a child.

"'Juanita,' she says, 'make yourself useful.'

"I want no more and no less for every American than the fulfillment of my mother's advice to 'make yourself useful.' If we have lost certain parents in this generation because of the dependency bred of our welfare programs, let us not also rob so many of our youngsters of this heritage, this privilege—this right to usefulness."

Mr. BYRD of West Virginia. Mr. President, much has been said concerning crime in the District of Columbia. Those who advocate the AFDC–UP program say that we should institute this program—presumably because it would have an effect upon the growing crime rate in the District.

This committee, as we know, has complied with the President's request for additional policemen to combat the growing crime rate.

Mr. President, I ask unanimous consent to have printed at this point in the Record a table showing the number of police per 1,000 population in cities of 500,000 to 1 million population.

There being no objection, the table was ordered to be printed in the Record, as follows:

TOTAL POLICEMEN PER THOUSAND POPULATION

Senator Byrd. What is the number per thousand?

Chief Layton. It is either three or right around three policemen per thousand population.

The authorized strength, Mr. Chairman, of 3,000 would give us 3.71 policemen per thousand of population.

Senator Byrd. What are the cities of comparable size? Do you have that?

Inspector Wilson. No, sir; I don't have that.

Chief Layton. Can we supply that for the record, Mr. Chairman?

Senator Byrd. Yes.

RATIOS IN OTHER CITIES

Senator Byrd. You might also indicate the number of policemen per 1,000 population for other cities.

Chief Layton. Yes, sir; we can do that.

(The information requested follows:)

Police per 1,000 population, cities 500,000 to 1,000,000 population

	1964 [1] population (in thousands)	1963 [2] actual police	Police per 1,000 population
Baltimore	924	3,132	3.38
Cleveland	864	1,904	2.20
Washington:			
Actual	808	2,910	3.60
Authorized	808	3,000	3.71
Dallas	781	1,122	1.43
Milwaukee	761	1,764	2.31
San Francisco	756	1,716	2.26
St. Louis	711	1,831	2.57
Boston	695	2,557	3.67
New Oreleans	663	1,022	1.54
San Antonio	659	611	.92
San Diego	642	691	1.07
Pittsburgh	574	1,457	2.53
Seattle	564	900	1.59
Kansas City	548	890	1.62
Memphis	547	724	1.32
Phoenix	528	596	1.12
Denver	524	769	1.46
Atlanta	518	720	1.38
Buffalo	504	1,318	2.61

[1] FBI estimates based on various sources.

[2] Actual, Dec. 31, 1963, FBI report of July 20, 1964.

Mr. BYRD of West Virginia. Mr. President, this table shows that the city of Washington already leads the list of 19 cities. The city of Washington has 3.71 authorized police positions per 1,000 population already authorized. This table does not take into consideration the additional 235 temporary positions that are provided in the bill before us.

I shall have more to say about the handling of criminal cases by the courts in the District of Columbia at a later date. However, inasmuch as it has been mentioned that we should strike at the roots of crime—and this reference was made by one of the previous speakers today in support of the AFDC–UP program—I propose that to strike at the roots of crime, the courts should be less lenient in their handling and treatment of criminals.

Mr. President, I apologize to the Presiding Officer and to the clerks for keeping them to this hour. I do not often impose upon the Senate. Seldom do I speak at length on the Senate floor. However, I feel that it is incumbent upon me to place in the Record the facts, as I have adduced them, and as they pertain to the very controversial subject under consideration.

Mr. President, I yield the floor.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in adjournment until tomorrow at noon.

The motion was agreed to; and (at 9 o'clock and 25 minutes p.m.) the Senate adjourned until Tuesday, June 22, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 21, 1965:

Department of Defense

David E. McGiffert, of the District of Columbia, to be Under Secretary of the Army, vice Stanley E. Resor.

Stanley R. Resor, of Connecticut, to be Secretary of the Army, vice Stephen Ailes, resigned.

EXTENSIONS OF REMARKS

Golden Spike Reopens Northwestern California Disaster Area

EXTENSION OF REMARKS

OF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. JOHNSON of California. Mr. Speaker, last Wednesday a golden spike, symbolic of the spike which was put in place about a century ago to link East and West when the railroad first spanned this Nation of ours, was driven into the tracks of the Northwestern Pacific Railroad along the Eel River in California.

With this act, this railroad was restored to operation for the first time since the disastrous floods which hit the Pacific Northwest last Christmas. In five and a half months since disaster struck, the Northwestern Pacific Railroad and its parent company, Southern Pacific, have worked around the clock to restore the railroad's operation. This has cost the company $10,700,000. Neither money nor manpower were spared to expedite the reconstruction of the railroad for the economic survival of a large area of our Golden State was at stake. The railroad is the only feasible means of moving great volumes of timber products from this area to the rest of the Nation and the world and communities in this region are totally dependent upon the timber industry for their very existence.

There was naturally great joy and celebration when the first train left Eureka to travel along the winding Eel River to Shellville Junction where it entered the Southern Pacific system. In my hometown of Roseville, Calif., this, the first train from the Northwest, reached the Southern Pacific's switching yards where the timber products carried from the northwestern California famed redwood regions were sent speeding on their way to points north, south, and east throughout our Nation.

And soon thereafter the first train to return to the Eureka region carried the products of the Nation and the world back to the communities which had been isolated for such a long time.

Even as these trains moved back and forth for the first time across this important railroad line, President Lyndon B. Johnson was signing into law the Pacific Northwest Disaster Act which made special provisions to protect and stabilize the banks of the Eel River so that the same type of disaster might not occur again. I am proud to have authored this legislation.

For the people of northwestern California this was a memorable week. To commemorate the occasion, our California colleague, Congressman DON CLAUSEN, also an author of the Pacific Northwest Disaster Act, and I were scheduled to drive that golden spike which marked the final step to restoration of the essential rail line. At the last minute, I was forced to cancel my participation in the ceremony because of legislative responsibilities here in the House of Representativs, but Representative CLAUSEN did participate and did drive that spike.

Without objection, I would insert at this point in the RECORD Congressman CLAUSEN's comments made on that memorable and important occasion for they point up Federal efforts to help our disaster stricken neighbors. May I also, at this time, express the deep appreciation of the people of all of California for the wonderful and heartwarming assistance which was extended to the people of our great State by both the legislative and the executive agencies of the U.S. Government.

Comments by the Honorable DON CLAUSEN:

> Dr. Dolfini, President Biaggini, distinguished guests, ladies and gentlemen, I should like to express my heartfelt congratulations to you, Mr. Biaggini, and your railroad associates who have labored so diligently to accomplish the engineering miracle of reestablishing rail service over this line in the short period of less than 6 months.
>
> I am most happy to join in this celebration commemorating the restoration of this vital rail link to the redwood empire. As your representative in Congress, I would like to tell you what we in Congress and the Government service have done to rehabilitate this area after the devastating flood and hopefully to prevent a recurrence of such disasters in the future.
>
> As you know, the catastrophic floods of last December and January were not limited to northern California, but also wreaked havoc in Oregon, Washington, Idaho, and Nevada. They were among the worst experienced in the history of this country. The President of the United States immediately declared the area a major disaster area. All available machinery of the Federal and State governments, as well as of the county and municipal jurisdictions, was directed to immediate relief and subsequent rehabilitation. The Army, Navy, Marine, and Air Force all supplied equipment and services to transport food and forage, clothes, fuel and other necessities. The prompt action of the Federal agencies in emergency assistance, coordinated by the Office of Emergency Planning, as well as the help of State and local agencies, and private agencies, greatly alleviated the suffering and losses that occurred. The Corps of Engineers established 47 field offices and had 867 personnel engaged in disaster activities.
>
> The catastrophe prompted the House Committee on Public Works, of which I have the privilege to be a member, to send a special subcommittee last January to inspect the damage in California and Oregon firsthand. I also served with this subcommittee. We held numerous meetings in this area with Federal, State, and local officials, as well as with representatives of Southern Pacific and Northwestern Pacific, lumber companies and other private interests. From Eureka we flew on an inspection tour by helicopter along the Eel River Canyon for a distance of about 40 miles. This was the only way to see this area, since practically all roads and bridges were impassable. On April 1, 1965, this subcommittee issued a 67-page report on the disaster to the full Committee on Public Works. Its findings were appalling: preliminary estimate of total damage in the major river basin areas, $462 million; $60 million alone in the Eel River basin; 100 miles of the Northwestern Pacific rail lines virtually wiped out.
>
> My California colleague in Congress and on this committee, BIZZ JOHNSON, from Roseville, who would have been here with me except for the fact that he had his bill—the Auburn Folsom Dam project up for floor consideration today, and I each promptly introduced several flood relief bills in Congress. We each appeared and made presentations on March 9 at hearings before the House Subcommittee on Flood Control in support of legislation to alleviate this disaster. I take pardonable pride in reporting that Congress has now enacted the Pacific Northwest Disaster Relief Act of 1965, to provide assistance to California and the four other affected Northwestern States for the reconstruction of areas damaged by these floods. Although President Johnson took exception to one minor feature of this law, he indicated that he would promptly sign it if this feature were eliminated. The Congress has already repassed the law with the objectionable language deleted.
>
> What are the salient features of this act?
>
> 1. The act would authorize the Secretary of Commerce to expend not to exceed $70 million in the 1965 and 1966 fiscal years for the repair and reconstruction of highways, roads, and trails damaged as the result of the disaster.
>
> 2. The act would facilitate resumption of logging on Government land by authorizing reimbursement in part of timber sale contractors for the cost of restoration of access roads damaged by the flood, and by authorizing appropriation of an additional $38 million for forest development roads.
>
> 3. The act would give public land entrymen relief by providing additional time to comply with requirements of law.
>
> 4. The act would allow loans under the Small Business Act maturing up to 30 years for replacing or repairing damaged dwellings.
>
> 5. Finally, and most important in connection with our gathering here is the provision in the act for a Federal Government survey to determine what protective work is necessary and in the public interest to prevent the recurrence of flood damage to the banks of the Eel River adjacent to this railroad and authorizing the performance of such future work by the Government and the reimbursement of such work as has already been done by the railroad. This is a recognition by Congress of the public interest in preventing a recurrence of blockage of service on this peculiary vital railroad. The public interest is indicated by the fact that some 80 percent of the forest products produced in the Eel River basin is shipped to market over this railroad, and the forest products industry makes up approximately 70 percent of the economy of the area. This provision affords important interim protection before a projected permanent multipurpose flood control project on the Eel River, now under survey by the Corps of Engineers, can become a reality. While this act is an important step towards providing protection from future floods and toward alleviating some of the suffering from the past one, it is not responsible for the major feat of restoring these rail lines in this brief interval. Under the act the Federal Government bears no part of the cost of restoring the railroad. Instead, this tremendous accomplishment is due solely to the Southern Pacific and Northwestern Pacific and their contractors plunging ahead at full speed with their own people and

financial resources in the best free enterprise tradition, without waiting for Government help. As our committee put it in its report on this act:

"Railway management has acted with dispatch and with high regard for its responsibility to assist in restoring the economy of the region, by taking emergency action to reconstruct the rail line and resume train operation at the earliest possible date."

The railroad management is to be commended too on its use in this restoration job, wherever possible, of its own former operating employees and others from this area, who would otherwise have been unemployed, thus giving important interim help to the severely damaged economy of the area. In particular, I want to recognize the construction crews who gave that extra effort in order to expedite the completion date of the reconstruction project. Finally, they are to be commended for granting reduced rates on lumber, so that it might be trucked to the nearest railhead during the period when the line was shut down.

Let us firmly hope that the line of steel, which we today relink, may never again be cut and that the whole redwood empire may again blossom with its restoration. Again, my congratulations.

The 350th Anniversary of Taos, N. Mex.

EXTENSION OF REMARKS

OF

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. MORRIS. Mr. Speaker, it is with considerable pride and pleasure that I inform my distinguished colleagues in the House of Representatives of the 350th anniversary of Taos, N. Mex. This charming and picturesque village in the mountains of north-central New Mexico is widely known as the location of the famous Taos Indian Pueblo, and for being a center of art and cultural activity. The following remarks are offered as a tribute to my many friends in the Taos area.

THE 350TH ANNIVERSARY OF TAOS, N. MEX.

In his perceptive article on New Mexico in February's Harper's magazine, the late David Boroff said that for new Mexicans "the graceful coexistence of three cultures—Spanish, Indian, and Anglo—is an article of faith." Nowhere in New Mexico is this graceful coexistence to be found in a purer and more interesting form than in Taos.

Forty-eight years after Columbus discovered America, members on the expeditionary forces of Coronado reached this area. Twenty-two years before the Pilgrims landed at Plymouth, Don Juan de Onate came to Taos. On September 9, 1598, Padre Francisco de Zamora arrived to introduce Christianity to the Taos and Picuris Pueblos. Thus began the Spanish stream of the history of Taos. By 1615, the walled town of Taos had been built; we observe this year 1965 as the 350th anniversary of the founding of Taos.

The Indian part of the Taos story extends far back into pre-Columbian history. In 1680 occurred an Indian revolution when all Spanish residents were driven out of New Mexico. Although Don Diego de Vargas reconquered the area around Santa Fe in 1692, peace with the Taos Indians was not achieved until the winter of 1696. De Vargas came to the Pueblo in September of that year, causing the Indians to flee to the mountains where they remained until heavy snows forced their return; they then restored their partially ruined church, and resumed friendly relations with the Spanish.

The first Anglo trappers came to the area in 1805, and were overjoyed to find in the sheltered valley a haven of civilization on the borders of the vast wilderness that stretched north, east, and west over the mountains and plains. The mountain men made Taos their headquarters; Kit Carson was one of the most famous of them.

The original Santa Fe Trail of the early 1820's led through Taos, but was abandoned when wagonmaster found a route to the southwest that was easier to follow than the steep trails of Taos Canyon and the Vermejo area. But this route was always used as a so-called loop of the Santa Fe Trail, and a small section of it can still be seen under the cliffs of the Picture Rocks southwest of Taos.

In 1846, Gen. Stephen Watts Kearny captured the area from Mexico for the United States. Among the famous citizens of the community who were prominent during Santa Fe Trail and Territorial days were Kit Carson, Charles Simpson, Padre Jose Antonio Martinez, Capt. Smith Simpson, Colonel St. Vrain, and Judge Beaubien. Padre Martinez established the first newspaper published west of the Mississippi.

In 1861, Capt. Smith Simpson achieved fame by nailing the Union flag to a tall cottonwood pole and planting it in the Taos Plaza. For years, Confederate sympathizers had been accustomed to taking down the flag that had first been placed there in Kearny's time. Simpson and his friends guarded the flag against further aggressions, and, to honor their solicitude for the national emblem, the Stars and Stripes have been permitted ever since to fly over Taos both during the day and at night.

The growth and fame of Taos as an art colony grew out of one man's enthusiasm for this town which he had never seen, and a broken wagon wheel. Joseph Henry Sharp, a young painter sketching in New Mexico in 1880, reported so enthusiastically what he had heard about the charm of the remote Taos village to his artist friends Bert Phillips and Ernest L. Blumenschein that they decided to visit it. They traveled by train to Denver, bought camping supplies, and headed south, painting as they traveled.

Thirty miles from Taos one of their wagon wheels broke. On the flip of a coin it became Blumenschein's job to ride his horse to Taos, carrying the broken wheel there for repair. It took him 3 days to make the trip and return to camp. He was so enchanted by what he had seen of Taos that he suggested they stay there for good. Later Sharp joined them, followed by another artist, Irving Couse. They eventually organized the Taos Society of Artists, and sent east their exhibitions of works that reflected the beauty and charm of the landscape and people of Taos. More and more artists have been attracted to Taos over the years. A very powerful esthetic source was discovered by these men in the Indian culture; in the Spanish culture they found an established tradition of religious art. These have been blended with the strength of American art, just as the three cultures of Indian, Spanish, and Anglo have been blended in Taos itself.

One of these Taos artists, Paul Keith, has designed a beautiful commemorative coin for the 350th anniversary of the founding of Taos. It may be obtained in either bronze or silver, and it is an appropriate symbol of one of America's most unique and lovely places, the home of three cultures, the home of artists, and the home of the most striking natural scenic beauty in the world.

Taos has had an historical and colorful past and it has played an important role in the early settlement of the Upper Rio Grande mountain area. May of the early settlements are today still in existence and retain some of the earmarks of earlier years. But Taos like many of our frontier towns is taking on a new role. The clear mountain streams and lakes, the beautiful stands of fir and ponderosa pine, and the scenic Rio Grande Gorge have a great attraction for visitors and outdoor recreationists from all over the country, and these visitors are increasing from year to year.

Today Taos boasts of having one of the finest ski resorts in the southwestern Rocky Mountain area. Nearby Eagle Nest Lake provides some of the finest and largest rainbow trout in the Southwest. The camping areas in high mountains provide excellent refuge from the telephone and the tumult of city life. Excellent facilities are available for the vacationer who wishes to take a horseback trip into the mountains and rough it for a few days. New road improvements and construction are making it possible for those who seek a milder form of recreation than horseback riding and fishing the mountain streams, to tour the Taos countryside and enjoy the scenic mountain beauty, see the Indian pueblos and nearby cliff dwellings, or enjoy a picnic at some nearby recreation area.

For many years, visitors to Taos have not had an opportunity to get a closeup view of one of our scenic attractions of that part of the State. This attraction is what we often call our miniature Grand Canyon or the Rio Grande Gorge. Flowing through this deep gorge west of Taos is the turbulent Rio Grande. The State of New Mexico has near completion a high span bridge across this gorge which will connect for the first time the east and west side of northern New Mexico and give our visitors a look at this rugged country. After a recent study by the Department of the Interior, it was proposed that the Rio Grande be declared a wild river and be included in a Wild River System to be created by legislation now pending in the Senate and in the House. Under this legislation, the Rio Grande, through this deep gorge which stretches from Pilar, N. Mex., to the Colorado State line, would be preserved in its primitive state, thus, permanently conserving and protecting the scenic, recreation, fish and wildlife values.

Taos will continue to play an important role in the future history of New Mexico. Because of the farming, mineral, timber, and recreation resources of this area, which are just now entering a new era of development, there is promise that Taos and northern New Mexico will make a large contribution to the future economy and well-being of our people.

Never Underrate a Soybean

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. GATHINGS. Mr. Speaker, on Saturday, June 12, the Christian Science Monitor published a short five-paragraph article entitled, "Never Underrate a Soybean." But in those short five paragraphs is told the amazing story of the miracle in American farming. The article states:

> In 1961 somebody timidly forecast that the lowly soybean might someday crowd wheat and cotton for first place among American farm exports. Today it tops them both.
>
> Last year, in fact, feed grains and soybeans earned about as much abroad as the entire

> auto and truck industry combined. And they outpaced the exports of the huge chemical industry.
>
> Soybeans speak everybody's language. A dash of it makes discriminating French animals like their feed better. So France is buying 218,000 tons of soybean meal a year.
>
> Spaniards love it. They have hiked their imports of soybean meal from 5,000 to 200,000 tons a year. And in Pakistan, a marriage was arranged between mustard oil and soybean oil and a new product was born.
>
> A world beater, that soybean.

The raising of soybeans in the United States was sparked by World War II, and by 1950 soybeans had moved ahead of potatoes as a cash crop, in 1956 soybeans surpassed oats, and in 1960 this fabulous oilseed moved ahead of tobacco. Today, soybeans rank third, outranked in value only by corn and cotton.

Truly, as the Christian Science Monitor comments—A world beater, that soybean.

Bernard M. Baruch

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. DORN. Mr. Speaker, the people of South Carolina were saddened and grieved this morning to learn of the passing of their elder statesman, Bernard M. Baruch. Mr. Baruch was a much beloved, revered, and honored native of our State. He was born at Camden, S.C., in 1871 during the Reconstruction era, the son of a Confederate doctor who followed the fortunes of his neighbors and friends in the "lost cause." Mr. Baruch, to the end of his life, maintained a residence in South Carolina and commuted back and forth from his adopted city of New York.

Mr. Baruch's life was a classic example of success in the American tradition. Born in abject poverty, in the wake of Sherman's march, Baruch became a millionaire in the great city of New York before the age of 30. He became the companion and adviser to Presidents, barons of industry, and notables throughout the world.

His was a great philosophy; he believed in the individual. He never lost his love and respect for his fellow men regardless of their station in life. He spent many hours of his life on park benches in New York and in Washington talking to the local citizens and the wayfarer. His Negro neighbors in South Carolina were among his best friends and greatest admirers. He was a man of great integrity and character, who devoted much of his time and energy to philanthropy and helping others.

Throughout his long life, he was keenly interested in government—local, State, and National. Not only was Mr. Baruch adviser to eight Presidents, but he was the adviser and confidant of virtually all political leaders in the State of South Carolina, for more than a generation.

Mr. Baruch was a warm personal friend, admirer, and adviser to our own great beloved elder statesman, the Honorable James F. Byrnes. Not long after the turn of the century, they formed a long and lasting friendship which continued to the end, late yesterday in New York City.

Mr. Baruch typified and epitomized the southern gentleman in his grandest tradition. In physical appearance and in conduct, he was a gentleman always. In elementary school in New York, he received a book from his teacher for "gentlemanly conduct." He received medals, decorations, and awards from kings, queens, and presidents, but to his death he prized more than any this award from his schoolteacher at the age of 9.

Mr. Baruch, had a fierce pride in his native State, and his interest in South Carolina never waned. He knew firsthand of South Carolina's courtesy, hospitality, and good manners. He was proud of the gallantry and tolerance of the genuine South Carolinian. Mr. Baruch was proud of the fact that in South Carolina, a man of his faith is speaker of the house and has served longer as speaker than any man in history. He was proud that culture and tolerance in South Carolina permitted him to belong to any civic club or organization he so desired while being denied this privilege in some areas of our country.

Mr. Baruch's success, his sterling character, and his devotion and dedication to his country will always be an inspiration to me and to generations to come. It can be truly said that Mr. Baruch, having departed, leaves behind "footprints on the sands of time."

The Capitol and the Clergy

EXTENSION OF REMARKS

OF

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. BURTON of California. Mr. Speaker, I should like to commend to the House an outstanding television and radio series in California entitled "The Capitol and the Clergy." This 14-week series of half-hour television programs, featuring candid discussions of major issues by leading California clergymen and leaders from the executive, legislative, and judicial branches of the California State government, has been carried out by the Northern California Council of Churches, the Southern California Council of Churches, and the Sacramento-Stockton Area Councils of Churches.

Television station KCRA–TV in Sacramento has provided the studio and production facilities without cost to the church groups. Six television stations have broadcast the entire series without cost as part of their public service programing: KNBC–TV Los Angeles, KRON–TV San Francisco, KCRA–TV Sacramento, KOGO–TV San Diego, KFRE–TV Fresno, and KERO–TV Bakersfield. In addition, six radio stations carried the audio portion of the programs: KPPC Pasadena, KRON–FM San Francisco, KXKX–FM San Francisco, KCRA Sacramento, KUOP–FM Stockton, and KBLA Los Angeles.

The councils of churches and the broadcasters deserve the commendation of all the citizens of California for bringing to their listening audiences these discussions on some of the significant issues of our day—capital punishment, campaign ethics, divorce law reforms, religion, and the public schools, among others.

We look forward to the continued concern of the churches and the broadcasting industry with other questions relevant to our times, presented through the mass media of television and radio in the months ahead.

HemisFair 1968

EXTENSION OF REMARKS

OF

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. GONZALEZ. Mr. Speaker, I have introduced today a bill to provide for U.S. participation in the HemisFair 1968 exposition to be held in San Antonio, Tex., in 1968. An identical measure has also been introduced today in the Senate by both Senators from Texas.

The main purposes of the bill introduced today is to authorize the Secretary of Commerce to conduct a study to determine the manner and extent of Federal participation as an exhibitor in HemisFair 1968. The President is also directed to report to Congress during the first regular session of Congress which begins after the date of enactment of the bill with respect to the findings derived from the study, together with such recommendations as the Secretary of Commerce and the President deem appropriate, and the amount of appropriations necessary to accomplish U.S. representation at the exposition.

I conceived the idea for HemisFair 1968 to commemorate the 250th anniversary of the founding of San Antonio and "a fair for the Americas," to honor and display the diversified cultures of Pan America, including the history, art, industry, commerce, and economic development of each of the nations of the Western Hemisphere, their interrelationships and common ties, and the contributions to their development from Europe, Asia, and Africa. The confluence of civilizations that occurred in the Americas is one of the most exciting stories in the history of mankind and the development of civilization. In the course of that development there were vast migrations of peoples from several continents to both North and South America; civilizations such as the Mayan, Incas, and Aztecs rose and fell; and great nations were born.

This is part of the story that HemisFair 1968 has to tell.

President Lyndon Johnson has already said of HemisFair 1968:

> The New World nations are brothers in history, friends in commerce, and partners in aspiration. San Antonio's Fair of the Americas, HemisFair 1968, will celebrate this partnership. Dedicated to the advancement of special, economic, and cultural well being of all peoples of the Americas, it will be a living example of our Nation's policy of Inter-American cooperation. I wish you every success in your plans for this truly American fair, which will not only be a symbol but a product of unity.

From the beginning, HemisFair 1968 has been a communitywide effort in San Antonio, strongly and enthusiastically supported by the businessmen and the general public. Recently, the Texas Legislature appropriated the sum of $4.5 million to HemisFair for the construction of a permanent building. In 1963 San Antonians pledged more than $7.5 million to provide a firm financial base for preopening expenses, and in 1964 the people of San Antonio overwhelmingly approved a $30 million bond issue to prepare the city for HemisFair 1968. So the fair is widely supported by the host community, San Antonio, as well as the State of Texas.

San Antonio, the "Alamo City," which will celebrate the 250th anniversary of its founding in 1968, the historical and traditional "Gateway to Latin America," is the logical location for an exposition of the scope and content of HemisFair 1968.

No nation has a greater interest in the furtherance of the goals of Pan American unity and progress than the United States. Federal participation in HemisFair 1968 in addition to being another contribution toward those goals will help create a permanent meeting place for the nations and people of this hemisphere and will provide a showcase of hemispheric solidarity.

Export Shrinkage Threatens the Hefty U.S. Surplus in Merchandise Trade

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. HANNA. Mr. Speaker, I would like to call the attention of my colleagues to a danger signal sounded in two separate and small, but nonetheless significant, articles which appeared in the Thursday, June 17, and Friday, June 18, editions, respectively, of the Wall Street Journal. On Thursday, the warning appeared in the second item of the Journal's regular feature, "Business Bulletin," and reads as follows:

> Export shrinkage threatens the hefty U.S. surplus in merchandise trade.
>
> During the first 4 months of this year the surplus of exports over imports dropped to an annual rate of $4.3 billion from $6.5 billion for all 1964. The decline probably was due partly to export losses during the January–February dock strike. But with the strike now history, further narrowing signs persist. May general cargo imports through New Orleans piers climbed 76 percent from a year earlier; exports rose only 8 percent. Coal exports through big Norfolk-area docks dipped slightly in May from last year.
>
> S. J. Rundt, an international trade consultant in New York, says he will be surprised if the U.S. trade surplus hits $5 billion or more this year. He suspects U.S. voluntary restrictions on bank loans are limiting foreign borrowing to finance U.S. purchases. Lester Goodman, a San Francisco trade expert, blames "outbreaks or anti-American feeling" abroad and declining U.S. price advantages, among other factors. This week's strike against U.S.-flag ships could further damage the trade balance, some observers believe.

On Friday, in an article on page 3 headlined, "Interest Rates Rising on Business Loans at New York Banks," the Journal reported that a panel of bankers at the 69th annual convention of the New York State Bankers Association had expressed the opinion that, as the article put it:

> The President's program for banks to curb voluntary foreign loans to help check the Nation's balance-of-payments deficit will noticeably reduce the Nation's export surplus this year.

And as we have seen from the article in Thursday's Journal, this apparently is happening already.

This is indeed disturbing news, Mr. Speaker. This development should certainly command our continued most serious attention. Having long believed that the key to our balance-of-payments problem lies in the continued growth of our balance of trade, I have consistently and wholeheartedly supported vigorous, positive programs to increase the volume of our foreign trade. Conversely, I have opposed outright all proposals aimed at restricting trade, and have viewed with increasing apprehension the use by our Government of such negative approaches to the balance-of-payments problem as the interest equalization tax, discouragement of loans abroad, and the recent attempts to reduce the amount of duty-free goods which may be brought back by American travelers. Were these techniques separate from, and without effect upon, our overall balance of trade which is the key factor in this most serious problem then perhaps their use would be justified. Such, however, apparently has proved not to be the case. For our international trade and the financing thereof is based upon a highly complex web of interrelationships, and a negative approach in one area is likely to produce an adverse reaction in another. If this is the case, as recent events so indicate, then it would seem that the medicine of these negative measures is aggravating rather than healing the balance-of-payments disease.

We must take heed of these warnings, Mr. Speaker. They remind us of the extreme complexity of our international trade relationships. So sensitive, so delicate, and so interwoven are these relationships that there is a real need for the most searching kind of analysis before coming to a decision to implement policy that aims to alter part or all of the balance of trade structure. Such policy must be analyzed not only in terms of the effects upon that area which it is desirable to change, but also in terms of its ultimate result for the entire balance of trade picture.

In other words let us plan far enough ahead that we do not lead the child out of a patch of poison ivy into a den of rattlesnakes. But analysis of a policy must not end with its implementation. Once the policy is in action, it must be subjected to close and continuing scrutiny with a view to determining all of its effects, good and bad, upon our international trade. In this regard, Mr. Speaker, we might borrow a leaf from the book of some of our defense contractors who setup what they call "systems divisions" to analyze and coordinate all activities relating to a particularly complex project. I would recommend that the President set up a "systems division" for international trade. This would be an office responsible for analyzing the entire complex of our international trade. It would recommend policy to the President, coordinate its execution, and then closely analyze it for its effects after implementation. It would, moreover, make periodic and accurate reports on policy results—and not just stratified results either, but total results. Not merely the results in one small area but all of the ramifications for the entire structure of international trade would be reported. For instance, suppose that it is desirable to reduce the flow of our capital abroad; and suppose that a reduction is achieved due to governmental encouragement in this direction. But, if in turn our balance-of-trade surplus is also reduced in the process, what have we gained?

With its responsibility for, and consequently view of, the total international trade picture, my proposed "systems division" should be able to foresee that policy which might produce results favorable in one area might also produce adverse results in another and thereby forestall its adoption. If it did not, it would certainly discover such ill effects soon after policy enactment. If it then found the total effect adverse, if the policy measures are in fact self-defeating, this would be discovered, and we could more quickly and more knowledgeably move away from their use toward a better solution. I am convinced, Mr. Speaker, that the complex and serious nature of our balance-of-payments problem demands the kind of close analysis, careful coordination and constant review offered by the "systems division" approach.

I also believe that we can push forward in two other positive directions. First, we must continue to promote our foreign trade with vigor and imagination. Here the efforts and accomplishments of the administration and Congress have been most commendable. They include, of course, the Trade Expansion Act of 1962, the development and improvement of a system of export credit insurance, and the praiseworthy efforts of our Commerce Department to encourage American business to trade more and to export more. These and other positive programs like them have been the right steps in the right direction. But much still remains to be done in this area. More imaginative programs to bring foreign travelers to the United States, more aggressive and sophisticated salesmanship by American businessmen of their products in foreign markets, more flexibility by them with regard to credit terms and product specifications, and constant improvement of Government programs to encourage such activities are only a few examples.

Then, too, we must actively seek in concert with the free nations of the world to develop international trade mechanisms which will better reflect and better finance the ever-rising output of goods and services, the ever-increasing wealth of a developing world than those which now exist. We must continue to reach for a new era of international cooperation in the field of trade and finance.

Johnson and His Critics: Diplomacy in a Fishbowl

EXTENSION OF REMARKS
OF
HON. HENRY B. GONZALEZ
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 21, 1965

Mr. GONZALEZ. Mr. Speaker, an outstanding colleague, the Honorable MORRIS K. UDALL, has recently published an excellent discussion of the administration's foreign policy. I would like to share with you the contents of this report and ask unanimous consent for it to be placed in the RECORD, as follows:

JOHNSON AND HIS CRITICS: DIPLOMACY IN A FISHBOWL

Vietnam lies 7,000 miles away; Santo Domingo is 400. But the troubled events in these two widely separated places are related and involve basic foreign policy issues. Our actions have shocked some Americans and pleased others. They have prompted one of the most heated foreign policy debates we have heard in this country since the early 1940's. And behind all of these events and these actions is the lonely man who can't correct his mistakes in the "final arguments"—the President of the United States.

I saw a cartoon the other day. It showed President Johnson walking alone through a dark and gloomy terrain. He was saying to himself, "There seem to be some lonely stretches." And indeed there are. No men alive today, except former Presidents Truman and Eisenhower, know what it means to bear the awful responsibilities of that office. And it may be significant that both of these men are supporting the President.

Recently I had the rare privilege of sitting in the Cabinet Room of the White House for nearly 2 hours as the President defended and explained his policies in these two trouble spots. Wrestling with the hard alternatives presented him and with the conflicting advice being offered from all sides, he said, "Every President wants to do what is right. This is not the problem The problem is to know what is right."

What is right in these situations? What kind of action should the United States take to advance its interests in this volatile and changing world? A few years ago political scientists and others were critical of our foreign policy, saying it was little more than a set of meaningless phrases imploring the rest of the world to comply with our version of goodness and morality. The danger in this, we were told, was that other nations would tend to expect words, rather than action, if we were put to the test. And we might find our ability to influence events on the decline as a result.

I believe President Johnson has determined that this Nation will not decline in power and prestige, and that we will adopt a credible foreign policy which other nations will—not necessarily love—but respect. In the end it is generally power, and not good intentions or moral preachments, which prevails in the affairs of nations. A nation ignores this basic fact at its peril.

Has the President made decisions which will advance our national interest? Only history can decide. Some of the best minds in the country say, "No." But I can't help wondering how different those decisions would have been if those same critics had been saddled with the same responsibility in the same circumstances. One can't emphasize enough the important distinction between the spectator and the participant.

THE FOREST VERSUS THE TREES

The President's critics, in the Congress and in the press, have broadcast their views widely. The President has expounded his views in a number of speeches and television appearances. Yet I do not believe that the reasoning and philosophy behind the President's actions have been sufficiently understood. Lyndon Johnson is not a warmonger; he wants peace and stability; he wants freedom to develop his domestic programs; he wants to reduce our commitments overseas.

An effective foreign policy for these troubled and revolutionary times must not be just reactions to external events; it must be initiative as well. If we are not going to spend this era fighting the wrong wars in the wrong places, we need a positive foreign policy setting forth long-term goals and objectives toward which we can direct specific military, political, and economic decisions. In this newsletter I shall explore "the forest," as I think the President views it, and then relate it, as he does, to the "trees" in Saigon and Santo Domingo. In the process I want to reflect on some of the critical arguments being made against U.S. policy in these areas.

NEEDED—A NEW NAME FOR A NEW ERA

In the late 1940's someone came up with a catchy name for the power struggle that followed World War II. He called it the cold war.

But not even cold wars last indefinitely, and I think we need a new phrase for the era in which we now find ourselves. For one thing, the war is no longer cold. In places like Vietnam it's pretty hot. But, more than this, there are important differences to be noted between the world of 18 years ago and the world today. Communism is no longer monolithic. The Soviet Union, while still making noises and gestures toward Communist expansion, has turned inward to its own domestic problems. In fact, Russia is now a "have" nation with things to lose in any major encounter. In this new era the bully we have to worry most about is not Russia but China, still very much a "have not" nation.

Then, too, methods have changed. Before the last Soviet ultimatum in Berlin, to which President Kennedy responded with firmness, and the 1962 Cuban missile crisis, when our strong stand caused the Russians to withdraw, there had been repeated tests of our will to resist direct military action. Since then Russia has gone one way—avoiding military encounters—and China has gone another. And in China's case the emphasis has been on internal revolution, subversion, and—as in Vietnam—guerrilla "wars of national liberation." These changes call for new thinking and new tactics on our part.

There is still another characteristic of this new era, and I think it's the most important of all. At the start of the cold war we were concerned about what happened in Europe. We saved it. Now we're concerned about what happens to countless brandnew nations on the continent of Africa, in southeast Asia, and elsewhere. Here there is no direct confrontation or great powers, as there was in occupied Europe. Rather, there is concern on the part of at least three contending power blocs that these nations not become strong allies of some other bloc. The nature of the struggle thus is quite different from the struggle that has concerned us in past years. The overwhelming military confrontations, with their awesome implications of nuclear war and world destruction, have subsided. And more limited encounters have become the order of the day.

In these new nations we see tremendous forces at work. As I commented in my foreign policy newsletters of last year, there are four concurrent revolutions in progress around the world. There is the political revolution in which the old colonial order is being replaced by self-government. There is the economic revolution in which 2 billion underprivileged people are trying to break through the walls of poverty and ignorance. There is the population revolution, threatening the world with ever-new problems in production of food, fiber, housing, and other essentials of life. And finally there is the scientific revolution, posing unknown threats to the existing order. Nowhere are these four revolutions more forbiding than in the newly developing nations.

This is the world President Johnson looks out upon the world in which he has to make his decisions. It's probably no more awesome than the cold war world, but it poses new challenges and requires new responses. Whether he is right or wrong, President Johnson clearly intends to have his country make the right responses to these challenges. For he is aware that the history of mankind is strewn with doctrines and ideas which were perfect for one age and disastrous for another.

PHILOSOPHY BASED ON EXPERIENCE

Before you can understand a man's philosophy you must understand the man. President Johnson has said, "Our political philosophies are the sum of our life's experiences." He is a man born in 1908. Two shattering and disruptive events left their marks on people of his generation—the great depression and World War II. As he views his country's future, we must never again have the breadlines and economic waste of the 1930's, and we must never again become involved in a major, world war.

In his lifetime we have fought two world wars and a serious but limited war in Korea. To Mr. Johnson the key to avoiding other large conflicts is this: Never let a potential enemy miscalculate our intentions. It is his belief, supported by most historians, that we became involved in each of those wars because our intentions were misunderstood. Consider the following:

In the first three years of World War I we were an isolationist people. There was no evidence apparent to the Germans that we would join in on the side of the Allies. On the contrary, President Wilson was reelected in 1916 on the slogan that he "kept us out of war." Congressmen ran for office on their opposition to foreign entanglements. Germany thus was tempted to take far bolder steps than prudence would have dictated if she had assessed our will differently.

In the 1930's Hitler, noting our rejection of the League of Nations, our "America First" rallies and the many speeches of our isolationist Senators, was persuaded that we would stand by while he conquered Europe. Even as great a leader as Senator Robert Taft had declared, "It would be better that Hitler conquered all of Europe than that a single American boy die in this foreign conflict." And, indeed, it is quite possible that we would have let Hitler carry out his conquests had not the Japanese attacked Pearl Harbor and resolved our domestic debate. Thus, again, Germany miscalculated the intentions and will of the United States by heeding our own words and actions.

In the late 1940's and early 1950's we led North Korea, China, and the Soviet Union to believe that South Korea was outside our defense perimeter. The result was a long and costly war.

After the 1962 Cuban missile crisis President Kennedy remarked to me and other Members of Congress that its most frightening aspect was that each side had misjudged the other. Khrushchev assumed we would permit installation of missiles 90 miles off our shores; we assumed he wouldn't dare. The result could have been World War III, but luckily wasn't.

The lesson President Johnson draws from all this is that the Russians and Chinese simply will not believe that we are serious about defending really vital places like Berlin, the Philippines, Japan, Turkey, or India if we stand back and allow them to take less important places like South Vietnam. In short, he believes we are being tested there, and possibly in the Dominican Republic, too, and in his view if we fail we shall surely be confronted with more difficult tests elsewhere.

THE ROLE OF PUBLIC DISCUSSION

This brings us to a related point. It has been suggested that the President wants no public criticism of his policies. No doubt he is as sensitive to criticism as all of our recent Presidents have been. However, I think he has been receptive of the advice he has been given, and nowhere was this more apparent than in his Baltimore speech calling for unconditional negotiation in Vietnam.

What the President wants, I believe, is more responsible criticism and less of the other kind. How to draw the line is difficult, of course. But the fact is that intemperate and uninformed attacks on this country's foreign policy can have a material effect on the course of the very events in question. A few weeks ago there were some indications, gained through intelligence channels, that the Hanoi government was about ready for a negotiated settlement. Unfortunately, these came to nothing, and our intelligence sources indicated the probable reason: Recurring attacks by prominent Americans on our Vietnam policy led strategists in Hanoi and Peiping to believe that an outraged American public opinion very soon would force us to abandon the struggle and pull out.

Public discussion is important, and I am sure the President would defend the right of a critic to speak out, even irresponsibly, for this is the essence of our democratic system. For this reason I abhor the kind of thought control imposed on the American people through the sedition laws of World War I. But what we say in a free society does influence the leaders of other countries, and I believe it is the responsibility of all of us to weigh this influence when we speak out. If a Senator believes the President is pursuing policies that are dangerous and wrong, he ought to talk with the President and try to persuade him privately. If this fails and he remains convinced of his own judgment in the matter, he has a right and duty to go to the press and the public seeking to rally public opinion to his side. A private citizen, of course, has less opportunity to communicate his views, but at the same time his remarks carry less weight overseas. But even a private citizens, who loves his country, should weigh his words before he accuses his President of favoring dictators or advocating a new world war.

The fact is that the President of the United States, unlike the rulers of China and the Soviet Union, has to operate in a fishbowl. When we demand that he explain his every move, and preferably in advance, we make his position increasingly difficult in relation to these other participants in the world struggle. The President may not always be right; he may be wrong in Vietnam or the Dominican Republic or both places. But he is our President, and he deserves our loyalty and support.

J. B. Priestly put it this way: "We should behave toward our country as women behave toward the men they love. A loving wife will do anything for her husband except to stop criticizing and trying to improve him. That is also the right attitude for a citizen."

VIETNAM—THE PROS AND CONS

With this background and in the spirit of open debate and discussion, let's look at some of the arguments made against our Vietnam policy and compare them with the President's answers:

Argument: We should stop the fighting and negotiate a settlement. The President answers: "This is what I want, too. But, pray tell me with whom and where shall I negotiate? I have offered to negotiate with any government at any time, but there has been no response. I replied to the 19 unalined nations who asked for an end to the war; Hanoi did not. Our diplomats all over the world have tried to make contact with Hanoi and Peiping; the answer is scorn and ridicule. But I want to negotiate a settlement, and I will continue to press for negotiations."

Argument: Vietnam is not of critical importance to this country; it really makes no difference if we lose it. The President answers: "We are being tested to see if we will stand behind our commitments. Either we will remain a leader in world affairs or we won't. No matter how much we talk about freedom, democracy, and international morality, it is mainly power that influences nations. If we shrink from honoring a commitment, we can expect our influence over world events to decline and that of our enemies to grow. We stood firm in Greece and Berlin, and the world is better for it; the same will be true in Vietnam."

Argument: The risks are so great that we ought to pull out before it's too late. Arthur Schlesinger, the former adviser to President Kennedy, answered this very well at the excellent teach-in we had in Washington recently. He said, "a pullout would prove to the Communist world that the militant Chinese position is right and the Russian position wrong in the current ideological struggle." This would mean evermore aggressive action by the Chinese and their allies around the world—and possibly force the Soviet Union to adopt similar tactics. It could only spell increasing trouble for the United States and the free world.

A GUNBOAT DIPLOMAT?

Similarly, the President is under attack for his actions in the Dominican Republic. This is what we're hearing:

Argument: We violated our treaties in landing troops in Santo Domingo. This action will undo all the confidence and good will we have earned in Latin America in the last 30 years. The President replies: "Historians will have plenty of time to weigh the facts; I didn't. In my judgment there was a very great risk that another Castro would emerge in the Caribbean. I acted to prevent that and insure that the Dominican people could have an opportunity to choose their own government. A decision not to act in what is clearly our sphere of influence might have been irreversible. I'm called a gunboat diplomat by some of my critics, but what would they have called me if the revolution had produced another Castro?"

ISN'T THIS THE GOLDWATER POLICY?

One student with whom I talked recently in Arizona remarked with some bitterness, "I supported Johnson and HUMPHREY because I was frightened of the Goldwater foreign policy. If we are to have Goldwaterism abroad, I'd prefer to have the real, genuine article and not a watered-down substitute." In my judgment this criticism reveals, first, a misunderstanding of Senator Goldwater's views (he said recently he would "pray" as President for a provocation to bomb Red China) and, second, a tendency to accept the "wishy-washy" description accorded President Johnson by his opponents last fall. The President advocated a strong and credible foreign policy then, and he is attempting to carry out such a policy now.

A few years ago we had a totally unbelievable policy based on so-called massive retaliation to any enemy move. President Johnson has substituted for this a policy of limited response—just that measure of force needed to demonstrate our will. He doesn't pray for a chance to expand the war in Vietnam. He wants no "holy" war with Red China or the Soviet Union. Rather, through firmness to our commitments he hopes to strengthen our role in world affairs, thereby increasing prospects for peace. This policy of cautious and carefully measured response is not the Goldwater policy I read about in either of his books or heard about in the campaign last fall, and it is not the policy he is advocating today.

HISTORY AND THE LONG VIEW

Most Americans today acknowledge that President Truman was one of our best Presidents, yet he contributed to the miscalculation in Korea. President Eisenhower, seeking a settlement with the Soviet Union, bungled the U-2 affair and perpetuated the cold war. President Johnson, seeking only peace, has become involved in two awkward military situations. How will history assess these Presidents and their actions? We can only guess, but what is clear is that the decisions of our Presidents never come easy. Even in a free society such as ours all facts can't be disclosed all the time. And no one not in that position of awesome responsibility can know fully what factors are involved in the decisions that are made.

I believe President Johnson made the case for a credible foreign policy when he said in his state of the Union message this year: "We will not, and we should not, assume that it is the task of Americans alone to settle all the conflicts of a torn and troubled world * * *. We are prepared to live as good neighbors with all, but we cannot be indifferent to acts designed to injure our interests or our citizens or our establishments abroad. The community of nations requires mutual respect. We shall extend it—and we shall expect it."

As I write this, there is no way to know how events turn out for us. But before this year is out I think we will have turned some corners, for better or worse, both in Vietnam and the Dominican Republic. I am inclined to believe this dark hour will pass. As Saville R. Davis wrote in the Christian Science Monitor a few days ago:

"For all the rough methods that tough-minded Americans may use against communism, and for all the highhanded politics they may use, their motive is to clean up the situation and get out. And they may end these vexing episodes in Vietnam and the Caribbean by doing just that.

"The crisis of confidence in the world today is based on the fear that they won't. But they probably will, all the same."

The 28th Annual Dinner, May 20, 1965, in Boston of Massachusetts Committee, Catholics, Protestants, and Jews

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 21, 1965

Mr. McCORMACK. Mr. Speaker, a truly great organization, dedicated to extending areas of agreement, and reducing tensions, emotions, and bigotry, is the Massachusetts Committee, Catholics, Protestants, and Jews.

The members of this organization are outstanding men in all walks of human activity who are daily waging the fight for good and against evil.

Each year this committee conducts a banquet with at least 1,200 persons in attendance at which citations of merit are awarded to three persons of different religious beliefs.

The banquet this year was held on May 20, 1965, at the Statler Hilton Hotel in Boston, Mass. The citation of merit from this committee is an outstanding recognition for anyone to receive.

The dinner this year was the 28th annual good will dinner conducted by this organization of men of good will.

The recipients of the citations this year were: Hon. LeRoy Collins, director, Federal Community Relations Service; Joseph E. Cronin, president, American Baseball League, chairman, Executive Committee Children's Cancer Research Foundation; Hon. JACOB K. JAVITS, U.S. Senator from New York.

Dr. Asa S. Knowles, president of Northeastern University was toastmaster.

Mr. H. D. Hodgkinson presented the citation to Joseph E. Cronin. Mr. Norman L. Cahners presented the citation to Gov. LeRoy Collins, and Hon. Edward W. Brooke presented the citation to Senator JACOB K. JAVITS.

The program was televised by WNAC-TV and carried by more than 100 radio stations throughout New England.

Messages were received from the President of the United States; His Eminence Richard Cardinal Cushing; Hon. EDWARD M. KENNEDY from Massachusetts; and the Honorable JOHN W. McCORMACK, Speaker of the House of Representatives, a member of the executive committee, Massachusetts Committee, Catholics, Protestants, and Jews and a former recipient of the committee's citation.

Herewith are included the remarks by Dr. Asa S. Knowles, the toastmaster; Mr. Oscar W. Haussermann, chairman of the Massachusetts Committee, Catholics, Protestants, and Jews; Mr. H. D. Hodgkinson, general chairman of the committee; Mr. Ben G. Shapiro, secretary, and one of the original founders of the committee; Gov. John A. Volpe; Mayor John F. Collins; Peter Fuller; Lester A. Williams; also the remarks of Hon. JACOB K. JAVITS, Joseph E. Cronin, and Gov. LeRoy Collins, and the citations presented to each recipient:

REMARKS BY DR. ASA S. KNOWLES, TOASTMASTER, PRESIDENT, NORTHEASTERN UNIVERSITY

Thank you, Mr. Haussermann, for your especially gracious introduction.

The reverend clergy, Governor Volpe, Attorney General Brooke, Mayor Collins, Senator JAVITS, Governor Collins, Mr. Croning, other distinguished guests at the head tables and in our audience and friends all, I should like at the very outset to express my sincerest gratitude for the honor bestowed upon me to serve as toastmaster at this 28th annual dinner of the Massachusetts Committee, Catholics, Protestants, and Jews. For many years I have attended these meetings and have admired greatly the objectives and accomplishments of the Massachusetts committee.

The committee has indeed been fortunate to have as its secretary, Ben Shapiro, whose reputation is widespread for the work he is doing in the development of better understanding and cooperative relationships among all peoples, regardless of race, creed, or color. No matter how great the problem or how great the amount of time involved, Ben has always given generously of his own efforts and time in serving the cause of humanity.

The strength of our society is in its citizenry composed of people having many diverse cultures and creeds. All contribute greatly in combination to fulfill the American dream of a great and free society. The human element, however, causes blight in the forms of hatred, bigotry, and intolerance. Lest these may weaken or destroy the whole social structure they should be removed and, hopefully, obliterated. Contributing to these objectives, and thereby to the welfare of all humanity, is the reason this organization exists. It is a pleasure to be associated with it and to be a participant in one of its great meetings being held here tonight.

On this, the eighth year that WNAC-TV, channel 7, has televised these annual proceedings, I should like—on behalf of the Massachusetts Committee, Catholics, Protestants, and Jews—to express heartfelt thanks to Mr. William McCormack, vice president and general manager of WNAC-TV, for arranging this evening's upcoming telecast.

Let me now take this opportunity to express our appreciation to the newspapers of Metropolitan Boston, the radio stations, WNAC-TV and other cooperating television stations, as well as the airlines who have provided the gracious and attractive hostesses to serve as ushers and special thanks are due to the following individuals who assisted in the dinner arrangements—

Mr. Pat Ryan: Overall arrangements.

Mr. Louis Miller: Reservations.

Mr. Isadore Zach: General publicity.

Mr. Benjamin Bartzoff: Television arrangements.

Mr. Jerry Hayes: Arrangements for airline hostesses.

Mr. James McDonald and the Boston Edison Co.: Lighting and decorations.

John Donnelly Co.: Preparation of the poster providing the background for our stage tonight.

Commissioner McNamara and the Boston Police Department for courtesies extended to Senator JAVITS and Governor Collins.

If only the 221 people who attended the first dinner meeting 28 years ago in the old Boston City Club could have known at the time just how successful their efforts would prove to be over the years—how proud they would have been.

Tonight, 1,200 people are assembled in the Statler-Hilton Hotel to continue the important work begun 28 years ago and to honor the men who best characterize the ideals of leadership, generosity, and outstanding public service.

At this time I should like to read a letter received from Richard Cardinal Cushing:

"DEAR BEN: I regret very much my inability to attend the 28th dinner sponsored by the Massachusetts Committee, Catholics, Protestants, and Jews.

"It is very difficult for me to refuse this invitation. First of all, because of the cause that I have been interested in since its foundation; second, because of my interest in you who have kept alive this good cause for the past two decades. You are certainly dedicated to the highest ideals of brotherhood.

"Although I will be among the missing, I would like to convey through you my congratulations to Joe Cronin, Gov. LeRoy Collins, and Senator JACOB K. JAVITS—three very deserving recipients of brotherhood honors. They have demonstrated over the years their love for their fellow men irrespective of the accidental characteristics of different groups.

"If there was ever a time when we should all be united by the bonds of love and mutual respect and esteem, it is now when human rights are finally becoming available to all those dwelling within our shores.

"May the Heavenly Father of us all and the Creator of the world be with us in all our efforts to sponsor good will among our fellowmen without exception.

"With fondest regards to you personally, I am your ever grateful and devoted friend,

"RICHARD CARDINAL CUSHING,
"Archbishop of Boston."

Perhaps the telegram I am about to read best describes the successful accomplishments of the man I am about to introduce.

"Mr. BEN G. SHAPIRO,
"Secretary, Massachusetts Committee, Catholics, Protestants, and Jews:

"I am delighted to join Speaker McCORMACK in extending my warm greetings and hearty good wishes to the members, friends, and award recipients of the Massachusetts Committee, Catholics, Protestants, and Jews.

"I am delighted to have this opportunity to publicly praise the deep dedication of each of your honored guests to the cause of social justice and human brotherhood.

"May I also at this time express to the members of your organization my conviction that your work has been in the highest tradition of social justice and individual dignity. I have watched with deep gratitude the growth of many of your productive and inspiring endeavors.

"You have my sincere personal good wishes as you continue to perpetuate the ideals and aspirations cherished by all men of good will.

"LYNDON B. JOHNSON."

And now it is a particular pleasure to introduce the founder and secretary of the Massachusetts Committee, Catholics, Protestants, and Jews and commissioner, Massachusetts Commission Against Discrimination, Mr. Ben G. Shapiro, who will report for the committee.

INTRODUCTORY REMARKS OF OSCAR W. HAUSSERMANN

Reverend clergy, Your Excellency, Governor Volpe, Your Honor, Mayor Collins, distinguished guests, ladies and gentlemen, on behalf of our Massachusetts Committee of Catholics, Protestants, and Jews, I welcome you, one and all, to this our 28th annual senior good-will dinner.

This year, I shall respect our time schedule and say nothing about my native State of Indiana or about my baseball past in Evansville; and I shall leave to others the detailing of the doings of our committee since its inception 30 years ago.

In other words, I shall stick to my prescribed assignment, which is to present to you your distinguished toastmaster.

While I cannot hail him as a fellow Hoosier, as I could his predecessor, Carl Ell, I can depose and say that I feel our community, as well as Northeastern University, is fortunate in having Asa Knowles carry on where Carl Ell left off.

As most of you know, he's a native of Maine and a graduate of Bowdoin who came to these parts for postgraduate studies at Harvard and Boston University. In 1931 he entered upon his first tour of duty at Northeastern University—a 10-year tour—beginning as an instructor in industrial management and ending up as professor of industrial administration and dean of its college of business administration.

From Northeastern University he was called to high service outside Massachusetts—first as professor of industrial administration and dean of the School of Business Administration at the University of Rhode Island; then as president of the Associated Colleges of Upper New York; then as vice president of Cornell; and finally as president of the University of Toledo.

In 1959, he became a repatriated Bostonian, returning here to succeed Carl Ell as president of Northeastern University—one of our new Boston's miracle institutions which now has a student enrollment of more than 27,000.

In the past quarter century, Dr. Knowles' work as a teacher, college administrator, and writer of books and articles on industrial management and his extracurricular services as the head or as a member of various ad hoc commissions addressed to special assignments pro bono publico have made him worthy of the impressive honorary degrees, citations, and awards which he has received to date.

Ladies and gentlemen, your toastmaster, Dr. Asa S. Knowles.

REMARKS BY H. D. HODGKINSON, GENERAL CHAIRMAN

For 28 years, leaders in the Catholic, Protestant, and Jewish faiths have worked together as the Massachusetts Committee of Catholics, Protestants, and Jews to improve group relations.

Among its many other activities, this committee has cooperated with the good citizenship program of the Boston Park Department, Tufts University civil education project, Brandeis University three chapels program, Human Relations Center at Boston University, Massachusetts Department of Education. And, in addition, the committee has distributed many thousands of copies of educational material to schoolteachers and heads of educational institutions throughout the United States.

Our 14th annual junior good-will dinner, bringing together boys of the Boston public and parochial schools, held at Fenway Park, Boston, on January 27, created favorable comment by leaders in human relations throughout the country.

Our general aims and purposes: To sponsor good-will work in the general community of Greater Boston; to serve as a medium through which representative citizens can endorse the basic democratic principle of good will among men of different faiths and different racial origins; to bring out and emphasize the many fine things which citizens of different faiths have in common; and to encourage and support those forces in the community which generate in the individual a respect for the validity and dignity of each other individual's particular religious faith, with no qualifications or reservations based upon racial origins.

This committee is a separate, independent association, not connected with any other local or national organization.

The committee appreciates the support of all who have made this work possible in the community. We operate without hired quarters or paid help and with funds derived solely from voluntary contributions by our many friends. To the newspapers, radio, and television who have carried our message of good will to millions of people, we are deeply indebted.

Our annual dinners are dedicated to that ever-widening circle of representative citizens who believe in and respect the rights and the dignity of the individual. They are true exemplars of the concept of brotherhood—their lives are eloquent testimonials to the greatness of our democracy.

REPORT BY BEN G. SHAPIRO, SECRETARY

Gentlemen of the clergy, Governor Volpe, Mayor Collins, our guests of honor, distinguished guests, ladies and gentlemen, it is a warm and distinct pleasure to welcome you to the 28th annual dinner of the Massachusetts Committee of Catholics, Protestants, and Jews. I should call this gathering of our distinguished audience the blue ribbon meeting of the year in the city of Boston. You are distinguished not for who you are but for what you are. You are the sponsors of good will work in the general community of Greater Boston. Kindly reflect that I mentioned work, because good will work is abundant in Boston. If it were not, this committee would have been a shambles as far back as 1937 when we held this first annual dinner. You serve as a medium through which you can endorse the basic democratic principle of good will among men of different faiths and different racial origins, and through the Massachusetts Committee of Catholics, Protestants, and Jews you are active in the encouragement and the support of the vital forces in the community that generate in individuals a respect for the validity and dignity of each person's religious faith. You tear down rather than set up barriers of distinction between races and creeds and national origins; you are builders and believers in good will.

Yes, I believe you are a blue ribbon audience. You carry the ideals and the imprints of good will from out of this hotel and into the community. You are many people, tied together by the ribbon of good will and brotherhood. You are jurists and journalists, who stanchly believe in equal rights of all men; you are insurance men and importers, labor leaders and lawyers who believe and practice the Bill of Rights. You are printers and publicists, athletes and advertising men who understand that the mainstream of a healthy community is mutual respect for one another. You are clergymen and legislators, educators and editors, people upon whom we all rely for your counsel and your judgments in the affairs of the soul and society. Our committee has grocers, bankers and brokers, social workers and surgeons—all united in the good-will work for a great society. You are merchants, salesmen and statesmen. You are, in my humble estimation, what is the highest accolade that I can summon—you are a good and generous people. Again, in the past year you have helped us to elevate healthy group relations in our community through such worthwhile projects as the good citizenship program of the Boston Park Department, the Tufts University civic education project; the Brandeis University chapels program—which we salute tonight on the 10th anniversary of its inception; the human relations center of Boston University, the good will program of the Massachusetts Department of Education, and our annual junior good-will dinner.

Since our last annual dinner this community has suffered the loss of four stalwart members of our committee:

Walter Brown, the creator of the champion Boston Celtics, was a champion among champions.

Dr. Walter Downey, the "Mister Chips" of Montgomery Street and Boston English High School.

Judge William McCarthy, a distinguished jurist.

Prof. John J. Mahoney, the father of civic education in America, and the founder of the civic education center at Tufts University.

Yes, we have lost much in their passing, and they can never be forgotten.

No report on the work of the Massachusetts Committee of Catholics, Protestants, and Jews is complete until there is reference to His Eminence Richard Cardinal Cushing, who has not only inspired but activated the things that we strive to do in the field of human relations. Our dear friend the cardinal was the subject of a discussion at a religious instruction class recently. The lesson really was on the cardinal virtues. The teacher was reviewing the principles of the virtues of prudence, justice, temperance, fortitude, faith, hope, and charity. As the teacher was making his point, he asked his class: "Now do you understand what I'm trying to get through to you?" A youngster in the back of the class came through sharp and clear: "We're talking about Cardinal Cushing, aren't we?"

I conclude now on that note, and suggest each and all of us adopt more fully in our own lives, the cardinal—the Cardinal Cushing virtues of good will and brotherhood.

Thank you.

REMARKS BY HON. JOHN A. VOLPE, GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS

Congratulations to former Gov. LeRoy Collins, now Director of Federal Community Relations Service, U.S. Senator Jacob Javits of New York, and Joe Cronin, president of the American League as award winners. Their contributions in the areas of civic and legislative service, legislation concerning housing, education, public welfare, immigration, labor, health, and the arts have done much to eliminate discrimination in almost every facet of American life.

As a member of the Massachusetts Committee of Catholics, Protestants, and Jews, its aims and ideals have long been of great personal interest to me.

This Nation of ours is widely hailed throughout the world as the "melting pot." And, as you know, a melting pot sometimes contains ingredients which do not jell, despite heat from the flame of goodness.

It is no secret that our Nation has been confronted with the matter of brotherhood. This is to be expected from a melting-pot situation.

However, neither should it be a secret that the United States has done more than any other nation in the world to foster the spirit of brotherly love for all mankind regardless of race, religion, or creed.

We have long held the torch of equality high among our tenets. But this ever-lasting flame of hope for mankind has sometimes passed over dark corners of bigotry and dissension which need to be exposed.

The emphasis presently being placed on civil and human rights is far less than an admission that there is more to be done in this field, than the reflection of a desire for action, so that we and the rest of the world may come to live in a real and true peace.

America offers to so many, from so far, a promise. We must not allow that promise to go unfulfilled. Our republic was founded on the precept that "All men are created equal." This applies to the right to vote, the right to employment, the right to education, the right to public facilities and the right to adequate and proper housing.

One hundred and eighty-nine years after our pledge of equality for all men in all things, we are still trying to fulfill that promise. With the continuing endeavors of the Massachusetts Committee of Catholics, Protestants, and Jews, and those of so many other concerned organizations working in concert with governmental units, Massachusetts will keep her word. And America will keep her word.

And now I have a very pleasant announcement to make. I have just been informed by Mr. H. D. Hodgkinson, general chairman of the Massachusetts Committee of Catholics, Protestants, and Jews that a room in the new Institute of Human Science Building will be dedicated in honor of our secretary, Ben G. Shapiro.

May I offer my personal congratulations to you, Ben.

HON. JOHN F. COLLINS, MAYOR OF BOSTON

The new Boston is proud to participate in this significant meeting honoring three great American citizens and sponsored by this distinguished committee of leading Bostonians.

The new Boston is more than beautiful buildings and plazas, more than facades of glass and concrete and steel, more than Prudential Center and Government Center. The new Boston is more than a renewed vision which looks to the future with the hope and expectation that the enlightened self-interest of the entire Commonwealth and a sense of history and justice will provide Boston with the wherewithal to meet its commitments with financial integrity.

Above all, the new Boston is people, young and old, rich and poor, black and white, Catholic, Protestant, and Jew, bound together by common traditions and common goals and aspirations, to make Boston a city of economic, social, and spiritual progress, where all of its people can live in safety, decency, and happiness.

The new Boston is symbolized by this backdrop of the three chapels at Brandeis University, a project, rich in religious meaning, which grew out of a meeting of this very committee exactly 10 years ago.

The new Boston is the ecumenical spirit of understanding and good will, expressed not just in words, but in private and public conduct throughout the year. The new Boston is the continuous dialog with all elements of our community, especially with minority groups, conversations with Rev. Martin Luther King and with Negro leaders of our own community, in our common effort to break down ghetto walls and eliminate discrimination, hate, misunderstanding, and racial imbalance. The new Boston is every force available to our city, hacking away at the jungle of unequal opportunity, of inadequate training, of the roots of poverty. And we use the most effective tools we have, such as ABCD with all of its human and material resources, experts from our Greater Boston universities, the imaginative programs of this committee and my own committee on civic unity and on minority housing.

That is why the new Boston is proud that those honored tonight are symbols of the moral imperative of equal rights and equal opportunities for all people and of the need to live and work together in the brotherhood of man.

Senator Jacob Javits wears the Republican label, but his program reads like a Democratic platform. His fight for social justice, his support for all liberal causes, his role in the battle for voting rights—side by side with our courageous Massachusetts Senator Ted Kennedy—his determination that little people shall not be bullied—whether they are Jews in the Soviet Union or Israelis surrounded by the threatening Arab League—all these make us proud that he is one of the great leaders of our Nation.

Boston has an especially warm spot for Joe Cronin. We now share him with the Nation, because his influence and good deeds span the entire continent. To him, fair play and sportsmanship on the playing fields are the motivating forces for civil rights and equal opportunities in the totality of our lives.

LeRoy Collins is the embodiment of the enlightened South, the new South, and of the determination that this country has a responsibility, after a century of failures and delays, once and for all to eliminate discrimination in jobs, schools, voting and homes, a responsibility which must be fulfilled. The community relations impact of Governor Collins is being heard throughout the land, because of his statesmanship and his leadership qualities. His is a voice of silk and an arm of steel.

Each of these three men shares a common attribute: his concern for his fellow man, whatever his race, creed or national background. Each is dedicated to the concept of American pluralism: that our Nation is great because it is the sum total of all of its component parts; that our strength comes from the very differences in the ethnic and cultural origins of our people, as well as from the unity of our ideals and our unswerving determination that we will prevail over all enemies, abroad and at home; that we must act brotherhood as well as talk it, that understanding and good will must be implemented by action, every day of the week, every hour of the day, with persistence and with courage.

The new Boston is people, and we are delighted to honor these three noble examples of dedication to people, as we honor this Massachusetts Committee of Catholics, Protestants, and Jews, for its programs which implement the concept that all people are the children of God.

REMARKS OF MR. PETER FULLER

Fourteen years ago, the late Michael T. Kelleher and Ben G. Shapiro conceived the idea that bringing young men together from our public and parochial schools would help to indoctrinate these young men in a spirit of brotherhood.

Chosen by their headmasters, these public and parochial students in Boston meet in the press quarters at Fenway Park through the courtesy of Thomas A. Yawkey and the Boston Red Sox organization.

Outstanding leaders in our community act as sponsors of these boys and four lads are chosen to give a short talk on what brotherhood means to him. One is selected to give his speech at our annual good will dinner.

During these 14 years more than 2,000 young men have been our guests and we know of no lad who has attended these annual dinners who has been involved in any juvenile delinquency nor at any time been a discredit to themselves or to the schools they represent. Obviously, this message that we are participating in tonight is understood and appreciated by these young men and they are missionaries—I only wish we had 2 million of them rather than 2,000.

The committee recognizes and appreciates the cooperation it has received from both superintendents of the public schools and the parochial schools in Boston and the community leaders who each year act as hosts.

We are particularly grateful to Tom Yawkey, Dick O'Connell (who is with us tonight) and the entire Red Sox organization who make these facilities available.

Tonight you will hear from one of those young men who spoke at our dinner at Fenway on January 27.

His name is Lester A. Williams, 86 Harold St., Roxbury, Mass., senior at Boston Technical High School. I am proud to list his school activities:

Member of National Honor Society: President, Boston Tech Chapter.

Class rank: No. 21 in class of 463.

Special course at Trimount House, biochemistry.

Vice president.

Science Club.

Science Institute for Able Learners.

Won three science fair awards at Technical High.

Won one city science fair award (third place).

Coeditor of yearbook.

Member of school math team.

Class representative.

Chairman of two school assemblies (honor assembly and Christmas assembly) outside activities.

Member of Boston Children's Theater.

Member of People's Theater.

In plays at MIT and Harvard and on television.

Musician (classical) piano.

Acted in play "Caves and Clouds," short film.

Interested in Clark University—psychology.

Last summer attended Tufts—National Science Foundation.

Grant (psychology).

Now you have the same treat in store for you that we enjoyed on January 27—here's young Lester Williams with an inspiring message.

REMARKS OF LESTER A. WILLIAMS, OF BOSTON TECHNICAL HIGH SCHOOL

Senator Javits, honored guests, ladies and gentlemen, first let me tell you what a great honor it is to be speaking to you tonight. I see here many outstanding men and women, people whom I have seen and admired. I have always respected the ideas of the leaders of this community; I've listened with unusual enthusiasm to their words of wisdom, because, someday, I, too, hope to be able to pass on some of my ideas.

As a senior in high school, who will be attending college next fall, I am an intricate part of that group commonly, and sometimes bitterly, referred to as "the younger generation." We have been the object of severe criticism, harsh warnings, unearned merits, and sincere praise. Parents continually fall back, amazed at the antics of their sons and daughters. They wonder where they went wrong, what could have caused such a pronounced conflict of principles and ideas. Using the broad, undefined term of "good will" as a shield, I will attempt to interpret the message of the "younger generation."

Our country is a unique, idealistic conglomeration known as a democracy. It was founded on the principles of freedom: freedom of speech, and freedom of the press. Only in America has the Constitution insured the right to be truly individual. Yet this right has been distorted, molded like a piece of clay, into a fixed set of rules known as "society." Society has told us what to eat, what to wear, what to do, and what to think. Society has no place for the individual, so consequently, the individual has no place for society. The individual withdraws, gathers with others like himself, and forms his new society. It is to this new group of nonconformists that the title "the younger generation" applies.

The younger generation forms a new school of philosophy, the school of realism. Seeing the problems and conflicts that the idealistic philosophy of our parents have caused, today's young people choose to look realistically upon these problems. It is this new outlook that causes the problems between parents and children.

This problem is nothing new. A well-known historian once wrote: "I do not know what has happened to the young people of today. They have become unruly and irresponsible—I fear they may cause our destruction." This is quoted from "Plutarch's Lives," a book written less than 100 years after the birth of Christ. The future of America lies in the hands of the young men and women of today.

Let us use today's methods in today's world to fashion tomorrow's future. Our country is what we make it. Give us the chance to prove what we want to, can, and will do.

REMARKS OF JOSEPH E. CRONIN, AWARD RECIPIENT

I hope that you will understand and that I will be forgiven when I say that, at this minute, I would much prefer to be standing up at homeplate at Fenway Park facing even the great pitching of Red Ruffing and Lefty Grove than here at this podium facing these microphones. It is a tremendous thrill for an ex-ballplayer merely to find his name listed in a triple-play combination with men of such notable distinction as Senator JAVITS and Governor Collins. I should like to extend my word of welcome to these distinguished visitors to the historic yet thoroughly modern area of the new Boston—and to add my congratulations to them for this honor they receive and so richly deserve.

I can assure them, from personal experience, and close friendships of many years, that these honors are bestowed by good men, of good will, whose efforts and accomplishments, over a span of nearly three decades, made the old Boston and continue to make the new Boston a better place for all of us to live.

I hesitate to call individually the honor roll of the committee, men I have so admired since coming to the Boston area 30 years ago, lest I be accused of trying to pinch-hit for Dr. Knowles. But it can be said, with equal parts of protocol and truth, that all who have joined with Ben Shapiro in carrying on so completely the work begun with our beloved Mike Kelleher, have built here a permanence for the present, and a firm foundation for the future, in activities in good will among all men.

If I may add a provincial note—I would make special mention of this committee's junior good will dinner, because it is held most appropriately in the setting of a baseball park. On a winter's night in January, each year, through the cooperation of Tom Yawkey, the pressroom in Fenway Park is warmed by the presence of hundreds of high school students breaking bread together and learning lessons in a few hours which can last throughout their lifetimes.

Shortly, we shall be seeing living testimony of the benefits of this junior good-will program, when young Lester Williams comes to bat before these microphones.

Multiply this one evidence of accomplishment several hundredfold over the years, by the number of youngsters partaking of good food flavored with good will, and you will know why baseball is proud to play a part in such a program. If further justification be required, there exists a firm and long-founded relationship between the fields of baseball and the battlegrounds of brotherhood—so much so, that perhaps it might not be entirely beyond reality to claim that baseball—and many of its fellow citizens of the sports world—have been pioneers in the area of religious and racial relations.

I say pioneers. My claim is not that any of us in the sports world, any more than in other fields of our personal, business, and professional activities, have been perfectionists. But even as the wheel ruts of the covered wagons blazed the trails for our modern-day superhighways to the West, the efforts of the pioneers are required to pave the way to the perfection we all hope some day to achieve.

No doubt, in the rusted history of sports in this country, back to the day of Doubleday in baseball, prejudices existed, which, if they ever were chronicled, happily have long since been forgotten.

I know that by the time I was introduced to the thrills of professional baseball, no one asked how a man prayed, but only how well he played—we did not note where he worshipped, but, carefully, how he could field, hit, run, and throw.

Finally, in 1946, the final barrier in baseball came tumbling down. If, in the second guess of reflection, we now realize, with more than a semblance of shame, that this was more than 80 years after Appomattox, can we not take pride in the fact that, from this beginning, sports have progressed, in a comparatively short span of time, so that baseball, for example, has been hailed as the true national sport for all Americans, and here in Boston, for another showpiece, a championship basketball team is recognized as a champion in the ideals of brotherhood as well.

Most importantly, the modern-day pioneers have provided us with guideposts on the path to eventual perfection in our relationships with all our fellow men.

There have been raised, from time to time, perhaps each time progress is proposed or effected, voices of alarm and dire foreboding. In fairness, these cries often come from two areas and in two ways—caustically, from men of ill will—but sometimes, as a caution, even from men of good will and admirable foresight.

Now I can say tonight that baseball is much the better for each progressive move it has made in keeping with the ideals espoused by this committee of Catholics, Protestants, and Jews.

With such proven facts provided by the pioneers of the sports world, can we not now proceed toward perfection throughout our personal and work-a-day lives, keeping in mind a few thoughts which the saintly Father James Keller, who follows so faithfully in the footsteps of the Sainted Christopher, proposes for our consideration in the face of challenges certain to arise in the coming years and decades. Father Keller reminds us well, that—

"This is still God's world;

"The vast majority of people, despite real weaknesses, are basically good;

"Those bent on evil are relatively few, even though aggressive;

"Problems, however discouraging, can usually be turned into opportunities;

"And that—every individual, with God's help, can take some steps, however few, to change the world for the better."

In conclusion, I wonder if the goal we all should seek was not once summarized for us on our own sports pages—in that one day we may regard all our fellow men as a sports columnist once wrote of the great Joe Louis—"He is a credit to his race—the human race."

Ladies and gentlemen, with this hope for the future, humbly in the present, with gratitude in behalf of our great national game of baseball, I thank you for this citation.

REMARKS OF HON. JACOB K. JAVITS, U.S. SENATOR FROM NEW YORK

Thank you very much, Attorney General Brooke, and I consider the honor doubly great by being presented by such hands of achievement and character and standing with the people of this Commonwealth as your own.

Dr. Knowles, Mayor Collins, and my respects to Governor Volpe and Lieutenant Governor Richardson, who have had to leave us; reverend clergy, very distinguished guests, and my fellow honorees, Mr. Cronin and Governor Collins, I am deeply honored to be in their company and considered worthy of being honored with them; and ladies and gentlemen, I thank you deeply for your citation, and I thank Mr. Shapiro for inviting me as he has; and I am now not nearly as put out with Senators SALTONSTALL, RIBICOFF, and TED KENNEDY, who insisted that I had to be here this night, though I must leave for Europe this very night from here. I gather this may be inaugurating some kind of direct service from Boston abroad.

I am very happy to be found in the company I have tonight and to have noted those who have been honored before. My own predecessor, Herbert Lehman, is one of the honorees of the Massachusetts committee. I find Bernard Baruch and Gen. David Sarnoff, Mrs. Franklin D. Roosevelt, and even a Republican or two—like Christian Herter, Max Rabb, and LEV SALTONSTALL. So, I am in very good company and I am deeply honored.

In a sense, though, there is a poetic justice in this. I think Massachusetts owes me an honor. After all, you sent us a Senator; you owe me a citation.

My friends, I have heard with the deepest interest the work which is done in the name of the committee. This is certainly, I am sure, as distinguished a gathering as one could find in the Commonwealth—honored by the mayor, the Governor, the Lieutenant Governor, the highest officials of State and city, and by such distinguished men and women as are represented here. And I feel this is all to the good; and I have heard with the deepest interest and the greatest appreciation the invocations of the ecumenical spirit, of the spirit of goodwill, of brotherhood, in every sense—religious, from the sports world, from the world of the pacification of racial relations which Governor Collins represents and in every way that it could be expressed. And perhaps it is somewhat fitting that when it comes my turn I might tell you what I believe awards to be.

I believe, if awards are going to be rewards for services rendered, then they should all be postulants. But on the other hand, if awards are going to be incitements to action, if they are going to inspire men and women to do the things for which awards are given, then I think they are suitable, and necessary, and delightful in terms of the living world.

And so, I beg of you to associate me with every sentiment of brotherhood and good will which has been uttered tonight. And I would like to go on from there and suggest to you some of the things which you can do as an individual in the name of this very noble concept.

We are engaged today in massive struggles in the world of the greatest depth and importance, and we live in a very revolutionary age when anything can happen and, as some have said, generally does, and there are many disquieting tendencies abroad which deserve to enlist the greatest efforts of the individual who is interested in this cause of human brotherhood, without regard to faith, race, color, or any other distinction of that superficial character.

My friends, for example, I have seen in the civil rights field and in these developments which we have lately witnessed on television, the teachings, a manifestation of thinking which I believe deserves correction by all men of good will. There is a disquieting tendency among those who are the most passionately moved by racial injustices, a feeling which is beginning to put some pressure on that movement, to identify the struggles against racial injustice with new isolationist opposition to U.S. foreign policy.

We have heard time and again, and I have heard—I am sure you have, too—the idea that, How is it we can send troops to Vietnam and the Dominican Republic; how is it that we can spend hundreds of millions, even billions, for foreign aid, and we cannot at the same time assure our Negroes in the United States of equal justice, or give them the money with which by training and education to catch up with the tremendous handicap under which they have been put in a century of neglect—indeed, of three centuries of neglect if you take their continuous history in this country?

There seems to be an idea that the United States, in order to do justice domestically, must let the enemies of freedom triumph abroad—if you would take that argument at its face.

Now we believe no such thing, and any confusion upon that score should be speedily dispelled, especially by people who have devotion to good will and to brotherhood.

I support the essentials of our Nation's foreign policy, and I won't bemuse you with the details—they are immaterial now. I support the essentials of that foreign policy. I believe very deeply that scores, even hundreds of casualties suffered now in the cause of freedom, which is indivisible, just as the cause of justice is indivisible, and the cause of equal opportunity is indivisible—when denied to one it is denied to all, so the cause of freedom is indivisible, and the cause of peace is indivisible from freedom. I believe that scores of casualties, even hundreds of casualties, suffered now are suffered by heroes and martyrs who are saving us millions in the days ahead if the world will but learn that we have a responsibility to our brothers, and that in this kind of dangerous world we are our brother's keeper.

And so I hope very much that in your own personal activities, in your devotion to the moral struggle for civil rights and for equal justice and equal opportunity, to the legal and the social effort to grant rights in full to every American, particularly every Negro, at the same time you will not allow your judgment to be clouded or the movement to be obscured by being confused with an opposition to the Nation's foreign policy as if there was something inconsistent between the two when the two are quite consistent—indeed, one is necessary to the other as they possibly could be.

And then in another area in which I think you can help and help greatly. We are in for summer now, and you have all heard the expression about its being a long, hot summer in this revolutionary time in which we live.

Well, there is a tremendous ferment in the land, and though we have passed many laws, and your own Senator, TED KENNEDY, has waged, as someone here has said quite properly, a very fine battle to ban the poll tax in company with a valiant band of other Senators, in which I am very proud to be included, and which includes BOB KENNEDY, too, to make some kind of decent voting rights bill that would at last safeguard this right, and though we have passed bills in 1957 and 1960 and 1964 and will again in 1965, laws set a norm of conduct, but there is yet conduct which must be carried out in human relations.

And so I ask you, in the spirit of the award which you have so graciously given to me, think through yourself as to whether you are doing everything in terms of your deep conviction upon this subject which this tremendous social revolution really calls for.

How many Negroes do you know who are your friends? How many jobs or training opportunities have you given to Negroes? How little irritated have you been if your children's school has been changed from a school which had no Negro representation for a more integrated status? How happy are you if a Negro lives on your block or suburb? And if you are a businessman, how conscious are you of the fact that unemployment among Negro girls up to 21 years of age is about one-third of the total number of employable, and that that compares with other teenagers who are about 15 percent, and that is awfully high, too?

What are you doing, specially in this hot summer, to give jobs to all teenagers and opportunities to them with a special eye to the particular problems of Negroes in this country?

Now, my friends, these are perhaps a little provocative, perhaps even a little irritating, but I am not given to broad forensics, and I have taken an award only for what it will inspire me to do and as an example to others to inspire you to do.

I compliment and congratulate you upon your work. I think it is magnificent. Your Mr. Williams was an inspiration, as I heard him; and I am delighted to be in the company of such distinguished awardees as Mr. Cronin and Governor Collins. And I evoke from you, in the spirit of your generosity and the warmth of your reception, a correlation with the activities for which you have honored us. Earn this award, too, each one of you, in some of the ways which I have described; and then the blessings of good will and of brotherhood which have dominated this organization for so long will be translated in a joy to you which you can only realize when you have achieved them.

Thank you very much.

REMARKS BY HON. LE ROY COLLINS, FORMER GOVERNOR OF FLORIDA, AND DIRECTOR, COMMUNITY RELATIONS SERVICE, U.S. DEPARTMENT OF COMMERCE

Mr. Cahners, Dr. Knowles, Governor Volpe, Mayor Collins, Senator JAVITS, Mr. Cronin, and other distinguished guests, ladies and gentlemen, for me it is always a happy occasion when I visit historic Boston, but to be receiving one of your Massachusetts Committee of Catholics, Protestants, and Jews annual awards makes this evening a highly privileged time as well.

First of all, may I commend this organization for its splendid program of improving human relations in this community. I have been talking here with Chairman Hodgkinson, and he has told me of the many fine efforts you have made in the past and has given me a forecast of some of the exciting projects you will undertake in the future. I extend my congratulations and warmest good wishes for your continued success.

If we of the Community Relations Service can ever be of any assistance to you, please do not hesitate to call upon us.

From the incubation of the Republic down to the present time, Boston is a community which has been characterized by the greatness of people who have lived here. This gives you an extraordinarily rich heritage, but I would caution you that change and progress must come everywhere in our land, and there is no community which can ever consider itself safe from destructive conditions and influences; and the danger is all the greater unless the people and their leaderships are made continually aware of all eroding conditions and demonstrate through positive efforts the will and means to go forward to remedy them.

I am especially delighted to see my longtime friend, Mayor Collins, here tonight. Not only have your mayor established a splendid record for his work here, but in various conferences in which I have participated, I have learned that his counsel and guidance are highly respected by people interested in municipal progress throughout the Nation.

The distinguished Speaker of the U.S. House of Representatives and I were visiting in his office the other day, and mention was made of this meeting. He explained that he would not be able to come here tonight personally because of the arduous duties of his present position. He spoke to me in the warmest of terms about this great audience. "Beyond any doubt," he said, "you will be with the finest of Boston and Massachusetts leadership there."

I would like to express my appreciation, and that of my assistant, Mr. Jay Janis, to Mr. Ben Shapiro. He is an extraordinary person and has looked after every detail of this splendid meeting with amazing competence.

May I say, too, that I am highly honored to be in the company of my fellow awardees here this evening.

Senator JACOB K. JAVITS, of New York, is one of the Nation's leading and most respected Republicans. But more than that, he is a great American and contributes enormous skill and dedication to duty in his public service. The whole Nation looks to him for leadership.

Mr. Joseph E. Cronin is one of the country's foremost heroes and citizens. He is in everybody's hall of fame. I would consider it a high privilege if I had had the opportunity to be his second-string bat boy.

Ladies and gentlemen, may I try to express in just a few additional words my great appreciation for the honor which has been given me this evening. I shall always be grateful to you and try to show this by ever-increasing efforts to deserve it.

I think our generation is faced with the crucial test of doing what other generations which have gone before us have failed to do. True, our forefathers had the vision of developing here a nation "of liberty and justice for all"; but with the degree of discrimination which we have experienced over the years, especially that practiced against our Negro citizens, no fairminded American can say that a full measure of success has been achieved.

But this is a new time—a new opportunity—a new challenge—we now live with.

Ours is the time of new achievement in civil rights, and, unless I judge my fellow Americans wrongly, ours will be the time of great success.

This will take much more than flag waving, oratory, and good intentions. It will take much more than laws and ordinances and Executive orders. It will take work—very hard work—by all of those who want this to come to pass.

We are all called to action. In whatever ways, little or big, that our opportunities and talents allow we must not fail to respond.

Thank you.

AWARDS

The Massachusetts Committee of Catholics, Protestants, and Jews, at its 28th annual dinner, presents this citation and testimonial to Senator JACOB K. JAVITS, first generation American, born in New York City and deriving his formal education from its public schools, night classes at Columbia and law studies at New York University Law School; admitted to the bar in 1927 and now the head of a large law firm in New York City; active supporter in 1937 and 1940 of Mayor LaGuardia's programs for civic reform; combat officer in World War II who attained the rank of lieutenant colonel; a member of the U.S. House of Representatives from 1946 to 1954; elected attorney general of New York State in 1954; elected to the U.S. Senate in 1956 and again in 1962; author of the revealing book entitled "Discrimination, U.S.A."; writer of numerous articles for magazines and periodicals; recipient of honorary degrees from 11 universities; nationally acclaimed for his legislative record in Washington, particularly for his work with respect to civil rights, civil liberties, and foreign economic policy—Senator JAVITS' life of public service has exemplified American citizenship at its best.

For his enlightened sense of the challenges of a free society and his unceasing efforts to bring the practices of our democracy closer to its preachings, the Massachusetts Committee of Catholics, Protestants, and Jews presents to Senator JAVITS this testimonial of its appreciation and esteem.

Dated at Boston, Mass., this 20th day of May 1965.

The Massachusetts Committee of Catholics, Protestants, and Jews, at its 28th annual dinner, presents this citation and testimonial to the Honorable LeRoy Collins, thoughtful, constructive and courageous American who has served with distinction in the field of government and in the field of education.

His good work as a legislator in his native State of Florida and his wise administration of his office of Governor of Florida won for him national acclaim and led to his selection as chairman of the National Governors' Conference, as chairman of the National Public Advisory Committee on Area Redevelopment, as a member of the Peace Corps' National Advisory Council, and as permanent chairman of the 1960 Democratic National Convention.

In the scholastic field, he has served as a member of the Committee on Goals for Higher Education in the South, as chairman of the Southern Regional Educational Board, as a member of the board of governors of the National Cathedral School, and as a trustee of Randolph-Macon Women's College.

After 3 years as the president of the National Association of Broadcasters, Governor Collins was appointed by President Johnson in 1964 to his present difficult post of Director of the Federal Community Relations Service.

In recognition of his more than 30 years of high service to State and Nation and of his dedication to the peaceful achievement of the goals of our current civil rights movement, the Massachusetts Committee of Catholics, Protestants, and Jews presents to Governor Collins this citation and award.

Dated at Boston, Mass., this 20th day of May, 1965.

The Massachusetts Committee of Catholics, Protestants, and Jews, at its 28th annual dinner, presents this citation and testimonial to Joseph E. Cronin, adopted son of Boston; vice chairman of our committee; an original sponsor of our annual junior goodwill dinners; executive committee chairman of Children's Cancer Research Foundation; shining knight in baseball armor from 1924 to 1946; famed player-manager of the Washington Senators for 2 years, and of the Boston Red Sox for 11 years; voted the American League's most valuable player in 1930; seven times a member of the American League's all star team; twice designated the American League's all star manager; vice president and general manager of the Red Sox from 1948 through 1958; immortalized in 1956 at Cooperstown as a member of Baseball's Hall of Fame; and enthroned in 1959 as president of the American League.

Today, by virtue of his sui generis athletic past, his personal character and enlightened civic sense, he is nationally recognized as the ideal chieftain of a major baseball league and as the personification of baseball at its best.

Sharing the general public's admiration and respect for our helpful fellow members, the Massachusetts Committee of Catholics, Protestants, and Jews presents to Joseph E. Cronin this citation and award.

Dated at Boston, Mass., this 20th day of May 1965.